OCT 21 1949

UNITED STATES OF AMERICA

Congressional Record

PROCEEDINGS AND DEBATES OF THE 81st CONGRESS
FIRST SESSION

VOLUME 95—PART 2

FEBRUARY 21, 1949, TO MARCH 18, 1949
(PAGES 1413 TO 2804)

UNITED STATES GOVERNMENT PRINTING OFFICE, WASHINGTON, 1949

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United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 81st CONGRESS, FIRST SESSION

SENATE

MONDAY, FEBRUARY 21, 1949

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Eternal God, from the folly, treachery, and frustration, the mental and moral and spiritual confusion of these frightening days, we turn for this still moment to the timeless verities of the unseen and eternal and to the well of faith from which our spiritual strength is drawn.

We thank Thee for the world around us, the work of Thy fingers, the object of Thy love. We thank Thee for the world within us, for the call of duty, for the lure of the lovely, for the sorrow that we fall so far short of the glory; for eternity set deep in our hearts so that we are restless among the things we see and handle and dissatisfied with all save Thyself. In all that we say or do this day keep our hearts with Thee, and lead us in the paths of righteousness for Thy name's sake. Amen.

THE JOURNAL

On request of Mr. LUCAS, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, February 17, 1949, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed the bill (S. 548) to provide for continuation of authority for the regulation of exports, and for other purposes, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bill and joint resolution, in which it requested the concurrence of the Senate:

H. R. 54. An act to retrocede to the State of New Mexico exclusive jurisdiction held by the United States over lands within the boundaries of the Los Alamos project of the United States Atomic Energy Commission; and

H. J. Res. 92. Joint resolution to continue the authority of the Maritime Commission to sell, charter, and operate vessels, and for other purposes.

ENROLLED BILL SIGNED

The message further announced that the Speaker had affixed his signature to the enrolled bill (H. R. 2402) to extend the Office of the War Assets Administrator and the War Assets Administration from February 28, 1949, until June 30, 1949, and it was signed by the Vice President.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred, as indicated:

AMENDMENT OF REVISED STATUTES RELATING TO COVERAGE INTO TREASURY OF CERTAIN MONEYS

A letter from the Acting Secretary of the Treasury, transmitting a draft of proposed legislation to amend section 3552 of the Revised Statutes relating to the covering into the Treasury of all moneys arising from charges and deductions (with accompanying papers); to the Committee on Banking and Currency.

READJUSTMENT OF POSTAL RATES

A letter from the Postmaster General transmitting a draft of proposed legislation to readjust postal rates (with accompanying papers); to the Committee on Post Office and Civil Service.

SALARIES OF PERSONS IMPROPERLY REMOVED OR SUSPENDED FROM SERVICE

A letter from the President of the United States Civil Service Commission, transmitting a draft of proposed legislation to provide for payment of salaries covering periods of separation and suspension from the Government service in the case of persons improperly removed or suspended from such service (with an accompanying paper); to the Committee on Post Office and Civil Service.

REPORTS OF COMMISSION ON ORGANIZATION OF EXECUTIVE BRANCH OF THE GOVERNMENT

A letter from the Chairman of the Commission on Organization of the Executive Branch of the Government, transmitting, pursuant to law, a report on foreign affairs (with an accompanying report); to the Committee on Expenditures in the Executive Departments.

A letter from the Chairman of the Commission on Organization of the Executive Branch of the Government, transmitting, pursuant to law, a report on foreign affairs (Appendix H) (with an accompanying report); to the Committee on Expenditures in the Executive Departments.

A letter from the Chairman of the Commission on Organization of the Executive Branch of the Government, transmitting, pursuant to law, a report on its miscellaneous studies pertaining to the Department of State (Appendix VI-A-B-C-D) (with an accompanying report); to the Committee on Expenditures in the Executive Departments.

A letter from the Chairman of the Commission on Organization of the Executive Branch of the Government, transmitting, pursuant to law, a report on its staff study on executive-legislative relations in the conduct of foreign affairs (Appendix VIII-A) (with an accompanying report); to the Committee on Expenditures in the Executive Departments.

A letter from the Chairman of the Commission on Organization of the Executive Branch of the Government, transmitting, pursuant to law, its report on miscellaneous staff studies pertaining to the Foreign Service (Appendix VII-A-B-C) (with an accompanying report); to the Committee on Expenditures in the Executive Departments.

A letter from the Chairman of the Commission on Organization of the Executive Branch of the Government, transmitting, pursuant to law, its report on staff study of the role of the President in foreign affairs (Appendix IV-A) (with an accompanying report); to the Committee on Expenditures in the Executive Departments.

A letter from the Chairman of the Commission on Organization of the Executive Branch of the Government, transmitting, pursuant to law, a report on its staff study of the interdepartmental aspect of foreign affairs (Appendix V) (with an accompanying report); to the Committee on Expenditures in the Executive Departments.

CALL OF THE ROLL

Mr. LUCAS. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Hendrickson	Maybank
Anderson	Hill	Miller
Baldwin	Hoey	Millikin
Brewster	Holland	Morse
Bricker	Humphrey	Murray
Bridges	Hunt	Neely
Broughton	Ives	O'Conor
Butler	Jenner	O'Mahoney
Byrd	Johnson, Colo.	Pepper
Cain	Johnson, Tex.	Reed
Capehart	Johnston, S. C.	Russell
Chapman	Kem	Saltonstall
Connally	Kerr	Schoeppel
Cordon	Kilgore	Smith, N. J.
Donnell	Knowland	Sparkman
Douglas	Langer	Stennis
Downey	Lucas	Taylor
Ecton	McCarran	Thomas, Okla.
Ellender	McCarthy	Thomas, Utah
Ferguson	McClellan	Thye
Frear	McFarland	Tydings
Fulbright	McGrath	Vandenberg
George	McKellar	Watkins
Gillette	McMahon	Wiley
Green	Magnuson	Williams
Gurney	Malone	Withers
Hayden	Martin	Young

Mr. LUCAS. I announce that the Senator from New Mexico [Mr. CHAVEZ] and the Senator from New York [Mr. WAGNER] are necessarily absent.

The Senator from Mississippi [Mr. EASTLAND], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Louisiana [Mr. LONG], the Senator from Pennsylvania [Mr. MYERS], and the Senator from Virginia [Mr. ROBERTSON] are absent on public business.

Mr. SALTONSTALL. I announce that the Senator from Vermont [Mr. FLANDERS], the Senator from Iowa [Mr.

HICKENLOOPER], the Senator from Massachusetts [Mr. LODGE], the Senator from South Dakota [Mr. MUNDT], the Senator from Maine [Mrs. SMITH], and the Senator from New Hampshire [Mr. TOBEY] are absent on official business.

The Senator from Nebraska [Mr. WHERRY] is necessarily absent.

The VICE PRESIDENT. Eighty-one Senators having answered to their names, a quorum is present.

INSTITUTE OF INTER-AMERICAN AFFAIRS ACT—MESSAGE FROM THE PRESIDENT

The VICE PRESIDENT laid before the Senate a message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations.

(For President's message, see today's proceedings of the House of Representatives, p. 1440.)

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A resolution of the House of Representatives of the State of Washington; to the Committee on Armed Services:

"To the Honorable Harry S. Truman, President of the United States, and to the Senate of the United States of America in Congress assembled:

"We, your memorialists, the House of Representatives of the State of Washington, in legislative session assembled, respectfully represent and petition as follows:

"Whereas the Honorable Monrad C. Wallgren is a former Governor of the State of Washington; and

"Whereas the Honorable Harry S. Truman, President of the United States, has recently appointed the Honorable Monrad C. Wallgren as Chairman of the National Securities Resources Board; and

"Whereas such appointment must be confirmed by the Senate of the United States; and

"Whereas the Honorable Monrad C. Wallgren's background as Senator, Congressman, and Governor qualifies him for this most important position: Now, therefore, be it

"Resolved by the House of Representatives of the State of Washington, in legislative session assembled, That we respectfully commend the President of the United States in appointing the Honorable Monrad C. Wallgren to the chairmanship of the National Securities Resources Board and we respectfully urge upon the Senate of the United States that his appointment be confirmed speedily; be it further

"Resolved, That copies of this memorial be immediately transmitted to the Honorable Harry S. Truman, President of the United States, the President of the United States Senate, and to each Senator from the State of Washington.

"S. R. HOLCOMB,
"Chief Clerk, House of Representatives."

A concurrent resolution of the Legislature of the State of Indiana; to the Committee on Public Works:

"Enrolled Senate Concurrent Resolution 4

"Concurrent resolution memorializing Congress to enact effective legislation providing for flood control in the Wabash River watershed area and tributaries thereto

"Whereas each year the overflow of the many rivers, streams, creeks, and tributaries which empty into the Wabash River creates a flood condition imperiling life and causing property damage throughout the entire Wabash Valley, contributing at the same time to similar conditions which exist in the Southern States through which the Ohio and Mississippi rivers flow; and

"Whereas the specific consequences of such flood conditions are: silting and sedimentation of stream channels, reservoirs, dams, ditches, and harbors; loss of soil and water; an increase in the speed and volume of rainfall run-off, causing severe and increasing floods, which bring suffering, disease, and death, impoverishment of families, damage to roads, highways, railways, buildings, and other property from floods; and losses in navigation, hydroelectric power, municipal water supply, and underground water reserve: Therefore be it

"Resolved by the senate (the house of representatives concurring):

"SEC. 1. The Eighty-sixth General Assembly of the State of Indiana does hereby memorialize and petition the Congress of the United States to enact effective legislation for the control of floods and the prevention of soil erosion, to preserve natural resources, prevent impairment of dams and reservoirs, assist in maintaining the navigability of rivers, protect and promote the health, safety, and general welfare of the people, and to appropriate sufficient funds for the execution of such legislation.

"SEC. 2. The secretary of the senate is directed to forward copies of this resolution to the Secretary of the United States Senate, to the Clerk of the National House of Representatives, and to each United States Senator and Congressman from Indiana."

A concurrent resolution of the Legislature of the State of Michigan; to the Committee on the Judiciary:

"House Concurrent Resolution 8

"Concurrent resolution memorializing the Congress of the United States to pass, and the President of the United States to approve, if passed, the General Pulaski's Memorial Day joint resolution now pending in Congress

"Whereas a joint resolution providing for the President of the United States of America to proclaim October 11 of each year as General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski, is now pending in the present session of the United States Congress; and

"Whereas the 11th day of October 1779 is the date in American history of the heroic death of Brig. Gen. Casimir Pulaski, who died from wounds received on October 9, 1779, at the siege of Savannah, Ga.; and

"Whereas it is fitting that the recurring anniversary of this day be commemorated with suitable patriotic and public exercises on observing and commemorating the heroic death of this great American hero of the Revolutionary War; and

"Whereas the Congress of the United States of America has by legislative action designated each October 11, from 1929 to 1946, to be General Pulaski's Memorial Day, in the United States of America: Now, therefore, be it

"Resolved by the house of representatives (the senate concurring) That the Congress of the United States is hereby requested to pass, and the President of the United States is hereby requested to approve, if passed, the General Pulaski's Memorial Day resolution now pending in the United States Congress; and be it further

"Resolved, That suitable copies of this concurrent resolution be sent forthwith to the President of the United States, the Vice President of the United States, the Speaker of the House of Representatives of the United States, and each of the United States Senators and Representatives from Michigan.

"Unanimously adopted by the house, January 24, 1949.

"Unanimously adopted by the senate, February 4, 1949."

A joint memorial of the Legislature of the State of Colorado to the Committee on Banking and Currency:

"House Joint Memorial 2

"Memorializing the Congress of the United States to approve pending legislation concerning the right of domestic producers to sell gold in the markets of the world

"Whereas the Government of the United States has fixed the price of gold at $35 an ounce; and

"Whereas gold is selling upon the world markets at prices much in excess of the price fixed for American production; and

"Whereas cost conditions of all kinds have increased approximately 70 percent since the price of gold was fixed at $35 an ounce, causing great distress among the gold mines of the West and particularly the smaller properties in the State of Colorado; and

"Whereas gold has played a prominent part in the development and maintenance of the economy of the State and the general welfare of the people of Colorado; and

"Whereas many of the citizens of the State of Colorado have invested their meager savings in gold mines, as have citizens in many other sections of the Nation; and

"Whereas the taxpayers of the Nation would be caused no financial loss by reason of the passage of legislation permitting domestic producers to sell gold on the markets of the world at much higher prices than they are now permitted to obtain; and

"Whereas the encouragement of gold mining has always resulted in the uncovering of other metals needed by the Nation; and

"Whereas only recently the largest custom mill in the State was demolished and an attempt will be made to reconstruct it in the Cripple Creek area in an effort to eliminate certain cost factors which were showing their effect upon profitable operation; and

"Whereas because of this other mines in other districts will be deprived of a local market for their ores; and

"Whereas this trend has been going on for some time—reducing the number of operating mines in the State producing gold to one-third of the 1937 total number: Now, therefore, be it

"Resolved by the House of Representatives of the Thirty-seventh General Assembly of the State of Colorado (the senate concurring herein), That it respectfully petitions the Congress of the United States and urges the President of the United States to use his good offices to permit the sale of gold produced in the United States from domestic mines to be sold by producers in the markets of the world by amending the Gold Reserve Act of 1934 and removing the present restrictions that prevent our citizens from buying, holding, or selling gold domestically or in foreign markets."

The petition of Sidney H. Scheuer, of New York, N. Y., relating to the agricultural support program; to the Committee on Agriculture and Forestry.

Two telegrams in the nature of petitions from Chief Risingsun, Richmond, Va., and Harold Molenkamp, of Denver, Colo., relating to assistance to Indians in the storm-stricken areas of the West; to the Committee on Appropriations.

The petition of Walter A. Smith, of Bell Gardens, Calif., praying for the enactment of legislation to provide sufficient funds for the operation of House bill 4044, Public Law 896, Eightieth Congress, to amend the Trading With the Enemy Act, as amended, to create a commission to make an inquiry and report with respect to war claims, and to provide for relief for internees in certain cases; to the Committee on Appropriations.

A resolution adopted by the Portland Labor-Management Committee, of Portland, Oreg., favoring the enactment of legislation to provide funds for the McNary Dam proj-

ect on the Columbia River (with an accompanying paper); to the Committee on Appropriations.

Petitions from Mr. and Mrs. J. Martin, of Indianapolis, Ind., and sundry other citizens of the United States, praying for the enactment of legislation to repeal rent control; to the Committee on Banking and Currency.

A telegram in the nature of a petition from Regina N. Bressler, New York, N. Y., praying for the enactment of legislation to extend rent control; to the Committee on Banking and Currency.

A letter in the nature of a petition from Dr. J. R. Cooper, of New Castle, Pa., relating to the report of the Hoover Commission; to the Committee on Expenditures in the Executive Departments.

Petitions from E. E. Potter, of Louisville, Ky., and sundry other citizens of the United States, praying for the enactment of legislation to broaden the provisions of the social-security law; to the Committee on Finance.

The petition of Herman Carlisle, of Springfield, Mass., praying for the enactment of legislation to abolish the so-called nuisance excise taxes; to the Committee on Finance.

A resolution adopted by the eighteenth annual convention of the American Society of Travel Agents, Savannah, Ga., October 18–23, 1948, favoring repeal of the 15-percent passenger transportation tax; to the Committee on Finance.

A paper in the nature of a petition from the Liberal Party of the State of New York, signed by the chairman of the national legislative committee and the State executive director, relating to taxation and the budget; to the Committee on Finance.

The petition of William M. Spaulding, Jr., of Lebanon, Ky., relating to an interchange of Ambassadors with Spain; to the Committee on Foreign Relations.

A letter in the nature of a petition from Carl B. Humphrey, director, the U. S. A.-Morocco Trade Co., Casablanca, Morocco, relating to aid to American business and the independence of Morocco (with accompanying papers); to the Committee on Foreign Relations.

The petition of Luther Parker, of Santa Cruz, Calif., praying for the enactment of legislation to authorize the defense forces to go into instant action to repulse any enemy attack without waiting for a formal declaration of war; to the Committee on Foreign Relations.

Resolutions adopted by the City Council of the City of Scranton, Pa., the Board of Aldermen of the City of Chelsea, Mass., and the Board of Trustees of the City of Cicero, Ill., favoring the enactment of legislation proclaiming October 11 of each year as General Pulaski's Memorial Day; to the Committee on the Judiciary.

A resolution adopted by the annual meeting of the National Lutheran Council, New York, N. Y., relating to the admission of displaced persons into the United States; to the Committee on the Judiciary.

A letter in the nature of a petition from Ann Fetting, national president, Blue Star Mothers of America, Smiths Creek, Mich., praying for the enactment of the so-called charter bill for that organization; to the Committee on the Judiciary.

A resolution adopted by a conference of 400 civic leaders and representatives of groups and organizations of Greenwich, Village, N. Y., favoring the enactment of the so-called civil rights legislation pending in Congress; to the Committee on the Judiciary.

Petitions from Mary McCaffrey, of Beacon, N. Y., and sundry others citizens of the United States, praying for the enactment of the so-called McGrath-Johnson education bill; to the Committee on Labor and Public Welfare.

Petitions from Marquise Kidd, of Arcadia, Calif., and sundry other citizens of the United States, praying for the enactment of legislation to repeal the so-called Taft-Hartley labor law; to the Committee on Labor and Public Welfare.

Memorials from R. Lee Ashton, of Rolla, Mo., and sundry other citizens of the United States, remonstrating against the repeal of the so-called Taft-Hartley labor law; to the Committee on Labor and Public Welfare.

A letter in the nature of a petition from John H. Davis, executive secretary, National Council of Farmer Cooperatives, Washington, D. C., enclosing a statement of that council relating to the revision of the Labor-Management Relations Act of 1947 (with an accompanying paper); to the Committee on Labor and Public Welfare.

Two telegrams in the nature of petitions from Joseph A. Getzow, president, Marion Manufacturing Co., of Lebanon, Ky., and George Keuhnlein, president, and Sal F. Crivelli, recording secretary, executive committee of the Machinists Nonpartisan Political League, Long Island City, N. Y., relating to the establishment of minimum wages; to the Committee on Labor and Public Welfare.

The petition of Gayle C. Norton, of Brooklyn, N. Y., praying for the enactment of legislation to include commissioned officers in the so-called GI bill of rights (with an accompanying paper); to the Committee on Labor and Public Welfare.

A letter in the nature of a petition from Local No. 4332, National Federation of Post Office Clerks, Beaver Dam, Ky., signed by Geneva S. Williams, secretary, relating to pending legislation affecting postal clerks; to the Committee on Post Office and Civil Service.

A letter in the nature of a petition from J. L. Galloway, of Peabody, Ky., relating to the schedule of postal money orders; to the Committee on Post Office and Civil Service.

A telegram in the nature of a petition from Dr. F. P. Kittrell, of Washington, D. C., and sundry other citizens of the United States, relating to cloture; ordered to lie on the table.

By Mr. MAYBANK:

A concurrent resolution of the General Assembly of the State of South Carolina; to the Committee on Interstate and Foreign Commerce:

"Concurrent resolution memorializing the Congress of the United States to enact such legislation or take such action as will require and direct the Interstate Commerce Commission of the United States to recede from its rulings and/or reverse its findings in which fresh agricultural commodities when washed and packaged become manufactured agricultural commodities and as such not entitled to exemption when carried in motor vehicles in interstate commerce

"Whereas the Interstate Commerce Commission on December 16, 1947, in case No. MC–107669, issued a ruling that fresh spinach because it was washed and packaged became a manufactured agricultural commodity and became removed from the exempt list as provided for in section 203 (b) (6) of the act which provides interalia as follows: 'Motor vehicles used in carrying property consisting of ordinary live stock, fish (including shell fish, or agricultural commodities (not including manufactured products thereof) if such motor vehicles are not used in carrying other property or passengers, for compensation'; and

"Whereas it is essential that in areas in which farmers in South Carolina grow their products, that these products be washed, waxed, defuzzed, artificially dried, graded, packaged or undergo other marketing processes that do not basically change the raw product and a ruling taking them from the exempt list would not only be arbitrary, discriminatory and of financial loss to the farmers, but would also be contrary to the intent of Congress in providing for the exemptions in the Motor Carrier Act; and

"Whereas following the many protests the United States Department of Agriculture joined by national organizations, including the Farm Bureau, the Grange, Association of Fruit and Vegetable Growers, producers and others have intervened in the ruling; and

"Whereas there is now pending before the Interstate Commerce Commission the so-called Harwood case, known as Investigation for Determination of Exempted Agricultural Commodities Docket MC–C968 in which pending case an adverse ruling in line with the ruling set forth above in respect to spinach would create a situation of great financial hardship on all agricultural commodities grown and shipped by motor vehicle in the State of South Carolina: Now, therefore, be it

"Resolved by the house of representatives (the senate concurring), That the Congress of the United States be, and it is hereby, memorialized to enact such legislation or take such action as will require and direct the Interstate Commerce Commission of the United States of America to recede from its rulings and/or reverse its findings in which fresh agricultural commodities when washed and packaged become manufactured agricultural commodities and as such not entitled to exemption when carried in motor vehicles in interstate commerce; be it further further

"Resolved, That copies of this resolution be forwarded to the South Carolina Members of the United States Senate and House of Representatives, Hon. Charles F. Brannan, United States Secretary of Agriculture; Hon. Charles B. Bowling, Chief, Transportation Rates and Service Division, Marketing Facilities Branch, United States Department of Agriculture; and the Interstate Commerce Commission of the United States.

"In the house of representatives, Columbia, S. C., February 15, 1949."

By Mr. THOMAS of Oklahoma:

A concurrent resolution of the Legislature of the State of Oklahoma; to the Committee on Appropriations:

"Senate Concurrent Resolution 6

"Concurrent resolution memorializing the Congress of the United States to make suitable appropriation for the care and support of needy and destitute Indians

"Whereas it appears from press reports and general information that there are in the United States thousands of Indians in needy and destitute circumstances and that the present unprecedented cold wave sweeping over the greater part of the United States has augmented this needy and destitute condition; and

"Whereas recent press reports show that 200 families, representing an estimated 1,000 members in the Five Civilized Tribes of Oklahoma, are in need of welfare relief, previous allowance for this purpose having been exhausted: Now, therefore, be it

"Resolved by the Senate of the Twenty-second Legislature of the State of Oklahoma (the house of representatives concurring therein), That the Congress of the United States be petitioned and memorialized to promptly make sufficient appropriation to provide food, clothing, fuel, and medicine for the thousands of needy and destitute Indians of the United States; be it further

"Resolved, That a copy of this resolution be mailed to the Secretary of the Interior, Commissioner of Indian Affairs, and to each Member of the Oklahoma delegation in Congress.

"Adopted by the senate the 9th day of February 1949.

"Adopted by the house of representatives the 7th day of February 1949."

By Mr. MURRAY:

A resolution of the Senate of the State of Montana; to the Committee on Banking and Currency:

"Senate Resolution 2

"Resolution to the Congress of the United States transmitted by the Senate of the State of Montana relative to housing legislation

"Whereas there is certain proposed housing legislation presently before the National Congress known respectively as H. R. 933 in the House of Representatives, and S. 138 in the United States Senate, designed by its sponsors to relieve housing shortages and to improve housing standards in the United States; and

"Whereas the above designated legislative matters incorporate therein—

"First, a provision for the expenditure of $250,000,000 per year of Federal funds over the next 5 years, or a total of $1,250,000,000, to be matched by municipalities with a sum of $625,000,000 to a grand total of $1,881,000,000, for slum clearance; and

"Second, a proposal for the erection of 1,000,000 public housing units over a 7-year period carrying a rental subsidy to occupants of $445,000,000 per year for the next 40 years of the existence of said housing, obligating the Federal Treasury to spend a total of $17,000,000,000; and

"Third, a proposal for an initial appropriation of $250,000,000 for outright grants of $1,000 to $2,000 to individual farmers as a subsidy in the construction of farm homes, together with additional sums for architectural and engineering services; and

"Fourth, that the approximate total of these nonliquidative expenditures probably will exceed $20,000,000,000; and

"Whereas it is the opinion of the members of the Senate of the State of Montana that a more equitable and more economical method of spending these sums for housing assistance should be substituted for the aforesaid described proposals, more suitable to the people of Montana, and particularly to the veterans, many of whom are still in dire need of suitable housing accommodations; therefore, be it

"Resolved by the Senate of the State of Montana, Thirty-first Legislative Assembly, That there be substituted legislative proposals in the Congress of the United States embodying—

"A subsidy of $1,000 for the construction of any new home by any owner-occupant when matched by an equal amount in cash or other equivalent on any new home not exceeding $7,000 in cost, exclusive of land; *provided,* Such home be constructed in accordance with the Minimum Construction Requirements of the Federal Housing Administration in locations conforming to the Administrative Regulations of the said Federal Housing Administration, and providing that the borrower in the event that a commitment for an FHA-insured loan is required in the construction or purchase of such home, meet the accepted standards for such borrowers incorporated in the mortgage risk pattern procedure of the said Federal Housing Administration; *and further provided,* That the owner-occupants be prohibited from, by contract agreement or otherwise, reselling such homes at a higher price than the original cost less the $1,000 subsidy except as the same may be adjusted from time to time for actual replacement cost increases as determined through Federal Housing Administration appraisal procedures; and be it further

"Resolved, That it is the opinion of the members of the Senate of the State of Montana in transmitting this recommendation that the cost of such a program would not exceed the cost of the proposals above referred to now before the Congress by virtue of the fact that the total yearly volume of units within this price range would not exceed 300,000, involving a total yearly expenditure of $300,000,000, and it is further the opinion of this body that this type of housing assistance is more in keeping with the American tradition of individual home ownership, and that the opportunity provided this large class of substantial citizens for moving into their own homes will release hundreds of thousands of existing older and still useful, satisfactory housing units for occupancy by those who require the low rentals that these properties afford."

By Mr. McGRATH (for himself and Mr. GREEN):

A resolution of the General Assembly of the State of Rhode Island; to the Committee on Labor and Public Welfare:

"Resolution requesting the Senators and Representatives from Rhode Island in the Congress of the United States to work for the passage of an amendment to the Federal minimum-wage law increasing the present hourly minimum rate to at least 75 cents an hour

"Whereas, the increasing high cost of living is one of the most pressing problems confronting our Nation; and

"Whereas suitable living environment, according to American ideals and standards, should be the portion of every American citizen: Now, therefore, be it

"Resolved, That the Senators and Representatives from Rhode Island in the Congress of the United States be and they are hereby requested to insist upon and work for the passage of an amendment to the Federal minimum-wage law increasing the present hourly minimum rate to at least 75 cents an hour; and the secretary of state is hereby authorized and directed to transmit duly certified copies of this resolution to the Senators and Representatives from Rhode Island in the Congress of the United States."

By Mr. MILLIKIN:

A joint memorial of the Legislature of the State of Colorado; to the Committee on Banking and Currency:

"House Joint Memorial 3

"Memorializing the Congress of the United States to authorize the Reconstruction Finance Corporation to assist local lending agencies in financing disaster-stricken livestock producers and feeders in the blizzard areas of the Western States

"Whereas unprecedented and widespread blizzards have recently wreaked disastrous losses on the livestock producers and feeders in the intermountain west to an extent and in an amount never before experienced; and

"Whereas the physical and financial losses suffered by such livestock operators in these storms of catastrophic proportions will seriously hamper, if not entirely preclude, the future operations on a practical basis of many livestock producers and feeders in this region, and will thus seriously affect the meat supply of this Nation for an indefinite period unless financial assistance is made available to them immediately; and

"Whereas the presently established banks and other livestock loaning agencies are fully staffed and prepared to service and pass upon the financial needs of these disaster-stricken livestock producers and feeders: Now, therefore, be it

"Resolved by the House of Representatives of the Thirty-seventh General Assembly of the State of Colorado (the senate concurring herein), That the Congress of the United States be and it is hereby urged to enact such legislation as it deems necessary to authorize the Reconstruction Finance Corporation to make its facilities available to the local banks and other lending agencies by way of guaranteeing loans to livestock producers and feeders to the extent of 90 percent of any such loans and budget advances made to them, the local lending agencies in turn to carry 10 percent of such commitments, and otherwise to assist and facilitate the services of such agencies in meeting the local requirements occasioned by the widespread and disastrous losses in the blizzard areas of the Western States; be it further

"Resolved, That copies of this memorial be forwarded to the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States, and to the Senators and Congressmen representing the State of Colorado in the Congress of the United States."

By Mr. JENNER (for himself and Mr. CAPEHART):

A concurrent resolution of the Legislature of the State of Indiana; to the Committee on the Judiciary:

"Concurrent House Resolution 1

"Concurrent resolution memorializing the Congress of the United States to pass, and the President of the United States to approve, if passed, the General Pulaski's Memorial Day resolution now pending in Congress

"Whereas a resolution providing for the President of the United States of America to proclaim October 11 of each year as General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski, is now pending in the present session of the United States Congress; and

"Whereas the 11th day of October, 1779, is the date in American history of the heroic death of Brig. Gen. Casimir Pulaski, who died from wounds received on October 9, 1779, at the siege of Savannah, Ga.; and

"Whereas the States of Arkansas, California, Connecticut, Delaware, Illinois, Indiana, Kentucky, Louisiana, Maryland, Kansas, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, New York, Nevada, Ohio, Pennsylvania, South Carolina, Tennessee, Texas, West Virginia, Wisconsin, and other States of the Union, through legislative enactment designated October 11 of each year as General Pulaski's Memorial Day; and

"Whereas it is fitting that the recurring anniversary of this day be commemorated with suitable patriotic and public exercises in observing and commemorating the heroic death of this great American hero of the Revolutionary War; and

"Whereas the Congress of the United States of America has by legislative enactment designated October 11, 1929, October 11, 1931, October 11, 1932 to October 11, 1946 to be General Pulaski's Memorial Day, in the United States of America; therefore be it

"Resolved by the House of Representatives of the Eighty-sixth Indiana General Assembly (the senate concurring):

"SECTION 1. That we hereby memorialize and petition the Congress of the United States to pass, and the President of the United States to approve, if passed, the General Pulaski's Memorial Day resolution now pending in the United States Congress.

"SEC. 2. That certified copies of this resolution, properly authenticated, be sent forthwith by the clerk of the house to the President of the United States, the Vice President of the United States, the Speaker of the House of Representatives of the United States, and each of the United States Senators and Representatives from Indiana."

By Mr. MILLER:

A joint memorial of the Legislature of the State of Idaho; to the Committee on Appropriations:

"Senate Joint Memorial 2

"To the honorable Senators and Representatives of the United States of America in Congress assembled:

"We, your memorialists, the Legislature of the State of Idaho, respectfully represent, that:

"Whereas the ever increasing growth of noxious weeds, through the spreading of seeds by irrigation waters of Snake River and other rivers and creeks and valley winds upon private and public lands in the State of Idaho, has become an unusually heavy burden upon private landowners of the State of Idaho and on State lands; and

"Whereas Snake and Bear Rivers in the State of Idaho are interstate streams, originating outside the State of Idaho, and carrying noxious weed seeds in irrigation waters to and upon irrigated lands in Idaho; and

"Whereas noxious weeds cause a substantial reduction in the crop productions of the irrigated lands of Idaho, besides incurring a heavy expense upon landowners in their eradication: Now, therefore, be it

"Resolved by the Senate of the State of Idaho (the House of Representatives concurring), That we most respectfully urge upon the Congress of the United States of America, that it appropriate $500,000 to be administered in cooperation with the noxious weed program of the constituted authorities of the State of Idaho, in the treatment and eradication of noxious weeds on federally owned or controlled land in the State of Idaho; be it further

"Resolved. That the secretary of state of the State of Idaho be authorized and he is hereby directed to forward certified copies of this memorial to the Senators and Representatives in Congress from this State, and to the Senate and the House of Representatives of the United States of America.

"This senate joint memorial passed the senate on the 5th day of February 1949.

"This senate joint memorial passed the house of representatives on the 9th day of February 1949."

PROTEST AGAINST ARREST OF JOSEF CARDINAL MINDSZENTY—RESOLUTION OF RHODE ISLAND LEGISLATURE

Mr. McGRATH. Mr. President, I present for appropriate reference and to have printed in the RECORD, a resolution adopted by the Rhode Island General Assembly, protesting the arrest of His Eminence Josef Cardinal Mindszenty.

The resolution was referred to the Committee on Foreign Relations, and, under the rule, ordered to be printed in the RECORD, as follows:

Resolution expressing the protests of the General Assembly of the State of Rhode Island and Providence Plantations against the action of the Hungarian Government in arresting Josef Cardinal Mindszenty, Roman Catholic Primate of Hungary, upon suspicion of plotting against the government

Whereas the State of Rhode Island and Providence Plantations was founded upon principles of civil and religious liberty; "to hold forth a lively experiment that a most flourishing civil state may stand and best be maintained with full liberty in religious concernments;" and

Whereas Roger Williams, the founder of this State, fled from religious persecution to set up a State where one was permitted to think as he liked and to say what he thought without fear of persecution: Now, therefore, be it

Resolved, That protests of the members of the General Assembly of the State of Rhode Island and Providence Plantations be and they are hereby ardently expressed against the action of the Hungarian Government in arresting upon Monday, December 27, 1948, Josef Cardinal Mindszenty, Roman Catholic Primate of Hungary, who faces trial for alleged subversive activity and for defending the rights of the church and the faithful against unfair attacks of the unscrupulous determined to destroy the religious feeling of the people; and be it further

Resolved, That the secretary of state of Rhode Island be and he is hereby authorized and directed to transmit to the Secretary of State of the United States of America a duly certified copy of this resolution for transmittal to the heads of the Hungarian Government.

GENERAL PULASKI MEMORIAL DAY—RESOLUTION OF ENDORSEMENT BY CITY COUNCIL OF PHOENIX, ARIZ.

Mr. McFARLAND. Mr. President, I present for appropriate reference and ask unanimous consent to have printed in the RECORD a resolution adopted by the Council of the City of Phoenix, Ariz., on February 8, 1949, memoralizing the Congress of the United States to pass, and the President of the United States to approve, if passed, the General Pulaski Memorial Day resolution now pending in Congress.

There being no objection, the resolution was referred to the Committee on the Judiciary and ordered to be printed in the RECORD, as follows:

Resolution 8983

Resolution memorializing the Congress of the United States to pass, and the President of the United States to approve, if passed, the General Pulaski's Memorial Day resolution now pending in Congress

Whereas a resolution providing for the President of the United States of America to proclaim October 11 of each year as "General Pulaski's Memorial Day" for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski is now pending in the present session of the United States Congress; and

Whereas the 11th day of October 1779, is the date in American history of the heroic death of Brig. Gen. Casimir Pulaski, who died from wounds received on October 9, 1779, at the siege of Savannah, Ga.; and

Whereas the States of Arkansas, California, Connecticut, Delaware, Illinois, Indiana, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, New York, Nevada, Ohio, Pennsylvania, South Carolina, Tennessee, Texas, West Virginia, Wisconsin, and other States of the Union through legislative enactment designated October 11 of each year as General Pulaski's Memorial Day; and

Whereas it is fitting that the recurring anniversary of this day be commemorated with suitable patriotic and public exercises in observing and commemorating the heroic death of this great American hero of the Revolutionary War; and

Whereas the Congress of the United States of America has by legislative enactment designated from October 11, 1929, to October 11, 1946, to be General Pulaski's Memorial Day in the United States of America: Now, therefore, be it

Resolved by the Council of the City of Phoenix, State of Arizona:

SECTION 1. That we hereby memorialize and petition the Congress of the United States to pass, and the President of the United States to approve, if passed, the General Pulaski's Memorial Day resolution now pending in the United States Congress.

SEC. 2. That certified copies of this resolution, properly authenticated, be sent forthwith to the President of the United States, the Vice President of the United States, and each of the United States Senators and Representatives from Arizona.

Passed by the Council of the City of Phoenix this 8th day of February, 1949.

Approved by the mayor of the city of Phoenix this 8th day of February 1949.

[CITY SEAL] NICHOLAS UDALL,
Mayor.

Attest:

JOE S. THURMAN,
City Clerk.

DELIVERED PRICING PRACTICES—RESOLUTION OF BOARD OF DIRECTORS OF OMAHA (NEBR.) CHAMBER OF COMMERCE

Mr. BUTLER. Mr. President, on behalf of my colleague, the junior Senator from Nebraska [Mr. WHERRY], who is necessarily absent, and myself, I present for appropriate reference, and ask unanimous consent to have printed in the RECORD, a resolution adopted by the board of directors of the Chamber of Commerce of Omaha, requesting that the Federal Trade Commission clarify its position regarding delivered pricing practices.

There being no objection, the resolution was referred to the Committee on Interstate and Foreign Commerce, and ordered to be printed in the RECORD, as follows:

That the Federal Trade Commission should clarify its own position regarding delivered pricing practices at the earliest possible date, clearly and without ambiguity, in order that present uncertainties in the minds of the business community regarding the Commission's attitude on such pricing policies may be eliminated; that the Omaha Chamber of Commerce send the above communication to the Federal Trade Commission, United States Senators and Congressmen from Nebraska.

Therefore it is in the public interest to enact legislation to make certain that a seller in one locality is free to compete with sellers elsewhere despite different delivery costs, and that in order so to compete, the seller is permitted to absorb or equalize transportation costs.

Any legislation to such ends should be designed so as to preserve the fundamental safeguards of the antitrust laws.

TRANSPORTATION SERVICE TO AND FROM ALASKA

Mr. BUTLER. Mr. President, I present for appropriate reference and ask unanimous consent to have printed in the RECORD a joint memorial of the Legislature of the Territory of Alaska, relating to participation of Canadian vessels in the Alaska maritime trade, together with a statement prepared by me.

There being no objection, the statement and joint memorial were referred to the Committee on Interstate and Foreign Commerce, and ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR BUTLER

The attached joint memorial demonstrates very clearly the importance of liberalizing the restrictions against participation of Canadian vessels in the Alaska maritime trade. Under the present law, vessels of foreign registry are not permitted to transport passengers or freight from one Alaska port to another, in spite of the fact that there may be no alternative means of transportation that is suitable and convenient. The petition points out that service to and from Skagway and Haines by vessels of American registry is very infrequent and unsatisfactory. These ports receive only one voyage north-bound every 3 weeks, and no service south-bound at all.

At the same time, Canadian vessels make regular calls at these ports and provide convenient and frequent transportation. Under the present laws, however, passengers and freight may not be taken to or from Skagway or Haines if they are destined for another Alaskan or American port.

In my judgment, there should be some relaxation of the laws to permit at least minimum transportation facilities to be provided to such Alaskan ports as these, and I have introduced S. 182, to authorize foreign vessels to provide transportation for Alaskans

under certain conditions where the American vessels are not providing sufficient service.

Senate Joint Memorial 3

To the Honorable HARRY S. TRUMAN, President of the United States; the Honorable JOHN W. SNYDER, Secretary of the Treasury; the Honorable J. A. KRUG, Secretary of the Interior; the Honorable CHARLES SAWYER, Secretary of Commerce; the Honorable WILLIAM W. SMITH, Chairman, United States Maritime Commission; the Honorable JOSEPH C. O'MAHONEY, Chairman, Senate Committee on Interior and Insular Affairs; the Honorable EDWIN C. JOHNSON, Chairman, Senate Committee on Interstate and Foreign Commerce; the Honorable HOMER E. CAPEHART, United States Senate; the Honorable HUGH BUTLER, United States Senate; the Honorable SCHUYLER O. BLAND, Chairman, House Committee on Merchant Marine and Fisheries; the Honorable ANDREW L. SOMERS, Chairman, House Committee on Public Lands; the Honorable E. L. BARTLETT, Delegate to Congress From Alaska:

Your memorialist, the Legislature of the Territory of Alaska, in nineteenth regular session assembled, respectfully represents that:

Whereas the ports of Skagway and Haines, Alaska, are so situated as to have no year-round, reliable transportation service except by water, and are thus dependent for their existence upon maritime commerce; and

Whereas these ports are receiving from American-flag carriers only token service of one voyage north-bound every 3 weeks, with no service whatever south-bound; and

Whereas incident to the supplying of the Yukon Territory of Canada, foreign vessels of the Canadian Pacific Coast Steamship service make regular calls at the ports of Skagway and Haines twice a month in winter and three times a week in summer, with south-bound as well as north-bound service; and

Whereas the provisions of section 8 of the act of June 19, 1886, as amended (46 U. S. C. 289) and section 27 of the Merchant Marine Act of 1920 as amended (46 U. S. C. 883) prohibit transportation of passengers and merchandise on foreign vessels between Alaska ports or between Alaska ports and those in the United States proper; and

Whereas approximately 1,100 citizens of Alaska of the two ports and surrounding area are thus arbitrarily deprived of the transportation service they require in order to exist, suffering not only inconvenience and commercial disadvantage but also a threat to their health, welfare and life itself; and

Whereas the Congress has seen fit to waive provisions of the acts named to permit the transportation on foreign vessels of passengers between Rochester, N. Y., and Alexandria Bay, N. Y., as well as freight and passengers between Alaskan points on the Yukon River, in both of which exempted areas the need to use Canadian vessels is less pressing than at Haines and Skagway, Alaska: Now therefore

Your memorialist, the Legislature of the Territory of Alaska, in nineteenth regular session assembled, respectfully urges that, without prejudice to Alaska's long-standing request for general exemption from the restrictive provisions of the act of June 19, 1886, as amended (46 U. S. C. 289) and the Merchant Marine Act of 1920 as amended (46 U. S. C. 883), the Congress immediately enact legislation to waive the provisions of these acts as they apply to the ports of Haines and Skagway, Alaska, to the end that passengers and freight may be moved in Canadian vessels to and from the ports of Haines and Skagway, Alaska, freely and without restrictions.

And your memorialist will ever pray.

Passed by the senate January 29, 1949.

Approved by the Governor February 7, 1949.

ERNEST GRUENING,
Governor of Alaska.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. SMITH of New Jersey, from the Committee on Foreign Relations:

S. 612. A bill to provide for the payment of a sum not to exceed $10,607,000 to the Swiss Government as partial compensation for damage inflicted on Swiss territory during World War II by United States armed forces in violation of neutral rights, and authorizing appropriations therefor; with amendments (Rept. No. 77).

By Mr. McMAHON, from the Joint Committee on Atomic Energy:

S. 152. A bill to retrocede to the State of New Mexico exclusive jurisdiction held by the United States over lands within the boundaries of the Los Alamos, N. Mex., project of the United States Atomic Energy Commission; without amendment (Rept. No. 76).

By Mr. McCARRAN, from the Committee on the Judiciary:

S. 30. A bill to provide for the settlement of claims of persons employed in Federal penal and correctional institutions for damage to or loss or destruction of personal property occurring incident to their service; with amendments (Rept. No. 75);

S. 88. A bill to amend section 60 of an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, as amended; without amendment (Rept. No. 72);

S. 196. A bill for the relief of James G. Smyth; without amendment (Rept. No. 73); and

S. 732. A bill for the relief of William S. Meany; without amendment (Rept. No. 74).

By Mr. THOMAS of Oklahoma, from the Committee on Agriculture and Forestry:

S. Res. 72. Resolution continuing the authority of the Committee on Agriculture and Forestry to investigate foot-and-mouth disease problems; without amendment (Rept. No. 78); and, under the rule, referred to the Committees on Rules and Administration.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF A COMMITTEE

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. McCARRAN, from the Committee on the Judiciary:

David Northon Edelstein, of New York, to be Assistant Attorney General, Customs Division;

Herbert W. Erskine, of California, to be United States district judge for the northern district of California, vice Adolphus Frederick St. Sure, retired;

Joseph W. Kehoe, of Alaska, to be United States district judge for division No. 2, District of Alaska;

Anthony J. Dimond, of Alaska, to be United States district judge for division No. 3, District of Alaska;

Lester Luther, of Kansas, to be United States attorney for the district of Kansas;

Alfred E. Modarelli, of New Jersey, to be United States attorney for the district of New Jersey;

James J. Boyle, of California, to be United States marshal for the southern district of California; and

Walter L. Pope, of Montana, to be circuit judge of the United States Court of Appeals for the Ninth Circuit, vice Francis A. Garrecht, deceased.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. GILLETTE:

S. 1012. A bill for the relief of Alfredo Giusepps Gallo; to the Committee on the Judiciary.

By Mr. THOMAS of Oklahoma:

S. 1013. A bill for the relief of Jean Sutherland; to the Committee on the Judiciary.

By Mr. O'CONOR:

S. 1014. A bill to amend the Civil Service Retirement Act so as to make such act applicable to the officers and employees of the Columbia Institution for the Deaf; to the Committee on Post Office and Civil Service.

(Mr. BUTLER introduced Senate bill 1015, to provide for the furnishing by Thurston County, Nebr., of hospital services to Indians at the Winnebago Indian Agency, which was referred to the Committee on Interior and Insular Affairs, and appears under a separate heading.)

By Mr. MAGNUSON:

S. 1016. A bill for the relief of Russell S. Fothergill; to the Committee on Finance.

S. 1017. A bill to amend the Trading With the Enemy Act of 1917, as amended;

S. 1018. A bill to confer jurisdiction upon the Court of Claims to determine the amounts due to and render judgment upon the claims of the employees of the Bureau of the Mint, Treasury Department, for overtime work performed and rates of pay authorized but not granted;

S. 1019. A bill conferring jurisdiction upon the United States District Court for the Western District of Washington to hear, determine, and render judgment upon any claim arising out of personal injuries sustained by Carl J. Freund and Pauline H. Freund, his wife, of Seattle, Wash.; and

S. 1020. A bill for the relief of Dr. Theodore A. Schmidt; to the Committee on the Judiciary.

S. 1021. A bill restoring to tribal ownership certain lands upon the Colville Indian Reservation, Wash., and for other purposes; and

S. 1022. A bill to exclude certain lands from becoming a part of the Colville Indian Reservation; to the Committee on Interior and Insular Affairs.

By Mr. HILL:

S. 1023. A bill to amend section 9 of the Civil Service Retirement Act of May 29, 1930, as amended, so as to grant credit in accordance with such section for service for which, through inadvertence, no deductions from salary are made; and

S. 1024. A bill for the relief of Russell A. DeLong; to the Committee on Post Office and Civil Service.

By Mr. KILGORE:

S. 1025. A bill for the relief of Golda Elsner Engel; to the Committee on the Judiciary.

By Mr. McCARRAN:

S. 1026. A bill for the relief of Roman Szymanski and Anastosia Szymanski; to the Committee on the Judiciary.

By Mr. JENNER:

S. 1027. A bill for the relief of the Merit Co.; to the Committee on the Judiciary.

By Mr. BRIDGES:

S. 1028. A bill for the relief of Ruth Alice Crawshaw; to the Committee on Finance.

(Mr. WILEY introduced Senate bill 1029, to terminate the war-tax rates on certain miscellaneous excise taxes, and for other purposes, which was referred to the Committee on Finance, and appears under a separate heading.)

By Mr. GEORGE:

S. 1030. A bill to amend the Federal Tort Claims Act to increase the time within which claims under such act may be presented to Federal agencies or prosecuted in the United States district courts; to the Committee on the Judiciary.

By Mr. NEELY (for himself, Mr. MYERS, Mr. DOUGLAS, Mr. KERR, Mr. HILL, Mr. LANGER, and Mr. CAPEHART):

S. 1031. A bill amending Public Law 49 (77th Cong.) providing for the welfare of coal miners, and for other purposes; to the Committee on Labor and Public Welfare.

By Mr. McGRATH:

S. 1032. A bill to authorize the investment of fiduciary and trust funds in the District of Columbia; to the Committee on the District of Columbia.

S. 1033. A bill to further amend the Philippine Rehabilitation Act of 1946; to the Committee on the Judiciary.

By Mr. McKELLAR:

S. 1034. A bill for the relief of Lula Hickey Thomas; to the Committee on Finance.

S. 1035. A bill to extend the time for filing application for disability retirement under the Civil Service Retirement Act of May 29, 1930, as amended, in the case of Lillian B. M. Lewis; to the Committee on Post Office and Civil Service.

HOSPITAL SERVICE FOR INDIANS AT WINNEBAGO INDIAN AGENCY

Mr. BUTLER. Mr. President, I introduce for appropriate reference a bill providing for hospital service for Indians at the Winnebago Indian Agency, and I ask unanimous consent that the bill together with a statement prepared by me be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred, and, without objection, the bill, together with the statement, will be printed in the RECORD.

The bill (S. 1015) to provide for the furnishing by Thurston County, Nebr., of hospital services to Indians at the Winnebago Indian Agency, introduced by Mr. BUTLER, was read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That upon request of the Board of Commissioners of Thurston County, Nebr., the Secretary of the Interior is authorized and directed to enter into a contract or contracts for the operation by such county of the Indian hospital at Winnebago, Nebr. Any such contract shall provide (1) for the utilization of the existing hospital building and equipment, (2) for the operation of such hospital in accordance with such minimum standards of service as may be necessary to insure adequate hospital care for Indians, (3) for the payment to the county of such sums as may be agreed upon as reimbursement of expenses incurred in furnishing hospital services to Indians, and (4) for the admission and treatment at such hospital of persons other than Indians, to the extent possible without interference with the carrying out of the obligation of the county under the contract to provide hospital services to Indians. Any moneys appropriated for the furnishing of medical care to Indians shall be available to the Secretary for making payments under any contract entered into under this act.

The statement presented by Mr. BUTLER was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR BUTLER

I am introducing a bill which authorizes and directs the Secretary of the Interior, upon the request of the Board of County Commissioners of Thurston County, Nebr., to enter into a contract or contracts for the operation by such county of the Indian hospital at Winnebago, Nebr., to provide hospital services to Indians of the Winnebago Indian Agency jurisdiction.

The Indian hospital at Winnebago is a 50-bed hospital fully equipped; and, in my judgment, these hospital facilities are sufficient to serve the entire community, both Indian and other citizens.

In recent years there has been extreme difficulty for the Indian Service to secure competent doctors and nurses, which situation, in my opinion, would be improved by the enactment of this bill. The community as a whole is in a better position to furnish adequate and efficient medical care to Indans than under the present arrangement.

This bill is intended particularly to make it possible that the Department of the Interior should arrange for the handling of certain Indian problems with those States in which the Indian tribal life is largely broken up and in which the Indians are to a considerable extent mixed with the general population. In such States Indian health, for example, becomes a problem so intermixed with that of the general health problems of the community that it is difficult to separate the two. The maintenance of a State health agency and a separate health agency for Indians under these circumstances is found to be uneconomical and contrary to efficient administration. This bill would make it possible for the State and the county health agencies to take charge of Indian health programs in the counties of Nebraska where the Indians are principally located.

TERMINATION OF WAR TAX RATES ON CERTAIN MISCELLANEOUS EXCISE TAXES

Mr. WILEY. Mr. President, I introduce for appropriate reference a bill providing for reduction of certain wartime excise tax rates, such as the taxes on jewelry, furs, telegrams, telephone communications, admission fees, entertainment, photographic apparatus, and so forth. This bill is similar, but not identical, to the measure introduced in the House of Representatives by a great Representative, JOE MARTIN, of Massachusetts.

I ask unanimous consent that there be printed in the RECORD at this point the text of a statement which I have prepared, listing the various reasons why I am introducing this bill.

The VICE PRESIDENT. The bill will be received and appropriately referred, and, without objection, the statement will be printed in the RECORD.

The bill (S. 1029) to terminate the war tax rates on certain miscellaneous excise taxes, and for other purposes, introduced by Mr. WILEY, was read twice by its title, and referred to the Committee on Finance.

The statement presented by Mr. WILEY was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR ALEXANDER WILEY

INTRODUCTION OF BILL FOR CUTTING BACK WARTIME EXCISE TAX RATES TO PEACETIME LEVELS

I am introducing today a new bill to cut back most of the wartime excise tax rates now in effect to their peacetime levels. This bill is similar but not identical to H. R. 2100, introduced by able Congressman JOE MARTIN, of Massachusetts.

Many items that are involved

Thus, the bill would after June 30, 1949, reinstate the lower peacetime tax rates on admission tickets, the tax on cabarets, hotel entertainment, on dues or membership fees, initiation fees, on jewelry, furs, toilet and cosmetic preparations, bowling alleys, electric light bulbs, telegraph and telephone communications, transportation of persons, etc., and it would eliminate the retailer's excise tax on luggage, purses, handbags, etc.

This is not tax repeal, rather tax reduction

This is not a tax repeal bill; it is a tax reduction bill. (The only reason that the retailer's excise tax would be repealed completely in the single instance of luggage, purses, handbags, etc., is that the 1943 tax bill substituted the retailer's tax for the manufacturers' tax in this category. Thus, to revise comparably the 1943 tax law in this category means to eliminate the retailers' excise tax in this field while reducing the wartime taxes which the 1943 bill set up.)

Appeals from Wisconsin for tax relief

From all over Wisconsin, I have received letters and telegrams, pleading for Uncle Sam to keep his promise for tax reduction, and I for one intend to do everything I can to have our Government do just that, without destroying any of the basic revenue sources which it needs in order to meet our problems of national security, veterans' benefits, payments on the national debt, etc.

Purposes of my bill

The purposes of this bill are as follows:

1. Basically, as indicated above, to keep the promise of the United States Government to our people that when peace again came, the heavy wartime burden of these excise taxes would be reduced. Too often, the American Government has broken its promise to the people and has kept various powers and tax levies long after it promised to repeal them. Let Uncle Sam be true to his word rather than welsh on it. Our people should not become disillusioned with the promises of their own Government.

Should Uncle Sam have excise taxes at all?

2. A second purpose of this bill is to raise possibly the whole issue of whether excise taxes on many necessary commodities should be applied at all by the Federal (in contrast to State and local) Government.

I have previously cosponsored S. 810, which would establish a national commission, which would evaluate, among other things, whether the Federal Government should impose excise taxes at all, or whether this area might better be left to the States and localities (if they feel that any excise taxes are at all necessary); thus leaving the Federal Government free rein to tax, if necessary, its own areas rather than duplicate State or local sales taxes.

Many of these items are not luxuries but are absolute necessities

3. A third reason for this bill is that I don't believe Unicle Sam is so poor that he must exorbitantly tax baby powders, baby oils, women's purses, etc.—all of which items are not in the remotest sense of the term luxuries, but are rather absolute necessities.

Put a brake on administration's wild spending

4. Another purpose of this bill is to declare unmistakably to the national administration that the American people will not tolerate an enormous and ever-increasing tax burden up them. Thus, this bill would serve as a brake on the administration's high, wide, and ugly spending. So long as we keep furnishing wartime levels of revenue to the

Federal Government, the administration's wild spenders will be encouraged to tax and tax, spend and spend.

Materials are no longer in scarce supply

5. Still another purpose is to assure elementary justice for the consumers as well as the producers of certain of these commodities who were hit by this tax burden as a wartime measure, because of the then existing scarcity of war materials. Thus, for example, a 20-percent excise-tax level was set in 1943 on all purchases of luggage and personal leather goods, because leather was one of the commodities that America needed in the war effort, not to mention wood, rayon linings, brass, etc. The wartime scarcity of these materials has ended, just as the wartime scarcity of photographic film has ended, and there is no need to penalize these folks any longer.

How will we get tax revenue?

Now, on the opposite side of the ledger, we all recognize that the Federal Government, with its huge overhead, will continue to need a considerable amount of revenue in order to handle its fixed obligations. I am not one of those who believes that we can cut all taxes with a meat ax and without justifiable reasons. We all recognize that it would be foolish to deprive Uncle Sam of the minimum of revenue that is necessary. I feel, however, that the above reduction I am recommending would be financially feasible for Uncle Sam.

My bill would cost comparatively small sum of six hundred and fifty millions

Financial experts have estimated that the total reduction in taxes under my bill would approximate for the 1950 fiscal year around $650,000,000. That sum is comparatively small in these days of mammoth $40,000,000,000 budgets. But anyone who recommends tax reductions should recommend ways and means of meeting the problems raised by such tax reduction. Thus, I am recommending as follows:

(a) Adoption insofar as possible of the Hoover Commission reports on reorganization of the executive branch of Government. Former President Hoover has estimated that if his reports are adopted, several billion dollars will be saved. These several billions in savings will more than completely counterbalance the loss of revenue which would result from my bill.

Reduced foreign spending

(b) Another saving will, I hope, result from reduction in the total amount of foreign spending under the Marshall plan in line with the reduction in prices of agricultural and other commodities.

Tax reduction can actually increase tax receipts

(c) In my opinion, the removal of some sources of tax revenue in the form of excise taxes might well operate not to reduce tax receipts to Uncle Sam on an over-all basis, but may actually help increase them. Thus, by cutting back these nuisance taxes, we are providing additional spending power for our average citizen—needed today in our country—in order to overcome the economic disturbances and rise in unemployment which we have been experiencing. Production has been catching up with demand and adequate purchasing power for our citizens is essential.

Several times we have seen in American financial history how tax reduction along specific lines has actually served to increase, amazingly enough, tax receipts. Last year, the Truman administration gloomily prophesied a Government deficit, if the $4,000,000,000 Republican tax cut were enacted. We have seen, however, that, in spite of that tax reduction, Government revenues actually increased by $3,000,000,000, as shown by the Treasury's own figures. (The United States received forty-two billions in taxes, including eight hundred and eighteen millions from Wisconsin.)

I yield to no man in my opposition to deficit financing—to the idea of the Government being in the "red"—but I have every hope that by sound tax reduction along the lines I have indicated, we will not have a deficit, and we will have more than sufficient revenue to meet the Government's budget.

"Where there is a will, there is a way." Where Uncle Sam determines, as I hope he will determine, that a promise to cut back wartime taxes should be kept, then Uncle Sam will find the way, such as I have suggested above, to fulfill his promise.

Tax on liquor would be left alone

I have not suggested the cutting back of wartime tax rates on distilled spirits, imported perfumes, wines, and similar luxury items, which constitute the bulk of revenue-producing elements in the excise tax program.

A comprehensive bill like this is necessary

Many of my colleagues in the Senate have introduced specific bills to cut out the wartime excise tax rates on isolated items—on toilet preparations, or on photographic apparatus or on this or that item. I feel, by contrast, that a comprehensive approach, including virtually all wartime rates, is a matter of justice to all of the individuals involved and would prevent discrimination between this or that item.

It should be borne in mind, of course, that revenue legislation of the type I am suggesting must originate in the House of Representatives under our Constitution. It cannot be started in the Senate, but I am hoping that by introduction of this bill, added impetus will be given toward an overhauling of our entire excise tax system.

Conclusion

It is just common horse sense that taxes should come down now that commodity prices have come down. It does not make sense that Government should keep ballooning its expenditures recklessly, disregarding the staggering burden of the average man. Taxes which confiscate the income of the private citizen have sounded the death knell of many a free society. We must not and will not allow our citizens to be bled white by a government octopus which drains the financial life blood from its citizens.

INVESTIGATION OF MATTERS RELATING TO CERTAIN PACIFIC ISLANDS

Mr. CORDON submitted the following resolution (S. Res. 73), which was referred to the Committee on Interior and Insular Affairs:

Resolved, That the Committee on Interior and Insular Affairs, or any duly authorized subcommittee thereof, is directed to make a study and investigation of such matters as it may deem appropriate relating to the islands, groups of islands, or other areas included within the trust territory of the Pacific, or relating to other islands, groups of islands, or areas of the Pacific which are possessions of, or subject to the authority of, the United States, including study and investigation of—

(a) the peoples, customs, laws, economies, resources, and governments of such areas;

(b) the interrelation, and the natural or appropriate integration, of such areas;

(c) measures designed to advance the well-being of the peoples and economies of such areas;

(d) such other matters relating to such areas as the committee may deem appropriate.

SEC. 2. The committee shall complete its study and investigation at the earliest possible date and report to the Senate the results of its study, recommending such organic and other legislation as may be necessary to provide for the civil government of such areas, and to assure to the peoples of such areas justice, peace, and tranquillity, a voice in their civic affairs and government, and the development of their economies, all with due regard to the established customs of such peoples.

SEC. 3. For the purposes of the studies and investigations directed by this resolution, the committee, or any duly authorized subcommittee thereof, is authorized to employ assistants, to travel, and authorize its assistants to travel, and to utilize such transportation, housing, and other facilities which the Army, Navy, Marine Corps, Coast Guard, or Air Force may make available, as it deems necessary.

SEC. 4. The committee or any duly authorized subcommittee thereof is authorized to hold such hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Senate, to require by subpena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures as it deems advisable. The cost of stenographic services shall not be in excess of 25 cents per hundred words. The expenses of the committee under this resolution, which shall not exceed $50,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman.

EXTENSION OF TRANSPORTATION FACILITIES FROM PRINCE GEORGE, BRITISH COLUMBIA, TO ALASKA—AMENDMENT

Mr. MAGNUSON (for himself and Mr. BUTLER) submitted an amendment intended to be proposed by them, jointly, to the concurrent resolution (S. Con. Res. 13) relating to the extension of transportation facilities from Prince George, British Columbia, Canada, to Alaska, which was referred to the Committee on Foreign Relations and ordered to be printed.

AMENDMENT OF COMMODITY CREDIT CORPORATION CHARTER AND STRATEGIC AND CRITICAL MATERIALS STOCK PILING ACTS—AMENDMENT

Mr. MAYBANK. Mr. President, I submit an amendment intended to be proposed by me to the bill (S. 900) to amend the Commodity Credit Corporation Charter Act, the Strategic and Critical Materials Stock Piling Act, and for other purposes. Matters relating to the Commodity Credit Corporation which have heretofore been referred to the Committee on Banking and Currency, since the enactment of the Legislative Reorganization Act, which defines the jurisdiction of the several committees, are now referred to the Committee on Agriculture and Forestry. Therefore I ask that this amendment be referred to the Committee on Agriculture and Forestry, which is studying this matter. I ask that a statement prepared by me on the matter be printed in the RECORD.

The VICE PRESIDENT. The amendment will be referred to the Committee on Agriculture and Forestry, and printed, as requested by the Senator from South Carolina, and without objection, the statement will be printed in the RECORD.

The statement ordered to be printed in the RECORD is as follows:

STATEMENT BY SENATOR MAYBANK

EXPLANATION OF PROPOSED AMENDMENT TO SECTION 4 (C) OF THE COMMODITY CREDIT CORPORATION CHARTER ACT (PUBLIC LAW 806, 80TH CONG., APPROVED JUNE 29, 1948)

In addition to clarifying language which would make it clear that the exclusive original jurisdiction of the Federal district courts over suits by or against the Corporation is without regard to the amount in controversy, the proposed amendment makes the following changes in section 4 (c) of the Commodity Credit Corporation Charter Act:

1. It provides that suits against the United States as real party in interest, based upon a claim against the Corporation, may also be brought in the Court of Claims, and that no suit against the United States as such real party in interest may be brought in a district court unless such suit might, without regard to the provisions of the Commodity Credit Corporation Charter Act, be brought in such court. This would change the present provisions of section 4 (c) which vests exclusive jurisdiction over such suits in the Federal district courts.

2. The proposed amendment also changes the time within which suits may be brought on claims by or against the Corporation from 4 years to 6 years in order to make the period uniform with the statute of limitations generally applicable to claims against the Government. It also incorporates the change proposed in S. 900 respecting the right to set off any claim which would otherwise be barred, if the claim had not been barred prior to the date that the plaintiff's cause of action arose. I understand an explanation of the proposed change accompanied S. 900.

HOUSE BILL PLACED ON CALENDAR

The bill (H. R. 54) to retrocede to the State of New Mexico exclusive jurisdiction held by the United States over lands within the boundaries of the Los Alamos project of the United States Atomic Energy Commission, was read twice by its title, and ordered to be placed on the calendar.

ADDRESS BY SENATOR IVES BEFORE MICHIGAN REPUBLICAN STATE CONVENTION

[Mr. VANDENBERG asked and obtained leave to have printed in the RECORD an address entitled "The Republican Opposition," delivered by Senator IVES before the Michigan Republican State Convention in Grand Rapids, Mich., on February 19, 1949, which appears in the Appendix.]

LINCOLN DAY ADDRESS AT COLORADO SPRINGS BY SENATOR MARTIN

[Mr. SALTONSTALL asked and obtained leave to have printed in the RECORD a Lincoln Day address delivered by Senator MARTIN at a Lincoln's Birthday celebration held under the auspices of the Colorado Republican State Central Committee at Colorado Springs, Colo., on February 10, 1949, which appears in the Appendix.]

LINCOLN DAY ADDRESS AT OKLAHOMA CITY BY SENATOR MARTIN

[Mr. WILLIAMS asked and obtained leave to have printed in the RECORD a Lincoln Day address delivered by Senator MARTIN before the Oklahoma Republican State Central Committee, at Oklahoma City, Okla., on February 11, 1949, which appears in the Appendix.]

GOOD HIGHWAYS PROMOTERS OF GOOD WILL—ADDRESS BY SENATOR CHAVEZ

[Mr. ANDERSON asked and obtained leave to have printed in the RECORD an address entitled "Good Highways Promoters of Good Will," delivered by Senator CHAVEZ before the American Road Builders Association Conference and forty-sixth annual meeting in Washington, D. C., on February 9, 1949, which appears in the Appendix.]

THE STRUGGLE FOR HEBREW LIBERATION—ADDRESS BY SENATOR GILLETTE

[Mr. MAGNUSON asked and obtained leave to have printed in the RECORD an address delivered by Senator GILLETTE in New York City on February 13, 1949, on the occasion of the departure of Mr. Peter Bergson and Mr. Samuel Merlin to take their seats as elected representatives of the Hebrew people in the Constituent Assembly of Israel, which appears in the Appendix.]

ADDRESS BY HAROLD E. STASSEN BEFORE PENNSYLVANIA SOCIETY

[Mr. MARTIN asked and obtained leave to have printed in the RECORD an address delivered by Harold E. Stassen at the fiftieth anniversary dinner of the Pennsylvania Society at the Waldorf-Astoria Hotel in New York City on December 11, 1948, which appears in the Appendix.]

MISSOURI BASIN POWER PROGRAM—ADDRESS BY HON. WILLIAM P. WARNE

[Mr. BUTLER asked and obtained leave to have printed in the RECORD an address entitled "Missouri Basin Power Program," delivered by Hon. William P. Warne, Assistant Secretary of the Interior, before the Nebraska Reclamation Association annual meeeting at Lincoln, Nebr., on February 10, 1949, which appears in the Appendix.]

HISTORIC SITES AND BUILDINGS—ADDRESS BY DAVID E. FINLEY

[Mr. MARTIN asked and obtained leave to have printed in the RECORD an address delivered by David E. Finley, Director of the National Gallery of Art, at the annual meeting of the National Council for Historic Sites and Buildings, at Washington, D. C., on November 4, 1948, which appears in the Appendix.]

AMERICAN TEACHERS AND THE AMERICAN CONGRESS—ARTICLE BY SENATOR WILEY

[Mr. WILEY asked and obtained leave to have printed in the RECORD an article entitled "American Teachers and the American Congress," written by him, and published in the Wisconsin Journal of Education, which appears in the Appendix.]

SUPPORT PRICE FOR MILK—STATEMENT BY SENATOR HUMPHREY

[Mr. HUMPHREY asked and obtained leave to have printed in the RECORD a statement made by him before the Committee on Agriculture of the House of Representatives on February 10, 1949, which appears in the Appendix.]

THE CIVIL RIGHTS PROGRAM—LETTER BY SENATOR HUMPHREY TO NEW YORK TIMES

[Mr. HUMPHREY asked and obtained leave to have printed in the RECORD a letter dated February 15, 1949, addressed by him to the editor of the New York Times, which appears in the Appendix.]

CONSOLIDATION OF STATE AGENCIES TO SAVE FEDERAL FUNDS

[Mr. WITHERS asked and obtained leave to have printed in the RECORD a letter from Hon. Earle C. Clements, Governor of Kentucky, and a telegram from Frank Bane, executive director, Council of State Governments, dealing with the consolidation of State agencies to save Federal funds, which appear in the Appendix.]

RELATIONS WITH SPAIN—ADDRESS AND LETTER BY DR. JOSEPH F. THORNING

[Mr. MURRAY asked and obtained leave to have printed in the RECORD an address delivered by Dr. Joseph F. Thorning regarding relations with Spain, which appears in the Appendix.]

OUR SPANISH POLICY—LETTER FROM DR. JOSEPH F. THORNING

[Mr. O'CONOR asked and obtained leave to have printed in the RECORD a letter published in the Washington Evening Star of October 30, 1949, from Dr. Joseph F. Thorning, associate editor of the Americas and World Affairs, which appears in the Appendix.]

RELIGIOUS PRESSURE ON TRIAL OF JOSEF CARDINAL MINDSZENTY

[Mr. MAYBANK asked and obtained leave to have printed in the RECORD a letter from O. K. Webb, pastor of the Rutledge Avenue Baptist Church, of Charleston, S. C., together with an article entitled "Baptist Ministers Here Attack 'Religious Pressure' on Trial," published in the Charleston (S. C.) News & Courier of February 15, 1949, which appear in the Appendix.]

COMMUNISM—EDITORIAL FROM THE NEW YORK ENQUIRER

[Mr. McMAHON asked and obtained leave to have printed in the RECORD an editorial entitled "Advice for Americans," from the New York Enquirer, which appears in the Appendix.]

THE ATOM BOMB—EDITORIAL FROM THE BRIDGEPORT TELEGRAM

[Mr. McMAHON asked and obtained leave to have printed in the RECORD an editorial entitled "A Momentous Decision," from the Bridgeport Telegram of February 7, 1949, which appears in the Appendix.]

FOREIGN POLICY—EDITORIAL FROM GRAND FORKS (N. DAK.) HERALD

[Mr. LANGER asked and obtained leave to have printed in the RECORD an editorial entitled "Must Still Guess on Foreign Policy," published in the Grand Forks (N. Dak.) Herald of February 15, 1949, which appears in the Appendix.]

MIGRATORY BIRD AND GAME TREATY WITH MEXICO—EDITORIAL FROM COLUMBIA (MO.) DAILY TRIBUNE

[Mr. KEM asked and obtained leave to have printed in the RECORD an editorial entitled "The Kem Resolution on Ducks," published in the Columbia (Mo.) Daily Tribune of February 7, 1949, which appears in the Appendix.]

FEDERAL GOVERNMENT STRUCTURE IN RELATION TO STATE AND LOCAL GOVERNMENTS—EDITORIAL FROM CLEVELAND PLAIN DEALER

[Mr. BRICKER asked and obtained leave to have printed in the RECORD an editorial entitled "Time for Good, Hard Look," published in the Cleveland Plain Dealer of February 15, 1949, which appears in the Appendix.]

THE ECONOMIC SITUATION—EDITORIAL FROM KANSAS CITY STAR

[Mr. SCHOEPPEL asked and obtained leave to have printed in the RECORD an editorial entitled "Time To Stop, Look, Listen," published in the Kansas City Star of February 6, 1949, which appears in the Appendix.]

CONTINUATION OF AUTHORITY FOR THE REGULATION OF EXPORTS

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 548) to

provide for continuation of authority for the regulation of exports, and for other purposes, which was, on page 5, line 6, after "application," to insert "and after notice to any such person and hearing."

Mr. SALTONSTALL. Mr. President, will the Senator from South Carolina, for the information of the Senate, merely state what the amendment is?

Mr. MAYBANK. Yes; it requires notice and hearings on an application by the Department of Commerce to enforce a subpena, but does not affect the power of the court to enforce a subpena.

Mr. SALTONSTALL. It does not in any way change the substantive matter of the bill?

Mr. MAYBANK. No; it does not. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

FEDERAL AID TO CERTAIN SCHOOL DISTRICTS

Mr. MAGNUSON. Mr. President, in connection with Senate bill 834, to authorize Federal aid to school districts overburdened with war-incurred or defense-incurred school enrollments for the construction of additional school facilities, which I introduced last week in company with several other Senators, I send to the desk and ask unanimous consent that there be printed in the body of the RECORD a statement by me pertaining thereto, together with a report by FWA on its survey of emergency school construction requirements for areas affected by Federal agency activity. Last week this report was submitted by FWA to the chairmen of Senate and House Committees on Public Works. I submit the report in full so the Senators from each of the 39 States affected may have an opportunity to study the bill and relate its provisions to the situation in their own States.

There being no objection, the statement and report were ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR MAGNUSON ON S. 834, A BILL TO ASSIST SCHOOL DISTRICTS IN BUILDING CONSTRUCTION—DISTRICTS WHICH ARE OVERBURDENED BY FEDERAL ACTIVITIES IN THEIR AREAS

Mr. MAGNUSON. Our responsibility to our school children makes it imperative to recognize that the Federal Government itself is burdening many of them with handicaps.

The burden is inadvertent. That does not make it lighter. Despite the Federal Government's many efforts to help children, it happens, ironically, that in 38 States, we are doing the reverse.

This is the problem: Federal activities in these areas have boomed school enrollment, and that enrollment has boomeranged. It has hit the school districts concerned and left them dazed.

On Monday, February 7, I introduced a bill which, if enacted by the Congress, will give urgently needed assistance to school districts overburdened by Federal activities in their immediate area. The bill proposes that the Congress appropriate $150,000,000 to help these schools meet their building requirements. Approximately 400 school districts in 39 States of the Union, the Territory of Alaska, and the District of Columbia are involved. The building problem these schools confront has been either seriously aggravated or actually created by Federal activity in the district. In each case the Federal Government has a clear-cut responsibility .

Senators KERR, CHAVEZ, DOWNEY, TAYLOR, MORSE, MCFARLAND, HILL, and MCCLELLAN are cosponsors of S. 834. Together we submitted this proposal as an equitable method of discharging Federal responsibility to the districts involved.

Generally speaking, Federal activity in these school districts has operated in two ways to create a Federal responsibility. I can best illustrate by using two examples in the State of Washington. The Moses Lake school district is located in the heart of the Columbia Basin. One of the largest structures in the basin development is being built in that district. In addition the Moses Lake Army Airfield has been reactivated. As a result of this Federal activity, the enrollment in this school has jumped from an average daily attendance of 176 in 1941 to an average daily attendance of over 800 in 1948.

To provide classroom space for these additional students, a number of shacks have been moved on to the school grounds. These shacks are precisely what the wording implies—frame buildings of the cheapest, flimsiest construction, with facilities of the most primitive character. The district cannot meet the problem out of its own resources. Already it is bonded to the limit and has exhausted its statutory tax assessments. The problem in this case is created by the tremendous increase in enrollment—a direct result of Federal activity in the area.

The second type of problem is illustrated by the situation the Bainbridge Island school district confronts. The total property valuation in this district is approximately $7,000,000. The Federal Government holds, on a tax-free basis, property amounting to over $5,000,000. This leaves the district a tax base of less than one-third of the property within its boundaries. Here, too, the district has made a maximum effort to meet the problem. It has bonded itself to the limit and, through special levies, has exhausted its tax revenue potential. One of the grade-school buildings still in use is over 50 years old. It is completely antiquated, is a firetrap, and represents a real hazard to both children and teachers. The State of Washington is doing everything possible within its current revenues to assist Bainbridge Island. The combined effort, however, of State and district falls about 40 percent short of the total funds required to bring school buildings up to a bare minimum standard.

In the State of California there are 86 schools confronting similar problems, in Texas, 38; in Michigan, 24; in Pennsylvania, 23; in Georgia, 15; in Arkansas, 14; in Virginia, 12; and in Arizona, 11. In my own State there are 34 school districts which find themselves in the predicament I have just described.

Our bill, S. 834, proposes to meet the problem in the following way. The Federal Works Administrator is authorized to make a Federal grant up to 50 percent of the estimated cost of the school facilities needed to bring the 395 schools up to a minimum standard. The Administrator is authorized to cooperate with State and district authorities in determining the building program required. In the event the school district has exhausted its entire bonding and tax potential, and has no cash or income available to meet its 50 percent of the cost, the Administrator is permitted to advance the entire amount required. He is then authorized to enter into a leasing agreement with the school district, calling for a payment by the district of 2 percent per year. This payment will continue until the district has paid its full 50 percent. At that time the Administrator is authorized to give the district a quitclaim deed to the facilities. Thus all districts are placed on an equal basis—each will pay at least 50 percent of the total cost of buildings and facilities constructed under the program.

In conclusion I want to explain the origin of the $150,000,000 authorization provided in S. 834. On June 14, 1948, the chairman of the subcommittee of House Public Works requested the Federal Works Administrator to conduct a Nation-wide survey of schools drastically affected by Federal activity in their districts.

During the summer and fall of 1948, FWA conducted such a survey and determined there are 395 schools in the United States and its Territories where Federal activities have created serious problems. The Administrator then computed the total cost of building programs to bring these schools up to a bare minimum standard. He then determined the total amount the 395 schools can reasonably be expected to produce from their own sources of income. Too, he computed the percentage of the total cost properly assessable to Federal activity. Out of the actual survey and the computations, I have just described, comes the $150,000,000 figure in our bill.

BUREAU OF COMMUNITY FACILITIES, FEDERAL WORKS AGENCY—SURVEY OF EMERGENCY SCHOOL CONSTRUCTION REQUIREMENTS FOR AREAS AFFECTED BY FEDERAL AGENCY ACTIVITIES

During the last session of Congress there was considerable discussion of the serious school construction problem faced by many localities throughout the United States, and particular emphasis was placed on those areas where the problem was doubly complicated because of activities of the Federal Government. Hearings were held on several bills designed to offer aid for school construction to such federally impacted communities, but none were passed. On June 14 Chairman J. HARRY MCGREGOR of the Subcommittee on Buildings and Grounds wrote to General Fleming indicating that it was the wish of the Committee on Public Works that a survey be made of emergency needs relative to construction of school facilities in areas where such circumstances are brought about by the influx of population caused by activities of our Federal departments. The letter concludes: "It is our hope, in the event such an emergency exists, that general legislation can be enacted during the next session of the Congress." This report is based on the survey requested by the Public Works Committee and, in the opinion of the Federal Works Agency, clearly indicates a situation to exist which merits the closest attention of the Congress.

As a first step in instituting the survey, the Central Office of the Bureau of Community Facilities (FWA) conferred with the United States Office of Education (FSA); this agency was most helpful and wrote to all State Departments of Education, asking their support and help for the field investigations to be carried out by the division and district engineers of the Bureau. Working together with the educational authorities, the Bureau's field staff was able to establish a list of areas where Federal activities were known to have placed a heavy burden on local school systems. Each of these school districts was then

surveyed. Data were secured on total immediate school construction needs in these districts. Steps were then taken to ascertain the portion of these total needs attributable to Federal activities, and what part of the total problem the school districts can reasonably be expected to work out for themselves.

NUMBER OF SCHOOL DISTRICTS SURVEYED

After screening and eliminating reports where the Federal impact was too slight to merit inclusion, information on 422 districts was forwarded from the field to the central office of the Bureau. Here the reports were further screened, resulting in the elimination of 27 more districts. The attached tables therefore relate to 395 school districts. Generally speaking, the Federal action creating a special problem in these 395 districts may be said to be direct in nearly 300 districts, that is, arising from federally owned buildings or installations. In approximately 100 districts the Federal impact may be said to be less direct, that is, arising from defense or war plants not owned by the Federal Government but engaged in work for the Federal Government.

GEOGRAPHICAL COVERAGE

The 395 reporting school districts are situated in 39 States, the District of Columbia, and Alaska. The greatest concentrations are to be found in California (86), Texas (38), Washington (34), Michigan (24), Pennsylvania (23), Georgia (15), Arkansas (14), Virginia (12), and Arizona (11). Ten or less school districts are involved in each of the remaining States. While the geographical coverage is very broad, concentrations in certain States are natural and reflect the concentration of defense and industrial activities during and subsequent to World War II. The reporting areas are very largely those where the Federal Government did help during World War II to some extent in providing housing and community facilities under the Lanham Act.

Table 1 shows clearly the great increase in school attendance in the reporting districts, the greatly increasing percentage of attendance attributable to Federal activities, and the absolute failure of school plant in the areas to keep up with the increasing school attendance. Thus, table 1 lists the number of school districts reporting for each State and the average daily attendance figures for four periods, namely, the last normal year, the 1947–48 school year, the estimated 1948–49 school year, and the estimated 1949–50 school year. Each of these average daily attendance figures shows not only the total attendance but that part of the attendance which is the result of Federal activities. The following national totals show the increase in average daily attendance:

Average daily attendance

	Total	Federal
Last normal year	972,001	78,182
1947–48	1,313,377	318,673
1948–49	1,418,871	375,567
1949–50	1,525,741	449,569

During the last normal year, out of a total attendance of 972,001, in these 395 districts, approximately 78,182, or 8 percent, were due to Federal activities. During the current 1948–49 year, total attendance has increased to 1,418,871, of which approximately 375,567, or 26 percent, are due to Federal activities. Estimated figures for next year indicate not only an over-all increase but a percentagewise increase in the proportion of enrollments due to Federal activities.

Table 1 also shows that the square feet of floor space available as of June 30, 1948, was 48,347,931. The last two columns indicate the cost of facilities provided from the last normal year through June 1948. It may be noted that the local communities have spent approximately three and one-half times as much as the Federal Government in providing additional facilities during this period. The Federal funds shown are those allocated under the Lanham Act during the war years when schools as well as other facilities were constructed as Federal or non-Federal projects in order to relieve the impact of war migrations to these areas.

VOLUME AND COST OF NEEDED FACILITIES

Table 2 sets forth the recommendations of the division engineers of the Bureau on the volume and cost of facilities presently needed in the reporting school districts to meet their greatly increased enrollments. These recommendations were made after a pruning of the volume and cost estimates submitted by the school districts. The recommendations of the district engineers for the 395 districts include a total of 25,247,947 square feet of space, of which 11,956,485 square feet are needed for enrollments due to Federal activities. The cost of providing presently needed facilities is $348,132,416, of which $171,018,560 is the cost of providing the share of the additional facilities required because of Federal activities.

FUNDS AVAILABLE TO SCHOOL DISTRICTS

Table 2 also includes a column showing the maximum amount of funds which can be raised by the school districts to meet their immediate school construction needs. These funds include all sources of revenue, including cash on hand, taxes to be collected, and funds which could be raised from bond issues within the legal limit of bonded indebtedness. They also include State aid where such might be provided. A study of the reports received indicates that many of the communities have insufficient funds to construct that part of their presently needed school plant not attributable to Federal activities, let alone that part attributable to such activities.

The final column of table 2 shows the amount still required after all local sources of funds are exhausted. In short, the survey indicates that a total of $136,000,000 is required over and above present and anticipated revenues of the school districts.

TYPES OF FEDERAL ACTIVITIES CAUSING INCREASED ENROLLMENTS

Table 3 analyzes the types of Federal activities which have brought about the increased enrollments in the 395 districts. It will be noted that some school districts are affected by the activities of two or more Federal installations. Generally speaking, the great majority of the Federal impacts noted are occasioned by activities of the Army, Navy and Air Force Departments and defense work in private plants.

CONCLUSION

It should be emphasized that this report and the survey on which it is based are limited strictly to school construction needs in areas especially affected by Federal activities. The 395 districts reporting are those which have an extra school construction problem occasioned by Federal agency activity, over and above the general difficulties in this connection now prevalent in so much of the United States. There may well be many additional school districts in the Nation with similar problems which have not reported their needs.

As is well known, there is a great need for new school plant all over the United States, a need arising primarily from lags in such construction both before and during World War II and the great increase in school population now beginning to hit the school system. We do not know precisely how large the over-all needs for school plant are for the country as a whole. But we do know from various studies made by the United States Office of Education, various State agencies, and our own field activities, that the volume of plant required exceeds $7,000,000,000 and that many localities do not have the fiscal capacity to cope with the problem.

As has been indicated, the 395 districts surveyed are in some respect the most critical of all, for in addition to the difficulties now being generally experienced all over the country, they are subject to the added difficulties occasioned by Federal governmental activities in their midst. Their needs are indeed acute and they have every right to such aid as the Federal Government finds it can give.

TABLE 1.—*Federal Works Agency, Bureau of Community Facilities—the average daily attendance, the square feet of floor space available, and cost of facilities provided from last normal year through June 30, 1948, in school districts affected by activities of the Federal Government as reported by local school officials, by State*

State	Number of school districts	Average daily attendance								Square feet of floor space available June 30, 1948	Cost of facilities provided last normal year through June 1948	
		Last normal year		1947–48		Estimated, 1948–49		Estimated, 1949–50				
		Total	Due to Federal activities	Total	Due to Federal activities	Total	Due to Federal activities	Total	Due to Federal activities		Total	Federal funds
United States	395	972,001	78,182	1,313,377	318,673	1,418,871	375,567	1,525,741	449,569	48,347,931	$168,843,178	$36,726,011
Alabama	9	21,241	20	25,146	4,048	27,286	6,045	28,748	7,507	737,429	2,091,587	951,237
Arizona	11	8,405	160	15,567	3,794	17,793	4,506	19,940	4,994	507,345	2,672,471	932,544
Arkansas	14	23,384	50	29,840	5,075	30,871	5,718	23,600	6,219	827,151	2,275,683	603,780
California	86	101,758	2,156	197,124	65,046	207,150	73,946	233,928	92,796	8,960,861	31,431,807	7,003,802
Colorado	5	9,170	2	10,828	900	12,170	1,280	13,525	1,627	416,344	2,482,933	64,872
Connecticut												
Delaware												
Florida	5	46,922	2,984	57,311	7,498	60,069	8,951	61,660	10,187	1,438,802	5,962,945	1,372,232
Georgia	15	58,831		82,128	11,034	89,970	16,635	96,310	20,515	2,535,995	4,173,633	1,058,116
Idaho	4	6,813	73	8,077	1,052	8,925	1,642	10,300	2,509	393,996	191,946	2,665
Illinois	9	3,182	15	4,595	1,208	4,971	1,479	5,986	2,236	118,205	604,293	292,793
Indiana	6	7,130		12,028	2,707	12,947	3,301	4,329	4,285	199,260	718,779	447,500

TABLE 1.—*Federal Works Agency, Bureau of Community Facilities—the average daily attendance, the square feet of floor space available, and cost of facilities provided from last normal year through June 30, 1948, in school districts affected by activities of the Federal Government as reported by local school officials, by State*—Continued

State	Number of school districts	Average daily attendance								Square feet of floor space available June 30, 1948	Cost of facilities provided last normal year through June 1948	
		Last normal year		1947–48		Estimated, 1948–49		Estimated, 1949–50				
		Total	Due to Federal activities	Total	Due to Federal activities	Total	Due to Federal activities	Total	Due to Federal activities		Total	Federal funds
Iowa	1	30		69	40	114	85	150	110	2,310	$29,586	$29,586
Kansas	2	20,638		23,006	2,200	24,192	3,200	26,900	5,500	1,657,416	2,271,307	144,703
Kentucky	3	4,615	85	5,121	473	5,502	625	5,800	773	151,632	173,825	78,625
Louisiana												
Maine	6	11,006		13,104	1,717	13,719	1,820	14,486	2,220	380,158	615,205	414,705
Maryland	5	44,843	10,000	64,784	27,791	74,298	33,887	81,988	38,117	1,799,833	21,922,948	564,470
Massachusetts												
Michigan	24	40,675	1,201	54,742	12,333	57,336	15,149	60,683	17,572	2,012,773	5,653,987	2,077,669
Minnesota	2	1,432	274	2,137	232	2,200	235	2,450	255	2,100		
Mississippi	2	1,540		2,191	649	2,385	770	2,485	845	96,552	477,436	8,436
Missouri	4	5,403		6,931	1,270	7,469	1,357	8,661	1,996	350,358	946,136	124,177
Montana												
Nebraska	6	1,383		2,020	416	2,253	648	2,435	780	93,062	75,332	13,000
Nevada	6	1,231	458	3,676	2,686	3,800	2,761	4,379	3,325	140,151	592,059	418,125
New Hampshire												
New Jersey	1	110		216	116	300	200	350	250	9,000		
New Mexico	4	2,460		3,225	855	3,658	1,229	4,284	1,785	88,663	219,626	
New York												
North Carolina												
North Dakota	2	416	4	497	62	587	140	640	165	17,298		
Ohio	9	7,390	550	12,658	4,393	13,447	5,000	14,712	5,765	313,140	1,284,023	519,555
Oklahoma	7	66,844	755	74,442	6,979	78,927	10,248	83,807	12,848	1,180,065	3,622,095	583,419
Oregon	8	2,653		5,305	1,388	5,793	1,544	6,455	1,805	320,032	1,725,803	348,917
Pennsylvania	23	27,708	160	52,739	6,357	35,510	7,290	38,253	8,942	983,877	2,059,549	768,096
Rhode Island	1	849		1,231	381	1,375	400	1,475	450	40,000	646,266	100,000
South Carolina	3	7,930	275	12,759	2,585	13,500	2,721	14,895	3,084	395,888	1,530,672	1,183,982
South Dakota	1	180		275	90	310	130	400	220	9,600	15,000	
Tennessee	5	10,787		12,221	805	12,975	1,136	13,950	1,496	345,488	883,688	189,000
Texas	38	125,652	1,941	169,078	26,230	185,990	30,070	200,932	44,133	7,579,081	14,909,397	2,914,890
Utah	7	34,681		44,116	7,431	46,391	8,583	48,603	10,041	1,563,713	3,703,752	461,288
Vermont												
Virginia	12	61,744	8,993	85,543	30,972	92,273	34,067	98,893	38,241	2,401,778	11,298,714	3,739,887
Washington	34	85,324	5,023	119,946	30,425	135,212	41,155	149,303	47,397	4,916,120	20,945,084	7,153,040
West Virginia	2	25,433		21,005	2,000	29,225	2,000	29,550	1,500	1,084,440	883,000	
Wisconsin	1	867		974	81	1,020	105	1,070	153	60,225	25,481	
Wyoming	5	5,774	12	8,032	654	8,593	758	9,216	845	137,690	1,098,999	15,000
District of Columbia	1	84,050	42,025	85,558	42,779	84,804	42,402	86,000	43,000	4,080,000	18,000,630	1,966,800
Territory of Alaska	6	1,517	366	3,132	1,921	3,561	2,349	4,254	3,037		627,501	180,000

TABLE 2.—*The square feet and estimated cost of floor space presently needed, funds available and funds needed in school districts affected by activities of the Federal Government as recommended by Division engineers, Bureau of Community Facilities, by State*

State	Number of school districts	Square feet of floor space needed		Estimated cost of needed facilities		Funds available to school districts	Funds needed by school districts
		Total	Due to Federal activities	Total	Due to Federal activities		
United States	395	25,247,947	11,956,485	$348,132,416	$171,018,560	$212,221,326	$135,911,090
Alabama	9	681,443	152,386	6,814,430	1,524,970	1,084,140	5,730,290
Arizona	11	454,580	211,385	4,545,800	2,113,850	1,021,950	3,523,850
Arkansas	14	220,250	205,450	3,303,750	3,081,750	673,056	2,630,700
California	86	9,983,600	4,991,557	100,629,000	49,971,030	54,406,915	46,222,085
Colorado	5	37,000	37,000	555,000	555,000	292,000	263,000
Connecticut							
Delaware							
Florida	5	320,758	288,460	3,207,580	2,884,600	3,144,580	63,000
Georgia	15	622,100	382,720	8,433,000	4,229,200	5,712,181	2,720,819
Idaho	4	94,786	45,504	1,447,540	682,310	885,000	562,540
Illinois	9	36,000	20,000	756,000	440,000	696,000	60,000
Indiana	6	60,000	38,500	1,219,000	809,000	529,500	689,500
Iowa	1	2,250	2,250	45,000	45,000	19,500	25,500
Kansas	2	55,600	55,600	1,112,000	1,112,000	624,000	488,000
Kentucky	3	71,250	59,750	1,339,500	1,129,500	398,500	941,000
Louisiana							
Maine	6	133,640	67,818	1,308,843	679,680	732,443	576,400
Maryland	5	716,310	475,375	19,593,000	10,678,725	12,015,890	7,577,110
Massachusetts							
Michigan	24	456,000	263,000	10,144,000	5,636,500	9,906,500	237,500
Minnesota	2	42,000	10,000	900,000	200,000	209,000	691,000
Mississippi	2	23,088	9,588	234,500	99,500	124,607	109,893
Missouri	4	63,500	52,500	1,270,000	1,050,000	268,700	1,001,300
Montana							
Nebraska	6	38,400	20,900	910,000	560,000	196,465	713,535
Nevada	6	101,310	65,405	887,100	622,550	597,100	290,000
New Hampshire							
New Jersey	1	4,000	4,000	80,000	80,000	4,000	76,000
New Mexico	4	38,700	38,700	570,750	570,750	93,490	477,260
New York							
North Carolina							
North Dakota	2	11,500	6,500	240,000	130,000	118,000	122,000
Ohio	9	95,136	74,256	2,345,980	1,933,980	1,138,718	1,207,262
Oklahoma	7	316,370	161,150	4,745,550	2,417,250	3,023,000	1,722,550
Oregon	8	94,720	45,200	1,386,653	653,300	1,057,475	329,178
Pennsylvania	23	1,850,550	336,450	11,121,000	5,595,000	3,605,000	7,516,000
Rhode Island	1	70,000	40,650	861,500	500,000	861,500	
South Carolina	3	110,222	17,903	1,102,220	179,030	1,033,020	69,200
South Dakota	1	4,200	4,200	84,000	84,000	42,600	41,400
Tennessee	5	42,562	42,562	425,620	425,620	405,340	20,280
Texas	38	3,432,197	1,075,137	51,482,955	16,172,055	41,520,163	9,962,792
Utah	7	166,000	134,000	2,490,000	2,010,000	2,490,000	
Vermont							

TABLE 2.—*The square feet and estimated cost of floor space presently needed, funds available and funds needed in school districts affected by activities of the Federal Government as recommended by Division engineers, Bureau of Community Facilities, by State*—Con.

State	Number of school districts	Square feet of floor space needed		Estimated cost of needed facilities		Funds available to school districts	Funds needed by school districts
		Total	Due to Federal activities	Total	Due to Federal activities		
Virginia	12	830,108	540,812	$22,545,700	$13,529,000	$8,641,450	$13,904,250
Washington	34	3,100,407	1,502,367	48,562,885	21,599,150	38,254,489	10,308,396
West Virginia	2	22,110	22,110	650,000	650,000	250,000	400,000
Wisconsin	1	3,000	3,000	75,000	75,000		75,000
Wyoming	5	24,800	24,800	372,000	372,000	372,000	
District of Columbia	1	759,000	379,500	28,100,000	14,050,000	14,050,000	14,050,000
Territory of Alaska	6	58,500	48,040	2,235,560	1,887,200	1,723,060	512,500

TABLE 3.—*Federal Works Agency, Bureau of Community Facilities—Number of school districts and major reasons occasioning need for additional school facilities as reported by local school officials, by State*

State	Number of school districts	Major reasons																
		Total reasons	Federal installations														Federal public works	Defense industry
			Total	Army	Navy	Air	Coast Guard	Interior	Federal Public Housing Administration	Veterans' Administration	Atomic Energy Commission	Civil Aeronautics Authority	Bureau of Census	Federal Security Agency	Tennessee Valley Authority	Miscellaneous		
United States	395	576	393	103	72	84	2	13	81	12	14	2	1	1	1	7	19	164
Alabama	9	17	11	4		1			4	1					1			6
Arizona	11	20	14		1	8			3	2								6
Arkansas	14	21	15	6	2	2			3	2							2	4
California	86	110	57	16	17	18			6								2	51
Colorado	5	10	9	2		3			3	1								1
Connecticut																		
Delaware																		
Florida	5	6	6		3	2	1											
Georgia	15	24	16	5	1	6			2	2								8
Idaho	4	5	4		1	1		2									1	
Illinois	9	12	7	3	1				2		1							5
Indiana	6	8	2	1					1									6
Iowa	1	1	1	1														
Kansas	2	2	1	1														1
Kentucky	3	3	2	2													1	
Louisiana																		
Maine	6	9	6		1	4			1									3
Maryland	5	15	14	4	4	1	1						1	1		2		1
Massachusetts																		
Michigan	24	29	12	2	3				7									17
Minnesota	2	3	1	1														2
Mississippi	2	2	1	1														1
Missouri	4	7	3	1	2													4
Montana																		
Nebraska	6	6	2			1		1									4	
Nevada	6	7	6		2	1		2	1									1
New Hampshire																		
New Jersey	1	2	2	1		1												
New Mexico	4	4	4			1					3							
New York																		
North Carolina																		
North Dakota	2	2															2	
Ohio	9	12	10	1		4			3		2							2
Oklahoma	7	8	4	3		1											1	3
Oregon	8	12	11	3		1			7								1	
Pennsylvania	23	35	29	3	4	1			21									6
Rhode Island	1	2	2	1	1													
South Carolina	3	5	5	1	1	3												
South Dakota	1	1															1	
Tennessee	5	6	6	2	1				2		1							
Texas	38	55	37	13	3	12			8	1							1	17
Utah	7	16	13	5	3	5												3
Vermont																		
Virginia	12	26	26	8	9	2			3	1						3		
Washington	34	54	36	8	12	5			4		7						2	16
West Virginia	2	2	2	1						1								
Wisconsin	1	2	2	1						1								
Wyoming	5	5	4	1				3									1	
District of Columbia	1	1	1													1		
Territory of Alaska	6	9	9	1				5				2				1		

THE CALENDAR

The VICE PRESIDENT. Morning business is concluded. The next order of business is the call of the calendar.

The clerk will proceed to call the measures on the calendar. The Chair desires to admonish Senators, and remind them, that during the call of the calendar the 5-minute limitation of debate prevails.

BILLS PASSED OVER

The bill (S. 130) to provide for the demonstration of public library service in areas without such service or with inadequate library facilities was announced as first in order.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. SALTONSTALL. Mr. President, the Senator from Ohio [Mr. TAFT] is necessarily absent. I think he wishes to have some discussion of the bill. Therefore, I object to its present consideration.

The VICE PRESIDENT. The bill will be passed over.

UPPER COLORADO RIVER BASIN COMPACT

The bill (S. 790) to grant the consent of the United States to the upper Colorado River Basin compact was announced as next in order.

Mr. DOWNEY. I desire to object, Mr. President.

The VICE PRESIDENT. Objection being heard, the bill will be passed over.

Mr. DOWNEY. I should like to state that I have been endeavoring to discuss certain statements to be placed in the CONGRESSIONAL RECORD in connection with

the passage of this bill. My colleague, the Senator from California [Mr. KNOWLAND], has been discussing the same language with the Senator from Colorado [Mr. MILLIKIN], but we have not yet reached any conclusion regarding it. So for the present I ask that the bill go over.

The VICE PRESIDENT. The bill will be passed over. The clerk will state the next measure on the calendar.

RELIEF OF PALESTINE REFUGEES

The joint resolution (S. J. Res. 36) for the authorization of a special contribution by the United States to the United Nations for the relief of Palestine refugees was announced as next in order.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution?

Mr. RUSSELL. Mr. President, may we have an explanation?

Mr. CONNALLY. Mr. President, this is a joint resolution authorizing an appropriation of $16,000,000 for the relief of so-called Palestine refugees. These refugees in the main are Arabs who formerly resided in the territory now in the control of Israel, but because of military operations they left their homes or were driven from their homes, and sought refuge in other parts of the land.

The acting mediator of Palestine, on October 18, 1948, described the plight of these refugees as extremely critical, and urged immediate assistance for them to avert a great human catastrophe.

The General Assembly of the United Nations unanimously adopted a resolution urging member states to make voluntary contributions to raise the $32,000,000 required for the extension of essential relief. Up to the present time, 24 states, members of the United Nations, have made contributions or have indicated their intention to contribute.

The work has been proceeding on an advance; the United Nations made an advance, and that advance is bearing the expenses until the contributions come into the treasury.

The United States delegation in Paris, in accordance with its instructions, examined the possible alternatives and the size of the United States contribution. A small advisory staff has been set up under the Secretary General of the United Nations; and Stanton Griffis, an American, who is United States Ambassador to Egypt, has been appointed director of the program.

Let me say that our delegation agreed on a contribution of $16,000,000. Later on the President of the United States advised the Congress that he recommended that an appropriation of $16,000,000 be made for this purpose.

We believe that this contribution, together with the contributions of other member states, will permit Mr. Griffis to carry on the program through a most difficult winter and spring.

Mr. President, the conditions among the refugees in that area are most acute. The most recent estimates place the number of refugees at above 720,000. About 230,000 of them are in the Gaza area. As of October 1948 it was estimated by Mr. Gower, of the American Red Cross, that 84 percent of the refugees were children, mothers, the aged and the infirm. Deaths among the refugees from exposure, disease, and starvation are almost impossible to estimate. In many areas the refugees bury the dead in secret. The refugees are so constantly on the move that figures regarding the number of deaths cannot be gathered; but both Egyptian and neutral observers estimated in early December that deaths in the Gaza area alone averaged 120 a night. Pneumonia, dysentery, weakness, and malnutrition among the aged account for a large part of the mortality.

Mr. RUSSELL. Mr. President, I have no objection. I merely wished to know the amount involved.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate proceeded to consider the joint resolution, which had been reported from the Committee on Foreign Relations with amendments, on page 2, in line 3, to strike out "it is the desire of the United States to cooperate fully with the United Nations in the establishment and maintenance of peace and stability in the Palestine area and in the alleviation of human suffering in that area, and, in order to effectuate such cooperation"; in line 8, to strike out "Secretary of State" and insert "President"; in line 9, after the word "appropriated", to strike out "the sum of" and insert "not to exceed"; in line 13, after "1948", to insert "providing for the relief of Palestine refugees"; in line 14, to strike out "Payment of this contribution shall be made to the United Nations at such time and in such amounts as the Secretary of State may deem appropriate"; in line 20, to strike out "Secretary of State" and insert "President"; in line 24, after the word "repaid", to strike out "by the Secretary of State"; and on page 3, beginning in line 5, to strike out:

SEC. 3. (a) Upon request of the United Nations for materials, supplies, or services for the purpose of carrying out the terms of the resolution of the General Assembly of the United Nations of November 19, 1948, the Secretary of State may transfer sums, as advancements or reimbursements, for the cost and expense therefor, from advances by the Reconstruction Finance Corporation under section 2, from appropriations made under authority of section 1, and from funds made available to him by the United Nations for such purposes, to any department, agency, or independent establishment of the Government, including any corporation wholly owned by the United States (hereinafter referred to as "Government agency"), and any such Government agency shall furnish or procure and furnish such material, supplies, or services to the United Nations. Sums so transferred shall be available for obligation and expenditure in accordance with the laws governing obligations and expenditures of the Government agency to which funds are transferred and without regard to sections 3709 and 3648 of the Revised Statutes, as amended (41 U. S. C. 5 and 31 U. S. C. 529), or to the Armed Services Procurement Act of 1947 (Public Law 413, 80th Cong.): *Provided*, That such additional civilian employees as may be required by any such Government agency for the procurement or furnishing of supplies or services under this subsection shall not be counted as civilian employees within the meaning of section 14 (a) of the Federal Employees Pay Act of 1946.

(b) When reimbursement is made under subsection (a) of this section, it shall be credited, at the option of the Government agency involved, either to the appropriation, fund, or account utilized in incurring the obligation, or to the appropriate appropriation, fund, or account which is current at the time of such reimbursement.

So as to make the joint resolution read:

Resolved, etc., That there is hereby authorized to be appropriated to the President, out of any money in the Treasury not otherwise appropriated, not to exceed $16,000,000 as a special contribution by the United States to the United Nations for the purposes set forth in the resolution of the General Assembly of the United Nations of November 19, 1948, providing for the relief of Palestine refugees.

SEC. 2. Notwithstanding the provision of any other law, the Reconstruction Finance Corporation is authorized and directed, until such time as an appropriation shall be made pursuant to section 1, to make advances to the President, not to exceed in the aggregate $8,000,000, to carry out the provisions of this joint resolution. From appropriations authorized under section 1, there shall be repaid to the Reconstruction Finance Corporation, without interest, the advances made by it under authority contained herein. No interest shall be charged on advances made by the Treasury to the Reconstruction Finance Corporation in implementation of this section.

The amendments were agreed to.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "Joint resolution for the authorization of a special contribution by the United States for the relief of Palestine refugees."

The preamble was rejected.

Mr. CONNALLY. Mr. President, I ask unanimous consent to have inserted in the RECORD a brief statement in connection with the joint resolution.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR CONNALLY

PALESTINE REFUGEE LEGISLATION

Mr. President, it is well known that, as a result of hostilities in Palestine, well over 500,000 refugees in the Near East are in dire need of food, clothing, shelter, blankets, and medical supplies. On October 18, 1948, the acting mediator for Palestine described the plight of these refugees as extremely critical and urged immediate assistance for them to avert a great human catastrophe.

Confronted with this grave crisis, the General Assembly of the United Nations, earnestly seeking a settlement in Palestine and the Near East, unanimously adopted a resolution urging member states to make voluntary contributions to raise the $32,000,000 required for the extension of essential relief. Up to the present time, 24 states have indicated their intentions to contribute and work has been proceeding on an advance from the United Nations working capital fund.

The United States delegation in Paris, in accordance with its instructions, examined very carefully the possible alternatives for the most satisfactory and economical administration of this emergency program and the size of the United States contribution. A small advisory staff has been set up under the

Secretary General of the United Nations and Stanton Griffis, the United States Ambassador to Egypt, has been appointed director of the program. In order to avoid complex administrative machinery, agreements have been reached with the League of Red Cross Societies, the International Committee of the Red Cross, and the Friends Committee so that these experienced relief organizations will assume responsibility for the actual distribution of supplies and the field operations generally.

The Committee on Foreign Relations examined this entire problem with a great deal of care. While we have recommended certain amendments to Senate Joint Resolution 36 for the purpose of simplification and clarity, we voted unanimously to report the resolution favorably with an authorization for $16,000,000. We believe that this contribution, together with the contributions of other states, will permit Mr. Griffis to carry the program through a most difficult winter and spring.

Now, Mr. President, I do not wish to take the time of the Senate to examine in detail the refugee program. The essential facts are set forth in the report of the Committee on Foreign Relations. I would like to conclude my remarks by underlining some of the compelling reasons the United States should support this program.

First. The plight of thousands of refugees in the Near East is desperate. Since the resources of the Arab states are inadequate to meet the crisis, starvation and death will be rampant if this program is not approved.

Second. The present program was very carefully worked out by the General Assembly. It is probably the best arrangement, from both an administrative and financial point of view, which could be devised under the circumstances.

Third. It is the established policy of the United States to cooperate fully with the United Nations in carrying out those programs agreed upon under the terms of the Charter. We must stand squarely with the United Nations in this important undertaking.

Fourth. It is generally agreed that a satisfactory solution of the refugee problem will contribute greatly toward an over-all political settlement in Palestine. In view of our deep interest in the Holy Land, and our traditional friendship for the people of the Near East, we are anxious to do everything within our power to bring peace and tranquillity to that unhappy region of the world.

For these reasons, Mr. President, and because of the very pressing time element, I sincerely hope the Senate will give its speedy approval to the resolution before us.

ELIGIBILITY FOR APPOINTMENT IN THE EXECUTIVE BRANCH OF FORMER STAFF MEMBERS OF CONGRESSIONAL COMMITTEES

The Senate proceeded to consider the bill (H. R. 1252) to amend the Legislative Reorganization Act of 1946, with respect to the eligibility for appointment in the executive branch of the Government of former professional staff members of committees of the Senate and the House of Representatives.

Mr. RUSSELL. Mr. President, may we know what is provided in the bill?

Mr. HAYDEN. Mr. President, the Legislative Reorganization Act provides that any person employed by any congressional committee as a specialist or investigator or in any similar capacity cannot be employed by any Government department within 1 year after he leaves such committee employment. With the change of administration there have been changes in both the House and Senate committees, and, of course, there have been changes in some of these positions. In some instances persons so affected desire to return to governmental departments; but, primarily, the reason for the passage of the bill is, I think, the one stated by Representative REED of New York, who introduced the bill, which has been passed by the House of Representatives. He stated that some of these persons have attempted to go back into industry and have sought jobs in industry. I know some of them have gone to Philadelphia and to New York. They tell their story to industry; but the heads of industry are not too familiar with the situation which exists, and they often say, "Well, your story sounds all right, but there must be some reason why you were let out," thus indicating that their view is, regardless of their efficiency, there is something wrong with their character. Some of these men come back very much discouraged, so Representative REED introduced the bill. It was unanimously reported by the Ways and Means Committee of the House, and was passed by the House.

Mr. RUSSELL. It merely proposes, does it not, to strike from the Reorganization Act the provision which prevented the employment by the executive department of any person who had been employed by the legislative branch of the Government until the lapse of 1 year after the date of the termination of his service?

Mr. HAYDEN. That is correct.

The bill was ordered to a third reading, read the third time, and passed.

INTERSTATE COMPACT ON GULF STATES FISHERIES

The joint resolution (S. J. Res. 42) granting the consent and approval of Congress to an interstate compact relating to the better utilization of the fisheries (marine, shell, and anadromous) of the Gulf coast and creating the Gulf States Marine Fisheries Commission, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Resolved, etc., That the consent of Congress is hereby given to any two or more of the States of Alabama, Florida, Louisiana, Mississippi, and Texas to enter into, the following compact and agreement relating to the better utilization of the fisheries (marine, shell, and anadromous) of the Gulf Coast and creating the Gulf States Marine Fisheries Commission. The compact reads as follows:

GULF STATES MARINE FISHERIES COMPACT

The contracting States solemnly agree:

ARTICLE I

Whereas the Gulf Coast States have the proprietary interest in and jurisdiction over fisheries in the waters within their respective boundaries, it is the purpose of this compact to promote the better utilization of the fisheries, marine, shell, and anadromous, of the seaboard of the Gulf of Mexico, by the development of a joint program for the promotion and protection of such fisheries and the prevention of the physical waste of the fisheries from any cause.

ARTICLE II

This compact shall become operative immediately as to those States ratifying it whenever any two or more of the States of Florida, Alabama, Mississippi, Louisiana, and Texas have ratified it and the Congress has given its consent subject to article 1, section 10, of the Constitution of the United States. Any State contiguous to any of the aforementioned States or riparian upon waters which flow into waters under the jurisdiction of any of the aforementioned States and which are frequented by anadromous fish or marine species may become a party hereto as hereinafter provided.

ARTICLE III

Each State joining herein shall appoint three representatives to a commission hereby constituted and designated as the Gulf States Marine Fisheries Commission. One shall be the head of the administrative agency of such State charged with the conservation of the fishery resources to which this compact pertains or, if there be more than one officer or agency, the official of that State named by the governor thereof. The second shall be a member of the legislature of such State designated by such legislature or in the absence of such designation, such legislator shall be designated by the governor thereof, provided that if it is constitutionally impossible to appoint a legislator as a commissioner from such State, the second member shall be appointed in such manner as may be established by law. The third shall be a citizen who shall have a knowledge of and interest in the marine fisheries, to be appointed by the governor. This commission shall be a body corporate with the powers and duties set forth herein.

ARTICLE IV

The duty of the said commission shall be to make inquiry and ascertain from time to time such methods, practices, circumstances and conditions as may be disclosed for bringing about the conservation and the prevention of the depletion and physical waste of the fisheries, marine, shell and anadromous, of the Gulf coast. The commission shall have power to recommend the coordination of the exercise of the police powers of the several States within their respective jurisdiction to promote the preservation of these fisheries and their protection against overfishing, waste, depletion or any abuse whatsoever and to assure a continuing yield from the fishery resources of the afore-mentioned States. To that end the commission shall draft and recommend to the governors and legislatures of the various signatory States, legislation dealing with the conservation of the marine, shell and anadromous fisheries of the Gulf seaboard. The commission shall from time to time present to the governor of each compacting State its recommendations relating to enactments to be presented to the legislature of that State in furthering the interest and purposes of this compact. The commission shall consult with and advise the pertinent administrative agencies in the States party hereto with regard to problems connected with the fisheries and recommend the adoption of such regulations as it deems advisable. The commission shall have power to recommend to the States party hereto the stocking of the waters of such States with fish and fish eggs or joint stocking by some or all of the States party hereto and when two or more States shall jointly stock waters the commission shall act as the coordinating agency, for such stocking.

ARTICLE V

The commission shall elect from its number a chairman and vice chairman and shall appoint and at its pleasure remove or discharge such officers and employees as may be required to carry the provisions of this compact into effect and shall fix and determine their duties, qualifications and compensation. Said commission shall adopt rules and regulations for the conduct of its business. It may establish and maintain one or more offices for the transaction of its business and may meet at any time or place but must meet at least once a year.

ARTICLE VI

No action shall be taken by the commission in regard to its general affairs except by the affirmative vote of a majority of the whole number of compacting States. No recommendation shall be made by the commission in regard to any species of fish except by the affirmative vote of a majority of the compacting States which have an interest in such species. The commission shall define what shall be an interest.

ARTICLE VII

The Fish and Wildlife Service of the Department of the Interior of the Government of the United States shall act as the primary research agency of the Gulf States Marine Fisheries Commission cooperating with the research agencies in each State for that purpose. Representatives of the said Fish and Wildlife Service shall attend the meetings of the commission. An advisory committee to be representative of the commercial salt-water fishermen and the salt-water anglers and such other interest of each State as the commissioners deem advisable may be established by the commissioners from each State for the purpose of advising those commissioners upon such recommendations as it may desire to make.

ARTICLE VIII

When any State other than those named specifically in article II of this compact shall become a party hereto for the purpose of conserving its anadromous fish or marine species in accordance with the provisions of article II, the participation of such State in the action of the commission shall be limited to such species of fish.

ARTICLE IX

Nothing in this compact shall be construed to limit the powers or the proprietary interest of any signatory State or to repeal or prevent the enactment of any legislation or the enforcement of any requirement by a signatory State imposing additional conditions and restrictions to conserve its fisheries.

ARTICLE X

It is agreed that any two or more States party hereto may further amend this compact by acts of their respective legislatures subject to approval of Congress as provided in article I, section 10 of the Constitution of the United States, to designate the Gulf States Marine Fisheries Commission as a joint regulating authority for the joint regulation of specific fisheries affecting only such States as shall so compact, and at their joint expense. The representatives of such States shall constitute a separate section of the Gulf States Marine Fisheries Commission for the exercise of the additional powers so granted but the creation of such section shall not be deemed to deprive the States so compacting of any of their privileges or powers in the Gulf States Marine Fisheries Commission as constituted under the other articles of this compact.

ARTICLE XI

Continued absence of representation or of any representative on the commission from any State party hereto shall be brought to the attention of the governor thereof.

ARTICLE XII

The operating expenses of the Gulf States Marine Fisheries Commission shall be borne by the States party hereto. Such initial appropriations as are set forth below shall be made available yearly until modified as hereinafter provided:

Florida	$3,500
Alabama	1,000
Mississippi	1,000
Louisiana	5,000
Texas	2,500
Total	13,000

The proration and total cost per annum of $13,000, above-mentioned, is estimative only, for initial operations, and may be changed when found necessary by the commission and approved by the legislatures of the respective States. Each State party hereto agrees to provide in the manner most acceptable to it, the travel costs and necessary expenses of its commissioners and other representatives to and from meetings of the commission or its duly constituted sections or committees.

ARTICLE XIII

This compact shall continue in force and remain binding upon each compacting State until renounced by act of the legislature of such State, in such form as it may choose; provided that such renunciation shall not become effective until 6 months after the effective date of the action taken by the legislature. Notice of such renunciation shall be given to the other States party thereto by the secretary of state of the compacting State so renouncing upon passage of the act.

ALBERT A. SPRAGUE VETERANS' MEMORIAL HOSPITAL

The bill (S. 745) to provide for the designation of the United States Veterans' Administration hospital at Chicago, Ill., as the Albert A. Sprague Veterans' Memorial Hospital, was announced as next in order.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. HILL. Mr. President, reserving the right to object—and I may say to the distinguished Senator from Illinois I have no intention of objecting—I call attention to the fact that the bill was reported by the Committee on Finance, to whom it undoubtedly had been referred by the Presiding Officer of the Senate. I think the bill really should have gone to the Committee on Labor and Public Welfare, since that committe has jurisdiction over other matters dealing with hospitals of the Veterans' Administration. In the Eightieth Congress, I know, as a member of the subcommittee of the Committee on Labor and Public Welfare, that the subcommittee spent a great deal of time on the question of hospitals for the Veterans' Administration. A number of questions are now before our committee relative to the hospitals of the Veterans' Administration. I merely make these remarks in the hope that in the future this will not become a precedent for the sending of bills of this character to the Finance Committee rather than to the Committee on Labor and Public Welfare, where I think the bill undoubtedly belongs.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the proposed United States Veterans' Administration general surgical hospital at Chicago, Ill., shall be known and designated on the public records as the Albert A. Sprague Veterans' Memorial Hospital.

CLARIFICATION OF NATIONAL SERVICE LIFE INSURANCE ACT OF 1940

The bill (S. 461) to clarify the provisions of section 602 (u) of the National Service Life Insurance Act of 1940, as amended, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 602 (u) of the National Service Life Insurance Act of 1940, as amended, as added by section 9 of the act of August 1, 1946 (60 Stat. 786; 38 U. S. C. 802 (u)), is hereby amended to read as follows:

"(u) With respect to insurance maturing on or subsequent to the date of enactment of the Insurance Act of 1946, in any case in which the beneficiary is entitled to a lump-sum settlement but elects some other mode of settlement and dies before receiving all the benefits due and payable under such mode of settlement, the present value of the remaining unpaid amount shall be payable to the estate of the beneficiary; and in any case in which no beneficiary is designated by the insured, or the designated beneficiary does not survive the insured, or a designated beneficiary not entitled to a lump-sum settlement survives the insured, and dies before receiving all the benefits due and payable, the commuted value of the remaining unpaid insurance (whether accrued or not) shall be paid in one sum to the estate of the insured: *Provided*, That in no event shall there be any payment to the estate of the insured or of the beneficiary of any sums unless it is shown that any sums paid will not escheat."

ELLA L. BROWNING

The bill (S. 208) for the relief of Ella L. Browning was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Ella L. Browning, Bar Harbor, Maine, the sum of $3,552.50, in full satisfaction of her claim against the United States for compensation for damages to a swimming pool and stone terrace wall situated at Pointe d'Acadie, on Mount Desert Island, in connection with experimental work with ordnance materials conducted by the United States Navy at Bald Porcupine Island, Hancock County, Maine, in and after 1943, while such Bald Porcupine Island was occupied by the Naval Establishment under lease (NOy (R)-33877) executed by said Ella L. Browning, on September 15, 1943: *Provided*, That no part of the amount appropriated in this act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

EDWIN B. ANDERSON

The bill (S. 592) for the relief of Edwin B. Anderson was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That Edwin B. Anderson, a city letter carrier in the post office at Newton, Iowa, is hereby relieved of all liability to make refund to the United States of any amount received by him as a result of overpayment of salary from May 1, 1945, the date he was promoted from substitute postal employee to the position of regular city letter carrier by the postmaster at Newton, Iowa, to October 16, 1946, the effective date of his promotion to regular city letter carrier as authorized by the Post Office Department.

Any amount heretofore refunded to the United States by Edwin B. Anderson, or by

any other person or persons on account of such overpayment of salary to Edwin B. Anderson, shall be refunded to him, or to such other person or persons, out of any money available for the payment of salaries to city-delivery carriers. In the audit and settlement of the accounts of any postmaster or other designated disbursing officer of the Post Office Department or postal service, the salary payments to Edwin B. Anderson from May 1, 1945, to October 16, 1946, for service as regular city letter carrier shall be considered to have been authorized: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

RELIEF OF CERTAIN POSTAL EMPLOYEES

The bill (S. 593) for the relief of certain postal employees was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That all employees at first- and second-class post offices who were reduced from the position of regular clerk or regular carrier to the position of substitute clerk or substitute carrier prior to July 1, 1945, or who were formerly regular clerk or regular carrier and were reinstated as substitute clerk or substitute carrier prior to July 1, 1945, and whose compensation was converted to $1.24 per hour effective July 1, 1945, instead of $1.04 per hour as provided by sections 12 (a) and 24 of the act entitled "An act to reclassify the salaries of postmasters, officers and, employees of the Postal Service; to establish uniform procedures for computing compensation; and for other purposes", approved July 6, 1945 (59 Stat. 435, ch. 274), are hereby relieved of all liability to refund to the United States any amounts paid to them as a result of such overpayment of salaries from July 1, 1945, until the date their compensation was adjusted to conform to the provisions of the act of July 6, 1945 (59 Stat. 435, ch. 274), as amended, and in the audit and settlement of the accounts any postmaster or other designated disbursing officer of the Post Office Department or postal service the amounts paid to such employees from July 1, 1945, as compensation shall be considered to have been authorized. Any amounts heretofore credited to such employees, or refunded to the United States by them on account of such overpayment of salaries shall be repaid to them out of any money available for the payment of salaries to city delivery carriers and clerks at first- and second-class offices: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

JOHN I. MALARIN

The bill (S. 594) for the relief of John I. Malarin, former Army mail clerk at APO 932, a branch of the San Francisco, Calif., post office, relative to a shortage in his fixed credit account, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John I. Malarin, former Army mail clerk at APO 932, a branch of the San Francisco, Calif., post office, the sum of $916.78, the amount refunded to the United States by the said John I. Malarin as a result of a deficiency that developed during February 1943 in his fixed credit account while he was Army mail clerk at APO 932: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding $1,000.

RACHEL D. GATTEGNO

The bill (S. 633) for the relief of Rachel D. Gattegno was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Rachel D. Gattegno, of Salonika, Greece, the sum of $3,000, in full settlement of all claims against the United States on account of the death of her husband, David Gattegno, who died on or about July 5, 1944, as the result of a wound caused by a rifle bullet accidentally fired by a guard at a United States Army military camp at Fedhala, French Morocco, on or about July 4, 1944: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding $1,000.

HERMAN A. BENNINK

The bill (S. 624) for the relief of Herman A. Bennink was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, notwithstanding the provisions of section 404 of the Nationality Act of 1940 (relating to loss of nationality by naturalized citizens), Herman A. Bennink, a naturalized citizen of the United States temporarily residing in Apeldoorn, Holland, shall not be considered to have lost his United States citizenship by reason of any period of residence outside the United States prior to the date of enactment of this act, and any period of residence of the said Herman A. Bennink outside the United States which is occasioned principally by his specialized study in Holland of the growing of American corn shall be deemed to bring the said Herman A. Bennink within the provisions of section 406 (b) of the Nationality Act of 1940.

PAYMENT OF CERTAIN CLAIMS ARISING FROM ACTIVITIES OF THE ARMY

The bill (S. 634) to authorize payment of certain claims for damage to or loss or destruction of property and personal injury arising from activities of the Army was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Henry W. Brooks, Warren, Vt., $360; to T. N. Carlton, Rural Free Delivery No. 1, Wauchula, Fla., $250; to Melvin B. Clark, Mankato, Minn., $32; to Paul A. Davis, Rural Free Delivery No. 3, Sylvan Hills, North Little Rock, Ark., $255; to Albert E. Drecoll, Libertyville, Ill., $63.25; to E. H. Ferguson, Rantoul, Ill., $64.68; to Harold L. Gavin, 229 Anderson Street, Hackensack, N. J., $24.79; to Francis E. Geagan, Hotel Vereen, Miami, Fla., $50; to John F. Gibbons, Jr., 1507 Robert Street, New Orleans, La., $155.30; to John J. Kutch, 7212 Harrow Street, Forest Hills, Long Island, N. Y., $34.57; to Mrs. Blanche Lebwith, Wyandanch, N. Y., $169.50; to Joaquin Quinones Lopez, Santurce, Puerto Rico, $600; to Mason D. Nesmith, Georgetown, S. C., $40.64; to Isadore Rosinsky, 1820 North Fifty-fourth Street, Omaha, Nebr., $706.50; to A. M. Smith, Rural Free Delivery No. 2, Columbia, S. C., $440; to Mrs. May V. Walsh, Montezuma, Ga., $35; to Herbert Grillmaier, care of Hermann Reitboeck, Clay Products Co., Panama, Republic of Panama, $190.31; and to Peter L. Feller, 125 West Sixteenth Street, New York, N. Y., $227. The payment of said sums shall be in full settlement of all claims of the above-named claimants against the United States for damage to or loss or destruction of property and personal injury caused by military personnel or civilian employees of the Army, or otherwise incident to noncombat activities of the Army, and determined by the Department of the Army to be meritorious, which are not payable either under the provisions of the act of July 3, 1943 (57 Stat. 372; 31 U. S. C. 223b), entitled "An act to provide for the settlement of claims for damage to or loss or destruction of property or personal injury or death caused by military personnel or civilian employees, or otherwise incident to activities, of the War Department or of the Army," as amended, or under the "Federal Tort Claims Act," as codified by the act of June 25, 1948 (62 Stat. 983; 28 U. S. C. 2672): *Provided*, That no part of the amounts appropriated in this act in excess of 10 percent of any claim shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with such claim, any contract to the contrary notwithstanding. Any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

KIHEI MATSUO

The bill (S. 664) for the relief of Kihei Matsuo was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That in the administration of the immigration and naturalization laws, the Attorney General is authorized and directed to grant to Kihei Matsuo (alien registration No. 553367) an extension of stay in the United States for 1 year from the date of enactment of this Act.

CHARLES L. BISHOP

The bill (S. 748) for the relief of Charles L. Bishop was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Postmaster General is authorized and directed (1) to cancel all claims against Charles L. Bishop

for payment of the sum of $350 representing the aggregate amount of money orders erroneously paid by the said Charles L. Bishop in 1944 while acting as assistant Navy mail clerk at the naval air station, Alameda, Calif., to a person then in the armed forces of the United States who had stolen such money orders and fraudulently endorsed them in his own favor; and (2) to pay to the said Charles L. Bishop, out of any money available for the pay of employees in the postal service, an amount equal to any portion of such sum heretofore paid by him pursuant to such claims.

CITY AND COUNTY OF SAN FRANCISCO

The Senate proceeded to consider the bill (S. 198) for the relief of the city and county of San Francisco, which had been reported from the Committee on the Judiciary, with an amendment, on page 2, line 12, after the word "be", to strike out "said" and insert "paid", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the city and county of San Francisco, a municipal corporation, of San Francisco, Calif., the sum of $9,728.81, in full settlement of all claims against the United States for reimbursement of expenses incurred in rebuilding and restoring a power-transmission line and loss of power revenue in township 3 south, range 5 east, and township 3 south, range 6 east, San Joaquin County, Calif., south of Tracy and approximately 3 miles from the Navy Vernalis Airfield, which transmission line was demolished by the crashing of a United States Navy plane type SB 2 C–2, bureau No. 18772, on August 6, 1944, at 9:21 post meridian, while the said plane was engaged in making a flight over the area indicated, and on August 30, 1944, at 1:14 ante meridian, by the crashing of a United States Navy plane, type TBM–1, bureau No. 24994, while the said plane was likewise making a flight over the area indicated: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with such claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with such claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdeameanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (S. 206) relating to the immigration status of the lawful wives and children of Chinese treaty merchants was announced as next in order.

Mr. RUSSELL. Over.

The VICE PRESIDENT. The bill will be passed over.

Mr. LANGER subsequently said: Mr. President, may I inquire who objected to the consideration of Calendar No. 52, Senate bill 206?

The VICE PRESIDENT. The Chair is advised that it was the Senator from Georgia [Mr. RUSSELL].

ADDITIONAL DISTRICT JUDGE, MIDDLE DISTRICT OF GEORGIA

The bill (S. 271) to provide for the appointment of additional district judges for the northern and middle districts of Georgia was announced as next in order.

The VICE PRESIDENT. Is there objection?

Mr. WATKINS. I object.

The VICE PRESIDENT. Objection is heard. The bill will be passed over.

Mr. McCARRAN subsequently said: Mr. President, with regard to Calendar No. 53, Senate bill 271, I think there is a misunderstanding. It has been stated that the bill was objected to. I do not think there was any objection.

The VICE PRESIDENT. Some Senator objected; the Chair is not certain who. There was objection made at the time it was called. The Senator from Utah [Mr. WATKINS] is here. The Chair thinks perhaps he objected.

Mr. WATKINS. I objected.

Mr. McCARRAN. Would the Senator from Utah care to have an explanation of the bill?

Mr. WATKINS. I would rather discuss it with the Senator. I understand there is other legislation calling for the appointment of additional district judges in other States, and I am wondering why it is being done piecemeal.

Mr. McCARRAN. I ask unanimous consent to make an explanation.

The VICE PRESIDENT. Without objection, the Senator from Nevada is recognized for 5 minutes.

Mr. McCARRAN. The reason for the bill is that in the State of Georgia a peculiar situation exists, in that the judge, who has neither the age nor a period of service sufficient to warrant his retirement, has unfortunately lost the sight of his eyes, and is therefore unable to function. This bill would provide a temporary judgeship for that particular district.

Mr. WATKINS. It does not increase the number permanently, does it?

Mr. McCARRAN. It does not. It is a district with a very heavy load of work, where a judge should be active all the time. The present judge, because of physical disability, is unable to perform judicial duties, and therefore the committee thought best to provide a temporary judge.

Mr. WATKINS. Why does not the incapacitated judge retire?

Mr. McCARRAN. If he retired, he would have to do so without the benefit of retirement which the law provides, because he has neither reached the age of retirement nor had a sufficient period of service.

Mr. WATKINS. I withdraw my objection.

Mr. McCARRAN. I thank the Senator.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That the President is authorized to appoint, by and with the advice and consent of the Senate, one additional district judge for the United States District Court for the Middle District of Georgia. When a vacancy shall occur in the office of the existing district judge for said district such vacancy shall not be filled.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

The title was amended so as to read: "A bill to provide for the appointment of an additional district judge for the middle district of Georgia."

RESOLUTION PASSED OVER

The resolution (S. Res. 15) to amend the so-called cloture rule of the Senate was announced as next in order.

Mr. HILL and other Senators. Over.

The VICE PRESIDENT. The resolution will be passed over.

ACQUISITION AND OPERATION OF THE FREEDOM TRAIN

The Senate proceeded to consider the joint resolution (S. J. Res. 31) to provide for the acquisition and operation of the Freedom Train by the Archivist of the United States, and for other purposes, which had been reported from the Committee on Post Office and Civil Service with amendments.

The first amendment was, on page 2, in line 1, after the word "train", to strike out "for a period of 2 years" and insert "during the period ending July 5, 1951."

The amendment was agreed to.

The next amendment was, on page 2, in section 2, after line 4, to strike out:

(a) To enter into and carry out such agreements with such person or persons, natural or artificial, as may be necessary for the acquisition of the Freedom Train and its equipment and for its relinquishment after a period of 2 years, and to make such expenditures, without regard to other provisions of law, as may be required to carry out such agreements.

And insert:

(a) To enter into and carry out such agreements with such person or persons, natural or artificial, as may be necessary for the acquisition of the Freedom Train and its equipment, for its operation during the period ending July 5, 1951, and for the disposition of such train and equipment within 60 days after such date; and to make such expenditures, without regard to other provisions of law, as may be required to carry out such agreements.

The amendment was agreed to.

The next amendment was, on page 4, line 7, after the numeral "9871", to insert "as amended."

The amendment was agreed to.

The next amendment was, beginning in line 15, after the word "be", to strike out "deposited in the miscellaneous receipts of the Treasury" and insert "paid into, administered, and expended as a part of the National Archives Trust Fund;"

The amendment was agreed to.

The next amendment was, on page 5, after line 4, to insert "the chairmen of

the Senate and House Committees on Post Office and Civil Service."

The amendment was agreed to.

The next amendment was, in line 16, section 5, after the word "on", to insert "and consent to."

The amendment was agreed to.

The next amendment was, in line 17, after the word "plans", to insert "and publicity."

The amendment was agreed to.

The next amendment was, in line 18, after the word "it", to insert the word "him."

Mr. O'CONOR. Mr. President, because of a clerical error, this amendment, as proposed, departs from the intention and the unanimous view of the committee. I suggest that it not be agreed to.

The VICE PRESIDENT. The question is on agreeing to the amendment just stated.

The amendment was rejected.

The next amendment was, in line 18, after the word "Train", to insert "and with respect to its itinerary."

The amendment was agreed to.

The next amendment was, in line 23, after the word "resolution", to insert "not to exceed $2,500,000 for the period ending July 5, 1951."

The amendment was agreed to.

The joint resolution (S. J. Res. 31), as amended, is as follows:

Resolved, etc., That, as a means of focusing the attention of the American people on a reexamination of their heritage of freedom, fostering the preservation of their liberties, awakening their loyalty to the American tradition, and contributing to citizenship training, particularly of Americans of school age, the Archivist of the United States is hereby authorized and directed to acquire the Freedom Train, and to operate the said train during the period ending July 5, 1951.

SEC. 2. In carrying out the purposes of this joint resolution the Archivist is hereby authorized—

(a) to enter into and carry out such agreements with such person or persons, natural or artificial, as may be necessary for the acquisition of the Freedom Train and its equipment, for its operation during the period ending July 5, 1951, and for the disposition of such train and equipment within 60 days after such date, and to make such expenditures, without regard to other provisions of law, as may be required to carry out such agreements;

(b) to appoint and fix the compensation of such personnel as he deems advisable without regard to the civil-service laws and the Classification Act of 1923, as amended; to procure services as authorized by section 15 of the act of August 2, 1946 (60 Stat. 810), but at rates not to exceed $40 per diem for individuals; to accept services and facilities without compensation; and, with the consent of the head of any Government department or agency, to utilize or employ the services of personnel or facilities of any such department or agency, with or without reimbursement therefor;

(c) to obtain printing and binding without regard to section 11 of the act of March 1, 1919, as amended (40 Stat. 1270);

(d) to purchase or contract for supplies or services (including printing and binding) without regard to section 3709 of the Revised Statutes, as amended;

(e) to obtain and pay for comprehensive insurance coverage, as he may deem necessary, of other than Government property used in connection with the Freedom Train;

(f) to acquire by gift, bequest, loan, or otherwise, personal property for the benefit of, or in connection with, the operation of the Freedom Train;

(g) to cooperate with the governments of the several States and their political subdivisions in promoting the exhibition of the Freedom Train;

(h) to pay per diem to personnel required to travel in connection with the operation or inspection of the train as follows: To civilian personnel at the maximum rate applicable under existing laws or regulations; to officer personnel of the armed services in accordance with section 12 of the Pay Readjustment Act of June 16, 1942, and regulations pertinent thereto; and to enlisted personnel of the armed services a military allowance in lieu of rations and quarters as provided in Executive Order No. 9871, as amended, and regulations pertinent thereto;

(i) to pay in cash for any services, supplies, or equipment not exceeding $50 in cost;

(j) to purchase, print, mimeograph, multilith, photostat, or produce or reproduce in any known manner, pamphlets, brochures, facsimiles or other material pertaining to the Freedom Train for free distribution or for sale, the proceeds of such sales to be paid into, administered, and expended as a part of the National Archives Trust Fund;

(k) to prescribe such rules and regulations as he may deem necessary for the operation of the Freedom Train.

SEC. 3. The Secretary of Defense is hereby authorized and directed to provide a security detachment for the protection of the Feedom Train.

SEC. 4. A commission is hereby created and established to be known as the Freedom Train Commission, to consist of the President pro tempore of the Senate, the Speaker of the House of Representatives, the minority leader of the Senate, the minority leader of the House of Representatives, the chairmen of the Senate and House Committees on Post Office and Civil Service, the Attorney General of the United States, the Librarian of Congress, the Archivist of the United States, and five members to be appointed by the President. The members of the said Commission shall serve during the period the Freedom Train is in operation, and for 6 months thereafter. Such members shall serve without compensation, but shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties vested in the Commission. The Commission shall elect one of its members to serve as Chairman.

SEC. 5. The Commission shall advise on and consent to the plans and publicity formulated by the Archivist and submitted to it for exhibiting the Freedom Train, and with respect to its itinerary.

SEC. 6. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the provisions of this joint resolution, not to exceed $2,500,000 for the period ending July 5, 1951.

The VICE PRESIDENT. There is on the calendar a joint resolution (H. J. Res. 84), the title of which is identical with that of the Senate joint resolution. Textually, however, the two resolutions are not identical. The Chair understands it is desired to take up for consideration the House joint resolution, and to substitute for its language the text of the Senate joint resolution, as amended.

Mr. O'CONOR. That is the desire. I ask unanimous consent that that be done.

Mr. LUCAS. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state the inquiry.

Mr. LUCAS. The Vice President stated the House joint resolution would be substituted for the Senate joint resolution, did he not?

The VICE PRESIDENT. The Senator from Maryland requests unanimous consent that the House joint resolution be substituted for the Senate joint resolution as amended, and that the House joint resolution be considered. Is there objection? The Chair hears none, and it is so ordered. Without objection, the House joint resolution is amended by striking out all after the resolving clause and inserting the text of the Senate joint resolution as amended. As so amended, and without objection, the House joint resolution will be passed, and the Senate joint resolution will be indefinitely postponed.

That completes the call of the calendar.

ANNOUNCEMENT OF RECESS

Mr. LUCAS. Mr. President, I merely wish to announce to the Senate that at the close of business today the Senate will take a recess until tomorrow, which will be the anniversary of Washington's birth. The Senate will be in session tomorrow.

RELIGIOUS PERSECUTION OF JOSEF CARDINAL MINDSZENTY AND CERTAIN LEADERS OF THE PROTESTANT CLERGY

Mr. BRIDGES. Mr. President, on Monday, February 7, I offered the following resolution (S. Res. 57):

Resolved, That the Senate condemns as unjust the arrest, confinement incommunicado, and trial of His Eminence Josef Cardinal Mindszenty, Roman Catholic Primate of Hungary.

Joining with me in the introduction of the resolution were the Senator from Ohio [Mr. TAFT], the Senators from Massachusetts [Mr. SALTONSTALL and Mr. LODGE], the Senator from New Jersey [Mr. SMITH], the Senator from Michigan [Mr. FERGUSON], the Senator from Minnesota [Mr. THYE], the Senator from Connecticut [Mr. BALDWIN], the Senators from North Dakota [Mr. LANGER and Mr. YOUNG], the Senator from New Hampshire [Mr. TOBEY], the Senators from Maryland [Mr. O'CONOR and Mr. TYDINGS], the Senator from Nevada [Mr. MCCARRAN], the Senator from Rhode Island [Mr. MCGRATH], the Senator from Indiana [Mr. CAPEHART], the Senator from Pennsylvania [Mr. MARTIN], the Senator from New York [Mr. IVES], and the Senator from Washington [Mr. CAIN].

Our resolution is now before the Senate Committee on Foreign Relations. Expressions of approval of the action we have called upon the Senate to take have come from many Americans of every race, color, and creed. There is in our country a real awareness of the forces of darkness which are now so active in the world. Perhaps most precious of all the liberties of freemen is that which gives to each of us the right to worship in the place and the way of our own selection. We not only treasure that liberty

for ourselves but we have always recognized our responsibility to try to protect that liberty for others. It is fitting that the National Legislature of the greatest of our Christian nations should take note of attacks elsewhere in the world upon those who would worship their God in their own way.

Apparent in the many communications which have come to me since the Senate resolution was offered on February 7 is a desire on the part of the people of our country to indicate to the world in some way as a free people an instinctive distaste for deeds which designed as attacks upon the very heart of freedom everywhere.

It was the Josef Cardinal Mindszenty trial which perhaps more than any other Communist offense against freedom of religion focused the attention of the world upon the fundamental Communist concept of slavery of both mind and heart to the state. But the trial of Josef Cardinal Mindszenty and his conviction are not the only Communist offenses against freedom of religion. The incident in Hungary is but a small part of the whole Communist effort to eliminate personal liberty wherever possible. Becently America and the other free nations of the world were shocked by the Communist plot against Protestant clergy and leaders in Bulgaria. These localized incidents when placed together picture anew for all mankind to see the systematic plan of Communist Russia and her puppet associates to destroy any religion which dictates to the conscience of its followers the need for speaking out against those who would destroy all religion.

The people of America and other free nations of the world want and should have an opportunity to make some tangible demonstration against those who seem to hate personal liberty. There should be an opportunity for freemen who believe in freedom of religion to show the world that their faith in the principles of their religion still stands firm. I, therefore, have addressed to the Right Reverend John S. Stamm, president of the Federal Council of the Churches of Christ in America, His Eminence Francis Cardinal Spellman, Rabbi Norman Gerstenfeld of the Washington Hebrew Congregation, and Rev. W. O. H. Garman, president of the American Council of Christian Churches, letters conveying the suggestion of a way in which the hearts of freemen which still beat in free nations can take new courage to themselves and convey to free hearts which beat within the darkened areas of the world the courage to carry on.

My letter to the Right Reverend John S. Stamm, president of the Federal Council of the Churches of Christ in America, reads as follows:

FEBRUARY 21, 1949.

The Right Reverend JOHN S. STAMM,
President, Federal Council of the Churches of Christ in America, New York, N. Y.

DEAR BISHOP STAMM: On February 7 I introduced in the United States Senate a resolution reading as follows:

"*Resolved*, That the Senate condemns as unjust the arrest, confinement incommunicado, and trial of His Eminence Josef Cardinal Mindszenty, Roman Catholic primate of Hungary."

The cosponsors of the resolution are Senators TAFT, SALTONSTALL, LODGE, SMITH of New Jersey, FERGUSON, THYE, BALDWIN, YOUNG, TOBEY, O'CONOR, MCCARRAN, TYDINGS, MCGRATH, CAPEHART, MARTIN, IVES, CAIN, and LANGER.

The response of the people of America to the introduction of the Senate resolution has been heartening. There is among many of our citizens an awareness of the concentrated effort on the part of the Communist forces not only to destroy free institutions generally but to undermine those religions of freemen which instinctively stand in opposition to those forces which would enslave the spirit of freemen. They seem to accept the proceedings against Josef Cardinal Mindszenty in Hungary and against the leaders of the Protestant clergy and faith in Bulgaria as symbols of more widespread religious persecutions to come.

The many people who have corresponded with us seem to be seeking for some tangible way by which the American people and the peoples of other free nations can demonstrate their continuing belief in freedom of religion and their opposition to those who would take that freedom from them as they have taken it from so many millions around whom the iron curtain has fallen. I therefore, am taking the liberty to suggest to you that one way by which the spirit of so many millions could be felt around the world in this difficult time is by the tolling of church bells in America and other lands where the people are still free to gather to worship God in the way of their own choosing. This has been discussed with others, and it is thought that if a date and time for the tolling of the bells could be set by a church group such as you lead, in conjunction with organizations sponsored by other religious faiths, there could be across our own land and in the other still-free nations of the world a demonstration of faith which would give courage not only to those who fear what may come to them but to those who suffer from a darkness that has already come.

I am addressing this letter to you as the head of the Federal Council of the Churches of Christ in America for your personal consideration and for the consideration of your organization. I should appreciate it very much if you would direct the thought of your group to the suggestion and advise me of the reaction.

A similar letter is being sent to His Eminence Francis Cardinal Spellman, Rabbi Norman Gerstenfeld, of the Washington Hebrew Congregation, and Rev. W. O. H. Garman, president of the American Council of Christian Churches.

With every good wish.

Sincerely yours,

STYLES BRIDGES.

NOMINATION OF MON C. WALLGREN

Mr. CAIN. Mr. President, on Thursday, February 7, I appeared before the Senate Armed Services Committee as a witness in opposition to the proposed appointment of Mr. Mon C. Wallgren, of Washington State, to become chairman of the National Security Resources Board. During this hearing I spoke from a prepared statement which sought to support and justify my opposition, and the statement was designed to include an adequate description of the mission, the activities, and the responsibilities of the National Security Resources Board, and the National Security Council, on which the Chairman of the NSRB automatically sits as a member. Because both the Board and the Council were but recently created by law in 1947, distressingly little is known of either by Members of the Congress and by the general public. I would urge every American to become familiar with the mission and with the function of the NSC and the NSRB, because they are charged so to prepare our Nation that war will become unlikely and to wage total and successful war if it comes. For the reason that my statement as given before the Armed Services Committee describes the Board and Council in detail, and because it defines my conviction that only the most highly trained and able citizens should seek or be appointed as members, I ask unanimous consent that the statement be included in the body of the RECORD at this point in my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

TESTIMONY OF SENATOR HARRY P. CAIN, OF WASHINGTON, BEFORE THE SENATE ARMED SERVICES COMMITTEE REGARDING THE NOMINATION OF MR. MON C. WALLGREN AS CHAIRMAN OF THE NATIONAL SECURITY RESOURCES BOARD

Mr. Chairman and gentlemen of the Senate Armed Services Committee, I am grateful for the opportunity you have afforded me to be heard on a prevailing public question.

Every State takes pride from those among its citizenry who have been appointed to executive positions by any President. The State of Washington, which I represent, is no different in this respect from any other State. Any qualified citizen of ours who is appointed by a President to a national public office provides the State of his origin with a sense of satisfaction and achievement.

It is, therefore, with the greatest possible reluctance that I appear before your committee today in complete opposition to the President's proposed appointment of Mr. Mon C. Wallgren to the post of Chairman of the National Security Resources Board.

I would obviously wish myself to be in the position of being able to support and recommend the President's nomination. This I am utterly incapable of doing for reasons which to me are constructive, impelling, and sound.

I recognize, Mr. Chairman, that the President is deserving of wide latitude in nominating individuals to carry out his executive desires and responsibilities.

One ought only to oppose a Presidential nomination for reasons which support and protect the public welfare. I think I have such reasons.

The nominee, Mr. Wallgren, possesses surface qualifications which in themselves are deserving of serious consideration by your committee. He is not an unknown private citizen. He possesses the most unusual political record ever written by a citizen of the State of Washington. He entered politics in the early 1930's and since that time has held public office as a Member of the United States Senate, as a Member of the United States House of Representatives, and as the Governor of the State of Washington. No other Washington State citizen has ever filled these three distinguished public offices. I am quite naturally reluctant about raising the question of competence and capacity concerning an individual whose political attainments are so unusual and conspicuous.

But the fact remains, Mr. Chairman, that the nominee's attainments are wholly political and in part because of them the nominee has no justifiable claim to a position of great national importance which demands attainments and training not often to be derived from a background limited to political success.

I want it clearly understood, Mr. Chairman, that my case in opposition to the President's nomination has nothing whatsoever to do with my personal relationship with the nominee. We have never been close friends though we have known each other in a personal but casual way for a good many years. I have known the nominee, while in my presence, to be invariably gracious, agreeable, and congenial.

He is persona non grata to me only because of my conviction that he is unsuited for the portfolio for which he has been nominated. This is to say that I would have raised no question concerning his nomination for a post on scores of other bureaus, commissions, and agencies for which the President might have nominated him. That he is qualified to fill many an assignment quite obviously goes without saying.

My conviction about the proposed appointment is deep-seated. Were I to fail to oppose what is to me the most capricious and potentially dangerous and injurious nomination of the twentieth century I should consider myself to be a complete moral coward and fit only to resign my seat in the United States Senate.

It is clearly apparent to me that very few citizens, including Members of the Senate with whom I have recently talked, possess any awareness of what the National Security Resources Board is or what that Board is empowered by law to undertake and accomplish.

I want to define the duties and responsibilities of the National Security Resources Board. Without this understanding it would admittedly be difficult for this committee, and for others, to appreciate my opposition to the President's nominee for the chairmanship of the Board.

Newspaper writers and the general public have heard so little of the National Security Resources Board that many of them have called it by other than its correct name. In addition, the National Security Resources Board has been confused with other agencies of the Government.

It appears to me that the chairmanship of the National Security Resources Board is one of the biggest jobs, probably one of the two or three most powerful, in the Nation.

The Chairman of this Board automatically becomes a member of the National Security Council, which in turn directs the activities of the Central Intelligence Agency of our Federal Government.

The National Security Resources Board was established by the National Security Act of 1947 (Public Law 253, 80th Cong., 1st sess.), approved July 26, 1947. The Board is composed of the Chairman, who is appointed from civilian life by the President by and with the consent of the Senate and such heads or representatives of the various executive departments and independent agencies as may from time to time be designated by the President as members.

FUNCTION

The function of the Board is to advise the President concerning the coordination of military, industrial, and civilian mobilization including:

1. Policies concerning industrial and civilian mobilization in order to assure the most effective mobilization and maximum utilization of the Nation's manpower in the event of war.

2. Programs for the effective use in time of war of the Nation's natural and industrial resources for military and civilian needs, for the maintenance and stabilization of the civilian economy in time of war, and for the adjustment of such economy to war needs and conditions.

3. Policies for unifying, in time of war, the activities of Federal agencies and departments engaged in or concerned with production, procurement, distribution, or transportation of military or civilian supplies, materials, and products.

4. The relationship between potential supplies of, and potential requirements for, manpower, resources, and productive facilities in time of war.

5. Policies for establishing adequate reserves of strategic and critical material, and for the conservation of these reserves.

6. The strategic relocation of industries, services, Government, and economic activities, the continuous operation of which is essential to the Nation's security.

In the performance of its functions, the Board is authorized by the National Security Act of 1947 and Executive Order 9905, of November 13, 1947, to utilize the facilities and resources of the various departments and agencies of the Government.

ACTIVITIES

The Board's advice to the President is submitted in the form of recommendations or reports dealing with policies, programs, and plans for the coordination of the Nation's industrial, military, and civilian resources for war. The work of the Board is concerned with both current and long-range problems from the standpoint of the national security. The activities of the Board are carried out by mobilization planning staffs, each organized to develop and coordinate matters affecting the mobilization of all resources for which the Board is responsible under the National Security Act of 1947. The staff of the Board makes extensive use of the facilities and resources of other Federal departments and agencies, and of private organizations and advisory committees outside the Government, in connection with its work.

I have referred to the six functions of the National Security Resources Board.

I have carefully examined the past record of the man who has been nominated as Chairman of this Board.

All remarks and speeches of the nominee during his term in the House of Representatives, from 1933 to 1941, and in the Senate, 1941 to January 1945, have been examined for content, subject, and statements which might relate to the congressional intent as to the functions of the National Security Resources Board.

These speeches in the House related mainly to flood control and conservation. Examination shows them to be fairly well prepared, of average length, backed up with statistics.

After coming to the Senate, Mr. Wallgren made very few speeches, confined largely to brief questions on pending legislation. On his record in the Senate it would seem that he was unusually reluctant to express himself.

It is significant, I think, that he was in the Senate 4 years and during that period had so little to say after such long service in the House. He did make one speech in the Senate presenting a report of the National Defense Investigating Committee. This was on December 15, 1942.

Returning to the act setting up the National Security Resources Board and the six prescribed functions of that Board, and bearing in mind the interests shown by Mr. Wallgren in flood control and conservation, it seems that he might be qualified only partly under function No. 2 and function No. 5. These functions relate, in brief, to use of the Nation's natural and industrial resources, and for establishing adequate reserves of strategic and critical materials and for the conservation of these reserves.

But, there is nothing in the record of the nominee's congressional service indicating that he was interested, or had knowledge of functions listed as Nos. 1, 3, 4, or 6. Not a mention can be found in the CONGRESSIONAL RECORD which relates Mr. Wallgren to these functions, which concern maximum utilization of the Nation's manpower in the event of war, policies for unifying, in time of war, the activities of Federal agencies and departments engaged in production, procurement, distribution, and transportation of military or civilian supplies, materials, and products; the strategic relocation of industries, services, and other economic activities.

Now let us examine the National Security Council of which Mr. Wallgren would be a member.

The National Security Council was established by the National Security Act of 1947 (Public Law 253, 80th Cong., 1st sess.), approved July 26, 1947. Its function is to advise the President with respect to the integration of domestic, foreign, and military policies relating to the national security so as to enable the military services and the other departments and agencies of the Government to cooperate more effectively in matters involving the national security.

ORGANIZATION

The Council is composed of the President, the Secretary of State, the Secretary of Defense, the Secretary of the Army, the Secretary of the Navy, the Secretary of the Air Force, the Chairman of the National Security Resources Board, and such of the following officers as the President may designate from time to time: The Secretaries of the executive departments, the Chairman of the Munitions Board, and the Chairman of the Research and Development Board.

The Council staff is headed by a civilian executive secretary, appointed by the President.

Under the direction of the Council is a Central Intelligence Agency, headed by a Director of Central Intelligence. I will have more to say about this Agency in a moment.

ACTIVITIES

The duties of the Council are to assess and appraise the objectives, commitments, and risks of the United States in relation to our actual and potential military power in the interest of national security, for the purpose of making recommendations to the President, and to consider policies on matters of common interest to the departments and agencies of the Government concerned with the national security, and to make recommendations to the President.

I note with interest, Mr. Chairman, that the Secretary of State, Mr. Dean Acheson, has strong views on the subject of the importance and role to be played by the National Security Council. I quote from the United States News of February 11, 1949:

"As Secretary of State, Mr. Acheson is insisting that the National Security Council be kept as the focal point for blending United States military, economic, and political questions of policy. The Security Council, now criticized by some as being heavily weighted on the military side, probably is to be changed to include the President, the Secretary of State, Secretary of Defense, and Chairman of the National Resources Board as its only members."

The Central Intelligence Agency was established under the National Security Council by the National Security Act of 1947 (Public Law 253, 80th Cong., 1st sess.), approved July 26, 1947. The Director is appointed by the President by and with the advice and consent of the Senate. When the Director took office, the National Intelligence Authority ceased to exist.

PURPOSE

For the purpose of coordinating the intelligence activities of the several Government departments and agencies in the interest of national security, the Agency, under the direction of the National Security Council:

1. Advises the National Security Council in matters concerning such intelligence activities of the Government departments and agencies as relate to national security.

2. Makes recommendations to the National Security Council for the coordination of such

intelligence activities of the departments and agencies of the Government as relate to the national security.

3. Correlates and evaluates intelligence relating to the national security and provides for the appropriate dissemination of such intelligence within the Government, using, where appropriate, existing agencies and facilities.

4. Performs, for the benefit of the existing intelligence agencies, such additional services of common concern as the National Security Council determines can be more efficiently accomplished centrally.

5. Performs such other functions and duties related to intelligence affecting the national security as the National Security Council may from time to time direct.

Mr. Chairman, if there are two other jobs in this Nation in the hands of one man which are more important or influential or powerful in terms of the Nation's welfare and security than the chairmanship of the National Security Resources Board and membership on the National Security Council, I don't know what or where they are. No greater tasks have ever been designed and approved by legislation.

These great assignments were obviously created because the Congress and the President were acutely conscious of the pressing need which surrounds us for preparing our Nation to meet and conquer any crisis or eventuality which may arise.

It shouldn't be necessary for me to state that both jobs call for an individual possessed of great character, courage, capacity, and knowledge. They ought to be jobs for which the President would search the land for a man big enough to undertake the monumental responsibilities involved.

Almost above all else the man to be selected must be held in high regard by the average American. He must be totally above suspicion in both his public and private life. His integrity and ability must be above question. He must be respected by everyone, including those who may differ with some of his opinions and policies. He must be a big man in every way. If he is small, or mean or badly trained or held in low regard by many, his appointment would bring everlasting embarrassment to the President, satisfaction to our enemies everywhere, and disappointment and fear of evil consequences to Americans throughout the land.

I shall say of Mr. Wallgren, the man and public officeholder, only what I must say in order to prove conclusively, at least to my own satisfaction, that he conspicuously lacks the requirements demanded by the assignment he seeks.

Mr. Wallgren was born in Iowa 57 years ago. He attended public schools in Everett, Wash., but left high school in his sophomore year. He is reported to have attended an optometry school and a local business school.

He is known in Everett to have operated a pool hall. He was employed by a jewelry and optical business which was run by his father.

This business was heavily mortgaged in 1932.

In that year the Everett Credit Bureau records show that five Everett stores listed bills against Mon C. Wallgren. Three of the accounts were delinquent and two were listed as slow pay.

There is nothing in this record of a man which indicated that prior to 1932 he was training or preparing himself for any segment of the work we have under consideration.

Since 1932 Mr. Wallgren has prospered in and through politics. He owns, I am told, 12,250 shares of common stock in the Queen City Broadcasting Co. of Seattle. If I am not mistaken, the company was offered $17 a share by Marshall Field. Wallgren is said to be a man of means, with property holdings in and out of Washington State. I think the nature of his holdings ought to be determined during this committee's consideration of the nomination.

Mr. Wallgren was defeated in his effort to be reelected as Governor of Washington State in the last election. This is mentioned as evidence that for reasons, good or bad, Mr. Wallgren is badly thought of by thousands of citizens in the State where he lives. It would appear that those citizens pursued a calculated, premeditated, studied course in their successful attempt to retire Mr. Wallgren to private life. Mr. Truman was elected President in Washington State by a majority of 90,000 votes. Mr. Wallgren, whom everybody knew to be a close friend and confidant of the President, was defeated by some 29,000 votes.

This becomes the more strange in that every other elective State office was filled by an elected Democrat, and they were opposed by the finest group of Republicans to have been offered in years.

Whether for just cause or not the citizens of Washington State repudiated Mr. Wallgren, the man whose name is before you for an infinitely more powerful portfolio than that of governor of his or any other State. Charges of mismanagement, inefficiency, and a lack of capacity were registered against Mr. Wallgren by almost 450,000 men and women of Washington State. I share their concern and their distress that one whom they have turned out in a free election is now being nominated for an assignment which will so surely affect their fuure.

Washington State is nearer Russia than is any other State in the Union. Should conflict ever come, it will come first to the State of Washington, and if Mr. Wallgren should be confirmed he would exercise influence in that State which its citizens have so plainly stated he is not entitled to. I am necessarily amazed that the President didn't recognize this obvious fact when he was searching for a job for a close friend.

I know, Mr. Chairman, that I can be charged with political bias, though I wouldn't dare to oppose a Presidential nomination for any such reason. I am interested in what others think of the nomination, and I think you are too.

Mr. Marquis Childs wrote in the Washington Post, February 15, 1949:

"Nothing in Wallgren's past would appear to equip him for this supremely important task. He has been an amiable politician, a good companion on a fishing trip or a party."

The Portland Oregonian had this to say about Mr. Wallgren in an editorial on November 21, 1948, which was entitled "Not Wallgren, Please." The editorial says:

"Were it not for the warm personal friendship between President Truman and Governor Mon C. Wallgren of Washington, dating back to their Senate days, there would be little prospect of the appointment of Mr. Wallgren as Secretary of the Interior.

"Governor Wallgren has no particular qualifications for a position so important to the West. He has been repudiated as governor by Democrats of his own State, who elected Republican Arthur B. Langlie while the rest of the Nation was swinging Democratic. The Alaska Democratic Central Committee has expressed vigorous opposition to Wallgren as Secretary of the Interior.

"Governor Wallgren, a political lightweight, does not have the confidence of the West. President Truman is reported to feel that he should kick out Secretary Julius A. Krug because the latter did not come out swinging for Mr. Truman's election. Should the President appoint Governor Wallgren, it will be warning of another plaque of inept appointments of political cronies such as that in Mr. Truman's early days in the White House."

In my own State, we have another sample of editorial opinion, and I quote from the Centralia (Wash.) Daily Chronicle. It says:

"If he (Wallgren) is the best material President Truman could find to head such an important board * * * if Wallgren is a sample, and we have no reason to believe otherwise, heaven help the United States during the coming 4 years."

Here is another comment from the Olympia (Wash.) Daily Olympian, which reprinted an editorial from the Seattle Argus on Wallgren's nomination. It says, in part:

"We feel nervous about seeing the President do this nice thing for his friend * * *."

The following is an editorial from the Bellingham (Wash.) Herald of February 15, 1949:

"WALLGREN JOB ENTAILS VAST POWER

"Senator HARRY CAIN'S opposition to the confirmation by the Senate of President Truman's nomination of Mon C. Wallgren as chairman of the National Security Resources Board has pinpointed the Nation's attention on this important Government agency.

"Senator CAIN denied in a statement to a correspondent of the Seattle (Wash.) Post-Intelligencer that he regarded the former governor of the State as personally obnoxious—as he had been quoted by another source as saying. He said that in a personal sense—and he did not know him well in that sense—Wallgren 'has always seemed amiable, courteous, and agreeable.' But:

"'My opposition to him isn't personal. I just don't think he has ability and capacity to serve in this tremendously vital job in a way that the welfare of the Nation, as I see it, demands.

"'As I read the job specifications, the Chairman of the Securities Resources Board is one of the two or three most powerful men in the world.

"'I just don't think Mr. Wallgren is qualified to run the next war—if there is a next war—or to guide the expenditure of billions involved in building our security.'

"Light on the functions of the Board is shed by an article written for the Wall Street Journal by Ellis Haller. Mr. Haller writes from the National Capital:

"'A group of Washington newspapermen were talking the other day about the relative importance of Federal agencies in Mr. Truman's new term. Someone asked: "What will be the most important single Government unit in months ahead?" The almost unanimous answer was "the National Security Resources Board." * * *

"'As the year goes on the NSRB will play an increasingly important role in President Truman's "fair deal" program. Ostensibly, its job is to advise Mr. Truman on how to coordinate military, industrial, and civilian mobilization so the United States will not be caught short in case of emergency. But in these uneasy times its activities have taken on greater significance.

"'The plans NSRB is drafting for the Nation's defense will mesh with other economic projects the administration has mapped for the next 4 years. The legislation it is about to propose will stir sharp debate in Congress. The policies it will enunciate can affect the future of many businesses and the course of the national economy.

"'In plain terms, this little-publicized Board will become overnight the most powerful agency in our Government if we get into war, or if we approach a state of national crisis. In any case, it is a body that business and industrialists take seriously as nonwar military spending soars and as foreign-policy planners map United States strategy against the spread of communism.

"'NSRB has functioned quietly for nearly a year and a half, seldom making spectacular news. It was created when Congress passed the National Security Act of 1947. This act set up the Board as a permanent civilian agency of the United States Government, responsible only to the President. The Board

may, at any time in war or peace, call into play the facilities and resources of any department, agency or bureau of the Federal Government.

" 'If Congress declares war, or if the country is plunged into an emergency at a time when Congress can't act, NSRB would shift at once from a planning to an operating set-up. It would establish temporary agencies to control prices, wages, the flow of raw materials, manpower, transportation, and the conversion of production facilities. * * *

" 'Military men generally favor the NSRB set-up, even though it doesn't give them the upper hand in running the country in case of war. They claim they are willing to accept civilian direction in return for the speed-up that will be possible in industrial mobilization. * * *

" 'The Budget Bureau has asked an appropriation of $4,000,000 for NSRB for the forthcoming fiscal year. That's an increase of $1,000,000 over the amount NSRB was appropriated for fiscal 1949. Most of the budgeted increase would be spent for hiring more staff members who, in the words of the Budget Bureau, would make "further progress in developing resources and requirements data as a basis of planning mobilization of the Nation's resources in the event of war.' "

"Clearly, the general public has slight conception of the importance and power of this little-publicized Federal agency.

"Senator CAIN deserves credit for bringing the issue into the limelight in connection with President Truman's selection of his Senate crony, former Governor Wallgren, for the vast responsibility the job entails. If the Board Chairman, as Senator CAIN says, is 'one of the two or three most powerful men in the world', the question of Mr. Wallgren's qualifications is of moment to the entire Nation."

As indication of how little known the National Security Resources Board is, is shown by the following comment from the Bellingham (Wash.) Daily Herald, which stated:

"All the prognosticators and know-it-all insiders who boast a near-perfect batting average missed the bus on former Governor Wallgren's job. Of the six spots listed in advance for him one was the right one—the Federal Security Resources Board. Of course, most people did not know there was such a Board, even though its Chairman is in the $14,000 bracket, compared with the $6,000 Washington governorship. It is likely that other forgotten Boards could have been pulled out of the hat if this one had not been located."

The Spokane (Wash.) Spokesman-Review stated editorially, February 9, 1949:

"As it now stands, the situation (Wallgren's nomination) suits us completely. If Mr. Wallgren can keep occupied in an orbit that does not include the Pacific Northwest, there will be little repining here."

Doris Fleeson wrote in her syndicated column, February 10, the following:

"Wallgren is a 'lame duck' Democrat from Washington State, whose good fortune it was to be placed next to Senator Truman when both were freshmen in the upper Chamber years ago. Politicos rate him (Wallgren) an amiable lightweight; the President apparently feels that the loyalty Wallgren will give the White House outweighs other considerations at the time in that place."

Tris Coffin, another widely read columnist, wrote in his column, which appeared in the Times-Herald February 1, 1949:

"Whither Wallgren? The mystery man of Washington is Mon Wallgren, the amiable, poker-playing ex-governor of Washington and former Senate crony of Mr. Truman. The big question blurted out in the Senate cloakroom and between gulps at cocktail parties is, What job will Mon get?

"He has been hanging around the fancy Interior Department Building so much that all the elevator operators know him by sight. But they don't know whether to call him 'Mr. Secretary' or 'Governor.'

"Two other posts have been mentioned for Mon—the White House liaison with Congress, or chief American representative in the Philippine Islands."

Here is another comment, this from page 17, of the February 14, 1949, issue of Newsweek:

"Mon C. Wallgren has many nonpolitical distinctions. Liberal in his use of eau de cologne and shaving lotion, he is known as the best-smelling governor the State of Washington ever had. He is blond, husky, and ruddy. His clothes are always beautifully tailored. He is an all-around indoor and outdoor sportsman, but billiards and golf are his metier. As a golfer, he shoots in the 70's. In 1929 he won the national amateur balk-line billiard championship.

"Politically, his New-Dealish record is good. Elected to the House of Representatives in 1932, he served in the 73d, 74th, and 75th Congresses. In 1940 he went into the Senate, resigning in 1945 to take over the governorship of Washington. Most important of all, he was a good friend of Harry S. Truman. During Mr. Truman's senatorial days Mrs. Wallgren and Mrs. Truman often went shopping together, and there was much visiting between the two families. When the President stumped the Northwest, Wallgren, running again for governor, was at his side.

"Surprise: Wallgren's defeat in November and the President's reputation for taking care of his friends set the press to speculating: What job would the ex-governor get? Armed solely with the knowledge that he had agreed to come to Washington at Mr. Truman's request, forecasters put Wallgren in almost every Government job, from Secretary of the Interior down.

"Last December 15 the resignation of Arthur Hill as $14,000-a-year Chairman of the National Security Resources Board created the ideal opening for a man who had served on the Truman committee investigating war plants and sources of raw materials. The President asked Wallgren if he'd like the job. 'Any job you want to put me in:' the ex-governor answered, 'and I think this one would be fine.'

"While Wallgren moved his household from Olympia, Wash., to Washington, D. C., Mr. Truman named John R. Steelman as Hill's successor ad interim, to work the Board into the alinement with the White House which Hill had discouraged. Last week, with Steelman's job completed and Wallgren comfortably installed at the Wardman Park Hotel, the President announced the appointment to a press corps which, to the last minute, had still been speculating but had never guessed the job Wallgren finally got."

Time Magazine, on page 21 of its February 14, 1949, issue, states that a job had finally been found for Mr. Wallgren. The item stated:

"Last week the President also finally found a job for his old friend and Washington State's ex-governor, Mon Wallgren, Chairman of the National Security Resources Board, at $14,000 a year."

Little more needs be said by me at the moment about the nomination of Mr. Wallgren. If there are those who think him a man of capacity and suited by temperament and training for the job in question let them come forward. They have thus far been conspicuous by their absence.

I know scores of persons who think well of him as a companion at the pool table, in the banquet room, and when the fish run high.

These attributes make life more livable, but they don't save lives, or determine world-wide political and economic policies, and they don't prepare a nation to repell an invader, or take victorious war to the enemy.

If Mr. Wallgren can't be an aggressive and intelligent leader in these fields of survival for our America of the future, I really beg of God and this committee that the nomination be returned for the greatest possible cause to the President. On reflection he can do ever so much better and his public, the average citizen, will be forever grateful.

Mr. CAIN. I have said, Mr. President, that few persons, in or out of public life, know anything about the National Security Resources Board for which Mr. Wallgren has been nominated as Chairman by the President. I hold in my hand a piece of evidence to dramatize this lamentable fact. Shortly after I announced my opposition to the proposed appointment of Mr. Wallgren, the House of Representatives of the Legislature of Washington State approved by voice vote a resolution which favored an appointment for Mr. Wallgren. But the resolution was actually in support of a national portfolio for Mr. Wallgren which simply does not exist. The resolution recommends that Mr. Wallgren be appointed as Chairman of the National Securities Resources Board. I do not know of any such Board, but if there is one or if one is to be established, that Board will have or surely has a primary concern with stocks, bonds, and debentures of one kind or another. Whether Mr. Wallgren would be competent to be the Chairman of such a Board I am not presently prepared to say, because I have no knowledge of what the duties of the Board might be. The Armed Services Committee and then the Senate will consider whether Mr. Wallgren is suited to become the Chairman of an agency whose chief and only concern is preparing our Nation for defense, security, and war needs, requirements and eventualities, of the present and future. The House of Representatives of Washington State has been quite within its rights in complimenting a man, but its resolution clearly indicates that the house of representatives has endorsed a man without reference to or a consideration of the man's qualifications as they are related to the assignment for which he has actually been nominated by the President. I have no criticism to make of the action taken by the house of representatives of my own State, but I do want its members to know the nature and character of the actual position for which Mr. Wallgren has been nominated. This information will permit them to endorse Mr. Wallgren for that actual position if they so desire. Because they were complimentary to Mr. Wallgren and because Mr. Wallgren's capabilities have been questioned by the junior Senator from Washington, I ask unanimous consent to have the Washington State House of Representatives' resolution printed at this point in my remarks.

The VICE PRESIDENT. Is there objection?

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

To the Honorable Harry S. Truman, President of the United States, and to the Senate of the United States of America in Congress Assembled:

We, your memorialists, the House of Representatives of the State of Washington, in

legislative session assembled, respectfully represent and petition as follows:

Whereas the Honorable Monrad C. Wallgren is a former Governor of the State of Washington; and

Whereas the Honorable Harry S. Truman, President of the United States, has recently appointed the Honorable Monrad C. Wallgren as Chairman of the National Securities Resources Board; and

Whereas such appointment must be confirmed by the Senate of the United States; and

Whereas the Honorable Monrad C. Wallgren's background as Senator, Congressman, and Governor qualifies him for this most important position: Now, therefore, be it

Resolved by the House of Representatives of the State of Washington in legislative session assembled, That we respectfully commend the President of the United States in appointing the Honorable Monrad C. Wallgren to the Chairmanship of the National Securities Resources Board and we respectfully urge upon the Senate of the United States that his appointment be confirmed speedily; be it further

Resolved, That copies of this memorial be immediately transmitted to the Honorable Harry S. Truman, President of the United States, the President of the United States Senate, and to each Senator from the State of Washington.

Mr. CAIN. I grant, Mr. President, that every Senator is extremely busy but I hope that each one among us can find that time which is required by the individual Senator to determine if Mr. Wallgren is a wise choice for the Chairmanship of the National Security Resources Board. In a very real way the management of war, if it should come, and the preparing of this Nation to forestall war, the preferred course, will reside in the hands and brain of the Chairman of the National Security Resources Board. My only interest is to see that the Chairman, whoever he may be, possesses strong hands, a keen and trained intellect, and a vast knowledge. Anything less than these assets will unnecessarily hold in jeopardy our national hope for peace and contentment for all peoples.

REMOVAL OF TAXES ON OLEOMARGARINE—LETTER FROM W. D. KNOX

Mr. WILEY. Mr. President, I have received this morning a very splendid, terse, and a clear communication from a distinguished editor of a great dairy magazine, Mr. W. D. Knox, of Hoard's Dairyman.

Mr. Knox has summarized very succinctly the case for removal of the present excise taxes on oleomargarine, provided—and it is a big proviso—the yellow color of oleomargarine is banned in order to prevent fraudulent competition with butter.

I ask unanimous consent that Mr. Knox's letter be printed in the RECORD at this point.

There being no objection the letter was ordered to be printed in the RECORD as follows:

HOARD'S DAIRYMAN,
Fort Atkinson, Wis., February 18, 1949.

HON. ALEXANDER WILEY,
United States Senate,
Washington, D. C.

DEAR SENATOR WILEY: In the future you will be passing judgment on one or more of several bills affecting the dairy and oleomargarine industries. As the only national dairy farm magazine, we feel a deep responsibility to our readers as you feel your responsibility to your constituents. For 63 years we have attempted only to seek out the truth, promote it and defend it, regardless of its popularity.

We have but one request of oleomargarine manufacturers. We ask them to sell their product in its own clothes and on its own merits. They have never agreed to adopt such a policy. In H. R. 1703, we believe you have a most realistic and fair solution to the controversy. All license fees, taxes and other restrictions are removed. The manufacture and sale of yellow oleo is prohibited.

If the manufacture and sale of yellow oleo is not prohibited, we have concrete evidence of the injustice that will be perpetuated upon American consumers and 2,500,000 dairy farmers. In an El Paso, Tex., grocery, butter and yellow oleo are selling at the same price. White oleo is selling 30 cents cheaper. The tax on yellow oleo is only 10 cents. Where did the other 20 cents go? And where in the future will the housewife find a cheap spread for bread? It appears to us that the 28 oleomargarine manufacturers have every reason to justify their $6,000,000 advertising and public relations expenditure for 1948. Their investment may be returned many times.

In a recent spot check by the Pennsylvania Department of Agriculture, 78 establishments out of 300 were selling yellow oleo as butter. In another impartial survey 53 restaurants out of 159 in 8 States served yellow oleo as butter when a customer requested butter. Here is clear evidence that the present law is inadequate and that more realistic legislation is needed.

We shall sincerely appreciate your consideration and evaluation of our editorial position. If we can be of any further assistance in providing additional information, please advise us. With kindest regards.

Respectfully yours,

W. D. KNOX,
Editorial Department.

RECESS

Mr. LUCAS. Mr. President, there is nothing on the Executive Calendar, and I therefore move that the Senate stand in recess until 12 o'clock noon tomorrow.

The motion was agreed to, and (at 1 o'clock and 2 minutes p. m.), the Senate took a recess until tomorrow, Tuesday, February 22, 1949, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate February 21, 1949:

UNITED NATIONS

Erwin D. Canham, of Massachusetts, to be an alternate representative of the United States of America to the second part of the third session of the General Assembly of the United Nations.

The following-named persons to be representatives of the United States of America to the third session of the General Assembly of the United Nations, held in Paris, France, to which offices they were appointed during the recess of the Senate:

Warren R. Austin, of Vermont.
John Foster Dulles, of New York.
Anna Eleanor Roosevelt, of New York.
Philip C. Jessup, of New York.

The following-named persons to be alternate representatives of the United States of America to the third session of the General Assembly of the United Nations, held in Paris, France, to which offices they were appointed during the recess of the Senate:

Benjamin V. Cohen, of New York.
Ray Atherton, of Illinois.
Willard L. Thorp, of Connecticut.
Ernest A. Gross, of New York.
Francis B. Sayre, of the District of Columbia.

Benjamin V. Cohen, of New York, to be a representative of the United States of America to the third session of the General Assembly of the United Nations, held in Paris, France, to which office he was appointed during the recess of the Senate, to fill a vacancy created by the absence of Warren R. Austin due to illness.

Dean Rusk, of Virginia, to be an alternate representative of the United States of America to the third session of the General Assembly of the United Nations, held in Paris, France, to which office he was appointed during the recess of the Senate, vice Benjamin V. Cohen.

UNITED STATES DISTRICT JUDGE

Hon. J. Frank McLaughlin, of Hawaii, to be United States district judge for the district of Hawaii. He is now serving in this office under an appointment which expires February 22, 1949.

UNITED STATES MARSHAL

Virgil B. Stanley, of Oklahoma, to be United States marshal for the northern district of Oklahoma, vice John P. Logan, retired.

APPOINTMENTS IN THE REGULAR ARMY

The following-named persons for appointment in the Medical, Dental, and Judge Advocate General's Corps, Regular Army of the United States, in the grade and corps specified, under the provisions of section 506 of the Officer Personnel Act of 1947 (Public Law 381, 80th Cong.) and title II of the act of August 5, 1947 (Public Law 365, 80th Cong.):

To be majors

Jeremiah A. Dailey, MC, [redacted].
Gordon F. Fisher, MC, [redacted].
Charles W. Hoffman, Jr., MC, [redacted].

To be captains

Robert O. Emmett, MC, [redacted].
Woodard M. Herring, Jr., DC, [redacted].
Delbert W. Hess, MC, [redacted].
John T. Massey, DC, [redacted].
Warren C. Myers, DC, [redacted].
Max W. Pegram, MC.
Wayne W. Thornberry, DC, [redacted].
John W. White, MC, [redacted].

To be first lieutenants

Archibald M. Ahern, MC.
John C. Baber, Jr., MC.
Dexter T. Ball, MC.
Earl M. Bradley, JAGC, [redacted].
Hugo M. Cardullo, MC.
Dean R. Dort, JAGC, [redacted].
John A. Duggan, MC.
William A. Graber, MC.
William Hausman, MC.
Robert W. Hobson, DC.
Rudolph M. Jarvi, MC.
Richard G. Johnson, MC, [redacted].
Arthur E. H. Knox, MC.
William W. Kramer, JAGC, [redacted].
Franklin M. Lockwood, MC.
Donald L. Manes, Jr., JAGC, [redacted].
David N. Marine, MC.
Elwin W. Midgley, MC, [redacted].
Arthur J. Moseley, MC.
Joseph G. Murphy, MC, [redacted].
Merrill F. Nelson, MC.
Robert E. L. Nesbitt, Jr., MC.
Lester I. Nienhuis, MC.
George W. Pogson, MC.
Irvin L. Schweitzer, MC.
George W. Shannon, MC, [redacted].
Leon Stutzman, MC.
Gilbert A. Varnell, MC.
Leonard J. Wiedershine, MC, [redacted].
Forrest J. Woodman, Jr., MC, [redacted].

The following-named persons for appointment in the Regular Army of the United States, in the grade of second lieutenant, under the provisions of section 506 of the Officer Personnel Act of 1947 (Public Law 381, 80th Cong.):

Luis A. Becerra.
Charles D. Brohawn.
Charles R. Covell.
John P. McConnell.
Martin P. Moser, [redacted].

The following-named person for appointment in the Army Nurse Corps, Regular Army of the United States, in the grade of second lieutenant, under the provisions of Public Law 36, Eightieth Congress:

Partricia I. Ward, [redacted].

PROMOTIONS IN THE AIR FORCE

The following-named officers for promotion in the United States Air Force, under the provisions of sections 502 and 508 of the Officer Personnel Act of 1947. Those officers whose names are preceded by the symbol (*) are subject to examination required by law. All others have been examined and found qualified for promotion.

To be first lieutenants

Anselin, Frank Belmont, [redacted].
*Bjorgen, Leonard Leroy, [redacted].
Bryant, William Anthony, [redacted].
Davidson, Bernard Clark, [redacted].
Davis, William James, [redacted].
Ferguson, Charles Laird, [redacted].
Gagnon, John Arthur, Jr., [redacted].
Holtorf, Arthur Miles, [redacted].
Kimbel, Joseph Bruce Keirce, [redacted].
Lamb, Charles Melford, Jr., [redacted].
*Marcarelli, John Alphonse, [redacted].
Meyers, Roy Lee, [redacted].
Nave, William Patrick, [redacted].
Neff, Benjamin Groff, [redacted].
Simmons, James Albert, [redacted].
Smith, Charles Ames, [redacted].
Smithson, Daryl Purdy, [redacted].
Stockton, Lyle Edward, [redacted].
Weigelt, Winfred Hamilton, [redacted].
Wortman, John Junior, [redacted].

NOTE.—The officers nominated for promotion to first lieutenant will complete the required 3 years' service for promotion during the month of March. Dates of rank for those officers will be determined by the Secretary of the Air Force.

HOUSE OF REPRESENTATIVES

MONDAY, FEBRUARY 21, 1949

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Father Almighty, let Thy holy silence sink deep into our hearts, that the truth we know may be the candle of the Lord. Hush all our complainings and discontent; let us rejoice and be glad that we have a part in the world's great work.

Renew the religion of Thy church everywhere; quicken its devotion and passion for the souls of men. O restrain the wayward, relieve the poor and oppressed, and be the toiler's friend. Let all who love the Lord stand for those virtues which build up the human spirit in truth, honor, fidelity, love, and obedience to God. In the name of our Saviour. Amen.

The Journal of the proceedings of Thursday, February 17, 1949, was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Miller, one of his secretaries.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. McDaniel, its enrolling clerk, announced that the Senate had passed, with an amendment in which the concurrence of the House is requested, a joint resolution of the House of the following title:

H. J. Res. 84. Joint resolution to provide for the acquisition and operation of the Freedom Train by the Archivist of the United States, and for other purposes.

The message also announced that the Senate agrees to the amendment of the House to a bill of the Senate of the following title:

S. 548. An act to provide for continuation of authority for the regulation of exports, and for other purposes.

EXTENSION OF REMARKS

Mr. VINSON asked and was granted permission to extend his remarks in the Appendix of the RECORD and include a statement by Charles R. Hook, chairman of the Advisory Commission on Service Pay.

Mr. BURTON asked and was granted permission to extend his remarks in the Appendix of the RECORD.

WEDNESDAY EVENING, FEBRUARY 23, ADDRESS BY PAUL HOFFMAN

Mr. NOLAND. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. NOLAND. Mr. Speaker, I wish to make an announcement to new Members of Congress of a special forum to be held Wednesday evening at 7:30 p. m., in the caucus room of the Old House Office Building.

Paul Hoffman, ECA Administrator, will discuss operational phases of the Marshall plan as it affects operations of businessmen of the United States.

This meeting is primarily for new Members of Congress and their secretaries, but is also open to any Member of Congress.

This program is conducted with the aid of American University, which is sponsoring a series of seminars for Washington businessmen on how to do business under the Marshall plan.

I believe that this meeting will be of special interest to most new Members because it will answer questions which constituents may be asking in the future about the operations of the ECA.

For these reasons it is believed that this meeting Wednesday night, with Paul Hoffman as speaker, will be of special interest.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. NOLAND. I yield.

Mr. RICH. Will he be able to tell the American people or the Members present that evening how we are going to get the money to finance this ERA?

Mr. NOLAND. I also wish to qualify this announcement by stating that it will not be a discussion of policy; it will only be a discussion of the operational phases of the plan, how it has worked and how it is contemplated it will work.

PERMISSION TO ADDRESS THE HOUSE

Mr. CROOK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

[Mr. CROOK addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. PRICE asked and was given permission to extend his remarks in the RECORD in three instances and in each to include extraneous matter.

Mr. CANNON asked and was given permission to extend his remarks in the RECORD and include an address by the Administrator of the Rural Electrification Administration given before the convention of National Rural Electric Cooperative Associations on February 1, 1949, and also to extend his remarks in the RECORD and include a letter addressed to himself by Mr. WHITAKER, of Kentucky, accompanied by a letter from the Governor of the State.

Mr. PATMAN asked and was given permission to extend his remarks in the RECORD on two subjects and to include certain statements and excerpts.

Mr. HÉBERT asked and was given permission to extend his remarks in the RECORD in two instances and to include extraneous matter and a newspaper article.

Mr. DOYLE asked and was given permission to extend his remarks in the Appendix of the RECORD and to include certain appropriate material.

Mr. SHEPPARD asked and was given permission to extend his remarks in the RECORD and include an article from a Los Angeles newspaper outlining the water problems of southern California.

EMILIE C. READ

Mrs. NORTON. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged resolution (H. Res. 90) and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That there shall be paid out of the contingent fund of the House of Emilie C. Read, widow of Burke F. Read, late an employee of the House of Representatives, an amount equal to 6 months' salary at the rate he was receiving at the time of his death and an additional amount not to exceed $250 toward defraying the funeral expenses of said Burke F. Read.

With the following committee amendment:

Page 1, line 2, strike out "of" and insert "to."

Mr. MARTIN of Massachusetts. Mr. Speaker, is this the normal resolution of this character?

Mrs. NORTON. It is.

The committee amendment was agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. KARST asked and was given permission to extend his remarks in the RECORD and include an article from a St. Louis newspaper of January 9, 1949.

Mr. KLEIN (at the request of Mr. GORSKI of New York) was given permission to extend his remarks in the RECORD in two instances.

Mr. GORSKI of New York asked and was given permission to extend his remarks in the Appendix of the RECORD and include an article from the Evening Star.

Mr. EVINS asked and was given permission to extend his remarks in the RECORD in two instances and to include a speech and a short newspaper article.

Mr. POULSON asked and was given permission to extend his remarks in the RECORD and include a Lincoln Day speech.

Mr. RICH asked and was given permission to extend his remarks in the Appendix of the RECORD and include an editorial entitled "Dodging Taxes."

PERMISSION TO ADDRESS THE HOUSE

Mr. RICH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

[Mr. RICH addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. SMITH of Wisconsin asked and was given permission to extend his remarks in the Appendix of the RECORD in two instances and include extraneous matter.

SURPLUS OIL

Mr. SMITH of Wisconsin. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. SMITH of Wisconsin. Mr. Speaker, this morning in the House Committee on Foreign Affairs we heard some sensational testimony to the effect that petroleum is no longer in world shortage. I quote from a witness:

> Today the world is facing a surplus of oil which is reflected in the United States by rapidly increasing and unneeded imports of foreign oil.

If there is a surplus of oil in the country, why has not the price of oil come down? Why is not the price of gasoline coming down? The consuming public in the United States today is paying a high price for petroleum products. If there is a conspiracy between the oil companies to keep prices high the country should know it. Every consumer of oil products, the man who heats his home, the man who uses it for power, and the man who drives an automobile is entitled to a reduction in the price of oil and gasoline. Here is a job for the Attorney General and Congress.

PERMISSION TO ADDRESS THE HOUSE

Mr. BURDICK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from North Dakota?

There was no objection.

[Mr. BURDICK addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. ANGELL asked and was given permission to extend his remarks in the Appendix of the RECORD on two subjects and include in one an editorial and in the other an article.

Mr. ANDERSON of California asked and was given permission to extend his remarks in the RECORD and include an article.

Mr. LODGE asked and was given permission to extend his remarks in the RECORD in two instances and include extraneous material.

Mr. DONDERO asked and was given permission to extend his remarks in the RECORD and include a letter and an article.

Mrs. ST. GEORGE asked and was given permission to extend her remarks in the RECORD and include a short article from the Walden Citizen-Herald.

Mr. HALE asked and was given permission to extend his remarks in the RECORD and include an article by Joseph Alsop.

Mr. ELSTON asked and was given permission to extend his remarks in the RECORD and include an editorial from the Cincinnati Times-Star.

Mr. HOPE asked and was given permission to extend his remarks in the RECORD in two instances and include some editorial articles.

Mr. REED of New York asked and was given permission to extend his remarks in the RECORD in three instances and include in each extraneous matter.

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an address by Arthur A. Ballantine at the annual meeting of the New York State Bar Association on January 29, 1949, on the subject The Place of Psychology in Taxation. I am informed by the Printing Office that this will exceed two pages of the RECORD and will cost $195.25, but I ask unanimous consent that it be printed notwithstanding that fact.

The SPEAKER. Without objection, notwithstanding the cost, the extension may be made.

There was no objection.

REPUBLICAN WHIP ORGANIZATION OF THE HOUSE

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and include in my remarks a short table.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ARENDS. Mr. Speaker, for the benefit and information of the Republican membership of the House, I am inserting with my remarks a table showing the organizational set-up of the Republican whip organization of the House:

Republican whip, LESLIE C. ARENDS, Illinois.

Deputy whip, RALPH A. GAMBLE, New York.

Eastern regional whip, W. STERLING COLE, New York—Eight States, 47 Members: Maine (3), New Hampshire (2), Vermont (1), Connecticut (3), Delaware (1), A. N. SADLAK; Massachusetts (8), JOHN HESELTON; New York (20), W. STERLING COLE; New Jersey (9), CLIFFORD P. CASE.

East central regional whip, J. HARRY MCGREGOR, Ohio—Six States, 46 Members; Pennsylvania (17), LEON H. GAVIN; Michigan (12), JOHN B. BENNETT; Ohio (11), J. HARRY MCGREGOR; Maryland (2), Tennessee (2), Kentucky (2), J. GLENN BEALL, Maryland.

Midwest regional whip, LAWRENCE H. SMITH, Wisconsin—Eight States, 44 Members: Indiana (4), RALPH HARVEY; Illinois (14), C. W. BISHOP; Wisconsin (8), Minnesota (5), North Dakota (2), South Dakota (2), LAWRENCE H. SMITH, Wisconsin; Iowa (8), Missouri (1), BEN JENSEN, Iowa.

Western regional whip, A. M. COLE, Kansas—Nine States, 34 Members: Kansas (6), Colorado (1), Nebraska (3), A. M. COLE, Kansas; Washington (4), Oregon (4), Montana (1), Idaho (1), Wyoming (1), WALT NORBLAD, Oregon; California (13), GORDON L. MCDONOUGH.

Membership, 171.

DISMANTLING OF PLANTS IN WESTERN ZONE OF GERMANY

Mrs. ST. GEORGE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Mrs. ST. GEORGE. Mr. Speaker, the Krupp war plant in Essen, in the British zone of western Germany, is still in the process of being dismantled and shipped to Soviet Russia.

It is comical, if it were not tragic, to see the American taxpayers planning to spend $5,000,000,000 to rearm western Europe, while our allies are diligently dismantling and shipping the biggest steel plant in that section to Russia.

I suppose someone will say that this is merely carrying out the Potsdam agreement.

According to that infamous treaty, Russia was to receive 25 percent of the dismantled plants in the western zone, but, and here is the real answer, she was to pay for 60 percent of what she received in goods and food from the eastern zone. To date she has only paid for 7 percent of what she has received.

Mr. Speaker, how long is this tragic comedy of errors to continue? When is the Congress going to prevent the spending of billions to defeat communism with one hand, while shipping the sinews of war to Russia with the other?

HOME BUILDERS

Mr. JAVITS. Mr. Speaker, I ask unanimous consent to address the House

for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. JAVITS. Mr. Speaker, the National Association of Home Builders is meeting today in Chicago. I know of no segment of the American private economy which holds a greater responsibility for the success and for the future of our economic system than do the builders. Housing remains America's No. 1 domestic problem. Last year we built less—not more—homes than in 1947. This year the forecasts are that private construction will be even lower.

While we drive for a balanced housing bill to help not only the lowest but also the middle-income groups, we know that it will be in the last analysis still in the hands of the builders to build the 16,000,000 homes America needs in the next decade. The home builders' main attack must be on costs. I urge that they consider at their convention a concerted drive for the mass production of housing as automobiles are produced—there are too few big units in housing—for the greatly expanded use of mass-production methods of prefabrication and assembly, and finally for a smashing attack on the 3,000 antiquated municipal building codes which have the people and the builders tied down like Gulliver.

PERMISSION TO ADDRESS THE HOUSE

Mr. CASE of South Dakota. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

[Mr. CASE of South Dakota addressed the House. His remarks appear in the Appendix.]

ECONOMIC STATE OF THE NATION

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, I am sure many Members of Congress were not only disturbed but amazed by some of the statements made last Saturday by President Truman's experts who are charged with keeping Congress and the people informed of the economic state of this Nation.

I refer especially to the statement of Dr. Edwin G. Nourse, Chairman of the President's Council of Economic Advisers, who, upon leaving the White House Saturday, told news reporters that this country is going through a period of "healthy disinflation."

What kind of new double talk is this? Is it "healthy disinflation" when farmers sustain a loss of approximately $3,500,000,000 in gross income and this, translated into other terms, means a loss of approximately $25,000,000,000 in national income and a loss of $5,000,000,000 in Federal revenue unless these prices recover?

Prices of some farm commodities started to skid last October. Yet in the 4 to 5 months since that time has there been the slightest drop in the price of tractors, combines, overalls, and the multiplicity of products which farmers must buy? Is that what Dr. Nourse means by "healthy disinflation"?

Members of this House will soon be called upon to increase the salary of Dr. Nourse from a present $15,000 a year to an administration asking of $22,500 annually, a jump of $7,500 a year. I say to you that if we are going to pay Government economists any part of $22,500 a year we should employ men who talk understandable English; who know there can be no such thing as a "healthy" depression in this country.

EXTENSION OF REMARKS

Mr. HARVEY asked and was given permission to extend his remarks in the RECORD and include a newspaper article.

Mr. BOGGS of Delaware asked and was given permission to extend his remarks in the RECORD in two instances and include extraneous material.

Mr. DAVIS of Wisconsin asked and was given permission to extend his remarks in the RECORD in two instances and to include an editorial and a letter.

Mr. DAVIS of Georgia asked and was given permission to extend his remarks in the RECORD and include a newspaper article.

YUGOSLAVIA

Mr. ROONEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ROONEY. Mr. Speaker, I have today introduced the following resolution, the purpose of which is to seek immediate withdrawal of diplomatic recognition of the Government of Yugoslavia by the United States until such time as that Government, by releasing from imprisonment Archbishop Aloysius Stepinatz, and by demonstrating that their policies and conduct, with respect to the rights of individuals to life, liberty, and freedom of religious and political beliefs are such as to justify resumption of normal relations between the Government of the United States and the Government of Yugoslavia:

Whereas the existing Government of Yugoslavia has pursued policies which violate the fundamental rights of the individual to life, liberty, and freedom of religious and political beliefs; and

Whereas the arrest, trial, and imprisonment of Archbishop Aloysius Stepinatz, eminent Roman Catholic primate of Yugoslavia, is symbolic of the disregard of the existing Government of Yugoslavia of principles of justice and honor; and

Whereas the continuance by the existing Government of Yugoslavia of policies of oppression and terror make impossible the attainment of the friendship and understanding among the nations of the world so vital to the establishment of a lasting peace: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that the President should withdraw forthwith diplomatic recognition of the Government of Yugoslavia by the United States until such time as the Government of Yugoslavia, by releasing from imprisonment the eminent Roman Catholic primate, Archbishop Aloysius Stepinatz, and by other appropriate action, demonstrates that the policies and conduct of such government, with respect to the rights of the individual to life, liberty, and freedom of religious and political beliefs, are such as to justify the resumption of relations between the Government of the United States and the Government of Yugoslavia.

(Mr. ROONEY asked and was given permission to revise and extend his remarks and include the text of the resolution.)

EXTENSION OF REMARKS

Mr. ENGLE of California asked and was given permission to extend his remarks in the RECORD and include a letter.

Mr. GREEN asked and was given permission to extend his remarks in the RECORD and include a newspaper article.

Mr. THOMAS of Texas asked and was given permission to extend his remarks in the RECORD and include an Associated Press article showing the comparative strength of Russia and the United States in manpower, oil and other critical materials.

PERMISSION TO ADDRESS THE HOUSE

Mr. SABATH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. SABATH]?

There was no objection.

[Mr. SABATH addressed the House. His remarks appear in the Appendix.]

RANKIN PENSION BILL

Mr. COX. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. COX. Mr. Speaker, I notice that newspaper commentators are beginning to speculate upon the possibility of the Committee on Rules being used to stop the Rankin pension bill. On this point I would like to say that at the beginning of this Congress the Rules Committee was stripped of the power to hold bills indefinitely. While I opposed the change in the Rules of the House, and I might say I get no pleasure out of the embarrassment that that change has so soon brought to its sponsors, still as a member of the Committee on Rules I shall oppose resorting to any scheme that would defeat this new rule under which the committee operates. I shall favor the reporting of the bill under an open rule in order that all Members may have the opportunity to publicly record their views upon it.

The SPEAKER. The time of the gentleman from Georgia has expired.

EXTENSION OF REMARKS

Mr. O'HARA of Minnesota asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. MARTIN of Massachusetts asked and was given permission to extend his remarks in the RECORD and include a resolution adopted by the executive council in Fall River.

Mr. BECKWORTH asked and was given permission to extend his remarks in the RECORD and include a letter from Charles D. Mahaffie, Chairman of the Interstate Commerce Commission.

Mr. LARCADE asked and was given permission to extend his remarks in the RECORD and include a newspaper article.

THE RANKIN PLAN—PENSION BILL

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and revise and extend my remarks and include some newspaper clippings.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RANKIN. Mr. Speaker, the Washington Post, whose owner got rich out of the last war, and out of the depression which he helped bring on during the Hoover administration, calls the veterans' pension bill now before the House the Rankin plan.

So I presume that from now on you will hear a good deal about the Rankin plan versus the Bevin plan, which some of you call the Marshall plan.

This Rankin plan would take care of our old veterans when they get too old to work. Of all the misinformation I ever heard spread, it is by those radio commentators, Hans Kaltenborn and Drew Pearson, about this bill.

This measure has been reduced to the irreducible minimum. If the House and Senate do not like it as it is, they have the right to amend it to provide a needs clause, or reduce the amounts paid.

But if we can pour billions of dollars into the sinkholes of Europe and Asia, Africa and Israel every year, we can certainly take care of our old veterans, who fought the Nation's battles in times of war and who now sustain its institutions in time of peace, when they get beyond the age of their earning capacity. That is exactly what this bill does.

The SPEAKER. The time of the gentleman from Mississippi has expired.

THE MARSHALL PLAN AND COMMUNISM

Mr. HAYS of Ohio. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is the objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HAYS of Ohio. Mr. Speaker, it is with great interest that I notice the gentleman from Mississippi from time to time come down in the well of the House and talk about communism; then from time to time come down and berate the Marshall plan. I had the occasion recently, at my own expense, to make a personal survey in eight countries of Europe of what the Marshall plan was doing for Europe, and I can say to the gentleman from Mississippi and the Members of the House that the Marshall plan has stopped communism in its tracks in Europe; and that it is the one thing that has saved Italy, France, and the rest of the democratic nations from going Communist. If the gentleman from Mississippi is sincere and really believes that communism should be stopped, then he has no alternative but to be a supporter of the Marshall plan.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. HAYS of Ohio. I yield.

Mr. RANKIN. You have not stopped communism in this country. When we exposed a Communist spy ring in the State Department it was called a red herring.

Mr. HAYS of Ohio. I voted to give the Committee on the Un-American Activities $200,000 for that purpose.

Mr. RANKIN. All right; help us now take care of the disabled veterans.

Mr. HAYS of Ohio. Nothing I have said could be twisted by anyone to mean that I would not vote to help the disabled veterans. I was merely pointing out how very inconsistent it is to be against both communism and the Marshall plan, which has given communism its worst set-back in a decade.

The SPEAKER. The time of the gentleman from Ohio has expired.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES—COOPERATION WITH INSTITUTE OF INTER-AMERICAN AFFAIRS

The SPEAKER laid before the House the following message from the President of the United States, which was read, and together with the accompanying papers, referred to the Committee on Foreign Affairs:

To the Congress of the United States:

I commend to the favorable consideration of the Congress the enclosed letter from the Under Secretary of State and the accompanying draft legislation to make possible the continuation and expansion of the cooperative programs in public health, sanitation, education, and agriculture that this Government is carrying on, through the Institute of Inter-American Affairs, in partnership with the governments of other American republics.

The conditions of modern life are drawing the American Republics together in an increasingly close community of neighbors. It is a basic and enduring purpose of the foreign policy of the United States to play the part of the good neighbor in that community.

The United States and the other American Republics have repeatedly proclaimed their common purpose to promote by cooperative action their economic, social, and cultural development, and to work with one another to achieve just and decent living conditions for all their peoples. The United States has given tangible proof of its desire to cooperate in the realization of these aims by assisting its neighbor republics in the development of their basic economics. Our relations have constituted friendly, constructive, and effective partnerships which it is our aim to extend and strengthen.

Since the early part of 1942, this Government has, through the Institute of Inter-American Affairs and its predecessor agencies, entered into bilateral arrangements with the governments of other American Republics under which we have worked with them on programs in public health, sanitation, agriculture, education, and related fields—programs designed to promote the development of the basic economics of the cooperating republics. The present Institute of Inter-American Affairs was chartered by the Congress as a wholly owned Government corporation in an act approved on August 5, 1947, and authorized to continue this cooperative program through the end of the fiscal year 1950. Its exceptional success in realizing this Government's objectives in an increasingly effective manner leads to the conclusion that we should continue it, as a vital instrument of our long-range policy, beyond that limited period. These are programs that, over the years, have been tried, tested, and found good. I therefore request that the Congress authorize a continuation of these programs on a scale that will enable us, more effectively, to help our neighbors help themselves.

I stated recently that we must embark on a program for making the benefits of our scientific advances and industrial progress available for the improvement and growth of underdeveloped areas. Within the Western Hemisphere we have already built firm foundations for this program, and have already begun to demonstrate the benefits that can flow from such a program. The continuing growth of solidarity, friendship, and close cooperation among the republics of the Western Hemisphere benefits us as well as our neighbors. Each of the American Republics, the United States included, is helped in its own progress by the improvement of economic, social, and cultural conditions in the others. By continuing this international cooperation for raising the standard of living of all the peoples in the Americas, the United States can give further, practical form to the high purposes of our policy.

HARRY S. TRUMAN.

THE WHITE HOUSE, *February 21, 1949.*

(Enclosures: 1. Letter from Under Secretary of State. 2. Draft legislation.)

EXTENSION OF REMARKS

Mr. McCORMACK asked and was granted permission to extend his remarks in the Appendix of the Record and include a statement.

THE CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the calendar.

ALEXANDRIA, VA., COMMEMORATIVE STAMP

The Clerk called the bill (H. R. 1432) to amend the act approved June 29, 1948, entitled "An act to authorize the issuance of a stamp commemorative of the two hundredth anniversary of the founding of the city of Alexandria, Va."

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act approved June 29, 1948, entitled "An act to authorize the issuance of a stamp commemorative of the two hundredth anniversary of the

founding of the city of Alexandria, Va.," be amended to read as follows:

"That the Postmaster General is authorized and directed to issue, during 1949, a special 6-cent air-mail postage stamp, of such design as he shall prescribe, in commemoration of the two hundredth anniversary of the founding of the city of Alexandria, Va."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. DEANE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 492) to amend the act approved June 29, 1948, entitled "An act to authorize the issuance of a stamp commemorative of the two hundredth anniversary of the founding of the city of Alexandria, Va.," an identical bill, strike out all after the enacting clause, and insert in lieu thereof the provisions of H. R. 1432.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There being no objection, the Clerk read the Senate bill, as follows

Be it enacted, etc., That the act approved June 29, 1948, entitled "An act to authorize the issuance of a stamp commemorative of the two hundredth anniversary of the founding of the city of Alexandria, Va.," be amended to read as follows:

"That the Postmaster General is authorized and directed to issue, during 1949, a special 6-cent air-mail postage stamp, of such design as he shall prescribe, in commemoration of the two hundredth anniversary of the founding of the city of Alexandria, Va."

Mr. DEANE. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DEANE: Strike out all after the enacting clause and insert in lieu thereof the following:

"That the act approved June 29, 1948, entitled 'An act to authorize the issuance of a stamp commemorative of the two hundreth anniversary of the founding of the city of Alexandria, Va.,' be amended to read as follows:

" 'That the Postmaster General is authorized and directed to issue, during 1949, a special 6-cent air-mail postage stamp, of such design as he shall prescribe, in commemoration of the two hundredth anniversary of the founding of the city of Alexandria, Va.' "

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The proceedings whereby the bill (H. R. 1432) was passed were vacated and that bill was laid on the table.

CHURNTOWN ELEMENTARY SCHOOL DISTRICT, CALIFORNIA

The Clerk called the bill (H. R. 164) authorizing the Secretary of the Interior to convey certain lands to the Churntown Elementary School District, California.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. RICH. Mr. Speaker, reserving the right to object, I wish the gentleman would state what these are and whether the lands are of any value and what remuneration we are receiving for them.

Mr. PETERSON. Mr. Speaker, this bill was introduced by my colleague the gentleman from California [Mr. ENGLE], but I am familiar with the bill because I reported it.

This is a portion of an area originally reserved for the Reclamation Service but not actually needed now by the Reclamation Service. It should have some degree of protection, however.

There is involved 10.11 acres. It is to be sold at the appraised value and to be used only for school purposes. All mineral rights in the land are reserved to the Federal Government. There is a further provision in the bill that if the land is not used for school purposes it reverts to the United States.

Mr. RICH. Mr. Speaker, I withdraw my objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized to convey to the Churntown elementary school district, California, for such consideration as he may fix in accordance with its present valuation, all right, title, and interest of the United States in and to a parcel of land in the north half of section 26, township 33 north, range 5 west, Mount Diablo base and meridian, Shasta County, Calif., containing an area of ten and eleven one-hundredths acres, more or less, and described as follows:

Beginning at a point in the westerly boundary of the northwest quarter of the northeast quarter of said section 26, distant therealong south no degrees three minutes forty seconds west six hundred and ninety-four and twenty-four one-hundredths feet from the north quarter corner of said section 26; thence north eighty-nine degrees thirty-six minutes no seconds east four hundred and sixty-seven and sixteen one-hundredths feet; thence south no degrees three minutes forty seconds west eight hundred and thirty feet to a point in the northerly boundary of State Highway 209; thence along said northerly boundary and along the arc of a curve to the right with a radius of one thousand nine hundred and seventy feet (the long chord bears north seventy-six degrees thirty-seven minutes fourteen seconds west eighty-six and seventy-nine one-hundredths feet) for a distance of eighty-six and eighty one-hundredths feet; thence continuing along said northerly boundary north seventy-five degrees twenty-one minutes thirty seconds west three hundred and ninety-five and forty-six one-hundredths feet; thence leaving said northerly boundary north no degrees five minutes thirteen seconds east ninety-eight and ninety-six one-hundredths feet the southwest corner of the northwest quarter of the northeast quarter of said section 26; thence south eighty-nine degrees thirty-six minutes no seconds west one hundred and fifty-five and twenty-two one-hundredths feet to a point in the easterly boundary of State Highway 209; thence along said easterly boundary and along the arc of a curve to the right with a radius of one thousand one hundred and sixteen and twenty-eight one-hundredths feet (the long chord bears north two degrees thirty-eight minutes fifty-three seconds east eighty and seventy-five one-hundredths feet) for a distance of eighty and seventy-seven one-hundredths feet; thence continuing along said easterly boundary north four degrees forty-three minutes fifteen seconds east five hundred and twenty-nine and nineteen one-hundredths feet; thence leaving said easterly boundary north eighty-nine degrees thirty-six minutes no seconds east one hundred and eight and fifty-eight one-hundredths feet to the point of beginning.

There shall be reserved to the United States in the conveyance of the land described all oil, gas, coal, and other mineral deposits in the land, including all materials determined pursuant to section 5 (b) (1) of the Atomic Energy Act of 1946 (60 Stat. 761), to be peculiarly essential to the production of fissionable material, together with the right to prospect for, mine, and remove the same.

SEC. 2. The land conveyed pursuant to the provisions of this act shall be used only for public-school purposes, and the conveyance herein authorized shall be made upon the express condition that if the land is abandoned for such use for a period of 2 years or more or if the land shall be used for other purposes, the conveyance shall be held to be forfeited and the title shall revert to the United States. The Secretary of the Interior is hereby authorized to determine the facts and declare such forfeiture and reversion and such determination and declaration shall be final and conclusive.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MOUNT HOPE CEMETERY ASSOCIATION, OF WATERLOO, MICH.

The Clerk called the bill (H. R. 1401) relating to the disposition of certain recreational demonstration project lands by the State of Michigan to the Mount Hope Cemetery Association, of Waterloo, Mich.

There being no objection the Clerk read the bill, as follows:

Be it enacted, etc., That notwithstanding section 3 of the act entitled "An act to authorize the disposition of recreational demonstration projects, and for other purposes," approved June 6, 1942 (56 Stat. 326; 16 U. S. C. sec. 459t), the State of Michigan is hereby authorized to convey the following-described lands in Jackson County, Mich., to the Mount Hope Cemetery Association, of Waterloo, Mich.: Block 44, village of Waterloo, section 36, township 1 south, range 2 east, of the Michigan meridian. Any conditions providing for a reversion of title to the United States that may be contained in the conveyance of such lands by the United States to the State of Michigan are hereby released.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PINELLAS COUNTY, FLA.

The Clerk called the bill (H. R. 1998) to amend the act entitled "An act to provide for the conveyance to Pinellas County, State of Florida, of certain public lands herein described," approved June 17, 1948 (Public Law 666, 80th Cong.), for the purpose of correcting a land description therein.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That that portion of the first section of the act entitled "An act to provide for the conveyance to Pinellas County, State of Florida, of certain public lands herein described," approved June 17, 1948 (Public Law 666, 80th Cong.), which describes the lands conveyed by the United States to Pinellas County, Fla., is amended to read as follows: "Lot 1 of section 1, township 33 south, range 15 east; lots 1, 2, 3, and

4 of section 5; lots 1 and 2 of section 6; lots 1, 2, and 3 of section 7; lots 1, 2, 3, and 4 of section 8; lots 1 and 2 of section 9; lot 1 of section 17; and lots 1, 2, 3, 4, and 5 of section 18 in township 33 south, range 16 east, together with accretion thereto."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

AUTHORIZING SURVEY OF A PROPOSED MISSISSIPPI RIVER PARKWAY

The Clerk called the bill (H. R. 1997) to authorize the survey of a proposed Mississippi River Parkway for the purpose of determining the feasibility of such a national parkway, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. McGREGOR. Mr. Speaker, reserving the right to object, I wonder if the author of the bill will tell us what this survey will incorporate, who is to do it, and how much it will cost.

Mr. PETERSON. Mr. Speaker, the purpose of this is to authorize a survey of a Mississippi River parkway. The bill was introduced at the request of a number of Members on both sides of the House. Several years ago there was a bill favorably reported actually authorizing the parkway, but the members of the Public Lands Committee and the Department thought we were getting the cart before the horse and that there should not be a parkway until the survey was made.

Mr. Speaker, this bill is only to authorize a survey and coordinate the activities of the Public Roads Administration, the National Park Service, and to cooperate with the State authorities. The survey only is authorized. They must report back to the Congress before the project is started. There has been in the past an overlap of effort of Government departments. This is for an authorization not to exceed $250,000.

Mr. McGREGOR. Will this $250,000 come out of the funds allocated for highways or will it come out of some public land funds?

Mr. PETERSON. They will have to make their justification and get their special appropriation. Oftentimes there are paralleling highways and there are little offshoots and many times in the past there has not been sufficient coordination between the various agencies of the Government. It is hoped that as they plan this, and I refer to the various State authorities and the Federal roads system, this will go along near the river or near historic sites. In the past it has been rather haphazard. It is felt that this survey will finally save money from the various departments.

Mr. McGREGOR. Do I understand the gentleman to say that an authorization is carried in this particular piece of legislation that would authorize the Public Roads Administration to spend $250,000 for a survey?

Mr. PETERSON. The National Park Service, the Federal Works Agency through the Public Roads Administration to enable them to coordinate their efforts. The road is being built now in many instances and recreational areas are being developed, some by the State, some by the road department and in some instances by the National Park Service. But there has been no coordinated plan. The hope of those who live along the Mississippi River is that by having all groups work together they can formulate a plan by which the roads may be near historic spots and go to a point where they can actually see the river. It does not contemplate any more building than would otherwise eventually be done but a coordination of the plans that might otherwise be haphazard.

It is not to exceed $250,000 and they still must make their justification and get the appropriation from the Appropriations Committee.

Mr. McGREGOR. If I understand the gentleman correctly, they can spend $250,000 if they deem it necessary.

Mr. PETERSON. Not unless they make a justification before the Appropriations Committee and the Appropriations Committee actually gives them this amount.

Mr. McGREGOR. Mr. Speaker, in all fairness to my distinguished friend from Florida, I realize this means an expenditure of $250,000 of road funds for surveys alone—therefore I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

CITY OF EL PASO, TEX.

The Clerk called the bill (H. R. 967) for the relief of the city of El Paso, Tex.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the city of El Paso, Tex., the sum of $3,293.95. Such sum represents the amount of a judgment (plus interest and costs) rendered against the city of El Paso, in the case of Francisco Mendoza et al. against City of El Paso, Forty-first District Court, El Paso County, No. 53430, for damages on account of the death on June 9, 1943, of Lionides Rodolfo Mendoza, as a result of falling from a temporary walk on the Park Street Bridge over the Franklin Canal. Such canal and the bridges thereover are owned by the United States, and such temporary walk was constructed and was being maintained by the Bureau of Reclamation in connection with repair work which the United States was performing on such bridge, and not by the city of El Paso.

With the following committee amendment:

Page 2, after line 7, change the period to a colon, and add the following: *"Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CITY AND COUNTY OF SAN FRANCISCO

The Clerk called the bill (H. R. 1509) for the relief of the city and county of San Francisco.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the city and county of San Francisco, a municipal corporation, of San Francisco, Calif., the sum of $9,728.81, in full settlement of all claims against the United States for reimbursement of expenses incurred in rebuilding and restoring a power transmission line and loss of power revenue in township 3 south, range 5 east, and township 3 south, range 6 east, San Joaquin County, Calif., south of Tracy and approximately 3 miles from the Navy Vernalis Airfield, which transmission line was demolished by the crashing of a United States Navy plane, type SB 2 C-3, Bureau No. 18772, on August 6, 1944, at 9:21 p. m., while the said plane was engaged in making a flight over the area indicated, and on August 30, 1944, at 1:14 a. m., by the crashing of a United States Navy plane, type TBM-1, Bureau No. 24994, while the said plane was likewise making a fight over the area indicated: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with such claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with such claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COUNTY OF ALLEGHENY, PA.

The Clerk called the bill (H. R. 1959) for the relief of the county of Allegheny, Pa.

Mr. BYRNES of Wisconsin. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

Mr. EBERHARTER. Mr. Speaker, reserving the right to object, may I say that this bill has been unanimously reported by the Committee on the Judiciary. And the only reason this bill did not pass the other body last year is because it did not have the time to consider the matter. I am wondering if the gentleman has any real objection to the bill, because it seems to me there is no objection on the part of the War Department. I have studied the claim very carefully; it seems to be a just claim, and I wonder if the gentleman from Wisconsin will withdraw his request.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

The SPEAKER. This appears to be the last eligible bill on the Consent Calendar today.

PENSIONS FOR VETERANS

Mr. RANKIN. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 2681) to provide pensions for veterans of World War I and World War II based on non-service-connected disability and attained age, and for other purposes.

The SPEAKER. The Chair does not recognize the gentleman for that purpose.

GENERAL ACCOUNTING OFFICE

Mr. WHITTINGTON. Mr. Speaker, I move to suspend the rules and pass the bill (S. 713) to amend Public Law 533 of the Eightieth Congress authorizing the construction of a building for the General Accounting Office on square 518 in the District of Columbia. I may say that this bill is identical with the House bill, H. R. 2626, on which the Speaker agreed to recognize me for a suspension.

The Clerk read the bill, as follows:

Be it enacted, etc., That the provisions of Public Law 533, Eightieth Congress, approved May 18, 1948, limiting the cost of the General Accounting Office Building to $22,850,000 be, and the same are hereby, amended to increase such limit of cost to $25,400,000.

The SPEAKER. Is a second demanded?

Mr. DONDERO. Mr. Speaker, I demand a second.

Mr. WHITTINGTON. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. WHITTINGTON. Mr. Speaker, the bill under consideration increases the authorization for the construction of a building for the General Accounting Office that was authorized by Congress on May 18, 1948, by $2,550,000. The bill passed the Senate unanimously. An identical bill (H. R. 2626) was introduced in the House, considered by the Committee on Public Works, and unanimously reported to the House.

I may say that at the hearings before the House Committee on Public Works it developed that the Federal Works Agency had advertised for bids and that the bids for the building and the escalators and elevators aggregated $22,956,999, the limit of cost as authorized by Congress being $22,850,000, Public Law 533, Eightieth Congress.

General Fleming, Mr. Reynolds, and other representing the Federal Works Agency testified that the bids were quite favorable to the Government, and that it would take an additional $2,550,000 to provide for the construction of the stairways and other necessary items to complete the building. So, in a word, this bill, unanimously reported by the committee, is to increase the existing authorization by $2,550,000. The authorization bill was passed on May 18, 1948. As stated, the limit was $22,850,000. The authorization stipulated that the funds that had been previously appropriated under the deficiency act of October 9, 1940, would be available, and the authorization act, further stipulated that no contract should be made, until appropriations were made or until contract authorizations had been provided therefor.

On June 25, 1948, in the deficiency bill of that date, the Congress authorized contracts to be made, and the authorization further stipulated that the funds that had been appropriated under the Deficiency Act of October 9, 1940, which amounted to approximately $5,041,680 as of May 18, 1946, should be available for the construction of this building. So the fact is that there has been previously appropriated $5,041,860, and contracts authorized to make the total amount $22,850,000.

With the statement of the Federal Works Agency that the bids received are favorable to the Government, this bill is unanimously recommended by the Committee on Public Works.

Before contracts can be let under the bids received, as I have stated, it is necessary for the amount of the authorization to be increased so that the building with stairways and other necessary items may be completed, and so that the bids regarded by the Federal Works Agency desirable by the Government may be promptly accepted. The Federal Works Agency would not have the power to accept the bids unless the authorization is increased so that it may be sufficient to complete the building. Mr. Reynolds, of the Federal Works Agency, stated that if the pending bill passed, the authorization would be sufficient for completing the building without asking the Congress for a further increase in the amount to be expended.

A General Accounting building was authorized with a limit of $9,850,000 in the Deficiency Act of October 9, 1940, in lieu of the remodeling of the Pension Building authorized by the Deficiency Act approved August 12, 1935, with the stipulation that the amount of the appropriation unexpended would be available for constructing the new building. The building was begun and much work on the foundation was done, but work was discontinued on account of World War II, and the inability to obtain materials.

The need for the building has long been recognized but Congress delayed authorizing construction until the costs of both labor and materials became rather stable. After careful hearings in view of the undisputed needs by Public Law 533, Eightieth Congress, the building was authorized within a limit of $22,850,000, of which the unexpended and unobligated appropriations under the Deficiency Act of October 9, 1940, were a part, and they amounted as stated to $5,041,806. The authorizations with a total limit including the said unexpended amount stated that no funds would be appropriated for expenditure during any fiscal year prior to 1950 or until contract authorizations by Congress are provided for. In the Deficiency Act of June 25, 1948, Congress provided for contract obligations, up to the limit of authorization in the sum of $22,850,000 including the unobligated balance of May 18, 1948, amounting to $5,041,806. The Federal Works Agency urges that the pending bill be promptly passed so that the bids that are favorable to the Government may be accepted. The Director of the Bureau of the Budget recommends favorable consideration.

Mr. DONDERO. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, I confirm everything the distinguished gentleman from Mississippi [Mr. WHITTINGTON], the chairman of our committee, has said in regard to this building. The necessity for it was determined in the Eightieth Congress. For the benefit of those who were not here then, permit me to say that the General Accounting Office is housed in 21 different buildings here in Washington, some of them 4 or 5 miles apart. From that you will get some idea of the difficulty under which the General Accounting Office operates. That was the testimony of our former colleague, Hon. Lindsay Warren, the Comptroller General of the United States. The amount which has been stated in this bill, to increase the amount of authorization is exactly as testified to before our committee recently. I confirm everything the gentleman from Mississippi has said, and I hope the bill will pass unanimously.

Mr. McGREGOR. Mr. Speaker, will the gentleman yield?

Mr. DONDERO. I yield to the gentleman from Ohio.

Mr. McGREGOR. I concur in the statements by our distinguished chairman and the ranking minority member. I call to your attention the fact that this is one project for which contracts will be let, and it will not be on a cost-plus basis. Bids have been received. There were a number of bids. The bidder who will get the contract if this authorization goes through was approximately $800,000 under the next bidder, and there was a variation of approximately $5,000,000 between the low bidder and the high bidder. For that reason, I am in complete accord, and hope this legislation will be immediately passed.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A similar House bill (H. R. 2626) was laid on the table.

CLARIFYING OVERTIME COMPENSATION PROVISIONS OF FAIR LABOR STANDARDS ACT

Mr. LESINSKI. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 858) to clarify the overtime compensation provisions of the Fair Labor Standards Act of 1938, as amended, as applied in the stevedoring and building-construction industries and for other purposes, as amended.

The Clerk read as follows:

Be it enacted, etc., That section 7 of the Fair Labor Standards Act of 1938, as amended, is amended by adding at the end thereof a new subsection (e), to read as follows:

"(e) For the purpose of computing overtime compensation payable under this section to an employee employed in the longshore, stevedoring, building and construction industries—

"(1) who is paid for work on Saturdays, Sundays, or holidays, or on the sixth or seventh day of the workweek, at a premium rate not less than one and one-half times the rate established in good faith for like

work performed in nonovertime hours on other days, or

"(2) who, in pursuance of an applicable employment contract or collective-bargaining agreement, is paid for work outside of the hours established in good faith by the contract or agreement as the basic, normal, or regular workday (not exceeding 8 hours) or workweek (not exceeding 40 hours), at a premium rate not less than one and one-half times the rate established in good faith by the contract or agreement for like work performed during such workday or workweek, the extra compensation provided by such premium rate shall not be deemed part of the regular rate at which the employee is employed and may be credited toward any premium compensation due him under this section for overtime work."

The SPEAKER. Is a second demanded?

Mr. McCONNELL. Mr. Speaker, I demand a second.

Mr. MARCANTONIO. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MARCANTONIO. Mr. Speaker, is it not the rule of the House that in order for a Member to demand a second he must qualify by being opposed to the bill?

The SPEAKER. If there is opposition to the bill, a Member who is opposed to it may claim the right to demand a second.

Mr. MARCANTONIO. Mr. Speaker, I am opposed to this bill and I demand a second.

The SPEAKER. Is the gentleman from Pennsylvania [Mr. McCONNELL] opposed to the bill?

Mr. McCONNELL. No; I am not, Mr. Speaker.

The SPEAKER. Without objection a second will be considered as ordered.

There was no objection.

Mr. LESINSKI. Mr. Speaker, I intend to limit my remarks at this time to a brief summary of the provisions of the bill which is before this body for consideration with an explanation of the reasons for reporting it out at this time.

The bill is intended to clarify the overtime compensation provisions of the Fair Labor Standards Act of 1938 as applied to longshore, stevedoring, building, and construction industries.

It should be understood at the outset that this is a special purpose bill and that its effects are definitely limited to the before-mentioned industries, namely, the longshore industry, the stevedoring industry, the building industry, and construction industry.

As you know, the Committee on Education and Labor has been holding hearings on proposed revisions to the Fair Labor Standards Act. As I stated on the floor the other day, it will be impossible to report out this bill for another week or 10 days.

For the information of the Members, I will briefly outline the situation in the longshore and stevedoring industries, which convinced the committee that special action at the earliest possible time is necessary.

For many years prior to the Fair Labor Standards Act of 1938, under collective bargaining agreements in the longshore, stevedoring, building, and construction industries, work at straight time rates has been limited to specified hours of the day and week. Work outside the specified workday or workweek has traditionally been considered overtime and has been paid for at time and a half or more, as compared with the rate payable during the regular workday or workweek established by contract. Work performed on Saturdays, Sundays, holidays, or on the sixth or seventh day of the workweek was likewise ordinarily made compensable at contract overtime rates amounting to time and one-half or more.

Under the decision of the Supreme Court in Bay Ridge Operating Co. against Aaron, and Huron Stevedoring Corp. against Blue, handed down in June 1948, it was settled that certain premium payments made under these special agreements were not true overtime premiums for purposes of the Fair Labor Standards Act, but were payments for work at undesirable hours. Therefore the existing provisions of the Fair Labor Standards Act required that such premium pay be included in computing the regular rate of pay of such employees and that the premium pay could not be credited toward overtime compensation due under the act.

One of the effects of this decision was to make clear that these long-agreed-upon contracts were unworkable under the present provisions of the Fair Labor Standards Act. This became one of the factors involved in a serious labor disturbance on the east coast in the longshore and stevedoring industry. The unions wanted this type of contract and the employers desired to give it to them. However, the employers felt that they could not legally do so because they would not then be meeting the requirements of the Wages and Hours Act.

Last fall serious strikes occurred in the longshore industry. Settlement of these strikes was made more difficult by the inability of the employers to grant the traditional type of contract which I have just explained, without, at the same time, incurring liability under the Wages and Hours Act to pay for work over 40 hours a week at time and one-half, a rate which would include premium pay that was considered overtime pay under the contract. Finally these strikes were settled, partially as a result of assurances by the Secretary of Labor that he would promptly support legislation to validate in principle the traditional form of contract in that industry.

When the Secretary appeared before our committee, he advised us that there was a necessity for prompt consideration of the problems raised by the Bay Ridge decision and urged that if general legislation could not be enacted by the 15th of February, the bill now before this body should be enacted as separate and special legislation.

The committee also heard the testimony of the representatives of labor and the representatives of management, both of whom agreed that the present law as interpreted in the Bay Ridge decision is creating serious difficulty in the maintenance of desirable labor standards in the longshore, stevedoring, building and construction industries, and that an amendment was urgently needed.

Representatives of management, representatives of the employees, and representatives of the administration have all stated that the bill before this body is necessary to meet the situation which I have outlined, and that it should be passed promptly.

As I have said before, this bill is limited to the longshore, stevedoring, building and construction industries because of the urgent need which was demonstrated for the committee for immediate relief in these industries. The whole subject of overtime on overtime as it affects all industries will be given careful consideration by the committee in connection with the omnibus bill.

H. R. 858 provides that the following extra compensation shall not be deemed a part of the regular rate for purposes of the Fair Labor Standards Act, and that such extra compensation may be credited toward overtime payments required by such section:

(a) Premium rates for work on Saturdays, Sundays, or holidays, or on the sixth or seventh day of the workweek where the premium rate is not less than 1½ times the rate established in good faith for like work performed during nonovertime hours on other days; and

(b) Premium rates for work outside of the basic, normal, or regular workday—not exceeding 8 hours—or workweek—not exceeding 40 hours—established in good faith by contract or agreement where the premium rate is not less than 1½ times the rate established in good faith by contract or agreement for like work performed during such workday or workweek.

The intricacies of the problems which this bill is intended to solve are carefully outlined in report No. 121, which accompanies this bill. The language in the report has been given most careful consideration by the committee and sets forth in great detail the understanding of the committee as to the intent and purpose of H. R. 858.

Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania [Mr. McCONNELL].

Mr. McCONNELL. Mr. Speaker, I yield myself such time as I may require.

The enactment of H. R. 858 is necessary to prevent the recurrence of a number of hardships which have arisen under the Fair Labor Standards Act. You will remember that the wage-hour law requires employers to pay "one and one-half times the regular rate for hours of work in excess of 40 a week." But the law does not define "regular rate of pay" as that term applies to payment of overtime. Because of this omission in the Fair Labor Standards Act, the courts have been free to construe the meaning of the terms—and this judicial construction has led to a number of hardship situations which were never contemplated when the act was passed in 1938. These decisions—and particularly the Supreme Court's five-to-three decision in the case of Bay Ridge Operating Co. against Aaron on June 7, 1948—have fallen hard on the stevedoring industry and this bill is especially designed to meet the problem in that industry.

The problem of overtime on overtime arises in the stevedoring industry despite

the most generous union contracts between employers and employees. As an illustration let us take the contract between the International Longshoremen's Association, A. F. of L., and the employers represented by the New York Shipping Association. The conditions of this contract prevail generally in all ports of the Atlantic and Gulf coasts.

Under this contract, longshoremen receive $1.75 an hour for straight time. Now this would ordinarily be regarded as the regular rate of pay. This rate applies to all work performed between the hours of 8 a. m. and 12 noon—and between 1 p. m. and 5 p. m. from Monday through Friday, inclusive. The contract also provides an overtime rate of $2.62½ an hour, which is one and one-half times the straight time rate. The overtime rate is paid for all work performed outside of the hours and the days for which straight time is paid. You will note that this contract specifies an exact 8 hours in each day, and an exact 5 days in each week during which straight time will be paid. It is important to remember this point because it is the crux of the "overtime on overtime" problem. Under the contract, any longshoreman working outside the specified hours—which total exactly 40 per week—will be paid time and one-half. Now it would appear that every employer whose employees were covered by this contract would be in compliance with the overtime provisions of the Fair Labor Standards Act. But the courts have held otherwise, and they have based their decisions on judicial construction of the term "regular rate."

Let us look at a specific example of how the problem of overtime on overtime arises. Suppose that a ship arrives in port Monday morning and is ready to discharge cargo at 8 a. m. A longshoreman works at unloading from 8 a. m. until noon, and from 1 p. m. until 5. During these hours he receives straight-time pay under his work contract. But let us suppose that overtime work is necessary to get the ship unloaded in time, and the longshoreman works from 6 until 10 p. m. Under the union contract, these fast 4 hours must be compensated at the overtime rate because the work is outside of the specified hours for straight-time pay. Now let us suppose that it is necessary for the longshoreman to work the same hours on Tuesday, Wednesday, and Thursday as he did on Monday. Now, the problem is, How much is the longshoreman entitled to for these 4 days of work? There seems to be a difference of opinion about the correct answer to this question.

A layman, using his common sense, would look at the contract between the employers and the longshoremen. He would find that the contract called for straight-time pay of $1.75 an hour for all hours worked between 8 in the morning and noon, and between 1 and 5 in the afternoon. Taking this figure, the layman would compute that the longshoreman, in our example, had worked 8 hours a day of straight time—and he had worked 4 days during the week. That means he has worked 32 hours of straight time. Under his contract, he is entitled to $1.75 an hour, or $56 for his straight-time work. In our example, the longshoreman worked 4 hours a day outside the straight-time hours on each of 4 days. Under the contract, he is entitled to $2.625 cents an hour for each of these 16 hours. Using his common sense, the layman would compute that the longshoreman is entitled to $42 for his overtime work during the week. In other words, under the union contract, he is entitled to $98 for the 4 days work—$56 for straight-time work and $42 for work outside the straight-time hours. Unfortunately, this common-sense computation used by the layman is not applied to the overtime and regular-rate clauses of the Fair Labor Standards Act, and that fact gives rise to the problem of overtime on overtime.

Now let's look at how the Supreme Court has computed the pay of the longshoreman in our example. During the 4 days the longshoreman worked 48 hours, and he received for his labor $98, as provided in the employment contract. The Fair Labor Standards Act requires the employer to pay 1½ times the regular rate for hours of work in excess of 40 a week. The question now arises as to what is the regular rate of pay for the longshoreman in our example. Is it the $1.75 an hour provided in the contract? The Supreme Court has said "No." The Court says that the regular rate of pay is ascertained by dividing the longshoreman's total wages for the week by the number of hours he has worked during the week. The longshoreman in our example received $98 for working 48 hours. The Court calculated that his regular rate of pay per hour is $98 divided by 48 hours, or $2.04 an hour. If this is the regular rate then under the Fair Labor Standards Act, the longshoreman is entitled to one-half of this amount, or $1.02 an hour—as an added premium for each hour worked in excess of 40 in the week. The layman, after reading the work contract and by using simple computations, found that the longshoreman should receive $98 for 48 hours work. The Supreme Court makes a different finding however. The Court has held that the longshoreman is entitled to $98 under the contract, and, in addition, he is entitled to $1.02 an hour under the Fair Labor Standards Act as an additional premium for the hours worked after 40 in the week. In other words, the employer still owes the longshoreman $8.16 for the 48 hours work.

This bill, H. R. 858, seeks to clarify the overtime compensation provisions of section 7 of the Fair Labor Standards Act of 1938 as applied in the longshore, stevedore, building and construction industries. H. R. 858 provides that when an employee is paid for work on Saturdays, Sundays, or holidays, or on the sixth and seventh day of the week at a premium rate not less than 1½ times the rate established in good faith for work performed in nonovertime hours on other days, such extra compensation shall not be deemed part of the regular rate at which the employee is employed, and may be credited toward any premium compensation due him under this section for overtime work.

H. R. 858 also provides that when an employee working in pursuance of an applicable employment contract or collective bargaining agreement is paid for work outside the hours established in good faith by the contract or agreement as the basic, normal, or regular workday, not exceeding 8 hours, or workweek, not exceeding 40 hours, at a premium rate not less than one and one-half times the rate established in good faith by the contract or agreement for like work performed during such workday or workweek; such extra compensation shall not be deemed part of the regular rate at which the employee is employed, and may be credited toward any premium compensation due him under this section for overtime work.

This bill has received very widespread support. Representatives of the Department of Labor, the Army, the stevedoring industry, and various labor unions appeared before your Education and Labor Committee to express approval of H. R. 858.

For example, Louis Waldman, general counsel of the International Longshoremen's Association—A. F. of L.—testified before your committee that—

> The danger to American labor from the Fair Labor Standards Act—

As it is limited by the Bay Ridge decision—

> is real and immediate. The very foundations of free collective bargaining are threatened—

He told us.

> I do not believe Congress will want to see this situation continue unremedied. The American labor movement in sponsoring and in supporting the FLSA in 1938 did not intend to have it supplant free collective bargaining. Surely Congress never contemplated that the law should be developed and construed as to hurt labor—

The American Federation of Labor representative said.

The Bay Ridge case is unique in that it shows management and labor fighting side by side through the courts in a vain effort to sustain their collective-bargaining agreements. The president of the International Longshoremen's Association—A. F. of L.—testified as a witness for the defendant employers. The International Longshoremen's Association filed briefs in the Supreme Court supporting the Government's contention that the overtime claims should be thrown out. The American Federation of Labor likewise submitted a brief in the Supreme Court in which they stated that the Bay Ridge decision strikes at the very foundation of collective bargaining.

The immediate enactment of this bill would clarify the term "regular rate," and thereby enable new contract negotiations to proceed in the stevedoring industry which has been operating under a temporary agreement pending legislative action of Congress, and in the building and construction industry where new contract negotiations are expected to start within the next several weeks.

An equally important part of this entire problem is not covered by H. R. 858. I speak of the desperate need for relief to the employers in the stevedoring industry who are faced by an avalanche of lawsuits arising out of claims for overtime on overtime. The liabilities faced by these concerns far exceed their total

assets and yet these concerns complied to the letter with their collective-bargaining contracts. What has happened is this. Certain individual employees urged on by attorneys primarily interested in large contingent fees, have filed claims for overtime on overtime. They have done this in opposition to the wishes of their labor organizations. To permit these claims to be sustained is to grant a windfall to men who are paid all they ever expected to receive for their work. Furthermore, to permit these claims to succeed is to punish the thousands of loyal members of labor organizations who believed in the integrity of contract and who complied with their union's request not to sue. There is absolutely no merit in the claims.

Your committee was advised during the hearings that four lawsuits have now been filed in the building and construction industry. The committee considered the question of making this legislation retroactive and I may say that a majority of the committee members appeared to favor such a move. However, we ran into a parliamentary problem in that such an amendment would be considered not germane to H. R. 858. Accordingly the committee members never had a real opportunity to express their views on retroactivity. I believe that ultimately Congress will wish to extend the necessary relief to these employers who have acted in good faith and I hope that an opportunity may be found for such action in the consideration of H. R. 858 by the other body.

I think it is also appropriate for me to comment on the spirit of nonpartisan cooperation among the members of the Education and Labor Committee in considering and reporting this bill. Our chairman has given a fair and patient hearing to all witnesses, and he has been most cordial in all respects to the members of the minority. Working together, we have turned out a bill which merits the support of every Member of this House.

Mr. KEATING. Mr. Speaker, will the gentleman yield?

Mr. McCONNELL. I yield.

Mr. KEATING. Do I understand that representatives of the labor organizations as well as of management and of the Labor Department all appeared in support of the legislation?

Mr. McCONNELL. That is correct.

Mr. LYNCH. Mr. Speaker, will the gentleman yield?

Mr. McCONNELL. I yield.

Mr. LYNCH. Do I understand that there is nothing in this bill that is retroactive?

Mr. McCONNELL. That is correct; there is nothing in this bill that is retroactive.

The SPEAKER pro tempore. The time of the gentleman from Pennsylvania has expired.

Mr. MARCANTONIO. Mr. Speaker, I yield myself such time as I may use.

The SPEAKER pro tempore. The gentleman from New York is recognized for 20 minutes.

Mr. MARCANTONIO. Mr. Speaker, it is indeed significant that the very first piece of labor legislation that comes before the Eighty-first Congress, a Congress which was elected as the friend of labor, happens to be a bill which takes thousands and thousands of American workers—longshoremen—from under the protection of the Fair Labor Standards Act. We have here a situation again where propaganda and a repetition of that propaganda is being utilized against the best interests of men who work in what undoubtedly is the most hazardous occupation in this country.

We have heard the term "overtime on overtime" and we have had it repeated here time and time again. If ever there were a misnomer and a distortion of the real situation this is it; we are not dealing with overtime on overtime. We are not dealing with overtime at all.

The average longshoreman is paid under contract a stipulated rate of pay for work between the hours of 8 a. m. and 5 p. m. Then there is an additional rate which is not an overtime at all, but is rather a penalty for time that the longshoreman works after the hour of 5 p. m.

This is not something new. It has existed all the way back to 1872. The reason for this penalty pay is the hazardous conditions under which a longshoreman has to work after dark in either loading or unloading a ship.

There is no light. He is deep down in the hold of the ship. The result has been that the casualties have been enormous and because of the danger of night work there has always been penalty pay. It is this penalty pay which the proponents of this bill and the stevedore and shipping companies are trying to sell the country as overtime pay. It is not.

The Wage and Hour Administration has had this question before it and no one can deny that the Wage and Hour Administrator has warned the companies that this is not overtime pay; that it is a penalty pay and that pursuant to the provisions of the Fair Labor Standards Act legal overtime pay can be computed only on one basis—that is, on the basis of weighting the average of both the regular day and night rates. That is exactly how the Supreme Court has interpreted the Fair Labor Standards Act.

So, now, after the Supreme Court has acted and after the Supreme Court has decided this matter, and stated that the companies have been improperly making huge sums by robbing these men—a condition which was corrected by the Supreme Court decision—these companies come to Congress, the Eighty-first Congress for relief. And, mind you, under a suspension procedure we have this legislation which deals a very serious blow to the pocketbooks of the longshoremen of this country before us.

Mr. ROONEY. Mr. Speaker, will the gentleman yield?

Mr. MARCANTONIO. I yield to the gentleman from New York.

Mr. ROONEY. Is it not a fact that under the provisions of the bill now under consideration the compensation presently being received by longshoremen will be reduced?

Mr. MARCANTONIO. It will definitely be reduced and these longshoremen will be taking a very definite licking from the standpoint of dollars and cents under this bill.

When the gentleman from Pennsylvania spoke of hardships, he was talking of the hardships of the shipping and stevedore companies. This is a bill to relieve these companies from the provisions of the Fair Labor Standards Act insofar as it applies to longshoremen. It is a bill that exempts longshoremen from the provisions of the Fair Labor Standards Act, and, mind you, it is being done in a Congress in which we hear so much talk about extending the Fair Labor Standards Act and revising the minimum-wage provisions upward. That is the talk, but the specific proposition that we have before us is to exempt longshoremen from the act.

Mr. JAVITS. Mr. Speaker, will the gentleman yield?

Mr. MARCANTONIO. I yield to the gentleman from New York.

Mr. JAVITS. I notice that the committee reports that this bill comes before us with the concurrence of the employees. The committee refers specifically to the fact that the employees believe the collective bargaining associations would be complicated by the present situation under the Supreme Court decision. Does the gentleman have any information on that?

Mr. MARCANTONIO. I have an observation to make. I wish I did not have to make it, because I do not want to get into personalities. Yes, this bill has the consent of the king of the longshoremen. Mr. Ryan came here and testified on behalf of this legislation. But is it necessary for me to describe the activities of Mr. Ryan to the gentleman from New York [Mr. JAVITS]? Is it necessary for me to go into detail with respect to Mr. Ryan's approach on these questions that involve the interest of members of his union who can say nothing? Is it necessary to refer further to Mr. Ryan who had himself elected for life as president of the union? I do not think I have to go into that question and I am not going to go into it further. It speaks for itself.

I may say to the gentleman that if he wants to know how the average longshoreman feels about this legislation, let him go down along the waterfront of our city, and I can assure the gentleman without any fear of being contradicted on this proposition that out of every 10 men questioned he will find every 1 of the 10 opposed to this legislation. The rank and file of the longshoremen are opposed to this legislation, despite what King Ryan has said to this committee. The reference to concurrence on the part of the union is a mighty, mighty weak case. It is the weakest case that can be made for this bill.

Mr. JAVITS. I understand that the CIO representatives have also agreed that this legislation should be passed.

Mr. MARCANTONIO. That is not my understanding of it as far as the longshoremen are concerned.

Mr. JAVITS. Perhaps the chairman of the committee can enlighten us on the union's position.

Mr. MARCANTONIO. The gentleman will have to take his own time on that.

Mr. CRAWFORD. Mr. Speaker, will the gentleman yield?

Mr. MARCANTONIO. I yield to the gentleman from Michigan.

Mr. CRAWFORD. The question I wish to ask is to clear in my own mind what is the basis for the overtime. Assuming the rate from 9 to 5 is $1.75 an hour, and the penalty rate after 5 p. m. we will say is $2 an hour, is the overtime proposed by this bill based on the rate during the day or during the so-called penalty time?

Mr. MARCANTONIO. Under this bill it would not be permitted to fix overtime as it is now fixed by law.

In many industries you have a rate for penalty time as well as straight time. In such circumstances the overtime rate is based on the weighted average of both rates. It is the weighted average that fixes the overtime rate. That is the law. This bill now says you cannot do this with respect to longshoremen. Why can you not do this with respect to longshoremen? I will tell you why. You have had lawsuits on this proposition. These lawsuits have been determined in favor of the men. Now we have this bill before us. Of course, they tell us that there is no retroactive feature in the bill. But this bill is going to the Senate, it will be coming back, it will be going through various processes, and sometime, somewhere, somehow, you and I know that that retroactive feature is going to be put in it. In fact, the gentleman from Pennsylvania [Mr. McCONNELL] in his discussion of the bill was very frank and honest with us. He stated that because this bill comes up under suspension he cannot offer the amendment he desires to offer. It was the gentleman's intention, was it not, to offer an amendment in order to make this bill retroactive?

Mr. McCONNELL. It was the hope of quite a few of us in the committee to have an amendment offered that would make the provisions retroactive. We were informed, however, by the Parliamentarian, that it was not germane and would be subject to a point of order.

Mr. MARCANTONIO. Exactly, but if it had not been for the rules of the House it was the intention to make it retroactive?

Mr. McCONNELL. That is right.

Mr. MARCANTONIO. Further, it can be done at any time. It can be done in conference. It can be done in the Senate. Then we will have a bill here saving these companies millions of dollars, which the Supreme Court of this land has said rightly belongs to these men, as the result of a correct—I say correct—interpretation of the Fair Labor Standards Act, by using the weighted average of both rates for determining the overtime pay.

What you want to use here is the penalty pay. But the penalty pay is not overtime pay. That is the gimmick in this thing. That is the little trick in this thing. It is being sold to the country under the misnomer of overtime on overtime, which is just sheer bunk and sheer nonsense. It is a device and a distortion to change the Fair Labor Standards Act for the benefit of these companies.

Mr. CRAWFORD. Mr. Speaker, will the gentleman yield?

Mr. MARCANTONIO. I yield to the gentleman from Michigan.

Mr. CRAWFORD. Since the gentleman has further explained, and on reading this language, I would interpret this as meaning that the so-called penalty rate cannot be used as a base for determining the overtime if this bill becomes law.

Mr. MARCANTONIO. But under the law, I again say to the gentleman, and I hope I am making myself clear, under the Fair Labor Standards Act it is the weighted average of both the regular night rate and the regular day rate which is to determine the overtime rate and nothing else.

Mr. CRAWFORD. What I am trying to find out is, what will the situation be if this bill becomes a law?

Mr. MARCANTONIO. If this bill becomes law, then the penalty rate would be considered the legal overtime rate. There would be no real overtime pay for longshoremen. In other words, the longshoremen would not come under the overtime provisions of the Fair Labor Standards Act.

Mr. CRAWFORD. That is what I wanted to know.

Mr. KEEFE. Mr. Speaker, will the gentleman yield?

Mr. MARCANTONIO. I yield to the gentleman from Wisconsin.

Mr. KEEFE. I am interested on reading the report to find that the Department of Labor itself approves this legislation. Has the gentleman any comment to make upon that?

Mr. MARCANTONIO. All I can say to the gentleman from Wisconsin is that when powerful influences begin to work they know their way around the halls in Washington. They know them better than the rank and file of the longshoremen.

Mr. BREHM. Mr. Speaker, will the gentleman yield to me for a minute?

Mr. MARCANTONIO. I will not yield for a minute, but I will yield for a question.

Mr. BREHM. I should like to have a minute. I cannot explain or make the point I have in mind in less than a minute or by simply asking a question. I do not want to ask a question. I want to help the gentleman clarify the situation.

Mr. MARCANTONIO. The gentleman will have to get his time from the people on the affirmative side of this bill.

Mr. BREHM. The gentleman does not know where I stand on this bill. I have not yet had an opportunity to express my views.

Mr. MARCANTONIO. I will yield to the gentleman if he wants to ask a question, but if the gentleman wants any time, I will definitely say to him that I will not give any time to anybody who is for the bill, because the chairman of the committee is in charge of the time for the proponents. I am in charge of the time for the opponents of the bill.

Mr. CAVALCANTE. Mr. Speaker, will the gentleman yield so that I may ask a question of the gentleman from Pennsylvania?

Mr. MARCANTONIO. I yield to the gentleman from Pennsylvania.

Mr. CAVALCANTE. Will the gentleman from Pennsylvania state whether it is true that if this bill is passed the longshoremen will receive less pay for their hazardous work than they are receiving now?

Mr. McCONNELL. I can only say this in answer to the gentleman. There is a difference of opinion on that question. Some of the labor men before us, as well as the employers, stated that in some cases it would penalize them, and in other cases it would be in their favor. It would be difficult to make a general blanket statement in that respect.

Mr. MARCANTONIO. May I interrupt the gentleman right there to say this to the gentleman from Pennsylvania. What is the situation? The situation is that the Supreme Court has ruled that the weighted average is to be used in establishing the overtime rate. The regular night penalty pay is no overtime pay. Therefore, it is common sense that if this bill is passed the longshoremen will receive less than what the Supreme Court has determined they should receive under the interpretation the Supreme Court has made of the Fair Labor Standards Act.

Mr. McCONNELL. Mr. Speaker, will the gentleman yield?

Mr. MARCANTONIO. I yield to the gentleman from Pennsylvania.

Mr. McCONNELL. I think the stevedores made a very significant statement when they appeared before our committee and said that they tried to work out a new contract on the basis of the decision of the Supreme Court, and the employees did not want it that way. They wanted their old contract provisions continued.

Mr. MARCANTONIO. Except that these employees have gone to court to obtain these moneys which were withheld from them, and the court has held that they were withheld from them wrongfully.

Mr. McCONNELL. Only a certain small percentage of the employees have filed any claims. With no retroactive features in this bill, you are in effect giving a windfall to certain groups who have not been loyal union members, and who have not gone along with their leaders.

Mr. MARCANTONIO. The gentleman now is dragging in something which is not relevant at all, but the gentleman's statement, again, is very, very significant. It is obvious that the gentleman aims at what? He is aiming at making this bill retroactive. I do not think there is any doubt in any Member's mind as to the gentleman's contention.

I do not believe I am misstating the gentleman's intention when I state that.

Mr. McCONNELL. Mr. Speaker, will the gentleman yield?

Mr. MARCANTONIO. I yield.

Mr. McCONNELL. The effect of your position would be to penalize thousands and thousands of loyal union members.

Mr. MARCANTONIO. We are not penalizing anybody. In fact we are protecting them. As I said to you before the rank and file, or the average longshoreman will tell you that since 1872 the pay for nighttime work is not overtime pay, but penalty pay, because of the hazardous conditions of the work. That is the history of the longshore industry. To deprive the longshoremen of their overtime as this bill does, is penalizing the

longshoremen for the benefit of the companies.

The gentleman cannot deny it. The committee cannot deny it. It is a fact.

Mr. ROONEY. Mr. Speaker, will the gentleman yield?

Mr. MARCANTONIO. I yield.

Mr. ROONEY. Can the gentleman imagine any reason why longshoremen would be penalized as suggested by the gentleman from Pennsylvania if this bill were to be defeated.

Mr. MARCANTONIO. If this bill were to be defeated, they would get the benefit of a Supreme Court decision which upholds their contention that the rate for nighttime work is the regular rate for this work and that it is not overtime pay. They would get the benefit of a decision which states that longshoremen are not to be treated any differently from anybody else and that they should be treated in accordance with the provisions of the Fair Labor Standards Act which provides that the weighted average of both rates is to be used as the determinant of the overtime rate.

Mr LYNCH. Mr. Speaker, will the gentleman yield?

Mr. MARCANTONIO. I yield.

Mr. LYNCH. And this benefit was so interpreted by the Supreme Court?

Mr. MARCANTONIO. Definitely. It has been interpreted by the Supreme Court and that is why you have this legislation here. This legislation, as it is now, first, takes the longshoremen from under the protection of the Fair Labor Standards Act with respect to overtime; and, second, when this bill comes back either from the other body or our of conference, you gentlemen have heard of the desire to put retroactive features in the bill. So that if you pass this bill, you will be first taking the longshoremen out from the protection of the Fair Labor Standards Act and you will also be starting the vehicle which is intended to circumvent the decision of the Supreme Court and deprive these thousands and thousands of men of their just claims, claims which the Supreme Court has adjudicated to be just and in accordance with the provisions of the Fair Labor Standards Act.

Mr. ROONEY. Mr. Speaker, will the gentleman yield to me so that I may propound a question to the chairman of the committee, the gentleman from Michigan?

Mr. MARCANTONIO. Yes.

Mr. ROONEY. I want to ask, may I suggest to the gentleman, that the chairman state whether or not it is the intention of the majority members of the committee to insert retroactive provisions, should this bill pass, and go into conference?

Mr. MARCANTONIO. The gentleman knows that that cannot be within the control of any individual. We have heard the position of the ranking minority member of the committee on this. Why take a chance?

Mr. ROONEY. Understand, I am going to vote against this bill.

Mr. MARCANTONIO. I understand, but I am simply stating my position.

Mr. ROONEY. I am suggesting that a record be made as to the position of the majority members of the committee.

The SPEAKER pro tempore (Mr. WHITTINGTON). The time of the gentleman from New York [Mr. MARCANTONIO] has expired.

(Mr. MARCANTONIO asked and was given permission to revise and extend his remarks and insert excerpts from various briefs prepared on this question.)

Mr. LESINSKI. Mr. Speaker, I yield such time as he may acquire to the gentleman from Massachusetts [Mr. GOODWIN].

Mr. GOODWIN. Mr. Speaker, following the decision of the United States Circuit Court of Appeals in the cases of Bay Ridge Operating Co. and Huron Stevedoring Corp., I filed a bill in the Eightieth Congress which became known as the overtime-on-overtime bill. The filing of this bill was prompted by the obvious necessity for the Congress to clarify the situation by legislation which would have the effect of a definition of regular rate of pay in the Fair Labor Standards Act of 1938, to take care of a condition of uncertainty and confusion which had risen among both management and labor, particularly in the stevedoring industry. The subsequent decision of the Supreme Court augmented the need for corrective legislation.

The bill aroused great interest all over the country and was apparently unanimously approved by industry and management and also had the approval of those segments of labor most closely allied with the longshore and stevedoring industries. Through a combination of circumstances the bill never reached the floor of the House for debate. If it had, I am satisfied that it would have passed the Congress by an overwhelming vote.

We now have under consideration H. R. 858 and while it falls far short of the objectives sought in my original bill on overtime-on-overtime I am glad to support it and hope it will pass. I wish it were not confined to the longshore, stevedoring, and building and construction industries. Of course coverage may yet be extended. I understand that the Committee on Education and Labor may later report a main bill which will cover all industries. Of course there is the possibility that H. R. 858 may be amended by the other branch or changed in conference so that the benefit of this legislation may be extended to other industries. I certainly feel that this benefit should be extended at least to every industry where clock-pattern overtime exists.

I wish also that H. R. 858 could have gone as far as the original overtime-on-overtime bill went and contained the feature of retroactivity. It is difficult to see how there could be any logical objection to this procedure because if the principle of H. R. 858 is sound for the future then it ought to be applied to pending litigation. Here again, as in the case of the desirability for extending the benefit of the legislation to other industries, we may hope that the law may be made retroactive by subsequent change. The need for extending the principle of the bill to pending suits is no less urgent in respect to overtime-on-overtime than it was in the case of portal-to-portal pay.

And so even though this bill does not go as far as I feel it should, I still favor and urge its passage. I believe it will result in helping remove a serious threat of burdening and obstructing the commerce of the country by minimizing disputes between labor and management, and will go far toward maintaining the integrity of the principle of collective bargaining.

Mr. LESINSKI. Mr. Speaker, I yield 4 minutes to the gentleman from Texas [Mr. LUCAS].

Mr. LUCAS. Mr. Speaker, of all the remarks that I have ever heard the gentleman from New York [Mr. MARCANTONIO] make on the floor of the House, I have never heard him make so many erroneous statements as he has just made here now.

In the first place, let me say to the gentleman that this bill does not remove longshoremen from the benefits of the Fair Labor Standards Act. It defines their rights thereunder.

Second, let me say to the gentleman that it does not reduce the amount of pay which they will receive from their employers upon the passage of this bill. Upon the passage of this bill they will receive more pay. I will tell you why. First, they have to work under a strict 40-hour week because under the Bay Ridge decision employers cannot run the risk of working them longer than the contract the Government provided for under the Fair Labor Standards Act, because they would be subject to penalty and liquidated damages. The employers are willing to work the employees 48 hours a week. The employees want to work 48 hours a week. They want to enter into a contract to permit them to get time and a half overtime over 40 hours. But the employer and the employees cannot agree to that because of this decision of the Supreme Court. Therefore, the employees can work longer hours than 40 if we pass this law. Therefore their compensation will be greater for a week's work.

Mr. LYNCH. Mr. Speaker, will the gentleman yield?

Mr. LUCAS. I yield.

Mr. LYNCH. The gentleman stated that this legislation defines the rights of longshoremen. May I ask this question of him? Does this legislation in any wise affect any rights or benefits that have already accrued to the employee as interpreted by the Supreme Court?

Mr. LUCAS. No, we have no power in our committee to bring out a retroactive feature. However, I intend to address myself to that subject presently.

Mr. Speaker, since retroactivity has been brought up here, I think the Members of the House ought to have the benefit of the evidenec which was brought before our committee on this subject. It is necessary that the House take some action upon retroactivity. I hope we are permitted to do so later on. The evidence before our committee by the Maritime Commission showed us that there was a likelihood of as much as $375,000,000 worth of claims being brought against the United States Government as a result of our guaranty on these contracts during the war.

The people of the United States are going to lose $375,000,000—or even

more—unless the Congress acts upon retroactivity. It means that a great many employers are going to be put out of business. One witness appeared before the committee from the west coast who said his company was worth $125,000; that he had worked all his life to build it up, but that at the present time suits had been brought against his company amounting to more than a million dollars as a result of this Bay Ridge decision, not as a result of any contract. It is outside the contract. The employees were working under a contract under which the employers were satisfied, and the employees were satisfied. We may assume that or they would not have worked under it. After this decision by the Supreme Court they found they had additional rights, a windfall, which might come to them; and they have brought these suits. The CIO headquarters, the A. F. of L., the International Longshoremen's Union, all favor the passage of this bill.

Mr. ROONEY. Mr. Speaker, will the gentlemen yield?

Mr. LUCAS. I yield.

Mr. ROONEY. The gentleman from Texas answered the gentleman from New York [Mr. LYNCH] a while ago. In connection with that answer I wish to ask if it is not a fact that if this bill becomes law the amount of award made by the Supreme Court will be taken away from the longshoremen? In other words, they have that additional advantage under the Supreme Court decision; is not that true?

Mr. LUCAS. From now on; yes.

Mr. ROONEY. That is all I wanted to know.

Mr. LUCAS. But not retroactively from the date of the passage of this bill.

The SPEAKER pro tempore. The time of the gentleman from Texas has expired.

Mr. LESINSKI. Mr. Speaker, I yield the gentleman one additional minute.

Mr. COLMER. Mr. Speaker, will the gentleman yield?

Mr. LUCAS. I yield.

Mr. COLMER. I merely wanted to clarify the matter raised by the question of the gentleman from New York. The gentleman says it would take away certain rights; that is a question of construction, is it not, a construction of what are rights?

Mr. LUCAS. Yet; these are statutory rights granted under the original act of 1938, and the Congress has the power to take them away if it desires. But it is not taking away past rights granted; it is depriving them of exercising those rights in the future.

I should like to add one or two words of explanation to what the chairman has said with regard to this bill, particularly on the subject of retroactivity. The evidence before the House Education and Labor Committee showed that there are a large number of lawsuits involving substantial amounts against businessmen in the stevedoring and related industries, many of them with very small or limited capital. It also showed that suits are now beginning to be filed in other industries, despite the fact that the International Longshoremen's Union, A. F. of L., and CIO, have advised their members not to bring suits for overtime-on-overtime recoveries allowable under the Supreme Court decision. These claims are based on technicalities without any real merit. Collection of such claims would be grossly inequitable as well as ruinous to all industry, particularly the stevedoring industry. For all these reasons the testimony before the committee showed conclusively that retroactive relief along the lines of the Portal-to-Portal Act was fully justified. I believe that a majority of the members of the committee hold the same opinion on this point. However, the committee was unable to act upon the suggestion for adding a provision outlawing such claims because the committee was advised by the Parliamentarian that such provision would not be germane since the bill as originally introduced did not cover the aspect of retroactivity. It is because of this technicality that the committee failed to act on this matter. It was not because of any feeling on the part of the committee that the claims were justified, and their failure to act should in no way be construed as opposition by the committee to protection of industry against such retroactive claims.

In view of the serious threat which these lawsuits hold to the welfare of this important industry, I hope that when the bill is considered on the other side a provision providing equitable relief in this threatening situation will be added.

Mr. LESINSKI. Mr. Speaker, I yield 1 minute to the gentleman from Ohio [Mr. BREHM].

Mr. BREHM. Mr. Speaker, I cannot say much in the time allotted, but I would like to give this illustration: Some speakers are calling this penalty time; it is premium time. No one is being penalized, they are receiving a premium for Saturday, Sunday, and holiday work. Say, for instance, a longshoreman works Wednesday, Thursday, Friday, Saturday, and Sunday. He gets regular pay for Wednesday, Thursday, and Friday, but he gets premium pay for Saturday and Sunday, and it just so happens that this premium pay is the same per hour as the overtime rate of pay. Now, suppose he continues working the following Monday, Tuesday, and Wednesday. Certain elements within the union have said that having worked Monday, Tuesday, and Wednesday, they were working over 40 hours a week and they therefore should have time and a half for Monday, Tuesday, and Wednesday, since they were working consecutively more than 40 hours in one stretch.

Mr. Green, president of the A. F. of L., and certain members of the Longshoremen's Union, including their president, have said that it never was intended nor contemplated that this was to be counted as overtime work, that their contract did not so specify and both officers so advised their membership. Nevertheless, a few members of the union have filed suit to collect what they claim are back wages on this type of work. The Supreme Court has ruled that they are entitled to this overtime pay, since it represents work done in excess of 40 hours in any one week. That Mr. Speaker constitutes the only argument there is here between the committee report and what the gentleman from New York is talking about.

This is purely a moral question in the opinion of your committee. If a contract had been arrived at in good faith and all parties to the contract were satisfied and understood it to mean one and the same thing; and then at a much later date someone, anyone, with time on his hands, should discover what he believes to be an oversight in the contract, is this someone justified in filing suit on a percentage basis in behalf of a few members covered by the contract? I am not attempting to answer that question here, nor does this legislation have any bearing on suits already filed. I doubt if we could exercise retroactive jurisdiction over the courts even though we were so minded. The sole purpose in fact the only intent so far as my own position on this particular bill is concerned, is to prevent similar suits being filed in certain industries named in H. R. 858.

The SPEAKER pro tempore. The time of the gentleman from Ohio has expired.

Mr. LESINSKI. Mr. Speaker, I yield the balance of my time to the gentleman from North Carolina [Mr. BARDEN].

The SPEAKER pro tempore. The gentleman from North Carolina is recognized for 4½ minutes.

Mr. BARDEN. Mr. Speaker, I attended the hearings on this bill. I am perfectly frank to say to you that I did not hear one single reason that I regarded as a moral reason for opposing this bill. It was plainly stated to the committee that this bill would enable the longshoremen and the men who had been working under contracts affected by the recent decision of the United States Supreme Court to keep faith with their employers, and would enable the employers to keep faith with them. I recall that at the end of the statement of one witness I made the remark that I just had faith enough in the House to believe that the House would keep faith with both parties.

We have enough trouble in this country where there are differences, and just differences, between employers and employees; but here is a situation in which you are not taking one penny away from the employees who never have regarded it as being a debt due; it is simply on a technicality that someone discovered that they could take something which apparently no one considered is due. This cannot be denied. In addition, we are correcting a situation which will cost the United States public anywhere from a quarter of a billion dollars on up; the War Department told us they did not know how high it would go, they had no way at this time of figuring that.

To me the position of the longshoremen is that they do not wish to change their type of contract and they are not going to change their type of contract. What kind of position would that leave us in? It would leave us in the position of saying to the employer, "You must have so and so in your contract," with the employees saying to us, "We are not going to accept it; we are not going to change our tried and experienced type of contract." Thus we would simply be adding fuel to the fire of labor-management difficulties.

I did not dream there would be any opposition to this bill. I, of course, knew

it was the sentiment of the committee that a retroactive clause should be put into the bill; but when it developed that it would be subject to a point of order on the ground of germaneness, that matter was passed over. But in the hearings before the committee, and they were very complete to my way of thinking, I could not see any just opposition to bring about the very thing that both the employers and the employees were calling for.

Now I will admit there was a group came down from New York and presented their side of the picture, but I confess they certainly did not impress me, and I am inclined to think they did not impress other members of the committee very much, because this lawyer admitted that he had already garnered up some several million dollars, two or three million dollars, of these claims and by some kind of a contract on a percentage basis he naturally was opposed to it. He was the one who testified.

Mr. BROOKS. Mr. Speaker, will the gentleman yield?

Mr. BARDEN. I yield to the gentleman from Louisiana.

Mr. BROOKS. I have an inquiry as to why some provision covering all industry should not have been included in the bill. Would the gentleman care to comment on that?

Mr. BARDEN. I may say to the gentleman that if this bill had been brought out in some other manner than under suspension of the rules I am satisfied that provision would have been included, but this is a rush job to take care of a situation that is before us right at this time. There is no reason in the world why it should not include all contracts and eventually I am satisfied the House will include all contracts.

Mr. BREHM. Mr. Speaker, will the gentleman yield?

Mr. BARDEN. I yield to the gentleman from Ohio.

Mr. BREHM. If you include all industry you might interfere with contracts already set up. We left that out until the committee had a chance to study the matter further.

Mr. KENNEDY. Mr. Speaker, will the gentleman yield?

Mr. BARDEN. I yield to the gentleman from Massachusetts.

Mr. KENNEDY. I want to point out that it will be considered in a regular bill. I refer to the matter to which the gentleman from Louisiana [Mr. BROOKS] referred. Additional industry will be covered when we bring out the regular minimum-wage bill.

Mr. BARDEN. That is true. As I understand it, there is no real controversy in the committee about the justice, the merit, and the fairness of the type of legislation we are now considering.

The SPEAKER. All time has expired.

CALL OF THE HOUSE

Mr. PICKETT. Mr. Speaker, I make the point of order a quorum is not present.

The SPEAKER. The Chair will count. [After counting.] One hundred eighty-seven Members are present, not a quorum.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 19]

Abernethy	Delaney	Macy
Addonizio	Dingell	Merrow
Allen, Ill.	Dollinger	O'Brien, Mich.
Allen, La.	Donohue	O'Hara, Ill.
Andersen, H. Carl	Doughton	Patterson
	Douglas	Pfeifer, Joseph L.
Andresen, August H.	Ellsworth	Philbin
	Engel, Mich.	Phillips, Tenn.
Bailey	Fernandez	Powell
Barrett, Pa.	Forand	Quinn
Bates, Ky.	Fulton	Riehlman
Bennett, Fla.	Furcolo	Rodino
Bennett, Mich.	Gamble	Sabath
Bentsen	Gathings	Scott, Hardie
Biemiller	Gore	Scott, Hugh D., Jr.
Bishop	Hand	
Bolton, Ohio	Harris	Secrest
Bryson	Hart	Sheppard
Buckley, N. Y.	Hébert	Smathers
Bulwinkle	Heffernan	Smith, Ohio
Burnside	Hoffman, Mich.	Somers
Canfield	Jacobs	Steed
Carnahan	Jonas	Tauriello
Celler	Jones, Mo.	Taylor
Chatham	Judd	Thomas, N. J.
Christopher	Kearney	Towe
Clemente	Kee	Velde
Coffey	Keogh	Vorys
Cole, N. Y.	Klein	Welchel
Corbett	Lane	Wickersham
Cotton	Lanham	Wolverton
Coudert	Latham	Woodhouse
Cunningham	LeFevre	Zablocki
Davies, N. Y.	Lichtenwalter	
Davis, Tenn.	Linehan	
DeGraffenried	McKinnon	

The SPEAKER. On this roll call 332 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

CLARIFYING OVERTIME COMPENSATION PROVISIONS OF FAIR LABOR STANDARDS ACT

Mr. WOOD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WOOD. Under this procedure under suspension is it in order to submit an amendment to make the provisions of this act applicable to all industries rather than to those mentioned in the bill?

The SPEAKER. No amendments are in order under a suspension of the rules.

The question is, Will the House suspend the rules and pass the bill H. R. 858 as amended?

The question was taken; and on a division (demanded by Mr. MARCANTONIO) there were—ayes 230, noes 7.

The SPEAKER. So (two-thirds having voted in favor thereof) the bill is passed.

For what purpose does the gentleman from California rise?

Mr. ANDERSON of California. The gentleman has been trying to request the yeas and nays on this bill and I am sorry I was not recognized at the time.

The SPEAKER. The gentleman is recognized now and, if he so desires, the Chair will withdraw his statement that the bill is passed.

Mr. ANDERSON of California. The gentleman was on his feet requesting the yeas and nays.

The yeas and nays were refused.

The bill was passed.

The title was amended to read as follows: "A bill to clarify the overtime compensation provisions of the Fair Labor Standards Act of 1938, as amended, as applied in the longshore, stevedoring, building and construction industries."

A motion to reconsider was laid on the table.

The SPEAKER. Without objection, House Resolution 111 will be laid on the table.

There was no objection.

GENERAL LEAVE TO EXTEND REMARKS

Mr. LESINSKI. Mr. Speaker, I ask unanimous consent that all Members may have five legislative days in which to extend their remarks in the RECORD on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

SPECIAL ORDER GRANTED

Mr. HINSHAW. Mr. Speaker, I ask unanimous consent that on Thursday next, at the conclusion of the legislative program of the day and following any special orders heretofore entered, I may be permitted to address the House for 45 minutes.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

COMMITTEE ON EDUCATION AND LABOR

Mr. MADDEN. Mr. Speaker, by direction of the Rules Committee I call up House Resolution 75 and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That the Committee on Education and Labor, acting as a whole or by subcommittee, is authorized and directed to conduct thorough studies and investigations relating to matters coming within the jurisdiction of such committee under rule XI (1) (g) of the Rules of the House of Representatives, and for such purposes the said committee or any subcommittee thereof is hereby authorized to sit and act during the present Congress at such times and places within the United States, whether the House is in session, has recessed, or has adjourned, to hold such hearings, and to require by subpena or otherwise the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, and documents, as it deems necessary. Subpenas may be issued over the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member. The chairman of the committee or any member thereof may administer oaths to witnesses.

That the said committee shall report to the House of Representatives during the present Congress the results of their studies and investigations with such recommendations for legislation or otherwise as the committee deems desirable.

Mr. MADDEN. Mr. Speaker, this resolution is identical with the resolution passed by the House last Thursday giving the Committee on Public Lands authority to make studies and investigations. The gentleman from Michigan [Mr. LESINSKI], chairman of the Labor Committee, asked the Rules Committee for a rule and it was adopted unanimously, giving the Committee on Labor au-

thority to make studies and investigations not only in Washington but throughout the country.

There is no opposition from any member of the Rules Committee to this resolution, but the gentleman from New York [Mr. MARCANTONIO] has requested 5 minutes, which I now yield.

Mr. MARCANTONIO. Mr. Speaker, I cannot refrain from making a comment which I think is relevant to the resolution before us on what occurred a moment ago on the bill that came from the Committee on Labor which excludes longshoremen from the Fair Labor Standards Act. A point of no quorum was strategically made, and it was made for the sole purpose of making it impossible to obtain an automatic roll call.

I just wonder why Democrats do not want to go on record on a labor proposition after they have beaten their breasts in the last campaign telling organized labor how much they are going to fight for it on the floor of this House. Yet we could not even get a record vote. A skillful, strategically skillful, point of no quorum was made at the right time to prevent an automatic roll call and to prevent a record vote.

With regard to the pending resolution, it is nothing new. We had this same resolution in 1947 at the very beginning of the Eightieth Congress that you gentlemen of the Democratic Party so vociferously condemned and which I condemned too. The difference between you and me is that I do not want to repeat what that Congress did, but you are repeating what the Eightieth Congress did and you are repeating it with this particular resolution.

Mr. Speaker, this resolution gives the power of subpena to the Committee on Labor. Do not tell me you need the power of subpena for a study. The power to subpena is the power to destroy.

Why does the Committee on Labor need the power to subpena? We must examine the resolution in the light of the experience of the last 2 years. The Committee on Labor during the last 2 years used this power of subpena to do what? We have seen one-man committees making reports condemning labor organizations throughout the length and breadth of this land. We have seen leaders of labor unions yanked down here to Washington under subpena in the middle of a strike for the purpose of crippling that strike, for the purpose of crippling the legitimate activities of a union.

Oh, you are going to say there is a change in personnel. I do not think that change means much in the light of the fact that this Labor Committee had passed here today a bill taking the longshoremen out from under the protection of the Fair Labor Standards Act.

The issue is fundamental. The issue is that of arming a committee of this House to investigate organized labor and to give that committee the power to subpena. I opposed that in 1947. In the campaign of 1948 I condemned the Eightieth Congress for doing that. I am going to continue to oppose it and stand by what I said to organized labor in the campaign of 1948. The question that now remains is whether or not you are going to stand by your statements that you made to the working people in the campaign of 1948.

This is another test. Let somebody now make another point of no quorum so as to prevent an automatic roll call or record vote. Otherwise, I say, let us go on record, and let us be judged by our actions here. Subsequent events will force leaders of labor to regret having offered little or no opposition to this resolution.

Mr. MADDEN. Mr. Speaker, I yield myself 6 minutes.

Mr. Speaker, this legislation is identical—merely a repetition of the resolution that was passed in the Eightieth Congress. I was a member of the Committee on Education and Labor in the Eightieth Congress, and I admit and believe that the so-called investigations during the Eightieth Congress by this committee were entirely too numerous. Nevertheless, rightfully used, I believe the Committee on Education and Labor can contribute a great deal toward settling and clarifying labor-management disputes by the Congress' extending to that committee the power given it under this resolution.

I have a short excerpt from one of the special hearings that was held in Chicago, Ill., on December 22, 1947, by a special labor committee in the last session, Mr. Kersten, a former member of the committee, was sent to Chicago to hold hearings on the printers' strike. I believe that one witness who testified before those hearings has contributed a great deal for this Congress to consider in connection with the repeal of the Taft-Hartley Act. This was the testimony of Mr. John O'Keefe, secretary of the Chicago Newspaper Publishers' Association, who went through almost 18 months of a devastating printers' strike in Chicago. Thousands of members of the International Typographical Union, 97-year-old union, have been out of work for a year and a half and are still out of work, caused by the provisions of the Taft-Hartley Act. Mr. O'Keefe, representing the publishing employers, gave the following testimony under questioning by Congressman Kersten:

Congressman KERSTEN. Up until now and for a great many years past you had a closed-shop agreement, didn't you?

Mr. O'KEEFE. Yes; we did.

Mr. KERSTEN. How did that feature work out in your previous contracts so far as your closed-shop provision of the contract was concerned?

Mr. O'KEEFE. We never even discussed it. It had been there for years and it has remained there.

Mr. KERSTEN. Did you have any real difficulty with it so far as your union—the ITU—is concerned?

Mr. O'KEEFE. We did not. * * * As a matter of fact, most of the Chicago publishers, or all of the Chicago publishers, I would say, would prefer to continue a closed shop if it were legal.

There was one little piece of testimony that came out by reason of these special hearings that will be very valuable for this Congress to consider in connection with the repeal of the Taft-Hartley Act.

Mr. KELLEY. Mr. Speaker, will the gentleman yield?

Mr. MADDEN. I yield to the gentleman from Pennsylvania.

Mr. KELLEY. I was interested in the remarks of the gentleman from New York [Mr. MARCANTONIO] in which he intimated that the subpena power granted to the Committee on Education and Labor might be used to persecute labor. I believe the gentleman standing before the microphone [Mr. MADDEN] was a member of the Committee on Labor of the Seventy-ninth Congress, when a subcommittee was set up to determine the cause of labor disputes. I had the honor of being chairman of that committee. We had no subpena power. We invited the National Association of Manufacturers and the United States Chamber of Commerce to send representatives before the committee to testify, and they refused. They refused by saying, "You have enough testimony before your committee that has been accumulated over the years, and you do not need us to testify any more." If we had had the subpena power, they could not have refused.

Mr. MADDEN. I thank the gentleman from Pennsylvania.

The chairman of the Committee on Education and Labor in appearing before the Committee on Rules stated that he did not intend to use the power given him under this resolution as it was used in the Eightieth Congress, that the hearings would be very limited, and that the expense involved would be about one-tenth of what it cost during the Eightieth Congress.

Mr. Speaker, I now yield 30 minutes to the gentleman from New York [Mr. WADSWORTH].

Mr. WADSWORTH. Mr. Speaker, I have yet received no requests for time on this side of the table and desire none for myself.

Mr. MADDEN. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. MARCANTONIO. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. The Chair will count. [After counting.] Two hundred and nine Members are present, not a quorum.

The Doorkeeper will close the doors; the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 331, nays 4, not voting 98, as follows:

[Roll No. 20]

YEAS—331

Abernethy	Bishop	Buchanan
Albert	Blackney	Buckley, Ill.
Allen, Calif.	Bland	Burdick
Andersen, H. Carl	Blatnik	Burke
	Bloom	Burleson
Anderson, Calif.	Boggs, Del.	Burnside
Andrews	Boggs, La.	Burton
Angell	Bolling	Byrne, N. Y.
Arends	Bolton, Md.	Byrnes, Wis.
Aspinall	Bonner	Camp
Auchincloss	Bosone	Cannon
Barden	Boykin	Carlyle
Baring	Bramblett	Carroll
Barrett, Wyo.	Breen	Case, N. J.
Bates, Mass.	Brehm	Case, S. Dak.
Battle	Brooks	Cavalcante
Beall	Brown, Ga.	Chatham
Beckworth	Brown, Ohio	Chelf

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FEDERAL WORKS AGENCY

Chesney	Jackson, Wash.	Pickett
Chiperfield	James	Plumley
Chudoff	Javits	Poage
Church	Jenison	Polk
Clevenger	Jenkins	Potter
Cole, Kans.	Jennings	Poulson
Colmer	Jensen	Preston
Combs	Johnson	Price
Cooley	Jones, Ala.	Priest
Cooper	Jones, N. C.	Rabaut
Crawford	Karsten	Rains
Crook	Kean	Ramsay
Crosser	Kearns	Rankin
Curtis	Keating	Redden
Dague	Kee	Reed, Ill.
Davenport	Keefe	Reed, N. Y.
Davis, Wis.	Kelley	Rees
Dawson	Kennedy	Rhodes
Deane	Kerr	Ribicoff
Denton	Kilburn	Rich
D'Ewart	Kilday	Richards
Dolliver	King	Rivers
Dondero	Kirwan	Rogers, Fla.
Doughton	Kruse	Rogers, Mass.
Doyle	Kunkel	Rooney
Eaton	Larcade	Sabath
Eberharter	LeCompte	Sadlak
Elliott	Lemke	Sadowski
Elston	Lesinski	St. George
Engle, Calif.	Lind	Sanborn
Evins	Lodge	Sasscer
Fallon	Lovre	Scrivner
Feighan	Lucas	Scudder
Fellows	Lyle	Shafer
Fenton	Lynch	Sheppard
Fernandez	McCarthy	Short
Fisher	McConnell	Sikes
Flood	McCormack	Simpson, Ill.
Fogarty	McCulloch	Simpson, Pa.
Ford	McDonough	Sims
Frazier	McGrath	Smathers
Fugate	McGregor	Smith, Kans.
Garmatz	McGuire	Smith, Va.
Gary	McKinnon	Smith, Wis.
Gathings	McMillan, S. C.	Spence
Gavin	McMillen, Ill.	Staggers
Gillette	McSweeney	Stanley
Gilmer	Mack, Ill.	Stefan
Golden	Mack, Wash.	Stigler
Goodwin	Madden	Stockman
Gordon	Magee	Sullivan
Gorski, Ill.	Mahon	Sutton
Gorski, N. Y.	Mansfield	Taber
Gossett	Marsalis	Tackett
Graham	Marshall	Talle
Granahan	Martin, Iowa	Teague
Granger	Martin, Mass.	Thomas, Tex.
Grant	Mason	Thompson
Green	Meyer	Thornberry
Gregory	Michener	Tollefson
Gross	Miller, Calif.	Trimble
Gwinn	Miller, Md.	Underwood
Hale	Miller, Nebr.	Van Zandt
Hall, Edwin Arthur	Mills	Vursell
	Mitchell	Wadsworth
Hall, Leonard W.	Monroney	Wagner
	Morgan	Walsh
Halleck	Morris	Walter
Harden	Morrison	Welch, Calif.
Hardy	Morton	Welch, Mo.
Hare	Moulder	Werdel
Harris	Multer	Wheeler
Harrison	Murdock	Whitaker
Harvey	Murray, Tenn.	White, Calif.
Havenner	Murray, Wis.	White, Idaho
Hays, Ark.	Nelson	Whitten
Hays, Ohio	Nicholson	Whittington
Hébert	Nixon	Wier
Hedrick	Noland	Wigglesworth
Herlong	Norblad	Williams
Herter	Norrell	Willis
Heselton	Norton	Wilson, Ind.
Hill	O'Brien, Ill.	Wilson, Okla.
Hinshaw	O'Hara, Minn.	Wilson, Tex.
Hoeven	O'Neill	Winstead
Hoffman, Ill.	O'Sullivan	Withrow
Holifield	O'Toole	Wolcott
Holmes	Passman	Woodruff
Hope	Patman	Worley
Horan	Patten	Yates
Howell	Perkins	Young
Huber	Peterson	
Hull	Pfeiffer, William L.	
Irving	Phillips, Calif.	
Jackson, Calif.		

NAYS—4

Durham	Marcantonio	O'Konski
Hobbs		

NOT VOTING—98

Abbitt	Andresen, August H.	Bates, Ky.
Addonizio		Bennett, Fla.
Allen, Ill.	Bailey	Bennett, Mich.
Allen, La.	Barrett, Pa.	Bentsen
Biemiller	Furcolo	Pfeifer, Joseph L.
Bolton, Ohio	Gamble	Philbin
Bryson	Gore	Phillips, Tenn.
Buckley, N. Y.	Hagen	Powell
Bulwinkle	Hand	Quinn
Canfield	Hart	Regan
Carnahan	Heffernan	Riehlman
Celler	Hoffman, Mich.	Rodino
Christopher	Jacobs	Scott, Hardie
Clemente	Jonas	Scott, Hugh D., Jr.
Coffey	Jones, Mo.	Secrest
Cole, N. Y.	Judd	Smith, Ohio
Corbett	Karst	Somers
Cotton	Kearney	Steed
Coudert	Keogh	Tauriello
Cox	Klein	Taylor
Cunningham	Lane	Thomas, N. J.
Davies, N. Y.	Lanham	Towe
Davis, Ga.	Latham	Velde
Davis, Tenn.	LeFevre	Vinson
DeGraffenried	Lichtenwalter	Vorys
Delaney	Linehan	Weichel
Dingell	Macy	Wickersham
Dollinger	Merrow	Wolverton
Donohue	Miles	Wood
Douglas	Murphy	Woodhouse
Ellsworth	O'Brien, Mich.	Zablocki
Engel, Mich.	O'Hara, Ill.	
Forand	Pace	
Fulton	Patterson	

So the resolution was agreed to.

The Clerk announced the following pairs:

General pairs until further notice:

Mr. Tauriello with Mr. Allen of Illinois.

Mr. Dollinger with Mr. Wolverton.

Mr. Furcolo with Mr. Velde.

Mr. Klein with Mr. Canfield.

Mr. Rodino with Mr. Ellsworth.

Mr. Donohue with Mr. Hoffman of Michigan.

Mr. Addonizio with Mr. Towe.

Mr. Hart with Mr. Taylor.

Mr. Clemente with Mr. Riehlman.

Mr. Vinson with Mr. Coudert.

Mr. Keough with Mr. Cole of New York.

Mr. deGraffenried with Mrs. Bolton of Ohio.

Mr. Forand with Mr. Bennett of Michigan.

Mr. Joseph L. Pfeifer with Mr. Hand.

Mr. Lane with Mr. Patterson.

Mrs. Douglas with Mr. Weichel.

Mrs. Woodhouse with Mr. Macy.

Mr. Heffernan, with Mr. Lichtenwalter.

Mr. Quinn with Mr. Latham.

Mr. Powell with Mr. Corbett.

Mr. Murphy with Mr. Jonas.

Mr. Delaney with Mr. Hardie Scott.

Mr. Bennett of Florida with Mr. Hugh D. Scott, Jr.

Mr. Barrett of Pennsylvania with Mr. Smith of Ohio.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

THE FREEDOM TRAIN

Mr. MURRAY of Tennessee. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the joint resolution (H. J. Res. 84) to provide for the acquisition and operation of the Freedom Train by the Archivist of the United States, and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the joint resolution.

The Clerk read the Senate amendment, as follows:

Strike out all after the resolving clause and insert: "That, as a means of focusing the attention of the American people on a re-examination of their heritage of freedom, fostering the preservation of their liberties, awakening their loyalty to the American tradition, and contributing to citizenship training, particularly of Americans of school age, the Archivist of the United States is hereby authorized and directed to acquire the Freedom Train, and to operate the said train during the period ending July 5, 1951.

"SEC. 2. In carrying out the purposes of this joint resolution the Archivist is hereby authorized—

"(a) to enter into and carry out such agreements with such person or persons, natural or artificial, as may be necessary for the acquisition of the Freedom Train and its equipment, for its operation during the period ending July 5, 1951, and for the disposition of such train and equipment within 60 days after such date; and to make such expenditures, without regard to other provisions of law, as may be required to carry out such agreements;

"(b) to appoint and fix the compensation of such personnel as he deems advisable without regard to the civil-service laws and the Classification Act of 1923, as amended; to secure services as authorized by section 15 of the act of August 2, 1946 (60 Stat. 810), but at rates not to exceed $40 per diem for individuals; to accept services and facilities without compensation; and, with the consent of the head of any Government department or agency, to utilize or employ the services of personnel or facilities of any such department or agency, with or without reimbursement therefor;

"(c) to obtain printing and binding without regard to section 11 of the act of March 1, 1919, as amended (40 Stat. 1270);

"(d) to purchase or contract for supplies or services (including printing and binding) without regard to section 3709 of the Revised Statutes, as amended;

"(e) to obtain and pay for comprehensive insurance coverage, as he may deem necessary, of other than Government property used in connection with the Freedom Train;

"(f) to acquire by gift, bequest, loan, or otherwise, personal property for the benefit of, or in connection with, the operation of the Freedom Train;

"(g) to cooperate with the governments of the several States and their political subdivisions in promoting the exhibition of the Freedom Train;

"(h) to pay per diem to personnel required to travel in connection with the operation or inspection of the train as follows: To civilian personnel at the maximum rate applicable under existing laws or regulations; to officer personnel of the armed services in accordance with section 12 of the Pay Readjustment Act of June 16, 1942, and regulations pertinent thereto; and to enlisted personnel of the armed services a military allowance in lieu of rations and quarters as provided in Executive Order No. 9871, as amended, and regulations pertinent thereto;

"(i) to pay in cash for any services, supplies, or equipment not exceeding $50 in cost;

"(j) to purchase, print, mimeograph, multilith, photostat, or produce or reproduce in any known manner, pamphlets, brochures, facsimiles, or other material pertaining to the Freedom Train for free distribution or for sale, the proceeds of such sales to be paid into, administered, and expended as a part of the National Archives Trust Fund;

"(k) to prescribe such rules and regulations as he may deem necessary for the operation of the Freedom Train.

"SEC. 3. The Secretary of Defense is hereby authorized and directed to provide a security detachment for the protection of the Freedom Train.

"SEC. 4. A commission is hereby created and established, to be known as the 'Freedom Train Commission,' to consist of the President pro tempore of the Senate, the Speaker of the House of Representatives, the minority leader of the Senate, the minority leader of the House of Representatives, the chairmen of the Senate and House Committees on Post Office and Civil Service, the Attorney General of the United States, the Librarian of Congress, the Archivist of the United States, and five members to be appointed by the President. The members of the said Commission

shall serve during the period the Freedom Train is in operation, and for 6 months thereafter. Such members shall serve without compensation, but shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties vested in the Commission. The Commission shall elect one of its members to serve as chairman.

"SEC. 5. The Commission shall advise on and consent to the plans and publicity formulated by the Archivist and submitted to it for exhibiting the Freedom Train, and with respect to its itinerary.

"SEC. 6. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the provisions of this joint resolution, not to exceed $2,500,000 for the period ending July 5, 1951."

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

Mr. MARTIN of Massachusetts. Reserving the right to object, Mr. Speaker, will the gentleman explain the Senate amendment?

Mr. MURRAY of Tennessee. There are only two minor changes made in the legislation by the Senate. One of the changes is that the House bill provided a limit on expenditures for the acquisition and operation of the Freedom Train of $3,000,000. The Senate reduced that amount to $2,500,000, a reduction of $500,000.

The other is a minor one. The House bill, as passed by this body, provides that the Freedom Train Commission should give approval to all plans formulated by the Archivist for operation of the train. The bill passed by the other body provides that the Freedom Train Commission shall consent to the plans of the Archivist which means virtually the same as the language of the House bill. Those are the only two changes in the bill.

Mr. MARTIN of Massachusetts. Did the gentleman consult in the bringing up of the legislation today with the ranking minority member of the committee, the gentleman from Kansas [Mr. REES]?

Mr. MURRAY of Tennessee. I have, and he agrees with me that we should agree to the Senate amendments.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee [Mr. MURRAY]?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. KIRWAN (at the request of Mr. MANSFIELD) was given permission to extend his remarks in the RECORD and include an address by Secretary of the Interior, Hon. Julius Krug, or February 2, 1949.

Mr. MULTER asked and was given permission to extend his remarks in the RECORD in three instances and include extraneous matter.

Mr. GWINN (at the request of Mr. WADSWORTH) was given permission to extend his remarks in the RECORD and include a statement.

Mr. BATES of Massachusetts asked and was given permission to extend his remarks in the RECORD and include an address by Hon. JOHN F. KENNEDY, in Salem, Mass.

Mr. COOLEY asked and was given permission to extend his remarks in the RECORD and include an address delivered by Secretary of Agriculture, Hon. Charles Brannon, in New York, on January 31, 1949.

Mr. JENSEN asked and was given permission to extend his remarks in the RECORD and include a statement by a gentleman from Fontanelle, Iowa.

AUTHORIZING REGIONAL AGRICULTURAL CREDIT CORPORATION TO MAKE CERTAIN DISASTER OR EMERGENCY LOANS

Mr. LYLE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 110 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 2101) to authorize the regional Agricultural Credit Corporation of Washington, District of Columbia, to make certain disaster or emergency loans and for other purposes. That after general debate, which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the Chairman and ranking minority member of the Committee on Agriculture, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. LYLE. Mr. Speaker, I am pleased to yield half of that time to the gentleman from New York [Mr. WADSWORTH]. I now yield myself such time as I may require.

This resolution makes in order the immediate consideration of H. R. 2101, unanimously reported by the Committee on Agriculture. The primary purpose of H. R. 2101 is to remove certain restrictions now in effect on the use of funds of the Regional Agricultural Credit Corporation so that loans will be immediately available to the farmers and ranchers who have suffered and are suffering unprecedented hardships as the result of storms over a great portion of the Western States. The report of the Committee on Agriculture is an excellent one and, I think, reveals the necessity for this action. The people of that great section of our country have the heartfelt sympathy of every member of this House and we are anxious that every effort be made to assist them in every way possible.

Mr. WADSWORTH. Mr. Speaker, it is not my intention to use anything like the 30 minutes that have been yielded to me. The rule presented to us is the normal rule. I understand there is no opposition to the adoption of the rule. If the rule is adopted, I want to say, however, that I have a certain clarifying amendment to offer to the bill itself.

Mr. Speaker, there are no requests for time on this side and I yield back the remainder of my time.

Mr. LYLE. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

Mr. COOLEY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 2101) to authorize the Regional Agricultural Credit Corporation of Washington, District of Columbia, to make certain disaster or emergency loans and for other purposes.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 2101, with Mr. HAYS of Arkansas in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from North Carolina [Mr. COOLEY], is recognized for 30 minutes; and the gentleman from Kansas [Mr. HOPE], is recognized for 30 minutes.

Mr. COOLEY. Mr. Chairman, I yield to the gentleman from Ohio [Mr. HUBER].

Mr. HUBER. Mr. Chairman, I ask unanimous consent to proceed out of order and to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HUBER. Mr. Chairman, the national winners in the second annual Voice of Democracy Contest for the best 5-minute broadcast scripts on the subject Speak for Democracy, sponsored by the National Association of Broadcasters, the United States Junior Chamber of Commerce, and the Radio Manufacturers Association, as a feature of National Radio Week, are today visiting Washington and at this moment are guests in the House Chamber. I am especially proud that one of the winners, Richard Caves, hails from my home district. He is a resident of Everett, Ohio, is 17 years old and a senior at Bath high school.

I feel that we, as legislators, could profit by giving close examination and attention to the essays of these young men, and I take pride in inserting in the permanent RECORD of the Congress of the United States the prize-winning essay of Richard Caves of Everett, Ohio:

The democracy of America has trod a difficult path. Through strife it came into its own and several times since 1775 blood has been spilled in its name. Democracy has stood its trial by fire but now it faces a new test—its trial by jury. Yes, democracy is on trial for its life. The courtroom is crowded, for interest in the case is high. In the box the jury listens intently. Chinese, French, Italians, Brazilians, Greeks, Indonesians, Americans, who will decide upon the fate of democracy.

The prosecutor is summing up his case now. The jurors hang upon his every word. He says that democracy is superficially fine, and idealistically perfect, but a certain human

factor condemns it, for survival of the fittest, rather than cooperation, is still man's deepest instinct. To build the modern, mechanized, mass-production super state, there must be cooperation, and force must maintain it at all times.

Cooperation, not America's strikes and dickering. He goes on to say that the common people are incapable of governing. Rather there must be one ruler who can see the complexities of a modern civilization. So, he says, democracy is outmoded as a form of government. He concludes—how can a man help rule a million others when he cannot rule his own home?

Now, the spotlight switches to you—for you are the attorney for the defense. You are pleading for democracy—on trial for its life. You begin your case by saying that civilization is still a little more than cold steel and columns of figures. You call that little more "humanity." That is, there is something about man which entitles him to happiness and glory more personal than that of nations. Democracy is thus founded on man, the individual, rather than man, the machine.

Man, the individual, who lives where he wants to, does what he wants to, reads what he wants to. Man, the individual, who argues in the corner barber shop against his own government and wakes up in his own bed the next morning. Man, the individual, who through his chosen representatives, makes the laws he lives by. Perhaps man is not the perfect ruler of his nation's destiny, since man himself is not perfect.

It is folly to expect it. He is sometimes lazy in governing, sometimes lax, but his chosen representatives can, through the years, come up with the right answers quite regularly. For in a democracy one man's defects are canceled by another man's virtues, while totalitarianism magnifies one man's faults a million times over.

You've given the jury the facts on democracy, but there is still something they don't know about it—something you yourself cannot classify. Perhaps it's something in men's eyes—democracy buoys up a man's soul, democracy heals over old scars, covers up old wounds. It has moulded the dregs of bitter Europe into a new pattern of righteousness and faith in a flaming ideal.

Somehow, your case for the defense still lacks. You are facing an opponent who is a realist, who puts different values on human life and human enterprise. So you put things real and tangible upon exhibit—great auto factories in Detroit, steel mills in Pittsburgh, rubber plants in Akron, planes in the sky, ships on the sea, coal mines, skyscrapers, the greatest in the world—monuments to democracy.

And though it is naught to take pride in, democracy has won two great wars. There is the realism and the idealism—the case now goes to the jury. If the jury listens carefully, you know the battle is won for democracy.

Mr. COOLEY. Mr. Chairman, I yield briefly to the gentleman from North Carolina [Mr. JONES].

Mr. JONES of North Carolina. Mr. Chairman, I am very proud of these boys, one of whom is Charles Kuralt, of the Central High School, of Charlotte, N. C. He is one of the winners. He is just 14 years old, and is son of the superintendent of welfare in our county. He has written a very interesting script, and I ask permission to extend it in the RECORD, and would like for the Members to read it. We are very proud of this young man in North Carolina, and I am especially so because he comes from my congressional district.

We, the people of the United States, the Constitution talking, the United States Constitution, bulwark of the greatest democracy on earth. We, the people, ruling ourselves, running the Government. We the people, 48 States, one Nation. We the people, thousands upon thousands of common men. We made this Nation—a land where anyone, anything, any idea can grow, unchained and free.

Great things have been said and written about this thing called democracy, but democracy is more than a written word or a spoken phrase. It is men created equal. Democracy is very evident. It is written in the faces of immigrants, the people who gave up homes in the old country to try out something new and wonderful. It is written in the very hills and plains that have produced men like Abraham Lincoln. It is written in our lives—our brothers and ourselves, growing up with a chance.

We hold these truths to be self-evident, that all men are created equal. That they are endowed by their creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness—and freedom of thought and speech and from want and fear. Inalienable rights guaranteed in this democracy.

Inalienable right number one is life—something men have cherished from the beginning of the earth, a free life, unfettered by government interference. It's what Americans fought for at Lexington and Bunker Hill and New Guinea and the Solomons. But they were fighting for something more.

Something that we will call inalienable right number two—liberty. That's a big word in the American language—it's the first cousin of another big word—freedom. Liberty is guaranteed in America. It flourishes here as in no other country in the world. The unknown little man mounting to his soap box to speak his piece about how the country ought to be run. The editor of a small-town daily writing as he pleases, condemning or commending the administration freely. The little group of Mormons or Quakers or Jews worshiping God in their own way. The scientist free to search for truth, and the educator free to teach it.

Liberty and freedom and democracy—big words in the language of a people. We take them for granted, they are ours. They build the third inalienable right championed by Thomas Jefferson—the pursuit of happiness. People living everywhere, looking for a good life. People in little towns with funny names, people in the metropolis living beside the water or the highway, looking for a good life.

One people—all races, all stocks. Simple people, but easy to rile up if you talk about taking away their freedom. We know what freedom is in America, and democracy—don't tread on us. It's produced great men—this democratic government, this youngest of the earth's powers—great names like George Washington, and Thomas Jefferson, and F. D. R., and Babe Ruth. And in song and in prose, the men it has produced have expressed their views of the Nation's politics. James Russell Lowell called a democracy a place where every citizen has a chance and knows he has it.

Woodrow Wilson said he believed in democracy because it releases every one of man's powers, and James Pike, putting it into the word of the Louisiana Negroes, said the same thing, in a different way.

"Freedom," he said, "is a patient word, as full of the Fourth of July as skyrockets and roman candles. Freedom is a word, a real showboat word, $8 long and $4 wide."

And so that is my case—I give you democracy—not a word, not essentially a type of government. It is warm rain on Georgia, sun shining on Key West. It's wind blowing over a Texas prairie, snow-capped Massachusetts' hills, the sound coming up from the streets of Manhattan, waves roaring in on California's coast. The names of Michigan and Maryland, of Virginia and Rhode Island and North Carolina. Covered wagons rolled West, with democracy for a dream.

Democracy is a way of life, a living thing, a human thing comprised of muscles and heart and soul. I speak for democracy, and men who are free and men who yearn to be free speak with me.

Mr. COOLEY. Mr. Chairman, I yield briefly to the gentleman from Minnesota [Mr. MCCARTHY].

Mr. MCCARTHY. Mr. Chairman, I join with the gentleman from Ohio [Mr. HUBER] and the gentleman from North Carolina [Mr. JONES] in congratulating the sponsors of this very fine contest.

I wish especially to congratulate Mr. Kerron Johnson, a student at the Wilson High School, in St. Paul, Minn., one of the four winners in this contest.

When we get back in the House I shall ask unanimous consent to extend Mr. Johnson's script in the Appendix.

Mr. COOLEY. Mr. Chairman, I yield briefly to the gentleman from Kansas [Mr. HOPE].

Mr. HOPE. Mr. Chairman, one of the winners of the Nation-wide contest "Voice of Democracy" comes from the congressional district which I have the honor to represent. I refer to George Morgan, Jr., of Hutchinson, Kans.

I have had the pleasure of reading the script submitted by Mr. Morgan, and I shall, at a proper time, ask unanimous consent to have the same inserted in the Appendix of the RECORD.

I want to commend the National Association of Broadcasters and cooperating organizations for sponsoring this great contest, which has, in my opinion, done much to stimulate interest in democracy and greater love for our country, and its form of government.

Mr. COOLEY. Mr. Chairman, I yield 5 minutes to the gentleman from Utah [Mr. GRANGER].

Mr. GRANGER. Mr. Chairman, the Regional Agricultural Credit Corporation was established by Congress in 1932, with the broadest possible loaning powers. Under the act of July 21, 1932, establishing the RACC, it was authorized and empowered to make loans or advances to farmers and stockmen, the proceeds of which are to be used for an agricultural purpose—including crop production—or for the raising, breeding, fattening, or marketing of livestock, to charge such rates of interest or discount thereon as in their judgment are fair and equitable, subject to the approval of the Farm Credit Administration.

Note that the only limitation upon the loaning authority conferred by this statute is that loans shall be made to farmers or stockmen, and that they shall be used for an agricultural purpose. Although this was recognized as an emergency-loan program, there was no requirement for certification that loans were not otherwise available to the applicants, nor was there any mention whatever in the statute of the type of security, if any, which should be obtained by the Government in making its loans.

Under this broad authority, more than $331,000,000 was loaned to farmers throughout the United States for general agricultural purposes. By June 30, 1947, almost $329,000,000 of these loans had

been repaid, leaving at that date a net loss on this whole program of only eight-tenths of 1 percent of the money advanced.

The loan authority contained in this bill, H. R. 2101, restricts very sharply the authority contained in the basic RACC legislation. In contrast to the almost unlimited authority originally conferred, this bill limits the authority to make loans to areas or regions where the forces of nature have caused an agricultural disaster, and limits the loan recipients to farmers who have suffered such a production disaster or other economic emergency.

The loan program we are now authorizing will be administered by the same agency which made and collected the loans under the broad basic authority previously referred to. Some of the same men who directed that program will direct this one. It is reasonable to assume that the agency and the men which made loans under unlimited authority so carefully that all but eight-tenths of 1 percent of them have been repaid will administer this emergency program with equal ability and prudence.

On the other hand, we are not proposing to set up here a hard-credit program. The farmers who have suffered the ravages of this winter's storms are, many of them, in a desperate situation. They need soft credit, the kind which the Government alone is in a position to extend and the kind which the RACC was established to extend and did extend for many years under its original loaning authority.

It would not be necessary for the Congress to pass this emergency bill at this time except for restrictions on the RACC loaning authority written into the Department of Agriculture Appropriation Act of 1948, which drastically limit purposes to which RACC funds could be put, and incorporated a restriction imposing conditions which would make it impossible to give relief to the farmers in the storm areas under the present law.

Here is the condition imposed by the Agriculture Appropriation Act:

> All loans and advances made pursuant to this section will carry the full personal liability of the borrower (shall be secured by crops or livestock and such additional collateral as is deemed necessary to afford reasonable assurance of repayment) and will be accompanied by a certificate of refusal of the loan or advance by a local bank or the production credit association serving the area.

The language in the appropriation act authorizes loans in "a specific area or region in which the Secretary of Agriculture shall have found that such loans for specified agricultural purposes and for limited time periods are necessary because of economic emergencies or production disasters."

All we have done in this legislation is to continue the same authorization for loans contained in the present act, and to remove the restrictions I have just read to you which would make it impossible to apply the program to the storm areas.

The amount involved in this bill is only about $44,000,000. This may or may not be adequate to do the job and to meet what I consider to be the responsibility of the Federal Government for helping our fellow citizens in the storm areas. With the United States using billions of dollars to help the citizens of other countries who are faced with economic emergencies—an objective of which I thoroughly approve—it seems to me that we can afford to deal as generously with our own farmers as this bill proposes to do.

Mr. MANSFIELD. Mr. Chairman, will the gentleman yield?

Mr. GRANGER. I yield to the gentleman from Montana.

Mr. MANSFIELD. I would like to bring to the attention of the House the fact that the most difficult period as far as we in the West are concerned is ahead of us. Of course, we have lost a lot of cattle and sheep so far, but we are going to have a disaster when the spring floods come and the snows which are in the hills start to flow down. This winter the frost has gotten down so deep that there is very little possibility of the ground taking any of the water off. This means that in practically every Western State there will be an emergency. I strongly urge that the bill introduced by the gentleman from Utah be enacted into law in time so that we can take care of our people out there.

Mr. GRANGER. I thank the gentleman for his fine statement.

The CHAIRMAN. The time of the gentleman from Utah has expired.

Mr. COOLEY. Mr. Chairman, I yield the gentleman from Utah five additional minutes.

Mr. LEMKE. Mr. Chairman, will the gentleman yield?

Mr. GRANGER. I yield to the gentleman from North Dakota.

Mr. LEMKE. The purpose of this legislation is to help these farmers in the present emergency the same as we have done in the past in connection with floods, storms, earthquakes, and so forth through the Reconstruction Finance Corporation, is it not?

Mr. GRANGER. That is right.

Mr. LEMKE. The result of this emergency is of the same nature. It is just excessive snow in the place of excessive rain or water.

Mr. GRANGER. The gentleman is correct.

Mr. GOLDEN. Mr. Chairman, will the gentleman yield?

Mr. GRANGER. I yield to the gentleman from Kentucky.

Mr. GOLDEN. Would this be made available to people who suffered a flood disaster and would it permit those individuals to participate in these loans?

Mr. GRANGER. I think it would. This present legislation narrows a little the authority the Secretary had under the original law, but if a flood were great enough in character and widespread enough the Secretary could declare it was an area subject to relief under the provisions of this bill.

Mr. JENNINGS. Mr. Chairman, will the gentleman yield?

Mr. GRANGER. I yield to the gentleman from Tennessee.

Mr. JENNINGS. It strikes me that this disaster is not only local, it is Nationwide; it affects the price people will pay for food all over the country. Then, in addition to that, it is a manifestation of that unity that exists among all the people of this country. This is our common country, and, while I live down in a border State, adjoining the South, where we do not have snows and ice like that, we are heartily in accord with the purpose of this resolution and I hope that it passes unanimously.

Mr. GRANGER. I thank the gentleman.

Mr. O'KONSKI. Mr. Chairman, will the gentleman yield?

Mr. GRANGER. I yield to the gentleman from Wisconsin.

Mr. O'KONSKI. So far mention has been made of excessive snow and rain. Likewise this bill could be made to apply, if it becomes law, to a drought-stricken area if that should prove to be a disaster?

Mr. GRANGER. It could if it were proven to be a disaster and the Secretary would so declare that it was in a disaster area; yes. I do not think there is anything complicated about this legislation; it served a good purpose in the last emergency and will do so in this one.

The CHAIRMAN. The time of the gentleman from Utah has expired.

Mr. HOPE. Mr. Chairman, I yield 5 minutes to the gentleman from Wisconsin [Mr. MURRAY].

Mr. MURRAY of Wisconsin. Mr. Chairman, just to keep the record straight, the history of the Regional Agricultural Credit Corporation in making these $400,000,000 in loans has been very satisfactory. These loans have been paid back nearly in full, and it was the only money I know of that Uncle Sam invested that he ever collected at that time.

The situation was changed a little during the war so far as these nonrecourse loans were concerned. They were made for a definite purpose. These soft loans we hear about were made as a means of increasing production at that particular time. The reasoning behind that was that whereas the large operator might be able financially to take care of his own needs, we did have thousands upon thousands, if not millions, of small farm operators who were not in a credit position to extend their production on their farms. That is the reason those soft loans were made during that time, on which there has been some loss. But that has nothing to do with the over-all picture. That was the reason why the organization was criticized, because of the soft loans, even though the Congress itself authorized the nonrecourse loans to be made. If anyone is interested enough to look at the hearings and discussions here on the floor of the House at that time, he can see that it was understood that they were nonrecourse loans, and that they were being made under war conditions, not under normal conditions. Food production was increased.

The loans proposed at the present time under the bill introduced by our distinguished colleague the gentleman from Utah, the Honorable WALTER GRANGER, on the face of it, are not going to be nonrecourse loans. They are going to be loans made with the expectation that the people will pay them back.

These disaster loans apply not only so far as this part of the United States is concerned that is suffering as a result of the weather conditions, snow and rain, and the floods that may go along with them, but I think it should be perfectly clear that this applies in districts that may be subjected to other hazards of nature, like droughts, that have a way of cropping up in certain sections of the country every year.

If you will notice in the report, a little mention is made of the fur-farming industry. This is the organization that is trying to do something, because those people found themselves in an emergency. When $238,000,000 worth of furs were dumped on the fur market of this country in 1 year, 1946, you are liable to cause some dislocation in an industry like the fur industry. This organization today is in a position under this legislation to come to the aid of the fur farmers of this country and they have done so.

Mr. O'KONSKI. Mr. Chairman, will the gentleman yield?

Mr. MURRAY of Wisconsin. I yield to the gentleman from Wisconsin.

Mr. O'KONSKI. The gentleman, coming from my State, knows of the acute drought situation in northern Wisconsin last year. I introduced legislation similar to this in the last session of Congress, but by the time the Department of Agriculture got to make any kind of a recommendation the special session adjourned and nothing was done.

Can I be reasonably assured that as a result of this bill I need not pursue the passage of my bill, that this will be adequate to extend so-called soft loans to the farmers in drought-stricken areas, if, after the Department of Agriculture makes an investigation, it finds that it meets the specifications of the bill? Am I correct in that assumption?

Mr. MURRAY of Wisconsin. I would say yes, in direct answer to the gentleman's question. I rather doubt if the Secretary of Agriculture would like to have us say that it is a nonrecourse loan when it is made. To be fair I call the gentleman's attention to the fact that during the past few months in his district and all over the State of Wisconsin and many other places in the United States some attempt was made to take care of that drought situation in the allocation of millions of bushels of potatoes in those drought-stricken areas, which, regardless of the potato program, made it possible to feed thousands and thousands of head of cattle. It has been a great help to the people in those particular situations.

Mr. O'KONSKI. That is correct. It alleviated a very tragic situation.

Mr. HOPE. Mr. Chairman, I yield 5 minutes to the gentleman from Nebraska [Mr. MILLER].

Mr. MILLER of Nebraska. Mr. Chairman, I have received from 5 to 15 letters, from every one of the 38 counties in the district I represent in Nebraska, on this problem of storm losses. There are more cattle in the fourth district of Nebraska than in any other district in the United States. These letters were in reply to my request asking for answers to the following questions:

First. What is the present loss of livestock in your county?

Second. What is the anticipated future loss?

Third. Will financial assistance be needed from some Federal agency, or can the local banks carry the load?

I desire to sum up, briefly, some of the reactions from these letters.

All seemed agreed that the recent storms, beginning in November, and running up to the present time, have been the most severe the territory has ever had. Their over-all losses of livestock in the 38 counties to date will be near 5 percent. There are some individual farmers who do not have available feed, or means of reaching it, who have suffered as much as 40 percent loss. The ranchers, who still had old Dobbin on the ranch, and used him instead of the modern tractors, were able to move feed to the cattle much easier than with the modern equipment. The hay that was piled up in windrows was hard to reach. The rancher who had his hay stacked and was able to reach the feed had smaller losses.

There was a general feeling of satisfaction with the work that the Army and other Federal agencies did in opening the roads. If it had not been for the heavy equipment and assistance from this source, there would have been much heavier lo ses in livestock and perhaps additional loss of human lives. There was a general note of praise, good feeling, and hospitality toward the men doing this work.

The future losses will depend entirely on future weather conditions. The cattle have lost a tremendous amount of weight. Many are in weakened condition, and a wet, cold storm in March or early April could cause not only a big loss of cows, but a large reduction in the calf crop. It is necessary to feed heavily until grass comes.

There has been a general complaint that the cost of hay and feed has skyrocketed. The cost of hay ranges from 30 to 55 dollars a ton. In many instances it has been difficult to move the hay where it is most needed. Hay has been shipped from as far as Topeka, Kans. The freight rates and other costs naturally add to the expense to the rancher.

It was generally agreed that in most instances the local banks could carry the needed financing. A few letters indicated that the small operator, and the GI who was just getting started, might need some assistance at the Federal level. They felt the local banks might not be able to carry some of this group. These loans should only be made when a local bank is unable to handle the situation. The ranchers and farmers of Nebraska are rugged individualists. They generally solve their own problems at the local level.

Most of the farmers and ranchers were more concerned about the lowering of the price of their livestock and farm products. This has really hurt them far more than the loss from the storm. There is great concern about the price of agricultural products, for what affects the farm prices affects all of us. It nas been demonstrated many times that when farm income falls, then the Nation's income falls by a ratio of $7 to $1 for agriculture. If this downward trend in prices of agricultural products continues, it will have a disastrous effect upon our national economy. It looks like the farmer, because of new wage increases, might even pay higher prices for farm machinery, shoes, clothing, and other things he must have. If this is true, he will certainly pull in his horns and not buy anything more than he absolutely needs.

Mr. Chairman, I am absolutely convinced that the decreased income to farmers means decreased business for every one of us. Even in prosperous times, there are limits to what the farm family, which is the largest consuming unit in America, can pay for taxes, labor, manufactured products, and other things he needs for his business.

Mr. Chairman, I understand the $44,000,000 provided in this measure does not call for additional appropriations—that the money is part of the old RACC funds. The evidence shows that the cattle and sheep losses were much heavier in Wyoming, Nevada, and Utah, and that some of the smaller ranchers are unable to get help at the local banks. It is for that reason I support this measure.

Mr. GRANGER. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Nebraska. I yield.

Mr. GRANGER. I join with the gentleman in the commendation of the Army since they have been condemned here in Washington by some sources for the things that they have done. I join with him in saying that they have done a remarkable job. There would have been more distress and more disaster if the Army had not moved in as vigorously as they did.

Mr. MILLER of Nebraska. That is absolutely right. I have had high praise from every section on the work that the Army did and also what individuals did by pitching in and helping.

They did a great deal, and, if it had not been for them, there would have been much greater loss in livestock and even in human lives.

The CHAIRMAN. The time of the gentleman from Nebraska has expired.

Mr. HOPE. Mr. Chairman, I yield 3 minutes to the gentleman from Wisconsin [Mr. HULL].

Mr. HULL. Mr. Chairman, the general purpose of this legislation is pretty well understood, I believe. The storm in the Western States attracted national and even international attention. Some features of this measure, however, are broad enough to cover other disasters in farming sections. Last summer we had a drought in certain counties of western and northern Wisconsin. The gentleman from the Tenth District [Mr. O'KONSKI] has mentioned that disaster on the floor of the House. That drought continues to have its effect on the farmers who are largely engaged in dairying. In the two large districts where they suffered the drought, and in which there was an almost complete failure of the hay crop, there are probably several hundred thousand dairy cows. Ever since last August, the farmers have been buying hay at $30 to $40 a ton in order

to carry the cows through to another season and keep up their production of milk. Unless something is done which will enable the dairymen to meet the situation, some of these farmers, at least, are going to have to sell off their cows and thus will reduce the output of the dairy products in that section of the State. I think certain counties in Minnesota are similarly affected.

This morning I received a telegram which sets forth the situation quite fully, so far as my own congressional district is concerned. I would like to read it into the RECORD. It is as follows:

CHIPPEWA FALLS, WIS., *February 19, 1949.*
CONGRESSMAN MERLIN HULL,
Washington, D. C.

The Wisconsin Farmers' Union, in annual convention at Eau Claire, today voted unanimously for a program which will enable farmers in drought-stricken counties of Wisconsin to borrow money to buy livestock feed to carry their stock through this winter. Said program to apply only to farmers who cannot get credit elsewhere. The situation is desperate and requires immediate attention because hundreds of farmers are running out of hay and credit and cannot borrow money from local banks or any other loaning agency, either public or private. The Farmers' Home Administration which serves this area is unable to relieve the situation because of insufficient funds.

WISCONSIN FARMERS' UNION.

That telegram sets forth the situation quite fully so far as that particular area is concerned.

I think it is time the Congress passed some general act of this kind, not only to relieve the storm-stricken districts of the West, but also to provide for other emergencies which may occur in the future. This bill is broad enough to give the Secretary of Agriculture power to use his various departmental agencies for such relief purposes.

The farmers are not asking for gifts, and are not asking for grants. The sum totals of the loans which they would obtain are small compared to the relief which has been furnished to numerous foreign countries for relief from disaster, and which will never be repaid.

This bill should promptly pass, and the credit facilities it provides for should be immediately made available.

Mr. COOLEY. Mr. Chairman, I yield 2 minutes to the gentleman from Arkansas [Mr. HARRIS].

Mr. HARRIS. Mr. Chairman, I have asked for this time in order to have for the RECORD a definite understanding as to the coverage with reference to kinds of disasters and emergencies. I have the greatest sympathy, of course, for the tragic experience in the West to which apparently the greater part of this resolution is directed. Recently, as frequently happens to the South, the Southwest, and other sections of the country, there was a tragic and terrible tornado that struck my district in which some 56 people were killed and about 175 or more injured. In Warren, Ark., alone, several hundreds houses were destroyed. In the outlying agricultural area a number of farm homes were destroyed and some people killed, and there were very tragic results. I wish to have the record clarified here as to whether this bill is broad enough to cover the tornado disaster too?

Mr. COOLEY. I assume that if the disaster affects farms or farming, it would be.

Mr. HARRIS. That is what I want to know; if it could be extended to the farmers in the county down in Louisiana who suffered tragic loss because of the tornado and need help, then the Secretary of Agriculture could, after examining the experience, direct that certain funds be allocated to take care of that tragic loss?

Mr. COOLEY. I think the gentleman is correct.

Mr. HARRIS. I thank the gentleman.

Mr. COOLEY. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. DOYLE].

Mr. DOYLE. Mr. Chairman, in connection with the absolute necessity of their being some available relief to the farmers of my native State of California as a result of the most terrible recent freeze there, I filed in this House House Joint Resolution 155. It was almost identical in text with the bill today before us, H. R. 2101, and I received written communication from the administrative department concerned. So, I am very happy that our distinguished colleague the gentleman from Utah [Mr. GRANGER] introduced H. R. 2101 and that it now appears that it should pass this Committee unanimously.

Freezing weather in Los Angeles County, Calif., and other counties in southern California, is literally almost unheard of; so that I wish to urge to your attention and have the record speak clearly that it is the intention of the author of this bill and of the committee in charge thereof, to wit, the Agriculture Committee of this House, that the relief provided for in this bill—H. R. 2101—is also applicable to the needs of the citrus growers and farmers in southern California and also the cotton growers in California and all others engaged in agricultural production who have suffered disaster on account of the forces of nature having caused them to have disaster or emergency losses.

The report of the Committee on Agriculture itself, on page 1 thereof, in paragraph 2, calls attention to the fact that, "since the middle of December, storms of unprecedented fury have swept, one after another, across the Western States from Washington and Nebraska, frequently extending as far south as California, Arizona, New Mexico, and Texas."

This language, therefore, expressly includes the State of California.

And in paragraph 2, on page 2, the same report says:

> There is an urgent and immediate need for credit to be made available to farmers in the affected area who cannot obtain from their present sources of credit the money they need for feed and other farm operations; but who, with such financial assistance, will have a reasonable prospect of repaying their loans.

Then on page 3, in the letter dated February 9, 1949, to the distinguished chairman of our Committee on Agriculture, Charles F. Brannan, Secretary of the Department of Agriculture, in part, said:

> The joint resolution would empower the Secretary of Agriculture to authorize the Regional Agricultural Credit Corporation of Washington, D. C., to enter any area or region where the forces of nature have caused an agricultural production disaster and make loans or advances to farmers and stockmen. * * *
>
> This joint resolution would enable the Secretary of Agriculture to make available, through the Regional Agricultural Credit Corporation, loans to farmers and stockmen in areas stricken by natural disaster. The joint resolution was designed primarily to make credit available to farmers and stockmen in the western range area * * * and similarly to make credit available to farmers in California and other areas of the Southwest where the recent freeze caused great damage to fruit and other crops.

Therefore, I take it that there is no contradiction of my statement that it is the intention of Congress that the farmers in California, where there has been this great, disastrous damage from the recent freeze, shall be also included in the group who shall have the right and opportunity to make application, so far as they may desire, and can prove their need, to be benefited by the terms of this beneficial bill.

The history of all such beneficial legislation to the people of our country where disaster has held sway from the forces of nature proves that almost 100 percent of such loans are, in time, repaid.

While, naturally, it is to be hoped that the results of the freeze in California are not nearly as extensive as it first appeared, it is, nevertheless, imperative that, to the extent to which Federal assistance and aid may be required, such Federal aid and assistance shall be available to California farmers deserving and needing the same in like manner as Federal aid and assistance is available to farmers or stockmen in any other State suffering disaster from the forces of nature. I feel sure that the farmers of California engaged in citrus culture or any other agricultural pursuit will not ask Federal aid and assistance except in dire need and as a last resort. No doubt the State of California itself will make some reasonable aid available at the earliest possible date; but it is good to have this buttress of additional resources, for those in need, available.

Immediately after the disaster I was appointed one of a subcommittee of the California delegation, in a caucus, to look into the subject matter of ways and means in which the Federal Government might logically and legally assist if the need arose. And this subcommittee of the California delegation, of which I am a member, was immediately active and continuously active in the premises. I immediately got in touch with sources of information in my native State and am pleased to say that my present report is that probably the damage from the disastrous freeze to citrus and other California crops will not be as extensive as previously estimated. However, the nature of the citrus crop and industry is such that the total damage cannot be ascertained, in all likelihood, for many months or even longer.

Mr. HOPE. Mr. Chairman, I yield 2 minutes to the gentleman from Nebraska [Mr. STEFAN].

Mr. STEFAN. Mr. Chairman, I am glad this bill is up for consideration today. I favor it, but I am afraid it does

not go far enough, because following this terrible snow disaster in the Middle West and other States the danger of flood is at their doorstep right now. This bill will be of inestimable value to feeders in my district who have lost all the way from $50 to $100 per head in the price of their livestock.

The purpose of this bill is to enable the Department of Agriculture to provide immediate loan assistance to farmers of all types who have suffered from the effects of the unprecedented storm conditions throughout the western United States, as well as to provide basic authority for meeting production disasters or other extraordinary economic emergency conditions anywhere in the United States.

I also take this opportunity, Mr. Chairman, to read just a portion of one letter of many which I have received from people in my district who want me to tell the Congress how deeply they appreciate the assistance given them by the Army engineers in the hour of their great peril. This is a portion of one of many letters and it comes from the Reverend Charles J. Oborny, of Verdigre, Nebr. Verdigre is in the heart of the disaster area, in Knox County.

> The Army boys are beginning to leave us after having done a wonderful piece of work in this community and throughout the entire blizzard stricken area. Their deeds will never be forgotten; for what they have done to this community and elsewhere shall be passed on to the next generation as a grateful tribute to their inestimable services. They have saved many a life; not only human but also animal.
>
> If it were not for the generous and prompt appropriations made by Congress and Senate, I just fear to think what would have happened to the Middle West. Each and every one in this community is very grateful to you for whatever you have done for them in the most critical situation of life and death.

I read this part of the letter, Mr. Chairman, to indicate to you that there is no reason for the criticism which has been heaped upon the Army engineers, who have done such excellent work in the blizzard area.

Mr. CURTIS. Mr. Chairman, will the gentleman yield?

Mr. STEFAN. I yield.

Mr. CURTIS. I have just returned from Nebraska, and while the area which I have the honor to represent is not in the territory that has been affected the most severely, I want to say that the people resented greatly the criticism made against those of the Army who came in to help the people. They have done a good job, a job that could have been performed by no one else.

This measure before us today should pass. I shall support it as well as other measures to assist those people who have suffered so much. We are apt to have some severe floods, and this Congress should take every step possible to lessen the effects of such floods.

Mr. HOPE. Mr. Chairman, I yield 5 minutes to the gentleman from North Dakota [Mr. BURDICK].

Mr. BURDICK. Mr. Chairman, I heard from both sides of the aisle here in this debate something about a soft loan. I have gone through every blizzard we ever had in the Northwest and three dustbowl periods; I have gone through it all and lived at the end of the old Texas cattle trail, where the cattle started from Texas following the Civil War; I have been through it all. I suppose this Congress is doing all it can, but I do want the public to understand that we are not giving the stockmen of the West a windfall. If they get help they shall have to pay for it; they will have to go and make a loan and pay off the loan. Some newspaper accounts report that this Government is about to give the stockmen of the West a windfall or a gift, and that is absolutely untrue. We made those feed and seed loans here a few years ago, and I was one of those who supported the President in that attitude. I was very proud to do so. But, you know, a lot of those farmers lost their farms. They have gone to the towns to work by the day, some of them are on relief, yet this Government has an army of collectors still after those old people to collect the seed loans. I wonder if that is one of the soft loans you were talking about this morning?

At one time Congress forgave the Reconstruction Finance Corporation loans to the extent of $100,000,000 on the floor of this House, and at that time I suggested we cancel some of these feed loans where the farmers had been chased off their farms and were living on relief. Do you know what happened to me? I pretty nearly got chased out of this Chamber because I offered such a proposition. I think it is a good gesture on the part of the Government to make this money available, and that is all you are doing. You are making a certain amount of money available for those people to borrow.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. BURDICK. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. I do not think the gentleman will ever be chased out of this Chamber by anyone who has a progressive mind, because he is one of the finest and one of the ablest and one of the most courageous, forward-looking legislators I have ever served with. I am proud of the opportunity for the RECORD to show the high regard I have for the gentleman personally and as a legislator. I may say that on many, many dark occasions when I was leading the battle on this side, the gentleman, without regard to his party affiliation, was fighting shoulder to shoulder with me because he was fighting for the interest of the people. The gentleman always fights for the interest of the people.

Mr. BURDICK. I thank the gentleman for those kind words. I hope he outlives me.

Mr. Chairman, I am in favor of this proposition. I would not oppose it. But I do want to say on behalf of the stockmen of my district that we are not asking for anything as a gift, and I do not want the public to read in the papers that the Congress has given the stockmen all this money. You are not giving them anything. We will take care to pay it back. You say yourself that you have collected 98.2 percent of all loans you made. You expect to collect this, do you not?

Mr. GRANGER. Mr. Chairman, will the gentleman yield?

Mr. BURDICK. I yield to the gentleman from Utah.

Mr. GRANGER. I certainly expect the United States to collect the loans. As has been said here a time or two, these loans will be made under the same conditions as existed in the original act, which contemplated that the loans would be paid back. There might be security given for the loans or part security, and in other cases the personal note of the individual farmer will be taken. As the gentleman has said, and I do not think it has been mentioned before, this money is available. It is not contemplated that any additional appropriation will be made.

Mr. BURDICK. I think that is right. I just want to correct any impression that this Congress is going to give $44,000,000 away. Of course, that is not very much. There was a time when I did not vote in this House at all unless there was a billion dollars involved. I want the country to understand that we are making money available to these stockmen to borrow. We are not giving them anything.

The CHAIRMAN. The time of the gentleman from North Dakota has expired.

Mr. COOLEY. Mr. Chairman, I yield 3 minutes to the gentleman from Arizona [Mr. MURDOCK].

Mr. MURDOCK. Mr. Chairman, I listened with great interest to the speech of the gentleman from North Dakota, as I always listen to him with interest. I was also pleased with the remarks of our floor leader in regard to the gentleman's courage. If I were a good football player, as the gentleman himself was years ago, I would want him to run interference for me at any time I was carrying the ball. I too have noticed that the gentleman, regardless of party lines and the presence of this central aisle, has voted for the good of his people, and he has done so courageously. His reply to the floor leader that he hoped the gentleman from Massachusetts would outlive him reminds me of the famous words of Daniel Webster: "Late may you arrive in heaven."

This series of terrible storms has swept over the Mountain States and over the Great Plains region. It swept much farther south than many people realize, so that I know what I am talking about so far as damage done in my own particular State is concerned, which is ordinarily a State of sunshine. Sheep, cattle, and other livestock have been killed. I have listened to several questions being asked as to whether this relief bill applies to other calamities which cut down on agricultural production. It has been explained that it does. The citrus crop has been ruined.

I had a question put to me recently concerning not only sheep and cattle that perished in the snow and blizzards but that wildlife perished too. Deer, elk, and even buffalo died in those storms. I presume there is no provision made whereby we can restock the ranges with wildlife. I wish there were some way of doing that, as do the friends of wildlife out in my part of the country.

Mr. Chairman, I favor the pending legislation, and I will be glad to give it my full support.

The CHAIRMAN. The time of the gentleman from Arizona has expired.

Mr. HOPE. Mr. Chairman, I yield 5 minutes to the gentleman from Wyoming [Mr. BARRETT].

Mr. BARRETT of Wyoming. Mr. Chairman, we are now in the eighth week of the most devastating series of storms in recorded history of the Western States. The weather has been below zero most of the time, sometimes as much as 40 degrees below zero. We have had terrific winds which caused ground blizzards that closed the roads and trails as quickly as they were opened.

The statement has been made that in some areas the livestock loss has been 5 percent. That may be true. The information I have from the State of Wyoming is that the loss will be considerably in excess of that. I may say that 5 percent is our normal winter loss, and I cannot conceive that after a period of nearly 2 months of subzero weather, with 40 to 60 inches of snow, that the loss would be only a normal winter loss. My guess is that the loss will be between 15 and 20 percent.

You cannot tell what the loss is going to be today because the cattle and the sheep are in such a weakened condition that there will be continual losses up until the green grass comes. There will be a terrific cut in the calf crop and in the lamb crop, and we are going to lose many of the cattle and sheep that are alive today.

In my opinion, Mr. Chairman, this loan will be repaid in full by the stockmen of the West. The RACC loaned several million dollars in Wyoming some 20 years ago, and every dollar with interest was repaid.

It seems to me, Mr. Chairman, that the whole country has a stake in this piece of legislation. Out in the West, we are the people that produce the feeder stock that go into the feed lots of the Corn Belt where the cattle and the lambs are fattened to produce the meat for this country.

We have had terrific losses. Some of the people in my country have incurred so much expense that many of the loans are no longer bankable. The stockmen have had a great deal of difficulty in buying feed. The price of hay has gone up terrifically. It costs from $45 to $55 a ton laid down in town, and it is costing $1 per ton per hour to get it delivered out to the ranches. Sometimes the cost of transportation from the railhead to the ranches is nearly as much as the feed costs in town. So you can see something about what the stockmen are up against.

Just to show you how terrific these storms have been let me tell you the Northwestern Railway, which serves my town, has had its trains in operation from the East on only three different days since January 1. The Union Pacific Railroad, whose main line runs through the southern part of Wyoming, and is, by the way, one of the great transcontinental railroads of the country, has been tied up on two different occasions for nearly one solid week. So this certainly is a disaster. I may say, Mr. Chairman, that I introduced House Joint Resolution 114, which was the first legislation of this character presented during this session of the Congress. The Secretary made his report on this bill, but the bill before us is practically the same as my own, and I am pleased to support it.

Mr. JENNINGS. Mr. Chairman, will the gentleman yield?

Mr. BARRETT of Wyoming. I yield to the distinguished gentleman from Tennessee.

Mr. JENNINGS. You are not only saving livestock, you are saving people, the farmers, and the livestock raisers.

Mr. BARRETT of Wyoming. That is true. The cattle and sheep that are involved in this area are the breeding stock. They are the livestock which produce the lambs and the calves which in the long run furnish much of the meat to the people of this country. But over and above that, Mr. Chairman, this bill will enable many of our people whose life savings have been jeopardized by the relentless storms of the last 2 months to obtain loans to restock their herds and to continue their operations. Let it be clearly understood they want loans and not grants. They will repay every dollar. I hope this bill passes.

Mr. COOLEY. Mr. Chairman, this measure has been rather fully discussed. Apparently it is urgently needed. The bill was unanimously reported by the House Committee on Agriculture, and I hope it will meet with the approval of the House.

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That, notwithstanding any other provisions of law, the Secretary of Agriculture may authorize the Regional Agricultural Credit Corporation of Washington, D. C., to enter any area or region where the forces of nature have caused an agricultural production disaster or because of other economic emergency and make loans or advances to farmers and stockmen in conformity with the provisions of section 201 (e) of the Emergency Relief and Construction Act of 1932, as amended (title 12, U. S. C. 1148); and the Corporation is authorized to utilize from the revolving fund created by section 84 of the Farm Credit Act of 1933 (12 U. S. C. 1148a) such sums as may be necessary to make such loans or advances, and not to exceed $750,000 for administrative expenses of the Corporation and the Farm Credit Administration in connection with such loans and advances which amount may be combined for accounting purposes with the administrative expense items made available to the Corporation and the Farm Credit Administration under the heading "Regional Agricultural Credit Corporation of Washington, D. C.," in the Government Corporations Appropriation Act of 1949 (62 Stat. 1183).

Mr. EDWIN ARTHUR HALL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. EDWIN ARTHUR HALL: On page 1, line 6, after the word "where", strike out the words "the forces of nature" and insert the words "storms, tornadoes, floods, drought, earthquakes, or other forces of nature."

Mr. EDWIN ARTHUR HALL. Mr. Chairman, first of all I want to say I am heartily in accord with this measure, because I think it should be approved unanimously by the House. It certainly is much needed legislation and ought to be passed at this time. However, I, for one, am not satisfied with the definition contained herein "the forces of nature."

In 1940, during the Seventy-sixth Congress, I introduced what was then known as the Hall-Hay bill which provided loans for drought-stricken farmers in upstate New York and the Northeast with which to purchase hay and fodder. Yet, when we went down to the Department of Agriculture, we were unable to get a fair definition from Henry Wallace, then Secretary of Agriculture. Nobody in the Department of Agriculture wanted to recognize that drought was a necessary evil and should be dealt with.

Several of the gentlemen here have raised the point about drought. I, for one, want to emphasize the point that they have made. Certainly, we ought to have that included as a force of nature. I think we should take no chances. We ought to see that these various acts of nature are listed. It would be disastrous indeed if the Department of Agriculture, or any of its subdivisions did not recognize that drought or flood or any one of the other so-called disasters, which I have listed were not covered by the measure.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. EDWIN ARTHUR HALL. I yield.

Mr. COOLEY. Is the gentleman in doubt as to whether or not a drought might not create an economic emergency?

Mr. EDWIN ARTHUR HALL. The gentleman certainly is in doubt on the basis of the sad experience my section had from that disaster. The Department of Agriculture did not recognize it as an emergency in 1940. They might not again. Nothing in this bill says they have to. In line with what some of these gentlemen have said here today, they talk plenty about drought and they pointed out that drought may follow the serious storms which you have out in the Middle West.

Mr. COOLEY. May I point out there that floods may follow, but I have never heard the suggestion that drought might follow snowstorms.

Mr. EDWIN ARTHUR HALL. Floods will follow storms, and droughts will follow in their wake eventually.

Mr. COOLEY. That is true, but I think it is clearly the purpose of the bill to cover the situation that the gentleman has in mind. I wonder how you can strengthen the bill by enumerating some of the forces of nature and then by inference excluding other forces of nature.

Mr. EDWIN ARTHUR HALL. If the gentleman has any further forces of nature which he wishes to list, I certainly would have no opposition to that.

Mr. COOLEY. We have listed all of the forces of nature.

Mr. EDWIN ARTHUR HALL. I certainly want to see these included because tornadoes were mentioned here. Someone else suggested drought, and, again, someone referred to floods. It seems to me that these items ought to be listed. Certainly the Secretary of Agriculture in 1940 paid little attention to an equally

serious situation which we had in the Northeast, where I had asked the Government to lend money for hay which should have been brought into the dairy farms of our section to take care of the tremendous drought that they were then suffering. The losses resulting from the 1939–40 drought were staggering.

Mr. COOLEY. Mr. Chairman, will the gentleman yield further?

Mr. EDWIN ARTHUR HALL. I yield.

Mr. COOLEY. In line 6 we find these words "the forces of nature." Does not the gentleman understand that those four words embrace all of the forces of nature?

Mr. EDWIN ARTHUR HALL. Again my answer is, I might understand them, but it may not be convenient or suitable to the desires of some bureaucrat to understand them. We want to make sure they are included here. We have gone through droughts; we have gone through floods and tornadoes and earthquakes; there is no reason in the world why these disasters should not be listed specifically.

Mr. JENNINGS. Mr. Chairman, will the gentleman yield?

Mr. EDWIN ARTHUR HALL. I yield.

Mr. JENNINGS. Speaking as a lawyer, may I point out that it is a rule of construction that where you use a general term it is much more inclusive than where you enumerate specific items. And if, having enumerated the specific items, you fail to mention all the items, then it is deemed that those that have not been mentioned have been excluded. Therefore, you would weaken the bill and weaken the effect of it.

Mr. EDWIN ARTHUR HALL. To the contrary, I think it would strengthen it. These five disasters should be listed specifically so there can be no loophole to duck out on them. I hope that the committee will accept the amendment, because these words should certainly be included. I hope the amendment will be approved, because it will materially improve the bill and make it effective, which is what everybody wants.

Mr. COOLEY. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I think the language in the bill is very comprehensive and all-embracing. It refers to all of the forces of nature. The gentleman's amendment is calculated to limit the scope of the bill rather than to broaden it. I agree with the statement made by the distinguished jurist from my neighboring State of Tennessee, because all lawyers know there is a rule which holds that the expression of certain things is ordinarily understood to exclude other things. To limit it in the manner proposed would be rather unfortunate, because it is the purpose of the legislation, as I understand it, to include disasters and economic emergencies resulting from any force of nature.

Mr. BURDICK. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield.

Mr. BURDICK. I think the gentleman's amendment would be clarified by putting after the words "the forces of nature" a shortage of hay in New York.

Mr. MURDOCK. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield.

Mr. MURDOCK. Is fire started by nature a force of nature?

Mr. COOLEY. I do not know. I leave it to the gentleman to decide, himself. I am not an expert on the forces of nature.

Mr. MURDOCK. If as the lawyers have said, the language of the amendment would be restrictive, then of course the Secretary of Agriculture could never consider fire started by natural forces as one of these calamities.

Mr. EDWIN ARTHUR HALL. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman.

Mr. EDWIN ARTHUR HALL. Does not the gentleman feel that listing these various disasters will strengthen the bill from the standpoint of future reference to the Department of Agriculture?

Mr. COOLEY. No, I do not think it will strengthen it. I think the legislative history and certainly this discussion clearly indicates to the officials in the Department what we intend by the passage of this legislation.

Mr. EDWIN ARTHUR HALL. Is it the gentleman's opinion that they will consider drought and tornado a force of nature?

Mr. COOLEY. If they are of such magnitude as to constitute a national disaster in the field of production, I would say certainly.

Mr. EDWIN ARTHUR HALL. Who, in the gentleman's opinion, is qualified to pass judgment on that?

Mr. COOLEY. The Secretary of Agriculture is charged with that responsibility.

Mr. EDWIN ARTHUR HALL. In my experience he did not pass favorable judgment on that.

Mr. COOLEY. I am sorry that the Secretary of Agriculture did not provide the gentleman with free freight on his hay.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield.

Mr. HARRIS. Is not the word "emergency" here?

Mr. COOLEY. Yes; and "disaster."

Mr. HARRIS. So it would mean, regardless of the type of economic force that brings on the disaster.

Mr. COOLEY. Absolutely.

Mr. HARRIS. It is an emergency that brings it on regardless of the economic forces that bring it on; is not that true?

Mr. COOLEY. I think that is right.

Mr. CAVALCANTE. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield.

Mr. CAVALCANTE. Most of us who have had some legal training understand the meaning of the phrase "act of God" in law, but here in this bill the phrase "forces of nature" is used. Did the committee at the time they drafted this language have in mind what courts of law have decided as to the meaning of the phrase "act of God"? I can understand an act of God, but an act brought on by a force of nature seems to be rather confusing.

Mr. COOLEY. I do not believe that it is confusing. I think that the forces of nature are controlled by some act of God.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The amendment was rejected.

Mr. WADSWORTH. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WADSWORTH: On page 1, line 7, after the word "disaster", strike out the remainder of the line; and on line 8 strike out the words "economic emergency" and insert "or an economic hardship arising from such disaster."

Mr. WADSWORTH. Mr. Chairman, I want it distinctly understood that I do not offer this amendment as the result of the slightest hostility to the objective sought by this bill. I am in complete sympathy with that objective. I realize the terrific damage that has been done and may still be done in the Mountain States, and may be done in any part of the Union at any time as the result of acts of nature.

The language which I desire to have clarified is found beginning in line 6:

That the Regional Agricultural Credit Corporation may enter any area or region where the forces of nature have caused an agricultural production disaster—

So far so good—

or because of other economic emergency.

My suggestion is that the phrase "other economic emergency" goes far beyond anything that might be conceived as a disaster as the result of a force of nature. It is going to be almost impossible it seems to me for the Secretary of Agriculture or the administrator of this program to define what is meant by economic emergency. Economic emergency may overtake a region, or indeed a whole nation, although its origin has nothing to do with a disaster coming from an act of nature; it may come from war; it may come from changes in interior economic conditions having nothing to do with weather, or floods, or blizzards, or earthquakes, as has been suggested. My suggestion is that this bill be intended as an emergency measure to take care of these people—and they certainly are entitled to it—and that the language be changed so as to read: "or an economic hardship arising from such disaster."

That in itself would have a broad application, as one or two members have already stated in this disaster that has overtaken the Mountain States. The extent of the disaster may not be evident tomorrow or next month, or even in April; it cannot be measured really in that livestock region until the calf crop or the lamb crop has made its appearance. The danger to these people is not only in the fact that they have lost a good many adult animals, cows and ewes, but that as a result of that loss and as a result of weakening of the survivors in the breeding herds or flocks the calf crop will be exceedingly small. There is your greatest potential disaster, and the disaster comes from an act of nature, and

its effect may be felt clear through next summer on into next autumn; because, unless we are very much mistaken the calf crop and the lamb crop are going to be very severely reduced, and that is the thing those people live on. So my amendment will not in any way prevent them from securing a loan to help tide themselves over the effect, the long-time effect, if you please, month after month, of these acts of nature; but it will make it clear that the Congress in passing this did not intend that it should apply to any economic emergency which might arise anywhere in the country at any time for other reasons completely different from these.

Mr. JENNINGS. Mr. Chairman, will the gentleman yield?

Mr. WADSWORTH. I yield.

Mr. JENNINGS. If this amendment is not adopted it might be that some of this money which is designed to help the people who are suffering out there, as a result of this terrible disaster, might be diverted to something else.

Mr. WADSWORTH. We cannot tell; it depends on who is to interpret the meaning of the phrase "economic emergency" how far he will stretch that meaning. What we are really after is to meet the situation created by disasters caused by acts of nature, and I think my amendment will accomplish that purpose.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. COOLEY. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I desire to call the gentleman's attention to the fact that the basic act under which the RACC's have been operating contains even broader authority than is now contemplated, and there has been no abuse of the broad authority given to the agency. In the law as it exists today we have the very words "economic emergency or production disaster."

The gentleman's amendment would have the effect of striking that language from the law. We only refer to it in the bill now under consideration. There having been no abuse in the past, it is hardly reasonable to suspect that there will be abuse in the future.

Mr. WADSWORTH. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from New York.

Mr. WADSWORTH. May I remind the gentleman that the original law was passed in the midst of a Nation-wide depression. There was an economic emergency that had nothing to do with disasters caused by the forces of nature. Those laws were passed in the early thirties.

Mr. COOLEY. No. The original act was passed in 1932, but the language I refer to was added later.

Mr. WADSWORTH. It has been repeated since.

Mr. COOLEY. It was put in first in 1948 by the Eightieth Congress.

Mr. WADSWORTH. Not for the purpose of meeting an emergency such as is intended to meet by this bill.

Mr. COOLEY. It states here:

Provided, however, That the Secretary of Agriculture may authorize the Regional Agricultural Credit Corporation to enter any area or region when an economic emergency or production disaster has occurred in conformity with the provisions of section 201 (e) of the Emergency Relief and Construction Act of 1932.

Mr. WADSWORTH. It goes back to the act of 1932.

Mr. COOLEY. Yes.

Mr. WADSWORTH. Which was passed under completely different circumstances. Since then, may I remind the gentleman, and I ask his pardon for interrupting him, the Congress has enacted a series of acts to protect agriculture from economic emergencies, notably the farm-support program and others. We tried to protect agriculture as best we could from economic emergencies. This bill is intended merely to protect those who suffer from a disaster caused by the forces of nature, and nothing else.

Mr. COOLEY. I think there is no difference between the construction the gentleman places on it and the construction the committee places on it. The economic emergency we have in mind is an economic emergency with regard to production and resulting from some disaster following the forces of nature.

Mr. WADSWORTH. But you go beyond that.

Mr. COOLEY. We go beyond it to this extent, that here we have what we consider to be a disaster in a certain section of the country. When the snow subsides and the floodwaters roll down the valleys and a farmer's production is wiped out hundreds of miles from the snowstorm, he might have an economic emergency in the community in which he lives, and the Secretary, under this broad authority, can move in and make loans.

Mr. WADSWORTH. He can under my amendment also.

Mr. COOLEY. The economic emergency with which he might be dealing might have directly resulted from a national disaster up the river.

Mrs. DOUGLAS. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentlewoman from California.

Mrs. DOUGLAS. That would apply in California as well. We had a snowstorm which was not comparable to the snowstorm in the Mountain States, nevertheless in California the disaster will be very great. The trees are still in the ground, but we will not know what the snowstorm has done to our citrus crop until the fruit trees begin to bear fruit. There is a place that will completely fit into this bill.

Mr. COOLEY. But if the gentleman's amendment is adopted, it will be difficult for the Secretary to determine that a situation which will exist in 90 days or 6 months from now may be attributable to the disaster.

Mrs. DOUGLAS. Exactly, and we will not know in California until our trees bear fruit what the disaster has been.

Mr. COOLEY. Mr. Chairman, in conclusion, I think we should all take pride in the record of the RACC. I think it is a very remarkable record. They were authorized to make these high-risk, very hazardous loans, always in an emergency, and though they have loaned a tremendous amount of money the losses were actually negligible. We are faced with another emergency which does not affect my section of the country, yet it is a national emergency. This money is not going to be thrown to the four winds, it is not going to be given away. We are not contemplating any grant. It is only loans. Our information is to the effect that the credit facilities in this immediate section of the country are inadequate at the present time to meet the unprecedented demand.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. HERTER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the issue that has been raised by the amendment offered by the gentleman from New York was one that came up at the time this bill had a hearing before the Rules Committee. At that time there was a very real confusion of thought as to what the bill was actually intended for. The testimony was all directed toward the disasters that have been brought on by nature; but the moment this particular language was questioned, it was very obvious the intent of the Agriculture Committee wished to go far beyond the disasters caused by nature and to set up in this bill economic emergency relief measures entirely apart from the disasters brought on by nature. I think you can find it not only in the language that the gentleman from New York seeks to amend but also in the title of the bill where it is stated that this is a bill "to authorize the Regional Agricultural Credit Corporation of Washington, District of Columbia, to make certain disaster or emergency loans, and for other purposes."

In other words, this is a dual-purpose bill, and I think we ought to be very clear as to what the intent of the Committee on Agriculture is.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. HERTER. I yield to the gentleman from North Carolina.

Mr. COOLEY. I do not think there is any question about the fact that this is a dual-purpose bill. The thing I want to avoid and which I think the bill does avoid is the necessity of having the Secretary of Agriculture make a determination that the economic emergency with which he is dealing is related to a national disaster.

Mr. HERTER. Then very clearly the intent of this bill goes away beyond the testimony offered before the Rules Committee at the time the rule was requested.

The Regional Agricultural Credit Corporation, as the gentleman knows, is not staffed and is not functioning at the present time. It happens to have in reserve certain money, the $44,000,000 to

which the gentleman referred, all of which it seems to me ought to be made available for disaster relief purposes and not for economic relief purposes. I have nothing but sympathy for taking care of the situation, as has been outlined here today, but I think you are going to have infinite confusion the minute anybody is eligible to apply for a loan under this act as you have it drafted because of an economic emergency. The economic emergency may have been brought about by his own mismanagement.

Mr. COOLEY. Oh, no.

Mr. HERTER. You have broadened the scope of the 1932 act here in the new language you put in.

Mr. COOLEY. I think the gentleman does not fully appreciate the breadth of this program. In other words, the Secretary is not to deal with an isolated farm or an isolated group of farmers in a particular small community, but it contemplates a wide area of such magnitude as to constitute a national disaster.

Mr. HERTER. I fully appreciate that. I am trying to help the gentleman make this amount of money go for that very purpose and not be scattered over an entirely different area which is not really intended by this bill.

Mr. COOLEY. I do not think it will be scattered over a wide area. The purpose of this bill is to lift the restrictions placed upon the RACC functions and finances this Congress recently placed upon it. We have the $44,000,000. We are trying to make it all available.

Mr. HERTER. Clearly this particular lending agency, which was initially created to take care of the economic emergency in 1932, and very properly so, and which had a fine record for recovery of the loans made, was put out of commission because the economic mission for which it had been created no longer existed. For the sake of convenience, to take care of this disaster, it is being revived. It is a matter of convenience to revive it, the shortest way of taking care of this immediate disaster which is facing a great many stock raisers and others who through the forces of nature have been badly injured. What the gentleman is doing is also recreating it to take care of economic emergencies. That should not be the purpose for recreating it at the present time.

Mr. COOLEY. I thought the gentleman stated a moment ago that it was originally the purpose of the RACC to treat with an economic emergency rather than with a national disaster.

Mr. HERTER. That is quite true, but the economic emergency, the over-all national picture, having changed, this particular credit agency was no longer functioning. As the gentleman knows, it has no staff today. It should be recreated only for disaster purposes, and for that I have the utmost sympathy.

Mr. HOPE. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I am reluctant to oppose any amendment that might be proposed by the gentleman from New York [Mr. WADSWORTH] or that might be supported by the gentleman from Massachusetts [Mr. HERTER], but it seems to me it would be unwise at this time to adopt this amendment. Of course, the effect of it, if adopted, would be just the same as striking out all the language referring to the economic emergency, because without question any consequence which might flow from a storm or a flood in the way of an economic difficulty would be covered by this bill, if it were within a reasonable time thereafter and could be traced to that cause.

The gentleman from Massachusetts stated that if we leave the language in the bill which is there now we would be broadening the act of 1932. We cannot broaden the act of 1932 because it is just as broad already as the English language can make it.

Mr. HERTER. Mr. Chairman, will the gentleman yield for a correction there?

Mr. HOPE. Yes, I am certainly glad to be corrected.

Mr. HERTER. The gentleman said I stated it broadened the act. It does broaden the act of 1932 by bringing disaster relief into it. It does not broaden it from the point of view of the economic emergency for which the original act was intended.

Mr. HOPE. I am glad to have the gentleman's statement. However, I still believe that you could in no way broaden the 1932 act because it reads as follows:

> Such corporations are authorized and empowered to make loans or advances to farmers and stockmen, the proceeds of which are to be used for an agricultural purpose (including crop production), or for the raising, breeding, fattening, or marketing of livestock.

I do not know how you could have language that would make the purpose of the loans any broader than that. So we are not broadening the original act but are providing now that where the Secretary of Agriculture finds that there is an area or region where the forces of nature have caused an agricultural production disaster or where, because of other economic emergency, loans or advances should be made, he may go into that region. He is still limited, of course, to going into regions where those situations exist, whereas under the original 1932 act he could have gone into every State of the Union and every county in every State and for any reason he saw fit.

The only reason this proposed legislation is necessary at all is that in the 1948 Department of Agriculture appropriation bill restrictions were put upon the authority of the Secretary of Agriculture to make loans under the provisions of the 1932 act. It was also provided in the Government Corporations Appropriation Act for 1949 that not more than $25,000,000 should be available. What this bill does is to do away with those two restrictions. It makes the full $44,000,000 that is now in the Treasury available, and it removes the restrictions upon loans which are contained in the appropriation bill for the Department of Agriculture. That is all that the language of the bill does in its present form.

It seems to me we are fully justified in leaving the language in the bill. While the primary purpose of the bill is to provide loans to meet situations caused by the forces of nature, there may be some economic situation which may arise in some region which should be relieved in this way.

I am afraid the gentleman from New York and the gentleman from Massachusetts are confusing this with price-support programs. There is nothing in this bill that would justify any measures in the way of price support. These are to be loans, not to stabilize prices but to enable farmers to continue in the business of farming, to continue in production. If the record we have had in the past as to loans of this type continues, loans made under this bill will be practically all repaid, because over 98 percent of all the loans, amounting to over $400,000,000, which were made under the original 1932 act have been repaid.

These will not be conventional loans. They cannot be handled by regular financial institutions. That does not mean they will be poor loans however. It simply means that they may have to be made on different terms and for longer periods of time than would normally be the case. If they are made wisely, as I think they will be, they will not only enable farmers to keep in production but will be good loans from a repayment standpoint.

Mr. MORRIS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, it seems to me this language should be left in the bill. I realize the suggestions of the gentleman from New York come with a great deal of force, ordinarily; but in this particular instance, I think this law ought to be broad enough and I believe it is in view of the present language being in the bill, to cover insect infestations. For instance, out in the West we sometimes have disasters caused by harmful insects covering great areas. There cannot be anything more disastrous than to have green bugs eat up the wheat. There cannot be anything more disastrous than to have boll weevils and boll worms eat up the cotton. Those are by way of illustration. There are many economic emergencies that might be caused other than by forces of nature.

Mr. WADSWORTH. Mr. Chairman, will the gentleman yield?

Mr. MORRIS. I yield.

Mr. WADSWORTH. Does not the gentleman believe that infestations of grasshoppers and these other insects would be a force of nature?

Mr. MORRIS. I am afraid they might not be so classified. Therefore, I think this clause ought to be left in because I think "forces of nature" might be confined by some one interpreting the term, to windstorms and floods, lightning and things of that kind, and as the gentleman on my right, some few minutes ago, suggested, acts of God, or things called acts of God, in law. I believe that such might alone be defined as forces of nature which would therefore leave out chinch bugs, boll weevils, green bugs, and some of these harmful insects. Quite often those insects out in the West become our greatest enemies and do more damage and destroy crops more completely than floods, windstorms and droughts.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. MORRIS. I yield.

Mr. COOLEY. May I point out to the gentleman that the language we are now dealing with came into the law for the

first time during the Eightieth Congress. Up until that time, as was pointed out by the gentleman from Kansas, the authority was just wide open and there was really no limitation placed upon it. But the language we are dealing with now was brought into the law in 1948 in the nature of a limitation. Certainly there is no reason for us to remove it now when it has been in the appropriation bill since that time. I hope the amendment offered by the gentleman from New York will be defeated.

Mr. MORRIS. I hope so too, Mr. Chairman. I believe it will be dangerous for us to eliminate this language, and I really believe that those who might need it most might be deprived of the loan set-up here, should the language be removed. I believe that many agricultural disasters might occur in this nation which could not be honestly and truly classified as having been caused by a force of nature where we would be happy to make loans and relief available, yet we would be powerless to do so should we remove this language.

Mr. HILL. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I had not intended to make any remarks on this bill nor on this particular amendment, but there are a few things which I believe we should emphasize before closing debate on this amendment.

First, we should consider why this bill is before us this afternoon. I know that several Members have given you the details concerning this most devastating and critical storm in all of the history of the West and Northwest. In the memory of no living person has such continued blizzards and subzero weather been recorded in the entire history of the West. It is a most critical catastrophe in any man's language.

In a little time I can give you a few of the details of that most terrible storm where people were within 300 yards of food and could not get to it; where they were close to water but it was impossible to find it. The storms did not stop as they usually do after 12 or 24 hours, but they continued. Storm followed storm, in regular cycles. It seems to me that on almost every week end, on Friday, Saturday, and Sunday, there was another blizzard reported in that territory. Certainly the farmer or the rancher or the producer of great flocks of sheep and cattle in this stricken area deserves attention from those who can assist him. Our hearts should go out to every one of them. Stock producers in this storm area find themselves in financial difficulties. Banks in some of these localities are loaning up to the limit—but additional financial assistance is needed. One producer testified before our committee that it took 10 cents per sheep a day for hay alone to feed a certain flock of sheep. If you have 3,000 to 10,000 head of sheep and are paying 10 cents per day to feed each sheep, I wonder how many days a Congressman's salary would supply the necessary feed. We must consider the type of farmers for whom we are asking this legislation. Here is a bill which says nothing about starting a man in the farming business. Here is a bill which says nothing about a farmer investing or going into some type of farming wherein he can make a great deal of money for himself. No. Here is a bill which says the Government of the United States shall make a constructive financial effort to ease the present burden off their backs. And why? So that they may continue on in the business that they have been in all their lives. The flocks of sheep that they have husbanded for years from which comes 70 percent of the wool produced in the United States. The cattle producers in a half dozen states, all are critically affected by this great storm or series of storms.

Mr. Chairman, the cattle and sheep producers of this stricken area are not requesting a single dime as a hand out, not a single penny for feed. But the funds they need are for financial assistance that allows them to refinance the farming or stock-growing operation of ranches they now own—business hard hit by these continuous storms. This bill does exactly that.

The administrative features of this bill are the result of all the experience we have had in administering agricultural emergencies for the past 15 or 20 years. We have gotten away from the idea that we cannot put the responsibility on the Secretary of Agriculture. Let us remember this. Many Members on my side of the aisle have found fault because we could not put our finger on the person who was to blame for bad administrative policies. If this bill is not administered correctly we know immediately where to place the responsibility.

I am sure no one is going to talk about the need for the amendment offered by the gentleman from New York. We discussed that from every angle in our committee, and decided that we did not need it and did not want it. Let us not be arguing over the meaning of words. Let us leave the language in the bill as it is and pass the bill as our committee presented it to you this afternoon. There should not be a single vote in opposition to this legislation.

The CHAIRMAN. The time of the gentleman from Colorado has expired.

The question is on the amendment offered by the gentleman from New York.

The question was taken; and on a division (demanded by Mr. WADSWORTH) there were—ayes 15, noes 52.

So the amendment was rejected.

The CHAIRMAN. Are there further amendments? [After a pause.] There being no further amendments, under the rule the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. HAYS of Arkansas, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 2101) to authorize the Regional Agricultural Credit Corporation of Washington, D. C., to make certain disaster or emergency loans, and for other purposes, pursuant to House Resolution 110, he reported the same back to the House.

The SPEAKER. Under the rule the previous question is ordered.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. GATHINGS asked and was granted permission to extend his remarks in the Appendix of the RECORD and include a statement by Mr. G. L. Nellis.

Mrs. DOUGLAS asked and was granted permission to extend her remarks in the Appendix of the RECORD in five separate instances and in each to include extraneous matter.

Mr. McCARTHY asked and was given permission to extend his remarks in the Appendix of the RECORD and include the radio script written by Kerron Johnson, of St. Paul, Minn., one of the winners of the radio contest I Speak for Democracy.

Mr. SADOWSKI asked and was granted permission to extend his remarks in the Appendix of the RECORD in four separate instances and in each to include excerpts.

Mr. HOPE asked and was granted permission to extend his remarks in the Appendix of the RECORD and include a radio script written by George Morgan, Jr., of Hutchinson, Kans., one of the prize winning essays under the I Speak for Democracy contest conducted by the National Association of Broadcasters.

SPECIAL ORDER TRANSFERRED

Mr. RIVERS. Mr. Speaker, I ask unanimous consent that the special order I have for today may be transferred to Thursday next following such special orders as may have been entered heretofore for that day.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

SPECIAL ORDER GRANTED

Mr. HOLIFIELD. Mr. Speaker, I ask unanimous consent to address the House for 15 minutes on Thursday next following any special orders heretofore entered for that day.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

RECKLESS MINORITIES IN LATIN AMERICA

Mr. McCORMACK. Mr. Speaker, with the consent of those Members who have special orders for today, I ask unanimous consent to address the House at this time for 10 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, I read yesterday in the CONGRESSIONAL RECORD the remarks of colleagues about the difficulties which a certain minority of Latin-American countries are creating for all Latin-American countries in their expectations of help for development through point IV of President Truman's inaugural address.

I wish to go further and to be even more frank and vigorous concerning the unfortunate impression about all Latin-American investment that is being given

over our Commonwealth of Massachusetts and over New England by the treatment certain extremists in the Government of Guatemala are attempting to give the United Fruit Co. It is unfortunately true that in the minds of the American taxpayer and voter Latin-American countries are all one, and the reckless actions of a few can have an incalculable effect in raising doubts in the mind of the United States about assistance for all. What I am saying I say as a sincere follower of the good-neighbor policy of Franklin Delano Roosevelt, only to warn that point IV, like good-neighborliness, is, in the language of Secretary Acheson, a two-way street. It would be a pity if the persistent actions of an unthinking minority in any particular Latin-American country gave the American people an impression that good-neighbor relations with Latin America generally were not a two-way street and that Latin America generally was not a two-way street for the application of point IV.

In explaining point IV, Secretary of State Acheson recently made two observations which I hope my good Latin-American friends did not miss.

He said, speaking of the President:

> The President pointed out that insofar as his program is successful and insofar as people in less developed areas acquire skills they may also create the conditions under which capital may flow into those countries. He did not say this was to be governmental capital and indeed if the proper conditions are created the reservoirs of private capital are very great indeed. He pointed out that these must be two-way operations. * * * There is in many places a failure to understand that unless the conditions are created by which investors may fairly put their money into that country then there is a great impediment to development. It is no solution to say, "Well, the private investors don't do it therefore government must." So he pointed out that it must be a two-way street. * * * The President pointed out that we are willing and anxious to work with every country that wishes to really enter into a cooperative system with the rest of the world to this end and with every country that wishes to help other countries to develop.

The New England investor has made a specialty of Latin America. The figures of the Department of Commerce show that over 90 percent of New England's foreign investment is in Latin America. A large portion of that is in the United Fruit Company, one of the largest companies operating out of Boston. On the day after the President's message the people of Boston were naturally proud when the New York Times of January 28th pointed out the United Fruit Company as a particularly good example of the export of American technological skill in the development of under-developed areas of the earth. The people of New England know something of the way in which this particular company has exported American agricultural and engineering skills of the highest order to create new agricultural land where there was nothing before but jungle, and to build crops and wages and livelihood where there could be none without American advanced technology. Thinking in terms of United Fruit Company made us see the feasibility of point IV in Latin America in terms of our own experience and knowledge.

It is therefore with real regret that those of us in New England who would like to be good neighbors of Latin America in the application of point IV have heard of the regrettable and what seems to us foolish tactics of a minority of reckless agitators in the Guatemalan Government in trying to penalize this fine company for being American.

Apparently about a year ago this reckless minority managed to arrange a coup in Guatemala by which all companies were divided into two classes. The American United Fruit Co. was put in one class and all Guatemalan companies in the other class. Then a whole series of discriminatory conditions were imposed upon the operations of the American corporation because, representing American technical skill and success, it employed more workers and gave more livelihood than the Guatemalan corporations. The company responded that it was perfectly willing to abide by all laws of Guatemala that treated American companies in the same way as Guatemalan companies were treated. But it protested being singled out for discrimination.

The American State Department backed the company's protest to President Arevalo in Guatemala. President Arevalo, I understand, himself advised the United States ambassador that the law was obviously intentionally discriminatory; that he, the President, thought it was a machine gun aimed at the head of the United Fruit Co., and that he, the President, agreed that the discrimination should be removed, and that he would do everything possible to effect its removal. Those assurances I understand have been given the State Department many times in the last few months. But President Arevalo who is trying to do the right thing is not as strong in his own country as the vigorous Communist agitator Lombardo Toledano, who having fallen out of power in his own native country of Mexico, is now in Guatemala directing this attack on American companies in Guatemala.

I have no doubt that the better elements in the Guatemalan Government will prevail and that Guatemala will eventually again treat Americans doing business in Guatemala on the same nondiscriminatory basis as we would treat Guatemalans doing business in the United States.

But I do wish to point out to our Latin-American friends that while this foolish extremist agitation goes on for only a temporary period, it can do permanent harm. A generous nation like the United States which has given more economic assistance to other nations than ever was previously dreamed of in the history of man, is always doing its own soul-searching whether its policy of generosity is practical wisdom—or whether its hand that feeds others will eventually be bitten. And to speak frankly it has been disappointed, by and large, in the results in the economic assistance it has already given Latin America. Under these circumstances the reckless actions of the group of Guatemalan agitators who are trying to prevent President Arevalo from carrying out his stated intentions to do nondiscriminatory justice by American technical skill can have repercussions of distrust and suspicion beyond the immediate importance of the incident, for all Latin-American assistance.

By President Truman's own test that "we are willing and anxious to work with every country that wishes to really enter into a cooperative system with the rest of the world," the Government of Guatemala at its best has not been particularly cooperative. Guatemala has made particular difficulty for the United States in all the attempts of the United States to bring concord and economic cooperation between the nations of the Western Hemisphere. Members of the Guatemalan mission made difficulties at the Rio Conference. They also made difficulties in the Bogota Conference. They have undone a great deal of the efforts of better-intentioned Latin-American governments to bring a feeling of the feasibility of economic cooperation between the United States and its sister Republics to the South.

I am glad that some Members of the Congress have spoken out, and in a cautious degree said what is really on our minds. If Latin America is to expect benefits from point IV it will have, as Secretary of State Acheson implied, to set its house in order in the treatment of American technology which we have already sent to assist the development of that continent. It is the concern of other Latin-American nations even more than it is our concern that incidents like that going on in Guatemala today do not come to represent in the American mind a typical Latin-American situation proving that nothing Latin American really qualifies as a two-way street down which the benefits of point IV may move.

The SPEAKER. Under the previous order of the House, the gentleman from California [Mr. HOLIFIELD] is recognized for 25 minutes.

VETERAN HOUSING PROGRAM IS DEPENDENT ON REACTIVATION OF GI HOME LOANS

Mr. HOLIFIELD. Mr. Speaker, the Eightieth Congress failed to pass the legislation necessary for a successful housing program.

It is my sincere hope that the Eighty-first Congress will speedily correct this failure by enacting an over-all housing program which will serve the needs of all the people in the United States who desire to purchase a home or to find adequate rental facilities.

There are three main groups of people who need homes, and, in my opinion, each group requires special legislative approach to its specific problem.

The first two groups are the veteran and the nonveteran who are financially able to rent or buy a house. The third group is composed of both veterans and nonveterans whose annual income is too small to enable them to buy houses at today's inflated prices or to pay today's rents on rental units—rents which are enough to yield a fair return on the investment.

I want to reiterate what I said before—that the legislative approach to the needs

of the three groups requires special consideration. Also I feel certain that this Congress will enact the necessary legislation to meet every demand for shelter, and each demand presents a problem of its own.

In order to concentrate on one facet of the housing problem, I have introduced H. R. 1324, which is titled "Veterans' Home Loan Act of 1949." This bill was drafted primarily to center the attention of this Congress upon the fact that today it is almost impossible for a veteran to secure a home for himself under the terms of the Servicemen's Readjustment Act, commonly known as the GI bill of rights. H. R. 1324 provides the machinery for a veteran to buy a modest home under properly financed and adequately amortized monthly payments. It is important that this bill be passed, or that its principles be embodied in the administration's omnibus housing bill. It is the duty of this Congress to solve—and the people expect us to solve—the housing problem as quickly and expeditiously as possible.

Since I believe that the veteran's problem is of paramount interest, I shall therefore confine my remarks to H. R. 1324—its meaning, its objectives, and the conditions which, in my opinion, justify its consideration.

There are four major objectives which will be accomplished by this bill. They are:

First. The creation of a full secondary market in the Federal Government for all loans guaranteed under the GI Act. The Federal Government should back unequivocally any veteran's loan guaranteed by it through the Veterans' Administration at any time. It should put the stamp of approval on its guaranty of veterans' loans and thereby remove the fear of lending institutions that, if they engage in a full GI home lending activity, they would be caught short when they find it necessary to dispose of some of these loans in order to obtain adequate funds for a continuing lending operation. H. R. 1324 would increase the authorized funds of the Reconstruction Finance Corporation and its subsidiary, FNMA, by approximately a billion dollars. This is not an addition to the expenses of the Federal Government in carrying out its duty to veterans, because the net result will be that the RFC will actually make money on any loans that it purchases rather than take a loss.

Second. The bill establishes an interest rate on GI loans which would be acceptable to investors and savings holders under the present-day conditions of the home-loan market. The creation of a proper interest rate would arm the veteran with more than a mere hunting license when he approaches a lending institution for the loan benefits under the Servicemen's Readjustment Act. The rate should be adjusted immediately to 4½ percent if we are to attract private money into the veterans' building program.

I do not believe that a ceiling nor a floor should be set for the interest rate, as we all know that the money market fluctuates according to economic demands. To meet this situation this bill provides that the Administrator of Veterans' Affairs be required to adjust, up or down, the interest rate to the extent necessary to keep in line with the prevailing mortgage interest rate. The veteran must not again be left out in the cold because of an unrealistic interest-rate limitation.

Third. H. R. 1324 extends the maximum term for the amortization of the loan from 25 to 30 years. This simple change will lower the monthly payments the veteran would have to make on his home, making a home possible to the veteran with lower income. It would also offset the increased monthly cost to the veteran resulting from an adjustment on the interest rate from 4 to 4½ percent.

Fourth. I believe that the elimination of second mortgages on GI loans guaranteed by the Veterans' Administration will lift from the veteran the burdensome yoke of dealing with two different lenders and as a result, paying the increased costs, an increase of 11.2 percent on the total interest payments, closing charges, and loss of gratuities guaranteed the veteran under the GI bill of rights.

In further support of these objectives, I want to present the following information.

I. FULL SECONDARY MARKET

The lack of a full secondary market in the Federal Government for loans insured under the Servicemen's Readjustment Act has been largely responsible for the very serious and alarming decline in the GI home loan program.

An analysis of the past and present volume of the veterans' home loans guaranteed under the GI bill of rights clearly indicates the necessity for restoring in the Federal Government a secondary market for this mortgage paper. During December 1948, home loans guaranteed by the VA were approximately one-half of those for December 1947, 1 year earlier. Of even greater significance is the fact that loans in December 1948 showed a decline of 63 percent from those guaranteed during the peak month of October 1946. It is to be noted also that in December 1948 loans dropped off 11 percent from the number in the previous month of November 1948.

The present law restricting the purchase of GI loans by FNMA limits such purchasers to only 50 percent of those loans made after April 30, 1948, and in an amount not exceeding $10,000 each.

It is necessary to restore a full secondary market for VA home loans such as existed in the RFC up to June 30, 1947, when this authority to purchase such loans was abolished by the Eightieth Congress. VA records show that its home-loan guaranties commenced to drop after June 1947 and are continuing to do so at the present time.

Operations of FNMA since it was authorized by Congress, in 1948, to purchase loans of less than $10,000 made since April 30, 1948, reveal that only a small percentage of the available funds in FNMA have gone into the purchase of such GI loans.

There need be no fear that all outstanding GI loans will be rushed into FNMA for purchase.

Its record of purchases of such loans by the Federal Government, even including the period when there were no limitations, shows that this just will not happen.

Out of approximately $8,000,000,000 of GI loans that have been made, only $152,000,000 have been purchases, representing only 1.9 percent of the total. Moreover, by comparison, out of $15,000,000,000 of loans insured by the FHA, which the RFC was authorized to purchase, only $710,000,000 have been bought, representing only 4.7 percent of the total.

Of even more significance is the fact that of the VA loans purchased by the RFC, they still hold $141,500,000, representing 93 percent of those purchased.

Of FHA loans purchased, they still hold only $189,000,000, representing only 26.6 percent of the total purchased.

Further, there should be coupled with this record the fact that original lenders are not able, on a sound basis, to empty their portfolios of such loans and still maintain full investment necessary to their earning requirements. Moreover, regardless of the volume of such loans purchased by the Federal Government, it must be kept in mind that the establishment of a full secondary market releases funds to increase the volume of operations of lenders in the home-building field, which will materially assist the veteran to acquire his own home. Also, it is only reasonable that the Federal Government should stand behind loans guaranteed by it, in order to assure necessary confidence in such loans.

As pointed out heretofore, it is not necessary to appropriate funds to be used for expenses in order to fulfill this obligation to a veteran. It is a matter of record that mortgage loan operations of the Federal Government have actually made money, rather than lost money. GI loans bear a rate of interest far above what it costs the Government for money.

At a time when production of high-priced homes is proceeding at a record pace, it is found that the veteran fails to get a break in acquiring his own home. Mr. T. B. King, Director, Loan Guaranty Service, Veterans' Administration, has told the House Committee on Veterans' Affairs:

> The veteran today is not a very favored fellow in the immediate housing picture.

Recently, Mr. King has further summarized the situation as follows:

> Another principal cause of difficulty in making VA home loans has been the lack of a secondary market. For more than a year prior to the passage of Public Law 864 last July, no Government market for GI loans was available. During this period, furthermore, the private secondary market for GI paper virtually disappeared. As a result, many lending institutions which had cooperated wholeheartedly in the GI-loan program found their portfolios full and could not make additional GI loans unless some kind of secondary market was available. It had been hoped that the new secondary market, established by the Congress in July and altered by Public Law 901 in August, would furnish additional incentive for lenders to make GI loans. But because of the limitations which the act itself features, it is questionable whether the new market, over the immediate future, is likely to exercise more than a moderately favorable effect in

making more GI loans available to veteran home buyers.

II. ADJUSTMENT OF INTEREST RATE

While approximately one and one-third million veterans of World War II have been able, under the Servicemen's Readjustment Act of 1944, to acquire their own homes, there are millions still seeking homes who find that the law as presently administered gives them no assistance. They are unable to find loans at the present maximum rate of 4 percent interest.

Thus, those home-ownership benefits promised the veteran by the Federal Government in 1944 are now practically denied to him.

The present unrealistic rate, coupled with the lack of a full Federal secondary market, are the two major obstacles to the veterans' getting a home loan under the benefits of the GI Act.

The interest rate must be adjusted immediately to bring it in line with the present mortgage-loan market.

Although the Administrator of Veterans' Affairs was given authority by the Congress to adjust this rate to a maximum of 4½ percent, he has, after several months' delay, seen fit to take action against such adjustment, and has given practically no facts based on the mortgage-loan market, on which he based his decision. It is, therefore, necessary that the Congress set a definite interest rate at this time and, for the future, require the Administrator to make quarter-annual surveys of the prevailing interest rate in the mortgage-loan market and take appropriate action with regard to adjusting the rate upward or downward. This must be done in order to make sure that the veteran will not be left out in the cold again because of an impractical interest rate, and in order to assure that if a lower interest rate becomes feasible the veteran will have the backing of the Federal Government toward getting such lower rate.

The reasons why loans at the present interest rate of 4 percent are not available are as follows: Most lending institutions have cooperated in making these loans, to the extent of some $8,000,000,000, at the present rate. Now many of them, particularly the small ones, find that their portfolios are filled with loans at this presently low rate of interest and, therefore, they cannot absorb any more in the face of substantial changes in the rate of yield on investments and generally increased rates of interest. The over-all cost of attracting savings for the purpose of investment has greatly increased. In this connection, Mr. T. B. King, Director, Loan Guaranty Service of the Veterans' Administration, has stated:

Increasing numbers of lending institutions indicate their unwillingness to make GI loans at 4 percent. Yields on investments alternative to 4-percent mortgage loans, such as government and corporate bonds, have risen very noticeably since the summer of 1947 in spite of a slight and temporary decline during the early months of 1948. At the same time, lenders are cool toward the continuance of diluting net earnings by further commitments at the 4-percent rate in the case of reported increased costs of doing business together with the desire to maintain current interest or dividend rates. These developments, coupled with the opportunity of lenders to make FHA and conventional mortgage loans at interest rates of 4½ percent and higher, have made lending institutions more and more reluctant to invest in lower yield GI loans.

Increases in the rate of interest on various investments are due in large part to governmental financial policy.

The increase on United States Government Bonds from January 1946 to September 1948 was 10.9 percent, and on Treasury Bills, 190.7 percent.

Generally speaking, the percentage of increase in investment yield has increased far more than that which would result if the interest rate on GI home loans were adjusted from 4 to 4½ percent.

It is to be noted also that the present increase in mortgage rates generally prevailing will probably be long-range, with little hope that the increase will be temporary. There is no historical precedent for a sustained 4-percent rate on home loans. Money is a commodity, and its value will seek its own level in a competitive market where supply and demand control. To say the least, the veteran cannot enjoy the benefits under the GI Act if he is unable to obtain a loan, and he cannot get a VA guaranteed loan unless he is allowed to pay a rate which will attract savings funds. It is proven that he is unable to obtain such loans by referring to the figures given previously, showing the serious decline in the number of GI loans.

Granting that the adjustment of the interest rate to a more realistic level would put the veteran in a better position to get a home during this record building period, how would it affect him financially?

From a study sent out in August 1948 by General Carl R. Gray, Jr., Administrator of Veterans' Affairs, there is an answer to this question. The study said:

While it is true that an additional one-half of 1 percent interest would raise financing costs to the veteran by about $2 a month in the average case, it is important to note that the GI loan will still cost the veteran less than will FHA-insured loans at 4½ percent interest under the National Housing Act. Because of the additional cost to the borrower of the one-half of 1 percent annual insurance premium payable by the borrower for FHA-insured loans, both veterans and nonveterans pay an equivalent of 5 percent for FHA financing.

Then, too, there are a number of other advantages of a GI loan, aside from a lower interest rate. The veteran, of course, receives a gratuity payment equal to 4 percent of the amount guaranteed. Other important advantages are (a) the veteran pays no premium or brokerage fee for the GI loan; this reduces closing costs in many cases by as much as $100 below conventional and FHA loans, and (b) the veteran may make prepayments at any time without penalty. Other penalties and closing costs are scaled down or ruled out by regulations.

In other words, even at 4½ percent, GI loans would still offer lower financing costs to the veteran, and in addition, would continue to offer him a number of other advantages which a borrower usually does not enjoy under the terms of an FHA-insured or conventional mortgage loan.

Increasing the rate to 4½ percent would also have the healthy effect of curbing the steady upward trend in the number of second-mortgage loans guaranteed by VA in conjunction with an FHA-insured first-mortgage loan, since lenders would be encouraged to make straight first-mortgage GI loans under section 501 of the GI bill. In recent months the proportion of VA-guaranteed second-mortgage loans has climbed to over 25 percent. This form of second mortgage financing, while attractive to lenders because both the FHA-insured first mortgage and the VA-guaranteed second mortgage are 100 percent insured and guaranteed, is costlier to the veteran than straight GI first mortgage because of the one-half percent premium payable on the FHA-insured first mortgage, and the other factors commented on above.

In a press release of January 3, 1949, General Gray pointed out that now 37 percent of all loans guaranteed by the VA carry the higher type interest rate on loans of the VA-FHA type, involving an interest rate of approximately 4.87 percent, thus forcing the veteran, even on this type of Government combination loan, to pay 0.37 percent more for his home loan than he would be required to pay on a straight GI loan at 4.5 percent. Figures from General Gray's own department show that 41 percent—not 37 percent of the veterans buying homes today are forced to buy FHA-VA instead of straight VA.

Back in the month of October 1946, the peak month of all home loans guaranteed by the VA, less than 2 percent of the total were of the higher interest rate bearing combination FHA-VA type. Now it is known that over 41 percent of the total veterans getting any home-loan benefits under the Servicemen's Readjustment Act are having to take on this high-cost combination type loan.

There is simply no sense in continuing to force the veteran who wants to buy his own home to pay this higher cost for his loan.

I personally believe that veterans who have become acquainted with the present-day situation accept the need for an adjustment in the interest rate, in order to give the veteran a fair break in getting himself a home. None of the major national veterans' organizations have taken action in their official national conventions, since the Administrator was given authority to adjust the interest rate, opposing his establishing the maximum rate at 4½ percent. On the other hand, one major organization, in its last national convention—1948—voted to accept the increased rate as necessary to the continued effective operation of the GI home-loan program.

The statement has been made frequently that veterans are priced out of the housing market. While every effort should be made to bring down the cost of homes to veterans, it is only natural that low-priced homes have disappeared, along with nickel bus rides. Nevertheless figures obtained from the Veterans' Administration show that the average price paid for a home during the year ending May 1948, under the Servicemen's Readjustment Act, was $7,600. This situation is to be compared with our present-day volume employment and high increased earnings. Moreover, in order to provide more homes for veterans, it must be made easier for them to purchase homes, thus giving encouragement to the basic American desire to own a home.

Another proposal in this bill extends the term of the mortgage to 30 years. This would actually lower the monthly payments of the veteran to a figure less than that which he must now pay on a 25-year loan at 4 percent.

Every factor leads to the conclusion that the mortgage loan market now demands an adjustment in the interest rate, and provision should be made for the future for mandatory adjustment upward or downward, as prevailing interest rates require. This formula will insure an uninterupted building program.

III. EXTENDING MAXIMUM TERM

It would be economically sound to extend the term of amortization of a GI loan from the present maximum of 25 years to a maximum of 30 years, thus reducing the monthly cost to the veteran. Precedent for the 30-year term for home mortgages is already established in the National Housing Act, and is therefore entirely consistent with Government policy already in effect. Moreover, a longer term mortgage has been supported and advocated by experts in the field of land economics for many years.

On an $8,000 loan for 25 years, at 4½ percent, the monthly payments for principal and interest would be $44.47; whereas on the same loan and at the same rate for a period of 30 years, the payments would be $40.53, or a reduction in the monthly payments of $3.94. While it is recognized that extension of the period of amortization increases the over-all cost of the loan to the veteran for the whole period, he nevertheless has a smaller monthly outlay for his shelter, and it is believed that such an extension of the term as here advocated is sound and economically efficient. With relation to point No. II, covering adjustment of the interest rate to 4½ percent, it is to be noted that a 25-year loan on an $8,000 home at a rate of interest of 4 percent would cost the veteran $42.23 whereas a 30-year loan in the same amount at 4½ percent would cost him $40.53; actually amounting to a reduced monthly outlay of $1.70. To give an illustration, the following table is submitted:

$8,000 loan

Years	Interest	Monthly payment	Difference
25	4	$42.23	+$2.24
25	4½	44.47	
25	4	42.23	−4.04
30	4	38.19	
25	4	42.23	−1.70
30	4½	40.53	

The table indicates that it would be helpful to the veteran, from the point of view of his acquiring a home and reducing his monthly housing cost, to extend the term of the loan and enable him to take advantage of the GI Act and obtain his loan at 4½ percent.

Also, a 30-year loan with its lower monthly payments would make it possible for veterans with lower incomes to become home owners. Today the door is closed to many thousands of GI's who could establish credit if monthly payments were a few dollars lower.

There is already precedent for the 30-year term in the FHA-insured loan under title II, and the VA-guaranteed loan should have the benefit of at least that much term.

IV. ELIMINATE SECOND MORTGAGES

It is unfortunate that in the Servicemen's Readjustment Act any provision was included which would result in the veteran's being required to carry a second mortgage in order to take advantage of the home-loan provisions of the GI Bill of Rights.

Today that result has come to pass.

It has been the policy of the Federal Government since 1934 to wipe out second mortgages as being uneconomical and burdensome to home buyers.

They have never been permitted in connection with FHA loans.

As shown by veteran administration reports, approximately 41 percent of all home loans presently being guaranteed by the VA are of the second-mortgage type. In the above-referred-to study, it is pointed out that—

> Increasing the rate to 4½ percent would also have the healthy effect of curbing the steady upward trend in the number of second mortgage loans guaranteed by VA.

Presently the second mortgage type of combination VA-FHA loan costs the veteran 0.87 percent more than the straight GI single mortgage loan. Even at an interest rate of 4½ percent on the straight GI loan, it would cost the veteran 0.37 percent less than the second mortgage combination type. This condition should not be allowed to continue to exist.

The second mortgage has other disadvantages than just the increased interest cost. As pointed out by General Gray in his study cited above in part II:

The veteran pays no premium or brokerage fee for the GI loan; this reduces closing costs by as much as $100 below conventional and FHA loans.

Some of the items which can cause the increased cost of FHA-VA combination are double recording and notarial fees, title policies, and double appraisals.

Another important penalty against the veteran is loss of more than half his gratuity payment by virtue of the second mortgage. For example, on an FHA-VA combination loan for purchase of an $8,000 home, the VA guaranteed portion cannot exceed 20 percent of the total, or $1,600. Under the GI Act the Veterans Administration makes a gratuity payment amounting to 4 percent of this, or $64, which is applied to interest payment on the loan. However, on a straight VA guaranteed loan for the full $8,000, the guaranteed portion is $4,000 and the gratuity payment is $160. Thus, the veteran loses $96 right at the start, on the FHA-VA combination. This, plus the increased closing costs can burden the veteran with $200 or more at the outset.

The irritating delays of the veteran having to deal with two Government agencies, two sets of regulations and double paperwork are hard to evaluate dollarwise. Even if they were, they should not be imposed on the veteran—they are unnecessary.

Support by major veterans' organizations for H. R. 1324, has been expressed to me by the State department commanders of the American Legion, Veterans of Foreign Wars, and the AMVETS in my own State of California. Each of the department commanders has wired me as follows:

Rex F. Whittemore, department commander American Legion:

> Vets in California are with you in your determined stand to reactivate the Veterans' Administration GI home loan. Please accept my sincere congratulations and keep punching. We are with you.

Alvin F. Kime, commander, department of California VFW:

> Department of California Veterans of Foreign Wars as well as national organization supports increase in interest rate from 4 to 4½ percent on GI loans. Feel increase is necessary to interest private capital and create secondary money market. Your support appreciated.

J. J. Kehoe, State commander AMVETS:

> Numerous California AMVETS wish you success in getting GI loans back in operation.

Our task is very clear. The veteran expects this Eighty-first Congress to make the GI bill of rights mean what it says in regard to housing. The nonveteran also expects this Eighty-first Congress to provide for housing which the Eightieth Congress denied the people. I have outlined the objectives of H. R. 1324, the Veterans' Home Loan Act of 1949, and again ask that this phase of housing be given speedy action.

Mr. Speaker, I ask unanimous consent to include as part of my remarks the bill H. R. 1324 at this point.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

(The matter referred to follows:)

H. R. 1324

A bill to expedite the borrowing of funds from established lending institutions, for the acquisition of homes, and for other purposes

Be it enacted, etc., That this act may be cited as the "Veterans' Home Loan Act of 1949."

PROVISION FOR ADEQUATE SECONDARY MARKET

SEC. 2. (a) The National Housing Act, as amended, is further amended by deleting from title III, section 301 (a) (1), the words "after April 30, 1948" and provisos (C) and (E) (2).

(b) Title III, section 301 (d), of the National Housing Act, as amended, is further amended to read "The association may have a capital stock of not to exceed $30,000,000 and paid-in surplus of $1,000,000, subscribed by the Reconstruction Finance Corporation."

(c) Title III, section 302, of the National Housing Act, as amended, is further amended by striking out therein the word "forty" and inserting in lieu thereof the word "sixty."

(d) Section 4 (c) of the Reconstruction Finance Corporation Act, as amended, is further amended by striking out $2,000,000,000 and inserting in lieu thereof $3,000,000,000.

(e) Section 4 (h) of the Reconstruction Finance Corporation Act, as amended, is hereby amended by striking out therein the figure "$20,000,000" and inserting in lieu thereof the figure "$30,000,000."

GENERAL PROVISIONS FOR LOANS

SEC. 3. Title II, section 500 (b), of the Servicemen's Readjustment Act of 1944, as amended, is further amended to read as follows:

"(b) Loans guaranteed under this title shall be payable under such terms and conditions as may be agreed upon by the parties

thereto, subject to the conditions and limitations of this title and the regulations issued pursuant to section 504: *Provided*, (1) That the liability under the guaranty within the limitations of this title shall decrease or increase pro rata with any decrease or increase of the amount of the unpaid portion of the obligation; (2) that such loans shall bear interest at such rate as may be agreed upon by the parties thereto, but not to exceed 4½ percent per annum; (3) that the maximum rate of interest shall be decreased or increased by the Administrator, on a basis of general applicability, to conform with the normal and reasonable requirements of the generally prevailing mortgage market; (4) that such loans shall be payable in full in not more than 30 years or, in the case of loans on farm realty, in not more than 40 years: *Provided further*, That (1) the maturity on a non-real-estate loan shall not exceed 10 years; (2) any loan for a term in excess of 5 years shall be amortized in accordance with established procedure; (3) any real-estate loan, other than for repairs, alterations, or improvements, shall be secured by a first lien on the realty, and a non-real-estate loan, except as to working or other capital, merchandise, good will and other intangible assets, shall be secured by personalty to the extent legal and practicable: *And provided further*, That the Administrator shall maintain a continuous survey of the mortgage loan market and report quarter-annually to the President of the United States on his findings and determinations on the generally prevailing interest rates on loans for the acquisition of homes and the action he has taken, if any, to change the allowable rate of interest on home loans guaranteed under this act."

ABOLISHMENT OF SECOND MORTGAGES

SEC. 4. Title III of the Servicemen's Readjustment Act of 1944, as amended, is further amended by deleting in section 505 all of paragraph (a) and changing the paragraph "(b)" to read "(a)."

The SPEAKER. Under the previous order of the House, the gentleman from Kentucky [Mr. PERKINS] is recognized for 20 minutes.

FEDERAL AID TO PUBLIC EDUCATION

Mr. PERKINS. Mr. Speaker, one of the most important issues before the Eighty-first Congress is that of Federal aid to public education.

Some persons would have us believe that this is a new issue—that the Congress is being called upon to enact a measure radically departing from established Federal policy. Such is not the case. The issue is really one of increasing Federal aid to education, since the Federal Government has been supplying such aid for over a hundred and fifty years. Altogether the Congress has enacted, by actual count, over a hundred and fifty laws providing for some form of aid to education.

About the time of its establishment the Federal Government assumed a share of the responsibility for financing education by providing for the endowment of the common schools with public lands, the income from which is now largely depleted but is still considerable in some of the States.

In later years the Federal Government has participated in the financing of education in several ways, including direct support of agricultural and vocational education in the public schools.

The broad issue before the Eighty-first Congress is whether the Federal Government should directly aid the States in maintaining a fairly high minimum level of general education for the Nation's citizens, and in more nearly equalizing educational opportunity, and if so, how and to what extent.

EQUALIZED EDUCATIONAL OPPORTUNITIES INDISPENSABLE FOR WELFARE OF DEMOCRACY

The issue is of paramount importance because of the great need of this Nation for the enactment of such a proposal as that expressed in S. 246 and several other Federal aid bills which have been introduced in the House, including one of my own identical to S. 246. The Thomas bill, S. 246, would strengthen our public-school system upon which the welfare and progress of the Nation depend. I could hardly think of a more important purpose.

I do not need to discuss with you the general importance of promoting education. Evidences of its value to the individual and to the Nation are numerous and readily discernible. Let us be reminded, however, that in the 1920's H. G. Wells predicted that the fortunes of the world would depend upon the outcome of a race between catastrophe and education—democratic education. By 1939 it became clear that catastrophe had won the race. It cost the world 6 years of bitter warfare, 60,000,000 casualties, and hundreds of billions of dollars to give itself another chance to start the race all over again.

Within recent years the great power of education, democratic and totalitarian, has been dramatically demonstrated. It has become more evident than ever before that democratic government and a democratic way of life are possible only to a nation well educated under democratic principles. The public-school systems of this country provide for basic education under such principles; and the proposal expressed in S. 246 would give increased support to the financial structure supporting these systems without altering the principles under which they are administered.

You are undoubtedly aware that within recent years there has been a great hue and cry throughout the Nation that the financial structure supporting our public schools is inadequate. The general alarm has been justified by the facts that have caused it. Since 1941 over 300,000 of our best teachers have left the classrooms for better paying jobs in industry. Many of them have been replaced by teachers having substandard preparation. Over 100,000 teachers have been employed annually on emergency or substandard licenses. In many places throughout the Nation school buildings and equipment have deteriorated while enrollments have greatly increased.

The growing concern over the status of public elementary and secondary education has been evidenced by the appearance of numerous writings on the subject. Outstanding among such publications have been the reports and national surveys made by the Senate Committee on Labor and Public Welfare, the House Subcommittee on Education, of the Committee on Education and Labor, Eightieth Congress, the New York Times, and the Research Division of the National Education Association.

These studies made by responsible groups have pointed out such disturbing facts as these: The youth of our country are citizens of the entire Nation as well as of the States, but the Federal Government is not bearing its share of the responsibility for the education of its future citizens. Vast numbers of American children are receiving a substandard education or none at all. Educational inequalities are prevalent. Democracy cannot function, much less assume its heavy international responsibilities, unless all its citizens obtain the basic education necessary to intelligent participation in the life of the Nation.

A number of governmental advisory commissions, such as the National Advisory Committee on Education appointed in 1931 by President Hoover, and the Advisory Committee on Education appointed in 1936 by President Roosevelt, have recommended Federal participation in the financing of elementary and secondary education in general. Various nongovernmental advisory commissions, such as the National Conference on the Financing of Education, have likewise supported this cause. In several messages to the Eightieth Congress, President Truman asked enactment of Federal aid to elementary and secondary schools. In his first message to the Eighty-first Congress, on January 5, 1949, he urged prompt Federal aid to the States to help them maintain and operate their school systems. In his budget message of January 10, he reiterated this recommendation, declaring that—

> It is therefore urgent that the Congress enact legislation to provide grants to the States in support of a basic minimum program of elementary and secondary education for all children and youth.

S. 246, introduced in the Senate with bipartisan support on January 6, 1949, would provide $300,000,000 per year for this purpose. The bill is identical with the one passed by the Senate last year by a vote of 58 to 22. I do not have time to review all the arguments which might be brought in favor of this bill, but they are convincing. The wording of the bill belies the most outworn and refuted argument that has been brought against such legislation, namely, the argument that its enactment would lead to Federal control of education. Federal control of educational policies is explicitly prohibited in the bill, which is essentially an equalization measure, with the largest amounts of Federal funds apportioned to the neediest States.

STATES' RIGHTS GUARANTEED

The States may use the funds according to the provisions of State constitutions and State laws governing the use of State and local money for current operating purposes. It is right that these provisions should govern the use of the funds.

The proposal advanced by some persons that some of the Federal money should be made available specifically to aid in the support of private or sectarian schools suggests a radical departure from established Federal policy and raises questions of constitutionality. There is, however, no question of the constitutionality of S. 246 in its original form. The

Congress should first provide Federal aid to public schools according to the plan set forth in S. 246. The question as to whether the Federal Government should aid in the support of private and sectarian schools raises another issue which should be considered later on its own merits.

The proposal that the Federal Government provide funds for the construction of school buildings should be separately considered after further study in accordance with the recommendations of the President. It is apparent that a building program for schools is greatly needed, but at the same time we should enact legislation authorizing the construction of buildings on the basis of need. Likewise the national-health program for school children should be separately considered and all children share in the benefits therefrom. This subject is too important to permit substitute or supplemental legislation to be tacked onto S. 246, which could divert interest from the main issue. We must watch the enemies of Federal aid and not permit them to use this strategy to defeat the purpose of this bill.

An argument which has been advanced by some opponents of Federal aid to education in general is that, because the Federal Constitution does not contain a clause specifically providing for the administration of education, the Federal Government has no responsibility for the financing of that function. Such an argument, besides being illogical, shows a lack of knowledge of the history of public education in this country.

At the time of the framing of the Constitution of the United States in 1787, education was almost universally regarded as a matter of church control. However, in America there were many churches and no established state church. Consequently, no church could be recognized by the Constitution as in sole control of education. It would have been impossible to obtain agreement on a Constitution containing provisions for the administration of education by the Government. Even as late as 1825 publicly controlled nonsectarian schools were the distant hope of statesmen and reformers.

If a new Constitution had been written a hundred years later, undoubtedly education would have had a prominent place in it. By that time the vast majority of the population of the United States had accepted two very important ideas. One was the teaching of Thomas Jefferson that education for all the people is essential to the preservation and advancement of democracy. The other was the principle that public education should be under public rather than church control.

The tenth amendment to the Constitution, which became effective in 1791, provided that powers not delegated to the United States would be reserved to the States. Therefore, as tax-supported, nonsectarian schools gradually developed during the nineteenth century they came under control of the States. S. 246 prohibits any interference with this control.

A number of clauses in the Constitution have served as warrants and guides for developing Federal relations to education. The most important provision affecting Federal aid to the States for education is contained in section B of article I which states that Congress shall have power to provide for the general welfare of the United States. Several decisions of the Supreme Court have held that Congress has power to promote the general welfare by the grant of financial aid to the States—including aid to education.

S. 246 proposes a departure from the more recently exercised policy of the Federal Government in giving aid to education in the States—namely the policy of aiding special kinds of education, such as vocational education in secondary schools. S. 246 proposes a return to the Federal policy represented by the early Federal land grants—namely, the policy of giving aid to public education in general rather than to some special kind of education or to education for some special groups or class of persons. It is Federal aid to the States for public education in general that has been recommended by such authoritative bodies as the National Advisory Committee on Education appointed by President Herbert Hoover, the Advisory Committee on Education appointed by President Roosevelt, and other respectable committees which have studied this program. President Truman has joined these distinguished groups in recommending that Federal aid to education take this form.

The advisory committees already named have pointed out that numerous noneducational Federal agencies have for many years administered educational programs. The administration of some of these programs in special fields has inevitably resulted in influences over certain educational policies in the States.

The Federal Government can never be expected in the future to ignore completely the educational needs of the Nation nor to refrain entirely from efforts to meet those needs. In order to reverse the trend toward Federal influence over educational policies in specific areas of education two steps should be taken. First, to the extent feasible, the educational programs administered by noneducational agencies should be transferred to the United States Office of Education as recommended by the Advisory Committee on Education in 1938. Second, additional Federal aid in this field should take the form of direct Federal aid to the States for education in general, as likewise recommended by the Advisory Committee and as proposed in S. 246. The United States Office of Education has had long experience in administering Federal grants in aid to the States, without any encroachment on State and local prerogatives. This Office has been wisely chosen to administer the aid proposed.

It seems to me that the basic reason for Federal participation in the financing of public elementary and secondary education is this: the Federal Government has a fundamental interest in, and is at least partly responsible for, the general education of the national citizenry.

The very preservation of our form of government depends upon an adequately educated population. Democracy cannot function at home, much less carry its heavy international responsibilities, unless its citizens obtain the basic education to permit intelligent participation in the life of the Nation. A high level of political intelligence based upon adequate standards of education contributes most to the safety of democracy.

In case of war the victory has come to depend less and less upon the number of soldiers and more and more upon the capacities, and hence upon the education of the entire population. During World War II the Federal Government found it necessary to spend billions of dollars in educating not only military but also cilivian personnel in practically all subject fields. If we continue to leave education almost entirely to the States we may not win the next war, because there will not be time to adequately organize an adequate national program of education.

The provision of adequate standards of education for all is becoming increasingly necessary to the national well-being. With technological advances and specialization in industry, this country has ceased to be composed of self-contained and relatively independent communities. The economic welfare and expansion of the country depend increasingly on trained youth drawn from every section.

The birth rate is highest in those areas of our country where economic conditions are poorest and educational levels the lowest. If we continue to draw each succeeding generation in disproportionately large numbers from those areas, and if we fail to make good the deficit by positive educational measures, the effect on our culture and our representative political institutions will be appalling.

Let not the Representatives of the richer States deceive themselves with the idea that they would contribute more and receive less benefit under S. 246 if it is enacted. The provision of adequate standards of education for all is becoming increasingly necessary to the national well-being. The high mobility of our population makes the educational deficiencies of any locality a national concern. Many thousands of our people migrate annually to wealthy industrial centers from relatively poor areas in which educational opportunities are inadequate.

Mere enlightened self-interest demands that the richer States protect their citizenship and economic security by promoting the level of education in the poorer communities from which they will inevitably draw a part of their population and upon which their prosperity otherwise largely depends.

The bestowing of citizenship upon Negroes created an undischarged Federal obligation to aid the States having large Negro populations. Negro slavery was permitted by the Constitution until it was abolished by the thirteenth amendment. Negroes were made citizens by the fourteenth amendment. But here the Federal Government left the matter. The whole burden of educating the Negroes for citizenship was left to the States having the largest Negro populations—the States whose white citizens had been rendered unable to maintain adequate schools for their own children, much less the Negroes. I do not mean

to reflect on any class, because we are all equal and deserve the same treatment. But I do wish to state that the Federal Government has an undischarged obligation to aid the States having large Negro populations with their educational systems.

The time at my disposal allows me to touch upon only a few of the reasons why a proposal such as that expressed in S. 246 should be enacted by this Congress. One of the reasons which impresses me most is that much of the wealth of some States is controlled by persons or corporations in others. This is true of my own State.

The enormous growth in corporate ownership of wealth has made it difficult for individual States to tax fairly the wealth and income produced within their own borders when much of that wealth and income is controlled and exploited by persons or organizations in other States. It has been estimated that as much as 70 cents out of every dollar produced in some States goes to the people of other States as the result of nonresident ownership.

These facts largely account for the lack of economic ability of some States to support public education. It is obviously a fair proposition that the Federal Government through its taxing power should return a part of the income produced in States thus affected to help pay for the education of their children who are also citizens of the Nation.

Because of these facts and for many other reasons too numerous for me to discuss at this time, the Congress should immediately provide for Federal aid to public elementary and secondary education as proposed in S. 246.

As Members of the Congress of the United States we must consider not only the problems of the people of our own States but also the problems of the Nation as a whole. As recently pointed out by the Honorable John R. Steelman, Assistant to the President of the United States:

> To preserve democracy we must improve it * * * all of us are made aware every day that there are very few problems that are confined to the State governments alone. We must think of Federal, State, and local governments together, for together they make up our American system of government—a system of multiple governments for a single Nation.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. DOYLE, for 5 days, on account of official business.

To Mr. TAURIELLO (at the request of Mr. GORSKI of New York), for February 21, 1949, on account of official business.

To Mr. JONES of Missouri (at the request of Mr. MCCORMACK), for an indefinite period, on account of serious illness of his father.

To Mr. POLK, for the remainder of this week, on account of official business.

To Mr. DEGRAFFENRIED (at the request of Mr. RAINS), for an indefinite period, on account of illness.

ENROLLED BILL SIGNED

Mrs. NORTON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H. R. 2402. An act to extend the Office of the War Assets Administrator and the War Assets Administration from February 28, 1949, until June 30, 1949.

BILL PRESENTED TO THE PRESIDENT

Mrs. NORTON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, a bill of the House of the following title:

H. R. 2402. An act to extend the Office of the War Assets Administrator and the War Assets Administration from February 28, 1949, until June 30, 1949.

ADJOURNMENT

Mr. MCCORMACK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 38 minutes p. m.) the House adjourned until tomorrow, Tuesday, February 22, 1949, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

238. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal year 1950 in the amount of $550,000 for the legislative branch, Government Printing Office, in the form of an amendment to the budget for said fiscal year (H. Doc. No. 77); to the Committee on Appropriations and ordered to be printed.

239. A communication from the President of the United States, transmitting supplemental estimates of appropriation in the amount of $216,200 for the fiscal year 1950 for the Department of Labor, in the form of amendments to the budget for the said fiscal year (H. Doc. No. 78); to the Committee on Appropriations and ordered to be printed.

240. A letter from the Chairman, the Board of Public Welfare of the District of Columbia, transmitting a letter urging consideration of a request of the Board of Public Welfare transmitted to the Congress on February 3, 1949, on recommended legislation regarding the full use of the National Training School for Girls; to the Committee on the District of Columbia.

241. A letter from the Secretary of Defense, transmitting a draft of proposed legislation to amend the act entitled "An act to provide additional protection for owners of patents of the United States, and for other purposes," approved June 25, 1910, as amended, so as to protect the United States in certain patent suits; to the Committee on the Judiciary.

242. A letter from the Postmaster General, transmitting a draft of a bill relating to recurring postal deficits entitled "A bill to readjust postal rates"; to the Committee on Post Office and Civil Service.

243. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, United States Army, dated May 28, 1948, submitting a report, together with accompanying papers, on a preliminary examination of Friday Harbor, Wash., authorized by the River and Harbor Act approved on March 2, 1945; to the Committee on Public Works.

244. A letter from the Chairman, Commission on Organization of the Executive Branch of the Government, transmitting the Commission on Organization of the Executive Branch of the Government report on foreign affairs (H. Doc. No. 79); to the Committee on Foreign Affairs and ordered to be printed, with illustrations.

245. A letter from the Chairman, Commission on Organization of the Executive Branch of the Government, transmitting to the Congress a study prepared for the Commission's consideration of the organization of the Government for the conduct of foreign affairs; to the Committee on Foreign Affairs.

246. A letter from the Chairman, Commission on Organization of the Executive Branch of the Government, transmitting to the Congress in typescript appendix IV-A to the study on foreign affairs offered for the Commission's consideration by the task force as a supplement to their summary report on this subject; to the Committee on Foreign Affairs.

247. A letter from the Chairman, Commission on Organization of the Executive Branch of the Government, transmitting to the Congress in typescript appendix V to the study on foreign affairs offered for the Commission's consideration by the task force as a supplement to their summary report on this subject; to the Committee on Foreign Affairs.

248. A letter from the Chairman, Commission on Organization of the Executive Branch of the Government, transmitting to the Congress in typescript appendix VI-A-B-C-D to the study on foreign affairs offered for the Commission's consideration by the task force as a supplement to their summary report on this subject; to the Committee on Foreign Affairs.

249. A letter from the Chairman, Commission on Organization of the Executive Branch of the Government, transmitting to the Congress in typescript appendix VII-A-B-C to the study on foreign affairs offered for the Commission's consideration by the task force as a supplement to their summary report on this subject; to the Committee on Foreign Affairs.

250. A letter from the Chairman, Commission on Organization of the Executive Branch of the Government, transmitting to the Congress in typescript appendix VIII-A to the study on foreign affairs offered for the Commission's consideration by the task force as a supplement to their summary report on this subject; to the Committee on Foreign Affairs.

251. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, United States Army, dated May 28, 1948, submitting a report, together with accompanying papers, on a review of reports on Sag Harbor, N. Y., requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted on March 19, 1946, and authorized by the River and Harbor Act approved July 24, 1946; to the Committee on Public Works.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mrs. NORTON: Committee on House Administration. House Resolution 90. Resolution for the relief of Mrs. Emilie C. Read; with an amendment (Rept. No. 149). Referred to the House Calendar.

Mr. FEIGHAN: Committee on the Judiciary. House Joint Resolution 160. Joint resolution to authorize completion of the processing of the visa cases, and admission into the United States, of certain alien

fiancés and fiancées of members, or of former members, of the armed forces of the United States, as was provided in the so-called GI Fiancées Act (60 Stat. 339), as amended; without amendment (Rept. No. 150). Referred to the Committee of the Whole House on the State of the Union.

Mr. MORRISON: Committee on the Judiciary. H. R. 253. A bill to amend the act of June 25, 1938, relating to the appointment of postmasters under civil service; without amendment (Rept. No. 151). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BYRNE of New York: Committee on the Judiciary. H. R. 729. A bill for the relief of John J. O'Neil; without amendment (Rept. No. 152). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. H. R. 1878. A bill for the relief of Ben Luke Pond, Mrs. Shao Hung Pond, and their son David Yat Wei Pond, aged 11 years; with amendments (Rept. No. 153). Referred to the Committee of the Whole House.

Mr. FORAND: Committee on Post Office and Civil Service. H. R. 1599. A bill for the relief of Mrs. Mary T. Maloney Preece; without amendment (Rept. No. 154). Referred to the Committee of the Whole House.

Mr. BYRNE of New York: Committee on the Judiciary. H. R. 2268. A bill for the relief of Forest L. Weatherly; with an amendment (Rept. No. 155). Referred to the Committee of the Whole House.

Mr. BYRNE of New York: Committee on the Judiciary. H. R. 2704. A bill for the relief of Freda Wahler; without amendment (Rept. No. 156). Referred to the Committee of the Whole House.

Mr. BYRNE of New York: Committee on the Judiciary. H. R. 2708. A bill for the relief of the legal guardian of Joseph DeSouza, Jr.; without amendment (Rept. No. 157). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BARTLETT:

H. R. 2859. A bill to authorize the sale of public lands in Alaska; to the Committee on Public Lands.

By Mr. BECKWORTH:

H. R. 2860. A bill to authorize additional appropriations for forest-fire prevention and suppression in States in the southern region; to the Committee on Agriculture.

By Mr. CAVALCANTE:

H. R. 2861. A bill to amend title 18 of the United States Code to provide a penalty for failure to file certain statements in connection with charges of disloyalty against officers and employees of the United States; to the Committee on the Judiciary.

By Mr. EVINS:

H. R. 2862. A bill to amend part VIII of the Servicemen's Readjustment Act of 1944, as amended, by adding a new subparagraph (d) to paragraph (3); to the Committee on Veterans' Affairs.

By Mr. GAVIN:

H. R. 2863. A bill to authorize the construction of flood-control works in the Allegheny River Basin at Warren, Youngsville, Sheffield, Oil City, and Franklin, Pa.; to the Committee on Public Works.

By Mr. GREEN:

H. R. 2864. A bill to amend the Civil Service Retirement Act of May 29, 1930, to furnish officers and employees within the purview of such act with annual statements relating to their individual accounts in the civil-service retirement and disability fund; to the Committee on Post Office and Civil Service.

By Mr. HAVENNER:

H. R. 2865. A bill to permit certain persons who served in the armed forces of the United States or in the merchant marine in World War II to enter or remain in the United States for permanent residence; to the Committee on the Judiciary.

By Mr. HOPE:

H. R. 2866. A bill to establish a United States Air Academy; to the Committee on Armed Services.

By Mr. KEEFE:

H. R. 2867. A bill to provide relief from tax on income to be paid or permanently set aside or used exclusively for religious, charitable, or educational purposes; to the Committee on Ways and Means.

By Mr. LARCADE:

H. R. 2868. A bill to provide for the installation of equipment necessary to enable Members of the House of Representatives to hear, while in their offices, the proceedings in the Hall of the House of Representatives; to the Committee on House Administration.

By Mr. MANSFIELD:

H. R. 2869. A bill to authorize an appropriation in aid of a system of drainage and sanitation for the city of Polson, Mont.; to the Committee on Public Lands.

By Mr. McCORMACK (by request):

H. R. 2870. A bill to provide for the amendment of the Fair Labor Standards Act of 1938, and for other purposes; to the Committee on Education and Labor.

By Mr. MILLER of California:

H. R. 2871. A bill to provide for the payment by the United States of premiums on bonds of Government officers or employees; to the Committee on Expenditures in the Executive Departments.

By Mr. PATTEN:

H. R. 2872. A bill to protect scenic values along Oak Creek Canyon and certain tributaries thereof within the Coconino National Forest, Ariz.; to the Committee on Public Lands.

By Mr. PERKINS:

H. R. 2873. A bill to authorize the appropriation of funds to assist the States and Territories in financing a minimum foundation education program of public elementary and secondary schools, and in reducing the inequalities of educational opportunities through public elementary and secondary schools, for the general welfare, and for other purposes; to the Committee on Education and Labor.

By Mr. RAMSEY:

H. R. 2874. A bill to protect the rights and privileges of Federal employees, and for other purposes; to the Committee on Post Office and Civil Service.

H. R. 2875. A bill to provide equal treatment for all employees in the civilian service of the Government with respect to payment of salaries covering periods of separation from the service in the case of persons improperly removed or suspended from such service; to the Committee on Post Office and Civil Service.

By Mr. REDDEN:

H. R. 2876. A bill to effect an exchange of certain lands in the State of North Carolina between the United States and the eastern band of Cherokee Indians, and for other purposes; to the Committee on Public Lands.

By Mr. REGAN:

H. R. 2877. A bill to authorize the addition of certain lands to the Big Bend National Park in the State of Texas, and for other purposes; to the Committee on Public Lands.

By Mr. ROONEY:

H. R. 2878. A bill to exempt from induction or service under the Selective Service Act of 1948 certain persons who served in the merchant marine during World War II; to the Committee on Armed Services.

By Mr. STAGGERS:

H. R. 2879. A bill to provide a system of transcontinental superhighways; to the Committee on Public Works.

H. R. 2880. A bill to authorize the appropriation of funds to assist the States and Territories in financing a minimum foundation education program of public elementary and secondary schools, and in reducing the inequalities of educational opportunities through public elementary and secondary schools, for the general welfare, and for other purposes; to the Committee on Education and Labor.

By Mr. TOLLEFSON:

H. R. 2881. A bill to permit certain displaced persons under 16 years of age orphaned as a result of World War II to enter the United States as nonquota immigrants; to the Committee on the Judiciary.

H. R. 2882. A bill to relieve postmasters and other paying employees of the postal service from accountability for wrong payment of money orders in certain cases, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. WHITE of California:

H. R. 2883. A bill to provide price support for honey; to the Committee on Agriculture.

By Mr. WIER:

H. R. 2884. A bill to regulate oleomargarine, to repeal certain taxes relating to oleomargarine, and for other purposes; to the Committee on Agriculture.

By Mr. ABERNETHY:

H. R. 2885. A bill to provide for the removal of weeds from lands in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

H. R. 2886. A bill to provide for the killing of starlings in the District of Columbia; to the Committee on the District of Columbia.

By Mr. ABERNETHY (by request):

H. R. 2887. A bill to amend the Architects' Registration Act for the District of Columbia in order to safeguard life, health, and property, and to promote the public welfare; to the Committee on the District of Columbia.

By Mr. BROWN of Georgia:

H. R. 2888. A bill to authorize the issuance of a special postage stamp in honor of Thomas E. Watson; to the Committee on Post Office and Civil Service.

By Mr. BUCHANAN:

H. R. 2889. A bill to provide for the acquisition of land and preparation of plans for the remodeling and expansion of the main post office building in McKeesport, Allegheny County, Pa., and for other purposes; to the Committee on Public Works.

H. R. 2890. A bill to provide for acquisition of land and the construction of a post office in the Borough of West Mifflin, Allegheny County, Pa.; to the Committee on Public Works.

H. R. 2891. A bill to provide for acquisition of land and the construction of a post office at Wilmerding, Allegheny County, Pa.; to the Committee on Public Works.

By Mr. DOUGHTON:

H. R. 2892. A bill to amend the Social Security Act to enable States to establish more adequate public-welfare programs, and for other purposes; to the Committee on Ways and Means.

H. R. 2893. A bill to extend and improve the old-age and survivors insurance system, to add protection against disability, and for other purposes; to the Committee on Ways and Means.

By Mr. NORRELL:

H. R. 2894. A bill to amend and supplement the act of June 7, 1924 (43 Stat. 653); to the Committee on Agriculture.

By Mr. PACE:

H. R. 2895. A bill to authorize the sale of select base material at the Fort Benning Military Reservation to Muscogee County, State of Georgia, for use on county roads; to the Committee on Armed Services.

By Mr. RAINS:

H. R. 2896. A bill to amend the National Housing Act, as amended, in order to assure the availability of low-cost financing on liberal terms to World War II veterans who need homes; to the Committee on Banking and Currency.

H. R. 2897. A bill to authorize the making of grants and loans to the States to assist in providing adequate public elementary and secondary school facilities; to the Committee on Education and Labor.

By Mr. VAN ZANDT:

H. R. 2898. A bill to amend the Railroad Retirement Act of 1937 to provide for a 20-percent increase in the survivor annuities and insurance lump sums payable under such act; to the Committee on Interstate and Foreign Commerce.

By Mr. WHITE of Idaho:

H. R. 2899. A bill to regulate oleomargarine, to repeal certain taxes relating to oleomargarine, and for other purposes; to the Committee on Agriculture.

By Mr. PHILLIPS of California:

H. R. 2900. A bill to regulate oleomargarine, to repeal certain taxes relating to oleomargarine, and for other purposes; to the Committee on Agriculture.

By Mr. PRESTON:

H. R. 2901. A bill to provide for the issuance of a special postage stamp in honor of Dr. Charles H. Herty; to the Committee on Post Office and Civil Service.

By Mrs. ROGERS of Massachusetts (by request):

H. R. 2902. A bill to amend Public Law 704 to extend terminal-leave benefits to next of kin of those who died prior to separation from service, and for other purposes; to the Committee on Armed Services.

By Mr. TEAGUE:

H. R. 2903. A bill to reaffirm the intent of the Congress with respect to flight training for veterans; to the Committee on Veterans' Affairs.

By Mr. MACK of Washington:

H. R. 2904. A bill to regulate oleomargarine, to repeal certain taxes relating to oleomargarine, and for other purposes; to the Committee on Agriculture.

By Mr. BISHOP:

H. R. 2905. A bill to create the Subcommittee on the House Office Buildings of the Committee on House Administration to perform the duties of the House Office Building Commission and to make a study of the needs of Members of Congress and committees as to future office space; to the Committee on Rules.

By Mr. BRAMBLETT:

H. R. 2906. A bill to provide a 1 year's extension of time for the disposition of farm-labor camps to public or semipublic agencies or nonprofit associations of farmers; to the Committee on Agriculture.

By Mr. PHILBIN:

H. R. 2907. A bill to clarify and formulate a consistent and coordinated national policy with respect to transportation costs in interstate commerce; to strengthen the antitrust laws of the United States and to provide for their more effective enforcement; and to promote competition by permitting sellers to have access to distant markets; to the Committee on Interstate and Foreign Commerce.

By Mr. KENNEDY:

H. R. 2908. A bill to provide for the separation of subsidy from air-mail pay, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H. R. 2909. A bill to authorize the Postmaster General to make special arrangements for the transportation in air commerce at low rates of large shipments of air mail, where such arrangements will result in savings to the public or the postal service; to the Committee on Post Office and Civil Service.

H. R. 2910. A bill to provide for lower air-mail postage rates to the public; to the Committee on Post Office and Civil Service.

H. R. 2911. A bill to amend the Civil Aeronautics Act of 1938 to provide for the economic regulation of air carriers engaged in foreign air transportation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H. R. 2912. A bill to amend the Tariff Act of 1930 to exempt persons engaged in overseas or foreign air commerce from certain requirements, including the requirement as to the payment of overtime compensation to customs employees; to the Committee on Ways and Means.

H. R. 2913. A bill to repeal the taxes on transportation and communications; to the Committee on Ways and Means.

By Mr. BARING:

H. R. 2914. A bill to amend the Taylor Grazing Act, and for other purposes; to the Committee on Public Lands.

By Mr. HOBBS:

H. R. 2915. A bill to provide for the review of orders of the Federal Communications Commission under the Communications Act of 1934, as amended and of certain orders of the Secretary of Agriculture made under the Packers and Stockyards Act, 1921, as amended, and the Perishable Agricultural Commodities Act, 1930, as amended; to the Committee on the Judiciary.

H. R. 2916. A bill to provide for the review of certain orders of the Interstate Commerce Commission and the United States Maritime Commission and giving the United States courts of appeals jurisdiction on review to enjoin, set aside, or suspend such orders; to the Committee on the Judiciary.

By Mr. RANKIN (by request):

H. R. 2917. A bill to authorize the Administrator of Veterans' Affairs to furnish financial assistance to certain blind veterans in obtaining an automobile or other conveyances; to the Committee an Veterans' Affairs.

By Mr. WALTER:

H. J. Res. 170. Joint resolution designating June 14 of each year as Flag Day; to the Committee on the Judiciary.

By Mr. GWINN:

H. J. Res. 171. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women: to the Committee on the Judiciary.

By Mr. WHITE of Idaho:

H. J. Res. 172. Joint resolution to authorize the issuance of a special 3-cent postage stamp commemorative of the birth and birthplace in Franklin County, Va., of Booker T. Washington, who rose from slave cabin to Hall of Fame; to the Committee on Post Office and Civil Service.

By Mr. ROONEY:

H. Con. Res. 42. Concurrent resolution proposing the withdrawal of diplomatic recognition of the Government of Yugoslavia until such time as the policies and conduct of such Government with respect to the rights of the individual to life, liberty, and freedom of religious and political beliefs justify the resumption of relations; to the Committee on Foreign Affairs.

By Mr. COOLEY:

H. Res. 112. Resolution to authorize the Committee on Agriculture to make investigations into any matter within its jurisdiction, and for other purposes; to the Committee on Rules.

By Mr. LESINSKI:

H. Res. 113. Resolution to provide funds for the Committee on Education and Labor; to the Committee on House Administration.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred, as follows:

By the SPEAKER: Memorial of the Legislature of the State of Maine, memorializing the President and the Congress of the United States to take whatever action is necessary to have the sentence imposed upon Josef Cardinal Mindszenty, of Hungary, removed; to the Committee on Foreign Affairs.

Also, memorial of the Legislature of the State of Oregon, memorializing the President and the Congress of the United States to further consider and make an appropriation in the amount of $462,000 available to the United States Corps of Engineers for the completion of the authorized Depoe Bay improvement project; to the Committee on Appropriations.

Also, memorial of the Legislature of the State of Indiana, memorializing the President and the Congress of the United States to enact effective legislation providing for flood control in the Wabash River watershed area and tributaries thereto; to the Committee on Public Works.

Also, memorial of the Legislature of the State of Colorado, memorializing the President and the Congress of the United States to approve pending legislation concerning the right of domestic producers to sell gold in the markets of the world; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of Michigan memorializing the President and the Congress of the United States to pass the General Pulaski Memorial Day resolution now pending in Congress; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred, as follows:

By Mr. CASE of South Dakota:

H. R. 2918. A bill to authorize and direct the Secretary of the Interior to issue to Joshua Standing Elk a patent in fee to certain land; to the Committee on Public Lands.

H. R. 2919. A bill authorizing the issuance of a patent in fee to Paul High Horse and Anna High Horse; to the Committee on Public Lands.

H. R. 2920. A bill authorizing the issuance of a patent in fee to George Swift Horse; to the Committee on Public Lands.

By Mr. DEANE:

H. R. 2921. A bill for the relief of Nicholas C. Kalcoutsakis; to the Committee on the Judiciary.

By Mr. HAVENNER:

H. R. 2922. A bill for the relief of the State Compensation Insurance Fund of California; to the Committee on the Judiciary.

By Mr. KEEFE:

H. R. 2923. A bill for the relief of Goettmann Printing Co.; to the Committee on the Judiciary.

H. R. 2924. A bill for the relief of Mrs. Helen J. Martin; to the Committee on the Judiciary.

H. R. 2925. A bill for the relief of Ida Hoheisel, executrix of the estate of John Hoheisel; to the Committee on the Judiciary.

H. R. 2926. A bill for the relief of George N. Weaver; to the Committee on the Judiciary.

By Mr. KLEIN:

H. R. 2927. A bill for the relief of Gyorgy Szilas, Anna Veronica Szilas, Sandor Czukor, and Jolan Spitzer Czukor; to the Committee on the Judiciary.

By Mr. McMILLAN of South Carolina:

H. R. 2928. A bill for the relief of Dr. Leon L. Konchegul; to the Committee on the Judiciary.

By Mr. O'SULLIVAN

H. R. 2929. A bill for the relief of Mrs. Dorothy Manious; to the Committee on the Judiciary.

By Mr. PERKINS:

H. R. 2930. A bill for the relief of Harry M. Caudill; to the Committee on the Judiciary.

By Mr. PRESTON:

H. R. 2931. A bill to provide for the conveyance by the United States to Frank C. Wilson of certain lands formerly owned by him; to the Committee on Public Lands.

By Mr. SADLAK:

H. R. 2932. A bill for the relief of Horace J. Fenton; to the Committee on the Judiciary.

By Mr. SCUDDER:

H. R. 2933. A bill for the relief of Charles F. Ellis; to the Committee on Post Office and Civil Service.

By Mr. SHORT:

H. R. 2934. A bill for the relief of Daniel B. Meador; to the Committee on the Judiciary.

By Mr. SMITH of Virginia:

H. R. 2935. A bill for the relief of Mrs. Benjamin Betts; to the Committee on the Judiciary.

By Mr. SOMERS:

H. R. 2936. A bill authorizing Henry W. Rodney, a special agent of the Compliance Enforcement Division of the War Assets Administration, to accept the decoration tendered him by the Chinese Government; to the Committee on Foreign Affairs.

By Mr. WERDEL:

H. R. 2937. A bill for the relief of Eugenio Maisterrena Barreneche; to the Committee on the Judiciary.

By Mr. McKINNON:

H. J. Res. 173. Joint resolution to provide for the award of a gold medal to Frank Loesser; to the Committee on Armed Services.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

93. By Mr. GORSKI of New York: Petition of Councilman Pete Rybka, relative to rent control; to the Committee on Banking and Currency.

94. By Mr. SMITH of Wisconsin: Resolutions of the Wisconsin Retail Hardware Association, Inc., at their annual convention held at Milwaukee, Wis., February 3, 1949; to the Committee on Education and Labor.

95. By Mr. HESELTON: Resolutions of the General Court of Massachusetts, memorializing the Congress of the United States to use all possible means to secure the release of Cardinal Mindszenty, of the Roman Catholic faith, and Bishop Ordass, of the Lutheran faith; to the Committee on Foreign Affairs.

96. By Mrs. NORTON: Memorial of the New Jersey House of Assembly, memorializing the President of the United States and the Secretary of State to exercise every force at their command to bring about the release of Josef Cardinal Mindszenty and Bishop Lajos Ordaff, who have been incarcerated by the Communist-controlled Government of Hungary; to the Committee on Foreign Affairs.

SENATE

TUESDAY, FEBRUARY 22, 1949

(Legislative day of Monday, February 21, 1949)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Our fathers' God and ours, we lift to Thee our grateful hearts for the national heritage that has come down to us, bought by other toils and other tears than our own. Help us this day with vivid vision to see them of old who feared Thy name and handed on to us the torch of the Nation's righteousness.

Especially do we give Thee thanks for the selfless service and the stainless record of that calm and courageous leader whose spirit and whose sword were Thy instruments in laying the foundation of our state. As we cherish his deeds and recall his farewell warning words, O God of Hosts, lest we forget, repeat in us the faith which shone on his illumined countenance lifted in an agony of prayer from crimsoned ground where patriots bled.

In these desperate days, drive us to our knees for the inner strength that steadied him whose name we reverence on his natal day. We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. LUCAS, and by unanimous consent, the reading of the Journal of the proceedings of Monday, February 21, 1949, was dispensed with, and the Journal was approved.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Swanson, one of its reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 492. An act to amend the act approved June 29, 1948, entitled "An act to authorize the issuance of a stamp commemorative of the two hundredth anniversary of the founding of the city of Alexandria, Va."; and

S. 713. An act to amend Public Law 533 of the Eightieth Congress, authorizing the construction of a building for the General Accounting Office on square 518 in the District of Columbia.

The message also announced that the House had agreed to the amendment of the Senate to the joint resolution (H. J. Res. 84) to provide for the acquisition and operation of the Freedom Train by the Archivist of the United States, and for other purposes.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 164. An act authorizing the Secretary of the Interior to convey certain lands to the Churntown Elementary School District, California;

H. R. 858. An act to clarify the overtime compensation provisions of the Fair Labor Standards Act of 1938, as amended, as applied in the longshore, stevedoring, building and construction industries;

H. R. 967. An act for the relief of the city of El Paso, Tex.;

H. R. 1401. An act relating to the disposition of certain recreational demonstration project lands by the State of Michigan to the Mount Hope Cemetery Association of Waterloo, Mich.;

H. R. 1509. An act for the relief of the city and county of San Francisco;

H. R. 1998. An act to amend the act entitled "An act to provide for the conveyance to Pinellas County, State of Florida, of certain public lands herein described," approved June 17, 1948 (Public Law 666, 80th Cong.), for the purpose of correcting a land description therein; and

H. R. 2101. An act to authorize the Regional Agricultural Credit Corporation of Washington, D. C., to make certain disaster or emergency loans, and for other purposes.

CALL OF THE ROLL

Mr. LUCAS. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Hoey	Millikin
Anderson	Holland	Morse
Bricker	Humphrey	Murray
Broughton	Hunt	Neely
Butler	Ives	O'Conor
Byrd	Johnson, Colo.	Pepper
Cain	Johnson, Tex.	Reed
Capehart	Johnston, S. C.	Robertson
Chapman	Kem	Russell
Connally	Kerr	Schoeppel
Cordon	Kilgore	Smith, Maine
Douglas	Knowland	Stennis
Downey	Langer	Taylor
Ecton	Lucas	Thomas, Okla.
Ellender	McCarran	Thomas, Utah
Ferguson	McCarthy	Thye
Frear	McClellan	Tydings
Fulbright	McFarland	Vandenberg
George	McKellar	Watkins
Gillette	McMahon	Wiley
Green	Magnuson	Williams
Gurney	Malone	Withers
Hayden	Martin	Young
Hendrickson	Maybank	
Hill	Miller	

Mr. LUCAS. I announce that the Senator from New Mexico [Mr. CHAVEZ] and the Senator from New York [Mr. WAGNER] are necessarily absent.

The Senator from Mississippi [Mr. EASTLAND], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Louisiana [Mr. LONG], the Senator from Rhode Island [Mr. McGRATH], the Senator from Pennsylvania [Mr. MYERS], the Senator from Wyoming [Mr. O'MAHONEY], and the Senator from Alabama [Mr. SPARKMAN] are absent on public business.

Mr. KNOWLAND. I announce that the Senator from Connecticut [Mr. BALDWIN], the Senator from Maine [Mr. BREWSTER], the Senator from New Hampshire [Mr. BRIDGES], the Senator from Indiana [Mr. JENNER], the Senator from Massachusetts [Mr. SALTONSTALL], the Senator from New Jersey [Mr. SMITH] and the Senator from Nebraska [Mr. WHERRY] are necessarily absent.

The Senator from Vermont [Mr. FLANDERS], the Senator from Iowa [Mr. HICKENLOOPER], the Senator from Massachusetts [Mr. LODGE], the Senator from South Dakota [Mr. MUNDT], and the Senator from New Hampshire [Mr. TOBEY] are absent on official business.

The Senator from Missouri [Mr. DONNELL] is absent because of an engagement to deliver an address at the thirty-fifth annual joint celebration of the anniversary of the birth of George Washington, in Washington, D. C., under the auspices of a number of patriotic organizations.

The VICE PRESIDENT. Seventy-three Senators having answered to their names, a quorum is present.

READING OF WASHINGTON'S FAREWELL ADDRESS

The VICE PRESIDENT. Under the resolution of the Senate adopted on January 24, 1901, it was ordered that on the 22d day of February each year the Farewell Address of George Washington should be read to the Senate. The Chair, under that order, has designated for that purpose the Senator from Maine [Mrs. SMITH] whom he now recognizes.

Mrs. SMITH of Maine advanced to the desk and read the Farewell Address as follows:

To the people of the United States:

FRIENDS AND FELLOW CITIZENS: The period for a new election of a citizen to administer the executive government of the United States being not far distant, and the time actually arrived when your thoughts must be employed in designating the person who is to be clothed with that important trust, it appears to me proper, especially as it may conduce to a more distinct expression of the public voice, that I should now apprise you of the resolution I have formed, to decline being considered among the number of those, out of whom a choice is to be made.

I beg you, at the same time, to do me the justice to be assured, that this resolution has not been taken, without a strict regard to all the considerations appertaining to the relation which binds a dutiful citizen to his country; and that, in withdrawing the tender of service which silence in my situation might imply, I am influenced by no diminution of zeal for your future interest; no deficiency of grateful respect for your past kindness; but am supported by a full conviction that the step is compatible with both.

The acceptance of, and continuance hitherto in the office to which your suffrages have twice called me, have been a uniform sacrifice of inclination to the opinion of duty, and to a deference for what appeared to be your desire. I constantly hoped that it would have been much earlier in my power, consistently with motives which I was not at liberty to disregard, to return to that retirement from which I had been reluctantly drawn. The strength of my inclination to do this, previous to the last election, had even led to the preparation of an address to declare it to you; but mature reflection on the then perplexed and critical posture of our affairs with foreign nations, and the unanimous advice of persons entitled to my confidence, impelled me to abandon the idea.

I rejoice that the state of your concerns, external as well as internal, no longer renders the pursuit of inclination incompatible with the sentiment of duty or propriety; and am persuaded, whatever partiality may be retained for my services, that in the present circumstances of our country, you will not disapprove my determination to retire.

The impressions with which I first undertook the arduous trust, were explained on the proper occasion. In the discharge of this trust, I will only say that I have, with good intentions, contributed towards the organization and administration of the government, the best exertions of which a very fallible judgment was capable. Not unconscious in the outset, of the inferiority of my qualifications, experience, in my own eyes, perhaps still more in the eyes of others, has strengthened the motives to diffidence of myself; and, every day, the increasing weight of years admonishes me more and more, that the shade of retirement is as necessary to me as it will be welcome. Satisfied that if any circumstances have given peculiar value to my services they were temporary, I have the consolation to believe that, while choice and prudence invite me to quit the political scene, patriotism does not forbid it.

In looking forward to the moment which is to terminate the career of my political life, my feelings do not permit me to suspend the deep acknowledgment of that debt of gratitude which I owe to my beloved country, for the many honors it has conferred upon me; still more for the steadfast confidence with which it has supported me; and for the opportunities I have thence enjoyed of manifesting my inviolable attachment, by services faithful and persevering, though in usefulness unequal to my zeal. If benefits have resulted to our country from these services, let it always be remembered to your praise, and as an instructive example in our annals, that under circumstances in which the passions, agitated in every direction, were liable to mislead amidst appearances sometimes dubious, vicissitudes of fortune often discouraging—in situations in which not unfrequently, want of success has countenanced the spirit of criticism,—the constancy of your support was the essential prop of the efforts, and a guarantee of the plans, by which they were effected. Profoundly penetrated with this idea, I shall carry it with me to my grave, as a strong incitement to unceasing vows that heaven may continue to you the choicest tokens of its beneficence—that your union and brotherly affection may be perpetual—that the free constitution, which is the work of your hands, may be sacredly maintained—that its administration in every department may be stamped with wisdom and virtue—that, in fine, the happiness of the people of these states, under the auspices of liberty, may be made complete by so careful a preservation, and so prudent a use of this blessing, as will acquire to them the glory of recommending it to the applause, the affection and adoption of every nation which is yet a stranger to it.

Here, perhaps, I ought to stop. But a solicitude for your welfare, which cannot end but with my life, and the apprehension of danger, natural to that solicitude, urge me, on an occasion like the present, to offer to your solemn contemplation, and to recommend to your frequent review, some sentiments which are the result of much reflection, of no inconsiderable observation, and which appear to me all important to the permanency of your felicity as a people. These will be offered to you with the more freedom, as you can only see in them the disinterested warnings of a parting friend, who can possibly have no personal motive to bias his counsel. Nor can I forget, as an encouragement to it, your indulgent reception of my sentiments on a former and not dissimilar occasion.

Interwoven as is the love of liberty with every ligament of your hearts, no recommendation of mine is necessary to fortify or confirm the attachment.

The unity of government which constitutes you one people, is also now dear to you. It is justly so; for it is a main pillar in the edifice of your real independence; the support of your tranquility at home; your peace abroad; of your safety; of your prosperity; of that very liberty which you so highly prize. But as it is easy to foresee that, from different causes and from different quarters much pains will be taken, many artifices employed, to weaken in your minds the conviction of this truth, as this is the point in your political fortress against which the batteries of internal and external enemies will be most constantly and actively (though often covertly and insidiously) directed; it is of infinite moment, that you should properly estimate the immense value of your national union to your collective and individual happiness; that you should cherish a cordial, habitual, and immovable attachment to it; accustoming yourselves to think and speak of it as the palladium of your political safety and prosperity; watching for its preservation with jealous anxiety; discountenancing whatever may suggest even a suspicion that it can, in any event, be abandoned; and indignantly frowning upon the first dawning of every attempt to alienate any portion of our country from the rest, or to enfeeble the sacred ties which now link together the various parts.

For this you have every inducement of sympathy and interest. Citizens by birth, or choice, of a common country, that country has a right to concentrate your affections. The name of American, which belongs to you in your national capacity, must always exalt the just pride of patriotism, more than any appellation derived from local discriminations. With slight shades of difference, you have the same religion, manners, habits, and political principles. You have, in a common cause, fought and triumphed together; the independence and liberty you possess, are the work of joint counsels, and joint efforts, of common dangers, suffering and successes.

But these considerations, however powerfully they addressed themselves to your sensibility, are greatly outweighed by those which apply more immediately to your interest.—Here, every portion of our country finds the most commanding motives for carefully guarding and preserving the union of the whole.

The *north*, in an unrestrained intercourse with the *south*, protected by the

equal laws of a common government, finds in the productions of the latter, great additional resources of maritime and commercial enterprise, and precious materials of manufacturing industry.—The *south* in the same intercourse, benefiting by the same agency of the *north*, sees its agriculture grow and its commerce expand. Turning partly into its own channels the seamen of the *north*, it finds its particular navigation invigorated; and while it contributes, in different ways, to nourish and increase the general mass of the national navigation, it looks forward to the protection of a maritime strength, to which itself is unequally adapted. The *east*, in a like intercourse with the *west*, already finds, and in the progressive improvement of interior communications by land and water, will more and more find a valuable vent for the commodities which it brings from abroad, or manufactures at home. The *west* derives from the *east* supplies requisite to its growth and comfort—and what is perhaps of still greater consequence, it must of necessity owe the *secure* enjoyment of indispensable *outlets* for its own productions, to the weight, influence, and the future maritime strength of the Atlantic side of the Union, directed by an indissoluble community of interest as *one nation*. Any other tenure by which the *west* can hold this essential advantage, whether derived from its own separate strength; or from an apostate and unnatural connection with any foreign power, must be intrinsically precarious.

While then every part of our country thus feels an immediate and particular interest in union, all the parts combined cannot fail to find in the united mass of means and efforts, greater strength, greater resource, proportionably greater security from external danger, a less frequent interruption of their peace by foreign nations; and, what is of inestimable value, they must derive from union, an exemption from those broils and wars between themselves, which so frequently afflict neighboring countries not tied together by the same government; which their own rivalship alone would be sufficient to produce, but which opposite foreign alliances, attachments, and intrigues, would stimulate and embitter. Hence likewise, they will avoid the necessity of those overgrown military establishments, which under any form of government are inauspicious to liberty, and which are to be regarded as particularly hostile to republican liberty. In this sense it is, that your union ought to be considered as a main prop of your liberty, and that the love of the one ought to endear to you the preservation of the other.

These considerations speak a persuasive language to every reflecting and virtuous mind and exhibit the continuance of the union as a primary object of patriotic desire. Is there a doubt whether a common government can embrace so large a sphere? let experience solve it. To listen to mere speculation in such a case were criminal. We are authorized to hope that a proper organization of the whole, with the auxiliary agency of governments for the respective subdivisions, will afford a happy issue to the experiment. It is well worth a fair and full experiment. With such powerful and obvious motives to union, affecting all parts of our country, while experience shall not have demonstrated its impracticability, there will always be reason to distrust the patriotism of those who, in any quarter, may endeavor to weaken its hands.

In contemplating the causes which may disturb our Union, it occurs as matter of serious concern, that any ground should have been furnished for characterizing parties by *geographical* discriminations,—*northern* and *southern*—*Atlantic* and *western;* whence designing men may endeavor to excite a belief that there is a real difference of local interests and views. One of the expedients of party to acquire influence within particular districts, is to misrepresent the opinions and aims of other districts. You cannot shield yourselves too much against the jealousies and heart burnings which spring from these misrepresentations; they tend to render alien to each other those who ought to be bound together by fraternal affection. The inhabitants of our western country have lately had a useful lesson on this head; they have seen, in the negotiation by the executive, and in the unanimous ratification by the senate of the treaty with Spain, and in the universal satisfaction at the event throughout the United States, a decisive proof how unfounded were the suspicions propagated among them of a policy in the general government and in the Atlantic states, unfriendly to their interests in regard to the Mississippi. They have been witnesses to the formation of two treaties, that with Great Britain and that with Spain, which secure to them everything they could desire, in respect to our foreign relations, towards confirming their prosperity. Will it not be their wisdom to rely for the preservation of these advantages on the union by which they were procured? will they not henceforth be deaf to those advisers, if such they are, who would sever them from their brethren and connect them with aliens?

To the efficacy and permanency of your Union, a government for the whole is indispensable. No alliances, however strict, between the parts can be an adequate substitute; they must inevitably experience the infractions and interruptions which all alliances, in all times, have experienced. Sensible of this momentous truth, you have improved upon your first essay, by the adoption of a constitution of government, better calculated than your former, for an intimate union, and for the efficacious management of your common concerns. This government, the offspring of our own choice, uninfluenced and unawed, adopted upon full investigation and mature deliberation, completely free in its principles, in the distribution of its powers, uniting security with energy, and maintaining within itself a provision for its own amendment, has a just claim to your confidence and your support. Respect for its authority, compliance with its laws, acquiescence in its measures, are duties enjoined by the fundamental maxims of true liberty. The basis of our political systems is the right of the people to make and to alter their constitutions of government.—But the constitution which at any time exists, until changed by an explicit and authentic act of the whole people, is sacredly obligatory upon all. The very idea of the power, and the right of the people to establish government, presuppose the duty of every individual to obey the established government.

All obstructions to the execution of the laws, all combinations and associations under whatever plausible character, with the real design to direct, control, counteract, or awe the regular deliberations and action of the constituted authorities, are destructive of this fundamental principle, and of fatal tendency.—They serve to organize faction, to give it an artificial and extraordinary force, to put in the place of the delegated will of the nation the will of party, often a small but artful and enterprising minority of the community; and, according to the alternate triumphs of different parties, to make the public administration the mirror of the ill concerted and incongruous projects of faction, rather than the organ of consistent and wholesome plans digested by common councils, and modified by mutual interests.

However combinations or associations of the above description may now and then answer popular ends, they are likely, in the course of time and things, to become potent engines, by which cunning, ambitious, and unprincipled men, will be enabled to subvert the power of the people, and to usurp for themselves the reins of government; destroying afterwards the very engines which have lifted them to unjust dominion.

Towards the preservation of your government and the permanency of your present happy state, it is requisite, not only that you steadily discountenance irregular opposition to its acknowledged authority, but also that you resist with care the spirit of innovation upon its principles, however specious the pretext. One method of assault may be to effect, in the forms of the constitution, alterations which will impair the energy of the system; and thus to undermine what cannot be directly overthrown. In all the changes to which you may be involved, remember that time and habit are at least as necessary to fix the true character of governments, as of other human institutions:—that experience is the surest standard by which to test the real tendency of the existing constitution of a country:—that facility in changes, upon the credit of mere hypothesis and opinion, exposes to perpetual change from the endless variety of hypothesis and opinion: and remember, especially, that for the efficient management of your common interests in a country so extensive as ours, a government of as much vigor as is consistent with the perfect security of liberty is indispensable. Liberty itself will find in such a government, with powers properly distributed and adjusted, its surest guardian. It is, indeed, little else than a name, where the government is too feeble to withstand the enterprises of faction, to confine each member of the society within the limits prescribed by the laws, and to maintain

all in the secure and tranquil enjoyment of the rights of person and property.

I have already intimated to you the danger of parties in the state, with particular references to the founding them on geographical discrimination. Let me now take a more comprehensive view, and warn you in the most solemn manner against the baneful effects of the spirit of party generally.

This spirit, unfortunately, is inseparable from our nature, having its root in the strongest passions of the human mind.—It exists under different shapes in all governments, more or less stifled, controlled, or repressed; but in those of the popular form it is seen in its greatest rankness, and is truly their worst enemy.

The alternate domination of one faction over another, sharpened by the spirit of revenge natural to party dissension, which in different ages and countries has perpetrated the most horrid enormities, is itself a frightful despotism. But this leads at length to a more formal and permanent despotism. The disorders and miseries which result, gradually incline the minds of men to seek security and repose in the absolute power of an individual; and, sooner or later, the chief of some prevailing faction, more able or more fortunate than his competitors, turns this disposition to the purpose of his own elevation on the ruins of public liberty.

Without looking forward to an extremity of this kind, (which nevertheless ought not to be entirely out of sight) the common and continual mischiefs of the spirit or party are sufficient to make it the interest and duty of a wise people to discourage and restrain it.

It serves always to distract the public councils, and enfeeble the public administration. It agitates the community with ill founded jealousies and false alarms; kindles the animosity of one part against another; foments occasional riot and insurrection. It opens the door to foreign influence and corruption, which finds a facilitated access to the government itself through the channels of party passions. Thus the policy and the will of one country are subjected to the policy and will of another.

There is an opinion that parties in free countries are useful checks upon the administration of the government, and serve to keep alive the spirit of liberty. This within certain limits is probably true; and in governments of a monarchial cast, patriotism may look with indulgence, if not with favor, upon the spirit of party. But in those of the popular character, in governments purely elective, it is a spirit not to be encouraged. From their natural tendency, it is certain there will always be enough of that spirit for every salutary purpose. And there being constant danger of excess, the effort ought to be, by force of public opinion, to mitigate and assuage it. A fire not to be quenched, it demands a uniform vigilance to prevent it bursting into a flame, lest instead of warming, it should consume.

It is important likewise, that the habits of thinking in a free country should inspire caution in those intrusted with its administration, to confine themselves within their respective constitutional spheres, avoiding in the exercise of the powers of one department, to encroach upon another. The spirit of encroachment tends to consolidate the powers of all the departments in one, and thus to create, whatever the form of government, a real despotism. A just estimate of that love of power and proneness to abuse it which predominate in the human heart, is sufficient to satisfy us of the truth of this position. The necessity of reciprocal checks in the exercise of political power, by dividing and distributing it into different depositories, and constituting each the guardian of the public weal against invasion of the others, has been evinced by experiments ancient and modern; some of them in our country and under our own eyes.—To preserve them must be as necessary as to institute them. If, in the opinion of the people, the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the constitution designates.—But let there be no change by usurpation; for though this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed. The precedent must always greatly overbalance in permanent evil any partial or transient benefit which the use can at any time yield.

Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports. In vain would that man claim the tribute of patriotism, who should labor to subvert these great pillars of human happiness, these firmest props of the duties of men and citizens. The mere politician, equally with the pious man, ought to respect and to cherish them. A volume could not trace all their connections with private and public felicity. Let it simply be asked, where is the security for property, for reputation, for life, if the sense of religious obligation *desert* the oaths which are the instruments of investigation in courts of justice? And let us with caution indulge the supposition that morality can be maintained without religion. Whatever may be conceded to the influence of refined education on minds of peculiar structure, reason and experience both forbid us to expect, that national morality can prevail in exclusion of religious principle.

It is substantially true, that virtue or morality is a necessary spring of popular government. The rule, indeed extends with more or less force to every species of free government. Who that is a sincere friend to it can look with indifference upon attempts to shake the foundation of the fabric?

Promote, then, as an object of primary importance, institutions for the general diffusion of knowledge. In proportion as the structure of a government gives force to public opinion, it should be enlightened.

As a very important source of strength and security, cherish public credit. One method of preserving it is to use it as sparingly as possible, avoiding occasions of expense by cultivating peace, but remembering, also, that timely disbursements, to prepare for danger, frequently prevent much greater disbursements to repel it; avoiding likewise the accumulation of debt, not only by shunning occasions of expense, but by vigorous exertions, in time of peace, to discharge the debts which unavoidable wars may have occasioned, not ungenerously throwing upon posterity the burden which we ourselves ought to bear. The execution of these maxims belongs to your representatives, but it is necessary that public opinion should cooperate. To facilitate to them the performance of their duty, it is essential that you should practically bear in mind, that towards the payment of debts there must be revenue; that to have revenue there must be taxes, that no taxes can be devised which are not more or less inconvenient and unpleasant; that the intrinsic embarrassment inseparable from the selection of the proper object (which is always a choice of difficulties,) ought to be a decisive motive for a candid construction of the conduct of the government in making it, and for a spirit of acquiescence in the measures for obtaining revenue, which the public exigencies may at any time dictate.

Observe good faith and justice towards all nations; cultivate peace and harmony with all. Religion and morality enjoin this conduct, and can it be that good policy does not equally enjoin it? It will be worthy of a free, enlightened, and, at no distant period, a great nation, to give to mankind the magnanimous and too novel example of a people always guided by an exalted justice and benevolence. Who can doubt but, in the course of time and things, the fruits of such a plan would richly repay any temporary advantages which might be lost by a steady adherence to it; can it be that Providence has not connected the permanent felicity of a nation with its virtue? The experiment, at least is recommended by every sentiment which ennobles human nature. Alas! is it rendered impossible by its vices?

In the execution of such a plan, nothing is more essential than that permanent, inveterate antipathies against particular nations and passionate attachments for others, should be excluded; and that in place of them, just and amicable feelings towards all should be cultivated. The nation which indulges towards another an habitual hatred, or an habitual fondness, is in some degree a slave. It is a slave to its animosity or to its affection, either of which is sufficient to lead it astray from its duty and its interest. Antipathy in one nation against another disposes each more readily to offer insult and injury, to lay hold of slight causes of umbrage, and to be haughty and intractable when accidental or trifling occasions of dispute occur. Hence, frequent collisions, obstinate, envenomed, and bloody contests. The nation, prompted by ill will and resentment, sometimes impels to war the government, contrary to the best calculations of policy. The government sometimes participates in the national propensity, and adopts through passion what reason would reject; at other times, it makes the animosity of the nation subservient to projects of hostility, insti-

gated by pride, ambition, and other sinister and pernicious motives. The peace often, sometimes perhaps the liberty of nations, has been the victim.

So likewise, a passionate attachment of one nation for another produces a variety of evils. Sympathy for the favorite nation, facilitating the illusion of an imaginary common interest, in cases where no real common interest exists, and infusing into one the enmities of the other, betrays the former into a participation in the quarrels and wars of the latter, without adequate inducements or justifications. It leads also to concessions, to the favorite nation, of privileges denied to others, which is apt doubly to injure the nation making the concessions, by unnecessary parting with what ought to have been retained, and by exciting jealousy, ill will, and a disposition to retaliate in the parties from whom equal privileges are withheld; and it gives to ambitious, corrupted or deluded citizens who devote themselves to the favorite nation, facility to betray or sacrifice the interests of their own country, without odium, sometimes even with popularity; gilding with the appearances of a virtuous sense of obligation, a commendable deference for public opinion, or a laudable zeal for public good, the base or foolish compliances of ambition, corruption, or infatuation.

As avenues to foreign influence in innumerable ways, such attachments are particularly alarming to the truly enlightened and independent patriot. How many opportunities do they afford to tamper with domestic factions, to practice the arts of seduction, to mislead public opinion, to influence or awe the public councils!—Such an attachment of a small or weak, towards a great and powerful nation, dooms the former to be the satellite of the latter.

Against the insidious wiles of foreign influence, (I conjure you to believe me fellow citizens,) the jealousy of a free people ought to be *constantly* awake; since history and experience prove, that foreign influence is one of the most baneful foes of republican government. But that jealousy, to be useful, must be impartial, else it becomes the instrument of the very influence to be avoided, instead of a defense against it. Excessive partiality for one foreign nation and excessive dislike for another, cause those whom they actuate to see danger only on one side, and serve to veil and even second the arts of influence on the other. Real patriots, who may resist the intrigues of the favorite, are liable to become suspected and odious; while its tools and dupes usurp the applause and confidence of the people, to surrender their interests.

The great rule of conduct for us, in regard to foreign nations, is, in extending our commercial relations, to have with them as little *political* connection as possible. So far as we have already formed engagements, let them be fulfilled with perfect good faith:—Here let us stop.

Europe has a set of primary interests, which to us have none, or a very remote relation. Hence, she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves, by artificial ties, in the ordinary vicissitudes of her politics, or the ordinary combinations and collusions of her friendships or enmities.

Our detached and distant situation invites and enables us to pursue a different course. If we remain one people, under an efficient government, the period is not far off when we may defy material injury from external annoyance; when we may take such an attitude as will cause the neutrality we may at any time resolve upon, to be scrupulously respected; when belligerent nations, under the impossibility of making acquisitions upon us, will not lightly hazard the giving us provocation, when we may choose peace or war, as our interest, guided by justice, shall counsel.

Why forego the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalship, interest, humor, or caprice?

It is our true policy to steer clear of permanent alliance with any portion of the foreign world; so far, I mean, as we are now at liberty to do it; for let me not be understood as capable of patronizing infidelity to existing engagements. I hold the maxim no less applicable to public than private affairs, that honesty is always the best policy. I repeat it, therefore, let those engagements be observed in their genuine sense. But in my opinion, it is unnecessary, and would be unwise to extend them.

Taking care always to keep ourselves by suitable establishments, on a respectable defensive posture, we may safely trust to temporary alliances for extraordinary emergencies.

Harmony, and a liberal intercourse with all nations, are recommended by policy, humanity, and interest. But even our commercial policy should hold an equal and impartial hand; neither seeking nor granting exclusive favors or preferences; consulting the natural course of things; diffusing and diversifying by gentle means the streams of commerce, but forcing nothing; establishing with powers so disposed, in order to give trade a stable course, to define the rights of our merchants, and to enable the government to support them, conventional rules of intercourse, the best that present circumstances and mutual opinion will permit, but temporary, and liable to be from time to time abandoned or varied as experience and circumstances shall dictate; constantly keeping in view, that it is folly in one nation to look for disinterested favors from another; that it must pay with a portion of its independence for whatever it may accept under that character; that by such acceptance, it may place itself in the condition of having given equivalents for nominal favors, and yet of being reproached with ingratitude for not giving more. There can be no greater error than to expect, or calculate upon real favors from nation to nation. It is an illusion which experience must cure, which a just pride ought to discard.

In offering to you, my countrymen, these counsels of an old and affectionate friend, I dare not hope they will make the strong and lasting impression I could wish; that they will control the usual current of the passions, or prevent our nation from running the course which has hitherto marked the destiny of nations, but if I may even flatter myself that they may be productive of some partial benefit, some occasional good; that they may now and then recur to moderate the fury of party spirit, to warn against the mischiefs of foreign intrigue, to guard against the impostures of pretended patriotism; this hope will be a full recompense for the solicitude for your welfare by which they have been dictated.

How far, in the discharge of my official duties, I have been guided by the principles which have been delineated, the public records and other evidences of my conduct must witness to you and to the world. To myself, the assurance of my own conscience is, that I have, at least, believed myself to be guided by them.

In relation to the still subsisting war in Europe; my proclamation of the 22d of April, 1793, is the index to my plan. Sanctioned by your approving voice, and by that of your representatives in both houses of congress, the spirit of that measure has continually governed me, uninfluenced by any attempts to deter or divert me from it.

After deliberate examination, with the aid of the best lights I could obtain, I was well satisfied that our country, under all the circumstances of the case, had a right to take, and was bound in duty and interest, to take a neutral position. Having taken it, I determined, as far as should depend upon me, to maintain it with moderation, perseverance and firmness.

The considerations which respect the right to hold this conduct, it is not necessary on this occasion to detail. I will only observe that, according to my understanding of the matter, that right, so far from being denied by any of the belligerent powers, has been virtually admitted by all.

The duty of holding a neutral conduct may be inferred, without any thing more, from the obligation which justice and humanity impose on every nation, in cases in which it is free to act, to maintain inviolate the relations of peace and amity towards other nations.

The inducements of interest for observing that conduct will best be referred to your own reflections and experience. With me a predominant motive has been to endeavor to gain time to our country to settle and mature its yet recent institutions, and to progress, without interruption, to that degree of strength, and consistency which is necessary to give it, humanly speaking, the command of its own fortunes.

Though in reviewing the incidents of my administration, I am unconscious of intentional error, I am nevertheless too sensible of my defects not to think it

probable that I may have committed many errors. Whatever they may be, I fervently beseech the Almighty to avert or mitigate the evils to which they may tend. I shall also carry with me the hope that my country will never cease to view them with indulgence; and that, after forty-five years of my life dedicated to its service, with an upright zeal, the faults of incompetent abilities will be consigned to oblivion, as myself must soon be to the mansions of rest.

Relying on its kindness in this as in other things, and actuated by that fervent love towards it, which is so natural to a man who views in it the native soil of himself and his progenitors for several generations; I anticipate with pleasing expectation that retreat in which I promise myself to realize without alloy, the sweet enjoyment of partaking, in the midst of my fellow citizens, the benign influence of good laws under a free government—the ever favorite object of my heart, and the happy reward, as I trust, of our mutual cares, labors and dangers.

GEO. WASHINGTON.

UNITED STATES,
17th September, 1796.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred, as indicated:

REPORT ON PROPERTIES LEASED BY NAVY DEPARTMENT

A letter from the Acting Secretary of the Navy, transmitting, pursuant to law, the semiannual report of the Navy Department on real and personal property leased by that Department for the period ending December 31, 1948 (with accompanying papers); to the Committee on Armed Services.

REPORTS OF COMMISSION ON ORGANIZATION OF THE EXECUTIVE BRANCH OF THE GOVERNMENT

A letter from the Chairman of the Commission on Organization of the Executive Branch of the Government, transmitting, pursuant to law, a report on the Department of Agriculture (with an accompanying report); to the Committee on Expenditures in the Executive Departments.

A letter from the Chairman of the Commission on Organization of the Executive Branch of the Government, transmitting, pursuant to law, a report on Agriculture Activities (appendix M) (with an accompanying report); to the Committee on Expenditures in the Executive Departments.

A letter from the Chairman of the Commission on Organization of the Executive Branch of the Government, transmitting, pursuant to law, a report entitled "Appendices to Study of Departmental Management" (with an accompanying report); to the Committee on Expenditures in the Executive Departments.

A letter from the Chairman of the Commission on Organization of the Executive Branch of the Government, transmitting, pursuant to law, a report entitled "Study of Departmental Management (pt. III)" (with an accompanying report; to the Committee on Expenditures in the Executive Departments.

A letter from the Chairman of the Commission on Organization of the Executive Branch of the Government, transmitting, pursuant to law, a report on Federal field services (Vol. II Supporting Data by Geographic Entities) (with an accompanying report); to the Committee on Expenditures in the Executive Departments.

A letter from the Chairman of the Commission on Organization of the Executive Branch of the Government, transmitting, pursuant to law, a report on Federal field services (Vol. I, Recommendations) (with an accompanying report); to the Committee on Expenditures in the Executive Departments.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate and referred as indicated:

By the VICE PRESIDENT:

A joint resolution of the Legislature of the State of California; to the Committee on Interstate and Foreign Commerce:

"Assembly Joint Resolution 4

"Joint resolution relative to shipbuilding on Pacific coast

"Whereas since the termination of World War II shipbuilding on this Pacific coast has been practically discontinued; and

"Whereas there has been allocated by the Maritime Commission over $2,000,000,000 for shipbuilding in these United States, said moneys being directed to be spent in eastern shipyards; and

"Whereas due to the shut-down of this important industry on the west coast billions of dollars' worth of equipment and materials are going to waste and thousands of skilled mechanics are being lost to this most important industry, which had a major part in the winning of the war; and

"Whereas fully realizing the serious situation that confronts the shipbuilding industry on the west coast, there has been organized since December 8, 1948, a west coast labor-management committee consisting of representatives of the 11 Western States, and appointed from that committee to make its status permanent are two members of management and two members of labor; and

"Whereas there has been a caucus called by Congressman WELCH in Washington, D. C., on Friday, January 7, of all west coast representatives for the purpose of stimulating interest and making a determined drive for the resumption of shipbuilding: Now, therefore, be it

"Resolved by the Assembly and the Senate of the State of California (jointly), That the Secretary of the United States Navy and the Maritime Commission be, and each of them are, hereby memorialized and urged to have immediate steps taken to have ships built on the west coast so that the shipyards which cost billions of dollars will not deteriorate, and equipment that is now lying idle be used, and that the craftsmen formerly employed in the industry be encouraged so that in the event of war new persons would not have to be trained as skilled mechanics, as the west coast shipyards are recognized as of the most importance in the defense of these United State; and be it further

"Resolved, That the chief clerk of the assembly be directed to forward copies of this resolution to the Secretary of the United States Navy, the United States Maritime Commission, the President of the United States, the Vice President of the United States, the Speaker of the House of Representatives, and each Senator and Representative from California in the Congress of the United States."

A resolution of the House of Representatives of the State of Montana; to the Committee on Finance:

"House Resolution 3

"Resolution memorializing and requesting the Congress of the United States for the enactment of legislation to aid the State of Montana in the enforcement of the cigarette tax now evaded by the use of the United States mails

"To the honorable Senate and House of Representatives of the United States in Congress assembled:

"Your memorialists, the members of the House of Representatives of the Thirty-first Legislative Assembly of the State of Montana now convened in regular session, respectfully request:

"Whereas the State of Montana has imposed a tax on the sale and use of cigarettes within its boundaries, and the revenues so obtained constitute a substantial portion of the revenues available and needed for its functions of government; and

"Whereas it has been brought to the attention of the House of Representatives of the State of Montana, now in regular session assembled, that a large and growing system of evasion of such tax law has developed; that the United States mails are flooded with advertisements and inducements to the citizens of this State to violate the law; that in numerous instances such advertisers entice prospective customers with statements to the effect that the use of the United States mails is sufficient proof of the legitimacy of such business and such system; that the mails of the United States are flooded with cigarettes in the process of delivery within this State, and on which cigarettes the tax required by the laws of the State have not and will not be paid; that this State is seriously injured and damaged in the loss of revenue from this source, and is at a disadvantage in collecting such lawful tax by and through such system; that the mails of the United States are being used for the express purpose of evading such tax and the enforcement of the laws of the State; and

"Whereas it has been brought to the attention of the House of Representatives of the State of Montana that there is now pending before the Congress of the United States a proposed bill which will aid the States by requiring shippers of cigarettes in interstate commerce to furnish to the taxing authority of the State to which shipped, a copy of the invoice on each shipment and the name and address of each person to whom shipped; and

"Whereas such legislation by the Congress of the United States will greatly aid this and the other States of the Union in the enforcement of its laws, and the collection of needed revenue: Now, therefore, be it

"Resolved by the House of Representatives of the State of Montana, That the Congress of the United States be and the same is hereby memorialized and respectfully urged to enact legislation requiring shippers of cigarettes in interstate commerce to furnish to the taxing authority of the State to which shipped a copy of the invoice on each such shipment; or to enact such other legislation as will aid the several States affected as may be proper; be it further

"Resolved, That a copy of this resolution be transmitted by the secretary of state of the State of Montana to the Senate and House of Representatives of the Congress of the United States, and to the Senators and Representatives in Congress from the State of Montana and they and each of them be requested to use all honorable means within their power and offices to bring about the enactment of legislation as herein mentioned."

A joint memorial of the Legislature of the State of Washington; to the Committee on Interior and Insular Affairs:

"House Joint Memorial 7

"To the Honorable Harry S. Truman, President of the United States, and to the Senate and House of Representatives of the United States of America in Congress assembled:

"We, your memorialists, the Senate and House of Representatives of the State of Washington, in legislative session assembled, most respectfully petition as follows:

"Whereas the United States of America has acquired, is now acquiring, and plans to acquire, large areas of land within the State of Washington; and

"Whereas present laws do not enable the various acquiring agencies of the United States of America to pay to public bodies and political subdivisions of the State of

Washington compensation for the damages indirectly resulting from such acquisition; and

"Whereas large acquisitions of land within the State have reduced the tax base for real property taxes in some areas in the State to such an extent that it is no longer possible for such areas to adequately finance their operations; and

"Whereas portions of some irrigation districts are being acquired, with the result that such districts are being reduced in size and being made uneconomic by reason thereof: Now, therefore, be it

"Resolved, That we, the Senate and House of Representatives of the State of Washington, do hereby respectfully memorialize and petition the President of the United States and the Congress of the United States to enact and approve at the earliest moment legislation enabling and authorizing acquiring agencies of the United States of America to pay to political subdivisions of the State of Washington and other States in the United States compensation for damages indirectly occasioned by the acquisition of real estate within the boundaries of such local political subdivisions, including authorization for payments in lieu of taxes and payments in lieu of assessments, and authorizing lumpsum payments to such political subdivisions, in lieu of annual payments, in lieu of taxes or assessments; and be it further

"Resolved, That copies of this memorial be immediately transmitted to the Honorable Harry S. Truman, President of the United States, and the Secretary of the United States Senate, and the Clerk of the United States House of Representatives, and to each Member of Congress from the State of Washington.

"Passed the house January 21, 1949.

"Passed the senate February 16, 1949."

A resolution of the Senate of the State of Utah; to the Committee on Labor and Public Welfare:

"Senate Resolution 4

"Resolution by the Utah State Senate memorializing the Congress of the United States not to pass certain legislation now pending before the National Congress which, in effect, provides for State medicine but rather to encourage private cooperative health insurance

"Whereas there is now pending before the National Congress certain legislation commonly referred to as the Wagner-Murray-Dingell compulsory health insurance bill; and

"Whereas this program of compulsory health insurance is offered to the people as a solution to a supposed problem of inadequate medical attention for the citizens of this country; and

"Whereas it is acknowledged and unquestioned fact that the general health of the Nation is higher than that of any other nation of the world; and

"Whereas free enterprise, individual initiative, and freedom from Government interference are the foundation stones upon which the practice of medicine and all other great enterprises of this country have been developed; and

"Whereas such Government interference and regimentation in the field of medicine will destroy the spirit of research and individual initiative and will eventually result in a break-down of the present high standards of competency now prevalent in the private practice of medicine in this country; and

"Whereas a program of compulsory health insurance as proposed has been in operation in other countries and has proven extremely cumbersome and expensive and has not resulted in a general improvement of the public health; and

"Whereas the proponents of compulsory health insurance continually stress complete medical service without cost to the patient, which statements do not take into account the increased taxation which will result from the inevitable Government bureaucracy that will be established in administering such a program; and

"Whereas the best interest of the people of the United States can be served by continuance of the free-enterprise system with encouragement given to private cooperative health insurance and without Government domination and control in the field of medicine: Now, therefore, be it

"Resolved by the Senate of the Utah State Legislature, That the Congress of the United States be memorialized to defeat any legislation introduced into the Congress which provides for socialized medicine or national compulsory health insurance and which will result in a destruction of private initiative and the free-enterprise system in this country and that the Congress be urged to restrict its legislation to measures which will encourage private health insurance in cooperation with the private practice of medicine; be it further

"Resolved; That the secretary of state of Utah be, and he is hereby, instructed to transmit forthwith a copy of this resolution to the congressional delegation from the State of Utah and to the Speaker of the House and President of the Senate of the United States."

A memorial of the Senate of the State of Arizona; to the Committee on Finance:

"Senate Memorial 1

"Memorial requesting immediate action by the President and Congress with respect to social-security payments to Indians on reservations

"To the President and the Congress of the United States:

"Your memorialist respectfully represents:

"That the Federal Social Security Administration has threatened to withhold Federal social-security grants to Arizona unless Arizona assumes the obligation of the Federal Government with respect to the payment of indigent assistance to Indians living on reservations within Arizona.

"That Arizona, because of the effect of such threatened action on thousands of its citizens who are now receiving and require assistance, is being bludgeoned into accepting an obligation which it does not have and which it cannot afford to assume.

"That there has been introduced in the current session of the Eighty-first Congress legislation (S. 691) which, if enacted, will afford an equitable solution of the problem for all concerned.

"Wherefore, your memorialist, the Senate of the State of Arizona, requests:

"1. That the President, as head of the executive department of the Federal Government, direct the Federal Social Security Administration to cease and desist from withholding Federal social-security grants to Arizona, pending consideration by the Congress of the problem of assistance to reservation Indians.

"2. That the Congress give immediate consideration to, and enact, such legislation as will eliminate the present situation, assure to Indians living on reservations within Arizona the indigent assistance to which they are entitled, remove from worthy and eligible citizens of Arizona the current threat of hardship and distress, and relieve Arizona from the assumption of an unjustified and undue financial burden.

"Adopted by the senate February 9, 1949."

A resolution adopted by the Propeller Club, port of Nashville, Tenn., favoring the enactment of legislation to provide funds for improvement in the locks and navigation facilities in the lower Cumberland River below Nashville; to the Committee on Appropriations.

A resolution adopted by the New York City (N. Y.) Federation of Women's Clubs, Inc., favoring the enactment of legislation to strengthen and extend rent control; to the Committee on Banking and Currency.

A resolution adopted by the Council of the City of Pittsburgh, Pa., favoring the enactment of legislation to provide for payments to cities in lieu of taxes by housing authorities; to the Committee on Banking and Currency.

The petition of Nola Bayer, corresponding secretary, Mothers' Club, New York, N. Y., praying for the enactment of legislation to repeal the excise tax on luxuries, and so forth; to the Committee on Finance.

A resolution adopted by the New York City (N. Y.) Federation of Women's Clubs, Inc., favoring the enactment of legislation to repeal the excise tax on luxuries; to the Committee on Finance.

Resolutions adopted by the Bergen County (N. J.) Catholic Youth Organization; the Common Council of the City of Long Beach and the Council of the City of New York, both in the State of New York; and the Board of Aldermen of the City of Chelsea, Mass., relating to the trial of Josef Cardinal Mindszenty; to the Committee on Foreign Relations.

A letter in the nature of a petition from Paul Hall, secretary-treasurer, Seafarers International Union of North America, New York, N. Y., praying for the enactment of the so-called Bland-Magnuson bill, relating to the American merchant marine (with an accompanying paper); to the Committee on Interstate and Foreign Commerce.

A letter in the nature of a petition from Simon Jarosinski, president, Polish-American Congress, Baltimore, Md., relating to the displaced-persons law; to the Committee on the Judiciary.

A resolution adopted by a conference of 400 civic leaders and representatives of groups and organizations of Greenwich Village, N. Y., relating to the trial of 12 Communist Party leaders in New York; to the Committee on the Judiciary.

Resolutions adopted by the Common Council of the City of Fort Wayne, Ind; the Common Council of the City of Milwaukee, Wis.; and the Board of Representatives of the City of Tampa, Fla., favoring the enactment of legislation proclaiming October 11 of each year as General Pulaski's Memorial Day; to the Committee on the Judiciary.

A radiogram in the nature of a petition from Union Trabajadores Metalurgicos, of Ponce, P. R., relating to the minimum-wage law; to the Committee on Labor and Public Welfare.

A letter in the nature of a petition from E. A. Van Steenwyk, executive director, the Associated Hospital Service of Philadelphia, Philadelphia, Pa., relating to compulsory health insurance (with an accompanying paper); to the Committee on Labor and Public Welfare.

A letter in the nature of a petition from Benjamin Werne, of New York, N. Y., relating to labor legislation (with an accompanying paper); to the Committee on Labor and Public Welfare.

RESOLUTIONS OF WISCONSIN RETAIL HARDWARE ASSOCIATION

Mr. WILEY. Mr. President, I present for appropriate reference and ask unanimous consent to have printed in the RECORD a letter which I have received from Mr. H. A. Lewis, treasurer of the Wisconsin Retail Hardware Association, Stevens Point, Wis., and four resolutions adopted by that splendid business organization in my State.

The VICE PRESIDENT. Without objection, the letter and resolutions will be appropriately referred and printed in the RECORD.

To the Committee on Interstate and Foreign Commerce:

WISCONSIN RETAIL HARDWARE ASSOCIATION, INC.

Stevens Point, Wis., February 16, 1949.

Senator ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.

DEAR MR. WILEY: We enclose copies of four resolutions all adopted unanimously at the annual convention of this association, held at Milwaukee, Wis., February 3, 1949.

These resolutions set forth the position of our members with respect to: the fair-trade laws, the Wage and Hour Act, delivery pricing, tax equality.

We sincerely hope you will give the views of retail hardware dealers your earnest consideration.

I might point out that existing confusions due to the Administrator's rulings under the wage-hour law are to a large extent nullifying the evident intent of Congress to exempt retail and service establishments from the provisions of this act.

Confusions resulting from the ruling of the Federal Trade Commission and recent decisions of the Supreme Court, make it most necessary that Congress enact clarifying legislation.

We stand firm in our position that any person, firm, or corporation which engaged in business activities in competition with others engaged in similar activities should be taxed on the same basis with profits defined in a like manner.

It is our firm conviction that taxing cooperative corporations in the same manner as private enterprises will not put the cooperatives out of business as some charge. In fact, if cooperatives can succed only if they enjoy tax favoritism, then they are not doing the job they claim to do.

This Nation needs every dollar of tax income it can collect without killing the incentive to earn. Let's tax those now escaping payment of their just share before we consider adding to the burden of those already double-taxed as all corporations now are.

Very truly yours,

H. A. LEWIS,
Secretary-Treasurer.

Resolution on fair trade

Whereas return of the buyers' market may be expected to bring back the competitive evil of predatory price-cutting by the pirates of commerce whose principal weapon is bait advertising with the lure of low-price quotations on branded merchandise: Be it

Resolved, That we commend those manufacturers who have safeguarded their products against this piracy by the establishment of fair minimum prices under the fair-trade laws; be it further

Resolved, That we urge upon these manufacturers a policy of consistent vigilance in the enforcement of their fair-trade agreements; be it further

Resolved, That we urge other manufacturers of branded merchandise which is subject to price demoralization at the hands of price-cutters to utilize the privilege of price agreements under the fair-trade laws for the protection of their brands and their legitimate distributors and dealers.

Resolution on delivered pricing

Whereas pricing and delivery practices of long standing in the hardware industry, specifically freight absorption, delivered pricing and zone pricing, have come under a question of legality, due to various orders issued by the Federal Trade Commission and decisions of the United States Supreme Court; and

Whereas these orders and decisions have created a condition of grave uncertainty among manufacturers and distributors engaged in interstate commerce and stand as a menace to the orderly and usual trade relationships existing between such suppliers and our members; and

Whereas ultimate enforcement of the policy embodied in these orders and decisions would result in a chaotic confusion of prices; and

Whereas conflicting views among enforcement authorities indicate that the present uncertainty and prospective disruption of business practices can be ended or avoided only through action of the Congress to more clearly define antitrust and other statutes regulating business: Be it

Resolved, That the Wisconsin Retail Hardware Association in convention this 3d day of February 1949, urge our Senators and Representatives in Congress to support such amendments or other bills as will clarify this situation and still maintain healthful competition.

To the Committee on Labor and Public Welfare:

Resolution on wage-hour law

Whereas the Eighty-first Congress is expected to revise the Fair Labor Standards Act (wage-hour law); and

Whereas the wage-hour law in its purpose and nature is designed to apply to industrial plants engaged in production of commodities for interstate trade and is not designed to apply to local commercial establishments; and

Whereas under the present wage-hour law confusion and uncertainty as to the status and liability of local retailers has persisted, due to interpretations made by the enforcing agency: Be it

Resolved, That we urge upon Congress the importance of drafting the amended law so as to exempt retailers clearly and completely and preclude any interpretation or construction that would attempt to apply the law to retailers.

To the Committee on Finance:

Resolution on tax equality

Whereas this has been called the year of decision on the question of taxing cooperative corporations; and

Whereas this is simply a question of fairness in the collection of taxes by the Federal Government, using the same rules in taxing the profits of cooperative corporations that are used in taxing the profits of other corporations engaged in the same kind of business and in competition with them: Be it

Resolved, That we deplore and decry the efforts of cooperatives, their advocates, and spokesmen to make of this simple question a political issue involving the usefulness of cooperatives to their farmer members as marketing and/or purchasing organizations; be it further

Resolved, That the Wisconsin Retail Hardware Association in convention this 3d day of February 1949, renew and reemphasize its support of tax equality and urge that the Eighty-first Congress by legislative amendment provide that all competing businesses be taxed alike. We insist that Federal tax legislation should embody the principle set forth by the Cleveland congress of the National Retail Hardware Association, as follows:

"1. That no exemption from Federal income tax may be allowed to any person, firm, corporation, or organization of any type or character on its profits resulting from the operation of any business of the same kind and character as that operated by any person, firm, corporation, or organization of any type which does pay Federal income taxes on its profits.

"2. That for the purpose of Federal income taxation, 'profit' shall be defined and construed to mean the difference between the production or purchase cost of a service or commodity plus usual business expenses and the receipts from the sale of such service or commodity."

RESOLUTIONS OF GENERAL ASSEMBLY, COUNCIL OF JEWISH FEDERATIONS AND WELFARE FUNDS, PHILADELPHIA, PA.

Mr. WILEY. Mr. President, I present for appropriate reference and ask unanimous consent to have printed in the RECORD the text of two resolutions adopted by the recent annual conference of the member communities of the Council of Jewish Federations and Welfare Funds representing 263 organizations in more than 800 cities, held in Philadelphia in January with regard to the subject of displaced persons. These resolutions were sent to me by a distinguished civic leader and leader of Jewish organizations in my own State of Wisconsin, Mr. Irving G. Rhodes. Mr. Rhodes is also president of the west central region of the council. In a few days I expect to present a statement which I have personally prepared along the very lines of these resolutions. But, for the present, I ask unanimous consent that these statements be printed in the body of the RECORD and appropriately referred.

There being no objection, the resolutions were referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Resolution on International Refugee Organization

Whereas the International Refugee Organization has failed to meet its full responsibilities for the feeding, the clothing, the education, and the general care and resettlement of displaced persons; and

Whereas the Jewish voluntary philanthropic agencies, because of their unwillingness to see the survivors of the Nazi programs of extermination suffer further, have been forced to devote large sums of money to meeting the deficiencies of the International Refugee Organization; and

Whereas the International Refugee Organization has refused since May 15, 1948, to participate in the transportation of the Jewish displaced persons to Israel, although Israel is the only country in the world which provides large emigration possibilities to the Jewish displaced persons; and

Whereas the International Refugee Organization has the responsibility for obtaining funds and encouraging mass resettlement projects and has failed to investigate, study, or begin negotiations for developing a mass resettlement scheme in Israel; and

Whereas the United States Government is endeavoring to alter these policies; and

Whereas the present funds available to the International Refugee Organization are adequate to accomplish the primary purposes of care and resettlement of displaced persons: Be it

Resolved, That the general assembly of the Council of Jewish Federations and Welfare Funds, representing the Jewish communities of America, commends the actions and policies of the United States Government has followed in its participation in the administration of the International Refugee Organization and that the President and appropriate committees of the Congress request a study to be made of the extent to which an unjustifiably heavy burden has been thrown upon philanthropic agencies for the care of displaced persons, and that it be further suggested that the appropriation for the fiscal year 1949–50 for the IRO be enacted under such conditions as will insure the proper policies with regard to expenditures of funds,

and that appropriate refunds be made to the voluntary philanthropic agencies for the basic responsibilities of the IRO which they have carried since July 1, 1947, particularly the payment of transportation costs for Jewish displaced persons emigrating to Israel since May 15, 1948.

Resolution on displaced persons

Whereas the Congress of the United States did not correct the unfair provisions of the present displaced-persons law in its last special session; and

Whereas the President of the United States has publicly condemned the act as restrictive and discriminatory: Be it

Resolved, That this general assembly of the Jewish communities of America urges the Congress of the United States to enact legislation which will eliminate all of the discriminatory provisions with respect to religion, occupation, and nationality. We ask that the fatal cut-off date of December 22, 1945, be eliminated, in keeping with the traditionally liberal policies of our country in affording a haven of asylum for the oppressed and needy peoples of other lands; and be it further

Resolved, That copies of this resolution be forwarded to Members of the United States Senate and House of Representatives and to the President of the United States acknowledging his enlightened views on this matter.

REPORT OF A COMMITTEE

Mr. McCARRAN, from the Committee on the Judiciary, to which was referred the bill (S. 45) for the relief of the owners and operators of certain gold mines which were closed or the operations of which were curtailed by War Production Board Limitation Order L–208, reported it with amendments, and submitted a report (No. 79) thereon.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MURRAY:

S. 1036. A bill authorizing the issuance of a patent in fee to Lavantia Pearson;

S. 1037. A bill authorizing the issuance of a patent in fee to Virginia Pearson;

S. 1038. A bill authorizing the issuance of a patent in fee to Ethel M. Pearson George;

S. 1039. A bill authorizing the issuance of a patent in fee to Lavantia Pearson, sole heir to Helen Pearson, deceased; and

S. 1040. A bill authorizing the issuance of a patent in fee to Leah L. Pearson Louk; to the Committee on Interior and Insular Affairs.

By Mr. CAPEHART:

S. 1041. A bill to authorize the construction of a new Federal building at Petersburg, Ind.; to the Committee on Public Works.

By Mr. McCARRAN:

S. 1042. A bill relating to the payment of fees, expenses and costs of jurors; to the Committee on the Judiciary.

(Mr. McCARRAN also introduced Senate bill 1043, to amend section 1705 of title 18 of the United States Code, which was referred to the Committee on the Judiciary, and appears under a separate heading.)

PENALTY FOR DESTRUCTION OF MAIL RECEPTACLES

Mr. McCARRAN. Mr. President, I introduce for appropriate reference a bill to amend section 1705 of title 18 of the United States Code. I ask unanimous consent that the bill, together with a letter from the Postmaster General, be printed in the RECORD as a part of my remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred, and, without objection, the bill, together with the letter, will be printed in the RECORD.

The bill (S. 1043) to amend section 1705 of title 18 of the United States Code, introduced by Mr. McCARRAN, was read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That section 1705 of title 18 of the United States Code is hereby amended to read as follows:

"SEC. 1705. Destruction of letter boxes or mail: Whoever willfully or maliciously injures, tears down, or destroys any letter box or other receptacle intended or used for the receipt or delivery of mail on any mail route, or breaks open the same, or willfully or maliciously injures, defaces, or destroys any mail deposited therein, shall be fined not more than $1,000 or imprisoned not more than 3 years."

The letter presented by Mr. McCARRAN was ordered to be printed in the RECORD, as follows:

POST OFFICE DEPARTMENT,
OFFICE OF THE POSTMASTER GENERAL,
Washington, D. C., February 14, 1949.

The Honorable ALBEN W. BARKLEY,
President of the United States Senate.

MY DEAR MR. PRESIDENT: I am submitting herewith, for consideration by the Congress, legislation to amend section 1705 of title 18 of the United States Code.

Section 1705 of title 18 of the United States Code is a penal statute relating to the destruction of letter boxes or mail. It is a revision of the law embodied in section 321 of title 18 of the United States Code (Criminal Code, section 198, amended), which provided as follows:

"Whoever shall willfully or maliciously injure, tear down, or destroy any letter box or other receptacle intended or used for the receipt or delivery of mail on any mail route, or shall break open the same, or shall willfully or maliciously injure, deface, or destroy any mail deposited therein, or shall willfully take or steal such mail from or out of such letter box or other receptacle, or shall willfully aid or assist in any of the afore-mentioned offenses, shall for every such offense be punished by a fine of not more than $1,000 or by imprisonment for not more than 3 years."

As revised in section 1705 of title 18, United States Code, by Public Law 772, approved June 25, 1948, the law provides:

"Whoever, having charge or control of any conveyance destroys any letter box or other receptacle intended or used for the receipt or delivery of mail on any mail route, or breaks open the same, or willfully or maliciously injures, defaces, or destroys any mail deposited therein, shall be fined not more than $1,000 or imprisoned not more than 3 years."

The law, as codified in section 1705 of title 18, United States Code, is so phrased that its application is limited to persons "having charge or control of any conveyance." As a result of this limitation, a person who, on October 13, 1948, maliciously injured a rural mail box at Madison, Conn., could not be prosecuted under this law "because there was no conveyance used nor was any of the mail destroyed." It was necessary to request the chief of police of Madison to take prosecutive action under the State laws. A copy of the report of the inspectors who investigated the case is herewith.

It is believed that the Congress did not intend to limit the application of the law in section 1705 of title 18, United States Code, to persons "having charge or control of any conveyance." Accordingly, this Department strongly urges the enactment of the legislation submitted herewith, which, it is believed, will accomplish the purpose desired.

This Department has been advised by the Bureau of the Budget that there would be no objection to the presentation of this proposal for the consideration of the Congress.

Sincerely yours,

J. M. DONALDSON,
Postmaster General.

PRINTING OF ADDITIONAL COPIES OF HEARINGS OF COMMITTEE ON LABOR AND PUBLIC WELFARE ON LABOR RELATIONS

Mr. THOMAS of Utah submitted the following resolution (S. Res. 74), which was referred to the Committee on Rules and Administration:

Resolved, That 1,000 additional copies of part 1 and each subsequent part of the hearings held before the Committee on Labor and Public Welfare on Labor Relations be printed for the use of said committee.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles, and referred, as indicated:

H. R. 164. An act authorizing the Secretary of the Interior to convey certain lands to the Churntown Elementary School District, California;

H. R. 1401. An act relating to the disposition of certain recreational demonstration project lands by the State of Michigan to the Mount Hope Cemetery Association of Waterloo, Mich.; and

H. R. 1998. An act to amend the act entitled "An act to provide for the conveyance to Pinellas County, State of Florida, of certain public lands herein described," approved June 17, 1948 (Public Law 666, 80th Cong.), for the purpose of correcting a land description therein; to the Committee on Interior and Insular Affairs.

H. R. 858. An act to clarify the overtime compensation provisions of the Fair Labor Standards Act of 1938, as amended, as applied in the longshore, stevedoring, building and construction industries; to the Committee on Labor and Public Welfare.

H. R. 967. An act for the relief of the city of El Paso, Tex.; to the Committee on the Judiciary.

H. R. 2101. An act to authorize the Regional Agricultural Credit Corporation of Washington, D. C., to make certain disaster or emergency loans, and for other purposes; to the Committee on Agriculture and Forestry.

HOOSIER! A WORD WITH HISTORY ALL AROUND IT—ARTICLE FROM THE WASHINGTON TIMES-HERALD

[Mr. CAPEHART asked and obtained leave to have printed in the RECORD an article entitled "Hoosier! A Word With History All Around It," from the Washington Times-Herald of February 21, 1949, which appears in the Appendix.]

CONGRESS THE SAFEGUARD OF LIBERTY—EDITORIAL FROM LABOR

[Mr. CAPEHART asked and obtained leave to have printed in the RECORD an editorial entitled "Dictators' First Move Is To Wreck Free Legislatures," from Labor for February 19, 1949, which appears in the Appendix.]

NOMINATION OF MON C. WALLGREN—EDITORIAL COMMENT

[Mr. CAIN asked and obtained leave to have printed in the RECORD a number of editorials commenting on the nomination of Mon C. Wallgren to be Chairman of the National Security Resources Board, which appear in the Appendix.]

MESSAGE FROM THE HOUSE—ENROLLED BILL AND JOINT RESOLUTION SIGNED

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bill and joint resolution, and they were signed by the Vice President:

H. R. 1252. An act to amend the Legislative Reorganization Act of 1946 with respect to the eligibility for appointment in the executive branch of the Government of former professional staff members of committees of the Senate and the House of Representatives; and

H. J. Res. 84. Joint resolution to provide for the acquisition and operation of the Freedom Train by the Archivist of the United States, and for other purposes.

RECESS TO FRIDAY

The VICE PRESIDENT. There is no unfinished business before the Senate.

Mr. LUCAS. I move that the Senate stand in recess until Friday next at 12 o'clock noon.

The motion was agreed to; and (at 1 o'clock and 3 minutes p. m.) the Senate took a recess until Friday, February 25, 1949, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

TUESDAY, FEBRUARY 22, 1949

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Give ear, O Lord, unto our prayer, as we hear words of wisdom for the guidance and inspiration of a free people. By the holy ties which bind us together in happy families, by the love of country which inspires us to unselfish devotion, and by the still small voice which bids us go forward, we would exalt and magnify Thy holy name.

In these hallowed moments it is given us to realize the patriotic devotion and character of our forefathers. From the unseen heights Thou didst guide their broken columns as they toiled in sacrificial suffering to bring order out of chaos, service out of selfishness. Inspired by Him whose very soul recognized the sacredness of human freedom, we pray that we may be prophets of a new day, carrying faith into every section; faith in a God whose verities are eternal. In the spirit of our Lord and Saviour. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Carrell, its enrolling clerk, announced that the Senate had passed without amendment a bill of the House of the following title:

H. R. 1252. An act to amend the Legislative Reorganization Act of 1946 with respect to the eligibility for appointment in the executive branch of the Government of former professional staff members of committees of the Senate and the House of Representatives.

The message also announced that the Senate had passed bills and joint resolutions of the following titles, in which the concurrence of the House is requested:

S. 198. An act for the relief of the city and county of San Francisco;

S. 208. An act for the relief of Ella L. Browning;

S. 271. An act to provide for the appointment of an additional district judge for the middle district of Georgia;

S. 461. An act to clarify the provisions of section 602 (u) of the National Service Life Insurance Act of 1940, as amended;

S. 592. An act for the relief of Edwin B. Anderson;

S. 593. An act for the relief of certain postal employees;

S. 594. An act for the relief of John I. Malarin, former Army mail clerk at APO 932, a branch of the San Francisco, Calif., post office, relative to a shortage in his fixed credit account;

S. 624. An act for the relief of Herman A. Bennink;

S. 633. An act for the relief of Rachel D. Gattegno;

S. 634. An act to authorize payment of certain claims for damage to or loss or destruction of property and personal injury arising from activities of the Army;

S. 664. An act for the relief of Kihei Matsuo;

S. 745. An act to provide for the designation of the United States Veterans' Administration hospital at Chicago, Ill., as the Albert A. Sprague Veterans Memorial Hospital;

S. 748. An act for the relief of Charles L. Bishop;

S. J. Res. 36. Joint resolution for the authorization of a special contribution by the United States for the relief of Palestine refugees; and

S. J. Res. 42. Joint resolution granting the consent and approval of Congress to an interstate compact relating to the better utilization of the fisheries (marine, shell, and anadromous) of the Gulf coast and creating the Gulf States Marine Fisheries Commission.

WASHINGTON'S FAREWELL ADDRESS

The SPEAKER. Pursuant to the order of the House of February 15, 1949, the Chair recognizes the gentleman from Pennsylvania [Mr. CORBETT] to read George Washington's Farewell Address.

CALL OF THE HOUSE

Mr. RANKIN. Mr. Speaker, since this is the most important message ever delivered to the Congress of the United States, or to the American people, I make the point of order that a quorum is not present, in order that all the Members may have an opportunity to hear it.

The SPEAKER. Evidently a quorum is not present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 21]

Abbitt	Beall	Bosone
Addonizio	Bennett, Fla.	Breen
Allen, Ill.	Bentsen	Brooks
Allen, La.	Biemiller	Bryson
Andresen, August H.	Bland	Buckley, Ill.
	Blatnik	Buckley, N. Y.
Bailey	Bloom	Bulwinkle
Barrett, Pa.	Boggs, Del.	Burleson
Barrett, Wyo.	Bolton, Md.	Burton
Bates, Ky.	Bolton, Ohio	Byrne, N. Y.
Camp	Harrison	Potter
Canfield	Hart	Poulson
Carnahan	Havenner	Powell
Carroll	Heffernan	Quinn
Celler	Herter	Ramsay
Chesney	Irving	Rich
Christopher	Jacobs	Riehlman
Chudoff	Javits	Rodino
Clemente	Jonas	St. George
Coffey	Jones, Mo.	Sasscer
Cole, Kans.	Judd	Scott, Hardie
Colmer	Kean	Scott, Hugh D., Jr.
Cooley	Kelley	
Cotton	Kennedy	Scudder
Coudert	Keogh	Secrest
Crosser	Kerr	Simpson, Ill.
Cunningham	King	Sims
Curtis	Kirwan	Smith, Ohio
Davies, N. Y.	Klein	Smith, Va.
Davis, Tenn.	Kruse	Somers
Dawson	Kunkel	Steed
DeGraffenried	Lane	Stigler
Delaney	Lanham	Stockman
Dingell	Latham	Sutton
Dollinger	LeFevre	Taber
Donohue	Lichtenwalter	Tauriello
Doughton	Linehan	Taylor
Eaton	Lodge	Thomas, N. J.
Ellsworth	Mack, Ill.	Towe
Fallon	Macy	Van Zandt
Fellows	Mason	Velde
Forand	Merrow	Vorys
Fulton	Miller, Md.	Vursell
Furcolo	Morton	Wadsworth
Gamble	Murphy	Weichel
Garmatz	Nelson	Werdel
Gary	Norton	Wheeler
Gillette	O'Brien, Mich.	Whitaker
Gore	O'Hara, Ill.	Whitten
Gorski, N. Y.	O'Sullivan	Wickersham
Granahan	O'Toole	Wigglesworth
Granger	Patterson	Wilson, Ind.
Green	Perkins	Wilson, Tex.
Gregory	Pfeifer, Joseph L.	Withrow
Hall, Leonard W.	Philbin	Wolcott
	Phillips, Tenn.	Worley
Halleck	Plumley	Yates
Hand	Polk	Zablocki
Hare		

The SPEAKER. On this roll call 260 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

WASHINGTON'S FAREWELL ADDRESS

The SPEAKER. The Chair recognizes the gentleman from Pennsylvania [Mr. CORBETT] to read Washington's Farewell Address.

Mr. CORBETT read the Farewell Address, as follows:

To the people of the United States:

FRIENDS AND FELLOW CITIZENS: The period for a new election of a citizen to administer the executive government of the United States being not far distant, and the time actually arrived when your thoughts must be employed in designating the person who is to be clothed with that important trust, it appears to me proper, especially as it may conduce to a more distinct expression of the public voice, that I should now apprise you of the resolution I have formed, to decline being considered among the number of those, out of whom a choice is to be made.

I beg you, at the same time, to do me the justice to be assured, that this resolution has not been taken, without a strict regard to all the considerations appertaining to the relation which binds a dutiful citizen to his country; and that in withdrawing the tender of service which silence in my situation might imply, I am influenced by no diminution of zeal for your future interest; no defi-

ciency of grateful respect for your past kindness; but am supported by a full conviction that the step is compatible with both.

The acceptance of, and continuance hitherto in the office to which your suffrages have twice called me, have been a uniform sacrifice of inclination to the opinion of duty, and to a deference for what appeared to be your desire. I constantly hoped that it would have been much earlier in my power, consistently with motives which I was not at liberty to disregard, to return to that retirement from which I had been reluctantly drawn. The strength of my inclination to do this, previous to the last election, had even led to the preparation of an address to declare it to you; but mature reflection on the then perplexed and critical posture of our affairs with foreign nations, and the unanimous advice of persons entitled to my confidence, impelled me to abandon the idea.

I rejoice that the state of your concerns, external as well as internal, no longer renders the pursuit of inclination incompatible with the sentiment of duty or propriety; and am persuaded, whatever partiality may be retained for my services, that in the present circumstances of our country, you will not disapprove my determination to retire.

The impressions with which I first undertook the arduous trust, were explained on the proper occasion. In the discharge of this trust, I will only say that I have, with good intentions, contributed towards the organization and administration of the government, the best exertions of which a very fallible judgment was capable. Not unconscious in the outset, of the inferiority of my qualifications, experience, in my own eyes, perhaps still more in the eyes of others, has strengthened the motives to diffidence of myself; and, every day, the increasing weight of years admonishes me more and more, that the shade of retirement is as necessary to me as it will be welcome. Satisfied that if any circumstances have given peculiar value tc my services they were temporary, I have the consolation to believe that, while choice and prudence invite me to quit the political scene, patriotism does not forbid it.

In looking forward to the moment which is to terminate the career of my political life, my feelings do not permit me to suspend the deep acknowledgment of that debt of gratitude which I owe to my beloved country, for the many honors it has conferred upon me; still more for the steadfast confidence with which it has supported me; and for the opportunities I have thence enjoyed of manifesting my inviolable attachment, by services faithful and persevering, though in usefulness unequal to my zeal. If benefits have resulted to our country from these services, let it always be remembered to your praise, and as an instructive example in our annals, that under circumstances in which the passions, agitated in every direction, were liable to mislead amidst appearances sometimes dubious, vicissitudes of fortune often discouraging—in situations in which not unfrequently, want of success has countenanced the spirit of criticism,—the constancy of your support was the essential prop of the efforts, and a guarantee of the plans, by which they were effected. Profoundly penetrated with this idea, I shall carry it with me to my grave, as a strong incitement to unceasing vows that heaven may continue to you the choicest tokens of its beneficence—that your union and brotherly affection may be perpetual—that the free constitution, which is the work of your hands, may be sacredly maintained—that its administration in every department may be stamped with wisdom and virtue—that, in fine, the happiness of the people of these states, under the auspices of liberty, may be made complete by so careful a preservation, and so prudent a use of this blessing, as will acquire to them the glory of recommending it to the applause, the affection and adoption of every nation which is yet a stranger to it.

Here, perhaps, I ought to stop. But a solicitude for your welfare, which cannot end but with my life, and the apprehension of danger, natural to that solicitude, urge me, on an occasion like the present, to offer to your solemn contemplation, and to recommend to your frequent review, some sentiments which are the result of much reflection, of no inconsiderable observation, and which appear to me all important to the permanency of your felicity as a people. These will be offered to you with the more freedom, as you can only see in them the disinterested warnings of a parting friend, who can possibly have no personal motive to bias his counsel. Nor can I forget, as an encouragement to it, your indulgent reception of my sentiments on a former and not dissimilar occasion.

Interwoven as is the love of liberty with every ligament of your hearts, no recommendation of mine is necessary to fortify or confirm the attachment.

The unity of government which constitutes you one people, is also now dear to you. It is justly so; for it is a main pillar in the edifice of your real independence; the support of your tranquility at home; your peace abroad; of your safety; of your prosperity; of that very liberty which you so highly prize. But as it is easy to foresee that, from different causes and from different quarters much pains will be taken, many artifices employed, to weaken in your minds the conviction of this truth, as this is the point in your political fortress against which the batteries of internal and external enemies will be most constantly and actively (though often covertly and insidiously) directed; it is of infinite moment, that you should properly estimate the immense value of your national union to your collective and individual happiness; that you should cherish a cordial, habitual, and immovable attachment to it; accustoming yourselves to think and speak of it as the palladium of your political safety and prosperity; watching for its preservation with jealous anxiety; discountenancing whatever may suggest even a suspicion that it can, in any event, be abandoned; and indignantly frowning upon the first dawning of every attempt to alienate any portion of our country from the rest, or to enfeeble the sacred ties which now link together the various parts.

For this you have every inducement of sympathy and interest. Citizens by birth, or choice, of a common country, that country has a right to concentrate your affections. The name of American, which belongs to you in your national capacity, must always exalt the just pride of patriotism, more than any appellation derived from local discriminations. With slight shades of difference, you have the same religion, manners, habits, and political principles. You have, in a common cause, fought and triumphed together; the independence and liberty you possess, are the work of joint counsels, and joint efforts, of common dangers, suffering and successes.

But these considerations, however powerfully they addressed themselves to your sensibility, are greatly outweighed by those which apply more immediately to your interest.—Here, every portion of our country finds the most commanding motives for carefully guarding and preserving the union of the whole.

The *north*, in an unrestrained intercourse with the *south*, protected by the equal laws of a common government, finds in the productions of the latter, great additional resources of maritime and commercial enterprise, and precious materials of manufacturing industry.—The *south* in the same intercourse, benefiting by the same agency of the *north*, sees its agriculture grow and its commerce expand. Turning partly into its own channels the seamen of the *north*, it finds its particular navigation invigorated; and while it contributes, in different ways, to nourish and increase the general mass of the national navigation, it looks forward to the protection of a maritime strength, to which itself is unequally adapted. The *east*, in a like intercourse with the *west*, already finds, and in the progressive improvement of interior communications by land and water, will more and more find a valuable vent for the commodities which it brings from abroad, or manufactures at home. The *west* derives from the *east* supplies requisite to its growth and comfort—and what is perhaps of still greater consequence, it must of necessity owe the *secure* enjoyment of indispensable *outlets* for its own productions, to the weight, influence, and the future maritime strength of the Atlantic side of the Union, directed by an indissoluble community of interest as *one nation*. Any other tenure by which the *west* can hold this essential advantage, whether derived from its own separate strength; or from an apostate and unnatural connection with any foreign power, must be intrinsically precarious.

While then every part of our country thus feels an immediate and particular interest in union, all the parts combined cannot fail to find in the united mass of means and efforts, greater

strength, greater resource, proportionably greater security from external danger, a less frequent interruption of their peace by foreign nations; and, what is of inestimable value, they must derive from union, an exemption from those broils and wars between themselves, which so frequently afflict neighboring countries not tied together by the same government; which their own rivalship alone would be sufficient to produce, but which opposite foreign alliances, attachments, and intrigues, would stimulate and embitter. Hence likewise, they will avoid the necessity of those overgrown military establishments, which under any form of government are inauspicious to liberty, and which are to be regarded as particularly hostile to republican liberty. In this sense it is, that your union ought to be considered as a main prop of your liberty, and that the love of the one ought to endear to you the preservation of the other.

These considerations speak a persuasive language to every reflecting and virtuous mind and exhibit the continuance of the union as a primary object of patriotic desire. Is there a doubt whether a common government can embrace so large a sphere? let experience solve it. To listen to mere speculation in such a case were criminal. We are authorized to hope that a proper organization of the whole, with the auxiliary agency of governments for the respective subdivisions, will afford a happy issue to the experiment. It is well worth a fair and full experiment. With such powerful and obvious motives to union, affecting all parts of our country, while experience shall not have demonstrated its impracticability, there will always be reason to distrust the patriotism of those who, in any quarter, may endeavor to weaken its hands.

In contemplating the causes which may disturb our Union, it occurs as matter of serious concern, that any ground should have been furnished for characterizing parties by *geographical* discriminations,—*northern* and *southern*—*Atlantic* and *western;* whence designing men may endeavor to excite a belief that there is a real difference of local interests and views. One of the expedients of party to acquire influence within particular districts, is to misrepresent the opinions and aims of other districts. You cannot shield yourselves too much against the jealousies and heart burnings which spring from these misrepresentations; they tend to render alien to each other those who ought to be bound together by fraternal affection. The inhabitants of our western country have lately had a useful lesson on this head; they have seen, in the negotiation by the executive, and in the unanimous ratification by the senate of the treaty with Spain, and in the universal satisfaction at the event throughout the United States, a decisive proof how unfounded were the suspicions propagated among them of a policy in the general government and in the Atlantic states, unfriendly to their interests in regard to the Mississippi. They have been witnesses to the formation of two treaties, that with Great Britain and that with Spain, which secure to them everything they could desire, in respect to our foreign relations, towards confirming their prosperity. Will it not be their wisdom to rely for the preservation of these advantages on the union by which they were procured? will they not henceforth be deaf to those advisers, if such they are, who would sever them from their brethren and connect them with aliens?

To the efficacy and permanency of your Union, a government for the whole is indispensable. No alliances, however strict, between the parts can be an adequate substitute; they must inevitably experience the infractions and interruptions which all alliances, in all times, have experienced. Sensible of this momentous truth, you have improved upon your first essay, by the adoption of a constitution of government, better calculated than your former, for an intimate union, and for the efficacious management of your common concerns. This government, the offspring of our own choice, uninfluenced and unawed, adopted upon full investigation and mature deliberation, completely free in its principles, in the distribution of its powers, uniting security with energy, and maintaining within itself a provision for its own amendment, has a just claim to your confidence and your support. Respect for its authority, compliance with its laws, acquiescence in its measures, are duties enjoined by the fundamental maxims of true liberty. The basis of our political systems is the right of the people to make and to alter their constitutions of government.—But the constitution which at any time exists, until changed by an explicit and authentic act of the whole people, is sacredly obligatory upon all. The very idea of the power, and the right of the people to establish government, presuppose the duty of every individual to obey the established government.

All obstructions to the execution of the laws, all combinations and associations under whatever plausible character, with the real design to direct, control, counteract, or awe the regular deliberations and action of the constituted authorities, are destructive of this fundamental principle, and of fatal tendency.—They serve to organize faction, to give it an artificial and extraordinary force, to put in the place of the delegated will of the nation the will of party, often a small but artful and enterprising minority of the community; and, according to the alternate triumphs of different parties, to make the public administration the mirror of the ill concerted and incongruous projects of faction, rather than the organ of consistent and wholesome plans digested by common councils, and modified by mutual interests.

However combinations or associations of the above description may now and then answer popular ends, they are likely in the course of time and things, to become potent engines, by which cunning, ambitious, and unprincipled men, will be enabled to subvert the power of the people, and to usurp for themselves the reins of government; destroying afterwards the very engines which have lifted them to unjust dominion.

Towards the preservation of your government and the permanency of your present happy state, it is requisite, not only that you steadily discountenance irregular opposition to its acknowledged authority, but also that you resist with care the spirit of innovation upon its principles, however specious the pretext. One method of assault may be to effect, in the forms of the constitution, alterations which will impair the energy of the system; and thus to undermine what cannot be directly overthrown. In all the changes to which you may be involved, remember that time and habit are at least as necessary to fix the true character of governments, as of other human institutions:—that experience is the surest standard by which to test the real tendency of the existing constitution of a country:—that facility in changes, upon the credit of mere hypothesis and opinion, exposes to perpetual change from the endless variety of hypothesis and opinion: and remember, especially, that for the efficient management of your common interests in a country so extensive as ours, a government of as much vigor as is consistent with the perfect security of liberty is indispensable. Liberty itself will find in such a government, with powers properly distributed and adjusted, its surest guardian. It is, indeed, little else than a name, where the government is too feeble to withstand the enterprises of faction, to confine each member of the society within the limits prescribed by the laws, and to maintain all in the secure and tranquil enjoyment of the rights of person and property.

I have already intimated to you the danger of parties in the state, with particular references to the founding them on geographical discrimination. Let me now take a more comprehensive view, and warn you in the most solemn manner against the baneful effects of the spirit of party generally.

This spirit, unfortunately, is inseparable from our nature, having its root in the strongest passions of the human mind.—It exists under different shapes in all governments, more or less stifled, controlled, or repressed; but in those of the popular form it is seen in its greatest rankness, and is truly their worst enemy.

The alternate domination of one faction over another, sharpened by the spirit of revenge natural to party dissension, which in different ages and countries has perpetrated the most horrid enormities, is itself a frightful despotism. But this leads at length to a more formal and permanent despotism. The disorders and miseries which result, gradually incline the minds of men to seek security and repose in the absolute power of an individual; and, sooner or later, the chief of some prevailing faction, more able or more fortunate than his competitors, turns this disposition to the purpose of his own elevation on the ruins of public liberty.

Without looking forward to an extremity of this kind, (which nevertheless ought not to be entirely out of sight) the common and continual mischiefs of the spirit or party are sufficient to make it the interest and duty of a wise people to discourage and restrain it.

It serves always to distract the public councils, and enfeeble the public administration. It agitates the community with ill founded jealousies and false alarms; kindles the animosity of one part against another; foments occasional riot and insurrection. It opens the door to foreign influence and corruption, which finds a facilitated access to the government itself through the channels of party passions. Thus the policy and the will of one country are subjected to the policy and will of another.

There is an opinion that parties in free countries are useful checks upon the administration of the government, and serve to keep alive the spirit of liberty. This within certain limits is probably true; and in governments of a monarchial cast, patriotism may look with indulgence, if not with favor, upon the spirit of party. But in those of the popular character, in governments purely elective, it is a spirit not to be encouraged. From their natural tendency, it is certain there will alv ays be enough of that spirit for every salutary purpose. And there being constant danger of excess, the effort ought to be, by force of public opinion, to mitigate and assuage it. A fire not to be quenched, it demands a uniform vigilance to prevent it bursting into a flame, lest instead of warming, it should consume.

It is important likewise, that the habits of thinking in a free country should inspire caution in those intrusted with its administration, to confine themselves within their respective constitutional spheres, avoiding in the exercise of the powers of one department, to encroach upon another. The spirit of encroachment tends to consolidate the powers of all the departments in one, and thus to create, whatever the form of government, a real despotism. A just estimate of that love of power and proneness to abuse it which predominate in the human heart, is sufficient to satisfy us of the truth of this position. The necessity of reciprocal checks in the exercise of political power, by dividing and distributing it into different depositories, and constituting each the guardian of the public weal against invasion of the others, has been evinced by experiments ancient and modern; some of them in our country and under our own eyes.—To preserve them must be as necessary as to institute them. If, in the opinion of the people, the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the constitution designates.—But let there be no change by usurpation; for though this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed. The precedent must always greatly overbalance in permanent evil any partial or transient benefit which the use can at any time yield.

Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports. In vain would that man claim the tribute of patriotism, who should labor to subvert these great pillars of human happiness, these firmest props of the duties of men and citizens. The mere politician, equally with the pious man, ought to respect and to cherish them. A volume could not trace all their connections with private and public felicity. Let it simply be asked, where is the security for property, for reputation, for life, if the sense of religious obligation *desert* the oaths which are the instruments of investigation in courts of justice? And let us with caution indulge the supposition that morality can be maintained without religion. Whatever may be conceded to the influence of refined education on minds of peculiar structure, reason and experience both forbid us to expect, that national morality can prevail in exclusion of religious principle.

It is substantially true, that virtue or morality is a necessary spring of popular government. The rule, indeed extends with more or less force to every species of free government. Who that is a sincere friend to it can look with indifference upon attempts to shake the foundation of the fabric?

Promote, then, as an object of primary importance, institutions for the general diffusion of knowledge. In proportion as the structure of a government gives force to public opinion, it should be enlightened.

As a very important source of strength and security, cherish public credit. One method of preserving it is to use it as sparingly as possible, avoiding occasions of expense by cultivating peace, but remembering, also, that timely disbursements, to prepare for danger, frequently prevent much greater disbursements to repel it; avoiding likewise the accumulation of debt, not only by shunning occasions of expense, but by vigorous exertions, in time of peace, to discharge the debts which unavoidable wars may have occasioned, not ungenerously throwing upon posterity the burden which we ourselves ought to bear. The execution of these maxims belongs to your representatives, but it is necessary that public opinion should cooperate. To facilitate to them the performance of their duty, it is essential that you should practically bear in mind, that towards the payment of debts there must be revenue; that to have revenue there must be taxes, that no taxes can be devised which are not more or less inconvenient and unpleasant; that the intrinsic embarrassment inseparable from the selection of the proper object (which is always a choice of difficulties,) ought to be a decisive motive for a candid construction of the conduct of the government in making it, and for a spirit of acquiescence in the measures for obtaining revenue, which the public exigencies may at any time dictate.

Observe good faith and justice towards all nations; cultivate peace and harmony with all. Religion and morality enjoin this conduct, and can it be that good policy does not equally enjoin it? It will be worthy of a free, enlightened, and, at no distant period, a great nation, to give to mankind the magnanimous and too novel example of a people always guided by an exalted justice and benevolence. Who can doubt but, in the course of time and things, the fruits of such a plan would richly repay any temporary advantages which might be lost by a steady adherence to it; can it be that Providence has not connected the permanent felicity of a nation with its virtue? The experiment, at least is recommended by every sentiment which ennobles human nature. Alas! is it rendered impossible by its vices?

In the execution of such a plan, nothing is more essential than that permanent, inveterate antipathies against particular nations and passionate attachments for others, should be excluded; and that in place of them, just and amicable feelings towards all should be cultivated. The nation which indulges towards another an habitual hatred, or an habitual fondness, is in some degree a slave. It is a slave to its animosity or to its affection, either of which is sufficient to lead it astray from its duty and its interest. Antipathy in one nation against another disposes each more readily to offer insult and injury, to lay hold of slight causes of umbrage, and to be haughty and intractable when accidental or trifling occasions of dispute occur. Hence, frequent collisions, obstinate, envenomed, and bloody contests. The nation, prompted by ill will and resentment, sometimes impels to war the government, contrary to the best calculations of policy. The government sometimes participates in the national propensity, and adopts through passion what reason would reject; at other times, it makes the animosity of the nation subservient to projects of hostility, instigated by pride, ambition, and other sinister and pernicious motives. The peace often, sometimes perhaps the liberty of nations, has been the victim.

So likewise, a passionate attachment of one nation for another produces a variety of evils. Sympathy for the favorite nation, facilitating the illusion of an imaginary common interest, in cases where no real common interest exists, and infusing into one the enmities of the other, betrays the former into a participation in the quarrels and wars of the latter, without adequate inducements or justifications. It leads also to concessions, to the favorite nation, of privileges denied to others, which is apt doubly to injure the nation making the concessions, by unnecessary parting with what ought to have been retained, and by exciting jealousy, ill will, and a disposition to retaliate in the parties from whom equal privileges are withheld; and it gives to ambitious, corrupted or deluded citizens who devote themselves to the favorite nation, facility to betray or sacrifice the interests of their own country, without odium, sometimes even with popularity; gilding with the appearances of a virtuous sense of obligation, a commendable deference for public opinion, or a laudable zeal for public good, the base or foolish compliances of ambition, corruption, or infatuation.

As avenues to foreign influence in innumerable ways, such attachments are particularly alarming to the truly enlightened and independent patriot. How many opportunities do they afford to tamper with domestic factions, to practice the arts of seduction, to mislead public opinion, to influence or awe the public councils!—Such an attachment of a small or weak, towards a great and

powerful nation, dooms the former to be the satellite of the latter.

Against the insidious wiles of foreign influence, (I conjure you to believe me fellow citizens,) the jealousy of a free people ought to be *constantly* awake; since history and experience prove, that foreign influence is one of the most baneful foes of republican government. But that jealousy, to be useful, must be impartial, else it becomes the instrument of the very influence to be avoided, instead of a defense against it. Excessive partiality for one foreign nation and excessive dislike for another, cause those whom they actuate to see danger only on one side, and serve to veil and even second the arts of influence on the other. Real patriots, who may resist the intrigues of the favorite, are liable to become suspected and odious; while its tools and dupes usurp the applause and confidence of the people, to surrender their interests.

The great rule of conduct for us, in regard to foreign nations, is, in extending our commercial relations, to have with them as little *political* connection as possible. So far as we have already formed engagements, let them be fulfilled with perfect good faith:—Here let us stop.

Europe has a set of primary interests, which to us have none, or a very remote relation. Hence, she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves, by artificial ties, in the ordinary vicissitudes of her politics, or the ordinary combinations and collusions of her friendships or enmities.

Our detached and distant situation invites and enables us to pursue a different course. If we remain one people, under an efficient government, the period is not far off when we may defy material injury from external annoyance; when we may take such an attitude as will cause the neutrality we may at any time resolve upon, to be scrupulously respected; when belligerent nations, under the impossibility of making acquisitions upon us, will not lightly hazard the giving us provocation, when we may choose peace or war, as our interest, guided by justice, shall counsel.

Why forego the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalship, interest, humor, or caprice?

It is our true policy to steer clear of permanent alliance with any portion of the foreign world; so far, I mean, as we are now at liberty to do it; for let me not be understood as capable of patronizing infidelity to existing engagements. I hold the maxim no less applicable to public than private affairs, that honesty is always the best policy. I repeat it, therefore, let those engagements be observed in their genuine sense. But in my opinion, it is unnecessary, and would be unwise to extend them.

Taking care always to keep ourselves by suitable establishments, on a respectable defensive posture, we may safely trust to temporary alliances for extraordinary emergencies.

Harmony, and a liberal intercourse with all nations, are recommended by policy, humanity, and interest. But even our commercial policy should hold an equal and impartial hand; neither seeking nor granting exclusive favors or preferences; consulting the natural course of things; diffusing and diversifying by gentle means the streams of commerce, but forcing nothing; establishing with powers so disposed, in order to give trade a stable course, to define the rights of our merchants, and to enable the government to support them, conventional rules of intercourse, the best that present circumstances and mutual opinion will permit, but temporary, and liable to be from time to time abandoned or varied as experience and circumstances shall dictate; constantly keeping in view, that it is folly in one nation to look for disinterested favors from another; that it must pay with a portion of its independence for whatever it may accept under that character; that by such acceptance, it may place itself in the condition of having given equivalents for nominal favors, and yet of being reproached with ingratitude for not giving more. There can be no greater error than to expect, or calculate upon real favors from nation to nation. It is an illusion which experience must cure, which a just pride ought to discard.

In offering to you, my countrymen, these counsels of an old and affectionate friend, I dare not hope they will make the strong and lasting impression I could wish; that they will control the usual current of the passions, or prevent our nation from running the course which has hitherto marked the destiny of nations, but if I may even flatter myself that they may be productive of some partial benefit, some occasional good; that they may now and then recur to moderate the fury of party spirit, to warn against the mischiefs of foreign intrigue, to guard against the impostures of pretended patriotism; this hope will be a full recompense for the solicitude for your welfare by which they have been dictated.

How far, in the discharge of my official duties, I have been guided by the principles which have been delineated, the public records and other evidences of my conduct must witness to you and to the world. To myself, the assurance of my own conscience is, that I have, at least, believed myself to be guided by them.

In relation to the still subsisting war in Europe; my proclamation of the 22d of April, 1793, is the index to my plan. Sanctioned by your approving voice, and by that of your representatives in both houses of congress, the spirit of that measure has continually governed me, uninfluenced by any attempts to deter or divert me from it.

After deliberate examination, with the aid of the best lights I could obtain, I was well satisfied that our country, under all the circumstances of the case, had a right to take, and was bound in duty and interest, to take a neutral position. Having taken it, I determined, as far as should depend upon me, to maintain it with moderation, perseverance and firmness.

The considerations which respect the right to hold this conduct, it is not necessary on this occasion to detail. I will only observe that, according to my understanding of the matter, that right, so far from being denied by any of the belligerent powers, has been virtually admitted by all.

The duty of holding a neutral conduct may be inferred, without any thing more, from the obligation which justice and humanity impose on every nation, in cases in which it is free to act, to maintain inviolate the relations of peace and amity towards other nations.

The inducements of interest for observing that conduct will best be referred to your own reflections and experience. With me a predominant motive has been to endeavor to gain time to our country to settle and mature its yet recent institutions, and to progress, without interruption, to that degree of strength, and consistency which is necessary to give it, humanly speaking, the command of its own fortunes.

Though in reviewing the incidents of my administration, I am unconscious of intentional error, I am nevertheless too sensible of my defects not to think it probable that I may have committed many errors. Whatever they may be, I fervently beseech the Almighty to avert or mitigate the evils to which they may tend. I shall also carry with me the hope that my country will never cease to view them with indulgence; and that, after forty-five years of my life dedicated to its service, with an upright zeal, the faults of incompetent abilities will be consigned to oblivion, as myself must soon be to the mansions of rest.

Relying on its kindness in this as in other things, and actuated by that fervent love towards it, which is so natural to a man who views in it the native soil of himself and his progenitors for several generations; I anticipate with pleasing expectation that retreat in which I promise myself to realize without alloy, the sweet enjoyment of partaking, in the midst of my fellow citizens, the benign influence of good laws under a free government—the ever favorite object of my heart, and the happy reward, as I trust, of our mutual cares, labors and dangers.

GEO. WASHINGTON.

UNITED STATES,
17th September, 1796.

STILL THE GREATEST

Mr. WOODRUFF. Mr. Speaker, under permission to extend my remarks I include the following editorial from today's Times-Herald:

STILL THE GREATEST

Today as we celebrate the two hundred and seventeenth anniversary of the birth of the Father of our Country, the trials and triumphs of George Washington, the patriot, the soldier, and the President will be honored in prayer and reverence, for Washington still is the greatest American yet of record. It is always interesting to speculate on why this is so.

What outstanding virtue did Washington possess? On what cornerstone was this giant among men built?

Was it integrity? Was it tenacity? Was it faith? Or was it character?

Gen. Douglas MacArthur has said George Washington was the outstanding general in United States history. He based his declaration on the fact that although General Washington was beset by defeat, forced to retreat, faced mutiny and desertion in the ranks and traitorous intrigues among his generals, was short on supplies and lacked support from the civilian population, he was still so powerful a leader that he held together an army in being through seven harrowing years, to win the final victory.

HE LED THE GREAT

When Washington became President his troubles on the new plane were just as difficult as the dangers that had threatened his military career.

President Washington had around him at the beginning of this constitutional Government, the ablest group of political thinkers and experts on government that have ever been on this earth, at one place at one time. They were men of such depth and vision that their efforts to form a free government for free people reached a success never equaled.

There were John Adams, Alexander Hamilton, Benjamin Franklin, and Thomas Jefferson, to name a few. Each was an individualist although joined in the movement to create the new Government. And, it was Washington's task to keep them working together. The very existence of this country today is a monument to his success, yet history has yet to put its finger exactly on the single, elusive facet of Washington's many-sided nature that gave him the ability to control these explosive, individualistic geniuses—we just have to sum it all up with a one-word description. He had character.

With that, we pass on to review his greatest single accomplishment, and one which is too seldom mentioned these days by its right name—the Revolution.

George Washington is the only man who has ever directed a successful revolution. We say successful because he made it stick. The Government of the United States of America, that has developed out of the revolution Washington led, has weathered more than a century and a quarter and is alive and stronger today than ever. What has happened to the others?

FRENCH REVOLT A FAILURE

The French Revolution, following closely on the heels of the one in this country, threw off the yoke of kingly tyranny only to lose the battle for a stable permanent government. Its immediate result was the Reign of Terror. Next came Napoleon. Then more revolution. More blood, more horror, until this very day. The Government of France is still weak, subject to instant change and constantly afraid of another blood bath.

CHINA FLOP

At the turn of this century Sun Yat-sen organized one secret society after another and tried 10 times to oust the Manchu dynasty in China. He was successful in 1911. But, like the French, the Chinese were never able to consolidate their gains and reap the rewards.

Sun Yat-sen died before his dream of a national government for his country came into being. His mantle of leadership fell around the shoulders of his young general, Chiang Kai-shek. Only a few weeks ago the news services carried the story of Chiang's retirement. He could not make a go of it even after years and years of civil war.

RUSSIAN DICTATORSHIP

In 1917 the revolutionaries swarmed into power in Russia, through a series of assassinations, mutinies, and riots. The Union of Soviet Socialist Republics was born, and its advocates promised a new freedom. Thirty years later we find only horror and misery prolonged in their name.

And so history records the hopes and failures of mankind in the revolutions of the world but only one success—the handiwork of one George Washington. He used revolution as a weapon as others had before him and as others have since—but with this distinction: He knew when to stop. And he reached the pinnacle:

"First in war, first in peace, and first in the hearts of his countrymen."

ADJOURNMENT OVER

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Thursday next.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

COMMISSION ON ORGANIZATION OF THE EXECUTIVE BRANCH OF THE GOVERNMENT

Mr. McCORMACK. Mr. Speaker, without establishing a precedent, I ask unanimous consent that whenever reports are filed with the Speaker by the Commission on Organization of the Executive Branch of the Government pursuant to Public Law 162, Eightieth Congress, as amended, the Speaker may refer the said reports notwithstanding the fact that the House may not be in session.

Mr. BROWN of Ohio. Mr. Speaker, reserving the right to object, and I shall not, as a member of the Commission on the Organization of the Executive Branch of the Government, I can assure the House that the Commission will be very appreciative of the granting of this request propounded by the gentleman from Massachusetts, because there are quite a number of these reports that must be presented between now and March 15, and it may be possible that the House will not always be in session.

Mr. McCORMACK. I may say that the purpose of the consent request was that so far as the House was concerned there should be perfect understanding and cooperation between the House, the Speaker of the House, and the Commission of which the distinguished former President is the chairman and of which the distinguished gentleman from Ohio is a member.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

ADJOURNMENT OF THE HOUSE FROM THURSDAY NEXT UNTIL THE FOLLOWING MONDAY

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns on Thursday next it adjourn to meet on the following Monday.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER. The Chair designates the gentleman from Massachusetts [Mr. McCORMACK] to act as Speaker pro tempore on Thursday next.

EXTENSION OF REMARKS

Mr. KEEFE asked and was given permission to extend his remarks in the RECORD.

Mr. McCULLOCH asked and was given permission to extend his remarks in the RECORD and include an address by the gentleman from Indiana [Mr. HARVEY].

Mr. HARVEY asked and was given permission to extend his remarks in the Appendix of the RECORD and include an editorial from the Muncie Star, issue of February 17.

Mr. SHORT asked and was given permission to extend his remarks in the RECORD and include a recent broadcast over the program Town Hall of the Air.

Mr. MULTER asked and was given permission to extend his remarks in the RECORD in two instances and include extraneous matter.

Mr. WHITE of Idaho asked and was given permission to extend his remarks in the RECORD in two instances and include certain excerpts.

Mr. BURNSIDE asked and was given permission to extend his remarks in the RECORD.

Mr. BOLLING asked and was given permission to extend his remarks in the Appendix of the RECORD and include an article from the February 19, 1949, issue of Labor, the railroad labor official weekly.

Mr. NORBLAD asked and was given permission to extend his remarks in the Appendix of the RECORD and include an editorial favoring 4-year terms for Congressmen.

SPECIAL ORDER GRANTED

Mr. KEEFE. Mr. Speaker, I ask unanimous consent that on Wednesday next, after disposition of the matters on the Speaker's table and at the conclusion of any special orders heretofore entered, I may be permitted to address the House for 1 hour.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. RODINO (at the request of Mr. HOWELL), for the period from February 22 to February 24, on account of illness.

To Mr. ADDONIZIO (at the request of Mr. HOWELL), for today, on account of official business.

To Mr. TAURIELLO (at the request of Mr. LYNCH), for today, on account of official business.

SENATE BILLS AND JOINT RESOLUTION REFERRED

Bills and a joint resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 208. An act for the relief of Ella L. Browning; to the Committee on the Judiciary.

S. 271. An act to provide for the appointment of an additional district judge for the middle district of Georgia; to the Committee on the Judiciary.

S. 461. An act to clarify the provisions of section 602 (u) of the National Service Life Insurance Act of 1940, as amended; to the Committee on Veterans' Affairs.

S. 592. An act for the relief of Edwin B. Anderson; to the Committee on the Judiciary.

S. 594. An act for the relief of John I. Malarin, former Army mail clerk at APO 932, a branch of the San Francisco, Calif., post office, relative to a shortage in his fixed credit account; to the Committee on the Judiciary.

S. 624. An act for the relief of Herman A. Bennink; to the Committee on the Judiciary.

S. 633. An act for the relief of Rachel D. Gattegno; to the Committee on the Judiciary.

S. 634. An act to authorize payment of certain claims for damage to or loss or destruction of property and personal injury arising from activities of the Army; to the Committee on the Judiciary.

S. 664. An act for the relief of Kihei Matsuo; to the Committee on the Judiciary.

S. 745. An act to provide for the designation of the United States Veterans' Administration hospital at Chicago, Ill., as the Albert A. Sprague Veterans Memorial Hospital; to the Committee on Veterans' Affairs.

S. 748. An act for the relief of Charles L. Bishop; to the Committee on the Judiciary.

S. J. Res. 36. Joint resolution for the authorization of a special contribution by the United States for the relief of Palestine refugees; to the Committee on Foreign Affairs.

ENROLLED BILLS SIGNED

Mrs. NORTON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill and joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 1252. An act to amend the Legislative Reorganization Act of 1946 with respect to the eligibility for appointment in the executive branch of the Government of former professional staff members of committees of the Senate and the House of Representatives; and

H. J. Res. 84. Joint resolution to provide for the acquisition and operation of the Freedom Train by the Archivist of the United States, and for other purposes.

ADJOURNMENT

Mr. PRIEST. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 27 minutes p. m.), under its previous order, the House adjourned until Thursday, February 24, 1949.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

252. A letter from the Chairman, Commission on Organization of the Executive Branch of the Government, transmitting to the Congress the Commission's report on reorganization of the Department of Agriculture (H. Doc. No. 80); to the Committee on Agriculture and ordered to be printed, with illustrations.

253. A letter from the Chairman, Commission on Organization of the Executive Branch of the Government, transmitting to the Congress a study, prepared for the Commission's consideration, on aspects of agricultural functions and organization in the United States; to the Committee on Agriculture.

254. A letter from the Chairman, Commission on Organization of the Executive Branch of the Government, transmitting to the Congress, in typescript, the detailed report, by agency, on departmental management which was prepared for the Commission's consideration by the task force as a supplement to their summary report on this subject. This material is a further addition to the supporting data which accompanied the Commission's report on governmental management of the executive branch, filed with the Congress on February 7, 1949; to the Committee on Expenditures in the Executive Departments.

255. A letter from the Chairman, Commission on Organization of the Executive Branch of the Government, transmitting to the Congress, in typescript, the recommendations made to the Commission by the task force which studied the Federal field services. This material is a further addition to the supporting data which accompanied the Commission's report on general management of the executive branch, filed with the Congress on February 7, 1949; to the Committee on Expenditures in the Executive Departments.

256. A letter from the Chairman, Commission on Organization of the Executive Branch of the Government, transmitting to the Congress, in typescript, the appendixes to the study of departmental management offered for the Commission's consideration by the task force as a supplement to their summary report on this subject. This material is a further addition to the supporting data which accompanied the Commission's report on governmental management of the executive branch, filed with the Congress on February 7, 1949; to the Committee on Expenditures in the Executive Departments.

257. A letter from the Chairman, Commission on Organization of the Executive Branch of the Government, transmitting to the Congress, in typescript, the detailed findings presented to the Commission by the task force which studied the Federal field services. This material is a further addition to the supporting data which accompanied the Commission's report on general management of the executive branch, filed with the Congress on February 7, 1949; to the Committee on Expenditures in the Executive Departments.

258. A letter from the Acting Secretary of the Navy, transmitting a copy of the semiannual report, for the period ending December 31, 1948, of real and personal property leased by the Department of the Navy under the authority of Public Law 364, Eightieth Congress; to the Committee on Armed Services.

259. A letter from the Comptroller General, transmitting a report on the audit of Federal Prison Industries, Inc., for the fiscal year ended June 30, 1947 (H. Doc. No. 81); to the Committee on Expenditures in the Executive Departments and ordered to be printed.

260. A letter from the Under Secretary of the Interior, transmitting a draft of a proposed bill entitled "A bill to incorporate the Virgin Islands Corporation, and for other purposes"; to the Committee on Public Lands.

261. A letter from the Administrator, Federal Security Agency, transmitting a draft of a bill entitled "A bill to amend the Federal Food, Drug, and Cosmetic Act of June 25, 1938, as amended, by providing for the certification of batches of drugs composed wholly or partly of any kind of aureomycin, chloramphenicol, and bacitracin, or any derivative thereof"; to the Committee on Interstate and Foreign Commerce.

262. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, United States Army, dated May 28, 1948, submitting a report, together with accompanying papers, on a preliminary examination of Nehalem Bay and River, Oreg., authorized by the River and Harbor Act approved on March 2, 1945; to the Committee on Public Works.

263. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, United States Army, dated May 28, 1948, submitting a report, together with accompanying papers, on a review of reports on the coast of the Great Lakes, harbors of refuge for light-draft vessels, particularly with respect to harbors of refuge at Braddock Bay and Hamlin Beach State Park, N. Y., requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted on September 25, 1945; to the Committee on Public Works.

264. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, United States Army, dated April 28, 1948, submitting a report, together with accompanying papers, on a preliminary examination of Northeast River, Cecil County, Md., from Church Point to Stony Run, authorized by the River and Harbor Act approved on July 24, 1946; to the Committee on Public Works.

265. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, United States Army, dated August 5, 1948, submitting a report, together with accompanying papers, on a review of reports on Sandy River, Oreg., requested by a resolution of the Committee on Rivers and Harbors, House of Representatives, adopted on February 8, 1946; to the Committee on Public Works.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CLEVENGER:

H. R. 2938. A bill to regulate oleomargarine, to repeal certain taxes relating to oleomargarine, and for other purposes; to the Committee on Agriculture.

By Mr. DOYLE:

H. R. 2939. A bill to authorize the appropriation of funds to assist the States and Territories in financing a minimum foundation education program of public elementary and secondary schools, and in reducing the inequalities of educational opportunities through public elementary and secondary schools, for the general welfare, and for other purposes; to the Committee on Education and Labor.

By Mr. GAVIN:

H. R. 2940. A bill to provide for the issuance of a postage stamp in commemoration of the ninetieth anniversary of the beginning of the petroleum industry in the United States; to the Committee on Post Office and Civil Service.

By Mr. JONES of North Carolina:

H. R. 2941. A bill to provide Federal aid to the States for the construction of armories and similar training facilities for the National Guard and Naval Militia; to the Committee on Armed Services.

By Mr. McGUIRE (by request):

H. R. 2942. A bill to provide for cooperation of the Federal and State Governments in the assessment of inheritance taxes; to the Committee on Ways and Means.

By Mr. MULTER:

H. R. 2943. A bill to provide for the payment by the United States of premiums on bonds of Government officers or employees; to the Committee on Expenditures in the Executive Departments.

By Mr. MURRAY of Tennessee:

H. R. 2944. A bill to amend the Civil Service Retirement Act of May 29, 1930, as amended, to provide survivorship benefits for widows or widowers of persons retiring under such act; to the Committee on Post Office and Civil Service.

H. R. 2945. A bill to readjust postal rates; to the Committee on Post Office and Civil Service.

By Mr. PETERSON (by request):

H. R. 2946. A bill extending certain recognition and rights to temporary members of the United States Coast Guard Reserve, including the Voluntary Port Security Force,

and members of the Coast Guard Auxiliary; to the Committee on Merchant Marine and Fisheries.

By Mr. PRIEST:

H. R. 2947. A bill to prohibit the unauthorized use of the name or insignia of the Future Farmers of America, and for other purposes; to the Committee on the Judiciary.

H. R. 2948. A bill to make it a Federal crime to transport in interstate or foreign commerce trailers or semitrailers knowing that they have been stolen; to the Committee on the Judiciary.

By Mr. RHODES:

H. R. 2949. A bill amending Pay Act to cover all Sunday, holiday, and overtime duty; to the Committee on Post Office and Civil Service.

By Mr. SADOWSKI:

H. R. 2950. A bill for the exemption from the educational requirements for naturalization of aliens who are over 50 years of age and have resided in the United States continuously since prior to July 1, 1924; to the Committee on the Judiciary.

By Mr. SANBORN:

H. R. 2951. A bill to direct the Secretary of Agriculture to announce the parity price of milk, and to direct the Secretary of Agriculture to immediately announce the support price of milk; to the Committee on Agriculture.

By Mr. TALLE:

H. R. 2952. A bill to amend and supplement the act of June 7, 1924 (43 Stat. 653), and to amend section 9 of the act of May 22, 1928 (45 Stat. 699, 702; 58 Stat. 265; 16 U. S. C. 581h); to the Committee on Agriculture.

By Mr. TRIMBLE:

H. R. 2953. A bill to provide that the pension of a helpless child of a veteran shall not be discontinued on such child's marriage; to the Committee on Veterans' Affairs.

By Mr. WILLIS:

H. R. 2954. A bill granting the consent and approval of Congress to an interstate compact relating to the better utilization of the fisheries (marine, shell, and anadromous) of the Gulf coast and creating the Gulf States Marine Fisheries Commission; to the Committee on Merchant Marine and Fisheries.

H. R. 2955. A bill to provide for the construction of a post office at New Iberia, La.; to the Committee on Public Works.

H. R. 2956. A bill to confirm and establish the titles of the States to lands and resources in and beneath navigable waters within State boundaries and to provide for the use and control of said lands and resources; to the Committee on the Judiciary.

By Mr. BLOOM:

H. R. 2957. A bill to amend the Institute of Inter-American Affairs Act; to the Committee on Foreign Affairs.

By Mr. FISHER:

H. R. 2958. A bill to amend section 14 of the Wool Products Labeling Act of 1939 (approved Oct. 14, 1940, Public Law No. 850, 76th Cong., 3d sess.); to the Committee on Interstate and Foreign Commerce.

By Mr. TOLLEFSON:

H. J. Res. 174. Joint resolution for the purpose of erecting adequate Federal office and postal facilities in Tacoma, Wash.; to the Committee on Public Works.

By Mr. DINGELL:

H. J. Res. 175. Joint resolution to reimburse uncompensated leave to Government Printing Office employees earned during the fiscal year 1932; to the Committee on House Administration.

By Mr. MURRAY of Tennessee:

H. Res. 114. Resolution authorizing and directing the Committee on Post Office and Civil Service to conduct thorough studies and investigations relating to matters coming within the jurisdiction of such committee under rule XI (1) (e) of the rules of the House of Representatives; to the Committee on Rules.

H. Res. 115. Resolution providing for the expenses incurred by House Resolution 114; to the Committee on House Administration.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Minnesota, relating to their concurrent resolution asking Congress to immediately provide for the continued operation of the Pipestone Indian School at Pipestone, Minn., and the reopening of the hospital at said school; to the Committee on Public Lands.

Also, memorial of the Legislature of the State of Arizona, relating to their Senate Memorial 1, requesting immediate action by the President and Congress with respect to social-security payments to Indians on reservations; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of Idaho, relating to their Senate Joint Memorial 2, urging the Congress to appropriate $500,000 to be administered in cooperation with the noxious-weed program of the constituted authorities of the State of Idaho; to the Committee on Appropriations.

Also, memorial of the Legislature of the State of Washington, relating to their House Joint Memorial 7, relative to land acquisitions and tax base for real-property taxes; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of Utah, relating to their Senate Resolution 3, asking that national rent control be abandoned; to the Committee on Banking and Currency.

Also, memorial of the Legislature of the State of Utah, relating to their Senate Resolution 4, asking Congress not to pass certain legislation now pending before it, which in effect provides for state medicine, but to encourage private cooperative health insurance; to the Committee on Interstate and Foreign Commerce.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

97. By the SPEAKER: Petition of James W. Patterson, city clerk, Pittsburgh, Pa., petitioning consideration of his resolution asking Congress to enact legislation providing for payments to cities in lieu of taxes by housing authorities, etc.; to the Committee on Banking and Currency.

98. Also, petition of Ray M. Souder, secretary-manager, Texas Hardware and Implement Association, Dallas, Tex., petitioning consideration of their resolutions with reference to the wage and hour law and tax equality; to the Committee on Ways and Means.

99. Also, petition of Maurice J. Fleischman, city clerk, Long Beach, Calif., petitioning consideration of his resolution condemning the conviction and sentence of Josef Cardinal Mindszenty and urging action to secure his release; to the Committee on Foreign Affairs.

100. Also, petition of Willis Sherrill, secretary, Florida State Townsend Council, West Palm Beach, Fla., petitioning consideration of their resolution requesting the early passage of H. R. 2135 and H. R. 2136, bills to provide every adult citizen in the United States with equal basic Federal insurance and old-age retirement benefits; to the Committee on Ways and Means.

101. By Mr. RABAUT: Memorial of the Legislature of the State of Michigan (H. Con. Res. 17) protesting to the world the ruthless and unjust exercise of autocratic power in connection with the trial and conviction of Josef Cardinal Mindszenty; to the Committee on Foreign Affairs.

102. By the SPEAKER: Petition of Mrs. Marie S. Fogus, secretary, New York City Federation of Women's Clubs, Inc., New York, N. Y., petitioning consideration of their resolution asking the Congress to repeal the excise taxes on luxuries; to the Committee on Ways and Means.

HOUSE OF REPRESENTATIVES

THURSDAY, FEBRUARY 24, 1949

The House met at 12 o'clock noon, and was called to order by the Speaker pro tempore, Mr. MCCORMACK.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Dear Lord of light and mercy, we lift our hearts in gratitude for the spirit that protects us, for the light that lifts the curtain of darkness, and for the tokens of the promise of a new day.

Father, pity us when we put our trust in superficial beliefs and when we boast of our own virtues; purge us of our pride, and deepen the channels of experience that look through the lens of brotherly love. Help us that all may find in Thee a true pattern of self-forgetfulness; here may we build our sacrificial altars and realize that the brotherhood of man is the fatherhood of God. In the name of our elder Brother Jesus Christ. Amen.

The Journal of the proceedings of Tuesday, February 22, 1949, was read and approved.

ELECTION OF SPEAKER PRO TEMPORE

Mr. MANSFIELD. Mr. Speaker, I offer a privileged resolution (H. Res. 116) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the designation of Hon. JOHN W. MCCORMACK, a Representative from the State of Massachusetts, as Speaker pro tempore be approved by the House, and that the President of the United States and the Senate be notified thereof.

Mr. CASE of South Dakota. Mr. Speaker, will the gentleman yield?

Mr. MANSFIELD. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. As I understand, this is the customary resolution to meet a situation, so that bills may be duly enrolled and presented for signature?

Mr. MANSFIELD. The gentleman is correct.

The SPEAKER pro tempore. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. The Chair requests the gentleman from Montana [Mr. MANSFIELD] to administer the oath of office to the Chair.

Mr. MANSFIELD administered the oath of office as Speaker pro tempore to Mr. MCCORMACK.

SPECIAL ORDER GRANTED

Mr. PATMAN asked and was given permission to address the House for 25 minutes today, following any special orders heretofore granted.

EXTENSION OF REMARKS

Mr. BLAND asked and was given permission to extend his remarks in the RECORD and include an article which appeared in Lykes Fleet Flashes on the American merchant marine, and further to extend his remarks and include an article on the subject of subsidies fully repaid and remarks by Commissioner McKeough and himself.

Mr. LOVRE asked and was given permission to extend his remarks in the RECORD in two instances and include in one an editorial and in the other Senate Concurrent Resolution No. 8 of the South Dakota State Legislature.

Mr. KEOGH asked and was given permission to extend his remarks in the RECORD in two instances and include in one an address and in the other an editorial.

Mr. TEAGUE asked and was given permission to extend his remarks in the RECORD in two instances and include extraneous material.

TAX SETTLEMENT BOARD

Mr. MILLS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. MILLS. Mr. Speaker, the purpose of the bill which I have this morning introduced is to establish a Tax Settlement Board which can bring about speedy and inexpensive settlement of controversies between taxpayers and the Bureau of Internal Revenue.

The determination of taxable income and the amount of tax due for a specific fiscal period is a matter on which there can be honest differences of opinion, except in simple cases where income is derived solely from wages or salaries. The Bureau is naturally and properly concerned with obtaining the maximum amount to which the Government is entitled. The taxpayer is naturally and properly inclined to figure the tax in the way which will be least expensive to himself.

When the Bureau decides that the tax liability as reported is too low, and proposes to assess a deficiency, the taxpayer must go to a representative of the Bureau itself to try to effect a settlement. This is as it should be in the first instance, and many cases are satisfactorily settled in this way.

But if no agreement is reached which is satisfactory to the taxpayer, he must either accept the Bureau's decision or undertake the expense of filing a petition with The Tax Court or a Federal district court and preparing his case for trial. Not infrequently taxpayers accept settlements they consider unjust because the amount involved, even though important to them, does not justify the expense of a lawsuit. And even when the taxpayer goes to court and wins his case, he may be out of pocket a substantial sum for legal fees.

The proposed Tax Settlement Board would provide an impartial means of settling the dispute at minimum expense and loss of time to the taxpayer and to the Government.

LEGISLATIVE BACKGROUND

The Treasury Department early recognized the need for such an informal appeals agency, and recommended its creation in the early 1920's. A bill to carry out this recommendation by creating a Board of Tax Appeals was prepared by the Ways and Means Committee, and passed the House of Representatives. However, the bill was amended in the Senate to give the Board more of the formal characteristics of a court, though it was to be an administrative agency. Shortly afterwards Mr. A. W. Gregg, then Solicitor of Internal Revenue, described the situation as follows in testimony before the Ways and Means Committee:

> The Treasury Department originally recommended a board in the Treasury Department with informal procedure to settle tax cases. It was recognized at the time that there were two needs, one for a board to settle tax cases, and I mean settle them in the case of settling them across the table, and the other a court to establish precedents, the latter (not?) for its value in deciding the cases which would be presented to it, because they necessarily must be limited in number, but for the purpose of establishing precedents to guide the Bureau in the settlement of other cases and to guide the taxpayer in disposing of his case.
>
> The original recommendation of the Treasury Department was for a board to settle tax cases. Congress changed that and gave us the other, which was also much needed: a court to establish precedents for the disposition of other cases pending in the Department.

Since the Board of Tax Appeals was bound by formal rules of evidence and procedure, inevitably it took on the characteristics of a court, and the name was changed to Tax Court of the United States in 1942. In the Eightieth Congress, the House of Representatives passed a bill which would have made it a court of record, and while this provision was deleted by the Senate because of certain controversial features, such a change would do little more than formalize an existing situation.

It is worth noting that while there are more than fifty million income-tax returns filed every year under the present tax laws, The Tax Court receives only about five thousand cases a year, and a much smaller number actually reach trial.

The need for an informal, independent appeals agency therefore remains just as great as it was in 1924, when the Ways and Means Committee recommended and the House of Representatives approved the creation of such a body. The need is in fact much greater, because of the heavy increases both in number of taxpayers and in the tax burden. The number of individual income-tax returns increased from a little over four million in 1926 to over fifty million in 1947.

SETTLEMENT VERSUS LITIGATION

In 1927, the Secretary of the Treasury said in his report to the Joint Committee on Internal Revenue Taxation:

> The collection of revenue is primarily an administrative and not a judicial problem. As far as the Federal income tax is concerned, a field of administration has been turned into a legal battlefield.

It is neither sound in policy nor correct in fact to assume that every tax return is a potential source of litigation between the taxpayer and the Government. The whole tax structure would collapse if the Government could not depend upon the honest intentions of the vast majority of taxpayers: it would be fantastically expensive to check every return in detail, and the courts would be hopelessly clogged if court action were required for even 5 percent of the taxpayers.

With a budget of over $200,000,000 in the fiscal year 1947, the Bureau of Internal Revenue was able to investigate only 3 percent of the income-tax returns received.

Under these circumstances, the revenues of the Government depend to a very considerable extent upon the honesty and good will of taxpayers. The good will of the taxpayer depends upon his belief that he is being fairly treated, without persecution or discrimination.

Inevitably, as the situation exists today, many taxpayers must feel that in attempting to settle cases with the agents and technical staff of the Bureau of Internal Revenue, they must deal with a judge who is also a prosecutor, unless they are willing to take the time and spend the money to go to court. An advisory group appointed pursuant to Public Law 147, Eightieth Congress, had this to say in its report to the Joint Committee on Internal Revenue Taxation:

> The emphasis on enforcement techniques which show immediate dividends to the Government often have secondary deleterious effect. The whole enforcement personnel of the Bureau leans in varying degrees away from an objective determination of correct tax liability toward the so-called productive activities. Selection of returns for audit, for example, is dictated by evidences of potential deficiencies; circumstantial evidences of refunds are often ignored. As taxpayers find enforcement activity a one-way street, they rationalize progressively lower levels of tax compliance. This trend must be reversed.

Creation of a Tax Settlement Board, with informal procedures, to which the taxpayer could appeal his case with a minimum of trouble and expense, would go far toward restoring the complete confidence in fair treatment which is essential to a workable tax system. No matter how fair the revenue agents are in fact, the present situation does not give the taxpayer this feeling of confidence that he is receiving impartial treatment.

From all points of view, the amicable settlement of tax controversies is much to be preferred to litigation, which should generally be reserved for cases involving complicated legal questions and interpretations of the statutes to establish precedents. The vast majority of tax controversies have to do with the amount rather than the legality of tax liability, and can better be settled by the techniques of arbitration than by the processes of the courtroom. The present Tax Court does not attempt to arbitrate. Testifying before a subcommittee of the Senate Judiciary Committee last year,

Presiding Judge Bolon B. Turner, of The Tax Court, said:

Our work is pure and simple, the preparation, the trial, and decision of lawsuits.

The Tax Court does not even review the record as established in the Bureau of Internal Revenue, but rather takes up each case de novo on the evidence presented. This is as it should be in a court of law, but it also makes appeal to The Tax Court more expensive and time-consuming for the taxpayer.

There is precedent for an informal agency to settle controversies involving payments to or from the Federal Government in the successful operation of the Contract Settlement Appeal Board, which has very substantially reduced litigation over World War II contracts, as compared with those in World War I.

OPERATION OF TAX SETTLEMENT BOARD

If the proposed Tax Settlement Board were established, a taxpayer failing to reach a satisfactory settlement with the technical staff of the Bureau of Internal Revenue could file a petition for a hearing with the Board and would have his 90-day notice from the Bureau stayed just as it is now when a petition is filed with The Tax Court.

However, instead of having to prepare a complete legal case covering the whole record, the taxpayer would have an informal review of the record by a member or members of the Tax Settlement Board. He could appear for himself, or with his attorney or his accountant, as he chose. An impartially determined settlement would be arrived at promptly. If the taxpayer or the Government were still dissatisfied, and especially if complicated legal questions were involved, either could take the matter to The Tax Court or the district court.

In any case, the taxpayer's rights would be fully protected, and he would have the inestimable advantage of a review by an impartial arbiter at a minimum expenditure of time and money.

THIS OUR CAESAR

Mr. CHURCH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include an editorial from the Chicago Daily News.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. CHURCH. Mr. Speaker, I wish to call to the attention of every Member of the House an editorial, entitled "This Our Caesar," which appeared in the Chicago Daily News of Monday, February 21.

Every Member of Congress, every citizen of the United States, should read this editorial, for it graphically presents the one great fundamental issue before the country in the Truman program. That issue is whether we are to continue as a free country or whether we are to become totalitarian. It raises the question whether the Democratic Congress will either share Mr. Truman's belief that this drastic program is required, or lack the courage to vote its opposition.

Surely the membership of this House see that in the Truman program for giving him practically all the powers over prices, wages, and production that he had in wartime means the end of American liberty, an end to the American way of life. The Truman anti-inflation bill would authorize the President to fix prices on commodities and manufactures deemed to be in short supply; to control wages in industries operating under fixed prices; to order expansion of production facilities for any product; to make loans to industry for this purpose; and for the Government itself to build and operate such plants.

Read that bill. Reflect upon what the vesting of such powers into the hands of stubborn, economically illiterate, vengeful, and politically unscrupulous men means to the rights and liberties of the people we represent.

If the broad powers sought by this bill are, as contended, for the purpose of combating inflation, then let us ask ourselves why as part of the same program Mr. Truman asks for an increase in Government spending which adds fuel to the fires of inflation. Let us ask ourselves why he asks for power to order an expansion of production facilities, and at the same time proposes to take from the people in taxes and more taxes the very means by which they can expand production facilities.

Mr. Speaker, I again urge the membership of this House to read this editorial, and to reflect upon what all this means to this great, free country—the last citadel of freedom in the world.

When I consider the drastic program which Mr. Truman is advocating, I wonder if he, himself, really understands what he is proposing to be done. Can it be that he is simply being misled or maybe he is being used by those who would revolutionize American life?

If it is, that he really and truly understands the drastic nature of the program he has recommended, then, Mr. Speaker, I ask, "Upon what meat does this our Caesar feed?"

Taken as a whole, the issue today is whether we are to have a free government or a totalitarian government. The question is whether we have the courage to face that issue. If I felt for a moment that I was without such courage, I would resign my seat in Congress. No man is worthy of the trust of representative of the people in a free government if he is willing to sacrifice fundamental principles on the altar of political expediency.

The editorial is as follows:

THIS OUR CAESAR

Clinging to the contention that further inflation will be generated—by its own spend-thrift policies—the administration is asking Congress to give the President practically all the powers over prices, wages, and production that he had in wartime.

The representation is that these are merely stand-by powers, not to be used except in cases of grave threat to economic stability. But experience indicates that when authority is granted, occasion is soon found for its use. An instance is the injunctive power to halt strikes which Mr. Truman says he doesn't even want, but which, nevertheless, he used seven times in a year.

The anti-inflation bill would authorize the President to fix prices on commodities and manufactures deemed to be in short supply; to control wages in industries operating under fixed prices; to order expansion of production facilities for any product; to make loans to industry for this purpose; and for the Government itself to build and operate such plants.

Not content with these proposals to give the President the reins of production, he would be empowered to embark upon state trading in the totalitarian manner by direct purchase of foreign raw materials. The program, naturally, would require a coordinator, at $20,000 a year.

John D. Clark, member of the President's Council of Economic Advisers, obediently supported the administration proposal with a forecast that inflationary forces are growing stronger. He related pridefully that Mr. Truman "was not afraid to take that final step" if it become necessary for the Government to become a producer of goods.

This bill is a part of the Truman program that calls for extension of rent and credit controls, an additional $4,000,000,000 in taxes, and extension of controls over exports and over bank reserves.

It is, in brief, a program for placing in the hands of a stubborn, economically illiterate, vengeful, politically unscrupulous man almost unlimited power over the welfare of this Nation. It proposes an authority so all-embracing that the mere suggestion would have brought instant and angry repudiation a few years ago, before we became habituated to having our liberties whittled away.

The Eightieth Congress had the judgment and the stamina to ignore Mr. Truman's requests for legislation similar to that now proposed. It was politically damaging, because it gave the President the opportunity to blame the Republicans for the high prices due to the accumulated wartime shortages, vast increase in the money supply, and unprecedented Government spending.

The question now is whether the Democratic Congress will either share Mr. Truman's belief that this drastic program is required or lack the courage to vote its opposition.

Aside from the perils of allowing politicians to tinker with your watch, the sound reasons for opposing new price and wage controls were written by the President himself. It was on November 9, 1946. He ordered the abandonment of all wage control and all controls over prices except those of sugar and rice. He said he was convinced that "with so much of the economy freed from price controls, clinging to the rest would * * * lead to distortions in production and diversion of goods to an extent far outweighing any benefit that could be achieved.

"At best the administration of price control is an extraordinarily difficult and complex business, and it can work successfully only if the people generally give it their support."

Supporters of the new program may contend that no over-all price controls are intended. But in the same message Mr. Truman pointed out that it was impossible to control the price of building materials, for example, without also controlling the products competing for the same raw materials, since fixed prices would drive those materials away from housing.

The truth today is that Mr. Truman and his advisers do not know whether they are going to have to contend with inflation or deflation. If they sincerely believe it is inflation and are sincerely interested in checking it, they need only curtail the madcap extravagance under which the Government is disbursing nearly a fourth of the national income.

Instead, Mr. Truman is asking for a fire extinguisher, apparently hoping that, if need be, he can use it as a blowtorch. We trust that Congress will be wise enough to give him neither in these circumstances.

THE PRESIDENT'S PROGRAM

Mr. WILLIAM L. PFEIFFER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include an editorial from the Buffalo Evening News.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. WILLIAM L. PFEIFFER. Mr. Speaker, the following article appeared in the Buffalo Evening News of February 22, 1949:

WITH THE SPEED OF A SNAIL

Seven months ago—last July 27, to be exact—President Truman addressed a hastily summoned emergency session of Congress.

"The urgent needs of the American people," he declared, "require our presence here today. Our people demand legislative action * * * first, to check inflation * * * and second, to help in meeting the acute housing shortage * * *. We cannot afford to wait for the next Congress to act."

These were the two emergencies that brought Congress into session. But while it was there, the President also demanded immediate action on aid to education, civil rights, a higher minimum wage, broader social security, a revised Displaced Persons Act, ratification of the International Wheat Agreement, bigger public power appropriations, etc.

That was 7 months ago. Congress didn't do much about either emergency or any of the other recommendations. Three months later, largely on that issue, the Republican Congress was turned out and President Truman was elected, along with a decisively Democratic Congress presumably mandated to act on his program.

The election was 4 months ago, and there was no more talk of emergency. Two leisurely months later, the new Congress convened. It is now in its eighth week.

Inflation, meanwhile, has subsided, and the administration is warning people not to get jittery about disinflation. It has deliberately scuttled the very housing bill it demanded all last year. It has blocked a Republican move to come to grips with the civil-rights issue. It has achieved no final action of any kind with respect to education, minimum wages, social security, displaced persons, the wheat agreement, power appropriations or anything else mentioned in the special session of last July. Yet Mr. Truman had declared that all these items could be disposed of in jig time if the last Congress had really wished to do so.

As a matter of fact, the one and only notable achievement of the Eighty-first Congress to date wasn't even on the emergency agenda last July. That is the handsome raise in pay voted for President Truman.

PROPOSED LABOR EXTENSION DIVISION

Mr. HOWELL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey [Mr. HOWELL]?

There was no objection.

Mr. HOWELL. Mr. Speaker, I am introducing into the House today a bill, already favorably reported by the Senate Labor and Public Welfare Committee in the Eightieth Congress and broadly sponsored and supported in the Eighty-first Congress by Democrats and Republicans alike, now known as the Labor Extension Act of 1949.

More than 80 years ago President Abraham Lincoln signed the Morrill Act which, by action of the Congress in 1862, established our great system of land-grant colleges throughout the States of the Nation. These were to be people's colleges serving the agricultural population and the industrial classes with practical and useful information. In supplemental legislation, Congress later provided matching funds to the States to create our famous Agricultural Extension Service through which this instruction would flow directly to persons not attending or in residence in said colleges, on the Nation's farms and in its rural communities.

Since the time of Abraham Lincoln we have become a great industrial country. Millions of wage and salary earners who have not been fortunate enough to become residents at any college want and seek information and instruction about the affairs that affect their daily lives. This is particularly true of thousands of union officers, grievance committeemen, and shop stewards in all of our States who desire knowledge and information conducive to intelligent and constructive labor leadership.

In my own State of New Jersey, both the A. F. of L. and the CIO are eager for learning for their members and to provide it is most certainly a public responsibility. All of American labor has officially and unanimously endorsed the Labor Extension Act of 1949. Prominent educators and leaders from all walks of life have done likewise.

Under its terms, a Labor Extension Division would be established in the United States Department of Labor through which funds and aid would flow to colleges and universities in the States. There, in cooperation with wage and salary-earning groups, instruction services would be set up as they have existed for so many years, and so successfully, for America's farm families.

Certainly, education can and must play a fundamental part in reducing areas of group conflict in American life, whether it involves the labor-management relationship or any other.

We who take pride in our American democracy and our way of life can best preserve it by now making avai'able to all adult citizens the opportunity to be informed and to know—on a parity with all other groups. It is particularly timely and fortunate that organized labor in America comes to the Congress of the United States seeking aid toward the accomplishment of this end. We can ignore this reasonable and constructive request only at the peril of our traditional beliefs and our faith in the equal opportunity of all—to be informed.

EXTENSION OF REMARKS

Mr. HÉBERT asked and was given permission to extend his remarks in the RECORD in two instances; in one to include an editorial from the New Orleans Item, and in the other to include some extraneous matter.

Mr. MASON asked and was given permission to extend his remarks in the RECORD on the Cement case and to include therein a statement on the same subject.

Mr. ALLEN of Illinois asked and was given permission to extend his remarks in the RECORD and include a speech made by Hon. JOSEPH W. MARTIN, JR.

THE NATIONAL GUARD SYSTEM

Mr. JONAS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks, and include an address delivered by Brig. Gen. Julius Klein.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois [Mr. JONAS]?

There was no objection.

Mr. JONAS. Mr. Speaker, we in the State of Illinois are proud of our State's great National Guard organization. The record of Illinois' sons, especially those who served with the Thirty-third Division in both world wars, is outstanding.

One of the important units of the Guard has its headquarters in the Broadway Armory at 5900 Broadway, Chicago, in the heart of my congressional district. It is the One Hundred and Ninth Antiaircraft Artillery Brigade, commanded by my old friend, Brig. Gen. Julius Klein. It was my privilege to serve as chairman of the citizens' committee that cooperated with General Klein to recruit a fine group of young men from my neighborhood to form the major part of this antiaircraft artillery brigade.

In addition to being a recognized civic and military leader General Klein has earned a great reputation as an outstanding figure in veterans' activities and organization. At the time of his retirement last year as national commander of the Jewish War Veterans of the United States he received many well-deserved messages of commendation, including recognition from the President of the United States, Generals MacArthur, Eisenhower, Eichelberger, and others.

On January 27, of this year, at Bloomington, Ill., the American Legion and the Bloomington Association of Commerce sponsored an event in recognition of National Defense Month. The guest of honor and principal speaker was this distinguished citizen-soldier of Illinois who delivered an interesting and most timely address. Under consent to extend my remarks, I include the speech of General Klein:

Ladies and gentlemen and fellow veterans of our country's armed forces, this is sincerely a great privilege for me to be here as your guest this evening and discuss with you the citizen-soldier's role in our national defense. Your city has received its rightful recognition during these past eventful weeks when Adlai Stevenson, Illinois' new Governor and commander in chief of the Illinois National Guard, a distinguished native son of Bloomington, paid homage to the scene of his earliest experiences. Bloomington has already contributed immeasurably to our great Nation, both in the past and present, and will, I am sure, continue to do so in the future. Your most recent achievement in this respect, the organization, support, and development of the Three Hundred and Ninety-sixth Antiaircraft Artillery Battalion, Illinois National Guard, under command of Lt. Col. Richard T. Dunn, is a vivid example of community spirit and community pride in operation. The people of Bloomington can

be justly proud of this flourishing organization, which in its short period of existence has progressed far beyond all expectations to become one of the finest National Guard units of its kind in our State and Nation today. I need only cite the outstanding records of the Three Hundred and Ninety-sixth at Fort Sheridan last summer and their recent performance as inaugural honor guard for Governor Stevenson as evidence of the fine reputation for efficiency and military excellence these career Regular troops are establishing in the military service. I welcome this opportunity to publicly commend Colonel Dunn for his splendid leadership and my deep appreciation to all those who assisted him in the development of the Three Hundred and Ninety-sixth Antiaircraft Battalion. The National Guard in Illinois boasts an unparalleled record of service and loyalty to its State as well as the Nation, and to our new commander in chief, Governor Stevenson, we pledge our continued loyalty and support without reservation. I am confident that Governor Stevenson will extend the same interest and cooperation to the Illinois National Guard as did his distinguished predecessors, and that he will fight to preserve its integrity and traditions as an agency of the State. It would be well for us to further upon this occasion rededicate ourselves to the mission to which we are committed—that of organizing and maintaining the Nation's finest National Guard organization within the State of Illinois. In its relationship to the executive branch of our Government, the National Guard functions as the military force of the State in time of peace. Available on a moment's notice under the call of the Governor for service in the event of an emergency or disaster, the high standard of efficiency which has always been maintained in the Illinois Guard has been principally due to its immunity from the influence of politics.

Let me assure you that were we able to choose our own commander in chief we could not find, nor ask for a man of finer proven caliber than our own Governor Stevenson. On the other hand we are not judged in our defense activities by the Governor (as has been proven by our own State history) on the basis of politics either. For example, the Honorable Dwight H. Green, former Governor of Illinois, supported our National Guard stalwartly—in fact, he did so much by way of personal initiative and support to further and defend the interest of the guard that he was awarded honorary membership in the National Guard Association of the United States—the only governor of any State to receive such a high tribute. He is responsible that Illinois now has two divisions which were activated by the father of our new National Guard—the very able combat commander, Gen. Charles C. Haffner.

Through the several changes of administration during the long existence of the Guard in Illinois, it has always refrained from taking sides in any political issue and as a result the guard has been allowed to pursue, without interference, the course intended for it by the authors of our Constitution. Hence, the guard must never become a political football either within the State or on a national level. It must remain under control of the State and enjoy the direct healthy influence and support of communities such as yours. Any and all proposals advocating that control of the National Guard be withdrawn from the States and centralized under the Federal Government must be opposed and defeated if we are to have a well-balanced, flexible, and adequate defense for both our State and Nation.

You may say that the national defense is none of your business. Perhaps you feel that national defense is the business of the Army, of the Air Force, and the Marines.

You're right. National defense is the business of the armed forces. But it is not their responsibility alone. It is the responsibility of every man and woman who enjoys the privilege of living in a free country.

There are many ways that a citizen can discharge this responsibility to his country. He can do it by keeping himself informed on the progress of world events and the place of the United States in the world picture. He can meet this responsibility by supporting the measures that he believes will contribute toward the preservation of our democratic way of life. And he also can play a very vital role in the national defense by serving in one of the civilian components of our Military Establishment.

Gen. George C. Marshall, recently retired Secretary of State, who as a colonel was the senior Army instructor of the Illinois National Guard, laid out the pattern for a Military Establishment that would be adequate to our needs just before he retired as Chief of Staff of the United States Army. This pattern for the preservation of peace calls for an M-day, or mobilization-day force of 1,750,000 men, capable of immediate mobilization in the event of aggression by any unfriendly nation.

This Nation has never had a Regular Army and Air Force of this size. We don't believe in a large, standing Army. It's not in the American tradition.

We do, however, believe in preparedness. So, to provide this preparedness, with a comparatively small Regular Military Establishment, our Government has embarked upon a program to develop the civilian components to a degree where they can take their place beside the Regular troops in any emergency.

Under General Marshall's plan, which was adopted by the Army general staff, the M-day force which will be the Nation's first line of defense will be made up of approximately 850,000 men in the Regular Army and Air Force, another 680,000 men in the National Guard and approximately 220,000 men in the Organized Reserve.

The National Guard—which has produced this Nation's crack outfits in the great wars is now organized by the States under the militia clause of the United States Constitution. Without examining the outstanding divisions trained as National Guard units by their States, we need only look to our own prairie division of Illinois—the famed Thirty-third—to find that as an outfit organized and trained by our own State within the provisions of the Constitution, it made noteworthy contributions to our Nation's cause in two world wars.

Actually, the guard is older than the Nation itself. It antedates the Constitution, the Revolution and the Bill of Rights. The oldest regiment in the continental United States is the One Hundred and Eighty-second Infantry of the Massachusetts National Guard, which was organized as a Middlesex County militia regiment in 1636. Incidentally, one of our Puerto Rican regiments traces its history to Ponce de Leon.

You will find that the Constitution recognized the then militia—the present-day National Guard—when it said:

"To provide for organizing, arming, and disciplining, the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the States respectively, the appointment of the officer, and the authority of training the militia according to the discipline prescribed by Congress."

The Bill of Rights established a similar policy when it declared:

"A well-regulated militia, being necessary to the security of a free state, the right of the people to keep and bear arms, shall not be infringed."

Thus, through historical precedent, law, and custom, the National Guard rests on the principle that wars are mainly fought by citizen soldiers, and that these must be organized, trained, and made ready in time of peace.

From time to time, powerful groups of individuals have sought to destroy the traditional principles upon which the National Guard was founded and has been maintained throughout our history. They have repeatedly attempted to kidnap the guard from the States and place it directly under control of the Federal Government. The latest assault on the National Guard and the rights of States has been launched under the cloak of so-called unification of the armed forces by the committee on civilian components appointed by Defense Secretary James Forrestal.

A study of their report, more commonly referred to as the Gray board report, reflects the many months of conscientious endeavor, analysis, and study by its members.

Many of the recommendations contained therein are meritorious and will, in our opinion, be given favorable consideration by the Congress, and if enacted into law will be most beneficial to the security of our Nation.

We agree wholeheartedly with the committee in their approach to the problems from the viewpoint of national security alone and not from that of departmental interests or special advantage. We also agree that considerations of partisan or political expedience have no place in an objective study so vital to the Nation.

It is with the national security of our Nation uppermost in my mind that we oppose the recommendation, and I quote, "That the National Guard must be directly under Federal control" in order to accomplish its accepted national role or mission as defined in the approved War Department policies of October 13, 1945.

In his outspoken criticism of the Gray board's proposal, former Governor Green said, "I am sure that I voice the sentiments of the governors of almost all States when I say that we will fight to the last ditch against this proposal. National Guard officers and men have proven themselves superior to the fighting men of the strongest militaristic nations of the world. They are ready for effective action sooner than officers and men in the Federal reserves which were organized after World War I.

"In voicing my opposition, I will not enter into a lengthy discussion of the many defects attributed to the National Guard system in the Gray board report, or the seemingly passed-over defects pertaining to the organization and training of the Organized Reserve Corps, which organization has been under direct Federal control since the end of World War I. I believe, however, that the official War Department records will reveal that in World War II not a single unit of the Organized Reserve Corps was called into Federal service as a unit—a record not conducive to capturing the trust and confidence of the Nation."

I might add further that the Federal Government has also had direct Federal control of the Organized Reserve Corps since the end of World War II and has had the opportunity to make the Organized Reserve Corps as efficient as the National Guard is under State control, but has failed to do so. Thirty years of apparent failure with the Organized Reserve Corps prior to World War II and continued failure since World War II is a poor recommendation. What assurance has the Nation that the Army, with the National Guard under Federal control, will be more successful than the States have been.

In brief, the Gray board report commends the National Guard and the States for the great job that was done prior to and during World War I, the outstanding progress made during the years following World War I, and the acknowledged brilliant record made in World War II. But the board states the present National Guard, under State control, is not capable of accomplishing its mission as an M-day force. In effect, I interpret the

board's report as saying that by just transferring the National Guard to Federal control, the Federal Government, utilizing the same units, in the same communities, occupying the same armories and rented buildings, with the same officers and equipment, with the same amount of armory- and field-training time, and with the same number of Regular Army instructors (or less), will do a much more efficient job than the States in preparing the National Guard as an M-day force.

There is no other conclusion to be drawn in this regard in view of the absence of a definite recommendation, stating how the Federal Government proposes to accomplish these objectives.

We cannot build effectively by destroying.

The question might also be asked, Is the Regular Army and Air Force ready for combat at this time or in the foreseeable future?

The concern of the board over the delay in calling the National Guard into Federal service and the transfer of Federal property can be corrected and expeditious action assured by a simple amendment to the National Defense Act which would automatically place the National Guard under Federal control the instant Congress declares a national emergency. Such a recommendation was submitted to the Department of the Army some time ago.

Significant as the foregoing comments are on this subject, my greater concern is directed to the grave danger to the Nation that the concentration of so much power in the Federal Government may have in the years that lie ahead.

It is not too difficult to visualize that at some future time an ambitious, selfish individual, group or organization would be able to use this great power to continue in control of the Government or endeavor to seize such control. This one possibility alone is enough to condemn forever this great centralization of power, which one day might place this, the last free Nation in the world, in jeopardy of losing the freedom for which so many of our people died.

I support the wisdom and farsightedness of our forefathers and the framers of our Constitution when they wrote the militia clause of the Constitution.

The National Guard system comprising, as it does—citizen soldiers—has always been a bulwark against the concentration of military power in our Federal Government.

I strongly favor decentralization of our military power as exemplified by the National Guard system under the militia clause of the Constitution, particularly during this era of atomic bombs, bacteriological warfare, fast-flying long-range airplanes, guided missiles, fifth-column activities, and many more weapons of destruction which are still in the blueprint stage or enveloped in secrecy.

We need only consider the possibility, and it is not a fantastic one, of the use of atomic bombs or bacteriological warfare, separately or together, on our Nation's Capital at Washington and the city of Chicago at the same moment, to realize fully the tremendous importance attached to decentralization, or if you please, a continuation of the present National Guard system.

If such events come to pass, and we pray to God they will not, judging by the complete devastation wrought at Hiroshima and Nagasaki, where only atomic bombs were employed, we would be a Nation without National Government, either civil or military.

Destruction of the city of Chicago, greatest transportation and communications center in the Nation, would actually divide the Nation in two and over an extended period of time the West and the East would have to be self-reliant. The headquarters Fifth Army would in all probability be out of action. Thus, we would have a Nation without National Government and the 12 States embracing the Fifth Army would be without Federal military authority.

The only remaining recognized authority in such a crisis would be the governors of the sovereign States. If the National Guard were federalized, as recommended by the Gray Board, these governors would be without the legal power to employ the troops.

As commanding general of Illinois' One Hundred and Ninth Antiaircraft Artillery Brigade, I feel that I can best answer the Gray Board report by explaining some of our own missions, then you people of Bloomington can join with the rest of our great State in determining for yourselves whether it is or is not vital to our own security in these days of modern aerial warfare and surprise attack methods to maintain a strong, efficient military force as our own National Guard unit. I will restrict my definition to the primary and secondary missions of the Antiaircraft Artillery Automatic Weapons, which are the type missions for which your own Three Hundred and Ninety-sixth Battalion is being trained right here. The primary role of these automatic weapons is to attack all enemy aircraft within range, particularly low-flying aircraft, to destroy them or cause them to abandon their mission, or to decrease efficiency of their operations. The secondary mission is to attack and destroy enemy mechanized or other ground troops within range; in coast defenses to attack and destroy enemy torpedo boats or other light naval craft; or in support of infantry to act as reinforcing infantry weapons or tank destroyers. We want to and we must see to it that we prepare for our own defense. In doing so we can best contribute to national preparedness and defense programs.

I know of no stronger argument for the retention of the National Guard system, under the militia clause of the Constitution, and I urge all citizens in groups and as individuals to take appropriate action to assure the rejection by Congress of these proposals of the Gray board which would destroy our existing National Guard system of defense.

In closing, I mus. reluctantly acknowledge the probability of losing from my command the Three Hundred and Ninety-sixth Antiaircraft Artillery Battalion, whose reassignment to the Forty-fourth Infantry Division appears to be imminent. Recognition by the Department of the Army of the tremendous importance of antiaircraft units in any future conflicts has prompted a decision to fill immediately the urgent needs of the infantry division for organic protection against enemy air action. It has been further decided that the division will absorb an organized antiaircraft battalion in their area. The One Hundred and Ninth Brigade will regret deeply the loss of this fine battalion and the close association which has resulted in many intimate friendships between members of our organizations. In gaining the Three Hundred and Ninety-sixth, the Forty-fourth Division, comprising all down-State units, will profit a hundredfold, and should this event become a reality, my personal thanks and appreciation to Colonel Dunn and citizens of Bloomington for the outstanding service you have rendered to my command and the Illinois National Guard. Thank you for the privilege of being here tonight and for your kind attention.

EXTENSION OF REMARKS

Mr. BRYSON asked and was given permission to extend his remarks in the RECORD and include an address delivered by him before the Fourth District Rural Letter Carriers Association of South Carolina.

LEGISLATIVE PROGRAM FOR NEXT WEEK

Mr. CASE of South Dakota. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Dakota [Mr. CASE]?

There was no objection.

Mr. CASE of South Dakota. Mr. Speaker, I ask for this time to inquire of the gentleman from Montana [Mr. MANSFIELD] whether he can inform us as to the program for next week.

Mr. MANSFIELD. Mr. Speaker, on the basis of the information that I have, I am able to say that on Monday the bill H. R. 2363, approval of Gulf State Marine Fisheries compact, will be brought up.

On Tuesday, the Private Calendar will be called and also the bill H. R. 199, a bill having to do with immigration.

On Wednesday the District of Columbia appropriation bill for 1950 will be called up.

On Thursday and Friday, the Treasury and Post Office Department appropriation bill will be called up and also the rent-control bill if it is reported out of committee.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. MANSFIELD. I yield.

Mr. RANKIN. Wednesday is calendar day. That is the day when we call the calender.

The SPEAKER pro tempore. The time of the gentleman from South Dakota [Mr. CASE] has expired.

EXTENSION OF REMARKS

Mr. HART asked and was given permission to extend his remarks in the RECORD and include an address by Dr. Forrest A. Irwin, president of the New Jersey State Teachers College at Jersey City on some basic meanings of democracy.

Mr. O'NEILL asked and was given permission to extend his remarks in the RECORD and include some remarks of Hon. Tom C. Clark, delivered by the Assistant to the Attorney General, Mr. Peyton Ford, at a testimonial dinner for the gentleman from Pennsylvania [Mr. WALTER].

Mr. WIGGLESWORTH asked and was given permission to extend his remarks in the RECORD in two instances and to include a statement by Henry Taylor, and also a statement from the New York Times.

SAVE THE PENNY POST CARD

Mr. EDWIN ARTHUR HALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. EDWIN ARTHUR HALL. Mr. Speaker, the proposal of the Postmaster General to double the penny post-card rate is the best way I know of to make the poor man carry the post office deficit. Frankly I am against it.

I suppose they are excusing themselves for making this outrageous proposal by stating this increase is the only way they can give their personnel a raise. That is pure bunk.

Millions of the people save hard-earned dollars each year by resorting to the penny post card for sending their

messages. It is the only reasonable means of communication left. Why should not people be able to save postage?

I say leave the penny post card at 1 cent. It is an American institution. Do not destroy it.

I predict that little additional revenue will come to the Post Office Department if Congress approves this increase. Folks will cut down on the post cards they send by over half.

The time honored service which our Post Office Department has always given will suffer. The greatest good to the greatest number is their motto. Cutting out the penny post card will destroy this motto.

EXTENSION OF REMARKS

Mr. MULTER asked and was given permission to extend his remarks in the Appendix of the RECORD and include an article from the George Washington Law Review, notwithstanding the fact that the Government Printing Office estimates that it will cost $781.

Mr. VURSELL asked and was given permission to extend his remarks in the Appendix of the RECORD in two separate instances, including in one an editorial from the St. Louis Globe-Democrat.

Mr. ANDERSON of California asked and was given permission to extend his remarks in the Appendix of the RECORD and include a letter from the Comptroller General of the United States.

Mr. D'EWART asked and was given permission to extend his remarks in the Appendix of the RECORD and include an editorial.

Mr. MANSFIELD asked and was given permission to extend his remarks in the Appendix of the RECORD and to include two separate articles.

Mr. KEATING asked and was given permission to extend his remarks in the Appendix of the RECORD and include extraneous matter.

Mr. MURRAY of Wisconsin asked and was given permission to extend his remarks in the Appendix of the RECORD and include a letter from a constituent.

SPECIAL ORDER GRANTED

Mr. VURSELL. Mr. Speaker, I ask unanimous consent to address the House for 20 minutes on Monday, after the call of the committees, on a very important subject.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

COMMITTEE ON RULES

Mr. SABATH. Mr. Speaker, I ask unanimous consent to have until midnight to file a privileged report from the Committee on Rules.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

COMMITTEE ON AGRICULTURE

Mr. POAGE. Mr. Speaker, I ask unanimous consent that the Committee on Agriculture may have permission to sit during general debate during the session of the House on Monday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

SELECTIVE IMMIGRATION

Mr. WALTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. WALTER. Mr. Speaker, in response to numerous requests made by Government agencies, manufacturers, educational and scientific institutions, hospitals and laboratories, I am this day introducing a bill which properly could be described as our first attempt to provide for selective immigration. Under the provisions of this bill 3,200 highly skilled aliens could be admitted annually to the United States without regard to quotas, if their admission will be proved to be beneficial to this country. This, of course, will not mean any great increase in the number of aliens coming to the United States, because we are today and have been since 1946 admitting fewer than 50 percent of the number of quota immigrants authorized by the quotas, but it will allow the selection of skilled artisans and specialists needed in industry, in the medical profession and other scientific fields in which these people can contribute much.

I ask unanimous consent to insert at this point of my remarks in the RECORD a copy of the bill to which I refer.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

(The matter referred to follows:)

A bill to authorize the admission into the United States of certain aliens possesssing special skills

Be it enacted, etc., That this act may be cited as the Foreign Skilled Personnel Admission Act.

SEC. 2. When used in this act the term—

(a) "Board" means the Foreign Skilled Personnel Board created pursuant to this act;

(b) "Eligible foreign specialist" means a quota immigrant as defined in sec. 5 of the Immigration Act of May 26, 1924, as amended (43 Stat. 155, U. S. C. 205) who is seeking to enter the United States and whose services are urgently needed in the United States by the United States Government or any of its departments, agencies, or bureaus, or by a commercial, industrial, financial, educational or health institution, firm, or corporation, from the standpoint of national defense, public security, or because of highly skilled technical, medical, or scientific training, experience or ability of such person, such services being prospectively beneficial to the United States.

SEC. 3. A number of special temporary visas not to exceed 3,200 in any fiscal year shall be issued without regard to quota limitations to eligible foreign specialists, and their spouses, and their unmarried children under 21 years of age, if accompanying or following to join them: *Provided,* That the admission of such eligible foreign specialists has been recommended to the Secretary of State and to the Attorney General by the Board.

SEC. 4. Any agency described in section 2 of this act, claiming the necessity of the admission into the United States of an eligible foreign specialist, may file with the Board a petition, in such form as may be prescribed by regulations promulgated by the Board, requesting the permission to import such eligible foreign specialist.

SEC. 5. Upon basis of a finding that there is an urgent and special need for the services of an eligible foreign specialist specifically identified under the provisions of section 4 of this act, and that the same will yield a substantial benefit to the defense, or the security, or the economy, or the health of the United States, the Board shall recommend the temporary admission of such eligible foreign specialists to the Secretary of State and the Attorney General in a manner provided for by regulations to be promulgated by the Board.

SEC. 6. There is hereby created a Board to be known as the Foreign Skilled Personnel Board which shall consist of seven members. The Secretary of State, the Secretary of Defense, the Attorney General, the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Commerce, and the Secretary of Labor shall each appoint one member of the Board. The members of the Board shall select a chairman from among their number for a term not to exceed two fiscal years.

SEC. 7. The members of the Board shall receive no compensation for their services as such, but shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties as members of the Board. There are hereby authorized to be appropriated such sums of money as may be necessary to enable the Board to discharge its duties. Within the limits of such funds as may be appropriated to the Board or as may be allocated to it by the President, the Board may employ necessary personnel without regard to the civil-service laws or the Classification Act of 1923, as amended, and make provisions for necessary supplies, facilities, and services to carry out the provisions and accomplish the purposes of this act. It shall be the duty of the Board to formulate and issue regulations, necessary under the provisions of this act, and in compliance therewith, for the admission into the United States of eligible foreign specialists and the members of their families. It shall also be the duty of the Board to report, on July 1 of each year, to the Attorney General on the situation regarding the employment of eligible foreign specialists in the United States.

SEC. 8. If, at the expiration of 12 months immediately following the admission into the United States of an eligible foreign specialist, the Attorney General, shall, upon application filed with the Commissioner of Immigration and Naturalization by the alien, find that such person has maintained the employment with the institution upon which application such person has been admitted into the United States, he is hereby authorized and directed to amend the record of such alien's temporary admission, and the records of admission of the members of his family admitted under the provisions of section 3 of this act, to show admission for permanent residence as of the date of their respective actual entry into the United States: *Provided:* That no change in employment which may occur by the written consent of the agency or institution importing the alien under the provisions of this Act, shall preclude such alien from having his record of admission amended according to the provisions of this section.

SEC. 9. Any person or persons who knowingly violate or conspire to violate any provision of this act shall be guilty of a felony, and upon conviction thereof shall be fined not less than $500 or more than $10,000, or shall be imprisoned not less than 2 or more than 10 years, or both.

TO IMPROVE LABOR-MANAGEMENT RELATIONS

Mr. BENNETT of Florida. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. BENNETT of Florida. Mr. Speaker, our labor-management laws have done little but shift the rules and weapons of industrial combat with every change of the political currents. We need, instead, laws which will encourage harmony and productivity.

I have today introduced a bill to allow corporations to deduct for income-tax purposes 200 percent of the amounts paid to employees as a share of profits. A 100 percent deduction is, of course, already available for such sums as wages paid. The purpose of the bill introduced today is to give an incentive for the establishment of profit-sharing plans as a means of securing greater production and increased harmony between labor and management.

The bill contains safeguards against abuses. Amounts to be credited with such deductions cannot, under this law, have that effect if discriminations are made in favor of employees who are officers, shareholders, or highly compensated employees. In all cases the deductions are limited to so much of amounts paid as does not exceed 25 percent of the compensation otherwise paid during the year. Only amounts paid under plans legally binding upon the employer will be considered.

VOTES IN ABSENTIA

I have today returned from the hospital, where I have been undergoing treatment following an accident on February 2, wherein I broke my leg. In my absence I tried to vote on every issue by the system of pairing, sending to a colleague my desired vote in advance of each voting. However, in some cases only general pairs were available. Therefore, I take this opportunity to designate that if I had been on the floor I would have voted for the bill to reorganize the executive branch; for the continuation of the Committee on Un-American Activities; for the deficiency bill; for the Export Control Act; for the power of the Committee on Education and Labor to conduct investigations.

The SPEAKER pro tempore. The time of the gentleman from Florida has expired.

GUATEMALA AND THE UNITED FRUIT CO.

Mr. HERTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. HERTER. Mr. Speaker, on February 17 the distinguished gentleman from Massachusetts [Mr. McCORMACK], who is now occupying the chair, made a very able statement in regard to the extreme conditions in which a great American corporation, the United Fruit Co., finds itself in Guatemala as a result of the very arbitrary actions of the Guatemalan Government. Since the time those remarks were made there have been further developments, which I shall cite hereafter so that every Member of the House may know exactly what is being done to an American corporation which has performed a great service in Latin America in what one might call implementing point 4 of President Truman's inaugural message.

In November of 1948 the labor union representing the wharf laborers of the United Fruit Co. at Puerto Barrios and the union representing the banana workers at Banaera, Guatemala, presented the United Fruit Co. with a long list of demands. These demands were heard by a board of conciliation in accordance with the labor law of Guatemala, and the conciliation proceedings were terminated without any agreement having been reached on November 15.

The labor unions then asked the labor judge to pass on the legality of their labor movements as a prerequisite to going on strike. In order for a strike to be legal under the laws of Guatemala, it must be supported by two-thirds of the laborers. Under the law, the judge had 5 days within which to hand down his decision, but, in spite of repeated requests on the part of the company, the judge never handed down his decision. The record shows that the laborers were not able to get a two-thirds majority or even a simple majority, and the strike movement should have been declared illegal, which would have settled the labor controversy.

Meanwhile the wharf laborers at Puerto Barrios led by a small group of agitators, started a slow-down of banana loading. Bananas were loaded at less than half the normal rate resulting in delays and consequent heavy increase in cost. Those bananas which were loaded arrived in the United States in such poor condition that they could not be profitably marketed. Since, technically, there was a labor dispute pending, the company could not discharge the laborers involved in the slow-down and the only thing the company could do was to suspend shipments resulting in heavy loss of fruit.

The company appealed to the Government officials for assistance in eliminating the slow-down, but instead of granting such assistance, the Government suddenly on January 25 issued a decree suspending one constitutional guaranty in the areas in which the company operated declaring the workers of the United Fruit Co. to be engaged in public service and decreeing obligatory arbitration of the labor dispute. Under the constitution the president may suspend constitutional guaranties in case of invasion, grave disturbances of the peace, epidemic, or other general calamity. No such situation existed and the decree was used merely to take the labor dispute out of the hands of the labor court and order arbitration of a labor conflict which should have been promptly settled by a declaration of illegality.

It is worth while noting also that the President did not declare all wharf and banana workers in the area to be engaged in public service but only the workers of the United Fruit Co. Other banana growers and shippers are not affected by the decree.

The laborers themselves have repeatedly approached the company offering to settle the dispute and the company has at all times been willing to make any just settlement. An agreement was reached by the company and the laborers through direct negotiations about a week ago but the workers were not permitted to sign the agreement because of the intervention of Government officials who insisted that the dispute had to be settled by compulsory arbitration.

The company's lawyers advised that the decree suspending constitutional guaranties and ordering compulsory arbitration was unconstitutional and the company appealed to the court for an amparo or injunction. The reaction of the Government to this procedure of the company in asking the protection of the Guatemala courts was immediate and violent. The minister of economy and labor in a press interview published in La Hora of February 10, 1949, said that if the court petition was prepared by a Guatemala lawyer it constituted an act of treason to the country.

The United Fruit Co. admittedly pays the highest wages of any company in Guatemala. It has a long record of fair and equitable treatment of its employees and laborers. It furnishes them with schools, hospitals, club houses, and playgrounds. It sells them the necessaries of life through its commissaries at price below cost. It is now and has always been ready and willing to settle any labor disputes through direct negotiation with the representatives of its laborers and employees. The conflict at Barrios and Bananera which is causing such heavy losses to the company and creating unemployment in Guatemala could be settled if government officials would permit the labor leaders to make settlement with the company.

This kind of discriminatory interference described above must stop in these Latin-American countries and elsewhere in the world against responsible American capital; and when the appropriation for and the extension of the charter of the Institute of Inter-American Affairs comes before this body, I shall offer an amendment to make it obligatory for the Secretary of State to certify that the government of each country had not been discriminating against legitimate American business rights before any money could be used in any such country by this institute.

The SPEAKER pro tempore. The time of the gentleman from Massachusetts has expired.

SPECIAL ORDER GRANTED

Mr. BLATNIK. Mr. Speaker, I ask unanimous consent that on Monday next, after disposition of matters on the Speaker's desk and at the conclusion of any special orders heretofore entered, I may be permitted to address the House for 10 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

EXTENSION OF REMARKS

Mr. TOLLEFSON asked and was given permission to extend his remarks in the RECORD and include a radio address.

Mr. GILLETTE asked and was given permission to extend his remarks in the RECORD and include excerpts from an address by Hon. FRED CRAWFORD given at a Lincoln Day dinner held in Wayne County, Pa.

Mr. SMITH of Wisconsin asked and was given permission to extend his remarks in the Appendix of the RECORD in three instances and include extraneous matter.

Mr. TALLE asked and was given permission to extend his remarks in the RECORD and include some brief quotations.

Mr. ANGELL asked and was given permission to extend his remarks in the Appendix of the RECORD and include an article.

Mr. BROOKS asked and was given permission to extend his remarks in the RECORD and include certain articles and excerpts.

Mr. MURDOCK asked and was given permission to extend his remarks in the RECORD and include a memorial on Indian social security.

Mr. DONDERO (at the request of Mr. MICHENER) was given permission to extend his remarks in the RECORD and include an article.

Mr. RICH asked and was given permission to extend his remarks in the RECORD and include an article by Alfred Hassler.

PERMISSION TO ADDRESS THE HOUSE

Mr. HOFFMAN of Michigan. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and that they be printed in the CONGRESSIONAL RECORD at the conclusion of the special orders for today.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

SUBCOMMITTEE NO. 2 OF THE COMMITTEE ON AGRICULTURE

Mr. PACE. Mr. Speaker, I ask unanimous consent that Subcommittee No. 2 of the House Committee on Agriculture, of which the gentleman from Utah [Mr. GRANGER] is chairman, may have permission to sit during the session of the House this afternoon.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

REMARKS OF THE PRESIDENT

Mr. COX. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. COX. Mr. Speaker, apropos of the remarks made by the gentleman from Michigan, I should like to say that courage is not only a proper attribute of power but it is an unmistakable sign of character. The candor and the courage of the President fascinate me.

GREAT BRITAIN'S RECOVERY

Mr. RICH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RICH. Mr. Speaker, there appears in this morning's paper the headline "Recovery is realized, Britain says," and the article goes on to say:

ERP AID PRAISED IN REMARKABLE ACHIEVEMENT—TRADE BALANCE IN SIGHT

LAKE SUCCESS, February 23.—Britain told the United Nations today that British factories are breaking all records in production of capital goods and that, thanks to British discipline and American financial aid, British economic recovery is virtually complete.

This optimistic picture, given to the United Nations Economic and Social Council by Christopher P. Mayhew, British Under Secretary of State, contained the revelation that despite a disturbing dollar deficit, Britain is now definitely within sight of balancing her foreign trade.

That remarkable achievement, Mayhew told the delegates, was made possible through economic planning and the voluntary cooperation of labor and industry, and it found British exports last month rising to a figure that was 60 percent higher than in 1938.

Mayhew reported that Britain has built 700 new factories since the war ended, that industrial output was 20 percent higher than in 1938, and that agricultural output was 25 percent higher.

Mr. Speaker, from July 1, 1940, to December 31, 1947, we of the United States gave Great Britain over $30,000,000,000. That country is going to ask for a billion and a half more this year. This year's foreign-aid program calls for $6,098,000,000 hard-earned American dollars. If you give them this money, you are going to tax your people for aid to Britain, a country that now admits it is on its feet. You have no business giving away the taxpayers' money without the taxpayers' permission. Every citizen will be called upon to pay $42 each for this year's foreign program.

Furthermore, you have given to Russia $11,050,000,000, and look what they are doing with that $11,000,000,000. If you do not quit giving away so much money to these foreign countries, you are going to wreck America. Then what will happen to us? Then we are no good to ourselves or anybody else.

Let us keep America sound. Let us keep America in a position so that we can protect ourselves and the people of this Nation and give them the things that they need. It is time that we look after America and stop trying to take care of all the rest of the world.

The President is crying for more taxes. Secretary Snyder says we must tax our people more. The Speaker of the House reechoes our need for greater taxes.

Let us holler loud and long, "No more taxes. No more robbing the thrifty." Let us get up a chorus of "Stop spending; stop squandering. Get some economy in government." Keep out of foreign entanglements, as George Washington advised us to do.

Be wise and economize.

NATIONAL SECURITY

Mr. HOLIFIELD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOLIFIELD. Mr. Speaker, the under-water explosion of an atomic bomb in the Potomac River adjacent to this Capitol could kill upward of 100,000 people and could paralyze the functioning of the Federal Government and create millions of dollars of damage.

I have a special order this afternoon which I intend to use, at which time I shall discuss some of the problems of national security in relation to the atomic bomb. I invite the Members to listen to or to read my remarks in the RECORD.

EXTENSION OF REMARKS

Mr. CHURCH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an article by Col. Walter L. Furbershaw. I am informed by the Government Printing Office that this will take three and one-half pages of the RECORD at an estimated cost of $248.50, but I ask that it be printed notwithstanding that fact.

The SPEAKER pro tempore. Without objection, notwithstanding the cost, the extension may be made.

There was no objection.

Mr. RANKIN asked and was given permission to extend his remarks in the RECORD in reference to the passing away of Mr. William E. Tate, national director of rehabilitation for the Disabled American Veterans.

BROTHERHOOD WEEK

Mrs. BOLTON of Ohio. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include an editorial.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

Mrs. BOLTON of Ohio. Mr. Speaker, this is Brotherhood Week, a week that we do well to consider seriously. The editorial which I am including in my remarks, taken from the Western Reserve Democrat, was written by Oveta Culp Hobby, whom we learned to respect and honor as head of the WACs. As you know, she is a woman of considerable renown, one whose words carry across the country. It is a great pleasure to me to include in my remarks this short editorial by her on Brotherhood Week:

ENJOYMENT OF INDIVIDUALS

This is a time for dynamics—for warm, generous rapport among friends, for enjoyment of individuals by individuals. With the world seemingly threatened by an eternal coldness, human beings need the warmth of human companionship, rather than the poor and tepid comfort of tolerance.

Every man under God deserves the right to be judged as an individual—rather than

as a Catholic, a Jew, a Methodist, or an Episcopalian. Every man is honest or dishonest, charming or annoying wise or stupid, because he is himself—not because he is a member of a particular group.

It is his inalienable right—a right far greater and more universal than any given in the Constitution—to be an individual, to be accepted or rejected as an individual.

His faith is a part of him—he is not a mere characterless unit in the over-all group.

In Brotherhood Week, Americans everywhere need an upsurge of genuine brotherhood, of intelligent, warm friendship for their brothers.

In friendship, in brotherhood, simple courtesy is the straight path toward decent human relations.

POINT 4 OF THE PRESIDENT'S INAUGURAL SPEECH

Mr. MANSFIELD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. MANSFIELD. Mr. Speaker, the other day the majority leader, the gentleman from Massachusetts [Mr. McCORMACK], made a very interesting and worth-while speech on the application of point 4 of the President's inaugural speech as it applies to countries overseas. I was very much interested in what our distinguished majority leader had to say, not only because of the situation which he discussed but because of the great amount of research he had put into his speech, as indicated by the many important factors which he brought to our attention.

I would like to say on the basis of personal observations that there is a great deal of discrimination going on at the present time against American business concerns in various Latin-American countries. I refer specifically to the situation in Guatemala. In that country a labor code, ostensibly written for the benefit of the laboring class, has been so worded and administered as to discriminate against the largest American enterprise in the country. Under this code a basis is being created which is not only unfair but discriminatory, insofar as it affects the competition between outside and local enterprises. It has been my belief—and I have stated so repeatedly—that American concerns overseas should not be made subject to discrimination, but should be treated on the same basis as the native businesses in the countries in which they are located. I would like to see American business concerns operating in these countries helping in their development, raising the standards of living therein, but, at the same time, being given every opportunity to compete with other businesses on a fair and equitable basis. Foreign countries coming into the United States have not been placed at a disadvantage in their competition with American industry, and it is my contention that, insofar as our American businessmen are concerned, they are entitled to the same treatment as are the industries of the countries in which they are located.

I have been very much disturbed by the trend which has become so evident, not only in Guatemala but elsewhere, and it is my hope that the discrimination which has been practiced down there can be done away with and that the denial of justice and exclusion from legal recourse before the courts of that country can be alleviated at an early opportunity.

COMMITTEE ON ARMED SERVICES

Mr. RANKIN. Mr. Speaker, I ask unanimous consent that the Committee on Veterans' Affairs be discharged from the further consideration of the bill (H. R. 920) authorizing the Secretary of the Army to furnish headstones to mark the actual or honorary burial places of deceased members or former members of the military and naval forces, and that the bill be referred to the Committee on Armed Services.

I may say, Mr. Speaker, that the Committee on Armed Services has jurisdiction over this type of bill, and has a number of such bills before it.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

Mr. CASE of South Dakota. Reserving the right to object, Mr. Speaker, is this re-reference agreeable to the Committee on Armed Services or the chairman thereof?

Mr. RANKIN. I suppose so. I am sure it is. I can see no reason why it should not be.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

RANKIN PLAN PENSION BILL, H. R. 2681

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include some records with reference to veterans' legislation.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RANKIN. Mr. Speaker, at my request, the Veterans' Administration has prepared an official cost estimate of H. R. 2681, providing pensions for World War I and II veterans—which the Washington Post has branded the Rankin plan.

This cost estimate has been projected on a 5-year basis, beginning with the year 1950 and continuing through the calendar year 2000.

Bear in mind that this is an official estimate of the Veterans' Administration and it gives the lie to the propaganda which various commentators have been spreading about the cost of this measure.

First-year cost is set at $62,411,000. It will be 10 years, or 1960, before the estimated cost would exceed $1,000,000,000, and it will be beyond 1980 before the estimated cost would reach $2,000,000,000.

When you deduct from this amount the amount some of these veterans would receive under old-age pension laws in the various States and the amount many of them would be receiving under other veterans' laws for various disabilities, the amount would be reduced far below the estimate of $2,000,000,000 for the year 1980—31 years from today.

This is in sharp contrast with what the commentators have been telling you about the cost of this measure.

The public has also been told that 18,800,000 veterans would benefit by the passage of this bill. That, too, of course, is a gross exaggeration.

In 1995 the total number of veterans living, it is estimated, will be only 5,810,000—nothing like 18,800,000 could ever benefit by this legislation.

The peak cost will be reached in the year 1990—41 years from now—when the cost, it is estimated, will be not more than $4,446,000,000. And this is not taking into consideration the deductions just referred to from State old-age pensions and disability compensations.

The total cost of this measure will, of course, nowhere nearly approximate, or begin to approximate, the reckless figure of $150,000,000,000 given by the so-called American Veterans' Committee. That exaggerated estimate appears to have been manufactured for propaganda purposes.

In this connection, Mr. Speaker, I am inserting at this point a copy of the official cost estimate prepared by the Veterans' Administration on the bill:

Estimate of net cost of secs. 1 and 2, H. R. 2681, 81st Cong., by 5-year intervals, 1950–2000

Year	World War I		World War II		Total cost
	Number of veterans	Cost	Number of veterans	Cost	
1950	69,700	$56,813,000	5,300	$5,598,000	$62,411,000
1955	413,069	330,697,899	11,246	9,296,234	339,994,133
1960	1,270,920	993,832,644	29,271	25,089,622	1,018,922,266
1965	1,915,653	1,472,603,256	132,889	109,775,942	1,582,379,198
1970	1,350,804	1,004,418,166	345,619	280,880,444	1,285,298,610
1975	771,192	555,336,245	970,026	779,337,251	1,334,673,496
1980	343,248	246,495,914	1,919,059	1,508,131,052	1,754,626,966
1985	110,617	79,437,406	3,661,047	2,844,203,127	2,923,640,533
1990	23,240	16,688,484	5,757,437	4,429,355,363	4,446,043,847
1995	2,567	1,842,343	5,807,926	4,389,880,795	4,391,723,138
2000			3,694,425	2,697,919,441	2,697,919,441

Let me remind the House that practically every veteran of World War II who would come under this bill during the next 15 years was also in World War I, and is therefore covered by the first cost column in the above table.

Then let me remind the House again that from these totals must be deducted

the amounts that would be paid these men in old-age pensions in the various states, and also the compensations that would be paid to disabled veterans under other veterans' laws.

In this connection, I call the attention of the Members to a new regulation of the Veterans' Administration known as extension 5 to the 1945 Disability Rating Schedule, which permits a veteran of either World War I or II at age 55 and having a permanent disability of 60 percent or more, single or combined, and who is unemployable, to receive a pension of $60 a month. Under the same conditions, when the veteran reaches the age of 60, the disability requirement is lowered to 50 percent. I believe that this regulation takes care of those veterans who are below the age of 65 and who are not eligible for the provisions of the bill, H. R. 2681.

Do not forget that one of the disabilities from which a man never recovers is that of old age. For my part, I do not intend for these old veterans to have to go to the poorhouse for food and shelter in their declining days.

The analysis of the bill above referred to follows:

PENSIONS FOR WORLD WARS I AND II VETERANS, H. R. 2681

Title: To provide pensions for veterans of World Wars I and II based on non-service-connected disability and attained age, and for other purposes.

Mr. RANKIN (by request). Introduced and referred February 14, 1949.

Analysis: The bill, as reported, authorizes a pension of $90 per month for any veteran of World War I or II upon reaching age 65. In addition, any veteran of these two wars, regardless of age, so helpless as to need the regular aid and attendance of another person, would be entitled to $120 per month. The drawing of compensation, pension, or retirement pay based on own service concurrent with this pension is prohibited.

In addition, the income limitation now set at $1,000 for a widow without child or a child is raised to $2,000, and for a widow with a child or children, the income limitation is raised to $3,000, from the present $2,500. Widows of World War II are placed on the same basis for determining their eligibility for a pension as widows of World War I. The act would become effective on the first day of the second month following approval.

ANALYSIS BY SECTIONS

Section 1: Sets eligibility requirements (1) any person who served in the active military or naval service for a period of 90 days or more during either World War I or II, as now or hereafter defined, who was discharged under conditions other than dishonorable; (2) or having less than 90 days, was discharged for disability incurred in the service in the line of duty, or is receiving, or entitled to receive, compensation for service-connected disability; (3) who is shown to be in active service therein before the cessation of hostilities; and (4) who is or may hereafter be suffering from a permanent non-service-connected disability, or has attained the age of 65 years or over.

Section 2: Sets the rate of pension at $90 per month upon reaching the age of 65, and $120 a month for any veteran of the above-mentioned wars who, on account of age or physical or mental disability, is helpless or blind or so nearly helpless or blind as to need or require the regular aid and attendance of another person.

Section 3: Present law prohibits the drawing of a pension by a widow or a child, of a veteran of either World War I or II, whose annual income exceeds $1,000, or $2,500 in case of a widow with a child or children. This act would increase the limitation for a widow without a child or a child to $2,000, and to $3,000 for a widow with a child or children.

Section 4: The pension, or increase of pension, provided by the act for all eligibles now on the rolls would commence without the necessity of filing a new application, effective the first day of the second month following approval; and original awards would take effect from date of application or first day of second month following approval, whichever is later.

Section 5: Veterans Regulation No. 10, paragraph XIII (as amended by Public Law 144, 78th Cong., sec. 15) prohibits the drawing of compensation or retirement pay concurrent with pension. This bill makes applicable this regulation to the pension provided and prevents so-called pyramiding.

Section 6: Widows of veterans of World War I are entitled to non-service-connected pension based simply on the service of their husbands. Widows of veterans of World War II, however, must show that their husbands were receiving or entitled to receive compensation for a service-connected disability or must have had a service-connected disability for which compensation would be payable if ratable at 10 percent or more at the time of their death in order to obtain a pension. This section of the bill puts the widows of veterans of World War I and II on exactly the same basis.

Section 7: The administrative, definitive, and penal provisions of Public Law No. 2, Seventy-third Congress, and veterans regulations issued thereunder, when they are not inconsistent with this act, are made applicable thereto.

Pension rates for veterans of all wars

PRESENT LAW

Indian Wars	Civil War	Spanish-American War, Philippine Insurrection, and Boxer Rebellion			World War I and World War II
20 days or more service or through campaign in connection with or in zone of active Indian hostilities	90 days or more service or discharge for disability incurred in line of duty.	90 days or more service or discharge for disability incurred in line of duty.	70 days or more service but less than 90 days.	90 days or more service or discharge for disability incurred in line of duty. In active service before cessation of hostilities.	90 days or more service or discharge for disability incurred in line of duty. In active service before cessation of hostilities.
Rates:	Rate $90	Rates:	Rates:	Rates:	Rates:
1/10 disability $24	Aid and attendance 120	1/10 disability $28.80	1/10 disability $17.28	Permanent and total $60	Permanent and total [1] $60
1/4 disability 30		1/4 disability 36.00	1/4 disability 21.60	Rated permanent and total for continuous period of 10 years or reach age 65 years 72	Rated permanent and total for continuous period of 10 years or reach age 65 years 72
1/2 disability 42		1/2 disability 50.40	1/2 disability 25.92	Over age 62 or the amount being paid Mar. 20 1933, if less 15	Age 65 [2] 90
3/4 disability 60		3/4 disability 72.00	3/4 disability 34.56	50 percent disabled 15	Aid and attendance [2] 120
Total disability 72		Total disability 90.00	Total disability 60.00	Aid and attendance None	
Age 62 36		Age 62 43.20	Age 62 17.28		
Age 65 72		Age 65 [2] 90.00	Age 65 60.00		
Aid and attendance 120		Age 68 57.60	Age 68 60.00		
		Age 72 72.00	Age 72 60.00		
		Age 75 90.00	Age 75 60.00		
		Aid and attendance 103.68	Aid and attendance 78.00		
		Aid and attendance [2] 120.00			

[1] No payment if income exceeds $1,000 if single, or $2,500 if married or if person has minor children. Payments of war risk term insurance, U. S. Government life (converted) insurance, national service life insurance. World War adjusted Compensation Act and compensation for overtime performed in Federal Government or District of Columbia employment not included in determining income.

[2] The $90 rate at age 65 and $120 rate for regular aid and attendance are payable to those only who served between April 21, 1898, and July 4, 1902, and are not payable to those who served in the Moro Province between July 5, 1902, and July 15, 1903.

[3] Indicates changes proposed by H. R. 2681.

Effective: First day of second month following date of approval.
Hearings: January 27, February 1, 2, 3, 8, and 9, 1949.
Reported: February 16, 1949. House Report 132. Union Calendar 36.

OLEOMARGARINE

Mr. RIVERS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. RIVERS. Mr. Speaker, this is my main speech this session. If you gentlemen who are interested, as I am, and whose hearts cry out for the welfare of the housewives, will remain a little while after the gentleman from California has delivered his able address, I shall point out to you with a master's voice how much the housewives of this Nation spent, 8,000,000,000 minutes, in mixing margarine last year. They spent the equivalent of 13,000 years last year mixing margarine. Not only that, I will tell you how the money has been extorted from the people of this Nation, paying tribute and ransom for the privilege of

eating the poor man's spread. If you will just wait and help me, those of you who are against it, you might want to hear something I am going to say to you. Those of you who have something to add, I advise you to stay, because I believe this is one of the best speeches I have ever written.

OPPOSITION TO THE PENSION BILL

Mr. CELLER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CELLER. Mr. Speaker, the House of Representatives should not be politically timid. The Members should express themselves uninhibitedly in opposition to the proposed $90-a-month pension bill for all veterans, millionaire or wage earner, tycoon or tanner, beginning at 65 years of age, who served 90 days or more in either World War. Nor should it be uncomfortable politically for any one of us to follow the dictates of his conscience. We dare not pass the buck—that is, rely on the Senate to act with statesmanlike vigor in killing the bill. We dare not neglect our own responsibility.

I am firmly convinced that the bill offered by the gentleman from Mississippi [Mr. RANKIN] is against the best interests of the Nation and against the best interests of the veteran.

I wish to offer every constructive aid to the veteran. But the veteran resents charity disguised as a pension grab. I believe in greater benefits, especially for the sick, impaired, wounded, and disabled veteran. Despite the fact that the current expenditures for veterans is running around $6,000,000,000 a year, I am, nonetheless desirous of increasing the benefits to the disabled veteran.

The pensions that exist today grew out of wars that were fought with armies microscopic in number compared with the military units of the last war. When those pensions were passed, there was no over-all Federal security program for the aged and indigent. The Rankin bill would completely put out of kilter our social-security-old-age program. Old age is a universal handicap that descends on all, veterans and nonveterans alike. The cost of the Rankin bill would begin at $125,300,000 a year and rise mountainously to $6,000,000,000 a year as the circle of 65-year-old veterans increased. There are 19,000,000 veterans, who with their families total 40 percent of the population. The veteran and his dear ones would be paying directly or indirectly 40 percent of this $6,000,000,000, because taxes raised to defray the pension costs are always passed on invisibly to all the public. Thus this pension proposal is but a facade to deceive the veteran.

Remember that the alleged benefits of this bill would be in addition to all other veteran compensation allowances, medical and educational services and awards under the GI bill of rights.

It would cloud out the genuine need for real help to the disabled veterans. Veterans would do well to spurn the misguided efforts on their behalf, and concentrate their strength on measures that will truly improve the lot of their fellows, especially of those who are sick and wounded.

I refuse to remain silent and see this hoax perpetrated on the veteran. I name the Rankin bill for what it is—a gold brick.

In addition, this bill would seriously interfere with President Truman's economic and financial program. He has wisely and in statesmanlike manner repudiated this bill.

The first concern of the veteran and nonveteran should be a stable national economy without which no amount of pension can be of help.

The SPEAKER pro tempore. Under previous order of the House, the gentleman from California [Mr. HINSHAW] is recognized for 45 minutes.

(Mr. HINSHAW asked and was given permission to revise and extend his remarks and include certain information in tabular form.)

THE COLORADO—RIVER OF CONTROVERSY

Mr. HINSHAW. Mr. Speaker, one-twelfth of the land area of the United States is drained by the Colorado River. Down from the highest western mountains, across great plateaus of forest and desert, and through the deepest canyons of the continent, the Colorado flows some 1,600 miles to its delta in the Gulf of California.

Compared to some other American rivers, however, the Colorado is not big, but no other river in this country has been the subject of more legal and political controversies, and no other river means more to the people it serves.

Population of Colorado River Basin States in 1948

Arizona	664,000
California	10,031,000
Colorado	1,165,000
Nevada	142,000
New Mexico	571,000
Utah	655,000
Wyoming	275,000

Agriculture, industry, and both rural and urban households in seven immense Western States depend upon the water and power that comes from the Colorado River. These basic needs have created complicated disputes and lengthy polemic arguments.

The Colorado River controversy has its roots in history, yet it rages today in the legislative halls, the city offices, and country stores of the Colorado River Basin States, as well as in the United States Congress, where it has been debated frequently over more than a quarter of a century.

The Colorado River controversy is more than a fight over water and hydroelectric power that might conceivably be settled by common agreement. It is a fight over American economic policy. Involved are principles and doctrines, conceptions and theories, out of which have come fundamental programs for the expansion and development of the western half of the United States. It is a fight waged by millions of people for their homes and shops, their schools and churches, their own security, and that of their children.

Hundreds of men in the arid West have died fighting to preserve their precious rights to water.

THE WORTHLESS LAND

It was in 1857 that a brave explorer but a poor prophet, Lt. J. C. Ives, took a small Government steamboat 400 miles up the lower Colorado from the Gulf of California, and reported to the War Department:

> The region is altogether valueless. * * * It seems intended by nature that the Colorado River along the greater portion of its lone and majestic way shall be forever unvisited and unmolested.

Today along the lower Colorado stand Hoover Dam, tallest in the world; Davis Dam, Parker Dam, and other monuments to American engineering genius. Across the lone and majestic Colorado the greatest migration in our history has moved on the highways to the Pacific coast within the last 10 years. In southern California alone three and a half million people live in areas served by water from the lower Colorado. In the six other States of the basin other hundreds of thousands are dependent for their very existence on water from the Colorado system.

THE COLORADO RIVER COMPACT

In a state of nature few American rivers were more violent, more unpredictable, more devastating in both drought and flood than the Colorado.

It was imperative that the early developers and leaders of the basin States should seek to reach an agreement for the use and division of the waters of the river, without which all progress would be legally menaced and all investments would be insecure. Control of the river's ravaging floods had to be achieved, and that meant the building of great dams costing millions of dollars. Dependable and indestructible diversion systems were necessary if the rich but arid lands were to be cultivated successfully and growing communities were to be supplied. That meant many costly projects.

The first question was: How was the water to be divided?

It was in 1921 that men from the seven basin States finally sat down together to work out a compact to govern the entire Colorado River system. The Federal Government participated. Herbert Hoover, then Secretary of Commerce, became Chairman of the Colorado River Commission.

For nearly 11 months the commissioners talked, wrangled, and finally came to terms. In Santa Fe, N. Mex., on November 24, 1922, the Colorado River Compact, which is still the basic law of the river, was signed. It was a historic day, memorable in the annals of western development, and especially a vital milestone in the advancement of reclamation.

But as remedial and progressive as the compact was, it did not bring peace to the Colorado River. Chiefly the compact divided the river basin into two parts—an upper and a lower basin—and apportioned waters to each basin. Still

remaining was the all-important task of dividing the water between the individual States in each basin.

Only last year, a quarter of a century later, were the States of the upper basin—Wyoming, Colorado, Utah, New Mexico, and Arizona, the latter with a very small interest in the upper basin and a larger in the lower basin—able to reach an agreement satisfactory to themselves. Their plan for dividing the water among themselves is now before the Congress for Federal approval.

LOWER BASIN CONTROVERSY

In the lower basin—California, Nevada, and Arizona—the controversy over division of the waters continues with mounting fervor.

It rests on the fact that California and Arizona interpret differently the series of documents and statutes that now comprise the law of the river.

There are three main issues in the conflict between Arizona and California, and more than 26 years have been spent in futile attempts to reach an agreement on all or any one of them.

Faced with this apparent stalemate, California and Nevada, two of the three lower basin States, have proposed that all the issues be placed before the United States Supreme Court for final settlement. Legislation to accomplish this has been introduced in both Houses of the Congress by the 23 Members of the House from California and by the Senators from both California and Nevada.

Resolutions for Supreme Court adjudication of the controversy now before this Congress: House Joint Resolutions 3, 38, 41, 52, 55, 64, 73, 75, 95, 96, 100, 107, 113, 126, 128, 133, 135, 146, 148, 150, 152, 153, and 164, authored respectively by every California Member of this House, and Senate Joint Resolution 4, authored by the Senators of California and Nevada.

Because the Federal Government is a necessary party to the proposed court litigation, California and Nevada must obtain permission of Congress to carry the controversy before that highest Federal tribunal. That is the purpose of the joint resolutions. Arizona is fighting passage of any of them on the ground that there is no justiciable issue involved; asserting that despite California's contracts with the Federal Government, California has no right to the water California claims; that the water in question belongs to Arizona, and that Congress can settle the whole controversy simply by giving the water to Arizona.

California has signed contracts with the Federal Government for 5,362,000 acre-feet of Colorado River water available for us in the lower basin. This water is allocated by the contracts among the southern California projects in this way:

For lands in the Imperial and Coachella Valleys, the Palo Verde district and the Yuma project a total of 4,150,000 acre-feet.

For the metropolitan water district 1,212,000 acre-feet.

At stake in this controversy, among other things, is the right to the use of more than 1,000,000 acre-feet of Colorado River water a year.

An acre-foot is the amount of water necessary to cover an acre of land with water 1 foot deep.

The three main issues of the controversy are not difficult to understand, even for those unfamiliar with technical water problems. Yet, settlement of them is vital to future development, and meantime an insurmountable barrier to progress is before the basin States because of the existence of these unresolved arguments.

ISSUE NO. 1

Under article 3, paragraph A, of the Colorado River compact signed in 1922, the lower basin States of the Colorado River watershed are apportioned in perpetuity the exclusive beneficial consumptive use of 7,500,000 acre-feet of river water a year.

The States of the upper basin receive a similar amount under the compact.

This is known as 3–A water.

Article 3, paragraph B, of the compact, states:

> In addition to the apportionment of paragraph A, the lower basin is hereby given the right to increase its beneficial consumptive use of the Colorado River waters by 1,000,000 acre-feet per annum.

This is known as 3–B water, and it is this million acre-feet that is in controversy.

A million acre-feet is a great deal of water. It would cover a million acres of land 1 foot deep. It is sufficient for the irrigation of about a quarter of a million acres of arid land.

Arizona refused to ratify the compact when it was created, but the six other basin States did ratify. Under the law that was a sufficient number of ratifications to put the compact into operation, provided that the State Legislature of California also enacted a limitation act.

The California State Legislature swiftly passed the required limitation act. This is what it says:

> California agrees to limit its use of Colorado River water to 4,400,000 acre-feet of the waters apportioned to the lower basin by paragraph A, plus not more than one-half of any excess or surplus waters.

Thus California agreed to take 4,400,000 acre-feet of 3–A water, and not more than one-half of the excess of surplus waters unapportioned by the compact. California maintains that the term "excess or surplus" includes all 3–B waters.

The question to be settled here is:

Does California share equally in this million acre-feet of 3–B water?

California says "Yes." Arizona says "No."

This is a matter of interpretation of the California Limitation Act and the Boulder Canyon Project Act which the Supreme Court should be asked to settle.

ISSUE NO. 2

In a state of nature the Gila River in Arizona was a wasting tributary of the Colorado. Especially in the last 100 miles before it joins the Colorado its bed is wide, sandy, flat, and subject to the intense heat of the desert.

The Bureau of Reclamation estimates that in a state of nature the Gila emptied approximately 1,100,000 acre-feet of water into the Colorado per year. The Gila River of New Mexico and Arizona is a main tributary of the Colorado, a part of the system, and drains into the main stream a few miles above the Mexican border.

Water from the Gila is used chiefly now in the Phoenix area of Arizona, and there about 2,300,000 acre-feet of water are taken each year from this stream—and used up—consumed, if you please.

The difference between these figures, or about 1,200,000 acre-feet, was, before development of the Phoenix area, lost by evaporation, deep seepage, and other causes, as the Gila flowed in its course from the Phoenix area to the main Colorado River.

The words "beneficial consumptive use," as they are used in the compact, are important in this phase of the controversy, as the compact apportions water for "exclusive beneficial consumptive use."

Arizona contends that Arizona should be charged only for 1,100,000 acre-feet of Gila River water—the amount that emptied into the Colorado from the Gila in a state of nature, before development of irrigation in the Phoenix area and other places.

California contends that Arizona actually takes, uses, and beneficially consumes 2,300,000 acre-feet of water from the Gila, and therefore should be charged with that amount. All of this 2,300,000 acre-feet of Gila River water that Arizona takes is being beneficially and consumptively used in Arizona. California does not question Arizona's right to use this water.

Therefore, the second question to be answered by the Supreme Court is:

Where and how must Arizona measure the amount of water it uses from the Gila River?

California says this water must be measured where it is actually beneficially consumed. Arizona says this water must be measured where the Gila River empties into the main Colorado.

But the Gila does not even flow into the main Colorado, as it did in prehistoric days. Today the Gila is all used up—beneficially consumed—in the Phoenix area.

ISSUE NO. 3

Lake Mead is the immense reservoir behind Hoover Dam.

Under the Project Act, California limited itself to taking 4,400,000 acre-feet of 3–A water, plus not more than one-half of the excess or surplus, of which California claims the 3–B water is a part.

There are large evaporation losses in Lake Mead, as there are in other reservoirs of the basin.

Arizona says that California must deduct these losses from its apportioned water.

California says that the water limited to it is a net amount, and therefore the quantity of 3–A water to which California has limited itself is a net quantity of 4,400,000 acre-feet.

The question to be answered here by the Supreme Court is:

Is the amount of 3–A water to which California is entitled a net quantity, or is it subject to reduction by reason of evaporation and other losses in Lake Mead and elsewhere?

After more than 26 years of attempting to agree with Arizona on these problems, California has turned to the United States Supreme Court. California asks strict enforcement of the compact and the Boulder Canyon Project Act. California is not asking for more water from the Colorado River. It only seeks to protect and preserve the water it believes was awarded to it by the Federal contracts.

Under the Constitution, when two or more States are unable to agree through negotiation or arbitration, the only course available is litigation in the highest Federal court.

That is the American way, and that is the fair way.

EXPERIMENTS

It has been charged by California's opponents in the controversy that California is opposed to experiments which might aid in solving the water problems of the West. Of course, nothing could be farther from the truth.

California is not opposed to any experiment by responsible scientists and engineers which might bring about a swifter settlement of western economic ills, and California institutions and individuals conduct innumerable experiments in all fields.

Propaganda issued by California's adversaries in the Colorado River conflict has sought to mislead the public into believing that sea water—of which California has an abundance—can now be converted into fresh water for domestic, industrial, and agricultural use. Therefore, they say, California's water problems will soon be settled, and Arizona can have the water from the Colorado River at once.

This scheme of Arizona's for fooling both the Congress and the public has stumbled over the facts, and has been exposed. California is not opposed to experiments in distilling sea water, but the best scientific minds and institutions in the Nation report that the cost of converting sea water for large domestic use is absolutely prohibitive, and that in all probability a great many years must pass before the feat can be accomplished at a cost anywhere near the price that the water consumer can afford to pay, if ever.

The best known method, that of evaporating sea water, requires more fuel for the necessary heat than is available. To supply evaporated sea water to southern California now, two-thirds of the State's oil production would have to be used each year. The average southern California farmer can afford to pay only $3.50 an acre-foot for water. Under the present system of converting sea water he would have to pay at least 50 times that much. The householder would also pay a prohibitive cost.

It may be that in distant years to come atomic power will be available for such use, but once more the scientists have stated unequivocably that this accomplishment lies far in the speculative realm of the future. Certainly extremely cheap fuel must be used, and with the world facing shortages, and under present costs, the known available fuels of today must be excluded.

Considerable propaganda has been disseminated with the aim of putting southern California in a bad light before other Western States. For example, it has been announced that California has plans for taking water from the Columbia and other rivers of the Northwest. This also is not true. No responsible State official of California ever made such an announcement. No engineer in an official capacity in California ever advanced such a plan. I understand, however, that the United States Bureau of Reclamation has made such statements.

The fact is that southern California does not need to go anywhere but the lower Colorado River for enough water to meet demands for years to come. And southern California believes that it already has that water under its contracts with the Federal Government. Southern California's main concern is in protecting and preserving the Colorado River water awarded to it by these contracts.

While there should be no slackening in the work of experimenting with water developments, there must likewise be no slackening in the effort to settle the controversy that is halting progress. Without a settlement of the present controversy no new projects can be built on the lower Colorado, and this injures all States, not alone California.

PROPOSED ARIZONA PROJECT

For several years Arizona has sought to take an additional 1,200,000 acre-feet of water from the Colorado River for an enormous new reclamation and power project that would cost about a billion dollars.

There already is a deficit of water in the lower Colorado to meet the obligations already undertaken by the Government in existing and authorized projects. This arises in large part from the guaranty of 1,500,000 acre-feet to Mexico, made over California's objections, in the Mexican Water Treaty. Now, Arizona could get the water it wants only by taking it away from California. That means the breaking of the Federal Government's contracts with California. Nevada stands with California in the conflict.

President Truman has stated that the proposed central Arizona project is not in accord with the administration's program for the western United States. The President also has called for prompt settlement of the California-Arizona controversy.

The Bureau of the Budget, the Department of Agriculture, the Federal Power Commission, and other departments and high officials have expressed opposition to the proposed Arizona project. The Department of the Interior and its Bureau of Reclamation have stated that until the lower basin controversy is settled there can be no assured water supply for the project.

In the face of this situation, Arizona is continuing to fight for the billion dollar central Arizona project, and defiantly has introduced measures in Congress asking for its authorization.

Virtually every Government department, including the White House and the Budget Bureau, has reported the Arizona project infeasible under the reclamation laws. But not even this fact has stopped Arizona. To make the project feasible, Arizona is attempting to have the reclamation laws revised, and has introduced legislation designed to accomplish this.

Here are some facts about the proposed central Arizona project:

The estimated cost, made during 1947, is about $738,000,000. This does not include additional millions of dollars that must be spent for supplemental projects necessary to safeguard both the proposed Arizona development and older developments on the Colorado River.

How the cost of the proposed Arizona project is broken down

Power (interest bearing)	$243,798,000
Irrigation (interest free)	397,693,000
Municipal water supply (interest free)	16,605,000
Flood control (at Government expense)	6,641,000
Silt control (at Government expense)	28,097,000
Recreation (at Government expense)	37,459,000
Fish-wildlife (at Government expense)	3,129,000
Salinity control (at Government expense)	4,986,000
Total	738,403,000

In addition to enormous pump lifts—requiring immense amounts of power—subsidiary dams, reservoirs, and hundreds of miles of tunnels and canals, the Arizona project plan calls for the building of Bridge Canyon Dam, located several hundred miles from the land to be irrigated, at a cost of $265,000,000.

This would be a power dam. It is not needed to regulate the flow of the Colorado River. It is included in the project only to supply power for the pump lifts, and to bring in revenues by selling power to California.

Under the project plan, that power revenue is intended to pay not only the cost of operation, maintenance, interest, and retirement of Bridge Canyon Dam, but it is also to be used to retire the irrigation costs of the central Arizona project.

The available power markets are in southern California, and hence these southern California power users would be called upon to pay through higher power rates as much as $2,400 for each acre to provide water for some privately owned land in Arizona which, when fully irrigated, is worth, according to the Reclamation Bureau, no more than $300 an acre.

The Bureau of Reclamation says that the central Arizona project is needed as a rescue project, and that if additional water supplies are not provided in Arizona there would eventually return about 30 percent of the irrigated land to idleness if irrigation were confined to lands which could be adequately supplied.

About 566,000 acres of land presently are irrigated in the central Arizona project area and might benefit directly or indirectly from the project. Thirty percent of this land would therefore be about 170,000 acres, the amount of land that would be rescued and for which the project would be built.

Therefore, the end result of the expenditure of $397,693,000, the part of the central Arizona project allocated to

irrigation, is for the purpose of maintaining agricultural production on about 170,000 acres at a cost of about $2,400 an acre. This is $2,400 per acre for land worth no more than $300.

Evidently Arizona land speculators sold more land than the available water will irrigate. Consequently, one of two things must happen:

First. They must either let 30 percent of the presently irrigable land return to desert in order to conserve the water supply for the balance; or

Second. They must bring additional water from distant places.

Obviously they have chosen the second course, but not at the expense of the private landowners who would be benefited thereby—no—they have chosen to let the American taxpayers and the power users of California pay the cost of bringing in the water Arizona wants.

The Federal Government is asked to put up the money for the proposed central Arizona project—not Arizona. It must be paid back, and interest must be paid on the loan. Arizona's plan would charge power rates that would write off the power investment in 30 years with interest, through the sale of electricity mostly to Californians, and after that apply the net power income to pay for the cost of the Arizona irrigation project.

The entire cost of the Arizona project would be an obligation of the taxpayers of the United States but the electric power users of southern California would be called upon to repay most of it and Arizona landowners and speculators would get the great development virtually for nothing.

But the Arizona project is not financially feasible under present reclamation laws. To make it feasible the laws would have to be revised; the present system for repaying the Government would have to be changed and extended; revenues would have to be taken out of one Federal pocket and put into another Federal pocket, instead of being returned to the United States Treasury to pay interest on the Federal debt that would be incurred to build the project.

The Bureau of Reclamation says Arizona farmers can pay $4.50 an acre-foot for water, but the cost of delivering an irrigation supply of water to the Arizona project over a 50-year period under the present law would be about $18 an acre-foot annually, or approximately four times the charge of $4.50 as estimated by the Bureau. The price of $4.50 would not even be sufficient to pay the operation, maintenance, and replacement expenses chargeable to irrigation. Even under Arizona's proposed modifications of the reclamation laws, the repayment period for irrigation costs would have to be extended to something like 97 to 114 years, or from 47 to 64 years longer than the 50 years now permitted under the law.

The Bureau of Reclamation recommends a charge of 4.82 mills per kilowatt-hour at the end of transmission lines for power from the proposed Arizona project. The Bureau's power figures are very vague and needed specifications are lacking. But the proposed power charge and the proposed charge of $4.50 per acre-foot for irrigation water are far too low to pay the project costs.

The price of Hoover Dam power at Los Angeles, including steam stand-by, is 3.50 to 3.75 mills.

In order to provide sufficient revenue to secure full repayment in the required 50 years, one of the following alternatives would be needed for the Arizona project:

(a) With irrigation water priced at $4.50, the commercial power rate would have to be increased to 8.14 mills, which is ridiculously high; or

(b) A power rate of 5.17 mills would be required to cover fixed and operating costs chargeable to power, and at this rate for power the charge for irrigation water would have to be $17.80 an acre-foot, which water users could not afford to pay; or

(c) With a power rate of 5.17 mills and a water rate of $4.50 an acre-foot, a subsidy from the United States Treasury of $423,605,000 would be required. The Nation's taxpayers would have to pay this to rescue 170,000 acres of privately owned land in Arizona.

So the Bureau of Reclamation, which would build the proposed Arizona project, states that unless the reclamation laws are changed to meet Arizona's proposals, the project cannot be built. Nor can it be built if California's contentions in the Colorado River controversy are sustained.

It is interesting to compare the proposed central Arizona project with the Hoover Dam project, and also with the proposed St. Lawrence seaway.

Hoover Dam and power plant cost approximately $160,000,000. Before it could be built California's municipally owned and private power companies were required to sign electrical energy contracts at rates sufficient to repay the entire cost, with interest, within 50 years. They are paying, and the American taxpayer is making money on the deal, as the interest rate is 3 percent, which is more than the rate the Government has to pay.

The estimated cost of the St. Lawrence seaway is $720,000,000. Of this amount, $322,000,000 would be allocated to power, and $398,000,000 to navigation. The power would be sold, and toll charges would liquidate navigation costs. The entire project is designed to be self-liquidating at the expense of the beneficiaries, returning the original investment to the Government with interest.

From these facts it may be seen to what extent the American taxpayer would be bilked by the proposed Arizona project.

CALIFORNIA'S STAKE IN THE RIVER

California has a great deal more at stake in the Colorado River than has Arizona, and California would suffer far more than Arizona under an adverse settlement of the controversy between the two States. That is because California has invested immense sums of money in Colorado River developments, and Arizona has invested comparatively small sums. California has many times more people to supply with power and water, and has more industry and agriculture entirely dependent on the Colorado River.

Nearly 4,000,000 people have migrated to California since 1940. There are more than 10,000,000 residents of the State. The Colorado does not serve the northern part of the State, but the millions in southern California are now dependent on it.

Only because of the foresight and determination of California's civic leaders do the millions of new residents in the State, the new industries, and the vast national defense plants have an adequate supply of water today.

INVESTMENT OF THE PEOPLE

Altogether the people of southern California have invested or incurred obligations aggregating more than half a billion dollars in projects to bring Colorado River water and power to their farms, homes, and industries. These projects include the Hoover Dam, the Metropolitan aqueduct, the All-American Canal, and many others.

HOOVER DAM

The Colorado River compact was an essential step toward the building of Boulder—now Hoover—Dam, but 6 years passed after it was signed before the battle smoke cleared on Capitol Hill, and the Boulder Canyon Project Act was approved.

As I have said, the dam and power plant, which cost $160,000,000, was not built at the risk of the American taxpayers. Before it was authorized, several public and private utilities signed contracts with the Government agreeing in effect to repay the construction costs, plus interest, within 50 years. This was done through contracts for the purchase of the power produced by the dam. There has been no defaulting on these contracts, and the money which the Government loaned for the dam is rolling steadily back into the United States Treasury with interest at 3 percent.

THE GREAT METROPOLITAN AQUEDUCT

As early as 1923, officials of the metropolitan areas of southern California realized that the water supplies then available would soon be inadequate because of rapidly increasing industry, agriculture, and population.

Distinguished engineers turned to the only source of a new and adequate supply, the Colorado River, even then recognizing it as southern California's last water hole.

These leaders were not visionaries. They were men of courage, conviction, and real vision. They went to the people with their plans, not to the Federal Government. Nor did they propose that the Government and the people of other States pay for their project, as Arizona is doing with the central Arizona project.

The California builders asked the people of California to dig down in their own pockets, to become indebted themselves for general obligation bonds, to have faith and to construct on sound business principles, to stand on their own feet.

Progress came slowly but steadily. By 1932 a group of 13 California cities, including Los Angeles, had created the metropolitan water district of southern California, and work had begun on the

longest and largest domestic water supply aqueduct in the United States. Running from the Colorado River, above Parker Dam, the aqueduct together with its distribution system are 457 miles long. They penetrate mountain barriers and thread across burning deserts. An ultimate supply of a billion gallons of water a day can be delivered to the cities of the California coastal plain. This great aqueduct has cost to date about $220,000,000, and it is being paid for and maintained by the people who receive water from it.

Cities and areas within the metropolitan water district of southern California and their population

Anaheim	14,000
Beverly Hills	30,000
Burbank	78,000
Compton	40,000
Fullerton	14,000
Glendale	104,000
Los Angeles	2,000,000
Long Beach	269,000
Pasadena	110,000
San Marino	12,000
Santa Ana	44,000
Santa Monica	76,000
Torrance	18,000

Coastal municipal water district: Population, 55,000; includes Laguna Beach, Brea.

San Diego County water authority: Population, 480,000; includes San Diego, Oceanside, National City, La Mesa, Chula Vista, El Cajon.

West Basin municipal water district: Population, 156,000; includes El Segundo, Manhattan Beach, Hermosa Beach, Redondo Beach, Palos Verdes Estates.

Total population served, 3,510,000.

OTHER CALIFORNIA PROJECTS

In addition to Hoover Dam and the aqueduct, the people of southern California have contracted to pay, and are paying, for the All-American Canal—$78,000,000—which carries Colorado River water to the fertile Imperial and Coachella Valleys; for Parker Dam—$12,400,000—which regulates the flow of the Colorado below Hoover Dam and provides a storage reservoir from which water is taken into the metropolitan aqueduct; for the San Diego branch of the aqueduct—$15,000,000—and for the high-voltage transmission lines which carry Hoover Dam power, $56,000,000.

Contrast these great developments with the plan for the central Arizona project. California has paid its own way, the people putting up their own money to build for their farms, their homes, their industries on sound and fair business principles. Southern California has borrowed large sums of money from the Federal Government, but only under contracts to repay it, with interest. The people of southern California have not asked the Government, or the people of another State, to pay for these projects.

Arizona wants the biggest single reclamation and power project in history, wants the Government and the people of other States to pay for most of it, and wants to leave the taxpayers of the Nation holding the bag.

What would happen if Arizona got this fantastic project it wants? This is what would happen:

First. Water for the Arizona project would have to be taken from the people of southern California, from people who have always paid their own way, from people who invested half a billion dollars of their own money in Colorado River developments, believing their investments secure under contracts for water with the Federal Government.

Second. Although their water, the water southern California needs for any future progress, would be gone if the Congress were to approve the Arizona project, the people of southern California would have to continue to pay off their obligations for their own water projects. They would have to pay these obligations whether they had any water or not, for these are inescapable debts, in part to the Federal Government and the balance to private bondholders. The people of southern California have pledged themselves to pay for Hoover Dam, and all the other projects corollary to it, and from that pledge they cannot turn.

Arizona has asked that the reclamation laws of the Nation be weakened in order to make the central Arizona project legally feasible.

Southern California is proud of the fact that it has asked the Federal Government for nothing that it was unwilling to repay in full.

It has repaid to date $9,500,000 in return of capital investment, and about $41,000,000 in interest to the United States Treasury.

The metropolitan water district taxed the real property of the people to pay over $5,000,000 to the Government for electric power which at the time it was not yet ready to use.

The Government's investment in Hoover Dam is about $142,000,000. When California has completed its payments, the Government will have received back that $142,000,000, and in addition will have paid into the Treasury a replacement fund for the power plant.

After all these sums are paid off, who will own Hoover Dam? Will California own it? No. The Government will still own Hoover Dam and the power plant, and at a profit to the American taxpayers.

Southern California will not boondoggle at the expense of the American taxpayer, and we do not believe the American taxpayer wants any other area to do it.

I repeat that the Colorado River controversy is more than a fight over water. It is a fight being waged by the millions of people in southern California who, believing in the integrity of contracts with their own National Government, have mortgaged themselves for more than half a billion dollars. That is money that comes from the small householder, the farmers, and industry alike.

These questions and problems now before the Congress are questions and problems that must be resolved if western development is to go forward on a sound basis.

The SPEAKER pro tempore (Mr. O'NEILL). Under previous special order of the House, the gentleman from California [Mr. HOLIFIELD] is recognized for 15 minutes.

ATOMIC WARFARE LEAVES MANKIND NO PLACE TO HIDE

Mr. HOLIFIELD. Mr. Speaker, I have a terrifying sense that we of the Eighty-first Congress are standing still in the midst of rapidly unfolding events. We are at the bedside of a sick world, which is awaiting the doctor's verdict. Will it survive, or is this the beginning of the end? In the President's state of the Union message to the Congress, these words ring out sharp and challenging:

> We stand at the opening of an era which can mean either great achievement or terrible catastrophe for ourselves and all mankind.

This challenge, as I interpret it, has not yet been answered. It must be answered today. Tomorrow may be too late.

I mean, in the plainest sense, that we, right here and now, in this Congress, must meet the challenge of the atom bomb.

As a member of the Joint Committee of the House and Senate on Atomic Energy and as a Member of Congress who witnessed the Bikini tests as an official observer, I am alarmed at the policy of ignoring the job of educating the Congress and the American people to the real meaning of the atomic discoveries.

There are those who say the atom bomb is in very good hands. We hold the secret. No one can touch us or catch up with us.

But is not this placing a comic-strip simplicity upon the most important and most dangerous problem of our time?

We have received reports from the Atomic Energy Commission. We have heard the pronouncements of men of the Army or of the Navy, and of science and the laity. We have read of atomic developments in America, in Canada, in France, rumors of Russia's part in atomic progress.

But what do we really know of the atom bomb?

What do we have a right to know? Let us face that question squarely. Let us answer it now.

We do not, of course, want any military secrets disclosed to a potential enemy. But most of the secrets of the atom bomb—as we have been told many times—are not actually secrets of scientific fact, but of technical know-how, which other nations can acquire in time.

What we are entitled to know is this: What will the atom bomb do to you and to our children? To our Nation? To our civilization? These are fair questions—questions to which people living in a democracy have a right to demand the answers.

Have the custodians of our defense been entirely frank with us on this subject? I do not think so, and there are many others who do not think so. We believe that secrecy on this subject has been overextended, for one reason or another. And we believe this unjustified margin of secrecy is dangerous to the security of our Nation, not to mention our own personal welfare.

I think it is high time we realize that the days of the simple bomb which causes damage through explosion and

fire alone are over. This is the atomic age, and it can be the atomic age of world destruction or the creative age in which a new world is built. But I am afraid that the minds of many of our leaders are not yet keyed to the New Mexico explosion which blasted us over the borderline of a new era. It is characteristic of preatomic thinking that we are being protected from a truth, which is ours to know, and which may ironically be the very salvation of our civilization.

It is also characteristic of preatomic thinking that our Navy Department is going ahead with the construction of a 65,000-ton carrier at a cost of $124,000,000. This, in blitheful disregard of the fate of the target fleet at Bikini, which was virtually wiped out by atomic explosion, fire, and radiation.

This new bomb which man's inventive genius has devised—this atom bomb—unlocks the energies of the universe. It is a colossal booby trap which, long after it has exploded, can kill and maim and destroy and infect with the most terrible disease yet known to mankind. It is a disease for which there is no known cure. It is the disease of radiation.

Unfortunately, the average human mind cannot conceive of the extent and magnitude of the consequences which may result from radioactivity in the wake of the atom bomb, and the presence of dangerous fission products. Yet it is vital that we think of consequences when we are handling man's most destructive toy.

I should like to direct the attention of this body to a document which I consider of urgent and extreme importance in accenting the challenge of the atom bomb. It is a recently published book which is very appropriately and ominously titled "No Place To Hide." The author, a man with no ax to grind, conveys a message which we cannot, for the sake of life itself, afford to ignore. Dr. David Bradley, the author of this book, was at Bikini, and saw for himself what an atom bomb can do to ships, islands, seaports, harbors. He was able to judge what it could do to human beings. As a radiological monitor with the task force which made the Bikini tests, Dr. Bradley concentrated on the dangers of unseen radiation to living tissue and especially to human beings.

Dr. Bradley deplores the fact that so little of this information has reached the public, who will replace the goats and guinea pigs in a future war. Such censorship, Dr. Bradley holds, is dangerous in that it lulls Mr. Average Man into a false sense of security. It paralyzes any action he might be spurred into taking, so that methods might be found to prevent another war. After all, and these words are mine, it is Mr. Average Man who fights the wars, and in the future he may not even get a chance to fight at all. He may only have an opportunity to die. Therefore, it is Mr. Average Man's right to know the nature of this weapon which hangs suspended over the entire world today.

Let me say it again in Dr. Bradley's words. He was there at Bikini, and he says:

The Bikini tests have never received much attention. The accounts of the actual explosions, however well intended, were liberally seasoned with fantasy and superstition, and the results of the tests have remained buried in the vaults of military security.

That sort of security is itself a superstition, and a dangerous one—

Says Dr. Bradley who witnessed the realism of the Bikini mushroom. He adds:

It fosters misconception or, what is worse, indifference, and ultimately results in procrastination, half-measures, and hysteria. There is nothing particularly difficult or mysterious about the scientific principles upon which an atomic explosion is based. Students all over the world are verifying them in the laboratory and applying them to future research. For some reason Americans have found comfort in the phrase "our industrial know-how." This know-how—

Says Dr. Bradley—

is our Maginot line. Surely our days of grace under this magic symbol are running out.

Operation Crossroads, as the Bikini tests were known, provided the clearest measure yet of the menace of atomic energy, Dr. Bradley writes. He says:

Less spectacular perhaps than Hiroshima and Nagasaki, the Bikini tests give a far clearer warning of the lingering and insidious nature of the radioactive agent which makes it such an ideal weapon for use on civil populations.

Much that was learned at Bikini, Dr. Bradley points out, has been disguised in the esoteric idiom of the scientist. But the really great lessons of the experiment, he declares, belong to no special group, but to all mankind.

The atomic era—

He says—

is now man's environment, to control, or to adapt himself to, as he can.

Man has it in his power to control the use of the atom bomb, but once released there is no force known to man which can check the effects of radioactivity. Dr. Bradley writes:

I can think of no fact demonstrated by the Bikini tests, which is more important in its widest implications than this difficulty in ridding the habitable surfaces of our world of contaminating fission products.

And here is another significant warning which I believe should be burned into our memories:

We can't predict—

Dr. Bradley states—

to what degree the balance of nature will be thrown off by atomic bombs. We certainly have little idea what the long-range effects on our lives would be from an all-out atomic war, devastating our shores, our fish, and our agricultural industries.

Let us not console ourselves that our defense program will keep us safe, and that the fate of being boiled in unseen radiation is reserved exclusively for our future enemies. There is no real defense against atomic weapons. That is the most significant point which Dr. Bradley makes in his book:

There is no real defense against atomic weapons.

Secondly, Dr. Bradley states:

There are no satisfactory countermeasures and methods of decontamination.

And the third point of emphasis is:

There are no satisfactory medical or sanitary safeguards for the people of atomized areas.

Finally, Dr. Bradley states:

The devastating influence of the bomb and its unborn relatives may affect the land and its wealth—and therefore its people—for centuries through the persistence of radioactivity.

I do not intend to recapitulate all of the Bradley book here although it would be well worth the time. I would like, however, to suggest that it be carefully studied by every Member of this Congress who is seriously concerned with the welfare of the Nation and his own family.

The greatest failure of the Bikini tests, Dr. Bradley points out, has been in apprehending their sociological implications.

Evidently—

He says—

the bomb has failed to impress more than a few congenital pessimists with the full scope of its lethal potential. This error in publicity—

As Dr. Bradley calls it—

might be justifiable on the basis of strict military secrecy. In the long run, however, the one thing more dangerous than informed governments abroad will be an uninformed American opinion.

This is not a political problem, Dr. Bradley says, so much as it is a biological problem:

It is not the security of a political system but the survival of the race that is at stake in the indiscriminate use of atomic energy for political coercion.

In the light of these words, I should like to call for the following action.

I recommend that this Congress demand that the full facts of the Bikini atom bomb tests, insofar as they apply to the destructive effects of the bombs, be laid bare before the American public.

The full report of the Joint Chiefs of Staff on the Bikini tests—shorn of legitimate military secrets—has not been given to us. Defense Secretary Forrestal has preferred not to worry us with the bothersome details. If this information is not forthcoming from the military within a reasonable time—and, ladies and gentlemen, in this atomic age there is no time to be lost—then I recommend that the Congress establish its own investigation into the reasons why this vital information is being withheld. I believe the American public is entitled to know the amount of radiation released by the Bikini bombs. This fact will provide a key to determining possible damage to cities and other targets in the event of an atomic war. This, I hold, is knowledge which will help prevent another war. The truth about atomic warfare is perhaps the only real defense we have today against the possibility of such a war breaking out.

When every man understands the consequences of the atom bomb, then he and his leaders can more actively and intelligently assume the responsibility for maintaining world peace. And world peace must be the goal of all of us—or we may not live to achieve any other.

In conclusion, I challenge the Secretary of National Defense to tell the American people the truth about the terrible impact of atomic warfare. Specifically, I think he should tell the people, what the results would be of underwater explosions of atomic bombs at points offshore and upwind from the following centers of population, industry, and key military installations: New York City; Chicago; Baltimore; Washington, D. C.; Seattle; San Francisco—Mare Island; San Diego—Naval and aircraft installations; Norfolk, Va.—Hampton Roads; Honolulu—Pearl Harbor; Panama Canal and locks.

If Mr. Forrestal declines to answer this challenge, I charge the noted scientists who created this Frankenstein at the expense of the American people, to answer my challenge.

Mr. MANSFIELD. Mr. Speaker, will the gentleman yield?

Mr. HOLIFIELD. I yield.

Mr. MANSFIELD. Will the gentleman tell the House how many of the ships which were involved in the Bikini experiment are still afloat?

Mr. HOLIFIELD. I cannot give you the exact information, but several of the ships were sunk at the time of the explosion and several of them developed underwater leaks and sank later on. Some of them are still afloat and are being used in experiments in an attempt to find a formula to reduce radiation which still is imbedded in the steel, paint, and metals of the ships.

Mr. MANSFIELD. Then the gentleman says that after all these years, following the experiment at Bikini, some of the ships which were involved in that experiment are still radioactive?

Mr. HOLIFIELD. The carrier *Independence* which is now moored in the Mare Island Navy Yard and which was in the Bikini test is quarantined at the present time. People are not allowed to go on the ship for any extended length of time because of the radioactivity that is still in the ship, and it is almost 3 years now since the explosion.

Mr. MANSFIELD. What has happened to the natives who were removed from Bikini? Have they been returned to Bikini, or if they have not, why not?

Mr. HOLIFIELD. I believe the natives are on Rongerik Island. They have not been returned to Bikini, and it is the scientific opinion that they should not be returned to Bikini because of the radioactivity which still exists in the lagoon, which is inside the coral atoll of the Bikini Islands.

Mr. BATES of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. HOLIFIELD. I yield.

Mr. BATES of Massachusetts. I just wanted to correct the gentleman's statement insofar as the Bikini natives are concerned. They were moved to Rongerik but the situation was found unsuitable for them there, and they have been moved back to Kwajalein and now a permanent settlement is going to be located for them somewhere in that area.

Mr. HOLIFIELD. I am glad to hear that they have been moved from Rongerik, because when I visited Rongerik in 1946, the natives complained about facilities there. Kwajalein is an island, I believe, more than 150 miles away from Bikini lagoon.

Mr. POULSON. Mr. Speaker, will the gentleman yield?

Mr. HOLIFIELD. I yield.

Mr. POULSON. Is it not true that the military heads of our Government think that by keeping us in the dark about all of these secrets, they can keep us in a state of fear so that we will agree to follow them in every line of their program of defense. As long as we do not know the facts, we cannot discuss them on their merits, and we are unable to form any opinion other than following the program that they lay down.

Mr. HOLIFIELD. It is my calm judgment that the $15,000,000,000 military budget, which is now on the backs of the American taxpayer could be drastically reduced if the facts of atomic warfare were made known to the people of the United States.

EXTENSION OF REMARKS

Mr. SHAFER asked and was given permission to extend his remarks in the RECORD, and to include an address by Senator GEORGE MALONE, of Nevada.

Mr. NORBLAD asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. PRICE asked and was given permission to extend his remarks in the RECORD and include a resolution adopted by the American Legion Post at Belleville, Ill.

The SPEAKER pro tempore. Under the previous order of the House, the gentleman from South Carolina [Mr. RIVERS] is recognized for 30 minutes.

REPEAL OF THE TAX ON OLEOMARGARINE

Mr. RIVERS. Mr. Speaker, it is a pleasure to me to inform the Members of the House, who may not have otherwise been informed, the great Committee on Agriculture has set March 1 for the beginning of the hearings on the many proposals to remove the so-called tax from margarine.

As every Member of the Eightieth Congress and the other Congresses since the Seventy-seventh knows, each year I have introduced a bill to remove the so-called tax from margarine. After 7 years of waiting, begging, and pleading with the membership of this, the greatest deliberative body in the world and after having been summarily turned down by the Committee on Agriculture during the second session of the Eightieth Congress, 218 Members of the former Congress signed my discharge petition and on April 28 of last year, H. R. 2245 passed this branch of Congress with not one single solitary amendment attached thereto, saving and excepting clarifying amendments as to effective dates of the act.

Each of you recalls that the other body failed to consider my bill in spite of the fact that the committee having jurisdiction reported it out unanimously and it took its place on the calendar but was never called up for consideration. Had it been considered, I would not be on this floor again reminding you that this so-called tax, which is nothing but a ransom, an extortion, and a tribute exacted from the housewives of this Nation for the privilege of eating margarine, should be removed and that the American public should not be an unwilling conscious party to a program which penalizes one industry for the benefit of another and at the same time add insult, injury, and endless confusion to one's ability to purchase margarine.

My bill this year is as simple as the ABC's. I read it in its entirety as follows. It has two paragraphs of one sentence each:

> That, effective July 1, 1949, section 2301 of the Internal Revenue Code (relating to the tax on oleomargarine) is repealed.
>
> SEC. 2. Effective July 1, 1949, part I of subchapter A of chapter 27 of the Internal Revenue Code (relating to the occupational tax on manufacturers, wholesalers, and retailers of oleomargarine) is repealed.

My bill simply means that the tax on margarine from the cradle to the grave is removed whether it be on the manufacturer, wholesaler, or retailer; consequently, relieving the consumer from the burden of any hidden tax or ransom.

During the year just passed it has been estimated that between eight hundred million and a billion pounds of margarine was consumed. It has been suggested that at the rate of 10 minutes a pound spent by the housewives of the Nation during the last year in coloring, a conservative estimate of 625,000,000 pounds, the American housewives spent the incredible time of 11,891 years at the task. Again I say to you that this is a conservative estimate. I believe at least 800,000,000 pounds of margarine was colored, in which case at least 13,000 years would have been spent. I tell you this is a disgrace, it is unfair, it is unreasonable, and it is un-American. Is it any wonder, therefore, that every individual in America gets boiling mad when he is compelled to mix a pound of margarine when its competitor, butter, which is far beyond the reach of the poor man to purchase, is permitted to be colored 8 months out of the year every year and is sold without any disabilities and penalties attached to its manufacture, sale, or distribution.

I make the broad prediction that never again will butter be in any position to compete with margarine because the people of this Nation have found margarine to be a wholesome, healthful, and nutritious product. It is produced from pure, refined domestic oils, at least 60 percent of which comes from cottonseed, about 35 percent of which comes from soybean, and the remainder from peanut oils. It is almost impossible to contaminate a refined oil; consequently, no germs are ever transmitted by the touch of the human hand. In addition to all this, every pound of margarine sold contains some 13,000 USP units of vitamin A.

Frankly, to this very day I have no idea what the cost of butter is—it has been so many years since I purchased a pound. But I know this, regardless of its cost at this very moment, I would buy margarine if they both were the same price because I have learned through necessity that it is butter's superior and

not its inferior. And it is un-American, to say the least, to place the strong arm of the United States Government between the humblest citizen in the land and the purchase of margarine.

Many of those who want to continue to bludgeon the American people by retaining this ransom try to bring out the old bogey that this is a fight between the dairy farmer and the Margarine Trust. Personally, I do not know any of the margarine trust. Neither do I know any of the Butter Trust, neither of whom concerns me. But I can state this: Recently it was admitted that less than 1 percent of the dairyman's income was derived in the State of New York from the sale of cream for butter. The dairy farmer sells a lot of milk to the margarine manufacturers. He sells a lot of milk for human consumption. He sells a lot of cream to be processed into ice cream, cheese, and other commodities, and he has found that the Butter Trust takes the profit out of his cream and he gets so little he is now looking to greener pastures for profits. Were the taxes to be removed from margarine it would not affect him in the slightest. I tell you the day will come when butter will be as hard to get as sharp cheese, whose price now is as sharp as its taste.

Let us see just what disabilities are placed on the manufacture, distribution, and sale of margarine. The manufacturer's tax is $600. The wholesaler's tax is $460, if margarine is distributed colored and $200 if it is distributed uncolored. The retailers of colored margarine pay a tax of $48, and the retailers of uncolored margarine pay a tax of $6. These schedules were the result of the Organic Act taxing margarine of 1886 and the subsequent act of 1902. All these, plus those imposed by an excess of 15 States in the Union, run the cost of margarine to at least 10 or 15 cents extra a pound, and I compute that in this way.

The Treasury Department requires an elaborate bookkeeping set-up by the manufacturers, wholesalers, and retailers in order to fully comply with the statutes and regulations and schedules promulgated thereunder. Therefore, the cost in maintaining these books, records, and the collection of taxes imposes a great amount of work and expenditure of money from the manufacturer to the ultimate sale of margarine, so that when the final pound is purchased by the consumer all these hidden costs are computed, and it is he who pays the freight.

This is not the whole story. The National Association of Retail Grocers testified last year in effect before the Agriculture Committee that at least half of the retail grocery stores in this country have less than $10,000 annually. Consequently, the vast majority of them fail to stock margarine due to the small profit and because of the Federal tax and the consequent fear of penalties being exacted for failure to follow regulations.

Follow this information, if you will, to the crossroad stores and the stores in small towns where the big chains never go. You know these small grocers do not keep an elaborate set of books, and, from their experiences with the recent contemptible OPA, they live in mortal fear of the Federal Government, and so long as the sword of Damocles hangs over their head they will have nothing to do with anything in which the Government is concerned.

Now add all these things together and conjure in your own minds the countless thousands of people in this Nation who have been deprived of even an opportunity to purchase margarine regardless of the extortion extracted or their abilities to purchase it.

I say to you again and again that the American people are holding us directly responsible for these inequities. I am confident that the Committee on Agriculture this year will be responsive to the will of the American people and I am certain when the record of the Eighty-first Congress is written, the credit will go to us for restoring free competition to a free market in the good old American way.

Mr. WHITE of Idaho. Mr. Speaker, will the gentleman yield?

Mr. RIVERS. I yield.

Mr. WHITE of Idaho. Does the gentleman take into consideration the fact that the farmers who engage in the dairy industry and the keeping of milch cows depend upon the animals to build up the fertility of his soil?

Mr. RIVERS. Of course. I lived on a farm the greater part of my life; and I will say to the gentleman from Idaho, where they grow the finest potatoes next to South Carolina of any place in the world, that not 1 percent of the income of the farmers of the great State of New York comes from cream processed into butter.

That is the worst bogey ever held before the dairy farmers of this Nation. This does not militate against them. The farmers of this Nation have found out there is no money in cream for butter. That is a losing proposition. The war taught them many other ways to use cream and milk for various processes. They sell milk in the market and they sell cream for ice cream, for cheese, and other products.

Mr. WHITE of Idaho. Mr. Speaker, will the gentleman yield further?

Mr. RIVERS. The gentleman should listen for a moment. It is a losing proposition to the farmers of this Nation, and I refer to the dairy farmers, to be lulled into that proposition. It is crazy. Why, in the great State of Nebraska they converted their creameries into margarine-manufacturing plants, as the gentleman well knows.

Mr. WHITE of Idaho. The gentleman has the floor and I do not want to interrupt him, but I would remind the gentleman from South Carolina that it is not a losing proposition for the manufacturer of these cheap butter substitutes and the use of excess oils and fats in competition with the dairy industry, breaking down the backbone of agriculture.

Mr. RIVERS. The gentleman is always right, but he is wrong today.

Mr. DAVIS of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. RIVERS. I yield.

Mr. DAVIS of Wisconsin. From the gentleman's comment, then, I judge that he is completely in accord with the bill that has been introduced by the gentleman from Minnesota [Mr. AUGUST H. ANDRESEN] and the gentleman from Indiana [Mr. WALSH] which would repeal the tax but at the same time would make it illegal to sell oleo in a yellow color?

Mr. RIVERS. I have been in Congress only 10 years. I am like the gentleman, wary of any Greek bringing gifts to me.

Mr. DAVIS of Wisconsin. Is the gentleman opposed to that bill?

Mr. RIVERS. The authorship is enough for me to stop, look, and listen.

Mr. DAVIS of Wisconsin. Is the gentleman speaking of the Walsh bill?

Mr. RIVERS. I am speaking for RIVERS. Has the gentleman read my bill?

Mr. DAVIS of Wisconsin. I am asking about the authorship of that bill.

Mr. RIVERS. I do not read every bill introduced, neither does the gentleman.

Mr. DAVIS of Wisconsin. I am telling you that the gentleman——

Mr. RIVERS. I am telling you, too, I am for the Rivers bill. It is the greatest piece of legislation ever struck off by the hand of man.

Mr. HOFFMAN of Michigan. Mr. Speaker, a point of order.

The SPEAKER pro tempore. The gentleman will state it.

Mr. HOFFMAN of Michigan. The gentlemen are out of order in using the term "you" to each other. It is contrary to parliamentary principles.

Mr. RANKIN. Yes; they ought to say "'you all."

Mr. HOFFMAN of Michigan. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. Does the gentleman from South Carolina yield for that purpose?

Mr. RIVERS. Certainly.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. HOFFMAN of Michigan. Are any other speakers to follow the gentleman who now has the floor?

The SPEAKER pro tempore. There are.

Mr. HOFFMAN of Michigan. May I know how many? I wanted to get the gentleman's time extended, if it was not out of order.

The SPEAKER pro tempore. Two.

Mr. HOFFMAN of Michigan. I thank the Chair.

Mr. RIVERS. I have been here about 8 years. I do not think I have ever interrupted the gentleman, and he has made many, many tirades on this floor. I wish he now would permit me to continue with my time. When the gentleman gets his own time, I will be very glad to listen to him.

Mr. HOFFMAN of Michigan. The gentleman misunderstood me.

Mr. RIVERS. Mr. Speaker, I do not yield any more. Does the gentleman understand that?

Mr. HOFFMAN of Michigan. No. I just want to know whether the gentleman wants a bigger audience, that is all.

Mr. RIVERS. Mr. Speaker, I do not yield any more.

I yield to the gentleman from Wisconsin.

Mr. HOFFMAN of Michigan. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore. The Chair will count.

Mr. HOFFMAN of Michigan. Mr. Speaker, I withdraw the point of order.

Mr. DAVIS of Wisconsin. In view of the advertising I am sure we have all seen in some chain stores in the southern part of the country, which are advertising yellow-colored oleo and the pure dairy product at exactly the same price, how does the gentleman reconcile that with the statement that he feels that the housewives are being discriminated against by this tax?

Mr. RIVERS. I am so busy looking after my constituents I have not had time to visit all the chain stores in the South or any other part of the country. If the gentleman wants to take the time to do that, I will be very glad to help him get a leave of absence. What about the gentleman's part of the country? How are things coming along up there?

Mr. DAVIS of Wisconsin. Butter being a superior product——

Mr. RIVERS. I assume the gentleman does not want any of his constituents to eat margarine.

Mr. DAVIS of Wisconsin. Under the State law, very few of them are permitted to do that. It is not the Federal law that is doing that.

Mr. RIVERS. I am very fond of the gentleman from Wisconsin, but also very fond of my constituents.

Mr. WHITE of Idaho. Mr. Speaker, will the gentleman yield?

Mr. RIVERS. I yield.

Mr. WHITE of Idaho. I suppose the gentleman also thinks that synthetic cheese is as good as the natural product? Is that his contention?

Mr. RIVERS. The gentleman speaks for himself in tones very eloquent at times.

Mr. WHITE of Idaho. Would the gentleman advocate carrying this thing through with synthetic butter and synthetic cheese? Would he be in favor of synthetic cheese?

Mr. RIVERS. What about synthetic Idaho potatoes?

Mr. WHITE of Idaho. They would be good if you had a way of making them.

Mr. RIVERS. If there were a way of making them, I bet you would find it.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. RIVERS. I yield to the gentleman from Mississippi.

Mr. RANKIN. Have we not just about got around to the point of using synthetic money?

Mr. KEATING. Mr. Speaker, will the gentleman yield?

Mr. RIVERS. I yield to the gentleman from New York.

Mr. KEATING. I was necessarily off the floor a moment and do not have the benefit of all the gentleman's views on this subject, but I understood that he had expressed himself as feeling that this legislation was not properly before the Committee on Agriculture. I agree entirely with that statement. I think that any bill relating to a tax should be before the Committee on Ways and Means. I have introduced a resolution to that effect and have been urging that the Committee on Rules hear me on the resolution. Does not the gentleman agree that anything relating to a tax should be before the Committee on Ways and Means?

Mr. RIVERS. I do, but this is not a tax, this is an extortion. This goes before the Committee on Agriculture. It is not a tax.

Mr. KEATING. That is the reason the gentleman thinks it is before the Committee on Agriculture?

Mr. RIVERS. It is not a tax, it is an extortion, a ransom. Does the gentleman know what a ransom is? If he does not, there are 60,000,000 housewives in the country who do.

Mr. KEATING. What is that word?

Mr. RIVERS. Ransom, not rancid. It would not apply to oleo, and I refer that to the gentleman from Greenville, S. C., who has a fine margarine producing plant in his district.

Mr. BRYSON. That is certainly right. Our people are thriving on it. We have the healthiest, finest children in the country. That is true of the general use of margarine.

Mr. RIVERS. I disagree with the gentleman about the healthiest children. I am glad to hear the gentleman say he favors the repeal of the margarine tax. However, the healthiest children in the United States are in the first district of South Carolina.

EXTENSION OF REMARKS

Mr. CHURCH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include the summary of an address by Kenneth deCourcy. I am informed by the Printing Office that it will exceed two pages of the RECORD and will cost $177.50, but I ask that it be printed notwithstanding that fact.

The SPEAKER pro tempore. Without objection, notwithstanding the cost, the extension may be made.

There was no objection.

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Texas [Mr. PATMAN] is recognized for 25 minutes.

(Mr. PATMAN asked and was given permission to revise and extend his remarks in the RECORD and include therein certain statements, excerpts, and articles.)

CONCENTRATION OF ECONOMIC POWER THREATENS NATIONAL ECONOMY

Mr. PATMAN. Mr. Speaker, I am disturbed about the constant concentration of economic power.

I would like to call to the attention of the Members a series of editorial messages paid for by McGraw-Hill Publishing Co., which are appearing periodically in the Washington Post and other leading newspapers. The latest full-page article which was printed in the Washington Post on February 17 is entitled "Now Is the Time To Fight Socialism in Washington." McGraw-Hill Publishing Co.—itself a tremendous organization, which includes not only the publishing company but also McGraw-Hill International Corp. and McGraw-Hill Book Co.—publishes the trade magazines and catalogs for many industries such as aviation, coal, electrical, and textile. It is, of course, to the company's interest to see that big business has unlimited funds for new plants and equipment, and new publications.

These articles are simply and compellingly written and might be very persuasive to a reader not acquainted with the approach big business uses to destroy the laws protecting the consumer, the small-business man, and the farmer against exploitation. This method of attempting to influence legislation is not new.

EFFECTIVE PROPAGANDA POINTED OUT BY PRESIDENT TRUMAN

As President Truman stated last fall in describing the method used by the National Association of Manufacturers to defeat the Office of Price Administration:

> In 1946 the NAM set out on a well-planned and well-financed campaign to destroy price controls. The NAM spent a million and a half on newspaper advertising. They sent their own speakers to make a thousand talks before women's clubs, civic organizations, and college students. A specially designed publication went to 37,000 school teachers, another one to 35,000 farm leaders and still another to leaders of women's clubs. There never was a more vicious or better organized campaign to mislead and deceive the American people.

This McGraw-Hill series is designed to protect big business from increased taxes and defend big corporations that withhold huge earnings from the stockholders. The argument advanced is that if big industries are taxed to any appreciable extent, they will not be able to expand or retool and will deteriorate until—and I quote—"America follows Britain down the economic skids." Using England as an example to America does not seem logical to me. There were special conditions which drove the British to socialization which have no practical application as far as our country is concerned. Facts and figures concerning American industry show that unlike the British, American corporations under Democratic administrations have more than tripled the amount expended on new plants and equipment from 1939 to 1948. The amount spent for plant and equipment increased from $5,200,000,000 in 1939 to about $17,100,000,000 in 1948. As stated in the 1948 report of the Joint Committee on the Economic Report, "it appears that corporations by and large finance their expansion of fixed-capital facilities in the immediate postwar period by funds generated through their current operations."

RETAINING EXCESS PROFITS

Last year out of over twenty billion net corporate profits, $7,000,000,000 were distributed as dividend payments and thirteen billion were retained by the corporations. If as much as two-thirds of these profits had been paid to the stockholder, then approximately seven billion more dollars could have gone to the individual stockholders. These figures are a clear warning that too much capital and too much power are in the possession of too few corporations. There is your danger of socialism. If the competitive character of our business system is not kept alive by a fair distribu-

tion of profits, we shall have to expect: First, an increasing private monopolistic control of American business; and, second, an increasing degree of public regulation and even public operation. Mr. Truman outlined this increasing danger from the control of too much power in too few hands when he said:

The plain facts on monopoly are these: Two hundred giant industrial corporations own nearly half of all our industrial assets. One hundred commercial banks control one-half of all the bank deposits in the United States. Three steel companies own 59 percent of all the ingot capacity of the United States. Two corporations produce 83 percent of all the tin cans. These facts shout a warning to all of us. They mean that big business can manipulate prices and production at its own discretion, regardless of the public good. That's not healthy for this country—it's the biggest threat there is to our free-enterprise system.

SMALL BUSINESS AND FAMILY-SIZED FARMS

Because of these facts I must disagree with the premise of McGraw-Hill that socialism can be combatted by increasing the profits retained by big business. Let us do fight socialism by reinvigorating the forces of competition, by giving the small-business man an even break, and by making some of the excess profits of corporations available to other groups, such as the farmer. For instance, our Government could well use some of those excess profits to increase the amount of money available through the Farmer's Home Administration for farmers to buy their own homes. Let us restore a balance to our economy now by assisting the small business and the family-size farm. Yes, McGraw-Hill; let us do fight socialism in Washington, by protecting the small business from manipulated prices and unfair competition, by making credit opportunities available to small business and the family-size farm, by assisting in the improvement of health, housing, and education for the average consumer in both urban and rural areas.

COSTLESS CAPITAL

Another article by the McGraw-Hill Publishing Co. recently made astounding disclosures. Those disclosures were that the larger concerns of our country expected in the next 5 years by expending $55,000,000,000 to expand their plant capacity. The alarming and disturbing thing about that is that they were going to get three-fourths of that money not in the market place, not by issuing stocks, not by selling bonds, the traditional free-enterprise method of raising capital, but were going to raise money by increasing prices and make the consumers pay. Three-fourths of that $55,000,000,000 was going to be so raised.

CAPITAL MARKET DRYING UP

In the last few years, that is what has been going on. That is the reason capital markets have dried up. That is another reason why stocks are not selling any better than they are. Since the basing point has been outlawed, there is no reason why we should not have cement plants, for instance, scattered all over the country wherever we have enormous deposits of limestone that can be used for that purpose, and there are many such places. But they have slowed down. There is no available capital. The capital markets have dried up. That is an alarming situation.

HUGE EARNINGS IN 1948

Last year in 1948 the private corporations of our country earned and set aside as profits, after paying all taxes, local, State, and Federal, including income taxes, $21,700,000,000. That is four times as much as they normally earned, or what they earned on an average prior to 1939.

Before 1939 and before World War II it was customary that two-thirds or more of the earnings would be distributed to the stockholders. From 65 percent to 70 percent of all the earnings of a corporation were distributed to their stockholders. Since the war it has changed. They only distribute one-third to their stockholders. They retain two-thirds in the company. To be exact, in figures, it is $21,700,000,000 which these corporations earned last year after the payment of all taxes and they normally would have distributed $14,000,000,000 of that to their stockholders. But they did not do that. They distributed only $7,000,000,000 and retained approximately $14,000,000,000 for themselves. That is under the jurisdiction and authority of the officers and directors of these concerns to use as they want to use that money. That is a serious proposition. That is one reason we do not have capital markets today, because the money is not being paid out. If that extra $7,000,000,000 had been paid out to the stockholders as was done under normal conditions preceding World War II, the stockholders would have had that extra $7,000,000,000 to deposit in their own small businesses, or to buy stocks in large concerns, or to use in whatever way they chose.

A WAY OF TAX AVOIDANCE

There is a reason why these larger concerns did not pay out more now. Many of their stockholders are in the high-income brackets. I suspect that they are the ones who have a great deal to do with the control and manipulation of these concerns. When they received this $21,700,000,000 in earnings, if they paid it out to their stockholders, the stockholders would have to pay income taxes on it, too, which they should under the law and as it has always been, and which is just and proper. But if they can induce the corporation to retain as much as possible of their earnings, and then invest it in plant capacity, or to buy up their competitors, or to invest in new businesses or new concerns, then when they finally get the benefit of it, they do not have to pay in the high-income brackets, 65 percent or 70 percent or 85 percent or 90 percent, and they only would have to pay the limit of 25 percent as a capital gain. So taxwise it helps them, but it is ruinous to the country. It is ruinous to small business. What chance has a small businessman of going in business when he has to borrow money from his friends or relatives or from a bank and pay interest on it in competition with a concern just across the street that is using capital which did not cost it 1 penny? It obtained its capital free from the consumers of America. That is the trend that is so alarming and disturbing to me. If that trend continues and they keep on retaining these earnings and buying up their competitors, they not only keep other people out of business, but they will destroy many of the units of businesses that are now in existence, and eventually they will own and control this country so far as the production and distribution facilities of the country are concerned. It is a dangerous trend, and that is what has caused the capital markets of this country to dry up.

BIG ADS NEVER MENTION DANGERS OF MONOPOLY

When you see these big ads of McGraw-Hill, when you see these big ads of the National Association of Manufacturers, and by the Committee on Constitutional Government, Inc., and by the United States Chamber of Commerce—you see them all the time, there is not one of the last three organizations I have mentioned that does not spend more money every year than the Democratic Party or the Republican Party—they never mention the evils of monopoly; you never hear them say anything about, or you never read anything in their advertisements that we should pay off the national debt; you never read anything about the dangers of monopoly in their statements; they do not mention that at all. They are working along the lines of concentration and more concentration and more economic power.

PLATFORM PROMISES ON MONOPOLIES AND TRUSTS

I have gone back and read the platforms of the different political parties on monopolies and trusts. I asked the Library of Congress to prepare for me a statement of excerpts from the different national political parties' platforms throughout the last 70 years. I just wanted to see what the political parties had said about it. Every political platform has contained something during the past 70 years expressing fear of concentration of economic power, and some very strong provisions against monopolies and trusts. I am going to insert this in the RECORD.

One of the best statements I think was in the Democratic platform of 1888, and the Republican platform of that year contained an equally interesting and constructive party plank on monopoly. The Democratic platform read:

Judged by Democratic principles the interests of the people are betrayed when by unnecessary taxation, trusts and combinations are permitted to exist which while unduly enriching the few rob the body of our citizens by depriving them of the benefits of natural competition.

The Republican platform of that year stated:

We declare our opposition to all combinations of capital organized in trust or otherwise to control arbitrarily the condition of trade among our citizens.

That was 61 years ago, and almost every Presidential year since then the platforms of these two major parties have contained a strong declaration. I know one time the National Party platform—that is the name of the party—accused the Democrats and Republicans of carrying on a sham battle, and stated

that they were not really trying to prevent monopolies and trusts. If those splinter parties were in existence today I suspect that their leaders would be able to say "I told you so" by pointing to present conditions.

The party platform contained this declaration—most of them did:

A private monopoly is indefensible and intolerable.

That is contained in many of the party platforms; and one party platform, the Democratic, in 1904, had this declaration which I think is interesting:

Any trust or unlawful combination engaged in interstate commerce which is monopolizing any branch of business or production should not be permitted to transact business outside of the State of its origin.

NATIONAL CHAIN STORES

That is a good declaration. I would love to see the time come when these national corporate chains could not go beyond their State boundaries. Why should one concern in New York own a local retail business in California, Texas, or Washington State? There are enough people in every local community to carry on and conduct the retail business in that locality and it should not be conducted by outside interests.

In 1904 the Democratic platform had something very interesting along that line. Another one in 1908. The Democratic platform suggested that we should have a law compelling such licensed corporations to sell to all consumers in all parts of the country on the same terms after making allowance for the cost of transportation.

That is practically the Robinson-Patman law, almost exactly, excepting the difference in the cost of manufacture, sale, and transportation. They just add "transportation" in here; but many years later a law carrying out that provision was enacted.

REPUBLICAN PLATFORM OF 1936 LIKE DEMOCRATIC PLATFORM OF 1912

In 1912 the Democratic Party platform starting out with "private monopolies are indefensible," stated further:

We, therefore, favor the vigorous enforcement of the criminal as well as the civil law against trusts and monopolies.

In 1936 the Republican platform contained that declaration with two or three phrases changed but not sufficient to alter its meaning—24 years later, and I think the Republican platform was a good platform that year because they copied what the Democrats had to say 24 years before. I invite your attention to this platform, to these different excerpts from platforms, and I especially invite your attention to the 1940 Democratic platform and particularly to the 1948 Democratic platform about what we should do about monopoly and concentration of wealth.

PRESIDENT TRUMAN NEEDS SUPPORT

In view of that platform and in view of the fact that we have a President who believes as we do in favor of independent business as against monopolies, now is the time for Congress to act and actually get something done to stop this dangerous and devastating trend toward complete monopoly.

MONOPOLIES AND TRUSTS

SELECTED STATEMENTS FROM PARTY PLATFORMS 1880–1948

1880 Democratic platform: "No discrimination in favor of transportation lines, corporations, or monopolies." (McKee, p. 184.)

1880 Republican platform: "That no further grants of the public domain should be made to any railway or other corporation; * * * that we deem it the duty of Congress to develop and improve our seacoast and harbors, but insist that further subsidies to private persons or corporations must cease." (McKee, p. 188.)

1880 Greenback platform: "We denounce as destructive to property and dangerous to liberty, the action of the old parties in fostering and sustaining gigantic land, railroad, and money corporations, and monopolies invested with and exercising powers belonging to the Government, and yet not responsible to it for the manner of their exercise." (McKee, p. 192.)

1884 Democratic platform: "While we favor all legislation which will tend to the equitable distribution of property, to the prevention of monopoly, and to the strict enforcement of individual rights against corporate abuses, we hold that the welfare of society depends upon a scrupulous regard for the right of property as defined by law." (McKee, p. 206.)

1884 Greenback platform: "We denounce as dangerous to our republican institutions, those methods and policies of the Democratic and Republican Parties which have sanctioned or permitted the establishment of land, railroad, money, and other gigantic monopolies; and we demand such governmental action as may be necessary to take from such monopolies the power they have so corruptly and unjustly usurped, and restore them to the people, to whom they belong." (McKee, p. 215.)

1884 American Prohibition national platform: "That land and other monopolies should be discouraged." (McKee, p. 218.)

1884 antimonopoly platform: "That it is the duty of the Government to immediately exercise its constitutional prerogative to regulate commerce among the States. The great instruments by which this commerce is carried on are transportation, money, and the transmission of intelligence. They are now mercilessly controlled by giant monopolies, to the impoverishment of labor, the crushing out of healthful competition, and the destruction of business security. We hold it, therefore, to be the imperative and immediate duty of Congress to pass all needful laws for the control and regulation of those great agents of commerce, in accordance with the oft-repeated decisions of the Supreme Court of the United States.

"That no further grants of public lands shall be made to corporations. All enactments granting lands to corporations should be strictly construed; and all land grants should be forfeited where the terms upon which the grants were made have not been strictly complied with. The lands must be held for homes for actual settlers, and must not be subject to purchase or control by nonresident foreigners or other speculators." (McKee, pp. 224, 225.)

1884 Equal (or Woman's) Rights platform: "We oppose monopoly, the tendency of which is to make the rich richer and the poor poorer, as opposed to the genius and welfare of republican institutions." (McKee, p. 227.)

1888 Democratic platform: "Judged by Democratic principles, the interests of the people are betrayed when, by unnecessary taxation, trusts and combinations are permitted to exist, which, while unduly enriching the few that combine, rob the body of our citizens by depriving them of the benefits of natural competition." (McKee, p. 235.)

1888 Republican platform: "We declare our opposition to all combinations of capital, organized in trusts or otherwise, to control arbitrarily the condition of trade among our citizens." (McKee, p. 241.)

1888 Prohibition platform: "For prohibiting all combinations of capital to control and to increase the cost of products for popular consumption." (McKee, p. 247.)

1888 Union Labor platform: "The paramount issues to be solved in the interests of humanity are the abolition of usury, monopoly, and trusts, and we denounce the Democratic and Republican Parties for creating and perpetuating these monstrous evils." (McKee, p. 251.)

1888 United Labor platform: "We aim at the abolition of the system which * * * permits monopolizers to deprive labor of natural opportunities for employment.

"We wish to abolish the present unjust and wasteful system of ownership of railroads and telegraphs by private corporations—a system which * * * builds up enormous fortunes and corrupting monopolies that are becoming more powerful than the Government itself. For this system we would substitute Government ownership and control for the benefit of the whole people instead of private profit." (McKee, pp. 252, 253.)

1892 Democratic platform: "We recognize in the trusts and combinations, which are designed to enable capital to secure more than its just share of the joint product of capital and labor, a natural consequence of the prohibitive taxes which prevent the free competition which is the life of honest trade; but we believe their worst evils can be abated by law, and we demand the rigid enforcement of the laws made to prevent and control them, together with such further legislation in restraint of their abuses as experience may show to be necessary." (McKee, p. 264.)

1892 Republican platform: "We reaffirm our opposition, declared in the Republican platform of 1888, to all combinations of capital, organized in trusts or otherwise, to control arbitrarily the condition of trade among our citizens. We heartily endorse the action already taken upon this subject, and ask for such further legislation as may be required to remedy any defects in existing laws and to render their enforcement more complete and effective." (McKee, p. 272.)

1892 Prohibition platform: "Speculation in margins, the cornering of grain, money, and products, and the formation of pools, trusts, and combinations for the arbitrary advancement of prices should be suppressed." (McKee, p. 276.)

1892 National People's platform: "Transportation being a means of exchange and a public necessity, the Government should own and operate the railroads in the interest of the people.

"The telegraph and telephone, like the post-office system, being a necessity for the transmission of news, should be owned and operated by the Government in the interest of the people.

"The land, including all the natural sources of wealth, is the heritage of the people, and should not be monopolized for speculative purposes. * * * All land now held by railroads and other corporations in excess of their actual needs * * * should be reclaimed by the Government and held for actual settlers only." (McKee, p. 284.)

1892 Socialist-Labor platform: "The United States shall obtain possession of the railroads, canals, telegraphs, telephones, and all other means of public transportation and communication." (McKee, p. 285.)

1896 Democratic platform: "We denounce as disturbing to business the Republi-

can threat to restore the McKinley law which * * * proved a prolific breeder of trusts and monopolies, enriched the few at the expense of the many, restricted trade, and deprived the producers of the great American staples of access to their natural markets.

"The absorption of wealth by the few, the consolidation of our leading railroad systems, and the formation of trusts and pools require a stricter control by the Federal Government of those arteries of commerce. We demand the enlargement of the powers of the Interstate Commerce Commission, and such restriction and guarantees in the control of railroads as will protect the people from robbery and oppression." (McKee, pp. 294, 295.)

1896 People's Party platform: (The planks quoted from the 1892 platform were repeated in 1896 with only minor additions or modifications.)

1896 National Party platform: "Land is the common heritage of the people and should be preserved from monopoly and speculation. All unearned grants of land subject to forfeiture should be reclaimed by the Government, and no portion of the public domain should hereafter be granted except to actual settlers, continuous use being essential to tenure.

"Railroads, telegraphs, and other natural monopolies should be owned and operated by the Government, giving to the people the benefit of service at actual cost." (McKee, p. 321.)

1896 Socialist-Labor platform: "The United States shall obtain possession of the railroads, canals, telegraphs, telephones, and all other means of public transportation and communication: The employees to operate the same cooperatively, under control of the Federal Government, and to elect their own superior officers, but no employee shall be discharged for political reasons.

"The municipalities shall obtain possession of the local railroads, ferries, waterworks, gasworks, electric plants, and all industries requiring municipal franchises; the employees to operate the same cooperatively, under control of the municipal administration, and to elect their own superior officers, but no employee shall be discharged for political reasons.

"The public lands to be declared inalienable. Revocation of all land-grants to corporations or individuals, the conditions of which have not been complied with." (McKee, p. 324.)

1900 Democratic platform: "Private monopolies are indefensible and intolerable. They destroy competition, control the price of all material and of the finished product, thus robbing both producer and consumer. They lessen the employment of labor and arbitrarily fix the terms and conditions thereof, and deprive individual energy and small capital of their opportunity for betterment. They are the most efficient means yet devised for appropriating the fruits of industry to the benefit of the few at the expense of the many, and unless their insatiate greed is checked all wealth will be aggregated in a few hands and the Republic destroyed.

"We pledge the Democratic Party to an unceasing warfare in Nation, State, and city against private monopoly in every form. Existing laws against trusts must be enforced and more stringent ones must be enacted, providing for publicity as to the affairs of corporations engaged in interstate commerce, requiring all corporations to show, before doing business outside the State of their origin, that they have no water in their stock and that they have not attempted, and are not attempting, to monopolize any branch of business or the production of any articles of merchandise; and the whole constitutional power of Congress over interstate commerce, the mails, and all modes of interstate communication shall be exercised by the enactment of comprehensive laws upon the subject of trusts.

"Tariff laws should be amended by putting the products of trusts upon the free list, to prevent monopoly under the plea of protection.

"Corporations should be protected in all their rights, and their legitimate interests should be respected, but any attempt by corporations to interfere with the public affairs of the people, or to control the sovereignty which creates them, should be forbidden under such penalties as will make such attempts impossible." (McKee, pp. 334–336.)

1900 Republican platform: "We recognize the necessity and propriety of the honest cooperation of capital to meet new business conditions, and especially to extend our rapidly increasing foreign trade; but we condemn all conspiracies and combinations intended to restrict business, to create monopolies, to limit production, or to control prices, and favor such legislation as will effectively restrain and prevent all such abuses, protect and promote competition, and secure the rights of producers, laborers, and all who are engaged in industry and commerce." (McKee, pp. 342–343.)

1900 People's Party platform: "Trusts, the overshadowing evil of the age, are the result and culmination of the private ownership and control of the three great instruments of commerce—money, transportation, and the means of transmission of information—which instruments of commerce are public functions and which our forefathers declared in the Constitution should be controlled by the people through their Congress for the public welfare. The one remedy for the trusts is that the ownership and control be assumed and exercised by the people. We further demand that all tariffs on goods controlled by a trust shall be abolished." (McKee, p. 350.)

1900 People's Party (middle-of-the-road) platform: "We are opposed to trusts and declare the contention between the old parties on the monopoly question is a sham battle and that no solution of this mighty problem is possible without the adoption of the principles of public ownership of public utilities." (McKee, p. 355.)

1900 Silver Republican platform: "Combinations, trusts, and monopolies contrived and arranged for the purpose of controlling the prices and quantity of articles supplied to the public are unjust, unlawful, and oppressive. Not only do these unlawful conspiracies fix the prices of commodities in many cases, but they invade every branch of the State and National Government with their polluting influence, and control the actions of their employees and dependents in private life, until their influence actually imperils society and the liberty of the citizen. We declare against them. We demand the most stringent laws for their destruction, the most severe punishment of their promoters and maintainers, and the energetic enforcement of such laws by the courts." (McKee, p. 359.)

1900 Prohibition platform: "We submit that the Democratic and Republican Parties are alike insincere in their assumed hostility to trusts and monopolies. They dare not and do not attack the most dangerous of them all, the liquor power. So long as the saloon debauches the citizen and breeds the purchasable voter, money will continue to buy its way to power. Break down this traffic, elevate manhood, and a sober citizen will find a way to control dangerous combinations of capital." (McKee, p. 364.)

1904 Democratic platform: "We recognize that the gigantic trusts and combinations designed to enable capital to secure more than its just share of the joint products of capital and labor, and which have been fostered and promoted under Republican rule, are a menace to beneficial competition and an obstacle to permanent business prosperity.

"A private monopoly is indefensible and intolerable.

"Individual equality of opportunity and free competition are essential to a healthy and permanent commercial prosperity, and any trust, combination, or monopoly tending to destroy these by controlling production, restricting competition, or fixing prices should be prohibited and punished by law. We especially denounce rebates and discrimination by transportation companies as the most potent agency in promoting and strengthening these unlawful conspiracies against trade.

"We demand an enlargement of the powers of the Interstate Commerce Commission, to the end that the traveling public and shippers of this country may have prompt and adequate relief for the abuses to which they are subjected in the matter of transportation. We demand a strict enforcement of existing civil and criminal statutes against all such trusts, combinations, and monopolies, and we demand the enactment of such further legislation as may be necessary to effectually suppress them.

"Any trust or unlawful combination engaged in interstate commerce which is monopolizing any branch of business or production should not be permitted to transact business outside of the State of its origin. Whenever it shall be established in any court of competent jurisdiction that such monopolization exists, such prohibition should be enforced through comprehensive laws to be enacted on the subject." (McKee, pp. 388–389.)

1904 Republican platform: "Combinations of capital and of labor are the results of the economic movement of the age, but neither must be permitted to infringe upon the rights and interests of the people. Such combinations when lawfully formed for lawful purposes are alike entitled to the protection of the laws, but both are subject to the laws, and neither can be permitted to break them." (McKee, p. 399.)

1904 People's Party platform: "We again sound the keynote of the Declaration of Independence that all men are created equal in a political sense, which was the sense in which that instrument, being a political document, intended that the utterance should be understood. We assert that the departure from this fundamental truth is responsible for the ills from which we suffer as a nation, that the giving of special privileges to the few has enabled them to dominate the many, thereby tending to destroy the political equality which is the cornerstone of democratic government."

"A political democracy and an industrial despotism cannot exist side by side; and nowhere is this truth more plainly shown than in the gigantic transportation monopolies which have bred all sorts of kindred trusts, subverted the governments of many of the States, established their official agents in the National Government. We submit that it is better for the Government to own the railroads than for the railroads to own the Government, and that one or the other alternative seems inevitable.

"We call the attention of our fellow citizens to the fact that the surrender of both of the old parties to corporative influences leaves the People's Party the only party of reform in the Nation." (McKee, p. 402.)

1908 Democratic platform: "A private monopoly is indefensible and intolerable. We therefore favor the vigorous enforcement of the criminal law against guilty trust magnates and officials, and demand the enactment of such additional legislation as may

be necessary to make it impossible for a private monopoly to exist in the United States. Among the additional remedies we specify three: First, a law preventing a duplication of directors among competing corporations; second, a license system which will, without abridging the right of each State to create corporations, or its right to regulate as it will foreign corporations doing business within its limits, make it necessary for a manufacturer or trading corporation engaged in interstate commerce to take out a Federal license before it shall be permitted to control as much as 25 percent of the products in which it deals, the license to protect the public from watered stock and to prohibit the control by such corporation of more than 50 percent of the total amount of any product consumed in the United States; and third, a law compelling such licensed corporations to sell to all consumers in all parts of the country on the same terms, after making the allowance for the cost of transportation." (Ellis and Trimble, p. 145.)

1908 Republican platform: "The Republican Party passed the Sherman antitrust law over Democratic opposition, and enforced it after Democratic dereliction. It has been a wholesome instrument for good in the hands of a wise and fearless administration; but experience has shown that its effectiveness can be strengthened and its real objects better obtained by such amendment as will give the Federal Government greater supervision and control over and greater publicity in the management of that class of corporations engaged in interstate commerce having power and opportunity to effect monopolies." (Ellis and Trimble, p. 158.)

1912 Democratic platform: "A private monopoly is indefensible and intolerable. We therefore favor the vigorous enforcement of the criminal as well as the civil law against trusts and trust officials, and demand the enactment of such additional legislation as may be necessary to make it impossible for a private monopoly to exist in the United States.

"We favor the declaration by law of the conditions upon which corporations shall be permitted to engage in interstate trade, including, among others, the prevention of holding companies, of interlocking directors, of stock watering, of discrimination in price, and the control by any one corporation of so large a proportion of any industry as to make it a menace to competitive conditions.

"We condemn the action of the Republican administration in compromising with the Standard Oil Co. and the Tobacco Trust, and its failure to invoke the criminal provisions of the antitrust law against the officers of these corporations after the court had declared that from the undisputed facts in the record they had violated the criminal provisions of the law.

"We regret that the Sherman antitrust law has received a judicial construction depriving it of much of its efficacy, and we favor the enactment of legislation which will restore to the statute the strength of which it has been deprived by such interpretation." (Ellis and Trimble, p. 168.)

1912 Republican platform: "The Republican Party is opposed to special privilege and to monopoly. It placed upon the statute book the Interstate Commerce Act of 1887 and the important amendments thereto and the Antitrust Act of 1890, and it has consistently and successfully enforced the provisions of these laws. It will take no backward step to permit the reestablishment in any degree of conditions which were intolerable.

"Experience makes it plain that the business of the country can be carried on without fear and without disturbance and, at the same time, without resort to practices which are abhorrent to the common sense of justice. The Republican Party favors the enactment of legislation supplementary to the existing Antitrust Act which will define as criminal offenses those specific acts that uniformly mark attempts to restrain and to monopolize trade, to the end that those who honestly intend to obey the law may have a guide for their action and that those who aim to violate the law may the more surely be punished. The same certainty should be given to the law prohibiting combinations and monopolies that characterizes other provisions of commercial law, in order that no part of the field of business opportunity may be restricted by monopoly or combination, that business success honorably achieved may not be converted into crime, and that the right of every man to acquire commodities, and particularly the necessaries of life, in an open market, uninfluenced by the manipulation of trust or combination, may be preserved." (Ellis and Trimble, pp. 183–184.)

1916 Democratic platform: "We have created a Federal Trade Commission to accommodate the perplexing questions arising under the antitrust laws so that monopoly may be strangled at its birth and legitimate industry encouraged. Fair competition in business is now assured." (Ellis and Trimble, p. 192.)

1916 Republican platform: "The Republican Party has long believed in the rigid supervision and strict regulation of the transportation and great corporations of the country. It has put its creed into its deeds, and all really effective laws regulating the railroads and the great industrial corporations are the work of Republican Congresses and Presidents. For this policy of regulation and supervision, the Democrats, in a stumbling and piecemeal way, are undertaking to involve the Government in business which should be left within the sphere of private enterprise and in direct competition with its own citizens, a policy which is sure to result in waste, great expense to the taxpayer, and in an inferior product." (Ellis and Trimble, p. 209.)

1920 Democratic platform: "The Democratic Party heartily endorses the creation and work of the Federal Trade Commission in establishing a fair field for competitive business, free from restraints of trade and monopoly, and recommends amplification of the statutes governing its activities, so as to grant it authority to prevent the unfair use of patents in restraint of trade." (Ellis and Trimble, p. 230.)

1920 Republican platform: "We approve in general the existing Federal legislation against monopoly and combinations in restraint of trade, but since the known certainty of a law is the safety of all, we advocate such amendment as will provide American businessmen with better means of determining in advance whether a proposed combination is or is not unlawful. The Federal Trade Commission, under a Democratic administration, has not accomplished the purpose for which it was created. This Commission, properly organized and its duties efficiently administered, should afford protection to the public and legitimate business interests. There should be no persecution of honest business, but to the extent that circumstances warrant we pledge ourselves to strengthen the law against unfair practices." (Ellis and Trimble, p. 248.)

1924 Democratic platform: "We declare that a private monopoly is indefensible and intolerable, and pledge the Democratic Party to a vigorous enforcement of existing laws against monopoly and illegal combinations, and to the enactment of such further measures as may be necessary." (Ellis and Trimble, p. 267.)

1928 Democratic platform: "Competition is one of the most sacred, cherished, and economic rights of the American people. We demand the strict enforcement of the antitrust laws and the enactment of other laws, if necessary, to control this great menace to trade and commerce, and thus to preserve the right of the small merchant and manufacturer to earn a legitimate profit from his business.

"Dishonest business should be treated without influence at the National Capitol. Honest business, no matter its size, need have no fears of a Democratic administration. The Democratic Party will ever oppose illegitimate and dishonest business. It will foster, promote, and encourage all legitimate business enterprises." (Ellis and Trimble, pp. 310–311.)

1928 Republican platform: "Republican Congresses and Administrations have steadily strengthened the Interstate Commerce Commission. The protection of the public from exactions or burdens in rates for service by reason of monopoly control, and the protection of the smaller organizations from suppression in their own field, has been a fundamental idea in all regulatory enactments. While recognizing that at times Federal regulations might be more effective than State regulations in controlling intrastate utilities, the party favors and has sustained State regulations, believing that such responsibility in the end will create a force of State public opinion which will be more effective in preventing discriminations and injustices." (Ellis and Trimble, p. 328.)

1932 Democratic platform: "We advocate strengthening and impartial enforcement of the antitrust laws, to prevent monopoly and unfair trade practices, and revision thereof for the better protection of labor and the small producer and distributor." (Ellis and Trimble, p. 337.)

1932 Republican platform: "Supervision, regulation, and control of interstate public utilities in the interest of the public is an established policy of the Republican Party." (Ellis and Trimble, p. 355.)

1936 Democratic platform: "Monopolies and the concentration of economic power, the creation of Republican rule and privilege, continue to be the master of the producer, the exploiter of the consumer, and the enemy of the independent operator. This is a problem challenging the unceasing effort of untrammeled public officials in every branch of the Government. We pledge vigorously and fearlessly to enforce the criminal and civil provisions of the existing antitrust laws, and to the extent that their effectiveness has been weakened by new corporate devices or judicial construction, we propose by law to restore their efficacy in stamping out monopolistic practices and the concentration of economic power." (Brandon and Trimble, pp. 368–369.)

1936 Republican platform: "A private monopoly is indefensible and intolerable. It menaces and, if continued, will utterly destroy constitutional government and the liberty of the citizen.

"We favor the vigorous enforcement of the criminal laws, as well as the civil laws, against monopolies and trusts and their officials, and we demand the enactment of such additional legislation as is necessary to make it impossible for private monopoly to exist in the United States.

"We will employ the full powers of the Government to the end that monopoly shall be eliminated and that free enterprise shall be fully restored and maintained." (Brandon and Trimble, p. 379.)

1940 Democratic platform: "We have defended and will continue to defend all legitimate business.

"We have attacked and will continue to attack unbridled concentration of economic power and the exploitation of the consumer and the investor.

"We have attacked the kind of business which levied tribute on all the rest of American business by the extortionate methods of monopoly.

"We have enforced the antitrust laws more vigorously than at any time in our history,

thus affording the maximum protection to the competitive system.

"During the past 7 years the Democratic Party has won the first major victories for the people of the Nation in their generation—old contest with the power monopoly." (The TVA is then discussed.) (Brandon and Trimble, pp. 389, 390–391.)

1940 Republican platform: "Since the passage of the Sherman Antitrust Act by the Republican Party, we have consistently fought to preserve free competition with regulation to prevent abuse. New Deal policy fosters Government monopoly, restricts production, and fixes prices. We shall enforce antitrust legislation without prejudice or discrimination. We condemn the use or threatened use of criminal indictments to obtain through consent decrees objectives not contemplated by law." (Brandon and Trimble, p. 406.)

1944 Democratic platform: "We reassert our faith in competitive private enterprise free from control by monopolies, cartels, or any arbitrary private or public authority." (Graf and Trimble, p. 411.)

"We believe in the world right of all men to write, send, and publish news at uniform communication rates and without interference by governmental or private monopoly and that right should be protected by treaty." (Graf and Trimble, p. 412.)

1944 Republican platform: "We give assurance now to restore peacetime industry at the earliest possible time * * * with care to prevent monopoly and injury to existing agriculture and industry.

"Small business * * * must be aided * * * by the enforcement of laws against monopoly and unfair competition." (Graf and Trimble, p. 419.)

1948 Democratic platform: "We recognize the importance of small business in a sound American economy. It must be protected against unfair discrimination and monopoly, and be given equal opportunities with competing enterprises to expand its capital structure.

"Our natural resources are the heritage of all our people and must not be permitted to become the private preserves of monopoly.

"We pledge an intensive enforcement of the antitrust laws, with adequate appropriations.

"We advocate the strengthening of existing antitrust laws by closing the gaps which experience has shown have been used to promote the concentration of economic power.

"We pledge a positive program to promote competitive business and to foster the development of independent trade and commerce." (Graf and Trimble, Supplement, pp. 9, 10.)

1948 Republican platform: "Small business, the bulwark of American enterprise, must be encouraged through aggressive antimonopoly action." (Graf and Trimble, Supplement, p. 17.)

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STOP SOCIALISM

What are the real dangers in this country? I notice McGraw-Hill advocates the stopping of socialism. They say that, "Now is the time to fight socialism in Washington."

Last year the Committee on Small Business had an investigation and one of the witnesses, a prominent university professor, said one of the greatest scientists in this country worked for the General Electric Co. He was their greatest engineer. One time he was asked, "Doctor, you are a Socialist. You are making speeches for socialism all the time. You are writing articles on socialism. You attend Socialist meetings and gatherings and help write the Socialist platform. How do you reconcile your advocacy of socialism with working here in the biggest monopolistic plant in the United States, the General Electric Co.?"

His reply, substantially, was that the best way to attain socialism is to have the units of industry in one package, then it is easy for the Government to take it over. After they get a few of the different industries, each one in a single package, the phrase "private monopoly" is indefensible and intolerable, is irresistible. So the Socialists say, "Let the Government own the trusts" and there will be but a very short step from monopoly to socialism. That is the best way, it is claimed, to attain socialism in the United States.

He was in favor of monopoly because he was a Socialist and he knew that was the quickest and the shortest step. Who are the big Socialists in this country today? They are not the little loudmouthed Socialists on the street corner on top of a soap box talking about socialism. They are not so very dangerous. It is the big people who are putting these units of industry together by mergers, consolidations, purchase, and otherwise until they have all the steel companies, for instance, under the ownership practically of one, two, or three; then it is a quick step over to Government ownership like in Great Britain, where six companies controlled the production and owned the production of all the steel in Great Britain. That is the quickest way to socialism.

So, if we believe in our private-enterprise system, and we do believe in it, we should work against these monopolies and trusts which make it so easy to attain socialism.

SOCIALISM, COMMUNISM, OR FASCISM

If we permit this trend to go on, we will have a totalitarian state in one form or another. It will be irresistible. It will either be communism, socialism, or fascism. First, it will probably be socialism. That is what we will come to first. Then there will be a knock-down-drag-out fight between the Communists and Fascists to determine which shall control in this country—the Communists or Fascists. So I maintain monopoly is in the direction of a totalitarian state.

Mr. WHITE of Idaho. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from Idaho.

Mr. WHITE of Idaho. Does the gentleman know that the price of common barbed wire that we used to buy for $1.40 a roll of good galvanized No. 40 wire is now selling for $11.50 a roll?

Mr. PATMAN. I am not surprised at that.

Mr. WHITE of Idaho. Everything that the farmers use in the way of binders, planters, hay machinery, and other things is three times as high as it used to be.

Mr. PATMAN. It is very high.

Mr. WHITE of Idaho. If we do not maintain some kind of a support price and keep up the purchase price for the farmer, we will go into the same tailspin we went into back in 1929 and 1930.

Mr. PATMAN. I agree with the gentleman 100 percent. In 1920 this country went into a tailspin because of a restriction of credit. That caused it at that time. In 1929, 1930, 1931, and 1932 we had hard times again, as many of us remember. In 1937 there was another depression—all man-made.

There is no reason why we should have these depressions, and if we go ahead and let a few people get control of the country and own the production and distribution in it, we are going to have a totalitarian state. I insist that it will be one or the other—communism or fascism.

WATCH FASCISM AS WELL AS COMMUNISM

In Italy and in Germany the people were taught to hate communism to the extent that they gladly embraced fascism. They were glad to take any other form of government except communism and socialism. Let us not make that same mistake here. Let us be on our guard, let us be on the alert against any socialistic or communistic trend. Let us fight with all of our power and might, but let us not overlook an equally devastating enemy that overran those great countries of Europe—fascism. Let us watch both sides and let us prevent this trend which is in the direction of monopoly and a totalitarian state.

MERGERS

I have before me a report of the Federal Trade Commission on the merger movement. I call your attention to this report which was gotten out in July 1948, and I suggest you get one from the Federal Trade Commission. It gives you all the information about mergers involving steel, cement, and many other different kinds of production, including horizontal acquisitions and vertical acquisitions and all other types. It gives a wonderful argument in favor of legislation that will prevent the mergers that are going on and those in contemplation in this country today which if not prevented will result in the little man not having a chance in the world. A few people will own and control the business of the entire country. I therefore invite your attention to that little book and ask you to read it carefully, look at the charts, the maps, and the diagrams. I believe you will find it to be very revealing.

Let us take cement, for instance, that caused this book to be gotten up. The basing system—that is, where you pay freight from 300 miles away, although you are getting the cement produced right there in your home town—over a period of almost 25 years permitted the different cement companies to bid identically the same on the furnishing of

cement to the Government, involving millions of dollars, and to the States or to the cities. They have been submitting for almost 25 years exactly the same bids on every contract, with no competition. They were permitted to make those identical bids by using the basing point as a vehicle.

The Federal Trade Commission outlawed the basing point in the cement industry and other industries, and the cases went to the Supreme Court of the United States. The Supreme Court affirmed the decision of the lower court, which of course affirmed the Federal Trade Commission. Efforts are being made to change that decision to permit them to go ahead as they were.

Think of all the false information that is put out. I have never seen as much false information as is put out daily about that decision. The truth is that the Supreme Court decision does not outlaw the basing point unless it is used for the purpose of fixing prices as I have described to you—the cement industry fixed identical prices down to the fifth decimal point everywhere in the United States—or unless it is used to create a monopoly. Who would oppose a decision like that? Yet an effort is being made to write into the law some more weasel words and phrases so they can go to the Court again for another 25 years to finally get another decision favorable to the people.

Mr. BECKWORTH. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from Texas.

Mr. BECKWORTH. I know the gentleman has heard something about the request for a moratorium in regard to the effective date of the decision. Would the gentleman care to comment on what effect that might have?

Mr. PATMAN. I do not believe a moratorium should be granted. I know people who are urging the passage of that bill are very sincere. They believe they are working in the public interest. However, I do not believe it will be insisted on until the steel conduit case is decided in the Supreme Court, which is expected pretty soon. When it is, I think the law will be so plain that this moratorium will not be necessary. I do not see any reason why people should be given a moratorium who are conspiring against the public interest. Why should we be tolerant and patient with them at all? If they are not conspiring against the public interest and they are not trying to create monopoly, the decision does not touch them in any way, shape, form, or fashion. So let us be on the alert against these monopolistic mergers and threats.

Mr. WHITE of Idaho. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield.

Mr. WHITE of Idaho. Let me give an instance of the operation of a basing point. In the great State of Montana the people were fortunate enough to be refining petroleum and gasoline, but they got some kind of a law through the State so that you could pay the same price as in Oklahoma. The basing point is Oklahoma. We in Montana have to pay the same price at the refinery that you would have to pay in Oklahoma. If you will go into the State of Nebraska, you can buy gasoline refined in Montana 2 cents cheaper than you can right where you refine it in Montana. That is the way it is working out in Montana. We are based on Oklahoma and have to stand the freight charges for gasoline that is produced right there in the State of Montana.

Mr. PATMAN. You are paying phantom freight.

Mr. WHITE of Idaho. Phantom freight is what we are paying.

LET US SAVE THE PRESIDENT

Mr. HOFFMAN of Michigan. Mr. Speaker, yesterday morning's Washington Post quoted President Harry S. Truman, commenting upon certain radio broadcasts of Drew Pearson, and referring to Pearson, as saying:

> If any S. O. B. thinks he can get me to discharge any of my staff or Cabinet by some smart-aleck statement over the air, he has got another think coming.

People who are familiar with Drew Pearson's methods and utterances, with his meanness and his lack of decency, with his pursuit of the dollar and sensationalism, which cause him to ignore all the admirable attributes possessed in some degree at least by humans and animals, can understand the President's feelings and sympathize with his desire to let the people know Pearson's true nature.

It is regrettable that the President felt compelled to use the words attributed to him, rather than to, in some effective way, silence this detractor who, for reward, so often falsely accuses public officials and individuals of prominence of disreputable conduct.

Perhaps the President felt that no terms other than those he used to describe Pearson could convey to the public anything new.

We recall that President Roosevelt described Pearson as a "chronic liar."

Cordell Hull, then Secretary of State, once charged that Mr. Pearson was a teller of "monstrous and diabolical falsehoods."

Senator TYDINGS once said of Mr. Pearson, "In the last war the only powder this scoundrel ever smelled was the presence of ladies who might have adorned the windward side of the parade ground; a perpetual, chronic revolving liar."

On another occasion President Truman, speaking of Mr. Pearson, said, "I had thought I wouldn't have to add another liar's star to that fellow's crown, but I will have to do it."

Then on another occasion Senator MCKELLAR spent a good part of 30 minutes pillorying Mr. Pearson, among other things describing him as, "An ignorant liar, a pusillanimous liar, a pewee liar, a paid liar, a natural-born liar, a liar by profession, a liar for a living, a liar in the daytime, and a liar in the nighttime, a 'revolving,' constitutional, unmitigated, infamous liar, a scoundrel."

In today's Washington Daily News columnist Tully reports that during the campaign in California, the President, speaking of a Member of Congress who was a Republican candidate for reelection, after publicly calling for his defeat muttered, "I wish I hadn't said that, I probably reelected the S. O. B."

But the President's difficulty in finding new language to adequately describe Drew Pearson and his activities is no reason why he should popularize the words he used.

The most casual examination of recent books will show that there is a tendency to an ever-increasing use of profane and obscene language and expressions. Undue emphasis is time and again placed upon ordinary, unimportant, uninteresting happenings, apparently in an effort to gain attention or perhaps to cover up the author's lack of interesting information.

A recent example will be found in the book Eisenhower Was My Boss. Opening the book at random, it appeared from the few pages I examined that the personal habits of the Scottie dog, Telek, were of equal if not of more importance than what Eisenhower said or did.

Words, no matter how true, no matter by whom used, nor how accurately descriptive of Pearson, will never make him human or charitable. He will probably continue, in pursuit of the dollar, to use his venomous tongue and pen to gain public attention.

The President of the United States is the most powerful individual in the world, his office the most exalted office within the reach of a human being. The President should set an example, both by his conduct and his language. Any little boy repeating language heard in some low dive and similar to that used by the President on this occasion would promptly get a spanking from his mother and perhaps have his mouth washed out with soap.

When the President of the United States, in public and before a mixed audience, adopts a technique of the rowdy, the tough, and the gangster, there is an indication that he is not fit for the high office which he holds. A man who cannot control his temper or who, in public, before women, makes use of the language the President used, lacks something which every public official should have—a sense of common decency, a sense of fitness and propriety.

Yes, it goes deeper than that—a man who feels compelled to resort to such language as that used by President Truman is not the kind of a man who should hold the office honored by Washington and Lincoln.

It is discouraging, it is disheartening, to know that an occupant of the White House will set so bad an example—not only for the youth of the land, but for some of us older folk.

Mr. Truman seems quite provoked because Mr. Pearson criticized one of Mr. Truman's appointees, but Mr. Truman should remember that he pulled no punches, minced no words, in his references to the Eightieth Congress when he was campaigning for the Presidency.

Perhaps Mr. Pearson felt that he, too, had the privilege of exercising his right to free speech, and perhaps Mr. Pearson did not realize that Mr. Truman had the more comprehensive vocabulary.

Perhaps the President's description of Pearson may even induce the company which manufactures the Lee hat to increase his compensation. He will probably continue to announce over the radio each Sunday night, "Don't take less than the best; don't take less than a Lee," even though the manufacturer of the Lee hat is undoubtedly aware that President Roosevelt described Pearson as a "chronic liar."

People, knowing that Pearson is so often in error, may in ever-increasing numbers begin to speculate as to whether it is worth while to purchase a Lee hat. Perhaps folks may begin to believe that the Lee hat, whatever its quality, is as big a fraud as are some of Pearson's statements, because they know he is unreliable.

Pearson takes a lot of credit to himself for rehashing and claiming as his own news gathered by the Associated Press, the United Press, International News Service, and other collectors and disseminators of news. He, like some other radio commentators and columnists, claims to be the first to have discovered news which has previously appeared in the daily papers or been carried over news wires.

Pearson should not be permitted to follow his avocation of vilifying individuals and public officials. He speaks over the air. He has no exclusive right to use the air. The Congress has given the Federal Communications Commission authority to regulate the use of radio. Without a license issued by FCC, no radio station can operate. The station over which Pearson operates is a licensee of a Federal agency.

Section 303 of title 47 of the United States Code empowers and authorizes the Federal Communications Commission to promulgate and enforce such rules as the public convenience, interest, or necessity requires.

Can it for one moment be contended that Pearson or the licensee over whose system he operates, the American Broadcasting Co., should be permitted by false statements to follow the practice of challenging the integrity of public officials?

The President, in addition to describing Pearson and his broadcasting activities in more accurate and acceptable language, should call upon the Federal Communications Commission to revoke the license of the American Broadcasting Co.

The Court has held that—*Trinity Methodist Church, South* v. *Federal Radio Commission* (62 Fed. Rept. (2d) 850), and I quote:

> If it be considered that one in possession of a permit to broadcast in interstate commerce may, without let or hindrance from any source, use these facilities, reaching out, as they do, from one corner of the country to the other, to * * * inspire political distrust and civil discord * * * then this great science, instead of a boon, will become a scourge, and the Nation a theater for the display of individual passions and the collision of personal interest * * * appellant * * * may not, as we think, demand, of right, the continued use of an instrumentality of commerce for such purposes.

If it be said that a cancellation of the license of the company which permits Pearson to broadcast is a denial of the right of free speech, let me answer in the words of the United States Court of Appeals of the District of Columbia, spoken in the case just cited. In that case, the court, referring to the refusal to renew a radio license, said:

> This is neither censorship nor previous restraint, nor is it a whittling away of the rights guranteed by the first amendment, or an impairment of their free exercise. Appellant may continue to indulge his strictures upon the characters of men in public office. He may just as freely as ever criticize religious practices of which he does not approve. He may even indulge private malice or personal slander—subject, of course, to be required to answer for the abuse thereof—but he may not, as we think, demand, of right, the continued use of an instrumentality of commerce for such purposes, or any other, except in subordination to all reasonable rules and regulations Congress, acting through the Commission, may prescribe.

That decision the United States Supreme Court refused to review, and it is today the law of the land.

The American Broadcasting Co. is not a new offender. Over its system, Walter Winchell for years, for hire, used his talents for mean and sordid purposes.

It might be well for Pearson's sponsors to take a look at the law governing broadcasting, at some of the court decisions.

Let the sponsors and the attorneys of the licensee, under which he broadcasts, read the cases of *Sorenson* v. *Wood* (123 Nebr. 348); *Miles* v. *Louis Wasmer, Inc.* (172 Wash. 466).

In the first case, the Court held that—

> The Federal Radio Act confers no privilege to broadcasting stations to publish defamatory utterances.

The United States Supreme Court refused to review the decision.

In the second case the Court held that privilege ends where falsity begins and held that the station licensee along with the other defendants was absolutely liable under the doctrine of defamation.

There is another effective remedy which the Congress might well give to one who is attacked over the radio by a conscienceless commentator. Some years ago a bill was introduced by me giving a person who was slandered or libeled over the radio the right to sue his detractor in the Federal judicial district where the person assailed lived and where the broadcast was heard.

There would seem to be nothing wrong with the proposition that if a radio commentator is to throw defamatory, untrue charges at a citizen over the air and into the district where one resides, the commentator, the station over which the words were uttered, and the sponsor should be liable to legal action in the district where the words were heard, where the injured individual resides.

The bill never got out of committee, never received a hearing.

If President Truman feels as deeply as his word indicates, if he is in earnest about giving the people real relief from one he described in such uncomplimentary terms, he will ask the Department of Justice to cancel the license of the station or stations which sponsor Pearson; recommend to the House the passage of legislation giving individual citizens an opportunity to obtain legal redress.

WHY NOT A MARSHALL PLAN FOR THE AGED OF AMERICA?

Mr. ANGELL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include certain excerpts.

The SPEAKER pro tempore (Mr. MCCORMACK). Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. ANGELL. Mr. Speaker, on February 2, 1948, I discussed H. R. 16 of the Eightieth Congress, introduced by me for affording adequate social insurance for our aged in which I posed the question, Why not a Marshall plan for the aged of America? On February 2 of this year I introduced in the Eighty-first Congress H. R. 2136, a bill similar to H. R. 16, and our colleague the gentleman from Minnesota [Mr. BLATNIK] introduced a companion bill on the same day, H. R. 2135.

The purpose of this legislation is to provide every adult citizen in the United States with equal basic Federal insurance, permitting retirement with benefits at age 60, and also covering total disability, from whatever cause, for certain citizens under 60; to give protection to widows with children; to provide an ever-expanding market for goods and services through the payment and distribution of such benefits in ratio to the Nation's steadily increasing ability to produce, with the cost of such benefits to be carried by every citizen in proportion to the income privileges he enjoys.

On February 16 the gentleman from Minnesota [Mr. BLATNIK] included in remarks he made in the House a condensed version of this legislation which appears in the CONGRESSIONAL RECORD, page 1276 of that date.

Mr. Speaker, under the social-security program provided by existing law we are at the present time providing old-age security benefits to a number of groups of our citizens. However, these benefits are restricted to special groups and the payments are wholly inadequate to meet the needs of the recipients. While the social-security tax is levied for unemployment security, charged to both employers and employees, the ultimate cost is reflected in the cost of products produced in the industrial employment with which they have to do and therefore is in the long run paid by the ultimate consumer, the public.

Pay-roll taxes imposed under existing law to maintain the social-security program are 1.5 percent for unemployment coverage and 2 percent for other social security, totaling 3.5 percent. However, in the program presented by the President, to cover which legislation has already been introduced, it is proposed to increase the rates of taxation for social security by 6 percent, making a total levy of 9.5 percent, estimated to provide $9,410,000,000 in taxes for this purpose.

Legislation is also pending in this Congress to provide pensions of $90 per month, at age 65, for all veterans of

World Wars I and II. Some financial experts estimate that this would entail a cost to the United States of $7,000,000,000 when the peak of expenditures under it is reached. There are many other Federal laws as well as State laws providing pensions for aged citizens.

Those of us who are sponsoring H. R. 2135 and H. R. 2136 believe that in the interest of economy as well as to provide justly for all aged citizens a Nation-wide law should be enacted which would embrace all aged persons desiring to receive annuities under its provisions. Under this legislation all American citizens would be required to contribute who receive more than $250 per month. At the present time there are millions of American citizens who are in want and who are not sharing in any of the social security or other pension programs provided by the Federal Government, but who are entitled to consideration by a grateful Nation for the maintenance and preservation of which they have contributed throughout the years.

As I remarked on a previous occasion, we should not be unmindful of the fact that these senior citizens were the workers of yesterday. They helped build our cities, our roads, our industries, and helped to clear our lands. They were the trail blazers, the pioneers. They built for us. Now that they are old, we cannot pass them by. They do not seek our charity. They only ask simple justice—a modest share in the fruits of American industry, to the production of which their labors in the past have contributed. Let us prove to the whole world that these aged American citizens are entitled to, and shall have vouchsafed to them by their country, "life, liberty, and the pursuit of happiness." Let us prove that humanity is still on the march here in America by enacting an old-age annuity plan that will provide for all of our old people, not only a selected few, annuities sufficient to maintain them in decency and health.

Mr. Speaker, the enactment of a Nation-wide Federal security of the type embraced in this legislation is long overdue and the Eighty-first Congress should take steps at once to enact such legislation. As shown by the figures recently made public under lend-lease United States military aid to the Allies aggregated $50,205,229,788 between March 1, 1941, and the end of March 1948. We have sent overseas subsequent to the ending of the war over $30,000,000,000 in money, supplies, and services for the aid of foreign nations. We are contemplating providing many additional billions for similar purposes during the ensuing fiscal year. If the Federal Government is able to expend these many billions of dollars for the aid, rehabilitation, and protection of the peoples of foreign nations, is it too much to ask that we have a Marshall plan for the old folks of America who are in need which will provide, at least, a minimum for shelter, food, and protection in their declining years? Why not a Marshall plan for these old people of America?

Mr. Speaker, I sincerely urge that all of my colleagues who are interested in old-age security join with the gentleman from Minnesota [Mr. BLATNIK] and myself in sponsoring this legislation, H. R. 2135 and 2136, and doing everything within our power to secure its enactment into law at the earliest time possible.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. RIVERS, for 1 week, beginning February 28 through March 4, on account of official business.

EXTENSION OF REMARKS

Mr. HOFFMAN of Michigan (at the request of Mr. CASE of South Dakota) was given permission to extend his remarks in the RECORD and include a newspaper article.

Mr. WHITE of Idaho asked and was given permission to extend his remarks in the RECORD in two instances and include certain excerpts.

SENATE ENROLLED BILLS SIGNED

The SPEAKER pro tempore announced his signature to enrolled bills of the Senate of the following titles:

S. 492. An act to amend the act approved June 29, 1949, entitled "An act to authorize the issuance of a stamp commemorative of the two hundredth anniversary of the founding of the city of Alexandria, Va.";

S. 548. An act to provide for continuation of authority for the regulation of exports, and for other purposes; and

S. 713. An act to amend Public Law 533 of the Eightieth Congress authorizing the construction of a building for the General Accounting Office on square 518 in the District of Columbia.

BILL AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mrs. NORTON, from the Committee on House Administration, reported that that committee did on February 23, 1949, present to the President, for his approval, a bill and joint resolution of the House of the following titles:

H. R. 1252. An act to amend the Legislative Reorganization Act of 1946 with respect to the eligibility for appointment in the executive branch of the Government of former professional staff members of committees of the Senate and the House of Representatives; and

H. J. Res. 84. Joint resolution to provide for the acquisition and operation of the Freedom Train by the Archivist of the United States, and for other purposes.

ADJOURNMENT

Mr. MANSFIELD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 5 minutes p. m.), under its previous order, the House adjourned until Monday, February 28, 1949, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

266. A letter from the Chairman, Commission on Organization of the Executive Branch of the Government, transmitting its report on budgeting and accounting in the executive branch (H. Doc. No. 84); to the Committee on Expenditures in the Executive Departments and ordered to be printed with illustrations.

267. A letter from the Chairman, Commission on Organization of the Executive Branch of the Government, transmitting to the Congress a study prepared for the Commission's consideration of the role of the statistical agencies in the Federal Government; to the Committee on Expenditures in the Executive Departments.

268. A letter from the Chairman, Commission on Organization of the Executive Branch of the Government, transmitting to the Congress a study prepared for the Commission's consideration of fiscal, budgeting, and accounting methods and systems in Federal Government; to the Committee on Expenditures in the Executive Departments.

269. A letter from the Chairman, Commission on Organization of the Executive Branch of the Government, transmitting to the Congress, in typescript, an appendix, the Report on the Accounting Needs of the Federal Government, which was prepared for the Commission's consideration by the task force as a supplement to their summary report on this subject; to the Committee on Expenditures in the Executive Departments.

270. A letter from the Chairman, Commission on Organization of the Executive Branch of the Government, transmitting to the Congress, in typescript, the appendices to the report of the Personnel Policy Committee as a supplement to their summary report on this subject. This material is a further addition to the supporting data which accompanied the Commission's report on personnel management, filed with the Congress on February 10, 1949; to the Committee on Post Office and Civil Service.

271. A letter from the Chairman, Commission on Organization of the Executive Branch of the Government, transmitting to the Congress a study prepared for the Commission's consideration of departmental management in Federal administration; to the Committee on Expenditures in the Executive Departments.

272. A letter from the Acting Administrator, Federal Security Agency, transmitting a draft of a bill to amend the act approved September 7, 1916 (c. 458, 39 Stat. 742), entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," as amended; to the Committee on Education and Labor.

273. A letter from Chayhin Martinez, agent and representative, Moro war-damage claimants, Province of Sulu, Philippines, transmitting a communication inviting attention to the basic communication of the Philippine War Damage Commission, Manila, Philippines, dated March 19, 1948, regarding 25 private war-damage claims; to the Committee on Foreign Affairs.

274. A letter from the Secretary of the Treasury, transmitting a draft of a proposed bill entitled "A bill to amend the Contract Settlement Act of 1944 to provide that claims under section 17 must be filed within 6 months to be allowable, to stop further accrual of such claims, and for other purposes"; to the Committee on the Judiciary.

275. A letter from the Assistant Comptroller General of the United States, transmitting a report and recommendation concerning the claim of Mrs. Sarah J. Miller, Pittsburgh, Pa., as mother of Marion Miller, deceased, Army Serial No. 10600851, private, first class, Army of the United States, on account of an amount due his estate; to the Committee on the Judiciary.

276. A letter from the Secretary of the Interior, transmitting a report on views and recommendations of the State of California on proposed report of the Secretary of the Interior on the central Arizona project in reference to a letter dated September 16, 1948, when the Secretary of the Interior filed his report and findings on the central Arizona project; to the Committee on Public Lands.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BROOKS: Committee on Armed Services. H. R. 1741. A bill to authorize the establishment of a joint long-range proving ground for guided missiles, and for other purposes; with amendments (Rept. No. 158). Referred to the Committee of the Whole House on the State of the Union.

Mr. DURHAM: Committee on Armed Services. H. R. 2546. A bill to authorize the Secretary of the Air Force to establish land-based air warning and control installations for the national security, and for other purposes; with amendments (Rept. No. 159). Referred to the Committee of the Whole House on the State of the Union.

Mr. SASSCER: Committee on Armed Services. H. R. 2663. A bill to provide for the administration of the Central Intelligence Agency, established pursuant to section 102, National Security Act of 1947, and for other purposes; with amendments (Rept. No. 160). Referred to the Committee of the Whole House on the State of the Union.

Mr. BARTLETT: Committee on Public Lands. H. R. 942. A bill to amend the act entitled "An act to amend section 9 of the act of August 24, 1912 (37 Stat. 512)" (Public Law 593, 80th Cong.); with amendments (Rept. No. 161). Referred to the Committee of the Whole House on the State of the Union.

Mr. LYLE: Committee on Rules. House Resolution 44. Resolution to prescribe tolls to be levied for the use of the Panama Canal, and for other purposes; without amendment (Rept. No. 163). Referred to the House Calendar.

Mr. SABATH: Committee on Rules. House Resolution 121. Resolution providing for consideration of H. R. 199, a bill to provide the privilege of becoming a naturalized citizen of the United States to all immigrants having a legal right to permanent residence, to make immigration quotas available to Asian and Pacific peoples, and for other purposes; without amendment (Rept. No. 164). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BARING:

H. R. 2959. A bill to amend the Internal Revenue Code, as amended, and the Federal Alcohol Administration Act, as amended; to the Committee on Ways and Means.

By Mr. POAGE:

H. R. 2960. A bill to amend the Rural Electrification Act to provide for rural telephones, and for other purposes; to the Committee on Agriculture.

By Mr. BENNETT of Florida:

H. R. 2961. A bill to allow a corporation to deduct, for income-tax purposes, 200 percent of amounts paid to employees as a share of profits; to the Committee on Ways and Means.

By Mr. BLOOM:

H. R. 2962. A bill to provide for the presentation by the United States of a statue of George Washington to the people of Uruguay; to the Committee on Foreign Affairs.

H. R. 2963. A bill to provide for the settlement of certain claims of the Government of the United States on its own behalf and on behalf of American nationals against foreign governments; to the Committee on Foreign Affairs.

By Mr. BROOKS:

H. R. 2964. A bill to authorize the acquisition of a site for a national cemetery in northwest Louisiana for the burial of members of the armed forces of the United States dying in the service, of former members whose last discharge therefrom was honorable, and certain other persons as provided for in United States Code, title 24, section 281, as amended; to the Committee on Public Lands.

By Mr. CELLER:

H. R. 2965. A bill to amend the act entitled "An act to provide additional protection for owners of patents of the United States, and for other purposes," approved June 25, 1910, as amended, so as to protect the United States in certain patent suits; to the Committee on the Judiciary.

By Mr. CURTIS:

H. R. 2966. A bill providing tax incentive for the creation of additional farm storage facilities; to the Committee on Ways and Means.

By Mr. DEANE:

H. R. 2967. A bill to amend and supplement the act of June 7, 1924 (43 Stat. 653); to the Committee on Agriculture.

By Mr. GRANGER:

H. R. 2968. A bill to facilitate and simplify the work of the Forest Service, and for other purposes; to the Committee on Agriculture.

By Mr. GRANT:

H. R. 2969. A bill to provide for the coverage of benzedrine under the Federal narcotic laws; to the Committee on Ways and Means.

H. R. 2970. A bill to provide a 1 year's extension of time for the disposition of farm labor camps to public or semipublic agencies or nonprofit associations of farmers; to the Committee on Agriculture.

By Mr. HARRISON:

H. R. 2971. A bill granting, in the case of income and estate taxes, deductions for contributions or gifts to volunteer fire companies; to the Committee on Ways and Means.

By Mr. HART:

H. R. 2972. A bill to enable veterans who are civil-service employees to take advantage of the Servicemen's Readjustment Act of 1944; to the Committee on Post Office and Civil Service.

By Mr. HOWELL:

H. R. 2973. A bill to broaden the cooperative extension system as established in the act of May 8, 1914, and acts supplemental thereto, by providing for cooperative extension work between colleges receiving the benefits of this act and the acts of July 2, 1862, and August 30, 1890, and other qualified colleges, universities, and research agencies, and the United States Department of Labor; to the Committee on Education and Labor.

By Mr. JONES of Alabama:

H. R. 2974. A bill to amend and supplement the act of June 7, 1924 (43 Stat. 653); to the Committee on Agriculture.

By Mr. KARST:

H. R. 2975. A bill to provide pay increases for employees of the Federal Government; to the Committee on Post Office and Civil Service.

By Mr. KEAN:

H. R. 2976. A bill to prevent the use of tax-exempt organizations and charitable and educational trusts for tax-avoidance purposes; to the Committee on Ways and Means.

By Mr. LODGE:

H. R. 2977. A bill to further amend section 5 of the Armed Forces Leave Act of 1946 by extending the time for making application for unused leave to September 1, 1950; to the Committee on Armed Services.

By Mr. McCARTHY:

H. R. 2978. A bill to extend the time within which the Motor Carrier Claims Commission may receive the claims against the United States of certain motor carriers; to the Committee on the Judiciary.

By Mr. McKINNON:

H. R. 2979. A bill to authorize use of rental and operating income from defense housing facilities of the National Military Establishment for payments in lieu of taxes, and for other purposes; to the Committee on Armed Services.

By Mr. MANSFIELD:

H. R. 2980. A bill to extend the coverage of Federal old-age and survivors insurance to self-employed individuals; to the Committee on Ways and Means.

By Mr. MILLER of California:

H. R. 2981. A bill to protect the rights and privileges of Federal employees, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. MILLER of Maryland:

H. R. 2982. A bill to regulate oleomargarine, to repeal certain taxes relating to oleomargarine, and for other purposes; to the Committee on Agriculture.

By Mr. MILLS:

H. R. 2983. A bill to establish a Tax Settlement Board; to the Committee on Ways and Means.

By Mr. MURDOCK:

H. R. 2984. A bill to consolidate the Parker Dam power project and the Davis Dam project; to the Committee on Public Lands.

By Mr. MURRAY of Tennessee:

H. R. 2985. A bill to amend section 6 of the act of August 24, 1912, as amended, with respect to suspensions of employees of the United States; to the Committee on Post Office and Civil Service.

By Mr. POTTER:

H. R. 2986. A bill to increase the retired pay of certain members of the former Lighthouse Service; to the Committee on Post Office and Civil Service.

By Mr. POULSON:

H. R. 2987. A bill to provide a civil government for the island of Guam, and for other purposes; to the Committee on Public Lands.

By Mr. REDDEN:

H. R. 2988. A bill to provide for a Resident Commissioner from the Virgin Islands, and for other purposes; to the Committee on Public Lands.

H. R. 2989. A bill to incorporate the Virgin Islands Corporation, and for other purposes; to the Committee on Public Lands.

By Mr. REED of New York:

H. R. 2990. A bill to amend title X of the Social Security Act, as amended, so as to provide for the encouragement and stimulation of aid to the blind recipients to become wholly or partially self-supporting; to the Committee on Ways and Means.

By Mr. RIBICOFF:

H. R. 2991. A bill to provide for the acquisition of site and preparation of plans and specifications for a new Federal building and post office in West Hartford, Conn.; to the Committee on Public Works.

H. R. 2992. A bill to provide for comprehensive planning, for site acquisition in and outside of the District of Columbia, and for the design of Federal building projects outside of the District of Columbia; to the Committee on Public Works.

By Mr. ROGERS of Florida:

H. R. 2993. A bill to provide a 1 year's extension of time for the disposition of farm labor camps to public or semipublic agencies or nonprofit associations of farmers; to the Committee on Agriculture.

By Mrs. ROGERS of Massachusetts:

H. R. 2994. A bill to amend certain provisions of the National Service Life Insurance Act of 1940, as amended; to the Committee on Veterans' Affairs.

By Mr. HARDIE SCOTT:

H. R. 2995. A bill to repeal the tax on oleomargarine, to amend the Federal Food, Drug, and Cosmetic Act so as to complete the requirements for the positive identification of yellow oleomargarine, and for other purposes; to the Committee on Agriculture.

By Mr. SIMPSON of Illinois:

H. R. 2996. A bill to provide for raising and strengthening the levees of the Hunt and Lima Lake drainage districts, located in the State of Illinois, in the interest of providing additional flood protection; to the Committee on Public Works.

By Mr. SMITH of Kansas:

H. R. 2997. A bill to establish a United States Air Academy; to the Committee on Armed Services.

By Mr. STIGLER:

H. R. 2998. A bill to amend the act of July 24, 1946, with respect to the multiple-purpose plan of improvement for the Arkansas River and tributaries, Arkansas and Oklahoma; to the Committee on Public Works.

By Mr. TEAGUE:

H. R. 2999. A bill to exempt admissions to agricultural fairs from the Federal tax on admissions; to the Committee on Ways and Means.

By Mr. VAN ZANDT:

H. R. 3000. A bill to provide for lump-sum payment for certain Army and Navy nurses of World War I; to the Committee on Armed Services.

By Mr. WALTER:

H. R. 3001. A bill to authorize the admission into the United States of certain aliens possessing special skills; to the Committee on the Judiciary.

By Mr. WALTER (by request):

H. R. 3002. A bill to provide for review of military and naval records in World War I, and issue of decorations, medals, and awards in deserving cases; to the Committee on Armed Services.

By Mr. WHITE of California:

H. R. 3003. A bill to transfer the Pomona station of the Agriculture Remount Service, Department of Agriculture, at Pomona Calif.; to the Committee on Agriculture.

H. R. 3004. A bill to provide price support for blackeye beans; to the Committee on Agriculture.

By Mr. KARSTEN:

H. R. 3005. A bill to regulate subsistence expenses and mileage allowances of civilian officers and employees of the Government; to the Committee on Expenditures in the Executive Departments.

By Mr. BONNER:

H. J. Res. 176. Joint resolution to continue the authority of the Maritime Commission to sell and operate vessels, to impose certain conditions on the chartering of vessels by the Maritime Commission, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. BRAMBLETT:

H. J. Res. 177. Joint resolution to repeal the joint resolution of July 24, 1946; to the Committee on Agriculture.

By Mr. BLOOM:

H. Res. 117. Resolution providing for compensation for one special messenger for the House Foreign Affairs Committee, effective April 1, 1949; to the Committee on House Administration.

By Mr. BROOKS:

H. Res. 118. Resolution making H. R. 1741, a bill to authorize the establishment of a joint long-range proving ground for guided missiles, and for other purposes, special order of business; to the Committee on Rules.

By Mr. DURHAM:

H. Res. 119. Resolution making H. R. 2546, a bill to authorize the Secretary of the Air Force to establish land-based air warning and control installations for the national security, and for other purposes, special order of business; to the Committee on Rules.

By Mr. SASSCER:

H. Res. 120. Resolution making H. R. 2663, a bill to provide for the administration of the Central Intelligence Agency, established pursuant to section 102, National Security Act of 1947, and for other purposes, special order of business; to the Committee on Rules.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Arizona, memorializing the President and the Congress of the United States to provide recreational facilities in the Lake Mead national recreational area; to the Committee on Public Lands.

Also, memorial of the Legislature of the Territory of Alaska, requesting that legislation be enacted immediately abolishing fish traps from the waters of the Territory of Alaska; to the Committee on Merchant Marine and Fisheries.

Also, memorial of the Legislature of the State of Idaho, memorializing the President and the Congress of the United States, through appropriate budgetary and legislative action, to continue a plan of expansion of local service air transportation facilities as recommended by the President's Air Policy Commission and the Congressional Air Policy Board; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Legislature of the State of Montana, requesting the Eighty-first Congress to pass legislation with reference to the Veterans' Economic Development Act, which was embodied in the bill H. R. 521 of the Eightieth Congress; to the Committee on Banking and Currency.

Also, memorial of the Legislature of the State of South Dakota, memorializing the President and the Congress of the United States to provide sufficient funds and grant such assistance as may be necessary adequately to aid in a modern way toward the improvement of the Indian's economic well-being; to the Committee on Appropriations.

Also, memorial of the Legislature of the State of South Dakota, memorializing the President and the Congress of the United States to discontinue the Federal gasoline tax and Federal lubricating-oil tax as soon as possible and refuse to reenact such taxes; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of South Dakota, memorializing the President and the Congress of the United States to amend the charter of the Commodity Credit Corporation to provide for ample storage bins and facilities for corn, wheat, and other basic grains; to the Committee on Banking and Currency.

Also, memorial of the Legislature of the State of South Dakota, memorializing the President and the Congress of the United States to oppose any modification of the existing sanitary pact providing for embargo against the importation of fresh and frozen meats from countries known to be infested with foot-and-mouth disease; to the Committee on Agriculture.

Also, memorial of the Legislature of the State of South Dakota, memorializing the President and the Congress of the United States in relation to repealing the transportation tax; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of Montana, requesting the enactment of legislation to aid the State of Montana in the enforcement of the cigarette tax now evaded by the use of the United States mails; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of Utah, urging the undertaking and immediate study of the need for legislation for revision of repayment contracts of Federal reclamation projects and urging that committees of both the House and Senate of the United States Congress request the Secretary of the Interior to submit a report with recommendations on the projects where revision is desirable; to the Committee on Public Lands.

Also, memorial of the Legislature of the State of Wyoming, memorializing the President and the Congress of the United States to consider and pass resolution appropriating money to commence the building of certain irrigation projects in the Powder River Basin and the Tongue River Basin; to the Committee on Appropriations.

Also, memorial of the Legislature of the State of West Virginia, urging enactment of legislation that will extend and liberalize the benefits of the present Federal social-security program to include States and their instrumentalities; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DAVIS of Wisconsin:

H. R. 3006. A bill for the relief of Helmuth Wolf Gruhl; to the Committee on the Judiciary.

By Mr. HINSHAW:

H. R. 3007. A bill for the relief of Harry C. Goakes; to the Committee on the Judiciary.

H. R. 3008. A bill for the relief of Andrew M. Hanson; to the Committee on the Judiciary.

By Mr. HOWELL:

H. R. 3009. A bill for the relief of Dr. Ali Reza Bassir; to the Committee on the Judiciary.

By Mr. CASE of South Dakota:

H. R. 3010. A bill for the relief of Walter E. Parks; to the Committee on the Judiciary.

By Mr. MADDEN:

H. R. 3011. A bill for the relief of Veronica Putala, known in religious life as Sister Mary Gisella, and Julia Block, known in religious life as Sister M. Vincentia; to the Committee on the Judiciary.

By Mr. O'NEILL:

H. R. 3012. A bill for the relief of Max L. Finklestein, as trustee in bankruptcy of the estate of Preston C. Sherman, doing business under the firm name and style of Sherman & Associates, bankrupt; to the Committee on the Judiciary.

By Mr. POULSON:

H. R. 3013. A bill for the relief of Julia E. Vail; to the Committee on the Judiciary.

By Mr. SMITH of Virginia:

H. R. 3014. A bill for the relief of Roger Sanford; to the Committee on the Judiciary.

By Mr. WALTER:

H. R. 3015. A bill for the relief of Miss Carmela Troiano; to the Committee on the Judiciary.

H. R. 3016. A bill for the relief of Sieh Tsai Chang; to the Committee on the Judiciary.

By Mr. WHITE of California:

H. R. 3017. A bill for the relief of Ramon G. Hunter and Arthur Nancett; to the Committee on the Judiciary.

By Mr. WHITE of Idaho:

H. R. 3018. A bill for the relief of Camilla Fabris; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

103. By Mr. CASE of South Dakota: Memorial of the State Legislature of South Dakota, memorializing the Congress of the United States, the President of the United States, the Secretary of Agriculture, and Bureau of Animal Industry of the Department of Agriculture to oppose any modification of the existing sanitary pact providing for embargo against the importation of fresh and frozen meats from countries known to be infested with foot-and-mouth disease; to the Committee on Agriculture.

104. By Mr. MAHON: Petition of farm bureau organizations of Crosby, Dawson, Dickens, Haskell, Hockley, Howard, Scurry, and

Stonewall Counties in Texas, regarding proposed farm legislation; to the Committee on Agriculture.

105. Also, petition of 16 west Texas citizens, views of 6 secretaries of county agricultural conservation associations, the ACA committee of Floyd County, the agricultural committee of the Dawson County Chamber of Commerce, and others in regard to proposed farm legislation; to the Committee on Agriculture.

106. By Mr. WHITE of Idaho: Memorial of the Legislature of Idaho, urging an appropriation of $500,000 to be administered in cooperation with the noxious-weed program of the constituted authorities of the State of Idaho; to the Committee on Appropriations.

107. By Mr. MURDOCK: Memorial of the House of Representatives of the Arizona State Legislature, requesting decentralization of war industries and calling attention to the advantages of Arizona as a location for war industries; to the Committee on Armed Services.

108. By Mr. CASE of South Dakota: Memorial of the State Legislature of South Dakota, memorializing Congress to amend the charter of the Commodity Credit Corporation to provide for ample storage bins and facilities for corn, wheat, and other basic grains; to the Committee on Banking and Currency.

109. By Mr. HILL: Petition requesting that Congress authorize the Reconstruction Finance Corporation to assist local lending agencies in financing disaster-stricken livestock producers and feeders in the blizzard areas of the Western States; to the Committee on Banking and Currency.

110. By Mr. MURDOCK: Memorial of the House of Representatives of the Arizona Legislature, proposing decontrol of rental housing; to the Committee on Banking and Currency.

111. By Mr. SULLIVAN: Memorial of the Missouri House of Representatives, protesting the trial, conviction, and sentencing of Josef Cardinal Mindszenty, of Budapest, by the Communist-controlled Government of Hungary and the arrest and prosecution of 15 Protestant clergymen on charges of the same general nature as those preferred against said cardinal; denouncing such tactics and persecutions; and commending the Department of State for its alert interest in the matter to the end that right and justice prevail; to the Committee on Foreign Affairs.

112. By Mr. HART: Petition of the Reserve Officers Association of the United States, Hudson Country Chapter, Jersey City, condemning the Communist-dominated proceedings which resulted in the sentencing of Cardinal Mindszenty to life imprisonment and calling upon the Congress of the United States to express the indignation of the American people through the United Nations; to the Committee on Foreign Affairs.

113. Also, petition of certain residents of his congressional district, urging that the United States formally bring the case of Cardinal Mindszenty to the attention of United Nations; to the Committee on Foreign Affairs.

114. By Mr. SASSCER: Memorial of the Maryland House of Delegates, protesting the arrest and conviction of His Eminence Josef Cardinal Mindszenty which recently shocked the Christian world; to the Committee on Foreign Affairs.

115. By Mr. MANSFIELD: Memorial of the House of Representatives of the State of Montana, requesting appropriate action to alleviate the shortage of tubular goods and steel necessary for the development of Montana's oil and gas resources; to the Committee on Interstate and Foreign Commerce.

116. By Mr. LOVRE: Petition of Jerry Flaick, age 5, and 25 other little citizens of Ferney, Groton, and Verdon, all in South Dakota, petitioning the United States to create a Federal-aid health program to conquer and control such dreaded diseases as polio, rheumatic fever, tuberculosis, cancer, etc.; to the Committee on Interstate and Foreign Commerce.

117. By Mr. MURDOCK: Memorial of the House of Representatives of the Arizona State Legislature, requesting Congress to provide recreational facilities in the Lake Mead national recreation area; to the Committee on Public Lands.

118. By Mr. HESELTON: Resolution of the Common Council of the City of Holyoke, Mass., providing for a proclamation each October 11 as General Pulaski's Memorial Day; to the Committee on the Judiciary.

119. By Mr. SASSCER: Memorial of the House of Delegates of Maryland, memorializing the Congress of the United States to pass, and the President of the United States to approve, if passed, the General Pulaski Memorial Day resolution now pending in Congress; to the Committee on the Judiciary.

120. By Mr. MANSFIELD: Memorial of the Legislature of the State of Montana, supporting legislation to allow veterans of World War II to acquire submarginal lands from the Department of Agriculture or the Department of the Interior; to the Committee on Public Lands.

121. By the SPEAKER: Petition of H. C. Curtis, secretary, West Palm Beach Townsend Club, No. 1, West Palm Beach, Fla., petitioning consideration of their resolution with reference to immediate action on the consideration and enactment of the proposed legislation known as the Townsend plan, introduced in the Eighty-first Congress as H. R. 2135; to the Committee on Ways and Means.

122. By Mr. MANSFIELD: Memorial of the House of Representatives of the State of Montana, requesting the enactment of legislation to aid the State of Montana in the enforcement of the cigarette tax now evaded by the use of the United States mails; to the Committee on Ways and Means.

123. By Mr. CASE of South Dakota: Memorial of the State Legislature of South Dakota, memorializing the Congress to discontinue the Federal gasoline tax and Federal lubricating-oil tax as soon as possible and refuse to reenact such taxes; to the Committee on Ways and Means.

SENATE

FRIDAY, FEBRUARY 25, 1949

(Legislative day of Monday, February 21, 1949)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Our Father who art in heaven and in the earth, and in the hearts of men: Hallowed be Thy Name.

To our dear land of the free in Thy providence has been given a place of awesome responsibility in this supreme hour of destiny. We would exercise that stewardship of power with anxious care and deep humility. May those who serve the public weal be wise interpreters of Thy eternal law, the brave spokesmen of Thy will and of the truth which sets men free from ancient wrongs.

Make our America a nation Thou canst trust and bless. May our democracy purged of its failings and confessing its failures be an inspiring, emancipating power for world security and stability, and a flaming light of liberty for all the earth. We ask it in the Name that is above every name. Amen.

THE JOURNAL

On request of Mr. LUCAS, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, February 22, 1949, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that Hon. JOHN W. MCCORMACK, a Representative from the State of Massachusetts, had been designated Speaker pro tempore of the House of Representatives.

ENROLLED BILLS SIGNED

The message also announced that the Speaker pro tempore had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

S. 492. An act to amend the act approved June 29, 1949, entitled "An act to authorize the issuance of a stamp commemorative of the two hundredth anniversary of the founding of the city of Alexandria, Va.";

S. 548. An act to provide for continuation of authority for the regulation of exports, and for other purposes; and

S. 713. An act to amend Public Law 533 of the Eightieth Congress authorizing the construction of a building for the General Accounting Office on square 518 in the District of Columbia.

CALL OF THE ROLL

Mr. LUCAS. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Hill	Murray
Anderson	Hoey	Myers
Baldwin	Holland	Neely
Brewster	Hunt	O'Conor
Bricker	Ives	O'Mahoney
Bridges	Johnson, Colo.	Pepper
Broughton	Johnson, Tex.	Reed
Butler	Johnston, S. C.	Robertson
Byrd	Kem	Russell
Cain	Kilgore	Saltonstall
Chapman	Knowland	Schoeppel
Chavez	Langer	Smith, Maine
Connally	Lodge	Smith, N. J.
Cordon	Long	Sparkman
Donnell	Lucas	Stennis
Downey	McCarran	Taft
Ecton	McCarthy	Taylor
Ellender	McClellan	Thomas, Okla.
Ferguson	McFarland	Thomas, Utah
Flanders	McKellar	Thye
Frear	McMahon	Tydings
Fulbright	Magnuson	Vandenberg
George	Malone	Watkins
Gillette	Martin	Wiley
Green	Maybank	Williams
Gurney	Miller	Withers
Hayden	Millikin	Young
Hendrickson	Morse	
Hickenlooper	Mundt	

Mr. MYERS. I announce that the Senator from Illinois [Mr. DOUGLAS],

the Senator from Mississippi [Mr. EASTLAND], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Oklahoma [Mr. KERR], and the Senator from Rhode Island [Mr. MCGRATH] are absent on public business.

The Senator from New York [Mr. WAGNER] is necessarily absent.

Mr. SALTONSTALL. I announce that the senior Senator from Indiana [Mr. CAPEHART], the junior Senator from Indiana [Mr. JENNER], and the Senator from Nebraska [Mr. WHERRY] are necessarily absent.

The PRESIDENT pro tempore. Eighty-five Senators having answered to their names, a quorum is present.

CONFIRMATION OF ROUTINE NOMINATIONS IN MILITARY ESTABLISHMENT

Mr. TYDINGS. Mr. President, out of order, and as in executive session, I ask unanimous consent to have considered and confirmed some routine promotions in the Military Establishment.

The PRESIDENT pro tempore. Is there objection?

Mr. TAFT. Mr. President, I ask the Senator from Maryland whether the nominations were unanimously reported by the committee?

Mr. TYDINGS. The committee was unanimous in its report. No objection was made to any of the nominations.

The PRESIDENT pro tempore. Without objection, the nominations are confirmed.

Mr. TYDINGS. I ask unanimous consent that the President be immediately notified.

The PRESIDENT pro tempore. Without objection, it is so ordered.

NOMINATION OF DAN A. KIMBALL TO BE ASSISTANT SECRETARY OF THE NAVY FOR AIR

Mr. TYDINGS. Mr. President, as in executive session I ask unanimous consent that the nomination of Dan A. Kimball, of California, to be Assistant Secretary of the Navy for Air be considered. The report of the Committee on Armed Services was unanimous.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Maryland? The Chair hears none, and, without objection, the nomination is confirmed, and the President will be notified forthwith.

LEAVE OF ABSENCE

Mr. AIKEN. Mr. President, I ask permission to be absent from the Senate from March 9 to 11, inclusive, in case of a filibuster.

The PRESIDENT pro tempore. Without objection, leave is granted.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following communications and letters, which were referred, as indicated:

SUPPLEMENTAL ESTIMATE, DEPARTMENT OF COMMERCE (S. DOC. NO. 17)

A communication from the President of the United States, transmitting a revised supplemental estimate of appropriation for the Department of Commerce, involving an increase of $76,000, fiscal year 1949 (with an accompanying paper); to the Committee on Appropriations and ordered to be printed.

ESTIMATE OF APPROPRIATIONS—CLAIMS FOR DAMAGES, ETC. (S. DOC. NO. 15)

A communication from the President of the United States, transmitting estimates of appropriations for the several departments and independent offices to pay claims for damages, audited claims, and judgments rendered against the United States, as provided by various laws, amounting to $22,638,857.65, together with an indefinite amount as may be necessary to pay interest and costs (with accompanying papers); to the Committee on Appropriations and ordered to be printed.

AGREEMENT RELATING TO RESOLUTION OF CONFLICTING CLAIMS TO GERMAN ENEMY ASSETS AND RELATED PROTOCOL

A letter from the Secretary of State, transmitting a draft of proposed legislation approving an agreement relating to the resolution of conflicting claims to German enemy assets and related protocol and authorizing the President to enter into the agreement or other agreements similar in character with certain countries (with accompanying papers); to the Commitee on Foreign Relations.

AMENDMENT OF CONTRACT SETTLEMENT ACT OF 1944

A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to amend the Contract Settlement Act of 1944, to provide that claims under section 17 must be filed within 6 months to be allowable, to stop further accrual of such claims, and for other purposes (with an accompanying paper); to the Committee on the Judiciary.

SUSPENSION OF DEPORTATION OF ALIENS—WITHDRAWAL OF NAME

A letter from the Acting Attorney General, withdrawing the name of Karel Krajsky or Charles Krjsky from a report relating to aliens whose deportation he suspended more than 6 months ago, transmitted by the Attorney General to the Senate on January 15, 1948; to the Committee on the Judiciary.

AMENDMENT OF FEDERAL FOOD, DRUG, AND COSMETIC ACT OF 1938, AS AMENDED

A letter from the Administrator, Federal Security Agency, transmitting a draft of proposed legislation to amend the Federal Food, Drug, and Cosmetic Act of June 25, 1938, as amended, by providing for the certification of batches of drugs composed wholly or partly of any kind of aureomycin, chloramphenicol, and bacitracin, or any derivative thereof (with an accompanying paper); to the Committee on Labor and Public Welfare.

AMENDMENT OF FEDERAL EMPLOYEES' COMPENSATION ACT OF 1916, AS AMENDED

A letter from the Acting Administrator, Federal Security Agency, transmitting a draft of proposed legislation to amend the act approved September 7, 1916 (c. 458, 39 Stat. 742), entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," as amended (with accompanying papers); to the Committee on Labor and Public Welfare.

AUDIT REPORT OF FEDERAL PRISON INDUSTRIES, INC.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report of the Federal Prison Industries, Inc., for the fiscal year ended June 30, 1947 (with an accompanying report); to the Committee on Expenditures in the Executive Departments.

REPORT AND RECOMMENDATION ON CLAIM OF SARAH J. MILLER

A letter from the Assistant Comptroller General of the United States, transmitting, pursuant to law, a report and recommendation concerning the claim against the United States of Mrs. Sarah J. Miller (with an accompanying paper); to the Committee on the Judiciary.

ONE HUNDRED AND FIFTIETH ANNIVERSARY OF ESTABLISHMENT OF SEAT OF GOVERNMENT IN THE DISTRICT OF COLUMBIA

A letter from the executive vice chairman of the National Capital Sesquicentennial Commission, transmitting a draft of proposed legislation to authorize the National Capital Sesquicentennial Commission to proceed with plans for the celebration and commemoration of the one hundred and fiftieth anniversary of the establishment of the seat of the Federal Government in the District of Columbia, and for other purposes (with an accompanying paper); to the Committee on the District of Columbia.

REPORTS OF COMMISSION ON ORGANIZATION OF THE EXECUTIVE BRANCH OF THE GOVERNMENT

A letter from the Chairman of the Commission on Organization of the Executive Branch of the Government, transmitting, pursuant to law, a report on fiscal, budgeting, and accounting activities (appendix F) (with an accompanying report); to the Committee on Expenditures in the Executive Departments.

A letter from the Chairman of the Commission on Organization of the Executive Branch of the Government, transmitting, pursuant to law, a report on statistical agencies (appendix D) (with an accompanying report); to the Committee on Expenditures in the Executive Departments.

A letter from the Chairman of the Commission on Organization of the Executive Branch of the Government, transmitting, pursuant to law, a report on budgeting and accounting (with an accompanying report); to the Committee on Expenditures in the Executive Departments.

A letter from the Chairman of the Commission on Organization of the Executive Branch of the Government, transmitting, pursuant to law, a report of the personnel policy committee, Commission on Organization (appendixes) (with an accompanying report); to the Committee on Expenditures in the Executive Departments.

A letter from the Chairman of the Commission on Organization of the Executive Branch of the Government, transmitting, pursuant to law, an appendix to a report on the accounting needs of the Federal Government (with an accompanying report); to the Committee on Expenditures in the Executive Departments.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A resolution of the House of Representatives of the State of Arizona; to the Committee on Interior and Insular Affairs:

"House Memorial 1

"Memorial requesting Congress to provide recreational facilities in the Lake Mead national recreational area

"To the Congress of the United States:

"Your memorialist respectfully represents:

"1. Through bureaus of the Department of the Interior, the Lake Mead national recreational area, in Arizona and Nevada, has been created, and by the appropriation of moneys for the maintenance and improvement thereof Congress has signified its approval.

"2. There are still opportunities and substantial need for additional facilities for recreation in the area thus provided, among which might be mentioned: (1) A road from Pierce Ferry to Fredonia, via Pipe Spring National Monument, connecting with the north rim of Grand Canyon near Tuweep; (2) a paved road from a point on United States Highway 93, within the recreational

area, to Temple Bar; (3) truck trails along Lake Mead, particularly between the Temple Bar road and Hualapai Wash, to open the area to fishermen; and (4) sewer, airport, and other facilities at Temple Bar and Pierce Ferry.

"3. The further opening of this splendid area will not only be of great benefit to Arizona, but will render its beauties and recreational advantages available to the people of the whole United States and cause it to take a high place in the great national-park system, which exists for the enjoyment and benefit of the people of the United States.

"Wherefore, your memorialist, the House of Representatives of the State of Arizona, respectfully requests:

"1. That the Congress provide for the further development and improvement of the facilities of the Lake Mead national recreational area.

"Adopted by the house this 22d day of January 1949.

"Filed in the office of the secretary of State, January 24, 1949."

A joint memorial of the Legislature of the State of Idaho; to the Committee on Appropriations:

"Senate Joint Memorial 2

"To the Honorable Senators and Representatives of the United States of America in Congress assembled:

"We, your memorialists, the Legislature of the State of Idaho, respectfully represent that:

"Whereas the ever-increasing growth of noxious weeds, through the spreading of seeds by irrigation waters of Snake River and other rivers and creeks and valley winds upon private and public lands in the State of Idaho, has become an unusually heavy burden upon private land owners of the State of Idaho and on State lands, and

"Whereas Snake and Bear Rivers in the State of Idaho are interstate streams, originating outside the State of Idaho, and carrying noxious weed seeds in irrigation waters to and upon irrigated lands in Idaho; and

"Whereas noxious weeds cause a substantial reduction in the crop production of the irrigated lands of Idaho, besides incurring a heavy expense upon landowners in their eradication: Now, therefore, be it

"Resolved by the Senate of the State of Idaho (the house of representatives concurring), That we most respectfully urge upon the Congress of the United States of America, that it appropriates $500,000 to be administered in cooperation with the noxious-weed program of the constituted authorities of the State of Idaho, in the treatment and eradication of noxious weeds on federally owned or controlled land in the State of Idaho; be it further

"Resolved, That the secretary of state of the State of Idaho be authorized and he is hereby directed to forward certified copies of this memorial to the Senators and the Representatives in Congress from this State, and to the Senate and the House of Representatives of the United States of America.

"This senate joint memorial passed the senate on the 5th day of February 1949.

"This senate joint memorial passed the house of representatives on the 9th day of February 1949."

A joint memorial of the Legislature of the State of Montana; to the Committee on Appropriations:

"House Joint Memorial 6

"Joint memorial to the President and Congress of the United States, requesting the introduction and enactment of appropriate legislation for appropriation of funds by the first session of the Eighty-first Congress for the building of the Custer Battlefield Museum at Custer Battlefield National Monument, Mont.

"Whereas the Director of the Bureau of the Budget has recommended the sum of $96,000 be appropriated in the 1950 fiscal year funds for a memorial museum to be erected on the site of Custer Battlefield National Monument; and

"Whereas Custer Battlefield is one of the most prominent patriotic shrines in American history, the site where General Custer and 262 men of his gallant regiment were slain at the Battle of the Little Bighorn River, June 25–26, 1876, also known as Custer's Last Battle; and

"Whereas the purpose of the Custer Battlefield National Monument is to preserve for all time the memorable ground of this great conflict and to present for public benefit the chapter it has to tell in the story of the westward advance of our settlements in the Northwest. It is necessary that a museum be erected on this battlefield site to properly care for, display, and maintain the many valuable historical artifacts, relics, and mementos pertaining to the battle that are now in storage awaiting the opportunity of proper care and display that only a museum can offer: Now, therefore, be it

"Resolved by the House of Representatives of the Thirty-first Legislative Assembly of the State of Montana (the senate concurring), That we respectfully urge the Congress of the United States that the act of August 10, 1939, 'To provide for the erection of a public historical museum in the Custer Battlefield National Cemetery, Mont.' (Public, No. 362, ch. 634, 76th Cong., 1st sess.), signed by the President of the United States, to pass legislation for funds as mentioned in the 1950 fiscal year estimates for the erection of this museum; be it further

"Resolved, That copies of this resolution be forwarded by the chief clerk of the house of representatives to the President of the United States, to the President pro tempore of the Senate of the United States, to the Speaker of the House of Representatives of the United States, and to the Honorable JAMES E. MURRAY and the Honorable ZALES N. ECTON, Senators from Montana, and the Honorable MIKE MANSFIELD and the Honorable WESLEY A. D'EWART, Representatives in Congress from Montana."

A joint memorial of the Legislature of the State of Montana; to the Committee on Labor and Public Welfare:

"House Joint Memorial 4

"Joint memorial to the Congress of the United States of America, to the honorable United States Senators JAMES E. MURRAY and ZALES N. ECTON, and to the honorable Representatives in Congress MIKE MANSFIELD and WESLEY A. D'EWART, requesting the Eighty-first Congress introduce and pass the Veterans' Economic Development Act which was embodied in H. R. 521 and S. 1652 in the Eightieth Congress

"To the Honorable Senate and House of Representatives of the United States in Congress assembled:

"Whereas the Eightieth Congress of the United States had in mind legislation which would help both the veteran and nonveteran and which if passed would have brought new business to the State of Montana but which said legislation unfortunately was not passed: Now, therefore, be it

"Resolved, That the House of Representatives of the Thirty-first Legislative Assembly of the State of Montana (the senate of said assembly concurring) does most respectfully urge the Eighty-first Congress of the United States that the said Congress cause necessary action to be initiated whereby the Veterans' Economic Development Act which was embodied in H. R. 521 and S. 1652 in the Eightieth Congress will be again introduced as an act and passed by the Eighty-first Congress of the United States; be it further

"Resolved, That duly attested copies of this memorial be transmitted to both Houses of Congress, to the Honorable JAMES E. MURRAY and the Honorable ZALES N. ECTON, United States Senators for the State of Montana, and the Honorable MIKE MANSFIELD and the Honorable WESLEY A. D'EWART, United States Representatives in Congress for the State of Montana."

A joint memorial of the Legislature of the Territory of Alaska; to the Committee on Interior and Insular Affairs:

"House Joint Memorial 1

"To the Honorable Harry S. Truman, President of the United States; to the President of the Senate and Speaker of the House of Representatives of the Congress of the United States; to the Honorable E. L. Bartlett, Delegate to Congress for the Territory of Alaska; to the Honorable Julius A. Krug, Secretary of the Interior; and to the Director of the Fish and Wildlife Service:

"Your memorialist, the Legislature of the Territory of Alaska, in regular session assembled, respectfully represents that:

"Whereas the people of Alaska in a free expression of opinion at their general election on October 12, 1948, did by the unprecedented majority of 19,712 to 2,624 vote to abolish fish traps from the waters of this Territory; and

"Whereas this expression of the people of Alaska was made after the fullest discussion ever given any issue in the history of the Territory; and

"Whereas fish traps have been abolished by the respective States and the Province of British Columbia from all coastal waters of the Pacific coast except in Alaska; and

"Whereas repeated attempts to gain a transfer of authority for regulating Alaska fisheries from the Federal Government where it now resides to the Territorial government have been unsuccessful; and

"Whereas Alaska's salmon fisheries, particularly in the areas where fish traps are common, have been depleted to a dangerous extent requiring immediate remedial action;

"Now, therefore, we, your memorialist, the Legislature of the Territory of Alaska, in nineteenth regular session assembled, respectfully request that legislation be enacted immediately, abolishing fish traps from the waters of the Territory of Alaska.

"And your memorialist will ever pray.

"Approved by the Governor February 7, 1949.

"ERNEST GRUENING,
"Governor of Alaska."

Petitions of M. L. Breing, of Louisville, Ky., and James Walker, of Grindstone, Pa., praying for the enactment of legislation to extend rent control; to the Committee on Banking and Currency.

Memorials of George W. Beard, of Louisville, Ky., and sundry other citizens of the United States, remonstrating against the enactment of legislation to continue rent control; to the Committee on Banking and Currency.

Petitions of George W. Langford, of Miami, Fla., and sundry other citizens of the United States, relating to rent control; to the Committee on Banking and Currency.

A resolution adopted by the Common Council of the City of Holyoke, Mass., favoring the enactment of legislation proclaiming October 11 of each year as General Pulaski's Memorial Day; to the Committee on the Judiciary.

A telegram in the nature of a petition from the Electric Plant Board of the City of Bowling Green, Ky., praying for the enactment of legislation providing sufficient funds for the construction of a TVA steam plant at New Johnsonville, Tenn.; to the Committee on Appropriations.

Petition of Theodore Wysvki, of West Hartford, Conn., relating to electronic equipment and other devices for disabled veterans; to the Committee on Labor and Public Welfare.

Petition of May Elkins Fraser, of New York City, N. Y., relating to the establishment of

a federation of nations; to the Committee on Foreign Relations.

Petition of Sarah M. Cobb, of Atlanta, Ga., relating to Federal aid to schools; to the Committee on Labor and Public Welfare.

A letter in the nature of a petition from Michael S. Solimene, of San Bernardino, Calif., relating to tax legislation (with an accompanying paper); to the Committee on Finance.

The petition of Mr. and Mrs. Bill Nelson, of West Prestonsburg, Ky., favoring the enactment of legislation to repeal the Taft-Hartley labor law; to the Committee on Labor and Public Welfare.

A telegram in the nature of a petition signed by Willard E. Goslin, president of the American Association of School Administrators, and sundry other citizens, of San Francisco, Calif., praying for the enactment of legislation providing Federal aid to education; to the Committee on Labor and Public Welfare.

A resolution adopted by the Jefferson County Fiscal Court, Louisville, Ky., relating to a reduction in personnel in the Navy Ordnance Plant, located in Jefferson County, Ky.; to the Committee on Armed Services.

Petitions of the Florida State Townsend Council and the West Palm Beach Townsend Club No. 1, both of the State of Florida, praying for the enactment of the so-called Townsend plan providing old-age assistance; to the Committee on Finance.

A letter in the nature of a petition signed by C. W. Johnson and sundry other citizens of South Bend, Ind., praying for the enactment of the so-called Townsend plan providing old-age assistance; to the Committee on Finance.

A letter in the nature of a petition from E. Glen Wilder, executive director, Alaska Housing Authority, Anchorage, Alaska, relating to housing legislation (with accompanying papers); to the Committee on Banking and Currency.

A resolution adopted by the Common Council of Boise City, Idaho, favoring the enactment of legislation providing local service air-transportation facilities; to the Committee on Interstate and Foreign Commerce.

A telegram in the nature of a petition signed by Samuel R. Quinones, president of the Senate of Puerto Rico, San Juan, P. R., expressing appreciation for the approval of the act which granted to Puerto Ricans the privilege of electing their Governor; to the Committee on Interior and Insular Affairs.

A telegram in the nature of a petition signed by Samuel R. Quinones, president of the Senate of Puerto Rico, San Juan, P. R., praying for the inclusion of Puerto Rico in the provisions of the so-called Federal aid to education bill; to the Committee on Labor and Public Welfare.

A resolution adopted by the Kansas Hospital Association, Topeka, Kans., protesting against the enactment of the so-called compulsory insurance bill; to the Committee on Labor and Public Welfare.

A resolution adopted by the Fern-Washburn Grange No. 629, Wisconsin, favoring the fixing of a support price on butterfat; to the Committee on Agriculture and Forestry.

Petitions of Margaret R. Monahan, of Columbus, and sundry other citizens of the United States, relating to the trial of Josef Cardinal Mindszenty; to the Committee on Foreign Relations.

A paper in the nature of a petition from Thomas A. Della Penna, of Holyoke, Mass., relating to the claim for old-age assistance of Walter E. Atkinson (with accompanying papers); to the Committee on Finance.

A petition of Edwardo Soto Modesto, and sundry other citizens of Salinas, Puerto Rico, praying for the inclusion of Puerto Rico in the broadening of the social-security law; to the Committee on Finance.

Petitions of Helen M. Ryan, of Chicago, Ill., and sundry other citizens of the United States, relating to tax legislation; to the Committee on Finance.

By Mr. GREEN (for himself and Mr. McGRATH):

A resolution of the General Assembly of the State of Rhode Island and Providence Plantations; to the Committee on the Judiciary:

"Resolution memorializing the Congress of the United States to pass, and the President of the United States to approve, if passed, the General Pulaski's Memorial Day resolution now pending in Congress

"Whereas a resolution providing for annual proclaiming by the President of the United States of America of October 11 as General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski is now pending in the present session of the Congress of the United States of America; and

"Whereas the 11th day of October 1779 is the date in American history of the death of Brig. Gen. Casimir Pulaski, who died from wounds received on October 9, 1779, at the siege of Savannah, Ga.; and

"Whereas the States of Arkansas, California, Connecticut, Delaware, Illinois, Indiana, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, New York, Nevada, Ohio, Pennsylvania, South Carolina, Tennessee, Texas, West Virginia, Wisconsin, and other States of the Union, through legislative enactment, have designated October 11 of each year as General Pulaski's Memorial Day, believing it fitting that the recurring anniversary of this day be commemorated with suitable patriotic and public exercises in honor of this great hero of the Revolutionary War; and

"Whereas from October 11, 1929, to October 11, 1946, by congressional enactment, October 11 has been designated as General Pulaski's Memorial Day in the United States of America: Now, therefore, be it

"Resolved, That the General Assembly of the State of Rhode Island and Providence Plantations hereby memorializes and petitions the Congress of the United States to pass, and the President of the United States to approve, if passed, the General Pulaski's Memorial Day resolution now pending in Congress; and be it further

"Resolved, That duly certified copies of this resolution be transmitted forthwith by the secretary of state to the President of the United States, the Vice President of the United States and to each of the Senators and Representatives from Rhode Island in the Congress of the United States."

(The PRESIDENT pro tempore laid before the Senate a resolution of the General Assembly of the State of Rhode Island and Providence Plantations, identical with the foregoing, which was referred to the Committee on the Judiciary.)

By Mr. MURRAY:

A resolution of the House of Representatives of the State of Montana; to the Committee on Finance:

"House Resolution 3

"Resolution memorializing and requesting the Congress of the United States for the enactment of legislation to aid the State of Montana in the enforcement of the cigarette tax now evaded by the use of the United States mails

"To the Honorable Senate and House of Representatives of the United States in Congress assembled:

"Your memorialists, the members of the House of Representatives of the Thirty-first Legislative Assembly of the State of Montana now convened in regular session, respectfully request:

"Whereas the State of Montana has imposed a tax on the sale and use of cigarettes within its boundaries, and the revenues so obtained constitute a substantial portion of the revenues available and needed for its functions of government; and

"Whereas it has been brought to the attention of the House of Representatives of the State of Montana, now in regular session assembled, that a large and growing system of evasion of such tax law has developed; that the United States mails are flooded with advertisements and inducements to the citizens of this State to violate the law; that in numerous instances such advertisers entice prospective customers with statements to the effect that the use of the United States mails is sufficient proof of the legitimacy of such business and such system; that the mails of the United States are flooded with cigarettes in the process of delivery within this State, and on which cigarettes the tax required by the laws of the State have not and will not be paid; that this State is seriously injured and damaged in the loss of revenue from this source, and is at a disadvantage in collecting such lawful tax by and through such system; that the mails of the United States are being used for the express purpose of evading such tax and the enforcement of the laws of the State; and

"Whereas it has been brought to the attention of the House of Representatives of the State of Montana that there is now pending before the Congress of the United States a proposed bill which will aid the States by requiring shippers of cigarettes in interstate commerce to furnish to the taxing authority of the State to which shipped, a copy of the invoice on each shipment and the name and address of each person to whom shipped; and

"Whereas such legislation by the Congress of the United States will greatly aid this and other States of the Union in the enforcement of its laws, and the collection of needed revenue: Now, therefore, be it

"Resolved by the House of Representatives of the State of Montana, That the Congress of the United States be and the same is hereby memorialized and respectfully urged to enact legislation requiring shippers of cigarettes in interstate commerce to furnish to the taxing authority of the State to which shipped a copy of the invoice on each such shipment; or to enact such other legislation as will aid the several States affected as may be proper; be it further

"Resolved, That a copy of this resolution be transmitted by the secretary of state of the State of Montana to the Senate and House of Representatives of the Congress of the United States, and to the Senators and Representatives in Congress from the State of Montana and they and each of them be requested to use all honorable means within their power and offices to bring about the enactment of legislation as herein mentioned."

By Mr. BUTLER (for himself and Mr. WHERRY):

A resolution of the Legislature of the State of Nebraska; to the Committee on Interior and Insular Affairs:

"Legislative Resolution 14

"Resolution memorializing the Congress of the United States to pass Senate File No. 362

"Whereas the Federal Government owns one-fourth of the total area of the United States which is about 500,000,000 acres; and

"Whereas most of this is tax exempt irrespective of 46 separate provisions of law providing for payments in lieu of taxes in as many specific and isolated circumstances; and

"Whereas in many localities the Federal Government owns more than one-half of the total real property and in some counties it owns as much as 90 percent of the total acreage, and this situation has disrupted the tax bases of local governments and has imposed an unfair burden on the remaining real property which is taxable; and

"Whereas there is now pending in the Senate of the United States Senate File No. 362 which calls for payments in lieu of taxes on Federal-owned real property so as to reimburse to States and local governments, bringing about substantial equity between local and Federal taxpayers with respect to Federal-owned real property: Now, therefore, be it

"Resolved by the members of the Nebraska Legislature in sixty-first session assembled:

"1. That the Legislature of the State of Nebraska respectfully request the Senate of the United States to enact into law Senate File No. 362 now before the Senate of the United States.

"2. That copies of this resolution, suitably engrossed, be transmitted by the clerk of the legislature to the Vice President of the United States as Presiding Officer of the Senate of the United States, to the Speaker of the House of Representatives of the United States, and to each Member of the Congress of the United States from Nebraska."

By Mr. GURNEY:

A concurrent resolution of the Legislature of the State of South Dakota; to the Committee on Finance:

"Senate Concurrent Resolution 8

"Concurrent resolution relative to memorializing the Congress of the United States in relation to repealing the transportation tax

"Be it resolved by the Senate of the Thirty-first Legislative Session of the State of South Dakota (the house concurring):

"Whereas for the purpose of meeting wartime emergency necessity, the Congress of the United States enacted as excise taxes a 15-percent levy upon the transportation of persons and a 3-percent levy upon the transportation of property; and

"Whereas one of the principal purposes of of levying such tax upon the transportation of persons was to discourage unnecessary wartime travel, the need for which no longer exists; and

"Whereas it is the opinion of the Legislature of the State of South Dakota that excise taxes should not impose an unfair burden on the long-distance shipper and the long-distance traveler as does the present tax on the transportation of property and persons; and

"Whereas it should be a principle of Federal taxation to levy taxes in such a manner as to prevent them from falling as an unequal burden on citizens residing in different areas of the country; and

"Whereas the distances to, from, and within the West impose an unfair burden on the western traveler and shipper; and

"Whereas the present transportation tax on property is unfairly burdensome upon the State of South Dakota, as it adds what is in effect an additional tariff on the goods shipped from South Dakota to the eastern markets, with the result that those goods are not able to compete freely with the goods originating in more closely adjacent southern areas; and

"Whereas the State of South Dakota is particularly interested in preserving the eastern market as an open market in which the agricultural products of South Dakota, in particular, may compete freely with southern produce without the hindrance of artificial barriers such as the present transportation tax; and

"Whereas the State of South Dakota is particularly interested in protecting and developing its vacation and tourist travel on an equal basis with other vacation travel areas; and

"Whereas the transportation of both persons and property plays such a vital role in the economic life of this country to the extent that the costs of transportation should always be kept at the lowest possible level; and

"Whereas transportation is in no sense a luxury, but is a vital necessity, and there is, therefore, sound reason for distinguishing between the transportation taxes and other excise taxes that are imposed upon luxury items; and

"Whereas it is the opinion of the Legislature of the State of South Dakota that the best interest of the country, and particularly the Western States, who are now discriminated against by the present transportation taxes, would be served by repeal of those taxes; and

"Whereas there is presently pending before the Congress of the United States, H. R. 205, which would repeal the tax on transportation of property, and H. R. 208, which would repeal the tax on transportation of persons: Now, therefore, be it

"Resolved, That the Legislature of the State of South Dakota respectfully memorialize the Congress of the United States to enact into laws H. R. 205 and H. R. 208, or any other bill or bills which would accomplish the same purpose; and be it further

"Resolved, That the secretary of the senate be hereby directed to transmit copies of this resolution to the President and Vice President of the United States and to each Senator and Representative from South Dakota in the Congress of the United States."

(The PRESIDENT pro tempore laid before the Senate a concurrent resolution of the Legislature of the State of South Dakota, identical with the foregoing, which was referred to the Committee on Finance.)

(Mr. MUNDT presented a concurrent resolution of the Legislature of the State of South Dakota, identical with the foregoing, which was referred to the Committee on Finance.)

By Mr. MILLER:

A joint memorial of the Legislature of the State of Idaho; to the Committee on Appropriations:

"Senate Joint Memorial 4

"To the Honorable Senate and House of Representatives of the United States in Congress assembled:

"We, your memorialists, the Legislature of the State of Idaho, as assembled in its thirtieth session, do respectfully represent that

"Whereas a highway known as Idaho Central Highway extending from Trude, near Yellowstone Park, in the State of Idaho, to Mountain Home, Idaho, and there connecting with U. S. Highway 30, has long been projected and parts of which have been constructed for and used for local travel; and

"Whereas the route of such highway extends through United States public domain and serves a vast area devoted to and used for agricultural, mining, and stock raising, which industries greatly need to be developed for the benefit, welfare, and economy of the people of the State of Idaho and the United States; and

"Whereas a large part of the area through which said highway will extend is remote from railway transportation and highway facilities and badly needs such facilities, for the lack of which its development has been greatly retarded; and

"Whereas such highway would, if constructed, shorten the distance by many miles between Yellowstone Park and eastern Idaho and northern Wyoming, and western Idaho and the States of Nevada, Oregon, and Washington; and

"Whereas there is great need for such a highway for military purposes as it passes near the United States Navy's proving grounds; and

"Whereas such highway would be tributary to the primitive area of the State of Idaho, held by the United States Government; and

"Whereas said highway would connect at Mountain Home, Idaho, with U. S. Highway 30, thus completing an integrated highway system for the southern part of the State of Idaho: Now, therefore, be it

"Resolved by the Senate of the Thirtieth Session of the Legislature of the State of Idaho (the house of representatives concurring), That we most respectfully urge upon the Congress of the United States of America immediately to make available the sum of $2,500,000 for the construction of the Idaho central highway and from Trude, Idaho, to Mountain Home, Idaho; and be it further

"Resolved, That the secretary of state of the State of Idaho be, and he is hereby, authorized and directed to send copies of this joint memorial to the President of the United States, to the Senate and House of Representatives of the United States, and to the Senators and Representatives of the State of Idaho in the United States Congress.

"This senate joint memorial passed the senate on the 9th day of February 1949.

"This senate joint memorial passed the house of representatives on the 15th day of February 1949."

(The PRESIDENT pro tempore laid before the Senate a joint memorial of the Legislature of the State of Idaho, identical with the foregoing, which was referred to the Committee on Appropriations.)

By Mr. HUNT:

A joint memorial of the Legislature of the State of Wyoming; to the Committee on Public Works:

"Enrolled Joint Memorial No. 2

"Joint memorial memorializing the Congress of the United States of America to alleviate the present electric-power shortage and anticipate future electric-power needs to avoid crippling the economic development of the State of Wyoming

"Whereas the population of the State of Wyoming, in contrast to that of the majority of the Missouri River Basin States, is rapidly increasing; and

"Whereas the consumption of electric power in the State of Wyoming is increasing at the rate of approximately 25 percent per annum, more than doubling every 4 years; and

"Whereas the economic development of the State of Wyoming, as well as the comfort and convenience of its citizens, will be greatly curtailed unless the present electric-power shortage is alleviated and future electric-power needs anticipated; and

"Whereas it is known that a number of private industrial enterprises, interested in locating in the State of Wyoming, have been discouraged from locating there because of the present electric-power shortage; and

"Whereas the prosperity of the citizens of the State of Wyoming depends to a large extent upon development of industry in Wyoming to balance its economy; and

"Whereas not only will the prosperity of the citizens of the State of Wyoming be reflected in added prosperity of the citizens of the other States, but also the strength of the national military defenses depends to a considerable extent upon the development of the Rocky Mountain States to form a strong link, binding the Nation together; and

"Whereas the bountiful hydroelectric resources within the boundaries of the State of Wyoming are largely controlled by the Federal Government of the United States of America, upon which is dependent the development of such hydroelectric power resources; and

"Whereas the construction of hydroelectric power projects cannot be accomplished overnight but require considerable time for their proper planning, as well as for their construction: Now, therefore, be it

"Resolved, That the House of Representatives of the Thirtieth Legislature of the State of Wyoming, the senate concurring, that

we hereby memorialize the Congress of the United States of America to consider not only the present electric-power shortage crippling the economic development of the State of Wyoming but also to anticipate its future electric-power needs by appropriating sufficient moneys for the planning and construction of adequate hydroelectric power plants and by directing the proper agencies of the United States of America to facilitate such planning and construction; and be it further

"Resolved, That certified copies of this memorial be sent to the President of the United States, and to United States Senators Joseph C. O'Mahoney and Lester C. Hunt, Congressman Frank A. Barrett, to the Honorable J. A. Krug, Secretary of the Interior, and Michael W. Straus, Commissioner of Reclamation.

"HERMAN D. MAYBANK,
"Speaker of the House.
"GEORGE BURKE,
"President of the Senate.

"Approved February 5, 1949.

"A. G. CRANE,
"Governor."

Two joint memorials of the Legislature of the State of Wyoming; to the Committee on Appropriations:

"Enrolled Joint Memorial 2

"Joint memorial memorializing the Congress of the United States of America to consider and pass resolution appropriating money to commence the building of certain irrigation projects in the Powder River Basin and the Tongue River Basin

"Whereas there are 11 proposed irrigation projects in the upper Powder River Basin and the Tongue River Basin, in the State of Wyoming, which are mentioned and described in more detail in Senate Document 191, Congress of the United States of America; and

"Whereas the building of these projects will make arid lands fertile and provide additional farm homes, will provide additional electric power, and will provide additional facilities for flood control; and

"Whereas unless funds are provided so that this project may be started immediately, settlers on the project will lose priority in their rights to water of the Powder River by reason of the construction of the Moorhead Dam: Now, therefore, be it

"Resolved by the Senate of the Thirtieth Legislature of the State of Wyoming (the house of representatives concurring), That the Congress of the United States of America be, and it is hereby, memorialized to appropriate sufficient moneys in order to commence construction of such irrigation projects; be it further

"Resolved, That copies of this memorial be sent to the President of the United States Senate, the Speaker of the House of Representatives of the United States, and to the United States Senators JOSEPH C. O'MAHONEY and LESTER C. HUNT and to Congressman FRANK A. BARRETT.

"GEORGE BURKE,
"President of the Senate.
"HERMAN D. MAYLAND,
"Speaker of the House.

"Approved February 12, 1949.

"A. G. CRANE,
"Governor."

"Enrolled Joint Memorial 3

"Joint memorial memorializing the Congress of the United States of America to consider and pass legislation appropriating funds to complete construction of the Glendo Dam project in Platte County, Wyo.

"Whereas the construction of the Glendo Dam project has been surveyed and all other preliminary work completed and suitable materials for the construction thereof are available adjacent to the project area; and

"Whereas the dam is to be constructed for the purposes of generating electricity, of which there is a shortage in the area, and also for the purpose of flood control; and

"Whereas the project when completed will have a capacity of 150,000 acre-feet of storage water for power-generating purposes; and will have a maximum capacity of 750,000 acre-feet for flood-control purposes; and

"Whereas construction of the project has been suspended for the reason that funds are unavailable: Now, therefore, be it

"Resolved by the House of the Thirtieth Legislature of the State of Wyoming (the senate concurring), That the Congress of the United States of America be, and is hereby, memorialized to appropriate sufficient funds for the completion of the Glendo Dam project, and that copies of this memorial be sent to the President of the United States Senate, the Speaker of the House of Representatives, to United States Senators Joseph C. O'Mahoney and Lester C. Hunt, Congressman Frank A. Barrett; J. A. Krug, Secretary of the Interior, and Michael W. Straus, Commissioner of Reclamation.

"HERMAN D. MAYLAND,
"Speaker of the House.
"GEORGE BURKE,
"President of the Senate.

"Approved February 5, 1949.

"A. G. CRANE,
"Governor."

By Mr. MUNDT:

A concurrent resolution of the Legislature of the State of South Dakota; to the Committee on Interior and Insular Affairs:

"Senate Concurrent Resolution 2

"Whereas the problems of our Indians in South Dakota are such that they need our attention; and

"Whereas while the State of South Dakota through its share in the old-age-assistance, aid-to-dependent-children, and aid-to-the blind programs is helping the Indians substantially at the present time, there are areas of need which these programs do not include; and

"Whereas the primary responsibility for the Indian rests with the Federal Government through treaty agreements, steps should be taken requesting the Federal Government to offer assistance and aid to the Indians to help their present condition, both on the reservation and off the reservation, as they endeavor to adjust themselves to the white man's economy: Therefore be it

"Resolved by the Senate of the State of South Dakota (the house of representatives concurring), That the Congress of the United States be memorialized to provide sufficient funds, and grant such assistance as may be necessary, to adequately aid in a modern way toward the improvement of the Indian's economic well-being, the utilization of his resources, and the training of the young and the adult in a greater range of technical and managerial skills pointed straight at their economic and social betterment and stability.

"REX A. TERRY,
"Lieutenant Governor,
"President of the Senate.
"A. E. MUNCK,
"Speaker of the House of Representatives."

(The PRESIDENT pro tempore laid before the Senate a concurrent resolution of the Legislature of the State of South Dakota, identical with the foregoing, which was referred to the Committee on Interior and Insular Affairs.)

(Mr. GURNEY presented a concurrent resolution of the Legislature of the State of South Dakota, identical with the foregoing, which was referred to the Committee on Interior and Insular Affairs.)

By Mr. MUNDT:

A concurrent resolution of the Legislature of the State of South Dakota; to the Committee on Finance:

"House Concurrent Resolution 3

"Concurrent resolution memorializing the Congress of the United States of America to discontinue the Federal gasoline tax and Federal lubricating oil tax as soon as possible and refuse to reenact such taxes

"Be it resolved by the House of Representatives of the Thirty-first Legislative Session of the State of South Dakota (the senate concurring):

"Whereas the Congress of the United States did during the session of the Seventy-sixth Congress increase the Federal gasoline tax one-half cent per gallon making such tax now a total of 1½ cents per gallon despite the fact that every State in the Union now imposes a substantial sales tax on gasoline; averaging in excess of 4 cents per gallon; and

"Whereas such Federal gasoline tax during the past calendar year of 1948 has taken from the people of the State of South Dakota in excess of $3,000,000 which largely comes from the producers and from agriculture of South Dakota; and

"Whereas such tax at 1½ cents per gallon amounts to approximately 10 percent retail sales tax on such product which is a necessity of the residents of this State; and

"Whereas the Federal lubricating oil tax is 6 cents per gallon, and is likewise an enormous retail sales tax upon a product necessary to the production of food for the country, and is an unfair and unreasonable imposition upon such necessity; and

"Whereas it is the sense of this legislature that it is inequitable and unfair to impose such an enormous sales tax upon a single commodity of this type which is a necessity to persons engaged in agricultural and producing pursuits; and

"Whereas such gasoline tax is a revenue measure peculiarly adapted for the individual States for the purpose of construction and maintenance of adequate highway systems and means of transportation, and administrative machinery is well established in every State in the Union: Therefore be it

"Resolved, That the Congress of the United States should discontinue the Federal gasoline tax and Federal lubricating oil tax at the earliest possible time, and should refuse to reenact the same upon their expiration, and should thus leave the field of revenue entirely to the individual States for use in construction and maintenance of the various States' highway systems; be it further

"Resolved, That the Members of the Congress of the United States from the State of South Dakota be, and they are hereby urged by the legislature of this State to use their best efforts in opposing the reenactment or continuance of said taxes; be it further

"Resolved, That certified copies of this resolution be forwarded by the secretary of state to each Senator and Representative of the State of South Dakota in the Congress of the United States and to the President of the United States Senate and the Speaker of the House of Representatives to be by them presented to the proper committee in Congress considering or determining such aforesaid legislation."

(The PRESIDENT pro tempore laid before the Senate a concurrent resolution of the Legislature of the State of South Dakota, identical with the foregoing, which was referred to the Committee on Finance.)

(Mr. GURNEY presented a concurrent resolution of the Legislature of the State of South Dakota, identical with the foregoing, which was referred to the Committee on Finance.)

By Mr. TYDINGS:

A memorial of the Maryland State Poultry Council, remonstrating against the present farm price parity program; to the Committee on Agriculture and Forestry.

JOSEF CARDINAL MINDSZENTY

Mr. KEM. Mr. President, I ask unanimous consent to present for appropriate reference, and to have printed in the body of the RECORD, a resolution adopted by the House of Representatives of the General Assembly of Missouri regarding the trial and conviction of His Eminence Cardinal Mindszenty.

There being no objection, the resolution was received, referred to the Committee on Foreign Relations, and under the rule, ordered to be printed in the RECORD, as follows:

Whereas Josef Cardinal Mindszenty of Budapest, has recently been tried and sentenced to life imprisonment on charges of treason preferred against him by the Communist-controlled Government of Hungary; and

Whereas the circumstances surrounding the presentation of the charges, and the peculiar and arbitrary conduct of the trial have aroused the moral indignation of freemen throughout the world; and

Whereas since the conviction of Cardinal Mindszenty the same intolerant forces are seeking to convict 15 Protestant clergymen on charges of the same general nature as those preferred against said cardinal; and

Whereas such indefensible tactics and persecutions are designed to destroy the dignity of mankind by crucifying Christ and individual freedoms upon the hammer and sickle of communism: Therefore be it

Resolved by the House of Representatives of the Sixty-fifth General Assembly of Missouri, That we commend the State Department for its alert interest in this matter, and that we urge upon it the transcendent importance of taking every peaceful action possible to bring before the world the actual and true facts of these notorious prosecutions and to see that right and justice prevail; and be it further

Resolved, That copies of this resolution be sent to the State Department by the chief clerk of the house of representatives and to each Congressman and Senator from the State of Missouri.

PIPESTONE INDIAN SCHOOL — CONCURRENT RESOLUTION BY MINNESOTA STATE LEGISLATURE

Mr. THYE. Mr. President, I ask unanimous consent to present for appropriate reference and to have printed in the RECORD the text of a concurrent resolution adopted by the Minnesota State Legislature memorializing the President of the United States and Congress to immediately provide for the continued operation of the Pipestone Indian School at Pipestone, Minn., and the reopening of the hospital at said school.

There being no objection, the concurrent resolution was received, referred to the Committee on Interior and Insular Affairs, and, under the rule, was ordered to be printed in the RECORD, as follows:

Concurrent resolution memorializing the President of the United States and Congress to immediately provide for the continued operation of the Pipestone Indian School at Pipestone, Minn., and the reopening of the hospital at said school

Whereas the number of persons of Indian blood has been increasing in the State of Minnesota at a relatively rapid rate; and

Whereas the State of Minnesota and many of its counties has for the past several years found it necessary to assume all or the greater portion of the cost of maintaining needy persons of Indian blood; and

Whereas the financial burden to the State of Minnesota and its counties is becoming increasingly serious; and

Whereas it has been found exceedingly difficult to find a sufficient number of foster homes to care for dependent and neglected children of Indian blood, most of whom come from broken homes and many of whom are, in fact, orphans; and

Whereas the Pipestone Indian School, operated at Pipestone, Minn., by the Bureau of Indian Affairs of the United States Department of the Interior, does perform a real and needed service in providing care for dependent and neglected children of Indian blood who otherwise would become the financial responsibility of the counties and State of Minnesota; and

Whereas by continuing to operate the Pipestone Indian School the Federal Government is providing an indispensable social service and, to a certain degree, assuming the financial responsibility toward said children of Indian blood that is rightfully and justly a Federal Government problem; and

Whereas the Bureau of Indian Affairs has indicated that it plans to close the Pipestone Indian School on July 1, 1949, and has, in fact, already closed the hospital previously operated in conjunction with said school: Now, therefore, be it

Resolved by the Senate of the State of Minnesota (the house of representatives concurring herein), That it is absolutely essential that immedite recognition be given this problem by the President and the Congress of the United States, to the end that the United States Department of the Interior, through the Bureau of Indian Affairs, not only continue to operate the Pipestone Indian School to its full capacity but also expand the same as need thereof becomes apparent, and that the hospital in conjunction with said school be reopened at once to serve and care for all needy persons of Indian blood; be it further

Resolved, That the secretary of state be instructed to transmit a copy of this resolution to the President of the United States, the Presiding Officers of the Senate and House of Representatives of the Congress of the United States, and each of the Senators and Representatives in Congress from the State of Minnesota.

Passed the senate the 9th day of February, in the year of our Lord 1949.

H. Y. TORREY,
Secretary of the Senate.

Passed the house of representatives the 14th day of February, in the year of our Lord 1949.

G. H. LEAHY,
Chief Clerk, House of Representatives.

Approved February 17, 1949.

LUTHER W. YOUNGDAHL,
Governor of the State of Minnesota.

Filed February 17, 1949.

MIKE HOLM,
Secretary of State.

(The PRESIDENT pro tempore laid before the Senate a concurrent resolution of the Legislature of the State of Minnesota, identical with the foregoing, which was referred to the Committee on Interior and Insular Affairs.)

MEMORIALS OF LEGISLATURE OF UTAH

Mr. THOMAS of Utah. Mr. President, I ask unanimous consent to present for appropriate reference three resolutions of the Legislature of the State of Utah, which were forwarded to me by Heber Bennion, Jr., Utah's secretary of state.

The PRESIDENT pro tempore. Without objection, the resolutions will be received, appropriately referred, and printed in the RECORD.

To the Committee on Banking and Currency:

Memorial to the Congress of the United States urging that national rent control be abandoned and that the jurisdiction of the same be returned to the people at the earliest possible date, and that during the interim action be taken to restore some degree of economic justice to the owners of rental property

Whereas the National Rent Control Act as originally passed was intended as a war-emergency measure, and save for the Emergency War Powers Act this legislation would not be valid under any peacetime functioning of constitutional government; and

Whereas if there is an emergency now existing in the housing industry, there is likewise an emergency in food and clothing and other commodities which are even more vital to life than shelter; and

Whereas the American way of life is founded on the proposition that there shall be free commerce among and between all our people and to freeze any one segment of our economy is a violation of the basic principles of the free-enterprise system; and

Whereas the Congress' attention is respectfully called to the fact that other industries are now being subsidized by the Government through general taxation, and to force one segment of the population to subsidize another individually and directly, as is now being required from landlord to tenant, is unfair and grossly discriminatory; and

Whereas the right now exercised by the Federal Government to control the property and income of one group of our citizens, carries with it the implied right to extend the same controls to other groups; and

Whereas rent control, dealing as it does with the rights to our homes and personal property, is by its very nature a local or community problem and should be dealt with by local government; and

Whereas the continual extension of this law under the guise of emergency is cause for alarm by the people as to the good faith of the Federal Government; and

Whereas the Congress' attention is respectfully called to the fact that rent control was one of the first stepping stones used by nations of the world now experiencing state socialism and that rent control is one of the salient planks of the Communist Party here in America; and

Whereas aside from all matters of law and discrimination it is contrary to the spirit of good American sportsmanship to take advantage of one segment of our population because of a numerical advantage held by the others: Now, therefore, be it

Resolved by the Senate of the State of Utah, That the Congress of the United States be urged in behalf of local government and in the interest of preserving the free-enterprise system that national rent control be abandoned at the earliest possible date, and that the rights of citizens of this country to control their own property be restored forthwith, and if the Congress is fearful that such a sudden and drastic action would result in undue hardship and inconvenience to the renting population, that legislation be enacted to gradually remove these Federal restrictions and that during the interim action be taken to restore some degree of economic justice to the owners of rental property; be it further

Resolved, That the secretary of state of Utah be, and he is hereby directed to send forthwith copies of this resolution to the Speaker of the House of Representatives and the President of the Senate of the United

States Congress and to each member of the congressional delegation from the State of Utah.

(The PRESIDENT pro tempore laid before the Senate a resolution of the Senate of the State of Utah, identical with the foregoing, which was referred to the Committee on Banking and Currency.)

To the Committee on Interior and Insular Affairs:

Resolution urging the Congress of the United States to undertake immediately a study of the need for legislation for revision of repayment contracts of Federal reclamation projects, and urging that committees of both Houses of the United States Congress request the Secretary of the Interior to submit a report with recommendations of the projects where revision is desirable, that a special committee be set up to consider the report and report thereon and that upon the report of the special committee of the United States Congress enact legislation authorizing repayment contract revision where such revisions are deemed necessary

Whereas because of changes in economic conditions, largely a result of the Second World War, repayment contracts on some existing Federal reclamation projects contain inequities which need immediate adjustment; and

Whereas existing laws providing for renegotiations of repayment contracts are inadequate to meet the need for contract revision and default in the payment of annual repayment installments in some projects is imminent unless new legislation is enacted for that purpose: Be it

Resolved by the house of representatives:

SECTION 1. That the house of representatives urges the Congress of the United States to undertake immediately a study of the need for legislation for revision of repayment contracts on projects in financial difficulties and, for that purpose, recommends that the appropriate committees of both Houses of Congress forwith request the Secretary of the Interior to submit a full and complete report, with his recommendations, on all existing projects where such revisions of repayment contracts are desirable; that upon the submission of such report a special committee composed of Members of both Houses of Congress be estalished to consider such report and the recommendations of interested water users; and that, upon the report of the special committees, the Congress enact legislation authorizing repayment contract revisions where such revisions are deemed necessary.

SEC. 2. That the secretary of state be directed to send a certified copy of this resolution to the President of the United States, the President of the Senate, and the Speaker of the House of Representatives of the United States, and to each Senator and Representative of the United States Congress from the State of Utah.

(The PRESIDENT pro tempore laid before the Senate a resolution of the House of Representatives of the State of Utah, identical with the foregoing, which was referred to the Committee on Interior and Insular Affairs.)

To the Committee on Labor and Public Welfare:

Resolution by the Utah State Senate memorializing the Congress of the United States not to pass certain legislation now pending before the National Congress which in effect provides for State medicine but rather to encourage private cooperative health insurance

Whereas there is now pending before the National Congress certain legislation commonly referred to as the Wagner-Murray-Dingell compulsory health insurance bill; and

Whereas this program of compulsory health insurance is offered to the people as a solution to a supposed problem of inadequate medical attention for the citizens of this country; and

Whereas it is acknowledged and unquestioned fact that the general health of the Nation is higher than that of any other nation in the world; and

Whereas free enterprise, individual initiative, and freedom from Government interference are the foundation stones upon which the practice of medicine and all other great enterprises of this country have been developed; and

Whereas such Government interference and regimentation in the field of medicine will destroy the spirit of research and individual initiative and will eventually result in a break-down of the present high standards of competency now prevalent in the private practice of medicine in this country; and

Whereas a program of compulsory health insurance as proposed has been in operation in other countries and has proven extremely cumbersome and expensive and has not resulted in a general improvement of the public health; and

Whereas the proponents of compulsory health insurance continually stress complete medical service without cost to the patient which statements do not take into account the increased taxation which will result from the inevitable Government bureaucracy that will be established in administering such a program; and

Whereas the best interest of the people of the United States can be served by continuance of the free-enterprise system with encouragement given to private cooperative health insurance and without Government domination and control in the field of medicine: Now, therefore, be it

Resolved by the Senate of the Utah State Legislature, That the Congress of the United States be memorialized to defeat any legislation introduced into the Congress which provides for socialized medicine or national compulsory health insurance, and which will result in a destruction of private initiative and the free-enterprise system in this country, and that the Congress be urged to restrict its legislation to measures which will encourage private health insurance in cooperation with the private practice of medicine; be it further

Resolved, That the secretary of state of Utah be, and he is hereby, instructed to transmit forthwith a copy of this resolution to the congressional delegation from the State of Utah, and to the Speaker of the House and President of the Senate of the United States.

CONCURRENT RESOLUTIONS OF SOUTH DAKOTA LEGISLATURE

Mr. GURNEY. Mr. President, as I am compelled to be in committee at 2 o'clock, I ask unanimous consent to present for appropriate reference and to have printed in the RECORD three concurrent resolutions from the South Dakota Legislature.

The PRESIDENT pro tempore. Without objection, the resolutions will be received, appropriately referred, and, under the rule, printed in the RECORD.

To the Committee on Agriculture and Forestry:

House Concurrent Resolution 2

Concurrent resolution memorializing the Congress of the United States, His Excellency the President of the United States, the Secretary of Agriculture of the United States, and the Bureau of Animal Industry of the Department of Agriculture of the United States to oppose any modification of the existing sanitary pact providing for embargo against the importation of fresh and frozen meats from countries known to be infested with foot-and-mouth disease

Be it resolved by the House of Representatives of the State of South Dakota (the senate concurring therein):

Whereas, were it not for the Federal embargo, foot-and-mouth disease would be the greatest disease menace to the livestock industry of South Dakota and the Nation; and

Whereas from time to time a movement has developed to import fresh and frozen meat products from countries infested with foot-and-mouth disease; and

Whereas an outbreak of foot-and-mouth disease would be an incalculable menace to the Nation: Now, therefore, be it

Resolved, That all Federal authorities be urgently requested to oppose any modification of the existing embargo against the importation of fresh and frozen meat products from any and all countries known to be infested with foot-and-mouth disease; be it further

Resolved, That copies of this resolution be forwarded to His Excellency the President of the United States, to the Secretary of Agriculture of the United States, and the Bureau of Animal Industry of the Department of Agriculture of the United States; to the chairman of the Committee on Agriculture of both Houses of Congress; to United States Senator CHAN GURNEY; to United States Senator KARL MUNDT; to Congressman FRANCIS H. CASE; to Congressman HAROLD LOVRE; and to the presiding officers of both Houses of Congress.

A. E. MUNCK,
Speaker of the House of Representatives.
R. A. TERRY,
Lieutenant Governor.

House Concurrent Resolution 6

Concurrent resolution memorializing Congress to amend the charter of the Commodity Credit Corporation to provide for ample storage bins and facilities for corn, wheat, and other basic grains

Be it resolved by the House of Representatives of the Thirty-first Legislature of the State of South Dakota (the senate concurring):

Whereas the house of representatives, the senate concurring, deems it essential that farm prices be supported at the level of full parity; and

Whereas the house of representatives, the senate concurring, is cognizant of the fact that the support of farm prices at full parity cannot be achieved in an effective manner unless the United States Government provides permanent storage facilities for corn, wheat, and other basic grains; now therefore the house of representatives, the senate concurring, does petition the Congress of the United States to amend the charter of the Commodity Credit Corporation to authorize the provisions of permanent storage facilities for the storage of at least 1,000,000,000 bushels of corn and 500,000,000 bushels of wheat on the farm and at terminals in the farm area, and adequate storage facilities for all other basic grains; be it further

Resolved, That a copy of this resolution be forwarded to the President and Vice President of the United States, the Speaker of the House of Representatives, the Secretary of Agricul-

ture, and to each South Dakota Senator and Member of the House of Representatives in the Congress of the United States.

A. E. MUNCK,
Speaker of the House of Representatives.
REX A. TERRY,
Lieutenant Governor.

(The PRESIDENT pro tempore laid before the Senate two resolutions of the Legislature of South Dakota, identical with the foregoing, which were referred to the Committee on Agriculture and Forestry.)

(Mr. MUNDT presented two resolutions of the Legislature of the State of South Dakota, identical with the foregoing, which were referred to the Committee on Agriculture and Forestry.)

INDEPENDENCE OF LITHUANIA

Mr. SALTONSTALL. Mr. President, on behalf of my colleague the junior Senator from Massachusetts [Mr. LODGE] and myself, I ask unanimous consent to present for appropriate reference and to have printed in the RECORD a resolution adopted at a mass meeting on the thirty-first anniversary of the independence of Lithuania, February 13, 1949, at the South Boston (Mass.) High School Auditorium. This is a sample of many I have received. For that reason I am asking that it be printed in the RECORD.

There being no objection, the resolution was referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

RESOLUTION UNANIMOUSLY ADOPTED AT THE MASS MEETING OF THE THIRTY-FIRST ANNIVERSARY OF THE INDEPENDENCE OF LITHUANIA ON FEBRUARY 13, 1949, AT THE SOUTH BOSTON HIGH SCHOOL AUDITORIUM, SOUTH BOSTON, MASS.

In commemorating the thirty-first anniversary of the independence of Lithuania, the citizens of Greater Boston of Lithuanian descent, numbering over 20,000, in solemn sorrow, recall their native land which, centuries ago, extended from the Baltic to the shores of the Black Sea, and whose recorded history, dating back to the thirteenth century, endures to this day, despite the temporary deprivation of her independence by Czarist Russia and the present third occupation.

We know, as do all free people, that as the result of the violation of the Stalin-Hitler Pact of September 20, 1939, our country is suffering extreme brutality under the Bolshevik rule; our countrymen are being continually exiled to forced-labor camps in the far corners of the Russian Empire, sacrificing not only their own lives but those of their children and their relatives, bearing the throes of hunger and hardship.

In consequence of this terror, the remaining youth of Lithuania is carrying on, as partisans, an open battle to the death against their invaders, the Bolsheviks, in the dense forests of Lithuania.

Nevertheless, we are obliged to constitute the fact that all diplomatic assurances relating to the continued existence of our nation seem to lose their force in the light of our apprehension that by the time our late President Roosevelt's words uttered to the American Lithuanian Council on October 20, 1943, that "Lithuania has not lost her independence; it has only been temporarily suspended," are fulfilled, Lithuania will be left a land without people.

Today, when the Atlantic Charter can be applied only to those countries within the imperialistic Russian orbit and not to those countries which have been deprived of their independence; when independence has been recognized to Asiatic lands like Burma and Java; when Israel has been established, it is exceedingly painful to acknowledge that Lithuania, which in the Middle Ages held back wild Mongolian hordes forcing their way through western Europe, thereby preserving western civilization, which through 22 years as an independent nation showed outstanding progress and so effectively opposed two dictators—in German concentration camps alone 29,500 Lithuanians were slaughtered—has been forgotten with other eastern European nations.

It is clear to us today that our loyal Americans, including those of Lithuanian parentage, shedding their blood on the altar of liberty, sacrificed too much if the only result is to have one dictator replaced by another even more barbarous.

We certify the fact that the land of our forefathers up till now has not been visited by delegates of relief organizations, despite the fact that Lithuania was most ravaged and plundered, both by the Nazis and the Bolsheviks. At the same time, millions of dollars have been channeled into enemy countries such as Austria.

We also certify the fact that until the present time the iron curtain has not been lifted; that no emissaries have gone to Lithuania to ascertain why her voice has been stilled; why only terror, executions, exile, and the most glaring want and hardship reign supreme in a country engulfed in blood and tears.

Although an awakened and discerning world is being more and more convinced of the horrors and destruction wrought by Bolshevik dictatorship; although many times we heard the words of righteousness from a free and humanitarian world confirming to our suffering Nation and others similarly suppressed; yet, up until the present we have not heard that our Nation's tragedy has been brought before the world forum, the United Nations, publicly exposing the Red invader, and showing the world what threatens all liberty-loving people.

Therefore, we appeal to the Government of the United States of America that they restore in some small measure that which has been lost and for which Lithuania is suffering and heroically fighting:

1. That the question of the independence of Lithuania be presented in the appropriate sessions of the United Nations and there be supported in the manner required by the United Nations Charter,

That the Red army and bloody Bolshevik police (NGB) be withdrawn immediately from Lithuania and the other Baltic areas such as Estonia and Latvia;

2. That all Lithuanian refugees who are starving in a devastated Europe because of the Nazis and Bolsheviks be permitted to enter the United States of America at the earliest possible date;

3. That the wholesale exile and execution of Lithuanian people, which, according to authentic sources, is again going on in mass proportions, be stopped immediately;

4. That the Marshall plan be applied to eastern Europe, including Lithuania.

A copy of this resolution shall be transmitted to the President of the United States of America, to the Secretary of State of the United States, to the Members of the Congress of the United States, to the United Nations, to the legations of Estonia, France, Great Britain, Latvia, and Russia, and to the press.

BOSTON COMMITTEE FOR LITHUANIAN INDEPENDENCE,
CHARLES J. KALINOUSKAS, *Chairman.*
V. V. RAUZAS, *Recording Secretary.*

RESOLUTION OF PLATTE COUNTY (NEBR.) BOARD OF SUPERVISORS RELATING TO RELIEF OF STORM-STRICKEN AREAS OF MIDWEST

Mr. BUTLER. Mr. President, on behalf of my colleague, the junior Senator from Nebraska [Mr. WHERRY] and myself I ask unanimous consent to present for appropriate reference and to have printed in the RECORD a resolution adopted by the Board of Commissioners of Platte County, Nebr., expressing their appreciation to the Federal Government for the aid rendered during the recent emergency caused by heavy snowfalls in the Midwest.

There being no objection, the resolution was referred to the Committee on Armed Services and ordered to be printed in the RECORD, as follows:

Whereas the President and Congress of the United States made it possible for the Fifth Army to move into Nebraska to use whatever money and other resources are appropriate to relieve storm-stricken areas to aid isolated humans and farm animals; and

Whereas Gov. Val Peterson declared Platte County as part of Nebraska's emergency storm area; and

Whereas at the request of this board of supervisors, Maj. Gen. Lewis A. Pick, United States Army Engineers, Omaha, Nebr., sent into Platte County Government dozers and set up an area substation in Humphrey, Nebr., to assist in the opening of roads and clearing operations; and

Whereas the Platte County Board of Supervisors have adopted a motion declaring the emergency completed at 6 o'clock p. m., February 21, 1949; and

Whereas in accordance with the reports turned into the county clerk's office, by the respective board members and their representatives in the townships the following are the results of the road opening and clearing operations:

Name of township in Platte County:	*Miles of road opened*
Creston Township	58
Sherman Township	0
Grand Prairie Township	26
Bismark Township	0
Granville Township	51½
Humphrey Township	33
Burrows Township	36
Walker Township	80½
St. Bernard Township	59½
Woodville Township	27½
Joliet Township	31
Monroe Township	12
Shell Creek Township	20
Lost Creek Township	26
Oconee Township	0
Loup Township	23½
Butler Township	4½
Columbus Township	0
Total miles of road opened in county by Government dozers	489
Total miles retracing by reason of snow fall and drifting	98
Total number of people liberated by Government dozers	2,289
Total number of cattle liberated by Government dozers	11,571
Total number of other animals liberated by Government dozers	10,404

Now, therefore, be it

Resolved, That the Platte County Board of Supervisors express their appreciation for the Government dozers and other resources sent into Platte County during the emergency to assist in the opening of roads and clearing operations, and to relieve the need of food for humans and feed for farm animals, be it further

Resolved, That a copy of this resolution be mailed by the county clerk to President Harry S. Truman, Senators Kenneth S. Wherry and Hugh Butler, Congressman Karl Stefan,

Governor Val Peterson, Maj. Gen. Lewis A. Pick, and Col. Louis W. Prentiss.

ED WOLLBERG,
EDWARD LISIKE,
HERMAN W. MEYER,
JULIUS RUDAT
JOHN BRAUDL,
ERNST A. KORTE,
E. C. JOHNSON,
Platte County Board of Supervisors.

INDEPENDENCE OF PEOPLE OF LITHUANIA

Mr. IVES. Mr. President, I ask unanimous consent to present for appropriate reference and to have inserted in the RECORD at this point a resolution adopted by citizens of New York in recognition of the thirty-first anniversary of the declaration of independence by the people of Lithuania, which occurred on February 16, 1949. I also request to have inserted in the RECORD at the conclusion of this resolution my own message to the Lithuanian-American Council of Societies, marking in turn the occasion of the thirty-first anniversary of the declaration of independence by the people of Lithuania.

There being no objection, the resolution and message were referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

Citizens of New York gathered on the 13th day of February 1949 at the Capitol Hotel under the auspices of the Lithuanian American Council of Societies to observe the thirty-first anniversary of the declaration of independence by the people of Lithuania, after due deliberation and vote resolved:

"1. Recalling the solemnly underwritten wartime obligations of the powers associated in the late war to respect the principles of the Atlantic Charter, four freedoms, Yalta declaration to liberated European peoples, and membership obligations under the United Nations Charter; and

"Noting that several years after the end of hostilities in Europe, Lithuania, Latvia, Estonia, and a number of other central and eastern European countries lie subjected under the most oppressive Soviet Russian occupation in violation of the aforesaid solemnly assumed wartime declarations.

"To appeal to the President, Secretary of State, and Members of Congress of the United States to retrieve the honor of the victorious democracies by demanding, in approaching the Soviet Union directly and in an international forum, that the Russian armed forces and the nefarious political police network be withdrawn from Lithuania and other similarly situated sovereign nations whose integrity had been violated by the Nazi-Soviet conspiracy of August and September 1939.

"2. To express their admiration for the liberty-loving people of Lithuania who continue to wage an armed and passive struggle against the Soviet occupation in the defense of their basic human rights, their democratic Christian traditions, and their violated sovereignty, in an unwritten fraternal alliance with the Latvian, Estonian, Ukrainian, Polish, and other underground resistance movements seeking a liberation of their peoples and homelands and a resumption of their rightful place in the family of free sovereign nations of Europe.

"3. To call on the American free press to devote more attention to the disclosure of the insufferable persecution of Christianity in all of the Soviet-dominated countries, beginning with the vile persecution of the Roman Catholic Church of Lithuania since 1940 and extending to an attempted annihilation of all Christian faiths—in the Baltic States, Poland, Hungary, Ukraine, Czechoslovakia, and the Balkan States.

"While the travesty of justice perpetrated by the Kremlin against an individual archbishop or cardinal is spectacular, the martyrdom in silence of the millions of Christians in the Baltic States and the Ukraine deserves a more active protest from the Christian communities remaining free thus far.

"4. To express their gratitude to the Senators and Representatives who dedicated congressional speeches and messages of encouragement to the people of Lithuania on the occasion of the present sad observance of the thirty-first anniversary of their declaration of independence.

"Attested:

"LITHUANIAN AMERICAN COUNCIL OF SOCIETIES,
"JOSEPH GLAVECKAS, *Chairman.*
"DANIEL J. AVERKA, *Secretary.*"

MESSAGE FROM SENATOR IVES

Upon the thirty-first anniversary of the declaration of independence by the people of Lithuania, which was proclaimed on February 16, 1918, I extend to my fellow citizens of Lithuanian descent in this country warm greetings and felicitations and congratulations upon their patriotic endeaver in behalf of the people of Lithuania.

Although the world outlook at the present time is not a happy one and freedom and independence for many peoples may seem sometimes remote, their attainment is, nevertheless, always a definite possibility—even a probability. As long as we who still possess freedom and independence are able to protect and preserve our own freedom and independence, we can continue to exercise our influence effectively in behalf of those less fortunate than ourselves and there is still hope for the small and the weak, the persecuted and oppressed, in the world. Right now the most important task for all Americans is to keep our own country strong and free. By this process we can be best able to help others.

So, recognizing our American responsibility, I urge the people of Lithuania in the United States, who would help to bring freedom and independence to their friends and kindred in Lithuania, to be firm in their determination and unyielding in their endeavor. In this way the ultimate goal can be realized.

IRVING M. IVES.

CABARET TAX—LETTER FROM WISCONSIN STATE FEDERATION OF LABOR

Mr. WILEY. Mr. President, I ask unanimous consent to present for appropriate reference and to have printed in the RECORD a letter which I have recently received from the distinguished president of the Wisconsin State Federation of Labor, Mr. George A. Haberman, and from the able secretary-treasurer of the organization, Mr. William Nagorsne. This letter recommends repeal of the 20-percent wartime cabaret tax which has been contributing to unemployment among union musicians and other folks in the entertainment and related industries.

Under my bill which I introduced last Monday, S. 1029, this and other wartime tax rates would be cut back to their peacetime levels. I am hoping, therefore, for early action on this or similar legislation to straighten out the problem that Mr. Haberman mentions and to handle the urgent need for reducing the tax burden on our people.

There being no objection, the latter was received, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

WISCONSIN STATE FEDERATION OF LABOR,
Milwaukee, Wis., February 9, 1949.

The Honorable ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.

DEAR SENATOR WILEY: Information has been conveyed to us by organizations of service crafts and entertainment groups affiliated with the Wisconsin State Federation of Labor, advising that the 20-percent cabaret tax is creating a problem which, if continued, will have serious implications in the way of unemployment and future employment opportunities for these groups.

Because of the excessive tax placed upon these institutions, business opportunities are beginning to reflect themselves in patronage of these places. We are fearful that unless some relief is given to these establishments and those who serve directly or indirectly, we shall find considerable unemployment and many business establishments closing their doors due to the excessive cabaret tax.

We trust that you, through your good office, will use your influence in bringing about an equitable adjustment to stave off the serious implications that this tax presently places upon the owners and service people of these establishments.

Very truly yours,

GEORGE A. HABERMAN,
President.
WILLIAM NAGORSNE,
Secretary-Treasurer.

COMPULSORY HEALTH INSURANCE—RESOLUTION OF COLUMBUS CHAMBER OF COMMERCE

Mr. BRICKER. Mr. President, I ask unanimous consent to present for appropriate reference and to have printed in the RECORD a resolution adopted by the Columbus, Ohio, Chamber of Commerce.

There being no objection, the resolution was referred to the Committee on Labor and Public Welfare and ordered to be printed in the RECORD, as follows:

Resolved, That the Columbus Chamber of Commerce be opposed to the enactment of any proposed Federal legislation in regard to compulsory health insurance in any form for the following reasons:

(a) Compulsory health insurance is a definite step in the direction of communism and totalitarian rule. It will destroy the independent relationship which now exists between practitioner and patient.

(b) Regimentation of medical practice will tend to destroy the incentive for promising young men to enter the medical profession. It will also take away the incentive from the practitioner to become specialized and to persevere within his own field.

(c) Experience with socialized medicine in other countries has proved that the costs of carrying such a program are enormous. To impose this additional cost on the United States economy at present would be ruinous.

(d) Surveys made show that our present health program is serving well. There is no evidence that anyone in real need of medical service or medical care is not receiving it. (Present medical care in the United States compares favorably with that which existed in other leading countries prior to the Second World War.)

(e) Experience has demonstrated there is a tendency on the part of insured persons to often make unnecessary and unreasonable demands upon the medical-care services, thus adding to its cost.

(f) The adoption of a compulsory health-insurance program would not immediately

make available adequate service for all. It is recognized that in some localities hospital facilities and laboratory facilities are inadequate for present times as well as an insufficient number of trained and experienced physicians, dentists, nurses, and other medical personnel. Medical schools and hospitals are filled to capacity in training such personnel. The improvement in the adequacy of the available service will thus result from a program based on the present high standards, whereas there would undoubtedly be a tendency under a compulsory health-insurance program to speed up by short cuts and inadequate training the time required for the graduating of trained personnel; be it further

Resolved, That the officers and executive committee of the chamber be authorized to take any and all action needed to defeat any program of socialistic compulsory health insurance that is proposed.

INDEPENDENCE OF LITHUANIA—RESOLUTIONS OF FEDERATED AMERICAN LITHUANIAN SOCIETIES AND CLUBS

Mr. LODGE. Mr. President, on behalf of my colleague the senior Senator from Massachusetts [Mr. SALTONSTALL] and myself, I ask unanimous consent to present for appropriate reference and to have printed in the RECORD resolutions adopted by the Federated American Lithuanian Societies and Clubs, on the occasion of the commemoration of the thirty-first anniversary of the independence of Lithuania.

There being no objection, the resolutions were referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

Whereas Lithuania was declared a free and independent republic on February 16, 1918, in accordance with the sovereign right of all peoples to choose for themselves the form of government under which they wish to live; and

Whereas the United States of America and Great Britain proclaimed certain principles of freedom and justice to all nations, large and small, and expressed this in the Atlantic Charter and four freedoms, to which the U. S. S. R. officially subscribed; and

Whereas in violation of these principles Soviet Russia continues to deprive the Republic of Lithuania of her freedom and is carrying out a policy of genocide, the extermination of a cultural group by ruthlessly annihilating her people through merciless deportation into Siberia, through relentless destruction of her government, industry, culture, and educational system, through wholesale murder and imprisonment of her people: Therefore be it

Resolved, That the Lithuanian people of Lowell, Mass., do most vigorously protest and condemn the predatory occupation of Lithuania by Soviet Russia, the continued liquidation, deportation, and dispersion of the Lithuanian people in order to destroy the Lithuanian national entity;

And further, that the Lithuanian people of Lowell, Mass., petition the Government of the United States to maintain and uphold its present policy of nonrecognition of Russian absorption of Lithuania and use its influence to bring about the positive restoration of the violated sovereignty of Lithuania;

And further, that the Lithuanian people of Lowell, Mass., petition that the Government of the United States of America, through its representatives at the United Nations, demand that the General Assembly of the United Nations take proper measures to make Soviet Russia conform and abide by the agreements and covenants of the United Nations Charter;

And further, that copies of this resolution be forwarded to the President of the United States of America, His Excellency Harry S. Truman; to the Secretary of State, the Honorable Dean G. Acheson; to the Senators from Massachusetts, the Honorable Leverett Saltonstall and Henry Cabot Lodge, Jr.; and to the Representative of the Fifth Massachusetts Congressional District, the Honorable Edith Nourse Rogers; and to the local press.

AMERICAN LITHUANIAN SOCIETIES AND CLUBS OF LOWELL.

PULASKI MEMORIAL DAY—RESOLUTION BY THE BOARD OF ALDERMEN OF THE CITY OF CHELSEA

Mr. LODGE. Mr. President, on behalf of my colleague the senior Senator from Massachusetts [Mr. SALTONSTALL] and myself, I ask unanimous consent to present for appropriate reference and to have printed in the RECORD a resolution adopted by the Board of Aldermen of the City of Chelsea, Mass., memorializing the Congress to pass, and the President of the United States to approve, if passed, the General Pulaski Memorial Day Resolution now pending in Congress.

There being no objection, the resolution was referred to the Committee on the Judiciary and ordered to be printed in the RECORD, as follows:

Resolution memorializing the Congress of the United States to pass, and the President of the United States to approve, if passed, the General Pulaski's Memorial Day resolution now pending in Congress

Whereas a resolution providing for the President of the United States of America to proclaim October 11th of each year as "General Pulaski's Memorial Day" for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski is now pending in the present session of the United States Congress; and

Whereas, the 11th day of October, 1779 is the date in American history of the heroic death of Brig. Gen. Casimir Pulaski, who died from wounds received on October 9, 1779, at the siege of Savannah, Ga.; and

Whereas the States of Arkansas, California, Connecticut, Delaware, Illinois, Indiana, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, New York, Nevada, Ohio, Pennsylvania, South Carolina, Tennessee, Texas, West Virginia, Wisconsin, and other States of the Union, through legislative enactment designated October 11th of each year as "General Pulaski Memorial Day;" and

Whereas it is fitting that the recurring anniversary of this day be commemorated with suitable patriotic and public exercises in observing and commemorating the heroic death of this great American hero of the Revolutionary War; and

Whereas the Congress of the United States of America has by legislative enactment designated from October 11, 1929 to October 11, 1946, to be General Pulaski's Memorial Day in United States of America: Now, therefore, be it

Resolved by the Board of Aldermen of the city of Chelsea and State of Massachusetts:

SECTION 1. That we hereby memorialize and petition the Congress of the United States to pass, and the President of the United States to approve, if passed, the General Pulaski's Memorial Day Resolution now pending in the United States Congress.

SEC. 2. That certified copies of this resolution, properly authenticated, be sent forthwith to the President of the United States, the Vice President of the United States, and each of the United States Senators and Representatives from Massachusetts.

Joseph E. Thornton, President; David Newman, Joseph B. Greenfield, Andrew P. Murphy, Harry Coltun, Robert H. Brown, Daniel E. Carroll, George J. Gallant, Joseph Margolis.

MVA—RESOLUTIONS BY THE WILLISTON COOPERATIVE CREDIT UNION

Mr. LANGER. Mr. President, I ask unanimous consent to have printed in the RECORD resolutions adopted by the Williston Cooperative Credit Union, on January 29, 1949.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

We, the stockholders of the Williston Cooperative Credit Union, assembled in annual meeting on this 29th day of January 1949, recommend the following resolutions:

"1. The forming of a Missouri Valley Authority patterned after the Tennessee Valley Authority.

"2. Whereas the Bureau of Reclamation and Army engineers are not in accord with proposed projects and their construction, which often delays this work for months, that these agencies be put under the same head, preferably the Department of Agriculture.

"3. Higher corporation tax and higher tax on individuals in the higher income groups; also higher exemptions for those in the low-income groups.

"4. The resignation of Forrestal as Secretary of Defense.

"5. The repeal of the Taft-Hartley Act.

"6. We realize the necessity of streamlining our governmental bureaucracies, but feel the Hoover plan should be carefully studied by our Senators and Representatives before any action is taken as streamlining can give way to dictatorship.

"7. The passage of the Full Employment Act of 1950, sponsored by the National Farmers Union and endorsed by JOHN J. SPARKMAN (Democrat from Alabama) and JAMES E. MURRAY (Democrat from Montana) in the Senate and in the House of Representatives by WRIGHT PATMAN (Democrat from Texas), which provides for a revolving $15,000,000,000 to avert future depressions and to stimulate industry in undeveloped areas.

"8. As agriculture is the backbone of our Nation's economy, 100 percent parity on all farm products.

"9. The passing of a bill to make appropriations for creating an 'ever normal granary.'"

We further recommend that copies of these recommendations be sent to President Truman and to our national Senators and Representatives.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. REED, from the Committee on Interstate and Foreign Commerce:

S. 255. A bill to amend section 205 of the Interstate Commerce Act, relating to joint boards; without amendment (Rept. No. 81);

S. 256. A bill to amend the Interstate Commerce Act, as amended; without amendment (Rept. No. 82); and

S. 257. A bill to amend the Interstate Commerce Act, as amended, so as to provide limitations on the time within which actions may be brought for the recovery of undercharges and overcharges by or against common carriers by motor vehicles, common carriers by water, and freight forwarders; with an amendment (Rept. No. 83).

By Mr. HAYDEN, from the Committee on Rules and Administration:

S. Res. 32. Resolution authorizing additional expenditures by the Committee on Interior and Insular Affairs; with an amendment (Rept. No. 85); and

S. Res. 40. Resolution relating to an investigation of the immigration laws and the administration thereof; with an amendment (Rept. No. 86).

MYRA M. HARDY

Mr. HAYDEN. Mr. President, from the Committee on Rules and Administration, I ask unanimous consent to report favorably Senate Resolution 71, submitted by Mr. O'MAHONEY on the 14th instant, and I submit a report (No. 80) thereon. I request its present consideration.

The PRESIDENT pro tempore. The clerk will read the resolution for the information of the Senate.

The resolution (S. Res. 71) was read as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay from the contingent fund of the Senate to Myra M. Hardy, widow of Charles Oscar Hardy, late an employee of the Senate, a sum equal to 6 months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Arizona?

Mr. SALTONSTALL. I understand that is one of the usual 6 months' gratuities.

Mr. HAYDEN. That is correct.

There being no objection, the resolution was considered and agreed to.

INVESTIGATION OF FOOT-AND-MOUTH DISEASE PROBLEMS

Mr. HAYDEN. Mr. President, from the Committee on Rules and Administration, I report favorably, without amendment, Senate Resolution 72, submitted by Mr. THYE on the 17th instant, and I request its immediate consideration.

The PRESIDENT pro tempore. The resolution will be read for the information of the Senate.

The resolution (S. Res. 72) was read as follows:

Resolved, That the authority of the Senate Committee on Agriculture and Forestry, or any duly authorized subcommittee thereof, under Senate Resolution 223, Eightieth Congress, agreed to June 12, 1948 (providing for an investigation of all problems related to foot-and-mouth disease and its incidence in neighboring countries), is hereby continued during the Eighty-first Congress; and the limit of expenditures under such resolution is hereby increased to $8,000.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. HAYDEN. The amount available to the committee at the present moment is about $6,000. They think it will cost about $8,000 to make a trip to Mexico City, where we are spending large sums of money. I think the resolution should be agreed to.

The PRESIDENT pro tempore. The question is on agreeing to the resolution.

The resolution was agreed to.

PRINTING OF ADDITIONAL COPIES OF HEARINGS OF COMMITTEE ON LABOR AND PUBLIC WELFARE ON LABOR RELATIONS

Mr. HAYDEN. Mr. President, from the Committee on Rules and Administration, I report favorably, without amendment, Senate Resolution 74, submitted by Mr. THOMAS of Utah on the 22d instant, and I request its immediate consideration.

The PRESIDENT pro tempore. The resolution will be read for the information of the Senate.

The resolution (S. Res. 74) was read, as follows:

Resolved, That 1,000 additional copies of part 1 and each subsequent part of the hearings held before the Committee on Labor and Public Welfare on labor relations be printed for the use of said committee.

The PRESIDENT pro tempore. The question is on agreeing to the resolution.

The resolution was agreed to.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, February 25, 1949, he presented to the President of the United States the following enrolled bills:

S. 492. An act to amend the act approved June 29, 1949, entitled "An act to authorize the issuance of a stamp commemorative of the two hundredth anniversary of the founding of the city of Alexandria, Va.";

S. 548. An act to provide for continuation of authority for the regulation of exports, and for other purposes; and

S. 713. An act to amend Public Law 533 of the Eightieth Congress authorizing the construction of a building for the General Accounting Office on square 518 in the District of Columbia.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. TYDINGS:

S. 1044. A bill to amend the National Security Act of 1947 to provide for an Under Secretary of Defense; to the Committee on Armed Services.

S. 1045. A bill to exempt articles purchased for the use of volunteer fire companies from the manufacturers excise tax imposed by chapter 29 of the Internal Revenue Code; to the Committee on Finance.

S. 1046. A bill to amend the act entitled "An act to provide additional protection for owners of patents of the United States, and for other purposes," approved June 25, 1910, as amended, so as to protect the United States in certain patent suits; to the Committee on the Judiciary.

By Mr. SALTONSTALL:

S. 1047. A bill conferring jurisdiction upon the United States District Court for the District of Massachusetts to hear, determine, and render judgment upon the claim of George M. Vaughan; to the Committee on the Judiciary.

By Mr. IVES:

S. 1048. A bill for the relief of Saul Phillips; to the Committee on the Judiciary.

By Mr. DOWNEY:

S. 1049. A bill for the relief of Amy Alexandrovna Taylor and Myrna Taylor;

S. 1050. A bill for the relief of Prospero Honore Latour and his wife, Maria Luisa Lee Latour;

S. 1051. A bill for the relief of John Splingaerd, his wife, and two children; and

S. 1052. A bill for the relief of Jules Maurice Lotode, his wife, and three children; to the Committee on the Judiciary.

By Mr. DOWNEY (for himself and Mr. KNOWLAND):

S. 1053. A bill to authorize use of rental and operating income from defense housing facilities of the National Military Establishment for payments in lieu of taxes, and for other purposes; to the Committee on Armed Services.

By Mr. KEM:

S. 1054. A bill for the relief of Northwest Missouri Fair Association, of Bethany, Harrison County, Mo.; to the Committee on the Judiciary.

(Mr. WILEY introduced Senate bill 1055, to amend the Displaced Persons Act of 1948, which was referred to the Committee on the Judiciary, and appears under a separate heading.)

By Mr. ECTON:

S. 1056. A bill authorizing the Secretary of the Interior to issue a patent in fee to Mary One Goose;

S. 1057. A bill authorizing the Secretary of the Interior to issue a patent in fee to Kathleen Doyle Harris;

S. 1058. A bill authorizing the Secretary of the Interior to issue a patent in fee to June Scott Skoog; to the Committee on Interior and Insular Affairs;

S. 1059. A bill for the relief of John W. Wagner; and

S. 1060. A bill to amend the Displaced Persons Act of 1948 to include within the immigration quotas for Germany and Austria certain persons of German ethnic origin who were born in the Soviet Union; to the Committee on the Judiciary.

By Mr. GREEN:

S. 1061. A bill to prohibit the Reconstruction Finance Corporation from making loans to business enterprises which propose to use such loans for the purpose of relocating industries; to the Committee on Banking and Currency.

S. 1062. A bill to provide for the cancellation of certain obligations arising out of the repatriation of United States citizens who after December 7, 1941, were prevented from returning to the United States as a result of enemy activity; to the Committee on the Judiciary.

(Mr. MCCARRAN introduced Senate bill 1063, to provide economic, financial, and other aid to China, which was referred to the Committee on Foreign Relations, and appears under a separate heading.)

By Mr. MUNDT:

S. 1064. A bill to authorize and direct the Secretary of the Interior to issue to Mrs. Iris Huebner Marak a patent in fee to certain land; and

S. 1065. A bill to authorize and direct the Secretary of the Interior to issue to Charles Short Step a patent in fee to certain land; to the Committee on Interior and Insular Affairs.

(Mr. SPARKMAN (for himself, Mr. GEORGE, Mr. THOMAS of Utah, Mr. PEPPER, Mr. JOHNSON of Colorado, Mr. HILL, Mr. MCFARLAND, Mr. HOEY, Mr. JOHNSTON of South Carolina, Mr. MYERS, Mr. MCGRATH, Mr. NEELY, Mr. HUMPHREY, Mr. KEFAUVER, Mr. BREWSTER, Mr. AIKEN, Mr. MORSE, and Mr. MCCARTHY) introduced Senate bill 1066, to establish a Federal commission on services for the physically handicapped, to define its duties, and for other purposes, which was referred to the Committee on Labor and Public Welfare, and appears under a separate heading.)

By Mr. BYRD:

S. 1067. A bill to amend sections 44 and 38 of the Longshoremen's and Harbor Workers' Compensation Act; to the Committee on the Judiciary.

(Mr. MARTIN introduced Senate bill 1068, to authorize the issuance of a special series of stamps commemorative of the one hundredth anniversary of the death of Albert Gallatin, which was referred to the Commit-

tee on Post Office and Civil Service, and appears under a separate heading.)

By Mr. MAYBANK:

S. 1069. A bill to amend section 3552 of the Revised Statutes relating to the covering into the Treasury of all moneys arising from charges and deductions; to the Committee on Banking and Currency.

(Mr. ELLENDER (for himself, Mr. MAYBANK, Mr. WAGNER, Mr. SPARKMAN, Mr. MYERS, Mr. HILL, Mr. PEPPER, Mr. LONG, Mr. TAYLOR, Mr. DOUGLAS, Mr. FREAR, Mr. FLANDERS, Mr. TOBEY, Mr. TAFT, Mr. AIKEN, Mr. MORSE, Mr. LODGE, Mr. YOUNG, Mr. BALDWIN, Mr. IVES, Mr. THYE, and Mrs. SMITH of Maine) introduced Senate bill 1070, to establish a national housing objective and the policy to be followed in the attainment thereof to provide Federal aid to assist slum-clearance projects and low-rent public housing projects initiated by local agencies, to provide for financial assistance by the Secretary of Agriculture for farm housing, and for other purposes, which was referred to the Committee on Banking and Currency, and appears under a separate heading.)

By Mrs. SMITH of Maine:

S. 1071. A bill to amend the Army and Air Force Vitalization and Retirement Equalization Act of 1948; to the Committee on Armed Services.

By Mr. CONNALLY:

S. 1072. A bill for the relief of the Trust Association of H. Kempner; to the Committee on the Judiciary;

S. 1073 (by request). A bill to amend the United Nations Participation Act of 1945 to provide for the appointment of representatives of the United States in the organs and agencies of the United Nations, and to make other provision with respect to the participation of the United States in such organization; and

S. 1074 (by request). A bill to provide for the settlement of certain claims of the Government of the United States on its own behalf and on behalf of American nationals against foreign governments; to the Committee on Foreign Relations.

By Mr. JOHNSON of Colorado (by request):

S. 1075. A bill to provide that the United States shall aid the States in fish restoration and management projects, and for other purposes;

S. 1076. A bill to amend the Migratory Bird Hunting Stamp Act of March 16, 1934 (48 Stat. 451; 16 U. S. C. 718b), as amended; and

S. 1077. A bill to amend the Civil Aeronautics Act of 1938, as amended, to provide a more equitable method of paying for the transportation of mail and for subsidizing essential aircraft operation; to the Committee on Interstate and Foreign Commerce.

S. 1078. A bill to authorize the Postmaster General to contract with certificated air carriers for the transportation of large shipments of air mail; to the Committee on Post Office and Civil Service.

By Mr. MURRAY:

S. 1079. A bill for the relief of Mrs. Hope Irene Buley; to the Committee on the Judiciary.

By Mr. JOHNSTON of South Carolina:

S. 1080. A bill for the relief of James A. Gordon; to the Committee on the Judiciary.

(Mr. JOHNSTON of South Carolina also introduced Senate bill 1081, to repeal the Canal Zone Retirement Act, and to extend the Civil Service Retirement Act, with amendments, to employees affected by such repeal, which was referred to the Committee on Post Office and Civil Service, and appears under a separate heading.)

By Mr. MAGNUSON:

S. 1082. A bill for the purpose of erecting adequate Federal office and postal facilities in Tacoma, Wash.; to the Committee on Public Works.

(Mr. THOMAS of Oklahoma introduced Senate bill 1083, to foster the cooperative agriculture education work of the Extension Services; to free the Extension Services from the performance of nongovernmental functions and political activity; and to promote economy in the expenditure of public funds for the conduct of cooperative agricultural extension work, and for other purposes, which was referred to the Committee on Agriculture and Forestry, and appears under a separate heading.)

By Mr. BALDWIN (for himself and Mr. MCGRATH):

S. 1084. A bill to incorporate the Gold Star Wives of America; to the Committee on the Judiciary.

By Mr. STENNIS:

S. 1085. A bill to authorize Federal aid to school districts overburdened with war-incurred or defense-incurred school enrollments or by Federal activity in such district for the construction of additional school facilities; to the Committee on Public Works.

By Mr. MCKELLAR:

S. 1086. A bill for the relief of the Dixie Margarine Co., a Tennessee corporation, of Memphis, Tenn.; to the Committee on the Judiciary.

By Mr. MCMAHON:

S. 1087. A bill for the relief of Leon Nikolaivich Volkov; to the Committee on the Judiciary.

By Mr. GURNEY:

S. 1088. A bill for the relief of Milton Buechler; to the Committee on the Judiciary.

By Mr. MORSE:

S. 1089. A bill to amend section 8c of the Agricultural Adjustment Act relating to marketing agreements and orders, to authorize the Secretary of Agriculture to issue orders under such section with respect to filberts; to the Committee on Agriculture and Forestry.

By Mr McFARLAND (for himself and Mr. JOHNSON of Colorado):

S. 1090. A bill to amend certain provisions of the National Service Life Insurance Act of 1940, as amended; to the Committee on Finance.

By Mr. PEPPER:

S. 1091. A bill for the relief of E. R. Ensey; to the Committee on the Judiciary.

(Mr. PEPPER (for himself, Mr. MURRAY, Mr. MAGNUSON, Mr. JOHNSTON of South Carolina, Mr. TAYLOR, and Mr. SPARKMAN) introduced Senate bill 1092, to provide for aid in industrialization of underdeveloped areas, and for other purposes, which was referred to the Committee on Labor and Public Welfare, and appears under a separate heading.)

(Mr. PEPPER (for himself and Mr. MURRAY) introduced Senate bill 1093, to encourage fuller participation by small business concerns in soundly expanded foreign trade through Government insurance for United States exports, which was referred to the Committee on Banking and Currency, and appears under a separate heading.)

By Mr. O'CONOR:

S. 1094. A bill authorizing and directing the United States Fish and Wildlife Service of the Department of the Interior to undertake a continuing study of the shad, alosa sapidissima, of the Atlantic coast with respect to the biology, propagation, and abundance of such species to the end that such Service may recommend to the several States of the Atlantic coast through the Atlantic States Marine Fisheries Commission appropriate measures for arresting the decline of this valuable food fish and for increasing the abundance and promoting the wisest utilization thereof; to the Committee on Interstate and Foreign Commerce.

(Mr. JOHNSON of Colorado introduced Senate bill 1095, to establish a Federal Traffic Bureau, and for other purposes, which was referred to the Committee on Interstate and Foreign Commerce, and appears under a separate heading.)

(Mr. VANDENBERG (for himself and Mr. FERGUSON) introduced Senate Joint Resolution 56, extending an invitation to the International Olympic Committee to hold the 1956 Olympic Games at Detroit, Mich., which was referred to the Committee on Foreign Relations, and appears under a separate heading.)

AMENDMENT OF DISPLACED PERSONS ACT

Mr. WILEY. Mr. President, I ask unanimous consent to introduce for appropriate reference a bill to amend the Displaced Persons Act of 1948. Under this bill the present cut-off date of eligibility for admission of displaced persons to our country will be revised from December 22, 1945, to January 1, 1949. This will make eligible some 175,000 persons now excluded from the law.

As a background to this bill, I ask that there be printed in the RECORD the text of a statement which I released Wednesday afternoon on major revisions in the present statute. As stated in my release, I intend shortly to introduce or cosponsor a bill which will apply all of the principles set forth in my comments. This will be done as soon as the technical problems in the drafting of this bill are resolved.

The PRESIDENT pro tempore. Without objection, the bill will be received and appropriately referred, and, without objection, the statement will be printed in the RECORD.

The bill (S. 1055) to amend the Displaced Persons Act of 1948, introduced by Mr. WILEY, was received, read twice by its title, and referred to the Committee on the Judiciary.

The statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR WILEY

PRINCIPLES IN HUMANITARIAN REVISION OF DP LAW

Liberalizing amendments which I propose

At this time I should like to set forth what I believe might well be the basic principles in revision of the present inadequate Displaced Persons Statute. I feel that a statement on these principles is most appropriate now amidst the celebration of National Brotherhood Week. During this week, members of America's three great religious faiths will reconsecrate themselves to the ideals of religious harmony and unity. As I have previously stated, no greater demonstration of such harmony and unity can come than from the further agreement of these faiths on fundamental provisions for the new DP law which they have recently in substance concurred in. Thus, we would be removing for all time, misunderstandings and differences which have developed among the faiths over this law. We would be clearing the atmosphere, cleansing the fears, antidoting some of the synthetic thinking which has arisen over this much misunderstood issue.

This issue should be above partisan politics; above the question of personalities; it is a topic meriting our highest, clearest, most sympathetic thinking and action.

New amendment being introduced to change cut-off date

By way of specific action, rather than mere words or principles, I am going to introduce immediately in the Senate a bill to revise the "cut-off date" of eligibility of the present displaced persons statute. The present date set by the act—December 22, 1945—is unfortunately inequitable in that it bars 135,000 persons who are displaced persons under the classification of the International Refugee Organization.

The amendment which I am introducing, therefore, sets a new cut-off date of eligibility

at January 1, 1949. This date, which is later than that proposed by all other amendments now pending to the DP law (most of which provide for a cut-off date of April 21, 1947) will, I believe, be completely satisfactory to all groups in that it will take care of all legitimate displaced persons, many of whom, incidentally, will want to emigrate to countries other than the United States. I understand that there are some 40,000 to 45,000 eligible DP's, meeting IRO qualifications who have entered the Allied occupied zones of Germany and Austria between April of 1947 and December of 1948. These individuals should not be excluded from provisions of the law.

Now, with regard to other revisions of the law, I should like to spell out the basic principles as I see them. These principles supplement those I have already endorsed publicly.

Basic ideas for law's revisions

1. The date of eligibility in the statute for DP's should be late enough, i. e., January 1, 1949, in order to handle adequately the needs of all rightful DP's. There should be no discrimination because some individuals fled or were expelled at a later date than others. Assuming individuals pass an appropriate screening test, they should be treated fairly and equally, regardless of date.

2. The period of operation of the DP law should be extended to 4 years in order to permit a thorough handling of this problem. We are hoping that it will be disposed of well before the end of the 4-year deadline, and we have every assurance that it will be, but the law should be specifically amended to so provide.

3. There should be no mortgaging of future quotas in the DP law. Such mortgaging is inconsistent with the humanitarian principles of the law.

Cut out red tape; speed admissions

4. We should eliminate needless red tape in connection with the law by substitution for the present specific job and housing assurances an adequate provision that the DP would not become a public charge. This would be entirely satisfactory and in line with the provisions of our general immigration law.

5. As recommended by all the religious faiths, the total coverage under the act, which is now 205,000 persons, should be broadened to upward of 400,000 persons, with some additions for orphans, etc., outlined below.

Fair nondiscriminatory treatment for all groups

6. There should be implicit in the revision a thorough understanding that in the operation of the law there would be no discrimination based upon race, religion, or national origin, and that all groups and elements in the DP category are fairly treated.

7. As indicated above, additional orphan children (than those presently provided for) should be taken in under the law, and the age limit, which is now 16 years of age, should be raised.

8. There should be adequate provision so that political and religious refugees fleeing from communistic persecution in Poland, Hungary, Rumania, Estonia, Germany, Bulgaria, Yugoslavia, etc., could be brought in within the numbers under the DP law.

9. We should provide so that the DP's who are both inside IRO camps and outside IRO camps should be included within the over-all total under the law. Persons working and living outside these camps should not be penalized, as under the present statute.

Eliminating rigid percentage preferences

10. There should be repealed the specific preference for Baltic groups contained in the present law, which preference only serves as a handicap to efficient work under the law.

11. Provision should be made so that, insofar as administratively possible, priority should be given to agricultural workers who are DP's, thus preventing overconcentration of DP's in our already overcongested cities. However, in order to minimize red tape, this agricultural preference should not be expressed, as in the present law, on a rigid 30-percent basis or on any rigid percentage basis at all.

12. The 15,000 DP's now in the United States should be permitted permanent residence on action by the Attorney General rather than have the Congress bog itself down with specific private immigration bills for each of these persons.

13. If found financially feasible, loan arrangements should be made to facilitate the inland transportation of DP's, making sure the areas distant from ports of entry are not discriminated against. This arrangement should, however, not come in the form of a grant, but rather in the form of a loan if found feasible.

Arrangements for expellees

14. Provision should be made so that persons expelled from Czechoslovakia, Rumania, Hungary, Yugoslavia, Poland, etc. (to our areas in Germany and Austria) should be granted admission to our country in necessarily limited numbers. These numbers should not, however, compete with:

(a) eligible displaced persons, or,

(b) with individuals who might come in under the German and Austrian quotas (which competition is in the present statute).

It would be unfair to all groups concerned if the stricken group of expellees were admitted in such a way as to "bite into" the numbers assigned to DP's or to the quotas assigned to Germans and Austrians eligible to enter our country under regular quota provisions.

15. Provision should be made so as to screen out not only those individuals who might favor the overthrow of the American form of government, but those individuals who actively participated in political, racial, or religious persecution.

Applying these principles specifically in a new bill

I don't believe that I or any other Senator or Congressman could try right now to spell out finally exactly how all these principles should be written into law. They will become the topic necessarily of comprehensive hearings. But I believe that if these principles are generally followed, we will be assuring justice and equity for these refugees in full keeping with the humanitarian traditions of our country. In addition, there will be other needed provisions which will come up.

In order to assure fair treatment for each of the groups involved and for individuals, each of those additional revisions should, and I am sure will, receive the sympathetic and careful attention of Congress.

Later on, as soon as technical drafting problems are resolved, I shall be happy to introduce or cosponsor a bill applying these principles specifically.

These changes which I have recommended would, I believe, be in line with the finest principles of Brotherhood Week and the best traditions of the American way of life "holding up a standard to which the wise and honest might repair."

Clarification of the so-called and misnamed Wiley bill

I am delighted to make these suggestions, particularly because my own name has sometimes been mistakenly identified with the present DP statute. As my brother Senators stated on the Senate floor:

(a) The present law represents largely the work of the Immigration Subcommittee of the Judiciary Committee of the Senate.

(b) I personally did not write a word, a clause, or a line of the present law.

(c) The bill (S. 2242) was introduced in my name solely because I happened to be chairman of the Senate Judiciary Committee at the time. Literally hundreds of bills during each Congress are introduced in chairmen's names merely as a matter of legislative convenience.

(d) My own committee handled one-third of all bills in the Senate—around 1,500 in all. Necessarily, as a chairman who had appointed subcommittees to work on the DP and other bills, I had to respect insofar as possible the conscientious work of our able subcommittee members who reported recommendations to the full committee on this vast number of bills.

CONCLUSION

But the present issue before us, as I have stated, is not a question of personalities, of individuals identified or not identified with the original bill or its amendments. The issue is only one of America's humanitarian obligations to herself, to displaced persons, and to the world.

The present statute was only a compromise stop-gap mechanism; we had the alternative of setting up such a mechanism or doing nothing at all. Now, the time is overdue for an overhauling of the stop-gap mechanism along the lines laid down above.

AID TO CHINA

Mr. McCARRAN. Mr. President, I ask unanimous consent to introduce for appropriate reference a bill to provide economic financial and other aid to China, and I request that an explanatory statement of the bill prepared by me be printed in the RECORD.

The PRESIDENT pro tempore. Without objection, the bill will be received and appropriately referred, and, without objection, the explanatory statement will be printed in the RECORD.

There being no objection, the bill (S. 1063) to provide economic, financial and other aid to China, introduced by Mr. McCARRAN, was received, read twice by its title, and referred to the Committee on Foreign Relations.

The statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR M'CARRAN

The bill would authorize this Government to embark upon a policy in the Far East that is a real policy. It proposes aid that will achieve real results. On April 3 of this year, the present China Aid Act of 1948 expires. The objectives sought by that act have not been accomplished, not through any lack of desire on our part but because of conditions with which the Administrator of the Economic Cooperation Administration was not properly armed to cope. It is incumbent upon us to provide the necessary legislation to make a real foreign policy in Asia. I believe this bill is a long step in that direction. It provides generally three types of aid —economic, financial, and military. The economic aid would be provided along the same lines that have been instituted by our present economic program. The bill also provides financial assistance so that the government of China may restore confidence in itself by necessary monetary reform. Finally, the bill provides what I believe is an adequate amount for military equipment, supplies, and matériel, including proper supervision of the acquisition, distribution, and use thereof. It provides assistance on a realistic loan basis, with collateral security.

I am not naive enough to believe this bill is a panacea for the many troubles with which the present Chinese Government is confronted. It will, however, provide a vehicle by which, if we in the United States are sincere in our desire to aid the Chinese people and to prevent the spread of Communism, we may effectively aid in securing these objectives.

Events in Asia are daily emphasizing the cold hard truth of the motivating power behind the Chinese Communists. No longer can even the most optimistic believe that the war in China is a mere revolt of an oppressed people. The tenacity with which the Communists hold on to the olive branch they claim to have extended is indicative of Moscow's determination to exercise its complete control over this prostrate nation, not by a peaceful settlement, but by complete surrender of those forces who would, if given the opportunity, oppose the international expansion of Communism.

Secretary Acheson stated to the Congress on March 20, 1947, when it was considering the Greek-Turkish aid program, that such a program was more necessary for Greece than for China at that time because the Greek Government was approaching collapse and it was threatened with defeat by the Communists. Such a time has now come to China. It is no answer to say that it is too late. The state of our future security is in the balance, and we cannot escape our responsibility by thus dismissing the choice with which we are faced.

Flushed with recent victories, the real hand behind the Chinese Communists is making itself known in Asia today. Korea is a powder keg, ready to explode in our face if we are pushed out of China as a force in opposition to communism. Reports already indicate the situation approaches outright war between the southern portion, which we recognize, and the northern or Communist portion, which the Soviets recognize.

Make no mistake, if the Communists are not stopped in China, the next step will be Korea and do not forget that in Korea we still maintain occupation troops and if trouble becomes serious in that country our boys must fight or get out and admit to the world that we are losing our battle for the survival of freedom.

I am firmly convinced that the greatest mistake we make today is underestimation of the ability of the Communists to succeed in their objectives. Many people believe that because the basic philosophy and history of the Chinese people is diametrically opposed to the Communist doctrine, we do not have to fear Communist success in China. Such thinking is not realistic; it fails to take into account the numerous previous successes of communistic policy in similar cases. Surely, by this time, history has proved that today's Communist leaders are not motivated by a philosophy, but rather by a hard, cruel determination to enslave the world; and they do not hesitate to adjust the party line to meet all circumstances necessary to achieve any objective they believe worthy of pursuit.

Surely the record has been made clear to anyone that our way of life cannot exist except in conflict with that of the so-called Communists. All that we have accomplished in China in the way of religious advancement, political democracy, and friendship will certainly and surely be lost unless we maintain those elements in China who will not compromise with communism. Certainly the nationalist government has made mistakes. It has not been the most efficient government in the world, but our own Government makes mistakes; nor are we always completely efficient. However, those policies, those principles for which this Nation was founded cannot be compromised anywhere, and to attempt to compromise them in the Far East is tantamount to surrender and retreat.

In 1899, our then Secretary of State, Mr. John Hay, said, and I quote, "The storm center of the world has gradually shifted to China. Whoever understands that mighty Empire socially, politically, and economically and religiously, has a key to politics for the next 500 years." That statement made 50 years ago is just as true today, if not more so. Let us not underestimate the foe with which we are dealing. He is an intelligent, smart, and aggressive opponent in the struggle for world domination. If we are not his superior in planning, in strategy, then we will find ourselves under his domination.

Let us turn our eyes for a moment to Europe. We are all saddened by the recent events in those satellite countries where the Communist masters have undertaken to destroy by the foulest means man's only hope for real progress, that is, belief in God, and religious freedom. Surely, those men who directed this attack upon christendom anticipated the effect of their action upon world opinion. No one having come as far as the Communist leaders have come could fail to have considered the world repercussion to such action and yet, why was it undertaken? To institute war? No. If the men in the Kremlin had desired war, there have been many more previous incidents upon which they could have started a war. No; the real objective must have been to center the attention of the world again upon the heart of Europe. The Berlin blockade having faded into the back seat of attention, why was it necessary for the world to have its attention directed to events in this part of Europe? A new provocation was necessary if world attention was to be focused in any one new direction. I am convinced that these despicable events were designed for one purpose only—to divert the attention of the world from the events that have been happening so swiftly in China in the past few months. The successes of the Communists in China had been more than had been hoped for. They had been so spectacular that the attention of the whole world was being attracted to China. Thought was being given as to the future of the Orient. This attention had to be diverted. The Communists needed time to consolidate their gains before resuming their southward push. If they can succeed in keeping our attention, and that of the rest of the world, centered in Europe, they may well succeed in their plan to overrun all of China.

I, for one, do not propose to be blinded by this tactic. While I deplore the degrading and un-Christian action the Communists have taken in Hungary, I cannot forget that similar action has been taking place in China. There also, men of God have met death because they would not compromise their principles with the Godlessness of communism. If we do not recognize the implications of the present situation and take immediate action to stop this thrust in the Orient, all that we have done for the peoples of Asia religiously, politically, and economically will go by the board and we will stand judged by history as having failed our Christian duty to the world. I commend this bill that I have introduced to the study of the Members of the Senate, and hope that it receives their support; for, as of today, we are still at the crossroads, but we cannot delay the decision much longer. To delay it means having it made by others, and surely we cannot afford that.

FEDERAL COMMISSION ON SERVICES FOR THE PHYSICALLY HANDICAPPED

Mr. SPARKMAN. Mr. President, on behalf of the Senator from Georgia [Mr. GEORGE], the Senator from Utah [Mr. THOMAS], the Senator from Florida [Mr. PEPPER], the Senator from Colorado [Mr. JOHNSON], my colleague, the senior Senator from Alabama [Mr. HILL], the Senator from Arizona [Mr. MCFARLAND], the Senator from North Carolina [Mr. HOEY], the Senator from South Carolina [Mr. JOHNSTON], the Senator from Pennsylvania [Mr. MYERS], the Senator from Rhode Island [Mr. MCGRATH], the Senator from West Virginia [Mr. NEELY], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Maine [Mr. BREWSTER], the Senator from Vermont [Mr. AIKEN], the Senator from Oregon [Mr. MORSE], the Senator from Wisconsin [Mr. MCCARTHY], and myself, I ask unanimous consent to introduce for appropriate reference a bill to establish a Federal commission on services for the physically handicapped.

The bill is the result of a long, evolutionary process, and incorporates many of the suggestions of experts and specialists who have testified before various congressional committees in recent years, including the House Labor Subcommittee To Investigate Aid to the Physically Handicapped, the Senate Subcommittee on War-Time Health and Education, and other hearings and studies by the committees of Congress. The bill was formulated after consultations with representatives of many organizations, and represents, in my judgment, a needed, practical approach to solution of the very difficult problems of many of our 28,000,000 physically handicapped citizens. In its present form, the bill meets requirements which previous measures with which I have been associated, H. R. 5206, and S. 2896, upon hearings and study, indicated were necessary.

The principles of the bill have been strongly endorsed by many organizations and individuals representing business, industry, labor, veterans, farm, women, educational, civic, fraternal, scientific and professional and other groups, approximating representation of some 30,000,000 people. I urge the Congress to take early and favorable action upon this measure.

I ask unanimous consent that the bill, together with a statement by Mr. Paul A. Strachan, president of the American Federation of the Physically Handicapped, and an analysis of the bill, be printed in the RECORD.

The PRESIDENT pro tempore. Without objection, the bill will be received and appropriately referred, and, without objection, the bill, together with the statement and analysis will be printed in the RECORD.

There being no objection, the bill (S. 1066) to establish a Federal Commission on Services for the Physically Handicapped, to define its duties, and for other purposes, introduced by Mr. SPARKMAN (for himself, Mr. GEORGE, Mr. THOMAS of Utah, Mr. PEPPER, Mr. JOHNSON of Colorado, Mr. HILL, Mr. MCFARLAND, Mr. HOEY, Mr. JOHNSTON of South Carolina, Mr. MYERS, Mr. MCGRATH, Mr. NEELY, Mr. HUMPHREY, Mr. KEFAUVER, Mr. BREWSTER, Mr. AIKEN, Mr. MORSE, and Mr. MCCARTHY), was received, read twice by its title, referred to the Committee on Labor and

Public Welfare, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That there is hereby created and established an agency of the United States, to be known as the Federal Commission on Services for the Physically Handicapped, which shall administer the provisions of this act, and all activities outlined under the following titles:

TITLE I. PURPOSES

SEC. 101. The purposes of this act, in furtherance of the general welfare of the United States, are (a) to provide for maximum extension of medical services, education and training, vocational guidance, and full-employment opportunities to citizens handicapped by physical or mental disability; (b) to provide for a more effective coordination of the functions of the Federal Government relating to the rehabilitation and employment of the handicapped; (c) to establish a Federal Interagency Committee on Rehabilitation and Employment of Handicapped; (d) to establish a National Commission on Employment of Handicapped, composed of organizations and individuals outside of Government, to encourage employment of handicapped; (e) to provide for cooperative enterprises for the handicapped; (f) to provide financial grants to handicapped who are totally and permanently disabled; (g) to provide educational grants to handicapped who require home or special training; to establish the Federal Services to Handicapped Revolving Loan Fund, from which fund States may borrow money at such times as their own funds for vocational rehabilitation are exhausted, and to appropriate an initial sum of $10,000,000 for such revolving loan fund; (h) to establish a Division for Handicapped in the United States Civil Service Commission; (i) to promote public safety programs designed to eliminate and prevent conditions which tend to promote injuries and disease in public buildings, institutions, parks etc.; (j) to provide for reports on the handicapped from the United States Public Health Service, United States Bureau of Mines, United States Coast Guard, Interstate Commerce Commission, and Civil Aeronautics Administration, and other Federal agencies which may now receive, as a part of their functions, reports upon persons disabled through accidents or disease, and for other purposes.

TITLE II. ORGANIZATION

SEC. 201. The Federal Commission on Services for the Physically Handicapped (hereafter termed the Commission) shall be headed by an Administrator, who shall be appointed for a term of 4 years by the President, by and with advice and consent of the Senate. The Administrator shall be paid a salary of $15,000 per annum, and, after consultation with the Advisory Committee on Affairs of the Handicapped (hereinafter described), is hereby authorized and directed to perform all duties, functions, and powers vested in him by this act. He shall have power to issue such rules and regulations as he may deem necessary to effectuate the purposes of this act, and to fix the pay of officials and employees in accordance with the Classification Act of 1923, as amended. He may also employ such specialists and consultants as may be required, without reference to civil-service laws. Whenever practicable, persons appointed shall be drawn from otherwise qualified, but physically handicapped applicants.

SEC. 202. The functions of the Federal Security Administrator, relating to vocational rehabilitation, and the Office of Vocational Rehabilitation are hereby transferred to the Commission, together with all funds, personnel, and records. Hereafter the Office of Vocational Rehabilitation shall be abolished, and the Federal Commission on Services for the Physically Handicapped shall administer the Federal Vocational Training acts heretofore administered by the Office of Vocational Rehabilitation, retaining the present personnel of that agency, and maintaining the present relation with the States, with such additional functions as may be granted by this act.

SEC. 203. There is hereby established an Advisory Council on Affairs of the Handicapped, to be responsible to the Administrator in the formulation of administrative policies, and to advise him on any matters relating to promoting the purposes of this act. The Council shall consist of nine members, who shall be selected by the Administrator, as follows: Two to be chosen as representatives of the public; two, as representatives of employers; two, as representatives of bona fide labor organizations, and three who are themselves physically handicapped, from bona fide organizations of the physically handicapped. The Administrator shall be ex officio Chairman of the Advisory Council, which shall act in an advisory capacity to the Commission and shall meet not less than twice yearly or oftener, on call of the Chairman. Appointed members shall serve for a period of 3 years and shall be paid traveling and other necessary expenses, and a per diem of $50 per day for each day of actual service.

SEC. 204. There is hereby established a Federal Interagency Committee on Rehabilitation and Employment of Handicapped, which shall comprise qualified representatives to be chosen by the heads of all Federal departments or agencies which now or in future may have a substantial and significant participation in activities dealing with problems of the handicapped.

(a) The Administrator shall serve as chairman of the Federal Interagency Committee; shall prepare agendas therefor, and shall effectuate, insofar as may be possible, the programs and policies developed by the committee.

(b) The purpose of this committee shall be to develop and effectuate more economical and efficient methods for the administration of activities relating to the handicapped, and to perform and coordinate functions, including research, to develop advanced programs for the blind, deaf, hard of hearing, cardiacs, tuberculous, arthritics, epileptics, poliomyelitics, cerebral palsied, amputees, diabetics, and any other large or distinct group of handicapped, such programs to comprehend the following activities:

(2) To collect, tabulate, and make public statistics pertaining to the physically handicapped.

(3) To ascertain what fields of employment are available to the physically handicapped and make such information public at least once yearly.

(4) To acquaint employers in private industry with the special capabilities of the physically handicapped, and encourage their employment, where feasible and practicable, on an equal footing with the nonhandicapped.

(5) To cooperate with public and private agencies, organizations, and individuals, in the medical and vocational rehabilitation and placement in suitable employment of handicapped persons.

SEC. 205. There is hereby established a National Commission on Employment of Handicapped, to consist of organizations and individuals outside of the Federal Government, representing industry, business, labor, veterans, farm, women, welfare, educational, religious, civic, fraternal, scientific and professional, and other groups and individuals which, upon invitation of the Administrator, acting for the President of the United States, may voluntarily cooperate in advancing employment of handicapped persons.

(a) This Commission shall have the right to establish its own rules of procedure and to designate, by proper election, its chairman and other officers, and the small staff required to carry on its work, as well as quarters, equipment, and so forth, shall be furnished by the Administrator.

(b) The sum of $250,000, or such part as may be necessary, is hereby authorized to be appropriated each year, out of the Treasury, from moneys not otherwise appropriated, to carry on the work of this Commission on Employment of the Handicapped, and all funds shall be cleared through the Administrator of the Federal Commission on Services for the Physically Handicapped, upon proper certification by the duly elected head of the National Commission for Employment of the Handicapped.

TITLE III. COOPERATIVE ENTERPRISES FOR HANDICAPPED

SEC. 301. The sum of $10,000,000 is hereby authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, for the fiscal year 1950, and $5,000,000 annually for each of the 5 years thereafter, for establishing and maintaining special industries for physically handicapped persons.

SEC. 302. Out of the foregoing sums, the Commission is authorized and empowered to make loans, through its State agencies and affiliates, to persons, corporations, States, Territories, or subdivisions or agencies thereof, and to limited dividend associate organizations organized under the laws of any State or Territory, for the purpose of financing work projects for physically handicapped persons, primarily drawn from the group regarded as "unfeasible for rehabilitation" who require special conditions of employment and training, such as is now afforded in a very limited way by various so-called handicapped persons' industries, sheltered workshops, etc. No single loan shall exceed $20,000, and not less than 25 percent in amount of all loans shall be granted in rural areas.

SEC. 303. Such loans shall be made on such terms and conditions as the Commission shall determine: *Provided*, That, except as provided in section 304, all loans shall be self-liquidating in not to exceed 25 years, and shall bear interest at a rate equal to the average rate payable by the United States on its obligations having maturity in 10 years or more after the dates thereof, issued during the last preceding fiscal year in which any such obligations were issued: *Provided further*, That no loans for the purchase, construction, enlargement, or operation of any plan shall be made without the consent of the State authority having jurisdiction in the premises first being obtained.

SEC. 304. The Commission is hereby authorized to make loans to finance projects which are not self-liquidating as provided in section 303, upon receiving the written findings of the Administrator that (1) such project cannot be operated at a profit, (2) any loss will be caused by the physical handicaps of the persons employed on the project, (3) such loss will not exceed per centum of the gross income of the project, (4) the persons employed on the project will derive substantial nonmonetary benefit therefrom, and (5) no other project has been found which is feasible for such person or persons and which will contribute to their well-being.

TITLE IV. GRANTS TO STATES FOR AID TO THE TOTALLY DISABLED, UNFEASIBLE FOR REHABILITATION

SEC. 401. Appropriation:

For the purpose of enabling each State to furnish financial assistance to needy individuals who are physically or mentally handicapped to such a degree that they are certified by the State agency representing the Commission as being unfeasible for rehabilitation, there is hereby authorized to be appropriated for the fiscal year ending June 30, 1950, the sum of $, and there

is hereby authorized to be apropriated for each fiscal year thereafter a sum sufficient to carry out the purposes of sections 401–405 of this act. The sums made available under this section shall be used for making payments to States which have submitted, and had approved by the Commission, State plans for aid to the totally disabled.

SEC. 402. State plans for aid to the totally disabled:

(a) A State plan for aid to the totally disabled must (1) provide that it shall be in effect in all political subdivisions of the State, and, if administered by them, be mandatory upon them; (2) either provide for the designation or establishment of a single State agency to administer the plan, utilizing present State agencies for vocational rehabilitation, as provided for in section 202 of this act, or provide for the designation of a single State agency to supervise administration of the plan; (3) to provide for payment of $60 per month to each individual certified by the State as totally and permanently disabled, unfeasible for rehabilitation, and without means of livelihood and support; (4) provide that the State, through appropriate agencies, subject to the regulations of the Commission shall at least once each year make a thorough medical examination of all nonfeasible cases to determine whether they are capable of rehabilitation; make a report of all cases found to be capable of rehabilitation to the Commission, discontinue payments to such cases and apply to them the regular processes of rehabilitation, pursuant to the act of June 2, 1920, case 219 (41 Stat. 735) as amended: *Provided,* That if any of such cases, determined to be potentially capable of rehabilitation, after treatment or training are found to be incapable of taking care of themselves or earning their own living, then, upon examination and certification by the States' agency or agencies representing the Commission, the State shall re-enter such unfeasible cases upon its registers and the monthly payment of $60 shall be immediately issued; (5) provide for granting to any individual whose claim for aid is denied an opportunity for a fair hearing before such State agency; (6) provide such methods of administration (including methods relating to the establishment and maintenance of personnel standards on a merit basis, except that the Commission shall exercise no authority with respect to the selection, tenure of office, and compensation of any individual employed in accordance with such methods) as are found by the Commission to be necessary for the proper and efficient operation of the plan; (7) provide that the State agency will make such reports in such form and containing such information as the Commission may, from time to time require, and comply with such provisions as the Commission may, from time to time find necessary to assure the correctness and verification of such reports; (8) provide that the State agency shall, in determining need, take into consideration any other income and resources of an individual claiming aid to the totally disabled; (9) provide safeguards which restrict the use or disclosure of information concerning applicants and recipients to purposes directly connected with the administration of aid to the totally disabled.

(b) The Commission shall approve any plan which fulfills the conditions specified in subsection (a), except that it shall not approve any plan which imposes, as a condition of eligibility for aid to the totally disabled under the plan—

(1) any residence requirement which excludes any resident of the State, who has resided there for 1 year immediately preceding the application; or

(2) any citizenship requirement which excludes any citizen of the United States.

(c) The lack of requirement in this title for financial participation by the States in plans for aid to the totally disabled shall not preclude individual States from paying additional benefits to such persons, nor shall applicants for such aid to the totally disabled be debarred from applying for, or receiving other benefits, if such are necessary and justified to provide living expenses, medical costs, care by attendants, and so forth.

SEC. 403. Payments to States:

(a) From the sums appropriated therefor, the Secretary of the Treasury shall pay to each State which has an approved plan for aid to the totally disabled, for each quarter, beginning with the quarter commencing ----------, (1) an amount, which shall be used exclusively as aid to the totally disabled, equal to the multiple of $60 times the number of monthly payments made during each quarter to individuals certified by the State agency representing the Commission, pursuant to section 402 (not including any individual who had been reported by the State to the Commission as capable of rehabilitation unless such individual has been subsequently found to be incapable of rehabilitation) and (2) an amount equal to the total of the sums expended during such quarter as found necessary by the Commission for the proper and efficient administration of the State plan, which shall be used for paying the costs of administering the State plan or for aid to the totally disabled, or both, and for no other purposes.

(b) the method of computing and paying such amounts shall be as follows:

(1) The Commission shall, prior to the beginning of each quarter, estimate the amount to be paid to the State for such quarter under the provisions of subsection (a), such estimate to be based on (A) a report filed by the State containing its estimate of the total sum to be expended in such quarter in accordance with the provisions of such subsection, and stating the amount appropriated or made available by the State and its political subdivisions for such expenditure in such quarter, and if such amount is less than the State's proportionate share of the total sum of such estimated expenditures, the source or sources from which the difference is expected to be derived, (B) records showing the number of handicapped individuals in the State, and (C) such other investigation as the Administrator may find necessary.

(2) The Commission shall then certify to the Secretary of the Treasury the amount estimated by the Commission, (A) reduced or increased, as the case may be, by any sum which he finds that his estimate for any prior quarter was greater or less than the amount which should have been paid to the State under subsection (a) for such quarter, and (B) reduced by a sum equivalent to the pro rata share to which the United States is equitably entitled, as determined by the Commission, of the net amount recovered during a prior quarter by the State or any political subdivision thereof with respect to aid to the totally disabled furnished under the State plan; except that such increase or reduction shall not be made to the extent that such sums have been applied to make the amount certified for any prior quarter greater or less than the amount estimated by the Commission for such prior quarter: *Provided,* That any part of the amount recovered from the estate of a deceased recipient which is not in excess of the amount expended by the State or any political subdivision thereof for the funeral expenses of the deceased shall not be considered as a basis for reduction under the clause (B) of this paragraph.

(3) The Secretary of the Treasury shall thereupon, through the Fiscal Service of the Treasury Department, and prior to audit or settlement by the General Accounting Office, pay to the State at the time or times fixed by the Administrator the amount so certified.

SEC. 404. Change in or failure to comply with plans; stopping payments:

In the case of any State plan for aid to the totally disabled which has been approved by the Commission, if the Commission, after reasonable notice and opportunity for hearing to the State agency administering or supervising the administration of such plan, finds that in the administration of the plan there is a failure to comply substantially with any provisions required by section 402 of this act to be included in the plan, or that the plan has been so changed or administered as to impose any residence or citizenship requirement prohibited by section 402 (b). The Commission shall notify such State agency that further payments will not be made to the State until the Commission is satisfied that such prohibited requirement is no longer so imposed, and there is no longer any such failure to comply. Until he is so satisfied the Administrator of the Commission shall make no further certification to the Secretary of the Treasury with respect to such State.

SEC. 405. The Commission, upon compilation of reports received from State agencies administering this program, shall report to the President and to the Congress each year upon the number and type of unfeasible cases, and the disposition made thereof.

TITLE V. EDUCATIONAL GRANTS FOR UNFEASIBLE CASES

SEC. 501. There is hereby authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, the sum of $5,000,000 for the fiscal year 1950, and $2,000,000 annually, thereafter, and from the amounts hereunder appropriated, the Commission is authorized and empowered, through its State agencies, to make outright grants to local nonprofit educational groups, including local school boards providing special services to handicapped, organized with the objective of affording a means of teaching and training physically handicapped persons, commonly known as shut-ins, whose disabilities confine them to their homes, or beds. Grants shall be made pro rata on the basis of population: *Provided,* That not less than 25 percent of all grants in any fiscal year shall be made to groups located in rural areas.

TITLE VI. FEDERAL SERVICES TO HANDICAPPED REVOLVING LOAN FUND

SEC. 601. There is hereby established the Federal Services to Handicapped Revolving Loan Fund, which, upon application by States, shall provide loans to States at such times as State funds for vocational rehabilitation are exhausted, to replenish such State funds for vocational rehabilitation and enable such work to be carried on without interruption.

(a) Loans shall be made on pro rata basis of population, and not less than 25 percent of such loans must be used by States obtaining loans for vocational rehabilitation, in rural areas.

(b) The sum of $10,000,000 is hereby authorized to be appropriated out of the Treasury, from funds not otherwise appropriated, to establish said fund, and loans may be made from the fund by the States immediately after the fiscal year beginning July 1, 1949.

(c) States obtaining such loans shall pay interest at the rate of 2 percent per annum to the Federal Government, to amortize cost of operation of the revolving loan fund.

(d) States subscribing to such loans shall repay, in full, within 30 days after adjournment of State legislatures which have met following consummation of such loans.

(e) The fund shall be administered by the Administrator of the Federal Commission on Services for the Physically Handicapped, under such rules and regulations as he may prescribe.

(f) The Administrator is hereby authorized and directed to appoint such staff and assistants as may be required to operate the fund, and report, in detail, upon operation of the fund, including a statement of all

receipts and disbursements, to the President and to Congress, at the beginning of each regular session of the Congress.

TITLE VII. UNITED STATES CIVIL SERVICE COMMISSION

SEC. 701. There is hereby established in the United States Civil Service Commission a Division for the Physically Handicapped, with a chief, and such staff as may be required. It shall be the duty of the Division to deal with problems attendant upon the recruitment, examination, and appointment of physically handicapped applicants for employment in the Federal civil service. It is declared to be the policy of the Congress that no citizen, otherwise qualified, shall be denied the right to examination and appointment, by reason of physical disability.

SEC. 702. The expense of the operation and administration of the Division for the Physically Handicapped shall hereafter be included in the regular appropriations for the Civil Service Commission. Such sums as are necessary for the establishment and operation of the Division are hereby authorized to be appropriated.

TITLE VIII. AID TO THE BLIND

SEC. 801. Operations under this act shall continue present aids to blind, through commissions, bureaus, or divisions for blind now established. Benefits now received by the blind shall not prejudice nor debar the blind from seeking or receiving such additional benefits as may be made available under this act, nor shall anything in this act be construed as abolishing or limiting any benefits now received by the blind.

TITLE IX. PROMOTION OF PUBLIC-SAFETY PROGRAMS

SEC. 901. The Commission is authorized and directed to cooperate with all Federal agencies in devising and arranging proper safeguards to life and limb in public buildings, public institutions, and public parks, and assisting in the development of programs to eliminate conditions tending to promote disease or cause injury, on Federal properties.

(a) The Commission shall collaborate and cooperate with the Public Buildings Administration, and assist in planning proper assignments of safety engineers and sanitary engineers, who may, with the consent of the agency having jurisdiction, at the direction of the Public Buildings Administration, inspect and report on any and all buildings used by the Federal Government.

(b) The Commission may also cooperate with the American Institute of Architects and other interested groups and individuals, with a view to having public and other buildings constructed or remodeled, with ramps, in addition to stairs and/or elevators, and with railings to facilitate the free and safe movement of lame and crippled persons.

TITLE X. REPORTS ON HANDICAPPED FROM FEDERAL AGENCIES

SEC. 1001. The United States Public Health Service, United States Bureau of Mines, United States Coast Guard, Interstate Commerce Commission, Civil Aeronautics Administration, and other Federal agencies which may now receive, as a regular part of their functions, reports upon persons disabled through accidents or disease, in local, State, or regional epidemics of disease, or in disasters in mines, sinking or disabling of ships, railroad accidents, aviation crashes, shall transmit to the Federal Commission on Services for the Physically Handicapped a report upon such epidemics, or accidents, and, as far as may be possible or practicable, submit the names and addresses of those severely disabled by reason of such epidemics or accidents, as soon after such occurrences as may be possible.

TITLE XI. GENERAL PROVISIONS

SEC. 1101. The term "States," as used in this act, means any of the States of the Union; also Alaska, Hawaii, Puerto Rico, Virgin Islands, and the District of Columbia.

SEC. 1102. For the purpose of administering this act and for the purpose of making the investigations, studies, publications, and reports herein provided for, including cost of personal services in the District of Columbia, and elsewhere, stenographic recording and translating services, including such services rendered on a contractual basis, without regard to section 3709 of the Revised Statutes; traveling expenses for attendance at meetings when specifically authorized by the Administrator, supplies and equipment, purchase and exchange of medical and reference books, directories, periodicals, newspapers, and press clippings; purchase, operation, and maintenance of motor-propelled vehicles; printing and binding (in addition to that otherwise provided by law), and for all other necessary expenses in carrying out the provisions of this act, there are hereby authorized to be appropriated for each fiscal year such sums as the Congress may determine to be necessary.

SEC. 1103. The provisions of this act shall not apply and the Government shall not be liable for claims in the cases of persons who are adequately provided for financially, by means such as the following:

(1) Recovery of large amounts on suits for damages in personal-injury cases.

(2) Payment of special compensation for injury or disease, covered by State laws, or by special Federal enactment.

(3) Other conditions under which disabled persons are provided adequate compensation and assistance.

SEC. 1104. If any provision of this act, or the application thereto to any person or circumstance is held invalid, the remainder of the act, and the application of such provisions to other persons and circumstances shall not be affected thereby.

SEC. 1105. This act shall be known as the "Federal Aid to the Physically Handicapped Act."

SEC. 1106. All laws or parts of laws in conflict with this act are hereby repealed.

SEC. 1107. This act shall be effective 90 days after date of enactment.

The statement and analysis of the bill presented by Mr. SPARKMAN were ordered to be printed in the RECORD, as follows:

STATEMENT OF PAUL A. STRACHAN, PRESIDENT, AMERICAN FEDERATION OF THE PHYSICALLY HANDICAPPED, INC., ON THE BILL TO ESTABLISH A FEDERAL COMMISSION ON SERVICES FOR THE PHYSICALLY HANDICAPPED

How many of our citizens are physically handicapped? No one knows the exact number, but selective service rejected one out of three, in the draft, and it should be considered that these were in the age limits of from 18 to 45, and, thus, presumably persons in the prime of life.

A summary of testimony of experts appearing before the House Committee To Investigate Aid to the Physically Handicapped, of which Hon. AUGUSTINE B. KELLEY, Pennsylvania, was chairman, estimated a total of not less than 38,000,000 of our people, in some degree physically disabled. The Retraining and Reemployment Administration, under Maj. Gen. Graves B. Erskine, USMC, Administrator, conservatively estimated at least 28,000,000.

This poses a tremendous question for every citizen, "What are we doing to enable our millions of handicapped to be rehabilitated and placed in suitable employment?" The problems and difficulties of these millions of disabled citizens are growing more acute each day. These are specialized problems which can only be dealt with successfully, by specialists in a specialized way. Hence, it is time for the Federal Government to take leadership in this field by establishing a Federal Commission on Services for the Physically Handicapped, to function solely in their interest.

Administration of such an agency should be independent of other phases of Government activity, although, of course, it should be properly based where its functions are understood and given sympathetic consideration. The President, the Congress, the public, and particularly the handicapped themselves are entitled to know what is being done for the disabled; by whom it is being done; the cost, and the results. Today, agencies dealing with these matters are scattered widely; they have little or no coordination and there is bound to be duplication of effort and consequent waste of time and taxpayers' money, to say nothing of the fact that present services, facilities, and personnel are wholly inadequate to the needs of the handicapped.

As cited, requirements of our millions of handicapped are growing more acute, each day, particularly those who are civilians, and they cannot be adequately dealt with on any other than a basis of special service. If the transportation interests are serviced in the Government by the Interstate Commerce Commission; banking interests by the Federal Reserve Board, Reconstruction Finance Corporation, and several other agencies; farmers and cattle raisers by the Department of Agriculture; working people by the Department of Labor; Veterans by the Veterans' Administration; those of road builders and construction groups by the Federal Works Agency, and many other special groups having their interests represented by special services of the Federal Government, then, in justice and equity, to say nothing of conservation of lives and human values, as well as strengthening the national security by improving the welfare of our people—the handicapped, who have no such services, and few real champions, are fully entitled to a special agency in their own interest—properly manned by experts, and equipped with facilities and means sufficient to do a real job, instead of merely scratching the surface, as is now the case.

Rehabilitation is a meaningless term, because, only a few understand what it is supposed to mean, and because of the prevailing confusion as to the objectives it should accomplish. For example, to the physician or surgeon, it means, medical treatment, surgery, or therapy. To the educator, it means education and training, or retraining. To the vocational guidance expert, it means counseling, and, to the placement officer, it means, placement in suitable employment. To the handicapped, it is our experience that at least 80 percent of them do not know the meaning of the word rehabilitation, and, consequently, it has no significance to them, or bearing upon their problems.

Therefore, to clarify and improve the understanding of the public, we propose changing the present Office of Vocational Rehabilitation to the Federal Commission on Services for the Physically Handicapped, so that all people, and especially the handicapped, themselves, who, after more than 30 years of attempting to sell the term to them, are still in ignorance of what rehabilitation stands for, will know exactly what the agency means, and what it is supposed to do for them.

Such a Commission would be able to cope more successfully with the multiple requirements of handicapped than any office or bureau. It should have independent powers because it will deal with many subjects heretofore not part of the rehabilitation concept but which are necessary if the job is to be done right.

After more than 30 years' observation, study, and practice in this field, we firmly believe passage of this bill to be essential to the proper development of a program for the handicapped, and for the welfare of the Nation itself. We feel that Congress can thus express its long-publicized desire and intent to afford better services for the disabled, and, by so doing, concentrate sufficient of the present forty-odd activities under one head, so that better administration and more economy will produce greater results.

Obviously, Congress cannot be expected to be familiar with all details of a field which is now covered by these forty-odd Federal agencies, each of which has a part of the handicapped program. Neither is it the intent of this bill to arbitrarily uproot all of these agencies and pitch them into one pot, but, rather, take one agency and build around it, and from time to time such agencies as are shown to be within its defined area could be properly integrated in the Commission until a well-proportioned whole is achieved. In one sense, the proposed Federal Commission is not a new agency, but simply a present one, under a new name, and with adequate powers and means to deal with these great problems of the handicapped.

We stress that the Commission would provide important and necessary services which are not now provided, and because of their lack, make present operations of the program incomplete, awkward, and in many instances wholly unworkable—all of which is a detriment to the Nation's welfare and particularly the welfare of the millions of handicapped who require such services.

TITLE I. PURPOSES

This briefly outlines the scope of the act.

TITLE II. ORGANIZATION

This outlines and defines the functions of the Commission and the administrator thereof. Under this title, it is pointed out that much of the present duplication and waste of effort and money could be eliminated, because the prime objective here is to coordinate many functions now scattered through various agencies. Also, present agencies lack requisite powers to educate the public, particularly employers, as to the value of handicapped as workers, and this title confers such powers upon the proposed Commission.

This title transfers the functions of the Federal Security Administrator, relating to vocational rehabilitation, and the Office of Vocational Rehabilitation to the proposed Commission, and henceforth all Federal vocational rehabilitation acts shall operate under the Commission. The present staff of the Office of Vocational Rehabilitation would be retained, and the Federal-States relationship continue, as under the present law.

It establishes an Advisory Council on Affairs of the Handicapped, composed of experts in this field, as a policy-developing unit; the need for which is very clear.

It provides a base for, and outlines the functions of, the Federal Interagency Committee on Rehabilitation and Employment of Handicapped, as a coordinating body, to bring order out of the present chaos, wherein approximately 40 agencies go in different directions at the same time. The proposed commission is the logical place to coordinate such activities, and its composition would, doubtless, thus be the means of effectuating greater efficiency and economy in the operations of the various agencies involved.

It establishes a National Commission on Employment of Handicapped, to consist of representatives of national organizations and individuals, outside of Government, to function voluntarily, on a year-round basis, to encourage employment of handicapped. This would provide a necessary and logical base, for example, for the activities of the present "President's Committee on National Employ the Physically Handicapped Week," which has no present legal status and which should, logically, be based in the Commission. Since the "President's Committee on National Employ the Physically Handicapped Week" has no funds to project and expand educational campaigns to promote employment of handicapped, this provides a relatively small sum for that purpose.

TITLE III. COOPERATIVE ENTERPRISES FOR HANDICAPPED

The Congress should remedy the present situation, wherein submarginal public assistance to handicapped does not provide them means to live, be treated, and trained, so that they may earn their own living, and thus make substantial contributions to the national economy, if possible to do so, by learning trades or occupations, under conditions wherein their handicap is not a factor, or, at least, is properly evaluated and provided for.

Cooperative enterprises for handicapped offer great opportunities for such vitally needed functions. Among other activities they would permit establishment and operation of sheltered workshops, which are not a new concept, but have already proven of great value in many respects. Yet, they are too limited in number, have inadequate facilities, personnel, and means, and in many instances lack proper business management. They offer a practical solution for the lack of training schools, as well as a means of affording income for otherwise capable, willing, and ambitious handicapped people, who have never had opportunity to earn a living, especially when pitted against nonhandicapped in our rigid, competitive employment system.

TITLE IV. GRANTS TO STATES FOR TOTALLY DISABLED, UNFEASIBLE FOR REHABILITATION

Nearly 5 years ago, the Social Security Board estimated that there were, then, conservatively, 3,600,000 totally and permanently disabled people in the United States, and since that time, unquestionably, there has been a very material increase, and today's estimates would probably run to as high as 7,000,000 thus severely disabled. These, for the most part, are termed "unemployable, and nonfeasible for rehabilitation." Many of them are bedfast, confined to wheel chairs, or on crutches, and a considerable number are destitute and wholly dependent upon uncertain charity to sustain even the barest necessities of life.

In the light of continued improvement in medicine, surgery, and therapeutics, as well as discovery and application of new drugs and new types of treatments, it is reasonable to believe that many such cases, rated unfeasible yesterday, or today, may, within a week, a month, or a year, or even longer, because of some new discovery, become entirely feasible of rehabilitation.

On the other hand, when only superficial medical examinations or treatment are given, or, because of the extremely serious condition of the patient, the expense of such treatments as might be given are deemed too expensive to be met under present budgets of rehabilitation and social agencies, as, no doubt, in many instances has been the case when the applicant is termed unfeasible, there is room for considerable margin of doubt, if not positive error, in such diagnosis and findings, and no medical examination should be accepted that is not thorough in every respect, and such examinations should be given at reasonably frequent intervals, as a means of proper determination, in any case.

The only practicable, just, and humane way to deal with this matter is to see to it that such persons are afforded thorough diagnosis by qualified physicians, and, if the findings show such persons to be totally unfeasible for rehabilitation, then, if such persons are destitute, or wholly dependent upon others for livelihood, who, themselves, are unable to bear the expense of providing a living for such unfeasibles, then, such unfeasibles should be certified by the Commission as being wholly unemployable, and provided, initially, with a Federal grant—the modest sum of $60 per month.

Operations under this title would act as a double check, most effectively, and would reveal, over the long run, a more accurate picture of the so-called shut-ins, and provide for their needs, however meagerly, by recognizing the Federal obligation to them, by a small grant, if they are disqualified for rehabilitation, and cannot support themselves.

Rehabilitation agencies would have the responsibility of periodically giving medical examination to such unfeasible cases, so that the real objective would be carried out—rehabilitation, and not grant, or pension, unless the latter is absolutely necessary. But, as an alternative, there would be provided a means of meeting, and routing, the fear of poverty, illness, and the misery of being wholly dependent upon others who lack means themselves, in the minds of destitute and totally disabled handicapped citizens.

Moreover, this would afford a means to put the Nation on record that, hereafter, the first consideration of its disabled shall be to get them well and back to work, if possible, rather than leave them to charity, in the guise of public assistance, or hold the false hope of pension in front of the noses of such handicapped people.

This title also provides an outline for States' participation, and administration thereof, and we strongly urge upon Congress the great need and desirability of approving this title.

TITLE V. EDUCATIONAL GRANTS FOR UNFEASIBLE CASES

Many handicapped, especially those in rural, sparsely settled areas, are denied access to educational facilities. In many cases, schools are located considerable distances from the homes of persons where, for example, there are handicapped children, and it is not practicable for such handicapped children, or even adults, to attend such schools.

This title provides a modest beginning on development of a great and essential program—that of teaching the home-bound handicapped. In the case of shut-ins, it would provide a godsend, indeed, as development of this program, within the next few years, would, doubtless, bring the priceless boon of all latest and most scientific means of learning right to the bedside, by radio, motion pictures, television, sound recordings, etc.

TITLE VI. FEDERAL SERVICES TO HANDICAPPED REVOLVING LOAN FUND

Under this title, there would be established a revolving loan fund, with an initial sum of $10,000,000, from which States which have exhausted their own funds for vocational rehabilitation may borrow, so that this important work could be carried on without interruption.

Operations of the present Federal-State vocational rehabilitation system has shown that, periodically, under the stress of continually increasing applications for service therefrom, States frequently go broke, and are unable to give the full service to handicapped. Such a condition today exists in some 28 or more States, where, although administrative costs are paid, for officials and employees, very little or no real services to handicapped can be performed, for lack of other money.

Establishment of such a revolving loan fund is, therefore, a necessity, if the program is not to be subjected to continual break-downs for lack of money at critical times.

TITLE VII. UNITED STATES CIVIL SERVICE COMMISSION

Growing requirements of Civil Service, dealing with physically handicapped people, necessitates establishing a regular division within the Civil Service Commission for that express purpose. The expense would be nominal; examination and placement facilitated; the effects far-reaching and beneficial, and operations under this title would implement the declaration of congressional policy, exemplified in H. R. 4236 (80th Cong., 2d sess.), which provides that no handicapped person, otherwise qualified, shall be denied examination or appointment to positions for which they may be fitted.

TITLE VIII. AID TO THE BLIND

This continues and expands present assistance and rehabilitation to the blind. It provides additional means of training, over the present set-up, of which blind may avail themselves, if they so desire.

TITLE IX. PROMOTION OF PUBLIC SAFETY PROGRAMS

This title provides for collaboration and cooperation with Federal and private agencies, to develop inspection services not now in general use, but badly needed, both from the standpoint of conserving the health of employees of the Government, and the public using Government buildings, but actually saving money for the Government by eliminating causes of accident and disease to Federal workers and others.

It is manifest that the Federal Government should take steps immediately to prevent accident, or disease, in the erection or reconditioning of buildings, institutions, and parks, and the equipping thereof, to provide such safeguards as may be necessary, upon recommendation of qualified safety and sanitary engineers and other specialists at interest.

TITLE X. REPORTS ON HANDICAPPED FROM FEDERAL AGENCIES

With but rare exceptions, diseases and accidents, leading to physical handicap, are not static, but dynamic. They get better, or worse, as the case may be, but they should be immediately treated, if the individual is to have a fair chance of full recovery.

Unquestionably, it would expedite these matters if Federal agencies at interest, the Public Health Service, Bureau of Mines, Coast Guard, Interstate Commerce Commission, Civil Aeronautics Board, and other Federal agencies, would provide full reports to the Commission as soon as such accidents or diseases occur, so that no time would be lost in getting remedial activities under way. Such agencies already receive such reports from their field staffs, and there is no good reason why the field representatives of the Commission could not, after such reports had been transferred to them, make investigation to determine whether the Commission's services could and/or should be utilized advantageously.

TITLE XI. GENERAL PROVISIONS

This title provides for the appropriations which may be necessary to operate the Commission, shows what type of persons would not be eligible for the benefits administered by the Commission, etc.

ISSUANCE OF SPECIAL STAMPS COMMEMORATIVE OF ONE HUNDREDTH ANNIVERSARY OF DEATH OF ALBERT GALLATIN

Mr. MARTIN. Mr. President, I ask unanimous consent to introduce for appropriate reference a bill to authorize the issuance of a special series of stamps commemorative of the one hundredth anniversary of the death of Albert Gallatin, and I request that a statement prepared by me may be printed in the RECORD.

The PRESIDENT pro tempore. Without objection, the bill will be received and appropriately referred and, without objection, the statement will be printed in the RECORD.

There being no objection, the bill (S. 1068) to authorize the issuance of a special series of stamps commemorative of the one hundredth anniversary of the death of Albert Gallatin, introduced by Mr. MARTIN, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR MARTIN

On August 12 of this year will occur the one hundredth anniversary of the death of Albert Gallatin, a great American statesman who gave a lifetime of distinguished service to the country of his adoption.

Unquestionably one of the most brilliant men of his time, Gallatin's fame rested securely on his outstanding achievements in the field of public finance, diplomacy, and statecraft.

Albert Gallatin came to this country from his native Switzerland in 1780 at the age of 19. He established himself in the wilderness of western Pennsylvania, near Uniontown, Pa. In later years he built the splendid mansion Friendship Hill, which has been preserved as a historic shrine. Today it recalls to visitors the courage and determination of the freedom-loving pioneers who crossed the Allegheny Mountains and pointed the way for the westward growth and progress of our Nation.

The section of Pennsylvania in which Friendship Hill is located has another claim to historic importance. Within a radius of 20 miles of Albert Gallatin's home were born a number of men who achieved distinction in the affairs of our Nation.

Three served as Secretary of State: James G. Blaine, once Republican candidate for President; Philander C. Knox, who served also as a Member of the United States Senate; and that distinguished soldier and statesman, George C. Marshall.

Two former Members of this body representing the State of Iowa were born in the same area: Albert B. Cummins and Jonathan P. Dolliver. Former United States Senator William E. Crow, of Pennsylvania, is another on this impressive list.

A great American in the field of science, John A. Brashear, author, astronomer, and philosopher, was born in the same section of western Pennsylvania. His pioneering work in the development of the telescope opened the way to greater knowledge of the universe.

Albert Gallatin won early recognition as a leader in financial legislation while serving as a member of the Pennsylvania Legislature, 1790–92. He worked for the full payment of the State debt, for the extinguishment of State paper money and other sound fiscal policies.

In 1793 he was elected to the United States Senate. He took his seat in the Third Congress, but his eligibility was questioned on the ground that he had not been for 9 years a citizen of the United States.

Deprived of his seat in the Senate, Gallatin returned to western Pennsylvania, where the power and authority of the new Federal Government was being tested for the first time in the Whisky Rebellion. Gallatin's part in restoring submission to law has been credited with helping to save western Pennsylvania from civil war.

In 1794 he was elected to the Federal House of Representatives and served three terms. Again he gained eminence in the field of finance, fighting against overwhelming political odds for sound fiscal policies which he later put into effect as Secretary of the Treasury under Thomas Jefferson and James Madison. He opposed oppressive taxation and insisted upon an orderly reduction of the national debt, which on January 1, 1806, was slightly over $80,000,000.

Gallatin turned from finance and legislation to diplomacy with his appointment as a member of the peace commission which negotiated the Treaty of Ghent in 1814. On his return to America he accepted the post of Minister to France and spent 7 years, 1816–23, in Paris.

Returning once more to the United States, Gallatin anticipated retiring to Friendship Hill, but another call to duty sent him to England, where he won new honors as Ambassador to the Court of St. James.

Anniversaries of our great men should be observed as important milestones in American history. In tribute to the memory of Albert Gallatin and in grateful recognition of his part in the building of our Nation, I have introduced a bill authorizing a special series of commemorative postage stamps to be issued in August, the month in which he passed away 100 years ago.

I sincerely hope that this legislation in honor of the greatness of Albert Gallatin will meet with the approval of the Members of this Congress, and I urge that it be acted upon favorably.

INTRODUCTION AND REPORT OF HOUSING BILL (REPT. NO. 84)

Mr. ELLENDER. Mr. President, for the past 3 or 4 weeks the Committee on Banking and Currency has been diligently considering a housing bill, and one has been agreed to by the committee. I have been authorized to introduce that bill on behalf of myself and the following Senators: Mr. MAYBANK, Mr. WAGNER, Mr. SPARKMAN, Mr. MYERS, Mr. HILL, Mr. PEPPER, Mr. LONG, Mr. TAYLOR, Mr. DOUGLAS, Mr. FREAR, Mr. FLANDERS, Mr. TOBEY, Mr. TAFT, Mr. AIKEN, Mr. MORSE, Mr. LODGE, Mr. YOUNG, Mr. BALDWIN, Mr. IVES, Mr. THYE, and Mrs. SMITH of Maine.

There being no objection, the bill (S. 1070) to establish a national housing objective and the policy to be followed in the attainment thereof, to provide Federal aid to assist slum-clearance projects and low-rent public-housing projects initiated by local agencies, to provide for financial assistance by the Secretary of Agriculture for farm housing, and for other purposes, introduced by Mr. ELLENDER (for himself, Mr. MAYBANK, Mr. WAGNER, Mr. SPARKMAN, Mr. MYERS, Mr. HILL, Mr. PEPPER, Mr. LONG, Mr. TAYLOR, Mr. DOUGLAS, Mr. FREAR, Mr. FLANDERS, Mr. TOBEY, Mr. TAFT, Mr. AIKEN, Mr. MORSE, Mr. LODGE, Mr. YOUNG, Mr. BALDWIN, Mr. IVES, Mr. THYE, and Mrs. SMITH of Maine, was received, read twice by its title, and referred to the Committee on Banking and Currency.

Mr. MAYBANK. Mr. President, from the Committee on Banking and Currency, I ask unanimous consent to report favorably, without amendment, the bill just introduced by the Senator from Louisiana, for himself and others. The Committee on Banking and Currency has considered many bills in connection

with various housing bills, and has unanimously ordered this bill reported.

The PRESIDENT pro tempore. Without objection, it is so ordered, and the bill will be placed on the calendar.

Mr. MAYBANK. I now ask unanimous consent that the committee may file its report today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

REPEAL OF CANAL ZONE RETIREMENT ACT

Mr. JOHNSTON of South Carolina. Mr. President, I ask unanimous consent to introduce for appropriate reference a bill to repeal the Canal Zone Retirement Act, and so forth. It is designed to repeal the Canal Zone Retirement Act of March 2, 1931, as amended, and merge that act with the general civil service act by extending the benefits of the Civil Service Act of May 29, 1930, as amended, with minor exceptions, to employees affected by such repeal.

This bill would merge one of the several separate retirement systems now in effect for comparatively small groups of Government employees, and is prompted in part by the statement made on this floor on January 23, 1948—page 488 of CONGRESSIONAL RECORD—with regard to the desirability for eliminating these separate retirement systems where such can be done without detriment to those affected.

There being no objection, the bill (S. 1081) to repeal the Canal Zone Retirement Act, and to extend the Civil Service Retirement Act, with amendments, to employees affected by such repeal, introduced by Mr. JOHNSTON of South Carolina, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

FREEING OF EXTENSION SERVICES FROM NONGOVERNMENTAL ACTIVITIES

Mr. THOMAS of Oklahoma. Mr. President, I ask unanimous consent to introduce for appropriate reference a bill to free extension services from nongovernmental activities, and I ask unanimous consent that the bill, together with a statement prepared by me, be printed in the RECORD.

The PRESIDENT pro tempore. Without objection, the bill will be received and appropriately referred, and, without objection, the bill and statement will be printed in the RECORD.

There being no objection, the bill (S. 1083) to foster the cooperative agriculture education work of the extension services; to free the extension services from the performance of nongovernmental functions and political activity; and to promote economy in the expenditure of public funds for the conduct of cooperative agricultural extension work, and for other purposes, introduced by Mr. THOMAS of Oklahoma, was received, read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That the last proviso in section 3 of the act entitled "An act to provide for cooperative agricultural extension work between the agricultural colleges in the several States receiving the benefits of an act of Congress approved July 2, 1862, and of acts supplementary thereto, and the United States Department of Agriculture," approved May 8, 1914, is amended to read as follows: "*Provided further*, That no payment shall be made in any fiscal year after June 30, 1949, to any State until an equal sum has been appropriated for that year by the legislature of such State, or provided by State, county, college, local, or other public authority, for the maintenance of the cooperative agricultural extension work provided for in this act, and that the matching of any Federal funds provided under authority of this act by funds obtained from sources other than public sources is specifically prohibited."

SEC. 2. Section 3 of such act of May 8, 1914, is amended, effective July 1, 1949, by adding at the end thereof the following: "No funds provided under authority of this act shall be paid in any year to any State or agency thereof, which, through the operation of State law or informal arrangement, (1) establishes, requires, or permits a farm bureau, county farm-aid association, or other organization or association as an official cooperating or sponsoring agency for the Extension Service, (2) requires the organization of farmers as a prerequisite to the conduct of cooperative agricultural work in any county or locality, or (3) provides for furnishing to or accepting from any private organization or association any housing, publicity, telephone, clerical, or other services in connection with cooperative agricultural extension work; and no funds provided under the authority of this act shall be paid in any year to any State or agency thereof in which any employees performing cooperative agricultural extension work are employed or housed or jointly employed by or housed with a private agricultural organization or association, or in which any such workers act as organizers for farmers' associations; conduct or assist in membership campaigns; solicit memberships; edit organization publications or handle organization publicity; manage cooperative business enterprises; engage in sale of insurance, serums, or other commercial activities; act as financial or business agents, or take part in any of the work of farmers' organizations or of an individual farmer; or in any way give preferential treatment among farmers or to any farmers' organization or organizations. None of the funds appropriated by or under the authority of this act or any of the acts mentioned in this act shall be certified to the Secretary of the Treasury for payment to any State or Territory, or agency thereof, until the director of agricultural extension work in such State or Territory shall certify to the Secretary of Agriculture, and the Director of the Extension Service and of the United States Department of Agriculture and the Civil Service Commission shall find, that there is compliance with this act, and that no portion of such funds may or will be used by such State or Territory to pay all or any part of the salary, wages, or expenses of any person who, during the preceding fiscal year, while employed to carry out the purposes of this act or any of the acts mentioned in this act, has assisted in the conduct of membership, publicity, commercial, organizational, or social programs of a farm organization, or violated any of the provisions above; and that no portion of such funds may or will be used in any way to provide preferential services to any farmers' group or organization, or to free State funds, directly or indirectly, for use for such purposes. Nothing in this act shall be construed to prevent (said Extension Service) such workers from appearing before farmers' meetings as extension educators to advance agricultural knowledge in accordance with projects governing their work which shall be approved by the Secretary of Agriculture.

SEC. 3. Notwithstanding the provision of section 21 of the Hatch Act, as added October 24, 1942 (18 U. S. C. 61u, 1940 ed.), none of the funds appropriated by or under the authority of this act or any of the acts mentioned in this act shall be certified to the Secretary of the Treasury for payment to any State or Territory, or agency thereof, after the Federal fiscal year ending June 30, 1949, until the Director of the Extension Service of the United States Department of Agriculture and the Civil Service Commission shall have found, and the director of agricultural extension work of the State shall have certified, that regulations have been promulgated and are being strictly enforced applying the provisions of the act of Congress known as the Hatch Act to all workers for said State extension service.

SEC. 4. Any sum withheld pursuant to the provisions of the preceding sections shall be reported to the President, retained in the Treasury, and disposed of in accordance with the provisions of section 6 of the act of May 8, 1914, hereinbefore mentioned.

SEC. 5. The fifteenth paragraph under the heading "Miscellaneous" in the act entitled "An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1920," approved July 24, 1919 (U. S. C., title 5, sec. 563), is hereby repealed.

The statement presented by Mr. THOMAS of Oklahoma was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR THOMAS OF OKLAHOMA UPON INTRODUCTION OF A MEASURE TO FREE THE EXTENSION SERVICES FROM NONGOVERNMENTAL ACTIVITIES

About 3 years ago I introduced a similar measure intended to bring this problem to the attention of the Congress and the administration. Shortly after the measure was introduced, the distinguished Senator from New Mexico, Mr. CLINTON ANDERSON, who was then Secretary of Agriculture, proposed to the Association of Land Grant Colleges and Universities that their association and the Department of Agriculture set up a joint committee to study Agricultural Extension Service operations. This was agreed upon, and the Commission was created in the fall of 1946.

The joint committee was composed of the most eminent educators and citizens. Walter Coffey, president emeritus of the University of Minnesota; President Herman L. Conovan, of the University of Kentucky; President Roy M. Green, of Colorado A & M; President John A. Hannah, of Michigan State College; and Chancelor John R. Hutcheson, of Virginia Polytechnic Institute, were appointed to represent the land-grant colleges and universities on the joint committee. Dean H. P. Rusk, of the College of Agriculture at the University of Illinois, later replaced President Green, of Colorado, who became ill.

The Secretary of Agriculture, Mr. ANDERSON, appointed an equally distinguished group, including Edmund de S. Brunner, professor of Rural Sociology at Columbia University, in New York; David Meeker, director of education for Dearborn Motors Co., of Detroit; Thomas E. Wilson, chairman of the board of Wilson & Co., of Chicago; and P. V. Cardon and W. A. Minor, of the United States Department of Agriculture.

This joint committee issued its report on September 1, 1948, after nearly 2 years of study. In that report they found, with a single dissent, that the Extension Service should be freed of its preferential relationships with the Farm Bureau in many States, saying:

"This committee expresses its conviction that it is not sound public policy for Extension to give preferred service to any farm organization or to be in a position of being charged with such actions. The committee is further convinced that it would be in the public interest for any formal operating relationships between the Extension Service and any general farm organization such as

the Farm Bureau to be discontinued at the earliest possible moment."

Following the issuance of this report, a survey which was made by the Federal Extension Service during the existence of the joint committee has become public. This survey reports on the results of a questionnaire sent to State extension directors. From the State directors' replies, it was shown that more than 1,100 situations exist out in the counties of the country which are preferential to the one farm organization and contrary to proper standards of relationships between a Government agency and a private group.

The existence of such a situation is, in the opinion of the joint committee, extremely harmful to the Extension Service. It has subjected that Service to charges of improper conduct in its relationships which have reflected upon it and been hurtful to it. It has tended to limit Extension's contacts to the members of the private organization in scores and possibly hundreds of our counties, when it should serve all farmers equally. It has caused men and women on the public pay roll to give their time to the work of the private organization, constituting an enormous subsidy from the Public Treasury. The situation is as unjustifiable as for the Department of Labor to organize, maintain the membership records, and do the work of one of the labor organizations.

The bill which I have just introduced would permit the withholding of Federal matching funds from State extension services where preferential arrangements are not ended and the Extension Service free to devote its full time to its educational work, serving all farm people without any discrimination. It will put into effect the recommendations of the joint committee, which I have named.

This act should in my opinion be passed in this session of the Congress. The Department of Agriculture in 1922 established standards of proper relationships between the Extension Service and private farm organizations. The survey to which I have referred was made 25 years later—ample time for corrections to be made—but shows more than 1,100 abuses. It is obvious that a minority of the State extension services are continuing practices which reflect on this splendid agency totally, to its detriment and harm.

Since the issuance of the joint committee report, there has been only one move to correct abuses in any of the States, I am advised that the extension director at Kansas State College has asked the legislature of that State to enact measures to free his agency from its present entanglements with the Farm Bureau. I cannot learn of any other move toward separation of the public agency and the private organization in other States. It is obviously necessary to enact the legislation I have proposed to accomplish the end which is now recommended to us by the joint committee and nearly everyone concerned with the problem. In those States where abuses are the most prevalent, and correction is most needed, there has been no move to bring it about. In those States where there are no abuses, and proper relationships are being maintained—and that is a majority of all of them—there can be no objection in my opinion to this bill for it will not affect them, except to relieve them of the odium of criticism arising from other States.

AID IN INDUSTRIALIZATION OF UNDERDEVELOPED AREAS

Mr. PEPPER. Mr. President, on behalf of the Senator from Montana [Mr. MURRAY], the Senator from Washington [Mr. MAGNUSON], the Senator from South Carolina [Mr. JOHNSTON], the Senator from Idaho [Mr. TAYLOR], the Senator from Alabama [Mr. SPARKMAN], and myself, I ask unanimous consent to introduce for appropriate reference a bill to provide aid in industrialization of underdeveloped areas, and for other purposes, and I ask unanimous consent that a press release by me be printed in the RECORD.

The PRESIDENT pro tempore. Without objection, the bill will be received and appropriately referred, and, without objection, the press release will be printed in the RECORD.

There being no objection, the bill (S. 1092) to provide for aid in industrialization of underdeveloped areas, and for other purposes, introduced by Mr. PEPPER (for himself, Mr. MURRAY, Mr. MAGNUSON, Mr. JOHNSTON of South Carolina, Mr. TAYLOR, and Mr. SPARKMAN), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

There being no objection, the press release was ordered to be printed in the RECORD, as follows:

SIX DEMOCRATIC SENATORS URGE FEDERAL AID TO RAISE INCOMES, EMPLOYMENT, AND PRODUCTION IN AMERICAN UNDERDEVELOPED AREAS

"President Truman in his inaugural address, advocated a broad program of help to economically underdeveloped countries all over the world," said Senators CLAUDE PEPPER, Democrat, of Florida; JAMES E. MURRAY, Democrat, of Montana; WARREN G. MAGNUSON, Democrat, of Washington; OLIN D. JOHNSTON, Democrat, of South Carolina; GLEN H. TAYLOR, Democrat, of Idaho; and JOHN SPARKMAN, Democrat, of Alabama. "We believe that we should do the same thing for the economically underindustrialized sections of the United States. We should set an example for the rest of the world in raising the living standards of the rural and other underdeveloped areas of America," said the six Senators.

They introduced in the Senate today a bill to provide Federal aid to State and local agencies, public and private, to encourage and aid the expansion of established private businesses and the development of new private enterprise and industry in regions and areas of the United States which are not adequately industrialized. These regions and areas would be those where workers over an extended period of time are in excess of the number that can be employed efficiently on farms or in existing enterprises, where there is insufficient industrial, commercial, and service businesses to provide stable employment for these workers, and where the prospects of expanded or additional private firms would be successful and would raise production, employment, and income levels for the particular area and for the Nation as a whole.

Under the bill, it would be possible to develop local industries of value to farm people. It would permit a broader use of the resources of the economically retarded sections of the Nation. It would make available to farmers, businessmen, civic organizations, and other groups, technical aid and assistance, technical and economic information, advice on adequate financing available from local or governmental capital, cooperation with public utility and transport systems to expand their facilities and other means to encourage the maximum expansion of private enterprise. It would be possible to work toward the elimination of unfair and discriminatory freight rates.

The Secretaries of Agriculture, Labor, Interior, and Commerce would be authorized to make available their facilities and services most useful to public and private agencies in each region, area, or community in solving the problems of economic development. The bill provides for the joint coordination of the work of the four departments under the Secretaries.

AID TO SMALL BUSINESS IN FOREIGN TRADE

Mr. PEPPER. Mr. President, on behalf of the Senator from Montana [Mr. MURRAY] and myself, I ask unanimous consent to introduce for appropriate reference a bill to aid small business in foreign trade, and I request that a press release by me be printed in the RECORD.

The PRESIDENT pro tempore. Without objection, the bill will be received and appropriately referred, and, without objection, the press release will be printed in the RECORD.

There being no objection, the bill (S. 1093) to encourage fuller participation by small-business concerns in soundly expanded foreign trade through Government insurance for United States exports, introduced by Mr. PEPPER (for himself and Mr. MURRAY), was received, read twice by its title, and referred to the Committee on Banking and Currency.

The press release was ordered to be printed in the RECORD, as follows:

SENATORS PEPPER AND MURRAY ASK FOR AID TO SMALL BUSINESS IN FOREIGN TRADE

In introducing a bill to enable greater participation of small business in our foreign exports, Senator CLAUDE PEPPER (Democrat, of Florida) and Senator JAMES E. MURRAY (Democrat, of Montana) said, "Our small business is one of the great pillars of our democracy. We should do everything possible to strengthen it. It is high time that American small-business enterprises had a fair share of American foreign trade. An analysis of ECA authorizations on shipments in 1948 shows an overwhelming preponderance of them going to American big business."

The Export-Import Bank now makes loans to exporters. A very small number of them receive such loans, and then only those who are very large and who do not have very much need for the kind of aid contemplated by the bill get them. Financial institutions which are willing to help small exporters have charged up to 10 percent for their services. Many small exporters have a profit margin not over 5 percent. On occasion, therefore, banking firms have taken over foreign accounts in which they had an interest through such loans.

The Export Insurance Act of 1949 would facilitate through a system of insurance the granting of sound credit terms to foreign customers of America. There is no subsidy involved. The Export-Import Bank would be able to insure an exporter, particularly small- and medium-size firms, against the risk of nonpayment by the foreign customer because of the foreign government prohibition against payment in dollars, in which case insurance can be issued up to 100 percent of the amount then due. An exporter can be insured in the case of a customer who is unable or unwilling to pay the amount due (with insurance up to 90 percent of the amount due). Only loans on sales with the usual sound terms would be made. The Export-Import Bank would issue insurance capital stock of $100,000,000 subscribed to by the United States. The funds from such sale would finance the insurance operations of the Foreign Trade Insurance Division of the bank.

FEDERAL TRAFFIC BUREAU

Mr. JOHNSON of Colorado. Mr. President, I ask unanimous consent to introduce for appropriate reference a bill providing for the establishment of a Federal Traffic Bureau. Such a bureau would handle all freight transportation matters for all agencies and departments of the Government of the United States.

Similar legislation was introduced in the Seventy-eighth Congress but the press of other legislative proposals made final consideration of this bill impossible. However, it is a subject which some of us who have been members of the Senate Committee on Interstate and Foreign Commerce are familiar with and concerned about. The Government is probably the largest single shipper in the United States, expending annually in excess of $1,000,000,000. This sum is one-tenth of the total revenue derived annually by all common carriers for the transportation of property. Yet, the activities of the Government dealing with these transportation matters is scattered literally among scores of agencies and departments; there is little or no uniformity about methods of shipment or even knowledge of the cheapest and most efficient forms of transportation or routes to be used. If any large private business in this country conducted its shipping operations in such a haphazard and slip-shod manner, it would go bankrupt.

Centralization of shipping activities in a single bureau competently staffed and empowered to make final decisions with respect to shipments as well as to secure the most economical transportation should result in the saving of many millions of dollars annually to the Government.

It may be significant that the Hoover Commission only a week ago in one of its reports recommended the creation of a Traffic Management Division in the proposed Bureau of Federal Supply, emphasizing the need for centralized control of the Government's transportation activities. While the bill that I am introducing proposes the creation of an independent agency to supervise such matters, I am not too much concerned about the manner in which this proposal should be handled. What I am concerned about is that there should be centralization of these activities. I hope that our committee will be able to give prompt consideration to this legislation in the interest of saving the taxpayers some money.

There being no objection, the bill (S. 1095) to establish a Federal Traffic Bureau, and for other purposes, introduced by Mr. JOHNSON of Colorado, was received, read twice by its title, and referred to the Committee on Interstate and Foreign Commerce.

DETROIT'S BID FOR THE 1956 OLYMPIC GAMES

Mr. VANDENBERG. Mr. President, on behalf of the junior Senator from Michigan [Mr. FERGUSON] and myself I ask unanimous consent to submit for appropriate reference a joint resolution extending an invitation for the holding of the Olympic games in Detroit in 1956.

In connection with the joint resolution I present a letter from Mr. Avery Brundage, of Chicago, who is president of the United States Olympic Association, of which President Truman is the honorary president, indicating that Detroit has been chosen by the American committee as the city in which the 1956 Olympic games are to be held.

I also present a letter from the mayor of Detroit indicating that the extension of this invitation on the part of the Federal Government will involve no fiscal expense.

I ask unanimous consent that the joint resolution and the two letters be printed in the RECORD at this point, and that the joint resolution and the letters be referred to the Committee on Foreign Relations.

The PRESIDENT pro tempore. Without objection, the joint resolution will be received and appropriately referred, and, without objection, the joint resolution and letters will be printed in the RECORD.

The joint resolution (S. J. Res. 56) extending an invitation to the International Olympic Committee to hold the 1956 Olympic games at Detroit, Mich., introduced by Mr. VANDENBERG (for himself and Mr. FERGUSON), was received, read twice by its title, referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

Whereas the United States Olympic Association will invite the International Olympic Committee to hold the Olympic games in the United States at Detroit, Mich., in 1956: Now, therefore, be it

Resolved, etc., That the Government of the United States joins in the invitation of the United States Olympic Association to the International Olympic Committee to hold the 1956 Olympic games in the United States at Detroit, Mich.; and expresses the hospitable hope that the United States may be selected as the site for this great enterprise in international good will.

SEC. 2. The Secretary of State is directed to transmit a copy of this joint resolution to the International Olympic Committee.

The letters presented by Mr. VANDENBERG were referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

UNITED STATES OLYMPIC ASSOCIATION,
Chicago, Ill., February 1, 1949.

The Honorable ARTHUR VANDENBERG,
United States Senate,
Washington, D. C.

DEAR SENATOR VANDENBERG: At the request of the Olympic Committee of the City of Detroit I am writing to inform you of the present status of its invitation to stage the games of the XVI Olympiad in 1956. Detroit has been seeking to act as host city for the olympic games for the last 10 years. The Detroit commitee first submitted an invitation for the 1944 games (which were never held because of the war) in 1939. After the war Detroit renewed its invitation, but it was felt that London, which had been promised the 1944 games had first claim on the games held last year, and Helsinki, which had been awarded and had made all necessary preparations for the 1940 games (also not held because of the war), claimed priority and was given the 1952 games.

At the meeting of the International Olympic Committee in Stockholm in 1947, when the 1952 games were awarded to Helsinki, invitations were presented by four other United States cities in addition to Detroit.

After the Stockholm meeting it was suggested that if the United States wished to have the games it would be much better if there was one official candidate. In any event, it was quite apparent that they would never come to the United States if we had several cities dividing the votes. At the next meeting of the United States Olympic Association a resolution was adopted that led to the appointment of a special committee to investigate the situation. After the report of this committee, which visited the various cities concerned, was made to the executive committee of the United States Olympic Association, it selected the city of Detroit as the official United States candidate and this was confirmed at the next meeting of the association. Other United States cities were asked to withdraw for the time being in favor of Detroit. The United States Olympic Association as you will note from this letterhead, includes practically all the amateur-sport governing bodies in this country.

At my first meeting with the Detroit Olympic Committee some 10 years ago I was told that it had survived the field and decided the Olympic games were the most important of all international events. It therefore concluded that they would do more to establish Detroit's position as one of the great cities of the world than any other event. Despite economic, financial, and transportation difficulties, 60 countries sent delegations to London last summer, turning with relief from the horrors of war and the chicanery of politics to the fresh, clean, and honest atmosphere of amateur sport. The games were a tremendous success and every one left with a renewed faith in humanity and a revived hope for a peaceful world. With the conditions that exist throughout the world at present, I think the reasons for holding the games in the United States are fairly obvious.

The meeting of the International Olympic Committee, at which the venue of the 1956 games will be established, will be held in Rome in April. Any action on the part of the Government should be taken promptly. I shall be happy to appear before the Foreign Relations Committee if it wishes further information.

With apreciation for your interest, I am,
Sincerely,

AVERY BRUNDAGE.

FEBRUARY 22, 1949.

Hon. ARTHUR H. VANDENBERG,
United States Senate,
Washington, D. C.

DEAR SENATOR VANDENBERG: With further reference to our conversation of a few days ago when I saw you in Washington regarding Detroit's bid for the 1956 Olympic Games, we would like to present the following facts:

As stated to you at that time, our Olympic Invitational Committee feels that it would help our cause materially if our Federal Government would assist us to the extent of verifying our invitation to the Olympic world to come to Detroit for the celebration of the 1956 games. Our reason for believing this to be a fact is because in most every other country of the world where there is an interest in the Olympic games, the national government exercises considerable influence and interest in the conduct of this activity. Particularly is this true in the European countries where there is a great interest in the Olympic movement.

As you may know, there have been several cities competing for the privilege of organizing the games on the next occasion when said games are to be held in the United States. The fact that several United States cities, as against only one city from other countries of the world, were competing for the games weakened the position of the

United States candidates. In order to correct this situation, the United States Olympic Association appointed a committee from their executive committee to select and recommend from the several cities their choice of the United States city to act as host on the occasion of the games next to be held in this country. This procedure resulted in the city of Detroit receiving the designation of the site of the Olympic games when they were next held in the United States, to the exclusion of all other United States cities, and the International Olympic Committee has been so advised. I mention this point so that you may feel no fear of discriminating against any other United States city in supporting Detroit's invitation.

Under the circumstances as noted above, we would like to see Congress pass a joint resolution supporting Detroit's invitation to the International Olympic Committee for permission to organize the 1956 games.

I have discussed this matter thoroughly with members of our Olympic committee, and we wish to assure you that it has never been the intention of anyone connected with the movement to bring the Olympic games to Detroit to seek financial aid or assistance from our Federal Government in order to accomplish this purpose. We wish to point this out in order that you may have no fear of a request for financial assistance coming from our organizing committee provided our Congress adopts a resolution inviting the athletes from the nations of the world to participate in the 1956 Olympic Games.

Sincerely,

EUGENE I. VAN ANTWERP,
Mayor.

PRINTING OF ADDITIONAL COPIES OF PRAYERS OF PETER MARSHALL, LATE CHAPLAIN OF THE SENATE

Mr. GURNEY. Mr. President, I ask unanimous consent to submit for appropriate reference a concurrent resolution providing for the printing, for the use of the Senate, 5,000 additional copies of Senate Document No. 170, Eightieth Congress, second session, entitled "Prayers Offered by the Chaplain, the Reverend Peter Marshall, D. D., at the Opening of the Daily Sessions of the Senate of the United States During the Eightieth Congress." I have received an estimate from the Public Printer as to the cost.

There being no objection, the concurrent resolution (S. Con. Res. 19) was referred to the Committee on Rules and Administration, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed, for the use of the Senate, 5,000 additional copies of Senate Document 170 (80th Cong., 2d sess.), entitled "Prayers Offered by the Chaplain, the Reverend Peter Marshall, D. D., at the Opening of the Daily Sessions of the Senate of the United States During the Eightieth Congress."

CONDEMNATION OF TREATMENT OF CERTAIN RELIGIOUS LEADERS OF BULGARIA AND HUNGARY

Mr. IVES (for himself and Mr. WAGNER) submitted the following concurrent resolution (S. Con. Res. 20), which was referred to the Committee on Foreign Relations:

Whereas 15 Protestant clergymen have been arrested by the Government of Bulgaria; and

Whereas Lutheran Bishop Lajos Ordass and other respected church leaders have been arrested by the Government of Hungary; and

Whereas widespread belief exists throughout the democratic world and among people everywhere who believe in justice, that the charges against these clergymen are simply a cloak for political and religious persecution and a violation of the fundamental rights of man; and

Whereas this action of the Government of Bulgaria has been taken at substantially the same time as the arrest and imprisonment of Josef Cardinal Mindszenty, Roman Catholic Primate of Hungary; and

Whereas there is evidence of an underlying conspiracy to violate the declarations and purposes stated in the Charter of the United Nations: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that the arrest and imprisonment of these religious leaders of Bulgaria and Hungary (a) constitute persecution on account of political and religious beliefs, (b) violate the declaration in the preamble to the Charter of the United Nations, namely, "to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men * * *," and (c) violate the third purpose stated in article I of the Charter of the United Nations, namely: "To achieve international cooperation * * * in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion." It is further the sense of the Congress that the issues as to such violations shall be raised by the United States, either in the United Nations or by such other means as may be most appropriate.

OUTRAGEOUS PROSECUTION OF PROTESTANT MINISTERS

Mr. O'CONOR. Mr. President, today there begins in Bulgaria the trial of 15 Protestant ministers and church leaders. All freedom-loving people are shocked and horrified at the implications in this undertaking of a Communist-dominated government.

On the surface, these representatives of the Methodist, Baptist, Pentecostal, and Congregational Churches are charged with treacherous acts against their Government and with currency manipulations. Actually, the crime with which they are charged is that they refuse to summit to domination by a government which does not recognize freedom of worship. To the undying credit of these ministers it can be said that they courageously stand as advocates of religious principles in which they sincerely believe.

Such a right of expression and of freedom of worship is guaranteed by the treaty between the United States and Bulgaria; but, despite the pledge of their sacred word to the United States to protect the liberties and freedom of all people under their rule, Bulgaria and the other Russian satellite countries apparently have no intention of abiding by their pledged contracts.

A striking instance of this shocking disregard of treaty obligations was furnished yesterday. Official announcement was made of the publication by the Bulgarian Government of a booklet containing the trumped-up evidence against the Protestant ministers. In the official pronouncement their guilt was already proclaimed. In other words, the Bulgarian Government has convicted them and determined upon their guilt even before they are placed on trial.

Further indication of the concerted action of Russian-dominated countries to suppress news to the world and information concerning these prosecutions was given a day or so ago. An Associated Press representative reached the Russian border on his way to Bulgaria to report the trials of the Protestant religionists. After being stopped and made to undergo search, he was subjected to indignities, and then was held prisoner for several hours before being reluctantly released by the Russians.

The American people are deeply concerned for the welfare of human beings in foreign countries at all times. When, however, not only are the rights and freedoms of these Protestant churchmen denied them but, in addition, they are charged with having conspired with citizens and representatives of the United States against the peace of Bulgaria and, therefore, of the world, it becomes doubly our duty to register the most vigorous protest and to call for any sanctions that can be employed to impress the Communist leaders.

I know that our State Department is presently devoting its energies and its thoughts with a view to taking effective action in the matter, and I commend the Department. Time is of the essence, however; and it is our obligation, because of treaty commitments, to convince Bulgaria and other Russian satellite countries, and to drive home to the Moscow leaders themselves, that the United States is determined to expose such ruthless infringement of human rights.

Under the specific terms of the Bulgarian treaty with the United States, it is stipulated that Bulgaria shall take all measures necessary to secure to all persons under Bulgarian jurisdiction, without distinction as to race, sex, language, or religion, the enjoyment of human rights and the fundamental freedoms, including freedom of religion. A formal protest delivered by the United States Government was handed back peremptorily and insultingly, without the courtesy of a formal reply stating any particulars. The defiant statements of Bulgarian officials in this case demonstrate that they will not live up to their treaty provisions by direct negotiations with the United States.

There remain, however, additional steps which our country can take to keep the world informed of just what is transpiring behind the iron curtain. Unquestionably this latest incident, which is but a sequel to other persecutions occurring in neighboring Russian satellite countries, might well constitute a threat to the peace. It is a violation of the human rights provisions of the United Nations Charter. It would be highly effective, we think, if this matter could be formally brought to the attention of appropriate councils of the United Nations. Such action would focus the attention of all participating nations upon the persecutions being practiced by the Russian satellite countries, all of which are approvingly reported in the Russian press.

Mr. President, it is significant that the trial of the Protestant ministers is beginning at the very time when our Minister to Hungary, Mr. Selden Chapin, is

nearing American shores after being expelled from Budapest. The action of the Hungarian Government in his case was based upon unfounded charges and trumped-up allegations, all of which constitute an insult to the United States of America.

All of these incidents show the pattern of Communist thinking with regard to the practice of religion and the exercise of the freedom of speech and of worship. America can and should assume the leadership in arousing world opinion and in order to impress upon the people and the leaders of the Russian satellite countries how thoroughly the freedom-loving people of the world disapprove of their actions.

Based upon these reasons, Mr. President, I have prepared, and now send to the desk and I ask unanimous consent to submit for appropriate reference, a resolution urgently requesting the President to take the necessary steps to bring before the United Nations the matter of the prosecutions of the 15 Protestant ministers by the Bulgarian Government, and to pursue such steps as may be expedient and necessary to expose all facts and information showing the falsity and the absurdity of the accusations against these religious leaders. Further, the resolution requests that the President consider employing such sanctions against the Bulgarian Government as may be possible and warranted under the circumstances.

There being no objection, the resolution (S. Res. 75) was referred to the Committee on Foreign Relations, as follows:

Resolved, That the President is requested to cause the United States representatives to the United Nations to take such action as may be necessary (1) to bring before the United Nations the matter of the prosecution of the 15 Protestant ministers and leaders by the Government of Bulgaria, (2) to expose all facts showing the falsity and absurdity of the accusations upon which such prosecution is being maintained, and (3) to secure the imposition by the United Nations of such sanctions against the Government of Bulgaria as may be possible and warranted under the circumstances. The President is further requested to cause the Department of State to take such action, independent of the action of the United Nations, with respect to the prosecution of these 15 Protestant ministers and leaders as may be possible and warranted under the circumstances.

AMENDMENT OF ECONOMIC COOPERATION ACT OF 1948—AMENDMENTS

Mr. TYDINGS and Mr. DOWNEY each submitted an amendment intended to be proposed by them, respectively, to the bill (S. 833) to amend the Economic Cooperation Act of 1948, which were referred to the Committee on Foreign Relations and ordered to be printed.

Mr. MAGNUSON. Mr. President, on behalf of the Senator from Vermont [Mr. AIKEN], the senior Senator from Oregon [Mr. CORDON], the junior Senator from Oregon [Mr. MORSE], the junior Senator from Idaho [Mr. MILLER], the senior Senator from Idaho [Mr. TAYLOR], the junior Senator from Washington [Mr. CAIN], the senior Senator from California [Mr. DOWNEY], the junior Senator from California [Mr. KNOWLAND], and myself, I ask unanimous consent to submit for appropriate reference an amendment intended to be proposed by us to the bill (S. 833) to amend the Economic Cooperation Act of 1948, on which bill hearings are now being held before the Committee on Foreign Relations.

The PRESIDENT pro tempore. Without objection, the amendment will be received, referred to the Committee on Foreign Relations, and printed.

DEFICIENCY APPROPRIATIONS—AMENDMENT

Mr. STENNIS submitted an amendment intended to be proposed by him to the bill (H. R. 2632) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1949, and for other purposes, which was referred to the Committee on Appropriations and ordered to be printed, as follows:

On page 10, line 20, to strike out "$1,000,000" and insert "$1,350,000."

NOTICE OF HEARING ON NOMINATION OF HON. J. FRANK McLAUGHLIN, OF HAWAII, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF HAWAII

Mr. McCARRAN. Mr. President, on behalf of the Committee on the Judiciary, and in accordance with the rules of the committee, I desire to give notice that a public hearing has been scheduled for Friday, March 4, 1949, at 11:30 a. m., in room 424, Senate Office Building, upon the nomination of the Honorable J. Frank McLaughlin, of Hawaii, to be United States district judge for the district of Hawaii. He is now serving in this office under an appointment which expired February 22, 1949. At the indicated time and place all persons interested in the nomination may make such representations as may be pertinent. The subcommittee consists of the Senator from Nevada [Mr. McCARRAN], chairman, and the Senator from Mississippi [Mr. EASTLAND] and the Senator from Wisconsin [Mr. WILEY].

INDEFINITE POSTPONEMENT OF A BILL

On motion of Mr. LANGER, and by unanimous consent, the Committee on Agriculture and Forestry was discharged from the further consideration of the bill (S. 741) to place certain restrictions upon the transfer of generating plants and electric transmission and distribution lines financed in whole or in part through loans made pursuant to the Rural Electrification Act of 1936, as amended, and it was indefinitely postponed.

ORDER FOR REFERENCE OF REPORTS OF COMMISSION ON ORGANIZATION OF EXECUTIVE BRANCH OF THE GOVERNMENT

Mr. McCLELLAN. Mr. President, without establishing a precedent, I ask unanimous consent that whenever reports are filed with the President of the Senate by the Commission on Organization of the Executive Branch of the Government, pursuant to Public Law 162 of the Eightieth Congress, as amended, the President of the Senate may refer said reports, notwithstanding the fact that the Senate may not be in session.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

ADDRESS BY SENATOR TAFT BEFORE THE PENNSYLVANIA MANUFACTURERS' ASSOCIATION

[Mr. MARTIN asked and obtained leave to have printed in the RECORD the address delivered by Senator TAFT, at the fortieth annual meeting of the Pennsylvania Manufacturers' Association, Philadelphia, February 22, 1949, which appears in the Appendix.]

EXCERPTS FROM JEFFERSON-JACKSON DAY ADDRESS BY SENATOR McMAHON

[Mr. McMAHON asked and obtained leave to have printed in the RECORD excerpts from the address delivered by him at the Jefferson-Jackson Day dinner at New Haven, Conn., on February 24, 1949, which appear in the Appendix.]

THE NATIONAL SECURITY RESOURCES BOARD—NOMINATION OF MON C. WALLGREN

[Mr. CAIN asked and obtained leave to have printed in the RECORD a radio address prepared by him for delivery to the people of the State of Washington relating to the responsibilities of the National Security Resources Board, the National Security Council, and the Central Intelligence Agency, and to his opposition to the appointment of Mr. Mon C. Wallgren to be Chairman of the National Security Resources Board, which appears in the Appendix.]

PROSPECT OF NATIONAL BANKRUPTCY—CORRESPONDENCE WITH SENATOR THYE

[Mr. IVES asked and obtained leave to have printed in the RECORD correspondence between Marx Campbell, of Simpson, Minn., and Senator THYE with reference to the suggested bankruptcy of the United States, which appears in the Appendix.]

EFFECT OF STEEL SHORTAGE ON DEVELOPMENT OF WESTERN OIL INDUSTRY

[Mr. MURRAY asked and obtained leave to have printed in the RECORD an address delivered by Cedor B. Aronow on the subject of the critical effect of the steel shortage on the development of the western oil industry, which appears in the Appendix.]

PROPOSED REPEAL OF TAFT-HARTLEY ACT

[Mr. THOMAS of Utah asked and obtained leave to have printed in the RECORD a transcript of the broadcast of a radio discussion regarding repeal of the Taft-Hartley Act participated in by Senator TAFT and Senator DOUGLAS on the People's Platform program, which appears in the Appendix.]

ON ACQUIRING A REPUTATION—ADDRESS BY RICHARD L. EVANS

[Mr. THOMAS of Utah asked and obtained leave to have printed in the RECORD a radio address on the subject On Acquiring a Reputation, delivered by Richard L. Evans on January 16, 1949, which appears in the Appendix.]

PROPHECY OF REV. FOUNTAIN E. PITTS

[Mr. BYRD asked and obtained leave to have printed in the RECORD an article by Charles Parmer relative to a prophecy made in 1857 by Rev. Fountain E. Pitts, which appears in the Appendix.]

"SAVING OUR FUTURE"—AN EDITORIAL FROM WASHINGTON STAR

[Mr. JOHNSON of Colorado asked and obtained leave to have printed in the RECORD an editorial entitled "Saving Our Future,"

published in the Washington Star on February 3, 1949, which appears in the Appendix.]

"IS CVA-MVA-TVA LEGISLATION SOCIALISTIC?"—ARTICLE BY PACIFIC NORTHWEST DEVELOPMENT ASSOCIATION

[Mr. ECTON asked and obtained leave to have printed in the RECORD an article entitled "Is CVA-MVA-TVA Legislation Socialistic?" by the Pacific Northwest Development Association of Portland, Oreg., which appears in the Appendix.]

"PRACTICE PATRIOTISM"—EDITORIAL FROM THE TULSA TRIBUNE

[Mr. LANGER asked and obtained leave to have printed in the RECORD an editorial entitled "Practice Patriotism," from the Tulsa (Okla.) Tribune, February 19, 1949, which appears in the Appendix.]

"DRIFT TOWARD DICTATORSHIP"—EDITORIAL FROM THE YOUNGSTOWN VINDICATOR

[Mr. BRICKER asked and obtained leave to have printed in the Appendix of the RECORD an editorial entitled "Drift Toward Dictatorship," published in the Youngstown (Ohio) Vindicator, February 15, 1949, which appears in the Appendix.]

ESTABLISHMENT OF WAGE SCALES—STATEMENT BY DR. GEORGE W. CRANE

[Mr. JOHNSTON of South Carolina asked and obtained leave to have printed in the RECORD an article quoting Dr. George W. Crane, of Chicago, regarding the establishment of wage scales, which appears in the Appendix.]

THE RANKIN VETERANS' PENSION BILL—ARTICLE FROM ARMY TIME

[Mr. BALDWIN asked and obtained leave to have printed in the RECORD an analysis of the so-called Rankin pension bill, which will be published in Army Time, and which appears in the Appendix.]

THE TAFT-HARTLEY LAW AND THE PRESIDENT'S JEFFERSON-JACKSON DAY ADDRESS

Mr. MORSE. Mr. President, I did not have the pleasure of attending the Washington Jefferson-Jackson banquet last night nor to hear the distinguished President of the United States. I was not invited. I want to say to my Democratic friends, however, that if I had been invited and they had bought a ticket for me I think I would have gone. I am not so sure but that such an invitation would have been a gracious act on their part for nonpartisan services rendered by me in the past. Nevertheless, I was not in attendance at the banquet at which the President made certain ad lib remarks on which I wish to comment. My attention has been called this morning to the President's prepared speech, as printed in the New York Times. My attention has also been called to certain ad lib remarks the President is reported to have made; at least some of those who attended the banquet have advised me in regard to those ad lib remarks.

Of course I would not think, Mr. President, on this occasion of attempting to quote the President, particularly in regard to ad lib remarks which I did not hear, and so I will comment only on what I understand was the nature of those remarks. I understand that the President in his speech last night made certain remarks about the Taft-Hartley law. In his formal speech he said, as reported in the New York Times of this morning:

Right now the special interests are using every trick they can think of to defeat our labor policy.

After the election, hardly anybody had a good word to say about the Taft-Hartley Act.

But now, when I ask the Congress to repeal the Taft-Hartley Act, exactly as I said I would in the campaign, there are great outcries from the special interests.

"He can't mean it," they say. "Repeal the Taft-Hartley Act? Repeal that beneficent, charitable, kindly old statute—the charter of labor, and the workingman's friend. Why, it's unthinkable."

TAFT LAW "AN INSULT"

And they keep this up night and day in an effort to convince the people that the Taft-Hartley Act is a good law. But it's no use.

All the oratory in the world won't change a bad law into a good law.

When the Taft-Hartley Act was before the Congress, a Republican Senator called it "a device for making unions so weak they cannot carry on effective collective bargaining."

Now I digress, Mr. President, to say that I hope it is not presumptuous on my part to infer, as many of those present at the dinner apparently did infer, and as many of my friends here in the Senate in the cloakrooms this morning have inferred, that our good President was referring to the junior Senator from Oregon in his reference to a Republican Senator. It is true, Mr. President, that during the debate on the Taft-Hartley law that is exactly the language I did use in opposition to the Taft-Hartley bill. And I repeat it now. I not only repeat that language by way of incorporation by reference, Mr. President, but I incorporate also every other criticism I made at the time of the debate on the Taft-Hartley bill. Subsequent events have proved those arguments to be sound. It was apparently at this point in his speech, if I am correctly advised—and I certainly mean no injustice to the President—that the President digressed from his manuscript to ad lib. I highly approve of ad libbing as a matter of speech form. I enjoy most of the President's ad lib remarks. I think he is most effective, and is most colorful, too, in his ad lib remarks. I do not mean that I approve of all his ad lib remarks or their implications, Mr. President. But nevertheless I like a free and easy speaker, and I enjoy having a President of the United States speak out of his own mind, because I am sure then, if he is not speaking from manuscript, I am getting his own thoughts and not those of somebody else. Now, returning to the President's speech of last night, I understand he said:

When the Taft-Hartley Act was before the Congress a Republican Senator called it "a device for making unions so weak they cannot carry on effective collective bargaining."

That is exactly what I did say. The President then ad libbed to the effect—and I do not quote him; I only quote the meaning he left, at least with those who heard him and who have reported to me—that this same Republican Senator is now doing all he can, apparently, to prevent repeal of the Taft-Hartley law. At least I understand the President gave the impression that he apparently is laboring under the illusion and delusion that the junior Senator from Oregon is doing what he can to prevent the repeal of the Taft-Hartley law.

Now, as a matter of service to the President of the United States, because I always want him to have the facts on any issue he discusses, I take this opportunity to give the President the facts as to the position of the junior Senator from Oregon on the Taft-Hartley law. But first let me finish the quotation from his speech of last night in regard to the Taft-Hartley law, because I think the points which were in his prepared remarks on the Taft-Hartley law were very good, in these few paragraphs at least. He said:

That was true then, and it is true now.

I agree with him. He further said:

The Taft-Hartley Act is an insult to the workingmen and women of this country, and they will not rest until it is destroyed.

I agree with him.

After the election I thought we would have the cooperation of our Republican friends in this effort. I felt sure that the Republican Party would be anxious to throw the Taft-Hartley Act overboard faster than the sailors got rid of Jonah. I am beginning to think that maybe I was wrong about that.

No matter what the Republicans do, the course our party should follow is clear.

I emphasize that last observation of the President's for my good friends on the other side of the aisle.

No matter what the Republicans do, the course our party should follow is clear.

The Democratic Party, in its platform, is solemnly committed to work for repeal of the Taft-Hartley Act.

We are working for its repeal, and with the support of fair-minded Americans, regardless of party, we will continue to work for its repeal until it is replaced upon our statute books with a labor law that is fair and decent.

I commend the President for the expression anew of his desire to repeal the Taft-Hartley law; and I particularly commend him also for the statement that he is going to work toward that end "until it is replaced upon our statute books with a labor law that is fair and decent." That is all the junior Senator from Oregon seeks to accomplish.

It was because of my great interest, I may say to the President of the United States, in trying to have enacted a labor law which would be fair and decent, that I urged public hearings on the so-called Thomas bill, and insisted that such hearings last for a sufficient period of time to assure their fairness and to afford opportunity for a reasonable presentation of available evidence on the working of the Taft-Hartley law.

I am sure that the President is aware of the fact that we had a great deal of difficulty in getting such hearings. There was a time when many Democrats on the Committee on Labor and Public Welfare were apparently of the opinion that we should proceed to repeal the Taft-Hartley law with practically no hearings at all. I want to advise the President that as a result of the action which the Republicans on the committee took, and our

insistence that there be a fair extension of the hearings, there resulted an agreement to extend the hearings until February 23.

I should like also to say to the President of the United States that as a result of the extension of the hearings from the steam-roller date of February 10, which the Democrats first sought to impose upon us, to the date of February 23, we were able to build up a record of evidence which I recommend to the Democrats for reading, if they are truly interested in the passage at this session of Congress of a piece of legislation which the President refers to as "a labor law that is fair and decent." But I think the President ought to be aware of the fact that when the Democrats first started discussing the labor issue in the Senate in this session of Congress it was their obvious intention to rush through a measure known as the Thomas bill, without adequate hearings on that bill or on the Taft-Hartley Act. They sought to force upon us a time schedule which would have made it impossible for us to judge, on the basis of evidence, whether or not the Thomas bill should be adopted without change.

I should like also to refresh the President's recollection as to some of the floor strategy at the time the Taft-Hartley Act was passed in the first place. Members of this body know that on the Taft-Hartley bill there was in the Senate a lasting, historic debate for many days. This body was composed of two groups of men who had honest, sincere, conscientious differences of opinion as to what ought to be in the labor legislation passed by the Congress. The Committee on Labor and Public Welfare reported, by a vote of 11 to 2, the so-called committee bill generally referred to as the Ives-Morse bill. I took the position then, and I take it again today, that it was a great mistake that we did not adopt on the floor of the Senate the committee bill without change. I take the position today that had we done so there would have been some great differences in the trends of American politics from the date of passage of the Taft-Hartley bill to November 2, 1948.

I distinctly recall saying from my desk on the floor of the Senate to my Republican colleagues, "If you pass this bill in this form, you will hear about it at the ballot boxes of America on November 2, 1948." We heard about it all right. So I repeat that I think we made a great mistake in changing the committee bill by amendments on the floor of the Senate and in conference into the Taft-Hartley bill.

I am sure that the President's memory will enable him to recall that after his veto message on the Taft-Hartley bill was sent to the Senate there was an attempt on the part of a coalition of Republicans and Democrats in the Senate to force immediate action that Friday afternoon on the President's veto message. I am sure the President will recall that a group of us organized a prolonged debate in opposition to the attempt to force a vote by way of a demanded unanimous consent agreement which the leadership then sought to get some of us to accept, for a vote that Friday afternoon or the following Saturday afternoon. Some of the leaders finally said to me in the cloakroom, "Unless you agree to vote Saturday at 5 o'clock, you had better start talking." As I stated on the floor of the Senate later, I am not very easily intimidated, and we started talking after the leadership refused to accept our offer that the vote on the President's veto message should be postponed until Monday afternoon at 3 o'clock. I said to the Republican leadership, "I will go along with such a unanimous-consent agreement."

I repeat now what I said at that time, that a vote could not have been had before that Monday afternoon even if a cloture petition had been filed that Friday afternoon. If such a cloture petition had been filed, it would have had to lie over Saturday, and it could not have been voted upon until Monday. Then, assuming that no Senator wished to exercise the right of debate, the earliest time it could have been voted upon would have been Monday afternoon, at or about the time when those of us who were opposed to an immediate vote on the veto offered to vote.

I do not wish to recall all of that argumentative battle other than to say that all we asked for was a reasonable postponement of the vote on the veto message from Friday or Saturday until Monday. I am sure the President recalls the fight which I put up in an endeavor to sustain his veto. I am sure that the President also will recall that no evidence was given to us at any time that the President made any effort to try to get the Senate to sustain his veto. In fact, I believe the record is clear that the President went to a baseball game during the time when some of us were making a fight on the floor of the Senate for due deliberation of his veto message. It was our hope that over the week end, through the reaction of the people of the country, this body might see the advisability of sustaining the President's veto and then proceeding immediately with a reconsideration of the bill which came out of the Senate committee. The record shows that I said I would offer to the Senate a proposal to reconsider the Senate committee bill if the Senate sustained the President's veto of the Taft-Hartley bill.

There would not have been adequate consideration of the President's veto message if at the time it reached the Senate floor he had not received assistance from the Republican Senator to whom he apparently referred in his speech last night.

I wish to say further, Mr. President, that I have made a consistent fight in my public life for the protection of the legitimate rights of organized labor. I have refused to go along with organized labor when I thought it was seeking to use pressure devices to obtain advantages to which it was not entitled. I have to go back only a few days, Mr. President, in order to testify from experience as to what labor pressure may mean when labor groups are displeased with a Member of the Senate for following a course of action which they do not like. Organized labor, as represented by some of their major leaders, did not like the fact—and do not like it yet—that I was responsible, at least in part, for carrying on the fight in this body for a reasonable extension of the hearings on labor legislation so that various groups would have adequate opportunity to present their case for or against the Thomas bill, for or against the Taft-Hartley law.

Mr. President, when I say that I have followed a consistent policy in seeking to protect the legitimate rights of labor and the legitimate rights of management and the legitimate rights of the public in the very controversial field of industrial relations, I am very glad that I have never taken the position that it is good government to propose at any time that strikers be drafted into the Army of the United States. If the present President of the United States feels that such a proposal—which he made at one time to the Congress of the United States—would constitute fair and decent labor legislation, I must respectfully dissent from that point of view. Bad as the Taft-Hartley law is in certain of its provisions, yet there is nothing in that law so destructive of the basic freedoms of American workers as the proposal of the President of the United States to draft strikers into the Army of the United States. I wish to recall to American labor that it was from the Republican side of the aisle on that historic day that the first protests came against the President's proposal to draft strikers and make the Army a strikebreaking force. It was on the Republican side of the aisle that day—both on the floor of the Senate and over the radio, within a few minutes after the President's message proposing to draft striking railroad workers into the Army of the United States—that the movement started to stop the President in his attempt to violate what I consider to be precious and legitimate rights of American labor.

The President is entitled to his fair share of mistakes, as are the rest of us. That was a serious mistake on his part, just as it would be a serious mistake on his part if he followed the advice of the Attorney General of the United States that in the case of an emergency dispute he has inherent power, not expressed in the Constitution, to proceed to ask the courts to issue an injunction. When we get into the debate on the Thomas bill and the debate on the emergency disputes section of that particular bill, there will be discussed at some length on the floor of the Senate the Attorney General's letter which was filed before our committee and the startling proposition, set forth in that letter, that there is an inherent power, without congressional sanction, in the President of the United States to proceed to seek an injunction in an emergency dispute. I wish to say that any attempt on the part of any President of the United States to exercise any such power in regard to a peacetime problem of labor relations would be clear usurpation of authority under the Constitution of the United States.

I call the President's attention to these matters today because I am afraid that last night his memory was a bit short, and also because I want him to know that if his advisers had attempted to advise him in regard to the position the junior Senator from Oregon has

taken consistently throughout the hearings on the Thomas bill, they would not have been able to cite to him a single bit of evidence that the junior Senator from Oregon has changed his view one whit from the view he expressed throughout the campaign, namely, that the Taft-Hartley law should be repealed. I say once again that I think it should be repealed, but I do not think the Thomas bill should be put in its place. I think we should enact legislation which will be truly fair and decent to all parties to industrial disputes in the United States, including management. In due course of time, and apparently we are now going to have plenty of time, Mr. President, I propose to offer, either in committee or on the floor of the Senate—and I hope I shall be able to do so with the joint endorsement and authorship of a good many of my Republican and my Democratic colleagues—what I consider to be some needed amendments to the Thomas bill. Such amendments will be needed if we are to have the type of fair and decent legislation for which the President pleaded last night.

Mr. President, let me now be somewhat presumptuous for a moment, if I may, and indulge in a little gratuitous advice to my friend in the White House, for whom I have great respect—the President of the United States. I should like to advise him today—because apparently he was not aware of it last night when he delivered his speech—that his real problem in the Eighty-first Congress, is not, after all, the Republicans. His real problem is with the Democrats. We Republicans are outvoted. He should be able to ignore us, I should think. But why cannot he ignore us? He cannot ignore us, Mr. President, because I think it is perfectly obvious that as of this hour he simply cannot get any unanimity of opinion among the Democrats, either in the Senate or in the House of Representatives. He did not seem to recognize, in his speech last night, that there is a great split in the Democratic Party on most of the major issues of his program, including the labor issue.

Mr. President, in the Eighty-first Congress, as in Congresses gone by, most of the legislation is going to be passed or rejected, as has always been the case, by coalitions of Members of the House or the Senate who cross party lines out of a firm and deep and sincere personal conviction that their primary responsibility is to vote on the merits of issues, as they see those issues. I think that is good government, and I believe it is good legislative practice. Although undoubtedly I shall be found time and time again opposed, on the merits, to the position taken on specific legislation by coalitions of ultra conservative Republicans and Democrats in the Senate of the United States, yet at the same time the fact is that undoubtedly I myself shall be a party to another coalition, namely one with liberal Democrats and liberal Republicans. It is such coalitions which determine the final legislation passed by the Senate in connection with most issues.

Neither the Republicans nor the Democrats can be expected to vote as a solid group on most major issues and I see no reason for surprise over that political reality. In the interest of those political realities I think it wise to point out to the President that the great problem which confronts his legislative program in the Eighty-first Congress is a Democratic problem, a problem of the Democratic Party, not of the Republicans at all. Many Democrats I feel sure will not support his labor program without change.

Mr. President, I hope that in the days immediately ahead a coalition will form on labor legislation which will provide a preponderant majority of Republicans and Democrats in support of the type of amendments which I intend to offer. My amendments will result in the repeal of the Taft-Hartley law and the substitution therefor of a fair and decent piece of legislation which will protect the legitimate rights of all parties to labor problems including the public. I say I hope that in the days immediately ahead that coalition will be formed between Republicans and Democrats providing such a preponderant majority so that in relatively short order, consistent with full and fair debate, we can end once and for all the growing resentment in American industrial life against the Taft-Hartley Act. However, we are going to have plenty of time to form such a coalition, because I understand, subject to the calling of a special meeting of the committee, that it is not contemplated by the Democrats on the Labor and Public Welfare Committee to hold an executive session on the labor legislation until 1 week from today. I believe that probably will result in the saving of time in the long run. Nevertheless I think it is not unfair for me to say, if that proves to be the program—and I think it is the program—that it fortifies the position I first took on this matter, namely there never has been any need for the great steam-roller rush that was attempted by the Democrats in the beginning of our discussion of labor legislation. If I am correctly advised, the House has not even started hearings on labor legislation. The Democrats appear to have bogged down over there on this issue. Therefore I invite, and I hope they will welcome the invitation, the Democratic Senators to proceed to study, along with the Republican Senators, the very carefully prepared reports as presented in our hearings on labor legislation. I am confident that if they do so there will not be anywhere near a majority vote in the Senate for the Thomas bill, there will not be anywhere near a majority vote in the Senate for the continuation of the Taft-Hartley law, but there will be an overwhelming vote in the Senate of the United States for the adoption of a middle-course piece of legislation which will preserve such good as there is in the Taft-Hartley and Wagner Acts, but will be mainly a new bill known as the national labor relations bill of 1949.

I close by saying I hope this gratuitous counseling on my part will not be offensive to the President, because—and I am very sincere, and not facetious at all when I say this—I mean no affront to the President. I mean only to try to correct him factually on his statements. I suggest that if he wants fair labor legislation he should direct his attention primarily to his Democratic colleagues in both the Senate and the House.

ORDER OF BUSINESS

Mr. BREWSTER. Mr. President, I should like to refer briefly to the feast of Belshazzar, last night, to which the Senator from Oregon [Mr. MORSE] also referred.

Several Senators addressed the Chair.

Mr. BREWSTER. Mr. President, I yield for insertions in the RECORD and routine requests.

POSITION OF UNITED STATES AS TO ESSENTIAL RAW MATERIALS

Mr. LODGE. Mr. President, in June of 1943 I made a speech which developed in some detail the fact that the United States had become a have-not nation in terms of essential raw materials. Since that time, the situation has grown worse and is causing concern to all students of the problem. I wish that something could be done to arouse public sentiment to the dangers of the situation. If we lose our sources of material strength we will in many ways have dealt a real death blow to our country. In an effort to inform the Senators as to the sad march of events in the field of the depletion of our resources, I ask unanimous consent to have printed in the RECORD two clippings.

There being no objection, the clippings were ordered to be printed in the RECORD, as follows:

[From the San Francisco News of February 16, 1949]

UNITED STATES NOW A HAVE-NOT NATION IN MANY STRATEGIC MATERIALS—A SOUND MINERAL POLICY MUST BE INCORPORATED IN UNITED STATES FOREIGN PLANS

(By Alex Streloff)

Whether or not we are to hear the drums of war roll again in the foreseeable future, the United States has become a have-not nation with respect to a long list of strategic minerals. Thus, a broad program of action is called for if we are to avoid military disaster or at least a declining standard of living.

This was the grim message of a symposium on national mineral policy held at the Mark Hopkins Hotel late yesterday during the annual convention here of the American Institute of Mining and Metallurgical Engineers.

Emphasizing that we are approaching a crisis in our mineral situation, a paper by Alan M. Bateman, chairman of the department of geology at Yale University, emphasized that we have changed from the role of abundance to scarcity in copper, lead, and zinc, for example.

ONLY 25 YEARS' RESERVE

Mr. Bateman cited an official Government survey which stated that estimated reserves of 23 out of 41 principal metals and minerals in this country have an indicated life of less than 25 years. Of these, 9 have a life of less than 10 years.

While personally taking a more optimistic view of the mineral reserves, particularly if suitable incentives are given mining companies for development, Mr. Bateman said it is idle to bicker about a few years, when there is no doubt of the shortage in the longer period.

We must look abroad for new sources of raw materials, he observed, and that will require the incorporation of a sound mineral policy in our foreign policy in order to assure an adequate supply of minerals to meet the industrial and security needs of the Nation.

STOCK-PILING PROGRAM

Discussing the history and future of the stock-piling program, Richard J. Lund, supervisor, engineering economics division, Battelle Memorial Institute, Columbus, Ohio, indicated that the program's objectives are between $3,400,000,000 minimum and $8,000,000,000 maximum, which apparently is based on an assumed 5-year period of war.

As of the end of 1948, he reported virtually the entire $800,000,000 of cash and contract authority authorized had been spent or committed, leaving nothing for new purchases. President Truman has asked for supplemental authorization of $310,000,000 for the remainder of fiscal 1949, together with $525,000,000 for new obligational authority in 1950.

Mr. Lund was critical of the diversion of stock-piled materials to industrial use, and he underlined the view that the stock pile is not a marginal program nor a residual claimant for resources but is actually a high-priority program, a vital part of the pattern for national security.

PROCESS MATERIALS NOW

He urged the processing of materials into a form ready for use by industry. This, he pointed out, would have the effect of stock piling labor, power, and materials used in converting raw materials.

In conclusion, Mr. Lund emphasized:

"Money spent on this program is a wise investment in national security and even though some measure of harm or inconvenience may be suffered by segments of the mineral industry in the program speed-up, such sacrifices should, and undoubtedly will, be made in the national interest."

Otto Herres, vice president of Combined Metals Reduction Co., touched on a series of possible actions, which he said would strengthen the domestic mining industry.

TAXATION INCENTIVE

He recommended that taxation for mining operations should make allowance for all costs, expenses, and losses and permit a return adequate to yield the recovery of capital. No Federal tax should be assessed on new ventures until the original investment is repaid.

Discussing tariff reductions on minerals and metals may have gone too far. Foreign economics are being industrialized, he observed, and eventually they must export or die.

"We cannot compete," Mr. Herres said, "with the low wages and cheap prices of South America, Asia, and Africa in products of agriculture and mining now."

In dealing with subsidies and other incentives, he argued, "the more realistic perhaps feel that in case the economic planners in Washington are going to divide our wealth with the less privileged nations of the world and support mines in foreign countries, it might just as well try to salvage something for the domestic mining industry."

[From the San Francisco Chronicle of February 16, 1949]

INSTITUTE OF MINING—UNITED STATES APPROACHING MINERAL CRISIS, SPEAKERS WARN

(By Sidney P. Allen)

We are approaching a crisis in our mineral situation. It is inevitable that more and more the United States will have to depend upon foreign sources and minerals. Our need for future foreign minerals indicates the desirability of reviewing international affairs with respect to how major political developments may affect sources of mineral supplies.

This warning was sounded by Alan M. Bateman, of Yale University, in a symposium on the national minerals policy at yesterday's session of the American Institute of Mining and Metallurgical Engineers. His conclusions were based on two points.

First, we had to turn to 53 different countries for our mineral supplies to feed our war machine. We were dependent upon foreign sources entirely for 27 minerals, and we imported some 60 varieties of mineral commodities.

Second, studies of the mineral resources of the United States indicate that our domestic reserve of many minerals are very limited, that for eight there are no reserves here. Moreover, our accelerated industrial development plus population growth is eating up supplies at an increasing tempo.

Consequently, it will be necessary for Government to help maintain an adequate flow of essential minerals. Industry will have to lean more heavily on Government, and Government will have to learn to support industry. This points to the necessity of establishing a national mineral policy as a part of our foreign policy, Bateman declared.

STRENGTH AT HOME

Another speaker on the symposium, Otto Herres, vice president of Combined Metals Reduction Co., declared that self-preservation requires the strengthening and protection of our mineral resources if we are to weather a new era charged with conflict. This we are not doing, in his opinion. For nearly a generation private initiative has been handicapped by restrictive legislation and confiscatory taxation, he said.

Present tax practices discourage exploration and development. No Federal income tax should be assessed on new ventures until the original investment is repaid, for mines should be permitted to develop and prosper in order to yield good tax returns, he stressed. And tax regulations should permit a balancing of losses against profits from year to year.

Herres said that there are far greater barriers to world trade today than the little that remains of the American tariff system. So, where lowering of tariffs jeopardizes domestic productive ability it cannot be considered in our best interest. A large stock pile is important for emergency, he noted, but for national security it must be supported by adequate domestic production.

Richard J. Lund, of Battelle Memorial Institute, speaking on stock piling, said that stock-pile deliveries by the end of fiscal 1950 should be about $1,600,000,000 of a total objective of $3,700,000,000. He, too, stressed that along with stock piling our laws should encourage exploration for and development of domestic sources. This is certainly of equal importance, Lund noted, and that means urgent.

PETROLEUM

Two petroleum talks, one in the morning and the other last evening, were pertinent. Austin Cadle of Standard Oil of California noted that the energy requirements of the Far West economy largely are provided by oil. In fact, about 70 percent, or double that in the rest of the country, comes from natural gas and oil in this region.

Oil production here has risen to about 950,000 barrels daily from 700,000 barrels in 1941. Cadle declared that California should be capable of meeting its needs for several years to come as possibilities for developing new production here are by no means exhausted. He particularly noted vast supplies of oil and natural gas through West Texas, New Mexico, the Rocky Mountains, and Alberta, Canada, as assuring the power destiny of this Western region.

Reese H. Taylor, president of Union Oil Co. of California, warned against the pitfalls of extreme specialization in an entertaining dinner address. Methods, he emphasized, must not become more important than objectives. The real objective is not just oil, but power and heat and roads and the other things oil products can help provide for people.

With this in mind, Taylor suggested that the mining engineers develop at least a speaking acquaintance with other branches of the industry. For one of the dangers of specialization, one of the great challenges that faces our civilization, is the problem of helping the individual to see the significance of his contribution to society.

PARITY PRICES FOR FARMERS—LETTER FROM HARRY ZIMMERMAN AND AN EDITORIAL FROM THE DAKOTA FARMER

Mr. LANGER. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a letter written to me by Mr. Harry Zimmerman, of Cleveland, N. Dak., together with an editorial which he enclosed from the Dakota Farmer, dealing with the matter of parity prices for farmers.

There being no objection, the letter and editorial were ordered to be printed in the RECORD, as follows:

CLEVELAND, N. DAK., *February 16, 1949.*

Hon. WILLIAM LANGER,

United States Senate, Washington, D. C.

DEAR BILL: Am enclosing a clipping from the Dakota Farmer that I think clears up the parity question pretty well. Another thing, does any Government official think we farmers can pay taxes at the present rate if our income is cut to 60 percent of parity or help furnish food and money to keep Europe on its feet if we have to operate at a 40 percent loss?

With best wishes,

HARRY ZIMMERMAN.

P. S.—You might show this to Senator YOUNG.

WHOSE FREEDOM IS IT?

Arguments are flying thick and fast against high support prices for farm products. Most of these arguments state that farmers will face the possibility of losing their freedom if they submit to these price supports. The folks who think we should have either low or no price supports also wave the danger flag and ask if farmers are willing to submit to Government controls on acreages in order to obtain high price supports. Now, when we say that these folks ask if farmers are willing to submit to acreage controls, what we mean is that they make those statements in the speeches they make and the articles they write. We don't mean that they ever go out in the country and actually ask any farmers what they think about it. It might be a pretty good idea if they did ask a few farmers. We believe that they would get some different answers than when they answer the questions themselves.

There is a lot of talk about possible loss of political and economic freedom if farmers accept high-price supports. We might ask if any farmer you know lost any of his freedom the past few years when price supports were in effect; when price supports assured enough production so that prices of food remained reasonable. It used to take 30 hours of work each week for a factory worker to earn enough for food to feed his family—in 1914. Today, 12 hours of work each week will buy the family food for a week. Does that sound like farmers are getting too much for what they produce? Doesn't that show that price supports have kept food prices down, at a time when other prices and wages increased? In fact, wages went up about 500 percent when food costs rose only 150 percent.

What freedom would any farmer lose if he accepted high-price supports? Maybe the folks who talk against high support prices are worried about the fact that farmers may be told to reduce the acreages of some crops. We wonder if farmers are too much worried about this possible reduction. We wonder if the experts know that a farmer would rather plant 90 acres of wheat, and be guaranteed $2 a bushel, than he would plant 120

acres and have no guaranty of what he would get for his crop when he hauled it to the elevator.

Yes, the folks who worry about farmers losing their freedom should get out and talk to some of them. Then they might realize that most folks are more concerned about prices than they are afraid of losing liberties. It rather reminds us of the story of the fellow who didn't believe in conservation. However, he was a strong believer in grasshopper control. His land kept eroding, and he continued to fight the hoppers. The day he killed the last hopper the last inch of his topsoil washed away. Looking at his lost farm, he exclaimed, "Well, thank goodness, I at least got rid of the hoppers."

We are just wondering if a fellow who believed in freedom so strongly that he didn't care about prices, might not be in the same predicament. As he saw his farm mortgage foreclosed, his bank account gone, and his family in need, he might say, "Well, thank goodness, I at least kept my freedom."

Last December, in the Dakota Farmer, we stated that we believed the law permitting price supports to go as low as 60 percent would be changed. We also stated that price supports would remain near 90 percent—in a new law to be passed by the present Congress. We further remarked that we didn't believe farmers would object to some acreage control if assured at least 90 percent of parity. We still believe those statements are correct and that you'll agree with us. Maybe the experts, who are so wrought up about farmers losing their freedom, should be just a little quieter and let the farmers speak for themselves. After all, whose freedom is it?

THE FARM-PRICE SITUATION—EDITORIAL FROM THE WASHINGTON POST

Mr. YOUNG. Mr. President, there appeared in the Washington Post of February 19, 1949, an editorial giving a far better than average analysis of the farm-price situation.

The Post is indeed to be congratulated for its straight thinking and its fair viewpoint on the over-all problems of agriculture—not only as it affects the farmer, but the Nation as a whole.

I ask unanimous consent that this editorial, together with a statement by myself be inserted in the body of the RECORD as a part of my remarks.

There being no objection, the editorial and statement were ordered to be printed in the RECORD, as follows:

[From the Washington Post of February 19, 1949]

FARM PRICES

A year ago a violent break occurred in prices of wheat, corn, and other farm products, bringing with it predictions of a general business recession. But despite the 1948 February collapse the wholesale price index for all commodities continued to advance, reaching its peak last August. Furthermore, the wholesale-price index for farm products was close to the January level by June, while the wholesale food index was well above its January level by the end of July. Thereafter farm and food prices began to decline and by the end of 1948 wholesale prices of farm products were about 10 percent lower than a year earlier, and December wholesale food prices were 5 percent below the level of December 1947. However, averages of this kind cover up erratic fluctuations in prices of particular commodities. Prices of grains, for instance, were 35 percent below the level of the previous year at the end of 1948, and since then there has been another sharp drop. To be more specific, wheat sold for immediate delivery brought $2.08 a bushel last week in Kansas City compared with $3.10 in 1947, while corn sold in Chicago for $1.19 per bushel compared with $2.83 a year ago.

The gyrations of the speculative market can be discounted to some extent; but the downward trend of cash prices for basic crops cannot be dismissed as a temporary phenomenon. On the contrary, it points to a relaxation, if not a disappearance, of inflationary pressures in an important segment of the economy. We would not venture to predict whether the declines that have occurred in the prices of basic farm commodities are a prelude to a general price deflation. Nor would it be safe to hazard a guess as to the future course of farm prices. For the Government will undoubtedly make strenuous efforts to prop sagging farm prices through loans and stepped-up buying of grain for export.

It seems fairly certain, however, that the strong particularistic inflationary trend that lifted prices of farm products and food to dizzy heights has run its course. Export demands for grains and foodstuffs, made all the more pressing by a succession of poor European crops, coupled with high domestic demands sustained by inflated consumer incomes, encouraged American farmers to step up production in response to high and rapidly rising prices. Favored by good weather, bumper crops have been harvested, with the result that supply has overtaken and exceeded demand at existing price levels.

The high prices that have prevailed for food—and still prevail in retail markets—have also been a powerful influence in accelerating inflationary price increases in other areas of the economy. For example, the high cost of food has given impetus to the drive for wage increases and these wage increases have in turn increased production costs and raised prices of nonagricultural commodities. The upward price adjustments in nonagricultural commodities have so far largely offset the effect on the general price level of agricultural price deflation. Divergent price trends of this sort help to explain why some economists, notably the President's Council of Economic Advisers, conclude that inflationary influences are still dominant and back the President's demands for legislative anti-inflationary curbs.

The question that is now being debated is whether the drop in farm prices will spread to other lines of production and bring about a general business recession or should simply be regarded as a needed corrective adjustment of a badly unbalanced price structure. The answer to that question lies in the realm of prophecy because psychology as well as economics are involved. More light will be thrown on the situation when there has been sufficient time for the drop in wholesale food prices to be reflected in comparable declines in living costs, which so far have been negligible. If lower living costs remove the pressure for wage increases, one of the major obstacles to industrial expansion will be eliminated. At the same time, relieved from the pressure of excessively high food costs, effective consumer demand for the products of industry will be strengthened.

STATEMENT BY SENATOR YOUNG

While farm prices have declined from 20 percent to as high as 60 percent in the past year, the things that the farmer has to purchase in the everyday operation of his farm have increased tremendously in the past 6 years. Even worse, during this past year when farm commodity prices were dropping, the prices of the industrial goods the farmer has to purchase have increased at an accelerated rate. Even at this time farmers are producing practically at cost and there is no indication that the things he must buy will drop in price. Indeed, there is every indication that they will continue to increase.

As a result of accumulating surpluses in almost every farm commodity, there is little likelihood that the price of farm commodities will increase in the near future or, perhaps, for years except for occasional rises in the price of certain commodities for which there may at times be a temporary increased demand.

Since last April there was made available to European nations $1,180,000,000 in Marshall plan funds for the purchase of United States farm commodities. Had it not been for these purchases, agriculture today would be in even worse condition than it is. At the same time, however, that ECA made this $1,180,000,000 available for the purchase of United States food supplies, they also and, in my opinion, unwisely and directly contrary to the ECA authorization, bought $617,000,000 worth of food supplies in other countries. During approximately this same period, the Army Quartermaster Corps made food purchases in foreign countries in excess of $50,000,000 for use of the armed forces in the occupied areas.

If this total of approximately $667,000,000 had been made available for the purchase of additional farm commodities within the United States, there would not have been this drastic decline in farm commodity prices, especially in wheat and all other grains.

ECA and the United States Department of Agriculture officials used an escape clause in the ECA authorization which permitted them to buy in off-shore countries if supplies were not available in the United States. Both contended that there was a shortage of shipping facilities which made wheat, for example, not available in the United States beyond the amount which they purchased.

Secretary of Agriculture, Charles Brannan, even went so far as to say that the expected 300,000,000 bushel carry-over as of July 1 next would not be a surplus. Yet, at the same time that these heavy purchases were being made in off-shore countries, he asked the American wheat farmer to reduce his acreage.

In the last 4 or 5 years, February and March have been the months when Europe was in greatest need of food and during these years the United States Government made its greatest effort in this period to export the greatest amount possible of wheat and other foods. It should be noted that in April of 1946 the United States Government even offered a bonus of 30 cents a bushel to secure additional supplies of wheat for European aid. And the Office of Defense Transportation, at President Truman's request, issued an emergency order to make available more cars to get wheat to the seaboard.

It is rather strange indeed that during this period of greatest need and when both ECA and the United States Department of Agriculture claim that shipping facilities are not available, that I should receive a letter this week from John Haw, a high official of the Northern Pacific Railway Co., which entirely refutes this claim of a shortage of shipping facilities. I quote one paragraph from his letter as follows:

"Just a word of comment on 'lack of sufficient shipping facilities to handle ECA grain purchased in this country.' The railroads are starving for business. We have good grain box piled up on every siding. Our first worry is to get foreign box made empty on line, off line as promptly as possible to cut down the per diem. Currently our business is off about 20 percent from a year ago, and, as you know, it was bad during the early part of 1948."

Of great importance, too, is the fact that during this period when we were accumulating great farm commodity surpluses in the United States and not taking full advantage

of ECA funds for European needs, the United States Department of Agriculture, which has the responsibility of supporting farm prices under the laws of Congress, has been spending tremendous sums for this purpose. Only this week top officials from the United States Department of Agriculture gave out the information that by July 1, 1949, the Commodity Credit Corporation will have committed approximately $2,500,000,000 of its $4,750,000,000 revolving funds made available for the price support program. Since July 1 is only the beginning of the heavy marketing season, it is estimated by the most authoritative officials that in all probability the entire $4,750,000,000 will be committed in support of farm prices under present support price levels.

While all of these commitments may not result in losses, many of these commitments of United States funds would not have been necessary at all if the Administration had taken full advantage of the appropriations for ECA by purchasing in the United States rather than foreign countries all over the world.

It should be noted that since last April ECA authorized the purchase of $354,000,000 worth of wheat in Canada alone. While meat prices have declined drastically in the last few weeks, we are still continuing to purchase beef in the Argentine and other countries for Army requirements.

Of great importance to American agriculture, too, is that while more than $200,000,000 has been spent to support the 1948 potato crop, more than 5,000,000 bushels of Canadian potatoes were imported.

There is yet another Government bureau which has had considerable to do with limiting the exports of United States farm commodities while farm commodity prices were collapsing. The Commerce Department, which has complete authority to control exports, has during this same period, and even today, limited through license control the export of many farm commodities. It is most difficult to understand why during these past many months they have been refusing to grant export licenses for wheat and other grains, fats and oils, etc.

Their restricting of exports of fats and oils has materially and adversely affected the price of such commodities as peanuts, flax, hogs, and grains.

On October 27 last I protested by telegram the action of the Department of Commerce in refusing to grant export licenses for fats and oils. Their answer to my telegram follows:

OCTOBER 28, 1948.

To Hon. MILTON R. YOUNG,
La Moure, N. Dak.:

In Secretary's absence I am replying to your telegram of October 27. Export allocations of scarce commodities are increased or export controls relaxed as warranted by improvements in the world supply situation. We have already removed controls from exports of grains and grain products to Latin America and the Philippines, our major markets. Further relaxations on exports of these commodities to certain destinations are under consideration. Fats and oils remain in extremely short supply on a world-wide basis. We have the responsibility for protecting the domestic economy against further inflation and possible short crops next year as well as maintaining adequate stocks against other possible emergencies. As part of our foreign recovery program, we must see that exportable supplies of these commodities are directed to the proper destinations. Continued exercise of export controls is essential to fulfill these responsibilities. It should be noted as well that exports of industrial items in short supply are under allocation and control.

I. P. W. STOKES,
Acting Secretary of Commerce.

These two sentences from the telegram from the Commerce Department are of more than passing interest: Fats and oils remain in extremely short supply on a world-wide basis. We have the responsibility for protecting the domestic market against further inflation and possible short crops next year as well as to maintain adequate stocks against other possible emergencies.

It is clear from this statement that the Commerce Department was exercising price control of American farm commodities probably in an even more effective manner than the OPA itself.

Again, this has been in a period when there were surpluses and their action, in my opinion, was largely responsible for our present demoralized market situation.

It is difficult for me to understand why on the one hand this Government is attempting to support farm prices and on the other hand it is doing everything it can to hold farm prices down.

With this type of administration of our Federal Government, the outlook for the future prosperity of farmers does not look too bright. The situation could become even worse in future years when foreign countries with their low standard of living and thus cheaper production costs again have surpluses which they undoubtedly will dump in the United States at prices far more favorable than their own. Frankly, I cannot see how any high level price support program can be maintained in this country under that type of policy. Farmers have not forgotten that period from 1932 to 1940 when prices were low for agriculture commodities and commodities were stored in every city and hamlet in the United States in large quantities. And at the same time, this, the greatest agricultural Nation in the world, actually imported more farm commodities than it exported.

It is abundantly clear that without an adequate price support program in the future and favorable action by every department of our Government, this Nation will face an even worse depression than the last.

CONTINUATION OF CERTAIN AUTHORITY OF THE MARITIME COMMISSION

Mr. MAGNUSON. Mr. President, I wish to call up House Joint Resolution 92 and to ask unanimous consent for its immediate consideration.

The PRESIDENT pro tempore. The clerk will read the joint resolution for the information of the Senate.

The CHIEF CLERK. A joint resolution (H. J. Res. 92) to continue the authority of the Maritime Commission to sell, charter, and operate vessels, and for other purposes.

The PRESIDENT pro tempore. Is there objection to the present consideration of the joint resolution?

Mr. SALTONSTALL. Mr. President, reserving the right to object, I understand it is the same resolution which passed the Senate, and this is a means of expediting action. I am advised that the objection offered by the Senator from Maine [Mr. BREWSTER] has now been withdrawn.

Mr. MAGNUSON. That is correct.

Mr. BREWSTER. Mr. President, I should like to have the record clear. In the Senate there was an amendment attached, on my motion. I am not offering it at this time, as I am advised by the Maritime Commission that the power conferred by the amendment which I proposed is now possessed by the Commission, so that there is no need, as I understand, for such an amendment.

There being no objection, the resolution (H. J. Res. 92), to continue the authority of the Maritime Commission to sell, charter, and operate vessels, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

DISCHARGE OF COMMITTEE FROM CONSIDERATION OF CERTAIN BILLS

Mr. McCARRAN. Mr. President, among the bills now pending before the Committee on the Judiciary are Senate bills 571, 572, and 573, introduced on January 18 by the junior Senator from Iowa [Mr. GILLETTE]. The history of action on prior, similar bills shows that——

Mr. BREWSTER. Mr. President, a point of order.

The PRESIDENT pro tempore. The Senator will state it.

Mr. BREWSTER. It has been my purpose to yield simply for the purpose of insertions in the RECORD. I am very sorry to interrupt the Senator from Nevada.

Mr. McCARRAN. Mr. President, may I say that my remarks are not to be regarded as a speech; they are merely an explanation of a motion to discharge the Committee on the Judiciary from consideration of certain bills.

Mr. BREWSTER. I am sorry, but I cannot yield under the circumstances. I have declined to yield to other Senators for the same reason. My speech will take only 5 minutes. The speech of the Senator from Nevada will not be delayed very long.

EXECUTIVE REPORTS OF A COMMITTEE—NOMINATION OF DISTRICT OF COLUMBIA POSTMASTER

Mr. JOHNSTON of South Carolina. Mr. President, as in executive session, from the Committee on Post Office and Civil Service, I report a number of postmaster nominations, including the postmaster for the District of Columbia, 10 in Alabama, 6 in North Carolina, 6 in North Dakota, 13 in Texas, 2 in Missouri, and 2 in Maryland.

Concerning the nomination for the District of Columbia postmastership, the Post Office Department has asked that it be given immediate consideration because of the fact that they want him to take over on the 1st of March.

Mr. BREWSTER. Mr. President, will there be any discussion in connection with the nomination?

Mr. JOHNSTON of South Carolina. No; there will be no discussion. The committee was unanimous in requesting that I ask unanimous consent to have the nomination considered at this time, as in executive session.

The PRESIDENT pro tempore. Without objection, the various nominations will be placed on the calendar, with the exception of the one regarding the postmaster for the District of Columbia.

Is there objection to the present consideration, as in executive session, of the nomination of the postmaster for the city of Washington?

Mr. SALTONSTALL. Mr. President, is the Senator reporting this nomination

today and asking unanimous consent that it be acted upon today?

The PRESIDENT pro tempore. That is the purpose of the request.

Mr. SALTONSTALL. May I ask the reason for the request in the case of a postmaster?

Mr. JOHNSTON of South Carolina. Because of auditing reasons it is desired that the postmaster take office by the 1st day of March. It will make it much easier if that is done.

Mr. SALTONSTALL. Is the report of the committee unanimous?

Mr. JOHNSTON of South Carolina. The report is unanimous, and the committee asks that I make the request.

The PRESIDENT pro tempore. The clerk will state the nomination.

The Chief Clerk read the nomination of Roy M. North to be postmaster at Washington, D. C.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed, and the President will be notified forthwith.

THE DEMOCRATIC VICTORY DINNER

Mr. BREWSTER. Mr. President, I wish to speak for a few moments, and I think my intention does not justify the apparent fear of Senators as to whether I might occupy the entire lunch hour in this discussion, as I do not propose to do. But I felt that before any of us went to lunch it might regale us if we did have an opportunity to turn over on our tongues the delightful and apparently very delicious feast of Belshazzar with which some of our friends were regaled last night at the price, I am advised, of a hundred dollars a plate.

It is estimated that there are from two to four million unemployed in this country at the present time. It is estimated that about 9,000,000 are working part time. I apprehend that these ten or twelve million, together with the twenty or thirty million of their dependents, will not be able to gather much enjoyment from this $100 dinner with which many of the faithful were regaled last night, as well as some others. I say that because I noted that the President, in discussing them, referred not only to the September and October Democrats, not only to the Monday and Tuesday Democrats, but, apparently not as an afterthought, he added also the Wednesday-morning Democrats, who have been the subject of much delightful comment during recent weeks. But I think this is the first time they have been officially recognized by the President and welcomed to the ranks. I suppose those who were willing to expend $100 for the dinner paid enough to cover their attendance and have gratified their desire for a remission of sin and a plenary indulgence.

Now I think we should consider the menu, because I assume it will be read with great delight by the twenty or thirty million who are the forgotten men, and who, according to the President, should have received the relief to which they were entitled. I say that because last summer the President told us that 15 days would be the entire time required to pass what we were told was necessary legislation. Sixty days will have passed by next Tuesday, four times the period he referred to last summer. So I take it that in his speech the President was indicating his irritation at the delay in the Senate and in the House. I think that is a fair inference. He even delicately suggests that later perhaps he may have to take to the road again and travel over the country to tell the people what is happening.

Far be it from a humble member of the minority to stand up here in defense of the procedures of the Eighty-first Congress. Whether it is going to run a close race with the Eightieth Congress on the record it will write is a matter on which apparently the President has some doubt.

Without violation of protocol or propriety, I should like to ask unanimous consent that the text of the President's address last night, as reported in the New York Times, be inserted in the RECORD at this point, unless before the end of this day some Member on the majority side of the aisle decides he desires to offer the President's address for this purpose. If so, I should not care to take away from him that privilege.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Maine?

There being no objection, the address was ordered to be printed in the RECORD, as follows:

TEXT OF PRESIDENT TRUMAN'S ADDRESS TO THE JEFFERSON-JACKSON DINNER

Mr. Chairman, ladies and gentlemen, this is a happy occasion for the Democratic Party. I know that all the gatherings of our party, throughout the country, are as cheerful as this one, and, I give all of them greetings.

I am happy to be here talking to you once more from the same old stand.

Incidentally, this is where I expected to be.

What I feel tonight is not personal pride or elation; it is a deep satisfaction that our party has served its country so well that the people have endorsed it for the fifth consecutive time.

I am aware that this was something of a surprise in certain quarters. I am told that some persons were even making elaborate plans, with considerable relish, to bury the Democratic Party and all that it stands for.

These persons were like certain friends of Andrew Jackson, whose memory we are honoring tonight.

Once upon a time, there were a number of citizens who thought that Andrew Jackson ought to have a suitable coffin. At great expense, they went to Syria and purchased a marble sarcophagus. A sarcophagus, as you know, is a tomb, a big marble coffin with a marble lid. These citizens then shipped this marble box to Washington, which was quite a job as it weighed 4 or 5 tons.

At last, they thought, a suitable resting place had been provided for Andrew Jackson.

The only trouble with the project was that Andrew Jackson was not dead. Moreover, he wasn't ready to die. He did not intend to be hurried to the grave.

Courteously but firmly he wrote to those well-meaning citizens and said, "I must decline the intended honor."

And they never did get Old Hickory into that thing. You can still see it, if you're interested, out in front of the Smithsonian Institution.

A STORY WITH A MORAL

I think that this little story has a moral in it. It is this: Before you offer to bury a good Democrat, you better be sure he is dead.

There is another lesson you can derive from the more recent past: You cannot bury the Democratic Party as long as it is working for the welfare and the advancement of the people of this Nation.

The central issue of the campaign last fall was the welfare of all the people against special privilege for the few.

When we made it clear where the Democratic Party stood on that issue, the people made it clear that they stood with us.

The Democratic party has had a long and glorious history. Through its founders and leaders, whom we honor tonight, its roots go back to the American Revolution. But however ancient and glorious it may be, our party is not and never has been an end in itself. The only justification for the Democratic Party is its usefulness to the American people in achieving the government they desire.

I am proud to say that never before has the Democratic Party been more firmly dedicated to a program in the interest of all the people. The platform adopted at the Democratic convention of 1948 is clear and forthright.

Our job now is to enact into law the programs that the people need and deserve.

That is exactly what we are doing.

We are meeting determined opposition. The special interests are fighting us just as if they had never heard of November second. For them, campaigns and elections are just preliminary exhibition matches—the fight in Congress is the main bout.

SAYS PEOPLE ARE AROUSED

The special interests are on the job year in and year out—7 days a week, and 24 hours a day. They work through their lobbies and pressure groups, through the editorial pages and the columnists and commentators they control. They twist and misrepresent the measures the people voted for. They are again trying to frighten the people with the old, worn-out bugaboo that socialism is taking over in Washington.

This one-sided barrage of propaganda seems overwhelming at first. There are no full-page ads on our side. In fact—all we have on our side is the people.

But that is enough—because the people are aroused.

I did a lot of traveling around the country last fall, and I found that the people were vitally interested in what their Government was doing. Make no mistake about it, there has never been a time when the people were so well informed about Congress, and the President, and the records of their Representatives and Senators as they are now.

This concern on the part of the people is a fine thing for the growth of democracy and responsible government. I propose to do all I can to help it along. In fact, I may even get on the train again and make another tour around the country to tell the people how their Government is getting on.

If we keep the people fully informed, I am confident that they will support the Congress and the President in our fight against the special interests.

It is important that the American people should be aware of the tactics that the special interests are using to obstruct our programs.

Right now the special interests are using every trick they can think of to defeat our labor policy.

After the election, hardly anybody had a good word to say about the Taft-Hartley Act.

But now, when I ask the Congress to repeal the Taft-Hartley Act, exactly as I said I would in the campaign, there are great outcries from the special interests.

"He can't mean it," they say. "Repeal the Taft-Hartley Act? Repeal that beneficent, charitable, kindly old statute—the charter of labor and the workingman's friend? Why, it's unthinkable."

TAFT LAW AN INSULT

And they keep this up night and day in an effort to convince the people that the Taft-Hartley Act is a good law. But it's no use.

All the oratory in the world won't change a bad law into a good law.

When the Taft-Hartley Act was before the Congress, a Republican Senator called it "a device for making unions so weak they cannot carry on effective collective bargaining."

That was true then, and it is true now.

The Taft-Hartley Act is an insult to the working men and women of this country, and they will not rest until it is destroyed.

After the election, I thought we would have the cooperation of our Republican friends in this effort. I felt sure that the Republican Party would be anxious to throw the Taft-Hartley Act overboard faster than the sailors got rid of Jonah. I am beginning to think that maybe I was wrong about that.

No matter what the Republicans do, the course our party should follow is clear.

The Democratic Party, in its platform, is solemnly committed to work for repeal of the Taft-Hartley Act.

We are working for its repeal; and with the support of fair-minded Americans, regardless of party, we will continue to work for its repeal until it is replaced upon our statute books with a labor law that is fair and decent.

The same die-hard reactionaries who want to cripple labor unions have also started a campaign of confusion against all our other measures for the welfare of the people.

They say they are for extending and improving social security—but they call our proposals a bureaucratic system that will destroy the character of every American.

They claim to be in favor of housing—but they say our low-rent housing program is a mistake because it does too much for low-income families.

They make speeches about the American home—but they encourage landlords to lock out their tenants until rent control is repealed.

They say they are in favor of good wages—but they argue that the minimum wage should be held down to a starvation level.

They claim to be in favor of developing our great river basins—but they raise the old cry of "super state" against every practical step we propose.

We will not be deceived by their propaganda. Despite their efforts to confuse, we will enact the programs to which we are committed.

"BETTER LIFE" PLEDGED

We can and we will provide a better life for our people.

At the heart of our program lies our determination to preserve the health of our economy. We know that the welfare of the whole Nation depends upon keeping our economy well balanced—seeing to it that each group gets its fair share of the goods we produce.

The special interests have attacked every governmental measure we have devised to keep our economy on an even keel.

As an example, last year some selfish groups tried to destroy our farm price-support program.

It is a good thing for the country that they failed.

These farm-price supports are actually supports for our entire economy. In the twenties the collapse of farm prices brought on a depression in agriculture which ultimately spread to the whole economy and dragged the country down to bread lines and bank failures.

But this time the farmer and the economy are protected from such a collapse by the farm price-support program. I ask you to remember these facts when the special interests begin to raise their usual hue and cry about the cost of price supports.

In further support of Nation-wide prosperity, I have submitted to the Congress proposals for maintaining full production and full employment.

The proposals I made are designed to aid business in increasing production and eliminating bottlenecks; they are designed to keep price movements balanced, and to prevent shortages from driving certain industrial prices higher while farm prices are leveling off.

These proposals are bringing attacks by those special interests who are making excessive profits out of present shortages. And the usual outcries about regimentation are now filling the air.

It is easy to be misled by a small group of special interests engaged in a campaign of misrepresentation. We must not let the selfish demands of special groups blind us to the common good.

The success of every business enterprise depends upon the prosperity of the whole country. Your Government is pledged to use all its resources to maintain the economic health of the country and to prevent depression. To do this means that Government must act—wisely and judiciously—but it must act.

A government able and willing to act in the interest of the whole economy is a better friend of free competitive enterprise than a do-nothing government ready to let the economy slide into a depression.

PROBLEM OF THE DEMOCRACIES

The great problem of the free western democracies is the problem of boom and bust. The future of the world depends upon our ability to master that problem. During the last 16 years this country has made great progress toward finding the solution. This progress has been made over the protests of selfish and short-sighted people. We have not let them stop us in the past.

We will not let them stop us now.

In his first inaugural address, 148 years ago, Thomas Jefferson said that this country was in "the full tide of a successful experiment." He called our Government "the world's best hope." Today we are again in the full tide of a successful experiment—the experiment of achieving economic abundance and basic human rights in a society of free institutions and freemen.

Today this experiment is again the world's best hope. Today it is the hope of a world confronted by greater dangers and greater possibilities for good than were dreamed of a century and a half ago.

Great as our responsibilities are, we have nothing to fear if we rely upon the energy, the resourcefulness, and the common sense of the American people. So long as the people understand the issues of the day, the special interests cannot prevail against the general welfare.

With the understanding and energy of this mighty people, our Nation can move confidently toward the goals of prosperity and peace.

Mr. BREWSTER. Mr. President, I insert this address in order that anyone who desires may read its text. I shall not refer to the interpolations, since I think the President was honored with the degree of "doctor of profane letters," which, as I recall, was given to him by a news commentator recently. But I believe we should have the menu of this $100 victory dinner. Apparently the President did not consider it a victory dinner, because he indicated very clearly that, considering their record to date, up to the middle of February the Eighty-first Congress was not getting better than the Eightieth Congress.

Shakespeare says:

How sharper than a serpent's tooth it is
To have a thankless child!

I shall not presume to defend the Eighty-first Congress, although there would seem to be aspects of ingratitude in the President's condemnation, when we consider that practically the only action of the Eighty-first Congress to date has been to increase the Presidential salary by $75,000 a year. I say that advisedly because the proposal from the other side was to call it "compensation." I suggest rather delicately that it would be unfortunate to use that term. But that was the way they considered it. And $50,000 was exempt from any taxation. How long the President should treat Congress gently, in view of this generosity in his direction, is of course another matter I could not suggest, perhaps, with political propriety. I notice he did not refer to it in his discussion of the record of the Eighty-first Congress last evening.

Included in the menu are some words with which I have a little difficulty. I am sure most of our constituents would find even greater difficulty. But this is the menu as reported in the New York Times:

This is what the diners ate for $100 a plate at the twin Jefferson-Jackson dinner tonight.

I should be interested to know what Andrew Jackson would say about that, if he could be here to give us his comment. The first course was:

Diamond-back terrapin soup with Madeira.
Celery, olives.
Lobster—

I hope it was Maine lobster.

Lobster and crabflakes saute Americaine.
Old-fashioned corn bread.
White wine.
Broiled filet mignon Rossini, sauce Bordelaise.
New string beans Forestiere.

I do not know whether that is "Forrestal" or not.

Potatoes Dauphine.

I do not know whether those are Maine potatoes or not. I did not know we raised Dauphine potatoes.

Mixed green salad with endive and avocado, Lorenzo dressing.
Brown bread.

That is the first item which anyone in Maine would recognize.

Brown bread and Liptauer sandwich.
Champagne.
Coupe chocolate mousse with black cherries.

The last item is entirely outside of my experience in Washington, and I should be glad to be enlightened as to what it is. I spell it, because I do not even know the pronunciation, "a-n-i-s."

Anis Madeleines.

Finally:

Moka.

More than 3,000 contributors to the Democratic Party campaign fund had the meal.

Which, according to the records, would result in a $300,000 banquet. I am sure that if that banquet involving such great expense could be given to the forgotten men of this country, and to the twenty or thirty million persons now affected by very serious unemployment, they would be profoundly grateful.

Mr. ROBERTSON. Mr. President——

The PRESIDING OFFICER (Mr. HILL in the chair). Does the Senator from Maine yield to the Senator from Virginia?

Mr. BREWSTER. I yield.

Mr. ROBERTSON. Does not the Senator from Maine think credit and thanks should be given to our splendid friends in Puerto Rico for furnishing the very fine cigars that were given out at the banquet? I have one of them here. I feel sure the Senator would be glad to include them.

Mr. BREWSTER. I am sure they should be included.

Mr. ROBERTSON. We have many good friends in Puerto Rico.

Mr. BREWSTER. I am sure you should leave them outside the operation of the wage-and-hour law so they can continue to pay the poor people of Puerto Rico about 10 cents an hour. [Laughter.]

Mr. BRICKER. Mr. President, apropos of the banquet held last night, which has been called to my attention by the reference made here this afternoon by the distinguished Senator from Oregon [Mr. MORSE] and the distinguished Senator from Maine [Mr. BREWSTER], I am not so much interested in the menu or the particular portions of the President's speech to which the Senator from Oregon referred as I am to some very fundamental concepts which are apparent from the perusal of the speech and the character of the banquet held last night.

First of all, we seem to be in a name-calling era. The dinner was called the Jefferson-Jackson Day banquet. I think that is a misnomer. I think it is rather a reflection upon the memory of those two great Americans. Thomas Jefferson repeatedly throughout his public life and in his private writings referred to that government as best which governs least. And Jackson, as I remember, made a record of paying off the national debt. So I hardly think that the name of the meeting was consistent with its character or with the administration of the Federal Government by the party that held the banquet.

I desire now to refer to Washington's Farewell Address, which was so beautifully read in the Senate this week by the distinguished Senator from Maine [Mrs. SMITH]. I read for the purpose of the RECORD one short paragraph:

> It is important likewise, that the habits of thinking in a free country should inspire caution in those entrusted with its administration, to confine themselves within their respective constitutional spheres, avoiding in the exercise of the powers of one department, to encroach upon another. The spirit of encroachment tends to consolidate the powers of all the departments in one, and thus to create, whatever the form of government, a real despotism.

America in my judgment is faced with a threat of the very thing that the immortal Washington referred to in his Farewell Address.

I wish that the President in speaking to the assembled multitude last night and over the air might have been specific in his reference to special interests. I think he was inspired, no doubt, by the lack of support on the other side, by his own party, in the program which he has proposed, and which in good conscience I grant they cannot accept. As a result of that frustration or disappointment he began to set up a lot of straw men and bat them all around two hotel dining rooms and over the air.

Whatever the special interests may have been, and we are in the dark as to whom the President referred, there is one that I want to give a little attention to at this hour. It seems that every special group is represented here in Washington, many of them in the Cabinet. Labor has its representative in the Cabinet and he appears before committee hearings. Commerce has its representative in the Cabinet, and he appears before committee hearings. Various sections of the country and segments of our society have special representatives here, and in the various boards and bureaus. I understand that the doctors are now asking that a doctor be placed in the President's Cabinet especially to represent their interests. So it seems that everyone is represented in Washington in the President's Cabinet and in the various boards and bureaus in the presentation of evidence before the committees of Congress, except the taxpayers of the country.

I specifically refer to a bill which was reported this morning by the chairman of the Committee on Banking and Currency. We had before that committee in the consideration of the housing bill representatives of labor, representatives of the building industry, representatives of various sections of the country; but by far the largest amount of the testimony that was adduced before our committee in the hearings on the bill came from the representatives of the various boards and bureaus of the Government and from public-housing officials. Those representatives talked not in terms of the taxpayers' interests. There was very little regard given to the taxpayers at any time in the statements made before the committee or in the presentation of testimony.

The evidence shows that the bill will cost an amount ranging from $15,000,000,000 up, and loans in addition to that.

The bureaucrats appeared before the committee asking us to vote favorably upon the bill, which was, as I understand, largely written in the department which will administer the bill, and they did not talk about millions or hundreds of millions of dollars. They talked about billions of dollars. When mention is made of a billion dollars, what may be called Potomac fever takes on a new glow. When reference is made to $10,000,000,000, as it was in connection with the bill, these individuals take off with a swish like one of the jet planes we saw the other day, and they rise into the stratosphere. They never get beyond the supersonic barrier, however, because they are always vocal in their own interests.

The Constitution of the United States, as referred to eloquently by the first President, was built as a barrier against power, against the power of classes, against the power of the mob, against the power of the church, against the power of the majority, or of an organized aggressive minority, and against the power of concentrated wealth as well, but most important of all, Mr. President, it was founded as a barrier against the power of government itself, which this year is costing the taxpayers in the national field alone in excess of $42,000,000,000—one-fifth of our national income going to the cost of government.

The taxpayer needs representation in Washington. Unless the Congress arises to defend him in his interest, under the impact of the power of government, the aggressiveness of the bureaucrats, he will become a peon, a subject of his government, and lose the proud citizenship that has built the mightiest nation of all time.

Mr. MAYBANK. Mr. President, I merely wish to state in reply to my distinguished friend the Senator from Ohio [Mr. BRICKER] that the bill reported favorably today from the Banking and Currency Committee was introduced by the senior Senator from Louisiana [Mr. ELLENDER], as a clean bill, and the committee, by unanimous consent, authorized me to file the report today.

I may say to my distinguished colleague, who authorized me to report the bill, although he did not vote for it, that sponsoring the bill were approximately 11 Democrats and 11 Republicans. It was our aim, in the Committee on Banking and Currency, to keep politics out of housing and to bring about such a situation that the people of the United States would benefit from housing legislation. We were not and are not now interested in political credit for housing legislation, and I know that sentiment is shared by my colleagues on the other side of the aisle.

It is not necessary for me to repeat the names on that bill, but one was referred to by the Senator. Some of the Senator's remarks may or may not be in order; but I want to remind the people of the United States that it was my desire, and certainly the desire of the Senator from Vermont [Mr. FLANDERS] and other members of the Subcommittee on Housing of the Committee on Banking and Currency, to have before the Senate a bill which would be in the best interest of the people of the United States.

Mr. President, I have nothing further to say except that the Senator from Louisiana [Mr. ELLENDER], who was the first witness before the committee, pleaded for a nonpartisan housing bill. He read the names of the sponsors of the bill. I reported the bill, and I hope the Senate will forget party politics, and that Members on both sides of the aisle will vote for housing, including public housing.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. MAYBANK. I yield.

Mr. TAFT. I merely wish to say that I think the committee made a real effort to compromise the differing views.

Mr. MAYBANK. I will say to the distinguished Senator that we considered every bill before us, including the bill which was introduced on the other side of the aisle, as well as the bill which was introduced from this side of the aisle. The bill which was reported was a compromise in what was considered to be the interest of the people.

Mr. TAFT. While I joined in reporting the bill, and will vote for it as it is if necessary, I did reserve the right to offer two or three amendments dealing with amounts. I believe that the number of houses is somewhat large. I am somewhat concerned about the permitted cost of housing, up to $2,500 a room, which would make apartments in certain metropolitan areas cost nearly $15,000. Moreover, I have some doubt about the provision with respect to rural housing. I wish only to make it clear that in voting to report the bill I reserved the right to offer amendments, although if the amendments are rejected I intend to vote for the bill.

Mr. MAYBANK. Let me say to the distinguished senior Senator from Ohio that certain amendments may be offered by Democrats too. Nevertheless, the purpose of the Committee on Banking and Currency, after weeks of hearings, was to bring before the Senate a measure which would benefit the people of the United States.

There have been statements in the newspapers to the effect that Congress has done nothing in 50 days. We have passed the allocation bill, which was alleged by our friends to be a continuation of a Republican measure. We have passed the export control bill, extending export controls for 2 years. We bring before the Senate today the housing bill, after weeks of study and deliberation. By the 15th of March there will be before the Senate, reported from the Committee on Banking and Currency, Senate bill 529, known as the veterans' RFC, introduced by the distinguished former Democratic leader, now the Vice President of the United States. There will also be in the Senate the rent-control bill, which has been discussed to such a great extent.

I wish to make the record perfectly clear. We have worked since inauguration, and even during inauguration, beginning at 10 o'clock in the morning and continuing until very late many evenings. We are working for nothing but the interests of the people. If there ever was a bipartisan housing bill for the good of the poor people of the United States, and for low-income families, this is the bill.

Mr. BRICKER. Mr. President, will the Senator yield?

Mr. MAYBANK. I yield.

Mr. BRICKER. I had no thought of raising any partisan consideration at this time, or debating the housing bill. We will debate that when the time comes.

Let me say that the opposition to the bill was also bipartisan, just as was the support of the bill in the committee. What I asked was that there be a clarification as to what the President meant last night when he attacked what he referred to as special interests. In my judgment the real special interests before the committee in the consideration of this bill were the representatives of government itself. During the executive session—and I have no criticism of this, because we wanted the facts—when we were writing the bill and considering amendments, considerable discussion occurred off the record, because no record was made. A representative of the department which will administer the law, and which will be built up to large proportions by it, sat with the committee and practically dictated some of the terms of the committee bill. I have not checked closely, but I understand that under the terms of a bill soon to come before the Senate he himself will receive an annual increase in salary. It is that influence of bureaucracy in government, power feeding upon power, and dominating another branch of the Government, to which I object.

Mr. MAYBANK. Mr. President, while it is possible though I doubt it that someone in the Government at some time may have dictated to some member of the Committee on Banking and Currency, as inferred by the Senator from Ohio, certainly no one in the Government has ever dictated or will ever dictate to the present chairman of the Committee on Banking and Currency.

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. MAYBANK. I yield.

Mr. SPARKMAN. Before the able Senator from Ohio [Mr. BRICKER] leaves the Chamber, I should like to say that, first of all, there is absolutely no provision in this bill relating to a salary increase for anyone.

In the second place, I was serving as chairman of the subcommittee. The able chairman of the full committee was with us. Had there been any idea that there was objection to the counsel of the Housing Authority being present, we certainly would have excluded him from the room. He was there at our invitation.

Mr. BRICKER. Mr. President——

Mr. SPARKMAN. Mr. President, if I may be allowed to complete my statement, early in the hearings I expressly requested of the Housing Agency that it permit the general counsel to sit with us, because there were a great many technical questions arising, and we needed to consult someone. He was at the meeting at our invitation and our request. I can say with assurance that at no time did he dictate to anyone. He simply responded to questions which were propounded to him.

Mr. BRICKER. Mr. President, will the Senator yield?

Mr. MAYBANK. I yield.

Mr. BRICKER. In response to what was said by the distinguished chairman of the subcommittee [Mr. SPARKMAN], it will be remembered that I stated that I had no objection to the counsel of the Housing Authority being present. I welcomed his presence, because we wanted to get all the facts.

However, I am impressed by the tremendous impact of bureaucracy on the legislative branch of the Government.

Mr. SPARKMAN. Mr. President, will the Senator from South Carolina yield?

Mr. MAYBANK. I yield.

Mr. SPARKMAN. I should like to remind the able Senator from Ohio that the salary increase to which he refers was carried in the bill which was passed last year. It may be that some increase was carried in the bill which was reported by the Committee on Post Office and Civil Service, of which I am not a member. I do not know.

Mr. MAYBANK. I may add that when the bill was reported last year by the Committee on Post Office and Civil Service, providing for increases in a number of high salaries, I was the first to oppose it. I shall oppose such action again if it is proposed to raise salaries which are already high.

Mr. LUCAS. Mr. President, it is rather amazing to listen to the addresses of my distinguished friends across the aisle upon divers and sundry subjects, attacking directly and indirectly the Democratic Party and its activities over the past few years. Especially is it amazing to me to learn from the lips of the junior Senator from Ohio [Mr. BRICKER] his righteous indignation about bureaucrats in Washington, D. C. Mr. President, during the past 14 years since I have been a Member of the Congress I have listened to the same arguments by those on the opposite side of the aisle against the Democratic Party and those who administer the Democratic program. They argue either against bureaucracy in government or regimentation in government or dictatorship in government or socialism in government or communism in government, or they make some other derogatory and puerile argument against those who have been entrusted on five different occasions, now, to conduct the governmental affairs of the United States of America. I predict that just so long as that kind of argument is made and until the Republicans find some new idea somewhere along the line to supplant the progressive, liberal program which has been put into effect for the American people for the past 16 years, the Republican Party will continue to decline in the estimation of the people as it has been declining throughout the recent years.

Mr. President, 2 years ago the Congress was controlled by the Republicans. They then had the opportunity to cut off the heads of the bureaucrats in Washington; they had the power and they had the votes at that time to cut President Truman's budget to the bone, if they so desired, and to give the taxpayers the opportunity for which the junior Senator from Ohio has been pleading on the floor of the Senate. However, in both the House and Senate, they merely proposed a "phony" budget cut, and never lived up to the obligations they imposed upon themselves when they told the American people what they were going to do. They had the necessary votes and the necessary power; they could have arbitrarily cut the President's budget 25 percent, 30 percent, or 40 percent, if they dared do so. But after a careful consideration of all the evidence

submitted before the respective committees of the Senate and the House, they did little or nothing about the very thing of which they are complaining today, here in the second month of the Eighty-first Congress.

Mr. President, it is also amazing and rather fantastic to hear my friend the senior Senator from Maine [Mr. BREWSTER] talking about the Democratic dinner which was held in the city of Washington last evening in memory of Jefferson and Jackson. The great trouble is that the gentlemen on his side of the aisle are still smarting under the defeat they received at the hands of the American people at the polls on November 2; it is a little difficult for them to "take it." The Senator from Maine rises on the floor and reads a long menu as though that might be of some interest and some news to the American people; he attempts to tell the American people that the money we raised to carry on the principles of Jackson, Jefferson, Cleveland, and Franklin D. Roosevelt is put to wrong uses; and he implies that much of that money should have gone to a few people who are on relief or now are out of work.

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. LUCAS. I am glad to yield.

Mr. PEPPER. Might not the menu referred to by the able Senator from Maine be evidence of the fact that, although when the Republicans were in power there was hardly anyone eating well except the special interests' crowd, yet when the Democrats have been in power for 17 years, even the Democrats are eating well? [Laughter.]

Mr. LUCAS. Mr. President, the Senator from Florida is entirely correct. I wish my friend the Senator from Maine could have heard the remark just made by the Senator from Florida, because last night, as the Senator from Maine well knows, the greatest number of people in the history of any political party in the United States, since the beginning of this great Republic, attended Democratic banquets throughout the United States, and were glad to pay $100 a plate to hear the President of the United States, the Vice President, and other distinguished Democratic speakers who went throughout the country spreading the Democratic gospel, which was so ardently and so vociferously and so honestly presented to the American people last night by the President of the United States in the able address he made.

Mr. PEPPER. Mr. President, will the Senator yield further?

Mr. LUCAS. I yield.

Mr. PEPPER. I should like to have the Senator's opinion, because I value it very highly: If a political party has to raise campaign funds to carry on its activities and for its campaign purposes, so as to try to acquaint the people with the facts in which they are interested, is it better for that party to receive its contributions $100 a person, or to receive its contributions from the special interests of the country?

Mr. LUCAS. Mr. President, the answer is obvious. That is the only way we can raise our money to carry on the Democratic Party in the United States. We do not have many millionaries, who represent the special interests in this country, to make contributions by the thousands upon thousands of dollars; but we go to the people, and the people respond. I thank God that we live in such a time and the country is in such a position, from the standpoint of the standard of living that so many of the people can attend banquets of that kind. Any Member of the Senate who, in speaking here, in the Senate of the United States, attempts to ridicule the idea of having a Democratic banquet; any Senator who can do nothing better than read the menu of that banquet, is plainly demonstrating that he is utterly without realistic arguments to make against the Democratic Party.

Mr. President, I think the real trouble is that Maine lobsters and Maine potatoes were not listed on the menu and served at that dinner. Had they been listed on the menu and served at the dinner, the Senator from Maine would not have made the unusual and uninteresting speech made today.

Furthermore, with respect to the argument that the Congress of the United States has done nothing, up to date, at this session, let me say to my Republican friends that if we do not do anything but pass appropriation bills during this session, we shall have done as much as the Eightieth Congress did; that is a certainty. If we simply do nothing, so far as any productive, progressive legislation affecting the interests of the greatest number of the people in the United States is concerned—if we do not do a single thing of that sort—we shall have accomplished all that the Eightieth Congress did; and that is what the people said when they voted last November.

Mr. President, we have accomplished something, and, as majority leader, I am not ashamed of the record the Democratic Party has made up to date, notwithstanding objections and criticisms to the contrary by Republican leaders and some segments of the press of the country. We do not expect to receive any cooperation from most of the press which was opposed to Harry Truman, and still is opposed to him and to his party principles and the Democratic platform adopted in our national convention. But I will read for the benefit of the Senate an editorial which appeared recently in the Washington Evening Star:

IT MAKES HASTE SLOWLY

It is a permissible wisecrack, for it is based on the sort of sardonic ridicule of the high and mighty that Americans relish, to say that this Congress, completing its first 2 months, has done nothing but give Mr. Truman a raise in salary.

I heard the distinguished Senator from Maine say a moment ago that that was all we had done. The Senator had better go back and compare the record of today with what he and his group did 2 years ago, during the first 2 months they were in power. The editorial continues:

But it is far from an accurate or fair statement. The congressional leaders who called at the White House yesterday were justified in their defense of a Congress that has been pretty busily at work ever since it got here. The delay in getting measures to the floor is no sign of inaction.

"The delay in getting measures to the floor is no sign of inaction."

I see my friend from Oregon present in the Chamber. He has been busy in committee work. The Senator from Missouri [Mr. KEM] has been busy in committee work. The Senator from Connecticut [Mr. BALDWIN] has been busy in committee work. In fact, all Members have been busy. I do not know of any committee that is not working at the present time. The American people, notwithstanding statements to the contrary, understand what time is required in the beginning in the organization of the Senate, in the appointment of committees, in the introduction of bills, in the consideration of bills. While we are chastised for not taking action, yet the moment action is attempted to be taken upon the labor bill, then we are damned and criticized as we were this morning by the distinguished Senator from Oregon for attempting to steamroller something through, so we "get it" going and coming. But we have been taking it for 16 years, and we can still take it going and coming, and we will be on top when the votes are counted again.

Mr. BALDWIN. Mr. President, will the Senator yield for a question?

Mr. LUCAS. I shall be happy to yield for a question.

Mr. BALDWIN. I did not hear what the distinguished Senator from Maine had to say.

Mr. LUCAS. The Senator missed a great treat.

Mr. BALDWIN. I shall read it in the RECORD, and shall enjoy doing so.

Mr. LUCAS. I am sorry the Senator missed it.

Mr. BALDWIN. I arrived in time to hear my distinguished friend from Illinois raising certain questions about Maine lobsters and Maine potatoes. Each State of the Union is noted for the food products it can produce in one form or another. It might be a fair question as to whether or not Maine lobsters and Maine potaoes are not to be preferred to the corn in all forms we get from Illinois. [Laughter.]

Mr. LUCAS. In view of the fact that the Senator comes from the Nutmeg State of Connecticut, I can understand how a "nutty" question of that kind would be asked. [Laughter.]

The editorial continues:

No Congress in recent years has been confronted with a stiffer program of "must" but highly controversial legislation. And thinking Americans will find more comfort in watching their legislators "make haste slowly" than if the rapidity of action suggested rubber-stamp procedure.

Mr. BALDWIN. Mr. President, will the Senator yield for another question?

Mr. LUCAS. In a moment. This is a very important editorial, and I want the Senator to understand its full significance.

Mr. BALDWIN. I shall listen very carefully. If the Senator will give me a sign when he is ready, I will propound my question.

Mr. LUCAS. I shall be glad to do that.

Any new Congress requires a certain amount of time for its organization, the assignment of new committee members, the preliminaries which enable them to become familiar with new responsibilities. And the leadership of any Congress, new or old, must take the time planning for the strategy that cannot risk any save unpreventable defeat. The leadership of this Congress, in spite of the large amount of tall talk about mandates from the people, must be sure that those mandates have been properly delivered to Members of Congress—if delivered at all. And the Members themselves want to be sure that they are correct in translating mandates at the polls last November correctly, and distinguishing correctly between mandates pro and con.

I read this merely to substantiate my position and I thank the Evening Star for the editorial, because it coincides with my personal knowledge of what is going on in the Senate. All committees are active, all committees are working with a view to bringing legislation to the floor as soon as possible. I can assure my friends across the aisle that once this proposed legislation reaches the calendar, they will have plenty of time to discuss it, because we are going to sit rather consistently and for rather long hours in order that we will not be charged with doing nothing when this legislation is ready for consideration; and if my distinguished friend from Connecticut will take a look at the calendar, he will find that up to date all legislation on any important subject that has been reported favorably by any of the committees, has been passed. I now yield to my friend.

Mr. BALDWIN. My question is whether or not my friend from Illinois believes we should follow a policy of making haste slowly at this time.

Mr. LUCAS. I have made my statement, and the Senator may draw any conclusion he desires.

Mr. BALDWIN. Unfortunately, I am sorry to say I was not present to hear all the remarks of the Senator from Illinois. I heard the Senator was speaking, and I always enjoy hearing what he has to say, and——

Mr. LUCAS. The Senator rushed right in.

Mr. BALDWIN. I came in as soon as I could. I wanted to ask the Senator whether or not he thinks we should proceed now along the lines suggested by the editorial, of making haste slowly?

Mr. LUCAS. I may say to my friend, the editorial speaks for itself. I subscribe to it thoroughly.

Mr. BALDWIN. The Senator subscribes to the editorial.

Mr. LUCAS. That is correct.

Mr. BALDWIN. I take it the Senator means that he thinks we should make haste slowly.

Mr. LUCAS. I accept exactly what the editorial says.

Mr. BALDWIN. I remember 2 years ago when the Eightieth Congress first assembled. The Eightieth Congress, under the Reorganization Act, was faced with setting in motion a legislative reorganization that was new in the history of the United States. We had to come here and work with new tools. I remember that my distinguished friend from Illinois at that time was extremely critical about the haste or the lack of it that was, he claimed, apparent at that time. I should like to ask my distinguished friend, what is so different now from the situation that existed in January 1947? Where is the great difference? We were given to understand in the campaign that the country was on the verge of ruin, that a Democratic administration must be returned forthwith in order to save the Nation from disaster, and we were told in the middle of 1948 that Congress should meet in a special session to enact a long list of legislation. It was beyond the capacity of any deliberative legislative assembly to do it, and yet we have been here 8 weeks, and I ask my distinguished friend, what are the great earth-shaking, country-saving, highly patriotic measures that have been passed by the present Congress up to date?

I ask him to remind us, so we may all know the full list of them. I mention two of them. Two of them are the continuation of Republican measures dealing with the problem of inflation, the reenactment of Republican measures that were passed in 1947, dealing with the problem of high prices. Those are two; and let my friend mention more, if he can think of them.

Mr. LUCAS. Is the Senator going to continue on my time much longer?

Mr. BALDWIN. No; I do not want to take any of the Senator's time.

Mr. LUCAS. I thank the Senator. I usually yield to my good friend for questions, and he comes along with one of these spread-eagle speeches every time I yield to him for a question.

Mr. BALDWIN. Mr. President, will the Senator yield at that point?

Mr. LUCAS. I yield for a question, not for another speech.

Mr. BALDWIN. I was listening to a spread-eagle speech, and I thought that any aerie ought to have at least two eagles in it.

Mr. LUCAS. That may be true, but the Senator is so concerned about what we are going to do and about what we have not done. If I were in the Senator's chair, with the record which is behind the Republicans in the Eightieth Congress, I do not believe I would ever rise on the floor of the Senate and chide the Democrats, in the first 2 months of operation, regarding what they have or have not done. I should think the Senator would still be more or less bemoaning the fact that the Republocans did not do more in the Eightieth Congress, in view of what occurred last November. I know what the Senator said in the campaign, and I know what has been said since the campaign.

Mr. President, much has been said with respect to the Democratic Party being split. I have had occasion to mention this once before on the floor of the Senate. The Senator's friend, Mr. Dewey, came here to Washington to speak at a banquet—not a banquet as sumptuous as that which the Democrats had, and not as entertaining or as enthusiastic as the one which the Democrats gave last night. I do not know whether or not my friend attended that Republican banquet honoring the memory of Abraham Lincoln. Several Members of the Senate on the opposite side did not attend the banquet at which Mr. Dewey spoke. The rumor went around that certain Republican members of the Committee on Labor and Public Welfare insisted that the committee by all means hold a night session that particular night so that they would have a good excuse not to attend the banquet at which Mr. Dewey spoke. I do not blame them for that, in view of what he said. He said that the Republican Party was split wide open. I never saw the Senator from Connecticut rise to deny that statement on the floor of the Senate. He never either defended or agreed with Mr. Dewey after that statement was made. I understand the Senator from Connecticut has been in the Dewey camp almost from the beginning; but not one word did the Senator say about that great speech that Dewey made on Lincoln's birthday about the Republican Party being split wide open.

The Republican Party is split. The irony and the sad part of the whole thing was that Dewey knew his party was split when he was going around the country, and, with intellectual dishonesty, telling the American people that there was unity in his party.

We had disunity in the Democratic Party, but it was honest; it was not a phony unity such as that which was attempted to be foisted on the American people by the Republican candidates and orators who went around the country trying to elect Mr. Dewey. The people knew it. That is one of the reasons why they returned the Democrats to power. They could not stand the hypocrisy.

Harry Truman was honest in what he said to the American people throughout the campaign. Many people did not like what he said, and they do not like what he said last night. The mere fact that Senators on the other side of the aisle have talked all afternoon about it indicates that they are disturbed. His speech was effective, and it hurt.

Mr. BALDWIN. Mr. President, will the Senator yield?

Mr. LUCAS. Certainly I yield to the Senator.

Mr. BALDWIN. I wondered when the Senator was going to reach the point of the question which I propounded a few moments ago as to the major pieces of legislation passed by the Democratic Congress.

Mr. LUCAS. If we had passed the county-fair amendment offered by the Senator from Connecticut we would have had a good record.

Mr. BALDWIN. That is true. When it comes to exempting taxes on small balls and county fairs I think we have something to talk about. My amendment should have been agreed to. The good folks in Illinois would have been in favor of it. That is a great rural and farming community. I was surprised that my distinguished friend from Illinois was not in favor of that amendment, because I know the people in his State would like to have seen it adopted. Every time I have an opportunity, in connection with any appropriate bill in the Senate, to get

the matter before the Senate, so that my distinguished friend from Illinois can vote for it, I shall be glad to do so.

Mr. LUCAS. The Senator is going to insist on maintaining his position even though this might defeat him for reelection.

EXHIBITION OF PAINTINGS ORIGINALLY IN THE KAISER FRIEDRICH MUSEUM IN BERLIN

Mr. FULBRIGHT. Mr. President, late in the war against Germany, our Army found a large group of fine paintings, which had originally been in the Kaiser Friedrich Museum in Berlin, but which were then held by the Germans for storage in a large salt mine near Merkers, Germany. The paintings, while from a German collection, were not created solely by Germans. They are the product of the genius of the Dutch, the Flemish, the French, and the Italians, more than of the Germans. Indeed, I think it can be said that they are truly representative of the best art produced by our western civilization.

Because of the impossibility of providing proper storage conditions in Germany for these paintings, it was determined that those which could be moved without too great risk of damage in shipment, should be brought to the United States for safekeeping. Two hundred and two paintings were packed and shipped to this country, arriving in Washington on December 7, 1945. The paintings were stored in the National Gallery of Art for 3 years. On March 17, 1948, the paintings were put on exhibition at the National Gallery of Art.

I know that most Senators and Representatives saw them at that time. About the same time it was announced by the Army that they would be returned to Germany upon conclusion of the exhibition.

During their exhibition at the National Gallery they were seen by approximately 1,000,000 people, a response which amazed critics and experts, and which was, I was told, unprecedented. These people came in ever-increasing numbers, because they got a spiritual lift, an inspiration from the experience. These people, hungry for a glimpse of something more beautiful, more satisfying than the synthetic emotions of their daily lives in this troubled world, were reminded that there were enduring values in life beyond the materialism of everyday activities.

On April 2, 1948, I introduced a bill, Senate bill 2439, which would have provided for recognition of German ownership, temporary retention in the United States of these paintings, and placing them on tour for showings throughout the country previous to their return to Germany. On April 16, 1948, a subcommittee of the Senate Armed Services Committee, with the Senator from Oregon [Mr. MORSE] as chairman, held hearings on this bill. As a result of this bill, and the hearings of the subcommittee a plan was worked out by the Army, the National Gallery of Art, and museums over the country, for a Nation-wide tour of those paintings which were in sound enough condition to withstand shipment without serious damage.

Because of the effect of my bill, and because the tour will conclude in the next few weeks, I think it appropriate that a report of its success be made.

The costs of shipping the paintings from one city to another are being borne by the participating museums, so that the maximum amount of the funds received from admissions and contributions may go to the benefit of German children in the United States zone of Germany. Supervision of the expenditures for this program will be exercised by the Council of Relief Agencies licensed to operate in Germany. Ten thousand dollars has been earmarked for the Danish Red Cross to continue a children's vaccination program in the United States zone in Germany. The remainder has been allocated on the following percentage basis: 10 percent for bedding for children's institutions in the western sectors of Berlin; 47 percent for winter clothing for 20,000 refugee children in Bavarian camps; 19 percent for clothing and bedding for the children of Wuerttemberg-Baden; 21 percent for clothing for 4,000 children, 3 to 16 years old, in Greater Hesse; 3 percent for carpentry tools and machinery suitable for vocational training for the children of Bremen.

This is the interesting part of it. I want to explain that this did not cost our Government a nickel. There were no appropriations whatever. These sums were all contributions.

To date approximately $255,000 has been raised for this fund by admission fees, or by voluntary contributions of those seeing exhibitions, in cases where museums are not permitted to charge admission. From three additional exhibitions—at St. Louis, where the paintings have most recently been on view, and at Pittsburgh and Toledo, where the tour ends—it is estimated that an additional $60,000 will be raised for a grand total of approximately $315,000 for relief of German children.

Of perhaps more importance than the amount of money raised by the tour is the great number of persons who have seen the paintings. As I have said, approximately 1,000,000 people saw the paintings in Washington at the National Gallery. In addition, through the Los Angeles exhibition, 1,226,000 people saw them, and it is estimated by the remaining museums that 385,000 more people will view them, for a grand total of approximately 2,651,000 people.

I think this tour, and the fact that the paintings will have been seen by over two and a half million people, is a very great contribution to better relations among the peoples of the Western World. Many Americans, because of the political and economic difficulties of the European peoples, have tended to minimize their accomplishments and their character. These exhibitions, I believe, will result in a better understanding of our European cousins and will promote that unity of purpose and action which is, I am sure, the real solution to our principal troubles.

The American people have made, and are continuing to make, enormous sacrifices in human effort and human lives, in defense of the lands from which these paintings came. I can think of no medium which more eloquently or persuasively expresses some of the true values for which these sacrifices are really made than these magnificent paintings.

These paintings are symbols of all that is good in our western Christian civilization. They have a spiritual value for civilized human beings, which few objects in this world today possess. They are an expression in a form which all people can understand, of the fundamental values of Christianity. They are the symbols of that better life for which humanity throughout the ages has aspired.

It is gratifying that the tour has been such an enormous success. That success is proof of the yearning of the American people for those higher values which these paintings represent.

Mr. President, I ask unanimous consent to insert at the end of my remarks a short statement by Huntington Cairns, of the National Gallery of Art, expressing his estimate of the value of the paintings.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

To estimate the cultural value of the Nation-wide exhibition of paintings from the Berlin museums, attendant circumstances, as well as the quality of the paintings themselves, must be taken into consideration. First of all, consider the rarity of the opportunity. Most people who saw the paintings could have no hope of even one trip to Europe. The exhibition offered them an opportunity never to be repeated, an opportunity that fires the imagination like the appearance of a comet that will be seen but once in a lifetime. So people came to the exhibition prepared to concentrate, eager to see and understand, keyed to the highest pitch of receptivity.

Secondly, the wartime vicissitudes of the paintings appealed to the imaginations. Just when threats of a new war combined with accounts of devastated Europe to prophesy the end of civilization, the attention of our whole country was called to these fragile paintings. Here were concrete elements of that civilization for whose preservation we had entered the war. Suddenly people realized that something of highest significance had been saved after all. While all the complicated mechanism of living, all the comforts and conveniences, had been left to the chances of war, works of art had been preserved with infinite care in enemy and allied country alike.

So the crowds that flocked to the exhibition had a heightened awareness of the importance of things for which their everyday life had left them little leisure. They approached the paintings with a kind of reverence. Guards soon found that even accidental injury to the exhibits was little to be feared. Each visitor seemed to feel a share in the custodianship.

The recent perils from which the collection had been saved spurred the imagination to travel back over the centuries which the little panels had survived. Even if vaguely, the visitor experienced an expansion of his own life into the past and into foreign lands. And even if vaguely—seeing Flemish, German, Dutch, Italian, and French paintings hanging side by side without a jarring note—he felt the essential unity of western civilization, and he came away with some measure of belief in its worthiness to survive.

RETROCESSION TO THE STATE OF NEW MEXICO OF JURISDICTION OVER CERTAIN LANDS

Mr. LUCAS. Mr. President, I move that the Senate proceed to the consideration of Senate bill 152.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 152) to retrocede to the State of New Mexico exclusive jurisdiction held by the United States over lands within the boundaries of the Los Alamos, N. Mex., project of the United States Atomic Energy Commission.

The PRESIDING OFFICER. The Chair suggests to the Senator from Illinois that there is on the calendar a bill passed by the House, namely, House bill 54, which is identical with the Senate bill.

Mr. LUCAS. Then I withdraw my previous motion, and move that the Senate proceed to the consideration of House bill 54.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 54) to retrocede to the State of New Mexico exclusive jurisdiction held by the United States over lands within the boundaries of the Los Alamos project of the United States Atomic Energy Commission.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Illinois [Mr. LUCAS].

Mr. GURNEY. Mr. President, before the motion is put to a vote, I have been asked to inquire if the bill has the unanimous approval of the committee. I understand that it has. Can the Senator from Illinois advise me?

Mr. MCMAHON. Mr. President, if the Senator will yield to me, I shall say that it does have the unanimous approval of the committee.

Mr. GURNEY. With that information, Mr. President, I have no objection.

The PRESIDING OFFICER (Mr. HILL in the chair). The question is on agreeing to the motion of the Senator from Illinois.

The motion was agreed to; and the bill (H. R. 54) to retrocede to the State of New Mexico exclusive jurisdiction held by the United States over lands within the boundaries of the Los Alamos project of the United States Atomic Energy Commission, was considered, ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate bill 152 is indefinitely postponed.

THE DEMOCRATIC VICTORY DINNER

Mr. PEPPER. Mr. President, the Senator from Maine [Mr. BREWSTER] a few moments ago referred to the Democratic dinner last evening as the "feast of Belshazzar." I thought my memory was fairly vivid about the feast of Belshazzar, but in order to keep the record straight, I turn to the Scriptures and I read from the fifth chapter of the Book of Daniel. This is the first verse:

> Belshazzar the king made a great feast to a thousand of his lords, and drank wine before the thousand.

Now I skip to verse 4:

> They drank wine, and praised the gods of gold and of silver, of brass, of iron, of wood, and of stone.

Mr. President, I felt sure the recollection of the Senator from Maine was growing dim about the feast of Belshazzar. Obviously Belshazzar was a Republican king. [Laughter.] We never would have heard of a Democratic King of Babylon drinking wine before a thousand of his lords. We never would have heard of a Democratic king praising the gods of gold and of silver, of brass, of iron, of wood, and of stone. Obviously the last time there was really a feast of Belshazzar in Washington was when the Republicans were in power.

Mr. President, last night the President did not have the lords gathered around, the hierarchy of the American nobility, the favored few of fortune or birth or education.

Mr. BALDWIN. Mr. President, will the Senator yield for a question?

Mr. PEPPER. I am sure of what the Senator is about to say, but if he will permit me to interrupt myself even in the middle of a sentence, I am going to make the sacrifice just to hear what he has to say.

Mr. BALDWIN. I am somewhat familiar with that part of the Scripture myself——

Mr. PEPPER. Does the Senator agree that it must have been a Republican King of Babylon?

Mr. BALDWIN. Does it appear there that Belshazzar charged his guests anywhere from a hundred to a thousand dollars a plate? [Laughter.]

Mr. PEPPER. As a matter of fact, the thousand lords who were gathered at Belshazzar's feast were obviously the special interests of Babylon, who already had been enjoying the bounty of the king's munificence; there is no telling. They probably should have been required to contribute about a million dollars, because I am sure as the favored lords of this Republican King of Babylon, they had gotten a great deal more than that out of the government.

But last night the President was not praising the gods of gold, he did not praise the gods of silver, he did not praise the gods of brass, of iron, of wood, and of stone. The President of the United States last night was talking about the people who are the symbols of those evidences of wealth, the modern lords, who got the bounty and enjoyed the favors in the past. He was pleading for economic justice for the plain people. We did not hear of any of those being included in Belshazzar's speech. They would have been thrown out if they had gotten within sight or hearing distance of that banquet. That was not a people's feast. Last night the President of the United States, in the spirit of Thomas Jefferson, Andrew Jackson, Franklin D. Roosevelt, and Wilson, was pleading for economic justice and for political fairness for the people of America, without injustice to any part of our citizenship.

Mr. BALDWIN. Mr. President, will the Senator yield for a question?

Mr. PEPPER. I yield.

Mr. BALDWIN. I understand that whether a man is a Republican or a Democrat is best demonstrated by whether or not his name is on a given caucus list. Is not that correct?

Mr. PEPPER. On a given caucus list?

Mr. BALDWIN. Yes; or primary list, or what have you. Is not that the best evidence?

Mr. PEPPER. I do not know what the criteria are. I know that in my part of the country the first thing a man does, if he gets rich, is to buy himself a double-breasted suit, and the next thing is that he wishes he were a Republican.

Mr. BALDWIN. That does not divide one Republican from one Democrat, at least, because the Senator from Florida has on a double-breasted suit, and I have also. [Laughter.]

Mr. PEPPER. Yes; I got up in the world, but although I am wearing a double-breasted suit, I have not forgotten the poor people from whom I came. I wish more of us could say that.

Mr. BALDWIN. Nor have many of us forgotten them. My question is, Is not the best proof of whether one belongs to a political party the fact that his name is on a primary list or a caucus list?

Mr. PEPPER. I am not familiar with the criteria the Senator is trying to indicate.

Mr. BALDWIN. In the Senator's State would not one's name have to be on a primary list?

Mr. PEPPER. In that area many Republicans slip into our Democratic primary. I wish we could stop them, because in a democracy it is a bad influence to have Republicans in the Democratic primary.

Mr. BALDWIN. They are not bothered about that in certain parts of Florida, because they have just elected two Republican county commissioners in one of the Florida counties and also Republican county assessor.

Mr. PEPPER. Everyone makes a mistake now and then. But it is such a negligible error on the part of our people it is hardly worth mentioning.

Mr. BALDWIN. Mr. President, I come back to my question. In Florida, in order to vote in a Democratic primary, one's name must be on the Democratic primary list. Is that not correct?

Mr. PEPPER. I suppose one must be a registered Democrat just as one has to be a registered Republican, to vote either Democratic or Republican.

Mr. BALDWIN. That shows party affiliation, does it not?

Mr. PEPPER. I do not know what the Senator desires to show.

Mr. BALDWIN. I want to find out where my distinguished friend from Florida found the name of Belshazzar on a Republican caucus list?

Mr. PEPPER. Oh, it is obvious. A man is judged by the company he keeps and by what he does. Obviously it would not have been a Democratic King of Babylon who had the thousand lords

present at the banquet, who were praising their gods of gold and silver and brass. If Belshazzar had been a Democratic King of Babylon he would have gathered into his banquet hall people from the highways and the hedges, as we are told in the Scriptures was done by the man who held a wedding feast. The man who held the feast did not say to his servants, "Go out and bring in to the feast a thousand lords, and get me some gods of gold, gods of silver, gods of brass, and of iron and stone." He said, "Go cut in the highways and the hedges and bring in the people." Obviously that was a Democratic wedding feast.

Mr. BALDWIN. Mr. President, my question is this: If such people as the Senator from Florida says were called in to the wedding feast, had been called in to Mr. Belshazzar's feast, would that have resulted in Mr. Belshazzar being authorized to vote in the Democratic primary in Florida?

Mr. PEPPER. He would not be permitted to vote.

Mr. BALDWIN. No. Before he would be permitted to vote, he would have to be on the caucus list or the primary list. I want to know how the Senator knows Mr. Belshazzar was a Republican.

Mr. LUCAS rose.

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Illinois?

Mr. PEPPER. I yield to the Senator from Illinois.

Mr. LUCAS. Mr. President, I do not like to disrupt such an interesting colloquy, but there are certain rules we ought to try to follow in the debate. My friend, the Senator from Connecticut, who has been a governor of that State knows parliamentary law. My friend is really a very engaging gentleman and I must confess that I enjoy hearing him. Yet I state categorically that he is one of the worse violators of the rules of the Senate. He seldom asks a Senator who has the floor to yield to him. He simply carries on the debate without observing the rules. Sooner or later, when we really get down to debating legislation, I hope the Chair will enforce the rules, and I will say that as majority leader I shall endeavor to have some order and decorum, thereby curtailing useless conversation and speeches.

Mr. BALDWIN. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. BALDWIN. I wish first to make a brief statement. If I have transgressed the rules of the Senate I am profoundly sorry, and I apologize to my senatorial friends. However, I came here only 2 years ago and, unfortunately, I have taken upon myself the habit of a good many distinguished Democratic Senators in the matter of debate. It seems to me they have been quite successful in the way they have conducted debate. I am sorry that I may have imitated them, but on the other hand, Mr. President, *imitation is the sincerest form of flattery.*

Mr. PEPPER. Mr. President, I will make one further reference as to why I felt confident that the King of Babylon was a Republican king. Senators will remember that in the fifth chapter of Daniel we are told about the handwriting which appeared upon the wall while the feast of Belshazzar was in progress. I read the twenty-fifth verse:

> And this is the writing that was written, Mene, Mene, Tekel, Upharsin.

Then I read the twenty-sixth verse:

> This is the interpretation of the thing: Mene; God hath numbered thy kingdom, and finished it.

The analogy is obvious—that the people had numbered the days of the Republican reign and they had practically finished it. At least, for more than 16 years they had.

Now we come to verse 27:

> Tekel: Thou art weighed in the balances, and art found wanting.

Now, can there be any doubt at all that it was a Republican Party of Babylon they were talking about at that time? "Weighed in the balances, and art found wanting" in five different elections.

I read verse 28:

> Peres; Thy kingdom is divided, and given to the Medes and Persians.

In this case the party is split, as the distinguished titular head of the party advised his party representatives. "Thy kingdom is divided. It is taken away from you and is given to the Medes and the Persians." Of course, in this case, the analogy is obvious. The Scriptural significance is clear. The people, in their sovereign power, took away the kingdom from the Republicans whom they had weighed in the balances and found wanting and gave it to the Democrats.

Now, Mr. President, it has been said here that the Democrats have not done anything in the present Congress. Everyone knows that it takes time for the Congress to get into motion. I was reminded the other day about the trial of Lord Hastings. Every time Lord Eldon, who was the lawyer for Hastings, would make an objection, I recall that the Members of the House of Lords would solemnly rise, pull their raiment or robes of office about them, and walk out of the chamber, and go into another room, where they would discuss the objection, and, having finally decided it, emerge from the room and file back into the trial chamber, whereupon the trial would proceed until another objection was made, and then the same procedure would be repeated. Some years later, when the case was still in progress, having not yet been decided, some wag said, "The court moves, but the case stands still."

Mr. President, it may be that some people throughout the country do not understand that it takes time to organize Congress, to appoint committees, to designate our leaders, such as the majority leader, the Senator from Illinois [Mr. LUCAS], and for congressional work to get under way. Of course this year we had to inaugurate our President. That took time. But I am proud that the United States could show to the people of the world how our democratic processes work, as illustrated by the inauguration ceremonies, which can be witnessed by all people through the medium of the records which were made of that event.

Mr. President, it takes time for hearings to be had. Hearings have been in progress. Now the flood of legislation is just about ready to pour upon the floors of the Congress. Good evidence of that is the fact that today the chairman of the Committee on Banking and Currency reported from that committee a very significant piece of legislation to deal with the problem of housing, which was not dealt with by our honorable opponents in the Eightieth Congress. A housing bill was passed by the Senate last year, a very creditable bill, but it was not passed by the other body, which was under the control of the Republican Party. Committee after committee is approaching the time when it will report to the Congress measures which are ready for consideration. I venture to say that it is only a matter of days now until we will have a full calendar in both Houses of the Congress. We are going to get legislation through if Members of both bodies do not impede or obstruct its passage.

Mr. BALDWIN. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. BALDWIN. I wish to ask the Senator a question, but I should like to preface it with a brief statement. As I understand, my friend from Florida has said that it takes time for Congress to organize and begin to operate. With that statement I heartily agree. My question is this. Was it not a more difficult task for the Republican-controlled Congress in 1947 to become organized, since it had to proceed under the new Congressional Reorganization Act, than it has been for this particular Congress to get organized?

Mr. PEPPER. I am willing to concede that it may be true that the Eightieth Congress did have to face a reorganization act. Of course we have had some problems ourselves in changing the dominance of one party to another in the Congress. Then we found also the necessity for making certain other changes in the Reorganization Act, of which experience has shown the wisdom. Granting the fairness of the Senator's observation, let me say that our criticism of the Eightieth Congress was not as to what it did in the first 30 days, or in the first 45 days, or in the first 60 days, or in the first 90 days. The President's complaint was respecting what the Republican Party did in the Eightieth Congress, which the Republican party controlled. His complaint dealt with the whole Congress in its two sessions.

Mr. BALDWIN. Mr. President, will the Senator yield further?

Mr. PEPPER. Permit me to finish my sentence and I shall yield. It was the whole product of the regular sessions and of the special session against which we complain—its performance and its omission.

I now yield to the Senator from Connecticut.

Mr. BALDWIN. At that particular point I ask my friend if it is not true that from the very beginning criticism

was directed at the Republican-controlled Congress from his side of the aisle. Was not the statement made that it should get down to business and accomplish things?

Mr. PEPPER. It may have been felt that the Republican Party, which was in power, had not proceeded as rapidly as it might have done.

Mr. BALDWIN. Does not my friend remember that one of the most troublesome things we had to deal with was something entirely new, namely, the question of the legislative budget? As I recall, the deadline was February 15. My friend recalls, does he not, that the Republicans met that deadline, after a fashion. The House and Senate did not agree, but the Republicans did meet the deadline.

My friend will also recall that in the present Congress we were asked to continue the date until the 1st of May, and we did so continue it. So in the first instance the Congress met the first deadline which was set for it.

Mr. PEPPER. I am very glad that the able Senator from Connecticut added the modification "after a fashion," because it was only after a fashion that the Republicans met the budget requirement. The statute contemplated that the Congress, not the Senate and the House separately——

Mr. BALDWIN. Will my friend yield for a question?

Mr. PEPPER. I do not want this to become a debate of volume. The legislative budget which was contemplated by the Reorganization Act was a congressional budget, and the Senator well knows that the Senate fixed one figure and the House fixed another, and they were unable to agree. So it was only "after a fashion" at best that the Republican Party met the requirements of the Reorganization Act.

Mr. BALDWIN. Mr. President, will the Senator yield at that point?

Mr. PEPPER. Let me complete this thought. As a matter of fact, it did not meet the requirements of the Act, because it did not fix a legislative budget. The Senate adopted one figure and the House another. The Senator well knows that if the Senate passes a bill in one form and the House passes it in another form, it is not legislation of the Congress.

Mr. BALDWIN. Mr. President, will the Senator further yield?

Mr. PEPPER. I yield.

Mr. BALDWIN. My friend remembers that in 1948, when we were faced with the same deadline, we did meet it, with a measure which was agreed upon in both Houses.

Mr. PEPPER. Is the Senator talking about the legislative budget?

Mr. BALDWIN. That is correct.

Mr. PEPPER. When the House fixed one figure and the Senate another?

Mr. BALDWIN. That was in the 1947 session; but in the 1948 session the Republican Congress did meet the dead line, did it not?

Mr. PEPPER. It is not my recollection that it did, although I could be in error.

Let me ask the able Senator from Connecticut a question. Did the Republican Party oppose in the Finance Committee the resolution to extend the time to April 1 for fixing the legislative budget?

Mr. BALDWIN. I am not a member of the committee; but I do not recall that it did. Although the Republicans recognized the difficulties which confronted them, they made the dead line, notwithstanding the Democratic opposition a year ago. But realizing how difficult it was, they were somewhat more generous than my friends on the other side of the aisle were in dealing with this important and difficult problem.

Mr. PEPPER. It is my very clear recollection that it was reported by the chairman of the Senate Committee on Finance that the Republicans did not oppose the resolution to extend the time until April 1, because both sides in that committee, Republicans and Democrats, in struggling with the problem of fixing a legislative budget by the 15th of February, had discovered that the hopes of the authors of the Reorganization Act were too optimistic, and that the Congress could not effectively fix a legislative budget by the middle of February. So the Democratic leadership recommended that the date be extended to April 1, and the Congress was asked to concur, and I believe the Congress has concurred in the recommendation.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. LUCAS. The Senator is correct. We have concurred; and it was agreeable to members of the Finance and Appropriations Committees. There was no objection to it, although there was some brief debate on the floor about it.

Mr. President, will the Senator yield for another brief observation?

Mr. PEPPER. I yield.

Mr. LUCAS. What the Senator from Connecticut is talking about is the first year's budget. We did not complain in 1947 about meeting the dead line. What we were complaining about was the failure of the two Houses to reach any agreement on the budget itself, in line with the Reorganization Act. That was our chief complaint.

Mr. PEPPER. The Senator is very clearly correct.

Mr. BALDWIN. Mr. President, will the Senator yield for a moment?

Mr. PEPPER. I yield.

Mr. BALDWIN. It is my recollection—and I think the RECORD will bear me out—that a great deal was said on the other side of the aisle about whether or not the Republicans were going to meet the requirement. We were asked if we were going to meet it, and we were asked if we were going to wait until the last day. Nevertheless, we did meet it; the first time "after a fashion" and the second time to the letter of the law.

My point was that this time the Democrats asked for a continuance and the Republicans concurred because they recognized that it was a difficult thing to do. I think that is a little more generous than we have sometimes been dealt with.

Mr. PEPPER. Mr. President, I wish to pass on to another matter——

Mr. LANGER. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. LANGER. I am very much interested in the Senator's statement comparing the two dinners, the Democratic dinner and the Republican dinner. The Senator stated that he judged a man by the company he kept. It so happened that I attended the Republican dinner. Nowadays we have an instrument known as television. Last night over the television, at the dinner which the distinguished Senator said was for poor people, and to help those in the lower economic brackets, I saw present John Nicholas Brown, the richest baby ever born in Rhode Island.

I saw there Vanderbilt Whitney. Everyone knows about the wealth of the Whitneys. I saw there, sitting in the fourth place from the President, Mr. Forrestal, the fabulously wealthy president of Dillon, Read & Co., the great brokers of New York, who live off the fat of the land.

I saw there Hon. Nelson Rockefeller, who for a long time held an office under the late President Roosevelt, and still holds office under President Harry Truman.

I saw there Averell Harriman, the man who had $100,000,000 before he was ever appointed by a Democratic President.

I saw there Jim Bruce, a man who I think is still Ambassador to the Argentine, a man worth many million dollars, which he got by combining 300 small dairies into a great trust which raised the price of milk and ice cream to families and little children.

I saw there Pierre DuPont, of the great powder trust——

Mr. PEPPER. Is the Senator sure that DuPont had a ticket?

Mr. LANGER. I should like to finish, if I may.

Mr. PEPPER. I yield. I wanted to ask the Senator if he was sure Mr. DuPont had a ticket.

Mr. LANGER. The third person on the President's right was one of the very finest, most charming, and wealthiest women in America, who owns great castles in Newport and beautiful homes in Florida.

I saw there, over the television, Representative Otto Bremer, of St. Paul, who comes from the great Northwest, a man who, in my territory alone, owns not only the largest brewing company, but also 40 banks.

I saw there last night, over the television, Cornelius Vanderbilt. Certainly no one would say that he represented the people in the lower brackets.

I am not certain, because the range of the television picture was not wide enough, but, I would almost swear that I saw Vincent Astor there. He is the man who used to take Mr. Roosevelt on his yacht.

I wish to make it plain to my distinguished friend and colleague that I think he is in the wrong party. I think he ought to join the farmer-labor branch of the Republican Party, to which I belong.

Mr. PEPPER. How many members has that branch?

Mr. LANGER. The farmer-labor branch of the Republican Party will have no truck with those fellows whether they are Republicans or Democrats.

Mr. PEPPER. How many members has the farmer-labor branch of the Republican Party in the Senate?

Mr. LANGER. I am not going to divulge our secrets [laughter]. I know the Senator will be delighted to know that last night two very distinguished Members on this side of the aisle joined me. We now have three Senators on this side of the aisle.

Mr. PEPPER. That is an increase of 300 percent.

Mr. LANGER. We want the Senator from Florida to join us. [Laughter.]

Mr. PEPPER. Mr. President, the first thing I marvel at is the familiarity of the Senator from North Dakota with all these rich men. He can see their faces on the television one evening and name a dozen of them the next day in the Senate. I wonder whether the Senator from North Dakota has been keeping private company with these men, so that he recognizes them so readily. I did not see all the men he mentions. I was sitting in the gallery, and I had a fine view, although I was up on the second story. I saw the television, but I did not see those men. How the Senator from North Dakota could have been looking at one television set and still have seen all those persons, and not have been there himself, is difficult to understand, unless he has been consorting with them so much that he can recognize them upon quick sight. Otherwise, I cannot understand it.

Mr. BALDWIN. Mr. President, will the Senator yield for a question?

Mr. PEPPER. I yield.

Mr. BALDWIN. Does my friend mean that the Democratic Party did not know they were there, but that they just sneaked in of their own accord?

Mr. PEPPER. It might be that they finally realized that they should be there, even though we may not have been aware of it.

Mr. BALDWIN. I wonder whether the Democratic Party was comfortable with them there.

Mr. PEPPER. I mean that it may be that after listening to some of the wise men and prophets of the Democratic Party, those men have been able to "hit the sawdust trail" of democracy. Does not the Republican Party remember the Biblical references to seeking lost sheep and strayed lambs? If our democracy has been so effective that it has converted some of those erring gentlemen and has brought them from the Republican fold into the ranks of Christian democracy, then I thank the political gods that our doctrine is working and that our preachers are getting converts.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. LUCAS. The extreme familiarity the Senator from North Dakota shows he has with the men he has named may indicate that those men are leaving his party—the Farmer-Labor Party—and are coming into the Democratic Party.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. LANGER. The reason I know them is that we are fighting them all the time. We do not want them in our party, so we are willing to let the Democrats have them. That is why I know them.

Mr. PEPPER. Mr. President, the Senator from North Dakota is a very able and honorable gentleman. Although a few of those men may have been there because of the fact that they have been converted to good political doctrine and have hit the political sawdust trail, nevertheless, if that had been a Republican banquet, for instance, the Republican banquet that the Republican King Belshazzar had; let me see how they are described:

> Belshazzar, the king, made a great feast to a thousand of his lords.

It is obvious that none but lords were there.

However, last night, even the eagle eye of the able Senator from North Dakota was not able to pick out more than a handful among the 3,500, and that is about the correct proportion in the Democratic Party—about one dozen of those who come in that category, among the 3,500 ordinary folks who were there.

I am glad my friend has told me that there has been a 300-percent increase in the ranks of liberals in the Republican Party. He said there was once only one, and many of us have known that for a long time the able Senator from North Dakota was ofttimes the only one on his side of the aisle who seemed to recognize where the sawdust trail of democracy lay and was able to follow it up to the altar with the right kind of a vote. So I am certainly encouraged; I do not know of anything I have heard lately that encourages me as much as does the information he has given us that 2 of the 42 Republicans have associated themselves with him, after all the years he has been preaching to them. So now there are three, over on the Republican side of the aisle.

Of course, that is not the same proportion that we have, when compared to the total membership; 3 out of 42 is not anything like the proportion existing in the Democratic Party, when we consider that among the 3,500 folks who were dining with the Democrats last night, there were only a dozen rich ones. Nevertheless, that represents so much progress, so far as the Republicans are concerned, that I am immensely heartened, and I am delighted to have the Senator from North Dakota tell me now that his vote has tripled, over on the Republican side of the aisle. It gives me great confidence as we on this side of the aisle are preparing to pass some of the Democratic legislation which we shall attempt to pass in the next few days. I believe it will be very helpful when we get those three votes from the Republican side of the aisle for our labor legislation to repeal the iniquitous Taft-Hartley law, when we pass the liberal bill on housing with their aid, and when we pass the minimum wage bill a little later and are able to have those three Republicans with us. So that news heartens us more than a little, and I am certainly grateful to the Senator from North Dakota for telling us about it.

Mr. President, I upbraided the able Senator from Oregon one day for using the plural pronoun when he spoke about "we liberal Republicans" and when he kept on using the pronoun "we"; and I asked him if he could properly use the word "we" in talking about liberals on the Republican side of the aisle. However, instead of quarreling about the accuracy of the grammar he used, I wish to say that the Senator from Oregon offered himself to the Senate earlier today as a Moses to lead us out of the bondage of our present confusion, into the promised land of the Morse bill. He did not refer to the Taft bill, although the senior Senator from Ohio [Mr. TAFT] is the head of the Republican Policy Committee; neither did the Senator from Oregon refer to the Thomas bill, although the Senator from Utah [Mr. THOMAS] is chairman of the Committee on Labor and Public Welfare. But this righteous and somewhat isolated Moses is going to gather together all the confused hosts of Democrats and Republicans and lead them down the Morse trail to Republican salvation. I appreciate the invitation; but so far as I am concerned, I am going to follow Brother THOMAS. I like the Democratic doctrine Brother THOMAS preaches. When they call for the ones who want to hit the sawdust trail, I am going to go down at the invitation of Brother THOMAS; and I believe that most of the other Democrats will, as they have in the past, do the same thing.

I do not know what my able friend is going to be able to do with the Republicans on his side of the aisle, whom he is going to try to rescue. There is no doubt they need rescuing; it is merely a question whether they are going to take Moses MORSE or Moses TAFT or whether these former antagonists are going to be able to reconcile their differences, which I daresay will result in having one of them get a little bit farther on one side of the aisle than he has previously been, and the other a little bit farther on the other side of the aisle than he has previously been.

However, the important thing is that we Democrats want it known that we are going to keep our pledge and our platform, and we have already started on it in the Committee on Labor and Public Welfare. We have already resolved that we are going to recommend a bill which will repeal the Taft-Hartley law, and a bill which will restore the Wagner Act—on which the Taft-Hartley law was an uncongenial grafting when it was enacted by the Congress of the United States—with the simple modifications which were in substance recommended and have been recommended repeatedly by the President of the United States.

Mr. President, why are we proposing to do that? It is because it has been made unmistakably clear by men like William H. Davis; Dr. Feinsinger, of the University of Wisconsin Law School; and Dr. William Leiserson—men whose experience and objectivity cannot be seriously questioned—that the Taft-Hartley

law was an alien graft upon the Wagner Act stock of liberal legislation. It was a departure in theory and in philosophy and in principle. That is the reason why we are not talking about taking 10 points out of the Taft-Hartley law and eliminating 15.

Mr. President, the Wagner Act was a simple measure which made simple requirements of management. It allowed free collective bargaining between management and labor. It was a milestone in industrial progress in America because it guaranteed political and economic democracy to the workers. It protected them in organizing into unions so they could obtain the strength of unity. All it said to the employer was, "You must bargain collectively with the chosen representative of labor." It laid certain prohibitions to management, saying to them, "You must not interfere with labor's elections of their own leaders and representatives; you must not discriminate against your employees because of union or nonunion membership; you must bargain collectively with those whom they have duly chosen as their representatives."

That was a simple bill designed to preserve democracy, to try to equalize the inequities between management and labor. In referring to mangement it is not out of place to recall that 2 percent of the big corporate employers employ 60-odd percent of the industrial workers of America, and that there are millions of dollars or a billion dollars on one side of the bargaining table, and mere men individually on the other side, unless the men can organize themselves into effective associations that are called unions.

So I think by the end of next week the country will see that the Democratic Party is redeeming its pledge, bringing to the floor of the Senate a measure wisely considered, ably thought out, and very conscientiously devised, which we shall confidently offer to the Senate as the best way to insure industrial peace and to promote economic as well as political democracy in America and the well-being of its people.

Mr. President, I desire to refer to but one other matter. We have been having hearings on the proposed labor legislation. At an earlier time there was some intimation we were not giving ample opportunity for hearings. That was at a time when we set as the opening date of the hearings January 31, although we were prepared to begin January 29. The time actually allotted was from January 31 to February 10. During nearly all that time the Committee on Labor and Public Welfare sat in session for 8½ hours a day—3 hours in the morning, 9:30 to 12:30, 3 hours in the afternoon, 2:30 to 5:30, and then 2½ hours in the evening, 7:30 until 10 o'clock. In any one period we were devoting more time to the hearings than would ordinarily be called a day in the course of ordinary hearings; so that the total time, if we had not extended the time, would have been far beyond the ordinary 30 days' sitting of a committee holding public hearings. We thought, in view of the volumes of testimony previously taken, that those 11 days, with that long hearing and sitting schedule, would have been a fair allotment of time for public hearings. Later on, upon the insistence of Republican members of the committee, after debating the matter, it was agreed unanimously we would extend the hearings nine additional days; and at 5:30 last Wednesday afternoon the extended period expired.

What did we do in those total hearings? I have had one of the clerks give me the data, and here they are. We took 5,277 pages of testimony, whereas in all the time of the Taft-Hartley hearings, only 3,809 pages were taken. We had fair public hearings, 5,277 pages, on the Thomas bill this year, by our committee, whereas the total number of pages taken under the Taft-Hartley bill hearings was only 3,809. Have we given a fair opportunity for the public to be heard?

One other thing. In time consumed——

Mr. MORSE. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. MORSE. I do not desire to shock the Senator from Florida, but I join with him in saying that I think the final result of our hearing was to give the public full and fair opportunity to be heard. I believe the Senator is quite right that we condensed into the hearings, because of the long hours we sat, more time than is usually given by any committee of the Senate perhaps in two months of ordinary hearings.

Mr. PEPPER. As a member of the Subcommittee of the Senate Committee on Labor and Public Welfare which arranged all these details, I appreciate the statement of the Senator from Oregon. He contributed greatly to the efficiency and effectiveness of the hearings.

Mr. BALDWIN. Mr. President, will the Senator yield?

Mr. PEPPER. If the Senator will allow me one second more, I will yield. I have given the number of pages of testimony we took in the Thomas bill hearings this year, as compared to the Taft-Hartley hearings—5,277 pages on the Thomas bill, to 3,809 on the Taft-Hartley bill.

Now I want to give the figures as to the time consumed in the hearings. The clerk who kept the records for us tells me the committee was in session and them. Seven thousand one hundred and fifteen minutes was consumed in ally we divided the time equally between the two sides. The time devoted to each side was kept in terms of minutes, so we would fairly divide the time between them. Hearings on the Thomas bill consumed 7,115 minutes, whereas the total time estimated by the clerk to have been consumed in the hearings on the Taft-Hartley bill was 6,204. Nearly 1,000 more minutes were actually devoted to the hearings on the Thomas bill than were devoted to hearings on the Taft-Hartley bill.

So I felt it might be appropriate to bring these facts to the attention of the Senate, in order that the Senate might know, whether we come out of one mind or have differences of opinion, as we conscientiously do in the committee, that when we come to the floor of the Senate with a bill that represents the view of the Democratic majority, or a bill that represents the view of the Republican minority, or whether there are different views expressed, it is not something the committee has precipitously or unthoughtedly devised for the consideration of the Senate, but it represents conscientious, laborious and faithful inquiry into the subject with an idea of trying to make the right decision for the progress and security of the whole country.

Mr. BALDWIN. Mr. President, will the Senator yield?

Mr. PEPPER. I yield, if the Senator wants to ask me a question.

Mr. BALDWIN. Mr. President, I should like to address a few remarks to what my distinguished friend from Florida had to say. I remember when the Committee on Labor and Public Welfare, controlled by a Democratic majority, first announced what it was going to do with reference to hearings, how vigorously and how ably and how persistently our distinguished colleague from Oregon attacked the proposal of the Democratic majority of that committee to limit the time of the hearings. I remember myself asking my distinguished friend from Florida whether or not there was going to be any time devoted to public hearings on the question of whether or not the Taft-Hartley Act should be repealed outright. My distinguished friend said "No, we have already had a hearing on that, on the second day of last November. There is no need of devoting any time to it."

It is a heartening thing to me, as it must be to my distinguished friend from Oregon, now to see our friend and colleague from Florida come and tell how much time has been devoted to the hearings, as indeed time should be devoted to the hearings. I am glad my good friend from Florida has finally been brought around to the Republican point of view that here was a matter of such grave importance to the people, to everybody in the country, that adequate time should be given for all points of view to at least have a chance for their expression.

Mr. President, I close these remarks by saying that it is not my friend from Florida who is entitled to credit for extending the hearings to a reasonable length and giving the people an opportunity to be heard. The credit is due entirely to our colleague from Oregon [Mr. MORSE].

Mr. MORSE. Mr. President, it is very kind of the Senator to make those remarks, but the Senator from Oregon is entitled to only one-fifth of the credit, because there were five members of the committee on the Republican side who consistently insisted upon adequate time for the hearings.

Mr. BALDWIN. I thank the Senator for his comment, and it is consistent with his generous spirit that he would make it. But I know that he was the most active one in urging the point.

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. BALDWIN. I yield.

Mr. PEPPER. I want the Senator to reassess the credit of which he has spoken. He said he was glad we had been brought over to the Republican point of view. With all due respect and all honor—and I honor and admire him as much

as I honor and admire any Senator in this Chamber—the Senator from Oregon proposed March 1, and until there was final agreement in the committee he never changed his demand. The hearings quit on February 23. There were other Senators who wanted them to continue until April 3. Of course, the Senator from Connecticut is not a member of the committee and is not informed of what happened in the committee. Eight Democrats and five Republicans were leaning over backward in trying to be fair. Even when it was thought there were some who felt that the Republicans were needlessly taking the time of the committee with protracted cross-examination which was drawn out hour after hour—even then, Mr. President, the Democratic majority, leaning over backward to try to be fair and to give the utmost of opportunity for inquiry, finally agreed to February 23, not to March 1, not to March 15, and not to April 1. But, Mr. President, I will say to the Senator from Connecticut that even if we had stopped with our first allowance of time, when we doubled it, as we did, it was the equivalent of more than 30 days' actual hearing time, which we felt would have been fair, in view of the long and laborious hearings had in the past.

With all credit to the Senator from Oregon, we think the Democrats are also entitled to some credit.

Mr. BALDWIN. Mr. President, I would be the last one to detract from any contribution which my friend from Florida has made, but he is commenting on something now which is at marked variance with the position which he took on the matter previously.

I should like to read briefly from page 585 of the CONGRESSIONAL RECORD of January 27, 1949, when this matter was under discussion. At that time, I said:

> Mr. President, am I right in the assumption that it was apparently the intention of a majority of the committee to hold no hearings whatsoever upon the question of whether or not the Taft-Hartley Act should be repealed?

My friend from Florida said:

> The Senator is explicitly correct. We have already made up our minds to get rid of the Taft-Hartley law, and we do not need any additional testimony on that issue.

Then the committee went into the hearings with a closed sign, and it was the pressure of the Republican members of the committee that gave the American people an opportunity to be heard on this most important issue. The committee heard all the witnesses. I thank my distinguished friend from Florida for making his contribution to bringing that about and making it possible. I am glad he has explained how much time was actually given.

I now yield to the Senator from Oregon.

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. BALDWIN. The Senator from Oregon asked me to yield, first.

Mr. MORSE. I shall be glad to wait.

Mr. PEPPER. Mr. President, I do not want any confusion or misunderstanding about the matter. There were many people who wanted us to go into the Taft-Hartley law. We adopted a resolution in the committee by a vote of 8 to 5 that, so far as we were concerned, we had already concluded, from all the knowledge we had on the subject, that the Taft-Hartley law should be repealed and the Wagner Act should be restored in the form of the Thomas bill, with certain amendments recommended by the President. That is the general area of the President's recommendations. I think I am speaking pretty well the sentiment of the majority of the committee when I say that we were just as firmly of that opinion when the hearings concluded as we were when they began. If the Senator will note the record he will see that the hearings were on the Thomas bill, not on the Taft-Hartley law. We considered the question of whether the Thomas bill was adequate, and we allowed witnesses, who came in great numbers, to express their views upon the question. Some said that certain segments of the Taft-Hartley law should be included in the Thomas bill. But we did not hold hearings on the Taft-Hartley law; we held hearings on the Thomas bill.

Mr. BALDWIN. The fact remains that generally the committee held good and extensive hearings on the question of labor-management legislation. I am not a member of the committee, but I want to commend the committee for its type of approach to a very important legislative problem.

I now yield to the Senator from Oregon.

Mr. MORSE. Mr. President, I want to join with the Senator from Connecticut in thanking the Democrats for their cooperation in extending the hearings. It is true that the junior Senator from Oregon thought that the hearings should be extended to March 1. When we went into executive session on the matter, the Senator from Florida [Mr. PEPPER] proposed that they be extended only 2 more days, from February 10 to February 12. That offer of the Senator from Florida alone shows the great cooperation we received from the Senator from Florida, because the final result of the bargaining agreement among us was to extend the hearings not 2 days, but to February 23. I think that was a pretty fair sort of a collective-bargaining agreement—or shall I say horse trade?

But I do want to make this comment on the statement which the Senator from Florida has made concerning the cross-examination by the Republican members of the committee. I am rather proud of the cross-examination engaged in by Republican members of the committee. The printed record will speak for itself as to whether it was good-faith cross-examination. It was designed to elicit from the witnesses the facts and the evidence which we believed should be made of record for the use of our colleagues on the floor of the Senate before final labor legislation is passed.

I think the Senator from Florida is quite correct about one thing. Certainly the Senator from Florida and most of his Democratic colleagues never changed their opinion on anything from the beginning to the end of the hearings. They passed a resolution at the beginning of the hearings to repeal the Taft-Hartley law, and I think their minds were closed to any evidence we might bring to bear indicating any possible good which might be developed from retaining any phase of the Taft-Hartley law. Interestingly enough, even the Thomas bill, which my good friends on the other side of the aisle are going to ask the Senate to approve, has many of the principles of the Taft-Hartley law in it.

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. MORSE. I want to say to my good friend from Florida that, so far as I am concerned, he will not get by with the idea that he is proposing something in the form of the Thomas bill which represents no feature at all of the legislation of 1947 known as the Taft-Hartley law because when we get into the debate we shall see that quite a few principles of the 1947 legislation are still in the Thomas bill. But, after all, it becomes pretty much a quibble, it seems to me, whether we are repealing or not repealing the Taft-Hartley law. When we get into the debate we are going to have to come to grips, it seems to me, with certain fundamental issues in regard to what type of labor legislation we should have. What are we going to do about emergency disputes? What are we going to do about jurisdictional disputes? In what way are we going to modify secondary boycotts? I wish to say that in my judgment the Thomas bill does not solve the secondary-boycott problem any more than the Taft-Hartley law solves it. What are we going to do about the matter of injunctions? On this point I think the Senator from Florida, if he will permit me to say so, would say I was accurate if I stated that he was surprised to discover in the hearing that possibly one wing of the administration thought that an injunctive process would be available to it, whereas I am sure the Senator from Florida thought, when he was supporting the Thomas bill, that we were getting rid of the injunctive process. I said in the hearing, and I repeat now, that it seems to me the position taken by the Democratic administration in regard to this injunctive matter is that they are trying to work both sides of the political street. They are trying to say to labor, "Oh, no, we are not going to authorize the issuance of injunctions, because here is the Thomas bill, and we do not authorize an injunction in the Thomas bill. But the Democrats are not telling labor at the same time, "But we believe the President has inherent power to get an injunction, and he says he is going to use it."

I want to know where the Democrats are actually going to stand on this injunctive power. I will tell the Senator from Florida where the junior Senator from Oregon is going to stand, and I hope he will join me in it. I am against the use of injunctions in any phase of labor relations in this country, because I do not believe it is possible to bring into a court of common law the social and economic problems of labor relations, and have them equitably adjudicated by way of an injunction. I believe we

can handle all these labor problems, including the emergency-dispute problem, without the use of the common-law court injunction. I hope the Senator from Florida will help me make that point of view prevail as both the Democratic and Republican policy.

Mr. PEPPER. Mr. President, will the Senator yield?

The PRESIDING OFFICER. The Senator from Florida.

Mr. BALDWIN. Mr. President, I have the floor. I yielded for a lengthy statement, but I am glad to yield to the Senator from Florida.

Mr. PEPPER. Mr. President, I think it should be made clear that the Senator from Oregon is not accurate in saying that we Democrats are trying to work both sides of the street. We are not trying to imitate any Republican practices. What the Taft-Hartley law did was to provide machinery for the injunction in the legislation itself sponsored by the authors of the Taft-Hartley bill and enacted by Congress. We propose to take that out of the law. There is nothing in the Thomas bill about injunctions, and I can assure the Senator from Oregon that the eight Democratic members of the committee will not let anything go into the bill about injunctions.

Mr. IVES. Mr. President, will the Senator from Connecticut yield to me?

Mr. PEPPER. In a moment I will yield to the Senator from New York.

Mr. BALDWIN. Mr. President, if I lose the floor by yielding to this extent, I should like to finish, briefly, what I have to say.

The PRESIDING OFFICER. The Senator from Connecticut has the floor. He yielded to the Senator from Florida. The Chair will protect the Senator in his rights.

Mr. PEPPER. Does the Senator from Connecticut have the floor?

The PRESIDING OFFICER. The Senator from Connecticut has the floor.

Mr. BALDWIN. I yield to the Senator from Florida.

Mr. PEPPER. May I finish my statement?

Mr. BALDWIN. Certainly.

Mr. PEPPER. What I was saying was that it was not the eight Democratic members on the Committee on Labor and Public Welfare who proposed any injunctive power. While we were conducting the hearings the Attorney General sent down an opinion that under the Constitution of the United States the Chief Magistrate of the Nation, the President of the United States, as a part of his inherent power, in a moment of great crisis which threatened the security or safety or health of America could resort to a court for an injunction. I do not know whether he can or not, but I know that the Democrats are not going to put any such power in the law as the authors of the Taft-Hartley law put in that measure.

I know furthermore, Mr. President, as a lawyer, that if it is within the constitutional power of the President, in a moment of grave national emergency and crisis, to resort to an American court to protect the health, safety, and security of America, we could not take the power away from him by an act of Congress. So I wish to make it very clear that the Democrats are not imitating the Republican practice of working both sides of the street.

Mr. IVES. Will the Senater from Connecticut yield to me for the purpose of asking the Senator from Florida a question?

Mr. BALDWIN. I yield.

Mr. IVES. I believe the Senator from Florida very likely recalls the various discussions which took place in 1947 in the Senate Committee on Labor and Public Welfare during our consideration of the committee bill, which finally was reported by the Senate committee. Am I correct?

Mr. PEPPER. I recall that there were discussions. I do not recall all their details.

Mr. IVES. I am not trying to pin the Senator down to any detail of a very technical nature. What I should like to recall and to bring to the attention of the Senator is in the way of a question. Does not the Senator recall that he himself voted in favor of the Senate committee bill in 1947?

Mr. PEPPER. I think that if the Senator will look at the record——

Mr. IVES. I have done so.

Mr. PEPPER. If my able friend will look at the record, he will find that the Senator from Montana [Mr. MURRAY] and the Senator from Florida were the two members of the committee who voted against the bill. It was some of the others, some of those who have been somewhat critical of the law, who voted for it. I voted against it in the committee, to answer the Senator's question.

Mr. IVES. The Senator voted against it in committee?

Mr. PEPPER. Yes, So did the Senator from Montana [Mr. MURRAY].

Mr. IVES. I do not question the Senator's statement regarding his vote on the bill itself in committee, but the record I happen to have, which I have taken the opportunity to have verified, is apparently incorrect, though it seems to stand as the official record. It shows that the two negative votes were those cast by the former Senator from Minnesota [Mr. BALL] and the senior Senator from Missouri [Mr. DONNELL]. Theirs were the two negative votes. I am not in any sense of the word questioning the Senator's statement that he and the Senator from Montana were the two who cast negative votes, but I should like to point out that what I have stated is the official record, apparently, because I have looked it up.

Mr. PEPPER. Not only that, but the Senator from Utah [Mr. THOMAS], the Senator from Montana [Mr. MURRAY], and the senior Senator from Florida, myself, filed minority views against the bill. The Senator will find that in the RECORD. We filed a written report, and voted "no" on the bill.

Mr. IVES. I should like to point out that that is rather a strange situation, not that I question in any way, shape or manner the statement of the able Senator from Florida, but the record itself of the vote, as I recall, does not show any such vote as that. The record shows an 11 to 2 vote. I think the Senator from Florida will recall that.

Mr. PEPPER. That is correct.

Mr. IVES. Eleven to 2, out of a committee of 13, so that that does not quite coincide with the position indicated by the Senator from Florida.

Mr. PEPPER. I think the Senator from Florida and the Senator from Montana had been against the bill from the beginning, that we and the Senator from Utah filed minority views, which will speak for themselves. They were filed in the Senate.

Mr. MORSE. Mr. President, will the Senator from Connecticut yield so that I may ask the Senator from Florida a question?

Mr. BALDWIN. I yield.

Mr. MORSE. Does the Senator from Florida agree with me that in 1947, when we were considering the committee bill in committee, so far as the major provisions of the bill were concerned, we passed on the provisions section by section, usually by a vote of 7 to 6? Does the Senator from Florida recall that?

Mr. PEPPER. Yes. There were a great many votes that way. I remember it, because ofttimes the vote of the Senator from Oregon was the decisive vote.

Mr. MORSE. It is kind of the Senator from Florida to say that, but I was about to ask him if it was not true that on all those 7 to 6 votes the Senator from Florida was with the seven.

Mr. PEPPER. No, sir; he was with the six.

Mr. MORSE. The Senator from Florida means that he voted with the—well I might as well say it—that he voted with most of the Republicans in the committee on those major provisions?

Mr. PEPPER. The Senator from Oregon has evidently forgotten that it was the Republicans who were sponsoring the legislation, not the Democrats. I voted with the Democrats who, as a general rule, were opposing the Taft-Hartley legislation, except it was called the Morse bill primarily. I think the Senator from Oregon had his bill considered, but it became the Taft-Hartley law, and the Senator from Ohio was one of the leaders in the advocacy of the matter. The Senator from Oregon is evidently not considering that this was a Republican bill, not a Democratic bill, which we are talking about. I think I am pretty generally on the Democratic side when it comes to questions between the Democrats and the Republicans.

Mr. MORSE. I want to say to my good friend the Senator from Florida that he has an interesting surprise coming to himself, because at a future date I am going to present to him the roll call of the committee on issue after issue where he will find that the Senator from Florida joined with the Senator from New York [Mr. IVES], the Senator from Oregon [Mr. MORSE], and the Senator from Vermont [Mr. AIKEN] time and time again to give us the 7-to-6 vote which we needed in order to get the committee bill adopted section by section. However, when we came to the final vote——

Mr. PEPPER. Oh yes.

Mr. MORSE. When we came to the final vote, after the Senator from Florida had joined with the Senator from New York [Mr. IVES], the Senator from Vermont [Mr. AIKEN], and the junior Senator from Oregon on section after section of the bill, the Senator from Florida for the first time voted against the bill in its totality.

Mr. PEPPER. Oh, well, the Senator from Oregon has now clarified the matter. I thought he meant I voted with the Republican majority. He will note, of course, that there were many instances when we had to vote with the more progressive element of the Republican majority to keep the bill from being worse than it was; and when it is a question as to whether to get something that has a little taint on it or something with a great deal, we will take the little. Sometimes, you know, politics makes strange bedfellows, and we had to associate ourselves with our more progressive Republican friends. That was the best we could do, because the Republicans had a majority in the committee. Of course, this time the Democrats have a majority, and while we welcome the Senator from Oregon, we will not have to associate ourselves with any of the Republicans to get a good liberal Taft-Hartley repealing labor law. But the Senator from Oregon will recall, and I am sure he will agree, that while I had to resort to this expedient of keeping the best company I could get when we were considering amendments, on final passage, Mr. President, when there was no choice except to vote for or against the bill, the Senator from Montana [Mr. MURRAY] and the Senator from Florida voted against the bill.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. MORSE. I want to thank the Senator from Florida for this very frank explanation of his voting strategy in committee. I want to express to him the hope that the next time he joins with me in a measure he will join with me because he believes I am right, because I would not want his vote on any other basis.

Mr. PEPPER. Mr. President, we still have hope for the Senator from Oregon, because we always hope that the wanderer will return to the fold.

Mr. BALDWIN. Mr. President, hope seems to spring eternal in the human breast, and there seems to be a great deal of hope around here. We have come a long way from what my distinguished friend from Florida talked of when he first rose, and that was the feast of Belshazzar. My friend claimed that Belshazzar was a Republican, but he has not yet been able to produce a primary or caucus list to prove the fact. However, all his efforts to demonstrate that the company which was present was of a different character than might possibly attend a Republican gathering backfired a little, or considerably, I might say, Mr. President, after the remarks made by the distinguished Senator from North Dakota [Mr. LANGER].

Mr. President, I should like very seriously, since we are discussing Belshazzar's feast and the great lesson the fifth chapter of the Book of Daniel teaches us, to address myself for a moment to the important part of that story, which is the handwriting on the wall.

Our country faces grievous and dangerous times. It faces a situation which requires the highest patriotism, the most sincere and earnest thinking and acting that Americans, certainly Americans in the Congress and who hold high office in the Government of the United States, can possibly produce. It seems to me that we might ask the question whether or not the handwriting on the wall we are speaking of here by way of analogy is not made up of words appealing to hate, distrust, disunity, and the abuse of Americans with whom one American or one group of Americans might not agree.

It seems to me, Mr. President, that the kind of handwriting on the wall we should have now should convey the idea that "The campaign is over. The Congress is in session, as the representatives of the people, to do their will, to meet the Nation's problems both here at home and in the wide fields of the world." In order to meet them we must appeal to the things that bind us and hold us closer together, and not emphasize the things calculated to divide us and make us suspicious of one another, and result in the breeding of disunity. So, Mr. President, I appeal to the kind of thinking and action—and as a humble Member of the Senate I hope I will be capable of producing it myself—that is designed to secure the greatest unity among us, to find the widest ground that will attract the largest numbers of us to stand upon, and with a united front support, to meet the great issues of the day and support a combined program. That it seems to me is what the handwriting on the wall should mean to us today and in the troublesome and toilsome days that lie ahead.

Mr. McMAHON. Mr. President, I sincerely wish that my colleague had begun the debate which started some 2½ hours ago on the note on which he has now ended it. I would remind him for the sake of the RECORD that it was started by the Senator from Maine [Mr. BREWSTER], who made what has come to be more or less of a standardized speech over the past 16 years. I do not pretend to be any great student of the Bible, but I recall the biblical saying, "By their fruits ye shall know them." We can cast recriminations here from one side of the aisle to the other, but the American people will judge by the fruits of this session, a session, Mr. President, which need not end on July 31, 1949. I think it is not too soon to say to the Senate that there are some of us who believe that the pledges which we made to the American people in the campaign last November are to be fought for and carried out to the best of our ability.

So when the final roll call is had and this Congress adjourns, the test of it will be not what my colleague says about it today, nor what the Senator from Florida has said about our intentions. It will be in the cold record of the votes which are taken—not in our discussions, but in our results. We might as well face up to it. We might as well acknowledge it.

Mr. President, last night I addressed one of the Democrat dinners in my own State, in the city of New Haven. There were approximately 850 persons present. It was the largest dinner which the Democratic Party has ever held in our State. The gathering was very enthusiastic.

The Governor of the State of Connecticut addressed that gathering, as did I. I have his address before me; and I think it particularly appropriate, in view of the address which was made by the junior Senator from Ohio [Mr. BRICKER] that I make brief references to Governor Bowles' address.

The distinguished Governor of Connecticut, Chester Bowles, suggested that the Republican Party change its mascot from an elephant to a dinosaur. The Governor suggested that he realized that the Republican Party probably would not pay much attention to his suggestion, because the Republican leaders in the State of Connecticut are not paying much attention to his recommendations on housing, public health, education, and taxes—I suppose no more attention there than the leaders of the Republican Party will pay to the national program on those subjects. But the Governor earnestly pointed out that he hoped the Republican Party would not reject his suggestion without some thought. He stated that it was no ordinary idea, because he said that the dinosaur was a splendid animal—massive, streamlined, and powerful. The largest species, the brontosaurus, was more than 80 feet long. It lived in bogs and ate vegetables and green stalks. It had a long neck, which was continually stuck out. Instead of bringing forth its young alive, it laid large eggs, which some authorities claim reached a circumference of more than 2 feet.

It is quite true, he said, that the dinosaur had a very limited brain capacity. In fact, its mental capacity was so limited that it was totally unable to keep up with its changing environment. Eventually, of course, it died out completely, and today we know about it only through bones which are dug up in many parts of America and Asia. However, its life, while it lasted, is well worth the careful study of our more thoughtful Republican friends.

If the record which is made in this Congress by some of our Republican brethren continues to be that which was made by them in the Eightieth Congress, then truly they will have to give serious thought to changing their mascot and, as the Governor of Connecticut suggests, embrace the dinosaur, because that, and that alone in the animal kingdom, will truly represent its ideas as to social progress, as to progressive government, and as to the needs of the American people.

But, like my colleague, I entertain hope that the great issues which are to be presented and which we must decide at this session of Congress will be decided with a minimum of partisanship and with a minimum seeking of partisan advantage.

Mr. President, we are considering in the Foreign Relations Committee probably one of the most important moves that has ever been contemplated in the

conduct of American foreign policy. I am one of those who believe that we should come forth—and undoubtedly will come forth—from that committee with an approval of a strong pact for the defense of the United States against external aggression.

It is issues such as these which will test the wisdom and patriotism of this Congress, and it is issues such as these which demand the utmost of our ability for the protection of our beloved country. So, Mr. President, I hope that while we may toss arguments back and forth across the aisle, we can keep the debate in good faith and not make it unnecessarily bitter and abrupt. I join with my colleague in the hope which he expresses, that we can unite in measures for the best interests of the United States. Perhaps if we can do so, we can forget about the dinosaur, and can pass housing, education, and health legislation. Perhaps we can get together on the things which this country desperately needs.

Mr. BALDWIN. Mr. President, I am glad that my colleague from Connecticut struck the note which he struck in the last part of his address. I know that when the distinguished Governor of Connecticut was talking about the dinosaur he was talking in humorous vein.

Mr. President, I find it increasingly difficult to lend cooperation in the light of some of the things which have been said and some of the things which have been done. The previous Congress has been called a do-nothing Congress and there has been no lack of effort to impress that upon us many, many times by many, many speakers. But, Mr. President, if the Eightieth Congress had a housing problem to deal with it was because a Democratically-controlled Seventy-ninth Congress, Seventy-eighth Congress, Seventy-seventh Congress, Seventy-sixth Congress, Seventy-fifth Congress, and Seventy-fourth Congress failed to deal with it. If it had a problem of high prices and inflation to deal with, it was because the Seventy-ninth Congress, the Seventy-eighth Congress, the Seventy-seventh Congress, the Seventy-sixth Congress, and preceding Congresses back to 1932 had either failed to deal with it or had failed to appreciate it, or had failed to take adequate measures to anticipate it, and consequently have a solution ready when the problem was at hand.

The same thing can be said about many issues which faced the Eightieth Congress. When we are discussing the history of the past few days, in which our respective parties have memorialized their great leaders of the past, I should like to say, in behalf of the Eightieth Congress, that when the record of the Eightieth Congress is written, at least that part of it which deals with the handling of foreign affairs, it will receive high commendation and praise because never before in peacetime, and rarely in wartime, had the Congress, and particularly the Senate, reached such a high degree of unanimity as it reached in dealing with problems of foreign affairs.

We were beset with great difficulties, because when the Eightieth Congress met in Washington in 1947 the situation in western Europe was disintegrating very fast. The whole fabric was raveling out at the edges, and we were indeed in a dangerous situation. But we united and worked out our problem. The Republican leadership on the floor of the Senate, in the person of the Senator from Michigan [Mr. VANDENBERG] and other Republicans, as well as the Democratic leadership in the person of the Senator from Texas [Mr. CONNALLY] and other Democrats, cooperated and formulated a plan. I regret, Mr. President, that not a single word has come from the other side of the aisle or from downtown commending us for that cooperation. I remember the occasion when the Greek-Turkish loan was before the Senate. It was all but lost on both sides of the aisle. It was a program which was very close to the heart of the administration, because the administration, knowing the intimate facts, appreciated its great importance. At that particular time it was not a Democrat who saved it; it was a Republican, the distinguished Senator from Michigan, who rose to its defense, who proposed the amendment which represented the most generous, gracious gesture of international good will and cooperation that has come forth from Congress or from any other body in the United States for a long time. It was that amendment that saved the measure.

So, Mr. President, when we appeal for cooperation and for unity, let us do so in a real spirit of cooperation, in a genuine spirit of unity all along the line. I know that back in the State of Connecticut when a man is driving an ox team and wants to get the oxen to pull together, or when a man is driving a team of horses and wants to get them to pull together, he does not stand out in front of them and beat them over the head with a whip and call them names.

Mr. President, I say now is the time for us to seek unity and to find it. That does not mean that we must always be in agreement; but it does mean that we must seek, among many minds here in the United States Senate and in the House of Representatives, the contribution which each and every one of us can make to the solving of the difficulties which beset us. Mr. President, as I said before, I hope the handwriting on the wall will not be words that threaten our unity in the future, but will be words that will bring about a high spirit of collaboration and cooperation in bringing us through these troublous times.

EXECUTIVE SESSION

Mr. LUCAS. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. MAYBANK in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations, and withdrawing a nomination, which nominating messages were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

NOMINATION OF EDWARD A. DENT AS MEMBER OF DISTRICT OF COLUMBIA REDEVELOPMENT LAND AGENCY

The PRESIDING OFFICER laid before the Senate the nomination by the Commissioners of the District of Columbia, pursuant to law, of Edward A. Dent, to be a member of the District of Columbia Redevelopment Land Agency, which was referred to the Committee on the District of Columbia.

EXECUTIVE REPORTS OF COMMITTEES

The following reports of nominations were submitted:

By Mr. JOHNSON of Colorado, from the Committee on Interstate and Foreign Commerce:

Steven L. Hollis, to be ensign in the Coast and Geodetic Survey.

By Mr. CONNALLY, from the Committee on Foreign Relations:

Stuart A. Rice, of Virginia, to be the representative of the United States of America on the Statistical Commission of the Economic and Social Council of the United Nations for a term of 3 years;

Philip M. Hauser, of Illinois, to be the representative of the United States of America on the Population Commission of the Economic and Social Council of the United Nations for a term of 3 years;

Arthur J. Altmeyer, of Wisconsin, to be the representative of the United States of America on the Social Commission of the Economic and Social Council of the United Nations for a term of 3 years;

Benjamin V. Cohen, of New York, to be a representative of the United States of America to the third session of the General Assembly of the United Nations, held in Paris, France, to which office he was appointed during the recess of the Senate, to fill a vacancy created by the absence of Warren R. Austin due to illness;

Dean Rusk, of Virginia, to be an alternate representative of the United States of America to the third session of the General Assembly of the United Nations held in Paris, France, to which office he was appointed during the recess of the Senate, vice Benjamin V. Cohen;

Warren R. Austin, of Vermont, to be a representative of the United States of America to the third session of the General Assembly of the United Nations, held in Paris, France, to which office he was appointed during the recess of the Senate;

John Foster Dulles, of New York, to be a representative of the United States of America to the third session of the General Assembly of the United Nations, held in Paris, France, to which office he was appointed during the recess of the Senate;

Anna Eleanor Roosevelt, of New York, to be a representative of the United States of America to the third session of the General Assembly of the United Nations, held in Paris, France, to which office she was appointed during the recess of the Senate;

Philip C. Jessup, of New York, to be a representative of the United States of America to the third session of the General Assembly of the United Nations, held in Paris, France, to which office he was appointed during the recess of the Senate;

Benjamin V. Cohen, of New York, to be an alternate representative of the United States of America to the third session of the General Assembly of the United Nations, held in Paris, France, to which office he was appointed during the recess of the Senate;

Ray Atherton, of Illinois, to be an alternate representative of the United States of America to the third session of the General Assembly of the United Nations, held in Paris, France, to which office he was appointed during the recess of the Senate;

The following-named person, Willard L. Thorp, of Connecticut, to be an alternate

representative of the United States of America to the third session of the General Assembly of the United Nations, held in Paris, France, to which office he was appointed during the recess of the Senate;

Ernest A. Gross, of New York, to be an alternate representative of the United States of America to the third session of the General Assembly of the United Nations, held in Paris, France, to which office he was appointed during the recess of the Senate;

Francis B. Sayre, of the District of Columbia, to be an alternate representative of the United States of America to the third session of the General Assembly of the United Nations, held in Paris, France, to which office he was appointed during the recess of the Senate;

Gerald A. Drew, of California, to be the representative of the United States of America on the Special Balkan Committee established by the General Assembly of the United Nations October 21, 1947;

James Grover McDonald, of New York, to be special representative of the United States of America to the Provisional Government of Israel, to which office he was appointed during the recess of the Senate;

Mark Foster Ethridge, of Kentucky, to be the representative of the United States of America on the Conciliation Commission for Palestine which was established by resolution of the General Assembly of the United Nations December 11, 1948;

Henry F. Grady, of California, now Ambassador Extraordinary and Plenipotentiary to Greece, to serve concurrently and without additional compensation as Chief of the American Mission for Aid to Greece, to which office he was appointed during the recess of the Senate;

Sarah Blanding, of New York, and sundry other persons, to be members of the Public Advisory Board;

Ernest A. Gross, of New York, now legal adviser of the Department of State, to be an Assistant Secretary of State;

Philip C. Jessup, of New York, to be Ambassador at Large;

Myron Melvin Cowen, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Australia, to which office he was appointed during the recess of the Senate;

Laurence A. Steinhardt, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Canada, to which office he was appointed during the recess of the Senate;

Joseph E. Jacobs, of South Carolina, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Czechoslovakia, to which office he was appointed during the recess of the Senate;

Stanton Griffis, of Connecticut, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Egypt, to which office he was appointed during the recess of the Senate;

Richard C. Patterson, Jr., of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Guatemala, to which office he was appointed during the recess of the Senate;

Loy W. Henderson, of Colorado, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary to India and to serve concurrently and without additional compensation as Envoy Extraordinary and Minister Plenipotentiary of the United States of America to Nepal to which offices he was appointed during the recess of the Senate;

Edward S. Crocker 2d, of Massachusetts, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary to Iraq, to which office he was appointed during the recess of the Senate;

Robert M. Scotten, of Michigan, to be Ambassador Extraordinary and Plenipotentiary to New Zealand, to which office he was appointed during the recess of the Senate;

Waldemar J. Gallman, of New York, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary to Poland, to which office he was appointed during the recess of the Senate;

George Wadsworth, of New York, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary to Turkey and to serve concurrently and without additional compensation as Chief of the American Mission for Aid to Turkey, to which offices he was appointed during the recess of the Senate;

North Winship, of Georgia, a Foreign Service officer of the class of career minister, now Envoy Extraordinary and Minister Plenipotentiary to the Union of South Africa, to be Ambassador Extraordinary and Plenipotentiary to the Union of South Africa;

Myron Melvin Cowen, of New York, now Ambassador Extraordinary and Plenipotentiary to Australia, to be Ambassador Extraordinary and Plenipotentiary to the Republic of the Philippines;

J. Rives Childs, of Virginia, a Foreign Service officer of the class of career minister, now Envoy Extraordinary and Minister Plenipotentiary to Saudi Arabia, to be Ambassador Extraordinary and Plenipotentiary to the Kingdom of Saudi Arabia; and

Edward R. Dudley, of New York, to be Envoy Extraordinary and Minister Plenipotentiary to Liberia, to which office he was appointed during the recess of the Senate.

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will proceed to state the nominations on the Executive Calendar.

DEPARTMENT OF JUSTICE

The Chief Clerk read the nomination of David Northon Edelstein, to be Assistant Attorney General in the Customs Division.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

THE UNITED STATES COURT OF APPEALS

The Chief Clerk read the nomination of Walter L. Pope to be a circuit judge of the ninth circuit.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

UNITED STATES DISTRICT JUDGES

The Chief Clerk read the nomination of Joseph W. Kehoe to be judge of Division No. 2, in the District of Alaska.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Anthony J. Dimond to be judge of Divison No. 3, in the District of Alaska.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Herbert W. Erskine, to be a judge in the northern district of California.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

UNITED STATES ATTORNEYS

The Chief Clerk read the nomination of Lester Luther to be United States attorney for the district of Kansas.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Alfred E. Modarelli, to be United States attorney for the district of New Jersey.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

UNITED STATES MARSHAL

The Chief Clerk read the nomination of James J. Boyle, to be United States marshal for the southern district of California.

The PRESIDING OFFICER. Without objection, the nomination is confirmed. Without objection, the President will be notified forthwith of all nominations this day confirmed.

RECESS

Mr. LUCAS. As in legislative session, I move that the Senate stand in recess until Monday next at 12 o'clock noon.

The motion was agreed to; and (at 3 o'clock and 41 minutes p. m.) the Senate took a recess until Monday, February 28, 1949, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate February 25 (legislative day of February 21), 1949:

DIPLOMATIC AND FOREIGN SERVICE

James Grover McDonald, of New York, whose recess appointment as special representative of the United States of America to the Provisional Government of Israel is pending confirmation by the Senate, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Israel.

DEPARTMENT OF COMMERCE

Cornelius Vanderbilt Whitney, of New York, to the position of Under Secretary of Commerce.

DEPARTMENT OF LABOR

Michael J. Galvin, of Massachusetts, to be Under Secretary of Labor.

COMMISSIONER OF EDUCATION

Earl James McGrath, of Iowa, to be Commissioner of Education.

COAST AND GEODETIC SURVEY

The following-named employee of the Coast and Geodetic Survey to the position indicated:

Lorin F. Woodcock to be lieutenant effective February 3, 1949.

UNITED STATES PUBLIC HEALTH SERVICE

The following-named candidates for appointment in the Regular Corps of the Public Health Service:

To be surgeons (equivalent to the Army rank of major), effective date of acceptance:

Charles U. Culmer

Lewis H. Hoyle

To be senior assistant surgeon (equivalent to the Army rank of captain), effective date of acceptance:

Willie G. Simpson

To be scientist (equivalent to the Army rank of major), effective date of acceptance:

Howard M. Kline

DISTRICT OF COLUMBIA REDEVELOPMENT LAND AGENCY

Pursuant to the provision of section 4 (a) of Public Law 592, Seventy-ninth Congress, approved August 2, 1946, the Commissioners of the District of Columbia nominate the following-named person for reappointment as a member of the District of Columbia Redevelopment Land Agency:

Edward A. Dent, for a term of 5 years, effective on and after March 4, 1949.

APPOINTMENTS IN THE OFFICERS' RESERVE CORPS OF THE ARMY OF THE UNITED STATES

To be major generals

Brig. Gen. James Bell Cress, Officers' Reserve Corps, Army of the United States.

Brig. Gen. Hanford MacNider, Officers' Reserve Corps, Army of the United States.

Brig. Gen. Robert Wilbar Wilson, Officers' Reserve Corps, Army of the United States.

To be brigadier generals

Brig. Gen. William Andros Barron, Jr., Army of the United States.

Brig. Gen. Wallace Harry Graham (first lieutenant, Medical Corps Reserve), Army of the United States.

Brig. Gen. Telford Taylor (colonel, Military Intelligence Reserve), Army of the United States.

Brig. Gen. Thomas Edison Troland, National Guard of the United States, Army of the United States.

Brig. Gen. Courtney Whitney (major, Staff and Administrative Reserve), Army of the United States.

Col. Frank Brown Berry, Medical Corps Reserve, Army of the United States.

Col. Robert Hunter Clarkson, Transportation Corps Reserve, Army of the United States.

Col. Clyde Emerson Dougherty, Corps of Engineers Reserve, Army of the United States.

Col. John Bettes Dunlap, Armored-Cavalry Reserve, Army of the United States.

Col. James Calvin Frank, Field Artillery Reserve, Army of the United States.

Col. Charles Lyn Fox, Infantry Reserve, Army of the United States.

Col. Thomas Rodman Goethals, Medical Corps Reserve, Army of the United States.

Col. Harold Leroy Goss, Medical Corps Reserve, Army of the United States.

Col. Robert Dinwiddie Groves, Field Artillery Reserve, Army of the United States.

Col. William Rodes Jesse, Field Artillery Reserve, Army of the United States.

Col. Henry Kirksey Kellogg, Corps of Engineers Reserve, Army of the United States.

Col. Richard Leeson McNelly, Field Artillery Reserve, Army of the United States.

Col. Henry Carlton Newton, Armored-Cavalry Reserve, Army of the United States.

Col. Francis J. Reichmann, Field Artillery Reserve, Army of the United States.

Col. James Thomas Roberts, Armored-Cavalry Reserve, Army of the United States.

Col. Carl Ferdinand Steinhoff, Medical Corps Reserve, Army of the United States.

Col. Arthur Elsworth Stoddard, Transportation Corps Reserve, Army of the United States.

Col. Carl Thomas Sutherland, Infantry Reserve, Army of the United States.

Col. Frederick Marshall Warren, Armored-Cavalry Reserve, Army of the United States.

Col. Richard Seabury Whitcomb, Transportation Corps Reserve, Army of the United States.

Lt. Col. Clement Bates Ellery Harts, Field Artillery Reserve, Army of the United States.

APPOINTMENTS IN THE NATIONAL GUARD OF THE UNITED STATES OF THE ARMY OF THE UNITED STATES

To be major generals of the line

Maj. Gen. Ronald Cornelius Brock, New York National Guard, to date from July 27, 1948.

Maj. Gen. Brendan Austin Burns, New York National Guard, to date from October 25, 1948.

Maj. Gen. John Uberto Calkins, Jr., California National Guard, to date from April 27, 1948.

Maj. Gen. Karl Frederick Hausauer, New York National Guard, to date from October 25, 1948.

Maj. Gen. Daniel Harrison Hudelson, California National Guard, to date from April 27, 1948.

Maj. Gen. Ralph Andrus Loveland, Michigan National Guard, to date from July 27, 1948.

Maj. Gen. Alexander Gallatin Paxton, Mississippi National Guard, to date from July 27, 1948.

Maj. Gen. William Irwin Rose, Massachusetts National Guard, to date from February 9, 1948.

Maj. Gen. Richard Smykal, Illinois National Guard, to date from September 27, 1948.

Maj. Gen. Daniel Bursk Strickler, Pennsylvania National Guard, to date from July 27, 1948.

To be brigadier generals of the line

Brig. Gen. H. Miller Ainsworth, Texas National Guard, to date from September 27, 1948.

Brig. Gen. William Seiler Bailey, Pennsylvania National Guard, to date from February 5, 1948.

Brig. Gen. Frank B. DeLano, California National Guard, to date from April 28, 1948.

Brig. Gen. Alfred Halleck Doud, New York National Guard, to date from October 26, 1948.

Brig. Gen. Homer Oliver Eaton, Jr., California National Guard, to date from April 28, 1948.

Brig. Gen. George Francis Ferry, Illinois National Guard, to date from April 27, 1948.

Brig. Gen. William Murray Hamilton, New York National Guard, to date from February 5, 1948.

Brig. Gen Walter Jones Hanna, Alabama National Guard, to date from July 28, 1948.

Brig. Gen. Thomas Linus Hoban, Pennsylvania National Guard, to date from October 25, 1948.

Brig. Gen. William Dolphas Jackson, Oregon National Guard, to date from March 12, 1948.

Brig. Gen. Gordon Alexander MacDonald, Michigan National Guard, to date from October 26, 1948.

Brig. Gen. Jesse Eschol McIntosh, Indiana National Guard, to date from February 6, 1948.

Brig. Gen. Neil Robert McKay, Washington National Guard, to date from July 28, 1948.

Brig. Gen. John Webster Naylor, Texas National Guard, to date from April 28, 1948.

Brig. Gen. Carl Lawrence Phinney, Texas National Guard, to date from July 29, 1948.

Brig. Gen. Joseph Alsop Redding, Louisiana National Guard, to date from April 28, 1948.

Brig. Gen. Ralph Ferdinand Schirm, New York National Guard, to date from July 29, 1948.

Brig. Gen. Patrick Elihu Seawright, Georgia National Guard, to date from February 6, 1948.

Brig. Gen. Edward Devlin Sirois, Massachusetts National Guard, to date from February 6, 1948.

Brig. Gen. Wint Smith, Kansas National Guard, to date from June 8, 1948.

Brig. Gen. Paul Edward Warfield, Illinois National Guard, to date from October 26, 1948.

Brig. Gen. Edward Otto Wolf, New Jersey National Guard, to date from September 8, 1948.

Brig. Gen. Warren Claypool Wood, Nebraska National Guard, to date from June 11, 1948.

To be major generals, Adjutant General's Department

Maj. Gen. William Henry Harrison, Jr., Massachusetts National Guard, to date from March 5, 1948.

Maj. Gen. Curtis Dion O'Sullivan, California National Guard, to date from February 4, 1948.

To be brigadier generals, Adjutant General's Department

Brig. Gen. Murdock Alexander Campbell, Vermont National Guard, to date from October 26, 1948.

Brig. Gen. George Milton Carter, Maine National Guard, to date from October 26, 1948.

Brig. Gen. Raymond Frederick Hufft, Louisiana National Guard, to date from November 1, 1948.

Brig. Gen. Richard King Mellon, Pennsylvania National Guard, to date from April 27, 1948.

Brig. Gen. George Clifford Moran, Michigan National Guard, to date from July 28, 1948.

Brig. Gen. Frederick Gates Reincke, Connecticut National Guard, to date from July 28, 1948.

IN THE AIR FORCE

The following-named persons for appointment in the United States Air Force in the grade indicated, with dates of rank to be determined by the Secretary of the Air Force, under the provisions of section 506, Public Law 381, Eightieth Congress (Officer Personnel Act of 1947):

To be second lieutenants

Milton I. Aalen
Grey L. Adams
James R. Adams
James D. Alexander
Theofelos A. Aliapoulios
Fred C. Allen
Herman D. Allshouse
George B. Ashby
Roy E. Bach
Linford B. Bachtell
David J. Baer
Richard M. Bagley
George F. Barker
Glen E. Barrington
George W. Beale
Vaughn L. R. Beals, Jr.
John C. Beeley
Rowland H. Bemis
John J. Berky
LeRoy W. Berry
William J. Besaw
Rufus L. Billups
Tommy F. Blackstone
Sylvester F. Blakely
Rudolph Bonapace
Harold K. Boyd
Lester T. Brannon, Jr.
Joseph S. Breeden
Jerome G. Bricker
Frederick A. Bristol, Jr.
John E. Brooke
Earl C. Brown
John D. Brown (ROTC)
John D. Brown (Aviation cadet)
Marvin L. Brown
Robert R. Buckley, Jr.
Lawrence K. Bulen
Marshall E. Burbank
David D. Bush
Irwin C. Cairns, Jr.
William G. Cameron
Matthew J. Campanella
Lucian C. Cantin
Avril B. Carter
Robert F. Chadeayne
William R. Chapin
William I. Chenault
John E. Chrisinger
Carl E. Christenson
Gilvin L. Claypool
Douglas R. Clifford
David B. Cloud
Robert E. Clyburn
Joseph W. Cohen
W. Frank Cole, Jr.
Mitchell E. Coleman
James D. Collums
Malcolm K. Condie
James E. Conlon
Clyde A. Cook
Randolph D. Cook
Arthur Cooper
Kenneth J. Costa
Harris E. Coutchie
John R. Crane
John S. Croswell, Jr.
Joe W. Cunningham
James A. Cushman
Jacques C. Dastillung
Robert A. Davidson
Harold A. Davis
Kenneth E. Davison
Thomas J. Devanny
Douglas C. Dowell
Earloyde Edmonson
Clinton W. Effinger III
Raymond Elliott
James T. Ellis
Morley L. Emery
Ferd B. English Jr.
Paul J. English
Howard A. Hagen
Howard F. Hamill
Darwin R. Hamilton
Richard J. Hamilton
Robert L. Hamilton
Lloyd G. Hamlett
Victor W. Hammond
John I. Hammonds, Jr.
George E. Hansen
Richard O. Hansen
Byne D. Harris
Thomas R. Harrison
Don M. Hartung
James E. Harvey
Robert A. Haun
Robert W. Hazlett
James G. Henry
Paul J. Hesketh, Jr.
Edward A. Hinkle
Robert C. Hinrichs
Richard H. Hittle
Gerald J. Hogenmiller
Walter A. Hogge, Jr.
Francis X. Holbrook
Paul J. Holgren
Clarence W. Holloway
Arley R. Hombaker
Robert M. Horsky
Albert F. Howell
Virgil R. Huddleston
Bennett W. James
Robert D. Erickson
Francis P. Farrell
Kenneth W. F. Feltham

William P. Fey
Milo H. Fields
Edward F. Fisher
Charles M. Forbes
Dean W. Forbes
David L. Fort
Karl W. Forward
Thomas L. Foster
James E. Francy
Bobby G. Franklin
James D. Freeman
Robert E. Fullerton
Tom L. Gabbard
William H. Gallup, Jr.
James W. Geiger
John L. Gerwig
Kay G. Glenn
Jack D. Gooding
Robert A. Gray
James F. Green
Philip D. Greenwood
Robert E. Gross
David F. Guess
George C. James
Jake Jenkins
Evan L. Jensen
Gordon I. Jensen
Harold M. Jensen
Prentice E. Jones
Robert B. Jones
Robert C. Jones
Walter G. Jones
Robin A. Julien
Wilbur C. Kaiser
Eugene C. Karr
Alfred R. Kattar
Willis G. Kearl
David K. Keeler
Richard C. Keller
Howard F. Kempsell
Larry M. Kilpack
William H. King
William M. King
James W. Kirk
Gilford W. Koopmann
Victor H. Kupferer
Robert J. Lacey
Robert H. Laier
Harry W. Lambe
Maximilian Lamont
Leonard C. Langdon, Jr.
Robert L. Larsh, Jr.
Robert W. Lauer
Norbert D. LaVally
Lawrence L. Lavanier
John H. Lawson
James E. Ledlie
Elmer K. Lile
Allen J. R. Longstreet
George A. Lowes
Robert T. Lowrance
William T. Luke
James V. Lukey
Benjamin C. Luna, Jr.
Richard J. Lyman
Paul R. Maguire
Samuel Mansbach
Lester P. Martin, Jr.
Richard L. Martin
Charles M. Mason, Jr.
Robert F. Maxwell
Bobby H. McAlister
Charles R. McAllister
Robert M. McAllister
Jerome M. McCarville
John C. McClure
Murray M. McColloch
Chester E. McCollough, Jr.
Clayton L. McDowell
William J. McElroy III
Wilson A. McElveen, Jr.
Leon McGoogan
Cleon F. McGraw
William D. McMullen
Harold W. Meade
Wayne A. Melendrez
David K. Merrill
Joseph Meyer
Harold L. Meyers
Harris E. Miller
Joseph N. Miller, Jr.
Wallace G. Minich
Joseph R. Mitchell
Robert E. Mitchell, Jr.
Willard L. Mitchell
John K. Moberly
Leonard A. Mobley
Rufus M. Monts III
Bruce H. Moore
Harold W. Moore
Robert E. Morey
Harold J. Mosher
John M. Musterman
Gordon G. Neal
Franklin W. Neff
Howard O. Neff
Harold D. Nelson
William R. Nelson
Norton H. Nickerson
Melvin H. Nuechterlein
Clair H. Oberdier
Eric F. O'Briant
Daniel J. O'Brien
Thomas S. O'Brien
Edward W. O'Leary
Francis J. Oles
William A. Owings
John T. Palmer
Walter G. Palmer
William M. Palmer
Robert B. Parker
Benton K. Partin
Robert B. Patton
Thomas E. Pearsall
Robert C. Perdzock
Charles H. Perin
Gerald Perselay
Ralph T. Peterson, Jr.
Duane M. Phillips
Lowell G. Phillips
Richard L. Pierce
William E. Pilcher
Lew L. Pilkington
Edgar H. Pittman, Jr.
John W. Plantikow
John S. Quinn
Luther T. Quinn, Jr.
Carmen D. Ragonese
Merle R.Rauscher
Pat A. Restaino
Donald E. Rice
Charles R. Riley
Allen W. Ripley III
Charles R. Ritchie
William J. Ritts
Harry E. Roadman
J. Lee Robbins
George A. Roberts
Gerald B. Robertson
William E. Robins
Louis Robinson
Arthur R. Ross
Jack R. Rotzien
Berry W. Rowe
Gene V. Rowland
Grant C. Rowland
John A. Rubino, Jr.
John H. Rule
Joaquin A. Saavedra
Robert J. Sagwitz
James L. Sanders
James C. Scheuer
James D. Schneider
Robert J. Scott
Earl H. Seibert
Albert Shabaikowich
Elwood M. Shaulis
Robert J. Sheldon
Bernard L. Sherline
Guy J. Sherrill
Vernon P. Shockley
Alonzo M. Shoemaker, Jr.
Thomas D. Shortridge
Robert W. Slack
Edmund G. Smith
Glenn C. Smith
Richard B. Smith, Jr.
Roberts C. Smith, Jr.
Ronald E. Smith
Billy J. Smoot
Earl F. Spencer, Jr.
Manning M. Stair
Adolph J. Stampfl
William R. Stapleton
Robert A. Stefanik
Kenneth L. Sterne
Billy E. Stewart
Laslie M. Stewart
Joseph E. Stockwell
William A. Suiter
Edward J. Sullivan
Roland H. Swartzlander
Robert E. Swett
Henry L. Swift
Luther A. Tarbox
Theodore K. Taylor
Willard D. Tease
Hagop H. Terzagian
Doyle Thigpen
Donald O. Thompson
Joseph C. Thompson
Richard W. Thompson
Stanwood Thompson
Lawrence E. Till
Archie W. Tucker
Donald B. Tuttle
Maurice O. Van Emon
Arthur C. Voudouris
Charles H. Wade, Jr.
Jack O. Wade
Arnold M. Walkow
Ernest C. Walley
Gerald L. Waterman
Ernest P. Watras
Robert L. Watson
Thomas M. Watson, Jr.
Richard A. Weil
Robert F. Wenger
James W. Wheat
Gene R. White
Gwynne W. White
Ralph W. White
John E. Wolter

CONFIRMATIONS

Executive nominations confirmed by the Senate February 25 (legislative day of February 21), 1949:

DEPARTMENT OF THE NAVY

Dan A. Kimball to be Assistant Secretary of the Navy for Air.

DEPARTMENT OF JUSTICE

Hon. David Northon Edelstein to be Assistant Attorney General, Customs Division.

UNITED STATES COURT OF APPEALS

Walter L. Pope to be circuit judge of the United States Court of Appeals for the Ninth Circuit.

UNITED STATES DISTRICT JUDGES

Hon. Joseph W. Kehoe to be United States district judge for division No. 2, district of Alaska.

Hon. Anthony J. Dimond to be United States district judge for division No. 3, district of Alaska.

Herbert W. Erskine to be United States district judge for the northern district of California.

UNITED STATES ATTORNEYS

Lester Luther to be United States attorney for the District of Kansas.

Alfred E. Modarelli to be United States attorney for the District of New Jersey.

UNITED STATES MARSHAL

James J. Boyle to be United States marshal for the southern district of California.

APPOINTMENTS IN THE UNITED STATES AIR FORCE

The nominations of Charles A. Pursley et al., for appointment in the United States Air Force, which were confirmed today, and which were received by the Senate on February 17, 1949, may be found in full in the Senate proceedings of the CONGRESSIONAL RECORD for that date, under the caption "Nominations," beginning with the name of Charles A. Pursley which appears on page 1357 and ending with the name of Jere J. Lewis which appears on page 1358.

POSTMASTER

DISTRICT OF COLUMBIA

Roy M. North, Washington, D. C.

IN THE NAVY

The following-named officers for temporary appointment to the grade of captain in the line of the Navy:

Francis E. Bardwell
Charles E. Briner
Richard R. Briner
Leonidas D. Coates, Jr.
Arthur B. Dickie
Thompson F. Fowler
William E. Gentner, Jr.
Donald W. Gladney, Jr.
George H. Hamilton
John T. Hayward
Joseph A. E. Hindman
Albert E. Hindmarsh
James H. Howard
William S. Howard, Jr.
Carl A. Johnson
Frank L. Johnson
Raymond W. Johnson
Warren W. Johnson
Franklin D. Karns, Jr.
Charles B. Martell
Frank P. Mitchell, Jr.
Robert L. Moore, Jr.
William T. Nelson
Richard M. Nixon
Robert J. Ramsbotham
Charles M. Ryan
Richard T. Spofford
Marion C. Thompson
Harold F. Traua
John K. Wells
Ralph E. Westbrook

The following-named midshipmen (aviation) to be ensigns in the Navy from the 3d day of June 1949:

Harry E. Aine
Marshall J. Barry, Jr.
Leon T. Bonner, Jr.
Edward N. Bouffard
John W. Brannon, Jr.
Jesse LeR. Brown
William D. Campbell
Charles C. Carter
Harold D. Case
William E. Clark
Jean S. Clauzel
Theodore E. Daum
Walter R. David
Dale E. Davis
Harold E. Dodd, Jr.
John C. Duck
James R. Edixon
Charles E. Engel
James T. Foreman
Marshall L. Foreman, Jr.
Herbert W. Gewehr
David O. Gudal
Donald M. Hegrat
Kenneth G. Heimbaugh
Dennis W. Henderson
Richard S. Hubler
John C. Humphrey
Francis N. Jones
Simeon D. Lowe, Jr.
Thomas H. McCoy
John E. McDonald
Roy W. McLain, Jr.
Dean W. Miller
Jurgen H. Miller
Charles R. Mitchell
William Mohlenhoff
Ronald A. Moore
James B. Morin
Clifton D. Myers
Gordon M. Nonnemacher
Neal C. Phillips
Merle A. Rice
Bertram M. Roeder
George P. Russell, Jr.
Herbert A. Sargent
Charles F. Schied
David L. Schloredt
Mack C. Sellers
David K. Smith
Donald E. Sparks
James R. Stevens
Dennis A. Tuck
Rex J. Vannoy
Jerome K. Walterskirchen
Rodney G. Williams
William R. Wood, Jr.

Edward Stanton (Naval Reserve Officers' Training Corps) to be an ensign in the Navy from the 3d day of June 1949, in lieu of ensign in the Supply Corps of the Navy as previously nominated and confirmed.

The following-named (civilian college graduates) to be ensigns in the Navy from the 3d day of June 1949:

Gerald B. Anderson
Charles E. Callahan
Eugene A. Davis
James D. DeLaughter
Arthur C. Derrick
Mark H. Forsthoefel
Loyd F. Galyean
Milburn K. Hemmick
Neal J. Johnson
Donald O. June
Arthur J. Linden
Donald A. McCartin
Robert L. May
Kennth N. Murphy
Henry J. Nawoj
Frederick W. Nehring, Jr.
David W. Olmstead
Harry J. Post
William J. Reed
Arnold Stein
Lester L. Stoakes
Cordice I. Teague
Marvin H. Warner
Benjamin E. Weeks
Stuckey D. Willson
Robert E. Wilson
John W. Wood

Glenn E. Nippert (civilian college graduate) to be a lieutenant (junior grade) in the Navy (special duty officer).

The following-named to be ensigns in the Nurse Corps of the Navy:

Margaret A. Damush.
Dorothy K. Erickson.
Lorraine V. Feifer.

The following-named officer to the grade indicated in the Medical Corps of the Navy.

LIEUTENANT (JUNIOR GRADE)

William R. True.

WITHDRAWAL

Executive nomination withdrawn from the Senate February 25, (legislative day of February 21), 1949:

COMMISSIONER OF EDUCATION

Earl James McGrath, of New York, to be Commissioner of Education.

SENATE

MONDAY, FEBRUARY 28, 1949

(Legislative day of Monday, February 21, 1949)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

God our Father, whose will is our peace and in the white light of whose presence our consciences are made sensitive and our pride humbled: We come unfilled to Thee. We come in deep need, for the responsibilities of public office are heavy. Our concern for our own dear land and for those who love liberty and yearn for it around the world haunts our minds day and night. The circumstances of our times are dismaying and the resources of our souls inadequate unless Thou replenish them. Give us intelligent perspective, the courage to follow the gleam of human brotherhood, a vision of Thy kingdom on earth and faith to push out its frontiers of good will.

We ask it in the Redeemer's name. Amen.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that the President had approved and signed the following acts:

On February 25, 1949:

S. 492. An act to amend the act approved June 29, 1948, entitled "An act to authorize the issuance of a stamp commemorative of the two hundredth anniversary of the founding of the city of Alexandria, Va."

S. 713. An act to amend Public Law 533 of the Eightieth Congress authorizing the construction of a building for the General Accounting Office on square 518 in the District of Columbia.

On February 26, 1949:

S. 548. An act to provide for continuation of authority for the regulation of exports, and for other purposes.

MESSAGE FROM THE HOUSE—ENROLLED BILL AND JOINT RESOLUTION SIGNED

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bill and joint resolution, and they were signed by the Vice President:

H. R. 54. An act to retrocede to the State of New Mexico exclusive jurisdiction held by the United States over lands within the boundaries of the Los Alamos project of the United States Atomic Energy Commission; and

H. J. Res. 92. Joint resolution to continue the authority of the Maritime Commission to sell, charter, and operate vessels, and for other purposes.

LEAVES OF ABSENCE

Mr. LUCAS. Mr. President, I ask unanimous consent that the following Senators be excused from attending the sessions of the Senate until Thursday of this week, as they are engaged on official committee business: The Senator from Virginia [Mr. BYRD], the Senator from Kentucky [Mr. CHAPMAN], the Senator from Michigan [Mr. FERGUSON], the Senator from Delaware [Mr. FREAR], the Senator from South Dakota [Mr. GURNEY], the Senator from Iowa [Mr. HICKENLOOPER], the Senator from Oklahoma [Mr. THOMAS], and the Senator from North Dakota [Mr. YOUNG].

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. LODGE. Mr. President, I ask unanimous consent that I may be excused from the session of the Senate on Friday.

The VICE PRESIDENT. Without objection, it is so ordered.

CALL OF THE ROLL

Mr. LUCAS. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Ives	Murray
Anderson	Jenner	Myers
Baldwin	Johnson, Colo.	Neely
Brewster	Johnson, Tex.	O'Conor
Bricker	Johnston, S. C.	O'Mahoney
Broughton	Kefauver	Pepper
Butler	Kem	Reed
Cain	Kerr	Robertson
Chavez	Kilgore	Russell
Connally	Knowland	Saltonstall
Cordon	Langer	Schoeppel
Donnell	Lodge	Smith, Maine
Douglas	Long	Smith, N. J.
Downey	Lucas	Sparkman
Eastland	McCarran	Stennis
Ecton	McCarthy	Taft
Ellender	McClellan	Taylor
Flanders	McFarland	Thomas, Utah
Fulbright	McGrath	Thye
George	McKellar	Tobey
Gillette	Magnuson	Tydings
Hayden	Malone	Vandenberg
Hendrickson	Martin	Watkins
Hill	Maybank	Wherry
Hoey	Miller	Wiley
Holland	Millikin	Williams
Humphrey	Morse	Withers
Hunt	Mundt	

Mr. MYERS. I announce that the Senator from Rhode Island [Mr. GREEN] is absent on public business; the Senator from Connecticut [Mr. MCMAHON] and the Senator from New York [Mr. WAGNER] are necessarily absent.

The Senator from Virginia [Mr. BYRD], the Senator from Kentucky [Mr. CHAPMAN], the Senator from Delaware [Mr. FREAR], and the Senator from Oklahoma [Mr. THOMAS] are absent by leave of the Senate on official committee business.

Mr. SALTONSTALL. I announce that the Senator from Indiana [Mr. CAPEHART] is necessarily absent.

The Senator from Michigan [Mr. FERGUSON], the Senator from South Dakota [Mr. GURNEY], the Senator from Iowa [Mr. HICKENLOOPER], and the Senator from North Dakota [Mr. YOUNG] are absent by leave of the Senate on official committee business.

The Senator from New Hampshire [Mr. BRIDGES] is absent on official business.

The VICE PRESIDENT. Eighty-three Senators having answered to their names, a quorum is present.

EXECUTIVE COMMUNICATIONS, ETC.

Mr. LUCAS and other Senators addressed the Chair.

The VICE PRESIDENT. Before the Chair recognizes any Senator he wishes to lay before the Senate certain executive reports for printing, under the rule.

The VICE PRESIDENT laid before the Senate the following communications and letters, which were referred, as indicated:

SUPPLEMENTAL ESTIMATE, FEDERAL WORKS AGENCY (S. DOC. NO. 18)

A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Federal Works Agency, amounting to $3,000,000, fiscal year 1949 (with an accompanying paper); to the Committee on Appropriations and ordered to be printed.

PROPOSED PROVISION PERTAINING TO EXISTING APPROPRIATION FOR UNITED STATES MARITIME COMMISSION (S. DOC. NO. 19)

A communication from the President of the United States, transmitting a proposed provision pertaining to an existing appropriation of the United States Maritime Commission, fiscal year 1949 (with an accompanying paper); to the Committee on Appropriations and ordered to be printed.

HOURS OF DUTY AND PAY OF CERTAIN EMPLOYEES OF THE COAST GUARD

A letter from the Acting Secretary of the Treasury, transmitting a draft of proposed legislation to regulate the hours of duty and the pay of civilian keepers of lighthouses and civilians employed on lightships and other vessels of the Coast Guard (with an accompanying paper); to the Committee on Interstate and Foreign Commerce.

AUTHORIZATION TO CERTAIN PERSONNEL OF COAST GUARD AND PUBLIC HEALTH SERVICE TO ACCEPT CERTAIN GIFTS BY FOREIGN GOVERNMENTS

A letter from the Acting Secretary of the Treasury, transmitting a draft of proposed legislation to authorize certain personnel and former personnel of the United States Coast Guard and the United States Public Health Service to accept certain gifts tendered by foreign governments (with an accompanying paper); to the Committee on Interstate and Foreign Commerce.

SUSPENSION OF DEPORTATION OF ALIENS

A letter from the Acting Attorney General, transmitting, pursuant to law, a report reciting the facts and pertinent provisions of law in the cases of 42 individuals whose deportation has been suspended for more than 6 months by the Commissioner of Immigration and Naturalization Service under the authority vested in the Attorney General, together with a statement of the reason for such suspension (with accompanying papers); to the Committee on the Judiciary.

TOURIST AND OTHER PUBLIC FACILITIES IN CONJUNCTION WITH ALASKA HIGHWAY

A letter from the Secretary of the Interior, transmitting a draft of proposed legislation relating to the development of tourist and other public facilities in conjunction with the Alaska Highway and for other purposes (with an accompanying paper); to the Committee on Interior and Insular Affairs.

ROADS AND TRAILS UNDER JURISDICTION OF BUREAU OF INDIAN AFFAIRS IN ALASKA

A letter from the Under Secretary of the Interior, transmitting a draft of proposed legislation to authorize appropriations for roads, trails, and other aids to transportation serving lands and facilities under the jurisdiction of the Bureau of Indian Affairs in Alaska (with an accompanying paper); to the Committee on Interior and Insular Affairs.

RESIDENT COMMISSION FROM THE VIRGIN ISLANDS

A letter from the Under Secretary of the Interior, transmitting a draft of proposed

legislation to provide for a resident commissioner to the United States from the Virgin Islands (with an accompanying paper); to the Committee on Interior and Insular Affairs.

INFORMATION ON BANKRUPTCY CASES ADMINISTERED IN UNITED STATES DISTRICT COURTS

A letter from the Director, Administrative Office of the United States Courts, Washington, D. C., transmitting, pursuant to law, statistical tables and charts containing data in regard to bankruptcy cases administered in the district courts of the United States in the fiscal year ended June 30, 1948 (with an accompanying document); to the Committee on the Judiciary.

REPORTS OF COMMISSION ON ORGANIZATION OF THE EXECUTIVE BRANCH OF THE GOVERNMENT

A letter from the Chairman of the Commission on Organization of the Executive Branch of the Government, transmitting, pursuant to law, a report on the National Security Organization (with an accompanying report); to the Committee on Expenditures in the Executive Departments.

A letter from the Chairman of the Commission on Organization of the Executive Branch of the Government, transmitting, pursuant to law, a report on the National Security Organization (appendix G) (with an accompanying report); to the Committee on Expenditures in the Executive Departments.

A letter from the Chairman of the Commission on Organization of the Executive Branch of the Government, transmitting, pursuant to law, a report on the National Security Organization (vol. II) (with an accompanying report); to the Committee on Expenditures in the Executive Departments.

A letter from the Chairman of the Commission on Organization of the Executive Branch of the Government, transmitting, pursuant to law, a report on the National Security Organization (vol. III) (with an accompanying report); to the Committee on Expenditures in the Executive Departments.

DISPOSITION OF EXECUTIVE PAPERS

A letter from the Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and hav no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The VICE PRESIDENT appointed Mr. JOHNSTON of South Carolina and Mr. LANGER members of the committee on the part of the Senate.

EXTENSION OF AUTHORITY OF COMMITTEE ON THE JUDICIARY TO INVESTIGATE IMMIGRATION LAWS

Mr. LUCAS obtained the floor.

Mr. McCARRAN. Mr. President, will the Senator from Illinois yield to me?

Mr. LUCAS. I yield to the Senator from Nevada.

The VICE PRESIDENT. The Chair wishes to announce to the Senate, for the benefit of all Senators, that when a Senator is recognized and has the floor he can yield to another Senator only for a question, except by unanimous consent.

Mr. McCARRAN. Then, Mr. President, I ask unanimous consent that the Senate may proceed to the consideration of Senate Resolution No. 40. The reason for my request is that the work of investigating the immigration laws and the administration thereof was assigned to the Committee on the Judiciary by the Eightieth Congress by Senate Resolution No. 137. The time for such authorization expires tonight. Extension of time has been approved by the Committee on Rules and Administration and by the Committee on th. Judiciary. Unless the time can be extended by the Senate today the entire investigation will cease tonight, the committee will lose its staff, and the work which has been under way for the past 7 months would be lost.

I ask unanimous consent, Mr. President, that the Senate proceed to the consideration of Senate Resolution 40.

The VICE PRESIDENT. The Senator from Nevada has asked unanimous consent that the Senator from Illinois may yield to him for that purpose. Is there objection?

Mr. WHERRY. Mr. President, reserving the right to object, I should like to make an inquiry of the Senator from Nevada? Does the authorization of Senate Resolution 137, adopted in the Eightieth Congress, terminate tonight? Senate Resolution 40 also asks for an appropriation, does it not?

Mr. McCARRAN. Yes.

Mr. WHERRY. Does the authorization under Senate Resolution 137 terminate tonight?

Mr. McCARRAN. The authorization under that resolution terminates tonight, that is, it terminates the 1st day of March, which will be tomorrow.

Mr. WHERRY. Was the resolution for which the Senator now asks consideration reported favorably from the committee and is it now on the calendar?

Mr. McCARRAN. The resolution (S. Res. 40) was reported favorably by the Committee on the Judiciary. It was then referred to the Committee on Rules and Administration, and has been reported favorably from the Committee on Rules and Administration and is now on the calendar.

Mr. WHERRY. Was the resolution reported unanimously by the Committee on the Judiciary?

Mr. McCARRAN. It was.

Mr. WHERRY. So there is a unanimous report by the Committee on the Judiciary and a unanimous report by the Committee on Rules and Administration?

Mr. McCARRAN. I am advised by the chairman of the latter committee that the report was unanimous.

Mr. WHERRY. What appropriation is asked for in the resolution?

Mr. McCARRAN. The request is for an appropriation of $135,000.

Mr. WHERRY. Is that about in keeping with the amount which was expended during the life of the committee in the Eightieth Congress for the purpose in question?

Mr. McCARRAN. Yes; it is. The resolution would extend the authorization to the committee for 1 year, or until the 1st of March 1950.

Mr. WHERRY. Was the total amount authorized by the resolution adopted last year used during the life of the last Congress?

Mr. McCARRAN. Not exactly. But the balance is contained in the total of $135,000.

Mr. WHERRY. So the amount requested for this year is practically the same, is it not, as the amount requested for last year, and whatever was saved from last year will be applied in the $135,000 asked for in Senate Resolution 40?

Mr. McCARRAN. Yes.

Mr. WHERRY. Mr. President, I have no objection to the immediate consideration of the resolution.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

Mr. DONNELL. Mr. President, I should like to associate myself with the Senator from Nevada in the request he has made. I think it is exceedingly important that the request be granted.

The VICE PRESIDENT. Is there objection to the request that the Senator from Illinois be permitted to yield to the Senator from Nevada for the purpose of the present consideration of Senate Resolution 40?

Mr. SALTONSTALL. Mr. President, reserving the right to object, I should like to ask a question of the Senator from Nevada. Does the investigation include also the question of displaced persons?

Mr. McCARRAN. It does not, unless as it may indirectly do so. Another subcommittee of the Committee on the Judiciary is handling that subject specifically. But Senate Resolution 40 does take up another matter I have not mentioned and to which I now refer. The Eightieth Congress adopted a provision that the subject of all deportees who had been retained in this country for a period of 6 months by order of the Attorney General should come to this committee for investigation. There are approximately 15,000 such deportees, as we are advised. So the committee must deal also with that question.

Mr. SALTONSTALL. So the committee is going into the long-range immigration question, but is not concerning itself actively with the subject of displaced persons during the next 2 years? That subject is being handled by another subcommittee, as I understand.

Mr. McCARRAN. Except as it might be incidental to the work of the particular subcommittee. The displaced-persons question is entirely in the hands of another subcommittee of the Committee on the Judiciary.

Mr. SALTONSTALL. On the subject of displaced persons, will the full committee receive a report which will be available to the individual Members of the Senate during the next couple of months?

Mr. McCARRAN. Yes. I am hopeful of getting such a report much earlier than that. It is my hope that the committee will take action and bring something before the Senate even within the next couple of months.

Mr. SALTONSTALL. I thank the Senator from Nevada.

The VICE PRESIDENT. Is there objection to the unanimous-consent request for the immediate consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution (S. Res. 40) relating to an investigation of the immigration laws and the adminis-

tration thereof, which had been submitted by Mr. McCARRAN on January 27, 1949, referred to the Committee on the Judiciary, reported by that committee without amendment, thereupon referred to the Committee on Rules and Administration, and reported from that committee by Mr. HAYDEN on February 25, 1949, with an amendment on page 1, line 6, after the word "continued", to strike out "during the sessions, recesses, and adjourned periods of the Eighty-first Congress" and to insert "until March 1, 1950", so as to make the resolution read:

Resolved, That the authority of the Committee on the Judiciary, or any duly authorized subcommittee thereof, under Senate Resolution 137, of the Eightieth Congress, agreed to July 26, 1947 (providing for a full and complete investigation of our entire immigration system), is hereby continued until March 1, 1950, and the limit of expenditures under such resolution is hereby increased by $135,000.

The amendment was agreed to.

The resolution, as amended, was agreed to.

TRANSACTION OF ROUTINE BUSINESS

The VICE PRESIDENT. The Senator from Illinois [Mr. LUCAS] has the floor. The Chair suggests to him that, in order to facilitate action upon ordinary routine matters, he ask unanimous consent that he may yield to Senators for routine matters and for insertions in the RECORD.

Mr. LUCAS. Mr. President, I make such a request.

Mr. WHERRY. Mr. President, there is no objection to such procedure. That would be the proper way to handle requests for insertion of matters into the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

By unanimous consent, the following routine business was transacted:

PETITIONS AND MEMORIALS

Petitions, etc., were presented, and referred as indicated:

By Mr. MILLIKIN:

A joint memorial of the Legislature of the State of Colorado; to the Committee on Expenditures in the Executive Departments:

"Senate Joint Memorial 1

"Memorializing the Congress of the United States to enact legislation providing for the creation of a department of natural resources, the establishment of regional or branch offices of that and other Federal departments and agencies, and for the location of a United States military academy of the air in Denver

"Whereas the Honorable Herbert Hoover, Chairman of the Joint Committee on the Organization of the Executive Branch of the Government, has recommended the reorganization of the Department of the Interior and the incorporation of its functions and related functions concerned with the conservation and development of natural resources into a new department of natural resources; and

"Whereas it would be highly desirable that regional offices of that and other Federal departments and agencies be established in order to bring the Federal Government and its activities closer to the people; and

"Whereas consideration is being given to the establishment of a United States military academy of the air; and

"Whereas the members of the thirty-seventh general assembly wish to commend the Department of the Interior, Reclamation Service, and the Corps of Army engineers for their splendid record of accomplishment and the Hoover commission for its needful accomplishment in devising a complete reorganization plan for the executive branch of our National Government: Now, therefore, be it

"Resolved by the Senate of the Thirty-seventh General Assembly of the State of Colorado (the house of representatives concurring herein), That the Congress of the United State be, and it is hereby, memorialized to approve legislation for—

"1. The creation of a new department of natural resources;

"2. The location of a regional office of that department and of other important Federal departments and agencies in Denver; and

"3. The location of the United States military academy of the air likewise in Denver; be it further

"Resolved, That copies of this memorial be forwarded to the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States, and to the Senators and Congressmen representing the State of Colorado of the United States."

A joint memorial of the Legislature of the State of Colorado; to the Committee on Interior and Insular Affairs:

"House Joint Memorial 5

"Memorializing the Congress of the United States to enact legislation to make Indians citizens of the United States in order that they may be able to vote

"Whereas there are approximately 400,000 Indians in the United States for whom the Bureau of Indian Affairs, under the direction of the Secretary of the Interior, exercises a trusteeship, in accordance with treaties made between the United States and the Indians and with the statutes enacted by the Congress; and

"Whereas the Bureau of Indian Affairs provides cducational facilities for Indian children or they are otherwise educated in public schools; provides medical care and health programs; supplies social services for the needy, the sick, and the disabled; provides agricultural and industrial guidance for the conservation and improvement of approximately 56,600,000 acres of Indian land; administers tribal and individual Indian moneys held in trust by the United States, and furnishes credit to individuals and groups for educational, industrial, and agricultural projects, and in general works for the economic, educational, social, and civic advancement of the Indians to the end that they may become independent of special Federal aid or regulation; and

"Whereas notwithstanding all of these services to the Indians, they are not citizens of the United States and as the result they are denied the privilege of voting in general elections—national, State, and local—including elections in the State of Colorado, unless and until they are emancipated and given the right of citizenship by special acts of the Congress; and

"Whereas it is the opinion of the General Assembly of the State of Colorado, and the widespread opinion of citizens throughout the country, that Indians should be made citizens of the United States without further delay to right a grave and long-standing injustice, and to assure them their inalienable rights to life, liberty, and the pursuit of happiness: Now, therefore, be it

"Resolved by the House of Representatives of the Thirty-seventh General Assembly of the State of Colorado (the senate concurring herein), That the Congress of the United States is hereby memorialized and urged to enact legislation immediately to emancipate all Indians to the extent of making them citizens of the United States and eligible to vote in all elections to the same degree as are other citizens of the United States; be it further

"Resolved, That copies of this memorial be forwarded to the Secretary of the Interior, the Director of the Bureau of Indian Affairs, the President of the Senate, and the Speaker of the House of Representatives of the Congress of the United States, and to the Senators and Congressmen representing the State of Colorado in the Congress of the United States."

By Mr. LANGER:

A concurrent resolution of the Legislature of the State of North Dakota; to the Committee on Labor and Public Welfare:

"House Concurrent Resolution C

"Concurrent resolution memorializing the Congress of the United States to increase the share of Federal participation and increase the annual appropriation under Public Law 725

"Whereas hospital construction costs have continued to rise to a point where it has become increasingly difficult for communities in North Dakota to finance hospital construction; and

"Whereas many of the communities in the areas of greatest need for hospital facilities find it impossible to meet the financial burden even with the present 33⅓ percent of Federal participation for approved projects under Public Law 725; and

"Whereas this condition tends to defeat one of the primary purposes of Public Law 725, which is to give special consideration to hospitals serving rural communities and areas with relatively small financial resources; and

"Whereas the Federal Government in several grant-in-aid programs pays 50 percent and in some cases 100 percent of the cost; and

"Whereas the increased share of Federal participation is necessary if hospital construction is to go forward in the areas of greatest relative need in North Dakota: Now, therefore, be it

"Resolved by the House of Representatives of the State of North Dakato (the senate concurring therein), That the Congress of the United States be and hereby is memorialized and petitioned to amend Public Law 725 by increasing the Federal share of participation in the construction of approved hospital projects from 33⅓ percent to 50 percent and to increase the annual appropriation under said law to meet the added cost of the revised share of Federal participation, and that the provisions be made retroactive so that hospital projects approved on the Federal construction schedules prior to the enactment of these amendments may benefit from the increased share of Federal participation; and be it further

"Resolved, That copies of this resolution be sent to the President of the Senate and to the Speaker of the House of Representatives of the Congress of the United States, to the Federal Security Administrator, to the Surgeon General of the United States Public Health Service, and to North Dakota's delegation in Congress."

By Mr. McGRATH (for himself and Mr. GREEN):

A resolution of the General Assembly of the State of Rhode Island and Providence Plantations; to the Committee on the Judiciary:

"Resolution memorializing the Congress of the United States to pass, and the President of the United States to approve, if passed, the General Pulaski's Memorial Day resolution now pending in Congress

"Whereas a resolution providing for annual proclaiming by the President of the United States of America of October 11 as General

Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski is now pending in the present session of the Congress of the United States of America; and

"Whereas, the 11th day of October 1779 is the date in American history of the death of Brig. Gen. Casimir Pulaski who died from wounds received on October 9, 1779, at the siege of Savannah, Ga.; and

"Whereas the States of Arkansas, California, Connecticut, Delaware, Illinois, Indiana, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, New York, Nevada, Ohio, Pennsylvania, South Carolina, Tennessee, Texas, West Virginia, Wisconsin, and other States of the Union, through legislative enactment have designated October 11 of each year as General Pulaski's Memorial Day believing it fitting that the recurring anniversary of this day be commemorated with suitable patriotic and public exercises in honor of this great hero of the Revolutionary War and

"Whereas from October 11, 1929, to October 11, 1946, by congressional enactment, October 11 has been designated as General Pulaski's Memorial Day in the United States of America: Now, therefore, be it

"*Resolved*, That the General Assembly of the State of Rhode Island and Providence Plantations hereby memorializes and petitions the Congress of the United States to pass, and the President of the United States to approve, if passed, the General Pulaski's Memorial Day resolution now pending in Congress; and be it further

"*Resolved*, That duly certified copies of this resolution be transmitted forthwith by the secretary of state to the President of the United States, the Vice President of the United States, and to each of the Senators and Representatives from Rhode Island in the Congress of the United States."

By Mr. KEFAUVER:

A petition of sundry citizens of Bristol, Tenn., and Bristol, Va., praying for the enactment of legislation to prohibit the transportation of liquor advertising in interstate commerce; to the Committee on Interstate and Foreign Commerce.

ENFORCEMENT OF CIGARETTE TAX—RESOLUTION OF IOWA STATE LEGISLATURE

Mr. GILLETTE. Mr. President, I present a concurrent resolution adopted by the Legislature of the State of Iowa, favoring the enactment of legislation to aid the State in the enforcement of the cigarette tax now evaded by use of the United States mails.

There being no objection, the concurrent resolution was referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

House Concurrent Resolution 11

Concurrent resolution memorializing and requesting the Congress of the United States to enact a bill to aid the State in the enforcement of the cigarette tax now evaded by use of the United States mails

Whereas the State of Iowa has seen fit to impose a tax on the sale and use of cigarettes within its boundaries, and the revenues so obtained constitute an important portion of the funds available for its functions of government; and

Whereas it has been brought to the attention of the senate and the house of representatives of the State of Iowa that a large and growing system of evasion of such tax law has developed; that the United States mails are flooded with advertisements and inducements to the citizens of this State to violate the law of this State; that in numerous instances such advertisers entice prospective customers with statements to the effect that the use of the United States mails is sufficient proof of the legitimacy of such business and such a system; that the mails of the United States are constantly flooded with cigarettes in the process of delivery within this State, and on which cigarettes the tax required by the laws of this State has not and will not be paid; that this State is seriously disadvantaged by such use of the postal offices and mails of the United States for the purpose of evading the laws of Iowa; and that Iowa faces and is now suffering serious losses of revenue as a result of such system of evasion; and

Whereas it has been brought to the attention of the senate and the house of representatives of Iowa that there is now pending before the Congress of the United States a proposed bill which would aid the States by requiring shippers of cigarettes in interstate commerce to furnish to the taxing authority of the State to which shipped a copy of the invoice on each shipment and the name and address of each person to whom shipped: Now, therefore, be it

Resolved by the house (the senate concurring therein), That the Congress of the United States be, and the same is hereby, memorialized and respectfully urged to enact a bill requiring shippers of cigarettes in interstate commerce to furnish to the taxing authority of the State to which shipped a copy of the invoice on each such shipment or to enact such other bill to the aid of the several States affected as may be proper; be it further

Resolved, That duly authenticated copies of this resolution be forwarded immediately to the presiding officers of the respective Houses of Congress and to the Senators and Congressmen from Iowa.

ST. LAWRENCE WATERWAY—RESOLUTION OF MINNESOTA LEGISLATURE

Mr. THYE. Mr. President, I present for appropriate reference and ask unanimous consent to have printed in the RECORD a concurrent resolution adopted by the Minnesota State Legislature memorializing the Congress to take prompt action to ratify the agreement between the Government of the United States and the Dominion of Canada for the development of the St. Lawrence waterway.

There being no objection, the resolution was referred to the Committee on Foreign Relations, and, under the rules, ordered to be printed in the RECORD, as follows:

Concurrent resolution memorializing the Congress of the United States to take prompt action to ratify the agreement between the Government of the United States and the Dominion of Canada for the development of the St. Lawrence waterway

Whereas representatives of the Governments of the United States and of the Dominion of Canada in 1941 consummated and signed an agreement for the development of the St. Lawrence River, both for navigation and power purposes, so as to permit free passage of ocean-going ships from the Atlantic Ocean to the head of the Great Lakes and into the heart of the American Continent, and make available the development of this great potential source of electric energy for necessary public use; and

Whereas the agreement was under consideration by the Congress of the United States at the time of the Japanese attack at Pearl Harbor, and shortly thereafter we were at war with the Central Powers in Europe, as a consequence of which action on the agreement was advisedly deferred; and

Whereas world developments since 1941 have made it increasingly apparent that the securing of a permanent and just peace will inevitably be attended with vastly increased commerce with foreign nations, and particularly with the European and Asiatic nations, and the great industries located on the Great Lakes and the agriculture of the Northwest States will benefit as a result of the opening of the St. Lawrence as a shorter route for ocean commerce to deliver to foreign nations the products of our industries and agriculture, and more than ever before the development of the power to be generated by the St. Lawrence is recognized as a vital economic necessity; and

Whereas the agreement is now again being submitted to the Congress of the United States for approval, the Presidents of the United States for the past 29 years have committed themselves to the development of the St. Lawrence, and President Harry S. Truman has characterized the St. Lawrence project as of economic value comparable to the Panama Canal and a vital necessity as a defense measure; and

Whereas, the State of Minnesota, through its legislature, for the last 29 years has affirmed its continued support of this project, and through the Great Lakes-St. Lawrence Tidewater Commission of Minnesota has continuously promoted the development of the St. Lawrence River, believing that the project is a vital necessity for the stimulation and development of the resources of this State and of the entire Northwest, as well as a great economic advantage to the Nation, and that the project has already been too long delayed: Now, therefore, be it

Resolved, That the house of representatives, the senate concurring, commend and support the President of the United States in his steadfast, consistent, and energetic support of this project, and urge the Congress of the United States, without further delay, to approve and ratify the agreement already concluded with the Dominion of Canada, and provide the necessary funds for the speedy completion of this great project as a vital, economic, and defense necessity; be it further

Resolved, That the secretary of state be instructed to send copies of this resolution to the President, the Vice President, the Speaker of the House of Representatives of the United States, and to each of the Senators and Representatives in Congress from the State of Minnesota.

GERALD T. MULLIN,
President of the senate.
JOHN A. HARTTE,
Speaker of the house of representatives.

Passed the senate the 14th day of February, in the year of our Lord 1949.

H. Y. TORREY,
Secretary of the senate.

Passed the house of representatives the 17th day of February, in the year of our Lord 1949.

G. H. LEAHY,
Chief clerk, house of represeentatives.

Approved February 23, 1949.

LUTHER W. YOUNGDAHL,
Governor of the State of Minnesota.

SEDALIA AIR FIELD AS SITE FOR PROPOSED UNITED STATES AIR ACADEMY—RESOLUTION OF KANSAS CITY (MO.) CITY COUNCIL

Mr. KEM. Mr. President, I present for appropriate reference and ask unanimous consent to have printed in the RECORD a resolution adopted by the City Council of Kansas City, Mo., requesting Congress to give careful and complete consideration to the facilities offered by the Sedalia Air Field as a suitable site for the proposed United States Air Academy.

There being no objection, the resolution was referred to the Committee on

Armed Services and ordered to be printed in the RECORD, as follows:

Resolution 12512

Whereas there is now pending before Congress in both the Senate and House bills that propose the establishment of a United States Air Academy for the educational training of officers for the Air Corps, both Army and Navy, that would be comparable to the long-established Academies at West Point and Annapolis; and

Whereas the United States Government now owns 2,500 acres of land known as Sedalia Air Field, located 10 miles east of Warrensburg and 19 miles west of Sedalia, Mo.; and

Whereas this site is already adequately equipped with a water supply, sewage disposal, surface drainage and storm sewers, four concrete runways 7,200 feet long and 150 feet wide with 2,400,000 square feet of parkway aprons, railroad switch tracks from the main line of the Missouri Pacific Railroad, Federal Highway No. 50 and other connecting highways, 13 miles of black-top streets, electric power facilities, and a pipe line system connecting a supply of natural gas; and

Whereas this location has the strategic advantage in time of war of being situated equidistant from our east and west coasts and our north and south borders; and

Whereas this location is within 60 miles of Kansas City, making the metropolitan area easily accessible; and

Whereas the recreation facilities of the famous Ozark region are easily accessible: Now, therefore, be it

Resolved, That the City Council of Kansas City, Mo., does recommend to the Members of the United States Congress that careful and complete consideration be given to the facilities offered by the Sedalia Air Field as a suitable site for the proposed United States Air Academy; and be it further

Resolved, That members of Missouri's congressional delegation be furnished with a copy of this resolution and asked to exert their best efforts toward securing congressional action for the selection of the Sedalia Air Field as the location for the United States Air Academy.

Authenticated as adopted this February 21, 1949.

W. E. KEMP,
Mayor.
FLOURNOY QUEST,
City Clerk.
By E. L. STONE,
Deputy City Clerk.

GENERAL PULASKI'S MEMORIAL DAY

Mr. MYERS. Mr. President, I present for appropriate reference and ask unanimous consent to have printed in the RECORD a resolution dated January 18, 1949, of the Wilkes-Barre, Pa., City Council, and a resolution dated February 11, 1949, of the Scranton, Pa., City Council, urging establishment of October 11 of each year as General Pulaski's Memorial Day.

There being no objection, the resolutions were referred to the Committee on the Judiciary and ordered to be printed in the RECORD, as follows:

Resolution 8923

Resolution memorializing the Congress of the United States to pass and the President of the United States to approve, if passed, the General Pulaski's Memorial Day resolution now pending in Congress

Whereas a resolution providing for the President of the United States of America to proclaim October 11 of each year as General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski is now pending in the present session of the United States Congress; and

Whereas the 11th day of October 1779 is the date in American history of the heroic death of Brig. Gen. Casimir Pulaski, who died from wounds received on October 9, 1779, at the siege of Savannah, Ga.; and

Whereas the States of Arkansas, California, Connecticut, Delaware, Illinois, Indiana, Kentucky, Louisiana, Maryland, Kansas, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, New York, Nevada, Ohio, Pennsylvania, South Carolina, Tennessee, Texas, West Virginia, Wisconsin, and other States of the Union, through legislative enactment, designated October 11 of each year as General Pulaski's Memorial Day; and

Whereas it is fitting that the recurring anniversary of this day be commemorated with suitable patriotic and public exercises in observing and commemorating the heroic death of this great American hero of the Revolutionary War; and

Whereas the Congress of the United States of America has by legislative enactment designated October 11, 1929, October 11, 1931, October 11, 1932, to October 11, 1946, to be General Pulaski's Memorial Day in the United States of America: Now, therefore, be it

Resolved by the Council of the City of Scranton, Pa., in session assembled:

SECTION 1. That we hereby memorialize and petition the Congress of the United States to pass and the President of the United States to approve, if passed, the General Pulaski's Memorial Day resolution now pending in the United States Congress.

SEC. 2. That certified copies of this resolution, properly authenticated, be sent forthwith to the President of the United States, the Vice President of the United States, the Speaker of the House of Representatives of the United States, and each of the United States Senators and Representatives from Pennsylvania.

Approved February 11, 1949.

JAMES T. HANLON, *Mayor.*

Resolution 18888

Resolution adopted by the City Council of the City of Wilkes-Barre at a meeting held January 18, 1949

Whereas a resolution providing for the President of the United States of America to proclaim October 11 of each year as General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski, is now pending in the present session of the United States Congress; and

Whereas the 11th day of October 1779 is the date in American history of the heroic death of Brig. Gen. Casimir, Pulaski, who died from wounds received on October 9, 1779, at the siege of Savannah, Ga.; and

Whereas the States of Arkansas, California, Connecticut, Delaware, Illinois, Indiana, Kentucky, Louisiana, Maryland, Kansas, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, New York, Nevada, Ohio, Pennsylvania, South Carolina, Tennessee, Texas, West Virginia, Wisconsin, and other States of the Union, through legislative enactment designated October 11 of each year as General Pulaski's Memorial Day; and

Whereas it is fitting that the recurring anniversary of this day be commemorated with suitable patriotic and public exercises in observing and commemorating the heroic death of this great American hero of the Revolutionary War; and

Whereas the Congress of the United States of America has by legislative enactment designated October 11, 1929, October 11, 1931, October 11, 1932, to October 11, 1946, to be General Pulaski's Memorial Day, in the United States of America: Now, therefore, be it

Resolved by the City Council of the City of Wilkes-Barre and the State of Pennsylvania in session assembled:

SECTION 1. That we hereby memorialize and petition the Congress of the United States, to pass, and the President of the United States to approve, if passed, the General Pulaski's Memorial Day resolution now pending in the United States Congress.

SEC. 2. That certified copies of this resolution, properly authenticated, be sent forthwith to the President of the United States, the Vice President of the United States, the Speaker of the House of Representatives of the United States, and each of the United States Senators and Representatives from Pennsylvania.

Attest:

LUCIUS K. ELDRIDGE,
City Clerk.

RESOLUTIONS BY CORN BELT LIVESTOCK FEEDERS ASSOCIATION

Mr. BUTLER. Mr. President I present for appropriate reference and ask unanimous consent to have printed in the body of the RECORD resolutions adopted by the Corn Belt Livestock Feeders Association on February 24, 1949, at Kansas City, Mo.

There being no objection, the resolutions were referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

RESOLUTIONS ADOPTED BY THE CORN BELT LIVESTOCK FEEDERS ASSOCIATION, FEBRUARY 24, 1949, AT KANSAS CITY, MO.

1. We urge officialdom in Washington to take whatever steps are practical to restore American exports of lard to as near the 1920–39 average of 580,000,000 pounds as possible and to use all governmental powers to aid American business in recapturing this export lard trade.

2. We urge hotels and restaurants to reduce the prices of their meat course dinners in conformity with the break since last summer in wholesale meat prices, and to endeavor to expand meat consumption in their places of business to former levels in which they took about 25 percent of the total meat production.

3. We recommend to Army buyers that they buy, bone, and deep freeze a huge quantity of the surplus meat that has been coming to market, against the time this summer when supplies will be much more short. We also call to the attention of owners of lockers and deep freeze units that conditions point to much smaller supplies of meat later on and recommend that they accumulate supplies during this time of heaviest marketing.

4. We demand that America be protected from imports of goods or products manufactured or produced by peasant or slave labor. We demand that the American farmer be given the same protection against the competitive oils and fats produced by cheap foreign labor as industry is granted through the tariffs or labor through the immigration laws.

5. We call upon the Congress to enact and maintain a labor law that will prevent the closing of the packing houses and other businesses affecting public health and safety, through strikes. While we grant the right of any laborer either to work or not to work at a given place or at a given wage or under given condition we dispute most violently the right of any group to force the closing of industries such as the packing establishments on which the farmers depend for their markets for livestock, and from which the public expects to receive the most vital product in its diet, and that is

meat. We are opposed to repeal of the Taft-Hartley Act and call upon Congress to see to it that no organized very small minority group is permitted, through staging what virtually amounts to a civil revolution but is called a strike, to cause acute distress and anguish to a majority of the people of a city or an industry and through this distress force wages or other conditions that are not in keeping with the best interests of all of the people.

6. We oppose most emphatically the Spence bill, H. R. 2756, which would grant to the President stand-by powers to institute price controls. We know from past experience that price controls are not necessary when supply exceeds demand. We also know from past experience that in times of scarcity price controls are dangerous in that instead of increasing supplies they decrease them; they cause chaos, confusion, and losses to producers and black markets on which consumers are gouged for the decreasing supplies that the price controls bring. We call on Congress to forget politics and study the history of the result of price controls. As farmers we reject most emphatically the glib statements that the last election was a mandate to enact any such controls. History shows that there is only one means of bringing about a balance between supply and demand for any product, agricultural or otherwise, that is not a natural monopoly, and that is through a free price in a free economy. We instruct our officers to oppose with every vigor the renewed shackling of producers with any such controls.

7. We call upon the President to declare that the emergency in livestock is ended, and to raise the import duty on Canadian cattle to 2½ cents per pound as he is authorized, and to reopen negotiations with Canada on this whole subject of importations of Canadian cattle. We ask the President to take the lead in building a strong America and consider a strong livestock situation as a prime step in this course.

8. There is agitation for infliction on the American farmer of a method of rail grading in sale of hogs and other livestock. We believe this will eliminate the cash market for livestock and greatly delay returns to the farmer; greatly increase the expenses of the packers, and widen the margin between what the farmer receives and the consumer pays for meat; eliminate competition in the sale of meat, dragging the markets down instead of raising them; and subject the farmers to incompetence of Federal meat graders. We are opposed to it and call for a halt in the misdirected propaganda to bring it about.

9. We commend the organized livestock-market interests for the active steps they have taken during recent demoralized markets in trying to expand demand, in regulating the flow of livestock to market to numbers that could be cleared, and for using their time on the radio to assist and direct livestock marketing in a way that would alleviate a bad situation. We affirm once more that we need these organized central markets as our best places on which to market our stock and ask their continued cooperation in placing the livestock-feeding business on a firm foundation mutually beneficial.

10. We demand that if Federal control of the exports of agricultural products are necessary that this control be lodged in the Department of Agriculture, to be managed by a commission appointed by the President and approved by the Senate.

11. We are opposed to reciprocal-trade treaties that will bring into this country manufactured goods or raw products which are produced by industry, labor, or agriculture of this country and on which the people of this country depend for employment or markets that will give them a livelihood.

12. We call on manufacturers and labor to reduce their prices in conformity with the decline in agricultural commodity prices that there be maintained a balance between the various component parts of the producers of all products in this Nation.

13. We call upon the Department of Agriculture, in making the announcement of the support prices on hogs, to specify exactly what weights and grades are to be supported, at what specific price, and how and during what period of time those supports are to be made effective.

14. We also call upon the Department of Agriculture to adjust the hog-support prices between Chicago and river markets such as Kansas City, Omaha, St. Joseph, and Sioux City to the spread that existed during 1948. The fact that population has moved westward has resulted in the prices of hogs on the river markets averaging 5 cents of Chicago. Accordingly, we feel that the support prices should reflect the existing difference rather than the difference that existed years ago.

15. We thank the livestock interests of Kansas City for their aid in making our stay in their city a most delightful experience.

16. We call on livestock feeders everywhere to join with us in endeavoring to work out the steps that will make livestock feeding as safe a business, free from the hazards of speculation, as is practical.

17. We commend the efforts of the Corn Belt Livestock Feeder to bring to us information of value both from a market and a feeding standpoint, and promise it our full and enthusiastic support. And we call upon the interests from whom we purchase our supplies of livestock feed and/or other farm necessities and through whom we sell our finished products to lend their advertising support to this, our official publication.

TAX ON ADMISSIONS—RESOLUTION OF LEAGUE OF MINNESOTA MUNICIPALITIES

Mr. HUMPHREY. Mr. President, I present for appropriate reference and ask unanimous consent to have printed in the RECORD, a resolution adopted by the League of Minnesota Municipalities, University of Minnesota Library, Minneapolis, Minn., relating to tax on admissions.

There being no objection, the resolution was referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

Resolution on Admissions Tax Enabling Act

Whereas the financial plight of some municipalities is more acute than that of others and only enabling authority for municipal taxes will provide the flexibility in local revenue systems necessary to take acoount of this divergent revenue need; and

Whereas an admissions tax is among the taxes best adapted to local administration because it is fair and easy to administer, because it provides for a minimum of intermunicipal competition, and because it is being increasingly and successfully used by municipalities throughout the country; and

Whereas such a tax may be imposed without additional burden on the taxpayers when the Federal Government reduces or abolishes its tax on admissions; and early reduction in the Federal tax has been recommended by congressional committees; Be it

Resolved, That the League of Minnesota Municipalities recommend to the 1949 legislature the enactment of legislation authorizing the council of any city or village, irrespective of charter requirements, to levy a tax on admissions when the Federal admissions tax is reduced or abolished, such local tax not to exceed the amount of the reduction in the Federal tax.

Resolved further, That the league urge Congress to repeal the Federal admissions tax so as to leave that field of excise taxation for appropriate State and local action; and request the 1949 legislature to memorialize Congress to the same effect.

PROTEST AGAINST RELIGIOUS PERSECUTION IN HUNGARY

Mr. LODGE. Mr. President, on behalf of the senior Senator from Massachusetts [Mr. SALTONSTALL] and myself, I present for appropriate reference a resolution adopted by local union No. 261, United Rubber, Cork, Linoleum, and Plastic Workers of America, Fall River, Mass., calling on the Secretary of State to enter a diplomatic protest to Hungary because of religious persecution.

There being no objection, the resolution was referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

Whereas this executive board being composed of true, loyal Americans, it wishes to go on record, protesting the recent trial of Josef Cardinal Mindszenty, prince of the church and primate of all Catholics of Hungary; and

Whereas the results of this so-called kangaroo trial was known to the prosecutors and the whole Christian world even before said trial took place; and

Whereas another foreign government is also persecuting ministers of the Protestant faith; and

Whereas these governments being inside the iron curtain, controlled by orders of the Communist Party; and

Whereas the ideologies of the Soviet Government toward God and religion are known to the Christian world; and

Whereas these arrests and trials have been held in foreign countries where our great, free, independent Government has representation: Therefore be it

Resolved, That this country through its State Department head enter a diplomatic protest to Hungary and all foreign powers who are persecuting religion on false pretense; therefore be it further

Resolved, That a protest also be made to the Security Council of the United Nations.

GENERAL PULASKI'S MEMORIAL DAY—RESOLUTION OF BOARD OF ALDERMEN OF HOLYOKE, MASS.

Mr. LODGE. Mr. President, on behalf of my colleague the senior Senator from Massachusetts [Mr. SALTONSTALL] and myself, I present for appropriate reference a resolution adopted by the Board of Aldermen of Holyoke, Mass., memorializing the Congress of the United States to approve the General Pulaski's Memorial Day resolution.

There being no objection, the resolution was referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Resolution memorializing the Congress of the United States to pass, and the President of the United States to approve, if passed, the General Pulaski's Memorial Day resolution now pending in Congress

Whereas a resolution providing for the President of the United States of America to proclaim October 11 of each year as General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski is now pending in the present session of the United States Congress; and

Whereas the 11th day of October 1779 is the date in American history of the heroic

death of Brig. Gen. Casimir Pulaski, who died from wounds received on October 9, 1779, at the siege of Savannah, Ga.; and

Whereas the States of Arkansas, California, Connecticut, Delaware, Illinois, Indiana, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, New York, Nevada, Ohio, Pennsylvania, South Carolina, Tennessee, Texas, West Virginia, Wisconsin, and other States of the Union, through legislative enactment designated October 11 of each year as "General Pulaski's Memorial Day"; and

Whereas it is fitting that the recurring anniversary of this day be commemorated with suitable patriotic and public exercises in observing and commemorating the heroic death of this great America hero of the Revolutionary War; and

Whereas the Congress of the United States of America has, by legislative enactment, designated from October 11, 1929, to October 11, 1946, to be General Pulaski's Memorial Day in the United States of America: Now, therefore, be it

Resolved by the Common Council of the City of Holyoke and State of Massachusetts:

SECTION 1. That we hereby memorialize and petition the Congress of the United States to pass, and the President of the United States to approve, if passed, the General Pulaski's Memorial Day resolution now pending in the United States Congress.

SEC. 2. That certified copies of this resolution, properly authenticated, be sent forthwith to the President of the United States, the Vice President of the United States, and each of the United States Senators and Representatives from Massachusetts.

A true copy of resolution adopted at a regular meeting of the Board of Aldermen of Holyoke, Mass., held February 15, 1949.

Attest:

[SEAL] JOSEPH JUBINVILLE, Jr.,
City Clerk.

JOSEF CARDINAL MINDSZENTY—RESOLUTION OF SEVILLE COUNCIL, NO. 93, KNIGHTS OF COLUMBUS, BROCKTON, MASS.

Mr. LODGE. Mr. President, on behalf of my colleague, the senior Senator from Massachusetts [Mr. SALTONSTALL] and myself, I present for appropriate reference a resolution by the Seville Council, No. 93, Knights of Columbus, Brockton, Mass., memorializing the Congress of the United States to investigate the unjust imprisonment of Cardinal Mindszenty.

There being no objection, the resolution was received, referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

Whereas at a meeting of Seville Council, No. 93, Knights of Columbus, in Brockton, Mass., on Sunday, January 9, 1949, it was unanimously voted by the membership of 1,200 members; and

Whereas the Communist-controlled Government of Hungary did arrest and imprison unjustly his eminence, Josef Cardinal Mindszenty; and

Whereas the entire Christian world looks on this action by said Communist-controlled Hungary Government as a sacriligious action: It is thereby

Resolved, That the Congress of the United States of America be memorialized to investigate the unjust imprisonment of Josef Cardinal Mindszenty and to seek his immediate release; and be it further

Resolved, That a copy of this resolution be forwarded to the Ambassador of Hungary to this country at Washington, D. C.

RESOLUTIONS OF AMERICAN TRANSIT ASSOCIATION

Mr. WILEY. Mr. President, I have received from P. H. Pinkley, president of the Milwaukee Electric Railway & Transport Co., two important resolutions. They were adopted by the executive committee of the board of directors of the American Transit Association. This association represents practically all of the important local, urban, transit operators in the United States, and the resolutions pertain to the Taft-Hartley law.

I endorse the sentiments in these resolutions and I ask that they be printed at this point in the CONGRESSIONAL RECORD and referred thereafter to the Senate Labor Committee for its careful attention.

There being no objection, the resolutions were referred to the Committee on Labor and Public Welfare and ordered to be printed in the RECORD, as follows:

The American Transit Association includes in its membership more than 300 urban transit companies, which employ nearly 200,000 workers and serve some 325 municipalities, with a total population of approximately 50,000,000. The vast majority of the employees of those companies are organized into local unions affiliated with A. F. of L. and CIO.

Local transit service is essential to the personal and economic well-being of the people of the communities served, so that the public welfare requires every reasonable effort to prevent interruptions thereof resulting from labor controversies or any other cause.

The Federal Mediation and Conciliation Service can do much in assisting to alleviate or adjust labor controversies in the transit industry, but only as long as it remains above suspicion of partisanship and prejudice.

No matter how high may be the caliber and ideals of the men administering the Department of Labor, yet in the last analysis that Department is labor's spokesman in the Government, constituted for and dedicated to advancing the cause of labor. It is not expected by labor to be without partisanship, and it cannot in fact be without partisanship and effectuate the policies for which it is designed.

To place the Federal Mediation and Conciliation Service—now an independent agency in the executive branch of the Government—under the jurisdiction of the Department of Labor, will inevitably lay it open to suspicion by management and the general public as to its nonpartisanship in fact and will largely serve to nullify its effectiveness. If the Service is in reality intended to be impartial and unprejudiced as between management and labor, then management can fairly question the motives inducing its transfer to the Department of Labor with equal reason that labor could question a proposal to transfer the Service to the Department of Commerce. Either such transfer would be equally bad.

Therefore, the American Transit Association respectfully urges that, in the public interest, the Federal Mediation and Conciliation Service be continued as an independent agency in the executive branch of the Government and that, accordingly, the proposal to place same in the Department of Labor be rejected as definitely detrimental to the cause of national unity.

Dated February 7, 1949.

The American Transit Association, as the national organization of the transit industry, embracing some 300 companies employing nearly 200,000 people and serving more than 325 American communities with a total population of approximately 50,000,000, respectfully petitions the Congress to proceed with due deliberation, without preconceived prejudices and only after full and open hearings, to the enactment of new national labor laws.

In support of its position, the association invites attention to the following:

The Wagner-Connery Act was admittedly partisan and partial in its conception, adoption, and administration. Not even its most ardent advocates have ever sought to defend it as in accord with the American spirit of fair play and equality before the law. It was a constant cause of bitterness and resentment by business, a fruitful source of controversy between labor and management, and an open invitation to oppression of the general public as the innocent victims of the disunity thereby caused.

The Taft-Hartley Act was enacted in response to public demand for improvement of the then-existing situation. A substantial number of the Democratic Members of the Senate and House voted therefor and again voted to override the Presidential veto thereof. Whatever may be its faults—and no one insofar as we know has claimed perfection for it—it at least attempted to restore equality before the law and to correct some of the demonstrated and admitted abuses which had arisen under the prior act.

The new labor law to be enacted by the Eighty-first Congress will defeat its purpose if enacted in a spirit of vindictiveness or partisanship. Now, as rarely before in our history, is national unity more vitally essential. Now, as never before, do we need the full cooperation of labor and management, working together under fair and equal laws, to produce the goods, services, and funds required for continuation of our national safety and economic well-being. The trend of the labor-legislative program in the Eighty-first Congress, to date, would appear to disregard those factors.

We ask that the Congress proceed with due deliberation in the important task of adopting a new labor law; that it provide for full and open hearings, at which those directly and indirectly affected may have reasonable opportunity to be heard; that those objecting to the various provisions of both the Wagner-Connery and Taft-Hartley Acts be required to come into the open and make their objections and their reasons therefore a matter of public record; and that the end result be a new labor law fair and impartial as to all concerned and with the general public interest treated as paramount. Any other treatment of this vital issue will be contrary to the basic principles upon which this Nation was founded, upon which it has grown great and upon which it must continue to stand if the American people are to remain prosperous and free.

Dated February 7, 1949.

APPROPRIATIONS FOR VETERANS—RESOLUTION OF MILWAUKEE FRATERNAL ORDER OF EAGLES

Mr. WILEY. Mr. President, I have received a resolution from the New Milwaukee Aerie, No. 0137, of the Fraternal Order of Eagles, on the vital subject of adequate appropriations for our Nation's veterans.

This resolution comes from a great organization and from a particular aerie which is the pride of our State and Nation—representing as it does 14,000 citizens of Milwaukee County. This aerie has drawn Nation-wide attention by its magnificent contributions to the

community and to its parent organization.

I ask unanimous consent that this important resolution which was sent to me be printed in the CONGRESSIONAL RECORD at this point, and appropriately referred.

There being no objection, the resolution was referred to the Committee on Labor and Public Welfare and ordered to be printed in the RECORD, as follows:

Whereas the Government of the United States has indicated an intention of curtailing expenditures for veterans' benefits; and

Whereas one of the announced plans of curtailment is in hospital facilities and especially in the number of additional beds which Veterans' Administration surveys show are necessary to meet the full requirements of the disabled veterans and those in need of adequate hospitalization: Now, therefore, be it

Resolved, That New Milwaukee Aerie, No. 0137, Fraternal Order of Eagles, composed of 14,000 citizens of Milwaukee County, protest any curtailment of expenditures necessary for the proper care and rehabilitation of the men and women whose personal efforts and sacrifices preserved our American institutions, and made the continuance of our American way of life possible; and be it further

Resolved, That we protest any attempt to revert to conditions such as existed in 1933, especially when our Government finds money for the rehabilitation of other nations of the world, at the expense of our sick veterans at home; and be it further

Resolved, That copies of this resolution be sent to Senators WILEY and MCCARTHY and Congressmen BIEMILLER and ZABLOCKI so that they may be apprised of our position on this matter and be governed accordingly.

REPORT OF A COMMITTEE

Mr. HOLLAND. Mr. President, from the Committee on Public Works, I report favorably, with amendments, the bill (S. 714) to provide for comprehensive planning, for site acquisition in and outside of the District of Columbia, and for the design of Federal building projects outside of the District of Columbia; to authorize the transfer of jurisdiction over certain lands between certain departments and agencies of the United States; and to provide certain additional authority needed in connection with the construction, management, and operation of Federal public buildings; and for other purposes, and I submit a report (No. 87) thereon. I am not asking that it be taken up at this time.

The VICE PRESIDENT. The report will be received, and the bill will be placed on the calendar.

REPORT ON DISPOSITION OF EXECUTIVE PAPERS

Mr. JOHNSTON of South Carolina, from the Joint Select Committee on the Disposition of Executive Papers, to which were referred for examination and recommendation a list of records transmitted to the Senate by the Archivist of the United States that appeared to have no permanent value or historical interest, submitted a report thereon pursuant to law.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, and withdrawing a nomination, which nominating messages were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF A COMMITTEE

Mr. MCCARRAN. Mr. President, as in executive session, I report favorably the nominations of Albert M. Cristy, of Hawaii, to be an associate justice of the Supreme Court of the Territory of Hawaii, vice Emil C. Peters, and Willson G. Moore, of Hawaii, to be fourth judge of the first circuit, circuit courts, Territory of Hawaii, and I submit a report (Ex. Rept. No. 3) thereon.

The VICE PRESIDENT. Without objection, the report will be received, and the nominations will be placed on the Executive Calendar.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred, as follows:

By Mr. CHAVEZ:

S. 1096. A bill for the relief of Abe Lincoln and Elena B. Lincoln; to the Committee on the Judiciary.

By Mr. MARTIN:

S. 1097. A bill for the relief of Phyllis Hertzog; to the Committee on Interstate and Foreign Commerce.

S. 1098. A bill to provide for the issuance of a postage stamp in commemoration of the ninetieth anniversary of the beginning of the petroleum industry in the United States; to the Committee on Post Office and Civil Service.

S. 1099. A bill to authorize the construction of flood-control works in the Allegheny River Basin at Warren, Youngsville, Sheffield, Oil City, and Franklin, Pa.; to the Committee on Public Works.

By Mr. THYE:

S. 1100. A bill to authorize a $100 per capita payment to members of the Red Lake Band of Chippewa Indians from the proceeds of the sale of timber and lumber on the Red Lake Reservation; to the Committee on Interior and Insular Affairs.

By Mr. MURRAY:

S. 1101. A bill authorizing the Secretary of the Interior to convey certain lands in the State of Montana to Nick Langager; to the Committee on Interior and Insular Affairs.

S. 1102. A bill to amend section 6 of the War Claims Act of 1948 with respect to compensation payable to individuals who went into hiding in order to avoid capture as prisoners of war; to the Committee on the Judiciary.

(Mr. JOHNSTON of South Carolina (for himself and Mr. LANGER) (by request) introduced Senate bill 1103, to readjust postal rates, which was referred to the Committee on Post Office and Civil Service, and appears under a separate heading.)

By Mr. HOLLAND:

S. 1104. A bill to amend the River and Harbor Act of 1948 to provide for reports by the Chief of Engineers with respect to national-defense values of river, harbor, and waterway improvements; to the Committee on Public Works.

(Mr. MALONE introduced Senate bill 1105, to repeal the joint resolution of July 24, 1946, which was referred to the Committee on Agriculture and Forestry, and appears under a separate heading.)

By Mr. LODGE:

S. 1106. A bill to amend the Public Health Service Act, as amended, so as to provide assistance to the States in furnishing certain medical aid to needy and other individuals; to the Committee on Labor and Public Welfare.

By Mr. KEFAUVER:

S. 1107. A bill to provide for the award of decorations to former members of the Army in certain cases; to the Committee on Armed Services.

S. 1108. A bill for the relief of Lula Hickey Thomas; to the Committee on the Judiciary.

S. 1109. A bill to provide for the Admiral David Glasgow Farragut Birthplace National Monument; to the Committee on Interior and Insular Affairs.

By Mr. SMITH of New Jersey:

S. 1110. A bill for the relief of Mrs. Suzanne Wiernik and her daughter;

S. 1111. A bill for the relief of Rutgers University; and

S. 1112. A bill for the relief of Arthur Toffler and his wife, Lily Toffler; to the Committee on the Judiciary.

By Mr. MCCARRAN:

S. 1113. A bill to provide for the appointment of committees to conserve the assets of persons of advanced age, mental weakness, or physical incapacity; to the Committee on the District of Columbia.

By Mr. KILGORE:

S. 1114. A bill to provide a correctional system for youth offenders convicted in the courts of the United States; to the Committee on the Judiciary.

By Mr. ANDERSON (for himself, Mr. CHAVEZ, Mr. HAYDEN, Mr. MCFARLAND, Mr. DOWNEY, and Mr. KNOWLAND):

S. 1115. A bill authorizing appropriations for the construction, operation, and maintenance of the western land boundary fence project, and for other purposes; to the Committee on Foreign Relations.

(Mr. WILLIAMS (for himself, Mr. BALDWIN, Mr. CAIN, Mr. LODGE, Mr. MALONE, Mr. MILLIKIN, and Mr. THYE) introduced Senate bill 1116, to grant travel and subsistence allowance to the next of kin attending group burials of remains of known individuals returned to the United States for interment, which was referred to the Committee on Armed Services, and appears under a separate heading.)

By Mr. MCCARRAN:

S. 1117. A bill to provide for the establishment and operation of a rare and precious metals experiment station at Reno, Nev.; to the Committee on Interior and Insular Affairs.

(Mr. WILEY introduced Senate bill 1118, to encourage the prevention of stream pollution by allowing amounts paid for plants for the treatment of industrial waste as a deduction in computing net income, which was referred to the Committee on Finance, and appears under a separate heading.)

By Mr. JENNER:

S. 1119. A bill to authorize settlement for certain inequitable losses in pay sustained by officers of the commissioned services under the emergency economy legislation, and for other purposes; to the Committee on the Judiciary.

By Mr. MORSE:

S. 1120. A bill to amend the Legislative Reorganization Act of 1946 to require an accounting for the expense allowance payable to each Senator, Representative in Congress, Delegate from the Territories, and Resident Commissioner from Puerto Rico; to the Committee on Expenditures in the Executive Departments.

By Mr. MCGRATH:

S. 1121. A bill to provide for a service credit for veterans for the purposes of title II of the Social Security Act; to the Committee on Finance.

By Mr. MCGRATH (by request):

S. 1122. A bill relating to children born out of wedlock;

S. 1123. A bill to amend section 1537 of the act entitled "An act to establish a code of

law for the District of Columbia," approved March 3, 1901, as amended, so as to provide for service of process on agents or employees of a nonresident individual, partnership, association, group, organization, or foreign corporation, conducting a business in the District of Columbia;

S. 1124. A bill to provide for the appointment and compensation of counsel to impoverished defendants in criminal cases in the United States District Court for the District of Columbia;

S. 1125. A bill to amend section 16–415 of the Code of Laws of the District of Columbia, to provide for the enforcement of court orders for the payment of temporary and permanent maintenance in the same manner as directed to enforce orders for permanent alimony;

S. 1126. A bill to amend the Boiler Inspection Act of the District of Columbia;

S. 1127. A bill to amend sections 130 and 131 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901, relating to the notice to be given upon a petition for probate of a will, and to the probate of such will;

S. 1128. A bill to amend the Act entitled "An act to regulate the practice of podiatry in the District of Columbia";

S. 1129. A bill to amend section 16–416 of the Code of Laws of the District of Columbia, to conform to the nomenclature and practice prescribed by the Federal Rules of Civil Procedure;

S. 1130. A bill to amend sections 356 and 365 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901, to increase the maximum sum allowable by the Court out of the assets of a decedent's estate as a preferred charge for his or her funeral expenses from $600 to $1,000;

S. 1131. A bill to amend sections 260, 267, 309, 315, 348, 350, and 361 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901, to provide that estates of decedents being administered within the probate court may be settled at the election of the personal representative of the decedent in that court 6 months after his qualification as such personal representative;

S. 1132. A bill to amend section 137 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901, relating to the time within which a caveat may be filed to a will after the will has been probated;

S. 1133. A bill to amend section 16–418 of the Code of Laws of the District of Columbia, to provide that an attorney be appointed by the court to defend all uncontested annulment cases;

S. 1134. A bill to amend section 13–108 of the Code of Laws of the District of Columbia, to provide for constructive service by publication in annulment actions; and

S. 1135. A bill to amend the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901, to provide a family allowance and a simplified procedure in the settlement of small estates; to the Committee on the District of Columbia.

By Mr. TYDINGS:

S. 1136. A bill to amend the Canal Zone Code, and for other purposes; and

S. 1137. A bill to revise and codify laws of the Canal Zone regarding the administration of estates, and for other purposes; to the Committee on Armed Services.

S. 1138. A bill for the relief of John W. Crumpacker, commander, United States Navy; to the Committee on the Judiciary.

By Mr. PEPPER:

S. 1139. A bill for the relief of Mrs. Robert P. Horrell; to the Committee on the Judiciary.

By Mr. HAYDEN (for himself, Mr. DOWNEY, Mr. MCFARLAND, and Mr. KNOWLAND):

S. 1140. A bill to authorize credits to certain public agencies of the United States for costs of construction and operation and maintenance of flood protective levee systems along or adjacent to the lower Colorado River in Arizona, California, and Lower California, Mexico; to the Committee on Interior and Insular Affairs.

By Mr. ECTON:

S. 1141. A bill providing for the suspension of annual assessment work on mining claims held by location in the United States; and

S. 1142. A bill authorizing the Secretary of the Interior to issue a patent in fee to Mrs. Pearl Scott Loukes; to the Committee on Interior and Insular Affairs.

By Mr. MURRAY:

S. J. Res. 57. Joint resolution extending the time for completion of annual assessment work on mining claims held by location; to the Committee on Interior and Insular Affairs.

READJUSTMENT OF POSTAL RATES

Mr. JOHNSTON of South Carolina. Mr. President, on February 21 the Postmaster General addressed a letter to the Vice President—a companion letter was sent to the Speaker of the House—calling attention to the fact that the President in his budget message referred to recurring postal deficits and urged that the Congress promptly enact an adequate revision of the postal rate structure.

With this letter, the Postmaster General submitted a suggested bill which the Senator from North Dakota [Mr. LANGER] and I are introducing by request of the Postmaster General, reserving the right to favor or disagree with any or all portions thereof. I may say that this proposed legislation has been discussed by the committee as a whole, and that is the position of each member.

However, it is felt that this bill should be promptly introduced and properly referred so that the subcommittee may start immediately hearings and other consideration of the important provisions proposed therein, and those favoring and opposing this proposed legislation may have ample opportunity to be heard.

By request of the Postmaster General, on behalf of the Senator from North Dakota [Mr. LANGER] and myself, I introduce the bill.

The bill (S. 1103) to readjust postal rates, introduced by Mr. JOHNSTON of South Carolina (for himself and Mr. LANGER) (by request), was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

TRAVEL AND SUBSISTENCE ALLOWANCE TO NEXT OF KIN ATTENDING CERTAIN GROUP BURIALS

Mr. WILLIAMS. Mr. President, on behalf of the Senator from Connecticut [Mr. BALDWIN], the Senator from Washington [Mr. CAIN], the Senator from Massachusetts [Mr. LODGE], the Senator from Nevada [Mr. MALONE], the Senator from Colorado [Mr. MILLIKIN], the Senator from Minnesota [Mr. THYE], and myself I introduce for appropriate reference a bill to grant travel and subsistence allowance to the next of kin attending group burials of remains of known individuals returned to the United States for interment, and I ask unanimous consent to have incorporated in the body of the RECORD the text of the bill and a statement concerning it.

The VICE PRESIDENT. The bill will be received and appropriately referred, and, without objection, the bill together with the statement, will be printed in the RECORD.

The bill (S. 1116) to grant travel and subsistence allowance to the next of kin attending group burials of remains of known individuals returned to the United States for interment, introduced by Mr. WILLIAMS (for himself, Mr. BALDWIN, Mr. CAIN, Mr. LODGE, Mr. MALONE, Mr. MILLIKIN, and Mr. THYE), was received, read twice by its title, referred to the Committee on Armed Services; and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That the act entitled "An act to provide for the evacuation and return of the remains of certain persons who died and are buried outside the continental limits of the United States," approved May 16, 1946, as amended, is amended by adding at the end thereof the following new section:

"SEC. 10. In the case of group or mass burials of the unidentified remains of one or more known individuals, the Secretary shall pay to each next of kin of each such individual attending such burial (1) the actual traveling expenses of such next of kin from his place of residence to the place of burial and return, and (2) a per diem allowance, in lieu of actual expenses for subsistence, at the rates prescribed in the Subsistence Expense Act of 1926 and in conformity with regulations promulgated thereunder, for each day such next of kin is necessarily engaged in traveling to and from, and in attendance at, such burial. As used in this section the term 'next of kin' includes (1) both the spouse and children of a decedent, if the next of kin is a spouse, (2) all children of a decedent, (3) both parents of a decedent, if the next of kin is a parent, and (4) all persons standing in loco parentis to a decedent, if the next of kin of a decedent is a person standing in loco parentis."

The statement presented by Mr. WILLIAMS was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR WILLIAMS

This bill would amend the act entitled "An act to provide for the evacuation and return of the remains of certain persons who died and are buried outside the continental limits of the United States," approved May 16, 1946, as amended, so as to provide travel and subsistence allowances for the next of kin attending group burials of the unidentified remains of known individuals returned to the United States for interment.

The need for this legislation was first brought to my attention when a Delaware mother appealed to me for assistance in connection with the return of her deceased son to the United States for interment. The facts are these: her son, together with two other Air Force servicemen, had crashed to death in a Belgian field during the war. The bodies, badly mangled, were interred in a single grave. The Army located the grave but could not distinguish the bodies and a mass burial at Arlington National Cemetery was finally decided upon as the wisest course.

Recently it was learned that the mother of one of the other sons, who lives in Colorado, because of age and financial circumstances, was compelled to request a delay of funeral services until arrangements could be made to meet the necessary financial outlay. It is apparent, in the circumstances under which these boys were killed, necessitating a group burial, that each son cannot be interred in the home area of the respective families. This fact necessitates long travel by two of the mothers who must come from Colorado and Minnesota, respectively, and under the present law, if they come, it must be at their own expense.

I introduced this same legislation during the Eightieth Congress which was not considered by the Committee on Armed Services apparently because the Departments of the Army and Navy reported to the Bureau of the Budget recommending against its enactment on the ground that it would be discriminatory to furnish travel and subsistence to one group and to deny it to others.

I am unable to follow this reasoning inasmuch as the facts concerning the mass burials of the unidentified remains of more than one individual leaves no choice to the next of kin as to the location of burial sites, whereas in the case of attendance at burials of individual servicemen, the respective next of kin has the choice of burial in the family cemetery.

I have been advised by the appropriate official of the Army that there are at least 1,000, and possibly as many as 4,000, cases in which bodies buried in temporary mass graves, often after plane crashes, cannot be identified or separated, and when returned to this country must be reinterred in mass graves in a national cemetery more often located some considerable distance from the home or homes of the next of kin. Under these distressing circumstances, I feel sure that no Senator would desire the next of kin to carry the heavy financial burden entailed in long travel which burials under these circumstances necessitate. Without this legislation many a mother or wife, because of financial circumstances, will be compelled to accept charity or be denied the opportunity of attending the last rites for her son or husband. This legislation, therefore, is the least we can do for such mothers.

PREVENTION OF STREAM POLLUTION

Mr. WILEY. Mr. President, I introduce a bill to permit businessmen who build facilities to take care of industrial waste and thus prevent stream pollution, to deduct their expenses for these capital improvements as regular business expenses for income-tax purposes. This is a form of accelerated depreciation designed to cope with the extraordinary problem presented by stream pollution in my own and just about every other State in the Union.

I ask unanimous consent that there be printed in the CONGRESSIONAL RECORD the text of a statement which I have prepared on this bill.

The VICE PRESIDENT. The bill will be received and appropriately referred, and, without objection, the statement will be printed in the RECORD.

The bill (S. 1118) to encourage the prevention of stream pollution by allowing amounts paid for plants for the treatment of industrial waste as a deduction in computing net income, introduced by Mr. WILEY, was received, read twice by its title, and referred to the Committee on Finance.

The statement presented by Mr. WILEY was ordered to be printed in the RECORD, as follows:

INTRODUCTION OF BILL PROVIDING THAT CAPITAL IMPROVEMENTS AGAINST STREAM POLLUTION BE TREATED DEDUCTIBLE AS BUSINESS EXPENSES

I am introducing today a bill providing that capital improvements made to end stream pollution be treated as deductible business expenses for income-tax purposes. This bill is an identical measure to H. R. 1343 already introduced by my friend and able colleague, the Honorable JOHN BYRNES, of Wisconsin. I feel that Congressman BYRNES is to be congratulated for his pioneering along this line.

PROVISIONS OF BILL

The bill amends section 23 of the Internal Revenue Code (relating to deductions allowed in computing net income) by adding a new subsection reading as follows:

"'(bb) Cost of plants for treatment of industrial waste.—In the case of a taxpayer discharging (either directly or through public sewage systems) industrial waste into rivers or streams in the United States, amounts paid during the taxable year for the construction of facilities (approved by the applicable State or interstate authority having jurisdiction with respect to stream pollution) for the treatment of such waste, inluding amounts paid for plans for such construction and treatment.'

"SEC. 2. The amendment made by this act shall be applicable only with respect to taxable years beginning after December 31, 1948, and before January 1, 1955."

INTERIOR DEPARTMENT ENDORSES, TREASURY OPPOSES

During the previous Eightieth Congress, other legislation was introduced to accomplish this objective. That legislation was endorsed by the Department of the Interior, but opposed by the Treasury Department.

Generally speaking, the Treasury's position has been based upon the fact that if businesses making capital improvements to treat industrial wastes and end stream pollution were allowed to charge off their costs to ordinary expenses in the year of construction, they would have somewhat of a tax advantage over other taxpayers who are allowed to deduct only depreciation charges on their capital improvements.

The Treasury may have a certain technical validity to its point, but I am afraid that its position is hopelessly blind to the fact that stream pollution represents one of the most critical problems in our entire Nation. Meeting of that problem has strained the resources of American States, localities, and of countless American industries. It is an extraordinary situation and it requires extraordinary steps if we are to preserve intact the water heritage of the Nation and our wildlife and fishery resources.

TESTIMONY BY IZAAK WALTON LEAGUE

Just recently, the Wisconsin division of the Izaak Walton League held a meeting in my State in Milwaukee, and at that time Mr. James Spindler, of Manitowoc, chairman of the Izaak Walton Water Pollution Committee, stated that:

"Pollution exists all over the State. If you mark pollution areas in red on a State map, the map would be entirely red. Pollution is so bad in Green Bay that it exists for 25 miles out into the mouth of the bay from Green Bay. Even if it is stopped tomorrow, it would take years for it to clear up by itself."

In addition, I have had correspondence with the able president of the Wisconsin division of the league, Mr. A. D. Sutherland, of Fond du Lac, and other conservation leaders who have generally endorsed this legislation which I am introducing today.

I feel that the pollution problem represents one of the greatest single challenges to American industry today in cooperation with conservation groups throughout the Nation. We should recognize the terrific expenses involved to industries in trying to meet the pollution problem, and that is one of the reasons why I am introducing this bill in order to be of help to these industries.

MY INQUIRY ON ANTIPOLLUTION RESEARCH

Along a somewhat related line, I am inquiring with various Government agencies (like the Department of Agriculture) how we of the Congress can cooperate toward further research into utilization of waste products. For example, a recent newspaper issue in my State—the very same one that reported Mr. Spindler's comments—reported on a development by which wastes of paper mills are being converted into yeast in a new experimental plant recently set up. I feel that if we in the Congress can help to stimulate expanded research by the Madison Forest Products Laboratory and other research institutions, we will be on our way toward a partial solution of the pollution problem. It is such a vast problem, however, that it must be attacked on many fronts. But the basic principle behind the attack should, at all times, be cooperation between Federal, State, and local governments, between industry, agriculture, conservation groups, and other parties involved in this critical subject.

INTERNATIONAL ANIMAL-QUARANTINE STATION ON SWAN ISLAND

Mr. MALONE. Mr. President, I introduce for appropriate reference a bill providing for the repeal of the joint resolution of July 24, 1946 (60 Stat. 633), establishing an international quarantine station on Swan Island, and I ask unanimous consent that it be printed in the RECORD at this point, together with a statement prepared by me.

The VICE PRESIDENT. The bill will be received and appropriately referred, and without objection the bill and statement presented by the Senator from Nevada will be printed in the RECORD.

The bill (S. 1105) to repeal the joint resolution of July 24, 1946, introduced by Mr. MALONE, was received, read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That the joint resolution entitled "Joint resolution to provide for the establishment of an international animal quarantine station on Swan Island, and to permit the entry therein of animals from any country and the subsequent importation of such animals into other parts of the United States, and for other purposes," approved July 24, 1946 (60 Stat. 633), is repealed.

The statement presented by Mr. MALONE was ordered to be printed in the RECORD, as follows:

Mr. President, the Advisory Committee to the Secretary of Agriculture on the foot-and-mouth disease at their meeting in Washington on February 16 and 17 recommended that the Swan Island Quarantine Station be abolished.

The recommendation was unanimous after a full review of the history of the importation of the foot-and-mouth disease into Mexico and of the results obtained through treatment of the disease by an organization set up through appropriations by the Congress of the United States.

PRESSURE ON DEPARTMENT OF AGRICULTURE

It is reported that there has been continual pressure on the Department of Agriculture, presumably through the breeders of the Zebu cattle in the United States for the importation of breeding stock from Brazil via Mexico after having been held on Sacrificios Island off the coast of Mexico for a quarantine period, and more recently through the established quarantine station of Swan Island.

The impracticability of such a station for importation of infected cattle into this country after a period of 60 days' quarantine is borne out by the fact that the second shipment of bulls from Brazil which brought the foot-and-mouth disease into Mexico were in that country almost 6 months before the disease became apparent.

It is reported that these cattle were unloaded on the Island of Sacrificios in the harbor of Vera Cruz about May 5, and were moved to the mainland on September 28, and the disease broke out, according to the best information we can get, about October 18, 1946.

PRESIDENT OF UNITED STATES LIFTS BAN

Incidentally, October 18 happens to be the very day that the President of the United States lifted the ban on imports from Mexico into the United States which had been imposed when these bulls were unloaded.

INFORMATION ON FOOT-AND-MOUTH DISEASE SUPPRESSED

It is understood now that the knowledge that the foot-and-mouth disease existed in Mexico was suppressed until the late part of December 1946.

In that connection then I submit a bill to repeal a joint resolution of July 24, 1946, which provided for the establishment of an international animal quarantine station on Swan Island and which would then permit the entry therein of animals from any country and the subsequent importation of such animals into other parts of the United States.

Mr. MALONE. Mr. President, on January 31, 1948, a letter containing certain recommendations was addressed to the Secretary of Agriculture, signed by the following members of the advisory committee to the Secretary of Agriculture; Albert K. Mitchell, Albert, N. Mex., chairman; J. Elmer Brock, Kaycee, Wyo., vice chairman; Wayland Hopley, Atlantic, Iowa, secretary; C. E. Weymouth, Amarillo, Tex.; Fred Earwood, Sonora, Tex.; Horace H. Hening, Albuquerque, N. Mex.; E. Ray Cowden, Phoenix, Ariz.; Carlos Ronstadt, Tucson, Ariz.; R. E. Boyle, Fontana, Calif.; C. U. Duckworth, Sacramento, Calif.

The recommendations were as follows:

RECOMMENDATIONS FOR PROGRAM—FOOT-AND-MOUTH DISEASE ERADICATION IN MEXICO—SUBMITTED TO SECRETARY ANDERSON BY INDUSTRY ADVISORY COMMITTEE, DECEMBER 6, 1947

1. Immediate renegotiations between this country and Mexico at highest ranking levels. The purpose of the negotiations to develop a practical and efficient program along recognized and accepted lines for the complete eradication of foot-and-mouth disease in Mexico.

2. The appointment of an Administrator of unquestioned ability with complete authority over all operations, reporting directly to the President and the Departments indicated by him.

3. The appointment of the most competent scientist available to the Secretary of Agriculture to coordinate and conduct field operations; working always in close cooperation with the Administrator where the technical work involves questions of policy.

4. The employment of personnel best qualified to carry on the work regardless of rank, civil service rating, or length of service.

5. Assurances that during the negotiations and at all times thereafter until the disease is completely eradicated the program will have the full unqualified support of all departments of Government.

6. The development of a research program outside the continental United States to study the disease and the use of vaccines. The preparation of vaccines, not harmful in spreading the disease, to be used solely as an aid to control during and in conjunction with the eradication program.

7. A study of the economic impact on the Mexican Government and the Mexican people.

8. The construction of a fence on the international boundary at the earliest date possible. The immediate construction of an adequate fence along the present quarantine line within Mexico.

9. The continuation of the canning program in the clean states of northern Mexico and all technical help necessary to implement the completion of plants now under construction.

10. A request be made of Congress for authority to do all things herein recommended and that funds be provided to carry on the operations of the program in all of its phases.

I also ask to have printed in the RECORD at this point as part of my remarks certain excerpts from the partial report of the Senate interim committee of the California State Senate on livestock diseases. This committee was created by Senate Resolution 145, in 1947. The excerpts are from pages 12, 29, and 37 of the report.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

B. TARIFF ACT OF 1930

On the 17th of June 1930, the President of the United States approved an act of Congress (ch. 497, title 3, par. 306, 46 Stat. 689; title 19, U. S. C., p. 1746, par. 1306) section 306a of which provided: "If the Secretary of Agriculture determines that rinderpest or foot-and-mouth disease exists in any foreign country, he shall officially notify the Secretary of the Treasury and give public notice thereof and thereafter, and until the Secretary of Agriculture gives notice in a similar manner that such disease no longer exists in such foreign country, the importation into the United States of cattle, sheep, or other domestic ruminants, or swine, or fresh, chilled, or frozen beef, veal, mutton, lamb, or pork, from such foreign country, is prohibited."

Section 593 (b) of that act provides: "If any person fraudulently or knowingly imports or brings into the United States, or assists in so doing, any merchandise contrary to law, or receives, conceals, buys, sells, or in any manner facilitates the transportation, concealment, or sale of such merchandise after importation, knowing the same to have been imported or brought into the United States contrary to law, such merchandise shall be forfeited and the offender shall be fined in any sum not exceeding $5,000 or less than $50, or be imprisoned for any time not exceeding 2 years, or both."

* * * * *

D. ACTUAL OUTBREAK OF FOOT-AND-MOUTH DISEASE

As heretofore related 316 of the 327 Cebu bulls that were landed on Sacrificios Island in April of 1946 were removed from said island to the Mocambo Rancho of Carlos Serrano near Veracruz on the 28th of September 1946, where between that time and the 14th of October 1946, they were inspected by two veterinarians of the Bureau of Animal Industry of the United States and by two veterinarians of the Mexican Government in accordance with the recommendations of the Mexican-American Agricultural Commission and found to be free from foot-and-mouth disease, as evidenced by their certificate dated October 18, 1946 (Exhibit Y).

Within 3 weeks thereafter foot-and-mouth disease broke out on the Mocambo Rancho. In The Summary of Developments in the Mexican Outbreak of Foot-and-Mouth Disease, prepared January 28, 1947, and issued by the Bureau of Animal Industry, on page 6, this outbreak is reported as follows:

"According to the history of events as reported to Bureau officials the disease first appeared near Veracruz in the State of Veracruz about November 1, 1946, on the ranch where the second importation of the Brazilian bulls had been placed. The disease soon appeared in the adjoining states of Puebla, Hidalgo, Mexico, Tlaxcala, and the Federal District. By the latter part of January the infection appeared also in the states of Oaxaca, Guerrero, Morelos, and Aguascalientes * * *."

Apparently for some 6 weeks the existence of the foot-and-mouth disease in Mexico was not known to the American authorities. On page 5 of The Summary of Developments in the Mexican Outbreak of Foot-and-Mouth Disease, prepared January 28, 1947, and issued by the Bureau of Animal Industry:

"The first report of a vesicular disease in Mexican livestock was received by the United States Department of Agriculture December 18, 1946. Immediately on invitation of Mexican authorities the Bureau of Animal Industry sent two experienced veterinarians, Dr. M. S. Shahan and Dr. A. E. Wardlow, to Mexico to participate in the steps being taken to arrive at a diagnosis. Foot-and-mouth disease is one of several vesicular diseases having somewhat similar symptoms.

"Animal inoculation tests, requiring several days, are necessary for positive diagnosis. These were made by the Mexican authorities and the Bureau's representatives. The diagnosis of foot-and-mouth disease was confirmed by Dr. Shahan, who is the Bureau's specialist on virus diseases, and who also participated in the field work that suppressed the outbreak of that disease in southern California in 1929. Mr. Wardlow and the Mexican veterinarians concurred in the diagnosis."

The official report of the finding of the existence of foot-and-mouth disease by the veterinarians of the Bureau of Animal Industry and of the Mexican Government was about December 25, 1946.

On learning by telephone December 26, 1946, that foot-and-mouth disease existed in Mexico officials of the Bureau of Animal Industry stopped inspection of all ruminants and swine offered for importation from Mexico into the United States which had the effect of stopping their entry. A formal order prohibiting such importations was issued in accordance with the governing statute and was signed by the Secretary, dated December 30, 1946, effective January 3, 1947, the day it appeared in the Federal Register. (Exhibit Z1.) This had the effect of establishing an embargo upon the importation of ruminants and swine from Mexico into the United States and under the provisions of section 306a of the Tariff Act of 1930 made it illegal to import cattle from Mexico into the United States. This embargo has since continued in effect.

From the foregoing recital of facts your committee is forced to the conclusion that with the connivance of representatives of the State Department of the United States of America, activated by hostility to the provisions of section 306a of the Tariff Act, and

with the supine acquiescence of the Bureau of Animal Industry, a gamble was taken and the gamble was lost. Since that time approximately $45,000,000 of American taxpayers' money have been spent in fighting foot-and-mouth disease in Mexico in an unsuccessful attempt to eradicate the disease. The northen Mexican cattlemen have lost a market, the American market, for their cattle and the American consumers of meat have been deprived of that supply, and that is only a small portion of the losses that have yet to be paid.

* * * * *

Other importations into the United States from countries in which foot-and-mouth disease existed

While in Mexico your committee was advised by representatives of the Mexican press that when Henry Wallace was Secretary of Agriculture, he had imported swine from Denmark—a country in which foot-and-mouth disease had been found to exist—by order of the Secretary of Agriculture of the United States (Exhibit G), using the Virgin Islands in the same manner as importers of the Brahma bulls into Mexico which finally landed in the United States used Mexico. Your committee requested Dr. C. Duckworth, its technical adviser, to ascertain from the Bureau of Animal Industry whether or not such importation had been made. Under date of January 30, 1948, Dr. S. O. Fladness, assistant chief of the Bureau of Animal Industry, replied to an inquiry by Dr. Duckworth as to the matter (exhibit Z–8), stating that in 1934 some Landrace hogs had been shipped via the Virgin Islands and imported into the United States.

It is to be noted that Dr. Fladness justifies the importation under section 104 of title 21 (the act of 1890), which prohibits the importation of cattle, sheep, other ruminants or swine which are diseased or have been exposed to disease within 60 days prior to exportation because of the fact that the swine were held in the Virgin Islands for a period of 60 days or more after they had been imported there from Denmark. (Exhibit Z–9.)

We again call attention to the language of the opinion of the legislative counsel of the State of California (exhibit Z–2):

"If it could be established that the original intent was to bring the cattle or swine to the United States from a country in which foot-and-mouth disease existed, the fact that they were temporarily held in some place where foot-and-mouth disease did not exist would not necessarily make the transaction legal, and if the same individual purchased the cattle in the country in which foot-and-mouth disease existed, had them transported into a country in which foot-and-mouth disease did not exist, and thence into the United States, and if it were found as a fact that it was at all times intended that the ultimate destination was to be the United States, that a conviction under our criminal laws would be sustained."

It appears to your committee that it is highly questionable whether or not the provisions of section 104 of title 21 (The act of 1890) prohibiting the importation of cattle, etc., which have been exposed to disease within 60 days prior to exportation, is not superseded or controlled by the provisions of section 306 (a) of the Tariff Act of 1930 prohibiting all importations of cattle, etc., from countries in which foot-and-mouth disease has been found to exist. The tariff Act was passed 40 years after the act of 1890. Section 306 (a) dealt with two specific diseases—rinderpest and foot-and-mouth disease. It provided that when such diseases were found to exist in any foreign country it should be illegal to import cattle, etc., from such country.

It is believed that this would supersede and control the more general provisions of the act of 1890. Surely Congress, in enacting section 306 (a) of the Tariff Act and seeking to protect the livestock industry of the United States from the dread diseases of rinderpest and foot-and-mouth disease, did not intend to permit importations from foreign countries in which such diseases were found to exist, by the use of executive orders of the Secretary of Agriculture, to give to the cattle of such country naturalization of a nondisease existing country by the use of such latter country as a quarantine station for 60 days. (See the opinion of the legislative counsel of the State of California, exhibit Z–2.)

It is true that Dr. Fladness, before the subcommittee of the Committee on Agriculture of the House of Representatives on February 4, 1948, indicated a different attitude on the part of the Bureau of Animal Industry. On page 171 of the hearings of the subcommittee appears the following:

"Senator HATFIELD. Mr. Chairman, might I ask through you another question, and that is this—whether or not the Bureau has ever had any legal opinion as to whether or not the 60-day provision of the law of 1890 was affected by section 306 and 306 (a) of the Tariff Act of 1930 which prohibited the importation of animals from any country in which the Secretary of Agriculture found foot-and-mouth disease to exist.

"In other words, I want to know whether or not that section passed in 1930 would not have the effect of overruling or repealing or nullifying that portion of the law of 1890 which referred to the 60-day period?

"Mr. GILLIE. I will have to ask the Bureau of Animal Industry to answer that.

"Senator HATFIELD. I am wondering if they ever had any legal opinion on that point.

"Dr. FLADNESS. We do not have a direct legal opinion on that, but informally we have had that opinion. We have had no formal written opinion on that specific point. It has been held in a number of other cases in connection with section 306 (a) that the importation is from the country from which they are shipped to the United States. That is what is prohibited by section 306 (a).

"For instance the Canadian situation. By agreement at an Empire conference in 1930, the Canadians agreed to accept breeding cattle from Great Britain, nothwithstanding that they were not 100 percent clean but under control, provided certain special restrictions were placed on them, like quarantine. They are the ones who issue the permits. If our people want to get animals of British origin, we do not have a thing in the world to do with it. They get their permits from the Canadian authorities. They import them into Canada, and under the combination of the two laws when they later wish to import them into the United States with proof that those animals have been there in Canada and have been accepted by the Canadians so that it fully meets the 60-day freedom-from-exposure clause, they are eligible for importation into the United States."

Sufficient to say that if the act of 1890 can be used in the method suggested to circumvent the provisions of section 306 (a) of the Tariff Act, your committee recommends that Congress should so amend the act of 1890 and any similar act to prevent such circumvention and effectively bar the importation of all cattle, etc., and meat products thereof from countries in which foot-and-mouth disease exists. Your committee recommends that Congress enact any needed legislation to prevent the use of a third country as a naturalization agency of cattle, etc., coming from countries infected with foot-and-mouth disease. Our experiences in Mexico prove the danger in any other course.

Your committee also notes that in the January-February issue of the Jen Sal Journal, published by the Jensen-Salsbery Laboratories, Inc., Kansas City, Mo., on page 68, a picture of a purebred Jersey cow, a Red Sindi Brahma bull, and a calf, bearing this inscription:

"First Jersey-Red Sindi calf: This little calf is the first of his kind. His mother is a high-producing pure-bred Jersey. His father is a Red Sindi, a milking strain of the Brahman breed. Last year the United States Department of Agriculture imported two bulls of the Red Sindi breed from India as part of a long-time program to develop a heat-resistant dairy cattle for the South. The calf weighed 76 pounds when born, heavier than the average Jersey bull calf. Except for the large ears and start of a hump, he looks more Jersey than Sindi."

It is to be noted that India is one of the countries in which the Secretary of Agriculture found foot-and-mouth disease to exist (exhibit G). Your committee cannot understand by what process of legal legerdemain the United States Department of Agriculture could import two bulls from India into the United States in view of section 306 (a) of the Tariff Act.

Your committee strongly recommends that a congressional investigation should be had as to these two importations above mentioned, to wit, the Landrace hogs from Denmark by way of the Virgin Islands into the United States, and of these two Red Sindi bulls from India by the United States Department of Agriculture, together with any other similar shipments from any other points. If our laws are inadequate or offer a loophole through which the purposes of section 306 (a) of the Tariff Act are circumvented Congress should pass legislation concerning the matter.

Mr. MALONE. I also ask unanimous consent to have printed in the RECORD a brief excerpt from a report prepared by Robert J. Kleberg, Jr., president of the King Ranch, Kingsville, Tex., and Thomas R. Armstrong, of the Armstrong Ranch, Armstrong, Tex.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

DISEASE CONTROLS FOUGHT

For years the United States Government has been urged to ease restrictions on cattle and meat imports. This would be one way to get the foot-and-mouth disease fastened on our continent. Then there would be no further need of restricting imports, since the disease would be inside our gates.

A sanitary convention or agreement with Argentina was signed by our State Department in 1935. This was designed to change section 306–A of the Tariff Act of 1930, which banned importation of meat products from any country where the foot-and-mouth disease existed. The proposed convention would permit admission of such products from zones declared to be free of the plague.

The proposal was submitted for approval to the Senate on June 5, 1935. Advocates of the change contended it would prevent the use of sanitary regulations as a disguised means of restriction of importations for protective purposes. This attempt to overthrow controls was not approved, but not until April 8, 1947, was the sanitary convention withdrawn, temporarily at least, by the President from Senate consideration.

Efforts to break down our sanitary embargo have been based wholly on economic grounds and pursued with disregard of grave consequences. Persons uninformed as to the nature and effects of the foot-and-mouth disease say that Argentina lives with it successfully, so why can't we do likewise? Also, since England buys Argentine beef, why should we be afraid of it?

Such remarks do not take into consideration the tremendous annual expenditures Argentina makes to fight the disease, short of eradication, nor the cost to England of coping with the constant outbreaks there because of the importation of Argentine beef.

The disease would be more devastating here than in the Argentine. There the grass is lush and the cattle do not have far to go for water. In this country most of our beef is raised on the southern and western ranges, where the forage is dry for months and cattle generally are not near water. Under such conditions the losses here would be far greater.

Most of the beef cattle in the United States are moved from the home ranges to the Corn Belt for fattening on either grass or grain. Cattle with sore mouths would not be able to eat grain. There also would be a disruption of marketing because of State quarantine lines that certainly would be established. The indirect losses sustained by our economy would be greater than the direct losses.

DISEASE BARRIERS BROKEN DOWN

Another attempt to break down disease barriers was in October 1945, when Mexico received 130 head of Zebu cattle from Brazil, a country where the disease is prevalent. The animals were landed on Sacrificious Island in Vera Cruz Harbor and in December 1945 were brought to the mainland.

According to a United States Department of Agriculture bulletin dated January 28, 1947, the United States Government protested that this importation endangered the livestock industries of both countries. But no restrictions were placed on movement of cattle from Mexico to the United States and 18 of these Brazilian cattle that endangered the livestock industries of both countries were allowed by the United States Government to come into this country.

Following another ineffective protest, 327 more cattle from Brazil were landed on Sacrificious Island on May 9, 1946. These were brought to the mainland on September 28, 1946. Special United States restrictions were placed on the importations of livestock from Mexico on June 6, 1946, but these were lifted on October 18 of that year, after an inspection of the cattle in the first shipment from Brazil.

At that time the cattle of the second shipment had been out of Brazil only about 6 months and still were potential carriers of the disease. Soon afterward the foot-and-mouth disease broke out in the area to which the second group of cattle had been shipped.

On December 26 the United States Government reimposed restrictions on cattle shipments from Mexico to this country. The United States Government on January 27, 1947, negotiated with Mexico a program to combat the disease. It did not provide for complete slaughter and burial in the zone of greatest infestation and thus it set up the seedbed for reinfection, which eventually would lead to its spread to the United States.

Mr. MALONE. Mr. President, it will be noted that outstanding representatives of the livestock industry, representing eight States from Iowa to California, are members of the advisory committee—advisory to the Secretary of Agriculture; and that following more than a year's study of the foot-and-mouth disease situation in the Western Hemisphere and the danger of infection in the United States—that their recommendation for the repeal of the 1946 joint resolution establishing an international quarantine station on Swan Island be repeated.

RETIREMENT PRIVILEGES OF CERTAIN SENATE RESTAURANT EMPLOYEES

Mr. HILL submitted the following resolution (S. Res. 77), which was referred to the Committee on Rules and Administration:

Resolved, That any person who shall have served as an employee of the Senate and House of Representatives for 51 years or more and who shall be an employee of the Senate shall be entitled, upon making application to the Secretary of the Senate, to be retired and to receive retirement pay at a rate equal to the rate of the basic compensation he was receiving at the time of his last active service as such employee: *Provided*, That this resolution shall not apply to any person while he is receiving an annuity under the Civil Service Retirement Act of May 29, 1930, as amended. Such retirement pay shall be paid from the contingent fund of the Senate.

SEC. 2. The Secretary of the Senate shall determine eligibility for retirement pay under this resolution on the basis of records or secondary evidence. For such purposes, actual service in the Senate Restaurant shall be deemed to be service as an employee of such restaurant whether or not the person performing such service was carried on the Senate rolls as such an employee during the time such service was performed, and any person performing such service for the major part of the time during which the Senate was in session in any calendar year shall be deemed to have performed a year's service as an employee of the Senate Restaurant during such calendar year.

ADDITIONAL ASSISTANTS TO COMMITTEE ON POST OFFICE AND CIVIL SERVICE

Mr. JOHNSTON of South Carolina submitted the following resolution (S. Res. 78), which was referred to the Committee on Rules and Administration:

Resolved, That in holding hearings, reporting such hearings, and making investigations as authorized by subsection (e) (2) "The status of officers and employees of the United States including their compensation, classification, and retirement"; and subsection (e) (3) "The postal service generally, including the railway mail services and measures relating to ocean mail and pneumatic tube service" of Public Law 601, Seventy-ninth Congress, the Committee on Post Office and Civil Service is authorized during the period beginning March 1, 1948, and ending December 31, 1949, to make such expenditures and to employ upon a temporary basis such investigators, clerical, and other assistants, as it deems advisable.

SEC. 2. The expenses of the committee under this resolution (which shall not exceed $5,000) shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the Committee on Post Office and Civil Service.

CHANGE OF REFERENCE OF CERTAIN BILLS

Mr. JOHNSON of Colorado. Mr. President, I submit a resolution to refer to the Committee on the Judiciary certain bills which have heretofore been referred to the Committee on Interstate and Foreign Commerce. The Parliamentarian has suggested that this should be in the form of a resolution rather than in the form of a motion. Therefore we have prepared it in the form of a resolution. I should like to have it acted upon at this time.

The VICE PRESIDENT. Does the Senator ask unanimous consent for the present consideration of the resolution?

Mr. JOHNSON of Colorado. I ask unanimous consent for the present consideration of the resolution.

Mr. WHERRY. Mr. President, reserving the right to object——

The VICE PRESIDENT. The resolution will be read, for the information of the Senate.

The legislative clerk read the resolution (S. Res. 76), as follows:

Resolved, That the Committee on Interstate and Foreign Commerce be discharged from further consideration of the bill, S. 236, to clarify and formulate a consistent and coordinated national policy with respect to transportation costs in interstate commerce; to strengthen the antitrust laws of the United States and to provide for their more effective enforcement; and to promote competition by permitting sellers to have access to distant markets, and the bill, S. 1008, to provide a 2-year moratorium with respect to the application of certain antitrust laws to individual, good-faith delivered price systems and freight-absorption practices, and that said bills be referred to the Committee on the Judiciary.

SEC. 2. That there shall be transmitted to the Committee on the Judiciary an interim report of the Committee on Interstate and Foreign Commerce on said bills and the same shall be printed as a Senate document.

SEC. 3. It is understood the Committee on the Judiciary will give such prompt attention to the bills as will permit early consideration of the subject matter by the Senate.

Mr. WHERRY. Mr. President, reserving the right to object, let me inquire why this is proposed to be done by resolution?

Mr. JOHNSON of Colorado. It is handled in this way at the suggestion of the Parliamentarian. He stated it would be a much better way, for in this way a record is kept of the matter. Such matters are customarily handled by motion, but the Parliamentarian suggested that we proceed in this way.

Mr. WHERRY. That is correct. Probably one motion would be inadequate to take care of all the matters involved, in any event; is that correct?

Mr. JOHNSON of Colorado. I assume so.

Mr. WHERRY. Very well; I have no objection.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

There being no objection, the resolution (S. Res. 76) was considered and agreed to.

AMENDMENT OF CLOTURE RULE—AMENDMENT

Mr. MYERS submitted an amendment intended to be proposed by him to the resolution (S. Res. 15) amending the so-called cloture rule of the Senate, which was ordered to lie on the table and to be printed

MRS. LORRAINE MALONE—AMENDMENT

Mr. CHAVEZ submitted an amendment intended to be proposed by him to the bill (S. 507) for the relief of Mrs. Lorraine Malone, which was referred to the Committee on the Judiciary and ordered to be printed.

REORGANIZATION OF GOVERNMENT AGENCIES—AMENDMENT

Mr. TYDINGS submitted an amendment intended to be proposed by him to the bill (S. 526) to provide for the reorganization of Government agencies, and for other purposes, which was referred

to the Committee on Expenditures in the Executive Departments and ordered to be printed.

AMENDMENT TO DEFICIENCY APPROPRIATION BILL

Mr. TAYLOR submitted an amendment intended to be proposed by him to the bill (H. R. 2632) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1949, and for other purposes, which was referred to the Committee on Appropriations and ordered to be printed, as follows:

On page 17, line 9, to strike out "$300,000" and insert "$350,000."

PRINTING OF REVIEW OF REPORT ON WINYAH BAY, S. C. (S. DOC. NO. 21)

Mr. STENNIS. Mr. President, on behalf of the senior Senator from New Mexico [Mr. CHAVEZ] I present a letter from the Secretary of the Army, transmitting a report dated June 14, 1948, from the Chief of Engineers, United States Army, together with accompanying papers and an illustration, on a review of the report on Winyah Bay, S. C., and I ask unanimous consent that it may be printed as a Senate document, with an illustration, and referred to the Committee on Public Works.

The VICE PRESIDENT. Without objection, it is so ordered.

PRINTING OF REVIEW OF REPORT ON UPPER ALLEGHENY RIVER IN AND AROUND BRADFORD, PA. (S. DOC. NO. 20)

Mr. STENNIS. Mr. President, on behalf of the senior Senator from New Mexico [Mr. CHAVEZ], I present a letter from the Secretary of the Army, transmitting a report dated April 16, 1948, from the Chief of Engineers, United States Army, together with accompanying papers and illustrations, on a review of a report on the upper Allegheny River in and around Bradford, Pa., and I ask unanimous consent that it may be printed as a Senate document, with illustrations, and referred to the Committee on Public Works.

The VICE PRESIDENT. Without objection, it is so ordered.

ELECTION OF PRESIDENT AND VICE PRESIDENT—HEARINGS BEFORE SUBCOMMITTEE OF JUDICIARY COMMITTEE

Mr. MILLER. Mr. President, a hearing before a subcommittee of the Judiciary Committee will be held Wednesday, March 9, 1949, at 10 a. m., in the Judiciary Committee room for the purpose of taking additional testimony on Senate Joint Resolution No. 2, and which said resolution proposes to amend the Constitution by abolishing the electoral college as now constituted and providing a substitute therefor.

All interested parties are urged to attend said hearing.

PENSIONS FOR VETERANS—LETTER FROM KENNETH L. MYERS

Mr. BUTLER. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. BUTLER. I ask unanimous consent, Mr. President, to have inserted in the body of the RECORD a letter written to me by Mr. Kenneth L. Myers, a prominent citizen of Nebraska, on the subject of veterans' pensions.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

BROKEN BOW, NEBR., *February 24, 1949.*

Senator HUGH BUTLER,
Senate Office Building,
Washington, D. C.

DEAR SENATOR BUTLER: As a World War II veteran who went from the grade of private to captain in 4½ years of service of which over 2½ years were overseas, I offer the following criticisms:

1. Because it is not only a duty but a privilege to defend a country like ours, the concept of pensions for non-service-connected disability in its essence negates the very sense of patriotic duty. Payment of non-service-connected disability pensions would constitute a mockery of the sacrifices of those who lie dead or those who are service incapacitated. I am a war veteran simply through the historical accident that I was of the age, occupational, and dependency status to be able to serve in the armed forces. I honestly believe that I am no more deserving of a non-service-connected disability pension than would be the loyal factory and farm workers without whose productive efforts I could not even have fed and clothed myself let alone engage in military operations;

2. If the concept of pensions as a reward for war service is just, then it is just that such pensions be proportionate to the period for which such service was rendered. To grant the same pension rewards to those who served only 90 days (and who probably never heard or saw a shot fired in anger) as to those who served 5, 10, 15, or 20 times 90 days is to actually place a premium on minimum of service. If this bill is passed, I can hear the shouts of "I told you so, sucker" throughout the land. And this shout will be made by the boys who sought every possibility of avoiding service to the many who answered the call by volunteering or joining units which would be called long before they otherwise would have had to serve. Surely no one could contend that such an evaluation of service is in the interests of either national defense or justice.

It is my sincere hope that the Congress will refuse to be misled by the professional lobbyists who pretend to represent the voice of American veterans.

Sincerely,

KENNETH L. MYERS.

FARM PRICES AND NATIONAL PROSPERITY—ADDRESS BY SENATOR BUTLER

[Mr. BUTLER asked and obtained leave to have printed in the RECORD an address entitled "Farm Prices and National Prosperity," delivered by him at the annual banquet meeting of the Corn Belt Live Stock Feeders' Association at Kansas City, Mo., on February 23, 1949, which appears in the Appendix.]

JEFFERSON'S CONTRIBUTION TO RELIGIOUS FREEDOM—ADDRESS BY SENATOR ROBERTSON

[Mr. ROBERTSON asked and obtained leave to have printed in the RECORD an address entitled "Jefferson's Contribution to Religious Freedom," delivered by him at the Pi Kappa Alpha banquet at Williamsburg, Va., on February 26, 1949, which appears in the Appendix.]

ADDRESS BY SENATOR LANGER AT UNIVERSITY OF NORTH DAKOTA FOUNDERS DAY DINNER

[Mr. LANGER asked and obtained leave to have printed in the RECORD an address delivered by him on February 26, 1949, before the Alumni Association of the University of North Dakota, which appears in the Appendix.]

THE MEANING OF INTELLECTUAL FREEDOM—ADDRESS BY SENATOR THOMAS OF UTAH

[Mr. THOMAS of Utah asked and obtained leave to have printed in the RECORD an address entitled "The Meaning of Intellectual Freedom," delivered at the thirty-fifth annual meeting of the American Association of University Professors, at Washington, D. C., on February 26, 1949, which appears in the Appendix.]

TAX REDUCTION, REVISION, AND REPEAL — INTERVIEW WITH SENATOR WILEY

[Mr. WILEY asked and obtained leave to have printed in the RECORD the text of a radio interview with him relating to tax reduction, revision, and repeal, which appears in the Appendix.]

THE ROLE OF THE LAWYER IN GOVERNMENT—ADDRESS BY THE SECRETARY OF THE TREASURY

[Mr. KEFAUVER asked and obtained leave to have printed in the RECORD an address entitled "The Role of the Lawyer in Government," delivered by Hon. John W. Snyder, Secretary of the Treasury, before the Federal Bar Association in Washington, D. C., on February 16, 1949, which appears in the Appendix.]

PROGRESS IN ISRAEL—ARTICLES BY ALFRED A. STRESLIN

[Mr. KEFAUVER asked and obtained leave to have printed in the RECORD three articles by Alfred A. Streslin, engineer and industrialist, relative to the industrial progress being made and the program being considered for the new State of Israel, which appear in the Appendix.]

THE RECIPROCAL TRADE ACT—STATEMENT BY SENATOR MYERS

[Mr. MYERS asked and obtained leave to have printed in the RECORD a statement made by him before the Senate Committee on Finance on House bill 1211, a bill to repeal the act of 1948 extending the Reciprocal Trade Agreements Act for only one year in modified form and to reenact the previous Reciprocal Trade Act for 3 years from June 12, 1948, which appears in the Appendix.]

FARM PRICE SUPPORTS AND ECONOMIC STABILIZATION—STATEMENT BY SENATOR HUMPHREY

[Mr. HUMPHREY asked and obtained leave to have printed in the RECORD a statement prepared by him entitled "Farm Price Supports and Economic Stabilization," which appears in the Appendix.]

PROGRAM FOR DEMOCRACY BY FARMERS UNION GRANGE TERMINAL ASSOCIATION

[Mr. HUMPHREY asked and obtained leave to have printed in the RECORD a report of the Resolutions Committee adopted at the eleventh annual stockholders meeting of the Farmers Union Grange Terminal Association, at St. Paul, Minn., relating to a program for democracy, which appears in the Appendix.]

MILITARY ORDER OF THE CARABAO—EDITORIAL FROM MAGAZINE BATAAN

[Mr. MARTIN asked and obtained leave to have printed in the RECORD an editorial entitled "Order of the Carabao," published in the February 1949 issue of Bataan, which appears in the Appendix.]

ONE HUNDRED DOLLAR DINNERS FOR PRIVILEGED FEW—ARTICLE BY JOHN M. CUMMINGS

[Mr. MARTIN asked and obtained leave to have printed in the RECORD an article entitled "One Hundred Dollar Democratic Dinners Bring Out 'Privileged Few'" written by John M. Cummings and published in the Philadelphia Inquirer of February 27, 1949, which appears in the Appendix.]

FEDERAL AID TO DELAWARE—EDITORIAL FROM WILMINGTON (DEL.) JOURNAL

[Mr. WILLIAMS asked and obtained leave to have printed in the RECORD an editorial from the Wilmington (Del.) Journal of December 9, 1949, on the subject of Federal Aid to the State of Delaware, which appears in the Appendix.]

THE ADMINISTRATION'S LEGISLATIVE PROGRAM—EDITORIAL FROM PHILADELPHIA INQUIRER

[Mr. WILLIAMS asked and obtained leave to have printed in the RECORD an editorial entitled "The President Can't Shift the Blame," published in the Philadelphia Inquirer of February 26, 1949, which appears in the Appendix.]

NOMINATION OF MON C. WALLGREN—EDITORIAL COMMENT

[Mr. CAIN asked and obtained leave to have printed in the RECORD several editorials relating to the nomination of Hon. Mon C. Wallgren to be Director of the National Security Resources Board, which appear in the Appendix.]

FILIBUSTER IN THE SENATE—EDITORIAL COMMENT

[Mr. MORSE asked and obtained leave to have printed in the RECORD editorials from the New York Times and the Washington Post of February 28, 1949, commenting on filibustering in the Senate, which appear in the Appendix.]

HEALTH INSURANCE FACTS—EDITORIAL FROM THE ORDGON TEAMSTER

[Mr. MORSE asked and obtained leave to have printed in the RECORD an editorial entitled "Health Insurance Facts," from the Oregon Teamster of January 27, 1949, which appears in the Appendix.]

COOPERATIVE HEALTH PLANS IN TAMPA—ARTICLE BY ANGUS LAIRD

[Mr. PEPPER asked and obtained leave to have printed in the RECORD an article entitled "Cooperative Health Plans in Tampa," by Angus Laird, reprinted from the July 1942 issue of Medical Care, which appears in the Appendix.]

FILIBUSTER—EDITORIAL FROM CHARLESTON (W. VA.) GAZETTE

[Mr. NEELY asked and obtained leave to have printed in the RECORD an editorial entitled "Filibuster," published in the Charleston (W. Va.) Gazette of February 19, 1949, which appears in the Appendix.]

AMERICAN POLICY IN THE FAR EAST

[Mr. ECTON asked and obtained leave to have printed in the RECORD an article from the Harvard Law School Record of February 9, 1949, being an analysis of Chinese-American relations by Prof. Roscoe Pound, which appears in the Appendix.]

AMENDMENT OF CLOTURE RULE

Mr. LUCAS. Mr. President, on February 17 of this year the Senator from Arizona [Mr. HAYDEN], chairman of the Committee on Rules and Administration, reported a resolution amending the so-called cloture rule of the Senate. That resolution is now on the calendar, and is known as Senate Resolution 15. The authors of the resolution are the distinguished Senator from Nebraska [Mr. WHERRY] and the chairman of the committee the distinguished Senator from Arizona [Mr. HAYDEN].

Before moving that the Senate proceed to the consideration of the resolution, I wish to make a short statement on the proposed amendment to the cloture rule. As majority leader, I desire to make my position very clear. After long study of this problem, I have come to the conclusion that we must grapple with it firmly and must reach a definite decision at this session of Congress.

Mr. RUSSELL. Mr. President, may we have order? I have been endeavoring to hear, but I cannot hear.

The VICE PRESIDENT. The Chair has been endeavoring to obtain order and to keep order. If Senators must converse, they must retire to the cloakroom. The Senate is about to enter upon an important discussion, and the Senate will be in order. The Chair feels sure that Senators will cooperate in the attempt to preserve order.

The Senator from Illinois may proceed.

Mr. LUCAS. Mr. President, after a careful examination and consideration of the resolution which has been reported, it seems to me that the supporters of the proposal for limitation of debate are advocating only a very reasonable step. No one wishes to choke off debate without giving every Senator an opportunity to be heard; but no one who is supporting this move wishes to see the dignified process of normal debate degenerate into an endless contest of speech-making.

I agree strongly with Alexander Hamilton, who declared that—

> The public business must in some way or other go forward.

I agree with the late Senator Henry Cabot Lodge, surely an advocate of free debate, who once asserted that—

> If there is a conflict between debate and a time for voting, action is a higher duty than debating.

Mr. RUSSELL. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Illinois yield to the Senator from Georgia for a question?

Mr. LUCAS. I yield for a question.

Mr. RUSSELL. I should like to ask the Senator whether he is reading a statement he has prepared or whether he is reading from the remarks of someone else. There is so much confusion in the Chamber that it is difficult for me to tell.

Mr. LUCAS. No; this is my own statement, I may say to the Senator from Georgia. I merely quoted what Alexander Hamilton said and what former Senator Henry Cabot Lodge said with respect to limitation of debate.

Mr. RUSSELL. I should like to ask the Democratic leader whether he cannot quote some Democrats on that point. [Laughter.]

Mr. LUCAS. I should like to do so; but I am sure that in the course of the debate the Senator from Georgia can cover more territory than the Senator from Illinois is attempting to do, and no doubt the Senator from Georgia will present a long list of distinguished Democrats who have said what he now anticipates will be stated.

Mr. RUSSELL. The Democrats are in favor of free speech; they are opposed to gag rulings.

Mr. LUCAS. Mr. President, this is about all I have to say at this time about the proposed amendment of the cloture rule. As time goes on I may have more to say, during the course of the debate.

Mr. RUSSELL. Mr. President, will the Senator yield for a question?

Mr. LUCAS. I yield for a question.

Mr. RUSSELL. I should like to ask the Senator from Illinois, who has just said that the proposed rule is a very reasonable one, if he has not publicly declared that he is in favor of amending the rule, if it should come before the Senate of the United States, so as to provide that cloture or gag rule might be invoked in this body by a simple majority of those voting.

Mr. LUCAS. I may say to the Senator from Georgia that I have made a statement that I favor cloture by a constitutional majority of 49 Members of the Senate, if such an amendment is ever presented here on the floor for consideration, debate, and finally a vote.

Mr. RUSSELL. I should like to ask the Senator if he does not know that an amendment of that sort will be offered; and has not he had notice served by a distinguished leader on the other side of the aisle, the distinguished Senator from Oregon [Mr. MORSE], that he will present such a motion; and does not the Senator from Illinois also understand that the distinguished majority whip, the Senator from Pennsylvania [Mr. MYERS], has also stated that if this resolution comes before the Senate, an amendment providing that debate may be closed by a simple majority will be offered?

Mr. LUCAS. It is my understanding that both the Senator from Oregon [Mr. MORSE] and the Senator from Pennsylvania [Mr. MYERS] will propose amendments of the nature described by the Senator from Georgia.

Mr. RUSSELL. And supported by the Senator from Illinois?

Mr. LUCAS. And supported by the Senator from Illinois.

Mr. RUSSELL. Mr. President, will the Senator from Illinois be kind enough to yield to me again?

Mr. LUCAS. I yield to the Senator for another question.

The VICE PRESIDENT. Let the Chair state that the Senator can yield only for a question.

Mr. RUSSELL. Mr. President, does the Chair invoke that rule before the motion to take up the cloture resolution is made, so that we may not have a brief discussion of the matter in advance? No Member of the Senate has invoked the rule as to yielding only for questions; and in this brief preliminary discussion, before we embark upon consideration of the motion which I assume the Senator from Illinois will make, it does seem that we might be permitted some brief latitude for a moment or two in developing what I consider to be some very important facts.

The VICE PRESIDENT. The Senate rule does not apply only to this situation. It is frequently violated, more or

less by unanimous consent; but under no circumstances during the consideration of a measure is a Senator permitted to yield to another except for a question.

Mr. RUSSELL. Does the distinguished President of the Senate intend to invoke that rule during the proceedings generally?

The VICE PRESIDENT. The Chair will endeavor to do so.

Mr. RUSSELL. If it is to be applied in all cases I shall endeavor to confine my remarks to questions.

I should like to ask the Senator from Illinois if I have been correctly informed by representatives of the press associations that the Senator from Illinois on leaving the White House this morning stated to the press that the President of the United States was insisting that the Senate keep before it until it is disposed of and adopted the proposal to amend the cloture rule of the Senate?

Mr. LUCAS. I may say to my friend from Georgia that the President of the United States is wholeheartedly behind this resolution and hopes the Senate will act with expedition and dispatch in disposing of it. He certainly supports those who now seek to amend the cloture rule.

Mr. RUSSELL. I should like to ask the distinguished Senator whether the President of the United States favors cloture by a two-thirds vote, or whether he favors applying cloture by a majority vote, as is advocated by the Americans for Democratic Action, the PAC, and other minority groups who are putting pressure upon the Senate to impose cloture by a simple majority vote?

Mr. LUCAS. I cannot answer the Senator from Georgia upon that question, because I have not discussed it with the President. I do not know what the President's position is with respect to whether he favors a constitutional majority, a majority, or whether he favors a two-thirds majority as is proposed by this amendment to the cloture rule.

Mr. RUSSELL. But the Senator has stated that as majority leader and as a Senator from Illinois, if this matter is brought before the Senate he proposes to vote for the imposition of cloture by a constitutional majority of the Senate.

Mr. LUCAS. The Senator is correct.

Mr. RUSSELL. That means a constitutional majority rather than a majority of those voting, does it not?

Mr. LUCAS. That means 49 Members, commonly called a constitutional majority.

Mr. MYERS. Mr. President, will the Senator yield?

Mr. LUCAS. I yield to the Senator from Pennsylvania for a question.

Mr. MYERS. I wonder if the Senator knows that, before the Committee on Rules and Administration, I offered an amendment providing for the adoption of cloture by a constitutional majority and not by a simple majority. Does the Senator know that?

Mr. LUCAS. I am aware of the fact that the Senator from Pennsylvania offered such an amendment.

Mr. MYERS. I wonder if the Senator is aware that only this morning I sent to the desk an amendment which I intend to propose providing for a constitutional majority, not a simple majority.

Mr. LUCAS. I was not aware of that fact.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. LUCAS. I yield to the Senator for another question.

Mr. RUSSELL. I thank the Senator from Illinois. The distinguished majority whip states he will offer to the proposal to amend the so-called cloture rule of the Senate by providing that gag rule may be imposed by a simple majority, an amendment providing that cloture may be invoked by a constitutional majority. I wonder if the Senator from Illinois would permit the Senator from Pennsylvania to tell us whether or not that embraces the views of the President of the United States with respect to the change in the Senate rule.

Mr. LUCAS. I yield to the Senator from Pennsylvania, if he desires to answer that question.

The VICE PRESIDENT. The Senator cannot yield to the Senator from Pennsylvania for any purpose except for the asking of a question.

Mr. LUCAS. I ask unanimous consent that the Senator from Pennsylvania be permitted to answer the question of the Senator from Georgia.

The VICE PRESIDENT. Is there objection?

Mr. WHERRY. I have no objection.

The VICE PRESIDENT. The Chair hears no objection, and the Senator from Pennsylvania may proceed.

Mr. MYERS. I may say to the majority leader, I have never discussed this problem with the President of the United States. I do not know whether the President of the United States favors a two-thirds or a constitutional majority. However, I think the Senator from Georgia should know that, at the first opportunity I had before the Committee on Rules and Administration to secure a vote, I amended my original resolution so as to provide for a constitutional majority, and the committee voted that down, I believe, by 10 to 2, or 9 to 2, or something of the kind. I repeat, I propose at the very first opportunity to offer to the pending resolution an amendment providing for a vote by a constitutional majority.

Mr. LUCAS. Mr. President, I now move that the Senate proceed to the consideration of Senate Resolution 15.

The VICE PRESIDENT. The clerk will state the resolution by title.

The LEGISLATIVE CLERK. A resolution (S. Res. 15) amending the so-called cloture rule of the Senate.

Mr. HAYDEN. Mr. President——

The VICE PRESIDENT. Before recognizing the Senator from Arizona, chairman of the committee, the Chair wishes to make a statement for the information and advice of the Senate in regard to procedure in debate.

In the first place, a motion to proceed to the consideration of a bill or resolution cannot be amended by a motion to take up some bill in lieu of the one which is the subject of the pending motion.

During debate on a motion of this sort, which is debatable, or on any other motion or matter which may be pending, the rules of the Senate provide that a Senator can yield to another Senator only for a question. He is not required to yield for any purpose. He may yield only for the purpose of permitting another Senator to ask him a question. If he yields for any other purpose and running debate ensues, which frequently happens, more or less by unanimous consent, and in violation of the rules, he may be taken from the floor by reason of the violation of the rule.

The Senator having the floor cannot yield for the purpose of allowing some other Senator to make a point of no quorum and having a roll call, without losing the floor, and when the Senate is proceeding under the rule, in which there is a limitation of two speeches on any subject, if a Senator loses the floor by reason of such procedure, and is again recognized, he is speaking the second time on the pending proposal.

The Chair makes that statement because Senators are entitled not only to know their own rights, but they are entitled to know the rights of other Senators and the limitations which are imposed by the rules of debate, which are supposed to be universally observed and enforced, but which are frequently violated by unanimous consent because the matter involved is not important or may not require long discussion and therefore the objection is not made that the rule is being violated.

The question as to the function of the Chair in enforcing the rules of the Senate without a point of order being made by another Senator is one to which the present occupant of the chair has given considerable consideration. The present occupant of the chair feels it is his duty and his function in part to facilitate the prompt transaction of the Senate's business. The Chair recognizes that frequently one Senator may dislike to make a point of order against another Senator who has the floor, even though he may be violating the rule or may be yielding for a general running debate, or for other purposes, because of personal relationships or other reasons. The Chair feels he is obligated to the Senate insofar as he can in observance of the rules and in protection of the Members of the Senate in the enjoyment of their rights, to observe and enforce the rules wherever he feels they are being violated.

The Chair feels certain the Members of the Senate will cooperate in the matter of keeping order in the Senate and in observing the rules. The Chair wishes in no instance to have it understood that any ruling he makes is directed to any particular Senator who at the moment may be occupying the floor or any Senator who may be seeking to interrupt another Senator who occupies the floor. For that reason the Chair has felt it his duty to make this preliminary statement in order that it may apply to all Senators, and not to any particular Senator.

The Senator from Arizona.

Mr. RUSSELL. Mr. President, will the Senator from Arizona yield for a parliamentary inquiry, in order that we may understand clearly what the Chair proposes to invoke?

Mr. HAYDEN. I yield for that purpose.

The VICE PRESIDENT. The Chair will recognize that by unanimous consent the Senator from Arizona may permit the Senator from Georgia to ask the Chair a question.

Mr. RUSSELL. Mr. President, I should like to call to the attention of the Chair the effect of a Senator's yielding in order that another Senator might propound a unanimous consent request. We saw this morning, when the Chair first served notice of his intention, of his own volition to enforce the rule with respect to a Senator's not yielding except for a question, that Senators might yield in order that insertions might be made in the RECORD. I should like to know what effect it would have upon the right of a Senator holding the floor if another Senator should rise and ask unanimous consent that he might be permitted to insert matter in the RECORD, or that he might be permitted to submit a unanimous-consent request of any kind.

The VICE PRESIDENT. The Senator from Illinois asked unanimous consent of the Senate that he might yield to the Senator from Nevada for the purpose of bringing up a resolution.

Mr. RUSSELL. Mr. President, the point I make is this: Is it necessary for the Senator having the floor to ask unanimous consent to be permitted to yield to another Senator——

The VICE PRESIDENT. Under the rule, strictly observed, a Senator can yield only to permit a Senator to ask a question of him. If he desires to yield to a Senator for another purpose it is necessary, under the rules, to secure unanimous consent to do so.

Mr. RUSSELL. So it would be necessary for the Senator holding the floor himself to submit a unanimous consent request.

The VICE PRESIDENT. It can be done by another Senator, who seeks to interrupt the Senator having the floor, by unanimous consent.

Mr. RUSSELL. The Chair has expressed the very clear determination, where points of order are made, to see that the rules of the Senate are strictly applied during the debate. I desire to make an inquiry. If Senator A has the floor and Senator B rises and asks Senator A to yield in order that he may submit a unanimous-consent request, in the event the Senator in possession of the floor yields for that purpose, does it affect his right to the floor?

The VICE PRESIDENT. The Senator who has the floor may protect himself in that situation by himself asking unanimous consent that the interrupting Senator may do what he seeks to do. Under the rule, the Senator who has the floor can yield only for a question. He cannot yield for a running debate in the guise of a question. He cannot yield for the transaction of other business, and he is not required to yield even for the making of a point of order or of a parliamentary inquiry. He can be taken from the floor only by a point of order being made that he himself is out of order because of a violation of the rules of the Senate.

Mr. RUSSELL. Does the Chair hold that if the Senator in possession of the floor yields to permit another Senator to submit a point of order or a parliamentary inquiry he thereby loses his right to continue?

The VICE PRESIDENT. Under a strict interpretation of the rule, that is correct.

Mr. RUSSELL. There is no question that the rules will be strictly interpreted, if the statements of the Chair are any indication of his intent. But the Chair has stated that no running debate in the guise of a question can be permitted by any Senator having possession of the floor. Is the Chair to undertake to decide whether or not any statement or remark by a Senator is a question?

The VICE PRESIDENT. It is hardly a function of the Chair to determine whether a question is being asked or a statement is being made. Of course, each situation will have to stand on its own merits.

Mr. RUSSELL. I realize that that is true; but some of us are very much interested in knowing our rights, if we are to have any rights, on the floor when discussion starts on this proposed Pandora's box, opening up the rules of the Senate. I wish all my colleagues would read in the RECORD tomorrow what the Chair has said, so as to be perfectly clear and sure that only questions are asked. If there is any doubt about it, as I understand, they will be summarily required to take their seats and will lose possession of the floor.

Mr. LUCAS. Mr. President, will the Senator yield for a parliamentary inquiry?

Mr. HAYDEN. Mr. President, I ask unanimous consent to yield for a parliamentary inquiry.

The VICE PRESIDENT. Is there objection to the request of the Senator from Arizona? The Chair hears none.

Mr. LUCAS. Mr. President, in view of the statement made by the Presiding Officer, I desire a bit of further information. Do I correctly understand the Chair holds that any motion to lay aside the resolution amending the cloture rule, or a motion to take up another measure, would be out of order?

The VICE PRESIDENT. No motion to proceed to the consideration of another bill, either as an amendment or substitute to the pending motion, is in order. That applies to all bills or resolutions, regardless of their character.

Mr. DONNELL. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield for a question.

Mr. DONNELL. Mr. President, will the Senator from Arizona request unanimous consent that I may be permitted to propound a parliamentary inquiry?

Mr. HAYDEN. I so request.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. DONNELL. The Vice President referred to the rule in regard to speaking twice upon any one question. My parliamentary inquiry is this: In rule XIX it is provided as follows:

> No Senator shall speak more than twice upon any one question in debate on the same day without leave of the Senate, which shall be determined without debate.

Does the term "day," as so used, mean a calendar day or a legislative day?

The VICE PRESIDENT. It means a legislative day.

Mr. DONNELL. I thank the Chair.

Mr. WHERRY. Mr. President, I ask the distinguished Senator from Arizona if he will ask unanimous consent to permit me to propound a parliamentary inquiry?

Mr. HAYDEN. Mr. President, I ask unanimous consent for that purpose.

The VICE PRESIDENT. Without objection, leave is granted.

Mr. WHERRY. Mr. President, if I correctly understand the observation made by the distinguished Vice President, if Senator A is requested by Senator B, Senator B having the floor, to yield for the purpose of a quorum call, unless Senator A protects his rights by yielding only for the purpose of the quorum call, if the request is not made, Senator A is taken off his feet.

The VICE PRESIDENT. Under the rule, which is of long standing and interpretation, the yielding by a Senator of the floor for the purpose of another Senator making a point of no quorum takes him off the floor. He may be recognized, following the quorum call, to continue with his remarks, but that would be his second speech on that day, unless the Senator receives consent to proceed otherwise.

Mr. RUSSELL. Mr. President, will the Senator from Arizona be gracious enough to ask unanimous consent for me to submit a further remark?

Mr. HAYDEN. I ask unanimous consent for that purpose.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. RUSSELL. If I correctly understood, the Chair has ruled that no Senator can even make a point of order while another Senator is in possession of the floor, without the consent of the Senator who has the floor.

The VICE PRESIDENT. That is correct, except in one instance, and that is where the Senator having the floor has himself violated a rule of the Senate in debate, in which case he can be called to order by another Senator and required to take his seat until the Senate permits him to proceed in order.

Mr. RUSSELL. The Senator having the floor cannot yield even for a point of order.

The VICE PRESIDENT. The Chair stated that he could not yield for a quorum call.

Mr. RUSSELL. But I should like to get the matter clear as to a point of order. I should like a ruling as to a point of order.

The VICE PRESIDENT. Let the Chair understand the Senator's question.

Mr. RUSSELL. I understood the Chair to rule that if the Senator who is in possession of the floor is interrupted by a point of order and does not make every effort to protect himself and prevent the point of order from being made by another Senator, it would constitute a speech, and the Senator in possession of the floor would lose the floor. I want to be perfectly clear about that.

The VICE PRESIDENT. The Chair cannot possibly anticipate every situation which may arise that would offer an opportunity for Senators having the floor to yield for some purpose. The question would be entirely whether a parliamentary inquiry is a question within the meaning of the Senate rules. The Chair might interpret it to be a question within the meaning of the rules, and thereby a Senator could yield without losing the floor.

Mr. RUSSELL. It may be that there are conditions in which a point of order can be made without compelling the Senator in possession of the floor to lose the floor. Otherwise, there are given to the Senator in possession of the floor rights he does not have under some of the rules of the Senate at the present time.

The VICE PRESIDENT. That is entirely possible. Therefore the Chair must reserve the right to pass on each question as it arises, depending upon the circumstances.

Mr. RUSSELL. In this instance the Chair took it upon himself to serve notice on the Senate as to the ruling in certain instances. Some of us who are interested in discussing the subject before the Senate are entitled to know, I think, what the Chair is going to rule on points of order when they are submitted by Senators on the floor; just how far the Senator having the floor shall go to protect his rights; whether he shall invoke the assistance of the Chair, or undertake to prevail on the Senator making the point of order or whether he will determine that no point of order can be made while he has the floor. Some of us would regret to be interrupted in the course of our remarks and taken off our feet, placed in our seats, and lose the floor, because a point of order was made by some other Senator.

The VICE PRESIDENT. The Chair was attempting to advise the Senate with reference to the rules governing debate as he has understood them to be a part of the rules of the Senate for many years, though violated frequently, as the Chair has said, under proceedings which might be regarded as under unanimous consent. Obviously the Chair cannot anticipate every decision he would render under every possible circumstance. But the Chair felt that he should make some statement, inasmuch as the Senate is entering upon an important debate, in order not only that new Senators, but others who have not, probably, participated in a controversial debate of any length, might know what their rights are and what the rights of their colleagues are.

Mr. RUSSELL. Some of us are exceedingly anxious to know what our rights will be under the rulings of the Chair, and are jealous to protect rights we know we have heretofore enjoyed. I was therefore trying to get the Chair to elucidate his point-of-order ruling, because I had never before understood that a point of order in all cases could be controlled by a Senator having the floor.

The VICE PRESIDENT. So long as a Senator having the floor is debating under the rules of the Senate, he cannot be interrupted by a point of order.

Mr. RUSSELL. I hope the Presiding Officer will remember that pronouncement during the course of the debate. I know there are times when efforts are made to interrupt Senators who have the floor by interposing points of order.

The VICE PRESIDENT. The Senator from Arizona has the floor.

Mr. HAYDEN. Mr. President, I now grant myself unanimous consent to proceed. [Laughter.]

The issue now before the Senate is not partisan. The proof of that is that the minority leader, the Senator from Nebraska [Mr. WHERRY], joined with me in the presentation of the pending resolution, and the resolution was reported from the Committee on Rules and Administration by the votes of members of both political parties who recommended that it do pass.

Every Senator on both sides of the aisle completely agrees that the Senate should remain a place where he will have the right freely and adequately to express his ideas as to what is best for his State, for the Nation, and for the world. The sole issue is whether there should be any limitation at all upon that right, and, if so, what is a reasonable limitation.

Those of us who favor the adoption of the pending amendment to the Senate rules are convinced that every legislative body has an inherent right to bring debate to a close in order that it may perform the principal function for which it was created, namely, the enactment of laws. I have heard no Senator say he favored the adoption of the "previous question," which is a method used in the House of Representatives whereby a simple majority of those present cut off debate at any time. Neither have I heard any Senator say that it would be wise to adopt the procedure which prevailed in the Parliament of old Poland, whereby no law could be enacted except by unanimous consent.

It is of record that 32 years ago 88 Senators were in favor of the adoption of rule XXII, which provides that by a two-thirds vote of those voting debate may be brought to a close. It is also of record that only three Senators voted against the adoption of that rule. The decision was reached only after due and careful consideration, and the pending resolution does not propose to change the rule except to make it effective. Unfortunately the rule as adopted in 1917 has proved in later years to be of no practical value. The two principal defects in it are, first, that it does not prevent indefinite debate on motions to amend the Senate Journal; second, that it is not applicable until a bill or other measure has been made the unfinished business of the Senate.

It was 5 years after the rule was adopted that the first breach was made in it. On November 27, 1922, Senator Samuel Shortridge, of California, moved that the Senate proceed to the consideration of H. R. 13, the Dyer antilynching bill. The motion was, of course, debatable, but no Senator made any inquiry at that time as to whether a petition could be filed to bring to a close debate or that motion. Another device was used when, on the following day, Senator Pat Harrison, of Mississippi, moved to amend the Journal, and proceeded to discuss his motion.

I am advised by Mr. Watkins, the Senate Parliamentarian, that Senator Harrison came to him the morning after the proposal to take up the Dyer bill was made and inquired with respect to rule III of the Senate, which provides that a motion to amend or correct the Journal shall be deemed a privileged question, to be proceeded with until disposed of. The Parliamentarian advised the Senator from Mississippi that a motion to amend the Journal would have a privileged status, and that was the way, on November 28, 1922, it was determined to proceed to prevent the enactment of the Dyer antilynching bill. Similar motions were made and debated during the succeeding days, until on the 4th of December the majority leader, Senator Henry Cabot Lodge, of Massachusetts, gave notice that no further effort would be made to pass the bill during the life of that Congress.

In my opinion it was unnecessary for Senator Harrison to adopt the method he chose to prevent the enactment of that bill. I believe he and his colleagues could have relied upon the two-thirds vote provided for in rule XXII. I say that because I am satisfied that more than one-third of the membership of the Senate at that time would not have given approval to a bill to authorize the Federal Government to permit judgments in damages against counties within a State as a result of the occurrence of a crime within county boundaries. My opinion is fortified by the fact that after 16 years of continuous agitation for similar legislation, the Senate twice refused to adopt cloture.

In January and February 1938, petitions to bring debate to an end on an antilynching bill were defeated, one by a vote of 37 to 51, the second by a vote of 42 to 46. In neither instance could a simple majority be obtained.

The offering of filibustering on amendments to the Journal was the only method used until very recent years, when another way of getting around rule XXII was discovered. The new method was to have prolonged debate on whether a bill should become the unfinished business of the Senate. I believe it was the senior Senator from Tennessee [Mr. MCKELLAR], who, as President pro tempore, first decided that a cloture petition could not be filed until after a bill or resolution had been made the unfinished business. That decision was strongly reenforced last year by a ruling made by the senior Senator from Michigan [Mr. VANDENBERG], who, as President pro tempore, was compelled by all the precedents of the Senate to hold that the Senate would first have to make a bill the pending measure before any steps could be taken to bring debate to a close.

The resolution now pending before the Senate will close those two loopholes, and it proposes to accomplish that result, first, by providing:

If at any time, notwithstanding the provisions of rule III or rule VI or any other rule of the Senate—

I may interpolate that rule III relates to the approval of the Journal, and rule

VI relates to the approval of credentials, motions with relation to both of which are declared to be highly privileged.

If at any time notwithstanding the provisions of rule III or rule VI or any other rule of the Senate, a motion, signed by 16 Senators, to bring to a close debate upon any measure, motion, or other matter pending before the Senate, or the unfinished business, is presented to the Senate, the Presiding Officer shall at once state the motion.

The present rule merely states: "To bring to a close the debate upon any pending measure."

The words to be added by the resolution now before the Senate are:

Any measure, motion, or other matter * * * or the unfinished business.

Your committee is of the opinion that such a change in the text will completely plug up all the loopholes and make rule XXII effective under any and all circumstances.

Mr. HOLLAND. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Arizona yield for a question?

Mr. HAYDEN. I yield for a question.

Mr. HOLLAND. I note among the statements made by the distinguished Senator from Arizona, the chairman of the Committee on Rules and Administration, at the time of the beginning of the hearing upon this matter now being debated by the Senator, this remark:

Even if someone who is then occupying the chair as Presiding Officer should be so exasperated by continued talks that he would violate the well-established precedent by ruling that a cloture petition may be filed upon a motion to proceed to the consideration of a Senate resolution, there is no certainty that his ruling would be sustained by the Senate.

Mr. HAYDEN. What is the Senator's question?

Mr. HOLLAND. The question is: Am I correct in my understanding from that statement, that the distinguished Senator from Arizona agrees with the ruling made by the Senator from Tennessee [Mr. McKELLAR] when serving as President pro tempore, and the ruling made last year by the senior Senator from Michigan [Mr. VANDENBERG] when serving as the President pro tempore?

Mr. HAYDEN. I must candidly reply that I cannot conceive how they could have arrived at any other conclusion.

Mr. HOLLAND. I thank the Senator.

Mr. HAYDEN. Any Member of the present Senate will, quite naturally, want to know why the Senators who drafted rule XXII in 1917 did not realize that it was faulty, and so faulty as to be wholly ineffective. The answer is that up to that time, in all the previous history of the Senate, every extended discussion, every filibuster, had been conducted to prevent the enactment of some particular piece of legislation which was regularly before the Senate for consideration.

Whether it was a bill or a resolution it was always a pending measure which every Senator had a perfect right to discuss for any length of time which suited his convenience. Up to that time it was unnecessary for any Senator to seek an indirect way of delaying the passage of any bill to which he was opposed. He could always make a direct attack and keep it up so long as he had the physical strength to stand on his feet and talk. It probably never occurred to any Senator that amending the Journal or debating a motion to proceed to the consideration of a bill was a good way to use up the time of the Senate. If either of those courses of action had ever been an established practice in the Senate, we could be sure that the Senators who drafted rule XXII would have known about it and would have found a way to put an end to any such practice.

What the authors of the rule sought to correct was the evils with which they were all very familiar, and that is exactly what rule XXII does. The Committee on Rules and Administration 2 years ago, and again very recently, has reached the conclusion that rule XXII is basically sound and, with the changes that have been recommended as to its wording, it should remain and will remain a most valuable standing rule.

The history behind the rule I have found to be interesting, and with the permission of Senators I shall review what occurred for a period of 2 years before the rule was adopted.

An examination of the CONGRESSIONAL RECORD discloses that changing the rules of the Senate was a subject of consideration during the year 1915. The first definite action taken by the Senate that year was on a point of order by Senator Hitchcock, of Nebraska, that a two-thirds vote was required to suspend the rules. Rule 40, as it is still written, merely requires that 1 day's notice in writing shall be given of the rule to be suspended. In submitting the matter to the Senate, Vice President Marshall stated:

The present Presiding Officer believes that the Senate has reserved to itself the exclusive right to say what the rules are, how they may be adopted, and how they may be abrogated or temporarily laid aside. The present Presiding Officer does not believe that it is within the province of the present occupant of the chair to determine whether Rule XL should be strictly construed in accordance with the literal language thereof, or whether the Senate of the United States proposes to construe the same in accordance with well-known parliamentary procedure. The Chair therefore submits to the Senate the determination of the question as to whether or not it requires a two-thirds majority to adopt the report of the Committee on Rules providing for a suspension of a certain rule.

The vote was taken on January 11, 1915, and after debate, the point of order of Mr. Hitchcock was sustained by a vote of 41 yeas to 34 nays, since which time all Presiding Officers have held that a two-thirds vote is required to suspend a rule.

The reasoning which led the Senate to that conclusion is that the rules are adopted without reference to any particular bill and that a simple majority should have the right to lay them aside in order to secure the passage of a controversial measure.

The same line of reasoning would imply that the concurrence of two-thirds of the Senators should be obtained in order to amend a long-standing rule of the Senate.

Shortly afterward, in the same year, Senator John Sharp Williams, of Mississippi, submitted the following resolution, which was referred to the committee on February 11, 1915:

Resolved, That rule XXII of the Standing Rules of the Senate be amended as follows: Insert after the words "to lay on the table" in rule XXII the following:

"Any Senator arising in his place and asserting that, in his opinion, an attempt is being made on the floor of the Senate to obstruct, hinder, or delay the right of the Senate to proceed to a vote, the Chair shall, without permitting any debate thereon, put the question to the Senate, 'Is it the sense of the Senate that an attempt is being made to obstruct, hinder, or delay a vote?' And if that question shall be decided in the affirmative, then it shall be in order, to the exclusion of the consideration of all other questions, for any Senator to move to fix a time for voting on the pending bill or resolution and all amendments thereto; and the said motion shall be decided without debate: *Provided, however*, That the time fixed in said motion for taking the vote on the pending bill or resolution and all amendments thereto shall be at least two calendar days after the day on which said motion is made."

On the following day the resolution was reported adversely from the Committee on Rules and no further action was taken on it. The effect of the rule would have been to make it possible to adopt the previous question on any bill or resolution to take effect two or more days thereafter.

It must be remembered in this connection that for the 6 years immediately preceding his arrival in the Senate Senator Williams had served as minority leader in the House of Representatives, and was, therefore, accustomed to assist in the prompt disposal of legislation. He was, no doubt, irked by extended debate and proposed that it could be brought to an end after 2 days' notice.

It is difficult to believe that at any time there could have been two Senators from Mississippi who favored cloture by a majority vote, yet such was once the case. I have shown that the senior Senator from that State, Mr. Williams, submitted a resolution to that effect, and I now quote extracts from the remarks of the junior Senator, Mr. Vardaman, made on the day that the present rule XXII was adopted:

I wish to say in the outset that there is no greater necessity for cloture in the Senate today than has existed for the last quarter of a century. Certainly not since I became a Member of this very honorable body. I am for this resolution not because of anything that has happened in the immediate past, nor because of anything that has been done or has been left undone by the last session of Congress. I am for it because I am of the opinion that there should be a rule limiting debate—a rule by which questions can be brought before the Senate for final determination whether it meets the approbation of all the Senators or not.

I think this resolution ought to pass—

Referring to rule XXII.

It guarantees ample time for full and complete discussion, and after that is had there ought to be the vote. I have always been in favor of cloture, but I would prefer that the rule would provide for the invocation of the cloture by a majority rather than by a two-thirds vote. I believe in majority rule. I have been ready to vote

for such a resolution ever since I came to the Senate, but would prefer to make it just a little bit more radical and easy of application. I am willing, however, to take this modified form, because it seems to suit pretty nearly everybody.

But to return to what happened in 1915, on February 18, Senator George W. Norris, of Nebraska, submitted the following resolution:

Resolved, That the Standing Rules of the Senate be amended by adding a new rule, as follows:

"RULE 41. It shall be in order during the morning hour to make a motion that any bill or resolution then on the calendar shall be considered under the terms of this rule. Such motion, when made, shall lie over 1 day and shall then be decided without debate. No Senator shall be allowed to vote on a motion to consider a bill or resolution under this rule who is bound by any caucus or conference of Senators to vote in any particular way on said bill or resolution, or any amendment thereto, but when any Senator's right to vote upon such motion is challenged, such Senator shall be allowed to determine for himself whether he is disqualified from voting on said motion.

"When it has been decided to consider a bill or resolution under this rule, the same shall first be considered in general debate, during which time no Senator, except by unanimous consent, shall be allowed to speak more than 3 hours. At the close of general debate the bill or resolution shall be read for amendments, and on any amendment that may be offered no Senator, except by unanimous consent, shall speak for more than 15 minutes: *Provided*, That any Senator who has not spoken for 3 hours in general debate shall, in addition to said 15 minutes, be allowed additional time, but in no case shall such additional time or times, including the time used by such Senator in general debate, exceed in the aggregate 3 hours: *Provided further*, That if unanimous consent for additional time is asked in behalf of any Senator, either during general debate or when the bill or resolution is being considered for amendment, and the same is refused, it shall be in order by motion to extend the time of such Senator for a time to be named in said motion, which motion shall be decided without debate. When the bill or resolution is being read for amendment all debate shall be confined to the amendment which is then pending."

The resolution was debated and laid upon the table on February 19. The Norris resolution provided for cloture by majority vote but the interesting part of it is that the Senator recognized that pursuant to a binding caucus or conference agreement an actual minority of the Senate could control the enactment of legislation.

Senator Warren G. Harding, of Ohio, stated the case very well when he said:

Domination by a majority in conference or caucus whereby a minority of this body could determine the proceedings of the Senate.

Early in the following year, 1916, several amendments to limit debate were submitted, two of which were referred to the Committee on Rules. The resolution submitted by Senator Robert L. Owen, of Oklahoma, reads:

Resolved, That the standing rules of the Senate be, and they hereby are, amended as follows: At the close of rule XXII, add the following: "*Provided, however*, That when any 10 Senators, in writing, move that the debate should be brought to a close, the Chair shall, without permitting any debate thereon, put the question to the Senate, 'Is it the sense of the Senate that the debate should be brought to a close?' and if that question shall be decided in the affirmative by a two-thirds vote of those voting, then the pending question, bill, or resolution shall be in order, to the exclusion of all other questions and business. And thereafter, the motion being so carried, no Senator shall be entitled to speak more than 1 hour in all on the question, bill, or resolution or amendments thereto, or on any motion affecting the same.

"No dilatory motion shall be in order, and it shall be the duty of the Presiding Officer to declare such motion out of order when the question of order is raised by a Senator or to immediately submit the question without debate to the Senate."

About the same time Senator Hoke Smith, of Georgia, submitted the following:

Resolved, That the standing rules of the Senate be, and they hereby are, amended as follows: At the close of rule XXII, add: "*Provided, however*, That if 32 Senators present to the Senate before the reports of standing and select committees, provided for in the order of business during the morning hour, a signed motion to bring to a close the debate upon a bill which is the unfinished business, thereupon at the hour of 2 o'clock the Chair shall, without debate, put the question to the Senate:

" 'Is it the sense of the Senate that the debate should be brought to a close?'

"And if that question shall be decided in the affirmative by a two-thirds vote, then said bill shall be in order to the exclusion of all other business.

"Thereafter no Senator shall be entitled to speak more than 1 hour on the bill, the amendments thereto, and motions affecting the same, and it shall be the duty of the Chair to keep the time of each Senator who speaks. Until the bill is disposed of no dilatory motion shall be in order, and appeals from the decision of the Chair shall be decided without debate."

The Smith and the Owen resolutions were given careful consideration for over a month by the Committee on Rules, which, on May 16, 1916, unanimously recommended the adoption of a substitute resolution (S. Res. 195) which was reported to the Senate by Senator Smith of Georgia and is as follows:

Resolved, That the standing rules of the Senate be, and they hereby are, amended as follows: At the close of rule XXII add: "*Provided, however*, That if 16 Senators present to the Senate at any time a signed motion to bring to a close the debate upon any pending measure, the Presiding Officer shall at once state the motion to the Senate and at the close of the morning hour on the following calendar day lay the motion before the Senate and direct that the Secretary call the roll, and, upon the ascertainment that a quorum is present, the Chair shall, without debate, submit to the Senate by an aye-and-nay vote the question:

" 'Is it the sense of the Senate that the debate shall be brought to a close?'

"And if that question shall be decided in the affirmative by a two-thirds vote of those voting, then said measure shall be in order to the exclusion of all other business, except a motion to recess or adjourn.

"Thereafter no Senator shall be entitled to speak more than 1 hour on the bill, the amendments thereto, and motions affecting the same, and it shall be the duty of the Chair to keep the time of each Senator who speaks. No dilatory motions shall be in order, and all points of order and appeals from the decision of the Chair shall be decided without debate."

It will be observed that the addition to rule XXII as reported to the Senate fixed the number of signatures to a cloture petition at 16, or one-sixth of the total membership of the Senate, instead of 32, or one-third of the membership, as proposed by Senator Smith, or by 10 Senators as proposed by Senator Owen.

The Owen resolution referred to cloture on "the pending question, bill, or resolution" while the Smith resolution mentioned only "a bill which is the unfinished business of the Senate." The committee resolution used the term "any pending measure" and later refers to "the bill and amendments thereto."

The substitute resolution was placed on the Senate Calendar on May 16, 1916, and there was discussion in regard to it on two different occasions but no further action was taken during the Sixty-fourth Congress.

The present rule XXII was adopted on March 8, 1917, at a special session of the Senate held at the beginning of the Sixty-fifth Congress. The rule was drafted by a committee of five Senators from the Democratic conference and five Senators from the Republican conference. There is no record of their names, but there is no doubt that among the 10 there were Senators who had been members of the Committee on Rules during the previous Congress. To clearly indicate that the resolution reported to the Senate on May 16, 1916, was used as the basis for rule XXII as adopted on March 8, 1917, I ask leave to insert in the RECORD a copy of the rule with the differences between it and the 1916 resolution printed in italics.

There being no objection, the copies were ordered to be printed in the RECORD as follows:

RULE XXII

2. If at any time a motion, signed by 16 Senators, to bring to a close the debate upon any pending measure is presented to the Senate, the Presiding Officer shall at once state the motion to the Senate, and one hour after the Senate meets on the following calendar day but one, he shall lay the motion before the Senate and direct that the Secretary call the roll, and, upon the ascertainment that a quorum is present, the Presiding Officer shall, without debate, submit to the Senate by an aye-and-nay vote the question:

"Is it the sense of the Senate that the debate shall be brought to a close?"

And if that question shall be decided in the affirmative by a two-thirds vote of those voting, then said measure shall be the unfinished business to the exclusion of all other business until disposed of.

Thereafter no Senator shall be entitled to speak in all more than 1 hour on *the pending measure*, the amendments thereto, and motions affecting the same, and it shall be the duty of the Presiding Officer to keep the time of each Senator who speaks. *Except by unanimous consent, no amendment shall be in order after the vote to bring the debate to a close, unless the same has been presented and read prior to that time.* No dilatory motion, *or dilatory amendment, or amendment not germane* shall be in order. Points of order, *including questions of relevancy*, and appeals from the decision of the Presiding Officer, shall be decided without debate.

Mr. HAYDEN. Mr. President, it may interest present Senators to know something about the men who unanimously agreed to report to the Senate an amend-

ment to rule XXII on May 16, 1916. At that time Lee S. Overman, a Senator from North Carolina, was chairman of the Committee on Rules. Experience had given him a thorough understanding of parliamentary procedure. He had been elected five times to the North Carolina Legislature and had served a term as speaker. In 1916 he had been a Member of this body for 13 years, and consequently was familiar with its customs and traditions.

The next ranking member was John W. Kern, of Indiana, a very successful lawyer, who was the candidate for Vice President when William J. Bryan was the Democratic nominee for President in 1908. He was elected to the Senate in 1910, and served as chairman of the Democratic conference and as floor leader in 1914 and 1915.

Next on the committee was Senator James A. O'Gorman, of New York, who came to the Senate after 10 years' service as a justice of the supreme court of his State. He had been a Senator for 6 years when the resolution to amend rule XXII was reported.

Another committee member was John Sharp Williams, of Mississippi. He had been a Member of the House of Representatives for 16 years, the last 6 as minority leader in that body. Elected to the Senate in 1910, he had then been here for 6 years.

The Senator who reported the resolution was Hoke Smith, of Georgia. As a compartively young man he served as Secretary of the Interior under President Cleveland and had been Governor of Georgia for 4 years when he came to the Senate in 1911.

The ranking Republican on the Rules Committee was Jacob H. Gallinger, of New Hampshire. He had been President of the New Hampshire State Senate and had served two terms as Representative in Congress from that State. He first came to the Senate in 1891, and was in his twenty-fifth year of service, having previously been the Republican minority leader.

Following him on the committee was Francis E. Warren, of Wyoming, another veteran Republican who had been in the Senate continuously since 1895. Previously he had been three times Governor of Wyoming.

Next came Knute Nelson, of Minnesota, who had served terms in both the Wisconsin and Minnesota Legislatures, who had been Governor of Minnesota, and, like Senator Warren, had been a Member of the Senate for 21 years.

Last on the list of members of the then Committee on Rules was Albert B. Cummins, of Iowa, who, after being Governor of his State for 6 years, was elected to the Senate in 1908, and later served for 6 years as President pro tempore of the Senate.

One remarkable fact is that four of the members of that committee—Gallinger, of New Hampshire; Warren, of Wyoming; Nelson, of Minnesota; and Overman, of North Carolina—before completing their service were each elected to five continuous terms as a United States Senator. Anyone who can do that is not a political accident.

In truth, every member of that committee was a man of ability and possessed of ample experience as a Senator to qualify as being entirely competent to determine what kind of a rule should be adopted to limit debate in the Senate.

In 1916, as a Member of the House of Representatives, I was acquainted, though not intimately, with every one of the Senators to whom I have referred. There are three others in this Chamber today who likewise were serving in the House in 1916: The Vice President, the Senator from Tennessee [Mr. McKELLAR], and the Senator from West Virginia [Mr. NEELY]. I am sure that each of them will bear witness with me in saying that every member of the then Senate Committee on Rules was a noted Senator for whose judgment other Senators had high regard. The Senator from Texas [Mr. CONNALLY], who came to the House of Representatives in 1917, also knew most of them as being at that time among the leaders of the Senate.

Two other Senators had much to do with the adoption of the cloture amendment to rule XXII in 1917. The first was Thomas S. Martin, of Virginia, the majority leader, who obtained unanimous consent for its immediate consideration. He had then been a Senator for 12 years.

The other was Charles Curtis, of Kansas, the Republican whip, who later became Vice President during the Coolidge administration. Both of those Senators knew all of the ins and outs of how the Senate does its work. Each of them was highly respected for his political common sense.

Mr. President, knowing those men and the reputation they bore for integrity and fair dealing, I do not believe they helped to write a rule, and urged its adoption, which they knew was defective, and which time has proved to be valueless.

In view of the repeated assertions that the requirement of a two-thirds majority to close debate in the Senate is unfair and undemocratic, I beg leave to quote from a statement that I made to the Committee on Rules and Administration on January 24, when the hearings began on the several cloture resolutions which had been referred to that committee. At that time I said:

> In any event this committee must always remember that under the most favorable circumstances a two-thirds majority will be necessary to amend the existing rule. From a practical standpoint the burden of proof rests heavily upon those who advocate majority cloture. They must not only demonstrate why it should be done but how it can be done.
>
> In connection with permitting the majority to rule on all measures pending before the Senate there is a significant fact which this committee cannot afford to overlook. Unlike the House of Representatives, representation in the Senate is wholly without reference to the total population of the United States or to the population of any State. This is a situation that cannot be changed by an act of Congress since the Constitution provides that "no State, without its consent, shall be deprived of its equal suffrage in the Senate."
>
> The Senate was created as a curb upon hasty action by the House of Representatives. It is a continuing body with only one-third of its membership to be elected every 2 years. Being solely responsible to the voters in their own States, tenure of office of Senators has no direct relation to the will of the majority of voters throughout the Nation.

In connection with the application of the two-thirds rule, I should like to point out that it is necessary that only one more than one-half of the Senators present shall vote for a measure in order to assure its passage by a majority. The two-thirds rule requires that there shall be at least two Senators in favor to each one who is opposed when the roll is called. The difference between the votes of 49 and 64 Senators is not just 15 votes. It is much more than that, because the actual effect is to transfer the balance of power to influence the result from 1 Senator to 15 Senators, thereby making it 15 times more difficult to secure favorable action. With but 66 Senators present and 30 absent, the difficulty is at least tenfold, because the majority of 34 must be expanded to 44.

Whatever the number of Senators who may be present when a vote is taken, the two-thirds rule places a sufficient handicap upon precipitate action.

To show that the requirement of a two-thirds majority is not unreasonable or unprecedented, I beg leave to direct attention to the fact that the organic law under which our Federal Government functions imposes that same requirement in eight different instances. To demonstrate that fact, I quote from the citations made by the late Senator John H. Overton, of Louisiana, at the cloture hearing held 2 years ago. I read from his statement:

> A two-thirds vote is not an uncommon procedure in the Congress of the United States. The Constitution, as well as amendments thereto, impose the rule of a two-thirds majority in quite a number of instances. I shall refer to those instances briefly:
>
> No person shall be convicted on impeachment without the concurrence of two-thirds of the Senators present (art. 1, sec. 3).
>
> Each House, with the concurrence of two-thirds, may expel a Member (art. 1, sec. 5).
>
> A bill returned by the President with his objections may be repassed by each House by a vote of two-thirds (art. 1, sec. 7).
>
> The President shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur (art. 2, sec. 2).
>
> Congress shall call a convention for proposing amendments to the Constitution on the application of two-thirds of the legislatures of the several States (art. 5).
>
> Congress shall propose amendments to the Constitution whenever two-thirds of both Houses shall deem it necessary (art. 5).
>
> When the choice of a President shall devolve upon the House of Representatives, a quorum shall consist of a Member or Members from two-thirds of the various States of the Union (amendment 12).
>
> A quorum of the Senate, when choosing a Vice President, shall consist of two-thirds of the whole number of Senators (amendment 12).
>
> The Constitution, therefore, does not give recognition, in all cases, to the right of the majority to control.

At the time when rule XXII was adopted, there were 34 Members of the Senate who had had previous service in the House of Representatives. Frequent reference is made to the great differences

which exist between the rules that have been adopted to regulate procedure in the two bodies at either end of the Capitol. It is obvious that time will not permit 435 Representatives to have the same freedom of debate as can be accorded to 96 Senators. Of the 96 Senators at that time, 34 of them, as I have said, were former Members of the House of Representatives. I have no doubt that many of them felt as I did when I first came to this body from the House of Representatives. I must frankly confess that I did not like the way the Senate carried on its business. I had been for 15 years in the other body, and I had come to rely upon its very able leadership, which took care of what was to happen. Afterward, in thinking it over, I reached the conclusion that I must have arrived at the same state of mind as did the German people when the result of the First World War relieved them of domination by the Kaiser. They had become so accustomed to being told what they could do and what was "verboten" that they did not know what to do with the liberty and freedom which had been thrust upon them; and when Hitler came along to tell them that he was the one to do their thinking for them, they welcomed him with great relief.

That situation is similar to the one in which I found myself; and it took me some time to realize the freedom which I had as a United States Senator. I would come upon the floor of the Senate expecting to offer an amendment to a bill, but would find some other Senator occupying the floor for an hour or two before I could have an opportunity to say anything or do anything about what I had in mind. Perhaps I would even have to wait a day. That could not happen in the House of Representatives. But as time went on, I became firmly convinced that I was mistaken, and that there is value in the rules here in the Senate.

In his argument before the Committee on Rules and Administration, the junior Senator from Oregon [Mr. MORSE] indicated his firm conviction that the custom of courtesy and consideration for the rights of all Senators which became well established during the long period of time when there was no limitation of debate in the Senate will remain unimpaired as a strong bulwark to protect the opportunity of any minority in the Senate to fully and freely state its position before a vote is taken on any pending legislation. Therefore, he favors a majority rule. It does not require much imagination to determine how that custom of senatorial courtesy and consideration was originally established and why it has remained in effect down to this day. More than a century ago, when a new Senator came into this body, it did not take him long to learn that there were other Senators who not only had the ability to point out what they deemed to be flaws in his reasoning and errors in his statement of the facts upon which his conclusions were based, but, above all that, the other Senators could take whatever time they thought was necessary to fully expose the flaws in his reasoning and the errors in what he had presented as the facts. There was no way available to him to stop the criticism of his ideas by other Senators so long as they desired to do so. That was a right that they possessed, which he was compelled to respect, and from it there very naturally followed respect and consideration for all Senators, each of whom had that right. It is inherent in human nature to have respect for power. The new Senator also soon found out that he also had the same right as other Senators to use whatever time he might need to express his own opinions and to discuss contrary opinions, and that he had their respect because he possessed that right.

That is undoubtedly how the custom of courtesy and consideration upon which the junior Senator from Oregon relies was originally established in the Senate and is now so old as to be looked upon as fixed tradition in this body. The question is whether, with the destruction of the basis upon which it was founded, that custom or tradition will continue to prevail in the Senate during the years to come.

If the 25 to 50 Senators who happen to be present may at any time determine that they want to hear no more talk and can compel a vote to be taken then and there, will courtesy and consideration for the minority continue to prevail in this body? A parliamentary procedure of that kind automatically reduces the power and the influence of every individual Senator. It takes nothing but common sense to know that there will inevitably be a corresponding reduction in the courtesy and consideration which Senators will extend to each other.

In conclusion, let me repeat what I said in the beginning that all the Committee on Rules and Administration recommends is that the present rule XXII be made effective. It is not criticizing the principles upon which that rule was founded. Members of the committee agree to the wisdom of the Senators who wrote the rule. That they made an error in 1917 by not making it broad enough to cover all situations is obvious. That is all we are trying to do at this time—to make a rule applicable under any and all circumstances. But it will be a two-thirds rule; it will be a rule that will permit any Senator, even after cloture is adopted, to express his views upon any question before a final vote is taken.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield for a question.

Mr. LUCAS. Did I correctly understand the Senator to say the Senators who were responsible for the rule realized its ineffectiveness at the time they adopted it?

Mr. HAYDEN. There is no question about it. I have demonstrated that over and over again—to my own satisfaction, at least—that they thought they were adopting an effective rule.

Mr. LUCAS. At the proper time, I shall challenge that position. I should like to ask the Senator this one question, if I may, on the Senator's time.

The VICE PRESIDENT. Does the Senator yield to the Senator from Illinois for a question?

Mr. HAYDEN. I yield for the question he is asking.

Mr. LUCAS. I should like to ask the Senator this one question: Former Senator La Follette was one of the three Senators who voted against that resolution; was he not?

Mr. HAYDEN. That is correct.

Mr. LUCAS. Senator La Follette said:

> So far as I am concerned, I will never by my voice or vote consent to a rule which will put an end to the freedom of debate in the Senate.

Does the Senator believe that Senator La Follette knew what he was talking about when he made that statement?

Mr. HAYDEN. My argument, in that respect, as set forth in the committee report, if the Senator will permit me to read it to him, is:

> That such a result was not intended—

That is, the result, which Senator VANDENBERG has declared to be in final analysis, that the Senate has no effective rule at all—

> That such a result was not intended is further substantiated by the fact that no statement by any Senator who was a Member of the Senate in 1917 has been found which would indicate that he supported the change made at that time in rule XXII because he was aware that the rule had loopholes in it which made it of no value as a means of bringing debate to an end. Upon the contrary all of the arguments advanced by Mr. La Follette, of Wisconsin, Mr. Sherman, of Illinois, and Mr. Gronna, of North Dakota, the three Senators who voted against the adoption of the resolution offered on March 8, 1917, by Mr. Martin, of Virginia, were all based upon the assumption that the adoption of that resolution would result in effective cloture, and no other Senator indicated to them that such a change in rule XXII would not accomplish that purpose.

It was perfectly clear to me that Senator La Follette thought, at that time the Senate of the United States was adopting a cloture rule, it would be applicable on all occasions.

Mr. LUCAS. That is correct.

Mr. HAYDEN. There can be no doubt about that at all.

Mr. SALTONSTALL. Mr. President, will the Senator yield for a question?

The VICE PRESIDENT. Does the Senator yield to the Senator from Massachusetts for a question?

Mr. HAYDEN. I yield.

Mr. SALTONSTALL. The Senator stated in the early part of his argument that he believes rule XXII, with the amendment as proposed, is basically sound, if I remember his words.

Mr. HAYDEN. That is correct.

Mr. SALTONSTALL. The Senator then went on to a considerable discussion of the two-thirds rule. Of course, the committee makes no recommendation of a change in the two-thirds part of rule XXII. My question is, Does the Senator believe that the rule, with the amendment, leaving the two-thirds vote as it is, is basically sound, or does he recommend that proposal because he believes it is the practical thing to do?

Mr. HAYDEN. I think that rule XXII is basically sound. There is no question about that, if we stop to consider the problem. Senators do not represent population. The popular vote is cared for at the other side of the Capitol. Sen-

ators represent States, large States, small States. There could not have been a Union, had not each State been given an equal representation in this body. It is easy to conceive the time when one more than one-half the Senate, representing a very minor fraction of the population, would be in a position to do serious injury to the most populous parts of the country.

For all those reasons it is sound that the rule should be two-thirds. It should be a two-thirds majority in order to protect the interest of Senators themselves in their freedom of debate. I believe in the rule as written, the way it was reported by the committee. It should be adopted without any change. I mean by that to say that it is basically sound in all its features.

Mr. KNOWLAND. Mr. President, will the Senator yield for a question?

Mr. HAYDEN. I yield.

Mr. KNOWLAND. I should like to ask the able Senator from Arizona, the chairman of the Committee on Rules and Administration, whether, if the Senate adopts Resolution 15 as reported from the committee, he feels satisfied that that will close all the loopholes that may exist in rule XXII? In other words, this is a question that, had it been asked in 1917, might at least have prevented us from getting into this difficulty. Does the Senator now feel that this closes all the loopholes?

Mr. HAYDEN. We have consulted the best parliamentarians that were available, and as I understand it, at the suggestion of the Senator from Ohio [Mr. TAFT], the words "or the unfinished business" were inserted for good measure. The way the rule is written, it is tight enough and strong enough to do the work expected of it.

Mr. SALTONSTALL. Mr. President, will the Senator yield for a question that perhaps he has already answered but which I should merely like to emphasize for the purposes of the record?

Mr. HAYDEN. I yield for a question.

Mr. SALTONSTALL. Does the Senator feel that the present suggested change should be tried out because he believes that by the application of the cloture rule in that form the ability of the Senate to act will be legitimately furthered?

Mr. HAYDEN. I do. Suppose some measure, some motion, some subject, is pending before the Senate. The Senate has the right, upon the filing of a petition signed by 16 Senators, to determine by a two-thirds vote whether debate shall be closed.

Mr. SALTONSTALL. I tried to bring that out in order to emphasize that the Senator believes that it is a basically sound rule, rather than the constitutional majority rule, and that he voted for it not only in theory, but because he believes that it is the right thing to do rather than merely the practical thing to do.

Mr. HAYDEN. The Senators who took the time and trouble, after 2 years of study, to devise rule XXII in 1917 were wise legislators and they did a satisfactory piece of work, except that they did not look beyond the difficulties which had theretofore confronted them. Necessity is the mother of invention. After that action had been taken, someone else found that in order to accomplish his purpose and permit unlimited debate he could use other means. We are trying to produce a good, sound rule under which in no circumstances will it be possible to prevent the filing of a cloture petition for the purpose of closing debate.

Mr. WHERRY obtained the floor.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. WHERRY. I will yield with the understanding that I shall not lose the floor.

The VICE PRESIDENT. The Chair cannot guarantee that.

Mr. HOLLAND. Mr. President, it was my purpose, if permitted by action of the Senate, to call for a quorum.

The VICE PRESIDENT. The Senator having the floor cannot yield for that purpose.

Mr. HOLLAND. Will the Senator ask for unanimous consent of the Senate to permit me to suggest the absence of a quorum?

Mr. WHERRY. I believe I will not yield for that purpose, for the reason that the distinguished occupant of the chair has laid down the strict rules, and I think we should proceed with the debate accordingly.

The VICE PRESIDENT. Does the Senator from Nebraska decline to yield?

Mr. WHERRY. I do, Mr. President. I thank the Senator from Florida, however, for his effort.

Mr. President, the Senate of the United States is the strongest citadel for freedom in the whole world. It is a great honor to be a Member of the Senate, and it is also a great responsibility.

The Members of the Senate have a glorious heritage to carry forward; and I am sure that the Members of this Congress are fully aware of our responsibilities, and fully appreciate the many burdens that are being thrust upon us.

Certainly, in the last few years, the duties of a United States Senator have been greatly increased. The growth of our country from within, and the place it has taken in leadership among the nations of the world, have brought up many vital and complex problems to solve. While I do not wish to infer that Senators back in history had little to do, yet, certainly, all can agree that during the last quarter of a century there has been a large increase in the work of the Senate. Much of this has been self-made by expanding the powers of the Federal Government.

With Congress now in session most of each year, as compared to the length of the sessions in past years, when for many months the Congress was not in session, it requires no elaboration to point out that the duties of a United States Senator, and of the entire membership as a whole, have been vastly increased.

It is quite obvious, too, that our responsibility in helping to shape a lasting peace for the world has greatly expanded our duties.

Mr. President, I make reference to the greatly expanded activities of the Senate as part of the background for the observations I desire to make in support of the motion by the senior Senator from Arizona [Mr. HAYDEN] now pending before the Senate; that is the immediate consideration of Senate Resolution 15 to amend subsection 2 of Senate standing rule XXII, relating to cloture.

There are those who say there is nothing new that can be said on the subject of cloture. That is an observation which is usually made by observers as they are on the run.

I am sure my colleagues will agree with me, when I say that the pressure upon the Senate for decisions during recent years has been increasing at a tremendous rate. Certainly as the acting majority leader for the past 2 years, I know something about that pressure.

Regardless of these pressures, it would be tragic beyond description if this body ever adopted a rule of procedure that would deny to any Senator an opportunity to be heard on any matter brought before the Senate. I would never be in favor of that.

The Senate has been frequently referred to as the greatest deliberative body in the world. I know I speak the sentiments of every Senator when I say we all hope that it shall forever maintain that reputation. In no legislative body in the whole world is that right to deliberate more fully protected and guarded than it is in the Senate.

The minority has rights that are just as inviolable as are those of the majority. The truth of that statement goes to the very form and substance of our republican system of government.

We can cite many instances in our way of life to support that statement. Great reforms or great steps forward for our people often begin through the advocacy of small minorities that gradually, through the years, swell into majorities. In time, ideas for advancement that were almost universally frowned upon in years past come to be taken for granted as right and proper.

There have been notable instances in which waves of enthusiasm for legislation or actions by the Senate have given way to waves of enthusiasm for their rejection after the proposal had been thoroughly debated, thoroughly discussed, and understood by the people.

Therefore, plainly, we should take no action for revision of the rules that would in any way foreclose wholesome and necessary debate and thorough exploration of controversial questions that come before us. Upon that proposition I feel sure every Member of this body fully agrees.

I do not want the Senate rules to permit the odious steamroller to crush the right of minorities to be heard and to be given the opportunity to persuade others to conversion to their views. In recent years we had a striking example of how the freedom of debate and freedom of deliberation in the Senate serve as a bulwark against revolutionary changes in our Government. I refer to the so-called Supreme Court-packing proposal was made in 1937.

It was not my honor and privilege to be a Member of this body at that time, but that great moment in our history is fresh in all of our minds. It is conceivable that similar proposals disastrous

to our republican way of life, may be made in the future. Some of them are on our doorstep today. But I remind Senators that the most unfortunate Supreme Court-packing proposal never reached the stage in the Senate where resort to cloture was invoked.

The historic processes of the Senate committee hearings and full publicity, worked so well that that threat to our form of government was averted by utter rout of the forces that had advocated the proposal.

I have an abiding faith in the confidence and wisdom of the Senate to adhere to its traditional character. Ours is a unique body as governments are constituted.

It has been said time and again, and I believe it is true, that the framers of the Constitution of the United States were divinely inspired.

The drafters of the Constitution gave to the Senate, a vital part in the making of our Nation's foreign policy. It is quite apparent to all of us that the work of the Senate in connection with foreign affairs has been greatly increased in recent years, until today its ramification and impact dominates largely what we do in regard to domestic matters.

In discussing Senate Resolution 15, the so-called Hayden-Wherry resolution, my views are in no way influenced by partisan considerations. We are considering now rules of procedure, to provide fair and equitable consideration and action, upon matters that come before the Senate for determination. We are considering rules of the game—so to speak. These are rules for fair play like the ethics of conduct for citizens in our Republic and like the rules that govern in the field of sport.

We are now considering rules to be handed down through the years, and I believe that the more we exclude partisan consideration, the better will we do our work. It was with that thought in mind, after 2 years of searching investigation by the Senate Committee on Rules and Administration, I joined the senior Senator from Arizona [Mr. HAYDEN] in sponsoring Senate Resolution 15.

This matter of amending the cloture rule transcends all party considerations. Partisanship went out the window when the Senate, in 1917, as has already been stated by the majority leader, adopted standing rule XXII. It was a committee of Republicans and Democrats who drafted the rule. It was adopted by a vote of 76 to 3, March 8, 1917, with Senators from every section of the country voting for it—from the North, the South, the East, and the West.

Much will be said during debate upon the pending motion pro and con, on the wisdom of application of the cloture rule at various times since its adoption. Statistics will be given to prove or disprove arguments. The melancholy history of filibusters will be retold; precedents will be cited, and there will be disputes over their bearing on present circumstances.

For my part, I should like to consider Senate Resolution 15 in connection with conditions today—now—and with thought to the future.

Today, we do not have any effective rule to invoke cloture on any legislation or treaty that may come before the Senate for its determination. I make that positive, affirmative statement, we do not have an effective cloture rule today. Standing rule XXII, the so-called cloture rule, is now a dead letter. It is utterly ineffective in view of the ruling made by the President pro tempore [Mr. VANDENBERG] in the Senate on August 2, 1948.

The senior Senator from Michigan made the ruling according to his lights. He ruled as he saw the precedents and as he construed the language of standing rule XXII—those two little but decisive words—pending measure. That was his duty and he honorably carried out his responsibility, regardless of his personal opinion, on any legislation that might be affected by his ruling. Some of us may differ with his ruling that the present cloture rule cannot be invoked to terminate debate upon a motion to consider legislation, but the ruling that a motion to consider is not a pending measure, and therefore not subject to the present cloture rule stands and we are confronted by a condition and not a theory.

Mr. RUSSELL. Mr. President——

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from Georgia?

Mr. WHERRY. I am glad to yield to the Senator for a question.

Mr. RUSSELL. I should like to ask the Senator from Nebraska if he does not recognize that the ruling of the distinguished Senator from Michigan was in accord with all the precedents, and that there was no precedent to the contrary.

Mr. WHERRY. Yes; I just stated that in my remarks.

Mr. RUSSELL. The Senator indicated that he differed with the Senator from Michigan in his ruling.

Mr. WHERRY. No; I did not say I differed with him. I said that with his own lights, and with the precedents before him, I could not see how he could make any other ruling. I certainly did not mean to criticize the ruling. But I do say that since he has handed down the ruling, we have no effective cloture rule in the United States Senate.

Mr. RUSSELL. Will the Senator yield for a further question?

Mr. WHERRY. I am glad to yield for a question.

Mr. RUSSELL. I should like to ask the Senator whether or not he is familiar with the statements made from time to time by Senators who were present when the cloture rule was adopted, which clearly demonstrate that they never intended that the rule should apply to a motion to take up a measure.

Mr. WHERRY. In answer to that question, I am glad to tell the Senator—and I shall refer to it a little later in my remarks—that he can have his own viewpoint about it, but my view is that those Senators did not contemplate the loopholes. If they had, they would have taken care of them in 1917.

Mr. RUSSELL. I should like to ask the Senator, then, if he has read the CONGRESSIONAL RECORD for November 19, 1919, wherein it is shown that Senator Underwood, who was present when the rule was adopted, stated that it was a poor excuse for a rule because it did not apply to everything, and where Senator Hitchcock of Nebraska is reported to have made the statement that in his opinion the proposed cloture rule did not even apply to a treaty which might be pending before the Senate. In those two instances Senators who were present when the rule was adopted clearly indicated that they did not intend that it should apply to anything but substantive legislation.

Mr. WHERRY. My answer to the Senator from Georgia is that I think at some time I have read the complete RECORD. I know that as chairman of the subcommittee of the Committee on Rules and Administration I considered the matter, and we studied all the discussions we could find, and my positive statement is that, in view of the ruling of the senior Senator from Michigan [Mr. VANDENBERG], we have no effective cloture rule.

My further thought on the question asked by the Senator from Georgia is that it was the thought of those who adopted the cloture rule by a vote of 76 to 3 that they were adopting an effective cloture rule, but situations have arisen, such as motions to amend the Journal and the precedent now established that it is not possible to invoke cloture on a motion to take up a measure, which have nullified their intent. It is to meet such conditions that the resolution was offered by the Senator from Arizona [Mr. HAYDEN] and myself, so as to close those loopholes, and make it possible to have an effective cloture petition not only upon pending legislation, on the subject matter, but on any motion, regardless of rule III or rule VI.

Mr. LUCAS. Mr. President, will the Senator from Nebraska yield for a question?

Mr. WHERRY. I am glad to yield for a question.

Mr. LUCAS. Did I understand the Senator to say that he believed the Vandenberg ruling to be correct?

Mr. WHERRY. I say that in light of the precedents I do not see how he could have made any other ruling. But in making that ruling, I should like to say to the distinuished majority leader, the Senator from Michigan absolutely set up a precedent, so that unless we change Rule XXII we have not any effective cloture rule, and that is what we are debating here today. The question is not one of majority vote or of freedom. I am just as much for freedom as is any other Member of the Senate. The question is, do we want an effective cloture rule If we do, let us have one. If we do not, let us continue as we have been proceeding, because under the Vandenberg ruling, we have no effective cloture rule. That is the whole story in a nutshell.

Mr. LUCAS. Mr. President, will the Senator yield further?

Mr. WHERRY. I yield.

Mr. LUCAS. Did the Senator feel the same way about the Vandenberg ruling

7 months ago, when he signed a petition for cloture?

Mr. WHERRY. I was as much in favor of terminating debate under cloture as any other Member of the Senate, but that does not indicate that because I signed the petition I was going to be in agreement or disagreement with what the Senator from Michigan [Mr. VANDENBERG], as President pro tempore, ruled. I was for a cloture petition to shut off debate on the then pending measure. That is why I signed the cloture petition.

Mr. LUCAS. Mr. President, will the Senator further yield?

Mr. WHERRY. I yield.

Mr. LUCAS. Am I correct in my understanding that when the Senator signed the cloture petition he had definite reason to believe that his position was correct, and that the debate could be shut off by a cloture petition?

Mr. WHERRY. Yes.

Mr. LUCAS. On a motion to take up a measure?

Mr. WHERRY. I signed the petition for that reason. That was the first time there had been a decision on the question, although it had been raised many times in the Senate. Statements had been made about it. I remember the very fine statement made by the Senator from Tennessee [Mr. MCKELLAR] in 1946, when his opinion was that on a point of order he believed the precedents existed, and his answer would be that the rule did not apply to a motion, that it applied only to pending legislation. But when the Senator from Michigan [Mr. VANDENBERG] made his ruling, that was the first precedent we had, through a decision by a Presiding Officer, that cloture did not apply to a motion, but only to pending legislation. I say again, I do not see how he could have ruled otherwise, in the light of what had been said in years gone by with reference to the loopholes to be found in Rule XXII.

Let me say once again, and I say it in all sincerity, that the ruling made by the Senator from Michigan, whether one agrees with it or not, has definitely established a precedent under which we today do not have an effective cloture rule. That is all there is to that. We simply do not have an effective cloture rule today. Unless we amend the rule we can file a cloture petition today, but cloture will not be invoked because of the loopholes existing in the rule.

Mr. RUSSELL. Mr. President, will the Senator yield for a question?

Mr. WHERRY. Oh, Mr. President, I wish to continue.

Mr. RUSSELL. Very well, if the Senator prefers not to yield.

Mr. WHERRY. I yield, Mr. President.

Mr. RUSSELL. I should like to ask the Senator from Nebraska if he does not think his statement is in error in saying that the Senator from Michigan was the father of this ruling? I thought the Senator from Michigan made it very clear that had the matter been presented to him de novo his ruling might have been different, but that he found himself bound by the rulings which had been made by a number of distinguished Presiding Officers who had preceded him.

Mr. WHERRY. Mr. President, I said that in the light of the precedents cited by the Senator from Michigan, and in the light of the observations he made on the subject, I could not see how he could do otherwise than decide as he did on the appeal. That does not mean that the Senator from Georgia or I agree with him. I gained the impression from what the Senator from Michigan said when he made his decision that he would have liked very much to have the Senate decide the question; that he would rather have the Senate decide it than have the President pro tempore decide it at that time. I shall come to that point later in my statement. I think the question should be decided by the Senate itself. Instead of placing the responsibility on the present occupant of the chair, I believe what we ought to do is to debate the question and vote on it, and if we want to amend the rule let the Senate vote to amend it, and let us not have an interpretation of the rule by the Presiding Officer.

Mr. RUSSELL. Mr. President, will the Senator yield for one more question?

Mr. WHERRY. Yes; I am glad to yield.

Mr. RUSSELL. The Senator makes his points with such rapidity that, even though he speaks with clarity, it is a little difficult to keep up with him. Did I understand the Senator from Nebraska to say that the sole issue before the Senate now was the question of the two-thirds cloture?

Mr. WHERRY. No. What I said was that the sole issue before the United States Senate this afternoon is: Do we want a cloture rule or do we not? The present cloture rule is inoperative, it is ineffectual; made so by the precedents I have just cited. We do not have a cloture rule today. It is impossible to invoke cloture, in my opinion, under the present rulings. If we want a cloture rule, I think the Senate should debate the subject, vote on the question, and adopt such a rule. It has already been nullified. We might as well wipe it off the books. The present cloture rule is of no avail, in my opinion.

The question of a majority or a two-thirds vote might be raised. I shall deal with that subject later on in my discussion. Personally, I favor a two-thirds vote. I think the Senator knows I do. I wish to make my position on that point clear and positive. But, so far as cloture is concerned, we do not have an effective cloture rule today. The real question is not whether we believe in cloture by majority vote or by two-thirds vote; the real question is whether we want a rule at all.

Mr. RUSSELL. I wonder if the Senator from Nebraska would be good enough to explain to the Senate how he would prevent the adoption of majority cloture rule if the resolution under discussion is laid before the Senate and a majority of the Senators present support an amendment to gag the Senate when a majority of Senators desire.

Mr. WHERRY. I cannot guarantee to the Senator from Georgia that at any time during the debate, if the resolution finally comes before the Senate and amendments to it are offered, an amendment providing for cloture by majority vote will not be offered in place of a two-thirds-vote provision. The Senator from Georgia knows I cannot guarantee any such thing. But I think that the Members of the Senate are so sensible and so reasonable, as I shall expect to point out later on, that they would be glad to adopt the two-thirds rule if they can close up the loopholes which now make the rule ineffective, and thereby give us a cloture rule which would be effective on vote of two-thirds of the Members of the Senate. That is all we are trying to do by the resolution. That is the only issue before us. We do not want to be distracted from it.

There are those who believe in cloture by majority vote. Those who do have a perfect right so to believe. But there are those of us who believe in cloture by a two-thirds vote, and we have a perfect right to our belief. It does not make any difference whether one believes in vote by majority or by two-thirds. If we do not place an effective cloture rule on the books we will not have a chance to invoke cloture anyway.

Mr. RUSSELL. If I understand the Senator's position correctly he is for a cloture or a gag rule; it makes no difference whether it is by two-thirds vote or majority vote.

Mr. WHERRY. Mr. President, I think the Senator from Georgia is one of the finest men I know. He has always been very reasonable. But I believe he is going out of his way when he calls this a gag rule, and so forth, and so on. When the time comes when two-thirds of the Members of the Senate feel that a specific matter of legislation has been so thoroughly debated that the two-thirds are willing to terminate debate, I do not believe that if they vote their convictions at such time their action should be designated as a gag rule. I believe the Senator from Georgia is hurting his own case when he says it is a gag rule when those of us who believe in cloture by a vote of two-thirds of the Senators, after a thorough debate has been held for days on an issue, after an exhaustive and complete debate has been had, vote to adopt a rule. It is not gag rule. In other words, it would be placing something sensible into a rule which will permit a vote up or down on an issue, whereas if we continue as we are now going, it will mean merely action after sheer exhaustion of physical effort by reason of the existence of a filibuster.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. RUSSELL. I should like to ask the Senator if he did not misunderstand me. The Senator from Nebraska, despite the powerful position he occupies, will not be in control of the action of the Senate, or of any other vote than his own, whenever a majority cloture provision is offered. If such a rule is adopted in the Senate, it would undoubtedly be a gag. Although the Senator may be in favor of a two-thirds rule, if the measure comes before the Senate for us to vote on it, the Senator could not guarantee, as he well knows, that an

amendment in the nature of a gag rule would not be adopted. In my own view, cloture could be adopted by such a rule without the minority ever having a chance to speak, because a cloture petition could be filed, a motion could be made to adjourn until 5 minutes before the time that the vote is to be had on the cloture, and then just a mere majority here, if they were so disposed, could wipe out and obliterate completely the opportunity of any Senator to rise up on the Senate floor and make a speech against a proposition.

Mr. WHERRY. I might answer that question by asking the Senator from Georgia a question, if I do not thereby lose the floor.

The VICE PRESIDENT. The Chair would like to admonish the Senator from Nebraska that he can yield only for a question.

Mr. WHERRY. Then, if I obtain unanimous consent not to lose the floor thereby, I should like to answer the question asked by the Senator from Georgia by asking him one.

The VICE PRESIDENT. Very well.

Mr. WHERRY. I ask the Senator from Georgia this question: Would the Senator be in favor of closing up the two loopholes I have spoken of if he could be sure that a two-thirds-vote provision would stay in the measure?

Mr. RUSSELL. I will be perfectly frank with the Senator from Nebraska and say no, I would not, because I think that the Senate of the United States is the last forum of free discussion on earth, the last citadel of individual rights, the last hope of the rights of the small States, the last refuge of oppressed minorities, and that there should be a right here to discuss matters before cloture or a gag rule can be applied. In my opinion, these loopholes have never hurt in any way. The Senator cannot refer to any case wherein they have done harm.

The VICE PRESIDENT. The Senator from Georgia is not now asking a question.

Mr. RUSSELL. Mr. President, the Senator from Nebraska asked me a question.

Mr. WHERRY. Mr. President, I do not want to lose the floor.

Mr. RUSSELL. The Senator from Nebraska asked unanimous consent that he might answer me by asking me a question.

The VICE PRESIDENT. Under the interpretation of the rule which the Chair would make, the Senator who has the floor has no right to ask questions of another Senator while he is making his speech.

Mr. WHERRY. Mr. President, I asked unanimous consent that I might be permitted to ask the Senator from Georgia a question.

Mr. RUSSELL. And it would be quite queer, it seems to me, if, when under such circumstances the Senator from Nebraska asked me a question I would not be permitted to answer him.

The VICE PRESIDENT. The Chair did not understand the situation to be such as the Senator has described it.

Mr. WHERRY. I do not object to the Senator from Georgia making his statement, if I do not lose the floor thereby.

The VICE PRESIDENT. Every Senator who has the floor can protect himself if he wants to.

Mr. WHERRY. Mr. President, as I said, I do not object to the Senator making a statement providing I do not lose the floor thereby.

The VICE PRESIDENT. The Senator from Nebraska runs the risk if he yields for any other purpose than for a question.

Mr. WHERRY. Then I shall continue.

The VICE PRESIDENT. If the Senator from Nebraska asks unanimous consent to be allowed to ask the Senator from Georgia a question, and that the Senator from Georgia may answer it, the Chair will put the question. Is there objection to the request of the Senator from Nebraska? The Chair hears none, and it is so ordered.

Mr. RUSSELL. Mr. President, before this parliamentary discussion arose I was pointing out that despite all the talk concerning the great loopholes in the rules of the Senate——

Mr. WHERRY. Two loopholes.

Mr. RUSSELL. Which would prevent the Senate from acting, that there are only two cases in all the history of the Senate of the United States——

Mr. WHERRY. I will cover that in my speech. If the Senator will allow me to cover that question in my time, I will tell him all about it. The Senator asked a question, and I answered it.

Mr. RUSSELL. The Senator from Nebraska asked a question——

Mr. WHERRY. I asked the Senator from Georgia if he would fold up if it could be guaranteed that the two-thirds vote would be protected, and the Senator said no.

Mr. RUSSELL. Yes——

Mr. WHERRY. It is desired by some to preserve the loopholes. That is what we want to get at. As the Senator from Georgia well knows, with the present privilege of debating an amendment to the Journal, against which a cloture petition cannot lie, it is impossible to bring debate to a close in the Senate. Under the ruling by the Senator from Michigan, the only way we could have an effective cloture rule would be to adopt the Hayden-Wherry resolution, which closes the two loopholes but still preserves the right to every Senator to vote for the two-thirds rule if he so desires. He should have that right. The Senator from Georgia well knows that I believe in the two-thirds rule.

Mr. RUSSELL. Mr. President, the Senator from Nebraska asked me a question and then undertook to answer it. I assume that he has answered it to his own satisfaction, but it certainly is not to my satisfaction.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. WHERRY. First I yield further to the Senator from Georgia.

Mr. RUSSELL. Mr. President, am I to be permitted, under the unanimous consent obtained by the Senator from Nebraska, to answer the Senator's question? The Senator from Nebraska asked unanimous consent to ask a question, and that I be permitted to answer it. The Senator from Nebraska asked the question and then answered it himself. I should like to be permitted to fulfill my part of the unanimous-consent agreement and answer the question.

The VICE PRESIDENT. The Chair has no control over the Senator from Nebraska. He can permit the Senator to answer his question or not.

Mr. RUSSELL. The Senator from Nebraska asked unanimous consent that I be permitted to answer the question.

Mr. WHERRY. I have no objection.

Mr. RUSSELL. I heard no objection interposed.

Mr. WHERRY. I am not objecting.

The VICE PRESIDENT. The Chair heard no objection, and so stated.

Mr. RUSSELL. Of course, the Senator can cite hypothetical cases in which great injury might result from this rule. As a matter of fact, actual experience in the period since 1917, when this rule was adopted, reveals that, with the exception of one or two occasions, there has never been a time when a motion to amend the Journal was debated or when a motion to take up a bill was debated, when we did not eventually come to a vote on cloture. Therefore I submit that the experience of the Senate shows that a motion to take up a bill, or a motion to amend the Journal, when used as a device by the minority who wish to get their case before the country, has not been abused. Under the proposed change in the rules, of which the Senator is a coauthor, the minority might be rendered absolutely helpless, and prevented from being heard, because a motion might be made to take up a bill, a cloture petition might be filed, and then the majority leader might say, "I move that the Senate adjourn until day after tomorrow at 12:55," and we would be confronted with a vote on cloture without any Senator having had an opportunity to speak.

That is the reason why those who drafted this rule did not make it apply to anything except pending legislation before the Senate. They had some respect for the rights of the minority. They had some proper concept of the dignity of the Senate in our scheme of government. They knew that free debate in the Senate would be the last hope of preserving this country in the form in which it was handed down to us by the founding fathers.

Mr. WHERRY. Mr. President, I appeal to the Senator and ask him if he does not think he has taken sufficient time to answer the question?

Mr. RUSSELL. Mr. President, I will subside if the Senator desires. I would not like to cause him to lose the floor.

Mr. WHERRY. The Senator from Georgia completely evades my question. The question is this: If the Senator were assured that the two-thirds vote would be preserved, would he fold up and permit us to amend rule XXII so as to close the loopholes? His answer was "No."

Mr. RUSSELL. The Senator asked me one of those "Have you stopped beating your wife?" questions, and did not let me complete my answer.

Mr. WHERRY. Mr. President, I submit in all sincerity and reasonableness that many of the reasons why we could not obtain a vote on a cloture petition are to be found in the rules themselves. The Senator from Georgia well knows that even though at times we have endeavored

to invoke cloture, the opponents used the device of a motion to amend the Journal, so that it was impossible to obtain a direct vote on the subject matter. The only thing that can be accomplished after a long filibuster is make arrangements to withdraw this or that, and then proceed with the work of the Senate.

If we close the loopholes and provide that cloture shall be made applicable to all motions, as well as pending measures, then we shall have an opportunity to terminate debate after the question has been debated on the floor of the Senate, under the remainder of the rule, which provides for a vote on cloture on the second day after the filing of the petition, and that each Senator shall have an hour. Debate on the question may continue, and the minority is not cut off at all.

The only thing we seek to do is to close the two loopholes which now render the cloture rule, rule XXII, ineffective. I ask Senators to bear that point in mind and not be confused by the question of a majority vote or a two-thirds vote, or any other issue. Today we have no effective cloture rule.

Mr. KNOWLAND. Mr. President, will the Senator yield for a question?

Mr. WHERRY. I yield.

Mr. KNOWLAND. In view of the Senator's answer to the question asked by the Senator from Georgia, I should like to ask the Senator from Nebraska this question: The Senator is familiar, is he not, with the fact that there is a considerable body of opinion in the Senate to the effect that cloture does apply to a motion to take up a bill?

Mr. WHERRY. Oh, yes.

Mr. KNOWLAND. I think there is ample justification for the Senate itself determining that rule XXII, adopted in 1917, was intended to mean that the Senate should have an effective cloture rule.

Mr. WHERRY. That is my position exactly. I have already stated it. I do not know whether the Senator was in the Chamber at the time. I invited the attention of the Senate to what was intended in 1917.

I also stated that at the time the Senator from Michigan handed down his decision, there were Senators who felt that cloture should apply to a motion as well as to a pending measure. So strongly did I support that argument that the Senator from Georgia thought I was taking exception to the ruling of the Senator from Michigan. However, I went further and stated that in view of the precedents I could see no other ruling that could be made than that which was made by the Senator from Michigan on the point of order last year.

I agree that there are Members of the Senate who are just as serious about a constitutional majority vote or a simple majority vote to close debate as are those who believe in the two-thirds rule. However, I think the Senator from California will agree with me that that question is not involved in this resolution. What we are seeking to do is close the loopholes. If we are to reduce the vote from a two-thirds vote to a majority vote, that is another question. It is entirely outside the resolution before us.

It is to correct that loophole and others in standing rule XXII that Senate Resolution 15 is directed. From a reading of the debate on standing rule XXII back in 1917, when it was adopted by the Senate, there is no doubt in my mind that the Senate deliberately intended that when two-thirds of the Members of the Senate present are agreed that ample debate has occurred and an issue has been thoroughly developed, two-thirds of the Senate should be able to terminate the debate and bring the issue to a vote. Whether it is a motion to take up or whether it is a piece of legislation, or what not, I am satisfied that that was what was in their minds when they adopted the rule.

That was the tenor of the remarks made by Senators who spoke upon the cloture resolution when it was pending before the Senate in March 1917. That appears to have been the understanding of the three Senators who voted against adoption of the rule. They thought it was effective. They said, "If this proposal is adopted, it will cut off debate." They knew what they were talking about.

It is quite plain from the remarks of illustrious Senators during debate on the cloture rule at that time that they understood the purpose of the rule to be a termination of any debate, on any subject or motion, when two-thirds of the Senate present and voting so determine.

I thank the Senator from California for bringing that point to my attention.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. FULBRIGHT. Is it the Senator's view that the country has suffered great harm and damage because of this loophole?

Mr. WHERRY. I am quite satisfied that the Senator from Arkansas has been present during my entire discussion. The basis for my remarks in supporting this resolution is the fact that the work of the Senate has multiplied to such an extent that unless we can adopt the two-thirds rule and have a firm, positive, effective cloture, it is my opinion that legislation will be held up which ought to be passed, not only to meet our domestic needs but to implement our foreign policy and solve great problems across the water.

Mr. FULBRIGHT. Mr. President, if the Senator will yield further, let me say that I know he is deeply interested in having the Congress pass legislation putting into effect the program of the administration, but I was thinking more of the past. Does the Senator feel that great injury has been done in the past, and does he have in mind any instances or illustrations to show the Senate why this rule has been such a great evil?

Mr. WHERRY. As I said at the beginning of my remarks, instances both pro and con can be cited.

One of the finest statements I ever heard made on this subject was made 2 years ago, I believe, during the debate on the proposed FEPC legislation, by the Senator from Georgia [Mr. RUSSELL]. As I recall his words, he said: "Finally, all good legislation is passed."

I may not quote the Senator exactly, but that is an approximate quotation of what he said. In other words, he was pointing out that possibly it is a good thing to have some legislation held up by minorities.

Yet the Senator from Arkansas will agree with me, I am sure, that after legitimate debate is had and after the issue is joined and the various points at issue have been thoroughly discussed, then the proponents, even though they may be in the minority, have a right to have a vote taken. Some of the finest suggestions ever made have come from minorities.

Let me mention here the statement made by the late Senator Overton, of Louisiana, relative to the provisions of the Constitution requiring two-thirds majorities.

By way of illustration, let me say that if the proposed oleomargarine legislation were before the Senate, I am sure the Senator from Arkansas would wish to have a vote taken on that measure, and not have it put aside because of some loophole in the rule. However, under the situation existing today, a vote could not be obtained on that proposed legislation because of the lack of an effective cloture rule. Does not the Senator agree with me as to that?

Mr. FULBRIGHT. Mr. President, in the first place, I do not think the oleomargarine legislation is finally killed.

Mr. WHERRY. I did not say it is killed. But my judgment is that, with the cloture rule we now have in the rule book and with the precedents which have been established, a vote could not even be obtained on that proposed legislation, because advantage would be taken of these loopholes and a vote on such proposed legislation would never be reached.

Mr. FULBRIGHT. Mr. President, if I may be permitted to interrupt, let me say I do not agree; I do not think that measure is of the type of legislation which people feel so strongly about that they——

Mr. WHERRY. Very well; I thought the Senator from Arkansas was intensely interested in that measure. He asked for an illustration of what I have in mind, and I gave him one.

Mr. FULBRIGHT. I am intensely interested in it. I think perhaps the greatest injury that has ever come to the country from this rule is the delay in the enactment of the oleomargarine legislation.

I think it is pertinent to have the Senator cite to those of us who are very deeply interested in his reasoning just what injuries have come to the country from this rule, because I think we can cite some great benefits which have come from it.

Mr. WHERRY. The Senator's own President has said the change must be made. The Senator asks me to discuss the importance of the matter, but the President himself has said—just today, I believe—that unless something is done about the rule, the Administration's program will be seriously handicapped, if not held up entirely.

In this connection, I remember a statement by the late President Wilson. When the armed-merchant-ship resolution was before the Senate, President Wilson said that it would be impossible

to get that measure passed, because there was no effective cloture rule in the Senate. However, because he found another device by which he might arm the merchant ships, he did not have to rely upon the cloture rule. Later he said that if the cloture rule were to be effective, this proposed step must be taken.

Let me say that if President Truman has any effective, strong program—and after 60 days, I am beginning to doubt that he has—then this proposed change must be made if his program is to be made effective.

Mr. FULBRIGHT. Let me inquire whether the Senator from Nebraska thinks any proposed legislation was ever of sufficient importance to justify the invoking of cloture.

Mr. WHERRY. Mr. President, the Senator is repeating and repeating that question. If that is all he has in mind in questioning me—in other words, to delay me and to interrupt my remarks—then I refuse to yield further.

The PRESIDING OFFICER (Mr. McGRATH in the chair). The Senator from Nebraska declines to yield further.

Mr. WHERRY. Mr. President, I am glad to yield for relevant questions; but if all the Senator from Arkansas intends to do is to ask me again and again whether I have in mind any legislation of sufficient importance to warrant the invoking of cloture, I shall decline to yield further. If the Senator wishes to know what legislation has been of sufficient importance in that connection, let him consider the various pieces of legislation himself.

It is now quite apparent to all of us that according to the ruling of the President pro tempore last August, the Senators of 1917 left loopholes as wide as a barn door—loopholes that in the future would strike down their high purposes in the interest of orderly government. Certainly, those Senators had no intention to leave such loopholes, because when the cloture rule was adopted the Senate had just been held tightly in the grip of a filibuster. That is exactly what happened. That filibuster caused the defeat of President Wilson's so-called armed-merchant-ship resolution, which was brought up in the Senate only a few hours before the adjournment of the Congress sine die. Senators who had bitterly opposed that resolution, and had joined in the filibuster, later voted for the cloture rule, and the support came from every section of the Nation.

The device of filibustering against a motion to consider is a recent development, a recent discovery.

Students of Senate procedure running back through the years, say that prior to the discovery of the motion-to-consider loophole, it was not the practice to filibuster against a motion to consider a bill or a resolution. The marathon talking was applied after a bill or resolution was formally before the Senate. That was the procedure at that time.

The Hayden-Wherry resolution would close the loophole permitting filibusters against motions to consider, and it would permit two-thirds of the Senators to apply cloture, notwithstanding Rule III of the Standing Rules of the Senate, which provides that a motion to amend or correct the Journal shall be deemed a privileged question and proceeded with until disposed of. The Hayden-Wherry resolution, it will be noted, also provides that a motion signed by 16 Senators to bring debate to a close may be presented at any time, notwithstanding the provisions of rule 6, which provides that all questions and motions arising or made upon the presentation of credentials shall be proceeded with until disposed of.

In other words, the Hayden-Wherry resolution would permit cloture to be invoked against any motion as well as any measure that may be pending before the Senate. That is the end result of what we wish to achieve by the proposed change in the rule.

Another defect in standing rule XXII that was overlooked by the Senators of 1917 is the loophole allowing filibusters to be made on the question of approval of the Journal. That became apparent in November 1922, when motions to amend the Journal were debated for several days, and thus consideration of an antilynching bill was prevented, and the bill was finally laid aside.

There have been suggestions that the Senate should have a cloture rule which could be applied only during a national emergency. There has been a great deal of talk about that for the last 3 or 4 weeks. Such a situation is difficult to define for the purpose of classifying the bills and other measures that come before the Senate.

The thought is entertained by some persons that a small group of Senators—perhaps 5 or 10, or some such small number—might at some time in the future conduct a filibuster long enough to prevent emergency action by the Government necessary to the life and security of the Nation.

Mr. President, it seems to me that a state of national emergency as a condition precedent to the application of cloture would be virtually impossible to define in these days of crises and emergencies and pressures for world-affecting decisions.

Under those circumstances, every bill introduced would be labeled "For the National Emergency." Who could define what a national-emergency bill would be; who could say exactly where the line should be drawn in that connection? I think it is not only impracticable but impossible for much of our legislation these days to be handled in such a way. Much of our legislation on foreign affairs these days comes under the heading of emergency to stop the threat of onrushing communism. Practically any bill can be said to relate to a national emergency.

It is my belief that should the day ever come—God forbid—when our national security is suddenly threatened by imminent attack, the force of public opinion would be so unanimous and so strong and the danger so obvious to all that no Senator, having sworn to uphold and defend the Constitution, would resort to action that would amount, to my mind, to treason. That is my answer to that particular argument.

The Hayden-Wherry resolution amply and sufficiently would cover such a remotely possible situation by enabling two-thirds of the Senate to close debate on a pending measure or any motion before the Senate of the United States. In other words, it would help, not hinder, if we did have a national emergency.

The right of Senators—the right they now have—to obtain the floor of the Senate and speak as long as they desire and even until they drop from sheer exhaustion, is a right, I believe, that has been overemphasized. It is a right that can be carried to the length of absurdity when one realizes that we live in a republic. As a practical matter the Senate, and the American people are fully aware of the importance of thorough discussion of issues in the Senate before they are voted upon. Both sides, all sides, under our republican system of government have a right to be heard, but when legitimate debate on the merits of an issue has been exhausted, the ends to be sought through argument have been attained.

When the outright filibuster stage is reached, the Senate no longer is a legislative body. It is the springboard for a mockery of republican processes.

I think the time has come when it should be altered.

Mr. LONG. Mr. President, will the Senator yield for a question?

Mr. WHERRY. I am glad to yield.

Mr. LONG. Does the Senator see any emergency requiring a change in the rule at this particular time?

Mr. WHERRY. I think it is necessary to have an effective cloture rule, not only for one piece of legislation but for many others that might come up. The very things the Senator has in mind today, on which he possibly thinks it unnecessary to have a cloture petition filed might not be at all what he would want a cloture petition for tomorrow. Certainly if there has ever been a need for a cloture rule, there is a need now, for we have much more legislation than has ever heretofore been brought to the Senate or to the House. If there ever was a need, there is a need now, more than ever before.

Mr. LONG. Mr. President, will the Senator yield for a further question?

Mr. WHERRY. I am glad to yield.

Mr. LONG. Does the Senator think it fair to change the rules of the Senate for the purpose of passing one or two particular pieces of legislation?

Mr. WHERRY. No, I do not. I shall answer that. I have it in my speech. I shall come to it in a few moments. That is a very good question, and one that should be answered. Usually these things come as a result of pressure in connection with some particular piece of legislation. I agree with the Senator that what we are doing is adopting a permanent rule, a rule which should function not only in national emergencies, but which should work in years to come, not for a particular piece of legislation, but for all legislation.

Mr. LONG. Mr. President, will the Senator yield for one further question?

Mr. WHERRY. I am glad to yield.

Mr. LONG. Does the Senator realize that at the time the rule to which he is referring was adopted in 1917, there was no controversy before the Senate as to which a cloture petition was submitted,

and that therefore all Senators could easily agree that the rule was not to be used in such a manner that one group or another could take advantage of it?

Mr. WHERRY. If I am correct as to its history, it was probably in the interest of the national emergency, or growing out of it, that the cloture rule finally was adopted.

That is, it started in 1916, but it culminated in 1917, as the Senator knows. I am inclined to agree with the Senator on his premise that we should not change a rule merely for the sake of making it possible to pass one particular piece of legislation; and I am not trying to do that. I am advocating a permanent cloture rule which will be effective, no matter what legislation may come before the Senate.

Mr. LONG. Mr. President, will the Senator yield for one further question?

Mr. WHERRY. I am glad to yield.

Mr. LONG. Does the Senator know there are in this country very powerful groups who are desirous of having this rule changed for the express purpose of making possible the passage of substantive legislation, obtaining to themselves an advantage thereby?

Mr. WHERRY. That is correct. I suppose that is true. I may say to the Senator I am glad he is present because the responsibility is going to be upon his shoulders. I like his approach, and I compliment him upon it. The pressure groups are here. We have big business, we have big labor organizations, we have big government, and believe me, the time is here when we must stand up and defend the principles of good government and the interests of the American people. For that reason, I think a permanent cloture rule is needed in order to head off pressure groups, if possible, in some of the outlandish pieces of legislation they are attempting to force upon the Senate. I, for one, am not suggesting this resolution with the thought in mind that it will permit the passage of any particular piece of legislation. What I want is a permanent rule which will work fairly to the advantage of all Senators—a rule of the game applicable every minute, every hour, every day of the week, as we debate matters on the Senate floor. That is all I am asking.

Mr. LONG. Mr. President, will the Senator yield for one further question?

Mr. WHERRY. I am glad to yield.

Mr. LONG. Does the Senator not realize that such a rule as he proposes would in effect play right into the hands of pressure groups, by enabling them to force at almost any time a vote on any measure in which they might be interested?

Mr. WHERRY. I think, directly to the contrary, it will work in exactly the opposite way. I think with the existing loopholes, a small minority can use the procedure to further the desires of the minority to a greater extent than would be possible under the permanent rule I advocate. That is my opinion. I certainly am not referring to legislation of particular interest to the South or to the North. I am making that positive, general statement. The situation must be cleaned up. We do not have an effective cloture rule today. We cannot end debate in the Senate. We must adopt some other rule if we are to terminate what appears to be endless debate, which becomes at times a mockery.

The Senator knows that on important questions under debate I should not favor cutting off debate by anybody; I do not believe in that. I believe in letting everyone have his say. But the Senator will agree with me that when a matter has been thoroughly discussed and debate has been concluded, both minorities and majorities have a right to a straight up-and-down vote on whatever legislation is proposed. That is all I am asking this afternoon as I urge clarification of the rule.

It may be argued that even the extraneous droning that prevails when a filibuster is in full bloom serves a useful purpose by halting action so as to give the people more time to deliberate upon an issue and make known their matured will to the Senate.

However, the practical effect of having available a cloture rule such as standing rule XXII, with the amendments provided by Senate Resolution 15, would not be a sudden move for termination of debate because of the deeply embedded traditions and reasonableness of the Senate.

During the 32 years that rule XXII has been in effect it has been invoked only 19 times. On only 4 occasions has the two-thirds necessary for closing debate been obtained. Cloture was applied by the Senate on the Treaty of Versailles resolution, World Court, and branch banking resolutions, and on a resolution referring to creation of a Bureau of Customs and Bureau of Prohibition. So it is plain from the infrequent times that cloture has been resorted to, and the few times it has been actually applied by the Senate, that it is an instrument even an overwhelming majority of the Senate is loath to use, except in the most extreme circumstances, when it is generally apparent, that the legislative process is being hamstrung through filibuster tactics by a small minority. That is my position. Certainly it is plain. We must correct it, and the only way that can be done is to do what we started out to do with the pending resolution.

So deeply appreciated by the Senate is the right of free speech that cloture has never been resorted to until filibusters have been well established beyond anyone's reasonable doubt.

I give no weight to the argument that the Hayden-Wherry resolution would become an entering wedge for cloture to be applied by a simple majority of the Senate. I do not say that will not be attempted, but I say I do not give any weight to it. Cloture by a majority of the Senate could be accomplished only by an agreement to that end, under existing rules, among two-thirds of the Senators, were rule 22 amended by adoption of Senate Resolution 15.

This is my opinion.

It is true that only a majority vote of the Senate is necessary for a change in the rules, or for adoption of an entirely new rule. But the only way that debate on such a proposal could be limited, would be by applying the cloture rule, and that would require a two-thirds majority. What could be fairer than that?

Mr. LONG. Mr. President, will the Senator yield for a question?

Mr. WHERRY. I am glad to yield.

Mr. LONG. Will the Senator explain to me why a minority should be required to have the agreement of an entire one-third of the Senate, in order to guarantee themselves the right to be heard on the floor of the Senate?

Mr. WHERRY. Because we have the two-thirds requirement laid out in so many rules, in order to protect constitutional processes under our republican form of government. I was convinced of that fact by the late Senator Overton, and I am going to insert in the RECORD, references to such matters as the two-thirds vote required on a treaty. Certain requirements and reservations were made, amply so, and which should have been made. I shall come to that in a few minutes, if the Senator will permit me. He is anticipating what I intend to say.

As I see it, that is the practical answer to those who look with dread upon cloture by a two-thirds vote as an entering wedge for cloture by a rough-shod majority.

And permit me further to point out that under rule XXII, as it is now proposed to amend it by Senate Resolution 35, there would still be opportunity for further debate that could run for days. I refer to the language that permits any Senator a maximum of 1 hour on the measure, motion, or other matter pending before the Senate, after cloture has been applied.

The practical experience is that after cloture has been applied few Senators have availed themselves of the privilege of speaking another hour. The issue under dispute by that time has been thoroughly explored, and minds have been made up.

Mr. LONG. Mr. President, will the Senator yield for a question?

Mr. WHERRY. I yield.

Mr. LONG. It has been called to my attention that there are possibly three pieces of proposed legislation before the Senate in regard to which cloture may be applied. It has also been called to my attention that we shall have changed the rules and violated our traditions three times in one session.

Mr. WHERRY. I do not believe it would be a violation of the rules. I think the very spirit of the rule which was adopted in 1917 was that when the Senate had reached a point at which two-thirds of the Senate wanted to vote, they had a right to vote on any pending measure before the Senate of the United States. It is my opinion that they did not see these loopholes which have been disclosed. It was not their intention that cloture could be defeated by the use of the device of amending the Journal or other motions to which cloture petitions do not apply. My feeling is that, in their wisdom, in full reflection upon the freedoms of other people and upon the constitutional process, each and every Senator who voted in 1917 for the measure voted with the idea in mind that the Senate was being in no way jeopardized in its right to a two-thirds vote, and it

was not whittling away, little by little, our freedoms, which some people contend will happen if the rule be adopted.

I have changed my mind about some things since I have come to the Senate of the United States. That is one of the reasons why I am in favor of the two-thirds rule. If the Senator will permit me to say so, I think the Senator will change his mind on a few questions if he remains in the Senate for a while, as I hope he will.

Mr. LONG. Mr. President, will the Senator yield for another question?

Mr. WHERRY. Yes.

Mr. LONG. Does the Senator realize that 2 years after rule XXII was changed it was called to the attention of the Senate, in regard to a treaty before the Senate, that the rule did not apply except to the pending measure before the Senate?

Mr. WHERRY. A point of order was made.

Mr. LONG. The fact that 88 Senators did not see fit to change the rule must have made some impression on the Senator from Nebraska that the rule was not intended to apply to preliminary motions.

Mr. WHERRY. I think that is a pretty strained interpretation of what was thought at that time. I do not think those Senators thought they were leaving the rule incomplete at all. My opinion is that they voted their convictions, that they felt, when they voted as they did, that they had adopted a cloture rule which would be effective for years to come. It is my opinion that they did not anticipate motions to amend the Journal, or any other loophole, such as those which have sprung up through the action of some very smart Members of the Senate since that time.

Mr. LONG. Mr. President, will the Senator yield for a further question?

Mr. WHERRY. Yes. I am not filibustering.

Mr. LONG. Does it occur to the Senator that those Senators voted for the change in the rule because of the imminence of war at that time, and possibly, except for that fact, they would not have voted for it?

Mr. WHERRY. That is another interpretation which the Senator can make if he wishes. But that is merely an instance of why they changed the rule, just as the legislation now before us makes it important to change the rule. What I am trying to do, after 2 years of research, is to do the least possible and at the same time have a cloture rule which is effective and operative and yet which preserves the rights which Senators in 1917 thought they were preserving when they voted for rule XXII.

Mr. LONG. Mr. President, will the Senator yield for a further question?

Mr. WHERRY. I yield.

Mr. LONG. The Senator has stated that the Senate now has before it legislation which makes a change of the rules imperative.

Mr. WHERRY. No. The Senator misunderstood me. I said that when changes are suggested to the rules they are usually occasioned by legislation——

Mr. LONG. Did not the Senator say the legislation before the Senate?

Mr. WHERRY. I do not think I said that. But that is all right; I will accept the amendment. Much of the legislation proposed by Mr. Truman will have to have the cloture rule applied, or it will not be passed, judging from what the President is reported in the press to have said this morning.

Mr. LONG. Mr. President, will the Senator yield further?

Mr. WHERRY. I refuse to yield further.

The PRESIDING OFFICER. The Senator from Nebraska declines to yield.

Mr. WHERRY. If the Senator is going to proceed on that line, I shall not yield. I believe the rule is for the good of both parties. If I did not so believe I should never have joined in the resolution. I believe it is good in the interests of the East, West, North, and South.

Mr. LONG. Mr. President, will the Senator yield?

Mr. WHERRY. I refuse to yield further.

Mr. President, I want to discuss what I believe to be the vital importance of adopting the pending motion by the senior Senator from Arizona [Mr. HAYDEN] for direct action upon the Hayden-Wherry resolution. I believe that the question of perfecting rule XXII so that it will be effective in carrying out the purposes for which it was adopted is of paramount importance to the Senate, to our country, and to the world.

We live in fateful, crucial times. The problems that confront us are of tremendous importance to us and to our children. The course that we take as a Senate on many matters that are clamoring for our determination depends very largely upon the action that we take upon the motion before the Senate today. Failure to adopt this motion may have a vital bearing upon the course of legislation, the course of our country upon paramount foreign affairs. Thus, the action we take or fail to take in the responsibility that now confronts us may shape the course of history around the world.

Much is said of the right of free and unlimited speech in the Senate; much is said about protecting the rights of minorities, but let us also bear in mind that an overwhelming majority of the Senate, such as two-thirds, also have rights, and so do the people whom they represent. Much is also said about the Senate as the world's foremost forum for debate, but let us also remember that the Senate has the constitutional duty, the responsibility to legislate. That is our job. I do not mean that I shall be in favor of every proposal which comes before the Senate, but I think the time is here when every Senator should have an opportunity to vote on the question.

It should also be borne in mind in considering the rights of minorities against actions by an overwhelming or two-thirds majority of the Senate, that minorities are protected in large measure in the Constitution by the powers of the Supreme Court to pass upon the constitutionality of acts of the Congress. Of course, every 2 years there is an election in which the people pass upon the record of the expiring Congress.

I do not support the Hayden-Wherry resolution with any thought of trampling upon the rights of even one United States Senator when his actions square with the principles of our Constitution and our republican way of life.

I know there are among us Senators who believe that in order to have the procedure of the Senate in line with majority rule, that we should have rules which would permit a simple majority of our 96 Senators to effectuate their will, which the Senator from California has mentioned.

However, that argument of majority rule, complete and absolute, in the Senate, in my opinion, has its defects from a governmental standpoint, because we all know that under the Constitution of the United States there are matters specified that can be done only by a two-thirds majority of the Senate.

In the report from our Committee on Rules and Administration, Report No. 69 (h), as submitted by the senior Senator from Arizona [Mr. HAYDEN] with my concurrence, it will be noted that there is cited several matters that require for adoption approval by two-thirds of the Senate. The list was concisely prepared by the late Senator John Overton, of Louisiana. It will be found on page 4 of our committee report. I wish Senators would get it and read it.

Instead of reading the list, I ask unanimous consent that the observations made by the late Senator John Overton relative to the two-thirds requirement be printed at this point in my remarks as a part of the statement I am making.

The PRESIDING OFFICER. Is there objection?

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

A two-thirds vote is not an uncommon procedure in the Congress of the United States. The Constitution, as well as amendments thereto, impose the rule of a two-thirds majority in quite a number of instances. I shall refer to those instances briefly:

No person shall be convicted on impeachment without the concurrence of two-thirds of the Senators present (art. I, sec. 3).

Each House, with the concurrence of two-thirds, may expel a Member (art. I, sec. 5).

A bill returned by the President with his objections may be repassed by each House by a vote of two-thirds (art. I, sec. 7).

The President shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur (art. II, sec. 2).

Congress shall call a convention for proposing amendments to the Constitution on the application of two-thirds of the legislatures of the several States (art. V).

Congress shall propose amendments to the legislatures of the several States (art. V).

Congress shall propose amendments to the Constitution whenever two-thirds of both Houses shall deem it necessary (art. V).

When the choice of a President shall devolve upon the House of Representatives, a quorum shall consist of a Member or Members from two-thirds of the various States of the Union (amendment 12).

A quorum of the Senate, when choosing a Vice President, shall consist of two-thirds of the whole number of Senators (amendment 12).

The Constitution, therefore, does not give recognition, in all cases, to the right of the majority to control.

Mr. WHERRY. Thus it will be noted, Mr. President, that the principle of majority rule is not absolute.

The stipulation requiring two-thirds majorities in these various matters obviously was made to make doubly sure that far-reaching actions would not be taken by the Senate without the most careful weighing of their consequences. This is an aspect of the great design of checks and balances in our Republican Government. The suggestion is made that since a simple majority is all that is required to declare war, the most fateful action that can be taken, that therefore all other matters being of less gravity certainly can be decided by a majority vote of the Senate. I have heard that argument many times.

With that line of reasoning I disagree. My disagreement is based upon the glorious record of our country when the issue of war has been presented to the Congress. Not a single Member of Congress voted against the declaration of war in the Second World War and in the First World War only six Senators voted against the declaration that a state of war existed. And they did not filibuster.

Declaration of war can be safely left to a majority, because we know that the American people always have been extremely patient and considerate and desirous of invoking every possible alternative to war before they have resolved there was no other way left than resort to arms in defense of our country.

In fact, the two-thirds principle is woven through our Congressional procedure on so many vital, far-reaching matters that no one, I believe, is suggesting in this body that the two-thirds principle be abolished in the instances cited by the late Senator Overton, which have now been printed in the RECORD, as I requested a moment ago.

So, Mr. President, we are today confronted with conflicting opinions on what should be done. Some philosopher has observed that perfection is a combination of opposites. It seems to me that philosophy applies to our present situation and that we should be practical.

It all boils down to a question of whether the Senate shall have its constitutional power to legislate, or whether we shall continue with a filibuster club poised at us from a closet, and from time to time find ourselves emulating woodpeckers and beating our arguments from tree to tree in a forest of clatter.

I hasten to emphasize that I cast no aspersions upon any Senator who avails himself of the filibuster club while the Senate rules permit him to do so. He acts honorably and within his rights as a Senator. But it is up to us, who believe that a two-thirds cloture rule is a conservative application of Republican principles, to see that a small minority shall not become more powerful than an overwhelming majority and, at critical times, make the Senate about as useful as half a pair of scissors.

With standing rule XXII shot through with loopholes, the Senate today can be controlled by a small handful of Members who through their veto power can absolutely and effectively thwart any action on legislation that may be demanded as reasonable and just by more than two-thirds of the Senate. According to the argument advanced by the Senator from Georgia and just a moment ago by the Senator from Louisiana, it works exactly that way.

Mr. LONG. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Louisiana?

Mr. WHERRY. I prefer to finish my statement, and then I shall yield, if that is satisfactory to the Senator.

The question before the Senate today should be answered in the affirmative, before the Senate proceeds to the consideration of any other matter save, of course, such emergency matters as can be quickly disposed of and not serve to perpetuate the present void in our rules of procedure.

Since my party is temporarily in the minority in this body I could take the road of obstruction and seek to preserve the present chaotic situation, in which a few men can tie Senate procedure into knots. That could be a useful opportunity were I so blind to my duty and responsibility as a Senator representing not only my State of Nebraska but, in a sense, the whole Nation.

I am trying to be objective, and view the matter of cloture as a permanent Senate fixture that shall be available down through the years and be available for whatever situation may arise—situations that now only can be imagined. That is my purpose in joining in offering the new rule.

It seems to me that our guiding purpose should be to see that we have rules of procedure that facilitate the consideration of matters that are properly brought before us—to consider rules for sensible and fair expedition in the disposal of those matters. It has often been said that great issues are usually decided by compromise and that none of us has his own way completely on any far-reaching legislation. We must give a little in order to take a little, but it has always been my purpose, as a Senator and servant of the people, to adhere to what I believe to be principles, and I shall endeavor never to compromise so as to violate those principles.

Senate Resolution 15 violates no principles of good government. It adheres to the principle that the Senate should have a rule, a workable rule, that can be applied when necessary to effectuate the will and desires of an overwhelming majority of its Members.

A two-thirds majority for application of cloture, in my opinion, is fair. It affords wholesome protection against pressure groups that seek to railroad legislation through the Senate and protection against unsound proposals concocted in waves of hysteria.

I hesitate to use the word "railroad" because, knowing Members of the Senate as I do, I know that they have the wisdom and the ability to expose any such tactics, and I also know how quickly the American people respond, once the facts become known to them.

Mr. President, I could speak at considerable length upon the possibility that our present Vice President, the President of the Senate, whom we all respect most highly, is eager and willing to reverse the ruling made by the President pro tempore of the Senate on August 2, 1948. I do not say he is; I say I could speak at more length of the possibility. That ruling was made, of course, by the senior Senator from Michigan [Mr. VANDENBERG].

It seems clear from the remarks made by the Vice President when he was majority leader of the Senate that he did not agree with the ruling by the President pro tempore on August 2, 1948. However, I see no profit in speculating on what the present President of the Senate would say, if the question were presented to him for official action. The Rules and Administration Committee in reporting the Hayden-Wherry resolution has accepted the fact as it stands today. Adoption of Senate Resolution 15 is imperative if standing rule XXII is to be an effective instrument against rule by a small minority.

I am hopeful that Senators, all of us, will conclude that the merit of Senate Resolution 15 to enable our Senate to function, and to act upon the many problems that are confronting us, will heavily outweigh all other considerations.

Let us debate the Hayden-Wherry resolution. Let us hear the arguments. And then let us vote. That is the American, that is the Republican way.

Matters of tremendous importance are crowding the Senate for decision. We should be free to dispose of them and not be gagged and tied by any small minority. The question before the Senate at this moment transcends all others. It should be answered by the yeas and nays in order that the way may be paved for free consideration of important matters that are in the offing.

Therefore, Mr. President, I shall oppose any attempt to sidetrack this paramount issue of cloture, except for some contingency that requires swift action. Let us get a vote on what is before the Senate.

I disagree with the reported policy of the majority leader [Mr. LUCAS] to treat this vital cloture as a stepchild, to be put on and off the Senate stage, as time rushes by and the flood of appropriation bills and other measures to keep the Government going pours in upon us. In that I humbly disagree with the distinguished majority leader, whom I highly respect, if what I have read as a statement by him was correct.

If I read the report correctly, I got that impression. I want the distinguished majority leader, whom we all respect, to know that, so far as I am concerned, I think we should debate the pending question, and, after it is fully debated, we should have a vote on it, and that it should not be sidetracked by anything, unless a dire emergency should arise which would make that necessary.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. WHERRY. Yes, I am glad to yield to the majority leader. I have refused to yield to two or three other Senators before concluding my statement, but I will yield to the Senator from Illinois, because I think the point now being made is an important one.

Mr. LUCAS. The Senator's statement is partially correct and partially incorrect. There was a statement given out by the majority leader with reference to the necessity in the future of moving to set aside the cloture amendment in order to act upon vitally important matters. I had in mind those matters concerning which there is a deadline when existing legislation expires. But insofar as the Senator from Illinois is concerned, I agree with the Senator from Nebraska that we are going to stay here from now on until we finally get a disposition of this rule. And it is going to be a successful disposition, in my judgment.

Mr. WHERRY. I thank the distinguished Senator from Illinois, the majority leader, for his observation. I might not have interpreted correctly all of his statement, but whether I did or did not is beside the point. We now have the positive statement made by the majority leader that except for some dire emergency requiring legislation, or legislation necessary to be enacted by reason of the approach of a deadline, or something of that kind, we will proceed with this debate until it is concluded, and I want to compliment the Senator from Illinois in advocating such procedure.

Mr. President, there is a difference between the resolutions that have been presented to the Rules and Administration Committee from time to time, attempting to close up the two loopholes which made rule XXII inoperative. I am speaking about the Knowland resolution, the Saltonstall resolution, the Ives resolution, the Myers resolution, and other resolutions.

The resolutions that were considered by the Rules and Administration Committee in 1946 and in 1947 all contained not only the attempt to close up the loopholes but in addition required that the two-thirds vote be reduced to a majority vote.

And it is my feeling that those who introduced the resolutions were just as anxious then as they are now to reduce the vote from two-thirds to majority as they were to close up the loopholes.

Their resolutions were over-all, inclusive, and attempted to make rule XXII operative by not only closing the loopholes but also they desired to reduce the vote on a cloture petition to end debate on a majority vote.

Therefore, the difference between what is up for consideration this morning and that which has been introduced in resolutions that have been considered by the Rules and Administration Committee in the past simmers down to this one point in issue. I stated it in the beginning and wish to restate it, and I hope the Senate will not get away from this one issue.

Does the Senate want an effective cloture rule or does it not? It is not a question of whether the two-thirds vote shall be reduced to a majority. It is simply this one issue. Does the Senate want an effective cloture rule? And I say that because the decision of Senator VANDENBERG, found in the CONGRESSIONAL RECORD, August 2, 1948, at page 9602, sums up all the precedents, reasoning, and discussion relative to accomplishing this result.

I quote from that decision:

> There has been no direct ruling upon the specific question whether a motion to take up a bill is subject to cloture. It has been recognized and understood that such is not the case, on the ground that a motion cannot be reasonably construed to be a pending measure within the meaning of the cloture rule.

Certainly that is final. Certainly we have no cloture rule today. That is my opinion, Mr. President.

And, so, as this issue is debated today, it should ever be kept in mind that all the Rules and Administration Committee attempted to do 2 years ago and is attempting to do now is to close up two loopholes, and make rule 22 effective.

One is to apply cloture to a motion as well as a pending measure and the other is to do this regardless of rule 3 or rule 6 of the Senate Rules.

If this can be accomplished, then cloture can be invoked on the subject matter provided two-thirds of the Senate feels that debate should be limited and the subject matter should be brought up for debate and finally for a vote or for a limitation of debate.

WHETHER OR NOT THE RIGHTS OF THE MINORITIES ARE BEING WHITTLED AWAY BY CLOSING UP THESE TWO LOOPHOLES

By considering that this is a first step to accomplish that, it seems to me to be begging the question. Because if the Senate which adopted cloture rule 22 in 1917 meant what they said, they simply meant that at that time the Senate felt that a cloture rule should be or might be invoked when and if the two-thirds of the Senate felt the time had come to limit debate and the loopholes have grown up since that time, such as amending the Journal or the precedents that now have been established by the decisions of Senator VANDENBERG on August 2, 1948, that a cloture petition does not lie on a motion but only on pending legislation. This makes it mandatory that this Senate decide whether or not they want an effective cloture rule or do not want it.

As it stands today we have no effective cloture rule. It can be circumvented by amending the Journal. It cannot be had on the subject matter up for consideration. Therefore rule 22 is nullified.

As the ranking minority member of the Committee on Rules and Administration and as one who had this under consideration for the past 2 years, it is my opinion that the Senate and not a Presiding Officer should make the decision as to whether or not a cloture rule should be one of the rules of the Senate. The Senate alone should make that decision and not the presiding officer through an appeal.

The precedents that have been established have been precedents that have been laid down by rulings of Presiding Officers and not precedents that have been established by the vote of the Senate itself.

For that reason, more than ever, we should not rely on technical proceedings involving the Chair in decision after decision that might change the precedents. The Senate should literally take the bull by the horns and make its own decisions and decide now whether or not it wants an effective cloture rule. That can be decided here by a vote and by debate. If two-thirds of the Senate feel it should have such a rule, it should be adopted. If two-thirds feel it should not be a rule, we should wipe rule 22 off the books and proceed without any cloture rule at all.

Mr. President, I agreed to yield first to the Senator from Connecticut for a question.

Mr. BALDWIN. Mr. President, the question is this. In order properly to put the question I may seem to be violating the rule that I can rise only to ask a question, but the question does require somewhat of a previous statement. I notice in the hearings of the committee, and I remember from the history of my own State, that on one occasion the distinguished Senator from Connecticut, Frank B. Brandegee, raised a very interesting point in connection with cloture, and I quote from him briefly—

> So I say that this—
>
> Meaning the Senate—
>
> is the forum of the States. This is a federated government, in which the States reserved the right of equal suffrage in the Senate of the United States, and made that the only provision of the Constitution which never should be subject to amendment.

And that clause of article V does indeed provide that no State, without its consent, shall be deprived of its equal suffrage in the Senate.

I now ask the Senator from Nebraska, what is the answer to the question: Does the proposed cloture rule deny the States the equal right of suffrage in the Senate? Is there any way that it impinges upon that right?

Mr. WHERRY. I will say to the Senator from Connecticut that I do not think it does. Cloture has been invoked four times. In the times it was successfully invoked, if I remember correctly, the smallest number of Senators voting was 85, and the greatest number of Senators voting was 94. I believe when a vote was taken on the question cloture was not invoked seven times. On four of those seven occasions the number of Senators voting was from 70 to 82. On the other three occasions the number was slightly greater. I believe every State of the Union was represented by Senators who voted on the question of cloture, when that question came to a vote. Each State was represented in the vote. Therefore I contend that the people of all the States were represented in such votes.

Mr. BALDWIN. I may say that I am very sympathetic with, tremendously interested in, and inclined to favor, the proposed change in the rule. But is it fair to say that this particular change in the rules applies equally to all the States?

Mr. WHERRY. Oh, yes.

Mr. BALDWIN. So it does not deprive one State or another of the same opportunity on the floor of the Senate. Every State is subject to the same rule.

Mr. WHERRY. That is absolutely correct. I thank the Senator for bringing up the point.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. KNOWLAND. I should like to ask the Senator a question relating to the point which was raised earlier regarding the possibility that either the present Presiding Officer or a future Presiding Officer might reverse the precedents of the Senate. Is it not the opinion of the Senator from Nebraska that even if a subsequent ruling should reverse the prior precedents of the Senate, it would still be desirable to amend the rules and close these loopholes?

Mr. WHERRY. I agree with the Senator. That is one of the things for which I have been pleading. Ninety-six Senators ought to make the rules. I am not saying that the Presiding Officer might not be just as forceful. However, instead of having a difficult situation, with the decision to be made by the Presiding Officer, the Senate itself should make the rules.

I do not know how the Senator from Michigan felt about the appeal from his decision, but I got the impression from what he said when he made his decision that he would like to have the Senate vote on the question, rather than be obliged to make the decision himself, for the very reason which the Senator from California has suggested. We are the ones who should make the rules.

Mr. President, I yield the floor.

AMERICAN FOREIGN POLICY

Mr. LANGER. Mr. President, around the world America stands today as the last sanctuary of human decency and freedom. It must be obvious to all Americans why we still stand against the forces of tyranny and degradation as a free and sovereign people.

It is because we have always been jealous to defend and protect our magnificent American traditions and those Christian principles of decency, justice, and human liberty in which our American traditions are rooted.

Therefore during the recent anniversary of that great statesman, soldier, and patriot, our first American President, we have acted wisely in recalling once more the profound wisdom which arises ever new in each succeeding generation from Washington's magnificent Farewell Address.

There is one particular admonition contained therein to which I want to call the attention of my colleagues during these dangerous and trying days. This warning, which runs throughout George Washington's final counseling with his fellow countrymen, is pointed up in the following words:

> Against the insidious wiles of foreign influence * * * the jealousy of a free people ought to be constantly awake, since history and experience prove that foreign influence is one of the most baneful foes of republican government.
>
> But that jealousy, to be useful, must be impartial else it becomes the instrument of the very influence to be avoided, instead of a defense against it.
>
> Excessive partiality for one foreign nation, and excessive dislike for another, cause those whom they actuate to see danger only on one side, and serve to veil and even second the arts of influence on the other.
>
> Real patriots who may resist the intrigues of the favorite are liable to become suspected and odious, while its tools and dupes usurp the applause and confidence of the people to surrender their interest.

In keeping with the spirit of this magnificent advice I want to present a very brief account of exactly what has been happening for the past 3½ years following the end of the war, because this administration has completely forsaken George Washington's counsel.

I refer to the outrageous Morgenthau plan, which calls for the destruction of the German-speaking peoples in central Europe, a plan which is still the basic policy of this Government, a plan which continues to operate because the vicious and perverted minds of the hate artists in this country have suppressed the real truth and immediately attack anyone who demands that America repudiate this policy of vengeance—a plan which plays directly into the hands of the Communists all over the world, a plan which betrays American interests and principles—indeed, our whole Christian heritage—and a plan which, while it is peddled to the American people as a great boon and blessing, actually impoverishes and exploits our country, for the benefit of others who seek to destroy us.

Mr. President, I hope that every Senator on the Democratic side of the aisle who is now advocating the continuation of the Marshall plan and the giving away of more billions of the taxpayers' money will listen carefully to the two succeeding pages.

As conclusive proof of the impartial basis of fact upon which these charges rest, I want to present the following objective analysis of the way in which we, the American people, are being exploited to further the destruction of our own vital interests, by those who claim to be serving our interests and strengthening our security by following this senseless policy of destruction.

Mr. President, what would George Washington think of the following impartial picture of how we are being betrayed, which shows the direct consequences on the economy of Europe of the deliberate American policy of destroying German industry?

These facts, while they deal with Italy and Denmark exclusively, give a grim picture of how the other European countries are also directly affected.

Mr. President, the following facts indicate that the value of the food lost to Germany from Italy, and manufactured articles lost to Italy, as a result of our planned destruction of German industrial plants, is costing American taxpayers an estimated $100,000,000 a year.

In 1936, commonly used as a standard for the proper level of industry in Germany, she imported 400,000 tons of food from Italy, valued at $27,290,000. At today's values, this would be worth at least $55,000,000. Now after 3 years of military government, Bizonia imported from Italy for the first 8 months of 1948, goods, all goods including food, valued at $6,917,000, or at the rate of about $10,000,000 annually. Since western Germany is the big food-deficit section, it is reasonable to assume that all Germany would not import much more, possibly 50 percent more, or, for all Germany, $15,000,000 against a 1936 tonnage which would be worth $55,000,000. That leaves a food deficit of $40,000,000, a large part of which must be supplied from the United States.

But that is only half the story. In 1936 Germany exported to Italy 420,000 tons of manufactured articles valued at $50,000,000. That today, especially if replaced in the United States, is equal to a minimum of $100,000,000. I ask any Senator who voted for the Marshall plan the following question: Against this, what is Germany supplying Italy today under the military government regime? For the first 8 months of 1948, total exports from bizonal Germany to Italy, almost entirely coal, amounted to only $12,867,000. For 12 months that would be some $20,000,000, and one might add another $5,000,000 in order to compare it properly with prewar Germany. Thus, total exports are running at the rate of about $25,000,000 a year, against a volume for 1936 equal to over a hundred million dollars just for manufactured goods. Thus, the total exports are running at the rate of about $25,000,000 a year, against a volume in 1936 equal to over $100,000,000 for manufactured articles alone. The difference—$75,000,000—represents Italy's deficit in manufactured goods due solely to the destruction of the German industrial machine. The threats to Italy's standard of living and its political repercussions were largely responsible for the Marshall plan. In the first year's allocations, ECA is giving to Italy, at the expense of the American taxpayers, industrial goods worth $59,300,000, made in America, in place of what Italy formerly bought from Germany and paid for. Italy used to pay for that which she now is receiving at the expense of the American taxpayers.

Moreover, Italy gets $82,400,000 worth of coal from the dwindling coal supplies of the United States of America. How closely this allocation of industrial machinery replaces German exports may be shown even in individual items. Under ECA, $1,700,000 is allocated for agricultural machinery, as against $800,000 supplied by Germany. In electrical equipment, under ECA, $7,000,000 is allocated, as against Germany's $5,336,000. In chemicals, under ECA, $10,000,000 is given, as against Germany's $7,800,000.

But, Mr. President, at the same time we are furnishing Italy the means to increase her production we are engaged in ruining her best customer for the surplus, namely, Germany. Eighty percent of the food furnished Germany by Italy—more than 300,000 tons—was made up of perishable fruits and vegetables. When these seasonal perishables are available for export—oranges, tangerines, lemons, and so forth—the domestic consumption has already reached the saturation point, beyond which the people will not and cannot eat such foods. People cannot live solely on oranges or cauliflower. Unless the surplus can be exported, it largely becomes sheer waste.

Mr. EASTLAND. Mr. President, will the Senator yield for a question?

Mr. LANGER. I yield for a question.

Mr. EASTLAND. Can the Senator tell me what the calorie intake of the German population is at the present time?

Mr. LANGER. It is less than 2,000 calories.

Mr. EASTLAND. Will the Senator yield for another question?

Mr. LANGER. I yield for a question.

Mr. EASTLAND. Is there any starvation in Germany at the present time?

Mr. LANGER. There is, especially in the part which contains the so-called Sudetenland, and also among the 15,000,000 expellees who came from the neighboring countries when Stalin entered them. The result was that 15,000,000 of those persons went into the American, British, and French zones of western Germany. Some 5,000,000 of those persons are dead. The remaining 10,000,000, the reports show, are in a starving condition.

Mr. EASTLAND. Will the Senator yield for a further question?

Mr. LANGER. I yield.

Mr. EASTLAND. Why was it that the Displaced Persons Commission did not approve the entry of some of those persons into the United States, as provided under the Displaced Persons Act which the Congress passed last year?

Mr. LANGER. I had quite a consultation, lasting several hours, with Mr. Carusi and Mr. O'Connor, of the Displaced Persons Commission. They maintain that under section 12 of the Displaced Persons Act they have no jurisdiction whatsoever so far as expellees are concerned; they maintain that that is entirely a matter for the Department of State.

I then took up the question with the Department of State, and I quoted some letters written by some of the Department's legal counsel. Their legal staff had written that under the IRO constitution, persons from the Sudetenland are not included. However, the Department of State later wrote me a letter stating that those persons are included. But at the present time, very few, if any, of those persons have come to the United States under the Displaced Persons Act.

Mr. EASTLAND. Mr. President, will the Senator yield further?

Mr. LANGER. I yield.

Mr. EASTLAND. I am interested in the Senator's statement relative to the Displaced Persons Commission's saying that such persons are not eligible to enter the United States under that act.

Mr. LANGER. Yes.

Mr. EASTLAND. Did not the Senator's amendment provide that they should be admitted to this country under that act?

Mr. LANGER. I certainly thought that section 12 of the act permitted them to enter, because I used the same language which was used in the IRO Constitution—namely, "Germans of ethnic origin." Frankly, I cannot agree at all with the Department of State, which has been excluding them.

Mr. EASTLAND. Will the Senator kindly tell me the reasons the State Department had and the reasons Mr. Carusi had for taking that position?

Mr. LANGER. Mr. Carusi maintained that he was entirely helpless, and that under section 12 the State Department was directed to take care of the expellees. On the other hand, the State Department gave the reason that there is no legal definition of "Germans of ethnic origin."

Mr. EASTLAND. He could not read the English language; is that the case?

Mr. LANGER. I do not know whether he could read the English language or not, but that is the excuse they gave.

Mr. EASTLAND. Do I correctly understand from the Senator that no persons of German ethnic origin who were expelled from areas now behind the iron curtain have been admitted to this country under that act, even though Congress authorized their admission?

Mr. LANGER. Very few, if any, have been admitted.

Mr. EASTLAND. If I correctly understand the Senator—if he will yield for another question——

Mr. LANGER. I yield.

Mr. EASTLAND. I understand that even though the United States Congress ordered it, Mr. Carusi and certain officials of the State Department have refused to carry out the mandates of that act.

Mr. LANGER. That is exactly correct, except that Mr. Carusi claims he has no jurisdiction, and that the matter is one for the State Department to handle, and that he and the other two members of the Displaced Persons Commission are helpless.

At the present time the Department of State is looking around for a defense.

Mr. EASTLAND. Is it the Senator's opinion that the will of Congress is being flouted by Mr. Carusi?

Mr. LANGER. Not by Mr. Carusi, but by the Department of State, because section 12 directs that 27,000 of those persons immediately be brought to this country.

Mr. EASTLAND. Can the Senator tell me the population of the three western zones of Germany before the war?

Mr. LANGER. About 80,000,000.

Mr. EASTLAND. That is, of all Germans?

Mr. LANGER. Yes. Later that was increased somewhat; but in the American and British zones today the population is larger by some 5,000,000 or 6,000,000 than it was before the war.

Mr. EASTLAND. Is it not 12,000,000?

Mr. LANGER. It is at least 5,000,000 or 6,000,000. The 12,000,000 figure includes the population of the French zone.

Mr. EASTLAND. Can the Senator tell me whether the three western zones of Germany before the war produced about 60 percent of their food requirements?

Mr. LANGER. They produced 80 percent.

Mr. EASTLAND. That was the case for all of Germany?

Mr. LANGER. No; the three western zones of Germany produced 80 percent of all the food that Germany produced.

Mr. EASTLAND. Today, with five or six million more persons, as the Senator has said—or, in reality, I think the records will show that there are 12,000,000 more persons there—and with a tremendous shortage of fertilizer, and with the land being depleted of humus matter and plant food, can the Senator tell me about what percentage of their food requirements those persons are able to produce at this time?

Mr. LANGER. I regret that I cannot do so, but I know it is much lower than it was before the war.

Mr. EASTLAND. Mr. President, will the Senator yield for another question?

Mr. LANGER. Yes; I yield for a question.

Mr. EASTLAND. The Senator realizes that Germany is primarily an industrial nation, and must export industrial materials, and must use the funds thus obtained to buy food, on the basis of dollar exchange or sterling exchange or whatever may be the monetary unit applying to the funds thus received for the industrial goods manufactured in Germany. Will the Senator state the postwar standard of living of the people if they are held to the industrial level of 1936, when at this time there are living there several million more people than lived there before the war?

Mr. LANGER. There could be only one result if that situation continues, and that is starvation and more suffering.

Mr. EASTLAND. The effect would be to starve the people.

Mr. LANGER. That is correct.

Mr. EASTLAND. Will the Senator not say it is more gruesome than that? People are not going to starve, with Russia and communism standing by with welcoming arms to take them behind the iron curtain.

Mr. LANGER. Of course. There can be no doubt of the fact that if this situation continues, the German people who are there will embrace communism.

Mr. EASTLAND. Will the Senator yield for another question?

Mr. LANGER. I yield.

Mr. EASTLAND. If the German people should embrace communism, does not the Senator believe that if Germany were Communist all Europe would go Communist?

Mr. LANGER. There is not the least doubt of it in my mind.

Mr. EASTLAND. In fact, is it not the Senator's opinion that the battle for Germany is the battle for the European economy?

Mr. LANGER. I think that is stated exactly right.

Mr. EASTLAND. Is it the Senator's opinion France could defend herself?

Mr. LANGER. France could not defend herself, in the opinion of the military experts with whom I have discussed the matter.

Mr. EASTLAND. Mr. President, will the Senator yield for another question?

Mr. LANGER. I yield.

Mr. EASTLAND. If Europe were Communist, the United States in the light of what reasonably may happen on the Asiatic continent, would be isolated, would she not?

Mr. LANGER. That is correct.

Mr. EASTLAND. Then the only choice we would have would be to fight; is that correct?

Mr. LANGER. That is correct.

Mr. EASTLAND. Mr. President, will the Senator yield for another question?

Mr. LANGER. I yield.

Mr. EASTLAND. Does not the Senator think the policy of holding a great people to the industrial level of 1936, when their standard of living was not so

high, at a time when there were millions more mouths to feed, is brutal and inhumane?

Mr. LANGER. I agree that that is true, and I do not think words are strong enough to express it.

Mr. EASTLAND. Mr. President, will the Senator yield further?

Mr. LANGER. I yield.

Mr. EASTLAND. Does not the Senator feel that our Government, in pursuing such policies, sacrifices the best interests of the American people?

Mr. LANGER. There can be no doubt about it.

Mr. EASTLAND. Does not the Senator believe that American blood at some time must pay for blunders in our foreign policy at the present time?

Mr. LANGER. That is correct.

Mr. SALTONSTALL. Mr. President, will the Senator yield for a question, if the Senator from Mississippi is through?

Mr. LANGER. I yield.

Mr. SALTONSTALL. I should like to correct what the Senator has said, as it seems to me. Perhaps I misunderstood him. The Senator has said the State Department and the Immigration Department are not living up to the terms of the Displaced Persons Act.

Mr. LANGER. That is correct.

Mr. SALTONSTALL. Is it not true that in the immigration report, Mr. Carusi, the Displaced Persons Commissioner, said the terms of the act make it practically impossible to carry it out?

Mr. LANGER. No. The Commission said they had nothing to do with section 12, referring to the so-called expellees, that that was solely a matter within the jurisdiction of the State Department.

Mr. SALTONSTALL. But the feeling is that the law must be amended, in order that we may really bring in the people we want to bring in under the terms of the act. Is that not true?

Mr. LANGER. If we are to bring in more than the 13,500 expellees, that would simply be necessary.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. EASTLAND. Will the Senator please explain how it would be possible to express a thought clearer in the English language than the Senate expressed it in section 12 when we authorized the admission of expellees to this country?

Mr. LANGER. In my opinion, the language could not be more explicit.

Mr. SALTONSTALL. Mr. President, I could not hear what the Senator said. Will he kindly repeat it?

Mr. LANGER. In section 12 the Department of State is directed immediately to open the quotas to Germany and Austria, which would be 27,000 a year, and it was further directed immediately to make one-half of those available to the so-called Volksdeutsche, or expellees.

Mr. SALTONSTALL. But only under the terms of the Displaced Persons Act; am I not correct in that?

Mr. LANGER. It amended the immigration law.

Mr. EASTLAND. Mr. President, will the Senator yield for a question?

Mr. LANGER. I yield.

Mr. EASTLAND. The Senator said "under the terms of the Displaced Persons Act." What are those terms? I do not understand.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. SALTONSTALL. As I understand, the person to be admitted must be assured a home, he must have an occupation, and so on.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. EASTLAND. The Senator did not understand those terms to apply to expellees; did he?

Mr. LANGER. They do not apply.

Mr. SALTONSTALL. I did not understand they do not apply.

Mr. EASTLAND. Mr. President, will the Senator yield for a question?

Mr. LANGER. I yield.

Mr. EASTLAND. I should like to have the attention of the Senator from Massachusetts, for so long as he is involved, we southerners will not be accused of engaging in a filibuster. If I understand the Senator correctly, Mr. Carusi takes the position that the Displaced Persons Commission has nothing to do with the admittance of expellees. Is that correct?

Mr. LANGER. That is exactly correct.

Mr. EASTLAND. He takes the position they should receive a visa from the State Department in the regular course; is that correct?

Mr. LANGER. That is correct.

Mr. President, the threat to Italy's standard of living and its political repercussions were largely responsible for the Marshall plan, under which in the first years' allocation ECA is giving Italy industrial goods worth $59,300,000, made in America, in place of what she formerly bought from Germany and paid for. That is, Italy used to pay Germany the $59,300,000. Now, instead of doing that, the taxpayers of the United States pay the $59,300,000. Furthermore, Italy gets $82,400,000 worth of coal from our dwindling coal supplies.

How closely this allocation of industrial machinery replaces Germany's exports may be shown even in individual items. Under ECA $1,700,000 is allocated for agricultural machinery against $800,000 supplied by Germany. In electrical equipment, ECA $7,000,000 against Germany's $5,336,000, in chemicals ECA $10,000,000 against Germany's $7,800,000.

But at the same time that we are furnishing Italy the means to increase her production, we are engaged in ruining her best customer for this surplus, Germany. Eighty percent of the food furnished Germany by Italy, more than 300,000 tons, were perishable fruits and vegetables. When these seasonal perishables are available for export, oranges, tangerines, lemons, vegetables, and so forth, the domestic consumption has already reached a saturation point, beyond which people cannot and will not eat. People cannot live solely on oranges or cauliflower. Unless this surplus can be exported it becomes largely sheer waste.

A surplus fruit and vegetable region in north Africa, strikingly similar to Italy, faced with the loss of exports, has reduced its production drastically, changing, in one season, from a territory which exported hundreds of thousands of tons of food, into a region not raising enough vegetables even for local consumption.

On the other hand, no such control can be exercised over fruits such as oranges.

In Italy and Sicily oranges were going begging in 1944 because the central European countries were cut off. We face a similar condition now with Germany out of the market in large measure. Such a situation permits England to buy the Sicilian orange and lemon crop for prices ruinous to the producers, principally because German demand is cut off. So when we keep Germany down we are injuring much of the rural economy of Italy and creating the very dissatisfaction which the Marshall plan set out to correct.

All these things hold true of a country like Denmark, on the other side of the Continent. In 1936 Germany imported from Denmark food alone valued at $42,000,000, worth today at least $85,000,000. Under the military government administration of western Germany all imports from Denmark, not only food, are running at the rate of only $3,000,000 annually. That deficit of more than $80,000,000 is made up by the United States, or in a reduced German diet and resulting reduced production. To make myself clear, let me say that before we entered upon this program Denmark sent to Germany $85,000,000 worth of food. Today she sends only $3,000,000 worth, and the American taxpayer is paying the difference.

But this is the other half of the picture. German exports merely of manufactured goods were valued at $51,000,000, which in today's values would be some $100,000,000. What is bizonia doing now under military government? For the first 8 months of 1948 total exports, including coal, amounted to $14,558,000, which for 1 year would be equivalent to about $10,000,000. Subtracting the value of the coal, it leaves $6,600,000. To make it comparable to the above figures for the whole of Germany, we might add about 50 percent to this figure, arriving at an outside figure of $15,000,000, leaving $85,000,000 as Denmark's deficit in manufactured goods, which she formerly obtained from Germany.

Again ECA has come to the rescue, allocating Denmark $47,800,000 of manufactured goods from America.

The German shortage in food and the Danish shortage in manufactured articles add up to a figure well over a hundred million dollars which America is asked to give as a bonus to those who have so skillfully destroyed the industrial potential of Germany. This is merely to handle the deficit in the interchange between Germany and a little country of 4,000,000 people.

Of course, production in Denmark follows the usual economic laws and declines. It gives Great Britain a chance to buy more. But this itself presents a critical problem for Danish producers. In the year 1937, for example, Germany

imported 206,503 tons of food from Denmark against 357,113 tons imported by Britain. The loss of this huge German market has a serious effect on farmer's prices and consequently on Danish food production. The British were the principal buyers of Danish surplus foods. Eliminate one large buyer and it more or less puts the producer at the mercy of the other. The farmers have only one answer to this—reduce production. And again the United States makes up the difference, not only for Germany but for many other European countries.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. LANGER. I should like to finish my statement, first. Then I shall be glad to yield.

On the other hand, Danish businessmen point out that now they have to pay more for everything that goes into production. England's prices, even before the war, were commonly higher. Now with her principal competitor gone, she can charge all that the market will stand. So Denmark is getting the short end two ways. She has to pay higher prices and even then is not able to get the manufactured articles that she needs.

For more than 3 years now, leading European economists, studying the situation in Germany, have been pointing out that the destruction of Germany's production would drastically reduce the standard of living of most of the European countries. We are proving they are right when we appropriate the ECA billions as a gift to a Europe whose reduced living standards invite communism.

Mr. EASTLAND. Mr. President, will the Senator yield for a question at that point?

Mr. LANGER. I yield.

Mr. EASTLAND. The Senator spoke of the way Germany and Denmark have been affected. Does the Senator realize how the United States has also been affected?

Mr. LANGER. Certainly.

Mr. EASTLAND. Does the Senator realize that our own country has sold more farm products to Germany than we have sold to Latin America of both industrial and agricultural products combined?

Mr. LANGER. That is correct.

Mr. EASTLAND. And it is very necessary that we have greater production and economy on American farms. Does the Senator agree with that statement?

Mr. LANGER. There can be no doubt about that.

These facts have covered only two countries of Europe. Between them and Germany they are presenting a bill, just for 1 year, of $200,000,000. It is an outrageous penalty that we are paying for the privilege of seeing Germany and the German peacetime production potential reduced to its present state.

By pushing coal exports and drastically reducing the export of manufactured articles, we are magnifying enormously Germany's foremost problem of getting foreign exchange to meet her dire need for food and raw materials. If we compare the present with 1936, this is clearly brought out.

I hope the distinguished Senator from Mississippi, interested as he is in agriculture, will listen carefully to this, and I hope that every other Senator upon the floor, and those who are in favor of the Marshall plan, will also listen carefully.

In 1936 a ton of manufactured articles shipped to Italy averaged $119 a ton compared with $3.70 for a ton of coal. Germany obtained from Italy 32 times as much for a ton of manufactured goods as for a ton of coal. On exports to Denmark she got 34 times as much.

But this is nothing to many of the great export items for which Germany was world famous. German skilled craftsmen took coal, worth for export to Denmark only $3.58 per ton, and iron plates worth $88 a ton and, out of these materials, made machine tools for Denmark worth $818 a ton, electrical machinery worth $1,439, precision and optical instruments worth $3,608, hardware worth $245 a ton, and watches and clocks worth $2,157 a ton.

In 1936, of these five items alone, she exported to Denmark 17,878 tons worth $8,167,800 with which she bought her high protein foods. The same amount of coal would have given her $64,100, not even one-hundredth as much.

This same thing is going on with all countries from which Germany got her food supply. These same five items which were exported to Italy in 1936, bought food worth $14,568,000. The same number of tons of coal brought $123,757, again less than a hundredth as much. These items would have paid for 200,000 tons of food. The coal would have paid for less than 2,000.

Mr. President, these facts alone are sufficient to prove the economic insanity that underlies our outrageous policy toward these defeated peoples. There is no quicker way in the world to spread a festering cancer in the heart of Europe than to continue to ignore the desperate need for a complete about-face in our German policy.

Not only is this economic insanity undermining the whole social structure of central Europe, not only is it contributing directly to permanent unemployment and unrest, but it is also playing directly into the hands of the Communists who are directing their assault on these United States from the Politburo in Moscow.

The following figures ought to be sufficient to silence those who continue to demand that we go through with this savage, senseless policy because we have made agreements which must be honored. These agreements, Mr. President, which have been deliberately removed from the jurisdiction of the Congress of the United States, now amount to nothing less than a criminal betrayal of our national security, a criminal betrayal which borders on treason.

Oh, how I wish, Mr. President, that every GI, every veteran, could know those figures and realize how America has been betrayed.

Recent figures released by the British themselves in Berlin reveal that of the 598,000 tons of machinery and other equipment which has been dismantled in the British zone, 162,896 tons have been shipped to Russia, 18,618 tons have been shipped to Czechoslovakia, 45,135 tons have been shipped to Yugoslavia, and 2,799 tons have been shipped to Albania.

Oh, yes; our Department of State is fighting Russia, but the Secretary sat in the Committee on Foreign Relations without lifting his voice and said that 162,896 tons have been shipped to Russia!

Mr. EASTLAND. Mr. President, will the Senator yield for a question at that point?

Mr. LANGER. Let me complete this thought, and then I shall be glad to yield. But, Mr. President, in a special report to the London Times on December 20, 1948, it was revealed that the British are still dismantling and shipping to Russia the Borbeck plant of the Krupp steel works.

The report in the Times reads as follows:

> The Borbeck plant was the most modern steel plant in Europe. It started production in May 1929. In 1945 it was awarded to the Soviet Union. Under the direction of a Russian commission especially stationed in Essen for that purpose, the dismantling was accomplished at the greatest speed by several hundred German workmen. The Berlin blockade and the differences existing between West and East Germany have in no way halted dismantling of this Krupp plant. For many months freight train after freight train, loaded with parts of the plant, has left Essen in the direction of Hamburg, where the equipment was transshipped on Russian ships. The destination in Russia is unknown. A further allocation of Krupp plants by the Interallied Reparations Agency has taken place in favor of Yugoslavia. This country will receive a 15,000-ton steel press, the largest in Europe, from Krupp.

I now yield to the Senator from Mississippi.

Mr. EASTLAND. Does the Senator have the figures about the dismantling in the French zone?

Mr. LANGER. I have them in my office; I do not have them here.

Mr. EASTLAND. Would the Senator be kind enough to place those figures in the RECORD?

Mr. LANGER. The following figures show what is going on in the French dismantlement program. According to the Allied allocations for the French zone, 84 plants were marked for dismantlement, of these 62 plants have been dismantled, 4 have been sent to Russia, 58 have been delivered to the Interallied Reparations Agency and 22 await delivery to specific consignees.

The value of these plants has been determined at the figure of 150 to $200 millions. This figure was based on the 1938 replacement value, less war damage, and less depreciation, which means that the actual value is at least 10 times as great as the figure that has been set by the French.

Mr. EASTLAND. Does the Senator understand that the French Government, in the French zone in Germany, are taking title to business and industry?

Mr. LANGER. That is my understanding.

Mr. EASTLAND. Does the Senator understand that the French Army stationed there is consuming a large part of the food produced in the French zone?

Mr. LANGER. That is correct.

Mr. EASTLAND. Does the Senator think that there is any justice in the

United States giving hundreds of millions of dollars, under a Marshall aid plan, to France or to any other country, and permitting that country, by unjust means, to beat down the people there, which in the long run will harm the United States?

Mr. LANGER. It is bound to harm the United States.

Mr. EASTLAND. Does the Senator think we should place strings on the Marshall plan aid which we give France, and make them follow a more humane policy in regard to their zone in Germany?

Mr. LANGER. It is my belief that the United States should be withholding money from any country pursuing that sort of policy over those they have conquered.

Mr. EASTLAND. Does the Senator think the Senate Committee on Foreign Relations should go into those questions?

Mr. LANGER. I do. They should go into them very carefully, and I have not the least doubt they will, under the leadership of the able and distinguished Senator from Texas [Mr. CONNALLY], who is chairman of that committee.

On top of all of these facts, Mr. President, I want to call the attention of the Members of the Senate, of the American people, and particularly the American farmers, to what is happening to the agricultural resources of central Europe as a result of the criminal deforestration program that is being carried on both by the British and the French, supported by the American taxpayers' dollars. It is a fact that Great Britain owns or controls 27 percent of the world's forests and timber reserves. It is also a fact that in the whole of Germany there is only four-tenths of 1 percent of the world's forest reserves. Yet since the end of the war, this vicious deforestation program is making a mockery of all the claims that Germany can become a self-supporting agrarian people.

Mr. President, I hold in my hand five pictures of the tragic consequences which are following this deforestation program. I call the attention of my colleagues to the erosion in the Luneburger Heide in Germany, in the British zone, which is destroying the fertility of the soil upon which the German people are more absolutely dependent than ever before in their history.

Mr. EASTLAND. Mr. President, will the Senator yield further for a question?

Mr. LANGER. I yield.

Mr. EASTLAND. On how many acres have trees been cut too closely in Germany?

Mr. LANGER. I have the figures here, and in a moment will give the Senator the information.

The following figures reveal how far this deforestation program has gone when we realize that these figures are based on 100 as the base figure of the timber cutting program of 1936:

	1946	1947	1948
United States zone	169	201	188
British	405	368	227
Total bizone	235	248	199
The French zone	181	293	379

100=1936 100 percent index.

Mr. President, how could facts more conclusively prove that this senseless policy, this Morgenthau plan, this scorched-earth madness, this pro-Communist betrayal of America's principles and security, is the direct consequence of our having forsaken George Washington's warning that foreign alien interests and influence are the greatest foes of republican government and that—

> Excessive partiality for one foreign nation, and excessive dislike for another, cause those whom they actuate to see danger only on one side, and serve to veil and even second the arts of influence on the other.

And now, Mr. President, this senseless policy of destruction and vengeance has led us into an impasse where these outrageous facts finally are being recognized for what they are.

On February 17, 1949, Mr. Stewart Alsop revealed in the Washington Post that the question of what constitutes the real objectives of American policy in Germany has now become the most significant and crucial issue before us. Mr. Alsop further revealed that—

> It is highly significant that at long last the United States Government is now making a serious effort to find an agreed and intelligent answer.
>
> An attempt is now being made to draft a whole series of agreed policy papers dealing with all aspects of American policy in Germany. The preliminary drafting is being done by a four-man committee, which is now quietly meeting two or three times a week in the State Department.
>
> Chairman of this committee is George Kennan, brilliant chief of State Department planners. Richard M. Bissell, able deputy ECA Administrator speaks for the ECA, which has a vital interest in the German problem. Robert Blum, special assistant to Secretary of Defense Forrestal, represents Forrestal and the Defense Dapartment. The Army and Gen. Lucius Clay, American commander in Germany, are represented by Assistant Secretary of War Tracy Voorhees, who may succeed William Draper as Under Secretary of War and chief Washington spokesman for Clay.

So the Senator will see that at long last the problem is being recognized, but the dismantling is still continuing.

In order to answer the question of the Senator from Mississippi, I refer to figures which I wish to call to his attention. It is my understanding that four-tenths of 1 percent of the world's reserve is held by Germany, against 27 percent held by Great Britain. While I have not the figures as to the number of acres, roughtly three-fourths of the deforestation area is now subject to erosion.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. EASTLAND. Which country is responsible for that, Great Britain or France?

Mr. LANGER. I blame America for it.

Mr. EASTLAND. Why?

Mr. LANGER. I blame America, together with Great Britain and France, because the committee over there agreed to this policy.

Mr. EASTLAND. Which committee.

Mr. LANGER. The Interallied Committee on Reparations which has charge of all three zones.

Mr. EASTLAND. Does not the Senator think that the matter is of such grave importance that it should be investigated by the Foreign Relations Committee?

Mr. LANGER. Yes, I do; and I do not have the least doubt that the committee will investigate it. Governor La Follette has just returned from Germany. He was in New York last week and there addressed 150 of the leading men in New York City. I understand he is on his way to Washington, and intends to appear before the Foreign Relations Committee and to give that committee a full and complete report of what is going on in Germany.

Mr. EASTLAND. Mr. President, will the Senator again yield?

Mr. LANGER. I yield.

Mr. EASTLAND. What became of the timber that was cut from the land?

Mr. LANGER. Most of it was shipped out of the country.

Mr. EASTLAND. Shipped to other countries?

Mr. LANGER. Shipped to other countries.

Mr. EASTLAND. Was it done in order to use the proceeds to buy food for Germans?

Mr. LANGER. I do not know why the timber was shipped away. It was simply taken as dismantled plants have been taken.

Mr. EASTLAND. Am I to understand from the Senator that three-fourths of the forest lands are in the condition as shown by the pictures exhibited by the Senator?

Mr. LANGER. Yes.

Mr. EASTLAND. The Senator does not mean three-fourths of all the land in Germany?

Mr. LANGER. No. Germany has four-tenths of 1 percent in forest reserves, and of that three-fourths is as represented by the pictures.

These four men will not, of course, make German policy independently. The policy papers they draft will be referred back to the organizations and individuals they represent, including General Clay. Moreover, each preliminary paper will be sifted through another higher committee. This committee consists of Secretary of State Acheson, as chairman; ECA Chief Paul Hoffman; and Secretary of War Royall. If Acheson's committee approves a paper, it will be referred in turn to the National Security Council and the President for final decision.

What this means is simply that the period of improvising policy in Germany is coming to an end.

Mr. President, welcome as these new developments are to every American who is interested in decency and justice, it would be tragic indeed if the policies of the past, in the formulation of which the United States Senate has been ignored, should be continued. I believe the time has come when the Congress of the United States, rather than leaving the future to chance, as we have left the past, ought to stand up on its own feet and put an end once and for all to this senseless, outrageous policy of destroying not only the peacetime industrial potential

but the agricultural resources of the German-speaking peoples as well.

Mr. President, I now yield the floor.

AMENDMENT OF CLOTURE RULE

The Senate resumed the consideration of the motion of Mr. LUCAS to proceed to the consideration of Senate Resolution 15, amending the so-called cloture rule of the Senate.

Mr. RUSSELL. Mr. President, I dislike to suggest the absence of a quorum, but if it is proposed that the Senate continue the present debate, I shall feel obliged to suggest the absence of a quorum.

The VICE PRESIDENT. The Senator from Georgia suggests the absence of a quorum. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Ives	Murray
Anderson	Jenner	Myers
Baldwin	Johnson, Colo.	Neely
Brewster	Johnson, Tex.	O'Conor
Bricker	Johnston, S. C.	O'Mahoney
Broughton	Kefauver	Pepper
Butler	Kem	Reed
Cain	Kerr	Robertson
Chavez	Kilgore	Russell
Connally	Knowland	Saltonstall
Cordon	Langer	Schoeppel
Donnell	Lodge	Smith, Maine
Douglas	Long	Smith, N. J.
Downey	Lucas	Sparkman
Eastland	McCarran	Stennis
Ecton	McCarthy	Taft
Ellender	McClellan	Taylor
Flanders	McFarland	Thomas, Utah
Fulbright	McGrath	Thye
George	McKellar	Tobey
Gillette	Magnuson	Tydings
Hayden	Malone	Vandenberg
Hendrickson	Martin	Watkins
Hill	Maybank	Wherry
Hoey	Miller	Wiley
Holland	Millikin	Williams
Humphrey	Morse	Withers
Hunt	Mundt	

The VICE PRESIDENT. Eighty-three Senators having answered to their names, a quorum is present.

Mr. GEORGE. Mr. President, I do not know how long the majority leader wishes to hold the Senate in session tonight. I dislike to speak at this late hour, although I do not intend to discuss this question at great length at this time.

Mr. President, I think this is a memorable debate. Of that I have not the slightest doubt. No one has the capacity to look very far into the future; but the issues here raised and the methods here adopted are bound to have repercussions hereafter. It is simply inevitable. Immediately the work of the Congress is slowed down, because it is impossible to attend committee hearings and to conclude committee hearings which are in their final stages, and also meet the demand to be present on the floor at all times. So, Mr. President, I am conscious of the fact that this is a memorable debate. No man can quite see at this time the results which may flow from it.

I wish to begin my address with a further statement. In my judgment the ordinary rules of parliamentary procedure do not and should not apply in the Senate of the United States. I know that the Senate is a legislative body in part. I know that it must handle legislative matters which come from the House, or which originate here and go to the House. But the Senate is a distinct institution within itself, a continuing body, only one-third of the membership of the Senate being elected every 2 years. It is not a body which expires. Its primary function is not legislation in the strict sense. Its primary and main function, indeed, in certain important matters, partakes of the nature of conference and negotiation between sovereignties.

Be it remembered, Mr. President, that the Federal Government did not create the States. On the contrary, the States created the Federal Government. They gave it all the power it has, except such power as has subsequently been given by the people under amendments to the Constitution, or certain powers which perhaps have resulted, let us say, from unavoidable decisions of the courts of the land.

Not only is the Senate a continuing body, but under the Constitution the Senate is to be composed of an equal number of Senators—two—from each State, wholly without regard to the population of the State, wholly without regard to the ratio of the population of the State to the total population of all the States. Not only is that so, but under the Constitution no State can be deprived of its equal representation in the Senate, save by its own consent—not by a two-thirds vote, not by the majority that is always infallible, in the judgment of many of our good friends here; but no State can be deprived of equal representation in the Senate, save by its own consent. In other words, the Constitution cannot even be amended—short of a revolution—in regard to that provision which gives to the Senate a distinct character.

Now let us suppose, if we can do so, that before the formation of the Constitution the several States which formed the Union had met in conference to decide some important matter affecting all of them, and let us suppose that someone had suggested a limitation on debate. How long would that conference have lasted under those circumstances? The representatives of those States would have marched away, and there would have been a dissolution of the whole effort to reach any agreement whatever.

Let me say to the distinguished Senator from Connecticut [Mr. BALDWIN] that Senator Frank Brandegee, a Senator from Connecticut from 1905 to 1924, in a debate in the Senate some years ago very nearly covered this whole case when he made this statement:

> Mr. President, I look at this right of debate not as a right, much less a privilege, which we are conferring upon ourselves as a matter of favor. I look upon it as a right which attaches to the sovereign States of this Union, each of which is represented here by two Senators, and whose sole method of putting its case before the people of the United States and before this body is through the voice of its two Senators.
>
> So I say that this is the forum of the States. This is a federated Government, in which the States reserved the right of equal suffrage in the Senate of the United States, and made that the only provision of the Constitution which never should be subject to amendment.

Yet, Mr. President, Senators here debate whether we should adopt a rule which will shut off debate by a so-called constitutional majority or by an actual majority and before this debate ends, the Senate will have an opportunity, no doubt, to vote upon such a proposal. If we begin the whittling-away process, we may be certain that we shall whittle away the substance of the rights of the States in a federated union with respect to many of their most important functions and powers.

Mr. President, our Constitution is a direct limitation on the power of the majority. If there was anything the framers of the Constitution really understood, if there was any principle ever practiced by government anywhere which they thoroughly despised, it was the doctrine of absolutism. We can have absolutism in a legislative body; we can bring about an absolutism in the Congress, if by a gag rule and by whittling away the rights of the representatives of the States to be here heard and here make themselves felt, we reduce this body to the level of a simple legislative body, with no power except that of a simple legislative body and without any necessity to do so, because there are only 96 Senators, and that is not an unreasonably large number to confer together and to debate at great length on any subject of importance.

Senate Resolution 15 is a grant of power. It is a grant of power to stop debate or to foreclose resistance so as to bring before this body any measure the proponents of which wish to bring before it. Of course we must assume, as has been said by a distinguished Senator on a previous occasion when the amendment of the rules of the Senate was under consideration, that a grant of power will be used. It may be used many times without doing harm. It may be used many times in such a way as not to result in unnecessary harm to the freedom of full debate. But it may be used on occasion in a way to do a great deal of harm. If we grant the power, we assume its use; and ultimately it will be used, and ultimately it will also be used to perpetrate a great wrong.

But it is said, "Why cannot the majority here bring any subject before the Senate"—any measure that is on the Senate's calendar, of course—"and have it heard"? Why, Mr. President? Because the smallest State in this Union has an equal place in this body; of right it is here, and of right it can say what it wishes to say, at least if it can make its voice heard in accordance with such rules as the Senate itself has lived under for almost a century and a half, with but few particular exceptions, and they arising out of special circumstances.

We cannot close our eyes to what this motion means. This proposed grant of power affects a series of bills which have been proposed by group interests and have entered into the politics of this country, to the enactment of which the political parties have pledged themselves. Therefore, Mr. President, when the curtain which shadows the driving power behind this proposal to grant power over the minority of the States represented in this body is so transparent, we have a right to look behind it and see the power that is sought to be conveyed.

Mr. President, I do not favor cloture in the Senate of the United States; I do not favor the closing of debate in the Senate, but I can conceive—indeed, I know—that unlimited and abused privileges of debate often result in very great hardship to Senators, and, of course, in some hurt, in public opinion, to the Senate and its reputation. I understand that, and yet I undertake to say that I am entirely justified in filibustering against—and I have never made any lengthy speeches in this body; I do not now intend to do so—and in speaking at length and voting against a proposal to close debate on the merits of a question, if that question is so revolutionary as to shock the sensibilities of a decent Senator. In that event any Senator is justified in resisting every effort to bring such a question before the body.

What proposed legislation would be affected? One is a proposal to abolish the poll tax, in the teeth of the textual provisions of article II of the American Constitution. No political party can bind any honorable man to vote for a measure which he conscientiously believes to be contrary to the Constitution of his country. There must be majority cloture, or something closely approaching it, in order to push through the poll-tax measure, the poll tax having disappeared in all but six States, as I recall, and it is on its way out even in those States. Yet the power the Senate is asked to exercise is textually in the very teeth of the American Constitution, in the second paragraph following the preamble where the standard is fixed. It is not so much a matter of States' rights nor reserved rights; it is a matter of an express provision in the Constitution which fixes the standard for voting qualifications for representatives in the Congress. Likewise, subsequently, in the seventeenth amendment, in the same identical language, with respect to the election by the people of Senators the same standard is fixed, namely the standard adopted in each State for electors of the most numerous branch of the State legislature. May a Senator who is conscious that that is a constitutional provision not say he has a right to resist the bringing forward of a proposal which would fly in the face of the Constitution?

What is the next? Antilynching legislation. With all the vigor of my soul I deplore mob violence in any form; I have stood against it all my life, even when it hurt. But the Federal Government cannot be given power to prevent the commission of crime by mob violence in the States, unless it be asserted that the Federal Government possesses total and absolute police power. Do Senators want to say that? If a man's soul recoils from such a proposition as that, is he not justified in saying that, so long as he can prevent it, it shall not even be submitted to the Congress of the United States for decision, either by a simple majority vote, or a constitutional majority vote. There are some persons in this country—I am sure there are none in the Senate—who would repeal the Bill of Rights by a simple majority, or a constitutional majority, if they had the power to do so, when basically the Bill of Rights is nothing but the assertion by the States themselves, when they created the Federal Government, of the existence and retention and full right of enjoyment of those immemorial rights of freemen which are above all governments, State as well as Federal. Yet there are those who would repeal the Bill of Rights, who would abolish the Declaration made by the representatives of the States in creating the Union itself, or in formulating its Constitution, which subsequently was ratified by the people of the United States as provided in the Constitution.

The States knew and the representatives of the States there present knew that they could trust themselves not to violate the immemorial rights of freemen in America, because they had been respecting those rights—freedom of speech, abstention from the making of any law that would prohibit religion in any form or its free exercise; the denial to the Government of the power to quarter troops in the homes of the humblest citizens in times of peace without their consent; the preservation inviolate of the homes and persons of the freemen in America from unreasonable searches and seizures; and all the rest. Yet there are some who would repeal them, and they would do so by mere majority vote, if they could; I have no doubt about that. They would certainly bring them here and submit them to the Senate and ask the Senate, under a reformed rule of procedure, to exercise its power to cut off debate, and let us have done with this thing. The Constitution is a direct limitation upon the power of government and upon the power of the Congress itself to take away the fundamental rights of the people.

Let us look at another of these so-called civil rights which constitute the things immediately back of this movement for cloture. The American people know what it means. The so-called FEPC bill is another one. There is a plain effort to say to a man, "You shall not select your personal associates nor your business associates." That represents a complete undercutting of the most fundamental liberty the American people have ever enjoyed. As Donald Richberg says, it is like saying to a Christian publishing house issuing tracts and Bibles, "You must employ an atheist to peddle your goods." Every man under the American Constitution has the right to choose his associates, the men and women with whom he will meet and associate daily. Do not say to me, "You are unduly alarmed, and you are overstating it." Within a fortnight an independent judge in the State of Kentucky has said that he would not give sanction to the right of certain petitioners to join social clubs and take membership in golf clubs, because these are rights that each citizen has the power to determine for himself.

So, Mr. President, I have not the slightest doubt, so far as I am concerned, of the absolute unconstitutionality of the so-called anti-poll-tax bill, of the so-called antilynch bill, and of the FEPC bill, if it be carried beyond the mere machinery for the adjustment of differences which may arise in business organization itself. Having no doubt of the unconstitutionality of these measures, I assert my right, as one Senator from a State which has the absolute right of having two Senators in this body and can be deprived of that right only by its own consent, to vote against taking up measures which I feel, beyond peradventure of a doubt, so far as I am concerned, are offensive to the American Constitution. I am, therefore, opposed to amending the rule so as to enable a temporary majority in the Senate, which, under the shifting tides of political emotionalism, if I may use that term, may be a majority today and may be a minority tomorrow. There is no more stability in it than that. The appeal to me that the majority has the right to shut off debate in order to legislate simply does not address itself to my reason and to my judgment.

Therefore, Mr. President, I shall vote against any amendment to the rule. I shall vote against it because I am convinced that in this high, deliberative body, when a measure possesses any real merit, there will never be a filibuster against its consideration, and there may or may not be any prolonged debate against final vote upon it. The only instance, in my recollection at least, in which opposition has been raised to the taking up of a measure for consideration is the class of measures which I have been discussing—measures which must address themselves to many of us as being entirely repugnant to the Constitution which we have sworn, with no reservation whatever, to uphold and to defend so far as in our power lies.

Furthermore, Mr. President, I have long been of the opinion that some things in America cannot be settled by legislation. I have long been of the conviction that one of the great fallacies in America is that anything can be settled if only some legislature will pass an act to that effect. That cannot be true. In all proposed legislation which is even akin to the so-called fair employment practice measure, the effort is made to control the judgment, the emotions, the choice, and, if you please, the prejudices of our people. Prejudices may be ugly; they may be regrettable; but they cannot be controlled in that way. If they could be so controlled, the distinguished gentleman whose name once marked the masthead of the prohibition legislation enacted in this country would have controlled them. Mr. Volstead would have ended all question about obedience to the law. Prejudice, desire, wish, and choice would have had nothing to do with it.

That is not comparable with this situation at all, because here is the bald assertion that the American in business and even in his social affairs is not free to choose his associates, the persons with whom he wishes to visit, the persons with whom he wishes to associate, the persons with whom he wishes to carry on his business. I warn the Senate that the real driving force back of FEFC is complete social rights, not merely the right to hold a job in business. Are we to sit here and vote to place a gag in our own mouths at the will of two-thirds or a constitutional majority or a bare majority of Senators on measures of this kind?

The greatest service we could render to these United States would be to make the bold and unqualified declaration that we will not shackle the States which are here represented on the basis of absolute equality, with respect to matters which offend against not merely tradition, but all their cultural institutions and all their deep convictions. That would be what we could say. We should say that, regardless of pressure groups, we would follow that course.

We had read here on the 22d day of this month the Farewell Address of George Washington. Let my colleagues read it, and see if he did not stress, perhaps as his final entreaty and appeal to his countrymen, that they guard against the baneful influences of parties.

Take this step, put the whole head of the camel under the tent, if you will, and you will come to majority rule in the Senate of the United States. That would mean that the political party which had one majority, or two, would be able to do as it pleased, and that at a time when human governments were undergoing rapid and fundamental changes, when civilization indeed was unsteady in every part of the globe. It would mean that a bare majority here, a party majority, whether Democrat or Republican, or some other party which obtained temporary advantage, could stop debate, write the laws, and do much as it pleased. Is that what is desired? Do Senators wish to gamble on that? I do not.

Mr. President, I think I know the drift that has been going on in this country for many years. It is a definite, a certain, a decided and almost irresistible drift toward a larger and larger concentration of power in the Federal Government. Now the desire is to give to the Federal Congress the right to regulate the suffrage of the States. Now it is desired that the Federal Government be given the power to exercise absolute police power within the States. Now some Senators wish to give to the Federal Government the power to say to the men and women of America, "You have not any right to choose your own associates and business partners upon any other basis than the basis which we shall prescribe as a condition for your choice."

Mr. President, I do not fear great corporations. They are often vulnerable, and there are hundreds of agencies operating always to control them. There are influences in America always ready to control them and to prevent finally their doing great harm to America. But if the Federal Government is builded so strong as absolutely to take over the primary and fundamental functions of the State and local governments, if the Federal Government shall step beyond the bounds of the Constitution which undertook originally to limit its power, to properly direct it—if that happens, then there is nothing that can save America from the tyranny so many other people, one time free, have suffered in this world.

Mr. President, here is a proposal to grant the power, and here is the plausible plea, "Why fear taking up in the Senate the measures to which I have referred?" The answer is that these proposals are outrageous. If they are essentially revolutionary, then we have the right to resist the grant of power to muzzle and to manacle the representatives of the States in this body who come here with equal rights, under the guaranty in the common Constitution which makes it impossible, except through revolution, in my opinion, ever to take away the equality of representation in the Senate.

So, Mr. President, we resist. Not only do we resist, but we might as well be perfectly candid about it, and say that what is done here in this debate and at the end of it will have its influence on the politics of America. That is not a threat; I do not make threats. It is a plain declaration of what may be expected.

I, myself, greatly regretted to see my own party, which through a long period in the Nation's history stood for economy and for rigidly honest administration of government, thereby commanding the respect if not the majority vote of the people at the polls—I, myself, have very keenly felt that the very leadership of the party to which so many of us have given allegiance through all the years should take the initiative and undertake to undo that which is vital to so large a part, though it be a minority part, of the United States.

Let me repeat, in closing, the language of Washington, which we all heard read here but a few days ago, when he earnestly pleaded to his countrymen, through all generations to come, to avoid the baneful influence of party spirit, particularly formation of political policies along sectional lines. He used the language north and south, and east and west. Why is it not possible for freemen, representing free States in this distinctive legislative government, to say that we will not, by any additional grant of power, put the emphasis upon political divisions in the United States along sectional lines?

Mr. KNOWLAND. Mr. President, will the Senator yield for a question?

The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from California for a question?

Mr. GEORGE. I will yield for a question. I beg the Senator to be brief with his question.

Mr. KNOWLAND. I shall be. I should like to invite the attention of the able Senator from Georgia, who has made an excellent presentation relative to the danger in majority cloture—and I want to say that on that phase of the matter I agree with him—to page 114 of the hearing on Tuesday, February 18, 1947, before the subcommittee of the Committee on Rules and Administration which was held on the subject of amending the Senate rule relating to cloture, and to ask if the Senator recalls this statement which he made during the course of his testimony:

> At the outset I concede that the rule may properly be made applicable to any pending motion, question, or measure. This, of course, involves a change in the rule and a substantial change in point of fact, but, nevertheless, it is a change which I think should be made in the Senate rules.

In view of the statement made by the able Senator from Georgia during the Eightieth Congress before the Committee on Rules and Administration, I should like to ask him in all sincerity, if he felt assured that Senate Resolution 15 would be adopted by the Senate in precisely the form it is now before the Senate, and that there was no danger of it being amended so as to provide for majority cloture, would he feel today as he felt during the time he testified before the subcommittee of the Rules Committee in 1947?

Mr. GEORGE. I would feel very much better if there were anybody who could give the assurance that we will not be called upon to vote upon the resolution offered by the distinguished Senator from Pennsylvania [Mr. MYERS], the resolution offered by the distinguished Senator from Oregon [Mr. MORSE], and upon other proposals which even go beyond theirs. But I realize that nobody can give me or give the country such assurance.

Therefore I reiterate the position which I took when I appeared before the committee, I believe it was 2 years ago, or some years back. The primary burden of my statement and the primary purpose of appearing before the committee then was to oppose a majority cloture rule.

I recognized, of course, that the Senate could, by amending the rule, have brought forward, at least for debate, any of these controversial matters. But I may very respectfully suggest that many things have happened since that time. We have had an election in these United States. We have had tremendous pressures from minority groups. Certainly I do not need to remind Senators of that fact.

Therefore, Mr. President, my conclusion now is that it would be dangerous and unwise to extend the cloture rule as proposed in the resolution which is now under debate.

PROGRAM FOR SENATE SESSIONS—RECESS

The VICE PRESIDENT. Does any Senator desire recognition?

Mr. RUSSELL. Mr. President, a number of Senators desire to address themselves to this question. It is customary on occasions of this kind for the majority leader to make some announcement as to the length of time he proposes to have the Senate remain in session; whether we are to have night sessions, and how late we are to be in session today.

Mr. LUCAS. Mr. President, I made no announcement at the beginning of the debate as to how late we would sit. Some Senators expected to leave between 5 and 5:30. Under the circumstances I think I shall move that the Senate now take a recess until tomorrow. From now on, I may say, we are going to remain in session until 6 o'clock every afternoon and, as the debate proceeds from day to day, we may sit even later than that, I may say to the Members of the Senate and to the President of the Senate.

I now move that the Senate take a recess until tomorrow at 12 o'clock noon.

The motion was agreed to; and (at 5 o'clock and 15 minutes p. m.) the Senate took a recess until tomorrow, Tuesday, March 1, 1949, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate February 28 (legislative day of February 21), 1949:

COLLECTOR OF INTERNAL REVENUE

William E. Davis, of Huntsville, Ala., to be collector of internal revenue for the district of Alabama, to fill an existing vacancy.

IN THE ARMY

Maj. Gen. Herman Feldman, O5724, United States Army, for appointment as the Quartermaster General, United States Army, under the provisions of section 9, National Defense Act, as amended, and title V, Officer Personnel Act of 1947.

WITHDRAWAL

Executive nomination withdrawn from the Senate Monday, February 28 (legislative day of February 21), 1949:

POSTMASTER

Robert W. Garrison to be postmaster at Frankfort in the State of Ohio.

HOUSE OF REPRESENTATIVES

MONDAY, FEBRUARY 28, 1949

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Thou Almighty God, from whom we come and to whom we return, grant that we may go forth today, not in criticism nor despondent mood, but in faith, sharing our sympathies in common service. With understanding minds we would realize our opportunities and our duties which we owe our country and our brother man.

We pray that in this complex world we may ever be free and loving hearts, copartners in a great cause; walking not in selfish ways nor forgetting the ties which bind us one to another like the moving waves of the sea, yet bound by the shore lines that unite them. Let every door which is barred by hate and revenge open to the living forms of cooperation and fellowship. Through Christ. Amen.

The Journal of the proceedings of Thursday, February 24, 1949, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. McDaniel, its enrolling clerk, announced that the Senate had passed without amendment a bill and joint resolution of the House of the following titles:

H. R. 54. An act to retrocede to the State of New Mexico exclusive jurisdiction held by the United States over lands within the boundaries of the Los Alamos project of the United States Atomic Energy Commission; and

H. J. Res. 92. Joint resolution to continue the authority of the Maritime Commission to sell, charter, and operate vessels, and for other purposes.

CERTIFICATE OF ELECTION

The SPEAKER laid before the House the following communication, which was read by the Clerk:

FEBRUARY 23, 1949.

The Honorable the SPEAKER,
House of Representatives.

SIR: A certificate of election in due form of law, showing the election of the Honorable LOUIS B. HELLER as a Representative-elect to the Eighty-first Congress from the Seventh Congressional District of the State of New York, to fill the vacancy caused by the death of the Honorable John J. Delaney, is on file in this office.

Very truly yours,

RALPH R. ROBERTS,
Clerk of the House of Representatives.

SWEARING IN OF MEMBER

Mr. HELLER appeared at the bar of the House and took the oath of office.

EXTENSION OF REMARKS

Mr. MILLS asked and was given permission to extend his remarks in the RECORD and include an article written by J. Carson Adkerson, which appeared in the November 1948 issue of Made in America Monthly, entitled "Wanted! A Manganese Policy."

MANGANESE

Mr. MILLS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks by including a tabulation.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas [Mr. MILLS]?

There was no objection.

Mr. MILLS. Mr. Speaker, manganese is the "starch" in steel. There is no substitute for manganese in the manufacture of steel. Without manganese our steel mills will close down.

Dependence on Russian manganese is leading the United States into an increasingly dangerous situation. During the year 1948 the United States consumed approximately 1,500,000 tons of manganese ore. Domestic production was 116,000 tons. Imports into the United States during the year totaled 1,256,646 short tons from foreign sources as follows:

	Tons
U. S. S. R.	427,230
Union of South Africa	216,576
India	213,455
Gold Coast	132,971
Brazil	143,916
Mexico	61,614
All other countries	60,894

Instead of building up on our stock piles, we are digging into industry stocks to meet current demands.

It is estimated that we have in stock pile in the United States little more than a year's supply of ore—just enough to fill our lines leading to the steel mills. A year without imports or domestic production and we scrape the bottom of the barrel.

The press recently announced that shipments from Russia are being tapered off and threatened with extinction. More recent reports indicate that no increase in shipments can be expected from Brazil. They will conserve their own manganese for their own needs.

We are allocating scarce steel to Canada to build railroad cars to carry manganese-bearing ores from South African mines to tidewater—and more scarce steel to build mining machinery to help develop manganese production in other foreign countries; production which may or may not come forward years from now.

We are talking of putting our Government into the steel business when we have no guaranty that we will have sufficient manganese to supply the furnaces now in operation.

We are spending many millions of dollars through the ECA to develop mines abroad with little or no assurance that ores will be delivered to the United States for some years to come, and even should ores in time be delivered, then at an overall cost probably greater than the cost of domestic ores.

According to testimony before the Public Lands, Mines, and Mining Subcommittee of the House, the United States needs to build up a stock pile of 8,638,000 tons for emergency needs.

We should get every ton possible from foreign sources with utmost speed and stock-pile it in the United States, but we must likewise speed developments within the United States.

We have an abundance of manganese ores in the United States, with deposits in 27 States. The properties are undeveloped and milling plants are required to concentrate the ores. No money is yet available for domestic developments.

Far-reaching steps are needed to insure us adequate and dependable sources of supply of manganese without delay. Time is essential.

To help solve this problem I have introduced H. R. 2767, which proposes the purchase of domestic ores containing 15 percent or more of metallic manganese and provides for the concentration or beneficiation of the ores, if necessary, to meet any specifications desired by the Munitions Board. I have every reason to know that immediate enactment of this bill will greatly relieve our impending shortage of manganese ore. I know of no other solution for the immediate future.

The schedule of prices provided in H. R. 2767 is indicated in the following table:

Schedule of manganese ore prices

Percentage of manganese content in ore	Price per unit of manganese	Price per long ton of ore	Price per pound of manganese contained in ore
15	$1.00	$15.00	$0.0446
16	1.02	16.32	.0455
17	1.04	17.68	.0465
18	1.06	19.08	.0473
19	1.08	20.52	.0482
20	1.10	22.00	.0491
21	1.12	23.52	.0500
22	1.14	25.08	.0509
23	1.16	26.68	.0518
24	1.18	28.32	.0527
25	1.20	30.00	.0536
26	1.22	31.72	.0545
27	1.24	33.48	.0553
28	1.26	35.28	.0562

Schedule of manganese ore prices—Continued

Percentage of manganese content in ore	Price per unit of mangahese	Price per long ton of ore	Price per pound of manganese contained in ore
29	$1.28	$37.12	$0.0571
30	1.30	39.00	.0580
31	1.32	40.92	.0589
32	1.34	42.88	.0598
33	1.36	44.88	.0607
34	1.38	46.92	.0616
35	1.40	49.00	.0625
36	1.42	51.12	.0634
37	1.44	53.28	.0643
38	1.46	55.48	.0652
39	1.48	57.72	.0661
40	1.50	60.00	.0670
41	1.52	62.32	.0679
42	1.54	64.68	.0687
43	1.56	67.08	.0696
44	1.58	69.52	.0705
45	1.60	72.00	.0714
46	1.62	74.52	.0723
47	1.64	77.08	.0732
48	1.66	79.68	.0741
49	1.68	82.32	.0750
50	1.70	85.00	.0759
51	1.72	87.72	.0768
52	1.74	90.48	.0777
53	1.76	93.28	.0786
54	1.78	96.12	.0795
55	1.80	99.00	.0804
56	1.82	101.92	.0813
57	1.84	104.88	.0822
58	1.86	107.88	.0830
59	1.86	110.92	.0839
60	1.90	114.00	.0848
61	1.92	117.12	.0857
62	1.94	120.28	.0866
63	1.96	123.48	.0875
64	1.98	126.72	.0884
65	2.00	130.00	.0893
100	2.70	270.00	.1205

Note basis of long tons—unit of manganese 22.4 pounds

Mr. Speaker, these and not lower prices will develop production of domestic manganese ores in quantities essential to civilian and defense needs.

THE TAFT-HARTLEY LAW

Mr. JACOBS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Indiana [Mr. JACOBS]?

There was no objection.

Mr. JACOBS. Mr. Speaker, Fulton Lewis, Jr., has brought to poll taking a new technique—a technique infinitely more accurate than Dr. Gallup's.

He radios 19 Taft-Hartley questions to the people. They are asked to write their answer, "Yes" or "No," to their Congressmen.

I have received 91 answers, 70 of which answered "No" to question 14, which reads as follows:

Do you believe it should be unlawful for a worker to be prevented from performing his job, by the use of violence, force, or intimidation?

In short, the fact that 70 out of 91 people said "No" the law should not forbid violence, proves that the poll takers are deadly accurate and crystal clear.

Perhaps that was a mock election we had last year and the poll takers were right after all.

EXTENSION OF REMARKS

Mr. BRYSON asked and was granted permission to extend his remarks in the RECORD and include an address delivered by Mr. Field before the American Patent Law Association.

Mr. HÉBERT asked and was granted permission to extend his remarks in the RECORD and include a resolution from the New Orleans Property Owners Association; also, to extend his remarks in two separate instances and include extraneous matter.

Mr. PHILBIN asked and was granted permission to extend his remarks in the RECORD and include two editorials.

Mr. LANE asked and was granted permission to extend his remarks in the RECORD in three instances; in one to include a letter, in another to include an interesting article from the Boston Sunday Post, and in the third to include an address which he made before the Lithuanian Society.

SPECIAL ORDER GRANTED

Mr. LANE. Mr. Speaker, I ask unanimous consent that, upon the completion of all business on the Speaker's desk and any previous special orders granted, I may address the House today for 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. LANE]?

There was no objection.

RESERVE COMPONENTS OF THE ARMY, AIR FORCE, AND NAVY

Mr. SIKES. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida [Mr. SIKES]?

There was no objection.

Mr. SIKES. Mr. Speaker, I am today introducing legislation which is intended to place the Reserve components of the Army, Air Force, and Navy on a footing more in keeping with their great services to this Nation.

First is a bill to create additional secretaries of the armed services for Reserve components.

The purpose of this bill is to create an additional Assistant Secretary for Reserve affairs in each of the departments in the armed services, to wit, the Army, the Navy, and the Air Force.

Within the history of our country no such proposal has ever been accomplished. Perhaps the principal reason for this failure has been the lack of emphasis on the importance of strong and well-trained Reserve forces. In the past the major emphasis has been placed on maintaining an adequate force of Regulars and even in this instance the lethargy of national thinking permitted the Regulars to deteriorate to less than 130,000 troops immediately prior to the outbreak of World War II.

There can be no question that, in the incurrent thinking of the general public, the Congress, and even the responsible officials of the National Defense Establishment, it is imperative to establish and maintain an adequate Reserve strength, both as to numbers and competency, for each of the armed services.

On the basis of past history and particularly in view of the unfortunate attitude of some responsible members of the armed services, it is considered highly unlikely that any plan for the creation of adequate Reserves will succeed unless the plans receive the consideration and dignity which would result from the appointment of Assistant Secretaries as contemplated in the proposed legislation.

Next is a bill to establish a committee for Reserve components within the Department of the Army and the Department of the Air Force.

This bill is for the purpose of creating a Reserve advisory committee to the Secretary of the Army, comparable to the Reserve committee of the Department of the Navy.

At present a committee authorized under section 5 of the National Defense Act, operates on the General Staff level. It is considered that the Reserves, who compose 98 percent of our forces in time of war should be represented on the policy level of the Secretary of the Army and to the Secretary of the Air Force.

Only by maintaining a Reserve force, available in time of war or national emergency, can our national security be insured.

Only by having available to the Secretary of the Army, and to the Secretary of the Air Force, the advice based upon the study and experience of mature Reserve officers, can an adequate Reserve program be prepared and executed.

This proposed legislation would make available this valued counsel.

Finally, there is a bill to establish a bureau of Reserve Affairs in the Department of the Army and the Department of the Air Force.

The purpose of this legislation is to create a bureau for Reserve Affairs similar to that of the National Guard Bureau.

This bill would provide an operating agency necessary for a sound Reserve program.

It is a matter of public knowledge that the Reserve program of the Army and Air Force are close to failure at this time.

By having an operating agency such as a Reserve Bureau, the Reserves can be made effective.

PERMISSION TO ADDRESS THE HOUSE

Mr. EVINS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee [Mr. EVINS]?

There was no objection.

[Mr. EVINS addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. GOLDEN asked and was given permission to extend his remarks in the Appendix of the RECORD and include an address delivered by Hon. Carroll Johnson, a former Member of the House.

Mr. PERKINS asked and was given permission to extend his remarks in the Appendix of the RECORD and include an editorial from the Washington Post of February 23.

Mr. BURDICK asked and was given permission to extend his remarks in the Appendix of the RECORD and include some figures on the profits of large corporations.

Mr. KEATING asked and was given permission to extend his remarks in the Appendix of the RECORD regarding a bill he is today introducing.

Mr. ARENDS asked and was given permission to extend his remarks in the Appendix of the RECORD.

Mr. MICHENER asked and was given permission to extend his remarks in the Appendix of the RECORD concerning Siena Heights College, an article by Jane I. Collins.

Mr. JENKINS asked and was given permission to extend his remarks in the Appendix of the RECORD and include an article written by one of his constituents.

HEART DISEASE

Mr. KEEFE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include a magazine article.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. KEEFE. Mr. Speaker, heart disease continues to be the No. 1 killer of our people. In hearings recently held before the Subcommittee on Appropriations dealing with appropriations for public health we conducted long hearings on the subject of funds to implement the National Heart Act. I know that due to the impetus given this subject by the passage of the National Heart Act in the Eightieth Congress and the campaign that is going on all over this country under the direction of the National Heart Association, the people of America are aroused to this great menace. One of the dangers is that many people will perhaps become morose and distracted on the subject, and many will worry over symptoms that do not always indicate serious heart involvement.

One of the best witnesses before our committee was Dr. Paul D. White, one of the founders of the National Heart Association, a professor of medicine at Harvard University, and a world-renowned authority on disease of the heart. Yesterday there appeared in the magazine section of the Sunday Star an article by Dr. Paul White entitled "Good News About Your Heart." I think this is one of the best articles that has been published. It should be read by every Member of Congress and every citizen of the United States. I hope you will read it. It will do you good to know that something is being done to thwart and stop this No. 1 killer of mankind.

The article referred to follows:

GOOD NEWS ABOUT YOUR HEART

IT MAY BE SOUNDER THAN YOU THINK, SAYS THIS WORLD-FAMOUS SPECIALIST—HERE HE EXPLODES SOME MYTHS THAT CAN CAUSE NEARLY AS MUCH AGONY AS HEART DISEASE ITSELF

(By Dr. Paul D. White, as told to John E. Pfeiffer)

There is no sure-fire symptom of heart disease. But try telling that to amateur experts—people who preserve old-fashioned notions and pass on these notions to worried friends as sage advice. A person may have pain in the chest, palpitation or shortness of breath—or even all three—and the chances are still heavily in his favor.

It would be foolishness to dodge the fact that heart disease accounts for more deaths in the United States than any other single cause. But that's no excuse for clinging to hair-raising myths which frequently produce the worst of all suffering—the agony of gnawing, unvoiced fear. Silly ideas about heart disease have worried thousands of persons. Men and women who were too frightened to visit their doctors have endured years of needless anguish—even died before their time.

Take the case of Joe Brown, a New England chicken farmer. At 3 o'clock one morning he turned off the alarm clock and dragged himself out of bed. He groped his way to the incubators and started turning the eggs over to make sure they'd be heated evenly on all sides. Then he noticed a pressing, slowly mounting pain in his chest, just behind the breastbone. The attack lasted half a minute or so, but Joe finished his chore and went back to bed.

An hour or two later the eggs had to be shifted again and Joe got up fearing a second spell. When nothing happened he heaved a sigh of relief and forgot about the incident. But a few weeks later he had another pain in the same place and a fortnight or so after that still another.

That worried look

Finally he came to my office with the worried look of a man who's convinced he has heart disease.

But there was nothing the matter with Brown's heart. A careful examination revealed that spasms of the esophagus, the 9-inch tube leading from the vocal cords to the stomach, were causing the pain in his chest. This sort of muscular cramp may come from any irritation of the nerves at the base of the neck—it can be caused by excessive smoking, indigestion, or even too much coffee, tea, or alcohol. In Brown's case it was simply overwork. After he hired a man to do the night work, the pain disappeared.

Such cases are familiar to all heart specialists. The idea that every pain in the chest means heart disease ignores the facts of everyday medical experience. Actually, in more than 8 out of 10 cases it's a sign of an entirely different illness, generally not a serious one.

Unfounded fears can conceivably hurt a patient more than his sickness. Shortness of breath is a good example: the odds are about nine to one that it's asthma, a lung ailment, or any one of a dozen other troubles rather than heart disease. One retired businessman went South during the winter and on one of his early morning walks, gradually found himself panting as if he'd just run half a block. When the shortness of breath continued, he visited a busy local physician who listened to his heartbeats and, since the sounds were unusually faint, quickly concluded he had a weak heart, prescribed digitalis.

Complete check-up

Now thoroughly scared, the patient did what he should have done in the first place—he had a complete medical check-up by his own doctor. It turned out that his shortness of breath was a result of bronchitis. Penicillin proved more helpful than digitalis.

The heart-murmuring myth is even more prevalent. A mother came into my office, leading her reluctant 8-year-old son. They had traveled more than a thousand miles because he had "noises in the heart." As things turned out, I didn't have to do anything for the child—he had a perfectly healthy heart. But the mother was a problem. I had to spend a good deal of time with her, so that the boy wouldn't develop a morbid fear of a heart disease he didn't have.

Palpitation, dizziness, faintness, swollen feet—these possible heart symptoms are more often than not signs of other ailments. In fact, we see many people who have nearly every possible symptom on the list, and they are almost always suffering from "anxiety neurosis." These patients are worried and high-strung. We don't yet know just what's wrong with them, but their heart muscles are all right.

Not that you should go to extremes and ignore the way you feel. It cannot be overemphasized that, although the odds are against it, any one of the symptoms mentioned above may be a sign of heart trouble. Any delay in going to a doctor and finding out is foolish, especially when you consider that the average car owner can't hear an unfamiliar wheeze in the motor without dashing to the nearest garage.

New techniques

Specialists have developed new techniques to help spot heart trouble. There's the ballistocardiograph, a "table" on which the patient lies and which is suspended so delicately that it recoils with the force of the heartbeat and spurt of blood through the arteries. This instrument provides a rough indication of the heart's output. A much more important device is the electrocardiograph, which picks up the tiny electrical currents that accompany heart action and represents the impulses as wavy lines on graph paper. Such records have to be interpreted carefully, and unusual patterns are not always signs of heart trouble. These and other recent techniques are never substitutes for a thorough examination, and are used only to supplement other evidence.

The three most prevalent causes of heart trouble are high blood pressure, rheumatic fever, and coronary artery disease. The last condition results from thickening of the wall of the heart arteries, and a characteristic symptom is angina pectoris, pain in the chest, coming as a result of effort. The pain may be confined to the breastbone region or radiate to one or both arms, usually the left arm.

It's an interesting fact that the heart muscle itself is not commonly injured directly. Angina pectoris and many other symptoms are caused by damage to the arteries that lead to the vital organ and its valves. The heart is probably the strongest muscle in the body. It has to beat 2,500,000,000 times during a 70-year lifetime and pump 5 to 10 tons of blood a day. No emotion, however intense, has ever broken a healthy heart—not even love.

Even when the heart does behave abnormally, it's not always dangerous. It used to be thought that an unusually slow pulse always indicated damage to the nervous or muscle fibers regulating the heart rate. But at the time he was breaking records in the mile run, Glenn Cunningham had a pulse in the low forties. And the Navy was doubtful about Leslie MacMitchell, New York University's star miler, because his heart beat only 38 times a minute. (He was later accepted after careful study.)

A rest cure

At the other extreme, a 50-year-old housewife had occasional attacks of tachycardia, a condition in which the heart may jump from a normal 70 to 160 beats a minute. She was so worried that, to hide her trouble from the rest of the family, she tried to keep on working. Result was that the attacks lasted 3 or 4 hours. When she finally saw her doctor, he told her to drink less coffee and lie down whenever spells came. The rest alone reduced the attacks to half an hour. Also, she had fewer of them and is in good shape today.

When unusual symptons actually mean major heart disease, however, the patient naturally has to modify some of his habits more radically, depending on what he's suffering from. He may have to smoke less or cut tobacco out entirely; cocktails now and

then are usually perfectly safe, but it's wise to reduce his alcohol intake if he's a heavy drinker.

The diet treatment

High-blood pressure is sometimes treated by low-salt diets and fewer calories; overeating should be avoided in the case of hypertension or diseases of the heart arteries. In all cases, a patient should lose weight if he's carrying extra poundage.

But the idea that a person has to stop all work, retire and die quietly is wrong. Moderate activity is just as necessary for a heart patient as it is for anyone else. It keeps the circulation active by maintaining good muscle tone throughout the body. Well-exercised legs, for example, help squeeze the blood back up through the veins to the heart and lungs. If we could keep the muscles and blood vessels functioning properly, heart disease might be less of a problem.

Another fallacy

The dread of climbing stairs is another fallacy that ought to be set straight once and for all. Actually, walking, not running, up stairs is usually good for the heart, as long as you don't place such a strain on it that failure might occur. Most people who have elevators installed in their homes to avoid the exertion are wasting their money. Often they would be smarter to go on fishing trips, take occasional hikes, and keep working at their jobs.

Golf is an ideal game for many heart patients, despite the scare publicity that tells all about the man who dropped dead the other day on the seventh fairway. Just as likely as not, he would have died 10 years earlier if he'd stayed at home in his easy chair.

How to invite trouble

What can a healthy person do to avoid heart disease? For one thing, a moderate amount of activity is always important. But that doesn't mean overdoing it. High-pressure businessmen and others who are always on the go are inviting trouble. The head of a large corporation once said that he paid his executives $100,000 a year to compensate for the fact that their jobs would probably kill them within 10 years. The same risk holds for anyone who works so hard that he neglects his health.

The man who plows through the week's work, eats heavily at lunch and dinner, and then expects to make up for the strain on his days off may very well be visiting a heart specialist sooner or later—and probably sooner. Relaxing isn't simply a matter for week ends, and the go-getter usually can't take it easy even then. He's likely to play golf the way he works, going around the course as if he had a $10 bet on every hole.

Most of us take our vacations at the wrong time. The traditional 2 weeks in the summer don't make much sense from a medical standpoint, because business naturally slackens during the hot weather and you need rest most when work loads are heavy. According to Mayo Clinic studies, deaths from heart failure are most frequent in December, January, and February in the North—and if you have only 2 weeks, the cold-weather months are the best time to get away from it all. Furthermore, it's better to take a few days off every now and then than to use up the entire 2 weeks or more in one trip.

When it comes to diet, the big problem in the United States is overeating. Many office workers develop bay windows because they eat as much as they used to when they played college football 20 or 30 years ago. There's accumulating evidence that extra weight injures the heart. It puts a greater strain on the circulation and is certainly bad for general health.

Fat can hurt you

What may actually initiate certain heart trouble is too much fat in the diet, whether it stays on the body or not. Fats may filter into the walls of the blood vessels and, after chemical break-down, form calcified deposits on the inside. Such deposits may not only lead to hardening of the arteries but actually narrow them to a point where important organs, including the heart, fail to obtain enough blood. One reason that women get less heart disease than men is possibly because their metabolism is different and retards the formation of deposits in the arteries.

But for a person who does develop heart trouble—and such conditions are often a matter of simple aging—the outlook is anything but hopeless. I'll never forget one patient who came to see me a few months after he'd had a coronary thrombosis, a clot in one of the arteries of the heart. He was 53 years old, and ran a silver-fox farm on Prince Edward Island off the coast of Canada. He fully expected to die within a year or two.

The only thing to do was to keep him under observation. We knew that a clot had blocked a branch of one of the arteries that nourished the heart muscles, cutting off the blood supply to a small portion of tissue. We hoped that the heart would establish a "collateral circulation" on its own—in other words, that the damned-up blood would find "space" blood vessels and thus detour the clotted artery and set up new supply lines.

A turkey every year

That's actually what happened, as it does in most cases, although we didn't understand the process so well in those days. The patient wanted to know whether he could go back and run his fox farm. I told him he might shorten his life if he didn't. Privately I thought he'd live 5 or 6 years if he followed my advice, and perhaps not so long if he stopped work completely. Before the patient left the hospital he shook hands and said: "Dr. White, I'm going to send you a turkey every year as long as I live." That was in 1924. I received turkeys from that man for 24 consecutive years.

Of course, many people with heart trouble don't live 20 years longer (or send me turkeys when they do). After all, heart disease often comes in the late 50's or 60's. But I have seen over 30,000 patients since I started treating heart disease in 1920, and such long-lived cases are far more common than they once were thought to be.

The road ahead

We've learned a good deal since then. For example, we used to think that the intense chest pains of angina pectoris meant a life expectancy of only about 4 years. Now we know that it's more than double that figure.

Research to discover more about the fundamental causes of heart disease is steadily increasing. It gives promise of leading in the next generation to the prevention of much of the heart disease which is still too prevalent among young and middle-aged persons.

THE LATE WILLIAM E. TATE

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, everyone who has had close contact with veterans' affairs and with the representatives of the veterans' organizations here in Washington was shocked and grieved on Thursday morning to learn of the sudden death of William E. Tate, the national director of claims for the Disabled American Veterans.

Those of us who have served as members of the Committee on Veterans' Affairs learned to depend upon Mr. Tate's wide knowledge of the veterans' problems, especially in the field of rehabilitation and compensation claims. Few men had a closer touch with the veteran suffering from service-connected disabilities. He knew without reference the complex regulations of the Veterans' Administration and in his frequent testimony before our committee his judgment was invariably called upon and accepted.

Thousands of veterans will mourn his passing, for he had given more than 30 years of his life in service to them. He was the national commander of the Disabled American Veterans in 1927 and served as assistant national adjutant of the organization for many years.

The Disabled American Veterans has been singularly unfortunate in the past few months in the loss of competent, able personnel. Only a few weeks ago the organization sustained a heavy blow in the passing of Dr. Clayton E. Wood, its national medical director, a veteran who, also, gave of the most of his life to service for disabled veterans. With the loss of Mr. Tate the Washington office of the DAV will carry on with other disabled veterans who give cheerfully of their strength and time to further the cause of those who sacrificed their health to preserve our country. Theirs is a real service.

The following information shows the many years of loyal active service given by William E. Tate for our disabled veterans:

WILLIAM E. TATE

Born in Mullens, S. C., in 1893. Was educated in the public schools and later was graduated from the School of Pharmacy, Furman University, Greenville, S. C.

Bill enlisted in the Medical Corps of the Army, Served for 1½ years during World War I. Shortly after discharge was hospitalized for disabilities incurred during his service for a period of some several years in Government hospitals in North Carolina.

During this period of hospitalization he became interested in the activities and program of the Disabled American Veterans and the American Legion. During his ambulant hours he devoted the greater part of his time to assisting his buddies in hospital cots in the preparation of their claims for Government benefits, in matters of insurance, vocational training and compensation. From this voluntary unselfish hobby, Bill Tate developed into one of the outstanding best-informed advocates for disabled veterans and their dependent benefits in our country.

His physical circumstances were such that his doctors had little hope of his surviving the early twenties. While on the other hand, the newly formed veterans groups in North Carolina called more and more on him.

He is one of the few veterans' leaders in the Nation who have served as State Commander of the DAV in two States, North Carolina and Georgia. Before attaining State leadership he had been an adjutant and commander of the largest American Legion Post in North Carolina and secretary of the first 40 and 8 organization in that State. While still a patient, in the hospital at Oteen, N. C., Bill represented his State at the national convention of the DAV held in Salt Lake City, where he won for himself the first platoon of what, down through the years, has developed

into an army division of disabled veteran friends and admirers. Shortly thereafter he moved to Atlanta and became the first national service officer of the DAV in the fifth district. He was the general chairman of the sixth annual national convention held in Atlanta, Ga., in 1926, and the following year the delegates in attendance at the national convention held in El Paso, Tex., elected him as the seventh national commander of the organization.

As national commander, Bill Tate demonstrated his devotion to the cause of the disabled man, not only with his natural ability but with an unselfish devotion that saved the organization from floundering into bankruptcy. As a chief executive of the Disabled American Veterans, he traveled much of his time at his own expense, was personally responsible for the financing of the national activities to the point that at the close of his year it carried the organization out of the red and into the black.

Bill Tate was one of the founders of the DAV service foundation and has served during its twenty-odd years of existence as a continuous officer and has been its president for the past some several years. After having received the highest honors a veterans' organization could bestow on him, he retired to the ranks of the organization and continued continuous and constant activities, having been called upon from time to time to again serve in various expert and executive capacities.

During one short period he left the active duties of the DAV to become an executive of the State of Georgia's Veterans' Welfare Department and was then drafted again to serve as a national service officer in Atlanta, Ga. Later he became assistant national adjutant at national headquarters in Cincinnati, where he served until his health made it necessary for him to retire for a short period of time, when he was again drafted to become an assistant to Millard W. Rice, in charge of the Washington office of the organization. With the reorganization of the Washington office by the Chicago national convention, Bill Tate became director of claims and has been more responsible than any other man in the development of the organization's outstanding service officer and claims division activity.

Bill was married to Mrs. Myrtle Baggett on March 5, 1930, in Atlanta, Ga.

COMMUNISM IN EUROPE

Mr. JENKINS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. JENKINS. Mr. Speaker, when the Herter committee visited Europe in the fall of 1947 we had occasion, of course, to give special study to communistic activities in the various countries over there. I visited most of the countries except those behind the iron curtain.

In Italy we met the man who is considered to be the most astute Communist leader operating outside of Russia. In my opinion, he must have graduated at the head of his class in the school in Moscow that gives training to persons wishing to become Communist leaders. I refer to Palmiro Togliatti.

A few days ago Maurice Thorez, who is head of the Communist movement in France, and Palmiro Togliatti, the head of the Communists in Italy, both declared that if it should develop that Russia should need any assistance from the Communists in France or Italy, Russia can depend upon the full support of all Communists in those two countries.

In other words, these two agents of Joe Stalin lay down the challenge to us and they want us to know what we can expect in case we get into trouble with Russia. And these two leaders no doubt have supervised the distribution of millions of dollars of relief money furnished by the United States while they have not had one dollar from Stalin for distribution. The American people do not like this situation. It is strange how the Communists can permeate our country and all the countries of the world while we have difficulty even in distributing our own relief in these countries dominated by Communists and in many countries not dominated by Communists such as France and Italy.

As a part of my remarks I include the following editorial on this subject:

A QUESTION FOR COMMUNISTS

Palmiro Togliatti, the Communist leader in Italy, now joins Maurice Thorez, his opposite number in France, in stating that in event of a war in which Soviet Russia was engaged it would be the duty of Italian Communists to aid the Soviet Army if it appeared on Italian soil. Both Communist leaders qualified the conditions under which they said loyal Communists should act—pursuit by the Red Army of an aggressor across the borders of their countries—but the connotation of their remarks is clear. It is that a Communist's first loyalty is to Moscow and not to his own country.

Now that the two leading Communist leaders in west Europe have spoken, it seems in order to address a question to the leaders of the Communist Party in the United States and in other countries. In the case of the American Communists the question might be put this way: What would be your attitude if Soviet Russia should charge Canada with aggression, land an army there and pursue Canadian forces across the border of the United States; would American Communists have the evident duty, as Signor Togliatti put it, of aiding in the most efficient way the Soviet Army? The event is, we hope, wildly improbable, but we have a right to know the answer.

What the purpose was of the French and Italian Communists leaders in making their statements at this time is not clear. Some cantonal elections are coming up in France and the Italian Communists have been called out to make a nation-wide demonstration today. The statements may have been intended as an incitement to militancy on the part of present party members. Surely they could not have been intended to persuade any non-Communists to join the party. The normal effect on the normal Frenchman or Italian would seem to be the opposite. It is doubtful even if the rank-and-file Communists in either France or Italy would like to see their countries occupied by the Red Army. And what aggressor are Thorez and Togliatti thinking of? A new Hitler in Germany or Marshal Tito?

Whatever the purpose of the statements, Frenchmen, Italians, and Americans who are loyal to their own governments, to their democratic ways of life, who prefer what they have to what they would get under Red Army occupation, should welcome this clear drawing of the lines. It neatly disposes of the theory that British Communists, say, could ever comprise His Majesty's Loyal Opposition, that American communism is only twentieth-century democracy. If this is not the proper interpretation of the remarks of M. Thorez and Signor Togliatti, then it would seem incumbent of the leaders of Communist Parties elsewhere to clarify the situation. In the absence of a forthright explanation, the assumption must be that the two European Communists have stated the clear intent of Communists averywhere.

EXTENSION OF REMARKS

Mr. REED of New York asked and was given permission to extend his remarks in three instances in the Appendix of the RECORD and include extraneous matter.

Mr. D'EWART asked and was given permission to extend his remarks in the RECORD and include two memorials adopted by the State Legislature of Montana and an article of his own regarding rural electrification.

Mr. BYRNES of Wisconsin asked and was given permission to extend his remarks in the Appendix of the RECORD in two instances, in one to include a resolution passed by the Board of Supervisors of Outagamie County, Wis., and in the other to include a progress report on the cooperative sea lamprey investigation on the Great Lakes prepared by Dr. John Van Costen, chairman, Great Lakes Sea Lamprey Committee.

Mr. REES asked and was given permission to extend his remarks in the Appendix of the RECORD and include a newspaper article.

Mr. SMITH of Wisconsin asked and was given permission to extend his remarks in the Appendix of the RECORD in two instances and include extraneous matter.

Mr. GROSS asked and was given permission to extend his remarks in the Appendix of the RECORD and include an article upon farm support prices.

Mr. HOEVEN asked and was given permission to extend his remarks in the RECORD and to include a statement by a prominent constituent in his congressional district.

Mr. MILLER of Nebraska asked and was given permission to extend his remarks in the Appendix of the RECORD on socialized medicine and also to extend his remarks in the Appendix of the RECORD and include an article on the progress of health insurance in England.

Mr. DAVIS of Wisconsin asked and was given permission to extend his remarks in the Appendix of the RECORD in two instances, in one to include an editorial and in the other a letter.

Mr. SANBORN asked and was given permission to extend his remarks in the Appendix of the RECORD and include a memorial from the Legislature of the State of Idaho.

Mr. DAVIS of Georgia asked and was given permission to extend his remarks in the RECORD and include a letter.

PRESIDENT TRUMAN'S STATEMENT AS REPORTED UNBECOMING TO THE DIGNITY OF THE OFFICE OF PRESIDENT

Mr. REES. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. REES. Mr. Speaker, it is regrettable that the President saw fit to utter

the statement he is reported to have made at a public gathering on Tuesday evening.

Regardless of his reasons for being irked, and irrespective of the individual involved, it is unbecoming and beneath the dignity of the office of the President of the United States to use such language. The least the President should do is to make an apology to the people for having permitted himself to give vent to the statement charged to him.

I had hoped that on his Nation-wide hook-up Thursday night he would make such apology, but no such statement was forthcoming. Mr. Truman still has an opportunity to make a public expression of regret. Not to do so is a reflection upon the highest office in our land. The stigma attached to his statement should be removed.

EXTENSION OF REMARKS

Mr. COX asked and was given permission to extend his remarks in the RECORD.

Mr. PATMAN asked and was given permission to extend his remarks in the RECORD.

Mr. HART asked and was given permission to extend his remarks in the RECORD and include an address by the Attorney General.

COMMITTEE ON THE JUDICIARY

Mr. McMILLAN of South Carolina. Mr. Speaker, I ask unanimous consent that the subcommittee of the Committee on the Judiciary on matters relating to the District of Columbia be permitted to sit this afternoon during general debate.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

RELIGIOUS FREEDOM

Mr. CHESNEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and include extraneous material.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. CHESNEY. Mr. Speaker, religious freedom—you may worship your own God—are these rights being eliminated from the face of this earth? Are we going back to the dark ages of religious persecution? What is occurring in this modern century makes me wonder. The list of suppression of religious freedom is growing from day to day. Where will it stop?

The bigoted heads of communism have attacked the Protestant, Catholic, and Jew. The present slogan of the Communists is to purge, and to continue to purge, until the last minister, priest, and rabbi is imprisoned or exterminated.

This brutal attack upon Cardinal Mindszenty, Bishop Ordass, and the Protestant clergyman in Bulgaria is an unerasable blot upon humanity. These unjust and imposed trials are not exceptional instances, it is not only in Hungary, Yugoslavia, Poland, and Bulgaria that the Communist form of justice is intended for—others will follow. The present situation is even more menacing than the worst of our past ordeals.

It is foolish to dream of progress and peace for the world when a dark shadow overcasts the international horizon. The trouble is that in our lifetime everything that came to be an appalling reality seemed a hoax and a fable only shortly before it came to pass. It is only natural that human minds assess the future in terms of past experiences. They fail to see even the present. Thus by sheer force of habit we have pretended to see things as they were and not as they are.

This attack upon religious freedom is a warning to every American to protect his moral and spiritual values. May we stand firmly and rebuke the encroachment of our freedom—and above all guaranties of religious worship.

VETERANS' PENSION BILL

Mr. SABATH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. SABATH. Mr. Speaker, within the last few days I have received many communications from Members inquiring when hearings on the so-called Rankin veterans' pension bill will be held. I wish to announce now that the Committee on Rules will start holding hearings on that bill this coming Wednesday. I have been unable to answer all the inquiries that have come in by mail, so I take this opportunity to make the announcement in order that the Members will be informed.

COMMUNISM WINNING ITS "COLD WAR" HERE IN WASHINGTON

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks and include excerpts from speeches I made in the past.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RANKIN. Mr. Speaker, communism may be losing the "cold war" in Europe, but it seems to be winning its "cold war" here in Washington, especially against the white people of the District of Columbia.

Beginning with the nauseating spectacle of a mixed dance of whites and Negroes at the so-called Inaugural Ball, the Reds have moved on to other conquests.

Just a few days ago Mr. Julius A. Krug, head of the Department of the Interior, capitulated to their demands and issued an order driving the white children from the tennis courts in the public parks of the District of Columbia.

He called it wiping out segregation, but he, and everyone else, knows that it simply meant driving the white children out of the 18 tennis courts they have been using, and turning them over to the Negroes.

Stalin must have smiled behind his mustache when he read of that communistic order.

Again this morning we are told by the press that Secretary of Labor Maurice J. Tobin has taken another lengthy step along the communistic line with a recommendation advocating the passage of the infamous FEPC bill which Joe Stalin fathered in 1920.

I wonder what the next step is going to be.

What nonsense it is to pour American money by the billions, and tens of billions into the sinkholes of Europe, Asia, Africa and Israel under the pretense of fighting communism abroad, and then permit these communistic drives against the white people of America including the white children of the District of Columbia, right under our very noses.

The truth is, this whole alleged civil-rights program is simply a communistic movement to destroy the white man's civilization, to wreck this country, and to drag America down into the mire of race amalgamation, financial bankruptcy, and internal chaos.

God save our country from such a fate.

Remember that this FEPC monstrosity was set up by Executive order, and when it was exposed on the floor of the House, the Congress killed it as dead as a door nail by refusing to appropriate money to continue its vicious persecution of the white businessmen of America.

I participated in that debate, and read into the RECORD a list of individuals that composed this economic gestapo.

Under permission granted me to extend my remarks in the RECORD, I am going to insert that speech, together with the names of the parties selected to operate this communistic outfit, which I hope every Member of Congress will take the time to study carefully.

The matter referred to reads as follows:

Mr. RANKIN. Mr. Chairman, the passage of a law at this time legalizing this so-called FEPC would be a betrayal of the white people of the country. If every individual in the United States could understand just what it means, there would be such a roar of protest coming from every State in this Union that it would never see the light of day.

If every Member of Congress would screw his courage to the sticking place and vote his convictions on this so-called FEPC, it would not get 50 votes out of the entire membership of 435.

It is a most dangerous and brazen attempt to fasten upon the white people of America the worst system of control by alien or minority racial groups that has been known since the crucifixion.

When I read the names of the personnel of this outfit you will understand what I mean.

To sanctify this organization by law would give the lie to everything we have told our American boys they were fighting for. Instead of coming back to liberty, freedom, and democracy, they would find themselves sold into this bondage, herded, humiliated, and regimented by alien influences directed by a foreign comintern representing the deadly doctrine of Karl Marx that is based upon hatred for Christianity and for everything that is based on Christian principles.

It is a manifestation in legislative form of that infidelity that has closed thousands of Christian churches in Europe and has been

responsible for the murder of untold millions of Christian human beings.

This measure is not directed altogether at the white people of the South. If it were, you folks in the North would not have so much ground for alarm. We in the South know how to combat subversive elements. As Henry Grady once said, we wrested the South from such domination "when Federal drum beats rolled nearer and Federal bayonets hedged closer to the ballot box of the South than it ever will again in this Republic."

But you people in the North have not had that training, and this FEPC is likely to bring grief, strife, hatred, race riots, and chaos in your northern cities if this vicious agency is perpetuated and sanctioned by your votes.

Do not forget that the returning servicemen know what this thing means, and they are going to call you to account next year—beginning with the primary. They are not going to wait until the general election.

Do not forget that every businessman, every farmer, every professional man, and every other independent individual whose blood glows with the instinct of American liberty, is going to join these men, and those other patriotic forces that are fighting to save American institutions for which these boys have been fighting and dying upon every battlefield in the world.

If every man and every woman in the United States could just read the list of individuals that compose the personnel of this crazy FEPC, and its subdivisions throughout the country, I dare say there would not be enough of you left who vote for it, even if nominated in the primaries next year, to form a corporal's guard.

For your information, and for the information of the American people generally, I am going to read you the official personnel as it exists today. Remember, this list is taken from the official record. This is the group that wants to nose into and control every business in the United States. Remember, they can search the files and records of every business establishment in America where some disgruntled individual is willing to trump up a charge of discrimination. They can drag them all over the country and try them, and in that way destroy any ordinary business concern.

The next thing they are going to try to do is get control of your schools and force their communistic henchmen into the schools and teach your children their subversive doctrines.

Read these lists carefully, which, as I said, are taken from the official records here in Washington, and you will see that not 1 out of 10 on these rolls is a white gentile American.

Here is the official list:

Committee on Fair Employment Practice, Washington, D. C., Office of the Chairman

Incumbent	Title	Race	Salary
Ross, Malcolm	Chairman	White	$8,000
Johnson, George M.	Deputy Chairman.	Colored	8,000
Hubbard, Maceo	Hearings examiner.	do	5,600
Bloch, Emanuel	do	White	5,600
Copper, Evelyn	do	do	5,600
Berking, Max	Assistant to Chairman.	do	3,800
Alexander, Dorothy	Secretary to Chairman.	Colored	2,600
Clifton, J. Jeanne	Secretary to Deputy.	do	2,000
Brooks, Mary	Clerk-stenographer.	do	1,800
Banting, Myra	do	White	1,800

You will note that in this office of the chairman, consisting of 10 people, there are 5 Negroes and 5 white people, most of whom have foreign names. One of the whites is a stenographer who receives the smallest salary of anyone on the list.

Remember that the members of this group preside over the destiny of every business enterprise in America, and are using their assumed powers to harass white Americans out of business.

This is the organization Members of Congress are being asked to perpetuate by the passage of this bill.

FIELD OPERATIONS

Here is the Division of Field Operations:

Field operations

Incumbent	Title	Race	Salary
Maslow, Will	Chief	White	$6,500
Mitchell, Clarence	Principal fair-practice examiner.	Colored	5,600
Davidson, Eugene	do	do	5,600
Beall, W. Hayes	Senior fair-practice examiner.	White	4,600
Mercer, Inez	Fair-practice examiner.	do	3,800
Rogers, Eleanor	Clerk-stenographer.	Colored	1,800
Saito, Otome	do	Japanese-American.	1,800
Thompson, Mildred	do	Colored	1,800
Cornick, Emma	do	do	1,620

You will note that it consists of nine people—five Negroes, one Japanese, and three others—two of whom have records of affiliations with Communist-front organizations, according to the reports of the Dies committee.

Imagine this group going about over the country riding herd on the white American businessmen of the Nation, telling them whom they shall employ, whom they shall promote, and with whom they may associate.

It would be interesting, and probably enlightening, to check up on these people and see how many of them are native-born Americans.

Members of Congress had better do this now, before they get caught in this trap, because this question of un-American activities is going to be an issue in every congressional district next year, beginning with the primaries.

The people are not going to wait until the general election for someone who holds a commission as a result of the pernicious activities of Sidney Hillman and his gang to wrap the party cloak about him and shout to the people of his district that "I am a Republican" or "I am a Democrat."

More than 2,000,000 young men have already been discharged in this war, and they are organizing now to try to save America for Americans. They are going to read your records, and they are likely to ask you some very embarrassing questions when you get home.

REVIEW AND ANALYSIS DIVISION

Now look at this list and see who reviews all these records of racial discrimination when they come to Washington, and you will understand how the editor of the Dallas News felt and how other white gentiles feel, including Cecil B. DeMille, the great American movie producer, when they are harassed out of business.

Here is the list:

Review and Analysis Division

Incumbent	Title	Race	Salary
Davis, John A	Chief	Colored	$5,600
Lawson, Marjorie	Research analyst.	do	3,800

Review and Analysis Division—Continued

Incumbent	Title	Race	Salary
Golightly, Cornelius	Compliance analyst.	Colored	$3,200
Hemphill, India	do	do	2,600
Coan, Carol	do	White	2,600
Davis, Joy P	do	Colored	2,600
Hoffman, Celia	Clerk-stenographer.	White	1,800
Spaulding, Joan	do	Colored	1,800

You will note that it consists of six Negroes and two white people, one of whom is named Carol Coan and the other Celia Hoffman, a white stenographer receiving the lowest salary on the list.

Now, if you sign the petition to bring out this bill or vote for this monstrosity, do not forget that when you get home those white American businessmen who help to sustain this Nation in time of peace and whose sons are fighting its battles in time of war are going to want to ask you some questions that you may not be able to answer.

LEGAL DIVISION

But if you want a real laugh, look at this legal division.

Legal Division

Incumbent	Title	Race	Salary
Reeves, Frank D	Attorney	Colored	$4,600
Stickgold, Simon	do	White	4,600
Gordon, Jernevive	Clerk-stenographer.	Colored	1,800

You will note that this so-called Legal Division consists of two Negroes and a Simon Stickgold.

INFORMATION DIVISION

Now we come to the Information Division. If you want information about this outfit, write to this Division:

Information Division

Incumbent	Title	Race	Salary
Bourne, St. Clair	Information specialist.	Colored	$3,800
Whiting, Margaret	Clerk-stenographer.	do	1,800

You will note that it consists of two Negroes, one registered as an information specialist and the other as a clerk-stenographer.

BUDGET AND ADMINISTRATION

Now we come to the Budget and Administration Division. This Division not only makes up the budget but administers the regulations. Here is the list:

Budget and Administration

Incumbent	Title	Race	Salary
Jones, Theodore	Chief	Colored	$5,600
Jeter, Sinclair	Assistant administrative officer.	do	3,200
Baker, Vivian D	Clerk-stenographer.	do	2,000
Jackson, Bosales A	Clerk-typist	do	1,620
Paynter, Minnie A	do	do	1,620
Hollomon, Irving	Clerk	do	1,440
Selby, Ralph R	Chief, fiscal	do	2,600
Ross, Sylvia B	Voucher auditor	do	2,000
Nelson, Otelia	Accounting clerk	do	1,620
Carpenter, Elizabeth.	do	do	1,620
Brent, Pearl T	do	do	1,620

This outfit, which is composed of 11 Negroes, and no whites at all, not only makes

up the budget for financing this aggregation, but it seems to have the power of administration. I hope you will read this list to your white businessmen, farmers, and ex-servicemen at home when you get back and ask for renomination in the primaries next year.

MAIL AND FILES DIVISION

Now, here are the ones that have control of the mails and filing system:

Mail and Files

Incumbent	Title	Race	Salary
Douglas, Lela	Chief, Mail and Files.	Colored	$2,000
Welch, Selena	Docket clerk	do	1,800
Gamble, Jessie	File clerk	do	1,620
Phillips, Rose	do	do	1,440
Reed, Charles	Messenger	do	1,380
Mitchell, Regina	File clerk	do	1,440

You will note that this Division is composed entirely of Negroes—six Negroes, and no whites at all. I wonder why they discriminated against the white race in setting up these two powerful branches of this most dangerous agency?

REGIONAL OFFICE, NEW YORK

Now, let us turn to the regional offices and see who is going to harass the business people back in the States. Here is the list for the State of New York:

Regional office, New York

Incumbent	Title	Race	Salary
Lawson, Edward H.	Regional director.	Colored	$5,600
Jones, Madison S.	Fair-practice examiner.	do	3,800
Jones, Robert G.	do	do	3,800
Donovan, Daniel R.	do	White	3,800
Irish, Miriam	Clerk-stenographer.	Colored	2,000
Asepha, Tillie	do	White	1,620
Schwartz, Sonia	do	do	1,620

This is the list that is going to help Governor Dewey harass the white American businessmen of the Empire State. You will note that it is composed of four Negroes and three white people. Please read the names of the three white people and see if you can figure out their antecedents.

Businessmen of New York are going to have a hard time after this war without having all this communistic conglomeration to deal with, to say nothing of the one which Governor Dewey and his political henchmen have now heaped upon them.

REGIONAL OFFICE, PHILADELPHIA

Now, let us turn to Philadelpia, the birthplace of the Constitution—the City of Brotherly Love. At the risk of causing glorious old Benjamin Franklin to turn over in his grave, I read you the list:

Regional office, Philadelphia

Incumbent	Title	Race	Salary
Fleming, G. James	Regional director.	Colored	$5,600
Greenblatt, Mildred.	Fair-practice examiner.	White	3,800
Manly, Milo A	do	Colored	3,800
Risk, Samuel R	do	White	3,800
Grinnage, Willard	do	Colored	3,200
Gorgas, Helen	Clerk-stenographer.	do	1,800
Klinger, Karyl	do	White	1,800
Brown, Grayce	do	Colored	1,440

You will note that it is composed of eight individuals—five Negroes and three whites, Mildred Greenblatt, Samuel R. Risk, and Karyl Klinger.

Don't you know there will be some brotherly love when that crowd gets going on the businessmen of the Philadelphia area?

REGIONAL OFFICE, WASHINGTON, D. C.

Now, here is the regional office in Washington, D. C., the National Capital, where there has been so much persecution of white gentiles in the last few years. Here is the list:

Regional office, Washington, D. C.

Incumbent	Title	Race	Salary
Evans, Joseph	Regional director.	Colored	$5,600
Houston, Theophilus.	Fair-practice examiner.	do	3,200
Kahn, Alice	do	White	2,600
Chisolm, Ruby	Clerk-stenographer.	Colored	1,800
Urback, Dorothy	do	do	1,620

You will note it consists of four Negroes and Alice Kahn. Just what chance a white gentile will have with this group is entirely problematical, to say the least of it.

REGIONAL OFFICE, CLEVELAND

Now, let us move out where the West begins and take a look. Here is the list in the Cleveland regional office:

Regional office, Cleveland

Incumbent	Title	Race	Salary
McKnight, William.	Regional director.	Colored	$4,600
Abbott, Olcott R.	Fair-practice examiner.	White	3,800
Glore, Lethia	do	Colored	3,200
Kelley, Berniza	Clerk-stenographer.	do	1,620
Wasem, Edna	do	White	1,800

You will note that this group is composed of three Negroes and two whites, Olcott R. Abbott and Edna Wasem.

"Don't you know the white people of Cleveland will enjoy being dominated by them?"

CINCINNATI REGIONAL OFFICE

Cincinnati seems to be largely under the jurisdiction of the Cleveland office since it only has two people:

Cincinnati

Incumbent	Title	Race	Salary
James, Harold	Fair-practice examiner.	White	$4,600
----------	Clerk-stenographer.	----------	1,800

DETROIT REGIONAL OFFICE

Now let us move on to Detroit, Mich. Here is the regional office for Detroit:

Detroit

Incumbent	Title	Race	Salary
Swan, Edward	Examiner in charge.	Colored	$4,600
Sese, Doris K	Clerk-stenographer.	Japanese-American.	1,620

You will note that it is composed of one Negro and one Japanese. I know the businessmen of Detroit are grateful for this consideration.

I should like to hear some of the comments they will make to you gentlemen from Detroit when you get home next summer, if you support this vicious measure.

REGIONAL OFFICE, CHICAGO

Here is a list of the regional office in the Windy City:

Regional office, Chicago

Incumbent	Title	Race	Salary
Henderson, Elner	Regional director.	Colored	$5,600
Gibson, Harry H. C.	Fair-practice examiner.	do	3,800
Schultz, Joy	do	White	3,800
Williams, Le Roy	do	Colored	3,200
Zeidman, Penny	Clerk-stenographer.	White	1,800
Ingram, Marguerite S.	do	Colored	1,620

You will note it is composed of four Negroes, Joy Shultz, and Penny Zeidman. I am told that a representative of this group went into the office of Swift & Co. and asked how many Negro members they had on their board of directors. The answer was, "We have no Negro members on our board of directors." Then the question came back, "Why haven't you?" This just shows what this supergovernmental set-up is driving at. They want to communize America and destroy everything which our glorious ancestors have left us and for which our boys are now fighting and dying all over the world.

REGIONAL OFFICE, ATLANTA

Here is a list of the Atlanta office:

Regional office, Atlanta

Incumbent	Title	Race	Salary
Dodge, Witherspoon.	Regional director.	White	$4,600
Hope, John	Fair-practice examiner.	Colored	3,800
McKay, George D.	do	White	3,200
Chubb, Sally	Clerk-stenographer.	do	2,000
Ingram, Thelma	do	Colored	1,800

You will note that it consists of two Negroes and three whites; the most important post in this office, that of examiner, is held by a Negro. I wonder how the people of Georgia enjoy the domination of this group. I may have more to say about them later.

REGIONAL OFFICE, KANSAS CITY

Here is the list of the Kansas City office:

Regional office, Kansas City

Incumbent	Title	Race	Salary
Hoglund, Roy A	Regional director.	White	$5,600
Ormabee, Eugene	Fair-practice examiner.	do	3,800
Jones, Mildred	Clerk-stenographer.	Colored	1,620
Schlien, Helene G.	do	White	1,620

You will note that this office force consists of three whites and one Negro. You can read the list of whites yourself and then judge how many of them really represent the people of that area.

ST. LOUIS REGIONAL OFFICE

Here is the list of the regional office at St. Louis:

St. Louis

Incumbent	Title	Race	Salary
Theodore Brown	Examiner in charge.	Colored	$3,800
Morris Levine	Examiner	White	3,200
Armatha Jackson	Clerk-stenographer.	Colored	1,620

You will notice that it consists of two Negroes and Morris Levine. Just how they came to select these particular individuals to preside over the destiny of the white businessmen of the great State of Missouri I cannot understand.

REGIONAL OFFICE, DALLAS, TEX.

The members of the regional office at Dallas are as follows:

Regional office, Dallas

Incumbent	Title	Race	Salary
Castenada, Carlos	Regional director.	White	$4,600
(Vacancy)	Fair-practice examiner.		3,200
Gutleben, Willetta	Clerk-stenographer.	White	1,800

You will note there is one vacancy. Last year that position was held by a Negro, namely, Roy V. Williams. The other two members, Carlos Castenada, the regional director, and Willetta Gutleben, seem to be in charge of the office at the present time. This is the regional office that attacked the Dallas News last year for carrying an advertisement for a Negro janitor. This fellow Castenada, the director, held the same position that he holds now. If this set-up is made permanent, then I presume the rest of the white American businessmen in Texas may expect to be harassed just as the Dallas News was.

REGIONAL OFFICE, NEW ORLEANS

The regional office at New Orleans consists of the following members:

Regional office, New Orleans

Incumbent	Title	Race	Salary
Ellinger, W. Don	Regional director.	White	$3,800
Morton, James H	Fair-practice examiner.	Colored	3,200
Ronning, Evelyn	Clerk-stenographer.	White	1,800

You will note that there are two whites and one Negro in this office. As the Negro is the fair-practice examiner, just what the decent people of Louisiana may expect at the hands of this outfit is something to contemplate.

REGIONAL OFFICE, SAN FRANCISCO

The San Francisco office consists of the following individuals:

Regional office, San Francisco

Incumbent	Title	Race	Salary
Kingman, Harry L	Regional director.	White	$5,600
Rutledge, Edward	Fair-practice examiner.	do	4,600
Ross, Bernard	do	do	3,800
Seymour, Virginia	Administrative assistant.	do	2,000
Marzen, Jewel	Clerk-stenographer.	do	1,800

This is the only office we have found yet that consists entirely of white (?) people. Just what the background of each one of them is, I am unable to say.

LOS ANGELES REGIONAL OFFICE

The Los Angeles regional office consists of the following:

Los Angeles

Incumbent	Title	Race	Salary
Hunt, A. Bruce	Hearings examiner.	White	$5,600

Los Angeles—Continued

Incumbent	Title	Race	Salary
Brown, Robert E	Fair-practice examiner.	Colored	$3,600
Lopez, Ignacio	do	White	3,800
Vetter, Vera G	Clerk-stenographer.	do	1,800
Lerna, Marie	do	do	1,620

You will note that there are four whites and one Negro in this office, the Negro being the fair-practice examiner. I do not know what consideration the white businessmen of Los Angeles are receiving at the hands of this group, but from what I can hear there is considerable gnashing of teeth over the situation.

Mr. Chairman, this FEPC is a supergovernment of commissars, with more power for evil than any other agency that has ever been created in this country. If Congress should ratify it and make it the law of the land, then we will have sacrificed and destroyed that sacred freedom for which our brave men are now fighting and dying on every battle front in the world.

We have no right to pass such a drastic, revolutionary measure that literally changes our way of life, as well as our form of government, while these boys are away from home in uniform, fighting to sustain American institutions.

As I said before, we are going to carry this battle against such un-American activities into every congressional district in the United States next year, in the primary, so that no one can crawl behind the party cloak and claim immunity at the hands of any segment of our people.

This is a battle for the survival of free constitutional government, for the survival of the American way of life, for the survival of free enterprise, for the survival of American liberty itself.

It is a battle to save America for Americans.

EXTENSION OF REMARKS

Mr. ALLEN of Illinois asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. WOODRUFF asked and was given permission to extend his remarks in the RECORD in two instances and include in one an editorial and in the other an article.

Mr. HOFFMAN of Michigan asked and was given permission to extend his remarks in the RECORD on two subjects and include extraneous matter.

Mr. BATTLE asked and was given permission to extend his remarks in the RECORD and include an editorial and some other information on the Atlantic Pact.

Mr. MANSFIELD asked and was given permission to extend his remarks in the RECORD.

PANAMA CANAL

Mr. LYLE. Mr. Speaker, I call up House Resolution 44 and ask for its immediate consideration.

The Clerk read the resolution as follows:

Whereas it is the responsibility of the Congress of the United States to establish the policy to be followed in prescribing the tolls that shall be levied for the use of the Panama Canal; and

Whereas there have been substantial changes in economic conditions since Congress last established such policy, including the effect of such tolls upon American shipping: Therefore be it

Resolved, That the Committee on Merchant Marine and Fisheries or any duly authorized subcommittee thereof is authorized to make a full and complete study and analysis of the financial operation of the Panama Canal with particular reference to the proper accounting and allocation of costs attributable to—

(a) the transit of the Canal by commercial, governmental, and military vessels of United States and foreign nations;

(b) military activities of the United States in and connected with the Canal Zone;

(c) United States civil government, including, but not limited, to sanitation, public schools, playgrounds, hospitals, and so forth;

(d) business operations conducted under the supervision of the Governor General of the Panama Canal by the various business units of the Panama Canal and Panama Railroad Company;

and to recommend to the Congress concerning what elements of cost should be properly used in the future as the basis of a policy to be followed in establishing and levying tolls for the use of the Panama Canal for transit purposes.

The committee shall report its findings, together with its recommendations for such legislation as it may deem advisable to the House at the earliest practicable date, but not later than June 30, 1949.

The committee or any subcommittee thereof is authorized to sit and act at such times and places within or without the United States whether the Congress is in session, has recessed, or is adjourned; to hold such hearings as it deems necessary; to employ such consultants, specialists, clerks, or other assistants; to travel and authorize its assistants to travel; to utilize such transportation, housing, or other facilities as any governmental agency may make available; to require by subpena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents; to administer such oaths; to take such testimony; and to make such expenditures as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per 100 words. The expenses of the committee, which shall not exceed $15,000, shall be paid from the contingent fund of the House upon vouchers authorized by the committee, signed by the chairman thereof, and approved by the Committee on House Administration; and be it further

Resolved, That the President of the United States be, and hereby is, requested to defer until after submission of the committee's report any change in tolls currently levied for the use of the Panama Canal.

Mr. LYLE. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. ALLEN] and yield myself such time as I may consume.

Mr. RANKIN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RANKIN. How much general debate will there be on the bill after the rule is adopted?

The SPEAKER. This is not a bill, this is a resolution. There will be 1 hour of debate.

Mr. RANKIN. Will the resolution be subject to amendment?

The SPEAKER. Not unless the gentleman from Texas yields for that purpose.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. LYLE. I yield for a question.

Mr. RANKIN. I have a bill pending to abolish the Canal tolls for coastwise trade. No foreign country can engage in our coastwise trade. The American people paid for this Canal, and are keeping it up. I think they ought to be permitted to use it without being put on the same footing as foreign countries, which have nothing invested in it.

Our people should be permitted to use our own Panama Canal without having to pay tolls.

Mr. BLAND. Mr. Speaker, will the gentleman yield?

Mr. LYLE. I yield.

Mr. BLAND. It would appear that the gentleman has shown the reason for this resolution which we are now considering. That is one of the things that will be taken into consideration by the committee.

Mr. RANKIN. Mr. Speaker, if the gentleman will yield, I was not criticizing the committee, I will say to my distinguished friend the gentleman from Virginia. I was just asking for information.

Mr. BLAND. The gentleman from Virginia is not sensitive as to that at all.

Mr. LYLE. Mr. Speaker, perhaps it will be helpful to the House if I explain briefly the resolution before us.

In March 1949, pursuant to, as and authorized by, section 411, title 2 of the Canal Zone Code, the President issued a proclamation which would have effected changes in the toll rates levied by the Government of the United States for use of the Panama Canal. Those changes would have become effective October 1, 1948—Proclamation No. 2775 of March 26, 1948. In September 1948, the President by further proclamation prescribed that such changes in the toll rates would not be made effective until April 1, 1949, thereby permitting the Congress to investigate and make recommendations concerning the entire question of operations at the Canal. I quote the pertinent sections of the latter proclamation:

> Whereas it now appears that the Congress may be called upon to give consideration to the entire question of the cost of operation of the Panama Canal and the tolls to be levied for the use thereof; and
>
> Whereas it appears consistent with the public interest to postpone the effective date of the said Proclamation No. 2775 until April 1, 1949, so as to permit continuance of the present tolls until the Congress shall have had opportunity for such consideration.

Following these proclamations the Chairman of the Committee on Merchant Marine and Fisheries introduced House Resolution 44. The committee was of the opinion that the subject matter was of such importance, involving as it does a national policy on the operation of and tolls to be charged for use of the Panama Canal, that the House should have complete and up-to-date information before any changes were made. This resolution permits the Committee on Merchant Marine and Fisheries, or any duly authorized subcommittee thereof, to make a full and complete study and analysis of the financial operation of the Panama Canal. It grants them the power to request by subpena or otherwise the attendance of such witnesses and documents as are required. The entire purpose of the resolution is to provide helpful and factual informaton in a report to the House so that we may approve a general policy for the operation of the Panama Canal that is consistent with good management.

I thought it particularly timely that this resolution should come before the Congress. A very interesting article appeared February 19, 1949, in the Saturday Evening Post, prepared by Ernest O. Hauser and entitled "Richest Ditch on Earth." It was a story of the Suez Canal. I commend it to you for study and thought. Perhaps, even, it will be useful to the committee or subcommittee making the investigation authorized by the resolution. I was rather startled to realize how little I, as a United States Representative, knew about the operation of the Panama Canal, a canal that has played such a vital part in the development of our country and which looms so important in the future. I am sure that the committee report will be useful and will result in helpful changes.

Mr. CAVALCANTE. Mr. Speaker, will the gentleman yield?

Mr. LYLE. I am pleased to yield to the gentleman.

Mr. CAVALCANTE. Will the committee, in submitting their information to the Congress, include therein, for the purpose of our guidance here, any information that is obtained pertaining to the Suez Canal, as to what tolls are charged at that canal, and the way it is managed when our shipping wants to go through the Suez Canal?

Mr. LYLE. While I am not a member of the Committee on Merchant Marine and Fisheries, as the gentleman knows, I am sure that the committee will bring to the House a helpful and full and useful report.

Mr. BLAND. Mr. Speaker, will the gentleman yield?

Mr. LYLE. I yield.

Mr. BLAND. While I do not know that I will head up the subcommittee, I have no doubt that every fact that is connected with the imposition of tolls will be brought to the attention of the House, and certainly any matter which any Members of the House desires to bring before the committee will be considered by the committee.

Mr. LYLE. I am sure that the gentleman and his committee will bring in, as I said, a useful and helpful report which will enable the House to make an intelligent decision on this important matter.

Mr. BLAND. Mr. Speaker, will the gentleman yield?

Mr. LYLE. I yield.

Mr. BLAND. May I say that the committee has had jurisdiction of the Panama Canal since 1935. At that time the jurisdiction of the Panama Canal was transferred to the Committee on Merchant Marine and Fisheries by action of the House, after an agreement that had been worked out between the Speaker of the House, who was then chairman of the Committee on Interstate and Foreign Commerce, and myself as chairman of the Committee on Merchant Marine and Fisheries.

The committee, as such, has not made any study of the Panama Canal tolls, because at that time, as will appear from the first order of the President, a law had been passed fixing the tolls. I have been trying to find out if there was any investigation made by the committee. I do not think so. I certainly doubt whether the question of tolls was gone into very carefully by the Committee on Interstate and Foreign Commerce, of which our distinguished Speaker was then chairman.

We want to go into all of these matters and determine them finally.

Mr. COX. Mr. Speaker, will the gentleman yield?

Mr. LYLE. I yield to the gentleman from Georgia.

Mr. COX. The high character and general standing and patriotism of the chairman of the committee that would do this job ought to be enough insurance that it will be well done. I understand that there is not any opposition whatever to the resolution. If there be none, why can we not move forward and make a determination of the problem?

Mr. LYLE. The gentleman is correct. However, the resolution must be amended to comply with the rules of the House. I will offer an amendment to strike out certain portions later.

Mr. SABATH. Mr. Speaker, will the gentleman yield?

Mr. LYLE. I yield.

Mr. SABATH. As usual, when the gentleman from Texas presents a resolution for consideration here, he gives very careful study and consideration to the resolution and to what it intends to accomplish and the ends to be met. Consequently, being prepared as he always is, I feel that he should not be deprived of the opportunity of explaining more fully the provisions of the resolution, because I know it will be of value to the Members and at the same time it will be an example to others to prepare any resolutions or bills that they may present to the House.

Mr. COX. Mr. Speaker, will the gentleman yield?

Mr. LYLE. I yield.

Mr. COX. I must disclaim any intention of shutting the gentleman off, because I know he knows what he is talking about. He has examined this whole question very carefully, and he is prepared to give information to anyone who may be in doubt as to the position they should take on the matter.

Mr. LYLE. I am grateful to the gentleman from Illinois [Mr. SABATH] and the gentleman from Georgia [Mr. COX] for their statements.

Mr. Speaker, I ask unanimous consent that I may revise and extend my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. LYLE. I reserve the remainder of my time.

Mr. ALLEN of Illinois. Mr. Speaker, there is no objection to this resolution at this time, provided the prerogatives of the Committee on House Administration are protected by amendments, whereby the Committee on House Administration decides as to the amount of expenditure to be made.

I reserve the remainder of my time.

Mr. LYLE. Mr. Speaker, I have no further requests for time.

Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. LYLE. At what time would an amendment be proper? Now, or after the previous question has been ordered?

The SPEAKER. An amendment to the body of the resolution should be offered now.

Mr. LYLE. I offer an amendment, Mr. Speaker, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. LYLE:

On page 3, line 6, after the word "oaths" and the semicolon, insert the word "and."

On page 3, line 7, after the word "testimony", strike out the semicolon and the words "and to make such expenditures as it deems advisable."

Page 3, line 8, after the word "advisable", strike out the period and the remainder of the paragraph down to and including the word "administration" in line 14.

The SPEAKER. The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER. The question is on agreeing to the resolution as amended.

The resolution as amended was agreed to.

Mr. LYLE. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. LYLE: Page 1, strike out the preamble of the resolution.

The amendment was agreed to.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. KILBURN asked and was given permission to extend his remarks in the Appendix of the RECORD and include therein a resolution and two editorials.

Mr. COLMER asked and was given permission to extend his remarks in the Appendix of the RECORD.

Mr. EDWIN ARTHUR HALL asked and was given permission to extend his remarks in the Appendix of the RECORD and include an editorial from the New York Times.

The SPEAKER. Under the previous order of the House, the gentleman from Illinois [Mr. VURSELL] is recognized for 20 minutes.

THE ADMINISTRATION'S LABOR LEGISLATION

Mr. VURSELL. Mr. Speaker, today I want to briefly discuss the possibility of the enactment of labor legislation in the Eighty-first Congress. I say "possibility" because after all of the noise and campaign promises, nothing has yet happened.

The Congress has been in session 57 days. The administration has a majority of 91 Democrats in the House and 12 Democrats in the Senate. The committee handling labor legislation in the House has a majority of 16 Democratic members to 9 Republican members. The Senate Committee on Labor has 8 Democrats and 5 Republicans.

In the campaign the President and some big labor leaders who joined him promised the laboring men they would repeal the Taft-Hartley law. I rise to ask the question: Why have they not done it by now? They have not even written a bill for consideration.

Mr. Speaker, the House and Senate committees have enough Democratic votes on each committee to report a bill at any time to the floor of the House or Senate to repeal the Taft-Hartley law. There are enough Democrats in the House and Senate to pass this legislation without a Republican vote, and thus keep the campaign promises they made to the laboring people, if and when they want to do it.

Their excuse now is that the Republicans are blocking this legislation. That is nothing less than a conspiracy on the part of the labor leaders and administration leaders to dodge their own responsibility, and to deceive the laboring men.

Tell me—are the Republicans so much smarter, or so much more powerful that a small minority of them can prevent a heavy Democratic majority from reporting out, or passing labor legislation?

The Republican Eightieth Congress, with a much smaller majority than the Democrats now hold, was held responsible for the passage of the Taft-Hartley law, even though a majority of the Democratic Members of the House and Senate joined with the Republicans to override the President's veto. Certainly, the laboring men who have been promised by the labor leaders and the party in power that they would repeal the Taft-Hartley law forthwith will now blame the administration for not making a real attempt to repeal the law. They have the ball now, and plenty of players on their team. They cannot blame their failure on us few Republicans.

Mr. Speaker, the real reason is that they are beginning to hear from the rank and file of labor, and from the people back home generally, who now begin to realize that the Taft-Hartley law is a good law, under which labor and everyone has prospered as never before; a law that has brought labor and management into a more harmonious relationship than at any time in the past 16 years. The general public of over 80,000,000 people also know that this law helps to protect their rights, and has been in part responsible for the greatest production and the greatest prosperity in the past 2 years this Nation has ever witnessed.

There is another reason why they have not rushed a bill out to the floor of the House to keep their promise to repeal the Taft-Hartley law. That reason is that they have offered nothing worth while in its place. They know the people will not accept nothing in a law for something that has worked well for the past 2 years. The proposed new law recommended to the committee, if enacted, would be worse than no law at all.

The representatives of the people, both Democrats and Republicans, by a majority in the House and Senate, will not go back to the one-sided Wagner Act, and will not turn the wheels of government back to the former strikes and chaos they know will result, unless legislation is provided to follow the Taft-Hartley law that will be fair and helpful to all—to the rank and file of labor, to business, agriculture, and to all of the people of this Nation.

Mr. Speaker, the laboring men themselves are beginning to realize that the Taft-Hartley law contains many essential provisions for the protection of the individual laboring man — protection from management on the one hand and protection from some dictatorial labor bosses on the other hand.

Many laboring men would prefer that from 13 to 18 of the principal provisions of the Taft-Hartley law be written into any legislation that takes its place.

Mr. Speaker, in an effort to sample the opinion of the laboring men in two of the strongest unionized cities in my district as to what they would like in labor legislation, I mailed out 2,000 questionnaires recently to card-carrying union men representing shop workers, railroad men, members of the buildings trades, shoe-factory workers, and so forth, and asked them to fill out the questionnaire and give me any suggestions as to other legislation they think should be written into the new labor bill. I must admit that I was a little surprised when the questionnaires began to come back to me on the 16 provisions contained in the Taft-Hartley law.

Approximately 90 percent of the returns urged that all of the 16 provisions now in the Taft-Hartley law be retained in any legislation the Congress may write.

I do not contend that if all persons contacted had replied that the percentage ratio would show such a heavy majority. In fact, one could hardly hope even a majority would so express themselves when for 2 years the labor leaders and labor papers have every week told them the Taft-Hartley law is a slave-labor law, and should be repealed. I think the returns do indicate that possibly a majority who understand the law would want most of the provisions of the act written into any new legislation.

Mr. Speaker, I make this statement because several magazines during the past 2 years have made general Nation-wide polls among union men, asking their opinion on most of the provisions I have listed. The general consensus of these polls, including a poll made by Look magazine, show that 60 to 78 percent generally approved these provisions in the Taft-Hartley law. Their prejudice had been built up much more against the law, than against its actual effect on the workers as contained in its provisions.

Mr. Speaker, I ask unanimous consent to include the questionnaire as a part of my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. VURSELL. Mr. Speaker, I have deleted the name; however, here is the way about 90 percent of the laboring men filled out the questionnaire:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., January 19, 1949.

DEAR FRIEND: The present Taft-Hartley law will either be repealed or rewritten. It is my hope that the new legislation enacted

will be fair and just to both labor and management, and in the best interest of all the people of the Nation.

As your Representative in Congress, I am anxious to have your opinion on the following provisions which were written into the present law for the sole purpose of protecting the rights of you individuals of the rank and file of labor. If you want them continued in the new legislation, write "yes" after each provision. If you do not, write "no" after each provision.

PROVISIONS IN PRESENT LAW

1. Recognizes your constitutional right to quit your job at any time. Yes.

2. Protects you against being forced out of your job by union officials so long as you pay your dues. Yes.

3. Protects you against discrimination or threats by your employer or your union officials. Yes.

4. Helps to drive Communists out of union leadership by requiring union officials to make sworn statements that they are not members of the Communist Party. Yes.

5. Prohibits your union officers from spending your dues by making donations to political candidates. Yes.

6. Gives you the right to vote secretly on all union questions. Yes.

7. Prohibits "check-off" of dues from your pay without your written consent. Yes.

8. Prevents waste of your dues by compelling union officials to give each member at the end of each year a financial statement showing the amount of money taken in, how spent, and to whom. Yes.

9. Gives you the right to ask for an election to determine if union continues to represent a majority of the employees. Yes.

10. Protects you from personal financial liability through any judgments rendered against your union. Yes.

11. Protects you from loss of pay by prohibiting secondary boycotts and jurisdictional strikes. Yes.

12. Gives you the right by secret ballot to determine whether or not a strike shall be called. Yes.

13. Provides for a union shop, but requires that any employee, within 30 days, must become a member of the union if a bargaining agreement is in effect between the employer and the employees. Yes.

14. Gives you the right as an individual to appeal to the National Labor Relations Board for protection of your rights and privileges. Yes.

Not one of the above provisions which now give the individual members of a union more freedom and greater protection was contained in the Wagner Act. You can now express yourself fully on the floor of your union without fear of being discriminated against or being forced out of a union by any union officer. These provisions are for the protection of the rank and file of labor in the locals.

15. In view of these facts, do you favor the outright repeal of the Taft-Hartley law and that the old Wagner Act containing none of these provisions for your protection be instituted in its place? No.

Please give me your opinion on the following provisions also contained in the present law by writing in "yes" or "no":

1. The present law provides that the Government, on a recommendation of the President, can obtain an injunction for a period limited to 80 days against strikes which would imperil the health and safety of the Nation. Should we retain this provision? Yes.

2. The present law gives the employers the right of free speech in labor-management disputes, so long as they do not threaten or promise anything. Do you believe management should continue to have this right that was denied them under the Wagner Act? Yes.

If you will check the above provisions and mail this letter back to me, giving me your opinion, it will be helpful, and I will appreciate it. Your name will be held in strict confidence and not disclosed.

I shall be glad to have any other suggestions you care to make with reference to this legislation. Please feel free to write me.

Sincerely yours,

C. W. VURSELL,
Member of Congress.

Please sign here: _____
(Name)

_____
(Address)

Practically every labor paper since the day the Taft-Hartley bill was passed, and many of the big labor leaders who saw their power slipping away from them and being given back to the rank and file, and to the little locals of the Nation, kept up a drumfire for months that the Taft-Hartley law was a slave-labor bill.

LABOR'S IRON CURTAIN

Can it be that the real reason the labor leaders have tried to hold down the "iron curtain" to keep the laboring men from knowing what was in the bill was because for the first time in 16 years the rank and file of labor was being given protection and freedom from the dictatorial power of some labor bosses?

Mr. Speaker, I am not interested in the name of Tafty-Hartley bill. I do not care what you may call the act that succeeds it. I am interested in the combined welfare of labor, agriculture, little and big business, because I know, and everyone should know, that any legislation that is passed should be fair and just to all of these great segments of industry, and it should be in the interest of over 80,000,000 people that are not classified as either employers or employees.

I know, and every right-thinking person knows, from the laboring man up to the big-business man, that all of these groups must be encouraged with fair and just legislation to work together in an effort to keep wages at a high level; business at a high level; agriculture at a high level; and that we cannot have continuous prosperity in this country unless all of these objectives are achieved.

Mr. Speaker, there are some sections of the Taft-Hartley law, in my judgment, that are not necessary. There are some amendments that should be written into the law that follows it. I am only interested in legislation that will be beneficial to all of the people.

Mr. Speaker, I am equally against any law that will give business too great power or control, and I am against any legislation that will put into the hands of a few labor leaders of this country the power to choke the Nation to its knees, and slow down and endanger the entire economy of the Nation.

EXTENSION OF REMARKS

Mr. JUDD asked and was given permission to extend his remarks in the RECORD in two instances and include in each an article.

Mr. MONRONEY asked and was given permission to extend his remarks in the RECORD and include an article from the Christian Science Monitor regarding Hon. BROOKS HAYS' proposal on civil-rights legislation.

SPECIAL ORDER GRANTED

Mr. WAGNER. Mr. Speaker, I ask unanimous consent that today, following any special orders heretofore entered, I may be permitted to address the House for 5 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The SPEAKER. Under previous order of the House, the gentleman from Massachusetts [Mr. LANE] is recognized for 15 minutes.

HELP WANTED: A UNITED STATES FOREIGN SERVICE ACADEMY

Mr. LANE. Mr. Speaker, why do we win the wars and lose the peace? The losing of which breeds more wars. Because we train men—career men—in the military arts, but leave our diplomacy to amateurs.

Take a recent trend.

A man has become a successful soldier, a several-starred general. He has learned how to command. Then we appoint him to a diplomatic post where he must exercise the flexible and understanding talent of a conciliator.

It just does not work.

Might as well put a bull in a china shop.

Or a man has wealth, social connections, or political pull. And these are supposed to invest him overnight with an intimate knowledge of international affairs, and all those other special qualities of a profession which requires years of study and experience.

Diplomacy is a vocation, not an avocation. A serious matter. In the United States, however, we have come to regard it as a delayed-action Cook's tour.

We pick a man who is successful and a regular fellow. We put him in charge of an embassy, which is like an island of the United States put down in the strange sea of some foreign country. He knows nothing of the language, customs, political organization, history, or policies of that country. He blunders—unintentially, of course—and ruins the good will we have built up through the sacrifice of many American lives and the expenditure of much American wealth. Then he is transferred. And the people back home begin to suspect that something is lacking in such an arrangement.

It could be special training for the particular job. The State Department is not entirely to blame for this failure of American diplomacy to grow up. Nor is any President to blame. The Commission on Organization of the Executive Branch of the Government, under date line of February 21, 1949, pointed to the trouble, which only the Congress can start to remedy by legislation. The Commission recommended broad revision in this country's machinery for dealing with foreign relations. Among other things, it said President Truman should have a freer hand in directing such relations, and a better set-up for getting sound advice. In calling for a major shake-up of the State Department, the Commission declared that the Department has fallen to a level of low esteem with Congress, the public, the press, and many of its own officials. The State Department's organic statute of

1789 is still its basic charter. Then we were a small, isolated Nation.

Today we are one of the two major nations to whom more than half the world looks for a consistent policy of leadership.

Consistent? The Commission reports that—

> Today the coordinated activities of the State Department and the 45 other units of the executive branch is sine qua non for the effective conduct of the various and numerous foreign-affairs activities.

But the most striking present-day feature of the organization of the Government for the conduct of foreign affairs is the participation in all its phases by other departments and agencies.

First, we need an overhaul of the Department itself, with the insertion of the missing link, namely, the establishment of a United States Foreign Service Academy for the instruction and training of diplomatic cadets in preparation for service as officers in the Foreign Service of the United States.

A bill to this effect, identified as H. R. 471, was introduced by me in the United States House of Representatives on January 3, 1949.

Without the cadre of officers trained at West Point, Annapolis, and the postgraduate war colleges of the respective services, our civilian armies would have been without adequate leadership in World War II, with serious consequences for our Nation.

In fact, this core of highly trained personnel, more than counterbalanced the professional armies and the universal military training of such countries as Germany, Italy, and Japan.

In fact, the British were so impressed with the efficiency of our officer-training academies that they are planning to copy our methods.

Recently, no less an authority than Gen. Carl Spaatz, United States Air Force, retired, in the February 21, 1949, issue of Newsweek, recommends broadening the scope of instruction at West Point and Annapolis so as to train men for interchangeable service in the Army, Navy, and Air Force.

He contends that this would promote unification of the armed forces.

Officers so broadly trained would be of greater value to the country in this age of expanding world responsibilities.

There is also the clue to a solution of our problem in the field of diplomacy.

In this age of expanding world responsibilities we need, in the civilian sense, officers so broadly trained as to be of greater value to the country.

Their basic training shall be in foreign languages, not isolated as such, but woven into a thorough knowledge of the traditions and the outlook, the hopes and the fears of the Russian, the Mexican, the average person in China, or the citizen of Canada, for example.

At the same time they should be careful and objective reporters of the ideologies being forced upon certain unfortunate peoples of this world.

They should be able to help us preserve American security while we work toward world understanding and world security.

What are the chief functions of a Foreign Service officer?

To represent American interests abroad, to report, and to negotiate.

Mind you, we call them "officers" and we refer to them as a "corps."

By the very nature of their duties, they spend most of their lives outside of the United States.

This has created the problem of re-Americanization.

One of the objectives of the Foreign Service Act of 1946, was to insure that it was broadly representative of the American people and fully informed in respect to current trends in American life.

This can be achieved by the medium of a Foreign Service Academy which will make certain that such officers receive a thorough training in the traditions, the history, and the performance of our way of life, as well as that of the countries to which they are assigned.

How many times have we felt that our colleges and universities, as such, were taking the United States for granted, and were failing to provide that awareness of American culture and civilization, with all its accomplishments and its shortcomings, which must serve as the basis of their occupations and their lives?

I submit that we cannot leave our Foreign Service to men and women who are not specially trained in Americanism first.

How many people know that our State Department and the Foreign Service are two distinct organizations, each with its own personnel, appropriations, and administration?

This dual structure makes the United States today the only major power with its foreign affairs organization divided into two segments and often alienated, one from the other.

Our Foreign Service personnel, to keep in touch with their fellow-Americans and the viewpoint of Americans, must serve in the United States for longer periods than actually is the case today.

Does not this signify, in part, lack of a unified, basic training for the Foreign Service.

In this one-world atomic age we cannot rely upon cloistered scholars nor upon those who have acquired most of their formal education in foreign countries to provide the personnel to represent us in diplomacy.

Our own colleges and universities do not offer complete professional training in Foreign Service as a career.

Furthermore, they are limited in their approach because such training is a primary function of the Government and should be provided by the Government.

It is within the permanent structure of the Government, as distinguished from the changing administrations of Government, whether they be Democratic or Republican.

As yet, this concept has not taken root and form through the establishment of a United States Foreign Service Academy which will provide the trained officers necessary to measure up to our new responsibilities as one of the two major powers in world affairs.

To fill this gap, my bill would authorize the Secretary of State to establish or maintain, in or near the District of Columbia, an academy to train men and women for careers in our Foreign Service.

In prescribing the curriculum, the Secretary shall provide that special emphasis be placed on the study of the history, culture, customs, folklore, and language or languages of the nations which the trainees select as a major subject of study.

They shall not only be versed in the ability to understand and report the viewpoints of the governments and the people of the countries to which they may be assigned; they must be able, also, to explain the United States and its people to foreigners.

They must be competent and tactful in the presentation of our informational program and in the art of promoting, in spite of difficult barriers, the development of international understanding and good will.

This will require special talents and special studies.

The opportunity to attend the academy will be open to all Americans of good character who pass the competitive examinations, limited only to that number of the highest marks which may fill a yearly quota.

While in attendance at the academy, tuition, quarters, subsistence, and other necessary expenses shall be paid for by the Government.

In making original appointments of permanent officers in the Foreign Service, preference shall be given to graduates of the academy, after they have served 2 years as temporary employees at foreign stations.

There shall be appointed each year a board of visitors to the academy, which shall consist of five members from the Committee on Foreign Relations of the Senate and five members from the Committee on Foreign Affairs of the House of Representatives, to be appointed by the respective chairmen of such committees.

The board of visitors shall exercise the same functions as is provided in the case of the Board of Visitors to the United States Military Academy.

The Commission on Organization of the Executive Branch of our Government has recently charged that the intelligence unit is the weakest and least effective in the State Department, and that its relationships with the Central Intelligence Agency partake of rivalry rather than cooperation.

The State Department's relationship with the press and other media of public information are extremely weak, the report added.

The Congress, should it authorize a Foreign Service academy, will insist on adequate training of personnel to remedy these deficiencies.

United Nations in swaddling clothes, Truman Doctrine, Marshall plan, cold war, Russian expansionism, satellites, the cancer of communism, propaganda, the stirrings of independence among colonial peoples, in this welter of swiftly changing events, the United States will need the best men to represent our interests.

Diplomacy in the atomic age must grow up.

In the world assembly of the future, men and women who are thoroughly

schooled in the American way of life and in the relationship between our Nation and other nations will be among the most distinguished leaders that our country has produced or will produce.

And I am sure that many of them will be graduates of the United States Foreign Service Academy.

To this end, I ask your support of H. R. 471.

The time to prepare for the future is today.

PULASKI MEMORIAL HOUR ON MARCH 4

Mr. SABATH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. SABATH. Mr. Speaker, Friday, March 4, 1949, will be the two hundred and first anniversary of the birth of the renowned Polish-American hero, Gen. Casimir Pulaski. I feel it would be proper and fitting in recognition of his services to our country and in respect to his memory that we pay tribute to him in the House on his birthday anniversary.

I therefore ask unanimous consent that immediately upon the conclusion of legislative business on that day that I be recognized for 1 hour for that purpose.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The SPEAKER. Under the previous order of the House, the gentleman from Ohio [Mr. WAGNER] is recognized for 5 minutes.

CINCINNATI AND THE COMMUNISTS

Mr. WAGNER. Mr. Speaker, I happened to have been born and raised in the city of Cincinnati, Ohio, which city has been known throughout the world as the Queen City of the West and as a place of which we are all justly proud.

Our city has an excellent reputation for progressiveness, peace, and quiet. Our community is made up of different groups, such of which have been banded together to help make this the greatest Nation in the world. We have an excellent record with reference to brotherhood, racial and religious relations, and all of us meet together periodically to discuss our problems and work out the same. Class hatred is an unknown quantity in our community.

Commencing on Saturday, February 26, 1949, and throughout the week up to and including Saturday, March 5, we are celebrating Brotherhood Week, a time when we rejoice and are glad that turmoil among groups has never existed in our community.

However, on last Saturday, February 26, 1949, certain individuals who call themselves the Hamilton County Communist Party came out of their hiding places and attempted to disrupt the peaceful people of our community. They attempted to stir up unrest among our people by appealing to religious prejudice through mimeographed sheets which were distributed in certain sections of our fair city. Like rats coming out of sewers they poked their ugly heads out into the open just long enough to attempt to accomplish their purpose and then immediately went back into hiding. None of them had the courage to affix his or her name to the scurrilous literature which they circulated.

In our community also we are very fortunate in having several civic-minded radio stations, among which one of the most informative is WCPO which is owned and operated by one of our city's best newspapers, the Cincinnati Post. Mr. Robert Otto, the news commentator on radio station WCPO, was the person who first brought to light this despicable attempt to inflame our people, and I quote from the broadcast made by Mr. Otto at 4 p. m. on Saturday, February 26, 1949, over radio station WCPO:

> Communists came out of hiding in the Cinti area today in a move obviously designed to inflame members of the Jewish community against Catholics.
>
> Mimeographed letters bearing the heading, "Mindszenty anti-Semite" were circulated among passersby at prominent corners in Avondale. The inflammatory letters ironically were being passed out at the climax to the local observance of Brotherhood Week, on the Jewish Sabbath and on the eve of the Catholic observance of Sunday.
>
> The letters referred to the Catholic primate of Hungary, Josef Cardinal Mindszenty, who now is behind bars in that Communist-dominated land following a so-called trial. The letters through which the local Reds hoped to set Jew against Catholic bear this sentence at the bottom, and we quote: "Hamilton County Communist Party, Avondale Branch, Post Office Box 1483."
>
> Following our broadcast of the Avondale incident, Second District Congressman EARL T. WAGNER, who heard the newscast, said he was going to request the FBI to arrest and prosecute the composers and circulators of the missives. Cinti detective headquarters is also investigating. District 7 police told us that circulation of political or defamatory circulars in the manner used by the Reds is prohibited by city ordinance, but no one was cited in Avondale, however.
>
> The Communist letter attempts to brand Cardinal Mindszenty an arch enemy of the Jews. Yet during the so-called trial of the cardinal the Post carried an interview with an internationally known Jewish figure, Bela Fabian, who said that he personally knew the cardinal and worked with him to save Jewish people from the terror of Hitler and the Reds. Fabian branded as an outright lie any attempt to link the cardinal with anti-Semitism.
>
> The Hamilton County Communists obviously have established a link between themselves and the Red persecutors of Catholics in Europe. Their mimeographed letters, of which we have a copy, are apparently designed to steer Americans from any course critical of Russia.

Needless to say, our people in our community could not be swayed nor influenced in any fashion by this despicable smear and their observance of Brotherhood Week is going forward bigger and better than ever and our record of good fellowship remains unblemished.

In my humble opinion, people of the type who attempt to stir up class and religious prejudice such as this are a dangerous menace to the peace and quiet of this country. If they love the Communist ideals and its methods of treachery, deceit, and law of force, may I respectfully recommend to the State Department that we give them an immediate passport for a one-way trip to the land they love from a distance but which I know they do not want to return to.

EXTENSION OF REMARKS

Mr. DONDERO asked and was given permission to extend his remarks in the Appendix of the RECORD and include an article.

Mr. FENTON asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. ADDONIZIO (at the request of Mr. PRIEST) was given permission to extend his remarks in the Appendix of the RECORD and include a letter.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. TEAGUE (at the request of Mr. PICKETT), for this week, on account of attendance on the joint maneuvers by the Army, Navy, and Air Force in the Caribbean Sea.

To Mr. DAGUE (at the request of Mr. GRAHAM), for this week, on account of death in family.

To Mr. WALSH (at the request of Mr. JACOBS), for 4 days, on account of official business.

To Mr. BURNSIDE (at the request of Mr. RAMSAY), for 3 days, on account of death in family.

To Mr. GATHINGS, for 3 days, on account of official business.

ENROLLED BILL AND JOINT RESOLUTION SIGNED

Mrs. NORTON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill and joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 54. An act to retrocede to the State of New Mexico exclusive jurisdiction held by the United States over lands within the boundaries of the Los Alamos project of the United States Atomic Energy Commission; and

H. J. Res. 92. Joint resolution to continue the authority of the Maritime Commission to sell, charter, and operate vessels, and for other purposes.

ADJOURNMENT

Mr. PRIEST. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

Accordingly (at 1 o'clock and 18 minutes p. m.) the House adjourned until tomorrow, Tuesday, March 1, 1949, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

277. A communication from the President of the United States, transmitting revised estimates of appropriation for the fiscal year 1950 involving a decrease of $44,832,000 for the Veterans' Administration in the form of amendments to the budget for said fiscal year (H. Doc. No. 85); to the Committee on Appropriations and ordered to be printed.

278. A letter from the Chairman, Commission on Organization of the Executive Branch of the Government, transmitting to the Congress a study prepared for the Commission's consideration on the national security organ-

ization in the Federal Government (H. Doc. No. 86); to the Committee on Armed Services and ordered to be printed.

279. A letter from the Chairman, Commission on Organization of the Executive Branch of the Government, transmitting its report on the national security organization and, separately, as appendix G, a part of the report of the task force assigned to examine this segment of the executive branch; to the Committee on Armed Services.

280. A letter from the Chairman, Commission on Organization of the Executive Branch of the Government, transmitting to the Congress, in typescript, volume II to the study on the national security organization offered for the Commission's consideration by the task force as a supplement to their summary report on this subject; to the Committee on Armed Services.

281. A letter from the Chairman, Commission on Organization of the Executive Branch of the Government, transmitting to the Congress, in typescript, volume III to the study on the national security organization offered for the Commission's consideration by the task force as a supplement to their summary report on this subject; to the Committee on Armed Services.

282. A letter from the Comptroller General of the United States, transmitting a draft of a proposed bill entitled "A bill to provide a continuing fund for the payment of claims allowed by the General Accounting Office chargeable to lapsed appropriations"; to the Committee on Expenditures in the Executive Departments.

283. A letter from the Secretary of Commerce, transmitting a draft of a proposed bill to redefine the units and establish the standards of electrical and photometric measurements; to the Committee on Interstate and Foreign Commerce.

284. A letter from the Secretary of State, transmitting a draft of a proposed joint resolution approving an agreement relating to the resolution of conflicting claims to German enemy assets and related protocol and authorizing the President to enter into the agreement or other agreements similar in character with certain countries; to the Committee on Foreign Affairs.

285. A letter from the Director, Administrative Office of the United States Courts, transmitting statistical tables and charts containing data in regard to bankruptcy cases administered in the district courts of the United States in the fiscal year ending June 30, 1948; to the Committee on the Judiciary.

286. A letter from the Acting Secretary of the Navy, transmitting a draft of a proposed bill for the relief of John W. Crumpacker, commander, United States Navy; to the Committee on the Judiciary.

287. A letter from the Under Secretary of the Interior, transmitting a draft of a proposed bill to provide for a Resident Commissioner to the United States from the Virgin Islands; to the Committee on Public Lands.

288. A letter from the Acting Secretary of the Treasury, transmitting a draft of a proposed bill to authorize certain personnel and former personnel of the United States Coast Guard and the United States Public Health Service to accept certain gifts tendered by foreign governments; to the Committee on Foreign Affairs.

289. A letter from the Acting Secretary of the Treasury, transmitting a draft of a proposed bill to regulate the hours of duty and the pay of civilian keepers of lighthouses and civilians employed on lightships and other vessels of the Coast Guard; to the Committee on Post Office and Civil Service.

290. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, United States Army, dated March 26, 1948, submitting a report, together with accompanying papers and illustrations, on a review of reports on, and a preliminary examination and survey of, Cape Fear River at and below Wilmington, N. C., authorized by the River and Harbor Act approved on July 24, 1946, and also requested by a resolution of the Committee on Commerce, United States Senate, adopted on February 7, 1946 (H. Doc. No. 87); to the Committee on Public Works and ordered to be printed, with two illustrations.

291. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, United States Army, dated April 19, 1948, submitting an interim report, together with accompanying papers and illustrations, on a preliminary examination and survey of Brazos River and tributaries, Texas, covering Leon River, a secondary tributary, authorized by the Flood Control Acts approved on June 22, 1936, and August 28, 1937, and by the River and Harbor Act approved August 26, 1937 (H. Doc. No. 88); to the Committee on Public Works and ordered to be printed, with three illustrations.

292. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, United States Army, dated April 19, 1948, submitting a report, together with accompanying papers, on a review of reports on Warroad Harbor and River, Minn., requested by resolution of the Committee on Rivers and Harbors of the House of Representatives adopted on June 19, 1945; to the Committee on Public Works.

293. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, United States Army, dated August 4, 1948, submitting a report, together with accompanying papers, on a preliminary examination of Saw Mill River, N. Y., authorized by the River and Harbor Act approved on March 2, 1945; to the Committee on Public Works.

294. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, United States Army, dated April 19, 1948, submitting a report, together with accompanying papers, on a preliminary examination of Cedar Bayou Pass, Corpus Christi Pass, and pass at Murdock's Landing, Texas, authorized by the River and Harbor Act approved on March 2, 1945; to the Committee on Public Works.

295. A letter from the Archivist of the United States, transmitting lists or schedules, or parts of lists or schedules, covering records proposed for disposal by certain Government agencies; to the Committee on House Administration.

296. A letter from the Secretary of Commerce, transmitting a draft of a proposed bill to authorize the construction and equipment of a radio laboratory building for the National Bureau of Standards, Department of Commerce; to the Committee on Interstate and Foreign Commerce.

297. A letter from the Acting Attorney General, transmitting copies of orders of the Commissioner of the Immigration and Naturalization Service suspending deportation, as well as a list of the persons involved; to the Committee on the Judiciary.

298. A letter from the assistant to the Attorney General, transmitting a draft of a proposed bill to repeal section 8 of the act of March 3, 1893; to the Committee on the Judiciary.

299. A letter from the Under Secretary of the Interior, transmitting a draft of a proposed bill to revise and repeal certain acts relating to rules of survey to permit departures from the system of rectangular survey when necessary on all public lands, and for other purposes; to the Committee on Public Lands.

300. A letter from the Under Secretary of the Interior, transmitting a draft of a proposed bill to authorize appropriations for roads, trails, and other aids to transportation serving lands and facilities under the jurisdiction of the Bureau of Indian Affairs in Alaska; to the Committee on Public Lands.

301. A letter from the Secretary of the Interior, transmitting a draft of a proposed bill relating to the development of tourist and other public facilities in conjunction with the Alaska Highway, and for other purposes; to the Committee on Public Lands.

302. A letter from the President, United States Civil Service Commission, transmitting a draft of a bill entitled "A bill to amend section 4 (b) of the Civil Service Retirement Act of May 29, 1930, as amended"; to the Committee on Post Office and Civil Service.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar as follows:

Mr. GARMATZ: Joint Committee on the Disposition of Executive Papers. House Report No. 165. Report on the disposition of certain papers of sundry executive departments. Ordered to be printed.

Mr. GRAHAM: Committee on the Judiciary. H. R. 157. A bill authorizing the Attorney General of the United States to recognize and to award to outstanding courageous young Americans a medal for heroism known as the Young American Medal for Bravery, and for other purposes; with amendments (Rept. No. 166). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. WHITTINGTON:

H. R. 3019. A bill to provide for comprehensive planning, for site acquisition in and outside of the District of Columbia, and for the design of Federal building projects outside of the District of Columbia; to authorize the transfer of jurisdiction over certain lands between certain departments and agencies of the United States; and to provide certain additional authority needed in connection with the construction, management, and operation of Federal public buildings; and for other purposes; to the Committee on Public Works.

By Mr. REED of New York:

H. R. 3020. A bill to regulate oleomargarine, to repeal certain taxes relating to oleomargarine, and for other purposes; to the Committee on Agriculture.

By Mr. STEFAN:

H. R. 3021. A bill to regulate oleomargarine, to repeal certain taxes relating to oleomargarine, and for other purposes; to the Committee on Agriculture.

By Mr. SHAFER:

H. R. 3022. A bill to transfer the Pomona station of the Agriculture Remount Service, Department of Agriculture, at Pomona, Calif.; to the Committee on Agriculture.

By Mr. PRICE:

H. R. 3023. A bill amending Public Law 49, Seventy-seventh Congress, providing for the welfare of coal miners, and for other purposes; to the Committee on Education and Labor.

By Mr. PRESTON:

H. R. 3024. A bill to provide for the discharge from the armed forces of persons who were married at the time of their induction; to the Committee on Armed Services.

By Mr. PATTEN:

H. R. 3025. A bill to amend the Hospital Survey and Construction Act (title VI of the Public Health Service Act), to extend its duration and provide greater financial assistance in the construction of hospitals, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. GROSS:

H. R. 3026. A bill to incorporate the Legion of Guardsmen; to the Committee on the Judiciary.

By Mr. GORSKI of New York:

H. R. 3027. A bill to provide pay increases for employees of the Federal Government; to the Committee on Post Office and Civil Service.

By Mr. CAVALCANTE:

H. R. 3028. A bill to provide for a new post-office building in Windber, Pa.; to the Committee on Public Works.

H. R. 3029. A bill to amend the Nationality Act of 1940 to remove racial barriers to naturalization with respect to spouses and children of United States citizens; to the Committee on the Judiciary.

By Mr. BOGGS of Delaware:

H. R. 3030. A bill to amend the act entitled "An act to reclassify the salaries of postmasters, officers, and employees of the postal service; to establish uniform procedures for computing compensation; and for other purposes," approved July 6, 1945, as amended; to the Committee on Post Office and Civil Service.

H. R. 3031. A bill to grant travel and subsistence allowances to the next of kin attending group burials of remains of known individuals returned to the United States for interment; to the Committee on Armed Services.

By Mr. BARRETT of Wyoming:

H. R. 3032. A bill to regulate oleomargarine, to repeal certain taxes relating to oleomargarine, and for other purposes; to the Committee on Agriculture.

By Mr. BENNETT of Michigan:

H. R. 3033. A bill to extend the coverage of the Federal old-age and survivors insurance system, to increase certain benefits payable under such system, to reduce the retirement age, and for other purposes; to the Committee on Ways and Means.

By Mr. BROWN of Georgia:

H. R. 3034. A bill to authorize the improvement of the Savannah River below Augusta, Ga.; to the Committee on Public Works.

By Mr. CARNAHAN:

H. R. 3035. A bill to amend the National Service Life Insurance Act of 1940 with respect to the terms "brother" and "sister"; to the Committee on Veterans' Affairs.

By Mr. CASE of South Dakota:

H. R. 3036. A bill to regulate oleomargarine to repeal certain taxes relating to oleomargarine, and for other purposes; to the Committee on Agriculture.

By Mr. CELLER:

H. R. 3037. A bill to amend section 2680 of title 28, United States Code; to the Committee on the Judiciary.

H. R. 3038. A bill to authorize the Secretary of the Treasury to repair and remodel the Belasco Theater and rent it out to the performing arts; to the Committee on Public Works.

By Mr. FORD:

H. R. 3039. A bill to amend section 302 (c) of the Army and Air Force Vitalization and Retirement Equalization Act of 1948; to the Committee on Armed Services.

By Mr. FURCOLO:

H. R. 3040. A bill to provide for a comprehensive survey to promote the development of hydroelectric power, flood control, and other improvements on the Merrimack and Connecticut Rivers and such other rivers in the New England States where improvements are feasible; to the Committee on Public Works.

By Mr. GATHINGS:

H. R. 3041. A bill to amend the Agricultural Adjustment Act of 1938, as amended, to provide parity for tung nuts, and for other purposes; to the Committee on Agriculture.

By Mr. GRANGER:

H. R. 3042. A bill to provide relief for the sheep-raising industry by making special quota immigration visas available to certain alien sheepherders; to the Committee on the Judiciary.

H. R. 3043. A bill to assist in bringing about a more sound agricultural economy through diversification of its productive resources by providing for research into the basic laws and principles relating to domestically raising fur-bearing animals; to the Committee on Agriculture.

By Mr. HAYS of Ohio:

H. R. 3044. A bill making unlawful the requirement for the payment of a poll tax as a condition precedent to voting or registering to vote in an election for national officers; to the Committee on House Administration.

By Mr. KEEFE:

H. R. 3045. A bill to regulate the registration, manufacture, labeling, and inspection of fertilizer and fertilizer materials shipped in interstate commerce, and for other purposes; to the Committee on Agriculture.

By Mr. KILBURN:

H. R. 3046. A bill to authorize the expansion of facilities at the Cape Vincent, N. Y., fish-cultural station; to the Committee on Merchant Marine and Fisheries.

By Mr. KRUSE:

H. R. 3047. A bill to provide for the construction of a post office at Albion, Ind.; to the Committee on Public Works.

H. R. 3048. A bill to provide that the next of kin of certain persons who died while serving in the armed forces of the United States shall be furnished with monuments, and for other purposes; to the Committee on Public Lands.

By Mr. LARCADE:

H. R. 3049. A bill to amend Public Law 702, Eightieth Congress, to extend assistance to certain veterans with wartime service-connected disability involving the loss or loss of use of certain extremities in acquiring specially adapted housing which they require by reason of the nature of their service-connected disabilities; to the Committee on Veterans' Affairs.

H. R. 3050. A bill to amend Public Law 702, Eightieth Congress, to extend assistance to certain veterans with wartime service-connected blindness in acquiring specially adapted housing which they require by reason of the nature of their service-connected disability; to the Committee on Veterans' Affairs.

By Mr. McGREGOR:

H. R. 3051. A bill to reduce to 10 percent the rate of withholding of tax on wages; to the Committee on Ways and Means.

By Mr. MARTIN of Iowa:

H. R. 3052. A bill to direct the Secretary of Agriculture to announce the parity price of milk, and to direct the Secretary of Agriculture to immediately announce the support price of milk; to the Committee on Agriculture.

H. R. 3053. A bill to regulate oleomargarine, to repeal certain taxes relating to oleomargarine, and for other purposes; to the Committee on Agriculture.

By Mr. MITCHELL:

H. R. 3054. A bill for the purpose of erecting an adequate terminal annex post office in Seattle, Wash.; to the Committee on Public Works.

By Mr. MURRAY of Wisconsin:

H. R. 3055. A bill to regulate oleomargarine, to repeal certain taxes relating to oleomargarine, and for other purposes; to the Committee on Agriculture.

By Mr. PHILLIPS of California:

H. R. 3056. A bill to provide for disposition of lands on the Cabazon, Augustine, and Torres-Martinez Indian Reservations; to the Committee on Public Lands.

By Mr. POTTER:

H. R. 3057. A bill to amend Veterans Regulation No. 1 (a) to provide that certain chronic and tropical diseases becoming manifest within 2 years after separation from active service shall be presumed to be service-connected; to the Committee on Veterans' Affairs.

By Mr. SANBORN:

H. R. 3058. A bill to regulate oleomargarine, to repeal certain taxes relating to oleomargarine, and for other purposes; to the Committee on Agriculture.

By Mr. SHORT:

H. R. 3059. A bill to regulate oleomargarine, to repeal certain taxes relating to oleomargarine, and for other purposes; to the Committee on Agriculture.

By Mr. SIKES:

H. R. 3060. A bill to create additional Secretaries of the armed services for Reserve components; to the Committee on Armed Services.

H. R. 3061. A bill to establish a committee for Reserve components within the Department of the Army and the Department of the Air Force, and for other purposes; to the Committee on Armed Services.

By Mr. SMITH of Wisconsin:

H. R. 3062. A bill to regulate oleomargarine, to repeal certain taxes relating to oleomargarine, and for other purposes; to the Committee on Agriculture.

By Mr. TALLE:

H. R. 3063. A bill to regulate oleomargarine, to repeal certain taxes relating to oleomargarine, and for other purposes; to the Committee on Agriculture.

By Mr. TEAGUE:

H. R. 3064. A bill to authorize waiver of statutory and regulatory limitations in meritorious cases; to the Committee on Veterans' Affairs.

H. R. 3065. A bill to authorize Secretary of the Army to enter into certain contracts for sale of electric power, and for other purposes; to the Committee on Public Works.

H. R. 3066. A bill to authorize the issuance of a stamp commemorative of the seventy-fifth anniversary of the Agricultural and Mechanical College of Texas; to the Committee on Post Office and Civil Service.

H. R. 3067. A bill relating to full-time institutional trade and industrial training for veterans; to the Committee on Veterans' Affairs.

By Mr. TOLLEFSON:

H. R. 3068. A bill to provide for the issuance of a special postage stamp in commemoration of the Lake Washington Floating Bridge; to the Committee on Post Office and Civil Service.

H. R. 3069. A bill to enable certain former officers or employees of the United States separated from the service subsequent to January 23, 1942, to elect to forfeit their rights to civil-service retirement annuities and to obtain in lieu thereof returns of their contributions with interest; to the Committee on Post Office and Civil Service.

By Mr. WERDEL:

H. R. 3070. A bill to amend the Hospital Survey and Construction Act; to the Committee on Interstate and Foreign Commerce.

By Mr. SECREST:

H. R. 3071. A bill to authorize the Secretary of War to purchase certain property in Morgan County; to the Committee on Public Works.

By Mr. SIKES:

H. R. 3072. A bill to establish a Bureau of Reserve Affairs in the Department of the Army and in the Department of the Air Force; to the Committee on Armed Services.

By Mr. DINGELL:

H. J. Res. 178. Joint resolution extending an invitation to the International Olympic Committee to hold the 1956 Olympic games at Detroit, Mich.; to the Committee on Foreign Affairs.

By Mr. FLOOD:

H. J. Res. 179. Joint resolution for the approval for Atlantic Defense Pact; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Montana, memorializing the President and the Congress of the United States for consideration of their House Joint Memorial 6, requesting the introduction and enactment of appropriate legislation for the appropriation of funds for the building of the Custer Battlefield Museum, at Custer Battlefield National Monument, Mont.; to the Committee on Appropriations.

Also, memorial of the Legislature of the State of Idaho, memorializing the President and the Congress of the United States to make available the sum of $2,500,000 for the construction of the Idaho Central Highway from Trude, Idaho, to Mountain Home, Idaho; to the Committee on Appropriations.

Also, memorial of the Legislature of the State of Nebraska, memorializing the President and the Congress of the United States to pass Senate bill 362, which calls for payments in lieu of taxes on federally owned real property so as to reimburse States and local governments, bringing about substantial equity between local and Federal taxpayers with respect to Federally owned real property; to the Committee on Public Lands.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. COOPER:

H. R. 3073. A bill for the relief of Loretta Ann Perry and Helen Claire Cherry; to the Committee on the Judiciary.

By Mr. DAVIS of Georgia:

H. R. 3074. A bill to provide for the relief of Elsie Noot; to the Committee on Post Office and Civil Service.

By Mr. HOLMES:

H. R. 3075. A bill to provide for the renewal of patent No. 1,846,542, issued February 23, 1932, relating to carrying bags; to the Committee on the Judiciary.

By Mr. LESINSKI:

H. R. 3076. A bill for the relief of Jerome Hendrik Boogerman; to the Committee on the Judiciary.

By Mr. MITCHELL:

H. R. 3077. A bill for the relief of Mrs. Rebecca Levy: to the Committee on the Judiciary.

H. R. 3078. A bill for the relief of John A. Watson; to the Committee on the Judiciary.

By Mr. PATTEN:

H. R. 3079. A bill providing for the renewal of design patent No. D-95922, issued June 11, 1935; to the Committee on the Judiciary.

By Mr. PRESTON:

H. R. 3080. A bill for the relief of Earl L. Doss; to the Committee on the Judiciary.

By Mr. WERDEL:

H. R. 3081. A bill for the relief of Mrs. Dorothy M. Evans; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

124. By Mr. WILSON of Oklahoma: Memorial of the Oklahoma Legislature, asking Congress to make a suitable appropriation for the care and support of needy and destitute Indians; to the Committee on Appropriations.

125. By Mr. CASE of South Dakota: Memorial of the State Legislature of the State of South Dakota, memorializing the Congress of the United States to provide sufficient funds adequately to aid in a modern way the improvement of the Indian's economic well-being; to the Committee on Appropriations.

126. By Mr. PATTEN: Memorial of the State of Arizona, requesting the decentralization of war industries and calling attention to the advantages of Arizona as a location for war industries; to the Committee on Armed Services.

127. Also, memorial of the State of Arizona, proposing decontrol of rental housing in the State of Arizona; to the Committee on Banking and Currency.

128. By Mr. MANSFIELD: Memorial of the Legislature of the State of Montana, requesting the Eighty-first Congress to introduce and pass the Veterans' Economic Development Act as embodied in H. R. 521 and S. 1652, Eightieth Congress; to the Committee on Banking and Currency.

129. By Mr. HART: Petition of the Hudson County Federation of Holy Name Societies, Jersey City, N. J., severely condemning the action of the Moscow-governed satellite and protesting the effort to destroy religion and liberty throughout the world and calling upon the President and Congress of the United States to disaffirm any recognition of those governments which seek to destroy the God-given liberties of men; to the Committee on Foreign Affairs.

130. Also, petition of Catholic Youth Organization, Hudson County Catholic Youth Center, of Jersey City, N. J., protesting the unjust, unwarranted, and cruel sentence imposed by the Communist-controlled Hungarian Government upon Josef Cardinal Mindszenty; to the Committee on Foreign Affairs.

131. By Mrs. NORTON: Petition of the Reserve Officers Association of the United States, Hudson County Chapter, Jersey City, N. J., condemning the Communist-dominated proceedings which resulted in the sentencing of Josef Cardinal Mindszenty to life imprisonment as a travesty upon justice and an affront to all freedom-loving peoples; to the Committee on Foreign Affairs.

132. Also, petition of the Hudson County Federation of Holy Name Societies, New Jersey, condemning the action against Josef Cardinal Mindszenty by the Hungarian Government and calling upon the President and Congress of the United States to disaffirm any recognition of those governments which seek to destroy the God-given liberties of men; to the Committee on Foreign Affairs.

133. By Mr. PATTEN: Memorial of the State of Arizona, requesting Congress to provide recreational facilities in the Lake Mead National Recreational Area; to the Committee on Public Lands.

134. Also, memorial of the State of Arizona, requesting immediate action with respect to social-security payments to Indians on reservations; to the Committee on Ways and Means.

135. By the SPEAKER: Petition of Frank W. Cronin, secretary, Nebraska Committee for MVA, Omaha, Nebr., petitioning consideration of their resolution urging immediate creation of a Missouri Valley Administration, patterned after the successful Tennessee Valley Authority, also urging congressional investigation of water-development and lobbying organizations, their membership, and financing; to the Committee on Public Works.

136. Also, petition of Mrs. Ella Adams, secretary, Boynton Beach Townsend Club, No. 1, Boynton Beach, Fla., petitioning consideration of their resolution requesting immediate action, consideration, and enactment of the proposed legislation known as the Townsend plan, H. R. 2135, Eighty-first Congress; to the Committee on Ways and Means.

137. By Mr. HILL: Memorial of the State of Colorado, requesting that Congress enact legislation providing for the creation of a Department of Natural Resources, the establishment of regional or branch offices of that and other Federal departments and agencies, and for the location of a United States Military Academy of the Air in Denver; to the Committee on Expenditures in the Executive Departments.

138. Also, memorial of the State of Colorado, requesting the Congress to enact legislation to make Indians citizens of the United States in order that they may be able to vote; to the Committee on Public Lands.

SENATE

TUESDAY, MARCH 1, 1949

(Legislative day of Monday, February 21, 1949)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Eternal God, Thou knowest our frame and rememberest that we are dust. Thy patience outlasts all the dullness of our apprehension and the dimness of our vision.

Today we come for light enough to walk by. Save us from the futile repetition of old errors and the restoration of old evils. Let not ignorance nor mean partisanship nor selfish greed nor the temptations of privilege block the way to a new order in the world with hope of lasting peace, enlarging brotherhood and increasing opportunities for all Thy children. Amen.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

MEMBERSHIP AND PARTICIPATION BY UNITED STATES IN CERTAIN INTERNATIONAL ORGANIZATIONS

A letter from the Secretary of State, transmiting a draft of proposed legislation amending certain laws providing for membership and participation by the United States in certain international organizations and authorizing appropriations therefor (with an accompanying paper); to the Committee on Foreign Relations.

CONTINUING FUND FOR PAYMENT OF CLAIMS ALLOWED BY GENERAL ACCOUNTING OFFICE

A letter from the Comptroller General of the United States, transmitting a draft of proposed legislation to provide a continuing fund for the payment of claims allowed by the General Accounting Office chargeable to lapsed appropriations (with an accompanying paper); to the Committee on Expenditures in the Executive Departments.

CALL OF THE ROLL

Mr. LUCAS. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Hunt	Myers
Anderson	Ives	Neely
Brewster	Johnson, Colo.	O'Conor
Bricker	Johnson, Tex.	O'Mahoney
Bridges	Johnston, S. C.	Pepper
Broughton	Kefauver	Reed
Butler	Kem	Robertson
Cain	Kerr	Russell
Chavez	Kilgore	Saltonstall
Connally	Knowland	Schoeppel
Cordon	Langer	Smith, Maine
Donnell	Lodge	Smith, N. J.
Douglas	Long	Sparkman
Downey	Lucas	Stennis
Eastland	McCarran	Taft
Ecton	McCarthy	Taylor
Ellender	McClellan	Thomas, Utah
Flanders	McGrath	Thye
Fulbright	McKellar	Tobey
George	Magnuson	Tydings
Gillette	Malone	Vandenberg
Green	Martin	Watkins
Hayden	Maybank	Wherry
Hendrickson	Miller	Wiley
Hill	Millikin	Williams
Hoey	Morse	Withers
Holland	Mundt	
Humphrey	Murray	

Mr. MYERS. I announce that the Senator from Arizona [Mr. MCFARLAND] is absent on public business.

The Senator from Connecticut [Mr. MCMAHON] and the Senator from New York [Mr. WAGNER] are necessarily absent.

The Senator from Virginia [Mr. BYRD], the Senator from Kentucky [Mr. CHAPMAN], the Senator from Delaware [Mr. FREAR], and the Senator from Oklahoma [Mr. THOMAS] are absent by leave of the Senate on official committee business.

Mr. SALTONSTALL. I announce that the Senator from Connecticut [Mr. BALDWIN] is necessarily absent.

The senior Senator from Indiana [Mr. CAPEHART] and the junior Senator from Indiana [Mr. JENNER] are necessarily absent attending the funeral of a close personal friend, Mr. Ivan C. Morgan.

The Senator from Michigan [Mr. FERGUSON], the Senator from South Dakota [Mr. GURNEY], the Senator from Iowa [Mr. HICKENLOOPER], and the Senator from North Dakota [Mr. YOUNG] are absent by leave of the Senate on official committee business.

The VICE PRESIDENT. Eighty-two Senators having answered to their names, a quorum is present.

TRANSACTION OF ROUTINE BUSINESS

Mr. LUCAS. Mr. President, in view of the fact that there probably will be some requests for submissions of petitions and memorials, introduction of bills and joint resolutions, and other matters, which will be presented without debate, I ask unanimous consent that such procedure be allowed without in any way interfering with the present parliamentary situation upon the pending question.

The VICE PRESIDENT. Is there objection?

Mr. WHERRY. Mr. President, if unanimous consent is granted at this point it is my understanding that it is only for the purpose of the insertion of matters into the RECORD. Does it involve long statements?

Mr. LUCAS. It must not involve long statements.

The VICE PRESIDENT. The unanimous-consent request was that Senators be permitted to present petitions and memorials and introduce bills and joint resolutions, and present other routine matters, without debate.

Mr. WHERRY. Without debate, and with only short observations, if any are made at all?

The VICE PRESIDENT. Yes; that is the understanding.

Mr. LUCAS. And without in any wise involving the present parliamentary situation.

Mr. RUSSELL. Mr. President, does the request include reports of committees? I think it should.

The VICE PRESIDENT. Yes.

Mr. ROBERTSON. Does the request include the extension of remarks?

The VICE PRESIDENT. The request includes, as the Chair understands, the transaction of ordinary routine business without debate. Is there objection?

Mr. WHERRY. Mr. President, reserving the right to object, may I ask if the permission sought to be obtained would apply only for this particular time in the legislative day, or does it apply at any time during the day?

Mr. LUCAS. It applies only for today, I will say to the Senator from Nebraska.

Mr. WHERRY. That is, any time during today?

Mr. LUCAS. No; just at this particular time.

The VICE PRESIDENT. The Chair understands the permission would apply only to the presentation of matters that are ordinarily presented during the morning hour.

Mr. WHERRY. There is no morning hour today.

The VICE PRESIDENT. No; there is no morning hour today.

Mr. WHERRY. That is correct.

The VICE PRESIDENT. The request is made for permission for Senators to present matters that would be presented ordinarily during the morning hour.

Mr. WHERRY. And when the Senate proceeds to the consideration of the motion to take up Senate Resolution 15, then the time will have gone by for the submission of any further petitions and memorials or any other matters covered by the unanimous-consent request?

Mr. LUCAS. The Senator from Nebraska is correct, and that is the way I hope the request will be acted upon.

The VICE PRESIDENT. The Senator from Illinois has made a unanimous-consent request. Is there objection to his request?

Mr. WHERRY. I have no objection.

The VICE PRESIDENT. Without objection, it is so ordered.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A joint resolution of the Legislature of the State of Colorado, favoring the enactment of legislation providing voting privileges for Indians; to the Committee on Interior and Insular Affairs.

(See joint resolution printed in full when presented by Mr. MILLIKIN on February 28, 1949, p. 1571, CONGRESSIONAL RECORD.)

A resolution of the Legislature of the State of Nebraska; to the Committee on Interior and Insular Affairs:

"Legislative Resolution 14

"Resolution memorializing the Congress of the United States to pass Senate File No. 362

"Whereas the Federal Government owns one-fourth of the total area of the United States which is about one-half billion acres; and

"Whereas most of this is tax exempt irrespective of 46 separate provisions of law providing for payments in lieu of taxes in as many specific and isolated circumstances; and

"Whereas, in many localities the Federal Government owns more than one-half of the total real property and in some counties it owns as much as 90 percent of the total acreage, and this situation has disrupted the tax bases of local governments and has imposed an unfair burden on the remaining real property which is taxable; and

"Whereas there is now pending in the Senate of the United States Senate File No. 362 which calls for payments in lieu of taxes on Federal-owned real property so as to reimburse to States and local governments, bringing about substantial equity between local and Federal taxpayers with respect to Federal-owned real property: Now, therefore, be it

"Resolved by the members of the Nebraska Legislature in sixty-first session assembled:

"1. That the Legislature of the State of Nebraska respectfully request the Senate of the United States to enact into law Senate File No. 362 now before the Senate of the United States.

"2. That copies of this resolution, suitably engrossed, be transmitted by the clerk of the legislature to the Vice President of the United States as presiding officer of the Senate of the United States, to the Speaker of the House of Representatives of the United States, and to each Member of the Congress of the United States from Nebraska."

A joint memorial of the Legislature of the State of Wyoming; to the Committee on Appropriations:

"Senate Joint Memorial 2

"Joint memorial memorializing the Congress of the United States of America to consider and pass resolution appropriating money to commence the building of certain irrigation projects in the Powder River Basin, and the Tongue River Basin

"Whereas there are eleven (11) proposed irrigation projects in the upper Powder River Basin, and the Tongue River Basin in the State of Wyoming, which are mentioned and described in more detail in Senate Document No. 191, Congress of the United States of America; and

"Whereas the building of these projects will make arid lands fertile and provide additional farm homes, will provide additional electric power, and will provide additional facilities for flood control; and

"Whereas, unless funds are provided so that this project may be started immediately, settlers on the project will lose priority in their rights to water of the Powder River by reason of the construction of the Moorehead Dam: Now, therefore, be it

"Resolved by the Senate of the Thirtieth Legislature of the State of Wyoming (the house of representatives concurring), That the Congress of the United States of America be, and it is hereby, memorialized to appropriate sufficient moneys in order to commence construction of such irrigation projects; be it further

"Resolved, That copies of this memorial be sent to the President of the United States Senate, the Speaker of the House of Representatives of the United States, and to the

United States Senators JOSEPH C. O'MAHONEY and LESTER C. HUNT, and to Congressman FRANK A. BARRETT.

"GEORGE BURKE,
"President of the Senate.

"HERMAN D. MAYLAND,
"Speaker of the House.

"Approved February 12, 1949.

"A. G. CRANE,
"Governor."

A joint memorial of the legislature of the State of Wyoming; to the Committee on Interior and Insular Affairs:

"House Joint Memorial 4

"Joint memorial memorializing the Congress of the United State of America to abolish the Jackson Hole National Monument

"Whereas the creation and existence of the Jackson Hole National Monument is contrary and inimical to the inherent rights and interests of the citizens of the State of Wyoming. Now, therefore, be it

"Resolved by the House of the Thirtieth Legislature of the State of Wyoming (the senate concurring), That the Congress of the United States be memorialized to adopt legislation abolishing the said Jackson Hole National Monument and that copies of this memorial be sent to the President of the United States Senate, the Speaker of the House of Representatives, United States Senators JOSEPH C. O'MAHONEY and LESTER C. HUNT, and Congressman FRANK A. BARRETT.

"HERMAN D. MAYLAND,
"Speaker of the House.

"GEORGE BURKE,
"President of the Senate.

"Approved February 19, 1949.

"A. G. CRANE,
"Governor."

A joint resolution of the Legislature of the Territory of Alaska; to the Committee on Banking and Currency:

"House Joint Memorial 3

"To the Honorable Harry S. Truman, President of the United States; to the Congress of the United States; to the Honorable J. A. Krug, Secretary of the Interior; and to the Honorable E. L. Bartlett, Delegate from Alaska to Congress:

"Your memorialist, the Legislature of the Territory of Alaska, in nineteenth regular session assembled, respectfully represents:

"Whereas the housing shortage in the Territory of Alaska has assumed dire proportions, and is impeding the speedy and orderly settlement and growth of the Territory; and

"Whereas the Congress of the United States, and the Chief Executive of the Nation, His Excellency, the Honorable Harry S. Truman, have expressed great interest in the need for the development of Alaska's vast natural resources; and

"Whereas there is a vital need for the development and settlement of Alaska in connection with the ever-expanding national defense program in the Territory; and

"Whereas the Honorable E. L. BARTLETT, Delegate to the Congress from Alaska, has introduced in the House of Representatives of the Congress of the United States, now in session, H. R. No. 2122, being a bill entitled 'To promote the settlement and development of the public domain in the Territory of Alaska by facilitating the construction of necessary housing therein, and for other purposes'; and

"Whereas the provisions of this bill would encourage and promote the construction of housing facilities in the Territory, would aid in relieving the substandard living conditions under which the citizens of the Territory are now forced to live, and would promote and encourage the development, settlement and growth of Alaska:

"Now, therefore, your memorialist respectfully and earnestly requests the Congress to pass and the President to sign H. R. No. 2122 introduced in the Eighty-first Congress by the Honorable E. L. BARTLETT, Delegate to Congress from Alaska;

"And your memorialist will ever pray.

"Passed by the house February 5, 1949."

A joint resolution of the Legislature of the Territory of Alaska; to the Committee on Public Works:

"Senate Joint Memorial 6

"To the Congress of the United States, the Chief of Staff of the Army of the United States, and the Commanding General of the Army in Alaska, and the Honorable E. L. Bartlett, Delegate to Congress from Alaska:

"Your memorialist, the Legislature of the Territory of Alaska in nineteenth session assembled, respectfully submits:

"Whereas, the people of Alaska are desirous of bringing the Territory to a high state of development and making it self-supporting and our transportation system is of prime importance in the development of the Territory; and

"Whereas, the defense of the Territory is vital to the security of the United States, and an adequate transportation system is necessary to such defense:

"Now, therefore, your memorialist, the Legislature of the Territory of Alaska, respectfully urges that a highway be built connecting the interior highway system with the year-round port of Cordova, this being a low-level route approximately 90 miles long measured from Chitina on the interior highway to the end of the airport road running 13 miles east of the port of Cordova;

"And furthermore, your memorialist respectfully wishes to call attention to the feasibility of such a route and the economy of its construction, since use could be made of the present roadbed, bridges and trestles of the abandoned Copper River Railroad which is now owned by the United States Government, and that another route from the coast to the interior would be of greatest importance in case of a national emergency.

"And your memorialist will ever pray."

Three joint resolutions of the Legislature of the Territory of Alaska; to the Committee on Interior and Insular Affairs:

"Senate Joint Memorial 2

"To the President of the United States of America, the Congress of the United States, and the members of the Civil Aeronautics Board:

"Your memorialist, the Legislature of the Territory of Alaska, in nineteenth regular session assembled, respectfully submits:

"Whereas all forms of transportation are of vital interest to the people of the Territory of Alaska, a country of great area and small population, and the development of transportation by air is of paramount interest to the residents of the Territory; and

"Whereas the air transportation industry within Alaska had developed to a point where the Territory had more aircraft per capita, and more miles were flown per capita, than any other country in the world, all of which had occurred before the year 1938, and without benefit of the Civil Aeronautics Board; and

"Whereas the Civil Aeronautics Board moved into Alaska in 1939, forcing some air transportation companies out of business, giving others monopolies, raising the cost of operating said companies by requiring them to add to their clerical force for the purpose of filling out numerous statistical forms and reports, by restricting the number of flights made and thereby reducing their incomes, and by holding hearings on applications for certificates of public convenience and necessity at which it is necessary to be represented by expensive attorneys, and which hearings have been drawn out for months and even years; all this is in effect curtailing the operations of the small operators of aircraft, and restricting competition as well as the natural growth of the industry to such an extent as to prevent the lowering of rates, and thereby the now exorbitant cost of living to the residents of the Territory; and

"Whereas no notice has seemingly been taken of like petitions and resolutions passed by the various chambers of commerce, the Alaska Development Board, and other organizations within Alaska;

"Now, therefore, your memorialist prays that the President of the United States, the Congress of the United States, and the members of the Civil Aeronautics Board do cause such action to be taken as to abolish the powers of the Board in respect to Alaska; specifically that operators of small commercial aircraft serving the remote areas of the Territory be freed of the cumbersome and hampering requirements of the Board, and, furthermore, that any Alaskan air carrier with sufficient and proper personnel, equipment and experience, be permitted to engage in unlimited transportation of mail, cargo, and passengers between the Territory of Alaska and various points in the United States proper.

"And your memorialist will ever pray."

"Senate Joint Memorial 5

"To the President and the Congress of the United States, the Secretary of the Interior, the Bureau of Reclamation, and the Delegate from Alaska:

"Your Memorialist the Legislature of the Territory of Alaska, in nineteenth session assembled, respectfully submits:

"Whereas Alaska as the continental corridor to Asia is of vital strategic importance to the United States; and

"Whereas expansion of utilities and other services in Alaska with consequent acceleration of settlement would strengthen the Territory as a buffer area in the interest of national defense, in keeping with the present progress of the Department of the Interior, the Army and the Navy and other Federal departments; and

"Whereas the Bureau of Reclamation, through its Reclamation fund, operating since 1902 in the Western States, has played a great part in developing those States in the fields of land reclamation and irrigation projects and has further developed those States, with augmented activity since 1939 in the field of hydroelectric power; and

"Whereas projects handled through the Reclamation fund (which is a revolving fund) have been self-liquidating, as would hydroelectric and land utilization projects in Alaska, if Alaska were allowed to participate under the Bureau of Reclamation program; but,

"Whereas Alaska has never been included under said program (except for a recent survey) for lack of statutory authorization by Congress; and

"Whereas development of Alaska through participation in the Reclamation fund would even inure to the long-range benefit of the Western States which look to Alaska as an expanding market for their products, not to mention improvement of their position from the national security standpoint;

"Now, therefore, your memoralist, the Legislature of the Territory of Alaska convened in nineteenth regular session, respectfully urges that Alaska be included in the Bureau of Reclamation program with participation under the Reclamation fund, and submits that such inclusion of Alaska would be to the benefit of all concerned.

"And your memoralist will ever pray."

"Senate Joint Memorial 4

"To the President of the United States, the Secretary of the Interior, the Congress, and the Delegate from Alaska:

"Your memorialist, the Legislature of the Territory of Alaska, in nineteenth regular session assembled, respectfully submits:

"Whereas gold mining, as the second largest industry in Alaska which produced approximately $25,000,000 in each year prior to the war, was closed down during the war upon order of the War Production Board; and

"Whereas national defense contractors have absorbed the bulk of available labor in Alaska at such high rates of pay that the mine operators cannot successfully compete in the labor market; and

"Whereas high cost of equipment and other operating expenses contribute to the difficulty of putting gold mining in Alaska back into production; and

"Whereas the sum and substance of all of the factors above mentioned is that the gold miner is caught between high production costs and existing ceiling on the price of gold which blocks reestablishment of said industry as a principal economic asset of Alaska; and

"Whereas the Territory is going to need a fully reconstructed mining industry to fall back upon when the national defense construction program has come to an end;

"Now, therefore, your memorialist, the Legislature of the Territory of Alaska in nineteenth regular session assembled, respectfully submits that it would not only be to the interest of the Territory of Alaska to provide an incentive for the return of full-scale mining operations, but to the interest of the Federal Government in looking ahead with an eye to sustaining the Territory as a strong buffer State, and that provision of a bonus of $15 per ounce on all gold mined in Alaska would be an adequate and well-advised measure.

"And your memorialist will ever pray."

A letter in the nature of a petition signed by James Cox, president, Mercer County Farm Bureau, Harrodsburg, Ky., relating to the repeal of the sliding scale on farm crops from 60 to 90 percent; to the Committee on Agriculture and Forestry.

A letter in the nature of a memorial, signed by J. N. Nass, president, F. L. Penfield, secretary, of the Lions Club of Poplar, Mont., remonstrating against the enactment of the so-called compulsory health insurance bill (with an accompanying paper); to the Committee on Labor and Public Welfare.

A resolution adopted by District No. 4 Convention, United Mine Workers of America, Marshall Hall, Uniontown, Pa., favoring the enactment of legislation giving Federal inspectors the right to enforce their recommendations on safety; to the Committee on Labor and Public Welfare.

The petition of Raymond Bottom, of Russell Springs, Ky., praying for an increase in subsistence allowance for veterans attending school under the GI bill of rights; to the Committee on Labor and Public Welfare.

Petitions of Frank Recchia, of Brooklyn, N. Y., and several other citizens of the United States, favoring the repeal of the Taft-Hartley labor law; to the Committee on Labor and Public Welfare.

Petitions of Stephan S. Nisbet, of Fremont, Mich., and sundry other citizens of the United States, praying for the continuation of the Taft-Hartley labor law; to the Committee on Labor and Public Welfare.

Petitions of Frank Hood, of San Jose, Calif., and sundry other citizens of the United States, praying for an increase in railroad pensions; to the Committee on Labor and Public Welfare.

A resolution adopted by the Jefferson County and southern Indiana CIO-PAC, in the State of Indiana, relating to the repeal of the Taft-Hartley labor law, etc.; to the Committee on Labor and Public Welfare.

Petitions of Lee Moore, of Thorsby, Ala., and several other citizens of the United States, relating to Federal aid to education; to the Committee on Labor and Public Welfare.

Petitions of Chas. S. Roller, Jr., of Fort Defiance, Va., and W. L. Shaddix, of Birmingham, Ala., relating to the wage-hour law; to the Committee on Labor and Public Welfare.

A resolution adopted by the Chicago Dental Society, of Chicago, Ill., protesting against the enactment of the so-called compulsory health insurance program; to the Committee on Labor and Public Welfare.

Petitions of Abraham Epsten, of New York, N. Y., and Alvhild V. Holmes, of Oxford, Mass., favoring the enactment of the so-called compulsory health insurance program; to the Committee on Labor and Public Welfare.

The petition of Hathrude B. Hughes, of Phoenix, Ariz., relating to the need for water development in the Southwest (with an accompanying paper); to the Committee on Interior and Insular Affairs.

A resolution adopted by the Interstate Oil Compact Commission, Wichita, Kans., relating to so-called tidelands; to the Committee on Interior and Insular Affairs.

The petition of Aurora Chestnut, of Richmond, Ky., praying for the enactment of legislation to legalize wire tapping; to the Committee on the Judiciary.

Resolutions adopted by the Council of the City of Hamilton, and the Council of the City of Youngstown, both in the State of Ohio; the City Commission of the City of Muskegon, Michigan, and the City Council of Baltimore, Maryland, favoring the enactment of legislation proclaiming October 11 of each year as General Pulaski's Memorial Day; to the Committee on the Judiciary.

The memorial of Frank Fox, of Brooklyn, N. Y., remonstrating against the enactment of legislation to increase the quotas under the Displaced Persons Act; to the Committee on the Judiciary.

A letter in the nature of a petition from Floyd M. Freppon, sales manager, Newport Auto Service, Newport, Ky., relating to regulation W in the sale of automobiles; to the Committee on Banking and Currency.

Petitions of Vera I. Newcomer, of Santa Ana, Calif., and several other citizens of the United States, relating to rent control; to the Committee on Banking and Currency.

The petition of M. F. Peterson, treasurer, United States Envelope Co., of Springfield, Mass., praying for the enactment of legislation to repeal the tax on telegraphic messages; to the Committee on Finance.

A letter in the nature of a petition from the Women's Guild of the Evangelical and Reformed Church, signed by Mrs. E. Roy Corman, president, Cleveland, Ohio, and sundry other members, relating to the Federal Budget for 1949–50; to the Committee on Finance.

Petitions of Harvey B. Garrett, of Louisville, Ky., and sundry other citizens of the United States, relating to the broadening of the provisions of the social-security law; to the Committee on Finance.

Petitions of Phil Gernert, of Louisville, Ky., and Oswald C. Ludwig, of San Diego, Calif., praying for the enactment of the so-called Rankin bill providing pensions for veterans of both world wars; to the Committee on Finance.

The petition of Guy L. Dickinson, praying for the enactment of legislation to provide for an interchange of ambassadors with Spain; to the Committee on Foreign Relations.

A resolution adopted by the Lions Club of Prestonsburg, Ky., favoring a navigation system of locks and dams on the Big Sandy River, Ky. and W. Va.; to the Committee on Public Works.

The petition of Eli D. Beard, of Fayetteville, Ark., praying for the enactment of legislation to increase the benefits of retired Federal employees; to the Committee on Post Office and Civil Service.

The petition of Rose M. Cupp, of Seattle, Wash., relating to pensions for widows of deceased postal employees; to the Committee on Post Office and Civil Service.

By Mr. MILLER:

A joint memorial of the Legislature of the State of Idaho; to the Committee on Interior and Insular Affairs:

"Senate Joint Memorial 3

"To the Congress of the United States of America:

"We your memorialists, the Legislature of the State of Idaho, respectfully represent, that:

"Whereas section 5 of the act admitting the State of Idaho to the United States (26 Stat. at Large 215, C. 656) limits the authority of this legislature in leasing granted school lands to a term of 5 years; and

"Whereas there is now in prospect development of wells producing oil, gas, and/or other hydrocarbons, upon some of these lands and the limitation heretofore referred to makes impossible the granting of leases sufficiently long in term to attract upon such school lands developmental exploration and drilling: Now, therefore, be it

"Resolved by the Legislature of the State of Idaho, That we urge the Congress of the United States to amend section 5 of the Idaho Admission Act to provide that oil, gas, and/or hydrocarbons leases may be made upon school lands for an initial period of 10 years and for as long thereafter as oil and/or gas or other hydrocarbons are being produced; and that for all other purposes leases may be made for an initial period of 10 years; be it further

"Resolved, That the secretary of state of Idaho is hereby directed to forward a copy of this memorial to the Speaker of the House of Representatives of the United States and the President of the Senate of the United States and to each Senator from Idaho and each Representative from Idaho in the Congress of the United States."

A joint memorial of the Legislature of the State of Idaho; to the Committee on Public Works:

"Senate Joint Memorial 5

"To the Honorable Senate and House of Representatives of the United States of America in Congress Assembled:

"We, your memorialists, the Legislature of the State of Idaho, respectfully represent that:

"Whereas the Corps of Engineers, pursuant to resolutions of the Committee on Commerce of the United States Senate, adopted April 6, 1937, and September 24, 1943, have completed a report on the Albeni Falls project, located on the Pend d'Oreille River, Idaho; and

"Whereas the Albeni Falls project recommended therein would be a multiple-purpose project accomplishing the following, among other purposes:

"1. Flood-control protection, both downstream and in the Pend d'Oreille Lake area.

"2. Protection and enhancement of the valuable recreation benefits of Pend d'Orielle Lake by regulating the level of the lake.

"3. Improvement of the navigable reaches of the Columbia River by virtue of increased channel depths during low-water periods.

"4. Addition of 251,000 kilowatts of firm power from the Federal Columbia River power system by the use of stored water in the hydroelectric installation at the project and at downstream plants; and

"Whereas this power is urgently needed to relieve in part the critical power shortage in the region and offers one of the earliest forms of relief which could be made available; and

"Whereas the other benefits which would accrue are needed both in the State of Idaho and the entire Columbia River Basin: Now, therefore, be it

"Resolved, by the Senate of the State of Idaho (the house of representatives concurring), That we most respectfully urge upon the Congress of the United States of America that the report of the Corps of Engineers be approved, that the project be authorized, and that funds be made available for its construction at the earliest possible date; be it further

"Resolved, That the secretary of state of the State of Idaho be authorized and he is hereby directed to immediately forward certified copies of this memorial to the Senate and the House of Representatives of the United States of America, and to the Senators and the Representatives in Congress from this State."

A joint memorial of the Legislature of the State of Idaho; to the Committee on Appropriations:

"Senate Joint Memorial 7

"To the Honorable Senators and Representatives of the United States of America in Congress assembled:

"We, your memorialists, the Legislature of the State of Idaho, respectfully represent, that:

"Whereas Bear River is an interstate stream, with its source in the State of Wyoming and flowing through the States of Idaho and Utah, and

"Whereas valuable farm lands and irrigation pumping systems in Frankin County, Idaho, and in Cache County, Utah, are constantly being destroyed by the action of the waters and flow of sand in the Bear River: Now, therefore, be it

"Resolved by the Senate of the State of Idaho (the house of representatives concurring), That we most respectfully urge upon the Congress of the United States of America that it appropriate the necessary funds and that the Army engineers and/or the Department of Agriculture, proceed at once with such works on the interstate stream of Bear River, as will effectively prevent the destruction of lands and irrigation pumping systems in Franklin County, Idaho, and Cache County, Utah; be it further

"Resolved, That the secretary of state of the State of Idaho be authorized and he is hereby directed to forward certified copies of this memorial to the Senators and the Representatives in Congress from this State, and to the Senate and the House of Representatives of the United States of America."

CONTRIBUTIONS TO STATES AND LOCAL GOVERNMENTAL UNITS IN LIEU OF TAXES ON REAL PROPERTY—RESOLUTION OF NEBRASKA ASSOCIATION OF COUNTY OFFICIALS

Mr. WHERRY. Mr. President, I present for appropriate reference and ask unanimous consent to have printed in the RECORD a resolution adopted by the Nebraska Association of County Officials, Board of Directors, and its legislative committee in joint session, at Lincoln, Nebr., on February 16, 1949, favoring the enactment of Senate bill 362, providing for contributions to States and local governmental units in lieu of taxes on real property held by the Federal Government.

There being no objection, the resolution was referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

Resolution endorsing and in support of S. 362 and H. R. 1356

Whereas federally owned and held real property is exempt from taxation and is therefore deleted from State and local tax rolls; and

Whereas burdensome and disproportionate hardship is thereby imposed upon the localities in which such property is located, as well as upon our entire State; and

Whereas alleviation of these hardships and their inequities may be achieved by providing for payment in lieu of taxes of equitable sums to State and local governmental units approximating actual tax loss sustained by them as a result of said Federal ownership or acquisition of real property: Now, therefore, be it

Resolved by the Nebraska Association of County Officials, Board of Directors and its Legislative Committee in joint session duly assembled:

That we endorse and declare our support of S. 362 and H. R. 1356, introduced in the Eighty-first Congress by Hon. HUGH BUTLER, senior Senator from Nebraska and by Congressman ENGLE from California, respectively, and we urge every member of our Nebraska congressional delegation to work and vote in favor of this proposed legislation.

That a copy of this resolution be forwarded to each member of Nebraska's delegation in both Houses of Congress.

Done at Lincoln, Nebr., this sixteenth day of February 1949, being the time and place where this resolution was adopted.

ROMAN L. HRUSKA,
Secretary, Nebraska Association of County Officials.

AGRICULTURAL PROBLEMS AND PRICES

Mr. WILEY. Mr. President, from February 18 to 21 there was held the nineteenth annual Wisconsin Farmers Union Convention in Eau Claire in my State.

Previous to that convention I had been happy to meet with a delegation of Farm Union members and to discuss with them our agricultural policy.

At this time, I send to the desk and ask to have printed in the CONGRESSIONAL RECORD an excerpt from the 1949 Action Program adopted by the Convention and dealing with agricultural problems. Space does not permit me to include the full text of the program, and I ask that this excerpt be carried and that it be appropriately referred for consideration by the Senate Agriculture Committee.

Following the printing of the excerpt, I ask that there be printed an illuminating brief editorial from the February 19, 1949 issue of the renowned magazine, The Wisconsin Agriculturist and Farmer, which is owned, edited, and published in my State. This editorial cites some illuminating facts regarding the relatively small take of the farmers in relation to food costs. It shows, for example, that if a farmer gave away his wheat, that is, donated it free, a 16-cent loaf of bread would still cost 14.7 cents. That is certainly a far cry from the picture that some folks try to present about the alleged high take and alleged profiteering of the American farmer.

Incidentally, as was pointed out in the CONGRESSIONAL RECORD of yesterday, the average farm income per person was $909 in 1948, which hardly compares with the average city income per person, which was $1,569. Back in the depression days, persons living on the farms received $243 per capita annually compared to persons living off the farms who received $603 per capita annually.

There being no objection, the excerpt and the editorial were referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

GENERAL AGRICULTURAL PROGRAM

The Wisconsin Farmers Union, as an organization of working farmers, reaffirms its commitment to our historical and fundamental principle that family-type farming must be the basic pattern of American agriculture. We pledge all of our energy and resources to carry on the fight for the preservation and extension of family-type farming against the encroachments of monopolies.

Family-type farming, with security on the land for the farm family, is the only sound and lasting base for rural democracy. It is one of the keystones of democracy for all Americans; and it must be preserved as the standard farm production unit.

1. As a part of our long-time agricultural program we urge enactment of the National Farmers Union Family Farming Act. We urge that all local unions contact their representatives to vote for this measure.

2. We favor adoption of the graduated land tax as one means of discouraging corporation farming, or the grabbing of land by large landholders.

3. We urge the adoption of Federal legislation for the purpose of supporting floor prices on all farm produce at 100 percent of a modernized parity formula. We believe that farmers should have parity of income with all other groups in society.

4. We urge the rapid expansion of REA power and transmission facilities in areas now unserved so that more farmers may enjoy the benefits of electric power, and thus raise the general standard of living for rural America. We favor greater appropriations by Congress for the building of REA plants and the expansion of transmission lines.

5. We favor expansion of the work now done under the Farmers Home Administration, and we urge that Congress appropriate adequate funds to carry out this program.

6. We support and endorse the work done by production credit associations, and we urge that all possible aid be given for the expansion of this work.

7. We urge all Farmers Union members in regions not now under Soil Conservation districts to work for the creation of such districts, and to speed up conservation practices.

8. We are opposed to the efforts of certain private interests to destroy the United States Soil Conservation Service as an independent agency within the Department of Agriculture.

9. We support the continuation and democratic expansion of the Production Marketing Administration as a farmer controlled program, and we urge the continuation of its soil practices program. We are opposed to transferring the work of this agency to Extension Service.

10. We favor continuation of the Farm Credit Administration under the Department of Agriculture.

11. We support the program of area vaccination for the control of Bang's disease.

12. We urge that our Federal Government expand its road building program to bring all-weather roads to every family-type farm in America. We also urge that the State of Wisconsin cooperate with the Federal Government in this program by matching funds to secure the highest type of farm-to-market roads.

DAIRY PROGRAM

The Wisconsin Farmers Union is deeply alarmed over the fact that our dairy industry has fallen into the hands of monopolists.

We favor a thorough investigation and prosecution of the dairy monopolies by the Federal Government.

We favor the principle of making milk and all dairy products a basic agricultural commodity under Federal support price programs at 100 percent of parity.

The Wisconsin Farmers Union favors the idea of a centralized and federated marketing organization for dairy products similar to the cooperative marketing organization of the Farmers Union Grain Terminal Association. We also believe that a parallel development should take place for the establishment of consumer dairy cooperatives so that a unified program can be developed between the producers' cooperatives and the consumers' cooperatives for the marketing of dairy products with greater efficiency at a minimum cost.

We favor State and Federal legislation to provide for a joint State and Federal sponsored warehousing program for cheese products.

The Wisconsin Farmers Union is opposed to the principle of lowering protective tariffs on butter imported from foreign countries.

As stated elsewhere in our program, we are opposed to the repeal of State and Federal taxes on oleomargarine, or the use of yellow color in butter substitutes.

EXPANSION OF COOPERATIVES

The need for organized bargaining power for farmers has been met in part by the development of cooperatives. Recognizing this fact, we urge the building of more cooperatives within farmers union territory to provide needed services.

With the help of organized labor, we urge increased expansion of cooperatives in the cities so that the farmer-producer will be able to take his products directly to consumer outlets—thereby eliminating unnecessary labor and profits.

We cannot urge too strongly that our Farmers Union membership divert all of their patronage to Farmers Union cooperatives. We also urge our members to take a more active interest in their cooperatives by attending their annual co-op meetings.

We recommend that all Farmers Union cooperatives and all dairy plants in Farmers Union territory, be urged to check off dues and to pay a 5 percent educational fund to the State and county Farmers Union for the purpose of disseminating the benefits and philosophy of cooperation.

We believe that the ties of Farmers Union cooperatives to their own organization are paramount to any other affiliation because such activtities have been built by Farmers Union people as component parts of an organization of, by and for farm families.

THOUGH FARM PRICES FALL, LIVING COSTS ARE HIGH

Consumers are waiting with bated breath for dollar-a-sackful grocery days.

But their wait has been fruitless so far. Retail prices have been slow to reflect farm price drops.

HCL still stands for high cost of living—and high cost of living still stands.

A congressional committee is considering an investigation. Like consumers, they wonder about the apparently static retail price level.

But while the committee is investigating, here are some figures that may or may not prove a point:

If a farmer gave away his milk, a 20-cent quart of milk would still cost the consumer 12 cents. If he gave away his wheat, a 16-cent loaf of bread would still cost 14.7 cents.

And if he gave away his hides, a $10 pair of shoes would cost the consumer $8.63; if he gave his wool away, a $50 suit of clothes would still cost $44.30.

Even if he gave away tobacco, that pack of smokes would still cost 17.3 cents.

REPORT OF A COMMITTEE

Mr. ANDERSON, from the Committee on Agriculture and Forestry, to which was referred the bill (H. R. 2101) to authorize the Regional Agricultural Credit Corporation of Washington, District of Columbia, to make certain disaster or emergency loans, and for other purposes, reported it with amendments, and submitted a report (No. 89) thereon.

REPORT OF JOINT COMMITTEE ON THE ECONOMIC REPORT (S. REPT. NO. 88)

Mr. O'MAHONEY. Mr. President, from the Joint Committee on the Economic Report, I desire to file, in strict compliance with the statutory requirement, the report which the committee approved this morning on the President's economic report. The Employment Act of 1946 provides that this report should be made to the Congress on or before March 1. I am happy that the committee has been able to meet that requirement.

I may add that there is also presented a dissenting report signed by the Senator from Vermont [Mr. FLANDERS] and the Representative from Massachusetts [Mr. HERTER]. Other minority members were granted permission to file any statements they may care to make.

This is the third report of the kind which has been filed by this committee, but it is the first report prepared after a broad study of the President's recommendations. This year, for the first time since the Employment Act of 1946 was enacted and the President was required to file an Economic Report to Congress, the committee has conducted open public hearings at which opportunity was afforded for a thorough review, not only of the President's recommendations, but also of the Annual Economic Review of the Council of Economic Advisers, which was made available to the Congress together with the President's Report, on January 7, 1949.

Vacancies upon the joint committee were not filled until after the inauguration on January 20 and it was not practicable to consider the President's report prior to that time. Public hearings began on February 8 and were not concluded until the evening of February 18. Testimony in support of the President's recommendations was submitted to the committee by numerous persons in the executive branch. Transcripts of this testimony were then made available to a group of well-known economists and experts of varying points of view, and on February 16 the committee adopted a new device in the presentation of testimony by inviting these experts to participate in a round-table discussion before the committee. This plan, I think I may properly say, had the effect of eliciting much more information in a much shorter time than is usually the case. The concluding day of hearings was given over to a round-table discussion by representatives of agricultural, business, and labor organizations.

It may be said, therefore, that the fullest opportunity was afforded for a thorough review of the contents of the President's Report, of the views of the Council of Economic Advisers, and of the views of business, finance, and industry.

I invite the attention of all Members of Congress to the report, and its contents. It was intended to be an objective appraisal of the current economic situation and the presentation of the reasons why the Government should not postpone effective action to maintain a high level of employment, production, and purchasing power, in order that the American economy may continue to support the essential program of world peace upon which this Government is launched.

The VICE PRESIDENT. Without objection, the report will be received and printed, with illustrations.

Mr. TAFT. Mr. President, in relation to the report just filed by the Senator from Wyoming [Mr. O'MAHONEY] for the Joint Committee on the Economic Report, I find myself unable to join in the report, and respectfully request permission to file a minority report of my individual views within a reasonable time.

The VICE PRESIDENT. The Senator from Ohio has asked permission that he be permitted to file a minority report within a reasonable time?

Mr. TAFT. Yes; within a reasonable time.

The VICE PRESIDENT. Is there objection to the request made by the Senator from Ohio? The Chair hears none, and it is so ordered.

Mr. TAFT. Mr. President, I ask unanimous consent to have incorporated in the RECORD my statement relating to the report, which explains the reasons why I do not sign it at this time.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR ROBERT A. TAFT, MEMBER OF THE JOINT COMMITTEE ON THE ECONOMIC REPORT

The distinguished Senator from Wyoming [Mr. O'MAHONEY] has today filed a report for the Joint Committee on the Economic Report. I find myself unable to join in this report and respectfully request permission to file a minority report on my individual views within a reasonable time. The report was prepared by the able Senator from Wyoming, Theodore Kreps, senior specialist with the Legislative Reference Service, and the staff of the joint committee. It was submitted to the committee Monday morning of this week and considered at two meetings, Monday and Tuesday mornings, so that we have not had time to study in detail the findings of fact and the economic theories on which the conclusions are based. A number of changes were made by the chairman in accordance with casual suggestions made at these meetings.

At this point, I am not prepared to submit detailed criticisms of the report, but I make the following observations:

First, the report appears to be an economic brief in support of the social and economic recommendations made by the President in his state of the Union and economic messages. The statistical material and the arguments made therefrom seem to have been fitted to the President's conclusions instead of providing a basis from which the committee could reach its own conclusions. The report does not contain any objective study

or consideration of the many highly controversial points involved in the policies recommended, or any adequate statement of conflicting points of view.

The report accepts the basic philosophy that the Government can and should control the economic machine in great detail; that it can and should determine whether prices are too high or too low in each important field and take action to correct the conditions in accordance with the judgment of Government experts; that the Government can and should determine whether capacity is sufficient in any industry and take steps to discourage or expand that industry in accordance with the judgment of Government experts. In its demand for new powers, it lays little emphasis on the broad existing powers to guide the general direction in which the economy is moving

The report lays great emphasis on the difficulty of reducing expenses in order to support a plea for increased taxes, emphasizing correctly the necessity of a balanced budget.

A complete reading of the report shows that it endorses directly or indirectly the following requests of the President for additional powers:

1. Increase in corporation taxes.
2. The power to fix prices.
3. A greatly watered-down power to fix wages.
4. Extension of export and import controls.
5. Increased power over bank credit and consumer credit.
6. Increased power to fix rents.
7. Power to allocate and ration commodities on a compulsory basis.
8. Extension of Federal social-welfare assistance to those suffering from permanent disability, temporary disability, or no disability at all.
9. Other Federal aid to health, education, and welfare which may be highly desirable, but does not have much relation to the general problem of preventing depressions.
10. Forced expansion of the steel industry and the electric-power industry.

Some of these purposes are highly desirable, but others, in my opinion, are definitely unnecessary and harmful. Taken together, they create executive powers which could bring about a completely regimented economy and a completely regimented people. Certainly, they involve many vital questions of political and social policy which cannot be dealt with intelligently by any committee after 2 days' study.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. THOMAS of Utah:

S. 1143. A bill for the relief of Vit Komarek; to the Committee on the Judiciary.

By Mr. KILGORE:

S. 1144. A bill to amend sections 812 and 861 of the Internal Revenue Code so as to allow the deduction of the amounts of bequests, legacies, devises, or transfers to or for the use of veterans organizations in determining the net estates of decedents subject to Federal estate taxes; to the Committee on Finance.

By Mr. TOBEY:

S. 1145. A bill for the relief of Persephone Poulios; and

S. 1146. A bill for the relief of Francis W. Dodge; to the Committee on the Judiciary.

S. 1147. A bill to designate the dam now under construction near Peterborough, N. H., as Edward MacDowell Dam; to the Committee on Public Works.

By Mr. MAGNUSON:

S. 1148. A bill to reaffirm the intent of the Congress with respect to flight training for veterans; to the Committee on Labor and Public Welfare.

By Mr. McCARTHY:

S. 1149. A bill for the relief of John F. McKenney; to the Committee on the Judiciary.

By Mr. McCARTHY (for himself, Mr. MAGNUSON, and Mr. TAFT):

S. 1150. A bill establishing a procedure by which the Administrator may assure veterans full educational and training opportunities commensurate with the tuition charges by educational and training institutions, and for other purposes; to the Committee on Labor and Public Welfare.

CONSTRUCTION OF HOSPITALS—AMENDMENTS

Mr. HOLLAND (for himself and Mr. PEPPER) submitted amendments intended to be proposed by them, jointly, to the bill (S. 614) to amend the Hospital Survey and Construction Act (title VI of the Public Health Service Act), to extend its duration and provide greater financial assistance in the construction of hospitals, and for other purposes, which were referred to the Committee on Labor and Public Welfare, and ordered to be printed.

HEALTH INSURANCE COSTS—EDITORIAL FROM THE CHRISTIAN SCIENCE MONITOR

[Mr. ROBERTSON asked and obtained leave to have printed in the RECORD an editorial entitled "Health Insurance Costs," from the Christian Science Monitor for February 26, 1949, which appears in the Appendix.]

THE TALE OF TWO TRIALS—EDITORIAL FROM HURON (S. DAK.) DAILY PLAINSMAN

[Mr. MUNDT asked and obtained leave to have printed in the RECORD an editorial entitled "The Tale of Two Trials," published in a recent issue of the Huron (S. Dak.) Daily Plainsman, which appears in the Appendix.]

COMPULSORY HEALTH INSURANCE

Mr. SMITH of New Jersey. Mr. President, in a recent debate with Mr. Oscar Ewing, Federal Security Administrator, in the Town Hall in New York, on the subject of compulsory health insurance, I urged strongly that the approach to this problem should be through Federal grants in aid to the 48 States.

As I see this matter, it is not a question of States' rights, but State responsibility. It is distinctly a challenge to the States to assume the responsibility for the medical care of their people. I am convinced that no national compulsory plan can possibly work in a great country such as ours, and particularly no plan can work that is blueprinted in Washington and administered by a Federal bureau.

As a part of my remarks, I ask unanimous consent that my opening statement at the Town Hall meeting be inserted in the RECORD at this point, and also an editorial from the Newark Star-Ledger of Sunday, February 27—one of our most important New Jersey dailies—entitled "A State Medical Program," commenting on my proposal.

There being no objection, the statement and editorial were ordered to be printed in the RECORD, as follows:

When I hear Mr. Ewing tell about compulsory health insurance, I think of a man who lives in a fine big house with a leaky roof. The man says: "This is horrible, there's a leak in the roof. We must tear down the house and go build a wonderful new jail and live in the jail instead."

The house I am talking about is the whole medical-care system of the United States. What I propose is that we should all get busy and fix that leak in the roof. I have no enthusiasm at all for Mr. Ewing's jail. Here are my three main reasons:

First, the over-all Federal service which Mr. Ewing promises so freely—at a cost of somewhere between four and fourteen billion dollars a year, raised by additional taxes—simply cannot be delivered. With free care guaranteed for everybody, doctors' offices and hospitals would be flooded with patients. Doctors would have to adopt a kind of assembly-line medicine in order to get through their load of work. They would have to abandon the American high standards of medical practice; they would have to turn this country into one vast dispensary of pills and plasters.

Second, the system would require a tremendous machine of Federal regulation and control. There would be such inspection and investigation and filling out of forms as this country has never seen. It would mean an abdication of immediate State responsibility.

Third and last, compulsory national-health insurance would ignore all the great forces—voluntary health insurance, industrial welfare plans, the progressive and responsible State programs, the splendid promise of preventive medicine—which are working today for better, more widespread medical care. It simply says to the American people, just follow instructions from Washington and don't ask any questions, and we here will solve all your problems. That is the wrong kind of advice for free, self-reliant Americans.

I am not urging the Federal Government to keep hands off entirely. But it must plan for an evermore effective role. In the 4 years I have been in the Senate, we have started a tremendous hospital survey and construction program; we have established a new pay and promotion system for the public health service; we have greatly increased appropriations for cancer research; and we have set up new national research institutes in mental health, in heart ailments, and in dental health. These are legitimate areas for Federal aid.

However, that is only a part of the over-all picture. I envisage a positive five-point program of health legislation, by which the Federal Government will work with States and cities and private groups to cover the whole range of our health needs:

1. More medical research stimulated and coordinated by a national science foundation.

2. Full-time public-health services supported by the Federal Government throughout the Nation, to prevent and control disease.

3. More hospital construction—a great extension and improvement of our present program.

I am already a sponsor of bills to carry out those three points. We expect very soon to introduce bills covering the following two as well:

4. Training of more health personnel—doctors, dentists, nurses, and technicians—through scholarships to students and grants to medical schools.

5. And most important—aid to the States to assume their full responsibilities for the medical care of their people. What is needed is vigorous action by the States, aided and encouraged not only by Federal dollars but by all the knowledge and experience of our Federal experts. The 48 States must be challenged to take stock of their widely varying needs and resources and to develop their own experimental programs. In that way we will have 48 experimental laboratories in this country, all working toward the goal of good

medical care for everybody. And by this method the States will keep in their own hands this vital operation, which is clearly a State responsibility.

With certain of my Senate colleagues, I am proposing to offer this five-point program as a goal to challenge inventive Americans everywhere.

The issue presented by this debate is clear and stupendous: Are the 48 States going to accept their clear responsibility for the immediate medical care of their people, or are they going to abdicate and surrender this responsibility to the Federal Government?

No central government by itself can plan and achieve the good life for free Americans. But with the benefit of American inventive and organizing genius everywhere, we, through our 48 States, can repair and expand our mansion of health until it is big enough and good enough for all of us; we can make American medicine more than ever the envy of the world.

[From the Newark (N. J.) Sunday Star-Ledger of February 27, 1949]

THE EDITOR'S OPINION—A STATE MEDICAL PROGRAM

Senator SMITH is taking leadership in championing a Federal health program that would have as its keynote grants-in-aid to States for medical programs they adopt. He stresses the value of having each of the 48 States serve as a laboratory for its own approach to the problem of improving medical care.

What programs could or would the States venture upon? Obviously that would depend upon their special needs. Thus Mississippi's great need would be to attract more doctors, by some effective expedient such as a subsidy, to its rural areas where doctors are not now able to find enough fees to provide them with reasonable incomes.

PROBLEM VARIES IN JERSEY

In New Jersey, the problem of Mississippi exists, if at all, only in a negligible degree. There are few communities in the State so poor as not to offer a doctor a reasonable opportunity to earn a livelihood.

In New Jersey, the problems are far different in character. A pressing problem is the lack of medical educational institutions in the State. With institutions throughout the Nation over-crowded and entrance opportunities drastically limited, New Jersey students wishing to enter medical institutions find themselves frustrated in too many instances.

The lack of a medical college in New Jersey victimizes no group more cruelly than the Negroes of the State. Since so many of their number are on the lower rungs of the economic ladder, they do not command as high quality medical care as the more fortunate segments of the population, yet their needs may be greater. This cruel dilemma is further aggravated by the circumstantial exclusion of Negroes from opportunities for medical education.

A State medical college, in combination with a system of free scholarships for students chosen on the basis of merit and aptitude would inevitably ease the medical problems of underprivileged groups by turning out young doctors sympathetic to the problems of those groups.

PROJECT LONG NEEDED

Another project that would answer a long-felt need in New Jersey would be the extension of preventive medicine in the schools. No system of rigid paternalism need be created, and parents who prefer the family doctor to the school doctor should be permitted to follow their inclination. But the school doctor should be available, and all grade-school students should be required to have thorough medical and dental supervision periodically.

With a program of sickness benefits in business and industry already being carried out in New Jersey, it would be logical to consider a parallel system for providing medical care for the families of those who are unemployed either because of layoffs or sickness.

These and other thoughtful projects that may be desired could not be financed by the State of New Jersey unless it either received liberal grants-in-aid from the Federal Government or a return of taxing fields now preempted by the Federal Government.

There is no doubt, however, that New Jersey along with other States could march forward rapidly toward better health care without regimenting the medical profession into a system of socialized medicine.

AMENDMENT OF CLOTURE RULE

The Senate resumed the consideration of the motion of Mr. LUCAS to proceed to the consideration of Senate Resolution 15, amending the so-called cloture rule of the Senate.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Illinois [Mr. LUCAS] to proceed to the consideration of Senate Resolution 15.

Mr. CONNALLY. Mr. President, the Senator from Georgia [Mr. GEORGE] delivered such a strong and convincing argument yesterday that I feel somewhat timid about undertaking to discuss this question at the present time. However, I am so strongly opposed to the invasion of the freedom of debate in the Senate of the United States that I lose no opportunity to express my opposition to changes in the rules of the character now being pressed upon us.

According to my conception, the Senate of the United States is the last great forum for debate in the world. It is the last great retreat for freedom of discussion of all public questions. It is free from the dictatorship of totalitarianism. It is free from the tyranny of partisan and group pressures upon the public opinion of the world.

The Senate of the United States ought to remain one place where public servants may stand and assert their views and their opinions for the benefit of their constituents without impairment and without invasion.

But it is said that we must limit debate; we must have speedy action; we must have efficient action. Mr. President, let Senators not delude themselves with the idea that what we are doing here will affect only three or four little bills on the calendar. If we adopt this rule we shall adopt it for all the days of the future. We shall adopt it with reference to every bill which may be presented. Let me suggest to Senators who are so zealous in behalf of the present proposal that when the shoe is on the other foot this rule will be in effect, if we adopt it, and will enable groups and partisan majorities, perhaps of a temporary nature, but, nevertheless, in control, to foist upon us and upon our constituents obnoxious and harmful legislation under the pretext of freedom of action in the Senate.

Mr. President, this amendment is being urged so that the Senate can more quickly and expeditiously act upon three measures. Those questions were ably and fully discussed by the distinguished Senator from Georgia.

First, it is desired to pass an anti-poll-tax bill. My State is now taking steps to abolish the poll tax. Personally I strongly support the repeal of the poll tax as a requisite for voting. While I was a member of the Texas Legislature more than 40 years ago—a mere lad—I voted to submit the question to the people. When the vote came in the general election I voted not to impose any tax or restriction upon the right of citizens to vote.

Of course, a Federal poll tax law is absolutely unconstitutional. I undertook to demonstrate that in a rather elaborate speech which I made in this Chamber. There should be no doubt about it. Anyone who can read, anyone who knows what the Constitution means, should have no doubt about the unconstitutionality of such a proposal.

I cite section 2 of article I of the Constitution:

> The House of Representatives shall be composed of Members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

Under that constitutional provision every person who votes for a Member of the House of Representatives must have the same qualifications that are required of those who vote for members of the State legislature. That does not mean anything except the same qualifications. It does not mean more qualifications. It does not mean less qualifications. It does not mean qualifications of a different kind. It means the same qualifications that are required by the State law or constitution.

But Senators say, "We want to abolish that provision of the Constitution to the extent of passing an anti-poll-tax measure." Why should Senators want to do that? Most of the States—all but seven, I believe—have already abolished it; and in the remaining States measures are being taken to abolish it.

Senators say, "We are satisfied with the law in our own States, but we are not satified with the law in some other States. We have a bill which we want to pass, and we cannot pass it comfortably, easily, and expeditiously unless we get rid of this obstacle. We want to regulate suffrage in other States."

Under the Constitution, of course, each State is empowered to regulate its own suffrage, and enact its own domestic laws. Senators should bear in mind that the Constitutional Convention which acted upon the Constitution was not a mass meeting; it was not a city-hall caucus. It was a meeting of representatives of the States who assembled at Philadelphia to write the Constitution of the United States. That fact must always be borne in mind. It was not an act of individuals as such, but the act of representatives of the States of the Union.

Mr. President, we are reminded that in that convention the States were jealous of their rights. They were anxious not to surrender their sovereignty and their rights, and they carefully guarded against merging all the States into one conglomerate mass.

Mr. President, I shall not trespass upon the time of the Senate. So far as I am concerned, what I have said disposes of the anti-poll-tax proposal. If Senators will allow the constitutions of the various States to operate a little longer, if they will allow the people of the various States to conduct their own affairs a little while longer, the poll tax will vanish as a regulation for voting. I am reminded that when the Constitution was first adopted, practically every State in the Union had limitations upon the right of suffrage. At that time voters had to be taxpayers, they had to own real estate, they had to do this and do that and do the other thing in practically every State of the Union. It was not unconstitutional then. When did it become unconstitutional? Did it become unconstitutional as a result of the recent election or of some other election? Did that change the Constitution? Of course not. The New England States, for which I have a high regard, had limitations upon the right of suffrage, including the requirement of the payment of a poll tax. I understand that even today New Hampshire has some sort of an arrangement of that type, in city elections, at least.

Mr. TOBEY. Mr. President, I would not have the Senator in error; but——

The VICE PRESIDENT. Does the Senator from Texas yield for a question?

Mr. CONNALLY. I yield for a question; that is all I can yield for.

Mr. TOBEY. Is it the Senator's conception of New Hampshire law that New Hampshire law requires the payment of a poll tax as a prerequisite for voting? Is that his understanding?

Mr. CONNALLY. I had so understood, but I do not assert it as a fact.

Mr. TOBEY. I know the Senator spoke in all sincerity; but I wish to disabuse his mind. There is no such prerequisite for voting in New Hampshire. That is a misnomer and a misstatement that was made on the floor of the Senate last year, and I take pleasure in correcting it.

Mr. CONNALLY. Very well; I accept the Senator's statement. He should know the laws of his own State.

Mr. TOBEY. I should hope so.

Mr. CONNALLY. Mr. President, I do not care to take up the time of Senators by discussing the antilynching bill. Of course, it is unconstitutional. Oh, some Senators may smile at that statement; indeed, they may smile at anyone who lifts up his voice in behalf of the ancient document that is the outline and the basis of organization of this Government of ours. Some will say, "Oh, we hear the old cry, 'It is unconstitutional.'" But, Mr. President, I do not think it is improper for a Senator, standing in his place in this great Chamber, to remind other Senators that there is still a Constitution, that it is still the Nation's Constitution, which we are sworn to uphold and defend.

The antilynching bill is not really an antilynching bill. Some persons attempt to pick out a particular kind of offense and make it a Federal offense. I am as much opposed to lynching as is any other Member of this body; and as a prosecuting attorney I contributed somewhat in my State to the propagation of a movement to suppress lynching. Yesterday the newspapers were filled with reports of a terrible murder which occurred across the river in Virginia; a man murdered his wife and buried his own child alive in a shallow grave; he took two human lives. But where is he to be tried? He will be tried in the courts of Virginia. The Federal Government does not want to take over the prosecution of cases of that kind. It was just as much murder as the crime involved in many so-called cases of lynching, and was, in fact, more heinous in character. But Senators who favor the antilynching bill would have the law provide that the particular crime of lynching shall be handled in the Federal courts, whereas the lynching of a man's wife and his infant child must still be tried in the State courts.

O Mr. President, the reasons are transparent. There is only a little veil of supposed reason for the so-called antilynching measure. Of course, we are opposed to lynching. Lynching is murder; and as murder it should be punished in the proper tribunals, in the proper courts. Whether it is mass murder or individual murder, it is still murder. Why does not the Congress pass a Federal law taking jurisdiction over all cases of murder? Why do not Senators vote for such a bill? One reason, Mr. President, is that it would not be a politically popular thing to do. We are concerned here with something that will catch the fancy and imagination of the man who goes to the ballot box to cast a ballot. Why do not Senators go back to the fundamentals? If we are going to take over police powers of the States, we shall necessarily be forced into the position, ultimately, of taking over prosecutions against theft and forgery and all the long catalog of crimes. Oh, no; those two conflicting positions cannot be reconciled; no one can show any consistency between the position of making one particular act a Federal offense, and making another act, of similar gravity, a State offense, to be tried in another forum.

Mr. President, how many lynchings occurred during the last year? Only one, according to my information; only one case of lynching occurred in the entire United States of America in the last year. Yet, as I just related, yesterday, very close to the city of Washington, two murders were committed in a single day, but as to them the Federal Government has said, "Oh no; we cannot prosecute the murderer. That case is out of our jurisdiction. We shall not pass any law providing that the Federal Government shall prosecute a crime of that kind. That is beyond our jurisdiction." But in the next breath, those who make such statements also say, "But if for political purposes and political reasons we can frame up a Federal prosecution in some other instance, we shall do it; and if it is necessary to change the rules of the United States Senate in order to bring about such a result we shall do so."

Mr. President, I do not care to discuss in any detail the so-called FEPC bill. The distinguished Senator from Georgia [Mr. GEORGE] has done that forcefully and well. All these bills are of the same pattern. Those who are interested in the passage of such bills are confronted with the statement, "We cannot pass this bill; it is not in accordance with the rules. It is not constitutional, and is not in accordance with our practice." Whereupon the proponents of such bills reply, "Well, if it is not in consonance with the rule, we will change the rule. We are going to pick out three or four bills which we want passed; and in order to pass them we are going to change the rules of the United States Senate. After all, what is a rule of the Senate, as compared to a comfortable margin at the ballot box? We are going to change the rule, in order that we can pass two or three bills."

Mr. President, the rules of the Senate have endured for a great many years. They were adopted for the orderly procedure of this body. What is this body, after all? It is more than a city council. It is the Senate of the United States; and in the formation of the Union, it is my belief that the Senate was devised as a check and balance against the House of Representatives, and the House of Representatives in a measure was designed as a check and balance against the Senate of the United States. The basis of the selection of Senators and of Representatives of the House of Representatives is different. One is based upon population; the other, upon State sovereignty, regardless of population, regardless of riches, regardless of any other consideration except the sovereignty of the individual State.

The function of the Senate is something more than that of voting yea or nay upon a given measure. Formerly, the Senate was a place for deliberation, for discussion. It was the place where great public policies were hammered out upon the anvil of discussion for the guidance and direction of the people represented in the Senate. In our school days, when we read about the Senate of Rome and the Assemblies of Greece, did we ever read of the occurrence of a yea-and-nay vote in those bodies? I have no recollection as to how any particular question was voted upon, but I recall the great discussions in the Senate at Rome on questions that have vitally affected the future and destiny of the entire world.

Senators remember discussion by Roman Senators, Cato, Cicero, and others. Those discussions are a part of the history of Rome. They made Rome. They were woven into the very fabric of its existence. Yet it is not said of them, "Well, they passed an appropriation bill yesterday, to increase the prestige of the Senate." It is not said, "They changed the rules yesterday in the Roman Senate so they could bring up a bill without proper discussion and without due consideration, in order that they might have it ready for the next election."

Even in our own time the Senate has been a great forum for the discussion of public issues. As we read the history of our Republic up to 1850, as we read the debates that took place in this Chamber, we observe the unfolding history of the United States. We read in those debates

the cogent arguments and profound reasoning of the great men who fashioned and shaped the destiny of the Republic. I want to preserve the Senate as a body of that kind. I want to preserve the Senate as a place of debate before the people of the United States.

I observed in the course of hearings before the committee some days ago that freedom of debate in the Senate is more imperatively needed today than ever before. With the growth of newspapers, the development of radio, television, and other modern inventions, public debate in the Senate is needed more than ever before. There are those who may say, since we have all those media of publicity, so much debate in the Senate is unnecessary. The reason more debate is needed in the Senate is that the radio is filled frequently with propaganda put forth by special groups. People listen to the radio; it appeals to them; they are misled. Unless, somewhere in the Government, there is a place where a Senator or a Member of the House may stand and speak his views and lay before the people of the United States the facts involved in any great issue, the people are apt to be misled, and the Senator or Representative himself misjudged, because the facts are not adequately laid before them. The Senate is the place for that sort of thing. This is the place officially designated in which the man who speaks upon governmental questions ought to stand.

Newspapers are somewhat partisan, as are Representatives, Senators, and other individuals. Very little defense is possible against a newspaper article. If an article is published that misrepresents or attacks a Senator or a Representative, what can he do? He cannot answer it in a way that will reach all those who first read the attack upon him, or the attack upon the Government, as the case may be. Freedom of debate, unhampered debate on governmental problems in the Senate, is vital to the integrity and maintenance of the rectitude of public servants of the people.

I point out that there is no great danger to those who profess that they must have this change in the rules in order to get prompt action in the Senate on bills and on other matters. Under the rules of the Senate, no filibuster that is without a just basis, no filibuster that is not supported by large sections of the public, can ever succeed over determined opposition and leadership by those who want to suppress it.

In the first place, there is a rule providing that no Member may speak more than twice in any legislative day upon any question pending before the Senate. The leadership can make the legislative day 1 month or 6 months, if they desire, and during that time no Member of the Senate may speak more than twice. Furthermore, under the rules of the Senate, if a motion is made to take up a bill and there is resistance to the motion, the Senate leadership may adjourn the Senate until some other day, and in the morning hour, on motion without debate, the question of the consideration of the bill that was objected to some days before may be brought up. That is a complete answer to the plea that dilatory tactics can prevent action by the Senate.

Mr. President, what are the theories upon which the Senate and the Government are founded? They are not founded upon the basis of numbers. The Constitution is replete with prohibitions against governmental invasion of the rights and privileges of citizens of the Republic. I shall cite a few of them. First, the Constitution prohibits majorities, it prohibits two-thirds rule, it prohibits caucuses of a majority, it prohibits partisan movements of special groups and organizations to coerce and drive the Senate or House into precipitate action. The first 10 amendments to the Constitution were submitted by the first Congress. When the Constitution was before the assembly in Virginia for ratification, the question was there raised as to the failure of the Constitution to include a bill of rights. After discussion, a sort of gentlemen's agreement was arrived at, providing that if Virginia would ratify the Constitution steps would be taken at the first session of the new Congress to submit amendments which would embody a bill of rights.

Mr. President, many Senators will not even listen to arguments of this kind. Many Senators will not honor us with their presence. Many Senators on the other side of the aisle—I can hardly count them on my two hands—refuse to open their ears and to open their minds to arguments which we advance on this side of the Chamber. But, Mr. President, we cannot control that situation. If the legislative machinery of the United States were based purely upon numbers, without certain attributes of the two Chambers, we would have, no doubt, a unicameral legislature. There would be no use having a House and Senate. We would have one body, and act by majority vote, through instructions from a caucus held somewhere and somehow.

But, Mr. President, that was not the theory of the makers of the Constitution. They recognized the difference between the two bodies as finally provided. Unicameral legislatures have never been adopted in this country, except in the State of Nebraska. The United States is not now and never has been a pure democracy. It is a democracy of federated States, not a pure democracy such as the democracy of ancient Greece, in which the citizens of Greece were called into convocation and enacted rules and regulations and caused the exile of prominent Greeks by a simple vote, by voice, or by counting or showing of hands.

That is not the kind of Constitution we have. That is not the kind of government we established. We established a government of delegated powers, a government of federated States, and the Constitution outlined the limitations and the powers of the two legislative bodies as well as the rights of the people.

I recall the historic example of Themistocles, who was chairman of the executive committee of Athens. He decided that he would like to get rid of Aristides. Aristides was a troublemaker; he would make a point of order every once in a while, and he did not "go along." So Themistocles said, "The way to avoid difficulty is to get rid of him." He was like Senators who now say that the way to correct the situation is to change the rules. "Just get rid of the rules that stand in our way. We have three little bills we must enact. Therefore, we must do away with the rules."

Themistocles had Aristides brought to a mass meeting, and it was voted to exile him. The story relates that Aristides was wandering around incognito and observed a man with a shell in his hand getting ready to write the name on it of the man he wanted to exile. Aristides looked over his shoulder and saw that he had written the name of Aristides on the shell. He patted the man on the shoulder and said, "My friend, why do you vote to exile Aristides?" The man replied, "I am tired of hearing him called 'Aristides the just.'" So, Aristides was exiled. Later on Themistocles, when he got into difficulty in a war, had Aristides brought back to Greece to aid him in defense of his country.

Mr. President, why should I introduce into the debate a story of that kind? I do so simply to illustrate arbitrary power.

Mr. LONG. Mr. President, will the Senator yield for a question?

Mr. CONNALLY. I yield.

Mr. LONG. Let us see if we can get together on that story. Possibly the Senator had a different history book from the one which I read. As I recall the story, Aristides was asked by an ignorant man to write his name, and Aristides was such an honorable man that he wrote his name on the shell. If he had not done so, the ignorant man would not have known his name.

Mr. CONNALLY. That is done now in certain instances, when someone else writes out a ballot. I thank the Senator from Louisiana. I am a little rusty on ancient history.

Anyway, Mr. President, it illustrates the point I was endeavoring to make as to the tyranny of arbitrary power. That is what it was. Arbitrary power. That is what we are opposing here today. It is said, "We are going to revoke this rule. Does such action impinge upon the Constitution? Well, it may, but we must pass these bills, regardless of the Constitution and regardless of the precedents of the Senate."

That is what we are opposing, Mr. President. I was endeavoring to bring out the point that the Constitution of the United States limits the rights and powers of the Congress in many ways, not subject to the control of caucuses, groups of policy committees, and things of that kind.

Mr. President, the freedom of debate runs all through the legislative processes and the legislative machinery of the United States Government. Why do I say that? The Constitution is filled with restraints. For instance, the President can veto an act of Congress, but Congress, by a two-thirds vote, can override the veto. Yet, here is one man, the President of the United States, exerting a power which anything less than a two-thirds vote cannot overcome. Some say, "We want a two-thirds vote of the Senate to change a rule." Others say, "We want

a majority vote of the Senate to change a rule." It is contrary to the very spirit and the genius of the Constitution of the United States. Under the Constitution of the United States a two-thirds vote is required to ratify treaties. Why not do it by a simple majority vote? Why not hold a little caucus in some room upstairs or downstairs and decide the question, regardless of the Constitution and the rules? No, Mr. President; the people of the United States will never be content with that sort of conduct in the Senate—disregarding the rules which have been enriched by years of observance and by years of precedents, and arbitrarily taking action contrary to the course previously followed.

Mr. KNOWLAND. Mr. President, will the Senator yield for a question?

Mr. CONNALLY. I yield for a question only.

Mr. KNOWLAND. I should like to ask the able Senator from Texas how he would enable the Senate to bring debate to a close under the present rules of the Senate, in view of the statements which he made before the Committee on Rules and Administration during the session of the Eightieth Congress, when he said:

> Mr. Chairman, it seems to me the present cloture rule is sufficient for all practical purposes to enable the Senate to force a vote whenever two-thirds of the Members desire it.

Then he went on to say:

> Now you have got a rule. I will not go into it; you know what it is, that upon the signature of 16 Members of the Senate following 1 day over, it shall be set down and a vote had, and if two-thirds of the Senate, after 1 hour debate per Senator, if two-thirds of those present vote that they do not want any more debate, the debate is cut off.

I should like to ask the able Senator how he can square the present parliamentary situation, in which we cannot even get a resolution before the Senate to be voted on, with his statement that at any time two-thirds of the Senate can cut off debate.

Mr. CONNALLY. I am very glad to answer the Senator from California. I have observed him here in the Senate. I have observed that he follows a man's record wherever he speaks. On yesterday he had the record, undertaking to pillory the Senator from Georgia [Mr. GEORGE] on what he said before the committee. Today he has the record of the committee—I suppose he has the record, he talks as if he has it—as to what the Senator from Texas said. I have already explained how it can be done under the present rules, if the Senator from California and his group would exercise the same ingenuity in getting action which they exhibit in trying to embarrass someone. His group have the votes. They can adjourn the Senate on this question, withdraw the question from present consideration, and when the Senate meets on the following day, in the morning hour, the Senator can make a motion to take up a bill and it can be voted upon without any debate whatever, and if he has the votes, he can bring it up for the consideration of the Senate. Then, if he has the votes, it can pass the bill. If he can get 16 Senators to sign a petition for cloture, and can have the cloture petition adopted, every Senator then will be limited to 1 hour. Does that answer the question?

Mr. KNOWLAND. Will the Senator yield for another question?

Mr. CONNALLY. I reckon so.

Mr. KNOWLAND. I should like to ask the Senator if it is not true that under the rules of the Senate anything that is taken up during the morning hour is still subject to discussion, and if the discussion lasts beyond the morning hour, the measure will then go to its regular place on the Senate Calendar, where it will be subject to unlimited debate. There is no procedure I know of in the morning hour—perhaps the Senator knows—under which it is possible to get a vote in the morning hour.

Mr. RUSSELL. Mr. President, will the Senator from Texas yield?

Mr. CONNALLY. I yield.

Mr. RUSSELL. I should like to ask the Senator from Texas if conditions have not completely changed since the statements were made upon which the Senator from California now dwells so earnestly. In the Eightieth Congress the question of amending the rules was brought up as an abstract proposition. In the Eighty-first Congress we are told that the measure to be brought up is the first of a series of sectional bills which are a political issue in other sections of the country, but are real problems to those who live in the section the sponsors propose to crucify with this proposed legislation.

I am asking the Senator whether conditions have not completely changed since the statements to which the Senator from California referred were made. Then Congress was dealing with an abstract question. Today we are dealing with a political issue, in connection with which about three-fourths of the country proposes to impose upon one-fourth of the country a measure which we insist is unconstitutional.

Mr. CONNALLY. I think the Senator from Georgia has answered the Senator from California.

Mr. President, the Senator from Georgia made a suggestion which should be remembered, which should be put down in this debate, namely, that the Senate, supposedly the Senate, really a group in the Senate, are seeking by the resolution under discussion, and by the action that is to follow if it shall be agreed to, to crucify a certain section of this Republic in order to gratify the ambitions and the political desires of some of those living in other sections. That is what it means. They want to select out the South and press to its lips this nauseous potion which they do not press to their own lips.

I suppose I am prejudiced in favor of the South, but I am not an agitator and a radical with regard to the South. However, I am wondering when Members of the Senate and Members of the House of Representatives of the United States are going to let men from the South rest in peace regarding some of these questions which they continually agitate, not for the welfare of their own constituencies, except for voting purposes, but to aggravate and to humiliate those of us who come from the South.

Mr. President, the South has suffered under many burdens. It lost its appeal to arms, as all Senators know, at Appomattox. But following Appomattox it was oppressed with a form of tyranny and outrage never equaled in the history of the human race.

We hear talk today about the sufferings of nations that were conquered in the last war. They do not compare with the sufferings borne by and outrages practiced among the people of the South following Appomattox.

Mr. President, my father was a Confederate soldier, and I honor and respect his memory, but when the war was over he laid down his arms and went back to a poor little farm, a farm overgrown with sprouts and in ruins. He applied his toil to mother earth, with no government bounty, with no farm aid, with no social-security benefits, with no benefits except the strength of his arm and the stoutness of his heart to fight against the misfortunes that crowded upon him. He won. He conquered. Through the years he established his economy, and became a rather prosperous and prominent citizen without ever receiving a thin dime from the Treasury of his country.

Mr. President, we of the South have suffered political discrimination all through the years since the War Between the States. I have heard old men in my section of the country relate that when they went to the ballot box in the days of reconstruction they had to march between lines of bayonets in the hands of hostile soldiers.

So, Mr. President, may the day sometime come when Senators and Representatives, despite their greed for little groups of voters, and their anxiety to gratify their own petty ambitions, will remember that there are some sections of the country other than the particular localities in which they live. I submit that the men of the South, following the War Between the States, contributed mightily to the economic rebuilding of the Union and to the growth of brotherhood and friendship and rehabilitation in this Republic.

I remember that in the war with Spain the boys from the South donned the blue uniform and went forth to fight the enemies of their country side by side with the boys from the North. The volunteers of the day asked no questions as to the States from which their comrades hailed. They were brothers. But the politicians at home would not permit that sort of feeling to spread throughout the ranks of their political followers. So, Mr. President, I ask when may the Southern Representatives and Senators expect to be treated with equality, to be treated upon the same plane with Senators and Representatives from other States? When may we expect that the constitutional rights which the Constitution gives us will be observed with respect to our States as well as they are observed with respect to other States?

Most Senators have read the Constitution. Most Senators know that the

bills hoped to be passed because of change in the rules are unconstitutional. I heard the late Senator Borah and the late Senator Norris on the Republican side of the aisle vote against two of the bills which some Senators hope to have passed, on the ground that they were unconstitutional, unwise, and ought not to be passed.

Mr. President, I hope I may be pardoned for this interjection in my remarks, which may not be considered by some Senators to be pertinent at this particular point.

I wish to remind Senators that in the case of a constitutional amendment a two-thirds vote of this body is required even to submit the amendment to the States. Why do not Senators propose that a change be made in that rule, so as to get a little more speed when such a proposal comes before us, and we may be a little more efficient in that respect? After a constitutional amendment has been submitted to the States, favorable action is required on it by three-fourths of the States, in order that it may be adopted as an amendment to the Constitution of the United States. Some Senators might say "That is too slow. It should be possible to ratify an amendment to the Constitution more quickly and more speedily than that. The present procedure is too slow."

Oh, no, Mr. President. I will say to the Senator from California [Mr. KNOWLAND], if he desires to discuss the rules, that under the rules of the Senate we cannot even suspend the rules except by a two-thirds vote of this body. The Senate rules cannot be suspended for a day, cannot be suspended for an hour, cannot be suspended for 1 minute unless two-thirds of the Members of the United States Senate vote in favor of such suspension. That is not a change of the Constitution, it is simply a change in the rules of the Senate, and the change cannot be made by this body unless two-thirds of the Members vote to make the change in the rules.

Mr. President, the effort now being made simply illustrates that if it should succeed America would not be a free democracy. If successful, it would result in placing restraints and handicaps upon the actions of State governments.

I am so devoted to preserving the freedom of debate in this body that when I was first nominated as a candidate for the United States Senate I placed in my platform a plank to the effect that I would not vote to limit the freedom of debate in the United States Senate, and I discussed that plank in many places throughout my State. The people of my State want freedom of debate in this forum preserved. They want to hear our voices; not the voices of some paid propagandists over the radio or in the news columns. They are willing to hear both sides, but they want the truth from their representatives so as to counteract the cruel misrepresentations which are often foisted upon them.

Mr. RUSSELL. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Texas yield to the Senator from Georgia for a question?

Mr. CONNALLY. I yield for a question.

Mr. RUSSELL. I should like to ask the Senator from Texas what effect a gag rule such as proposed here would have had upon the history of the Senate and the great men whose remarks have not only illuminated the records of this body but have gone into the classics of this country? I will ask the Senator if it is not true that Daniel Webster, James G. Blaine, and others who are outstanding statesmen, overshadowing many of those who are demanding a gag rule here today, occupied from 6 to 8 hours in making their great speeches here upon the floor of the Senate? If they had been subject to any such rule as is proposed here now, and a majority had been willing to work its will, they would have been lucky to find 1 hour to speak after the gag had been applied. I ask the Sentor from Texas if he does not believe such would have been the effect of application of a gag rule.

Mr. CONNALLY. I thank the Senator from Georgia. He has placed his finger upon one important aspect of the whole matter. As I said a while ago, the history of Rome and of Greece is not built on yea-and-nay votes taken in their governmental assemblages. Who knows how the members of such assemblages voted on any question? Their histories were built upon the discussions of great governmental principles in the public forum where the citizens of Rome could listen and become aware of the issues, and in the public forums in Greece to which its citizens could flock to hear the discussions on public issues.

So it is with the history of our country. The great debates held in the Senate for 50 years absolutely dominated the life of our Republic. The Senator from Georgia suggested Daniel Webster as one great Senator who debated important public issues. Hayne was another. A great many other famous names occur to me, such as Henry Clay, Calhoun, and others. Their debates were sometimes extended over more than a day's session, because the subjects they discussed were all-embracing and vital and intertwined with the destiny of the Republic.

Here in Congress is where the history of the United States should be made. It should be made here where all citizens may look and listen and see what is transpiring with respect to their government, rather than what is going on in the caucus room of some political organization, into which the boss may come and say, "We must pass this bill, or we will lose the third ward in the next election." The Senator from Georgia is eminently correct.

Mr. RUSSELL. Mr. President, will the Senator yield for a further question?

Mr. CONNALLY. Yes.

Mr. RUSSELL. I should like to ask the distinguished Senator from Texas if the trend to cut off debate in the Senate and to gag Senators in full and free expression on the floor of this body is not likely to result in completely obliterating the importance of the legislative body in our scheme of government? As we have whittled away the right and the prestige of the Senate as one of the equal and component parts of our government, the executive branch has continued to expand and increase in power, and if we impose a gag rule here on this body it will not be long before the pronouncement of some little grade 10 clerk in the executive department of the Government will be of more importance than the futlie efforts of a United States Senator to find a way to evade the gag rule and express himself on the Senate floor.

Mr. CONNALLY. I thank the Senator. We already know there is a trend toward executive centralization of power. Whenever the strength of the Senate is undermined—and its strength arises large / by reason of the right and ability of Senators to rise in their places, if they so desire, and declaim against an outrage, a wrong, or advocate openly the passage of legislation or the correction of errors resulting from legislation adopted in the past—whenever the power of the Senate to do those things is struck down the power must be placed somewhere else, and it will result finally, if the trend is adhered to, in the establishment of centralized power in the Executive. There will be a demand to take certain action. It will be said, "It cannot be taken in the Senate because the Senate rules are a clog, and partisan groups are in the way, partisan groups are interfering." But the people will say, "We want action," and the result will be that the executive power will expand, the power residing in the Senate and in the House of Representatives, in the people themselves, will decrease, and the Executive will take over the power to regulate all the vast concerns of a mighty people.

Mr. President, we do not want that kind of a government. Irrespective of who may be the Executive, that is not the concept of the founders of the United States of America. The concept of the framers of the Constitution was that the great masses of the people should be represented by Representatives in Congress, based upon population, and that the sovereign States should be represented in the Senate, not on the basis of population, but on the basis of the integrity and the individuality of the States. There were to be two Senators for each State. That is our conception. The functions of the Executive, while ample to perform the duties which are imposed upon him, should not exceed, should not trample upon, should not interfere with the prerogatives of the Senate or the House of Representatives, or the rights reserved to the people by the Constitution of the United States.

The Senator from Georgia is eminently correct in the conception that the brushing aside of debate, hasty consideration, and lack of proper consideration, will inevitably result in a whittling away of the authority and power of the Senate and of the House of Representatives as well, and the substitution of a tyrannical executive power.

Mr. President, one of the articles in the Bill of Rights relates to the protection of the individual in the freedom of religion. No matter how humble he may be, the Bill of Rights guarantees to every individual the right to freedom of religion. That right cannot be taken away

by all the minions of groups in the United States. A majority vote cannot take away from him his right to religious freedom. A two-thirds vote cannot deprive him of that sacred privilege. It is guaranteed by the Constitution of the United States. He does not require anyone to sponsor him. He stands on his own feet, in his own right, and says, "The Constitution is my authority. I am entitled to freedom of religion; and if I do not get it I shall go to a Federal court where that right will be asserted, and I will be protected."

I cite these things to show that it is the genius of the Constitution of the United States to have prohibitions and limitations, and to have all these fundamental rights guaranteed by the Government of the United States.

Another clause in the Bill of Rights relates to the right of every citizen to bear arms. That is a right which cannot be taken away by any majority. It cannot be taken away by a two-thirds vote of the Senate. It cannot be taken away by a unanimous vote in the House of Representatives. The rights of an individual citizen of this Republic cannot be taken away from him in any such manner. He can wrap the Constitution about him and say, "This is my protection; this is my defense."

No soldier can be billeted in the house of any citizen of the United States except in time of war, and then only upon the payment of adequate compensation.

These are fundamental rights. I cite them to show that there are some things which cannot be controlled by majorities, which cannot be wiped out by a two-thirds vote, which cannot be negatived by a group meeting in some caucus room or by a policy committee in the chambers of the Government of the United States.

The Bill of Rights protects citizens against unreasonable searches or seizures. I shall not elaborate upon that question, because Senators know what that means. It means that all the king's armies cannot put upon a citizen an unreasonable search of his private possessions. It is done sometimes, but when it occurs it is in violation of law, and in defiance of the law.

Another right guaranteed by the Bill of Rights is the right of freedom of expression. How are we to have freedom of expression if we limit the representatives of the people and tell them how little they can say and how seldom they can say it in this Chamber? There should be more freedom of debate in the Senate than in any other agency of the United States. When we speak we are not speaking for ourselves. We are speaking for the people in the States whom we represent. When my colleague speaks in this Chamber, it is the voice of my State. It is the voice of Georgia when the Senator from Georgia speaks in this Chamber. That right ought not to be limited. Should we limit an entire State which wants to speak upon some public question through its representative and advise other Senators what the position of that State may be? Shall we say, "No; you cannot do it. We have heard a great deal of talk, and we are not going to hear any more. We have already heard the boss' voice, that this bill must pass, and that is the only voice we are going to listen to."

No, Mr. President; if we are to preserve the freedom of a citizen's opinion, we should also guarantee the freedom of expression of his opinion. An opinion locked within the privacy of a man's bosom does not do his fellow citizens any good. But if he has convictions and views, and speaks them through his representatives, they will impress the world, and leave their influence upon the action which may be taken.

Mr. LONG. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield for a question.

Mr. LONG. Does the Senator see any reason why a minority should be required to have one-third of the membership of the Senate in order to be heard on this floor, as is proposed in the two-thirds cloture rule?

Mr. CONNALLY. I will say to the Senator that I do not favor any limitation on the right of debate. This is not a question with respect to which reason is being invoked. This is a question in which politics is the motive. The question is, "How are we going to get the votes? How are we going to corral the votes and keep them corralled? We can not do it under the present rules or laws. We must have some new laws or lose our old voters." They do not think about getting some new voters, instead of new laws. They want to get some new laws so that they can corral the voters and hold them in line.

The Bill of Rights requires a unanimous verdict of the jury in a Federal court. A man cannot be sent to jail by a majority vote. He cannot be sent to the penitentiary by a two-thirds vote. There must be a unanimous vote. The accused has the right to be heard in his trial. He has the right to be represented by counsel. He has the right to face his accusers and deny the charges brought against him. Yet I suppose there are those who would say, "That takes up too much time. There is nothing involved but a man's life. We cannot put up with this tomfoolery. We are going to bring in a cloture rule limiting the accused to one witness, and limiting his lawyer to 30 minutes. We want to get some action and dispose of these cases."

No, Mr. President. That is not the genius of our country. That is not the genius of our courts. That is not the genius of our people, and ought not to be the genius of any group in our Republic.

The Constitution requires that the accused be confronted by his accusers. I am amazed that someone has not suggested a rule limiting the accused to two witnesses, and limiting their testimony to 30 minutes. I am surprised that someone has not said, "We are going to cut him off. We are going to have action. We are not going to let the minority of a jury keep us from executing the law. We were elected last fall, and we have some pledges to keep, and we must put them into effect. We must find some shortcut to fulfill our pledges."

A citizen cannot be indicted except by a grand jury. That is another impediment to quick action. Why not let the caucus indict him? Why bother with a grand jury? No, Mr. President, he is entitled to a civil jury trial in matters involving $20 or more. Of course, nearly everyone has $20; but if some have not, they had better look out. [Laughter.]

Mr. President, I happen to have observed in two particular instances that the freedom of debate and unlimited debate in this Chamber have had a tremendous effect. A few weeks ago Mr. Dean Acheson was nominated to be Secretary of State. A radio commentator in Washington, with a grudge, I suppose, against Mr. Acheson, or at least with bitterness against him, went on the radio and declared him to be a Communist and an associate of Alger Hiss, and denounced and accused him. I received telegrams from distant points in the country denouncing Mr. Acheson and advising me, "Do not vote to confirm that man; he is a Communist." The senior Senator from Georgia [Mr. GEORGE] approached me and said, "I am getting a bucketful of telegrams against this man, telegrams saying, 'Do not confirm him; he is a Communist,' and many other citizens have advised me to the same effect." What could Mr. Acheson do? He could not go on the radio and answer his accuser; the people who heard his accuser would not hear him.

We adopted the method of having an open, public hearing in the committee, which is unusual in the case of the consideration of nominations of Cabinet officers. We called a meeting of the Foreign Relations Committee; and we had Mr. Acheson there, and we put him on the stand and let him testify about the facts in the case. He absolutely dissipated the suspicions which had accumulated and been poured upon him, and the committee unanimously voted to confirm his nomination. The members of the committee branded as falsifications the charges that had been leveled against him. That could never have happened except for the freedom of debate in the Foreign Relations Committee. If Mr. Acheson had not had that place from which to speak he could not have accomplished the results which were thus attained.

Now let me relate the second instance I have in mind: Some years ago we had here in the Congress of the United States what was known as the Supreme Court reorganization bill. I wish to discuss it for a moment, without any bitterness or any antagonism toward anyone who supported that bill. When that measure was first introduced in the Congress, I believe that if an election had been held at that moment the Supreme Court reorganization bill would have carried by a margin of at least 3 to 1. I was opposed to that measure, and announced my opposition 2 or 3 days after the bill was sent to us. If there had been an immediate election, I would have been defeated, I am sure, by a margin of 3 to 1. But that bill was referred to the Committee on the Judiciary. I happened to have been a member of that committee; and those of us who were members of the committee sat through

long days of hearings, long days of discussion, long days of press reports of the hearings and comments of Senators upon that measure in the press. After the expiration of months, during which time the public was taking more and more interest in the measure and was learning more and more about it from the public debates and hearings in the committee, the bill was rejected on this floor by a considerable majority—not upon a direct vote, but upon a vote to recommit the bill, which, of course, meant its death. That action was taken by a very substantial majority.

I cite those instances, not in a spirit of bitterness or in a desire to revive any of those issues, but because they occurred within my own personal observation, and it seems to me they illustrate the wisdom and necessity and desirability of maintaining here in the Senate a forum in which Senators may voice their views and may let their constituents know their position upon the great questions which will be considered here as the years go by.

Mr. President, I wish to say that as time goes on, the influence of the United States upon the world and upon the governments of the peoples of the world will, I feel sure, continue to grow and increase in strength. Accordingly, I believe that what happens in the United States will be observed with more and more interest and will serve more and more to be a model, at least for the countries which wish to preserve free government and free institutions. The real democracies of the world will be impressed more and more by what transpires in the United States. So, Mr. President, I would deeply regret to see our fundamental system changed or modified, under the influence of pressure groups, in such a way as would react abroad most unfortunately.

Mr. HOEY. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. HOEY. I ask the distinguished Senator from Texas whether rule XXII as it now stands has been in force and effect in the Senate for the past 32 years, and whether during that time any ill effects have arisen from the application of the rule as it is now constituted?

Mr. CONNALLY. The Senator from North Carolina is speaking of the cloture rule; is he not?

Mr. HOEY. Yes.

Mr. CONNALLY. I will say to the Senator from North Carolina that although I was not a Member of the Senate at the time of the adoption of that rule, I recall that time very well. So far as I know, the business of the Senate under that rule has operated without difficulty, and with remarkable smoothness and flexibility. I know of no harm that has sprung from the rule to which the Senator refers.

Does that answer the Senator?

Mr. HOEY. Yes.

Let me ask the Senator a further question, if he will permit.

Mr. CONNALLY. Certainly.

Mr. HOEY. Let me inquire whether during these 32 years there have been 20 attempts to invoke cloture, and whether only 4 of those attempts have succeeded.

Mr. CONNALLY. The Senator is absolutely correct. The reason why they have not succeeded and why cloture was not adopted has been the conviction deep down in the bosoms of Senators that cloture is not necessary and was not necessary in those particular cases. They saw no necessity for deviating from the orderly procedure of discussing measures here on the floor of the Senate, and so the Senate refused to adopt the rigid and inflexible procedure proposed by the pending resolution.

Mr. HOEY. Let me ask further if it is true that no cloture petition has succeeded during the last 22 years in this body.

Mr. CONNALLY. I think that is correct, but at the moment I am not advised as to just how many years it has been. I know there have been many changes. I know of many distinguished Republicans who were opposed and still are opposed to cloture. I remember the beloved Senator McNary, of Oregon, who was leader of the Republican side of this body. He was always opposed to cloture. He would not vote for any limitation of debate in the Senate. I remember that on one occasion when I was engaged in a discussion of a particular question—and some persons might have thought my discussion was dilatory or obstructionist—Senator McNary sat right where the Senator from California [Mr. KNOWLAND] now is sitting; and as he went out of the Chamber he made it a point to walk by me, and he whispered words of encouragement and good will. He was opposed to the limitation of debate by cloture. Senator Borah also voted against cloture on occasion. I am unable to recall a particular measure or a particular date, though I hope I shall not be held responsible for that. Senator Norris, a great liberal Republican, voted against cloture on several occasions, I recall. If there is any question about this, I shall look up the dates and the occasions and place them in the RECORD; but I recall the facts. Why did those men vote against cloture? Because they had been here for a great many years. They knew the history of the Senate and the kind of legislation that comes before the Senate. They knew the character of the men who sit in the Senate. They realized the importance of preserving the right of freedom of debate and discussion in the Senate. They were not afraid to hear the truth. They were not running to cover every time they heard a discordant note in precinct No. 4. No, Mr. President, they were great men—in mind, in character, and in performance. They wanted the Senate to remain the Senate of the United States; they did not want it to become a ward meeting across the tracks.

We owe a duty to the people of the United States and particularly to the young people of America who are to come after us, to preserve the integrity of the Senate as a forum for the free expression by Senators of the public issues that may confront this body.

Mr. President, I shall not consume more of the time of the Senate, except to say I realize, as I am sure other Senators realize, that the influence and impact of the United States upon the history of the world in years to come will be tremendous and powerful. Many European nations now subjected to totalitarian influences are blinded by the necessity of observing rules enforced by Red armies. I want such nations to retain the concept of the United States of America as a great Republic, a great Federalist Nation representing the people of the Republic under constitutional processes, limitations, and guaranties. I want them to conceive of the United States of America as a land of law and order, ruled by the people through constitutions and courts, not by an organization such as the Politburo, or by a totalitarian master whose edicts are enforced by the sword and by other weapons of war.

Free government cannot be maintained without freedom of discussion. It is impossible to enlist the aid and sympathy of citizens of a republic unless they feel they have a voice in the government under which they live. They cannot have such a voice unless they know the issues presented and the determinations made by those who represent them in the Congress.

Mr. President, let us not destroy the forum in which Calhoun thundered. Let us not wipe out this particular place where Daniel Webster became known to history as one of the greatest orators and statesmen of all time. Let us not wipe out the platform upon which many other eminent, distinguished, and able Senators lifted their voices in behalf of the people, in behalf of constitutional government, in behalf of freedom and constitutionalism, and in behalf of legislative and particularly congressional rule over this land.

No, Mr. President, I shall not vote to wipe out, to strike down—for that is what it means—the freedom and liberty of debate in the Senate, in order to obtain a handful of paltry votes, some of them covered with slime and corruption. I shall not vote to surrender one of the loftiest prerogatives of the Senate, the right to freedom of debate, for any such low and mean and selfish purpose as to attract to my party votes, patronage, and prestige. No citizen of our Republic is denied the right to vote; of course not. Let him vote. But I shall not surrender the most precious privileges of the Senate in order to lure any voter into the particular fold in which I desire him to remain. I shall vote against the motion to take up the resolution, and, if it is taken up I shall vote "No," on the motion to limit freedom of debate in the Senate of the United States. Do not do that. You cannot do that—there are not enough of you. [Manifestations of applause in the galleries.]

The VICE PRESIDENT. The Chair admonishes the occupants of the galleries that it is against the rules of the Senate to give any expressions of approval or disapproval. I hope those in the galleries will observe that rule.

Mr. ROBERTSON. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Hunt	Myers
Anderson	Ives	Neely
Brewster	Johnson, Colo.	O'Conor
Bricker	Johnson, Tex.	O'Mahoney
Bridges	Johnston, S. C.	Pepper
Broughton	Kefauver	Reed
Butler	Kem	Robertson
Cain	Kerr	Russell
Chavez	Kilgore	Saltonstall
Connally	Knowland	Schoeppel
Cordon	Langer	Smith, Maine
Donnell	Lodge	Smith, N. J.
Douglas	Long	Sparkman
Downey	Lucas	Stennis
Eastland	McCarran	Taft
Ecton	McCarthy	Taylor
Ellender	McClellan	Thomas, Utah
Flanders	McGrath	Thye
Fulbright	McKellar	Tobey
George	Magnuson	Tydings
Gillette	Malone	Vandenberg
Green	Martin	Watkins
Hayden	Maybank	Wherry
Hendrickson	Miller	Wiley
Hill	Millikin	Williams
Hoey	Morse	Withers
Holland	Mundt	
Humphrey	Murray	

The VICE PRESIDENT. Eighty-two Senators having answered to their names, a quorum is present.

THE TAFT-HARTLEY LAW

Mr. MORSE. Mr. President, I should like to make a few brief comments on an interesting editorial I read this morning in the Washington Post entitled "What's His Name?" It reads as follows:

In his Jefferson-Jackson Day address President Truman embellished his attack on the Taft-Hartley Act with a quotation credited to a Republican Senator, who called it "a device for making unions so weak they cannot carry on effective collective bargaining." We wish the President would reveal the name of that Senator, for whoever made such a remark is disqualified by sheer stupidity for responsible office.

That was a harsh criticism, Mr. President. I think fair-minded critics will think the editor is wrong in that blanket condemnation. The editorial proceeds:

Presumably the unknown was a firm supporter of the act.

Wrong again. It continues:

In that case, he should have realized that the best defense of the act lay in affirmative assertion that it would make for more effective, less one-sided collective bargaining. Even if he secretly doubted the validity of the argument, he should have been sufficiently aware of the state of public opinion to pay lip service to the cause of collective bargaining. Finally, anyone who so misjudged the purpose and workability of the Taft-Hartley Act, as shown by subsequent experience of its working, is discredited as a critic even though the President takes satisfaction in citing him as an authority.

Mr. President, in my opinion the Washington Post on the whole is a pretty good newspaper, particularly in its news columns. But, oh my, its editorials sometimes are awful. By and large it has been a fairly liberal paper. I think it is one of the more liberal and progressive papers in America. But frequently it appears to have an editorial writer or two who do not read the newspaper itself, because often its editorials are completely out of line with the very excellent news stories published in the paper. In other words, the reporters are better informed than its editors.

I want to relieve the President of the chore of naming the Republican to whom he referred in his speech. I shall take that responsibility off the President's shoulders and plead guilty here and now as having been the Republican Senator whom the President quoted the other night. I plead guilty to saying in a speech on the floor of the Senate on June 5, 1947, during the debate on the Taft-Hartley bill that the Taft-Hartley bill is "a device for making unions so weak they cannot carry on effective collective bargaining."

I repeat that charge today, Mr. President, and I hope that the editorial writer on the Washington Post will read the hearings just completed on the Taft-Hartley law and judge for himself, from the testimony of management witnesses themselves, as to what the ultimate aims of many employers are under the Taft-Hartley law. As one reads that testimony he finds management witnesses confessing, under cross-examination, that the most restrictive uses of the Taft-Hartley law will come when unemployment becomes widespread in America.

What appears to have happened on the Washington Post editorial staff is that some editorial writer sold the Post a bill of goods early in the days of the debate on the Taft-Hartley bill in the form of a program calling for the editorial support of that unfortunate law by the Post. Thus that great newspaper on this issue left its liberal course of journalism and has over the months been carrying editorials trying to rationalize the great mistake which the Congress of the United States made in 1947 when it passed the Taft-Hartley law.

Mr. President, I desire to refresh the memory of this editorial writer with a few other comments I made during the debate, because when the historic debate on labor legislation starts in the Eighty-first Congress I intend to carry this body back to some of the statements which were made in the 1947 debate. I intend to carry Senators on this side of the aisle back to some of the warnings which were issued in 1947, when I said to the Republicans in the Senate of the United States, "If you pass a piece of labor legislation as unfair as the Taft-Hartley bill you will hear about it at the ballot boxes, because millions of independent voters, yes and Republican voters, will not in 1948 support a party which passes such a bill." The 1948 election returns proved that they did not. In 1948 we lost not only millions of independent voters, but we lost several million Republican voters, because of the serious mistake the Congress made in passing the Taft-Hartley bill.

Let us look at a few of the paragraphs contained in some of the arguments I made in 1947. I said on June 5, 1947:

I supported the Senate committee bill, which was a fair, reasonable, constructive, and enforceable bill, and I opposed the amendments that were made on the floor of the Senate because they seemed to me to strike serious blows at the rights of labor and to impair the efficient administration of the law. The amendments which have been made in conference not only infinitely aggravate and multiply every serious vice of the Senate amendments but they add such restrictive and administratively unfeasible provisions of their own that even if I believed the bill we passed was sound and helpful, I would be compelled to vote against the conference bill, because of the inevitably disastrous effects I am sure it will have on industrial peace in this country. I say with every emphasis at my command that this bill will be causative, not preventive, of labor difficulties.

I say on the floor of the Senate today, Mr. President, that in my opinion no piece of legislation passed by the Congress of the United States in the past 25 years has been so causative of class consciousness and growing class conflict in America as the Taft-Hartley law. One cannot move in labor circles in America today, one cannot talk, as I have, to the rank-and-file workers of America, by the thousands, without fully appreciating the fact that the men in overalls in the ranks of organized labor have unfortunately develepod to a serious degree a spirit of class consciousness as a result of the Taft-Hartley law. This growing class conflict must be eliminated if we are going to keep our country secure and democratically strong—and I use the small "d" in the expression "democratically strong." If we are to make our capitalistic system work for the common good and thereby preserve the individual liberties offered by that system and not available in any other economic system, we must repeal the Taft-Hartley law by way of a substitute law which will be fair to all groups involved in labor disputes.

Mr. IVES. Mr. President——

The PRESIDING OFFICER (Mr. McGRATH in the chair). Does the Senator from Oregon yield to the Senator from New York?

Mr. MORSE. I am glad to yield to the Senator for a question.

Mr. IVES. Does not the able Senator from Oregon also believe that the injection of the Taft-Hartley Act into partisan politics is provoking an increased amount of class consciousness and bedeviling the whole situation?

Mr. MORSE. The Senator from New York is correct, Mr. President, but neither the Senator from New York nor the junior Senator from Oregon can keep the Taft-Hartley law out of partisan politics. The Republican Party put it into partisan politics when it assumed chief responsibility for the law and passed it. Until the Republican Party takes off the antilabor label which was put on it by the Taft-Hartley law, the Taft-Hartley law will stay in partisan politics. I say to the Republicans on this side of the aisle that the Taft-Hartley law has had more to do with increasing union activities in politics in this country than any other thing that has occurred in the past 20 years. Labor is determined to fight it politically. It is determined to fight the Republican Party politically until it repeals this bad piece of legislation.

We cannot ignore the fact that the Taft-Hartley law is part and parcel of American politics today. I shall continue to fight, as I did in 1947, for a piece of labor legislation which I believe will be fair to all groups concerned, so the issue may be taken out of politics.

Mr. PEPPER. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Oregon yield to the Senator from Florida?

Mr. MORSE. I will yield in a moment. But, Mr. President, for an editorial writer of a great liberal newspaper in America to be so apparently blind as to what is happening under the Taft-Hartley law simply exceeds my powers of comprehension.

I now yield to the Senator from Florida.

Mr. PEPPER. Mr. President, I was very much interested to hear the remarks of the able Senator from Oregon. He knows that I share with him all the views he has expressed respecting the Taft-Hartley law. In view of the Taft-Hartley law having had such an unfavorable and detrimental effect, I was wondering whether, whatever we may eventually agree upon, the desirable approach to the situation would not be first to repeal the Taft-Hartley law and build upon the Wagner Act whatever structure might be desirable and might be agreed upon by the Congress?

Mr. MORSE. If I can secure the support of the Senator from Florida for a substitute bill which I think will be fair to all groups concerned, we will thereby repeal the Taft-Hartley law. However, the Thomas bill which the Senator from Florida is sponsoring is not a fair bill. It is slanted in favor of labor in a similar way that the Taft-Hartley law is slanted in favor of management.

Mr. PEPPER. Mr. President, perhaps some of us observe some of the same contradictions in the position of the able Senator which have been publicly noted. It is difficult for me to reconcile some of these deserved denunciations which the Senator has heaped upon the editor, and his willingness to embrace any part of the Taft-Hartley law.

Mr. MORSE. Mr. President, I wish to say to the Senator from Florida that if I were to follow a blind partisan attitude upon this matter I would have a very consistent record. If the Senator from Florida is interested in consistency, based upon biased support of the Thomas bill without amendment then his support of that bill can be justified. But I am interested only in standing for a piece of legislation which I think will protect the legitimate rights of both labor and management, and I say to the Senator from Florida that the legislation he is sponsoring and backing in the present session of Congress will not produce that result any more than the Taft-Hartley Act produced it.

Mr. LUCAS. Mr. President, will the Senator yield? I do not want to ask a question. I do not want to take the Senator off his feet. I merely want to make one observation, and I hope that no Senator will object to it.

Mr. MORSE. Just a moment until I protect my rights.

The PRESIDING OFFICER. Without objection——

Mr. WHERRY. Just a minute.

Mr. MORSE. Mr. President, I will yield to nothing except a question, unless I secure unanimous consent to yield for something else without such yielding affecting my rights. I take that position in order to protect my rights.

Mr. LUCAS. Mr. President, will the Senator yield for a question?

Mr. MORSE. I will yield for a question.

Mr. LUCAS. Will the Senator protect himself from now on with respect to the parliamentary situation?

Mr. MORSE. I beg the Senator's pardon.

Mr. LUCAS. Will the Senator from Oregon protect himself from now on with respect to the parliamentary situation?

Mr. MORSE. I shall do my best.

The PRESIDING OFFICER. The Senator from Oregon has not been out of order. He has yielded for questions, and only for that purpose. If the Senator from Illinois wishes to ask a question of the Senator from Oregon, the Chair understands the Senator from Oregon has indicated he is willing to yield for that purpose.

Mr. LUCAS. I merely wanted to ask the Senator from Oregon that one question.

Mr. MORSE. I shall do the best I can to protect myself, I assure the Senator from Illinois. I remember that for 10 hours and some minutes I succeeded in protecting myself on one occasion, and I think I am as able to do it now as I did then, if I want to follow that course of action. But being completely opposed to prolonged debate merely for the purpose of extended oratory or to prevent a vote from ever occurring, I want to assure the Senator from Illinois, if he has any doubt about it, that I am not participating today in any filibuster. I am merely trying to get the record straight concerning an editorial appearing in the Washington Post, with respect to my record on the Taft-Hartley law.

Mr. RUSSELL. Mr. President, would the Senator from Oregon be willing to yield to me for a question?

The PRESIDING OFFICER. Does the Senator from Oregon yield to the Senator from Georgia for a question?

Mr. MORSE. I am always happy to yield to the Senator from Georgia.

Mr. RUSSELL. I should like to ask the distinguished Senator from Oregon if he does not think it would be somewhat difficult for anyone to have the appellation filibusterer applied to him unless he happened, unfortunately, to be one of the despised southern Democrats? I wanted to ask——

Mr. MORSE. No. I may say to my good friend from Georgia that the appellation was applied to me because I spoke at some length in an attempt to prevent what I considered to be hasty action in the Senate whereby the leadership refused to postpone a vote on the President's veto of the Taft-Hartley bill from a Saturday afternoon at 5 o'clock to a Monday afternoon at 3 o'clock.

Mr. RUSSELL. Of course, that was a very unusual situation in that the Senator spoke for several hours. I should like to ask the Senator from Oregon if he read the article appearing in the Washington Post this morning which said that a number of speeches were made in favor of imposing cloture in the Senate, but filibuster did not start until 4:14, when the senior Senator from Georgia [Mr. GEORGE] arose to oppose the motion. I should like to ask the Senator if he does not know that Senators can speak by the hour on the floor of the Senate in favor of imposing any kind of a gag without being criticized, but when and if any southern Senator rises in his seat at 4:14 and says, "I protest," the newspaper then states that "all was calm and tranquil and statesmanlike in the Senate until 4:14, when one of those southern Senators got up and rudely started a filibuster?" If we are so bold as to speak at all it is always a filibuster. [Laughter.]

Mr. MORSE. I should like to say, Mr. President, that although I think the Washington Post is usually correct in its news stories, on this particular occasion it was wrong, both in its editorial and in its news story.

Mr. RUSSELL. I agree with the Senator about that.

Mr. MORSE. I am certainly of the opinion that no filibuster has started in the Senate on the pending issue. In fact, I want to say most sincerely that I think the speeches which have been made thus far in the debate by the southern Senators who have participated in the discussion have been exceedingly able and have presented their points of view clearly and raised questions which, in my judgment, must be answered by those who have a different point of view. Before the debate on the issue now pending before the Senate is over, I expect to attempt to answer a few arguments made thus far in the debate which I think are not sound from the standpoint of constitutional history. I believe they cannot be buttressed with adequate support by reference to the great constitutional debates had at the time the Constitution was adopted.

Mr. RUSSELL. I should like to ask the Senator if he does not know that the Senator from Georgia hopes to address himself briefly to this question, and that the Senator from Georgia hopes that the Senator from Oregon will do him the honor of listening to his remarks.

Mr. MORSE. I most certainly shall. In fact, I do not know of any major speech the distinguished Senator from Georgia [Mr. RUSSELL] has made on the floor of the Senate that I have not made it a point to hear. That is the high respect in which I hold the distinguished Senator from Georgia.

Mr. RUSSELL. Mr. President, will the Senator yield for a question?

Mr. MORSE. I yield.

Mr. RUSSELL. Does not the Senator think that the Senator from Georgia should be exceedingly gratified by that statement?

Mr. MORSE. I hope it pleases him, because I mean it.

Returning to my remarks on the Taft-Hartley discussion, I should like to read another paragraph from the speech which I made on the floor of the Senate on June 5, 1947:

I have always thought that these provisions, even as they appeared in the bill we passed last month, so plausibly worded and

giving the impression that those who oppose them are in favor of coercion or improper strikes and boycotts, were a great trap for labor unions, because they gave antiunion employers, of whom we still have many, very effective devices to weaken unions, to slow up organizational work, and to delay certifications by endless ligitation. The amendments made to the bill in conference, however, multiply this danger many times. They constitute open invitations to every employer to litigate out of existence every union treasury.

Let me digress for a moment. A great fallacy is being muttered in America today about the effect of the Taft-Hartley law on unions. Statistics are advanced to show that there has been a great increase in union membership. The union-shop election provision is chiefly responsible for that. It boomeranged against the proponents of the bill. The real test is what has happened to the creation of new locals. That is the test as to whether or not unionization in America is really advancing. The sad fact is that the Taft-Hartley law has been a great impediment to organizational drives in this country. It has been such a great impediment in the Southern States that, although the labor leaders may not admit it, the fact is that since the passage of the Taft-Hartley law the organizational drives of the CIO and the A. F. of L. in the Southern States in large measure have been failures. Why? Because of the Taft-Hartley law. The very warnings which some of us tried to bring to the attention of the Senate about the potential effects of the bill on organizational activities of unions have proven to be right. The legalistic, dilatory provisions of the Taft-Hartley law make the law a great handicap to the spread of union organization among the workers of this country.

There again the editorial writer of the Washington Post ought to go to the record of the hearings. Many very interesting things were brought out by management witnesses in those hearings. Under cross-examination they made points which I am sure they had no real intention of making, in the sense that they did not realize the full implication of what they were saying. Thus, we find management witnesses admitting that in those areas of the country in which there is an extremely short supply of labor, but high profits and a great demand for maximum production, many employers are following the same hiring practices which they followed prior to the passage of the Taft-Hartley law, even though such hiring practices are in violation of the law.

As I predicted on the floor of the Senate during the Taft-Hartley debate, the act leads to labor-contract bootlegging practices in employment policies. The evidence is overwhelming in support of the prediction which I made. One can go into sections of the country in which the anti-closed-shop sections of the Taft-Hartley law are being defeated and circumvented by employers who are following subrosa, and by bootlegging methods as far as hiring workers is concerned the same closed-shop arrangements which they had with labor prior to the passage of the Taft-Hartley law.

That is one of the bits of evidence which I shall enlarge upon in weeks to come in this debate. It shows why I think the anti-closed-shop sections of the Taft-Hartley law ought to be repealed. They are highly conducive to what I consider are bad practices from an ethical standpoint, within labor-management relations today.

I recall that on one occasion I was called by an employers' association for advice after passage of the Taft-Hartley law, as to whether or not I thought they ought to enter into a clear circumventing procedure for getting around the anti-closed-shop section of the Taft-Hartley law. As they put it to me, "We are opposed to that section of the Taft-Hartley law. Why should we have visited upon us the type of labor dispute which will result if we insist upon compliance with the anti-closed-shop section of the law?"

My response to them was the response I shall always give once a law is passed. So long as it is on the books, the junior Senator from Oregon will take the position that both management and labor must comply with it. If it is not a good law, the thing to do is to repeal those sections of the law which are leading to bad results. In this instance I think the anti-closed-shop section is leading to unethical practices on the part of both management and labor in circumventing the Taft-Hartley law.

Mr. IVES. Mr. President, will the Senator yield?

Mr. MORSE. I shall be glad to yield in a moment.

Also some of the witnesses—I think quite thoughtlessly from their partisan standpoint—brought out the point that conditions will change when the labor market is not quite as tight as it is now, when jobs are not as plentiful as they are now, and when there is a general recession in our whole economic program. That is why I say to the Republicans in this Congress that if they really want to demonstrate that we are a party fair to labor, so far as the rights of labor are concerned—and I think we mean to be—now is the time to correct those features of the Taft-Hartley law which will work havoc upon the legitimate rights of labor come hard times. Those provisions are still on the books in the form of various sections of the Taft-Hartley law.

I now yield to the Senator from New York for a question.

Mr. IVES. In order to make the record clear, I should like to ask the able Senator from Oregon if it is not a fact that the anti-closed-shop provision was in the Taft-Hartley bill which was reported from the Senate committee in 1947. It is not something which was added in the conference or on the floor during the debate.

Mr. MORSE. The Senator from New York is absolutely correct. That provision was one of the provisions on which we reached a compromise in committee in order to bring out from the committee a bill with which we thought at least we could live, and we could live with the committee bill. In my opinion, had this body not changed the committee bill, we would have been in a position where we would have had a piece of legislation which, taken in its totality, would have been fair and workable. As the Senator from New York and I said at the time, it would need in the future some changes as we gained experience under it, but the committee bill generally referred to as the Ives-Morse bill was a fair bill.

In my opinion, there were men sitting in the United States Senate in 1947, and men sitting in the House of Representatives in 1947 on the Republican side, who still would be in the Congress had we not passed the Taft-Hartley bill. Had we stuck to the Senate committee bill, I think the results of the 1948 election would have been greatly different than they were. The leaders in my party can rationalize that election all they please, but I think it is perfectly obvious that we lost a large number of seats in the Senate and in the House because of the passage of the Taft-Hartley law. Furthermore, millions of votes were cast against the Republican nominee in the Presidential election because, as a party, we did not make crystal clear in the campaign in what respect we proposed to amend or modify the Taft-Hartley law.

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. MORSE. That is politics; but this is a political democracy. I say now that this is the time, long before 1952, for the leaders of my party to start talking and thinking in those political terms which win and lose elections. Before I yield, let me say to the Republicans in this Congress our party will not win in 1952 unless it removes from itself the anti-labor label which the Taft-Hartley law has pinned on it.

The PRESIDING OFFICER. Does the Senator from Oregon yield to the Senator from Florida?

Mr. MORSE. I yield for a question.

Mr. PEPPER. I was about to ask the Senator if he thought probably that same strong feeling which he said was manifested in 1948 would probably carry over to 1950 and 1952 if such a thing as the Taft-Hartley law were not eliminated?

Mr. MORSE. Let me say to the Senator from Florida that I think I can give him assurance that by 1952 the Republican Party will not be split on this and other major issues to anywhere near the extent to which the Democratic Party, in the few short months since November 2, 1948, has become split. The present debate in the Senate on the pending matter of cloture shows how deep—and I think irreconcilable—that split is.

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. MORSE. I yield for a question.

Mr. PEPPER. I ask the Senator to yield for a question.

The Senator has predicted to us—and naturally the country is interested in predictions from so responsible a source and author—that the disjointed nature of the Republican Party will disappear by 1952. Will the Senator be able to enlighten the Congress and the country as to which end is expected to absorb the other? [Laughter.]

Mr. MORSE. I say to the Senator from Florida that I am perfectly satisfied as to why a great coalition producing a liberal party is going to occur within the Republican Party, and that is because we are able to learn from past experiences. But judging from the pending debate in the Senate of the United States, I am inclined to believe that the Democratic Party still has to learn the lesson of how to learn from past experiences.

Mr. PEPPER. Mr. President, will the Senator yield further?

Mr. MORSE. I yield for a question.

Mr. PEPPER. Would the Senator say that a political party which has not learned anything in 20 years is an apt student? [Laughter.]

Mr. MORSE. Mr. President, I always enjoy debating with the Senator from Florida, because the false assumptions he usually throws at me I find very intriguing. The one he has just indulged in is a typical false assumption, and I am sure he will take no offense when I say "a la PEPPER" [laughter] because there simply is no evidence to support the false assumption that the Republican Party, if he means to refer to it, has not stood for many sound issues in the public interest during the past 20 years.

I wish to say that if we go back through the Republican record in the Congress, I know it will be found that on issue after issue it has had to be the Republican leadership, over on this side of the aisle, which has had to protect basic American freedoms and rights on a great many issues—including, for example, Mr. President, a great issue which now splits the Democrats in the Senate, the issue of civil rights. I remember that in 1945 we led in the fight against the proposal to pass a law which would have made it possible for the Manpower Commission to move free workers in this country from job to job at the direction of American employers. Oh, yes; the proposed law might operate under the guise of having a Government agency, known as the Manpower Commission, give the orders and directions but the result was to place the workers of the country under orders to work where, when, and in accordance with private employers' directions. Republicans beat it. I recall that it was not so long ago that it was on the Republican side of the aisle, as I said the other day, that the fight was made against the proposal by a Democratic administration to draft into the Army free men on strike. I wish to hear the Senator from Florida, some day, on his own time, discuss that question; but I do not wish to have him discuss it on my time, because I do not think he could discuss it in the form of a question, and I do not propose to lose the floor until I conclude these few brief remarks.

Mr. PEPPER. Mr. President, will the Senator yield for a question?

Mr. MORSE. I yield for a question.

Mr. PEPPER. I wonder whether the Senator from Oregon is forgetting the fact that, I think, the Senator from Ohio and the Senator from Florida arose simultaneously to object to the proposal to which the Senator from Oregon refers? Furthermore, does the Senator recall that probably earlier—I wish to refresh the Senator's recollection——

Mr. MORSE. Oh, my memory is very good.

Mr. PEPPER. Probably earlier the Senator from Florida had spoken in the radio room of the House Press Gallery, saying that such a proposed law was unwise; and does the Senator from Oregon also recall that some persons thought the Senator from Florida was cut off the radio because of the fact that he was speaking in opposition to the proposal? Does the Senator from Oregon further recall that the Senator from Florida has said that although the President has learned a better approach to this question, the Republican Party has apparently been incapable of learning anything in this field, as evidenced by its continued advocacy of the Taft-Hartley law?

Mr. MORSE. Mr. President, there is no doubt about the fact that on that occasion, as is so frequently the case, the Senator from Florida was one of the lone voices on the other side of the aisle raising strong objections to the striker-draft proposal. But, Mr. President, on this side of the aisle Senator after Senator stood up in protest of the President's proposal to draft strikers. We welcomed the Senator from Florida then, as we always do, when he joins us on the right side of an issue. There is no doubt about the fact that on that particular occasion he was on the radio at the same time when some of the others of us were in the Senate Radio Gallery speaking on the radio against the President's proposal. In fact, before we returned to the floor of the Senate several of us on the Republican side went to the radio, on a Nation-wide hook-up, to protest the President's proposal.

Mr. President, I do not wish to take much more time. In fact, I think I shall close with a reference to some remarks I previously made in opposition to the Taft-Hartley law. I had marked out a number of other predictions and warnings which I gave to my party in 1947 during the debate on the Taft-Hartley law, but I shall refer to only one now—remarks made by me on June 21, 1947, and I close with this:

> Because a majority of men in my party in the Senate may not share my predominant points of view on various issues does not change the fact, Mr. President, that millions of Republicans in this country do, and they are being heard from more and more, month by month. I think they are going to make clear—pretty clear in 1948 and very clear in 1952—that if the Republican Party wants their continued support, it had better move over into the middle of the road and follow the course I seek to follow.

Mr. President, I recommended to the writer of the Post editorial—boring as he may find it, but in the interest, at least, of apprising himself of the facts—that he go to the RECORD of 1947 and learn the arguments which those of us opposed to the Taft-Hartley law then made, and then check for himself, on the basis of the evidence in the hearings just closed, whether we were right or wrong.

Mr. President, as to the hearings which have just closed, I wish to point out that the Republicans had to make a fight for those hearings; we had to make a fight even to have hearings long enough so that we could make a record in regard to the experiences and practices which have developed under the Taft-Hartley law. We finally won that fight, in the face of the opposition of the Senator from Florida, who, as will be recalled, wished to close those hearings on February 10, which would have given us a most inadequate time in which to present the evidence, even on the bad practices which have accumulated under the Taft-Hartley law. But, having won that fight for adequate hearings, Mr. President, when the debate on the Taft-Hartley law opens we shall present what I consider to be a fine record of the pros and cons on the various sections of the Taft-Hartley law and the facts concerning the experiences which have accumulated under its administration.

Mr. President, I close by saying in all seriousness that I hope that when we get into the debate on the Taft-Hartley law this year, it will not be a Democratic and Republican debate, but will be a debate by a group of 96 Senators trying to find out what are the facts in regard to the type of legislation needed in order to have fair legislation for management, labor, and the public. If that is our motivation, then, Mr. President, we shall get rid of the Taft-Hartley law by the passage of a substitute bill for the Democratic proposal known as the Thomas bill. We shall then pass a substitute bill which will protect, as the public wants protected, the legitimate rights of labor to organize, to bargain collectively, to be protected from the unfair practices of employers; and equally, Mr. President—and I underscore the word "equally"—we shall pass a bill which will protect employers from the unfair-labor practices of unions. I indict the Taft-Hartley law as a law which is slanted in an unfair, discriminatory way in favor of American employers, and against the legitimate rights of American workers. I hope Republicans in and out of Congress will cooperate in making it Republican policy to get rid of the Taft-Hartley law by passing a substitute bill which is fair to the rights of all parties to labor disputes.

AMENDMENT OF CLOTURE RULE

The Senate resumed the consideration of the motion of Mr. LUCAS to proceed to the consideration of Senate Resolution 15, amending the so-called cloture rule of the Senate.

Mr. STENNIS. Mr. President——

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. RUSSELL. Mr. President, has the Chair recognized the Senator from Mississippi?

The PRESIDING OFFICER. The Chair has recognized the Senator from Mississippi.

Mr. STENNIS. Mr. President, I desire to discuss the question pending before the Senate from the viewpoint of one of the newer Members of this body and also from the viewpoint of one who was on the Committee on Rules and Administration and attended the recent hearings and heard all the testimony on this important matter. In discussing the Senate

rules I am quick to say I know the so-called freedom of debate in the Senate has been abused in the past. It may be abused to some extent now, and it will probably and most likely be abused to some extent in the future. Such considerations are, I think, beside the point. They are merely attendant circumstances.

I wish to say also it is entirely possible some harm can come from the abuse of the Senate's rules and it may be that some harm will come from their abuse, but I am certain in my own mind that far less harm will come from any probable abuse of the rules than will come from going too far and changing the rules and thus entirely altering the nature of the United States Senate. As one who attended all the hearings and as one who has been in close contact with the subject especially for the past 60 days, I want to warn all Members of the Senate, if they already do not know it, that the real fact is that the strife is on now to make a majority cloture rule the rule of the Senate. That is the big issue. That is what is on the minds of the groups that are particularly interested in having the rules changed. That is primarily on the mind of a great number of the Membership of the Senate that are sponsoring the changes. That is what is on the mind of the majority leader on this side of the aisle. who stated on the floor of the Senate yesterday that he would support such a proposal. That, according to the record, is what is on the mind—and I say this with great deference—of the assistant floor leader on the Republican side of the Senate [Mr. SALTONSTALL], when he testified before the Committee on Rules and Administration, saying in substance that resolution 15 was merely a short step in the right direction, and that what he really favored was majority cloture. That is what is primarily on the mind of the junior Senator from Michigan [Mr. FERGUSON], according to his testimony before the committee. The question of Senate Resolution 15 merely plugging up the loopholes, so-called, is not the real issue. What is on his mind is majority cloture, according to his own statement. At the time that statement was made in the hearing, the junior Senator from California [Mr. KNOWLAND], a deep student of this very question, said that he associated himself entirely with the thoughts and statements and impressions of the gentlemen who had preceded him—the Senator from Michigan, whom I have mentioned, and the Senator from Massachusetts, whom I have mentioned. At that very same time, at the same hearings, and in the same record, the very able junior Senator from New York [Mr. IVES] said what he really favored was the majority cloture rule and that he was supporting the two-thirds rule merely because it was a step in the right direction. The assistant floor leader on the Democratic side [Mr. MYERS] announced on the floor yesterday he would renew his previous motion, which had been rejected by the Committee on Rules and Administration, so as to provide for cloture by a constitutional majority. The able junior Senator from Oregon [Mr. MORSE] has already announced his purpose and intention of offering an amendment to provide majority cloture.

Mr. President, let not the membership of this body be deceived. Here, now, today, the issue largely revolves around the question of majority cloture.

Mr. SALTONSTALL. Mr. President, will the Senator yield for a question?

Mr. STENNIS. I yield for a question only.

Mr. SALTONSTALL. I believe the Senator mentioned my name as favoring a majority cloture rule, but as stating that a two-thirds rule was a step toward it.

Mr. STENNIS. That is correct.

Mr. SALTONSTALL. I said that at the hearing. Putting it in the form of a question to the Senator, would it change his point of view if I were to say that, so far as I personally am concerned, as one Senator who made that statement, I should hope the two-thirds rule would be adopted this year, and that I would not vote in favor of a simple majority cloture rule or a constitutional majority rule, because I believe the other step to be the best? Would it change the Senator's point of view in any way to have one Senator make that statement? I put that in the form of a question, in order to come within the rule.

Mr. STENNIS. I appreciate entirely the most honorable Senator's sentiment and his statement as to his position. But, Mr. President, neither the Senator from Massachusetts, nor any other Member, nor even a group of the Senate, can guarantee to anyone what might happen here tomorrow, or what might be someone's attitude in changing the rules tomorrow, or at the next session, or at any other time, any more than they can assure us whether or not it will rain on March 15. I say again the issue now before the American people—not merely before the United States Senate, but before the American people—is, Shall the rules of the United States Senate be so changed as to provide for cloture by majority vote? That is the question. I think we might as well meet that issue now, and in my feeble way I want to inform the people of the United States that that is the real issue here. That is what is on the minds of those on the outside of this body who are seeking to have the rules changed, and that is the primary idea in the minds of those who are most active and insistent within this body that the rules be changed.

On that point I want to refer to a former very distinguished Member of this body, who served here for a long number of years, whom I shall perhaps mention more than once in the course of my presentation, Hon. Henry Cabot Lodge, Sr., from the State of Massachusetts. I notice statements were filed in the hearings by both sides, so to speak, from this distinguished gentleman, and I endeavored to find out the reason for it. I find he changed his mind on this most important subject. I cite him now very briefly on one point, from a statement he was making in 1915 in this very Chamber. He was referring to the fact that he had once been in favor of the cloture rule. Speaking with reference to the character of the United States Senate, he said:

> To me this matter of a change of the rules of the Senate which have been in force in this respect for 109 years is a matter of very grave moment indeed. I think if a change from our present system to the previous question, like that of the House, is put in operation it is going to alter completely the character of the Senate.

My point is that that is the real question before the Senate and before the people of the United States, and here is the opinion of that eminent statesman, on that very question, expressed in open debate. I am reading from a statement which he made as found in the CONGRESSIONAL RECORD of January 15, 1915. He went on to say:

> Now, without arguing the merits of the question at this moment, this is a change so serious that it ought to have the most thorough and the fullest consideration of every Senator on the floor.

Those are not my words. Those are not the words of a gentleman who comes from the area of this great Nation from which I come. They are the words of the late Senator Lodge, of Massachusetts. He said further:

> Every Senator ought to think well before he makes a change of this sort in the very constitution of the Senate for the sake of passing, in a moment of heat and passion over a single bill, a measure which strikes at that quality which has been more distinctive of the Senate than any other body in parliamentary history and which today is the only refuge the people of this country have who desire to know something about the measures before their Representatives. The people of this country have the right to know the reasons for and against every important measure, for in no other way can they rightly judge.
>
> At this moment, as an illustration of the evil I refer to, they are proposing to take up this great measure in the House of Representatives and dispose of it in 6 hours.
>
> Surely that is an illustration of the evil in the other direction—the evil of putting through great measures under drastic rules and without discussion. I believe this to be a much worse evil than that which these efforts to introduce the previous question here are designed to remedy.

The previous question, of course, meant cloture by a majority vote.

Mr. President, I think the same thought can be expressed in another way. The question before the Senate is, Shall the Senate abdicate its historic role—not its temporary role—as a forum for negotiation and understanding of differences, economically, politically, socially, and otherwise? Shall it abdicate its historic place as such a forum and become merely another legislative body? I should not like to think that any Senator wants it to become merely another legislative body. I think our difference of opinion comes honestly, in connection with the idea of what would be the effect of a change in this rule. As for myself, based on what I have heard since becoming a Member of this body a little more than one short year ago, I have no idea where we are heading or that the Senate will soon become merely another legislative body; but the test will come on the floor of the Senate before Senate Resolution 15 is disposed of.

It makes no difference what the wording of the resolution may be, how far it goes, or how moderate, or how mild it may be. The issue is already made. Hearings have been held, and the opposing forces have joined in the battle. Regardless of how long a Senator may remain a Member of this body, I believe he will never cast a more important or a more far-reaching vote than he will cast on the very issue which is now before the Senate.

Mr. SALTONSTALL. Mr. President, will the Senator yield for a question?

Mr. STENNIS. I yield only for a question.

Mr. SALTONSTALL. I should like to ask the Senator this question. Based on what he has just stated, does he not think that the men who drafted rule XXII in 1917 believed they were doing what we are now attempting to do by the resolution in its present form?

Mr. STENNIS. I will say to the distinguished Senator from Massachusetts that I have been able to find very little light and very little information that would shed light, upon what those men intended, except that they intended exactly what they said. What they said has been subsequently interpreted by eminent and able Members of the Senate. I have no way of judging what they meant except by what they said. I have not been able to find any additional light on the subject. I have to judge them by what they said, and particularly I have to judge by what able men, versed in the law have said, under the responsibility of their oath, as presiding officers of the Senate. I have to follow their rulings. That is the law.

Mr. SALTONSTALL. Mr. President, will the Senator yield for another question?

Mr. STENNIS. I yield for a question only.

Mr. SALTONSTALL. On the basis of what the late President Wilson said at that time, if my memory is correct, and on the basis of how the present rule XXII was framed at that time, would it not seem to be fairly obvious that they were attempting to accomplish what we are now attempting to accomplish by Senate Resolution 15?

Mr. STENNIS. My conclusion is absolutely to the contrary.

I think a great deal can be said to sustain that position. I think some plausible points can be made to sustain the other position. But the overwhelming point in my mind is that they said what they meant, they meant what they said, and there is no evidence to the contrary. I shall discuss, before I conclude, the emergency situation which existed at that time. For instance, the distinguished gentleman I quoted just a few moments ago, the then Senator from Massachusetts, Henry Cabot Lodge, Sr., voted for this amendment to rule XXII in 1917. I think it was under circumstances of emergency control; but I shall discuss that later.

Mr. RUSSELL. Mr. President, will the Senator from Mississippi yield for a question?

Mr. STENNIS. I yield for a question only.

Mr. RUSSELL. I should like to ask the distinguished Senator from Mississippi if he has had occasion to read the CONGRESSIONAL RECORD of November 19, 1919, when the first effort was made to apply cloture under rule XXII, which was adopted in 1917. The Senator knows that at that time Senators were present here in the Senate who had participated in the drafting of the rule, and that the first effort was made to apply cloture in November, 1919. If the Senator has read the debate he will know, further, that two distinguished Members of this body who were Members of the Senate and participated in the drafting of the rule clearly indicated by their remarks, at the time of the attempt that was first made to apply it, that they did not think the rule applied other than to a bill or resolution that was pending before the Senate.

I have sent for the RECORD, but it has not yet been brought into the Chamber. But on the date to which I have referred Senator Hitchcock, of Nebraska, who was a Member of the Senate in 1917, stated that in his opinion rule XXII did not apply to a treaty that was pending before the Senate. Senator Underwood, of Alabama, who was present in 1917, also stated that rule XXII was a poor excuse for a rule, but that it was the only rule the Senate had ever adopted in all its history that would tend to shut off the right of free and unlimited debate by a Member of the Senate.

I should like to ask the Senator if the best evidence as to what was intended by those who drafted the rule is not the words which fell from their own mouths when the first attempt was made to apply the rule in the Senate.

Mr. STENNIS. The Senator from Georgia is evidently correct, and those were the same men who were present when the rule was adopted. They were conspicuous in the adoption of the rule. But I could not find anything in the debate at the time the rule was adopted in 1917 to throw any particular light on the question. It really was not debated very extensively. The first time it was interpreted was in November 1919, when it was held, as Senators will doubtless recall, that the rule did not apply to the reservations to the treaty as I believe they were called. That was the time when Senator Hitchcock made the remark quoted.

Mr. ROBERTSON. Mr. President, will the Senator yield?

Mr. STENNIS. For a question only.

Mr. ROBERTSON. Is it not a fact that the debate which was critcized by President Wilson as imperiling our safety was on the ship-arming bill itself, and not on the motion to take up the bill?

Mr. STENNIS. The Senator is correct.

Mr. ROBERTSON. Did not the majority leader, Senator Martin, of Virginia, then propose the amendment to rule 22 which was adopted, to meet the specific issue which had previously been faced, that is, unrestricted debate on a bill?

Mr. STENNIS. That is correct.

Mr. ROBERTSON. Therefore they used the words "pending measure" instead of "pending business," or whatever might have included a motion, as well as a measure.

Mr. STENNIS. The Senator is entirely correct and I do not believe the claim, which I know is made in great good faith, that the resolution now being discussed is proposed to carry out the original 1917 intention, is sustained by the record or the reasoning or the rulings.

Mr. President, I know there have been great urges and movements throughout the years to change the rules of the Senate in regard to unlimited debate. This is not a new question. But except in the great emergency in 1917, when we were facing an immediate war, every time this question has been considered in the calmness of free deliberation, the will of the Senate has been to reject the proposal to limit debate.

In 1925, as I recall the year, there was a great movement, in all good faith, engineered by the then Vice President of the United States, Mr. Dawes, which evoked a good deal of comment in the press, but the almost unanimous expression of the Members of the Senate at that time, so far as they expressed themselves, can be summed up in a few words to the effect that the then Vice President and Presiding Officer did not have the experience in a legislative body, especially this body, which they had had, which taught them that they had better leave the rules on the point under discussion as they were.

As I said a moment ago, I wish in all good faith to extend a most solemn challenge to those who propose to change the rule. It has been extended to them before; but I challenge them again to show before an impartial jury that the people of this great Nation have ever been injured or harmed in any substantial way at all because of the so-called filibuster. Some of the membership of the Senate may have been inconvenienced, some man's ambition may have been temporarily thwarted, there may have been some delay which seemed costly at the moment, but, by and large, in the history of this rule and in the history of the Senate, I challenge anyone to show that the great mass of the people have ever been really injured by the operation of the great rule of unlimited debate.

Mr. EASTLAND. Mr. President, will my colleague yield for a question?

Mr. STENNIS. I yield for a question only.

Mr. EASTLAND. Cannot my colleague show that, on the contrary, the American people have been greatly benefited by the rule of unlimited debate in the Senate?

Mr. STENNIS. I think that point is well raised, the question is well put, and on examination the evidence on that point, I submit, will be found to be overwhelming as to the benefits which have flowed from the operation of the rule of unlimited debate. I shall take up at a later time in the discussion some of the illustrations of that idea.

The second point of the challenge which I wish to extend to the proponents of the resolution under discussion is this: After all, where is the demand, where is

the request, on the part of the great body of the people, for the alteration of the present rule? I know there is request within the Democratic Party, I know there is a great urge and a request within the councils of the Republican Party, I know there are great requests, in fact, demands, from specially organized groups, throughout some areas of the country. I believe there is also some request from some of the uninformed public. But I go back to the real question. Where is the urge and where is the demand and where is the request coming from the impartial rank and file, the breadwinners of America?

I can illustrate my idea on that point. I believe we can find the true sentiment of the people if we go into the great State of Pennsylvania, for instance, and collect on the street of some small town 100 citizens of all age groups, of all political faiths, including some farmers, some butchers, some white-collar workers, and get them to go to their community school house, sit down there in its auditorium and have someone clearly explain each side of the proposition. Assuming that they are of average intelligence, I believe their verdict would be unmistakably that we had better leave things alone. I believe they would say, "It looks like we are getting along pretty well."

I believe the result would be the same in the great State of Ohio, or in Minnesota, or Colorado, or California, or in any other State. If one were to go to any rural cross-roads area, or any small town, or any city, and pick out 100 individuals of the same classes I previously mentioned—I am not proposing the taking of a poll now; I am proposing that a sampling be made of their thinking—I believe if the question were explained to them from the one viewpoint and then explained to them from the other viewpoint, the opinion of the rank and file of the breadwinners, the butcher, the baker, the candlestick maker, the farmer, the white-collar worker, the so-called small earner, would be, not unanimous, but overwhemingly in favor of leaving things alone. In other words, I believe their verdict would be that the Senate should not abdicate its position as being the last major forum in the world wherein any group, however small, can seek and secure protection.

Mr. ROBERTSON. Mr. President, will the Senator yield for a question?

Mr. STENNIS. I yield for a question only.

Mr. ROBERTSON. Does the Senator believe that if 48 States had a poll tax there would be an overwhelming demand for a Federal law to outlaw the poll tax? Does the Senator believe that if 48 States had antilynch laws, such as Virginia has, there would be an overwhelming demand to pass a Federal antilynch law? Does the Senator believe that any States would poll an overwhelming majority for so unconstitutional an undesirable a law as a Federal FEPC law?

Mr. STENNIS. I certainly do not, I will say to the Senator. I am convinced in my own mind as to what the answer would be if the questions were submitted to the people and they understood them. I refer to the people by and large, not organized groups, not partial groups, not those who think their special interests lie with the passage of certain bills, but the great body of the people. I have no doubt in my own mind as to what their answer would be.

Mr. ROBERTSON. Will the Senator yield for another question?

Mr. STENNIS. I yield for a question only.

Mr. ROBERTSON. If the Congress passes bills which we can demonstrate are clearly unconstitutional, does the Senator think that the majority of the people of the Nation will feel assured that we will stop there and never again pass an unconstitutional act that affects them in some other way?

Mr. STENNIS. That is the great trouble, I will say to the distinguished junior Senator from Virginia. As I see it, and I say this with all deference, if we pass such laws, then we shall have proved that, so far as we are concerned, we do not feel the restraint of constitutional government, and if that trend should continue I fear we would not long have it.

Mr. President, I want now to try briefly to refer to the atmosphere in the Constitutional Convention as indicating how and why some of these ideals were born. I go back now to Philadelphia, to a little room barely 50 feet square, almost bare. There was one long table at the end. The Presiding Officer, George Washington himself, sat in a very ordinary chair. James Madison, a youth comparatively speaking, sat at the Secretary's position. Alexander Hamilton was at that table as was Benjamin Franklin. They called him Dr. Franklin—revered and respected by them all. They were trying to formulate an organic law. They had been there for 6 weeks, and failure was written on their faces. With respect to membership in the upper body the smaller States said, "We will have equal representation or we will go home and there will be no Constitution." The larger States said, "We demand representation based on population." That was the final word from both the large and small States. Dr. Franklin moved that they take a recess for 3 days. He made two suggestions, both of which were followed. One was that when they reconvened they open their sessions with prayer, and the other was that during the 3-day recess those of opposite views mix and mingle with each other in social and intellectual intercourse.

When they returned at the end of the 3 days and reassembled the venerable Dr. Franklin, then 81 years of age—and in my opinion, he possessed what was perhaps the greatest and most fertile mind America has ever had—said that he had come to realize fully that any possible Constitution would have to be based somewhat on compromises so that it would reflect in part at least the sentiment of all areas, and perhaps would have more wisdom in it after all, and therefore he was willing to yield his point and surrender to the smaller States upon the question of representation in the Senate. At that very moment, Mr. President, the United States Senate was born. At that very moment began the real birth of the Constitution as a whole.

Aside from the provision that "Each House may determine the rules of its proceedings," there are no words in the Constitution respecting the rules of the United States Senate, but the breath of life was blown into the Senate at that moment in the section dealing with representation in the Senate, so that all areas would have equal representation; in other words, that there would be a recognition of States rather than people. Let us not forget that—a recognition of States rather than of people.

What did the late Senator Henry Cabot Lodge of Massachusetts, say on that point? What did he call the rules of the Senate? He called them the constitution of the United States Senate. Yet an attempt is now being made to change the rules of the Senate, the constitution of the Senate, so that a majority can shut off debate. Is that in keeping with the spirit—I am not talking about the letter—of what Benjamin Franklin said at the Constitutional Convention, to which all the other members acceded? Let us search our souls and see, apart from any clamor, apart from the calendar which is facing us, and apart from the desire of any of us, if we can honestly say that we are willing to go against the spirit of that memorable compact, based upon compromise, from which a great nation has grown.

Mr. LUCAS. Mr. President, will the Senator yield for a question?

Mr. STENNIS. I yield for a question only.

Mr. LUCAS. Does not the Senator from Mississippi feel that he is treading upon rather dangerous ground when he talks about Henry Cabot Lodge, Sr., and Alexander Hamilton, in view of what the junior Senator from Georgia [Mr. Russell] said yesterday about those two men?

Mr. STENNIS. I am sorry, but I do not know that I heard what the Senator from Georgia said but I do not know that I would rest my case solely on what the junior Senator from Georgia or the senior Senator from Illinois might say about those personalities.

Mr. LUCAS. I congratulate the Senator on corroborating the Senator from Illinois in discussing both Alexander Hamilton and Henry Cabot Lodge, Sr.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. STENNIS. I yield for a question only.

Mr. RUSSELL. I should like to ask the Senator from Mississippi if he does not know that my question addressed to the distinguished majority leader was predicated upon the fact that he is the majority leader, on the Democratic side. He is supposed to be the spokesman of the President of the United States, who was formerly a Democratic Member of this body. It seemed to me that a majority leader attempting to carry out the policy of the party, as he announced it—though I deny that—would have been able to find some Democrat somewhere

of sufficient prominence to have been mentioned with those two able and distinguished Republicans who favored gagging the Senate and preventing Senators from representing their States on the floor of the Senate.

Mr. ROBERTSON. Mr. President, will the Senator yield?

Mr. STENNIS. I yield for a question only.

Mr. ROBERTSON. Before the distinguished Senator from Mississippi leaves his comment on the contribution of Franklin to the formation of the Constitution, I should like to ask a question. The Senator commented on the most troublesome issue which had to be resolved, namely, the protection of the rights of minorities, which he said Franklin finally solved by a proposal for equal representation in the Senate. Is it not true that when the Constitutional Convention broke up Franklin was asked, "Dr. Franklin, what have you done?" and he replied, "We have given you a republic if you can keep it."

Mr. STENNIS. The Senator is exactly correct.

I submit that there is no more important rule anywhere than the rule under which the Senate so admirably operated for more than a hundred years. In fact, I think that in some ways it is even more important than the very terms of the Constitution itself in preserving the Republic.

Mr. ROBERTSON. It is the antithesis of totalitarian government, which rides roughshod over the rights of any minority on any issue.

Mr. STENNIS. The Senator is entirely correct.

Mr. President, I wish to repeat that, in my humble opinion, the Senate will not have before it at this session, or any other session, a measure that transcends in importance the measure which we are discussing today, because it goes to the fundamentals of our system of government.

I do not believe that this body occupies a superior position because of the wisdom of its Members, their intellectual capacity, their patriotism, or any other virtue. Certainly those virtues are equaled, if not exceeded, by Members of the body which sits at the other end of the Capitol. I believe that the thing which has made this body great is the rules of the Senate, the very thing to which the late Senator Lodge referred. I should like to read his statement again, because I do not believe the majority leader was present when I read it before. Speaking on the subject of cloture generally—any kind of cloture, two-thirds or a majority—Senator Lodge said in 1915:

> Every Senator ought to think well before he makes a change of this sort in the very constitution of the Senate for the sake of passing, in a moment of heat and passion over a single bill, a measure which strikes at that quality which has been more distinctive of the Senate than any other body in parliamentary history and which today is the only refuge the people of this country have who desire to know something about the measures before their representatives.

Those words were spoken in 1915, long before the currently operative amendment to rule 22 was adopted.

SENATOR LODGE'S VIEWS

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. STENNIS. I yield for a question only.

Mr. RUSSELL. I should like to ask the Senator if in his study of this question he has not found that many Senators have changed their minds about the issue of free debate in the Senate and as to the obnoxiousness of applying a gag rule. I ask the Senator if it is not true that many Senators, when they first came to this body, were irked and irritated by its apparently inability to act promptly, and were in favor of gagging the Senate, restricting debate, and limiting the right of free discussion; but in their more mature years, after they had served for a long period of time in the Senate, did not many of them publicly proclaim the fact that they had changed their views? I ask the Senator if the Senator from Illinois [Mr. LUCAS] did not give the immature views of Senator Lodge, Sr., whereas the Senator from Mississippi has now read the views of Senator Lodge after he had served in this body for a considerable period of time. When Senator Lodge first came to this body he made several speeches, in 1890, in favor of imposing cloture; but after he had been here a number of years he wrote several articles and made a number of magnificent addresses in which he expressed regret for the errors of his youth. He had attained the maturity and wisdom which come from many years of experience. In his later years he defended the right of full and free discussion in the Senate with an eloquence surpassed by few men.

Mr. STENNIS. The Senator is correct.

One of the most interesting and revealing points in this entire study is that men have come to this body under the great impulse of impatience, with a desire to change the rules; but many of them, after serving in this body for a number of years, have become the strongest advocates of the rules under which the Senate operates. I shall give the record, briefly, of a few of them.

HISTORICAL BASIS

I should like to say a few more words about the historical basis and background. On one of our public buildings there is an inscription which admonishes our youth to study the past. Let us study the past for a moment.

From the year 1789, which was the year this body first met, until the year 1806, there was a rather strict rule cutting off debate by a majority vote. That was a period of 17 years in the formative stage of our Nation's history.

In 1806 the Senate deliberately and intentionally dropped all reference to any limitation on debate, and thus began a bold experiment which, at first glance, would appear to be subject to many objections.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. STENNIS. I yield for a question only.

Mr. RUSSELL. I should like to ask the Senator from Mississippi if in his reading on this subject he has not ascertained that the previous-question rule to which reference has frequently been made was a debatable question in the first Senate. It did not in any wise impose any restraint upon the right of any Senator to rise on this floor and speak. During the first few years of the Senate there was a previous-question rule, but the rule itself was debatable. It was in no wise a restraint upon the right of any Senator to express himself. For a long time I was under the impression that the previous-question rule operated as it does in the House of Representatives at the present time; but I happened to read a speech by Senator Carlisle, of Kentucky, who at one time was Speaker of the House. I ask the Senator if he has read that great speech, in which Senator Carlisle showed that the previous-question rule in the First Senate was merely a parliamentary device, and was in itself debatable. It was in no sense a restraint or curtailment upon freedom of speech in the Senate. It was not a gag rule, such as is proposed here today.

Mr. STENNIS. The Senator is eminently correct.

Mr. ROBERTSON. Mr. President, will the Senator yield for a question?

Mr. STENNIS. I yield for a question only.

Mr. ROBERTSON. Is it not true that in the first 17 years before Jefferson prepared the rules which were adopted in 1806, there were only four efforts in the Senate to move the previous question, and only one of them was adopted?

Mr. STENNIS. I did not know that. I thank the Senator from Virginia for his very fine information on that subject, and I am glad to have it in the RECORD.

ROMAN HISTORY

Mr. EASTLAND. Mr. President, will the Senator yield for a question?

Mr. STENNIS. I yield for a question only.

Mr. EASTLAND. The Senator has referred to the fact that after 1806 there was an experiment under which there was no rule whereby debate could be brought to an end. Does the Senator know that in the Roman Senate there existed for 450 years the right of unlimited debate; that Cicero, at the very height of Rome's power, said in the Roman Senate that if a change of that rule were ever made, it would mark the decline of Rome; but that after 450 years a great clamor arose to divide the land among those in Rome and those in the provinces who had no property; and that a dictator, Julius Caesar, caused a mob—such as we see around the Capitol from New York and other eastern cities—to bring pressure to bear to change the rules of the Roman Senate so that the land and property of Rome could be divided; and that as Cicero had predicted, that change did mark the destruction of the Roman Republic and the beginning of a dictatorship?

Mr. STENNIS. I thank the Senator for his very fine contribution. I was not familiar with that circumstance of history.

Mr. President, beginning in 1806, this body proceeded for 111 years without any kind or semblance of limitation on

debate; and that period of 111 years was one of great growth and development. In 1806 there were, as I recall, only 14 States, or perhaps 15 States, in the Union; and the total population did not exceed six or seven million. By 1917, at the end of that period, there were 48 States in the Union, with a population well over 100,000,000. We had developed the territory obtained through the Louisiana Purchase, and we had fought a war with Mexico. Texas had come into the Union, after its existence as a Republic, and many other additions of territory had been made. A most unfortunate war—and, considering the number of persons engaged in it, perhaps the bloodiest war in all history—had been fought, the War Between the States. The entire West had been settled, and the war with Spain had been fought. The entire continent had been linked with ribbons of steel. The telegraph, the electric light, and the automobile had been invented and developed; and we had become the leading manufacturing nation in the world. All during that period the Senate was still operating under the rule of unlimited debate. During that golden century of American development, Jefferson, Jackson, John Quincy Adams, Abraham Lincoln, Grover Cleveland, Theodore Roosevelt, and Woodrow Wilson had served as Presidents of the United States. John Marshall, Joseph Story, and Oliver Wendell Holmes had made their contribution as members of the United States Supreme Court, and had interpreted the Constitution along the lines of strong, sound, constructive government. During those 111 years the Senate of the United States had risen from an obscure body with a little more than 30 Members to a body with a membership of 96, and had taken its place as the greatest deliberative body in the world, under the far-sighted, forceful leadership of such men as Clay, Calhoun, Webster, Benton, and many others.

In that connection, I wish to refer to an illustration given by the senior Senator from Texas [Mr. CONNALLY]. He said: "Who looks to see what the vote was on the great matters that Daniel Webster discussed? What did the vote matter, after all? Who looks to see how long they debated?"

The big point, Mr. President, is that in some of their memorable addresses those men were molding the Nation; they were establishing for the Nation a pattern which was later settled, in a way, on the battlefields. Who remembers what the vote was? The big thing is that the rules allowed Webster to debate freely, and I understand he sometimes spoke for more than 8 hours.

RULE SERVED WELL

But during this golden century of remarkable growth and development—greater growth and development than has been enjoyed by any other nation in the world—this rule served the Senate well; and the Senate repeatedly refused to change it, until in 1917, when acting in a great emergency, with war imminent, with war already on the surface of the waters, so to speak—a war with a nation across the water—the Senate did make a change in the rule. The same men who previously had opposed a change in the rule, by almost unanimous vote, and without any appreciable debate on the floor of the Senate, amended rule XXII and invoked the present so-called cloture rule. That was done purely during an emergency; we cannot escape that fact. Members of the Senate who had previously been opposed to cloture then voted for it. They voted for it at that time without debating it to any extent. But later the same men, on every occasion when the question came before the Senate, so long as they were Members of the Senate following 1917, vigorously and effectively opposed the extension of that rule. They said, "It goes far enough."

It was not 2 years before it was interpreted in effect to mean what it means today. The same men not only failed to try to amend it, but they opposed the proposals further to amend the rule, and voted them down, here on the floor of the Senate, every time they came up.

AN EMERGENCY MEASURE

So, Mr. President, looking at the picture before the rule was changed in 1917, looking at the picture when the rule was changed in 1917, and looking at the picture subsequent to 1917, it seems to me that any impartial mind must find overwhelming proof that the change made in 1917 was purely an emergency measure, adopted to meet a condition existing during that war; and, incidentally, the proposal was made during the war of 1917–18 to limit debate for the duration of the war—only to that extent; it was merely a temporary rule.

The same man who had helped adopt the rule in 1917 opposed its extension, even when the physical safety of the Nation itself was in grave peril. That further proves the atmosphere, the spirit, and the sentiment. So, Mr. President, how in the face of those facts, in the face of those developments, and in the face of the language they used—certainly they were versed in the use of the English language—in the face of all those things, how can it be said now, "Oh, they did not intend to say what they did say; they did not intend that the rule should mean what it said; they meant something else, and we will have to correct them on that point now"?

Mr. President, I wish to refer further to the past and call the Senate's attention to certain matters. There is much repetition. I shall omit some of the items I have here in regard to the constitutional requirement for a large vote before certain measures can be passed or before certain steps can be taken. Those are matters of repetition; I shall pass over them and refer to the first amendment.

Mr. KNOWLAND. Mr. President, will the Senator yield for a question?

Mr. STENNIS. I am glad to yield for a question.

Mr. KNOWLAND. I did not want to interrupt the Senator earlier, but I should like to propound to him this question: If 70 Members of the Senate out of 96 desire merely to plug the loopholes in the existing rule XXII, so that, at least in their opinion, it would do what the rule was intended to do in 1917 when it was adopted, and they are not interested in amending it so as to provide for cloture by majority vote, how can they express themselves if they are not allowed to vote against any amendment providing majority cloture which might be presented, under the existing parliamentary situation now confronting us?

Mr. STENNIS. How can they vote for a resolution providing majority cloture? The only way I know is merely to offer such an amendment, and if it can be gotten on the floor where it is possible to have a yea-and-nay vote, Senators may vote as they see fit.

Mr. KNOWLAND. Does not the Senator agree, in answer to the question, that Senators will never have a chance to express themselves against majority cloture if the parliamentary situation is such that an amendment of that kind cannot be presented to the Senate?

Mr. STENNIS. A Member can always express himself on the floor of the Senate and let his remarks go into the RECORD; but those of us who believe such a measure to be unsound are certainly under no obligations to sit idly by and see the matter gain momentum step by step and perhaps finally force its way through the legislative Chamber.

Mr. KNOWLAND. Mr. President, will the Senator yield to another question?

Mr. STENNIS. I yield for a question.

Mr. KNOWLAND. If a majority of the Members of the Senate should publicly state on the floor of the Senate that they would not vote for an amendment providing majority cloture, but would support only the closing of the loopholes, would the Senator from Mississippi then be prepared to join in support of Senate Resolution 15?

Mr. STENNIS. I may say to the Senator from California, he can bind himself, but he cannot bind his successor; neither can any other Member of the Senate. If it is assumed that if the rule is changed according to Resolution 15 there will be no further change, I may say the Senator can no more give such assurance than he can give assurance that it will not rain on May 1. It is a matter over which the Senator has no control whatever. It is a matter over which a majority of the Members of the Senate have no control whatever. I have been in the Senate only a little more than a year, and I think 19 men have come into this body in that brief span of time; which illustrates to my mind the shifting sands and the rapidity with which changes take place. In the absence of such assurance, I could not follow the Senator's reasoning.

THE FIRST AMENDMENT

Mr. President, I want to call the Senate's special attention, in this historical study respecting the operation of our form of government, to the first amendment. Skipping over all the other amendments for the sake of brevity, the first amendment to the Constitution provides:

> Congress shall make no law • • • abridging the freedom of speech, or of the press.

"Congress shall make no law abridging the freedom of speech, or of the press." Is that great privilege abused? Of

course it is. Did the framers of the first amendment and those who adopted it know it would be abused? Of course they did. But did they refrain from writing it into the Constitution because of their knowledge of its possible abuse? They certainly did not. Did they realize that injury to some persons would be inflicted because of the rule—injuries for which there would be no practical remedy? If they were practical men, and I assume they were, they certainly knew there would be such injuries and such harm, and that people would be helpless so far as a practical remedy was concerned.

I may digress here to say, Mr. President, that my brief experience in the Senate has caused me to have a tremendous appreciation of the very fine patriotic service rendered to the people of the Nation by the press and radio under this form of guaranty. I know it is abused to some extent, but I am convinced—and this is certainly not a bid to the fourth estate, but I think the RECORD should show it—that it is absolutely necessary to have these great channels of information kept open; otherwise a government of our kind would never survive. The press, the radio, and other channels of information render a very fine patriotic service, most aptly and reliably performed it seems to me, particularly in Washington. They make the difference between our form of government being able to operate and the reverse. I wish the rank and file of people throughout the Nation really had a greater appreciation and knowledge of the service rendered through press and radio channels. I know I did not have that appreciation until I came to Washington and saw the complexity of government and realized how the press and radio turn on the light.

But getting back to the first amendment, the men who wrote it and adopted it knew that the good which would come from it would far outweigh any possible harm or injury which might ensue. They therefore absolutely forbade the Congress doing anything about abridging that great right. They did not even say, "Congress shall not make any unreasonable abridgement," as they did in relation to searches and seizures; but they said, "Congress shall make no abridgement." Their wisdom has certainly been fully justified. It has grown to be a great bulwark of strength against any would-be tyrant, be it legislative, judicial, or executive. Time has proven its wisdom.

I repeat that, even though, except for the general provision, there is nothing in the Constitution of the United States regarding the Senate rules, I believe time has caused those rules to grow into an institution whereby they mean just as much for the freedom and integrity of the republican processes as do most of the provisions of the Constitution itself, and far more than many constitutional provisions mean.

I should like to call attention to another provision of the Bill of Rights——

Mr. SALTONSTALL. Mr. President, will the Senator yield for a question?

Mr. STENNIS. I yield for a question only.

Mr. SALTONSTALL. I should like to call to the Senator's attention the fact that the first sentence of article I of the Constitution states:

> All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

The Senator has been discussing the freedom-of-speech amendment, but if the legislative process is to be put into effect, the time does come, does it not, when the legislative body must act?

Mr. STENNIS. I do not say that the provision of the Constitution which I was citing is controlling, but it is a background showing that in some fields the Constitution has absolutely prohibited any legislative action at all. So the absolute rule—if we have an absolute rule here—of freedom of debate, would certainly find some precedent in the Constitution itself.

Another provision of the first amendment is that Congress shall make no law prohibiting the free exercise of religion.

These constitutional provisions are all right so long as they are obeyed; but I have found out, particularly since coming to the Senate, that there is a great difference of opinion regarding the mandates of the Constitution, and there is a great difference of opinion regarding what I thought were plain words with unmistakable meaning.

RELIGIOUS FREEDOM

In Biblical days, if I remember correctly, it was Abraham who was told that if he would go into the city of Sodom and find 50 persons who were pure in heart, the city would be saved from destruction. The number was later changed to 40, then to 30, then to 20, and finally to 10. The Constitution of the United States says that so long as one person may be found engaged in the free exercise of religion—not my religion, but his religion—so long as just one person can be found so engaged, then no law shall be passed prohibiting it. Thus is the one protected from the other 146,000,000 persons. But how secure is that provision in the Constitution? How secure are we in that regard? We know that in this Nation less than 100 years ago there was a political party of sizable proportions, which was strictly antireligious, so far as one denomination was concerned. We hope that will never occur again; but even 25 years ago there was a great antireligious movement in this country which took the form of a secret organization. It was not confined to any particular area. Its members went into politics and into the churches; they played a very conspicuous part in political campaigns for the Presidency of the United States and for Members of this body and of the House of Representatives. The organization was antireligious, so far as a certain denomination was concerned. Who knows when there may be a stronger wave of antireligious sentiment as to particular denominations? If there is, where will be their last place of refuge? Where will they come for protection? Where will be the spot in which they will make their last stand? It will be here, on the floor of the United States Senate. They are not on the list at this time. But change the Senate rules, Mr. President, and put the power of this body into the hands of a majority, and the whole complexion of this Government will be changed, and I believe the time will come when even religion will be attacked and have no place to which it can go for refuge.

PARTISAN POLITICS

That brings me to this point: I see the matter becoming more and more a question of partisan politics. I think partisan politics is having a very conspicuous part in the battle at this time. What the late Senator Lodge, of Massachusetts, called the very constitution of the Senate itself has already got into the field of major political parties and has taken part in the recent political campaign. I believe, Mr. President, that once we find ourselves in that position, we can relegate ourselves to the point where cloture rule will be used as a regular, usual, and customary weapon in the hands of the majority leadership.

I wish to refresh the recollection of the Senate as to the words which were read so admirably here on George Washington's birthday. I wish to read an extract from Washington's Farewell Address, as quoted on page 8 of Report No. 69 on the resolution which we are discussing:

> I have already intimated to you the danger of parties in the State with particular reference to the founding of them on geographical discrimination. Let me now take a more comprehensive view and warn you in the most solemn manner against the baneful effects of the spirit of party generally.
>
> This spirit, unfortunately, is inseparable from our nature, having its root in the strongest passions of the human mind. It exists under different shapes in all governments, more or less stifled, controlled, or repressed, but in those of the popular forum it is seen in its greatest rankness and is truly their worst enemy. Without looking forward to any extremity of this kind, which nevertheless ought not be entirely out of sight, the common and continual mischiefs of the spirit of party are sufficient to make it the interest and duty of a wise people to discourage and restrain it.

Mr. President, that is one point upon which the Father of his Country is generally thought to have been wrong in his advice, because we have had a party system almost since that day, which has worked with comparatively conspicuous success. For almost a century now two major parties have been fighting the battles of government, with more success at some times than at others, but each serving, when in the minority, as a rather loyal opposition. We could, therefore, dismiss the first President's advice by saying it was a point upon which he was mistaken.

I believe, Mr. President, we will overlook the major point unless we dig deeper and discover why these parties have been able to battle during this century of time, each sustaining its viewpoint, but neither being obliterated by the opposition, even in a time so recent as 1937–38, I believe it was, when there were 76 Democratic Members of the Senate and only 16 Members of the other major party. There has been a weapon, not so often used, but whichever party was in the majority knew that the weapon existed. The weapon the opposition had

was free debate. That was always in the calculations of the majority party, and I believe if the battle to resist a change of this rule is lost today, then as certainly as night follows day, within the brief span of less than 10 years, or perhaps 5, it might be only 4, we will have absolute majority cloture in this body. Let us not forget, that is the real battle, that is the real issue before the Senate, whether or not we are going to have, within a few years, majority cloture. I believe that if that does come, in the course of a few more years, the great weapon which the loyal opposition party has always been able effectively to use will be blunted, and finally destroyed, because a majority leader, finding himself hard-pressed in putting over the party legislative program, will be greatly tempted at every turn to resort to cloture. He may not yield to that temptation very frequently at first, but if he fails to make use of it, he will be blamed by those who might be specially interested.

Mr. RUSSELL. Mr. President, I should like to ask the Senator a question.

The VICE PRESIDENT. Does the Senator from Mississippi yield to the Senator from Georgia?

Mr. STENNIS. I yield for a question only.

Mr. RUSSELL. What assurance has the Senator that if this resolution comes to a vote we will not have majority cloture within a matter of 4 or 5 days? The Senator refers to 4 or 5 years. There are a number of Senators who have expressed themselves as favoring the imposition of gag rule by majority vote. The Senator named several. I saw in the press an article which I think was issued by the National Association for the Advancement of Colored People, of West Virginia, which quoted both the distinguished Senators from that State as having assured them of a vote in favor of majority cloture.

The Senator knows that very powerful forces are at work to intimidate Senators to vote for majority cloture. It seems to me that the consequences which the Senator suggests, which I think are likely to be even more dire than he has predicted up to now, are much nearer upon us, if this trend continues, than a matter of years. It may be a question of days.

Mr. STENNIS. Mr. President, I thank the Senator, and his thought is certainly most excellently stated. My expression was that, even granting that nothing should actually happen now except the adoption of Senate Resolution 15, let us not forget that the real issue before the Senate is majority cloture. I take that from the record, from the men who sponsor and propose these changes in the rules and the supporters who insist on their adoption.

Returning to the party matter, the floor leader finding himself hard-pressed would feel a personal inclination at first, because of the great traditions of the Senate, not to yield to the need of seeking power through invoking cloture, but in extremity he would yield, and as time went on he would yield more and more frequently, and soon the system would be built up, and it would be expected of him as a matter of duty. If he did not act in putting over a party program, he would be held derelict, and would soon be replaced by one who was more willing to use the majority-vote process to impose cloture.

Mr. President, that brings to mind a point which was most admirably mentioned by the junior Senator from Louisiana [Mr. LONG] in the hearings. I know he is going to develop it, but I wish to call attention to it.

Mr. SALTONSTALL. Mr. President, will the Senator from Mississippi yield for a question?

Mr. STENNIS. For a question only.

Mr. SALTONSTALL. The question arises in my mind because of the suggestion made by the junior Senator from Georgia. What I am about to say I say very sincerely, and I know the Senator will take it in the same spirit.

The Senator agrees with me, does he not, that those on the other side of this question from himself have just as strong feelings for the traditions of the Senate, for the traditions of the Constitution, and for the background of our Government, as have the Senators on his side of the question? The difference is one's point of view as to whether there should be legislative action. Is not that true?

Mr. STENNIS. I know the Senator's sincerity and his devotion to the traditions of the Senate is 100 percent, but I make the further point that traditions are not sufficient. We operate under rules, after all, and rules give power, and such power constantly dangled before a majority leader will eventually overcome all traditions, it makes no difference how long it took to build them up.

Mr. RUSSELL. Mr. President, will the Senator from Mississippi yield to me?

The VICE PRESIDENT. Does the Senator from Mississippi yield to the Senator from Georgia?

Mr. STENNIS. I yield for a question only.

Mr. RUSSELL. I should like to ask the Senator from Mississippi if he does not believe that what we here refer to as tradition and courtesy in the Senate of the United States did not grow out of the fact that every Member of this body has a right to stand upon this floor and express his opinion? We are no more courteous than are Members of the other body, and it may be said we have no finer traditions than have the Members of the House of Representatives, where Members go to those in charge of a bill and implore the right to speak for 5 minutes on the floor of the House. There is merely a nice question of the power, as the Senator has said, which is now possessed by every Member of the Senate since it was instituted as a very peculiar parliamentary body. Strike down the rules of the Senate which have fed these traditions and nursed them, and have brought about this senatorial courtesy, strike them down, and we will see that we have neither tradition nor courtesy that will stand us in stead when the effort is made to gag Senators on the floor. Senators will be just as silent as if the Senate never had a tradition, as if it never had any spirit of courtesy. If the power is there, the power will be used, and let no man delude himself with a contrary opinion.

Mr. STENNIS. Mr. President, that is certainly well said. The rules are the mother of the traditions upon which Senators are now able to rely, but power when granted is always used, and if the rules are changed it will not be an abuse of privilege, nor an abuse of tradition, if the power placed in the hands of the majority is used. They will be forced by outside pressure to use this power, and will be charged—and in a way rightfully so—for failing to use the power that is in their hands to put over their program.

Mr. SALTONSTALL. Mr. President, will the Senator yield for a question?

Mr. STENNIS. I yield for a question only.

Mr. SALTONSTALL. Perhaps it is reiteration of what I have already said to the Senator.

The VICE PRESIDENT. The Chair would like to admonish the Senator from Mississippi that he is yielding for questions. Senators who are interrupting him are making statements rather than asking questions.

Mr. STENNIS. I yield for a question only, and I ask the Chair to protect me.

The VICE PRESIDENT. The Chair is anxious to do so, but the Senator must always remember that a question is a question and a statement is a statement.

Mr. STENNIS. Mr. President, I may say that I have been keeping up with the line of thought of the Senator from Massachusetts, and I think his questions are very pertinent.

Mr. SALTONSTALL. I would ask the Senator—and my question, as I said, is perhaps reiteration—if what he has just said is true, does he not realize that it is very difficult for me to get away from the feeling that what the Senate did in 1917, when it amended the rule, was to try to accomplish just what the pending resolution is trying to accomplish? I think it is very difficult for the Senator to answer that question satisfactorily. Does he himself not think so?

Mr. STENNIS. I went over that a while ago. We can only judge men by what they say and what they do, and by the record they make. The Senate for more than 100 years had turned down all proposals to amend the rules of the Senate on that point.

Mr. SALTONSTALL. Will the Senator again yield?

Mr. STENNIS. I yield for a question; yes.

Mr. SALTONSTALL. Keeping the debate on the high plane on which the Senator from Mississippi has kept it, is not that the point which the Senator's side of the question must answer satisfactorily?

Mr. STENNIS. I think it is a point which is certainly involved. I have answered the question to my own satisfaction, and I hope my answer is based on logic and reason. I believe there is some logic in the Senator's position, as it is viewed at first blush, before we examine the record, and look into the picture as it existed before the present rule was adopted, when it was adopted, and subsequent to its adoption. Until all those things are considered I will say there is

some logic in the Senator's position. But, in my humble judgment, the contrary is overwhelmingly proved by other facts.

Mr. FULBRIGHT. Mr. President, will the Senator yield for a question?

Mr. STENNIS. I yield for a question only.

Mr. FULBRIGHT. I should like to ask the Senator if he will ask unanimous consent for me to ask a question of the Senator from Massachusetts.

Mr. STENNIS. Mr. President, I ask unanimous consent that the Senator from Arkansas may be permitted to ask the Senator from Massachusetts a question, provided I do not lose my place on the floor.

The VICE PRESIDENT. The rule provides that the Senator can yield only for a question, but the Chair supposes that by unanimous consent the Senator can yield to a Senator to ask another Senator a question, although that is not the practice.

Is there objection? The Chair hears none.

Mr. FULBRIGHT. Mr. President, I should like to ask the Senator from Massachusetts if it is not the implication of his statement that in some way he feels that the legislative process of our Government has been a failure? I have heard several of the Senator's questions. I go back to the one asked a moment ago with regard to the proposed amendment to the rule. It seemed to be the thought that the legislative process of our Government has in some way fallen down and is inoperative, and that therefore there is pressure for and reason for the amendment. Does the Senator really feel that the Senate has not discharged its duty properly in the last 160 years of the history of the country?

Mr. SALTONSTALL. Mr. President, I rise to a parliamentary inquiry.

The VICE PRESIDENT. The Chair interprets the unanimous consent to include the right of the Senator from Massachusetts to answer the question within reasonable limits.

Mr. SALTONSTALL. I shall try to answer the question of the Senator from Arkansas in this way. I believe that the Senate was constituted as one of the legislative bodies of the Government. I believe that the problems of the Federal Government have enormously increased. I believe that the duties placed upon Members of the Senate, as the Senator from Arkansas well knows, are very much greater in scope than they were in days gone by. I believe that the legislative process implies action, and without going into the question of any of the bills which may be involved, and which are constantly being referred to in the debate, I believe that the Senate should have the ability to act. I have publicly stated on the floor today that I do not believe that we should change the two-thirds-vote provision. I believe there should be a plugging up, if you will, of the holes by which legislative action can be pushed aside and delayed. That is my feeling on the whole subject. I believe the weakness of the point made by the Senator from Mississippi lies in the fact that we are not trying to do any more now than Senators tried to do or thought they were doing in 1917. That is the point I have tried to make in my very small way in the questions I have asked.

Mr. FULBRIGHT. The Senator's answer then is, yes, that the Senate has failed, and is failing in its duty now.

Mr. SALTONSTALL. I do not think the Senate is failing in its duty, but I believe that the business of the Senate has so enormously increased that the Senate must work faster than it did when the rules were originally put into effect. I believe the business of the Senate has increased, just as the business of the State Department has increased.

Mr. FULBRIGHT. Does not the Senator admit that a considerable part of the increase in Senators' duties comes about by reason of personal errands constituents require them to run, and the personal contacts they are required to make for their constituents, rather than increase of the work on the floor? There is plenty of time for Senators to work on the floor provided they are present and stay here and discharge the business of the Senate. One reason for delay in action is because Senators do not remain on the floor at times, just as there are not now many Senators on the floor.

Mr. SALTONSTALL. I should not want the Senator from Arkansas to believe for 1 minute that I admit that our legislative process has failed. That is not the reason for the demand for a change in the rule. I would rather put it on the ground that we are trying to improve the present rule. We are constantly seeking improvement. That is what accentuates my feeling on the whole subject.

Mr. FULBRIGHT. I know the Senator is very conscientious about the matter. That is why I wanted his view particularly. I am not able to see, and I do not think the Senator has given an example of or presented an illustration of how we have failed. We have failed to pass early certain bills, but I do not think a clear majority wanted such action.

The VICE PRESIDENT. In the opinion of the Chair the object of the unanimous consent has been fulfilled. The Senator from Arkansas has asked the question, and the Senator from Massachusetts has answered it.

Mr. STENNIS. Mr. President, resuming on the question of partisanship and the party in the majority taking over matters under a majority cloture rule, I simply wish to add that it is a well-known fact that many matters come up which all the members of a party do not particularly favor; they are not sold, so to speak, on the soundness of the idea, or the wisdom of the measure, or the step, whatever it may be, but still they go along with it as a party matter. I think that is another serious hazard we would encounter were we to liberalize in any way the rules which have served the Senate so well and so long and so profitably.

PARTISANSHIP

I ask the question in all seriousness. Can any opposition party survive if both Houses of Congress have a majority-cloture rule? That system has never been tried. Particularly in this day of organized, well-financed, and intelligently led pressure groups, be they farmers, organized labor, school teachers, small business, big business, Government employees, or whoever they may be, and with a growing trend in the direction of such movements, I ask the question again, Can parties continue to live if the opposition has majority cloture in both Houses of Congress? That question cannot be answered "Yes" or "No." Such a situation has never existed in American history. However, to the impartial mind it is a very serious question, which we should most carefully weigh before we take what might be a fatal step. Personally I do not believe that any opposition party can or will live long in the United States if both Houses of Congress operate under majority cloture or gag rule.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. STENNIS. I yield for a question only.

Mr. SALTONSTALL. I am trying to keep the debate and my questions on the same high plane on which the Senator is arguing. Is he not taking a very pessimistic view of the future? Must we not take an optimistic view of the future if our country is to progress as it has progressed in the past? Daniel Webster and all the other great leaders who have been mentioned always took an optimistic view of the future in considering the possibility of abuse of power by those who might come here to succeed them. It seems to me that we must take an optimistic view or we can never get ahead.

Mr. STENNIS. Such optimism never caused the Senate to change the rule about which we are now talking. Caution and wisdom always came to the forefront, rather than mere optimism, and caused our predecessors to desist from any such attempt. That is particularly true in the case of many men who came to this body favoring majority cloture, and who finally changed their minds and were against all cloture. If I may make the suggestion, it may be that the very able senior Senator from Massachusetts is changing his mind, in part, about the majority-cloture rule.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. STENNIS. I yield for a question only.

Mr. RUSSELL. I should like to ask the Senator from Mississippi if it is not true that in the wreckage of other democratic governments which we see about the world today we have reflected unmistakable evidence that the unrestrained power of the majority leads to despotism and totalitarianism.

Mr. STENNIS. That is unmistakably the trend of the times, Mr. President. I appreciate the very timely and wholesome suggestion.

JOHN SHARP WILLIAMS

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. STENNIS. I yield for a question only.

Mr. LUCAS. Can the Senator tell me why it was that two great Senators from

his own State, namely, John Sharp Williams, one of the greatest men who ever served in this body, and Senator Vardaman, another Senator from Mississippi, advocated majority cloture instead of what the Senator is now advocating? I was a little surprised to hear that those Senators, coming from Mississippi, had adopted such a view, but that is the record.

Mr. STENNIS. I respect their record, whatever it may be. It illustrates that a man never knows what the position of his successor may be. I have no special knowledge about those two distinguished men that I could give the Senator. However, I believe that Senator Williams was acting under the emergency of war. The record shows that Senator Vardaman had previously favored cloture, but I cannot throw any special light on the subject.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. STENNIS. I yield for a question only.

Mr. EASTLAND. Was not Senator Williams' position based upon the contention that the rule should apply only in times of grave national emergency, and not in normal times? At that time we were about to enter war against Germany.

Mr. STENNIS. As I understand, it was based upon the emergency situation. As I have understood his thinking, he was opposed to cloture.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. STENNIS. I yield for a question only.

Mr. KNOWLAND. In view of the earlier discussion relative to the Constitution, does not the Senator from Mississippi believe that it is rather strange that from 1787, when the Constitution was adopted, until 1806, when the present rules were adopted, those who were closer to the period when the Constitution came into effect than were their successors had actually adopted, in the rules of the Senate, the previous-question rule? In the early days of the Republic the previous-question rule, which was a much more rigid rule than the rule under which we now operate, was a part of the rules of the Senate. The Senator recognizes that fact, does he not?

THE EARLY CONGRESS

Mr. STENNIS. Originally the previous-question rule was a part of the rules of the Senate.

The other day I was reading about the First Congress. When the day came to count the votes for President of the United States under the Constitution, only 12 or 14 Members were present in New York. They waited. Day followed day and week followed week. George Washington was either there or waiting to be notified that he had been elected. Everyone anticipated his election. Finally, by a special effort, they were able to get a quorum. The Members came straggling in. I believe they got a quorum about the 25th of April, and they counted the votes and declared George Washington elected. He was notified, and was sworn in on the 30th of April, as I recall.

Hardly anyone could be persuaded to run for Congress. After some of the men were elected they resigned to take more honored positions on their State courts or in other branches of State governments. As I say, with great difficulty a quorum was finally mustered. The President was sworn in about 4 weeks late.

I go into detail to show what an infant, struggling organization the Government was in its very early days. I do not think it is imagination to say that the Government struggled along in that fashion for several years. Senators will recall the history of the growth of the Supreme Court. Finally a man named John Marshall came along. He wanted to give power and impetus to the Court in interpreting the Constitution. Things became more interesting. Members of the Senate began to learn things by experience, just as so many of their successors have done. They decided that, the United States Senate being the agency of government that it was, there was no place for limitation on debate, and therefore they dropped the previous-question rule. My statements are accurate as to the first year or two, and I use my imagination to supply the others. I think it is reasonable to say that when this body took on serious importance, when it was passing on foreign treaties, after it had gone through a war, and was becoming a real power, the rule was dropped.

Mr. McCLELLAN. Mr. President, will the Senator yield for a question?

Mr. STENNIS. I yield for a question only.

Mr. McCLELLAN. Does not the Senator believe that the power which this rule gives to minorities, as the rule is now constituted and as it has operated, serves as a deterrent to the executive branch of the Government and the Chief Executive of the Nation, in that he is thus more restrained in his efforts to dominate the legislative branch of the Government, since he knows that this power reposes in the minority of the Senate, and therefore he is more restrained in the requests he may make of the Congress, whenever he wishes to have some measure passed by it?

Mr. STENNIS. I think that would be the operation of the rule, unmistakably. It is not so much that the power is used, as the fact that the power is here and must be dealt with and taken into consideration in connection with plans and calculations. It is a most powerful factor in the minds of those who would seek to have bills passed by the Congress of the United States. I feel that if we change the rules of debate in this connection, in practical effect we shall take away more power from the people, and shall make it more likely that in many instances there will be a further usurpation of power.

Mr. McCLELLAN. Mr. President, will the Senator yield for another question?

Mr. STENNIS. I yield for a question only.

Mr. McCLELLAN. I ask the Senator whether the present request of the administration to have this rule changed is for the very purpose of trying to get a part of the President's legislative program enacted?

Mr. STENNIS. I think that is the announced purpose, or one of the purposes, as I understand the announcement.

Mr. McCLELLAN. Mr. President, will the Senator yield for a further question?

Mr. STENNIS. I yield for a question only.

Mr. McCLELLAN. If we grant this power or, rather, if we surrender this right of the minority, as a result of this so-called modest modification of the existing rule, will not such action prompt a further request, whenever the occasion arises that it may be needed in order to carry out a program, to further modify the rule and to reduce it to a simple majority, instead of the two-thirds as now required?

OTHER VIEWS

Mr. STENNIS. I think that is entirely correct.

Mr. President, particularly for the benefit of the new Members of the Senate, I wish to refer briefly to a few of the former distinguished Members of this body who in the light of experience have changed their minds about this important subject. The first I shall mention is one whom I quoted near the beginning of my remarks, the late Senator Henry Cabot Lodge, Sr., of Massachusetts. I shall read a part of his statement, as appearing now at pages 215 and 216 of the hearings before the Committee on Rules and Administration of the Eighty-first Congress, on Senate Resolutions 11, 12, 13, 15, and 19. The hearings were held from January 24 through February 1, 1949; and they include extracts from a speech made by the distinguished Senator Lodge, Sr., on February 15, 1915, on the floor of the Senate. In his speech in 1915 he referred to previous statements he had made on this subject; and then he said:

> Mr. President, I have been here since then for 10 years. In a very short time after my coming into this body, within a year or two, in fact, I came to the conclusion that the practice of the Senate was on the whole a wise one—

He was talking about the practice of the Senate when it had no rule whatsoever on cloture; and he said:

> In a very short time after my coming into this body, within a year or two, in fact, I came to the conclusion that the practice of the Senate on the whole was a wise one—

Mr. President, he came to the Senate with the announced intention and purpose of getting the rule changed, after he had served several years in the House of Representatives, as Senators will recall.

I quote further:

> and though hard at times to bear when we are interested in passing a bill and grow naturally impatient, that it was the safest system for the country and for the general interest of government.

In 1917, just 2 years later, he voted for the amendment to rule XXII—which further proves, I respectfully submit, that the amendment to rule XXII was nothing in the world but the response of those men to an overwhelming

emergency with which they found themselves confronted.

I quote further:

Mr. President, I have seen in that short time both parties in control of the Senate, and I do not remember that any measure desired by an actual and true majority of the Senate has ever failed of a vote.

Mr. President, I hope I do not violate the rule if I repeat that statement, quoting again:

Mr. President, I have seen in that short time both parties in control of the Senate, and I do not remember that any measure desired by an actual and true majority of the Senate has ever failed of a vote.

At the Rules Committee hearing we had testimony along the same line from men who have served for many years with distinction and honor on this very floor.

I do not wish to take up too much time on this point, but I shall read a little further from the remarks of the late Senator Henry Cabot Lodge, Sr., who had this to say about one of the bills which was killed by a so-called filibuster; it is one of the few that was prevented from coming to a vote, and never did reach a vote, and never did become the law. It is the so-called force bill, to which I shall refer somewhat later. But here is what the late Senator Henry Cabot Lodge, Sr., said about it:

I was deeply and profoundly interested in the force bill, as it was called, which has been alluded to here. I had it in charge in the House of Representatives—

Think of that, Mr. President; he was the leader on the floor of the House of Representatives in charge of the force bill.

I quote further:

and I saw it defeated on this floor by methods of obstruction, which resulted finally in the change of votes which has been here alluded to. But, Mr. President, I had much rather take the chances of occasional obstruction than to put the Senate in the position where bills could be driven through under rules which may be absolutely necessary in a large body like the House of Representatives or the House of Commons in England, but which are not necessary here.

Mr. President, let us remember that those words were spoken when there was no cloture rule in the Senate of the United States. They were spoken by a gentleman who had led the fight in the House of Representatives in favor of a bill which later was defeated on the floor of the Senate by a so-called filibuster. He was originally strong in his belief in a movement to get the rules of the Senate changed. Remember there was absolutely no cloture rule. He had served and matured in the Senate, and his conclusion was that whatever harm, inconvenience, or disappointment he may have suffered, it was far better to suffer those inconveniences and harms, however great, than to change the rules of the Senate. Said he:

I had much rather take the chances of occasional obstruction than to put the Senate in the position where bills could be driven through—

The Senator from Georgia yesterday was quoted as calling this a gag-rule proposition. Former Senator Lodge said we should beware of being put into a position where bills could be driven through this body, as they can be in the House of Representatives and in the House of Commons in England. The House of Commons then represented perhaps the most conservative large nation on the face of the globe. These words of former Senator Lodge were spoken in 1915 and they are being repeated here this afternoon, 34 short years later; and what does the House of Commons now represent? It represents a nation that has gone socialistic. What kind of rules did they operate under? The kind of rules under which the late Senator Lodge said it is dangerous to operate. If we relax the rules of the Senate I believe we shall follow the same path, at least it will be a step in the direction of following the same path. When by implication we destroy certain guideposts and certain guards and certain protections of the Constitution, I believe we are on the same course.

Mr. LONG. Mr. President, will the Senator yield for a question?

Mr. STENNIS. I yield for a question.

Mr. LONG. Does the Senator recall that in the committee hearings, the junior Senator from Oregon [Mr. MORSE] stated in a speech that even though we destroyed the rule, conditions are such that the great United States Constitution will protect us from any steamroller action in the Senate? Does the Senator recall that statement being made in the committee hearings?

Mr. STENNIS. I recall it.

Mr. LONG. Mr. President, will the Senator yield for another question?

Mr. STENNIS. I yield to the Senator for a question.

Mr. LONG. I ask the Senator if what has been proposed by many people is done, namely, if we change our rule so that a simple majority or a two-thirds majority could place cloture into effect any time they saw fit, and we should then proceed to let the majority use the new rule by invoking cloture, first, to pass an antilynching law; second, to pass an anti-poll-tax law; and, third, to pass an FEPC law, does the Senator think that under that condition the Constitution would afford the protection referred to by the Senator from Oregon?

Mr. STENNIS. No; I do not.

Mr. LONG. I thank the Senator.

Mr. STENNIS. I thank the Senator for his observation.

Reading further from this same distinguished author, the late Senator Lodge, from Massachusetts, from the same book cited a while ago, and from the same statement made on the floor of the Senate:

Mr. President, that is all I desire to say today. To me this matter of a change of the rules of the Senate which have been in force in this respect for 109 years is a matter of very grave moment indeed. I think if a change from our present system to the previous question, like that of the House, is put in operation, it is going to alter completely the character of the Senate.

Let me repeat that: "It is going to alter completely the character of the Senate."

I read further:

Now, without arguing the merits of the question at this moment, this is a change so serious that it ought to have the most thorough and the fullest consideration of every Senator on the floor. Every Senator ought to think well before he makes a change of this sort in the very constitution of the Senate for the sake of passing, in a moment of heat and passion over a single bill, a measure which strikes at that quality which has been more distinctive of the Senate than any other body in parliamentary history and which today is the only refuge the people of this country have who desire to know something about the measures before their representatives. The people of this country have the right to know the reasons for and against every important measure, for in no other way can they rightly judge.

Mr. President, I apologize for the repetition involved in reading that again, but it was necessary to cite again from the late Senator Lodge that paragraph as an illustration of those who have changed their minds.

Reading from page 227 of the same report, an argument that was made by Warren Harding, then Senator from Ohio and later as we all know President of the United States, when the same question of cloture was before the Senate, he had these words to say:

I have been hearing about the reformation of the Senate since I first entered politics; and it was rather an ironical thing the other day that one of the most emphatic speeches made in favor of the adoption of this rule was uttered by the very latest arrival in this body.

I have been observing the Senate at close range now for 3 years. I came with the notion that the Senate fiddled away a great deal of valuable time in debate, and I am still of that opinion; but the debate that needlessly consumes the time of the Senate is not reached by the proposed rule.

I want to feel that the Senate still controls its own destinies. Moreover, the new cloture rule is ample.

The remarks were made in 1918. When he said "the present cloture rule," he meant the one that had been adopted of course in 1917.

Moreover, the new cloture rule is ample. I am opposed to the so-called reformation of the Senate in the name of a war measure.

At that time it was proposed to have a special cloture rule during the war.

But the reformation of the Senate has long been a fad. I came here myself under the impression that there ought to be cloture and limitations on debate; and the longer I sit in this body the more convinced do I become that the freedom of debate in the United States Senate is one of the highest guaranties we have of our American institutions.

Mr. President, before I take my seat I wish to say that the length of a speech is not the measure of its merit.

While the Senate may not listen, because the Senate does not listen very attentively to anybody, I discover, though Congress may not be apparently concerned and though the galleries of this body may not be filled to add their inspiring attention, I charge you now, Mr. President, that the people of the United States of America will be listening. This is the one central point, the one open forum, the one place in America where there is freedom of debate, which is essential to an enlightened and dependable public sentiment, the guide of the American Republic.

Proceeding further, I wish to quote from the late George F. Hoar, at one time a Senator from the State of Massachusetts. I read from page 133 of the hearings before the Committee on Rules and Administration which were held in January and February 1949:

There was a time in my legislative career when I believed that the absence of a cloture rule in the Senate was criminal neglect and that we should adopt a system of rules by which business could be conducted.

But the logic of my long service and observation has now convinced me—

Mr. President, those are strong words, uttered by a man who said he once thought that the absence of a cloture rule in the United States Senate was what? Did he say "neglect"? No; that is not what he said. He said he at one time thought the absence of such a rule was "criminal neglect." That is something for which a man can be put into the penitentiary—criminal neglect of an official duty. That is the way he termed it. He thought it was criminal neglect. What did he say further? I wish there were more Senators present—not to hear me, but I wish there were more, honestly, sincerely, and studiously to consider this subject. I note that the senior Senator from Massachusetts [Mr. SALTONSTALL] has not gone. He is very thorough in his application.

SENATOR HOAR

The late Senator Hoar said:

But the logic of my long service and observation has now convinced me that I am wrong in that contention. There is a virtue in unlimited debate, the philosophy of which cannot be detected upon surface considerations.

Let me read that again to the American people. It is something which I do not believe they understand. I believe if we could take any hundred of them who are fairly intelligent and impartial, anywhere in Pennsylvania, New Jersey, Kansas, Massachusetts, Connecticut, California, or any other State, the breadwinner, the butcher, the baker, the candlestick maker, the farmer, and explain this matter to them, what it means and what the implications of the rule are, and explain both sides of the subject, they would see the logic of it.

There is a virtue in unlimited debate, the philosophy of which cannot be detected upon surface considerations.

People who cry for a change in the Senate rules have never been in the Senate or have served only a short time.

Mr. President, I think there is present a member of the Committee on Rules and Administration. I shall not try to speak for him, but there is present one of the newcomers to this body who, on mature consideration of the subject, after hearing the presentation by both sides, searched his soul, his conscience, and his intellect, and saw the matter in an altogether different light. I shall not try to speak for him; he can speak for himself. If he does, he will follow through the point that this is a subject upon which there are things not to be seen on the surface; that after a man understands the underlying factors and principles, the underlying sentiments, the underlying plans, purposes, and problems of party politics, the threat to free government which arises from various sources, the difficulty in keeping open the channels of information, the extreme difficulty, at times of exposing the fallacy of a plausible-sounding argument, and exposing the fallacy of things which seem to be almost necessary for the welfare of the people—once he has searched into those problems and becomes more mature on the subject, more experienced, and understands the overwhelming logic and demands of the situation, then, not every time, but many times, he changes his mind.

I commend these sentiments especially to the newer Members of this great body so that they will be fully informed thereon when they take a final position on the matter.

FILIBUSTERS

Mr. President, if I may, I desire to discuss briefly some of the bills which are said to have been defeated by so-called filibusters. This list was quite helpful to me, and quite surprising. Let us consider the fate of only a few of the bills which are said to have been defeated by filibusters. Incidentally, Mr. President, in reading these records one has to be careful or he can be very easily misled. I do not charge that it is intentionally so. But some reports have been circulated among the Members of the Senate listing a group of bills which have been defeated by filibusters. Two of those bills are on the list through error. I know it was an honest mistake. I refer to the Glass banking bill and another bill. But it is far from the whole picture to say those bills were defeated by filibuster, because, on examination, it will be found that all except four or five, which I shall mention in a few minutes, finally became law. They were passed within a short time, most of them within a few years, after the so-called defeat.

There are to be found in the record many statements of Members of this body to the effect that they have never known a worthy bill, for the welfare of the people, to be finally killed by debate, and that if it had any merit in it, it always had the capacity to return.

I shall read briefly from page 42 of the hearings before the Committee on Rules and Administration, held in January and February of last year. Page 42 lists 35 bills which are said to have been filibustered. The orginal list did not show in the second column, as page 42 shows, just when those bills finally became law. The first one listed is the bill for the reconstruction of Louisiana, filibustered in 1865, and passed in 1868. I know nothing about that law.

Next on the list here are the election laws proposed and filibustered in 1879. Of course, as Senators know, that was immediately following, as I said awhile ago, the most unfortunate war, in my opinion that has ever been fought. Those bills were defeated, and finally passed 30 years later, in 1909, but they have all been repealed. I could not be certain as to just when they did pass, but the point is that they have been repealed. They have been found to be in error. They have been stricken off the books. They were not the right kind of legislation.

The third item is the force bill, before the Congress of the United States in 1891. I shall not go back into that at all, except to state, for the benefit of those who might not understand the term, that the force bill was a bill to control elections with armed soldiers. That was a bill of which the late Senator Lodge was in charge on the floor of the House of Representatives. He said in a statement I read a while ago that he later lost that bill on the floor of the Senate, but he had come around to the conclusion that whatever loss there was in the defeat of that or any other measure was far outweighed by the benefit of the rule of the United States Senate. That bill never did become a law, and, incidentally, Mr. President, I do not believe that bill could get a corporal's guard on the floor of either House of the Congress now.

I shall not go into all these items. I shall merely refer to some of them.

Mr. LONG. Mr. President, will the Senator yield?

Mr. STENNIS. I yield for a question only.

Mr. LONG. Is it not a fact that a year or two after the force bill was brought up an attempt was made to change the rules of the Senate in order to push the force bill through, just as an attempt is now being made to force legislation through the Senate?

Mr. STENNIS. That is very true, and I am glad the Senator brought out that point.

Mr. LONG. Was it not true that probably largely because that effort was backed by political considerations, in undertaking to pass a particular bill, the attempt to change the rule at that time failed?

Mr. STENNIS. I think that is correct. Summing up, Mr. President, there was a ship-subsidy bill that was fought on the floor of the Senate and a so-called filibuster was applied to it. It finally became a law, but after the lapse of 13 years.

There is another bill listed as the tri-State bill, which pertained to the admission of Arizona, New Mexico, and Oklahoma as States of the Union. Of course, those States later became members of the Union, and, as I understand, with better constitutions, when they were admitted, and to the satisfaction of all parties.

There is listed a migratory bird bill, which was off and on the calendar, and finally became a law in 3 years' time.

There was the ship-arming bill of 1917, which never did become a law, but the President of the United States, Woodrow Wilson, armed the ships under another law. There was a long debate which did lead to the adoption of rule XXII, the present so-called cloture rule.

This leaves a few other bills, all of which have become law, either the same year of the filibuster or the year following, except the following bills which have not become law, namely, the so-called civil-rights bills, the anti-poll-tax bill, the anti-lynch bill, and the FEPC bill.

I shall not go into those to discuss them on their merits, except to say they are certainly bills as to the constitutionality of which many of the most eminent legal authorities and professional men of the Nation have most serious doubt. They are bills which I think a great majority of our legal thinkers believe to be absolutely beyond the Constitution. They are bills which a great number of the Members of this body do not think they have the authority to pass. That is the greatest impediment those bills can possibly have, and changing the rules of the Senate will not change their situation one iota. I believe that when it comes right down to the merits of voting on those measures, the great number of the membership of this body will be compelled to back off. At least they are bills as to the validity of which there is serious question, and they are bills to which great segments of our country are opposed, and not confined to one area, either, because we all know that wherever, as I understand, the FEPC bill has been submitted to the people, they have voted in unmistakable terms an emphatic "No."

Mr. LONG. Mr. President, will the Senator yield?

Mr. STENNIS. For a question only.

Mr. LONG. It has been suggested that some Members of Congress have possibly voted for unconstitutional laws, leaving up to the Supreme Court of the United States the responsibility of declaring such laws unconstitutional. What would the Senator's attitude be in regard to that type of suggestion?

DANGEROUS TREND

Mr. STENNIS. I think it is one of the most dangerous trends of thought there is in the Congress today. I think it is very definitely a trend, and I think it is one of the major reasons why the present rule should not be altered or tampered with. Such action would take another prop out from under the Constitution; it would give another chance to whittle it away bit by bit, indirectly, which is something the great majority of the people of the United States do not want done, but which a great number of organized pressure groups do want done, because that is the only way by which they can reach their objectives. They cannot attain them before the forum of the people of the United States, and they seek to attain them by indirect methods, not on logic or plausibility, but by sheer political strategy and intimidation.

Mr. LONG. Mr. President, will the Senator yield further?

Mr. STENNIS. I yield for a question only.

Mr. LONG. Does the Senator feel that it is just as much a duty of the United States Senate to interpret and uphold the Constitution as it is a duty of the United States Supreme Court?

Mr. STENNIS. Just as much. We are under the same oath as that taken by the Justices. They are charged with greater knowledge with reference to law than we, but the integrity, the character, the principle, is all the same, and if we consciously fail to follow the Constitution, then we are just as guilty as they are if they fail to follow it.

Now, Mr. President, coming back to the circumstances under which the present cloture rule was adopted, in 1917, I wish to emphasize that a study of the conditions of that time demonstrates overwhelmingly the unmistakable existence of an emergency. It had never been possible to get the Senate of the United States to alter the rule, but in view of the facts with which the administration was faced then, the Senate agreed to rule XXII, not after debate, not after thrashing out the arguments on the floor, but each party met in caucus, and the majority party, under the majority leader, Senator Martin, of Virginia, proposed that they appoint five from their group, that the Republicans appoint five from their group, and that they work out a rule. Those 10 men met in a strictly nonpartisan approach and worked out the rule and brought it to the floor of the Senate. Some Senator offered an amendment, and he was immediately challenged by the majority leader and by Members of both sides who contended that the amendment was contrary to the gentlemen's agreement respecting the working out of the rule. The proposal dealt absolutely with an emergency matter. It was designed to meet the emergency. It did meet the emergency.

AMENDMENTS REJECTED

Later, floor leaders brought in an amendment during the war, and asked that the provision be extended for the duration of the war—I am speaking of World War I—and the Senate turned them down cold.

I have already read quotations from the arguments made against the proposal by some Senators who had been parties to formulating the rule.

Then in 1919, when the first interpretation of the rule was made, the very men who helped write it maintained that it did not apply in the particular instance at hand. There was some agitation, there was some comment, respecting amending the rule after that ruling or interpretation, but there was nothing done because there was not much sentiment for it. Every time such a proposal was made it was opposed vigorously and was defeated, and such proposals have been defeated from that time until now.

So I emphasize, Mr. President, as the evidence shows, the rule was adopted in an emergency. It was voted for by men who were opposed to it. Even the then President of the United States, Woodrow Wilson, who recommended its adoption in such urgent terms, can be quoted to show the truth of what I say. I shall not take the time to quote the President now. His statement is to be found in the RECORD. The President said that the "informing function of the United States Senate should be preferred even to its legislative function," and he was opposed to cutting off debate. The President in 1917 recommended the action which was then taken in an extremity, purely as an emergency matter.

NATIONAL EMERGENCY

Something has been said on the floor of the Senate, Mr. President, about two or three or four or five or six Senators being able to hold up important measures during an emergency, when the Nation was in peril, in physical danger. There is no proof that we have ever suffered because of such a condition, but it is possible it could happen. In order to cover that situation an amendment was prepared and presented to the Committee on Rules. It received four votes in the committee. That amendment provided that when 86 of the membership of the Senate should sign a petition to cut off debate, debate could be cut off in 2 hours. It did not provide for the delay of a day, but a delay of only 2 hours.

Mr. EASTLAND. Mr. President, will the Senator yield for a question?

Mr. STENNIS. I yield for a question.

Mr. EASTLAND. Was there any testimony in the hearings or any proof at all that this rule had interfered with the public defense of the United States?

Mr. STENNIS. That is a very timely question. That question was gone into. The question was asked of some who appeared before the committee on both sides. No one offered any evidence at all that the war effort, war plans, or the conduct of the war were delayed for one moment because of the rules of the Senate or because of debate in the Senate.

Mr. EASTLAND. Mr. President, will the Senator yield for another question?

Mr. STENNIS. I yield for another question.

Mr. EASTLAND. Was there any proof or any testimony at all that the rule had prevented the passage of legislation necessary for the national welfare of the United States?

Mr. STENNIS. That question was asked, and no one could point out anything tending to show any injury whatsoever or any delay from which injury could have flowed.

Mr. EASTLAND. Mr. President, will the Senator yield for another question?

Mr. STENNIS. I yield for another question.

Mr. EASTLAND. Did the proponents of the resolution cite one instance where legislation beneficial to the people of the country has been defeated by reason of the rule?

Mr. STENNIS. They were called upon to make such a showing, but could not produce any proof, and did not even contend that there had been any injurious delay.

Mr. EASTLAND. Mr. President, will the Senator yield for another question?

Mr. STENNIS. I yield for another question.

Mr. EASTLAND. If what the Senator says is true, what reasons were given for the adoption of the resolution? Was any necessity shown?

Mr. STENNIS. Does the Senator mean Senate Resolution 15?

Mr. EASTLAND. Yes. Was any necessity shown for its adoption?

Mr. STENNIS. The main contention, as I understood, was that provision should be made so the Senate could function.

Mr. EASTLAND. Will the Senator yield for another question?

Mr. STENNIS. I yield for another question.

Mr. EASTLAND. Had there been any testimony that the rule prevented the functioning of the United States Senate?

Mr. STENNIS. There was no testimony at all along that line, but there was a general contention that the Senate could not function, could not dispose of its business.

Mr. EASTLAND. But no reasons were given?

Mr. STENNIS. No reasons were given. On that point I might bring out that it was said by someone in the hearings that under the present rules of the Senate one afternoon during the war the Senate appropriated $59,000,000,000 inside of 2 hours' time without having a roll call. I am sure the action was justified. But that is transacting business at a rapid rate.

Mr. EASTLAND. Mr. President, will the Senator yield for another question?

Mr. STENNIS. I yield for another question.

Mr. EASTLAND. Do I understand, then, from my colleague that there was no proof by the proponents of the resolution for the necessity for its adoption?

Mr. STENNIS. That is correct. That is the way I interpret the evidence. It was contended that there was great need for its adoption, and that the Senate could not function without this amendment to the rule.

Mr. EASTLAND. But no facts were shown?

PROPOSED AMENDMENT

Mr. STENNIS. No facts were shown. Mr. President, further in connection with the proposal respecting a motion to be signed by 86 Senators, I ask unanimous consent that the proposed amendment, which was offered as a substitute in the committee, and voted down by a vote of four in favor and nine against, be printed in the RECORD at this point in my remarks.

There being no objection, the amendment was ordered to be printed in the RECORD, as follows:

Resolved, That the following paragraph, to be known as paragraph 3, shall be added to rule XXII of the standing rules of the Senate:

"If at any time a motion, signed by 86 Senators, is presented to bring to a close the debate upon any measure on the Senate Calendar (and a Senator having the floor may be interrupted for this purpose), the Presiding Officer shall at once state the motion to the Senate, and declare the measure the unfinished business of the Senate. Two hours after the motion has been stated (unless the motion itself as filed shall specify a longer time for debate, which specification, if any, shall control), the Senate shall proceed to vote on the passage of the measure by a yea-and-nay vote. At least one-half of the full time allowed for debate shall be allotted to Members who do not sign the motion. Except by unanimous consent, no amendment shall be in order after the motion has been filed. No dilatory motion shall be in order. Points of order, including questions of relevancy and appeals from the decision of the Presiding Officer, shall be decided without debate."

Mr. STENNIS. Mr. President, I have made several references to what has been said on this momentous subject by the late Senator Henry Cabot Lodge, Sr., of Massachusetts. It is easy to make the accusation that one is trying to mislead the Senate by quoting from him on some of these measures without calling attention to other statements he has made. I shall not argue the matter further, but I wish to place in the RECORD references to his record on this subject, so that anyone who wants to trace the matter down will have the benefit of what I have found. On page 42 of the hearings, as conducted by the Committee on Rules and Administration in 1949, will be found statements by the late Senator Lodge. On page 214 of the same record will be found his statement of January 15, 1915.

In 1917 he voted for the present cloture rule, as found in rule XXII of the present rules of the Senate.

In 1918 he voted against the proposal to limit debate to 1 hour during World War I.

I cite these references merely for the benefit of anyone who may be interested, and to avoid the seeming idea of having quoted him in part and misleading the Senate as to what he might have said with reference to the same subject on other occasions.

Mr. President, I now wish to discuss very briefly a few of the practical aspects involved in the adoption of this resolution. I shall not go into detail. I shall not try to discuss the resolution on its merits.

FIRST VICTIM

If this resolution is adopted, who will be the first on the list to feel its wrath? Who will be the first victim of the change in the rule? It will be the South. We know what the newspapers have been saying. They have been saying that the civil-rights bills will be the first measures to be pushed if the rule is changed. They have been saying that southern Senators are opposing this change merely because of the civil-rights bills. That is what we read in the magazines and newspapers, and what we hear in the cloakrooms and corridors of the Capitol. That is what we hear from the party councils on each side of the aisle. Taking that statement as being correct—and I think it is correct so far as the civil-rights bills being the first to be urged under the new rule is concerned—who is going to be next on the roll call?

It is said that we are defending our position from a sectional standpoint. Some of the newspapers say it. Some arguments are made here to that effect. But who is to be next on the roll call after the rule is changed, if it is, and after the civil-rights bills are passed, if they are to be passed? Who is to be the next victim? Let us think that over.

Is it to be the small-business man? Is it to be the large corporations? There will be others on the list. Are we going to crush the small-business man? It will be much easier to do it under the new rule. Are we going to permit monopoly to crush him? It will be much easier under the new rule. Is he going to be next? I raise the question, and I want Senators to weigh it.

Is big business next on the list? There is such a thing as legitimate big business. When it is right, I certainly favor it. Its bigness has done a great deal of good. If big business is properly controlled, as every citizen ought to be controlled, it can do a great deal of good. Is it to be next on the list? Who is to be second on the roll call?

WHO IS NEXT?

Is it to be organized labor? There has been a great deal of sentiment against organized labor. Is it to be next on the roll call? Where does it come in? There is an element of thought in this Nation which would wipe organized labor off the map. Is it to be number 2? We have agreed as to who is going to be number 1, but who wants to be number 2? I call for volunteers. Who wants to be second on the list? The South is going to be first. An attempt will be made to destroy its social order. It will be very difficult to destroy that social order, but the South is first on the roll call following the change in the rule.

Who will be second? What about organized labor? Does organized labor wish to take a chance? It has had a long, hard fight. It has never won anything without a battle. It has brought about a great deal of improvement in this country. It ought to be regulated and restrained, just as every citizen is regulated. There are some regulations and restraints on it today, as there are upon doctors, dentists, lawyers, farmers, and every other class. But what about taking away some of the rights which organized labor has already won? Is it ready to take its place on the list? Does it want to be number 2? Those who oppose it will be in a much better position to gag it than they now are. Those who want to take away its rights will be much more effective in their efforts than they are now if this rule can be changed. The Senate will not be able to protect organized labor to the same extent it now can. Does it want to be second?

What about some of the great areas in the West? I wish I were more familiar with them. I have listened to discussions about irrigation and water rights in the great West. In Mississippi we try to get rid of water. In the West they pray for it. There have been great battles over water rights in the Western rivers. Does the West want to be second on the list? Does the West want to have a reconsideration of the question of water rights in Arizona and other States? How would the West fare under a majority-cloture rule?

What about the great mining areas in the West? I do not know enough about that question to discuss it on its merits, but I understand that there have been great battles over mining rights. Do those interested in mining want to come back to bat? Do they want to take their place in the number two spot? Are there any volunteers?

What about the great religious thought of this Nation—the Protestants, the Catholics, the Christian Scientists, the Presbyterians, the Methodists, and the Baptists? Do any of them want to be second? Their great place of refuge now is the floor of the United States Senate.

What makes the Senate great is not the men who sit here. We are no better than other men. What makes it great is the fact that it is the greatest forum of free debate in the world. It is not ethics that makes the Senate great. It is not the generosity of one Member toward another. It is the rules, the power that is not given to the majority. That is what makes it great.

NO FEAR OF MINORITY

I am not afraid of any power that a minority has in this body. I am not afraid of any law that a minority will pass. That is not going to hurt me or my people. I am afraid of a hasty majority. They are the ones who can pass laws. They are the ones whom the founders of this great Nation, the framers of the Constitution, feared.

These limitations were imposed by majorities themselves, to protect the people from majorities. They are the ones who wrote in the two-thirds provision. I am not afraid of any power that is vested in a minority in this body. I am afraid of the majority powers. Who wants to be second on the list?

GRAVE ISSUE

Mr. President, I come back to my original statement, that this is the gravest and most far-reaching question that we shall consider during this session. These are the most serious and far-reaching votes that we shall take at any time during the entire session. It is not the civil rights measures alone; it is not just religious freedom or freedom of the press; it is not just big business; it is not just little business; it is not just the poor man or the rich man or the laboring man—not those things alone—that are at stake; but it is all of them wrapped in with the proposition. What are to be the nature and character of the United States Senate; what kind of a forum is it going to be? Mr. President, debate is the greatest governmental and political invention man has ever been able to make. A gag rule limitation and restriction is its natural enemy. The two cannot survive together.

On this question we vote upon the character of this body. Will it continue to be the greatest legislative body in the world, or will it be just another legislative body subject to the pressure, whims, caprice, emotionalism, or the demands of whoever happens to be in the majority for the time being?

God forbid that in a thoughtless moment we surrender one of the great fundamental structures of our great government of freedom, liberty and justice.

Mr. KEM rose.

The VICE PRESIDENT. The Senator from Missouri is recognized.

Mr. KEM. Mr. President, I should like to say a few words in support of the amendment to the Senate rule proposed by the Senator from Arizona [Mr. HAYDEN], which has the purpose of plugging the loophole in the existing rule.

From my point of view, Mr. President, this is not a question of States rights; it is not a question of whether the Senate will or will not, should or should not, pass certain proposed "civil-rights" laws. The only question here involved is orderly procedure in the Senate.

In my opinion, the right of so-called "unlimited debate" has been abused to the point where the Senate has upon occasion made itself ridiculous not only in the eyes of our own people, but in the eyes of the world.

It is common knowledge that when one of these so-called filibusters starts, the orderly course of discussion and action is disrupted for the duration of the filibuster, with the effect that consideration of important legislation can be, and has been, delayed. It is possible under the existing rule, Mr. President, to delay legislation involving even the very safety of our country itself.

The filibuster exists only because of a technical loophole which has been found in the sincere and conscientious attempt of the Senate in the year 1917 to invest itself with the power to place a curb on debate when in the opinion of two-thirds of its members it is desirable to do so.

I should like to emphasize that there is nothing in the proposed amendment that would prevent full and proper discussion of the merits of any measure, which might come before the Senate. Its only effect will be to enable the members of this body, after all the arguments for or against a measure have been exhausted, and only then by a two-thirds vote, to curb obstructive tactics, and proceed with its business in an orderly fashion. I shall not vote for any rule which undertakes to end the discussion by less than a two-thirds vote.

The Hayden amendment is designed to plug this loophole in the Senate rules, and I shall give it my wholehearted support.

COOPERATIVE HEALTH PLANS IN TAMPA—ARTICLE BY ANGUS LAIRD

Mr. LUCAS obtained the floor.

Mr. PEPPER. Mr. President, will the Senator permit me to make an insertion in the RECORD?

Mr. LUCAS. I yield.

The VICE PRESIDENT. The Senator from Florida is recognized.

Mr. PEPPER. Mr. President, I send to the desk an estimate from the Government Printing Office in respect to an article on cooperative health plans in Tampa, which I previously submitted with a request that it be printed in the Appendix of the RECORD.

[The article appears in the Appendix.]

THE PRESIDENT'S HEALTH INSURANCE PROGRAM

Mr. PEPPER. Mr. President, evidence is accumulating that, contrary to the propaganda being spread by the American Medical Association in an effort to stop President Truman's health insurance legislation, the British medical program is a tremendous success.

The AMA has been trying to convince this country that the British program is a flop, and a forerunner of what would happen here if we adopt national health insurance. Now that the British program obviously is a success, and so much of one that even the doctors and the Conservative Party accept it, I wonder if the AMA will admit that it might be the forerunner of a similar success here if the President's program is adopted.

The latest evidence of the success of the British program came from the newspapers over the past week end. On Sunday the Washington Star printed a story by Margaret Stewart, correspondent of the London News Chronicle, asserting that "despite the difficulties" which Miss Stewart frankly acknowledged, "the national health service scheme has worked remarkably well in its initial stages."

In a parallel column, the Star ran a story on the British program by Dr. Reginald Hale-White, who presumably represents the viewpoint of the British doctors most hostile to the program. But even Dr. Hale-White did not condemn the program as a whole. He merely asked for some changes in the plan, and conceded the principle of "State medical services covering the entire population."

Even more convincing evidence of the success of the British plan is found in yesterday's Washington Post, which carried an AP dispatch from London saying the leaders of the Conservative Party are talking about ditching Winston Churchill as party policy maker, partly because of his recent attack on the medical program. In other words, the medical program is so popular in Britain, after 6 months' trial, that it is dangerous even for the great war leader Churchill to criticize it. The AP dispatch said:

Churchill's threat to seek a vote of censure against the Labor government over soaring costs of the popular national health service was described by many as a preelection blunder that lost votes in Hammersmith (site of a recent byelection).

Mr. President, I ask unanimous consent to include in the RECORD Margaret Stewart's story in the Washington Star of February 27, and the AP story from the Post of February 28.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Star of February 27, 1949]

GREAT SOCIAL CHANGE HAS FEW TEETHING TROUBLES—BULK OF DOCTORS AND DENTISTS COOPERATE TO SERVE 95 PERCENT OF PEOPLE WITH FREE MEDICAL CARE

(By Margaret Stewart)

LONDON.—Nearly 40 years ago, in his preface to The Doctor's Dilemma, Bernard Shaw wrote: "Until the medical profession becomes a body of men trained and paid by the country to keep the country in health, it will remain what it is at present—a conspiracy to exploit popular credulity and human suffering."

This calculated exaggeration, of course, was all part of the Shavian campaign to shake the complacency of the Edwardian upper classes, and to rouse the national conscience to the evils of social inequality and ignorance.

It would be ludicrous to apply the same strictures to the medical profession today, or to belittle the important advances that have progressively raised the standard of public health in Britain.

But, by and large, the health measures taken between the two wars were little more than patchwork and plumbing. The inequalities persisted, and the more lucrative forms of private practice tended to attract the best brains and skills of the medical profession. There was a steady drift of Britain's best medical men into the fashionable square mile around Harley Street, in London, which Dr. A. J. Cronin in his famous book calls the citadel.

DOCTORS PAID BY STATE

The first attack on the citadel was made before World War I, when Lloyd George breached the ramparts with his famous Health Insurance Act.

It has been left to another Welshman, ex-Miner Aneurin Bevan, to invade the citadel itself, and to translate into reality the idea of a truly national health service, with doctors paid by the state to keep the country in health.

Aneurin Bevan, Britain's Minister of Health, was brought up in the poverty-scarred valleys of South Wales, and as a boy he watched his miner comrades coughing their lungs out for want of proper treatment. He resolved to sweep away the class distinctions in medicine, with its separate standards for those who could pay and those who could not.

July 5, 1948, the day on which his National Health Service Act came into force, marked the start of a social revolution in Britain, not a mere paper or propaganda revolution, but a real transformation in the lives of millions of citizens.

It was another Welshman, Jim Griffiths, Minister of National Insurance—like Bevan, a miners' Member of Parliament—who introduced the National Insurance Act, which provides an umbrella of social security for every man, woman, and child in Britain from the cradle to the crematorium. This act also came into force on that memorable July 5, 1948.

These two acts are the twin pillars of Britain's postwar social legislation.

ALL-EMBRACING SERVICE

Under the National Health Service Act, everybody in the country is entitled to free medical treatment. This includes the services of general practitioners, surgeons, and specialists; out-patient and in-patient treatment at hospitals; drugs, medicines, and surgical appliances; dentures, spectacles, and deaf aids; maternity and infant care; and treatment for mental sickness. On top of all this, more than 2,500 hospitals have been transferred to the state, which has put them in the charge of the regional hospital boards. The regional hospital boards vary in size from 23 to 32 members. All are unpaid and there are 378 members altogether.

This is not something for nothing. Of the 4 shillings 7 pence (about 95 cents) contributed weekly to national insurance by a man over 18, 8½ pence (17 cents) is allocated to the National Health Service, while a woman over 18 contributes 6½ pence (13 cents) out of her weekly payment of 3 shillings 10 pence (about 80 cents). In addition, 1½ pence (3 cents) of the employer's contribution goes to the Health Service. Self-employed and nonemployed persons pay 10 pence (20 cents) if they are men, 8 pence (16 cents) if they are women. But every man, woman, and child is entitled to use the service, whether in the insurance scheme or not, and every citizen contributes to the common pool, directly or indirectly through rates and taxes.

The health service scheme has now been functioning less than a year, and, as was only to be expected in so great a social change, it has had its teething troubles.

BULK OF DOCTORS JOIN

Mr. Bevan's chief difficulty has been the shortage of doctors and nurses, and there has also been an acute shortage of hospital beds. The pressure on dentists and eye specialists has never been so great, while the rush to get dentures and spectacles has been such that many people, who have for years neglected their teeth and eyes, have had to wait for weeks for supplies. Surgery and hospital facilities have not been adequate, but while new housing has first claim on building resources, many important health projects have had to wait.

Nevertheless, despite the difficulties, the National Health Service scheme has worked remarkably well in its initial stages.

Mr. Bevan has, of course, been lucky, for the winter 1948–49 has been exceptionally mild and the influenza epidemics which swept France and Italy have fortunately bypassed Britain.

On the whole, few serious criticisms of the health scheme have been voiced in the press or in Parliament, although its opponents originally predicted that the health services would be strangled in cocoons of red tape.

The medical profession in Britain, once it had bowed to the inevitable and accepted the state scheme, has cooperated well with the government. By the new year of 1949, 87 percent of a total of 21,000 doctors in England and Wales had joined the scheme and 90 percent of the 10,000 dentists and practically all the country's 14,000 chemists. The proportion in Scotland has been even higher.

About 42,000,000 people—95 percent of the population—have already enrolled on the doctor's lists. This compares with the 20,000,000 or so insured wage earners who received free medical attention before July 5.

This high figure of registered patients indicates that the scheme is popular with the public and that any attempt to desocialize the health services would be opposed. Indeed, no political party would seriously suggest this.

The 5 percent of the population who have remained outside—apart from those who are too lazy or apathetic to obtain the simple form—are mainly the well-to-do or the elderly, who believe they will get more attention if they remain private paying patients with their doctor.

Middle-aged hypochondriac dowagers, for example, naturally dislike the idea of being treated on a level with the working-class housewife. But there is no compulsion on the dowager. If she wishes to waste her money paying privately for what she could otherwise get under the scheme, the act does not stop her. There is no objection to private practices continuing—both general and specialist—it is entirely for patient and doctor to decide. The middle income groups generally have joined the scheme.

A recent article in the Lancet, journal of the medical profession in Britain, reports that both doctor and patient are pleased with their new and easier relationship.

Fears that the patient's freedom of choice would be limited, or that the old, essentially personal, relationship between doctor and patient would be undermined, have proved groundless.

PATIENT CAN CHANGE DOCTOR

If anything, patients now have a wider choice of doctors. The buying and selling of practices which led to many abuses has been stopped. Instead of a patient being allowed to change his doctor only at specified dates, after 1 month's notice—as under the old national insurance scheme—he can now change whenever and as often as he wishes, without notice.

The only difference is that the doctor is now paid out of public funds, instead of by the patient.

A maximum of 4,000 patients has been fixed, but the number aimed at is between 2,000 and 3,000 per doctor. There are more than 18,000 National Health Service doctors to look after 42,000,000 patients—an average of about 2,300 each.

For some doctors, the scheme has meant a considerable drop in earnings, but taking the profession as a whole, incomes have increased by over 60 percent, compared with before the war.

There have been complaints from doctors about the time spent in filling forms, signing certificates, dealing with trivial complaints, and prescribing medicines and drugs which people would formerly have bought at the drugstore or gone without. But most of this form-filling went on before, because of rationing and priorities, and on the whole, the doctors report that the public has been sensible and that there have not been serious abuses.

For the 20,000,000 insured people who were already on some doctor's panel, the scheme has not meant much change, but it has enormously increased the scope of benefits, and has, for the first time, brought in their wives and families.

Hitherto it depended on the funds of a man's approved society, whether he received free dental and eye treatment, and for specialist and hospital treatment he was charged according to his means. Now all these benefits are automatically included—and are equally available to his wife and children.

For the salaried and professional classes, who were formerly outside the insurance range, the health service has been a revolution. Nobody need worry about doctors' bills—the nightmare of so many parents—nor about the cost of a hospital bed or an operation.

But undoubtedly the people who benefit most from the new service are the housewives and mothers who have always been the last to complain about their own ailments.

The Lancet article, quoted above, also states that, "The start of the service has brought to light untreated illness in the old, in children, and in women. The amount of hitherto undisclosed illness is particularly large in women, many of whom have suffered for years from chronic disorders * * * without referring to a doctor."

MATERNITY BENEFITS

The maternity provisions of the scheme are comprehensive, and financial worries are removed through free hospital, medical, and midwife care. Expectant and nursing mothers also get extra milk, fruit juices, and special infant foods under the welfare foods scheme. A network of prenatal and postnatal clinics and infant welfare centers has been built up, and schemes for home helps, run by the local authorities, assist the mothers in getting back to normal when the baby has been born.

The basic aim of the National Health Service is to prevent, rather than to cure, sickness, and that is why so much importance is attached both to safeguarding the health of mothers and children, and to the project for health centers. These will eventually be set up in every main center of population, though they will be delayed by lack of building material. Doctors and dentists will be more readily "on top" for family consultations, and they will see their patients in greater comfort and convenience than in the now overcrowded surgeries and clinics. The hospitals, too, will be relieved of many of the more trivial cases which now come to them.

One long-term objective of the scheme is to bring about a more equitable distribution of doctors. Some areas are overcrowded, some are underdoctored. Before the war, the industrial town of South Shields, in the north of England, had only one doctor to every 4,100 of the population, whereas the prosperous seaside resort of Hastings on the south coast had less than 1,200 per doctor. Then, there are not enough doctors, or good enough ones, in most rural areas.

But this adjustment will take time. Maldistribution cannot be corrected until there are enough doctors to go around, and in any case there is no question of compulsion on a doctor to practice in any particular area.

The charge most frequently leveled against the National Health Service is that it costs the taxpayer too much. The cost in the first 9 months was estimated at 180,000,000 pounds sterling. This is certainly a colossal sum, but the country believes that it is not too high a price to pay for the improvement of the nation's health and productive capacity.

[From the Washington Post of February 28, 1949]

TORIES VOICE DISSATISFACTION WITH CHURCHILL

(By Robert Hewett)

LONDON, February 27.—Some of Britain's worried Conservative leaders are talking privately about easing Winston Churchill out of his roll as the party's prime policy maker.

The Conservative defeat this week in the crucial South Hammersmith Commons by-election was a hard blow to party leaders. In backstage post mortems, insiders say, there is a rising demand for a drastic shake-up in Conservative campaign strategy before next year's general elections.

Tory tactics in 31 byelections (special elections to fill Commons vacancies) have failed to win back a single district carried by Labor in 1945.

Churchill's threat to seek a vote of censure against the Labor government over soaring costs of the popular national health service was described by many as a preelection blunder that lost votes in Hammersmith.

Second-guessing Conservatives have also criticized Churchill for his campaign speeches in Hammersmith—a departure from his practice of remaining aloof from byelections. Some claimed his slashing attack on the Labor government failed to outline constructive counterproposals.

The 75-year-old Churchill is still the party's unchallenged No. 1 figure.

But can he draw the middle class and working class votes?

"They cheer for Churchill but they vote for Labor," was the private comment of one upper level Conservative official recently.

The undercurrent of criticism broke into print, significantly, in Lord Rothermere's conservative Daily Telegraph.

The Telegraph's political correspondent said there is "serious unrest among Conservative members of Parliament. The Telegraph editorially urged a "chief of staff" for Churchill to draft parliamentary and election strategy.

Mr. LUCAS. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. LUCAS. The Senator from Florida has just made a brief statement. Do I correctly understand that in the parliamentary situation under which we are operating at present, that will be counted as one speech which the Senator from Florida has made on the pending question?

The VICE PRESIDENT. It would, because under the rule, no matter what a Senator talks about, he is talking on the pending question, and that would count as one speech.

Mr. PEPPER. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. PEPPER. At the beginning of each day's session, as I have understood, Senators have been permitted to make insertions in the RECORD. Probably the Senator from Florida erred in not waiting until the beginning of the session tomorrow.

I doubt very seriously that I shall take more than one occasion to address myself to this matter. I wonder whether it might be appropriate or possible for me to ask unanimous consent that, inasmuch as the insertion I have just made in the RECORD is a very brief one, and inasmuch as we have been permitting such insertions to be made at the beginning of the session each day, my presentation of the data I have just submitted for the RECORD might not be counted as a speech on the pending question. I ask such unanimous consent.

The VICE PRESIDENT. At the beginning of the session today, the Senate gave its consent to permitting Senators to make insertions of matters in the RECORD, without speeches, and also to permit Senators to introduce bills, submit resolutions, or make reports of committees. However, such consent was granted only for that limited period of time.

Mr. PEPPER. Mr. President, since my remarks were merely in connection with an insertion in the RECORD, I ask unanimous consent that they not be considered as one of my speeches on the pending question.

The VICE PRESIDENT. Is there objection?

Mr. WHERRY. Mr. President, reserving the right to object, let me say personally I am not going to object to the request made by the distinguished Senator from Florida; but I submit that after the suggestion of the absence of a quorum was made today, and after a quorum call was had, I did not wish to take action which would set a precedent in violation of the rule, after the announcement had been made by the distinguished occupant of the chair, and so I withheld such requests, on the understanding that if such requests were continued, they would constitute a violation of the rule.

The unanimous-consent request of the Senator from Florida is all right with me. I hold the Senator in highest respect, as he knows, and I do not want in any way to jeopardize his time or rights on the pending question. It merely shows the futility of establishing a rule as to routine matters, if they may be presented at any time. When insertions were made at the beginning of the session, I was very careful to ask the majority leader how long insertions could be made in the manner suggested. Not only the majority leader but the distinguished occupant of the chair stated it would be at the beginning of the session, and that thereafter anyone desiring recognition would have to be recognized in his own right, and it would be considered a speech on the pending question.

The distinguished Senator from Florida, who is very busy on the Committee on Labor and Public Welfare, possibly did not hear the earlier remarks and observations, but I submit once again, while I shall not object, because I feel this was an insertion, and that the Senator, possibly, if he had been unaware of the ruling made, might not have made the request, yet I submit to the majority leader that if any exception is made once, it is going to be very difficult to adhere to the rules laid down by the present occupant of the chair immediately before debate upon the pending motion began.

Mr. PEPPER. Mr. President——

The VICE PRESIDENT. The Chair would like to state that he did not lay down the rules. He merely stated what they were.

Mr. WHERRY. That is correct. I stand corrected.

The VICE PRESIDENT. The Senate made the rules. The Chair is attempting to observe and enforce them. In the case of morning hour business, debate is not in order. Speeches are not in order in regard to insertions. It is done by unanimous consent at times, but without such consent, they are not admissible.

Mr. LUCAS. Mr. President——

Mr. PEPPER. Mr. President, I do not want to embarrass my able leader in any sense of the word. I was not on the floor when the statemant was made today, or I should not have made the request. If I might have unanimous consent on this occasion, I shall "go, and sin nor more."

The VICE PRESIDENT. Is there objection?

Mr. LUCAS. I shall not object to the unanimous-consent request made by the able Senator from Florida, because I am satisfied he did not understand the rule entered into today when we began the debate. However, I merely call attention to this in order that Senators may have an opportunity to read the RECORD and understand exactly the kind of parliamentary procedure under which we are operating, so we may get along without having someone come in at a late hour and do what the Senator from Florida has done. It means one speech upon his time. The Senator from Florida acted in good faith without knowing what the parliamentary situation was. Therefore, I shall not object, but I am serving notice on the Senate that the rule is going to be observed and that tomorrow I shall follow the same procedure. Senators must observe the rule.

The VICE PRESIDENT. The Chair hears no objection, and the request of the Senator from Florida is granted.

EXECUTIVE SESSION

Mr. LUCAS. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF A COMMITTEE

The following favorable reports of nominations were submitted:

By Mr. JOHNSTON of South Carolina, from the Committee on Post Office and Civil Service:

Sundry postmasters.

The VICE PRESIDENT. If there be no further reports of committees, the clerk will proceed to state the nominations on the Executive Calendar.

UNITED NATIONS

The Chief Clerk read the nomination of Warren R. Austin to be a representative of the United States of America to the third session of the General Assembly of the United Nations, held in Paris, France, to which office he was appointed during the recess of the Senate.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of John Foster Dulles to be a Representative of the United States of America to

the third session of the General Assembly of the United Nations, held in Paris, France, to which office he was appointed during the recess of the Senate.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Anna Eleanor Roosevelt to be a representative of the United States of America to the third session of the General Assembly of the United Nations, held in Paris, France, to which office she was appointed during the recess of the Senate.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Philip C. Jessup to be a representative of the United States of America to the third session of the General Assembly of the United Nations, held in Paris, France, to which office he was appointed during the recess of the Senate.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Benjamin V. Cohen to be an alternate representative of the United States of America to the third session of the General Assembly of the United Nations, held in Paris, France, to which office he was appointed during the recess of the Senate.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Ray Atherton to be an alternate representative of the United States of America to the third session of the General Assembly of the United Nations, held in Paris, France, to which office he was appointed during the recess of the Senate.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Willard L. Thorp, to be an alternate representative of the United States of America to the third session of the General Assembly of the United Nations, held in Paris, France, to which office he was appointed during the recess of the Senate.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Ernest A. Gross, to be an alternate representative of the United States of America to the third session of the General Assembly of the United Nations, held in Paris, France, to which office he was appointed during the recess of the Senate.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Francis B. Sayre to be an alternate representative of the United States of America to the third session of the General Assembly of the United Nations, held in Paris, France, to which office he was appointed during the recess of the Senate.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Benjamin V. Cohen to be a representative of the United States of America to the third session of the General Assembly of the United Nations, held in Paris, France, to which office he was appointed during the recess of the Senate, to fill a vacancy created by the absence of Warren R. Austin due to illness.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Dean Rusk, to be alternate representative of the United States of America to the third session of the General Assembly of the United Nations, held in Paris, France, to which office he was appointed during the recess of the Senate, vice Benjamin V. Cohen.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Stuart A. Rice, to be representative of the United States of America on the Statistical Commission of the Economic and Social Council of the United Nations for a term of 3 years. (Reappointment.)

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Philip M. Hauser, to be representative of the United States of America on the Population Commission of the Economic and Social Council of the United Nations for a term of 3 years. (Reappointment.)

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Arthur J. Altmeyer to be representative of the United States of America on the Social Commission of the Economic and Social Council of the United Nations for a term of 3 years. (Reappointment.)

The VICE PRESIDENT. Without objection, the nomination is confirmed.

CONCILIATION COMMISSION FOR PALESTINE

The Chief Clerk read the nomination of Mark Foster Ethridge to be representative of the United States of America on the Conciliation Commission for Palestine which was established by resolution of the General Assembly of the United Nations December 11, 1948.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

SPECIAL BALKAN COMMITTEE

The Chief Clerk read the nomination of Gerald A. Drew to be representative of the United States of America on the Special Balkan Committee established by the General Assembly of the United Nations October 21, 1947.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

PUBLIC ADVISORY BOARD

The Chief Clerk read the nominations of the following persons, to be members of the Public Advisory Board: Sarah Blanding, of New York; James Barron Carey, of the District of Columbia; Jonathan W. Daniels, of North Carolina; Albert S. Goss, of Washington; Robert Henry Hinckley, of Utah; Eric A. Johnston, of Washington; Allan Blair Kline, of Iowa; Herbert H. Lehman, of New York; Arlon Everett Lyon, of Illinois; George Houk Mead, of Ohio; George Meany, of New York; James George Patton, of Colorado.

The VICE PRESIDENT. Without objection, the nominations to the Public Advisory Board are confirmed en bloc.

THE DEPARTMENT OF STATE

The Chief Clerk read the nomination of Ernest A. Gross to be an Assistant Secretary of State.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

AMBASSADOR AND CHIEF OF MISSION

The Chief Clerk read the nomination of George Wadsworth to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Turkey and to serve concurrently and without additional compensation as Chief of the American Mission for Aid to Turkey, to which offices he was appointed during the recess of the Senate.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

CHIEF OF AMERICAN MISSION TO AID GREECE

The Chief Clerk read the nomination of Henry F. Grady, now Ambassador Extraordinary and Plenipotentiary to Greece, to serve concurrently and without additional compensation as Chief of the American Mission for Aid to Greece, to which office he was appointed during the recess of the Senate.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

AMBASSADOR AT LARGE

The Chief Clerk read the nomination of Philip C. Jessup to be Ambassador at Large.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

AMBASSADOR AND MINISTER

The Chief Clerk read the nomination of Loy W. Henderson to be Ambassador Extraordinary and Plenipotentiary of the United States of America to India and to serve concurrently and without additional compensation as Envoy Extraordinary and Minister Plenipotentiary of the United States of America to Nepal. (Appointed during the recess of the Senate.)

The VICE PRESIDENT. Without objection, the nomination is confirmed.

AMBASSADORS EXTRAORDINARY AND PLENIPOTENTIARY

The Chief Clerk read the nomination of Myron Melvin Cowen to be Ambassador Extraordinary and Plenipotentiary to Australia.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Laurence A. Steinhardt to be Ambassador Extraordinary and Plenipotentiary to Canada.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Joseph E. Jacobs to be Ambassador Extraordinary and Plenipotentiary to Czechoslovakia.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Stanton Griffis, to be Ambassador Extraordinary and Plenipotentiary to Egypt.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Richard C. Patterson, Jr., to be Ambassador Extraordinary and Plenipotentiary to Guatemala.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Edward S. Crocker 2d, to be Ambassador Extraordinary and Plenipotentiary to Iraq.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Waldemar J. Gallman, to be Ambassador Extraordinary and Plenipotentiary to Poland.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Robert M. Scotten, to be Ambassador Extraordinary and Plenipotentiary to New Zealand.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Myron Melvin Cowen, to be Ambassador Extraordinary and Plenipotentiary to the Republic of the Philippines.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of J. Rives Childs, to be Ambassador Extraordinary and Plenipotentiary to the Kingdom of Saudi Arabia.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of North Winship, to be Ambassador Extraordinary and Plenipotentiary to the Union of South Africa.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

ENVOY EXTRAORDINARY AND MINISTER PLENIPOTENTIARY

The Chief Clerk read the nomination of Edward R. Dudley to be Envoy Extraordinary and Minister Plenipotentiary to Liberia.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

SPECIAL REPRESENTATIVE OF THE UNITED STATES

The Chief Clerk read the nomination of James Grover McDonald, to be special representative of the United States of America to the Provisional Government of Israel. (Appointed during the recess of the Senate.)

The VICE PRESIDENT. Without objection, the nomination is confirmed.

COAST AND GEODETIC SURVEY

The Chief Clerk read the nomination of Steven L. Hollis to be an ensign.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

POSTMASTERS

The Chief Clerk read sundry nominations of postmasters.

The VICE PRESIDENT. Without objection, the nominations of postmasters are confirmed en bloc.

SUPREME COURT, TERRITORY OF HAWAII

The Chief Clerk read the nomination of Hon. Albert M. Cristy to be Associate Justice.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

CIRCUIT COURTS, TERRITORY OF HAWAII

The Chief Clerk read the nomination of Willson G. Moore to be fourth Judge of the first circuit.

The VICE PRESIDENT. Without objection, the nomination is confirmed, and, without objection, the President will be notified immediately of all nominations this day confirmed.

RECESS

Mr. LUCAS. As in legislative session, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 46 minutes p. m.) the Senate took a recess until tomorrow, Wednesday, March 2, 1949, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate March 1 (legislative day of February 21), 1949:

IN THE ARMY

The following-named officers for appointment in the Regular Army of the United States to the grades indicated under the provisions of title V of the Officer Personnel Act of 1947:

To be major general

Maj. Gen. Stanley Lonzo Scott, [redacted], Army of the United States (brigadier general, U. S. Army).

To be brigadier generals

Brig. Gen. Albert Pierson, [redacted], Army of the United States (colonel, U. S. Army).

Brig. Gen. Williston Birkhimer Palmer, [redacted], Army of the United States (colonel, U. S. Army).

Brig. Gen. Robert Miller Montague, [redacted], Army of the United States (colonel, U. S. Army).

The following-named officers for temporary appointment in the Army of the United States to the grades indicated under the provisions of section 515 of the Officer Personnel Act of 1947:

To be major generals

Brig. Gen. Vernon Edwin Prichard, [redacted], United States Army.

Brig. Gen. Francis Henry Lanahan, Jr., [redacted], Army of the United States (colonel, U. S. Army).

Brig. Gen. Roy Charles Lemach Graham, [redacted], United States Army.

Brig. Gen. William Kelly Harrison, Jr., [redacted], United States Army.

Brig. Gen. George David Shea, [redacted], United States Army.

To be brigadier generals

Col. Frank Leo Howley, [redacted], Army of the United States.

Col. Edward Caswell Wallington, [redacted], United States Army.

Col. Kirke Brooks Lawton, [redacted], United States Army.

Col. Harry Reichelderfer, [redacted], United States Army.

Col. Emmett James Bean, [redacted], United States Army.

Col. Wesley Tate Guest, [redacted], United States Army.

The following-named officers for appointment to the positions indicated under the provisions of section 504 of the Officer Personnel Act of 1947:

Lt. Gen. Henry Spiese Aurand, [redacted] (major general, U. S. Army), to be Commanding General, United States Army, Pacific, with the rank of lieutenant general.

Maj. Gen. Thomas Bernard Larkin, [redacted], United States Army, to be Director of Logistics, United States Army, with the rank of lieutenant general.

IN THE NAVY

The following-named officers for temporary appointment to the grade of rear admiral in the line of the Navy:

Frank T. Watkins
Wallace R. Dowd
Tom B. Hill

The following-named officers for temporary appointment to the grade of rear admiral in the Medical Corps of the Navy:

Carl A. Broaddus
Joseph B. Logue

The following-named officers for temporary appointment to the grade of rear admiral in the Supply Corps of the Navy:

Frank C. Dunham
Stephen R. Edson

The following-named officers for temporary appointment to the grade of captain in the line of the Navy:

Stanley M. Alexander	Bruce D. Kelley
William C. Butler, Jr.	Herman N. Larson
Rex S. Caldwell	Nicholas Lucker, Jr.
Marshall E. Dornin	William B. Moore
Walter M. Foster	Marvin C. Parr
John J. Greytak	Louis F. Teuscher
Frederick V. H. Hilles	John L. Wilfong

The following-named officer for temporary appointment to the grade of captain in the line of the Naval Reserve:

Edward R. Anderson

Luther F. Duncan, midshipman (aviation), to be an ensign in the Navy from the 3d day of June 1949, in lieu of ensign in the Navy as previously nominated and confirmed, to correct date of rank.

The following-named civilian college graduates to be ensigns in the Navy from the 3d day of June 1949:

John M. Andersen	Dale W. F. Krehmeyer
Robert G. Anderson	Bernard P. Kritzmacher
Alex L. Baldwin	Lewis S. Lamoreaux
Joseph E. Bores	Oren A. Peterson
John P. Cooper	James K. Staud
David E. Dearolph	Winston J. Taylor
James E. Feely, Jr.	James A. White
Richard L. Gribling	William DeW. Wingfield
Hughen G. Halliburton	
Robert R. King, Jr.	

Worthen A. Walls (civilian college graduate) to be a lieutenant (junior grade) in the Civil Engineer Corps of the Navy.

The following-named (civilian college graduates) to be lieutenants (junior grade) in the Dental Corps of the Navy:

Robert W. Didion
Louis M. Ellis

Frederick S. Welham (civilian college graduate) to be a lieutenant in the Dental Corps of the Navy, in lieu of lieutenant commander as previously nominated and confirmed.

The following-named to be ensigns in the Nurse Corps of the Navy:

Marilyn A. Biasio.	Etha M. Horngren
Willidean Blazier	Estelle Korol
Eleanor F. Bresnahan	Rosalind C. Light
Dolores T. Burns	Mary L. Lower
Mildred C. Cannaday	Alice T. McCarthy
Clare P. Cooney	Rose E. McCluskey
Georgia J. Donnelly	Katherine M. Merrill
Mary V. Doyle	Margaret C. Oleyar
Hope M. Estey	Mary R. Remski
Frieda C. Galipp	Margaret Shaker
Elizabeth A. Geary	Alice L. Spence
Freda M. Hawkins	Frances C. Whitlock
Violet C. Haydel	Dorothy Zulick

The following-named officers to the grades indicated in the Medical Corps of the Navy:

COMMANDER

William S. Lawler

LIEUTENANT COMMANDERS

Wendell A. Butcher
Hermann J. Lukeman

LIEUTENANTS

Gustave T. Anderson
Charles E. Weber

LIEUTENANTS (JUNIOR GRADE)

Victor G. Benson
Cyril J. Honsik
Edward Martin, Jr.
Gerald A. Martin

The following-named officer to the grade indicated in the Medical Service Corps of the Navy:

LIEUTENANT

George LeR. Baker

The following-named officers to the grades indicated in the Nurse Corps of the Navy:

LIEUTENANTS (JUNIOR GRADE)

Helen E. Crabtree
Pauline R. Uhorczuk

IN THE COAST GUARD

The following officers of the United States Coast Guard Reserve to be commissioned in the United States Coast Guard, dates of rank to be computed upon execution of oath in accordance with the Regulations Governing Determination of Precedence as Commissioned Officers in the United States Coast Guard of Reserve Officers, Former Reserve Officers, and Former Temporarily Commissioned Officers:

TO BE LIEUTENANTS (JUNIOR GRADE)

Gordon L. Bates
Ray J. Campbell
George C. Steinemann
Jack S. Thuma

TO BE ENSIGN

Samuel R. Early

CONFIRMATIONS

Executive nominations confirmed by the Senate, March 1 (legislative day of February 21), 1949:

UNITED NATIONS

REPRESENTATIVES OF THE UNITED STATES OF AMERICA TO THE THIRD SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS, HELD IN PARIS, FRANCE, TO WHICH OFFICES THEY WERE APPOINTED DURING THE RECESS OF THE SENATE

Warren R. Austin
John Foster Dulles
Anna Eleanor Roosevelt
Philip C. Jessup

ALTERNATE REPRESENTATIVES OF THE UNITED STATES OF AMERICA TO THE THIRD SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS, HELD IN PARIS, FRANCE, TO WHICH OFFICES THEY WERE APPOINTED DURING THE RECESS OF THE SENATE

Benjamin V. Cohen
Ray Atherton
Willard L. Thorp
Ernest A. Gross
Francis B. Sayre

REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE THIRD SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS, HELD IN PARIS, FRANCE, TO WHICH OFFICE HE WAS APPOINTED DURING THE RECESS OF THE SENATE, TO FILL A VACANCY CREATED BY THE ABSENCE OF WARREN R. AUSTIN DUE TO ILLNESS

Benjamin V. Cohen

ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE THIRD SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS, HELD IN PARIS, FRANCE, TO WHICH OFFICE HE WAS APPOINTED DURING THE RECESS OF THE SENATE, VICE BENJAMIN V. COHEN

Dean Rusk

REPRESENTATIVE OF THE UNITED STATES OF AMERICA ON THE STATISTICAL COMMISSION OF THE ECONOMIC AND SOCIAL COUNCIL OF THE UNITED NATIONS FOR A TERM OF 3 YEARS

Stuart A. Rice

REPRESENTATIVE OF THE UNITED STATES OF AMERICA ON THE POPULATION COMMISSION OF THE ECONOMIC AND SOCIAL COUNCIL OF THE UNITED NATIONS FOR A TERM OF 3 YEARS

Philip M. Hauser

REPRESENTATIVE OF THE UNITED STATES OF AMERICA ON THE SOCIAL COMMISSION OF THE ECONOMIC AND SOCIAL COUNCIL OF THE UNITED NATIONS FOR A TERM OF 3 YEARS

Arthur J. Altmeyer

CONCILIATION COMMISSION FOR PALESTINE

REPRESENTATIVE OF THE UNITED STATES OF AMERICA ON THE CONCILIATION COMMISSION FOR PALESTINE

Mark Foster Ethridge

SPECIAL BALKAN COMMITTEE

REPRESENTATIVE OF THE UNITED STATES OF AMERICA ON THE SPECIAL BALKAN COMMITTEE

Gerald A. Drew

PUBLIC ADVISORY BOARD

MEMBERS OF THE PUBLIC ADVISORY BOARD

Sarah Blanding
James Barron Carey
Jonathan W. Daniels
Albert S. Goss
Robert Henry Hinckley
Eric A. Johnston
Allan Blair Kline
Herbert H. Lehman
Arlon Everett Lyon
George Houk Mead
George Meany
James George Patton

DEPARTMENT OF STATE

Ernest A. Gross to be an Assistant Secretary of State.

DIPLOMATIC AND FOREIGN SERVICE OF THE UNITED STATES OF AMERICA

AMBASSADOR AND CHIEF OF MISSION

George Wadsworth to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Turkey and to serve concurrently and without additional compensation as Chief of the American Mission for Aid to Turkey.

CHIEF OF AMERICAN MISSION TO AID GREECE

Henry F. Grady, now Ambassador Extraordinary and Plenipotentiary to Greece, to serve concurrently and without additional compensation as Chief of the American Mission for Aid to Greece.

AMBASSADOR AT LARGE

Philip C. Jessup to be Ambassador at Large.

AMBASSADOR AND MINISTER

Loy W. Henderson to be Ambassador Extraordinay and Plenipotentiary of the United States of America to India and to serve concurrently and without additional compensation as Envoy Extraordinary and Minister Plenipotentiary of the United States of America to Nepal.

AMBASSADORS EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE COUNTRIES INDICATED

Myron Melvin Cowen to Australia.
Laurence A. Steinhardt to Canada.
Joseph E. Jacobs to Czechoslovakia.
Stanton Griffis to Egypt.
Richard C. Patterson, Jr., to Guatemala.
Edward S. Crocker 2d to Iraq.
Waldemar J. Gallman to Poland.
Robert M. Scotten to New Zealand.
Myron Melvin Cowen to the Republic of the Philippines.
J. Rives Childs to the Kingdom of Saudi Arabia.
North Winship to the Union of South Africa.

ENVOY EXTRAORDINARY AND MINISTER PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO LIBERIA

Edward R. Dudley

SPECIAL REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE PROVISIONAL GOVERNMENT OF ISRAEL

James Grover McDonald

SUPREME COURT, TERRITORY OF HAWAII

Hon. Albert M. Cristy to be associate justice of the Supreme Court of the Territory of Hawaii.

CIRCUIT COURTS, TERRITORY OF HAWAII

Willson G. Moore to be fourth judge of the first circuit, Circuit Courts, Territory of Hawaii.

COAST AND GEODETIC SURVEY

Steven L. Hollis to be ensign, effective January 26, 1949.

POSTMASTERS

ALABAMA

Arthur R. Scroggins, East Tallassee.
J. Ponder Livingston, Eutaw.
James C. Mattox, Guin.
James D. Jackson, Horton.
Felton Jones, Kennedy.
Marvin T. Davis, Letohatchee.
Pauline B. Sandlin, Magnolia Springs.
John W. Roney, Newville.
Oscar Day, Jr., Oakman.
Charles H. Eddins, Jr., Peterman.

MARYLAND

Thomas F. Conlon, Cumberland.
H. Lester Long, Jr., Ellicott City.

MISSISSIPPI

Charles C. Province, Big Creek.
Owen O. Odom, Steens.

NORTH CAROLINA

Evelyn J. Sutton, Dilisboro.
Belle Q. Cable, Fontana Dam.
Claude A. Dry, Misenheimer.
A. Garland Pierce, Southern Pines.
Gilbert A. Holt, Troy.
George H. Ross, Wadesboro.

NORTH DAKOTA

Mathilda A. Johnson, Adams.
Ben Ramsland, Almont.
Donovan J. Dolan, Bowbells.
Herbert J. Clark, Powers Lake.
Daniel F. McMenamy, Reynolds.
Byron P. Pulles, Stanton.

TEXAS

Benjamin F. Sullivan, Jr., Bangs.
Napoleon B. Ballard, Baytown.
Robert A. Smith, Decatur.
Thomas G. Sandel, Huntsville.
Robert J. Quinlivan, Idalou.
Albert N. Pike, Iredell.
Lance A. Leggitt, Lakeview.
Jesse B. Strickland, Novice.
Irvin L. Hergert, Perryton.
John O. Bier, Plainview.
Harold Voss, Post.
Miller J. Sweeden, Sweetwater.
Opal F. Roberson, Temple.

HOUSE OF REPRESENTATIVES

TUESDAY, MARCH 1, 1949

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Almighty God, Thou who art the living bread upon which we must feed, and the Good Shepherd who leads the way into green pastures, grant us wisdom adequate to know our duty, and as we hear Thy call, give us the will to obey.

We thank Thee that Thy providence abides through every change. Pity us

if from our hearts no prayers arise and no thanks are returned for the bounties which Thou dost bestow upon us.

Do Thou bless all our homes; keep all our families under the wings of Thy love and mercy, and grant that they may be the citadels of our future comfort and assurance. In the name of our Lord and Saviour. Amen.

The Journal of the proceedings of yesterday was read and approved.

DISTRICT OF COLUMBIA APPROPRIATION BILL, 1950

Mr. BATES of Kentucky, from the Committee on Appropriations, reported the bill (H. R. 3082, Rept. No. 167) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1950, and for other purposes, which was read a first and second time, and, with the accompanying papers, referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

Mr. CHURCH reserved all points of order on the bill.

TREASURY AND POST OFFICE DEPARTMENT APPROPRIATION BILL, 1950

Mr. GARY, from the Committee on Appropriations, reported the bill (H. R. 3083, Rept. No. 168) making appropriations for the Treasury and Post Office Departments and funds available for the Export-Import Bank and the Reconstruction Finance Corporation for the fiscal year ending June 30, 1950, and for other purposes, which was read a first and second time, and, with the accompanying papers, referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

Mr. CANFIELD reserved all points of order on the bill.

CALENDAR WEDNESDAY

Mr. PRIEST. Mr. Speaker, I ask unanimous consent that the business in order on Calendar Wednesday of this week be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

Mr. RANKIN. I object, Mr. Speaker.

PERMITTING MOTOR VESSEL "FLB-5005" TO ENGAGE IN THE FISHERIES

Mr. CELLER. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of the bill (H. R. 579) to permit the motor vessel *FLB-5005* to engage in the fisheries, and that the bill be rereferred to the Committee on Merchant Marine and Fisheries.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

EXTENSION OF REMARKS

Mr. KLEIN asked and was given permission to extend his remarks in the RECORD in four instances and include extraneous matter.

Mr. RODINO asked and was given permission to extend his remarks in the RECORD and include a statement of the mayor of the city of Newark before the Senate Banking and Currency Committee.

Mr. PASSMAN and Mr. BOGGS of Louisiana asked and were given permission to extend their remarks in the RECORD.

Mr. KELLEY asked and was given permission to extend his remarks in the RECORD and include a resolution.

Mr. ROGERS of Florida asked and was given permission to extend his remarks in the RECORD and include an address.

Mr. JAMES asked and was given permission to extend his remarks in the RECORD and include an item by John M. Cummings appearing in the Philadelphia Inquirer commemorating St. David's Day.

Mr. SMITH of Wisconsin asked and was given permission to extend his remarks in the RECORD and include an article.

Mr. BRYSON. Mr. Speaker, on yesterday I sought and obtained permission to include in the Appendix of the RECORD an address entitled "Invention Through the Years." The Public Printer estimates that this will exceed the ordinary amount permitted and will cost $195, but I ask that it be printed notwithstanding that fact.

The SPEAKER. Without objection, notwithstanding the cost, the extension may be made.

There was no objection.

Mr. BOLLING. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a great address delivered by the President of the United States, Harry S. Truman, my fellow Missourian, on the occasion of the Jackson-Jefferson Day dinner last Thursday night.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mrs. BOLTON of Ohio. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an article by one of Cleveland's most important and able columnists.

The SPEAKER. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

LABOR EXTENSION SERVICE PROGRAM

Mr. KELLEY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. KELLEY. Mr. Speaker, I am today introducing into the House of Representatives a bill to aid in the orderly and constructive solution of industrial relations problems and to generally advance the public welfare which is called the Labor Extension Act of 1949.

Understanding based upon knowledge is a fundamental objective of a democratic society. Conflicts between various groups, including management and labor, cannot be resolved unless the tools of fact and reason are made available to all of the people. Therefore, the establishment of a Labor Extension Service program, through which American wage and salary earners would receive educational services from our universities and colleges through short courses and extension classes, is a necessity in a nation dedicated to democratic processes. We are traditionally devoted to education, but while we have established the great Agricultural Extension Service program, and have provided opportunities for the education of businessmen and professionals, we have overlooked the growing needs of our wage earners. The bill I am introducing, which is already broadly sponsored by members of both parties, seeks to give parity to labor with other groups in the provision of these educational opportunities.

It is a great credit to the entire American labor movement that it is urging unanimously and officially the establishment of a Labor Extension Service in the United States Department of Labor. Here is an awareness on the part of workers and their organizations that they need and desire more facts and instruction so that labor's increasing influence can be used wisely and well. Certainly, the Congress of the United States cannot fail to meet its responsibility in helping our wage and salary earners gain access to the world of education through which a knowledge of their rights and responsibilities as American citizens will be broadly extended. Eighty-seven years ago, President Abraham Lincoln affixed his signature to the Morrill Act, which established our great system of land-grant colleges out of which emerged the Agricultural Extension Service program. 1949 can be memorable as the year in which the Labor Extension Act became law, as an expression of our devotion to the rights of all citizens to have access to the facts and knowledge which are essential to understanding and constructive action in the twentieth century.

SPECIAL ORDER GRANTED

Mr. BURDICK. Mr. Speaker, I ask unanimous consent that tomorrow, at the conclusion of the legislative program of the day and following any special orders heretofore entered, I may be permitted to address the House for 10 minutes on social security.

The SPEAKER. Is there objection to the request of the gentleman from North Dakota?

There was no objection.

TAX REFUNDS

Mr. SCRIVNER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. SCRIVNER. Mr. Speaker, I am impressed by recent news items regarding tax refunds—particularly income-tax refunds—amounting to over $2,000,000,000.

Under the authority of section 3771 of title 26, United States Code, the Government is paying interest on these refunds, for varying periods, at the rate of

6 percent per annum. That interest item alone cost us $56,000,000 this last year. The Treasury Department has estimated that the interest on over-payments for next year may run as high as $82,000,000.

There is something wrong with this picture. Government bonds yield between 2 and 3 percent, and the short-time securities considerably less. I know of no place where money can be invested with a guaranteed return of 6 percent—which is pretty good interest in these days. Of course, all of us can make mistakes in the preparation of tax returns, but no place else can one collect 6 percent interest on his mistakes.

MISTAKES SHOULD BE PENALIZED, NOT REWARDED

The big taxpayers—the recipients of the heavy refunds—surely must employ the best accounting talent in the country and get the best tax advice obtainable. One cannot help but wonder if these are mistakes, or whether some might be by design. Under existing circumstances they are at least hard to understand. In fact, Mr. Speaker, if overpayments of taxes carried no interest there would be far fewer of them. This reduction would eliminate much work in the Bureau of Internal Revenue and permit Revenue employees to turn to revenue-producing work.

I am therefore today introducing a bill to eliminate the payment of interest on tax overpayments. There is no thought here of depriving the taxpayer of a full refund of any overpayment, but why should my tax dollar, and yours, and those of millions of workers, go to reward someone for his mistakes by guaranteeing him this return of 6 percent interest. It is wrong, indefensible, and should be stopped.

PERMISSION TO ADDRESS THE HOUSE

Mr. RICH. Mr. Speaker, I ask unanimous consent to adress the House for 1 minute and to revise and extend my remarks and include an editorial appearing in this morning's Washington Times-Herald.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

[Mr. RICH addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. HARVEY asked and was given permission to extend his remarks in the RECORD in two instances: in one, to include an editorial from the Connersville (Ind.) News-Examiner, and in the other to include an editorial from the Shelbyville (Ind.) News.

Mr. CLEVENGER asked and was given permission to extend his remarks in the RECORD and include an editorial from the Ohio State Journal.

Mr. BOGGS of Delaware asked and was given permission to extend his remarks in the RECORD.

Mr. JAVITS asked and was given permission to extend his remarks in the RECORD in two instances and to include newspaper articles.

Mr. LEFEVRE asked and was given permission to extend his remarks in the RECORD and include a table on the school-lunch program.

Mr. TOLLEFSON asked and was given permission to extend his remarks in the RECORD and include an editorial.

VERMONT SAGE CHEESE

Mr. PLUMLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Vermont [Mr. PLUMLEY]?

There was no objection.

Mr. PLUMLEY. Mr. Speaker, I have sent a letter to all Members of the House calling their attention to the fact that tomorrow, if they are smart enough, they can get something that they have never had before and that is a piece of real old Vermont sage cheese.

I am sure that the Members do not know anything more about what I am talking about, than the fellow who went up to the bar and asked one standing there if he had ever had delirium tremens. The fellow addressed said "No." Then the first man said, "Then you have never been anywhere, you ain't never seen nothing, and don't know nothing."

So, get a piece of that cheese tomorrow for until you do you qualify as suggested by the one who spoke as indicated as having had delirium tremens.

SPECIAL ORDER GRANTED

Mr. HALE. Mr. Speaker, I ask unanimous consent that on Monday next, at the conclusion of the legislative program of the day and following any special orders heretofore entered, I may be permitted to address the House for 30 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Maine [Mr. HALE]?

There was no objection.

EXTENSION OF REMARKS

Mr. LANE asked and was given permission to extend his remarks in the RECORD in two instances: in one, to include an editorial which appeared in the Christian Science Monitor, and in the other to include an address made by him before the Massachusetts Society of Old Age Pensions.

Mr. BATTLE asked and was given permission to extend his remarks in the RECORD and include three resolutions by the Alabama State Board of Public Welfare.

Mr. McCARTHY asked and was given permission to extend his remarks in the RECORD and include editorials from the New York Post and Home News.

Mr. KENNEDY asked and was given permission to extend his remarks in the RECORD and include two newspaper articles.

Mr. MACY asked and was given permission to extend his remarks in the RECORD and include some editorials.

VETERANS' RELIEF VERSUS LEND-LEASE TO EUROPE—STRAINING AT A GNAT AND SWALLOWING A CAMEL

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi [Mr. RANKIN]?

There was no objection.

Mr. RANKIN. Mr. Speaker, so much misinformation is being spread in the press and over the radio about the veterans' pension bill that I desire to call your attention to one phase of it that they have overlooked.

We have 37,063 service-connected veterans in hospitals, and 72,714 non-service-connected veterans. Many of these non-service-connected veterans have gone to the hospital because they have nothing to live on at home. It costs $360 a month to hospitalize one of them, or four times as much as his pension would amount to under the Rankin bill that is now pending before the Committee on Rules.

The enemies of this measure howl to high heaven about the cost of pensioning our old veterans, but support the waste of American money by the billions in foreign countries. Financially speaking, they strain at an American gnat and swallow a foreign camel. My attention has been called to an article in the current issue of the United States News and World Report magazine, describing the high cost of a proposed new lend-lease to Europe. This article describes in some detail the cost of proposed rearmament plans which evidently are now in the formative stage in the administrative departments of the Government. The article estimates that the minimum cost for the first year would be $1,200,000,000, and if the plan is finally approved, the cost will range between four and eight billion dollars per year. The magazine estimates that the maximum outlay may approach the figure of $50,300,000,000.

I hope that the Members who have been glibly opposing my bill for pensions for veterans at age 65, and complaining about the small cost of $62,000,000 for the first year's operation, will ponder the figures which I have just given. If we can now begin to undertake a program which will double the cost of the Marshall plan and send funds to all parts of Europe, then it seems to me that we can at least provide for the welfare of our aged veterans in the sunset period of their lives.

The figures for this proposed rearmament program and new lend-lease mean, as any Member must know if he pauses to consider it, preparations short of war. It has been the history of the past that such preparations often lead to armed conflict. In other words, the gentlemen who support this program are creating veterans and at the same time they are denying veterans already in being the right to a comfortable old age after they have borne the brunt of armed conflict.

I think we should consider first our duty to the veterans who have already defended this country in wars now over before we begin any gigantic spending on the scale envisioned by this report and make commitments which may lead to another world conflict, with our boys doing the fighting, and our country paying the bill.

EXTENSION OF REMARKS

Mr. BIEMILLER asked and was given permission to extend his remarks in the RECORD in two instances and include certain extraneous matter.

Mr. MARTIN of Massachusetts asked and was given permission to extend his remarks in the RECORD and include an editorial from the Lowell Sun.

PRIVATE CALENDAR

The SPEAKER. This is Private Calendar day. The Clerk will call the first bill on the calendar.

MRS. SHIRLEY LEINWAND

The Clerk called the first bill on the Private Calendar, H. R. 669, for the relief of Mrs. Shirley Leinwand.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That Mrs. Shirley Leinwand, who entered the United States in May 1938, shall, upon the payment of the required head tax, be considered for purpose of immigration and naturalization laws, to have been lawfully admitted into the United States for permanent residence as of the date of entry. Upon the enactment of this act the Secretary of State shall instruct the proper quota-control officer to deduct one number from the Polish quota for the first year the Polish quota is available.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ENGEBERT AXER

The Clerk called the bill (H. R. 773) for the relief of Engebert Axer.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. DEANE. Mr. Speaker, I ask unanimous consent that Senate 307 be substituted for the House bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That in the administration of the immigration and naturalization laws the Attorney General of the United States shall record the lawful admission for permanent residence of Rev. Engebert Axer, Society of Jesus, as of September 26, 1937, the date on which he was originally admitted to the United States as a student.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table; and a similar House bill (H. R. 773) was laid on the table.

LAWRENCE G. McCARTHY

The Clerk called the bill (H. R. 1052) for the relief of Lawrence G. McCarthy.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding the provisions of the eleventh category of section 3 of the Immigration Act of 1917, as amended (8 U. S. C. 135 (e)), Lawrence G. McCarthy, a native and citizen of Toronto, Canada, whose wife is a citizen and resident of the United States, may be admitted for permanent residence under the Immigration Act of May 26, 1924, if he is found otherwise admissible under the provisions of immigration laws.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EZRA BUTLER EDDY, JR., ET AL.

The Clerk called the bill (H. R. 1700) for the relief of Ezra Butler Eddy, Jr., and wife, Marie Claire Lord Eddy.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that this bill, H. R. 1700, be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

SAMUEL FADEM

The Clerk called the bill (H. R. 1993) for the relief of Samuel Fadem.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. SMITH of Wisconsin. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

FLOOD IN YUBA COUNTY, CALIF.

The Clerk called the bill (H. R. 555) conferring jurisdiction upon the District Court of the United States for the Northern District of California, Northern Division, to hear, determine, and render judgment upon the claims of all persons for reimbursement for damages and losses sustained as a result of a flood which occurred in December 1937 in levee district No. 10, Yuba County, Calif.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That jurisdiction is hereby conferred upon the District Court of the United States for the Northern District of California, Northern Division, to hear, determine, and render judgment, respectively, upon the claims of all persons against the United States for damages alleged to have been sustained as a result of a flood which occurred in December 1937 in levee district No. 10, in Yuba County, Calif., on the easterly side of the Feather River, when the said Feather River breached the district's river levee at a point about 3 miles from the south end of the district on December 11, 1937, which damage, if any, it is alleged could have been prevented by the exercise of reasonable care and diligence on the part of the Engineer Department of the War Department. In the determination of such claims the United States shall be held liable only to the extent to which a private person would be liable under like circumstances.

SEC. 2. Suits upon which such claims, respectively, may be instituted at any time within 1 year after the enactment of this act, notwithstanding the lapse of time or any statutes of limitations, and proceedings for the determination of such claims, appeals therefrom, and payment of any judgment, shall be in the same manner as in cases over which such court has jurisdiction under the provisions of paragraph twentieth of section 24 of the Judicial Code, as amended (U. S. C., title 28, sec. 41 (20)).

SEC. 3. For the purposes of this act, the word "persons" shall be interpreted to mean any person or persons, individual or individuals, copartnership, firm, or corporation.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FRED E. WEBER

The Clerk called the bill (H. R. 574) for the relief of Fred E. Weber.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Fred E. Weber, Bradley Beach, Monmouth County, N. J., the sum of $4,226. The payment of such sum shall be in full settlement of all claims of the said Fred E. Weber against the United States on account of personal injuries, medical expenses, property damage, and loss of earnings sustained by him when the automobile which he was driving on Central Avenue, in the borough of Bradley Beach, was in collision with a United States Army truck on January 1, 1944: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ESTATE OF JAMES PATRICK HACKETT AND CHARLES L. STOVER

The Clerk called the bill (H. R. 575) for the relief of the estate of James Patrick Hackett and Charles L. Stover.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc. That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $5,285.70 to the estate of James Patrick Hackett and the sum of $6,275.78 to Charles L. Stover, East Keansburg, N. J. The payment of such sums shall be in full settlement of all claims against the United States on account of personal injuries, and medical and funeral expenses sustained when they were struck by a United States Army vehicle while they were walking on Route 35, Middletown, N. J., on January 21, 1944: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 7, strike out "$6,275.78" and insert "$4,500."

The committee amendment was agreed to.

Mr. SMITH of Wisconsin. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SMITH of Wisconsin: "Page 1, line 9, after the words 'United States', insert 'and Sgt. William A. McQueen'."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WILLIAM R. BLAIR

The Clerk called the bill (H. R. 577) to correct possible inequity in the case of a certain application for letters patent of William R. Blair.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That nothwithstanding any provision of existing law, the application for United States letters patent of William R. Blair, serial No. 598,167, filed June 7, 1945, for Object Locating System, shall not be rejected nor shall any patent granted on said application be held invalid by reason of the fact that the invention disclosed in said application was patented or described in a printed publication in this or any foreign country, or was in public use or on sale in this country, unless the effective date of such patent, publication, public use, or sale, is prior to the date of said invention by the said William R. Blair.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ARTHUR G. ROBINSON

The Clerk called the bill (H. R. 576) for the relief of Arthur G. Robinson.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $3,000 to Arthur G. Robinson, of Keansburg, N. J. The payment of such sum shall be in full settlement of all claims against the United States on account of personal injuries, medical services, loss of earnings, and future loss of earnings sustained when the bakery truck driven by Mr. Robinson was involved in a collision with an Army truck on Route 35, in Middletown Township, N. J., on August 18, 1944: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CARLTON C. GRANT ET AL.

The Clerk called the bill (H. R. 578) for the relief of Carlton C. Grant and others.

There being no objection the Clerk read the bill, as follows:

Be it enacted, etc., That jurisdiction is hereby conferred upon the United States District Court for the Eastern District of North Carolina to hear, determine, and render judgment upon, notwithstanding the lapse of time or any provision of law to the contrary, all claims of Carlton C. Grant, Rudolph Hobbs, Clarence W. Grant, Gordon W. Grant, Margaret S. Grant, W. P. Grant, J. Perry Grant, A. A. Everett, E. J. Lewis, E. J. Lewis, Jr., Mrs. E. J. Lewis, J. Stacy Grant, H. L. Grant, J. Rufus Yopp, Murray Guthrie, Liston T. Yopp, Lonnie T. Everett, the estate of James B. Grant, I. S. Thompson, all of Sneads Ferry, N. C.; D. T. Millis, A. T. Horne, R. E. Sanders, L. D. Hobbs, Major Davis, M. Donald Davis, D. D. Justice, Wade J. Everett, Millie C. Everett, D. V. Justice, T. R. Murphy, Vance Howard, Kater Howard, Harry Moore, G. C. Hansley, Strickland Hobbs, Corbett Hansley, C. R. Bush, R. D. Everett, Austin Hobbs, J. W. Everett, C. S. Everett, J. R. Hobbs, Sherman R. Edens, O. S. Edens, L. M. Davis, Guy L. Everett, C. C. Hines, L. W. Bishop, of Holly Ridge, N. C.; L. E. Coleburn, of Morehead City, N. C.; Mary Shepard, of route No. 1, Jacksonville, N. C.; E. B. Smith, of Jacksonville, N. C.; or the heirs, administrators, or executors of either or any of said persons who may now be dead or hereafter die, against the United States for damages for injury to property resulting, at any time on or before May 1, 1941, from dumping of sewage and laundry waste from Camp Davis, N. C., into Goose Creek, Barlow Creek, and King Creek.

SEC. 2. Proceedings for the determination of such claims shall be had in the same manner as in cases of which said court has jurisdiction under the provisions of section 145 of the Judicial Code, as amended: *Provided*, That suits hereunder shall be instituted within 4 months after the enactment of this act: *Provided further*, That this act shall be construed only to waive immunity from suit of the Government of the United States and to confer jurisdiction upon said court to hear, determine, and render judgment upon the claims of the persons named in section 1 hereof, and not otherwise to affect any substantive rights of the parties.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HILDA LINKS ET AL.

The Clerk called the bill (H. R. 581) to confer jurisdiction upon the District Court for the Territory of Alaska to hear, determine, and render judgment upon the claim, or claims, of Hilda Links and E. J. Ohman, partners, and Fred L. Kroesing, all of Anchorage, Alaska.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That jurisdiction is hereby conferred upon the District Court for the Territory of Alaska to hear, determine, and render judgment upon the claim, or claims, of Hilda Links and E. J. Ohman, partners, and Fred L. Kroesing, or any of them, all of Anchorage, Alaska, for any losses and damages sustained by Hilda Links and E. J. Ohman, partners, and Fred L. Kroesing, in the mink-ranch business and occupation, conducted by them or any of them, at Anchorage, Alaska, arising out of air flights or maneuvers of the United States armed forces, or by virtue of any acts, or actions, of any and all officers, agents, or employees of the United States in connection with the operation of military aircraft or with the establishment and maintenance of military posts or bases in Alaska, or by all of said flights, maneuvers, acts, or actions: *Provided*, That the action in the District Court for the Territory of Alaska to establish such losses and damages may be instituted within 1 year from the date of the approval of this act, and the same right of appeal to the United States Circuit Court of Appeals for the Ninth Circuit from the judgment of the District Court for the Territory of Alaska shall be had as in other causes in that court.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ALASKA JUNEAU GOLD MINING CO.

The Clerk called the bill (H. R. 583) for the relief of the Alaska Juneau Gold Mining Co., of Juneau, Alaska.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. DEANE. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

MRS. LUCILLE DAVIDSON

The Clerk called the bill (H. R. 591) for the relief of Mrs. Lucille Davidson.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $2,075.40 to Mrs. Lucille Davidson, Merrison, Va., in full settlement of all claims against the United States for personal injuries sustained and medical and hospital expenses incurred as the result of an accident involving a United States Army vehicle which occurred on March 14, 1944, in Newport News, Va.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JAMES W. KEITH

The Clerk called the bill (H. R. 592) for the relief of James W. Keith.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $337.89, to Mr. James W. Keith, 212 Hurley Avenue, Hilton Village, Newport News, Va., in full settlement of all claims against the United States for property damage sustained as the result of an accident involving a United States Army vehicle which occurred on November 25, 1943.

With the following committee amendment:

Page 1, line 10, add the following: ": *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MAMIE L. HURLEY

The Clerk called the bill (H. R. 594) for the relief of Mamie L. Hurley.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. DOLLIVER. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

HARRY W. SHARPLEY ET AL.

The Clerk called the bill (H. R. 595) to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon a certain claim of Harry W. Sharpley, his heirs, administrators, or assigns, against the United States.

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That jurisdiction is hereby conferred upon the Court of Claims to hear, determine, and render judgment upon the claim of Harry W. Sharpley, of Greenbackville, Va., his heirs, administrators, or assigns, against the United States for alleged damages caused by the sewage emanating from the naval auxiliary air station at Chincoteague, Va., and the flow of such sewage over and across certain oyster grounds located in Mosquito Creek, Va., which grounds had been leased by the said Harry W. Sharpley.

SEC. 2. Proceedings for the determination of said claim shall be had in the same manner as in cases of which said court has jurisdiction under the provisions of section 145 of the Judicial Code, as amended: *Provided*, That suit hereunder shall be instituted within 4 months after the enactment of this act: *And provided further*, That this act shall be construed only to waive the immunity from suit of the Government of the United States with respect to the claim of said Harry W. Sharpley, his heirs, administrators, or assigns, and not otherwise to affect any substantive rights of the parties.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOHN E. PARKER ET AL.

The Clerk called the bill (H. R. 596) to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon a certain claim of John E. Parker, his heirs, administrators, or assigns, against the United States.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That jurisdiction is hereby conferred upon the Court of Claims to hear, determine, and render judgment upon the claim of John E. Parker, of Hilton Village, Va., his heirs, administrators, or assigns, against the United States for alleged damages caused by the alleged wrongful allowance by the United States Army authorities in charge of Camp Patrick Henry, Va., of the flow of sewage from said camp over and across certain oyster grounds situated in the Warwick River, in Warwick County, Va., which grounds had been leased by the said John E. Parker.

SEC. 2. Proceedings for the determination of said claim shall be had in the same manner as in cases of which said court has jurisdiction under the provisions of section 145 of the Judicial Code, as amended: *Provided*, That suit hereunder shall be instituted within 4 months after the enactment of this act: *And provided further*, That this act shall be construed only to waive the immunity from suit of the Government of the United States with respect to the claim of said John E. Parker, his heirs, administrators, or assigns, and not otherwise to affect any substantive rights of the parties.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ESTATE OF MATHEW C. COWLEY

The Clerk called the bill (H. R. 609) for the relief of the estate of Mathew C. Cowley, deceased, and the estate of Louisa Cowley, deceased.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

LORENZO H. FROMAN

The Clerk called the bill (H. R. 610) for the relief of Lorenzo H. Froman.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

CLAIMS OF CERTAIN PROPERTY OWNERS ADJACENT TO FORT KNOX, KY.

The Clerk called the bill (H. R. 611) to confer jurisdiction upon the District Court of the United States for the Western District of Kentucky to hear, determine, and render judgment upon the claims of certain property owners adjacent to Fort Knox, Ky.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

SAMUEL W. POORVU

The Clerk called the bill (H. R. 697) for the relief of Samuel W. Poorvu.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $8,288.45 to Samuel W. Poorvu, of Boston, Mass., in full settlement of all claims against the United States for expenses incurred in connection with the leasing of quarters for Wellesley branch of the post office at Boston, Mass.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EDWARD WOOLF

The Clerk called the bill (H. R. 1813) for the relief of Edward Woolf.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Edward Woolf, Boston, Mass., the sum of $1,500. The payment of such sum shall be in full settlement of all claims of the said Edward Woolf against the United States arising out of his being struck, on November 9, 1942, on Brattle Street in Boston, Mass., by a vehicle in the service of the Army of the United States: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 5, after the word "Woolf", insert "451 Shawmut Avenue."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DORIS MARIE RICHARD

The Clerk called the bill (H. R. 1870) for the relief of Doris Marie Richard.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Doris Marie Richard, of Dorchester, Mass., the sum of $904, in full satisfaction of her claim against the United States for compensation for personal injuries, property damage, and loss of earnings sustained by her and for reimbursement of hospital, medical, and other expenses incurred by her as a result of an accident which occurred when the automobile in which she was riding was struck by a United States Army vehicle at the intersection of Beach Street and Billings Road, in Quincy, Mass., on June 10, 1942: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SYLVIA M. MISETICH

The Clerk called the bill (H. R. 572) for the relief of Sylvia M. Misetich.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Sylvia M. Misetich, of Portland, Oreg., the sum of $7,500, in full

satisfaction of her claims against the United States for compensation for personal injuries sustained by her, and for reimbursement of hospital, medical, and other expenses incurred by her, as a result of infection from a vaccination for smallpox administered to her pursuant to orders of her supervisor at the Portland subport of embarkation, Portland, Oreg., on January 10, 1944: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 6, strike out "$7,500" and insert "$5,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EUGENE J. BEARMAN

The Clerk called the bill (H. R. 618) for the relief of Eugene J. Bearman.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Eugene J. Bearman, of Memphis, Tenn., the sum of $642.60. The payment of such sum constitutes a refund of payments heretofore made by the said Eugene J. Bearman to the United States on account of the loss by theft of a United States Army vehicle on August 10, 1944, in Rome, Italy, while said vehicle was in his custody and control as an officer in the United States Army and the said Eugene J. Bearman is hereby relieved of all liability to the United States by reason of the loss of said vehicle by theft: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. HARRIETT PATTERSON ROGERS

The Clerk called the bill (H. R. 637) for the relief of Mrs. Harriett Patterson Rogers.

Mr. LICHTENWALTER. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

MRS. ELIZABETH B. MURPHY

The Clerk called the bill (H. R. 659) for the relief of Mrs. Elizabeth B. Murphy.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Comptroller General of the United States is hereby authorized and directed to credit the accounts of Mrs. Elizabeth B. Murphy, postmaster at Beacon, N. Y., from any liability to refund or pay to the United States the sum of $8,089.90, such sum being postal funds embezzled by Earl H. Cochrane, former postoffice clerk at Beacon, N. Y., embezzlement taking place while Mrs. Elizabeth B. Murphy was acting postmaster.

With the following committee amendment:

Strike out lines 6, 7, and 8 and insert "in such amount as will equal the balance determined by the Comptroller General to be due in such accounts as the result of various embezzlements."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LOUISE PETERS LEWIS

The Clerk called the bill (H. R. 683) for the relief of Louise Peters Lewis.

Mr. SMITH of Wisconsin. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

BENJAMIN GORDON

The Clerk called the bill (H. R. 684) for the relief of Benjamin Gordon.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Benjamin Gordon, Chelsea, Mass., the sum of $750, in full settlement of all claims against the United States for personal injuries, medical and hospital expenses, and loss in salary sustained when claimant was struck by a United States Coast Guard motor vehicle while alighting from a taxi at or near the intersection of Saratoga and Prescott Streets, East Boston, Mass., on December 6, 1940: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARY JANE HARRIS

The Clerk called the bill (H. R. 739), for the relief of Mary Jane Harris.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mary Jane Harris, the widow of Richmond Glenn Harris, Sr., the sum of $5,000, in full settlement of all claims against the United States for compensation for the death of her husband, Richmond Glenn Harris, Sr., as a result of an accident involving a United States Army vehicle, on December 11, 1943, about 10 miles west of Cookeville, Putnam County, Tenn., on United States Highway 70, North: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

B. JOHN HANSON

The Clerk called the bill (H. R. 745) for the relief of B. John Hanson.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to B. John Hanson, Jamestown, N. Y., the sum of $500. The payment of such sum shall be in full settlement of all claims of the said B. John Hanson against the United States on account of personal injuries received by him on April 19, 1941, when the automobile in which he was riding was in collision with a Civilian Conservation Corps truck on Highway Route No. 18, 2 miles south of Cattaraugus, N. Y.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EUGENE SPITZER

The Clerk called the bill (H. R. 767) for the relief of Eugene Spitzer.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Eugene Spitzer, of Lake Placid, N. Y., the sum of $1,000, in full settlement of all claims against the United States for reimbursement of bond declared breached August 13, 1940, because of his failure to depart from the United States on or before December 11, 1939.

With the following committee amendment:

At the end of the bill insert "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

R. C. OWEN

The Clerk called the bill (H. R. 1036) for the relief of R. C. Owen.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise apprcpriated, to R. C. Owen, Gallatin, Tenn., the sum of $8,437.98. This sum represents the amount which the said R. C. Owen paid to the United States for internal revenue tobacco stamps, which stamps were completely destroyed on December 24, 1945, when a fire destroyed the said R. C. Owen's tobacco factory (registered as "Tobacco factory No. 102, district of Tennessee"), together with the equipment, tobacco, and tobacco stamps therein: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 5, after the name "Owen", insert "R. C. Owen, Jr., and Roy Owen, former partners, doing business as R. C. Owen of."

Page 1, line 6, after the word "which", strike out "the" and insert in lieu thereof "they."

Page 1, line 8, strike out "said R. C. Owen."

Page 1, line 11, strike out "said R. C. Owen's."

Page 1, line 11, after the world "factory", insert "of said partners."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill for the relief of R. C. Owen, R. C. Owen, Jr., and Roy Owen."

A motion to reconsider was laid on the table.

MRS. RUTH CAMERON

The Clerk called the bill (H. R. 1043) for the relief of Mrs. Ruth Cameron.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Ruth Cameron, of Los Angeles, Calif., the sum of $54,722.37, in full settlement of all claims against the United States for missing and damaged equipment which she had stored at the Los Angeles County Fairgrounds at the time it was occupied by the United States Army: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 5, after the word "to", insert "Mrs. Wesley Berk, formerly."

Page 1, line 7, strike out "$54,722.37" and insert "$34,704.49."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Mrs. Wesley Berk (formerly Mrs. Ruth Cameron)."

A motion to reconsider was laid on the table.

JOHN KEITH

The Clerk called the bill (H. R. 1057) for the relief of John Keith.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John Keith, Los Angeles, Calif., the sum of $9,000. Such sum represents the loss sustained by Mr. Keith with respect to a contract entered into with the Federal Works Agency in 1944 for the construction of the Frontier Elementary School in San Diego, Calif. An error in transposing estimate figures to determine bid resulted in contracts drawn up for a sum lower than had been intended by the contractor. However, the correct sum of the bid was much lower than that submitted by any other contractor on this project.

With the following committee amendment:

At the end of the bill insert: *"Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BERNICE GREEN

The Clerk called the bill (H. R. 1061) for the relief of Bernice Green.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Bernice Green, the sum of $2,000, in full settlement of all claims against the United States for personal injuries, medical, hospital, and other expenses, and losses sustained by her as a result of an Army truck striking the automobile in which she was riding at the intersection of Pico and Sepulveda Boulevard in the city of Los Angeles, Calif., on January 24, 1943: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not to exceed $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

JAMES LEON KEATON

The Clerk called the bill (H. R. 1066) for the relief of James Leon Keaton.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to James Leon Keaton, Angie, La., the sum of $500. The payment of such sum shall be in full settlement of all claims of the said James Leon Keaton against the United States on account of personal injuries sustained on August 29, 1942, at Biloxi, Miss., in an accident involving a United States Army service car.

With the following committee amendment:

At the end of the bill insert *"Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JENNIE OLSEN ANDERSON

The Clerk called the bill (H. R. 1076) for the relief of Jennie Olsen Anderson.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Jennie Olsen Anderson, of Brooklyn, N. Y., the sum of $5,000. The payment of such sum shall be in full settlement of all claims against the United States for the death of her husband, Carl Edward Anderson, sustained as the result of an accident of an elevator on December 3, 1943, in the building at 213 Washington Street, Newark, N. J., which was occupied by and under the control and supervision of the Public Building Administration, Office of Dependency Benefits: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

D. LANE POWERS ET AL.

The Clerk called the bill (H. R. 1093) for the relief of D. Lane Powers, Elaine Powers Taylor, and Monroe W. Taylor.

There being no objection, the Clerk read the bill, as follows:

Be it enacted etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $992.90 to D. Lane Powers, to pay the sum of $4,337.12 to Elaine Powers Taylor, and to pay the sum of $500 to Monroe W. Taylor, all of Trenton, N. J., in full settlement of all claims against the United States for property damage, personal injuries, hospital and medical expenses sustained as the result of an accident involving a United States Army vehicle along a highway in East Windsor Township, Mercer County, N. J., on June 10, 1945, said vehicle at the time of the accident being controlled and operated by an employee of the Government who was not acting within the scope of his office or employment: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 6, after the name "Powers", strike out the bill down to the colon on page 2, line 5, and insert in lieu thereof: "of Trenton, N. J., in full settlement of all claims against the United States for property damage sustained by him as a result of a collision between his automobile and an Army vehicle parked at night without lights on State Highway No. 33 in East Windsor Township, Mercer County, N. J., on June 10, 1945, and to Elaine Powers Taylor, of Trenton, N. J., the sum of $2,117, in full settlement of all claims against the United States for property damage, personal injuries, pain and suffering and disfigurement sustained and medical and hospital expenses incurred as a result of said accident."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill for the relief of D. Lane Powers and Elaine Powers Taylor."

A motion to reconsider was laid on the table.

NELLIE M. CLARK

The Clerk called the bill (H. R. 1094) for the relief of Nellie M. Clark.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $2,000, to Nellie M. Clark, of Lyndhurst, N. J., in full settlement of all claims against the United States for personal injuries, medical and hospital expenses, and loss of earnings sustained as the result of an accident involving a United States Army vehicle at the intersection of Central and Passaic Avenues, East Newark, N. J., on July 17, 1943: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PITTSBURGH DuBOIS CO.

The Clerk called the bill (H. R. 1095) for the relief of Pittsburgh DuBois Co.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $24,987.76 to Pittsburgh DuBois Co., in full and final settlement and satisfaction of all claims for damages and loss growing out of War Department contract No. W-650-cws-887, as amended and modified, dated April 27, 1943, for the furnishing of 60,000 incendiary bomb packing boxes and release bars: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with the presentation of this claim to the proper committees of Congress, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ANDREW FERDINAND DeWITT, JR.

The Clerk called the bill (H. R. 1098) for the relief of the legal guardian of Andrew Ferdinand DeWitt, Jr., a minor.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legal guardian of Andrew Ferdinand DeWitt, Jr., of route 21, Alexandria, La., a minor, the sum of $10,000 in full settlement of all claims against the United States on account of the death of his father, Andrew Ferdinand DeWitt, Sr., in an accident caused by a United States Army vehicle, near the city of Alexandria, La., in the parish of Rapides, State of Louisiana, on March 15, 1941: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 6, strike out ", Junior" and insert "III."

Line 7, strike out "$10,000" and insert "$6,000."

Line 10, strike out "Senior" and insert "Junior."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, and was read the third time, and passed.

The title was amended so as to read: "A bill for the relief of the legal guardian of Andrew Ferdinand DeWitt III, a minor."

A motion to reconsider was laid on the table.

MIRIAM BARKLE

The Clerk called the bill (H. R. 1103) for the relief of Miriam Barkle.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Miriam Barkle, Pacific Grove, Calif., the sum of $5,450.50. The payment of such sum shall be in full settlement of all claims of the said Miriam Barkle against the United States on account of personal injuries sustained on February 10, 1933, when the automobile in which she was riding was in collision with a United States Coast and Geodetic Survey truck on Del Monte Avenue in Monterey County: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

J. W. GREENWOOD, JR.

The Clerk called the bill (H. R. 1137) for the relief of J. W. Greenwood, Jr.

Mr. LICHTENWALTER. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

ESTATE OF H. M. McCORVEY

The Clerk called the bill (H. R. 1164) for the relief of the estate of H. M. McCorvey.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretry of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legal representative of the estate of H. M. McCorvey, deceased, late of Moultrie, Ga., the sum of $836.59. The payment of such sum shall be in full settlement of all claims of such estate against the United States on account of personal injuries, property damage and loss of wages sustained by the said H. M. McCorvey as the result of a collision on April 16, 1944, between the automobile owned and operated by the said H. M. McCorvey and a United States Army truck, approximately 1 mile from Spence Field near Moultrie, Ga.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent

thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. MARION T. SCHWARTZ

The Clerk called the bill (H. R. 1169) for the relief of Mrs. Marion T. Schwartz.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Marion T. Schwartz, Oakland, Calif., the sum of $4,000, in full settlement of all claims against the United States for damages on account of the personal injuries sustained by her late husband, Leo Schwartz, as the result of an accident involving an Army vehicle at the Oakland Army Base, Oakland, Calif., on September 1, 1944: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MR. AND MRS. LEROY HANN

The Clerk called the bill (H. R. 1176) for the relief of Mr. and Mrs. Leroy Hann.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mr. and Mrs. Leroy Hann the aggregate sum of $10,000, in full settlement of all claims against the United States for the personal injury, the hospital and medical expenses, pain and suffering, loss of earnings, and property damage incurred by reason of the injuries and the property damage sustained by them as a result of being struck by an Army vehicle operated by Army personnel on Route 40, one-half mile north of Pennsville, N. J., on March 3, 1943, and said injuries and damage having been caused by the negligent operation of said Army vehicle so as to cause it to turn into the vehicle in which said Mr. and Mrs. Leroy Hann were riding: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 6, strike out "$10,000" and insert "$2,500."

Page 1, line 8, strike out "injury, the hospital and medical expenses, pain and suffering, loss of earnings, and property damage" and insert "injuries."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CARL E. LAWSON AND FIREMEN'S FUND INDEMNITY CO.

The Clerk called the bill (H. R. 1271) for the relief of Carl E. Lawson and Firemen's Fund Indemnity Co.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $5,000 to Carl E. Lawson, of San Mateo, Calif., and to pay the sum of $1,038.79 to the Fireman's Fund Indemnity Co., of San Francisco, Calif., in full settlement of all claims against the United States for personal injuries and medical and hospital expenses sustained by Carl E. Lawson, and for reimbursement to the Fireman's Fund Indemnity Co. for expenditures as the result of an accident involving a United States Army vehicle on a pier of the water front, San Francisco, Calif., on September 30, 1942: *Provided*, That the Secretary of the Treasury shall make such payment only after the receipt of evidence satisfactory to him that the judgment in the sum of $5,000 entered by the Superior Court of the State of California in and for the city and county of San Francisco, Calif., in case numbered 322,295, minute book 671, page 403, in favor of Carl E. Lawson and against Joseph A. Rice, has been satisfied and discharged of record: *And provided further*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GEORGE HAMPTON

The Clerk called the bill (H. R. 1279) for the relief of George Hampton.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to George Hampton, 566 Campbell Street, Wilkinsburg, Pittsburgh 21, Pa., the sum of $12,361.23, in full settlement of all claims against the United States for personal injuries and property damage sustained when he emerged from the entrance of the Union Trust Building, Pittsburgh, Pa., and while crossing Grant Street was struck by a vehicle driven by William E. Wagner, who was employed by the United States postal service, on November 24, 1942: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. JUDGE E. ESTES

The Clerk called the bill (H. R. 1280) for the relief of Mrs. Judge E. Estes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Judge E. Estes, the sum of $7,500. The payment of such sum shall be in full settlement of all claims against the United States on account of personal injuries sustained by Mrs. Estes when the automobile in which she was riding was struck by an Army vehicle on June 16, 1944: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $7,500.

With the following committee amendment:

Page 1, line 5, strike out "$7,500" and insert "$1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ELIZABETH ROWLAND

The Clerk called the bill (H. R. 1286) for the relief of Elizabeth Rowland.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Elizabeth Rowland, of route 1, Fosterville, Tenn., the sum of $2,212.50, in full settlement of all claims against the United States on account of loss of wages and personal injuries sustained by the said Elizabeth Rowland when the car in which she was riding was struck by a United States Army ambulance on United States Highway No. 241, 1 mile south of Murfreesboro, Tenn., on December 24, 1943. No part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FRANK J. PATZKE ET AL.

The Clerk called the bill (H. R. 1299) for the relief of Frank J. Patzke, Archie

Mitchell, J. L. Shoemaker, Einer Engen, and N. L. Gifford.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to each of the following persons the sum specified with respect to such person, in full settlement of all claims of such person against the United States on account of the death of the person or persons indicated who were killed in an explosion of a Japanese bomb near Bly, Oreg., on May 5, 1945:

Frank J. Patzke, Grand Forks, N. Dak., the total sum of $6,000 for the death of his minor son, Richard Joe Patzke, and his minor daughter, Ethel Jean Patzke;

Archie Mitchell, Bly, Oreg., the sum of $5,000 for the death of his wife, Mrs. Elsie Mitchell;

J. L. Shoemaker, Bly, Oreg., the sum of $3,000 for the death of his minor son, Sherman Shoemaker;

Einar Engen, Bly, Oreg., the sum of $3,000 for the death of his minor son, Edward Milian Engen; and

N. L. Gifford, Bly, Oreg., the sum of $3,000 for the death of his minor son, Jay Gifford: *Provided*, That no part of any sum appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with the claim satisfied by the payment of such sum, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. HOPE IRENE BULEY

The Clerk called the bill (H. R. 1300) for the relief of Mrs. Hope Irene Buley.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Hope Irene Buley (formerly Hope Irene Dotseth), Bozeman, Mont., the sum of $23,912.50. The payment of such sum shall be in full settlement of all claims of the said Mrs. Hope Irene Buley against the United States on account of personal injuries, loss of wages, and medical, hospital, and other expenses sustained by her as a result of being wounded, on December 25, 1942, in the Oasis Night Club, Black Eagle, Mont., by a bullet discharged from the gun of a member of the military police who was acting within the scope of his authority with respect to a disturbance in such night club: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 6, strike out "$23,912.50" and insert "$7,912.50."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A. J. CROZAT, JR.

The Clerk called the bill (H. R. 1452) for the relief of A. J. Crozat, Jr.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to A. J. Crozat, Jr., New Orleans, La., the sum of $15,000. The payment of such sum shall be in full settlement of all claims of the said A. J. Crozat, Jr., against the United States on account of permanent physical disability resulting from the withdrawal of blood, to be used in the treatment of members of the armed forces of the United States, at a Red Cross blood donor center in New Orleans, La., on December 13, 1943: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 6, strike out "$15,000" and insert "$7,026.38."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

E. NEILL RAYMOND

The Clerk called the bill (H. R. 1459) for the relief of E. Neill Raymond.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to E. Neill Raymond, examiner, Farmers Home Administration, Denver, Colo., the sum of $130.78, which represents the cost of transporting his immediate family from Washington, District of Columbia, to Denver, Colo., on August 21, 1946: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

THE L. J. HOUZE CONVEX GLASS CO.

The Clerk called the bill (H. R. 1461) for the relief of the L. J. Houze Convex Glass Co.

Mr. LICHTENWALTER. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. LICHTENWALTER]?

There was no objection.

E. LA REE SMOOT

The Clerk called the bill (H. R. 1471) for the relief of E. La Ree Smoot.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $7,000 to E. La Ree Smoot, of Kennewick, Wash., in full settlement of all claims against the United States for permanent disfigurement of the face and hands sustained as the result of injuries on November 13, 1943, while employed as a junior clerk-stenographer, post engineers, Army air base, Madras, Oreg.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JAMES I. MATTHEWS

The Clerk called the bill (H. R. 1489) for the relief of James I. Matthews.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to James I. Matthews, New York, N. Y., the sum of $2,812.65. Such sum represents the amount (exclusive of the amount which would have been deducted for subsistence) which the said James I. Matthews would have received for the period February 6, to October 19, 1946, both dates inclusive, if he had been continued during such period in an active-duty status as a lieutenant in the United States Naval Reserve. The said James I. Matthews was admitted to the United States Naval Hospital, St. Albans, N. Y., on January 29, 1946, while on terminal leave which expired on February 5, 1946, and was discharged from such hospital on October 20, 1946. A dispatch of the Secretary of the Navy known as Alstacon 222258, dated March 18, 1946, provided for the continuance on active duty of naval officers hospitalized while on terminal leave, but such dispatch was not made retroactive and, therefore, did not include the said James I. Matthews.

With the following committee amendment:

Page 2, add the following: ": *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ARTHUR F. SALADINO ET AL.

The Clerk called the bill (H. R. 1490) for the relief of the estates of Arthur F. Saladino, Joseph Spivack, and Irving Weinberg.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of Arthur F. Saladino, of Brooklyn, N. Y., the sum of $4,700, to the estate of Joseph Spivack, of New York, N. Y., the sum of $4,700, and to the estate of Irving Weinberg, of Brooklyn, N. Y., the sum of $4,700 in full satisfaction of the claims of each estate against the United States for compensation for the death of the said Arthur F. Saladino, Joseph Spivack, and Irving Weinberg as a result of personal injuries sustained by them when the taxicab in which they were passengers was struck by a United States Army vehicle on Route 5, near Clinton, Prince Georges County, Md., on February 21, 1944: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provision of this act shall be deemed guilty of a misdemeanor and up conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LEGAL GUARDIAN OF ROSE MARY AMMIRATO, A MINOR

The Clerk called the bill (H. R. 1501) for the relief of the legal guardian of Rose Mary Ammirato, a minor.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized to pay, out of any money in the Treasury not otherwise appropriated, the sum of $5,000 to the legal guardian of Rose Mary Ammirato, a minor, of Brooklyn, N. Y., for personal injury on August 30, 1944, by reason of the negligent driving of a post-office truck which resulted in certain injuries: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 5, strike out "$5,000" and insert "$3,500."

Page 1, line 7, after the word "New York", strike out the balance of line 7, all of line 8, and line 9 down to and including the word "injuries" and insert "in full settlement of all claims against the United States for personal injuries, medical, hospital, and other expenses sustained as a result of an accident involving a United States mail truck, at the intersection of Fourteenth Avenue and Sixty-first Street, Brooklyn, New York, on August 20, 1944."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HAL W. CLINE

The Clerk called the bill (H. R. 1597) for the relief of Hal W. Cline.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Hal W. Cline, Atlanta, Ga., the sum of $10,000. The payment of such sum shall be in full settlement of all claims of the said Hal W. Cline against the United States on account of personal injuries sustained by him on October 1, 1943, when he was knocked down by several soldiers while performing his duties as passenger-train conductor of the Atlanta & West Point Railroad Co.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 6, strike out "$10,000" and insert "$5,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BEN GRUNSTEIN

The Clerk called the bill (H. R. 1602) for the relief of Ben Grunstein.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That there is hereby remitted the unpaid balance of $1,500 upon a judgment on a forfeited bail bond of Ruben Finn, on which Ben Grunstein was surety, which judgment in the sum of $2,500 was entered against the said Ben Grunstein in the United States District Court for the District of New Jersey, as of record December 6, 1940, and on which judgment the sum of $1,000 has already been paid to the United States and the United States attorney is authorized and directed to enter satisfaction of the judgment. The said Ruben Finn was subsequently located and arrested in Houston, Tex., in January 1942, removed to the southern district of Indiana, where he pleaded guilty and was sentenced to a term of imprisonment for 3 years.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COHEN, GOLDMAN & CO., INC.

The Clerk called the bill (H. R. 1794) for the relief of Cohen, Goldman & Co., Inc.

Mr. DOLLIVER. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa [Mr. DOLLIVER]?

There was no objection.

EDWARD L. BARRERAS

The Clerk called the bill (H. R. 1983) for the relief of Edward L. Barreras.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Edward L. Barreras, Canoga Park, Calif., the sum of $6,100. The payment of such sum shall be in full settlement of all claims of the said Edward L. Barreras against the United States on account of personal injuries received by him on March 3, 1944, as a result of a collision between the car in which he was riding and a United States Army vehicle at the intersection of Manchester and Avalon Streets, Los Angeles, Calif.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WILLIAM PRICE

The Clerk called the bill (H. R. 2089) for the relief of William Price.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Comptroller General of the United States is hereby authorized and directed to credit the accounts of William Price, of River Edge, N. J., in the sum of $3,280.18, in full settlement of all claims against the United States for services rendered as acting postmaster at River Edge, N. J., from October 1, 1945, to August 19, 1946: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EVA C. NETZLEY RIDLEY ET AL.

The Clerk called the bill (H. R. 2261) for the relief of Eva C. Netzley Ridley, William G. Stuff, Lois Stuff, and Harry E. Ridley; and the estates of Clyde C. Netzley and Sarah C. Stuff.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Eva C. Netzley Ridley, of Naperville, Ill., the sum of $1,000; to the administrator of the estate of Clyde C. Netzley, deceased, late of Naperville, Ill., the sum of $5,000; to William G. Stuff, of Mercersburg, Pa., the sum of $1,000; to William G. Stuff, as administrator of the estate of Sarah C. Stuff, deceased, late of Mercersburg, Pa., the sum of $2,000; to Lois Stuff, nee Greenawalt, of Mercersburg, Pa., the sum of $3,500; and to Harry E. Ridley, of

Naperville, Ill., the sum of $168.85; in all, $12,668.85, in full settlement of all claims against the United States for personal injuries, death, and property damage sustained in a collision with a National Park Service truck, operated in connection with the Civilian Conservation Corps, on August 24, 1935, at the intersection of Thirty-first Street with Illinois State Highway No. 54, near Hinsdale, Du Page County, Ill.: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ROY DURBIN

The Clerk called the bill (H. R. 2352) for the relief of Roy Durbin.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Roy Durbin, of Winchester, Ind., the sum of $4,000, in full satisfaction of his claim against the United States for reimbursement of hospital, medical, nurses, and other expenses incurred by him, as a result of an accident which occurred while he was riding in a bus from Winchester, Ind., to Fort Harrison, Ind., operated by the United States Government and delivering inductees to Fort Harrison, which is near Indianapolis, Ind., and while so being transported the driver carelessly ran the bus into a wagon, causing a collision, and causing great injury to said Roy Durbin. That said collision and accident occurred on June 9, 1943: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LAURA SPINNICHIA

The Clerk called the bill (H. R. 652) for the relief of Laura Spinnichia.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Laura Spinnichia, of 299 First Street, Rochester, N. Y., the sum of $5,000, in full settlement of all claims against the United States for compensation for personal injuries sustained by her and for reimbursement of medical, hospital, and other expenses incurred by her as the result of her having slipped and fallen on a dangerously slippery floor in McDonald Hall at the United States Naval Academy on or about the 26th day of September 1938: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. FLORENCE BYVANK

The Clerk called the bill (H. R. 2433) for the relief of Mrs. Florence Byvank.

Mr. TRIMBLE. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

FRANK E. BLANCHARD

The Clerk called the bill (H. R. 2474) for the relief of Frank E. Blanchard.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Frank E. Blanchard, of Fort Pierce, Fla., the sum of $10,000, in full satisfaction of all claims against the United States on account of personal injuries resulting from a gunshot wound inflicted on November 2, 1943, by Gerald T. Tansey, seaman, first class, United States Coast Guard Reserve: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 6, strike out "$10,000" and insert in lieu thereof "$5,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOHN C. NUNES

The Clerk called the bill (H. R. 2605) for the relief of John C. Nunes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John C. Nunes, the sum of $500 in full settlement of all claims against the United States for personal injuries, medical, and hospital expenses sustained by his minor daughter Virginia Nunes when she was struck by a Navy vehicle on September 21, 1944, in Taunton, Mass.: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LT. JOHN T. McDERMOTT

The Clerk called the bill (S. 279) to authorize the advance on the retired list of Lt. John T. McDermott, United States Navy, retired, to the grade of lieutenant commander.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding any other provision of law, Lt. John T. McDermott, United States Navy, retired, shall be advanced to the grade of lieutenant commander on the retired list effective for all purposes from the date of his retirement.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING ACCEPTANCE OF CERTAIN GIFTS AND A FOREIGN DECORATION

The Clerk called the bill (S. 632) to authorize certain personnel and former personnel of the Naval Establishment to accept certain gifts and a foreign decoration tendered by foreign governments.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. SMITH of Wisconsin. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

ALEX BAIL

The Clerk called the bill (H. R. 668) for the relief of Alex Bail.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. LICHTENWALTER. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

MRS. MARGARET GREGG DILNOT

The Clerk called the bill (H. R. 711) for the relief of Mrs. Margaret Gregg Dilnot.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That (a) Mrs. Margaret Gregg Dilnot, a natural-born citizen of the United States born in New York, N. Y., on November 19, 1874, who lost citizenship of the United States by voting in the British election in 1945, may be naturalized by taking, prior to 1 year from the enactment of this act, before any naturalization court specified in subsection (a) of section 301 of the Nationality Act of 1940, as amended, or before any diplomatic or consular officer of the United States abroad, the oaths prescribed by section 335 of the said act.

(b) From and after naturalization under this act, Mrs. Margaret Gregg Dilnot shall have the same citizenship status as that which existed immediately prior to its loss.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. ADA M. RYAN

The Clerk called the bill (H. R. 1035) for the relief of Mrs. Ada M. Ryan.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding the provisions of the eleventh category of section 3 of the Immigration Act of February 15, 1917, as amended (8 U. S. C. 136 (e)), Ada M. Ryan, the wife of a citizen of the United States who served honorably in the armed forces of the United States during World War II, may be admitted to the United States for permanent residence under the act approved December 28, 1945 (Public Law 271, 79th Cong.), if she is found otherwise admissible under the provisions of the immigration laws.

With the following committee amendment:

Page 1, line 9, after the word "residence", strike out the balance of line 9 and all of line 10 down to the word "if."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JEANNETTE AND JESUS ESTEVA AND THEIR FOUR CHILDREN

The Clerk called the bill (H. R. 1041) for the relief of Jeannette and Jesus Esteva and their four children.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Attorney General be, and he is hereby, authorized and directed to record the lawful admission for permanent residence of Jeannette and Jesus Esteva and their four children, as of August 13, 1945, the date on which they arrived at the port of San Francisco, Calif. From and after the date of the approval of this act, Jeannette and Jesus Esteva and their four children should be deemed to be lawfully admitted residents of the United States.

With the following committee amendments:

On line 10, substitute a comma for the period as it appears after the words "United States" and add the following: "upon payment of visa fees and head tax."

Add section 2, to read as follows:

"SEC. 2. Upon the enactment of this act, the Secretary of State is authorized and directed to instruct the proper quota-control officer to deduct six numbers from the nonpreference category of the first available immigration quota of the Philippine Islands."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARIA VELTRI MAGNONE

The Clerk called the bill (H. R. 1079) for the relief of Maria Veltri Magnone.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the immigration laws, relating to the issuance of immigration visas for admission to the United States for permanent residence, and relating to admission at ports of entry of aliens as immigrants for permanent residence in the United States, the provision of section 3 of the act of February 15, 1917 (39 Stat. 875), as amended (U. S. C., title 8, sec. 136 (a)), which excludes from admission into the United States "persons who have had one or more attacks of insanity at any time previously" shall not hereafter be held to apply to Maria Veltri Magnone; that the Attorney General is hereby authorized and directed to grant to said Maria Veltri Magnone permission to reapply for admission into the United States for permanent residence, after deportation; and the said Maria Veltri Magnone, who is the wife of Peter Magnone, a citizen of the United States, if otherwise admissible under the immigration laws, may be issued an immigration visa and may be granted admission to the United States for permanent residence upon application hereafter filed.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following: "That notwithstanding the provisions of the second category of section 3 of the Immigration Act of February 5, 1917 (8 U. S. C. 136 (a)), or any provisions of the act of March 4, 1929, relating to entry after deportation (8 U. S. C. 180), Maria Veltri Magnone, the wife of a citizen of the United States, and the mother of a United States citizen daughter, may be admitted to the United States for permanent residence, provided that she is found otherwise admissible under the provisions of the immigration laws."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. SILVIA MAPELLI

The Clerk called the bill (H. R. 1460) for the relief of Mrs. Silvia Mapelli.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding the provisions of section 4 of the Immigration Act of 1924, as amended, or of section 404 of the Nationality Act of 1940 (relating to loss of nationality by naturalized citizens), Mrs. Silvia Mapelli, a naturalized citizen of the United States temporarily residing in Italy, shall not be considered to have lost her United States citizenship by reason of any period of residence outside the United States prior to the date of enactment of this act.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following: "That Mrs. Silvia Mapelli, a naturalized citizen of the United States, who lost citizenship by voting in an Italian plebiscite, may be naturalized by taking prior to 1 year from the enactment of this act, before any diplomatic or consular officer of the United States abroad, the oaths prescribed by section 335 of the Nationality Act of 1940, as amended.

"SEC. 2. From and after naturalization under this act, Mrs. Silvia Mapelli shall have the same citizenship status as that which existed immediately prior to its loss."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PETER DROZD

The Clerk called the bill (H. R. 1508) for the relief of Peter Drozd.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That for the purposes of the immigration laws Peter Drozd shall be held and considered to have been lawfully admitted to the United States for permanent residence on the date on which he entered the United States, upon the payment by him of the visa fee and head tax.

SEC. 2. The Attorney General is authorized and directed to cancel any warrants of arrest or orders of deportation which may have been issued, and to discontinue any deportation proceedings which may have been commenced, in the case of the said Peter Drozd. Upon the enactment of this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that said quota is available.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

KIRA AND NINA GRIGORIEFF

The Clerk called the bill (H. R. 1629) for the relief of Kira and Nina Grigorieff.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding section 303 of the Nationality Act of 1940, as amended (54 Stat. 1140; 8 U. S. C. 703, 57 Stat. 600), and section 13 (c) of the Immigration Act of 1924 (43 Stat. 161–162; 50 Stat. 165; 46 Stat. 581; 8 U. S. C. 213 (c)), Kira and Nina Grigorieff, the stepchildren of Paul D. Kalv, a major in the United States Army Reserve, shall be deemed to be admissible to the United States for permanent residence, provided they are otherwise admissible under the immigration laws. Under the enactment of this act, the Secretary of State shall authorize the proper quota-control officer to deduct two numbers from the Japanese quota for the first year said quota is available.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOHN J. O'NEIL

The Clerk called the bill (H. R. 729) for the relief of John J. O'Neil.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John J. O'Neil, 16 Arlington Street, Leominster, Mass., the sum of $10,000. The payment of such sum shall be in full settlement of all claims of the said John J. O'Neil against the United States on account of personal injuries sustained by him on February 5, 1944, when the automobile he was driving was struck by a United States Army truck, vehicle No. W–254973, at Washington Street and Merriam Avenue, Leominster, Mass.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 6, strike out "$10,000" and insert "$2,344."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BEN LUKE POND ET AL.

The Clerk called the bill (H. R. 1878) for the relief of Ben Luke Pond, Mrs. Shao Hung Pond, and their son, David Yat Wei Pond, aged 11 years.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the immigration and naturalization laws the Attorney General be, and he is hereby authorized and directed to record the lawful admission into the United States for permanent residence of Ben Luke Pond, his wife, Mrs. Shoa Hung Pond, and their son David Yat Wei Pond, aged 10 years, as of September 14, 1946, the date on which they last entered the United States, provided they are otherwise admissible under the immigration laws of the United States.

With the following committee amendments:

Page 1, line 8, strike out "aged 10 years" and on page 2, line 1, insert a new section as follows:

"SEC. 2. Upon the enactment of this act the Secretary of State shall instruct the proper quota-control officer to deduct three numbers from the quota for Chinese persons for the first year that such quota numbers are available."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Ben Luke Pond, Shao Hung Pond, and David Yat Wei Pond."

A motion to reconsider was laid on the table.

MRS. MARY T. MALONEY PREECE

The Clerk called the bill (H. R. 1599) for the relief of Mrs. Mary T. Maloney Preece.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the time limitation for execution of applications for retirement under section 6 of the Civil Service Retirement Act of May 29, 1930, as amended, is hereby waived in favor of Mrs. Mary T. Maloney Preece, of Newport, R. I., formerly employed at the naval torpedo station, Newport, R. I., and her application for retirement on account of disability under such section 6 shall be considered and acted upon under the remaining provisions of such act, as amended, if she files such application with the Civil Service Commission not later than 60 days after the date of enactment of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FOREST L. WEATHERLY

The Clerk called the bill (H. R. 2268) for the relief of Forest L. Weatherly.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Forest L. Weatherly, Minneapolis, Minn., the sum of $2,500. The payment of such sum shall be in full settlement of all claims of the said Forest L. Weatherly against the United States for personal injuries, medical and hospital expenses, and loss of earnings which he sustained as a result of being struck, on March 11, 1944, at the intersection of Fourth Avenue South and Ninth Street South, Minneapolis, Minn., by an automobile operated by an employee of the Post Office Department engaged in the performance of his duties as a special-delivery mail carrier for the United States post office at Minneapolis: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 6, strike out "$2,500" and insert "$1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FREDA WAHLER

The Clerk called the bill (H. R. 2704) for the relief of Freda Wahler.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

LEGAL GUARDIAN OF JOSEPH DESOUZA, JR.

The Clerk called the bill (H. R. 2708) for the relief of Joseph DeSouza, Jr.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $15,000, to the legal guardian of Joseph DeSouza, Jr., of 630 Enloe Street, El Monte, Calif., formerly of Honolulu, T. H., in full settlement of all claims against the United States for personal injuries and medical and hospital expenses incident thereto, sustained as the result of an accident involving a United States Army airplane on Dillingham Boulevard, Honolulu, T. H., on June 8, 1944: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER. That completes the call of bills on the Private Calendar.

AUTHORIZING CERTAIN NAVAL PERSONNEL TO ACCEPT CERTAIN GIFTS AND A FOREIGN DECORATION

Mr. BROOKS. Mr. Speaker, I ask unanimous consent to return to the bill (S. 632) to authorize certain personnel and former personnel of the Naval Establishment to accept certain gifts and a foreign decoration tendered by foreign governments, No. 74, and its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, has the gentleman secured the consent of both objectors?

Mr. BROOKS. Yes. I spoke to the objectors. There was some confusion as to whether it should be on the Consent Calendar or Private Calendar.

Mr. MARTIN of Massachusetts. What does this bill do?

Mr. BROOKS. It simply authorizes 38 officers and 30 enlisted men in the Navy to accept small decorations and small gifts that have been tendered them by foreign governments and now on deposit with the Secretary of State.

Mr. MARTIN of Massachusetts. These men are still in the service of the Government?

Mr. BROOKS. Some of them are former servicemen.

Mr. MARTIN of Massachusetts. Are they in the service at the present time?

Mr. BROOKS. Not all of them, as I understand. There are a few who are out. They were tendered these decorations and gifts over a period of 15 years and they are now on deposit with the Secretary of State.

Mr. MARTIN of Massachusetts. Mr. Speaker, I think I shall ask the gentleman to withdraw his request at this time.

Mr. BROOKS. Very well, Mr. Speaker.

MAKING IMMIGRATION QUOTAS AVAILABLE TO ASIAN AND PACIFIC PEOPLES

Mr. SABATH. Mr. Speaker, I call up House Resolution 121 and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 199) to provide the privilege of becoming a naturalized citizen of the United States to all immigrants having a legal right to permanent residence, to make immigration quotas available to Asian and Pacific peoples, and for other purposes. That after general debate, which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary, the bill shall be read for amendment under the 5-minute

rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. SABATH. Mr. Speaker, House Resolution No. 121 makes in order the consideration of the bill (H. R. 199) to provide the privilege of becoming a naturalized citizen of the United States to all immigrants having a legal right to permanent residence, to make immigration quotas available to Asian and Pacific peoples, and for other purposes.

The bill has been reported unanimously from the Committee on the Judiciary, and should receive your earnest consideration.

The real objective of the bill is to eliminate all racial barriers in existing naturalization laws, and to make it possible for Asian and Pacific peoples to enter the United States as quota immigrants.

The bill extends to the peoples of other Asian and Pacific countries the opportunity to emigrate to the United States as has been done formerly by special legislation for the Chinese and to the peoples of India. The total number of such Oriental peoples who would be admitted thereunder, would equal less than 1 percent of the sum of all the present quotas.

The bill creates a so-called Asia-Pacific triangle which embraces that section of the world which hitherto has not been included in our immigration scheme. A special quota for this section has been provided for. The increase effects a horizontal level merely, for a special quota will be obtained by subtracting small amounts from the now extant eligibility lists of other countries. Racial barriers will no longer exist in United States immigration policy. Strict standards are set forth, yet they will allow families of those men of Japanese and other denominations within the triangle to enter the United States under the quota set forth. Japanese men who fought in American military units may now bring their loved ones to the United States, and rightly so. These Japanese soldiers who fought in American uniform, and on behalf of the great cause of American democracy, and who have demonstrated and proven themselves extremely courageous, received the highest of American military honors. The stories of their deeds will go down in history as living testimony of the will and desire to exemplify American ideals and principles. They should now have an opportunity to bring their families and dear ones to America—the land of the free and the home of the brave.

All immigrants having a legal right to permanent residence will have the privilege of becoming a naturalized citizen of the United States. This right was fought for by young, courageous men, and we are now rewarding them, in part, for their deeds on behalf of Americanism.

I have before me the report of the Committee on the Judiciary. I have read it carefully and I am satisfied that the committee has given real study and understanding to this legislation.

I urge your support in the adoption of this resolution and in the passage of the bill.

I yield 30 minutes to the gentleman from New York [Mr. WADSWORTH].

Mr. WADSWORTH. Mr. Speaker, there has been no requests for time on this side of the aisle for debate on the rule itself.

Mr. SABATH. In that event, Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

Mr. CELLER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 199) to provide the privilege of becoming a naturalized citizen of the United States to all immigrants having a legal right to permanent residence, to make immigration quotas available to Asian and Pacific peoples, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 199, with Mr. HART in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. The gentleman from New York [Mr. CELLER] is recognized for 30 minutes and the gentleman from Michigan [Mr. MICHENER] is recognized for 30 minutes.

Mr. CELLER. Mr. Chairman, may I suggest to the gentleman from Michigan that he yield to the author of the bill at the inception of the discussion of this bill?

Mr. MICHENER. I appreciate the gentleman's suggestion, although it is a little unusual, in that he is attempting to arrange the allocation of time for the minority.

Mr. Chairman, this bill is technical and lengthy. The members of the subcommittee to which it was referred held hearings and conferred with the Bureau of Immigration and Naturalization, the Department of Justice and the Department of State, which departments have to do with the administration of our immigration and naturalization laws. The author of the bill, by reason of his background and his long experience in the Far East, is especially well qualified to father such a measure.

Mr. Chairman, I want to call to the attention of the membership the committee report accompanying the bill. It was written by the able gentleman from Texas [Mr. GOSSETT]. In that report can be found most of the answers to the questions that will be asked here today. Special reference is called to the map on page 9 of the report. I call particular attention to that part of the report which reads as follows:

THE PURPOSE OF THE BILL

The purpose of the bill is (1) to provide without racial restriction the privilege of becoming a naturalized citizen of the United States to all immigrants having a legal right to permanent residence; (2) to make immigration quotas available to Asian and Pacific peoples in accordance with the national origins provisions of the 1924 Immigration Act, under specific provision that persons indigenous to an Asia-Pacific triangle described therein shall be charged to the quota for the quota area to which they are by ancestry indigenous, wherever born; (3) to place in quota status the alien husbands, wives, and unmarried children of United States citizens who are chargeable to a quota area having a quota of less than 200; (4) to provide a priority of up to 75 percent for aliens immigrating to the United States chargeable to quota areas within the Asia-Pacific triangle who were born and are resident therein; (5) to simplify the mechanics of computing quotas by providing that the annual quota for any quota area shall be one-sixth of 1 percent of the number of inhabitants in the continental United States in 1920 attributable by national origin to that quota area; (6) to provide an annual limit of 100 immigrants from each colony, chargeable to the quota of the governing country.

GENERAL INFORMATION

Twice within the past 5 years Congress has amended the Nationality Act of 1940 and the Immigration Act of 1924 to extend the privilege of naturalized citizenship and of immigration to the United States under national origins quotas to peoples indigenous to countries of the Far East. By the act of December 17, 1943 (Chinese) and that of July 2, 1946 (Filipino persons and persons of races indigenous to India), the Congress covered countries accounting for approximately three-fourths of the 1,120,000,000 previously ineligible inhabitants of Asia. At the same time, under direct application of the national origins provisions of the Immigration Act of 1924, total quota immigration of the peoples indigenous to these countries was limited to 305 annually.

The bill states nothing new in terms of basic policy, but merely extends to the one-fourth of the population of Asia and adjacent islands (about a third of whom live in Japan) the same naturalization and immigration privileges as Congress has already applied, in laws that are working well, to the Chinese and to the peoples of India and the Philippines.

The bill under consideration will carry this policy to completion, while the possible annual number of immigrants from the Far East remains less than 1 percent of total authorized immigration.

Effect on nationality law

The most immediate effect of enactment of this bill will be to make eligible for naturalization those legally permanent residents of the United States who have hitherto been ineligible because of race.

According to the United States census of 1940, there were resident in the United States and its Territories 84,658 aliens of Japanese descent, 3,139 of Korean descent, and 145 who were listed as Polynesians and other Asians.

Because of the provisions of the Immigration Act of 1924, which prohibited entry for permanent residence after July 1 of that year, these persons have been resident in the United States for at least 25 years, with the larger proportion having been here 35 years or more.

During public hearings held April 19 and 21, 1948, on H. R. 5004, introduced by Representative WALTER H. JUDD, of Minnesota, later amended and perfected as H. R. 6809, with which the present bill is identical, Representative GEORGE P. MILLER, of California, offered the following testimony:

"While serving as a member of the Immigration and Naturalization Committee in the Seventy-ninth Congress, I learned of the many disabilities to which these persons who are ineligible to citizenship are subjected. Most of these alien residents of the United States who are ineligible to citizenship are,

of course, those of Japanese ancestry. I have many of these Japanese aliens in my district.

"From my long experience with them and their children, first as a student, then as an engineer, and later as executive secretary to the California Division of Fish and Game and a State assemblyman, I have come to know them for the fine, thrifty people that they are. They are law abiding, believe in higher education for their children, and contribute generously to such community projects as the Red Cross, community chest, and other local drives. * * *

"They (the first-generation Japanese), although subjects of Japan because they could not become American citizens, served the United States in every way possible. Many of them helped in vital war services, such as were brought out during our hearings on various bills to prevent the deportation of certain Japanese aliens who had aided our war effort in the Seventy-ninth Congress. They served as map drawers and makers, as interpreters and translators, as documentarians, and even in counterespionage. Their real loyalties were with the United States and they helped defeat the country to which they owe technical allegiance.

"Moreover, the records of the Federal Bureau of Investigation and the Army and Navy Intelligence show that there was not a single case of espionage or sabotage by a resident alien or Japanese-American before, during, and since the attack on Pearl Harbor.

"Certainly, people like these who have lived in the United States for almost half a century should be allowed to become citizens of the land they love so well."

(Legislation identical with H. R. 199 was introduced in the Eighty-first Congress by Mr. MILLER as H. R. 90. In addition, identical legislation was introduced by Representative FRANCIS E. WALTER, of Pennsylvania (H. R. 308), Delegate JOSEPH R. FARRINGTON, of Hawaii (H. R. 1214), and Representative SIDNEY R. YATES, of Illinois (H. R. 1444).)

The committee has been impressed by the record of loyalty and dependability of these people during World War II, when the native country of the largest segment was at war with the United States. All authorities are in agreement that there was no sabotage or espionage by a person of Japanese ancestry resident in the United States or Hawaii, either before, during, or after Pearl Harbor.

The demonstration of loyalty given by the Nisei, American-born children of Japanese immigrants, who volunteered for military service from behind the barbed wire of relocation centers is well known. They served with great distinction in both the European and Pacific theaters of war. Among the testimony presented during the open hearings held April 19 and 21, 1948, was that of Mike Masaoka, himself a veteran of the fighting in Italy and France with the Four Hundred and Forty-second Regimental Combat Team. Speaking of this unit, he said:

"I say this not to brag about our outfit—although I think it is an American trait to brag about a good outfit like that—but I say it simply to indicate that here you had a great number of American soldiers of Japanese ancestry who believed in America, who so believed in it that even though they were incarcerated in virtual prisons they saw behind and beyond the barbed-wire fences; they saw beyond the watchtowers manned by armed MP's; they saw America, just and fair-minded, willing to give them and their parents a decent break.

"And that is why, even though they were suspected by their own Government, they went out and fought as well as they did.

"Amazingly enough, right in the fox holes before battle we would talk about a lot of things; but the No. 1 topic was this: Sure, we wanted America to win the war, but we also wanted America to be the kind of America that it professed to be, and that kind of America would not discriminate against people like my mother, who came here early in the 1900's. When she had eight children, dad died leaving us practically penniless. Yet my mother saw every one of us through school, a number of us through college, and when the test of supreme loyalty to this country came it was my mother who first said, 'Boys, your job is to go out and fight for these United States, because it is my country.'

"Well, there were lots of other mothers and fathers like that, and, as I say, their sons and I knew each other overseas, and over and over again they insisted that my job was to come and tell you, the Congress of the United States, what their loyalties were—loyalties which could not be questioned.

"I am very full on this subject. I could go and talk on and on, because I know these people (the noncitizen parents of the Nisei), as I say, and I wish I had the opportunity to tell you more about them. I am sure that no one can deny one fundamental fact: These people are Americans by every standard of conduct that you can think of except that of technically 'belonging.'

"I, as an American soldier, fought, with the thousands, millions, of other American soldiers, for the right of all people to be recognized as individuals, and that is all we are asking, not to be judged or classified on the basis of race.

"I plead with you not to make my promise to some of the boys overseas in vain. I can still remember them * * * on the field of war, on the field of battle, when race and nationality count for nothing and the worth of a man counts for everything, I think we children of these people who are ineligible for citizenship proved that we belonged. We now want our parents to belong."

The validity of this record was backed by outstanding military and civilian testimony. The following written testimony was presented at these hearings on behalf of Mark W. Clark, general, United States Army, who could not personally appear:

"The supreme test of citizenship is the willingness of a man to risk his life so that our country may live.

"Under my command in Italy the Four Hundred and Forty-second Infantry Regiment and the One Hundredth Infantry Battalion, composed of Nisei, fought the Nazi combat forces with the valor and skill characteristic of the young Americans that they are.

"One of the brave number, Sadao S. Munemori, of Los Angeles, member of the battle-famous Four Hundred and Forty-second Infantry, symbolizes the gallantry of these Americans of Japanese ancestry in fighting for the liberty of our beloved country. In Italy he wiped out two enemy machine-gun nests and saved the lives of two of his companions by throwing himself on a hand grenade; this resulted in his death. He was awarded America's highest combat award—the United States Congressional Medal of Honor—and an American transport today bears his name.

"Surely his parents and those of the other Nisei, through the loyalty of their offspring, have earned the right to citizenship in the world's greatest nation—a nation that distinguishes not at all between race, creed, or color.

"As I recall the outstanding feats of valor in combat of the members of the Four Hundred and Forty-second Infantry and the One Hundredth Infantry Battalion, the number of Purple Hearts awarded to them because of wounds received in battle, and their extremely low hospital rate because of their eagerness to return to the line after having been wounded, I can only urge that the rights of citizenship in our great America be given to the parents who furnished us with such outstanding young manhood, men who willingly gave their all that America could live.

"The parents of these heroic Nisei should have the privileges of the democracy their sons helped to preserve."

Concerning those who served in the Pacific theater, former Brig. Gen. Bonner Fellers, who during the entire campaign in the Pacific was psychological warfare officer and military secretary to Gen. Douglas MacArthur, entered written testimony as follows:

"I have first-hand, intimate knowledge of the service rendered by the Nisei in General MacArthur's headquarters during operations against the Japanese. The loyalty of the Nisei was absolute, and their willingness to go to the front where capture, even their presence, meant risk of their lives. I have the highest regard for the Nisei and feel the United States owes them a debt of gratitude for the magnificent service which they rendered in the Pacific."

To this testimony was added that of the honorable John J. McCloy, wartime Under Secretary of War:

"I believe legislation such as this, at least as it affects the interests of the Japanese-Americans, is only an appropriate form of recognition for the loyalty which Japanese-Americans as a whole evidenced to this country during the war.

"As you perhaps know, I was very much involved in the movement of the Japanese-American population from the west coast in the early days of the war. The measure which was taken was harsh and very difficult to carry out. It was done, I believe, in the best interests of the country and of the Japanese-Americans themselves. Every effort was made that could be made to soften the impact on that population of this forced movement, but, with all the precautions and all the considerations that were given, at best it was an unfortunate necessity and worked many hardships.

"During this difficult period I came in contact with the leaders of that population and visited the camps on several occasions. The behavior of these people made it possible to carry out the measure without, I should say, any serious incident. They were cooperative and their conduct, barring a very few who I believe would not be involved in the benefits of this legislation, was exemplary and provoked my admiration as it did many others who came in contact with them.

"Subsequently I took an active part in urging the Army to form the Japanese-American battalions and followed their organization very closely. There is nothing I did in my service in the War Department in which I took greater satisfaction than this. The record of the Nisei battalions is one of the most spectacular of all our military units. They endured many hard and even bitter campaigns. Their record shows that they won at least as many, if not more, decorations for bravery as any unit of the same size in the entire Army.

"In every respect they performed their fullest duty to the country. Their casualties were heavy, and I think that their conduct and the conduct of the Japanese-Americans in Hawaii and elsewhere throughout the United States is the strongest evidence one could ask for of their full loyalty to the country.

"As I have said at the beginning, it would seem to me that your proposed legislation would be a most fitting acknowledgment of the service and conduct of the Japanese-Americans during the recent war."

In this record of outstanding devotion to the highest principles of Americanism, the committee finds conclusive grounds for admission of the qualified members of this small group to the priceless privileges of United States citizenship. It is a matter of simple justice to do so.

In addition, the committee strongly feels that those who are permanent residents of the United States should be placed in a position to assume the responsibilities of citizenship while permitted to enjoy the opportunities and privileges which living here bestow. Ample evidence has been presented that those persons resident in the United States covered by this bill are most anxious

to assume the responsibilities of citizenship while permitted to enjoy the opportunities of citizenship, and that only the provisions of our present nationality law prevent them from doing so.

The committee is of the opinion that it is sound public policy that all aliens permanently resident in the United States should be urged to become naturalized citizens if able to meet the individual tests of citizenship, and that all barriers to naturalization, based on race, should be removed.

Effect on immigration law

The second part of this bill deals with immigration. The committee is impressed with the careful manner with which this matter has been worked out. The maximum number of possible immigrants from the Far East who might enter the United States under this bill would be entirely in keeping with the principle embodied in the national origins provisions of the Immigration Act of 1924, which seeks to preserve the ethnic and racial composition of the United States.

The committee believes that enactment of this bill will strongly benefit the foreign relations of the United States. Direct testimony of the Department of State in the 1948 hearings included the following statement:

"For many years the maintenance of normal friendly relations between the United States and oriental countries has been impeded by racial discrimination present in our immigration and naturalization laws. * * * Mr. JUDD'S bill (H. R. 5004) has the hearty endorsement of the Department of State. It very much hopes that Congress will act promptly so that it may be passed at this session, for it is of key importance to our relations with the great peoples of the Orient."

On the same day, the Honorable Joseph C. Grew, former Ambassador to Japan, personally appeared to testify in favor of the bill. He said:

"I believe the present to be an exceptionally favorable time to take a step of this nature. * * * It seems to me to be the height of folly to ask the support of democratic elements in these countries (Japan, Burma, Indonesia, and others), yet at the very point where our democracy comes to test, to back away. If we want to hold our friends, we must support them. The ending of exclusion now would provide concrete proof of American good faith at a time when it is most important that new leadership be oriented in our direction."

It is significant that among the strongest supporters of this measure are organizations and Members of the House from the west coast. In the testimony noted earlier, Representative MILLER summarized the factors underlying this support as follows:

"And, as for immigration, we in California who look to the new Pacific era realize that the good will of the Asiatic and Pacific peoples is essential to our welfare and development. By eliminating the patent discrimination against these peoples, we would gain their good will and friendship at a time we need real friends all over the world. At the same time, because of the very limited numbers that would be allowed to enter the United States under the annual quotas set out for these peoples, we would not, in any way whatsoever, endanger California or any other State in the Union or jeopardize existing conditions."

The Board of Supervisors of the County of Los Angeles and of the City and County of San Francisco unanimously passed resolutions favoring enactment, which resolutions were presented to the committee by Members from the coast.

The committee has before it a number of bills which attack this problem in piecemeal fashion, as well as many private bills, the necessity for which would be eliminated if this general measure is enacted. Much time, both of this committee and of the Congress, will be saved by enactment of this measure.

Mr. Chairman, I now yield 15 minutes to the gentleman from Minnesota [Mr. JUDD], the author of the bill, who will explain the bill section by section.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman from Minnesota yield before he goes into the discussion of the bill?

Mr. JUDD. I yield to the gentleman from New York.

Mr. MARCANTONIO. There is a most unusual section in this bill, appearing on page 11, in lines 6 to 17. This section is directly aimed at the British West Indies. It discriminates against the immigration of Negroes from the West Indies. This now limits the immigration from that colony of Great Britain to 100. Can the gentleman explain why this language is in the bill, and who put it in there?

Mr. JUDD. This language was put in the bill to bring the provisions with respect to colonies, all the colonies that exist throughout the world, into a uniform and universal pattern. As the gentleman knows, under present law it is possible for persons who are of the white or the Negro or the American Indian race, and who were born in British possessions, to come into our country under the British quota, about 66,000 a year. In order to make eligible for immigration persons from the colonies in the Far East or elsewhere, who have heretofore been completely excluded because of their race, it was necessary to set up a uniform pattern. A limitation of 100 from each colony was established. That was the reason for the language. It was not in any sense to discriminate against anybody.

It was brought to our attention that it places these people of whom you speak under a limitation they have not had before. Heretofore, if they qualified as individuals, conceivably up to about 66,000 of them could come in from the British West Indies under the British quota, assuming none of the quota was used by immigrants from Britain. However, the gentleman will agree, I am sure, that that was not the intention of the Congress which passed the Immigration Act of 1924, setting up the national origins quota principle. It was not the intention, for example, when a quota of 66,000 was given to the British, because they were the dominant nationality in the settling and building of this country, that their quota could therefore be used by non-British peoples from their possessions all over the world, including their colonies. The language merely brings the whole pattern for colonies into uniformity.

Mr. MARCANTONIO. The gentleman will have to admit, however, that in the operation of this language, if it ever becomes law, you are now limiting immigration from the British West Indies to 100.

Mr. JUDD. We are not limiting it any more from there than from other areas which did not have enough immigrants in this country in 1920 to entitle them to more than the minimum quota of 100, for example, British South Africa or New Zealand.

Mr. MARCANTONIO. But immigrants from the British West Indies have been coming to the United States by simply qualifying under the public charge or health provisions.

Mr. JUDD. They can still come in on a basis of equality with the other peoples of the world. This bill also reduces the number who can come from China, because Chinese wives of American citizens have been eligible as nonquota immigrants and are not under the bill. It also reduces the number that will be able to come from the Philippines. I regret these limitations, although I think they are necessary to get equality for all. We have had no complaint from them because for the first time in decades the bill puts all individuals on a plane of equality.

Surely the gentleman from New York wishes in this as in so many other matters that all should be accorded equality.

Mr. MARCANTONIO. I do not think that you accomplish equality by discriminating against any group.

Mr. JUDD. There is no discrimination against them as a group. They are eligible under exactly the same principle and the same formula as all other people from colonies throughout the world.

Mr. MARCANTONIO. This definitely discriminates against the British West Indies. The reason, may I say to the gentleman, that you have had no complaint from them is that they do not know anything about this.

Mr. JUDD. Mr. Chairman, I am indeed grateful to the chairman of the Committee on the Judiciary, the gentleman from New York [Mr. CELLER], for granting me the privilege of presenting this bill, which is very near to my heart. I am deeply grateful to the chairman of the subcommittee, the gentleman from Pennsylvania [Mr. WALTER], for his fairness and nonpartisanship in reporting out my bill, for which I have been working so long. I first proposed before the Committee on Foreign Affairs on February 17, 1943, that such a change in our immigration laws be made. I had been a Member of Congress only 6 weeks. In May 1943, I proposed it specifically in testimony before the Committee on Immigration and Naturalization.

My concern grew out of experience during the many years I lived in the Far East. In our efforts to help people there to understand Christian democracy, and to influence them to move in that direction themselves, frequently our biggest obstacle was the fact that in our so-called exclusion laws we had branded and stigmatized as inferior human beings the brown and yellow races, on the basis of the color of the pigment in their skin; something they were not responsible for and could not do anything about. This is an attempt to remove that totally unnecessary insult and injustice and to establish equality in our immigration laws, not in numbers, but in principle—the same principle that applies to other peoples.

Let me give you a bit of the history of how this problem developed. When gold was discovered out in California in 1848, and white men flocked to the west to get rich quick, there was immediate need for a lot of cheap labor. The best place to get it was across the Pacific, in China. When the transcontinental railroads were being built, especially the Southern

Pacific, to hook up the west coast with the rest of the Nation, they needed laborers who were able to endure great hardships and would work for small returns. So there was unlimited immigration of Chinese laborers to this country. They did not come at their request. We went over there and recruited them. Steamship agencies did an active business signing them up and bringing them in large numbers to this country. By 1876 there were 110,000 of them on the Pacific coast. It became obvious that a real problem was being created because the white population was still small and there was fear that it would be overwhelmed by people with lower standards of living and different social patterns. The so-called national origins quota principle for regulating immigration had not yet been evolved. So our Government did the natural thing. It passed increasingly strict exclusion laws between 1882 and 1913 whereby all Chinese were excluded as a group. The action was in violation of a treaty that we had with China guaranteeing most-favored-nation treatment—but we took the action nevertheless.

For many years we had the so-called gentlemen's agreement with Japan whereby she volunteered to limit the number of Japanese coming to this country to an agreed number.

Then in 1924 the national origins quota formula was devised and enacted into law. The countries of the world were divided into three main areas. First, the independent countries of the Western Hemisphere, Canada and the Latin-American countries. Persons born in those countries of the Caucasian, Negro, and American Indian races can come into the United States without any limitation at all. Those are the so-called nonquota countries.

The second group includes Europe, western Asia, and Africa. Persons born in those countries can come to this country under annual quotas whose size varies in proportion to the number of immigrants from those countries who were in the United States in the 1890 census.

Then there was a third group which included all the countries and possessions in a certain geographical area in the Far East comprising eastern and southern Asia and most of the islands of the Pacific. Persons of the yellow or brown races born in these areas or anywhere else in the world were excluded entirely.

Now, I have no quarrel with the national origins principle. I favor it. What I want is not to destroy it, but to extend it so it applies to the peoples now excluded entirely—those in group 3.

The 1924 law was understandable. There was the competition of cheap labor from the Orient, which was unfair to our American laborers. There was a genuine problem. If we had given as our reason the economic factors, which was where the real grievance lay, we would not have had any complaint from any oriental country. They know we have a perfect right to regulate our own immigration. But we cannot insult them just because of their race and still expect them to be favorably disposed toward us. That is what we did. We adopted a formula which said in effect, "Members of only three races are good enough to be eligible for naturalization in the United States: White people, persons of African descent, and persons of races indigenous to the Western Hemisphere. But persons of other races are, because of their race, ineligible for naturalization in the United States."

Then, having determined that definition of eligibility for naturalization, the immigration law set up quotas for those countries whose citizens were eligible for naturalization. Or rather quotas were established for all countries, but they could be used only by persons born in those countries of the three specified races. There was a quota for China, for example, but the Chinese could not use it, only the whites or Negroes born in China. There was a quota for India, but the Indians could not use it. Only the white, black, or red could use the quota—not the yellow or brown.

Under that arrangement, any alien, wherever born, who happened to be half yellow or brown, or more, by race, was permanently and irretrievably branded under our laws as an inferior human being, no matter what his or her personal character or attainments or charm or skill or ability might be.

At the time that law was being discussed in Congress, the Japanese Ambassador to the United States, Mr. Hanibara, made a statement which was diplomatically unwise but which has proved tragically accurate. He warned that if the United States passed that bill, it would have "grave consequences."

He should not have said it, because it sounded like a threat and only increased support for the bill. But the 4,000,000 Americans who fought in the Pacific will agree that it did have "grave consequences." It did more than any other single thing to turn Japan against us and toward militarism. Up to that time Japan had been moving definitely toward democracy. Baron Shidehara and many other leaders of great influence were favorable to the west.

Then, all of a sudden, their best friend, the United States, slapped them in the face. It discredited the growing democratic and liberal forces in Japan and turned leadership over to the militarists, who from that time on could say, "There is no hope of getting a decent deal for Asiatics from the white races. The only way we can get freedom and independence for Asia is to arm and eventually unite all of its peoples to throw the white man out."

As a result, Japanese militarism grew by leaps and bounds in the succeeding years, and it led right straight to Pearl Harbor.

One of the things I vowed when I saw the understandable resentment of the people of Asia against this totally gratuitous insult and its bad effects for our own country was that if I ever had a chance I would do my best to get that injustice removed. If I never got anything more through Congress than this, I would feel my service here worth while for my country.

Over in the other body a debate is going on as to whether we should pass a so-called civil-rights program seeking to compel justice in relations between races. There is a difference of opinion as to whether it is possible or wise to try to compel justice; but certainly it is possible and wise to remove an injustice that exists in the law. Surely nobody will disagree with that.

Mr. CAVALCANTE. Mr. Chairman, will the gentleman yield?

Mr. JUDD. I yield.

Mr. CAVALCANTE. I have in mind a specific case of an American soldier who, while in service in Japan, married a Japanese woman. Later he was discharged in the United States and then undertook to have his wife come to the United States. He has had very serious difficulty. Does this bill answer that question, and in what respect?

Mr. JUDD. This bill will make his wife eligible to go to an American consul in Japan and apply for a quota number to come to this country as an immigrant. At present she is permanently excluded because of her race.

Mr. CAVALCANTE. The bill does solve that problem, then?

Mr. JUDD. It will. It would not allow any large number of such cases to come in. She will still have to await her quota number. She cannot come in automatically as the wife of an American; but racially, she is no longer ineligible.

Mr. CAVALCANTE. But will this bill permit her preference as the wife of an American citizen?

Mr. JUDD. Yes, half the quota for Japan is reserved for wives, husbands, dependent children, and parents of American citizens. The woman you describe is in the group given preference.

Mr. HAND. Mr. Chairman, will the gentleman yield?

Mr. JUDD. I yield.

Mr. HAND. I think the gentleman has been clear, but will not the gentleman say quite specifically that this unnecessary insult to the Japanese people was a major cause of the war between Japan and the United States in 1941?

Mr. JUDD. Psychologically, it was the major cause, because it was the thing that first set modern Japan on the road of uncontrolled militarism which led straight to Pearl Harbor.

Mr. HAND. And the gentleman's bill, although it permits very few immigrants of Japanese birth, would nevertheless remove the great insult we gave them of excluding them entirely in the past.

Mr. JUDD. That is right; it removes at one stroke those racial insults for Japanese and all other previously excluded peoples. We started the process during the war when we granted a quota to the Chinese, partly because of the necessity of keeping China fighting and on our side. We took a similar step in 1946 for persons of races indigenous to India under a bill by the chairman of the Judiciary Committee [Mr. CELLER]. And we did the same for the Filipinos after they attained their independence. This bill completes the process, extending the quota principle to all persons still excluded, about a fourth of the people of Asia.

The bill does not remove our immigration barriers; it removes racial discrimination from the barriers.

Mr. HAND. And in order to make even better citizens out of those Japanese who are now citizens of this country.

Mr. JUDD. Yes, I was just coming to that. In the war of ideas that is going on all over the world today, the fierce contest for people's loyalties, this is a step of the utmost importance. We are so committed in Europe that many feel we cannot give as much material or military help to Asia as we should like; that only makes it all the more important that we give as much moral support as possible to our friends in Asia and help build up their will to fight with us and the free nations of the world against the glacier of tyranny moving out of the Soviet Union over parts of Asia as well as Europe.

Now let me get into the main provisions of the bill before I use up all my time in discussion of the general reasons for it. The bill does three major things: First, it removes race as a bar to eligibility to American citizenship. That is right at the bottom of the first page. We changed the old word "right" to "privilege" because it is a privilege, not a right, for an alien to become an American citizen.

The privilege of becoming a naturalized citizen of the United States shall not be denied or abridged because of race.

That makes it possible for all persons of whatever race, who have been legally admitted to this country for permanent residence, to become American citizens if they desire.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. MICHENER. Mr. Chairman, I yield five additional minutes to the gentleman from Minnesota.

Mr. JUDD. Thank you. The persons affected by this provision are those who remain of the approximately 86,000 persons of Asian origin, whom the 1940 census showed to be in this country and who were admitted prior to the passage of the 1924 act. They are here perfectly legally; they will be here as long as they live. They pay taxes. They are good law-abiding members of our communities, but they cannot now be naturalized because of their race, they cannot become American citizens. More than 95 percent of them are Japanese. There was not a case of sabotage among them during the war, although we will have to admit that we suspended the Bill of Rights in our Constitution by uprooting them from their homes and putting them in concentration camps for 3½ years. They had a right to feel bitter and hurt and aggrieved because their adopted country, which was taking their boys to fight for it, put them in concentration camps instead of letting them stay where they had established themselves. But instead they gave a demonstration of loyalty and genuine understanding of true Americanism that has never been surpassed and seldom equaled. They proved themselves as good or better Americans than we who wronged them. They gave 33,000 of their American-born sons as volunteers to the American armed forces. The Four Hundred and Forty-second Regimental Combat Team received more decorations and more casualties than any other outfit of comparable size in the whole American Army.

This bill gives the parents of those boys a chance to become respectable citizens of the country to which they gave so much instead of remaining as a sort of foreign body in our society. I cannot believe there is a single person who will oppose that feature of the bill. It is both rectification of an injustice and a token of the Nation's appreciation.

The second major feature of the bill is that it gives to all countries and dependencies in the world immigration quotas except those in the Western Hemisphere, which are on a nonquota basis, and there is no reason to change that. The bill makes the quota of each quota area usable by all those born in the area or who are attributable by as much as one-half of their ancestry to a race indigenous to the area. Japanese, for example, will be able to use the quota for Japan, as they cannot under existing law.

The third major feature of the bill is that, while establishing the principle of equality under a universal formula, it does not make possible any flood of oriental immigration, which was the fear that led to the original exclusion acts.

Only 185 additional quota numbers are granted—85 to Japan and 100 to the Asia-Pacific triangle. The total number available for persons of Asiatic ancestry will be only 1,890. Of these, 405 are already authorized in existing law. So, if every single available quota number were to be used by persons of races heretofore excluded, the total of such persons that could come in per year is only 1,485.

Many of the quota numbers will be used by Caucasians born in those countries, and it is inconceivable that any sizable number of persons will come from several of the quota areas, particularly Bhutan, Nauru, Nepal, New Guinea, Samoa, and the former Japanese mandated islands, each of which areas has a quota of 100. For instance, the Island of Nauru has only about 3,000 inhabitants. Obviously, they will never use a fraction of their quota. Out of those 600 quota numbers, it is inconceivable that more than 100 or so would ever be used in a given year.

Mr. WALTER. Mr. Chairman, will the gentleman yield?

Mr. JUDD. I yield to the gentleman from Pennsylvania, the distinguished chairman of the subcommittee.

Mr. WALTER. I would like to point out to the gentleman apropos of what he has just said that Afghanistan has had a quota of approximately 1,000 for the last 10 years and only 14 people have come into this country under that quota.

Mr. JUDD. Yes; the highest estimate anyone has made of the number of Asians likely to enter this country as immigrants under this bill is less than 1,000 a year. I do not know anything else we might do in the field of foreign relations whereby for so little we can accomplish so much. On one hand, it cannot hurt or endanger in the slightest degree the United States as each of the immigrants will have to meet the regular physical, educational, financial, and moral qualifications. On the other hand, it will do more to strengthen the influence of the United States and her friends and defenders among half the people of the world than anything else I can think of. It undercuts the powerful propaganda against us, because it brings our deeds into harmony with our words. When our Government resists or condemns the imperialistic actions or aggressions of any other country toward peoples of other races, it gives our position moral stamina and integrity, it enhances our prestige, it produces confidence in our sincerity and will influence greatly the battle for men's minds and hearts that is going on between the two philosophies of life and government that are locked in mortal struggle in our world.

There are three or four more provisions I would just like to mention. The bill simplifies the manner of computing quotas by changing from the old fraction carried to the twelfth decimal point to one-sixth of 1 percent of the number of immigrants from a given quota area in the United States according to the 1920 census. That will reduce all quotas, above the minimum of 100, by a very small degree, amounting in toto to 635 less numbers available per year to all the world.

Some of the technical language in the bill is merely to repeal or modify existing law where superseded by or in conflict with the provisions of this bill.

One most important device, which is the heart of the mechanism, is the so-called Asia-Pacific triangle, to which is assigned a separate Asia-Pacific quota. If you will look in the committee report, you will find a map of the triangle which was worked out for us by the geographers of the State Department. Every immigrant from a country or dominion or trust territory under the United Nations, lying wholly within the Asia-Pacific triangle, must come in under the quota assigned to the given quota area, such as China, India, Japan, Siam, the Philippines, and so forth. Those from the colonies or other dependent areas within the triangle will come in under the Asia-Pacific quota of 100 a year. This solves, among other things, the extremely complicated problem of the persons of mixed blood, of which there are many. If one is attributable by as much as one-half of his ancestry to a people indigenous to a separate quota area, he is chargeable to that quota area. But if he is perhaps one-half Caucasian, a quarter Filipino, and a quarter Chinese, he is chargeable to the Asia-Pacific quota. Thus there is set up a carefully devised mechanism whereby it is possible to get every person, no matter how scrambled his ancestry, chargeable to some quota area or other, and thus make every person in the world eligible for immigration to the United States as far as race is concerned. He must, of course, qualify as an individual and wait his turn for a quota number.

These are the main features of the bill. There is only one change made by the committee which does not satisfy me, the provision in section 3 which prevents wives, unmarried children, and husbands of American citizens from coming in as nonquota immigrants, if the quota of their quota area is less than 200. I hope the Congress will see fit later to correct what I regard as a discrimination against those areas with the smaller quotas. But the bill is far better than seemed

possible only a few years ago. It does establish racial equality, and that is the overriding consideration. I hope it will be adopted unanimously.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. CELLER. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. WALTER].

Mr. WALTER. Mr. Chairman, I should like to emphasize the fact that there is nothing partisan in this legislation. The bill under consideration was reported unanimously by a subcommittee of the Eightieth Congress, of which our distinguished friend from Maine [Mr. FELLOWS], was chairman. This bill is the result of a very careful consideration of a number of similar bills introduced during the last session and was reported only after extensive hearings.

As a matter of fact, during the closing days of the Eightieth Congress the House of Representatives from the Unanimous Consent Calendar approved one of the more important provisions of this bill, namely, that section which makes eligible for citizenship the parents of men who were killed or wounded while serving in the armed forces. So I shall not direct my brief remarks to that part of the bill because I am assuming that if it was passed once, when it was on the Unanimous Consent Calendar, there cannot be very much objection to the same proposal now.

I shall briefly discuss the second phase of the bill, which makes eligible for immigration and naturalization those people who have heretofore been ineligible for admission to the United States. I do that for the reason that perhaps we do not realize the importance that is placed on our acts here in the House of Representatives by foreign governments.

Just a few weeks ago when the Committee on the Judiciary by unanimous vote reported this bill, there appeared in a Japanese newspaper a very significant article commenting on the action, and I shall read it at this point:

Japanese sources said the United States House Judiciary Committee's approval of the Judd bill, revising the Oriental Exclusion Act, is winning friends here for America at the time when the United States and Soviet Russia are engaged in a cold war to win support of Japan and other oriental nations.

I think, if for no other reason, the good will that will be brought about through the enactment of this legislation should cause this body to vote as unanimously as possible for its enactment; that this action will prove conclusively that when we in America talk democracy we actually mean it; and that it is our purpose to eliminate whatever stigma has heretofore been placed on any other peoples of the world. This bill is fair.

In closing I would like to call your attention to just this one thing, that under this bill there will be practically no more people admitted to the United States than is the case under existing law.

Mr. FARRINGTON. Mr. Chairman, will the gentleman yield?

Mr. WALTER. I yield to the Delegate from Hawaii.

Mr. FARRINGTON. I would like to have the chairman of the subcommittee clarify the status of the Samoans and the Guamanians under this legislation.

Mr. WALTER. If they are not American nationals, they will have a quota. Under the table that the distinguished gentleman from Minnesota [Mr. JUDD] just called your attention to, it can be very readily seen that their quota will be the same as for the other people in this Asia-Pacific triangle, namely, 100 annually.

Mr. JAVITS. Mr. Chairman, will the gentleman yield?

Mr. WALTER. I yield to the gentleman from New York.

Mr. JAVITS. Would the gentleman say a word about the objection that is made to page 11 with respect to the exclusion of West Indian Negroes heretofore admitted?

Mr. WALTER. That question was raised last year, and the committee took the position that for reasons of equality of all colonial areas this provision should stay in the bill, but it is not an exclusion.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. CELLER. Mr. Chairman, I yield 7 minutes to the gentleman from Texas [Mr. GOSSETT].

Mr. GOSSETT. Mr. Chairman and gentlemen of the Committee, I think if you will read the first and perhaps the second page of this report you will get a more comprehensive understanding of this somewhat technical bill. This bill endeavors to iron the kinks out of our immigration laws, at it were. It does not lower immigration barriers. It changes them to the extent that it removes race as a bar to immigration and treats all people equally within the standards of the immigration laws.

The first provision of the act and the one that I am most interested in removes race as a bar to naturalization, a thing which, it seems to me, we should have done long ago. In other words, people who are legally resident in this country, who have a right to reside here, who are going to live out their natural lives as bona fide legal residents of this country, should have a right to become naturalized if they can qualify under our naturalization laws notwithstanding their color. In other words, Japanese, Chinese, Polynesians, and so forth who have been living here under the old law may become naturalized citizens if this law passes and if they can meet character and intelligence standards.

During the war we observed the heroism of many of these people. The most decorated outfit in our Army in World War II was the Four Hundred and Forty-second Regimental Combat Team, made up entirely of Japanese-Americans. At great cost this regimental team at one time rescued a battalion of the Thirty-sixth Division, made up of Texans. They lost 200 men in rescuing 189. They never gave up a foot of territory throughout the war, and they never failed to take an objective assigned to them. Now, you have to take your hats off to folks who perform in such a manner. The fathers and mothers of these boys, many of whom gave their lives for this country, cannot become naturalized citizens under existing law. So in this bill we simply once and for all get away from the charge of discrimination on the basis of race.

We do not permit many to come in. Under the Asia-Pacific triangle, set up as a matter of geography, the very maximum that could ever come in from about one-fourth the earth's area during any one year would be 5,000. It is estimated that only a few hundred will come in from this area.

Again, we tie this bill down by providing as to countries having a quota of less than 200 that the wives and minor children of the people entering under those quotas do not come in as nonquota immigrants. So there can be no flood of immigration from these small-quota countries. That is not discriminatory because minimum quotas are given to people who would have had practically no quota if the formula were applied to them literally. The formula is one-sixth of 1 percent of the people of a race who were in this country in 1920. You take Samoa, for example. I do not know how many Samoans were here, but they probably would not have over 10 or 15 if the one-sixth of 1 percent quota were applied to them, whereas under the Immigration Act they would have 100.

Mr. FARRINGTON. Mr. Chairman, will the gentleman yield?

Mr. GOSSETT. I yield to the gentleman from Hawaii.

Mr. FARRINGTON. On the point of Samoans and Guamanians, I think there should be a clear statement as to how this law applies to Samoans resident under the American flag as distinguished from the western Samoans, who are now under the New Zealand flag. The same also should be stated for the people of Guam. The American Samoans and the Guamanians are American nationals. Am I to understand that under this bill they are free to come to this country only under a quota?

Mr. GOSSETT. There are no quotas on American nationals.

Mr. FARRINGTON. But they have the privileges of naturalization when they are residents of this country rather than Samoa and Guam?

Mr. GOSSETT. Under this bill any legal resident who can meet character and intelligence tests may become a naturalized citizen.

Mr. FARRINGTON. I think that point should be clarified.

Mr. CELLER. If the gentleman will yield, on the question of Samoa, the political question of Samoa is still fluid. We do not know exactly what the status of any of the Samoans is. A Samoan legally in the United States can become a naturalized citizen under this bill.

Mr. FARRINGTON. That is the point.

Mr. GOSSETT. Last year we reported out a bill relating to Siam. I think it passed the House, but it never became law. It was advocated by the State Department, and one of the reasons was that at that time we were negotiating with Siam for tin. The Russians were trying to buy tin from Siam. It was embarrassing to our people to go over there and try to do business with the Siamese

when they could say, "None of us can ever come to your country."

Instead of doing these things by piecemeal, a bite at a time, this bill does a complete job. It will take the place of the Siamese bill, the Indian bill, the Chinese bill, and a number of bills which my good friend the gentleman from Hawaii [Mr. FARRINGTON] has introduced from time to time. The purpose of the bill is once and for all to remove these so-called inequalities based on blood alone. I believe the bill does that as well as it can be done. There is no way to write a bill to which some people will not object. Certainly we are not going to let the bars down to all people who want to come here in the numbers they would like to come. But this settles once and for all the question of color and the question of race, both in naturalization and in immigration. I feel that immigration laws should be tightened, made more restrictive, and should be better enforced. However, there should be no specific discriminations based on blood lines.

Mr. Chairman, I wish to further state for the record that certain provisions of this bill do not have the endorsement of the Department of State, although that Department did recommend the enactment of a previous draft, H. R. 5004, which contained the principal features of the present bill.

The particular portions of the two bills, to which I desire to make specific reference, are those which relate to the classification of the alien wives and the unmarried minor children of citizens of the United States. While H. R. 5004 provided that nonquota status should be accorded all alien wives and unmarried minor children of citizens of the United States, regardless of their ancestry or race, the present bill in effect provides that the alien wives and unmarried minor children of citizens of the United States shall be classified as first-preference quota immigrants if they are chargeable to quotas of less than 200. This means that all Asian wives and unmarried minor children of citizens of the United States, and all those wives and unmarried minor children of the white or black race, who were born in countries such as Australia, South Africa, or Palestine, or any other country having a quota of less than 200 annually, would not be granted nonquota status, but would be entitled to consideration only as first-preference quota immigrants. The alien wives and unmarried minor children of citizens of the United States who are chargeable to quotas of more than 200 would be granted nonquota status as in existing law.

The committee made this change in the bill because of the fear of a large influx of oriental immigrants as the nonquota wives and unmarried minor children of persons of oriental races who will be permitted to become naturalized under the bill. The change does not have the approval of the Department of State, which, I understand, would prefer to treat all alien wives and unmarried minor children of citizens of the United States on a basis of parity, regardless of race or the size of the quota to which the aliens would ordinarily be chargeable.

Under existing law the Filipino wives and unmarried minor Filipino children of citizens of the United States, and the Chinese wives, but not the alien Chinese children, of citizens of the United States are entitled to nonquota status. Under this bill those aliens would lose that status. The committee felt, however, that there should at least be parity among all Asian wives and children of American citizens, and these classes are being placed in the first-preference portion of the quota, so that if any quota numbers are available they may come to the United States. The minimum quota for any quota area is permitted to remain at 100, which is a liberal allowance when it is considered that many countries would have no more than 5 to 10 as an annual quota, except for the minimum quota rule. Requiring the wives and children of American citizens to use these small quotas is therefore less discriminatory than if the minimum quota rule were abolished. However, the Department of State, for reasons affecting our foreign relations, which all of us can appreciate, would prefer the provisions of H. R. 5004 to those of the present bill.

In my judgment, however, this bill is fair and in the best interest of our country. After all no foreign person has any right to come to this country. It is a privilege which we extend and we have the right to extend such privilege on any terms we desire.

Mr. CELLER. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. POWELL].

Mr. POWELL. Mr. Chairman, I want to thank the chairman of the Committee on the Judiciary for giving me these few minutes. I want to ask the gentleman from Minnesota [Mr. JUDD] a few questions. I want to know why on page 11 there is the section limiting immigration from colonies and other dependent areas. I am asking you this question because the members of the committee are not clear on it themselves. I have asked them privately. Under this provision, immigration from the British West Indies to the United States will be definitely limited for the first time, is that correct?

Mr. JUDD. They will have a quota limitation placed on them along with every other colony, whereas at present they can come in, if they are racially eligible, under the quotas of the mother countries.

Mr. POWELL. So until this bill, people from the West Indies could come in as British subjects under the quota of their mother country?

Mr. JUDD. If they are white, black, or red.

Mr. POWELL. That does not matter; as long as they meet our requirements?

Mr. JUDD. Yes.

Mr. POWELL. Now you want to limit them to 100 per year?

Mr. JUDD. All the British colonies in the world are put on that same quota basis.

Mr. POWELL. Yes; 100 per colony.

Mr. JUDD. That is right.

Mr. POWELL. I am talking strictly about the West Indies.

Mr. JUDD. It is true of the British and the Portuguese and the French and the Dutch and any other colonies. They are all on the same basis.

Mr. POWELL. That is right. I want to ask you why and how this section was written into a bill of this nature? This is a good bill. I am in favor of this bill, but how did that particular angle get into a bill which is definitely aimed at helping oriental peoples?

Mr. JUDD. It was necessary to put on limitations when making people from all colonies eligible for immigration by removing the racial restrictions heretofore existing. We merely put the same principle of limitation on the colonies that has been on every country since the 1924 law was passed. If there were enough immigrants in this country in 1920 from that quota area, figuring it on the basis of one-sixth of 1 percent, to make a quota of more than 100, then they were given that quota. The Japanese figure out at 185, and the Chinese 105 a year. All of the other areas figure out at less than 100, so they are given a minimum of 100, as in the 1924 law.

Mr. POWELL. Yes; I see that. But I am asking why and how did the West Indies get into the picture when they do not fit into the picture at all?

Mr. JUDD. We did not bring them in. They qualify under the formula, that is all.

Mr. POWELL. Subsection (c) on page 11 has nothing to do with the balance of your act, does it?

Mr. JUDD. Oh, yes; it does. Under the national origins principle we could not establish these quotas for areas in the Pacific, without putting on a limitation. The limitation applies to all colonies in the Western Hemisphere and other parts of the world as well.

Mr. POWELL. In other words, you are bringing about equality for the Eastern Hemisphere by discriminating against the Western Hemisphere? That is a gross injustice.

Mr. JUDD. No; we are not discriminating against them, we are putting them on a basis of equality. If you say we are discriminating against them now by putting them on a basis of equality, then you must admit that there was discrimination in their favor previously.

Mr. POWELL. That may be true, but it was because the peoples met our requirements.

Mr. JUDD. Now all will be equal and on the same basis. As I said before, this equality principle takes away certain privileges previously existing. Under the Chinese Wives Act, which was passed in 1946, the Chinese were given certain concessions which this bill takes away. It takes away certain privileges which were granted to the Filipinos in the act applicable to them, which was also passed in 1946. It puts them all on a plane of equality. I am sure the gentleman from New York is as anxious as anybody else that everybody everywhere in the world be treated on the basis of equality.

Mr. POWELL. Not when equality is based on discrimination. I am not in favor of that because it is definitely not equality.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. POWELL. I yield.

Mr. MARCANTONIO. It seems to me the gentleman from Minnesota is ignoring the facts of life. Heretofore immigration from the British West Indies was chargeable to the quota of Great Britain. The annual quota, I believe, is approximately 66,000, so that all that a British West Indian had to do was to meet the qualifications as to health and demonstrate that he would not become a public charge, and he could enter the United States as he has been doing. Now, the language of this section, on page 11, provides that only 100 British West Indians can come in. If that is equality, then I think it is an extreme distortion of the meaning of the word "equality."

Mr. POWELL. I am prepared to offer an amendment to strike out this section.

This may be bringing about a lot of good will with our far-off neighbors in the Eastern Hemisphere, but with our nearby neighbors, 2½ hours from Miami, you are stirring up a lot of trouble. I can assure you about that. You can talk to our colleague from Pennsylvania [Mr. VAN ZANDT]. We were in the West Indies together this past fall. We need to do everything possible to stimulate helpfulness and good will with our nearby neighbors who are 2 hours from the tip of Florida. This bill will do a lot of harm. It is a flagrant, deliberate effort to discriminate against a great and good people who have come here and became great citizens.

The CHAIRMAN. The time of the gentleman from New York [Mr. POWELL] has expired.

Mr. MICHENER. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. MCDONOUGH].

Mr. MCDONOUGH. Mr. Chairman, I wish to call attention to the fact that if there is an area in the United States that would be opposed to this type of legislation, where it affects Chinese and Japanese, it might be the State of California. But, on the contrary, it is just the reverse there.

I have resolutions from the Los Angeles County Board of Supervisors, which endorsed the bill when it was before the committee a year ago, who reassert their same feeling about it at this time, and recommend that this bill be passed.

Similar resolutions have been passed by the Los Angeles Chamber of Commerce, which represents the business interests of the community, endorsing the bill, and endorsing it in the belief that, under the present restrictions, Japanese who are not privileged to become citizens of the United States are working under a very severe handicap, and that this legislation would relieve that situation.

I just wanted to impress that on the committee, from an area of the United States which felt the impact of Pearl Harbor perhaps more than any other section of the United States. Where we had to resort to reallocation of some 36,000 families of Japanese origin, into relocation camps, and then, out of those camps, many of those boys born in the United States, born of Japanese alien parents, entered the United States armed services and came out of the war with fine records and have now returned to their homes and are seeking to relieve their parents of the embarrassment of denial of citizenship, which this bill would provide.

The fact that these people are racially ineligible for citizenship automatically denies them many privileges. In California these aliens are barred from such occupations as law, real estate, insurance, teaching in public schools, and civil service. They cannot become doctors, dentists, public accountants, pharmacists, or registered nurses. The most controversial of these restrictions are those of the California Alien Land Law that prevents these aliens from owning or leasing real property. This law was difficult to enforce and has been the center of much controversy. On January 19, 1948, the United States Supreme Court rendered a decision involving one of these land cases—Oyama against State of California—that has made it virtually impossible to enforce legally strict compliance with the California land law. The attorney general of California has announced that, as a result of this decision, the State will not proceed with other similar cases. In the Oyama case the alien Japanese provided the money, but his citizen son took title to the land. However, California's attorney general has stated that the decision of some of the Supreme Court Justices was such that he doubts the wisdom of prosecuting cases even if title were taken by a stranger on behalf of the alien.

This development naturally minimizes the practical effects this proposed bill would have in relation to our alien land laws. Representatives of a large local title company concur in this view.

In conclusion, it appears that this bill, as it relates to the aliens now in this country, would not have any serious effects on our community.

At the last regular session of the Eightieth Congress, legislation was introduced designed to remove racial discrimination from our naturalization and immigration laws without abandoning the national origins quota principle established by the Immigration Act of 1924.

The practical effect of this bill is twofold: First, it would permit aliens now in the United States who are ineligible for citizenship solely because of race—primarily Japanese—to become naturalized if they meet all other qualifications; and, second, natives of Japan and other Asiatic countries could use their token immigration quotas and would no longer be excluded solely because of race. In a word, the principles of the 1943 act ending racial discrimination against the Chinese would be extended to the Japanese and all other Asiatics.

A subcommittee of the House Judiciary Committee held hearings last April on this legislation as originally proposed in H. R. 5004. In principle, the legislation was widely supported, but as a result of the hearings some structural changes were made and H. R. 6809 was substituted, the national origins quota principle, which provides basic protection. The enactment of this legislation will remove an affront to the Asiatic race that has provided Communists and others with material with which to criticize America. We made a step in this direction in 1943 in the case of China, and see no reason why it should not be extended to all peoples.

I herewith submit the favorable resolution adopted by the Los Angeles County Board of Supervisors:

RESOLUTION OF THE COUNTY OF LOS ANGELES BOARD OF SUPERVISORS, LOS ANGELES, CALIF., INTRODUCED BY SUPERVISOR JOHN ANSON FORD, APRIL 13, 1948

The board met in regular session. Present: Supervisors Raymond V. Darby, chairman, presiding; William A. Smith; Leonard J. Roach; John Anson Ford; and Roger W. Jessup, and Earl Lippold, clerk, by Ray E. Lee, deputy clerk.

IN RE H. R. 199, PROVIDING NATURALIZATION PRIVILEGE TO ALL IMMIGRANTS HAVING THE LEGAL RIGHT TO PERMANENT RESIDENCE, AND MAKING QUOTAS AVAILABLE TO ASIATIC AND PACIFIC PEOPLES; RESOLUTION OF ENDORSEMENT, AND MEMORIALIZING CONGRESS TO GIVE EARLY PASSAGE

On motion of Supervisor Ford, unanimously carried, it is ordered that the following resolution be and the same is hereby adopted:

"Whereas over 33,000 persons of Japanese ancestry made a distinguished record during the late war as American soldiers in the armed forces while members of their families and of their race shared with unmistakable devotion the privations and hardships incident to the successful operation of the war; and

"Whereas within the last 5 years Federal naturalization and immigration laws have been amended to enable the citizenship and entry of Chinese (supported by this board of supervisors), and a few others, small in number; and

"Whereas permanent American residents of Japanese ancestry, residents in Los Angeles County for over a quarter of a century and longer, are still excluded from the privilege of becoming American citizens under present laws; and

"Whereas residents of Japanese ancestry have over half of a century made important contributions to the agricultural development and cultural richness of Los Angeles County; and

"Whereas this measure maintains the basic national origins quota system which underlies the Immigration Act of 1924; and

"Whereas it is the American way of life to encourage immigrants to become American citizens: Therefore be it

"Resolved, That the Board of Supervisors of the County of Los Angeles hereby extends its endorsement to, and memorializes the Congress of the United States to give early passage to, H. R. 199, which gives naturalization to these persons heretofore not eligible for citizenship; and be it further

"Resolved, That copies of this memorial be forwarded to Senators KNOWLAND and DOWNEY, Congressmen NIXON, POULSON, DOUGLAS, MCDONOUGH, JACKSON, KING, BRADLEY, HOLIFIELD, HINSHAW, and SHEPPARD, to the chairman of the Senate and House Subcommittees on Immigration and Naturalization, to the United States Conference of Mayors, and that they be urged to do everything in their power to secure the enactment of this urgent and desirable legislation."

I hereby certify that the above is a full, true, and correct copy of a resolution which was adopted by the Board of Supervisors of the County of Los Angeles, State of California, on April 13, 1948, and entered in the minutes of said board.

[SEAL] EARL LIPPOLD,
County Clerk of the County of Los Angeles, State of California, and ex officio clerk of the board of supervisors of said county.
By RAY E. LEE, *Deputy Clerk.*

The CHAIRMAN. The time of the gentleman from California [Mr. McDONOUGH] has expired.

Mr. MICHENER. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. JAVITS].

Mr. JAVITS. Mr. Chairman, certainly all of us who are interested in democracy, not only in the United States, but in the world, would agree that the provisions of this bill affecting Asia and the Pacific at last let us deal realistically with discrimination on a global basis instead of just discrimination within the United States, now being contested in the United States Senate. The enactment of this fundamental aspect of the bill is essential to our position in world affairs, and to the integrity of our foreign policy. I am troubled, however, about those provisions of this bill which appear to be extraneous to its basic purpose, and which deal with colonies. It seems to me that colonies could very well have been left just exactly as they are while this problem dealing with the question of Asia and the Pacific triangle was dealt with. I hope the committee will see fit in the course of the debate, and before the final vote, to clarify what seems to me to be an imperfection in the bill.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. CELLER. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois [Mr. YATES].

Mr. YATES. Mr. Chairman, I take great pride in supporting this legislation. I believe it will end a wrong against a fine segment of our national community, a wrong which had no foundation in fact at its inception, and which certainly now has no excuse for existence.

I have many Japanese within my district, the parents who are aliens, and their children born in this country who are citizens of the United States. I never knew a more hard-working, thrifty, social-minded group. They contribute generously of their time and money to the charity and welfare drives of the community, and participate in every respect with its best elements. I know of no single instance in which any of them has become a public charge, and I can remember no case at any time of any of them having been involved with any criminal segment of the community. Nationally I know that they have contributed much to the welfare of our community.

I would recommend, Mr. Chairman, that the Members read the very eloquent and moving statement of Mike Masaoka, who is a representative of the Japanese-American Citizens League, as it appears in the hearings. He states just what contributions have been made, not by citizens of this country, but by those whom we did not consider fit for citizenship. For example, he talks about Dr. Hideo Noguchi, one of the greatest names in American medical history, who gave his life in the research for a yellow fever cure. He could not become an American citizen. Neither could Dr. Jokichi Takamine, discoverer of adrenalin, whose son today is conducting experiments seeking a process for the production of penicillin.

There are others whom he names—10, 12, or 15 others of Japanese extraction, who cannot become American citizens today because of the present status of the law. There is Harry K. Shigeta, whom I know personally to be one of the outstanding commercial photographers in the Nation; yet he cannot become a citizen under the present law.

S. I. Hayakawa, who is a leading authority on semantics and a distinguished author, cannot become an American citizen.

There is Yasuo Kuniyoshi, who has been recognized as one of our greatest painters, the only living artist privileged to hold a one-man exhibit in the Whitney Art Museum in New York City. He cannot become an American citizen.

Hizi Koye is renowned throughout the country for playing the title role in Madam Butterfly. She is the only one in the cast of the San Carlo Opera Co., principal or member, who cannot become an American citizen. There are so many others who should be mentioned but must be omitted because of the shortage of my time.

In the last World War, no individual group in the entire United States Armed Forces distinguished itself more than the Four Hundred Forty-second Regimental Combat Team, which was comprised entirely of Japanese. It received more citations and medals, including the Congressional Medal of Honor and all other distinctions given to individuals for valor, than any other comparable unit—and I am informed it sustained as many casualties in killed and wounded as any other unit. Certainly its heroes, both living and dead, looked to the day when their country, and I mean the United States, would recognize the fact that above all else they are loyal Americans, fighting as Americans against the enemies of this country. These included, of course, their ancestral homeland, Japan.

It is a cynical paradox that these people should be designated aliens. They are Americans. Too long have they carried the unwarranted and discriminating burden of being a people apart from the remainder of the country. Just as they assumed the obligations of citizens by giving their blood, their lives, and their substance to protect our democratic ideals, so, comparably, are they entitled to the benefits which citizenship bestows. They are entitled to take their place in the community; to practice the professions which in many States are now denied to them because of their alien status; to vote, which is the ultimate recognition of citizenship, and to own property, which in many States as aliens they cannot do.

These people live here—they are as much a part of our society as you and I, and their ideals, their practices, their lives are in nowise alien or foreign to the greatest American democratic traditions. In this bill we are only doing that which we should have done long ago. We are extending the warm handclasp of friendship to a deserving group who make up a fine and necessary part of our community.

I hope sincerely that the bill will pass.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. MICHENER. Mr. Chairman, I yield the remainder of my time to the gentleman from Hawaii [Mr. FARRINGTON].

The CHAIRMAN. The gentleman from Hawaii is recognized for 6 minutes.

Mr. FARRINGTON. Mr. Chairman, there is no community under the American flag to whom this legislation means more than to the people of the Territory of Hawaii. There are several reasons for this; one is that we have living in Hawaii the best part of the people in this country who will be immediately affected by this legislation. There are more people of the Japanese race, the Korean race, Chinese race, the Filipino race, and of the Polynesian races situated in Hawaii than in the rest of the country put together, and I might say that most of them are American citizens already by reason of their birth in this country.

I wish to express on behalf of the people of the Territory our very deep appreciation to the members of this committee for the prompt manner in which they have reported this legislation. This will become an historical day in the Territory of Hawaii, and the adoption of this legislation will be something that will be heard on all sides of the Pacific. I say this advisedly because I have spent a lifetime among those people. I do not believe you can realize how much you will contribute to the good will of this country among people living in and around the Pacific by the adoption of this very constructive piece of legislation. It will greatly enhance the position of this country among them.

We of Hawaii are not opposed to the present law restricting immigration; on the contrary, we believe in the quota system; we do not believe in any leniency in the application of the naturalization laws; on the other hand, we believe they should be extremely strict. But we do believe that it is a great mistake from the standpoint of national policy for race to be a determining factor in immigration and naturalization policies, and our whole record exemplifies the soundness of that point of view.

Much has been made in the hearings and in the discussion in the House of the record of the Four Hundred and Forty-second Regimental Combat Team and the One Hundredth Infantry Battalion. I wish to point out, Mr. Chairman, that all of the members of the One Hundredth Infantry Battalion, the first Americans of Japanese extraction to be called into service, were natives of Hawaii. They were the product of the system of racial relationship that prevails in our Territory. They carried the torch and led in the great sacrifices which proved such an inspiration to the balance of their fellow citizens on the American mainland and won the praise and respect of all the people of the country.

It may be appropriately pointed out again, as it has been pointed out before, that on December 7, 1941, we had more than 160,000 people of the Japanese race,

both citizens and aliens, in Hawaii. Only those of us who were there during that tragic day and the period which followed it realized that the opportunities for sabotage and espionage were innumerable. You could scarcely walk down a street in the principal cities of the islands without finding them. And yet the records of the Army and Navy show there was not a single act of sabotage. Those people were loyal to this country. That was the reason for the record. I think that is one of the most dramatic demonstrations in the history of the proposition that citizenship is a matter not of race but of conscience and loyalty.

This act extends beyond that. It covers the people of Polynesia. We have had a large segment of the Polynesian people under the American flag ever since Hawaii was annexed. The native Hawaiians are Polynesians and the record attests to their ability to assimilate and become good American citizens.

To the south of the Hawaiian Islands, we have the Samoans, more Polynesians under the American flag. They are still nationals, and not citizens. And then there are the Guamanians. We have in Hawaii a considerable number of Samoans and Guamanians who can be given the privilege of citizenship under this bill, and they are certainly entitled to it.

One of the most distinguished scholars of Polynesia is Dr. Peter Buck, head of the Bishop Museum. Dr. Buck's father was Irish and his mother was a Maori of New Zealand. Dr. Buck could not become an American citizen because of the racial restrictions in our naturalization laws. That is but one of the innumerable illustrations of the unfairness of the present system.

I think that in the days immediately in front of us there is nothing we can do in the Pacific that will strengthen our position more than the adoption of this particular bill. This action will have far more attention in Manila, Tokyo, Canton, and Shanghai and the great cities of the Pacific than it will have in New York and in the East. We are on the Pacific frontier, we are in the current and cross-current of our relations with the people of that part of the world. May I say that the people will hold our country in a new and better regard as a result of this very constructive legislation.

The CHAIRMAN. The time of the gentleman from Hawaii has expired.

Mr. CELLER. Mr. Chairman, I yield myself 7 minutes.

Mr. Chairman, this bill has the approval of all departments interested, to wit, the State Department, War Department, Navy Department, and the Department of Justice. It has the unqualified approval of the White House. It does simple justice to all peoples who are legally resident in the United States.

The President in this Chamber on February 2 last had the following to say with reference to the naturalization features of this bill:

> All properly qualified legal residents of the United States should be allowed to become citizens without regard to race, color, religion or national origin. The Congress has recently removed the bars which formerly prevented persons from China, India, and the Philippines from becoming naturalized citizens. I urge the Congress to remove the remaining racial or nationality barriers which stand in the way of citizenship for some residents of our country.

We follow the advice of the President in that portion of the bill whereby we extend naturalization opportunities to all persons who are legally resident in this country, regardless of race, color or creed or national origin.

The bill offers nothing new in our basic policy.

We extend to all Asiatic peoples, as to immigration and naturalization, what we heretofore have done for China, India and Pakistan, and the Philippines. It is a good-neighbor policy for Asia. All Asiatics, here legally or who come here subsequently are eligible for naturalization, and to all Asiatics within the so-called Asia-Pacific triangle, we extend immigration quotas of 100 for each sovereignty, as we did for India and China.

Simple justice requires removal of these racial barriers.

Many of those benefited, that is, Japanese and Polynesians have been here legally for decades. They came before 1924, the date of the National Origins Immigration Act. Many of these gave their sons to our armed forces. Many of their sons died in the war effort. Yet their stigma of alienage cannot be removed. They cannot become citizens. It is unjust to withhold it any longer.

The ending of racial exclusion will provide concrete proof of American good will to all Asia that is awakening and is advancing in the modern spirit.

This bill does not increase the over-all totals of immigration that is possible. The total remains the same. About 1,400 will come in yearly and some 675 quota numbers are deducted from other quotas. That is, the quotas from Great Britain, France, Germany, Poland, Italy, and so forth, are each slightly reduced to compensate for the increased number of Asiatics that may enter.

As each new nation is proclaimed in the Asia-Pacific triangle a quota—token quota of 100 is set up by Presidential proclamation.

I was the author of the bill that removed the so-called India exclusion, and there was given the privilege to many Indians in this country to become naturalized citizens. In addition we set up a token quota of 100 to those persons born in India. The results from that bill have been startling and to our great advantage. Trade with India has been quickened; there has been a great improvement in cultural, political, and economic relations between the great Dominion of India and the United States. A treaty of friendship, commerce, and navigation will soon be consummated with India. Today there is not only a token quota of 100 from the people of India, but as the result of the declaration of independence of Pakistan, as the result of the truncation of Pakistan from India, Pakistan likewise gets a quota of 100. Prior thereto we removed the Chinese exclusion from our naturalization and immigration code, and we granted a token immigration to China. There was contained in the India immigration and naturalization bill a similar provision for the Philippines. What we have heretofore done for China and India and Pakistan and the Philippines we now seek to do for other Asiatic countries whose sovereignty or independence may be carved out of this so-called Asia-Pacific triangle. We do simple justice then to the Indonesians, to those of Siam, Ceylon, Korea, Burma, Japan, and so forth.

I am quite sure that with the great awakening in the Asiatic countries, countries which modern civilization has disregarded and passed over, as it were, in the past two centuries, there will come great good to the United States. Our relations from an economic and commercial standpoint, from a political standpoint, and from a spiritual standpoint will be greatly improved with all and sundry of those nations which will benefit by this act.

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc.—

NO DENIAL OR ABRIDGMENT OF NATURALIZATION BECAUSE OF RACE, SEX, OR MARITAL STATUS

SECTION 1. That section 302 of the Nationality Act of 1940, as amended (60 Stat. 416; 8 U. S. C. 702), is hereby amended to read as follows:

"SEC. 302. The privilege of becoming a naturalized citizen of the United States shall not be denied or abridged because of race or sex, or because a petitioner for naturalization is married."

Mr. MILLER of California. Mr. Chairman, I move to strike out the last word, and ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MILLER of California. Mr. Chairman, this is a good bill. This bill knocks in the head the theory of superior races. This bill is opposed to the theory advanced by Hitler's Germany and the war lords of Japan, and accepts the American theory of equality. It puts into effect the Christian principle of the dignity of man. Man was made in the likeness of his Maker, and the Christian theory does not teach that the pigments in a man's skin or his racial origin are a basis of judgment.

This is a good bill. It is a bill that will make for better understanding and peace, a better understanding of the peoples of the great Pacific Basin, whose good will we must cultivate and have. We on the Pacific coast know these people. We know the Japanese particularly. We are proud of their service to this country during the war. They were given the acid test and were not found wanting. I think the best evidence of that was established last year when the Board of Supervisors of the City of San Francisco passed a memorial urging the

adoption of the predecessor of this bill. An editorial later appeared in the San Francisco Chronicle, one of the oldest and foremost papers on the Pacific coast, urging the adoption of this bill.

I think this marks a new era in legislation of this type and character. That era commenced with the passage of the bill that set up the token Chinese quota. It was enhanced by the passage of the bill that set up the token quota for the East Indian people. We now complete it by removing immigration restrictions on the people of the Asia-Pacific triangle. This is a bill that, if enacted into law, will bring great good to this country in the future.

Mr. WALTER. Mr. Chairman, will the gentleman yield?

Mr. MILLER of California. I yield to the gentleman from Pennsylvania.

Mr. WALTER. I take this opportunity, and I am sure I am voicing the sentiments of the other members of the subcommittee of which I happen to be chairman, to say that we deeply appreciate the tremendous amount of work the gentleman has done on this measure and the great help he has been to the subcommittee in perfecting its provisions.

Mr. MILLER of California. I thank the gentleman.

Mr. CELLER. Mr. Chairman, I ask unanimous consent that the further reading of the bill be dispensed with and that the entire bill be open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The remainder of the bill is as follows:

REPEAL OF RACIAL RESTRICTIONS UPON NATURALIZATION

SEC. 2. Section 303 of the Nationality Act of 1940, as amended (60 Stat. 416; 8 U. S. C., Supp. 703), and section 2169, United States Revised Statutes, are hereby repealed.

AMENDING NONQUOTA PROVISIONS

SEC. 3. Section 4 (a) of the Immigration Act of 1924, as amended (43 Stat. 155; 44 Stat. 812; 45 Stat. 1009; 46 Stat. 854; 47 Stat. 656; 8 U. S. C. 204), is hereby amended to read as follows:

"(a) An immigrant otherwise chargeable to an annual quota of 200 or more, who is the unmarried child under 21 years of age, or the wife, or the husband, of a citizen of the United States: *Provided*, That the marriage shall have occurred prior to the issuance of the immigration visa and, in the cases of husbands of citizens, prior to January 1, 1948."

ENUMERATION OF PREFERENCES WITHIN QUOTAS; TIME FOR GIVING OF PREFERENCE; PERCENTAGE OF PREFERENCES

SEC. 4. Section 6, subdivisions (a) (1) and (c), of the Immigration Act of 1924, as amended (43 Stat. 155–156; 47 Stat. 656; 45 Stat. 1009; 8 U. S. C. 206), are hereby amended to read as follows:

"(a) Immigration visas to quota immigrants shall be issued in each fiscal year as follows:

"(1) Fifty percent of the quota for each quota area for such quota year shall be made available in such year for the issuance of immigration visas to the following classes of immigrants, without priority of preference as between such classes: (A) Quota immigrants who are the fathers or mothers of citizens of the United States who are 21 years of age or over, or who are the husbands of citizens of the United States by marriages occurring on or after January 1, 1948, or who are the wives, unmarried minor children, or husbands, of citizens of the United States, such immigrants being chargeable to an annual quota of less than 200; and (B) in the case of any quota area the quota for which is 300 or more, quota immigrants who are skilled in agriculture, and the wives, and the dependent children under the age of 18 years, of such immigrants skilled in agriculture, if accompanying or following to join them."

"(c) Within the preference and nonpreference classes provided within an annual quota, a priority up to 75 percent of the quota of any quota area to which aliens immigrating to the United States are chargeable under subdivision (b) of section 12 of this act shall be given to persons born and resident therein."

SEC. 5. Section 11 of the Immigration Act of 1924 (43 Stat. 159–160; 8 U. S. C. 211 (a)–211 (g)), is hereby amended to read as follows:

"NUMERICAL LIMITATIONS: ANNUAL QUOTA BASED UPON NATIONAL ORIGIN; MINIMUM QUOTAS

"SEC. 11. (a) The anual quota of any quota area, for the fiscal year beginning July 1, 1948, and for each fiscal year thereafter, shall be one-sixth of 1 percent of the number of inhabitants in continental United States in 1920 attributable by national origin to that quota area, which shall be ascertained as hereinafter provided in this section, but, notwithstanding the repeal of sections 2 and 3 of the act approved December 17, 1943, as amended (57 Stat. 600), the existing quotas for China and Chinese persons shall not be disturbed, and the minimum quota for any quota area shall be 100.

"DETERMINATION OF NATIONAL ORIGIN

"(b) For the purpose of subdivision (a) of this section national origin shall be ascertained by determining as nearly as may be, in respect of each quota area provided for under section 12 (except the countries specified in subdivision (c) of sec. 4), the number of inhabitants in continental United States in 1920 whose origin by birth or ancestry is attributable to such quota area. Such determination shall not be made by tracing the ancestors or descendants of particular individuals, but shall be based upon statistics of immigration and emigration, together with rates of increase of population as shown by successive decennial United States censuses, and such other data as may be found to be reliable.

"INHABITANTS IN CONTINENTAL UNITED STATES IN 1920

"(c) For the purposes of subdivision (a) the term 'inhabitants in continental United States in 1920' does not include (1) immigrants from the countries specified in subdivision (c) of section 4 or their descendants, (2) the descendants of slave immigrants, or (3) the descendants of American aborigines.

"DETERMINATION OF NATIONAL ORIGIN: PRESIDENTIAL PROCLAMATION OF QUOTAS

"(d) The determination provided for in subdivision (b) of this section shall be made by the Secretary of State, the Secretary of Commerce, and the Attorney General, jointly. In making such determination such officials may call for information and expert assistance from the Bureau of the Census. Such officials shall, jointly, report to the President the quota of each quota area, determined as provided in subdivision (a), and the President shall proclaim and make known the quotas so reported. Such proclamation shall be made on or before June 1, 1949, or as soon thereafter as may be feasible. Quotas proclaimed therein shall take effect on the first of the month next following the expiration of 30 days after the date of the proclamation. After the making of a proclamation under this subdivision the quotas proclaimed therein shall continue with the same effect as if specifically stated herein and shall be final and conclusive for every purpose, except (1) insofar as it is made to appear to the satisfaction of such officials and proclaimed by the President, that an error of fact not affecting the total of all quotas has occurred in such determination or in such proclamation, or (2) in the case provided for in subdivision (d) of section 12.

"IMMIGRATION VISAS LIMITED TO QUOTAS: MONTHLY ISSUE

"(e) There shall be issued to quota immigrants chargeable to any quota area (1) no more immigration visas in any fiscal year than the quota for such quota area, and (2) in any calendar month of any fiscal year no more immigration visas than 10 percent of the quota for such quota area.

"ISSUE OF VISA TO NONQUOTA IMMIGRANT AS QUOTA IMMIGRANT

"(f) Nothing in this act shall prevent the issuance (without increasing the total number of immigration visas which may be issued) of an immigration visa to an immigrant as a quota immigrant even though he is a nonquota immigrant."

SEC. 6. Section 12 of the Immigration Act of 1924 (43 Stat. 160–161; 8 U. S. C. 212 (a)–212 (e)) is hereby amended to read:

"DETERMINATION OF QUOTA TO WHICH AN IMMIGRANT IS CHARGEABLE

"SEC. 12. (a) For the purposes of this act, the annual quota to which an immigrant is chargeable shall be determined by birth within a 'quota area,' treating as a separate quota area each independent country, self-governing dominion, mandated territory, and territory under the international trusteeship system of the United Nations, and attributing to 'quota areas' all other inhabited lands other than those of the United States and its possessions and the countries specified in subdivision (c) of section 4, in a manner consistent with the intent of this act and approved by the Secretary of State, except that—

"(1) the quota area to which an unmarried child under 21 years of age not born in the United States or its possessions, accompanied by its alien parent or parents not born in the United States or its possessions, is chargeable may, in order to prevent the separation of the child from its parent or parents, be determined by the quota area of either parent if such parent is entitled to an immigration visa;

"(2) if a wife is chargeable to a different quota area from that of her alien husband and the entire number of immigration visas which may be issued to quota immigrants of her quota area for the calendar month has already been issued, the quota area to which she is chargeable may be determined by the quota area of her husband if she is accompanying him and he is entitled to an immigration visa, unless the total number of immigration visas which may be issued to quota immigrants chargeable to the quota area of the husband for the calendar month has already been issued. An immigrant born in the United States who has lost his United States citizenship shall be considered as having been born in the country of which he is a citizen or subject, or if he is not a citizen or subject of any country, then in the country from which he comes; and

"(3) notwithstanding the provisions of paragraphs (1) and (2) of this subdivision, any alien who is attributable by as much as one-half of his ancestry to a people or peoples indigenous to the Asia-Pacific triangle defined in subdivision (b) of this section, unless such alien is covered by subdivision (b), (d), (e), or (f) of section 4 of the Immigration Act of 1924, shall be chargeable to a quota as specified in subdivision (b) of this section.

"QUOTA AREAS WITHIN AN ASIA-PACIFIC TRIANGLE

"(b) With reference to determination of the quota to which shall be chargeable an alien immigrating to the United States who is attributable by as much as one-half of his ancestry to a people or peoples indigenous to the Asia-Pacific triangle comprising all quota areas and all colonies and other dependent areas situate wholly east of the meridian 60 degrees east of Greenwich, wholly west of the meridian 165 degrees west, and wholly north of the parallel 25 degrees south latitude; except for those classes of aliens specified in subsection (3) of subdivision (a) of this section—

"(1) there is hereby established, in addition to quotas for separate quota areas comprising independent countries, self-governing dominions, and territories under the international trusteeship system of the United Nations situate wholly within said Asia-Pacific triangle, an Asia-Pacific quota of 100 annually;

"(2) such alien born within a separate quota area situate wholly within said Asia-Pacific triangle shall not be chargeable to the Asia-Pacific quota, but shall be chargeable to the separate quota area in which he was born;

"(3) such alien born within a colony or other dependent area situate wholly within said Asia-Pacific triangle shall be chargeable to the Asia-Pacific quota;

"(4) such alien born outside the Asia-Pacific triangle who is attributable by as much as one-half of his ancestry to a people or peoples indigenous to not more than one separate quota area, situate wholly within the Asia-Pacific triangle, shall be chargeable to the quota of that quota area;

"(5) such alien born outside the Asia-Pacific triangle who is attributable by as much as one-half of his ancestry to a people or peoples indigenous to one or more colonies or other dependent areas situate wholly within the Asia-Pacific triangle, shall be chargeable to the Asia-Pacific quota;

"(6) such alien born outside the Asia-Pacific triangle who is attributable by as much as one-half of his ancestry to peoples indigenous to two or more separate quota areas situate wholly within the Asia-Pacific triangle, or to a quota area or areas and one or more colonies and other dependent areas situate wholly therein, shall be chargeable to the Asia-Pacific quota.

"LIMITATION UPON COLONIES AND OTHER DEPENDENT AREAS

"(c) Any alien immigrating to the United States born in a colony or other dependent area for which no separate quota has been established, unless a nonquota immigrant as provided in section 4 of the Immigration Act of 1924, shall be chargeable to the quota of the governing country: *Provided*, That not more than 100 persons born in any one colony or other dependent area shall be chargeable to the quota of its governing country in any 1 year, and except that such alien, if attributable by as much as one-half of his ancestry to a people or peoples indigenous to the Asia-Pacific triangle, shall be chargeable to a quota as provided in subdivision (b) of this section.

"PROVISION OF QUOTAS TO HAVE NO POLITICAL SIGNIFICANCE

"(d) The provision of an immigration quota for a quota area shall not constitute recognition by the United States of the transfer of territory from one country to another, or recognition of a government not recognized by the United States.

"REVISION OF QUOTAS NECESSITATED BY TERRITORIAL CHANGES

"(e) After the determination of quotas has been made as provided in subdivision (d) of section 11, revision of the quotas shall be made by such officials, jointly, whenever necessary, to provide for any change of boundaries resulting in transfer of territory from one sovereignty to another, a change of administrative arrangements of a colony or other dependent area, or any other political change requiring a change in the list of quota areas or of the territorial limits thereof, but any increase in the number of minimum quota areas above 50 shall result in a proportionate decrease in each minimum quota in order that the sum total of all minimum quotas shall not exceed 5,000."

ALIENS INELIGIBLE TO CITIZENSHIP NOT TO BE ADMITTED, ETC.

SEC. 7. Section 13 (c) of the Immigration Act of 1924 (43 Stat. 161–162; 46 Stat. 581; 8 U. S. C. 213 (c)) is hereby amended to read as follows:

"SEC. 13. (c) No alien ineligible to citizenship shall be admitted to the United States unless such alien (1) is admissible as a nonquota immigrant under the provision of subdivision (b) of section 4, or (2) is not an immigrant as defined in section 3."

AMENDING SECTION 321 A OF THE NATIONALITY ACT OF 1940

SEC. 8. Section 321A of the Nationality Act of 1940 (60 Stat. 417) is hereby amended to read as follows:

"Certificates of arrival or declarations of intention shall not be required of persons who were noncitizen nationals of the United States and were also citizens of the Commonwealth of the Philippines on July 3, 1946, and who entered the United States prior to May 1, 1934, and have since continuously resided in the United States."

GENERAL DEFINITIONS

SEC. 9. Section 28 of the Immigration Act of 1924 (43 Stat. 168–169; 8 U. S. C. 224) is hereby amended by amending subdivision (c) and adding a new subdivision (o) to read as follows:

"(c) The term 'ineligible to citizenship', when used in reference to any individual, includes an individual who is debarred from becoming a citizen of the United States under section 306 of the Nationality Act of 1940, as amended (54 Stat. 1141; U. S. C., title 8, sec. 706), or is or was so debarred under section 3 (a) of the Selective Training and Service Act of 1940, as amended (55 Stat. 845; U. S. C., title 50, App. Supp. III), or under any law amendatory of, supplementary to, or in substitution for, any such sections, or any other law which may disqualify aliens from citizenship;

"(o) The term 'nationality' relates to the quota area to which an immigrant is chargeable."

REPEAL PROVISIONS

SEC. 10. That portion of section 3 of the Immigration Act of February 5, 1917, as amended, which excludes aliens merely because they are natives of certain Pacific islands and of a portion of the continent of Asia from admission to the United States (8 U. S. C. 136 (n)); sections 2 and 3 of the act approved December 17, 1943, as amended (57 Stat. 600); sections 1, 4, and 5 of the act approved July 2, 1946 (60 Stat. 416); the act approved August 9, 1946 (60 Stat. 975); and all other acts or parts of acts inconsistent with this act are hereby repealed.

TIME OF TAKING EFFECT

SEC. 11. The provisions of this act which are considered by the Secretary of State and the Attorney General to be dependent upon the issuance of a new quota proclamation shall not take effect until such proclamation becomes effective.

With the following committee amendment:

Page 2, line 22, strike out lines 22, 23, 24, and 25, and insert in lieu thereof:

"SEC. 4. Section 6 of the Immigration Act of 1924 as amended (43 Stat. 155–156; 47 Stat. 656; 45 Stat. 1009; 8 U. S. C. 206) is hereby amended by amending subdivision (a) (1) and adding a new subdivision (c) to read as follows."

The committee amendment was agreed to.

Mr. JOHNSON. Mr. Chairman, I move to strike out the last seven words.

Mr. Chairman, I want to say a few words on behalf of this bill. We have had a long history of irritation and conflict with oriental peoples in California which I believe this bill will solve. As the gentleman from Minnesota [Mr. JUDD] mentioned a short time ago, we first had it during the gold-rush days and during the railroad construction days in the sixties and seventies. It finally culminated in 1893, I believe, when Mr. Geary, a Member of Congress from the First District authored the anti-Chinese legislation which was passed. Later on we had the Japanese problem. They were coming to California in great numbers prior to the First World War. We were fearful that because of their rapid increase in population, they would overwhelm the white race in California because of its low birth rate. I am frank to say that I was one of those who had that fear. In 1920 I was a member of the delegation from California which went to the national convention of the American Legion. The delegation was instrumental in having a resolution passed by the national convention of the American Legion providing that in the future no more immigrants should be allowed from those countries whose nationals were not eligible to become citizens. Later the 1924 Immigration Act was passed which excluded orientals from citizenship. But, curiously, time and evolution have solved the problem that worried us, which was based on the Japanese birth rate. In 1920 we projected the birth rate of Japanese forward about 50 years, and thought that in that period, due to their large families they would equal the white population. The result that followed, as far as the American-born Japanese were concerned, was that the Japanese became thoroughly Americanized. The best proof of it was that they began to have small families with 1, 2, or 3 children just like the white Americans. As they were educated and lifted their standards of living, they became more American in every way. Their birth rate decreased. For instance, Paul Scharrenberg, a great labor leader in California, advocated that they be given a quota and that we recognize that they were people who were worthy of becoming Americans, and that they had the capacity of becoming thoroughly Americanized in every way.

With the small quota provided in this bill we need have no fear that any of the group involved will flood our country. We will have to admit, I think, that this is a one-way street.

There are no Americans who want to migrate to Japan or to the islands of the Pacific, but those people will want to migrate to our country where they will have better opportunities for a broader and freer life.

We are trying to build good will around the world. I say to you like the gentleman from California [Mr. MILLER], my

predecessor in the well of the House, that you cannot do it by picking out certain races because of their color, nationality, or other reasons and barring them from the privileges that we accord to other peoples throughout the world. That is the merit of this legislation. By this legislation we are recognizing that this group of people are human beings just as we are. They are human beings just like the Germans, the Italians, the Scandinavians, and the Irish, who came to America and who have had a big part in making America what it is. If we accord this new group equal treatment, we hope that we will plant the seeds of friendship and the seeds of good will which will help us to build this world into a peaceful world. That is the all-important problem before our country, namely, to find some way to get stability in the world. We want to find some way to get peace in the world, and this is one step in that direction. That is why I favor this legislation. This step by us will give hope and happiness to many people in all parts of the world.

Mr. HOLIFIELD. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise in support of H. R. 199. I believe that this bill is a worthy one, and that its passage is long overdue. It seems to me that it is a matter of basic justice that we give to the permanent alien residents of the United States the right to become naturalized citizens. I am also in agreement with the principle that immigration quotas should be established for the people now excluded in the Asian and Pacific areas.

This bill will make it possible for the fathers, mothers, and other relatives of boys who served in the American armed forces in the recent World War II, to become American citizens. In my particular district, the largest racial group which will be affected will be those of Japanese ancestry. There are, at this time, living in my district, many of the Japanese-American veterans who won undying fame in the famous Four Hundred and Forty-second Regiment. There are also buried in the cemeteries of my district many of the Japanese-American soldiers who gave their lives in defense of our country.

Surely these boys have demonstrated their loyalty to the Government of the United States. Surely it is a matter of plain justice that their relatives be allowed to put on the cloak of citizenship of the country for which their sons fought and died.

I am personally acquainted with many of the Japanese-Americans who live in my district, and I want especially to mention the East Los Angeles Chapter of the Japanese-American Citizens League. I have met with these young people and have discussed their problems with them. I know that they are worthy citizens of our great country. Their loyalty and their ability to contribute in the years to come will aid greatly in carrying out the principles of our democracy. I am proud to have them as constituents of the Nineteenth Congressional District of California, and I am proud to stand on the floor today and ask my colleagues to vote for H. R. 199, which allows their relatives now residing in the United States to become naturalized citizens and establishes immigration quotas for other individuals from the land of their racial origin.

Mr. CARROLL. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield.

Mr. CARROLL. I want to compliment the gentleman for pointing out the real issue in this legislation. He has mentioned these men who fought so valiantly in the Four Hundred and Forty-second Regiment. It is significant that on last June 4 an impressive array of Army high brass, Members of Congress, and other Washington big league gathered at Arlington National Cemetery where they buried two of the so-called doughboys. It is one thing to array at the national cemetery, and it is another thing to pass legislation such as this which will give full faith and credit to the services of those splendid men. I commend you for your fine presentation.

Mr. HOLIFIELD. I thank the gentleman for his contribution. The number of the people affected in my district probably would not amount to over three or four hundred. There might be 500 in my congressional district. So they are not a great political factor in any election in my district. I do not come here to plead their cause from that standpoint. I plead their cause because I think that a principle of real democracy is involved in this question.

Historically, the people of the State of California have shown a great antipathy toward the Japanese people. A great deal of this antipathy goes back to the early gold-rush days, and more recently it was caused by their economic competition in the field of vegetable, fruit, and flower growing. Farm organizations and farmer groups were against the Japanese people because they could outproduce and outcompete in the field of agricultural production. But after the war was over and the Japanese-American people in California proved their loyalty to the country, that feeling began to die down. Now there are only just a few individuals here and there, and one or two rock-ribbed reactionary groups that are against this particular bill. Our great Los Angeles Chamber of Commerce is in favor of this particular bill with the limits of the committee amendments.

I am glad to support the bill at this time.

The CHAIRMAN. The time of the gentleman from California [Mr. HOLIFIELD], has expired.

Mr. POWELL. Mr. Chairman, I offer an amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. POWELL: On page 11, line 7, after the words "dependent area", insert "except those in the West Indian Archipelago."

Mr. POWELL. Mr. Chairman, to rise in the midst of this atmosphere and propose an amendment does not sit well on my conscience, because, frankly, I have never seen such a fine atmosphere of good will and brotherhood in terms of race relations since I have been in Congress, and I want to compliment everyone. I was just saying to one of my colleagues that 20 years ago a bill like this introduced in this body would have torn these seats up. I want to congratulate everyone for his wholehearted endorsement of this excellent bill.

But there happens to be inserted on page 11 of this bill a section which not only will perpetrate a rank injustice on a group of people who have proven themselves worthy of being United States citizens, but also it will have very grave repercussions in regard to our Western Hemisphere protection.

The chairman of our Judiciary Committee, and I am sure other members of the committee, including the author, the gentleman from Minnesota [Mr. JUDD], did not realize just what this section (c) really would accomplish. Section (c) takes people—and I am speaking just about the West Indies now—who have been coming into our country under the Empire quota and limits them to 100 per year.

Let me say that in the West Indies we have a group of people, stretching from Jamaica in the northern part to Trinidad in the south, who look more to the United States than they do to their mother countries. Last November and December I made an official tour of the West Indies and I know whereof I speak.

It so happens that in New York City alone during the past 25 years some 80,000 of these men and women from the West Indies have come and become outstanding citizens. The first Negro judge to be elected in New York City was a West Indian, Justice James Watson. Three of the leaders of the Democratic Party and two of the Republican Party in New York City are West Indians. The Commissioner of Housing of New York City is from the West Indies; the deputy commissioner of correction in New York City is a West Indian; the Civil Service Commissioner of New York City is a West Indian, and scores of others hold outstanding positions. Yet under this bill these people who have come in without any quota except under the quota of the British Empire are now limited to 100 per year.

Section (c) has no place in this act.

This act is designed to bring about good will with our neighbors in the Pacific; it is to remove an injustice we perpetrated against the orientals. Why bring in the West Indies? They have no place here. Mr. Chairman, we are bringing about good will in the Pacific, but we are breeding ill will right next door to ourselves, right off the coast of Florida, amongst our West Indian neighbors. This will stir up all kinds of resentment against our country. Whether a man be considered a Jamaican, a Dominican, or whatever island of the West Indian Archipelago he may come from, he is beginning to look increasingly to America more than he does to the country that may control his island. I say to you that we will do ourselves immense harm by retaining section (c) in this bill. These people are looking to this country for leadership and for opportunity. They are our neighbors; they live right next door to us. They are the same kind of people that we are. These islands can be jumping-off places for any type of ill will that a foreign nation would like to

bring against our Nation. These islands are bastions of defense. Would you tear these down with this ill-considered travesty on justice?

I am asking that you strike out section (c), for it has no place in the bill.

It is shocking that the Department of State specifically asked for this exclusion of Negro people. Maybe the Democratic Party, the White House, and the State Department do not know that the campaign to support Mr. Truman was led and financed to a great degree by people of West Indian descent. Is this their reward? I predict a wholesale desertion of West Indian Democrats if this clause is retained. It is an uncalled for slap in the face. It will break up the family life of hundreds who are here and are expecting to bring their loved ones. I place the blame today squarely on my party if it refuses to pass my amendment.

Mr. CAVALCANTE. Mr. Chairman, will the gentleman yield?

Mr. POWELL. I yield.

Mr. CAVALCANTE. Do I understand that the present English quota is predicated upon the population of the entire British Commonwealth?

Mr. POWELL. That is right; the whole commonwealth.

Mr. CAVALCANTE. If this section is accepted will it increase the quota of the British?

Mr. POWELL. Oh, no, indeed. All this amendment would do would be to hold the status quo, let it remain.

Mr. CAVALCANTE. The gentleman misses the point. The present quota that has been established for England includes the West Indies.

Mr. POWELL. That is right.

Mr. CAVALCANTE. Whatever they are allowed is chargeable to the British. All of the immigration from the West Indies is chargeable to the present quota.

Mr. POWELL. It used to be that way.

Mr. CAVALCANTE. Under this bill it is still chargeable to it.

Mr. POWELL. No. That is what some members of the committee did not understand.

Mr. CAVALCANTE. But if the gentleman's amendment is agreed to the present British quota will stand?

Mr. POWELL. It will stand.

Mr. CAVALCANTE. And you add some more.

Mr. POWELL. Oh, no. The gentleman is wrong.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. POWELL. Mr. Chairman, I ask unanimous consent to proceed for two additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. POWELL. No. That is where you are wrong. If this bill is passed England will still have the same quota but no longer will people of the colonies be able to use that quota. In other words, more Englishmen will be able to come in, in fact, they will be the only people who will be allowed to come in outside of the quota from each colony. That is not even fair to take a colony like Jamaica with 1,500,000 people and another one with a population of 15,000 and give to each 100. Why have a quota of 100 for a colony with a population of 1,500,000 and also a quota of 100 for a colony with a population of only 15,000? That is not right.

I ask for support of my amendment.

Mr. WALTER. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from New York.

Mr. Chairman, the gentleman from New York is in error when he takes the position that the subcommittee of the Committee on the Judiciary was not aware of what the situation was when this particular section was included in the bill. We were well aware of what the situation was and in writing a bill providing for equality under our naturalization and immigration laws we certainly did not think that that was being carried out where the West Indies could use the largest quota, and are using, according to the statement of the gentleman from New York, the largest quota provided for any nation in the world, the quota for Great Britain. The British quota is approximately 66,000. The gentleman from New York stated a moment ago that in recent years about 80,000 people have come to New York City from the West Indies. The Committee on the Judiciary does not think that is equality and in writing this legislation we were trying to devise a formula that would provide equality, not a very distinct advantage for any group of people in the world.

Mr. Chairman, I ask that the amendment be voted down.

Mr. POWELL. Mr. Chairman, will the gentleman yield?

Mr. WALTER. I yield to the gentleman from New York.

Mr. POWELL. The 80,000 who now live in New York City have come in over a period of 25 years, since World War I. You never can get equality by discrimination. You are definitely discriminating against a group of people who are coming in to give equality to others.

Mr. WALTER. It certainly is not a case of discrimination when you treat that group in the same manner as you treat every other group in the world.

Mr. POWELL. Yes; it is.

Mr. WALTER. That is not discrimination.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. MARCANTONIO. Mr. Chairman, I rise in support of the amendment offered by the gentleman from New York [Mr. POWELL].

Mr. Chairman, the gentleman from New York [Mr. POWELL] has stated the case on behalf of his amendment. I now point out the realities of the language on page 11. The people from the West Indies have been migrating to the United States by simply qualifying as to health and public-charge provisions of the immigration law. Their entrance into the United States has been chargeable to the quota of Great Britain, which is approximately 66,000 a year. This has been the situation under the Immigration Act of 1924 and the result has been that thousands of Negroes from the West Indies have been immigrating to the United States. The language of the bill on page 11 definitely puts a halt to this immigration and limits the immigration from the West Indies to 100 annually. This is rank discrimination against immigration of Negroes from the West Indies.

The gentleman from New York [Mr. POWELL] has told you of the achievements of these people in our city. They have made fine citizens. Now in a bill in which you say you are adjusting the inequalities that exist against people in the Asia-Pacific triangle, under the pretext of an equality which is false, you say to the Negro people of the British West Indies, "No longer will we permit thousands of you to enter, but only 100 of you a year can come to these United States." This is not equality. It is foul discrimination sold to this Congress with devious, sanctimonious, and hypocritical double talk about equality. You can double talk about equality all you want, but you will not convince the American people that equality means the revision of the standards downward or the limitation of the existing rights of any people. Equality is achieved by revising upward and equalizing upward of those groups that are far below the standard. Here you are revising downward and you are practically abolishing immigration from a country without reason.

The language of equality that you use here is artificial; it is strained, and it is a clear distortion to bring about what certain elements within the State Department, and elements right here in the House, want, and that is to prohibit the entrance of Negroes into the United States.

Mr. WALTER. Mr. Chairman, will the gentleman yield?

Mr. MARCANTONIO. I yield to the gentleman from Pennsylvania.

Mr. WALTER. Does not the gentleman feel that under the language of this amendment there would be no quota whatsoever on these West Indians? If the amendment were down on line 12, after "dependent area," then the situation would be met by what the gentleman from New York is talking about.

Mr. MARCANTONIO. Would the gentleman agree to such an amendment?

Mr. POWELL. I agree to that.

Mr. MARCANTONIO. Will the committee agree to such an amendment at that place in the bill?

Mr. POWELL. Will the committee agree to it?

Mr. CELLER. I do not think the committee can express itself now, but individual Members might express themselves. Putting that language after the word "area" and before the word "shall" on page 11, line 12, would have the effect of removing quotas from those from the West Indian Archipelago. They would come in as nonquota, and they would not be chargeable to the 100 token quota or the quotas from other countries.

Mr. WALTER. Mr. Chairman, will the gentleman yield?

Mr. MARCANTONIO. I yield to the gentleman from Pennsylvania.

Mr. WALTER. In other words, you would add by the adoption of this amendment all of these nonquota emigrants to

the 66,000 already provided for in the British quota.

Mr. MARCANTONIO. Does the gentleman from New York want to make a unanimous-consent request in order to make certain that the objective of his amendment will be carried out; to keep the status quo with respect to immigration from the West Indies and not to add to the British quota?

Mr. POWELL. Through you, I would like to thank the gentleman from Pennsylvania for his observation, and ask unanimous consent to change my amendment, as follows: Page 11, line 12, after "dependent area", insert "except those in the West Indian Archipelago."

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

Mr. MICHENER. Mr. Chairman, on a point of order I think the right way to proceed would be to have the gentleman withdraw his amendment and offer a new one.

The CHAIRMAN. That may be done, I will say to the gentleman from Michigan.

Mr. MARCANTONIO. Mr. Chairman, the point of order should be overruled. The gentleman from New York [Mr. POWELL] need not withdraw his amendment. I submit that the unanimous-consent request has been agreed to, and therefore all that has to be done now is for the Clerk to carry out the directions of the unanimous-consent request.

The CHAIRMAN. The gentleman is correct, but the Chair does not see that the unanimous-consent request is in conflict with the right to ask unanimous consent to withdraw the amendment.

Mr. MARCANTONIO. The gentleman is not withdrawing his amendment, and his amendment has been modified, pursuant to the directions contained in a unanimous-consent request.

The CHAIRMAN. The Clerk will report the modified amendment.

The Clerk read as follows:

Modified amendment: On page 11, line 12, after "dependent area", insert "except those in the West Indian Archipelago."

Mr. MARCANTONIO. Mr. Chairman, the arguments made in support of the amendment before the change was made are equally applicable to the amendment as modified. The situation has not been changed by the change of the place in this bill where the amendment is to be inserted. In other words, the amendment as it now reads prevents discrimination against Negro immigration from the West Indies. So if we want to adhere to the alleged spirit of the bill, to remove discrimination with respect to citizenship because of race, color, or creed, let us adopt this amendment and thereby remove that language from this bill, which is intended, and I repeat intended to, and will discriminate against the Negro people in the British West Indies and the Negro people in the United States.

Mr. JAVITS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise in order to address a question to the chairman of the subcommittee which considered this legislation, the gentleman from Pennsylvania, who is a distinguished lawyer and very well able to answer regarding the legal problems involved.

Is it not a fact that if Great Britain or France or Portugal or any other country is affected in its judgment adversely by the utilization of its quota in the West Indies or any other colony which it possesses, it could, by denying to its people in the colonies or in the homeland passports, effectively control the utilization of its own quota? Hence, by doing what we are trying to do here, are we not really depriving the government of that country of the ability to determine the disposition of the quota allocated to it as a nation intra its own homeland and its own colonies?

Mr. WALTER. As to the first part of the gentleman's double-barreled question, there is no doubt that that is a fact, but as to depriving other nations of their rights, there certainly is nothing in the immigration laws of the United States giving any nation the right to state how many people can or cannot come to the United States. However, as to withholding exit permits, we see that done every day, particularly in the countries behind the iron curtain.

Mr. JAVITS. In other words, the gentleman does agree that any nation, including Great Britain, could regulate the outflow of immigration to the United States from the West Indies or any other colony without any such provision as this in our law?

Mr. WALTER. There is no question about it.

Mr. JAVITS. I thank the gentleman very much.

Mr. JUDD. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, it has been said here that this bill is merely an oriental act to remove an injustice with respect to peoples in the Far East. That is not an accurate statement. It is a bill to provide for equality under our immigration and naturalization laws.

I may say that the provision this amendment seeks to change was not in the bill when I originally introduced it. It does limit the number of people who can come in from the area under discussion. But there are also other limitations in the bill now that were not in it when I originally introduced it. One of these reduces the number of people who can come from China, and I do not think anybody would accuse me of being anti-Chinese. Another reduces the number who can come from the Philippine Islands.

The bill takes away certain special privileges that we gave to the Chinese in the Chinese Wives Act of 1946. It takes away certain special privileges given to the Filipinos in the bill passed in 1946 granting them a quota. I do not like those limitations. They take away part of what we gave only 3 years ago. But they are fair. As I got deeper into the subject, I decided that the matter was bigger than just an oriental act. The first and most important objective is to make it an act, as the gentleman from Pennsylvania well said, to establish equality. If the amendment of the gentleman from New York were to carry, it would provide a special privilege for a certain group of immigrants and you would have to strike out the word "equality" from the phrase "a Bill providing for Equality under Naturalization and Immigration Laws." The bill does provide some limitations not in existing law, just as it removes some restrictions. You perhaps can use words to make it appear that it is a discrimination against those people in the British West Indies. But I cannot agree.

It does not take them below the level of equality. It takes away certain special privileges that they have had, and thereby brings them to the level of equality. This is an attempt to establish what I know the gentleman wants with all his heart, genuine equality, under law for all people in the world. Therefore, I must ask that his amendment be defeated.

Mr. COLMER. Mr. Chairman, will the gentleman yield?

Mr. JUDD. I yield.

Mr. COLMER. If the amendment were adopted, what really would happen would be that the people from the West Indies would be given a preference over all other people under the bill. Is that not correct?

Mr. JUDD. Precisely.

Mr. GOSSETT. Mr. Chairman, will the gentleman yield?

Mr. JUDD. I yield to the gentleman from Texas who has done so much to develop and promote this bill.

Mr. GOSSETT. If this amendment were adopted, it would throw the whole bill out of kilter, so to speak, and destroy the basic philosophy of this act, would it not?

Mr. JUDD. That is right. The gentleman will remember that on line 9 of my original bill there were the words "other dependent areas except the Philippine Islands." We had an exception for the Philippine Islands. That was in my original bill because I assumed the right thing was to maintain the status of all those who had immigration privileges while extending them to those who were denied them. But I agreed with the committee that the truly fair thing was to put all on a basis of equality under a uniform formula. Therefore, as the gentleman knows, I rewrote the bill, and among other things struck out that section which continued certain special privileges for Filipinos and the Chinese. Probably the Filipinos will not like it. Probably the Chinese in this country desiring wives from China on a nonquota basis will not like it. Probably the Jamaicans will not like it. I do not like it myself, but it is fair and equal and our first job is to establish equality.

Mr. GRAHAM. Mr. Chairman, will the gentleman yield?

Mr. JUDD. I yield.

Mr. GRAHAM. As a matter of fact, was it not the State Department's suggestion—the very language that we have put into the bill?

Mr. JUDD. Yes; it was, and it was approved by both the State Department and the Department of Justice, who administer our immigration and naturalization laws.

Mr. GOSSETT. Mr. Chairman, will the gentleman yield?

Mr. JUDD. I yield.

Mr. GOSSETT. If we are going to destroy the equality which runs through this bill, then I must be against it. I have been in favor of the bill because it sets up equality, but when you take that out, I am against the bill.

Mr. JUDD. I feel strongly that this amendment should be defeated. I recognize the hardship in the individual cases of which the author of the amendment speaks the same as I recognize the hardship in the cases involving Chinese and Filipinos. But I am sure that if the gentleman will go to his own Jamaican immigrants, or the people from the West Indian Archipelago areas and explain to them the total situation, they will see that exactly what the bill does is to remove a historic injustice, and for the first time since 1924, make every human being on earth equal with other human beings under the laws of the United States with respect to immigration and naturalization.

Mr. POWELL. Mr. Chairman, will the gentleman yield?

Mr. JUDD. I yield.

Mr. POWELL. Under this amendment which I have offered, if it is passed, we do not let the people from the West Indies come in willy-nilly.

Mr. JUDD. No.

Mr. POWELL. They all have to meet personal qualifications. Furthermore, the government of that particular island will be in charge of how many leave, or do not leave, and if the British Government does not want anyone to leave, they cannot leave.

Mr. JUDD. I do not think that is wholly true.

Mr. POWELL. That is true.

Mr. JUDD. I am surprised that the gentleman is advocating the totalitarian system of forbidding people to leave an area who want to leave it, for whatever reason, perhaps political persecution. A truly free country does not prevent any noncriminal from leaving it, although it may not give him a passport permitting reentry.

I am surprised that the gentleman should advocate the police state system. I am not in favor of a system whereby people who want to leave a country should be prevented by the country in power from leaving.

Mr. POWELL. I agree with the gentleman.

Mr. JUDD. One of the glories of America is that she has been a haven for political refugees. But I do not want the limitations on immigration to our country to be determined by the country from which they come. That is the principle involved here. I hope the amendment offered by the gentleman will be defeated.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

The question is on the amendment offered by the gentleman from New York [Mr. POWELL].

The question was taken; and on a division (demanded by Mr. POWELL) there were—ayes 19, noes 118.

So the amendment was rejected.

Mr. WHITE of Idaho. Mr. Chairman, under permission granted me, I include the following telegrams:

IDAHO FALLS, IDAHO, *February 28, 1949.*
Hon. COMPTON I. WHITE,
House of Representatives,
Washington, D. C.:

We request your support of H. R. 199, naturalization and immigration bill, coming out on House floor Tuesday March 1. We heartily endorse this legislation as we strongly oppose racial discrimination in present naturalization and immigration laws.

JOE CALL,
President, Chamber of Commerce.

IDAHO FALLS, IDAHO, *February 28, 1949.*
Hon. COMPTON I. WHITE,
House of Representatives,
Washington, D. C.:

Endorse and support H. R. 199, naturalization and immigration bill.

DEON S. SEEDALL,
National Democratic Committeeman.

IDAHO FALLS, IDAHO, *February 28, 1949.*
Hon. COMPTON I. WHITE,
House of Representatives,
Washington, D. C.:

We understand H. R. 199, naturalization and immigration bill, will come on House of Representatives floor for debate, Tuesday, March 1. We urge your support of this bill as we believe it will eradicate present discriminating in immigration laws which is against our democratic principles.

Mayor E. W. FANNING,
Idaho Falls, Idaho.

NAMPA, IDAHO, *February 28, 1949.*
Congressman COMPTON I. WHITE, of Idaho,
House of Representatives Office Building:

Please give earnest support toward passage of H. R. 199, naturalization and immigration bill.

M. YAMADA.

IDAHO FALLS, IDAHO, *February 28, 1949.*
Hon. COMPTON I. WHITE,
House of Representatives,
Washington, D. C.:

As members of the League of Women Voters in opposition to racial discrimination, we urge the passage of bill H. R. 199.

Mrs. K. D. Rose, Mrs. John M. Homer, Mrs. Henry Bennett, Mrs. George G. Harris, Mrs. A. J. Christensen, Mrs. Fred Ochi, Mrs. Parley Rigby.

MIDDLETON, IDAHO, *February 28, 1949.*
Representative COMPTON I. WHITE,
House of Representatives Office Building:

We ask your support of House bill 199.

IRVING W. CORNELL.

POCATELLO, IDAHO, *February 26, 1949.*
Hon. COMPTON I. WHITE,
House Office Building,
Washington, D. C.:

We urge your support of H. R. 199 naturalization and immigration bill. Over 60 Americans of Japanese ancestry from this community served in World War II on every battlefront. Seven boys made the supreme sacrifice. These services were rendered and lives given in defense of principles that stand for democracy among which is the right to equality.

POCATELLO JAPANESE AMERICANS CITIZENS LEAGUE.

NAMPA, IDAHO, *March 1, 1949.*
Congressman COMPTON WHITE,
House of Representatives,
House Office Building,
Washington, D. C.:

Reference H. R. 199 would greatly appreciate your personal efforts toward successful passage. In respect to the 33,000 Japanese-Americans who served with distinction in our armed forces as well as the good citizenship and loyalty displayed by their parents. Feel that the traditional American spirit of equality and fair play should be upheld by passage of H. R. 199.

BOISE VALLEY CHAPTER, JAPANESE-AMERICAN CITIZENS LEAGUE,
GEORGE ISHIHARA, *President.*

IDAHO FALLS, IDAHO, *February 28, 1949.*
Hon. COMPTON I. WHITE,
House of Representatives,
Washington, D. C.:

We have information that H. R. 199 naturalization and immigration bill will come on House of Representatives floor Tuesday, March 1. We express our hearty endorsement of this legislation which provides for equality of races in our immigration and naturalization laws the only step consistent with democratic principles. We urge your support.

PARLEY RIGBY,
Postmaster, Idaho Falls, Idaho.

PARMA, IDAHO, *February 28, 1949.*
Hon. COMPTON I. WHITE,
House of Representatives,
Washington, D. C.:

I personally believe that H. R. 199 deserves your vote. Japanese that will come under it, that I know are of the type that will make good citizens.

GUY A. DOUGLAS.

NAMPA, IDAHO, *March 1, 1949.*
Congressman COMPTON WHITE,
House of Representatives,
House Office Building,
Washington, D. C.:

We, the members of the Boise Valley Chapter, Japanese-American Citizens League request your earnest support and personal efforts toward passage of H. R. 199 naturalization and immigration bill. We feel our parents are entitled to these rights because of their display of good citizenship and also for our boys of the Four Hundred Forty-second and One Hundredth Battalion who fought so courageously believing that their parents would eventually obtain rights of citizenship guaranteed by our Constitution.

BOISE VALLEY CHAPTER, JAPANESE-AMERICAN CITIZENS LEAGUE.

The CHAIRMAN. If there are no further amendments, under the rule, the Committee will rise.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. HART, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 199) to provide the privilege of becoming a naturalized citizen of the United States to all immigrants having a legal right to permanent residence, to make immigration quotas available to Asian and Pacific peoples, and for other purposes, pursuant to House Resolution 121, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. MARCANTONIO. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. MARCANTONIO. I am, in its present form, Mr. Speaker.

The SPEAKER. The gentleman qualifies. The Clerk will report the motion.

The Clerk read as follows:

Mr. MARCANTONIO moves to recommit the bill, H. R. 199, to the Committee on the Judiciary, with instructions to report the bill forthwith, with the following amendment:

"Page 11, line 12, after the word 'area', insert 'except those in West Indies Archipelago.'"

Mr. CELLER. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The question was taken, and the Speaker announced the noes appeared to have it.

Mr. MARCANTONIO. Mr. Speaker, I object to the vote on the ground that a quorum is not present, and I make the point of order that a quorum is not present.

The SPEAKER. The Chair will count. [After counting.] One hundred and ninety-two Members are present; not a quorum.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 39, nays 336, not voting 59, as follows:

[Roll No. 22]

YEAS—39

Addonizio	Granahan	Pfeifer Joseph L.
Barrett, Pa.	Hand	Philbin
Blatnik	Heller	Powell
Buckley, N. Y.	Javits	Quinn
Burdick	Keogh	Rodino
Cavalcante	Klein	Rooney
Christopher	Lynch	Sadowski
Chudoff	McCarthy	Taurielio
Clemente	McGrath	Wagner
Crosser	McSweeney	Wier
Davies, N. Y.	Marcantonio	Young
Dawson	Morris	
Dollinger	O'Brien, Mich.	
Gorski, N. Y.	O'Hara, Ill.	

NAYS—336

Abbitt	Bonner	Combs
Abernethy	Bosone	Cooley
Albert	Boykin	Cooper
Allen, Calif.	Bramblett	Corbett
Allen, La.	Breen	Cotton
Andersen, H. Carl	Brehm	Cox
	Brooks	Crawford
Andresen, August H.	Brown, Ga.	Crook
	Brown, Ohio	Cunningham
Andrews	Bryson	Curtis
Angell	Buchanan	Davis, Ga.
Arends	Buckley, Ill.	Davis, Wis.
Aspinall	Burke	Deane
Auchincloss	Burleson	Denton
Barden	Burton	D'Ewart
Baring	Byrne, N. Y.	Dolliver
Barrett, Wyo.	Byrnes, Wis.	Dondero
Bates, Ky.	Canfield	Donohue
Battle	Cannon	Doughton
Beall	Carlyle	Durham
Beckworth	Carnahan	Eaton
Bennett, Fla.	Carroll	Eberharter
Bennett, Mich.	Case, N. J.	Elliott
Bentsen	Case, S. Dak.	Ellsworth
Biemiller	Celler	Elston
Bishop	Chelf	Engel, Mich.
Blackney	Chesney	Engle, Calif.
Bloom	Chiperfield	Evins
Boggs, Del.	Church	Fallon
Boggs, La.	Clevenger	Feighan
Bolling	Cole, Kans.	Fenton
Bolton, Md.	Cole, N. Y.	Fisher
Bolton, Ohio	Colmer	Flood
Forand	Kunkel	Potter
Ford	Lane	Preston
Frazier	Lanham	Priest
Fugate	Larcade	Rabaut
Furcolo	Latham	Rains
Gamble	LeCompte	Ramsay
Garmatz	LeFevre	Rankin
Gary	Lemke	Redden
Gillette	Lesinski	Reed, Ill.
Golden	Lichtenwalter	Reed, N. Y.
Goodwin	Lind	Rees
Gordon	Linehan	Rhodes
Gore	Lodge	Ribicoff
Gorski, Ill.	Lovre	Rich
Gossett	Lucas	Riehlman
Graham	Lyle	Rogers, Fla.
Granger	McConnell	Rogers, Mass.
Grant	McCulloch	Sabath
Gregory	McDonough	Sadlak
Gross	McGregor	St. George
Gwinn	McGuire	Sanborn
Hagen	McKinnon	Sasscer
Hale	McMillan, S. C.	Scott, Hugh D., Jr.
Hall, Edwin Arthur	McMillen, Ill.	Scrivner
	Mack, Ill.	Scudder
Hall, Leonard W.	Mack, Wash.	Secrest
	Macy	Shafer
Halleck	Madden	Sheppard
Harden	Magee	Sikes
Hare	Mahon	Simpson, Ill.
Harris	Mansfield	Simpson, Pa.
Harrison	Marsalis	Sims
Hart	Marshall	Smathers
Harvey	Martin, Iowa	Smith, Kans.
Hays, Ark.	Martin, Mass.	Smith, Va.
Hays, Ohio	Mason	Smith, Wis.
Hébert	Meyer	Spence
Hedrick	Michener	Stanley
Heffernan	Miles	Steed
Herlong	Miller, Calif.	Stefan
Herter	Miller, Md.	Stigler
Heselton	Miller, Nebr.	Stockman
Hill	Mills	Sullivan
Hinshaw	Mitchell	Sutton
Hobbs	Monroney	Taber
Hoeven	Morgan	Tackett
Hoffman, Mich.	Morrison	Talle
Holifield	Moulder	Thomas, Tex.
Holmes	Multer	Thompson
Hope	Murdock	Thornberry
Horan	Murphy	Tollefson
Howell	Murray, Tenn.	Towe
Hull	Murray, Wis.	Trimble
Irving	Nelson	Underwood
Jackson, Calif.	Nicholson	Van Zandt
Jackson, Wash.	Nixon	Velde
Jacobs	Noland	Vorys
James	Norblad	Vursell
Jenkins	Norrell	Wadsworth
Jennings	Norton	Walter
Jensen	O'Brien, Ill.	Weichel
Johnson	O'Hara, Minn.	Welch, Calif.
Jonas	O'Konski	Welch, Mo.
Jones, Ala.	O'Neill	Werdel
Jones, N. C.	O'Sullivan	Wheeler
Judd	O'Toole	White, Calif.
Karst	Pace	White, Idaho
Karsten	Passman	Whitten
Kean	Patman	Whittington
Kearns	Patten	Wickersham
Keating	Patterson	Wigglesworth
Kee	Perkins	Williams
Keefe	Peterson	Wilson, Tex.
Kelley	Pfeiffer, William L.	Wolcott
Kennedy	Phillips, Calif.	Wolverton
Kerr	Phillips, Tenn.	Wood
Kilburn	Pickett	Woodhouse
Kilday	Plumley	Woodruff
King	Poage	Worley
Kirwan	Polk	Yates
Kruse		

NOT VOTING—59

Allen, Ill.	Fernandez	Richards
Anderson, Calif.	Fogarty	Rivers
Bailey	Fulton	Scott, Hardie
Bates, Mass.	Gathings	Short
Bland	Gavin	Smith, Ohio
Bulwinkle	Gilmer	Somers
Burnside	Green	Staggers
Camp	Hardy	Taylor
Chatham	Havenner	Teague
Coffey	Hoffman, Ill.	Thomas, N. J.
Coudert	Huber	Vinson
Dague	Jenison	Walsh
Davenport	Jones, Mo.	Whitaker
Davis, Tenn.	Kearney	Willis
DeGraffenried	McCormack	Wilson, Ind.
Delaney	Merrow	Wilson, Okla.
Dingell	Morton	Winstead
Douglas	Poulson	Withrow
Doyle	Price	Zablocki
Fellows	Regan	

So the motion to recommit was rejected.

The Clerk announced the following pairs:

General pairs until further notice:

Mr. Staggers with Mr. Allen of Illinois.
Mr. Davenport with Mr. Poulson.
Mrs. Douglas with Mr. Hardie Scott.
Mr. Walsh with Mr. Gavin.
Mr. Richards with Mr. Fellows.
Mr. Green with Mr. Coudert.
Mr. Huber with Mr. Short.
Mr. deGraffenried with Mr. Smith of Ohio.
Mr. Whitaker with Mr. Jenison.
Mr. Vinson with Mr. Anderson of California.
Mr. Dingell with Mr. Taylor.
Mr. Delaney with Mr. Kearney.
Mr. Teague with Mr. Dague.
Mr. Price with Mr. Morton.
Mr. Fogarty with Mr. Merrow.
Mr. McCormack with Mr. Bates of Massachusetts.
Mr. Regan with Mr. Wilson of Indiana.

Mr. ADDONIZIO changed his vote from "nay" to "yea."

Mr. CLEMENTE changed his vote from "nay" to "yea."

Mr. CROSSER changed his vote from "nay" to "yea."

Mr. O'HARA of Illinois changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

COMMITTEE ON PUBLIC LANDS

Mr. MURDOCK. Mr. Speaker, I ask unanimous consent that the Committee on Public Lands may have permission to sit tomorrow during general debate.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

SPECIAL ORDER GRANTED

Mr. BLATNIK. Mr. Speaker, I ask unanimous consent that on tomorrow, following the regular business of the day and any special orders heretofore granted, I may address the House for 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota [Mr. BLATNIK]?

There was no objection.

EXTENSION OF REMARKS

Mr. WHITE of Idaho. Mr. Speaker, I have a number of telegrams in support of the bill just passed. I ask unanimous consent that they may be inserted in the RECORD just before the Committee rose.

The SPEAKER. Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. MITCHELL asked and was granted permission to extend his remarks in the RECORD in two instances.

Mr. CARROLL asked and was granted permission to extend his remarks in the RECORD and insert two editorials.

Mr. MULTER asked and was granted permission to extend his remarks in the RECORD in three instances and include extraneous matter.

Mr. BOLLING asked and was given permission to extend his remarks in the Appendix of the RECORD and include three editorials.

Mr. HEFFERNAN asked and was given permission to extend his remarks in the Appendix of the RECORD and include extraneous matter.

Mr. HAYS of Arkansas asked and was given permission to extend his remarks in the Appendix of the RECORD in two instances and include excerpts from newspapers.

Mr. VAN ZANDT asked and was given permission to extend his remarks in the Appendix of the RECORD and include a letter from Mr. Omar R. Ketchum, legislative director of the Veterans of Foreign Wars, explaining the veterans' pension issue.

Mr. McDONOUGH asked and was given permission to revise and extend the remarks he made in the Committee of the Whole this afternoon and to include extraneous matter; also to extend his remarks in the Appendix of the RECORD and include an editorial.

Mr. JUDD asked and was given permission to extend his remarks in the Appendix of the RECORD in two separate instances and in each to include an article.

Mr. DONDERO asked and was given permission to extend his remarks in the Appendix of the RECORD and include a statement.

Mr. EDWIN ARTHUR HALL asked and was given permission to extend his remarks in the Appendix of the RECORD and include a resolution introduced in the New York State Assembly by Assemblyman Richard H. Knauf.

Mr. PATTERSON asked and was given permission to extend his remarks in the Appendix of the RECORD.

Mr. ELSTON asked and was given permission to extend his remarks in the Appendix of the RECORD and include an editorial from the Cincinnati Inquirer.

Mr. SADOWSKI asked and was given permission to extend his remarks in the Appendix of the RECORD in three separate instances and in each to include excerpts.

SPECIAL ORDER GRANTED

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that on tomorrow and on Friday, after the other special orders, I may address the House for 25 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

CALENDAR WEDNESDAY

Mr. PRIEST. Mr. Speaker, I ask unanimous consent that business in order on Calendar Wednesday this week may be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

CITY AND COUNTY OF SAN FRANCISCO

Mr. BYRNE of New York. Mr. Speaker, I ask unanimous consent for the immediate consideration of S. 198, for the relief of the city and county of San Francisco. This is identical with a similar House bill, H. R. 1509, which passed a week ago last Monday.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object—and I shall not, but simply for the record—this is being done because the other body is not functioning very easily these days.

Mr. BYRNE of New York. Mr. Speaker, I am not too sure about that. Nevertheless, this is to pay the city and county of San Francisco $9,728.81.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the city and county of San Francisco, a municipal corporation, of San Francisco, Calif., the sum of $9,728.81, in full settlement of all claims against the United States for reimbursement of expenses incurred in rebuilding and restoring a power-transmission line and loss of power revenue in township 3 south, range 5 east, and township 3 south, range 6 east, San Joaquin County, Calif., south of Tracy and approximately 3 miles from the Navy Vernalis Airfield, which transmission line was demolished by the crashing of a United States Navy plane type SB 2 C-2, bureau No. 18772, on August 6, 1944, at 9:21 p. m., while the said plane was engaged in making a flight over the area indicated, and on August 30, 1944, at 1:14 a. m., by the crashing of a United States Navy plane, type TBM-1, bureau No. 24994, while the said plane was likewise making a flight over the area indicated: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with such claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with such claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BILL AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mrs. NORTON, from the Committee on House Administration, reported that that committee did on February 28, 1949, present to the President, for his approval, a bill and joint resolution of the House of the following titles:

H. R. 54. An act to retrocede to the State of New Mexico exclusive jurisdiction held by the United States over lands within the boundaries of the Los Alamos project of the United States Atomic Energy Commission; and

H. J. Res. 92. Joint resolution to continue the authority of the Maritime Commission to sell, charter, and operate vessels, and for other purposes.

ADJOURNMENT

Mr. PRIEST. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 9 minutes p. m.) the House adjourned until tomorrow, Wednesday, March 2, 1949, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

303. A communication from the President of the United States, transmitting a revision of the budget for the fiscal year 1950 involving a decrease of $22,442,000 in an estimate of appropriation and an increase in contract authority of $22,500,000 for the United States Maritime Commission in the form of amendments to the budget for said fiscal year (H. Doc. No. 90); to the Committee on Appropriations and ordered to be printed.

304. A letter from the Secretary of the Air Force, transmitting a draft of a bill to designate the Air University Library, the Air University, United States Air Force, as a public depository for Government publications; to the Committee on House Administration.

305. A letter from the Commissioner, District Unemployment Compensation Board, transmitting the thirteenth annual report of the District Unemployment Compensation Board, covering the period from January 1 to December 31, 1948; to the Committee on the District of Columbia.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BATES of Kentucky: Committee on Appropriations. H. R. 3082. A bill making appropriations for the Government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1950, and for other purposes; without amendment (Rept. No. 167). Referred to the Committee of the Whole House on the State of the Union.

Mr. GARY: Committee on Appropriations. H. R. 3083. A bill making appropriations for the Treasury and Post Office Departments and funds available for the Export-Import Bank and the Reconstruction Finance Corporation for the fiscal year ending June 30, 1950, and for other purposes; without amendment (Rept. No. 168). Referred to the Committee of the Whole House on the State of the Union.

Mr. HART: Joint Committee on the Economic Report. Report of the joint committee on the President's economic report; without amendment (Rept. No. 169). Referred to the Committee of the Whole House on the State of the Union.

Mr. REDDEN: Committee on Public Lands. H. R. 220. A bill to amend section 3 of the act entitled "An act to revise the Alaska game law," approved July 1, 1943, as amended (57 Stat. 301); with amendments (Rept. No. 170). Referred to the Committee of the Whole House on the State of the Union.

Mr. REDDEN: Committee on Public Lands. H. R. 1337. A bill to authorize the sale of certain public lands in Alaska to the Alaska Council of Boy Scouts of America for recreation and other public purposes; with an amendment (Rept. No. 171). Referred to the Committee of the Whole House on the State of the Union.

Mr. BYRNE of New York: Committee on the Judiciary. S. 29. An act to authorize payment of claims based on loss of or damage to property depcsited by alien enemies;

without amendment (Rept. No. 172). Referred to the Committee of the Whole House on the State of the Union.

Mr. McCULLOCH: Committee on the Judiciary. H. R. 1950. A bill for the relief of certain consultants formerly employed by the Technical Industrial Intelligence Committee of the Foreign Economic Administration, and for other purposes; without amendment (Rept. No. 173). Referred to the Committee of the Whole House on the State of the Union.

Mr. BLOOM: Committee on Foreign Affairs. Senate Joint Resolution 36. Joint resolution for the authorization of a special contribution by the United States for the relief of Palestine refugees; without amendment (Rept. No. 174). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BYRNE of New York: Committee on the Judiciary. H. R. 585. A bill for the relief of Jacob A. Johnson; without amendment (Rept. No. 175). Referred to the Committee of the Whole House.

Mr. KEATING: Committee on the Judiciary. H. R. 650. A bill for the relief of George A. Kirchberger; without amendment (Rept. No. 176). Referred to the Committee of the Whole House.

Mr. KEATING: Committee on the Judiciary. H. R. 681. A bill for the relief of Mario Generazzo; with an amendment (Rept. No. 177). Referred to the Committee of the Whole House.

Mr. DENTON: Committee on the Judiciary. H. R. 709. A bill for the relief of the General Engineering & Dry Dock Corp.; with an amendment (Rept. No. 178). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on the Judiciary. H. R. 738. A bill for the relief of the estate of Mrs. Minerva C. Davis; without amendment (Rept. No. 179). Referred to the Committee of the Whole House.

Mr. DENTON: Committee on the Judiciary. H. R. 1116. A bill for the relief of Mexican Fibre & Twine Co., Inc.; with an amendment (Rept. No. 180). Referred to the Committee of the Whole House.

Mr. DENTON: Committee on the Judiciary. H. R. 1121. A bill conferring jurisdiction upon the United States District Court for the District of New Mexico to hear, determine, and render judgment upon the claim of Adolphus M. Holman; without amendment (Rept. No. 181). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on the Judiciary. H. R. 1276. A bill for the relief of the heirs of Ida Londinsky; with amendments (Rept. No. 182). Referred to the Committee of the Whole House.

Mr. DENTON: Committee on the Judiciary. H. R. 2249. A bill for the relief of Al W. Hosinski; with an amendment (Rept. No. 183). Referred to the Committee of the Whole House.

Mr. DENTON: Committee on the Judiciary. H. R. 2353. A bill for the relief of Joel W. Atkinson; with an amendment (Rept. No. 184). Referred to the Committee of the Whole House.

Mr. BYRNE of New York: Committee on the Judiciary. H. R. 2922. A bill for the relief of the State Compensation and Insurance Fund of California; without amendment (Rept. No. 185). Referred to the Committee of the Whole House.

Mr. PETERSON: Committee on Public Lands. H. R. 2853. A bill to authorize the Secretary of the Interior to issue duplicates of William Gerard's script certificates No. 2, subdivisions 11 and 12, to Blanche H. Weedon and Mattie Ward H. Harris, jointly; with amendments (Rept. No. 186). Referred to the Committe of the Whole House.

Mr. KEATING: Committee on the Judiciary. H. R. 580. A bill for the relief of the Bank of Kodiak, Kodiak, Alaska; without amendment (Rept. No. 187). Referred to the Committee of the Whole House.

Mr. DENTON: Committee on the Judiciary. S. 634. An act to authorize payment of certain claims for damage to or loss or destruction of property and personal injury arising from activities of the Army; without amendment (Rept. No. 188). Referred to the Committee of the Whole House.

Mr. DENTON: Committee on the Judiciary. S. 633. An act for the relief of Rachel D. Gattegno; without amendment (Rept. No. 189). Referred to the Committee of the Whole House.

Mr. DENTON: Committee on the Judiciary. S. 594. An act for the relief of John I. Malarin, former Army mail clerk at APO 932, a branch of the San Francisco, Calif., post office, relative to a shortage in his fixed credit account; without amendment (Rept. No. 190). Referred to the Committee of the Whole House.

Mr. BYRNE of New York: Committee on the Judiciary. S. 592. An act for the relief of Edwin B. Anderson; without amendment (Rept. No. 191). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BATES of Kentucky:

H. R. 3082. A bill making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1950, and for other purposes; to the Committee on Appropriations.

By Mr. GARY:

H. R. 3083. A bill making appropriations for the Treasury and Post Office Departments and funds available for the Export-Import Bank and the Reconstruction Finance Corporation for the fiscal year ending June 30, 1950, and for other purposes; to the Committee on Appropriations.

By Mr. ALLEN of Louisiana (by request):

H. R. 3084. A bill to amend certain provisions of the National Service Life Insurance Act of 1940, as amended; to the Committee on Veterans' Affairs.

By Mr. BLOOM:

H. R. 3085. A bill to amend the United Nations Participation Act of 1945 to provide for the appointment of representatives of the United States in the organs and agencies of the United Nations, and to make other provision with respect to the participation of the United States in such organization; to the Committee on Foreign Affairs.

By Mr. BOGGS of Louisiana:

H. R. 3086. A bill to provide for the advance planning of public works; to the Committee on Public Works.

By Mr. CURTIS:

H. R. 3087. A bill to provide for the deduction from gross income for income-tax purposes of expenses incurred by farmers for the purpose of soil and water conservation; to the Committee on Ways and Means.

By Mr. DAVIS of Georgia:

H. R. 3088. A bill to increase the compensation of certain employees of the municipal government of the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. FORD:

H. R. 3089. A bill to extend the coverage of the Federal old-age and survivors insurance system to the self-employed; to the Committee on Ways and Means.

By Mr. GOODWIN:

H. R. 3090. A bill to provide for the issuance of a special postage stamp in commemoration of the three hundredth anniversary of the founding of Malden, Mass.; to the Committee on Post Office and Civil Service.

H. R. 3091. A bill to provide for the issuance of a special postage stamp in commemoration of the one hundred and seventy-fifth anniversary of the raid by the British Army on the Old Powder House at Somerville, Mass.; to the Committee on Post Office and Civil Service.

By Mr. HARRIS:

H. R. 3092. A bill to amend the act to regulate the practice of podiatry in the District of Columbia; to the Committee on the District of Columbia.

H. R. 3093. A bill to amend the Boiler Inspection Act of the District of Columbia; to the Committee on the District of Columbia.

By Mr. KEATING:

H. R. 3094. A bill to pay certain substitute postal employees time and one-half overtime, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. KELLEY:

H. R. 3095. A bill to establish a Federal commission on services for the physically handicapped, to define its duties, and for other purposes; to the Committee on Education and Labor.

H. R. 3096. A bill to broaden the cooperative extension system as established in the act of May 8, 1914, and acts supplemental thereto, by providing for cooperative extension work between colleges receiving the benefits of this act and the acts of July 2, 1862, and August 30, 1890, and other qualified colleges, universities, and research agencies, and the United States Department of Labor; to the Committee on Education and Labor.

By Mr. KENNEDY:

H. R. 3097. A bill to provide compensation for excess hours of work by certain employees of the United States Employment Service; to the Committee on Post Office and Civil Service.

By Mr. KING:

H. R. 3098. A bill to provide additional compensation for employees of the Federal Government and of the government of the District of Columbia; to the Committee on Post Office and Civil Service.

H. R. 3099. A bill to provide additional compensation for postmasters and employees of the postal service; to the Committee on Post Office and Civil Service.

By Mr. KLEIN:

H. R. 3100. A bill to provide for salary increases for each officer and employee of the Federal Government and each officer and employee of the District of Columbia municipal government; to the Committee on Post Office and Civil Service.

H. R. 3101. A bill to provide for salary increases for employees of the field service of the Post Office Department; to the Committee on Post Office and Civil Service.

H. R. 3102. A bill to amend the District of Columbia Barber Act; to the Committee on the District of Columbia.

H. R. 3103. A bill to promote the general welfare through the appropriation of funds to assist the States and Territories in providing more effective programs of public kindergarten or kindergarten and nursery-school education; to the Committee on Education and Labor.

By Mr. LEMKE:

H. R. 3104. A bill to regulate oleomargarine, to repeal certain taxes relating to oleomargarine, and for other purposes; to the Committee on Agriculture.

By Mr. LESINSKI (by request):

H. R. 3105. A bill to extend the benefits of the Vocational Education Act of 1946 to the

Virgin Islands; to the Committee on Education and Labor.

By Mr. MURPHY:

H. R. 3106. A bill to amend the Water Pollution Control Act to increase the amount authorized to be appropriated for making loans to States, municipalities, and interstate agencies for the construction of treatment works and for the preparation of engineering reports, plans, and specifications in connection therewith; to the Committee on Public Works.

By Mr. O'TOOLE:

H. R. 3107. A bill to amend the Canal Zone Code to provide for a minimum wage; to the Committee on Merchant Marine and Fisheries.

By Mr. PLUMLEY:

H. R. 3108. A bill to regulate oleomargarine, to repeal certain taxes relating to oleomargarine, and for other purposes; to the Committee on Agriculture.

H. R. 3109. A bill to amend and supplement the act of June 7, 1924 (43 Stat. 653); to the Committee on Agriculture.

By Mr. RANKIN:

H. R. 3110. A bill making an appropriation for the fiscal year ending June 30, 1950, to carry into effect the provisions of the Rural Electrification Act of 1936, as amended; to the Committee on Appropriations.

By Mr. REED of Illinois:

H. R. 3111. A bill to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto; and to repeal subdivision b of section 64, subdivision h of section 70, and section 118 thereof and all acts and parts of acts inconsistent therewith; to the Committee on the Judiciary.

H. R. 3112. A bill to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto; to the Committee on the Judiciary.

H. R. 3113. A bill to amend title 28 of the United States Code, "Judiciary and Judicial Procedure," and incorporate therein provisions relating to the United States Tax Court, and for other purposes; to the Committee on the Judiciary.

By Mr. REES:

H. R. 3114. A bill to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the Committee on Armed Services.

By Mr. RIBICOFF:

H. R. 3115. A bill to amend the act of July 6, 1945, as amended, relating to the compensation of employees in the field service of the Post Office Department; to the Committee on Post Office and Civil Service.

By Mrs. ROGERS of Massachusetts:

H. R. 3116. A bill to amend Public Law 702, Eightieth Congress, to provide assistance to certain veterans with paralysis resulting from brain injury in acquiring specially adapted housing; to the Committee on Veterans' Affairs.

By Mr. SCRIVNER:

H. R. 3117. A bill to eliminate the payment of interest on overpayments of taxes; to the Committee on Ways and Means.

By Mr. VURSELL:

H. R. 3118. A bill to regulate oleomargarine, to repeal certain taxes relating to oleomargarine, and for other purposes; to the Committee on Agriculture.

By Mr. WORLEY:

H. R. 3119. A bill to authorize the erection of additional facilities at the existing Veterans' Administration facility at Amarillo, Tex.; to the Committee on Veterans' Affairs.

By Mr. CLEMENTE:

H. R. 3120. A bill to increase the income-tax exemptions from $600 to $750; to the Committee on Ways and Means.

By Mr. DAVIES of New York:

H. R. 3121. A bill to regulate oleomargarine, to repeal certain taxes relating to oleomargarine, and for other purposes; to the Committee on Agriculture.

By Mr. HART (by request):

H. R. 3122. A bill to amend the Merchant Marine Act, 1936, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. McKINNON:

H. R. 3123. A bill to conserve and increase the Nation's water resources, to strengthen the national security and common defense by authorizing research and demonstration of practical means of producing from any saline waters, sea or otherwise, water suitable for beneficial consumption use, and for other purposes; to the Committee on Public Lands.

By Mr. MULTER:

H. R. 3124. A bill to amend title 18, Criminal Code, to declare certain papers, pamphlets, books, pictures, and writings nonmailable, to provide a penalty for mailing same, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. O'KONSKI:

H. R. 3125. A bill to amend the jurisdictional act of August 30, 1935, affecting the Chippewa Indians of Lake Superior; to the Committee on Public Lands.

By Mr. BARING:

H. J. Res. 180. Joint resolution granting the consent of Congress to joinder of the United States in suit in the United States Supreme Court for adjudication of claims to waters of the Colorado River system; to the Committee on the Judiciary.

By Mr. COLE of Kansas (by request):

H. J. Res. 181. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. KEEFE:

H. J. Res. 182. Joint resolution authorizing the President of the United States of America to proclaim June 20, 1949, as Emblem Day; to the Committee on the Judiciary.

By Mr. BLAND:

H. Res. 122. Resolution authorizing expenses of conducting the study authorized by House Resolution 44, Eighty-first Congress, incurred by the Committee on Merchant Marine and Fisheries; to the Committee on House Administration.

By Mr. BLOOM:

H. Res. 123. Resolution authorizing the Committee on Foreign Affairs to conduct thorough studies and investigations of all matters coming within the jurisdiction of such committee; to the Committee on Rules.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Colorado, memorializing the President and the Congress of the United States to enact legislation providing for the creation of a Department of Natural Resources, the establishment of regional or branch offices of that and other Federal departments and agencies, and for the location of a United States Military Academy of the Air in Denver; to the Committee on Expenditures in the Executive Departments.

Also, memorial of the Legislature of the State of Colorado, memorializing the President and the Congress of the United States to enact legislation to make Indians citizens of the United States in order that they may be able to vote; to the Committee on Public Lands.

Also, memorial of the Legislature of the Territory of Hawaii, relating to their house concurrent resolution expressing confidence in the Honorable A. M. Christy and in the Honorable Willson C. Moore, judges of the Circuit Court, First Circuit, Territory of Hawaii, and the integrity of the judiciary in Hawaii; to the Committee on the Judiciary.

Also, memorial of the Legislature of the State of Idaho, memorializing the President and the Congress of the United States to amend section 5 of the Idaho Admission Act to provide that oil, gas, and hydrocarbons leases may be made upon school lands for an initial period of 10 years and for as long thereafter as oil and gas or other hydrocarbons are being produced; to the Committee on Public Works.

Also, memorial of the Legislature of the State of Iowa, memorializing the President and the Congress of the United States to enact remedial legislation for protection of the States with regard to sales tax on cigarettes; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of Minnesota, memorializing the President and the Congress of the United States to support the President in his steadfast support of the Great Lakes-St. Lawrence waterway project; to the Committee on Public Works.

Also, memorial of the Legislature of the State of South Dakota, memorializing the President and the Congress of the United States to make provision for payment of the exact equivalent of taxes to the States and other lesser political subdivisions whenever the tax base of such taxing units is depleted by withdrawals of lands for the use of Federal agencies; to the Committee on Public Lands.

Also, memorial of the Legislature of the State of Wyoming, memorializing the President and the Congress of the United States to abolish the Jackson Hole National Monument; to the Committee on Public Lands.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DAVIS of Georgia:

H. R. 3126. A bill to provide for the extension of patent No. 1,866,197 issued July 5, 1932, to W. G. Cunningham, relating to vehicle-washing apparatus; to the Committee on the Judiciary.

By Mr. DOLLINGER:

H. R. 3127. A bill to authorize the admission into the United States of Jacob Gross, a minor; to the Committee on the Judiciary.

By Mr. GORDON:

H. R. 3128. A bill to grant permanent residence in the United States to Jadwiga Pulaska; to the Committee on the Judiciary.

By Mr. KEEFE:

H. R. 3129. A bill for the relief of Jean Bizzio; to the Committee on the Judiciary.

H. R. 3130. A bill for the relief of Mrs. Katherine Dorn; to the Committee on the Judiciary.

By Mr. KELLEY:

H. R. 3131. A bill for the relief of Roza Grunfeld Moskovics; to the Committee on the Judiciary.

H. R. 3132. A bill for the relief of Sergio and Mara Lamberti; to the Committee on the Judiciary.

By Mr. KLEIN:

H. R. 3133. A bill for the relief of Benjamin Steingesser; to the Committee on the Judiciary.

By Mr. LANE:

H. R. 3134. A bill for the relief of Wilfred A. Croteau; to the Committee on the Judiciary.

By Mr. McCONNELL:

H. R. 3135. A bill to provide for the extension of certain patents which were not fully utilized due to emergency conditions existing

during World War II; to the Committee on the Judiciary.

By Mr. MITCHELL:

H. R. 3136. A bill for the relief of Anthony Lazanis; to the Committee on the Judiciary.

By Mrs. NORTON:

H. R. 3137. A bill for the relief of Manuel Perez Llosa and Jose Perez Llosa; to the Committee on the Judiciary.

By Mr. PHILLIPS of Tennessee:

H. R. 3138. A bill for the relief of Arthur Holbert, the estate of Ernest L. Gass, deceased, and the state of James L. Thomas, deceased; to the Committee on the Judiciary.

By Mr. REDDEN:

H. R. 3139. A bill for the relief of James B. DeHart; to the Committee on the Judiciary.

By Mrs. ROGERS of Massachusetts:

H. R. 3140. A bill for the relief of James Gordon Burgess; to the Committee on the Judiciary.

By Mrs. ST. GEORGE:

H. R. 3141. A bill for the relief of Samuel T. Poness, Jr.; to the Committee on the Judiciary.

By Mr. SOMERS:

H. R. 3142. A bill for the relief of Demetre Anastassopoulos and Aspasie Anastassopoulos and their minor children, Marie and Karin and Ira and Ellen Anastassopoulos; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

139. By Mr. BARRETT of Wyoming: Memorial No. 2 of the Thirtieth State Legislature of the State of Wyoming, memorializing the Congress of the United States of America to consider and pass a resolution appropriating money to commence the building of certain irrigation projects in the Powder River Basin and the Tongue River Basin; to the Committee on Appropriations.

140. Also, memorial of the Thirtieth Legislature of the State of Wyoming, memorializing the Congress of the United States of America to abolish the Jackson Hole National Monument; to the Committee on Public Lands.

141. By Mr. BREEN: Memorial of the City Council of Hamilton, Ohio, memorializing the Congress to pass the General Pulaski's Memorial Day resolution; to the Committee on the Judiciary.

142. By Mrs. NORTON: Petition of Jersey City (N. J.) Council, No. 137, Knights of Columbus, petitioning the Government of the United States, as a signatory to the peace treaty of 1947 with Hungary, to investigate the entire case involving Josef Cardinal Mindszenty and expose all violations of the said treaty affecting the arrest, charges against, and trial of Cardinal Mindszenty, and take all necessary steps to compel enforcement of the said treaty; also petitioning the United Nations to investigate the entire case involving Josef Cardinal Mindszenty, and expose all violations of the Declaration of Human Rights, as enacted and promulgated at Paris, December 1948, affecting the arrest, charges against, and trial of Cardinal Mindszenty, and take all necessary steps to compel enforcement of the said declaration; to the Committee on Foreign Affairs.

143. By the SPEAKER: Petition of Ruth Barnhart, executive secretary, Texas Hospital Association, Lubbock, Tex., petitioning consideration of their resolution commending action of the past and requesting that further study of the problem of integrating and coordinating all of the hospitals of the Nation can result in further improvements in the quality of hospital care available to citizens of this Nation; to the Committee on Expenditures in the Executive Departments.

144. Also, petition of E. Lumen, of Mexico, petitioning consideration of his resolution with reference to opposing action of the United Fruit Co. in blockading maritime transport in Guatemala; to the Committee on Merchant Marine and Fisheries.

145. Also, petition of Jesus Sauza Gonzalez, secretary general, National Union of Newspaper Editors of Mexico, petitioning consideration of their resolution opposing action of the United Fruit Co. in Guatemala; to the Committee on Merchant Marine and Fisheries.

SENATE

WEDNESDAY, MARCH 2, 1949

(Legislative day of Monday, February 21, 1949)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

Rev. Bernard Braskamp, D. D., pastor of the Gunton-Temple Memorial Presbyterian Church, Washington, D. C., offered the following prayer:

Almighty and eternal God, grant that this Lenten season upon which we have entered may be glorious in the culture of our souls.

May it be a season of honest self-examination and a time of cleansing of heart and consecration of purpose. May we heed the words of insight and inspiration:

"By all means use some time to be alone.
Salute thyself! See what thy soul doth wear."

Give us that confidence which is the reward of quiet waiting upon God, for we so often allow our faith to become eclipsed by doubt and fear.

Help us to believe in the need and power of prayer. We know that prayer may never remove our problems and difficulties, but it will give us strength to meet them courageously.

In Christ's name we bring our petitions. Amen.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 198. An act for the relief of the city and county of San Francisco;

S. 279. An act to authorize the advance on the retired list of Lt. John T. McDermott, United States Navy (retired), to the grade of lieutenant commander; and

S. 307. An act for the relief of Engebert Axer.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 199. An act to provide the privilege of becoming a naturalized citizen of the United States to all immigrants having a legal right to permanent residence, to make immigration quotas available to Asian and Pacific peoples, and for other purposes;

H. R. 555. An act conferring jurisdiction upon the District Court of the United States for the Northern District of California, Northern Division, to hear, determine, and render judgment upon the claims of all persons for reimbursement for damages and losses sustained as a result of a flood which occurred in December 1937 in levee district No. 10, Yuba County, Calif.;

H. R. 572. An act for the relief of Sylvia M. Misetich;

H. R. 574. An act for the relief of Fred E. Weber;

H. R. 575. An act for the relief of the estate of James Patrick Hackett and Charles L. Stover;

H. R. 576. An act for the relief of Arthur G. Robinson;

H. R. 577. An act to correct possible inequity in the case of a certain application for letters patent of William R. Blair;

H. R. 578. An act for the relief of Carlton C. Grant and others;

H. R. 581. An act to confer jurisdiction upon the District Court of the Territory of Alaska to hear, determine, and render judgment upon the claim, or claims, of Hilda Links and E. J. Ohman, partners, and Fred L. Kroesing, all of Anchorage, Alaska;

H. R. 591. An act for the relief of Mrs. Lucille Davidson;

H. R. 592. An act for the relief of James W. Keith;

H. R. 595. An act to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon a certain claim of Harry W. Sharpley, his heirs, administrators, or assigns, against the United States;

H. R. 596. An act to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon a certain claim of John E. Parker, his heirs, administrators, or assigns, against the United States;

H. R. 618. An act for the relief of Eugene J. Bearman;

H. R. 652. An act for the relief of Laura Spinnichia;

H. R. 659. An act for the relief of Mrs. Elizabeth B. Murphy;

H. R. 669. An act for the relief of Mrs. Shirley Leinwand;

H. R. 684. An act for the relief of Benjamin Gordon;

H. R. 697. An act for the relief of Samuel W. Poorvu;

H. R. 711. An act for the relief of Mrs. Margaret Gregg Dilnot;

H. R. 729. An act for the relief of John J. O'Neil;

H. R. 739. An act for the relief of Mary Jane Harris;

H. R. 745. An act for the relief of B. John Hanson;

H. R. 767. An act for the relief of Eugene Spitzer;

H. R. 1035. An act for the relief of Mrs. Ada M. Ryan;

H. R. 1036. An act for the relief of R. C. Owen, R. C. Owen, Jr., and Roy Owen;

H. R. 1041. An act for the relief of Jeannette and Jesus Esteva and their four children;

H. R. 1043. An act for the relief of Mrs. Wesley Berk (formerly Mrs. Ruth Cameron);

H. R. 1052. An act for the relief of Lawrence G. McCarthy;

H. R. 1057. An act for the relief of John Keith;

H. R. 1061. An act for the relief of Bernice Green;

H. R. 1066. An act for the relief of James Leon Keaton;

H. R. 1076. An act for the relief of Jennie Olsen Anderson;

H. R. 1079. An act for the relief of Maria Veltri Magnone;

H. R. 1093. An act for the relief of D. Lane Powers and Elaine Powers Taylor;

H. R. 1094. An act for the relief of Nellie M. Clark;

H. R. 1095. An act for the relief of Pittsburgh DuBois Co.;

H. R. 1098. An act for the relief of the legal guardian of Andrew Ferdinand DeWitt III, a minor;

H. R. 1103. An act for the relief of Miriam Barkle;

H. R. 1164. An act for the relief of the estate of H. M. McCorvey;

H. R. 1169. An act for the relief of Mrs. Marion T. Schwartz;

H. R. 1176. An act for the relief of Mr. and Mrs. Leroy Hann;

H. R. 1271. An act for the relief of Carl E. Lawson and Fireman's Fund Indemnity Co.;

H. R. 1279. An act for the relief of George Hampton;

H. R. 1280. An act for the relief of Mrs. Judge E. Estes;

H. R. 1286. An act for the relief of Elizabeth Rowland;

H. R. 1299. An act for the relief of Frank J. Patzke, Archie Mitchell, J. L. Shoemaker, Einar Engen, and N. L. Gifford;

H. R. 1300. An act for the relief of Mrs. Hope Irene Buley;

H. R. 1452. An act for the relief of A. J. Crozat, Jr.;

H. R. 1459. An act for the relief of E. Neill Raymond;

H. R. 1460. An act for the relief of Mrs. Sylvia Mapelli;

H. R. 1471. An act for the relief of E. La Ree Smoot;

H. R. 1489. An act for the relief of James I. Matthews;

H. R. 1490. An act for the relief of the estates of Arthur F. Saladino, Joseph Spivack, and Irving Weinberg;

H. R. 1501. An act for the relief of the legal guardian of Rose Mary Ammirato, a minor;

H. R. 1508. An act for the relief of Peter Drozd;

H. R. 1597. An act for the relief of Hal W. Cline;

H. R. 1599. An act for the relief of Mrs. Mary T. Maloney Preece;

H. R. 1602. An act for the relief of Ben Grunstein;

H. R. 1629. An act for the relief of Kira and Nina Grigorieff;

H. R. 1813. An act for the relief of Edward Woolf;

H. R. 1870. An act for the relief of Doris Marie Richard;

H. R. 1878. An act for the relief of Ben Luke Pond, Shao Hung Pond, and David Yat Wei Pond;

H. R. 1983. An act for the relief of Edward L. Barreras;

H. R. 2089. An act for the relief of William Price;

H. R. 2261. An act for the relief of Eva C. Netzley Ridley, William G. Stuff, Lois Stuff, and Harry E. Ridley; and the estates of Clyde C. Netzley and Sarah C. Stuff;

H. R. 2268. An act for the relief of Forest L. Weatherly;

H. R. 2352. An act for the relief of Roy Durbin;

H. R. 2474. An act for the relief of Frank E. Blanchard;

H. R. 2605. An act for the relief of John C. Nunes; and

H. R. 2708. An act for the relief of the legal guardian of Joseph DeSouza, Jr.

REPORTS OF EXPENDITURES UNDER UNITED NATIONS RELIEF AND REHABILITATION ADMINISTRATION (H. DOC. NO. 94)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read and referred to the Committee on Foreign Relations:

To the Congress of the United States:

I am transmitting herewith the sixteenth, seventeenth, and eighteenth quarterly reports of expenditures under the United Nations Relief and Rehabilitation Administration Joint Resolution, Public Law 267, Seventy-eighth Congress, approved March 28, 1944. These reports cover the quarters ended June 30, 1948, September 30, 1948, and December 31, 1948.

As a consequence of the substantial closure of the United Nations Relief and Rehabilitation Administration's activities on June 30, 1947, the present reports are limited to statements of the status of United States appropriations as of the dates indicated.

HARRY S. TRUMAN.

THE WHITE HOUSE, *March 2, 1949.*

(NOTE.—The report accompanied a similar message to the House of Representatives.)

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following communications and letters, which were referred, as indicated:

REVISED SUPPLEMENTAL ESTIMATE, DEPARTMENT OF THE ARMY (S. DOC. NO. 23)

A communication from the President of the United States, transmitting a revised supplemental estimate of appropriation for the Department of the Army, amounting to $22,500,000, fiscal year 1949 (with an accompanying paper); to the Committee on Appropriations and ordered to be printed.

REVISED SUPPLEMENTAL ESTIMATE, PAYMENT OF CLAIMS FOR DAMAGES, AUDITED CLAIMS, AND JUDGMENTS (S. DOC. NO. 24)

A communication from the President of the United States, transmitting a revised supplemental estimate of appropriation, amounting to $61,713.42, for the payment of claims for damages, audited claims, and judgments (with accompanying papers); to the Committee on Appropriations and ordered to be printed.

PROPOSED PROVISION PERTAINING TO AN EXISTING APPROPRIATION FOR DEPARTMENT OF AGRICULTURE (S. DOC. NO. 22)

A communication from the President of the United States, transmitting a proposed provision pertaining to an existing appropriation for the Department of Agriculture (with an accompanying paper); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMISSION ON ORGANIZATION OF EXECUTIVE BRANCH OF THE GOVERNMENT

A letter from the Chairman of the Commission on Organization of the Executive Branch of the Government, transmitting, pursuant to law, a report on veterans' affairs (with an accompanying report); to the Committee on Expenditures in the Executive Departments.

A letter from the Chairman of the Commission on Organization of the Executive Branch of the Government, transmitting, pursuant to law, a report of the Committee on Veterans' Affairs to that Commission (with an accompanying report); to the Committee on Expenditures in the Executive Departments.

A letter from the Chairman of the Commission on Organization of the Executive Branch of the Government, transmitting, pursuant to law, a report on Veterans' Administration (with an accompanying report); to the Committee on Expenditures in the Executive Departments.

CALL OF THE ROLL

Mr. LUCAS. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Humphrey	Mundt
Anderson	Hunt	Murray
Baldwin	Ives	Myers
Brewster	Johnson, Colo.	Neely
Bricker	Johnson, Tex.	O'Conor
Bridges	Johnston, S. C.	O'Mahoney
Broughton	Kefauver	Pepper
Butler	Kem	Reed
Cain	Kerr	Robertson
Chavez	Kilgore	Russell
Connally	Knowland	Saltonstall
Cordon	Langer	Schoeppel
Donnell	Lodge	Smith, Maine
Douglas	Long	Smith, N. J.
Downey	Lucas	Sparkman
Eastland	McCarran	Stennis
Ecton	McCarthy	Taft
Ellender	McClellan	Taylor
Flanders	McFarland	Thomas, Utah
Fulbright	McGrath	Thye
George	McKellar	Tobey
Gillette	Magnuson	Tydings
Green	Malone	Vandenberg
Hayden	Martin	Watkins
Hendrickson	Maybank	Wherry
Hill	Miller	Wiley
Hoey	Millikin	Williams
Holland	Morse	Withers

Mr. MYERS. I announce that the Senator from Connecticut [Mr. MCMAHON] and the Senator from New York [Mr. WAGNER] are necessarily absent.

The Senator from Virginia [Mr. BYRD], the Senator from Kentucky [Mr. CHAPMAN], the Senator from Delaware [Mr. FREAR], and the Senator from Oklahoma [Mr. THOMAS] are absent by leave of the Senate on official committee business.

Mr. SALTONSTALL. I announce that the senior Senator from Indiana [Mr. CAPEHART] and the junior Senator from Indian [Mr. JENNER] are necessarily absent attending the funeral of a close personal friend, Mr. Ivan C. Morgan.

The Senator from Michigan [Mr. FERGUSON], the Senator from South Dakota [Mr. GURNEY], the Senator from Iowa [Mr. HICKENLOOPER], and the Senator from North Dakota [Mr. YOUNG] are absent by leave of the Senate on official committee business.

The VICE PRESIDENT. Eighty-four Senators have answered to their names. A quorum is present.

TRANSACTION OF ROUTINE BUSINESS

Mr. LUCAS. Mr. President, I desire to make the same request I made yesterday. I ask unanimous consent that Senators who desire to submit petitions and memorials, introduce bills and joint resolutions, and present other matters such as are usually presented during the morning hour, be permitted to do so without in any way interfering with the parliamentary situation in the consideration of the pending question.

Mr. VANDENBERG. Mr. President, does the request include reports of committees?

Mr. LUCAS. It does.

The VICE PRESIDENT. Does the Senator's request include the condition

that presentations shall be made without debate?

Mr. LUCAS. That, Mr. President, is understood. As I understand, during the morning hour such presentations must be made without debate, and I include that in my request.

The VICE PRESIDENT. Is there objection?

Mr. WHERRY. Mr. President, reserving the right to object, I wish to say that as I understand the unanimous-consent request is the same as the one which was entered into yesterday. The request is a blanket one that Senators may make insertions in the RECORD and file committee reports, so long as debate does not arise in connection therewith, and that the present is the only opportunity during this calendar day when such requests and insertions may be made? Is that correct?

Mr. LUCAS. The Senator is correct.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. RUSSELL. Reserving the right to object, I wish to say I do not know that that would impinge on the right of any Senator to ask unanimous consent later in the day to have something printed in the RECORD, if the Senator did not accompany such request with a statement.

The VICE PRESIDENT. The Chair does not think so, for the reason that one unanimous-consent request can be modified by another one later.

Mr. RUSSELL. I thank the Chair.

Mr. LUCAS. The only point I make at this particular time is that we have had a quorum call, and bills and joint resolutions and other matters ought to be presented to the Senate now. I do not want to be dictatorial in the enforcement of the agreement, but yesterday the situation arose that one Senator attempted, at the close of the session, to insert into the RECORD a great deal of material, and I called to the attention of that Senator at that time the agreement previously entered into. The Senator asked unanimous consent to do the very thing that the Senator from Georgia says could be done, and we yielded to that Senator to do what he requested. The majority leader and the minority leader both agreed that we ought to try to follow as closely as possible the procedure we are now trying to have agreed upon, in order to have continuity in the debate.

The VICE PRESIDENT. Is there objection to the request of the Senator from Illinois? The Chair hears none, and it is so ordered.

LEAVE OF ABSENCE

Mr. MARTIN asked and obtained leave to be absent from the session of the Senate on Thursday next.

STRENGTHENING OF UNITED NATIONS—RESOLUTION FROM TOWN OF EAST PEPPERELL, MASS.

Mr. SALTONSTALL. Mr. President, on behalf of my colleage [Mr. LODGE] and myself, I present for appropriate reference and ask unanimous consent to have printed in the body of the RECORD a resolution of the town meeting of the town of East Pepperell, Mass., relative to strengthening the United Nations.

There being no objection, the resolution was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

OFFICE OF TOWN CLERK,
East Pepperell, Mass., February 23, 1949.

Hon. Senator LEVERETT SALTONSTALL,
Senate Office Building,
Washington, D. C.

DEAR MR. SALTONSTALL: Annual town meeting, February 21, 1949, article 31, voted that the town will address the following resolution to each of our United States Senators from Massachusetts and to our Representative in Congress:

"Whereas it is our belief that the United Nations should be so strengthened that it shall become adequate for the preservation of world peace; we therefore earnestly recommend your support for all measures tending toward this end; and whereas we have the deepest confidence in the Federal system of Government, devised by our fathers, under which the United States has prospered for 160 years: We specifically recommend your support for such changes in the United Nations Charter as shall make it a limited world federal government, with full power over all matters vital to the preservation of peace."

A true copy.
Attest:
[SEAL] JOHN F. CULLINAN,
Town Clerk.

JOSEF CARDINAL MINDSZENTY

Mr. MYERS. Mr. President, I present for appropriate reference and ask unanimous consent to have printed in the CONGRESSIONAL RECORD a resolution of the Scranton Council, Knights of Columbus, at Scranton, Pa., protesting the mock trial of Josef Cardinal Mindszenty, and urging that the United States take immediate action to effect the release of the cardinal, to uphold the sanctity of our treaty with Hungary, to appeal the cardinal's sentence to the United Nations, and to mobilize world opinions against all perpetrators of such an infamous trial.

There being no objection, the resolution was referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

Whereas Josef Cardinal Mindszenty has been sentenced to life imprisonment following the travesty of a mock trial staged by Moscow's communistic henchmen in Hungary;

Whereas the conscience of the entire world has been shocked by this blow against freedom of religion and the independence of churches;

Whereas during the course of the trial, the ambassador of the United States was maliciously accused of interfering in Hungarian domestic affairs;

Whereas the trial flaunted an open defiance of the peace treaty between the United States and Hungary which obligates the signatories to assure to all persons under their jurisdiction all fundamental religious, political, and human freedom: Be it

Resolved, That the Knights of Columbus, Scranton Council 280, protests against this flagrant insult to religion, human freedom, and our Government; and be it further

Resolved, That President Truman, the Department of State, the United States Congress, and the United States delegates to the United Nations be requested to take immediate action to effect the immediate release of the cardinal; to take whatever action is necessary to uphold the sanctity of its treaty with Hungary; to appeal the cardinal's sentence to the United Nations; to mobilize world opinion against all perpetrators of such an infamous trial; and be it further

Resolved, That copies of this resolution be forwarded to Secretary of State Dean Acheson, United States Senators Francis J. Myers and Edward J. Martin and United States Representative Harry P. O'Neill.

JOSEPH A. MADDEN,
Chairman, Resolutions Committee.
JOHN D. BRESLIN.
PATRICK MURPHY.
FRANK RADER.

AMERICAN BUTTER INDUSTRY—LETTER FROM MILTON H. BUTTON

Mr. WILEY. Mr. President, I have received this morning an important communication from the able director of the Wisconsin State Department of Agriculture, Milton H. Button.

This eminent agricultural leader has summarized very carefully what we of the Midwest feel are some of the crucial issues involved in the proposed legislation which would lay open the American butter industry to fraud and deception by an artificial product.

I ask unanimous consent that the text of Mr. Button's letter be printed in the RECORD at this point and appropriately referred.

There being no objection, the letter was referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

WISCONSIN STATE DEPARTMENT
OF AGRICULTURE,
Madison, Wis., February 28, 1949.

Hon. ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.

DEAR SENATOR WILEY: Efforts now being made to repeal all restrictions on the manufacture and sale of oleomargarine present extremely serious implications to the consumer, to the dairy industry, and to all citizens of the Nation.

Those who are interested in the long-range aspect of the matter, question the logic of a Congress that appropriates many millions of dollars for a program designed to preserve the priceless heritage of soil fertility, and simultaneously considers the adoption of legislation that will change our Nation's agriculture from a grassland animal-husbandry structure, to a row-crop soil-depleting type of agriculture that will inevitably destroy our irreplaceable top soil. The problem is basic and serious, and it must be given major consideration by all statesmen of Congress.

The Wisconsin Department of Agriculture is charged by statute with the duty of protecting consumers against fraudulent advertising and imitations. In this capacity it is our contention that the advertising of yellow oleomargarine with pictures of cattle, dairy barns, and pasture scenes, accompanied by phrases and slogans designed to make the consumer believe oleomargarine is a dairy product is a direct, intentional, and flagrant violation of the fraudulent advertising statute.

The United States Food and Drug Administration and the Federal Trade Commission have refused to give attention to this problem or are powerless to cope with it.

The oleomargarine industry has sought and received permission to imitate, synthetically or otherwise, the desirable qualities of butter. They are now imitating the distinctive butter flavor and texture, they are adding synthetic vitamins, they are packaging their product in cartons similar to those used by the butter industry, and have appropriated for themselves the age-old butter

trademark, its yellow color. These facts indicate that oleomargarine was developed and is being marketed as an imitation product. Historically, this Nation has protected consumers against such deceptive imitation.

For many years new legislation has been designed to provide additional protection against fraud and imitation to the consumer. This policy has been extended to include the interests of the producer and manufacturer.

Now great forces are at work to destroy this protection that we have taken for granted. The oleomargarine industry is asking that the controls against imitation and fraud that now exist in other industries be removed from its particular product.

In the main, other nations of the world maintain the consumer controls that the oleomargarine industry is attempting to avoid in the United States. Some nations maintain a tax or fee as we do. Some enforce the statutes relating to fair-trade practices in labeling and advertising. Some require the addition of ingredients that will make identification immediately possible for the consumer. Some have controlled the matter through the establishment of a state monopoly which has removed the opportunity for unreasonable profits. Some do not permit the manufacture of yellow oleomargarine. Still others protect the consumer by rigid and arbitrary price-fixing schedules.

To summarize, the methods vary but other nations do afford consumer protection. We are looking to you and your associates in the Eighty-first Congress for legislation that is in keeping with the principles and traditions of consumer protection.

Sincerely yours,

MILTON H. BUTTON,
Director.

INCLUSION OF CERTAIN SCHOOLS IN FEDERAL AID TO EDUCATION LEGISLATION

Mr. WILEY. Mr. President, I send to the desk and ask that there be printed in the RECORD at this point several letters and resolutions which I have received from spiritual leaders in my State, including a distinguished clergyman and editor, Rev. Anthony P. Wagener, of La Crosse, and Rev. John K. Mueller, of Green Bay, Wis., plus various laymen and laywomen, urging the inclusion of private and parochial schools in Federal aid to education legislation.

I ask that these letters and resolutions be appropriately referred to the Senate Labor and Public Welfare Committee for its careful attention in connection with this vital subject.

There being no objection, the letters were referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

THE REGISTER, LA CROSSE EDITION,
La Crosse, Wis., February 7, 1949.

United States Senator ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.

DEAR SENATOR WILEY: It is with keen interest that we are watching the progress of the Thomas bill providing Federal aid to education. In the light of the activity of current anti-American pressure groups which would deny constitutional rights to nonpublic schools and students who attend such schools, we have cause to fear that such unconstitutional pressure may be brought to bear on this Federal aid to education bill by which these nonpublic schools would be deprived such aid.

As the editor of the Register, we represent some 35,000 families in Wisconsin with a total of 150,000 of the State's population. We feel from your past record of supporting measures guaranteeing the welfare of the general body politic that as the lawful representative of these 150,000 people from your State you will be true to the vote of confidence they have given you by doing all in your power to support only a fair Federal aid bill which would guarantee that Federal funds will be available to furnish health and welfare services for nonpublic school pupils as well as public school pupils. The innate parental right to choose a nonpublic school for the education of their children is one of the glorious features enunciated by our Constitution. Records have shown that nonpublic school pupils become ideal and loyal American citizens, conscientious American voters, and worthy taxpayers. To exclude them from such a bill would be depriving them of their natural and constitutional rights.

We have cause for alarm in trends to use a "pincher movement" on the great American nonpublic school institutions. We feel that this movement, as exemplified in the now infamous McCollum case is fostered by a small minority group, consisting of avowed bigots, and dangerous un-American and godless individuals.

We refer you in your support of a Federal aid bill guaranteeing aid to nonpublic schools to the 1947 Everson decision in which case nonpublic school transportation was involved when Justice Black, writing the majority opinion, stated, "obviously it is not the purpose of the first amendment to cut off church schools from services separate and indisputably marked off from their religious function." We feel it is beyond dispute that bus rides and health and welfare services are indisputably marked off from the religious function of these nonpublic schools which are conducted under religious auspices.

It is our wish, therefore, and we feel it is yours, that your voice in the Senate be raised in support of a just Federal aid to education bill which will safeguard the rights of all loyal Americans.

With warmest personal regards.

Yours most sincerely,

Rev. ANTHONY P. WAGENER,
Editor.

GREEN BAY DIOCESAN UNION
OF HOLY NAME SOCIETIES,
Green Bay, Wis., January 25, 1949.

Senator ALEXANDER WILEY,
Washington, D. C.

DEAR SENATOR WILEY: As the diocesan director of the 30,000 men in our Holy Name societies, I am very much interested in the proposed bills for Federal aid to education. Rumor has it that the Thomas bill, S. 246, will be reported out favorably and will be on the Senate Calendar soon. In the interest of justice, I think that our Representatives in Washington ought to point out that the Thomas bill gives aid to the States on the basis of the total child population and not on the basis of the enrollment in public schools. Having based the amount of Federal aid on the total child population, the bill goes on to state that some of these funds be used for health and welfare services in public schools and nothing in the bill guarantees that non-public-school children will receive similar services. According to my understanding of the matter, a place like Green Bay, where one-half of the children are in parochial schools, allotments will be given based on the total child population regardless of school, but the expenditures of the moneys for school health and welfare services would be for public schools only. This seems unfair.

I think it is about time that we make it very clear that parents have a basic right to select nonpublic schools for the education of their children and that any fair bill ought to provide and guarantee that nonpublic schools be assisted along with the others in regard to health and welfare services such as checking teeth, examination for tuberculosis, etc., which in no way conflict with the so-called separation of church and State. Besides, since the Government is being so sympathetic with the States and cities with regard to costs of education, someone ought to point out that great financial assistance is being given now to the public schools by the parochial school system which is saving millions of dollars in taxes in every State where they exist.

Thanking you for your attention to this important matter and hoping that you will consider well the isues involved, I remain,

Sincerely yours,

REV. JOHN K. MUELLER,
Diocesan Director.

STANLEY, WIS., *February 7, 1949.*

Hon. ALEXANDER WILEY,
United States Senator,
Senate Office Building,
Washington, D. C.

DEAR MR. WILEY: As president of our local unit of the Diocesan Council of Catholic Women, my attention has been called to the discussions now in progress before the Senate Education Committee on the Thomas bill, which we understand proposes to eliminate nonpublic schools from participation in Federal aid to education.

We are deeply concerned about this matter, and earnestly appeal to you to give this matter your thorough consideration in the interests of fairness and justice.

Both public and nonpublic school systems are solid partners and coordinated components of our American educational system. Both systems comply in every respect with all compulsory education laws. The graduates of both systems have the inalienable right to hold public office, and the right to serve in the defense of their country in times of national need. That is the American educational system, guaranteed by our Constitution, and we strongly protest any suggestion to deny essential privileges to one or the other.

We believe a fair Federal aid bill should contain a provision that Federal funds will be made available to furnish health and welfare services to nonpublic as well as public schools. These services are absolutely essential. They are not religious in any sense, and any attempt to cloud the issue in this respect is manifestly unfair and unjust.

Our Constitution gives us the right to send our children to either a public or nonpublic school. Be honest. Let all children participate in the essential health and welfare provisions of such Federal aid.

We represent more than 300 mothers in this community, and we earnestly hope we can rely upon your sense of fairness and justice to give us the working tools to provide decent educational standards for all our children.

Yours very truly,

MRS. FRED ZAIS,
President, St. Mary's Guild.

FAIRCHILD, WIS., *February 3, 1949.*

The Honorable ALEXANDER WILEY,
United States Senator from Wisconsin,
Senate Office Building,
Washington, D. C.

DEAR SENATOR: President Truman recently recommended the early passage of a Federal aid to education law. Congress is now working on such a law. One of the bills proposed and now under consideration by the Senate Education Committee is called the Thomas bill. This Federal aid bill does not provide for the participation of nonpublic schools in any form of Federal aid to education. Any just and equitable Federal aid should contain a guaranty that Federal funds will be made

available for health and welfare services of non-public-school pupils as well as for the public-school pupil.

We have always recognized the right of parents to choose any school, whether public or nonpublic, for the education of their children, and in compliance with the compulsory education laws of the State. The nonpublic school has served its country well by instilling in its pupils the love of country, the necessity of fulfilling their duties as good citizens, and by providing a high standard of education. Graduates of nonpublic schools have taken a prominent place in politics, business, labor and every profession beside the graduates of our public schools. They have rallied to the defense of their country in her every hour of need. They have shed their blood and given their lives that we might enjoy the blessings of our democratic way of life. Both the public and nonpublic schools are part of the American way of life, and so are eligible for a share in any Federal aid to education. Our nonpublic schools have done their work well and can justly claim a share in the greatness of our country. Why, then, should they not also share in the benefits which our Government has to offer? Why should they be discriminated against in any Federal aid to education?

The funds to support this Federal aid to education come from the taxes of all American citizens, and all in justice should receive a fair share. Should our parents have the right to send their children to the school of their choosing and then be penalized for their choice? Should parents be asked to pay the school tax and then receive no benefit from it? In justice, nonpublic schools are entitled to Federal funds because they, like the public schools, serve the public interest.

As our representative in the Congress of the United States, we beg of you to use your influence to see that the nonpublic schools receive a just share of the funds provided for any Federal aid to education.

Sincerely yours,

Mrs. LOUIS HAENEL,
President of Catholic Women's Sodality.

ST. JOHN'S RECTORY,
Bloomer, Wis., February 4, 1949.

United States Senator ALEXANDER WILEY,
Washington, D. C.

HONORABLE AND DEAR SENATOR: In regard to the Federal aid to education bill which may soon be enacted into law, we, the Diocesan Council of Catholic Women of your district, are humbly submitting our views in this very important measure.

First, we wish to stress very emphatically that the family supersedes the state and the family has the basic parental right to select a nonpublic school for the education of their children.

The American Bill of Rights is sufficiently broad and eminently fair; let it not be twisted and distorted by new interpretations.

We just emerged from a total war against an omnipotent state as exemplified in the ambitions of Hitlerism. In this conflict students and graduates of public and nonpublic schools played an active role. Today we are faced with the ghastly prospect of another similar conflict, may God avert it, in which the students and graduates of public and nonpublic schools will again be subject to the call of their country.

Now if they are eligible and subject to the call of duty, both the public and nonpublic schools in terms of justice are entitled to Federal aid for the very reason that they both serve the public interest.

Both the public and nonpublic schools are integral elements of the American educational system.

In both types parents may comply with their duty under the compulsory educational system and the laws of the State.

In view of the foregoing it will only be just and a Fair Deal as promised by our President, that pro rata of funds be allocated for health and welfare service for nonpublic school pupils.

We, the undersigned, will greatly appreciate your interest in this forthcoming bill.

May God bless you and we humbly pray that justice may prevail.

OFFICERS OF THE DIOCESAN COUNCIL OF CATHOLIC WOMEN, COOKS VALLEY, WIS.
Mrs. BERNARD STOFFEL, *President.*
Mrs. WM. STOFFEL, *Vice President.*
Mrs. HERMAN SCHINDER, *Secretary.*
Mrs. RICHARD PECHA, *Treasurer.*

INVITATION FOR HOLDING OF THE 1956 OLYMPIC GAMES AT DETROIT, MICH.

Mr. VANDENBERG. Mr. President, from the Foreign Relations Committee, I report unanimously Senate Joint Resolution 56, extending an invitation for the Olympic games to be held in the United States in 1956. The committee which makes the decision internationally meets in Rome the first week in April.

May I inquire of the able Senator from Illinois if it would violate the rule which has been adopted if I were to ask unanimous consent for the present consideration of the joint resolution?

Mr. LUCAS. Mr. President, I think it would violate the agreement. However, the Senator from Michigan can make the request and see what happens.

Mr. VANDENBERG. Mr. President, I have nothing to lose by trying it. It is very important that this governmental invitation should issue. I ask unanimous consent for the present consideration of the joint resolution.

The VICE PRESIDENT. Is there objection?

Mr. WHERRY. Mr. President, reserving the right to object, I would like to say that I feel the joint resolution is so important that the Senate is justified in setting aside the question under discussion in order to consider Senate Joint Resolution 56 immediately.

Mr. LUCAS. Mr. President, I want it distinctly understood that if the request of the Senator from Michigan is granted, it will not set aside the pending question, as suggested by the Senator from Nebraska.

Mr. RUSSELL. Mr. President, may the joint resolution be read by title?

Mr. VANDENBERG. A joint resolution (S. J. Res. 56) extending an invitation to the International Olympic Committee to hold the 1956 Olympic games at Detroit, Mich.

The invitation is extended by the United States Olympic Association, of which the President of the United States is the head.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution (S. J. Res. 56) extending an invitation to the International Olympic Committee to hold the 1956 Olympic games at Detroit, Mich., was considered, ordered to be engrossed for a third reading, read the third time and passed, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Government of the United States joins in the invitation of the United States Olympic Association to the International Olympic Committee to hold the 1956 Olympic games in the United States at Detroit, Mich.; and expresses the hospitable hope that the United States may be selected as the site for this great enterprise in international good will.

SEC. 2. The Secretary of State is directed to transmit a copy of this joint resolution to the International Olympic Committee.

The preamble was agreed to.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. ERICKER:

S. 1151. A bill to amend the National Housing Act, and for other purposes; to the Committee on Banking and Currency.

(Mr. McCARRAN introduced Senate bill 1152, for the relief of certain officers and employees of the Office of United States High Commissioner to the Philippine Islands who suffered losses of personal property by reason of war conditions, which was referred to the Committee on the Judiciary, and appears under a separate heading.)

By Mr. LODGE:

S. 1153. A bill for the relief of certain Latvians; to the Committee on the Judiciary.

By Mr. IVES:

S. 1154. A bill for the relief of Mrs. Margaret Liebermann Gordon; to the Committee on the Judiciary.

By Mr. KILGORE:

S. 1155. A bill for the relief of Fernando Gerassi, Estefania Maria Gerassi and John Gerassi;

S. 1156. A bill for the relief of Salomon Nadler, Vera Nadler, Daniel Nadler, and Robert Nadler; and

S. 1157. A bill for the relief of Olga Koscinkiewicz Simonson; to the Committee on the Judiciary.

By Mr. TYDINGS:

S. 1158. A bill to designate the Air University Library, the Air University, United States Air Force, as a public depository for Government publications; to the Committee on Armed Services.

By Mr. PEPPER (for himself and Mr. HOLLAND):

S. 1159. A bill to amend Public Law 885, Eightieth Congress, chapter 813, second session; to the Committee on Armed Services.

By Mr. MURRAY (for himself, Mr. WAGNER, Mr. CHAVEZ, Mr. PEPPER, Mr. GREEN, Mr. HILL, Mr. LANGER, Mr. JOHNSTON of South Carolina, Mr. TAYLOR, Mr. YOUNG, Mr. SPARKMAN, Mr. KEFAUVER, Mr. McGRATH, Mr. GILLETTE, Mr. HUMPHREY, and Mr. DOUGLAS):

S. 1160. A bill to establish a Missouri Valley Authority to provide for unified water control and resource development on the Missouri River, its tributaries and watershed, to prevent floods, reclaim and irrigate lands, encourage agriculture, stimulate industrial expansion, develop low-cost hydroelectric power, promote navigation, increase recreational possibilities, protect wildlife, strengthen the national defense, and for other purposes; to the Committee on Public Works.

By Mr. KILGORE:

S. 1161. A bill for the relief of Mrs. Alice T. Thabit; and

S. 1162. A bill to remove the limitation upon the time within which application may be made for lump-sum death payments under section 202 (g) of the Social Security Act; to the Committee on Finance.

(Mr. MYERS introduced Senate bill 1163, to amend the Immigration Act of 1924, as amended, which was referred to the Committee on the Judiciary, and appears under a separate heading.)

By Mr. O'MAHONEY:

S. 1164. A bill to provide for more effective conservation in the arid and semiarid areas of the United States, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. McCARRAN:

S. 1165. A bill to provide relief for the sheep-raising industry by making special quota immigration visas available to certain alien sheepherders; to the Committee on the Judiciary.

By Mr. AIKEN (for himself, Mr. BRIDGES, and Mr. TOBEY):

S. J. Res. 58. Joint resolution providing for a rehearing in the matter of the Bellows Falls Hydroelectric Corp. (project No. 1892), known as the Wilder Dam project, and a review of any order of the Federal Power Commission therein; to the Committee on Interstate and Foreign Commerce.

AMENDMENT OF IMMIGRATION ACT OF 1924

Mr. MYERS. Mr. President, I introduce for appropriate reference a bill to amend the Immigration Act of 1924, as amended, in order to permit the immigration outside of quota allowances of parents of American citizens who are otherwise eligible for admission, and I ask unanimous consent that the bill, together with an explanatory statement I have prepared be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred, and, without objection, the bill and explanatory statement will be printed in the RECORD.

There being no objection, the bill (S. 1163) to amend the Immigration Act of 1924, as amended, introduced by Mr. MYERS, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That subsection (a) of section 4 of the Immigration Act of May 26, 1924, as amended (8 U. S. C. 204 (a)), is hereby amended to read as follows:

"(a) An immigrant who is the unmarried child under 21 years of age, or the wife, or the husband, or the mother or father, of a citizen of the United States: *Provided*, That the marriage shall have occurred prior to issuance of visa and, in the case of husbands of citizens, prior to January 1, 1948."

SEC. 2. Section 6 (a) (1) (A) of the Immigration Act of May 26, 1924, as amended (8 U. S. C. 206 (a) (1) (A)), is hereby amended to read as follows:

"(A) Quota immigrants who are the husbands of citizens of the United States by marriages occurring on or after January 1, 1948."

The explanatory statement presented by Mr. MYERS was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR MYERS, OF PENNSYLVANIA, ON BILL TO AMEND THE IMMIGRATION ACT TO FACILITATE THE ENTRANCE INTO THIS COUNTRY OF PARENTS OF AMERICAN CITIZENS IF THE PARENTS ARE OTHERWISE ELIGIBLE FOR ADMISSION

This bill merely extends to fathers and mothers of American citizens the same opportunities for reasonably expeditious immigration into the United States which are now accorded to minor children and to wives of American citizens, and, in certain cases, to husbands.

The present statutes permit the immigration outside of quotas of minor children and wives and, in marriages occurring before January 1, 1948, of husbands, providing these relatives are otherwise eligible for admission to this country. The present statutes also provide a preference status for parents to come to this country, but the preference, of course, is under the quota regulations.

According to testimony of high officials of the State Department's Visa Division before a staff committee on immigration and naturalization last July, the parents of citizens residing in a number of foreign countries which have low quota allowances, even with their preferential status, are required to wait 7 or 8 years before they can be reached.

This situation has been made even more acute by virtue of the fact that during the war immigration virtually ceased, and even the few quota numbers provided under present laws were not used and subsequently expired, thus extending for additional years the period of delay so agonizing to those who yearn to join their families in this land of freedom.

From the testimony taken at that committee staff hearing on July 15, 1948, I am inclined to believe that the State Department would be willing to support legislation of this sort.

I have been urged, as I know many other Members of Congress have been urged, to introduce legislation to increase the quota of a particular nation. The desire is based primarily on the difficulties of American citizens in bringing to this country various categories of close relatives, but particularly fathers and mothers.

Due to the pattern of our immigration experience over the past few decades, I believe this bill would accommodate a reasonable number of worthy cases so as to serve a meritorious cause without causing any strain on the housing or employment opportunities for American citizens.

Most of those who would be eligible to be admitted under this bill would undoubtedly live with their sons or daughters in this country, and it is a safe assumption, I believe, that many would be at that stage of life where they would not be competing for employment with Americans. It is taken for granted, of course, that there would be full provision made for their care by the families involved.

RELIEF OF CERTAIN OFFICERS AND EMPLOYEES IN THE PHILIPPINE ISLANDS

Mr. McCARRAN. Mr. President, I introduce for appropriate reference a bill for the relief of certain officers and employees of the Office of United States High Commissioner to the Philippine Islands, and ask unanimous consent that the bill, together with a letter received from the Secretary of the Interior in connection therewith, be printed in full in the RECORD at this point as a part of my remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred, and, without objection, the bill and letter will be printed in the RECORD.

The bill (S. 1152) for the relief of certain officers and employees of the Office of United States High Commissioner to the Philippine Islands who suffered losses of personal property by reason of war conditions, introduced by Mr. McCARRAN, was received, read twice by its title, and referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That there is authorized to be appropriated and there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the following sums of money for payment to the following-named officers and employees of the Office of United States High Commissioner to the Philippine Islands, which sums represent the value of reasonable and necessary personal property lost by them, while in the course of their respective duties, as a result of war conditions:

Helen Burke, $4,779.16; Claude Buss, $3,355; Donald L. Cochran, $1,558; William H. Cropper, $117.50; Gordon W. Ells, $3,119.82; Elise Flahavan, $1,268; Charles W. Franks, $5,582.50; George O. Gray, $445; Bertha T. Greusel, $834; Grace Jurgensen, $392.50; Ruth P. Lovell, $1,217; Edward L. Mack, $540; James Moses, $3,335.97; Anna Belle Newcomb, $790; Frederick H. Noble, $700.50; Margaret Pierce, $265; Mona Raymond, $852; Ervin C. Ross, $3,086; Francis B. Sayre, $2,037; William J. Stumpf, Jr., $1,251; Woodbury Willoughby, $2,434; James D. Wilson, $1,045; Mrs. Marie F. Wolff, $1,070.

SEC. 2. If any of the beneficiaries under this act shall have died before the payment herein provided for is made, said payment shall be made to the estate of such beneficiary.

SEC. 3. The acceptance of any payment herein authorized shall constitute a complete discharge of the United States of all claims and demands touching any of the matters involved in section 1 of this act.

SEC. 4. That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The letter presented by Mr. McCARRAN was ordered to be printed in the RECORD, as follows:

THE SECRETARY OF THE INTERIOR,
Washington, February 7, 1949.

Hon. ALBEN W. BARKLEY,
President of the United States Senate.

MY DEAR MR. PRESIDENT: There is attached a draft of a proposed bill which would appropriate the total amount of $40,074.95 for the relief of a number of individuals formerly stationed in Manila as employees in the office of the United States High Commissioner to the Philippine Islands. The proposed bill is designed to provide reimbursement for the loss of personal property as a result of war conditions.

I request that this measure be referred to the appropriate committee for consideration, and I recommend its enactment.

Most of these employees were captured and interned by the enemy and were not released until 1945. A few escaped by submarine or otherwise, but they lost all their personal possessions except for such small articles as they were able to carry on their persons.

This matter has not been submitted to the Congress heretofore for several reasons. The employees were in bad physical conditon; they had lost contact with Manila; and most, if not all, of their records were missing. In addition, there was a question as to which agency of the Government should present their claims to the Congress—the Department of the Interior, the Department of State, or the United States High Commissioner. The High Commissioner undertook the responsibility in the first instance, but by the time the data were collected and the claims had been investigated, reviewed, and audited by the staff members to whom he assigned that task, the Philippine Islands had become independent and the Office of High Commissioner had ceased to exist. On July 25, 1947, the Department of the Interior assumed the responsibility for the liquidation of the Office of High Commissioner.

All the claims involved in this proposed bill have been carefully scrutinized and reviewed, and reimbursement has been recommended to cover only such personal property as it was reasonable and necessary for an employee to have at his post for the proper discharge of his duties. The Department believes that the claims recommended for reimbursement are meritorious, and that the amounts recommended to be paid are reasonable.

Many of these employees had long and creditable periods of service with the United States Government in the Philippine Islands, and it was not possible for them to return to the United States just prior to the outbreak of hostilities. Those who were captured suffered extreme hardship by internment under the most primitive conditions for a period of almost 3 years, and those who escaped were able to reach safety only after the most trying experiences.

It is the understanding of this Department that all Foreign Service officers and Army officers and most civilian employees of the United States who lost personal effects under similar circumstances have been reimbursed under private relief bills enacted by the Congress. It is believed that this group is equally deserving of consideration.

The former High Commissioner, the Honorable Paul V. McNutt, has expressed his willingness to appear in support of this proposed legislation if requested to do so by the committee to which this proposal may be referred. The former members of his staff who passed on the claims are available to answer such questions as may arise, and their records are at hand for examination.

The Bureau of the Budget has advised me that there would be no objection to the submission of this proposed legislation to the Congress.

Sincerely yours,

J. A. KRUG,
Secretary of the Interior.

PRINTING OF REPORT OF NATIONAL SOCIETY OF DAUGHTERS OF AMERICAN REVOLUTION

Mr. HAYDEN submitted the following resolution (S. Res. 79), which was referred to the Committee on Rules and Administration:

Resolved, That the fifty-first annual report of the National Society of the Daughters of the American Revolution for the year ended April 1, 1948, be printed as a Senate document.

CHANGES OF REFERENCES

Mr. GEORGE. Mr. President, Senate bill 974, to amend the Veterans' Preference Act of 1944, with respect to certain mothers of veterans, was inadvertently referred to the Senate Finance Committee. I am advised by the Parliamentarian that the bill should go to the Committee on Post Office and Civil Service. I therefore ask unanimous consent that the Finance Committee be discharged from further consideration of the bill, and that it be referred to the Committee on Post Office and Civil Service.

The VICE PRESIDENT. Without objection, the request of the Senator from Georgia is granted.

Mr. McCARRAN. Mr. President, I should like to have the attention of the Senator from Iowa [Mr. GILLETTE].

Some time ago there were referred to the Committee on the Judiciary Senate bill 571, to prohibit interstate common-carrier pipe lines from transporting commodities in which such carriers have any interest; Senate bill 572, to divorce the business of producing, refining, and transporting of petroleum products from that of marketing petroleum products, and Senate bill 573, to prohibit producers, refiners, and marketers of petroleum products from operating tankers and barges. The able Senator from Iowa [Mr. GILLETTE] is the author of these bills. I have discussed the matter with him, and I have the authority of the Committee on the Judiciary to request that the Committee on the Judiciary be discharged from further consideration of these bills, and that they be referred to the Committee on Interstate and Foreign Commerce.

Mr. GILLETTE. That is agreeable to me.

The VICE PRESIDENT. Without objection, the Committee on the Judiciary will be discharged from further consideration of the bills, and they will be referred to the Committee on Interstate and Foreign Commerce.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles, and referred, as indicated:

H. R. 199. An act to provide the privilege of becoming a naturalized citizen of the United States to all immigrants having a legal right to permanent residence, to make immigration quotas available to Asian and Pacific peoples, and for other purposes;

H. R. 555. An act conferring jurisdiction upon the District Court of the United States for the Northern District of California, Northern Division, to hear, determine, and render judgment upon the claims of all persons for reimbursement for damages and losses sustained as a result of a flood which occurred in December 1937 in levee district No. 10, Yuba County, Calif.;

H. R. 572. An act for the relief of Sylvia M. Misetich;

H. R. 574. An act for the relief of Fred E. Weber;

H. R. 575. An act for the relief of the estate of James Patrick Hackett and Charles L. Stover;

H. R. 576. An act for the relief of Arthur G. Robinson;

H. R. 577. An act to correct possible inequity in the case of a certain application for letters patent of William R. Blair;

H. R. 578. An act for the relief of Carlton C. Grant and others;

H. R. 581. An act to confer jurisdiction upon the District Court for the Territory of Alaska to hear, determine, and render judgment upon the claim, or claims, of Hilda Links and E. J. Ohman, partners, and Fred L. Kroesing, all of Anchorage, Alaska;

H. R. 591. An act for the relief of Mrs. Lucille Davidson;

H. R. 592. An act for the relief of James W. Keith;

H. R. 595. An act to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon a certain claim of Harry W. Sharpley, his heirs, administrators, or assigns, against the United States;

H. R. 596. An act to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon a certain claim of John E. Parker, his heirs, administrators, or assigns, against the United States;

H. R. 618. An act for the relief of Eugene J. Bearman;

H. R. 652. An act for the relief of Laura Spinnichia;

H. R. 659. An act for the relief of Mrs. Elizabeth B. Murphy;

H. R. 669. An act for the relief of Mrs. Shirley Leinwand;

H. R. 684. An act for the relief of Benjamin Gordon;

H. R. 697. An act for the relief of Samuel W. Poorvu;

H. R. 711. An act for the relief of Mrs. Margaret Gregg Dilnot;

H. R. 729. An act for the relief of John J. O'Neil;

H. R. 739. An act for the relief of Mary Jane Harris;

H. R. 745. An act for the relief of B. John Hanson;

H. R. 767. An act for the relief of Eugene Spitzer;

H. R. 1035. An act for the relief of Mrs. Ada M. Ryan;

H. R. 1036. An act for the relief of R. C. Owen, R. C. Owen, Jr., and Roy Owen;

H. R. 1041. An act for the relief of Jeannette and Jesus Esteva and their four children;

H. R. 1043. An act for the relief of Mrs. Wesley Berk (formerly Mrs. Ruth Cameron);

H. R. 1052. An act for the relief of Lawrence G. McCarthy;

H. R. 1057. An act for the relief of John Keith;

H. R. 1061. An act for the relief of Bernice Green;

H. R. 1066. An act for the relief of James Leon Keaton;

H. R. 1076. An act for the relief of Jennie Olsen Anderson;

H. R. 1079. An act for the relief of Maria Veltri Magnone;

H. R. 1093. An act for the relief of D. Lane Powers and Elaine Powers Taylor;

H. R. 1094. An act for the relief of Nellie M. Clark;

H. R. 1095. An act for the relief of Pittsburgh Dubois Co.;

H. R. 1098. An act for the relief of the legal guardian of Andrew Ferdinand DeWitt III, a minor;

H. R. 1103. An act for the relief of Miriam Barkle;

H. R. 1164. An act for the relief of the estate of H. M. McCorvey;

H. R. 1169. An act for the relief of Mrs. Marion T. Schwartz;

H. R. 1176. An act for the relief of Mr. and Mrs. Leroy Hann;

H. R. 1271. An act for the relief of Carl E. Lawson and Fireman's Fund Indemnity Co.;

H. R. 1279. An act for the relief of George Hampton;

H. R. 1280. An act for the relief of Mrs. Judge E. Estes;

H. R. 1286. An act for the relief of Elizabeth Rowland;

H. R. 1299. An act for the relief of Frank J. Patzke, Archie Mitchell, J. L. Shoemaker, Einer Engen, and N. L. Gifford;

H. R. 1300. An act for the relief of Mrs. Hope Irene Buley;

H. R. 1452. An act for the relief of A. J. Crozat, Jr.;

H. R. 1459. An act for the relief of E. Neill Raymond;

H. R. 1460. An act for the relief of Mrs. Silvia Mapelli;

H. R. 1471. An act for the relief of E. La Ree Smoot;

H. R. 1489. An act for the relief of James I. Matthews;

H. R. 1490. An act for the relief of the estate of Arthur F. Saladino, Joseph Spivack, and Irving Weinberg;

H. R. 1501. An act for the relief of the legal guardian of Rose Mary Ammirato, a minor;

H. R. 1508. An act for the relief of Peter Drozd;

H. R. 1597. An act for the relief of Hal W. Cline;

H. R. 1602. An act for the relief of Ben Grunstein;

H. R. 1629. An act for the relief of Kira and Nina Grigorieff;

H. R. 1813. An act for the relief of Edward Woolf;

H. R. 1870. An act for the relief of Doris Marie Richard;

H. R. 1878. An act for the relief of Ben Luke Pond, Shao Hung Pond, and David Yat Wei Pond;

H. R. 1983. An act for the relief of Edward L. Barreras;

H. R. 2089. An act for the relief of William Price;

H. R. 2261. An act for the relief of Eva C. Netzley Ridley, William G. Stuff, Lois Stuff, and Harry E. Ridley; and the estates of Clyde C. Netzley and Sarah C. Stuff;

H. R. 2268. An act for the relief of Forest L. Weatherly;

H. R. 2352. An act for the relief of Roy Durbin;

H. R. 2474. An act for the relief of Frank E. Blanchard;

H. R. 2605. An act for the relief of John C. Nunes; and

H. R. 2708. An act for the relief of the legal guardian of Joseph DeSouza, Jr.; to the Committee on the Judiciary.

H. R. 1599. An act for the relief of Mrs. Mary T. Maloney Preece; to the Committee on Post Office and Civil Service.

ADDITIONAL SCHOOL PLANT FACILITIES—LETTER FROM GEORGE H. FIELD

Mr. McCARRAN. Mr. President, recently I had occasion to call the attention of the Senate to the urgent need, throughout the country, for Federal aid for the construction of school plant facilities.

I have introduced a bill, S. 39, to provide for such aid.

Since my previous reference to this subject on the Senate floor, I called upon the Federal Works Agency for information respecting the extent of this need.

I hold in my hand a letter from Mr. George H. Field, Commissioner of the Bureau of Community Facilities of the Federal Works Agency, replying to my request. This letter, I think, makes it perfectly clear that there can be no reasonable question about the fact that an emergency does exist, that it is widespread, and that unless some such legislation as I have proposed to provide for Federal aid for school construction is enacted by the Congress, schools throughout the Nation will be unable to perform adequately their function of providing education to American youth.

I call particular attention to the statement, almost at the end of Mr. Field's letter, that "unless some provision is made to furnish school facilities thousands of American children will be deprived of essential educational opportunities."

Mr. President, I ask unanimous consent that this letter may be printed in the RECORD at this point as a part of my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

FEDERAL WORKS AGENCY,
BUREAU OF COMMUNITY FACILITIES,
Washington, February 24, 1949.

Hon. PAT MCCARRAN,
United States Senate.

MY DEAR SENATOR MCCARRAN: Reference is made to your letter of February 8, 1949, requesting information on the need for additional school plant facilities throughout the country.

The large volume of information now available shows a need in the immediate future for a minimum of $7,000,000,000 of additional public elementary and secondary school plant facilities in the United States. This need arises primarily from the accumulated backlog caused by deferred school plant construction during the depression and war periods and the greatly increased birth rate during and since the war. Contributing factors are improvement and extension of the educational program, increased school attendance and reorganization of administrative districts.

During the period from 1930 to 1940 the financial condition of State and local governments and the economy of the country generally prevented the construction of sufficient school plant facilities for the normal needs of the population. The volume of school building construction during this period averaged less than three-fourths of the volume of school building construction during the period 1920 to 1930. During the war period when all available manpower and materials were directed toward production for prosecution of the war, the Federal Government sharply curtailed the amount and type of school-building construction that could be undertaken. The average annual rate of public school construction during this period was about one-fourth the average annual volume during the twenties. If the rate of public school construction during the period from 1920 to 1930 had been continued during the depression and war periods we would today have an additional $5,500,000,000 (in terms of 1947 costs) worth of public school plants.

The sharply increased birth rate during the war has greatly aggravated the strain on the existing school plant facilities and has further emphasized the protracted period of underbuilding. Before the war the annual birth rate averaged from 2,200,000 to 2,500,000. During and since the war it rose to 3,500,000, and in 1947 reached the all-time high of 3,900,000. This means that each year for the next decade at least school enrollments will increase. In 1947 there were, roughly, 24,550,000 children enrolled in elementary and secondary grades. The United States Census Bureau estimates that this number will increase by three-fourths of a million to a million and a quarter each year for the next 5 years, when total enrollment will reach 31,000,000, or 6,500,000 more than at present. By 1958 it is expected that total enrollment in elementary and secondary grades will reach 34,000,000. This is an increase of 9,500,000 children, or 39.9 percent in the 10-year period beginning in 1948.

The increased birth rate is general throughout the Nation. But the problem is more severe for some States than others and for some communities in some States because of extensive migration. Communities all over the Nation are not only faced with the urgent need for modernizing existing schools, completing the repair and renovating of school buildings neglected during the war years and constructing new schools deferred during the depression and war periods, but also they have the tremendous problem of building new schools for the extra millions of children born during and since the war.

Examples of this widespread and urgent need are supplied by data recently reported by various States. A survey just completed by the State Department of Education and State Education Association of California shows a need this year for $708,000,000 for additional school plant facilities. By 1954 this need is expected to be $1,338,000,000. The agricultural and development board in Georgia reports a need in the next 5 years of $132,428,000 for building 17,500 new classrooms and remodeling 11,780 rooms. A recent study in Indiana shows a need for 5,000 new classrooms by 1950 and 2,000 additional rooms by 1962 to take care of an additional 160,000 elementary school children and 71,000 additional high-school children. Florida's needs as reported on the basis of a recent State-wide study are $123,950,000 at present, and increased enrollment will bring this amount to $192,672,000 in the next 5 years.

In January of this year the Governor of North Carolina said that the educators were requesting $150,000,000 of State funds to help the districts construct needed school plant facilities within the next few years. The director of the State Department of Education in New York reports a need for $1,000,000,000 for new construction and repair of school facilities by 1950. Virginia counties reported to the State Department of Education in December 1948 an accumulated need for $396,014,000 in the next 10 years. A county-by-county report from Utah shows an immediate need for $56,526,200 for new construction, repair, and replacement, and an additional $24,900,000 by 1952 to take care of an expected 60-percent increase in school enrollment. The Maryland State Department of Education reports a need within the next few years of $139,800,000; South Carolina's needs are reported at $90,000,000; and in Washington State the increased birth rate and immigration have resulted in an estimated need for $600,000,000 in the next 10 years.

Cities and rural areas in many parts of the country also show an exceedingly critical need for additional facilities. For example, Arlington County, Va., needs $13,000,000 by 1953 to provide for 10,000 additional children that will be enrolled in the schools by that time. Additional funds are needed for facilities to take care of further increases in enrollment beyond that date. School district No. 1 of Livingston Parish, La., needs $190,000 to replace their 15-room school building which was recently destroyed by fire. Casper, Wyo., reports a need for $4,000,000 for additional school facilities within the next few years. Manatee County, Fla., reports a need for $2,021,300 for a school building program. The need for Uintah County in Utah is $1,514,000 and in Salt Lake City it is reported to be $15,000,000 by 1954.

Reports from six school districts in various parts of the State of Nevada show a need for a little over $2,100,000 to construct 65,000 square feet of floor space to meet immediate urgent needs. Boulder City union school district in Clark County reports a need for $1,220,000 to provide school facilities for a 100-percent increase in population since 1940. In Carson City there is a need for $350,000 to provide school facilities for the increased population that has occurred during the past several years. School district No. 7 at Hawthorne, Mineral County, reports a need for additional school facilities costing $350,000 and the high-school district in the same county reports a need for $110,000 to provide facilities for the greatly increased school population. You may have additional information regarding the needs in other areas in Nevada or in the State as a whole.

A recent study made by the Bureau of Community Facilities, Federal Works Agency, at the request of the House Committee on Public Works of the need for additional school-plant facilities in areas affected by activities of the Federal Government shows a current need in 395 local school districts for $348,132,416. These districts will experience an increased enrollment within the next several years which will result in an increased need for school plants. There are thousands of other school districts in the country affected in a manner similar to those described above. In many of these areas children are attending school only half a day, hundreds of buildings now in use are unsafe and many thousands more are obsolete and not suitable for present-day educational programs.

Most local school districts are exerting strenuous efforts to meet this problem with their own resources. Many have increased property assessments, many are bonded to the legal limits and many others are seeking

legislative changes that would authorize additional bonding power. In addition, some of the States are providing State funds to assist local districts to construct school facilities and other States have legislation pending which will help to meet the existing need. In view of the fact that this urgent need is the result of the economic condition of the country during the depression period, Government restrictions on construction activities during the war period and the increased birth rate during and since the war, it is believed that the Congress may wish to consider the advisability of Federal assistance to the school districts. Unless some provision is made to furnish school facilities thousands of American children will be deprived of essential educational opportunities.

If you desire additional information on this matter we will be pleased to furnish it.

Sincerely yours,

GEORGE H. FIELD,
Commissioner.

LOSS OF MINK COAT AT MAYFLOWER HOTEL

Mr. LANGER. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a news item which appeared in the Washington Star of Tuesday, March 1. I call the item to the particular attention of the Senator from Florida [Mr. PEPPER], in view of the statement he made several days ago respecting the Jefferson-Jackson Day dinner.

There being no objection, the news item was ordered to be printed in the RECORD, as follows:

[From the Washington (D. C.) Evening Star]

TRUMAN AIDE'S SECRETARY LOSES $4,500 COAT

Mrs. Estelle Fredericks, secretary to David K. Niles, administrative assistant to President Truman, reported the loss of a mink coat valued at $4,500, police said today.

Mrs. Fredericks told police the coat was lost in the lobby of the Mayflower Hotel Thursday.

ARMISTICE NEGOTIATIONS BETWEEN EGYPT AND ISRAEL—STATEMENT BY SENATOR O'CONOR

[Mr. O'CONOR asked and obtained leave to have printed in the RECORD a statement prepared by me regarding the part played by Dr. Ralph Bunche, acting United Nations mediator, in the recent armistice negotiations between Egypt and Israel, which appears in the Appendix.]

CIVIL FUNCTIONS OF ARMY ENGINEERS—STATEMENT BY SENATOR LONG

[Mr. LONG asked and obtained leave to have printed in the RECORD a statement prepared by him with reference to the civil functions of the Army engineers, which appears in the Appendix.]

SAM RAYBURN, THE UNTALKATIVE SPEAKER—ARTICLE BY WILLIAM S. WHITE

[Mr. JOHNSON of Texas asked and obtained leave to have printed in the RECORD an article entitled "SAM RAYBURN, the Untalkative Speaker," written by William S. White and published in the New York Times of February 27, 1949, which appears in the Appendix.]

AXIOMS OF GLOBAL POLICY—ADDRESS BY DOROTHY THOMPSON

[Mr. KEFAUVER asked and obtained leave to have printed in the RECORD an address entitled "Axioms of Global Policy," delivered by Miss Dorothy Thompson at a meeting sponsored by the United Service to China at the United States Chamber of Commerce on February 27, 1949, which appears in the Appendix.]

WASHINGTON'S BIRTHDAY ADDRESS BY WILLIAM E. LEAHY

[Mr. MCCARRAN asked and obtained leave to have printed in the RECORD the address delivered by William E. Leahy, of the Washington, D. C., bar, on the occasion of the celebration of Washington's birthday at the annual meeting of the Society of the Oldest Inhabitants of the District of Columbia, February 22, 1949, which appears in the Appendix.]

ESSENCE OF CURRENT CRISIS IS POLITICAL, NOT ECONOMIC—ARTICLE BY WILLIAM G. CARLETON

[Mr. PEPPER asked and obtained leave to have printed in the RECORD an article entitled "Essence of Current Crisis is Political, Not Economic," written by William G. Carleton, professor of political science, University of Florida, and published in the December 1, 1948, issue of Vital Speeches of the Day, which appears in the Appendix.]

HARRY S. TRUMAN—MAN OF THE PEOPLE, MAN OF THE YEAR

[Mr. MYERS asked and obtained leave to have printed in the RECORD an article entitled "Harry S. Truman, President, Man of the People, Man of the Year," written by George M. Harrison and published in the North American Labor magazine for January 1949, which appears in the Appendix.]

THE ROLE OF INTELLIGENT POLITICS IN PARTY TRIUMPHS—EDITORIAL FROM THE HARRISBURG (PA.) PATRIOT

[Mr. MYERS asked and obtained leave to have printed in the RECORD an editorial entitled "Smarter Politics," published in the Patriot of Harrisburg, Pa., of the issue of February 21, 1949, which appears in the Appendix.]

ADMISSION TO UNITED STATES OF 2,500 EUROPEAN PHYSICIANS — ARTICLE FROM THE HAZLETON (PA.) PLAIN SPEAKER

[Mr. MYERS asked and obtained leave to have printed in the RECORD an article entitled "State Vets Ask for Admission of 2,500 European Doctors," from the Hazleton (Pa.) Plain Speaker, of February 5, 1949, which appears in the Appendix.]

ASSESSMENT BY AMERICAN MEDICAL ASSOCIATION TO COMBAT COMPULSORY HEALTH INSURANCE — NEWSPAPER COMMENT

[Mr. MURRAY asked and obtained leave to have printed in the RECORD an article from the New York Herald Tribune of March 1, 1949, and an article from the Washington Post of March 2, 1949, dealing with the assessment by the American Medical Association to combat compulsory health insurance, which appear in the Appendix.]

NOMINATION OF MON C. WALLGREN

[Mr. CAIN asked and obtained leave to have printed in the RECORD an editorial from the Kelsonian Tribune, of Kelso, Wash., and a number of letters addressed to him, all bearing on the nomination of Mon C. Wallgren to be Chairman of the National Security Resources Board, which appear in the Appendix.]

AMENDMENT OF CLOTURE RULE

The Senate resumed the consideration of the motion of Mr. LUCAS to proceed to the consideration of Senate Resolution 15, amending the so-called cloture rule of the Senate.

Mr. KNOWLAND. Mr. President, I ask unanimous consent to have printed in the RECORD three editorials dealing with the question of cloture, one from the New York Times, another from the Washington News, and the third from the New York Herald Tribune.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the New York Times of February 28, 1949]

NO TIME FOR COMPROMISE

If present plans are carried out, a score of United States Senators at noon today will attempt to paralyze the legislative branch of our Government until this small minority, representing a small minority of the Nation's population, many of its Members elected by a small minority of the adult citizens of their constituencies, has enforced its will. This group proposes to stop all legislation, to hold up all authorizations and appropriations, including those for the national defense, and to hinder all Executive action which depends on congressional approval.

For what purpose will these gentlemen rise? What is the justification for the incalculable harm they may do their country? Let us look back into Senate history. Twenty-two years ago a little group of willful men, as President Wilson called them, talked to death a bill to arm American ships against submarine attacks. The resulting scandal led the Senate to adopt rule XXII, which stipulated that by a two-thirds vote debate on any pending measure could be limited to an allowance of 1 hour for each Senator. Under this rule, cloture has been applied four times. Last August Senator VANDENBERG, then Presiding Officer, reluctantly decided that even this feeble weapon could not be used on a motion to take up a measure. The Senate will have before it today an amendment designed to fill this gap. Even if this amendment is adopted, or if Vice President Barkley holds that rule XXII can be applied to motions, a minority of one-third plus one of a quorum present can still keep a motion or a measure from being put to a vote.

If this modest step is a limitation on freedom of debate, as Senator RUSSELL and his followers insist it is, what of the freedom of Senators who wish to get on with the business for which they were elected? What of the freedom of both great parties to keep their campaign pledges? What of the freedom of the public to get done what it wants done?

No amount of specious reasoning, not even the presence of men of character and intelligence among the prospective filibusterers, can conceal the real nature of what seems to be about to take place. This is a plain case of a minority arrogantly assuming, as it has done before, the right to veto legislation—in this case, Mr. Truman's civil-rights program.

Compromises have been proposed. No less a person than the Democratic leader, Senator LUCAS, has indicated an amiable willingness to suspend the battle occasionally in order to pass needed legislation. We believe the vast majority of the American people will agree that this is no time for either compromise or defeatist postponement. The question is whether we are to have some approximation of majority rule on Capitol Hill. More than that, it is whether our national legislative system can be made to work properly in a time of crisis. That issue had better be settled now.

[From the Washington Daily News of March 1, 1949]

THE FILIBUSTER FIGHT

Acting on orders from President Truman, administration leaders in the Senate have started a finish fight to curb the filibuster.

This fight, in our opinion, should be won. A small Senate minority should not have power to thwart the will of a large majority.

When as many of two-thirds of the Members wish to close debate and vote on a bill which has come before the Senate, they should have—and, under a 32-year-old rule, do have—the right to do that.

But, under an interpretation by Senator VANDENBERG when he was Presiding Officer this rule cannot be invoked to close debate and so end a filibuster against a motion to bring a bill before the Senate.

Mr. Truman wants the rule amended so that his civil-rights bill can be brought before the Senate despite the opposition of southern Democrats who threaten to filibuster against a motion for the purpose.

The southerners, 20 or so in number, say they are determined to talk indefinitely, if necessary, to prevent such a motion from coming to a vote. Meanwhile, the Senate could transact no other business, and the whole machinery of Congress would be paralyzed by a filibuster to preserve filibustering power.

The President, having decided to meet the issue head-on, is risking a great deal in this fight. His whole program could be delayed for weeks or months, and the southern Democrats could become so embittered that they would join with Republicans to defeat most of it.

The battle might end suddenly in victory for Mr. Truman if a majority of the Senate, voting on a ruling expected late this week from Vice President BARKLEY, the new Presiding Officer, should reverse the Vandenberg interpretation. But the prospect is for a long, bitter struggle.

We have grave misgivings about some aspects of Mr. Truman's civil-rights program. Certainly the Senate should not pass any part of it without debating it thoroughly.

But we do not believe that the Senate should be prevented from even considering this or any other proposed legislation if two-thirds of the Senators wish to consider it. Use of a filibuster for that purpose, would be dangerous and undemocratic. It would create a precedent which, in some time of crisis, could enable a handful of Senators to block legislation absolutely and urgently essential to the Nation's safety.

[From the New York Herald Tribune of March 1, 1949]

THE ISSUE IS JOINED

In the Senate yesterday the Democratic party faced up to its most severe test. When majority leader SCOTT LUCAS moved for a consideration of a proposal to curtail filibustering, he took the step which is an indispensable prerequisite to enactment of the President's civil-rights program. At the same time he challenged the concerted anger and the deep-rooted prejudices and convictions of the Southern wing. A fateful battle is thus in progress, of which the immediate outcome and long-range implications are alike uncertain, and which will determine whether or not the Democratic Party can act as a functioning, responsible organ.

The party's leadership has been greatly tempted to compromise or postpone the issue. Labor's insistence upon immediate repeal of the Taft-Hartley law put the civil-rights issue second in precedence; in the intervening weeks there has been strong pressure to let other portions of the President's program receive consideration, rather than risk complete bogging down and prolonged delays as the result of a filibuster. But it was realized that the time to modify the cloture rule is early in the session, and that the way to do it is with an all-out, unwavering assault upon it. All other busines in the Senate accordingly will cease, while the southern Senators grind out their talk.

The prospect of a few men intrenching themselves behind a technicality in the rules, wielding their disproportionate power to bring legislation to a halt and thwart an overwhelming majority of their colleagues, is hardly an example of democracy at its best. A party divided in this way, able to fulfill a basic pledge only at the cost of protracted and bitter internal strife, does not appear the most fitting instrument for expression of the people's will. It would be easy in the circumstances to derive a grim satisfaction from the Democrats' discomfort. But the present battle is one from which only a perverted partisanship could seek advantage. Republicans have over a far longer time than the Democrats been preoccupied with civil rights, and their program today is clear. They committed themselves, moreover, to pressing at the earliest possible moment for a change in the Senate cloture rules. There is no choice but to go forward, whatever the immediate inconveniences, determining that a few men cannot deny to their party and to the Nation the ability to act according to settled policy and deep convictions.

REPAYMENT TO UNDERWRITERS OF COST OF INAUGURAL

Mr. BALDWIN. Mr. President, I ask unanimous consent to have printed in the RECORD an article entitled "Underwriters of Inaugural Will Not Lose," published in the Washington Post of March 2, 1949.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

UNDERWRITERS OF INAUGURAL WILL NOT LOSE

Subscribers to the inaugural guaranty fund of $258,405 will be repaid in full, Melvin D. Hildreth, committee chairman, announced yesterday.

Repayment to 500 individuals and firms underwriting the cost of the event was made possible by the "tremendous success of the forty-first inaugural," Hildreth stated.

Meanwhile, Hildreth revealed, the Bureau of Internal Revenue has under consideration a request that inaugural tickets be exempted from the Federal amusement tax.

Proceeds of a tax exemption, if allowed by the Internal Revenue Bureau, would be directed as charity contributions to such institions as Children's Hospital, Florence Crittenton Home, the Community Chest, Police Boys' Club, etc., he said.

Mr. BALDWIN. Mr. President, is it in order now to make a brief statement with reference to this article?

The VICE PRESIDENT. It is not, except by unanimous consent.

Mr. BALDWIN. I ask unanimous consent to make a few brief observations in connection with the article.

The VICE PRESIDENT. Is there objection?

Mr. LUCAS. Mr. President, I object.

The VICE PRESIDENT. Objection is heard.

CONTROL AND DEVELOPMENT OF THE MISSOURI RIVER

Mr. MURRAY. Mr. President, I have just introduced a bill providing for the control of the waters of the Missouri River and its tributaries and the development of the resources of the potentially rich land areas of that river basin.

This proposed legislation is designed to solve a problem which has been before the country for a number of years and has come to be regarded as one of vital importance not only to the area involved but to the Nation.

Associated with me in the sponsorship of this vitally important legislation are distinguished Members of this body from both political parties.

Mr. President, there are few more important subjects before the Eighty-first Congress than this proposal to harness the mighty Missouri River, stop the periodical ravages occurring in the territory, and put the river to work for the benefit of all the people. Control and development of the Missouri River is not a local problem; it is a national problem. That great river and its tributaries drain the greatest inland empire in the world. The waters of this river system course through Montana, Wyoming, North and South Dakota, Nebraska, Kansas, Missouri, Colorado, Minnesota, and Iowa, in a main-stem distance of 2,500 miles from southwestern Montana to a meeting with the Mississippi just above St. Louis. Within this vast region is found our largest undeveloped and substantially underdeveloped stores of rich cropland, forests, minerals, fertilizers, and hydroelectric power; a wildlife and recreational wonderland area of unsurpassed marvels.

We are indeed fortunate in the farsighted development of the hydroelectric potentials of the Tennessee and the Columbia Rivers through Federal legislation establishing the Tennessee Valley Authority and the Bonneville Power Administration. Those great Federal undertakings enabled us to generate the tremendous hydroelectric power requirements essential in our successful war effort. Likewise, in any future emergency, the proposed Missouri Basin development will provide the great arsenal of power and essential resources which may be required to defend democracy.

Mr. BALDWIN. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. BALDWIN. As I understand, the question before the Senate is the motion of the Senator from Illinois [Mr. LUCAS] to proceed to the consideration of Senate Resolution 15, amending the so-called cloture rule of the Senate. A few moments ago I addressed the Chair and asked permission to make a few brief observations——

Mr. LUCAS. Mr. President, a point of order.

Mr. BALDWIN. I asked permission to make a few brief observations with reference to an article which I had inserted in the RECORD.

The VICE PRESIDENT. Does the Senator from Montana yield for a parliamentary inquiry?

Mr. MURRAY. I decline to yield for that purpose.

The VICE PRESIDENT. The Senator from Montana declines to yield.

Mr. MURRAY. I am merely making a brief statement in support of a bill which I have introduced. I do not expect to take very long in presenting the matter I have in mind.

Mr. BALDWIN. Mr. President, I am simply inquiring as to how we are proceeding.

Mr. LUCAS. Mr. President——

The VICE PRESIDENT. The Senator from Montana declines to yield.

Mr. MURRAY. In order to be certain of having the great resources and power potentials of the region put in form for use in time of need, it is imperative that we act promptly to establish a carefully planned, unified program such as envisaged in this proposed legislation, related to the total needs of the area. Under such a program we will witness not only a huge expansion of hydroelectric power, the development of valuable mineral and other natural resources, and an expansion of industrial and business growth; but we will also prevent the terrifying floods which annually cause losses mounting into the millions of dollars. Under this unified, integrated program we will reclaim and irrigate large areas of land, increase agricultural and livestock production, promote an economically sound expansion of navigation, protect wildlife, conserve and expand our forests, increase our recreational facilities, and bring many thousands of new settlers to the area.

Not only is this great river basin our last remaining untapped reservoir of raw resources needed for defense, but its potentialities for the development of vast amounts of essential civilian products are so great as to offer a new economic frontier for the use of our capital, our unused manpower, and the utilization of our great genius as optimistic, enterprising Americans.

Mr. President, this bill for the unified and balanced development of all the resources potentialities of the Missouri Basin will provide the foundation upon which a virile American free-enterprise system can expand and develop with an assured future. It will create great new wealth, attract new populations, raise the standard of living. It will do much to stabilize our economy at full-employment, full-use-of-resources levels, which alone will satisfy our people. Here is the effective and silencing answer to those false prophets who would create despair of our future, and spread the deadening blight of communistic dissension amongst us. Here is something big, worth working together to accomplish.

This great program for the unified and rapid development of the resources of the Missouri Basin will cost much money. But this sum will not be required, nor can it be invested, all at once. The program will start small, and will develop gradually. But not a single dollar of the amount needed is a charge on the taxpayers of this Nation, to be consumed without return. On the contrary, this is a capital investment; and even before the heavier amounts are required for the larger projects contemplated, returns on that investment will appear.

This investment will call forth such economic activity from private sources as to greatly expand our wealth and reverse our losses in population. Even more important, it will control the mad rampages of the Missouri River, which already have cost more in lives of humans and animals, suffering, disease, and destruction of valuable property than the total prospective money investment in this vast undertaking.

Mr. President, unless this Missouri Valley Authority is enacted into law and implemented at once, the losses I have described will continue to occur with every seasonal flood or drought. I say this because no adequate measures thus far have been taken, or contemplated in any plans now before this Congress, to prevent such destruction. On the contrary, we have spent hundreds of millions of dollars in dyking the river, straitjacketing it in levees that do little more than narrow its channel and add to its destructive force. Today, after years of such efforts, the Big Missouri is less tamed than ever before. She sweeps away millions of dollars in one season's flood. The floods of the last 2 years have been exceedingly severe. This year, with its tremendous snowfall, promises to keep alive this annual avalanche of destruction.

This program is not deferrable. We cannot order the weather to suit our purposes. Raging storms and floods, parching droughts, and scorching suns will continue to take their heavy toll until engineering projects of flood control, irrigation, forestation, soil conservation, and hydroelectric power development are welded into a single system based upon holding the rain where it falls, storing surplus water, and directing its flow for the beneficial purposes enumerated. In such a vast area as the Missouri River Basin, only a unified attack on the manifold problems of resources development and control will accomplish what is essential to the future of the area.

Throughout this proposed legislation runs one guiding principle, one which it is not possible to obtain under any other method so far advanced to meet the Missouri Valley situation. Where there is one river system, having different problems over its course, conflicting claims upon its waters, and freighted with so many separate desires and hopes of the people, there must be one center of responsibility, one authority, acting under principles of equity, in touch with and guided by the interest and welfare of all sections, and acting, also, only after securing the best advice obtainable from all groups and sections in the area. This principle has been tried out in the TVA, and has proven sound. It is the democratic way to find a solution for a complex problem which is vexed by conflicting interests and demands. The people will always have a check on the program because it can continue and its plans can be put into effect only as a result of annual appropriations.

One thing has been made abundantly clear during the past year by the work the Army engineers and the Bureau of Reclamation have done, and as a result of independent research by competent engineers and economists: A unified program and administration of the Missouri Valley resources must be established by law without delay for between these two great Government agencies there is an irreconcilable and dangerous conflict which is based on a physical condition that they are completely powerless to remove, namely the fact that the navigation-flood control program of the Army engineers depends on impounding and holding a large amount of water for downstream use, while the Bureau of Reclamation requires an ever-increasing amount of water for upstream area irrigation and power generation. Latest engineering studies reveal that there simply is not enough water over wet and dry cycles to meet both needs. Neither agency has ever squarely faced this fundamental problem. Each is intent upon securing as much of its program through congressional authorizations and appropriations as speedily as possible to protect and enhance its own particular program. But the Congress can no longer ignore this situation, or appropriate great sums from the people's treasury to further cement a false and self-defeating program into the very dams which these two agencies are building.

We have had much experience with the efforts of the Army engineers and the Bureau of Reclamation to get together and work out a single program for the Missouri Valley ever since the highly dramatic shotgun wedding of these antagonistic agencies in the passage of the Flood Control Act of 1944. But all the facade of amiable relationships which they have erected, all the nice job of smooth public relations which has been done by them in the Inter-Agency Committee of which they are the ranking members, all the moneys spent by contractors and power lobbies to confuse and baffle the people, fail to answer the insoluble questions and differences between them.

The O'Mahoney-Millikin amendment presumably gives first priority to the upper-basin States on all waters. Yet the Army engineers' program, already authorized, and some of it already being built, requires a tremendous proportion of that very water belonging to the upper-basin States. So the farmers who have been led to believe in the strength of the protection afforded them by this worthy, fair-sounding amendment are apparently putting their faith in an illusive fortress built on sand. If the Pick-Sloan program goes through, then the primary use of water for irrigation will suffer so greatly as to defeat a chief purpose of a sound regional resources-development program. Such a result will not merely injure the upper-basin States, it will be an irreparable damage to the Nation.

That is why it is imperative that the Missouri Valley Authority bill be passed by this Congress, so as to correct, while yet there is time, the mistakes being made, and to prevent any costly delays in constructing the flood control dams, power installations, soil conservation and forest works, and irrigation canals so badly needed.

Mr. President, let me point out here that this is not simply a conflict between the interests of the Upper Basin States and the States to the south. There is another factor in the background. The great power monopoly operating in the area is exercising a powerful influence to block this program which involves the question of public power development. The private power interests are working

both sides of the fence. They seek to misrepresent the facts and confuse the people to the north, as well as the people to the south, with a view of keeping alive this issue between the Upper Basin States and the States to the south, and thus preventing the extension of the policy of public power development which is so essential to that area and the Nation.

Mr. President, the bill which embodies the practical details of this legislation for the unified resources development of the Missouri River is necessarily long and complicated, because the subject of which it treats is not simple. The bill we have introduced today is the result of tested experience and study over a period of several years. It is premised on the successful program of the TVA. Previous MVA bills, designed to present this program, have been carefully scrutinized by committees of the Congress and by experts in the various subjects involved, including some of our outstanding engineers, conservationists, economists, and public administrators. In its present form the bill obviates many criticisms leveled at it at previous congressional hearings, and by individuals and groups in the area who are interested in providing sound legislation to meet the complex problems involved.

The grass roots have spoken on this bill. The issue of a unified program of resources development through the establishment of an MVA was a major factor in the campaigns of many persons seeking election to the House and Senate, to the governorships of the Missouri-Basin States, and even to the highest office in the land, the Presidency. On November 2 last, the people declared in no uncertain terms for an MVA.

My colleagues the Senator from Minnesota [Mr. HUMPHREY] and the Senator from Iowa [Mr. GILLETTE] and I visited with President Truman recently to discuss the matter and found him enthusiastically supporting this most beneficial legislation. It was one of the issues upon which I campaigned in the recent Montana elections. It was one of the important issues in my campaign. In State after State of the Missouri Basin, the MVA issue was raised during the recent elections, and in State after State the candidate who espoused that cause was elected. Powerful support for this legislation has developed not only in the region but in the Nation as well; and in the forthcoming hearings on the bill it will be supported by outstanding authorities.

Moreover, Mr. President, the persistent need for this legislation as the only way to secure an adequate and unified program for the control of the river and development of the valley has become quite evident to those Government agencies which, over the years, have had independent administrative responsibility for parts of this program. I refer to the Departments of Interior and Agriculture, where those responsible for policy in both Departments are on record as favoring the MVA to overcome the shortcomings of the piecemeal approaches they are now forced to apply. They favor it because they know that none of their accumulated wisdom and none of their technical ability will be lost and none of their current program will be cast aside by the establishment of the MVA. These Departments of our Government, which have brought great credit and renown to our country, know that an MVA will furnish a medium through which, in collaboration with each other, they can achieve ever greater beneficial results for the Nation.

Mr. President, at this point, I wish to discuss briefly the outstanding features of this bill.

This legislation establishes a Government corporate agency described as the Missouri Valley Authority. As a basic conception, it recognizes that much which now is being done by existing agencies in the area—local, State, and National—should continue to be done by these same agencies while they are fitted appropriately into a coordinated and unified plan designed to achieve the utmost economies, while at the same time carrying out the coordinated program of river control and regional resources development. Recognizing these facts, the bill proposes that these existing agencies which have been engaged in the various activities in the area—reclamation, irrigation, flood control, soil erosion, forestation, wildlife, power development, and so forth—will be utilized in an integrated plan under the supervision of the Authority in carrying this program into effect. Under this unified and coordinated plan each of the existing agencies of the Government which I have enumerated will be used to carry out the particular part of the program they are respectively equipped to perform. That is a guiding principle upon which this proposed legislation has been built—in other words, to conserve all the efforts of a constructive character that now are being made, and at the same time to fix responsibility, so that waste and duplication are eliminated, and so that the engineering soundness and success of agreed-upon plans can be appraised and realized.

The headquarters of the MVA will be in the region itself. A head office and conveniently located regional offices will be there where the program is being carried out and where the people affected by it can reach those in charge readily and without great cost of time and money. This decentralization of Federal Government activities is sound. It seeks to achieve the great benefits of Federal financing, planning, engineering, and high-grade administrative personnel, while making the work in the field subject to day-by-day scrutiny, participation, and evaluation of the people in the region, so they may have prompt contact with those supervising and carrying the program into effect.

The MVA will be administered by a board of directors of five American citizens, three of whom must have had a residence of at least 5 years in the Missouri Basin before taking on their duties as directors. They shall employ a general manager who will act under policies and plans approved by the board. Here is a well-tried and proven method of corporate administration by which our public and private business institutions have achieved outstanding and enviable success.

The MVA shall proceed immediately upon being established to develop and present to the President and the Congress as expeditiously as possible a comprehensive plan for the unified development of the Missouri Valley region in accordance with the purposes and policy of this act. No plan shall be effective, and no funds made available or works begun until the Congress shall have approved that plan in all its details and particulars.

Moreover, no plan can be presented to the President and the Congress until after it has had the careful examination and comment of an advisory board. That board will be composed of 12 citizens who represent in equal numbers the interests of agriculture, commerce and industry, labor, and wildlife and recreation in the Missouri Valley. In addition, it will have as members the principal officer of each of the following Federal Departments: Agriculture, Interior, Commerce, Justice, War, Labor, the Federal Power Commission, the Board of Governors of the Federal Reserve Bank, and the governor of each of the 10 States in the Missouri Basin. The governors shall also be constituted a special committee to advise and cooperate with the MVA on all matters involving Federal-State relationships.

Through this advisory committee, the States and localities and the diverse interests of the region will be fully aware of all proposals of program and policy, and be able to assist in their solution. Here is democracy in action.

Mr. DONNELL. Mr. President, will the Senator yield for an inquiry?

The PRESIDING OFFICER (Mr. O'CONOR in the chair). Does the Senator from Montana yield?

Mr. MURRAY. I decline to yield. I have but a few moments left. I wish to conclude my remarks.

The PRESIDING OFFICER. The Senator from Montana declines to yield.

Mr. MURRAY. I wish to stress the fact that no existing program, no flood control or other works already authorized and for which funds have been appropriated, will be delayed 1 day by the passage of the bill. For the bill provides that all such authorized projects shall go forward toward completion and be incorporated into any over-all plan developed by the MVA and approved by the Congress. I wish also to point out that no delay or waiting period is contemplated under this measure before a comprehensive plan can be submitted to the Congress. It is recognized that so much work of an engineering nature has already been done by the separate Government agencies on important phases of the regional program that the comprehensive program which is contemplated should be forthcoming within a reasonable period after the bill becomes law.

Moreover, quarterly reports of progress are required of the MVA, so that at all times the Congress and the people to be benefited or affected will be acquainted with the proposed plans, the work under way, the accomplishments, and the progress of the program. Here is a decentralized, carefully planned, and efficient administrative policy designed to get a unified program of river development carried out without costly delay.

The bill specifically provides that the plans and projects shall be carried out in such manner as to protect the interests of the States in their watersheds and water rights. In this way, a considerable body of law in these Western States, which has received the sanction of the courts since earliest statehood, and whose value in protecting the rights of citizens to this primary need of water has stood the test of time, will be recognized and continued in force and effect. Moreover, the passage of the MVA bill does not carry with it any transfer of such moneys as have been accumulated over the years for specific purposes in the reclamation fund.

The MVA bill recognizes the existence of an important body of law affecting the public lands, irrigation, reclamation, grazing, geological survey, national parks and monuments, mines and mineral holdings, and forest land that must not be affected in any manner. The bill expressly prescribes that these laws must be taken into full account in the plans and programs under the proposed legislation.

It is the intention of those sponsoring the measure that the existing Government agencies shall be drawn upon to the fullest extent of their capacity. Consequently, the bill provides that they may be contracted with to perform that part of the program for which they have particular ability and experience.

The bill provides that in any program developed the O'Mahoney-Millikin amendment to the Flood Control Act of 1944 shall determine the use of waters, protecting the rights of the semiarid regions of the Northern States to a primary claim for irrigation and kindred uses of such waters.

Lands to receive irrigation produced at taxpayers' expense in the Missouri Basin are limited to the intent of the reclamation law which was put on the statute books during the administration of President Theodore Roosevelt in 1902. A single ownership can receive such irrigation water on 160 acres of irrigable land, plus not to exceed a minor fraction of a second 160 acres which may be required to round out the irrigated part of a family-operated farm. Of course, in addition thereto, the operator may own and use as much nonirrigated land as he sees fit.

This bill restricts the MVA to the wholesaling of electric power, with the exception that it can sell at retail to farms and rural communities which are not adequately served by existing utilities at reasonable rates.

All funds for carrying out the purposes of the proposed act must be authorized and appropriated by the Congress. Profits made from its operations must go into the United States Treasury. No sums from such profits can be used in further construction unless specifically so authorized by the Congress. The businesslike conduct of the MVA is further insured by provision that the General Accounting Office shall prescribe the exact forms of accounting to be followed and shall audit these accounts.

Of vital importance to the States and political subdivisions is the provision relating to removal by the MVA of taxable property from their rolls. In any such action, the local and State govrnments do not lose a single tax dollar. On the contrary, the greatly increased wealth created by the works of the MVA will add much taxable wealth to the tax rolls. And, so far as the particular taxable property taken over by the MVA is concerned, the local and State governments will gain, also in that respect; for the bill provides that a sum not less than the revenue lost to the States and political subdivisions shall be paid upon their appraisal to the local taxing authorities. As MVA increases wealth and property values, so tax reappraisals of its property will result in larger revenues to the localities where the property is located.

Such are the main provisions of the bill. They have been developed as a result of the thorough testing and rigorous application of the legislative process, through several congressional hearings involving previous bills for this purpose.

Mr. President, during the Eightieth Congress I introduced a resolution calling attention to certain startling facts which had been developed by independent engineering and economic studies indicating that our continued appropriation of public moneys to carry out the so-called Pick-Sloan plan of the Army engineers and the Bureau of Reclamation was wasteful and injurious to the best interests of the region and would not accomplish its main purposes of flood control, navigation, and reclamation.

No one has denied these charges. The agencies referred to have chosen to dodge them completely. They rely, apparently, on the easy credulity and forgetfulness of the people. The passage of time is expected to erase any lingering memory of the doubt these charges have cast upon the ability of the much-advertised Pick-Sloan plan to produce all the water needed for irrigation in the upper reaches of the Missouri and all the water needed for navigation in the lower part of that river. They hope, apparently, that the people will forget about dams silting up and levees failing to provide flood control; that people will not know about the plan's inability to generate a maximum of low-cost hydroelectric energy to ease the burden of irrigation costs on farmers.

But cold facts will not die. They keep on coming to the surface in the minds of men who give thought to these matters. They prove there is not enough water, over wet and dry cycles, to accomplish all these purposes. These facts therefore warn us that a blind continuance of the Pick-Sloan plan through further vast appropriations this fiscal year will without doubt prove to be wasteful and self-defeating. The situation has disturbed many of us, including some of the leaders from the Missouri Valley on the Republican side of the Senate who have urged me to reintroduce my resolution with the promise of their support.

But a study of the Pick-Sloan operations is no final answer to the great needs of the Missouri Valley. What we propose under the bill is to give a properly constituted board the authority to examine all plans, programs, and efforts being made, including those of the Army engineers and the Bureau of Reclamation, known as the Pick-Sloan plan, report back to the Congress with the utmost expedition on their soundness and usefulness in a unified and adequate program, and proceed under authorization of Congress to carry such a program into action. To this approach I invite the support of all my colleagues who are at present concerned over the Pick-Sloan plan.

I now invite attention to a brief examination of the major needs which the MVA will satisfy.

POPULATION

The Missouri River drainage system encompasses an area of 500,000 square miles—almost a fifth of the land of the United States. But in 1948 its population was only 15,866,000, or a tenth of our people. This vast area of great economic resources and tremendous potential wealth has been declining in population for several decades in comparison with the country as a whole. And with the decline has come an inevitable decline in agriculture and industry.

Four States—North Dakota, South Dakota, Montana, and Nebraska—actually lost in total population from 1940 to 1948.

Every year, whole families and vigorous single workers leave these States. Migration, in and out, resulted in a net loss of population for the 10 Missouri Basin States of 6 percent from 1940 to 1947. North Dakota suffered most—a net loss of a fourth of her people from in-and-out migration. Montana was a close second. Only Kansas broke even through migration; every other State losing people in this movement.

AGRICULTURE

In 1930 the United States census was taken in the 430 counties included in the 10 States drained by the Missouri and its tributaries. Another census was taken of the same counties in the highly prosperous war year 1945. During the intervening 15 years the number of farms operated had declined by more than a tenth—12.2 percent. When 1 out of every 10 farms disappeared, the remaining farms increased in acreage almost a sixth—15.7 percent. But this does not mean that farmers and city consumers are the gainers thereby. For the cropland actually harvested in 1944 was 7 percent less than 15 years earlier.

Here is an area whose problems are so serious as to warrant the attention of Congress. Some 90,000 families gave up their lifelong stake in farming. People abandoned farms whose acreage was absorbed by adjacent farms, much of it being taken out of cultivation and allowed to go back. In the recent 15 years the money value of all farms and farm buildings in the Missouri Valley declined more than a fourth. Those who still owned farms in 1945 had suffered a money loss of more than two and a third billion dollars in the value of their farm properties.

INDUSTRY

Only a balance between agriculture and industry will ever reverse the loss of population trend that has fastened upon the Missouri Valley States, and

give them that standard of living to which their natural wealth entitles them. Only a greatly broadened industrial base will free them from the status of colonial bondage to the money and industrial centers of the East who have enriched themselves for so long by bleeding the Missouri States of their raw materials. Only when the raw materials are processed on the ground will a soundly flourishing industry be established.

In all this vast area covering 10 States, there were only 20,000 manufacturing establishments operating in the highly prosperous year 1929. They employed less than 600,000 wage earners, fewer than are employed by a few large manufacturing concerns in the industrialized East. By 1939, despite a very substantial degree of national economic recovery, the number of factories still operating in the Missouri area had fallen to 17,000 and the number of wage earners had declined a fifth.

There was a pick-up in the Missouri region, as elsewhere in the Nation, to higher levels of industrial activity due to the unusual efforts made during World War II. Here is positive proof of the drawing power of industrial employment so badly needed in the Missouri Valley. For example, in Wyoming the State's population trend was reversed in the 1940–48 period by the addition of 20,000 people, most of whom came in to man industrial plants in the war.

But the power to attack and hold industry in the Missouri region depends on the development of low-cost hydroelectric power, the lifeblood of industry. Here was the key to the amazing development of the seven States of the Tennessee Valley whose industrial growth has exceeded substantially the national average since 1940. The relatively high cost and low output of electric power is the principal reason for the continued industrial stagnation of the Missouri Basin States. Yet in this very region is located the greatest potential supply of low-cost hydroelectricity still to be generated in this country.

RECREATION

Many people in these United States know the Missouri Valley States because of their superb offering of natural wonders, such as the great parks and monuments. Many others know them because of their abundance of wild game, birds, and fish. Still others know them because of the remaining primitive cultures of Indians. Some know them because of the great forests and the infinite variety of wild flowers.

But all would be greatly disturbed to know of the inroads civilization is making despite our efforts to preserve and make these wonders of Nature available in abundance for present and future generations. The drying up of ponds and waterways and the pollution of streams are destroying birds and fish. The cleancutting of forest areas is ruining our timberland. The overgrazing of grasslands is endangering the open range. Modern means of transportation that make even the most inacessible places no safeguard against the airplane threaten our recreational offerings. The rich natural heritage of our Nation's wonderland is being jeopardized. In this, each and every one of us has an all-time stake.

Mr. President, in this all-too-brief high lighting of the major needs which an MVA will meet directly—needs of population, agriculture, industry, and recreation—I have been forced to neglect others which are of great importance. I am not unaware of them, however, and would direct attention to the fact that an MVA will seek to answer all those important needs of the valley which can be met best through an integrated program of regional resources development. Thus, reforestation, reseeding, and sustained-yield forestry practices will be of concern to the MVA, as will an adequate program of transportation.

But an MVA will be known as well for what it does not administer directly in its many-sided, wide-fronted program. For example, all of the activities now being carried on by the sovereign States of the Missouri Valley will be continued and strengthened and still operate as State activities once the MVA has been established.

The MVA will seek to unify interstate resources problems to the end that the utmost benefits accrue to the region as a whole, without unfair treatment of any State. The MVA will, in addition, step up the program of Federal activities within the Missouri Basin States. The MVA will administer those regional resource matters which require one central agency controlling the flow of the river and the storage and use of its precious waters.

Mr. President, we are already paying a big price, an unnecessary price, for the continued misuse of our resources which creates scarcities and raises costs. Expressed in dollars, economists tell us we lost approximately $40,000,000,000 in the single year of 1948 from the scarcity of essential materials. Lumber and oil scarcities are today costing us over $1,500,000,000 a year, and we have hardly entered upon the era of real scarcity in those commodities. We are losing land at a rate that will cost us $1,000,000,000 a year for the next 20 years to retrieve and put into full cultivation.

We must bring into production and use, on a continuing basis, all of our natural resources essential to the maintenance of a high standard of living for our people. The Missouri Basin States are a major key to this accomplishment. I have only to cite their prospect in the production of synthetic gasoline from Colorado, Montana, and Wyoming shale and sand; their abundance of high-grade mineral fertilizers in Idaho and Montana, their offering of iron, clays for aluminum, coal, manganese, and chrome, to point the way to an increase in the supply of resource products and a lowering of their costs.

But the development and use of any one of these essential resources is tightly bound up with the development and use of others. For example, water with power, power with gasoline refining, water with synthetic fuel production—to mention a chain of relationships. No great resource gains can be made on a wide front except in a unified way.

Mr. President, in presenting this important legislation, I am speaking on behalf, not only of the citizens of my own State of Montana, but, as the cosponsorship of this bill indicates, on behalf of many people in many States. The Missouri Basin is a part of the Nation well worth this investment. Here is raised nearly half of our foodstuffs, with a potential production of the essentials of life far in excess of the present rate. Here is the greatest river basin in the United States. Here are seemingly boundless deposits of coal and phosphate, vast reaches of timberlands, great mineral deposits—all little explored and awaiting intensive commercial development.

But here, too, is a seasonally swift-flowing river rushing away to the sea in floods annually destroying thousands of acres of rich lands and other irreplacable natural resources. Here are dry spells so severe as to sap the vitality of man, animal, and plant. Here are dust storms which take so much of nature's nutriments from the soil that only cactus plants can be used for reseeding purposes. Here are vast hydroelectric possibilities, and here exist alongside of them a greater need for electricity for farm, home, and industrial use than anywhere else in the Nation.

Here we have spent, and are now spending, millions of dollars annually in a wasteful and fruitless effort to bring about balance and unity between these forces of Nature. But our outmoded, piecemeal methods will not accomplish these purposes. Only an MVA whose very purpose is the unified and balanced development of the region's resources will accomplish this great task. That is why my colleagues and I have offered this bill for your consideration.

Mr. President, I have reviewed in this statement the broad outlines of the MVA bill and sketched the needs which prompt the bill's introduction. It remains for two of my esteemed colleagues, the Senator from Iowa [Mr. GILLETTE], and the Senator from Minnesota [Mr. HUMPHREY], to develop in more detail certain phases of the regional resources problem which this bill is designed to meet.

Few measures before this Congress have such important purposes, or such widespread national interest and appeal. For in creating the Missouri Valley Authority we are answering a long-felt national need that will be expressed in great new opportunities for all our people.

Mr. GILLETTE. Mr. President, I am very happy indeed to be associated with the able Senator from Montana, who has just taken his seat, and with the other cosponsors of the bill which was introduced this morning.

On August 22, 1944, I introduced a bill in the second session of the Seventy-eighth Congress to create a Missouri Valley Administration.

It was apparent then, as it is increasingly apparent today, that it is imperative that we have a single planning and administrative agency dealing with the Missouri River.

Four and a half years have elapsed since that introduction. The Congress

has reorganized and merged many committees to handle its own business more efficiently. The Hoover Commission has been established, and is already making periodic reports to us on merger and reorganization of executive bureaus and branches of the Government. One is on our desks this morning. There has been recognition that our Topsylike governmental structures must be realined, with many bureaus merged to end overlapping functions, bureaucratic jealousy and conflicts, and more nearly to attain economy and efficiency.

In spite of the emphasis that has been given this movement in the Federal Government, out in the Missouri Basin the agencies of the Federal Government have been going in exactly the opposite direction. Out there, the Army engineers, the Bureau of Reclamation, the Departments of Agriculture and Commerce, the Federal Power Commission, and at least a score of their lesser agencies, have created a supercouncil of bureaus, designed to protect the powers, prerogatives and prerequisites of each in the basin, instead of following the sound sort of merger and realinement of authorities and responsibilities which is going on everywhere else in the Government.

Let me give my colleagues a little history of this supercouncil of the bureaus.

Following the floods of 1943, the Army engineers rushed together a plan for the lower Missouri River and presented it to the Seventy-eighth Congress. The Washington Post, in a recent story concerning Gen. Lewis A. Pick, said that General Pick developed the plan in 90 days. It was not quite that speedy. As a matter of fact, the Army engineers had done years of work on the lower Missouri, charting its channel and studying its behavior—and hauling gravel back and forth—so the claim that the general did this stupendous job in just 90 days is about as exaggerated as the premature report of Mark Twain's death.

However, there were those, including the Bureau of Reclamation, who apparently thought the plan reflected only about 90 days' study. When the Pick plan was submitted to Congress, the Bureau of Reclamation attacked it vigorously. W. Glenn Sloan told a committee of the Senate, as spokesman for the Bureau, that the gigantic Garrison Dam in North Dakota "is unnecessary in any plan for developing navigation or any other purpose. We recommend the elimination of Garrison Dam because we think it is unnecessary and not worth the expenditure."

That dam was then estimated to cost around $130,000,000. The estimates run around $200,000,000 today.

Sloan also testified, still for the Bureau of Reclamation, that the $15,000,000 Gavins Point Dam "is a very expensive dam for the benefits to be derived from it. As a power proposition, the cost per kilowatt-hour for the development there is 30 to 40 times the cost of power at any of these other dams."

Mr. Sloan had been assigned the task of developing a Missouri River plan for the Bureau of Reclamation. It was apparent to the Bureau that the Pick plan for a flowing navigation channel would require all the river's water, and that there would be none left for irrigation if the Army got priority. So they opposed the Army before Congress and offered their own Sloan plan.

We were told at the time that the Sloan plan would not work, that some of the projects proposed were fantastic and uneconomic. We were told that the giant Souris irrigation project in North Dakota would cost many times what farmers could afford to pay, and that it was an engineering fantasy. We were told that the James River irrigation project in South Dakota was not needed—that the area had plenty of water except 2 or 3 years out of 10.

It was at about this time that both the distinguished Senator from Montana [Mr. MURRAY] and I introduced bills to create a Missouri Valley Authority.

The effect on these two bickering, battling agencies was almost electric. Within 60 days after our bills were introduced—on October 16 and 17, 1944—the Army and the Bureau of Reclamation held a joint meeting in Omaha, Nebr., and in those 2 days claimed that they had completely integrated their conflicting plans. Let me quote from a joint statement to the Secretary of War and the Secretary of Interior which went out a week after that conference over the signature of the Army and Bureau participants:

> The committee met at Omaha, Nebr., on October 16 and 17, 1944, discussed the feature of both plans, examined the supporting data for each plan, and prepared the enclosed joint engineering report. The joint engineering report points out that by making appropriate modifications it is possible to eliminate existing differences between the two plans.
>
> It was possible to bring into agreement the plans of the Corps of Engineers and the Bureau of Reclamation.

Mr. President, it would take both hands and arms to hold the supporting data which were allegedly examined at that brief joint conference. One thick volume contains 1,245 pages—a report on the Missouri River by Army engineers, printed as House Document No. 238, second session of the Seventy-third Congress. Another, of larger page size, contains 212 closely printed pages, plus maps and illustrations, and is the Bureau of Reclamation report on the Missouri Basin, which was printed as Senate Document No. 191 of the Seventy-eighth Congress. Those two documents alone would take days to examine, and they are not nearly all of the supporting data, nor is the examination of the supporting data all those gentlemen did on those two historic days. Theoretically, at least, they had enough discussion to decide upon, and then write out—and I quote their own press release of November 8, 1944:

> The best practical plan for the development of the Missouri River Basin for navigation, flood control, irrigation, reclamation, power, and all other beneficial uses of the waters of the Missouri River and its tributaries.

Mr. President, at the time when those occurrences were taking place I considered the allegations an imposition on the credulity of the people of the Missouri Basin and of this Congress.

The things claimed for the combined Pick-Sloan plans—this 2-day engineering wonder—were simply incredible. One did not have to be an expert on all the projects, and there are more than a hundred of them, to know that those claims were not well-founded.

It quickly became obvious to those folfowing the situation that the Omaha conference had developed neither a single unified plan nor the best practical plan. Nor had it even taken account of all the beneficial uses of the waters of the Missouri and its tributaries.

Instead, it became apparent that the Army and the Bureau had simply laid maps of their two conflicting plans side by side, and wherever they were both trying to put a dam at about the same location on the river, they gave and took, eliminating conflicts which would be visible to the public and the Congress.

There was no actual setting down and developing a full river plan, with the best practical plan for irrigation, the best practical development of electric power, the best practical plan for navigation and for flood control. The Bureau simply yielded the Army the right to build two or three main-stem dams that it had planned, and the Army got out of the Bureau's irrigation field. Then they agreed to quit criticizing each other, lest Congress create an MVA.

The Senator from Montana [Mr. MURRAY] and the backers of the proposed Missouri Valley Authority quickly contended and demonstrated that there was still not enough water in the river for both plans; that the basic conflict continued. They were treated as partisans, and the Eightieth Congress paid no heed to their warnings. But now we have reports from the other side, from men who have been opposed to the valley authority plan, and it is in total agreement with what the Senator from Montana and others have been warning.

I want to read a few excerpts from the report of the Hoover Committee's task force on natural resources development, which was published in the Denver Post of January 26. That report is quoted directly as follows:

> Present estimates are that the construction of projects for the development of the Missouri River will cost nearly $6,500,000,000. One of the unanswered questions concerning development plans is whether there will be sufficient dependable water for purposes of navigation, flood storage, irrigation, water supply, and power development.
>
> It is nothing short of a calamity that there should be grave uncertainties on this score at this late date.
>
> After sharp clashes over plans for the development of the Missouri Basin, the Corps and Bureau announced complete agreement on the Pick-Sloan plan. Analysis of that plan reveals the fact that it contains many projects which previously had been subjected to devastating criticism by one or the other agency. The compromise consisted for the most part of a division of projects, each agency agreeing to forego the privilege of criticizing projects assigned by the agreement to the other.

That is the end of the quotation carried by the newspaper. That was the

natural resources task force of the Hoover Commission speaking. It was not a group of partisans for a Missouri Valley Authority, but a task force appointed by our Republican ex-President, Mr. Hoover.

Mr. President, the tragic deficiencies of the Pick-Sloan plan are now recognized in every quarter. The deficiencies of the superagency which was set up to follow up on the Omaha compromise are just as marked.

The superagency was officially known as the Missouri Basin Interagency Committee. It included Army engineers and the Bureau of Reclamation as the principal participants, but with the Federal Power Commission and the Departments of Agriculture and Commerce, representing all their subordinate bureaus, holding memberships.

After two or three meetings, it became apparent that this continuing agency was not going to do the real, fundamental job of coordinating and integrating the basin plans, which they claimed they had done at Omaha. At a meeting in Topeka, Kans., when there was effort to go to the merits of some of the competitive projects, so much heat was generated that the Commissioner of the Bureau of Reclamation packed his briefcase and started to walk out for good. I understand that another compromise was then reached whereby the participants promised to forego engineering arguments and simply tell each other, at the meetings, what new projects they had in mind.

This would give the public an impression of agreement simply because the participants did not argue or disagree about anything.

Someone has suggested that the Missouri Basin Interagency Committee should be renamed the Missouri Basin Adding and Subtracting Society.

Seriously, that is not a bad description of the way this group operated after their first few meetings. Under the arrangements which grew up, the various agencies now come into the meetings and report the projects they plan to undertake, give an estimate of their cost, and the amount needed each year from Congress. There are no arguments, no discussion of conflicts, feasibility, or the manner in which each project fits into an over-all development and operating plan. The figures are simply put down. When the Department of Agriculture was slow in claiming some money, they were coaxed to get a request in the pot. When every agency has put in its sums, the group adds them up and they all come down here to Washington to subtract the grand total from Congress and the Treasury.

A careful examination of the meetings and the operations of that group will show that that is the total real limit of its functioning. It has served the participants as a public front. It has met at a different State capital each month, hearing speeches from the various agencies about what they are doing, and adding up totals to be subtracted from the public till.

As the Hoover Commission has pointed out, this interagency committee has never yet tackled the real problem of allocation to various uses of the supply of water actually in the Missouri Basin. It has never tackled the elimination of conflicts in plans and the development of an ultimate, over-all water-operation plan which will give the Missouri Basin the most of irrigation, of electric power, of navigation, and flood control.

It has been demonstrated here in the United States that a truly integrated river-development plan envisions the ultimate operation of the plan, and the dispatching of water for various uses after the dams are all built.

An integrated program requires sufficient hydrological data that allocations of water to irrigation can be known in advance, storage and flow plans can be envisioned in advance for hydroelectric power generation, navigation, and flood control, with capacities reserved for the unusual thaws and rainfalls which inevitably occur in a long cycle of years.

Mr. President, there is no such great, over-all plan for the Missouri Basin in existence. The planning for the river is now recognized as piecemeal, with probable enormous wastes of money going on today for construction of uncoordinated, piecemeal projects.

Even if I believed that there was a total plan—a splendid plan—for the development, control, and operation of the Missouri River within the existing set-up, I still would advocate a Missouri Valley Administration.

The Pick-Sloan plan, in its total concept, is but a fraction of a total basin plan. It deals with the river. It does not deal with the problems of the land, of soil conservation, of the development of land and mineral resources, and of the human resources of the valley. It has no plan for stopping the loss of 300,000,000 tons of topsoil annually. It does not provide for the development of the plant-food resources on the western rim of the Missouri watershed, to make conservation practices economic for farmers, who would then help to stop erosion and floods back on the land. It does not contain any forestry plans, to help stop floods as well as protect and restore our forests and our soil.

The Pick-Sloan plan does not include the coordination of power and navigation developments with the establishment of new industries, which are so greatly needed.

The Pick-Sloan plan does not include any plans for development of basin-wide recreational facilities, for preservation or increase of wildlife, for industrial research and stimulation, for the development of other facilities which make life for people in the Missouri watershed richer and better.

The Pick-Sloan plan is only a fraction of the total basin development—in all its phases—which is needed in our great watershed. We need an over-all agency which will relate the problems of the land and the water, and then the problems of the people to those of developing the land and water, so that the basin may become the source of strength to the Nation which it should be.

The Tennessee Valley Authority has been a tremendous success.

It has been combed over and over by critics and to this good day there has not been any startling disclosure about it except that it has tremendously improved the economy and the life of the people of that valley. Certainly there have been some minor criticisms, though they have been surprisingly few. But there is nothing startling about a reasonable number of mistakes. It would be startling if there were none.

The valley administration proposed in the bill that has been submitted is patterned after the TVA, with modifications to fit the peculiar needs and the great size of the Missouri Valley. Our valley has the resources, the people, and the material things needed to rival or surpass the progress made in the Tennessee Basin, where the Federal investment is paying off.

We have invested about $800,000,000 in the Tennessee Valley development. The returns from electric power are liquidating the costs at Government interest rates, or the cost of money to the Government. Books are not kept in accord with those of a private utility, because it is not a private utility and it has no parent company management fees, no preferred-stock and no common-stock dividends to pay. It merely pays to the Government whatever it has in margins at the end of the year.

Accountants have had quite an argument about whether or not the TVA is paying out. The argument revolves around the TVA bookkeeping practices versus those of a private utility. That argument seems to me wholly beside the point.

The TVA has already paid for itself more than once.

When the Congress of the United States established the Tennessee Valley Authority, the seven affected States were paying 3.4 percent of the total income taxes collected by the United States Treasury. In 1947, the same area was paying 6.3 percent of the total income-tax payments made in the United States. Today, after 15 years of TVA, with improved agriculture, 2,100 new factories and other growth, the valley is paying almost twice as much of income tax, percentagewise, as it did before TVA.

On a cumulative basis, the increase in income-tax collections from 1933 to 1947 has been more than $2,000,000,000—about two and one-fourth times as much as this Nation has invested totally in the Tennessee Valley Authority.

I want to be clearly understood. That is not the total gain in income-tax collections. The gain has been much more than that. The $2,000,000,000 represents the gain resulting from the proportionate increase in payments by that area—the excess over 3.4 percent of the national total.

At the present time, TVA is paying for itself at least every 2 years on this basis.

No one can question that the Tennessee Valley is more prosperous for having an integrated resources-development program which has related industrial development and agricultural development to the harnessing of the water of the area. No one can deny that the lag between that southern area and the rest

of the Nation is being shortened, that the waste of land resources is being stopped—that greater gains have been made there than in the Nation as a whole as a result of TVA stimulation.

I have been impressed by the annual report for 1948 recently made available to the Congress, which analyzes the Tennessee Valley progress.

They have 2,100 new industries in the Tennessee Basin itself, which is a gain of 163 percent since TVA's creation. In the seven States of the valley, including areas of those States outside the basin, the gain has been 132 percent in number of industries. The national gain has been 95 percent in the same period—much less than the valley authority's area.

In agriculture, there are now 1,000,000 acres of terraced land in the valley and pasture acreage has increased 800,000 acres, reflecting a tremendous gain against the problem of erosion. Livestock has increased 9 percent. Dairy cattle numbers are about the same, but milk production is up 22 percent. Farm tenancy went down 38 percent in the valley from 1935 to 1945, compared to a 25-percent decline in the Nation. Value of farm property and farm production show similar gains in excess of national average gains.

Individual incomes, as indicated by the income-tax figures, I have cited, are very much closer to the national average. The Tennessee Valley is no longer a problem area. Its problems have been and are being met. It is an area that contributed great strength to this Nation in wartime, and continues to contribute strength in peacetime.

The Missouri Valley has some problems that are different from those of the Tennessee Valley. The Missouri Valley is bigger and involves the problem of irrigation.

Foes of a Missouri Valley Administration contend that such an agency was designed only for the Tennessee Valley or an area exactly like it.

It is a transparent, specious argument of the sort used when valid arguments are not at hand.

The core of the valley administration idea is centralized administration and responsibility for efficiency and better results. It is the basically same core—the same objective—we have had in congressional reorganization and reorganization of the executive departments.

The MVA bill gathers together responsibilities for development now scattered through 30 or more bureaus of Government and consolidates them in a single Government corporation with headquarters and final responsibility out in the valley among the people who are concerned by its work and its decisions. It is as essential to development of the Missouri Basin and proper administration as is centralized responsibility in the Ford Motor Co. or General Motors.

Every Member of this body would, I am sure, agree that it would be absurd for Ford Motor Co. to divide itself into 20 or 30 autonomous departments, with the body department and the motor department competing for iron and steel, and producing parts to the limit of their acquisition of metal without regard for the other, or the final assembly of total, finished automobiles.

That is almost exactly what we have in the Missouri Basin today. The Army and the Bureau of Reclamation are competing for the basic resource—the river's flow—and each proposes to use all it can get of the water without regard to the final assembly—a developed and prosperous valley.

The MVA bill is a proposal to use an accepted business pattern to administer existing Federal powers and functions in the Missouri Basin so that expenditures will be dynamic and productive, as those in the Tennessee Valley have been.

It is not a change in our basic philosophy of government. It is nothing more than typical American common sense, tested and successful in the Tennessee Valley, and now ready for application in the Missouri Valley.

Mr. President, I want to say just one more word, and that is about the desire of the people out in our valley for a Missouri Valley Administration. This is almost another of those cases where everybody is against it except the folks themselves.

In my observation, the opposition to a Missouri Valley Administration is almost entirely professional, or guided by the hands of professionals. The matters which my colleagues have discussed or will discuss concerning the anti-MVA lobby should be investigated. I hope that if the Kilgore resolution is passed there will be such inquiry. I am sure that it would establish the accuracy of what I have just said.

A great majority of the people of Iowa who have given study to the problem are for a Missouri Valley Administration; and in the western area, where they would be directly affected, they are aggressively for it.

The returns from the last election strongly indicate to me that the same is true in other Missouri Valley States.

There is general recognition now that the Pick-Sloan plan is not adequate. At the same time, there is anxiety about getting ahead with the Missouri Basin development as rapidly as possible. The tremendous snows lying in the basin right now are a threat and a reminder of the enormous dangers and damage of Missouri River floods, and of the necessity of pushing forward with work in the basin as speedily as is humanly possible.

I deeply hope that the Congress will not take any partial action, or adopt half-measures. It would be tragic if, recognizing the shortcomings and infeasibility of the Pick-Sloan plan, we simply slowed or stopped it and failed to enact a constructive alternative.

The MVA bill is the one way to meet the full situation. Its immediate establishment would permit the most expeditious development of a truly full and coordinated plan for valley development with an absolute minimum of delay in actual development work.

Mr. MAGNUSON. Mr. President, I ask that there be printed in the RECORD at this point, following the address by the distinguished Senator from Montana [Mr. MURRAY], copy of a brief filed with the United States Army Engineers Board, by the major public power committee of the Puget Sound region.

There being no objection, the brief was ordered to be printed in the RECORD, as follows:

MIMEOGRAPHED COPY OF BRIEF FILED WITH THE UNITED STATES ARMY ENGINEERS BOARD BY THE MAJOR PUBLIC POWER COMMITTEE OF THE PUGET SOUND REGION

INTRODUCTION OF COMMITTEE AND SUBJECT

Having given considerable study to the Army engineers' 308 report of Columbia River Basin Development, the public power committee of the Puget Sound region, desires to file this brief at the public hearing to be held in Seattle, February 1, 1949, on this 308 report. Our organization has for more than 2 years been a coordinating committee of State-wide and regional organizations vitally interested in the development of our natural resources, particularly public power. Some of our committee members have more than a quarter of a century of active and prominent public power crusading experience in the Puget Sound and State of Washington region, among them the chairman of our committee. So much for introduction.

REVIEW OF REPORT AND ENDORSEMENT

We wish to say that our knowledge of the 308 report consists of reviewing summaries of it, hearing it explained at public meetings by Army engineers, and through personal contact with people who also have studied it, etc. We have not been able to make a detailed study of the large document embracing this 308 report, but have tried to get all the information possible in any way, short of reviewing this 308 report itself in detail.

We therefore feel that we should be able to intelligently voice our opinion on certain phases of it at such a public hearing as this, admitting in advance that there is much contained therein with which we are not very familiar. And so we shall confine our opinions to that part of the report which we do understand quite clearly.

We wish to say that we take pleasure in endorsing such a comprehensive plan for the development of the natural resources of the Columbia Basin region and for all the other beneficial work outlined in this report. It is hoped that regardless of what kind of agency might be created by the Congress to carry forward this great work; as outlined in this report, that it will serve as the guide and blueprint for execution of this all-embracing project plan. Certainly, the Congress will compel using it as such, whether through existing agencies, or through a Columbia River Basin Authority, or whatever agency might be created to execute this plan.

FISH INDUSTRY AND OTHER INTERESTS PROTECTED

As we understand this 308 report, it provides that during the next 10 or 12 years due consideration will be given to our valuable salmon-fishing industry, and other interests, in the lower Columbia River Basin and its tributaries. We feel that this is a very wise provision, providing that it is possible to build enough dams in the upper regions of this river and its tributaries fast enough to amply provide for the power needs of the Puget Sound and Western Oregon regions, during this 10- to 12-year period.

It is our understanding that this 308 report anticipates that during this interval, while dams are built in the upper regions of the Columbia River, that a satisfactory solution for saving most if not all of this salmon industry will be found. We very strongly feel that this will be the case, and that these fishing interests are doing an undue amount of worrying about the effect which these dams in the lower Columbia Basin will have on the salmon-fishing in-

dustry. As to most other types of fish, our extensive study of the experiences of the Tennessee Valley Authority, convinces us that these large water basins behind these dams increases rather than diminishes the fish supply. Propagation of fish is carried on so much more extensively in these larger dam basins, than in the former normal river channels, that the fish life is thus greatly increased. The same thing can surely be done here.

POWER MOST IMPORTANT OF ALL RESOURCES

However, from more than a quarter of a century of intensive research and study of the power question on this entire continent, particularly in the Pacific Northwest, we are convinced that ultimately the needs for power in this Puget Sound region should compel the construction of all the dams outlined in this 308 report, for power purposes and for the other uses outlined in this report. We consider these dams of vastly greater benefits to the region than any other conceivable assets which the construction of these dams might diminish or even destroy.

We consider that the wealth which will be created from these dams when they are all ultimately built simply staggers the imagination. The experiences from the two dams so far constructed by the Federal Government on the Columbia convinces us that the benefits from these dams will be considerably greater than that outlined in this 308 report, and which we feel is based upon very conservative estimates of power production, stream flow, and other factors which enter into this ultimate wealth production from these dams.

PROPER AGENCIES TO CONSUMMATE 308 REPORT PLAN

We are not very well informed as to what particular agency, commission, authority, or body is recommended in this 308 report, for the execution of the plan outlined in it, except as to the construction of the dams and other major construction projects of the plan. We have been informed that it is expected that existing agencies will execute this 308 report plan.

We do not want our endorsement of this 308 report to be construed that we will not at some future date endorse Federal legislation creating a commission or authority, such as is now in the making, and as is commonly referred to as the Columbia Valley Authority.

OUTSTANDING RECORD OF TVA

We have throughout the entire history of the Tennessee Valley Authority made a very thorough and extensive research and study—getting all their reports, etc.—of the entire operations of this outstandingly successful Federal project throughout this TVA region. From this study, we are convinced beyond any question of doubt that the Tennessee Valley Authority projects are the best managed and most beneficial major Federal projects in all this Nation, except possibly our much misrepresented Post Office Department.

No major Federal project has been misrepresented and lied about so much by its enemies as this Tennessee Valley Authority, and has at the same time given such vast benefits in so short a time to all the people of the vast region in which it operates. However, the people and State officials in that region are no longer deceived, as are most of the people in the rest of this Nation, through this gross misrepresentation of this wonderful TVA project.

DIVIDED INTERESTS HAMPER OUR DEVELOPMENT

Right now, while this hearing is being conducted on this 308 report, we are experiencing the devastating, conflicting work of those leaders who should be unitedly leading us forward in the development of the vast natural resources of this Pacific Northwest. We have too many men of little vision.

Despite the fact that progress has been made in bringing about the vast benefits of our Bonneville Power Administration, the Columbia Basin project, our public utility districts, our municipal light plants, all these projects were vigorously opposel by the same selfish interests who are now opposed to the Tennessee Valley Authority, or to any Columbia River Authority. It is to be regretted that some of those interests must be named, if we are ever going to overcome this opposition, and really go forward in unity, as has been the case with the Tennessee Valley Authority, for the good of that region and mankind in general. We must eventually adopt a similar program in this region if we are ever going to reap the most benefits from all our resources.

As we write this report, we are told in the press in glaring headlines and over the radio, that our Governor and our Seattle Chamber of Commerce, and other powerful interests, are vigorously opposed to any Columbia River Authority. On the other hand, in equally blazing headlines we are told that our Secretary of State, our Seattle Congressman, and our President of the United States, and many others like them, are just as vigorously fighting for a Columbia River Authority, modeled after this outstandingly successful TVA.

OPPOSITION TO PROGRESS MUST CHANGE ATTITUDE

For more than a quarter of a century, some of us who are framing this report for this hearing, and have been prominently and actively crusading for these beneficial public power projects, have experienced this same kind of powerful opposition, from these very same interests—private power companies, chambers of commerce, governors, legislatures, press, and others. And here are some of the results:

For some weeks now, this Pacific Northwest region has been suffering the worst power shortage in our entire history, despite the fact that we have in our midst the greatest potential reserve of water power in all this Nation. Those interests, mostly private power companies, who are now "crying the loudest" for power, and unjustly blaming the Bonneville Power Administration for this shortage, are the very interests who just a few years ago opposed most of the necessary appropriations for the Bonneville Power Administration. Oh, what foolish, foolish people.

It is our candid opinion that under a Federal system modeled after the Tennessee Valley Authority, that most of this opposition to progress would soon dissipate itself and disappear, to the vast benefit of our wonderful region.

The only redeeming feature in this long and bitter struggle for human progress, in the development of the greatest of all our natural resources in this Pacific Northwest—our water power—has been the small measure of cooperation which we have from time to time been grudgingly given from certain factions of our press. However, may we add, that most of the powerful papers in this State have always been against our Bonneville Power Administration and public power in general, while some of them have assisted in this crusade from time to time.

CONCLUSIONS FROM LONG EXPERIENCES

In conclusion we wish to say that we are proud to have played a part in creating legislation which has enabled the creation of our public power projects, from the humblest municipal light plant up to the wonderful Bonneville power project, and which still would be only in the "dream stage" if these powerful, retarding opposition interests had not been overcome. Most of the pioneers of these projects are now gone to their reward or retired, but others among us have tried to carry forward the banner of progress which these pioneers have so boldly outlined for us.

It is our opinion that these potential waterpower resources of this region are the greatest "gold mines" that a kind providence has given to this region. It is therefore hoped that at least the Federal Government will have vision and foresight enough to preserve and develop them for the benefit of all the people of this region, and to a lesser extent for the Nation as a whole.

We regret to say that too many of our own State of Washington so-called leaders have not had such vision. This is why we still have devastating floods, power shortages, and other evils, which better leadership might long ago have remedied.

THANKS FOR HEARING

We thank the Army engineers for having given us this opportunity of expressing to them, and through them, to other Federal officials, our brief opinion of the needs of this region, if these wonderful natural resources are to be developed to serve all our people, rather than to merely enrich a few special-interest groups or individuals. Thus we serve posterity. Thus is real progress made.

Respectfully submitted.

PUBLIC POWER COMMITTEE, PUGET SOUND REGION,
J. C. UNGER, *Chairman.*
TILLMAN K. GARRISON,
Assistant to the President, Washington State Federation of Labor.
ROY W. ATKINSON,
Regional Director, Congress of Industrial Organizations.

Mr. HUMPHREY. Mr. President, I rise today to address the Senate for the first time. I am especially honored that I have been asked—and I gratefully accepted—to join the great and courageous senior Senator from Montana and the honorable junior Senator from Iowa in introducing this bill. This is a fitting issue and an appropriate moment for my first address on the floor of the Senate of the United States.

I rise today to speak for the Missouri Valley Administration—an integrated, soundly conceived and carefully planned program for the prosperity of the Nation and the development of the basin of the Missouri River.

I feel that this is the right time to speak out; it is an essential issue to speak for. The Missouri Valley Administration is vital to the Midwest. It is vital to my birthplace in South Dakota. It is essential for the progress of my present home, Minneapolis.

Our people in the Midwest have been looking at the miracle of the Tennessee Valley. They have seen cheap electric power created from the river's flow; they have seen industries grow up near the cheap power and they have watched the great atom plant working in the Tennessee Valley for the progress and peace of the world. They have seen irrigation and soil conservation, flood control, and navigation improve constantly in the Tennessee Basin. They have wondered, and they have every right to ask, Why cannot the same be done for our valley, for the Missouri Valley?

The Missouri Valley can prosper. As the Tennessee Valley grew under TVA, the Missouri can grow under MVA.

I speak now for my friends and neighbors in Missouri, the Dakotas, Iowa, Nebraska, Kansas, Colorado, Montana, Wyoming, and Minnesota. I speak for our citizens who live amidst great potential wealth, surrounded by wealth that is

locked up and going unused. This is the story, the fable of Croesus who had all the wealth he might want, who instead was destroyed by his wealth. So it is with the Missouri. Wealth is locked in its stream, unused; and every year that potential wealth flows over its banks and destroys and does not build.

The issue of a Missouri Valley Administration is not a sectional issue alone. The MVA is a vital program for the entire Nation. It is a national issue; it is a liberal issue. MVA will mean more and cheaper production from more and cheaper electricity. It means more diversified agriculture, providing crops in demand rather than crops in surplus. It means cheaper finished products because it will bring cheaper transportation of raw materials out of the valley. MVA can make a great contribution to food security for the world, because its soil-conservation provisions will improve and extend the conservation practices of the basin. MVA can strike a blow for free enterprise against monopoly in such fields as light metals and fertilizer where big business controls supply and controls price. New business growing from MVA's cheaper electric power can break the monopoly control.

Politically, MVA is a symbol, a symbol of liberalism to the large majority of Americans who voted liberal last November and in other Novembers. It is a symbol of progress and prosperity to the valley; a symbol of cheaper production and better distribution to the whole Nation.

In the debate which has arisen over the Missouri Valley, the same forces that have lined up in the other battles over liberal legislation are lined up again. On the one hand we have high-priced lobbyists for special interests, sniping constantly behind the scenes, lobbyists who have beaten MVA for several years. We have the large power companies, the railroads, the water-rights attorneys, and the general dissenters who want reaction at any cost.

On the other hand there is a familiar line-up, too. First, we have the inhabitants of the valley itself, people who every day are losing the wealth that can be created from the now destructive Missouri. On this side we also have the consumers of the whole country, looking always for cheaper and better goods. And on this side of the picture we have the same spokesmen for the interests of the people who have constantly, throughout their long and statesmanlike service, represented honestly what all the people want and deserve. I am humble and I am honored to join these great statesmen in support of this bill—in particular, to join the fearless, stalwart, and great liberal, the Senator from Montana [Mr. MURRAY], and his equally distinguished colleague the Senator from Iowa [Mr. GILLETTE].

The Missouri Valley Authority to me is just another section of the same battle that liberals have been waging throughout our generation. It is a fight for the rights of the people of the Missouri to the natural resources God has granted to all of them. MVA stands against the monopolistic control of those resources by a few. MVA is economic liberty. It is individual rights. These are the goals for which I shall always fight.

Now let us look a little more closely at the line-up on this bill. Let us look at the opposition, at those who are fighting MVA.

First is the power lobby, whose rates in and near the Tennessee River were cut drastically by TVA.

Behind the power lobby, comes a fake development association formed of the contractors to the Army and the Bureau of Reclamation who now are engaged in a hodge-podge of contrary maneuvers in the Missouri Valley today.

Next come the railroads, who no longer believe in the competitive system. Last spring the Eightieth Congress eliminated any vestige of competitive action in the railroad industry with the Reed-Bulwinkle bill. Now the railroads are out to prevent MVA from opening up the ways to healthy competition from river transportation.

Finally come the water-rights attorneys who stand to lose their constant, sterile litigation over ownership of the resources of all the people, namely, water.

Monopolists are holding their breath all over the country. They are fighting MVA because MVA would successfully fight them. Besides the railroads and electric-power monopolies, MVA will challenge the Big Nine of the fertilizer industry and squeeze out monopoly profits and lower the price of fertilizer to our farmers. Financiers whose capital is tied up in eastern industries, have a big stake in keeping the Midwest from its most prosperous development—a development that would mean a higher standard of living for the entire Nation. Finally, light-metals industries could grow up around the new generators, to challenge the nearly complete one-firm monopoly in that field.

What we are asking, Mr. President, is not a subsidy or gift for the Missouri Valley. We are asking, rather, for a loan. That money will come back to the people in many ways. One way is cheaper electric power. Let me compare the rates that REA cooperatives were paying in the Missouri Valley in the fiscal year 1947 with what they would have paid under the TVA rates the same year. While TVA electric rates are not the lowest in the Nation, TVA's price of 5.53 mills per kilowatt-hour is 3 to 8 mills lower than the rates in the Missouri Valley.

I shall send to the desk a table showing the difference in electric rates for Missouri Valley electric consumers had they lived under the TVA. The Federal Power Commission reports show that in total electricity used in the MVA States, consumers pay $100,000,000 a year more than they would have paid for the same electric service in the TVA area.

It is little wonder, then, that the electric-power lobbies are fighting MVA, just as they fought TVA some years ago. Let us look for a moment at the fight MVA's opponents are waging.

Public pressure for development of the valley is too great for the power interests to flatly oppose any development. While the sons and daughters of valley residents continue to move out of the valley, seeking greater opportunities, the power lobby cannot expect to speak against any and all development programs for the Missouri. So they support a totally inadequate development plan. They could not defend do-nothingism when floods alternate with drought, and power shortages plague the valley.

The plan they champion is called the Pick-Sloan plan, named for a general in the Army engineers and an employee in the Bureau of Reclamation.

The engineer's part of the plan is a great, flowing navigation channel from Sioux City, Iowa, to the mouth of the Missouri on the Mississippi. The channel is wide open. It will never generate any electricity for the unlighted sections of the valley. The Federal Power Commission has pointed out that there is a potential of 10- to 15-billion kilowatt-hours of electricity a year in the lower river. In technical terms, the river from Gavins Point, near Sioux City, to the mouth of the Missouri has a fall of 770 feet. The engineers are digging a navigation channel, and the electric power potential is overlooked. But the power potential is there, and MVA can produce electricity for the people of the valley. This potential is now being wasted.

That is the picture in the lower Missouri Valley. We have the words of Mr. Lester C. Walker, engineer of the Federal Power Commission, describing power development under the Pick-Sloan plan. Mr. Walker made the following remarks at a meeting of the Missouri Basin Interagency Committee at Cheyenne, Wyo., on January 14, 1947:

> In our examination into the ultimate hydroelectric potentialities of the Missouri River Basin, we find with our as yet unfinished investigation that the 1,600,000 kilowatts provided by the Pick-Sloan plan of development is less than one-half of the total potential power of the basin. We consider 5,000,000 kilowatts with an average annual potential generation of 25,000,000,000 kilowatt-hours a somewhat conservative estimate of the potential hydroelectric power of the basin.

What about the upper Missouri Valley? We have Mr. Walker's words as to it, also:

> The Bureau of Reclamation has approved sites in the Yellowstone Basin which will provide a total of 2,620,000 acre-feet of usable storage. The aggregate gross power head available at the project is 5,630 feet and it is proposed to install 315,000 kilowatts of generating capacity which will be capable of producing on the basis of estimated stream flow about 1,740,000,000 kilowatt-hours of energy per year.
>
> In addition to these approved projects, the Army engineers have investigated storage sites in the Yellowstone Basin as reported in published 308 report capable of storing approximately 2,000,000 acre-feet. The aggregate gross power head at these sites investigated by the Army engineers is about 315,000 kilowatt-hours of installed capacity which could generate about 1,390,000,000 kilowatt-hours per year on the basis of present estimates. In addition to the proj-

ects approved for construction by the Bureau of Reclamation, and the storage site investigated by the Army engineers, the Federal Power Commission staff has given consideration to 16 additional sites with storage possibilities of about 4,000,000 acre-feet, combined power heads of 10,000 feet, installed capacity of 1,400,000 kilowatt-hours, and a possible average output of 7,000,000,000 kilowatt-hours. The staff recognizes that if the potential head between Billings, Mont., and Glendive were developed it would provide about 1,000,000 kilowatt-hours of installation and approximately 5,000,00,000 kilowatt-hours of average annual energy.

Mr. President, the meaning of Mr. Walker's remarks is that more than 60 percent of the electric potential of the Yellowstone River, a tributary of the Missouri, is being ignored. Mr. Walker's remarks further show that present plans overlook the real possibilities of the Yellowstone. His remarks show that neither the Army engineers nor the Bureau of Reclamation have even made a full study of the Yellowstone and do not have anything like a full plan for that tributary. The present plans for power plants on the Missouri show that there are no over-all plans.

W. Glenn Sloan, Administrator of the Bureau of Reclamation's work in the valley, testified at a congressional hearing in 1944 that the enormous Garrison Dam, estimated to cost $130,000,000 in 1940 and now probably costing $200,000,000, was unnecessary and not worth the expenditure. In regard to Gavins Point Dam, he testified:

As a power proposition, the cost per kilowatt-hour for development there is some 30 to 40 times the cost of power at any of these other dams.

We might ask them then why those particular dams were built at all, and why the power lobby, usually concerned about Government economy, is pleased as Punch with the Pick-Sloan plan that built these wasteful projects. The only answer we can gather is that the private-power monopolies want public power to fail. Electricity at Gavins Point will cost several cents a kilowatt-hour, many times what it should. We have that on the record and on the word of Mr. Sloan himself.

We can say then at the outset, without fear of contradiction, that the present Pick-Sloan plan is not what the proposed Missouri Valley Administration will be—an all-purpose, integrated program for democratic planning and democratic use of all the resources of Missouri. One of the most needed and most prevalent of the Missouri's resources, electricity, is not being tapped to any degree. Where it is planned, it is planned so poorly as to discredit the whole project. The Pick-Sloan plan as a producer of needed, cheap electricity is failing. A healthy Missouri Valley Administration must replace it.

This is not to say that Pick-Sloan is a deliberate failure, that it is a careful plan by the power monopoly to maintain the electric shortage and the sellers' market in power. The failure of Pick-Sloan is rather a demonstration of the impossibility of planning for the best use of the Missouri Valley through two separate agencies. One agency is a necessity, and the answer obviously is the MVA.

Standing shoulder to shoulder with the power lobby against MVA, and against a sane plan for using the Missouri to its fullest extent for the benefit for all, are half a dozen other lobbies. About 4 years ago 31 organizations, supposedly interested in land and water development, were joined together in a coordinating committee, dedicated to the defeat of the Missouri Valley Authority. The National Reclamation Association, a lobby representing a variety of vested interests, joined with the so-called water councils and development associations, including the Propeller Club, the Pittsburgh Coal Exchange, and the American Power Boat Association, to see that MVA should not pass Congress. This group distributed 60,000 copies of a propaganda pamphlet by Mr. Clifford Stone, director of the Colorado State Water Conservation Board and vice president of the National Reclamation Association. Mr. Stone goes unregistered as a lobbyist because he is a Colorado public official. It was this coalition of "anti" lobbies that bore the real fight for an undeveloped and underdeveloped Missouri Valley.

While this coalition tried to pass itself off as an unbiased civic-minded group, those who know the National Reclamation Association were not fooled. About 50 of the association's members are private power company representatives. At least another 50 are railroad people. The West knows the National Reclamation Association for its constant fronting for special interests.

I cannot imagine what the Propeller Club and the American Power Boat Association are or what their interest in MVA might be. Nor am I acquainted with the Pittsburgh Coal Exchange, though I do know of a few towns in the 10 valley States that are named Pittsburg. None of them seems to have a coal association, however, so I must assume the anti-MVA lobby is from Pittsburgh, Pa., a thousand miles from the nearest bank of the Missouri. I should further suspect from the organization's title that the group has coal to sell. In their opposition to MVA lies a magnificent argument for an MVA. Obviously a pressure group outside the valley, especially one with coal for sale, is interested in the kind of development of the valley which would result in the least amount of water power. That is not MVA. MVA will produce cheap water power and will compete with expensive coal. It will make possible constructive industries and will compete with vested industries of the East who have cheaper coal than the Midwest can get. I rather welcome the Pittsburgh Coal Exchange into the fold of our opposition on this issue. They make our case for us.

While this small group of Pennsylvanians on the Pittsburgh Coal Exchange is opposed to MVA, their grass roots are planted somewhat outside the valley. What seems to be more important is that the grass roots in the Missouri Valley are for MVA. I suppose it still is not too safe to talk about public-opinion polls, but I think we can rely on this one because of the large majority that MVA had in its favor in a Roper poll of last November. At that time 76 percent thought TVA and similar projects were good; only 6 percent opposed them. As to the valley itself, I cannot speak for all its people, but I can say the overwhelming majority of the men and women I know in the valley favor MVA without a doubt. I am supported in that opinion by one of the few successful public-opinion polls of last November, the Minnesota poll that actually predicted Minnesota would carry for President Truman. In November 1947 the Minnesota poll showed that three out of every four Minnesotans who had heard of the MVA proposal were in favor of it.

But the handful of willful men who have financial interests in the electric power industry, or who have coal interests or eastern industrial interests or railroad interests, have fought to a standstill the overwhelming majority of Missouri Valley residents and the best interests of the entire Nation. The water lobby coordinating committee has constantly fought the interests of western development. While these lobbyists have attempted to appear innocent of any evil intent toward the West, the National Reclamation Association let its position against sound reclamation come out in the open after it succeeded in defeating the first MVA bill.

Mr. LANGER. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from Minnesota yield?

Mr. HUMPHREY. I yield for a question.

Mr. LANGER. Is the Senator familiar with the poll taken by the Farmers Union, covering 8 States?

Mr. HUMPHREY. No; I am not.

Mr. LANGER. That poll showed the vote in favor of MVA to be over 90 percent among the members and among others living in the 8 States.

Mr. HUMPHREY. I am very grateful to the Senator from North Dakota for his remarks, because the families of the men who represent the Farmers Union, are living on the family-sized farms. They are desperately in need of electrical power and of the benefits which MVA could provide for the people of the Midwest.

Mr. MAGNUSON. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from Minnesota yield?

Mr. HUMPHREY. I yield for a question.

Mr. MAGNUSON. I was very much interested in what the Senator had to say. I cannot refrain from remarking that the people in the Senator's area seem to be having the same trouble we had in the Pacific Northwest. I hope they will continue their fight. We did, and as a result of doing the very thing the Senator from Minnesota is attempting to do, we succeeded in obtaining cheap electric power.

Mr. HUMPHREY. I appreciate the remarks of the Senator from Washington. I may say that those of us from the Midwest stand in full support of the even greater hydroelectric power and land reclamation projects the far West is developing.

The adverse position of the National Reclamation Association became clear in a fight over irrigation funds for the West. Dams are used for both irrigation and electricity. Both are important for the farmers of the Midwest, and they are, therefore, important for all Americans—and all the world. Electricity is purchased from public power dams and paid for by its users, and their payments eventually cover all the costs on the electricity and on the interest of the investment. Irrigation costs are often greater than can be paid by the farmer. It has been the practice of the Bureau of Reclamation to apply the interest paid on the power investment to the amortization of excess irrigation costs. The Reclamation Association supported a bill that would raise electric rates high enough to pay for the excess irrigation costs. So it became obvious to everyone at last that the pretended friend of western reclamation—the National Reclamation Association—was much more the friend of the power trusts than the friend of reclamation.

This plan of the association, called the Rockwell bill in the Eightieth Congress, for a gentleman who is no longer present in the House of Representatives, would have done just the job the Reclamation Association had in mind: It would have raised power costs of the Colorado-Big Thompson diversion project in Colorado a few mills higher than power was selling for at the nearby Colorado Public Service Co. This, remember, was only possible by adding costs that had nothing to do with electric output to the electric bills of valley home owners and REA members. The Rockwell bill, which never did pass the Senate of the United States, was only one prong of a two-pronged attack on low electric rates. The other half was more successful. It involved adding meaningless costs to the Colorado-Big Thompson project. The charge has been publicly made and never denied that millions of dollars have been added to the cost of this dam, without adding one acre-foot of irrigation or one kilowatt of electric power. So even without the Rockwell bill, cheap power has been sabotaged on the Colorado.

There are numerous other examples of reclamation where public-power potential is ignored, always with the effect of maintaining high private-power rates where lower rates are possible. The private-power interests are at work on every project. The ceding, for instance, by the Bureau of Reclamation to Army engineers of three large power-producing dams in the original alinement of the Pick-Sloan plan has had ruinous effect on the Bureau's power program. This maneuver reduced the power capacity of Bureau of Reclamation dams from 3,809,000,000 kilowatt-hours to 1,620,000,000 kilowatt-hours, 42 percent of what those dams could produce. And while the dams did provide improved flood-control and navigation facilities, electricity costs actually went up. The Public Affairs Institute has figured that the shift of the dams from the Bureau to the Army will cost valley farmers half a billion dollars in additional costs and will raise wholesale electric rates perhaps as high as the unheard-of level of 2 cents a kilowatt-hour. That simply means that the Missouri Valley can never develop as it should develop for the best interests of all the people. That is the present policy in the Missouri Valley. It must be changed.

Mr. President, my interest in the Missouri Basin has many facets. I directly represent a small portion of it. I was reared in a State lying totally in the Missouri River watershed—South Dakota. My residence is in a city which will prosper or decline to a considerable degree with the great northwestern portion of the Missouri Basin. The Twin Cities are the market place of that area. I am also interested in the welfare of every area of this Nation. Surely, as a Member of the National Senate, I sincerely feel that all of these will benefit from unified development of the valley.

Historically, forces of development have twice passed around or over most of the Missouri River Valley, the Great Plains, and the mountain areas. This was true in the original development of the Nation. Covered wagons moved from the eastern areas directly to the west coast in the 1850's and largely bypassed the Great Plains area. It was true a second time when our country expanded during the world wars. Development occurred in the East, the South, and the Pacific Coast States, but there has been little development in the Missouri Valley section. But this valley, I repeat, can be developed.

The Senator from Montana [Mr. MURRAY] has told us today of resources in the valley which our Nation needs. He has described rich agricultural lands, phosphate deposits, manganese, metals, and fuels.

Low-cost electric power is essential if these industries are to be developed; if the ores and the fertilizer are to add to the strength of our Nation. Low-cost power is important to farmers, whose REA cooperatives are short of power and are today being bludgeoned into long-term wholesale power contracts to take them out of the market when public power becomes available. Low-cost power is especially important to farmers who have to pump water for irrigation, but it is also important to every farmer who wants relief from drudgery, a better living, and attractive surroundings for his children, who now move away.

I am also interested in the irrigation possibilities of the Missouri. There has been no agricultural justification for hundreds of thousands of acres of the proposed Sloan irrigation projects, and these malpractices might bankrupt tens of thousands of our farm people. It is now obvious that the Pick flowing channel will take millions of acre-feet of water away from much needed irrigation.

I am interested in conservation of the land, in controlling floods from the point the water touches the ground. This kind of planning has been largely ignored in the present Pick-Sloan project for the Missouri Basin.

I am deeply interested in the conservation of our forests, in the development of recreation facilities, in the preservation of wildlife—in all the creative, constructive programs which a truly integrated plan for Missouri River development could bring, benefits which the Pick-Sloan plan are denying to the Valley.

I am concerned that the Pick-Sloan plan will not finally provide reliable navigation.

All of these situations are of grave concern to me, but I have devoted myself to the power phase because that is where the strong opposition is found.

Our effort to get an MVA is a fight of political powers.

It is a contest to see if the people of the United States may cooperate through Government to build a better economy and a better life.

Mr. President, numerous committees of this Congress will soon deal with matters vitally affecting regional valley developments. The Appropriations Committees and the Army will review requests for tremendous sums for Pick-Sloan projects. The committee which studies the bill we have introduced today ought seriously to investigate the whole subject of regional planning. Reports indicate that the Hoover Commission criticizes sharply the inefficiency of the myriad agencies now involved in resources development. The Joint Committee on the Economic Report has a report from the Council of Economic Advisers suggesting complete examination of river-basin plans, especially the Missouri Basin and the Columbia.

Enormous sums are being spent in the Missouri Valley today on the Pick-Sloan plan, which I have partially described. There is increasing danger that those expenditures may become a strait-jacket and may prevent honest full-scale development for many years to come.

It is urgent that this Congress, and every committee involved, deal with every phase of MVA and investigate it thoroughly. I cannot urge too strongly that this be done. If full investigation is made, a Missouri Valley Administration, today proposed, will be assured. The people once more are ahead of their leaders. America in every corner and in every region wants to get its people together to make full and better use of the rich resources at our command. We need these resources now. A Missouri Valley Administration must come out of this Eighty-first Congress.

Mr. President, I ask unanimous consent to have printed in the RECORD, as

a part of my remarks, a statement showing comparative costs of REA wholesale power.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Comparative costs of REA wholesale power

[Missouri Valley States' actual cost compared to the Tennessee Valley Authority average charge of 5.53 mills for year ended June 30, 1947]

State	Rate in mills actually paid	Sum actually paid	Cost at TVA rate	The difference
Colorado	10.8	$654,427.18	$335,996.21	$318,430.97
Iowa	11.4	2,038,291.10	991,243.91	1,047,047.19
Kansas	10.8	412,909.96	211,299.75	201,610.21
Minnesota	12.8	2,387,020.49	1,030,011.13	1,357,009.36
Missouri	10.0	1,717,177.87	949,897.07	767,280.80
Montana	8.6	235,805.33	151,321.19	84,484.14
Nebraska	8.4	588,224.75	389,478.03	198,746.72
North Dakota	11.1	204,979.75	101,923.18	103,056.57
South Dakota	12.3	179,888.96	81,025.54	98,863.42
Wyoming	10.4	162,628.02	86,841.09	75,786.93
Total		8,581,353.41	4,329,037.10	4,252,316.31

Mr. LANGER. Mr. President, will the Senator yield for a question?

Mr. HUMPHREY. I yield.

Mr. LANGER. I should like to ask the distinguished Senator from Minnesota a question. I wish to compliment him, particularly, on his very fine maiden speech, I believe it is.

Mr. HUMPHREY. I thank the Senator.

Mr. LANGER. I think it is an honor and credit to the State of Minnesota to have a representative who speaks out so frankly on a matter of such great importance. My question is this: Does not the Senator believe that when money has been appropriated to build a great dam, such as the Garrison Dam, originally estimated to cost $130,000,000, and which will very likely cost $200,000,000 before it is completed, the Congress should appropriate sufficient money to enable the Government to build a distribution system and own it, so that the farms, the little villages, the cities, and the towns in that area can get their power at cost?

Mr. HUMPHREY. I shall answer the Senator by saying that, so long as that project has been started, it would be folly, so far as I can see, for the Government not to complete the work, which should be done by providing power facilities which that dam could readily provide.

Mr. LANGER. And distribution facilities?

Mr. HUMPHREY. Yes; and the necessary distribution facilities, federally owned and federally operated.

AMENDMENT OF CLOTURE RULE

The Senate resumed the consideration of the motion of Mr. LUCAS to proceed to the consideration of Senate Resolution 15, amending the so-called cloture rule of the Senate.

Mr. McKELLAR. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Bricker	Cain
Anderson	Bridges	Chavez
Baldwin	Broughton	Connally
Brewster	Butler	Cordon
Donnell	Kerr	O'Conor
Douglas	Kilgore	O'Mahoney
Downey	Knowland	Pepper
Eastland	Langer	Reed
Ecton	Lodge	Robertson
Ellender	Long	Russell
Flanders	Lucas	Saltonstall
Fulbright	McCarran	Schoeppel
George	McCarthy	Smith, Maine
Gillette	McClellan	Smith, N. J.
Green	McFarland	Sparkman
Hayden	McGrath	Stennis
Hendrickson	McKellar	Taft
Hill	Magnuson	Taylor
Hoey	Malone	Thomas, Utah
Holland	Martin	Thye
Humphrey	Maybank	Tobey
Hunt	Miller	Tydings
Ives	Millikin	Vandenberg
Johnson, Colo.	Morse	Watkins
Johnson, Tex.	Mundt	Wherry
Johnston, S. C.	Murray	Wiley
Kefauver	Myers	Williams
Kem	Neely	Withers

The PRESIDING OFFICER. Eighty-four Senators having answered to their names, a quorum is present.

The question is on agreeing to the motion of the Senator from Illinois [Mr. LUCAS] that the Senate proceed to the consideration of Senate Resolution 15.

Mr. LONG. Mr. President, it is with very mixed emotions that I arise to address the Senate this afternoon. In these first formal words I have to utter before this body, I say in all earnestness that I would very much prefer to speak to my colleagues initially on some substantive legislation; I would prefer to be advocating some measure designed to help all our people, or certainly large portions of them, some legislation calculated to unify and benefit the great masses who look to us for guidance and for relief from their oppressions.

We are told that Nero fiddled while Rome burned; and I paraphrase to say that while our laboring people cry out for removal of shackling Federal laws, we are here to consider legislation which would destroy one of the greatest balances of our republican form of government; while our farmers throughout the Nation plead for assistance in the face of fading markets, we would take action which might some day place them under tyranny; while my desk is burdened with letters from the poor, the disabled, and the sick importuning for broadened social-security benefits and for welfare laws, I must come here in an effort to protect those unfortunate people from a change in our own rules which might well serve hereafter as the vehicle which some future oppressive group could use to grind them to dust. The resolution we are now considering, if adopted, would serve as the entering wedge in the destruction of the most precious heritage we retain in the United States Senate, namely, the right of unlimited debate.

I must confess that I was quite surprised during the course of the debate when my very good friend, the distinguished Senator from Nebraska [Mr. WHERRY], declared, in effect, that he was unimpressed by the argument that the Hayden-Wherry resolution serves as an entering wedge for eventual destruction of free debate in this body. My surprise was predicated on my knowledge of the Senator's long experience and service here as a legislator, which experience I would have assumed had resulted in an awareness of the fact that the entire legislative process is evolutionary, and that in practically every function of our Government the legislature has granted authority step by step.

The history of rule XXII further bears out the fact that it is extremely rare for this body to adopt legislation which stands forever safe from attack or from change, just as rule XXII itself today is under attack.

I predict that, if the Hayden-Wherry resolution is adopted, those Senators desiring majority cloture will be right back in the next Congress with their proposals, pushing and pressuring them just as steadfastly as they have been and now are doing. Yes, Mr. President, the Hayden-Wherry resolution is an entering wedge, one with which we dare not trifle if we hope to maintain the force of this great deliberative body.

Since 1807, the right of unlimited debate has continued, serving, in season and out as a protection to those in the minority at times when they were confronted with legislation which would have destroyed large segments of the economic, political, or cultural life of our Nation. And yet, in all those years, the practice of unlimited debate has resulted in no legislative harm. Perhaps the only legislation failing ultimately of enactment because of extended debate was the force bill of 1890. I venture the assertion that today very few Senators would advocate such legislation as the force bill of 1890. We find that in later years those who proposed it came to the conclusion that its failure worked for the common good.

Those who labored to bring the American Government into being very carefully provided a system of checks and balances which have served to keep the Republic alive and vigorous as governments elsewhere around the world collapsed into ruin. The framers of the Constitution worked long weeks in Philadelphia to reconcile the conflicting interests and the divergent views of the 13 States. The system of government they conceived, which still remains unique, was predicated on liberty and justice for

all—not liberty and justice for the majority; not liberty and justice for the minority; but liberty and justice for all the people, regardless of section, economic interest, or political views. In numerous instances, that great document testifies to the interest of the delegates in forming a government which would prevent the rebirth in America of the tyranny against which the founding fathers themselves had so recently rebelled. The interests of manufacturing New England were delicately balanced against those of the agricultural South. The rights and privileges of the more populous States had to be balanced against those of the less populous States. Problem after problem confronted those men; and their solution, in the whole, was found in a system of government which, rather than giving the bridle to the majority, actually is constituted to restrain the majority. To say that this is a pure democracy or that our forefathers ever intended that it should be is to fly in the face of the facts. The existence of the Senate itself speaks eloquently of the intent of the founding fathers not to have a pure majority rule. They wanted certain restraints on the majority for the protection of minority rights. The constitutional provisions which require substantial majorities in certain cases are still further testimony that the founding fathers feared the rule of a majority in some respects and provided protection for the minority—whatever that minority—against the tyranny which too often results from the machinations of a majority.

In speaking of these restraining provisions in the Constitution, Gouverneur Morris, who sat as a delegate at Philadelphia, said:

> There remain three cases in which two-thirds of the whole number are required. These are, first, the expulsion of a member; secondly, the passage of a law disapproved of by the President; and, thirdly, amendments to the Constitution. In these three cases, a provision is carefully made to defend a people against themselves, or, in other words, against that violence of party spirit which has hitherto proved fatal to republican government.

When this great document, the American Constitution, was framed, and before it was ever ratified, certain States began to feel that there was not yet enough restraint on majority rule in the new nation they were forming. They felt that it was necessary to insist that a bill of rights be inserted in our Constitution, a bill of rights which could not be changed except by constitutional amendment approved by three-fourths of all the States in the Nation, and passed by two-thirds of the Members of the Congress.

When I think of the quotation from Gouverneur Morris I am impressed with the eloquence with which he speaks to us at this moment. He and his colaborers at Philadelphia had recognized the need of protecting our "people against themselves" and had acted, insofar as they could, to afford the necessary protection for all time to come.

Is it any wonder, then, in those times of great men, in those days before the violence of party spirit had so gripped us and when men of great ability had given of their best to form a great Republic, that free and unlimited debate was instituted in the Senate?

I digress to say that in my study of this question I was originally of the opinion that the great freedom of debate which the Senate once enjoyed began in 1807. I was interested to note during the course of these debates that even though originally in the Senate the previous question could be invoked, the previous question itself was debatable. So, in effect, from the founding of our American Government up until 1917, complete freedom of debate was enjoyed in the United States Senate.

In those days of molding and shaping a nation those great men foresaw the need for legislative restraints to keep us from pitfalls which could doom to failure that which they, with the help of God, had wrought.

Mr. President, mistake you not, those men knew what tyranny was. They knew, from bitter experience, about taxation without representation. They knew what it was to live at the point of an oppressor's sword, for they had lived in such an atmosphere. They knew how precious was the right of free speech, for they had been denied it. They knew in reality the bitterness of a denial of property and the rights of a man in his own home, for such rights had been too often transgressed by a cruel overlord. Oh, Mr. President, have we so long been accustomed to these principles for which those very men shed their blood that we would, by a single stroke, remove one of the great cornerstones which has so long supported them? May God forbid; but if we change this rule we are in effect saying to some substantial minority of the future, and we are saying to the minority which I am presently representing in the Senate, "You have no rights. The majority rules as and when it sees fit." We could, in effect, impose taxation without representation, for we would gag the representatives of the minority here. We could, by the passage of certain iniquitous measures which already are before us, say to a great minority that their destiny no longer is theirs—that their way of life and liberty must be cast aside in the pursuit of a transient political advantage by a majority.

Mr. President, the protection of minorities is the purpose of article after article of the Constitution of the United States. It is the purpose of the Bill of Rights and many other amendments to the Constitution.

This very body, the Senate of the United States, was created for the purpose of protecting the small States from the power of Members of the great States. Senators found early in our history that this great purpose of protecting the rights of the minorities should be further implemented by the right of unlimited debate, and for 110 years this forum had the most complete freedom of debate.

It was only in 1917, when the Nation was on the verge of war, that freedom of debate was in any wise limited by the rules of the Senate. At that time it was intended that in case of national emergency debate could be ended on a pending measure. In my opinion, and I believe in the opinion of the majority of Members of the Senate, that limitation was intended to be used only in case of national emergency, so that debate could be ended on a measure which might involve the security of the United States.

When the committee was acting on proposed amendments to rule XXII the junior Senator from Mississippi [Mr. STENNIS] proposed just such an amendment in order that there might be no doubt as to where southern Senators stood on this issue. However, that amendment was voted down by a large vote. Every new member of that committee—and there were four of us—who had never heard this question thoroughly discussed before saw fit to vote for that amendment, which at least would have protected a minority of 10 or more. But it was voted down, because it was seen fit not to require that a minority have as many as 10, but to require that a minority have almost half, or at least a third, in order to guarantee that it could be fully heard on the floor of the Senate.

If I may go back historically, let me point out that the rule was finally changed in the face of a national emergency. Subsequently, in the year 1919, when a filibuster developed over certain reservations to the treaty of Versailles, it was decided that this change of the rules applied only to a pending measure, meaning a pending bill, and not to motions or other questions before the Senate.

Until this day, no one has seen fit to provide a method for completely preventing unlimited debate. Such debate has served a useful purpose. The right of unlimited debate has made the United States Senate the foremost protector and defender of minority rights. There was a time, Mr. President, when the Supreme Court laid heavy stress upon the tenth amendment to the Constitution, which provides that—

> The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

This maxim long served to protect the States and the people from wanton Federal power. But nimble minds have practically read that amendment out of the Constitution in our day, Mr. President. According to much present thinking, the tenth amendment stems from a fallacy that there was any possible power not given to the central Government. I regret to say that today great numbers of persons, some of high station, believe that the tenth amendment was not at all necessary, because they feel that the framers of the Constitution intended to give the Federal Government every conceivable power when they formulated the Constitution of the United States. I cannot agree with that line of reasoning, Mr. President; but I tell you that, judging from some of its decisions, I believe that point of view finds a great deal of support in the United States Supreme Court today. I regret to say that the present Supreme Court seems to be in accord with such a line of thinking. However, I cannot control the judgment of the

members of that Court. Under such a line of decisions, no longer does the Constitution of the United States with its Bill of Rights stand in the way of virtually unlimited exercise of power by the Federal Government. In view of the tendency of the decisions of the Supreme Court, I am inclined to believe that today the United States Senate is the last forum and the last stand for the great minorities in the United States today.

I myself am strongly inclined to believe that the United States Senate would protect a minority it felt should be protected, and would do so even more than would the great Supreme Court of the United States. That is why I should like to see the rules of the Senate remain in such state that minorities can be fully protected and can be heard in the United States Senate. I should like to have the rules of the Senate stay that way.

As I have said, today the United States Senate stands as the last great protector of the rights of the minority. Why is that true? It is because of the right of unlimited debate in these halls. A mere handful of men, armed with sincere conviction, can hold off the majority for days on end. The minority, through its right of unlimited debate, may test the determination and the conscience as well as the endurance of the majority.

Mr. President, some Senators have suggested to me that a filibuster in the Senate cannot be broken if a substantial number of the Members of the Senate participate in it. However, judging from what I could learn of the matter and the best I could determine after studying it, I have always felt that any filibuster can be broken if the majority has the same determination and the same conviction of righteousness that the minority possesses. But there is where a question arises. Senators cannot do here in the Senate what can be done today in the State legislatures. The Members of the Senate cannot have this issue come up and have the majority end the debate by moving the previous question if they feel that the debate is cutting away their majority and that they are losing vote after vote because Senators are becoming convinced that they are wrong on the issue. That cannot occur in the Senate today. Here we do not have the situation existing in State legislatures, where the floor leader may move the previous question—a motion which is not debatable—because he feels that he will lose the issue if the debate goes on indefinitely.

Oh, no, Mr. President, the rules of the Senate give the minority the right to test out the majority and to see how convinced they are of their own righteousness, and whethey they are attempting to play petty politics at home. The present rules of the Senate preserve the soundness of the system under which we operate in the United States, but that system will be destroyed by making a change in this rule.

Mr. President, all of us are human. All of us, besides being statesmen, are politicians; we have to be politicians if we are to win elections from time to time. Certainly the time may come when a Senator who is facing an election may feel that some piece of legislation should be forced through the Congress because its enactment will help him obtain reelection to the Senate. Mr. President, the right of unlimited debate is the greatest weapon we can have against having a Member of the Senate cast a vote which may not be wise or correct in the light of his own conscience.

Today we of the South are in the minority, Mr. President. We insist that the rules designed to protect the minority remain unchanged. Would not any minority do the same thing? Suppose the Senators from New England were in the minority? Would not they wish to see the rules stay as they are, so as to protect them? I know some persons will say, "The Senators from New England want to change this rule." But, Mr. President, the Senators from New England do not see legislation expressly drawn with peculiar application to their section of the country being forced upon them, as we of the South see legislation of that sort being proposed against us. If their minority were under attack and if their section of the country might be greatly harmed by some proposed legislation, if it were passed by the Congress, they would not wish to have this rule changed; but, on the contrary, they would be insisting that the rule remain unchanged, just as we of the South insist that it remain unchanged.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. LONG. I yield for a question.

Mr. McCLELLAN. I wish to ask a question of the distinguished Senator, since he has mentioned that the proposed change of the rule is designed to permit the enactment of some proposed legislation aimed at his section of the country, for instance, the antilynching bill, although there is practically no lynching today. Suppose some Senator proposed legislation directed at the metropolitan cities of the East and North, where there are gangster killings; and suppose that piece of proposed legislation provided that where a gangster killing occurred, the parents and other relatives of the victims would have the right to sue the city and the county and the municipality, as is proposed against the South in the case of lynchings. In that case, in the opinion of the able Senator from Louisiana, would not the representatives of the northern and eastern cities be pleading for the preservation of this rule?

Mr. LONG. I would not be at all surprised if that were the case. Certainly if innocent people in the North were to be prosecuted or found guilty of something with which they had nothing to do—as is proposed in the case of the people of the South—I believe that the representatives in Congress of the northern cities and Northern States would be just as much against such a proposal as are today the representatives of the Southern States.

Mr. President, we know that pressure groups have a never-ending store of laws designed to overhaul and disrupt the social pattern of our States. We know that this proposal to change the rules of the Senate stems primarily from the desire to prevent the Southern Senators from having the opportunity of a full defense, under the rules, against proposed legislation expressly designed to affect their States. It stems from the difficulty of pressure groups to endlessly hold prisoner the Senators who may have pledged their support. It stems from the inability of pressure groups to pop a whip over the heads of the Members of this august body. This proposed change in the rule is being forced upon us, Mr. President, because of that situation; it is being forced upon us because it is difficult for pressure groups to hold Senators in line over a period of time. This measure is not forced upon us on its merits alone.

But, Mr. President, we of the South are not the only minority in this great country. It merely happens that we are the whipping boy today. Actually, every American is both a member of the majority on some issues and the minority on others. Certainly, we should expect fair play and respect from others who may later find themselves in the minority on issues on which we may be in the majority at a later date. It is the American concept that one should fight fairly and according to the rules. Americans have a reputation for fighting that way. I say that it is not right to change the rules merely to have the upper hand in passing proposed legislation before the Senate.

I expect to participate in this Congress in the opposition to legislation which I consider especially harmful to my particular section of the Nation. Certainly we should be entitled to the defense provided by the rules of the Senate and 151 years of tradition for the protection of minority rights. That is what we ask for.

I say, Mr. President, that every move to obstruct free debate in this body undermines the very foundation of the American Government. The stability and durability of this Government were founded upon restraints to protect minorities and even the individuals. We must preserve these restraints, but leave not the other undone. Do not permit the violence of party spirit against which George Washington warned us to be the undoing of our great Nation.

Today I ask for the right of unlimited debate in the defense of my people, in the defense of their customs, traditions, and society, from ruthless dictation and control by a sovereignty that heeds too much the voice of pressure groups from afar. Some day there will be other minorities just as much in need of the precious privilege of the Senate rules as today are we of the South. In Germany the Jews learned what it was to be denied minority rights. I am glad to see that that minority has the support of a majority in the United States Senate, wherever their interests are involved. Today no one in this body would seek to harm the Jewish minority. Although they constitute a racial minority, they are safe at least from unfair legislation in the United States Congress. The same is true of the Catholics and of all other minorities. Yet all these people constitute minorities who may some day need the protection of the very provision which some now propose to abolish.

We cannot always rely on the majority's meaning to do and doing the right thing by minorities. If the day should ever come when the majority fails in this respect, how grateful would be the defenders of such groups that they had the rule to use, just as we in the South propose to use it to defend our rights.

It is possible some day, Mr. President, that even the people who claim to be Protestants may be in the minority in this country, although they are today a substantial majority. It is possible that some day even the men who worship God may be in the minority in the United States, although I hope certainly that will never be the case. Suppose it should happen, and suppose laws should be introduced in the Senate imperiling the right of religion or discriminating against it in some way. Suppose there should be judges sitting in the United States Supreme Court who might feel the guaranty of religious liberty to be a very weak provision, and that there were a great number of modifications or a great number of different points of view regarding religious rights. Certainly those who wanted to protect minority rights, certainly those who wanted to protect the religious freedom of the people of America, if they found themselves in the minority, would be glad the rules of the Senate had been preserved just as they are.

If the rule of unlimited debate is to be destroyed by the Eighty-first Congress, there is little need of speculating as to whom the destruction of the shield may affect. This is the last great forum of unlimited debate in the world. I say to you, Mr. President, this forum does not need improvement. Certain Senators stand in the Senate and talk about people criticizing us and laughing at us because of the way in which we conduct the Nation's business. Most of those who cast such slurs upon this august body have never been here to see it in operation and have never seen how the laws of America are enacted. But I say any student of government who understands the provisions they make to protect the rights of the individual and of minorities certainly must admire the rules of the Senate permitting free and unlimited debate.

One hundred and eight years ago, William King, of Alabama, stood in this forum during the debates on the banking bill and said he would defend even unto death the right of unlimited debate, which was then 35 years old in this forum. Senator King and men of his caliber who succeeded him preserved that great right for another 108 years, and it has been preserved to us until this very day.

I tell you, Mr. President, far greater harm would come to the United States of America and to our Government through changing the rule than would be done to us of the South by adopting every proposal conceived by the minds of the northern agitators for ruling the Southern States. They could do us only a limited amount of harm; but ultimately the loss of the right of free debate in the Senate might mean the destruction of our republican form of government. Difficult as it is to acquire freedom, it is easily sacrificed. Once a majority has in hand the convenient weapon of gag rule, it would not be human nature to expect the majority to surrender it or not to use it.

There is very little control in our laws. With new ideas and new concepts, judges having what might be called the modern point of view may see things in a different light from the way their predecessors did. I tell you, Mr. President, when the rule permitting unlimited debate in the Senate is abrogated, and when, in the present session, cloture petitions are submitted time after time to limit debate and to put the Senate under gag rule, first in the case of an antilynching bill, then an anti-poll-tax bill, then an FEPC bill, there will have been destroyed not only the rule, but also the tradition of the Senate. Even though I am in the minority today, seeking protection of the Senate rules, I am only human, as I believe most other Senators will admit they are. So, after the rules have been changed so as to take unfair advantage of the people of my section of the country, and after we have been subjected to cloture three times in the present session and have had rammed through the Congress laws for which no one from my section would vote, laws designed to govern our local affairs to which we would have to submit unwillingly, being human, after that had been done to me a few times, the chances are I should be looking for a chance to do the same thing to somebody else. So I say, Mr. President, the same people who would change the rule and impose cloture upon those of us defending the rights of our people had better watch out. They had better be sure they cannot conceive of some time in the future when the same thing might be done to them.

Mr. President, it has been my experience that usually a man lives what he says. The statement applies to most interests and groups. When the thing that is being undertaken today is directed against those of us from one section of the country, the day may very well come when it will be popular in our section of the country to do what would be considered an equal injustice to some other section of the country, for the political advantage of our section. Mr. President, I say anyone who is in the majority today should realize he may be in the minority in the future, and he may want the same consideration, the same rights those of us from the South expect for our section of the country.

Mr. McCLELLAN. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from Louisiana yield?

Mr. LONG. I yield for a question.

Mr. McCLELLAN. The Senator just made reference to the proposed change in the rule, saying it might work adversely to those who are now sponsoring it. Do we not have a present example of that in the sudden change of the rules in the House of Representatives at this session of the Congress, whereby the rule is about to work adversely to those who sponsored the change?

Mr. LONG. Yes, we do, Mr. President. I am glad the Senator asked that question. As a matter of fact we see already that those who changed the rules of the House are not too sure they did the right thing; they feel that perhaps the old-established traditions of the House are better than the new rules they recently adopted.

Mr. RUSSELL. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from Louisiana yield?

Mr. LONG. I yield for a question.

Mr. RUSSELL. I should like to ask the able Senator from Louisiana whether he is familiar with the statement of Herbert Spencer, who was considered in his day a noted philosopher and sociologist, that "the theory upon which the practical politician proceeds is that the change caused by his measure will stop where he intends it to stop. He contemplates intently the influence his issue will achieve, but thinks little of the remoter issues of the movement his act sets up, and still less of the collateral issue"?

Mr. LONG. That is very true.

Mr. RUSSELL. I should like to ask the Senator whether it is true that often times the practical politician, in looking no further than the end of his nose to some temporary advantage he may gain, sets in motion forces which later will boomerang and destroy him?

Mr. LONG. That is very true. Mr. President, I am glad the Senator asked the question. As a matter of fact our distinguished majority leader pointed out the other day that a previous Senator from Mississippi had once advocated cloture and gag rule in the Senate. I say the two Senators from Mississippi today certainly are showing more judgment than the previous Senator, who could not foresee the day when attempts would be made to legislate especially for his section of the country and to impose laws that everyone in his section opposed. Certainly, Mr. President, he never thought that would be the case. He could not have had that foresight. But I say Senators who today would impose gag rule cannot see what is going to happen in the future.

How do we know but that some day there will come before the Senate a proposal depriving, let us say, the great State of Illinois of some of her industries and some of the great advantages she enjoys today? Certainly if that should come to pass, the Senators from Illinois in the Senate at that time would take a different position. They would be apologizing for the position of our great majority leader today.

Mr. President, as a member of the Committee on Rules and Administration which reported the Hayden-Wherry resolution, I am grateful for the opportunity given me there to study this question in all of its ramifications. I am grateful to the Democratic majority of the committee for the fact that we were given opportunity to have hearings to discuss the subject. I believe the Members of the Senate know that when hearings were originally proposed the entire minority of the members of the committee, representing the minority party in the Senate, voted to have no hearings whatsoever. There were four new Members on the majority side, and it was proposed that there be no hearings held whatso-

ever, and the four new members of the committee, including myself, would have to vote on a change in the Senate rules, to vote for a change of a rule, without having the benefit of hearing witnesses, discussing it, and going thoroughly into the subject. We did not have an opportunity to have as many days of hearings as we would like to have had. The witnesses whom I heard were limited to Senators, but I did have an opportunity to hear some witnesses, and I had a few days in which to study the question. Mr. President, that certainly is in violation of what I believe to be sound legislative practice.

I heard on the floor of the Senate, a few days later, a proposal that only short hearings be held on the Taft-Hartley labor legislation. I heard some very brilliant arguments regarding what an awful thing it would be to bring up that measure without free and full hearings.

Day after day in the Committee of Rules and Administration we were pressed, rushed, and pushed. I believe every new member of the committee was impressed with what he heard there. New Members came to me and, I believe I can say without violating a confidence, said that what they had heard in the hearings had changed their point of view on the question. If the measure had come to a vote without hearings or debate of any sort, there would have been only two Senators on the committee who would have voted against the proposal. The way it turned out, the able junior Senator from Wyoming [Mr. HUNT], after he had heard all the witnesses and the discussions, concluded that the right of unlimited debate was a great and fine enough thing to preserve in the United States Senate. There was a Senator who was open-minded. He was entitled to think entirely for himself, and he reached the conclusion which I have stated.

The able junior Senator from Kentucky [Mr. WITHERS] came to the committee hearings completely convinced that we ought to have cloture. But after he had heard the witnesses he was strongly inclined to believe that it was proper to vote for the proposal which provided, in effect, that 90 percent of the Senators could cut off debate at any time. But there was another Senator who felt there was more to the protection of minority rights than ordinarily meets the eye. They were about the only two Senators who came there with completely open minds.

Some have come to me and said that we should have majority cloture, but when they had heard the discussions and arguments by both sides they were convinced that there should be restraints for the protection of minority rights. Many of them were inclined to think that we should have free and unlimited debate such as we have always previously had.

I think it was a wonderful thing that those hearings were held. I know that much of enlightenment has gone into the committee's report. I believe that if every Senator on the floor would open his mind, just as did those two men who came to the hearings with open minds, and if they would study the question, completely without prejudice and without pressure, they would conclude that the right of unlimited debate on the floor of the Senate is something worth preserving in the American Nation from now on.

Mr. President, I feel very much as did the junior Senator from Mississippi [Mr. STENNIS], when he stated that he was not concerned about what the minority will do; he was not much worried about that, because the minority cannot pass any legislation. All it can do is to restrain the majority. It is the majority which does the damage under our American form of government. It passes legislation. It is the majority that should be restrained.

Mr. President, I say that if we adopt the Hayden-Wherry resolution it will be an entering wedge which will soon mean the complete abolition of free debate and discussion in the United States Senate. Even now there are great numbers of persons who say that we should have majority cloture, and this would arm them with the further ability to get it, because it would make it more simple to close debate in order to get it. It is a tremendous temptation to a majority, a tremendous temptation to a floor leader, and a tremendous temptation to an administration, to feel that they do not have to bother with the minority. They can simply move the previous question and put desired legislation through.

We have seen legislation which, if passed, could do more harm to the Nation than it would do good. Consider, for a moment, the proposal for drafting manpower during the war.

Consider, also, the proposal to pack the Supreme Court. I heard a Senator say that he was of the opinion that if that proposal had come to a vote when it was originally made, it would probably have been agreed to; but after extended debate, it did not pass.

If we destroy unlimited debate in the Senate, future majorities will take advantage of the rules. They will not take the chance of losing their majority by seeing, day after day, first one vote and then another, have the majority. When they see their votes getting away, they will move the previous question, and we shall have much harmful legislation passed.

Mr. President, why is there all this rush, hustle, and bustle? Why is it that the United States Senate, which has been functioning under the present rules for 32 years, cannot proceed a while longer under them? Is some foreign enemy knocking at our gates in such an imperative manner that such action is necessary? Suddenly, like a bolt from the blue, everything else must be laid aside and a substitute rule be provided. Why is there this emergency which requires a change in the rules? Why must we, at this time, in violation of the tradition of fair play, in which all Americans believe, change the rules in the middle of the game?

We all know what the answer is. If there were not pending certain proposals dealing with the so-called civil-rights program, the Senate would now be proceeding to the consideration of other legislation in an orderly, systematic way.

I do not care to dwell on the proposed measures at the present time, but I am constrained to say that this great land of ours has indeed reached a sorry day when, in an effort to satisfy the clamorings of paid propagandists and professional purveyors of hate, we must put aside all else, change the rules, and ram through legislation which a large segment of our country does not want and will never tolerate.

Mr. President, I should like to submit for the consideration of my colleagues this question: Could all these civil-rights laws be passed with free debate? It might be possible to muster sufficient votes to put through the antilynching bill, possibly sufficient votes could be secured to put through the antipoll tax bill, even though those two measures are unconstitutional, but could the so-called FEPC bill be forced through without gag rule? That is an important question to consider.

The able Senator from California [Mr. KNOWLAND], distinguished statesman that he is, stated in a meeting of the committee that similar legislation was proposed in his State, and that after it was proposed it was submitted to the people for a vote and overwhelmingly defeated in every county throughout the State. I understand the same sort of thing has been happening throughout the country, 15 times the proponents of FEPC have been so foolish as to give the people a chance to be heard on the matter, and every time the people have been heard from they have voted the proposal down.

I ask, could a national FEPC law be forced through Congress if it had to be subjected to prolonged and extended debate, when the people of the United States would get a chance to find out what was going on here, and call on their Senators and Representatives and make their wishes known?

Mr. President, I assert that the weapon of unlimited debate is the greatest protection the rank and file of our people in the United States enjoy. It guarantees them a chance to know what is going on in the Senate before something that would do great harm to them is passed. This is the only House of Congress which has such a rule. No other parliamentary body in the world has free and unrestrained debate, which is the greatest protection of our liberty. That is one of the reasons why the American Government, made up of people with so many divergent views, and so many different classes and kinds of people, has been able to survive for more than 150 years, while all other nations throughout the world have crumbled, with the possible exception of the British democracy, where there is a different situation, in many respects, because of the stability caused by the existence of the monarchy, and because in that nation there are not the great racial differences and the divergencies of viewpoint found in other nations.

When I first began to study this question as a new Senator, I believe I undertook that study with an open mind. I sought light, for all my life I had heard of the evils of filibuster. Perhaps unconsciously I may have rebelled at its

use because I had heard how it had so often been used to throttle the majority. I say "so often;" but it has been used about every other year. I believe that out of the last 48 years it has been used about 20 times.

As a textbook proposition, it seemed plausible enough that we should abolish the filibuster, that we should let the majority go on its way and do what it desired. But as the hearings before the committee progressed, and as I had other opportunities to study the question, I became convinced beyond question that here in the Senate we were about to trample underfoot one of the most precious liberties guaranteed to us by the Constitution of the United States—the right of free speech.

Where once there was doubt in my mind that one-third of the members of this body should be allowed to prevent enactment of legislation, I now am of the opinion that cloture, in any form, is an evil, a termite gnawing at our very vitals, an instrument of which we would be well rid. Our course, I believe, is in the wrong direction. Rather than tightening rule XXII, we should be headed the other way.

Why should so large a group as one-third be necessary to insure the rights and liberties of our people? Why should not four or five Senators, sincerely convinced of their course, be allowed to utilize the privilege of free debate to protect their people against the wrongs they believe are about to be committed against them? Why should rights, why should liberty, why should freedom, be counted in numbers? Why should any Senator or small group of Senators find it necessary to gain the support of 33 Senators before they can undertake the defense of their people? Why should they, few though their number be, be denied the right to protest to the limits of their physical abilities? I believe that this rule should be changed so that even smaller minorities could be protected by having the full right of hearing on the floor of the Senate.

Some seem to believe, and I have heard some say, that in this day of enlightenment the tactics and proceedings incident to full and extended debate constitute what they call a trial by combat, and they say that should have no place in the American system of government. The junior Senator from Oregon [Mr. MORSE] came to our committee hearings and said the procedure of delaying consideration by prolonged debate should not be the way to settle matters in the United States Senate. He said we should have ways of forcing action on measures sooner. Mr. President, 108 years ago Senator King, of Alabama, stood here and made the statement that he would defend the right of free and full debate with his life if necessary. At the same time in the same debate other Senators rose and said they would be willing to stake their political existence on the right of free and full debate in the Senate, and during that debate some of the Senators made the statement that if free debate were to be abolished in the Senate, they would not run for public office again, and would not care to serve here. Certainly those men understood and appreciated the fact that a man should be entitled to stand and speak and be heard in the Senate.

I might ask, Mr. President, when did it become unenlightened to protect our people from tyranny? When did United States Senators reach such a stature that it is beneath their dignity to defend to their utmost those they represent here? Can we not give a small measure of devotion to those liberties to which so many have given their lives? If that be "trial by combat," then let it be.

Mr. McKELLAR. Mr. President, will the Senator from Louisiana yield?

Mr. LONG. I yield for a question.

Mr. McKELLAR. The first amendment of the Constitution, adopted shortly after the Constitution was ratified, contains this provision:

> Congress shall make no law abridging the freedom of speech.

Is it not remarkable that while we are prohibited by the Constitution from passing any law abridging the right of free speech, it should be claimed by anyone that here in the United States Senate we cannot have that right ourselves?

Mr. LONG. The Senator is entirely correct in his implication. While we are on that subject, I might say that it is my understanding that when the Constitution was first proposed it did not contain that amendment. The first ten amendments, what we call the Bill of Rights, were missing. Virginia, North Carolina and certain other States would not ratify the Constitution until the Bill of Rights was inserted, and they ratified only on condition that that Bill of Rights would later be made a part of the Constitution. I know that at that time there were probably many who said, "This is not necessary. No one here in America will ever propose to destroy these rights"—the right of religion, the right of free speech, and various and sundry rights protected in the first 10 amendments.

It never even occurred to them that anyone would want to destroy these rights. But, Mr. President, there were certain sovereign States which insisted that these rights be included before they would ratify the Constitution. When I heard the distinguished senior Senator from Texas [Mr. CONNALLY] speak on that subject yesterday I was inclined to wonder, if the great State of Texas had been one of the original 13, whether we would not have had another 10 articles in the Bill of Rights in the Federal Constitution. I am strongly inclined to think we would, knowing how greatly freedom is respected in the State of Texas, and how strongly its people want to preserve it.

Mr. President, the muttering of those who seek to change the rules of the Senate for selfish ends should not lead us to put aside these cherished liberties in which we take such pride. We are told that certain things will never happen here. We are told that there never will be the danger that men speaking in the cause of righteousness will be denied the right fully to be heard in the United States Senate. How can anyone give such a guarantee? So surely as the Senate changes the rule, and does what is now proposed by the majority in the Senate, as surely no such guarantee can ever be given, because the precedent will have been set for the further destruction of the rules of the United States Senate.

We are urged to believe that traditions and senatorial courtesy will continue to stand guard for the downtrodden and the oppressed. Perhaps today that may be true, although I doubt it, for I know too well what the proposed change is designed to do. In any event, we know not what tomorrow may bring forth, and no one knows what will be done by way of further change, if the change now proposed is made.

Certainly that great American, James Madison, counseled wisely when he suggested that "Enlightened statesmen will not always be at the helm." He and others who have gone before us have through the years urged upon the evils of great power, either in the hands of a few or in the hands of many. This democracy of ours, these traditions of ours, these rights of ours, these liberties of ours, should never be left to mere senatorial courtesy and the whim of the majority.

Mr. RUSSELL. Mr. President, I suggest the absence of a quorum.

Mr. WILLIAMS. Mr. President, will the Senator withhold his suggestion of the absence of a quorum so that I may make a statement at this point?

Mr. RUSSELL. I withdraw my suggestion of the absence of a quorum.

SALE OF LIMESTONE TO FARMERS AT EXCESSIVE PRICES

Mr. WILLIAMS. Mr. President, I have always suported the principle of soil conservation. This was one program launched by our Agriculture Department which had my wholehearted endorsement. I consider that it is highly essential for the future welfare of our country that we should always conserve our soil as one of our most valuable natural resources. Therefore it is somewhat embarrassing for me today to find it necessary to call the attention of the Senate to certain irregularities which have taken place and continue to take place under this program.

Under the protection of the popularity of this program certain Government officials and irresponsible contractors have entered into agreements which have robbed the farmers of many of the advantages which Congress intended them to receive.

As proof of this charge I shall cite specific cases where in the distribution of lime under the agricultural-conservation program certain favored contractors have been allowed margins ranging as high as 300 percent over the original cost of the product, by allowing them to deliver an inferior product at prices established for good lime. I shall mention only three cases involving one contractor, but at the same time I wish to state that this represents only a small part of the fraud under which several thousand tons of low-grade limestone are being sold as good lime, with the consent and assistance of the Government, to the farmers in Delaware, Eastern Shore, Md., southern New Jer-

sey, and some parts of New York. The extent of such questionable sales during the past 2 years in these areas is estimated around 250,000 tons divided principally between Delmarva Peninsula and New Jersey. The extent of loss to the farmers through these overcharges runs into the hundreds of thousands of dollars.

As an example of how this program has been operating, I point to the following transactions in my own State of Delaware: In 1946 Charles W. Diliberto, of Fornance and New Hope Streets, Norristown, Pa., arranged with the Government officials conducting this program in Delaware for the sale of 4,804 tons of lime to be distributed in Sussex County. The record shows that Mr. Diliberto purchased this 4,804 tons of material from a limestone quarry owned by the Bethlehem Steel Corp. in Bridgeport, Pa. Proof that this material was considered an inferior product by the shipper is borne out by the fact that it was classified and shipped as common sand and sold to Mr. Diliberto for the low price of $1 per ton. The freight rate to lower Delaware was then $1.58 per ton, making a total delivered cost f. o. b. sidings in lower Delaware of $2.58. This material which was purchased under the classification of common sand was invoiced to the Federal Government as lime at $7.55 per ton.

The farmers in this case were required to pay as their proportional share $3.05 per ton, which amount, by the way, actually exceeded the entire cost of the product including all freight charges delivered to the railroad siding. The Government put up an additional $4.50 on each ton used under this program, which was paid direct to the contractor.

This lime was represented to the farmers by the Government agents as a good grade of limestone with no mention made of the fact that they could have purchased this same material direct from the quarry in Pennsylvania for $2.58 delivered, without going through the Government hands at all.

The record further shows that another sale of 2,417 tons was made by Mr. Diliberto in 1946 for delivery to the farmers in Kent County, Del., at a price of $6.68 per ton. This cost was divided between the farmers of Kent County and the Government, with the farmers paying $2.43 and the Government paying the additional $4.25 per ton to the contractor. The material furnished under this contract was purchased from the same source under the classification of common sand for $1 per ton f. o. b. and invoiced to the Government as lime at $6.68 per ton.

All of this material carried an excessively high rate of moisture ranging from 10 percent to 12 percent. The material was unloaded by the contractor and spread on the farms, the cost of which is estimated at $1.50 per ton, although the farmers were allowed but $1 per ton in instances where they spread it themselves.

In 1947 the record shows that Charles W. Diliberto sold in Delaware 9,439 tons of the same grade of material as follows: 854 tons in Kent County, $6.46; 1,135 tons in New Castle County, $5.87; 7,450 tons in Sussex County, $6.50. The cost again was apportioned between the Government and the farmers with the farmers' contributions averaging $2.65 per ton while the Government's contribution to the contractor ranged from $3.20 in New Castle County to $3.70 in Kent County, to $3.80 in Sussex County. This 9,439 tons was purchased from the Pennsylvania quarries under the classification of common sand at $1 per ton and invoiced to the Government as lime at the exhorbitant rate of profits above outlined.

Again this year the same grade of material is being delivered to the farmers in Delaware as good lime through the Government purchase program, and again the amount of the farmers' contributions alone exceeds the total cost of the material plus all freight charges.

It is only fair to say that as far as the original sale of this product by the Bethlehem Steel Corp. is concerned, I offer no criticism. The record indicates that for years they have been offering and selling this byproduct from their limestone quarry at $1 per ton under the classification of "common sand." This material does have some agricultural value and was recognized and used by the farmers as a low-grade limestone. The criticism of these transactions lies in the fact that this limestone is being represented to the farmers as a good grade of lime and priced accordingly.

I have cited these specific cases of sales in my own State as current examples of irregularities, but at the same time I point out that this represents only a small fraction of the excessive overcharges being made by the favored limestone interests under the popularity of this soil conservation program.

It is true that many small limestone dealers throughout Delaware and the other areas affected have operated at a small margin of profit and delivered to the farmers a good grade of lime, but those dealers have received but a small fraction of the total volume of business since they were unable to compete in price with the low-grade materials being furnished and approved.

I became interested in this program and suspicious of its operations last year when a large propaganda campaign was launched by the limestone interests to arouse the farmers because Congress dared suggest a cut in the 1948 appropriations. Many farmers in Delaware and on the eastern shore of Maryland forwarded to me letters which they had received from Mr. Robert M. Koch, Washington, D. C., criticizing both Hon. J. CALEB BOGGS, Representative at Large from Delaware, and Hon. EDWARD T. MILLER, Representative from the First District of Maryland, for voting to cut their appropriation. At the same time I was advised by some of the farmers that the top-ranking AAA officials themselves were telling the farmers how unfriendly the Republicans were to their interests in that we had dared even to suggest any curtailment of the AAA program. I decided then that there must be some ulterior motive for their frantic interest, so I began making a few inquiries.

I found that Mr. Robert M. Koch, who was mailing these letters to the farmers denouncing the proposed cut in this program, was a former employee of the Department of Agriculture, having served for 10 years in the limestone branch of the AAA. Mr. Koch recently resigned from the Agriculture Department to take a position as "lobbyist" for the National Limestone Association, Inc., the organization which has been receiving the bulk of the orders placed by the Agriculture Department for lime.

The record of the sales which I have examined under the limestone program as being administered by the Department of Agriculture indicates that at least one-half of the appropriations by Congress have gone into the hands of the favorite limestone interests as excessive overcharges, and the farmers themselves have derived little, if any, additional benefits from this program, since, as described in this report, their cash contributions have in many instances, actually covered the entire value of the products being used, and the funds which have been appropriated by Congress have been dissipated in payments to the favorite contractors.

I suggest that the Senate Appropriations Committee, in conducting hearings on the Department of Agriculture appropriations, examine this program for abuses. For example, it would be interesting to identify the employees in the Department of Agriculture, if any, who have participated in the division of these overcharges as inducements to obtain their approval for the delivery of "common sand" as good limestone.

Last year I had occasion to point out irregularities in another Government department, and I repeat what I said on that occasion, that I think it would be well for the Government to consider diverting some of the investigators who are now investigating the American citizen toward the long-neglected task of investigating these Government bureaucracies themselves.

AMENDMENT OF CLOTURE RULE

The Senate resumed the consideration of the motion of Mr. LUCAS to proceed to the consideration of Senate Resolution 15, amending the so-called cloture rule of the Senate.

The PRESIDING OFFICER (Mr. ANDERSON in the chair). The question is on agreeing to the motion of the Senator from Illinois [Mr. LUCAS] that the Senate proceed to the consideration of Senate Resolution 15.

Mr. RUSSELL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Hoey	O'Conor
Anderson	Holland	Russell
Connally	Knowland	Smith, Maine
Donnell	Lucas	Vandenberg
Eastland	McClellan	Wherry
Ellender	McKellar	Wiley
Gillette	Maybank	Williams
Hayden	Miller	
Hill	Mundt	

The PRESIDING OFFICER (Mr. O'CONOR in the chair). Twenty-five Senators have answered to their names. There is not a quorum present. The

clerk will call the names of the absent Senators.

The legislative clerk called the names of the absent Senators; and Mr. BROUGHTON, Mr. FLANDERS, Mr. GEORGE, Mr. GREEN, Mr. HENDRICKSON, Mr. HUNT, Mr. IVES, Mr. JOHNSON of Texas, Mr. KERR, Mr. LANGER, Mr. MALONE, Mr. MARTIN, Mr. MURRAY, Mr. MYERS, Mr. NEELY, Mr. PEPPER, Mr. SMITH of New Jersey, and Mr. TAFT answered to their names when called.

The PRESIDING OFFICER. Forty-three Senators have answered to their names. There is not a quorum present.

Mr. MYERS. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After a little delay, Mr. BALDWIN, Mr. BREWSTER, Mr. BRICKER, Mr. BRIDGES, Mr. BUTLER, Mr. CAIN, Mr. CHAVEZ, Mr. CORDON, Mr. DOUGLAS, Mr. DOWNEY, Mr. ECTON, Mr. FULBRIGHT, Mr. HUMPHREY, Mr. JOHNSON of Colorado, Mr. JOHNSTON of South Carolina, Mr. KEFAUVER, Mr. KEM, Mr. KILGORE, Mr. LODGE, Mr. LONG, Mr. MAGNUSON, Mr. MCCARRAN, Mr. MCCARTHY, Mr. MCFARLAND, Mr. MCGRATH, Mr. MILLIKIN, Mr. MORSE, Mr. O'MAHONEY, Mr. REED, Mr. ROBERTSON, Mr. SALTONSTALL, Mr. SCHOEPPEL, Mr. SPARKMAN, Mr. STENNIS, Mr. TAYLOR, Mr. THOMAS of Utah, Mr. THYE, Mr. TOBEY, Mr. TYDINGS, Mr. WATKINS, and Mr. WITHERS entered the Chamber and answered to their names.

The PRESIDING OFFICER. Eighty-four Senators having answered to their names, a quorum is present.

MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives, by Mr. Swanson, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 198. An act for the relief of the city and county of San Francisco;

S. 279. An act to authorize the advance on the retired list of Lt. John T. McDermott, United States Navy (retired), to the grade of lieutenant commander; and

S. 307. An act for the relief of Engebert Axer.

AMENDMENT OF CLOTURE RULE

The Senate resumed the consideration of the motion of Mr. LUCAS to proceed to the consideration of Senate Resolution 15, amending the so-called cloture rule of the Senate.

Mr. HOEY. Mr. President, I wish to address myself to the resolution now pending, relating to the amendment of rule XXII of the Senate to permit cloture to be applied to a motion or other proceedings before the Senate, the same as it can now be applied to pending measures.

For a century and 11 years, from 1806 to 1917, there was no cloture rule applicable to debate in the Senate. In 1917 the present rule XXII was adopted. The demand for the rule arose because toward the end of a session, a resolution or bill to authorize the President of the United States to arm merchant ships was filibustered until the Senate adjourned, and the bill was not passed. After the adjournment of the Senate there was found a method by which the effect could be realized and the ships armed without legislative enactment. Nevertheless, as the result of the agitation, discussion, and delay, the Senate adopted rule XXII, which has been in effect for the past 32 years.

I think it is interesting to note that during 32 years there have been 20 attempts to apply cloture to measures pending in the Senate, 16 of which failed. Only 4 were successful. I may say, furthermore, that in the past 22 years no measure has had cloture applied while pending in the Senate. It seems to me if the Nation was able to conclude all the matters relating to World War I, to go through the great period of depression in peacetime, to pass all the legislation necessary or essential for World War II, and to complete rehabilitation through postwar legislation without the necessity of a change in the rule, it is rather remarkable and wholly unusual that we should now have the urge to change the rule.

No emergency now exists. No crisis is at hand. There is no great development in government requiring application of the rule or the changing of the rule in its application to measures before the Senate. What is the explanation of the demand at this time for a change of the rule? I think all Senators understand it. It has been very clearly set forth that the sole purpose is to enable those who are pressing for passage of the civil-rights program to undertake to get those measures enacted by the Congress. I submit neither one of those matters involves an emergency. They have been before the Senate at various times through the years. Several of them have been submitted to the Senate and the Senate has refused to apply cloture to them.

The proposition has been made at this time that we adopt a rule providing cloture even by a majority vote. I wish to commend the members of the Senate Committee on Rules and Administration, and particularly the very discriminating and able chairman of the committee. The committee has not adopted that proposal. The chairman of the committee did not support it. The same tribute should be paid to the very splendid minority leader in this body who is likewise a member of the Committee on Rules and Administration, and who has not supported the majority cloture idea but has joined in the proposal to require a two-thirds majority in order to apply cloture to any measure. I do not believe, however, that that, merely of itself, gives us any assurance as to what the future may bring forth, if there can be worked up a sufficiently strong surge of opinion on the part of the pressure groups to demand in ordinary times the adoption of a two-thirds rule applicable to any measure or any motion pending in the Senate. Suppose we should have a stress of circumstances whereby the pressure groups were unusually anxious to have cloture applied. Would they hesitate for a moment to work up the same sort of enthusiasm on the part of many of their adherents and demand that the Senate adopt a majority cloture rule? The Senate is very well within its rights in adopting a purely two-thirds vote in order to require cloture of any kind or character.

There are many questions that come before the Senate with respect to which a two-thirds majority is required. I should like briefly to call the attention of the Senate to just a few of those questions.

First, a Senator cannot be expelled unless two-thirds of the Senators vote for his expulsion.

Second, no official can be impeached except by two-thirds of those voting.

Third, the President's veto can be overridden only by a two-thirds vote.

Fourth, all treaties must receive a two-thirds vote before they can be ratified.

Fifth, no amendment to the Constitution can be submitted to the several States for ratification until two-thirds of the Senators voting have approved, and then it is required that favorable action shall be taken by three-fourths of the States before a proposed constitutional amendment can become effective.

Sixth, no person shall be convicted on impeachment without the concurrence of two-thirds of the Senators present.

Finally, when the choice of President shall devolve upon the House of Representatives, a quorum shall consist of the Member or Members from two-thirds of the various States of the Union. Furthermore, a quorum of the Senate, in choosing a Vice President, shall consist of two-thirds of the whole number of Senators.

It is manifest from this that the founders of our Government and the framers of our Constitution thought it essential and necessary that two-thirds at least of the Senate should give their approval to any matter of vital importance before action could be concluded. Certainly there could be nothing of greater importance to either the Senate or to the country than the right of free and unlimited debate in the Senate. I am wondering what the Senate would be like if we should take away the right fully and freely to discuss measures pending before this body.

Mr. President, I need not repeat that the United States Senate is the only open forum in the world, the only place in which there is free and unlimited debate, the only place in which the rights of people may be adequately presented and endlessly proclaimed. I do not believe we should sacrifice that power of the Senate. I do not believe we should liquidate its prestige.

In the discussion of this matter it seems to me that we should very earnestly inquire as to why the necessity for this change of the rule. Can anyone point to any important public measure which has been denied adoption by virtue of the existence of this Senate rule? Can anyone point to any measure which would be in the interest of the American people which has been defeated because of the existence of this rule? Is the purpose of the proposed change in the rule to make the Senate more efficient

in the transaction of its business? Is it the purpose to expedite the business in the Senate? If so, it will fail miserably in the accomplishment of that result.

The reason why I say that, Mr. President, is that very little time of the Senate has ever been consumed by filibusters. The time of the Senate is wasted by reason of numerous discussions over trivial matters, extended from day to day, to which the proposed rule would have no application.

Mr. CONNALLY. Mr. President, will the Senator yield for a question?

Mr. HOEY. I yield for a question.

Mr. CONNALLY Mr. President, in connection with what the Senator is saying, have we not, every day, including this day, seen the time of the Senate consumed, not with the matter which is supposed to be immediately pending, but with a large amount of extraneous discussion, for many hours? So the adoption of the proposed rule would not remedy that situation. Is it not also a fact that one of the chief functions of the Senate is the discussion, the debate, and the consideration of questions which come before it, and would not anything which lessened such consideration vitally impair the utility of the Senate itself?

Mr. HOEY. The Senator is absolutely correct. I was thinking, while he was asking the question, of the fact that this debate opened last Monday. Since that time four speeches have been made by opponents of the measure. The first speech was made by the distinguished senior Senator from Georgia [Mr. GEORGE]. Yesterday the distinguished senior Senator from Texas [Mr. CONNALLY] and the distinguished junior Senator from Mississippi [Mr. STENNIS] made magnificent addresses in opposition to the adoption of the rule. Today my able young friend from Louisiana [Mr. LONG] made a most effective speech in opposition. Those have been the only four speeches made in the past 3 days. Yet, if we read the newspapers, we find them saying that the southern Senators are killing the time of the Senate in a filibuster. The time of the Senate has not been consumed by a filibuster. I say, without any fear of successful contradiction, that some of the most vociferous advocates of a change in the rule, one in particular, have consumed more of the time of the Senate than has been consumed by all the filibusters we have ever had.

Moreover, I say that the passage of measures would not be facilitated in any fashion by the adoption of this proposed rule. The time which is consumed in the Senate is consumed by Senators discussing matters of their own choice, and sometimes they prove to be of great public benefit; but such matters are brought up from day to day and would not be, under the provisions of the proposed rule, affected.

Therefore, I submit that the adoption of the resolution would make no contribution to the efficiency of the Senate or to the expediting of the Senate's business.

Mr. ROBERTSON. Mr. President, will the Senator yield for a question?

Mr. HOEY. I yield for a question.

Mr. ROBERTSON. On the contrary, when there is presented to us a bill which we are convinced is clearly unconstitutional, as well as highly undesirable, should we not have the fullest opportunity to inform our colleagues and the public concerning the meaning of such a measure?

Mr. HOEY. I thank the Senator from Virginia. I was just coming to that. How are we to acquaint the American people with the legislation proposed here which we think is vicious in character and which would be destructive of the rights, liberties, and freedom of the American people unless we can fully and freely discuss it? This is the only forum we have, the only forum that any people have, the only forum that a minority has. It is for the protection of minorities; it gives an opportunity to voice the sentiments, the opinions, and the views of minorities. That is the reason those rights have been and are now preserved.

I said a few moments ago, Mr. President, that the Senate is a great forum. I should not like to see the Senate of the United States reduced to a second-rate assembly. If we should adopt this rule we would rob the Senate of its invincible power, its prestige, and the high position it occupies among deliberative bodies of the world and open assemblies in which men can be heard in behalf of causes.

I think there are a great many vital subjects to be considered by the present Congress, but I submit that, with all those questions, no one has suggested that the cloture rule should be invoked except to deal with one group of measures. No one would suggest that we should adopt it in order to pass a tax bill, a public-housing bill, a rent-control bill, or a reciprocal trade agreements bill. The rule must be changed because, forsooth, there are certain elements in this country that want to force on the American people a civil-rights program, and they do not believe they can do so unless the rules of the Senate are changed.

What is involved in the civil-rights program? I do not want to discuss the subject as a southerner, although I am an intense southerner, but I wish to discuss it as an American citizen, because I am more intense as an American.

I know something about the proposals recommended by the President's Civil Rights Committee, and recommended by the President. The four proposals are known to the American people in general, but their implications are not well known, and their dangers have not been fully presented; the viciousness of the measures has not been sufficiently discussed, so that the people can understand fully just what is involved.

Let us consider, first, the poll tax, which has caused considerable comment and discussion. It is a very insignificant matter when it is analyzed. The Constitution of the United States provides that the States shall have the right to prescribe the qualifications of electors. That was one of the rights reserved by the States when the Constitution was formed. There has never been any challenge of that authority. Each State has the right to regulate and prescribe the qualifications of its electors. That is subject to one single exception, and that is that we cannot deny the voting privilege to anyone because of race, color, or previous condition of servitude. The poll tax does neither of those things. It applies to every voter. Therefore, there is nothing offensive in the payment of a poll tax as a requirement for voting, so far as race, color, and previous condition of servitude are concerned.

Presently, there are only seven States which have poll taxes as a requirement for voting. Practically all States have poll taxes levied on the citizens, but ordinarily they go to support the public-school funds. In my State a poll tax is levied from the time a man becomes 21 years of age until he is 50 years of age. The tax is levied on male citizens. For 29 years it has not been required in North Carolina that a tax be paid in order to vote, but the tax is still collected. It is from $1 to $2 a year. Yet, from the hue and cry heard regarding the discussion of the matter, it would be thought that it is a great and exorbitant tax which is being levied upon persons to deny them their right of franchise.

There is no citizen in any one of the States who cannot pay $1 or $2 a year if he wishes to vote. It does not require 2 hours' work to pay a $1 poll tax. It would take only 4 hours' work of the lowest paid citizen to pay a $2 poll tax. So that when out of 365 days it takes only 2 or 4 hours' work to enable one to pay a poll tax, certainly it could not be considered an exorbitant or oppressive tax, especially when the tax goes to educate the voters' own children.

Mr. MAYBANK. Mr. President, will the Senator from North Carolina yield?

Mr. HOEY. I yield for a question.

Mr. MAYBANK. Is it not a fact that many are exempted from the poll tax because of age and for various other reasons?

Mr. HOEY. All over 50 years are exempted; all who are disabled in any form are exempted; and where special disabilities exist citizens do not have to pay the poll tax. Therefore this talk about preventing the exercise of the elective franchise because citizens cannot pay a poll tax is a great bugaboo about nothing.

Mr. ROBERTSON. Mr. President, will the Senator from North Carolina yield?

Mr. HOEY. I yield to the Senator from Virginia for a question.

Mr. ROBERTSON. In Virginia, where we have a poll tax of $1.50, there are a great many who pay the poll tax because they desire to make that contribution of $1.50 to the maintenance of the schools. Does the Senator know that in Virginia it takes a tremendous effort, and the expenditure of some money, to get to the polls even 50 percent of those who are qualified to vote?

Mr. HOEY. I am sure that what the Senator from Virginia has said in the form of a question is correct. We hear a great deal said about the fact that in the Southern States only a small vote is cast in general elections, and that is attributed to the fact that the voters have to pay a poll tax, and therefore it is said many are disqualified from voting. That is not the cause at all. Why are only a small number of votes cast in many Southern States? It is because one political party is dominant in those States,

and because every voter knows that every candidate for whom he would vote will be elected without regard to whether the voter goes to the polls or not. Therefore there is no incentive for a man to go to the polls. If he belongs to the minority party it is hopeless for him to go to the polls, and he does not do so.

I am supporting a joint resolution sponsored by the distinguished junior Senator from Massachusetts [Mr. LODGE] and others to provide for a constitutional amendment to abolish the electoral college, and to let each State's vote be counted according to the proportionate number of votes cast in the State. If that amendment to the Constitution should be ratified, I think it would go a long way toward solving the very problems being discussed about the small vote in the States where one political party is predominant, because then there would be an incentive for every man, of either the majority or minority party, to cast his vote, since his vote would be effective in determining how many votes the President of the United States should receive from each State.

Mr. MAYBANK. Mr. President, will the Senator from North Carolina yield?

Mr. HOEY. I yield for a question.

Mr. MAYBANK. The Senator has referred to some persons who are exempted from payment of the poll tax. I do not know the provision of the law in North Carolina, but in South Carolina all women are exempted, and I think that is true in many other States.

Mr. HOEY. That is true in North Carolina, and, as the Senator has said, in other States. Ordinarily the law applies only to male citizens.

The poll tax, then, is an inconsequential factor. Why take up the time of this body, and why have this great hue and cry raised, about the passage of a measure which is of insignificance compared with other measures which should be engaging the time and all the attention of this body?

On the question of the poll tax, three of the seven States which now have it are preparing to do away with it. In the course of another year or so that question will therefore be settled. Should Congress and the Senate undertake to invade the rights of the States, and say, "You are not getting rid of this thing as quickly as we would like to have you, therefore we are going to exercise the sovereign power of the Federal Government to determine what sort of law you should have in prescribing the qualifications of your electors."

Our opposition to that is on the ground that it is unconstitutional. Moreover, we take the position that if the Federal Government has a right to enter a sovereign State and to say what qualifications it should prescribe with reference to the payment of a poll tax to entitle one to vote, then the same government has the right to go into a State and undertake to prescribe other qualifications for its voters and electors, and that very soon we would reach the point where the Federal Government would undertake to dictate the qualifications of the electors of all the sovereign States, and the reservation of that power which was made to the sovereign States when the Constitution was adopted would be trampled underfoot.

Mr. RUSSELL. Mr. President, will the Senator from North Carolina yield?

Mr. HOEY. I yield to the Senator for a question.

Mr. RUSSELL. I should like to ask the able and distinguished Senator from North Carolina if there are not a great many indications that the argument to which he has just referred as to the danger of complete Federal control of elections in the Nation is not the true objective back of this drive to abolish the poll tax by statute, and has not the poll tax issue been blown up all beyond any true proportions? It is referred to as an onerous burden on the voter. Of course, it is ridiculous in this day and time to refer to a tax of a dollar a year as an onerous burden.

I had the Library of Congress work out a schedule showing the percentage of the total taxes in the United States the poll tax comprises, and there were so many decimals and ciphers in front of the figure that I have forgotten it. It was an infinitesimal fraction, the poll tax of a dollar a year. My State does not have it, nor does the Senator's State, but it was less than 2 cents a week the voter would be required to pay, and that amount would go to the school fund. So, all the talk about it being an onerous burden on the taxpayer is merely a smoke screen to hide the desire to have the Federal Government assume the power to control the ballot box within the State and station an officer at every ballot box, thereby threatening the perpetuity of our free elections and free government.

Mr. HOEY. I thank the Senator from Georgia. Following what he has said, I should like to submit the reason I presented a few moments ago, that this would be an opening wedge by which the Federal Government would lay claim to the right to prescribe the qualifications of electors in the several States. We who believe that the Federal Government should not encroach any further upon the power and sovereignty of the State should certainly not open the way and invite them to come and control and supervise our elections.

Mr. ROBERTSON. Mr. President, will the Senator yield further?

Mr. HOEY. I yield.

Mr. ROBERTSON. Was it not the purpose of the "force" bill, which passed the House of Representatives and was blocked in the Senate, to provide for supervision of the counting of the ballots? If the Congress had the right to say how many ballots were going to be cast, would not the next move be to say whether they were counted to suit them?

Mr. HOEY. That would be the natural step, and that is why I think it is a dangerous policy to start, because certainly we could not tell where it would end.

With reference to the question of the poll tax, it is remarkable how the groups which are advocating the proposed action do not care anything about constitutional processes. Last year when this question was before the Senate the distinguished Senator from Ohio [Mr. TAFT] placed in the RECORD a telegram which he had received from Walter White, who, as Senators know, is the head of the National Association for the Advancement of Colored People. This was a telegram asking the Senator from Ohio and those in charge in the Senate not to accept the suggestion made by certain Democrats that a constitutional amendment be submitted, a matter which had been presented by the Senator from Arizona [Mr. HAYDEN], to determine this question in a constitutional way. He said it was not necessary and that we ought not to take that course. But here is the meat in the coconut, and this is why he did not want it done:

> The abolition of the poll tax by constitutional amendment would require ratification by 36 State legislatures. We have grave doubt whether ratification can be obtained since the specious States'-rights arguments will be made against the constitutional amendment.

In other words, the head of the National Association for the Advancement of Colored People wants the Congress to rape the Constitution and to pass the measure because he does not believe that the sovereign States of the Union would amend the Constitution to do that very thing and to give the power to the Federal Government. That is an additional reason why we should not for 1 minute consider the matter of the Federal Government, in violation of the Constitution, exercising the power to regulate and control elections to the extent of prescribing the qualifications with reference to the payment of a poll tax and say, "You may vote regardless of what the States provide in that respect."

The next proposition to which they give so much allegiance and which pressure groups urge so strongly is the antilynching bill. Of all the measures which have been presented to the Congress I cannot conceive of a more useless one. Even the Washington Post, liberal as it is in many of its inclinations—and certainly it cannot be said to be pro-South—published an editorial last year when such a measure was under consideration and said that it was ridiculous at this stage to undertake to pass a bill against lynching. We have now good antilynching laws in every one of the 48 States. These laws are the best enforced of any criminal statutes on the books.

We have 145,000,000 people in America. Last year there was only one lynching. There have not been more than six lynchings in any 1 year in the past 10. Yet last year, when there was but 1 lynching—and that was more of a murder than a lynching—13,000 murders, 12,000 rapes, and 1,500,000 other felonies were committed in the United States. But the people who are so anxious to protect the 1 person who may be lynched, have no concern for the 13,000 who were murdered and the 12,000 who were raped and the 1,500,000 who committed other felonies. They do not suggest even that the Federal Government should do anything about that.

Mr. ROBERTSON. Mr. President, will the Senator yield?

Mr. HOEY. I yield.

Mr. ROBERTSON. If lynching is such a prime issue, is there anything that would prevent any State that wishes to

do so from emulating the State of Virginia, which has put an antilynching law into effect which provides a $10,000 fine on any community that permits a lynching? Could not any State that wishes to do so take care of the situation in that way?

Mr. HOEY. Practically every State in the Union has a good strong law against lynching, and such laws are enforced and observed. Following that up—why pass a law to stop a crime that already is practically extinct? Why do the useless thing, unless it is merely to assuage the pressure-group forces who undertake to dictate what the American people shall do and what the American people shall suffer? Is there any virtue in passing an antilynching law? Lynching is not an interstate act. It does not have anything to do with interstate commerce. The only way it could have any connection with interstate commerce would be if one were to cross the line of one State into another State to lynch someone. Therefore there is nothing at all about the crime of lynching to make it essentially different from the crime of murder.

Every good citizen of America, white, colored, Indian, or of any other race, is definitely opposed to lynching, and every good citizen is doing all he can to stop the crime of lynching. Now why should the Federal Government, in violation of the right of a State to patrol its own internal affairs and to exercise its own police powers in the control and the punishment of crime within its borders, undertake to invade a State and say, "We take no notice of all the murders and all the rapes and all the other felonies, but we are going to take charge of this one matter of lynching, and because one person has been lynched we are going to handle the whole situation"?

The argument may be made that if there were a Federal statute on the subject there could be better enforcement of the law, but why could better enforcement of such a law be secured? The Federal court would have to try the case in the State in which the lynching occurred and would have to try it under the law with the same people as witnesses and jurors that the State court would have. The individual persons might not be identical, but they would be in the same State, living in the same atmosphere, entertaining the same ideas. How could there be any better enforcement of the law against lynching than there would be in the State court, especially since lynching has been practically eliminated?

It may be of interest to the Senate to know that in 1892, 255 lynchings occurred in the United States. One hundred of these were of white people and 155 were of either Negroes, Indians, or persons belonging to other races. This number was reduced in 1920 to 64. There has been a gradual reduction every year, until in the past 10 years no more than six have been lynched in any one year. Last year only one person was lynched, and that case was more of a murder than a lynching.

Therefore I pass from the consideration of the antilynching bill to another measure, namely, the antisegregation measure. What is the necessity for passing such a measure? To begin with, the Congress has nothing in the world to do with segregation within the limits of a State. The Federal Government has no power or authority to override the law of a State and say what shall happen with reference to segregation within the confines of a State, with the sole exception of transportation that may involve interstate commerce. The Supreme Court of the United States has already decided that question. The Court said that the States have no power and no authority to legislate about interstate commerce, and therefore, State segregation laws applying to interstate commerce were null and void. Now what more can be done? Why pass any more segregation laws?

Do we want the Federal Government to say what shall happen with reference to the internal affairs of a State? The Constitution of the United States does not say that segregation is discrimination. That is where many persons make a mistake. We hear many talk about segregation as if it were discrimination. The fact is that it is not discrimination. The Supreme Court of the United States has gone far afield in deciding a great many of these questions, but it has never yet held that segregation is discrimination. In reality it is just the reverse. Why, then, undertake to have Congress pass a law in the teeth of the Supreme Court, in the teeth of the Constitution, and say, "We are now going to undertake to say what shall happen with reference to segregation within the boundaries of the several States?" We, of the South, say, of course, that is one of the measures which is advocated and pressed solely because of the people who are anxious to have enacted some sort of measure directed against the policies, the customs, the habits, and the traditions of the South.

I come next to the fair employment practice bill, which is the pièce de résistance of the whole list. Every single one of these measures is directed against the South. Is it not rather remarkable that in this country, 80 years and more since the War Between the States closed, a great solemn legislative assembly is having its time occupied with measures sectional in character and vicious in their conception, directed against a great section of this Nation? I am wondering, if we should pass all four of these measures today what would their sponsors ask for next? When, if ever, will the South have a surcease from the assaults made upon her customs, her traditions, her social fabric, and, indeed, her life? Are all the offerings, all the loyalty, and all the blood and treasure which the South has given to the Nation to be of no avail? Has the time come, and is it now here, when there shall be a continual persecution, a continual effort to destroy the basic fabric of our civilization in order to gratify those who wish to serve some special purpose, and who have some selfish end in view?

There are four classes of people who have supported these measures. The first class, I would say, are good people who have been misled, but who feel that discrimination should be abolished, and that by some sort of means equality should be brought to everybody. I have sincere regard for them. A great many church people, a great many of the best people in the country, are included in this group. And it is to this group that I should like to address some remarks I shall make hereafter.

In the second group are those who are motivated by political expediency. That is quite a large group. A great many in both political parties are in that group. They are motivated by political expediency for their own party and political expediency for themselves. Of course, it is idle to argue with the man who proceeds on that basis, because the only argument that would appeal to him would be an argument based upon the premise that it is not good political judgment to endorse such measures.

The next category are those belonging to the various pressure groups who wish to achieve some special benefits to their groups by virtue of having these laws enacted. I think they are misadvised. I think they will be deceived about the results if they achieve them. Nevertheless, that is their purpose, and, of course, we cannot do much with them.

The fourth group comprises the Communists and Socialists. Every Communist and every Socialist in America is in favor of all four of these measures. Every Communist favors them because he wants to disrupt the Government. He wants to create all the disorder, strife, and turmoil possible. The Socialist is for them because he wants the Government to absorb the power and authority of every State and the rights of every citizen, so that the Federal Government will be the dominating force and power. So we cannot do anything with that group.

We come back to the first group, to whom we might appeal with some idea of having consideration given to these arguments. I submit that segregation is not discrimination. I said that a moment ago, but I wish to repeat it. God could have been charged by some of these people with discrimination because He gave to one man one talent, to another two talents, and to a third five talents. He did not make everyone alike. He did not give to us all the same talents, the same abilities, the same capacities, the same ideals, the same hopes, and the same purposes. At any rate, God made the different races, but He did not combine them. He did not consolidate them. He did not mongrelize them. I cannot conceive that He would want policies adopted in this world to effect a purpose which He himself did not adopt; and there is no evidence that it would be pleasing to Him.

When we come to consider the results of this program, let us see where it would lead us. The last proposal, the Fair Employment Practices Act, is the one upon which the greatest emphasis is placed, and it is the most vicious of the lot. I should like to enumerate some of the things this bill would do if it were enacted. I am wondering if Senators have read the bill. If they have not they should do so. The bill so fully and completely destroys the right of the individual citizen that I cannot understand how anyone familiar with it would be willing

to see it enacted and become the law of the land.

It is a matter of record that this proposal has been submitted to 20 different States for adoption. Sixteen of those States have rejected it absolutely. Not a single one of those States is located in the South. New York, Massachusetts, and New Jersey have adopted it, and probably one or two other States. As was stated here today, in the State of California the proposal was submitted to popular vote, and more than one million majority of votes were cast against it by the people of California. I dare to assert, without fear of successful contradiction, that if the Fair Employment Practices Act were submitted to any single State in America, if it were fully explained and the voters understood it, not a single State would vote its adoption. The people are not in favor of it. But the pressure groups are behind it. The voice of the people is not heard. Their case is not presented. Their views are not expressed. The pressure groups so fill the air with clamor for this program that they induce other organizations to pass resolutions, many of which organizations are not familiar with the program at all, but they endorse it.

The fair employment practices bill would do what no law ought ever be permitted to do. It would compel a man to employ someone whom he did not want, and would compel him to keep him in his employ when he wanted to discharge him. It would oblige him to promote him when his merits did not justify a promotion, and would refuse to let him dispense with his services. I would not vote for any bill which would require any person of any race or color to work for another man against his will. Therefore I would not vote for any bill which would require another person to employ someone to work for him against his will. The contract of employment certainly should be reciprocal, and there should be some sort of justice in it.

I wish to call attention specifically to the things which this bill would do:

First, it would deny freedom of contract.

Second, it would deny the employer the right of selective judgment in procuring his employees.

Third, it would deny to employees the right of selecting their associates.

Fourth, it would deny to labor unions the right to determine their membership or to regulate their own affairs.

Fifth, it would deny to the employer the right to hire, promote, or discharge employees upon the basis of their efficiency, merit, or faithfulness.

Sixth, it would give to a Commission the power to compel the employer to pay persons who were never in his employ, and then force him to hire them.

Seventh, it would subject the employer to investigation, harassment, fines, and penalties, to be determined by a Commission located in Washington.

Eighth, it would deny the employer the right of trial by jury, and give him no right to a review of the facts found by the Commission.

Ninth, it would compel the employer to give testimony against himself, and expose his private letters, books, and papers for the inspection and investigation of a horde of employees of the Commission.

Tenth, it would compel the employer to hire a person whom he did not wish to have in his employ, and deny him the privilege of selecting an employee of his own choice.

Mr. ROBERTSON. Mr. President, will the Senator yield for a question?

Mr. HOEY. I yield for a question.

Mr. ROBERTSON. Does the bill not violate the fifth amendment to the Constitution, under which we are supposed to have freedom of contract?

Mr. HOEY. Absolutely. That is one of the first things I mentioned. It denies freedom of contract.

Mr. ROBERTSON. Does it not violate the guarantee in the Constitution of freedom of assembly?

Mr. HOEY. It does.

Mr. ROBERTSON. Does not the bill attempt to create a right which does not now exist, and then give Congress the power to enforce it? Can Congress give itself a right which the Constitution never has conferred on the Federal Government?

Mr. HOEY. No.

Mr. ROBERTSON. Does not the bill start by saying that there shall be a certain right, and then say how it shall be enforced? Is not that provision in the FEPC bill?

Mr. HOEY. Absolutely.

Mr. ROBERTSON. Has the Senator ever previously heard of any bill which would give Congress the right to go into a State and interfere, not with what the State is doing in an unfair way to its citizens, but in the adjustment of difficulties between individuals in a State?

Mr. HOEY. That is the purpose of the bill; and I think it violates the Constitution in every single provision it contains.

In addition to all these nefarious things contained in the bill, the most vicious provision of all is the concluding provision, that the Commission shall have the power and authority to make rules and regulations which shall have the effect of law, and that they shall be the law unless the Congress enacts a bill to nullify them. In other words, in addition to all the power given the Commission to take charge of the business of the citizens of America and to interfere with all their internal affairs if they employ as many as 50 persons, the Commission would have power and authority to make any other rules and regulations which suited it, to enable it to harass, annoy, fine, and punish citizens. There would be no redress unless the Congress should enact a law to nullify the rules adopted by the Commission. I submit that such a measure ought not to be considered seriously by any great free legislative assembly.

I am wondering what the American businessman, the American industrialist, the American employer of labor, or anyone else in America has done to justify the idea that the Federal Government should take charge of the affairs of citizens in this fashion. We boast about free enterprise. There would be no free enterprise if this system were in effect. There could be no free enjoyment of any of the privileges and rights guaranteed by the Constitution if this bill were to be enacted. I cannot see how any businessman in America should be calm or content in the exercise of his rights and the conduct of his own business with this sort of thing hanging over him.

What is the excuse for this? What is the reason for it and what is its purpose? It is nothing more than to meet the demand of pressure groups who seem to feel that if they had such a law they could exact from businessmen and employers demands which they might not be able to enforce otherwise.

What is to be done about all of this? A few moments ago I said that I am opposed to discrimination. I differ in my interpretation of discrimination. I do not believe any man should be discriminated against in his rights under the law, in his right to an education, in his right to have everything the law gives him, in his right to advance and progress; but I do not believe that discrimination is practiced merely because we do not wish to associate with some people or because we do not wish to have them in our employ or because we do not wish to have other people, no matter what their race may be, conducting our affairs. It seems to me that there should still remain in America some freedom of choice with respect to the conduct of one's affairs and the associates whom one chooses. The other afternoon the Senator from Georgia [Mr. GEORGE] well said that the highest right known to man is the right to choose his associates; and certainly that right should exist. Working men should have something to say about the persons with whom they must coordinate in their work; that should be of some concern to them.

Of course I realize that most of the discussion about discrimination is directed against the South; but let me call attention to the fact that that is not where it exists. For instance, yesterday I noticed in the newspapers a report from the mayor's committee of Minneapolis, Minn. The report said that of 525 firms in that city, only 3% had in their employ any Negroes or any Jews or any Japanese-Americans. It also said that 63 percent of the firms in that city would not employ any member of these groups. That is not a southern city, Mr. President; it is Minneapolis, Minn.

All over the North we can cite one example after another showing discrimination similar, and in greater degree than exists in the South.

Now let me talk for a moment about southern matters.

Mr. LONG. Mr. President, will the Senator yield for a question?

Mr. HOEY. I am glad to yield for a question.

Mr. LONG. I wonder whether it has ever come to the attention of the Senator from North Carolina or whether the Senator has ever heard of cases of the violation of the FEPC laws in the northern part of the country. Has the Senator ever heard statements such as I have heard made by people who have large businesses to the effect that they find it very simple to avoid those laws and State statutes. Has the Senator ever heard such statements?

Mr. HOEY. Yes. I think such laws have been evaded rather largely in the Northern States. None of the people of those States have ever voted for that arrangement, and I do not believe they would.

Now let us consider the matter of discrimination. I maintain that in the South we do not discriminate against the Negroes. I would not say that there are not some evidences and some cases of discrimination here and there, because that would happen anywhere at any time. But I am talking about the great, overall picture.

I shall take North Carolina as a typical example, because it is a typical Southern State. I maintain that we do not discriminate against the Negro in North Carolina, but we give him every opportunity. We start in with his education; and we give him the same facilities, the same length of school term, paid for by the State; we furnish the same transportation to carry him as a student from his home to the consolidated school. We provide his teacher, and pay the teacher the same salary the white teacher receives. In North Carolina we provide five colleges, maintained and paid for by the State, all for the benefit of the Negro race. We have at Durham, the North Carolina College for Negroes, which is the fine arts college or university, and is known as the University of the Negroes of my State. We have at Greensboro the agricultural and technical college, which is a very splendid institution, and now has more than 3,000 Negro students. It ranks alongside of Fisk and Howard and Tuskeegee in the training of Negro youths, men and women. We have in North Carolina three teachers' colleges, maintained by the State, in which we train and teach Negroes and prepare them to qualify to teach in their public schools. More Negroes are employed by North Carolina in teaching in Negro schools than are similarly employed by all the other States north of the Mason and Dixon's line, combined.

Mr. President, New York is often cited as a State in which the Negroes have many privileges. According to the census of 1940, New York had a Negro population of 570,000. According to the best figures which I could obtain, in 1945 the Negro population of New York State was much larger. Nevertheless, New York had only 610 Negro school teachers. In New York State the Negroes are permitted to go to the white schools, but Negroes are not permitted to teach in those schools to any large extent; only 610 Negroes out of the vast number of Negroes who reside in New York State were permitted to teach. If New York State had the same number of Negroes North Carolina has—which is a little less than a million—and if New York State permitted Negroes to serve as teachers according to the present proportion of the Negro teachers to the Negro population in New York State, the number of Negroes teaching in New York State would be 1,120. However, in North Carolina we have 7,407 Negro school teachers. I repeat that that is a greater number of Negro school teachers than is to be found in all of the States north of the Mason and Dixon's line, combined.

Another point in that respect is that in our State we have a school for whites, a school for Negroes, and a school for Indians; and the members of each group go to their several schools. They do better than if they were intermingled; it is more satisfactory; they progress more in their work. In North Carolina, the Negro child, from the time when he enters school, at 6 years of age, until he graduates from his high school, and then until he graduates from his State university, Negro university or college, is taught by members of his own race. All along the way he is instructed by members of his own race, because every teacher and professor, and even the president of every one of those institutions, is a Negro.

Mr. LONG. Mr. President, will the Senator yield for a further question?

Mr. HOEY. I yield for a question.

Mr. LONG. Has the Senator from North Carolina in his experience had the colored school teachers or colored people of his State request that they be admitted to the same schools that the whites attend in North Carolina?

Mr. HOEY. The only time that ever occurred was when one man, engineered by the National Association for the Advancement of Colored People, started to bring a suit in order to be admitted to one of our institutions; but that suit was never actually brought.

Mr. LONG. Will the Senator yield for a further question, Mr. President?

Mr. HOEY. I yield for a question.

Mr. LONG. I had especially in mind the situation in the elementary and secondary schools.

Mr. HOEY. Never that.

Mr. LONG. In other words, I had in mind what we call the grammar schools and the high schools. Has the Senator had any number of colored people there appeal to be admitted to the same grammar schools and the same high schools with the whites?

Mr. HOEY. Not one; never in all the years of the administration of the public school system in North Carolina have we had a request of that sort.

I may say that in North Carolina we do not believe in race prejudice, but we undertake to cultivate and develop race pride. We do not believe in race amalgamation, but we believe in race integrity. We do not believe in social equality, but we believe in equality of opportunity; and undertaking to furnish these things in their relative fashion and form meets the requirements and the needs and the wishes of the great body of the Negroes in my State.

I wish to pay this tribute to the Negro people of North Carolina: I think they are about the best Negroes in the world. I say that advisedly, for I know them well; I have lived among them all my life. I know their weaknesses and I know their strength. I know their frailties and I know their virtues. They are patriotic; they are loyal; they are good Americans. I think about the finest tribute that could be paid to them is to refer to their action in the last election. Henry Wallace came to North Carolina, accompanied by some of his Negro escorts, and went to Durham to speak. While there, he stayed in the home of a Negro citizen, as a guest, sleeping in that home. He went to the Negro hotel to attend a banquet, with Negroes constituting two-thirds or three-fourths of the persons present. He constantly associated himself with, and carried with him in the campaign, Negro lieutenants as co-equals. He had his picture taken with all of them. Of course, his purpose was to obtain the Negro vote in North Carolina. He had his electors on the ticket, and every effort was made by his organization in North Carolina to obtain the Negro vote.

About 75,000 Negroes voted in that election, out of a total of 800,000 votes cast. Of the total of 800,000 votes, Henry Wallace received only little more than 3,000 votes. The Negroes were not willing to vote for him. They did not like his policies; they did not like his customs; they did not like his habits; and they did not like the things for which he stood. Coming into North Carolina and associating himself with Negroes, he and those promoting his candidacy had the idea that that would appeal to the Negroes. But the Negroes did not relish that; they did not like that sort of conduct and association.

I think it might be of interest to the Senate to say that when I was Governor I had the privilege of visiting the North Carolina College for Negroes at Durham, where they dedicated five fine new buildings erected by the State of North Carolina. At that time a great American Negro, Dr. James E. Shepard, was president of the institution. He had been such from its inception, from its organization. He died last year. He was a great man, a great soul, a great spirit. I recall well today that educators from all over the United States were present for the dedication of these splendid buildings, and Dr. Shepard made a magnificent address, in the course of which he said:

> The thing that warms my heart today is that my own people of North Carolina, this great State, have provided for me and for my race these buildings and this great institution. I, of course, appreciate the contributions made by people of other States. I appreciate the help they have given to my race in North Carolina. But the thing that has made my race strong and has enabled us to grow and develop and progress, has been the spirit of cooperation and helpfulness on the part of the white people of North Carolina. And today—

He said—

> I pay tribute to the generosity and the magnanimity of the people of North Carolina, and I shall continue to serve them as I have in the past.

That is the spirit actuating the Negroes of my State and the white people of my State.

Today I have in my hand a copy of the Greensboro Daily News, containing a report of the legislative committee, and containing the pictures of a number of the new buildings to be erected and which have been erected at the Agricultural and Technical College at Greensboro for Negroes. $5,000,000 was expended recently for those buildings. A

legislative appropriation is being asked in the amount of $3,000,000, to operate the institution for the ensuing year. That is the character of service we are undertaking to give the Negroes of North Carolina.

I should like to digress long enough to say that the figures I gave about Negro teachers in New York would apply to the teachers of Pennsylvania, Ohio, and Michigan, and to every one of the States that have any considerable Negro population. I have them all here. Not a single one of them is more favorable than the figures shown by the State of New York. I emphasize again that in these States the State permits the Negro to go to the white school, but does not give the Negro a position of dignity in the community by permitting him to teach in the school. We do that in every single community in North Carolina.

With further reference to the situation in North Carolina and the progress and growth and development of the Negro race, I may say that there is at Durham a man named C. G. Spaulding. In the Reader's Digest there recently appeared a very fine article about his achievements, his rise to prominence and influence, his acquisition of wealth, and the fine service he has rendered both to his State and to his race. His career was discussed at some length in the article. He is the head of the largest Negro insurance company in the world, a company located in North Carolina. He is head of the largest Negro bank in the United States, a bank located at Durham. He is on many important boards. He has served his State with distinction in all the relations of life, and has the admiration and respect of all the people of all races in the community.

We have in North Carolina a large number of Negro lawyers, doctors, and dentists who are leaders of their race, filling high positions. Furthermore the Negro farmers in North Carolina have made a great record. I read only day before yesterday, in an article published in a newspaper in my own town, that 18 Negro farm families had come there to hold a sort of celebration. They belonged to the Farmers Home Loan Organization and were paying for their farms through that organization. Every single one of the 18 families had not only made their payments but had paid for 3 years in advance. It showed the average earnings of the Negro families for last year to be $2,300 over and above the things they consumed on the farm. Statistics show that in North Carolina the Negro ownership of farms increased 23 percent from 1940 to 1945. Constantly more Negroes are owning their own farms, are building their own places in society and in the community, and are contributing their full quota to the great progress our State is making. In addition to that, I may say we have scattered all over the State farm demonstration agents and home demonstrations for Negroes. All sorts of industries have been established, and all kinds of means afforded by which the Negro is getting a chance to develop himself and improve his condition materially, educationally, and otherwise.

I need not refer to specific cases, but the other day a very fine article appeared, written by Mr. Davis, and I should like to read just a few extracts from the article. I think it gives a very fine conception of what has been done and what will be done along this line. He is telling about the difference between situations in the North and North Carolina or other sections of the South. He gives the items and occurrences. I do not see the clipping here, but I remember the facts. He shows the difference between conditions in the North, in Newark, N. J., where he lives, and where he publishes this Negro paper. He made a visit all through the South, and he contrasted conditions there and in New York, with those in my State and in Georgia, and in vaarious other Southern States. He said in effect that in Winston-Salem, N. C., a Negro man has a bus franchise and operates 100 busses. He said a Negro cannot get a franchise in New Jersey; he can drive a cab, but he cannot get a franchise. He may apply for it, but there is always some reason why he does not get it. He gives illustrations of what developed in Atlanta, Ga., and he said:

> My race there owned millions of dollars worth of property, and they have many public utilities of one kind and another. They serve the public in their own right, in their own busses, unmolested, and yet that sort of thing does not happen in my State of New Jersey, or in the States of the North.

He went through a whole category, citing things which are of vital concern, and which I think are worthy of consideration. He is a Negro, but he is stating the facts as he has found them in a visit to the South. I would that many of the people who are so concerned about the way Negroes are treated in the South would make a visit there for a while. I wish they might, day in and day out, see the relationship existing between the whites and the Negroes in their daily contacts and service and work in a cooperative spirit.

I might mention an incident which is illustrative of the thing I am talking about. In Goldsboro, N. C., last year the junior chamber of commerce decided to have a contest for those who could sing or give a musical program. They invited representatives of Negro schools of the city to participate. Before a white audience, all the girls sang, and the white audience voted to give the first prize to a Negro girl from the Negro school in that city. She was awarded the prize and given a scholarship in music, contributed by the white people of Goldsboro.

In Raleigh, a short time ago, in the early part of last year, I believe it was, there was a young man named Shayhee. He and his Negro companion, both about 14 or 17 years of age, went out to a pond near town and went in swimming. It was very soon developed that the Negro boy had either suffered some sort of attack or was in trouble. The white boy went to his rescue, and in his supreme effort to try to save the life of his comrade, he went down to a watery grave. That is illustrative of the spirit of association and interest of individuals, one toward another, that crosses over the lines of color and emphasizes the great heart action of people who know each other.

I was thinking a few days ago of an instance which occurred in my own county. Some persons seem to entertain the idea that in the South we get up early in the morning to see how much we may oppress the Negroes on that day, and study how many things we can do to discriminate against them. Yet one will search in vain to find discrimination against any worthy, honest Negro. He will say the same thing.

Let me give one illustration. In my county there is a Negro named Jim Camp. This is a wonderful success story. He is the son of a former slave. He is now 62 years of age. When he reached 19 years of age he married a Negro girl and settled down on a rented farm. He was industrious and energetic; he worked hard. They had a family of 10 children. They educated all the children. Only recently, being the owner of 524 acres of fine land in that county, having bought one tract after another and paid for it all, he decided to buy another tract of 226 acres adjoining his farm. He paid $23,000 in cash for the land. He had money in the bank. There was no oppression, no discrimination, no injustice there. The same thing can be duplicated all over the South.

Mr. President, I would that those who cry out so loudly, so long, and so vociferously against the treatment accorded Negroes in the South might visit North Carolina and see for themselves the sort of conditions which exist, the mutual respect and concern each race has for the other, and the consideration given to each other in all walks of life.

We do not attend the same churches. We do not attend the same schools. Each race is better off in its own school. It can make more progress, have more satisfaction and greater pride in the facilities which are provided and the services which are rendered. The Negroes go to their own churches. They have a happy time there. The Negro enjoys his religion. Some white persons take religion as if it were a dose of medicine. The Negro can have a better time when he goes by himself. He can express himself. He can enter into the service very wholeheartedly by his "amens" and his shouts of approval. He is not embarrassed. He enjoys his religion a great deal, and he knows a good deal about religion.

I was impressed by a story which Arthur Brisbane used to tell. He was visiting in Montgomery and stopped to talk with everyone with whom he had an opportunity to talk, because he could learn something from them, white or black, educated or uneducated. One day he stopped a Negro in Montgomery and said, "Uncle, do you read the Bible?" The Negro replied, "Yes, sir." Mr. Brisbane said, "Do you believe in eternal life?" The Negro said, "Yes, sir; I believe in eternal life." Then Mr. Brisbane said, "I want to ask you if you believe in eternal hell fire." The old Negro dropped his head for a moment and then looked up and said, "No, sir;

I do not believe in eternal hell fire." "Why?" asked Mr. Brisbane. The Negro said, "Because I just naturally don't believe a man's constitution can stand it."

That is a very good illustration of the Negro's theology.

To me it is most remarkable that good people, some of them church people, seem to have some sort of complex that there is constant discrimination, oppression, and punishment visited upon the Negroes in the South.

I practiced law for 49 years. I represented as many Negroes as did any other lawyer, I think, in my section of the State. I can say without any hesitation that I was able to get a fair trial for every Negro I represented. I have never seen any white jury, if the evidence showed that a white man was trying to take advantage of a Negro in any sort of contract, that would not vote in favor of the Negro against the white man, because they revolt against the idea of taking advantage of a Negro man or a Negro woman. That is the sort of administration of law we have in my State.

I served as Governor for 4 years, as did my distinguished colleague who succeeded me. I am sure he would say that of the petitions which were presented for clemency in capital cases there was always the greatest consideration given to those in behalf of Negroes. The Governor of the State, when it came to passing upon the question of extending clemency, would take into consideration the condition of the Negro, his environment, the circumstances under which he lived, and would know of his limitations, his frailties, as well as being acquainted with his virtues. He would go as far as possible in extending clemency to those who had been convicted and who came within the purview of the law.

The same thing applies to all the judges of the courts of my State. The Negro receives justice in North Carolina, as he does throughout the South.

I mention these matters, Mr. President, because so often it seems that a very confused idea is in the minds of persons in other parts of the country. They seem to have no appreciation of the conditions which exist in the South. They think that all the time we are undertaking to profit at the expense of the Negro.

In my section of the State there is not a Negro who cannot go to any white neighbor and get assistance in time of trouble. I will say, for the benefit of the Negro, that I do not know any Negroes in my section who would not respond readily to help a white neighbor who was in trouble. It is not a matter of not having a sympathetic consideration for and interest in each other; it is that each recognizes the sphere in which we move and the things which we have been accustomed to and which we like. There is no disposition to break over the race line or to destroy the color line. We should like to see racial integrity maintained, and, along with it, the race pride which goes to the service which one renders, the character, tone, and fragrance of his own devotion.

That is the situation which exists in North Carolina and throughout the South.

Why, Mr. President, should we undertake to disturb that condition? Why should we undertake to inject foreign elements? Why should we think that this great body, the Senate of the United States, should exercise its plenary power to send emissaries all over the South to stir up strife and turmoil and to create difficulties which do not now exist? Why should it be thought necessary to undertake to do the very thing which would play into the hands of the Communists in this country? We all know that communism thrives only in an atmosphere of turmoil, strife, and disorder. We who believe in the righteousness and justice of the people of the South and are anxious to go forward to the attainment of still greater objectives in the service we render to the Negroes in our section pray that we not be disturbed in our great undertaking, and that we may have, instead of objections or interference, the cooperation, the approval, and the encouragement of people throughout the Nation. I could wish for nothing better than that those who entertain these wild ideas about conditions existing in the South might spend some time there and might see conditions as they are.

Mr. President, I return to the proposition I mentioned in the early part of my speech, and that is this: Suppose all four of these measures should be adopted; suppose Congress should exhaust its power in enacting measures punitively directed toward the South. Nothing would be accomplished; but would we then be through? Would that be the end of it? Or would the next session of Congress find some new means to harass, annoy, and still further to oppress and interfere with the orderly processes of life in the South? Does it have to be an everlasting thing that Members of this body shall, year in and year out, bring up such measures and direct them against a great section of the Nation? Have my colleagues ever thought that no Senator from the South has ever presented any measure of a punitive nature directed against any other section of this great Republic? We love America. We have been loyal to her finest traditions. We love the Constitution of the United States. We believe in its provisions. We are willing to sacrifice life, liberty, everything, in order that liberty and life may be preserved. In every hour of this country's peril the men who have represented the great southern section of the country in this body and in the House of Representatives have stood as loyal as American could stand for every measure which has meant the protection, the safety, and the security of the Republic.

We rededicate ourselves to the common task of making America an even greater republic than she now is. We would preserve every thought of liberty and every idea of patriotism and of freedom which we now enjoy and which may continue to exist. We covet for other nations of the earth somewhat of this liberty and freedom which we enjoy, but, as we covet it for them, we want to be very sure that we do not lose it for ourselves.

I am willing to join any member of this body in going just as far as possible to meet all the reasonable needs and expectations which might be directed toward America in aiding other nations of the world, but as we do that I think we should be very sure that we do not undermine and destroy the very basic fabric and foundation of our own liberty and freedom, and that we do not undermine the greatness of our people, and run the risk of wrecking our civilization.

This is a great and solemn hour in the Nation's history. This is an exceedingly solemn hour in the history of that great part of the Nation which lies south of the Mason and Dixon's line.

I covet for the Senate the consideration of all these measures upon their merits, and my reason for opposing the proposed rule is not inherently because of what the rule itself contains, but the implications which it bears, the purpose for which it is offered, and the intent which is back of it. We see just ahead of us the spectacle of the things we may expect to have rammed down our throats and down the throats of the free people of the Nation and of the South. As I said a few moments ago, I do not think a single American State would vote for these measures if they were submitted to a popular vote, because every one which has been submitted they have rejected overwhelmingly. The million majority rendered against the Fair Employment Practices Act submitted in California would be duplicated in every State in America if the people themselves were informed as to the provisions of the act and the ulterior purposes which would be effectuated if the law were passed.

I oppose the step proposed because I think it is an opening wedge. I think it is not necessary in order to make it possible to transact the business of the Senate expeditiously. I do not believe it would increase the efficiency of the Senate. I know it would not save the time of the Senate. I repeat what I have previously said, the time of the Senate is not wasted by filibusters, but it is wasted by a continuous volume of talk, sometimes about trivial things, many times about things not at issue in the Senate, but foreign to what the Senate is considering, and which would not be affected and reached by the new rule if it should be adopted.

If for a century and eleven years this great body was able to proceed effectively without any cloture rule at all, if for 32 years we have been able to meet the various problems which confronted us without having applied cloture except four times, if we have passed through 22 years without applying cloture at all—and those have been years of emergency and crisis, of peace and depression and war at its worst—if we could pass through all those 22 years without applying cloture at all, why is there a necessity now and why is there an urge now to change the rule and adopt a method to close debate?

I repeat, I do not want to sacrifice the power of the Senate and I do not want to liquidate its prestige. I came to the Senate with a high and exalted opinion of this great body, and my opinion of its Members, by reason of my association with them, has been greatly enhanced.

I should like now to see them as Americans act with wisdom and foresight, and not undertake to make the Senate a second-rate legislative assembly, but let it remain the one and only great deliberative forum in the world.

Mr. RUSSELL. Mr. President, am I permitted to address an inquiry to the majority leader? I should like to ascertain his intention about recessing the Senate.

Mr. LUCAS. I may say to the Senator from Georgia that I had hoped we could proceed until 6 o'clock tonight. That is what I had told Senators.

Mr. RUSSELL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Humphrey	Mundt
Anderson	Hunt	Murray
Baldwin	Ives	Myers
Brewster	Johnson, Colo.	Neely
Bricker	Johnson, Tex.	O'Conor
Bridges	Johnston, S. C.	O'Mahoney
Broughton	Kefauver	Pepper
Butler	Kem	Reed
Cain	Kerr	Robertson
Chavez	Kilgore	Russell
Connally	Knowland	Saltonstall
Cordon	Langer	Schoeppel
Donnell	Lodge	Smith, Maine
Douglas	Long	Smith, N. J.
Downey	Lucas	Sparkman
Eastland	McCarran	Stennis
Ecton	McCarthy	Taft
Ellender	McClellan	Taylor
Flanders	McFarland	Thomas, Utah
Fulbright	McGrath	Thye
George	McKellar	Tobey
Gillette	Magnuson	Tydings
Green	Malone	Vandenberg
Hayden	Martin	Watkins
Hendrickson	Maybank	Wherry
Hill	Miller	Wiley
Hoey	Millikin	Williams
Holland	Morse	Withers

The PRESIDING OFFICER. Eighty-four Senators having answered to their names, a quorum is present.

The question is on agreeing to the motion of the Senator from Illinois [Mr. LUCAS] to proceed to the consideration of Senate Resolution 15.

(Mr. HOLLAND addressed the Senate. After having spoken for about 45 minutes he yielded the floor under a unanimous-consent agreement to proceed tomorrow. His speech will be published entire after it shall have been concluded.)

Mr. LUCAS. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I ask unanimous consent that I may yield without losing my place on the floor or any right in connection therewith.

The PRESIDING OFFICER (Mr. ANDERSON in the chair). The Senator from Florida asks unanimous consent that he may yield without losing his right to the floor. Is there objection? The Chair hears none.

Mr. LUCAS. The hour of 6 o'clock having arrived——

Mr. CONNALLY. Mr. President, will the Senator yield before he moves a recess?

Mr. LUCAS. I am not going to move a recess just yet. I want to have the parliamentary situation made clear. I ask unanimous consent that when the Senate shall convene tomorrow the Senator from Florida be permitted to continue his address.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Illinois? The Chair hears none and it is so ordered.

EXECUTIVE SESSION

Mr. LUCAS. I now move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. ANDERSON in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF A COMMITTEE

The following favorable reports of nominations were submitted:

By Mr. CONNALLY, from the Committee on Foreign Relations:

Erwin D. Canham, of Massachusetts, to be an alternate representative of the United States of America to the second part of the third session of the General Assembly of the United Nations;

Edward F. Bartelt, of Illinois, to be the United States member of the Fiscal Commission of the Economic and Social Council of the United Nations for a term of 3 years, to which office he was appointed during the recess of the Senate;

H. Merle Cochran, of Arizona, a Foreign Service officer of the class of career minister, to be the representative of the United States of America on the Good Offices Committee of the Security Council of the United Nations on Indonesia, to which office he was appointed during the recess of the Senate;

W. Averell Harriman, of New York, the United States special representative in Europe, with the rank of Ambassador Extraordinary and Plenipotentiary, to serve concurrently and without additional compensation as the representative of the United States of America on the Economic Commission for Europe of the Economic and Social Council of the United Nations, to which office he was appointed during the recess of the Senate;

H. Merle Cochran, of Arizona, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Pakistan;

B. Harvie Branscomb, of Tennessee, and several other persons, to be members of the United States Advisory Commission on Educational Exchange;

Edwin B. Fred, of Wisconsin, and several other persons to be members of the United States Advisory Commission on Educational Exchange; and

Dr. H. van Zile Hyde, of New York, to be the representative of the United States of America on the Executive Board of the World Health Organization, to which office he was appointed during the recess of the Senate.

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will proceed to state the nominations on the Executive Calendar.

POSTMASTERS

The Chief Clerk proceeded to read sundry nominations of postmasters.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc, and, without objection, the President will be immediately notified.

That concludes the consideration of the Executive Calendar.

ENROLLED BILLS PRESENTED

The Senate resumed the consideration of legislative business.

The Secretary of the Senate reported that on today, March 2, 1949, he presented to the President of the United States the following enrolled bills:

S. 198. An act for the relief of the city and county of San Francisco;

S. 279. An act to authorize the advance on the retired list of Lt. John T. McDermott, United States Navy (retired), to the grade of lieutenant commander; and

S. 307. An act for the relief of Engebert Axer.

RECESS

Mr. LUCAS. I move that the Senate stand in recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 6 o'clock and 6 minutes p. m.) the Senate took a recess until tomorrow, Thursday, March 3, 1949, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate March 2 (legislative day of February 21), 1949:

RAILROAD RETIREMENT BOARD

Frank C. Squire, of the District of Columbia, to be a member of the Railroad Retirement Board for a term of 5 years from August 29, 1948, to which office he was appointed during the recess of the Senate (reappointment).

UNITED STATES ATTORNEY

George F. Garrity, of Massachusetts, to be United States attorney for the district of Massachusetts, vice Hon. William T. McCarthy, elevated.

UNITED STATES PUBLIC HEALTH SERVICE

The following-named candidates for appointment in the Regular Corps of the Public Health Service:

To be surgeon (equivalent to the Army rank of major), effective date of acceptance:

Lawrence Kilham

To be senior assistant surgeon (equivalent to the Army rank of captain), effective date of acceptance:

Gerald R. Clark

To be sanitary engineer (equivalent to the Army rank of major), effective date of acceptance:

John D. Faulkner

CONFIRMATIONS

Executive nominations confirmed by the Senate March 2 (legislative day of February 21), 1949:

POSTMASTERS

ALASKA

Clarence S. Hollingsworth, College.
Marietta M. Benson, Metlakatla.

ARKANSAS

Clinton C. Cook, Buckner.
Charles L. Duncan, Murfreesboro.
Leo J. Schreick, Osceola.

FLORIDA

John F. Pelot, Belleview.
Theodore L. Latimer, Deleon Springs.
Joseph W. Westmoreland, Jay.

GEORGIA

Norwood W. Miley, Hahira.
Evander L. Raulston, Trenton.

IDAHO

Charles E. Ruger, Bancroft.
Thomas W. Rogers, Glenns Ferry.
Arthur B. Peck, Lava Hot Springs.

LOUISIANA

Miles K. Hartsell, Rodessa.
K. C. Peterson, Zwolle.

MONTANA

Dorothy W. Carrigan, Birney.
James Charles McCue, Winnett.

SOUTH DAKOTA

Jerome R. Rueschenberg, Doland.
George A. Curry, Elk Point.
Joseph F. Krizan, Jr., Gregory.
Herby J. Bakkehaug, McIntosh.
Wilbur E. Prann, Timber Lake.
Dayton C. Sebade, Wall.
Robert R. Davis, White.

TEXAS

Granville W. Elder, Houston.

VIRGINIA

George E. Mettauer, Annandale.
Carroll E. Burgess, Blairs.
Lemuel W. Houston, Fredericksburg.
Lewis K. Gathright, Goochland.
Delia M. Lawson, White Stone.

WYOMING

Kenneth L. Wingo, Encampment.
Roxanna M. Smith, Lingle.
Silvio J. Pedri, Reliance.

HOUSE OF REPRESENTATIVES

WEDNESDAY, MARCH 2, 1949

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our Father, on this day of humility and prayer as marked in the calendar of Thy church, we humbly bow in the spirit of penitence and confession. We are reminded of the end of all things of earth, when we too shall pass and be forgotten. O Divine One, forgive us and nourish us with a faith that is larger than patriotism, deeper than life and braver than death. So guard and direct us that our labors shall bear no reproach in the hearts and minds of those who follow on.

O Thou, unto whom all hearts are open, all desires known and from whom no secrets are hid, cleanse the thoughts of our hearts by the inspiration of Thy holy spirit, that we may perfectly love Thee and worthily magnify Thy holy name. In the name of Christ. Amen.

The Journal of the proceedings of Tuesday, March 1, 1949, was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Miller, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills and a joint resolution of the House of the following titles:

On February 21, 1949:

H. R. 2402. An act to extend the office of the War Assets Administrator and the War Assets Administration from February 28, 1949, until June 30, 1949.

On February 24, 1949:

H. R. 1252. An act to amend the Legislative Reorganization Act of 1946 with respect to the eligibility for appointment in the executive branch of the Government of former professional staff members of committees of the Senate and the House of Representatives.

On February 28, 1949:

H. J. Res. 92. Joint resolution to continue the authority of the Maritime Commission to sell, charter, and operate vessels, and for other purposes.

NONSTOP FLIGHT AROUND THE WORLD

Mr. HINSHAW. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HINSHAW. Mr. Speaker, the House of Representatives and the people of the United States will be thrilled to read in the afternoon papers and learn there about the United States Air Force B–50 four-engined bomber which this morning, at 10:18 a. m., returned to Fort Worth, Tex., after a nonstop flight around the world. This bomber left Fort Worth, Tex., 4 days ago. It flew 23,452 miles in 94 hours and 1 minute. It was refueled four times in the air. That is a perfectly remarkable accomplishment. This is the first time in the history of the world that such a flight has been made, and I know that the United States will be thrilled, while some other people we know in the world will be given something to think about. It is comforting to know that we have the ability to make such a flight.

TAFT-HARTLEY ACT

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ARENDS. Mr. Speaker, like many other Members of the House, I am presently receiving many signed questionnaires wherein my constituents are voting their opinions on How Would You Revise Our Labor Laws? To me this activity on the part of the average citizen is an indication that there is great interest throughout the country for maintaining fundamental and beneficial provisions of the Taft-Hartley Act, which act, since its origin and under test, has proven helpful not only to employee and employer but likewise has reflected to the best public interest.

Today I received a letter from a workingman in my district, and, for the benefit of the House, I quote his letter, which reads as follows:

Just a line in regard to the attached questionnaire I have filled out. I received it in my mail today. The way I have answered the questions is my own belief. I have worked at Caterpillar plant in Peoria 20 years and my observation on unions is, the worst enemy a union has is another union. Seems to me they are more interested in dues than the wishes of rank-and-file members. Unions have done some good, but there must be a way to make them responsible and more responsive to membership.

It seems to me, Mr. Speaker, that this honest, frank statement from an average patriotic American workingman hits the nail right on the head. This individual emphasizes his belief that labor leaders are more interested in themselves than they are in the rank-and-file membership. Likewise, this man's plea that unions be made more responsible and more responsive to their membership is exactly how I feel about the matter. Any labor legislation written by the Congress dare not be a one-way street. Both the problems of the employee and employer must be considered with fairness and justice.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

Mr. BLAND. Mr. Speaker, I ask unanimous consent that the Committee on Merchant Marine and Fisheries may have permission to sit today during general debate in the House.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

EXTENSION OF REMARKS

Mr. HARVEY asked and was given permission to extend his remarks in the RECORD and include an editorial appearing in the Newcastle Courier-Times.

Mr. COLE of New York asked and was given permission to extend his remarks in the RECORD and include an article.

Mr. PHILBIN asked and was given permission to extend his remarks in the RECORD and include a newspaper article.

Mr. LANE asked and was given permission to extend his remarks in the RECORD and to include a newspaper article.

Mr. KILDAY asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. MURRAY of Tennessee asked and was given permission to extend his remarks in the RECORD and include an article by Hon. James A. Farley.

Mr. YATES asked and was given permission to extend his remarks in the RECORD in two instances and include articles appearing in the Chicago Sun-Times.

Mr. RIBICOFF asked and was given permission to extend his remarks in the RECORD and include a resolution adopted by the town council of New Britain, Conn.

Mr. TRIMBLE asked and was given permission to extend his remarks in the RECORD and include a report.

PERMISSION TO ADDRESS THE HOUSE

Mr. CROOK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

[Mr. CROOK addressed the House. His remarks appear in the Appendix.]

Mr. LANHAM. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include a recipe and two editorials.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

[Mr. LANHAM addressed the House. His remarks appear in the Appendix.]

COMMITTEE ON FOREIGN AFFAIRS

Mr. KEE. Mr. Speaker, I ask unanimous consent that the Committee on Foreign Affairs be permitted to sit this afternoon during the session of the House during general debate.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

EXTENSION OF REMARKS

Mr. BARTLETT. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include newspaper articles by Fergus Hoffman. I am informed by the Public Printer that these will exceed two pages of the RECORD and will cost $159.75, but I ask that they be printed notwithstanding that fact.

The SPEAKER. Without objection, notwithstanding the cost, the extension may be made.

There was no objection.

DEBT REDUCTION

Mr. COLE of Kansas. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. COLE of Kansas. Mr. Speaker, Congress has spent considerable time in the study of expenditures and tax reduction, but has left the matter of debt reduction to the whims of chance. We have been like the ne'er-do-well who, although heavily indebted, buys every luxury offered and pays his creditors if any money is left over.

I have, therefore, reintroduced a measure which I proposed to the last Congress. My proposal is simple:

The establishment of a sinking fund of $10,000,000,000 each year to pay upon the interest and principal of the public debt. The interest on the public debt always has been considered a fixed charge, which must be paid each year. My proposal would place in the same category a payment on the principal of the debt. Thereafter, neither the Executive nor Congress could ignore the policy of debt reduction.

Future budget planning in the executive department and in Congress will thus always be confronted with an automatic reduction of $10,000,000,000 in expendable revenue. This announced policy, firmly established, would then be altered only in extreme emergencies.

Government finance has been a field for many imaginative schemes promoting some philosophy or way of life. I simply propose that we recognize a debt as a liability to be paid.

Adoption of such a policy will maintain confidence in our financial structure. Future bond issues will be sold more easily and at less cost. Assurance of repayment has always been the open sesame of credit.

Today, we enjoy the benefits of this great Nation because of the farsighted and intelligent plans of our predecessors in government. I am sure this Congress will keep faith with future generations by not only assuming responsibility for our own debts, but by maintaining the framework of a sound and solvent economy.

EXTENSION OF REMARKS

Mr. MARTIN of Massachusetts asked and was given permission to extend his remarks in the RECORD and include a petition.

Mr. WELCH of California asked and was given permission to extend his remarks in the RECORD and include an article published in the San Francisco News.

Mr. FARRINGTON asked and was given permission to extend his remarks in the RECORD and include a table showing the taxes paid by the States and Territories.

SPECIAL ORDER GRANTED

Mr. HOFFMAN of Michigan. Mr. Speaker, I ask unanimous consent that on tomorrow and also on Monday and Tuesday next, at the conclusion of the legislative program and following any special orders heretofore entered, I may be permitted to address the House for 10 minutes on each occasion, to encourage Mr. Truman to take a train and explain about the Eighty-first Congress to the people.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. HOFFMAN]?

There was no objection.

EXTENSION OF REMARKS

Mr. FEIGHAN asked and was given permission to extend his remarks in the RECORD.

SIXTEENTH, SEVENTEENTH, AND EIGHTEENTH QUARTERLY REPORTS OF UNITED NATIONS RELIEF AND REHABILITATION EXPENDITURES—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 94)

The SPEAKER laid before the House the following message from the President of the United States, which was read and together with the accompanying papers referred to the Committee on Foreign Affairs and ordered to be printed.

To the Congress of the United States:

I am transmitting herewith the sixteenth, seventeenth, and eighteenth quarterly reports of expenditures under the United Nations Relief and Rehabilitation Administration joint resolution, Public Law 267, Seventy-eighth Congress, approved March 28, 1944. These reports cover the quarters ended June 30, 1948, September 30, 1948, and December 31, 1948.

As a consequence of the substantial closure of the United Nations Relief and Rehabilitation Administration's activities on June 30, 1947, the present reports are limited to statements of the status of United States appropriations as of the dates indicated.

HARRY S. TRUMAN.

THE WHITE HOUSE, *March 2, 1949.*

DISTRICT OF COLUMBIA APPROPRIATION BILL, 1950

Mr. BATES of Kentucky. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 3082) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1950, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate continue not to exceed 2 hours and that the time be equally divided and controlled by the gentleman from Illinois [Mr. CHURCH] and myself.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky [Mr. BATES]?

There was no objection.

The SPEAKER. The question is on the motion offered by the gentleman from Kentucky.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 3082, with Mr. KEOGH in the chair.

The Clerk read the title of the bill.

On motion of Mr. BATES of Kentucky, the first reading of the bill was dispensed with.

Mr. BATES of Kentucky. Mr. Chairman, I yield myself 20 minutes.

Mr. Chairman, the Subcommittee on the District of Columbia Appropriations, as I understand it, has only been beaten once in the time in which we could finish hearings on the bill. We consumed six and a half days in completing our hearings. We are very proud of that record. That record is due, in a large part, to the cooperation of the members of that committee with the chairman. The gentleman from Illinois [Mr. YATES] and the gentleman from Massachusetts [Mr. FURCOLO], though young Members serving their first term in the Congress, grasped the situation very readily and worked diligently and wholeheartedly with the chairman in getting something done. Of course, the minority Members, the gentleman from Illinois [Mr. CHURCH] and the gentleman from Oregon [Mr. STOCKMAN], likewise cooperated. We think we have done an excellent job.

Gentlemen, you have before you the bill and report making the necessary appropriations for the District of Columbia for 1950. You will find the report to be fully explanatory of the committee's action on the budget estimates for the District. The budget submitted was in the amount of $103,321,427. The com-

mittee recommends a reduction of $4,397,806, leaving a total appropriation of $98,923,621. It also recommends a rescission of previous appropriations for the Spingarn Senior High School in the amount of $1,187,399, to be covered into the general fund. Due to a serious financial situation, the District Commissioners were forced to submit a budget to the committee containing a deficit in the amount of $8,077,627. I would like to point out that the revenues and expenditures of the District are divided into three funds; namely, the general fund, the water fund, and the highway fund. Moneys from the water and highway funds are not transferable to the general fund. This entire deficit exists in the general fund items. The cuts made by the committee, together with the rescission, have reduced the deficit to $2,534,071. The Commissioners are directed by law to raise the necessary funds to operate the District government by increasing real-estate and personal-property taxes when necessary. The deficit mentioned above can be secured by merely increasing these taxes approximately 15 cents per $100 of assessed valuation. At the present time the tax is at the minimum set by law, $2 per hundred. The major cuts made in the budget estimates were in allowing increased personnel only when a denial would work an extreme hardship on the department concerned, in reducing the amounts requested for increases due to anticipated price increases, and in holding capital outlay and repair items to the minimum. The action of the subcommittee was unanimous.

A total cut of $4,356,157 has been recommended in the general fund items. The committee has allowed increased personnel only in highly meritorious cases. The general fund agencies requested a total of 156 new positions. The majority of these were teachers and maintenance personnel for newly constructed schools and 49 additions to the police department. The committee has recommended a total of 82. Of these it has allowed the full request of 16 new teachers and 2 new principals. The requested increase in the maintenance force of the public schools has been cut from 37 to 27. The committee believes that such a decrease will result in a saving in the public-school expenditures and will in no wise affect the efficiency of this force.

In the police department the bill contains funds for the filling of 11 new positions. This is a cut of 38 from the original request. At the present time there are approximately 220 vacancies for policemen in the department. Accordingly the committee has denied the request for 30 additional men and has pointed out to the commissioners that they should join with the police department in a concerted effort to fill these vacancies as quickly as possible. The 11 new positions allowed will free 7 policemen for duty elsewhere. The total decrease in personnel represents a cut of $210,500 from the amount requested.

In view of the severe financial condition existing in the general fund revenues the committee feels that the capital outlay items chargeable to this fund should be held to a minimum, it has accordingly recommended a decrease of $1,827,739 from the original budget estimates of $7,673,650. These cuts are reflected chiefly in the sewer division and Gallinger Hospital.

The committee has recommended a cut of $1,149,200 in the capital outlay items of the sewer division. The committee feels that the estimates in many instances were excessive in view of recent trends in housing development in Washington. For the past several months the permits issued for constructions in the District have shown a marked decline. Information from various builders indicate that the peak of residential construction in the District has passed. The committee, therefore, believes that a reduction can be made in these estimates at a saving to the District government. For example, in 1948 74,000 linear feet in sewers were constructed to provide sanitary service for abutting property. It is estimated that 114,750 feet will be constructed in 1949. The committee feels that the estimate of 175,000 feet for 1950 is excessive in view of the above-mentioned data. Other items of increase in this Division were for storm water, relief and replacement sewers, and sewers in advance of highway paving. The same is true of these types of sewers as in those mentioned in the preceding paragraph. There is an estimated increase in this work from 45,200 feet in 1948 to an estimated 56,720 feet in 1949, to 75,300 feet in 1950. In view of the serious fiscal difficulties in the general fund revenues the committee feels that this work should be held to a minimum and present sewers continued in use wherever possible until such time as the necessary funds are available for this work.

Following this same line of reasoning, the committee feels that the purchase of new equipment should be curtailed as much as possible. It has recommended a total cut of $454,800 in the equipment items. This decrease is represented chiefly in the policy of the committee in allowing new automotive equipment only in such instances as when it is essential to the welfare of the citizens of the District and the efficient operation of the various functions of this municipality. For example, the committee has allowed a requested $4,000 for a new prison van for the police department. This will replace a van now in use that is top-heavy, which deficiency resulted in the death of one of the policemen operating it. On the other hand, it has denied a request of $1,300 for the purchase of an automobile for the use of the director and the members of the Board of Public Welfare. The committee feels that these individuals can utilize other automobiles now available in the District government until such time as the general-fund revenues permit the purchase of the separate car for their use.

Another portion of the increases requested over the 1949 amount was based upon an increase in the cost of the various supplies and materials and anticipated further increases. The committee does not believe that such anticipations are justifiable in view of the economic conditions of the country at the present time, and the general economic outlook for the future. Accordingly, it has recommended a cut of $366,700, and the requested increases for supplies and materials. This cut is spread throughout the budget. In connection with this decrease, for example, the committee did not feel that the requested increase of $75,000 to increase the ration cost 10 cents per ration at Gallinger Hospital was justifiable in view of the condition of the District's finances, and in view of recent food-cost trends. It has recommended a cut of $50,000 in this item, which will provide $402,947 for such use. This will enable the cost per ration to be increased approximately 3⅓ cents.

In the department of correction the committee has recommended a cut of $29,425 for a similar item and a cut of $14,000 of the requested increase for inmates, clothing and footwear.

I would like to call your attention next to the Board of Public Welfare and its various agencies. The committee is quite sympathetic with the problems of the Board. At the same time it would like to point out that the $14,295,277 requested for welfare work represents approximately 16 percent of the total budget for the general fund. Seven million dollars of this is needed for payment to the federally owned St. Elizabeths Hospital for the care of insane persons from the District committed there voluntarily or by the courts. The committee has approved a cut of $233,655 from the budget estimates, which was requested by the St. Elizabeths officials. It believes, however, that a further saving can be effected by a more diligent adherence to the language of the 1949 appropriations act which prevents the above-mentioned funds being available to any person who has not lived in the District of Columbia for more than 1 year immediately prior to the application for voluntary admission. The committee has also denied an increase of $289,908 for public-assistance grants. No increase in the number of grants has been requested over the 1949 amount. Rather the increases mentioned above would be used to increase the amount payable to each grant. The committee heard testimony to the effect that a considerable portion of the public assistance money was being used by those not qualified to receive it. While the committee does not feel that there is any large scale error in the use of this fund it does believe that a more diligent study of the persons to whom the grants are given and a strict adherence to the standards for qualifying for assistance will allow the requested increases to be made from the $2,150,364 allowed for this work without the additional increase.

These represent the major decreases made from the budget estimates.

The bill, as submitted, is a decrease of $838,813 from the general fund appropriations of 1949. Of this amount $287,100 is from nonrecurring items such as the inaugural ceremonies and the survey of public schools. The 1949 amount was the largest in the history of the District government. Surely an almost similar amount is entirely sufficient today

when the finances of this fund are in such severe straits. The measure before you is adequate to provide for the efficient operation of this city. The decreases made will work no severe hardship on any division of this municipal government. It is a workable budget and will require no additional revenue-raising measures—merely the use of those already on the statute books. I urge favorable consideration and adoption in order that this city, which is a foster home to us for several months of the year, will be provided with the continuance of an efficient government within its revenue-raising abilities.

Mr. HINSHAW. Mr. Chairman, will the gentleman yield?

Mr. BATES of Kentucky. I yield.

Mr. HINSHAW. I regret that it has not been possible for me to appear before the gentleman's committee, but there is one matter that I want to offer to the consideration of his committee for their future study, and that is the fact that the Metropolitan Police Department of the District of Columbia has no outdoor pistol range on which they may practice pistol shooting. The Park Police and the White House Police both have very good ranges supplied to them by the Government. The White House Police range particularly is good; it is over in the arboretum of the Department of Agriculture bordering the Anacostia River. I suggest to the gentleman that one matter for consideration by his committee in the future is giving these fine policemen of the Metropolitan Police Department an opportunity to do some real practice with the weapons which they are not infrequently called upon to use in protection of the public in the metropolitan area.

Mr. BATES of Kentucky. I thank the gentleman from California, and I agree with him that the Metropolitan Police is a high-class outfit.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. BATES of Kentucky. I yield to the gentleman from Arkansas.

Mr. HARRIS. First, I want to commend the gentleman and his committee for the very fine and outstanding work they have done in preparing this budget for the District of Columbia. We all recognize that over the past few years there have been some very important considerations and problems before that committee in preparing appropriations for the District of Columbia. The gentleman will recall that a year ago the Federal employees throughout the United States, with the exception of those working for the District of Columbia, received an increase in salary of $330 a year to offset the increased cost of living. There was a bill that passed the House a year ago that provided the same amount for the District of Columbia employees, but for some reason or other it was stopped over at the other end of the Capitol. Quite a lot of consideration is now being given to going back and correcting this inequity so far as the District of Columbia employees are concerned. I wonder if the gentleman's committee had this matter presented to it, and if they did come to any resolution thereon.

Mr. BATES of Kentucky. I believe the gentleman from Arkansas is a member of the legislative committee, and we took the position that that was their problem and not ours.

Mr. HARRIS. The reason I am asking the gentleman is because we are wrestling with that problem right now. It will mean $5,000,000 additional to the budget for 1950 and another $5,000,000 additional to take care of the retroactive feature, if this is ultimately agreed to. That would mean a total of about $10,000,000 that would have to be added to the budget that the gentleman brings to the House today, that is, if it is provided for, and I think it would be helpful to our committee in working on this problem to determine if the gentleman's committee really did go into it.

Mr. BATES of Kentucky. We did not. We took the position that it was not a function of the Committee on Appropriations, and we tried to bring on this floor a bill that would enable the District of Columbia to live within its income in case no new income legislation was brought about. It was our thought that it was none of our business.

Mr. HARRIS. I appreciate the position of the gentleman, and I certainly do not quarrel with him. I assume then it is indicated that the position of the committee is, if this problem can be worked out in due course of time to take care of these employees to correct this inequity regarding the teachers, the policemen, the firemen, and other District of Columbia employees, and if funds can be provided as the bill progresses through the Congress, that supplemental appropriations would have to be made to take care of it if it was so provided.

Mr. BATES of Kentucky. I think I will have to let the gentleman draw his own conclusions on that.

Mr. HARRIS. I thank the gentleman very much.

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

Mr. CHURCH. Mr. Chairman, I yield myself 20 minutes.

Mr. Chairman, I intend to take only a few minutes on this bill. The statement just made by our distinguished chairman, the gentleman from Kentucky [Mr. BATES], together with the committee report, gives the Members a more or less complete picture of what this bill proposes to do with respect to the budget of the District of Columbia for the next fiscal year. There are, however, one or two things I should like to emphasize and emphasize again with regard to the fiscal affairs of the District.

But, first of all, I want to commend the chairman of the subcommittee which has had charge of this bill. He has been eminently fair throughout the hearings, and under his direction the subcommittee has worked in the most cooperative spirit.

And I should like also to say a word of commendation for the officials of the District of Columbia. Too few people, in and out of Congress, have any real understanding of the problems with which they are confronted, and without that understanding too few have any appreciation of the excellent job they have done. I might say here, and I think the committee will agree with me, that the officials of the District of Columbia should serve as an example to some of the officials of the departments and agencies of the Federal Government.

At no time have the District officials sought to mislead the committee as to the actual situation. At all times they have presented the committee with all the information it desired, fully and accurately, frankly and honestly. I regret that as much cannot be said for some of the officials of the Federal Government in their efforts to prevail upon Congress to give them more and more money.

The District of Columbia officials are an example to others in another respect, which I believe worthy of mention. You will recall last year the deficit in the bill of over $1,500,000. The Congress failed to enact the proposed sales tax to give the District adequate revenues. Under the law the District is required to keep its budget in balance, and when a deficit occurs the Commissioners are obliged to increase the rate of taxation on real and personal property.

What did the Commissioners do? They did not promptly raise the tax rates to meet the deficit. On the contrary, they set about to absorb the deficit by a careful cutting of costs here and there. In other words, they determined to live within their existing revenues. They determined to live within their means.

I mention this, Mr. Chairman, as I think it bespeaks an attitude toward government finance that is somewhat refreshing in these days of appeals for new and bigger government expenditures to be met by increases in taxes. I wish that some of our Federal officials would adopt somewhat the same attitude, that they would make a real effort to live within their budget instead of following the free and easy way of asking for deficiency appropriations.

Now, Mr. Chairman, I would like to say a few words concerning the bill itself. As I stated at the outset, I believe that on the whole the committee has done a good job. It has been a difficult job, a most difficult job, because of the present lack of a sound over-all fiscal policy for the District, and this lack is due to the failure of the Congress. We have yet to relate the revenues to the necessary expenditures.

While the committee has reduced the amount to be appropriated in this bill by $4,397,806 under the budget estimates, and while the bill appropriates about $1,000,000 less than was appropriated for the fiscal year 1949, there will still be a deficit in the budget of $2,534,071.

Where is this $2,534,000 to be found? Of course, certain savings can probably be made in an item here and an item there in operating expense, but the only place that any substantial savings can be made would be in those items that represent capital outlays.

A very large item in this category, for example, is the $2,366,000 carried by this bill for the construction of new school

buildings, and for furniture and equipment for the new buildings.

I do not believe there is a single Member of this body who would not agree that money spent on modernizing our school facilities, in providing the children with adequate facilities for obtaining a proper basic education, is money well spent. The question is not as to the need nor as to the merits of the proposed expenditures to construct new buildings and supply them with necessary equipment. In certain sections of our Capital City there is a decided need for additional facilities. That need should be met.

But, Mr. Chairman, how are we to meet it? Are we not here, as in the whole governmental machinery, faced with the practical question as to how we can afford it? There are many things that each of us as individuals could use to improve our standard of living but we cannot afford them. There are many families in the United States who would send their boy or girl to college, but they cannot afford it. There are many families who now live in cramped apartment quarters who would buy, and really need, a home in which to raise their children, but they cannot afford it.

My point is, Mr. Chairman, that the practical problem which faces us in the District and in the Federal budget is not what is needed, not what we would like to have, not what would make our work and life easier, but the practical question is what we can afford. Perhaps what we cannot afford today may be within our budget means tomorrow.

I have no intention of offering an amendment to the pending bill to reduce the amount carried in this bill for the construction of new school buildings. Before I would do that I would review again and again every other item in the budget. But I wish to urge upon the Commissioners of the District the importance of postponing any new construction unless it is absolutely essential. I urge upon them the importance of making a distinction between what would be an improvement over the existing situation, what we would like to do and what is absolutely, unconditionally necessary.

In other words, Mr. Chairman, I believe that new projects should temporarily be postponed, at least until we are in a better financial position to bear the cost. There are certain projects where this can be done without serious injury to anyone but with benefit to everyone in the long run. And I might add that I believe that at some future date, not too distant, new construction can be undertaken at much lower costs than at present and at a time when we will undoubtedly be needing new projects to absorb unemployment.

There are other ways by which this deficit in the District budget can be met. First and foremost of these is by the imposition of a sales tax. Unless such a tax is enacted, I can see no way by which the District can meet its budget needs, for remember that in this bill we have cut over $4,000,000 from the budget and still have a deficit of $2,000,000.

To be sure, the Federal Government should make a larger contribution to the District than it is presently making. At the present time the Federal Government contributes $11,000,000 to the general fund of the District, and $1,000,000 to the water fund. In my opinion, this is inadequate, considering the amount of real property in the District that represents Federal Government buildings and considering the services which the District renders to the Federal Government as such and the employees who have residence elsewhere. I am not prepared at the moment to say what that amount of contribution should be, but any examination of the revenue situation for the Nation's Capital should convince one that the Federal Government owes a greater contribution to the community than it is presently making.

After all, Mr. Chairman, the District of Columbia belongs not solely to the people who live here and do business here. It belongs to the people of the United States. This is the Nation's capital, not just the city of Washington. It is a city that is governed by the people of the United States and not by the people of the city of Washington, for here the people have no present voice in their government. It is a city from which flow benefits to all the people of the United States in every State of the Union. Surely the Federal Government, representing all the people, has a great responsibility to the District, and surely we ought to be willing to see that we meet that responsibility on a fair and just basis. We are not doing that today, as I see it, for the Federal Government is not bearing its fair and just costs for the government of this beautiful and most important city in the whole world.

As I have already indicated, it is my firm conviction from a study of the fiscal affairs of the District that we can never expect to meet the District needs as the seat of our national government unless we provide additional revenue. The personal income-tax law that we have in the District has proved itself to be wholly inadequate. The only fair, just and sound way to raise the revenue is through a sales tax.

I say again that this city belongs to the whole Nation. Thousands of people come here each year on business or as sightseers. Some are here for only a few days. Some stay several months. They all enjoy the benefits which the city offers them. By a sales tax they would in some measure be paying for these benefits.

It is not my intention here to enter into a detailed argument about the merits of a sales tax and the necessity of it to meet the very apparent revenue needs of the District. It is not within the province of the Appropriations Committee, on which I serve, to decide how the revenue should be raised, and that question is not in issue here. But, at the very least, I want the record to show that insofar as I am personally concerned I do not intend to disassociate the question of what should be spent from the question as to how we shall get the money to be spent.

By this bill we are asking the Commissioners of the District to do the tremendous job of saving over $4,000,000 more than they estimated was needed for the next fiscal year. We are asking them to do more than that. We are asking them to meet a deficit of over $2,000,000.

I feel confident they will cooperate with us to that extent. But cooperation in its true sense does not come from one side. It is for us to cooperate with them, and it is for us to meet courageously this difficult fiscal problem that the affairs of the District of Columbia present. I, for one, am prepared to do that.

And I sincerely hope, Mr. Chairman, that in considering each and every appropriation bill that comes before us the members will not simply argue whether a particular program is meritorious, but will ask themselves: what can we afford?

Mr. CROOK. Mr. Chairman, will the gentleman yield?

Mr. CHURCH. I yield.

Mr. CROOK. What is the present real-estate tax in the District of Columbia?

Mr. CHURCH. The rate for 1947 was $1.75 per 100, and it was raised by statute to apply to the fiscal year 1948 and 1949, not to be less than $2 per $100 on the valuation of personal property and real estate. If that rate for 1947 is not correct, I will correct it and inform the gentleman. I think it was $1.75 per $100. Our very able clerk checks me and says it is $1.75.

Mr. CROOK. How does that tax rate compare with the average tax rate over the United States on real estate?

Mr. CHURCH. Well, that would be a subject for long discussion.

Mr. CROOK. It is something that is of interest to me.

Mr. CHURCH. Let me suggest to the gentleman that we do not want to go into that here, because that is entirely a legislative matter. The witnesses who came before us—and their testimony is in the hearings—testified, I believe, that it was comparable with the rates and valuations throughout the United States.

Mr. CROOK. I notice the tax rate in many places runs $3, $3.50, and $4; I just wondered how the District of Columbia real-estate and personal-property tax compared with the average throughout the country.

Mr. CHURCH. As the gentleman knows, many States and counties have so-called equalization practices; they try to equalize their valuations throughout the State because there are involved the actions of different counties in determining assessments.

It has been said that probably an increase of 15 cents in the present tax rate of $2 per $100 on the valuations that will be placed on the properties this year—and we appropriated more money to the Assessor in order to do that—may go a long way toward raising the deficit I have referred to; but remember we must think about a lot of school requirements and the dire need of funds for school purposes.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. CHURCH. I yield.

Mr. YATES. I respect the very able presentation the gentleman has made. The gentleman and I both come from

Cook County, Ill., and our districts embrace both city and suburban areas. I believe the gentleman will agree with me that the tax rate for the city of Chicago and for Cook County on the basis of 100-percent valuation is in excess of $4 per hundred.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. BATES of Kentucky. Mr. Chairman, I yield 5 minutes to the gentleman from Massachusetts [Mr. FURCOLO].

Mr. FURCOLO. Mr. Chairman, I simply want to make a few remarks, this being my first experience on my committee; and they are not so much for the benefit of the membership as for the benefit of the residents of the District who are interested in the congressional attitude toward their affairs. My impression of all those who represented the District at the hearings was that they were able and of extremely high caliber, very competent, very capable individuals. I also realize that probably many residents of the District feel that Members of Congress are not particularly interested in what goes on in the District. During the short time I have been on this committee I have come to have the greatest respect for our chairman, the gentleman from Kentucky [Mr. BATES]; and I can say without any reservation that he is as competent, hard-working, and conscientious an official as I have ever seen. I do not have to tell that to the membership of the House, because I know, of course, they are familiar with his efficiency and with the excellent representation he has given to his district in Kentucky; but I do feel that perhaps the residents of the District of Columbia may like to know that in the chairman of the subcommittee they do have a man who at all times, as I see it, acts in their best interests and represents them as completely, thoroughly, and conscientiously as I myself would want to be represented were I a resident of the District. I am sure the committee agrees with my appraisal of the gentleman.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. FURCOLO. I yield.

Mr. YATES. I, like the gentleman from Massachusetts, am serving for the first time on the Committee on the District of Columbia. I wish to subscribe entirely to the statement he has made. I am very sure he feels as I do, that our work on this committee has been an amazing, a refreshing, and a completely new field of approach to the problems with which the municipalities of this Nation exemplified by the District of Columbia are confronted. The problem was not an easy one, and I agree entirely that our chairman did a most able job in conducting the hearings, in listening to the testimony, and in analyzing it. I want to congratulate him along with the gentleman from Massachusetts.

Mr. FURCOLO. I thank the gentleman from Illinois for his contribution; as a matter of fact, the experience to me was in the nature of an education. I confess I did not contribute a great deal to the committee, but it has been very, very helpful to me from an educational standpoint, and I enjoyed the experience. Let me add that the subcommittee's secretary, Frank Sanders, should also be complimented for his hard and efficient work.

Mr. BATES of Kentucky. Mr. Chairman, I yield 8 minutes to the gentleman from Ohio [Mr. YOUNG].

Mr. YOUNG. Mr. Chairman, I listened with great interest to the statements made on the floor of the House in support of the pending appropriation bill, and, of course, it is my intention to vote for this measure. I also listened with great interest to the statement of the gentleman from Illinois [Mr. CHURCH], and with a portion of his statement I completely agree.

With that portion of his statement regarding the imposition of a sales tax upon the people of the District of Columbia, or upon people anywhere, I am in complete disagreement. A sales tax, particularly a sales tax upon the necessities of life, is the most atrocious of all taxes. It is a tax that weighs heaviest upon the poorest people. In my State of Ohio we have a 3 percent sales tax when you buy clothing when you buy food in restaurants, when you buy medical supplies, and things of that sort. In fact this obnoxious sales tax is levied upon all purchases of 40 cents or more except purchases of groceries and meat. In Ohio we have found that this tax, which was imposed upon us in the first instance as an emergency tax, has become a permanent cancerous growth in our State and it truly bears down hardest upon the poor people. Taxes should be levied according to ability to pay.

The other day a soldier friend of mine from Illinois came to Cleveland and visited me. He had just purchased a cane, having sustained an injury in North Africa where we had served together. He purchased this cane for $3 and instead of reciving back two $1 bills, as he had expected, he received a one dollar bill and some change, then a little receipt for a sales tax. He could not understand the hospitality of the State of Ohio toward a visitor from Illinois who because of his service to his country found it necessary to buy a cane for his own use and then had to be imposed upon by paying a sales tax. Neither could I justify imposition of such a tax. Therefore, I want the gentleman from Illinois to know that I repudiate from my very soul any assertion that we should impose a sales tax in the District of Columbia, and particularly a sales tax upon the necessities of life. I intend to oppose such a tax at the proper time.

In another particular the gentleman made a statement with which I completely agree. He said, "the District of Columbia belongs to the people of the United States." That was brought home to me just recently when here in the Capital of our Nation two very orderly and respectable people from my city attempting to purchase tickets to enter the Capitol Theater, a movie house here, were barred from seats in that theater because of their color.

Mr. Chairman, the loyalty of Negroes to this Government and its institutions has never been questioned by anyone. The fact that in the Capital of this Nation respectable, orderly, and well-behaved persons because of their birth by reason of their race, may be barred from theaters, from participating in such facilities as hospitals and our schools, is something that at a proper time should be considered very seriously by all Members of this House. This discrimination is unjust and un-American. Let us end it.

Crispus Attucks, a Negro, was the first American patriot killed in the War for Independence. He fell on Boston Common, shot down by an English Redcoat.

Near Fort Stotsenberg, Philippine Islands, early on December 7, 1941, Pvt. Robert H. Brooks, a Negro soldier, was killed by a Jap bomb. He was one of the first American soldiers to lose his life in World War II. His father and mother are sharecroppers, living near Sadieville, Ky. The parade ground at Fort Knox has been named Brooks Field. Nine generals of our Army stood at attention in tribute to Private Brooks when the Stars and Stripes were lowered to half staff in an impressive ceremony.

In Italy it was my privilege for a period of some weeks to serve in the combat area with the Ninety-second Infantry Division, a division composed of Negro troops. You know the facts, but let me reiterate here again that the Ninety-second Division won an enviable record in Italy.

Mr. TACKETT. Mr. Chairman, will the gentleman yield?

Mr. YOUNG. I yield to the gentleman from Arkansas.

Mr. TACKETT. What has the Negro question got to do with this bill?

Mr. YOUNG. This is an appropriation bill I will say to the gentleman, for the District of Columbia, the Capital of our entire Nation. I am not offering an amendment here or injecting this except to say that I agree with the gentleman from Illinois that this is the Capital of the Nation. Negroes have offered their lives to maintain the American way of life.

Mr. TACKETT. Well, there is no Negro question involved here, as the gentleman knows.

Mr. YOUNG. There may not be, but some respectable and worthy people from my State were denied facilities here, and were denied the courtesy of attending a picture show here in the Nation's Capital, and it seems to me that such an assault upon a segment of our citizenry, whose loyalty to this Nation has never been questioned, is a matter of sufficient concern so that it is proper for a Representative from a sovereign State to bring it to the attention of the House.

Mr. TACKETT. The only thing I am trying to get at is that the gentleman and I do not agree on that question, and I wanted to be sure it was not in this bill.

Mr. YOUNG. Evidently the gentleman and I do not agree on that.

As I was saying, soldiers of this fine Ninety-second Division, a Negro division, are buried in Italian soil in American military cemeteries, near Futa Pass and elsewhere.

May I say to the gentleman from Arkansas who interrupted me a minute

ago, and to you, Mr. Chairman, and to other Members of this House, that we are the Nation which chiseled on our Statue of Liberty these words:

Give me your tired, your poor,
Your huddled masses yearning to breathe free;
Send these, the homeless, tempest-tossed to me;
I lift my lamp beside the golden door.

Mr. CHURCH. Mr. Chairman, I yield 10 minutes to the gentleman from Washington [Mr. HORAN].

Mr. HORAN. Mr. Chairman, I do not think that anyone can serve on this subcommittee for 4 years, as I have—two of which I was chairman of this subcommittee—without having certain convictions. In the first place this is not a Federal budget, because less than $20,000,000 of this $100,000,000 is Federal money, and, secondly, that this is our hallowed Nation's Capital, one that your constituents and mine love to come to. They are here in body daily. I feel just a little bit put out, may I say, that we rush through the consideration of the fiscal affairs of 840,000 people, who have no vote.

As I have mentioned, during the Eightieth Congress I was chairman of this committee. I felt that it was my responsibility to make the hearings as full as possible. Where else, I said, do the people of the District, who have no vote, find a chance to participate in the fullness of their fiscal and their civic and municipal affairs? There is no record that proves that that approach was appreciated, yet in the absence of a modicum of home rule I think it is the safer approach within the framework of those things that we like to call American. So today I have taken 5 minutes to point out to you some of the things that should have been considered in the drawing up and the presentation, here, of this bill.

We will not consummate anything here. I have no amendments to offer. I do hope, however, that I may have a small part in a full consideration of the weaknesses of this present bill on the Senate side, and I trust that my colleagues will bear with us sufficiently so that in conference that which is weak in what we do today may be corrected. We owe that to the people whose money, 80 percent of it, we are congressionally appropriating today.

There still are tax problems here in the District. May I remind you that had it not been for a filibuster on the Senate side we would have gone far by the action of this House in the Eightieth Congress to the correction of one of the fiscal difficulties of the District of Columbia, the Nation's Capital, your Nation's Capital and my Nation's Capital.

There is a fragmentary authority here. This District and this Government have grown like Topsy until today we find that the only place where some thirty-and-odd separate authorities meet and shake hands together here in the District of Columbia is across the hearing table of the Subcommittee on Appropriations for the District of Columbia. That is the only place. I shall not recite them here, but that fragmentation of authority has been long recognized. The retiring Engineer Commissioner, Gen. Gordon Young, in my book a fine official, recognized that in a speech he made to a group of engineers the other day. He said in effect that this fragmentation of authority is something to deplore, but that apparently Congress was slow to recognize that fact and slower still to correct it.

So who are we to hasten any consideration of other people's business when we fail and refuse to recognize their problems? I trust full consideration, such as we gave this bill in the Eightieth Congress, can still be had in this the inaugural session of the Eighty-first Congress.

The man who preceded me here in the well of the House spoke about civil rights and the rights of minorities. I shall not belabor nor criticize the remarks he made, but I will tell you that this Nation's Capital of ours is the mecca of every minority group not only in the United States but in the entire world. Can you have, as we had last spring, thousands of people who subscribe to the Communist doctrine coming to the Nation's Capital of ours without paying some consideration to the needs of an adequate and an able police force here in the District of Columbia? Why, of course, you cannot.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. HORAN. I yield.

Mr. YATES. I am very cognizant of the justice and validity of what the gentleman states with respect to the demands and needs for the District of Columbia. I should like, however, to correct an impression which I, at least, received from the gentleman's statement. As a member of the subcommittee I do know that I, as well as most of the other members of the committee, were completely cognizant of our duty to give everybody who requested a chance to be heard, that opportunity to be heard. I know of no individual, whether he was associated with the District government or in any private or public capacity who requested an opportunity to be heard, who was not accorded that right.

Mr. HORAN. I agree with the gentleman. I want to refer to something that I read in the paper regarding the gentleman from Illinois [Mr. YATES]. I think it is to his credit that he inquired into the difficulties that Major Barrett has in obtaining an adequate police force here. I was late in arriving, but unless you have already brought to the attention of the Congress some of the difficulties you encounter when you consider an appropriation bill, I must say that you should have done it. There is no question but that we will have to consider the things that make it difficult to keep an adequate police force here. The effect of the bill does not work in that direction because the effect of the bill tends to dilute and to weaken even the retirement phases of our present police force, by the sum, as I read in the papers, of some $400,000.

Mr. YATES. I would just like to answer that question about the matter of the police force. I did make an inquiry as the gentleman has suggested. Lieutenant Truscott, who was testifying in response to a question which I had asked, stated that they had extreme difficulty in filling positions on the police force at that time and that he himself felt while 2,500 policemen were necessary to fulfill the complete needs of the District, yet they had had 220 positions which they had not yet been able to fill, and for which an appropriation had been granted.

Mr. HORAN. I am aware of that. I am responsible for having made available, or rather the subcommittee of which I was chairman making the funds available for that increase in the Police Department. I am not here to belabor the small items for our consideration. I am here to tell you that we in the Nation's Capital, with all of the fermentation on both sides of minority disturbances, which well might gather around our ears at any given time, when that time is ripe, should not now be considering anything that will weaken a progress toward the best police force in the world.

I might say that in another body on the Hill today they are considering a matter that deals with minority rights. I think it is being very well aired over there. I have enjoyed listening to the debates. Let us not forget that the very essence of America means the protection and the liberation of minorities with all of the troubles that that can bring on. But in doing so, let us remember that law and order must be maintained at all times and that means police.

Now, Mr. Chairman, let us get to another item which I do not think has been properly taken care of. I refer to the schools. I want, later, to deal specifically with a little incident that happened, affecting our schools a while ago. But first let us remember that we have had a shifting of population. We have had a tremendous increase in the birth rate. We have people of the ages of 16 and 18 and 21 years getting married and moving away from their ancestral homes or where their parents lived and going into a new area where bulldozers, perhaps 2 or 3 weeks before, went in and cleared the ground for a new housing unit. Those people are having children. They are at that age. Now I do not care how many empty schoolhouses there may be where their grandparents, or parents, are living. We need schools where these folks are now living. We found that greatly augmented by the war, when the birth rate stepped up.

Two years ago, when I took over the chairmanship of this subcommittee, we found a tremendous situation in our school needs, and we took steps to correct that. I took part in a fight to bring a bill to this floor that was $4,000,000 over the President's estimate. Most of those schools, let the record show, were for the colored people who live in the District of Columbia. They had a case. Who am I to stand up and oppose a minority that may have a case? They had one. That bill was passed and contracts were let to build schools.

Then one of the great Americans in this country, Dr. Garnet Wilkinson, a colored man, probably better educated than most of us, humble and far-seeing,

and a great constructive leader among the colored people of the United States, got together with the superintendent of schools in Washington, D. C., Dr. Hobart Corning, and together they planned transfers of students in the overcrowded schools so that they might make room and vacate buildings to be razed, and build new ones for the colored school population.

Naturally, when anybody is moved there is unrest. A Communist colored agitator came here from Chicago. You may recall a little over a year ago we had a school strike on the part of certain individuals purporting to represent some of the colored PTA's in the District of Columbia. They thought they had a case, and that strike went on for about 6 weeks. They picketed the schools. There was unrest and police problems.

But Dr. Wilkinson was not a party to it. He was busy working constructively for the good of the colored people, he assured them that new schools were on the way and because this Congress, through this subcommittee, had made provision for badly needed schools on the part of our colored population, that strike finally came a cropper.

Now we can anticipate trouble, if we study any problem fully. We can and we should try to avert trouble. I make the suggestion that what is allowed for the public schools of the District of Columbia be closely scrutinized, to make sure that justice to a growing population, to those of our population who are subject to delinquency if they have to be on part-time instruction, or on the streets, to see that that portion of our population is adequately cared for.

Enough for schools. But I think it ought to be reviewed on the Senate side and in conference.

Now we come to sewers. According to Ed Ryan's article in the Post this morning, that item has been cut over a million dollars. Sewers are important not only for the new residential districts that I have mentioned—sewers are also important as an integral part of our street construction. You gentlemen must realize every night when you drive home between 4:30 and 5:30 and see the congested traffic in the District of Columbia that our street patterns are not adequate. How do these sewers tie into that picture? The sewers have to precede any revamping or enlargement of our District traffic pattern. Sewers, by their very nature, are laid where the streets are laid. They have to, or should be, laid first. So it was our concern to provide for sewer laying now. We were not only thinking of the problems that we have today, but the problems of next year, and especially the problems of 2 years from now, when we anticipate an invasion of our Nation's Capital, by your constituents or mine, of some fifteen or twenty million additional visitors, when we celebrate the one hundred and fiftieth anniversary of our Nation's Capital.

The CHAIRMAN. The time of the gentleman from Washington [Mr. HORAN] has expired.

Mr. CHURCH. Mr. Chairman, I yield the gentleman six additional minutes.

Mr. HORAN. You can complain about the District of Columbia being on our bounty, aspiring to hold a national celebration here; but take it up and counsel with those who like to come here and see this hallowed ground, if they would agree with that objection. I look forward with a great deal of pleasure to a rebirth of the things that made this Nation great when we have the sesquicentennial celebration here in 1950, and I submit that we had better be about the business of correcting some of the traffic snarls here in the District of Columbia, not only for the good of the people of the District, but for the good of the people of the Nation who are pretty apt to be milling around our environs on that occasion.

Now, we shall do nothing today; I have already said I shall offer no amendment, but I would have felt derelict in my duty if I had not pointed out some of the shortcomings of this measure as it passes this body. I shall vote for it. I have no complaint nor any criticism of the members of this subcommittee, but I shall have a criticism of the Congress if they do not adequately take care of the just needs of the people of this District, not only in appropriations but in an honest forthright forward-looking attention to their tax problems; and I, personally, I might say in passing, should like to have some consideration given to some sort of local autonomy for this people.

Mr. O'HARA of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. HORAN. I yield to the gentleman from Minnesota, a very valuable and a very able member of the District of Columbia Legislative Committee.

Mr. O'HARA of Minnesota. I fully appreciate the gentleman's remarks. I think sometimes—and I am sure the gentleman agrees with me—that the Federal contribution to the District of Columbia has not always been fairly made, and I do not know that it is fairly made today. How does the gentleman feel about that?

Mr. HORAN. I thank the gentleman from Minnesota for reminding me of that because I hurriedly compiled these notes. It has often been said that the Commissioners are empowered by law to raise real-estate taxes to take care of any deficits or deficiencies. Let us keep in mind one thing, that while we have 840,000 people in the District of Columbia proper, that if this were like any other city in the United States the environs of Washington would be included within the city, and that would encompass a million and two or three hundred thousand people and their residences and their property would be taxable and the returns would go into the coffers of the Nation's Capital; but by the Constitution the District of Columbia ends at Western Avenue, ends at Eastern Avenue, and at the Potomac River. This should make us cautious about any off-the-cuff suggestion that we could increase real-estate taxes here and meet all our needs. I submit also that probably no other city in the United States, save possibly New York, has as great a transient population as the city of Washington, D. C. I submit, therefore, that if we are going to suggest that property here in the District of Columbia bear all the expense, we had better work out a formula such as the Auchincloss bill suggested. Or we could consider the one that I personally introduced 2 years ago, whereby the Federal contribution is stepped up in exact ratio as property taxes are raised in the District.

Mr. O'HARA of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. HORAN. I yield.

Mr. O'HARA of Minnesota. The gentleman recalls quite well within the last 2 years we increased taxes on real estate, as I recall it, by 30 or 32 percent.

Mr. HORAN. The gentleman is correct, and this bill will mean an increase of better than 20 percent, if I recall my figures correctly. So I say that we are achieving nothing here today as we go through the shadow boxing of passing this appropriation bill. The responsibility is still ours, and it will remain ours until the Senate has acted, until our District of Columbia Legislative Committee has recognized these responsibilities and acted, until the Senate again has acted, until the conference report has been considered in conference, and the President has signed the bill.

Mr. FURCOLO. Mr. Chairman, will the gentleman yield?

Mr. HORAN. I yield to the gentleman from Massachusetts.

Mr. FURCOLO. I want to ask the gentleman as a former chairman of the subcommittee, is it not true that most of these matters he has mentioned here today in connection with increased taxation, in connection with home rule for the District, and matters of that nature, are things that this subcommittee, strictly speaking and officially speaking, has nothing whatever to do with?

Mr. HORAN. The gentleman misses his main responsibility as a member of the Appropriations Committee. The Congress passes policy laws, an administration is created, and that administration is charged with the responsibility of carrying out the project or projects which were in that policy bill passed by the Congress. That administration comes before you as a member of the Appropriations Committee. You have a dual function to consider what the will of the Congress was in passing the original legislation; and secondly, to see that the justifications are either too great or too little to achieve the known objectives that that policy embraces.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. CHURCH. Mr. Chairman, I yield the gentleman two additional minutes.

Mr. HORAN. Mr. Chairman, no other Member of Congress save a member of the Appropriations Committee reviews the work of the administration as the gentleman and I do as members of the Appropriations Committee. We see the failures or we see the glories of the work of the administration. If we notice that there is something deficient in that administration or if we see that any action of the Congress has impaired them, it is our duty and our responsibility to call that to the attention of the Congress as forcefully as we know how at the time when the appropriations bills are before this body. We cannot pass the buck. That is going on too much in Washington, D. C.

Mr. FURCOLO. Will the gentleman agree that if the subcommittee tried to

in effect put in home rule for the District, it would have nothing whatever to do with the subcommittee's business or report? Is that correct?

Mr. HORAN. I mentioned that as a personal conviction, which has nothing to do with the items to which I referred.

Mr. FURCOLO. The gentleman went into it completely as far as home rule is concerned and I wanted to find out about that.

Mr. HORAN. Mr. Chairman, I refuse to yield further. I am not here to debate home rule. I mentioned in passing that I personally would like to see a modicum of economy for the District. What I came here to talk about and the thing I want to have attended to are the fiscal items as they bear upon a wise and adequate administration for this great Capital of ours. I do not want to be led off on any side street and debate with the gentleman on home rule, which has nothing to do with the body of my argument, which specifically deals with the fiscal items before us at this time.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. CHURCH. Mr. Chairman, I yield 7 minutes to the gentleman from California [Mr. HINSHAW].

Mr. HINSHAW. Mr. Chairman, several weeks ago it was my privilege to discuss with Major Barrett, who heads the Metropolitan Police Department of the District of Columbia, the subject of a pistol range for the Metropolitan Police Department. I do not think that there is a police department of this quality and character in the world that does not have a decent place to practice using that weapon which it sometimes is called upon to use in the defense of those who live in the District of Columbia and the visitors to this area. The gentleman from Kentucky [Mr. BATES] was kind enough to yield to me a while ago on that subject, and I appreciate very much his interest.

Mr. Chairman, the Congress should know that there is no such pistol range where the 1,700 members of the Metropolitan Police Department can practice shooting. They have the privilege of using the indoor range of the FBI when they can get to it. It is a limited space. There is also one other small indoor range which they can use, but there are a great many police officers in the District of Columbia, far too many, to obtain proper practice on these smaller indoor ranges.

I would like to call the attention of the Members of the Committee on the District of Columbia—I see several of them in the room, including my good friend, the gentleman from Minnesota [Mr. O'HARA], and the gentleman from Arkansas [Mr. HARRIS], to the fact that there is land along the Anacostia River, title to which is held by the Department of Agriculture, and a very large arboretum where the White House Police, much smaller in number, if you please, have a very large outdoor pistol range. Over by the B. & O. tracks in northeast Washington is another and much smaller pistol range now being improved for the use of the national park police force. But the Metropolitan Police do not have such a place.

I happen to know, for example, that the Twelfth Police Precinct members obtained the privilege of installing, out of their own time and funds, if you please, a range in an old brickyard along the B. & O. tracks in Northeast Washington, and there with their own hands and their own money they built a small clubhouse. In order to carry on the practice of the use of that weapon they have taken into membership in the Twelfth Precinct Pistol Club some 450 nonpolice persons of the city of Washington. They are being driven out of their present location in the brickyard. I believe that it has been closed to them now, and they have had to go way out in Montgomery County, Md., and purchase a piece of land with money which they have to raise by subscriptions, by giving dances, and all that sort of thing.

It is perfectly ridiculous, gentlemen, that the Metropolitan Police of the city of Washington, who are here for the purpose of protecting not only the residents of Washington, but the many hundreds of thousands of visitors, had to dig down into their own pockets to supply themselves with an outdoor pistol range where they could practice the use of that very necessary sidearm. They even have to supply nearly all of the ammunition used in their practice.

Mr. O'HARA of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. HINSHAW. I yield to the gentleman from Minnesota.

Mr. O'HARA of Minnesota. Mr. Chairman, I agree with the gentleman that the condition which he has outlined is perfectly ridiculous. I hope that the gentleman will feel free to offer any kind of a bill that will provide the police here with the type of pistol range which they should and must have. So far as I am concerned I will do everything I can to help the gentleman get it passed.

Mr. HINSHAW. I thank the gentleman from Minnesota. But I would suggest this, if I may be privileged to do so, that if the subcommittee of the Committee on the District of Columbia having charge of the Metropolitan Police would conduct an investigation to find out where such a pistol range might be located, preferably, of course, on land owned by the Government—I have in mind, perhaps, the arboretum of the Department of Agriculture where the White House police range is presently located—where sufficient land with sufficient protection for wild shots, and occasionally there are wild shots among the best of pistol shooters, can be obtained where such a range might be erected without land cost. Otherwise, if no such land is available within the District, then, of course, there must be some place in the nearby countryside on land either owned by the Government or which could be acquired by the Government. I have no opportunity of making that investigation, but I suggest that the Committee on the District of Columbia do make it, so that when it is made they will be able to come in with the proper legislation authorizing the purchase, the building, and the equipping of a pistol range for the Metropolitan Police of the District of Columbia.

The CHAIRMAN. The time of the gentleman from California has expired.

The Clerk will read the bill for amendment.

Mr. BATES of Kentucky. Mr. Chairman, I ask unanimous consent that the reading of the bill be dispensed with and that the bill be open to points of order or amendment at any place.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

Mr. MARCANTONIO. Mr. Chairman, I reserve the right to object, for the purpose of propounding a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MARCANTONIO. If this request is granted, Mr. Chairman, can a point of order be made at any time to the bill?

The CHAIRMAN. If the unanimous-consent request propounded by the gentleman from Kentucky is granted, all points of order will be disposed of before amendments are considered. Points of order will not be received after amendments are considered.

Mr. MARCANTONIO. So that a point of order must be made immediately after the granting of the request?

The CHAIRMAN. The gentleman is correct.

Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The CHAIRMAN. Are there any points of order?

Mr. MARCANTONIO. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. MARCANTONIO. Mr. Chairman, I make a point of order against the language beginning on page 8, concerning all appropriations for public schools, on the general ground that there is no authorization. To be more specific, I mean the following:

The public schools in the District of Columbia are segregated schools. Nowhere in the law is there any authorization for appropriations for general administration, supervision, operation of, and instruction in segregated schools. Since this section of the bill makes appropriations for segregated schools, and since there is no authorization in the law for segregated schools, I submit that this is an appropriation without authorization and these appropriations for segregated schools are not in order.

The CHAIRMAN. Does the gentleman from Kentucky desire to be heard on the point of order?

Mr. BATES of Kentucky. Mr. Chairman, I cannot find anything in this bill which provides that segregation must be practiced in the District of Columbia. As a matter of fact, I look on that as an administrative matter which is handled by the superintendent of schools in the District of Columbia.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. BATES of Kentucky. I yield.

Mr. RANKIN. Any such provision as the gentleman from New York [Mr. MARCANTONIO] is contending for would be legislation on an appropriation bill and would be out of order.

Mr. BATES of Kentucky. I think the gentleman is correct.

Mr. RANKIN. Therefore, the point of order made by the gentleman from New York is not well taken.

The CHAIRMAN. Has the gentleman from Kentucky [Mr. BATES] concluded his statement?

Mr. BATES of Kentucky. I have, Mr. Chairman.

The CHAIRMAN. Does the gentleman from Illinois [Mr. CHURCH] desire to be heard on the point of order?

Mr. CHURCH. Yes, Mr. Chairman, I have read every word of this bill, and there is not a word in the bill which even refers to segregation.

The CHAIRMAN (Mr. KEOGH). The Chair is ready to rule. It is the opinion of the Chair that the appropriations provided in this section of the bill are appropriations which are authorized by law; and since, in the language of the bill before us, there is no reference to the basis upon which the gentleman from New York has predicated his point of order, the Chair, therefore, overrules the point of order.

Are there further points of order? Are there amendments to any paragraph of the bill?

Mr. SASSCER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SASSCER: On page 16, line 14, strike out lines 14, 15, 16, and 17.

Mr. SASSCER. Mr. Chairman, this is the amendment that has been offered from time to time through the sessions of the Congress and which has been adopted from time to time and has been rejected from time to time. The language in the appropriation bill to which the amendment is directed nullifies statutory law. There is on our statute books, following action by the Congress, a law providing that a child who lives beyond the borders of the District of Columbia whose parent is employed in the District is permitted to attend schools in the District of Columbia. That is the law. Now the appropriation bill comes along and attempts to nullify that law by providing in substance—I do not have the act before me—that no part of these funds shall be used for the education of children who do not reside in the District of Columbia. We may approach it from two angles. First, as a matter of fairness, great sums of Federal money are appropriated for the District of Columbia for its current expenses. As one of the considerations for that appropriation nonresident children of parents who are employed by the Federal and District Government have been permitted to attend District of Columbia schools. From another angle we may consider that as long as that is the law in the District of Columbia and so long as that is a positive action which has been taken by the Congress, would it not be the proper procedure to nullify that previous legislative action of the Congress by a legislative bill rather than each year coming up with nullifying provisions which, in reality, is legislation on an appropriation bill?

Mr. Chairman, I earnestly urge that the amendment be adopted.

Mr. BATES of Kentucky. Mr. Chairman, I dislike very much to disagree with my good friend from Maryland [Mr. SASSCER]. But we have found in our hearings that many of these people living in Maryland and working in the District of Columbia actually claim to be residents of the District when their children want to go to school; but when it comes to the matter of paying the District income tax, then they are not residents. If they are residents for one purpose, they ought to be residents for all purposes. The District is having a difficult time making both ends meet.

Mr. Chairman, I hope this amendment is not adopted.

Mr. SASSCER. Mr. Chairman, will the gentleman yield?

Mr. BATES of Kentucky. I yield.

Mr. SASSCER. If there are persons evading the District income-tax law, the better procedure would be by enforcement of that law, rather than nullification of an existing law permitting these children to go to school.

Mr. BATES of Kentucky. I do not think it would be right for people from Kentucky or Maryland or Virginia or Iowa or any place else to attend the schools of the District of Columbia without paying their share of the expense.

Mr. RANKIN. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, this is an old battle. We had it in this House for many years. The District of Columbia lives off the Federal pay roll. Many of those people have to live outside the District of Columbia because they cannot find a place to live in the District of Columbia. Many Army people are forced to live outside the District. Many Members of this Congress live outside the District of Columbia.

Why should their children be deprived of the privilege of going to school in the District of Columbia, which as a whole is largely supported by the Federal Government.

I hope the gentleman's amendment will be adopted. I have no children to send to school. I have only one child and she is grown. I have lived within the District of Columbia ever since I have been a Member of Congress, except what time I have been at home in Mississippi.

However, I think it would be a terrible mistake not to pass an amendment of this kind, because you will drive from the public schools of the District of Columbia probably hundreds of thousands of children whose parents are working in the District of Columbia and whose income and whose property is taxed to keep up the District.

I sincerely trust that the amendment offered by the gentleman from Maryland [Mr. SASSCER] will be adopted.

Mr. SMITH of Virginia. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise in support of the amendment. As the gentleman from Mississippi [Mr. RANKIN] has said, this is a very old subject. Up until 2 years ago, people from the surrounding areas, in certain instances, were permitted to attend the public schools of the District of Columbia. There was and there is a very sound reason for that. Let us take Virginia, for instance, with which I am quite familiar. Let us take Arlington County as an example. The population of that county since the last World War has increased threefold. It has increased because people came to Washington on Government business. They did not come here because they wanted to live in Washington or because they wanted to live in Virginia. They came here because they were Government employees, and not finding suitable places in the District of Columbia in which to live, they moved into Virginia and Maryland. Naturally, few of them pay any taxes to amount to anything in either of those States, but they are here because the Government needs them here. That has always been recognized by this Congress until about 2 or 3 years ago when this limitation upon an appropriation bill was put into effect.

For instance, in my district there is Fort Myer, a purely Government institution, Army officers, Army sergeants, Army privates, whose children have to go to school. If you do not let them go to school in Washington they go off of the Government reservation into the schools in Arlington County, which are terribly overcrowded already, and the State of Virginia is placed under the obligation of educating those children who come off of a Government reservation. The same thing applies to Fort Belvoir, which is 9 miles farther down the road, where there are many thousands of soldiers. They have children, and they go to the public schools over there.

It is not just and it is not right. I assume from my offhand knowledge, judging from those who I know live in Virginia, I would say at least 25 Members of Congress live in Virginia. Will any one of you Members who happen to live in Virginia tell me why the State of Virginia should educate the children of a Member of Congress, who comes to Washington on official business and has no connection with Virginia, other than the fact that he likes the atmosphere, and we like to have him live there; and if we have to educate their children, we are willing to do it. Why should we have to do it? It is a matter that ought to be left as it always has been left for the many, many years that this situation has existed, and I hope the Committee will support the amendment offered by the gentleman from Maryland.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I yield.

Mr. YATES. I am very much aware of the situation in Virginia and Maryland, and I would not want my remarks to be interpreted in any respect to indicate any opposition on the part of the committee toward free public education, nevertheless, as a member of the Subcommittee on the District of Columbia, I became very much aware of the overcrowded condition of the schools within the District, and it strikes me that here we have two bad conditions: We have an overcrowded condition in the surrounding States and we have an overcrowded condition in the District of Columbia. Students who are residents of surrounding States are now permitted to attend schools within the District of Columbia by paying a proportionate share of the

cost of their tuition. As a matter of fact, I am told that as much as $200,000 was collected by the District for the last year in order to offset the necessary costs of having to take care of these students.

Mr. SMITH of Virginia. I get the gentleman's point. I cannot yield further.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I wish to reply to the gentleman's remarks. The gentleman says the schools of this District are overcrowded. He does not know anything about overcrowded schools. Come over to Arlington and Alexandria where our population has increased 3 to 1 during the war, and you will find out something about overcrowded schools.

Yes; those children can come over here if their father happens to be a Congressman living in Virginia here on Government business, he can send his children to the Washington schools if he pays tuition for them.

I believe Virginia should not have to pay that tuition to the District nor should the individual have to pay it; I think it is an inherent part of this whole picture of the Federal Government here and I think it ought to come out of District revenue.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. SMITH of Virginia. Mr. Chairman, I ask unanimous consent to proceed for two additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. SMITH of Virginia. Mr. Chairman——

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I yield.

Mr. RANKIN. The schooling of these children of Army people and others who work for the Government and who have to live outside of the District of Columbia, should be taken into consideration when we pass the enormous appropriations for the District of Columbia out of the Federal Treasury.

Mr. SMITH of Virginia. And do not forget—I failed to mention it—that we now have the Navy Department over on the Virginia side. We have the War Department on the Virginia side. If they are going to put more of the Federal Government over on the Virginia side and give us all these kids to educate—and we want to do all we can for them—the Federal Government should help us bear part of the expense. If they are going to put this additional burden on us let them give Virginia an appropriation for that purpose as they do the District of Columbia, let them give the State of Maryland an appropriation as they do the District of Columbia to help pay for these things. We will go along with it.

Mr. SASSCER. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I yield.

Mr. SASSCER. I may say to the gentleman that in some of these suburban schools bordering upon the District there are two and three shifts, whereas I understand that due to the shifting of population from the city out into the suburbs there are some schools in the District that are not running to capacity.

Mr. SMITH of Virginia. I think that is true.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. BEALL. Mr. Chairman, the authority and responsibility of the District of Columbia to educate children whose parents are employed officially or otherwise in the District is found in the District of Columbia Code. District of Columbia Code, 1940 edition, title 31, section 301, page 863, provides:

All pupils whose parents are employed officially or otherwise in the District of Columbia shall be admitted and taught free of charge in the schools of said District. (Mar. 3, 1915, 38 Stat. 910, ch. 80, S. 1.)

The authority to teach the children of the military free in the schools of the District of Columbia even though they are not residents of the District is provided in sections 304 and 305 of title 31 of the Code and may be found on the same page as the above. Those provisions, however, originated in different acts, namely, the acts of March 28, 1918, fortieth statute, section 470, and May 10, 1926, forty-fourth statute, section 433.

We find that this law was actually tested in the District of Columbia courts in the case of *Ballou* v. *Kemp* (68 App. D. C. 7, 92 Fed. (2d) 556), which holds that the statute is mandatory and clear and that the duty of the Superintendent of Schools to admit the pupil in that case was purely ministerial and that mandamus is the proper remedy to compel such action. The court held that, the section being mandatory, it was the duty of the superintendent to admit the pupil even though hardship would come about due to insufficient funds to take care of resident pupils.

The District of Columbia is a small area of 70 square miles. It is almost impossible for all the people employed by the Government to live in the District and some of them must live out in Maryland and in Virginia. We are very glad to have them, of course, but we do think they should have the right to enjoy the privileges of the District schools. I hope this amendment will be adopted.

Mr. BATES of Kentucky. Mr. Chairman, I ask unanimous consent that all debate on this amendment do now close.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Maryland [Mr. SASSCER].

The question was taken; and on a division (demanded by Mr. SASSCER) there were—yeas 29, noes 38.

Mr. SASSCER and Mr. RANKIN demanded tellers.

Tellers were refused.

So the amendment was rejected.

Mr. JAVITS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, in the discussion which we have just had with respect to the point of order on the appropriation for public schools in the District of Columbia, we would be unfair to the issue if we missed the main point.

The main point is, whether this bill says so or not and whether a point of order will have been sustained or not, that it is a fact that in the Nation's Capital public schools are under segregation, and we are asked to appropriate $23,018,838 for segregated schools. It is a fact, too, that we are asked to appropriate $1,253,878 for a Recreation Department in the District, and, as I understand it, recreation facilities are segregated, too.

We in the Congress of the United States either mean what we say or we do not. The Congress of the United States must stand fast for the whole principle of equal rights for all and equal opportunities for all to enjoy the facilities of the District and the facilities of the Nation.

We cannot in one breath say we believe in all the fine principles and in the other legislate, and appropriate money with exactly the contrary effect.

Mr. Chairman, this is not a question of the custom of a particular locality. There have been many arguments, I know, on that issue, but that is not the issue which is presented here. This is a question of what the Congress shall do in the locality under its direct administration—whether in the very center and heart of our Nation which all the world sees, where our deeds should match our words, where our protestations should not be empty, where our Constitution should be unqualified and in full force and effect—we shall or shall not obey, not alone that Constitution, but the very dictates of the religious teachings of the great faiths.

I think the issue is a very profound one. It is possibly too much to expect that the issue can be settled in connection with this appropriation; but I think it would be a disservice to the country if the issue of segregation of facilities that has been raised here today by my colleague from Ohio and by other Members is not clearly brought out and laid upon the table so that there will soon come a time when we will fairly and courageously settle the issue as it affects this, the showcase of the Nation, the District of Columbia.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. POWELL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. POWELL: Page 2, line 10, after the colon, insert the following: "*Provided*, That no part of any appropriation contained in this bill shall be used for any of the purposes therein mentioned by any agency, office, or department of the District of Columbia which segregates the citizens of the District of Columbia in employment, facilities afforded, services performed, accommodations furnished, instructions or aid granted, on account of the race, color, creed, or place of national origin of the citizens of the District of Columbia."

Mr. BATES of Kentucky. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. BATES of Kentucky. Mr. Chairman, I make the point of order against the amendment that it is legislation on an appropriation bill.

Mr. POWELL. May I be heard, Mr. Chairman?

The CHAIRMAN. Yes.

Mr. POWELL. This proposed amendment does not legislate. It proposes negative limitations which are in accord with parliamentary usage in appropriation bills. It has been ruled in order in past Congresses, the Seventy-ninth and the Eightieth, to be exact. It does not legislate. It proposes negative limitations only.

Mr. MARCANTONIO. Mr. Chairman, I desire to be heard.

Mr. Chairman, I submit the amendment is in order. We had the same question before this House, I believe, 2 years ago in the Seventy-ninth Congress. I believe it was the gentleman from Rhode Island [Mr. FORAND] who was in the chair. I refer the Chair to his decision. This type of an amendment is offered time and time again to appropriation bills. It limits the scope of the appropriation. It limits the use of the funds appropriated. It does not set up any additional duties. It does not legislate any new legislation. It is definitely a negative legislation. It does not violate the Holman rule.

Mr. RANKIN. Mr. Chairman, I desire to be heard if the gentleman from New York is through.

The CHAIRMAN. Has the gentleman from New York concluded?

Mr. MARCANTONIO. Yes.

Mr. RANKIN. The ruling of the Chair a while ago on the point of order raised by the gentleman from New York [Mr. MARCANTONIO] was correct. This amendment would simply destroy the schools of the District of Columbia, and certainly an amendment to destroy the public schools of this great city and its suburbs is legislation on an appropriation bill and not in order on this bill.

The CHAIRMAN. The Chair is ready to rule.

The gentleman from New York [Mr. POWELL] offered an amendment which reads:

> Amendment directed to page 2, line 10, of the bill, which reads as follows: "*Provided*, that no part of any appropriation contained in this bill shall be used for any of the purposes therein mentioned by any agency, office, or department of the District of Columbia which segregates the citizens of the District of Columbia in employment, facilities afforded, services performed, accommodations furnished, instructions or aid granted, on account of race, color, creed, or place of national origin of the citizens of the District of Columbia."

To this amendment a point of order was made on the ground that it proposed legislation on an appropriation bill. The attention of the Chair has been called to the fact that on April 5, 1946, during the consideration of a bill making appropriations for the District of Columbia a somewhat, and, in fact, similar amendment was offered. The then Chairman of the Committee of the Whole, after hearing those who desired to be heard on the point of order, ruled that the wording of the amendment, reading as the Chair has read it, does not raise an issue concerning the well-known Holman rule of the House, and after serious consideration the Chair stated then that the amendment was a proper limitation of the appropriations provided in the bill and overruled the point of order.

Therefore, the Chair overrules the point of order and recognizes the gentleman from New York for 5 minutes.

Mr. POWELL. Mr. Chairman, this is the first time this Congress has had an opportunity to discuss and go on record as regards the campaign promise which was made to the people of this Nation during the month of October leading up to the Presidential election, the campaign promise which was made by both sides of the aisle, by all of the parties that had candidates in the Presidential campaign, the campaign promise which has boiled down to two words, "civil rights."

The gentleman from New York [Mr. JAVITS], who preceded me, made a very fine statement concerning this situation in our Capital and I should like to amplify it. May I say first to all of my colleagues that this amendment does not strike at your States' rights theory. This amendment does not tell you how your particular town, or village, or county, or State shall treat its citizens. This is an amendment which is aimed at the Capital of the United States of America, a place where the best of our American life should be on exhibition, not the worst, where our best attitudes, our best laws, our best practices should be on exhibition.

There is not a gentleman here who does not realize that in your particular town, village, and State they are trying to make progress toward a more democratic concept of life. I am sure no one is going to stand and say that is not true. Now, here in our Capital we have an opportunity to raise up what should be an ideal for all of our Nation to struggle toward. Here in this Capital loyal citizens of the United States are forbidden not by law but by practice, practice condoned by the Congress of the United States, to enjoy equal facilities as regards education, employment, accommodations, recreation, and health—not by law but by practice, and that practice has been condoned by us of this Congress. The passing of legislation appropriating Federal money to a segregated system is not holding up the best of our American life.

Here it is before you. Here is our first test. Many of you did not talk about civil rights during the campaign because you oppose them, but our President openly campaigned on the platform of civil rights. So did the other Presidential candidates. Here now is the opportunity before the eyes of our Nation to stand up and be counted, to let America know whether we campaigned on the basis of hypocrisy or on the basis of sincerity and honesty.

This issue does not need to be explained any more. We are fully aware of it. It is the No. 1 problem of our Nation; it is the No. 1 problem of the world. The world is judging America on the basis of its practices, not just its lip service, its practices. Here is an opportunity to let the world know that what our Presidential candidates stand up and loftily proclaim during an election campaign is not a sounding brass or a tinkling cymbal but is really words that come from their hearts and from their minds. Here is an opportunity for us to stand up and be counted. I ask for your support of this amendment.

Mr. BATES of Kentucky. Mr. Chairman, I ask unanimous consent that all debate on this amendment close in 5 minutes.

Mr. RANKIN. I object, Mr. Chairman.

Mr. BATES of Kentucky. Mr. Chairman, I move that all debate on this amendment close in 5 minutes.

The CHAIRMAN. The question is on the motion offered by the gentleman from Kentucky.

The motion was rejected.

Mr. RICH. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I believe in everybody being treated alike, especially the people in America. I am deeply interested in that because I think we want to treat the Americans to everything that the American people might want to enjoy, as long as we can afford to do it. But when I think of what we are doing now to try to take care of all the people in all the world, I wonder whether we are treating the American people right, both whites and blacks and any other color that we might have, or any other nationality that might be living here, all Americans. When I think that we are asking that this appropriation be cut down millions in order that we might have money enough to send billions to foreign countries, I wonder whether we are doing the right thing. I feel certain we are not.

Mr. POWELL. Mr. Chairman, will the gentleman yield?

Mr. RICH. I cannot yield to the gentleman right now. I want to get this across, because this is very important. You will be called on to vote on billions of dollars for these foreign countries and I want you all to think of what you are doing before you do it. You are being asked here to cut down on the appropriation for the District of Columbia. Well, who wants to cut down on an appropriation any more than I do, where it is necessary? But I am more anxious in cutting down the appropriations for all these foreign countries, especially where some of these people in high government position from the foreign countries come here and say that their countries are getting in good shape.

Let me show you what they are talking about giving away:

To Great Britain	$940,000,000
To France	875,000,000
To Italy	550,000,000
The British and United States German zones	404,000,000
The French-German zone	155,000,000
To Holland	355,000,000
To Luxembourg	200,000,000
To Austria	197,000,000
To Portugal	105,000,000
To Greece	170,000,000
To Denmark	109,000,000

And that goes on and on for millions and millions of dollars and yet we cannot give $100,000,000 to the District of Columbia, the Capital City of the United States of America. Does that not seem kind of bad when we are putting the screws on the District of Columbia and yet leaving the doors wide open for these foreign countries? I tell you to stop, look, and listen.

The other day I had something to say about the agencies of the Government that lend money. I said that we had 29 agencies of Government lending money. I made a big mistake. I have made a good many mistakes in my life. I made one here not too many hours ago. But the fellow who has never made a mistake never has done anything. When I said 29 agencies in the Government are lending money, let me show you what kind of a mistake I made. There are 42 agencies of the Government lending money to everybody who wants to come to this great Government of ours with his hand out. This should be stopped.

Mr. Chairman, I asked the Library of Congress to give me a list of those agencies that lend money. Here is the list that they have compiled of Government corporations lending money:

UNITED STATES GOVERNMENT AGENCIES HAVING LOANS RECEIVABLE AS OF JUNE 30, 1947

GOVERNMENT CORPORATIONS

Banks for cooperatives.
Commodity Credit Corporation.
Export-Import Bank of Washington.
Federal Deposit Insurance Corporation.
Federal Farm Mortgage Corporation.
Federal Home Loan Banks.
Federal Intermediate Credit Banks.
Federal Public Housing Authority.
Federal Savings and Loan Insurance Corporation.
Home Owners' Loan Corporation (in liquidation).
Production Credit Corporation.
Reconstruction Finance Corporation.
Tennessee Valley Authority.
Others:
Defense Homes Corporation.
Department of State Inter-American Corporations.
Federal Crop Insurance Corporation.
Federal National Mortgage Association.
Federal Prison Industries, Inc.
Inland Waterways Corporation.
Panama Railroad Company.
R. F. C. Mortgage Company.
Regional Agricultural Credit Corporation of Washington, D. C.
Smaller War Plants Corporation.
United States Commercial Company.
United States Spruce Production Corporation.
Virgin Islands Company.
War Damage Corporation.
Warrior River Terminal Company, Inc.
Tennessee Valley Associated Cooperatives, Inc.

BUSINESS-TYPE ACTIVITIES

Farmers Home Administration.
Federal Housing Administration.
Federal Works Agency.
Rural Electrification Administration.
United States Maritime Commission functions.
War Shipping Administration functions.
Others:
Agricultural Marketing Act revolving funds.
Federal Public Housing Authority—homes conversion program, Farm Security Administration program, public war housing program, and veterans' reuse housing program.
Federal Security Agency loans to students.
Indian loans.
Navy Department, guaranteed loans (World War II) and sale of surplus supplies (World War I).
Puerto Rico Reconstruction Administration.
Treasury Department, miscellaneous loans.
War Department, guaranteed loans (World War II).
Veterans' Canteen Service.

Twenty-nine Government corporations and fifteen business-type activities are listed in the latest available annual report of the Secretary of the Treasury. Some of the agencies listed had very small loans receivable and others were in the process of liquidation.

Source: Secretary of the Treasury, Annual Report on the State of the Finances for the fiscal year ended June 30, 1947, Eightieth Congress, second session, House Document No. 447, pages 464–467.

Mr. Chairman, what I am trying to put across here is that if we are going to cut down on the District of Columbia $4,000,000, then it is all right with me, because while they may want to squander a few dollars, I want to save every dollar that I can for the American taxpayers. I know that the Members on my side of the aisle are trying to save every cent they can for the Federal Treasury, because last year the Eightieth Congress—look what the Eightieth Congress did—that good Congress—cut $8,400,000,000 from the national debt. The year before we cut off about $1,000,000,000. I take my hat off to the Republicans for doing that. But what are you doing now? Wait until we get through with this Eighty-first Congress, and you will find out how much money you are spending here. You will go in the red—real red. You Members are going to have to account for that to your people back home. They are going to say, "Oh, you Democrats of the Eighty-first Congress, keep your eye on the indicator, because you are going in the red so far that you will not know how to ever get out."

You are swamping this country of ours. You will be a squandering, spending, reckless Congress, especially if you put the President's program on the books. His program, to me, is suicide for American freedom, American liberty. You are getting a taste of his driving power for his unsound program at a time when our finances will not permit. He would and will wreck us if he keeps on—that is, if you help him. So I say to you stop, look, and listen.

Mr. POWELL. Does the gentleman realize that if segregation is abolished $10,000,000 will be saved in the District of Columbia?

Mr. RICH. That will be fine. I want to save wherever we can.

The CHAIRMAN. The time of the gentleman from Pennsylvania [Mr. RICH] has expired.

Mr. RANKIN. Mr. Chairman, I rise in opposition to this Powell amendment.

It is nothing in God's world but a communistic effort to stir up race trouble in the District of Columbia. I hope the gentleman from New York [Mr. JAVITS] is listening. He joined in this fight against segregation in the District of Columbia a while ago, which is a communistic program for stirring up race trouble here and throughout the country.

The supporters of this amendment are simply making war on the white people of the District of Columbia. If you mention the word "Jew" in this House, the gentleman from New York [Mr. JAVITS] hits the ceiling and howls to high heaven. Yet he is joining here in making war on the white gentiles of the District of Columbia when he knows it will do the Negroes infinitely more harm than good to stir up race trouble by forcing them into the white schools of Washington.

In my opinion, the advocates of this crazy proposition do not give a tinker's dam about the welfare of the average Negro, here or elsewhere. If they did, they would not be trying to stir race trouble throughout the Nation in this way.

The statement made here that President Harry Truman was in favor of wiping out segregation in the public schools of the District of Columbia is ridiculous. I do not believe a word of it. The people of his State have the same system of race segregation in the public schools they have here and throughout all the Southern States, as well as the border States.

He never favored forcing Negroes into the white schools of Washington when he was a Member of the Senate; and I do not believe he favors it now.

He knows, and we know, that instead of doing good, and promoting race harmony, it would do infinite harm, bring about race riots, and probably mob violence, if it did not result in destroying the public school system of the District.

Oh, I know the Communists throughout the country will applaud with delight if this amendment is adopted. Even Joe Stalin will no doubt chuckle at the progress communism is making in America in stirring up race trouble in the Nation's Capital.

If you are going to adopt this amendment, you might as well kill the public schools in the District of Columbia and be done with it.

I appeal to every white, patriotic American in this House to vote this vicious amendment down.

Mr. MARCANTONIO. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, the issue raised by the Powell amendment is an issue that should have been resolved by this Congress many years ago. The reason we have this undemocratic situation in the District of Columbia is simply because the Congress has failed to discharge its responsibility to the American people.

The gentleman from Mississippi [Mr. RANKIN] must take his share of that responsibility. He has been one of those who has consistently used every parliamentary device at his command to thwart what has definitely been established in the last elections to be the will of a majority of the American people. The civil-rights issue was an issue in the last campaign, and the people spoke on that issue. I can safely say that a majority of the Members of the Congress campaigned in favor of civil rights.

The Powell amendment now will determine whether or not a majority of the Members of the Eighty-first Congress meant what they said last October. If we vote down the Powell amendment, then what was said last October was merely campaign oratory and never intended to be effected. The issue here is twofold. First is the issue of the sincerity of this Congress on the question of civil rights; and, second, the basic issue of democracy. There can be no democracy as long as there is discrimination. There can be no democracy as long as there is segregation. There can be no

democracy as long as equality in education is denied, as long as equality in facilities is denied, as long as equality in employment is denied. There can be no democracy, particularly when that denial is based on race, color, or creed.

We have had this debate time and time again. It is not a debate from which conscientious Members of the House should shrink. It is an issue which every Member of this House should meet, particularly in the light of the people's decision on this issue in the last elections.

Mr. Chairman, the gentleman from Mississippi talks about race riots. Race riots are not caused by democracy; the conditions that cause race riots are cured by an application of democracy. This amendment would apply democracy in the Capital of these United States. The District of Columbia is not Tupelo, Miss.; the District of Columbia is the Capital of all of the people of the United States.

Are we asking too much in the year 1949, following the election of 1948, when the people spoke out in favor of civil rights, to ask that now we carry out the mandate of the people and bring democracy, the benefits of democracy, to the Negro population of the District of Columbia? I say we are not asking too much; I say our request is an elemental one, and it is in keeping with decency. In the name of decency I hope that the majority of the Members of this House, and particularly those who declared for civil rights in the last campaign, will stand up and remove for all time segregation and discrimination in the Capital of the United States.

The Republicans in the Eightieth Congress failed on their promises for civil rights. The issue is here again before you. Let us see what the Democrats of the Eighty-first Congress will do.

Mr. BIEMILLER. Mr. Chairman, I rise in opposition to the pro forma amendment.

The CHAIRMAN. The gentleman from Wisconsin is recognized for 5 minutes.

Mr. BIEMILLER. Mr. Chairman, at the last Democratic National Convention it was my privilege, along with Mr. HUBERT HUMPHREY, now Senator from Minnesota, and Mrs. Esther Murray, of California, to propose the plank on civil rights which was adopted by that convention. As long as I have been in politics I have always believed that people who adopt platforms should live up to them in their political life and in their political action. I agree with the sentiments that have been previously expressed here today that this is the first test as to whether or not we mean business when we write political platforms, campaign on those platforms, and are elected on them.

The same thing is true of the Members on the Republican side of the House; their platform also carried a civil-rights plank, not as strong a plank as the Democratic one, but a clear-cut statement of intention. President Truman and Governor Dewey both spoke in favor of civil rights during the campaign and spoke in no uncertain terms.

I think it has long been a disgrace to our country that our National Capital has followed segregation, a principle that is not among the mores or customs of most of the United States. This is the capital of all the people of the United States; it is the place that foreign nations particularly look to as the symbol of America. If we Americans mean what we have always said we believed, that men are created free and equal, then certainly in our Capital City we should have the intelligence and the foresight to establish true liberty for all people in Washington.

I am for the Powell amendment to ban segregation in Washington because, I repeat, I think that all it does is to establish in the National Capital the customs and mores that prevail throughout the greater part of our Nation. I do not believe the Declaration of Independence was ever intended to say that all white men are created free and equal; it states, "All men are created free and equal." From the time I was a little child at my mother's knee I have been taught that fact, and I believe it sincerely, and I think that is what all of us should believe in.

As for this ridiculous idea that nonsegregated schools start race riots, may I testify I have not seen race riots in the schools that I have attended. Every school that I have attended from grammar school through high school, through college, has had Negro students in it; there has been no difficulty between Negro and white students where they were in classes together and learned to respect each other as human beings. I generally find that when Negroes and whites come from areas where there has been no segregation in schools, both races understand each other better and have little difficulty getting along with each other.

As one who believes deeply in the Christian tradition—I believe in the fatherhood of God and the brotherhood of man—I respect the dignity of human personality—I believe we are all equal in the eyes of God.

That means that if you show discrimination you are not living up to your religious principles. Discrimination and segregation are immoral and cannot be squared with the religion. So on both the ground of our religious principles and on the ground of our American political traditions I implore the Members of this House to vote for the Powell amendment.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. BATES of Kentucky. Mr. Chairman, I move that all debate on the pending amendment do now close.

The question was taken; and on a division (demanded by Mr. TACKETT) there were—ayes 94, noes 34.

So the motion was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. POWELL].

The question was taken; and on a division (demanded by Mr. MARCANTONIO) there were—ayes 60, noes 96.

Mr. MARCANTONIO. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. BATES of Kentucky and Mr. POWELL.

The Committee again divided; and the tellers reported that there were—ayes 64, noes 106.

So the amendment was rejected.

Mr. BATES of Kentucky. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with the recommendation that the bill do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the Chair, Mr. KEOGH, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 3082) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1950, and for other purposes, had directed him to report the bill back to the House with the recommendation that the bill do pass.

The SPEAKER. Without objection, the previous question is ordered.

There was no objection.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. TABER. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. TABER. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. TABER moves to recommit the bill to the Committee on Appropriations.

Mr. BATES of Kentucky. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. DONDERO asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. MILLER of Maryland asked and was given permission to extend his remarks in the RECORD and include an editorial.

THE LATE JOHN T. WOODRUFF

Mr. CHRISTOPHER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CHRISTOPHER. Mr. Speaker, I rise to pay tribute to one of Missouri's greatest citizens, Mr. John T. Woodruff, of Springfield, Mo. He was one of the outstanding lawyers of that section of

the country. A man who for years represented the Frisco Railroad. He was a promoter. A man who took great interest in civic affairs. The man who did more for Springfield, Mo., and the Ozark region in general, than any other one man during or prior to his time. Mr. Woodruff constructed the building in Springfield that bears his name. He was responsible for the building of the Frisco shops at Springfield. He promoted the Frisco Office Building and the Kentwood Arms Hotel and every forward movement in Springfield had his untiring support. When he passed away, the Ozark region lost one of the greatest and most valuable men it has ever produced. No doubt his immediate relatives will place an appropriate marker at his grave. But he has erected monuments in Springfield and throughout the Ozark region that will continue through many years to bear testimony to the public-spirited service he rendered to his community, his city, and his State.

I include the following editorial from the Springfield (Mo.) Leader and Press as a part of my remarks:

Springfield today is a city in which its inhabitants, new and old, take pride, and with reason. Modern development of a crossroads village, it is therefore still a transportation center, operating center of the Frisco Railroad, a trade and tourist center on transcontinental highway 66, and with modern airport facilities; a city of modern office buildings, fine hotels, an excellent State college, an attractive country club, two large government institutions.

The thousands of new Springfieldians who have swelled the city's population in the past decade share the civic satisfaction in all these things and many more. But they never can realize, as the older residents cannot fail to realize, how all of these things were so largely the result of one man's efforts, one man's vision and energy.

That man was John T. Woodruff, who, lying dead today, will be brought back home to Springfield for burial later this week. Though he had not lived here for the past several years, Springfield was where his heart was.

And if ever any city needed anything, Springfield today still needs his soul to go marching on. Mr. Woodruff always could see about 20 years ahead of anyone else, and Springfield desperately needs that sort of vision now. But so far as we can observe, there is no one to take Mr. Woodruff's place as our civic seer and prophet. Yet he was not only a prophet. He was an evangelist, too; and with a tireless combination of exhortation, energy, and incredible industry, he made his visions come true. Nobody ever worked harder, as if by the very force of his own spirit he made his visions come true. They didn't come true by themselves. Mr. Woodruff was a great believer, he had great faith; he trusted his faith, and supported it with works.

But other men have had vision, too, and believed in it, and then have been discouraged and defeated by opposition and indifference. The unique thing about Mr. Woodruff was that nothing ever defeated him. He could lose and fail and be beaten down over and over, and he always came back with his faith just as shining as ever, just as optimistic, just as confident. He would seem defeated, but he never seemed to know it; so in the end, he never was.

Perhaps the one quality that distinguished him most from other men was that marvelous ebullience, that amazing ability to come back and come back and come back undiscouraged, and to keep faith and good spirit in spite of all punishment, no matter how repeated. And that was a quality of greatness. His interest wasn't confined to Springfield, nor was his vision. They took in the whole Ozarks, in a tremendous way; he foresaw and worked toward a regional development that included all sorts of industries: tourist and sports industries, agricultural and mechanical industries, and especially dams and power. Dams were, if anything, his special hobby, along with roads and resorts and anything else that would promote the country he loved so wholeheartedly.

He had retired of late years, because of age and frailty; now he is gone. "A failure," we heard someone say. A failure? Because he didn't make a million dollars for himself? This man who did more single-handed than a hundred others together to build Springfield and promote the Ozarks?

Oh, no. Personal acquisitiveness is not the measure of a man's success—at least, not after he's dead, it isn't. Mr. Woodruff did for his city and his region what he didn't do for himself—he helped to make it rich. His success could no more be measured in dollars than would Doctor McClung's or Doctor Riepma's or Doctor Meador's.

His success was in service, in giving, and he won it by sacrificing his own chance for a personal fortune. He could see, through and beyond the trees, the whole forest. He could see, through and beyond the present, the whole future. He could see, beyond the immediate pennies, vast wealth and growth and prosperity, comfort and good life for thousands, and passionately he devoted himself to working toward that, beyond any simply personal ambition. Mr. Woodruff's success wasn't concentrated in $1,000,000. It was diffused to add to the well-being and the progress of others—thousands of others—you and me and our children to come.

He had the vision of a better world and the faith to believe he could help make it come true. And he did.

FISHERIES OF THE GULF COAST

Mr. COLMER, from the Committee on Rules, reported the following privileged resolution (H. Res. 124, Rept. No. 200), which was referred to the House Calendar and ordered to be printed:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 2363) granting the consent and approval of Congress to an interstate compact relating to the better utilization of the fisheries (marine, shell, and anadromous) to the Gulf coast and creating the Gulf States Marine Fisheries Commission. That after general debate, which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Merchant Marine and Fisheries, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and the amendments thereto to final passage without intervening motion except one motion to recommit.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

Mr. DELANEY, from the Committee on Rules, reported the following privileged resolution (H. Res. 107, Rept. No. 201), which was referred to the House Calendar and ordered to be printed:

Resolved, That the Committee on Interstate and Foreign Commerce may make investigations into any matter within its jurisdiction: For the purpose of making such investigations the committee, or any subcommittee thereof, is authorized to sit and act during the present Congress at such times and places within or outside the United States, whether the House is in session, has recessed, or has adjourned, to hold such hearings, and to require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, and documents, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member.

The SPEAKER. Under previous order of the House, the gentleman from Wisconsin [Mr. KEEFE] is recognized for 60 minutes.

THE PUBLIC HEALTH AND CHEMICAL FOOD SUBSTITUTES AND FERTILIZERS

Mr. KEEFE. Mr. Speaker, I trust that nothing I shall say this afternoon may be construed as indicating any attitude on my part in opposition to the continuation of scientific research and the utilization in the public interest whenever the results of that research disclose the utilization of the products of research for the use and benefit of humanity. There are some things that are occurring in your country and mine today, however, that I believe should be called not only to the attention of the Congress but to the attention of the American people. Only too often do we read in the newspaper headlines, as one which appeared recently, "AMA ascribes four deaths to lithium salt substitutes."

I understand seven people have to date lost their lives with the use of salt substitutes which have been manufactured by certain manufacturers in order to meet a demand on the part of certain people afflicted with certain diseases who cannot use organic salt in their diet. Yet manufacturers and pharmaceutical houses and some druggists are using substitutes without adequate research having been made to determine whether or not the use of those substitutes is deleterious to human life. The whole field is an enormous one. My attention has recently been directed to some research that is being carried on in one of the great research institutions of the country where their scientific men have been asked to pass upon the character of certain insecticides that are being used indiscriminately to kill insects throughout the country. Manufacturers wanted the seal of approval on their product and they wanted to know, as a result of scientific research: "Does this insecticide do what we claim it will do in the killing of insect pests?"

As a collateral matter in connection with that research, one of the great scientists I happen to know found a very interesting subject of research, namely: "What is the toxic residue left on food products as the result of the indiscriminate use of certain insecticides?" He has disclosed that in certain areas, in the use of certain insecticides which are not subject to control by the Government, residuals are left on the product which find their way into the food and he

has very clearly demonstrated the deleterious effect upon children. He has shown the effects on the food in prepared baby foods. This has opened up a tremendous field of research to determine whether or not people's avarice to make a profit out of the sale of insecticides is in reality giving to the public a product that may be deleterious to human beings.

It has also been called to my attention as a result of some research in this field that the researchers are now being led into the field of fertilizers which are being sold to the farmers of this Nation indiscriminately throughout the country. Only one State in the Union, as I understand it, South Carolina, has a law that requires the manufacturers of fertilizer to tell the farmers of the Nation what is in the bag that the farmers buy. Yet recent experiments have disclosed that in the continued use of fertilizer containing a large proportion of solid nitrogen content, plant diseases have been discovered to be growing boundlessly, especially in the tobacco-raising industry; and recent research has disclosed that in the use of such fertilizer, residuals are found again in the food grown as the result of such use. Many people in the scientific field are of the belief that the development of arteriosclerosis and other physical afflictions that are affecting human beings may have its origin and contributory effects to be found in the result of the use of fertilizer containing a tremendously overpercentage supply of cheap soluble nitrogen products.

Mr. BURDICK. Mr. Speaker, will the gentleman yield?

Mr. KEEFE. I yield.

Mr. BURDICK. I am very much interested in the gentleman's remarks. He is always interesting. However, on the question of fertilizer that is being sold to the people raising tobacco all over this country, demonstrations have proven that the gentleman is right, and that the great disease of blue mold has increased boundlessly during the last 7 or 8 years. The reason has been found to be that they have not used enough animal products in the fertilizer, and too much of the solubles.

Mr. KEEFE. I think there is no question about that. I propose to discuss that question specifically before the House before long, in connection with a bill which I have introduced to bring that subject under control by legislation, to require as we do now in the woof and fabrics law that manufacturers of fertilizer shall indicate to the consumer and the public what their product may contain.

I am trying to bring to your attention the fact that the efforts of human beings all over the world down through the years to find substitutes for nature's product are developing some very serious residual consequences.

There are those who say that coal and coal tar and natural-gas derivatives will ultimately supplant the cow. Scientists are making butter in Germany out of the derivatives of petroleum and coal and natural gas. They claim they are able to synthetically produce milk that looks and tastes like milk and has all the appearance of regular cow's milk. So the results of that scientific investigation and the utilization of those chemical compounds in the diet of the American people is growing and growing and growing.

This afternoon I want to call your specific attention to a threat to the people who raise cottonseed and produce cottonseed oil; to those who produce peanut oil; to those who produce vegetable oils of any kind. I call your attention to the threat to the livestock industry; to the use of animal shortening and animal fats, lards; to those producers of poultry who produce eggs that are used in tremendous quantities in the baking business, and to those who are interested in the protection of the dairy industry in this country when they use hundreds of thousands of pounds of dried milk in the baking industry.

What am I talking about? Is it something we pull out of the air or is it something real, and is the threat real?

Hearings are now being conducted before the Committee on Agriculture with respect to the removal of the tax on oleomargarine. I am not going to discuss that question this afternoon. That will be discussed at great length before that question is solved, but the potentialities for substitution of chemicals to ultimately replace vegetable oils and fats in the human diet is going on right now before the Pure Food and Drug Administration.

The hearings have been conducted there for a long time; it is expected that they will be carried on for weeks or maybe months before they are concluded. What is the purpose of those hearings upon which the big chemical industries of this country are devoting so much of their money, their time, and of their scientific talent? Why are they conducting these hearings? They have gone on now for years, and intensely since the war have been going on for weeks down before the Pure Food and Drug Administration. What are they asking for? What are they trying to do? Have you kept yourself advised on that subject? Do the Members of Congress know what the potentialities are in the ultimate decision that may be made by the Administrator of the Federal Security Agency with respect to the hearings that are now going on? Do you know what the potential effect upon your southland in the use of cottonseed oil may be? Do you know what the effect may be upon the production of soybeans and soya oil? Do you know what the effect may be on the dairy industry? Do you know what it will be on the poultry industry? Do you have any idea what the ultimate effect may be upon human beings who may be forced ultimately to eat bakery products with chemical substitutes for nature's products therein?

Specifically, what is happening down before the Pure Food and Drug Administration is an effort to establish standards for bread and related products. That is a tremendous industry in America; bread is a staple item of diet to millions of people in America; bread has always been looked upon as the staff of life, and you can well recall as I can the magnificent bread that used to be baked in the American home. I remember how as a kid I loved it. We knew what such bread was made of because mother made it. What are they now proposing to do? They are proposing that the Pure Food and Drug Administration prescribe standards for bakery products, bread being the basic one, that will permit the use of a wide range of chemicals produced basically by three of the great chemical companies of this country that their own literature, which I have before me, says may ultimately supplant the necessity for the use in bakery products of shortening, of eggs, of powdered milk, and all of the things that now go to make a nutritious product.

Mr. BURDICK. Mr. Speaker, will the gentleman yield?

Mr. KEEFE. I shall be glad to yield.

Mr. BURDICK. The fact is that they have wheat just about out of a loaf of bread. When wheat is $3 a bushel, bread is 14 cents. When wheat goes down $1.03, bread is 15 cents; and, inquiring why that was, they said there was not any wheat content in bread any more.

Mr. KEEFE. I may say to the gentleman that I am not going to stop the wheels of progress, or scientific invention, or achievement, but I am rather astounded to find that today, due to the competition that exists in the baking industry and the desire for profit that is uppermost in the minds of all of us and all of them who are in that industry, ways are constantly being achieved and devised by which they may be able to produce an article which appeals to the taste, appeals to the eye, and appeals to the sense of touch and smell of a prospective buyer but from which the nutritive values have largely been lost. Do you think I am talking about something that is not real? I have in my hand the advertising material that recently appeared in a bakers' magazine advertising one of these chemical products.

This is what the promoter says right out openly:

> We have proved beyond question that sales will go up if we will stop for a moment and consider the human side of this picture. By the human side we refer particularly to human nature and the eating habits of human beings, because, after all, we must deal with just plain humans and their desires in regard to food. We believe that every person—man, woman, or child—eats and drinks only that which appeals to the sense of taste, with little or no thought of nutritious value. So we emphasize again that higher quality bakery goods, in our opinion, are attained by balancing formulas to a point where they are not overburdened with rich substances which, in the end, tend to discourage and decrease consumption.

What they say in this article is that if you, Mr. Baker, will use these chemicals that we have discovered, which are the products of coal and petroleum principally, mostly the result of the work of the chemists of the I. G. Farben Co. in Germany, if you will use these chemicals as a substitute for lard, for shortening, for the yolks of eggs, for butter, for milk or milk products, you can produce an article that will appeal to the eye, that will appeal to the sense of smell, to the sense of taste, and to the sense of feel; you can keep this product so it feels fresh for weeks after you bake it, when the housewife comes in the store and feels of the loaf of bread to see whether it is soft or

not in order to determine whether it is fresh or stale. In other words, you can fool the American people into buying a product that has practically no nutritional value, and you can do it with impunity because, they say, the American people do not care anyway; all they are interested in is getting something cheap that looks all right, smells all right, and tastes all right.

What about the children who need the nutrition contained in the cereal products which you and I have known in the past?

I am going to insert as a part of these remarks some material that I have had assembled, giving the historical and accurate background of this whole situation and which points definitely to the threat that exists to our economy if we are going to proceed down the line of substitution for established products of nature in food and the continued debasement of our food supply.

When you buy an ice-cream cone today to give to your kid, do you know what is in that ice-cream cone? When you go to the store and buy a doughnut and you eat it for breakfast, do you know what is in it? If you buy a loaf of bread, do you know what is in it? When you give your kid an all-day sucker, do you know what is in it?

Oh, they say, there may be nothing injurious in it, but the nutritive values have been taken out and through the use of these new chemicals a much smoother ice cream can be developed that tastes wonderful, looks wonderful, and smells good, which they say is all the general public thinks about anyway.

Thank God the Pure Food and Drug Administration is on the job. I have had a number of letters back and forth with Dr. Dunbar, the head of that bureau, than whom there is no finer man in the public service; Dr. Dunbar is in charge of the scientists and the people who are conducting the necessary research.

Now here is the point. They are using these chemicals now. They are being used here and there now. They want to fix them as standards for use of the entire baking industry so that they can bake all their bakery products without the public being advised as to what is in them. You may think you are eating a nutritious piece of bread, and all you are eating is some ruffage to fill your stomach, or something that does not have any nutriment at all.

The scientists of this country have never yet been able to determine whether the inclusion of these chamicals in our diet is harmful or harmless. They cannot tell, because scientific research has not progressed to that point, and yet the fact is today that these very chemicals are being used by certain industries in this country when I am advised that scientifically it is impossble to say what the effect will be upon the human system if used for extended periods of time.

Mr. JENNINGS. Mr. Speaker, will the gentleman yield?

Mr. KEEFE. I yield to the gentleman from Tennessee.

Mr. JENNINGS. The great trouble and the great tragedy about that is that the laboratory in which the test is being made as to the harmful effects of these synthetic, artificial products is in the stomach of a child or in the stomach and the physical make-up of a grown person, and by the time the experiment is completed, death may have ensued, just as happened with these people who were using this substitute for salt.

Mr. KEEFE. Why, I could go on and give illustration after illustration out of the experiences that have been demonstrated by the Pure Food and Drug Administration, and how deleterious many of these substances are, but it is difficult to keep up with it.

Now just listen to this. This is from Dr. Dunbar's letter. I want to quote a paragraph of that letter dated February 17, 1949:

> The actual composition of the chemicals used, both the derivatives of polyoxyethylene glycol and the mono- and di-glyceride concentrates—

That is a pretty heavy word. That is a $64 word. You, as the average citizen will know exactly what is in it, will you not? Continuing, he says:

> can be established without great difficulty. Whether these products are harmful in themselves and whether they may be deleterious ingredients in the amounts used in bread is much more difficult to establish. Where new chemicals are introduced into foods it often requires many years of tests to determine their effect upon the human organism. As you readily realize when there is a commercial demand there is a tendency on the part of the producers to take chances and begin the use of the product before adequate tests are completed.

That is exactly what these people did with these saline solutions that they put on the market as substitutes for salt, and at least seven people are dead tonight through the use of those substitutes.

I want to quote something more. Further quoting Mr. Dunbar's letter:

> This appears to have been the case in the present instance with respect to the polyoxythylene derivatives. They have been sold and used in bread for a period of 2 years, and so far our investigations have not established anything which would indicate that they have caused injury. We realize, of course, the weakness of this kind of evidence and we are continuing to trace out some leads to try to find whether they may show that some conditions which were ascribed to other causes should have been ascribed to the ingestion of this type of product. Since these products have been used in bread, a few investigators have used them for other purposes and have noted that one of them at least is quite reactive when injected into the blood of certain animals. Our scientists are following up this problem to determine if there is any basis for considering the products to be inherently dangerous.
>
> There are two other points in connection with the use of these products in bread which have given us great concern. One of these is the possibility that the softening effect derived from the use of these products may be used to deceive consumers into believing that such soft bread is fresh. We have circulated a questionnaire to a number of consumers in various parts of the United States trying to ascertain what they expect in bread.

There is the point, the possibility of deception on the American consumer, the same type of deception that is found in the oleo business. It is being applied in a manner that, in my opinion, is much more destructive, perhaps, in the ultimate to the dairy industry in this particular instance.

Let me call your attention to the fact that these people right in their advertising and in their literature about this stuff boast of the fact that they can do away with shortening, "eliminate all milk and other so-called bread improvers, reduce the shortening content at least 50 percent—reduce the shortening content 50 percent in all coffee cakes and all sweet yeast foods," and so on. "Egg yolks are preferred in all sweet yeast goods. It is our opinion that egg yolks should be reduced from 20 to 50 percent."

All the way through, in the entire baking industry, if they ultimately get their program over, you will have a substitute in the bakery goods for nature's products, a new synthetic chemical to take the place of animal and vegetable oils as shortening and take the place of milk and egg products in the bread industry.

What is that going to mean? Now let me tell you, these very products are now being used in bread, cake, doughnuts, cereal mixes, peanut butter, ice cream, candy, salad dressing, milk drinks, synthetic whipping cream, pickles, flavors, and many others. Two food-processing industries, baking and cereals, consume 1,350,000,000 pounds of lard and shortening annually. If the use of these chemical emulsifiers is approved by the Government, it is estimated that the consumption of animal fats and lards will be reduced by 500,000,000 pounds a year.

It is estimated that the bakery industry consumes upward of 225,000,000 pounds of powdered skim milk, which is equivalent to 1,800,000,000 pounds of fluid milk, and nearly 200,000 pounds of dried eggs, which is the equivalent of 167,000,000 dozen eggs annually. If the trade is to substitute these chemicals under Government authority and protection by setting forth these products as within the proper scope of the pure food and drug law in their definition of bakery products, then, can you not see the threat that exists not only to the producers of these animal and vegetable fats and oils and poultry, and can you not see the threat that exists to the consumers of this country, who are going to be placed in the position of having a great deception practiced upon them?

That is indeed a very, very important question which must be determined. It is just another indication of the problems facing the various segments of our economy. Are we at long last going to come to the point in this country when for each meal we can take a pill out of a small bottle as a result of scientific research by scientists who are producing that pill out of coal or petroleum or the byproducts of natural gas? What sort of race of people are we going to raise? Do these people who are foisting these products upon the people of the United States know what the effect upon the people is going to be? I have put together in the statement which will be part of these remarks the best information that I have been able to find with respect to the possibility of the reaction on human beings of the continued use of

such chemical products to replace nature's products. It has ultimately got to be determined by the physiologist, the anatomist, and the scientist. But there are many splendid investigators in that field today who believe that the use of these substitutes increases the virulence of certain bacteria—for example, the bacteria that causes tuberculosis. Another group of investigators have indicated that the continued use of these chemicals for a long period of time might alone produce an increased tendency to vascular diseases, such as arteriosclerosis. Who knows? Has anybody given us the answers up to date? They have not. We are in the realm of speculation. Yet these chemicals are being placed in the food of the Nation without the consumer having notice that when he consumes this food he is consuming a synthetic product which might be deleterious to his health.

Mr. CHRISTOPHER. Mr. Speaker, will the gentleman yield?

Mr. KEEFE. I yield.

Mr. CHRISTOPHER. I am sorry that so few Members are here to hear a talk which is so vital concerning food. I am sorry for that. I want to compliment the gentleman on the remarks that he has made. I want to say further, with your permission, sir, that if these synthetic products are not detrimental to health and stamina of the people of the United States why is it that in the past year we consumed millions of pounds of vitamin pills and tens of millions of pounds of aspirin to ease the pain in our aching joints and our throbbing heads when we should have obtained the food that we need in the course of our natural diet?

Out on my farm I lime and fertilize a piece of grass and my cows eat it into the ground and in the same pasture the grass grows a foot high on untreated soil, proving without a doubt that the cow knows more than her owner—and I am he.

Mr. KEEFE. I thank the gentleman for his fine contribution. I appreciate that the Members of Congress are exceedingly busy, and it is very rare that on a special order, regardless of the importance of the subject under discussion, that there are many Members on the floor. I hope they will have an opportunity, however, to read in full the remarks as they will appear in the CONGRESSIONAL RECORD, because I believe this is a matter of supreme importance and we are going to have to meet it sooner or later.

Is there a person within the sound of my voice who has not had the experience of seeing vegetables produced in virgin soil that have a taste and nutritive value, with natural elements contained therein, that very clearly and easily distinguish them from synthetic vegetables that are produced through the utilization of so much high-powered nitrogen fertilizer? I do not believe there is a person who does not know that. I do not believe there is a person who does not realize that in certain areas of the United States where they can grow potatoes on virgin soil they are getting a potato yield that is far superior to that of any other place in the United States where they have to use a high-nitrogen content fertilizer, with the result also that diseases have appeared in those areas that were unknown and are unknown where natural humus has been used to fertilize the soil.

What are the answers to all this? Do we know? Where are we going in this food supply of the Nation? Are we going to continually debase our food supply until human beings in this Nation do not know, when they go into a store, whether the thing which they are buying contains nature's products or are the products of a chemical laboratory? Not know whether it contains the nutrition which they learned from use to find in a particular product, in a synthetic product feeling just as good, smelling just as good, and tasting just as good, but produced from nonnutritious substances in the form of chemicals?

I think it is an important question. I do not have the answers, but I will tell you right now I want those who are interested in this subject to know and understand that there are people in the Congress of the United States who are alert to this problem and intend to watch it very, very closely, to the end that no product may come upon the market to be sold as food to the American people that does not meet the standards of nutrition and safety that any food ought to meet.

Mr. CHRISTOPHER. Mr. Speaker, will the gentleman yield?

Mr. KEEFE. I yield.

Mr. CHRISTOPHER. You asked where we are going. In my humble opinion, we are following the course that the nations of antiquity followed, because as the things we eat deteriorate in value so will the health of our citizens deteriorate in value. My father never heard of rickets amongst his livestock. He never heard of pigs being born hairless. He never heard of Bang's disease. He never heard of mastitis. Our soil is sick, and our livestock are sick because they eat the products of a sick soil. Our human beings are sick because they eat animal products that grow on the grain and grass produced on a sick soil. Now they are going to make it worse by giving us chemicals along with our eats that have already deteriorated because our soil has deteriorated. We are going to have to save the soil of our land and eat less chemicals in our diet, or else we will have less than a hundred years of national virility left to our country.

Mr. KEEFE. I thank the gentleman again for his contribution to this argument. I am not here to predict what the future may hold, but I do know that the scientific thought of the Nation is aware of this problem and that there are some men who are more interested in science and in the promotion of human welfare than they are of money, who are devoting themselves to an attempt to find a solution and an answer to this problem of the constant, ceaseless increase in the amount of synthetic products that are finding their way into the food of the Nation.

The question is, What is the effect going to be upon our total economy? What is the effect to be upon the dairy industry? What is the effect to be upon the livestock industry? What is the effect to be upon human beings? I think, Mr. Speaker, that it is a subject worth discussing and worth understanding; and so far as I am concerned, I propose to see to it that these hearings that are being conducted are very carefully watched, analyzed, and surveyed to the end that anything that is done may be done in the light of known, proven, scientific experience; and that will promote an administration by those who would substitute for natural food, would promote by scientific demonstration, that the use of those foods is not only nutritious but not deleterious to public health.

Mr. JENNINGS. Mr. Speaker, will the gentleman yield?

Mr. KEEFE. I yield.

Mr. JENNINGS. I wish to commend the fine address the gentleman has just made. He has been thinking about this matter; he has explored a question that is of supreme importance to the agricultural interests of this country, to the health and vitality of the people of this country, and has opened up a field that if his investigation is pursued—and I know he will pursue it, and I think he started the chain of thought that is in the minds of all of us—will result in incalculable good to the people of this country.

Mr. KEEFE. I thank the gentleman.

Mr. O'SULLIVAN. Mr. Speaker, will the gentleman yield?

Mr. KEEFE. I yield.

Mr. O'SULLIVAN. I wish to compliment the gentleman on his timely discussion and the nice way in which he presented his subject. I believe, however, that he has just scratched the surface.

I had occasion last year to listen to a scientist lecture to a group at the Te Deum International in Nebraska. This scientist went on to explain all of the substitutions that would take place in the future as far as food was concerned. He said that he was prepared—of course at great expense—to make any kind of meat you wanted, veal, chicken, beef, or pork from sawmill refuse and things that were not nutritious in the first instance; and he rather glowingly and with a great deal of pride pointed out the fact that we would not need vegetable life or animal life, or anything else in the years to come except fine, pure, synthetic foods. He did not seem to be a bit abashed about it; he thought it a great accomplishment and that perhaps in the end when we ate all of this fine scientific food we would discover the sweet mystery of life.

Mr. KEEFE. Perhaps that may come in the gentleman's lifetime or in mine; however, I doubt it. We may ultimately become a race of people without teeth, and without hair, and maybe without brains; I do not know; it looks as though we were headed in that direction pretty rapidly.

But the point is that in the short period of time available for this discussion I, of course, have not had an opportunity to go into all of the ramifications of the utilization of cellulose products, wood products, chips, shavings, and sawdust which I know are being converted and can be converted into various substitutes; I am relating it solely and clearly to the proceedings that are now appearing before

the Pure Food and Drug Administration and the proceedings involved therein.

Mr. PRIEST. Mr. Speaker, will the gentleman yield?

Mr. KEEFE. I yield to the gentleman from Tennessee.

Mr. PRIEST. The gentleman from Wisconsin has rendered a very valuable service in bringing this matter, as he has done so well, to the attention of the House. As a member of the Committee on Interstate and Foreign Commerce I have been familiar through the years with the gentleman's interest in such matters, in health legislation, and in legislation to protect the American people as nearly as possible. He has appeared before that committee a number of times. I appreciate his interest and I hope we may give a little more attention to the hearings that the gentleman has discussed this afternoon.

Mr. KEEFE. I thank the gentleman very much for those kind remarks. Of course, I am interested in the public health. Every Member of this Congress knows that. I am devoting myself to that phase of legislative activity. I am devoting my time to this subject because I conceive of nothing that is of greater importance to the people and this country than the preservation of the health and the welfare of its people.

I am proud of the progress that we have made by which we are allowing people to grow old gracefully, to live longer, and to live a more full and richer life. I do not want to see come into the picture anything that is going to change and debase that program until there has been a full scientific exploration of the subject that will demonstrate the possibility of the effects on human life and human welfare by the constant and everlasting debasement of our food supply through the substitution and use of chemicals instead of nature's products.

Mr. Speaker, to supplement my remarks I ask unanimous consent to include this statement which I have had prepared dealing with the development and use of the chemical compounds to which I have referred; also two articles on the subject which have appeared in the periodical press:

THE DEVELOPMENT AND USE OF SURFACE-ACTIVE COMPOUNDS (POLYOXYETHYLENE STEARATE)

I. HISTORICAL

Throughout history natural surface-active compounds have been used both as foods and for industrial purposes. As an example, egg yolk is used in foods to produce smooth and stable emulsions such as mayonnaise, ice cream, baked goods, etc. Natural fats containing mono and di glycerides are also valued ingredients for baked goods because of their dispersing qualities, as well as their nutritive value. In the industrial field, soap represents perhaps the earliest surface-active substance and continues to this day to be utilized for a wide variety of purposes. Specifically treated oils such as sulfonated oils (turkey red oil) have been used throughout industry for highly specialized lubrication purposes.

Increased knowledge of surface activity led chemists to the development of many highly specialized chemical agents of surface-active properties more specific than those found in products existing in nature. Leading this development were several German chemical manufacturers, most notably the I. G. Farben Co. One of the early developments of this company was the sulfonation and hydrogenation of fatty acids in the production of synthetic detergents. Continued research on the part of the Farben Co. produced a wide variety of chemical compounds, some of which were made from either natural fats or fatty acids and some from entirely nonbiological sources. Among the Farben developments prior to the war was the utilization of the gas, ethylene oxide, obtained from natural gas, petroleum and from brown coal, in the production of long-chain polymers known as polyoxyethylene glycol.

The synthesis of the polyoxyethylene glycols was introduced in the United States shortly before the beginning of the war and commercial exploitation started at about the same time. The first exploitation was made by Carbide & Carbon Co. in the production of polyoxyethylene glycols for industrial usage under the trade name Carbowax. This firm has marketed many grades of Carbowax, differentiating between them by means of their molecular weights. These products have found use in the detergent field, in preparation of defoaming agents, in the textile field and elsewhere.

In 1945 the Atlas Powder Co. began the application of the ethylene oxide synthesis to products designed for us in food. Their first products consisted of a series known as the Tweens made originally for use in cosmetics, but later extended to use in foods. In the production of Tweens the polyoxyethylene glycol was produced as a portion of a product known chemically as polyoxyethylene sorbitan monostearate. The stearate portion of the compound comes from stearic acid produced from natural fat; the sorbitan portion is produced by the hydrogenation of corn sugar; and the ethylene oxide portion is produced as above outlined. The percentage of fatty acids used in the manufacture of Tweens varies over a wide range from a low of 12 to 14 percent to a high of approximately 40 percent. It is therefore apparent that the bulk of the Tween molecule is produced from products other than fat.

In 1946 the Atlas Powder Co. also introduced a series of compounds known as the Myrjs. These compounds consist of the reaction product between fatty acids and polyoxyethylene glycols of varying molecular weights. The fatty acid portion of the Myrjs ranged from a low of 6 percent to a high of approximately 44 percent. It is apparent that the Myrjs contain but a small fraction of natural fat in their makeup.

Prior to the introduction of the Tweens and Myrjs the Atlas Powder Co. developed a third line of emulsifying agents under the trade name Spans (1935). Spans consist of fatty acids and sorbitan but do not contain the ethylene oxide polymers. These compounds have been used for many years in the preparation of cosmetics, in textile manufacture, and to some extent in foodstuffs.

In 1947 the Glyco Products Co., as well as several smaller chemical manufacturers, began the manufacture of compounds similar to Atlas Powder Co.'s Myrjs by reacting the polyoxyethylene glycols produced by Carbide & Carbon Co. with fatty acids purchased from manufacturers of industrial fatty acids. Dow Chemical Co. has recently entered the field with the production of polyoxyethylene glycols for use in the preparation of Myrj-type or Tween-type materials.

The patent situation regarding many of these compounds and processes for their manufacture is very complicated, with quite a few of the basic patents originating with I. G. Farben in Germany. For that reason, manufacturers find it easy to enter this business by making satisfactory arrangements through the offices of the Alien Properties Custodian.

Products now sold for food use are many. They are marketed under such trade names as Myrj, Tween, Sta-Soft, Ever-Soft, Topskor, Emulgene, etc. Nearly all of the various brands are sold by sales agencies other than those of the primary manufacturer. Nearly all are made from products produced by Atlas Powder Co., Glyco Products Co., Dow Chemical Co., Carbide & Carbon Co., or by various combinations. With the exception of the Atlas Powder Co. no organization seems to do a complete manufacturing job from start to finish.

II. ECONOMICS

Ethylene oxide is a gas produced from petroleum and natural gas at a very low cost per pound. It is reacted with water in the production of polyglycols as previously mentioned. Since both of these raw materials are in bountiful supply and are cheap, it is obvious that the quantity of polyoxyethylene glycols which can be produced in this country is unlimited and that the unit production cost represents a negligible figure when comparisons are made with natural food fats. The fatty acid portion of the various compounds is usually a commercial product produced from inedible fats by companies specialized in fatty acid preparation. It could also be made at increased cost from edible fats. Since the fatty acid portion of these compounds is small, however, availability is not much of a problem.

As previously indicated, these products are distributed through numerous sales agencies such as bakery supply houses, chemical distribution firms, private laboratories, and even by private individuals. They are also distributed by certain specialists who blend them with flour, soybean meal, whey, sugar, and water. The number of blends now on the market is quite large, but most make use of some cheap carrier—for example, water or flour—in order to widen the profit margin. It should be emphasized, however, that some companies are selling the products in their concentrated form and are not attempting to dilute them with such carriers. In all cases the profit margin—the difference between production cost and sales price—is extremely wide, far beyond anything known on a large scale in the food business. For example, a fair cost estimate for a Myrj-type product is approximately 11 or 12 cents per pound and current selling prices for this item range between 45 and 55 cents per pound. Since the quantity used in food manufacture is small, and since its use eliminates the need for many other ingredients—fats, and to some extent milk and eggs—the high cost can be more than compensated through reduced usage of these natural food products.

III. PURPOSES OF PRODUCTS AND RECOMMENDED USAGE

These chemical emulsifying agents serve a useful purpose in food manufacture in that they produce more finely divided emulsions than can be achieved by other means. For example, ice cream containing such materials will be found to have a smoother texture than other ice cream—particularly if the control ice cream does not contain egg yolk. Bread will be found to be softer and more tender because of the use of these chemical emulsifiers, particularly if the bread with which comparisons are made contains little or no shortening. If the bread contains a normal amount of fat, however, these agents often will produce inferior bread because of resulting gumminess and excessive fragility. It is therefore almost axiomatic that once the baker decides to include chemical emulsifying agents in the bread formula the fat content will be reduced to a point where the use of the chemical is made possible. Such a reduction in fat content will produce a net saving to the baker over and above the cost of the chemical emulsifier. This reduction can be carried to the point where the entire quantity of fat can be eliminated from baked goods, including both bread and cake, and such recommendations have been made by

many of the sales agencies in charge of distribution of these chemicals.

Products of the Span, Tween and Myrj type are now being used in a wide variety of foods, namely: Bread, cake, doughnuts, cereal mixes, peanut butter, ice cream, candy, salad dressing, milk drinks, synthetic whipping cream, pickles, flavors, many others.

It is apparent that such usage will grow as price competition invariably created through the nutritional debasement of the original food is developed. These conditions will force other manufacturers to adopt similar questionable practices. It may be claimed by some that these chemical emulsifying agents improve the physical properties of certain foods. However, the possibility of nutritional debasement and deception is so great that these factors should not be ignored when evaluating the true purposes behind the use of these materials.

IV. NUTRITIONAL ASPECTS

These products were sold to food manufacturers long before their harmlessness in foods had been investigated. This shows the character of the manufacturers. Investigations now in progress do not indicate clearly that harmlessness to the general welfare can be established. In fact, this is one of the most controversial aspects of the problem now facing the physiologists and nutritional experts throughout this country. Some investigators believe that these compounds increase the virulence of certain bacteria, for example mycobacterium tuberculosis. Another group of investigators have indicated that their ingestion over a long period of time might also produce increased tendency to vascular diseases, such as arteriosclerosis. This is a matter, however, which must be settled by experts in the field of physiology.

The nutritive value of the products is also an unsettled question. It is claimed by the proponents of these products that they are part foods. It is claimed that the fatty acid portion is assimilated in the same manner as is other fat, and that the polyethylene glycol portion is excreted by the body as waste material. Since the polyethylene glycol portion makes up by weight from a high of 92 percent to a low of 56 percent of the entire weight of the emulsifier, it is obvious that the true nutritional value cannot be great, even if the theory that these things are part food is accepted. Accepting the part-food theory, 1 pound of polyoxyethylene stearate will produce at best 1,700 calories and at worst 280 calories. (There are many types—hence the great difference.) As a basis of comparison, 1 pound of shortening or lard produces 4,200 calories. Since 1 pound of the emulsifying agent replaces from 3 to 6 pounds of shortening or lard in actual practice, it is evident that the caloric intake will be reduced far beyond the figures indicated by a direct pound for pound comparison.

Accepting the part-food theory as fact and also accepting the tendency of the competing food producers to lower production costs through substitution and reduction of fats, it is evident that the ultimate consumer will be victimized by a direct deception in that he has no convenient way of measuring real nutritional values. It is believed that the best possible nutritional evaluation which can be made will lead directly to the possibility of deception.

Some nutritionists doubt that certain of the emulsifying agents furnish any food value whatsoever, and feel that the materials should be classed as nonnutrients. There are many examples in the food and drug records concerned with the use of nonnutrients in food products, either direct or as replacements for nutrient materials. The use of saccharin in soft drinks, etc., is a good example concerned with the use of a nonnutrient capable of replacing a nutrient. Precedents exist for the definition of such practices as adulteration and it is believed that these precedents apply whenever such materials are used to replace fat, milk, eggs, or other nutrients commonly used in food products.

It is well known that the consuming public depends more and more on food processors for their total food intake. Food preparation in the home has declined over the years until food manufacturers have become so important in the supply of finished food products that it is clearly a matter of public interest. This theory has been recognized by the Federal authorities and efforts are now being made to develop minimum standards of identity for many basic food products. For example, hearings for the definition of mayonnaise and salad dressings were concluded before the Federal Security Agency early in 1948. It was proposed by the manufacturers of these chemical emulsifying agents that they be approved for use in those products. It is also well known that they have been proposed or will be proposed for use in cheese preparations, ice cream, and a host of other food products whenever such products are defined.

V. STANDARDS OF IDENTITY FOR BREAD, ROLLS, BUNS, AND RELATED PRODUCTS

Hearings are now in progress before the Federal Security Agency, Food and Drug Administration, for the development of standards of identity for bread, rolls, buns, and related products. The entire series of chemical emulsifying agents described herein have been proposed for inclusion in these standards. It is evident from the intense effort being made by the proponents of the chemical emulsifying agents that they consider the bread-standards hearing to be the crucial test concerned with Government approval for use of these materials in all foods. The amount of effort being expended is most unusual for a hearing of this type. The subject already has been discussed in the bread hearing for more than a month and will likely continue for an additional 1 or 2 months. It is evident that the financial expenditure concerned with the inclusion of these materials in bread has been extremely large.

The proponents of the compounds deny intent to defraud the consumer through a reduction in fat content and milk content of bread, but they do not deny the allegation that the use of their material will make such reduction possible. It has been admitted that some of the sales agencies handling these materials have recommended such reductions in fat content and milk content of bread. The proponents of these materials have also claimed that the nutritional value of bread would be decreased by the exclusion of shortening from the formula, but their experts have contended that such a decrease in nutritive value would be of little or no importance to the American consumer. They do not appear to realize that bread and other baked products convey to the consumer over 40 percent of the total shortening and lard intake. Their claims concerned with lack of importance of nutritive value are invariably based on the caloric value of one slice of bread or some other extremely small unit. The fallacy of such an argument may be easily understood if consideration is given to the fact that cereal foods such as bread and other baked goods furnish more than one-third of the total energy consumed by the public. In fact, some nutritionists have estimated that 38 percent of the total food of this country is consumed in the form of cereal products. It is well known that the percentage is even higher among members of the low-income groups, children, and the aged. A reduction in the food value of bread would prove a calamity for this group.

Although only bread and related products are being discussed in the current hearings, cereal mixes and even household baking will likely be affected by the decision. It is apparent that the total effect of these compounds on the consumption of fats and other valuable foods will not be limited to the reduced usage within the bakery field.

VI. EFFECT ON AGRICULTURE

These chemical emulsifiers have been used in a limited way in the manufacture of food products since their development. To the extent of their use as a substitute, the consumption of agricultural commodities has been reduced. A great many manufacturers of food products have been reluctant to use them until their harmlessness or harmfulness has been definitely established. If, as a result of hearings now in progress before the Federal Security Agency, their use is sanctioned by Government approval, the extent of their usage will become widespread in the manufacture of a great many processed foods. Some of the foods in which these chemical emulsifiers are used are listed elsewhere herein. Their approval by the Government poses a serious threat to agricultural commodities for which they are used as substitutes. The extent of this threat is indicated when consideration is given to the fact that bread, cereal mixes, and bakery products now account for over 40 percent of the domestic consumption of lard and shortening. These two food processing industries alone consume about 1,350,000,000 pounds of lard and shortening annually. It is estimated that the use of these chemical emulsifiers, if approved by the Government, will reduce this rate of consumption by at least 500,000,000 pounds. The extent to which the chemicals are used will of course determine the amount of the reduction. It is possible for their use to almost completely replace the use of fat by these industries.

The literature of some suppliers of chemical emulsifiers recommends a reduction of both milk and fats in the manufacture of bread. In other bakery products such as cakes, a reduction of milk, eggs, and fats is recommended. The baking industry consumes upward of 225,000,000 pounds of powdered skim milk (equivalent to 1,800,000,000 pounds of fluid milk) and nearly 200,000 pounds of eggs (167,000,000 dozen) annually. The United States Department of Agriculture in one of its publications stated that 10 percent of the farmer's income is derived from fats and oils. The combined effect of these reductions in the use of agricultural commodities constitutes a very serious threat to the American farmer.

[From Newsweek Magazine of February 14, 1949]

SYNTHETIC LARD

American farmers, already plagued by falling prices, face more and more competition from synthetic products. Before the war cotton and wool growers had to fight underselling by synthetic fibers. Now producers of fats and oils, both animal and vegetable, are moving into a market war with synthetics. Sales of war-developed detergents are cutting domestic consumption of soaps made from natural fats. The newest threat is a synthetic substitute for lard for use in bread and other baked goods. Developed by the Atlas Powder Co., it already is being used by some bakers. Packers have protested use of the synthetic to the Food and Drug Administration, asserting that it reduces the food value of the baked goods. The outcome depends on whether the administration's forthcoming decision classifies the synthetic as a standard ingredient of bread.

[From the New Leader of January 15, 1949]

IS THIS YOUR DREAM BREAD?

(By James Rorty)

Hurry, hurry, write now, or you'll eat polyoxyethylene monostearate and like it.

Our millers and bakers are not devils. Hence when they are sick—and they have been sick for over two years, ever since a British nutritionist discovered that agene, their favorite bleach, gives dogs fits—they do not aspire to sainthood.

Instead, they go into a kind of howling dog-in-the-manger hysteria. Being unable or unwilling to provide the American people with a decent loaf of bread, they are determined to freeze the American bread formula so that in effect nobody else will be permitted to do so.

That's exactly what will happen, too, unless the customers are heard from loudly and numerously during the next few weeks while the bread hearings are on in Washington and before the Food and Drug Administration promulgates a new standard of identity for white bread.

Do you know what white bread is? Did you think it was a comely brown-crusted something, fragrant and pleasantly edible, made of wheat flour, water, salt, sugar, shortening and yeast?

That's what grandma thought too, but you and she are both wrong.

Bread—take it from the lawyers and baking technologists of the milling and baking industries—is a bloated and starched phony that tastes like wallpaper paste. It is composed of the above ingredients plus chlorine dioxide (instead of agene, which must be discontinued after August 1, 1949), benzoyl peroxide, sodium alum, potassium bromate, polyoxyethylene monostearate, etc., etc., etc. Food and Drug permits use of about a score of such chemicals without declaration on the wrapper in its proposed standard of identity for white bread.

That's your dream bread. All these chemicals, none of which adds anything to the nutritional value of bread and some of which may eventually be proved dangerous, as agene was proved dangerous, are necessary to achieve the consumer's concept of white bread. I quote the language of the Food and Drug Administration.

Understand, that's allegedly your idea of white bread. But you mustn't be permitted to know that it is your idea—that these chemicals are part of the white bread concept. Because if you did know it you might not wish to buy this dream bread of yours.

Excuse it, please. I know it sounds crazy, but that's the way it reads in the book. If you don't believe it, get the Federal Register of October 14, 1948, and see for yourself.

All these dubious chemicals may be used in white bread without declaration on the wrapper. On the other hand, it is not permitted to add good, wholesome, nutritionally valuable ingredients such as wheat germ, soya flour, dry yeast, and corn germ, except in quantities too small to affect appreciably the nutritional value of the bread; more cannot be used without so changing its characteristics that it will not meet the consumer's concept of white bread.

That, again is the language of the Food and Drug Administration in a letter to this writer. Of course it is strictly Alice-in-the-Wonderland nonsense—but lawyer's nonsense, deliberate nonsense calculated to make money for chain bakers, not to make blood and bones in children.

The baking industry's lawyers cook up this metaphysical gurry about a consumer's concept of white bread, and seemingly the Food and Drug Administration feels obliged to swallow it. So that when you prod them they spit it out right into your hand.

It is easy to cut through this nonsense. Dr. Clive M. McCay, Cornell nutritionist, cut through it at the bread hearings a month ago, contemptuously, and with not a word of effective comeback from the industry lawyers who fretted and fumed around him.

"What's the matter with open formula labeling?" asked Dr. McCay. That's the way we feed cows and dogs: measured and tested nutritional quantities, with the amounts of the ingredients and the analysis printed on every bag. Standard of identity? What's the matter with unbleached flour, water, shortening, salt, sugar and yeast? These ingredients make bread, although it is a lot better if we add 2 percent of wheat germ, 6 percent milk solids, and 6 percent high fat soya flour. Bread made to this formula is baked for and sold by the Ithaca (N. Y.) Cooperative. It has been bioassayed in the Cornell laboratories. It promotes the growth of rats; seven brands of commercial bread sold in Ithaca, all satisfying that lawyer-concocted consumer's concept of white bread, do not promote the growth of rats; you have to add to these commercial breads 10 percent of dry yeast before the rats begin to grow.

By this time the industry lawyers were frantic. They demanded that Dr. McCay qualify himself. They should have known better. In the first place, McCay is one of the top-ranking nutritionists of the country, a professor in the school of nutrition at Cornell, and for 3 years during the war nutritionist for the Navy. In the second place, he has done more practical work with bread, in all probability, than any other nutritionist in America. In the third place, he chose to enrage the industry lobbyists by testifying, not as a university professor but in behalf of the highly successful Ithaca Cooperative, of which his wife is a director.

In response to heckling, Dr. McCay testified that 40 percent of the bread sold by the Ithaca Co-op is Co-op bread, in spite of the fact that it sells for a 3-cent premium over competing breads. The Co-op baker can't bake enough of it and commercial stores are clamoring to be supplied.

Recently Dr. McCay, with the energetic cooperation of the Republican administration at Albany, has introduced an excellent bread made to approximately the same formula, into New York's State insane asylums. A well-known chain baker would like to bake it and sell it but is waiting for the results of the lawyers. If the bakers' lobby wins and the Ithaca Co-op bread and similar bread can't be sold as bread in interstate commerce, New Yorkers will still have one chance left of getting to eat a decent loaf of bread. They can get themselves committed to the nearest mental hospital.

But the baker's lobby doesn't have to win. A show of force by consumers would change the climate of the hearings overnight. Write Mr. Oscar Ewing, director of the Federal Security Administration in Washington of which the Food and Drug Administration is an arm. Write him that you are a consumer and that your concept of white bread is unbleached wheat flour, water, salt, sugar, shortening, and yeast; that any level of a selected list of ingredients such as dry milk solids, dry yeast, wheat germ, and soya flour may be included, and that these ingredients and their amounts must be listed on the wrapper along with all the chemicals used in the bread mixture; that these open-formula declarations on the wrapper must include any and all bleaches and improvers used as substitutes for agene; that softeners, such as polyoxyethylene monostearate should be prohibited since their only purpose is to cheat the housewife by preventing her from telling whether bread is stale or not.

If you are a farmer, point out that the proposed standard of identity permits fortification of bread with synthetics, but freezes out the farmer's products; that not until the American people are given a decent loaf of bread will bread begin to recover its slipping place in the American dietary—something to think about in view of looming wheat, soya, and milk surpluses.

If you are an organized worker, make the same point, plus the fact that since low-income families use a relatively large percentage of bread in their diet it must be good bread that promotes the growth of both rats and children.

Write Mr. Ewing today. He is reported to have a rather sensitive political ear, and he just might listen.

EXTENSION OF REMARKS

Mr. FURCOLO asked and was given permission to extend his remarks in the RECORD and include an editorial from the Springfield Union.

Mr. SANBORN asked and was given permission to extend his remarks in the Appendix of the RECORD in two instances and include extraneous matter.

Mr. DAVIS of Wisconsin asked and was given permission to extend his remarks in the Appendix of the RECORD and include a newspaper editorial.

The SPEAKER pro tempore. Under previous special order of the House, the gentleman from North Dakota [Mr. BURDICK] is recognized for 10 minutes.

OLD-AGE ASSISTANCE

Mr. BURDICK. Mr. Speaker, that this Congress can fully understand just how the old-age assistance operates, in North Dakota at least, and probably elsewhere as well, I desire to submit an actual case for its consideration.

In my files there is a letter from a North Dakota man, 74 years of age. He had never asked for any assistance until this past winter. However, the long, hard winter forced him to seek relief. He applied to his county welfare board, expecting that aid would be forthcoming within a reasonable time. He felt this way about it because he had never asked for any assistance before, and that fact, together with his age, seemed certain to guarantee a decision in his behalf.

You can imagine how he felt when he received the answer from the county welfare board. In typewritten form, on a document called Notice of Decision, it read:

> This is to inform you that your application for old-age assistance has been denied inasmuch as the county welfare board feels you are still able to work, and, therefore, ineligible for assistance.

The printed body of the notice gives him 30 days in which to appeal from the decision of this board. With all the facts before that board including the age of the applicant, a rehearing before the same board would be a useless matter.

Just how old an applicant must be before he can qualify, the board does not say; nor do they explain just what physical infirmities must be present in order to qualify the aged. I am led to presume that if the old man in this case can still drag himself around, he cannot obtain any relief. The fact that this citizen is 74 years of age makes no impression on his welfare board; the fact that this applicant has not asked for assistance before also falls on deaf ears.

This case brings forcibly to our attention the fact that our present old-age assistance program is nothing more or less than a straight poorhouse plan, and under some of the welfare boards a man could not even get to the poorhouse if he was able to drag himself around.

I have advised this old man of 74 to wait until he is 94 and then try this county welfare board again. In the next 20 years they may change their minds or maybe the complexion of the board will

change; or better yet, this Congress may pass a system of pensions that come to the aged as a matter of right and not through a pauper's oath. I do not know how all Members feel about this case, but the action of this particular board was a shameful performance, and from the letters I get, such practices are widespread throughout the Nation.

I do not know to what extent my influence may go, but I serve notice right here that I will not vote for a dollar to be sent to Europe or to any foreign country—not one dollar—until the aged, the crippled and the blind, and other unfortunate people here in these United States are taken care of first.

This part of the President's program is the right program, and regardless of party, I will support it.

The great majority of this House wants a better program for the aged, but there are so many plans, and each has a following, that our forces are split. As you all know, I have supported the Townsend plan for 10 years in Congress. I have seen this movement force a little aid to the aged, but the time has come when we must get a full and just pension for the aged. While striving for their own preferred plans of a pension system, the liberal forces of this House must get together on some one plan, regardless of what plan, what author, or what political party is behind the move.

Can we command the respect of the nations of the world, can we be proud of our participation in international leadership, when these nations know how we treat our own people?

When we are striving to establish world peace—when we are striving to demonstrate to the world that a democracy is a better system of government than communism—when we are before the equity court of the world, seeking only justice and equality for all, we should come into that court with clean hands. Unless our hands are clean, how can we expect to ask justice for others? I say to you our hands are not clean when we are forced to admit that there is no help for the unfortunates of this democracy except through charity and alms-giving. We have to face the cold, hard fact that before we aid the aged in the United States they must be reduced to a condition of pride-killing pauperism and even then, our welfare boards may still turn them away.

As the richest nation on earth, as a nation seeking to lead the world in peace, we must change our course of action if we wish to convince others that here in this great democracy every citizen is not only guaranteed the three cardinal principles of the Declaration of Independence—namely, life, liberty, and the pursuit of happiness—but also that here every citizen, old or young, enjoys those rights. If we actually lived, day by day, the principles we preach, how easy it would be to present to people everywhere the blessings and advantages of a democracy over any other form of government operating in the world today. Our example would foster belief—a conviction that cannot be bought alone with our billions of Marshall-plan dollars.

It is a noble ambition to bring the "four freedoms" to people everywhere, but still a more noble ambition to bring those "four freedoms" to our own people. One of these freedoms is the freedom from want. Let this Congress grant that freedom to our aged, our crippled, and our other unfortunates.

The SPEAKER pro tempore. Under previous special order of the House, the gentleman from Minnesota [Mr. BLATNIK] is recognized for 15 minutes.

THE ST. LAWRENCE SEAWAY

Mr. BLATNIK. Mr. Speaker, on February 15 I introduced House Joint Resolution 161, which approves the Canadian-American agreement for the construction of the St. Lawrence seaway and power project. Since this project is international in scope, the resolution which I have offered confines itself purely to the approval of this international agreement, leaving for later determination such domestic administrative problems as the charges of tolls on the waterway and the management of the power project.

The New York Times in an editorial on February 23 takes exception to my bill on the grounds that it contains no provision to turn over to the control and management of the New York State Government the power project which is to be built with Federal funds.

POLITICAL DOUBLE-TALK

First let me say that I would be more inclined to take seriously the New York Times' expression of concern if its past record toward the St. Lawrence project showed anything but constant and continual opposition to it in any shape or form. When the Senate was considering Senate Joint Resolution 111 last year the New York Times was vigorously opposed to its passage, even though this specific proposal contained provisions to transfer the power project to the State of New York. At that time the Times was following a consistent line expressed by others from New York—the record will show that one of the reasons why Senate Joint Resolution 111 was returned to committee in 1948 was the opposition of the junior Senator from New York [Mr. IVES].

There are several other St. Lawrence bills now before the Congress which contain provisions for transferring the power to New York. Just as the record shows no particular evidence of support for Senate Joint Resolution 111 in 1948, neither does it show any support for these other measures today from the New York Times, the Governor of New York, Mr. Dewey, and his party's Representatives from New York in the House, with the notable exception of my friend and colleague the gentleman from New York, Representative KILBURN.

If the New York Times, and particularly the Governor of New York, and any representatives and spokesmen of the State, in and out of Congress, are really interested in securing the St. Lawrence project and in controlling the power phase as a State-managed project, all they have to do is to express their support for these various other St. Lawrence bills introduced by Representatives KILBURN, of New York; DONDERO, of Michigan; and O'BRIEN of Illinois. Such support would be proof of their good intentions; and their complete silence concerning the support of these other bills containing provisions for the transfer of power to New York is indicative of the fact that they are more interested in obstructionist arguments than in constructive cooperation for the realization of the joint project.

Their lack of good faith is also proved by the fact that the Republican leadership in the New York State Legislature is at this very time promoting a resolution to memorialize Congress for the construction of the power project alone. As this is an impractical, uneconomical, and unfeasible proposition, one cannot help but come to the conclusion that again the Governor of New York is busily engaged in manufacturing campaign issues for his future use instead of cooperating honestly with the Federal Government in the construction of the dual-purpose project. Any practical person would know that if the Governor of New York and the Representatives of New York in Congress want the St. Lawrence project constructed all they have to do is express their support for a bill of their own liking. Their silence on this point and the diversionary activities in Albany cast serious doubt upon the sincerity of their intentions.

NATURE OF AGREEMENT WITH NEW YORK

Mr. Speaker, I want to say a few words on the nature of the existing arrangements or agreements between the State of New York and the Federal Government concerning the transfer of the power project to the jurisdiction of this State.

First, it must be made an unmistakeable part of the record that there is no agreement with any validity or force of law.

Secondly, decisions of the Supreme Court have established beyond any shadow of doubt that the authority of the Federal Government is supreme in navigable waterways. The St. Lawrence is not only a navigable waterway but it is an international stream, controlled by agreements between the United States Government and Canada. Therefore the Federal Government's rights in this river are beyond question.

Thirdly, the St. Lawrence project in accordance with the Canadian-American agreement, will be constructed in part by the United States Government and in part by the Government of Canada. The provision contained in many St. Lawrence bills to transfer the power project to New York, is a proposal to sell Federal property to that State. This can only be done by an act of Congress. No other agency in the Federal establishment can sell, dispose, or transfer such Federal property to any party without congressional approval.

Fourth, since there has never been any such congressional approval of the transfer of the St. Lawrence power to New York, any understandings that have been expressed in the past have been informal

expressions of willingness to come to an agreement by the various officers of the Federal Government and of the State of New York.

Finally, even the moral effect of such informal understandings and expressions of willingness to reach agreement has been destroyed by the actions of the Governor of New York in proposing the development of the power project separately. This is because these earlier understandings were based upon the premise of dual-purpose development of the river and allocations of cost based upon such dual-purpose development. The proposals of the State of New York to develop the power project alone, and to defer the seaway, have not only destroyed the validity of any informal understandings between Federal and State officials but they even threaten to destroy the Canadian-American agreement, which is also based on a dual-purpose development.

JOINT SEAWAY-POWER DEVELOPMENT ONLY FEASIBLE PLAN

Mr. Speaker, I realize, as do many of my colleagues, that it is not a feasible or profitable undertaking to give advice and counsel to the Governor of New York, who is still intent upon running the affairs of the Federal Government and the United States Congress from his vantage point in Albany. But I cannot refrain from expressing the hope and wish that my friends from New York will realize that if they want the St. Lawrence power project at all, and if they want to control the project in any manner, then the only way they are going to realize their often-expressed desire is to support the dual-purpose project now before Congress. Any other approach, no matter how plausible, will merely manufacture profitless argument and campaign issues of dubious value which may serve the ambitions of those who do not give up the rainbows of political preferment very easily. Any other approach will certainly not give the people of New York and New England the power they so desperately need, nor will it serve the needs of our great midwestern industry and agriculture—these needs for the St. Lawrence navigation facilities so important to our future prosperity and economic development.

In connection with the distribution of St. Lawrence power, I will make one more point which is seldom mentioned. It is the duty of the Federal Government and Congress to concern itself with the interests of New England as well as that of New York. In its February 23 editorial, the New York Times lays claim to all the St. Lawrence power for the State of New York. It is a fact, however, that the States of Vermont, New Hampshire, Massachusetts, and Connecticut are suffering from power shortages as severe as that existing in New York. Although the Governor of New York and the New York Power Authority have given lip service to sharing the power of St. Lawrence with their neighboring States, this arrangement to equitably distribute this power will take time and work.

It merely complicates the approval of the St. Lawrence seaway and power project with endless argument about domestic policy, and obstructs the construction of the project to insist that all the problems regarding the distribution of St. Lawrence power be settled before this international agreement is approved.

I wish to call upon the House at this time to cast aside all narrow sectionalism and partisanship, and take action at the earliest possible time to approve the agreement with Canada for the construction of the St. Lawrence seaway and power project which is so necessary to our national defense and the economic welfare of our country.

Mr. Speaker, under leave to extend my remarks, I include the editorial from the New York Times of February 23. This is the editorial to which I have just referred, and which is self-explanatory, reflecting the approach and the thinking of so many enemies of the St. Lawrence seaway and power project:

ST. LAWRENCE POWER

Since the United States and Canada in 1941 agreed formally to carry out the St. Lawrence seaway and power project more than 20 bills in approval have been introduced in Congress. All stipulated that the hydroelectric power plant to be constructed was to be turned over to the State of New York, provided the State paid its share of the cost. Now comes Representative BLATNIK, of Minnesota, with a resolution that flies in the face of State ownership and calls for federalization. His is the first bill that repudiates a Federal-State accord which has been endorsed by every President and by every government of the State since 1933, as well as by the Corps of Engineers, the Federal Power Commission, the State Department, and every other Federal agency concerned with the development of the St. Lawrence.

If a St. Lawrence hydroelectric plant generated an excess of power that could be utilized in New England a case for federalization might be made out. But there has long been a shortage of electric power in upper New York. Even in the New York City area the demand for electric power exceeded the assured supply in 1947. Such is the demand for power that the public-utility companies of the State are prepared to install new generating capacity of 280,000 kilowatts in the New York City area alone and 354,000 kilowatts elsewhere. If we now had both St. Lawrence hydroelectric and the planned public-utility steam power the State could utilize it all.

Since the American portion of the St. Lawrence plant will lie within the boundaries of the State and since the State needs all the power that it can obtain there is no need of federalization. Representative BLATNIK'S bill can serve no other purpose than that of granting the Federal Government rights for which it has never asked and for which there is no justification.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include an editorial appearing in the New York Times.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Texas [Mr. PATMAN] is recognized for 25 minutes.

LOBBYING GROUP—UNITED STATES CHAMBER OF COMMERCE HITS NEW LOW ON GALLUP-TYPE POLL—SMALL-BUSINESS MEN MISLED INTO VOTING AGAINST THEIR OWN INTERESTS AND IN FAVOR OF THEIR MONOPOLISTIC COMPETITORS IN ANSWER TO TRICK QUESTIONS—BIG-BUSINESS INTERESTS FIGHTING FOR BASING-POINT SYSTEM TO FIX PRICES, CREATE MONOPOLY, AND DESTROY SMALL BUSINESS

Mr. PATMAN. Mr. Speaker, big business and monopoly took an awful licking in the Portland Cement case. The basing-point system, this time in its multiple form—a very handy instrument, as the Court called it, for stifling competition and compelling identical pricing at delivery points—was discredited and barred for such illegal purposes. In this case, the illegal activities were carried on through the Cement Institute and its 74 corporate members, all of whom were respondents or defendants.

REPEAL BY INDIRECTION ASKED

The decision was made by the Supreme Court of the United States, not by a 5-to-4 decision either, but with only one judge dissenting. Under these decisive circumstances, what could the monopoly boys think of, except to run to Congress to obtain a law designed to curb the Supreme Court from making such decisions? Of course, these people could not ask the Congress point-blank to change the Federal Trade Commission Act or the Robinson-Patman amendment to the Clayton Act. They could not ask for repeal of antitrust and antimonopoly laws, or even directly ask for modification of these laws. However, they could do the same thing by indirection.

CALL IT CLARIFICATION—FALSE ISSUE

How? Why, they would simply give it another name. What name? That was easy. They would simply call it clarification. That is why we hear so much about clarification of antitrust and monopoly laws. Having decided upon the false issue of clarification, they had to decide on various springboards for projecting this false issue. I say false issue because not only do I believe that the issue is substantially false, as a matter of fact, but it is also clear from a reading of the laws and decisions of the Supreme Court thereunder, that Congress, in passing these laws, deliberately chose to set forth general standards and principles, leaving it to the courts to fill in any necessary clarification, which is a traditional function. Any other legislative approach would have been an invitation to the resourceful to find countless evasions and loopholes not expressly interdicted by specific legislative wording.

MISLEADING POLL CONDUCTED

One of the methods decided upon to obtain support for so-called legislative clarification was to get a rubber-stamp approval from supposedly representative businesses. How would they do that? Easiest thing in the world. Conduct a poll. A poll will prove anything—as the whole country found out a few months ago. How would this poll be conducted?

Not, of course, among big business concerns, which might immediately be accused of being partial to a basing-point system. The best and safest way to conduct such a poll would be through some old and conservative association of business, such as the Chamber of Commerce of the United States of America, which boasts that the larger part of its membership, at least in numbers, is composed of what it regards as small businesses.

BASING-POINT QUESTION AS SUCH NOT TESTED BY POLL

But business concerns, even in such a respectable organization, could not be expected to get publicly excited about the possible demise of the multiple-basing-point system designed to keep alive monopolistic and unfair trade practices. What was the use, therefore, of putting such a question to the test of even a chamber of commerce poll?

Right. But the solving of this difficulty was easy. They did not put the basing-point question, as such, to the test of the poll. What question would they put? That problem was pretty easy, too. The basing-point system necessarily involves delivered prices, rather than f. o. b. prices, and it necessarily involves, in some cases at least, freight absorption. This is because equal pricing, even to a fraction of a mill—as happened in some instances in the portland-cement combine—can be accomplished best by equal prices at delivery point, and because equal delivery-point prices necessarily means that some of the firms in the plan must absorb freight costs.

POLL SHIFTED TO PHONY ISSUES

Of course, we all know that there can be a delivery-price system without a basing-point system. And we all know that there can be freight absorption without a basing-point system. Delivered pricing and freight absorption are part of traditional American business practices. However, the basing-point boys thought it was clever to pretend that delivered pricing and freight absorption was under attack, rather than the basing-point system. Accordingly, it fitted their plans on any poll conducted among businessmen, to avoid completely the basing-point issue, and to shift to the phony issues of delivered pricing and of freight absorption. This is the old shell game, if you ask me. First, they shift from the issue of repeal or radical modification of the law, and call it "clarification." Then they shift from the issue of basing point to the issue of delivered pricing and freight absorption.

In any event, on the 15th day of January, 1949, there came out a beautifully printed 12-page booklet, with oversized pages, and with a cover featuring in prominent type, the following caption: "Chamber of Commerce of the United States of America, Referendum No. 91 on the Report of the Special Committee of the Board of Directors on Delivered Pricing."

This impressive looking document was mailed to organization members of the Chamber of Commerce.

The pamphlet contains a 3-page double column report entitled: "Delivered Pricing—Report of Special Committee." There is noted on the inside front cover the names of members of the special committee, each of whom is described as a chairman of a specified committee of the Chamber of Commerce.

Now all of these men, even though they may not be fully typical of what most people regard as small-business men, are no doubt honorable and fine gentlemen. James W. Baker is president of a Chicago wholesale grocery chain; William Hartz is president of a substantial concern; Evans Nash is president of Yellow Transit Co. in Oklahoma City; George West is president of First Federal Savings and Loan Association in Atlanta, Ga.; Dechard Anderson Hulcy, chairman of the committee, is from good old Dallas, Tex., where he is president of the Lone Star Gas Co.

Now, I do not know whether these gentlemen got up the report themselves; or whether it was first drafted by a staff member of the chamber or some allied organization. The presentation, by reason of the shifts from the real issue, is plausible enough for almost anybody to sign, if not examined into too deeply. It is altogether a beautiful set-up.

This little document, presented as the report of the special committee, makes the most of its three or more nice big pages and creates just the right effect:

First. That the law is uncertain and requires clarification by the Congress.

Second. That this uncertainty is in regard to delivered pricing and freight absorption; basing-point is hardly mentioned.

NEGATIVE SIDE FEEBLY PRESENTED

But do not let me give you the impression that only the special committee's views are presented and only one side of the question is given. Heaven forbid. There is also appended a one page—not counting headings—"Arguments in the negative"—written, perhaps, by some miserable devil's advocate, hidden in a back room or perhaps in the basement. However, this statement of negative arguments is concocted in such a cryptic style and so deftly placed at the very end of the pamphlet that you may be sure that not much harm was done to the grandiose affirmative arguments of the special committee.

BALLOT PRESENTED

Now, at the very front, page 1 proper of the pamphlet, is the ballot, to be detached along a perforated line. This ballot is the best job of all in the entire pamphlet. It is such an interesting and self-selling document that it seems almost designed to deter anyone from reading any further, even from reading the report of the special committee itself. One can vote "yes" or "no" by marking "X" in the proper box and when I saw it I almost voted "yes" myself.

The ballot is in bold type. It contains relatively few words and these are spread over the entire page. The heading, in caps, is "Delivered pricing." This is followed by the declaration to be voted on, which in its entirety reads as follows:

Judicial and administrative rulings have created uncertainties as to the legal status of delivered pricing practices.

Therefore it is in the public interest to enact legislation to make certain that a seller in one locality is free to compete with sellers elsewhere despite different delivery costs, and that in order so to compete, the seller is permitted to absorb or equalize transportation costs.

Any legislation to such ends should be designed so as to preserve the fundamental safeguards of the antitrust laws.

HOW COULD ANYONE OPPOSE ON THE FACE OF IT

Now, I ask you, who on the face of it could vote against delivered pricing, particularly a businessman? It would be like voting against mother, home, or against "honesty is the best policy," or against free enterprise.

Let us look at this so-called declaration again and examine the three statements contained therein.

No. 1 is the statement "Judicial and administrative rulings have created uncertainties as to the legal status of delivered pricing practices." This really is a statement of fact or of basic declaration rather than an opinion or conclusion to be voted on. Once the voter accepts this, there is really nothing for him to do except to vote for No. 2 which is the real question put to him. In other words, No. 1 is ingeniously inserted for the purpose of raising the false clarification issue.

Sentence No. 2 puts squarely the question as to whether legislation should not be enacted to clarify this situation. Having accepted No. 1, a voter would be very ornery indeed not to vote "Yes" on the real question as stated in No. 2. Let us note that No. 2 is very carefully worded so as to apply only to delivered pricing and to freight absorption, just as the ballot is entitled "Delivered Pricing." Nothing is said about basing-point, which, I maintain, is the real interest of people behind this type of propaganda.

Then comes sentence No. 3, stating:

Any legislation to such ends should be designed so as to preserve the fundamental safeguards of the antitrust laws.

This is just the right kind of platitude to elicit that "yes" vote covering all three sentences.

There is no separate voting for each sentence. It is a variation of the time-honored salesman's device of getting a customer to think "yes" on one or two unimportant things so as to get him to say "Yes" on the whole thing.

I may be prejudiced, but I doubt that many people reading such a ballot go on to read the special committee report at all. They simply vote "yes" and that is the end of it.

But suppose some voters were really conscientious and studied the report and suppose the report was even thrown open for discussion. What would they find in the report?

REAL ISSUE SUBMERGED

The report, as we have seen, is frankly entitled "Delivered Pricing." The real issue relating to basing point is automatically excluded.

The first part of the report is called Introduction, and makes the following salient statement:

Delivered pricing methods used in some industries have recently been declared illegal by the courts, largely on the ground that these methods were utilized as a means of fixing prices. * * * Directly, as well as by implication, the opinions in these cases

have suggested certain interpretations of the law which can be invoked to invalidate virtually all forms of delivered pricing.

PURE HOKUM

You will note that there is not the slightest intimation in this statement of the special committee that the legal decisions referred to are basing-point decisions, in which the delivered pricing aspect was merely incidental. I will also tell you that the declaration that these legal opinions "can be invoked to invalidate virtually all forms of delivered pricing" is pure hokum. However, after establishing this false premise, and concealing the basing-point origin of the question the conclusion is stated:

Clarification of the laws involved is needed in order that buyers and sellers may be able to distinguish between legal and illegal delivered pricing practices, and to prevent * * * a requiremen' that all selling be on a uniform f. o. b. plant price basis.

NO REFERENCE TO CEMENT DECISIONS

The special committee report then has a section entitled "Legal Background," where again there is no reference at all to the Portland Cement decision, made by the Supreme Court, or, for that matter, to any Supreme Court decision at all. Instead, the entire discussion centers around the Federal Trade Commission, and the Commission is singled out for attacking delivered pricing practices, particularly basing-point and zone-pricing systems. The report then gratuitously imputes to the Commission by roundabout reasoning the conclusion that "whenever goods are sold on a delivered price" there is "a discrimination in price"—I am quoting the report—a most absurd straw-man argument.

FTC POLICY STATEMENT NOT QUOTED CORRECTLY

The report even goes so far as to quote out of context, and also incompletely, a clause contained in a recent statement of policy issued by the Commission. The quotation is that the courts "have not adjudicated the question whether a single concern not engaged in an effort to create a monopoly by destroying competitors may systematically reduce its prices to meet competition in localities where it habitually encounters such competition."

In the original, there are three more lines to this sentence. Moreover, it is immediately preceded by a sentence reading as follows:

The courts appear to have assumed, though the point has not been squarely decided, that a single seller has a substantive right in good faith to meet the equally low price of a competitor in individual transactions.

And it is immediately followed by this sentence:

In approaching these questions, the Commission sees no public interest and has no legal authority to proceed against the practices of a single seller except where probable or actual injury to competition appears in that seller's pricing practices.

REPORT ON POLL

The Legislative Daily, published by Governmental Affairs, for the Chamber of Commerce of the United States, February 18, 1949, reported as follows:

DELIVERED PRICING

Milton A. Smith, assistant general counsel of the Chamber of Commerce of the United States, outlined to a commerce subcommittee the results of a referendum vote of the chamber's membership on a declaration of policy advocating legislation to clarify the legal status of delivered pricing practices.

Of the votes cast, 3,110 favored the proposed declaration and 54 opposed it.

The declaration states that it is in the public interest to enact legislation to make certain that a seller in one locality is free to compete with sellers elsewhere despite different delivery costs, and that in order to compete, the seller is permitted to absorb or equalize transportation costs.

"Any such legislation should be designed so as to preserve the fundamental safeguards of the antitrust laws," the declaration says.

Mr. Smith said that one point brought out by a special committee of the chamber's board of directors which made a study of this situation is that the lack of clear-cut rules by which businessmen may test the legality of any delivered pricing policy, is, of itself, an obstacle to successful business management and planning.

"When this uncertainty is coupled with the threat of institution of a requirement that all selling be on a uniform f. o. b. price basis, it becomes a serious deterrent to business growth and development," he said.

It will be noticed that the basing-point system was not mentioned although that was the main issue.

SURPRISED THAT 54 OPPOSED IT AS PRESENTED

Is it any wonder, in view of this type of presentation, that of the votes cast in the referendum, 3,110 were in favor of the proposed declaration and 54 were opposed. My only surprise is that the vote was not 3,164 in favor and none opposed.

SNIDE ATTACKS THAT ARE TYPICAL

It may be felt by some who are listening to me here, that I have gone into this matter too fully and that this particular referendum of policy did not merit the incisive analysis I have tried to give it. I cannot agree. This referendum, although a single instance, is typical of the kind of propaganda which has been deliberately utilized in the cold war which has been unofficially declared against the basing-point decision of the Supreme Court in the Portland Cement case. I am not contending that the Supreme Court has said the last word on basing point and on delivered pricing or freight absorption. On the contrary, I expect, as Congress itself has planned, that the courts will continue to supply clarification as cases arise. I do object, however, to snide attacks on honest judicial decisions, honestly arrived at for the purpose of effectuating the intent of Congress to outlaw unfair trade practices and discriminatory pricing designed to stifle competition.

REA HOUSING PLAN FOR BOTH URBAN AND RURAL HOMES ENDORSED BY AMERICAN LEGION

Mr. Speaker, I am inserting herewith a statement concerning H. R. 2811, the REA housing plan for both urban and rural homes, including questions and answers on the proposal; also a press release by the American Legion endorsing the bill:

LEGION BACKS PATMAN CO-OP HOUSING BILL

WASHINGTON, February 18.—A new cooperative housing bill designed to serve middle- and low-income families and providing special consideration for World War II veterans was endorsed today by the American Legion.

The measure, H. R. 2811, introduced in the House of Representatives on February 17 by Representative WRIGHT PATMAN, Democrat, Texas, would facilitate the establishment and financing of housing cooperatives and authorize direct Government loans at 4 percent interest if financing could not be obtained from private sources. The entire program would be managed by a new Federal agency known as the Cooperative Housing Administration, operating under the Housing and Home Finance Agency.

John Thomas Taylor, legislative director of the Legion, described the bill as the first sound answer to the housing problem of the average veteran family. Taylor said the legislation would carry into effect one of the major housing mandates adopted by the American Legion at its 1948 national convention at Miami, Fla.

"This bill would enable the veteran in the middle-income group to obtain adequate housing at a price he can afford to pay," Taylor stated.

The Patman bill would give additional Federal assistance to three types of cooperatives: (1) the cooperative that builds houses to sell; (2) the mutual home-ownership type, in which families occupy multiple-type units with each family sharing ownership of the entire project; (3) rental cooperatives which build single- or multiple-family units to rent to members of the group and nonmembers who are veterans.

Under the bill, an authorized cooperative could obtain a development loan amounting to not more than 5 percent of the estimated total cost of the project. This money would be used for preliminary planning and organization required before the cooperative qualifies for a constructions loan.

The Federal Housing Administration would be directed, under the measure, to insure loans made to cooperatives up to 90 percent of their value. The bill provides for a sliding scale of insurance, with the 90-percent maximum for homes or units costing $8,000 or less; 75 percent for those costing between $8,000 and $10,000; and 50 percent for those costing between $10,000 and $12,500.

Loans to veterans belonging to the cooperative would carry an additional 10 percent of insurance. This means that veterans buying homes in the $8,000-and-under class would have the advantage of 100-percent insurance. The measure also provides a waiver of indebtedness in the case of veterans who contract for dwellings as members of a cooperative and find it necessary to leave the community before completing purchase.

A provision for technical advice to co-op members is included in the Legion-supported bill. It further provides that a membership fee of $100 would be charged all members. The dues would be credited as part of the down-payment on a family unit.

EXPLANATION OF H. R. 2811, THE AMERICAN CITY AND FARM HOME ACT

Mr. Speaker, the purpose of the bill is to make home ownership a reality for millions of American families who would otherwise be compelled to accept the insecure and unsatisfactory status of tenants, or to risk their life savings in unwise purchases. Heretofore the Federal Government, in the effort to increase the available supply of housing, has provided security to everyone connected with the housing industry except the occupants of the housing. This bill extends that security to these occupants, and at the same time actually increases the protection afforded to nonspeculative private investors.

Ownership, widely distributed among our people, is necessary to the development and maintenance of civic responsibility. It is the best conceivable antidote

for communistic propaganda. Home ownership, of all forms of ownership, is the most dearly cherished and the most zealously guarded. It is essential for the protection of the family as a social institution, and for the protection of the Nation as a democratic political entity.

This bill, which might also be called the Federal Home Security Act, provides assistance and encouragement for modern homeseekers in both the city and the country.

The provisions for city families would be made available through three types of cooperative associations—mutual home ownership associations; cooperative home building associations; and cooperative rental housing associations. These provisions would be administered by a newly created Administration within the Housing and Home Finance Agency.

The provisions for farm families would be extended through two types of cooperative associations—cooperative farm home ownership associations and cooperative farm labor camp associations. The Secretary of Agriculture would be charged with responsibility for administering the farm home provisions.

VETERANS BENEFITS

The assistance provided in the bill for veterans is substantial and enduring. This assistance would apply to every type of housing, whether in cities or on farms. Veterans buying homes outright would get increased mortgage insurance thus requiring less down payments. Equivalent reductions would apply to veterans participating in mutual home ownership associations. Veterans renting their homes would pay lower rents.

The method of assisting veterans is simple and direct. Aid would be made available to them as individuals rather than as groups. It would not be necessary for them to band together to the exclusion of other citizens.

QUESTIONS AND ANSWERS

Since the introduction of the bill a great many inquiries have been received with respect to it. These matters will be explained in detail when hearings are held before the House Banking and Currency Committee, but, in order to provide a better general understanding of the bill before hearings are started, the following answers have been prepared to some of the more important questions propounded:

CITY HOUSING PROVISIONS

1. Question. What's new about H. R. 2811? What does it do for city dwellers?

Answer. (1) It provides a new means of home ownership for millions of families who would otherwise have to live as tenants. (2) It provides for economies in construction and merchandising for families who wish to buy individual homes outright. (3) It provides for nonprofit rental housing to serve low-income families who are either ineligible for subsidized housing or for whom subsidized housing may not be available.

2. Question. How are these provisions made available to home seekers?

Answer. Through three different types of cooperative associations—mutual home ownership associations, cooperative home building associations, and cooperative rental housing associations.

1. Mutual home ownership associations

3. Question. What are mutual home ownership associations?

Answer. They are associations whose members combine their resources, with Government help, to purchase or construct large numbers of dwellings in one community, and which lease these dwellings to members under nonprofit proprietary lease contracts.

4. Question. What is a proprietary lease contract?

Answer. It is a contract between an association and a member under which the member is guaranteed continuous right of occupancy as long as the monthly charges and other conditions set forth in the contract are met.

5. Question. Are these proprietary lease contracts transferable?

Answer. Yes. Ownership of such contracts may be sold, assigned, or otherwise transferred (subject to such restrictions as may be prescribed by associations and set forth in the contracts).

6. Question. What are the principal advantages of mutual home ownership associations to members?

Answer. Members obtain and maintain their homes on a wholesale rather than a retail basis, thereby saving from 25 to 50 percent. They do not have to assume burdensome, long-time debts. They can sell or otherwise transfer their equities (proprietary lease contracts) much more easily and less expensively than they could sell their equities in homes purchased outright.

7. Question. How are these 25 to 50 percent savings effected?

Answer. First costs are reduced through volume purchase of materials and mass construction methods; lower advertising costs, commissions, closing charges, and other fees produce further savings, and speculative profits are eliminated. In addition to these savings on the purchase price, carrying costs are reduced by reason of lower interest rates, longer periods for repayment, and more efficient maintenance and repair. Combined lower first costs and lower carrying costs will bring about the net, out-of-pocket savings to members of from 25 to 50 percent.

8. Question. Are these claims of savings real, or just theoretical estimates?

Answer. The actual operating experience of mutual home ownership projects which have been in existence for a number of years amply substantiates such claims.

9. Question. Does the bill provide for Government subsidies to these mutual home ownership associations?

Answer. No. The mortgage insurance provisions of the bill are substantially the same as those that have previously been extended to investors and speculative builders. This bill makes these provisions available and meaningful for the first time for occupants of housing, as well as to builders.

10. Question. Do members contracting for dwellings have the same kind of security as if they had purchased them outright?

Answer. They have even more security of tenure because their monthly charges are less and because they are constantly accumulating reserves in addition to their progressively increasing equities.

11. Question. How do members' monthly charges compare with normal rental charges for similar accommodations?

Answer. Inquiries made of several associations now operating show charges to members to be substantially less than rents in the same area; notwithstanding the fact that charges to members include reserves and payments on principal indebtedness and the further fact that residential rents are subject to rent control.

12. Question. How much would members have to pay to obtain homes from associations?

Answer. An initial membership fee of $100 would be required of all members. After costs of dwellings are determined, the cash payment, including the $100 initial payment, would depend upon the cost of the dwelling unit desired. For example, nonveterans would pay in cash 10 percent of actual costs below $8,000; for a $10,000 dwelling they would pay in cash $1,300 and for a $12,500 dwelling they would pay $2,125; veterans would be required to make no cash payments, other than the initial $100, on dwellings costing $8,000 or less; they would pay $300 and approximately $1,375 on dwellings costing $10,000 and $12,500, respectively.

13. Question. Would individual members be subject to foreclosure, or to personal responsibility for an association's debts, if the association should not be able to meet its mortgage indebtedness?

Answer. No. As members or stockholders their personal responsibility would be limited to the amount of their investment in the association.

14. Question. How would projects be financed if private investors should not participate?

Answer. Provision is made for direct loans from the Federal Government, but this provision is to be utilized only if private capital should not be attracted by the investments offered.

15. Question. What inducements are there for private capital to invest in such projects?

Answer. (a) Projects are more economically maintained than rental housing projects.

(b) Lower first costs and lower operating costs afford more sound long-range security.

(c) There is no strife between landlords and tenants.

(d) Perpetual upkeep prevents "neighborhood blight."

(e) Pride of possession insures responsible care and prompt payment of interest and amortization charges.

(f) Provisions for reserves increase stability.

(g) Mortgages are insured by the Federal Government, and so afford final and complete protection.

2. Cooperative home building associations

16. Question. What are cooperative home-building associations?

Answer. These associations would require, through construction or purchase, individual dwellings to be sold outright to members at cost.

17. Question. What would be the advantages to members?

Answer. Members would be able to make the same savings in first costs as have been set forth for members of mutual home-ownership associations. They would also be able to save a part of the merchandising costs.

18. Question. What about down payments for homes built by cooperative building associations and sold to members?

Answer. The same scale would be used for down payments on such houses as for the cash payments scheduled for members of mutual ownership associations. Veteran members would receive the same preferences.

3. Cooperative rental housing associations

19. Question. What are cooperative rental housing associations?

Answer. These associations would provide rental housing on a nonprofit basis to members who may not at that time wish to assume the obligations required for either mutual or outright ownership. Veterans are not required to become members in order to occupy accommodations provided by such associations.

FARM HOUSING PROVISIONS

20. Question. Why is it necessary to have separate provisions for farm housing?

Answer. Farm homes are usually integral parts of the farms on which they are located, and consequently it woud be impracticable to utilize the same form of governmental assistance to farm families as that provided for city dwellers. Provisions must be made to take care of the needs of farm tenants and share croppers as well as those of farm owners. Because of this integration of farm homes with farm economy, it has been considered desirable that the farm home provisions be administered under the direction of the Secretary of Agriculture.

4. Cooperative farm home ownership associations

21. Question. What are cooperative farm home ownership associations?

Answer. They are nonprofit associations organized to provide farm homes, either for rent or sale, to farm owners, farm tenants, sharecroppers, and other farm workers. These associations would provide homes for our farm population just as REA has provided the benefits of electricity.

22. Question. Could farm homes built by these associations be sold outright to members?

Answer. Yes. Home ownership for as many families as possible is the ultimate objective of the entire bill. Members of cooperative farm home associations can build up equities and these, together with annual subsidies, can be used to purchase homes outright.

23. Question. Could a farm owner contract with the association for more than one dwelling?

Answer. Yes. He may contract to lease as many dwellings as would be required to house the families working on his farm. But he could not sublease these dwellings at a price higher than he had contracted to pay the association. He could contract to buy outright only one dwelling, and that one only for his own use and occupancy.

24. Question. Who would get the subsidies provided for in the bill?

Answer. Subsidies would be paid to associations to be credited exclusively to the accounts of occupants of dwellings, whether or not such occupants might be members of the association.

25. Question. How are subsidies for low-income farm families provided under this bill?

Answer. Subsidies to farm families are supplementary to the farmer's own cash income. The amount of subsidy, if any, depends upon the sum required, in addition to cash income, to provide living accommodations meeting prescribed minimum housing standards. No income limitation would be placed upon farm family occupants of housing owned by associations, but only families whose incomes fall below a certain point receive any subsidy. This subsidy would increase with the ratio of the deficiency of each family's individual income.

26. Question. Would farm-owner members of associations, as well as tenants, sharecroppers and laborers, receive subsidies?

Answer. Yes, if their incomes should fall below the prescribed limit.

5. Cooperative farm labor camp associations

27. Question. What are cooperative farm labor camp associations?

Answer. They are local associations, organized in farming areas under regulations prescribed by the Secretary of Agriculture, to provide living accommodations for migrant and other seasonal farm workers.

28. Question. How would rents for these facilities be determined?

Answer. They would be fixed by the Secretary of Agriculture, and would be based upon the amount required to pay interest and amortization plus operating expenses.

29. Question. Who would operate these associations?

Answer. The regularly elected members of the board of directors of associations would be responsible for their operation under regulations prescribed by the Secretary of Agriculture. Inspections, audits and other supervisory procedures would be utilized to assure adherence to such regulations.

30. Question. What special benefits would be extended to veterans desiring to participate in the farm-housing program?

Answer. Lower down payments would be required, similar to those provided for in the case of low-income city housing. Subsidies paid to cooperative farm ownership associations for credit to the account of veterans would be substantially greater than those credited to nonveterans. Subsidies paid to farm labor camp associations for the account of veteran occupants would be 50 cents per day as compared with 25 cents per day for nonveterans.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include certain statements, excerpts, and quotations.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. POULSON (at the request of Mr. ALLEN of California), for an indefinite period, on account of illness.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 198. An act for the relief of the city and county of San Francisco;

S. 279. An act to authorize the advance on the retired list of Lt. John T. McDermott, United States Navy (retired), to the grade of lieutenant commander; and

S. 307. An act for the relief of Engebert Axer.

ADJOURNMENT

Mr. PRIEST. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 41 minutes p. m.) the House adjourned until tomorrow, Thursday, March 3, 1949, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

306. A letter from the Chairman, Commission on Organization of the Executive Branch of the Government, transmitting its report on veterans' affairs (H. Doc. No. 92); to the Committee on Veterans' Affairs and ordered to be printed.

307. A letter from the Chairman, Commission on Organization of the Executive Branch of the Government, transmitting to the Congress, in typescript, the report of the Committee on Veterans' Affairs which was prepared for the Commission's consideration; to the Committee on Veterans' Affairs.

308. A letter from the Chairman, Commission on Organization of the Executive Branch of the Government, transmitting to the Congress, in typescript, the study of the Veterans' Administration which was prepared for the Commission's consideration; to the Committee on Veterans' Affairs.

309. A communication from the President of the United States, transmitting supplemental estimates of appropriation for the fiscal year 1949 and prior fiscal years in the amount of $561,513,801.67 and contract authorizations in the amount of $301,406,000, together with certain proposed provisions and increases in limitations pertaining to existing appropriations (H. Doc. No. 93); to the Committee on Appropriations and ordered to be printed.

310. A letter from the Assistant Secretary of State, transmitting a draft of proposed legislation amending certain laws providing for membership and participation by the United States in certain international organizations and authorizing appropriations therefor; to the Committee on Foreign Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MORRIS: Committee on Public Lands. H. R. 554. A bill to provide for the construction, extension, and improvement of school buildings in Hoopa, Calif.; without amendment (Rept. No. 197.) Referred to the Committee of the Whole House on the State of the Union.

Mr. MORRIS: Committee on Public Lands. H. R. 994. A bill to provide for disposition and use of tribal funds of the Navajo Tribe of Indians; without amendment (Rept. No. 198). Referred to the Committee of the Whole House on the State of the Union.

Mr. MORRIS: Committee on Public Lands. H. R. 1755. A bill to authorize a $100 per capita payment to members of the Red Lake Band of Chippewa Indians from the proceeds of the sale of timber and lumber on the Red Lake Reservation; without amendment (Rept. No. 199). Referred to the Committee of the Whole House on the State of the Union.

Mr. COLMER: Committee on Rules. House Resolution 124. Resolution for consideration of H. R. 2363, a bill granting the consent and approval of Congress to an interstate compact relating to the better utilization of the fisheries (marine, shell, and anadromous) to the Gulf coast and creating the Gulf States Marine Fisheries Commission; without amendment (Rept. No. 200). Referred to the House Calendar.

Mr. DELANEY: Committee on Rules. House Resolution 107. Resolution to authorize the Committee on Interstate and Foreign Commerce to make investigations into any matter within its jurisdiction, and for other purposes; without amendment (Rept. No. 201). Referred to the House Calendar.

Mr. WALTER: Committee on the Judiciary. H. R. 834. A bill to amend the Contract Settlement Act of 1944 so as to authorize the payment of fair compensation to persons contracting to deliver certain strategic or critical minerals or metals in cases of failure to recover reasonable costs, and for other purposes; without amendment (Rept. No. 202). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CHELF: Committee on the Judiciary. S. 26. An act for the relief of Jose Babace;

without amendment (Rept. No. 192). Referred to the Committee of the Whole House.

Mr. CHELF: Committee on the Judiciary. S. 27. An act for the relief of certain Basque aliens; without amendment (Rept. No. 193). Referred to the Committee of the Whole House.

Mr. CHELF: Committee on the Judiciary. S. 90. An act to provide for the naturalization of Richard Kim; with an amendment (Rept. No. 194). Referred to the Committee of the Whole House.

Mr. CHELF: Committee on the Judiciary. S. 315. An act for the relief of Dr. Chung Kwai Lui; without amendment (Rept. No. 195). Referred to the Committee of the Whole House.

Mr. CHELF: Committee on the Judiciary. S. 335. An act for the relief of Claris U. Yeadon; without amendment (Rept. No. 196). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BROWN of Georgia:

H. R. 3143. A bill to establish a Federal Commission on Services for the Physically Handicapped, to define its duties, and for other purposes; to the Committee on Education and Labor.

By Mr. CHRISTOPHER:

H. R. 3144. A bill to regulate oleomargarine, to repeal certain taxes relating to oleomargarine, and for other purposes; to the Committee on Agriculture.

By Mr. COLE of Kansas:

H. R. 3145. A bill to establish a sinking fund for the payment of Government obligations; to the Committee on Ways and Means.

By Mr. DINGELL:

H. R. 3146. A bill to amend the Tariff Act of 1930 to provide for the free importation of twine used for baling hay, straw, and other fodder and bedding material; to the Committee on Ways and Means.

By Mr. EBERHARTER:

H. R. 3147. A bill to give employees of religious, charitable, scientific, literary, and educational institutions the benefits of coverage under the Social Security Act, the Federal Unemployment Tax Act, and the Federal Insurance Contributions Act; to the Committee on Ways and Means.

By Mr. McMILLAN of South Carolina:

H. R. 3148. A bill to amend the act entitled "An act to regulate the practice of optometry in the District of Columbia"; to the Committee on the District of Columbia.

By Mr. MORRISON:

H. R. 3149. A bill to facilitate the repayment of certain loans or advances made by the Federal Works Administrator to assist the States and their agencies and political subdivisions in making advance provision for public works; to the Committee on Public Works.

By Mr. PETERSON:

H. R. 3150. A bill to revise and repeal certain acts relating to rules of survey to permit departures from the system of rectangular survey when necessary on all public lands, and for other purposes; to the Committee on Public Lands.

By Mr. PRIEST:

H. R. 3151. A bill to amend the Federal Food, Drug, and Cosmetic Act of June 25, 1938, as amended, by providing for the certification of batches of drugs composed wholly or partly of any kind of aureomycin, chloramphenicol, and bacitracin, or any derivative thereof; to the Committee on Interstate and Foreign Commerce.

By Mr. RANKIN:

H. R. 3152. A bill to provide for the establishment of a veterans' hospital for Negro veterans at the birthplace of Booker T. Washington in Franklin County, Va.; to the Committee on Veterans' Affairs.

By Mr. REDDEN:

H. R. 3153. A bill relating to the development of tourist and other public facilities in conjunction with the Alaska Highway, and for other purposes; to the Committee on Public Lands.

By Mr. SANBORN:

H. R. 3154. A bill to authorize extension of time for payment of income taxes for the taxable year 1948 in the cases of those farmers who expect carry-backs from the taxable year 1949 as a result of losses in their cattle-raising operations which they have suffered due to blizzards and subnormal temperatures during the calendar year 1949; to the Committee on Ways and Means.

By Mr. SIKES:

H. R. 3155. A bill to amend Public Law 885, Eightieth Congress, chapter 813, second session; to the Committee on Armed Services.

By Mr. TRIMBLE:

H. R. 3156. A bill to amend the act of December 22, 1944 (relating to the construction of public works for flood control), to permit the sale of land in reservoir areas; to the Committee on Public Works.

By Mr. VAN ZANDT:

H. R. 3157. A bill to provide relief for certain officers of the Naval and Marine Corps Reserve; to the Committee on Armed Services.

By Mr. BLAND:

H. R. 3158. A bill to revise and codify laws of the Canal Zone regarding the administration of estates, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H. R. 3159. A bill to amend the Canal Zone Code, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. CELLER:

H. R. 3160. A bill to repeal section 8 of the act of March 3, 1893; to the Committee on the Judiciary.

By Mr. LEMKE:

H. R. 3161. A bill providing for veterans' rehabilitation, preventing unemployment, chaos, and confusion, and promoting individual, productive enterprise by enabling the returned veterans to engage in such enterprises and employ themselves in place of asking for jobs that may not exist; to the Committee on Veterans' Affairs.

By Mr. LYNCH:

H. R. 3162. A bill to amend the Interstate Commerce Act, as amended, so as to provide limitations on the time within which actions may be brought for the recovery of undercharges and overcharges by or against common carriers by motor vehicle and freight forwarders; to the Committee on Interstate and Foreign Commerce.

By Mr. MILLER of Maryland:

H. R. 3163. A bill to authorize the Secretary of the Army in certain cases to undertake small river and harbor improvement projects not specifically authorized by Congress; to the Committee on Public Works.

By Mr. PETERSON:

H. R. 3164. A bill to provide disability benefits for persons who performed uncompensated services in the administration of the selective training and service system and the emergency price-control and rationing program; to the Committee on the Judiciary.

H. J. Res. 183. Joint resolution to provide for the issuance of a postage stamp in 1949 in commemoration of the fiftieth aniversary of the founding of the Veterans of Foreign Wars of the United States; to the Committee on Post Office and Civil Service.

By Mr. BUCHANAN:

H. Res. 125. Resolution for investigation of lobbies and lobbying activities; to the Committee on Rules.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the Territory of Alaska, requesting the passage of H. R. 2122, relative to the construction of housing facilities; to the Committee on Banking and Currency.

Also, memorial of the Legislature of the Territory of Alaska, requesting a bonus on gold mined in Alaska; to the Committee on Banking and Currency.

Also, memorial of the Legislature of the Territory of Alaska, requesting limitation of the powers of the Civil Aeronautics Board with respect to Alaska; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Legislature of the Territory of Alaska, urging the inclusion of Alaska in the Bureau of Reclamation program; to the Committee on Public Lands.

Also, memorial of the Legislature of the Territory of Alaska, urging the building of a highway connecting the interior highway system with the port of Cordova, Alaska; to the Committee on Public Works.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ENGEL of Michigan:

H. R. 3165. A bill for the relief of Allison W. Ind; to the Committee on the Judiciary.

By Mr. FARRINGTON:

H. R. 3166. A bill for the relief of Harold J. Keeley, colonel, United States Army (retired); to the Committee on the Judiciary.

H. R. 3167. A bill for the relief of Jennie S. Gilliland; to the Committee on the Judiciary.

By Mr. FELLOWS:

H. R. 3168. A bill for the relief of Ella L. Browning; to the Committee on the Judiciary.

By Mr. FERNÓS-ISERN:

H. R. 3169. A bill for the relief of Agustín Cortés Martínez, his wife Guillermina Díaz de Cortés, his children Santiago Cortés Díaz, Agustina Guillermina Cortés Díaz, and Guillermo Agustín Cortés Díaz; to the Committee on the Judiciary.

H. R. 3170. A bill for the relief of Ruperto Varela Canosa; to the Committee on the Judiciary.

H. R. 3171. A bill for the relief of Victor Cuquerella; to the Committe on the Judiciary.

H. R. 3172. A bill for the relief of Leandro Pérez Urria; to the Committee on the Judiciary.

H. R. 3173. A bill for the relief of Rafael Troyano de los Ríos; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

146. By Mr. FORAND: Resolution of the General Assembly of the State of Rhode Island and Providence Plantations, requesting the Senators and Representatives from Rhode Island in the Congress to insist upon and work for the proper kind of Federal rent-control legislation to prevent inflationary prices; to the Committee on Banking and Currency.

147. Also, resolution of the Representative Council of the City of Newport, R. I., urging upon the Rhode Island Members of Congress, the Navy Department, and all other Federal agencies engaged in establishing, maintaining, and operating housing projects the need of acting speedily on measures that will pro-

vide adequate housing for men of the United States Navy on land in the city of Newport, R. I., owned by the Navy and at present not in use and undeveloped; to the Committee on Banking and Currency.

148. Also, resolution passed by the General Assembly of the State of Rhode Island and Providence Plantations, requesting the Senators and Representatives from Rhode Island in the Congress to work for the passage of an amendment to the Federal minimum-wage law increasing the present hourly minimum rate to at least 75 cents an hour; to the Committee on Education and Labor.

149. By Mr. SADLAK: Petition of the Lithuanian-American Council of New Haven, Conn., to the Government of the United States to use all means in its power to compel Russian troops and police forces to withdraw from Lithuania's territory; to the Committee on Foreign Affairs.

150. By Mr. SASSCER: Resolution of the Council of Lithuanian Societies of Baltimore, Md., commemorating the thirty-first anniversary of the proclamation of the independence of Lithuania and urging that measures be adopted in accordance with the President's statements that the American people desire to work for a world in which all nations are free to govern themselves, and that these principles be applied to the Lithuanian situation before the planned liquidation, deportation, and dispersion of the Lithuanian people by Soviet Russia destroys the national entity of Lithuania; to the Committee on Foreign Affairs.

151. By Mr. FORAND: Resolution entitled "Resolution memorializing the Congress of the United States to pass, and the President of the United States to approve, if passed, the General Pulaski's Memorial Day resolution now pending in Congress," passed by the General Assembly of the State of Rhode Island and Providence Plantations at the January session, 1949, and approved by the Governor February 15, 1949; to the Committee on the Judiciary.

152. By Mr. SADLAK: Memorial of the Common Council of the City of New Britain, Conn., requesting the Congress of the United States to pass, and the President of the United States to approve, if passed, the General Pulaski's Memorial Day resolution now pending in Congress; to the Committee on the Judiciary.

153. By Mr. WHITE of Idaho: Memorial of the Legislature of the State of Idaho, requesting the Congress to amend section 5 of the Idaho Admission Act; to the Committee on Public Lands.

154. Also, memorial of the Legislature of the State of Idaho, recommending the authorization by the Congress of the Albeni Falls project; to the Committee on Public Works.

155. By Mr. FORAND: Resolution requesting the Senators and Representatives from Rhode Island in the Congress to use their efforts to amend the Federal Social Security Act with the purpose of extending the coverage and the benefits now authorized by such legislation, passed by the General Assembly of the State of Rhode Island and Providence Plantations; to the Committee on Ways and Means.

SENATE

THURSDAY, MARCH 3, 1949

(Legislative day of Monday, February 21, 1949)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

Rev. Edward L. R. Elson, D. D., minister, the National Presbyterian Church, Washington, D. C., offered the following prayer:

Eternal Father, the same yesterday, today, and forever, deliver us now from the clash and clamor of our day, from the pressure of duties, the competition of interests, and the confusion of voices, that we may hear once more the still, small voice. Beyond all speech, yet ever speaking may we behold the Living Word—Son of Man and Son of God. Hearing Him, may we be quick to obey Him and ready to serve Him. Turn us back to the truth that He that is greatest amongst us shall be the servant of all, and whosoever loseth his life for the truth shall find it again, through Him, whose name is above every name. Amen.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Swanson, one of its reading clerks, announced that the House had passed a bill (H. R. 3082) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1950, and for other purposes, in which it requested the concurrence of the Senate.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

REPEAL OF CERTAIN ACTS RELATING TO RULES OF SURVEY

A letter from the Under Secretary of the Interior, transmitting a draft of proposed legislation to revise and repeal certain acts relating to rules of survey to permit departures from the system of rectangular survey when necessary on all public lands, and for other purposes (with an accompanying paper); to the Committee on Interior and Insular Affairs.

VOLUNTARY PLAN FOR ALLOCATION OF STEEL PRODUCTS FOR GAS PIPE LINE TO ATOMIC ENERGY COMMISSION PLANT

A letter from the Acting Attorney General, transmitting, pursuant to law, the voluntary plan for the allocation of steel products for gas pipe line to Atomic Energy Commission plant, and the request and the letter of compliance to the plan (with accompanying papers); to the Committee on Banking and Currency.

REPORT OF GENERAL ACCOUNTING OFFICE

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the work of the General Accounting Office for the fiscal year 1948 (with an accompanying report); to the Committee on Expenditures in the Executive Departments.

AMENDMENT OF SECTION 4 (B) OF CIVIL SERVICE RETIREMENT ACT

A letter from the President of the United States Civil Service Commission, recommending legislation to amend section 4 (b) of the Civil Service Retirement Act of May 29, 1930, as amended; to the Committee on Post Office and Civil Service.

DEATH OF MR. A. T. CAPEHART

Mr. JENNER. Mr. President, I announce to the Senate that Mr. A. T. Capehart, father of my colleague the senior Senator from Indiana [Mr. CAPEHART], died suddenly at 2 p. m. Wednesday in Washington, Ind., following a heart attack. He was stricken on the street in his home city and died before aid could reach him.

The senior Mr. Capehart was born October 20, 1866, in Pike County, Ind., and spent most of his life there and in Daviess County. He is survived by his widow and four children: Senator Capehart; Mrs. Byron Haskins, of near Washington, Ind.; and Ivan and Paul Capehart, of Louisville, Ky., and De Kalb, Ill., respectively; 13 grandchildren and 9 great grandchildren. Senator CAPEHART'S mother died in 1921.

Funeral services will be held Friday at 1 p. m. in the Gill mortuary in Washington, Ind., and at 2 p. m. in the Iva Church near Otwell, Ind. Burial will be in the IOOF cemetery in Otwell.

LEAVES OF ABSENCE

Mr. IVES. Mr. President, I ask unanimous consent to be absent from the session of the Senate on Saturday next.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. ROBERTSON. Mr. President, I ask unanimous consent to be excused from the session of the Senate on Saturday, if there is to be a session on Saturday, in order that I may attend the Virginia Day exercises at Valley Forge the next morning.

The VICE PRESIDENT. Without objection, leave is granted.

Mr. LANGER. Mr. President, I ask unanimous consent to be excused from sessions of the Senate this afternoon and tomorrow.

The VICE PRESIDENT. Without objection, leave is granted.

CALL OF THE ROLL

Mr. LUCAS. Mr. President, I suggest the absence of a quorum.

Mr. WHERRY. Mr. President, will the Senator withhold the suggestion long enough to enable me to ask unanimous consent that the distinguished senior Senator from Minnesota [Mr. THYE] be permitted to present a matter for insertion in the RECORD, and make a 2-minute observation about a certain event in Minnesota which is very interesting to him?

Mr. LUCAS. I do not see how, under the rules, I can do that.

Mr. WHERRY. I suggest to the distinguished majority leader that yesterday I granted unanimous consent to the Senator from Florida for the same purpose. Inasmuch as a quorum call has not been had, there would be no abuse of the general rule we have entered into, and it would be an appreciated courtesy if the Senator would agree.

The VICE PRESIDENT. Under the unanimous-consent agreement entered into yesterday, the Senator from Florida is entitled to the floor.

Mr. WHERRY. There is no dispute about that; but if unanimous consent

is to be asked for insertions in the RECORD, I ask that at that time, then, the distinguished Senator from Minnesota be granted that courtesy, without prejudicing the right of the Senator from Florida at all relative to his parliamentary status.

The VICE PRESIDENT. The clerk will call the roll for the ascertainment of a quorum.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Hill	Murray
Anderson	Hoey	Myers
Baldwin	Holland	Neely
Brewster	Humphrey	O'Conor
Bricker	Hunt	O'Mahoney
Bridges	Ives	Pepper
Broughton	Jenner	Reed
Butler	Johnson, Colo.	Robertson
Byrd	Johnson, Tex.	Russell
Cain	Johnston, S. C.	Saltonstall
Chapman	Kefauver	Schoeppel
Chavez	Kem	Smith, Maine
Connally	Kerr	Smith, N. J.
Cordon	Kilgore	Sparkman
Donnell	Knowland	Stennis
Douglas	Langer	Taft
Downey	Lodge	Taylor
Eastland	Long	Thomas, Okla.
Ecton	Lucas	Thomas, Utah
Ellender	McCarran	Thye
Ferguson	McCarthy	Tobey
Flanders	McClellan	Tydings
Frear	McFarland	Vandenberg
Fulbright	McGrath	Watkins
George	McKellar	Wherry
Gillette	Magnuson	Wiley
Green	Malone	Williams
Gurney	Maybank	Withers
Hayden	Miller	Young
Hendrickson	Millikin	
Hickenlooper	Mundt	

Mr. MYERS. I announce that the Senator from Connecticut [Mr. MCMAHON] and the Senator from New York [Mr. WAGNER] are necessarily absent.

Mr. SALTONSTALL. I announce that the Senator from Indiana [Mr. CAPEHART] is necessarily absent because of the death of his father, Mr. Alvin T. Capehart.

The Senator from Pennsylvania [Mr. MARTIN] is absent by leave of the Senate.

The Senator from Oregon [Mr. MORSE] is necessarily absent.

The VICE PRESIDENT. Ninety-one Senators having answered to their names, a quorum is present.

TRANSACTION OF ROUTINE BUSINESS

The VICE PRESIDENT. Under the unanimous-consent agreement of yesterday, the Senator from Florida [Mr. HOLLAND] has the floor.

Mr. LUCAS. Mr. President, will the Senator from Florida yield in order that I may make a unanimous-consent request?

Mr. HOLLAND. Mr. President, I ask unanimous consent that I may yield to the Senator from Illinois, the majority leader, in order that he may propound a unanimous-consent request, with the understanding that I shall not thereby lose my place on the floor.

The VICE PRESIDENT. Is there objection?

Mr. WHERRY. Mr. President, reserving the right to object, I wish to say that I do not object, but I desire to withdraw the unanimous-consent request I made prior to the calling of the roll in behalf of the Senator from Minnesota [Mr. THYE], who will seek the floor for himself sometime later during the day.

The VICE PRESIDENT. Is there objection to the request of the Senator from Florida that the Senator from Illinois may propound a unanimous-consent request for the presentation or introduction of routine matters? The Chair hears none.

Mr. LUCAS. Mr. President, I ask unanimous consent that Senators may be permitted to file with the clerk bills and joint resolutions, petitions, and memorials, and other matters which are ordinarily presented during the morning hour, without thereby interfering with or jeopardizing the parliamentary situation on the question now pending before the Senate.

The VICE PRESIDENT. Is the request of the Senator from Illinois that Senators may file such matters with the clerk, or that they be permitted to make their presentations on the floor of the Senate?

Mr. LUCAS. I make the request that they be permitted to make the presentations on the floor of the Senate.

The VICE PRESIDENT. Without debate?

Mr. LUCAS. Without debate.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A joint resolution of the Legislature of the State of Colorado, favoring creation of a new department of natural resources, and so forth; to the Committee on Expenditures in the Executive Departments.

(See joint resolution printed in full when presented by Mr. MILLIKIN on February 28, 1949, p. 1571, CONGRESSIONAL RECORD.)

A concurrent resolution of the Legislature of the State of Iowa, favoring the enactment of legislation to aid the State in the enforcement of the cigarette tax now evaded by use of the United States mails; to the Committee on Finance.

(See concurrent resolution printed in full when presented by Mr. GILLETTE on February 28, 1949, p. 1572, CONGRESSIONAL RECORD.)

A joint resolution of the Legislature of the State of Idaho approving the report of the Corps of Engineers of the Army on the Albeni Falls project, located on the Pend d'Oreille River, Idaho; to the Committee on Public Works.

(See joint resolution printed in full when presented by Mr. MILLER on March 1, 1949, p. 1628, CONGRESSIONAL RECORD.)

A joint resolution of the Legislature of the State of Idaho, favoring an amendment to section 5 of the Idaho Admission Act to provide that oil, gas and/or hydrocarbons leases may be made upon school lands for an initial period of 10 years, etc.; to the Committee on Interior and Insular Affairs.

(See joint resolution printed in full when presented by Mr. MILLER on March 1, 1949, p. 1628, CONGRESSIONAL RECORD.)

A joint resolution of the Legislature of the State of Idaho, favoring appropriation of necessary funds to proceed with work on the interstate stream of Bear River, as will effectively prevent the destruction of lands and irrigation pumping systems in Franklin County, Idaho, and Cache County, Utah; to the Committee on Appropriations.

(See joint resolution printed in full when presented by Mr. MILLER on March 1, 1949, p. 1629, CONGRESSIONAL RECORD.)

A concurrent resolution of the Legislature of the Territory of Hawaii; ordered to lie on the table:

"House Concurrent Resolution 7

"Concurrent resolution expressing confidence in the Honorable A. M. Cristy and in the Honorable Willson C. Moore, judges of the circuit court, first circuit, Territory of Hawaii and the integrity of the judiciary in Hawaii

"Whereas the President of the United States has nominated the Honorable A. M. Cristy to serve as associate justice of the Supreme Court of the Territory of Hawaii, and the Honorable Willson C. Moore to succeed himself for another term as judge of the circuit court, first circuit, Territory of Hawaii; and

"Whereas the confirmation of the Honorable A. M. Cristy and the Honorable Willson C. Moore is now pending before the Senate of the United States; and

"Whereas, a concerted attempt has been made by certain local groups to discredit the judges and to prevent their confirmation by conducting a campaign of vilification, fact distortion, and baseless accusations; and

"Whereas the functioning of a fearless, independent, and impartial judiciary in Hawaii is imperiled by such attacks by groups seeking to attain their own selfish ends; and

"Whereas the preservation of an independent judiciary presided over by able, fearless, and independent men is a matter of grave concern to the people of the Territory of Hawaii: Now, therefore, be it

"*Resolved by the House of Representatives of the Twenty-fifth Legislature of the Territory of Hawaii (the senate concurring)*, That the Legislature of the Territory of Hawaii hereby express its implicit confidence in the fairness, integrity, and honesty of the Honorable A. M. Cristy and the Honorable Willson C. Moore and the high integrity of the judiciary in Hawaii and further express its desire that favorable action on their nominations may be taken by the Senate of the Congress of the United States; and be it further

"*Resolved*, That duly authenticated copies of this concurrent resolution be forwarded to the President of the United States, the President of the Senate, the Speaker of the House of Representatives, the Secretary of the Interior, the Attorney General of the United States, and the Delegate of Congress from Hawaii."

A resolution adopted by the Methodist Federation for School Action, New York, N. Y., favoring the enactment of legislation providing statehood for Alaska and Hawaii; to the Committee on Interior and Insular Affairs.

A resolution adopted by the central committee of the Democratic Party of the Territory of Hawaii, relating to statehood for Hawaii, and so forth; to the Committee on the Judiciary.

Resolutions adopted by the City Council of the City of Stevens Point, Wis., the Common Council of the City of New Britain, Conn., and the City Council of the City of Kankakee and the City Council of the City of Centralia, both in the State of Illinois, favoring the enactment of legislation proclaiming October 11 of each year as General Pulaski's Memorial Day; to the Committee on the Judiciary.

A telegram in the nature of a petition signed by John J. Pilch, chairman, and John W. Austin, secretary-treasurer, Hearst chain conference of Typographical and Mailer Unions, Chicago, Ill., praying for the enactment of legislation to repeal the Taft-Hartley labor law; to the Committee on Labor and Public Welfare.

A resolution adopted by the Kentucky Petroleum Marketers Association at its twenty-third annual meeting in Louisville, Ky., favoring the enactment of legislation to pro-

vide for the commencement of the Big Sandy lock and dam project; to the Committee on Public Works.

The memorial of the Electric Utility Workers Union, Indianapolis, Ind., signed by R. C. Benson, president, remonstrating against the enactment of legislation providing for a TVA steam plant at New Johnsonville, Tenn.; to the Committee on Appropriations.

A resolution adopted by the Nebraska MVA Committee, Omaha, Nebr., favoring the enactment of legislation creating a Missouri Valley Administration; to the Committee on Public Works.

A resolution adopted by the Nebraska MVA Committee, Omaha, Nebr., favoring an investigation of water-development and lobbying organizations, etc.; to the Committee on the Judiciary.

By Mr. O'MAHONEY (for himself and Mr. HUNT):

A joint resolution of the Legislature of the State of Wyoming; to the Committee on Interior and Insular Affairs:

"House Joint Memorial 4

"Joint memorial memorializing the Congress of the United States of America to abolish the Jackson Hole National Monument

"Whereas the creation and existence of the Jackson Hole National Monument is contrary and inimical to the inherent rights and interests of the citizens of the State of Wyoming: Now, therefore, be it

"Resolved by the House of the Thirtieth Legislature of the State of Wyoming (the senate concurring), That the Congress of the United States be memorialized to adopt legislation abolishing the said Jackson Hole National Monument and that copies of this memorial be sent to the President of the United States Senate, the Speaker of the House of Representatives, United States Senators JOSEPH C. O'MAHONEY and LESTER C. HUNT, and Congressman FRANK A. BARRETT.

"HERMAN D. MAYLAND,
"Speaker of the House.
"GEORGE BURKE,
"President of the Senate.

"Approved February 19, 1949.
"A. G. CRANE, *Governor.*"

ST. LAWRENCE WATERWAY—RESOLUTION OF MINNESOTA LEGISLATURE

Mr. HUMPHREY. Mr. President, I present for appropriate reference and ask unanimous consent to have printed in the RECORD a concurrent resolution adopted by the Legislature of the State of Minnesota, favoring development of the St. Lawrence waterway.

There being no objection, the resolution was received, referred to the Committee on Foreign Relations, and, under the rule, ordered to be printed in the RECORD, as follows:

A concurrent resolution memorializing the Congress of the United States to take prompt action to ratify the agreement between the Government of the United States and the Dominion of Canada for the development of the St. Lawrence waterway

Whereas representatives of the Governments of the United States and of the Dominion of Canada in 1941 consummated and signed an agreement for the development of the St. Lawrence River, both for navigation and power purposes, so as to permit free passage of oceangoing ships from the Atlantic Ocean to the head of the Great Lakes and into the heart of the American Continent, and make available the development of this great potential source of electric energy for necessary public use; and

Whereas the agreement was under consideration by the Congress of the United States at the time of the Japanese attack on Pearl Harbor, and shortly thereafter we were at war with the Central Powers in Europe, as a consequence of which action on the agreement was advisedly deferred; and

Whereas world development since 1941 have made it increasingly apparent that the securing of a permanent and just peace will inevitably be attended with vastly increased commerce with foreign nations, and particularly with the European and Asiatic nations, and the great industries located on the Great Lakes and the agriculture of the Northwest States will benefit as a result of the opening of the St. Lawrence as a shorter route for ocean commerce to deliver to foreign nations the products of our industries and agriculture, and more than ever before the development of the power to be generated by the St. Lawrence is recognized as a vital economic necessity; and

Whereas the agreement is now again being submitted to the Congress of the United States for approval, the Presidents of the United States for the past 29 years have committed themselves to the development of the St. Lawrence, and President Harry S. Truman has characterized the St. Lawrence project as of economic value comparable to the Panama Canal, and a vital necessity as a defense measure; and

Whereas the State of Minnesota, through its legislature, for the last 29 years has affirmed its continued support of this project, and through the Great Lakes-St. Lawrence Tidewater Commission of Minnesota has continuously promoted the development of the St. Lawrence River, believing that the project is a vital necessity for the stimulation and development of the resources of this State and of the entire Northwest, as well as a great economic advantage to the Nation, and that the project has already been too long delayed: Now, therefore, be it

Resolved, That the house of representatives, the senate concurring, commend and support the President of the United States in his steadfast, consistent and energetic support of this project, and urge the Congress of the United States, without further delay, to approve and ratify the agreement already concluded with the Dominion of Canada, and provide the necessary funds for the speedy completion of this great project as a vital, economic and defense necessity; be it further

Resolved, That the secretary of state be instructed to send copies of this resolution to the President, the Vice President, the Speaker of the House of Representatives of the United States, and to each of the Senators and Representatives in Congress from the State of Minnesota.

GERALD T. MULLIN,
President of the Senate.
JOHN A. HARTLE,
Speaker of the House of Representatives.

Approved February 23, 1949.
LUTHER YOUNGDAHL,
Governor of the State of Minnesota.

The VICE PRESIDENT laid before the Senate a concurrent resolution of the Legislature of the State of Minnesota, identical with the foregoing, which was referred to the Committee on Foreign Relations.

CONCURRENT RESOLUTIONS OF INDIANA LEGISLATURE

Mr. JENNER. Mr. President, I present for appropriate reference, and ask unanimous consent to have printed in the RECORD, certified copies of enrolled Senate Concurrent Resolution No. 4 of the Legislature of the State of Indiana favoring the enactment of legislation to enact effective legislation providing for flood control in the Wabash River watershed area and tributaries thereto, and enrolled Senate Concurrent Resolution No. 11 of that legislature, protesting against the federalization of the National Guard of the United States and the National Guard of the several States, Territories, and the District of Columbia in whole or in part.

The VICE PRESIDENT. The concurrent resolutions will be received, and appropriately referred, and, under the rule, printed in the RECORD.

To the Committee on Public Works:

"Enrolled Senate Concurrent Resolution 4

"Concurrent resolution memorializing Congress to enact effective legislation providing for flood control in the Wabash River watershed area and tributaries thereto

"Whereas each year the overflow of the many rivers, streams, creeks, and tributaries which empty into the Wabash River creates a flood condition imperiling life and causing property damage throughout the entire Wabash Valley, contributing at the same time to similar conditions which exist in the Southern States through which the Ohio and Mississippi Rivers flow; and

"Whereas the specific consequences of such flood conditions are: Silting and sedimentation of stream channels, reservoirs, dams, ditches, and harbors; loss of soil and water; an increase in the speed and volume of rainfall run-off, causing severe and increasing floods, which bring suffering, disease, and death, impoverishment of families, damage to roads, highways, railways, buildings, and other property from floods; and losses in navigation, hydroelectric power, municipal water supply, and underground water reserve: Therefore be it

"Resolved by the senate (the house of representatives concurring):

"SECTION 1. The Eighty-sixth General Assembly of the State of Indiana does hereby memorialize and petition the Congress of the United States to enact effective legislation for the control of floods and the prevention of soil erosion, to preserve natural resources, prevent impairment of dams and reservoirs, assist in maintaining the navigability of rivers, protect and promote the health, safety, and general welfare of the people, and to appropriate sufficient funds for the execution of such legislation.

"SEC. 2. The secretary of the senate is directed to forward copies of this resolution to the Secretary of the United States Senate, to the Clerk of the National House of Representatives, and to each United States Senator and Congressman from Indiana."

"CERTIFICATE

"I hereby certify that the foregoing resolution is a true and complete copy of senate concurrent resolution No. 4 as the same appears on file in my office as secretary of state of the State of Indiana, such office being the duly designated repository of all original acts and resolutions of the General Assembly of the State of Indiana; that said resolution was duly adopted by the eighty-sixth session of the General Assembly of the State of Indiana (1949) and that the signatures appended thereto by the President of the Senate, the Speaker of the House of Representatives, and the Governor of the State of Indiana are the true signatures of the presiding officers of said houses of said General Assembly and of the Governor of the State of Indiana.

"Witness my hand and the seal of the State of Indiana this February 16, 1949.

[SEAL] "CHARLES F. FLEMING,
"Secretary of State of the State of Indiana."

To the Committee on Armed Services:

"Enrolled Senate Concurrent Resolution 11

"Concurrent resolution memorializing the Congress of the United States to oppose the federalization of the National Guard of the United States and the National Guard of the several States, Territories, and the District of Columbia in whole or in part

"Whereas the Secretary of Defense brought into being in 1947 the Committee on Civilian Components, commonly known as the Gray board, and which committee was directed by said Secretary of Defense to make a comprehensive, objective, and impartial study of the armed forces; and

"Whereas said Committee on Civilian Components on June 30, 1948, in its report to the Secretary of Defense, recommended, among other things, that national security required that all services have one Federal Reserve Force which should be accomplished—

"(a) by establishing the Reserve forces of the Army under the Army clause of the Constitution;

"(b) by similarly establishing the Reserve forces of the Air Force under appropriate legal authority;

"(c) by incorporating the National Guard and the Organized Reserve Corps into the Army Reserve force under the name of The National Guard of the United States;

"(d) by incorporating the Air National Guard and Air Reserve into the Air Force Reserve under the name of the United States Air Force Reserve; and

"Whereas on December 15, 1948, the Secretary of Defense recommended to the President of the United States, among other things, the federalization of the Air National Guard; greater Federal control over the personnel, equipment, facilities, allocation of money to the States; and

"Whereas federalization of the National Guard, in whole or in part, by the organization of a single Federal Reserve force under the Army clause of the Constitution instead of under the militia clauses of the Constitution, as the National Guard is now organized, and under which the sovereign States retain the authority for the appointment of the officers of the National Guard and the authority for the training of the National Guard in time of peace in accordance with the discipline prescribed by the Congress; and

"Whereas such federalization would violate the principle of States' rights in that the framers of the Constitution contemplated a standing army as the only Federal force is clear from the arguments advanced by Hamilton, whereby he persuaded the States to accept the principle of a standing army, large enough to accomplish the immediate purpose of the Congress only; its size to be controlled by limiting appropriations to a period of 2 years only with the further agreement that the States would maintain no troops in time of peace, other than with the consent of Congress, in exchange for the provision that the Congress would have power to provide for the organizing, arming, and disciplining (training) the militia and reserving to the States only the power to appoint officers and the authority to train the militia according to the discipline prescribed by Congress; and

"Whereas complete federalization would violate the principle upon which the States bargained, as above explained, by giving to the Federal Government, in addition to its own standing army, a part of the militia over which the States would have no control or power whatsoever, instead of the control provided in clause 16, section 8, article I of the Constitution; and

"Whereas nowhere in the Constitution is there any power given to the Federal Government to do other than raise and support armies and standing armies only were contemplated with no power ever given to the Federal Government to organize and support a Federal militia and none exists; and

"Whereas federalization of the National Guard as now constituted under the militia clauses of the Constitution, in whole or in part, would not only violate the principle of States' rights but would violate existing agreements between the Federal Government and the sovereign States whereby the States accepted in good faith the allotments made by the War Department in 1945, and have completed the organization of such allotments, insofar as authorized by the Congress and for which funds have been provided; and

"Whereas federalization of the National Guard, air or ground, as recommended by the Secretary of Defense and the Committee on Civilian Components, would destroy at one blow the National Guard as it now exists and which has rendered exceptional and valiant service to the Nation in two world wars and in time of peace would impose fantastic costs beyond the ability of the Nation to meet and would seriously jeopardize our national security and would result in the centralization of all military power in the Federal Government and ultimately in the hands of a few, and thus pave the way for the establishment of a dictatorship, military or otherwise, in this country; and

"Whereas the States would be left without an internal security force and would be compelled to organize and maintain State troops at great cost to the States with the result that there would thus be maintained a Federal Reserve and State military force, creating a great duplication of effort and expense while the National Guard, as it is now constituted and controlled, not only furnishes the necessary internal security for the States but, in addition, serves as a component of the Army of the United States and a first line of defense thereof as provided by the National Defense Act: Therefore be it

"Resolved by the Senate of the General Assembly of the State of Indiana (the house of representatives concurring):

"SECTION 1. That the Congress and the President of the United States are hereby memorialized to retain intact the National Guard of the United States, ground and air, as it is now organized under the militia clauses of the Federal Constitution and thus reserve to the States the controls provided by the Constitution in time of peace and ensure that it will be at the disposal of the State in time of peace and that there will be unity in the armed forces of the Nation at a time when unity is so essential.

"SEC. 2. That copies of this concurrent resolution be transmitted to the President of the United States, the Speaker of the House of Representatives, the President pro tempore of the Senate, the chairman of the Armed Services Committees of the Congress, and Members of the Indiana delegation in Congress."

"CERTIFICATE

"I hereby certify that the foregoing resolution is a true and complete copy of Senate Concurrent Resolution 11 as the same appears on file in my office as secretary of state of the State of Indiana, such office being the duly designated repository of all original acts and resolutions of the General Assembly of the State of Indiana; that said resolution was duly adopted by the Eighty-sixth session of the General Assembly of the State of Indiana (1949) and that the signatures appended thereto by the president of the senate, the speaker of the house of representatives, and the Governor of the State of Indiana are the true signatures of the presiding officers of said houses of said general assembly and of the Governor of the State of Indiana.

"Witness by hand and the seal of the State of Indiana this March 1, 1949.

[SEAL] "CHARLES F. FLEMING,
"Secretary of State of the State of Indiana."

RESOLUTION OF KNOX COUNTY (NEBR.) BOARD OF SUPERVISORS RELATING TO ASSISTANCE DURING RECENT DISASTROUS STORMS

Mr. BUTLER. Mr. President, on behalf of myself and my colleague, the junior Senator from Nebraska [Mr. WHERRY], I present for appropriate reference and ask unanimous consent to have printed in the body of the RECORD a resolution unanimously adopted and signed by the Board of Supervisors of Knox County, Nebr., expressing the appreciation of the people of that county for the assistance rendered them during the recent disastrous storm conditions that prevailed for several weeks throughout that area.

There being no objection, the resolution was referred to the Committee on Armed Services and ordered to be printed in the RECORD, as follows:

Whereas the blizzard conditions of this past winter, from November 18, 1948, marooned and isolated Knox County, Nebr., from the rest of the State with a blanket of 71 inches of snow on our 1,800 miles of roads, 2,500 farms, and 9 towns; and

Whereas the repeated and unprecedented high winds accompanying our 9 blizzards caused huge drifts to envelope the highways, towns, farmsteads, and haystacks, which conditions made it impossible for traffic to move and thereby brought about the acute possibility of human suffering to 18,000 or more persons as well as to 200,000 or more head of livestock; and

Whereas the enormity of the task of clearing the snow from the highways, farms, and towns was far beyond the financial means of the county, and, in addition, the necessary volume of snow-clearing equipment to do the task was unavailable locally; and

Whereas such conditions prompted us to appeal for aid, and, after our urgent appeals were answered, we were able to clear our highways of snow and make available to our citizens access to the much-needed feed, food, and medical attention to alleviate the desperate conditions that existed; and

Whereas the measures made available to us to relieve our disasterous predicament were swift and complete, the cases of human tragedy and livestock losses were slight; and

Whereas the people of Knox County feel a deep sense of appreciation to all of those persons and governmental agencies who made Operations Snowbound available to us; and

Whereas the County Board of Supervisors of Knox County, as the local governmental body representing all the people of our county, desires to express for all of our citizens appreciation of the splendid work done: Now, therefore, be it

Resolved by the County Board of Supervisors of Knox County, Nebr., That those persons and governmental agencies responsible for Operations Snowbound be informed of our appreciation of their efforts in our behalf, and as a token thereof that a copy of this resolution be delivered to each of the following persons and governmental agencies, namely, the President of the United States, Harry S. Truman; the Governor of the State of Nebraska, Val Peterson; the Congress of the United States; the Legislature of the State of Nebraska; Gen. Lewis A.

Pick; Corps of Engineers of the United States Army; the Fifth Army of the United States; the National Red Cross; the National Guard.

Dated at Center, Knox County, Nebr., this 21st day of February 1949.

COUNTY BOARD OF SUPERVISORS OF KNOX COUNTY, NEBR.,
JOHN D. FORSYTH, *Chairman,*
P. T. MALONE,
T. E. TIKEDSKY,
CING BOELTER,
ALFRED HARM,
RUEBEN E. ANDERSON,
ERICK RIISNESS, *Supervisors.*

Attest:
[SEAL] GEO. W. PETERSON,
County Clerk.

DEVELOPMENT OF ST. LAWRENCE HYDROELECTRIC PROJECT—LETTER AND RESOLUTION OF NORTH CAROLINA RURAL ELECTRIC COOPERATIVE ASSOCIATION

Mr. AIKEN. Mr. President, I am in receipt of a letter from Clayton Moretz, secretary-treasurer of the North Carolina Rural Electric Cooperative Association, Sanford, N. C., enclosing a resolution adopted by that association, favoring the so-called St. Lawrence hydroelectric project. I ask that the letter and resolution be appropriately referred and printed in the RECORD.

There being no objection, the letter and resolution were referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

NORTH CAROLINA RURAL ELECTRIC,
COOPERATIVE ASSOCIATION,
Sanford, N. C., March 1, 1949.

Senator AIKEN,
Washington, D. C.

DEAR SIR: Enclosed herewith is a copy of a resolution adopted by the North Carolina Rural Electric Cooperative Association at their regular meeting held at Winston-Salem, N. C., February 23 and 24, 1949.

It is the aim of the cooperatives in North Carolina to help in every way possible to further rural electrification all over the United States. Therefore we are behind the St. Lawrence hydroelectric project 100 percent.

Cooperatively yours,
CLAYTON MORETZ,
Secretary-Treasurer.

Whereas the northeastern area of the United States is suffering economically and socially from an acute electric-power shortage; and

Whereas a tremendous potential of electric power is available by the development of the St. Lawrence hydroelectric project; and

Whereas making sources of electric power available for the public and industry is a program requiring years from the drafting board to the busbar; and

Whereas present programs for the availability of electricity will not meet future requirements for the economic, social, and agricultural welfare of the Northeast as well as the national security: Now, therefore, be it

Resolved, That the North Carolina Rural Electric Cooperative Association, representing 30 electric membership cooperatives, serving 130,000 members, unanimously support the immediate development of the St. Lawrence hydroelectric project by either Federal or State agencies.

WAGE-HOUR LEGISLATION

Mr. WILEY. Mr. President, two of the most controversial bills now pending before the Senate and House Labor Committees are those which would revise the present wage-hour laws. I have received many communications and resolutions from innumerable enterprises throughout my State, indicating their reactions to various provisions of these bills.

I send to the desk, therefore, and ask that there be appropriately referred and printed in the RECORD at this point some of the many letters from prominent individuals and groups in my State, pointing out some of the implications of these bills.

I commend these communications to the attention of my colleagues in the Senate and House.

There being no objection, the letters were referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

LAUNDRYOWNERS' ASSOCIATION
OF MILWAUKEE,
February 14, 1949.

Hon. ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.

DEAR SENATOR: The members of the Laundryowners' Association of Milwaukee, comprising all of the major laundry plants of Milwaukee, are unanimously opposed to the Lesinski-Thomas bill, No. 653, which drastically changes the wage-and-hour law to affect the local laundry-service business. Said bill if enacted into law would be destructive to the commercial laundry industry, which should be exempt from any laws involved in interstate commerce.

We request that you do all in your power to have the laundry-service industry exempt from laws governing interstate business.

Sincerely yours,
V. A. SMITH,
Secretary.

HAYWARD LAKES RESORT ASSOCIATION,
Hayward, Wis., February 14, 1949.

Hon. ALEXANDER WILEY,
Member of Senate,
Washington, D. C.

DEAR SIR: Under legislation, known as the Fair Labor Standards Act, the minimum-wage hour scale of 75 cents and the 40-hour week will affect a majority of the members of our association. In most cases they will have to employ two shifts, to make it possible to comply with the requirements of this act. This will be a definite hardship on them. Total membership, 194.

At a meeting duly assembled on the 7th day of February it was the majority opinion of the members present that this proposed legislation be opposed.

Please use whatever means are necessary to help defeat this legislation.

Yours very truly,
JACK ECKL,
Secretary-Treasurer.

WISCONSIN STATE
TELEPHONE ASSOCIATION,
Madison, Wis., February 2, 1949.

Senator ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.

SIR: Our attention has been directed to a bill introduced by Chairman LESINSKI, of Michigan, of the House Labor Committee, to amend the Federal Fair Labor Standards Act. Among other provisions of the bill is one which would change the present exemption of telephone switchboard operators employed in small telephone exchanges serving 500 stations (telephones) or less.

There are over 700 small independently owned and operated telephone companies which serve the rural communities throughout Wisconsin. Many of these companies are financed on a cooperative basis, each subscriber being limited to ownership of one share of stock, and are operated not as a commercial enterprise on a profit basis, but rather as a community effort to afford a necessary protection. Over two-thirds of all the central offices in the State serve less than 500 telephones and render 24-hour service every day in the year. Many of these exchanges serve less than 100 telephones. This requires three operators each working an 8-hour shift every day, together with relief operators for rest periods, vacations, absence due to sickness and other causes.

If the present exemption under the Fair Labor Standards Act is reduced or eliminated and the minimum hourly wage rate is increased to 75 cents per hour, as proposed by Chairman LESINSKI's bill, it will be impossible for these small exchanges to meet operation expenses. In most cases, the farmers pay $2 or less per month for multiparty service and the proposed changes would necessitate charging from $6 to $10 or more per month, which their limited usage, coupled with the small number of other subscribers with whom they may communicate, would raise the cost far beyond the value of the service to the rural public.

The only alternatives left the small companies would be either:

(a) Reduce service to 8 hours for a 5-day week to cut operating costs and pray that no fires, floods, accidents, robberies, births, deaths, sickness of humans or cattle or other emergencies requiring outside aid will occur during the hours the community is without telephone protection, or,

(b) Install a dial-operated automatic switchboard and discharge the present switchboard operators.

If either of these alternatives is followed, the proposed legislation, instead of increasing the wages of employees in these small exchanges, will cause most of them to lose their jobs.

* * * * *

We earnestly solicit your aid and support in defeating the proposed amendment to reduce the present exemption from the Federal Fair Labor Standards Act, as it definitely would work an unwarranted and undue hardship on the employees, management, and rural public.

Respectfully submitted.

J. E. BYRNE,
Recording Secretary.

RICHLAND CENTER
CHAMBER OF COMMERCE,
Richland Center, Wis., February 9, 1949.

Hon. ALEXANDER WILEY,
Senate Office Building, Washington, D. C.

DEAR SENATOR: As the Committee on National Affairs of the Richland Center Chamber of Commerce, we have been asked to write you concerning the organization's views on the bill to raise the minimum wage. It is the feeling of the majority of the members of this organization that the amount proposed as the new minimum wage would in many cases represent an intolerable burden on the small-business man, which class makes up a large part of our membership. In many cases, particularly those of veterans who have recently started small businesses, a minimum wage of this nature would mean it would be impossible for them to continue operations, since in many cases the amount of the proposed minimum wage would represent an amount far in excess of the earning capacity of the employed to the business. It is economically impossible to pay a man an amount greater than he is capable of producing. The necessity of so doing would frequently result in such businesses being unable to continue.

We feel, therefore, that it is important that the position of the small-business man be considered in fixing a minimum wage, and that they be given every opportunity to be heard before such a minimum wage is arrived at. It is especially important since a great many of the small businesses which would be so affected represent the life savings and future hopes of many veterans whose sacrifices cannot be forgotten. We would appreciate your doing everything in your power to see that Congress does not take any action that would have such serious results.

Yours very respectfully,
JAMES G. ROBB,
Attorney at Law,
ROBERT J. BORGENSON, M. D.,
LEO P. LOWNIK,
Attorney at Law,
O. D. BLACK,
Attorney at Law,
Committee on National Affairs,
Richland Center Chamber of Commerce.

WISCONSIN CANNERS ASSOCIATION,
Madison, Wis., February 7, 1949.

Hon. ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.

DEAR SENATOR WILEY: The Wisconsin canning industry is, of course, very much concerned about the proposals to amend the wage-hour law. We note in your weekly news letter of February 3 that you question the administration's steam-roller tactics in attempting to jam through a complete revision of the wage-hour law and that you have protested the reckless speed and dictatorial efforts of the administration in this matter. Your position is thoroughly sound and we want to commend you for your efforts to see that this matter is given thorough study and careful consideration.

We are enclosing a copy of a letter we have just addressed to Representative LESINSKI, chairman of the House Committee on Education and Labor, setting forth our position with reference to H. R. 2033. The statements contained therein also apply to bills S. 248 and S. 653. The former of these Senate bills, like the House bill, would eliminate all overtime exemptions for the canning industry. The latter of these Senate bills would eliminate the existing exemptions and substitute therefor one 14-week exemption during which overtime would be required for hours in excess of 10 per day or 50 per week. This substitute exemption is so restricted that it would still require canners to pay time and a half for a great portion of the hours during the active canning season.

At the present time the canning industry has two periods of exemption from the overtime requirements of the wage-hour law. Under section 7 (c) of the present law the industry has an unlimited hours' exemption during weeks of active canning, but not exceeding 14 weeks per year; under section 7 (b) (3) the industry has an exemption up to 12 hours per day and 56 hours per week for another 14 weeks per year. The second exemption was grafted onto the law by administrative interpretation in the hope that it would be a substitute for an adequate definition of "area of production." While this latter exemption has been helpful to the industry, it is the unlimited hours' exemption under section 7 (c) which is really vital. It applies only during weeks in which the plant is actually processing the perishable crop and therefore when the maximum is 14 weeks per year, most Wisconsin canners use it for a fewer number. For instance, a pea canner is likely to use the section 7 (c) exemption only for about 4 weeks, since that is the normal period of the pea pack. However, it is very important to the industry that the canner does retain this exemption for his actual canning period lest his labor costs and in turn the price for his finished product skyrocket.

We will greatly appreciate your continued attention to these matters affecting the wage-hour law and will keep you advised of any further developments in this matter, particularly affecting the Wisconsin canning industry.

Very truly yours,
MARVIN P. VERHULST,
Executive Secretary.

WISCONSIN CANNERS ASSOCIATION,
Madison, Wis., February 5, 1949.

Hon. JOHN LESINSKI,
Chairman, House Committee on Education and Labor, House Office Building, Washington, D. C.

DEAR MR. LESINSKI: The Wisconsin canning industry is very much concerned about certain proposals to amend the Fair Labor Standards Act now being considered by your committee. Of greatest concern are the proposals to raise the minimum wage and to eliminate the overtime exemptions applicable to this industry.

We agree that the present statutory minimum wage of 40 cents per hour is unrealistic today and an upward adjustment is in order. However, if the minimum wage is now set too high, the entire economy of the country may suffer great harm. The country has just now, it appears, passed the peak of inflation, and many prices including food prices are turning downward, but if too high a minimum wage were established by Congress, the effect would again be definitely inflationary. Such a consequence would benefit neither workers nor any other group in our country.

You have not considered Wisconsin to be a low-wage State but even in Wisconsin the establishment of a 75-cent-per-hour minimum wage would mean an average increase of at least 10 cents per hour for canning-factory employees. This is so because if the wage rate for the lowest paid employees is raised, other wage classifications will have to be raised accordingly. And the objective of a universal minimum wage rate of $1 an hour, when translated into living costs and property values in rural communities where most canning factories are located, involves such a degree of inflation as to threaten our entire economy.

The second point we wish to call to your attention is the effect of eliminating the overtime exemptions applicable to the canning industry. From the worker's standpoint, the situation during the active canning season is vastly different from year-round employment in other types of industry. Most cannery employees work for only a few weeks or months of the year. In Wisconsin most of the canning of perishable or seasonal fresh fruits and vegetables occurs during the school vacation period in the summer. Long hours during any one week are likely to be offset in succeeding weeks by a slack period caused by weather or crop conditions. In general, canning-factory employees want to put in as many hours as possible while the crop is fit for canning, and object to attempts to restrict their hours of employment during the active canning season.

From the employer's standpoint, elimination of the overtime exemption will generally mean a further and very substantial increase in wage costs because second shifts of workers are not obtainable in the smaller communities where canning factories are generally located. Likewise, there is no possibility of regulating the flow of perishable crops into the plant to maintain anything like a 40-hour-per-week operation.

We are not concerned with the area-of-production exemption and have no objection to its elimination. However, the elimination of the overtime exemptions, particularly the section 7 (c) exemption, will have very serious consequences for the canning industry and for the consumers of this industry's products, and we strongly urge your careful consideration of this matter. The consequence of legislation such as is proposed in H. R. 2033 will be to raise consumer prices of canned vegetables and fruits much higher than they have ever been before and reinfect our entire economy with the inflation disease from which it appears to be just recovering.

Very truly yours,
MARVIN P. VERHULST,
Executive Secretary.

FARMER-LABOR UNITY—RESOLUTION OF TENTH CONSTITUTIONAL CONVENTION OF CONGRESS OF INDUSTRIAL ORGANIZATIONS

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a resolution adopted by the tenth constitutional convention of the Congress of Industrial Organizations, at Portland, Oreg., on November 25, 1948, relating to farmer-labor unity.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Resolution 10

Resolution on farmer-labor unity

In response to the Nation's demands for food to win the war and to save the peace, the farmers of America have consistently broken production records throughout the war and postwar years.

In 1948 they raised the greatest crops of all time, but already they are being penalized for this large production by serious price declines.

Since last January the price of wheat at the farm has fallen 84 cents a bushel, or 30 percent; the price of corn has fallen more than a dollar a bushel, or 40 percent; and other grains have suffered similar declines.

These reductions in farm prices have found little reflection in retail food prices, and in most cases none at all. The retail price of bread is 10 percent higher than a year ago, although wheat at the farm has been selling for 20 percent less.

The Government's farm-price-support program has not been, and is not now, responsible for the high cost of food to city consumers. All meat animal prices are far above parity, and for most of them there is no price-support program. For the foods in the typical market basket of a city family, with the exception of meats, dairy, and poultry products which have not yet reflected the effect of record crops, the return to farmers has dropped back to within 4 percent of the returns they were receiving under price control in June 1946. But the retail cost of these foods to city consumers is 17 percent greater than in June 1946, due to the fact that the margin taken by processors and distributors is nearly 30 percent greater than in that month, and today accounts for nearly 70 percent of the money which the housewife pays for these foods.

To encourage increased farm output during the war, Congress gave a guaranty to farmers that prices of basic commodities would be supported, by Government loan or purchase, at 90 percent of parity until 2 years after the end of hostilities. This guaranty has been renewed for the crops of 1948, but due to refusal of the Eightieth Congress to implement its guaranty with suitable provisions for storing grain under Government loans, farmers are being forced to sell grain below the guaranteed price floors. This failure of the Eightieth Congress to provide adequate protection to farmers was due to pressure exerted by the lobbyists of the organized grain trade. Their campaign will

continue in the Eighty-first Congress in the hope of wrecking the Government program of farm price supports, thereby delivering farmers into the hands of the speculators whom these lobbyists represent. Meanwhile, prices of steel, lead, zinc, building materials, and other industrial products continues to rise.

Thus farmers are faced with the prospect of further declines in grain prices and corresponding reductions in prices of livestock at a time when industrial prices are still rising and the cost of things that farmers buy is increasing.

Farmers and city workers are interdependent. They will prosper together, or not at all. The threat which now takes shape against the prosperity of American farmers is at the same time a threat against the welfare of industrial workers.

Industrial workers have a direct and personal interest in the maintenance of reasonable stability in the prices and incomes which farmers receive, just as farmers have an interest in the maintenance of high purchasing power among city workers. Farmers are consumers of the products which industrial workers produce, just as city workers are customers of the farmers' products. Industrial workers want continued high output of farm foodstuffs, but this will not be forthcoming if farmers are to be penalized for maintaining output at a high level. Furthermore, any serious decline in farm income will again, as always in the past, undermine industrial employment and force down city workers' income along with the drop in farm incomes.

Soil conservation is another aspect of the farm program which affects all of us. The fertility of our soil is a national asset. Our future as a strong and vigorous Nation depends upon continued improvement in land use and in saving the soil. Soil fertility will be restored and preserved only so long as farmers collectively can carry out programs for the wise use of land, can have adequate assurance that they will not be penalized for adhering to soil practices which, though they may not enrich them as individuals, will preserve the land for the future, and only so long as farmers generally are protected against the ruinous competition of the minority who mine their soil for immediate gain without thought for the generations to follow.

Rural electrification is another example of cooperative farmer-Government action which benefits the entire Nation. The effort of private-power interests to destroy this program by prohibiting use of Government loans for the cooperative development of power generation threatens once again to make farmers the victims of these private-power interests.

Farmer cooperatives benefit both consumers and producers by providing more efficient distribution of farm products. The present attack of private merchandising interests upon these cooperatives, through manipulation of Federal tax laws, is an additional campaign which aims to inflict injury upon the farm population and upon the farmers' customers in the cities.

The Congress of Industrial Organizations believes that all of these threats to the welfare of farmers are of direct and immediate concern to industrial workers: Therefore be it

Resolved:

1. Congress should maintain its guaranty to support farm prices at reasonable levels with relation to the level of industrial prices and to the prices farmers pay for the things they buy.

The price of major farm products, such as wheat, corn, cotton, and hogs, should be supported by flexible price supports which can be adjusted to reflect trends of industrial prices and employment and which, under present high industrial prices and at present high levels of industrial employment, should approximate 90 percent of parity. To avoid waste of foodstuffs and to avoid excessive Government purchase of price-supported farm products, the administration should be empowered by Congress to substitute direct parity payments to farmers in lieu of Government loans or purchases so that market prices may be allowed to fall below the support level when this is necessary to move exceptionally large supplies into consumption.

In the event national policies fail to maintain full employment and deflation ensues, a national food-allotment plan should be promptly put into effect for the purpose of maintaining a safe minimum of food consumption by every family and to assure ample markets for the continued high production of foodstuffs by farmers.

2. The Government soil conservation program, with the costs of conservation shared between Government and farmers and with democratic planning and participation by farmers, must be maintained and improved for the purpose of preserving and rebuilding the fertility of our soil, and to achieve best use of farm land and ranges to meet the Nation's present and future needs for food and fiber.

3. The attack of special interests against the rural electrification program and against farm cooperatives must be resisted and defeated and these programs must be carried forward.

4. People who work on farms and in factories should undertake jointly to consider their common interests in the maintenance of high real purchasing power for both groups, and in national policies to maintain prosperity on farms and full employment and high wages in cities. Farmers and workers must not be divided by the monopoly interests which seek to set one against the other, nor by the profiteering middlemen who rob both the farmer and the city worker of their rightful share of the fruits of their labor. Every opportunity for the mutual exploration and discussion of the common problems and programs of farmers and industrial workers should be sought out by the members of CIO unions and by State and county councils, so that the barriers which selfish private interests seek constantly to erect between them shall be removed and the two groups can move forward together in a spirit of mutual understanding and cooperation in the interest of the Nation as a whole.

TENTH CONSTITUTIONAL CONVENTION OF THE CONGRESS OF INDUSTRIAL ORGANIZATIONS.

PORTLAND, OREG., *November 25, 1948.*

THE HOUSING SITUATION IN SOUTH CAROLINA

Mr. MAYBANK. Mr. President, I ask unanimous consent to have printed in the RECORD two telegrams, one from the Housing Authority of the City of Charleston, S. C., of which E. D. Clement is executive director, and the other from S. L. Lattimer, Jr., of Columbia, S. C. This shows the fair and just treatment accorded the races where harmony exists.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

CHARLESTON, S. C., *March 9, 1949.*

Hon. BURNET R. MAYBANK,
Senate Office Building:

Regarding your telegram, 1,343 units operated by the Housing Authority of the city of Charleston, 55 percent white, 45 percent colored.

HOUSING AUTHORITY OF THE CITY OF CHARLESTON,
E. D. CLEMENT, *Executive Director.*

COLUMBIA, S. C., *March 3, 1949.*

Senator BURNET R. MAYBANK,
Senate Office Building:

Reply your Government day letter Columbia has 646 housing units divided 318 Negro, 328 white or approximately 50 percent each. This does not include war housing Army Air Base pending housing applications 1,100 units divided 700 Negro, 400 white.

S. L. LATTIMER, Jr.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. GEORGE, from the Committee on Finance:

H. R. 2313. A bill to suspend certain import taxes on copper; with an amendment (Rept. No. 91).

By Mr. THOMAS of Utah, from the Committee on Labor and Public Welfare:

S. 247. A bill to promote the progress of science; to advance the national health, prosperity, and welfare; to secure the national defense; and for other purposes; without amendment (Rept. No. 90).

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. GEORGE, from the Committee on Finance:

William E. Davis, of Huntsville, Ala., to be collector of internal revenue for the district of Alabama;

James S. Lamb, of North Dakota, to be collector of internal revenue for the district of North Dakota; and

Harris Walthall, of El Paso, Tex., to be collector of customs for customs collection district No. 24, with headquarters at El Paso, Tex.

By Mr. TYDINGS, from the Committee on Armed Services:

Jeremiah H. Dailey, and sundry other persons for appointment in the Medical, Dental, and Judge Advocate General's Corps, Regular Army of the United States; and

Frank Belmont Anselin, and sundry other officers for promotion in the United States Air Force.

By Mr. McGRATH, from the Committee on the District of Columbia:

Edward A. Dent, to be a member of the District of Columbia Redevelopment Land Agency, for a term of 5 years, effective on and after March 4, 1949 (reappointment).

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. THOMAS of Utah:

S. 1166. A bill for the relief of Toriko Tateuchi; to the Committee on the Judiciary.

By Mr. McCARRAN:

S. 1167. A bill for the relief of the estate of Marion Miller;

S. 1168. A bill to amend section 2680 of Title 28, United States Code; and

S. 1169. A bill for the relief of Christina Shalfeieff; to the Committee on the Judiciary.

(Mr. O'MAHONEY (by request) introduced Senate bill 1170, to provide for a Resident Commissioner to the United States from the Virgin Islands, which was referred to the Committee on Interior and Insular Affairs, and appears under a separate heading.)

(Mr. JENNER introduced Senate bill 1171, to prevent unauthorized acceptance or wearing of foreign decorations by officers of the United States, which was referred to the Committee on the Judiciary, and appears under a separate heading.)

By Mr. BALDWIN:

S. 1172. A bill to increase travel allowances under the Pay Readjustment Act of 1942; to the Committee on Armed Services.

(Mr. O'MAHONEY (for himself and Mr. BUTLER) introduced Senate Joint Resolution 59, providing for a comprehensive observance of the one hundredth anniversary of the creation of the Department of the Interior as an executive department of the Federal Government, which was referred to the Committee on Interior and Insular Affairs, and appears under a separate heading.)

RESIDENT COMMISSIONER FROM THE VIRGIN ISLANDS

Mr. O'MAHONEY. Mr. President, I introduce for appropriate reference a bill to provide for a Resident Commissioner to the United States from the Virgin Islands, and I ask unanimous consent that a letter from Under Secretary of the Interior Oscar L. Chapman, recommending the proposed legislation, be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred, and, without objection, the letter will be printed in the RECORD.

The bill (S. 1170) to provide for a Resident Commissioner to the United States from the Virgin Islands, introduced by Mr. O'MAHONEY (by request), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

The letter presented by Mr. O'MAHONEY was ordered to be printed in the RECORD, as follows:

UNITED STATES DEPARTMENT OF THE INTERIOR,
Washington, D. C., February 23, 1949.

Hon. ALBEN W. BARKLEY,
President of the Senate.

MY DEAR MR. PRESIDENT: Enclosed herewith is a draft of a proposed bill "To provide for a Resident Commissioner to the United States from the Virgin Islands." I request that this proposed bill be referred to the appropriate committee for consideration, and I recommend that it be enacted.

The proposed bill provides for a Resident Commissioner to the United States to be elected by the people of the Virgin Islands every 2 years.

The Congress has long recognized the justice and value of affording representation to the territories and possessions through locally elected delegates entitled to sit and to speak in the House of Representatives. In keeping with this principle, Alaska and Hawaii are represented in the Congress by delegates and Puerto Rico is represented by a Resident Commissioner, all paid by the Federal Government in the same manner as the Members of the Congress. The Philippines were represented, prior to the establishment of the Commonwealth Government, by two, and during the life of that government, by one Resident Commissioner. There is, in my opinion, no valid reason why similar representation should not be extended to the United States citizens who reside in the Virgin Islands.

The creation of the proposed resident commissionership would not only permit the people of the Virgin Islands to make known directly to the Congress their views on matters which affect them, but would also be a concrete demonstration of this Nation's determination to promote democratic principles and practices in areas under its jurisdiction. As a practical matter, moreover, such representation would serve to relieve governors of the Virgin Islands from the necessity, under existing conditions, of making frequent and sometimes prolonged trips to the mainland to attend to legislative matters of importance to the Islands.

The Bureau of the Budget has advised me that there is no objection to the presentation of this proposed legislation to the Congress.

Sincerely yours,

OSCAR L. CHAPMAN,
Under Secretary of the Interior.

PROHIBITION AGAINST ACCEPTANCE OR WEARING OF FOREIGN DECORATIONS

Mr. JENNER. Mr. President, I introduce for appropriate reference a bill to prevent unauthorized acceptance or wearing of foreign decorations by officers of the United States, and I request that a statement prepared by me be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred, and, without objection, the statement will be printed in the RECORD.

The bill (S. 1171) to prevent unauthorized acceptance or wearing of foreign decorations by officers of the United States, introduced by Mr. JENNER, was received, read twice by its title, and referred to the Committee on the Judiciary.

The statement presented by Mr. JENNER was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR JENNER

Section 9 of article I of the Constitution of the United States provides:

"No title of nobility shall be granted by the United States: and no person holding any office of profit or trust under them, shall, without the consent of the Congress, accept of any present, emolument, office, or title, of any kind whatever, from any king, prince, or foreign state."

The people of the United States were aroused and, I might add, incensed recently by the proffer and acceptance of a gift by the President of the Argentine Republic to Maj. Gen. Harry Vaughan, military aide to the President of the United States.

The gift consisted of a medal, which apparently will be worn by this high-ranking officer of the United States Army.

Acceptance of the gift with the apparent full knowledge and consent of the President is in direct violation of the article and section of the Constitution which I quoted.

This action seems to be in line with other actions of the present and previous national administrations, to which apparently the Constitution is but a scrap of paper to be disregarded and flaunted at its whim.

Because of this flagrant disregard of the basic law of our country, I am introducing a bill which will make it a criminal offense with adequate punishment for any person holding an office of profit and trust in our Government to accept any such present, emolument, office, or title from any foreign government or official thereof.

ONE HUNDREDTH ANNIVERSARY OF CREATION OF DEPARTMENT OF THE INTERIOR

Mr. O'MAHONEY. Mr. President, on behalf of the Senator from Nebraska [Mr. BUTLER] and myself, I introduce for appropriate reference a joint resolution providing for a comprehensive observance of the one hundredth anniversary of the creation of the Department of the Interior as an executive department of the Federal Government, and I ask unanimous consent that a release issued today by the Information Service of the Department of the Interior entitled "Summary of 100 Years of Achievement by Interior" be printed in the RECORD.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred and, without objection, the release will be printed in the RECORD.

The joint resolution (S. J. Res. 59) providing for a comprehensive observance of the one hundredth anniversary of the creation of the Department of the Interior as an executive department of the Federal Government, introduced by Mr. O'MAHONEY (for himself and Mr. BUTLER), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

The release presented by Mr. O'MAHONEY was ordered to be printed in the RECORD, as follows:

SUMMARY OF 100 YEARS' ACHIEVEMENT BY INTERIOR

Summarizing 100 years of Interior Department progress in resource development and conservation activities in the United States, Secretary of the Interior J. A. Krug today called attention to the following accomplishments:

1. Through Interior's Bureau of Reclamation—

(a) Over 5,000,000 acres of arid and semi-arid lands in Western States have been made fruitful with irrigation water.

(b) Hydroelectric plants with installed capacity of over 2,500,000 kilowatts, 18 percent of the Nation's total utility hydroelectric supply, have been built.

(c) Value of crops grown on federally irrigated land last year was over $555,000,000 and power revenues another $26,000,000.

2. Through Interior's Bureau of Mines—

(a) Federal mine-inspection and mine-safety program have brought death rate in coal mines down to 1.56 per million tons of coal mined. In 1910 when the Bureau of Mines was established the rate was 5.62 per million tons of coal mined.

(b) Methods of making synthetic liquid fuels out of coal and shale have been developed and proven practical at costs approaching present natural liquid fuel costs.

(c) Developed the exclusive production of the national supply of helium in this country which is one of the few known supplies in the world. New and important peacetime utilization of helium was developed by the Department. These include medical use, arc welding, and tracing of underground petroleum. Total helium production last year was more than 63,000,000 cubic feet.

(d) Extensive metallurgical research essential for industry and military purposes has been completed on hundreds of metals. Typical of the achievements is the development of metallic titanium, which, by a Bureau process, can be now used for construction equipment, machinery parts, and other uses. It is half as heavy as steel and twice as strong.

3. Through Interior's Geological Survey—

(a) Initiated the conservation work in irrigation, forestry, and minerals which resulted in later creation of the Forest Service of the Agriculture Department and the Bureau of Reclamation and Bureau of Mines of Interior.

(b) Prepared the topographic and geologic maps which have served as the basis for virtually all important detailed surveys in this country, and for important construction—public and private.

(c) Developed aeromagnetic surveys as a precise, high-speed and low-cost method of geophysical surveying.

(d) Performed the basic geologic studies for the armed forces in World War II.

(e) Maintained accurate records for approximately half a century on stream flow

which allows prediction of flood conditions and planning of dams and levees. Over 5,000 stream-gaging stations are now maintained by the Survey. Ground-water studies have permitted cities and industries to locate and construct work for adequate water supplies and have warned of possible disaster in certain areas from a lowered water table.

(f) Evaluated domestic resources of radioactive materials, including research on their geophysical and geochemical properties.

4. Through Interior's Bureau of Indian Affairs—

(a) Administered the affairs of 400,000 Indians on more than 200 reservations. Improved education so that today about 62 percent of Indian children are in their proper school grade compared with 20 percent in 1928. Built and operated 227 schools and 72 hospitals. Developed Indian training and self-reliance in advanced areas so that they could take over management of their own affairs, as has been done in California.

5. Through Interior's National Park Service—

(a) Has acquired and developed 28 national parks, with 11,347,269 acres which are being preserved for their beauty and public interest and recreation.

(b) Has acquired and is operating for public benefit 146 national monuments, historic sites, and recreational areas.

(c) Has increased the number of visitors to National Park Service areas from 120,000 in 1904 to over 30,000,000 last year.

6. Through Interior's Fish and Wildlife Service—

(a) Has acquired and developed 282 wildlife refuges of 18,000,000 acres for protection of wildlife and birds which were in danger of extinction. The number of licensed duck hunters has increased rapidly in recent years (it was 1,722,677 last year). Yet with the refuge system, the duck population decline has been stemmed and is now held at an estimated 54,000,000.

(b) Has built and operates 25 field laboratories and 97 fish hatcheries.

(c) Administered the $100,000,000 Alaskan salmon-industry research so that future salmon runs would not be damaged.

(d) From 1910 to date so managed the fur-seal herd on the Pribilof Islands as to increase it from 132,000 animals to more than 3,380,000.

7. Through Interior's Bureau of Land Management—

(a) For many years managed the existing public domain so as to make a profit for the Government over its own costs of operations. In the 1947 fiscal year receipts from leases on public lands brought in $21,000,000 against Bureau expenses of $6,000,000.

(b) Disposed of approximately 285,000,000 acres of public lands in Western States under homesteading laws which permitted wide settlement and later development of the western country. Peak disposition under homesteading laws was in 1915, when 10,000,000 acres were transferred.

(c) Made cadastral surveys of 1,300,000,000 acres of public lands.

(d) Administered the grazing activities on western public lands through 58 grazing districts which permit orderly use of 154,000,000 acres of public land by private stockmen.

(e) Now administer 190,000,000 acres of public land in the United States and 344,000,000 in Alaska.

8. Through Interior's Division of Territories and Island Possessions—

(a) Act as the Federal Government liaison and adviser for the nearly 3,000,000 American citizens who live outside the borders of continental United States.

(b) Helped to secure equality of legislative treatment for residents of Territories and insular possessions.

(c) Sponsored election of own governor for Puerto Rico and statehood for Alaska and Hawaii.

9. Through Interior's Bonneville Power Administration—

(a) Built and operated 3,284 miles of transmission lines and distributes 10,272,257,000 kilowatt-hours of power annually. Provided the electric distribution network which permitted great industrial expansion in Pacific Northwestern States, particularly in light-metal industries essential to the war.

10. Through Interior's Oil and Gas Division—

(a) Provided a Government-wide coordinating and advisory board on petroleum problems and established effective cooperation between the Government and the petroleum industry.

ACTIVITIES IN NEXT HUNDRED YEARS

Secretary Krug also outlined the Department's goals and activities for the beginning of its second century, including:

1. Land

(a) Basin-wide development of western rivers to add 17,000,000 acres of irrigated land and increase yields on 9,000,000 more by supplement water. The Columbia, Missouri, and Colorado offer the best possibilities on this.

(b) Restore and increase grass and other vegetation on western range lands.

(c) Reseed 22,000,000 acres and greatly improve moisture- and water-spreading work.

(d) Develop western phosphate-fertilizer production so that fertilizer will be available at lower costs to western farmers.

2. Minerals

(a) Complete the geologic mapping of the 90 percent of country still unmapped.

(b) Redouble exploration and research on metals and minerals and extraction, processing, and mining methods.

(c) Greatly increase study and search for substitute materials and means of using those in long supply.

3. Forests

(a) Develop adequate perpetual reserves for commercial cutting.

(b) Replant and reseed hundreds of thousands of acres of forest lands under Interior supervision.

(c) Increase fire and disease protection.

(d) Expand sustained-yield agreements between the Government and private forest owners for intermingled lands.

4. Energy

(a) Urge and encourage private and public construction of 80,000,000 kilowatts of additional power capacity by 1970.

(b) Of this, 30,000,000 kilowatts should be hydroelectric capacity built by the Federal Government.

(c) Encourage research in long-distance power transmission.

(d) Help expand total supply of liquid fuels.

(e) Push the construction of experimental commercial size plants for synthetic-liquid fuels from coal and shale.

(f) Develop oil reserves on public land including submerged land along coasts.

5. World development

(a) Assist in sharing technical knowledge with other peace-loving countries and pressing for development of other areas of the world to help them to develop balanced economies and use of their own resources.

HOUSE BILL REFERRED

The bill (H. R. 3082) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1950, and for other purposes, was read twice by its title, and referred to the Committee on Appropriations.

REHABILITATION OF ALCOHOLICS—CHANGE OF REFERENCE OF A BILL

Mr. McCARRAN. Mr. President, Senate bill 692, to provide for a grant to the Prisoners Relief Society for use in the rehabilitation of chronic alcoholics, was referred to the Committee on the Judiciary. The bill contains in its title the word "relief." As a matter of fact, the whole purpose of the bill is the appropriating of $5,000,000 for the purchase of farms to set up a curative process for alcoholics. The Committee on the Judiciary is of the opinion that the bill does not come under the jurisdiction of that committee, and has recommended that the bill be referred to the Committee on Labor and Public Welfare. I therefore ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of the bill, and that it be referred to the Committee on Labor and Public Welfare.

The VICE PRESIDENT. The Chair suggests that he consult the parliamentary situation before determining to what committee it should be referred. However, the Senator asks unanimous consent that the Committee on the Judiciary be relieved of jurisdiction.

Mr. McCARRAN. I modify my request accordingly.

The VICE PRESIDENT. Without objection, it is so ordered.

The VICE PRESIDENT subsequently said: The Chair desires to make an announcement regarding the reference of Senate bill 692. It was taken from the Judiciary Committee earlier in the session today. The Chair has examined that bill and it seems to be a matter of public health and welfare, and therefore it is referred to the Committee on Labor and Public Welfare.

Mr. McCARRAN. I thank the Chair.

PROTOCOL RELATING TO NARCOTIC DRUGS—REMOVAL OF INJUNCTION OF SECRECY

Mr. CONNALLY. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from Executive H, Eighty-first Congress, first session, a certified copy of the protocol, opened for signature at Paris on November 19, 1948, and signed on behalf of the United States of America on that date, bringing under international control drugs outside the scope of the convention signed at Geneva July 13, 1931, as amended by the protocol signed at Lake Success December 11, 1946, limiting the manufacture and regulating the distribution of narcotic drugs, and that the protocol, together with the President's message be referred to the Committee on Foreign Relations, and that the President's message be printed in the RECORD.

The VICE PRESIDENT. Without objection, the injunction of secrecy will be removed, and the protocol, together with the President's message, will be referred to the Committee on Foreign Relations, and the message from the President will

be printed in the RECORD. The Chair hears no objection.

The message from the President is as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith a certified copy of the protocol, opened for signature at Paris on November 19, 1948, and signed on behalf of the United States of America on that date, bringing under international control drugs outside the scope of the convention signed at Geneva July 13, 1931, as amended by the protocol signed at Lake Success December 11, 1946, limiting the manufacture and regulating the distribution of narcotic drugs.

I transmit also for the information of the Senate the report of the Secretary of State, regarding this protocol.

HARRY S. TRUMAN.

THE WHITE HOUSE, *March 3, 1949.*

(Enclosures: 1. Certified copy of protocol, opened for signature November 19, 1948, bringing under international control drugs outside the scope of the convention signed at Geneva July 13, 1931; 2. Report of the Secretary of State.)

HOME FOR EVERY FAMILY—EDITORIAL FROM THE WASHINGTON POST

[Mr. THYE asked and obtained leave to have printed in the RECORD an editorial entitled "Home for Every Family," published in the Washington Post of March 3, 1949, which appears in the Appendix.]

LABRADOR-QUEBEC IRON ORE

[Mr. AIKEN asked and obtained leave to have printed in the RECORD an excerpt from an advertisement of the M. A. Hanna Co. which appeared in the Washington Post of March 1, 1949, under the heading "Labrador-Quebec iron ore," which appears in the Appendix.]

THE SCHOOL-LUNCH PROGRAM

[Mr. LANGER asked and obtained leave to have printed in the RECORD a letter from Mrs. Theodor Oxholm, chairman of Spokesman for Children, Inc., dealing with the school-lunch program, which appears in the Appendix.]

ASSESSMENT BY AMERICAN MEDICAL ASSOCIATION—EDITORIAL FROM WASHINGTON POST

[Mr. MURRAY asked and obtained leave to have printed in the RECORD an editorial entitled "Doctors' Revolt," published in the Washington Post of March 3, 1949, which appears in the Appendix.]

TAX-FREE MARGARINE—ARTICLE FROM THE COLUMBIA STATE

[Mr. JOHNSTON of South Carolina asked and obtained leave to have printed in the RECORD an article entitled "Consumers Aware of Need for Tax-Free Margarine," by J. M. Eleazer, published in the Columbia (S. C.) State for February 27, 1949, which appears in the Appendix.]

NOMINATION OF MON C. WALLGREN TO BE CHAIRMAN OF THE NATIONAL SECURITY RESOURCES BOARD—STATEMENT AND LETTERS BY SENATOR CAIN

Mr. CAIN. Mr. President, I ask unanimous consent that there be printed at this point in the body of the RECORD copies of letters which I addressed to the President of the United States and to Mr. John R. Steelman on Monday of this week, together with a statement of summary on the Wallgren confirmation question which I filed with the Senate Armed Services Committee on February 28. Copies of this statement were attached to the letters which were posted to the President and to Mr. Steelman.

There being no objection, the matters referred to were ordered to be printed in the RECORD, as follows:

FEBRUARY 28, 1949.

The Honorable HARRY S. TRUMAN,
The White House, Washington, D. C.

MY DEAR MR. PRESIDENT: For your attention and consideration there is attached a copy of a statement covering the Wallgren confirmation question which I submitted today to the Senate Armed Services Committee.

Shortly after your election as President of our United States, I wrote to you personally to wish you success. That wish was completely sincere. I said that I would look for ways in which to support those portions of your programs with which I could logically agree. I meant that. I added that when I found it necessary to oppose your recommendations I would try my best to do so on the basis of facts rather than on political prejudice. I continue to be so minded at this time.

The attached statement is a recitation of what I believe to be fact, not prejudice. I am unalterably opposed to your nominee because I do not think him qualified for the work which lies ahead. In my considered opinion the record supports this position.

I have no personal interest in any choice you may make for any executive portfolio, but if your selection will affect the security of every American citizen, and for as long as the Senate of the United States is charged with the responsibility for confirming your appointments, I am on the soundest possible ground in raising a public question regarding the character, capacity, and knowledge possessed by any nominee.

My opposition to Mr. Wallgren is both firm and honest. In the problem before us I respectfully suggest that the nominee, while perhaps possessing virtues required by some assignments, is singularly lacking in what you require from advisers and assistants whose sole objective is that of keeping our Nation free at home and secure against aggression from abroad. The attached statement which bears on this subject is, I believe, deserving of thoughtful study by you, our President.

Should you wish to talk with me personally about any aspect of the Wallgren nomination, I shall be privileged to sit with you at any time.

Very sincerely yours,

HARRY P. CAIN.

UNITED STATES SENATE,
February 25, 1949.

Dr. JOHN STEELMAN,
Assistant to the President,
The White House,
Washington, D. C.

MY DEAR JOHN: I think you will want to thoughtfully read the attached statement which I submitted this afternoon to the Senate Armed Services Committee. It supports my point of view and that of thousands of conscientious, patriotic citizens.

When last we met some days ago for the purpose of having the President brief the Public Works Committees about the need for remodeling the White House I told you that my objection to the appointment of Mr. Wallgren was very deep-seated, and that I would fight his appointment as best and as long as I could. Since our conversation I have found no possible reason to change my mind covering Mr. Wallgren's fitness for his intended post.

I don't care who the Chairman of the National Security Resources Board is, provided he is intelligent, informed, and completely above suspicion and reproach. Mr. Wallgren must be judged by his past conduct and associations and he is found wanting when examined against the requirements of any reasonable standard.

To fight the President is neither pleasant or easy. It is in fact wholly unpleasant and extremely difficult but I shall very willingly continue my opposition in hope that the President will come to understand that his appointee is not the man to protect America against war, or the man to win it if it comes.

Very sincerely yours,

HARRY P. CAIN.

STATEMENT OF THE HONORABLE HARRY P. CAIN BEFORE THE SENATE ARMED SERVICES COMMITTEE FEBRUARY 28, 1949

Mr. Chairman and gentlemen of the Senate Armed Services Committee, on Thursday, February 17, I began my opposition case to the appointment of Mr. Mon C. Wallgren, of Washington State, to the chairmanship of the National Security Resources Board by maintaining:

(a) That the future security requirements of our Nation demands that any individual who is to become the Chairman of the National Security Resources Board must be unusually gifted in training, knowledge, background, character, courage, capacity, and loyalty, and that the general public must believe him to be possessed of these assets.

(b) That the nominee, Mr. Wallgren, does not possess in sufficient degree most of these qualities which are demanded of the Chairman of the National Security Resources Board.

In summarizing my case against Mr. Wallgren in this statement I shall attempt to prove that his confirmation would run counter to the best interests of our Nation, and that it would in fact materially weaken any chance of successfully accomplishing the mission and responsibilities which have been assigned by the Congress to the National Security Resources Board.

I. IS MR. WALLGREN HIGHLY REGARDED AND RESPECTED BY A MAJORITY OF THE CITIZENS IN THE STATE OF WASHINGTON?

It is important that this question be considered by the committee, for the established reputation the nominee bears in his own State is one of the factors bearing on his fitness and suitability for the post of Chairman of the National Security Resources Board.

Since the Armed Services Committee began its Wallgren hearings I have received hundreds of letters and telegrams from citizens of Washington State and from elsewhere.

The bulk of the letters and telegrams have opposed Mr. Wallgren's confirmation for a variety of reasons. As appendix A I am offering 100 of these letters and telegrams, selected very generally at random. They represent the cross-section views of many American citizens. You will note that the letters and telegrams have been forwarded from cities, towns, and hamlets in every section of Washington State, and that they are from Democrats, Republicans, and independents who profess allegiance to no political party. Most of them were written in longhand, which is strong evidence of the sincerity and conviction of the writer.

It is an unusual fact that as of today not more than 25 have written to me in support of Mr. Wallgren, and none of these have given any reasons to support their contention that he ought to be confirmed for the position in question. These letters and telegrams have vigorously abused me personally for opposing Mr. Wallgren. The documents referred to will be made available to the committee should it wish to read them.

I hope that the completed record of the Wallgren hearings will carry many of the communications which the chairman and the committee must have received. Senators not on the committee, and interested citizens all over the country, will want to know, and I think they ought to know, what is thought of the nominee by those among whom he has lived in recent years. Should Mr. Wallgren be confirmed every American citizen will be directly affected by his activities. The more they know about him now, the better for all concerned.

II. AN ANALYSIS OF THE EXISTING RECORD, AND THE INTRODUCTION OF NEW EVIDENCE

During the Wallgren hearings, I have presented to the committee a sufficient volume of evidence to prove the basic contentions I have made.

1. Mon C. Wallgren is incompetent to fill the office of Chairman of the National Security Resources Board.

2. His appointment would represent a distinct danger to the security of the United States because of his continued association with persons whose loyalty is subject to doubt and because of his complete inability to recognize the manifestations of communism.

In order to bring the evidence clearly before the members of the committee I would like to take this opportunity to summarize, from the existing record, the facts as they have been developed thus far and to point out the inconsistencies, contradictions, and uncertainties in the record that have an important bearing upon this case. I have, therefore, taken the liberty of preparing statements on the individual issues that have been brought up. In addition, I would like to present some items containing new material which have come to my attention since the hearings have been in progress. I would like to add that my research will continue and that I will endeavor, with the limited facilities at my disposal, to keep the committee informed on all matters pertinent to its deliberations. May I, with all respect, state, however, that the committee itself should open a thorough investigation of the background of the nominee, bringing before the members some of the persons whose names have been brought up in the hearings and those with whom the nominee has had relations in the past.

It is not necessary to remind the committee that an investigation of this nature requires facilities and powers which are not available to me as an individual Senator. I cannot, for example, require witnesses who might have pertinent information to appear before me and testify. The Congress has seen fit, and wisely so, to reserve the powers of subpena and punishment for contempt to committees of the Senate.

The issue at stake is much too important to permit us with partisan bias to dismiss the serious allegations which have been made against the nominee, Mr. Wallgren. A comprehensive investigation is in order if for no other reason than to reassure the people of the United States that persons named to the highest security offices are of a caliber which makes them the best guardians of the public interest and public safety.

If there is nothing which might reflect unfavorably upon the nominee there can certainly be no objection to making a thorough investigation. Nothing would be lost. On the contrary we would have given a demonstration to every citizen of this land that the man whom the President has selected is above reproach—is endowed with the highest ability.

From the volume of letters which the citizens of Washington have sent to me, it is clearly evident that a large segment of our population—at least those who have had first-hand experience with Mr. Wallgren—look upon him rather as a discarded politician who is being "paid off" with an official appointment at the expense of the taxpayers. Would it not, therefore, seem wise on the part of this committee to make an exhaustive investigation so that they might disprove the statements which those of us who oppose the appointment have made and to dispel the unfavorable opinion which is held by so many.

In line with this philosophy I would like to respectfully present to the committee for their consideration the following facts:

The case of John Caughlan

Shortly after his inauguration as Governor of the State, Mr. Wallgren appointed John Caughlan as the third member of the social-security committee. The appointment was made without any interview or consultation with Mr. Caughlan. Under questioning, the witness admitted that he had no conversations with Caughlan, had no investigation made of his background, and merely informed him of his appointment by letter (p. 423).

During the hearings of the Committee on Un-American Activities of the State of Washington, John Caughlan was identified under oath as a member of the Communist Party by 11 different witnesses (p. 241). Their testimony was paralleled by findings that Caughlan had been publicly associated with a number of prominent Communist friends. This information did not deter Mr. Wallgren from making the appointment. Even after this derogatory information became a matter of public knowledge, John Caughlan was not removed from his office, but was permitted to continue therein and to retain all the dignity of a high official of the State of Washington.

Among the excuses offered by the witness for his failure to remove John Caughlan were four principal statements: (1) That the social-security committee was a meaningless institution and John Caughlan performed no function. (2) That the appointment was made at the request of the Washington Pension Union as a sop to the old folks. (3) That no derogatory information was available until the beginning of the Un-American Activities Committee hearings. (4) That he was waiting for a determination by the courts of perjury charges brought against Caughlan.

Let us examine each of these points to see whether or not these contentions are valid. Page 357 of the transcript of the hearings there appears the following:

"Senator JOHNSON. Governor Wallgren, did Caughlan ever perform any official acts as a member of that committee?

"Mr. WALLGREN. No, and he never would. I would not have stood for it.

* * * * *

"Senator JOHNSON. From the time this information became available in February until you went out as Governor, Caughlan discharged no responsibility in your administration in the State Government at Washington, did he?

"Mr. WALLGREN. He discharged no responsibilities at any time, even from the time we put him on the board."

I would like to call the attention of the committee to the fact that Mr. Wallgren asserted that John Caughlan "never performed any official act and he discharged no responsibilities at any time even from the time we put him on the board." I have produced already before the committee the hearings of the United States House Committee on Ways and Means before which John Caughlan appeared as a witness on March 8, 1946 (pp. 503 et seq.). In a statement to the committee Caughlan pointed out that he "represented the State Social Security Committee of the State of Washington," and was speaking "on behalf of the Honorable Mon C. Wallgren, Governor of the State of Washington whose representative I am in appearing before this committee."

When this information was brought before the committee the witness immediately claimed that he was not apprised of the Washington trip at any time, but had learned of it first when it was brought up in the hearings (pp. 471 et seq.). It seems rather impossible that an important State official should come to Washington, testify before a major committee of the House on behalf of the State and its Governor, and draw compensation from the State treasurer without any of this information coming to the attention of the chief executive. In this connection I would like to quote a telegram received in my office from a member of the Washington State Legislature:

"Counsel for Governor informs me that it would be impossible for Governor as chairman of social-security committee not to know of a member's trip nor approve of his expense voucher."

Information has also come to my attention from an unimpeachable source in my own State that "Jack Gorrie, assistant to Governor Wallgren, personally telephoned the department of social security requesting that John Caughlan be sent to Washington, D. C."

It would seem that if this fact were verified it would impeach the entire testimony of the witness. Certainly the investigation is warranted, and I shall be happy to submit my own source of information to the committee in executive session.

On pages 282, 285, and 353, and elsewhere, the witness admitted that the appointment of John Caughlan had been made at the behest of the Washington Pension Union. I would like to point out to the committee that the Washington Pension Union is one of the most notorious Communist-front organizations in our State and its entire high command has been identified as belonging to the Communist Party before the Washington State Un-American Activities Committee. Thus the appointment of John Caughlan is culpable on two scores: He is a member of the Communist Party; the organization which brought about his appointment is a Communist front.

When asked whether or not the Washington Pension Union was a "Communist-front organization," Mr. Wallgren replied, "I am beginning to think it is" (p. 353). Is it not reasonable to assume that if there had been any suspicion in the mind of the Governor, he would have been compelled by his own conscience to make an investigation of any persons appointed to office.

The third defense offered by the witness was that he had no knowledge of John Caughlan's connections with any subversive organizations. This confession, which appears throughout the testimony, is one of the most damaging admissions made before this committee. The ability to recognize and to avoid persons whose loyalty is subject to doubt is one of the prior qualifications of the Chairman of the National Security Resources Board. It is impossible for me to believe that this information was never brought to the attention of the Governor. His own assistant, Jack Gorrie, who appeared before the committee on February 24, admitted that Caughlan's affiliations were generally suspected prior to the hearings of the Committee on Un-American Activities (p. 476).

Even if it had been true that Caughlan did not perform any significant function in behalf of the State of Washington, it is certainly contrary to the public interest that such a person should be appointed to office or invested with the dignity of the State.

When pressed for his reasons for not removing John Caughlan from office after the findings of the Washington Un-American Activities Committee were made public, Mr. Wallgren claimed that he was withholding any action in abeyance until the perjury case involving Caughlan was settled in the court. This excuse is at best a very poor one, because the responsibility for the executive department of the State does not rest

with the Federal courts but with the Governor. Caughlan was his appointee, he was responsible for his elevation to office and his activities. It is rather an indication of his indifference and incompetence that he should try to place the responsibility where it could not possibly belong. Furthermore, as Senator KNOWLAND pointed out, the case revolved around a charge of perjury and not around Communist Party membership. It has also been brought to my attention that the case was designed on the question of whether or not Mr. Caughlan had been properly interrogated when he committed the alleged perjury rather than a charge on whether or not he was a member of the Communist Party.

The case of Hugh DeLacy

In my testimony to the committee I presented concrete evidence that Hugh DeLacy, a leader of the Democratic machine in Washington as well as a candidate for Congressman, was a member of the Communist Party and has had a public record of more than 10 years, linking him with at least 30 Communist-front organiaztions.

I charge further that Hugh DeLacy had the support and endorsement of Mr. Wallgren. The witness was questioned on the subject by Senator KNOWLAND (pp. 365 and 366):

"Senator KNOWLAND. Did you, in November of 1944, at a public meeting in the State of Washington, appear on the same platform with Congressman DeLacy, or at least then candidate for Congressman, DeLacy, and there publicly endorse him as a candidate?

"Mr. WALLGREN. I do not recall having done so but I presume that he was there with other candidates on the Democratic ticket."

* * * * * *

"Senator KNOWLAND. Well, if he had picketed you then in 1940, would you not recall that in 1944 you attended a large public rally in the city of Seattle on which he was also on the same platform, whether you had publicly endorsed him by name at such a meeting just 4 years after he had picketed you?

"Mr. WALLGREN. I recall that we had such a meeting. I do not recall his being present on the platform."

I have made some inquiries on the subject and have consulted newspapers of that period published in Washington, the evidence shows beyond any doubt that the witness not only appeared on the platform with Hugh DeLacy but openly and directly endorsed and lauded him.

Mr. Wallgren makes the following statement (p. 390):

"Mr. WALLGREN. At that time in our State we could vote a straight Democratic ticket, and the slogan of our party was 'Vote the straight Democratic ticket,' and if he was a candidate—and I believe he was—I will admit that I endorsed the whole ticket."

Similar statements appear in other parts of the testimony.

The New World of October 19, 1944, page 3 (a photostatic copy of this page is attached as exhibit 1), carries a picture showing Mr. Wallgren together with Hugh DeLacy greeting Senator KILGORE, one of the speakers at a political rally. On the same page there appears an advertisement announcing a Democratic election mass meeting. The ad exhorts the populace to come and meet the candidates: Mon C. Wallgren, Warren Magnuson, and Hugh DeLacy. On October 14, 1944, a Democratic rally was held at the Seattle Masonic Temple to which both Mr. Wallgren and Hugh DeLacy were featured speakers. The Seattle Post-Intelligencer, October 15, 1944, page 1. On October 19 the Democrats held a gala mass meeting. Again Messrs. Wallgren and DeLacy appeared on the platform together—Seattle Post-Intelligencer, October 20, 1944. A special supplement to the New World of October 19, 1944, published pictures of all the Democratic leaders who have openly endorsed Hugh DeLacy, among them is the picture of Mr. Wallgren (a photostatic copy of this page is attached as exhibit 2).

The Text of Mr. Wallgren's Endorsement of Hugh DeLacy

There are two statements which are of particular interest to this committee's deliberation in the light of the fact that the witness did not remember making any specific endorsements (New World, November 2, 1944, p. 4):

"And I want you also to elect Hugh DeLacy. He is needed in the Congress and will give you and I the kind of representation we want and need."

Mr. Wallgren made a special point of defending Hugh DeLacy against charges of Communist activities which had been leveled against him in the campaign stating:

"And there are more cheap tricks and lies like they just tried to pull on Hugh DeLacy."

He defended Hugh DeLacy against charges of Communist activities made by Governor Langlie with this statement:

"Yet this governor has the effrontery to question the patriotism of a man like DeLacy."

I would like to point out to the committee that in his entire testimony Mr. Wallgren gave the impression that he did not know of DeLacy's record. Why, may I ask, did he defend the man if he knew nothing about him.

On page 637 of the hearings, Mr. Wallgren was questioned as to whether or not he knew that Hugh DeLacy was a member of the Communist Party. His reply was:

"I do not know that it has been established at all."

On page 403 Mr. Wallgren makes the following statement:

"I did not know anything about Mr. DeLacy."

On page 483–484 Mr. Wallgren admits stating that he does not believe DeLacy is a Communist.

The case of Jerry J. O'Connell

During the political campaigns of 1944, one Jerry J. O'Connell took an active part in campaigning for the Democratic candidates, including Mr. Wallgren, who was running for Governor. O'Connell's participation was both through his connection with the Democratic Party and as a result of his appointment as Assistant Regional Director of the CIO-PAC by Sidney Hillman. I have already submitted to the committee sufficient evidence to prove that Jerry O'Connell has for a number of years been a member of the Communist Party—that he has a known public record of Communist-front affiliations—for more than 10 years.

Despite this fact, Candidate Wallgren admittedly did not raise any protest against the participation of Jerry O'Connell in his campaign. In his testimony of February 24, 1949, he admits that he expressed no opposition until after he took office as Governor. From the testimony it is apparent that this opposition did not relate to O'Connell's membership in the Communist Party but only because of his desire to assume certain prerogatives which the newly elected Governor considered his own. On page 421 of the hearings the nominee admits that he said "I am running the State of Washington, not O'Connell, and he ought to get out."

Although O'Connell received an appointment as an official of the Democratic Party of the State of Washington—of which the Governor was presumably the titular head—Mr. Wallgren did not try and take steps to have the man removed (p. 422).

Despite this supposed opposition of the Governor to Jerry O'Connell one of the appointed officials, Mr. Rogan Jones, apparently conspired with Jerry O'Connell to control State patronage (p. 348). Letters were written to 39 county Democratic chairmen urging them to participate in this patronage scheme. When confronted with this fact the nominee asserted that he put a stop to the plan but uttered no public opposition. It would seem, however, that the matter in question would be of sufficient public importance to stir the Governor of a State, whose name and party had been supposedly misused by a Communist, to publicly disavow this act and seriously consider the dismissal of his own appointee who had conspired, in spite of the claimed attitude of the Governor toward Jerry O'Connell. In reply to a question put to him by Senator KNOWLAND the witness admitted that nothing was done because he did not want the public to know anything about it (p. 348). It is difficult to see how the public would fail to know about 39 letters written to 39 county chairmen on an issue as important as this.

The principal reason advanced by the witness for his leniency and lack of vigor in opposing Jerry J. O'Connell was the claim that derogatory information about him was not available until 1948, when the matter was brought to public attention by the Washington State Committee on Un-American Activities.

On page 348 of the hearings there appears the following statement in reply to a question by Senator KNOWLAND concerning O'Connell's activities:

"Mr. WALLGREN. I might have had my suspicions but I did not have that kind of information."

On page 352 the following appears:

"Mr. WALLGREN. The information that you give here was only available last year. They did not know—these things were not known; they were brought out in the Un-American activities investigation in Seattle."

It is surprising to me that a candidate for the governorship of a State should accept among his campaign workers and should permit without public denunciation the appointment of a man like Jerry O'Connell. It is even less understandable that Mr. Wallgren should be so completely unfamiliar with this man's background. The contention that derogatory information of the nature presented by me was not available until 1949 is completely untenable.

Actually, of course, the record of Jerry J. O'Connell's affiliations with Communist enterprises has been a matter of public knowledge for over 10 years.

For example, a copy of the Daily Worker of June 23, 1937—this issue of the official organ of the Communist Party carries a statement addressed to its business manager by none other than Jerry O'Connell. Mr. O'Connell speaks in these eulogistic terms of a Communist paper:

"I feel that the Daily Worker is America's outstanding daily labor paper and has done much during these past crucial labor years to bring true and accurate accounts of labor conditions throughout the entire country to the attention of the public."

It is a little difficult for me to conceive of anyone speaking such high praise of a newspaper which admittedly is advocating the overthrow of the Government of the United States by force and violence. I have here a copy of the Daily Worker of July 8, 1947, in which it is reported that Jerry O'Connell was a speaker from the same platform with Earl Browder, the man who was at that time head of the Communist Party in the United States and was later put in prison for passport fraud.

The magazine, New Masses, November 23, 1937, and February 22, 1938, carried material contributed by Jerry O'Connell. New Masses was, until its demise, an official publication of the Communist Party. It was listed as a Communist periodical by the Attorney General of the United States, Mr. Francis Biddle, and you will find his exact statement in the CONGRESSIONAL RECORD of September 24, 1942, page 7688, when Mr. Wallgren was in the United States Senate.

Similar references have appeared in the public press continuously since that time. Such information was available to the Governor of Washington just as it was available to the Committee on Un-American Activities, the FBI, and the press. It is possible that Mr. Wallgren did not wish to consult these original sources of information which would have required a certain amount of study and analysis. I would, therefore, like to point out that the same information has been made available during that same period of time by the House Committee on Un-American Activities and other official legislative investigative committees, during periods when Mr. Wallgren was in Congress.

Volume 1 of the hearings of the House Un-American Activities Committee published in 1938, begins the story of Jerry O'Connell's affiliation with the Communist Party. This story is continued throughout the many volumes which have been published during the past decade. On page 262 of this first volume is recorded O'Connell's salutation "Live the Communist Party" which was presented for the record on February 21 (p. 175).

In 1944 the Committee on Un-American Activities issued a special report on the high command of the CIO Political Action Committee. Two and a half pages of this report were devoted to the activities of Jerry O'Connell. Less there be any question of the accuracy of this information each item is properly referenced. For example on page 147 of House Report No. 1311, Seventy-eighth Congress, second session, the Committee on Un-American Activities states that Jerry J. O'Connell was connected with the International Labor Defense—which was branded by the Attorney General of the United States as and I quote "Legal arm of the Communist Party." The committee offers three references to known publications from which its information was obtained and which can be verified by anyone interested in Jerry O'Connell.

I will not take your time to present any more of these publications. I would like merely to state that I have on my desk some 15 or more volumes of published reports on Communist activities including those on Jerry O'Connell available for more than a decade to any Member of Congress or any Governor of Washington.

If the committee should desire it I would be more than happy to present to all the complete file of evidence both in the form of original sources and reports of legislative agencies.

Mr. Wallgren has maintained stoutly, vigorously, and repeatedly that the State Democratic organization, of which Jerry J. O'Connell was an official, never had anything to do with his administration or with patronage. On page 299 of the hearings for example he makes this statement:

"Mr. WALLGREN. The State organization had nothing to do with my administration. I would not have anything to do with them as long as O'Connell was there, and you cannot bring up one instance. This fellow O'Connell, as I say, has really been a boil on my neck, and the neck of the Democratic Party."

I have obtained a copy of a clipping from the Seattle Post-Intelligencer which bears on the subject. Since the material speaks for itself I will merely quote here the pertinent paragraphs:

"December 18, 1944—Ellensburg, December 16—In a letter and personal message delivered to a meeting of the Democratic State Central Committee here today, Governor-elect Mon C. Wallgren made it clear he wants the help of the State and county organizations in the hundreds of appointments that will be made under his administration.

"Harry C. Huse, Spokane, unanimously reelected State chairman, outlined the procedure to be followed. He said it would be mandatory upon the organizations to accept and screen applications and that prompt action is expected.

"Thus it was made clear that Wallgren, a strict organization man, intends to follow the shrewd political procedure of giving his organization, down to that of the smallest precinct, a direct voice in the appointment of every office within the power of the Governor to make.

"While such a procedure might bring its temporary headaches, it pays off in party solidarity and at election time because it gives the organization workers a direct personal interest in the administration of the State government.

"Huse said the policy would be followed even up to the naming of Wallgren's successor in the United States Senate for the 2-year unexpired portion of his term. Huse declared the State executive committee still to be named, will be prepared to make recommendations for this post.

"The procedure, while followed more or less loosely in the past by winning candidates for State office, is distinctly an innovation in coming as a specific request from the Governor-elect. It found the State committee highly enthusiastic. * * *

" 'The policy,' Huse explained to the committee, which consists of 2 representatives from each of the State's 39 counties, 'is indicative of the democratic way in which Wallgren intends to make appointments. One of the purposes of the plan is to have the organizations which know the applicants screen them for competency and loyalty. Wallgren is looking ahead—he wants to get the most efficient men and women he can into the service of the State.' * * *

"Huse announced that the State organization will establish permanent headquarters in Seattle by January 1. It will be in charge of Jerry O'Connell as aid to Huse. O'Connell who served as Democratic Congressman from Montana, 1939-41, took an active part in the State campaign. He served as liaison man between the Democratic State organization here and the CIO Political Action Committee, working out of the office of Roy Atkinson, Pacific Northwest regional director for the CIO.

"O'Connell demonstrated his political acumen as soon as he was introduced to the committee by Huse. He headed off a group of resolutions, some of them controversial, by asking that their sponsors refrain from introducing them at the committee meeting and instead, refer them to the educational committee which, he declared, 'will be in a position to give them careful consideration.' 'None of us,' he explained, 'would want to embarrass the new governor by bringing in resolutions that might not have the benefit of thoughtful consideration and counsel.'

"The resolutions included one on the sale of liquor by the drink, another suggesting basic changes in the blanket primary law, still another urging that in selecting his successor in the Senate, Wallgren name an East Side man."

The case of the five FBI men

When confronted with the evidence presented by me that he had associated with an appointed Communists in office, the witness made the following statement (p. 280): "When I became Governor of the State of Washington I hired five FBI men to come with me. I have the utmost respect for the FBI and the methods by which they train their men. I hired those men to come with me to help me make a study of or a survey of everything I had to deal with in my State administration, and if that is being a sop to communism, let us have more of it."

It was implicit in this reply that these five ex-FBI men had been appointed for the principal purpose of investigating communism, of checking communistic affiliations of State employees and of advising the Governor on his appointees. This impression was conveyed to the committee, yet, when more closely questioned on the subject, the witness admitted that the five FBI men were brought in merely to "assist me in conducting investigations as to the operation of certain departments" (p. 541). I will let the record speak for itself; on page 541 the following statement is made:

"Mr. WALLGREN. These men, I brought them down, because of their ability to assist me in conducting investigations as to the operation of certain departments.

"In our public utilities department we had some problems there in respect to rate-making, and so on, that had not been touched, apparently, by that department in a period of years, so I hired A. J. Zimmerman, who was a very capable accountant, and he was an FBI operator and had quite a record as an accountant, to help me in that respect."

On page 542 we find:

"Senator KNOWLAND. Did they check when the Governor was ready to make an appointment of some official, did they run a loyalty check of any kind?

"Mr. WALLGREN. No, we had nothing like that.

"Senator KNOWLAND. I see."

Treatment of veterans

The witness made a particular point of his treatment of war veterans. On page 288 of the hearings he states as follows:

"This talk about war veterans that has been mentioned here, I have appointed 2,400 war veterans in the State of Washington after this war, employed them in the State administration."

Again it is necessary only to let the public record speak for itself. The Spokane Spokesman-Review contains the following article which has a bearing on the subject:

"Wallgren said that in the employment of veterans by the administration the only ones who won't be hired are those who have actively identified themselves with the Republican Party.

" 'Of course we aren't going to hire active Republicans,' he replied to a question. 'Who expects us to?' Let them wait for the Republicans to get back in. We aren't Republicans."

It is clear, therefore, that the witness was not really concerned with the welfare of veterans but with the welfare of the Democratic Party. It made no difference to him that on the battlefield there were no Democrats or Republicans, only Americans. It made no difference to him that Japanese bullets did not differentiate between political parties. It made no difference to him that Americans fought, suffered, and died together. To him a worthy veteran was only a member of the Democratic Party.

The case of the Longview Bridge

During the hearings Mr. Wallgren was asked a number of questions concerning the Longview Bridge. The answers which he provided were neither adequate nor in some cases accurate. After I brought the correct facts to the attention of the committee on February 21, additional questions were asked of Mr. Wallgren on the subject. He produced a prepared statement in which he attempted to offer an explanation. I would like to point out to the committee that although the witness was Governor of the State and chairman of bridge authority, he could not answer the questions asked but had to obtain the information from a friend.

On page 320 of the hearings the admission is recorded as follows:

"Mr. WALLGREN. I am glad that I anticipated that question, Senator, because we called up the highway department the other day—I had a friend of mine call up and get the information, and I will give you the report as he submitted it to me."

He goes on to say that, on page 143 of the hearings of the record:

"There is a certain statement of supposed facts and inferences which were made by Senator CAIN with reference to the purchase of the Washington Toll Bridge Authority which I, as Governor, was the chairman of the bridge authority, and the property occupied by it and known as the Longview Bridge."

Knowledge of Communist policies

One of the important qualifications of the Chairman of the National Security Resources Board is thorough familiarity with the foreign policy of the Soviet Union and the manifestations of that policy among Communists in the United States. It is impossible to expect anyone who does not know the essential features of Soviet propaganda and Soviet policy to be able to take any intelligent part in the management of American affairs today, particularly those involving the national security. Throughout the entire testimony the witness gave not one indication that he was at all familiar with the subject and in fact admitted that he knew very little about it. On page 384 there was this significant discussion between Senator KNOWLAND and Mr. Wallgren:

"Senator KNOWLAND. Just to refresh your memory a little, was it not true that in and about 1940 at the time you were being picketed, or perhaps a little earlier than that, the American Peace Mobilization so-called was then following the Communist Party line, because you will recall that at that time Soviet Russia was in bed, so to speak, with Nazi Germany. That was before the Nazi attack on Russia, and therefore the Communist Party line at that time was to do anything they could do to hamstring the mobilization of this country, anything they could do to undermine lend-lease or assistance to the western allies, and anything that they could do to obstruct selective service or embarrass the President; that was the party line at that time.

"As soon as Russia was attacked by Nazi Germany, then the party line took an immediate shift in another direction. Is that not correct?

"Mr. WALLGREN. You are better acquainted with that than I am, Senator."

I do not need to point out to the committee that the "peace offensive" during the "Communazi" period was the keystone of Russian foreign policy and the policies of every Communist Party throughout the entire world. Our own country was flooded with this type of propaganda. Rallies were held throughout the country and those of us who advocated the strengthening of our defenses were abused. Even the office of Mr. Wallgren was, according to his own admission, picketed by Communist "peace" propagandists. The policy then was similar to the Soviet policy today and its purpose as it was then is to weaken us in any possible future conflict with Soviet Russia.

It would certainly inspire one with greater confidence in the Chairman of the National Security Resources Board if he at least showed that he had superficially reviewed Soviet world policy with which he must cope.

III. NEW MATERIAL

Since the beginning of these hearings I have endeavored to procure for the committee all possible information on the subject. The new information which I present herewith opens up broad new avenues of investigation which the committee should in all fairness examine. The material which I am submitting here confirms the charges that I have repeatedly made that the nominee has catered to Communists and has appointed them to important offices. I submit the following information:

In the case of Nick Bez

One of the associates of Mr. Wallgren in his political and personal life is Nick Bez, owner of a fishing fleet on the west coast. The noted columnist, George E. Sokolsky, described Nick Bez (Washington Times-Herald, March 26, 1946, p. 9) as a "leading Democrat in the State of Washington and associate of Governor Wallgren and Senator MAGNUSON, a factor in State politics." I am enclosing a copy of the article as exhibit 4 and ask that it be printed in the record at this pointt. The closeness of Nick Bez to Mr. Wallgren is further evidenced in an article appearing in Time magazine, November 4, 1946, from which I quote as follows:

"That operator (Nick Bez) was recently hunched over a tumbler of bourbon in Seattle's exclusive, leather-lined Rainier Club. In his Sunday best, he looked very uncomfortable. He became more uncomfortable when told that the club's whisky deliveries were smaller than those of some newer clubs. 'G——— it,' he roared, 'I go and talk to Mon (Gov. Mon C. Wallgren).

"A Seattle industrialist playing dominoes turned and frowned disapprovingly until someone whispered; 'That's Nick Bez. You know, fishing.' The frown promptly dissolved into an understanding smile."

On June 24, 1945, Wideworld Photos Inc., released the following:

"President trolls for salmon: President Truman stands while trolling for salmon with Gov. Mon Wallgren, Democrat, in Washington State's Puget Sound, June 21. They caught only a couple of dogfish and accepted a gift of salmon from more successful fishermen on the sound. Left to right: Costa Lazzaretti, Seattle fish packer; (Nick Bez); President Truman; Governor Wallgren and George Drescher of the Secret Service."

Nick Bez is known to have been one of the most important financial angels in the Yugoslav Communist movement in this country, organizations which have issued the sickening propaganda about Dictator Tito. Bez has also been one of the backers of the Democratic Party in Washington State and is reputed to be a close friend of Mon Wallgren. Bez has been connected with a number of Communist fronts and his connections with these organizations has been a matter of public record for some time.

The most important Communist-dominated group with which Bez has had connection is the American Slav Congress and his name is listed on page 60 of a leaflet entitled "Slavic Americans" written by George Pirinsky, as an official publication of the American Slav Congress. I might add that Hugh DeLacy is also connected with this front.

It will interest you to know that Pirinsky, whose real name is Zykoff, was arrested last fall as a dangerous alien advocating the overthrow of the Government by force and violence. It is no exaggeration to say that the American Slav Congress is one of the most important Communist fronts in the United States or perhaps in the entire Western Hemisphere, since related fronts exist in our neighboring states. The Slav congress was formed pursuant to the call of the all-Slav committee in Moscow which directs it today for the purpose of undermining the loyalty of the approximately 10,000,000 Americans of Slavic descent. The importance of the Slav congress and its unflinching adherence to the party line is adequately proven by the fact that its pro-Soviet utterances are repeatedly quoted by the Russian radio and press. As a matter of fact on November 18, 1943, the Moscow overseas propaganda radio network inaugurated a special series of radio broadcasts beamed at Slavic Americans in the United States for the express purpose of assisting the Slav congress in its propaganda work. If the committee so desires I will be happy to submit for the record copies of some of these broadcasts.

During its entire existence the American Slav Congress has had associated with it a number of known Communists and fellow travelers and again I am in a position to supply the committee with all the necessary facts if it should desire them.

The top-ranking Tito front in North America is the United Committee of South Slavic Americans which is also cited as a Communist front by the Attorney General. Nick Bez has been closely associated with this front and is listed in its literature—significantly enough—as treasurer. The United Committee has for a number of years been busily publishing pro-Communist and pro-Tito booklets. Among them are such unabashed pieces of tripe as the following:

National Tito and His Gallant Bands, Tito's Yugoslav Partisans Movement, Tito Speaks, Incredible Tito, Man of the Hour, and many, many others.

I am submitting for the record the entire history of the United Committee of South Slavic Americans as it appeared in the February 1948 issue of the National Republic, exhibit 5, and I ask that it be printed in the record at this point.

I would like particularly to call to your attention this fact. Peter Grigoroff, one of the organizers of the United Committee, and other members of it have been identified as Comintern agents in this country. Among them are several persons who have returned to their homelands—now behind the iron curtain—to assume important government positions under the Communist dictatorships.

Bez was also named treasurer of the war-relief fund of Americans of South Slavic Descent, later renamed the American Committee for Yugoslav Relief. This front has also been cited by the Attorney General of the United States. I have in my possession the official bulletin of the United Committee of South Slavic Americans for November 1944, the back page of which shows the office held by Nick Bez. If the committee so desires I shall be glad to have that page photostated and submitted as an exhibit for the record.

Another front with which the name of Nick Bez has been connected is the American Committee for Free Yugoslavia. He held the office of president of this front, which, like the other things to which the name of Bez has been linked, was a propaganda front for Dictator Tito.

His name was listed on the letterhead of the organization and his office was mentioned in the Daily Worker of March 4, 1942, page 62.

Significantly the Communist-controlled American Committe for a Free Yugoslavia endorsed Mr. Wallgren's candidacy for the governorship. The endorsement followed statements by Mr. Wallgren in support of Tito, as indicated in the following quotation from the Post-Intelligencer of October 6, 1944, page 6:

"Because of their speeches denouncing the royal exile government of Yugoslavia and asking for recognition of the Tito 'government of liberation', United States Senator Mon Wallgren and Congressman WARREN MAGNUSON, 'have been endorsed for governor and United States Senator, respectively, by the American Committee for Free Yugoslavia."

In the case of William J. Pennock

One of the charges which I have made against the nominee is that he has appointed Communists to important offices. In support I cited the case of John Caughlan. I have since that time been able to identify another Wallgren appointee as a member of the Communist Party. He is William J. Pennock, who, light Caughlan, was connected with the notorious Washington Pension Union. The Associated Press carried the announcement on April 14, 1945 (I offer the clipping as exhibit 6 and ask that it be printed in the record at this point). In the New World of April 19, 1945, page 2, presents the same information. Like so many of Mr. Wallgren's colleagues, William J. Pennock has been identified conclusively and repeatedly as a member of the Communist

Party before the Washington Un-American Activities Committee.

The hearings of the committee contain approximately 150 references to William J. Pennock. He is identified under oath as a Communist Party member by a large number of witnesses including Mr. Louis Budenz, whose credibility as a witness has been fully established by the House Committee on Un-American Activities, United States Department of Justice, and the Federal courts. Rather than burden the committee with the complete record I will cite only the sworn statement of Mr. Budenz (hearings of the Un-American Activities Committe of the State of Washington, 1948), it appears on page 29 of the first volume. If the committee shall so desire, I would be more than glad to submit the entire record on William J. Pennock for its examination. I am satisfied and I am sure the committee will be satisfied that his record is so extensive that he should never have been appointed to any position by Mr. Wallgren.

In the case of George Hurley

Another person with communistic affiliations was appointed to a position by Mr. Wallgren while he was governor is George Hurley, inspector in the department of transportation, appointed April 17, 1946, at $300 to $350 a month. George Hurley has also been identified under oath as a member of the Communist Party by a number of witnesses before the Un-American Activities Committee of the State of Washington. Ward F. Warren made the following statement under oath:

"I knew George Hurley for approximately 10 years. He is a member of the Communist Party—a Communist at the same time that I was, and still, up to as late as the last campaign. My observation as a former Communist is that he is still following the Communist Party line."

Jess Fletcher and other witnesses confirmed his identification, and if the committee so desire I shall again be glad to submit the pertinent information.

CONCLUSION

In my opnion the case in opposition to confirming Mr. Mon C. Wallgren as Chairman of the National Security Resources Board is by no means completed. I have reason to believe that additional information will come to my attention which ought to be submitted to, and examined by, the Senate Armed Services Committee. I am hopeful that the committee will find it both proper and necessary to examine fully the charges which are covered in this brief. I shall be available to the committee at any time when it may wish to interrogate me further or to suggest that I introduce additional data in support of the many contentions which have been made. If it develops that Mr. Wallgren is possessed of a full measure of character, capacity, and knowledge, then I shall agree that he ought to be confirmed. If he is lacking in any of these requirements then it would be a disservice to him, to the President, and to the Nation to confirm his appointment. My only concern has been and remains that of making certain that a completely qualified individual is confirmed for a position which is and will continue to be as important as any portfolio in the Government.

APPENDIX A

ONE HUNDRED CHARACTER AND CAPACITY REFERENCES WRITTEN BY AMERICAN CITIZENS, MOST OF WHOM RESIDE IN THE STATE OF WASHINGTON. THESE REFERENCES ARE SUPPORTED BY SEVERAL THOUSAND SIMILAR REFERENCES WHICH WILL BE MADE AVAILABLE IF REQUESTED OR REQUIRED

REDMOND, WASH., *February 19, 1949.*

United States Senator HARRY P. CAIN:

We the undersigned voters, Lake Sammamish area, heartily endorse your stand against Mon Wallgren. We concur that he is not the man to be entrusted with our resources.

CLARENCE BREEDMAN,
W. S. QUACKENBASH,
L. W. MAGNUSSEN,
Republicans.
GUY SPRINGSTEEL,
CLAUD UNTEIDT,
JOE P. GERON,
DALE P. GILBERT,
Democrats.

SEATTLE, WASH., *February 22, 1949.*

Senator HARRY P. CAIN:

I am a registered Democrat for over 40 years, yet I would vote against Mon C. Wallgren for NSR Board for three reasons. He left the State of Washington in debt, he left a no good boat, and he is a lame duck turned down by the people of the State of Washington.

H. M. SAULSBERRY.

SPOKANE, WASH., *February 15, 1949.*

Senator HARRY CAIN:

Wallgren was repudiated by the voters of this State last November. Why give him an office of greater responsibility?

J. W. BIRCHFIELD.

EVERETT, WASH., *February 15, 1949.*

Senator HARRY P. CAIN:

Wallgren dissipated 140 million of Washington State funds. Don't turn him loose on the national budget.

Mrs. SIG BERG.

SPOKANE, WASH., *February 18, 1949.*

Hon. HARRY CAIN:

Wonderful. Have you told them about the Capitol Club where each employee had to kick back a percentage causing many to resign their positions rather than to conform?

MARION SCHULTE.

TACOMA, WASH., *February 18, 1949.*

Senator HARRY P. CAIN:

Rank and file Tacomans thrilled at aggressive manner in which you are carrying the same fearless fight you waged locally for honest, clean government to our national scene. Let's leave the corrupt Wallgren stench buried.

J. K. STRACHAN,
Member, Teamsters Union, Local No. 581.

SEATTLE, WASH., *February 19, 1949.*

Senator HARRY CAIN:

May the Lord help you keep Wallgren out of Washington, D. C., and we will keep him out of Washington State.

JIM K. TYRELL.

YAKIMA, WASH., *February 18, 1949.*

Senator HARRY CAIN:

Our organization together with the majority of people in Washington are solidly behind you in your stand on Wallgren.

YAKIMA SHEEP CO.,
A. R. BOHOSKEY,
DON BOHOSKEY,
WOODWARD BOHOSKEY.

SEATTLE, WASH., *February 22, 1949.*

Senator HARRY CAIN:

Your position on Wallgren appointment supported by every person I have talked with. If friendship demands position recommend secretary of billiards where national resources will not be jeopardized.

LOAR MANSBACH,
Mercer Island.

SEATTLE, WASH., *February 22, 1949.*

Senator HARRY P. CAIN,
Senate Chamber, Washington, D. C.

DEAR SENATOR CAIN: As a Democrat of long standing I wish to commend you on your stand with regard to the appointment of former Gov. Mon C. Wallgren to chairmanship of the National Security Resources Board.

This appointment is obviously an error on the part of our President and it is to be hoped he will find men of greater ability for future appointments and avoid the outcome of the Harding administration.

Yours truly,

KENNETH HITCHINGS.

SEATTLE, WASH., *February 11, 1949.*

Senator HARRY CAIN.

DEAR SENATOR CAIN: I am a Democrat, but I want to commend most heartily your position in challenging the fitness of Mr. Wallgren to fill the position to which he has been appointed. He has demonstrated while Governor his unfitness for any post and should be returned to private life.

I express the opinion also of the other three voters of our family.

Sincerely,

CHARLOTTE B. HUGHES
(Mrs. M. J. Hughes.)

SEATTLE, WASH., *February 11, 1949.*

The Honorable Senator CAIN.

DEAR SENATOR: I hope you succeed in keeping Mon C. Wallgren from being appointed chairman of National Security Resources Board. I am a Democrat and I voted for President Truman but I didn't vote for an extravagant man like Mon C. Wallgren. I think that's a dirty way for the President to treat the Democrats of our State after we voted him out of office for getting us into some ferry deal. He would probably buy the Pacific Ocean for us or something equally as bad.

Sincerely,

Mrs. E. M. GRADY.

OLYMPIA, WASH., *February 19, 1948.*

The Honorable Senator HARRY P. CAIN.

DEAR SIR: I am writing to thank you for the fight you are making against the Senate approval of Mon C. Wallgren's appointment to the chairmanship of the National Security Resources Board. There are many citizens of this State who are anxiously hoping that you will succeed in preventing the appointment. We have had enough of his inefficiency and corruption during the past 4 years, and certainly do not want to pay for more of it in our Federal administration.

If the Senators who must settle the matter had been citizens of Washington during Mr. Wallgren's administration, and had seen him wasting our State funds on such fiascos as the purchase of the Longview Bridge, while they paid the highest taxes imposed by any State, I know how they would vote. If the Senators had to drive, as we do, over our disintegrating State roads, and knew the story of Mr. Wallgren's dismissal 4 years ago of our 10 senior highway engineers—each having more than 25 years in the State's service—I think I know how they would vote on the appointment.

If the Senators had been living here in our State capital and known the disgrace of Wallgren's "2-percent club," I hope they would not vote for giving this great responsibility to such a corrupt leader. When a man has shown himself inefficient and corrupt in State administration, wasting millions of our State's dollars, shall we promote him to Federal responsibility to waste billions?

As one who loves our country, I hope and pray that you will be able to prevent it.

Sincerely yours,

JACKSON L. WEBSTER.

FEBRUARY 23, 1949.

Hon. HARRY CAIN.

DEAR SIR: Wish to congratulate you upon your effort to require proof of eligibility of

our defeated past governor, Mon C. Wallgren, to the proposed appointment by the President. Would like to express our heartfelt thanks and approval of your stand.

Living in a tiny island county of the State of Washington, San Juan, we have had a personal display of petty selfishness in the fish and game laws by Mr. Wallgren in the closing of one of our three lakes to "fly fishing only." It has come to be called "Mon Wallgren's lake." This lake has always been used by fishermen with any tackle. It included many island children with small hooks and worms who spent hours fishing "belly down" on the dock at Mountain Lake, on Orcas Island. Mr. Wallgren closed it to all except fly fishermen in spite of and against the will of the taxpayers of this county because he chose to use it while a repeating visitor at the estate of Don Rheem, Rosario, Orcas Island, Wash. The island people protested bitterly without success. A small matter, but indicative of the manner in which Mr. Wallgren used his governorship of the State to further the whims and fancies of his own rather than the will and benefit of the people.

Please continue your efforts in what we feel is a matter of momentous import.

Very sincerely yours,

KARL P. MORAN, M. D.

SEATTLE, WASH., *February 23, 1949.*

Senator HARRY P. CAIN.

DEAR SENATOR CAIN: We are only one family among the multitude, but since the case of Wallgren versus a job in Washington, D. C., has come to a head we feel that our gratitude for your stand on the matter warrants this letter.

The average individual is helpless to do anything about the ever-growing policy of the administration in Washington, D. C., to place old time friends or politically beneficial persons in lush positions without discretion or consideration of its responsibility to the people, except to sit at home and read about it from day to day and cringe. Therefore, when there is someone like you in Washington who is awake to what is happening and courageous enough to stand up for what is right, it compels us to at least write a letter making known the fact that what you are doing receives our whole-hearted approval and thanks.

Sincerely,

Mr. and Mrs. G. J. FOSTER.

TACOMA, WASH., *February 23, 1949.*

MY DEAR SENATOR CAIN: My family have always voted Democratic.

I admire your courage in opposing President Truman's appointment of Wallgren. Wallgren is so completely unqualified that this appointment would be a national tragedy.

Sincerely yours,

ELLEN JONES HOOKER.

SEATTLE, WASH., *February 18, 1949.*

SENATOR HARRY P. CAIN.

DEAR HARRY: I am late to supper and my wife is already sore as hell at me for staying down in Olympia all last week kicking legislative shins, but I've got to write this before I go home.

I am glad somebody is doing what you are doing in the Wallgren hearing. Honest to gawd, the thought of bumbling Monrad sitting in a spot like that, in times like these, chills my guts. Better we have Shirley Temple, yet.

Maybe you won't get anywhere—from here it looks like the committee is about to slip you the business. But thanks for trying, anyway. If Mon gets that job I daresay we will have a repeat on the housewife pot and pan collection that drug up tons of no-good aluminum to oxidize on railroad sidings last time.

Good luck.

Regards,

BOB WARD.

SEATTLE, WASH., *February 14, 1949.*

DEAR SENATOR CAIN: Do not let the fact that the Democratic members of the house of representatives, in Olympia, voted in favor of the appointment of Wallgren stop you in your efforts to do a great service to this United States. Not one paper has come out with a statement in favor of his appointment. It is quite evident they just can't do so and be honest with the public.

It is a well-established fact that Wallgren told some of his buddies, when they asked him why he was taking a step backward in his political career he said, "There is no money in being a Senator." I would like to see his income tax for 1945, 1946, 1947, 1948, and 1949, for I am sure it would tell the story.

As a Democrat, I am not very proud of the situation in this State. With the help and advice of his good friend Harry he was able to set up an organization and make a clean-up here. He did not do this in Alaska where he settled his labor claims for 10 cents on the dollar. As an old-time Alaskan I know this story in full. That is why I wrote a letter to Ickes and Drew Pearson when I read he might be appointed to be the Secretary of the Interior. They would lynch him if he ever went up there.

I have evidence in my files to show that he ran out on the disabled veterans of this State. I was employed to manage a project to give employment to disabled veterans and he and his group—Corrie, Garten, Slavensberg, Joe Adams, and others—abandoned the project when Dave Beck refused to let them set it up as a State institution. It did not fit in with their plans of some fat jobs for some professional veterans and pet political friends—there was no place for graft or special jobs in my plan. Read the enclosed carefully and you will see that I set up a plan for the disabled veteran—100 percent for him alone.

My old friend John J. Sullivan can tell you, as he was my attorney and agreed to do the work for the project without compensation—Joe Adams was appointed at a nice salary, he was the first favored son to get a place in the project. It is a very nasty picture, Senator, and I offered to make a statement during the last campaign. I am glad I was not called on to do so as I have always wanted to keep this out of politics. If you can arrange for a story in the Times I will be very glad to cooperate. Please return the enclosures as I want them for my files. Don't weaken—you are right and the good Democrats of this State will back you up.

Yours very truly,

JAMES C. GAFFNEY.

FEBRUARY 13, 1949.

DEAR SENATOR CAIN: Don't compromise with your conscience even though you go down in political defeat. You get the picture—what they are trying to do with this Government. Everyone who has spoken in the defense of our American life has gone down in defeat. The smear brigade has seen to that. The Government has too many so-called Americans with their roots in no country in the world. They would sell out their own grandmother and they are doing an excellent job—tearing down the very foundations. Termites that have gotten into every phase of our American life. What I cannot understand is Mr. Herbert Hoover's recommendation for more power to be given President Truman. God knows what he would do with the extra power. He hasn't done so well with what he has. He frightens one with one saboteur after another. Wishing you a successful New Year, I am,

Cordially,

Mrs. ARTHUR SAYRES.

FEBRUARY 17, 1949.

Senator MILLARD TYDINGS.

DEAR SENATOR TYDINGS: As Senator CAIN said, Mr. Wallgren's only qualification is his friendship with Mr. Truman, and that is frightening. Mr. Wallgren could never be found when he was Governor, he was in Palm Springs, Calif., or Washington, D. C. We had a saying here, "If Wallgren can be kept from selling city hall before he gets out." The terrifying thing is President Truman's disregard for incompetence in the most crucial days of our lives and his seemingly lack of knowledge as to really what is going on. The extent of communism and the transfer of these revolutionists to the United States brought in by land, sea, and air these past 8 years under the guise of displaced persons and entering every phase of our American life and destroying it with their own twisted philosophy. If it doesn't stop soon, we will be the displaced persons, but that, I understand, is their aim and they are doing an excellent job, because everyone in the Government who defends America and Americans is eventually out. This Congress and House will be pressured as never before in history because we have entered an era that Mr. Roosevelt started of something for nothing and it is crippling and decaying our very foundations.

Very cordially,

MAE V. SAYRES.

P. S.—This is a worried citizen here from 1710 watching her country being destroyed from within and helpless to do anything about it. This is the second letter I have ever written to any Senator or Representative.

Mrs. ARTHUR SAYRES.

PLEASANTVILLE, N. Y., *February 22, 1949.*

The Honorable HARRY P. CAIN.

DEAR SENATOR: More power to you for your fight to prevent the appointment of Mon C. Wallgren.

It is time that the Senate does it's utmost to protect our country from such as are unfitted. It is not a question of courtesy to the President, but of fairness to our citizens.

This is another of the many nominations (including certain appointments?) in which the nominee both by his record and disposition seems utterly unfitted.

Like many, or perhaps most New Dealers, Wallgren, if not a Communist, seems to have been at least friendly to Communists, and to have failed to recognize the danger of appointing such to be public servants.

May I hear from you?

Very cordially,

JOHN W. ARNOLD.

SEATTLE, WASH., *February 24, 1949.*

Mr. HARRY P. CAIN.

DEAR SENATOR CAIN: I have been following the news items recently on the subject of the President's appointments, including that of one Mon C. Wallgren, to a very important board chairmanship affecting our national security.

It seems to me this man has been pretty thoroughly repudiated by the citizens of Washington State and from what I can learn, for very good reasons. When he gave up a United States Senatorship to move into the Governorship of Washington on a left wing wave, he probably did so with his eye on the lush condition of the State treasury, built up by a former competent incumbent, and could not resist the temptation to get his fingers in the pie.

It is said when he came to Olympia he was broke and the Treasury had a large surplus. In any event, when he left he was headed for the millionaire class and the State was broke. As soon as Mr. Langlie arrived at the Capitol, Wallgren took the next train or plane to Washington, not even waiting to attend the inauguration; which reminds one of the tenant who wrecked the apartment house furniture and equipment and then ran away out of bounds before the landlord arrived to survey and investigate the wreckage.

This morning's paper displays a photograph of a new $60,000 residence nearing completion for Mr. Wallgren in the southern California desert, which would make a nice hideout for himself and the President to put on some poker parties, etc., during vacations.

You know of some of the shady deals conducted out here, including the bridge purchase, which would permit siphoning off overpayments through a set of dummies, and I think these deals should be thoroughly investigated. I hope you will enlist all the assistance you can from people in the know, in order to expose and block this playboy from doing further damage.

I read the news item from Washington yesterday telling of Jack Gorrie and the other two henchmen who are already feeding at the national public trough in a big way, in the new department of which Mr. Wallgren aspires to be the head.

More power to you in your endeavors to be a good public servant.

Very sincerely yours,

A. NISONGER.

LAKEVIEW, WASH., *February 23, 1949.*

Senator HARRY P. CAIN.

DEAR SIR: You have a quality which is so rarely found today and which is so urgently needed, that of having the vigilance, the ability (let's just say guts) to rise and defend this Nation from impostors seeking high places. You did it once when you turned the light on John Coffee and you are doing a good job now in contesting the appointment of ex-Governor Wallgren as head of the Committee for National Defense. Win, lose, or draw, I am for the stand you have taken. I admire you so much for this because I know how much easier it would be to be a "yes man" as 9 out of 10 men are. We have many misfits in our pulpits, our schools, and colleges as well as in key political positions who are a menace to our national safety and welfare. We need more men like you.

Very sincerely,

T. H. ALGEO.

PULLMAN, WASH., *February 24, 1949.*

Senator HARRY P. CAIN:

I'm a 4-year veteran 100 percent against Mon Wallgren. Veterans want honest men. Keep up the fight.

R. D. LOWE.

SEATTLE, WASH., *February 22, 1949.*

Senator HARRY P. CAIN.

DEAR SENATOR: Your stand on the Wallgren appointment is to be highly commended. I hope you will keep up the good work despite the tremendous amount of abuse you will undoubtedly be subjected to because of your opposition.

It seems to me that, if the United States is going to survive as a free republic, men of courage will have to stand up and be counted as the individual issues arise.

There has been too much acceptance of opportunism in high places both locally and nationally. The only method the electorate has of stopping abuses is for their representatives to have enough guts to take the obvious right stand irregardless of friendship, party loyalty, political opportunism, polls, pressure, etc.

It might even be that the man who is willing to stick his neck out will find favor with the voters—who can tell?

Respectfully,

J. A. DOUGAN, Jr.

BELLINGHAM, WASH., *February 22, 1949.*

The Honorable HARRY P. CAIN.

DEAR SIR: I have been reading and listening with utmost interest to your stand against the appointment of Mon C. Wallgren to the position of chairman of so important a national defense board as that of National Security Resources Board.

Wallgren never made anything secure in his life unless it was for himself. I am one of hundreds of people who cannot understand why anyone upon whom there is any doubt of integrity should be appointed to such important positions.

I might also say that I happened to live in the south part of Seattle when there was so much discussion of Wallgren and his Communist friends, most of whom you have mentioned.

Why in God's name do we have to stand for appointments of such men when there are plenty of real good men in this country upon whom there is no suspicion of un-American activity.

Keep up the good fight and may you be the winner. This is my sincere hope.

Very truly yours,

MERLE L. SEYLAR.

YAKIMA, WASH., *February 23, 1949.*

The Honorable HARRY CAIN.

DEAR SENATOR: In your fight to block confirmation of Mon Wallgren to the high position to which he has been appointed you have the support of every right-thinking citizen of the State of Washington.

Opposition to this appointment cannot rightly be classed as political as we know a Democrat will be confirmed for this position and we also know that the President will see that Mr. Wallgren is cared for at public expense.

As governor of this State it was evident that he had no desire to be a servant of the people but rather to be "Your governor" and to profit by the opportunities it offered.

Is there any way that I may assist?

Very truly yours,

CLARENCE W. KEEN.

WENATCHEE, WASH., *February 22, 1949.*

Senator HARRY P. CAIN.

MY DEAR CAIN: I just want to add my 10 cents' worth to your fight against the confirmation of that man Wallgren.

Press dispatches last evening told all about how he is building a $60,000 home near Palm Springs, and the obvious question arises as to where he got that kind of money.

The pay which a Congressman receives to say nothing of the governor's salary, presented no opportunity for boosting a man into the glamorous state which he now seems to possess.

You are doing your country a real service in trying to put a stop to the ambitions of one of the worst upstarts this country has been cursed with.

More power to you.

JOHN A. GELLATLY.

BREMERTON, WASH., *February 22, 1949.*

Senator HARRY CAIN.

DEAR SENATOR: As a voter and taxpayer I wish to commend you for the stand you are making against the appointment of Mon C. Wallgren as head of the National Security Resources Board. Even the Democrats in this State seem to regard him as an incompetent "boob" and it is tragic that a man of his obvious incapabilities should hold such an important position.

I think you are tilting at a windmill but perhaps the enclosed will provide you with some fresh ammunition. Good luck.

Most sincerely,

Miss KATHLEEN BRIGGS.

BELLINGHAM, WASH., *February 22, 1949.*

The Honorable HARRY CAIN.

DEAR SENATOR CAIN: Please accept my congratulations on your objection to the appointment of ex-Governor Wallgren.

There is little to be gained by my repeating to you contempt that I, and obviously many other thinking people of Washington have for Mon Wallgren. Many of us are wondering when and where funds were derived for him to build a $60,000 mansion at Palm Desert which the newspapers report is being rushed to completion.

It is my considered opinion that such appointments, which are little more than personal gifts from the President—of the people's money, is more dangerous to our democratic system than foreign ideologies. If men without capacity, without training, perhaps without honesty, are to be placed in top positions by some "divine right" how in the name of common sense can good and efficient government ever result? If, by the way we practice democracy, we ignore the public, invite mismanagement, confusion, perhaps graft, if we support individuals just for personal friendship and ignore the welfare of the people only complete lack of confidence and trust in the central Government can result.

The cry against excessive tax is loud—and justly so—but I can see little hope of correcting the terrible inefficiencies we all see by placing such political mistakes as Mon Wallgren in administrative posts. Government must, I repeat, must take a good look at itself and resolve to so organize and operate that Mr. and Mrs. John Q. Citizen will not begin to mutter or swear as we do now when politics is mentioned. I think perhaps you will agree that no business could ever exist if it were conducted with comparable efficiency. Washington, D. C., is the home office of the greatest business in the world and it is long past time when waste and expense is cut. I consider that the appointment of Wallgren discredited the President. I wish you all the success possible in your fight against this man.

Very truly yours,

A. MARVIN ALLYN.

SAN DIEGO, CALIF., *February 22, 1949.*

Hon. WARREN G. MAGNUSON.

DEAR MR. MAGNUSON: I wish to enter an emphatic protest against the confirmation of Mon C. Wallgren as Chairman of the National Security Resources Board. I am a Democrat and voted for him when he ran for governor in 1944. I do not know the man personally, but I have long since come to the conclusion that he is wholly unfit to hold any public office. My reasons are as follows:

1. He has had no business experience whatsoever and is wholly without training along this line. This naturally disqualifies him from holding a position demanding any knowledge of the practical business principles.

2. When elected Governor of the State of Washington the first thing Mr. Wallgren demanded was cocktail bars. Even if the proposal had had merit that certainly was not the time to bring it up. We were still at war and any measure that would contribute to disunity among the people obviously should have been avoided. Knowing the liquor question to have been highly controversial its injection at that particular time was ill-advised to say the least.

3. The moment he was sworn in as governor he demanded control of every commission in the State, political or nonpolitical. He

even demanded control of the State board of education and the board of pardons and paroles. He also demanded that the State Game Commission, which had been taken out of politics in 1932 by means of an initiative measure sponsored by the sportsmen of the State of Washington, be returned to political control. This, of course, meant that they would be returned to the control of Mon Wallgren.

4. As you will no doubt recall, during his first legislative term he worked hand-in-glove with that bunch of commies out of Seattle. As you also know, these men were repudiated in the next election. During his first legislative term they were Wallgren's fair-haired boys.

5. In a year when the voter was hell-bent on voting the Democratic ticket throughout the United States, Wallgren, the nominee of the Democratic Party, was repudiated at the polls by his own party.

6. When President Truman visited Washington shortly after Wallgren was elected Governor he took Mr. Truman on a fishing trip in his palatial yacht. The only other person invited to go on the trip was Nick Bez. Why was that? At best it certainly had sinister implications. The normal thing would be to invite important members of the Democratic Party, and especially those occupying high public office.

7. The same yacht was bought by the State allegedly for the fisheries department but was used solely for Wallgren's pleasure. Before his term was over he even discarded the pretense and called it the Governor's yacht.

My candid opinion is, Mr. MAGNUSON, that opposition to Wallgren's confirmation will increase your stature in the eyes of the voters of the State of Washington.

Sincerely,

I. P. CALLISON.

PALM SPRINGS, CALIF., *February 22, 1949.*
Hon. HARRY CAIN.

DEAR HARRY: More power to you in your fight over Wallgren. If there was ever an unsuitable and incompetent appointee he is it, and I hope you will be able to kill off the appointment. I have been wiring and writing various ones that I thought would have influence, and if there is anything more I can do let me know. I expect to be here for several weeks more.

We came down from Aberdeen about a month ago and seem to have chosen the right time to miss the worst winter Washington has had in many years.

With kindest regards and best wishes, I am,

Sincerely,

EDWARD K. BISHOP.

SEATTLE, WASH., *February 22, 1949.*
Senator HARRY P. CAIN.

DEAR MR. CAIN: Permit me to compliment you upon your courageous refusal to accept the name of Mon C. Wallgren to the office, the President, in a moment of friendliness appointed him.

The President surely did not have access to the undisputed facts regarding the conduct, associations and local political policy of Mr. Wallgren, from the days of his pool hall activities in Everett to his revealing purchases as governor, not to mention his defeated attempts to bring pressure in regard to certain leases.

We in Washington State do not look upon this timely investigation only as the proving that a discarded politician is totally unfit to hold such a vitally important office, but rather does it prove that the so-called gentlemen's agreement as previously put into practice, requires more study and careful consideration as to the fitness, loyalty, integrity and ability of an appointee, particularly at this period of national crisis when the world is looking to us for leadership and guidance.

It is indeed time to take stock, to face the real issue of whether we are to look to loyal citizens for leadership or be influenced, even led by theorists who have leaning tendencies toward doctrine that are so diametrically opposed to the traditions and fate that has made our country great.

At this time when we are beset by doubts and fears within and without the portals of our own individual lives, may God bless you and keep you and guide your good efforts to establish a better record of statemanship than has been displayed by one of your predecessors.

Very truly yours,

FLORENCE MITCHELL BOHL.

SAN DIEGO, CALIF., *February 21, 1949.*
Hon. HARRY P. CAIN.

DEAR SIR: I hope your committee will not recommend approval of the appointment of Mon C. Wallgren for chairman of the National Security Resources Board (or any other office). Being a friend of the President is not a qualification and Mr. Wallgren lacks the essential qualifications, among them a knowledge of and experience in (a) business, (b) production problems, (c) military affairs, (d) international affairs.

Sincerely,

C. H. KERR.

MARYSVILLE, WASH., *February 14, 1949.*
Senator HARRY P. CAIN.

DEAR SENATOR CAIN: Congratulations to you on your firm stand opposing the appointment of Mon C. Wallgren by President Truman to the chairmanship of the Federal Security Resources Board.

Your action in this matter has my fullest approval.

Sincerely,

G. A. DUDLEY.

GARFIELD, WASH., *February 14, 1949.*

DEAR SENATOR: That man Wallgren deserves more than you gave to the Senate. The Internal Revenue people could do some work there, but will not.

His record in the State, when known, will make Huey Long look like a piker.

Keep up the good work.

Sincerely,

ROBERT P. BENSON.

OLGA, WASH., *February 14, 1949.*
The Honorable HARRY P. CAIN.

DEAR SIR: Please let me congratulate you on your efforts to block Mr. Truman's appointment of Wallgren as head of the National Securities Resources Board. I sincerely hope he can be kept from holding any political position.

When the bill to broaden the Social Security plan comes before the Senate, I shall appreciate your consideration of the possibility of making it workable for the individual. As matters now stand, it is practically impossible for those of us who live in rural communities to make payments or have employers make payments into our Old Age and Survivors Insurance Accounts.

Thank you.

Respectfully,

J. S. GOLITHON.

EDMONDS, WASH., *February 17, 1949.*
Senator HARRY P. CAIN.

DEAR SIR: My husband and I wish to commend you—very highly—for the courageous stand you have taken against the confirmation of the appointment of Mon C. Wallgren as head of the National Security Resources Board.

We are hoping that at least some of his most notorious political misdeeds committed during his term as governor of our State can be held up for searching scrutiny so all may know just what a tricky, double dealing, greedy, grasping, publicity hunter our suave Mr. Wallgren is. Whoever coined the term "Corrupt Politician" must have been thinking of someone just like Mr. Wallgren.

Good luck to you, Senator Cain. It is comforting to know we still have some true, blue Americans—believing in Constitutional government, to represent us "the people", in Washington, D. C.

Sincerely yours,

GEORGIA A. WICKERSHAM.
D. R. WICKERSHAM.

GIG HARBOR, WASH., *February 17, 1949.*
Senator HARRY P. CAIN.

DEAR SIR: May I congratulate you on your protest of the appointment of our former Governor Wallgren. I certainly hope that your efforts will be rewarded with success.

It has made us sick here to find that when a man in high public office does not prove himself worthy of one job he is given another, an appointed job by none other than our President whom of course we should have all respect for.

Surely all the detrimental things said can not all be false.

With best wishes for your efforts in your crusade for better men in public office.

Sincerely,

Mrs. C. ALLISON.

CAMAS, WASH., *February 18, 1949.*
The Honorable HARRY P. CAIN.

SIR: Congratulations on your most timely and forceful opposition to the appointment of Mon C. Wallgren as chairman of the National Security Resources Board. We worked hard to remove him from Washington State as Governor so please do not let him exercise his influence upon us from a higher level.

GEORGE F. HENDERSON.

NEWPORT, WASH., *February 11, 1949.*
Senator HARRY P. CAIN.

DEAR SIR: Matters being what they are, we wish to state our position in several matters, with the hope that future legislation will correct these black marks.

Citizens of Washington State canned Mr. Mon C. Wallgren from his governorship because he conducted State affairs in his own interest instead of the interests of the people. If the citizens of the State did not want him in State affairs, we are sure that they did not want him in Federal affairs either. Mr. Wallgren has proved himself a spendthrift. We want an end put to waste in the Government, and do not want Wallgren put in any responsible Government position having any authority or dealing with spending. As citizens and taxpayers, we feel that we have the right to ask that Mr. Wallgren be denied any administrative work. Senator CAIN, you should be lauded for standing up for your convictions.

Sincerely,

G. M. TROWBRIDGE.
C. M. TROWBRIDGE.
L. S. TROWBRIDGE.

EDMONDS, WASH., *February 16, 1949.*
Hon. HARRY P. CAIN,

DEAR SENATOR: Everyone I have talked to is proud of the stand you have taken on M. Wallgren. It may be an uphill, losing fight, but it is well to let the Senate know what kind of a wastrel he is.

Here is a man repudiated by his own party, in his own State, who has wasted seventy million of our State's reserves, and left the State in a financial mess.

There are several shady deals which point the finger of graft at him. One of which is the purchase of the Longview Bridge. His appointment should be held up until this mess is investigated.

Wishing you the best of luck in your courageous stand.

GEORGE G. SMART.

VASHON, WASH., *February 11, 1949.*

HONORABLE SIR: I see by the Seattle Times you intend to oppose confirmation of ex-Governor Wallgren.

Here is another voter hoping that for the good of the country you succeed in keeping this gentleman out of any position of public trust and confidence.

Very truly yours,

HERSCHEL HART.

CLE ELUM, WASH., *February 10, 1949.*

Mr. HARRY P. CAIN.

DEAR SENATOR: We just had a report—via radio that you were going to try to block the installation of our former Governor Wallgren, into a high office with a huge salary. God grant, that you will be able to do it. Our State of Washington is as you know bankrupt, due to his crafty dealings, and we think it would be detrimental to our country as a whole to have him in any office whatsoever.

Our congratulations on your attempt to block Wallgren. Hope you can do it and sincere thanks for any efforts on your part for better government.

Mrs. WILLIAM A. WEISEMAN.

SUNNYSIDE, WASH., *February 31, 1949.*

Senator HARRY P. CAIN.

DEAR SENATOR: We have been reading in the papers about your revelations on Mon C. Wallgren's character, and from the chaos he has left behind him in Washington, think you are well within bounds and sincerely hope his appointment is not ratified. He has left the State of Washington away in the red what with his private yacht, etc. I imagine his Communist friends had some hand in it, too. And now this clipping about a $60,000 home makes me wonder how much of the Washington taxpayers' money is in it.

Yours truly,

Mrs. MELVIN POYER.

KELSO, WASH., *February 10, 1949.*

Senator HARRY CAIN.

DEAR SENATOR CAIN: Good for you. Too many Presidential appointments are being rushed through before the country gets a chance to protest. I do hope this Wallgren appointment can be blocked.

Senators from other parts of the country probably have no idea what sort of a record Wallgren made as Governor of Washington. Nor, of course, do Senators pay much attention to voters outside their own States. But just the same I'm spending this week end writing to as many as I can manage, to urge them to listen to what you have to say about Wallgren before they vote to approve his appointment.

Good luck to you.

Yours very truly,

JANE LITTELL.

SEATTLE, WASH., *February 11, 1949.*

Hon. HARRY P. CAIN.

DEAR SIR: You are to be commended for your stand on Mon C. Wallgren. When the people of Washington State so carefully and painstakingly voted him out of office because of his record as governor I resent our President flaunting him in our face again. He could cost the taxpayers of the United States untold amounts of money in the position the President seeks for him. He just about put the taxpayers of Washington State in the hole for keeps.

It is my opinion the people of this State are behind you in about the same proportion we voted him out of office and put in a good governor.

Sincerely,

MAC C. TAYLOR,

President, Oregon-Washington Fertilizer Co.

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BELLINGHAM, WASH., *February 11, 1949.*

Hon. HARRY P. CAIN.

MY DEAR SENATOR: I have noted from the press that you are opposing the confirmation of M. C. Wallgren, in the United States Senate, and your reasons therefor.

As a citizen of the State of Washington I wish to commend you for your stand, and to say that an unbiased opinion from both Democrats and Republicans in the large majority would agree with you. I cannot believe that very many people of either party think that Mr. Wallgren possesses any particular qualifications for the position to which he has been appointed.

Very truly yours,

BLANTON LUTHER.

BAKERSFIELD, CALIF., *February 19, 1949.*

Hon. HARRY P. CAIN:

Congratulations on your fine stand in the proposed Wallgren appointment. It is gratifying to know the people have at least one man who has the courage to oppose the vicious spoils system. All success in your fight.

TOM CURRAN.

PESHASTIN, WASH., *February 14, 1949.*

Hon. HARRY P. CAIN.

DEAR MR. CAIN: I would like to compliment you on your stand referable to the qualifications of Mr. Mon C. Wallgren for the strategic position to which Mr. Truman has appointed him.

We, the people of Washington, withdrew Mr. Wallgren from the leadership of our State because of his lack of qualifications for such a position; we therefore cannot understand the President's attitude in selecting Mr. Wallgren from the many capable men which he has at his disposal. Certainly the people of his own State can and do recognize a man's capabilities.

Let us assure you, Mr. CAIN, we, the people of Washington, stand back of you 100 percent since we do not feel Mr. Wallgren has shown, through his private experiences as well as his public leadership, any qualifications such as are necessary for key positions in our United States Government.

Yours truly,

H. D. COUCH.

PORTLAND, OREG., *February 18, 1949.*

Senator HARRY CAIN.

MY DEAR SENATOR CAIN: I wish to thank you for your splendid effort to block the appointment of that person, Mon C. Wallgren, to the Chairmanship of the National Securities and Resources Board.

It would be a tragedy if he were to be confirmed in this appointment. There are far too many persons of his stripe already holding responsible offices in Washington.

It is my opinion that the man is not only incompetent, but he's quite unscrupulous as well. He was a sorry excuse for a Governor of Washington; he'd be a greater farce as chairman of the securities board; I would believe, a dangerous one.

My sincere thanks for your efforts to stop him. I might add right here that I feel that you, Senator CAIN, have been a credit to your State and that we could use more men like you down in Washington. The best o' luck to you.

Sincerely,

MURDOCH MACDONALD.

PULLMAN, WASH., *February 18, 1949.*

The Honorable HARRY P. CAIN.

DEAR MR. CAIN: As a long-time resident of the State of Washington, vitally interested in the welfare of our State and of our national Government, I wish to congratulate you upon the stand you have taken opposing the nomination of Mon Wallgren as chairman of the National Security Resources Board.

Every Washingtonian who can read is aware of the miserable job Wallgren did as Governor of the State of Washington during the 8 years he held the position, and it was with the most profound rejoicing that we were able to oust him in the last election in favor of Arthur B. Langlie. Your courage in opposing the President's express wish in having this incompetent playboy in a position of such responsibility merits the admiration of every citizen of the United States.

Thank you, Senator CAIN, for so aptly demonstrating your vigilance in guarding the welfare of our country.

My husband asks me to add that he will personally be very pleased if you will "chase Wallgren back to the poolroom where he belongs."

Sincerely,

Mrs. E. F. LEONARD.

CENTRALIA, WASH., *February 19, 1949.*

Senator HARRY CAIN.

DEAR SIR: Congratulations on your stand against Wallgren's appointment. It is downright simple to select a man for such a job when it is so apparent that the people who know him have no faith in him.

Why a political career should be considered any qualification for this position I cannot see and as a businessman Wallgren would make a good caddy except he is too soft.

Keep up the good work.

Sincerely,

FRANK P. SCHRADER.

P. S.—Don't forget the Longview Bridge deal, the difference between appraised and purchase price.

MORTON, WASH., *February 17, 1949.*

Senator HARRY CAIN.

HONORABLE SENATOR: As a voter in the State of Washington, who has followed your career through the years and has been a supporter of yours, I earnestly request you to oppose Mon C. Wallgren's appointment as Chairman of the National Security Resources Board.

His qualifications for such a position are certainly not indicated by his formed administration of our State's affairs while governor.

The voters of this State indicated their lack of confidence in him at the polls here in November, by rejecting him.

We note you stated you would do everything in your power to block Wallgren's confirmation. Please realize we voters are behind you all the way.

Sincerely,

Mrs. BERNICE WINSLOW.

ELMA, WASH., *February 20, 1949.*

Senator WAYNE MORSE.

DEAR SIR: Your criticism of the opposition to the Wallgren nomination as Chairman of the National Security Resources Board shows that you have not properly analyzed the case.

The taxpayers of the State of Washington are still staggering from the effects of Wallgren's pool-hall level of administration. If you doubt this, compare the financial condition of this State at the beginning and close of his administration.

You are quoted, "We can't stop these appointments, but we can hold the Democrats responsible for what they do." In my opinion, we can't afford to have a man of mediocre qualifications in such an important position, even if it is just to discredit the Democrats. A minority that quits as easily as you indicate is not doing its duty to the Government.

Senator CAIN's frank statement of facts will draw a great deal more support from Congress and the entire Nation than your wavering attempt to sit on the fence.

Very truly,

MILES H. FULLER.

ISSAQUAH, WASH., *February 23, 1949.*

Hon. HARRY P. CAIN:

We commend your stand in opposing the appointment of Mon Wallgren to the National Security Resources Board. Wallgren's record as Governor of the State of Washington proves him to be thoroughly unfit for such an important post.

E. E. BRAMBLE,
Publisher-Editor, Issaquah Press.

SEQUIM, WASH., *February 15, 1949.*

Senator CAIN.

DEAR SIR: Allow me to commend you for your protest against appointment of Wallgren.

This from one who voted for Roosevelt four times and Wallgren once. He was certainly obnoxious to many people, who once thought him governor material of a high order, but did not make the same mistake twice.

Also, let Harry Truman, the "miracle man," who recently got a substantial raise, pay his friendships off out of his own pocket. Why should all of the people of the United States be saddled with the keep of this Wallgren, when the people who know him best would not retain him in the job he so elaborately failed in.

If I was Wallgren, I would never hold up my head again, knowing that I was such a lousy governor; that the good folks of Washington put in one that they had discarded before rather than see him in office again.

Thank you,

ROBERT F. BIERLEY.

P. S.—Yes; you may use this letter and my name.

ENUMCLAW, WASH., *February 17, 1949.*

Hon. HARRY CAIN.

DEAR MR. CAIN: Please accept my congratulations for your action in the matter of the appointment of Mon Wallgren by the President to the chairmanship of the National Security Resources Board.

Mr. Wallgren's record as Governor of this State and the results of the last election should leave no doubt in the minds of those who will be responsible for his confirmation. There are many more of us in Mr. Wallgren's home State who share the same opinion as you. His record and political tactics have made him personally obnoxious to all people with any degree of decency and a sense of, and a desire for, the preservation of sound business methods in this branch of our Government.

Let us hope that more of your colleagues will have the courage to vote their honest convictions in the matter of this appointment and not just for the sake of political expediency.

Sincerely yours,

C. A. STEWART.

LANGLEY, WASH., *February 19, 1949.*

Hon. HARRY P. CAIN.

DEAR SENATOR: You are to be commended, indeed, for the stand you are taking on the Wallgren appointment. It has been a source of chagrin to all those who knew the score that the people of our State would have been so taken in as to send a fellow of his caliber into public office in the first place. That was in 1932, on a political shuffle, and I know the inside story when the committee named him to run as Congressman the first time. Once in, the rest was easy, for this person who had no moral scruples against selling his own State down the New Deal river. He has always represented the perfect type of lackey to do the bidding of the inner ring, and it has been during his time as public servant in capacity of Congressman, Senator, and finally Governor that our State became dubbed "the Soviet of Washington." And no wonder, with the likes of Jerry O'Connell and all the rest of that flock of gamblers and crooks who flocked here to make Washington State a stepping stone for Bolshevist Russia.

I got wise early in this instance, for back in 1928 an old fellow (a Mr. William Riley Engle) came to live near us who had worked for members of Wallgren's family He knew the inside story on the Mon C. Wallgren character, and his good old-fashioned Americanism was utterly shocked at the rise in political fortune of this amateur card and billiard sharper. So was I, but seeing the same play on all sides, and knowing the forces behind the so-called New Deal, I came to expect the Wallgren type.

Very sincerely yours,

JOHN METCALF.

WASHINGTON, D. C., *February 17, 1949.*

To the SENATE OF THE UNITED STATES:

You now have for approval the name of Mon Wallgren to be Chairman of the National Security Resources Board.

This nomination is obnoxious, not only to Senator CAIN, but to thousands of ordinary citizens who do not think Mr. Wallgren is qualified for the job.

President Truman was reelected for a number of reasons, one of which was his promise to see that our dwindling natural resources were utilized wisely for the benefit of all the people. This promise implied that he would choose capable men to administer the Federal interest in these resources. The nomination of a political hack like Mr. Wallgren violates this promise.

It is admitted that there are relatively few men in the United States with sufficient capabilities and vision to fill this job, one of the most important ever created by our Government. A few of this group have worked, or are now working, for the National Security Resources Board. The President would have been wise to have selected one of them in preference to nominating a man who, if approved, will do everything in his power to reduce the influence of these men by replacing them with pip-squeaks of his own.

Such a situation will not arise if the Senate places national security and the economic welfare of all the people above political friendship and rejects this nomination.

A. D. EONSRB.

RENTON, WASH., *February 20, 1949.*

DEAR SIR: I am a veteran of 4½ years in the Army Air Corps. I was a captain flying P-38's. I am a property owner here in this area and a voting registered voter. I stand behind you 100 percent in your condemnation of ex-Gov. Mon C. Wallgren.

Please endeavor to exercise the same type of initiative, fight, and deep thinking to stem the Government's socialistic tendencies. My wife and I would support any measure to take Government out of business. Give the Government back to the people.

Sincerely,

OTHEN N. CARLOS.
SHIRLEY G. CARLOS.

POULSBO, WASH., *February 23, 1949.*

Hon. HARRY P. CAIN.

DEAR SIR: I want to highly commend you on the action you have taken concerning Senate approval of the appointment of Mon. C. Wallgren as Chairman of the National Security Resources Board. I agree with you that this position is so important that a really qualified man should receive the appointment, and Mon C. Wallgren is not that man. As one of your constituents may I offer my complete moral support of your actions. Thank you.

Sincerely,

THOMAS HOVET, Jr.

STANWOOD, WASH., *February 18, 1949.*

Senator HARRY P. CAIN.

DEAR SENATOR: I have just finished reading your statements before the Senate Armed Services Committee. I would like to say, "Well done, Senator." I think some job that our billiard expert could do should be found for him there, say street department, or don't they have horses there any more?

Sincerely,

HAROLD S. RUSSELL.

ABERDEEN, WASH., *February 22, 1949.*

Hon. HARRY P. CAIN.

DEAR SENATOR: Hurrah for you. Let the good work go on. It is certainly gratifying to find a public official with courage enough to come right out in public and call the big crook just what he is. We have all been calling him by some of his right names under our breath and among ourselves for the past 12 years or more and it sounds good to us to hear our words echoed, amplified, and emphasized in the United States Senate by our own Senator.

I don't guess you need any coaching or any more information on the guy than you have already; his whiskey steal, his Capital Club, his ferry steal, to mention a few. You are probably aware also of one of the first steals he put over when he was a freshman in the United States House of Representatives; the Park steal. A group of parlor conservationists in New York and New Jersey headed by Mrs. Edge and backed by her husband's millions found in this brand new Congressman from Washington a ready accomplice in bottling up the Olympic Peninsula.

What he received for any of these deals we may never be able to learn. But the Members of the United States Senate can plainly see what kind of a guy he is when he goes to Congress worse than broke, quits the United States Senate for the Governor's job at less salary and at the end of 4 years starts building Palm Beach houses.

The easiest thing for you would have been to let the appointment go through. But you had the guts to take the hard way and to bring out plainly before the Senators and to let the whole world know that you had spread out before them, just what kind of a grafter this guy is. Now every Senator knows what every one of his constituents knows. Each vote to confirm will brand that voter as approving the Truman-Wallgren type of political graft. I don't believe they will do it. Senator, you are to be congratulated.

Yours,

O. R. AUSTIN.

SEATTLE, WASH., *February 21, 1949.*

The Honorable MILLARD TYDINGS.

DEAR SENATOR: Since I have been of age to vote—1932—I have, until the last election, been an avid Democrat. The main reason I became an independent voter is a man named Mon C. Wallgren, former Representative, former Senator, and former Governor. The title "Former Governor" is by the grace of the Democratic Party in the State of Washington, because it was the members of his own party that defeated Mon Wallgren and elected the rest of the State ticket and Harry Truman. Isn't the proof enough to show what the people of his own State think of his ability. If he is rammed down the throats of the citizens of this State by being appointed to a position for which he is so incapable of holding, the national administration will have lost this State in the next election.

Why is it that Mr. Wallgren's home in California wasn't started before he lost the election? How much property does he own in the State he served as Governor of? Why doesn't your committee go into the inside workings of his administration as Governor? Can he explain how a man virtually bankrupt in 1932 can own stock in a radio company for which he refused in the neighborhood of $125,000, can build an expensive home in California and have extensive other business interests not normally held by a man of Mr. Wallgren's education and proven business failures.

We here in the State of Washington are awakening from the complacency we have had politically for the past several years and we are beginning to look at the records of our candidates instead of the party label. In the main I am not in accord with Senator CAIN and have never voted for him, but in this matter I know there are several thousand of us that are wholeheartedly in agreement with him. I am speaking for Democrats.

The next election will prove to others in high positions from this State that the voters are looking into the records and not a lot of "malarkey" at election time. Certain of these so-called servants of the people have served several years in the Halls of Congress and believe they are still on the pinnacle but they are destined to find out that the pinnacles have slipped and the voters are awakening to the true facts. Certain of these men have been very closely associated with Mr. Wallgren and in the eyes of the voters this is evidence enough to discredit them.

Respectfully yours,

L. K. PENNINGTON.

CHEHALIS, WASH., *February 22, 1949.*

Senator HARRY CAIN.

DEAR SENATOR CAIN: On June 7, 1947, we had a special election to supplant Representative Fred Norman of this district upon his death.

On June 5, I think that it was, the P. I. (Seattle Post-Intelligencer) printed a statement by Wallgren endorsing the candidacy of Charles Savage as against Russell Mack. I have misplaced the clipping, but if you are interested further you will find it in the 4th, 5th, or 6th of June. Wallgren stated that Truman desired the reelection of Savage; they needed him in the Congress.

I made a little talk as a Democrat supporting Mack on the 5th of June.

There is no doubt that Savage followed the Communist line at the time, his record in the Congress, commencing January 3, 1945, showed that to be the fact, and Wallgren no doubt knew of the fact.

I enclose here a copy of the talk I gave on June 5, 1947. If it may help as a key to facts as to the record of Savage and the knowledge by Wallgren it might help a little.

It is apparent that Wallgren then, and ever since would support any man or thing, which might help corral votes. I then considered him, and all of his ilk as a source of great danger in American political life.

I repeated the performance in the election against Savage in the fall of 1948 and given a degree of credit for the fine vote received by Mack upon his reelection in Lewis County.

More power to you.

Very truly yours,

JAMES A. STINSON.

EVERETT, WASH., *February 15, 1949.*

Senator HARRY P. CAIN:

Congratulations your brave fight to keep Wallgren out of any important Federal position. His father supported him before 1932. Ask Dun & Bradstreet his financial present rating. Good luck.

EDWARD H. MCKEE.

PORT ANGELES, WASH., *February 18, 1949.*

HARRY P. CAIN,

United States Senator:

We commend your actions furthering the good of the Nation by opposing former Governor Wallgren.

E. R. JOHNSTON.

CAMAS, WASH., *February 18, 1949.*

The Honorable HARRY P. CAIN.

SIR: Congratulations on your most timely and forceful opposition to the appointment of Mon. C. Wallgren as Chairman of the National Security Resources Board. We worked hard to remove him from Washington State as Governor, so please do not let him exercise his influence upon us from a higher level.

GEORGE F. HENDERSON.

OLYMPIA, WASH., *February 11, 1949.*

Hon. HARRY P. CAIN:

Our State senate now investigating Wallgren's purchase of Longview Bridge. Apparently paid $1,000,000 more than estimates, with result toll bridge authority account is now showing $634,000 deficit.

JOHN H. HAPPY,
Chairman, Investigating Committee.

WENATCHEE, WASH., *February 20, 1949.*

Senator HARRY P. CAIN:

In complete agreement with your philosophy regarding appointment of Wallgren. Keep up the good work. Regards.

Mrs. MCMANN,
Miss HASKINS,
Miss WENGER,
Mrs. STACH,
Wenatchee teachers.

SEATTLE, WASH., *February 22, 1949.*

Senator HARRY P. CAIN:

Along with a million or more other Washingtonians, we are with you 100 percent in your position against Wallgren. Normally Democrats, we feel like all good citizens that Wallgren does not belong in any position of responsibility. You might call the committee's attention to his new $60,000 home in Palm Beach, Calif., which certainly was not built from the salary of a Governor of this State.

VIOLA AND HAROLD PORTER.

SEATTLE, WASH., *February 22, 1949.*

Senator HARRY P. CAIN:

Although we have voted a Democratic ticket most of the time for the last 20 years, we are of the opinion that Mon Wallgren is a political misfit in any job that calls for intelligence and integrity. The last is proven, we think, by his ability to build a sixty to seventy thousand dollar home in California.

CARL R. SORENSEN.

MARYSVILLE, WASH., *February 14, 1949.*

Senator HARRY P. CAIN.

DEAR SENATOR CAIN: We wish to congratulate you on your courageous stand against the appointment of Mon Wallgren as Chairman of the National Securities Resources Board. We who are familiar with his infamous record as a public officer feel that this appointment would be a grave error. The important duties involved in this office call for a man of the highest integrity and ability, qualities that obviously are lacking in the former Governor.

With heartiest wishes for your success in this and all other patriotic undertakings, we are

Very sincerely yours,

MARY BARTHOLOMEW.
CLARENCE BARTHOLOMEW.
H. R. BROOKS,
G. L. DUNDEE.
E. J. HAMMON.
ELEANOR HAMMON.
T. W. GALLAGHER.
Mrs. T. W. GALLAGHER.

PROSSER, WASH., *February 17, 1949.*

Senator HARRY P. CAIN.

DEAR SIR: Today on the radio a commentator said that you did not approve of the position that President Truman has offered to former Gov. Mon C. Wallgren.

You are perfectly right, Mr. Wallgren does not have the ability for the job. Being a housewife with four children makes me very interested in what is happening in this Government of ours. What happens now will surely affect them in the future. The ups and downs of politics overwhelms me at times. You have a great responsibility, may you do your best. Don't forget the folks in your State keep track of what goes on. We're all for you. At the same time you know how very critical they can be.

Please do continue to speak out against the wrongs in Government affairs.

Sincerely,

Mrs. THOMAS HILDRETH.

P. S.—Mon Wallgren left the State of Washington in a hell of a shape when he left office. Governor Langlie will have to do a lot of mending to get it back on its feet.

TOM HILDRETH.

PORT ANGELES, WASH., *February 18, 1949.*

Hon. HARRY P. CAIN.

DEAR SENATOR CAIN: As a veteran of two world wars and the father of one who did not return from the last war, allow me to commend you for your stand regarding the appointment of Mon C. Wallgren to the position of chairman of the National Security Resources Board. I agree with you wholeheartedly that Mr. Wallgren's past records contain nothing to recommend him for this, or any other, position of national importance.

It is very gratifying to know that there are some who still have the moral courage to insist that only men of the highest caliber and qualifications be appointed to such positions of national security. And let me assure you that, locally, I have heard nothing but favorable comment on your stand.

Sincerely yours,

JOSEPH L. HARLEY.

BELLINGHAM, WASH., *February 18, 1949.*

Senator HARRY P. CAIN.

DEAR SENATOR CAIN: Out here we are highly incensed at Wallgren's nomination for chairmanship of the highly important National Security Resources Board. We welcome your attack upon this possibility. More power to you.

Wallgren possesses no qualifications for such a highly important post, as we out here know, to our sorrow. He lived here in Bellingham, where his father set him up in business once more, after repeated failures elsewhere. He spent most of his time in poolhalls, as usual, until it was necessary to sell the business. His successors made money. He is as wholly incapable of performing honestly and reliably any public service, as he was to conduct a business.

Yet, in a Democratic year, on Roosevelt's coattail, he became our State Governor. He succeeded Governor Langlie, who found the State treasury several million dollars in the red after 8 years of Democrat administration, but who paid off that debt and left a treasury surplus of several million dollars when Wallgren took over. Wallgren, as you know, dissipated this surplus and left the State millions in debt.

As Governor, Wallgren indulged in expensive yachts, golf courses, long luxurious California trips, etc. He also wasted State funds building a park—at more than a million dollars—to enhance his dude ranch, and building half-a-million-dollar Seattle downtown office and club for the State patrol, whose headquarters are in Olympia. He also spent more than half-a-million dollars for a huge unnecessary warehouse, when schools were sorely needed.

Wallgren also destroyed the morale and efficiency of State employees by requiring them to pay a 2 percent kickback to the politically inspired Capitol Club—as job insurance. Dave Beck was a close adviser of the Governor, who appointed him a regent of the University of Washington.

It is intolerable to think of Wallgren as chairman of the National Security Resources Board.

Patriotically yours,

CHARLES B. SEARS.

OLYMPIA, WASH., *February 18, 1949.*

Senator HARRY P. CAIN.

DEAR SENATOR CAIN: I am sending you a copy of the letter just written to President Truman, which speaks for itself, further than the hope that others like myself who seldom engage in dictating the affairs of state may consider grave enough for doing what I am doing, writing a letter of protest. Surely you are a man of rare courage when you take the spotlight in a matter which concerns the United States so gravely as your published statements declare.

I hope you will use every effort and resource at your command in order to prevent the appointment of former Gov. Mon. C. Wallgren from an appointment to this almost extraordinary opportunity for handling resources without having first put his house in order here in Olympia.

Very truly yours, and just a citizen and a school teacher,

Mrs. LULU J. CHEESMAN.

OLYMPIA, WASH., *February 18, 1949.*

President HARRY S. TRUMAN.

DEAR PRESIDENT TRUMAN: I wish to add my voice in agreement with Senator HARRY CAIN when he urges the rejection of ex-Gov. Mon C. Wallgren for the high honor to which you have nominated him. Senator CAIN has thus shown himself to be a man of conviction and unusual courage by his fearlessness in speaking out in a time like this.

Having lived in this State of Washington for many years, and being a resident of the capital city of Olympia, I believe I am stating the opinion of most of my friends and neighbors when I say that we have never considered the former Governor as a man with the high mentality, the superior qualities, and the astute discernment that this tremendously important position at the head of our Government demands. While Governor of our State, he was absent from his post of duty so frequently that it was a standing joke, and yet it was not a matter for joking. Instead of being off on pleasure trips, as often assumed or stated, it should have been his duty to be in his place attending to duty.

Another thing is the fact that he left his successor, Gov. Arthur Langlie, in a terrible financial crisis by overestimating the incoming revenue to be expected and underestimating the amount of current expense, thus leaving a tremendous sum of discrepancy which the present legislature has as yet found no way of meeting. Oh, yes; evidently he made a great mistake in his estimates, but after all, he had at his disposal all the facilities which Governor Langlie has for fact-finding. This puts the State in a dilemma which rests heavily upon the lawmakers and the taxpayers. Much of this responsibility results from the deficit left over from Governor Wallgren's administration.

Another thing is the condition of State financial extravagance and profligate spending in some of the departments, notably in the State park system whereby Lt. Gov. Victor A. Myers had full and uncontrolled spending powers in which he engaged without any check of accountability to anyone, apparently without objection or correction from Governor Wallgren, who must have known, or should have known, of such irregularity. If he pleads ignorance to this state of affairs, it would only be necessary for Senator CAIN to contact the members of the State appropriations committee or the interim committee for fuller information which has not yet reached the general public, but is under investigation.

This is written in the hope that the record of ex-Gov. Mon C. Wallgren will be given full investigation before he is put in charge of such an important post.

Sincerely yours, and just a citizen,

Mrs. L. J. CHEESMAN.

WALLA WALLA, WASH., *February 14, 1949.*

Senator HARRY P. CAIN.

DEAR SIR: I wish to commend you for your stand regarding the appointment of ex-Gov. Mon C. Wallgren to a Federal position. The people of Washington rejected him as their governor, and it is an insult and a betrayal to force them to help pay his salary of $14,000 a year.

Of course, not all men who lose a political contest are incompetent, and, perhaps the President does not realize just what the consensus of opinion is here in Washington concerning Mr. Wallgren.

We hope that you will be successful in persuading the Senate to disapprove this appointment.

Yours very sincerely,

(Mrs. RALPH) EDNA JUSTICE.

ROSEBURG, OREG., *February 18, 1949.*

Mr. HARRY P. CAIN.

DEAR SIR: As I am a registered voter of Thurston County, Little Rock, Wash., I feel that I am safe in saying when the people of Washington and especially the Democrats voted for Mr. Arthur Langlie for Governor instead of Mr. Wallgren it showed without a doubt what they thought of him, and I think it will be a great mistake to put Mr. Wallgren in any office of importance. I have voted Democrat for 30 years but this last fall's election I voted against Mr. Wallgren as I do not think that he would make a good dog catcher let alone anything else, and I cannot understand why our President Mr. Harry Truman would even think of putting such a man as Mr. Mon C. Wallgren has proven himself to be to the people of Washington State in such an important office as he intends to do. As far as the voters of Washington State are concerned, Mr. Wallgren is done and we do not want nothing more to do with him. And I wish you would please show this letter to our President, Mr. Truman, after you have read it. That way he will also know what we the people of Washington State think of Mr. Wallgren and he may change his mind about giving Mr. Wallgren the important job and give him a job bellhopping instead, at least we hope so.

Thank you and please excuse my poor writing.

Yours truly,

SEYMOUR P. KING.

KANSAS CITY, MO., *February 17, 1949.*

Senator HARRY P. CAIN.

DEAR SENATOR: This is to compliment you on your fight against confirmation of ex-Gov. Mon C. Wallgren, of Washington, as Chairman of the National Security Resources Board. As a former long-time resident of the State of Washington (1907-43) I know something of this man and his background. In my humble opinion he might qualify as chairman of a pool hall—but certainly not as chairman of a very important Federal agency.

I met you once when you talked before the Seattle Rotary Club and you have my best wishes for your continued success.

Yours respectfully,

CORWIN D. SMITH.

TACOMA, WASH., *February 22, 1949.*

Hon. HARRY P. CAIN,

Senator:

It is gratifying you evidently refuse to compromise your oath of office to bow down to some Presidential appointment which you and I believe to be ill-advised and in poor taste. May you muster the needed courage and strength to carry on this fight to a successful finish to the end that this country can return to clean government.

ROBERT J. LLOYD.

YAKIMA, WASH., *February 23, 1949.*

Senator HARRY CAIN:

As a veteran, I heartily commend your stand against Wallgren.

DON W. MCNEICE.

SPOKANE, WASH., *February 14, 1949.*

Hon. HARRY P. CAIN,

Senator:

I am personally heartily in accord with your opposition to Mon Wallgren for any important position in Government set-up. I will never forget how Jerry O'Connell and his cohorts cavorted around in Olympia during Wallgren's administration to detriment of organized labor.

PAUL MUELLER.

EVERETT, WASH., *February 15, 1949.*

Senator HARRY P. CAIN:

Wallgren repudiated by his home town and State. Should not be promoted to important national position. Your stand 100-percent O. K.

HELEN HAGERMAN.

SPOKANE, WASH., *February 18, 1949.*

Senator HARRY P. CAIN.

DEAR SENATOR CAIN: We have been following your opposition of Mon. C. Wallgren's appointment in the local papers, and would just like to tell you that we admire your stand very much.

You receive a lot of letters asking you to push this movement, or fight some other bill, and thought it might be a change to get one saying you're doing fine, and we're well satisfied, and one containing no requests except to keep on as you are. You must get a good deal of mail stating the contrary as human nature finds it easier to fight than to praise.

We in Washington State demonstrated we did not want Wallgren in a responsible position when we went to the polls, and do not understand Truman's appointment in the face of it.

Sincerely yours,

MABLE LOU BARTLETT.
F. A. ANDREWS.
BRYAN C. KENNEY.
D. J. MILLER.
H. SPROULL.

SPOKANE, WASH., *February 18, 1949.*

Senator HARRY P. CAIN.

MY DEAR SENATOR CAIN: The morning paper gave an account of your combat with Mon C. Wallgren in regard to his appointment for the post of Chairman of the National Security Resources Board, by President Truman. I want to congratulate you on the glorious fight that you made yesterday before the Armed Services Committee, relating to Wallgren's appointment.

I am at a loss to understand why the President would even consider such a man as Wallgren for that very important post.

It was not the Republicans who defeated Wallgren in the November election, but his own Democratic Party, and it was common talk on the street here among his own party that if he were reelected Governor for another 4 years he would own the State.

My wife, who is a member of Pro-America and who also realizes the importance of good

appointments in national affairs, joins me in congratulating you on the stand you have taken.

Yours very truly,

H. H. BECKLEY.

SEATTLE, WASH.

Hon. HARRY P. CAIN.

MY DEAR SENATOR CAIN: I am happy to note from this morning's Seattle Post-Intelligencer that your stand with respect to the appointment of Mon C. Wallgren as Chairman of the National Security Resources Board is receiving the support of a substantial group of other Senators.

It should be a matter of the greatest concern that a man with the very highest qualifications and ability should be selected to fill this vital post. While Mr. Wallgren is doubtless a very personable gentleman, his recent release from the obligations of public responsibility formerly held by him as Governor of the State of Washington indicates that the citizens of this State do not feel him qualified for such office. The Chairman of the National Security Resources Board is without question a position of even greater responsibility and importance to the national welfare than the governorship of a State, and it is hoped that no man will be confirmed for that position who does not bring the highest measure of ability and public confidence.

Very truly yours,

H. B. JONES, Jr.
E. A. NIEMEIER.

SEATTLE, WASH., *February 21, 1949.*

The Honorable HARRY P. CAIN.

DEAR SENATOR CAIN: In reading of your opposition to the appointing of Mon C. Wallgren, I feel it my duty to express myself against his appointment also.

I have followed Mr. Wallgren's record in office quite closely and there appears to have been many shady dealings approved by him which involved the taxpayers' money. One case of this being the Longview Bridge. I was in doubt that this bridge would be standing when the deal was closed. You undoubtedly have knowledge of many others.

Simple arithmetic will show that Mr. Wallgren has more assets than the amount of money he could have earned in public office. His record of high living makes one wonder where money was appropriated for this item.

Of all my acquaintances, I do not know of anyone who is for the appointment of Mr. Wallgren. Keep up the fight against him because you have plenty of support here in Seattle.

Very truly yours,

JOSEPH R. SWARTZ.

TACOMA, WASH., *February 21, 1949.*

HARRY P. CAIN.

DEAR SENATOR CAIN: You have certainly dug into a weak spot. I am referring to the opposition put up, by you, to the appointment of one Mon C. Wallgren, ex (thank goodness) governor of our State. A chain is only as strong as its weakest link, and here they would have no link at all.

Frankly, I know nothing of Mr. Wallgren's civilian life. Just what he did while in Olympia is enough though, I believe, to convince anyone but a die-hard Democrat that Mr. Wallgren is definitely not the man for a job where a little misapprehension could affect so many people.

Maybe it's a losing battle trying to stop the appointment, and maybe it isn't. But at any rate we want you to know that we do appreciate your efforts to stop the appointment. If only more of the people in Washington, D. C., knew what happened here in Washington State while Mr. Wallgren was in office, you would not have much opposition in stopping his appointment.

More power to you. With all best wishes.

Sincerely,

WILLARD C. MILLER.

SEATTLE, WASH., *February 16, 1949.*

Hon. HARRY P. CAIN.

MY DEAR SENATOR: Although I have been disappointed in your performance in a number of occasions since you have been in the Senate, more specifically so because I supported you so enthusiastically in 1944 and 1946, nevertheless I want you to know how heartily I support your action on the President's contemplated appointment of Mon C. Wallgren to be chairman of the National Securities Resources Board. You are absolutely right this time, and I hope you will make a determined fight to block his nomination. To my way of thinking, the President's action in this case is nothing short of scandalous.

Yours very truly,

WALTER T. GUTHRIE.

EVERETT, WASH., *February 16, 1949.*

Hon. HARRY P. CAIN: Admire your stand against Wallgren appointment. He is absolutely unqualified basis education, experience, native ability, or record as Governor for such an important post. I shudder at thought our national security in such incapable and dishonest hands.

BILL HULBERT.

WASHINGTON, D. C., *February 15, 1949.*

Senator HARRY P. CAIN: It is our carefully considered opinion that the appointment of Mon Wallgren to a high post in NSRB will thoroughly discredit that organization in the eyes of many important industries. Patently reputation frequently does not represent the true character of a man but in as important a post as Mr. Wallgren is nominated to occupy we believe that his reputation, whether or not deserved, should thoroughly disqualify him. We have consulted several other Food Trade Association executives and find that none of these views Wallgren's appointment with anything short of a feeling of disgust.

JOE R. CAVANAUGH,
Executive Director,
National Food Institute.

SEATTLE, WASH.

Hon. HARRY P. CAIN.

DEAR SENATOR CAIN: I am glad to note from this morning's "P. I." that you are going to oppose the Wallgren appointment. I have nothing whatever against Senator Wallgren personally, and in fact have always found him most courteous and agreeable, and I am sure he is very agreeable as an individual. He has, however, no qualification, either by training or native ability, for the handling of such a tremendously important job. The fact that his handling of State business was disproved by the majority of the voters at the last election in spite of the preference shown by his party, should in itself be sufficient to prove, at least in the minds of the electorate, his lack of capacity.

To take a stand of this kind, of course, is embarrassing and distasteful, and I feel you are to be commended for being willing to do so.

Yours very truly,

(Signed) H. B. JONES.

YAKIMA, WASH.

Hon. HARRY P. CAIN.

MY DEAR SENATOR CAIN: Yesterday's paper mentioned that you are opposing the appointment of Mon Wallgren to a position which affords opportunities in connection with our public domain.

Permit me to state that in my opinion you will confer upon the citizens of your State and the Nation generally a contribution of lasting merit and value if you can prevent his appointment. There are a number of us in Washington who are quite worried over this appointment. We feared for a time that he was to be appointed Secretary of the Interior, but seemingly this is not to occur. I hope you will be successful in preventing his confirmation by the Senate, and trust that you will let me know if there is any assistance I can render you in this battle.

Thanking you for what you have done regarding this already, I am,

Yours very truly,

IRA D. CARDIFF.

EVERETT, WASH., *February 13, 1949.*

Hon. HARRY P. CAIN.

DEAR SENATOR CAIN: I am enclosing a copy of letter sent to President Harry S. Truman, on December 31, 1948, denouncing his intentions to give former Gov. Mon C. Wallgren an appointment.

Since you, Senator, have come out against his appointment to one or two of the most powerful jobs in the Government, and no doubt being unqualified to fill this important position.

All Mr. Wallgren was known for before the Democratic landslide in 1932 was a pool shark.

I want to let you know the voters are with you in opposing Mr. Wallgren's appointment.

CLYDE T. STALLINGS.

TACOMA, WASH., *February 21, 1949.*

The Honorable HARRY P. CAIN,
Senator.

MY DEAR HARRY: I congratulate you on your signal efforts to prevent the confirmation of a man to a very high and important office for which he undoubtedly did not have, nor could have acquired in his political career, the necessary broad and ramified qualifications. It occurs to me, however, that it need not be proven that he lacks the necessary qualifications but rather that he prove that he does have them. It is like the piccolo player—it isn't a question of the piccolo player being a ——— ——— but rather whether the ——— is a piccolo player.

It is gratifying to me as a citizen that some effort is being made to put men in positions that qualify for them because of ability and experience rather than because they are staunch party members or good fellows. Let's try to run the largest business in the world a little like any other business insists on operating in order to survive and progress.

Sincerely,

MARCO HEIDNER.

EVERETT, WASH., *February 21, 1949.*

The Honorable HARRY P. CAIN.

DEAR MR. CAIN: I admire your fight in trying to prevent Mon Wallgren from being appointed to such a high position. I hope for the good of our country that you block his nomination.

I am enclosing a clipping from this evening's edition of the Everett Herald, which is self-explanatory. It shows you that he is a wealthy man today and all of us wonder how he made it in such a short span of time. There is certainly something rotten in Denmark there.

I am sick and tired being taxed to death to support such dumb parlor pink politicians such as this fellow and there are many others here in Everett that feel the same as I. It is rather disgusting to have such a dumb person repudiated by his own State go back to Washingon and receive $14,000 per year of our money. It is rotten to the core.

I do hope that you will continue this fight to the finish. There are a lot of people in the State of Washington who are watching this very closely. They admire your spirit. Keep up the fight. With best wishes, I remain,

Sincerely yours,

JACK PEARSON.

SHELTON, WASH.

Hon. HARRY P. CAIN.

DEAR SIR: I have in my political file at my ranch in Shelton more details and supporting data re what I am about to say regarding

this man; however, I am temporarily in Seattle and as speed seems desirable am giving you what I know regarding him for what it is worth in the hearings being held.

After the death in office of Congressman Norman, representative from the Third Congressional District of Washington, a special election was held to elect his successor. Present Congressman MACK, Republican and ex-Congressman John Savage, Democrat, of Shelton, were nominated for the run-off. In the last days before the finals the Shelton paper reported, or advertised, that a motor caravan with Wallgren and Savage in it would, as I recall it, speak on the street corner in behalf of Savage's candidacy. As I recollect it, they were headed up the peninsula and toured the Third Congressional District in such a manner in behalf of and arm-in-arm so to speak together, in the hopes that Wallgren's more conservative (?) reputation would offset the communistic affiliations accredited to Savage and which evidently had them worried. Congressman MACK can doubtless fill in more data. At this election Savage was actively supported by Seattle's official Communist newspaper and a copy of it, a special Savage copy, was sent the voting list of the Third District.

Anyway, if you don't know the history of John Savage you should, for I believe Sheriff Harlan Callahan, Republican sheriff of King County, would on request confirm what I have heard, that Callahan's records show him to carry a Communist card. When Savage was in Congress I remember a quote appearing in the Shelton paper credited to Savage in which he was supposed to have said, "The entire Senate and House is made up of imperialists and tools of the big interests, except just a handful of us," including himself, of course. Hugh DeLacy, from Seattle, was in Congress then, also Marcantonio from New York and, I believe, a few others of their ilk. This is all mentioned to show Wallgren was right in there pitching, trying in every way to get these Communist and communistic followers elected to office at a time when they, the Communists, were bragging they were about ready to make of Washington State a model Communist-run State for the rest of the States to emulate.

Another question. Where has Wallgren gotten all his money? Pictures of his new $60,000 home at Palm Desert, Calif., have been appearing in our papers. Also, of late years, word has been around that he owned part of our largest radio station, KIRO. Latest reports were that he had acquired enough stock for a controlling interest in KIRO. These two things represent a lot of money and still, when he was first elected to Congress from Everett, people in on the know say he was a plain, poor fellow. As he has been in office all this time, where did the money come from?

Governor Langlie should be of some use in finding out.

Yours truly,

C. B. COSELMAN.

MR. TRUMAN IS RESPONSIBLE FOR IT—EDITORIAL FROM THE BALTIMORE SUN

Mr. RUSSELL. Mr. President, I ask unanimous consent to have printed in the body of the RECORD an editorial entitled "Mr. Truman Is Responsible for It," published in the Baltimore Sun of March 2, 1949.

There being no objection, the editorial was ordered to be printed in the RECORD as follows:

MR. TRUMAN IS RESPONSIBLE FOR IT

The filibuster by the southern Senators goes into its third day today. There is always the chance that a filibuster may stub its toe on some technical obstacle and collapse. But the 22 Senators from the 11 Southern States are in dead earnest, and fully aware of this danger. Hence collapse on the basis of some technical parliamentary error is unlikely.

If past experience is any guide, we may expect rising indignation that a handful of Senators (a large handful, it is true, representing one-sixth of the area of the United States) should be able to bring the legislative process to a halt. Many pressing questions require decision. To mention only two, the Marshall-plan appropriation must be renewed by April 2 and Congress must soon act if rent ceilings are not to be abolished by default. It is wrong (we shall be told) that a minority should be able to hold up the legislative processes as it is now doing.

But we must remember that this substantial minority did not choose to hold up the legislative process at this time.

President Truman chose to hold it up. It is he, with his legislative advisers, who decided to force the issue right now on his civil-rights program. The southern Senators had given ample warning that they would fight when compelled to. It was Mr. Truman who determined that this particular fight, this nonurgent fight, should have priority over all other legislative business, however urgent it might be.

Insofar as this filibuster creates a legislative log jam, Mr. Truman—not the southern Senators—must take the blame.

AMENDMENT OF CLOTURE RULE

The Senate resumed the consideration of the motion of Mr. LUCAS to proceed to the consideration of Senate Resolution 15, amending the so-called cloture rule of the Senate.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Illinois [Mr. LUCAS] to proceed to the consideration of Senate Resolution 15.

[Mr. HOLLAND resumed and concluded the speech begun by him yesterday. His speech entire is as follows:]

Wednesday, March 2, 1949

Mr. HOLLAND. Mr. President, I greatly regret the necessity of beginning my address at this late hour in the afternoon. However, the majority leader advises me that he expects to hold the Senate in session until about 6 o'clock, so I shall endeavor to cover a portion of my remarks prior to that time.

In the first place, before beginning my own remarks, I wish to say that in my judgment the speech to which the Senate has just had the pleasure of listening, delivered by the distinguished senior Senator from North Carolina [Mr. HOEY] a former Governor of that State, one known for his love of mankind, regardless of the question of race or religion, or any other question, should be an inspiration to all who heard it. I know that it was an inspiration to me. I only regret that more Members of the Senate were not present so that they might have heard, in those words of incontestable truth, about the kind of relations which actually prevail as between the people of the colored race and those of the white race in the great State of North Carolina. I think it is correct to say that such relations prevail in varying degree in every other State of the South.

Those of us from other States in the South not only pay tribute to the Senator from North Carolina and to his State for its greatness in many other fields, but we recognize his State as having done most toward the establishment of kind, cordial, and lasting relations of mutual friendship, generosity, and understanding between the peoples of the two races. I wish to say to him that I believe that the lesson which has been taught by the people of his State is being followed closely by the good people of both races in every other State in the South. I only hope that it is being followed just as closely by the good people of the States in other parts of the Union.

No one could possibly have listened to that great, inspiring, and sincere address without realizing that there is in the South, as between the right-thinking people of both races, a feeling of kindness, understanding, courtesy, and mutuality which is getting results and will continue to get greater and greater results in the effort to bring the utmost measure possible of happiness, progress, and prosperity to all the people who reside in that great portion of our Nation, regardless of what their color may be.

I wish to talk for a little while technically, and then for a while not so technically, upon the great subject which is now occupying the attention of the Senate. First, briefly, with reference to the history of limitation of debate in the United States Senate, no cloture in debate was provided under the Senate rules from the very first session of the Senate in 1789 to the adoption of the present rule, XXII, in 1917, except in 1862, when a special rule was adopted limiting debate on subjects pertaining to the War Between the States, subjects which were being considered in secret session. There were other minor special departures, such as a limitation of debate on appropriation bills for short periods; but it is strictly true to say that no general cloture whatsoever was provided under the Senate rules from 1789 until 1917, during 128 fruitful years in the establishment, preservation, and growth of this great Nation.

Since there is some confusion as to what was the situation from 1789 until 1806, during which time rule IX, the previous-question rule, was in effect, it seems desirable to clear up this confusion in the beginning of my remarks by making it completely clear that the previous-question rule, as it existed from 1789 until 1806, was not a rule of limitation of debate or of cloture in any sense, but quite the contrary. I have noted, in the various reports and records of testimony of hearings this year and in former years upon proposed changes in the rules, confusion in thinking upon this point. It is for that reason that I ask the indulgence of the Senate to set that confusion at rest once and for all by reading from the two most authoritative sources that can be found as to the meaning of the rule of the previous question, rule IX as it existed in the Senate rules from 1789 until 1806.

I read first from a text by Stidham entitled "Origin and Development of the United States Senate," a recognized authority upon this subject. I read briefly from that text portions found on pages

59 and 60 thereof, under the subject Limitations of Debate. Stidham says:

In the early days of the Senate, debate was practically unlimited, the restraints placed upon it being slight and seldom enforced. They were, that no motion should be debated until seconded, that the decision of all questions of order should be made by the President without debate, and that no Member should speak more than twice in any one debate on the same day without leave of the Senate. The previous question, which was provided for by the rules but rarely used, and was omitted in the revision of the rules in 1806, was not used to limit debate, but as in the Continental Congress and the Parliament of England, where the previous question was used to avoid a vote on a given subject. The proper occasion for its use was, according to Mr. Jefferson, to get rid of subjects "of a delicate nature as to high personages, etc., or the discussion of which may call forth observations which might be of injurious consequences." He, however, says that its use had been extended abusively to other cases; and by reference to the cases in which it was used in the Senate it would seem probable that its use there was, as in England at the present time, to enable the body to dispose of the subject without a direct vote upon it. The previous question was debatable and was used in both legislative and executive session and in the trial of impeachments, but not on amendments or in the Committee of the Whole.

The other text which is most recognized upon this subject is the book entitled "The Senate of the United States," by Haynes. I read briefly from that text under the heading "Limitation of debate—The previous question," from pages 393 and 394:

To one familiar with the frequent present-day use of the previous question in the House of Representatives as an effective form of cloture, this rule gives an entirely erroneous impression of the Senate's original practice. For the Senators who framed that rule intended that the previous question should serve—as it had in the Parliament of Great Britain, and as they had themselves known it to serve in the Continental Congress—as a device for removing from consideration a question which might seem to the majority undesirable to discuss further or act upon. Asher C. Hinds, author of the monumental Precedents of the House of Representatives, commented on the rule of 1784, on which the previous-question rules of the House and Senate were modeled 5 years later, "There was no intention of providing thereby a means of closing debate in order to bring the pending question to an immediate vote," and Senator Lodge declared: "It was not in practice a form of cloture, and it is, therefore, correct to say that the power of closing debate in the modern sense has never existed in the Senate." The previous question was but rarely used in the Senate. In his farewell address to the Senate, Vice President Aaron Burr recommended the discarding of the previous question, saying that in the preceding 4 years it has been taken but once, and then upon an amendment. He regarded this as proof that it could not be necessary, and in his opinion all its purposes were much better answered by the question of indefinite postponement. In the revision of the Senate rules of March 26, 1806, the previous question was dropped and has never been restored.

Mr. President, I have read those two quotations in order to make it crystal clear what is known by all of us who are familiar with the conditions under which the Constitution was framed, and particularly the arguments for the creation of the Senate as it exists. My purpose is to show that those who framed that Constitution and intended to set up a Senate of the type which they planned, could not possibly have adopted a rule of cloture which they must have known would have operated absolutely to preclude the functioning of the Senate in the way in which they had intended to have it function. In other words, a rule of cloture would have been so thoroughly inconsistent with, and would have so thoroughly negated the high purposes for which the Senate was created, that to my mind it was always anomalous to hear statements to the effect that there had been a rule of cloture in the early days of the Senate.

Mr. President, it is perfectly clear, not only from reading the two texts from which I have just quoted but also from each of the references made by those two texts, that no such inconsistent thing was done by those who constituted the first Senate of the United States, but, to the contrary, in the setting up of the rules of the early Senate, there was not even an approach to any sort of cloture or of any limitation of debate whatsoever.

Mr. President, I think this point is significant because I believe it is important for the Senate to realize what I believe was the fact, namely, that at that time and during all the time of the existence of the Senate of the United States up until 1917—when, on the very verge of war, and after considerable abuse of the lack of limitation of debate, rule XXII was adopted—it was in the minds of the majority of the Members of the Senate, I believe, that any rule of cloture would inescapably operate to defeat and deny the carrying out of the objectives which were had in mind in the setting up of the Senate and in providing for the peculiar function which it was designed to fulfill.

Mr. President, it is not hard to understand the reason why during the first 128 years of its existence the Senate steadfastly refused to adopt any general limitation of debate. Such refusal grew out of the fact that the Members of the Senate had a clear understanding of the reason for the existence of the Senate as a separate body, and they realized that the adoption of a rule limiting debate would be repugnant to and in contravention of the objectives which lay behind the creation of the Senate by the founding fathers in the Convention of 1787.

The Senate was created at the insistence of the small States, who demanded that the upper House of the legislative branch of the new Government should give to every sovereign State—large or small—equal voice and equal representation. The provision was, of course, that each State should have two Senators, and that provision was reinforced by the unusual safeguard imposed in article V of the Constitution, reading as follows:

That no State, without its consent, shall be deprived of its equal suffrage in the Senate.

There is no provision of the Constitution perpetually limiting the Constitution against later amendment other than this one—designed, as it was, to protect the sovereign rights of the individual States as such.

Furthermore, Mr. President, it was not mere chance that the particular House to which the provision was made applicable for the protection of the small States was the more powerful of the two Houses, the one to which was given not only a full participating share in all legislative matters but also the power to check upon the executive branch of the Government by passing upon treaties with foreign nations negotiated by the Executive and by passing upon the persons nominated by the President to fill high executive and judicial offices. By the peculiar set-up of the Senate, which gives perpetually equal suffrage and equal representation to each sovereign State, the small States were protected against the large, the weak against the strong, the poor against the rich; and that was the deliberate intent of the founding fathers. The sovereignty of all States was recognized; and to each sovereign was given equal representation and equal protection. The protection of minority rights and of the small States, the weak States, and the poor States was the peculiar reason for the existence of the Senate as a separate body.

Mr. President, we have heard so many statements to the general effect of what I have just said with reference to the fact that the Senate is a conference of the States, is the place where the States are heard as such, is the place where the States are guaranteed perpetually equal treatment, that it is hardly necessary to place in the RECORD any of the many statements so made by distinguished statesmen of this Nation; but I should like to place in the RECORD at this time at least three brief statements, all emanating during the consideration of this particular matter and bearing upon this question.

First, I quote from the distinguished senior Senator from Arizona [Mr. HAYDEN], chairman of the committee which conducted the hearings upon the matter in question. I quote from page 5 of the printed hearings. The Senator from Arizona [Mr. HAYDEN] said:

The Senate was created as a curb upon hasty action by the House of Representatives. It is a continuing body with only one-third of its membership to be elected every 2 years. Being solely responsible to the voters in their own States, tenure of office of Senators has no direct relation to the will of the majority of voters throughout the Nation.

The distinguished senior Senator from Arizona is exactly right in his conception of the reason for the setting up of the Senate and of its history and of the objectives which are to be secured by its functioning.

The second quotation, Mr. President, and Senators, which will be made, is a very brief one, but I think I should make it in order to enforce this point. It is from the very fine address made by the distinguished senior Senator from Georgia [Mr. GEORGE] in opening the debate on the proposed change in the so-called cloture rule. I wish I might read more freely from the debate of the Senator,

but I am reading now from the bottom of the first column of page 1606 of the CONGRESSIONAL RECORD of this year, only a few lines, because they state so tersely what that distinguished statesman and jurist thinks of the real function which the Senate of the United States performs and how it must be regarded. He says:

> But the Senate is a distinct institution within itself, a continuing body, only one-third of the membership of the Senate being elected every 2 years. It is not a body which expires. Its primary function is not legislation in the strict sense. Its primary and main function, indeed, in certain important matters, partakes of the nature of conference and negotiation between sovereignties.

I repeat the last sentence, quoting from the Senator from Georgia:

> Its primary and main function, indeed, in certain matters, partakes of the nature of conference and negotiation between sovereignties.

The third quotation I should like to place in my remarks at this time is from the statement of the distinguished junior Senator from Oregon at the time of the hearing of this matter before the Senate Committee on Rules and Administration. Turning to page 64 of the printed record of the hearings, I shall read briefly from his statement, made in answer to a question propounded to him by the distinguished junior Senator from Mississippi [Mr. STENNIS]. The question was:

> What do you think contributed mainly to the historical traditions of the Senate? What is there which sets it off from the House of Representatives? I am not talking about individual Members now.

The Senator from Oregon, replying, stated:

> I think from the very beginning of the history of the Senate up to the present date, if you study that history, you will see a very brilliant thread running through it, a thread that binds the thinking of the Senate together on the proposition that minority rights and minority points of view must always have their day in court in the Senate.

And then a little farther down, continuing the quotation:

> It is stronger than any rule you can write, and it is based on something else. It is based, in my judgment, on what I think is a recognition on the part of Members of the Senate of the fact that the American people expect the Senate to protect minority rights.

So spoke the junior Senator from Oregon, and he stated it as his conviction that the quality, the function, the attribute, which in his mind marked out the Senate as peculiarly different from the House—and which has remained with it throughout its existence as being that quality which best showed its individual character and worth—was "the fact that the American people expect the Senate to protect minority rights."

And so, I submit that it is clear that, from the very beginning, the Members of the Senate in adopting rules for the government of this great body have realized that the idea of cloture, of stopping debate by compulsion, of taking away or limiting the freedom of speech and freedom of expression and freedom of advocacy by Senators of the cause of their States, was wholly inconsistent with and repugnant to the carrying out of the principal reason and justification for the existence of the Senate as a separate functioning body with important legislative powers and responsibilities and other nonlegislative powers and responsibilities of vast importance. The idea was to give protection to the small, the weak, the poor, and those in minority influence, but not to give to any group of States—whether small or large, weak or strong, poor or rich—the right to arbitrarily control the other States in matters vital to them by simply getting lined up one more than half of all the States or any other majority grouping to ruthlessly press through any chosen course of action or to snatch away from any State or group of States, regardless of their size or strength, the right to fully press, through their Senators, to the limits of their power of expression, their vital interests, which they realize cannot be overridden without doing to them and to their people grave injustice or perhaps irreparable harm.

Mr. President, what point would there have been in creating a Senate, in which there was opportunity to be given and assurance to be given that the rights of the States would be safeguarded and that the rights of the weak and the poor and the small States would be peculiarly safeguarded, and at the same time have provided a rule under which either mere majority action or any other majority action beyond a mere majority might operate to take away the protection which was sought to be given? There is no question that it would have been thoroughly repugnant in those early days, and it is still thoroughly repugnant to the original conception and meaning and ideal which lie behind the creation of the Senate and its existence as a separate body. It would have been repugnant to establish a cloture rule which in a brief space of time or even in a somewhat longer space of time, would have operated to cut off freedom of expression, to cut off the power of advocacy, to cut off the chance for thorough representation, which was given alone in the Senate and in the free and unlimited discussion in the Senate which was necessary if that objective was to be carried out.

Mr. President, Senators are talking about two entirely inconsistent and repugnant things when they talk in one breath about a Senate constituted with equal representation for weak and strong States and with peculiar devotion to the ideal of protecting the weak, and in their next breath speak of setting up a cloture rule which operates to bring either speedy or slow and delayed cloture that cuts off from the minority that opportunity for consideration and advocacy which was fought for so strenuously by the representatives of the small States in the Constitutional Convention at Philadelphia, and which was such a prime purpose and such a prime objective in creating the Senate that for 128 years of its existence there was no cloture rule adopted by the Senate.

From 1789 to 1917 there was no rule of cloture, when, for 123 years, our Nation was growing and stretching out from the Atlantic to the Pacific, from Canada to the Gulf, increasing from 13 States to 48 with many and frequent changes taking place during the period, changes of the number of States, of their relative area, population, and importance, of the balance between strong, populous, and wealthy States and others whose people were few and whose developed wealth was small.

Clearly, the reason why there was no rule of cloture during those 128 years was that the great majority of the Members of the Senate, in each and every Congress, had a clear understanding of the peculiar importance of the place of the Senate in our national structure, and steadfastly refused to follow any of the frequent suggestions advanced in support of cloture, which would weaken, either wholly or in part, the ability of the Senate to fulfill its principal function as the defender of State rights, the defender of the small, the weak, the poor, the minority, against the onslaughts of the large, the strong, the rich, the majority. They saw that cloture would inevitably operate to impair and destroy the effectiveness of the Senate to carry out its principal objective and the principal reason for its creation and separate existence. They saw that cloture would inevitably tend to make it more difficult for State sovereignty or State rights or minority rights to be adequately represented, defended, and safeguarded.

So, Mr. President, until 1917 there was no cloture in the Senate. I think the reason why there was no cloture is abundantly clear. I shall not try to describe here, or to take the Senate's time in mentioning, the tremendous growth and development which took place in those critical 128 years, except to remark that the peculiar structure of the Senate not only proved adequate during that time, but from 1789 the prestige of the Senate grew and continued to grow until now in these later years in the history of our Nation, this body, peculiarly distinguished from the other, because of the lack of limitation of debate, occupies a position of unique prestige which is recognized all over the world.

In 1917 there arose a peculiar circumstance and peculiar conditions which made it possible, and I regret that it did become possible at that time, for the present rule XXII to be adopted as a beginning of cloture in the Halls of the Senate of the United States.

It is unnecessary to recite the reasons which existed at that time. They have already been stated ably by the distinguished senior Senator from North Carolina [Mr. HOEY] this afternoon, and by other Senators in preceding arguments. I do not wish to be repetitious, but the Senate knows full well that except for the fact that there had been great abuse of the lack of limitation of debate in a matter affecting the essential welfare and defense of our Nation, when we were poised on the brink of what was the most serious threat of war which had ever confronted us, rule XXII would never have come into existence.

By reading the debates in the Senate at that time and reading all the available

literature, reflecting light upon what happened at that time, it should certainly be clear that that was the reason for the adoption of rule XXII at that time, and that without the existence of that reason there is no doubt that it would not have been adopted.

Mr. President, it is now proposed to amend rule XXII in a way which is well known to all of us. It is now proposed to amend that rule under a resolution reported and sought to be taken up by the pending motion. I am one of those who object to, and will oppose strongly, the adoption of the motion by which it is proposed that the resolution shall be taken up. I object to it for at least three different reasons, which I want to mention, beginning with this one: In my judgment, it is crystal clear that if the resolution be taken up for debate by the adoption of the motion, making it the unfinished business of the Senate, there is every reason to fear that there may be substituted for it a resolution which proposes majority cloture in the Senate.

What reason have we for thinking that course is possible? In the first place, we have the fact that the distinguished majority leader, the Senator from Illinois [Mr. LUCAS], stated frankly to the Senate on the day when the debate began that he knew there would be a proposal, if this measure could be taken up, to substitute for it a proposed cloture rule which would effect cloture by constitutional majority. He frankly said he would actively support that proposal.

I call to the attention of the President and Senators the fact that he speaks not simply as an individual Senator, but as the majority leader, who has much control as to what will be done. It is to him that I have to accord the responsibility for speaking at this late hour, when I should have much preferred to begin in the morning. There is no feeling about that. It simply illustrates the fact that we know in advance that the majority leader is for majority cloture and not for the rule which has been reported by the Committee on Rules and Administration.

Furthermore, we know, Mr. President, that the majority whip, the distinguished senior Senator from Pennsylvania [Mr. MYERS] is in favor of constitutional majority cloture. In fact, he only became converted to that conservative an approach to this subject in the hearing held by the Senate Committee on Rules and Administration, because the record shows that the Senator from Pennsylvania is the introducer and sponsor of Senate Resolution 11 which, by its terms, prescribes cloture by a majority of a quorum of the Senate, or by 25 Members of the Senate. On the opening day of the debate the Senator from Pennsylvania gave notice that he was sending to the desk to have printed an amendment which he proposed to offer. He at that time followed that course, and the printed amendment is, of course, upon the desks of all Senators. That shows, in addition to the majority leader, we have at his right hand the majority whip who is also actively supporting the adoption of a majority cloture rule rather than the rule reported by the committee.

The matter goes further than that, Mr. President. In addition to those two distinguished Senators, we have a list of approximately 10 other Senators, all of them of influence, all of them of prestige, in the halls of this body who have taken similar positions. There is a group of 10 or 12 who have put themselves on record, in one way or another, in favor of the adoption of majority cloture and not of the cloture rule suggested by the committee.

Let us see who some of these distinguished Senators are. First, let us go back to the hearings of 1947, when, before a committee comprising many of the same Senators now serving on the Senate Committee on Rules and Administration, Senators offering resolutions to amend the cloture rule were heard by the committee. Upon looking at the printed record of the hearings I note that Senate Resolution 25, offered by the Senator from Massachusetts [Mr. SALTONSTALL], provided for a cloture rule under which a majority of a quorum, or 25, would be sufficient to effect cloture in the Senate. I note also that the distinguished Senator from California [Mr. KNOWLAND] offered, and came to the committee to support, Senate Resolution No. 30 by which it was proposed that a constitutional majority of 49 should be given the power of cloture.

I note that under Senate Resolution 32, introduced by the Senator from Oregon [Mr. MORSE] and the Senator from Idaho [Mr. TAYLOR], it was proposed that a majority of a quorum, or 25 Senators, should be given the power of cloture. I may say that both those distinguished Senators appeared and testified before the committee in 1947 and that, at that time, they strongly supported the plan that a majority of a quorum of the Senate should be given the power of cloture, or that 25 Senators should be given the power to cut off debate.

In the same printed hearings of 1947 it appears that my distinguished colleague, the senior Senator from Florida [Mr. PEPPER], also was the author of a resolution, Senate Resolution 39, by which a majority of a quorum, or 25 Senators, would have been allowed to shut off debate.

At this point, I will say, in fairness to my colleague, that he has presented at this session of the Senate another resolution, Senate Resolution 19, under which the two-thirds rule is proposed rather than a majority rule of cloture. I am happy that this is the case, but he is the only one, I believe, who in the last Congress submitted a resolution providing for a majority of a quorum to close debate, who has so changed his views, at least insofar as appears from the record of the hearings this year, as now to turn back firmly to the old rule of cloture only by two-thirds vote.

The debate has already brought out that the Senator from Massachusetts [Mr. SALTONSTALL], who offered cloture by a majority of a quorum in 1947 under Senate Resolution 25, is now one of the supporters of the proposal reported by the committee. But I notice that upon testifying during the course of the hearings this year, with his customary candor, the Senator from Massachusetts made it perfectly clear—at page 82 of the record—that he is still for majority cloture, and that he regards his present course as simply "a short step forward," taken in the hope that more can be done later. What his intention is as to his vote when the majority cloture rule is offered as a substitute for the resolution reported, I do not know. I am mindful, however, of the influential position which he occupies as minority whip.

[At this point Mr. HOLLAND yielded to Mr. LUCAS, who asked and obtained unanimous consent that Mr. HOLLAND be permitted to hold the floor and to resume his speech tomorrow.]

Thursday, March 3, 1949

Mr. HOLLAND. Mr. President, in case there are some Senators present today who were not here last night when I began my remarks in this debate, I should like to state briefly for their information the subjects which I had covered up to the time of the recess taken yesterday afternoon.

As the first subject, I showed, by giving the real meaning of the previous-question rule which existed in the Senate from 1789 to 1806, that it was not in any sense a rule of cloture or of limitation of debate, and that it is a determined fact that for the first 128 years of the existence of the Senate, from 1789 to the adoption of the present rule XXII in 1917, there was no general cloture rule adopted by the Senate.

I also stated my belief that the reason no general cloture rule was adopted by the Senate during those vital 128 years of the existence of this Nation was that a majority of Senators in every Congress remembered and were fully conversant with the fact that any cloture rule would have been inconsistent with and thoroughly repugnant to the principal objectives which were in the minds of the founding fathers in providing for a Senate constituted as this body is constituted.

I showed that beyond peradventure of doubt the Senate, constituted with equal suffrage, with equal representation from every State, large and small, and covering, as it does, not only an equal part of legislative responsibility, but two very important other fields of responsibility, namely, the field of foreign affairs and the field of approval of Executive appointees for high judicial and executive positions, was constituted after a fight, and upon the demand of the small States, which insisted upon having this forum created as a bulwark and safeguard of their liberties and their sovereignty, because of the feeling and conviction that their sovereignty was just as vital, just as important a feature in the American Government as was the sovereignty of the largest or the richest or the most populous State.

I pointed out that it would have been wholly inconsistent in 1789, or at any time until 1917—just as it was in 1917, when the present rule was adopted—with those vital objectives that the

Senate should be the bulwark of the minority, to say with one breath, "Here is where the small States, the poor States, or the minority groups, can stand until they fall, to see that their sovereignty is protected," and to say with another breath, "We shall set up cloture to limit that right of expression, that right of advocacy, so that the sovereignty of the small or of the weak or of the minority may be left without advocacy and without representation when the time comes for a vote."

Mr. LONG. Mr. President, will the Senator yield for a question?

Mr. HOLLAND. I yield.

Mr. LONG. Was it not a fact that in setting up the American Government no provision was made to guarantee that each State would be represented on the Supreme Court, although provision was made to guarantee that each State would be represented in the United States Senate? Therefore, the only way the minority could be sure that their point of view was represented was to constitute the United States Senate in the way in which it was constituted.

Mr. HOLLAND. The Senator is of course correct in the statement which is embraced in his question. He might have gone further and reminded the Senate that this is the only provision embodied in the Constitution in which the founding fathers were so careful that that there should never be any upsetting force to come along later to deprive the small, the weak, and the minority of the representation and the advocacy which was given them here on the floor of the Senate, that in article V of the Constitution there was provided the single prohibition to be found in the Constitution upon the power of amendment to the Constitution, the provision that no State, without its own consent, could ever, by the amendment of the Constitution, be deprived of equal suffrage in the Senate.

So it seemed to me, and it still appears to me, to be wholly true that for 128 years—and in the early days, of course, Senators were closer than we are now to those who created the Constitution, and were even more jealous and zealous than we are now in regard to safeguarding States' rights and the sovereignty of the respective States—refused to permit any cloture because they knew that any such provision would be inconsistent with and repugnant to the major objective lying behind the creation of and the functioning of the Senate of the United States.

Mr. President, after mentioning the facts known to all of us—that this particular proposal comes here now primarily as a result of political maneuvering—I stated that I had three general objections which I would attempt to state as the reasons for which I oppose the adoption of the motion under which, if agreed to, would make the unfinished business of the Senate the resolution on cloture which has been reported by the Senate Committee on Rules and Administration.

The first of my reasons, as stated yesterday afternoon—and I had just begun the argument then—was that it seemed to me perfectly clear that not only are we confronted here with the resolution reported by the committee, which is a resolution to make more effective the coverage of the present rule XXII, but we are undoubtedly faced with the knowledge that there will be a strong effort upon this floor to substitute majority cloture for two-thirds cloture as suggested in the report of the committee. In support of that statement, I had mentioned to the Senate facts which I think are known to most of us, but I have endeavored to assemble them. I had shown that the distinguished majority leader, the Senator from Illinois [Mr. LUCAS], had stated openly upon the floor of the Senate that he knew that an effort would be made to substitute majority cloture for two-thirds cloture, and that he was going to support actively that effort. I reminded the Senate that the distinguished majority whip, the Senator from Pennsylvania [Mr. MYERS], had with equal clearness stated his position as not only being in support of majority cloture, but also, as appears from the record, that he had offered a resolution which suggested cloture by only a majority of a quorum, or 25 Senators; and it appeared that his conversion to the idea of requiring 49 Senators for cloture, or a constitutional majority, had occurred as late as the time of the hearings on this measure before the Committee on Rules and Administration.

I reminded the Senate that the majority whip had, upon the first day of the debate on this matter, offered and sent to the desk a proposed amendment to his resolution, in which he came out in favor of majority cloture, and that that proposed amendment had been printed and was on the desks of all Senators.

But, Mr. President, going further, and in order to show how thoroughly those of us who fear all cloture, but above all, majority cloture, have the right to be apprehensive that this is a drive or will become a drive for the adoption of majority cloture, I had begun to mention some of the things that are shown upon examination of the report of the hearings on this subject by the Committee on Rules and Administration, both in 1947 and in 1949. For instance, I had shown that the Senator from Oregon [Mr. MORSE], joined by the Senator from Idaho [Mr. TAYLOR], in 1947 had offered a resolution which would have provided for cloture by a majority of a quorum of the Senate, or by 25 Senators. I had shown that not only was that true, but that both Senators had strongly supported that position in the hearings before the committee. It is also true that this year the Senator from Oregon [Mr. MORSE] has offered another resolution on the same subject, this one being a resolution proposing cloture by a majority of a quorum, or by 25 Senators. So he is unconverted, although I believe he has now stated that he proposes to support majority cloture, meaning a constitutional majority or cloture by the votes of 49 Senators; but he has made it very clear that that is as far as he will go.

I had also pointed out the fact that the distinguished minority whip, the Senator from Massachusetts [Mr. SALTONSTALL], in 1947, was the author and sponsor of a resolution proposing cloture by a majority of a quorum, or by 25 Senators. I had stated in my debate that all of us knew from inspecting the record this year that the Senator from Massachusetts has this year joined in cosponsoring the proposal which has been reported by the committee, or an identical proposal; but we are also given full warning by the candid statement and admission made by the distinguished Senator from Massachusetts at the hearings before the Senate committee that he still believes in cloture by a majority of a quorum only, or at least cloture by a majority of the entire Senate, and that that is what is his final objective. I believe he stated that he was supporting the pending resolution, which he regarded as one short step—and I think those will be found to be the words of the Senator from Massachusetts—toward the objective he hoped to attain, which was majority cloture; but I think it is fair to say that the Senator from Massachusetts will now support, not cloture by a majority of a quorum, but cloture by a constitutional majority of 49. However, he is clearly on record in the hearings this year; and I call attention to the fact that while we shall have against us the majority leader and the majority whip in the consideration of and voting on this question, we may likewise have against us the minority whip in this battle to substitute a majority cloture provision for the provision reported by the committee.

Furthermore, Mr. President, when I quit the floor last night under the unanimous-consent agreement that I could resume my statement this morning, I had just come to mention the fact that other Senators are likewise shown, although now supporting the resolution which has been reported by the committee, as nevertheless having the same convictions on this subject that were so candidly stated by the Senator from Massachusetts. For instance—and I shall not take time to read from the RECORD—the junior Senator from Michigan [Mr. FERGUSON] stated that he is now and has been heretofore in favor of majority cloture, and he made it very clear that that was his position.

Likewise the Senator from New York [Mr. IVES], at the hearing, as shown by the printed record, made the same statement, that while he thought it better to take a half loaf rather than none, he was still in favor of majority cloture and did not want anybody to misunderstand that fact. Moreover, yesterday afternoon I was about to call the attention of the Senate to the fact that the Senator from California [Mr. KNOWLAND], in 1947 offered a resolution calling for amendment of the rule so as to provide for cloture by a majority, though he would have required a constitutional majority.

I likewise want to call to the attention of the Senate the fact that there are other distinguished Senators, whom I shall not attempt to name except as to those whose position is shown by the committee record, who are in favor of majority cloture. I think it only proper,

however, to call attention to the fact that in the consideration of the proposal in 1947 by the Senate Committee on Rules and Administration, the three Senators who have not appeared as advocates of any particular form of resolution, insofar as making an offer of one in 1947 is concerned, cast their votes in committee for majority cloture; those three Senators being the distinguished minority leader [Mr. WHERRY], the distinguished Senator from Iowa [Mr. HICKENLOOPER], and the junior Senator from Massachusetts [Mr. LODGE].

Mr. President, with all this showing of the fact that the leadership on both sides of the Senate is either now actively engaged in or pledged to the voting of majority cloture rather than the approval of the resolution which has been reported favorably by the committee, and with further knowledge of the fact there is an active working group moving toward that end, and with a leadership which apparently will be fighting for that objective, there can be no assurance whatever that majority cloture will not be substituted for the report of the committee if ever the report of the committee be made the unfinished business of the Senate. It seems to me crystal clear why Senators should have fear and aversion with respect to majority cloture—and I believe that takes in a good deal more than half the membership of the Senate.

So, Mr. President, it seems to me we are placed upon notice that there is a strong and active and well led effort to substitute majority cloture for two-thirds cloture, and that if the Senate should agree to the motion to take up the report of the committee, it will be at once confronted with a determined and perhaps an effective effort to substitute majority cloture for the two-thirds cloture provided by the pending resolution.

Mr. President, and Senators, it is my strong conviction that majority cloture would mean the virtual end of free debate in the Senate and would reduce vastly the prestige and standing of the Senate as a whole and of every Senator now a Member and all those who may ever become Members of the Senate from this time forth.

I want to call the attention of the Senate to the colloquy between the distinguished chairman of the Committee on Rules and Administration of the Senate [Mr. HAYDEN], and the distinguished junior Senator from New York [Mr. IVES] on this particular point, which colloquy occurred during the hearings on the resolution before the Senate committee. I think every Member of the Senate realizes how candid and how frank and how fearless is the senior Senator from Arizona and how completely willing he is to state his views and convictions upon vital questions. While he is one of those who offered the resolution which it is now proposed to take up, nevertheless the chairman of the Rules Committee did not hesitate to state clearly his aversion to and apprehension of the operation of a majority cloture rule in the event such a rule were adopted. It was during the testimony before the committee of the Senator from New York. I shall read the questions and answers far enough from the record to show clearly what was the opinion of the chairman of the Rules Committee who served for so many years and so ably in the House of Representatives before he came to grace the floor of the Senate:

The CHAIRMAN. If there is a majority in the Senate determined to carry out the policy and do it in a hurry, the rule could be amended on one day and the policy put into effect the next.

He was speaking of a rule for majority cloture, if it existed.

Senator IVES. But the situation you were citing would indicate a preponderant majority and a very violent shift in political attitude in the country. The ordinary majority is something else. The ordinary majority, even under Senator MORSE's proposal, would grant to the minority, the opposition, should grant to them ample opportunity to get their case over to the country.

The CHAIRMAN. If the Senator had served as long as I have in the House of Representatives, which was some 15 years, he would have seen a majority of both political parties execute their will without permitting the opposition to make any protest.

I shall reread that, Mr. President and Senators, because I want to have every Senator on the floor of the Senate know that in voting to take up this measure he is voluntarily inviting a battle in which majority cloture will be submitted and strongly advocated, he is inviting the situation as spoken of so potently in these words of the Senator from Arizona, which I reread:

If the Senator had served as long as I have in the House of Representatives, which was some 15 years, he would have seen a majority of both political parties execute their will without permitting the opposition to make any protest.

Then the Senator from New York broke in:

If the able Senator will permit me—

For once, Mr. Chairman, the able Senator from Arizona, would not even permit the Senator from New York to state his full case, for he continued his own statement:

The CHAIRMAN. I do not want to see that kind of rule adopted in the Senate.

Senator IVES. I, too, served in a legislative body where that could be done, and I am not in favor of it. I am just as much opposed to that situation as is the Senator from Arizona. But this proposal will grant or should grant a legitimate time for debate.

And then the clincher, from the chairman:

The CHAIRMAN. That grant of legitimate time for debate could be taken away by a mere majority of the Senate at any time.

Mr. President, do we need any more of a red flag or any more of a danger signal than these words of wisdom spoken by the distinguished chairman of the Rules Committee, based upon his 15 years of able service in the House of Representatives, wherein he so strongly voices his complete objection, and I believe I could use the word "aversion," to any rule by which majority cloture would be adopted for the government of the Senate? Particularly do I feel that such a rule would completely change the character of the Senate in that it would largely destroy the ability of the Senate to protect and defend the interests of the small States and the interests of any and all minorities.

I again call to the attention of the Senate the fact that the destruction of the ability of the Senate to protect and defend the interests of the small States and the interests of any and all minorities means the destruction of the principal effectiveness of the Senate to do the job for which it was created—and created only after a long battle and after insistent debate and insistent demand coming from the small States of the original 13 States.

Mr. LONG. Mr. President, will the Senator yield for a question?

Mr. HOLLAND. I yield for a question only.

Mr. LONG. I should like to ask the Senator, is it not a fact that even if the rules were amended, it would still be possible for one-third of the Senators to apply cloture at any time they saw fit, and if the pressure groups who are pressing for certain legislation to put through under cloture found that the two-thirds majority would not get them everything they wanted, for example, if they found it would not get them the FEPC bill, or would not get them some other idea they had dreamed up meanwhile, would not those same pressure groups be back here demanding that we again change our rules so as to make the rules such that they could get everything they wanted from the Senate?

Mr. HOLLAND. In answer to the Senator's question, I would say that it is my opinion that is exactly what we should expect, upon reading the many statements now appearing in the press, listening to those made over the radio, and those being carried to the office of every Senator, showing the fact that various minority groups are not satisfied with the rule as reported to the floor of the Senate, but, instead, are demanding the adoption of a majority cloture rule.

Mr. LONG. Mr. President, will the Senator yield for a further question?

Mr. HOLLAND. I yield for a question only.

Mr. LONG. Is it not a fact that the National Association for the Advancement of Colored People and the CIO have already indicated that they would be completely dissatisfied with a two-thirds cloture rule, and that any Senator wanting to humor those pressure organizations must realize that he could not completely discharge his obligation to those persons if he voted for a two-thirds cloture rule?

Mr. HOLLAND. While I have not heard directly from either of those two groups, I have seen repeated references in the press to the fact that their position and present demand are exactly as stated by the Senator from Louisiana.

Mr. LONG. Mr. President, will the Senator yield for a further question?

Mr. HOLLAND. I yield for a question.

Mr. LONG. Has not the Senator from Florida seen pamphlets sent out by those organizations strongly urging each Senator to vote in favor of majority cloture?

Mr. HOLLAND. Since the Senator has called my attention to it, I believe I have seen one such pamphlet which

was sent to my office by one of those organizations. But I have seen repeated references in the press to the fact that both those organizations have taken actively the position stated by the Senator from Louisiana.

Mr. President and Senators, I noted in the Evening Star of March 2 an excellent statement on this subject by David Lawrence, with whom I frequently disagree. I suppose every Senator on the floor has that privilege and has that experience. But I find him to be exceedingly well-versed in the traditions of this Nation and soundly steeped in true and real Americanism, and I like to read his columns, in which I usually find many words of wisdom and worthwhile ideas. So, Mr. President, I ask at this time that there be incorporated at this point in my remarks a clipping from the Evening Star of March 2, 1949, which covers the column of that day by Mr. David Lawrence, and which is entitled "Future United States History Seen Affected by Fight Over Filibuster Curb. Battle Now Depends on How Republicans Will Vote on Rules Change."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FUTURE UNITED STATES HISTORY SEEN AFFECTED BY FIGHT OVER FILIBUSTER CURB—BATTLE NOW DEPENDS ON HOW REPUBLICANS WILL VOTE ON RULES CHANGE

(By David Lawrence)

The debate over the right of a majority to cut off discussion in the Senate has implications that can affect the future of American history, as they have in the past.

Behind the right of a minority of Democrats to talk down any measures seeking to impose racial segregation upon the South is an armed truce which has existed in Congress virtually since the time of the Civil War.

Again and again efforts have been made, as far back as the nineties, to impose on the South a strict enforcement of the letter of the constitutional amendments which prohibit racial discrimination. Always the power of a small group of Senators to prevent a motion from being voted on has been interposed to kill such measures as would employ the Federal authority to secure civil rights within the States.

The South for a long time held its power in national party politics by means of the so-called two-thirds rule, whereby candidates at the Democratic National Conventions could not get the nomination and if elected could not obtain renomination unless the veto of the bloc of one-third was removed.

The late President Roosevelt secured the abolition of the two-thirds rule at nominating conventions. Another Democratic President is now behind the drive to abolish the veto by the southern Democrats on civil-rights measures.

CIVIL-RIGHTS ISSUE

Unfortunately, the controversy over possible changes in the Senate rules has become entangled with the civil-rights question. Hence, a vote to abandon the present right of a few Senators to filibuster a motion to death is considered a vote for civil rights, and a vote to retain the rules is considered to be an action opposed to an equitable settlement of the civil-rights question.

The issue goes deeper, however, than civil rights and racial problems. It goes to the heart of minority rights on all questions. The right of unlimited debate has kept the Senate from becoming a rubber stamp for the Executive on matters of domestic as well as foreign policy.

In times of economic stress an intolerant majority can ride roughshod over the rights of the minority. In the Senate it has been possible for unlimited debate to be checked only by the processes of public opinion when the debate privilege was abused.

While some filibusters have done real damage by delaying important measures till the next session, the real evils of the filibuster have been largely cured by the passage of the constitutional amendment which requires a new Congress to convene in January, virtually as a consecutive session, so that filibusters cannot be as effective as in the old days when Congress had to adjourn on March 4 and could not be brought into action again before December except by a special session.

SAFEGUARDS AGAINST ABUSE

There are safeguards against abuse of the debating privilege. The Republicans are split on the issue, as are the Democrats. In a few days Vice President BARKLEY is expected to reverse a ruling by Senate President pro tempore VANDENBERG in the last Congress. That ruling originally held that motions to take up measures were subject to unlimited debate and that a cloture or gag rule could not be applied.

When Mr. BARKLEY rules, as is expected, that a motion to take up a bill can be subjected to the debate limits of cloture procedure, then the Senate itself can by a majority vote uphold or reverse Mr. BARKLEY'S ruling.

Will the Republicans vote to repudiate Senate VANDENBERG'S historic ruling? If they do, then it is only a question of time when the present cloture rule will be changed to apply to all motions and then debate can be cut off on any motion or measure by a vote of two-thirds of the Senate.

The battle depends now on what the Republicans will do. They scarcely will get the credit for changing the rules, as President Truman and the Democratic leaders are forcing the issue. In the end, the Republicans probably will wind up by depriving themselves of the most important weapon they could use to prevent the inroads of state socialism wherein all civil rights would in the long run probably have to be sharply curtailed anyway.

Mr. HOLLAND. Mr. President, if this were a filibuster I would proceed now to read this column from one end to the other, and I would have very ample precedent for doing so. As a matter of fact, there is not a word in it that is not of importance and is not germane to this discussion. But I am not anxious to consume a tremendous amount of time of the Senate, so I shall read briefly from this clipping, which will appear in its entirety in the RECORD, so that anyone who has not seen it will have the opportunity to inspect it in full. I want to read three paragraphs which, in my opinion, at least, state the gist of this problem as seen by Mr. David Lawrence and as stated by him in his column. The first paragraph which I quote reads as follows:

The issue goes deeper, however, than civil rights and racial problems. It goes to the heart of minority rights on all questions. The right of unlimited debate has kept the Senate from becoming a rubber stamp for the Executive on matters of domestic as well as foreign policy.

Mr. President, let me digress for a moment to mention one phase of that particular paragraph which I do not think has been mentioned up to the present time in this debate, namely, the portion of the paragraph which calls attention to the fact that the Executive has not been able to make a rubber stamp out of this body; and, further, that it would be extremely hurtful to the Nation if that were permitted, because, in addition to sharing full responsibility with reference to all legislation, the Senate is the forum in which is determined whether the President has wisely discharged his responsibility to the Nation in the field of foreign affairs. The Senate is also the forum in which it is determined whether the President has proceeded effectively, patriotically, and capably in selecting men for very high posts in the Government of the United States, such as members of the Supreme Court of the United States, ambassadorships all over the world, and numerous other positions of great and vital importance which will occur to all Members of this body.

It seems to me that undoubtedly the founding fathers must have had in mind that such a heavy responsibility could be safely entrusted only to a body which was so established that the sovereignty of each State would be protected and perpetuated, so established that without the consent of any State its equal suffrage and equal right to vote and to be heard could never be interfered with by amendments to the Constitution.

I enlarge, therefore, upon this paragraph merely by pointing out that Mr. Lawrence has placed his finger upon a very important matter when he suggests that it is of tremendously vital importance that the right and ability of the Senate to keep from becoming a rubber stamp for the Executive on matters of domestic as well as of foreign policy is a consideration which should engage the attention of the Senate and the people of the Nation during the days of this fateful debate.

The second paragraph of Mr. David Lawrence's column, which I wish to read, is as follows:

In times of economic stress—

What potent words those are, Mr. President. That means times when fathers are having to see their children go unclothed, unfed, and unschooled. It means times when there are bread lines, an uncertainty, and the insecurity of judgment which manifests itself always when hard times are upon us.

Mr. Lawrence says:

In times of economic stress an intolerant majority can ride roughshod over the rights of the minority—

Mr. President, I wonder if it is not well for us to remember that, although this is a period of great prosperity and high employment, nevertheless, those who are in the best position to know admit that there is something which indicates and suggests a recession, and everyone admits that there is something which exists just now which gives us cause for concern as to the economic events which lie immediately ahead of us. It seems rather clear to me that Mr. Lawrence wanted all who could read, and certainly all of the Members of the Senate, to

remember that in times of economic stress an intolerant majority can ride roughshod over the rights of the minority—

In the Senate it has been possible for unlimited debate to be checked only by the processes of public opinion when the debate privilege was abused.

I note that this distinguished columnist reminds us and reminds the country that there is a check, that there is a court of last resort, that there is a point beyond which a filibuster, or abuse of the right of unlimited debate, cannot go, and that point is the point which will be approved by the public opinion of this Nation. He speaks of it in these words:

It has been possible in the Senate for unlimited debate to be checked only by the processes of public opinion when the debate privilege was abused.

I now come to the third paragraph which I wish to read, and I am sorry there are not more of my friends on the other side of the aisle present to listen. All I can do is to hope they have read this column, and that they have taken unto themselves the words of advice, which certainly do not come from me, because I have no right to advise them, or to pretend to do so, but which come from a distinguished American with a background of knowledge and information and service in connection with our governmental affairs which is equaled by few and surpassed by none of our citizens. This is the third paragraph:

The battle depends now on what the Republicans will do. They scarcely will get the credit for changing the rules, as President Truman and the Democratic leaders are forcing the issue.

Mr. President, let me digress to remind my colleagues again, we do not know just how far the President and the Vice President are forcing this issue. We do know that the majority leader and the majority whip are for majority cloture; but, insofar as I have had the chance to observe, I have not seen any indication anywhere as to whether the support, and I almost used the word "direction" or "mandate," because the press reports use the word "direction" when speaking of what happened at the other end of Pennsylvania Avenue the other day—I do not know how far the direction or the mandate goes, how far the majority leader and the majority whip may go and properly represent the opinion which is now entertained by the distinguished President of the United States, and the distinguished Vice President, the presiding officer of this body. But it is perfectly clear that the Democratic leaders are forcing the issue, and I only wish we might know just what issue it is they are forcing, whether they are really trying to get majority cloture, or the perfected two-thirds cloture as embraced in the committee report.

I continue reading from the article:

In the end, the Republicans probably will wind up—

I do not know how remote an end he means, for he uses rather indefinite words here—

In the end, the Republicans probably will wind up by depriving themselves of the most important weapon they could use to prevent the inroads of state socialism wherein all civil rights would in the long run probably have to be sharply curtailed anyway.

I am glad the distinguished columnist made that reference to state socialism. It is no secret to Members of the Senate, it is no secret to the country, that there are serving in high positions, and there are present on the floor of the Senate public officials representing this Nation who do see state socialism as one of the objectives for which they are working, and to which they think we should now soundly go. I do not know where we could find wiser voicing of a timely caution, Mr. President, than is stated here by Mr. Lawrence in the concluding words of his column, in which he reminds the Republicans that probably they "will wind up by depriving themselves of the most important weapon they could use to prevent the inroads of state socialism wherein all civil rights would in the long run probably have to be sharply curtailed anyway."

Before proceeding to the next quotation, I should like to say that as we approach the time when issues much more Nation-wide in scope than the ones which are just ahead of us, the civil-rights issue, will be heard discussed here, we will then need and we now need to remember that tremendous bipartisan and nonpartisan efforts will be made to ward off from this Nation threats toward a socialism which would tend to destroy all the finest things in free America for which we have such high regard and for which we would give our lives, whether it be in civil service or in any other way our country might demand.

So, Mr. President, I think it is timely, and I am glad Mr. Lawrence has in these few words reminded the Senate and reminded the country, that there are more important issues lying ahead; there are battles already appearing over the horizon fearful to contemplate by those who do not want to see this Nation, devoted to liberty and to freedom, and to protection of the rights of the individual, drift into that state socialism so ardently desired by many who think they have us started soundly on the road in that direction.

Mr. RUSSELL. Mr. President——

The PRESIDING OFFICER (Mr. DONNELL in the chair). Does the Senator from Florida yield to the Senator from Georgia?

Mr. HOLLAND. I yield for a question.

Mr. RUSSELL. In connection with what the Senator has been saying about the position of the executive branch of the Government in invading the province of the Senate and telling us what rules we should have, and the order in which our business should be transacted, I should like to ask whether or not the Senator thinks that if the President is to insist on a course in connection with a matter that is of peculiar concern to the legislative branch of the Government, the President should tell the Senate before it further restricts its powers, exactly where he does stand on the rules issue, as to whether he does insist on majority cloture, or whether he is willing to permit the Senate to adopt a rule which would be more liberal in allowing Senators to speak. It seems to me that if the President is to take a hand in framing the rules of the Senate he should tell us just how long he is willing to let Senators speak.

Mr. HOLLAND. I appreciate the question of the distinguished Senator from Georgia, and while I can voice only my own feeling in connection with the answer, I must say, in complete candor, that I think the Members of the Senate are entitled to know just what is meant when the majority leader rises on this floor and says that the President of the United States is behind this effort, and when he later says that he, the majority leader, is for majority cloture. I think that raises a peculiarly close and critical question on which every Member of the Senate has the right to request and require him to give us information from the Executive, as to just what is his intention and just what is his insistence, just how far he is asking and expecting the Senate to go in abandoning rights which have existed since 1789, rights under which real and great service has been rendered this Nation to make it strong and prosperous and to attain its present position of being the greatest power in all the world. I think the Senator is right, and that we are entitled to know just how far the Executive means to go in undertaking to have us curtail and abandon privileges which do not belong to us, but which are reposed in the Senate as the custodian of the very precious objectives worked out by patriotic men in 1787.

For one, I do not propose to give up any of those privileges. We should safeguard them, not for ourselves, but for the Nation, and particularly for the States of the Nation. I do not propose to give up those assets without knowing where we are going.

Mr. RUSSELL. Mr. President, will the Senator yield for a further question?

Mr. HOLLAND. I yield for a question only.

Mr. RUSSELL. I should like to ask the distinguished Senator from Florida if he noted the numerous headlines in the press of the Nation which proclaimed to the Nation and to the world—the word "order" was used in three or four cases, including the article in the New York Times and the Washington News—that "Truman orders" certain procedure in the Senate of the United States to the exclusion of all other business. I should like to ask the Senator what he thinks would have been the effect in years gone by if any past President had ordered the Senate of the United States to take this or that step in those days when the giants of yesterday sat here, before we began to follow the supine course of abdictating our responsibility as a coequal and coordinate branch of the Government.

Mr. HOLLAND. In answer to the Senator's question, I think that if the people of the Nation took seriously and literally those headlines and press notices they would come very properly to the conclusion that our Nation has deteriorated to a great extent from the Nation which was erected in 1789, and from the Nation which has continued to

exist through the last crucial days of the Second World War, and that it has become a Nation in which the executive department has superseded in its importance, in its responsibility, in its obligations to take care of the people's rights, in its answerability to the individual citizens for their freedom, both the other coordinate branches of Government; that is, the Congress and the courts.

Mr. RUSSELL. Mr. President, I should like to ask a further question, if the Senator will yield for that purpose.

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Georgia for a further question?

Mr. HOLLAND. I yield for a question only.

Mr. RUSSELL. I should like to ask the Senator if we can justify our existence as a legislative body and continue to draw our compensation from the Federal Treasury if the Senate completely abdicates and becomes wholly subject to orders from the executive department of the Government?

Mr. HOLLAND. My answer to the distinguished Senator from Georgia is that I think any Senator who should put himself in the position of abdicating wholly to the executive department of the Government would find out, regardless of what the press may think about interpreting the President's release, that the people of the country do not expect the Members of the Senate to lie down and take dictation from a coordinate branch of the Government as to matters lying within our jurisdiction and responsibility; and I believe the Senator from Georgia would in such case find that the people to whom we are answerable would expect Senators, in their sound conscience, and doing the best they can, to stand up and defend, just so long as they can defend, these fundamental rights and obligations which are reposed tenderly here in the laps of the Members of the Senate of the United States to be safeguarded, not for ourselves, but for a great Nation comprising 140,000,000 citizens.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from South Carolina for a question?

Mr. HOLLAND. I yield for a question only.

Mr. JOHNSTON of South Carolina. Does the Senator remember that a few years ago the United States Senate had before it the question of packing the Supreme Court, and does the Senator further remember the attitude the newspapers were taking at that time, when the President was strongly urging that change in our system of government?

Mr. HOLLAND. In answer to the Senator I will say that the Senator compliments the junior Senator from Florida. I am not quite old enough to remember that far back. I really do not recall. I have not heard exactly what the position of the newspapers and the columnists was at that time.

Mr. JOHNSTON of South Carolina. I should like to get——

The PRESIDING OFFICER. Just a minute. Does the Senator from Florida yield to the Senator from South Carolina for a further question?

Mr. HOLLAND. I yield for a question only.

Mr. JOHNSTON of South Carolina. I should like to ask a question. I am quite sure the Senator from Florida remembers the question raised at the time, respecting a change in the number of members of the Supreme Court. The Senator remembers that, does he not?

Mr. HOLLAND. In answer to that question I will say yes, I remember that very clearly.

Mr. JOHNSTON of South Carolina. But the Senator does not remember what attitude the newspapers were taking then?

Mr. HOLLAND. I yielded for a question only, Mr. President, and in reply to the question I will say that I do not recall what position the newspapers took. In my part of the country the newspapers were divided about as the citizens were divided on that subject.

Mr. President, I should like now to explore a little more fully into the philosophy of Mr. David Lawrence, if I may, by offering for the RECORD at this time a column written by Mr. Lawrence and published in the Washington Star of January 28, 1949, and which is now embraced fully in the printed record of the hearings of the Committee on Rules and Administration on the subject of limitation on debate in the Senate, on pages 170 to 172, inclusive.

The PRESIDING OFFICER. Is the Senator from Florida asking that the designated pages be incorporated in the RECORD at this point?

Mr. HOLLAND. Not fully, Mr. President. I ask only that the quotations from Mr. Lawrence's column, which comprised his complete column of that day, paragraphs or portions of which have certain intervening questions by other Senators, and answers by the junior Senator from Florida, be printed in the RECORD. In other words, I ask that the complete column, as it appears on the pages I gave, may be printed in the RECORD at this point.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

The Republicans in the Senate are about to make a mistake which will rise to plague them for years to come and may make such a fundamental change in congressional government as to bring forth a demand for a single instead of a two-House system.

The Republicans have lined up behind a move which will permit a majority to shut off debate. Some Republicans favor a simple majority and others favor two-thirds to apply cloture on those procedural points not covered by the present rule whereby debate is limited in part. But in either event, it would be possible for the minority to be deprived of its right to be heard.

For decades the United States Senate has been the one place in the world of free governments where the minority could not be shouted down and its chance taken away to be heard fully and comprehensively.

Now it is asserted that even the present rule which applies cloture in certain instances but does not really prevent extended debate if Members choose to make use of the procedures available to them has been rarely invoked. But if all motions and procedures are to be covered by a two-thirds cloture, it would be a simple matter later on to change it to a majority of those present. The Senate then would become almost identical in its procedure with the House of Representatives, thus making it logical to call for a unicameral or single-House system. Such a plan would place the Western States and others with a small population at a serious disadvantage and would abolish the sovereignty of the States for all practical purposes.

ENCOURAGES TYRANNY

The real objection to the adoption of any absolute rule to cut off debate is that it encourages the formation of arbitrary and intolerant majorities which can become tyrannical.

The argument that recourse can be had at the polls against such a majority falls to the ground, because two-thirds of the Senate Members do not come up for election each congressional year, and it is possible for a majority of two-thirds to invoke cloture and not be held accountable for as many as 4 years.

If cloture is adopted, then logically the people must have some quicker means of redress than they have today. In the democracy of Canada and other English-speaking governments, the people can overrule their national legislative body at any time. An election can be held to determine whether a majority misinterpreted or correctly interpreted the will of the people.

In the sense that the adoption of cloture may hasten the day when a constitutional amendment is adopted calling for the removal of a President when he fails by a two-thirds vote to retain the confidence of both Houses of Congress and calling for replacement of Members when they have lost the confidence of the people, the step can be welcome. But to adopt cloture without at the same time giving the people an instantaneous check on an arbitrary majority is illogical and inconsistent.

The Republicans are playing bad politics when they join with the northern Democrats to change the rules governing debate. Already this week they have an example of how an intolerant majority functions when it wishes to cut off hearings in an important committee considering labor-management legislation of far-reaching importance to the people.

HYPOCRITICAL MANEUVER

To find the Republicans anxious to make political capital out of the discomfiture of the Democrats who are divided on the civil-rights issue is regrettable, because on its face the maneuver is hypocritical. The sponsors of civil rights for Negroes presumably are not yet ready to support a measure to protect the civil rights of the white man.

There are more instances each year of violence on the picket line in labor disputes, more instances of cars overturned as workers seek to get into factory parking lots, and more instances of intimidation in the homes of workers by strong-arm men than there have been lynchings in the last 10 years. The proposal to put the police power of the Federal Government behind the civil rights of Negroes would be widely acclaimed if it were broadened to include all manner of violence in which citizens have not been given protection by the local authorities. If any Republican or any southern Democrat sought the passage of any such all-inclusive law, the northern Democrats would never support it and would back away from the issue.

The antifilibuster movement is really tied up with a movement by the Republicans to win the Negro vote in the North, though, to be sure, a large part of it has gone Democratic for several years notwithstanding the fact that the late President Roosevelt never attempted to force the members of his own party from the South to give up their rights to unlimited debate and to jam through Congress any civil-rights legislation.

The Republicans are the minority party in Congress and filibustering is a weapon of the minority. That's why it seems strange that the Republican leaders are willing to give up the one method left in congressional procedure by which the arbitrariness of any majority in either party can be held in check.

Mr. HOLLAND. Mr. President, again stating with all diffidence that I do not pretend to be able to advise other Senators on this side of the aisle, or Senators on the other side of the aisle, and more particularly the latter, I think I am justified in calling to the attention of the distinguished Senators of the minority, fine patriots and good Americans as they are, the additional column in which Mr. Lawrence expressed much of his philosophy on this particular question. I shall not read each and every paragraph of Mr. Lawrence's column, but the whole column appears as part of my remarks, and any Senator who wishes to read it in full may do so.

The first paragraph reads as follows:

The Republicans in the Senate are about to make a mistake which will rise to plague them for years to come and may make such a fundamental change in congressional government as to bring forth a demand for a single instead of a two-House system.

The Republicans—

And I hope that the distinguished columnist was in error in this particular statement—

The Republicans have lined up behind a move which will permit a majority to shut off debate. Some Republicans favor a simple majority and others favor two-thirds to apply cloture on those procedural points not covered by the present rule whereby debate is limited in part. But in either event, it would be possible for the minority to be deprived of its right to be heard.

At this point I wish to inject the remark, Mr. President, that Mr. Lawrence calls attention to the fact there that while there is a difference in degree between these two suggestions, that is the suggestion for majority cloture and that of two-thirds cloture, it is only a difference in degree, because he says, and I quote his statement again:

But in either event, it would be possible for the minority to be deprived of its right to be heard.

I continue to read from Mr. Lawrence's column:

For decades the United States Senate has been the one place in the world of free governments where the minority could not be shouted down and its chance taken away to be heard fully and comprehensively.

Mr. President, I like the words "shouted down." The words "shouted down" express, I think, completely what happens in a body that submits itself to majority control from day to day, either through the previous question or by any other procedure which brings about the same result. That is thoroughly and characteristically indicative of what happens when a majority which has rules permitting it, gets into the habit of literally shouting down, overriding without giving a chance to be heard, overriding in derision and ridicule, overriding as something not worthy of hearing, not worthy of taking a moment's time of the deliberative body in question. The majority shouts down the position of the minority even though it may be a strong minority, a nonyielding minority, a minority which knows that it has as correct information as to the complete failure in large sections of the Nation of the law sought to be passed, because of the fact that the law as proposed to be passed would come squarely into contravention and contradiction of fundamental views on intimate racial and personal relations that exist in those large segments of the Nation.

I am not going to read all of Mr. Lawrence's column. I shall skip now and take up another small paragraph, because I think it also gives a good indication of what Mr. Lawrence is trying to say:

The real objection to the adoption of any arbitrary rule to cut off debate is that it encourages the formation of arbitrary and intolerant majorities which can become tyrannical.

Again, Mr. President, Mr. Lawrence uses some strong words, and they are words which I think should be guideposts to which the Senate should look in the event it is seriously considering taking the course which is inveighed against so heavily here by this distinguished American.

The real objection to the adoption of any absolute rule to cut off debate is that it encourages the formation of arbitrary—

Arbitrary decisions are those not based upon soundness of logic, not based on good judgment, not based on excellent or reasonable grounds, but on whimsical reasons, and on the hopes and beliefs or aspirations of the majority that they can work their will and carry through their intention regardless of what faces them. They know that they have only a minority of votes facing them. They give little consideration to the principles, equities, and fundamental values which lie in their way. So the first word he uses, to which I call attention, is the word "arbitrary."

The next word is the word "intolerant." If there is anything for which this Nations stands, it is tolerance in the truest sense of the word—our willingness to live and let live, our willingness to accept as expressed in good faith and sound purpose the opinions of another which may not be in accord with our own; and our willingness to give another the benefit of the presumption of good faith which we claim for ourselves, and believe that we always have on our side of the fence. The use of the word "intolerant" should be another red flag brought to the attention of the people of the Nation, and particularly to the attention of the membership of the Senate during this vital debate.

The next word is "majorities." The writer first calls attention to the fact that intolerance exists, and next to the fact that a majority exists which is willing to be affected by and to follow wherever intolerance points the way. It may be only a bare majority. The word "majority" has little application to the fundamental objectives and functions of the United States Senate, which, above all agencies in our Government, was created to see that the minority, the weak, the poor, and the small always had a forum where they stood equally with everyone else, with full opportunity to express their vital views and aspirations, regardless of what qualities or qualifications others might have.

Mr. RUSSELL. Mr. President, will the Senator yield for a question?

Mr. HOLLAND. I yield for a question only.

Mr. RUSSELL. I should like to ask the able Senator from Florida what he thinks would be the result of a referendum in any State of the Union if the question were submitted to the people and they were permitted to pass upon the question of whether or not a condition should be created in the Senate under which there was a strong likelihood that neither Senator from that State would be permitted to be heard at length on the floor of the Senate in defending the rights of those people? How would the people vote if they knew that their voice—because the only untrammeled, unshackled voice the people of a State have is that of their Senators—would not be heard? If they knew that their Senators, through a condition which might arise by reason of proposed changes in the rules of this body, might be confronted with situations in which they would be compelled to stand practically mute in attempting to stop some bill or legislation that was of vital importance to the people of the State, what would be the feeling of the people? I ask the Senator how the people of any State would feel if it were brought home to them that a condition might arise in which the voice of that State could not be heard in this great deliberative body on a matter of vital consequence to the people of the State.

Mr. HOLLAND. In answer to the vital question propounded by the Senator from Georgia, I simply say that my observation is not sufficiently wide to enable me to make an answer for all States of the Union, or even to make an answer for the people of my own State, of which I am certain. But I will say that I am just as sure as I can be, without having seen the actual results of a referendum vote of the people of the State of Florida, that in that State at least the people do not propose to have created a condition such as described in the question of the distinguished Senator from Georgia, a condition under which the voices of the two Senators representing the sovereign State of Florida could be stilled by reason of hostile action of a mere majority, or even of a two-thirds majority temporarily in power and temporarily endowed with the qualities which are so well stated by Mr. Lawrence—arbitrary, intolerant majorities.

Mr. STENNIS. Mr. President, will the Senator yield for a question?

Mr. HOLLAND. I yield for a question only.

Mr. STENNIS. While the Senator is on the subject matter which he has just mentioned, let me say that there has been a great deal said about the so-called civil-rights program on the calendar. I ask the Senator from Florida this question: If there were no such program before the Congress, what would be the Senator's position with reference to changing the rules of the Senate on the matter of cloture, leaving out altogether any consideration of the civil-rights program?

Mr. HOLLAND. My answer to the question of the distinguished Senator from Mississippi is that the civil-rights program is something temporary, in my opinion, something that exists just now, and is affording the spur, the motive power, for this particular effort. But I believe that many questions much more vital in their application to all the people of this Nation than this, will arise. My position is based upon what I think is sound government and sound American philosophy, and it would be my position if there were no such questions as those embraced in the civil-rights program.

Mr. STENNIS. Am I correct, then, in understanding the Senator to say, in effect, that if the so-called civil-rights program had already been passed and had been signed and enacted into law, the Senator's position on this question would still be in favor of free speech and ample opportunity for all areas and all interests to be heard exhaustively, even to the extent, if their representatives deemed it proper, of resorting to extreme lengths of debate to protect those fundamental rights? Is that correct?

Mr. HOLLAND. The Senator is exactly correct. If the civil-rights question were disposed of adversely to my contention, or even the other way, on a permanent basis, my position would be exactly the position I am taking here now. We are talking about a government which has not only existed since 1789, but which will continue to exist for hundreds of years in the future, to bless not only America, but all the people of the earth, because we have become the greatest stabilizing force for decency and for humanitarian objectives throughout all the world. So far as I am concerned, I shall not base my position on this vital question upon any temporary group of questions, either civil-rights questions or any other. We are talking about fundamental, sound American government for a period as long as this Nation shall stand, which, please God, will be a long time in the future.

Mr. RUSSELL. Mr. President, will the Senator yield for a question?

Mr. HOLLAND. I yield for a question only.

Mr. RUSSELL. I ask the Senator if I correctly understand his position, that it is impossible to gag the Members of the Senate of the United States without gagging the people of a sovereign State. The sovereign States created the Senate and the Constitution.

Mr. HOLLAND. The Senator is exactly correct, and he has voiced tersely, and in fewer words than I have been able to voice it, one of the ideas which I have been attempting to express. What is involved is not merely the rights of Senators who sit here now, not merely the rights of those who will sit here during all the history of the Nation, when I hope the Senate will have just as much prestige and responsibility as it now has. We are talking about rights which were given to the Senate to protect the people of the sovereign States. If those rights are once yielded the effectiveness of the Senate to carry out its original function will be destroyed. In its original place, as well as its present place in our system of government, it has shown a fine capacity to grow in strength and stature.

Mr. President, now I reach the fourth word in this little statement by the columnist, Mr. David Lawrence, which I think rather effectively winds up the subject matter insofar as he is concerned, and he expresses my thinking on it; I adopt his statement. It will be remembered that he said that—

> The real objection to the adoption of any absolute rule to cut off debate is that it encourages the formation of arbitrary and intolerant majorities—

And here is the clincher—

> which can become tyrannical.

Mr. President, anyone who thinks Mr. Lawrence is straying from the truth or from the fact as to what are the possibilities when there is a rule which allows a simple majority to work its will, simply has not looked at the record of history and has not looked at the record of the other branch of this Congress, which I respect so highly, but which unfortunately, because of its size and for other reasons, has to have cloture as one of the characteristics of its existence. If we look to the actions of legislatures which have that rule, if we look beyond the limits of our Nation to the actions of other parliamentary bodies which have such a rule, we shall see that frequently exactly what Mr. Lawrence says has come true: that those who exist for the moment as a majority and who are arbitrary and intolerant as a majority become tyrannical, and that that is one of the sources of tyranny which has been clearly evidenced, not merely on this continent of ours, but in many other places on the earth; and the columnist wants us to remember that as we go through the course of this debate. I thought his suggestion was so potent and so proper that I should bring it to the attention of the Senate and to the attention of the people of the Nation, particularly those of them who may not have seen the article or may not have analyzed it, so that they might realize that here is what a keen and lifelong student of American government thinks about this design which is sought to be foisted upon the Senate of the United States.

We remember that at the beginning of the article he said that there is only a question of degree between two-thirds cloture and majority cloture; and in this statement he is talking about either of them and both of them when he says that such an absolute rule to cut off debate does encourage—

> the formation of arbitrary and intolerant majorities which can become tyrannical.

Mr. President, I shall not read at great length further from this column, but I do wish to read the last three paragraphs:

> There are more instances each year of violations on the picket line in labor disputes, more instances of cars overturned as workers seek to get into factory parking lots, and more instances of intimidation in the homes of workers by strong-arm men than there have been lynchings in the last 10 years. The proposal to put the police power of the Federal Government behind the civil rights of Negroes would be widely acclaimed if it were broadened to include all manner of violence in which citizens have not been given protection by the local authorities. If any Republican or any southern Democrat sought the passage of any such all-inclusive law, the northern Democrats would never support it and would back away from the issue.
>
> The antifilibuster movement is really tied up with a movement by the Republicans to win the Negro vote in the North, though, to be sure, a large part of it has gone Democratic for several years notwithstanding the fact that the late President Roosevelt never attempted to force the members of his own party from the South to give up their rights to unlimited debate and to jam through Congress any civil-rights legislation.

I wish to call attention to that paragraph, Mr. President. There are still some persons who like to think in terms of what might have happened during the administration of President Roosevelt upon this sort of an issue. Now we see what this distinguished columnist has to say about that:

> President Roosevelt never attempted to force the members of his own party from the South to give up their rights to unlimited debate and to jam through Congress any civil-rights legislation.

I now read the concluding statement:

> The Republicans are the minority party in Congress and filibustering is a weapon of the minority. That's why it seems strange that the Republican leaders are willing to give up the one method left in congressional procedure by which the arbitrariness of any majority in either party can be held in check.

Mr. President, I think the advice given by Mr. Lawrence is completely sound; and, further, I think it is equally applicable to Members on both sides of the aisle. I do not know why the columnist wished to confine his advice-giving activities to those on the other side of the aisle; I think his advice would be equally effective to those on this side of the aisle who appear to be willing to relinquish the heritage of their fathers, the right to have unlimited debate and to fight for the protection of the people of their sovereign States. So far as I am concerned, I do not limit the application of the Lawrence article to the Members of the Senate on one side of the aisle. I think it is just as wise advice when given to Members of the Senate coming from one party as it is when given to Members coming from the other party, and I think it is sound American advice given to good Americans serving in both parties here.

Mr. President, history shows that today's majority will be tomorrow's minority. Aside from that fact, history

also shows that many of the most vital questions always have been and always will be essentially nonpartisan and will cut squarely across party lines. I shall not stop to mention many of those issues. I remember offhand one which has gained great and able attention from the present Presiding Officer of the Senate, the Senator from Missouri [Mr. DONNELL], the former Governor of Missouri, for whom I have such high affection and respect. I remember that subject—the subject of tidelands oil. I think he has very definite and very fixed and very lasting convictions upon that subject. They may not be, and in fact I think they are not, the same convictions as those which are entertained by the junior Senator from Florida. But the point I am making, Mr. President, is that vital questions of that type frequently cut clear across party lines, just as that particular question cuts across party lines, and that vital questions of that type frequently pertain to a minority group of States, just as it is true that a minority of States have any active personal interest in that problem by reason of having any tidelands of their own which might be affected by it.

I could easily multiply the type and the number of issues which I might mention as coming within this same general classification.

I remember that in appearing before the Committee on Rules and Administration at the hearings on these resolutions, I suggested to the distinguished Senator from Arizona [Mr. HAYDEN], the chairman of the committee, how vital a matter it was to his fine State of Arizona—a comparatively small State in population and development, but a fine State—and how tremendously necessary it was to that fine State that it have assigned to it an adequate proportion of the waters of the Colorado River, which really brings life to that State, and without which there cannot be any unlimited development of any sort in that State. I reminded him, just as I remind the other Members of the Senate now, that that question is bipartisan and nonpartisan; that question will find Republicans and Democrats on both sides of the issue, because it is a vital economic and geographic question which applies to States regardless of whether for the moment they happen to be in the Democratic or in the Republican column.

So I could go on almost endlessly enumerating many such vital questions and issues—for instance, questions affecting the distribution and control of the oil supplies of the Nation, entirely apart from tidelands oil. As Senators know, the oil-producing States of the Union are in the minority, yet it may be and probably will be, as the scarcity of the oil reserves become more and more apparent and of more and more vital importance to the people of the Nation and to the Nation's future, there will come a time when the oil-producing States will need to stand together; and they are not going to look to the label of the Senators representing them, as to whether they are Democrats or Republicans, but as to whether they will stand up and fight for what such States assume to be their vital interest in the decision of that problem.

Mr. LONG. Will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Louisiana for a question?

Mr. HOLLAND. I yield for a question only.

Mr. LONG. Is the Senator aware of the fact that only a few years ago the number of Republicans in the Senate was reduced to the small number of less than 20, the Democrats having roughly about 70 and the Republicans about 20 Senators?

Mr. HOLLAND. In answer to the Senator, I may say I remember that time. It seems that we have come a long way since then, and perhaps it is for the best interests of the Nation that the two parties be more evenly balanced in the Senate than they were at that time.

Mr. LONG. Will the Senator yield for a further question?

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Louisiana for a further question?

Mr. HOLLAND. I yield for a further question.

Mr. LONG. Is the Senator from Florida aware of the fact that, at that time, when the Democrats had a majority of more than two-thirds of the Members of the Senate, it would have been very easy for the Democrats to have changed the rule so that a simple majority could have applied cloture, at its every whim, and that that would have been a convenient method for putting through New Deal measures such as the court-packing bill, which was defeated as the result of extended debate?

Mr. HOLLAND. In answer to the Senator, I may say I am well aware such action could have been taken at that time by the Democratic majority. I am glad the Democratic majority saw fit to make a stand for sound Americanism on the floor of the Senate by refusing even to consider such a monstrous course.

Mr. LONG. Will the Senator yield for a further question?

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Louisiana for a further question?

Mr. HOLLAND. I yield for a question only.

Mr. LONG. Is the Senator from Florida aware of the fact that if such a thing had happened and if the southern Senators had proposed or had joined in some such plan as that, or some such scheme, at that time, the southern Senators themselves would today have been deprived of the great right which they are exercising to defend the right of their people and to debate and set forth fully the merits of a question with respect to which they feel they are most vitally affected?

Mr. HOLLAND. In answer to the Senator I may say I am fully aware of that fact, and I have unceasing cause to be grateful both to Democrats and Republicans, and particularly to the Democrats, for not, at any time in the Nation's history, including the time mentioned by the Senator in his question, foisting on the Senate cloture or any binding rule—I mean a completely binding rule—under which firm, effective limitation of debate could have been accomplished by either a majority or by a two-thirds vote of the Senate.

Mr. LONG. Will the Senator yield for a further question?

The PRESIDING OFFICER. May the Chair respectfully request the Senator from Louisiana to address the Chair, in the interest of having the record perfectly clear that the request has been presented to the Chair and then to the Senator from Florida? Does the Senator from Florida yield to the Senator from Louisiana for a further question?

Mr. HOLLAND. I yield for a question only.

Mr. LONG. The Senator from Louisiana would like to ask if the Senator from Florida is aware of the fact that although the Republican minority in the Senate today may consist of about 40 Senators, it is quite possible that at some distant date in the future the Republican Party may again be reduced to a point where they have fewer Senators in the Senate even than the Senators representing the southern section of the country?

Mr. HOLLAND. In answer, I may say there certainly is such a possibility. That is one of the vague areas of politics in this Nation. The fortunes of our political parties go up to the peaks and then come down to the valleys; and some times the valleys are pretty deep.

Mr. LONG. Will the Senator from Florida yield for a further question?

The PRESIDING OFFICER. The Chair assumes the Senator from Louisiana is addressing the Chair.

Mr. LONG. The Senator is addressing the Chair.

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Louisiana for a further question?

Mr. HOLLAND. I yield for a further question.

Mr. LONG. Is the Senator from Florida aware of the fact that if such a thing should ever happen and the right of unlimited debate be destroyed in the Senate, such a Republican minority would at that time be in an immeasurably worse position than the southern Senators are today, because in that event they would even be denied the right of full debate in the Senate?

Mr. HOLLAND. In answer I may say that I am well aware of that fact. Not only would such a Republican minority be left helpless but a minority that would be willing to stand up and fight for labor would be left helpless, or a minority that would be willing to stand up and fight for the small States or for any principle which was right, such as certain of the principles I mentioned a while ago. A minority standing for fundamental principles on any subject is apt to be left in that distressing and helpless condition described by the question of the Senator from Louisiana, if such a cloture rule is adopted.

Mr. LONG. Will the Senator yield for a further question?

The PRESIDING OFFICER. Will the Senator from Louisiana be kind enough to address the Chair?

Mr. LONG. Mr. President, will the Senator yield for a further question?

The PRESIDING OFFICER. That is not said at all unkindly to the Senator; but, in order that the record may be entirely clear, the Chair is making the suggestion to the Senator.

Mr. LONG. I thank the Chair for the suggestion.

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Louisiana for a further question?

Mr. HOLLAND. I yield for a further question.

Mr. LONG. I should like to ask the Senator from Florida whether he is aware of the fact that if such a day ever comes the Republican side of the aisle would be even further embarrassed by the fact that a large segment of the Democratic Party, particularly Senators from the South, would have very unkind feelings toward the Republican minority in the Senate?

Mr. HOLLAND. In answer to the Senator's question, there is always the possibility of that kind of result occurring, but I like to think, Mr. President and Senators, these battles are fought through to a finish, and the day after we are through with them, we again become able to work with each other on such terms as properly to serve the welfare of the Nation. I am quite well aware of the fact, and the Senator has merit in his question, that sometimes that ideal is not subserved, and sometimes bitterness coming from a debate of this kind lives on and on and on and rears its ugly head in the determination of later questions which ought not to be affected or touched at all by the bitterness of the debate or by the vital question being discussed in the first instance.

The PRESIDING OFFICER. Will the Senator permit the Chair at this time to insert in the RECORD the particular portion of rule XIX to which reference was made by the Chair a few moments ago? The rule reads as follows:

> When a Senator desires to speak, he shall rise and address the Presiding Officer, and shall not proceed until he is recognized, and the Presiding Officer shall recognize the Senator who shall first address him.

The Chair may say again to the Senator from Louisiana that that is not said in any critical sense at all but merely that we may have the RECORD perfectly clear as to the fact that the Presiding Officer is addressed and the Chair in turn inquires of the Senator speaking whether or not he yields.

Mr. LONG. If I may have the Chair's permission to make a statement at this time——

The PRESIDING OFFICER. Is there objection to the Senator's making a statement at this point?

Mr. HOLLAND. I do not yield.

Mr. EASTLAND. I object.

Mr. RUSSELL. I object.

The PRESIDING OFFICER. Objection is heard. The Senator from Florida has the floor, and he may proceed.

Mr. HOLLAND. Mr. President, I may say at this point the Senator from Florida not only appreciates the warm help which is being extended by the distinguished junior Senator from Louisiana, but he also is highly appreciative of the fact that his rights upon the floor as a Senator of the United States are being properly safeguarded by the distinguished Senator from Missouri, who now presides. The Senator from Florida feels he is in entirely safe, impartial, and nonpartisan hands when the Senator from Missouri leaves his seat as a Senator and comes to preside over the forum of the Senate of the United States.

The PRESIDING OFFICER. The Chair thanks the Senator from Florida for his very kind observation.

Mr. HOLLAND. Mr. President, I have talked at some length on the question of the fear, the apprehension which I think is present, and reasonably so, at this very session, in this very Congress, in this very debate. There is real reason for us to fear that an effort may be made, and perhaps a successful effort, to substitute majority cloture for the two-thirds cloture rule suggested by the report of the committee. But, continuing from that point, even if I could know that the determined effort to substitute majority cloture which will be made—and, Mr. President, there is no doubt it will be made; we have been apprised of that in every way so that every reasonable person must have the information—will be defeated, I should continue to oppose the pending motion to take up the resolution, for the reasons I have already stated; in other words, for reasons having to do with the unwisdom of simple majority cloture or constitutional majority cloture in the Senate.

I have brought out this point in answering some of the questions which have been propounded to me, but I do not believe this question is being determined only upon present facts and issues. I think it is a great fundamental question which has to do with the future, and the welfare in that future, not only of those who may serve in the Senate, but of their ability to serve the people of their States and of the Nation in consonance with the objectives of the Senate of the United States. So I would continue to oppose the pending motion just as vigorously, even if I knew in advance, even if there were assurances given by the words of Senators at this time, at this moment, on this occasion, that a strong, conclusive majority of the Senate would confine itself to the consideration of the resolution as reported by the committee and would not yield to the demand to consider simple majority cloture. If the motion shall prevail and if the resolution reported by the Senate shall be taken up and adopted without having substituted for it a provision for majority cloture, there will still be, and, I think, even to a greater degree at that time and under those conditions, an invitation to those who are so minded to complete their work, to finish their objectives, as has been announced by so many of the ablest and most influential Members of the Senate who have stated freely that they want majority cloture and want to adopt it at the first convenient opportunity.

In the very nature of politics, Mr. President, there will continue to be vital issues which a scant majority will want hastily to pass. The adoption of the resolution as reported would leave a much more favorable situation to bring about that result than if we leave the rule as it is now, subject to the imperfections which are in it. Whether they were intended by those who framed it in the beginning, I am not able to say. But let me give a moment's attention to that point.

I would not for the world question any expression by the distinguished Senator from Arizona [Mr. HAYDEN], because he is much better qualified to express an opinion on most matters pending in the Senate, certainly on all matters having to do with the history and traditions of the Senate, than is the junior Senator from Florida. But I have been in public life quite a while, myself, and I knew some of the Senators whose names were read on the roll call of fame by the Senator from Arizona a few days ago when he gave to the Senate the names of the members of the committee who participated in the framing of our present rule XXII. It is very difficult for me to believe, looking at those names, considering the background and experience of the men who participated in that effort, that they, or at least some of them, out of the wealth of their experience, confronted with the fact that on the question of the Journal there was a special rule applicable to motions to correct the Journal, and making such motions privileged—it would be very difficult, or almost impossible, for me to feel that all members of the committee submitted that rule without being conscious of the fact that those imperfections were in it.

Mr. President, I am glad to see that the distinguished Senator from Arizona has come into the Chamber.

The imperfections of the rule began to become apparent within a very short time after its adoption. My recollection is that it was in the early 1920's. It may have been earlier than that. Certainly, it was at a time when some of those Members were here. If they had not done what they set out to do, but, instead, had done an inferior and ineffective job, I think some of them would have stood upon the floor of the Senate and so stated, and I think there would have been an effort to complete the doing of what they thought was a good job when they tried to do it in 1917.

Mr. President, there are only two possible conclusions to which I can come. One is that either they knew those imperfections were in the rule all the time, or else they discovered them later and were glad they were in the rule, and they did not propose to proceed to polish off what had proved to be a defective piece of work. I do not see what other conclusion can be, for the moment, entertained by anyone, because it is a fact that most of the members of that committee continued to serve in the Senate

and were here when the so-called imperfections of the rule began to assert themselves, and were certainly clearly understood.

The adoption of the resolution as reported would operate in this way, it seems to me, Mr. President: It would simply unlock the gate, open up the Pandora's box, as the distinguished Senator from Georgia [Mr. RUSSELL] has so frequently said, and leave the gate temptingly open. That gate is not open now, and it will not be open unless the proposed new rule or a worse one should be adopted. As I say, it would leave the gate temptingly open so that, gazing through it upon the green fields which lie beyond, a majority, for the moment hungry for power which they had not exercised for a long while, hungry for the chance to deal with a subject matter which they wanted to deal with in a certain way at that particular time, would be subjected to the temptation—and it would be a very large temptation and one to which it would be difficult not to yield—to go one step further and adopt a majority cloture rule through which their objectives could be more easily attained.

So, Mr. President, I conclude on that first point of my objections to the proposed rule, namely, that it involves both now and in the future, if it should be adopted as reported by the committee, a serious danger of substituting a majority cloture rule for the two-thirds cloture rule which is proposed by the resolution reported by the committee.

The second point of view which I wish to urge, Mr. President, as a ground for my unyielding opposition to the resolution which it is now sought to take up, is that I oppose strongly the immediate purpose for which the proposed change in the cloture rule is sought.

I think everyone knows, Mr. President, that the immediate purpose is to enable the passage—the prompt and convenient passage—of the so-called civil rights measures which are being supported mistakenly by so many good persons, and which are objectionable to the people of the Southern States. I think I am safe in saying that I know, from much correspondence which I have had, that they are likewise objectionable to many people who do not happen to be residents of the Southern States.

The record shows, Mr. President, that the only measures against which cloture has been attempted, which have not been passed, are in the field of the particular civil-rights program. In support of that statement I should like to read from a statement of the Senator from Arizona. I always like to read from him. To me he is an authority in this field. His statement was made during the hearings on this subject, appearing on page 40 of the printed record of the hearings. I think it is a final showing of the fact that cloture is sought only, in the last analysis, to enable the passage of the so-called civil-rights measures. I read from the statement of the Senator from Arizona:

> Anyone who reads that list of legislation defeated by filibusters—

He speaks there of the list which is found in a brochure which was prepared by Dr. Galloway and printed by the Library of Congress—

> would not know that actually and in truth, aside from the fair-employment-practice bill, the anti-poll-tax bill, and the antilynch bill, all of the remainder of this legislation, while delayed, ultimately became law.

Mr. President, briefly, the Senator from Arizona has simply said that every other measure which may have temporarily encountered difficulty because of filibuster or delaying debate, and because of the attempted application of a cloture rule which had been sought to handle it, but which was not permitted to be so handled at that time—every other measure has subsequently been disposed of satisfactorily, except the three mentioned by the Senator from Arizona, namely, the FEPC, the antilynching bill, and the anti-poll-tax bill.

Mr. President, I therefore am opposing the adoption of the pending motion because it is evident, as so freely stated by many of those who have appeared to support some such change in the cloture rule, that their purpose and motive and objective is to permit of the early and quick and successful passage of these three particular so-called civil-rights measures. They might have gone ahead and stated that other civil-rights measures were on the program and would come up a little later, but the three which they mentioned in appearing before the committee, during the hearings in the committee—and they have mentioned them over and over again—are these three measures, and their desire to have cloture strengthened so that these three measures may be effectively taken up and passed.

Mr. President, several of the witnesses, both in 1947 and in 1949, frankly admitted that that was the case. Speakers over the radio, speakers who have appeared in various public gatherings, many pronouncements of the press, have stated it countless times, and the public well knows that the present objective in bringing up this proposed change is to pass these three measures. So I think that a brief discussion of those measures immediately at issue is appropriate at this time—and I shall attempt to be brief in discussing them—merely to show in the RECORD why it is that we of the South have such unalterable opposition to the enactment of these three measures.

First, Mr. President, with reference to the poll tax. Let me say that, insofar as the Senator from Florida is concerned, he has a record already on that subject. When he was a member of the Florida State Senate in 1937, there came up in that forum, in which there was a great deal more political danger in taking a definite and fixed stand on this subject than there is here, a proposal to abolish the poll-tax requirement which had existed for many years in the State of Florida, and to bring about such a situation that the payment of a poll tax would no longer be a prerequisite for voting. I am happy to say to any who may not know it that I was glad to support the measure which, so far as Florida was concerned, caused the poll tax to become a dead issue, and which did away with that requirement. I am glad I took that position. We have found cleaner politics, we have found more votes, we have brought about a more difficult situation for those who would like to control politics, since the elimination of the poll tax in Florida as a prerequisite for voting.

I may say likewise, Mr. President, that I also have a record on this subject in this body, not only during the last session, when I stated my strong desire that this subject should be approached constitutionally through the submission of a constitutional amendment, but also in the present session have I proceeded along that line.

I should like at this time to ask the consent of the Senate to have printed at this point in my remarks the body only, that is, section 1 and section 2, of the proposed article of amendment to the Constitution of the United States, embodied in Senate Joint Resolution 34, which was offered in the Senate on January 13 of this year by the following southern Senators: Mr. GEORGE, Mr. CONNALLY, Mr. TYDINGS, Mr. O'CONOR, Mr. ELLENDER, Mr. LONG, Mr. HOEY, Mr. BROUGHTON, and Mr. ROBERTSON, as well as myself. Those 10 southern Senators felt that it was not sufficient simply to oppose what they thought to be unconstitutional and unsound and illegal, but having had some experience in this field themselves, they felt they should offer a firm and affirmative approach to this particular problem, hence the introduction of this joint resolution, which I shall now read into this portion of my debate:

> SECTION 1. The right of citizens of the United States to vote in any primary or other election for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any State by reason of failure to pay any poll tax or other tax or to meet any property qualification.
>
> SEC. 2. The Congress shall have power to enforce this article by appropriate legislation.

Mr. President, the wording of this joint resolution speaks for itself, and I should like just for a moment to comment on the fact that the resolution not only presents a legal approach to this subject, but it presents a much broader approach than any that has been presented in any proposed statute, at least any that it has been my privilege to see, because under this approach the right of a citizen in any State to vote in elections for electors for President, Vice President, or for Senator or Representative in Congress is guaranteed, regardless of their failure to pay any poll tax, and regardless of their failure to pay any other tax, a property tax or other sort of taxation, and regardless of their failure to meet any property qualification.

It is true that no State at the present time has, as a prerequisite for participating in Federal elections, the requirement of the payment or nonpayment of other taxes, or the requirement of meeting any property qualification. It is also true, however, that heretofore many of the

States of the Union have had such provisions in their constitutions and statutes, and it is also true that some of them, outside the South, now have provisions in their constitutions and statutes which require the payment of a poll tax as a prerequisite for participation in town meetings and various other types of local government meetings.

I have been told that the town meetings of New England are perhaps the closest approach to true democracy of the Grecian type, which we heard mentioned by the distinguished Senator from Texas day before yesterday in his able debate, to be found anywhere in our Nation. With that in mind, I should like to call attention to the fact that in several of the New England States, according to my information—and there is no fairer and finer and better part of our Nation than New England—there are still requirements for the payment of poll taxes which operate as a prerequisite for participation in certain town meetings, which are so thoroughly democratic.

Mr. President, I do not care to argue at length the questions involved in this matter which make so many of us feel that a constitutional amendment is the only proper method of approaching this subject, so far as the Federal Government is concerned, but I do think that a brief statement of our position should appear in the RECORD at this time, and for that reason I shall place it there.

Section 2 of article I of the Constitution, which provides for the membership of the House of Representatives, contains these words:

> The electors in each State shall have the qualifications requisite for the electors of the most numerous branch of the State legislature.

Mr. President, I heard a good bit of debate last summer, both in committee and on the floor of the Senate, in which gentlemen sought to quibble a little and to draw in and limit the meaning of the word "qualifications," as stated in this particular section of the Constitution, so as to contend that the requirement for the payment of the poll tax as a prerequisite for voting should not be considered or held to be within the purview and meaning of the word "qualifications." I have listened carefully to some able discussions on that subject. Mr. President, regardless of the ability of those who have expressed opinions to the contrary, I find it impossible to arrive at any conclusion in this matter other than that the word "qualifications," as used by the framing fathers, did embrace the question of the poll tax, and did embrace the actual payment of a poll tax as a prerequisite to voting, because such an interpretation was known at the time and was known to those able governmental authorities who sat down together in Philadelphia to frame the Constitution.

Mr. President, at this point, without attempting to read into the RECORD provisions of the constitutions of 8 or 9 other of the original 13 States on the subject, I should like to read into the RECORD the provision which was in the Constitution of the State of New Hampshire, one of the original 13 States, and which must have been known not only to the representatives of that State, but to the other able governmental authorities who sat down in Philadelphia in 1789 to frame the Constitution. I read from the Constitution of the State of New Hampshire of 1784, which was in force and applicable in 1789. First I read an excerpt which has to do with the State senate, and with the qualifications of electors for the senate:

> The senate shall be the first branch of the legislature; and the senators shall be chosen in the following manner, viz: Every male inhabitant of each town and parish with town privileges in the several counties in this State, of 21 years of age and upward, paying for himself a poll tax, shall have a right at the annual or other meetings of the inhabitants of said towns and parishes, to be duly warned and holden annually forever in the month of March; to vote in the town or parish wherein he dwells, for the senators in the county or district whereof he is a member.
>
> And every person qualified—

The Senate will note that the word "qualified" is specifically used here—

> And every person qualified as the constitution provides, shall be considered an inhabitant for the purpose of electing and being elected into any office or place within this State, in that town, parish, and plantation where he dwelleth and hath his home.

Then proceeding to that part of the New Hampshire Constitution of 1784 which deals with the house of representatives—because I call to the attention of the Members of the Senate the fact that the provision in the Federal Constitution is that the same qualifications as are prescribed by a State for electors to vote for the Representatives in the most numerous House of the Legislature shall be binding upon the Federal Government—I quote from the provision of qualification of electors to vote for members of the House of Representatives in New Hampshire which is in the Constitution of New Hampshire of 1784, as follows:

> The members of the house of representatives shall be chosen annually in the month of March, and shall be the second branch of the legislature.
>
> All persons qualified to vote in the election of senators shall be entitled to vote within the town, district, parish, or place where they dwell, in the choice of representatives.

In other words, Mr. President, it is entirely clear that under that Constitution of New Hampshire not only was a poll-tax required to be paid by every male inhabitant of the age described in the provisions of the constitution which I have read, but the payment of a poll tax was a prerequisite for voting in the election for the Senate, and then the same qualifications were carried over, and the same requirement was made, in the provisions for voting for members of the house of representatives, which was the most numerous body, under the set-up in New Hampshire in those early days.

Mr. President, eight or nine of the other original 13 States have somewhat comparable provisions, except that none of them has a provision which relates to the payment of a poll tax being a prerequisite, but in most every other instance the condition is a much more difficult condition to meet, generally being a property-ownership condition, or a condition for the payment of property or other tax in a fixed and stated amount, much larger that the amounts which have now for many years been considered as appropriate to be used in the setting of amounts to be paid as poll tax by the citizens of the various States.

Mr. BALDWIN. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER (Mr. TYDINGS in the chair). Does the Senator from Florida yield to the Senator from Connecticut?

Mr. HOLLAND. I yield for a question only.

Mr. BALDWIN. I was very much interested in what the distinguished Senator from Florida has been saying about the history of qualifications by way of taxes and property ownership for the right to vote. The Senator has apparently made a very thorough study of the subject. Did not the Senator find in the course of his study that the general tendency down through the years has been away from qualifications of all kinds? In other words, the general tendency down through the years has been, has it not, to extend the suffrage without qualification?

Mr. HOLLAND. In answer to the question of the Senator, I would have to say in candor that there certainly has been a tendency to make easier the qualifications to vote, either by removing poll-tax requirements or property-ownership requirements, or other taxpaying requirements, or by reducing those requirements. But I call the attention of the distinguished Senator from Connecticut to the fact that we are not now talking about a tendency and we are not talking about a practice which has prevailed in the various States from that time until now, and which I shall take up a little further along. We are talking about what is the proper interpretation of that portion of the Constitution of the United States, as framed by our founding fathers, and as appears in section 2 of article 1 of the Constitution, in which it appears so clearly that I would defy the Senator or anyone else to state it more tersely or more clearly, that the qualifications prescribed by the several States for electors to participate in elections of the members of the most numerous branch of the State legislature were adopted by the Federal Government and made by that Federal action, as it appears in the provision of the Constitution referred to, the Federal qualifications for electors for participating in elections of representatives or Members of the House of Representatives. The wording could not be clearer.

The reason for my going back and quoting the language I did, if I may say further to the Senator from Connecticut, is that I have observed with some surprise, and even with some alarm, the tendency of certain Members of the House and of the Senate, and various other persons, simply to attempt to rewrite their own definition of what is in the Constitution, because they would like to see this trend which has manifested itself in the various States automatically carried over into the Constitution of the United States in order to bring

about a different interpretation of a part of that Constitution from the interpretation which undoubtedly was in the minds of the framers, and which I think controls and which I think the Senator from Connecticut will admit controls. I think the Senator from Connecticut will agree with me that, upon clear showing that such and such a provision written into the Constitution of the United States by the founding fathers meant, and could have meant, only one thing, the only way to take it out of the Constitution is to change it by amendment of the Constitution, and that it cannot be done by statute simply to meet a trend which develops somewhere else.

Mr. BALDWIN. May I ask the Senator from Florida this question?

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Connecticut for a question?

Mr. HOLLAND. I yield for a question only.

Mr. BALDWIN. Does the Senator believe that any State legislature could pass a law imposing unreasonable, rigid restrictions upon the qualifications to vote? Suppose, for example, a State legislature should pass a law that was obviously designed to permit only a certain class of citizens to vote. Suppose it required that only those who owned property to the value of $500,000 should be qualified to vote in an election. Would the Senator think that that sort of law would be constitutional if questioned in the Federal courts?

Mr. HOLLAND. My answer to that question is that in that case the Senator would have a situation under which the proposed standard sought to be established went far beyond any standard set up in the case of the thirteen original States, and it would certainly present a question for interpretation by the courts.

Mr. BALDWIN. Under what constitutional provision would the courts have a right to examine it? Would it be under the provision of the Constitution that each State shall have a republican form of government? I am speaking of "republican" in the broader sense, with the small "r", not from the partisan standpoint.

Mr. HOLLAND. Mr. President, I have yielded for a question only. In answer to that question, I will say to the Senator that whatever was the meaning of a republican form of government then is certainly the meaning of a republican form of government now; and that when it appears clearly that the forms of government prevailing in the 13 States were acceptable to the framing fathers and known to the framing fathers, and were incorporated, at least to the degree mentioned, in the quotations from the framing fathers, it would ill behoove us now to say that those provisions were not a part of a republican form of government as intended by the framing fathers.

Mr. BALDWIN. Is not the Senator taking the position that the Constitution of the United States must be interpreted only in the light of the understanding of those who wrote it? Of course their understanding was controlled by and subject to the conditions and days in which they lived. I do not understand that the Senator means that.

Mr. HOLLAND. My answer to the Senator is that there are many provisions in the Constitution which are flexible with passing time—for example, the provision with reference to general welfare. When something comes into being now that was not even thought of in those days, such as aviation, radio, and many other products of the inventive genius of man with which the Senator is familiar, our idea, and I believe the American idea, is so to interpret the Constitution as to find a place to put those various new developments, and to find a meaning of the term "general welfare," broad enough to include the particular things which I have mentioned.

But when it comes to any formula embraced in the Constitution which is clear and inescapably means only one thing, and which uses words in such a way that it is impossible to interpret them as meaning anything else, then I think the only way to change it is by constitutional amendment. I would dislike to think that by mere fiat of the Congress of the United States, provisions which were placed in the Constitution for safeguarding the States and the rights of their people could be changed when a specific, definite, and certain meaning was given to them, and that specific meaning was placed behind those words and into those words for the protection of our people. It is too easy to amend the Constitution for us to start on a program of changing clear, unequivocal expressions of the Constitution to suit our will, which I judge is what is desired by the Senator from Connecticut.

Mr. BALDWIN. Mr President, will the Senator yield?

Mr. HOLLAND. I yield for a question only.

Mr. BALDWIN. The Senator has apparently made a very comprehensive study of this question. Did he not find that on one or more occasions the Supreme Court of the United States has passed upon laws enacted by legislatures concerning voting qualifications, laws which the Supreme Court considered unreasonable and highly restrictive, to the extent that they did not guarantee to the people of the States involved a republican form of government? Are there not cases of that kind?

Mr. HOLLAND. I will say to the Senator that I have not reexamined this subject lately, but my clear recollection is that the cases which the Senator mentions are cases arising not under this particular section of article I, but arising under section 4 of article I, which reads:

> The times, places and manner of holding elections for Senators and Representatives, shall be prescribed in each State by the legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators.

In order to make that applicable to the situation which we have been discussing, it would have to be regarded as having changed the specific meaning and the specific wording of the language appearing in section 2 of article I which I read in the beginning; and I have found no court which has stated that such a change was accomplished by section 4.

Mr. President, I shall not at this time attempt to make an exhaustive showing of what the various charters or constitutions of the various States contained—and some of the States were still operating under colonial charters at that time. I have in my file a showing as to what was provided in each of the Thirteen Original States on this subject in such a conclusive way that anyone reading it must know beyond any peradventure of doubt, that in nearly all the original States there were prescriptions of qualifications for voting which went further than the requirement of the payment of a mere poll tax, going to the matter of holding property of a certain value, or the payment of a property tax or other tax of some stated amount. I have always felt, and I now express the opinion for whatever it may be worth, that we are simply wasting time when we try, by fiat of the Senate and House of Representatives, approved by the President, at this time to place a different meaning on the clear, meaningful words which were employed by the founding fathers when they worded section 2 of article I of our Constitution.

To come to the next phase of the question, it is not merely a question of determining what was meant in 1787, when the Constitution was framed, because it so happens that this same formula, which was used in section 2 of article I, in its identical verbiage was employed at the time of the submission by Congress of the seventeenth amendment for the direct election of Members of the United States Senate, and at the time of the adoption of the seventeenth amendment by the several States of the Union. In the seventeenth amendment the second sentence reads as follows:

> The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

Those are the identical words of the formula stated in section 2 of article I. They were submitted in 1912 by the Congress of the United States in the form of a proposed amendment, which later became the seventeenth amendment by action of 37 States.

I think it is peculiarly valuable and appropriate to find out what was the meaning of those words and the understanding of those words in 1912, when the debate took place on the floor of the Senate and the House prior to the submission of the seventeenth amendment. I have read that debate very carefully. I shall not encumber the record by incorporating portions of it here. I invite any Senator who cares to do so to read it.

There are various expressions of this same thought appearing throughout the course of that debate. Incidentally, the debate lasted off and on for 2 years, in two sessions of Congress. Those expressions are to the point that the submission of this amendment and its adoption would still leave to the States, without change, the protection which they had always received under section 2 of article I, and under the formula stated therein.

I remember in particular a long and able address by Senator Borah, of Idaho, in the course of that argument. I have it before me, but I prefer not to insert it in the RECORD. It would unduly encumber the RECORD. But Senators who care to read that statement will find that in his statement Senator Borah made his point very clear. He was arguing to a group of southern Senators and a group of New England Senators, in the main, who objected to the change of the provision under which the legislature had always had the right to select Senators. He assured all of them that the States would still be in the ascendancy, that the States still had control of their elections and still had the benefit of the identical formula written into the Constitution by the founding fathers as a part of article I, section 2, and it was in connection with that statement that the proposed amendment to the Constitution was presented to the people and was adopted.

Mr. President, I ask you in all candor, When the record so clearly shows what is the part of honesty and decency in this matter, thus giving weight and force and effect to assurances of that kind which were given preceding the casting of the votes of the southern States for that constitutional amendment, is it the decent and honorable thing to ignore statements of that kind, made under such circumstances?

But, Mr. President, there is a much stronger factor in this picture than that, because when the amendment went to the States, it took the approving vote of 5 southern States which had the poll-tax requirement at the time to amass the total of 37 States, of which 36 had to legally approve and ratify the amendment before it could come into being as a constitutional amendment. Mr. President, there is not the slightest doubt in the world about that. Senators, by simply turning to page 477 of the Senate manual, can find the list of the States who approved this amendment, and they can also see there how speedy the adoption of this amendment proved to be, because it was submitted on May 13, 1912, and was approved by the thirty-sixth State on April 8, 1913, or less than 11 months after the time of its submission. But the five States from the South which gave their sovereign approval—and all of them poll-tax States, at least four of them had to give their approval in order to enable the ratification of the amendment—are the States of North Carolina, Texas, Arkansas, Tennessee, and Louisiana.

Mr. President, I think there, again, is a showing of the sound equity which lies behind the feeling that inasmuch as those southern States acted in that progressive, forward step under the assurance and belief that their constitutional provisions protected them, and under the assurance, given frequently on the floor of the Senate and on the floor of the House, that such was the case, the suggestion now made that that particular provision with reference to the qualification of electors was meaningless is a departure from good faith and has no semblance of good faith or good conscience about it.

Mr. President, I have before me the provisions of the constitutions of five of those Southern States, of whom, as I have said, four had to vote for this amendment or else it could not have been adopted. However, I do not think it will be necessary for me to read into the RECORD at this time the pertinent provisions of all five of those State constitutions. I simply wish to say for the record that the constitutions of all but one of those States do provide the poll-tax qualification, and they provide it in connection with the use of the word "qualifications" itself, so that there can be no question about the fact that the framers of those State constitutions and those who were representing those particular States and those who were looking to their own States to see what was the meaning and understanding of the word "qualifications" could have come to no other conclusion than that the word "qualifications" did include the question of the payment of poll tax as a prerequisite for voting.

Mr. President, without attempting to place in the RECORD a great many quotations from the constitutions of those five States, I should like to present at this time that portion of the Constitution of the State of North Carolina which was in force at that time. It is headed "Article VI—Suffrage and eligibility to office," and it has the words "qualifications of electors" stated four times on the margin by the text; and it has the word "qualifications" stated in section 1, as follows:

> Every male person born in the United States, and every male person who has been naturalized, is 21 years of age, and possesses the qualifications as set out in this article, shall be entitled to vote at any election by the people of the State except as herein otherwise provided.

Now, let me refer to section 4; the other sections which come between section 1 and section 4 may be inspected by anyone who wishes to do so, but they do not happen to be applicable to this point. Section 4 reads, in part, as follows:

> Every person presenting himself for registration shall be able to read and write every section of the constitution in the English language; and before he shall be entitled to vote he shall have paid, on or before the 1st day of May in the year in which he proposes to vote, his poll tax for the previous year, as prescribed by article 5, section 1, of the constitution.

That comes under the heading "Qualifications of electors to register and vote."

So, Mr. President, without taking further time to present quotations from that particular State constitution or from any of the other State constitutions, I point out that it is abundantly clear that in the constitutions of the States whose votes were necessary to the adoption of the seventeenth amendment to the Federal Constitution, and whose votes were given in making possible the adoption of the seventeenth amendment, there were provisions for the payment of the poll tax, and those provisions include the payment of the poll tax under the word "qualifications" as part of that which must be done by their electors before they were qualified to vote or to participate in elections.

Mr. President, it may be interesting to note that at the time of the submission of that amendment in 1912, not only were five southern States in the position of having such provisions in their constitutions, but in the case of the great State of Pennsylvania there was a provision of property ownership; I shall read the provision as it appeared in article VIII of the Constitution of Pennsylvania at that time. By the way, this provision of the Pennsylvania Constitution has been amended and stricken out since 1913, since the adoption of the seventeenth amendment to the Federal Constitution, just as the State of North Carolina, the State of Florida, the State of Louisiana, and the State of Georgia have likewise removed the payment of poll tax as a qualification for voting.

Article VIII of the Pennsylvania Constitution reads as follows:

> SUFFRAGE AND ELECTIONS
>
> SECTION 1. Qualifications of electors: Every male citizen 21 years of age, possessing the following qualifications, shall be entitled to vote at all elections, subject, however, to such laws requiring and regulating the registration of electors as the general assembly may enact.

Those qualifications are four in number. I shall not read the first, second, and third of them, but I shall read the fourth. Qualification No. 4, under section 1, entitled "Qualification of Electors," reads as follows:

> 4. If 22 years of age and upward, he shall have paid within 2 years a State or county tax which shall have been assessed at least 2 months and paid at least 1 month before the election.

In other words, not only in the case of the five Southern States, but in the case of the great State of Pennsylvania there was at that time a provision as a prerequisite of voting that a citizen of a certain age must pay taxes. That provision was written under the general head of "Qualifications for voting" and was stated to be one of the qualifications as enumerated in that constitution. So, Mr. President and Senators, it becomes crystal clear that not only in the South where the poll-tax provisions were already in the constitutions of not only the States I have mentioned but of other States as well, but even in Pennsylvania there was a provision which made it crystal clear that the word "qualifications," at least as understood by the good people of Pennsylvania, went so far as to cover a requirement that one applying to vote and seeking to show that he was qualified must show as one of his qualifications that he had actually paid taxes, and he could not vote unless he made such showing.

The issue of the poll tax has been unduly magnified. It is being settled by the States. I mentioned a while ago that several of the Southern States have already abolished it. I helped to abolish it in Florida. I could have mentioned that it is now in process of being abolished in other Southern States. So far as I am concerned I should like to see that process speeded up. So far as I am concerned if there is anything I could do legally which would add impetus to the movement to speed up that process I

should be glad to do it; and because there is only one thing I know of that I could legally do to accomplish that end, I have joined with nine other southern Senators in proposing a constitutional amendment which would do just exactly that.

Mr. President, I see it stated frequently in the press and in the pamphlets and releases of the various organizations that are so eager for the passage of the so-called civil rights measures, that there is nothing affirmative about the position of the South, that we are unyielding on things, that we do not have any constructive forward-looking program to offer. I respectfully call to the attention of the Senate and to the attention of any critics who may have voiced such an expression that there is now in the lap of the Senate, and available for action by the Senate, a constitutional amendment to which not only 10 southern Senators, as sponsors, are bound as supporters, but as to which there will be somewhere between 4 and 8 additional southern Senators whose votes will be counted in support of it. I believe its submission by the Senate and the House to the people and to the several States would bring early action.

What is it that is wanted by the agitators? Do they want a political cause to keep on boiling up, to keep on inciting people to political effort from year to year and from election to election? Or do they instead want solid accomplishment in this field? Do they want progress made either by the adoption of the constitutional amendment or by the speeding up of the State processes of elimination which might follow submission of the constitutional amendment? For myself, I should prefer to see the action taken by the States, but if the submission of the constitutional amendment would add impetus to the effort, I am willing to see it submitted; not only willing but I am anxious to take a part of the responsibility in submitting it, so the question may be legally disposed of.

I am aware of the fact that the issue has been used and is being used as a political issue and as a political football. I am hoping that some time in the Senate, and also at the other end of this long Hall, there will come an understanding of the fact that it is not a political handling of a thing which is best in the long run, that frequently it is the sound legal handling that offers the only avenue of approach which is constructive, and that it is time for us to think American, act American, and legislate American. It is in the hope we will do that that the 10 southern Senators whom I have mentioned have joined in submitting or offering this particular constitutional amendment.

Mr. LONG. Mr. President, will the Senator yield for a question?

The VICE PRESIDENT. Does the Senator from Florida yield for a question by the Senator from Louisiana?

Mr. HOLLAND. I yield for a question.

Mr. LONG. I should like to ask if the Senator would be of the opinion that, had the poll-tax question been approached as a constitutional amendment in the beginning, possibly such an amendment might have been passed by the Congress and ratified by the States?

Mr. HOLLAND. In answer to my friend, I may say, any answer would be a mere conjecture. It would be my feeling that if it had been submitted, and if one-tenth of the effort had been put into seeing that it was fairly submitted to the legislatures and the people of the several States, as has been exerted in the effort to cram it down the throat of Congress through an illegal Federal statute, it would long ago have been a part of the Constitution of the United States.

Mr. LONG. Mr. President, will the Senator yield for a further question?

The VICE PRESIDENT. Does the Senator from Florida yield to the Senator from Louisiana for a further question?

Mr. HOLLAND. I yield for a question only.

Mr. LONG. I should like to ask the Senator from Florida if it has not been a fact that in the four or five southern States where the poll tax has been removed it was approached as a theoretical proposition, that a poor man should be entitled to vote without paying a tax, and not as a racial proposition, and that upon that basis the States have been willing to eliminate it?

Mr. HOLLAND. The Senator is exactly correct. I stated in the opening approach to the question that the repeal of the poll-tax requirement in Florida had brought real and substantial benefits to our State, and I stated what the benefits were. None of them were racial in their scope, none of them were limited to any racial application. In our State more benefit has arisen from the elimination of the poll tax in connection with the white vote than there has in connection with the colored vote, because we have a vastly greater white vote than colored, and because a system of manipulating elections through the payment and control of the poll tax, and through the control of poll-tax reecipts, had grown up in several places, which practice has been eliminated since the poll-tax requirement was abolished.

Mr. LONG. Mr. President, will the Senator yield for a further question?

The VICE PRESIDENT. Does the Senator from Florida yield to the Senator from Louisiana for a further question?

Mr. HOLLAND. I yield.

Mr. LONG. I should like to ask the Senator this further question: Does the Senator feel that if the pressure groups would quit injecting the racial issue into the poll-tax question, the poll-tax question would probably be settled by the States themselves? Is the Senator of that opinion?

Mr. HOLLAND. In answer to the Senator, I may say I have given a good deal of thought to that very question. I think there have been various issues, and the poll-tax issue is one of them in at least two States, in my opinion, which have been adversely affected by outside compulsion on the part of various reformers, on the part of agencies which have become so eager to accomplish a particular reform that they had to transfer their activities into a jurisdiction where they were not wanted, where they were not invited, and where their insistence simply brought confusion and difficulty and added delay, as has been the case, in my judgment, in certain of the States, because of outside illegal compulsion in connection with the poll tax.

Mr. President, I come next to the second of the elements in the so-called civil-rights program which is most frequently mentioned, and which the Nation knows is one of those issues the proponents of this rule change think will enable them to solve simply by reason of changing the rule. That question is the passage of an antilynching measure. I do not suppose anyone who has lived and grown up and become mature in a State where no lynching has ever occurred could possibly have the chance to observe the horrid impact upon the whole community directly affected, and upon most of the remainder, and sometimes even the remainder of the States, and upon large portions of adjoining States, which occurs when there is a lynching. I know of no other manifestation of human anger, vexation, and intolerance which is clothed with so many and such dire consequences as flow from a lynching. It has been my unpleasant experience to have been in communities from time to time or nearby communities where lynchings have taken place, mostly in the long, long ago. So far as I am concerned, there is no one thing in connection with improper practices by citizens against other citizens which to me has the appeal of prohibiting, preventing, bringing to an end, bringing to a cloture, if we may use that word, this thing of lynching, which has been productive of such vast ill-effect not only in the South but elsewhere, where it sometimes has been practiced.

I do not like to speak, Mr. President and Senators, of any part of my own record not known to the Senate on any matter pending, but I think it is only fair to say, and Senators can very easily find that what I am saying is exactly the fact, that my own strength, influence, activity, and effort as a private citizen, as a prosecutor, later as a judge, later as a member of the State senate, later as the governor of my State, and now as a member of the United States Senate, have always been unalterably, unswervingly, and unyieldingly opposed to any effort on the part of a mob or others to take the law into their own hands and to take the life of a fellow human being. I know, as other Senators know, that occasions arise which strain one almost beyond his ability to withstand; but I have seen the sentiment so changed in the period of my own lifetime—and I happen now to be 56 years of age and to have served in public office some 30 years—I have seen such change in this field that I think I can say to my friends and brethren in the Senate that it is a fact that insofar as law will go in such a field, the crime of lynching has been stamped out. That is not to say that occasionally we do not have an unfortunate episode, but such episodes are growing less and less; there are fewer and fewer of them; there is greater and greater resistance on the part of the average good citizen,

whether white or black, to anything that even pretends to be included within this subject matter.

We have made an immense amount of progress, Mr. President. I repeat what I have said, that I think, insofar as it is possible for law by itself to go, we have already received all the advantage to come from the passage of laws and have already gone far beyond any point to which we could have gone simply by the use of compulsion through law, because, Mr. President, we are dealing with a subject matter which does not follow the law; it flies in the face of law.

Mr. LONG. Mr. President, will the Senator yield for a question?

Mr. HOLLAND. I yield for a question only.

Mr. LONG. Do I correctly understand from the Senator's statement that what he means in regard to lynching is that by passing a law we would merely provide for further punishment and would not prevent that one lynching a year which might be occurring?

Mr. HOLLAND. I mean that and a great deal more. I mean, in the first place, that insofar as the deterring effect of law is concerned, every one of the Southern States has laws for the punishment of murder and unlawful homicide. Most of them have specific laws against lynching. Those laws have been asserted and enforced, and the public knows them and fears them, except that small part of the public which might be inclined to take the law into their own hands. But beyond that, most of the progress which has been made in this particular field, in my humble opinion, does not flow from those laws or their passage or enforcement, and will not flow from the passage of laws here or anywhere else, because we are dealing with a subject matter which has to do with feelings, emotions, passions, which will occasionally, I regret to say, break out even in communities where the inhibitions are strongest and where the efforts to control such occurrences are most unyielding.

In the first place, we have laws, and the people know them and intend to observe them. In the second place, we have gone along with those laws, and, because of a continued, persistent, and unyielding effort on the part of countless good citizens in private and public life, whose concern is that they bring an end to that horrible thing which is called lynching, we are just about to accomplish that eminently desirable objective.

Mr. President and Senators, when we look at the record we see that in each of 2 years in the recent past, I believe, 1945 and 1947—the figures are available in the printed record—there was only one lynching throughout the Nation. The record discloses that in the last 10 years the number of lynchings—and I regret and deplore every one of them, and would go to the limit of my strength to avoid them—has been small and has been steadily diminishing, and the number of good people who frown upon lynching and are willing to insist that the law should take its course is growing until practically all of them feel that way about the matter.

So I would greatly deplore seeing an effort made, under the guise of law, to pass Federal legislation on the subject. I think it would eventually be abrogated anyway, because I think that in all probability it would be unconstitutional. The laws I have heard suggested, which really had teeth in them, were unconstitutional. That fact was admitted, finally, by some of the proponents when a much less offensive law was proposed in the last session of Congress, and immediately the outcry went up from some of the ultraliberal groups that such a law would be no good at all, that it would not meet the situation, and could not possibly bring relief. They were correct about that, because no law can bring relief. The law which they suggested would have brought even less relief, because it was clearly unconstitutional and was an invasion of the prerogatives of the States.

Mr. President, I do not stand upon any merely legalistic point of view. So far as I am concerned, I want to bring an end to lynching. I am always ready to compare, or to contrast as the case may be, the performance under our peculiar system in the South and under our laws in the South, in this field or in any other field, with similar performances in other States and in other parts of the Nation. Insofar as I am concerned, I want to say to the Senate that, while I have no bricks to throw at any other State, I believe we can make in the South a much stronger, a much clearer, and a much more conclusive showing with respect to violations growing out of race hatred and clashing race feelings than is being made in other parts of the Nation.

The question of lynching is only one aspect of the violence which arises from race clashes. Senators know that to be true. They know that a race riot is another manifestation of the same feeling. They know that the attacks upon certain groups of aliens which were made in one of our sister States on the Pacific coast, as stated in the record of the hearings last year, by American citizens against American citizens who happened to be of oriental lineage, were more than 100 in number.

I merely wish to point out to the Presiding Officer and Members of the Senate, and the public, that the South is willing to submit its record in this very vital field as against that of any other section; and if there ever was a vital field it is one that has to do with human life and of people living by each other in every conceivable sort of contact over a great part of our Nation. We are willing to put up our record against the record being made elsewhere. When those records are compared fairly and squarely, I believe there is a contrast in our favor, and that many of those who are so anxious to shake their fingers at the South and sponsor punitive measures against the South will wonder if they have not been seeing the mote in the Southern eye and overlooking the beam in their own eye.

Mr. President, in mentioning one or two incidents I shall do so without casting reflection upon the communities where they have occurred, because I know perfectly well that the good people of California, for instance, deplored more than anyone else the more than a hundred outbreaks against the Japanese-Americans, and I know that the good people of Detroit deplored more than anyone else the race riot which occurred there in 1943, and that they would do all in their power, I am sure, to avert such a horrible catastrophe again. We are willing for them to do it. We know they feel that way. We know they are good people, and we know they want to do justice by their own brethren. We wish they thought we wanted to do justice by our brethren, as we have tried to do through all these years, and as we are doing in greater and greater measure year by year.

Let us go back to the Detroit race riot which occurred June 20 to 27, 1943. The figures I have are furnished to me by the Legislative Reference Service of the Library of Congress under date of February 21. I presume they are dependable. It is said the figures are taken from the Negro Year Book for 1947, at page 241.

The figures show that the number of casualties in the race riot in Detroit, in June 1943, were 9 whites and 25 Negroes killed. Thirty-four humans lost their lives in that wild extravaganza of race hatred which broke out there, certainly without the approval, but to the shame and dismay, of the good people of Detroit, who did everything they could to quell the riot after it started and have done everything they could to prevent its repetition. The figures further show that 250 white persons and 211 Negroes were wounded in that particular race riot.

Mr. President, I cite these figures, not to throw any bricks at the good city of Detroit, or the splendid State of which it is the leading cosmopolitan center, but, instead, to show that such clashes occur in spite of every effort to avert them, in spite of the passage of every law that could be applicable to prevent them, because no one would claim, and it is not a fact, that the State of Michigan is devoid of good laws, for the enforcement of the rights of their citizens and for the protection of their lives. No one for a moment would claim that this riot happened because of weak laws, or because of the desire or intent of the good people of Detroit to have such a thing happen. To the very contrary, Mr. President, the people there have struggled during the years of the existence of that fine State to perfect more and more the laws of that State under which just such things as this, and other things, are effectively prevented, and the participants are punished after they have occurred. But in spite of the best preparation, and in spite of what I am sure were the best efforts to enforce the law on the part of the law-enforcement officers and other officials of that great State and that great city, the lamentable fact is that 34 persons lost their lives during that race riot, and that 461 persons, of whom 250 were white and 211 Negroes, were wounded, as is shown by the report from which I have just quoted.

Mr. President, does anyone claim that the existence of a Federal law would have

changed that situation? Does anyone claim that the passage of a Federal statute to enable Government officials to look into that situation, or perhaps to punish some persons who might be overlooked by a partial State inquiry—and I do not think there was a partial State inquiry—would have improved or prevented that situation? I think it would be idle for any such claim to be made, and I think it is idle now to claim that the passage of a proposed antilynching law by Congress would avert such incidents.

Mr. President, I come next to an event occurring the same year, August 1 and 2, 1943, in the city of New York, referred to in the report of the Library of Congress as the Harlem riot. As stated here—and again the figures are taken from the Negro Year Book of 1947, at page 245—5 Negroes were killed in the rioting; hospitals treated 561 persons who were injured in the rioting, and most of those who were injured were Negroes.

Again I wish to apply to New York all the favorable things I have said of Detroit and of the State of Michigan. I know that riot was not condoned by any responsible person—any good citizen—in all the length and breadth of the great State of New York, of which every person in our Nation is proud because it is the greatest unit of government we have, and the city in which the riot took place is our greatest city—the pride and joy of the people of the United States. No one has any criticism to make of the people of New York, either of the city or the State.

I am merely pointing out what occurred in that State, which is an old State, noted for effective law enforcement, a State which has sound laws on its books, and good men to enforce its laws, a State which has an enviable record for law enforcement. But, notwithstanding the laws and notwithstanding the existence of able officers to enforce them, and notwithstanding the fact that the great majority of the people—I am sure 99 percent of them—not only did not participate in this riot, but frowned upon it and would have fought it and prevented it with every power they possessed. Yet, in that situation a spark sets off this bitter thing, this race hatred, which somehow, sometimes, breaks out, just as it did recently in South Africa, just as it did a little while before in India. Such disasters as we have had here do not compare in size, or in any other way, with the disasters which have been sustained in other parts of the world, when sometimes a group of colored men, sometimes a group of white men, sometimes a group of brown men, have, because of their hatred for others, whether religious hatred or race hatred, allowed themselves to become worked up to such a point that animal passions have simply overcome their inhibitions, and they have committed acts for which no civilized person could find any apology or excuse, and certainly we find none here on the floor of the Senate.

The point I am making is that not only have we State laws against lynching, but good enforcement of those laws. I believe if there were a Federal law on the subject a tapering-off process would still go on. That is what is happening now. We are finally becoming old enough, mature enough, experienced enough, and kind and patient enough, to get entirely away from the time when lynching will be possible. Regardless of the passage or nonpassage of laws, I believe we have to look in some direction other than the mere existence of or enforcement of laws in order to get the best results in a field of this kind.

Mr. President, I believe that every Senator who is present knows that what I have said is true. I believe every person listening to my voice knows it is not because of the absence of law these things have happened. It is not because of the failure of both white people and colored people to seek to avoid them, but because of the fact that we are in a field which is peculiarly like a tinder box, which is peculiarly inflammatory, and which in all the days of history has shown itself to be so. Occasionally some incident happens to set off the tinder box.

Let us go back to the main thesis of the question of an antilynching law. This is not only a field in which no additional good will be accomplished by the enactment of a Federal statute of doubtful constitutional validity, and perhaps completely unconstitutional, depending upon what kind of a bill is passed; but it is such a field, Mr. President and Members of the Senate, that just so sure as I am standing here and speaking to the Senate, much harm will be done by the passage of such a bill.

I do not have to tell the intelligent Members of the Senate that the people of their States do not like to have compulsion applied to them when they are working to the top of their ability to accomplish a certain end, and, instead of commendation, find themselves subjected to criticism and the deprivation of some of their choice and most prized rights as American citizens. I do not have to tell Senators that the leadership of every decent citizen in their States, white and black, insisting on doing all the things which will avert these calamities, and doing them themselves to the very best of their ability, as is the case now, is far more potent and far more effective in preventing such occurrences as those to which reference has been made. I do not have to tell Senators that it is a tremendously powerful factor to have every governor in the South feel that he is upon his honor to see that decent treatment and lawful treatment is handed out to the members of the colored race who happen to be citizens of his State or happen, for the time being, to be transients there.

Mr. President and Senators, I say, after some little experience with this subject, that there is a terrific responsibility not only upon the chief executive of the State, but upon all the other law-enforcement officers, to see that a good and a clean record, which will stand up under the most searching investigation, shall be made in this field by the law-enforcement agencies and public officials in every Southern State. We have been trying for these last two or three decades, with all the strength we have, to do away with this thing, which is far more dangerous to us than it is to those of the North or to anyone outside the limits of our States.

Mr. President, I do not believe that anyone who has not been close to one of those events can realize either their terrible nature or the uncertainty, fear, and dread that come later, when everyone realizes that, something having been done which was tragically wrong and inhuman, repressed feelings somewhere are bound to find expression, perhaps 5 miles, 10 miles, 50 miles, a hundred miles, or even 1,000 miles away, because unfair and un-American treatment has been meted out. Such a situation is often provocative of a grave crisis in local governments.

I feel that anyone who has the slightest understanding, the slightest comprehension of the effort, and of the unanimity of that effort, on the part of the good people of both races, to bring an end to this thing in the South, should thank us and express his appreciation and pay his respects for a good job well done, instead of trying to create and foment more trouble by the passage of law which levels a gun from Washington at the head of their governor, at the head of their sheriffs, at the head of their attorney general, and other prosecutors, and which deprives them of the sound, solid footing they now have, based upon the desire to do the decent and human and the civilized thing. No better foundation can be placed under law-enforcement officials and the best citizens of both races of a State than the rock of good conscience, sound government, fair dealing, enabling them to handle affairs so impeccably that no citizen, whether he be white or black, can find anything to criticize.

Mr. President, I wish to say that the South feels that it is entitled to credit, and great credit, for what it has done in this particular field. There are many others besides myself in this body who have served as chief executives for a time by the suffrage of the people of their several States in the South. I have heard them express themselves. I know that they feel what I am now trying to say, that no more serious responsibility rests upon the shoulders and the heart and the conscience of a man assuming to act as governor, to serve his people as governor in a Southern State, than the responsibility to see that the courts are protected in the enforcement of the law, and that the thing called lynching shall cease to exist on the face of God's green earth, and particularly in those fair States which call themselves the South. We have made an enormous effort in that field. I was shocked during the time of my service as governor at the complete misunderstanding which is prevalent in other parts of the Nation about this matter.

I hesitate to bring up matters pertaining to me personally, but I think it is proper that I should do so. I did not hesitate to call out the State police corps, I did not hesitate to call out the road patrol and ask for the help of good citizens, and go myself and participate in the effort, on the three or four occasions when it was necessary to stop a threat of this kind of action of which we had

any foreknowledge or warning during the time I served as governor. And at once, Mr. President, we would begin to receive expressions of appreciation. We would receive such expressions not by the dozens, but by the hundreds, and I think it would be safe to say by the thousands, from persons and agencies outside the State.

But, Mr. President, to state the obverse of this situation, the peculiar thing is that the minute the law takes its course, the minute the criminal, often the self-confessed criminal, who has been protected by the law—even though it meant the expenditure of many thousands of dollars of State money to accomplish his protection—the minute he has had the benefit of the submission of his case to a court, and either been found guilty, after fair trial, or, as in most instances in such cases, in flagrant cases, has pleaded guilty, and the time has come, after appeal has been had, for the issuance of the warrant and the writ by which human life is taken away—and there is not any heavier responsibility than that which rests upon the conscience of a human being, governor or otherwise—the minute the law has taken its course, I have found that the same persons or agencies throughout the Nation which had previously commended us, or a large number of them, have indulged in censure and criticism. They had no knowledge whatever of the conditions existing with respect to the particular case. They were perfectly willing in the first place to commend the southern governor and the people of a Southern State for having done something which was nothing but plain duty in the first instance, but, after the law has taken its course, they come forward with charges that this, that, or the other thing, entirely improper, had been done, charges which no reasonable person in possession of his faculties, or having any knowledge whatever of the practice of the courts, could have ever believed. In such cases there would be telephone calls by the dozen, and telegrams by the hundreds, and those who made the calls or sent the telegrams would throw calumny and humiliation upon the name of the State and its officials. This criticism would come from those who previously had commended the State and its governor a few months ago, because, as they said, after the trial had taken place, there was a legal lynching, or something was being done which was not in accordance with the law, but in accordance with an effort to bring prejudice to bear and to punish where no punishment was due.

Mr. President, it is wholly impossible to bring this thing under the purview of Federal law and to have any impersonal, any objective, any wholly fair and just handling of the problem, because it simply happens to be the case that so many good people outside the South do not understand and apparently do not want to understand what is the situation there on such occasions as the ones which I have mentioned.

So, Mr. President, it is not for me to make threats, because whenever the law is passed I am going to support it, and, just as I have been out night and day on more occasions than one, standing between an accused person and a mob which was trying to take him, I shall not hesitate to do so again.

This problem cannot be solved by law. It requires intestinal fortitude and a willingness to do the right thing. If we want the question handled well, we must let it repose in the judgment and conscience of the American people, including the people of both races who live in the South. They are doing a good job of it. They have accomplished a great deal, in the face of almost insuperable obstacles. They have kept reasonably pure the stream of blood of both races in their racial integrity, in the troublesome years since 1865. They are entitled to a great deal of credit.

I wonder how many Senators have been to some of our neighboring countries, particularly in Central America, where there is no color line, where there is no purity of stock, where everything is a mixture, a hybridization, and a mongrelization. I wonder if Senators have had time to think about what the South would be like now if after 1865 there had not been the desire and the determination on the part of good white people, and good colored people as well, to preserve the integrity of their own race, in real pride of their own race and its achievements, and in the hope that they would be allowed to go forward to equal opportunity, equal education, equal health advantages, and equality before the law, to which they are entitled.

A while ago I stated that the South is willing to assume a reasonable attitude, and not a legalistic position. Very few Senators were present yesterday afternoon to listen to the distinguished senior Senator from North Carolina [Mr. HOEY]. One could not listen to him without realizing that he is very proud not only of the record of his State but the record of the South as a whole. I am proud for him, and for the Old North State, and for the good people of that State. He related the things which have been accomplished by way of giving opportunity for advancement and recognition to the people of the colored race, as well as to the people of the race to which he and we belong. He is proud of the achievement in the field of decency, impartiality, and even-handed justice in the grand old State of North Carolina.

In substance, this is what he was saying: "Here is the kind of record we are making down there. Do you see anything like that in other parts of the country where this problem is beginning to exist in a greater degree than in past years? Is there anything to show that you are handling it under your system better than we are handling it under ours?" He was willing to match performances. Senators will remember what he said about the school question.

I should like to inject a figure at this point in connection with the opportunities in schooling under the segregated system of instruction which applies in Southern States and a few others, and under the nonsegregated system which applies in the rest of the Nation. Senators will remember that last year in one of the debates I introduced a report from the Library of Congress. I take the liberty of referring to it now simply to cite certain figures.

That report showed that in the States where segregation in education applies much greater opportunity for recognition and advancement is given to the Negro educator than is found in other States. Yesterday the Senator from North Carolina gave the figures for the State of North Carolina. I give the overall figures again, simply by way of a comparative showing as to what is occurring in the segregated part of the Nation as compared with what is occurring elsewhere in this field.

The report from the Library of Congress showed that 7 out of every 1,000 Negroes in the South, where segregation in education prevails, are professional people in education, either at the level of humble teachers, principals, professors in colleges, or presidents of colleges. That report showed that, compared with the figure of 7 out of every 1,000, only 1 out of every 1,000 Negroes in the rest of the Nation had comparable opportunity and recognition, or had become professional teachers. In other words, the opportunity was 7 to 1 as between the system in the South, under which we are making such strides, and the system in the North, under which, apparently, there is nothing to appeal to the Negro who wants to qualify for a life-long profession in the teaching of his fellows. The opportunity is 7 to 1.

But the opportunity is better than that in favor of the segregated system, as was brought out in the hearings before the Judiciary Committee. It was shown that there was not a single Negro president of a college in the nonsegregated area of the Nation, as compared with nearly 200 in the southern section. In other words, there is opportunity for advancement in the South. There is opportunity for men who really have the ability to give to the job to enter the field of education in the South. They can make their way up the ladder and become college presidents. They are recognized as men and women of great ability and character, who have done much for their people, and are doing much for the Nation.

The difference does not end there. There is another very material difference between our system and the system in the rest of the Nation, which operates wholly to the advantage and prestige of our system. Under the system of segregation in education a Negro teacher is given the opportunity to work exclusively with the people of his own race for their advancement, for the increase of their standard of living, and for the improvement of their standard of health. He is given the opportunity to do something for his people in a way which makes him or her a person of prestige, with recognition among the colored people of the community in which he or she may be serving.

That situation does not prevail in many places in the rest of the Nation. The whole picture in the field of education is entirely in favor of the system which we have. We are willing to compare results in that field. We should be.

There is another field in education which I wish to mention. I refer to the superior ability of the South, under its system of education, to meet probably the most critical need for education which exists among the Negroes—and, incidentally, it is just about as critical a need among the white people—for the training of more doctors, dentists, and nurses. To quote very briefly from the figures produced in the hearings and the tables placed in the RECORD last year, let me cite one set of figures on this point, because I think that will be enough. They are the figures for last year. They represent the facts of last year, and not this year. I would not pretend that they have been brought up to date.

Those facts and figures showed that all the medical schools in the country outside of the South, where segregation exists, had in training to become doctors only 86 Negro youths. I see the distinguished junior Senator from Alabama [Mr. SPARKMAN] nodding approval. I believe he is the one who first introduced that fact into the RECORD during the debate last year. I assure him that I am not plagiarizing, but I thought that this point in the debate would be a proper place for the introduction of this set of facts.

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield for a question only.

Mr. SPARKMAN. Inasmuch as the Senator has brought up the question of regional schools, I wonder if he has noticed in the press within the past day or two accounts of the progress which has been made by the Southern States with reference to regional education for both the white and colored races in medical schools, despite the fact that those who now are advocating the so-called civil-rights measures defeated a resolution on the floor of the Senate to permit the Southern States to enter into an educational compact. The figures, which have been released within the past few days, show that various States are providing for the attendance of white medical students at medical schools or dental schools in other States, in cases in which the States from which those students come do not have medical schools or dental schools of their own, and are making exactly the same arrangements for Negro students. As I recall the figure, the amount allowed was $1,500 for each student, and it was applied identically to the white students and the Negro students alike. I wonder whether the Senator from Florida has seen those figures, and whether he can give them in more detail than I have stated them.

Mr. HOLLAND. I thank the Senator for his question. I have seen those figures. I cannot from memory give them in detail.

I am glad to say that the Senator's question is based upon the facts, but I am sorry to state that his question is based upon the fulfillment of a very limited field of operations which is left for the application of this regional school idea in the South, because of the failure of Congress to approve the Southern Regional Education Compact.

In explanation of that statement, let me say that the only developments which have been possible have been to utilize more fully and up to their full limits the capacities of institutions already operating; but no State has yet shown any willingness, nor do I think any State will or should show such willingness, to pledge millions of dollars of State money for the construction of new physical facilities, in the form of new buildings, laboratories, and the like, for the needed scientific and graduate schools—I mention those fields particularly—until there is a firm foundation upon which to build, because there is no assurance that the legality of the structure will be upheld by the Congress, and there is every reason to know that sooner or later some disgruntled citizen will raise the question. By the blind and short-sighted attitude taken by some Members of the Senate—for it will be remembered that the House of Representatives passed this measure—we in the South are thus precluded from developing the idea of regional education to anything like the degree to which it is possible of fulfillment.

Mr. President, I finish my answer to the Senator by saying that I sincerely hope that upon seeing the pledge of serious intention on the part of the South, which is being given to the limit of our ability under existing law, the Senate will review and reconsider its decision of last year, and will agree that this compact shall have the approval of Congress, so that the Southern States may then begin the enlargement physically or the construction anew of some badly needed institutions of higher learning, particularly in the scientific and medical fields and in the field of graduate work. I thank the Senator for his question.

Mr. SPARKMAN. Mr. President, will the Senator yield for another question?

Mr. HOLLAND. I yield for a question.

Mr. SPARKMAN. I wonder whether the Senator from Florida, who has been making a very masterful presentation of this subject, can verify the statement which I have seen, that, despite the fact that through a great part of the country there are what are supposed to be nondiscrimination and nonsegregation in schools, yet to the States in the South, which do have segregation in their schools, more Negroes are returning to attend college in completely segregated Negro colleges than there are Negroes who attend the colleges in all the Northern States combined.

Mr. HOLLAND. I thank the Senator for his question. I happen to know that in the fields of medical and dental training he is absolutely correct, and I believe what he has mentioned to be true in other fields, although I do not have the figures as to them.

Mr. President, to recur to the question of medical education, I believe I just stated that the figures for last year show that 86 Negro youths were enrolled for medical training in all medical colleges in the Nation outside the South. As against that number, between 1,000 and 1,100 Negro youths were enrolled for medical training in the two medical schools—the Medical School at Howard University, here in the District of Columbia; and Meharry Medical College, at Nashville, Tenn.—where the Negro boy is given a chance to qualify to bring to his people the ministrations of mercy which are only possible through the acquisition of training in the medical field.

I may say to the Senator from Alabama—and I thank him for bringing up this subject—that I had a most interesting contact in this matter during the Democratic convention at Philadelphia last summer, when I was there. I was asked to appear on a television hook-up to discuss briefly some of the matters pertaining to the so-called civil-rights program, and incidentally the question of the regional-education compact was brought up. It has no place at all in this civil-rights argument, but it was brought up. I stated there, over the television—and what I stated was true, because it was so shown by the record—that the great medical school on the campus of the University of Pennsylvania, within the confines of the city of Philadelphia, had only one Negro youth enrolled for training in medicine. Not only was I called immediately by the interlocutor and master of ceremonies, who quickly satisfied himself that my statement was true; but upon returning to my hotel, I found that numerous other citizens in Philadelphia had no idea that such a situation was true; and some called to question and to criticize, but others called to say that after having gotten the facts they were simply astounded that that was the case. That does not mean that discrimination is to be found in that great institution. To the contrary, someone there told me that for every student admitted to that school, from 10 to 14 others, beyond the capacity to be accepted, were applying for admission, but of course the school had to accept those who were best trained and who could show the best results from examinations or who could otherwise show the best results from their under-graduate work in college. It simply works out that not only in that great institution but in many other institutions there is scarcely any place for the Negro youth.

In the course of the hearings last year, we had a letter—and I now see on the floor of the Senate the distinguished junior Senator from California [Mr. KNOWLAND]—from the University of California, at Los Angeles, the letter having been written either by the dean or the assistant dean of the medical school of that university. I do not recall which one sent the letter, but it was printed in the hearings and in the debates last year. In answering an inquiry as to whether Negroes were enrolled at that medical school, he stated that they wanted some Negro students, and that they had a large number of applicants from among the Negro youth, but that their screening had to be applied to them, just as to any other applicants; and that so far—at least, for a period of years; I am not sure he meant always—they had not been able to find qualified Negro youths to come into their student body, although they wanted some Negro students in the medical school; and they suggested that Meharry Medical College send some of the best-qualified Negro youths who had applied to it

for admission, and had been admitted, to the University of California at Los Angeles, so that the University of California might have a chance to develop a program whereby both white and Negro students would be on the campus at the same time. That is the situation; there can be no question or doubt about it.

Next, I wish to bring up the other point mentioned by the Senator from Alabama, which is that at the same time there were a great many more Negro students attending medical college at Howard University, in Washington, D. C., and also attending Meharry Medical College, at Nashville, than there were attending the University of Pennsylvania Medical School and the women's college of medicine—I have forgotten what its name is—in Philadelphia, and also attending the Pittsburgh Medical School, which were the three medical schools in the State of Pennsylvania where any Negroes were then enrolled. There were a great many more Pennsylvania youth of that race enrolled that year at Meharry, and a great many more Pennsylvania youth that year enrolled at Howard than were being trained at all the Pennsylvania medical schools together, including the University of Pennsylvania and the other medical schools in that great State. The Senator is entirely correct that segregation in education has meant in practical terms, in the terms of opportunity to youth, a great deal more in connection with opportunity for the ambitious Negro youth who wants to serve his people by securing medical training; it has furnished much more medical training and much greater opportunity than it has been possible for them to acquire in other parts of the Nation.

So, Mr. President, there is another comparison or contrast between a better job being done in the South under the peculiar system which we follow in the South than is being done in other sections. I am not criticizing them. I would not for a great deal want to have my statement construed as a charge that discrimination is being employed in such schools as the University of Pennsylvania Medical School; I would not believe that, unless it were clearly proved to me, and I do not believe it. I have the same feeling about the Harvard Medical School where last year only one Negro was enrolled; but the competition is so severe that they cannot find any practical opportunity except by coming to the segregated schools designed to train Negro youth; and unfortunately we have too few of them, with too few facilities, in the South. I think we should be allowed greatly to enlarge those facilities out of our own money, out of our own public southern money, just as quickly as it is possible for the Compact to be confirmed and approved by the Congress, so that the needed millions of dollars which have to be expended in order to construct facilities for a medical or dental school may be safely provided by the States of the South.

Mr. President, we got into this discussion while I was talking about the antilynching bill. I want to say again in my judgment the trouble is we are talking in legalistic terms. The folks who want an antilynching bill are unwilling to face the practical facts, to make the exact comparison or contrast, such as we of the South are willing to make in all these fields. Instead, they think the passage of a law will take care of the situation, and they are unwilling to realize that we are dealing with a field which is not susceptible to control and to being worked out on a decent, humanitarian, civilized basis through the passage or attempted enforcement of Federal laws. What we of the South have done is to accentuate the real cure for such tragic situations as have occurred in the past, by intensifying our efforts to secure greater fairness, more complete justice, equal opportunity, practical Christianity, better understanding, greater patience, more good will, enlarged mutual respect—all coupled with the sincere desire of good citizens of both races to preserve racial integrity and race pride, and steadily to increase the opportunity afforded to all races by all units of government. We are steadily and rapidly solving in the South this problem which was left with our fathers and mothers for solution in 1865. We are solving it upon the broad human basis I have just mentioned, and for the permanent maximum welfare of both races.

I desire to throw out a challenge to Senators who are inclined to think that the so-called civil rights program is good law and should be passed. I want them to review the situation a little and to realize that it is not the passage of a bill by a majority, coming not from the area which understands the problem, not from the citizenship which will have to agree to the enforcement of the bill, but coming instead from the whole Nation, of which various parts have little comprehension of the problem; and that it is not by the mere passage of such a bill that the problem is solved.

This is a problem in human living, one of the vastest problems of the kind the world has ever known. We, in that great part of the Nation extending from Kansas City to Miami and from Baltimore to the Rio Grande, have over 45,000,000 people, according to the 1940 census, of whom more than 34,000,000 are white, and a little more than 10,000,000 are colored. We are living together in every possible admixture—I am not talking about racial miscegenation at all, but a mixture as to the locality of our homes and as to the type of our working and serving together and we are doing so humbly, we are doing so peacefully, and we are doing so, by and large, in the very sincere and mutual and lasting and consistent effort to bring better opportunities and to bring fair treatment to both races and to make our States just as fine States as they can be made. We realize that if the white people alone prosper our States cannot attain to anything like their potential effectiveness and strength, and likewise, if the colored people alone prosper, full development cannot be attained. We know that to accomplish the desired result it takes both of them going ahead as Americans, working together in the extension of opportunity each to the other, and in seeing that they both get fair treatment before the law, but always consistent with that prime ideal and objective, which I think is sound, and that is, that the racial integrity of each race must be preserved, and that social admixture which would tend to break down racial integrity must be avoided, so that social integrity and the purity of the bloodstream of the two races may be safeguarded.

Mr. President, I think one of the things that shows how legalistic at least some are who are pushing this program is what might be referred to as the first recommendation, the recommendation numbered 1, of the President's Committee on Civil Rights. Here in the Senate we may think—some Senators who come from States where the problem does not exist may think sincerely—that the question of enforcement will take care of itself and that there is no serious difficulty involved. I digress long enough to remind Members of the Senate that the two Senators who were most vocal last year in discussing the subject from the standpoint of upholding the civil-rights program and of enacting it into law—and I have respect for both of them; they are entitled to their opinions and they are entitled to voice their opinions on the floor of the Senate—by reason of the very fact that they have had no chance to understand what it means to have great white and colored populations mingled together, are not in a position to understand the implications of this problem. One of those Senators was the senior Senator from North Dakota [Mr. LANGER]. The Senate may remember that during one of his debates on the subject—and again I do not question his sincerity—it came out upon questions from the junior Senator from Florida, that the Census of 1940 showed the State of North Dakota had at that time 201 Negro citizens as found by the Census enumerators.

The other Senator who was most forceful in his manner was the distinguished Senator from Oregon [Mr. MORSE] who is a very distinguished Senator in his ability in many fields. But it was brought out that under the census returns for 1940 in the great State of Oregon there was no problem of this kind of any consequence, because there were only 2,500 Negro citizens in the State of Oregon in 1940.

Mr. President, in my own case, by way of illustration—and I hope it will not be regarded as improper again to refer to my own situation—I come from a small town of approximately 10,000 people. It is a good town. It was built by good people, whether white or colored. They are friendly, living together in peace and harmony and helping each other. There are more Negroes in that small town than there are in the two States so ably represented by the Senator from North Dakota and the Senator from Oregon. My little town of 10,000 population is only 1 of many such towns. Of course there are some fairly large cities in my State, which has a total population of approximately 2,400,000, according to the latest census estimate. The States which really have the problem know something about its solution, and it is unfortunate that, for some reason which I cannot comprehend, well-meaning Senators who represent States which do not have the

problem are not willing to rely either upon the soundness of experience or the sincerity of convictions of their brethren from those States which have the problem and who have worked so tremendously in an effort to solve it fairly under a truly American pattern.

So, Mr. President, what I started to present to the Senate at this stage was the fact that there are some persons who realize that the enforcement of any law on these subjects passed by Congress really involves something vastly different, not only from anything we now have, but vastly different, I think, from anything that fits into the truly American pattern of law enforcement.

I read now from the well-known volume entitled "To Secure These Rights," being the report of the President's Committee on Civil Rights. I am reading from pages 151 and 152, Recommendation I:

To strengthen the machinery for the protection of civil rights, the President's Committee recommends:

1. The reorganization of the Civil Rights Section of the Department of Justice to provide for:

The establishment of regional offices:

A substantial increase in its appropriation and staff to enable it to engage in more extensive research and to act more effectively to prevent civil-rights violations;

An increase in investigative action in the absence of complaints;

It does not say, Mr. President, in the presence of complaints, but it wants to set up a gestapo to go about and probe into the lives of persons in the communities in that part of the Nation where that set-up would be applicable.

An increase in investigative action in the absence of complaints.

THE GREATER USE OF CIVIL SANCTIONS

Some of the general methods they suggest are, for instance, the tying up of appropriations for experiment stations, for our land-grant colleges, and our public-health services, unless we, forsooth, yield to the demand that our long-established policy of segregation shall no longer prevail.

That is what is meant by the greater use of civil sanctions.

Lastly:

Its elevation to the status of a full division in the Department of Justice.

Mr. President, here is textually the treatment given to this matter by this able committee, two members of which come from the South, as I recall, and they are out of accord with some of the strongest recommendations contained in the report. I read further:

The creation of regional offices would enable the Civil Rights Section to provide more complete protection of civil rights in all sections of the country.

Listen well to this, Mr. President and Senators. It means to set up, for instance, at Atlanta or Birmingham a regional office to deal with States in the southeastern section of the country.

It would lessen its present complete dependence upon United States attorneys and local FBI agents for its work in the field.

Mr. President, do I detect a note of suspicion on the part of those who wrote this report that they will not rely upon the United States attorneys who were named by the President of the United States and confirmed by the Senate of the United States to serve fairly, impartially, and effectively in this important field? Let me read that again:

It would lessen its present complete dependence upon United States attorneys and local FBI agents for its work in the field. Such regional offices should be established in eight or nine key cities throughout the country, and be staffed with skilled personnel drawn from the local areas. These offices should serve as receiving points for complaints arising in the areas, and as local centers of research, investigation, and preventive action. Close cooperation should be maintained between these offices, local FBI agents, and the United States attorneys.

I go back and quote a few words again:

These offices should serve as receiving points for complaints arising in the areas, and as local centers of research, investigation, and preventive action.

Preventive action, Mr. President and Senators.

Close cooperation should be maintained between these offices, local FBI agents, and the United States attorneys.

The Department of Justice has suggested that heads of these regional offices should have the status of assistant United States attorneys, thereby preserving the centralization of Federal criminal law enforcement.

Do Senators begin to see what is involved here? They want attorneys who can go before Federal juries in Federal courts, who do not have to be named from the areas affected at all, and who can be entirely removed from the suspicious influence of having to deal and work with the local district attorneys.

Thereby preserving the centralization of Federal criminal law enforcement.

Centralization is something from which we are trying to get away. It does not bring the desired results. It does not follow the American pattern, and is exactly the thing we do not want. Yet that seems to be the key word in this remarkable report.

The President's committee is fearful that under this plan the goal of effective, courageous, and nonpolitical civil rights protection in the field will not be reached unless satisfactory measures are taken to prevent these assistants from becoming mere political subordinates within the offices of the United States attorneys.

Could it be any clearer that what they are talking about is a law-enforcement officer not answerable to the people of that area, not coming from that area, necessarily, not conversant with the problems in that area or sympathetic toward them? They want to divorce his responsibilities entirely from the district attorneys chosen from various districts in the area.

Additional funds and personnel for research and preventive work would free the civil-rights section from its present narrow status as a prosecutive agency. Through the use of properly developed techniques and by the maintenance of continuous checks on racial and other group tensions, much could be done by the section to reduce the number of lynchings, race riots, election irregularities, and other civil-rights violations.

Troublesome areas—

I do not know what they were talking about there. I shall leave that to the imagination of the listener.

Troublesome areas, and the activities of organizations and individuals who foment race tensions could be kept under constant scrutiny.

What are they talking about, Mr. President? Are we in America? Are they talking about an American establishment for law enforcement? Are they not talking about something which, while it does not have the same name, is, just as truly as I am standing here, a Gestapo whose task it would be to keep under constant scrutiny "troublesome areas, and the activities of organizations and individuals who foment race tensions"?

Mr. President, if that is a typically American suggestion, if it dovetails with the American doctrine of law enforcement, then my some forty-odd years of work in the law, trying to serve a jealous mistress as well as I knew how, have been completely lost, because to my mind such a step as this is wholly at variance with and contradictory to the essence of any American law-enforcement program.

This is recommendation No. 1. It is the first one the able persons sitting upon this committee have felt would be necessary in order to secure some chance of enforcement of the laws which they recommend later to have passed.

Mr. LONG. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER (Mr. GILLETTE in the chair). Does the Senator from Florida yield to the Senator from Louisiana?

Mr. HOLLAND. I yield for a question.

Mr. LONG. Does it not occur to the Senator that these so-called troublesome areas would be much more troublesome after they were put under constant observation and subjected to constant enforcement of the laws by officers sent from afar?

Mr. HOLLAND. In answer to the question of the Senator from Louisiana I should like to say that I think he has gotten the drift of what I was discussing, because to my mind that would just as inescapably happen in Louisiana, Florida, or Georgia—and I see sitting before me the distinguished senior Senator from Georgia, who feels so deeply on this subject—as in California, in the event there were any such un-American set-up in an effort to control the troublesome Japanese question that is found there. I know the people of California are trying to control it to the best of their ability, and I know they can control it better than if we sent someone from Washington to try to tell them what to do, and tried to keep in close contact with them and attempted to control enforcement of the law. It simply will not work, and I cannot conceive of a Member of Congress who realizes that this is a fundamental suggestion of the whole group having any question in his mind as to the unreason of the whole unworkable mumbo jumbo.

Mr. LONG. Mr. President, will the Senator yield further?

Mr. HOLLAND. I yield for a question only.

Mr. LONG. I wonder if the Senator would be of the opinion that these so-called troublesome areas, if put under such supervision and control, might require even further supervision and control, and the greater the number of Federal agents sent out to supervise and control, the more would have to be sent, until finally there would be a Federal army to control those so-called troublesome areas.

Mr. HOLLAND. The Senator's opinion is based on fewer years and blacker hair than I possess. I hope no such thing would occur, but it is certainly within the realm of possibility, and I think any such step in the field of law enforcement as this would be, set up and predicated upon the existence of such outside prosecutions as are spelled out here, and upon a heavy investigatorial staff—and special FBI training might be required of the units to be made available to the regional offices—to my mind would almost surely bring trouble with it. But I prefer not to cross that bridge at this time. I think that as a result of a presentation of the true aspects of this whole plan and program to the American people, and particularly to the American Senate, there will come a calm, reasonable and a judicial solution of this problem, and that the solution must inescapably be that we will have nothing of such a hopelessly and wholly un-American program as is projected, only a small part of which I have read.

Mr. EASTLAND. Mr. President, will the Senator yield for a question?

Mr. HOLLAND. I yield for a question only.

Mr. EASTLAND. Will the Senator tell me what one factor more than anything else is responsible for the power of the United States Senate, a power that has existed for good throughout the life of the Republic?

Mr. HOLLAND. There is only one possible answer, namely, the existence of the right and privilege, the rare and rich and unspeakably valuable privilege——

Mr. EASTLAND. And duty.

Mr. HOLLAND. Of unlimited debate upon the floor of the Senate.

Mr. EASTLAND. Will the able Senator yield for another question?

Mr. HOLLAND. I yield.

Mr. EASTLAND. Would the Senator say that the pending resolution if adopted would destroy the power of the Senate of the United States?

Mr. HOLLAND. I think the resolution as reported would be an opening wedge toward its destruction, and would be much more than the small first step that is mentioned in the words of the Senator from Massachusetts [Mr. SALTONSTALL]. In the event of the adoption of majority cloture, which I think would come, either in this debate or very shortly afterward, I agree with the verdict that is implicit in the question of the Senator from Mississippi, that majority cloture would mean the destruction of the prestige and effectiveness of the Senate to do the job it was created to do. What was that? To stand and stand and stand, and fight and fight and fight, for the rights of the States and of minorities, and to make sure that here, if at no other place in all the Nation, the minorities and the weak would have a rock of refuge to which they could come, and where they could find succor.

Mr. EASTLAND. Then, would not the Senator from Florida say that the adoption of the resolution would be a long step forward toward the destruction of the power of the United States Senate?

Mr. HOLLAND. My answer is that I do, conclusively, finally, feel that the adoption of the resolution just as it is reported from the committee would be such a step and would be followed by others more harmful and more destructive. I thank the Senator.

Mr. President, there is much more of the same sort of stuff in this report, but there is only one other thing to which I wish to refer that is not included in the elements of the so-called civil-rights program which are customarily discussed, and which are thought to be awaiting the adoption of the proposed cloture rule so that they can be rammed through. I refer to recommendation 10, found on page 163 of the report of the President's Committee on Civil Rights.

I am not only bringing up this recommendation because I think it is so hopelessly wrong, because I think it is such a terrible trouble maker, but I am bringing it up in order to report to the Senate, and, through the Senate, to the people of the United States, an actual incident which occurred in my home in Florida during the past summer, when I was approached by a very fine old colored man, who is a good and honorable citizen, and who was in great trouble because he had heard about this particular provision being included in the civil-rights program.

This particular recommendation, No. 10, on page 163, reads as follows:

> 10. The enactment by Congress of legislation providing that no member of the armed forces shall be subject to discrimination of any kind by any public authority or place of public accommodation, recreation, transportation, or other service or business.

Mr. President, they are not talking merely about riding in railroad trains, they are talking here about all places of public accommodation, public recreation, and public transportation, or other service or business. Of course, the objective, the well-meaning objective, that lies behind that recommendation, is a feeling that the wearing of the uniform of the United States Government is such an accolade for the individual who is privileged to wear it, who is responsible for good conduct while he wears it and is rendering unselfish service to his Government, whether his skin is white or black, that he should be entitled, and should be allowed, to break down and to violate at will, and to pay no attention to, barriers which are put up by State governments and local governments in respect to the question of segregation, and which are founded upon long experience, great wisdom, much trouble in the past, and pleasant living in the present, and upon hopeful plans for the future in which the two races shall go forward in even greater prosperity and good will together. I think I can understand why such a suggestion should be made; but it is a trouble-maker if there ever was a recommendation made which was full of trouble.

I desire to tell the Senate what happened in my own case with reference to this particular recommendation. Shortly after I returned home last fall I had a call from a very fine old colored citizen. I had known him for a very long time. I respected him highly. He is an honorable man. He has a nice home, well painted, with a yard well-kept. His family is well dressed. He is well-behaved himself, and so is his family. He is surrounded by his children, who have settled close around him, and they have similar homes. He has grandchildren, I do not know how many, because Senators must know that our Negro citizens are prone to have large families, and it is well that they should. They love their homes and they love their families.

This man came to me in trouble. He said, "Judge—" and Senators must know that once a man is a judge, even if he is only a justice of the peace, he is always known as a judge, he is addressed as "Judge" for the rest of his life in the community in which he lives. He said, "Judge, I am troubled, and I should like to discuss my trouble with you." I invited him into my office, and he sat down and came to the point very quickly. He said, "Judge, some of our people over there in our chamber of commerce, and in our local groups, and at the church, have been telling me that part of the President's civil rights program is the requirement that any soldier or sailor or marine, anyone in the uniform"—I do not remember how he expressed it—"will be allowed to come into any place of public recreation or of public accommodation, regardless of whether or not it is designed to be used exclusively by the white people or by the colored people." He said, "Is there any truth in that?"

I had to tell him that there was. I got out my volume of this report from which I have just read, a volume which I keep at home, and I read to him the particular paragraph I have read to the Senate, and we discussed it a little bit. Then finally this is what he said to me, and not I to him. This is what was on his mind before he came to see me, and I did not suggest it to him. He said, "Judge, that just wouldn't work. Don't you know it wouldn't work?" I said, "Why do you think so?" "Why," he said, "you know that would mean that the white boys in uniform would come over and stay at our little boarding house, and come over and play pool at our pool rooms, come over and bowl at our bowling alleys, dance on our dance floors, eat at our restaurants, and" he said, "Judge, you know that wouldn't do." He said, "You know the kind of white soldiers or sailors that would come over there would be the ones whose ideas would not always be right." He said, "The first thing you know one of them would insult one of our colored girls, would lay his hands on her. One of them would act unfriendly to some of our colored boys, would act offensively, and," he said, "that would start trouble."

He said, "Judge, don't let them do this, because you know and I know that it is not those folks right there who are going

to suffer in the long run, but it is the decent, respectable, God-fearing people, white and black, that live in these communities, and particularly our people of the Negro race, who want nothing more than to live in peace and to enjoy our opportunities, which we are enjoying in ever greater measure all the while." The old man actually had tears rolling down his face, so tremendously was he impressed with the seriousness of a situation which I confess had never occurred to me in the first instance.

Yes, Mr. President, we, too, often think about things in terms of our own selves, of our own race, of our own color, of our own problems. I had thought about the situation from the standpoint of the possibility of some colored soldiers coming from other parts of the country trying to claim accommodations at a white hotel or a white restaurant, and that probably such a thing might bring on difficulties. But it had never once occurred to me—and I suspect it has never once occurred to many Senators listening to me now—that the other side of the situation also exists, and that it is fraught with a problem of the most severe implications, implications particularly hurtful and harmful and objectionable and dangerous to the law-respecting and the God-fearing and the decent colored people, of whom we have millions and millions throughout the Southland.

That is the kind of foolishness that is in these recommendations. Many of them are unthought-out, unbalanced, unstable. They are not based on any possibility of being enforced locally. They are based instead upon the necessity, as shown by recommendation No. 1, of creating and setting up a Gestapo—whatever name it may be called, that is what it would be—of setting up and maintaining a federalized prosecuting service which would be completely removed from any control by the district attorney or by the citizens in the local areas affected. I believe the next thing those who made these recommendations would suggest would be to deprive our people of the right to trial by jury, because the suggestions which they make are almost as sweeping and terrific in their implications against the peace and sobriety and the calm and the chance to go ahead progressively in our southern communities, as they could possibly be made.

Mr. EASTLAND. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Mississippi for a question?

Mr. HOLLAND. I yield for a question.

Mr. EASTLAND. Would the FEPC deprive one charged by the Commission of the right of trial by jury? Is not that already proposed?

Mr. HOLLAND. Mr. President, that is, of course, in the proposal, and I thank the Senator for suggesting it. I had not yet gotten down to the FEPC, because that subject was so beautifully and skillfully and comprehensively treated by the senior Senator from North Carolina [Mr. HOEY] yesterday afternoon, that I was leaving it only for passing mention. But I will come right now to the FEPC.

Mr. LONG. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Louisiana for a question?

Mr. HOLLAND. I yield for a question.

Mr. LONG. In view of what seems to be such a complete lack of understanding of the problems of the South, as shown by the proposal which the Senator read from the book as to how certain rights were to be secured, would the Senator feel that there is any substantial number of members on the Civil Rights Committee responsible for the report, who had an actual close-hand knowledge and understanding of the problems of the section of the country most vitally affected by the recommendations?

Mr. HOLLAND. The answer of course is no. Only two members of the commission, as I recall—perhaps there were three, but I think there were only two—came from the South. I believe those two refused to join in some of the recommendations. The book does not say that they declined to join, but I understand they did not join in some. I have no definite information, however, on that subject. It is quite apparent that they made an effort to do what I am sure was an appealing job to certain people. I would not question their motives, but I should question their knowledge, experience, and judgment concerning conditions which have to do with the intimate living together of 45,000,000 people in that great portion of the Nation which we call the South. I believe they do not have the faintest conception of the problems of people living together in the way we have and of solving many problems as fully as we have solved them. We hope to solve them even better as we go forward.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield for a question only.

Mr. EASTLAND. Can the Senator tell me whether or not, in the investigation or in the preparation of that report, any southern governor, any southern Senator, any southern Representative, or any southern public official or leader was consulted, or whether the views of any such person were sought before those recommendations were made?

Mr. HOLLAND. I am sorry that I cannot answer that question. I cannot give the Senator that information. I do not know. It is my judgment that if any southern governor, Senator, or Member of the House was consulted, certainly he was not given the authority or opportunity to shape in any way the recommendations as they appear in the report.

Mr. EASTLAND. Mr. President, will the Senator further yield?

Mr. HOLLAND. I yield for a question only.

Mr. EASTLAND. Is it not obvious that if the advice or recommendations of any southern leader, or anyone else who knew the problem first-hand, were sought, such advice and recommendations were ignored?

Mr. HOLLAND. My feeling is that the report certainly does not follow any suggestion or recommendation that could possibly have come from any informed southern person.

Mr. EASTLAND. Mr. President, will the Senator further yield?

Mr. HOLLAND. I yield for a question only.

Mr. EASTLAND. Were any responsible southern leaders members of that committee?

Mr. HOLLAND. If the Senator will bear with me a moment, I will see if I can find the names of the members of the committee in the report.

The names which are signed to the report, without showing the places of residence of the persons bearing the names, are as follows:

Charles E. Wilson, chairman. We all know who he is.

Mr. EASTLAND. Who is he?

Mr. HOLLAND. He is chairman of General Electric, is he not?

Sadie T. Alexander.

James B. Carey.

John S. Dickey.

Morris L. Ernst.

Roland B. Gittelsohn.

Frank P. Graham. He is president of the University of North Carolina.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield for a question only.

Mr. EASTLAND. Would the Senator say that Dr. Frank Graham is a representative southerner, or represents the viewpoint of the South?

Mr. HOLLAND. If the Senator will permit me, I will simply say that in my judgment many of his views do not comport with what I regard to be sound southern philosophy.

Mr. EASTLAND. Mr. President——

Mr. LONG. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from Florida yield; and if so, to whom?

Mr. HOLLAND. I yield first, for a question only, to the Senator from Mississippi.

Mr. EASTLAND. With due regard to Dr. Graham, and not taking issue with him, would the Senator say that he is a representative southerner?

Mr. HOLLAND. If the Senator will allow me to somewhat shade my answer, I will say that he is a highly regarded educator, that he is regarded as ultra-liberal, that he is regarded as on the "pinkish" side, and that he is regarded as not at all conversant, in a sound way, with the true traditions of the South. Yet I think he is very highly regarded for some of his attainments. I recall that last year, when some question arose about the participation of Dr. Frank P. Graham as a member of this committee, the senior Senator from North Carolina [Mr. HOEY] made a statement on the floor of the Senate to which I listened with care, and which I read later. I believe that if the Senator will address his question to the senior Senator from North Carolina he will address it to a much better informed source than is the junior Senator from Florida.

Mr. EASTLAND. I am not trying to disparage Dr. Graham in any way; but would the Senator say that Dr. Graham represents the viewpoint of the South?

Mr. HOLLAND. My answer is that he does not represent what I think is sound southern philosophy and the southern approach to racial questions.

Mr. EASTLAND. Mr. President, will the Senator further yield?

Mr. HOLLAND. I yield for a question.

Mr. EASTLAND. If he does not represent the viewpoint of the South, would the Senator say that he is a representative southerner?

Mr. HOLLAND. From that standpoint alone, my answer would be "No"; but I think he has done much good work, and that he is so recognized. My observation of educators leads me to believe that we cannot apply exactly the same standards to them that we apply to other people. They are inclined to be idealistic. They are inclined to be impractical. It may be well that they are of that tendency. At any rate, many of them are, and the Senator knows that as well as I do.

To continue reading the list of names:

Francis J. Haas.
Charles Luckman.
Francis P. Mathews.
Franklin D. Roosevelt, Jr.
Henry Knox Sherrill.
Boris Shishkin.
Dorothy Tilly.
Channing Tobias.

That completes the list.

Mr. President, I was about to undertake the FEPC discussion, on which I shall be very brief, because the Presiding Officer and Members of the Senate have been very patient. I dislike to take so long. If my strength permitted, I could take a great deal longer, merely by reading the provisions of the charters of the several States. Those provisions have very close germaneness to one of the questions which I discussed this afternoon. I do not wish to impinge unduly on the time or patience of the Senate.

Before entering upon the discussion of the FEPC, I should like to make a blanket statement.

In my judgment the Senator from North Carolina [Mr. HOEY] yesterday afternoon, and the Senator from Georgia [Mr. GEORGE] in his discussion beginning this debate, said many things which I think are sound. In my opinion everything they said was sound. I should like to associate myself with those distinguished Senators, Southerners, and Americans in their expressions with reference to the un-American and hopelessly impracticable device of FEPC, designed, as it is, to invade the private rights of citizens and to attempt to control the preference of individual Americans in the selection of their own associates and employees.

I also thoroughly approve of another portion of the statement made by the Senator from North Carolina yesterday, in which he so clearly and affirmatively showed the great good which has come to North Carolina by reason of its moderate, temperate, fair, just, and Christian handling of the race question in that great State.

I should like to read one expression from the remarks of the distinguished senior Senator from Georgia [Mr. GEORGE] on this point, because I think it is applicable not only to the FEPC situation, but also to other proposals in the so-called civil-rights program, or that portion of it which is aimed at the South.

I digress long enough to say that I feel that all of us are prone to forget the fact—I am sure that I am—that there are some proposals in the so-called civil-rights program which have no application directly to the South, and which are fair, and in my opinion honorable. I should like to see them carried out. The Presiding Officer and other Senators have heard me on various occasions speak out in favor of home rule in the District of Columbia. I believe that many Senators know my attitude with reference to the addition of further States to the Union. There are other questions involved in the civil-rights program, and I do not want my statement of opposition to the civil-rights program to be regarded as all inclusive. I think it is misnamed a civil-rights program. My statement voices my objection to those parts of the program which tend to destroy or harmfully affect law enforcement in the South and our control of our own business and employment practices, as well as our control over our voting machinery and elections and primaries within the limits of our States.

Mr. President, I shall read a part of a paragraph from the able address of the distinguished senior Senator from Georgia [Mr. GEORGE]. It pertains not only to the FEPC program but also to a great deal of the rest of the so-called civil-rights program—in fact, in my judgment it pertains to all of it—which is aimed in a punitive way at the South. These are patient, moderate, and kind words; but they are patriotic words, coming from an experienced American, who not only has served his State with great distinction upon its Supreme Court, but also has become one of the most noble figures to adorn this Chamber that I have known in my lifetime. He said:

> Furthermore, Mr. President, I have long been of the opinion that some things in America cannot be settled by legislation.

How right, Mr. President—just as right as rain—is that statement, that there are things that can be solved by legislation, and then there are things that cannot be solved by legislation. In this field we are talking about things which cannot be solved by legislation.

When I consider the persons who are insisting upon a legalistic handling of this matter, because of their view that the passage of such laws will settle the whole problem, I wish we could get them to do what we in the South are willing to do—not to stand upon mere legal rights, but be willing to measure performance in their States against performance elsewhere—and where they find that performance in their States does not measure up to performance elsewhere, be willing to do speedily a better job; and admit that if they do not do it, ways and means must be found, under either their own State laws or under Federal laws, or both, to provide the machinery with which to do a better job.

Mr. LONG. Mr. President, will the Senator yield for a question?

Mr. HOLLAND. I yield for a question only.

Mr. LONG. I ask the Senator whether it is a fact that because of the very suggestion of this type of question by southern Senators here the North itself has begun to wake up to some of its duties to its minorities, and based on that it is beginning to realize that it, too, just like the South, owes to its minorities the duty of working out problems of racial understanding, just as we in the South are doing?

Mr. HOLLAND. Mr. President, I should not like to indicate by my answer that I think their making of charges against us and their criticism of us has enabled them to see the beam in their own eye; but I would say that the good people of the North, like the good people of the South, do not want wrong things to continue to exist in their States; and they are doing, as they have always done, the things they consider good.

I am glad the Senator asked the question, because it gives me a chance to say something which I might not otherwise have said, namely, that we of the South have not had a great deal of money or a great deal of financial means and ability, and therefore we have frequently had to depend upon having our problems seen and understood by generously inclined and Christian-like persons of the North and elsewhere, who, seeing a problem existing in our part of the country, have been willing to help us by giving us of their substance, in an effort to enable us to solve that problem. Such a family was the Meharry family. Although I am not sure about this, my recollection is that they were Civil War soldiers who came south in blue uniforms, and saw what the situation would be with a great throng of millions of persons delivered from servitude into freedom over night; and they used their substance and means to furnish the small beginnings of the tremendous foundation fund which has made possible that great institution, Meharry Medical College, at Nashville. Incidentally, Mr. President, that medical college has trained more than 52 percent of all the doctors and dentists of the colored race since 1876. Perhaps that result might have been attained by means of some other effort; but, so far as I am concerned, I think the generosity of the original donors should be recognized, and I think the people of the South are happy and glad to recognize the foresight, generosity, and Christian feeling which existed and lay behind that gift, and thus made possible the beginnings of what is now a great institution of medical and dental and nursing training and service, Meharry Medical College.

I could continue to cite instance after instance of that kind, but I content myself by merely saying that in the course of the debates last year the showing was made—and it was freely and gratefully recognized by the Senators from the South who were requesting approval of the compact for regional education—that Meharry Medical College had been

able to keep its doors open and had been able to continue its training program for doctors and dentists and nurses of the future from among the colored race, in large part because certain great foundations in the North, which have been set up to serve in the fields of charities and Christian service, have been assuming the obligation of meeting the deficit which has had to be faced by Meharry Medical College. That deficit has run as high as $300,000 or $400,000 a year; but certain of the great foundations in the North to which I have referred have met that deficit, and have done so in order to keep the doors of Meharry Medical College open. Instance after instance of that kind has occurred; so not for a moment would I consider leveling any criticism at the people of the North or the people of the East or the people of the West. All of us have our problems, but all of us are trying to solve our problems; and all of us are Americans, and we believe in the American system and the American way of government.

It so happens that the distinguished junior Senator from Iowa [Mr. GILLETTE], who now occupies the chair, comes from a State which we in the State of Florida like to refer to as our sister State, because it happens that we in Florida received the great and beneficial gift of membership in the Union under what is known as the Missouri Compromise, under which Iowa came into the Union as a free State at the same time when Florida entered the Union as a slave State. Iowa and the other States have been generous to us.

The little groups of agitators are the troublemakers. They are not working along the constructive paths which will lead to the results that all good persons wish to have achieved. If the agitators want desirable results achieved, they should stop what they are doing now and should realize the effect their activities will produce.

Mr. LONG. Mr. President will the Senator yield to me for a further question?

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Louisiana for a question?

Mr. HOLLAND. I yield for a question only.

Mr. LONG. Is the Senator of the opinion that if all the so-called racial laws or laws of special applicability to the South were passed—such as the anti-lynching law and the FEPC law; and some persons would even choose to inject the issue of the anti-poll-tax law, which should not be a racial issue at all—that would satisfy these agitators; or is the Senator from Florida of the opinion that that would only give them, possibly, a multitude of additional ideas for additional Federal legislation which they would wish to impose or would seek to agitate about, based on such laws?

Mr. HOLLAND. Mr. President, the answer to that question is to be found in the report of the President's Committee on Civil Rights, which contains 173 printed pages of findings and recommendations not only touching the three fields we have been discussing and the two additional ones I have mentioned, but also touching many, many other matters. I am sorry to have to report to the President of the Senate and to other Members of the Senate what I am sure, however, is known by some of them, namely, that in this field there are agitators who are so blind to the interests of the very minority groups from which they come, and which I am sure they are trying to serve, that they cannot see, for instance, the value of continuing Meharry Medical College as a great segregated institution of medical, dental, and nursing training. I was never more astonished in my life than when I heard witnesses, coming from the leading or largest organizations for the betterment of the affairs of the colored people, state at the hearing on the Regional Compact last year that they would rather have Meharry fold up than to have it continue as a segregated institution; and that in the face of the fact and after knowledge of the fact that the institutions outside the South were not doing the job and could not do it because of the tremendous competition which now exists and which will for some years exist in the matter of trying to obtain enrollment into a medical or dental school.

Mr. LONG. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Louisiana for a question?

Mr. HOLLAND. I yield for a question only.

Mr. LONG. I ask the Senator if it would not be true that to a large extent a segregated school such as Meharry might be of great advantage to colored youths because, while under present circumstances they can go to medical schools over the entire United States, yet then they have to compete with young men who have had possibly a better basic education? At Meharry they at least have a school fitted for their particular and special needs, guaranteeing they will have a better opportunity to become capable doctors?

Mr. HOLLAND. Of course, the Senator is correct. If the Senator had been here last year he would remember one of the most moving parts of the debate on the Regional Compact which came along when the distinguished senior Senator from Wisconsin [Mr. WILEY] who served as chairman of the Judiciary Committee, brought into the Chamber a great pile of letters, telegrams, and other communications from colored youth, most of them living in this country, but a few living in Liberia and other places in Africa, or in Jamaica, stating in the most pleading way they could possibly state it that their chance to fulfill their ambition to serve their peoples for the rest of their lives depended upon whether Meharry was kept open and going, because they could not get into other institutions. They stated they had tried to do so, but could not because of the existing competition. There were literally hundreds of such letters, if my memory serves me correctly.

The Senator is, of course, correct. But now to continue the reading of the statement, the able statement, the completely true statement, made moderately, patiently, firmly, and, I thought, with tremendous effect by the senior Senator from Georgia [Mr. GEORGE]:

> Furthermore, Mr. President, I have long been of the opinion that some things in America cannot be settled by legislation. I have long been of the conviction that one of the great fallacies in America is that anything can be settled if only some legislature will pass an act to that effect. That cannot be true. In all proposed legislation which is even akin to the so-called fair employment practice measure, the effort is made to control the judgment, the emotions, the choice, and, if you please, the prejudices of our people. Prejudices may be ugly; they may be regrettable; but they cannot be controlled in that way.

Mr. President, that is just as true as gospel. The answer to the problem lies in continued and continuing and persevering work and effort and the expenditure of energy and devoted service as we try to create more and more understanding, more and more good will, more and more justice, better and better health conditions, better and better opportunities in education, better treatment in the matter of economic fairness and justice and the truly American treatment of one citizen by another, and of one group of citizens by citizens of another color. That must be mutual; and, by the way, it is mutual in the South, as applied to far more than 99 percent of the people of both colors among our citizenship.

[At this point, Mr. HOLLAND yielded to Mr. TYDINGS, who obtained unanimous consent to have considered and confirmed sundry routine nominations in the National Military Establishment. The action on the nominations appears at the conclusion of Mr. HOLLAND'S speech.]

Mr. RUSSELL. Mr. President, will the Senator from Florida yield for a question?

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Georgia for a question?

Mr. HOLLAND. I yield for a question only.

Mr. RUSSELL. I should like to ask the distinguished Senator from Florida whether he knows that the President of the United States, at his press conference, held a few moments ago, came out strongly in favor of the imposition of gag rule in the Senate by simple majority vote, and whether he believes the adoption of such a rule as is suggested and supported by the President would not give the executive branch of the Government complete domination over the legislative and destroy the system of checks and balances upon which our forebears predicated our Government.

Mr. HOLLAND. Mr. President, in answering solemnly and to the best of my ability, I should have to say that in my considered judgment the adoption of majority cloture and making it applicable to the deliberations of the Senate, is tantamount to the destruction not only of the prestige of the Senate but of its usefulness and ability effectively to carry out and perform the high functions and the high duties which were entrusted to it by the framing fathers and which are still in our hands and on our hearts as a

trust in behalf of all the people of the Nation.

Mr. President, I have discussed as briefly as I could—and I apologize for having taken so long—the first two reasons why I object to the motion; the first of them being that I could see implicit in the proposal the probability that majority cloture, and not two-thirds cloture, should be adopted.

Since I began to speak it appears that the picture is more clear on that point, from the announcement just made by the distinguished Senator from Georgia. I wish I had known about that announcement in time to have given it some consideration as I was reading from the column of Mr. David Lawrence and as I was addressing myself to earlier portions of my debate. But, Mr. President, I think the Senate has been greatly the gainer by the delay in my receiving the information, not only in the fact that my speech will be terminated more quickly, but in the much more important fact that the matter can be confidently left, and I do confidently leave it, for full exploration, discussion, and analysis by the distinguished junior Senator from Georgia [Mr. RUSSELL].

Mr. President, the second ground of my objection to the adoption of the motion was that it was apparent that it was designed to pave the way for the passage of the three civil-rights measures most often mentioned, and of others which still repose within Pandora's box. I hope the Senator from Georgia will not have any feeling about my using his term in this regard.

Mr. RUSSELL. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Georgia for a question?

Mr. HOLLAND. I yield for a question.

Mr. RUSSELL. I should like to ask the Senator if he does not know that the Senator from Georgia is honored when the distinguished Senator from Florida uses any expression which the Senator from Georgia has used?

Mr. HOLLAND. I appreciate very much that question, and I am glad it appears, from the floor of the Senate, that we southern Senators, and the southern people, whether they have anything else left or not, in the judgment of some of our friends, are at least still courteous, still friendly, and we still have deep affection for each other and for every other Senator with whom we serve, without any exception whatsoever.

Mr. President, the second ground upon which I oppose the adoption of the motion, I believe I stated briefly, was that it paves the way, it lays a predicate, for the adoption of a so-called civil rights program to which I am not only opposed, and which I think would not have merely a nugatory effect if adopted, but I think every element in that program would be deeply hurtful. It would roll back to an immeasurable degree, the progress made in the South. I am not voicing my own attitude alone or the attitude of southern Senators, educators, and other southern leaders of my race, but, when I make that statement, I am voicing the expression which has come to me through the years from innumerable leaders of the other race who agree implicitly with the way in which we are approaching the problem as being the sensible, sane, and successful way to approach it. If they were here they would want me to read over and over again the first sentence in the statement made by the distinguished senior Senator from Georgia [Mr. GEORGE], and when I got through reading it there would be a chorus of "Amens" regardless of any rule of the Senate as to cloture or otherwise.

Mr. President, my third reason for opposing this motion is that I think the proposed rule, in itself, as reported by the committee, is hurtful, not only in that it may be merely a step to majority cloture now or in the future, not only in that it may be and will be a hopeful step toward the realization of the passage of the civil-rights program, but because, in and of itself, it helps to remove a bulwark which has proved its worth and dependability and usefulness. I do not want to see that done.

I shall not reiterate a great deal what I have said heretofore about the Senate having functioned ably and with ever-increasing prestige during more than 150 years without any cloture rule. The present cloture rule has proved effective, with the elapse of a little time, in some cases, in permitting the handling of legislation of every type that has been brought before the Senate, and only in stopping FEPC, anti-poll tax, and antilynch measures which have several times been proposed.

I think it is important to defeat this rule. It has been mellifluously stated by many that it is designed only to remedy a defect. Whether that be the fact or not, I am certainly opposed to the adoption of the resolution as reported, for the reason—and I think it is an all-inclusive one—that, in my judgment, it will simply strengthen the present cloture rule, and make it possible more often to still the voices of Senators, the voices of States, and the voices of minorities upon the floor of the Senate, because it will be so used.

I am not wise enough to be able to pierce the veil of the future, to be able to see what kind of issues will arise from time to time, but, Mr. President, I think it does not take a soothsayer, in our present complex world and in the face of the peculiar responsibility in which our Nation finds itself, regardless of whether it wants to be there, to know, without having knowledge of the precise nature of the issues which will occur, that many complex issues will be presented through the approaching months and years of which we have no present knowledge and as to which we could not have even an intimation at this time.

If it be desirable simply to have a rule which will preclude two or three or four, or even as many as ten obstreperous Senators from stopping the wheels whose turning is necessary for parliamentary procedure when our Nation is in an emergency situation, I am agreeable to adopting such a rule. I am agreeable to the one proposed by the Senator from Mississippi [Mr. STENNIS]. I think it would meet the tests and the standards in the event a handful of obstreperous Senators might be headed in the wrong direction and might be willing to abuse procedural processes in the Senate in a time of grave national emergency. I should be willing to agree to such a rule as that, and I think the whole group of southern Senators would agree to such a measure.

So let it not be charged to the Senators from the South that they want to do indirectly a most intolerable thing which they have never done directly, namely, to take an unpatriotic position on the floor of the Senate of the United States which would becloud the ability and stymie the capacity of our Nation to prepare for defense and to defend itself, or to make its vast strength count when we are in mortal combat with an aggressor against whom we must protect ourselves.

But, Mr. President, that is not what is proposed here. It is proposed, instead, to make the two-thirds cloture rule ironclad. I feel so strongly and so keenly about it that I want to make that the third separate point of my opposition to the adoption of the pending motion. Even if I knew that the resolution would pass as presented, even if I knew that no Senator would ever be so unwise as to try to amend it so as to provide for majority cloture, I still would stand and fight it, because I think it is fraught with dangers and uncertainties, in that it seeks to hedge about that last right which means so much to our States, our people, and our minorities, the right of untrammeled and unlimited free debate in the Senate, although it is not wholly unlimited or wholly untrammeled at the present time, because of the existence of rule XXII.

Mr. President, there is much I could say as to my own thoughts about this matter, but I saw in the Washington Post this morning a column entitled "Today and Tomorrow," by Mr. Walter Lippmann, who certainly knows something about America, who certainly knows something about our domestic and foreign policy, who certainly knows something about what constitutes true values in the American Government. I thought that that column was so fully expressive of my own feeling upon the subject matter we are considering that I am asking that it be included at this point, in toto, as a part of my remarks.

The PRESIDING OFFICER. Is there objection?

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TODAY AND TOMORROW

FILIBUSTERS AND THE AMERICAN IDEA

(By Walter Lippmann)

Although the question before the Senate is whether to amend the rules, the issue is not one of parliamentary procedure. It is whether there shall be a profound and far-reaching constitutional change in the character of the American Government. The proposed amendment to rule XXII would enable two-thirds of the Senate to close the debate and force any measure, motion, or other matter to a vote. If the amendment is carried, the existing power of a minority of the States to stop legislation will have been abolished.

"Stripped of all mumbo-jumbo and flag waving," says the New York Times, "the issue is whether the country's highest legislative body will permit important measures to be kept from a vote through the activities of a few leather-throated, iron-legged Members who don't want democratic decision." This is an unduly scornful and superficial way to dispose of a great constitutional problem. For the real issue is whether any majority, even a two-thirds majority, shall now assume the power to override the opposition of a large minority of the States.

In the American system of government the right of democratic decision has never been identified with majority rule as such. The genius of the American system, unique I believe among the democracies of the world, is that it limits all power—including the power of the majority. Absolute power, whether in a king, a president, a legislative majority, a popular majority, is alien to the American idea of democratic decision.

The American idea of a democratic decision has always been that important minorities must not be coerced. When there is strong opposition, it is neither wise nor practical to force a decision. It is necessary and it is better to postpone the decision—to respect the opposition and then to accept the burden of trying to persuade it.

For a decision which has to be enforced against the determined opposition of large communities and regions of the country will, as Americans have long realized, almost never produce the results it is supposed to produce. The opposition and the resistance, having been overridden, will not disappear. They will merely find some other way of avoiding, evading, obstructing, or nullifying the decision.

For that reason it is a cardinal principle of the American democracy that great decisions on issues that men regard as vital shall not be taken by vote of the majority until the consent of the minority has been obtained. Where the consent of the minority has been lacking, as for example in the case of the prohibition amendment, the democratic decision has produced hypocrisy and lawlessness.

This is the issue in the Senate. It is not whether there shall be unlimited debates. The right of unlimited debates is merely a device, rather an awkward and tiresome device, to prevent large and determined communities from being coerced.

The issue is whether the fundamental principle of American democratic decision—that strong minorities must be persuaded and not coerced—shall be altered radically, not by constitutional amendment but by a subtle change in the rules of the Senate.

The issue has been raised in connection with the civil-rights legislation. The question is whether the vindication of these civil rights requires the sacrifice of the American limitation on a majority rule. The question is a painful one. But I believe the answer has to be that the rights of Negroes will in the end be made more secure, even if they are vindicated more slowly, if the cardinal principle—that minorities shall not be coerced by majorities—is concerned.

For if that principle is abandoned, then the great limitations on the absolutism and the tyranny of transient majorities will be gone, and the path will be much more open than it now is to the demagogic dictator who, having aroused a mob, destroys the liberties of the people.

Mr. HOLLAND. Mr. President, I shall not read all the article, because I presume most of the other Senator have read it, and I hope they have been impressed by it, just as I have been, but I shall read some of it, because it seems to me that Mr. Lippmann, with his customary acumen, has really analyzed this subject matter, that he really calls a spade a spade, and really puts first things first in his treatment of this subject in his column of today.

The column is entitled, "Filibusters and the American Idea." I do not know what one means when he says "filibuster." If by filibustering one means that such a term applies to a Senator who, having the deepest possible convictions upon a subject, something he believes in, rises and tells what he hopes for his people and what he thinks about measures pending or threatening, and tells it moderately and inoffensively, but clearly, so that he can be understood, then I am guilty of filibustering. But if one means by filibustering some of the questionable procedures which sometimes have been carried on here, so far as I am concerned, I am having no part or portion in them. I believe the distinguished Presiding Officer will say that I have not spoken a word which has not been germane to the subject matter to which I have addressed myself. I have been impressed by the fact that, although the press in this Capital City comes out with startling news to the world, under headlines stating that the southern filibuster had started when the Senator from Georgia [Mr. GEORGE] began his 44-minute speech a few days ago, I do not believe there has been the slightest semblance of a filibuster up to this stage, because I think we have confined ourselves, as we should, moderately and temperately, to our convictions or subjects vital to our people and to the whole Nation. The majority of today is the minority of tomorrow, and the issue of today is forgotten and gone tomorrow. The issue of tomorrow may be just as vital in its implications upon the great plains where the tall corn grows as is this group of so-called civil-rights issues in its implications and its application to our vital problems in the South.

Mr. Lippmann says:

FILIBUSTERS AND THE AMERICAN IDEA

Although the question before the Senate is whether to amend the rules, the issue is not one of parliamentary procedure. It is whether there shall be a profound and far-reaching constitutional change in the character of the American Government.

Mr. President, those are not idle words. Those are carefully selected words of the strongest import, and I think of the greatest soundness and of great truth. The question is whether there shall be a profound and far-reaching constitutional change in the character of the American Government.

The proposed amendment to rule XXII would enable two-thirds of the Senate to close the debate and force any measure, motion, or other matter to a vote. If the amendment is carried, the existing power of a minority of the States to stop legislation will have been abolished.

Mr. President, that is the admitted purpose of the authors of the proposed resolution. Then he quotes from the New York Times, without approval.

"Stripped of all mumbo-jumbo and flag waving," says the New York Times, "the issue is whether the country's highest legislative body will permit important measures to be kept from a vote through the activities of a few leather-throated"—

Mr. President, I wish I had a leather throat, but I do not happen to have one—

"leather-throated, iron-legged members"—

Mr. President, I digress long enough to say again that I wish I had iron legs, but I have not—

"The issue is whether the country's highest legislative body will permit important measures to be kept from a vote through the activities of a few leather-throated, iron-legged members who don't want democratic decision."

Mr. LONG. Mr. President, will the Senator yield for a question at that point?

Mr. HOLLAND. I yield for a question only.

Mr. LONG. Does the Senator happen to know the name of the clever coiner of pet phrases who wrote the editorial for the New York Times, and what his knowledge of American Government and American history might have been?

Mr. HOLLAND. I am sorry to say, Mr. President, that I do not know the answer to the Senator's question. If he does, and if he has a contribution to make along that line, I shall appreciate his making it in his next discussion. I am sure the Senate would be glad to know about it.

This is an unduly scornful and superficial way to dispose of a great constitutional problem. For the real issue is whether any majority, even a two-thirds majority, shall now assume the power to override the opposition of a large minority of the States.

Mr. President, would one call it a large minority of the States when some 13 to 15 States, either through their entire delegation or through one member thereof, have appeared here with a willingness to carry this fight on just as long as they are able to state sound arguments in the forum of the Senate because they believe their own vital interests and the vital interests of their people and of their Nation are threatened by proposed legislation?

Mr. Lippmann further says:

In the American system of government the right of democratic decision has never been identified with majority rule as such.

Mr. President, that is part of the genius of our American Government, and I am going to reread that. Anyone who thinks otherwise has not read the history of America, does not know the traditions of America, and does not know at all the real essence of what is America and what it stands for. I read again:

In the American system of government the right of democratic decision has never been identified with majority rule as such. The genius of the American system, unique I believe among the democracies of the world, is that it limits all power—including the power of the majority. Absolute power, whether in a king, a president, a legislative majority, a popular majority, is alien to the American idea of democratic decision.

The American idea of a democratic decision has always been that important minorities must not be coerced. When there is strong opposition, it is neither wise nor practical to force a decision. It is necessary

and it is better to postpone the decision—to respect the opposition and then to accept the burden of trying to persuade it.

For a decision which has to be enforced against the determined opposition of large communities and regions of the country will, as Americans have long realized, almost never produce the results it is supposed to produce.

How thoroughly correct is that statement.

The opposition and the resistance, having been overridden, will not disappear. They will merely find some other way of avoiding, evading, obstructing, or nullifying the decision.

For that reason it is a cardinal principle of the American democracy that great decisions on issues that men regard as vital shall not be taken by vote of the majority until the consent of the minority has been obtained. Where the consent of the minority has been lacking, as for example in the case of the prohibition amendment, the democratic decision has produced hypocrisy and lawlessness.

This is the issue in the Senate. It is not whether there shall be unlimited debates. The right of unlimited debates is merely a a device, rather an awkward and tiresome device, to prevent large and determined communities from being coerced.

The issue is whether the fundamental principle of American democratic decision—that strong minorities must be persuaded and not coerced—shall be altered radically, not by constitutional amendment, but by a subtle change in the rules of the Senate.

The issue has been raised in connection with the civil-rights legislation.

Mr. President, Mr. Lippmann is known as being highly liberal in his views in this field, so I hope Senators will listen very carefully to what he says about the civil-rights program.

The issue has been raised in connection with the civil-rights legislation. The question is whether the vindication of these civil rights requires the sacrifice of the American limitation on majority rule. The question is a painful one. But I believe the answer has to be that the rights of Negroes will in the end be made more secure, even if they are vindicated more slowly, if the cardinal principle—that minorities shall not be coerced by majorities—is conserved.

For if that principle is abandoned, then the great limitations on the absolutism and the tyranny of transient majorities will be gone, and the path will be much more open than it now is to the demagogic dictator who, having aroused a mob, destroys the liberties of the people.

I do not believe I can improve, nor would I hope to improve upon that statement. Therefore I close with its insertion in the RECORD at the end of my address, with the feeling that Mr. Lippmann has well stated a proposition which will commend itself to the sound and seasoned judgment of the Members of this body if they only will take the long-time view and look at the type of work that has been done in the South, and that continues to be done, and then look at the objectives which are sought to be carried out by forcing down the throats of the South this punitive legislation, which is destined to failure because it is in a field where legislation will not accomplish the desired result.

Mr. President, I strongly and sincerely hope that the Senate will refuse to agree to the motion, and will refuse to make the resolution reported from the Committee on Rules and Administration the unfinished business of the Senate of the United States.

NOMINATIONS IN THE NATIONAL MILITARY ESTABLISHMENT

During the delivery of Mr. HOLLAND'S speech,

Mr. TYDINGS. Mr. President, I ask unanimous consent, with the understanding that the Senator from Florida shall not lose the floor, that certain routine nominations for the Army and Navy may be acted on, as in executive session, with the understanding that the Senator from Florida shall have the floor immediately thereafter.

The PRESIDING OFFICER. The Senator from Maryland is reminded that under the rules by which the Senate is now proceeding, the unanimous-consent request must come from the Senator who has the floor. Does the Senator from Florida propound the request?

Mr. HOLLAND. Mr. President, in an effort to accede to the gracious request of the distinguished Senator from Maryland, I now ask that I be granted unanimous consent of the Senate to yield to him, without losing my place on the floor, for the purpose of his requesting the unanimous-consent agreement.

The PRESIDING OFFICER. Is there objection?

Mr. KNOWLAND. Mr. President, reserving the right to object, I should like to ask the Senator from Maryland if these are nominations that have come out of his committee by unanimous vote of the Committee on Armed Services, and whether he can inform the Senate if there was any opposition or is likely to be any opposition to them.

Mr. TYDINGS. The nominations are purely routine in the armed services. Earlier in the day they were reported unanimously by the committee, and no objection has been filed against any of them. None is expected.

I ask unanimous consent, as in executive session, that the nominations for routine promotions in the various branches of the national Miiltary Establishment be confirmed, that the President be notified immediately.

The PRESIDING OFFICER. Without objection, the nominations are confirmed, and without objection, the President of the United States will be notified immediately.

Mr. TYDINGS. I hope, without violating the rule, I may thank the Senator from Florida for his courtesy.

After the conclusion of Mr. HOLLAND'S speech,

THE ONE HUNDREDTH ANNIVERSARY OF MINNESOTA

Mr. THYE. Mr. President, just 100 years ago today a President of the United States affixed his signature to a measure duly enacted by Congress, and thereby established the legal entity which is Minnesota.

On this birthday anniversary, marking the close of the first century in the life of a great Commonwealth, it is a privilege for me to speak briefly in tribute to Minnesota and her people.

A hundred years is not long in terms of the existence of some of the States of the Union, whose history extends over three centuries of time, but to the people of this Commonwealth a century is the space of time within which a raw wilderness was transformed into one of the most productive of the 48 States.

The Territorial years beginning in 1849 were the significant formative years of Minnesota's history. Government was established, following the signing of the organic act on March 3, 1849, by President Polk, under the leadership of such men as Alexander Ramsey, the first Territorial governor, Henry N. Sibley, who later became the first State governor, and Henry M. Rice, one of the State's first United States Senators, whose statue represents Minnesota in Statuary Hall in the Capitol.

With the establishment of government began the movement of organized civilization into an Indian wilderness. Treaties with the Indians in 1851 opened the territory west of the Mississippi to white settlers. People flooded into the territory by all available means of transportation, so that within 9 years the population had grown from less than 5,000 white persons to almost 160,000. Wheat began pouring from newly tilled farms and lumbering became a major industry. Cities and towns bloomed on virgin forest and prairie lands, farms were hewn from the raw earth, homes were built, schools and churches carried the culture of America onward toward the West. In a decade civilization was transplanted into a wilderness, and in 1858 the frontier territory was adjudged capable of assuming the duties and responsibilities of a sovereign State.

Beginning today, which has been proclaimed Establishment Day by Gov. Luther W. Youngdahl, Minnesota's centennial observance will continue throughout the year as other significant historical events of 1849 are noted, such as the anniversary of the proclamation of the territorial government on June 1, the establishment of the judicial districts on June 11, the formation of legislative districts on July 7, the holding of the first election on August 1, and the meeting of the first legislature on September 3. The Minnesota Historical Society, the first institution created by the Territorial legislature, which will be 100 years old on October 20, is the official agency for the centennial celebration.

In Minnesota we are looking back at this moment upon an historic century, both in the history of our own Commonwealth and in the history of this great Nation of which it is a part. This is neither the time nor the place to recount in detail the contribution which Minnesota has made to the welfare and progress of the United States. It has been a great contribution. I am certain that my colleagues in the Senate, representing all in the sisterhood of States, share my deep sense of pride in the record of the one whose birthday occurs today. Other States are unique in their respective excellences, but few, not even excepting the Empire State itself, have greater sweep and breadth than Minnesota in almost every important field. Her farms are as fertile as those of any State, so that her corn, and wheat, and

dairy products rank in value among the highest. Her chief port is outranked in the amount of tonnage carried only by one great harbor on the Atlantic seaboard. Her mineral deposits, more extensive than those of the Ruhr Valley, furnish two-thirds of the Nation's iron ore. Her flour mills are the greatest in the world, and her industrial development among the most significant. Her State university, with its preeminent medical center, is one of the largest in this country. Her lakes and streams and forests offer rest and recreation to people from everywhere.

And yet we must turn to a greater resource than all these to find the real stature of Minnesota. It is in the character and caliber of her people. This typical commonwealth was founded by the toil and pain of pioneers who had a vision of greatness. Upon the foundation that they laid, Americans of many national stocks have labored to build a State which would offer the security, prosperity, happiness, and freedom which America has always held forth as her promise to the sons and daughters of every land. They have created an environment of tolerance and understanding which is not unique but which is representative of this great Nation at its very best.

Minnesota is taking inventory today of all that has gone into the building of a great commonwealth. Her people are proud of what the North Star State has become, but they are prouder still that their wise husbanding of the resources with which nature endowed their State, their toil and vision through the generations, and the blood of valiant sons in the defense of their country have been blended with the like contributions of the people of all our other States as part of the common heritage and greatness of America. Therefore, although the people of Minnesota commemorate what may seem to be a purely local occasion, they in reality are appraising the qualities and experiences of the whole of this great land.

AMENDMENT OF CLOTURE RULE

The Senate resumed the consideration of the motion of Mr. LUCAS to proceed to the consideration of Senate Resolution 15, amending the so-called cloture rule of the Senate.

Mr. KNOWLAND. Mr. President, the pending measure is the motion of the senior Senator from Illinois [Mr. LUCAS] to make Senate Resolution 15 the unfinished business of the Senate.

This is a legislative body. The legislative process is a continuing one. First a bill or resolution must be introduced. It must be referred to the proper committee. If favorable to the bill or resolution the committee makes its report to the Senate. The bill or resolution then goes on the calendar. Later as part of this process, a motion is made to bring it, in a formal way, before the Senate. As a general rule, this is done without any prolonged discussion on the measure at this point in the legislative process. The bill or resolution is then subject to discussion, debate and vote. For a Senate resolution, the legislative process in this chamber is completed at that point, and for a bill, the legislative process continues through the House, at times to the conference committee, back to the House and Senate and on to the President for his approval or veto. If the latter, the process continues until the veto has been acted upon.

Webster's new international dictionary defines the word "measure" as:

> A step or definite part of a progressive course or policy; a means to an end.

I submit, Mr. President, that the motion of the Senator from Illinois fits into that definition.

It is my desire to discuss the merits of his motion. When the motion has been favorably acted upon there will be ample time to debate the merits of Resolution 15. Even the adoption of a cloture petition on the Lucas motion would not cut off debate on the resolution. It would only help put the Senate in a position where the debate may properly be on Resolution 15.

The basic issue facing the Senate of the United States for the last 3 days is whether or not the Senate is to be able to function as a legislative body.

There is no monopoly in this body of devotion to the Constitution by the group upholding the right of unlimited filibuster.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. KNOWLAND. I decline to yield at this time. I shall be glad to yield later.

The PRESIDING OFFICER. The Senator declines to yield.

Mr. KNOWLAND. The oath that we on this side of the aisle, took to support and defend the Constitution of the United States is no less sacred to us than theirs is to them.

It is one thing to fully debate the merits of the resolution when it is before the Senate for action. It is quite another to take the position that by the power of endurance the Senate is to be prevented from ever having the resolution before it under parliamentary conditions where amendments could be offered and voted upon.

It is my considered judgment that a substantial majority of this Senate will vote to make rule XXII the effective two-thirds cloture it was intended to be when adopted in 1917 and will vote against any amendment to provide for cloture by a majority provided they ever get to the parliamentary stage where they are allowed to vote. Whether we get there or not is in the hands of this body, and so is the responsibility for their action or lack of it.

But under the present absurd parliamentary situation, one quarter of the Senate can prevent three quarters of the Senate from voting their convictions on this issue.

Under our Constitution, each State has equal representation in this body. On legislation, the vote of a Senator from one State can cancel out the vote of a Senator from another when they are on opposite sides. In some instances—as in the two-thirds required for ratification of treaties, Presidential vetoes and constitutional amendments—the vote of one Senator voting "nay" will cancel out the vote of two Senators voting "yea."

However, Mr. President, I can find nothing in the Constitution of the United States and nothing in the rules of the Senate or in equity that supports the contention that 25 Senators should be able to keep 71 Senators from discharging their legislative rights and duties. This is minority government with a vengeance.

Mr. LONG. Mr. President, will the Senator yield for a question?

Mr. KNOWLAND. I decline to yield at this time. I shall be glad to yield when I finish.

We are critical when minorities abroad take over and destroy free governments. Yet, in the name of constitutional government, there are some who would contend that a minority should have the power completely to obstruct the legislative process.

I commend the Democratic leadership for joining with those of us on this side of the aisle who wish to have an effective two-thirds rule in recognizing that the issue is so fundamental that it should be fought out head-on here and now.

If a way can be found to permit this legislative body to legislate, then Senate resolution 15 can be discussed on its merits and such amendments as may be offered can be discussed on their merits. Then the Senate by the Democratic representative process of voting can fulfill its Constitutional duty of adopting and amending its own rules.

The record is clear that the men who served in the Senate in 1917 were able men who believed they were adopting an effective cloture. While it is true that clever men found loopholes in the rule, the Senate itself has the power to close those loopholes in one or more ways or a combination of ways.

Even the Supreme Court has been known to reverse itself. No precedent should be allowed to obstruct the legislative process, make a dead letter of a Senate rule and force 70, 80, or 90 Senators abjectly to surrender to the forensic guns held at their heads by a small minority.

Responsibility for legislative obstruction if this effort to perfect rule XXII is finally defeated must rest upon those who give aid and assistance to those who are determined to prevent the Senate from voting on resolution 15 and any amendments thereto.

Mr. President, there is always the possibility that this Nation may be confronted with a great national emergency. We have had filibusters in the Senate of the United States which lasted for 42 days. I wish to call the attention of this body to the fact that Holland was overrun by Germany in just 5 days, Yugoslavia in 12 days, Belgium in 19 days, and Poland in 28 days. The Senate has had filibusters last longer than it took nations to lose their independence and people their liberty.

Mr. President, I submit that there is a body of opinion which believes that rule XXII was meant to perform in the way it is stated, which is that two-thirds of the Senate, after due deliberation, may have a legislative process by which the Senate can perform its constitutional duty of legislating.

I called attention the other day, while on the floor of the Senate—and I wish to repeat it at this time—to the language of

the senior Senator from Texas [Mr. CONNALLY] during the hearings in January and February of 1947. Here is what the distinguished senior Senator from Texas had to say at that time:

Mr. Chairman, it seems to me that the present cloture rule is sufficient for all practical purposes to enable the Senate to force a vote whenever two-thirds of the membership desires it.

Later on in his same testimony he said:

Now, you have got a rule—I won't go into it, you know what it is—that upon the signature of 16 Members of the Senate, following 1 day over, it shall be set down and a vote had, and if two-thirds of the Senate, after 1 hour debate per Senator, if two-thirds of those present vote that they don't want any more debate the debate is cut off.

In the testimony of the able Senator from Georgia [Mr. GEORGE] before the Rules Committee, during the same hearings, we find that he had this to say:

At the outset I concede that the rule may properly be made applicable to any pending motion, question, or measure. This, of course, involves a change in the rule and a substantial change in point of fact, but, nevertheless, it is a change which I think should be made in the Senate rules.

Mr. President, I submit that unless the Senate interprets rule XXII as applying to a motion, we must concede that the men who adopted that rule by an overwhelming vote in 1917 were doing it with their tongues in their cheeks, were doing it to deceive the Senate of the United States and to deceive the American people. I can put no such interpretation upon the act of those very able men who served in this body in 1917, because if rule XXII does not apply to a motion to bring up a bill, it is an absolute dead letter, it is meaningless, it is an idle and wasteful gesture on their part; because no measure, no bill, no resolution can come before the Senate of the United States except by motion; and if rule XXII does not apply to a motion, then it might just as well not be on the Senate's rule book in any way whatsoever.

Mr. President, I merely wish to say this in closing that this is one of the historic periods, I believe, in the Senate of the United States. During the course of this debate and the legislative action which will soon follow, we are going to determine whether the Senate of the United States can function as a legislative body and can perform its constitutional duties. If we abjectly surrender, if we yield on this issue, probably for as long as any of us serve in this body we shall have surrendered into the hands of a minority the right to obstruct the entire legislative process.

Mr. SALTONSTALL. Mr. President, will the Senator yield for a question?

Mr. MAYBANK. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from California yield; and if so, to whom?

Mr. KNOWLAND. I yield first to the Senator from Massachusetts.

Mr. SALTONSTALL. Mr. President, I should like to ask the Senator two questions based on the argument made the other day by one of the very distinguished Senators on the other side of this question. I think I am correct in saying that he made two points.

The first was that if this amendment to the rule is adopted under Senate Resolution 15, it would be a deprivation of the equal rights of the States. That was his first point.

His other point was that the Senate, while it is a legislative body, of course, is essentially a deliberative body, with other functions in addition to legislative functions, and therefore this amendment should not necessarily be added to the rule. I should like to have the Senator from California, who has just spoken so ably, give his view on those two questions.

Mr. KNOWLAND. In the first place, Mr. President, in answer to the Senator from Massachusetts, I would say that Resolution No. 15, which proposes to close the loopholes in rule XXII, in no sense deprives any State of its equal representation in the Senate of the United States; but, to the contrary, if we do not make rule XXII effective, we in effect permit one Senator or a small handful of Senators from a few States to deprive all the other States of their equal representation.

After all, one of the ways the State the Senator from Massachusetts represents or the State the junior Senator from California represents has a right to be heard in the Senate of the United States is by having its Senators vote on legislation; and the unlimited use of the filibuster by a small handful of Senators can in effect deprive 91 Members of the Senate of the United States, representing the number of States those 91 Senators might represent, of a voice in the Senate of the United States.

Mr. LONG. Mr. President, will the Senator yield for a question?

Mr. KNOWLAND. First, I wish to answer the other question of the Senator from Massachusetts.

Mr. SALTONSTALL. Mr. President, if the Senator will further yield, the other question I ask him is this: Does he consider the Senate, although a legislative body, to be essentially a mere deliberative body, with other functions; and therefore does he believe that the proposed amendment to the rule should not be made?

Mr. KNOWLAND. In answer to the question of the Senator from Massachusetts, let me say that of course I recognize the fact that the Senate has other duties, in addition to its regular legislative duties; but under the Constitution of the United States the Senate has, of course, a coequal part with the House of Representatives in the legislative process. Filibusters which operate against permitting the Senate to perform its constitutional function, seem to me to be entirely out of place. For that reason, I do not believe that the other functions of the Senate are such that its legislative function should properly be obstructed.

Mr. LUCAS. Mr. President, will the Senator yield to me?

Mr. KNOWLAND. I yield first to the Senator from Louisiana, who previously has requested that I yield to him.

Mr. LONG. Mr. President, with reference to the Senator's point that Holland was overrun in 5 days, let me ask what possible relationship does the time it took the Germans to conquer Holland have with the time it might take the Senate of the United States to pass a law?

Mr. KNOWLAND. In answer to the Senator from Louisiana, if he will permit me to answer at this point, I will say it is entirely conceivable that during the period of time in which those of us who now are serving the Senate of the United States remain here, some aggressor power might begin to move in western Europe, and might start to overrun some of the western democracies.

Mr. LONG. May I ask the Senator——

Mr. KNOWLAND. Mr. President, will the Senator from Louisiana permit me to finish, please. It is entirely possible that the Senate could be kept tied up in knots for the critcal period of 4 or 5 days when a particular nation or group of nations might be being overrun; and as President Woodrow Wilson pointed out, we would then be faced with the situation that the Senate of the United States was completely tied up, and in the eyes of the rest of the world it would be most difficult to explain how this great representative Republic came to be in that unfortunate position.

Mr. LONG. Mr. President, will the Senator yield for a further question?

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Louisiana for a further question?

Mr. KNOWLAND. I yield for a question.

Mr. LONG. I take it then that if it would require the Russian Army 12 hours to overrun Luxemburg, the United States Senate would be limited to 12 hours in which to decide whether or not we wanted to take this Nation into war; is that correct?

Mr. KNOWLAND. No. I may say to the able Senator from Louisiana that even those on his side of the aisle recognized this was a very important question, and as the able Senator from Louisiana well knows, the Senator from Mississippi, recognizing that we might be faced with a very critical emergency, presented an amendment to the committee. I want to call the attention of the Senator from Louisiana to it. At this point, I ask, Mr. President, that there be placed in the RECORD the amendment which was offered by the Senator from Mississippi to cover national emergencies.

There being no objection, the amendment was ordered to be printed in the RECORD, as follows:

If at any time a motion, signed by 86 Senators, is presented to bring to a close the debate upon any measure on the Senate Calendar (and a Senator having the floor may be interrupted for this purpose), the Presiding Officer shall at once state the motion to the Senate, and declare the measure the unfinished business of the Senate. Two hours after the motion has been stated (unless the motion itself as filed shall specify a longer time for debate, which specification, if any, shall control), the Senate shall proceed to vote on the passage of the measure by a yea-and-nay vote. At least one-half of the full time allowed for debate shall be allotted to Members who do not sign the motion. Except by unanimous consent,

no amendment shall be in order after the motion has been filed. No dilatory motion shall be in order. Points of order, including questions of relevancy, and appeals from the decision of the Presiding Officer, shall be decided without debate.

Mr. KNOWLAND. I desire to call to the attention of the Senator from Louisiana the fact that under the absurd parliamentary situation in which this great deliberative body finds itself tonight, and in which we have been for 4 days, and are likely to be for at least a week more, we could not even get a chance to vote on such an amendment as that of the very able Senator from Mississippi.

Mr LONG. Mr. President, will the Senator yield for a further question?

The PRESIDING OFFICER. Does the Senator from California yield for a further question?

Mr. KNOWLAND. I yield for a question.

Mr LONG. Does the Senator realize that the United States carried on, and that the men who built the American Government thought enough of the rule we have to permit it to continue for 117 years?

Mr. KNOWLAND. I may say to the Senator from Louisiana, we now live in the age of the airplane and the atom. Only yesterday there was published in the newspapers the information that one of our B–50 bombers flew completely around the world, some twenty-three-thousand-odd miles, without stopping. What this Nation can do, other nations, given a little more time, will be able to do; and what was satisfactory in the days before the airplane may not be satisfactory for the security of our Republic under present-day conditions.

Mr. LONG. Mr. President, will the Senator yield for another question?

Mr. STENNIS. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. The Senator from California has the floor. Does the Senator yield? If so, to whom?

Mr. KNOWLAND. I yield, to give a little time to the Senator from Mississippi; then I shall come back to the Senator from Louisiana.

Mr. STENNIS. I should like to ask the Senator from California whether the amendment to which he refers as having been offered in the Committee on Rules and Administration was rejected by the committee.

Mr. KNOWLAND. That is correct.

Mr. STENNIS. The amendment provided a rule whereby 86 Members of the Senate could at any time bring debate to a close and allow only 2 hours for further discussion, did it not?

Mr. KNOWLAND. That is correct.

Mr. STENNIS. The amendment further provided, did it not, that it would apply to all matters that might be brought before the Senate, whether a pending measure, a motion, or anything else? Is not that correct?

Mr. KNOWLAND. The Senator from Mississippi is correct.

Mr. STENNIS. I think that clears up the record. I wanted this to appear in the RECORD following the remarks of the Senator from California.

Mr. LONG. Mr. President, will the Senator yield for another question?

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Louisiana for another question?

Mr. KNOWLAND. I yield for a question.

Mr. LONG. Does the Senator not realize that the President, as Commander in Chief of the Army and Navy, is required to defend this Nation in the event it is attacked, regardless of whether Congress declares war before the attack?

Mr. KNOWLAND. I may say to the Senator from Louisiana on a Pearl Harbor type of attack against the continental United States or its possessions, I think there is no question on that score. There might be, however, in case of an attack upon the western nations of Europe, the necessity and desirability of the Congress of the United States being able to function under those conditions.

Mr. LUCAS and Mr. WATKINS addressed the Chair.

Mr. KNOWLAND. I yield to the Senator from Illinois for a question.

Mr. LUCAS. I should like to ask the Senator one question. I take it the Senator is familiar with the personnel of the United States Senate in 1917, when the present rule XXII was adopted.

Mr. KNOWLANL. That is correct.

Mr. LUCAS. Does the Senator agree with me that the great men in the Senate at that time really knew what they were doing when they adopted the rule?

Mr. KNOWLAND. I think there is no doubt about that. The Senator is absolutely correct.

Mr. LUCAS. Does the Senator know of any unusual or omnipotent judgment now in the United States Senate that would construe the meaning of rule XXII differently from the way those men construed it to be at that particular time?

Mr. KNOWLAND. Frankly, I cannot see how the Senator can put any different interpretation on it than that they were acting in good faith and meant to have an effective cloture procedure.

Mr. LUCAS. Does the Senator agree with me that at the time rule XXII was adopted, those men, with the exception of three, all agreed to the rule, and that they believed at that moment they were adopting a rule which would be absolutely effective in bringing debate to a close?

Mr. KNOWLAND. In my judgment the Senator is entirely correct.

Mr. LUCAS. I want to——

The PRESIDING OFFICER. The present occupant of the chair has the responsibility to cut off colloquies, unless the Senator yields.

Mr. LUCAS. I am asking a question.

Mr. KNOWLAND. I am yielding for a question.

The PRESIDING OFFICER. Is the Senator from Illinois asking whether the Senator from California will yield for a further question?

Mr. LUCAS. I should have asked the Presiding Officer whether the Senator from California would yield for a further question. I apologize to the Chair. I admit I violated the rule. Mr. President, will the Senator yield for a further question?

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Illinois for another question?

Mr. KNOWLAND. I yield for a further question.

Mr. LUCAS. Does the Senator agree with me that there may be an opportunity in the course of the present debate to follow out the intent of those who in 1917 framed the resolution, by following the decision of the Chair, if it should come at the proper time, and the decision should be made in line with what the Senator and I are thinking?

Mr. KNOWLAND. I think that is quite a hopeful possibility.

Mr. LUCAS. Mr. President, will the Senator yield for another question?

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Illinois for another question?

Mr. KNOWLAND. I yield for another question.

Mr. LUCAS. Does the Senator agree with me that the Senate of the United States makes the rules of the Senate and the Parliamentarian follows the rules thus made?

Mr. KNOWLAND. The Senator is correct. Under the Constitution itself the Senate is the judge of its own rules.

Mr. LUCAS. Mr. President, will the Senator yield for another question?

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Illinois another question?

Mr. KNOWLAND. I yield for another question.

Mr. LUCAS. Does the Senator agree with me that the records of the United States Senate at the present time disclose that at no time has the Senate itself passed upon this question?

Mr. KNOWLAND. The Senator is correct.

Mr. LUCAS. In other words, we have had rulings from the Chair on two different occasions, but insofar as the Senate of the United States is concerned the Senate has never directly passed upon this question; is that correct?

Mr. KNOWLAND. In answer to the Senator's inquiry, I may say that is my understanding.

Mr. SALTONSTALL and Mr. WATKINS addressed the Chair.

The PRESIDING OFFICER. Does the Senator from California yield for a question? If so, to whom?

Mr. KNOWLAND. I yield to the Senator from Massachusetts for a question.

Mr. SALTONSTALL. I should like to ask the Senator a question along the lines of the questions asked by the Senator from Illinois. Would not the Senator construe the fact that in the debates of the period when rule XXII was adopted, there was apparently no discussion of the rule not applying to motions to take up, and incidental questions of that character, as an indication that the members felt it was clear the rule did apply to such motions and questions?

Mr. KNOWLAND. I may say in answer to the Senator's inquiry, after a very careful study of the CONGRESSIONAL RECORD regarding the discussion that took place at the time, in the logic and common sense of the situation, the reading of the rule itself and the fact that

the dictionary definition gives an indication that it is a part of a continuing process, to my mind at least indicates that there can be no doubt that the Members of the Senate at that time thought they were going to have an effective cloture procedure.

Mr. PEPPER. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Florida for a question?

Mr. KNOWLAND. I should like to continue for a moment. As the able Senator from Massachusetts well knows, Senate Resolution 15 is in no sense a gag rule. All it proposes and purports to do is to close any loopholes which may have been discovered since the rule was adopted. There will be complete freedom of debate in the Senate of the United States.

I doubt that there are many Members of this body who would sign a cloture petition until there had been adequate time for discussion. After the petition is filed it has to lay over an intervening day. Even if two-thirds of the Senators finally determine that the time has come to act and not to talk, each Senator has still one additional hour. So that when the charge is made that this is some kind of a new gag proposal, it is not in keeping with the facts.

Mr. PEPPER and Mr. STENNIS addressed the Chair.

The PRESIDING OFFICER. Does the Senator from California yield for a question; and if so, to whom?

Mr. KNOWLAND. I yield to the Senator from Florida for a question.

Mr. PEPPER. Mr. President, I was going to ask the Senator from California if it is not a fact, as he has already inferred, that all the pending resolution proposes to do is to plug two parliamentary loopholes in rule XXII as adopted by the Senate in 1917 by a vote of 73 to 3, and after the unanimous recommendation of 10 Members of the Senate, 5 from the Republican side and 5 from the Democratic side—to plug two loopholes which have been discovered——

Mr. KNOWLAND. Three loopholes.

Mr. PEPPER. Three loopholes which have been discovered by ingenious parliamentarians of the Senate, to prevent bringing an end to debate?

Mr. KNOWLAND. It is my judgment that the Senator from Florida is correct.

Mr. PEPPER. Mr. President, will the Senator yield further?

Mr. KNOWLAND. I yield for a further question.

Mr. PEPPER. And that there is nothing different in character, intent, or purpose involved in the proposed rule change from that which was involved when it was adopted by the Senate in 1917?

Mr. KNOWLAND. I believe the Senator is correct.

Mr. PEPPER. Mr. President, will the Senator yield for one further question?

Mr. KNOWLAND. I yield for a further question.

Mr. PEPPER. And all the honorable tradition and pride in the merit and character of this body which has prevailed in the past in respect to the application of the present cloture rule certainly may be expected to prevail in the future with respect to the application of an amended cloture rule, should it be amended as proposed?

Mr. KNOWLAND. I am satisfied that the Senator is correct.

Mr. STENNIS. Mr. President, will the Senator yield for a question?

Mr. KNOWLAND. I yield for a question.

Mr. STENNIS. With regard to the record with reference to what happened after the adoption of the rule in 1917, is it not true that the first ruling under the new rule was from the Chair, to the effect that cloture would not apply to certain pending amendments in the nature of reservations to a treaty? Is that correct?

Mr. KNOWLAND. That is my understanding.

Mr. STENNIS. Will the Senator yield further?

Mr. KNOWLAND. I yield for a further question.

Mr. STENNIS. Is it not true that the next ruling was in 1922, when the Chair ruled that the rule would not apply to a motion to correct the Journal?

Mr. KNOWLAND. That is my understanding.

Mr. STENNIS. Will the Senator yield further?

Mr. KNOWLAND. I yield for a further question.

Mr. STENNIS. Was there any successful effort made following the ruling in 1919 or in 1922 to prevent the application of the rule?

Mr. KNOWLAND. I would merely answer the Senator from Mississippi in this way: None of us who are now in this body were in the Senate of the United States at the time of those two prior rulings. I cannot know what was in the minds of the Senators by their taking or not taking action at that time, but I merely wish to say to the Senator from Mississippi that it seems to me that for the first time in the history of the Senate of the United States we shall have a clear-cut issue on this one point of whether a motion to take up is an integral part of the legislative process. It will be the first time that any Presiding Officer has had an opportunity to rule clearly and definitely on that precise issue.

I certainly feel that the Senate of the United States was lax in not itself taking action when the prior rulings were made, because I do not believe it should surrender out of its own hands the very clear intent of rule XXII, that it would be an effective cloture, and permit merely a ruling from the Chair to make a dead letter of a rule which apparently meant something.

Mr. STENNIS. Will the Senator yield for a further question?

Mr. KNOWLAND. I yield for a further question.

Mr. STENNIS. To complete the record, let me ask the distinguished Senator if there was not another ruling by the Chair in 1943, which was that the cloture rule did not apply to a then-pending matter, the Senator from Tennessee being in the chair, and that the Senate accepted that ruling?

Mr. KNOWLAND. I will merely say to the Senator that there was a ruling at that time, and it is my judgment that the Senate of the United States did not itself pass upon that question. Furthermore, I do not believe that any of the rulings which the able Senator from Mississippi has mentioned went to the exact point of the situation which the Senate now confronts as of today and all of this week. This is a new question. It has never been ruled upon by any Presiding Officer of the Senate. So, to that extent, it is the judgment of the junior Senator from California that the Presiding Officer will be called upon for the first time in the history of the Senate to rule on a clear-cut, new proposal.

Mr. STENNIS. Mr. President, will the Senator yield for one more question?

Mr. KNOWLAND. Yes; I yield to the Senator from Mississippi for one more question.

Mr. STENNIS. The Senator remembers the ruling of last July in which it was held by the Presiding Officer that a motion to take up a bill did not come under the present cloture rule, and the Senator will recall that the Senate accepted that ruling as being correct. Is not that so?

Mr. KNOWLAND. Just a minute, Mr. President. I want to say to the able Senator from Mississippi that that was at a time when the junior Senator from California was in the Senate of the United States. The fact of the matter is that that was not the precise situation which will exist if and when the Presiding Officer shall rule on this particular question. There was pending business before the Senate of the United States. Here we have a clear-cut situation in which there is no pending business before the Senate; it is a new situation; it is entirely different from any of the other situation in which the Senate has had an opportunity to hear a ruling from a Presiding Officer.

Furthermore, I would say in answer to the inquiry from the Senator from Mississippi, that in that case the senior Senator from Ohio took an appeal from the decision of the Chair. The parliamentary situation was entirely different from that which exists at this time. The appeal from the decision of the Chair was itself subject to unlimited filibuster. Therefore, due to the legislative situation, it could not be successfully pressed at the moment. It is true that those on the other side of the issue, had they so desired and had they thought they had the necessary votes to permit them successfully to make the motion, could have moved to lay the appeal of the senior Senator from Ohio on the table, which would have been action by the Senate making the decision of the Presiding Officer final.

I shall not say what was in the minds of my able colleagues on the other side of the aisle, but I rather suspect that perhaps they thought that such a motion, if made by them, would not be agreed to. The members on this side of the aisle were not in a position to make that kind of a motion, because it would have run counter to their deep convictions. All of them recognized the practical situation that under the unlimited filibuster which exists in the Senate at this time, that motion could

have been discussed from the time the ruling was made to the end of the session, and no other business would have been transacted.

So I say to the Senator, again, that for the first time in the history of this body we shall have a clear-cut decision on this issue.

Mr. STENNIS. Will the Senator yield for one more question?

Mr. KNOWLAND. I yield for one more question.

Mr. STENNIS. May I ask the Senator to point out again the distinction between the parliamentary situation existing now and that which existed at the time of the ruling of the Presiding Officer last July?

Mr. KNOWLAND. Mr. President, I will say to the able Senator from Mississippi that I am prepared to make and expect to make some observations if and when the Chair is prepared and undertakes to rule on the situation. My statement is now in the process of preparation. I am convinced the situation is an entirely different type from what was before confronted. The Senator will hear my arguments later.

Mr. STENNIS. I thank the Senator very much.

THE PROPOSED NORTH ATLANTIC SECURITY PACT

Mr. WATKINS. Mr. President, I realize the hour is growing late, but I intend to start some remarks I desire to make, and then submit a unanimous-consent request.

Notwithstanding that the Secretary of State, Mr. Acheson, and the Senator from Texas [Mr. CONNALLY], chairman of the Foreign Relations Committee of the Senate, have urged that debate on the North Atlantic security pact be postponed until the pact is ready to be given to the Senate for approval, the honoring of the request has been more observed in the breach than in the observance.

Throughout this country and in foreign countries, newspapers and other publicists have been waging the debate on the proposed North Atlantic security pact.

From time to time quotations from the pact itself have been printed in our newspapers. This has been done in spite of the fact that the Congress has been told, through the Secretary of State and the chairman of the Foreign Relations Committee, that the text of the pact, whatever it is at the moment, is top secret.

It is inconceivable that either the Secretary of State or the Senator from Texas have been giving out information on the text of the pact, in view of the statements they have made to the Congress.

Where do these quotations come from? Since the information is apparently accurate—and I say that with some reservations; I am assuming an established newspaper would not publish them unless they had some ground for thinking they were accurate—I must assume that someone directly connected with the negotiations is actually giving out the information for some definite purpose.

In view of the history of previous programs for foreign relief, one may well conclude that one or more nations interested in such an alliance would take advantage of such a propaganda campaign to assure its adoption by the participating governments. One of the most effective ways, of course, would be to get information into the hands of friendly newspapers, correspondents, and commentators, so that these friendly publicists could present the matter in a favorable light to the American people. Wherever or whatever the source, it is my belief that the underlying purpose of this prepact publicity is a propaganda campaign designed to win the overwhelming support of an uninformed American public.

When that purpose has been achieved, the alliance will be tossed into the lap of the United States Senate. Then, those who took months to draw and obtain support for the pact will say—and I believe I have heard similar admonishments before—"Act on this immediately. This is our last chance for peace."

The United States Senate will then be placed in this position: It can bow to public pressure for the sake of political expediency; or Senators in opposition can object to the principles involved and incur the possibility of political extinction.

This I believe without a doubt to be the objective of the proalliance propagandists. They have little desire to seek the advice of the Senate during the formulative stages of the alliance.

An editorial in a western newspaper came to the attention of the senior Senator from Missouri [Mr. DONNELL] and, in an open session of the Senate, he called attention to some provisions of the proposed treaty. The questions of the Senator from Missouri brought some very enlightening responses from two leading Senators who are members of the Foreign Relations Committee. The statements made by the two members of this committee were reassuring to the country, and undoubtedly to many of the Senators who expect the Constitution of the United States to be faithfully observed by the officials of this Government in any treaty negotiations with foreign countries.

The Senators on the Foreign Relations Committee taking part in the discussion made abundantly clear that there would be no moral or implied pledge to take up arms in case of attack against the members of the security pact. This would not be a military alliance. No power of future Congresses to act independently in the matter of declaring war would be abridged in any way.

These assurances seemed to go full distance in the protection of the United States in the entering of such a pact. There would be no commitment, either expressed, implied, or moral, that would obligate the United States to take military action against any aggressor which might attack one or the other of the signatory nations.

This assurance to the people of this country, however, was contrasted by consternation in the capitals of the nations in Europe who were negotiating to enter the pact. What they wanted was a military alliance, the old-fashioned kind, in which the United States would be bound to come to the rescue of any nation or nations in the pact immediately upon any armed attack being made on such nation or nations. They knew, or should have known, the provisions of the Constitution of the United States which make it impossible for this country, if that document were honored in writing the pact, to make any such binding agreement. No future Congress can be bound to declare war.

There were hasty conferences to iron out the difficulties. Immediately the press of this country—at least many of the leading newspapers—took up the debate. They were not at all backward in going all out for what, in effect, would be a strong military alliance in which the United States would be brought into any fighting if any of the nations joining in the pact were attacked by any nation which could be termed an aggressor.

The problem seemed to be to find a way in which Europe could be given the military alliance it wanted and at the same time satisfy the people of the United States so that they could feel secure that the Constitution was being observed in letter and in spirit.

These positions, in my opinion are incompatible. Europe was not satisfied with the commitments our senatorial spokesmen were able to assure under our Constitution.

As a result of this situation, the editorials then began to run something like the one I now have before me. This one, and it is typical, appeared in the Washington Evening Star under date of February 18. After quoting article I, section 8, of the Constitution, which reads: "The Congress shall have power to declare war," the editorial comment in part was as follows:

> When those words were written, war was a slow, tedious process. It was a matter of transporting armies across vast stretches of ocean in sailing ships, of naval blockades, of equipping men with muskets to face other men with muskets. The authors of article I, section 8, could not foresee the day when war would become a matter of sudden, devastating attack, designed to destroy a country long before its Congress could assemble to declare war. They could not have been expected to foresee the time in which we live, a time in which man's true hope of survival lies in preventing wars, not fighting them.
>
> This being so, it is not reasonable for Members of the Senate to be standing on the letter of the Constitution; to be saying that Congress must not yield any part of its constitutional power to declare war. To do this is not only unreasonable, but puts in grave jeopardy our one best hope for the future.

In this language we have an invitation, in effect, urging Senators to forget their oath of office to uphold the Constitution and to adopt a program which under the circumstances the editor feels is reasonable and is absolutely necessary for our future welfare.

If the Senate takes a contrary view and stands by its oath of office, stands by the Constitution, it, in the words of the editor, puts in grave jeopardy our one best hope for the future. We have only one choice. Violate the Constitution and save the world peace.

Nowhere does the editor admit even the possibility that we can both observe the Constitution and at the same time do something for the peace of the world. It is the military alliance or nothing.

Later in the same editorial, there appears the following:

Much, perhaps all, depends on the attitude of the Senate. Those who oppose assuming any military commitment in the North Atlantic pact are motivated by reluctance to see the constitutional functions of Congress whittled down. This is understandable, and it may be that persuasive constitutional arguments in support of their position can be advanced.

But it is difficult to believe that rational men would want to win a constitutional argument at the price of losing this last best hope for peace.

It probably has not occurred to the editor that there are Senators who have an abiding respect for their oath of office and believe that the Constitution of the United States is one of the greatest instruments ever devised by man for the government of a free people, and that none of its provisions should be regarded lightly and violated because it seems a matter of reason to violate it.

Mr. President, this is a typical editorial. Others appearing in newspapers throughout the country follow the same line.

At this time, Mr. President, I ask unanimous consent that I may cease, and be permitted to resume the floor upon the resumption of the session of the Senate tomorrow.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request? The Chair hears none, and it is so ordered.

EXECUTIVE SESSION

Mr. LUCAS. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

The PRESIDING OFFICER. If there are no reports of committees the clerk will state the nominations on the calendar.

UNITED NATIONS

The Chief Clerk read the nomination of Erwin D. Canham, of Massachusetts, to be an alternate representative of the United States of America, second part, third session, General Assembly of the United Nations.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of W. Averell Harriman, of New York, to be the United States special representative in Europe, with the rank of Ambassador Extraordinary and Plenipotentiary, to serve concurrently and without additional compensation as the representative of the United States of America on the Economic Commission for Europe of the Economic and Social Council of the United Nations.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Edward F. Bartelt, of Illinois, to be United States member of the Fiscal Commission of the Economic and Social Council of the United Nations, term of 3 years.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of H. Merle Cochran, of Arizona, to be representative of the United States of America on the Good Offices Committee of the Security Council of the United Nations on Indonesia.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

UNITED STATES ADVISORY COMMISSION ON EDUCATIONAL EXCHANGE

The Chief Clerk proceeded to read sundry nominations to the United States Advisory Commission on Educational Exchange.

The PRESIDING OFFICER. Without objection, the nominations to the United States Advisory Commission on Educational Exchange will be confirmed en bloc.

WORLD HEALTH ORGANIZATION

The Chief Clerk read the nomination of Dr. H. van Zile Hyde, of New York, to be the representative of the United States of America on the executive board of the World Health Organization.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

AMBASSADOR EXTRAORDINARY AND MINISTER PLENIPOTENTIARY OF THE UNITED STATES TO PAKISTAN

The legislative clerk read the nomination of H. Merle Cochran, of Arizona, to be Ambassador Extraordinary and Minister Plenipotentiary of the United States to Pakistan.

The PRESIDING OFFICER. Without objection, the nomination is confirmed; and, without objection, the President will be notified of all nominations this day confirmed.

RECESS

Mr. LUCAS. As in legislative session, I move that the Senate stand in recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 6 o'clock and 13 minutes p. m.) the Senate took a recess until tomorrow, Friday, March 4, 1949, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 3 (legislative day of February 21), 1949):

UNITED NATIONS

GENERAL ASSEMBLY

Erwin D. Canham to be an alternate representative of the United States of America to the second part, third session, General Assembly of the United Nations.

ECONOMIC AND SOCIAL COUNCIL OF THE UNITED NATIONS

W. Averell Harriman to be the United States special representative in Europe, with the rank of Ambassador Extraordinary and Plenipotentiary, to serve concurrently and without additional compensation as the representative of the United States of America on the Economic Commission for Europe of the Economic and Social Council of the United Nations.

Edward F. Bartelt to be the United States member of the Fiscal Commission of the Economic and Social Council of the United Nations for a term of 3 years.

SECURITY COUNCIL OF THE UNITED NATIONS

H. Merle Cochran to be the representative of the United States of America on the Good Offices Committee of the Security Council of the United Nations on Indonesia.

UNITED STATES ADVISORY COMMISSION ON EDUCATIONAL EXCHANGE

B. Harvie Branscomb, to be a member of the United States Advisory Commission on Educational Exchange for a term expiring January 27, 1951. (Appointed during the recess of the Senate.)

Harold W. Dodds, to be a member of the United States Advisory Commission on Educational Exchange for a term expiring January 27, 1950.. (Appointed during the recess of the Senate.)

Martin P. McGuire, to be a member of the United States Advisory Commission on Educational Exchange for a term expiring January 27, 1949. (Appointed during the recess of the Senate.)

Mark Starr, to be a member of the United States Advisory Commission on Educational Exchange for a term expiring January 27, 1949. (Appointed during the recess of the Senate.)

Edwin B. Fred, to be a member of the United States Advisory Commission an Educational Exchange for the remainder of the term expiring January 27, 1950, and until his successor has been appointed and qualified.

Martin P. McGuire, to be a member of the United States Advisory Commission on Educational Exchange for a term of 3 years expiring January 27, 1952, and until his successor has been appointed and qualified.

Mark Starr, to be a member of the United States Advisory Commission on Educational Exchange for a term of 3 years expiring January 27, 1952, and until his successor has been appointed and qualified.

WORLD HEALTH ORGANIZATION

Dr. H. van Zile Hyde, to be the representative of the United States of America on the executive board of the World Health Organization.

AMBASSADOR EXTRAORDINARY AND MINISTER PLENIPOTENTIARY OF THE UNITED STATES TO THE COUNTRY INDICATED

H. Merle Cochran, Pakistan.

REGULAR ARMY

APPOINTMENTS IN THE REGULAR ARMY

The following-named persons for appointment in the Medical, Dental, and Judge Advocate General's Corps, Regular Army of the United States, in the grade and corps specified, under the provisions of section 506 of the Officer Personnel Act of 1947 (Public Law 381, 80th Cong.) and title II of the act of August 5, 1947 (Public Law 365, 80th Cong.):

To be majors

Jeremiah A. Dailey, MC, [redacted].
Gordon F. Fisher, MC, [redacted].
Charles W. Hoffman, Jr., MC, [redacted].

To be captains

Robert O. Emmett, MC, [redacted].
Woodard M. Herring, Jr., DC, [redacted].
Delbert W. Hess, MC, [redacted].
John T. Massey, DC, [redacted].
Warren C. Myers, DC, [redacted].
Max W. Pegram, MC.
Wayne W. Thornberry, DC, [redacted].
John W. White, MC, [redacted].

To be first lieutenants

Archibald M. Ahern, MC.
John C. Baber, Jr., MC.
Dexter T. Ball, MC.
Earl M. Bradley, JAGC, [redacted].
Hugo M. Cardullo, MC.
Dean R. Dort, JAGC, [redacted].
John A. Duggan, MC.
William A. Graber, MC.
William Hausman, MC.
Robert W. Hobson, DC.
Rudolph M. Jarvi, MC.
Richard G. Johnson, MC, [redacted].
Arthur E. H. Knox, MC.
William W. Kramer, JAGC, [redacted].
Franklin M. Lockwood, MC.

Donald L. Manes, Jr., JAGC, [redacted].
David N. Marine, MC.
Elwin W. Midgley, MC, [redacted].
Arthur J. Moseley, MC.
Joseph G. Murphy, MC, [redacted].
Merrill F. Nelson, MC.
Robert E. L. Nesbitt, Jr., MC.
Lester I. Nienhuis, MC.
George W. Pogson, MC.
Irvin L. Schweitzer, MC.
George W. Shannon, MC, [redacted].
Leon Stutzman, MC.
Gilbert A. Varnell, MC.
Leonard J. Wiedershine, MC, [redacted].
Forrest J. Woodman, Jr., MC, [redacted].

The following-named persons for appointment in the Regular Army of the United States in the grade of second lieutenant under the provisions of section 506 of the Officer Personnel Act of 1947 (Public Law 381, 80th Cong.):

Luis A. Becerra.
Charles D. Brohawn.
Charles R. Covell.
John P. McConnell.
Martin P. Moser, [redacted].

The following-named person for appointment in the Army Nurse Corps, Regular Army of the United States, in the grade of second lieutenant, under the provisions of Public Law 36, Eightieth Congress:

Patricia I. Ward, [redacted].

UNITED STATES AIR FORCE

PROMOTIONS

The following-named officers for promotion in the United States Air Force, under the provisions of sections 502 and 508 of the Officer Personnel Act of 1947. (Those officers whose names are preceded by the symbol (*) are subject to examination required by law.)

To be first lieutenants

Anselin, Frank Belmont, [redacted].
*Bjorgen, Leonard Leroy, [redacted].
Bryant, William Anthony, [redacted].
Davidson, Bernard Clark, [redacted].
Davis, William James, [redacted].
Ferguson, Charles Laird, [redacted].
Gagnon, John Arthur, Jr., [redacted].
Holtorf, Arthur Miles, [redacted].
Kimbel, Joseph Bruce Keirce, [redacted].
Lamb, Charles Melford, Jr., [redacted].
*Marcarelli, John Alphonse, [redacted].
Meyers, Roy Lee, [redacted].
Nave, William Patrick, [redacted].
Neff, Benjamin Groff, [redacted].
Simmons, James Albert, [redacted].
Smith, Charles Ames, [redacted].
Smithson, Daryl Purdy, [redacted].
Stockton, Lyle Edward, [redacted].
Weigelt, Winfred Hamilton, [redacted].
Wortman, John, Jr., [redacted].

HOUSE OF REPRESENTATIVES

THURSDAY, MARCH 3, 1949

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Almighty God, who alone gavest us the breath of life and alone canst keep alive in us the holy desires Thou dost impart, we beseech Thee, for Thy compassion's sake, to sanctify all our thoughts and endeavors that we may neither begin an action without pure intention nor continue it without Thy blessing. And grant that having the eyes of the mind open to behold things invisible and unseen we may in heart be inspired by Thy wisdom and in work be upheld by Thy strength, and at last be accepted of Thee as Thy faithful servants.

Let the words of our mouths and the meditations of our hearts be acceptable in Thy sight, O Lord, our strength and our Redeemer. In the name of our Saviour. Amen.

The Journal of the proceedings of yesterday was read and approved.

THE LATE HON. WALLACE STEPHEN DEMPSEY

The SPEAKER. The Chair recognizes the gentleman from New York [Mr. REED].

Mr. REED of New York. Mr. Speaker, it is with regret that I announce the death of Hon. Wallace Stephen Dempsey, a former Member of the House of Representatives of the United States.

Mr. Dempsey served as a Representative of the Fortieth Congressional District of New York State from 1915 to 1931. He rendered conspicuous public service not only in connection with his district but with respect to the whole Nation. Those Members of Congress who still survive who served with Mr. Dempsey will recall the great ability with which he discharged his duties as chairman of the Rivers and Harbors Committee. The people of this Nation who saw the possibilities of water transportation found in Representative Dempsey a man of vision and an able and courageous leader in this important work.

Our former colleague came to Congress well prepared to take a prominent part in all legislative problems, because of his conspicuous service as assistant United States attorney from 1899 to 1907 and his broad experience in the practice of his chosen profession.

The natural charm and unfailing courtesy of Representative Dempsey won him a host of friends throughout the Nation. After leaving Congress Representative Dempsey opened a law office in Washington and soon built up a large and lucrative practice. I have a deep affection for our former colleague as did all those who had the privilege of serving with him.

Representative Dempsey is survived by his wife, Mrs. Laura Hoag Dempsey, and two grandsons, Lt. William D. and Lt. Charles S. Moseley of the British Navy. I extend to Mrs. Dempsey and to her grandsons my heartfelt sympathy in their great bereavement.

Mr. MARTIN of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. REED of New York. I yield.

Mr. MARTIN of Massachusetts. Mr. Speaker, I join with the gentleman from New York in expressing regret at the death of Mr. Dempsey. When I first came to the Congress Mr. Dempsey was one of our outstanding Members. He was a man of great ability. As chairman of the Committee on Rivers and Harbors he was active in developing our great waterways and in building a strong merchant marine. He was truly a great American and an outstanding legislator.

I wish to convey my deep regret and sympathy to his wife and family in their great loss.

Mr. BLAND. Mr. Speaker, will the gentleman yield?

Mr. REED of New York. I yield.

Mr. BLAND. When I came to Congress on July 3, 1918, Mr. Dempsey was here and he served for many years thereafter.

I heartily endorse everything that both of the distinguished gentlemen have said. Mr. Dempsey was a distinguished Member of this House and rendered very distinguished service on the Committee on Rivers and Harbors, of which he was chairman. He was careful, studious, diligent, and imbued with a desire to perform the best service possible. It would be difficult to describe adequately the great service which he performed for the rivers and harbors of America for that was a field in which he was very distinctly an expert.

I join in the gentleman's expressions of sympathy to his widow.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. REED of New York. I yield.

Mr RANKIN. I wish to endorse every word the gentleman from Virginia [Mr. BLAND] has just said with reference to our former colleague, Wallace Dempsey.

I served with Mr. Dempsey for many years. He was one of the finest gentlemen, one of the most courageous legislators, one of the finest Americans who ever sat in this House.

I wish to join in expressing to Mrs. Dempsey and the other members of his family my heartfelt sympathy in their great bereavement.

Mr. REED of New York. I thank the gentleman.

Mr. TAURIELLO. Mr. Speaker, will the gentleman yield?

Mr. REED of New York. I yield.

Mr TAURIELLO. I wish to subscribe to all that has been said about Mr. Dempsey. As a young man, former Congressman Dempsey was my Congressman. I always looked upon him as an outstanding statesman. It is certainly a great loss to the Nation in the death of such an outstanding man.

Mr. REED of New York. I thank the gentleman.

EXTENSION OF REMARKS

Mr. CLEVENGER asked and was granted permission to extend his remarks in the RECORD and include an article from the Cleveland Plain Dealer.

Mr. LANE asked and was granted permission to extend his remarks in the RECORD and include a very interesting article.

Mr. BYRNES of Wisconsin asked and was granted permission to extend his remarks in the RECORD and include an editorial from the Mobile Register.

Mr. BOLTON of Maryland asked and was granted permission to extend his remarks in the RECORD.

Mr. PRESTON asked and was granted permission to extend his remarks in the RECORD and include extraneous matter.

PERMISSION TO ADDRESS THE HOUSE

Mr. BYRNES of Wisconsin. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include an exchange of correspondence with the Veterans' Administration, and a table.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin [Mr. BYRNES]?

There was no objection.

[Mr. BYRNES of Wisconsin addressed the House. His remarks appear in the Appendix.]

HEARINGS BEFORE COMMITTEE ON EDUCATION AND LABOR WITH REFERENCE TO H. R. 2032

Mr. KELLEY. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. KELLEY]?

There was no objection.

Mr. KELLEY. Mr. Speaker, on Monday, March 7, a subcommittee of the House Committee on Education and Labor will open hearings on the bill H. R. 2032, a bill to repeal the Labor-Management Relations Act of 1947, and to reenact the National Labor Relations Act of 1935, and for other purposes. We have reserved Monday, March 7, as the day for Members of Congress. We have mailed notices to every Member. We hope that all Members who wish to appear before that committee will do so on Monday, if possible.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. KELLEY. I yield.

Mr. RICH. Will the Members not have an opportunity to register their approval or disapproval on the floor of the House, when the time comes for us to vote on it?

Mr. KELLEY. I do not see why not. Under ordinary procedure you do.

Mr. RICH. Instead of allowing the time for Members of Congress, why do you not bring the people from the outside who are interested, and let the Members of Congress express themselves on the floor when the matter comes on the floor?

Mr. KELLEY. We are not trying to prevent Members of Congress from expressing themselves at any time.

Mr. RICH. Neither am I.

Mr. KELLEY. But some Members will want to appear before the subcommittee and we are setting aside Monday for them.

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

Mr. BLAND. Mr. Speaker, I ask unanimous consent that the Committee on Merchant Marine and Fisheries may sit during general debate in the session of the House this afternoon.

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, this is for general debate only?

The SPEAKER. The Chair may say to the gentleman from Massachusetts that the Chair is following the rules and precedents the gentleman from Massachusetts himself followed when he was Speaker, and is recognizing only requests for committees to sit during general debate.

Mr. MARTIN of Massachusetts. I appreciate the assurance of the Speaker.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

COMMITTEE ON BANKING AND CURRENCY

Mr. PRIEST. Mr. Speaker, I ask unanimous consent, by direction of the chairman, that the Committee on Banking and Currency may sit during general debate in the session of the House today.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. PRIEST. Mr. Speaker, by direction of the chairman, I ask unanimous consent that the Committee on Banking and Currency may have until midnight tonight to file a report on the bill H. R. 1731 on the extension of rent control.

Mr. MARTIN of Massachusetts. Reserving the right to object, Mr. Speaker, will the gentleman also include the right to file minority views, if there are any?

Mr. PRIEST. I so modify my request, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

EXTENSION OF REMARKS

Mr. YATES asked and was given permission to extend his remarks in the Appendix of the RECORD and include an editorial.

Mr. CELLER asked and was given permission to extend his remarks in the Appendix of the RECORD and include a manuscript entitled "The United Nations Genocide Convention."

Mr. TAURIELLO asked and was given permission to extend his remarks in the Appendix of the RECORD and include an address by Hugh Thompson, regional director of the Congress of Industrial Organizations.

Mr. PATTEN asked and was given permission to extend his remarks in the Appendix of the RECORD and include an editorial from the Arizona Daily Star.

LEWIS DESCHLER

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, one for whom all of us entertains the greatest respect and the highest regard celebrates today another step in the pathway of life—our distinguished and beloved Parliamentarian, Lewis Deschler; who enjoys another birthday today. Had I consulted him he would have tried to talk me out of making these few remarks. I know, of course, that every Member of the House would want to congratulate him today, and we all do; and in congratulating him we also congratulate Mrs. Deschler and their very happy family.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. On such an occasion as this I always yield to my friend.

Mr. RICH. I am sure the membership of the House, with the high regard we have for Lew Deschler, would be very happy to extend him the privilege of the floor to make a speech. I do not see why we should not permit him to do that, because we all love him so much. I think it would be a grand thing; I should like to hear from him.

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. BROWN of Ohio. I wonder if the gentleman from Massachusetts would be willing to add to his remarks the fact that Lew Deschler also was a citizen of Ohio, born in Ohio; and Ohio is very proud of him.

Mr. McCORMACK. I am very glad to do that with this one qualification: That while he might have been born in Ohio he is equally a citizen of every State of the Union and is known to the people of every State of the Nation. I shall leave to my friend the right to retain his citizenship in Ohio with the one reservation that we in Massachusetts may consider him one of our Massachusetts citizens.

Mr. BROWN of Ohio. I will accept that amendment, but I wish to remind the gentleman that it will be in Ohio, near my home town, that the monument will eventually be erected to Lew Deschler.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Mississippi.

Mr. RANKIN. Mr. Speaker, I ought to object to this dragging of the Parliamentarian all over the country in this manner. He belongs to the whole country.

Lew Deschler is one of the greatest parliamentarians on earth, I say that advisedly.

I join the gentleman from Pennsylvania [Mr. RICH] in wishing that Mr. Deschler had the privileges of the floor of the House. We needed him down here a few weeks ago when inexperienced and uninformed Members helped to literally destroy the Rules Committee.

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. I have had my attention called by my colleague from Ohio [Mr. CLEVENGER] that in his district there has been a town named after our Parliamentarian—Deschler, Ohio—and I hope every other State in the Union follows that practice.

Mr. JENKINS. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Ohio.

Mr. JENKINS. I wonder if the gentleman from Massachusetts has brought out how old Mr. Deschler is?

Mr. McCORMACK. That is a question to which I never make reference; however, we all know that no matter how old Lew Deschler is, he is young in his thoughts. For the RECORD, may I say that he is young and he is the number one parliamentarian of the world.

Mr. JENKINS. When I came here he was sitting on the other side of the Speak-

er and I think he was in short pants then. So he is a young man. May I say further that, in my opinion, he is the only man I know of any place in the world whose place cannot be filled.

Mr. McCORMACK. If there is such a thing as an indispensable man, he comes the nearest to it in the field of parliamentary law of any man I know of.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Indiana.

Mr. HALLECK. I am very happy that the gentleman from Massachusetts has called to our attention the fact that this is the birthday of Lew Deschler. Some reference has been made to his age. I do not know what it really is, but I would point out that Lew Deschler is without age except as to experience, wisdom, judgment, fairness and capacity. I think he is one of the most remarkable men that I have ever come across.

His is a difficult job. It requires patience and understanding—particularly an understanding of the rules and an understanding and knowledge of the problems of the Members. Always has he been fair. He served here in the Eightieth Congress when we on our side were in control. He has served here in my time when you of the Democratic Party were in control.

Always have we found him in to be completely objective in his determinations. That certainly is about the finest thing that can be said of any man in his position.

Not only is he an able parliamentarian, but more than that, he is a splendid citizen, a fine gentleman, the sort of fellow with whom we all like to associate, not only on the floor in the rough and tumble of debate and in the skirmish for parliamentary advantage, but also as we see him socially and personally when the House is not in session.

Mr. McCORMACK. I may say that he is very outstanding in some other ways I know of than in the knowledge of parliamentary law.

Mr. JACKSON of California. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from California.

Mr. JACKSON of California. I should like to associate myself with all the fine tributes that have been paid Mr. Deschler and his ability. Ohio may have been his birthplace and where the monument will stand on that sad day when Lew departs this world, but I think in the tributes to his intelligence and to his over-all ability it has not been mentioned that he spends his summers in California.

Mr. McGUIRE. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Connecticut.

Mr. McGUIRE. I did not have to come down here to learn of Mr. Deschler's birthday today because I sent him a birthday card yesterday. I know every one who is a colleague of ours from Ohio wishes that they were as popular as Mr. Deschler. With all of his attributes we know that he will run on the Democratic ticket if he ever runs for public office.

The SPEAKER. In reference to the suggestion that Lew Deschler take the floor, the Chair would concur in that thought except for the fact that Mr. Deschler is so popular universally and the Chair has witnessed the fact that on many, many occasions gentlemen have lost popularity by taking the floor.

Mr. SABATH. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Illinois.

Mr. SABATH. Mr. Speaker, it is indeed gratifying, notwithstanding the fact that Lew Deschler was born in Ohio, that he has been able to outlive that unfortunate condition. I had the privilege to serve under what I believe to have been a great Parliamentarian, Mr. Hinds, many years ago. His works, as well as those of Mr. Clark and Mr. Cannon and many others are available to Members. But, I must admit, whether I like the gentleman or not, that frequently he just rules against me. But, I presume he is right. Nevertheless, I consider him the greatest of all of them, and I am indeed gratified that he from time to time comes to my rescue. As to the rule that has been called to our attention by the gentleman from Mississippi, I want to say that it was also the distinguished gentleman, Mr. Deschler, who helped to draft it. So, taking everything into consideration he is doing a splendid job.

Mr. McCORMACK. Might I conclude, Mr. Speaker, by saying to our good friend, Lew Deschler, that he has just witnessed a manifestation of our great respect and friendship for him. I know that he will interpret the sincerity of it, and I hope that it brings happiness to him, and to his dear wife and children.

THE PRESIDENT'S PROGRAM

Mr. JACKSON of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. JACKSON of California. Mr. Speaker, perhaps after the dove of peace has fluttered around the Chamber this is no time to make these remarks. But, the country last week heard issued the threat of a legislative purge on the part of the President, a purge directed at those who fail to agree with him in his interpretation of a very foggy mandate, delivered on last November 2. The President has threatened to stump the country against those who fail to agree with him unless they fall into line. I think it is only fair to say that it will not be necessary to go touring again on public funds because in most respects, so far as the legislative program is concerned, the country is already stumped; stumped with regard to most of the blank checks which were issued during the election and which now are coming due and payable. There are simply not enough funds in the currency of promise to redeem them all, and no tirades of abuse directed by the President against those who oppose state socialism is going to solve the situation.

The SPEAKER. The time of the gentleman from California has expired.

EXTENSION OF REMARKS

Mr. KEATING asked and was given permission to extend his remarks in the RECORD and include data relating to social security.

PERMISSION TO ADDRESS THE HOUSE

Mr. SADLAK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks and include some pertinent data.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

[Mr. SADLAK addressed the House. His remarks appear in the Appendix.]

NONSTOP FLIGHT AROUND THE WORLD

Mr. CASE of South Dakota. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include the Associated Press account of the trip of the B–50 which flew around the world nonstop.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. CASE of South Dakota. Mr. Speaker, yesterday a couple of flyspecks upon the body politic of America issued a statement on what they would do in the event of a war between the United States and Russia. I am not going to waste my minute saying anything more than that they spoke treason.

However, an event was consummated yesterday which will say much more effectively to the world what the American people can do in the event of a war. I refer to that epochal event, the circling of the globe by the B–50. Its impact upon the future history of the world is probably as great as the dropping of the atomic bomb.

It is my conviction, Mr. Speaker, that this demonstrated ability to fly anywhere, anytime, and carry a pay load to the ends of the earth, is a more effective deterrent for any world aggressor than all the conferences that have been held. This flight can mean more for peace and more to secure human freedom in the world than all the millions of words that have been spoken and all the billions of dollars that are being spent to secure bases and to win friends. God grant that we have the wisdom to use rightly and justly the tremendous weapons and the great power He has placed in our hands.

Let us speak softly and temperately while we carry the big stick.

EXTENSION OF REMARKS

Mr. MILLER of Nebraska asked and was given permission to extend his remarks in the RECORD and include a report on the blizzard of 1949.

Mr. DAVIS of Wisconsin asked and was given permission to extend his remarks in the RECORD and include a letter from Martin H. Budge, director of the Wisconsin State Department of Agriculture.

Mrs. ST. GEORGE asked and was given permission to extend her remarks in the RECORD and include an article by Mr. O'CONNELL.

Mr. VAN ZANDT asked and was given permission to extend his remarks in the RECORD and include a copy of the Washington Newsletter distributed by Congressman PAUL SHAFER, of Michigan.

Mr. BATTLE asked and was given permission to extend his remarks in the RECORD and include a letter from a constituent in Fairfield, Ala., about traffic accidents.

Mr. DONOHUE asked and was given permission to extend his remarks in the RECORD on two occasions and include two resolutions.

COMMITTEE ON AGRICULTURE

Mr. PACE. Mr. Speaker, I ask unanimous consent that the Committee on Agriculture be permitted to sit during the session of the House today during general debate.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

DEPARTMENT OF THE INTERIOR

Mr. D'EWART. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. D'EWART. Mr. Speaker, I rise at this time to call the attention of the House to the fact that today marks the one hundredth anniversary of the establishment of the Department of the Interior in our Government, that great Department that so well serves this country in developing our natural resources. It has been a prime factor in the development of irrigation not only for the benefit of the West but for the benefit of the whole country. It has helped in the development of our soil resources. In the matter of electric energy, it has more than any other agency of the Government to do with making that power available to the whole country. The Geological Survey in the mapping of this country has done outstanding work. The Fish and Wildlife Service has to do with the development of our fish and wildlife resources that mean so much not only to the economy of the country but to the pleasure of the people.

The Bureau of Mines serves this country equally well in the search for new mineral resources and the study of better methods of processing ores. The Bureau of Territories and Insular Affairs is of great value to our Territories in their efforts to improve their political and economic status. The Office of Indian Affairs, transferred to the Interior Department many years ago from the War Department, has one of the most difficult domestic assignments in our Federal Government. The National Park Service is the custodian of our national parks and monuments which were enjoyed by millions of people last year.

The Department of the Interior has concluded 100 years of outstanding service to the Nation. There is still a great service to be performed, and this agency has the personnel, the background, the history, and experience to do it. Its record of achievement gives us confidence that in the years ahead it will continue to contribute greatly to the social and economic welfare of the United States.

COMMITTEE ON RULES

Mr. SABATH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. SABATH. Mr. Speaker, I wish to announce that the hearings which I previously stated would be held Wednesday on the veterans' pension bill were continued up to about 1:30 on yesterday, but could not be concluded, so tomorrow the hearings will continue before the Committee on Rules.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield to the gentleman from Indiana.

Mr. HALLECK. A number of Members have spoken to me about what the President's attitude is in respect to this pension bill. He has been making many statements as to what should and should not be passed. In fact, he seems to be quite definite about many proposals before us. I wonder if the gentleman would undertake, as chairman of the Rules Committee, to find out whether the President is for or against this pension bill at this time. I think the President should state his position.

Mr. SABATH. I am not in position to state whether he is for or against it. When all the information is available, perhaps he will then be in position to know whether or not he will be in favor of the bill. However, he is for any and all legislation that is for the best interests of the country.

COMMUNISM VERSUS AMERICA

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi [Mr. RANKIN]?

There was no objection.

Mr. RANKIN. Mr. Speaker, those elements in and out of Congress that have been maligning and abusing the Committee on Un-American Activities now have an opportunity to choose sides. The Communist party—which is composed largely of a racial minority—announced yesterday that if we get into a war with Russia they would take the side of Russia.

Communism is not a party, it is a Gestapo. It is a machine. It is a worldwide organization, and it has in this country untold numbers of Communist-front organizations, which our committee has exposed. Many Communists, and especially many members of Communist fronts, are today holding offices in your States and in the Federal Government.

I say it is time for the American people to wake up, clean house and fumigate, before it is everlastingly too late.

The SPEAKER. The time of the gentleman from Mississippi has expired.

EXTENSION OF REMARKS

Mr. HALLECK asked and was given permission to extend his remarks in the RECORD.

LEGISLATIVE PROGRAM

Mr. HALLECK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Indiana [Mr. HALLECK]?

There was no objection.

Mr. HALLECK. Mr. Speaker, may I inquire of the distinguished majority leader whether he can tell us about the program for the balance of the week and next week also. I may say at the outset to the gentleman that I have discussed the matter of the Gulf States marine fisheries compact bill with the ranking Republican member, the gentleman from Ohio [Mr. WEICHEL], who said it is entirely agreeable with him to dispose of that matter today.

Mr. McCORMACK. That is fine. With reference to the program for next week, I ask the indulgence of the membership until tomorrow to announce the full program for next week.

The Department of Labor appropriation bill will come up on Wednesday of next week. As to what will be scheduled before and after that, I am unable to state at the present time, but I will be in a position to make an announcement on that tomorrow.

If we finish with the Treasury and Post Office Departments appropriation bill today, which I understand will involve 2 hours of general debate, I would like to take up the bill relating to the approval of the Gulf States marine fisheries compact. I understand there is not much opposition, if any. When that is completed there would be no further legislative business for the balance of the week.

The House will meet tomorrow, however, because of the special order obtained by the gentleman from Illinois [Mr. SABATH] to properly commemorate the great life and great contributions to American history of General Casimir Pulaski. That is done each year and the House will meet only for that purpose tomorrow.

Therefore, as I have previously stated, there will be no business following the disposition of the Treasury and Post Office Departments appropriation bill today and also if the Gulf States bill is disposed of. I will say frankly if the situation develops where both bills cannot be disposed of today, I shall put this Gulf States compact bill on the program for next week. I would not feel warranted and there would be no necessity in keeping the Members here on the floor tomorrow or to not give them a full day in their offices, because we are all busy, and I would not want this bill to stand in the way. But I am hopeful that we can take it up in view of the fact that there is very little, if any, opposition to it. I hope that we can dispose of it after the Treasury and Post Office Departments appropriation bill is disposed of.

Therefore, Mr. Speaker, I will make the flat statement without regard as to

whether or not this bill does come up, that there will be no business for the remainder of the week.

TREASURY AND POST OFFICE DEPARTMENTS APPROPRIATION BILL, 1950

Mr. GARY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 3083) making appropriations for the Treasury and Post Office Departments and funds available for the Export-Import Bank and the Reconstruction Finance Corporation for the fiscal year ending June 30, 1950, and for other purposes. Pending my motion, I ask unanimous consent that general debate on the bill be limited to 2 hours, one-half the time to be controlled by the gentleman from New Jersey [Mr. CANFIELD] and one-half by myself.

The SPEAKER. Is there objection to the request of the gentleman from Virginia [Mr. GARY]?

There was no objection.

The SPEAKER. The question is on the motion offered by the gentleman from Virginia [Mr. GARY].

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 3083) making appropriations for the Treasury and Post Office Departments and funds available for the Export-Import Bank and the Reconstruction Finance Corporation for the fiscal year ending June 30, 1950, and for other purposes, with Mr. PRIEST in the chair.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN (Mr. PRIEST). Under the unanimous-consent agreement, the gentleman from Virginia [Mr. GARY] will control 1 hour of the time and the gentleman from New Jersey [Mr. CANFIELD] 1 hour.

The gentleman from Virginia [Mr. GARY] is recognized.

Mr. GARY. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, for the third consecutive year, the Subcommittee on Treasury and Post Office of the Appropriations Committee brings to you a unanimous report. The bill today was reported unanimously out of the subcommittee, and unanimously out of the full committee.

In view of that fact, I think I might trespass upon your time for a few moments to do a little bragging about this subcommittee of which I am justly proud.

Two years ago, the gentleman from New Jersey [Mr. CANFIELD] was made chairman of the Subcommittee on Treasury and Post Office Departments. It was my privilege to serve with him as the ranking minority member. I made the statement on this floor last year that I considered the gentleman from New Jersey [Mr. CANFIELD] one of the ablest chairmen in this body. He is not only an able chairman, but he is also a courteous gentleman. He showed every consideration to the minority members of the committee in the deliberations on the bill.

This year I want to say to you that he is equally as cooperative, now that the situation has changed and I have the honor of being chairman of the committee and he the ranking minority member. We owe him a debt of gratitude for the work he has done on this bill.

The other members of the committee this year, while they are new on the Appropriations Committee, are veterans of the House. The gentleman from New Mexico [Mr. FERNANDEZ] has a long record of public service. He served his own State in many public capacities before coming to Congress. He has been a Member of the Congress for several terms. This year his ability was recognized by placing him on the Appropriations Committee, and he has made a notable contribution to the work of our subcommittee.

The gentleman from Louisiana [Mr. PASSMAN], the other Democratic member of the committee, is also a veteran in this body. The gentleman from Louisiana [Mr. PASSMAN] has had a wide business experience in his native State of Louisiana. His judgment and business acumen made him a most useful member throughout the deliberations of the committee.

The other minority member, the gentleman from New York [Mr. COUDERT], served with us for a while; but I am sorry to state that he found it necessary to leave Washington for a short time on account of his health. After his departure his place was ably filled by the gentleman from Oregon [Mr. STOCKMAN].

I would not be fair if I did not also say that in my judgment in Mr. Kenneth Sprankle we have one of the ablest executive secretaries who is connected with the Committee on Appropriations. He has served us efficiently and well; and the work of the committee would not have been half as comprehensive, or half as well done, had it not been for his able services.

We have submitted a report dealing in detail with the recommendations of our subcommittee; I, therefore, will not at this time attempt to discuss all of its various items. I wish to say to you, however, that the Treasury and Post Office Departments spend more of the budget money than any other departments of the Government, not excluding the armed services. Of this amount, however, by far the greater part consists of permanent and indefinite appropriations over which the committee has no jurisdiction: For example, we spend annually over $5,000,000,000 for interest on the public debt. This amount cannot be changed, because whatever the interest is, annually, we must pay it; for, certainly, the Government is not going to default in the payment of any part of the interest on its debt. It is estimated that next year because of some changes in the interest rate there will be an increase of $125,000,000 which will bring the total payments for interest on the public debt to $5,540,000,000. In addition to that, as a permanent and indefinite appropriation we have the refunding of internal revenue collections. This item covers the amount of taxes that the Government has collected from its citizens over and above the amounts that are legally due. Each year these overpayments must be refunded.

This year, for the first time, we are making a change in the method of handling these funds. Whereas it has been customary in the past to show them as budget expenditures, this year we are changing the bookkeeping so as to deduct the refunds from the receipts that come into the Treasury, and instead of reporting them as expenditures we are showing only the net receipts which come into the Treasury after the deduction of refunds. Those refunds, however, must be paid out of the Treasury.

The permanent indefinite appropriations amount to $8,260,000,000. In addition, the Treasury Department handles large trust funds, over which this Committee has absolutely no jurisdiction; they are funds out of which must be paid the Federal old age and survivors' insurance benefits which are estimated at $2,685,000,000 for 1950. Another item of these funds is the unemployment trust fund the total payments from which for 1950 is estimated at $1,202,000,000.

The various trust fund payments aggregate $3,888,000,000 for 1950. The permanent and indefinite appropriations together with the trust funds for 1950 aggregate, therefore, approximately $12,000,000,000.

The operating expenses of the two departments are the expenditures over which the committee does have jurisdiction. They are the expenditures which we examined very carefully. Sitting in session day after day we have interrogated the heads of all the departments, bureaus and divisions and may I assure you that the committee did not approach its task with any thought of partisan politics. We recognized that the Treasury and Post Office Departments are the two most important Departments of the United States Government and unless they function properly our governmental machinery is bound to suffer. We recognized, on the other hand, that we are facing huge expenditures during the approaching year; therefore we felt it our duty to investigate the requests of these Departments to see what reductions could be made without impairing their efficiency and which would at the same time permit us to reduce the tremendous budget with which we are faced.

The over-all picture as we present it to you is that in 1949 the appropriations for the Treasury Department were $796,000,000. I am using round figures in presenting this to you. The Department request was $1,093,000,000 for 1950. The committee recommends $1,027,000,000. The amount requested by the Treasury Department was $231,500,000 more than was appropriated for that Department for 1949. In fairness to the Department, however, it should be said that $225,000,000 of the increase was for the stock piling of strategic materials, which is very important as I shall explain to you later. The balance of the increase was largely due to the increase in salaries under Public Law 900 which was enacted by the Congress during the last

session. The committee reduced the amount requested by $65,000,000.

It may be that in some instances we have trimmed pretty close, but, nevertheless, we feel that this is a reasonable bill, and, may I repeat, the committee is unanimous in that thought. When I say the committee is unanimous, it does not mean that we were always unanimous in committee. We had differences of opinion but we resolved those differences within the committee so that we could bring this report to you today as the unanimous report of the committee. Although in some instances the appropriations have been trimmed pretty close we believe that we have allowed enough money for the Treasury Department to operate efficiently during the next year.

For the Post Office Department the appropriations for 1949 were $1,857,000,000. The Department requested $2,079,000,000, which was an increase of $187,000,000 over 1949. Most of that increase is due to Public Law 900, which increased the salaries of Federal employees. We have reduced that appropriation $34,500,000.

Summing up the two Departments, their appropriations for 1949 were $2,653,219,000. They requested $3,172,666,000 for 1950. The committee recommends $3,072,817,000 for 1950, which is an increase over 1949 of $419,598,000, but a decrease of the amount requested of $99,848,000. Frankly, if we had added these figures up before the committee finished operating, we were so close to the $100,000,000 mark that we might have gone back to see if we could not cut just a few more thousand dollars to make it $100,000,000. But we did not do that. We bring the report to you as it is.

In addition this year there have been added to the duties of this committee two corporations that have heretofore been considered by the Government Corporations Committee. One is the Export-Import Bank of Washington and the other is the Reconstruction Finance Corporation.

Now, I shall discuss with you briefly some of the outstanding provisions of this report.

In the first place, the language of the report has been greatly simplified. The Bureau of the Budget has done a very excellent job this year in simplifying the language in the various appropriation bills. Not only has it simplified the language, but it has also reduced the language so that the bills are more uniform and they are more understandable.

Moreover, the justifications as presented by the Treasury Department this year were greatly simplified. They were reduced from three volumes as heretofore presented to the committee to one volume. The budget staff of the Treasury Department and members of the staff of the Committee on Appropriations worked together in perfecting those changes which were a material aid to the committee.

Now, the first division of the Treasury Department which I shall discuss is that of the Bureau of Accounts. In connection with this Bureau I think you will be glad to know that we are making substantial progress in the unification and improvement of Government accounts. If there is one point in our Federal system that is now and has been open to criticism in the past it is the accounting systems of the various bureaus and agencies. Nothing is much more important in Government than proper accounting, and yet the accounting methods have varied according to each individual agency. There has been practically no uniformity. In some agencies the accounting systems have been very good; in others they have been very poor. In an effort to accomplish more uniformity in the accounting systems there has been established a joint committee composed of representatives of the Bureau of Accounts of the Treasury Department, of the Bureau of the Budget, and of the General Accounting Office. That committee is studying the various accounting systems with the idea of devising a system that can be recommended to the various governmental units, so that each of the units or agencies may have a uniform system and that we may have a general uniform accounting system throughout the Government.

I know each of you will agree with me that that is a consummation devoutly to be wished. Our committee gave its blessing to this project, and we are hopeful that it will accomplish the purposes for which the joint committee was created.

I shall not discuss the Bureau of Customs because my predecessor as chairman of this committee, the gentleman from New Jersey [Mr. CANFIELD], has worked very hard over that Bureau and has a story to tell you about it, which he will do after I am through. I shall, therefore, leave this subject to him.

One of the main items in this bill, and the one which gave our committee the most concern, was that of the Bureau of Internal Revenue. The Bureau of Internal Revenue, as all of you know, collects the taxes for the Federal Government. I have more or less specialized in the field of taxation for a number of years. It was my privilege to serve as the head of the tax department of my own State of Virginia. In my entire experience in taxation I have never seen but one popular tax, and that is the tax the other fellow pays.

In view of that fact, a great many of our citizens try to avoid taxes. Our Supreme Court in Virginia has said that tax avoidance is perfectly proper; that it is neither illegal nor immoral, because avoidance of taxes is merely taking advantage of every provision of the law to see that you do not pay more taxes than your share.

But there is another class of citizens, and I am glad to say that it is comparatively small, who are trying to evade taxes. That is an entirely different situation. They are using illegal methods to prevent paying their fair share of the cost of the Government, which they enjoy. Whenever any citizen escapes his proper share of the burden of taxation he merely passes that burden on to some honest taxpayer who is paying his proper share of the tax burden.

We feel that the Bureau of Internal Revenue should be provided with all reasonable facilities to ferret out the tax dodgers, and to make them contribute their proper share to the Government.

The Bureau of Internal Revenue asked for 7,000 additional employees for this purpose. They argue that they will return to the Treasury $20 for every dollar we spend for their compensation. They make out a pretty good case, because they have brought into the Treasury nearly $5,000,000,000 during the last 3 years in omitted taxes, but we must recognize that sooner or later you reach a point of diminishing returns. Our committee thought that we should approach that point of diminishing returns gradually rather than too rapidly. We allowed the Bureau of Internal Revenue 1,950 additional employees last year.

We have not had an opportunity yet to evaluate their services because they have not been employed long enough to provide the proper statistics. The Treasury this year asked for 1,476 additional employees on a full-year basis, plus 5,473 additional employees to be placed on the rolls during the last half of the fiscal year 1950, which would leave them with an increase of 7,019 persons at the close of the year whom we would have to continue on for the next year. Our committee thought that was too many. We did feel, however, that they should have some additional employees, and after long deliberation we determined that next year the Bureau should be allowed 1,500 additional employees on a full-year basis without any additional part-time employees. We specifically recommend in our report that the funds appropriated shall be used for the employment of full-time men and that it shall not be used to employ 3,000 men for half a year so that we would not have them on our hands next year. We believe that is a sufficient number to do the job. In view of that we reduced the request of the Bureau of Internal Revenue $12,268,000, which was the amount required for the additional men over and above the 1,500 which we have allowed.

In the Bureau of Narcotics we have not cut the budget request one penny. We are faced with a very serious situation today with narcotics throughout the Nation. There is an increase in violations of law and in the use of narcotics. Our committee last year appropriated some funds out of which the Bureau sent several agents abroad. These agents went abroad and worked with the enforcement officers in other countries, such as Egypt and France. I am happy to report to you that the money was well spent. It paid rich dividends because those agents helped to break up several well-established narcotic gangs in foreign lands, who were shipping narcotics into this country. In other words, we were attacking the problem at the source.

Mr. FERNANDEZ. Mr. Chairman, will the gentleman yield?

Mr. GARY. I am happy to yield to the gentleman.

Mr. FERNANDEZ. Does the gentleman think it is much better to stop this at the source than to try to catch them and take care of it here?

Mr. GARY. Very much better. That is the reason that this committee broke

a precedent, so far as I know, and appropriated money to send these agents abroad. Of course they had no authority abroad, but they worked with the law-enforcement officers of foreign countries and accomplished a great deal. We have a very serious situation in America with reference to marijuana, as you may have read in the papers recently concerning cases arising out of the use of marijuana, especially by young people. In view of this situation, we felt we should allow this Bureau, which is operating very efficiently, the money which it requested.

In the Bureau of Engraving we reduced their appropriation $2,000,000. That Bureau requested 400 additional employees and then proceeded to tell us that a great many of those employees could not be obtained because they were highly specialized men and were not available. We saw very little point in appropriating money for employees that could not be obtained, so we reduced their appropriation to some extent, but allowed them a sufficient amount to pay overtime to some of their present employees so that they can keep up the work of the department.

In the Secret Service Division, we did not touch the appropriation covering funds which are set aside for the guarding of the President of the United States and Government buildings. We felt that the Secret Service knew better than the committee what funds were necessary for that purpose and we allowed the full amount requested.

However, they did request 33 additional positions for 1950 for enforcing the counterfeiting and other laws which come under the Bureau. There has been some increase in counterfeiting in the United States, and it is very important that those activities be controlled. We felt, however, that an increase of 33 men to the now 333 used for that purpose, a 10 percent increase, was a rather large increase for next year, and we allowed approximately one-fourth of the additional positions which were requested.

In the Bureau of Federal Supplies we made some substantial reductions. I am going to read one sentence from our report which I think is very expressive:

> The committee feels that curtailment should be made in the activities of this Bureau, which shows an appropriation increase of nearly 400 percent in the last 10 years, despite the fact that the major part of the finances of the Bureau are supplied by funds from other appropriations and programs.

The Bureau of Federal Supplies does the buying for the other Federal agencies. A substantial portion of their expenditures comes out of funds supplied by the other agencies, for the articles which they purchase.

We recommended $1,400,000 for the maintenance of that office, which is a reduction of $350,000 below the estimate.

They requested $4,000,000 additional for their general supply fund. That is the fund out of which they purchase supplies. Last year they requested $10,000,000 additional for that purpose, but after the committee refused to appropriate it, they found that they could get advancements from the other departments, and they were able to operate successfully without the additional amount. This year they said that, with the advancements, they still needed $4,000,000. The amount of this capital supply fund was $9,525,000. The committee decided that instead of appropriating $4,000,000 they would just bring the fund up to $10,000,000. Consequently, instead of $4,000,000, the committee recommends $480,000, roughly, for that purpose.

Under the Bureau of Federal Supplies also comes the stock piling of strategic materials. Let me say to you that nothing that this Government is doing today is of greater importance than the stock piling of strategic material. If we have another war, we certainly do not want to be caught short on rubber, tin, and other materials, as we were at the beginning of World War II. The only way to prevent that from recurring is by stock piling these materials in sufficient amount to supply the Nation. The Munitions Board, which is responsible for this task, has worked out a 5-year program, and that program is advancing at a very satisfactory pace. Our committee did not curtail that program in any particular.

Mr. JOHNSON. Mr. Chairman, will the gentleman yield?

Mr. GARY. I yield.

Mr. JOHNSON. I happen to be a member of the subcommittee that drew the Stock Piling Act, and of course I know how short we are on some very critical materials.

We were induced in the amendment we made several years ago to insert a clause which states that if metals and other things were in short supply in the domestic market they should not be stock-piled. I have been sorry ever since that we put that qualification in there because it has acted as a road block to getting the proper stock pile.

I wish to endorse the gentleman's statement of a moment ago that there is nothing more important to our safety and security than having proper stock piles at this particular time. I wish also to compliment the committee in giving what these men asked in practically every detail.

Mr. GARY. I thank the gentleman from California and wish to say that we did not reduce one penny the budget request for stock piling. The request totaled $525,000,000, which included $314,000,000 in new cash and $211,000,000 in contract authority, plus $250,000,000 in cash for the purpose of liquidating prior contract authority.

The committee allowed the $250,000,000 for liquidating the prior contract authority. It did not, however, feel that it was necessary to appropriate the entire amount requested in cash for 1950; so instead of the $314,000,000 in cash the committee recommends $275,000,000 in cash. The $39,000,000, however, which was deducted from the cash, has been added to the contract authority, raising the contract authority from $211,000,000 to $250,000,000; so that next year there will be appropriated for stock-piling purposes $250,000,000 to liquidate obligations already incurred, $275,000,000 in new cash, and $250,000,000 in contract authority. This aggregates the total of $525,000,000 which has been requested.

Mr. CANFIELD. Mr. Chairman, will the gentleman yield?

Mr. GARY. I shall be very glad to yield to the gentleman from New Jersey.

Mr. CANFIELD. No Member of the House has been more interested in the stock piling of strategic materials than the distinguished gentleman from Iowa, [Mr. MARTIN]. He is a veteran of World War I, and has followed this item very closely down through the years. I know that he is pleased with the action taken by the committee on this matter.

Mr. MARTIN of Iowa. Mr. Chairman, will the gentleman yield?

Mr. GARY. I yield.

Mr. MARTIN of Iowa. I wish to thank the gentleman from Virginia for the opportunity to express my point of view on the action of the Appropriations Committee in approving the full amount asked for by the Munitions Board representatives in this program. I am still holding the Munitions Board to task, however, for having required a delivery of only 22 percent of the planned stock pile in two years and a half of a program that was planned to be completed in 5 years.

I wish also to call attention to the fact that until last year the program had lagged terribly. The Eightieth Congress, a year ago, in planning the appropriations for the current fiscal year gave the first forward impetus to the acquisition of strategic and critical materials by more ample appropriations.

While I am glad to commend the Committee on Appropriations for its action in this proposed bill, I wish to put the Munitions Board on notice that I am not settling for any 22 percent, the strategic and critical materials on hand. We cannot fight a 22-percent war. We have had 2½ years under Public Law 520, which was enacted in July 1946, to do a better job than that. I have not overlooked the fact that the RFC crawled out under this loophole my friend from California [Mr. JOHNSON], referred to. They handled $12,000,000,000 worth of strategic and critical materials, but when this is all settled only $400,000,000 of that had gotten into the strategic and critical materials stock pile and at the time I made this inquiry a year ago they still had only about $250,000,000 of that material left. They made complete use of that loophole we allowed to get into Public Law 520. That is one reason why the stock-pile program is lagging.

Mr. GARY. May I say to the gentleman that was one of the reasons we reduced the amount of cash for next year because we did not think the deliveries would be sufficient to require the full amount of the cash requested. I may say to the gentleman, however, that the Munitions Board is running at the present time into real difficulties because of the lack of cash funds. There is now pending before the Deficiency Committee of the Appropriations Committee a deficiency request for this year.

The Chairman of the Committee on Appropriations, the gentleman from

Missouri [Mr. CANNON] was with us when we heard the Munitions Board and when that Board pointed out the situation to the chairman of the Committee on Appropriations, although its request had not yet been transmitted to the Congress, he assured them that as soon as it reached his committee it would receive immediate consideration.

Mr. MARTIN of Iowa. I am glad to have that additional assurance because I think there is room for some timely help in taking advantage of the supply of materials that may now be available provided they get the funds.

Mr. GARY. That is unquestionably true. That should be taken care of and will be taken care of, no doubt, in the deficiency appropriation for this year. This is needed vitally and immediately. We feel we have provided ample funds for next year. As a matter of fact, we have recommended everything they requested.

Mr. CANFIELD. Mr. Chairman, will the gentleman yield?

Mr. GARY. I yield to the gentleman from New Jersey.

Mr. CANFIELD. Is it not true that the Bureau of the Budget cut somewhat the funds requested by this agency, and that our committee allowed all that was recommended by the Bureau of the Budget?

Mr. GARY. Yes.

Mr. DURHAM. Mr. Chairman, will the gentleman yield?

Mr. GARY. I yield to the gentleman from North Carolina.

Mr. DURHAM. This is a problem, of course, which is the heart of our defense program. Public Law 520, which was reported by the Committee on Military Affairs, and which the gentleman from Iowa and I sponsored, provided for a report to be made to the Congress every 6 months. Was that report made available to the committee in arriving at a conclusion as to the amount to be appropriated for the strategic materials stock pile?

Mr. GARY. Yes.

Mr. DURHAM. The committee had that report before it?

Mr. GARY. The chairman and other representatives of the Munitions Board came before the committee and presented charts and went very fully into all of the problems. We had a very complete hearing.

Mr. DURHAM. The committee went fully into the report on each item?

Mr. GARY. Yes, into the various items. On the chart they showed the various needs and exactly what they were contemplating. Of course, much of this information is such that it cannot be divulged on the floor of this House.

Mr. DURHAM. Yes, that is true.

Mr. GARY. But the committee was in executive session and they gave us the various items in detail.

Mr. DURHAM. We have the same report in the Armed Services Committee made available to us. I am sure it would be necessary to have this information, otherwise the committee could not act wisely on appropriations.

Mr. GARY. The committee went into that very fully with the Munitions Board, with the Bureau of Federal Supplies, and with the Army.

Mr. DURHAM. This is not only a program that aids in our national defense, but it is very necessary to keep our mining interests in operation in this country. There are some items in there at the present time I am sure the chairman of the committee is aware of that are in very short supply. There is some legislation pending on those items at the present time.

Mr. GARY. It is very essential to our entire civilian population——

Mr. DURHAM. That is correct.

Mr. GARY. As well as the mining interests. If our industries are going to run in time of emergency then they must be supplied with materials. If we do not have those materials the industries cannot produce.

Mr. DURHAM. I want to congratulate the committee on bringing out this amount of money at the present time. Last year, as the gentleman knows, we had to go after a supplemental appropriation by which we did do a pretty good job on this stock piling which had been neglested for some time.

Mr. SHAFER. Mr. Chairman, will the gentleman yield?

Mr. GARY. I yield to the gentleman from Michigan.

Mr. SHAFER. I merely want to make an observation that as chairman of Subcommittee No. 3 in the Eightieth Congress I had considerable to do with the legislation concerning the stock piling of strategic materials. I want to say now that we are neglecting a most important program. In Michigan, for instance, we have copper mines that are under water today, and it will take 7 years to get them out from under water to produce? It is up to this Congress to see that this program is carried out in its entirety.

Mr. GARY. I do not want to get into an argument as to the efficiency of the program. I do want to say, however, that I will not agree with the gentleman that we are neglecting it. It may be possible that we are not doing all we could do in connection with this program, but if we are not, that is not the responsibility of our committee, because we are allowing them everything that was requested. If the stock-piling activities are not proceeding at a sufficiently rapid pace, then somebody else should be prodded rather than our committee. We are unanimous in our agreement as to the importance of the program.

Mr. SHAFER. I agree with the gentleman to a certain extent, but I want him to recall that in the last Congress the stock-piling appropriation was cut from $750,000,000 to about $225,000,000, and until the Congress did something about it it remained at $225,000,000. After the Congress got busy and called attention to the fact that this amount had been cut by the Bureau of the Budget on recommendation of the President, nothing was done. But, after we did call attention to that fact it was increased back to the original amount as set forth in the original legislation.

Mr. GARY. Our committee this year is allowing $775,000,000; $250,000,000 to pay on previous obligations, $275,000,000 of new money, and $250,000,000 of new contract authority.

Mr. SHAFER. It is a drop in the bucket as to what we are spending in other places in the world as far as our preparedness is concerned.

Mr. GARY. Well, that is all that our committee was asked to appropriate.

Mr. CANFIELD. Mr. Chairman, will the gentleman yield?

Mr. GARY. I yield to the gentleman from New Jersey.

Mr. CANFIELD. It was the unanimous feeling of our subcommittee that the new Chairman of the Munitions Board, Mr. Carpenter, had put some zip into this program, and it was being accelerated.

Mr. GARY. That is unquestionably true, and we were very much gratified at the progress that is now being made.

Now, with reference to the Coast Guard, and I must be very brief as to these other items, last year our committee had the feeling that possibly the Coast Guard was trying to create a second navy. The Coast Guard has a very important function to perform, particularly in the matters of safety and shipping, but to be certain that there may be no overlapping between the activities of the Coast Guard and the activities of the Navy, the chairman of the Committee on Appropriations and the Secretary of the Treasury agreed upon an outside agency to come in and make a survey. This agency was known as the Ebasco Agency. As is quite frequently the case when we appoint surveys for the purpose of efficiency and economy, they frequently result in efficiency but seldom result in economy. The Coast Guard this year used that very report as the basis for asking for a large increase in funds.

One of the greatest defects we have found in the Coast Guard is the lack of a proper accounting system. The survey recommended the employment of an accountant and a supply officer. That has been done and they are installing today a modern accounting system in the Coast Guard. Our committee was greatly gratified at the improvement that has been made in the efficiency of the Department, and we have allowed what we think is necessary to keep up that pace during the next year.

The Post Office Department occupies a very unusual position. In the first place, they have very little to say about what they shall spend, because the ICC tells them what they shall pay the railroads for hauling the mail and the Civil Aeronautics Board tells them what they shall pay the air lines. Two years ago the railroads filed an application with the ICC for an increase of 45 percent in the rate structure for handling the mail, and subsequent thereto filed an amended application requesting a 65-percent increase instead of a 45-percent increase. The ICC allowed a 25-percent temporary increase.

For the first time the Post Office is undertaking to present a strong defense to these applications. The Post Office today has a very efficient solicitor, and he has brought in an expert in rate matters to handle these cases before the ICC. They are putting up a defense, yet

whatever the ICC determines is the proper amount the Post Office will have to pay.

The estimated deficit for the Post Office Department for 1949 is $526,000,000. The estimated deficit for 1950 is $522,000,000. In other words, the Post Office Department is giving approximately half a billion dollars a year to the users of the mails by carrying the mails at less than cost. The only class of mail handled by the Post Office Department that is on a paying basis is first-class mail.

I have here some figures which were just released on yesterday that show the actual deficits by classifications for the year 1948. This is a cost-ascertainment report of the Post Office Department. I shall give you these figures in round numbers, and the totals may not add correctly because of the elimination of some of the small figures.

In 1948 the profit from first-class mail was $154,300,000, the profit from postal savings was $19,000,000, and the other, unassignable profits, were $21,900,000. That constitutes the entire profits of the Post Office Department. On the other hand, here are the losses: On second-class mail, $163,400,000. What does that mean? Newspapers and magazines are classified as second-class mail. That means that the Post Office Department is subsidizing the newspaper and magazine publishers to the tune of $163,400,000 a year.

Mr. CANFIELD. Mr. Chairman, will the gentleman yield?

Mr. GARY. I yield.

Mr. CANFIELD. Last night the Scripps-Howard papers in the United States carried an editorial in which they expressed their willingness to pay their way. They said that the newspapers of our country, which are forever editorializing against subsidies should not be expecting subsidies themselves. It was a very good editorial, written in the interest of the taxpayers of our country.

Mr. GARY. I am very glad the gentleman has made that statement.

Third-class mail consists of advertising matter and parcels under 8 ounces. Last year the loss on third-class mail was $86,700,000. What does that mean? It means that the Post Office is subsidizing mail-order houses and other commercial users to the tune of $86,700,000.

We hear a great deal of talk about the subsidies given to the farmers of this Nation, but we do not hear much about the subsidies given to other commercial interests through the Post Office Department.

On fourth-class mail, which is parcel post, the loss this last year was $76,100,000. Let me tell you something about the parcel post. We have increased the size of packages that the Government can carry by parcel post. The Railway Express Agency has increased its rates and it now has a minimum charge of $1. Therefore, all unprofitable packages which were previously carried by the railway express service are being carried today by the Post Office Department, because the Post Office Department is carrying them at less than cost.

On domestic air mail the loss was $27,100,000.

On foreign mail, $1,700,000.

Foreign air mail, $27,800,000.

Registered mail, $9,600,000.

Insurance, $1,100,000.

C. o. d., $6,200,000.

Special delivery mail $11,600,000.

Money orders, $28,900,000.

Postal notes, $4,000,000.

That makes a total net loss, after deducting the profit from first-class mail, of $249,200,000 on revenue-producing mail service.

In addition to that, the penalty mail amounts to $3,100,000.

Franked mail, $962,000.

Free mail for the blind, $353,000.

Free registered mail, $7,600,000.

Nonpostal services, $18,700,000.

That makes a grand total of losses of $308,972,000.

Mr. PACE. Mr. Chairman, will the gentleman yield?

Mr. GARY. I yield.

Mr. PACE. Have the gentlemen of the committee made any estimate of what the increased cost would be to the average newspaper, if the second-class rate should be raised to where that service was self-supporting?

Mr. GARY. The committee has not made any such estimate. That is not within the province of our committee. The Postmaster General on February 21, 1949, submitted to the House of Representatives detailed suggestions for additional increases in postal rates and services. His recommendations have been incorporated in the provisions of a bill, H. R. 2945. That bill is now before the Committee on Post Office and Civil Service. It is within the province of that committee and the Congress of the United States to fix rates for these various classifications of mail. All that our committee is trying to do in this report is to point out the facts and to urge upon the Congress the necessity for placing the Post Office Department on a self-sustaining basis.

The committee unanimously recommends to the Congress that they give immediate consideration to that subject.

Mr. PACE. Mr. Chairman, will the gentleman yield further?

Mr. GARY. I yield further.

Mr. PACE. I was very much interested in the question I propounded for this reason: As the gentleman knows, in a democracy, where the people are supposed to rule, it is more important than in any other form of government that the people be kept informed; that they receive the daily newspapers; that they have an opportunity to receive them at what we might call a nominal cost. Therefore, in my own personal study of this question, there has come to my mind the other side, as to whether or not if we made the newspaper pay its entire cost of distribution through the mail, it would result in raising the cost of subscription to the newspaper to such a rate as would substantially reduce the circulation.

Mr. GARY. I will say to the gentleman that that is unquestionably an argument to be advanced against the increase in rates. This bill does not deal with increases in rates. We have no authority to consider that subject, but we are urging that this Congress give the matter earnest and serious consideration.

The CHAIRMAN. The gentleman from Virginia [Mr. GARY] has consumed 1 hour.

Mr. CANFIELD. Does the distinguished gentlemar desire additional time?

Mr. GARY. I think I have concluded my remarks, thank you.

May I say I am sorry I did not know I was consuming all of the time allotted to our side. I have only one request for time, but I am anxious for some of my colleagues, other members of the committee, to be heard. If the gentleman from New Jersey has some extra time, I will appreciate it if he wil' allow them some of his time.

Mr. CANFIELD. I am pleased to say to the chairman of our subcommittee that I do have extra time, and I shall be happy to accommodate his request.

The CHAIRMAN. The gentleman from New Jersey is recognized.

Mr. CANFIELD. Mr. Chairman, I yield myself 25 minutes.

Mr. Chairman, I feel it is a good omen that this bill is brought up on the birthday of our distinguished Parliamentarian, Lew Deschler, the right arm of the Speaker, and the savior of many chairmen of the Committee of the Whole House on the State of the Union.

It is very pleasing to me to have the Treasury-Post Office appropriation bill again brought before the House with a unanimous subcommittee report, as it did throughout the Eightieth Congress. This is further evidence of the nonpartisan approach which the subcommittee has continued to take in providing funds for these two service agencies. I have had several opportunities to express in the House the deep affection I hold for the gentleman from Virginia [Mr. GARY], and what I have said in past years of his work as ranking minority member of the subcommittee is equally true now that he has assumed the chairmanship. He has been fair and courteous to everyone, has permitted thorough consideration of the estimates while operating the hearings with dispatch and order.

The gentleman from Virginia [Mr. GARY] has a unique background for his assignment because of his experience as head of the tax department in his native State of Virginia and his work on the House Legislative Committee dealing with Post Office matters. He is characterful and for my money he is "the salt of the earth."

Mr. FERNANDEZ. Mr. Chairman, will the gentleman yield?

Mr. CANFIELD. I yield.

Mr. FERNANDEZ. The gentleman very adequately expresses, I am sure, the sentiments of every member of the subcommittee.

Mr. CANFIELD. I thank the distinguished gentleman from New Mexico.

It has also been a pleasure to serve with the chairman's two colleagues on

the majority side the gentleman from New Mexico [Mr. FERNANDEZ] who has just joined me in this tribute to our subcommittee chairman, and the gentleman from Louisiana [Mr. PASSMAN]. Both were newly assigned to the committee this year, although they are veterans of this House; they have good legal and business backgrounds and they acquitted themselves very well. Unfortunately, the gentleman from New York [Mr. COUDERT], who was originally my associate in the minority, was taken ill early in the hearings. He is now convalescing in the Southland, and we hope for his speedy return. Everyone knows of his outstanding record of service both in the New York State Legislature and in this Congress. The gentleman from New York [Mr. COUDERT], is one of the greatest lawyers in the land. We did not have the full benefit of his experience which I know would have resulted from his continued service with us this year. In his absence the committee was fortunate to have the gentleman from Oregon [Mr. STOCKMAN] substitute for the gentleman from New York, and his was a happy choice, bringing a representative of the great Northwest to the subcommittee, which considers many vital matters involving that region in which he lives and which he represents so well. The gentleman from Oregon [Mr. STOCKMAN] in physical stature is the biggest man in the Congress of the United States, and I want to bear this witness, he is also big in mental stature, his mental processes are triggerlike, and he has exerted his abilities in these hearings and made a real contribution.

It is also good to have the opportunity to express thanks and appreciation to the executive secretary of the subcommittee, Mr. Kenneth Sprankle, who entered a new field when our hearings started. He promptly showed his ability to grasp the subject and he has rendered us much valuable assistance. He is a veteran in congressional experience.

I shall not comment too much on the bill itself. The two major titles cover the Treasury and the Post Office. Both of them are service agencies, and their work load and expenditures are largely determined by outside factors. It is particularly difficult to determine so many months ahead the work load of the Post Office, which has the right to request and receive supplemental funds if shown to be necessary for the proper expedition of the mail. There may be places where cuts have been a bit too deep for personal services and deficiencies will be incurred. At the same time, however, it is the feeling of the subcommittee that these may be obviated if the present business recession is continued or expands. I see no need for any deficiency or supplemental appropriations for objects other than personal services during the fiscal year 1950. Your subcommittee has been most cautious in making sure that the efficiency of these two departments, as well as the other two agencies included in this bill, the Export-Import Bank and the Reconstruction Finance Corporation, will not be impaired. They may have to economize somewhat, but there are mighty few, if any, instances where economies cannot be made without loss of efficiency and service.

Mr. JOHNSON. Mr. Chairman, will the gentleman yield?

Mr. CANFIELD. I yield to the distinguished gentleman from California.

Mr. JOHNSON. I believe that the Post Office Department could raise its efficiency if they appointed career men to the top jobs in the service. In 1920 it was my privilege, a Republican, to persuade Senator Phelan of California, a Democrat, to appoint a man out of the Stockton post office to become the postmaster, over the pleas of politicians to put in a purely political appointee. Frankly, I cannot understand why the post office is not run by men who are trained in the service, but invariably the man who gets the top post gets it because of some political work. That applies alike to Republican administrations and to Democratic administrations. You have the curious situation that the man who is appointed to the post-office job which pays the highest salary and gives him the most power is trained to do the job by people who are his subordinates and get only a fraction of his salary. I am looking forward to the day when people who devote their lives to the postal service may have the opportunity of looking forward to getting the top spot in their post office or somewhere else in the Department.

I mention this because I know the gentleman last year commented on the fact that President Truman appointed Mr. Donaldson, a career man, as Postmaster General of the United States, which was a very good example, and I hope it will be followed all through the service so that these career men may have the opportunity of getting the best job if they render an efficient service.

Mr. CANFIELD. I am glad to hear the gentleman from California make that statement, because I know how close he has been to the postal service and how much he has been interested in better service in his part of the country. Last year he was very helpful to the subcommittee in calling to our attention some deficiencies in the far West, notably in the State of California, all of which are being corrected. I am sure he does not mean to say that the man now heading that Department is in anyway an amateur. Mr. Donaldson, as the gentleman intimated, is a career man. He has had 44 years of service, having started as a letter carrier. He has really applied himself to his assignment. Further, he testified this year before our committee that in appointing new postmasters the appointments of career men were on the increase.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. CANFIELD. I yield to the distinguished gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. The gentleman mentioned the fact that today is the birthday of our Parliamentarian, Mr. Lew Deschler.

Mr. CANFIELD. May I say to the gentlewoman from Massachusetts that I mentioned that in my lead-off statement. I said it was a good omen that this bill was being brought up on his birthday.

Mrs. ROGERS of Massachusetts. I would like to join the gentleman in wishing Mr. Deschler a very happy birthday. We are all indebted to him for his work during the years. He is loyal to every Speaker under which he serves, but he must be absolutely honest in his interpretation of the legislation that is offered and passed. He is endlessly patient in advising those of us who ask for information regarding legislation. He deserves the best there is.

Mr. HORAN. Mr. Chairman, will the gentleman yield?

Mr. CANFIELD. I yield to the distinguished gentleman from Washington.

Mr. HORAN. I suggest that the amity that exists on this subcommittee between the gentleman from New Jersey [Mr. CANFIELD] and the gentleman from Virginia [Mr. GARY] is als a nice birthday present for Mr. Deschler.

Mr. CANFIELD. I thank the gentleman and I am sure the gentleman from Virginia [Mr. GARY] is appreciative.

Mr. REES. Mr. Chairman, will the gentleman yield?

Mr. CANFIELD. I yield to the distinguished gentleman from Kansas.

Mr. REES. The distinguished chairman of this great subcommittee has given considerable attention to the matter of individuals being appointed to certain positions because they are qualified for their jobs. He tells us that he hopes the time will come when career people will get these higher pay positions.

While the Postmaster General was before the subcommittee I wonder whether anything was said with respect to appointments to certain jobs, for instance as rural-mail carriers and such jobs as that, and whether the appointments are made of men who get the top grades or whether these men are selected on a political basis? Has that matter been discussed?

Mr. CANFIELD. May I say to the gentleman from Kansas that was not discussed. That would be a matter to be discussed by the committee of which the gentleman is a member, the legislative committee. The gentleman from Kansas knows that our committee is an appropriating committee.

Mr. REES. I just wondered if the gentleman does not care to comment on that.

Mr. CANFIELD. I will say this much, that the gentleman who is speaking in the well of the House is not so naive as to fail to realize that that situation has been going on for many years in both Republican and Democratic administrations.

Mr. REES. That is right.

Mr. CANFIELD. I am hopeful that the recommendations of the Hoover Commission, which will go a long way toward eliminating that abuse, will be approved by this Congress. Both the Secretary of the Treasury, Mr. John W. Snyder, and the Postmaster General, Mr. Jesse M. Donaldson, are men with sound training, high moral character, and faithful public servants. They can be trusted to do the best possible job with the money we have allowed them to effect savings wherever possible, and to provide efficient service.

I want to salute particularly three agencies in the Treasury, which were the subjects of management surveys last

year, and which have profited by those surveys and today are doing a better job therefore. They are the Coast Guard, under the leadership of Admiral Joseph W. Farley and the chief of his planning and control staff, Captain Richmond; the Bureau of Customs, under Acting Commissioner Frank Dow; and the Bureau of Internal Revenue, headed by Commissioner George Schoeneman. And while praises are being sung, I want to single out Mr. Paul Banning, head of the Division of Disbursement in the Treasury, who appeared before the subcommittee to ask less money than he had last year, and who said: "We had a saving, and we turned it back to the Treasury." It is not the first time he has asked us for less money; he has made a record, and he is an inspiration to others.

When Paul Banning made that statement I interrupted him to say this: "I think that the Secretary of the Treasury, Mr. Snyder, should take the statement you have just made and see that it is properly framed and hung in every Federal agency in this country, each to bear the name of Paul Banning, Chief Disbursing Officer, United States Treasury."

Further along in his testimony Mr. Banning made this statement: "We may have to effect more economies this year," and in making that statement he seemed to feel as if he were being challenged to do a better job, and all of the members of the committee were exceedingly pleased with his presentation.

Mr. KENNEDY. Mr. Chairman, will the gentleman yield?

Mr. CANFIELD. I yield to the distinguished gentleman from Massachusetts.

Mr. KENNEDY. The gentleman knows that in the examinations that have been given the last 3 years by the College Entrance Examination Board that the cadets at the Coast Guard Academy have finished ahead in their average marks of the midshipmen at Annapolis and the cadets at West Point, which is a good indication of the caliber of men they are getting in the Coast Guard.

Mr. CANFIELD. I thank the gentleman.

Mrs. BOLTON of Ohio. Mr. Chairman, will the gentleman yield?

Mr. CANFIELD. I yield to the distinguished gentlewoman from Ohio.

Mrs. BOLTON of Ohio. On the matter of the Coast Guard, can the distinguished gentleman inform us why the contemplated chapel at New London is to be partly financed by private donations? That there has never been a chapel at the Coast Guard Academy seems strange. Some of my constituents who have been solicited for contributions have asked me why. They apparently feel it would be suitable for the Government of the United States to erect a chapel for the Coast Guard just as it has at Annapolis and West Point.

Mr. CANFIELD. May I say to the gentlewoman from Ohio that that matter was not called to our attention by the Coast Guard. However, we are glad to hear about it now.

Mr. McDONOUGH. Mr. Chairman, will the gentleman yield?

Mr. CANFIELD. I yield to the distinguished gentleman from California.

Mr. McDONOUGH. In reference to the section of the bill having to do with motor facilities in the Post Office Department, I see the committee has provided $5,631,000 for the purchase of trucks and tractors for the delivery of the mail. That is new equipment, is it?

Mr. CANFIELD. That is right.

Mr. McDONOUGH. We have a problem in Los Angeles County now.

Mr. CANFIELD. Our subcommittee is aware of that, and it was explored most thoroughly last year and this year.

Mr. McDONOUGH. We have a wide expansive day delivery, and we have been tolerating an inefficient truck-delivery system for a long time. We have some trucks so old we cannot even buy the parts from the manufacturers any longer. I trust that out of this $5,631,000 a proportionate share to meet the urgency and necessity in Los Angeles county will be forthcoming. What Assistant Postmaster General could inform me of the proportionate share we may receive?

Mr. CANFIELD. Mr. Burke, the First Assistant Postmaster General, also Mr. Myers, the Fourth Assistant Postmaster General.

May I say to the gentleman from California that the subcommitee is aware of his interest in this problem. He discussed it with the subcommittee last year, and we were given assurance by Postmaster General Donaldson that the problem in his section of the country would be met. The employment picture in California has improved; more people are seeking employment in the postal service out there. The big difficulty at the moment is the shortage of space. Space in Federal buildings is inadequate, and satisfactory leased quarters cannot be found. Highway postal service has eased the situation somewhat around Los Angeles. Los Angeles has the only helicopter mail service in the country, and it has been very valuable in speeding up mail service in that area as page 114 of the hearings shows. Over half the appropriation in this bill for electric-car service will go to California.

Mrs. BOLTON of Ohio. If the gentleman will yield further, on the matter of the Post Office, did the subcommittee go into the matter of the cost to the Department of all these special stamps?

Mr. CANFIELD. Yes, indeed. I am going to discuss that further in my presentation this afternoon.

Mrs. BOLTON of Ohio. May I ask if your discussion will include the number of stamps demanded by legislation as well as those that are automatically printed by the Department?

Mr. CANFIELD. That is right.

Mrs. BOLTON of Ohio. I thank the gentleman.

Mr. CANFIELD. I have made reference to Customs, and therein lies what I consider to be the most interesting story of our subcommittee's work these last 2 years; yes, the top story of the full committee's work. You may recall that in 1947, when this committee reported to you a $3,000,000-plus cut in the $36,000,000 request of Customs for the fiscal year 1948, there was a hue and cry throughout the land. The then Commissioner of Customs fired and furloughed border and port guards right and left, and governors, mayors, chambers of commerce, and what-have-you moved on Washington. A portion of the press editorialized that a great crime had been committed. What was the aftermath? I shall tell you.

Our committee undertook an investigation by an independent engineering concern, the Senate Committee on Executive Expenditures moved in and the Secretary of the Treasury ordered Customs to take a self-inventory. In a few weeks a great proportion of the men fired or furloughed were returned to their posts, the Commissioner of Customs was relegated to a less important position and the Secretary of the Treasury, Mr. Snyder, expressing regrets over what had happened, assured me that Customs would do a real job under its appropriation. They did just that and now listen. Customs came back the next year and its request for funds—those for fiscal 1949—were $500,000 less than granted them the year before when those not interested in saving money for the taxpayers of the United States tried to do a job on this committee. Our detractors were 100 percent wet and our work has been fully borne out as proper and wholesome.

Mr. Chairman, in the hearings this year I have commended Secretary Snyder, his Under Secretary, Mr. Wiggins, and the Acting Commissioner of Customs, Mr. Dow, and the whole Customs establishment for applying themselves and doing a real job. They tell us frankly that the investigation and self-inventory made these last 2 years not only promoted efficiency, but will in time develop new economies in their Bureau. And listen also to this. They thank us for what we did for them.

In some field offices of the Treasury employees are getting higher salaries than the head of the Bureau, and in one instance even more than the Secretary of the Treasury. I asked Secretary Snyder what he thought of this condition, and he quite rightly termed it an outrage. Interesting material on this appears on page 27 of our hearings. The Commissioner of Internal Revenue, who is charged with collecting over $43,000,000,000, receives only $10,000 per year; less than some national bank examiners. The Commissioner of Customs receives $10,000 a year, while there is under him a collector in one port receiving $12,000. These two Commissioners are responsible for bringing in most of the revenues which are required to operate the Government. They operate in highly specialized and technical fields. Yet their salaries are disgracefully low. The Post Office Department, the biggest business in the world, is headed by a man receiving $15,000 and three Assistant Postmasters General each receiving only $10,000. I hope that when this appropriation bill comes before us next year we will have the legislative authority necessary to pay these top level people higher salaries, more commensurate with the heavy responsibilities they bear.

Our hearings on the Post Office Department brought out many things which will require legislative action, originating with another committee. It cannot be successfully denied that the present Post Office Department has grown in a rather unplanned fashion. It is hemmed in and tied down by restrictive rules and regulations, its revenue is determined by several outside agencies, its expenditures controlled by Congress, and its work dependent on the mailing habits of the people. It is often too closely associated with political activit.. Many of its activities are carried on in archaic and outmoded fashions. The largest business in the world, it is still dependent on foot power and manual operation for a large part of its activity. As has been said before, the post office is handling now a record-breaking volume of mail, and is facing problems which it has never been called upon to face before. We are obliged to appropriate the funds to carry on the work of the department as it is presently constituted, for it is not within the power of the Committee on Appropriations to change the legislative authorities of the Department. I have great confidence in the ability of the postal workers not only in the very able and capable leaders in the Department here in Washington but also in the supervisors and the clerks and the carriers in the field, to surmount these obstacles and keep the mail moving. The record of postal workers for loyal and faithful service is unsurpassed, and I know we can count on them to do their best with whatever money, whatever authority, we give them.

Nonetheless the evidence presented to the subcommittee this year, and my experience as chairman of the group for the last 2 years, and as a member thereof in prior years, convinces me that we must take action at an early date to effectuate the very necessary and intelligent recommendations of the so-called Hoover Commission as they affect this Department. Any delay in so doing will cost millions of dollars, and, in my opinion, will eventually interfere with the handling of the mail in efficient fashion.

Mr. CROOK. Mr. Chairman, will the gentleman yield?

Mr. CANFIELD. I yield to the distinguished gentleman from Indiana.

Mr. CROOK. Observation over the last several years convinces me that this class of citizens throughout our great Nation that is constantly condemning the United States Post Office Department for going in the red is the same group of individuals that are asking for the greatest amount of subsidy. Now we know how to put the United States Post Office in the black, and we can eliminate this big trouble that they are kicking about. But when we do it the people who today are being subsidized are going to pay their fair share, or we will have to have taxes which will bring the appropriation in to counteract that situation. I do not like to see those people who are getting the greatest benefit condemning a political party for something that the party is not responsible for.

Mr. CANFIELD. I thank the gentleman, and I am sure that he subscribes in full to the statement in our report on that subject.

It is only natural that some of the people in the Department do not take kindly to these recommendations; they have lived all their lives, and worked for years, under the existing situation. They have seen the present system work in the past, and they have seen it deliver the record volume of mail in recent years, although we know that the system has creaked and groaned sadly in so doing. Yet to an impartial observer, changes are necessary. Now we have an over-all plan under which such changes can be made, economies effected, and efficiency improved. We cannot afford to pass by this opportunity and I urge the Congress to act as speedily as possible on the Hoover Commission's recommendation for reorganizing the Post Office.

I want also to comment on another matter dealing with Post Office legislation and that is the matter of passing bills for commemorative stamps. The very competent and hard-working Third Assistant Postmaster General, Mr. Joseph Lawler, discussed this with the committee and I am sure that many of you saw the article on these commemorative stamps in a January issue of Life magazine. You may also have seen the editorial captioned "Pressure group stamps," in the Washington Star of February 7, which I will place in the RECORD at this point, as part of my remarks:

PRESSURE-GROUP STAMPS

The Eightieth Congress authorized and directed the Postmaster General to issue more than 20 postage stamps which philatelists have stigmatized as undesirable. Most of the unwanted labels were intended as compliments to groups and individuals who ordinarily would not have been so honored. Political pressure was the explanation. The character of the Nation's postal adhesives was stultified to accommodate selfish interests. One of the stamps was a publicity stunt staged by the publisher of a magazine of the poultry trade. It featured an egg and a rooster, but no hen.

And the Eighty-first Congress is following in the steps of its predecessor. The day it assembled saw the introduction of several bills requiring the manufacture and distribution of stamps which the Postmaster General uncoerced never would have considered. One of the stickers demanded would glorify the trotter Hambletonian; another would advertise the centennial of the Angora goat. The resolutions authorizing and directing these obviously unworthy issues probably will be passed. Both are indorsed by important political forces.

Meanwhile, a proposal for a series of stamps in aid of educational campaigns for improved public health remains unnoticed by the House and the Senate. The American Cancer Society has submitted four attractive designs for a label to "point up" its drive in April. Similar adhesives have been requested to help the crusades against tuberculosis, poliomyelitis, and heart disease. A stamp to dramatize the Forestry Service's endeavor to halt forest fires was suggested more than a year ago, and the soil conservation efforts of the Government have been urged as meriting such help. Stamps for half a dozen national parks hitherto not pictured also are pending.

What makes the mistaken policy of Congress so deplorable is the fact that, when the Post Office Department schedule for new issues is crowded with unworthy stickers, stamps which are of national significance and therefore deserve to be produced are pushed aside. This happened in 1948, and may happen again in 1949, unless Senators and Representatives heed the protests of the philatelic fraternity which pays the engraving and printing costs of all new postal labels.

Last year there were 29 commemorative stamps issued. This large number is confusing to the public; detracts from the philatelic value to stamp collectors; and lessens the honor intended. The Post Office is opposed to such great numbers of special issues; the press is indicating opposition, and I am sure that the general public is confused and tired of the situation.

I urge on the Members the greatest care in future consideration of bills calling for commemorative stamps and hope that every effort will be made to cut down on the number requested. By the same token, special commemorative coins are a burden on the Mint and confusing to the public, and should not be encouraged.

While we are considering the Post Office, I want also to point out one group of postal employees generally overlooked, and that is the supervisory employees, particularly the assistant postmasters. Because they are not covered by overtime-pay laws, these supervisory employees, on whom rests much of the burden for the handling of mail and the special services of the Post Office, receive less take-home pay than clerks and carriers in the same offices. This is brought out on page 61 of the hearings on this bill. It is destroying in some cases the incentive for a man to seek a higher position. It will tend to lessen the interest and destroy the morale of the supervisors. They should be given special consideration in the way of pay increases. The case of assistant postmasters should also receive consideration. In a great many post offices, the assistant postmaster is a career man who is the actual executive head of the office. Great are his burdens and responsibilities, both to the Government and to the people. Yet these men are frequently underpaid under the present formula for fixing their compensation. I sincerely hope that the legislative committee on the Post Office will give this matter thorough study at an early date.

I have already mentioned the recommendations of the Hoover Commission on the Post Office. I would also urge upon the Members full study and early consideration of the report of that Commission on Federal purchasing. At the present time the Bureau of Federal Supply is in the Treasury Department and funds for it are carried in this bill. The Post Office also does some purchasing for the other Government agencies. A reading of the hearings on this Bureau, not only for this year but for past years, will show the need for an overhaul. There is at present no uniform statutory requirement on purchasing and the authority of the present Bureau of Federal Supply is a legislative hodgepodge. It is not the most economical system which could be devised, nor is it the most efficient, although the Bureau as now con-

stituted, is an improvement over past practices, and the men who head it are trying to do a job. The Hoover Commission's recommendations on this subject and related matters on an Office of General Services are excellent, and I hope they can be adopted in the near future, not only insofar as they directly affect this bill before us today, but as a general improvement, the need for which this bill emphasizes.

I hope that this appropriation bill will be approved. It is nonpartisan. It has a unanimous subcommittee report. It meets the needs of the departments and gives some needed economies to the taxpayer.

The CHAIRMAN. The time of the gentleman from New Jersey has again expired.

Mr. GARY. Mr. Chairman, I wish to ask the gentleman from New Jersey if he will be so kind as to yield 10 minutes to the gentleman from Louisiana [Mr. PASSMAN].

Mr. CANFIELD. First, may I ask the Chairman how much time I have remaining?

The CHAIRMAN. The gentleman from New Jersey has 25 minutes remaining.

Mr. CANFIELD. I gladly yield 10 minutes to the distinguished member of the subcommittee, the gentleman from Louisiana [Mr. PASSMAN].

The CHAIRMAN. The gentleman from Louisiana [Mr. PASSMAN] is recognized for 10 minutes.

Mr. PASSMAN. Mr. Chairman, I wish to say at the outset that the most pleasant assignment I have had since becoming a Member of Congress has been membership on the Treasury and Post Office subcommittee of the House Appropriations Committee under the very able leadership of my chairman, the gentleman from Virginia [Mr. GARY] and with the distinguished ranking minority member, the gentleman from New Jersey [Mr. CANFIELD].

We have been asked in the Treasury bill to appropriate money to the Treasury Department for paying interest on the overpayment of income taxes.

On January 13, 1949, I introduced H. R. 1409 which was a duplicate of H. R. 2667 introduced by me on March 20, 1947. My bill would reduce the interest on overpayment of income tax from 6 to 2 percent.

In discussing my bill with Secretary Snyder, he stated that the average interest on long-term Government securities yields an average of 2½ percent per annum, and on short-term securities, that is those with a 1-year maturity, yields 1¼ percent. Certainly there is no justification for paying 6 percent interest per annum on overpayment of income tax, especially since it has been established that many taxpayers are purposely overpaying their income tax so as to receive a 6-percent investment. I direct to the attention of the Members that overpayment of income taxes is refunded within an average of 11 months after overpayment. If the recipients are paid 2 percent, that is a greater yield than they would receive on any other Government security.

The overpayment of income tax today is in excess of $2,000,000,000 annually. This is double the amount of all annual revenue collected by the Federal Government prior to 1918.

Mr. Chairman, I should like to call your attention to the fact that the Treasury Department is requesting $82,000,000 to pay interest only on overpayment of income tax for fiscal year 1949, and it is estimated that a like amount will be required for fiscal 1950.

I discussed interest rates with the Hon. Frank Dow, Acting Commissioner of Customs, relative to refunds and overpayment of duties collected. He informed me that the Bureau of Customs refunded, during the fiscal year 1948, $19,000,310. Many of these claims were 2 or 3 years old and the interest rate on refunds of overpayment of customs amounted to zero. In other words, there is no interest on refunds of overpayment of duties.

It will be argued by a few that since the Government charges 6 percent on underpayment of income tax, that it is proper to pay 6 percent on overpayment of income tax. I contend that these two items fall in two different categories and that the Treasury Department is dealing with two different segments of our taxpayers and the subjects are not related. For instance, if I purchase short-term Government securities, the Government pays me 1¼ percent interest, but if I should borrow money from one of the Federal lending agencies on the same basis, they charge me 4 percent interest. This is also true with banking institutions; if they lend you money they charge you an average of 6 percent, but if you lend them money, they pay you an average of 2 percent per annum interest. It should be stated further that if banking institutions or the lending agencies of the Federal Government paid the same rate of interest on securities and time deposits as they charge when lending money, then neither could stay in business very long.

Mr. Chairman, in this day of uncertainty, it is the duty of the Congress to start making adjustments so as to effect savings wherever possible. My bill would save the Government approximately $50,000,000 annually. If a few such savings could be effected, it would materially reduce governmental expenditures and be a step toward bringing this overexpanded spending program under control. In my opinion, my bill should be considered on its own merits and not in connection with a general over-all tax revision program, because if it is not, the saving may be absorbed or lost in a compromise.

It does not matter whether the idea is original with me or whether the bill is reported out in my name, but it does matter whether or not the Congress takes action.

Mr. Chairman, in connection with the Coast Guard appropriation for pay and allowances for the fiscal year 1949, the Congress appropriated $71,295,000. The Coast Guard requested for the fiscal year 1950, $77,425,000 for pay and allowances. The subcommittee recommends $74,500,000.

There has been some criticism to the effect that the recommended reduction has been too great. I should like to call the committee's attention to the fact that for the first 6 months of the fiscal year 1949 the Coast Guard obligated only $34,385,000 of their pay and allowance account.

I should also like to call the attention of the committee to the fact that out of 1,931 total officer complement in the Coast Guard, 929 of these officers are lieutenant commanders or of a higher rank. There are 237 commanders in the Coast Guard against only 171 ensigns. For the fiscal year 1950 the Coast Guard will have a total of 266 full commanders, or an increase of 29 over 1949; and 190 ensigns, which is an increase of only 19. In my opinion, if the Coast Guard continues promoting on this basis, in a very few years the entire officer complement of the Coast Guard will be admirals.

Mr. HAND. Mr. Chairman, will the gentleman yield?

Mr. PASSMAN. I yield to the gentleman from New Jersey.

Mr. HAND. Is the gentleman familiar with the fact that what appears on the surface to be a somewhat overmanning in the Coast Guard in ranking officers is due, if not necessarily due, because under the act of Congress they have taken over the entire Bureau of Marine Inspection, which is an officer activity, and probably about, as I recall the figures, some 600 officers result from that activity alone, and therefore the figures which seem to show that the Coast Guard is overmanned in officer personnel is not so at all? It is caused entirely by the fact that they have taken over and absorbed, under our direction, the Bureau of Marine Inspection, and that in truth the amount of officers to enlisted men, if this is taken into consideration, is about 1 to 15, which compares very favorably, indeed, with the other branches of the armed services.

Mr. PASSMAN. I should like to say to the gentleman, as a former officer of the United States Navy, that I know the rank of officer personnel of all branches of the service is supposed to be proportioned on a percentage basis. If all branches of the military service increase the rank of their officer personnel as the Coast Guard does, there is something wrong with the system.

Mr. HAND. I quite agree with the gentleman on the general basis of his thinking, but I again call attention to the fact that that only seems to be so in the case of the Coast Guard because of the fact that they have absorbed the Bureau of Marine Inspection. The Bureau of Marine Inspection, as I am sure the gentleman knows, was a group of civil service officers of a rather high rating, so that when the Coast Guard absorbed that Bureau under our direction, as a result of an Act of Congress, they were obliged, of course, to assign commissions to those former civil-service employees, and that results, of course, in what seems to be an overmanning of officer personnel. But that is the only reason for it.

Mr. PASSMAN. According to the record it is time for reduction in these high ranks. It is not so much the basic differential between an ensign and a

full commander, because the longer an officer serves, of course, the larger bonus he gets, and some commanders draw as much as $6,600 annually. With the allowance for longevity, in many instances officers of commander rank draw three times the pay of an officer of ensign rank. They have asked for an increase in commander rank for the fiscal year 1950.

Mr. HAND. Is the gentleman referring to commanders or lieutenant commanders?

Mr. PASSMAN. I am referring to commanders. The Coast Guard has 237 full commanders at this time and only 171 ensigns. In 1950 they are requesting an increase of 29 full commanders, which would bring the total to 266, and 190 ensigns, which is an increase of 19 over the 1949 ensign complement.

Mr. Chairman, I hope before the Eighty-first Congress adjourns that I will be privileged to vote for a bill that will increase the postal rates on certain classes of mail. Something was mentioned earlier today about the postal service being a service institution. That is true. I know of one publisher in my own district who places in the mails 1,000 copies of his paper each week, and who is paying less than $1 to have these 1,000 copies distributed by the post office. Certainly there should be an increase in this category.

I again call the attention of the committee to the large increase in the amount of parcel post being handled by the Post Office Department at a tremendous loss.

It was brought out during the committee hearings that many of the mail-order houses ship as many as two or three carloads of parcel post in 1 day. Express companies have placed a high minimum on shipments, so over a period of years most of the small packages handled by these companies have been shifted over to the Post Office Department; thus, we are certainly subsidizing mail-order houses to the extent of many millions of dollars monthly. I think that a correction should be made. I certainly hope the proper committee gives consideration to drafting legislation that will correct this situation, because we are subsidizing practically every mail-order house in America. That applies also to their catalogs.

Mr. CANFIELD. Mr. Chairman, I yield 5 minutes to the gentleman from Washington [Mr. HORAN].

Mr. HORAN. Mr. Chairman, I ask unanimous consent to proceed out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. HORAN. Mr. Chairman, first, may I congratulate the Treasury and the Post Office Departments on the able leadership that has been shown in this subcommittee on both sides of the aisle, and the fine personnel on this subcommittee on both sides of the aisle. I think it is a happy circumstance, and we can expect progress and good government out of such a combination.

Mr. CANFIELD. Mr. Chairman, will the gentleman yield?

Mr. HORAN. I yield to the gentleman from New Jersey.

Mr. CANFIELD. May I say that that is doubly appreciated, because the gentleman speaking from the well was in the last Congress the efficient and able chairman of a subcommittee which turned in a remarkable performance.

THE LATE J. P. ALVEY

Mr. HORAN. I thank the gentleman.

Mr. Chairman, at a time when we are paying very proper respect to the conduct and the efficiency of servants who work as bureaucrats for the Federal Government, I regret very much to announce to his many friends and acquaintances in this body that yesterday evening one of the finest men to serve in the administration of our Government passed from our midst, the result of a heart attack which could be attributed only to the long and arduous hours he spent on behalf of the people of the United States.

J. P. Alvey, familiarly known as "Perry" Alvey to all who dealt with him, for the past 12 years had been in charge of the Washington, D. C., office of the Bonneville Power Administration in the Department of the Interior. Without a doubt he could be described as one of the best bureaucrats—and I use that term as a compliment—in the entire Government service. During a long and distinguished career as an engineer, utility executive, soldier, and public servant, he became a most trusted friend and adviser of thousands who came to him for assistance. In his years of work in the Bonneville Administration office here, in which his primary responsibility was to serve as the liaison between that agency and us who represent in Congress the territory it serves, no request of ours was too great to be handled nor too trifling to deserve a full consideration. To my personal knowledge, he worked day and night, Sundays and holidays, whenever his duties required, in order to meet the demands of the Congress and the people. I honestly believe he literally worked himself into the grave.

Perry Alvey was born in Galveston, Tex., December 1, 1885. He was graduated from the University of Texas in 1906 and from Massachusetts Institute of Technology in 1907. From that time until 1937 he worked in the construction business and for various utility and railway companies, taking time out to serve as a captain of engineers in the AEF. In 1937 he left his post as general manager of the Chicago & Illinois Valley Railroad to become consulting engineer of the Bonneville Power Administration.

We will all miss him very greatly.

Mr. CANFIELD. Mr. Chairman, I yield 1 minute to the distinguished gentlewoman from Ohio [Mrs. BOLTON].

Mrs. BOLTON of Ohio. Mr. Chairman, I have asked for recognition at this time on this 3d day of March that I might bring to the attention of the committee Earl W. Chaffee, the Republican reading clerk, who is in the forty-fourth year of his service in this House, on his eighty-second birthday. Since 1905 he has been within these Halls. He is just an institution, a part of the very life of the House which he deeply loves. Always courteous, always willing, always smiling, even though at this very moment he is living days and nights of anxiety over the illness of his beloved wife. To meet Earl Chaffee in the Hall, in the Chamber, is a delight indeed.

Mr. Chairman, I ask the membership of the House to join with me in all good wishes to this loyal man. May he long be among us.

Mr. CANFIELD. Mr. Chairman, I yield myself 30 seconds to concur in the tribute of the gentlewoman from Ohio [Mrs. BOLTON]. Mr. Chaffee loves the House of Representatives. Most certainly he is an inspiration to all Members, young and old.

Mr. Chairman, I yield such time as he may desire to the distinguished gentleman from Washington [Mr. MACK].

Mr. MACK of Washington. Mr. Chairman, I join my colleague the gentleman from Washington [Mr. HORAN] in paying tribute to J. P. "Perry" Alvey who for the 12 years prior to his death yesterday, was head of the Bonneville Power Administration offices in the National Capital.

During my 2 years in Congress, I have had many occasion to call upon my friend, Mr. Alvey, for data and information about the Bonneville power development on the Columbia River.

His response to every request was always prompt and complete. His knowledge of his favorite subject, the development of the great resources of the Columbia River was immense. He was always courteous. He was, in my opinion, one of the ablest and most intelligent of Government servants of the people with whom I have come in contact during my 2 years in the Congress.

What western Congressmen have been able to contribute toward the development of the enormous resources of the Columbia River Valley would not have been possible without the help and assistance given us by Perry Alvey. I have talked with many of my western colleagues and know that they all feel as I do about this able and faithful public official.

The great network of public power facilities that now are everywhere in the Pacific Northwest, adding to the pay rolls and prosperity of that region, will stand forever to the memory of Perry Alvey and others like him who by their planning and labor made these developments possible.

Such men do not die, for the inspiration and fruits of their good work endure forever to benefit millions, still unborn, who will follow them.

Mr. CANFIELD. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Massachusetts [Mr. KENNEDY].

Mr. KENNEDY. Mr. Chairman, I should like to address a question to the gentleman from Virginia [Mr. GARY] with reference to this $87,000,000 that you are providing in this bill for the carrying of the foreign and domestic mail at rates set by the CAB, which the Post Office must pay. I know you realize that this total sum includes not only compensation for the carrying of air mail, but includes in addition a subsidy which is paid to the air lines. The Hoover

Commission has recommended that this compensation and subsidy should be separated; that the Post Office should pay only the compensation for carrying the air mail but the Congress itself should determine to what extent we should subsidize these air lines. Do you not think that while you have provided in this bill for the total amount, in the future we should distinguish between compensation to cover the cost of carrying the air mail and the subsidy paid to the air lines.

Mr. GARY. I will say to the gentleman that our committee did go into this question and it is a fact that part of the compensation to the air line is a subsidy to them to keep them running so that they can carry the mail. Frankly, I do not think that the subsidy should be considered as a part of the cost of transporting the mail and attributed to the Post Office Department.

If it is necessary to subsidize the air lines of this country, and I am not prepared to say whether it is or not, but certainly if it is necessary, it is a matter that should be considered independently. It is a matter, however, over which our committee has no jurisdiction. At the present time the responsibility for fixing the rates is placed by the Congress with the Civil Aeronautics Board and the Post Office Department is required to report whatever rates the Civil Aeronautics Board requires.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CANFIELD. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from New Jersey [Mr. HAND], who in the last Congress was chairman of the Subcommittee on the Coast Guard of the Committee on Merchant Marine and Fisheries.

Mr. HAND. Mr. Chairman, I want to make it plain that this is not in any sense a controversy between me and the distinguished gentleman from Louisiana [Mr. PASSMAN]. As a matter of fact, if I may make a remark, that has nothing to do with the Coast Guard. I want to congratulate the gentleman on his suggestion concerning the reduction of interest on refunds of income tax, which I think is a long-overdue reform. But I do want to emphasize what I had occasion to say to the gentleman in our recent colloquy about the situation which appears to give the Coast Guard an overmanning in the officer class. I again say that this is entirely caused by the fact that, pursuant to congressional direction, they have taken over the Bureau of Marine Inspection. The Bureau of Marine Inspection, almost without exception, was a group of rather high-priced and rather highly rated civil-service employees. They are experts in that particular field, and necessarily they were of that character. When they were taken over by the Coast Guard, also necessarily, they were not enlisted personnel, but they were officer personnel. And it was wholly because the Coast Guard was required by the Congress to take over this group that there appears to be a disparate number of officers.

As a matter of fact, in that extra number category—and they are an extra number category—the Coast Guard has a flag officer, 17 captains, 34 commanders, 292 lieutenant commanders, none of which should properly be regarded as a part of the regular military officer personnel of the Coast Guard service. As a further matter of fact, when we disregard that additional officer personnel which has resulted from the absorption of the Bureau of Marine Inspection, the Coast Guard has authorized in the flag rank 2 less than the statutory amount allowed; 7 less in the rank of captain; 12 less in the rank of commander; 22 less in the rank of lieutenant commander; 56 less in the rank of lieutenant. There is some increase in the rank of lieutenant, junior grade. The Merchant Marine safety function is almost entirely an officer function, as I recall it. I think I have the figures and I think they are accurate. There were 650 billets for officers in that particular branch, the marine inspection service, and only 184 billets for enlisted men. When we disregard what has always been, until recently, a purely civil function, we find that the ratio of enlisted men and officers in the Coast Guard Service is approximately 1 to 15, which compares very favorably indeed with the other armed services in this country. I say this is no controversy between me and the distinguished gentleman from Louisiana. He is just as friendly to the service as I am, but I feel it my duty to point out that that is the true situation, in my opinion.

Mr. PASSMAN. Mr. Chairman, will the gentleman yield?

Mr. HAND. I yield.

Mr. PASSMAN. Will the gentleman tell the committee when this condition will be corrected?

Mr. HAND. As long as we have the Marine Inspection Service in the Coast Guard, whose men are in a very special rank and special duty, we may have some disproportion. I suppose it will be gradually adjusted downward sometime somewhat, as these men go out of service and as lesser-rank officers come in.

To go into some detail, Public Law 219 of the last Congress integrated into the Coast Guard personnel of the former Bureau of Marine Inspection and Navigation. Because of their relatively high civil-service ratings it was necessary to commission this personnel as officers in the higher ranks, and this tends to give a distorted picture of the rank structure in the Coast Guard. All of these officers are carried as extra numbers, as prescribed by law enacted by Congress, and as attrition thins their ranks and their positions are filled by newly appointed officers the over-all rank structure will tend to be equalized. Until time remedies the situation there is no effective action that the Coast Guard can take to correct this problem. At the present time there are 344 officers in the extra-number category in the various ranks, as follows:

Flag	1
Captain	17
Commander	34
Lieutenant commander	292

Disregarding these extra numbers and using the percentages authorized by law for the Coast Guard, which, incidentally, are comparable to the percentages allowed for the Navy, we find in fact that of the 1,582 officers, excluding extra numbers on board on March 1, the Service has not availed itself of the full percentage for flag officers and actually has less in each senior rank than the number authorized by law, for example:

Grade	Statutory (percent)	Number authorized	On board	Difference
Flag	0.75	12	10	−2
Captain	6.00	95	88	−7
Commander	12.00	190	178	−12
Lieutenant commander	18.00	285	263	−22
Lieutenant	24.81	392	336	−56
Lieutenant (junior grade) and ensign	38.05	609	707	−98

The ratio of officers to enlisted men for fiscal year 1949, including extra numbers, is approximately 1 officer to 9 enlisted men. This ratio is lowered to 1 to 10 for the personnel requested for 1950. This ratio compares favorably with any other armed services. Even if this were not true, a different proposition exists in the Coast Guard in that the Coast Guard is discharging one function, the merchant marine safety function, which is almost entirely an officer function without any comparable enlisted-man strength. For fiscal 1949 there are 650 billets for officers and only 184 billets for enlisted men for this function. If these 650 billets engaged in this peculiar function are disregarded, the actual ratio is still further reduced to approximately 1 to 15, which more than compares favorably with the other armed services.

The CHAIRMAN. The time of the gentleman from New Jersey [Mr. HAND] has expired.

Mr. CANFIELD. Mr. Chairman, I have no further requests for time on this side.

The CHAIRMAN. There being no further requests for time, the Clerk will read.

The Clerk read the bill.

Mr. GARY (interrupting the reading). Mr. Chairman, I ask unanimous consent that further reading of the bill be dispensed with, that the bill be considered as read, open to points of order and amendments at any place.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The CHAIRMAN. Are there any points of order? [After a pause.] Are there any amendments?

Mr. HARRIS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I take this time to ask the chairman of the committee what, if anything, is provided in this bill with reference to highway mail service.

Mr. GARY. I assume that the gentleman has reference to the highway post offices.

Mr. HARRIS. Yes; that is true.

Mr. GARY. That is covered under the star-route service; that is a part of the appropriation for the star-route service on page 34 of the bill.

Mr. HARRIS. I may say to the gentleman from Virginia the reason I bring this matter to his attention is that there is one particular service in southeast Arkansas whereby the bus at McGehee,

Ark., picks up mail there and delivers it to Dermott, Halley, Lake Village, Eudora, Readland, and on down into Louisiana. They have had a lot of difficulty with the mail service in that the mail is supposed to arrive in the morning, but many times it does not arrive until late, sometimes in the afternoon, and sometimes way into the night. This matter has been discussed with the Post Office Department. They tell us they cannot inaugurate any additional highway post offices, so-called, that is on trucks, unless money is made available for that specific purpose. They have the money to deliver this mail by contract, but they cannot inaugurate this highway post-office mail service unless money is appropriated for this specific purpose.

They have had a Nation-wide study under way for some time, particularly within the last year or so, and I believe a report is soon to be issued advising the Congress of the needs to correct the situation and to give better mail service to those areas.

Mr. GARY. I may say to the gentleman from Arkansas that for the fiscal year 1948 they had $409,000 for that purpose. They asked for $1,412,000 in 1949; and for $1,570,000 in 1950. But that was all a part of the star-route service, and the committee recommended $30,000,000 for the star-route service, which was a reduction of $3,475,000 below the estimate, but approximately $2,200,000 in excess of the estimated obligations for the fiscal year 1949.

Mr. HARRIS. If the gentleman will permit me to continue further, that is the information I wanted.

Will the Post Office Department have the authority to spend such sums of this $30,000,000 as they deem necessary to give this improved service in certain areas?

Mr. GARY. They do have that authority.

Mr. CANFIELD. Mr. Chairman, will the gentleman yield?

Mr. HARRIS. I yield.

Mr. CANFIELD. Five routes were in operation June 1, 1948. Since that time 26 more routes have been put into operation in all parts of the country and about 15 more are to be established before June 30, 1949. Between 20 and 25 can be established in the fiscal year 1950 under this appropriation.

Mr. HARRIS. Under the appropriation provided for in this bill, can the Department establish this Highway Post Office Service from McGehee, Ark., to post offices south into Louisiana?

Mr. GARY. Yes.

Mr. HARRIS. I thank the gentleman.

Mr. GARY. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with the recommendation that the bill do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. PRIEST, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 3083) making appropriations for the Treasury and Post Office Departments and funds available for the Export-Import Bank and the Reconstruction Finance Corporation for the fiscal year ending June 30, 1950, and for other purposes, had directed him to report the bill back to the House with the recommendation that the bill do pass.

Mr. GARY. Mr. Speaker, I move the previous question on the bill to final passage.

The previous question was ordered.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

Mr. WIGGLESWORTH. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. WIGGLESWORTH. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. WIGGLESWORTH moves to recommit the bill, H. R. 3083, to the Committee on Appropriations.

Mr. GARY. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. GARY. Mr. Speaker, I ask unanimous consent that all Members may have five legislative days within which to extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

EXTENSION OF REMARKS

Mr. CANFIELD asked and was given permission to revise and extend the remarks he made in the Committee of the Whole and include an editorial from the Washington Evening Star.

INTERSTATE COMPACT RELATING TO THE BETTER UTILIZATION OF THE FISHERIES OF THE GULF COAST

Mr. COLMER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 124 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 2363) granting the consent and approval of Congress to an interstate compact relating to the better utilization of the fisheries (marine, shell, and anadromous) to the Gulf coast and creating the Gulf States Marine Fisheries Commission. That after general debate, which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Merchant Marine and Fisheries, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. COLMER. Mr. Speaker, I yield 30 minutes to the gentleman from Indiana [Mr. HALLECK] and at this time I yield myself 3 minutes.

Mr. Speaker, House Resolution 124 makes in order consideration of the bill H. R. 2363, which grants the consent and approval of Congress to an interstate compact relating to the better utilization and conservation of the fisheries of the Gulf coast and creating the Gulf States Marine Fisheries Commission. The States affected are Alabama, Louisiana, Mississippi, and Texas.

There was no controversy, as I understand it, about this matter in the Committee on Merchant Marine and Fisheries of the House of Representatives. A similar bill has already passed the Senate.

So far as I know, there is only one matter that is at all in dispute, and when the bill is read for amendment I expect to offer a very brief amendment to satisfy the opposition that has been expressed.

The main purpose of this legislation is to give those interested in commercial fishing of those States an opportunity to enter into this compact so that they can better utilize, promote, and conserve the great natural resources in the matter of fish in that great arm of our sea, the Gulf of Mexico.

It is my understanding that similar legislation has been authorized in the past permitting those interested in fishing on the Atlantic coast to perform the same functions. I shall not take any further time on the matter at this time. When the bill is read, as I said, I expect to offer an amendment.

Mr. WILLIS. Mr. Speaker, this bill, H. R. 2363, grants the consent and approval of Congress to an interstate compact relating to the better utilization of the fisheries of the Gulf coast. The bill also creates the Gulf States Marine Fisheries Commission. It is proposed that any two or more of the States of Alabama, Florida, Louisiana, Mississippi, and Texas may enter into the compact.

By this legislation we are not vesting any legislative power to the Commission. The Commission will not itself be vested with the power to legislate. It will not have any police power. The recommendations of the Commission will not of themselves have the force of law.

The jurisdiction of the Commission, however, will be very broad and valuable. The Commission will have plenary power to make surveys, investigations and studies to promote the furtherance and conservation of the fishing industry. The recommendations will be made to the legislatures and appropriate authorities of the several States entering into the compact. This will make it possible for all of the interested States to adopt uniform laws, rules, and regulations af-

fecting this most important industry. Such uniformity will have salutary effects.

We all know, of course, Mr. Speaker, that fish in the water is not stationary and stagnant. It is ambulatory. It is ubiquitous. Depending upon their proximity to the boundary line of two States in open water, fish, for example, may one day be in Louisiana waters and the next day in Texas waters. Of little good would it be for Louisiana to have ideal laws relating to the better utilization of the fisheries, marine, shell, and anadromous, and for Texas to have deficient legislation on the subject; and vice versa, of course. The same is true with regard to other States which might be interested in becoming parties to the compact. It is to cure this evil, or this possible evil, and ultimately to bring about adequate uniform and forward-looking laws, rules, and regulations that we are seeking the consent of Congress to enter into this compact.

All of the five States above mentioned are anxious to secure this authority from the Congress in order to further, promote, and advance this outstanding industry. I believe that some of the Representatives from the five States have offered bills similar to the one under consideration. As author of one of such bills, together with my other colleagues from Louisiana who introduced similar legislation, I commend its unanimous adoption.

Mr. LARCADE. Mr. Speaker, article I, section 10 of the Constitution requires the consent and approval of Congress be given to any compact entered into between two or more States. The States bordering on the Gulf coast have developed such a compact known as the Gulf States Marine Fisheries Compact. The compact has already been ratified by the States of Alabama, Florida, and Louisiana. Mississippi and Texas will probably join the compact this year now that their legislatures are in session.

Congress has already approved very similar interstate fisheries compacts for both the Atlantic coast and the Pacific coast. The enactment of H. R. 2363 would merely grant the consent and approval of Congress to this compact. There would be no cost to the Federal Government. I have been very interested in the enactment of this legislation and have introduced a similar bill myself, H. R. 1719.

The establishment under the compact of the Gulf States Marine Fisheries Commission will be a far-reaching and forward step in providing a means for these States to cooperate among themselves in attacking the common problems of developing and regulating the fisheries of the Gulf. The Commission would consist of three representatives from each of the ratifying States. The Commission would offer a medium through which disputes between Gulf States could be settled and also afford an opportunity for correlated research among the States on their fisheries problems and for concerted action toward the conservation, improvement and development of the Gulf marine fisheries resources. The fisheries cannot be treated satisfactorily by each State individually, but are an entity along the Gulf coast. The proposed Commission could in no way invade the authority of individual States, but would have the authority to recommend to the States carefully worked-out uniform legislation and the coordination of the States' police power.

Mr. HALLECK. We have no requests for time on this side, Mr. Speaker.

Mr. COLMER. Then, Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

Mr. THOMPSON. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the resolution (S. J. Res. 42), similar to the House bill, and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the joint resolution, as follows:

Resolved, etc., That the consent of Congress is hereby given to any two or more of the States of Alabama, Florida, Louisiana, Mississippi, and Texas to enter into the following compact and agreement relating to the better utilization of the fisheries (marine, shell, and anadromous) of the Gulf coast and creating the Gulf States Marine Fisheries Commission. The compact reads as follows:

GULF STATES MARINE FISHERIES COMPACT

The contracting States solemnly agree:

ARTICLE I

Whereas the Gulf Coast States have the proprietary interest in and jurisdiction over fisheries in the waters within their respective boundaries, it is the purpose of this compact to promote the better utilization of the fisheries, marine, shell, and anadromous, of the seaboard of the Gulf of Mexico, by the development of a joint program for the promotion and protection of such fisheries and the prevention of the physical waste of the fisheries from any cause.

ARTICLE II

This compact shall become operative immediately as to those States ratifying it whenever any two or more of the States of Florida, Alabama, Mississippi, Louisiana, and Texas have ratified it and the Congress has given its consent subject to article I, section 10, of the Constitution of the United States. Any State contiguous to any of the aforementioned States or riparian upon waters which flow into waters under the jurisdiction of any of the afore-mentioned States and which are frequented by anadromous fish or marine species may become a party hereto as hereinafter provided.

ARTICLE III

Each State joining herein shall appoint three representatives to a commission hereby constituted and designated as the Gulf States Marine Fisheries Commission. One shall be the head of the administrative agency of such State charged with the conservation of the fishery resources to which this compact pertains or, if there be more than one officer or agency, the official of that State named by the Governor thereof. The second shall be a member of the legislature of such State designated by such legislature or in the absence of such designation, such legislator shall be designated by the Governor thereof, provided that if it is constitutionally impossible to appoint a legislator as a commissioner from such State, the second member shall be appointed in such manner as may be established by law. The third shall be a citizen who shall have a knowledge of and interest in the marine fisheries, to be appointed by the Governor. This commission shall be a body corporate with the powers and duties set forth herein.

ARTICLE IV

The duty of the said commission shall be to make inquiry and ascertain from time to time such methods, practices, circumstances, and conditions as may be disclosed for bringing about the conservation and the prevention of the depletion and physical waste of the fisheries, marine, shell and anadromous, of the Gulf coast. The commission shall have power to recommend the coordination of the exercise of the police powers of the several States within their respective jurisdiction to promote the preservation of these fisheries and their protection against overfishing, waste, depletion, or any abuse whatsoever and to assure a continuing yield from the fishery resources of the afore-mentioned States. To that end the commission shall draft and recommend to the Governors and legislatures of the various signatory States, legislation dealing with the conservation of the marine, shell, and anadromous fisheries of the Gulf seaboard. The commission shall from time to time present to the Governor of each compacting State its recommendations relating to enactments to be presented to the legislature of that State in furthering the interest and purposes of this compact. The commission shall consult with and advise the pertinent administrative agencies in the States party hereto with regard to problems connected with the fisheries and recommend the adoption of such regulations as it deems advisable. The commission shall have power to recommend to the States party hereto the stocking of the waters of such States with fish and fish eggs or joint stocking by some or all of the States party hereto and when two or more States shall jointly stock waters the commission shall act as the coordinating agency, for such stocking.

ARTICLE V

The commission shall elect from its number a chairman and vice chairman and shall appoint and at its pleasure remove or discharge such officers and employees as may be required to carry the provisions of this compact into effect and shall fix and determine their duties, qualifications, and compensation. Said commission shall adopt rules and regulations for the conduct of its business. It may establish and maintain one or more offices for the transaction of its business and may meet at any time or place but must meet at least once a year.

ARTICLE VI

No action shall be taken by the commission in regard to its general affairs except by the affirmative vote of a majority of the whole number of compacting States. No recommendation shall be made by the commission in regard to any species of fish except by the affirmative vote of a majority of the compacting States which have an interest in such species. The commission shall define what shall be an interest.

ARTICLE VII

The Fish and Wildlife Service of the Department of the Interior of the Government of the United States shall act as the primary research agency of the Gulf States Marine Fisheries Commission cooperating with the research agencies in each State for that purpose. Representatives of the said Fish and Wildlife Service shall attend the meetings of the commission. An advisory committee to be representative of the commercial salt-water fisherman and the salt-water anglers and such other interest of each State as the

commissioners deem advisable may be established by the commissioners from each State for the purpose of advising those commissioners upon such recommendations as it may desire to make.

ARTICLE VIII

When any State other than those named specifically in article II of this compact shall become a party hereto for the purpose of conserving its anadromous fish or marine species in accordance with the provisions of article II, the participation of such State in the action of the commission shall be limited to such species of fish.

ARTICLE IX

Nothing in this compact shall be construed to limit the powers or the proprietary interest of any signatory State or to repeal or prevent the enactment of any legislation or the enforcement of any requirement by a signatory State imposing additional conditions and restrictions to conserve its fisheries.

ARTICLE X

It is agreed that any two or more States party hereto may further amend this compact by acts of their respective legislatures subject to approval of Congress as provided in article I, section 10, of the Constitution of the United States, to designate the Gulf States Marine Fisheries Commission as a joint regulating authority for the joint regulation of specific fisheries affecting only such States as shall so compact, and at their joint expense. The representatives of such States shall constitute a separate section of the Gulf States Marine Fisheries Commission for the exercise of the additional powers so granted but the creation of such section shall not be deemed to deprive the States so compacting of any of their privileges or powers in the Gulf States Marine Fisheries Commission as constituted under the other articles of this compact.

ARTICLE XI

Continued absence of representation or of any representative on the commission from any State party hereto shall be brought to the attention of the Governor thereof.

ARTICLE XII

The operating expenses of the Gulf States Marine Fisheries Commission shall be borne by the States party hereto. Such initial appropriations as are set forth below shall be made available yearly until modified as hereinafter provided:

Florida	$3,500
Alabama	1,000
Mississippi	1,000
Louisiana	5,000
Texas	2,500
Total	13,000

The proration and total cost per annum of $13,000, above-mentioned, is estimative only, for initial operations, and may be changed when found necessary by the commission and approved by the legislatures of the respective States. Each State party hereto agrees to provide in the manner most acceptable to it, the travel costs and necessary expenses of its commissioners and other representatives to and from meetings of the commission or its duly constituted sections or committees.

ARTICLE XIII

This compact shall continue in force and remain binding upon each compacting State until renounced by act of the legislature of such State, in such form as it may choose; provided that such renunciation shall not become effective until 6 months after the effective date of the action taken by the legislature. Notice of such renunciation shall be given to the other States party thereto by the secretary of state of the compacting State so renouncing upon passage of the act.

Mr. THOMPSON (interrupting the reading of the resolution). Mr. Speaker, I ask unanimous consent that the resolution be considered as read and open to amendment.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. COLMER. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COLMER: Page 6, line 16, after the word "limit", insert "or add to."

Mr. COLMER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. COLMER. Mr. Speaker, I offer this amendment out of an abundance of precaution. It is the contention of some of the citizens of some of the States involved in this proposed compact that the States have certain proprietary and riparian interests and rights to the waters of the Gulf and its tributaries which would grant them exclusive jurisdiction over the fish and fisheries mentioned in the bill. There are those who further contend that, as a result of these asserted claims and rights, one State can prevent the citizens of another State from fishing in or taking fish from these waters adjoining a particular State. It is my contention that no State, through its legislative bodies or agencies set up by it, can constitutionally invoke any statute or regulation of such a restrictive nature as to prevent the citizens of a sister State from fishing in or taking fish from the waters of the State so seeking to restrict the fishing.

When this compact was first proposed, I was requested, along with other Members of Congress, to introduce it. I hesitated to introduce the bill because of certain statements therein asserting alleged proprietary rights to the fish or fisheries described in the bill, H. R. 2363. Therefore, when the bill was reported from the Committee on Merchant Marine and Fisheries of the House, and application was made to the Committee on Rules, of which I am a member, for a rule for its consideration on the floor, I requested that the matter pass over and a rule be denied until I had further opportunity to look into the matter. Thereupon I conferred with the very able Representative from Texas [Mr. THOMPSON], the author of H. R. 2363, and raised the objection to which I have just referred. The very learned gentleman from Texas advised me that it was not his contention nor the contention of the committee that the passage of this resolution would grant any rights, affirmatively or indirectly, to the States in this matter; that it was his contention and the view of the committee that the passage of this bill was for the sole purpose of permitting the citizens of the several States affected thereby, Alabama, Florida, Louisiana, Mississippi, and Texas, to enter into a compact for the purpose of the conservation and the advancement of the fishing industry in the affected States. And, further, that it was the purpose of the legislation to iron out existing differences between the States involved. I was, also, informed by citizens of my own State of Mississippi that the learned attorney general of that State was of the opinion that the enactment of this legislation would not serve to bolster the claim, if any, that any particular State, who was a party to the compact, might claim to the jurisdiction of the fisheries of the waters adjoining that State. Moreover, I was, also, advised that the Office of the Attorney General of the United States was of the same opinion.

However, Mr. Speaker, in order to further safeguard that phase of the matter, and in order to insure the status quo on this question, I have offered this amendment. It will be noted that the amendment simply says that nothing construed in the legislation will add to any asserted claim.

I would have much preferred to have made the amendment much more far-reaching and to have stricken out certain language therein referring to proprietary interest entirely, but, since one or more of the States involved have already passed enabling acts on the basis of the bill as originally written, it was thought sufficient to maintain the status quo by this simple amendment. I understand there will be no objection to the amendment, and I ask for its adoption.

Mr. THOMPSON. Mr. Speaker, there is no objection to the amendment.

The amendment was agreed to.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

H. R. 2363 was laid on the table.

Mr. THOMPSON. Mr. Speaker, I ask unanimous consent that all Members may extend their remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

EXTENSION OF REMARKS

Mr. PLUMLEY (at the request of Mr. HALLECK) was given permission to extend his remarks in the RECORD in two instances and in one to include two letters.

MINNESOTA CENTENNIAL

Mr. BLATNIK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. BLATNIK. Mr. Speaker, this year of 1949 is the centennial anniversary of Minnesota, and it is a real honor and privilege to take this opportunity to pay homage and tribute to my home State, the North Star State of Minnesota. It was 100 years ago—March 3, 1849—that Minnesota became a separate territory of

the United States, a status which she enjoyed until 1858 when she was admitted as a member State in the Union.

Although Minnesota did not become a separate political unit until 100 years ago, early explorers left records of their travels in this western land as long ago as the mid-seventeenth century. No one knows who was the first white man to travel the fertile plains, the lakes and valleys whose beauty entered into the name of Minnesota, which in Indian means "cloud-tinted waters."

Two Frenchmen, Radisson and Groseilliers, left a written record of their travels in this "upper country" and may have been the first white visitors. Later came Nicolas Perrot who in 1686 built a fort on the shores of Lake Pepin. He was followed by Du Lhut, Father Hennepin, and La Verendrye, who came to take possession of this territory in the name of France.

Following peace between Great Britain and France in 1683, a peace which brought eastern Minnesota under the British flag, trade with the Indians prospered, and many traders built their palisaded forts on Minnesota rivers and lakes. Jonathan Carver, Peter Pond, and David Thompson figured prominently during this period.

AMERICAN BEGINNINGS

Eastern Minnesota became a part of the United States in 1783 at the close of the American Revolution, and the remaining portion of our State came under United States jurisdiction with the Louisiana Purchase. By 1816 the British-owned Northwest Co. had passed from the scene to be replaced by the American Fur Co.

Thus began a new era of exploitation of the plentiful resources of the Minnesota Country—an exploitation which has continued until today. To build the fur industry came hunters, trappers, and traders, and to protect them Fort Snelling was established on the banks of the Mississippi in 1819. Missionaries and settlers flocked in and a number of small settlements were established by the day, 100 years ago, when Minnesota became a separate territory. Statehood followed in 1858, 3 years before Minnesota was to send her sons forth to battle for preservation of the Union.

Following the Civil War, the history of Minnesota was tied directly to the history of the growing nation. Lumber was the next resource to claim the attention of settlers and eastern capitalists. It was a great period of exploitation and wastage of our virgin forests and the lumber barons made huge fortunes before the trees were gone and they moved on toward the Pacific. Close on the heels of the lumber king came the iron magnates, who claimed the ore from the Mesabi Range, the richest ore deposits in the American nation.

Thousands of ordinary Americans and immigrants from Europe came, too, to establish farms and homes on the prairies and in the rich valleys of the State, to build its cities and to work in its mills and mines and on the farms. Through their labors, industry and agriculture prospered, and Minnesota became the State it is today.

TRIBUTE WELL EARNED

Thus today as we commemorate the one hundredth anniversay of Minnesota, we pay tribute to her people and to their contributions to America. We pay tribute to her valiant political leaders of the past, to Charles A. Lindbergh, Sr., and to that great governor and great American, Floyd B. Olson, who went forth to battle against the trusts and corporate interests in behalf of social justice for the people. We honor the miners of the Mesabi Range who came from many parts of the Old World to mine the iron to provide the sinews of American industry and the weapons of two world conflicts—we honor the farmers and workers who made their contributions. We pay homage to her sons who have fought in three great wars in defense of the Nation.

I know that I speak for the entire Minnesota delegation when I say that we are proud of our State's record—of her people's accomplishments, of our contributions to America's welfare. We love Minnesota's sky-blue waters, her valleys and rivers, and her people who came from all lands—Norway, Finland, Ireland, Sweden, Denmark, Italy, Poland, Yugoslavia, Scotland, Germany, and many others—to build a new life in midwestern America, in the heart of a great continent.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. FUGATE for Thursday and Friday of this week, on account of official business.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Carrell, its enrolling clerk, announced that the Senate had passed a joint resolution of the following title, in which the concurrence of the House is requested:

S. J. Res. 56. Joint resolution extending an invitation to the International Olympic Committee to hold the 1956 Olympic games at Detroit, Mich.

The message also announced that the Vice President has appointed Mr. JOHNSTON of South Carolina and Mr. LANGER members of the joint select committee on the part of the Senate, as provided for in the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Government," for the disposition of executive papers in the following departments and agencies:

1. Department of Agriculture.
2. Department of the Air Force.
3. Department of the Army.
4. Departments of the Army and the Air Force.
5. Department of Commerce.
6. Department of Justice.
7. Department of the Navy.
8. Atomic Energy Commission.
9. Federal Security Agency.
10. Selective Service System.
11. Veterans' Administration.

The SPEAKER. Under previous order of the House, the gentleman from Michigan [Mr. HOFFMAN] is recognized for 10 minutes.

CIO WOULD TAKE AWAY YOUR MEAT—PRESIDENT TRUMAN'S THREAT

Mr. HOFFMAN of Michigan. Mr. Speaker, the executive board of the CIO union in the packing-house industry has learned little, if anything.

Last year, although two unions—the Amalgamated Meatcutters and Butcher Workmen of North America, AFL, and the Independent Brotherhood Union—settled their grievances with the packing industry without a strike, United Packinghouse Workers of America, CIO, called strikes in 20 States, which threatened to cut off the meat supply in several of the larger cities.

The strike was felt by hundreds of thousands of the workers and 100,000 union members were directly involved. It was settled on May 24, 1948, the union accepting the original offer of the packing industry.

During this strike, two men, both pickets, were killed; millions of dollars in wages were lost; the packing industry lost profits running into millions, and the meat supply of the public was in several cities curtailed.

Railroad tracks were blockaded; freight cars were damaged; factory workers were beaten, imprisoned, and kidnapped. The enforcement of the law was broken down and, in at least two States, governors were forced to call out the troops to end civil strife.

But apparently the CIO unions in the meat-packing industry have not learned their lesson.

Recently, the executive board of the CIO has been asking for Federal and State laws forbidding the operation of factories where a plant has been struck.

Perhaps Mr. Truman, who had no use for the Eightieth Congress, who apparently thinks the Eighty-first Congress is even worse, although the majority in each House is Democratic, considering himself, as he apparently did in his Jackson Day dinner, the fount of all wisdom, will tell the Congress that it should include in his labor bill a provision requiring all employers to cease operations when the officers of a local or international CIO union so demand.

The absurdity as well as the arrogance and conceit of CIO top officials is demonstrated by this latest of their demands.

Permit me to restate the proposition. The executive board of this CIO union now asks that the Congress write a law which would close every factory and every place of business in the United States if and when that factory or business was struck by a CIO local.

The proposition is so absurd that it would not merit mention, were it not for the fact that it shows just how arbitrary, unreasonable, and dictatorial the CIO, under Philip Murray, the political boss or lieutenant, whichever you prefer, of President Truman, has become.

If the demand of the CIO was accepted by the Congress, shortly we would have a scarcity of meat, in fact, of many of the necessities of life.

Moreover, the people of this country would in fact become the slaves of the CIO, for industry, if its plants were closed, would be forced to grant whatever demands the CIO might see fit to make.

We would in truth and in fact have a slave-labor law, but the slaves would be all those who did not belong to the CIO.

That the CIO thinks it can, without punishment, resort to violence; that it can defy the law of the land; that it can do as it pleases, is evidenced by the fact that, for years, it has intimidated, coerced, and beaten those who defied its orders.

Only recently has the National Labor Relations Board shown independence enough to begin to protect the right to work of employees who depended upon a pay check for their livelihood.

On February 25, 1949, the Board handed down a decision, saying that a union, its officers, and its representatives, violated section 8 (b) (1) (A) of the Taft-Hartley Act, when its pickets persisted in—

(1) Carrying of sticks by pickets on the picket line, and the piling of bricks for use by pickets;

(2) Blocking of plant entrances by railroad ties, automobiles, raised gutter plates, and tacks;

(3) Threatening violence to nonstrikers over the picket-line loudspeaker;

(4) Intimidation of nonstrikers as they sought to enter the plant;

(5) Placing of pickets in such a manner as to prevent nonstrikers from unloading a boxcar on a railroad spur to the plant;

(6) "Goon squad" mass assaults on nonstrikers, the overturning of a nonstriker's automobile, and individual assaults on nonstrikers;

(7) Barring a plant superintendent and a foreman from the plant by force and intimidation, and attempts to upset the foreman's automobile or damage it.

The surprising thing about this situation is that it should have been necessary for the Board to make the order. Such an order became necessary only because the Board, the courts, and the public overlong have coddled and favored the CIO and some of its communistic-inspired organizers who have infiltrated into the unions and, through their control, are attempting to overthrow this Government by force.

Let the President "take a train," as he threatened in his Jackson Day speech to do; let him announce himself as the champion of the CIO and its program of mob violence, of the destruction of property, of the beating of citizens by CIO goon squads.

Perhaps the President will learn something. Yes, let him "take a train." Many of us wish he would. And, if he does, he will find an altogether different opposition than that which he encountered in his Presidential campaign. This time he will not be meeting a self-satisfied, over-confident candidate for the Presidency. He will be meeting the foremen, the Members of Congress who are sick and tired, as well as disgusted, with his assumption that he is a "big man," the source of all wisdom.

Some of us know him as a one-time member of the Tom Pendergast corrupt political organization; an average man who has muffed a big opportunity; a man who has been taken by Phil Murray and others to the top of the mountain and shown a mirage—not a true vision of the promised land.

P. S.: Oh, yes, there is another matter that I for the moment forgot.

Some unions during strikes are in the habit of using a loudspeaker and over it using all sorts of obscene and profane language.

If and when the President takes this train—no doubt at Government expense—to tell the home folks just how bad the Eighty-first Congress is, will he please advise them as to whether he approves of the union practice of using nasty language over loudspeakers where women and children are forced to hear it?

While on that subject, he might also advise the Christian, kindly mothers and grandmothers and little children, for that matter, who come out to see and hear him just why he used the unprintable language he did use when referring to Drew Pearson in the presence of a mixed audience, and just why he, the next day, felt that the public reaction to his use of that language was favorable.

If the President will turn to pages 6895–6896 of volume 61, part 7, of the CONGRESSIONAL RECORD, Sixty-seventh Congress, first session, under date of October 27, 1921, he will find some interesting reading.

A Member of Congress obtained permission to extend his remarks in the RECORD. In doing so, he quoted from an affidavit which contained, among other things, the unprintable language recently used by the President at one of the Jackson Day dinners here in Washington last month.

The then Democratic leader of the House introduced a resolution calling for the expulsion of the Member who had inserted in the RECORD an affidavit of another which contained language similar to that used by the President. Two hundred and four Members voted to expel that Member; 113 voted nay; 1 Member announced present; 113 did not vote.

Then the Member, the House having declined to expel him, was by resolution ordered to the bar of the House, 293 Members voting in the affirmative; 26 announcing present, and 112 not voting. The resolution ordered the Speaker to censure the Member.

On that occasion, the Speaker of the House, among other things, said:

I have been directed to censure you because, when you had been allowed by the courtesy of the House to print a speech which you did not deliver, you inserted in it foul and obscene matter, which you knew you could not have spoken on this floor; and that disgusting matter, which could not have been circulated through the mails in any other publication without violating the law, was transmitted as part of the proceedings of this House to thousands of homes and libraries throughout the country, to be read by men and women, and, worst of all, by children, whose prurient curiosity it would excite and corrupt. In accordance with the instructions of the House and as its representative, I pronounce upon you its censure.

Is it not a sign of conceit, of arrogance, of coarseness, of a lack of propriety, for the President of the United States to use language which the House unanimously characterized as foul and obscene; which practically every thinking citizen in the United States would avoid using?

Should a resolution be introduced in this House, advising the President that the House of Representatives views with regret and disapproval his use of that unprintable language, his statement on a subsequent day that the public's reaction to his use of that language was favorable?

The November election seems to have had an unanticipated effect upon Harry S. Truman.

Has he forgotten that old riddle of his childhood days:

Humpty Dumpty sat on a wall;
Humpty Dumpty had a great fall;
And all the king's horses and all the king's men
Couldn't put Humpty Dumpty together again.

Even a President may learn that all the self-serving groups, the special interests, which boosted him to the "wall," may never be able to put him together again.

Is Truman just an egg?

RULES OF PROCEDURE UNDER MOTION TO RECOMMIT

Mr. MARCANTONIO. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MARCANTONIO. Mr. Speaker, I rise at this time to point out a situation which has developed in the House. A device is being employed to avoid a record vote on the issue of civil rights. As we well know a record vote cannot be obtained on an amendment which is offered in the Committee of the Whole. The only manner in which a record vote can be obtained on an amendment which has been defeated in the Committee of the Whole is by offering in the House a motion to recommit with instructions, directing the bill be reported back forthwith to the House with the amendment. Preference in offering a motion to recommit properly belongs to the minority. They have the preference provided that the person who offers the motion is opposed to the bill.

However, the rules are clear, that a person to qualify to offer a motion to recommit, must be in good conscience opposed to the bill. That qualification is not a mere formality. There is a good reason for that rule. The reason for it is that the motion to recommit rightfully belongs to one who is opposed to the bill. When anyone formally states that he is opposed to the bill and in actuality is not, he is not playing this game according to the rules. He is depriving a Member, who is in good conscience opposed to the bill, of an opportunity to offer a motion to recommit with an amendment. Yesterday I attempted to offer a motion to recommit with instructions to report back the bill with an amendment guaranteeing civil rights in the District of Columbia. I was opposed to the bill because I refused to vote for any appropriation to any department which denies equality of

education, services, and employment to anyone because of race, color or creed. It was my intention today to offer a motion to recommit with a similar amendment to the appropriation bill just passed. I was deprived of the opportunity to present the civil-rights amendment both yesterday and today when two of the ranking Republican members of the Committee on Appropriations which reported out the bill, the gentleman from New York [Mr. TABER] and the gentleman from Massachusetts [Mr. WIGGLESWORTH], offered straight motions to recommit, that is, motions without the civil-rights amendment. The Speaker asked: Is the gentleman opposed to the bill? Both gentlemen replied in the affirmative. I am not going to challenge the good faith of any Member. Let the record speak for itself.

The Committee on Appropriations unanimously reported out both bills. I do not believe that the rule is being considered with the seriousness that it deserves.

There is another very significant thing here and the people might as well know it. An attempt to get a vote on the civil-rights issue is being thwarted by a filibuster in the other body. It is being thwarted by a Republican-Democrat coalition in this body. It comes with poor grace from the Republican Party with its campaign promises on civil rights before us, to have some of its leading members on the Committee on Appropriations offer motions to recommit so as to prevent the obtaining of a record vote on the issue of civil rights in the House of Representatives.

So the Congress is confronted with a very tragic situation: a filibuster in the Senate by Democrats to prevent a vote on civil rights in the Senate, and cooperative action by Republicans in the House to prevent a record vote on civil rights in the House. Of course, I am not going to give the Republican Party any advice. They have wiser men and much abler men than I within their ranks. However, I would be derelict in my duty to the people whom I represent not to inform them from the well of this House as to what the score is.

This is a devious game. The American people voted for civil rights, and by devious devices, a filibuster in the other body by Democrats, and Republican cooperation in this House, the American people are deprived not only of civil rights, but they are being deprived of an opportunity to have their representatives' vote on record for or against civil rights.

I shall pursue my endeavors, under the rules of the House, and in keeping with the rules of the House, time and time again, I shall do the best I can to obtain a record vote on the civil-rights issue.

The SPEAKER. The time of the gentleman from New York [Mr. MARCANTONIO] has expired.

EXTENSION OF REMARKS

Mr. BOLTON of Maryland asked and was granted permission to extend his remarks in the RECORD and include a statement by J. Milton Patterson, director of the Maryland State Department of Public Welfare.

Mr. FURCOLO asked and was granted permission to extend his remarks in the RECORD and include extraneous matter.

ADJOURNMENT

Mr. BOLTON of Maryland. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 11 minutes p. m.) the House adjourned until tomorrow, Friday, March 4, 1949, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

311. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal year 1950 in the amount of $1,500,000 for the Department of the Army, in the form of an amendment to the budget for said fiscal year (H. Doc. No. 96); to the Committee on Appropriations and ordered to be printed.

312. A letter from the Comptroller General of the United States, transmitting the annual report of the Comptroller General of the United States, for the fiscal year ending June 30, 1948; to the Committee on Expenditures in the Executive Departments.

313. A letter from the Executive Vice Chairman, National Capital Sesquicentennial Commission, transmitting a draft of a proposed bill to authorize the National Capital Sesquicentennial Commission to proceed with plans for the celebration and commemoration of the one hundred and fiftieth anniversary of the establishment of the seat of the Federal Government in the District of Columbia, and for other purposes; to the Committee on House Administration.

314. A letter from the Secretary of Defense, transmitting a draft of a proposed bill to authorize the appointment of officers on the active list of the Philippine Scouts in the Regular Army, and for other purposes; to the Committee on Armed Services.

315. A letter from the Attorney General, transmitting the voluntary plan for the allocation of steel products for gas pipe line to Atomic Energy Commission plant and the request and the letter of compliance to the plan; to the Committee on Banking and Currency.

316. A letter from the Secretary of Commerce, transmitting a draft of a proposed bill to provide for the protection of personnel engaged in the enforcement of regulations and the inspection of aircraft engaged in interstate and foreign air commerce; to the Committee on the Judiciary.

317. A letter from the Director, Executive Office of the President, Bureau of the Budget, transmitting a report of personnel ceilings as determined and fixed pursuant to section 607 of the act, as amended by section 14 of the Federal Employees Pay Act of 1946 (Public Law 390, 79th Cong.), for the quarter ending December 31, 1948; to the Committee on Post Office and Civil Service.

318. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, United States Army, dated April 20, 1948, submitting a report, together with accompanying papers, on a preliminary examination and survey of Mispillion River, Del., up to Milford, authorized by the River and Harbor Act approved on March 2, 1945; to the Committee on Public Works.

319. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, United States Army, dated April 30, 1948, submitting a report, together with accompany papers, on a preliminary examination and survey of Cundy Harbor, Maine, authorized by the River and Harbor Act approved on March 2, 1945; to the Committee on Public Works.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BONNER: Committee on Merchant Marine and Fisheries. H. R. 1823. A bill to amend the act of February 19, 1941, as amended, so as to establish a Women's Reserve as a branch of the Coast Guard Reserve; with amendments (Rept. No. 203). Referred to the Committee of the Whole House on the State of the Union.

Mr. BONNER: Committee on Merchant Marine and Fisheries. H. R. 1824. A bill to amend the act of July 23, 1947 (61 Stat. 409); without amendment (Rept. No. 204). Referred to the Committee of the Whole House on the State of the Union.

Mr. REGAN: Committee on Public Lands. H. R. 2877. A bill to authorize the addition of certain lands to the Big Bend National Park, in the State of Texas, and for other purposes; without amendment (Rept. No. 207). Referred to the Committee of the Whole House on the State of the Union.

Mr. MURRAY of Tennessee: Committee on Post Office and Civil Service. H. R. 969. A bill to authorize the issuance of a special series of stamps commemorative of the three hundredth anniversary of Annapolis, Md.; without amendment (Rept. No. 208). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BYRNE of New York: Committee on the Judiciary. H. R. 2231. A bill for the relief of Marie E. Wright; with an amendment (Rept. No. 205). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on the Judiciary. H. R. 2233. A bill for the relief of Ewa Plantation Co., a Hawaiian corporation; without amendment (Rept. No. 206). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON of California:

H. R. 3174. A bill authorizing the improvement of the port of Redwood City, Calif.; to the Committee on Public Works.

By Mr. BARRETT of Pennsylvania:

H. R. 3175. A bill declaring October 12 to be a legal holiday; to the Committee on the Judiciary.

By Mr. BATTLE:

H. R. 3176. A bill repealing certain provisions of the Internal Revenue Code, relating to the tax on oleomargarine, and for other purposes; to the Committee on Agriculture.

By Mr. BOGGS of Louisiana:

H. R. 3177. A bill to direct the Secretary of the Army to establish a national cemetery in the southern portion of Louisiana; to the Committee on Public Lands.

By Mr. CELLER:

H. R. 3178. A bill to authorize the appointment of one additional district judge for the

district of Oregon; to the Committee on the Judiciary.

By Mr. CROSSER:

H. R. 3179. A bill to redefine the units and establish the standards of electrical and photometric measurements; to the Committee on Interstate and Foreign Commerce.

H. R. 3180. A bill to authorize the construction and equipment of a radio laboratory building for the National Bureau of Standards, Department of Commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. D'EWART:

H. R. 3181. A bill to provide for more effective conservation in the arid and semiarid areas of the United States, and for other purposes; to the Committee on Agriculture.

By Mr. DONOHUE:

H. R. 3182. A bill to provide an equitable rate of compensation for specific service-incurred disabilities; to the Committee on Veterans' Affairs.

By Mr. HAND:

H. R. 3183. A bill to repeal the tax on transportation of persons; to the Committee on Ways and Means.

By Mr. HARVEY:

H. R. 3184. A bill to establish a National Commission on Intergovernmental Relations; to the Committee on Expenditures in the Executive Departments.

By Mr. HÉBERT:

H. R. 3185. A bill to direct the Secretary of the Army to establish a national cemetery in the southern portion of Louisiana; to the Committee on Public Lands.

By Mr. HOLMES:

H. R. 3186. A bill to approve a repayment contract negotiated with the Kittitas reclamation district and to authorize its execution, to approve the reclassificaion of lands within the Kittitas division of the Yakima project, Washington, and for other purposes; to the Committee on Public Lands.

By Mr. KENNEDY:

H. R. 3187. A bill to provide for the issuance of a special postage stamp in commemoration of the one hundred and fiftieth anniversary of the seizure by General Gage of the powder house in Somerville, Mass.; to the Committee on Post Offices and Civil Service.

H. R. 3188. A bill to establish a Federal Commission on Services for the Physically Handicapped, to define its duties, and for other purposes; to the Committee on Education and Labor.

By Mr. KLEIN:

H. R. 3189. A bill to authorize the issuance of a silver certificate bearing the portrait of Franklin Delano Roosevelt; to the Committee on Banking and Currency.

By Mr. LESINSKI:

H. R. 3190. A bill to provide for the amendment of the Fair Labor Standards Act of 1938, and for other purposes; to the Committee on Education and Labor.

H. R. 3191. A bill to amend the act approved September 7, 1916 (ch. 458, 39 Stat. 742), entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," as amended, by extending coverage to civilian officers of the United States and by making benefits more realistic in terms of present wage rates, and for other purposes; to the Committee on Education and Labor.

By Mr. LODGE:

H. R. 3192. A bill to amend the act of July 31, 1947, with respect to the maintenance of actions to recover possession of publicly operated housing accommodations; to the Committee on Banking and Currency.

By Mr. MACK of Washington:

H. R. 3193. A bill for the relief of public utility district No. 1, of Cowlitz County, Wash.; to the Committee on the Judiciary.

By Mr. MANSFIELD:

H. R. 3194. A bill to provide for the acquisition of site and preparation of plans and specifications for a new Federal building and post office in Whitefish, Mont.; to the Committee on Public Works.

By Mr. MILLER of California:

H. R. 3195. A bill to correct an inequity existing between the rates of controlled-circulation business publications such as trade, technical, scientific, and professional periodicals, and other publications mailed under the second-class mailing privilege; to the Committee on Post Office and Civil Service.

By Mr. MORRIS:

H. R. 3196. A bill to authorize appropriation for roads, trails, and other aids to transportation serving lands and facilities under the jurisdiction of the Bureau of Indian Affairs in Alaska; to the Committee on Public Lands.

By Mr. MORTON:

H. R. 3197. A bill relating to the sale of the old Louisville Marine Hospital, Jefferson County, Ky.; to the Committee on Public Works.

By Mr. MURRAY of Tennessee:

H. R. 3198. A bill to amend the act of June 18, 1929; to the Committee on Post Office and Civil Service.

By Mrs. NORTON:

H. R. 3199. A bill making unlawful the requirement for the payment of a poll tax as a prerequisite to voting in a primary or other election for national officers; to the Committee on House Administration.

By Mr. O'BRIEN of Michigan:

H. R. 3200. A bill granting exemption from income tax with respect to $1,500 of the amount paid to any individual by the United States or by any State or political subdivision thereof as a pension, retired or retirement pay, or as a retirement annuity; to the Committee on Ways and Means.

By Mr. PATMAN:

H. R. 3201. A bill to amend the Federal Credit Union Act; to the Committee on Banking and Currency.

By Mr. PATTERSON:

H. R. 3202. A bill to amend the National Service Life Insurance Act of 1940; to the Committee on Veterans' Affairs.

By Mr. PHILBIN:

H.R. 3203. A bill to provide for the recognition of the Veterinary School of Middlesex University, Waltham, Mass.; to the Committee on Agriculture.

H. R. 3204. A bill relating to flight-training courses under title II of the Servicemen's Readjustment Act of 1944; to the Committee on Veterans' Affairs.

H. R. 3205. A bill to provide a 1-year extension of the time for making application for terminal-leave pay; to the Committee on Armed Services.

By Mr. PHILLIPS of California:

H. R. 3206. A bill to confirm and establish the titles of the State to lands beneath navigable waters within State boundaries and natural resources within such lands and waters and to provide for the use and control of said lands and resources; to the Committee on the Judiciary.

By Mr. RAMSAY:

H. R. 3207. A bill to amend and reenact sections 411 and 412 of title 28, United States Code, acts of March 3, 1911, chapter 231, section 275, 36 Stat. 1164, and acts of February 3, 1917, chapter 27, 39 Stat. 873, to authorize the judges of the district courts to appoint two jury commissioners, who shall meet on or before July 1 of each year to make a list of persons competent to act as jurors in the Federal courts; defining the qualification of such jurors; prescribing the oath to be taken by such commissioners, the records to be kept, and providing for their compensation; the method such commissioners shall use in the drawing of such jurors from the prepared ballots, required to be kept in a locked jury box until withdrawn by said commissioners in the presence of the clerk of said court; to the Committee on the Judiciary.

By Mr. RANKIN (by request):

H. R. 3208. A bill to amend the act entitled "An act to establish a Department of Medicine and Surgery in the Veterans' Administration," approved January 3, 1946, to provide a more accurate nomenclature for certain classes of persons specified therein; to the Committee on Veterans' Affairs.

H. R. 3209. A bill to amend the act entitled "An act to establish a Department of Medicine and Surgery in the Veterans' Administration," approved January 3, 1946, to provide for the appointment of dental specialists, and for other purposes; to the Committee on Veterans' Affairs.

H. R. 3210. A bill to amend section 7 (a) of "An act to establish a Department of Medicine and Surgery in the Veterans' Administration," approved January 3, 1946, to establish the chief grade in the Dental Service, and for other purposes; to the Committee on Veterans' Affairs.

H. R. 3211. A bill to promote maximum employment, business opportunities, and careers in a free competitive economy; to the Committee on Banking and Currency.

H. R. 3212. A bill to raise the limit placed on the monthly disability compensation payable to veterans suffering from service-connected quadraplegia; to the Committee on Veterans' Affairs.

By Mr. RICH:

H. R. 3213. A bill to authorize the construction of flood-control works at and in the vicinity of Bradford, Pa.; to the Committee on Public Works.

By Mr. ROGERS of Florida:

H. R. 3214. A bill to provide that the tax on admissions shall not apply to admissions to a moving-picture theater; to the Committee on Ways and Means.

By Mr. SASSCER:

H. R. 3215. A bill to exempt from tax the transportation of persons on boats used for fishing purposes; to the Committee on Ways and Means.

By Mr. TACKETT:

H. R. 3216. A bill to authorize the Secretary of the Army to permit the mining of coal on the land now occupied by Camp Chaffee, Ark.; to the Committee on Armed Services.

By Mr. VAN ZANDT:

H. R. 3217. A bill to establish a Federal Commission on Services for the Physically Handicapped, to define its duties, and for other purposes; to the Committee on Education and Labor.

H. R. 3218. A bill to authorize the construction of a research laboratory for the Quartermaster Corps, United States Army, at or in the vicinity of State College, Centre County, Pa.; to the Committee on Armed Services.

By Mr. WHITAKER:

H. R. 3219. A bill to provide clerical allowances at certain post offices of the fourth class; to the Committee on Post Office and Civil Service.

By Mr. WITHROW:

H. R. 3220. A bill to correct an inequity existing between the rates of controlled-circulation business publications such as trade, technical, scientific, and professional periodicals, and other publications mailed under the second-class mailing privilege; to the Committee on Post Office and Civil Service.

By Mr. BEALL:

H. R. 3221. A bill to advance officers and enlisted men on the retired lists of the armed forces to the highest grade for which they satisfactorily performed the duties in time of war; to the Committee on Armed Services.

By Mr. GRANGER:

H. R. 3222. A bill to foster the cooperative agriculture education work of the extension services, to free the extension services from the performance of nongovernmental functions and political activity, and to promote economy in agricultural extension work, and for other purposes; to the Committee on Agriculture.

By Mr. KING:

H. R. 3223. A bill to amend section 3406 (a) (4) of the Internal Revenue Code; to the Committee on Ways and Means.

By Mr. DAVIS of Tennessee:

H. R. 3224. A bill to equalize taxation on earned income, encourage individual financing of social security, encourage individual ownership of United States Government bonds, and for other purposes; to the Committee on Ways and Means.

By Mr. DURHAM:

H. R. 3225. A bill to incorporate the Twenty-ninth Division Association; to the Committee on the Judiciary.

By Mr. KEOGH:

H. R. 3226. A bill to amend the Economic Cooperation Act of 1948; to the Committee on Foreign Affairs.

By Mr. LATHAM:

H. R. 3227. A bill to provide for the issuance of a postage stamp in the year 1952 in commemoration of the one hundredth anniversary of the arrival of Carl Schurz, an illustrious soldier and statesman, in this country on September 17, 1852; to the Committee on Post Office and Civil Service.

By Mr. WOOD:

H. R. 3228. A bill to amend the Labor-Management Relations Act, 1947, and for other purposes; to the Committee on Education and Labor.

By Mr. KING:

H. R. 3229. A bill to amend the Internal Revenue Code, as amended, and the Federal Alcohol Administration Act, as amended; to the Committee on Ways and Means.

By Mr. MILLER of California:

H. R. 3230. A bill to authorize Federal aid to school districts overburdened with war-incurred or defense-incurred school enrollments or by Federal activity in such district for the construction of additional school facilities; to the Committee on Education and Labor.

By Mr. FEIGHAN:

H. J. Res. 184. Joint resolution authorizing the President of the United States of America to proclaim the first Monday of February as National Children's Dental Health Day; to the Committee on the Judiciary.

By Mr. KILBURN:

H. Res. 126. Resolution for the relief of Mrs. Charlotte H. Murdock; to the Committee on House Administration.

By Mr. DAWSON:

H. Res. 127. Resolution providing for the expenses of conducting the studies and investigations authorized by rule XI (1) (h) incurred by the Committee on Expenditures in the Executive Departments; to the Committee on House Administration.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of North Dakota, requesting the continuation of adequate appropriations to the Farmers Home Administration; to the Committee on Appropriations.

Also, memorial of the Legislature of the State of Idaho, urging the appropriation of necessary funds to proceed at once with the early and speedy construction of the Palisade Dam project in Idaho; to the Committee on Appropriations.

Also, memorial of the Legislature of the State of Indiana, memorializing the President and the Congress of the United States to oppose the federalization of the National Guard of the United States and the National Guard of the several States, Territories, and the District of Columbia in whole or in part; to the Committee on Armed Services.

Also, memorial of the Legislature of the State of Washington, requesting the passage of legislation to broaden the benefits of social security; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDONIZIO:

H. R. 3231. A bill for the relief of Mario Farabullini and Alla Farabullini, his wife; to the Committee on the Judiciary.

By Mr. BEALL:

H. R. 3232. A bill for the relief of John L. Routzahn; to the Committee on the Judiciary.

By Mr. HAND:

H. R. 3233. A bill for the relief of Victor Hamati, also known as Victor Hamaty; to the Committee on the Judiciary.

By Mr. HARE:

H. R. 3234. A bill for the relief of Jesse A. Lott; to the Committee on the Judiciary.

By Mr. KENNEDY:

H. R. 3235. A bill to provide for the permanent residence of Toy Lin Chen; to the Committee on the Judiciary.

By Mr. JOSEPH L. PFEIFER:

H. R. 3236. A bill for the relief of Pietro Caligaris; to the Committee on the Judiciary.

By Mr. WHITAKER:

H. R. 3237. A bill for the relief of G. H. Lazarus, Jr., and Jesse F. Bewley; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

156. By Mr. MAHON: Petition signed by 385 Lynn County, Tex., farmers, concerning certain pending legislation; to the Committee on Agriculture.

157. By Mr. RIEHLMAN: Petition of League of Landlords, Inc., Syracuse, N. Y., proposing decontrol of rental housing; to the Committee on Banking and Currency.

158. By Mr. GRAHAM: Petition of 128 residents of Beaver County, Pa., urging the repeal of the railroad-transportation tax; to the Committee on Ways and Means.

159. By the SPEAKER: Petition of Hilton E. Heineke, secretary, Oneonta Chamber of Commerce, Cneonta, N. Y., petitioning consideration of their resolution with reference to construction of a flood-control dam on the Charlotte River at Davenport Center, town of Davenport, county of Delaware, N. Y.; to the Committee on Public Works.

SENATE

FRIDAY, MARCH 4, 1949

(Legislative day of Monday, February 21, 1949)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

Dr. Seth R. Brooks, minister, Universalist National Memorial Church, Washington, D. C., offered the following prayer:

Our Father, if only the pure in heart see God, how far off at times we must stand. But we believe it is in Thee we live and move and have our being, that Thou art not far from any one of us. In this Lenten season we would sense that which Jesus knew in the wilderness—man's need and Thy sure help.

As we face the issues in our world, the tasks of our Nation and the responsibilities of our own life, make us to know that Thou art an available power we can use.

We would hear what the ages are saying to the hours. We would lay hold upon those virtues which make men not alone great but good. Believing that unto whom much is given of him will much be required, we offer as our most worthy gifts not wealth, might, or power but lives that are useful, noble, and wise.

Bless these Thy servants and help them ever to know that Thine is the kingdom and the power and the glory forever. Amen.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed the joint resolution (S. J. Res. 42) granting the consent and approval of Congress to an interstate compact relating to the better utilization of the fisheries (marine, shell, and anadromous) of the Gulf coast and creating the Gulf States Marine Fisheries Commission, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed a bill (H. R. 3083) making appropriations for the Treasury and Post Office Departments and funds available for the Export-Import Bank and the Reconstruction Finance Corporation for the fiscal year ending June 30, 1950, and for other purposes, in which it requested the concurrence of the Senate.

EXECUTIVE COMMUNICATION AND LETTER

The VICE PRESIDENT laid before the Senate the following communication and letter, which were referred, as indicated:

SUPPLEMENTAL ESTIMATES, TREASURY DEPARTMENT (S. Doc. No. 25)

A communication from the President of the United States, transmitting supplemental estimates of appropriation for the Treasury Department, amounting to $3,600,000, fiscal year 1950, in the form of amendments to the budget (with an accompanying paper); to the Committee on Appropriations and ordered to be printed.

SUSPENSION OF EMPLOYEES WITHOUT PREFERMENT OF WRITTEN CHARGES

A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to permit the suspension of employees without pay for periods of 30 days or less without the preferment of written charges (with an accompanying paper); to the Committee on Post Office and Civil Service.

CALL OF THE ROLL

The VICE PRESIDENT. Under the unanimous-consent agreement entered into yesterday, the Senator from Utah [Mr. WATKINS] has the floor.

Mr. LUCAS. Mr. President, will the Senator yield for a quorum call?

Mr. WATKINS. Without losing my place on the floor, I ask unanimous consent that that may be done.

The VICE PRESIDENT. It can be done only by unanimous consent.

Mr. LUCAS. I ask unanimous consent that the Senator from Utah may yield to the Senator from Illinois for the purpose

of enabling him to suggest the absence of a quorum.

The VICE PRESIDENT. Without losing his right to the floor.

Mr. LUCAS. Without losing any of his rights under the agreement entered into last evening before the Senate took a recess.

The VICE PRESIDENT. Is there objection?

Mr. WHERRY. Mr. President, reserving the right to object, I do not know all of the agreement that was entered into. Was it limited to the effect that the Senator from Utah would not lose his right to the floor?

Mr. LUCAS. It provided that the Senator from Utah would not lose his right to the floor.

Mr. McCLELLAN. Reserving the right to object——

The VICE PRESIDENT. The Senator from Arkansas reserves the right to object.

Mr. McCLELLAN. May I propound a parliamentary inquiry without taking the Senator from Utah off the floor?

The VICE PRESIDENT. Not without unanimous consent.

Mr. McCLELLAN. I ask unanimous consent——

The VICE PRESIDENT. There is one unanimous-consent request pending, namely, that the Senator from Utah be permitted to yield to the Senator from Illinois for the purpose of enabling him to make the point of no quorum. Is there objection to the request? The Chair hears none.

Mr. LUCAS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Hoey	Murray
Anderson	Holland	Myers
Baldwin	Humphrey	Neely
Brewster	Hunt	O'Conor
Bricker	Ives	O'Mahoney
Bridges	Jenner	Pepper
Broughton	Johnson, Colo.	Reed
Butler	Johnson, Tex.	Robertson
Byrd	Johnston, S. C.	Russell
Cain	Kefauver	Saltonstall
Chapman	Kem	Schoeppel
Chavez	Kerr	Smith, Maine
Connally	Knowland	Smith, N. J.
Cordon	Lodge	Sparkman
Douglas	Long	Stennis
Downey	Lucas	Taft
Eastland	McCarran	Taylor
Ecton	McCarthy	Thomas, Okla.
Ferguson	McClellan	Thomas, Utah
Flanders	McFarland	Thye
Frear	McGrath	Tobey
Fulbright	McKellar	Tydings
George	Magnuson	Vandenberg
Gillette	Malone	Watkins
Green	Martin	Wherry
Gurney	Maybank	Wiley
Hayden	Miller	Williams
Hendrickson	Millikin	Withers
Hickenlooper	Morse	Young
Hill	Mundt	

Mr. MYERS. I announce that the Senator from Louisiana [Mr. ELLENDER] and the Senator from West Virginia [Mr. KILGORE] are absent on official business.

The Senator from Connecticut [Mr. McMAHON] and the Senator from New York [Mr. WAGNER] are necessarily absent.

Mr. SALTONSTALL. I announce that the Senator from Indiana [Mr. CAPEHART] is necessarily absent because of the death of his father, Mr. Alvin T. Capehart.

The Senator from North Dakota [Mr. LANGER] is absent by leave of the Senate.

The VICE PRESIDENT. Eighty-nine Senators having answered to their names, a quorum is present.

TRANSACTION OF ROUTINE BUSINESS

Mr. LUCAS. Mr. President, will the Senator from Utah yield so that I may make a unanimous-consent request?

Mr. WATKINS. I yield on the condition that I do not lose the floor by so doing.

The VICE PRESIDENT. The Senator will not lose the floor under those conditions.

Mr. LUCAS. Mr. President, I ask unanimous consent that Senators may be permitted to introduce bills and joint resolutions, present petitions and memorials, and other matters which are ordinarily presented during the morning hour, without thereby interfering with or jeopardizing the parliamentary situation on the question now pending before the Senate.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

LEAVES OF ABSENCE

Mr. FLANDERS. Mr. President, I ask permission of the Senate to be absent from the session of the Senate tomorrow to fill an engagement made some weeks ago.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. HENDRICKSON. Mr. President, I ask unanimous consent to be excused from the session of the Senate after 3 o'clock this afternoon.

The VICE PRESIDENT. Without objection, it is so ordered.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A joint resolution of the Legislature of the State of Washington; to the Committee on Finance:

"House Joint Memorial 4

"To the Honorable Harry S. Truman, President of the United States, and to the Senate and House of Representatives of the United States, in Congress Assembled:

"We, your memorialists, the Senate and House of Representatives of the State of Washington, in legislative session assembled, most respectfully represent and petition as follows:

"Whereas there are certain inequalities in the old age and survivors' insurance law as now enacted especially with relation to married women, and those not fully qualified under the law to receive the benefits though contributions have been made therefor; and

"Whereas at present prices the amount of all social-security benefits are inadequate;

"Now, therefore, your memorialists respectfully pray that the Congress of the United States speedily pass legislation:

"1. To include among the classes within the purview of social-security legislation public employees, employees of religious and charitable organizations, and all self-employed persons including those in the professions, in commerce, in agriculture, and other groups; and to grant to the several States the full option of placing their employees and the employees of their political subdivision under Federal old-age and survivors' insurance;

"2. To provide that persons over 60 who are severed from their employment before reaching age 65 and would have been eligible at the time of the severance of their employment had they been aged 65, shall upon reaching the age of 65 be eligible for their pension as though the severance had then occurred;

"3. To provide that the pensioner shall be entitled to additional pension for a dependent wife upon her reaching the age of 60, and that widows of persons, who at the time of their death, had they been 65, would have been pensioners, shall be entitled to a widow's pension upon reaching the age of 60;

"4. To provide that no deduction in pension shall be made for income from other sources including salaries and wages;

"5. To provide for increase in the amount paid in all categories by at least 50 percent; and

"6. To provide for the refunding to those not eligible to pension all contributions made by them therefor; and be it further

"Resolved, That copies of this memorial be immediately transmitted to the Honorable Harry S. Truman, President of the United States, the Secretary of the United States Senate, the Clerk of the United States House of Representatives, and to Members of the United States Senate and United States House of Representatives from this State."

Petitions of Mrs. Louise Soloman, of Mason City, Iowa, and Arnold Schlossberg, of Roanoke, Va., praying for the enactment of legislation to continue rent control; to the Committee on Banking and Currency.

Memorials of Aldrich Blake, of Laguna Beach, Calif., and sundry other citizens of the United States, remonstrating against the enactment of legislation to continue rent control; to the Commitee on Banking and Currency.

Petitions of M. E. Lacey, of Louisville, Ky., and sundry other citizens of the United States, praying for the enactment of legislation to broaden the provisions of the social security law; to the Committee on Finance.

The petition of W. D. Knox, of Port Atkinson, Wis., praying for the enactment of House bill 1703, relating to taxes on oleomargarine; to the Committee on Finance.

A letter in the nature of a petition from Bruce Underwood, of Louisville, Ky., relating to the creation of a Cabinet post for health education and welfare; to the Committee on Expenditures in the Executive Departments.

The petition of Carl B. Humphrey, director, the USA-Morocco Trade Co., of Casablanca, Morocco, praying for the enactment of legislation to assist American interests in Morocco (with an accompanying paper); to the Committee on Foreign Relations.

Petitions of sundry citizens of the United States, praying for the enactment of legislation providing Federal aid to education; to the Committee on Labor and Public Welfare.

The petition of William H. Harrison, of Washington, D. C., praying for the enactment of legislation to strengthen the Taft-Hartley labor law; to the Committee on Labor and Public Welfare.

A telegram in the nature of a memorial, signed by T. C. Vanarsdall, Committee of Mercer County (Ky.) Medical Society, Harrodsburg, Ky, remonstrating against the enactment of the compulsory health-insurance bill; to the Committee on Labor and Public Welfare.

Petitions of Harry Rothschild, of Los Angeles, Calif., and sundry citizens of the United States, praying for the enactment of legislation to repeal the Taft-Hartley labor law; to the Committee on Labor and Public Welfare.

Petitions of Don Drennen, of Birmingham, Ala., and Fred H. Peoples, of Memphis, Tenn., praying for the enactment of legislation to

continue the Taft-Hartley labor law; to the Committee on Labor and Public Welfare.

A petition signed by Mrs. Roberta Howlett, of Louisville, Ky., and sundry other citizens of the State of Kentucky, praying for the enactment of House bill 2143, to require Federal district courts and State courts to enforce certain support orders of courts of other States, and to confer jurisdiction on Federal district courts to make support orders in certain cases; to the Committee on the Judiciary.

The memorial of Richard A. Charter, of Ottawa, Kans., remonstrating against the militarization of the Government; to the Committee on Armed Services.

INVESTIGATION OF CERTAIN MONOPOLISTIC PRACTICES—PETITION

Mr. MYERS. Mr. President, I present for appropriate reference and ask unanimous consent to have printed in the body of the RECORD a petition from numerous residents of Venango County, Pa., urging investigation of any monopolistic practices involved in the recent industry cut of 20 percent in crude-oil prices to the small producers. Several committees of the Senate concerned with aspects of the antitrust laws and with small business are no doubt interested in such a matter. I ask that the names and addresses of the petitioners be printed in the RECORD.

There being no objection, the petition was referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, together with the signatures and addresses, as follows:

To the Honorable Senator FRANCIS J. MYERS, OF PENNSYLVANIA,

Senate Building, Washington, D. C.:

We, the undersigned, are oil producers in and near to Venango County, Pa., and we hereby respectfully urge and request you to use every reasonable effort and endeavor to find out and determine why the price of our crude oil has been reduced approximately 20 percent during December and January last by the refining interests and to determine as to whether the same was done by monopolistic practices.

C. L. Irwin, Pearl E. Irwin, A. I. Daugherty, Cora M. Hoffman, G. A. Eakin, Mary E. Eakin, H. E. Hoffman, Grace Hoffman, John E. Williams, J. B. Porter, Clintonville, Pa.; Mrs. B. A. Porter, Earl McElhinney, Delbert D. Hoffman, O. G. Midbeny, J. R. Baker, Harrisville, Pa.; R. B. Phipps, Merle P. Phipps, S. B. Atwell, C. B. Hoffman, Len E. Riddle, P. O. Moore, C. R. Moore, Clintonville, Pa.; C. G. Highfield, Franklin, Pa.; J. W. Richards, R. J. Hovis, C. L. Wedellind, J. D. McKee, Clintonville, Pa.; George S. Smith, Franklin, Pa.; Earl W. Griffin, Geo. T. McMurdy (Adm.), C. R. Smith, Bird E. Smith, John C. Craig, John Vogus, Mrs. Harry H. Craig, R. O. Williams, Clintonville, Pa.; M. H. Dattener, Albert L. Sweetapple, Kennerdell, Pa.; W. H. Sweetapple, Bradford, Pa.; Chas. E. Whilldon, Kennerdell, Pa.; Park Griffin, Polk, Pa.; J. D. Gibb, Kennerdell, Pa.; R. V. Phipps, C. C. Phipps, T. M. Phipps, J. M. Phipps, Lillian B. Phipps, Mabel C. Phipps, Clintonville, Pa.; J. C. McKee, R. C. McKee, E. J. Naber, Parkers Landing, Pa.; Elizabeth S. Ramage, Oil City, Pa.; Sam. J. Ramage 3d (by E. S.), Edmond H. Ramage (by E. S.), Kennerdell, Pa.; Hazel V. Hutchison, Sterling E. Hutchison, Vilena E. Hovis, C. H. Oakes, Mrs. C. H. Oakes, R. J. Eakin, Clintonville, Pa.; W. A. McFadden, Kennerdell, Pa.; N. L. Chase, Fred Chase, Harrisville, Pa.; Braden C. Griffin, Clintonville, Pa.; E. R. Hovis, Harrisville, Pa.; E. M. Bindick, Clintonville, Pa.; M. J. Hoffman, Grove City, Pa.; Elizabeth Guenzh, Mary S. Hamilton, Lester C. Hamilton, Clintonville, Pa.

GENERAL PULASKI'S MEMORIAL DAY—RESOLUTION OF COMMON COUNCIL OF CITY OF SALEM, MASS.

Mr. LODGE. Mr. President, on behalf of my colleague, the senior Senator from Massachusetts [Mr. SALTONSTALL] and myself, I present for appropriate reference and to have printed in the RECORD a resolution adopted by the Common Council of the City of Salem, Mass., praying for the enactment of legislation proclaiming October 11 of each year as General Pulaski's Memorial Day.

There being no objection, the resolution was referred to the Committee on the Judiciary and ordered to be printed in the RECORD, as follows:

Resolution memorializing the Congress of the United States to pass, and the President of the United States to approve, if passed, the General Pulaski's memorial day resolution now pending in Congress

Whereas a resolution providing for the President of the United States of America to proclaim October 11 of each year as General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski is now pending in the present session of the United States Congress; and

Whereas the 11th day of October 1779 is the date in American history of the heroic death of Brig. Gen. Casimir Pulaski, who died from wounds received on October 9, 1779, at the siege of Savannah, Ga.; and

Whereas the States of Arkansas, California, Connecticut, Delaware, Illinois, Indiana, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, New York, Nevada, Ohio, Pennsylvania, South Carolina, Tennessee, Texas, West Virginia, Wisconsin, and other States of the Union, through legislative enactment designated October 11 of each year as "General Pulaski's Memorial Day"; and

Whereas it is fitting that the recurring anniversary of this day be commemorated with suitable patriotic and public exercises in observing and commemorating the heroic death of this great American hero of the Revolutionary War; and

Whereas the Congress of the United States of America has by legislative enactment designated from October 11, 1929, to October 11, 1946, to be General Pulaski's Memorial Day in United States of America: Now, therefore, be it

Resolved by the common council of the city of Salem and State of Massachusetts:

SECTION 1. That we hereby memorialize and petition the Congress of the United States to pass, and the President of the United States to approve, if passed, the General Pulaski's Memorial Day resolution now pending in the United States Congress.

SEC. 2. That certified copies of this resolution, properly authenticated, be sent forthwith to the President of the United States, the Vice President of the United States, and each of the United States Senators and Representatives from Massachusetts.

AID TO STATE IN ENFORCEMENT OF CIGARETTE TAX—RESOLUTION OF MINNESOTA LEGISLATURE

Mr. THYE. Mr. President, I present for appropriate reference and ask unanimous consent to have printed in the RECORD a concurrent resolution adopted by the Minnesota State Legislature memorializing and requesting the Congress to enact a bill to aid the State in the enforcement of the cigarette tax now evaded by use of the United States mails.

The concurrent resolution was referred to the Committee on Finance and, under the rule, ordered to be printed in the RECORD, as follows:

Concurrent resolution memorializing and requesting the Congress of the United States to enact a bill to aid the State in the enforcement of the cigarette tax now evaded by use of the United States mails

Whereas the State of Minnesota has seen fit to impose a tax on the sale of cigarettes within its boundaries, and the revenues so obtained constitute an important portion of the funds available for its functions of government; and

Whereas it has been brought to the attention of the House of Representatives and the Senate of the State of Minnesota that a large and growing system of evasion of such tax law has developed; that the United States mails are flooded with advertisements and inducements to the citizens of this State to violate the law of this State; that in numerous instances such advertisers entice prospective customers with statements to the effect that the use of the United States mails is sufficient proof of the legitimacy of such business and such a system; that the mails of the United States are constantly flooded with cigarettes in the process of delivery within this State, and on which cigarettes the tax required by the laws of this State have not and will not be paid; that this State is seriously disadvantaged by such use of the postal offices and mails of the United States for the purpose of evading the laws of Minnesota; and that Minnesota faces and is now suffering serious losses of revenue as a result of such system of evasion; and

Whereas it has been brought to the attention of the House of Representatives and the Senate of Minnesota that there is now pending before the Congress of the United States a proposed bill which would aid the States by requiring shippers of cigarettes in interstate commerce to furnish to the taxing authority of the State to which shipped a copy of the invoice on each shipment and the name and address of each person to whom shipped: Now, therefore, be it

Resolved by the Senate of the State of Minnesota (the House of Representatives concurring therein), That the Congress of the United States be and the same is hereby memorialized and respectfully urged to enact a bill requiring shippers of cigarettes in interstate commerce to furnish to the taxing authority of the State to which shipped a copy of the invoice on each such shipment; or to enact such other bill to the aid of the several States affected as may be proper; be it further

Resolved, That a copy of this resolution be forwarded to the President of the United States, the Vice President, the Speaker of the House of Representatives, and to each Congressman and Senator from the State of Minnesota.

C. ELMER ANDERSON,
President of the Senate.
JOHN A. HARTLE,
Speaker of the House of Representatives.

Approved February 28, 1949.

LUTHER W. YOUNGDAHL,
Governor of the State of Minnesota.

TAX ON OLEOMARGARINE—RESOLUTION OF MINNEAPOLIS (MINN.) CENTRAL LABOR UNION

Mr. THYE. Mr. President, I present for appropriate reference, and ask unanimous consent to have printed in the RECORD, a resolution adopted by the Minneapolis (Minn.) Central Labor Union, in

regular meeting assembled February 23, 1949, relating to the tax on oleomargarine.

There being no objection, the resolution was referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

MINNEAPOLIS CENTRAL LABOR UNION,
Minneapolis, Minn., March 1, 1949.

To All Minnesota Senators and Congressmen; H. D. Cooley, Chairman of the Agricultural Committee of the House of Representatives; Elmer Thomas, Chairman of the Agricultural Committee of the Senate; Minnesota State Legislature:

At the last regular meeting of the Minneapolis Central Labor Union on February 23, 1949, the following resolution dealing with oleomargarine and repeal of all taxes was adopted. We urge you to give this resolution your full support:

"Whereas there are now in Congress several bills dealing with regulating the manufacture, sale of oleomargarine, and repeal of all taxes; and

"Whereas the repeal of taxes on yellow oleomargarine should bring a reduction in price to consumers who cannot afford to buy the superior food product, butter; and

"Whereas yellow oleomargarine resembles butter so closely that it cannot be distinguished from butter by consumers and therefore invites substitution and fraud, making it necessary that the consumers be protected by prohibiting oleomargarine to be colored yellow; and

"Whereas any such substitution or fraud would benefit approximately 28 large corporations in the United States who manufacture oleomargarine and would so benefit at the expense of the consumers and the millions of dairy farmers who produce butter; and

"Whereas House File 1703 provides for the repeal of all taxes on oleomargarine and section 3 of said act also prohibits the manufacture, transportation, handling, possession, sale, use, or serving of yellow oleomargarine in commerce or after shipment in commerce, but does not prohibit the use of yellow oleomargarine in private homes: Therefore be it

"*Resolved*, That the Minneapolis Central Labor Union, in regular meeting assembled this 23d day of February 1949, adopt this resolution and respectfully urge upon Congress the adoption of said House File No. 1703; and be it further

"*Resolved*, That copies of this resolution, urging full support, be sent to all Minnesota Senators and Congressmen; to H. D. COOLEY, chairman of the Agricultural Committee of the House of Representatives; ELMER THOMAS, chairman of the Agricultural Committee of the Senate, now holding hearings on the above subject; and request the Minnesota State Legislature to introduce a resolution memorializing Congress to put into effect what the contents of this resolution requests."

Respectfully submitted.

MINNEAPOLIS CENTRAL LABOR UNION,
WALTER CRAMMOND,
Recording Secretary.

FEDERAL AID TO EDUCATION—LETTERS AND COMMUNICATIONS

Mr. WILEY. Mr. President, I send to the desk various letters and communications sent to me by educational organizations in my State urging support of Federal aid to education. I ask that these letters and communications be printed in the body of the RECORD at this point. I commend these expressions to the attention of my colleagues.

There being no objection, the letters and communications were ordered to be printed in the RECORD, as follows:

MILWAUKEE SECONDARY
EDUCATION ASSOCIATION,
Milwaukee, Wis., February 1, 1949.

Hon. ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.

DEAR SENATOR WILEY: At its last meeting the executive committee of the Milwaukee Secondary Education Association, comprised of more than 600 members, strongly endorsed legislation for Federal aid to education similar to that passed by the United States Senate last year, and again proposed in bill S. 246 for consideration by the Eighty-first Congress. They requested that I write you in the name of our association and urge you to support legislation that will assure a basic educational opportunity for the youth of all of our States.

The precarious times in which we live make it imperative that education to strengthen our democracy go beyond provincial State lines and become a national issue. Here are some statistics that should cause grave concern to us all:

1. Four million children in the United States from 5 to 17 years of age are not now enrolled in any school.

2. We have, at present, 800,000 illiterates of age 14 or older.

3. Eight million one hundred and ninety-seven thousand citizens 14 years and over have had less than 5 years of schooling.

4. In World War II 659,000 young men were rejected for military service because of educational deficiencies.

Federal aid to education is a must in order to eliminate the educational slums of the Nation; to provide an equalization of educational opportunity regardless of residence, race, or economic status; and to improve schools and salaries so that more of our ablest young men and women will be attracted to the teaching profession. You, no doubt, are aware that school enrollment will increase tremendously within the next few years and that there is already an acute shortage of qualified teachers.

Do we dare risk delay in providing Federal aid to education? A serious consideration of facts, we believe, will cause you to support legislation to alleviate the critical deficiencies that exist in our national program for the training of the head and heart of our youth.

Sincerely yours,
GERDA P. WHITTMAN,
President.

SUPERIOR, WIS.

Senator WILEY,
Chippewa Falls, Wis.

DEAR MR. WILEY: I am writing you to let you know the Itasca PTA is in favor of the new education bill.

Mrs. R. J. KMECIK.
Secretary of PTA.

MINETTE, WIS., *January 27, 1949.*

Senator WILEY,
United States Senate,
Washington, D. C.

DEAR SIR: The President's State of the Union message again placed the Federal-aid-to-education bill before Congress for passage; we as citizens wish to express our hopes that this time it will become a law.

In a democracy education is a major factor, and Government support of vocational education has long been forthcoming; laymen feel that education from kindergarten to high school is equally important for an enlightened and educated citizenry. We sincerely hope that you will give your support to the passage of this bill.

Sincerely,
ALICE K. SUNSTROM,
President of the Marinette Education Association.

WINNECONNE, WIS.,
February 14, 1949.

Honorable Mr. WILEY:

I am writing in behalf of the Jack and Jill Club. This club consists of 88 mothers of children from kindergarten, first, second, and third grades of the Winneconne community school system.

The club at its last meeting voted unanimously to urge our Senators to support the bill giving Federal aid to education.

Respectfully yours,
JACK AND JILL CLUB,
Mrs. GLENN DAVEY,
Secretary.

RICE LAKE PUBLIC SCHOOLS,
Rice Lake, Wis., January 3, 1949.

Mr. ALEXANDER WILEY,
United States Senate,
Washington, D. C.

DEAR SENATOR: I sincerely hope that the Congress will find it advisable to put through some form of Federal aid to education during the course of this session. Of course, by Federal aid, I am aware of the fact that it it cannot be of the type, with all its restrictions, which is now being supplied the schools in various departments. I believe you also are of the opinion that it must be aid without extreme control.

I do hope that some provision will be made to assist the local schools in their struggle to meet the already existent construction problem. I am certain that other communities are exactly in the same position as Rice Lake. We find our operation costs mounting and we have all we can do, with ever-increasing tax levies, to meet our current obligations. I cannot see, under present conditions, how most schools can even hope for any construction unless some aid is given. I'll admit that this aid might also be provided by State sources. We in Rice Lake have now an enrollment of 750 students in the high-school building which was designed for a capacity of 350. We have elementary expansion as our first necessity, and if that is done, the construction of a new high school certainly looks very gloomy.

I presume that this is only one of many letters which you receive relative to this situation. My only reason in reiterating it is that I do sincerely hope that Congress will find ways and means of providing some aid to this very fundamental necessity in life, namely, education.

Thanking you for your consideration.

Yours very truly,
ROGER B. HOLTZ,
Superintendent of Schools.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MORSE, from the Committee on Labor and Public Welfare:

S. 110. A bill to broaden the cooperative extension system as established in the act of May 8, 1914, and acts supplemental thereto, by providing for cooperative extension work between colleges receiving the benefits of this act and the acts of July 2, 1862, and August 30, 1890, and other qualified colleges, universities, and research agencies, and the United States Department of Labor; without amendment (Rept. No. 92).

By Mr. TYDINGS, from the Committee on Armed Services:

S. 779. A bill relating to the pay and allowances of officers of the Naval Establishment appointed to permanent grades; without amendment (Rept. No. 93).

By Mr. THYE, from the Committee on Agriculture and Forestry:

S. 979. A bill to amend section 9 of the act of May 22, 1928, as amended, authorizing and directing a national survey of forest resources; without amendment (Rept. No. 94).

REPORT ON DISPOSITION OF EXECUTIVE PAPERS

Mr. JOHNSTON of South Carolina, from the Joint Select Committee on the Disposition of Executive Papers, to which was referred for examination and recommendation a list of records transmitted to the Senate by the Archivist of the United States that appeared to have no permanent value or historical interest, submitted a report thereon pursuant to law.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JOHNSTON of South Carolina (for himself and Mr. BRIDGES):

S. 1173. A bill relating to the fixing of wage rates for employees in naval shipyards, and for other purposes; to the Committee on Armed Services.

By Mr. JOHNSTON of South Carolina (for himself and Mr. LANGER):

S. 1174. A bill to amend the act of June 25, 1938, relating to the appointment of postmasters under Civil Service; to the Committee on Post Office and Civil Service.

(Mr. FREAR (for himself and Mr. FLANDERS) introduced Senate bill 1175, to amend the Home Owners' Loan Act of 1933 with respect to mutual savings banks, which was referred to the Committee on Banking and Currency, and appears under a separate heading.)

By Mr. McCLELLAN:

S. 1176. A bill to authorize the attendance of the United States Marine Band at the fifty-ninth annual reunion of the Confederate Veterans, to be held in Little Rock, Ark., September 27 through September 29, 1949; to the Committee on Armed Services.

By Mr. YOUNG:

S. 1177. A bill for the relief of Pietro Bruno Tinino; to the Committee on the Judiciary.

By Mr. McKELLAR:

S. 1178. A bill for the relief of Fella H. Holbrook; to the Committee on the Judiciary.

By Mr. WILEY:

S. 1179. A bill for the relief of Myron Kolodziejczak; to the Committee on the Judiciary.

By Mr. THOMAS of Oklahoma:

S. 1180. A bill to authorize the Secretary of the Army to convey by quitclaim deed certain mineral rights in certain lands situated in the State of Oklahoma to Alfred A. Drummond and Addie G. Drummond; to the Committee on Interior and Insular Affairs.

By Mr. TYDINGS:

S. 1181. A bill to authorize the appointment of officers on the active list of the Philippine Scouts in the Regular Army, and for other purposes; to the Committee on Armed Services.

By Mr. SALTONSTALL:

S. 1182. A bill for the relief of W. Irving Lincoln; to the Committee on the Judiciary.

By Mr. ECTON:

S. 1183. A bill to facilitate and simplify the work of the Forest Service, and for other purposes; to the Committee on Agriculture and Forestry.

AMENDMENT OF HOME OWNERS' LOAN ACT RELATING TO MUTUAL SAVINGS BANKS

Mr. FREAR. Mr. President, on behalf of the Senator from Vermont [Mr. FLANDERS] and myself, I introduce for appropriate reference a bill to amend the Home Owners' Loan Act of 1933 with respect to mutual savings banks, and I ask unanimous consent to have printed in the RECORD an explanatory statement of the bill prepared by me.

The VICE PRESIDENT. The bill will be received and appropriately referred, and, without objection, the statement presented by the Senator from Delaware will be printed in the RECORD.

The bill (S. 1175) to amend the Home Owners' Loan Act of 1933 with respect to mutual savings banks, introduced by Mr. FREAR (for himself and Mr. FLANDERS), was received, read twice by its title, and referred to the Committee on Banking and Currency.

The statement presented by Mr. FREAR was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR FREAR

The purpose of this bill is to correct an omission in the existing Federal law which provides for reciprocal conversion between Federal and State local mutual thrift and home financing institutions. There are two types of local mutual thrift and home financing institutions in the country. One is the savings and loan type of institution and the other is the mutual savings bank. The Home Owners' Loan Act now permits State chartered savings and loan type institutions and State chartered mutual savings banks to convert into Federal savings and loan associations. The Federal law also contains the reciprocal provision permitting the Federal savings and loan associations to convert into State chartered savings and loan associations. The reciprocal provision for conversion of Federal savings and loan associations into mutual savings banks, however, is lacking. This bill would supply this feature and make this conversion privilege a two-way street. As a corollary to the existing authorization for mutual savings banks to convert into Federal savings and loan associations, this bill would permit Federal savings and loan associations to convert into mutual savings banks.

The bill prescribes adequate safeguards as a prerequisite to any such conversion. For example, such a conversion would be permitted only when State law allows a mutual savings bank to convert into a Federal savings and loan association. A favorable vote of at least 51 percent of all shareholders represented at a special meeting called for the purpose would be required. The converted institution would have to qualify for insurance by the Federal Deposit Insurance Corporation. Of course, no conversion would be permitted which did not satisfy the requirements of State law.

There are 552 mutual savings banks in operation in 17 States. These mutual savings banks have a total of approximately 18,000,000 depositors with deposits of approximately $18,000,000,000. These mutual savings banks are nonprofit, nonstock, local, thrift institutions, operating independently and playing an important part in the home-mortgage field. Reliable information has been received by the National Association of Mutual Savings Banks that two Federal savings and loan associations in one of our Western States have already endeavored to convert themselves under their State laws into mutual savings banks but have been prevented from doing so by the absence of Federal permission. The National Association of Mutual Savings Banks has also been reliably informed that other Federal savings and loan associations are interested in the possibility of conversion into mutual savings banks.

HOUSE BILL REFERRED

The bill (H. R. 3083) making appropriations for the Treasury and Post Office Departments and funds available for the Export-Import Bank and the Reconstruction Finance Corporation for the fiscal year ending June 30, 1950, and for other purposes, was read twice by its title, and referred to the Committee on Appropriations.

PRESENTATION TO SENATOR CONNALLY OF THE MARK ANTONY AWARD FOR DISTINGUISHED AND HUMANE SERVICE IN THE CAUSE OF WORLD PEACE

Mr. O'CONOR. Mr. President, the able Senator from Texas [Mr. CONNALLY] has just been signally honored by his selection to receive the Mark Antony award for distinguished and humane service in the cause of world peace. This high honor was conferred upon the senior Senator from Texas by the Mark Antony Lodge, Knights of Pythias, in conjunction with the Grand Lodge of the Domain of New York.

No one could be more worthy of this outstanding award than the Senator from Texas, whose devoted studies and intense active interest have contributed greatly to the cause of amicable relations among nations of the world. Our citizens are delighted that this recognition is made of his splendid work and of his untiring efforts for world accord.

In his ackowledgment Senator CONNALLY presented so adequately the spirit of brotherhood which has inspired the United States, in all its generous contributions to world economy, welfare, and peace that I ask unanimous consent to have inserted in the RECORD the report of the ceremony as contained in the Sunday New York Times.

There being no objection, the article from the New York Times was ordered to be printed in the RECORD as follows:

CONNALLY SAYS UNITED STATES WILL CONTINUE AID—MATERIAL AND SPIRITUAL HELP TO BROTHERHOOD OF NATIONS IS SEEN BY SENATOR

Senator TOM CONNALLY, of Texas, chairman of the Senate Foreign Relations Committee, declared last night that the United States would continue on a worthy and lofty conception of international affairs to contribute materially and spiritually to the brotherhood of nations and peoples.

The Senator spoke after receiving the fifth annual Mark Antony award for distinguished and humane service in the cause of world peace from the Mark Antony Lodge, Knights of Pythias, in conjunction with the grand lodge of the domain of New York. The presentation took place at the Roosevelt Auditorium, 100 East Seventeenth Street.

Paying tribute to the current observance of Brotherhood Week, Senator CONNALLY characterized this Nation as an internationally outstanding example of brotherhood toward the other nations of the world.

"The United States in a spirit of brotherhood proposed and urged the formation of the United Nations," he said. "At San Francisco it advocated the adoption of the Charter which had for its chief purpose the

settlement in peace of international controversies.

"However, the veto has been invoked by Russia so often that the United Nations has been handicapped and hampered in many of its splendid purposes. It was designed to maintain the integrity of nations and to preserve their liberty and independence."

Mr. CONNALLY predicted that the veto provision would be modified.

The Senator said that the United States, in a spirit of brotherhood, extended generous aid to the nations suffering from the war. This country, he related, contributed 72 percent of the millions that were expended by the United Nations Relief and Rehabilitation Administration to relieve hunger, want, and misery, principally in the countries of Europe.

"Since the war," Mr. CONNALLY continued, "the United States has given to China approximately $2,000,000,000 for relief. Our country has also extended generous loans to numerous other countries. In Greece, to preserve its freedom and prevent its absorption by totalitarianism, $400,000,000 was authorized by Congress. To preserve the integrity of Turkey, more than $100,000,000 was extended.

"The most gigantic and generous act of its kind in all history was embodied in the Marshall plan. Eighteen billions of dollars are to be devoted to the rehabilitation of the shattered economies in Europe."

The Senator also cited the North Atlantic Pact, currently being negotiated, as new evidence of this Nation's ideal of brotherhood. He declared that its purpose was to aid through union the freedom and integrity of the signatory nations.

"This record," he added, "covers some of the generous and unselfish efforts of the United States to contribute to the brotherhood of nations and peoples and to preserve and maintain the peace of the world. The United States will continue upon this lofty and worthy conception of international affairs. We shall hope to attain these noble objectives."

Municipal and judicial officials attended the ceremonies, which included a tableaux depicting the founding of the fraternal order 85 years ago.

ADDRESS BY SENATOR O'CONOR BEFORE PENNSYLVANIA AND ATLANTIC SEABOARD HARDWARE ASSOCIATION

[Mr. WILLIAMS asked and obtained leave to have printed in the RECORD the address delivered by Senator O'CONOR before the Pennsylvania and Atlantic Seaboard Hardware Association, at Baltimore, Md., on March 1, 1949, which appears in the Appendix.]

FLOOD CONTROL AND RIVERS AND HARBORS WORK—STATEMENT BY SENATOR MYERS

[Mr. MYERS asked and obtained leave to have printed in the RECORD a statement regarding flood control and rivers and harbors work made by him before the Senate Committee on Appropriations, which appears in the Appendix.]

ADDRESS BY HON. W. JOHN KENNEY BEFORE THE HAMPTON ROADS MARITIME ASSOCIATION

[Mr. BYRD asked and obtained leave to have printed in the RECORD an address delivered by the Under Secretary of the Navy, Hon. W. John Kenney, before the Hampton Roads Maritime Association, Norfolk, Va., on February 24, 1949, which appears in the Appendix.]

STATEMENT BY 14 WASHINGTON JURISTS AND DEANS OF LAW SCHOOLS ON THE TRIAL OF JOSEF CARDINAL MINDSZENTY

[Mr. O'CONOR asked and obtained leave to have printed in the RECORD a public statement by 14 leading Washington jurists and deans of law schools in condemnation of the trial of Josef Cardinal Mindszenty, which appears in the Appendix.]

NEITHER RACE NOR CREED—EDITORIAL FROM THE NEW YORK TIMES

[Mr. THOMAS of Utah asked and obtained leave to have printed in the RECORD an editorial entitled "Neither Race nor Creed," from the New York Times of March 3, 1949, which appears in the Appendix.]

SOUTH'S MAN OF THE YEAR—ARTICLE BY HUBERT F. LEE

[Mr. MCCLELLAN asked and obtained leave to have printed in the RECORD an article by Hubert F. Lee entitled "South's Man of the Year" relating to C. Hamilton Moses, of Little Rock, Ark., published in the winter edition of Dixie Business, which appears in the Appendix.]

ARMISTICE IN PALESTINE—EDITORIAL FROM THE NEW YORK HERALD TRIBUNE

[Mr. BREWSTER asked and obtained leave to have printed in the RECORD an editorial entitled "Armistice in Palestine," published in the New York Herald Tribune of February 25, 1949, which appears in the Appendix.]

NOMINATION OF MON C. WALLGREN

[Mr. CAIN asked and obtained leave to have printed in the RECORD several newspaper editorials and letters relating to the nomination of Mon C. Wallgren to be Chairman of the National Security Resources Board, which appear in the Appendix.]

CONGRESSMEN DEFINE A LIBERAL—ARTICLE FROM THE NEW YORK HERALD TRIBUNE

[Mr. BALDWIN asked and obtained leave to have printed in the RECORD an article containing comments by Senators and others on the meaning of the word "liberal" from the New York Herald Tribune, which appears in the Appendix.]

The VICE PRESIDENT. If there be no further matters to be presented, the Chair recognizes the Senator from Utah.

THE PROPOSED NORTH ATLANTIC SECURITY PACT

Mr. WATKINS. Mr. President, I began to speak last night on the North Atlantic security pact. There were very few Senators in the Chamber at that hour, and I now wish to review in substance the first part of my remarks, because I should like it to appear in the same volume of the RECORD, and I should like the Members of the Senate present to hear the opening part of my discussion.

Notwithstanding that the Secretary of State, Mr. Acheson, and the Senator from Texas [Mr. CONNALLY], chairman of the Foreign Relations Committee of the Senate, have urged that debate on the North Atlantic security pact be postponed until the pact is ready to be given to the Senate for approval, the honoring of the request has been more observed in the breach than in the observance.

Throughout this country and in foreign countries, newspapers and other publicists have been waging the debate on the proposed North Atlantic security pact.

From time to time quotations from the pact itself have been printed in our newspapers. This has been done in spite of the fact that the Congress has been told, through the Secretary of State and the chairman of the Foreign Relations Committee, that the text of the pact, whatever it is at the moment, is top secret.

It is inconceivable to me that either the Secretary of State or the Senator from Texas have been giving out information on the text of the pact, in view of the statements they have made to the Congress and to the public.

Where do these quotations come from? Since the information is apparently accurate—and I say that with some reservations; I am assuming an established newspaper would not publish them unless they had some ground for thinking they were accurate—I must assume that someone directly connected with the negotiations is actually giving out the information for some definite purpose.

In view of the history of previous programs for foreign relief, one may well conclude that one or more nations interested in such an alliance would take advantage of such a propaganda campaign to assure its adoption by the participating governments. One of the most effective ways, of course, would be to get information into the hands of friendly newspapers, correspondents, and commentators, so that these friendly publicists could present the matter in a favorable light to the American people. Wherever or whatever the source, it is my belief that the underlying purpose of this prepact publicity is a propaganda campaign designed to win the overwhelming support of an uninformed American public.

When that purpose has been achieved, the alliance will be tossed into the lap of the United States Senate. Then, those who took months to draw and obtain support for the pact will say—and I believe I have heard similar admonishments before—"Act on this immediately. This is our last chance for peace."

The United States Senate will then be placed in this position: It can bow to public pressure for the sake of political expediency; or Senators in opposition can object to the principles involved and incur the possibility of political extinction, because they are running counter to public opinion which has already been determined by press propaganda.

This I believe without a doubt to be the objective of the proalliance propagandists. They have little desire to seek the advice of the Senate during the formulative stages of the alliance.

An editorial in a western newspaper came to the attention of the senior Senator from Missouri [Mr. DONNELL] and, in an open session of the Senate, he called attention to some provisions of the proposed treaty. The questions of the Senator from Missouri brought some very enlightening responses from two leading Senators who are members of the Foreign Relations Committee. The statements made by the two members of this committee were reassuring to the country, and undoubtedly to many of the Senators who expect the Constitution of the United States to be faithfully observed by the officials of this Government in any treaty negotiations with foreign countries.

The Senators on the Foreign Relations Committee taking part in the discussion made abundantly clear, at least to me, that there would be no moral or implied

pledge to take up arms in case of attack against the members of the security pact other than ourselves. This would not be a military alliance. No power of future Congresses to act independently in the matter of declaring war would be abridged in any way.

These assurances seemed to go the full distance in the protection of the United States in the entering of such a pact. There would be no commitment, either expressed, implied, or moral, that would obligate the United States to take military action against any aggressor which might attack one or the other of the signatory nations.

This assurance to the people of this country, however, was contrasted by consternation in the capitals of the nations in Europe who were negotiating to enter the pact. What they wanted was a military alliance, the old-fashioned kind, in which the United States would be bound to come to the rescue of any nation or nations in the pact immediately upon any armed attack being made on such nation or nations. That became abundantly clear through the statements of their officials in the press of foreign lands. They knew, or should have known, the provisions of the Constitution of the United States which make it impossible for this country, if that document were honored in writing the pact, to make any such binding agreement. No future Congress can be bound to declare war.

There were hasty conferences to iron out the difficulties. Immediately the press of this country—at least many of the leading newspapers—took up the debate. They were not at all backward in going all out for what, in effect, would be a strong military alliance in which the United States would be brought into any fighting if any of the nations joining in the pact were attacked by any nation which could be termed an aggressor.

The problem seemed to be to find a way in which Europe could be given the military alliance it wanted and at the same time satisfy the people of the United States so that they could feel secure that the Constitution was being observed in letter and in spirit.

These positions, in my opinion are incompatible. Europe was not satisfied with the commitments our senatorial spokesmen were able to assure under our Constitution, as stated in the interchange between the Senator from Missouri and members of the Foreign Relations Committee.

As a result of this situation, and the consternation it created in Europe, as well as in this country, the editorials then began to run something like the one I now have before me. This one, and it is typical, appeared in the Washington Evening Star under date of February 18. After quoting article I, section 8, of the Constitution, which reads: "The Congress shall have power to declare war," the editorial comment in part was as follows:

> When those words were written, war was a slow, tedious process. It was a matter of transporting armies across vast stretches of ocean in sailing ships, of naval blockades, of equipping men with muskets to face other men with muskets. The authors of article I, section 8, could not foresee the day when war would become a matter of sudden, devastating attack, designed to destroy a country long before its Congress could assemble to declare war. They could not have been expected to foresee the time in which we live, a time in which man's true hope of survival lies in preventing wars, not fighting them.
>
> This being so, it is not reasonable for Members of the Senate to be standing on the letter of the Constitution; to be saying that Congress must not yield any part of its constitutional power to declare war. To do this is not only unreasonable, but puts in grave jeopardy our one best hope for the future.

In this language we have an invitation, in effect, urging Senators to forget their oath of office to uphold the Constitution and to adopt a program which under the circumstances the editor feels is reasonable and is absolutely necessary for our future welfare.

I think we owe a debt of gratitude to the editorial writer of the Evening Star for stripping the issue of all its camouflage and bringing it squarely before us. This editorial writer seemed to know what Europe wanted and still wants; and he seems to take the position that many are taking in this country, that we will give them what they want provided we can find the language to fool the American people and satisfy the consciences of some Senators.

If the Senate takes a contrary view and stands by its oath of office, stands by the Constitution, it, in the words of the editor, puts in grave jeopardy our one best hope for the future. We have only one choice. Violate the Constitution and save the world peace. It is our last chance, he says.

Nowhere does the editor admit even the possibility that we can both observe the Constitution and at the same time do something for the peace of the world. It is the military alliance or nothing.

Later in the same editorial, there appears the following:

> Much, perhaps all, depends on the attitude of the Senate. Those who oppose assuming any military commitment in the North Atlantic pact are motivated by reluctance to see the constitutional functions of Congress whittled down.

I digress here for a moment to emphasize that statement. We are motivated, this writer says, by our reluctance to see the constitutional functions of Congress whittled down. I submit that the problem goes much further than that. I submit that neither this Congress nor any other Congress, at any other time, has the right to give to the various departments of Government any more powers than are given by the Constitution itself. The Congress cannot, by supinely allowing powers to be taken away, have its own powers whittled down. The powers reside really in the people, not in the Congress. My senatorial friends from the South have been arguing that point at great length, and I admit that their argument is rather persuasive with me.

The editor further says:

> This is understandable, and it may be that persuasive constitutional arguments in support of their position can be advanced.

He admits there is a possibility.

Then he says:

> But it is difficult to believe that rational men would want to win a constitutional argument at the price of losing this last best hope for peace.

Mr. President, let me read that again:

> But it is difficult to believe that rational men would want to win a constitutional argument at the price of losing this last best hope for peace.

It probably has not occurred to the editor that there are Senators who have an abiding respect for their oath of office and believe that the Constitution of the United States is one of the greatest instruments ever devised by man for the government of a free people, and that none of its provisions should be regarded lightly and violated simply because it seems a matter of reason to violate it.

Mr. President, this editorial is a typical one. I have no argument or quarrel with the editor who wishes to take that position; I am merely calling the attention of the Senate to what is going on. While we are here without information as to the exact terms of the pact, it seems that the public is obtaining information from some source as to what is contained in the pact, has already made up its mind, and is telling us what to do; and in the minds of many editorial writers and other persons, we are a group set off by ourselves, probably representing only ourselves, from their point of view. Some of them do not seem to remember the fundamental fact that we are here only in a representative capacity. All the Americans from the 48 States cannot come here and speak their minds, so they have sent us; and when we speak, unless we are violating our oath of office, we are speaking for the American people and the people of the States from which we come.

I say to the Senators from the South who have been presenting their arguments to us that I do not regard them as merely a group of men talking for their own purposes, but I believe that they are speaking for the mass of the Southern people who would say the same things if they could be here themselves. Those Senators are speaking in their representative capacity.

So, Mr. President, it is important to know that when we consider and deal with certain matters because we think we should do so, we are doing it for the American people, who cannot be here in person. It seems to me that under our oath of office it is going a long way to argue that men will find some way to get around the Constitution or they will not listen or give heed to reasonable arguments in favor of the Constitution. Of course, Mr. President, it stands in the way of some persons and what they want to do; and therefore their attitude is that as reasonable men we should do what they want us to do.

Mr. DONNELL. Mr. President, will the Senator yield for a question?

Mr. WATKINS. I yield for the purpose of a question only.

Mr. DONNELL. In connection with the Senator's mention of the Constitution, does he agree with the sentence in Washington's Farewell Address which reads:

> But the Constitution which at any time exists, until changed by an explicit and

authentic act of the whole people, is sacredly obligatory upon all.

Mr. WATKINS. In answer, I say I agree most wholeheartedly; and if it is necessary to change the Constitution, in order to permit us to enter this alliance, we know how to change it. Ever since World War I, certain persons have been talking about getting the United States into a position in which it can take active part in the affairs of the rest of the world and can fight their battles and intervene. Our Constitution stood in the way of some of those persons at that time, but they have had plenty of time to try to have changes made in it. So they should not come here now and ask us to violate the Constitution simply because they have not had the foresight or the courage—let me put it that way—to try to have it changed. If this question were submitted to the people of the United States by means of a proposed constitutional amendment providing that someone other than the Congress be given the power to declare war—and I mean the Congress, sitting at the time the duty became apparent—I greatly doubt that such an amendment would be adopted. In my opinion it would be overwhelmingly defeated by the American people. That is the reason why it has never been submitted to the people.

I expect to show, if I have the time, that in the history of this country there have been instances after instances of Presidents of the United States having ignored this part of the Constitution and, by one move or another, having put the Congress in a position where it had no other recourse than to declare war.

Mr. President, one writer, Mr. Roscoe Drummond, chief of the Washington bureau of the Christian Science Monitor, suggests a way whereby the problem may be circumvented. In other words, those who seek to circumvent the Constitution are trying out all possible ways of doing so. This writer wants us honestly to admit that we cannot use the Constitution, that it is out of date.

I shall quote Mr. Drummond, who agrees that Congress has the sole right to declare war, but who presents an argument to support those who believe that one Congress can commit a future Congress and the Nation to military action if certain events occur.

To support his view, Mr. Drummond stated in an article in the February 21, 1949, issue of the Monitor as follows:

> First, would it be constitutional for the Senate to undertake a commitment by which the United States in the future would be bound to join automatically in the common defense of a signatory of the North Atlantic Pact without a specified declaration of war?
>
> One answer to this question is to be found in paragraph 2 of article VI of the Constitution which specifically provides that "all treaties made or which shall be made * * * shall be the supreme law of the land * * * anything in the Constitution of laws or any State to the contrary notwithstanding."
>
> This constitutional provision suggests—indeed, many constitutional lawyers will agree it demonstrates—that Congress, in possessing the power to declare war today, also possesses the power to determine at any time the circumstances in which the United States automatically would go to war tomorrow; such circumstances, for example, as an unprovoked attack upon a signatory to the North Atlantic Pact.
>
> If such a commitment should be embodied in a treaty, then under article VI future Congresses would be bound by it as "the supreme law of the land" as long as the treaty remained in force.

Mr. Drummond then proceeds to point out that Congress already has delegated the President the power, to be used at his discretion, to resort to force against an aggressor at any time the UN Security Council can command sufficient unanimity to take such action.

One of the greatest tasks of the legal profession is that of seeking the intent of laws passed by legislative bodies. Mr. Drummond presented a good argument; but regardless of past actions, many of which were taken during periods of hysteria, I do not believe that the Eighty-first Congress has the power to say that American schoolboys of today shall be the front-line forces in any conflict that might occur 5, 10, or 15 years from now, or a generation from now.

And speaking of intent, I should like to call attention again to section 8 of article I of the Constitution which gives Congress, among other powers, the power "to raise and support armies, but no appropriation of money to that use, shall be for a longer term than 2 years."

The supporters of future war commitments apparently believe that we can pledge the Nation's resources and the lives of America's youth to a future military action, but the framers of the Constitution, apparently well aware of the imperialistic aims of the uncontrolled military establishments of those times, provided in section 8 of article I a definite brake on military action and expansion.

If the men who wrote the Constitution had that in mind, I cannot believe we can by circumvention write into the Constitution any authority to commit the people of this Nation to a future military action without the approval of the Congress of the people of the time or period concerned.

In other words, if we are to support Mr. Drummond's theory, we are to place greater value on the wisdom of spending American dollars, than upon protecting the lives and future of those who may have to fight a war.

No Congress can go further than to appropriate for 2 years, but under Mr. Drummond's theory we can bind future generations, so long as the pact might continue, to fight a war.

It so happens that the provision in question is probably one of the strongest protections in the entire Constitution for the lives and liberties of the people of this great country. It is not enough to say that it is inoperative and completely out of date because someone may make a sudden attack upon this country. When sudden attacks on this country have been made in the past, there has been nothing in the Constitution, or in the acts of Congress itself, to stop the Executive and the heads of our Army and Navy from immediately moving in to the defense of this country. No one waited for Congress at Pearl Harbor. What we had left of our fighting force after the attack had begun, immediately went into action.

Sudden attacks, unannounced, can always be met by immediate defense. Under such circumstances, of course, Congress recognizes a state of war as actually existing. It does not need to declare it. It already exists by the action of the enemy. It is conceded Congress could even say war does not exist, and refuse to make a declaration of war. It could also go further and refuse to appropriate money and raise armies, an air force, and a navy. But that is not realistic, and there is not the slightest likelihood that any refusal would come if in fact this country were attacked. Let me repeat, we would then be at war without any action of Congress. . All the Congress would have to do would be, for the record, to recognize what already existed.

It is a far different matter, however, to say now, and to say it in the form of a binding treaty, that in the event of the happening of certain circumstances, this country will go to war. To argue that the present Congress will be passing up the last chance for peace assumes that we of this age will know more about what should be done 10 years from now than the Congress which may be sitting at that time.

There are certain inalienable rights guaranteed by the Constitution, and one of them is, as I see it, that the people of this country will never be put into a war by any agreement in advance of the circumstances demanding a declaration of war.

We may obligate our people to pay debts, to pay heavy taxes. More than $250,000,000,000 of debts are now on our books, on the red side of the ledger. We have obligated them with taxes, we have loaded them down with nearly everything we can think of, and we may do some more of that for the purpose of arming and aiding and assisting other nations. But we may not say to them, in my opinion, if we observe the Constitution, both its letter and its spirit, that they are obligated to go one step further and take up arms against enemies which we, in our wisdom, in our egotism, now determine to be the enemies of those who will have to fight the battles, in the event of the happening of certain circumstances.

The lives of the generation which is to do the fighting are at stake—not ours, although some of us may be living when the time comes; which, at the present rate, is entirely likely. Theirs is the responsibility, through their elected representatives, of saying whether or not they will risk their lives or give their lives in the defense of their country under such alliance as we are proposing to enter into, or whether they will give their lives at that time in the defense of other countries that we may take into such an alliance with us.

It should not be in our power—and, fortunately, if we observe the Constitution it is not in our power—to say what the future generation should do under certain circumstances. And yet this is precisely what this line of propaganda in the editorials I mention urge us to bind ourselves, our children, and our children's children to do.

I have never seen any statement as to how long the proposed alliance will last. Some Member of this body has referred to it, I think, in a speech as a temporary alliance. Who knows it will be a temporary alliance? It may be a long-drawn-out battle between this country, our idealism, our Christian civilization, and the anti-Christian, anti-God civilization of communism.

Mr. PEPPER. Mr. President, will the Senator yield for a question?

The VICE PRESIDENT. Does the Senator from Utah yield for a question?

Mr. WATKINS. I yield for a question only, on condition that I do not lose the floor.

Mr. PEPPER. I understand that. Would it make any difference, in the opinion and the attitude of the able Senator, as to whether the duration of the so-called pact should be until the Security Council should be found able to give protection against aggression to the nations and peoples of the world, instead of it being for a protracted period in terms of years?

Mr. WATKINS. I may say in answer to the Senator, I would hold the same position exactly, because when he puts it on the condition that the Security Council of the United Nations acts and does something about it, that might be 1,000 years from now at the rate they are going at the present time. It is impossible for them to get any unanimity. That is why they are talking about an alliance now, because in the organization of that council are nations that are not dedicated to peace. The veto is not the only thing that is wrong with the United Nations Council. The thing that is wrong is, it is not made up of peace-loving nations. So, I would say to my distinguished colleague from Florida that if he is going to put it on that condition, I certainly would be of the same opinion.

Mr. HILL. Mr. President, will the Senator yield for a question?

The VICE PRESIDENT. Does the Senator from Utah yield for a question?

Mr. WATKINS. I yield for a question only, and on condition I do not lose the floor.

Mr. HILL. Is the Senator going to discuss how far he feels we have already gone in the direction toward which he is addressing his remarks, under our commitments through the United Nations Charter?

Mr. WATKINS. In answer to the Senator, I may say I do not at this time intend to discuss that question. I intend to point out the things we should look into before we commit ourselves to the pact. I think it is high time the American people study the matter more carefully and view its implications in the light of recent history. At some future time I intend to discuss it. I intend to discuss the United Nations. I intend to point out what in my humble opinion is the matter with it.

Mr. HILL. Mr. President, will the Senator yield for a further question?

The VICE PRESIDENT. Does the Senator from Utah yield for a further question?

Mr. WATKINS. I yield for a further question, on condition that I do not lose the floor.

Mr. HILL. In order that we may properly orient ourselves for the discussion—and I may say it is a very important question—does not the Senator think we should consider carefully what our commitments are now under the United Nations Charter, and how far we have gone. If I may ask the Senator a further question, he recalls, does he not, that under the United Nations Charter there is a provision for an international police force? As the Senator knows, that police force has not yet been established, but certainly the idea was that we should contribute to such a force and that it should be subject to the orders of the United Nations Security Council. I take it when that force became involved, we ourselves would be involved; is that correct?

Mr. WATKINS. That is correct. But policemen are needed because there are violators of law. Russia is not a peace-loving nation. It is expanding. It is an aggressor. That is the reason why we cannot get anywhere and have no police force. If the happy day ever comes when we shall have peace-loving nations, I certainly would be in favor of a police force. Suppose there had not been a veto provision in the Charter of the United Nations, and we should submit what we think Russia should do, and it were agreed to by a majority vote. Suppose we had voted that Russia should cease her control of Poland and should give up the territory she took after the German conquest of Poland. Suppose that, by a majority vote, the United Nations should say to her, "Give it up." What would be the answer? She would say, "No." Then what would we do? If we had a police force, we would send a police force to enforce the demand on Russia; and if we sent a police force for that purpose, we would have the same kind of a war we may yet have, even though we do not have a police force.

Mr. HILL. Mr. President, will the Senator yield for a further question?

Mr. WATKINS. I will yield for a question.

Mr. HILL. Is it not reasonable that we consider our commitments under the United Nations Charter?

Mr. WATKINS. We certainly should do that; not only our commitments under that Charter, but all our other commitments, some of which we do not know about. That is one of the reasons why I am making this speech, to serve notice on the State Department to give us all the commitments which have been made in the name of the United States, of every kind and character, because there have been many, and they have gotten us into so much trouble that, before we go any farther down the road, we should have a clean-cut inventory of all the commitments that have been made.

Mr. HILL. Mr. President, will the Senator yield for a further question?

Mr. WATKINS. I yield for a further question.

Mr. HILL. Does the Senator also have in mind commitments we may have, so far as the other countries in the Western Hemisphere are concerned?

Mr. WATKINS. I do have that in mind. We have already committed ourselves to help defend, in case of attack, all the other nations in the Western Hemisphere, every one of them. We know, as a matter of fact, that they are not prepared to defend themselves. We will always do the fighting. Furthermore, we intend to help certain nations in Europe, in this proposed alliance. What will we do about China, Japan, and the rest of the world? I do not know. I only know that before we enter into this pact I want to be sure what the implications are and what the program will be.

Mr. HILL. Mr. President, will the Senator yield for another question?

Mr. WATKINS. I yield for another question.

Mr. HILL. Does the Senator understand that our commitments under the proposed North Atlantic Pact would be any more binding or any stronger than the commitment we now have, so far as the defense of the Western Hemisphere is concerned?

Mr. WATKINS. I am unprepared to answer that question. I have not seen the pact. All I can find out about it is what Mr. James Reston of the New York Times tells us. My distinguished colleagues on the Foreign Relations Committee, the chairman and the ranking Republican member, apparently have been told something about it, but the other Members of the Senate of the United States do not know anything about it. I have to go to the New York Times to ascertain what my Government is doing concerning the matter. I, as one ninety-sixth of the Senate, cannot find out what is being done, and I am taking this opportunity to say what I think probably ought to be done.

Mr. RUSSELL. Mr. President, will the Senator yield for a question?

Mr. WATKINS. I yield for a question.

Mr. RUSSELL. I should like to ask the distinguished Senator from Utah, whose able address I have been following with great interest, if there is not a possibility that these articles are trial-balloons which are sent up here and there to ascertain the views of Members of Congress and of the American people as to the proposed pact? Is not the Senator aware of the fact that in these days of propaganda and high pressure in Washington the course is ofttimes followed of sending trial balloons in order that those in particular positions in the Government might ascertain the views of Senators and of the people, as well as to influence opinion?

Mr. WATKINS. I admit that there is evidence in favor of that suggestion, but I understand that the Secretary of State told the Foreign Relations Committee that this matter was a top secret and should not be revealed. Of course, if that be true, I do not think they are sending up any trial balloons in order to induce Senators to give their views. On the other hand, leaks are taking place in connection with what is going on in the chamber where the negotiations are taking place. The New York

Times and other newspapers are discussing it in detail. They even quote paragraphs. Paragraph 5 has been quoted time and time again, with the various changes which have been made. Maybe that is how they are working. I am not accusing them of bad faith. They hope the Senate will not debate the matter until the treaty is submitted. But, in the meantime, these things are going on. Information is being given out, apparently, from some source. I have never seen a denial by the State Department that the New York Times is quoting accurately what is taking place.

To proceed with my text, Mr. President:

Since this discussion has occurred in this country and abroad, apparently the negotiators representing our own country and the other governments involved, have been able to write language which apparently satisfies Europe in its requirement that we will be bound to fight and which also, it is hoped, will satisfy American public opinion and the requirements of our Constitution.

What that language is—and I now come to what we have just been discussing—we have no means of knowing for a certainty.

But the same sources of information give out an abridgment of the important clauses in the treaty. Not, of course, to the Senate of the United States which in the performance of its duty must give its advice, and I say advice advisedly, and consent to such a treaty, but through certain favored newspapers.

It is now said that the language of the important paragraph in the treaty will follow the Rio de Janerio inter-American Pact, or the United Nations Pact, and that, of course, it is perfectly satisfactory now to our leaders and the Senate Foreign Relations Committee.

I am very anxious to know whether or not the language that has recently been discussed is satisfactory to our leaders on the Foreign Relations Committee and to other Members of the Senate. They may know more about it than I do, but from what I have seen in the newspapers, I have some grave doubts in my own mind as to whether the language is satisfactory.

Whether this is true or not, we have no means of knowing, since the Senate itself has not been given copies of the wording of the important sections of the proposed pact. We are kept in the dark while the newspapers and publicists go on with their propaganda, building up sentiment for the pact.

In the words of the Senator from Georgia, they are sending up trial balloons.

It is recognized everywhere that the adoption of such a pact by the United States will be a departure from its historical position; that it will be one of the most momentous steps ever undertaken by this country.

I am calling attention to it today because it seems to me that we are following the same propaganda pattern which has been used time after time in this country when the administration and foreign nations are seeking to lead this Nation into some program which may not meet or be approved by public sentiment in this country.

We had the British loan a number of years ago. Although not in the Congress at that time, I remember well the propaganda in behalf of that measure. It followed the same pattern as that now going on in this country.

Then came the Greek-Turkey loan. This was supposed to be a departure from a long-established American policy, but as a matter of fact, if we will be honest about it, it was merely a return to the principles stated in the Atlantic Charter, principles which we had cynically abandoned time and again, and the abandonment of which brought the threat to our peace and security and that of the entire world of free nations.

Then came the Marshall plan, and following that the Vandenberg resolution which inched us one step nearer, I should say miles nearer, what is now facing us, the proposal of a military alliance with foreign powers in times of peace. In each instance the debate went on outside the Congress on leaks of information supplied by someone apparently interested in the successful consummation of the proposals. When the matters were finally presented to the Congress in each instance, as I recall, the Congress was urged to act speedily on the matter.

Time was of the essence. In the case of the Marshall program, I remember very distinctly the Congress was accused of "fiddling while Rome burned," simply because we wanted a real understanding of the real obligations we would have to meet, the need for those obligations, the need for the help, and all collateral matters which should have been considered.

The Congress was bombarded with propaganda from all over the country and accused of downright negligence.

Well, the State Department has been negotiating this treaty, we are told in the press, for more than 6 months, possibly 8 months, perhaps a year, I do not know definitely. I do not know whether even the public knows.

Our representatives started sometime last summer to meet with western European diplomats to consider the terms of the alliance. Unless I am badly mistaken, and unless we have a change in pattern, when the treaty is finally presented, the Senate will be bitterly criticized if it does not act at once to approve the pact which the people will have been led in the meantime to believe is the only salvation of this country and the free nations of the world. Time will be of the essence again.

Mr. President, Members of the Eightieth Congress, and Members of the present Congress, I am sure have been acting in good faith in trying to keep the oaths of office which they took when they came to Washington. Theirs is the responsibility. But it seems that everybody else on the outside knows all about this foreign program a long time before the Congress itself is taken into the confidence of the executive department.

Where the leaks come from I do not know. I do not accuse the State Department of bad faith, but certainly someone in the confidence of the negotiators must be giving out the information, and for a purpose.

Not all newspapers get it; only certain ones. That is as far as I am able to ascertain by some search. I think most Senators are aware of the fact that the building up of a strong sentiment in favor of a program of such infinite consequences without having all angles of the program, is extremely dangerous to the future welfare of the country. It certainly is in my opinion.

How can the Senate of the United States, in an atmosphere of bitter criticism and demands for immediate action, properly discharge its duty under the Constitution How can it give the attention it should give, free from bias and prejudice and pressure, to such a momentous change in foreign policy?

This matter, involving as it does the future welfare, the future freedom, the future destiny, and the very lives of citizens of this country, should not be decided in haste or under pressure. It should not be decided in the absence of all the facts, of all the truth about the necessity for such a venture, such a change of foreign policy, as has existed in this country from the very beginning.

There are numerous questions which should be answered, and answered truthfully, in the consideration of this treaty. I do not read any discussion of them in the press which seems to be handing out advice to the United States Senate with such a lavish hand.

May I propound a few of these questions here?

What is the relationship, for instance, between Great Britain and Russia at the present time by reason of the treaty of alliance entered into during the World War II between these two countries? I think that should be explored fully.

Is Great Britain in a position now to enter into a pact with this country—honorably, I mean—and the other nations contemplating becoming members of the North Atlantic security group?

Are the terms of the understanding between Russia and England all expressed in what was given to the world as the treaty of alliance?

Are there any secret agreements between Great Britain and Russia?

What other agreements—trade agreements, principally—now exist between Russia and Great Britain?

Mr. President, I made some investigation on my own, and I have been able to get a copy of the alliance, the 20-year pact, between Great Britain and Russia, in which in substance England and Russia bind each other not to join any coalition or any alliance which may be aimed against either one of them.

I have also seen a trade agreement between Great Britain and Russia in which Great Britain agrees to furnish large quantities of steel, as I recall, in the way of locomotive equipment and rails for railroads.

I have seen a trade agreement between Great Britain and Poland under which many thousand tons of copper products, a metal which is greatly needed in war, is to be sent by Great Britain to Poland under this exchange agreement, and of course possibly it will build a war poten-

tial in Poland, which is a satellite of Russia.

Then I ask, is Great Britain at the present time furnishing to Russia commodities which will build up the war potential of Russia and her satellites? Will this pact make such a policy impossible?

What about France's agreement of alliance with Russia? I assure the Senate there is one, as I have seen it. What are its terms? What does France, where there is a strong Communist minority, think about its obligations under the pact? Are there any secret agreements between France and Russia and her satellites? What if any trade agreements exist between France and Russia and her satellites? What guaranty is there that France will be able to perform her part in a security pact with us and the other North Atlantic nations?

What agreements, if any, exist between the other nominees to the Atlantic security pact and Russia and her satellites?

Here is something very important. What will be the definition of aggression? Will the treaty of alliance be limited to armed attack only? Or will it consider as a cause for action the overthrow of existing forms of government by so-called peaceful means, by infiltration, by an election? How are we to know when aggression has been committed and when we may have to take a part? By that, I mean if Russia should abandon any intention to proceed other than by a presentation of her propaganda, without the use of force at all, what if under those circumstances she is able to go into those countries and by the presentation of her arguments convince the wills of the voters in a free election to embrace communism? What then? What will we do under such circumstances? Will the communistic nation into which the Russians go—or which will probably become communistic under such a free election, still remain in the alliance?

I know it will be said that this alliance is not aimed at any nation in particular, that it is merely against aggressors. Well, call the roll of the nations in Europe, and when we get through calling the names of the western democracies, where do we find any nation left but Russia with any possibility of being classed as an aggressor nation, and one against whom the alliance will be aimed?

The President of the United States in his inaugural address, I think, settled that matter. He did not mince words. He named the aggressor, and spelled it out so that there could be no misunderstanding. The alliance is aimed against Russia, and I do not think anyone in his right senses would deny that.

What guarantee will we have that one or more of the nations we are inviting to join with us in this pact will not adopt communism by constitutional means?

Now I am going to talk about that. An alliance is only a preventive, it does not cure anything really. It merely says, "Here is the flood, here is the danger of war. We will set up a dam to hold it in place." What, if anything, are we doing to end the threat of war itself? That is an important question which should be discussed thoroughly and looked into before we enter into any pact of the kind proposed.

Furthermore, which nations are to join the proposed alliance? Are we going to leave out Italy, Greece, and Turkey, nations on which we have spent hundreds of millions of dollars to help them fight Communism, or are we to have another alliance in that part of the world known as the Mediterranean Alliance, of which we will become an underwriter and whose battles we will fight as well? That we do not know. We should know that before we ever take such a step as is now proposed.

Will Germany be allowed to join? That raises a very important question. Let us say we form the alliance. Then Germany continues to make some progress toward the ways of peace. Will that permit her to join?

Then there is another question which is closely related to it, and in my opinion more important than that. What is the policy of the United States with respect to Germany? Is it the policy General Clay has been pursuing, or is it the policy the State Department has been pursuing which, much of the time, has been in opposition to what General Clay has been doing over there? Do we have a well-defined German policy?

I ask, what will the alliance do about Germany? Will we defend against aggression that part of Germany now in the physical custody of France, Great Britain and ourselves? I think we would probably all say "Yes." But conditions have changed, sides have changed over there so frequently in such a short time that we probably do not know today about that. In other words, we do not know too much respecting what we are getting into.

What relationship will the Allies have to any other nations in Europe not behind the iron curtain, but regarded by us as liberty-loving democracies? Will this alliance also defend the colonial possessions of its members against attack, particularly those in the Pacific held by European democracies? What about Indonesia? What about the French colonies in southeast Asia, such as Indo-China? Are we going to go to their defense, as well, if they are attacked? Those are questions we should look into.

What commitments have we already made to defend other countries? Has Congress been fully advised respecting the executive agreements which in effect might commit us to the defense of other governments?

We know, as a matter of fact, that we have entered into the inter-American agreement whereby we shall be required to defend any nation or nations on this hemisphere which may come under attack. Moreover, we read in the press from time to time that our generals and our administrative officers apparently are attempting to make commitments.

Senators probably all remember the interview with Secretary of the Army, Kenneth C. Royall, in Tokyo. Whether he did or did not make the statements there attributed to him by the press is beside the point. He was talking about the matter one way or the other. Something was said at least about our commitments or our lack of commitments to defend Japan. But on February 25, in Washington, Gen. J. Laughton Collins, Deputy Chief of the American General Staff, told a press conference, "If Japan were attacked, American troops would certainly fight." Secretary Royall said he "concurred entirely with Collins' statement."

As I remember, the last time the Army or the executive department had any directive from the Congress of the United States, which is supposed to declare war and provide the sinews of war, we told them to attack Japan. We are not quite up to date yet. Now we are considering the question of defending Japan. The point is that outside of what Congress told the executive department may be done, in fields that the Congress alone can decide, there are many things going on of which Congress should take notice.

Then I call attention to the statement of Brig. Gen. Robert Travis, as reported by the Associated Press, under a Sydney, Australia, March 1 date line. The general is quoted as saying the United States would immediately come to the aid of Australia if she were threatened by an aggressor. Mind you, Mr. President, this is before the Atlantic pact. General Travis has been in Australia in connection with a good-will tour he is conducting.

Mr. LONG. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. O'CONOR in the chair). Does the Senator from Utah yield to the Senator from Louisiana?

Mr. WATKINS. I yield to the Senator from Louisiana for a question.

Mr. LONG. Would it seem to the Senator that there should be a difference between the type of commitment to a nation which is close to a possible aggressor, and could easily be overrun, and the type of commitment made to a nation which could not be easily overrun by an aggressor nation?

Mr. WATKINS. The Senator's question assumes we should make some commitments. If I were to grant for the purpose of the argument that we should make commitments, then I think the Senator's question could be answered in the affirmative. But I do not grant any such thing at this moment. Until we have full information and advice I believe it would not be wise to make any commitments to anybody.

Mr. LONG. Mr. President, will the Senator yield for a further question?

Mr. WATKINS. I yield for a question only.

Mr. LONG. Would the Senator feel that there should be a difference between the type of commitment we might make, such as the Monroe Doctrine, to defend nations that could not be easily overrun from afar, and the type of commitment, let us say, to defend a nation such as Denmark, which can be easily taken by a foreign power?

Mr. WATKINS. We have a historic policy known as the Monroe Doctrine, which we announced many years ago, and which has been observed and upheld by the United States, and which has been respected by all the rest of the world up to the present time. The Inter-American Pact seems only to take into account the Monroe Doctrine, and to give it full

recognition by a legal document. There is some question whether we went too far before in making a commitment there, but whether we have made the commitment or not, I think we would have followed along the principles of that declaration by President Monroe and we would fight. Of course we have no such policy, or have not had one until recently, with respect to Denmark and other nations of the world outside the Western Hemisphere.

I call attention to one more statement. From Japan comes the story—and it is only a day or two old—that Gen. Douglas MacArthur is quoted as saying that if Russia attacks Japan, "we should certainly defend her." In connection with this I should like to invite the Senate's attention to the language used. It should be noted that General MacArthur is more meticulous in his choice of language than the other notables because he says "We should"—putting it in the subjunctive—"We should defend her." In other words, he thinks it would be good policy for us to defend her. He did not say we would defend her. He did not make that declaration, because I think General MacArthur realized, and he showed by his statement that he realized, that it is not in the power of the Army or the executive department to say what country we shall attack or what country we shall defend, and that is important to keep in mind.

Mr. LONG. Mr. President, will the Senator yield for a further question?

The PRESIDING OFFICER. Does the Senator yield for a question?

Mr. WATKINS. I yield for a question only.

Mr. LONG. Is it not true that, regardless of the language of the proposed commitments, which would be commitments to defend, actually such commitments could not be commitments to defend, because the nations proposed to be defended probably would be overrun within a week or two, before America could get there to defend them, and in such case actually what we would do would be to attack a foreign power, in the event such a power attacked another foreign power we were committed to defend, because we would be completely powerless to defend the foreign nations attacked.

Mr. WATKINS. Unless we were to adopt a complete program of building up defenses in the countries we would commit ourselves to defend we could not defend them. It would be necessary to furnish them with arms and ammunition and all kinds of armament, and then supply them with troops as well. I remember very distinctly, as, no doubt, the Senator from Louisiana does, that in the beginning of World War II the European democracies said to the United States, "Send us the arms and the guns and the ships and the instruments with which to fight, and we will do the fighting." That did not last very long. It was not long until we were sending our men over there. And I think we would have to do the same now under the circumstances the Senator from Louisiana mentioned.

Mr. LONG. Mr. President, will the Senator yield for another question?

Mr. WATKINS. I yield for a question only.

Mr. LONG. In view of recent history, the history of the last war, when the Dutch Government surrendered after 4 days of fighting, and the Belgian Government surrendered after 2 weeks of fighting, would it not occur to the Senator that a great number of the tanks and guns and a great part of the ammunition we would send to such foreign countries on the Continent of Europe as we might be committed to defend, would simply be donated by us to a foreign aggressor against those countries, in case that foreign country decided to attack them?

Mr. WATKINS. I think that would happen. We can fully expect, if we get into war with Russia, that the airplanes, tanks, many of the guns, the trucks, and transportation equipment that we sent over there under lend-lease will be used against us. If an aggressor were to take over Holland, there probably would not be time to destroy any such items in the hands of the Dutch. If Holland were quickly overrun, whatever we had sent over there would fall into the possession of the nation attacking. Of course, I do not know that. I am assuming, from what has happened in the past, that it would probably happen again.

Mr. LONG. Mr. President, will the Senator further yield for a question?

Mr. WATKINS. I yield for a question.

Mr. LONG. As a matter of fact, is not that just what has been happening in China during the past few months?

Mr. WATKINS. In answer to the Senator's question, I am told that the trucks which the communist armies in North China used to carry their provisions and troops to the attack were American trucks shipped to Korea or other places on American ships. Some of the arms were of American manufacture. I mention transportation equipment particularly, because we must remember that an army cannot do much fighting until it gets to the place where the fighting is going on.

Mr. LONG. Mr. President, will the Senator yield for a further question?

Mr. WATKINS. I yield for a question.

Mr. LONG. In view of the fact that there is only one other nation in the world as well armed as the United States, namely, Russia, which is much better armed than the United States, does it not seem to the Senator that if this Nation were to attempt to defend itself and protect the peace of the world, it should make sure that the tanks, guns, and planes which are built would be available to fight with in the event of war? Should not the United States undertake to guarantee that the tanks, guns, and planes which it furnishes are used in the defense of the United States, or in the defense of our commitments?

Mr. WATKINS. I assume that it would be very difficult to go into one of the nations which might enter the pact and say, "We give you these airplanes, tanks, submarines, and ships, but you must use them only as we tell you, or against nations which become our enemies." We might tell them that, but how on earth could we ever enforce such an agreement? As I pointed out a moment ago, if the Communists take over those governments, they will do the directing.

I remind Senators that there are some very important questions to be taken into consideration in connection with the proposed pact and the implications growing out of it. It should not be entered into in a hurry. I think the Senator has very well pointed out some of the problems.

Returning to what General MacArthur said, I repeat that the use of the word "should" gives point to the fact that apparently General MacArthur keeps in mind that it is not within the power of the executive department, the Commander in Chief, or any of his generals, to commit the United States to war or to the defense of any part of the globe other than our own country. Apparently there are generals in the Army who do not know this, if we can believe the dispatches which we receive from foreign countries, where our globe-trotting generals make frequent appearances. General MacArthur, apparently, at least recognizes that the power to make war rests in the Congress, and in that body alone. But these commitments by our globe-trotting generals and secretaries are being made in all parts of the earth. Undoubtedly, they give a false sense of security to the war-weary peoples of the world.

Can it be possible that the executive department does not yet realize that it has not the power to make war, or to undertake commitments which could be kept only by the waging of war? Recent events have demonstrated that it probably would be a good idea to make the Constitution of the United States required reading, not only for the executive departments, beginning with the Commander in Chief, but also for Members of Congress. Then, we would all remember what we have sworn to defend. Sometimes I think we do not know what we have sworn to defend.

From the foregoing, is it not a fair question to ask, Should we not have an inventory of commitments already made to fight, before we undertake more pledges to other nations? Let us get them all together and see how many we have agreed to take on. We have undertaken the defense of all the nations in the Western Hemisphere. Now it is proposed that we take over the North Atlantic; and possibly there will be a proposal to take over the Mediterranean nations. Who knows? We do not get all the proposals at once. There is no over-all plan. We are given just a little at a time. We are given whatever it is thought the American people will take. Then the next proposal begins to loom on the horizon. How many more are we going to take on?

Mr. KEM. Mr. President, will the Senator yield for a question?

Mr. WATKINS. I yield for a question only.

Mr. KEM. As I understand, the signatories to the proposed North Atlantic Pact are not only powers with territories in western Europe, but in many cases they are also colonial powers, with vast colonial holdings in various parts of the world. In the case of two of them, Holland and France, those colonial possessions are now under armed attack. I ask the Senator from Utah if he understands that the proposed pact would

result in the United States guaranteeing not only the territorial integrity of the countries in western Europe but also wherever else in the world they happen to have possessions.

Mr. WATKINS. That would be a possibility. Before the Senator entered the Chamber, I believe, I stated that we do not yet know what would be involved. I have asked that very question: Will we be defending the Asiatic possessions of the European democracies? I also asked the question, What is aggression? Would an attack upon any of the Asiatic possessions be an attack upon the signatory powers themselves, an attack which we would be required to defend under the proposed North Atlantic Pact? If it becomes a military pact, which the Europeans want, and which apparently some of our people are willing to give them, no one knows at the moment just what the result will be.

Mr. KEM. Certain information as to the contents of the proposed pact——

Mr. WATKINS. If the Senator will address the Chair, and if I can obtain permission to yield without losing my rights, I shall be glad to yield for a question. Otherwise I may lose the floor, and I do not want to do that.

The PRESIDING OFFICER. The Senator from Utah yields to the Senator from Missouri for a question only.

Mr. KEM. I should like to ask the Senator this question: Apparently certain information as to the contents of the proposed pact is emanating to the American press from sources unknown. From the remarks which the Senator made yesterday, it appears that he has been putting himself to a great deal of trouble to find out just what these statements mean. I should like to ask him whether he has been able to learn whether any provision is made in the proposed pact for the particular situation which I have described.

Mr. WATKINS. I can answer that I do not know. I have never seen anything except what the New York Times has been able to dig out of someone attending the negotiations. I am not in the confidence of members of the Foreign Relations Committee, who have been shown copies of the proposed pact. I do not know what it contains. I have tried to find out, and I have been told that it is top secret—in fact, there is not yet any pact at which the Senate can take a look.

I may say, in connection with the point which the Senator has now raised, that it seems to me a strange situation when the general public, through some newspaper, can be given what apparently is an accurate statement of what is going on, but United States Senators, unless they happen to be members of the Foreign Relations Committee, cannot get the same information, unless they call on James Reston, or the New York Times, or someone who is in the confidence of some of those attending the meetings.

Mr. KEM. Is it possible that Senators are being put through a sort of softening process, and that we are not yet in proper condition to receive the pact?

Mr. WATKINS. That is possible. I myself have wondered if some of our officials were trying to soften me up by what they are doing. However, in my particular instance, I have been aroused to the point that I want to know where my country is going. I have the same responsibility that any member of the Senate Foreign Relations Committee has so far as my oath of office is concerned. I finally vote on what is done, or is not done, and that vote counts just as much as does the vote of any member of the Foreign Relations Committee. I cannot subscribe to the view that all the State Department has to do is to let the Foreign Relations Committee know what is going on, and that by so doing it is letting the Congress know what is happening.

As a matter of fact, that does not suffice at all; and even if it were proper for such information to be taken first to the general public and the newspapers, certainly it would be a courtesy to the Members of the House of Representatives and the Members of the Senate if the information were presented to them.

Mr. President, various Senators have reminded me that at the conclusion of the First World War, the then President of the United States announced what I think was a very good policy; it was 1 of his 14 points: "Open covenants openly arrived at."

In this particular instance, I remember that one of the New York newspapers carried a very able editorial pointing out that if Woodrow Wilson were alive today, as we are considering the proposed North Atlantic Pact, he would be very happy indeed, because the development of this pact is being made in full view of every one, according to the editorial. I obtained a copy of the document which purported to give information on the North Atlantic Pact. I found that it was a propaganda sheet issued by the State Department. In it I found a great deal of general language, but nothing in particular; and when I finished reading it, I was just as ignorant regarding the proposed pact as I was when I began to read the release. Perhaps that was my fault; but I could not find in that document anything about the North Atlantic Pact which would indicate that it is an open covenant openly arrived at.

Mr. President, after calling on the executive department for an inventory, I should like to see the inventory given not only to the Foreign Relations Committee in executive session but also to the entire country. I remember that during the recent war we were told that the Senate Foreign Relations Committee went to the President of the United States and asked about certain matters which were supposed to be occurring, but was told that it could not have that information because of security reasons. However, today we are supposed to be at peace, or at least partially at peace; an armistice is in existence between the former warring powers. So what reason is there now that there cannot be given to the Congress and to all the American people specific information regarding all the commitments of every kind that our Nation has made all over the globe?

My next question, Mr. President, is, What will be the cost of the North Atlantic Pact to this country, not only in money, commodities, armament, but in human lives? Can anyone give us the approximate cost of such an undertaking?

What effect will it have on our country? Will the fulfillment of obligations under such a treaty tax our economy and our strength to or beyond the breaking point?

Mr. President, I submit that the answers to those questions are most important to all of us. Not long ago I read with considerable interest an article written by Bruce Barton, once a Member of the House of Representatives, and a man who has made an earnest study of our foreign affairs and of economics in this country. It is his considered opinion that we are already biting off more than we can chew. So, Mr. President, before entering an alliance of the kind now proposed, I would wish to have an answer to the questions I have just propounded, and I would wish to have the answers to these questions presented by an able group of men who would make a careful study of those matters.

Now, Mr. President, I come to what may be the $64 question: Is such a pact necessary to our defense and security? Of course, many persons assume that it is. The majority of the publicists and newspaper writers and radio commentators seem to believe that the proposed pact is necessary to our defense and security. I wonder whether it really is. I should also like to know whether there are alternative programs which have the promise of accomplishing our objectives.

Mr. LONG. Mr. President, will the Senator yield for a question?

Mr. WATKINS. I yield to the Senator from Louisiana for a question only.

Mr. LONG. Does the Senator feel that it would be better to have those who are handling the proposed pact consult the Senate and find out how the Senate feels about these proposed commitments, rather than to consult the newspapers and commentators and get their opinion as to whether America will agree to join in these commitments?

Mr. WATKINS. Of course, Mr. President, the constitutional way of proceeding in this matter would be to have the Senate consulted, because the Constitution provides that the President shall make treaties by and with the advice and consent of the Senate. That does not mean that the President should make the treaty and should then say to the Senate, "I have done it; here it is;" but that provision of the Constitution means that the Senate should be consulted in advance.

Of course, some persons believe that only certain Senators can be trusted with confidential information. Accordingly, the rest of us have to accept what filters down to us when those who are given the confidential information get ready to pass it on. Of course, those who are advised confidentially are placed under a pledge of secrecy. I have no quarrel with the Foreign Relations Committee. The members of that committee are doing a good job in a troublesome situation. But the obligation of secrecy does not seem to be placed on some of the negotiators. I do not know whether the statements which have been made come

from foreign sources or from sources in our own State Department; but, apparently, someone who knows what is going on is making public statements regarding these matters. Otherwise, some denials would be made of the statements which appear in the press. However, when those who release such statements are able to quote the exact language of certain of the sections and other subdivisions of the proposed pact, it is apparent that someone who is taking part in the negotiations is telling what is going on.

Mr. President, I think the Senate is deserving of consultation in regard to these matters. If Senators are not worthy of such trust, they should go home. However, as I have previously stated, we are here to represent the people who sent us here. They must have had some confidence in us, or else they would not have sent us here. I repeat that the people themselves cannot come to Washington to conduct the Government themselves, so they have sent us here, to speak for them. It seems to me that the President of the United States, who hints he will go to the people, to tell them what is going on in connection with these matters, should first let Congress know. That would be a much better way of proceeding.

It has been said by some military men that we shall be handicapped by any agreement which binds us to go to the rescue of nations which we may later determine to be of little strategic importance in a future war.

Shall we be bound to go to the rescue of Europe or any country in it within the pact when it may clearly appear to our military men that our best defense—in fact, our hope of winning the war—lies in the Pacific?

Mr. President, I hope the Members of this body will really consider that question carefully. In the last analysis, our freedom of choice is definitely involved in the proposed pact. We should consider the situation we are now in and the situation we shall be in if we enter into such a pact, which would bind us to go to the rescue of the countries of Europe, just as today we feel bound to go to the aid of the countries of South America.

Of course, Mr. President, if aggressive steps are taken by one of the Great Powers, we shall have to consider what is the best military strategy for us. Our best interests might demand that we concentrate our forces in the Pacific Ocean, not in the Atlantic. If we enter the proposed pact and if by it we are required to send our forces across the Atlantic to Europe if one or more of the European nations that are signatory to the pact are about to be overrun, and if after signing the pact we are called upon for help by some of the European nations signatory to the pact, either we shall have to break our agreement under the pact or else we shall have to send our forces across the Atlantic to Europe, and thus take great chances and run the risk of losing the war.

Furthermore, Mr. President, if we enter into such an agreement, will not we be required to sacrifice many possibilities of success in another field in order to keep our agreement with the other signatory powers?

Next, let me ask this question: What is the real strength of Russia today, militarily and economically speaking? The answer to that question takes us back to the question, Is the proposed pact necessary? We say that today the Russian people are not told the truth about us, and we spend millions of dollars to get the truth to them. On the other hand, just how much do we really know about Russia? Is she really the tremendous power that some persons say she is? I remember a time when she was on the verge of defeat unless the United States furnished her with arms. That has not been many years ago. That was at the time Germany was fighting all Europe and Russia at one time, and Russia at that time could not overcome the German Army. I repeat, What is the real strength of Russia today? We should know that, militarily and economically speaking. Just how much of a threat is she to our security? I take it for granted that the security of the United States is of first and primary importance, and our future policy should be considered largely in the light of our own needs of security—in other words, first, the security of the United States, and, secondarily, the security of our allies and other peace-loving nations. I am not predicting, but the time may come when we can be of more use to the world as a surviving, going Nation in our own hemisphere, strong and able, with the light of liberty shining brightly to nations that may be overrun by a totalitarian power, and only from this country could there come hope for a future in which they might overthrow and repel those who had taken over their countries. That is only a supposition, but that is all we can do with respect to the future.

It is all well and good to go to the rescue of other peoples, but we must not do that at the possible jeopardy of our own security.

Such a pact and a program under it can only be justified on the hypothesis, based on facts, that our own security is in jeopardy or that it can only be protected by taking such far-reaching steps.

What is the view of our military leaders with respect to the soundness of tying up our forces in a guaranty to help Europe in the event countries over in that section of the world are under attack from an aggressor?

Can we possibly know the future and gage its effect upon our security to the extent that we can now make a determination which should be binding upon a future Congress of this country when a crisis might arise?

Should we now take steps and enter into an agreement which will leave a future Congress no other choice than to declare war?

I submit that to do those things now which would leave only one choice for a future Congress, that of war, would bring us in direct violation of both the letter and the spirit of the Constitution, which I believe provides that the people, at the time war is to be declared, are the ones who shall make the declaration, through their representatives.

Would it be fair to the future generations of our people who would have to meet a crisis, that the only step we have left open to them by reason of such an agreement is to declare war?

There are numerous other questions which should be asked. The answers should be given, the whole program thoroughly studied. I ask again, can this pact be given the consideration it should be given in an atmosphere of criticism and high pressure from groups interested in furthering such an alliance?

In connection with the question, I ask, is it necessary—may I suggest this possibility should be considered? When Stalin, through a newspaper correspondent offered to meet with President Truman and discuss an end to the cold war, we were quick to say that actions speak louder than words. We want action. We want Russia to speak in such a way that we shall know she means she wants peace. The time for talking will come when we have an evidence of definite action on the part of Russia.

Has not the United States expressed to all the world through the steps it has taken in connection with lend-lease in the past, with the adoption of the Greek-Turkey loan, the so-called Truman doctrine, the putting into effect of the Marshall plan with its billions of dollars of outright grants to nations fighting for their freedom—I say, has not the United States by these very deeds spoken a stronger language, a far more understandable one, than could possibly be put into any treaty?

If what we have done—if the programs we have already adopted have not convinced our friends in Europe and the Communist nations who are engaged in the cold war with us that we will fight if our common security is threatened—then I say words will be weak indeed to express such a position. We cannot strengthen what we have said by mere words in any kind of pact.

Too many times—far too many times in the past—we have entered into programs concerning our relations with other nations which might not have been undertaken as they were undertaken had we known the full truth. Let me remind you of a glaring example:

The United Nations organization was supposed to have been made up of peace-loving nations. That was told us time and time again. Even the nation we have been denouncing recently was received in all respectable quarters in the United States, at the White House, in the State Department, and everywhere else throughout the country. The United Nations had been fighting the war against tyranny and despotism. In order to be successful at all, the first requirement would be that the nations entering into the charter would be nations which desired peace and which had no programs of expansion and conquest. But to admit anyone else was, of course, to destroy it from the very beginning. In other words, they must be in very deed peace-loving nations.

We were led to believe that all the nations signing the charter at San Francisco were nations which could qualify under the term, honestly interpreted, "peace-loving nations."

But were we told the truth about Russia? All I need to do to demonstrate that we were not, is to call attention to the following facts:

The American Army on April 1, 1945, discovered the German Foreign Office files which told the story of the perfidy of Russia—of her aid and assistance to Germany—of her congratulatory telegrams to Hitler upon the happenings of those events. Mr. President, you will remember the secret agreement for the division of eastern Europe, and for spheres of influence in Asia, entered into between Hitlerite Germany and Russia at the beginning of World War II. That came to light, and then came the telegrams, in which Hitler was congratulated by Stalin when he overran the very democracies we now seek to defend. That agreement came into our possession April 1, 1945. Later on, a long time after we had entered the United Nations, the State Department gave the information to the world. Why? So as to meet the propaganda of Russia. That story should have been told to our representatives at the United Nations Organization meeting at San Francisco. What is more important, it should have been read before the Senate of the United States, when the Charter was before it for approval.

It should be kept in mind that the difficulty with the United Nations is not the right of veto, but the fact that in the Security Council the UN is not made up of peace-loving nations—not all of them. Is it possible that this country through its negotiators, through its executive department, and through the Senate of the United States would have given approval to the United Nations Organization in which Russia was to be a member and one with increased powers in executive council if our negotiators, if the Senate of this country had really known the truth about Russia? I submit it would not have been adopted, or that Russia would not have been taken in.

Yet the truth was available on April 1, 1945. The executive department, the State Department, the President all knew, because the files had been captured and the intelligence agents could easily have ascertained the truth. They knew before the negotiations had been undertaken at San Francisco that Russia was a nation not to be trusted.

The executive department determined that in order to keep Russia in the war to fight aggression, to fight the Axis dictators, it was necessary to violate the principles of the Atlantic Charter. The President of the United States determined he had to agree with Great Britain to the bribing of Russia by granting her great interests in China and in other countries to get the cooperation of that nation in fighting Japan.

He determined that certain agreements had to be entered into with respect to Poland before Russia could be kept in the fighting. Russia had already served notice on the world of her true nature by her conduct in absorbing the three small Baltic States.

The President of the United States, at the secret meeting in Yalta, Cairo, and so forth, was made fully aware of the grasping, greedy demands of Russia, and yet in spite of all that, we were not told the truth; and because, in my humble opinion, we were not told the truth, we took this Nation into the United Nations organization and robbed it of the opportunity of becoming a strong instrument for peace which we and the millions throughout the world hoped it would become.

But the real truth about Russia was not given to the people of this country or to their representatives.

My point is, Mr. President, that had the American people and their representatives at San Francisco and in the Senate of the United States been told the truth about Russia as the President and his advisers knew it from their close contacts and dealings with that nation and the peace-loving nations of the earth, we might have been in a far more secure position today than we are at present.

We have been told that the Second World War occurred because we did not go into the League of Nations. It has been said that was the cause of World War II, and we have been told, "Now, before the war ends, we will set up this great preserver of the peace, the United Nations," which had wonderful objectives to which I subscribed, and I have been willing to support that organization and give it every assistance it needs in order to help it to succeed.

Americans, believing in the United States as a strong power for peace, insisted that their sons be brought home from Europe, from the Pacific area, and all the other parts of the globe in which they were stationed. A demand was made to bring them home, and they were brought home, but we have not been able to agree with Russia on treaties of peace with our enemies. Russia did not demobilize as we did. She had an overwhelming force in eastern Germany and the countries of eastern Europe. We are told that Russia respects only force. It may have been a far different story if our armies had remained in being until peace had been secured.

So I say, Mr. President, in considering the North Atlantic security pact, let us have the truth and nothing but the truth.

I return now to the security-pact negotiations which are said to be rapidly drawing to a conclusion. It seems that James B. Reston, of the New York Times, is the reporter who is favored with news of what is taking place in the top-secret meetings between our representatives and western European diplomats. To the newspapers is where we go to get our information in the Senate. I had to wait until my home paper came from Salt Lake City to tell me what was being done in those negotiations.

From an exclusive syndicated article sent out to other papers the country over, under a Washington date line, February 24, I read the following:

> The latest and probably final draft of article 5 of the North Atlantic security pact makes specific reference to the possibility of armed force being used to defend the North Atlantic community.
>
> It can be stated with assurance that the new text is not as direct as the Lovett draft, which would have obligated the signatories to take military or other action forthwith in the event of an armed attack against one of the pact members.
>
> At the same time it restores reference in the pact to armed force, which was eliminated from the Lovett draft at the suggestion of Senators TOM CONNALLY (Democrat, Texas) and ARTHUR H. VANDENBERG (Republican, Michigan).
>
> The sense of the article—but not the precise language—is as follows:

Here is what we are supposed to have as one of the final drafts to which everybody is agreed, including, I understand, the chairman and ranking Republican member of the Foreign Relations Committee:

> That in the event of an armed attack on one of them, the signatories would assist each other in such ways, also if necessary with armed force, as would seem desirable to defend the North Atlantic area.

This is the language used, we are given to understand through our unofficial source. That is not the exact language, but is the substance of what has been given out as being in the minds of the negotiators.

The story goes on as follows:

> This conveys, in the opinion of State Department officials, the compromise arrangement proposed by members of the Senate Foreign Relations Committee in their meeting with State Secretary Dean Acheson last Friday.
>
> It is totally different from another text which evidently was circulated and printed Thursday in Paris, but responsible officials here this evening said that the Paris version is inaccurate in several respects and that the meaning of the latest draft is as reported here.
>
> Article 5 has, therefore, had a stormy passage.

The reporter seems to know the difficulties which they have experienced even in the secret negotiations.

> It started perhaps too boldly, was trimmed and trimmed again, then swamped by a gust from Capitol Hill.

I suppose the gust referred to was the time when the Senator from Missouri [Mr. DONNELL] propounded questions to the chairman of the Foreign Relations Committee, and he was told there was no commitment to take this country into war or that would bind any future Congress.

> Now it has come back a bit and is apparently out of danger.
>
> For the record, the sequence of changes was as follows:
>
> In the event of an armed attack on one of its members the others would—
>
> Draft No. 1 (the European draft): "Take military and other action forthwith."
>
> Draft No. 2 (the Lovett draft): "Take military or other action forthwith."

They seem to be exactly the same.

Draft No. 3 is labeled "The Vandenberg-Connally draft," and I have not seen this denied, by the way. Then follows:

> Take action forthwith.

Without describing any particular kind of action. Apparently, that did not satisfy Europe.

Draft No. 4, the compromise draft, is as follows:

> Assist each other in such ways, also if necessary with armed force, as would seem desirable to defend the North Atlantic areas.

They got armed force into the picture. Then the news story says:

This last, which is not the text but the sense of the text, may not be very elegant, but is evidently regarded by the negotiators as an acceptable compromise.

From that, I think we shall conclude in the end that they all mean the same thing.

Mr. LONG. Mr. President, will the Senator yield for a question?

Mr. WATKINS. I will yield for a question.

Mr. LONG. After reading all those drafts and getting down to the final one, is it the Senator's interpretation that the final draft would or would not commit us to engage in war in case some member nation were attacked?

Mr. WATKINS. I have already said that the ordinary person, in my judgment, would think they mean the same thing. They merely dress it up in different language. I think it would mean we were committed to armed force, because it says "assist each other in such ways, also if necessary with armed force." Of course, I take it they would not act unless it should be necessary. So that is not substantially different from the other draft.

In this newspaper account we seem to have a fairly accurate review of what has been taking place in the attempt to draft a satisfactory text of the most important article of the treaty. This is information, by the way, which only a few of the Senators and the Foreign Relations Committee have been able to obtain.

I have sought to get this information, but first I was told that the text of the treaty had not yet been written, and then that it was top secret and that I would have to wait until it had been sent to the Senate by the President.

Whether or not the language of the draft as it eventually is written will satisfy both Europe and the Senate of the United States and the people of this country remains to be seen. Judging from the propaganda grist which has been grinding out daily, it is going to be necessary for the Senate to bypass the Constitution or violate it outright in order to get a treaty which will satisfy Europe, and our own people who want to go along in that direction.

However, it is claimed that the distinguished Senators on the Foreign Relations Committee are satisfied with the latest draft. I have not seen that denied.

On the constitutional questions involved, Mr. President, I have one further comment, and then I am through.

It is my considered opinion, after a review of the various steps that were taken during World War II by the President of the United States, that it was the failure on the part of the President to observe the requirements of the Constitution in entering into executive agreements which were to all intents and purposes treaties, without submitting them to the Senate for its advice and consent, that really got us and the other peace-loving nations of the world into most of the difficulties which now beset us.

In fact, Mr. President, I think most of our troubles, both at home and abroad, have had as one of their principal causes the violation of the Constitution of this country.

One could speak for hours on that. I need only mention the thousands of directives which have been written by the executive departments which have all the force and effect of law. In fact, the Federal Register, in which they appear, I think has published more laws than the CONGRESSIONAL RECORD of the Congress of the United States during the same space of time.

The history of those violations is a long story, one I shall not review here, but it is one, I submit, that is very persuasive, and should be a warning signal to this country, its officials and people, that somewhere along the line these violations must be stopped if this country is to endure. It has become a great country in spite of its handicaps, but not even the most optimistic can help see the grave perils and the stupendous problems it faces today.

Mr. President, I voted for the Greek-Turkish loan. I supported the European recovery program. We were told in each instance that we had no other choice open to us. As I examine the matter I find that probably that was true simply because of the mistakes, the colossal blunders, that were made behind the scenes in the political-diplomatic fields during the war and at the end of the war.

That is a desperate situation to be in. The decisions in the Greek-Turkish loan matter and on the European recovery program did not involve any question of the violation or circumvention of our Constitution. They were decisions that involved matters of policy only.

But we have now a far different adventure confronting us. We have gone a long way down the foreign entanglement highway and now we come to a turn in the road. We are about to enter new territory. Is it too much to ask that before we decide to enter this new territory we take stock of ourselves and see how the journey has gone thus far?

Is it too much to ask for all the facts, all the truth about our present status and the obligations we will be assuming if we take up the new adventure? Is it too much to ask that we get the facts, the reasons, all the known truth before we make the decision rather than afterward?

Mr. President, I have gone into this matter today with some reluctance. I realize that under the Constitution the conduct of foreign affairs, at least the negotiation of treaties, is in the hands of the executive department. I have respect for that department and for the Constitution of our country. But in the short time I have been a Member of the Senate, and in my observations before I came here, I have seen how these matters are brought to such a point many times that there is no choice left for Congress in taking action. Before there is any more of that it seems to me we should call for the most searching investigation before we make a decision.

In saying what I have said so far I have that objective in mind. I am not saying how I shall vote on this matter until I do get the truth. I want to know the facts and weigh them, and see how the questions raised should be answered.

I have sympathy for the Russian people as a people. I am utterly against the type and kind of government maintained in Russia, and the philosophy behind it. I think possibly my record will show that I spoke out publicly in my own State against communism. I was not a national figure, but I spoke out publicly in my State against communism a long time before many of those who are now in high places in Washington were saying anything about it. On the contrary, as I remember it, they were receiving the Communists everywhere.

I was against the recognition of Russia in the first place. I think the long chain of events which has happened since that time, in which America has taken important steps, has aided and assisted in building Russia to the point where she is now, a menace to the peace of the world. I want to see that done which could be done for the best interests of this country first, to secure its peace and happiness, and then have our country do all we can for the rest of the world.

CALL OF THE ROLL

Mr. BREWSTER. Mr. President——

The VICE PRESIDENT. The Senator from Maine.

Mr. HILL. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Chair had recognized the Senator from Maine. Does he yield for that purpose?

Mr. BREWSTER. I ask unanimous consent that I may, without losing my status on the floor.

The VICE PRESIDENT. The Senator can make the point of order himself that there is no quorum present.

Mr. BREWSTER. I should not care to do that myself. May I have unanimous consent to yield to the Senator from Alabama for that purpose?

The VICE PRESIDENT. The Senator may if the Senate is willing to give unanimous consent. Is there objection to the Senator from Maine yielding to the Senator from Alabama in order that he may make the point of no quorum? The Chair hears none, and the clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Gurney	McKellar
Anderson	Hayden	Magnuson
Baldwin	Hendrickson	Malone
Brewster	Hickenlooper	Martin
Bricker	Hill	Maybank
Bridges	Hoey	Miller
Broughton	Holland	Millikin
Butler	Humphrey	Morse
Byrd	Hunt	Mundt
Cain	Ives	Murray
Chapman	Jenner	Myers
Chavez	Johnson, Colo.	Neely
Connally	Johnson, Tex.	O'Conor
Cordon	Johnston, S. C.	O'Mahoney
Douglas	Kefauver	Pepper
Downey	Kem	Reed
Eastland	Kerr	Robertson
Ecton	Knowland	Russell
Ferguson	Long	Saltonstall
Flanders	Lucas	Schoeppel
Frear	McCarran	Smith, Maine
Fulbright	McCarthy	Smith, N. J.
George	McClellan	Sparkman
Gillette	McFarland	Stennis
Green	McGrath	Taft

Taylor	Tydings	Williams
Thomas, Okla.	Vandenberg	Withers
Thomas, Utah	Watkins	Young
Thye	Wherry	
Tobey	Wiley	

The VICE PRESIDENT. Eighty-eight Senators having answered to their names, a quorum is present.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the Senate by Mr. Miller, one of his secretaries.

APPOINTMENT OF LOUIS A. JOHNSON, OF WEST VIRGINIA, TO BE SECRETARY OF DEFENSE

Mr. BREWSTER. Mr. President, I desire to speak briefly about the recent appointment by the President, of Mr. Louis A. Johnson to be Secretary of Defense. There has been some implication in some of the discussions that this appointment may have been, to some degree at least, politically motivated. I certainly will not challenge the idea that Mr. Johnson is a distinguished Democrat, and that he rendered great service in the last campaign. I do not, however, conceive that to be disqualifying.

On the other hand, I think that any tendency to regard the appointment as resting at all exclusively upon any such considerations would do serious injustice to a very able man, and, therefore, as a result of certain associations and knowledge which I acquired in my service in the Congress regarding Mr. Johnson, I felt that it was desirable that something of his record should be incorporated here in order that not only those of us who must consider the appointment, but also others who may be interested, may have some idea of the elements which, as it seems to me, may very properly have entered into consideration by the President in appointing Mr. Johnson to one of the most responsible positions in our Government today.

I venture to say, first, that perhaps I speak while looking through the colored glasses of friendship, because of happy associations for many years in the American Legion, an organization naturally and profoundly interested in our national defense. However, Mr. Louis A. Johnson, not only as National Commander of the American Legion, but as Assistant Secretary of War and as Acting Secretary of War for a substantial period, was associated with the evolution of what, in the judgment of many persons, was perhaps the most difficult problem in the development of modern war. I speak of the problem of industrial mobilization. That was a matter which came very much within the purview of the so-called Truman committee, which was dedicated primarily to a study of that question, disregarding, as we did, questions of military and other strategy which once plagued this Government during the War Between the States in the Committee on the Conduct of the War, and which at that time nearly wrecked the generals as well as the administration.

Senator Truman, as chairman of the War Investigating Committee, adopted the proper policy of directing our activities primarily and almost exclusively to the question of industrial mobilization, which, under the conditions of modern war, is the very great problem that we face, and which we still face in the proper and prudent preparedness for the future conduct of any tragic war that may occur.

I think it is interesting and important to know that on that score there probably is no one in private life in the United States more intimately familiar with the problem, and who has demonstrated more capacity for accurate judgment regarding the issues which are involved. Following the First World War, when Bernard Baruch contributed to our industrial mobilization, a consistent and constant study was carried out for the next 15 years under Bernard Baruch, Newton D. Baker, and finally under Louis A. Johnson as Assistant Secretary of War in charge of this problem during the late 1930's. At that time the first chart for industrial mobilization was prepared. That was issued under the imprimatur of Louis A. Johnson, who was at the time Acting Secretary of War.

To my mind it is interesting and important to follow the history of that program. As we moved toward involvement in the Second World War, President Roosevelt appointed Mr. Edward Stettinius as chairman of a committee to review the program for industrial mobilization. That committee made a full and complete report regarding the matter. Under the conditions of war which then existed President Roosevelt did not feel it proper or expedient to reveal that program to the public. Senator Truman, as chairman of the Truman committee, during the course of our studies, while we were involved in war, with many difficulties developing in our industrial requirements, asked for that report and was refused. I do not question the propriety of that refusal. Following the accession of Mr. Truman to the Presidency, as chairman of the War Investigating Committee following the close of the war, I asked President Truman for the Stettinius report. We receieved it, and it was made public at that time. It confirmed seriatim the reports of the Johnson industrial mobilization plan, demonstrating that Mr. Stettinius in his studies had come exactly to the same conclusion that Secretary Johnson had reached.

I wish to cite further authority on this score, as dealing with the question of whether or not Mr. Johnson has demonstrated a somewhat unique capacity to reflect an informed opinion on the question of industrial mobilization. We held extensive hearings on this problem following the close of the war, in the War Investigating Committee; and in connection with the studies which were still in progress regarding our preparation for another war. I hold in my hand the report of the hearings of that committee, which, as it will be seen, is rather voluminous. In the course of that study we heard as witnesses not only Bernard M. Baruch, but Lt. Gen. Lucius D. Clay, Ferdinand Eberstadt, former Chairman of the Army and Navy Munitions Board; Maj. Gen. O. P. Echols, of the Office of Military Government for Germany at the time, but previously in charge of aviation procurement; James Forrestal, Secretary of Defense; Thomas J. Hargrave, Chairman of the Munitions Board; Arthur M. Hill, Chairman of the National Security Resources Board; John H. Hilldring, Assistant Secretary of State; Kenneth C. Royall, Under Secretary of War at the time; Charles E. Wilson, president of General Electric Co., and former vice chairman of the War Production Board; Donald M. Nelson, former Chairman of the War Production Board, and many others.

We went into the question most exhaustively. I think it is fair to say that every conclusion we reached indicated the great wisdom with which the Johnson industrial mobilization plan had been prepared. I should like to read into the RECORD certain statements made by Bernard Baruch in the course of that testimony, not in order to raise any question as to our procedures during the war, but in order that we may recall the tragic developments in the course of that mobilization, and his own considered opinion as to how it might have been more effectively carried on. Mr. Baruch said, as reported on page 25736 of the record of the committee in the investigation of the national defense program:

> If I am to be pinned down as to its economic industrial aspects, then I say to you that because of our foot dragging and fumbling, because of our inability to apply corrective methods when they were clearly indicated, the war cost us, unnecessarily, thousands of lives, extra billions of dollars, and months of time. This is my firm conviction based upon an intimate association which is demonstrable.

That is certainly very strong language from one who speaks with the unique authority born of studies of a quarter of a century, covering two world wars.

On the following page, Mr. Baruch again speaking:

> My experience in two world wars, the aftermaths, and the endeavors to make a lasting peace make me marvel at the regularity with which errors are repeated. One of the errors that most frequently recurs is failure to study and understand the record of past experience.

I move on to his further testimony at page 25750 and 25751.

> I know Louis Johnson had the right point of view. We tried to get the Government to order 300 or 400 of what afterward was the B-29—

The one upon which we now depend, the evolution of which, in the B–50 model, has just flown around the world without a stop.

> If he had ordered them at that time—I think that was in 1937 or 1938—the United States would have been the master of the air, and no country could have survived against it.

I quote further from Mr. Baruch's testimony:

> Johnson's recommendations were things that I heartily approved of, particularly in the making of ammunition and production of airplanes and the buying of critical materials and building of powder plants. I can't tell why they were dropped. Nobody consulted me about them.

I have ventured to call attention to this testimony in order to dissipate any erroneous impressions or doubts which may exist as to the Johnson appointment reflecting the most careful consideration of the national welfare and of what in my judgment is still the most pressing problem in military preparedness, namely, the matter of industrial mobilization. It is a recent development in the science of modern war. Historically, when the Minute Men of Concord and Lexington grabbed their squirrel rifles and went out behind the stone walls, industrial mobilization was of secondary moment. But today, as everyone recognizes, it goes to the very foundations of our military power.

That was the problem on which Louis Johnson some 15 years ago used all his great talents and ability, and came out with the report on industrial mobilization. As Mr. Baruch says, if there had been the will to follow that report, it might have made a very material difference in our progress in the early stages of the recent war.

Now I quote from the report of the Committee Investigating the National Defense Program. On page 2 of the report, quoting not only Bernard Baruch, but also General Eisenhower, we find the following:

In his final report to the Secretary of the Army in February 1948 he pointed out as follows—

This is General Eisenhower speaking—

Despite the time cushion afforded us by our allies, and the industrial tooling and experience gained through lend-lease orders, improvisation characterized much of our initial war effort. A magnificent national unity carried us through, but greater efficiency in prior planning would have saved much time and money.

Mr. President, leaving now the question of the foresight which Louis Johnson demonstrated in the early stages of our involvement in those international affairs, I wish to speak of a somewhat more personal phase of the matter, which it seems to me has a most interesting and significant bearing on the question of whether President Truman in his appointment of Louis Johnson was primarily motivated by any considerations connected with the recent campaign. In 1942, when we were struggling with the problem of industrial mobilization, there was discussion that perhaps Secretary Stimson, then Secretary of War, might retire. He was a man advanced in years, and the burden was terrific; and there was a great deal of discussion of the matter. Mr. Truman, then Senator Truman, as chairman of the committee investigating this phase of the war effort was vitally concerned. It was my responsibility to be the ranking minority member of that investigating committee. We discussed the matter repeatedly and canvassed all its phases. We finally arrived at the conclusion that if there were to be a change in the Office of Secretary of War, there was one man who stood out above all others for appointment to that office because of his record in this country.

At the suggestion of the then Senator Truman, I consulted none other than the leader of the Republicans in the Senate, the late Senator Charles McNary. I told him of the problem and of how we felt about it, and I asked him how he would view the selection of Louis Johnson as Secretary of War. Instantly speaking out on the basis of his association with him in earlier days as Acting Secretary of War and Assistant Secretary of War, Senator McNary said it would be an admirable appointment; and at the request of the then Senator Truman, I secured from Senator McNary a letter to President Roosevelt strongly recommending the appointment of Mr. Johnson if the vacancy should develop. I delivered that letter to Senator Truman. That was 7 years ago. Certainly no question of politics or personalities entered into the picture at that time. We were solely concerned with how the terrifically important task of our industrial mobilization for the war in which we were then engaged could be most effectively performed. If Mr. Truman's records are still complete, he has in his files the letter we secured at that time. I am sure that the opinion of the former minority leader of this body, the late Senator McNary, who in writing that letter was speaking out of the wealth of his experience, which carried back to the First World War, would carry a great deal of weight, even today. It carried a great deal of weight with all who considered the matter then.

Mr. President, I make these remarks in justice to Louis Johnson and in justice to the President of the United States, but more especially in justice to the office which Mr. Johnson may perhaps be destined to fill if his nomination shall be confirmed by this body, in order that he shall enter upon it with no reflections whatsoever that primarily political considerations motivated his selection, because going back 7 years in the record one can clearly see the recognition which was accorded him. I say this because I think all of us agree that the office to which he has been nominated is possibly second in importance to but one other Cabinet position, that of Secretary of State, and possibly has priority in importance over all other Cabinet positions. Certainly those two posts are vitally concerned with the security and safety of our Nation.

I hope and believe that if Louis Johnson enters upon this tremendous task, he may do so with the full confidence of the Senate and of the entire Congress and of the country that in many ways he is uniquely fitted to fulfill that role. This is no disparagement of his very distinguished predecessor, who has ability and capacity which have been demonstrated throughout many years. It is to be pointed out that Louis Johnson has a definite firmness in action. If there has been any criticism of Secretary Forrestal—and I have discussed this matter with Secretary Forrestal within recent days—it has possibly been of his failure to exercise the additional powers which were vested in him as Secretary of Defense. Mr. Forrestal was the first to recognize that perhaps that criticism might be leveled. In entering upon a new office, with a combined responsibility for three services, he hesitated to go too far. I think all of us recognize that Louis Johnson's character and determination are such that perhaps at this very time, when there is a necessity for the exercise of a firmer hand, he is ideally suited to the task. It seems to me that if Mr. Forrestal had remained in that office, he would have been the first to recognize that necessity himself, as he indicated to me in recent discussions. In addition to the unique knowledge and experience which Mr. Johnson brings to this office, he also brings a firmness of purpose which is well calculated to deal with the unfortunate differences which still seem to persist between the various services. He also brings an understanding and a character which are well calculated to serve the country in what I think all of us recognize is still one of its hours of greatest need.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD an editorial entitled "The Defense Secretary," appearing in today's New York Times.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE DEFENSE SECRETARY

The Department of National Defense is today at a critical stage of development. Set up under the National Security Act of 1947 as the unified agency of national defense, it has in a year and a half of operation shown many minor and some major defects. Suggested remedies, based on congressional observation, a thorough study by the Hoover Commission and recommendations from within the Department itself, are soon to be presented to the Eighty-first Congress. In these circumstances it is difficult to think of anyone in the Government whose abilities in his post will be missed more than those of the retiring Secretary. No one else can possibly be as familiar as he is with the working of the Department, with its good points and with its defects.

For 9 years Mr. Forrestal has given unselfish and outstanding service to his country. First he was one of President Roosevelt's "anonymous assistants" in the days of preparation for the war that both saw coming. From that position he was stepped up to the post of Under Secretary of the Navy, in charge of procurement and production. When his superior, Frank Knox, died in the spring of 1944, he became Secretary of the Navy. Although he at first opposed unification of the services, when the unified department was established by Congress in 1947 he was widely endorsed as the man best fitted for the job. He has tried over the last year and a half, with diplomacy, and with a club when necessary, to make the Department work efficiently. When he saw that it wasn't going to work efficiently he was one of the first to recommend reforms.

In the choice of Mr. Forrestal's successor there is reason to believe that political factors have played some part. This is regretable since national security demands the best available man in the Nation to head the Defense Department, irrespective of any other consideration. However, on the record there should be no diminution of zeal for a strong national defense under the new Secretary. As Assistant Secretary of War from 1937 to 1940, Mr. Johnson was indefatigable in his efforts to build up the Army, to draw plans for industrial mobilization and to make the people of the United States conscious of the great decisions that lay before them. In testimony a year and a half ago before the Senate War Investigating Committee he revealed that it was a split within the Roosevelt Cabinet that prevented

the adoption and publication in 1939 of a plan for industrial mobilization which had been drawn up at his direction. Many of the essentials of this plan were incorporated later in the war-mobilization effort.

Mr. Johnson takes over the Defense Secretaryship at a difficult time. It is a job that will put him on his mettle and require of him not only hard work but courage and great wisdom. On his success in mastering it may depend events not now foreseeable. We regret Mr. Forrestal's departure but we wish Mr. Johnson well in the post he has assumed.

Mr. THOMAS of Utah. Mr. President, I shall say but a few words at this time. I am in no sense a person who believes in anything like a filibuster, but it would be wrong for me to keep my seat and not associate myself with the Senator from Maine [Mr. BREWSTER] in the splendid remarks he has made regarding Louis Johnson, whose name has been sent to the Senate by the President for appointment to the office of Secretary of Defense.

Long before I became chairman of the Military Affairs Committee, and long before I became a Member of the Senate, my interest in our country ran along much the same line as did the interest which Louis Johnson displayed when he became Assistant Secretary of War. I was not a Member of the Senate when amendments to the National Defense Act of 1920 were considered, and I took part, in a small way, in the first attempt at national mobilization in peacetime.

When I came to the Senate it was my good fortune to be assigned to the Committee on Military Affairs. From the very beginning I became associated with activities which proved themselves to be rather necessary as circumstances moved on and war began to face us and to engulf the world.

I sponsored, in the Senate, the Army air-base bill, which was the first step toward making the Air Force one of the major activities of our country. I took part in legislation in connection with strategic materials. It was in connection with those activities that I learned to know Louis Johnson and to regard him highly. After I became chairman of the Military Affairs Committee and after Mr. Johnson left the Government service, whenever any question regarding strategic materials arose, or whenever there came up any question which had to do with the complete mobilization of our country in the war effort, I met Mr. Johnson from time to time and chatted about the first struggles which we had had. One of the regrets which have come to me is that I am not in a position to see completed the reorganization of the Army and Navy, which surely will be accomplished, ultimately, by the bill which our committee reported and which I sponsored.

Louis Johnson, I may say, has the capability, determination, and understanding of one who realizes that there must not be division in the Armed Services at a time of great emergency, and that even in time of peace, for the sake of economy there should not be any division. I am sure he knows what we all know, when we think things through, that we can never bring unity into our Armed Services by dividing them.

CASIMIR PULASKI

Mr. McCARTHY. Mr. President, in these days when we Americans are giving lavishly of ourselves and our substance to aiding countries all over the world, especially in Europe, to achieve economic and political freedom, we are apt to forget that without the timely aid of certain men of European origin and birth who believed as passionately in freedom as did our forefathers, our task might have been doubly hard.

I am thinking particularly of Casimir Pulaski, Polish soldier and statesman, to whom America owes so much. In Polish hearts the flame of freedom has always burned high. The history of Poland is replete with heroes who have given their lives and fortunes to carry the torch of freedom—flickering feebly at times, it is true, but carried forward always, even as it will be in the future.

Casimir Pulaski joined the American Army under George Washington in 1777, at a time when the fortunes of the tattered Army were low, indeed. With the zeal of a true patriot he threw himself into the battle for freedom. He so distinguished himself during the Battle of Brandywine that he was made a brigadier general and chief of Cavalry by Congress. He fought gallantly at Germantown and in the battles of the fearful winter of 1777–78. Following those battles, he raised a mixed corps, called the Pulaski Legion, with which he defended Charleston in May 1779.

This brave soldier was mortally wounded at Savannah, where he died on October 11 of that year.

This year, 1949, will mark the one hundred and seventieth anniversary of Pulaski's death. I deem it fitting and proper that we honor the memory of this man, born in Poland, who gave his life that freedom and all it means might be carried forward in this young, new country. It is true that we have named towns after him; that we have statues erected to him; that the famed Pulaski Highway Bridge leading out of New York has been named in his honor. But I feel that he deserves further honor. Therefore, I have submitted Senate Resolution No. 8 to make October 11, the date of his death, Pulaski Day, an official memorial day. This resolution is now pending before the Senate Judiciary Committee.

That Poland and its people have always had a deep, abiding friendship for the United States is not only evidenced by what Pulaski did in making the supreme sacrifice that this country might attain its freedom. Other Poles have earned our undying gratitude. There was Thaddeus Kosciusko. He too, heard the call of freedom. In 1776 he entered the United States as a volunteer and brilliantly distinguished himself, especially at New York and Yorktown. Recognizing his ability, General Washington promoted him to the rank of Colonel of Artillery and made Kosciuzko his adjutant. His humanity and his charm of manner made him one of the most popular of American officers. The Congress of the United States, recognizing his devotion to duty and his service to the cause of American independence, rewarded him by giving him American citizenship, a considerable pension with landed estates and the rank of brigadier general. Kosciusko was far in advance of his age in his manner of thinking in that he maintained the Republic could only be regenerated on the basis of absolute liberty and equality before the law.

I could cite instance after instance of men of Polish origin who cast their lot with the infant United States; men in whose hearts burned the flame of liberty. In the ensuing years, men and women of Poland have extended the hand of friendship to this country and in turn have had the hand of friendship extended to them. Thousands of them, following the vision of freedom and opportunity, have come to our shores, determined to be Americans in the true sense of the word. They have scattered throughout our land, settling in various communities and States, and they have become sturdy, self-supporting citizens of our country.

There is hardly a day passes but that men and women of Polish ancestry are honored in some manner. Their names lead scholarship lists, athletic honors, civic community efforts.

There has been a tradition of friendship between the people of Poland and the United States. This tradition rests on the common denominator of the love of freedom and individuality. The history of Poland shows us that the Poles embraced Christianity in the very beginning and began immediately to convert the pagan people to the concepts of the Christian religion. From that time on the Polish people have always been a deeply religious race.

History shows us, too, that Poland has been ravished and partitioned time after time. Not a century has gone by since the founding of the country that partitioning of some sort had not taken place. But so virile is the love of freedom and individual liberty in the heart of every Pole, that Poland has always regained her freedom as a state. And that early Christianity has always been a force. It has been the one stable and unifying element, and the clergy consistently protected the lower from the tyranny of the upper classes.

After World War I, on March 17, 1921, Poland became a republic. In 1928 Poland had a unified judicial organization and a uniform code of judicial procedure. State protection was given to labor, and insurance against unemployment, illness, and accident was guaranteed. Poland was putting into practice the liberty and justice which had always been in every Pole's heart.

Mr. FULBRIGHT. Mr. President, will the Senator yield for a question?

The VICE PRESIDENT. Does the Senator from Wisconsin yield for a question?

Mr. McCARTHY. I yield for a question.

Mr. FULBRIGHT. I understand the Senator is discussing the Government of Poland. Did Poland have an institution called the senate?

Mr. McCARTHY. Yes; Poland had a senate.

Mr. FULBRIGHT. Did they have the same rules as our Senate?

Mr. McCARTHY. They had unlimited debate as to subject but not as to time.

Mr. FULBRIGHT. Did the Polish Government survive very long? Is it in being today?

Mr. McCARTHY. It is not in existence today. I may answer the Senator's question further by saying I think one of the reasons Poland has always been able to regain her freedom is because she has always tried to protect the rights of minorities. I think there can be no doubt of that. I am sure the Senator from Arkansas recalls Ignace Jan Paderewski, the George Washington of Poland, who was the Premier of Poland after World War I. Paderewski was one of the greatest statesmen of all times and one of the world's greatest symbols of freedom and liberty.

Mr. FULBRIGHT. Mr. President, will the Senator yield for a further question?

The VICE PRESIDENT. Does the Senator from Wisconsin yield for a further question?

Mr. McCARTHY. I yield for a question.

Mr. FULBRIGHT. My point is, in view of the conditions which I understand exist in Poland today, it is not my impression that her legislature was functioning in a very free or effective manner, in the sense in which we think of a free institution.

Mr. McCARTHY. I may say the Senator and I can heartily agree that Poland did not fall as the reason of decay from within. From a military standpoint, Poland was a relatively weak nation caught between two gigantic forces. She was completely crushed, but not through a lack of intelligence or bravery, not through a lack of foresight on the part of Polish leaders. I believe the Polish legislative body enjoyed the right of almost unlimited debate as to subject but not as to time, though I do not claim to be an authority on the subject. Possibly that is the information the Senator desired.

Mr. FULBRIGHT. Mr. President, will the Senator yield for a further question?

The VICE PRESIDENT. Does the Senator from Wisconsin yield for a further question?

Mr. McCARTHY. I yield for a question.

Mr. FULBRIGHT. Is it not true that Mr. Pilsudski took over the direction of the government almost as a personal matter during the 1920's, and is it not true the legislature really did not exert much influence in that era?

Mr. McCARTHY. It is true that Pilsudski was a powerful force in Poland and exerted tremendous influence, both on the people and on the legislative body. I strongly feel, however, that, had Pilsudski still been living in 1939, the fate of Poland might have been considerably different. Certainly, had he been alive and in charge of the Polish Army at the time of invasion, Poland would have been able to have withstood Hitler's onslaught longer. I might say I consider Pilsudski to have been one of the greatest leaders of all times and also a great statesman.

Mr. FULBRIGHT. If I may comment on that, I agree——

The VICE PRESIDENT. The Senator may ask a question.

Mr. McCARTHY. I yield for a further question.

Mr. FULBRIGHT. I think the Senator misunderstood. I agree as to Pilsudski being a great soldier, but I was inquiring as to the vitality and integrity of the legislative chamber. The Senator said Poland was weak and fell because Pilsudski died. I think the information is clear that the legislative body was not sufficiently strong to keep the nation in such a condition that she could resist incursions by her enemies.

Mr. McCARTHY. I may say to the Senator I do not think Poland fell because Pilsudski died, but I believe that, had Poland had the services of Pilsudski at the time of the German invasion, she most likely would have been able to withstand the invasion longer. I assuredly do not feel that Pilsudski or any other man could have stood up against the tremendous German Army.

I know in asking these questions that the Senator has in mind the rather historic discussion which has been proceeding in the Senate for the past few days and which, no doubt, will continue. I may say I think it would be a tremendous mistake for the Senate ever to try to invoke cloture by majority rule. I believe it could mean that the rights of minorities could at some future time be completely lost in this Nation. I think we should have a sensible cloture rule which will make it impossible for a few irresponsible individuals at any time to prevent the Senate functioning. But I think it would be a great loss to every minority group in the country if the Senate were to say at this time that cloture will be invoked and that the right of unlimited debate and freedom of speech will be denied, through a simple majority vote.

Mr. President, today, as we all know, it is not possible for the traditional hand of friendship to be extended freely between ourselves and our Polish brothers. Some day the curtain will lift and we will be able to clasp the hand of brotherhood once more.

In the meanwhile, the life of our Nation has been enriched by those of Polish ancestry who have cast their lot with us. They have added glory to the deeds already done in the name of freedom and liberty by such a man as Casimir Pulaski. The honor rolls of those who fought, were wounded or died in this cause, are dotted with the names of men whose ancestral roots were in Poland.

These United States owe much to men and women who saw in this land the opportunities which their hearts longed for as well as to the men who saw the dream of independence taking shape in this new and untried country.

If it were not for men like Pulaski, who dared to stake his fortune and eventually his very life on this dream; who came forward with no hope of reward except that of liberty; who underwent untold hardships—cold, hunger, lack of adequate arms—trying to shape into the semblance of an army a group of untrained men, who knows what the outcome of this fight for freedom might have been?

Such friendships, carried on by succeeding generations, cannot and must not be forgotten. In this time of our great national strength, we can do no better than to honor in every way we can those men who cast their lot with us when the reward was nothing more than fighting side by side with men who had nothing more to offer than their determination and their dream of liberty to govern themselves.

That is why I have offered Senate Resolution 8 to so honor a man who made the supreme sacrifice that we might be a free nation—a nation that is now the beacon light for all free nations and for those who are struggling to regain their freedom.

Pulaski Day, October 11, as an official memorial day, can be used by all Americans as a day of rededication to the American way of life, in the memory of the man who gave his life for liberty, freedom and independence. It is a day, too, dedicated to those men and women of Polish descent who have carried on this torch from one generation to another and who have given us citizens whose devotion to liberty is unexcelled. It is a gesture of friendship to Poland herself, once more partitioned, once more enslaved by alien peoples, but in whose heart still burns the torch of liberty and Christianity.

AMENDMENT OF CLOTURE RULE

The Senate resumed the consideration of the motion of Mr. LUCAS to proceed to the consideration of Senate Resolution 15, amending the so-called cloture rule of the Senate.

Mr. HOLLAND. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Baldwin	Holland	Mundt
Broughton	Humphrey	Murray
Butler	Jenner	O'Conor
Byrd	Johnson, Tex.	Saltonstall
Chavez	Johnston, S. C.	Schoeppel
Cordon	Kerr	Smith, Maine
Ecton	Long	Sparkman
Flanders	Lucas	Thomas, Utah
Fulbright	McCarthy	Thye
George	McClellan	Tydings
Gillette	McGrath	Wherry
Hill	Martin	Wiley
Hoey	Maybank	Williams

The VICE PRESIDENT. Thirty-nine Senators have answered to their names. A quorum is not present. The clerk will call the names of the absent Senators.

The legislative clerk called the names of the absent Senators, and Mr. BREWSTER, Mr. CONNALLY, Mr. DOWNEY, Mr. GREEN, Mr. HICKENLOOPER, Mr. MCKELLAR, and Mr. TAYLOR answered to their names when called.

The VICE PRESIDENT. Forty-six Senators have answered to their names. A quorum is not present.

Mr. LUCAS. Mr. President, I do not think it is very commendable that we cannot get a quorum after two calls, at 3:30 in the afternoon.

The VICE PRESIDENT. Debate is not in order while a quorum call is in progress.

Mr. LUCAS. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The VICE PRESIDENT. The Sergeant at Arms will execute the order of the Senate.

After a little delay, Mr. AIKEN, Mr. EASTLAND, Mr. CHAPMAN, Mr. SMITH of New Jersey, and Mr. YOUNG entered the Chamber and answered to their names.

Mr. ANDERSON, Mr. BRIDGES, Mr. CAIN, Mr. DONNELL, Mr. DOUGLAS, Mr. FERGUSON, Mr. HAYDEN, Mr. IVES, Mr. JOHNSON of Colorado, Mr. KEFAUVER, Mr. KEM, Mr. KNOWLAND, Mr. MCCARRAN, Mr. MCFARLAND, Mr. MILLER, Mr. MILLIKIN, Mr. MORSE, Mr. MYERS, Mr. O'MAHONEY, Mr. PEPPER, Mr. ROBERTSON, Mr. RUSSELL, Mr. STENNIS, Mr. TAFT, Mr. THOMAS of Oklahoma, Mr. TOBEY, Mr. VANDENBERG, and Mr. WATKINS also entered the Chamber and answered to their names.

The VICE PRESIDENT. Seventy-nine Senators having answered to their names, a quorum is present.

Mr. FULBRIGHT. Mr. President, it seems to me rather odd that so many of the strong supporters of the proposed amendment of the Senate rule are unable to stay on the floor in order to hear the discussion; it is impossible to get a quorum except after great difficulty. I should have thought that if they were so interested in the proposal, they would at least remain here to listen to the debate.

The question under consideration today is one of the most important that has come before the Senate since I have been a Member of this body. Unfortunately, in the minds of some members of the press and some other persons, the present proposal to amend rule XXII has been identified with certain substantive legislation which has been proposed. I think that is unfortunate, because, in view of the way the situation has developed and particularly in view of the fact that the President and his administration have taken such an active interest in it, it now involves a fundamental change in the distribution of power in our Government. I can think of no other issue which has been before the Senate in the past several years that is of comparable importance, except the Supreme Court reorganization battle in the thirties, when an effort was made by the administration then in power to change the Supreme Court. At that time the Senate recognized that that proposal involved a fundamental change in the checks and balances of our constitutional system; and of course all of us are familiar with what happened in that respect.

I think the issue presently before us is not simply a proposed step toward the enactment of certain so-called civil-rights bills, although it might be that, and I think it is designed for that purpose; but its long-term significance would be to change the relative power of the coordinate branches of our Government.

Mr. President, the strange thing about this debate is that the very first day it was opened, it was described and dubbed as a "filibuster." The distinguished senior Senator from Georgia [Mr. GEORGE] started the discussion of this proposal. If I correctly recall, he spoke between 40 minutes and 1 hour. I do not think any other Member of this body—certainly none with comparable experience—speaks less than does the senior Senator from Georgia. I think that is probably explained by the fact that he speaks only when he has something worth saying and worth listening to. Certainly he is not noted for his long-windedness. But in spite of that, the press started off that day by saying the filibuster had begun; which I think illustrates the prejudices which have been engendered by the press and certain of the so-called liberal leaders of the country with regard to the whole question.

I was interested in knowing just what a filibuster is, in the mind of someone who could not be accused in any way or suspected of merely trying to make headlines or produce what the press calls "reader interest material." I find in Mr. Haynes' book, The Senate of the United States, a very short definition which seems to me to fit the situation very well. It reads:

> The agility with which some of the most eminent Senators have from time to time shifted their attitude on the filibuster illustrates the appropriateness of the definition—

And this is the principal point—

> A filibuster is either a reprehensive artifice of a sinister opposition, or an ingenious and patriotic device of our friends for saving the people.

Again, he says:

> A filibuster is an abomination unto the Lord, and a very present help in trouble.

So, Mr. President, you may take your choice. From time to time, that is about the way filibusters have been described in the past. But I may say that uniformly, in my rough estimate, about 90 percent of the press, if not more, have dubbed the present debate a filibuster from the very beginning of it, the very minute it was opened by the senior Senator from Georgia. I think if one is at all fair in looking at the RECORD of the past week, he will find there has been remarkable restraint on the part of those in opposition to the pending question. For myself, I was very anxious to begin my speech and conclude it at the earliest possible moment, but in spite of my desire, many of the Senators supporting the resolution were unable to attend the Senate and furnish a quorum.

There is one remarkable, and I think most interesting, exception to the attitude of the press, that this is a superficial matter, and, in the sense that it involves only a simple rule of the Senate, is a filibuster to begin with. That remarkable exception appeared in a column in yesterday's Washington Post. Its author, I think, is recognized by every thoughtful student of governmental affairs as one of the most profound thinkers we have had during the past 20 years; certainly one of the leading commentators on governmental matters. I refer to Mr. Walter Lippmann. He so concisely condenses the essence of the significance of the problem before us that I think his column should be read into the RECORD at this point. I may say I do not think anyone could accuse Mr. Lippmann of being a provincial or sectional man, and if he should be called that by someone who might disagree with him, he certainly is not from the South, which is being accused of dilatory tactics in this instance. The title of the article is "Filibusters and the American Idea." Mr. Lippmann says:

> Although the question before the Senate is whether to amend the rules, the issue is not one of parliamentary procedure. It is whether there shall be a profound and far-reaching constitutional change in the character of the American Government.

That is what I had reference to when I said this is comparable to the change in the Supreme Court that was proposed in the 1930's. As Senators will remember, the proposal at that time was merely to increase the number of Justices of the Supreme Court, but it would have altered in a very drastic manner the whole significance of that body. Mr. Lippmann continues:

> The proposed amendment to rule XXII would enable two-thirds of the Senate to close the debate and force any measure, motion, or other matter to a vote. If the amendment is carried, the existing power of a minority of the States to stop legislation will have been abolished.
>
> "Stripped of all mumbo-jumbo and flag waving," says the New York Times, "the issue, is whether the country's highest legislative body will permit important measures to be kept from a vote through the activities of a few leather-throated, iron-legged Members who don't want democratic decision." This is an unduly scornful and superficial way to dispose of a great constitutional problem. For the real issue is whether any majority, even a two-thirds majority, shall now assume the power to override the opposition of a large minority of the States.
>
> In the American system of government the right of democratic decision has never been identified with majority rule as such. The genius of the American system, unique I believe among the democracies of the world, is that it limits all power—including the power of the majority. Absolute power, whether in a king, a president, a legislative majority, a popular majority, is alien to the American idea of democratic decision.

I think that is a very significant passage.

> The America idea of a democratic decision has always been that important minorities must not be coerced. When there is strong opposition, it is neither wise nor practical to force a decision. It is necessary and it is better to postpone the decision—to respect the opposition and then to accept the burden of trying to persuade it.
>
> For a decision which has to be enforced against the determined opposition of large communities and regions of the country will, as Americans have long realized, almost never produce the results it is supposed to produce. The opposition and the resistance having been overridden, will not disappear. They will merely find some other way of avoiding, evading, obstructing, or nullifying the decision.

For that reason it is a cardinal principle of the American democracy that great decisions on issues that men regard as vital shall not be taken by vote of the majority until the consent of the minority has been obtained. Where the consent of the minority has been lacking, as for example in the case of the prohibition amendment, the democratic decision has produced hypocrisy and lawlessness.

This is the issue in the Senate. It is not whether there shall be unlimited debates. The right of unlimited debates is merely a device, rather an awkward and tiresome device, to prevent large and determined communities from being coerced.

The issue is whether the fundamental principle of American democratic decision—that strong minorities must be persuaded and not coerced—shall be altered radically, not by constitutional amendment but by a subtle change in the rules of the Senate.

The issue has been raised in connection with the civil-rights legislation. The question is whether the vindication of these civil rights requires the sacrifice of the American limitation on majority rule. The question is a painful one. But I believe the answer has to be that the rights of Negroes will in the end be made more secure, even if they are vindicated more slowly, if the cardinal principle—that minorities shall not be coerced by majorities—is conserved.

For if that principle is abandoned, then the great limitations on the absolutism and the tyranny of transient majorities will be gone, and the path will be much more open than it now is to the demagogic dictator who, having aroused a mob, destroys the liberties of the people.

Mr. President, I think that article sums up in a very concise and intelligent manner the very essence of the pending question.

The PRESIDING OFFICER (Mr. TYDINGS in the chair). If that remark were addressed to the Chair, the Chair would like to agree with the Senator from Arkansas.

Mr. FULBRIGHT. I appreciate the Chair's attitude. I think the Chair is of course much better able to recognize the significance of it than is the Senator from Arkansas, the Chair having had much greater experience in matters of this kind. I must say I can well understand why many people who have not studied the Senate closely can misconstrue the significance of the issue, because on its face the proposal appears to involve a very simple little change in the matter of procedure. I think that explains why so many Senators first come to the Senate with the idea that so-called unlimited debate must be a terrible thing and the rules ought to be changed. But in reading the record made at the hearings, and in reading the books, particularly the one I just mentioned, by Mr. Haynes, almost without exception, ever since the Senate has been in existence, after Senators have been here a few years, long enough to become acquainted with the function of the Senate, they have changed their minds and have been against cloture.

I think it is rather significant, and I shall refer to it again, that some of the proponents of this measure, the overwhelming majority of the enthusiastic supporters of cloture, are Senators serving their first term. I think that has some significance in the consideration of the validity of the arguments of the proponents of the resolution.

There is another very short editorial which I should like to read, which appeared in the Evening Star of Tuesday, March [illegible]. It contains a statement of the elder La Follette which is quite appropriate.

The PRESIDING OFFICER. The Chair admonishes the occupants of the galleries to desist from conversation.

Mr. FULBRIGHT. I thank the Chair for endeavoring to keep order.

The editorial to which I have referred is entitled "Filibusters and Democracy." I shall read only two paragraphs. The first one is as follows:

A classic defense of the filibuster came from the elder La Follette, one of the great Senate liberals of all time, in these words—

Before I proceed, let me say that I hope I shall not forget to refer later to the subject of liberals. It is a strange coincidence that so-called liberals predominate in this great movement to restrict the power of the Senate. Those liberals are, in most cases, the identical Senators, in their first term, who have not yet come to appreciate the significance of the rules and functions of the Senate.

These are the words of the elder La Follette:

Believing that I stand for democracy, for the liberties of the people of this country, for the perpetuation of our free institutions, I shall stand while I am a Member of this body against any cloture—

Any cloture, he said—

that denies free and unlimited debate. Sir, the moment that the majority imposes the restrictions imposed in the pending rule, that moment you will have dealt a blow to liberty, you will have broken down one of the greatest weapons against wrong and oppression that the Members of this body possess.

I think some of the professed liberals who are so anxious to change the rules would do well to study the thoughts of one who, I think, can be ranked as one of the true liberals of this Nation.

I read further:

Behind the cloture fight that began in the Senate yesterday is the civil-rights legislation, and one is apt to classify as "liberals" those who favor civil-rights legislation as against the "conservatives" who oppose it. But the true liberal would be more apt—

Note this, Mr. President—

the true liberal would be more apt to oppose cloture and defend the filibuster than otherwise. And while there are many things that in truth may be said against the filibuster, one of them is not that it is undemocratic. Existence of the filibuster device, no matter how it may be used, is as true as any evidence that we operate under a democratic system. Only in a democracy could the filibuster exist.

I submit, Mr. President, that is absolutely unanswerable. It is a strange thing that those gentlemen who, I think, believe they are liberals, are among the most aggressive proponents of this effort to restrict the freedom of debate in the Senate. I cannot help but be reminded of some of the situations which arise, and have risen in the past, in connection with the use of words. It was only 20 or 30 years ago that the leaders of the revolution in Russia were spoken of as liberals. They were always identified as liberals. They were far to the left. Such persons soon go so far to the left that we find them coming in on the opposite side of the right. They have become so liberal that they are now either Fascists of Communists. The difference I am unable to discern. I think they often lose sight of the extremes to which they can go. I shall have some very interesting comment later with regard to the position of the labor unions in that connection.

Mr. President, I have a few little maxims of some very famous men, and I thought it would be well to put them into the RECORD in my introductory remarks, in order that my feeble words may have the prestige of those of much more eminent men who have spoken on the subject.

The PRESIDING OFFICER. That is doubtful, but, without objection, the maxims may be incorporated in the RECORD.

Mr. FULBRIGHT. I thank the Chair.

James Madison made a very short statement. I am confining these statements to the very shortest ones I can find. I should like to be able to put into the RECORD the much more extended remarks of Mr. James Madison. He said:

The use of the Senate is to consist in its proceeding with more coolness, with more system, and with more wisdom, than the popular branch.

Moncure D. Conway said:

There is a tradition that on his return from France Jefferson called Washington to account at the breakfast table for having agreed to a second chamber.

He had reference to the Senate.

"Why," asked Washington, "did you pour that coffee into the saucer?" "To cool it," quoth Jefferson. "Even so," said Washington, "we pour legislation into the senatorial saucer to cool it."

I think that is an illustration which most of the Senators can understand.

Edmund Randolph said:

The general object was to provide a cure for the evils under which the United States labored; that in tracing these evils to their origin every man had found it in the turbulence and follies of democracy; that some check, therefore, was to be sought against this tendency of our Government; and that a good Senate seemed most likely to answer this purpose.

James Wilson said:

It is a maxim that "the least numerous body is the fittest for deliberation; the most numerous, for decision."

Mr. President, I place those maxims in the RECORD simply as something to which to refer, because I think the points which I hope to be able to develop in the course of my remarks bear out the sentiments of those eminent gentlemen.

As I said a moment ago, the tendency of the new Members of the Senate to be in favor of changes is not a new one. In the debate of 1918, the late Senator Townsend, of Michigan, had this to say—and I thought it was quite interesting, because the situation which exists in the Senate today is nothing new. He was speaking in the debate on the Underwood resolution of 1918. He said:

Most new Senators are instinctively for reforming rules.

That was true in 1918, and it is evidently still true. I have no doubt it was true before that time. I think the majority leader quoted, a day or two ago, a statement of the elder Henry Cabot Lodge, of Massachusetts, who became a Member of the Senate about 1893. He quoted a statement which the late Senator Lodge had made when he first became a Member of the Senate. It was an article which he had written to the effect that he thought a change in the rules was advisable. But the majority leader did not quote a later article which the late Senator Lodge wrote in 1915, in which he very strongly condemned the effort then being made to change the rules.

Let me read one other sentence from former Senator Townsend, of Michigan, in the same speech, which I thought worthy of quoting, since I have it before me. I read:

> It will be a sad day for our Republic when the Senate ceases to be a free and open forum. Not culture but intelligent deliberation is the present need. This is an insidious attempt, as it seems to me, to limit debate and confine it according to the wishes of people not connected directly with the Senate.

I may call the attention of the Senate to a great many other statements of some of the well-known and leading statesmen of the past contained in the back part of the hearings before the committee.

Mr. President, I have listened to the debate on this question during the past few days with a great deal of interest. Although the proposal in form is merely a change in the rules of the Senate, as Mr. Lippmann says, in fact and in substance it is far more than that. Although it is generally believed that this change is motivated primarily by the desire of some Senators and the administration to pass the anti-poll-tax, antilynching, and FEPC measures, such a change has a much greater and more profound significance than the passage of any particular legislation.

Mr. EASTLAND. Mr. President——

The PRESIDING OFFICER (Mr. BROUGHTON in the chair). Does the Senator from Arkansas yield to the Senator from Mississippi?

Mr. FULBRIGHT. I yield for a question.

Mr. EASTLAND. The Senator spoke of one of the bills being the FEPC bill. Did the Senator know that the labor committee of the Minnesota State Senate killed a State FEPC bill in the State of Minnesota on Tuesday of this week?

Mr. FULBRIGHT. I did not know that, and I am astounded to hear it. In view of the position, certainly, of some of the representatives of the State of Minnesota, I am very much surprised.

Mr. EASTLAND. Will the Senator yield for another question?

Mr. FULBRIGHT. I yield for a question.

Mr. EASTLAND. Does the Senator think that the representatives from Minnesota, after the people of their State through their legislature have killed FEPC, should, through the power of the Federal Government, attempt to force that vicious system on their own people and on the people of the rest of the country?

Mr. FULBRIGHT. It would seem to me to be an entirely unwarranted procedure, and I cannot imagine that anyone would undertake to do such a thing. I had thought that the only excuse they could have was that their own people certainly were in favor of it, and I had assumed that in a State like Minnesota they had long since adopted it and were living up to it in every respect. I did not know about the report to which the Senator refers.

Mr. EASTLAND. Did the Senator know that the Minnesota State Senate, before it killed the whole bill, amended it to eliminate the provisions which would permit hearsay evidence to be introduced against one charged before the commission which was sought to be set up, and to let the rules of evidence apply? Does the Senator think, then, that they should come here and attempt to use the full power of the Federal Government to enact a law under which hearsay evidence would be admitted and American employers deprived of their right, through the power of the Federal Government, when their own State government would not accept it?

Mr. FULBRIGHT. I certainly do not think they should do so. Along that line, I think it was last year or the year before, in the debate on the Senate on the measures enumerated, I said, and I still very strongly feel, that the proper way to approach it, if people are serious about this matter, is for each State which wants it to enact such legislation and give it a trial; in other words, to act as a laboratory, and if they can prove by experience that it has merit and can be administered in a way which is satisfactory to the people, after a number of years of trial—if a sufficient number of States do that, I am quite sure the other States, with that kind of experience before them, assuming that it is good, would be willing to accept it, but assuming it is not good, as I think will be proved, we will have a final and definite answer, and no longer will be bothered by the question in the Congress.

Mr. EASTLAND. Does the Senator know that in the State of Minnesota the senate committee on labor of the legislature first adopted an amendment, before it killed the whole bill, giving an employer the right to appeal to the courts for the adjudication of his rights, a right which would be denied an employer under the pending FEPC proposal in the Congress? Since the State of Minnesota has so spoken, as has every other State in the Union, where the people have been left to vote, does the Senator see the justice of using the power and force of the Federal Government to enact a law which would deny an employer even an opportunity to have his rights adjudicated in the courts created by the Congress of the United States for that purpose?

Mr. FULBRIGHT. I cannot see any justification at all for any such procedure. I think that one of the great weaknesses in many of the bills which have been passed is that an effort has been made to impose from Washington measures which really none, or very few, of the local governments of the States would be willing to accept, especially in this field, where uniformity is something that is extremely hard and difficult to attain, and I do not think it is desirable to begin with.

Mr. EASTLAND. In view of the fact that FEPC has been voted on by the people of 15 States, including the State of California, where it was defeated by a vote, roughly, of 2 or 3 to 1, and lost in every county in that State, does the Senator feel that the Congress of the United States should listen seriously to an attempt to cram down the throats of the people a law which they have repudiated every single time it has been placed on the ballot?

Mr. FULBRIGHT. I certainly think it should not be considered at all, in view of facts such as that. I must say, Mr. President, that I am greatly surprised at the news the Senator from Mississippi brings, and he knows more about this subject than anyone else in the Senate.

Mr. EASTLAND. In view of the fact that the people in every instance have repudiated FEPC, and have defeated it when they have had a chance to vote on it, does not the Senator see in an effort to adopt this resolution and amend the Senate rules so that these various measures can be passed through Congress, an attempt by a very small minority of the people of the country to enforce their will on the great majority of the people, and pass a law promoted by a very few special groups which the great majority of Americans oppose?

Mr. FULBRIGHT. Certainly, Mr. President, the sponsors of the pending resolution make no secret and no bones about their intention, indicating that that is why they want cloture in the Senate rules. As I tried to point out in the beginning, it is a very unfortunate aspect of this whole affair, that, motivated by a desire for legislation of this character, they are willing to sacrifice the long-established rules of the Senate, which not only would result in the evil to which the Senator from Mississippi has referred, but in my opinion would make us subject to unknown evils of a similar kind, brought about by measures supported only by some transient majority in the Senate at some time in the future.

Mr. EASTLAND. Is it not simply an attempt to amend the rules to pass legislation that is opposed by the vast majority of the people of the United States?

Mr. FULBRIGHT. As of this moment, this particular move is exactly that, in my opinion.

Mr. EASTLAND. Is it not an attempt to force minority rule on the country?

Mr. FULBRIGHT. I think in this instance it certainly is, and of course, it could be used for that purpose in the future.

Mr. LUCAS. Mr. President, will the Senator yield at that point for a question?

The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from Illinois?

Mr. FULBRIGHT. I yield for a question only.

Mr. LUCAS. I should like to ask my able friend, the Senator from Arkansas,

what it is that the minority of the United States Senate are attempting to force on the country by preventing the public business being transacted in an orderly manner?

Mr. FULBRIGHT. I will say to the Senator that the present procedure was not forced on the Senate by the minority—that is, if the Senator is intimating that I am of the minority. In my opinion, when the vote comes, it is very likely that we, to whom the Senator refers, will not be in the minority. But assuming, as the Senator in his question assumes, that we are in the minority, I wish to say that we did not force the fight on this question at all. It was demanded in the first place by the leadership of the Senate, and reinforced yesterday by the attitude of the President. I think this is another example of the irresistible desire of all executives—and I am not speaking merely of our present President; it has been true with respect to executive power throughout history—that whenever there is obstruction to the carrying out of their will in the immediate future, they want to do something about it, and they usually attempt to force through their will, and this is one of the few countries in the world in which they have not been successful in doing it.

I think the present procedure in the Senate is part and parcel of that instinctive desire on the part of the Executive to override obstructions. That is why I made the reference to the Supreme Court fight. The same situation existed at that time. In that instance circumstances happened to be such that the Supreme Court was not going along with the Executive. Therefore it was desired to pack the Court in order to destroy the obstruction. It so happens that now, under different circumstances, it is believed that the Senate is holding up something, not going along just as the Executive wants, and therefore the effort is made to change the rules of the Senate, which, in my opinion, has just as much significance for the future of the Government as packing the Supreme Court. I can see very little difference. It is an effort to destroy the real power and function of the Senate in our system of Government. That is exactly what I think it is. And the effort of the so-called minority, if the Senator from Illinois likes to call it the minority, is to let the people know the significance of this move.

Mr. Walter Lippmann stated—the Senator from Illinois was not present, I believe, when I referred to it—that this is a very subtle change which appears to be a small, limited, insignificant move, designed to pass civil-rights legislation. But that is not what it is at all. The public, and 90 percent of the press, think that is what it is. Members of the press write of it in that way. They all seem to be for it. They do not seem to realize what it is. So it is the function of the minority, as the Senator from Illinois terms it, to give the people of the country the time to understand what is involved. Fortunately one columnist, who speaks with some authority, is able to see what is involved, and has written an article which, I believe, will open the eyes of a great many people of the country.

Mr. LUCAS. Mr. President, will the Senator yield to me for a question?

Mr. FULBRIGHT. I yield for a question.

Mr. LUCAS. Will my able friend, the Senator from Arkansas, tell the Senate and the country just how long he thinks it will take the minority to advise us exactly what it has in mind by way of educating the American people as to what is at stake here?

Mr. FULBRIGHT. Mr. President, I wish I could determine that. But this is the first time the senior Senator from Illinois has been on the floor while I have been speaking. Unless those who are proponents of the resolution will stay on the floor and expose themselves to a little serious information on this subject, it can take an indefinite period to educate them. I venture to say that if those who favor the resolution would stay on the floor and listen to what is being said seriously on this subject, it would take no longer than a week to change the opinions of 90 percent of them. But they will not stay here. The Senator from Illinois said a moment ago that it required 30 minutes to get even a quorum on the floor. I was present during the quorum call. Many of the opponents of the resolution were present. I must say that it will take a long time to educate Senators if they are not present on the floor to listen to what is being said. We can give pertinent information on this subject to a very few Senators during the short time they are present on the floor. We can only make little pecks at them. The Senator from Illinois may be present for a few minutes, but he may be gone in the next 5 minutes. I think I can guarantee to the Senator that if he will bring in all the proponents of the resolution, and make them stay here and listen, that we can convert them inside of a week. But how can we do it when there is no one here?

Mr. LUCAS. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Will the Senator from Arkansas yield further to the Senator from Illinois?

Mr. FULBRIGHT. I yield for a question only.

Mr. LUCAS. Will the Senator from Arkansas guarantee to the Senator from Illinois that there will be a vote taken upon the proposal now pending if I bring in a majority of Senators, and keep them here constantly for a week to listen to the Senator from Arkansas and other Senators from the South talk on the subject?

Mr. FULBRIGHT. If the Senator would bring in all the proponents, the great liberals, who have been referred to as proponents, they could be educated and brought around to our point of view. I am sorry the Senator was not present when we were talking about liberals, because I think he would have been interested in that part of the discussion. But what has now taken place gives us an example of what I mean. I feel that I will now have to go all over that question for the benefit of the Senator from Illinois. It is the function of the Senate to inform the people. That is its principal function to a much greater degree than legislating, and I have some very good authority on that very point which I shall quote to the Senator in a very few minutes, if he will do me the compliment of staying here and giving me an opportunity to do so.

Mr. LUCAS. Mr. President, will the Senator yield for a further question?

The PRESIDING OFFICER. Does the Senator from Arkansas yield further to the Senator from Illinois?

Mr. FULBRIGHT. I yield for a question only.

Mr. LUCAS. Does the Senator agree with me that whatever the Senator from Arkansas says will secure wide expression in the press of the country? The Senator said a moment ago that he was not attempting to educate the Senate as much as he was the people of America to the seriousness of this situation. The Senator will agree with me that whenever he speaks upon the floor of the Senate he makes headlines. He does not need to address himself so much to the Senate as he does to the country as a whole to convince the people, because the Senator is aware that every Senator knows now how he is going to vote on this question. The Senator has been in various meetings. He has been in contact with Senators and he knows exactly what the vote is going to be, so far as his group interested in this question is concerned. It is not a question of educating Senators at all. It is simply a question of taking the time of the Senate of the United States to hold up the orderly business of the United States Senate.

Mr. FULBRIGHT. Mr. President, I would say to the Senator that I believe he is quite incorrect. Since day before yesterday, as the result of the letter which I shall read in a moment, sent out by a Mr. Cowan, of the CIO, and also as the result of the statement by the President made yesterday, we have gained a substantial number of votes. Senators' eyes are being opened. Daily, as a result of the debate proceeding in the Senate, the position we take is gaining adherents very rapidly. We are gaining in strength as a result of the debates which are taking place, After all, the purpose of debate is to endeavor to convince others of the justice of one's cause. Therefore, I think the Senator from Illinois is entirely wrong in saying that today every Member of the Senate knows exactly how he is going to vote. Senators do not know how they are going to vote. I think Senators are very rapidly coming to see the light on the question, and if we are given another week I think the majority leader will not even dare to bring the question to a vote. I think it will all be forgotten.

Mr. LUCAS. Mr. President, will the Senator again yield?

The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from Illinois?

Mr. FULBRIGHT. I yield to the distinguished majority leader.

Mr. LUCAS. If the Senator could guarantee to me that he would get a vote here within 2 weeks' time I would be glad to give him 2 weeks' time But the Senator from Arkansas does not believe any

Senator is so naive that such a statement can be taken seriously.

Mr. FULBRIGHT. So far as I am concerned, and I believe that would be the view of others on our side of the question, I think we could have a vote if the Senator from Illinois would guarantee to keep all Senators here on the floor during the debate. But how can the Senator do that? We are obliged to deal with Senators one at a time as they have a few minutes between their committee meetings. That is all we can do.

Mr. TOBEY. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield to the Senator from New Hampshire for a question only.

Mr. TOBEY. I have a very pertinent question to ask. Preliminary to the question, I point out that often the very pertinent cry wells up from the stomachs of men: "When do we eat?" and I, as a Senator from the State of New Hampshire, on behalf of the Senate of the United States, propound to the distinguished Senator from Arkansas the question: "When do we vote?"

The Senator from Arkansas has asserted that Senators are not present on the floor of the Senate while the debate is going on. I will tell the Senator why they are not present. It is because some of them are sick unto death of this piddling stuff which is going on day after day here, this childish, this kid stuff. Senators are talking and talking without getting to the point. I do not share the confidence expressed by the Senator from Arkansas. Most Senators know how they are going to vote on the question. They want a chance to vote and get down to a decision. But here there is a continual drool, drool, drool. I am heartily sick of it. So I ask the Senator: "When do we vote?"

Mr. FULBRIGHT. Mr. President, I yielded for a question.

Mr. TOBEY. That is the question I should like to have answered.

Mr. FULBRIGHT. The Senate will vote when Members of the Senate have nothing further to say on the question. That is according to the well-established and ancient rules of the Senate.

Mr. TOBEY. Ad infinitum, ad nauseam.

Mr. FULBRIGHT. Mr. President, may I be protected from this interference? I yielded only for a question.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield only for a question.

Mr. FERGUSON. The Senator has made the remark that if Senators were required to remain in the Chamber and listen to all the debate, the opposition could be convinced. I should like to know whether or not the Senator is familiar with the constitutional provision against cruel and unusual punishment. [Laughter.]

Mr. FULBRIGHT. I realize that it might well have been that, because as I was about to speak it was difficult to obtain a quorum. I think it is very mean of the Senator to call attention to my reputation; but unfortunately I cannot help it.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield for a question only.

Mr. TYDINGS. Does not the junior Senator from Arkansas realize, as he looks over the Senate Chamber, that because of his eloquence, logic, and persuasion, he is addressing one of the largest meetings of the Senate that has been held since we convened on the 3d of last January?

Mr. FULBRIGHT. I appreciate the implication of the Senator's remark. I must say that there seem to be a few more Senators present than there were when I started.

The way in which one may regard this change in the Senate rules will be influenced to a considerable extent by what one may think is the proper role or the principal function of government in human affairs.

To me, one of the principal objectives of government is to provide the machinery by which free people may live in peace with one another. There are of course other functions that have been assumed in recent years of a paternalistic nature, some of which I regard as necessary, required for the most part by the growth of industrialism and scientific discoveries.

Nevertheless, basically I think government's role is to enable individual human beings to live together in peace. Good government assures the citizen freedom and justice. Government is a substitute for the law of the jungle, under which every man looks only to his own resources for his protection from his fellow men.

As the Declaration of Independence puts it, governments are instituted among men to secure, among others, the rights of life, liberty, and the pursuit of happiness. It will be noted that it says pursuit of happiness, not that happiness is to be handed us on a silver platter.

In the achievement of this basic objective of our Government, I think the Senate of the United States has played an extremely important, if not indispensable, part. When we examine closely the various parts of our governmental structure and the functions they play in the daily operation of our country, we find that the Senate is the one unique body in that complex organization. In no other government in the world that I know of is there a body in which the membership is selected on a basis similar to that applying to the Senate, and in no other body is there the right of free debate uncontrolled by a transient majority of its own members or some outside autocrat. I believe that the unique character of the Senate in our system of government cannot be overemphasized.

In Russia they have a constitution, which on paper looks as good as or better than ours, but it has no meaning whatsoever. In England they have no constitution, and yet they have self-government. I should add, however, that during the period of England's greatness as a world power, her upper House did have the power to restrain for a limited period the excesses of the House of Commons.

My point is that in view of the success of our system of government for 170 years, and the fact that the Senate, with its tradition of unlimited debate, is a unique feature of our Government, it seems to me that it would be the height of folly to abandon that tradition under the circumstances now prevailing in this body.

The reason why this tradition of unlimited debate is of such importance is that its existence, the possibility of its use, has been the greatest inducement we have to restraint and reasonableness on the part of Members of this body.

One of the Members of this body, the junior Senator from Oregon [Mr. MORSE], on several occasions in the hearings expressed the view that we can safely rely upon the sportsmanship, the tradition of courtesy in this Chamber, for the reasonable use of the power to shut off debate which he wishes to give the majority. He introduced a resolution providing for majority cloture. The assumption of the junior Senator from Oregon seems to be that Senators are not like other men, that in some mysterious way we are above the temptation which so commonly afflicts the rest of mankind to use power to the fullest.

I think that point is very interesting. I think the junior Senator from Oregon is very sincere in the point which he makes. He makes it in many places in the hearings. I should like to read a few of his statements to show examples of what I mean, because I honestly believe that it is around that idea that several conscientious younger liberal Members have formed the conclusion that that is what accounts for the success of the Senate. I read several brief sentences from statements of the junior Senator from Oregon. As reported on page 32 of the printed hearings, the Senator from Oregon said:

> With no reflection on the House, I just want to call attention to the great differences not only in the traditions between the two bodies, but the great difference, I think, in the point of view which men have when they come to the Senate in protecting the great historical traditions of that body.

He has the feeling that there is some great difference between Members of the Senate and Members of the House.

On page 33 the Senator from Oregon stated:

> I am not at all disturbed about the fear that both you and Senator HAYDEN have expressed as to what a majority in the Senate might do because I think you are overlooking the great pulling weight of the traditions of the Senate in protecting legitimate minority interests. I think that the rule requiring 16 signatures to get cloture out is a very important safeguard that we must not overlook. Just go around and try to get 16 men to sign a cloture petition. It is a very difficult thing to do, and you have got to have a good case before you can get the signatures.
>
> Senator GREEN. What is a good case? The other person thinks it is a bad case.
>
> Senator MORSE. That is the purpose of having majority rule, to decide what the final decision should be.

Again, on page 62, he expresses the idea that in some way the traditions of the Senate are a sufficient protection:

> Senator MORSE. My honest and very sincere answer is I think there is no danger of it in

the Senate because I simply believe in the decency and fairness of men, and I think that the historical traditions of the Senate are such that we need never fear the Senate's denying to the minority adequate time to make its case on the merits.

The argument seems to be that because Senators are such good fellows that is all that is required. That argument runs throughout his statements.

On page 63 he says:

I just feel that people in the Senate of the United States are never going to let partisanship blind them to good sportsmanship and fairness.

That argument is repeated throughout his statement.

Mr. LONG. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield for a question only.

Mr. LONG. In that connection, I ask the Senator what he thinks of the argument that the traditions of the United States Senate will protect us from unrestrained majority rule when the advocates of the change of the rule to a simple majority are proposing that we first change the rule, and then that they submit a cloture petition on one piece of legislation, followed by another, having at least three pieces of legislation in mind which they intend to pass under gag rule? How long does the Senator think the traditions of the United States Senate calling for free, full, and fair debate would last if at this session we were to tear the rule apart and pass three pieces of legislation under cloture as soon as we change the rule?

Mr. FULBRIGHT. Mr. President, I say to the Senator that I do not think they would last at all. I think the distinguished junior Senator from Oregon [Mr. MORSE], who has just come to the floor of the Senate—and I am very glad he has—is completely and absolutely in error in believing in the theory that the fairness and decency of Senators, which he says seem to be inherent in them because they are Senators, will protect the Senate in the exercise of the majority rule which he proposes.

In that connection let me point out that this morning in the Committee on Labor and Public Welfare, of which the able and distinguished junior Senator from Oregon is a member, we had a good example of what may happen in that respect. It is my understanding that at the committee meeting this morning the so-called repealer bill of the Taft-Hartley Act was brought up; and it is also my understanding that at that time the majority of the committee did not act in the way the Senator from Oregon has stated he has felt sure that majorities in the Senate would act if the proposed change in the rule were made. I understand that at the hearings on the proposed change in rule XXII the Senator was driven to say that he felt sure he could rely on the decency and fairness of majorities in the Senate. In describing majorities in such terms, I am sure the Senator did not mean to exclude the Members of the Senate now present in the Chamber. Nevertheless, I understand that this morning the committee to which I have referred refused to recognize the Senator from Oregon for the purpose of permitting him to present his amendment to the repealer bill to the Taft-Hartley Act, voted the Senator out of order for attempting to present his amendment, and voted that the bill be reported by the committee without any amendment whatsoever. I think that is an excellent example of just how effective the decency and sense of fairness and good sportsmanship to which the Senator from Oregon has referred would be when applied on the floor of the Senate as soon as an end were made to the power to debate and examine a question fully and fairly here.

Mr. LONG. Mr. President, will the Senator yield for a question?

Mr. FULBRIGHT. I yield for a question only.

Mr. LONG. Is the Senate to understand that the junior Senator from Oregon has already been denied the senatorial courtesy on which he has been relying?

Mr. FULBRIGHT. I do not know that I would use exactly that phrase, but I think that is what happened this morning, because as I understand the matter his confidence in relying upon majority rule in the Senate was based upon his feeling that the usual senatorial courtesy was inherent in the Members of this body, regardless of the Senate rules.

Mr. RUSSELL. Mr. President, will the Senator yield for a question?

Mr. FULBRIGHT. I yield for a question only.

Mr. RUSSELL. I should like to ask the distinguished Senator from Arkansas, who is making an excellent presentation, if the recent outburst here by the Senator from New Hampshire [Mr. TOBEY] because he could not fix the exact moment of voting to please his own convenience, is perhaps illustrative of what a sweet spirit of Christian charity and courtesy we might expect to find if we ever put into the hands of a majority of this body, which in some cases could be only 25 Senators, the power to gag Senators before they had an opportunity to speak. The Senator from New Hampshire became excited and "exploded all over the place" because he could not vote at a time convenient to himself, whereas there are on the floor a number of Senators who have not yet had an opportunity to present their views on this important issue.

Mr. FULBRIGHT. I say to the Senator that I could not agree with him more heartily, and it seems to me that the idea of senatorial kindness and fair dealing is in many respects denied by the very submission of the proposal we are now considering. If all Senators are such good fellows and are so fair about all matters, why do some Senators wish to change the rule? Why are not we fair enough to let other Senators have due and fair treatment on the floor of the Senate? I cannot see any occasion for a change of the rule, under those circumstances.

Mr. President, if we carry that theory to its ultimate conclusion, we must decide that we do not need to have any rules whatsoever in the Senate and we do not need have a Presiding Officer to give us lectures when questions of this kind come up for consideration and tell us how to act. That would be entirely unnecessary, according to that theory. However, we know that it is necessary to have rules in the Senate, just as it is anywhere else.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I am delighted to yield to the Senator from Oregon, but only for a question.

Mr. MORSE. Is it the understanding of the Senator from Arkansas that the iron-curtain tactics which the Democrats used this morning in the Committee on Labor and Public Welfare are comparable to the tactics which they could possibly be allowed to use under the cloture rule in the Senate which the junior Senator from Oregon has proposed?

Mr. FULBRIGHT. It is my belief that in the logical working out of the proposal the Senator from Oregon has made, he would find exactly that situation on the floor of the Senate.

Later, Mr. President, I shall discuss a little more fully a matter which I do not mind taking up now: I think the great error in the position of the Senator from Oregon is that he thinks he can guarantee that the change under consideration will go no further than his particular concept of what the rule should be. However, in view of the fact that the President says he favors simple majority cloture, which in its furthest extent could mean that 25 Senators could impose cloture, and in view of the great expansion of centralized government which has occurred all over the world, and certainly in this country, as the Senator from Oregon well knows, if he considers this matter seriously, I do not think he can correctly assume that the change in the rule he urges is the only change which would be made.

The PRESIDING OFFICER. The Chair would observe that the junior Senator from Oregon [Mr. MORSE] is permitted to join the Senators on the Democratic side and to speak there only by unanimous consent. [Laughter.]

Mr. MORSE. Mr. President, I am only asking a question.

Mr. FULBRIGHT. I may say to the Chair that we are delighted to have the Senator from Oregon on this side of the aisle, and I think he is an excellent prospect for persuasion in this field. That is one of the justifications for carrying on these debates, which I hope are not too much aside from the point.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield for a question only.

Mr. MORSE. Is it the understanding of the Senator from Arkansas that now, on another issue, the President of the United States has come to agree with the junior Senator from Oregon—namely, on the issue in regard to the majority vote principle in the Senate?

Mr. FULBRIGHT. It is my understanding from the press that on yesterday the President stated he was in favor of a simple majority cloture rule in the Senate.

Mr. MORSE. Will the Senator from Arkansas permit me to ask him one or two questions in regard to the procedure

which the junior Senator from Oregon has proposed to the Senate, and in regard to which the President of the United States seems to be in complete agreement: First, does the junior Senator from Arkansas agree that the junior Senator from Oregon has proposed a form of cloture that would allow the Senate to debate for a period of 96 hours after the invoking of cloture, if it were invoked?

Mr. FULBRIGHT. I understand that that is the proposal made by the Senator from Oregon. The point I was making a moment ago is that there is no way by which the Senator from Oregon can assure us that that would be the actual rule a week after the adoption of his proposal, because it could be changed at any time to provide for simple majority cloture.

Mr. President, I do not wish to labor this point too long. I am not making a mere distinction between cloture by a simple majority, a constitutional majority, and a two-thirds majority. I am in accordance with the views taken by the authorities I have cited—such as Woodrow Wilson, before he was President. It is noteworthy that those were his views before he was President; and I mention that because it is true that once a man, even a man as highly educated and talented as was Woodrow Wilson, enters upon the performance of the duties of the office of President, he begins to feel the power which goes with that office, and then he changes his former views.

Mr. MORSE. Mr. President, does not the Senator from Arkansas think it is possible that the President always learns from experience?

Mr. FULBRIGHT. No; I think it is inherent in the possession of executive power for the person who possesses it to wish to destroy the power which rests in other branches of the Government. I think the examples we have of that are most persuasive; and I believe the Senator from Oregon is really very definitely in error when he assumes that the characteristics and tendencies demonstrated in the past by men in public life will not be demonstrated in the future by other men in public life. I do not think the Senator from Oregon can safely rely, as he seems to be doing, upon having Members of the Senate in the future act differently from the way that well known and outstanding persons in public life have acted in the past. That is the point I make to him now.

Mr. MORSE. Mr. President, will the Senator yield for another question?

The PRESIDING OFFICER. Does the Senator from Arkansas yield for another question?

Mr. FULBRIGHT. I yield for a question only.

Mr. MORSE. Does the Senator from Arkansas understand that under my resolution, after a majority has voted cloture, then Members of this body would have the right to farm out their hours of time in case they did not want to use it themselves?

Mr. FULBRIGHT. I do. I think I read every word of the Senator's testimony, and I have marked it. I may say that just before the Senator came on the floor, I had been quoting at considerable length from the Senator's testimony. I read it, and I believe I understand exactly what the Senator proposed.

Mr. MORSE. Did the Senator from Arkansas read the suggestion of the junior Senator from Oregon that an amendment may be desirable, namely, if we adopt the majority-vote cloture rule, it might be desirable then to adopt an additional rule that the rule of cloture cannot be changed thereafter except by two-thirds vote?

Mr. FULBRIGHT. I did not recall that, I confess. I overlooked that. That becomes quite complicated. I did not notice it. I shall have to think about that, if it has any merit. It does not appeal to me at the moment as having any merit.

Mr. MORSE. If the Senator will study it——

Mr. FULBRIGHT. I will study it. I think the Senator from Oregon would be surprised to know how closely I have read all his testimony and his record in this case during the past few days.

Mr. MORSE. I compliment the Senator.

Mr. RUSSELL. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from Arkansas yield for a question?

Mr. FULBRIGHT. I yield to the Senator from Georgia for a question only.

Mr. RUSSELL. Does not the Senator from Arkansas think the chief vice in the proposal of the Senator from Oregon lies in the fact that under it a Senator has no chance to speak until after he has been defeated, for after cloture has once been voted, the adversary of a bill is in such a position that his views are of no consequence; they are not news? The gentlemen in the Press Gallery are not going to sit here after cloture has been voted and the issue has been determined. He has no opportunity to get his views and argument across to the country as a whole, and, even if he could find a Senator generous enough to give him an hour, it would be impossible for him to have a hearing. Since after only about half of 4 or 5 days in which to debate this important constitutional question, Senators are not present in any large numbers to hear even the distinguished and brilliant Senator from Arkansas present his views. I should like to ask him if he does not think it would be impossible to get them in with a log chain, after the issue had already been determined by a cloture vote, to hear anything, and would it not likewise be impossible to get the debate before the country? It would be news about the dead, after cloture had already been imposed.

Mr. FULBRIGHT. I may say to the Senator from Georgia that is entirely correct, but my point is one that goes much further. I am not really quibbling about the difference between a two-thirds majority and a constitutional majority or a simple majority. I do not think debate ought to be restricted at all. I think the fundamental character and function of the Senate would be changed by the adoption either of a two-thirds cloture rule or even a three-fourths rule, if the Senator wants to go that far. I would not say that, if necessary, it might not under some circumstances be three-fourths, and I think a suggestion was made to include the words "if necessary." But I believe it would be a great mistake to change the function of the Senate, which is a unique body in all history. No one, I care not how learned he may be, can ignore the fact that the system under which we operate has been most successful and is today, I think, the most successful system of government from the point of view of the ordinary human being and the ordinary values of what we usually refer to as western Christian civilization. There are many defects, I know, and we can put our finger on them; but, considering the over-all picture, what other country has made greater success? In contemplating the picture, can we fail to take into consideration the fact that the unique element in our Government is the Senate, with a traditional freedom of debate not found in any other legislative body in the world, with the possible exception of the British Parliament as it existed prior to last year? As we know, for all practical purposes, the upper House of the British Parliament has recently been eliminated.

Mr. PEPPER. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Arkansas yield for a question?

Mr. FULBRIGHT. In a moment. The over-all consideration it is difficult for me to escape is that executives in all governments are always tending to do the same thing, namely, absorb all other powers. Throughout the world, with a few exceptions, they have absorbed them all in recent years.

Other nations have had houses of representatives similar to our House of Representatives. I presume it is not becoming on our part to be too critical of the House, but many of us have been Members of that body, and we know it is a sort of conduit for legislation upon which they exercise very little influence. I think if one looks over the whole system the one thing that is unique and probably has contributed more than anything else to the success of the Government is the United States Senate. I think we should hesitate a long time before we begin kicking it around and changing its most distinctive characteristic. I now yield, for a question only, to the Senator from Florida.

Mr. PEPPER. Mr. President, I myself am not led to the conclusion the Senator has disclosed, and I ask him, is it not a fact that in the larger number of cases, where it was admitted the present cloture rule was applicable, the Senate has not granted cloture, although the request was based upon a petition of the required 16 Senators?

Mr. FULBRIGHT. That is correct. There is a lot of refinement there. I mean, in several of the cases there was not even a majority.

Mr. PEPPER. That is the point, if the Senator will yield to me for another question.

The PRESIDING OFFICER. Does the Senator from Arkansas yield for a further question?

Mr. FULBRIGHT. I yield for another question only.

Mr. PEPPER. That is the point I wanted to ask the Senator about. If we start with the assumption to which the Senator has just referred, which I believe to be the record, that in the majority of cases where cloture was sought, although it was a case where rule XXII was admittedly applicable, the Senate has not chosen to grant cloture, I ask the able Senator, if that is true, does it not indicate that the power to use cloture in the Senate does not mean in any sense that the Senate will be ready to invoke cloture? In other words, are not the same safeguards still preserved for the Senate to retain the great traditions and the great liberties and privileges of this body, two-thirds having the power to invoke cloture, as is shown by the fact that while the rule was admittedly applicable, only in a very few cases when cloture has been sought has the Senate been willing to invoke it?

Mr. FULBRIGHT. I do not believe the Senator from Florida was here when I began to discuss this particular aspect. To go back a moment——

Mr. RUSSELL. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from Arkansas yield for a question?

Mr. FULBRIGHT. I yield for a question only.

Mr. RUSSELL. I should like to ask the Senator if he will not kindly go over that, because I think the Senator from Florida is a fine possibility for a convert. He at one time favored majority cloture, and now has offered a cloture amendment, a gag amendment which, if the Senate must be gagged, is an amendment to be preferred to all of the others that have been offered.

Mr. PEPPER. Mr. President, I ask unanimous consent to thank the Senator.

Mr. FULBRIGHT. On the point I was making, I may say to the Senator from Florida, I had just read several expressions of the junior Senator from Oregon. He was proceeding on the theory that we can rely upon "traditional courtesy," I believe he calls it, and decency, and a sense of sportsmanship. I read one or two statements. One of them, I think, is illustrative. It is a quotation from the statement of the Senator from Oregon, found at page 62 of the hearings. The chairman and other members had said, "After you make this change, the process is started, and it goes on, and there is no end to it, and you completely change the character of the Senate." The Senator from Oregon said:

> My honest and very sincere answer is I think there is no danger of it in the Senate because I simply believe in the decency and fairness of men, and I think that the historical traditions of the Senate are such that we need never fear the Senate's denying to the minority adequate time to make its case on the merits.

I think the Senator has completely confused cause and effect. The principal reason for the traditions, the decency, the mutual respect of the Senate, is because of the rule and the tradition of unlimited debate. If that is taken away, the whole basis is taken away. I do not mean that all the present Members, who have lived with the tradition, would change, but as new Members come in and are subjected to arbitrary action, there may develop as a result bitterness and lack of the decency by which the Senator has been so impressed.

I understand from the Senator from Oregon that there was certain action taken in the Committee on Labor and Public Welfare this morning which was a demonstration of the arbitrary action of a majority in cutting off an opportunity even to offer an amendment by the minority. That is an illustration of what a majority can do and will do if unrestrained by unlimited debate.

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield for a question only.

Mr. PEPPER. Is it not probable that the Senator's information, having come only from the able junior Senator from Oregon, might be a one-sided report of what happened in the committee this morning?

Mr. FULBRIGHT. I will say to the Senator that I am not a member of the committee. The junior Senator from Oregon is here. I felt that I was taking no chances in representing him when I stated what he had told me. I cannot pass judgment upon the accuracy of the statement.

Mr. PEPPER. Will the Senator yield for a further statement?

Mr. FULBRIGHT. For a question only.

Mr. PEPPER. Has the Senator from Arkansas found other instances in which the Senator from Oregon has been diligent in pursuit of cloture for the other side, but has been persistent in support of the privilege to filibuster for his side?

Mr. FULBRIGHT. I will say to the Senator from Florida that there is a definition of cloture which I read before the Senator came in, and I think it applies exactly. I do not think the Senator from Oregon was here when I read it. It consists of only two lines, as follows:

> A filibuster is either a reprehensible artifice of a sinister opposition, or an ingenious and patriotic device of our friends for saving the people.

Then:

> A filibuster is an abomination unto the Lord and a very present help in trouble.

I think the Senator from Oregon was in trouble this morning and he wanted an opportunity to talk.

Mr. MORSE. Mr. President, will the Senator from Arkansas permit me to ask him a question in the form of a reply?

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that the junior Senator from Oregon be permitted to ask a question in the nature of a statement.

Mr. MORSE. I wished to ask the Senator from Arkansas a question. Will the Senator yield for that purpose?

Mr. FULBRIGHT. I yield for a question only.

Mr. MORSE. Has the Senator from Arkansas always found the junior Senator from Oregon, without fail, ardently supporting the principle of majority rule on the floor of the Senate or in committee?

Mr. FULBRIGHT. So far as I know, that is correct, but I do not think that the action taken today will tend to reinforce his enthusiasm.

Mr. MORSE. May I ask the Senator from Arkansas if he is laboring under the impression that the junior Senator from Oregon believes it is necessary to have a rule of cloture, such as the existing one, in the Senate, in order to be assured that Members of the Senate will participate in fair play and good sportsmanship in recognizing minority rights?

Mr. FULBRIGHT. That is my view. I said that the basis for the courtesy and general good conduct of the Senate is the existence of the rule of unlimited debate, because each Senator knows that he cannot afford, as a practical matter, to build up personal enmities and feuds in a body as small as is the Senate, and invite attacks. He can differ, of course, on matters of legislation. The Senator knows what I mean as to the difference between personal attacks and offensive actions, and the conduct which characterizes the Senate. Each Senator knows that it has built up a tradition of respect. Some persons believe that by some mysterious influence a Senator acquires great respect for his fellow Members. The tradition of decency and fair dealing is a very nice thing. We all appreciate it. There is something in the Senate which accounts for it, and I think it is the tradition of unlimited debate. If I do not like some Senator and begin to be offensive about it, he can thwart me. One might think that if I am a member of the majority I would not care what I say to that Senator. But even though I am a member of the majority I do not want to have a falling-out with any Senator, because the relationship is more personal than that, and it always has been.

There is a description of this body by Woodrow Wilson, before he became President, when he was one of the leading authorities of the world on constitutional government. In his book on constitutional government he gave a description which was so good that I think I shall read it a little later. It is obvious that most of the Senators are not acquainted with it. It should be more persuasive with all Senators than would be anything I can say about it. I know that Senators do not have time to read good books. All they have time to do is to run errands and attend committee meetings.

Mr. SALTONSTALL. Mr. President, will the Senator yield for a question?

Mr. FULBRIGHT. For a question only.

Mr. SALTONSTALL. My question is, How will the adoption of this resolution change the character and attitude of Senators which the Senator from Arkansas has just been describing?

Mr. FULBRIGHT. Because it would result, I think, in arbitrary action of the majority. I think a rule of that kind would soon change the whole character of this body. I am much too new a Member of the Senate to say these things on my own authority, and that is why, in responding to the Senator from Oregon, I wish to read into the record what Woodrow Wilson stated in 1908,

long before he was bothered about the particular things which are bothering the Senate at this time. He was recognized as one of the greatest constitutional scholars in the world. His description of this body is better than any that I have ever read. He tells why it would make a great difference. I have read, with great attention, his and several other authorities on the subject. To me it is very persuasive that those scholars agree with some of the greatest Senators who ever sat here. I said a while ago, before the majority leader came back into the Chamber, that he quoted the elder Henry Cabot Lodge, but he quoted from a statement which Henry Cabot Lodge made soon after he came to the Senate, whereas, after he had been here long enough to become well acquainted with the body, he took directly the opposite view and wrote a most powerful article on the subject, which will be found in the hearings. He said that all new Senators come here with an instinctive desire to reform its rules, but that after they have been here a while they have almost invariably changed their minds.

There are wonderful and clear statements in the back of the hearings by men such as Borah, Lodge, Robinson, and Reed. I think there will be found among them some of the greatest public figures we have had in the last century.

Mr. LUCAS. Mr. President, will the Senator yield for a question?

Mr. FULBRIGHT. The Senator from Oregon was on his feet first. I will yield to him for a question only.

Mr. MORSE. Is it the Senator's position that we need the present cloture rule in its present form in order to insure the minority a fair hearing?

Mr. FULBRIGHT. To me the present cloture rule is of no significance at all. We got along for nearly 100 years without that rule, quite as well as we are getting along now. I should be quite willing, if the Senator desires to abolish the present rule, to have that done and to leave the rules as they were before 1917. I think that would be in accord with the arguments and consistent with my position on the rules of the Senate.

Mr. MORSE. Then, is it the position of the Senator from Arkansas that the minority, in order to have its rights in the Senate protected, should be entitled to a parliamentary procedure that permits it to control the majority?

Mr. FULBRIGHT. No; I think the Senator is entirely wrong in the way he puts the question, that is, the assumption that the minority controls. It is true that in these matters there is no easy way to make the distinction. What the minority has the right to do is to exercise the power of resistance to arbitrary action by the majority. That, I think, is a much clearer and much closer and more accurate description of what happens. Actually, the experience in the Senate, under this rule or without the rule, is that very few measures for which there was real support, I am almost tempted to say that no measures which a clear and strong majority of the American people have favored, have been defeated. Some have been delayed. Before the Senator came in I mentioned the only body similar to ours that played a function like ours was the old House of Lords, which had the power of delay. It did, but it has it no longer. It did have it when that was a really great and powerful country. It is the power to delay which forces explanations, consideration, and all that, that is significant.

I never approve reminding Senators of what they have said before, because I think that is a bad practice, but I have in mind something which occurred such a short time ago that I do not think the junior Senator from Oregon would mind my referring to it.

Mr. MORSE. Not at all.

Mr. FULBRIGHT. I recall what great pride the Senator took in a little delay he indulged in a while ago. The only difference between his point of view and mine was that he thought a week was enough time to take because it was sufficient in that particular instance. As I recall, I read, to begin with, that this basic change in our fundamental structure is presented as an attempt to bring about a little change. There is now before us an entirely different question. The proposal is for a permanent change in the rules of the Senate. In consideration of that kind of a change, I would say we need some deliberation, because I do not think many people really understand it, and I believe 90 percent of the press is completely in the dark as to what it means. The first article I read that really showed an understanding of it was the article by Walter Lippmann which I have read today. Did the Senator see that?

Mr. MORSE. I saw it, in the Washington Post.

Mr. FULBRIGHT. I agree with what Mr. Lippmann says in that article. The Senator from Oregon wanted the country given time to understand his bill, involving labor, I think it was, although I have forgotten for the moment. The Senator referred to it two or three times in the hearing. I congratulate the Senator. He was in effect carrying on a little private filibuster, giving the country time to understand what was involved. The Senator was quite frank to admit that to be so; I agreed with him, and did not try to cut him off.

Mr. MORSE. Does the Senator from Arkansas recognize the difference between prolonged debate to postpone a vote to a time definite and certain, and a filibuster which seeks to prevent a vote from ever occurring on an issue?

Mr. FULBRIGHT. I think the distinction which the Senator draws is just like the distinction in this book—if one takes the position strongly that this is a desirable resolution, anything that is said is a filibuster. Consider this debate. The Senator will agree that on the first day, when the senior Senator from Georgia [Mr. GEORGE] made a 40-minute speech, I believe it was—and I think the Senator from Oregon will admit he speaks very well on this floor—every newspaper in the country said the filibuster was on, did it not?

Mr. MORSE. Would the Senator from Arkansas say that he disagreed with that?

Mr. FULBRIGHT. I am only calling attention to that fact, which is a fact.

Mr. LUCAS. Mr. President——

Mr. FULBRIGHT. Mr. President, I wish to be protected in my right to the floor, and I am willing to yield only for a question. I see the majority leader on his feet, and I understand they are determined to hold our feet to the fire in this whole business, and we must not deviate one iota from the rule.

The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from Illinois?

Mr. FULBRIGHT. For a question only.

Mr. LUCAS. Does the Senator agree with me that the pending question is a simple motion to take up a resolution?

Mr. FULBRIGHT. It is my understanding that that is what it is—a motion to take up an amendment to the rules.

Mr. LUCAS. The Senator will agree with me also that in these circumstances the motion to take up a measure could require at least 3 months, if Senators desired to debate it that long. Is that correct?

Mr. FULBRIGHT. I do not quite follow the Senator's suggestion.

Mr. LUCAS. Does the Senator agree with me that those who are seeking to delay this motion to consider a resolution could debate it, if they so desired, for a period of 3 months?

Mr. FULBRIGHT. Yes; it is possible. I do not expect that, but it is possible.

Mr. LUCAS. It is possible to do that. There have been filibusters which lasted for a long time.

Mr. FULBRIGHT. I thought it was very unwise to bring up this resolution, if that is the point. I think it was a great mistake to bring it up. [Laughter.]

Mr. LUCAS. Let me ask the distinguished, brilliant, progressive, and liberal Senator from Arkansas——

Mr. FULBRIGHT. I appreciate the Senator's compliment.

Mr. LUCAS. Whether he conscientiously believes that the Senate of the United States should stay for 3 months on a simple motion to take up a resolution?

Mr. FULBRIGHT. I do not. I will say to the Senator I think the motion should be withdrawn at the first opportunity and abandoned. [Laughter.] I see no excuse for its being here at all. But I have no choice in the matter. It is here, and I have not the power to withdraw it. If I had, I would withdraw it right now.

Mr. BALDWIN. Mr. President, will the Senator yield for a question?

Mr. FULBRIGHT. I yield for a question only to the Senator from Connecticut.

Mr. BALDWIN. Would the Senator object to a unanimous-consent request for an insertion in the RECORD?

Mr. FULBRIGHT. Mr. President, I shall make that unanimous-consent request, if that is what the Senator desires.

Mr. BALDWIN. That is what I want.

Mr. FULBRIGHT. Without prejudice to my right to the floor.

The PRESIDING OFFICER. Without prejudice to the Senator's right to the floor, he may make the request.

Mr. FULBRIGHT. I ask unanimous consent, without prejudice to my right to the floor, to yield to the Senator from Connecticut for the purpose of his making an insertion in the RECORD.

The PRESIDING OFFICER. Is there objection? The Chair hears none and it is so ordered.

Mr. BALDWIN. I thank the Senator very much.

[Mr. BALDWIN asked and obtained leave to have printed in the RECORD a certain article, which appears in the Appendix.]

Mr. FULBRIGHT. Mr. President, I am quite unable to take any responsibility for the motion which the Senator from Illinois has made. I do not think any Senator opposing this motion is responsible for its being the pending question. The majority leader knew quite well what to expect when it was brought up. There was no secret about it; it has been up before. The trouble is that it involves a matter of far deeper and more profound significance, I think, than has ever been realized by the people of the country generally and by the Members of the Senate, but since it is brought up, involving, I think, a fundamental change that ranks in importance with a change in the Constitution, I think it has to be debated thoroughly.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield for a question only.

Mr. LUCAS. Will the Senator assume any responsibility whatsoever for keeping the pending motion from coming to a vote?

Mr. FULBRIGHT. The only responsibility I assume is to the extent that I think it is necessary to inform the Senate—and I hope that some of the Members will be influenced thereby—of what I believe to be the true and very pertinent observations made by such individuals as Woodrow Wilson, respecting the significance of this matter. I do assume the responsibility, under the circumstances, of taking adequate time to present the case as well as I know how. I will say to the Senator that if he will look back at my record in the Senate he will find that I have taken up very little time of the Senate. In fact, this is the first time I have made a speech this year, and I do avoid taking much time in the Senate. It is with considerable reluctance that I make any speeches at all, because this is notoriously the worst forum, I suppose, so far as attention goes, particularly in the case of a new Senator. The Senator from Illinois knows that there are rarely three or four or five Members present when a new Senator speaks. After a Senator has reached the eminence of the majority leader, of course, he then receives very respectful and courteous and close attention. But when a new Senator speaks upon the floor of the Senate it is difficult to secure a quorum, and when a quorum is secured, to have even half a dozen Senators present while the Member is making his speech. So I have no desire to prolong the debate merely for the fun of speaking. It is no particular fun for me to speak. But I consider this to be one of the most important subjects that has been before the Senate since I have been here, because it changes the fundamental part of our Government, as opposed to measures dealing with transitory things, things which are here today and gone tomorrow.

The Senator from Illinois is on his feet. Does he wish to ask me to yield for another question?

Mr. LUCAS. No, Mr. President; I thought the Senator had about finished his speech.

Mr. FULBRIGHT. No, Mr. President. Because of many interruptions which have been made I have just begun my speech. I may say I am only on page 4. I was quite astounded, and I may say highly complimented at the questions and by the interest which has been evinced this afternoon over the remarks I have had to offer. I had no idea that either the majority leader would be here or that so many Members would be present today. There are more Senators present now than I have seen before this week. The questions asked of me have delayed me in my presentation. I have just really begun. [Laughter.] I believe the Senator will agree that what I have said has been to the point. I do not intend to wander one iota from the point, or in any way to bring in any extraneous matter. If I do bring in any extraneous matter I hope the majority leader will call my attention to it, because it will have been unintentional on my part if I do so.

Mr. LONG. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from Louisiana for a question?

Mr. FULBRIGHT. I yield to the Senator from Louisiana for a question, but I do want to get on. As the Senator from Illinois has reminded me, it is time for me to get along.

Mr. LONG. By way of illustrating the same point the Senator has been making, I wish to ask if the Senator is aware of the fact that in the hearings held by the Committee on Rules and Administration, although there were four new members on that committee, the Republican minority on the committee attempted to report the change proposed in the rules without any hearings whatsoever? Every member of the Republican minority voted to report the resolution without any hearings whatsoever, although four new members were on the committee, and three of them had never before heard the issue discussed. Does the Senator know further that two Senators, who were new members of the committee, changed their minds almost completely during the course of the hearing, based on what they heard said by the witnesses who came to testify with regard to the change in the rules?

Mr. FULBRIGHT. I will say, Mr. President, in answer to the question of the Senator from Louisiana, that I did not know that. But, at the beginning of my remarks, I quoted the words of, I believe it was from Senator Townsend, of Michigan, who said that most new Senators are instinctively in favor of reforming the rules of the Senate. So the preponderant number of new Senators have the instinctive desire to make a change in the rules. When they first arrive in the Senate their natural instinct is to reform its rules.

Mr. LONG. Mr. President, will the Senator yield for a further question?

Mr. FULBRIGHT. I yield for a question only.

Mr. LONG. Is the Senator aware of the fact that there are certain Members of the United States Senate who are actually being tortured in their consciences, and if the debate now going on tortures their consciences longer, they may seek to preserve the sacred rules of the United States Senate?

Mr. FULBRIGHT. I have noticed in the last day of two a very decided interest in preserving the integrity of the United States Senate from the encroachment of the Executive. The fundamental effect of this proposed change is just beginning to dawn upon a number of Senators. As I said in the beginning, what is proposed to be done is disguised as only a move to pass civil-rights legislation. It is true that civil-rights legislation is involved, but that is, as I have said, a rather minor aspect of it. The most important thing inherent in what is proposed to be done is the change in the character of the Senate itself, and the function it plays.

I believe what the Senator from Louisiana has said is quite correct. All that Senators need is a little longer exposure to the facts of the case.

As I previously said, Mr. President, I did want to place in the RECORD two other remarks made by the junior Senator from Oregon. I wanted to place them in the RECORD in order to fortify the point I made regarding his idea as to why we need not fear a change. I quote from page 64 of the hearings. This is the junior Senator from Oregon [Mr. MORSE] speaking:

> Senator MORSE. I think from the very beginning of the history of the Senate up to the present date, if you study that history, you will see a very brilliant thread running through it, a thread that binds the thinking of the Senate together on the proposition that minority rights and minority points of view must always have their day in court in the Senate. Thus you will find great historical instances in which Senators of diametrically opposing views see to it that the other fellow, who on that particular occasion may be in the minority, is given sufficient time to debate his point of view on the merits on the floor of the Senate, and I don't think you will ever drive that protection out of the Senate.

That, Mr. President, is a completely false assumption. I read another sentence from the Senator from Oregon on page 69. When asked if he did not think any political pressure would build up from a party standpoint around the adoption of the so-called Morse rule, he said:

> I do not. I think men will be fair under my rule.

Mr. President, if that be true, why not leave the rule as it is? If men are fair under the rule, why not leave the rule as it is? The Senator apparently thinks we are not being fair under the present

rule, but that everyone will be fair under his rule.

Mr. MORSE. Mr. President, will the Senator yield for a question?

Mr. FULBRIGHT. Let me make one further statement.

I appreciate, as I know all other Senators appreciate, the compliment implied by the statement by the able Senator from Oregon, but I submit that his assumption is naive and completely erroneous and false. I agree that there is an unusual and extremely happy tradition of courtesy and fair dealing in the Senate, but I am absolutely sure that the principal reason for the respect and consideration with which Senators treat each other is the knowledge that to do otherwise would be more than likely to result in a personal feud which could thwart every action desired by the offending Member. Under the present rules, even a Member of the majority party cannot afford to be rude and offensive to the minority. How often did I marvel at the patience and restraint of the former leader of this body in the Seventy-ninth Congress when I first came here. Although then the majority leader, who is now the distinguished Vice President of the United States, could, if he had had the power to clamp down cloture at any time, have disregarded other Senators, the Senator will recall with what great care he sought a little support from all Members. I think that condition would not obtain under the Senator's proposal. I am confident of that purely as a matter of human nature.

I now yield for a question only to the Senator from Oregon.

Mr. MORSE. Mr. President, I wanted to ask the Senator from Arkansas if he recognizes, as of course he does, the difference between desire on the part of men to be fair under any rule, and the desire on the part of men in the minority, when they have the power to control the majority by their tactics, some day to make the maximum use of a minority-rule role.

Mr. FULBRIGHT. I will say to the Senator that I have already commented on that. I do not believe it is a matter of control. We cannot force any action. There is a great difference between acting affirmativeiy to impose one's will, and reaching a point of no action at all. I think the Senator from Oregon knows that to be true in many instances in life. I will grant to the Senator that many things in government, particularly the British form of government, and our system of government, are not exactly logical. They and we did not reach our systems of government by logic, as the French attempted to do and have completely failed. As an illustration, take the question of proportional representation, which sounds logical to a good Democrat. It ought to appeal to him. But the Senator well knows that it has been a complete failure wherever it has been used, except in a few small communities. Yet logically it is a fine thing. It is just as logical as the Senator's proposal about majorities.

To me there are certain things about our Government which are difficult to explain. I cannot prove the connection between the customs in the Senate and the result. All I can say is that I have a feeling that in this very complex system of ours the one unique element in it, the Senate of the United States must have a great bearing on it. I feel that it does. I cannot prove it.

The Senate has brought into our Government throughout its history a toleration and moderation that no other government has had, with the exception I have mentioned, in which there was a similar device. I refer to the British Parliament. In all other cases governments went through periods of democracy, that is, democratic forms. They had constitutions more beautiful than ours. The Russian constitution today reads better than ours. On paper, it protects all the rights with which we are concerned, but the Senator knows that in practice it does not do any of those things. It has no relation to the actual reality of government.

The same statement can be made about government in many other countries. The Senator knows history better than I. He knows what happened in Italy. I have a little summary of that, just a page or two in a document issued by the House. In spite of the forms of democracy, it is shown how the executive operated within those forms and took away all the power.

The first thing Hitler did was not to abolish the legislature. He used the legislature. He went through the form of being elected, and then, of course, he kicked it out. He was a great liberal when he came in. He offered all sorts of things to the workingmen. He formed labor fronts, and did many other things.

Back in Roman days the emperors were the first to start courting the mob. We all know that. Why is it that this particular government, of all the governments of the world, has been so successful in preserving fundamental human rights? For lack of any better argument, I will say that the Senate has been responsible in large part, because it is a unique part of our Government. With all due deference to the House of Representatives, I cannot see any great difference between its practices or role and those of any other legislative body, whether it be in our States or abroad, with the exception of the British Parliament. It is a legislative body, with the customary procedure, which subjects it to an extreme degree of control, as the Senator well knows.

I think it would be a wonderful thing if the Senator from Oregon could serve for 2 or 3 years in the House when the opposite party was in control. I believe he would find that there are very few Members of the House who could not give him some very interesting observations about the rights of Members of the House under their organization.

I have endeavored to express what I think about the Senate. Partly, I suppose, it is a feeling rather than a strictly logical explanation; but I feel that in the absence of being shown where else in our system of government there is something that accounts for the success of the American system I must adhere to that view. Under our system of government we successfully reconcile the diverse interests of 48 independent States. In a sense, they are equivalent to 48 nations. How can we explain the reconciliation of their differences in a successful government except through the Senate, as being the most significant element of our Government. At least, I have not been told of any better explanation.

Mr. President, it has often been said that the right of free debate is the only real protection of the rights of minorities, which is true; but it is not so generally recognized that the same right to have one's say is of the very essence of what is called the courtesy or the spirit of fair dealing among individual Senators. This spirit of fair play, in which the most unpopular Senator is treated with respect and consideration, may seem to be unimportant and trivial to the unthinking, but I firmly believe that it is one of the principal reasons why, with one exception, the people of this great country have been able to live in peace and prosper as they have. It surely cannot be seriously believed that it is purely accidental that Americans, composed of all the races of Europe plus a sprinkling of several others, have been so successful in living together in harmony and peace, and with freedom. I know that it is comforting and pleasing to think that we, as a people, somehow possess some mysterious virtue which others do not possess, that somehow we are different, and that our personal excellence accounts for our success. There are occasions in our public life when it is appropriate to take that view, but neither science nor reason will support it. It is my belief that what virtue we possess as a community is to a great extent due to our system of government, and that the most unique and significant part of that system is the Senate of the United States, as now constituted and regulated by its own rules of procedure.

The point has been made in this debate that because of the increased volume of legislation which now comes before the Senate we must streamline our procedure, and that to do this we must limit debate, if not eliminate it altogether. I grant that something, perhaps, should be done to lessen the amount of time consumed by Senators in coping with the enormous volume of mail and the almost continuous stream of visitors. I think that is what takes most of the time of Senators, and makes it difficult for them to fulfill their functions. I do not know the answer to that difficulty except to pass a law doubling the number of hours in each day. I suppose that some of those who have such great confidence in the effectiveness of law would feel that that was a proper approach to the problem. But the very fact that today we have legislation dealing with so many more aspects of our daily life than we formerly had is, I think, a persuasive reason why we should retain the integrity of the Senate.

My feeling, of course, is based upon the further thought that we wish to preserve our freedom, and, insofar as possible, the integrity of our local and State governments. I grant that if we are ready to abandon the concept of a Federal state and adopt the completely centralized system which has been such a signal failure in Europe and Asia, then

there is no need to be concerned about the Senate.

I submit, Mr. President, that the Federal system is the only system that has been successful on a scale comparable to ours in extent and size, and which at the same time has preserved any appreciable degree of human dignity and human freedom. The only case I can think of which might be regarded as an exception is Great Britain during the last century. However, I should like to point out the fact that during the period of her greatness, the period when she controlled a diverse and large area of the world, Great Britain also had a device in her Parliament which served a purpose similar to that now served by the Senate. During that period the Upper House of the Parliament also had the power to consider and delay the legislation of the House of Commons. It is only since England has shrunk to a mere shadow of her former self that the power of the Upper House has been almost eliminated. Perhaps that is not merely a coincidence. I am not sure about that, but at least that is what has happened. Personally I do not think this country is quite ready for that move yet. I do not believe that we have quite reached that period in our history when we are ready to assume fewer responsibilities.

It is true, of course, that large countries have been ruled by a centralized government in the past, and there is one outstanding example today. But in every case those countries had very little, if any, regard for the ordinary human being, and to a great extent relied upon slavery. For a time Rome was a centralized republic; but being unable to renew her strength, she fell into the evil ways of tyranny under the emperors, and passed from the scene.

Today Russia is a centralized dictatorship. She is powerful now, but I venture to predict that her strength within her present political system, if that persists, will not be increased relative to her resources, because she is stifling the originality, the energy, and the spirit of her people.

The point which I try to make is a difficult one to lay down in simple terms. I believe that the spirit of freedom in this country, and the ability to reconcile the diverse interests of the country go back to the Senate more than any other place, because that is where those diversities are represented more than in any other place.

I think the Senate will agree, Mr. President, that in the actions and the freedom of the individual Senators who compose this body there is much greater diversity than exists in any other body of our Government.

Under our Federal system not only have we become strong and powerful, as demonstrated in two wars, but up to now we have preserved the basic freedoms of our people. I think one of the principal reasons for that situation is the fact that in preserving the integrity of the various component parts of our federation, we have, to a considerable extent, preserved the diversity which is essential to progress. Each of the 48 States is, in a sense, a laboratory for social and political experiment and development. No one of them, and certainly not the Federal Government, is endowed with omniscience and final wisdom. Mistakes are made, of course; but all the States have an opportunity to learn from the mistakes of the others. Of course, I may say that there are many successes, as well as mistakes. Successes are very common, and the Federal Government should learn from the successes of those various laboratories.

In any case, the net result has been the development of a society with energy, vitality, originality, and resourcefulness. The principal fear I have for the future of our Nation is the possible elimination of that diversity, with a resulting standardization of our ideas and aspirations—a development which is threatened more and more because of the increase in the power and scope of the Federal Government.

Mr. President, I know that in many instances the proponents of certain measures have very carelessly used all kinds of propaganda, and have characterized those of us who oppose them as constituting a dictatorship, and all that. I do not wish to be extreme in what I say, and to apply such terms to the proponents of any measure, even the one we are now discussing, or to say that that is the ultimate objective of the administration in this case. Nevertheless, it is apparent that it is the diverse character of the States which has enabled them to preserve the originality of their progress and has enabled our people to become the most powerful and prosperous and free of all the peoples in the world.

Mr. President, in addition to my interest in protecting the integrity of our Federal system I think that in doing so we may encourage a very salutary development in the world. As many Senators know, I have long been interested in the accomplishment of a federation of the western states of Europe. One of the most persuasive reasons in that respect is the experience this country has had. Let us consider for a moment various illustrations that are in point in that connection. Some persons think that the people of western Europe are determined that nothing shall be done along the line of accomplishing a federation of the countries in which they live. However, I do not think so. I think those people are interested in the proposal and are willing to work out a solution of that problem. On the other hand, they are interested in preserving their cultural differences, differences of language, and so forth. I agree that such differences should not be destroyed, for they constitute one of the principal safeguards of the individuality of the states, and the individuality of the states composing a federation must be preserved if a sound system capable of the maximum of progress is to be developed and maintained.

Some persons may take the position that the idea of having a federation of the western states of Europe is fantastic, and that there is no possibility that such a federation will be developed. However, I say that such a federation must eventually come into being. It would possess central strength for military, currency, and other purposes; but it would also maintain the individuality of the component states in the cultural sense, as well as the right of the exercise of the police power on local levels.

Of course, I have a considerable interest in this matter, because for more than 2 years I have been urging such a federation, and I have cited Poland as a clear illustration of the necessity for the adoption by the countries of western Europe of a federal system comparable to our own. I realize that there would be differences between such a federal system and ours, and I would not for a moment expect to impose upon them the same kind of system we have. But I am sure they must adopt the principle of federation, by which those 16 western European countries can be joined together. I believe the hope of such a development is the only justification for the Marshall plan. If today I were positively convinced that there were no chance of the development of such a federation among those countries, I would be opposed to an extension of the Marshall plan.

Senators will recall that last year I attempted to have the Senate adopt a resolution stating, as a matter of policy, that the Senate was in favor of the establishment of such a federation among the western European nations; and I intend to offer such a resolution again, this year, for I have not given up hope that the Senate will endorse the statement of policy I have presented, and I have not given up hope that the countries of western Europe themselves have given up all hope of achieving such a federation. If it is true that those countries still hope to achieve a federation, that is justification for the sacrifices we have made under the Marshall plan. On the other hand, if it is not true, then I would say that except for the humanitarian aspects of that program and except insofar as we have saved people—which according to our ethics, is a proper and right thing to do—the Marshall plan is a mistake; that it is a mistake when we go beyond those aspects of the situation. In other words, I think any part of that program which may be attributable to a desire to have those countries become rehabilitated as independent areas in the world will be a failure, because I think that under existing conditions if those nations remain separate and unfederated, they can no longer be self-sustaining or can defend themselves or can ever go off relief rolls, so to speak—in other words be independent of either this country and the Western World or of Russia. Certainly, under existing circumstances, if the countries of western Europe remain separate and distinct, they must be dependent on either America or Russia. The countries of western Europe cannot be the great force for progress and civilization that they were in the last century unless they can bring themselves into a federal system.

To my mind—and I think it would also be to European minds—the great recommendation of a federal system is the fact that it offers a means of preserving the individuality of the states; and, to my mind, the basic institution of all the institutions in our government which accounts for that system is the Senate of the United States.

Mr. President, I hope I have not entirely misled the Members of the Senate regarding that particular point. As I see it, it is the principal point in this whole matter. A moment ago I referred to Woodrow Wilson. I now hold in my hand a volume entitled "Constitutional Government in the United States." In view of the discussion which has taken place, I shall read one chapter of this volume to the Senate. At first, I did not intend to read it, because I thought at least some Members of the Senate were acquainted with this work. However, from the discussion this afternoon it is quite obvious that very few Senators, if any, have had an opportunity to read the chapter of the book to which I refer. Accordingly, I think it is quite worth while and, in fact, necessary that this particular portion of the book be read to the Senate.

Mr. MORSE. Mr. President, will the Senator yield for a question?

Mr. FULBRIGHT. I yield for a question only.

Mr. MORSE. Will the Senator state the date of this book by the great Woodrow Wilson?

Mr. FULBRIGHT. I believe it is 1908; the prefatory note is dated March 24, 1908.

Mr. MORSE. Can the Senator tell me what official connection the great Wilson had with the Federal Government prior to his writing of that book?

Mr. FULBRIGHT. I must confess to the Senator from Oregon that I am not clear as to that; I do not recall.

Mr. MORSE. Mr. President, will the Senator permit another question?

Mr. FULBRIGHT. I yield for a question.

Mr. MORSE. Is it not true that that book was written prior to Woodrow Wilson's coming into the Federal service?

Mr. FULBRIGHT. Yes; it was written prior to his becoming President of the United States. I thought I had made that point clear. I do not recall that he had any connection with the Federal Government prior to 1908. If the Senator knows of it, very well; I did not know it.

Mr. MORSE. I was merely laying the foundation for a question I wanted to ask. It is true, is it not, as the Senator has previously said today, that after Woodrow Wilson became President and had the practical experience of serving as Chief Executive of the country and observing the operation of the Senate from the vantage point of the White House, he considerably changed the point of view as to the Senate which he set forth in the 1908 book?

Mr. FULBRIGHT. I may say to the Senator I made that point. I think it is inherent that any President who has been thwarted in any degree, any President who has any ambition—and he certainly had—becomes impatient at the delay and obstruction of his proposals of legislation. I am glad the Senator brought that up. I hope I do not fail, before I finish, to read a very short statement as to the history of the way both Hitler and Mussolini handled their legislative matters. An executive always thinks the legislative body is thwarting him, and I may say all of them become impatient. My criticism of the present President of the United States is not exclusively applicable to him. I think he is doing only what human nature will cause anybody to do who assumes that high office, an office which is almost too powerful for any human being to have. The more power they have, the more they always want to restrict and curb the only body in the government possessing even a slight degree of independence. I think that is why they changed their minds. But I would say the considered opinion of this great scholar, while still at Princeton and considering the matter in an objective manner, was far better than an opinion expressed by a participant in a battle over some issue which may have been before the Senate. The Senator from Oregon having been a professor, he will, I think, agree with that conclusion.

Mr. MORSE. I may say I never attained the level of scholarship, but I did seek to do a little teaching. What a different course I should teach on legislation now from what I today believe to have been the very poor course I taught without the practical experience I have had since I have been in the Senate.

I am sure the Senator wants the record perfectly clear, and that he does not wish to have in the RECORD any basis for a misinterpretation by anyone, to the effect that the Senator from Arkansas thinks Woodrow Wilson at any time used any of the executive devices of Hitler or Mussolini.

Mr. FULBRIGHT. I do not think it fair for the Senator to characterize it that way. I said that all the executives I know of, without exception, if they had any spirit at all, displayed that propensity. We have had some who took no interest in matters. But all executives who have been in the slightest degree ambitious and possessed of strong personalities have always attacked and had trouble with their legislatures, in any democratic system. In many cases I say the executives have eliminated the influence of the legislature and have completely abolished it, because it is the one source of opposition to their exercise of power. I say that is human nature. It is no reflection upon any particular President or any particular dictator. That is the usual course. It has been a struggle ever since the beginning of time for a legislature to keep itself alive and effective. Going back to Roman times, what was the principal quarrel at the beginning of the decline of the Roman Republic? It was a quarrel between the senate and the proconsuls, who later became the first emperors. I forget their names at the moment; I am somewhat rusty on history myself. But the Senator well knows the story. That was the principal story. The Senate in Rome was the guardian of the constitution of the Republic, and it was finally eliminated by the emperor. In such circumstances it is the usual thing for legislative bodies to be wiped out. That is all I meant to leave on the record with respect to President Wilson. He had one difficult experience, as we know, and he may have had others. The difficult experience to which I refer related to the arming of merchant ships. I familiarized myself with the case. I do not know whether the Senator did or not. I did not look up the actual proceedings in the RECORD, but I read a book describing it. The bill was brought into the Senate. I merely cite it to show a condition of impatience; but it was wartime, as the Senator will remember. It showed the impatience of the President. I think the bill was brought to the Senate on the 28th of February. The Congress then in session had to adjourn, I think, within 4 days. One of the Senators who discussed it, according to my notes, was the late Senator Norris. A statement by Senator Norris is my principal source of information. It was not a filibuster, although it is always listed among the bills killed by filibusters.

He said they did not really have adequate time for debate, that the reason it had been killed was that it was considered during wartime, and everybody thought it ought to be passed immediately. Within 4 days it was necessary for the Congress to adjourn. If I am wrong, I hope the Senator will correct me. I think that is the story as given by the late Senator George W. Norris. He said it was never classified as a filibuster, and should not have been; that there was not even time for legitimate debate, and no filibuster tactics were pursued. Yet it has always been called a filibuster. It is listed in the pamphlet issued by the Legislative Reference Service as a terrible filibuster.

Mr. MORSE. It is true, is it not, that during the discussion of the bill the then senior Senator from Wisconsin, Mr. La Follette, held the floor at great length, with interruptions, and that he participated in and prolonged the discussion of that particular bill?

Mr. FULBRIGHT. Will the Senator say that the 4-day discussion of a bill of that importance in view of the long isolationist policy of the country was an undue and unconscionable length of time, under his own theory of giving the country a little time to understand what we are getting into, for which he was willing to talk a week on a matter I should say of much less international importance? I think the time was limited to 4 days. I do not recall that Senator La-Follette or any one man took up most of the time. I recall Senator Norris positively said there was not time for legitimate discussion even by those who approved of the measure.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield for a question only.

Mr. MORSE. Does the Senator recall, in his study of the bill of 1917, providing for the arming of merchant ships, that many of the speeches made during that particular debate bore very little relationship to the subject matter of the bill, and therefore could not very well be called debate on the merits of the issue? That is the point the junior Senator from Oregon is constantly making in regard to his insistence on the right to discuss the merits of an issue.

Mr. FULBRIGHT. I am afraid I am not qualified to say. I do not recall that particular point. I know the President was very much irritated about it and

condemned the Senate. But I may say further on that point—and I think the Senator from Oregon and all other Senators will agree with me—that in wartimes we have always made concessions to what we call our usual governmental practice. We delegate power to the President. We have naturally found later that many persons thought the delegated powers were unconstitutional, and all that, but we do it under the stress of war. I do not think it really is justifiable to rely too much on what happened in wartime under those circumstances, when we come to judge what ought to be done by our Government as a permanent practice. I cite that case merely because of Senator Norris' characterization of it. He was here I think at the time. He said it never should have been classified as a real filibuster.

Mr. MORSE. Mr. President, will the Senator permit one further question? Then I shall desist.

Mr. FULBRIGHT. I yield for a question only.

Mr. MORSE. Is my understanding correct that the Senator who is about to read a chapter from Wilson's book on constitutional government, the chapter dealing with the Senate, thinks that it should be given greater weight by the Members of the Senate in this particular debate because of the fact that Mr. Wilson wrote it while still a professor at Princeton University, without having had any practical experience in the Federal Government, in preference to the views set forth on the issue after he had been in the White House and had an opportunity, from experience, to observe the operation of the filibuster rule?

Mr. FULBRIGHT. I will say to the Senator that, to my mind, there is no question of the superiority of his judgment before he had become infected by the virus of executive power in the White House. I think it does something to a man, particularly now that this Nation is the most powerful one in the world and has great responsibilities in all fields, especially in the domestic field. I think it does something to the judgment of men in connection with the question of power. I do not think it improves at all the quality of judgment on a question which deals with the fundamental relationship of our governmental powers under the Constitution. I am speaking of our system of checks and balances and the basic theory of our government, that no particular part of it should be allowed to concentrate or accumulate all of the powers of government. I think it is as natural as that day follows night that when a man becomes President of the United States he does not like opposition. He soon reaches a point at which he knows all the answers and wants everyone to do what he directs. I think they all do it. I do not believe, under those circumstances, such a man is a good judge of governmental powers.

Mr. MORSE. Mr. President, will the Senator yield for another question?

Mr. FULBRIGHT. I yield for a question only.

Mr. MORSE. Would the Senator say that Members of this body should discount materially the recommendations of former President Hoover in regard to the reorganization of the Government simply because he has at some time been subjected, to use the Senator's language, to the virus of executive power?

Mr. FULBRIGHT. I do not understand that his recommendations in any respect go to the fundamental relations of the powers of the Government. They are concerned only with the efficiency of the executive arm. I would say that his recommendations as to constitutional changes, whether the Supreme Court should be abolished, or the Senate should be merged with the House, would have very little significance. It is purely as a business operation of the Government that he makes recommendations. I have not seen his full report. But the question we are discussing deals with basic political power in the Government, not simply the organization of a bureau in order to try to make one man do the work of the two men who are now doing it, which is really a question of economy.

There seems to be a feeling that the Senate should be made more efficient. That is not what is wrong. It need not be efficient, but it should be wise in the results it reaches. One of the principal objectives of the proponents of a change in the rule is efficiency.

As the late Senator Reed said on one occasion, we already have laws enough to last us 10,000 years. What this body needs is the wisdom which should result from deliberation. I know that the Senator from Oregon has contributed a great deal to the reflection and deliberation of this body, and I may say he has contributed much wisdom in many respects. The only explanation I can offer for his present attitude is that he is interested in so many different things that he has not had an opportunity to let his very powerful mind examine this question thoroughly.

The Senator himself said in the hearings:

> We liberals have to spread ourselves so thin that we do not get to give all the attention we should like to, sometimes, to these problems.

It was something to that effect that the Senator said.

Mr. MORSE. That is correct.

Mr. FULBRIGHT. When I read it, it gave me hope. I could see that the Senator had not had an opportunity to study the question with the thoroughness which he usually gives to a matter such as the Taft-Hartley Act, for instance. If the Senator understood the importance of this question, and had studied it as seriously as he has studied labor legislation, I have no doubt he would agree with me as to the merits of the question before us. The Senator will admit that one of the great defects is the lack of time in which to study and understand the basic merits of a question such as this.

Mr. MORSE. Will the Senator yield for another question?

Mr. FULBRIGHT. For a question only.

Mr. MORSE. Will the Senator permit me to give him my complete assurance that I know of no problem I have ever studied more carefully than I have studied the filibuster problem, or one as to which I could be more convinced of the soundness of my position that minority rule in the Senate of the United States must be ended by the defeat of the present filibuster?

Mr. FULBRIGHT. In view of the Senator's experience this morning, I am really surprised at his conclusion. I was sure he would think minority rights are just as palatable as the domination and the arbitrary and tyrannical rule of a majority such as was imposed upon the Senator this morning.

Mr. LONG. Mr. President, will the Senator yield for a question?

Mr. FULBRIGHT. I yield to the Senator for a question only.

Mr. LONG. In regard to the conflicting statements of the late President Wilson, would it not seem to the Senator that the earlier statement, made at the time when he was studying the question from a detached point of view, would certainly carry much greater weight than would his statement at a later date, when he was obviously prejudiced and aroused by having been thwarted by the Senate at that time?

Mr. FULBRIGHT. There is no question about that, in my mind. The passions which were aroused because of the difficulties in preparing for war and the impatience in getting on with the task would cause him to have that view. In contrast with a man who happens to become the Chief Executive, we have the great weight of experience of persons who have come to the Senate. They think the procedure should be reformed immediately, but after a slight experience of a few years, almost invariably they change their minds about it. So there is no doubt in my mind that the opinion of the late President Wilson in 1908 was a much more detached, objective, and sound one than that which he expressed under the pressure of trying to carry on the war.

Mr. President, I mentioned a moment ago that I wanted to read one chapter for the RECORD. I hope the RECORD will be of sufficient interest to many Members so that they will read the chapter. Perhaps quite a number of them will have an opportunity to get the book from the Library and read it. It is written in a very fine style and is an extremely interesting treatment of the subject, so I do not think it will bore any of the Members of this body.

I quote:

> It is very difficult to form a just estimate of the Senate of the United States. No body has been more discussed; no body has been more misunderstood and traduced. There was a time when we were lavish in spending our praises upon it. We joined with our foreign critics and appreciators in speaking of the Senate as one of the most admirable, as it is certainly one of the most original, of our political institutions. In our own day we have been equally lavish of hostile criticism. We have suspected it of every malign purpose, fixed every unhandsome motive upon it, and at times almost cast it out of our confidence altogether.

One gathers that from hearing the discussion today this could have been written this week, so far as its occurrence goes.

> The fact is that it is possible in your thought to make almost anything you please out of the Senate. It is a body variously

compounded, made many-sided by containing many elements, and a critic may concentrate his attention upon one element at a time if he chooses, make the most of what is good and put the rest out of sight, or make more than the most of what is bad and ignore everything that does not chime with his thesis of evil.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield to the Senator for a question.

Mr. LUCAS. I ask unanimous consent that on tomorrow, when the Senate resumes its session in recess, the Senator from Arkansas be permitted to continue to occupy the floor.

The PRESIDING OFFICER. Is there objection?

Mr. SALTONSTALL. Reserving the right to object, may I ask the Senator from Illinois the length of time he expects the Senate to be in session tomorrow, so far as he can tell at the present time?

Mr. LUCAS. It is a little difficult for me to anticipate how long the session will last. It may depend somewhat upon the Senator from Arkansas.

Mr. FULBRIGHT. Mr. President, if I may interject, if the Senator is asking my view, I would much prefer to go over until Monday. I should not like to detain the Senate at all tomorrow, if the Senator merely wants my opinion.

Mr. LUCAS. I appreciate the sympathetic attitude of the Senator from Arkansas. May I have the unanimous consent?

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Illinois that, following the reconvening of the Senate tomorrow after the recess, the Senator from Arkansas shall have the floor, and may resume his argument? The Chair hears none, and it is so ordered.

Mr. LUCAS. Will the Senator from Arkansas so yield so that I may move that the Senate go into executive session?

Mr. FULBRIGHT. Yes; with the understanding stated.

Mr. SALTONSTALL. Will the Senator from Illinois answer my query as nearly as he can?

Mr. LUCAS. I think probably the Senate will be in session no later than 4 o'clock tomorrow afternoon.

Mr. SALTONSTALL. I thank the Senator.

EXECUTIVE SESSION

Mr. LUCAS. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. BROUGHTON in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received see the end of Senate proceedings.)

CONDUCT OF FOREIGN RELATIONS OF THE UNITED STATES—MESSAGE FROM THE PRESIDENT

The PRESIDING OFFICER, as in legislative session, laid before the Senate the following message from the President of the United States, which was read and referred to the Committee on Foreign Relations:

To the Congress of the United States:

The conduct of the foreign relations of the United States has become an increasingly momentous responsibility of our Federal Government. Many of our hopes for world peace and domestic security are dependent upon the effectiveness of our machinery for the development of foreign policy and for translating policies into action.

The foreign-affairs activities of this Government are carried on by a number of agencies, but the greatest share of the responsibility is borne by the Department of State. Moreover, the President, and the Congress as well, rely upon the Secretary of State to provide leadership among the Government agencies concerned with various aspects of foreign affairs and to recommend the steps necessary to achieve an integrated and consistent foreign policy.

The State Department has for some time recognized the need for modifications and improvements in its internal organization to enable it to discharge the increased responsibilities which have been assigned to it in the postwar period. During the past year, under the leadership of Secretary Marshall, the Department made certain urgent adjustments in its organization and undertook comprehensive studies of its long-range organizational requirements. The major recommendations arising from these studies received my approval some months ago, but were not placed in effect pending the completion of the report of the Commission on Organization of the Executive Branch of the Government.

The Commission has made a thorough study of our governmental machinery for the conduct of foreign affairs. With respect to the organization of the Department of State, the Commission's recommendations generally embody and endorse the organizational plans formulated by the Department. With my approval, the Secretary of State is now proceeding to put these plans into effect.

In order fully to carry out this reorganization, two changes in the statutes governing the Department are required. First, additional positions of Assistant Secretary of State should be created to permit the Department to organize its principal activities on a geographic basis and, at the same time, to maintain its requisite relationships with the Congress, and with the other Executive agencies and the international organizations. Second, certain powers vested by the Foreign Service Act of 1946 in subordinate officials should be placed in the Secretary, subject to his delegation. This action is needed to provide the Secretary with authority commensurate with his responsibilities, and further to apply the principle, strongly recommended by the Commission on Organization of the Executive Branch of the Government, of clarifying the lines of responsibility and authority within the Executive Branch.

Early action on these measures is desirable to strengthen this Government's resources for achieving its international objectives.

The suggestions of the Commission with regard to the personnel management of the Department of State and the Foreign Service will require additional study before recommendations can be submitted to the Congress.

HARRY S. TRUMAN.

THE WHITE HOUSE, *March 4, 1949.*

EXECUTIVE REPORTS OF A COMMITTEE

The following favorable reports of nominations were submitted:

By Mr. THOMAS of Utah, from the Committee on Labor and Public Welfare:

Michael J. Galvin, of Massachusetts, to be Under Secretary of Labor;

Earl James McGrath, of Iowa, to be Commissioner of Education;

Charles U. Culmer, and sundry other candidates for appointment in the Regular Corps of the Public Health Service; and

Lawrence Kilham, and several other candidates for appointment in the Regular Corps of the Public Health Service.

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will proceed to state the nominations on the Executive Calendar.

COLLECTORS OF INTERNAL REVENUE

The legislative clerk read the nomination of William E. Davis to be collector of internal revenue for the district of Alabama.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of James S. Lamb to be collector of internal revenue for the district of North Dakota.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

COLLECTOR OF CUSTOMS

The legislative clerk read the nomination of Harris Walthall to be collector of customs for customs collection district No. 24.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

DISTRICT OF COLUMBIA REDEVELOPMENT LAND AGENCY

The legislative clerk read the nomination of Edward A. Dent to be a member of the District of Columbia Redevelopment Land Agency.

The PRESIDING OFFICER. Without objection, the nomination is confirmed, and, without objection, the President will be immediately notified of all confirmations of today.

ALBEN W. BARKLEY

Mr. LUCAS. Mr. President, at this time I desire to take a brief moment of the Senate's time to pay a very well-deserved tribute to the Vice President of the United States. It is my understanding that today marks the thirty-sixth anniversary of the beginning of the service in the Congress of the United States of our distinguished Vice President, ALBEN W. BARKLEY. His service covers a longer period than that of any other man who has served in the legislative and executive branches of the Government continuously.

I am sure I speak for all the Members of the Senate when I wish for the Vice President many, many more years to carry on the magnificent devoted public service I know he will continue to render the people of the United States.

Mr. SALTONSTALL. Mr. President, while I am not the Senator to whom it would ordinarily fall to add to the felicitations and congratulations expressed by the majority leader on this anniversary of the distinguished Vice President, I do, as one who is for the time being sitting in the place of the minority leader, join the Senator from Illinois in his expression of good will toward our Vice President, and I hope with him that the Vice President will have many more years of service.

RECESS

Mr. LUCAS. Mr. President, I move that the Senate stand in recess until 12 o'clock noon tomorrow.

The motion was agreed to, and (at 6 o'clock and 5 minutes p. m.) the Senate took a recess until tomorrow, Saturday, March 5, 1949, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate March 4 (legislative day of February 21), 1949:

SECRETARY OF DEFENSE

Louis A. Johnson, of West Virginia, to be Secretary of Defense.

UNITED STATES ATTORNEY

Edward T. Kane, of Michigan, to be United States attorney for the eastern district of Michigan, vice Thomas P. Thornton, elevated.

APPOINTMENT IN THE REGULAR ARMY

Maj. Gen. Edward Hale Brooks, O6657, United States Army, for appointment as Director, Personnel and Administration, United States Army, with the rank of lieutenant general, under the provisions of section 504 of the Officer Personnel Act of 1947.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 4 (legislative day of February 21), 1949:

COLLECTORS OF INTERNAL REVENUE

William E. Davis to be collector of internal revenue for the district of Alabama.

James S. Lamb to be collector of internal revenue for the district of North Dakota.

COLLECTOR OF CUSTOMS

Harris Walthall to be collector of customs for customs collection district No. 24, with headquarters at El Paso, Tex.

DISTRICT OF COLUMBIA REDEVELOPMENT LAND AGENCY

Edward A. Dent to be a member of the District of Columbia Redevelopment Land Agency, for a term of 5 years, effective on and after March 4, 1949.

HOUSE OF REPRESENTATIVES

FRIDAY, MARCH 4, 1949

The House met at 12 o'clock noon.

The Reverend John F. McCadden, O. P., treasurer of the Dominican Villa, Sea Bright, N. J., offered the following prayer:

In the name of the Father, and of the Son, and of the Holy Ghost. Amen.

Enter into our hearts, O God, and remain with us. Teach us what we are to do, and grant us the strength to do it well. Show us what we must accomplish in order that, with Thy help, we may be able to please Thee in all things; and be Thou alone the author and finisher of all our judgments. Suffer us not to disturb the order of justice, Thou who lovest equity above all things; let not ignorance draw us into devious paths, nor partiality sway our minds; neither let respect of riches or persons pervert our judgment; but unite us to Thee, that we may be one in Thee and never forsake the truth. Inasmuch as we are gathered together as representatives of Thy people, so may we in all things hold fast to justice tempered by mercy, so that in this life our judgment may in no wise be at variance with Thee, and in life to come we may attain to everlasting rewards for deeds well done. Amen.

The Journal of the proceedings of yesterday was read and approved.

VOLUNTARY FIRE COMPANIES OF AMERICA

Mr. HARRISON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. HARRISON. Mr. Speaker, I have introduced a bill, H. R. 2971, to correct a great injustice to the volunteer fire companies of America.

Under the present laws, a taxpayer may not claim a deduction in his income tax return for contributions to a volunteer fire company. If a citizen dies and makes such a gift in his will, his executor may not credit the bequest against estate taxes as he can with gifts to other organizations for public charity.

Such a tax policy is as unwise as it is unfair.

Volunteer fire companies render a great service in rural areas of the country. They protect the lives and property of the citizens from fire; they protect the food supply stored in warehouses and silos; they protect the factories in thousands of small communities.

In the tax policy toward volunteer firemen, Uncle Sam bites the hand that feeds him. Post offices and Federal buildings are given free fire protection in cities and towns throughout the country. Because of the reduced premiums on fire insurance policies in communities served by volunteer fire companies, the net income of many taxpayers is increased. On the other hand, in cities which have a paid fire department, the taxes which citizens pay to maintain the municipal fire departments are deductible from Federal taxation.

The expense of maintaining modern and efficient fire-fighting equipment is large. The members of volunteer fire companies have demonstrated considerable self-reliance in raising money for these purposes through their own efforts. However, sometimes a man wants to make a cash gift to his fire company or to remember it in his will. Such gifts to a splendid, charitable organization ought not to be discouraged by unfair tax discrimination.

The bill introduced by me differs from that offered by the distinguished gentleman from Delaware [Mr. BOGGS] in that my bill exempts gifts by will from estate taxes. Both bills would exempt gifts from income taxes. The revenue lost to the Treasury in either case will be very small but the injustice of the present law is very great.

EXTENSION OF REMARKS

Mr. KLEIN (at the request of Mr. HUBER) was given permission to extend his remarks in the RECORD in three instances and include extraneous matter.

Mr. FLOOD asked and was given permission to extend his remarks in the RECORD and to include a statement from the Times-Leader-Evening News of Wilkes-Barre, Pa., dated February 10, 1949, on the subject of anthracite mine safety.

Mr. THOMPSON asked and was given permission to extend his remarks in the Appendix of the RECORD and include an address by the Honorable Willis Bradley and introductory remarks thereto.

SPECIAL ORDER GRANTED

Mr. MANSFIELD. Mr. Speaker, I ask unanimous consent that today, following any special orders heretofore entered, I may be permitted to address the House for 10 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

EXTENSION OF REMARKS

Mr. WILLIAMS asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. PATTEN asked and was given permission to extend his remarks in the RECORD and include an editorial appearing in the Arizona Daily Star.

Mr. BIEMILLER asked and was given permission to extend his remarks in the RECORD in three instances and include editorials.

Mr. MADDEN asked and was given permission to extend his remarks in the RECORD and include a Jackson Day address he delivered at Norwalk, Ohio.

Mr. CLEVENGER asked and was given permission to extend his remarks in the RECORD and include an editorial appearing in the Columbus Dispatch.

Mr. SMITH of Wisconsin asked and was given permission to extend his remarks in the RECORD in two instances and include extraneous matter.

CIVIL-SERVICE EMPLOYEES ON THE WARPATH

Mr. BURDICK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from North Dakota?

There was no objection.

Mr. BURDICK. Mr. Speaker, every week I have been sending home a short write-up on the doing of Congress. Last week I wrote a story on the trials and troubles of a Congressman and in some way this article got to all the papers here in Washington. These papers, following newspaper custom, published such parts of the story as appeared to them would be a good news story.

As the newspaper story appeared it was altogether a different story than the one I had written. I referred to the employees in my own office and never had the civil-service employees in mind at all. My employees are not civil-service employees. They came with me from North Dakota and were never in Washington before. The story was written from a comic angle and all the employees in my office understood it that way.

Countless numbers of people, unknown to me, called my office and wanted to talk to me. As soon as I got on the phone they let loose a barrage of invectives against me for saying the civil-service employees did not do much work. They referred to the Washington newspaper report. I tried to explain to them that I had said nothing about civil-service employees, but they ignored that and continued wild and excited blasts. These tirades were all about alike and it appeared like a rehearsal. Many voices and titters could be distinctly heard on the phone, when one of the tiraders would score what they thought was a point. These voices showed a marked foreign accent, and they all had me branded as a villain, for each tirade usually wound up by saying they did not want a Hitler in America.

I think it is cowardly for anyone to get on a phone and call anyone a liar when, as in this case, there was absolutely no justification for it.

There is no complaint I can make against the newspapers, for they have a right to use all of the article or a part of it, or not use it at all. I am sure they rewrote this as a news story and had no intention of putting me on the outs with many civil-service employees. It is just one of those things that can happen. Had the full story been published it would have been obvious that there was no attack of any kind on civil-service employees.

These tiraders want me to apologize, which I would gladly do if I had wronged them, but when I did not refer to them at all, there is no apology that can be made. I think these people, whoever they are, owe me an apology for calling me a liar about their work when I had no reference to them. The way these people handled this case is not the American way. They should have found the facts first and allowed me to present my side of the controversy. My attitude concerning civil-service employees is well known from my years of service in the House and I have cast no vote except one to aid and assist these employees.

THE LATE STEPHEN W. DEMPSEY

Mr. WILLIAM L. PFEIFFER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York

There was no objection.

Mr. WILLIAM L. PFEIFFER. Mr. Speaker, I regret it comes to me as a solemn duty to report the death of one of my predecessors, former Representative Stephen Wallace Dempsey, who so ably served the Fortieth New York Congressional District from the Sixty-fourth to the Seventy-first Congress.

Mr. Dempsey served as chairman of the House Committee on Rivers and Harbors. As such, he was one of the Republican advocates of the improvement of our waterways and ports. He was an intimate friend of the late President Calvin Coolidge. He did not favor the St. Lawrence ship-canal project, and conducted a fight for an all-American waterway through New York State from the Great Lakes to the Atlantic.

Mr. Dempsey was a gentleman, and adhered to all of the gentlemanly codes of days gone by. He always was meticulous in his conduct.

After he left Congress in 1931, he was popular in Washington legal and social circles. He was a friend of both Republican and Democrat alike, and often his counsel was sought by them in matters relating to national policy or improvement of rivers and harbors.

In the passing of this former predecessor of mine, New York State, and Washington, lose a man of the stature of an able statesman.

THE LATE MME. SAROJINI NAIDU

Mrs. BOLTON of Ohio. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

Mrs. BOLTON of Ohio. Mr. Speaker, on Wednesday of this week there died in India one of the great women of our era, Mme. Sarojini Naidu. In her death India has lost a great and devoted patriot and the world one of its leading champions of a free, democratic spirit.

As a poetess and political leader, Madame Naidu served her country long and well. A tireless crusader for freedom and a stanch disciple of Mahatma Gandhi, she lived to see the free India she had fought for become a reality and was destined to serve it as the first woman governor of a province.

Her life span of 70 years encompassed a great variety of activities and brought to her numerous honors and the sincere affection of the people of India. She was a pioneer in the women's movement of her country and by her shining example blazed a trail of accomplishment for Indian womanhood, paving the way for women's full participation in political life.

An early interest in the Indian National Congress—the Congress Party—led to her position as member of its working committee and one of its top leaders, ranking with Gandhi, Nehru, and Patel. In 1925 her country bestowed upon her its greatest honor—the presidency of the Indian National Congress. When the Asian Conference was held in New Delhi in 1947, Madame Naidu was elected its president by acclamation.

Educated in England, Madame Naidu published her first volume of verse there, where it met with immediate success. Her volumes of poetry, written originally in English, have been translated into many European languages and the chief languages of India. But when her country's need summoned her, she left what could have been a life of ease and comfort and devoted her whole being to the nationalist movement.

She brought to the Indian struggle for freedom a warm, vital personality, a deep understanding of and interest in people, and the gift of a ready wit. A brilliant, persuasive speaker, she gave the women of India a realization of their responsibilities to their country, and they flocked to follow her lead. Her country men and women came to know her as a tireless, sincere worker in the cause of independence, and an inspiring leader.

She worked beside Gandhi, was his nurse during his fasts, and came to have great influence with him. Like the other Indian nationalist leaders, she was jailed several times for her role in the civil-disobedience movement. In 1931 she represented Indian women at the London round-table conference—called to discuss political reform in India.

Madame Naidu was vitally interested in education, public health and welfare, and cultural activities. As a strong advocate of Hindu-Moslem unity, she played a major part in bringing about communal harmony in the United Provinces, of which she was governor at the time of her death.

Particularly, Madame Naidu had a deep feeling for the young people of India, with whom she was immensely popular. She once said that when she died she would like to have her epitaph read simply, "She loved the youth of India."

It was my very great privilege to have met and known Madame Naidu when she visited this country in 1928. She was one of the world's truly great women—a world citizen of international outlook—to whose memory women in all countries will continue to look for inspiration and guidance. Her contribution to all of mankind is no less than the heritage she leaves India.

With a full heart I echo the words Prime Minister Nehru said yesterday to the Indian Parliament:

> India will produce great men and women in the future as she has done in the past and in the present, but I wonder whether she will or can produce another just like Sarojini.

EXTENSION OF REMARKS

Mr. LOVRE asked and was given permission to extend his remarks in the RECORD and include House Concurrent Resolution 3 passed by the South Dakota State Legislature.

Mr. HORAN (at the request of Mr. ELLSWORTH) was given permission to extend his remarks in the RECORD and include extraneous matter.

Mr. BOGGS of Louisiana and Mr. BOLTON of Maryland asked and were given permission to extend their remarks in the RECORD.

Mr. HINSHAW asked and was given permission to extend his remarks in the RECORD and include an article entitled "Skyways," from the Los Angeles Times.

CARDINAL SPELLMAN

Mr. COX. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. COX. Mr. Speaker, a story carried in the press of yesterday and this morning about Cardinal Spellman leading 100 young priests to a cemetery in New York to bury the dead who had accumulated to the number of 1,200 and who had been denied burial because of a strike called by the grave-diggers union again focuses world attention upon this great and good man.

Mr. Speaker, a million young men in New York should today petition the cardinal that they be permitted to participate in the performance of this act of mercy.

If this thing were to occur in the part of the country from which I come, the women and children, town and country, would band together and with their hands tear to pieces any force that stood between them and the grave of their dead.

Mr. Speaker, I am not particularly a reverent person. My prayers may be unavailing. But by authority of such religion as I have, I pray the Great Master to shower his blessings upon the good cardinal and his hundred priests and all others who may come to his aid in finding a last resting place in the bosom of mother earth for the dead.

SPECIAL ORDER GRANTED

Mr. HOLIFIELD. Mr. Speaker, I ask unanimous consent that on Monday next, at the conclusion of the legislative program of the day and following any special orders heretofore granted, I be permitted to address the House for 30 minutes.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

PERSONAL ANNOUNCEMENT

Mr. WILLIS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. WILLIS. Mr. Speaker, on March 1, 1949, I was on the floor during general debate of H. R. 199, which is a law having to do with naturalization and immigration. This bill was considered by the Committee on the Judiciary, on which I have the privilege of serving, and I supported the bill.

I was urgently and unavoidably called away from the floor and, during my absence, roll call No. 22—page 1692 of the CONGRESSIONAL RECORD—was had. The roll call was on motion to recommit the bill to the committee. In order to have my position in the RECORD, I announce that I was for the bill and, therefore, if I had not been unavoidably absent when the roll call was taken, I would have voted "nay."

ADJOURNMENT OVER

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mr. MARTIN of Massachusetts. Reserving the right to object, Mr. Speaker, and I am not going to object, may I inquire what the program will be for next week?

Mr. McCORMACK. On Monday the Consent Calendar will be called.

There are several requests for rules before the Committee on Rules, which will continue hearings on them this afternoon. If rules are reported out on the following bills or any of them, they will be brought up Monday and Tuesday:

H. R. 2546 relates to radar protection for our country. H. R. 1741 is known as the guided missiles bill and H. R. 2663 relates to the Central Intelligence Unit. H. R. 2216 provides an additional Under Secretary of Defense. Senate Joint Resolution 36 deals with Arab and Jewish refugees of Palestine.

I want to make one correction however. The bill H. R. 2663, the central intelligence bill may be brought up under suspension of the rules on Monday.

Mr. MARTIN of Massachusetts. Might we inquire of the Speaker if there are any other suspensions that he has in mind at this time?

The SPEAKER. No.

Mr. MARTIN of Massachusetts. The bill to which the distinguished majority leader referred is the so-called hush-hush bill?

Mr. McCORMACK. That is the bill where the committee had to receive testimony in executive session on a certain part of the bill but not the entire bill. That was on a good proportion of the bill and insofar as that has relationship to hush-hush the answer is "Yes."

On Wednesday the Labor and Federal Security appropriation bill will be taken up.

Thursday and Friday I am leaving open. It all depends on whether the rent control bill comes out of the committee, which I expect. Then there is the wage-hour bill, that is the minimum-wage bill, and the amendments to the Fair Labor Standards Act. If either one of them are reported out, it is my intention to bring one of them up and if possible, both of them on Thursday or Friday, but I doubt if both can be brought up on those days. But I would like to have that flexible reservation so that the House and every Member will feel that I am keeping faith with them.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

FEPC LEGISLATION AND THE ANTISEGREGATION DRIVE

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and revise and extend my remarks and include an article.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi [Mr. RANKIN]?

There was no objection.

Mr. RANKIN. Mr. Speaker—

> While the lamp holds out to burn
> The vilest sinner may return.

I see that the Washington Post, our local Pravda, has now got to the point of at least straddling the fence, and maybe coming on our side of this Communist movement to destroy the public schools of the District of Columbia by wiping out segregation.

I am gratified to note that the State of Minnesota has also joined in this revival of righteousness and killed the infamous FEPC bill, which Joe Stalin trumped up in 1920 and which a few Red radicals and irresponsibles have been trying to ram down the throats of the American people.

They have never got by with it in any State where the people had an opportunity to vote on it.

They took a vote on it in California and defeated it by a majority in every single individual county in California.

The legislature had this hideous monstrosity before it, and when they referred it to a committee of that august body they turned it down flatly, saying in effect, "We do not need such communism in Minnesota."

A leading Minnesota paper has this headline "Death ax swings on FEPC bill."

The SPEAKER. The time of the gentleman from Mississippi has expired.

EXTENSION OF REMARKS

Mr. KEATING asked and was given permission to extend his remarks in the RECORD in two instances, relating to bills that he is introducing today.

REPORTS FROM COMMITTEE ON RULES

Mr. SABATH. Mr. Speaker, I ask unanimous consent that I may have until midnight tomorrow night to file privileged reports from the Committee on Rules.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The SPEAKER. Under previous order of the House, the gentleman from Illinois [Mr. SABATH], is recognized for 1 hour.

TWO HUNDRED AND FIRST ANNIVERSARY OF THE BIRTH OF GEN. CASIMIR PULASKI

Mr. SABATH. Mr. Speaker, 201 years ago today, there was born in Podolia, Poland, a man who believed in freedom and liberty, as do all of his countrymen. He took a prominent part, under his father Count Joseph Pulaski, in the formation of the confederation of the bar and in the military operations which followed, becoming ultimately commander in chief of the Polish patriotic forces.

The American people owe a deep and great debt of gratitude to this distinguished patriot. A lover of free institutions, he dedicated his talents and skills to the cause of a small struggling nation, which in 1777 had not yet earned the regard and respect of the world in which it was seeking to become a member nation.

General Pulaski's services partook of the nature of an unselfish contribution to the cause of humanity. He believed that all peoples have a right to be free, and he took unto his heart and mind, the

full meaning and significance of the principles embodied in the Declaration of Independence, Rousseau's Le Contract Social, and Locke's Fundamental Orders—all of which in their day set a pattern for the aims, ideals, and inspirations of a liberty-loving nation to follow.

That General Pulaski was unselfish in his love of freedom and the desire that others shall be free, cannot be gainsayed, for did he not make the supreme sacrifice on the field of battle? What more true and definite test can one be put to, in order that he surrender his very existence—his life—for his fellow man.

I would like to take you back with me to the year 1777 in our national history. The fortunes of our Revolutionary fathers were at a low ebb. We were seeking to anchor our ship of state to some port of foreign call in the form of a friendly nation which would, in some measure, contribute aid to the already depleted forces of a people and its defenders who were fighting a lone fight against great odds. It was at this time that we turned to France, and with the aid of Benjamin Franklin's diplomacy we succeeded in attracting her to our side.

This material and spiritual aid was given further impetus by the addition of Pulaski's great moral and spiritual regeneration. This served the purpose of encouraging the upliftment of a moral discouragement which had set in as a result of the failure of the military forces to win an outstanding victory on the military field, as well as in counteracting the forces of the American Tories of that day who set obstacles in the path of the patriots and sought constantly to discourage the further undertaking of the war which they labelled a lost war.

How well Casimir Pulaski nurtured and kept alive the seed of freedom which had been planted in the colonies by such men as Washington, Franklin, Otis, Jefferson, Samuel Adams, Patrick Henry, and a host of others too numerous to mention, is written on the historical pages of eternal fame. He was a source of inspiration to the men under his command. They swore undying loyalty to him. No danger was too great, no obstacle too stubborn to surmount. He would not ask to be done what he himself believed should not be done, for he understood men and their problems as all great leaders must of necessity. He lived in an age where the times cried out for leadership and leaders. Chaos and disunity filled the air. Forces repelled each other with the result that order and harmony were much in the background. This ability of discernment of true situations and evaluation of the problems of his time, made him a valuable asset to the full realization of American independence.

History tells us that in 1772 General Pulaski was driven into exile and went to America where he joined the Army of Washington in 1777. He offered his services and military experience to General Washington, who, in a short time, recognized his fine qualities. His ability, firmness of character, and determination led to his assignment to an important position. General Washington relied upon him implicitly and trusted him to the fullest extent, commissioning him in the Continental Army. His name shall forever be linked with the battles of Brandywine, Warren Tavern, Germantown, Trenton and Haddonfield. He so distinguished himself at Brandywine, that Congress made him a brigadier general and chief of cavalry.

Casimir Pulaski, Kosciusko, and many others of Polish birth and descent who came to this country contributed much to our heritage. I am familiar with their love of freedom and liberty and of their deep loyalty and patriotism; I was familiar with their aims to help their kinfolk in their native Poland to be free of their oppressors.

True to our assurances for their self-determination, America made possible the uniting of all Polish people and the creation of the Polish Republic. Thus, when Poland was recognized as an independent state, the purposes, ambitions, and dreams of her people became a reality, and no one was more overjoyed than I.

On February 14, 1949, I thought it fitting and proper to introduce a resolution in the House of Representatives—House Joint Resolution 159—which I feel will enhance the respect that the people of the United States owe to General Pulaski. I was profoundly proud to introduce such a resolution. The resolution reads as follows:

Resolved, etc., That the President of the United States is authorized and directed to issue a proclamation calling upon officials of the Government to display the flag of the United States on all governmental buildings on October 11 of each year, and inviting the people of the United States to observe the day in schools and churches, or other suitable places, with appropriate ceremonies in commemoration of the death of Gen. Casimir Pulaski.

I trust and hope that this resolution will be given the consideration that it is entitled to by the Congress.

From his pace on high, Casimir Pulaski looks down upon Poland, his native land, and sees oppression and suffering. The heel of the tyrant is upon its throat. His countrymen were betrayed and sold into bondage, and now have difficulty in surviving. The warm, kind, and industrious Pole is prevented from pursuing his daily and accustomed life because foreigners have moved in and taken possession of his native land. The Polish farmer is no longer the spirit of enterprise, for his labors and their fruits go toward the swelling of the coffers of a totalitarian regime. The scholar no longer has possession of academic freedom, for which all Poles have fought and died. Therefore, his literary output—once large and sought after—is now small and inconsequential. The arts and sciences no longer carry the inviolable imprint today of a once sturdy and free Poland. All this because the foreign invader has imprisoned him, his initiative, and his skills. No doubt General Pulaski mourns and laments the poor state of his once great homeland. He, like all of us, hopes and prays for the speedy rehabilitation of a new Poland, which will assert itself when the moment is propitious. American aid to long-suffering Poland will be speedily forthcoming the moment that Russia releases its stranglehold upon the political, social, and industrial life of the country.

The contributions of Poland to world peace will be certain as well as effective. Throughout history the men and women of Poland have distinguished themselves in the cause of justice and freedom. They have fought successfully against great and overwhelming odds—against all those who attempt to defile their institutions and overrun their territories. On each occasion they have dislodged the enemy and have won back their cherished rights and possessions. And just as history continues, so will Poland, through her spiritual and virtuous conduct, and she will again reassert herself and take her place among the important nations of the world, striving for peace, freedom, and contentment.

The citizens of Polish extraction in this country have taken the outstanding feats of Pulaski, Kosciusko, and others who also came from Poland as the road of life which has to be followed. By precept and by example in their communities, they have exemplified and manifested the highest duties and obligations of citizenship and civic virtue, to the end that they have made noteworthy progress and contributions toward the greater development of the United States. Polish men of letters, scientists, industrialists, all have set high standards in their respective fields. In every community they stand out as prominent and worthy citizens who are bent on advancing the cause of God and country.

Truly does the spirit and soul of Gen. Casimir Pulaski hover high above us and urge us onward toward a greater sense of accomplishment. On this two hundred and first anniversary of the birth of a great patriot, who is dear and sacred to American institutions, we the American people renew our debt and gratitude to General Pulaski, whose prodigious accomplishments on behalf of a great America shall spur us onward toward a greater realization of the necessity of transmitting to posterity unimpaired, the principles of our beloved Constitution and the Bill of Rights.

Mr. Speaker, I yield to the gentleman from Massachusetts [Mr. McCORMACK].

Mr. McCORMACK. Mr. Speaker, when Benjamin Franklin engaged Casimir Pulaski for service in the Continental Army, he recommended him to General Washington with these words:

Count Pulaski, of Poland, an officer famous throughout Europe for his bravery and conduct in defense of the liberties of his country against the three great invading powers of Russia, Austria, and Prussia, will have the honor of delivering this into Your Excellency's hands.

With such an introduction, Pulaski came here, imbued only with the pure ideals of liberty and justice, to fight for the freedom of the New World. Compelled by Russian oppression to leave his own beloved land, he became an exile; and when the spark at Lexington started the conflagration which became the American Revolution, his restive spirit impelled him to join the cause of the colonists.

Honor and a true desire of distinguishing myself in defense of liberty was the only motive which fired my breast for the cause of the United States—

He wrote to Gen. R. H. Lee in 1778, and a little over a year later, on October 11, 1779, he paid the last full measure of devotion to that cause by his death from grapeshot wounds at the siege of Savannah.

As the commander of the celebrated Pulaski Legion, the formation of which was sanctioned by the Congress on March 19, 1778, he recruited, equipped, and maintained the first effective cavalry corps in the fledgling Army of the United States. His services to General Washington during the bitter and discouraging winter of 1778–79 were invaluable, and his discovery of the enemy army when Washington and Hamilton were halted at Warren Tavern in Pennsylvania certainly prevented the surprise and possible rout of the American forces.

On orders from the Congress, Pulaski left the area around New Jersey and Pennsylvania and marched south to place his legion under the command of General Lincoln. By this time, it was an infantry organization, and his sorties so harassed the British General Prevost that the enemy retired from Charleston.

In pursuing the retreating British, he dealt the enemy stinging blows whenever possible, and during the siege of Savannah he received his mortal wound when attempting to halt the retreat of the French columns in the American ranks.

March 4 marks the anniversary of the birth of this noble Pole who sacrificed his honor, his fortune, and his life for the cause of American freedom. He was buried from the side of the U. S. brig *Wasp*, and his death was lamented universally by the friends of liberty everywhere.

In a brief, obscure pamphlet by one Dr. Charles C. Jones commenting on the sepulture of Pulaski and Gen. Nathaniel Greene, we find the most fitting accolade to the heroic Polish count who became an American legend:

> He sleeps where the ebbing tide of the Savannah meets and commingles with the waters of the broad Atlantic. Fit resting place for a hero of such expansive soul! He sleeps where the praises in honor of his great deeds, sung by the waves of the Savannah as they kiss the shore consecrated by his valorous deeds, are caught up by the billows of ocean and are by them joyfully repeated in wider circles, in more heroic strains. He sleeps where the ambient air, fragrant with the perfumes of a land whose freedom he died to achieve, tells to Atlantic breezes the story of his martyrdom that they too, in glad acclaim, may answer back to the farthest coast the greatness of his fame. By a strange coincidence the beloved of Mars rests in the embrace of Neptune.

Mr. SABATH. Mr. Speaker, I yield to the gentleman from Illinois [Mr. GORDON].

Mr. GORDON. Mr. Speaker, I want to at this time take the opportunity to thank my friend from Illinois [Mr. SABATH] for asking for 1 hour's leave to address the House to commemorate the occasion of the two hundred and first anniversary of the birth of a great Revolutionary general, Casimir Pulaski, who has given ample time to many Members who want to speak about this great hero, whose name became the symbol of the deeply rooted ties which unite the American and Polish people.

As I stated in previous speeches on General Pulaski, his name became in two centuries the symbol and banner under which humanity fights for freedom. His memory so widely honored in the United States, has a profound and deep meaning for those who strive to keep alive the devotion of the American people for the ideals of human rights and democracy.

Casimir Pulaski, at a young age, being only 24 years old, was a veteran of the most cherished belief in freedom, having fought gallantly during the patriotic uprising of the Poles against the ruthless Russian oppressors beside his famous soldier father of those days. He fought a losing battle with the confederation for 5 years and when the uprising was crushed, he went into exile in France. From there he led an expedition of Poles into Turkey to join that nation in war against the Russians. This venture was doomed from the start for lack of promised support of the French. He was again compelled to flee to France and upon arrival in Marseilles, was cast into a debtor's prison for failure to repay debt incurred in organizing the Turkey expedition.

At this time Benjamin Franklin arrived in France from America. The general immediately offered his services to the revolutionary cause and was accepted. He came to America to fight for the same liberty for which he struggled in Poland. The same liberties cherished by all of us, for which American armed forces have fought in the last two world wars. History describes Casimir Pulaski as fighting at Washington's side, first as a brigadier general in command of the revolutionary cavalry and later as founder and leader of the famous and historical Pulaski Legion. He died nobly in the American cause at the battle of Savannah, Ga., on October 11, 1779.

No true American can remain indifferent to the fact that the Poland of Pulaski and Kosciusko cannot speak for herself today. The freedom-loving Poles are silenced and it is the American-Polish blood which can only still speak for the enslaved Polish people.

We shall not stop reminding the world that the country whose war record made her, in President Roosevelt's words: "The inspiration of nations," is now entirely dominated by a hostile, foreign power, that Poland's most worthy sons and daughters are being exterminated or deported, that a foreign, godless, totalitarian philosophy is being forced upon a Christian people, which strains all its moral and material forces in order to sweep out the Soviet puppets who now enforce a rule of terror in that unhappy country.

It is our sacred duty to most solemnly pledge ourselves to the memory of Pulaski, that we will not rest until the promises of freedom and independence for Poland given to the Polish Nation during the war while she was fighting and bleeding—are redeemed. We shall not rest until Pulaski's motto, "For our freedom and yours," will be fully applied to Poland—the nation which practiced it during 10 centuries of its recorded history.

Mr. SABATH. Mr. Speaker, I yield such time as he may desire to the gentleman from Illinois [Mr. LINEHAN].

Mr. LINEHAN. Mr. Speaker, America is observing today the two hundred and first anniversary of the birth of Gen. Casimir Pulaski. Here is a great American who made worth-while contributions to the cause of free government. Every American regardless of race or religion, is under obligation to this distinguished American soldier, who gave of his mind and heart for the cause of independence and freedom.

In 1777 he joined the Army of Gen. George Washington. In a short time, because of his ability, he grew in the estimation of General Washington who trusted him and gave him important tasks to carry out. His heroism demonstrated itself in the battles of Brandywine, Germantown, and Trenton. It was at Brandywine that he was recommended for the commission of brigadier general and chief of cavalry. Congress concurred in this recommendation. Not content with these honors, General Pulaski called together a group of Poles living in America, designated them as the Pulaski Legion, and led them in the famous battles of Little Egg Harbor and Charleston.

General Pulaski's military career was brought to an untimely end while fighting courageously and valiantly, when he was mortally wounded and died on October 11, 1779.

The record of this famous American of Polish extraction—champion of liberty and defender of American freedom—is one that shall go down in the annals of history as one of the most revered and distinguished in our American life. We in America are grateful that General Pulaski lived, for it was his belief in a great cause that gave impetus and life to the American people when the outlook was dark.

Today, the Nation of General Pulaski's father is in the throes of deep trouble and desolation. It is one of the satellite nations under the control of Russia. The initiative of the Polish people does not reassert itself with the same warmth and vigor to which it has been accustomed. Its people are not free to do as they would do were they free from the shackles and bonds of communism. The Polish nation must be helped and rebuilt in order that they might again take their proper place among the other freedom- and liberty-loving peoples and nations of the world. I am proud of the progress they are making toward this end. May the two hundred and second anniversary of the birth of General Pulaski see a new and free Poland.

Mr. SABATH. Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. FLOOD].

Mr. FLOOD. Mr. Speaker, of the many heroes and patriots from foreign lands who came to the shores of the fledgling United States of America to offer their sword and their purse to the cause of liberty, the name of Casimir Pulaski stands to the fore. With his compatriot, Thaddeus Kosciusko, Pulaski, the eldest son of Count Joseph Pulaski, was born in Podolia, Poland, in 1748.

The great Polish patriot served in the guard of Duke Charles of Courland and in 1768 returned to Poland where he joined his father in an active rebellion against the foreign domination of Poland. After many hazardous experiences and heroic exploits and considerable success, his forces were finally defeated, all of his property confiscated, and he escaped to Turkey in 1772.

Subsequently, he was in touch with many friends of the Colonies in Paris and in 1777 Benjamin Franklin arranged an introduction of Pulaski to George Washington.

Down through the years of American history there have been many and great leaders of cavalry, and the cavalry arm of our armed forces has always been brilliant in the service of the Nation. No greater or more daring cavalry commander ever served our flag than Casimir Pulaski. As a matter of fact, we might well say that Pulaski was the father of the American cavalry because during the first 2 years of the war, in the Continental Army there was no regular cavalry unit and only in the latter part of the second year were regular cavalry regiments established.

During the fall and winter of that year Pulaski participated in numerous engagements, including the major battle of Brandywine and Germantown, and later at Trenton and Flemington. General Pulaski, with Gen. Anthony Wayne, had much to do in obtaining supplies for the colonial troops in winter quarters during the desperate months at Valley Forge. Pulaski was impatient for action and was always unhappy when in garrison or not happily engaged in the field; and for the next 2 years no commander had a wider or more varied experience as a line officer, serving in all theaters of operation—north and south.

With General Lincoln at the seige of Savannah on October 9 Pulaski, bravely leading a charge against the enemy lines at the head of his cavalry, was mortally wounded and died 2 days later. His gallant death inspired to greater action his brothers in arms for the cause of liberty and equality so ably espoused by this visiting hero and friend from liberty-loving Poland.

Down through the generations of American free and independent history Poland and her sons were always friends in need.

And so now today the millions of American citizens in whose veins flow the proud blood of Polish ancestry continue to hold high the torch of freedom. Inspired by the courage, ability, and skill of Poland's great soldier, the name of Pulaski is enshrined forever in the hearts of all Americans.

God willing, the United States of America will never forget the debt owed to Pulaski and his Polish friends, so that today, with Poland under the heel of an invading tyrant, we can repay this debt.

Mr. Speaker, on this, the birthday of the patriot-soldier, Casimir Pulaski, I take this opportunity to pay tribute to his proud name and sacred cause.

Mr. SABATH. Mr. Speaker, I yield to the gentleman from Connecticut [Mr. SADLAK].

Mr. SADLAK. Mr. Speaker, all freedom-loving Americans are acquainted with the deeds of the great Polish hero, Brig. Gen. Casimer Pulaski. They know of his fruitless struggle for freedom in Poland when that country was partitioned by Germany, Russia, and Austria. They also know of his interest in the cause of American freedom and his arrival in the Thirteen Colonies to fight brilliantly at the side of George Washington. He organized cavalry units and trained American men. History has come to call him the father of the American cavalry. All freedom-loving Americans also know of his supreme sacrifice at the Battle of Savannah in Georgia, where he was mortally wounded, dying 2 days later at the age of 31.

Thus, General Pulaski inscribed his name in the heart and memory of every American. His name has become synonymous with freedom—a quality inherent in every person, particularly persons of Polish descent, who have known so little of freedom during the last 2 centuries. To honor the memory of Pulaski today is also to honor his brave compatriots, from his day to ours, who gave their lives that freedom may live.

Poles all over the world were inspired by this ideal to fight. When Poland was overrun by Germany in 1939, the people took up arms and fought back bravely. They did not sell out their country at any time. They withstood hardships, suffered incarceration in prison camps, saw their families killed by invaders, their homes burned, their schools and churches destroyed, but not once did any of them flinch from the steadfastness to his ideal of freedom.

Even after Poland was overrun by Germans on one side and Russians on the other, the Poles continued their valiant struggle. At home, they organized the heroic underground army. Abroad, they formed armies of men from 16 to 60 and fought brilliantly in the battles of France, Trieste, and Monte Casino. In England, they reorganized the Polish Air Force and carried on the fight in the air. Forty percent of these men, including the famous Suicide Squadron, lost their lives in the fight. Like Pulaski, they had youth and a future, but, like Pulaski, they cherished freedom above all else.

Altogether, more than 6,000,000 Poles gave their lives in this last war. However, on May 8, 1945, when all of Europe was rejoicing over the end of hostilities, the Poles alone could not share in the celebration. The Poles, first to suffer the onslaught of the aggressor and fight him to the bitter end, were now deprived of the very ideal for which they fought—freedom. They were overcome by a new power, a new kind of slavery known as communism. Their country was cut up and part of it was given to Russia as compensation for the latter's losses in the war. Poland, for all her sacrifies, was ignored. In fact now, many Poles were being arrested as German citizens and sent to Siberia as slave laborers. Factories were being torn down and sent to Russia. Poland's wealth was being confiscated. And just as freedom was being reborn in other countries of Europe, it was being stamped out in Poland.

Pulaski would shudder in his grave if he knew that this was the justice meted out to a country and people loyal to the cause of freedom. If we are to pay loyal tribute to the memory of Pulaski today, we should dedicate ourselves to the preservation of the freedom for which he fought and died. We owe Pulaski a great debt, a debt we can help repay by helping Poland in her desperation today. We shall be helping the Poland that Pulaski loved and tried to liberate.

Mr. SABATH. Mr. Speaker, I yield such time as he may desire to the gentleman from Indiana [Mr. MADDEN].

Mr. MADDEN. Mr. Speaker, on January 27, 1949, I introduced House Joint Resolution 119 for favorable action by the Eighty-first Congress. This joint resolution, when enacted, would authorize the President of the United States of America to proclaim October 11 of each year as General Pulaski Memorial Day for the observation and commemoration of the death of Brig. Gen. Casimir Pulaski.

This resolution contains the following language:

Resolved etc., That the President of the United States is authorized and directed to issue a proclamation calling upon officials of the Government to display the flag of the United States on all government buildings on October 11 of each year, and inviting the people of the United States to observe the day in schools and churches, or other suitable places, with appropriate ceremonies in commemoration of the death of Gen. Casimir Pulaski.

Gen. Casimir Pulaski, outstanding Polish statesman, military hero and patriot, is one of the very few men in history who fought and gave his life for liberty and free government on two continents. Long before he set foot on American shores to help our fledgling Republic fight for independence, he had established a place high in the firmament of Polish patriots of all time. Before coming to our country, and as a mere youth, he stated that his destiny was clear and that he regarded every moment as lost that was not employed in repelling the enemies of Poland. In those years of fighting for Polish independence, he endured all the bloody sacrifices of war, the slaying of members of his family by the enemy, but continued steadfastly the battle for a free Poland. His example has not been forgotten by the people of that nation down through the years and to the present hour when every true Pole is fighting for religious and civic liberty.

When General Pulaski came to America and presented himself to Gen. George Washington, he was already famous throughout Europe for his bravery and conduct in defense of the liberty of his own country against the great invading powers of Russia, Austria, and Prussia. We can readily see and understand why men like General Pulaski and his famous fellow countryman, General Kosciusko, who also covered himself with undying glory in the Revolutionary War, were not soldiers of fortune, but men imbued with the burning desire to overthrow tyranny and establish liberty and freedom on this earth.

General Pulaski's outstanding and heroic deeds during the Revolutionary War need not be repeated here to the students of American history. Pulaski gave his life for American independence. He died as he had lived—a noble and undaunted warrior fighting the battles of liberty for our Republic. He sacrificed himself, his fortune, his splendid genius and all his earthly hopes for liberty, justice, and humanity. For these things he gave all he had—his martyred life.

It is my earnest hope that this Eighty-first Congress will act favorably on House Joint Resolution 119 and make October 11, the anniversary of the death of General Pulaski, a national holiday. The memory of this distinguished Polish patriot and hero is entitled to our veneration for his outstanding service and deeds of valor which greatly contributed to the price of our independence.

Mr. SABATH. Mr. Speaker, I yield to the gentleman from Illinois [Mr. O'BRIEN].

Mr. O'BRIEN of Illinois. Mr. Speaker, appreciating the great services rendered by Gen. Casimir Pulaski and his sacrifice to help our country obtain her freedom and liberty, I heartily subscribe to what has been said of his noble services by all the gentlemen who have preceded me.

Pulaski actually gave up his life in battle in order that we might attain our freedom and independence, and I feel that we now, in turn, owe it to Poland, his native country, to help her obtain freedom and independence to which she is justly entitled.

The Polish people are liberty-loving people who for years were oppressed by the Prussians and the Russians. After years of struggling they gained their independence, and then were again deprived of it by the Nazis. Now they are being deprived of their freedom for a second time by the Russians who are taking advantage of their might and strength by interfering in Poland's domestic affairs.

I hope that our Nation in recognition of the services rendered to us not only by General Pulaski, but by many others of Polish descent who have so illustriously fought in our wars, will give Poland all the aid and assistance possible, so that she may again attain her liberty and freedom, which as I said before, rightly belongs to her.

Mr. SABATH. Mr. Speaker, I yield to the gentleman from Illinois [Mr. GORSKI].

Mr. GORSKI of Illinois. Mr. Speaker, today we commemorate the two hundred and first anniversary of the birth of Gen. Casimir Pulaski, a great soldier of the Revolutionary War, a lover of freedom and independence, a hero of two continents, who made the supreme sacrifice in our country's struggle for independence. On this day we pause to pay tribute to his memory and honor. By his valor, heroism, and patriotism we are reminded of the blessings we enjoy here in America as a nation of free people.

It is only proper that we honor our great heroes, and by so doing we remind ourselves of the heritage they have bestowed on us, and we should ever be mindful, especially in these troubled times throughout the world, that "eternal vigilance is the price of liberty." We must at all times be prepared to defend ourselves against any threat to our way of life as we enjoy it here.

We have just emerged from a world war, the second great struggle within a generation, wherein freedom and democracy of all nations was threatened throughout the world. General Pulaski, while serving under General Washington in 1777, fought and died for these same principles. He knew both freedom and tyranny, and our enemies in the last world war were the same enemies who partitioned Poland, the native country of Pulaski.

General Pulaski was a citizen of Poland, one of our allies in the last world war. We all know how bravely the Polish people fought to defend their freedom. The heroic defense of Warsaw stirs the heart of all free people. We all remember how that country was invaded by both the Germans and the Russians. Today two of her enemies, Germany and Austria, lie prostrate, while Russia dominates them by force, but the spirit of freedom will never die, and Poland, together with other European freedom-loving nations who may temporarily be under the domination of Russia, shall by the grace of God be relieved of this communistic cloak of darkness with its religious persecution, hate, and everlasting fear, and emerge as they should into the sunlight as free, independent, and peace-loving people.

I hope and pray the day is not too far distant when Russia, the one country who is obstructing the peace of the world, will see the light and change her attitude toward the small democratic nations and stop interfering in their internal affairs, withdraw their domination, return the stolen lands, and let every country govern themselves. Then all nations can turn their efforts toward a common understanding. We will then enjoy world peace, happiness, and prosperity, the hope of the past centuries of mankind everywhere.

Mr. SABATH. Mr. Speaker, I yield to the gentleman from Illinois [Mr. CHESNEY].

Mr. CHESNEY. Mr. Speaker, the chapters of Polish history are crowded with epoch-making events which precipitated Poland toward greatness. It may be said that Poland was a great civilized, democratic, and tolerant state until her neighbors became covetous of her democracy.

The magnificent account of how the Poles have preserved their spiritual unity, nationality, religion, and language, throughout the many years of partitions and wars, is a symbol to all courageous, freedom-loving people.

In that land of a brave and courageous people was born, on March 4, 1757, Casimir Pulaski. Unlike many other great heroes of Poland, he was the second son of the richest family in south central Poland. His father, Josef, gained considerable prominence for his political and financial abilities which brought the Pulaski family wealth and public acclaim. His childhood was as happy and normal as any young boy under the customs of the period. By the time he was 21, he had gained sufficient education and worldly experience to venture with his father against the political demagogues and imperialistic enemies of Poland.

Even at this young age, the name of Pulaski inspired the Polish people to nationalistic valor. Pulaski, the patriot and warrior, was the answer to the revival of the country's spirit.

Born to lead his nation, he was a man of principal and ideals, devoted to the cause of liberty. His deep-rooted conviction for the salvation of Poland knew no bounds. In an early skirmish with his enemies, he said:

> One hundred thousand are too few, for a free people. Citizens will come to such courage and desperation, that all will be ready for their faith and freedom to shed their blood and lay down their lives.

He indeed was a patriot worthy of his people.

Pulaski was the guerrilla of his day, who would not stop at imprisonment or banishment from his native land. As if by magic, he would arise to plague his enemies with political and military coups. Many times he fought alone, with his followers of independence. His mastery of military strategy created admiration among the rulers of Europe, but it also caused jealousy and distrust among the weak puppet kings of Poland.

When he left his country, it was not in defeat, or dishonor, but only to save his fellow man and followers from extermination by an enemy and a king. The internal conflict had reached a crisis, where the collaboration of the government in power and the enemy became a hopeless situation. He knew he had reached an insurmountable barrier. His only refuge was to go into exile.

Pulaski left his Poland—never to return.

The Governments of Prussia, France, and Turkey found this dashing Pole adventurous and determined. Whenever an opportunity arose to gather a military force to attack the enemies of his country, he was always ready to lead the crusade. As a hero in exile, he gained no victory, but only defeat, but in his failures the nations of Europe rediscovered that this soldier of freedom would never rest until his mission of liberation was accomplished.

To the shores of America came Casimir Pulaski on July 23, 1777; to a land which, like his own, was fighting for freedom and liberty. The situation in America was almost as confused and troubled as in his beloved Poland.

Soon after his arrival, Pulaski won his spurs. The reward came during the heat of a battle in which the forces of Washington were being routed. He rallied the American Army to a skillful withdrawal. The battle was lost, but Pulaski earned a reputation and respect for his ability and understanding. He did not fight for any political glory but only for American liberty.

It was not long before General Pulaski, as he was now an officer in the United States Army and in command of our Cavalry, rose to new and greater heights. Pulaski's valor in the battles of Brandywine, Haddonsfield, and Savan-

nah only reaffirmed the past history of this unusual man. Nor can we forget the brave group of independent cavalrymen named the Legion, organized and led by him.

This warrior who offered his sword in defense of a new country never faltered in his determination to do battle with an enemy of liberty. He obeyed the orders of his Commander in Chief, George Washington, and when he was sent with his legion to Savannah never did he suspect that this was to be his last fight. The fatal moment came when he was hit by a bullet, and a day later he died of his wound.

His death was a great loss to the cause of American independence. Pulaski had many misfortunes and trials, but he always reflected heroism and Polish endurance, which this grateful Nation has never forgotten.

The people of the United States will always remember March 4 as Pulaski Day.

Mr. SABATH. Mr. Speaker, I yield to the gentleman from Connecticut [Mr. LODGE].

Mr. LODGE. Mr. Speaker, I am glad to associate myself with the sentiments which have been expressed by my colleagues in connection with this two hundred and first anniversary of the birth of Gen. Casimir Pulaski. But I think that we would be disappointing the general, and I think that we shall be missing an appropriate opportunity if we gather here today simply to pay lip service to his glorious deeds. We must act in the great tradition which these deeds inspire. We should seize upon this occasion to rededicate ourselves to the liberation of Poland just as General Pulaski dedicated his life to the freedom of America.

Poland, a free land surrounded by the twin tyrannies of fascism and communism, was the tinderbox which ignited World War II. It was not the fault of the Poles that they were caught between the two fires. They were a freedom-loving people. They still are a freedom-loving people, a people of deep and abiding religious piety, who have contributed immeasurably through the centuries to the march of freedom and progress.

Right here in America, Mr. Speaker, we owe a great deal to the Poles. From among them America received precious ideals of liberty and human progress. Thousands of Polish men and women have crossed the Atlantic to contribute their talents, their courage, their labor, and their loyalties, their love of freedom, their hatred of slavery to the social fabric of America.

You all know the story—how the war was started by the unholy alliance between fascism and communism, how Poland became the first battleground and the first nation to shed her blood for the cause of freedom, how Poland fought on, even when she was conquered, in the underground and abroad, how her legions at home were unified into a mighty army; how her legions abroad, especially in Italy and in the critical battle of Britain, fought under her own banners and the banners of her American and British allies. Yet Poland has not reaped the fruits of the common victory to which she contributed so much. Alone among our allies she is still under the cruel heel of the oppressor. Mr. Speaker, we must atone for the wrong which we committed at Yalta.

Oh, I suppose that it would be more tactful not to bring this matter up. We have a lot of troubles these days, and it would be nice to turn our backs upon the past and try to forget this ugly blot on our national honor. But the trouble is that this past is still very much with us. It is with us in the sense that from these fuzzy gestures of indecision and appeasement have stemmed many of the troubles which surround us now. It is with us because at this very moment, while we gather here in our Chamber to celebrate the birthday of this fine soldier, there are millions of Poles languishing in the Stygian horror of the torture chambers, in the fetid squalor of the prisons, and in the indecent stench of the concentration camps created by our Soviet allies. The cause of freedom to which General Pulaski gave his life and which unites the overwhelming majority of our people demands that we pause today in recognition of the Gethsemane in which the freedom-loving Poles are still enveloped.

No man is wise enough to say when or by what means the suffering people of Poland will be liberated. Since her enslavement by Stalin's lackeys, cumulative crises have created a world dilemma so vast and so complex that this original sin is all but swallowed up in the gathering clouds of conflict. The fate of Poland must wait upon the fate of the world. It will not be decided until a general settlement has been arrived at.

In the meantime, let us commemorate the birth of General Pulaski by reaffirming our faith in freedom and by conducting our foreign affairs in such a manner that the people of Poland can take heart. Let us recognize by actions as well as by words that the obliteration of freedom in Poland is a threat to the freedom of the United States. Just as General Pulaski made a mighty contribution to the freedom of America so let us resolve to strive toward the liberation of Poland.

Mr. KEATING. Mr. Speaker, will the gentleman yield?

Mr. LODGE. I am delighted to yield to the gentleman from New York.

Mr. KEATING. I rise to commend the gentleman for these splendid remarks and to say that I am happy to associate myself with everything the gentleman has said. I also urge speedy action by this Congress with reference to resolutions which have been introduced to commemorate the life and services of Gen. Casimir Pulaski.

Mr. LODGE. I thank my distinguished friend from New York for his contribution.

Mr. SABATH. Mr. Speaker, I yield such time as he may desire to the gentleman from Massachusetts [Mr. MARTIN], the minority leader.

Mr. MARTIN of Massachusetts. Mr. Speaker, in observing the anniversary of the birth of Casimir Pulaski, America is again reminded of the principles of this great soldier, who was inspired by the conviction that the fight for freedom is the fight of freemen everywhere. Whenever Pulaski found freedom endangered in a neighboring country, he was there to lend a helping hand. The sacred flame of freedom burned brightly in his heart because his own Poland, which he loved so well, had often felt the whiplash of those who would enslave her.

In his day, when Poland fell under the heel of an aggressor and the time was not then opportune to throw off the shackles, Pulaski went to France. Through Benjamin Franklin, he contacted Gen. George Washington and volunteered for service in the cause of the American Colonies. It was his feeling that if freedom could be established in America, the good news of its triumph would spread and would inspire the lovers of freedom everywhere never to rest until their bondage had been broken.

Thus, Pulaski has taken his honored place among the great names of men who throughout the centuries have sacrificed and shed their blood in order that their countrymen and their neighbors might sleep at night in the refreshing air of liberty.

What a salutary effect it would have upon the history of our times if at this moment the leaders of nations might reflect upon the creed of Casimir Pulaski, who believed that no country could trample upon the liberty of its neighbors and remain secure itself.

The treasured memories of this great soldier reveal a message of hope and confidence to all those who today suffer behind the darkness of the iron curtain. They may be comforted by the glowing fact that as long as there are men and women who are imbued with the immortal spirit and the love of freedom of General Pulaski, the sacred cause of freemen will live and will eventually succeed. It was unfortunate a free Poland did not emerge free after its great contribution to freedom in World War II. The world will eventually correct this.

This observance is itself a tangible proof that the people of America have not forgotten their debt to Pulaski and to the millions of foreign born who have defended and have helped to build our America. But it should be more than that. It should be a time for the renewal of our determination that the great country which nurtured the noble Pulaski shall again take its place in the dignity of free and independent nations.

Mr. SABATH. Mr. Speaker, I yield such time as he may desire to the gentleman from Montana [Mr. MANSFIELD].

Mr. MANSFIELD. Mr. Speaker, I am happy to call to the attention of the House of Representatives, on this day honoring Gen. Casimir Pulaski, the fact that a bill known as H. R. 3128 has been introduced by my distinguished colleague, the gentleman from Illinois [Mr. GORDON].

The significance of H. R. 3128 is that, if passed, it will provide for the granting of permanent residence in the United States to Miss Jadwiga Pulaski, a descendant of the brother of Casimir Pulaski, who is being given this signal recognition by this House.

The gentleman from Illinois, Congressman GORDON, one of our ablest Members

and a high-ranking member of the Foreign Affairs Committee, is to be commended for this action on his part. Always alive to his responsibilities in behalf of the people he so ably represents, he is also a keen student of events abroad, especially in Poland. We look to the gentleman from Illinois, Congressman GORDON, for advice and counsel on questions affecting Poland, and his voice is often heard in the interests of this stricken country.

It is my hope that the bill, H. R. 3128, introduced by the gentleman from Illinois will be considered soon and that this illustrious descendant of a great Polish-American will be allowed to remain among us. We can then, in part at least, repay our debt to General Pulaski.

Mr. SABATH. Mr. Speaker, I yield to the gentleman from New York [Mr. GORSKI].

Mr. GORSKI of New York. Mr. Speaker, today we commemorate the birthday of a man to whom we in America are proud to pay tribute.

Gen. Casimir Pulaski was the leader of his countrymen in their unequal struggle to preserve his country. General Pulaski unselfishly offered his services, and finally his life, to the American colonists that freedom and liberty might be gained for our forefathers in America.

What would be the thoughts of General Pulaski today were he here to see the persecution and bloodshed perpetrated upon the smaller and defenseless countries. As he fought for freedom then, so would he today be alined with those fighting for existence, true liberty, and freedom.

His memory will ever be revered by the people of America as the great Polish leader who made the supreme sacrifice for American freedom and liberty.

As Pulaski, Kosciusko, and others of Polish descent offered their services to our country, I am also mindful of the many who joined with us and our allies in World Wars I and II emulating Pulaski's aim for freedom that democracy might live.

Pulaski knew that freedom might change in appearance but not in substance. Being one of those who are ahead of their times, he sensed its meaning. Though men might lose their way along freedom's trail, he knew they would in time find their true course, leading to a life of happiness, where their reward would be enriched in a measure for the extent of their labors.

Let us hope, as the years go by, as we the Representatives of the people gather to memorialize the name of General Pulaski, that our strivings, our dreams, and our aspirations will bring, through joys and sorrows, the goal so valiantly sought by this great leader. That the sacrifices and sufferings of the decent thinking people of the world will not have been in vain. That our efforts will bring a lasting tribute, to the motto of Pulaski, "For our freedom and yours," fully applied to Poland and other nations throughout the world.

Mr. SABATH. Mr. Speaker, I yield such time as he may require to the gentleman from New Jersey [Mr. RODINO].

Mr. RODINO. Mr. Speaker, today marks the two hundred and first anniversary of the birth of Gen. Casimir Pulaski. It is very fitting that the Congress should set aside this time to do honor to the memory of so great a patriot.

General Pulaski was not only a great Polish hero, but he was a great hero of the American Revolution. It was in 1772 that General Pulaski, driven into exile, came to America and joined the army of Gen. George Washington. He marked for himself a distinguished career. He was made a brigadier general and chief of cavalry by order of Congress. He later raised a mixed corps called the Pulaski legion and, with these troops, defended the city of Charleston in May 1779. And it was on October 11 that General Pulaski, mortally wounded at the Battle of Savannah, gave up his life for this country.

It is true that many of the people of America, who are of Polish descent, are disheartened that Poland is behind the iron curtain. But the American people have lost none of their friendship, none of their sympathy, nor none of their admiration for the heroic Poles in their battle for freedom.

I saw personally, the great sacrifices made by the Poles during this last war. I had the privilege and honor of seeing these gallant soldiers in action against the hordes of tyranny and dictatorship. I can attest to their gallant fighting spirit. This spirit will not die. The inspiration of General Pulaski, I am sure will continue to give courage and confidence to all the friends of Poland, and to all of those who hold Poland dear to their hearts. Although the heel of the Soviet bear tries to crush the Polish spirit, these freedom-loving people, who have a fierce pride of independence, will not swerve from their desire to once again take their rightful place among the free nations of the world.

And so, today, on the anniversary of the birth of this patriot, America feels closer than ever to the land of his birth and it salutes the people of Polish descent in America, and to the people of Poland still behind the iron curtain—it says do not lose hope for the spirit of General Pulaski will not die and one day Poland will again breathe freely in the spirit of democracy.

Mr. SABATH. Mr. Speaker, I yield such time as he may require to the gentleman from Illinois [Mr. HOFFMAN].

Mr. HOFFMAN of Illinois. Mr. Speaker, we today pay tribute to Gen. Casimir Pulaski on this the two hundred and first anniversary of his birth.

Famous for his defense in the cause of all liberty-loving people in his native Poland, General Pulaski came to America in the year 1777 to help our American colonists in their fight for freedom and liberty. With only a letter of introduction from our Ambassador to France, General Pulaski presented himself to General Washington, whom we all know accepted his generous offer of help to our cause.

General Washington commissioned General Pulaski in the Continental Army. This great Polish soldier, who came to our shores, acquitted himself with great valor, and because of his courage and the military genius he displayed, was promoted to the rank of brigadier general, and was permitted to form a legion of his own—the Pulaski legion.

This legion mainly consisted of volunteers, men who came to America from foreign lands as did General Pulaski to help America fight tyranny. Under General Pulaski this legion made many contributions to our cause of freedom. The general was wounded in the battle of Savannah, Ga.; 3 days later he died, October 9, 1799.

Americans are deeply appreciative of not only the outstanding services of this great general, but of the services of thousands and thousands of others of Polish extraction who have gladly and willingly offered their services to the people of the world everywhere in the defense of freedom.

The American people deplore the happenings in Poland since the invasion by Nazi Germany in 1939 who destroyed the freedom and independence of those liberty-loving and religious people. We also deplore Soviet Russia's constant interference in the internal affairs of that great nation.

With the memory of General Pulaski uppermost in our minds today, we in America fervently pray that within the very near future these liberty-loving and suffering people of Poland, who have contributed so much to the welfare of humanity, will again breathe the free air of democracy.

Mr. SABATH. Mr. Speaker, I yield such time as he may require to the gentleman from Indiana [Mr. CROOK].

PULASKI, HERO OF TWO CONTINENTS, AMERICA AND POLAND

Mr. CROOK. Mr. Speaker, on the anniversary of the birth of General Pulaski, I want to place in the RECORD a brief biography of a great man who made supreme sacrifice at an early age for the cause of our esteemed liberty:

PULASKI, HERO OF TWO CONTINENTS

(By Anthony F. Zaleski)

The celebrated Count Casimir Pulaski, better known to us in America as Brig. Gen. Casimir Pulaski of Revolutionary fame, was born in Winiary, Poland, on March 4, 1748. He was the eldest son of Count Joseph Pulaski, a venerable old man who belonged to the Polish nobility. The father was the chief magistrate of Warech and was noted for his knowledge of jurisprudence.

Gen. Casimir Pulaski was educated for the bar also, and received his early military training as a youth in the guard of Charles, Duke of Courland. He was in the castle of Mittau when it was besieged by 15,000 Russian soldiers.

In order better to appreciate the spirit which animated General Pulaski, the activity and zeal in the defense of justice and human liberty which prompted him to come to a strange land, where he was unknown, and whose customs and language he did not understand, to fight for these cherished principles, it is fitting for us to refer to his part in the struggle for liberty in his native country.

SHAMEFUL CONSPIRACY OF RUSSIA, PRUSSIA, AND AUSTRIA

One of the foulest deeds ever recorded in history was the violent dismemberment of Poland by her three treacherous neighbors between 1772 to 1795. A nation one-fifth larger than France in area, and containing a population of 20,000,000 people, was ruthlessly torn asunder, its people subjugated and politically annihilated, under a sham

pretext of preserving law and order in that country. This catastrophe did not come about all at once, but gradually through internal dissensions fomented by Poland's enemies and their intermeddling in the internal affairs of the Polish Government, which was then a precocious democracy surrounded by an insidious autocracy. Poland's system of electing kings and her famous constitution of May 3, 1791—of which Edmund Burke said, "It was the most pure * * * public good which has ever been conferred on mankind"—were indications of the liberal and constructive government in that period.

CONFEDERATION OF THE BAR

When Stanislaus Poniatowski, the puppet of Catherine of Russia, was elected by the Polish deputies under the impending threat of the Russian Army who surrounded the Polish Diet at the time of the election, and he became a mere tool in her hands for the execution of her will in Poland, such patriotic and gallant Poles as Count Joseph Pulaski realized that it was time to arouse the spirit of their countrymen and to do the only honorable thing that a self-respecting person could do under the circumstances—resort to force to resist the calamity and humiliation at any cost. He was then about 60 years old, and he divulged to his three sons a plan conceived by himself and other nobles of the nation to forestall the enemies of his country and form an organization to effect its rescue from the inevitable fate that it was headed for. Such an organization was created in the town of Bara in Podolia, about 20 miles from the Turkish border, and was known as the famous Confederation of the Bar.

Suffice it to say here that for 4 years, under the most trying conditions and the greatest adversity, this patriotic organization fought against overwhelming odds to oust the enemies of Poland, chiefly the Russians, from their country. But all their efforts proved fruitless. The aged Pulaski died in prison; one of General Pulaski's brothers was killed before his eyes, as he himself says, by the enemy; the youngest brother was taken into captivity, and many of his countrymen were doomed to misery.

Gen. Casimir Pulaski, with whom we are concerned, was the leading spirit of his countrymen in this unequal struggle to preserve his nation intact. He fought bravely, tenaciously, with the unremitting zeal of a young man then but 25 years old. Heedless of his own safety, always leading his men into sallies against the enemy, which was much more powerful than his poorly equipped army, and much larger in size; he made repeated stands against the Russians, especially at the famous monastery of Czestochowa, saved it on several occasions from prolonged sieges, and would probably have succeeded the last time had it not been for the assistance given the Russians by Frederick the Great of Prussia.

"Never was there a warrior," says the historian Ruhlieri, "who possessed greater dexterity in every kind of service. Endowed by a peculiar gift of nature, strengthened by exercise, he was always the first to charge in person, with an intrepidity which inspired his followers to imitate his example." Benjamin Franklin, in introducing him to Washington, writes: "Count Pulaski, who was a general of the confederates in Poland, and who is to join you, is esteemed one of the greatest officers in Europe."

Casimir Pulaski not only lost his father and brothers in this glorious attempt to save Poland from the first of her ignoble partitions, but his estates were confiscated and he was proscribed by King Stanislaus and had to flee to Turkey. Soon thereafter Russia, Prussia, and Austria, in their zeal for the ostensible good of Poland, agreed to help themselves to large portions of her territory, and had the effrontery to convene the Polish Diet and under duress compel it to sanction the beginning of what Henry Wharton called "the most flagrant violation of national justice and international law which has occurred since Europe emerged from barbarism."

PULASKI'S MEMORABLE MANIFESTO

Soon thereafter, in 1772, Count Casimir Pulaski issued his memorable manifesto, in which he said in part:

"I am not astonished that the enemies of my country, resolved on her ruin, should direct their shafts against those who most firmly resist their impetuosity, and that they should regard as such the brave Poles, whom they have sacrificed and who are still repelling their most cruel attacks. * * * My destiny was clear when, at the age of 21, far from yielding to the amusements of youth, I regarded every moment as lost which was not employed in repelling the enemies of my country. * * * I have endeavored to mark my course by an invincible fortitude. Neither the blood of one of my brothers, which was shed by the enemy before my eyes, nor the cruel servitude of another, nor the sad fate of so many of my relations and compatriots, has shaken my patriotism. * * * I believe I have proved, by 4 years' service, that I have not been influenced by interest of a false point of honor. * * * I declare before God, before the Republic of Poland, and before all the powers of Europe, that my heart entered my imagination to attempt the life of any person to whom has been assigned, in any manner whatsoever, the government of the nation, or to avenge the wrongs of my country in any other way than that of open war."

Perhaps no better insight into the sturdy character of the illustrious Pulaski, known and revered both in Europe and America, could be given than the above excerpt from his manifesto. We are not surprised to hear a man of his lofty type later on, in August of 1779, state to the Continental Congress: "I could not submit to stoop before the sovereigns of Europe, so I came to hazard all for the freedom of America, and am desirous of passing the rest of my life in a country truly free and of settling as a citizen to fight for liberty."

HIS TRAVELS IN SEARCH FOR ACTION

From Turkey Pulaski wended his way to Paris. "Across the Atlantic," says Henry Williams, Esq., on the laying of the cornerstone of the monument to his memory at Savannah, on October 11, 1853, "came to him the tidings that the people of another hemisphere had bid defiance to oppression and were arming for the struggle. The sound stirred the heart of Pulaski like the voice of a battle trumpet. It was a struggle for liberty. It was his cause, whoever the people and wherever the scene of conflict. Fate forbade him to achieve the independence of his own country, and true to the noble impulses of his soul, he came to aid in establishing that in America."

"He saw," says Jared Sparks, in his American biography, "a new field opened for vindicating with his sword the same principles, the same rights of mankind, the same unchangeable laws of justice, as those for which he had wielded it with so much courage and singleness of purpose in his own country."

Benjamin Franklin, writing from Paris to General Washington on May 29, 1777, says: "Count Pulaski, of Poland, an officer famous throughout Europe for his bravery and conduct in defense of the liberties of his country against the three great invading powers of Russia, Austria, and Prussia, will have the honor of delivering this into your Excellency's hands."

We can readily see and understand why men like General Pulaski and his famous countryman, General Kosciusko, who also covered himself with undying glory in the Revolutionary War, were not soldiers of fortune, nor waifs thrown to the surface of troubled waters by the love of adventure and quest of money or emolument, no matter what the cause might be that they were fighting for. These men fought long and hard to establish the principles of liberty and justice on their own soil, they were imbued with this spirit in their own cause, for their own country, and it was only natural that when they had given their best for these sacred ideals without success against tyrants and intriguing despoilers of humanity, they should hear the shot fired at Lexington that was "heard round the world" with an eager ear, and should be willing to come to a foreign strand, although they neither understood the language nor were familiar with the customs of strange people on another continent. The principals of human liberty and justice are essentially the same in every clime and they were eager to resist a mighty empire that was trying to wrest them from a struggling people, a people whose slogan was "Give me liberty or give me death."

Like his famous compatriot, General Kosciusko, who when he appeared before Washington, and was asked by him what he could do, answered in a quiet way. "Try me and see," Pulaski did not wait for any appointment from Congress, but on hearing that the enemy was attacking Washington's forces, hastened to join them as a volunteer.

On August 25, 1777, Pulaski addressed a communication to John Hancock, President of Congress, which is his first letter in English: In it he states:

"I have dought it not my duty to stay here any longer, in as much as I have hear: that his Exy Genl. Washington is gon to meet the enemy; wherefore I will go to the Army, it is I can not do much, but hover I will shew my good will."

HIS ARRIVAL IN AMERICA

General Pulaski landed in America about the middle of July 1777, and after presenting his letters to Washington and Congress, waited for Congress to take action. But restless and eager to aid our cause as he was, he did not wait for official cognizance. Captain Bentalou, an able officer who fought under Pulaski until he died and was wounded along with Pulaski at Savannah, Ga., writes:

"The inherent ardor of his warlike spirit, his habits of activity, and the desire of efficiency serving the cause which he had so warmly embraced did not permit him to wait for the decision of Congress on his application—but he immediately joined the Army."

It so happened that General Pulaski and his friend, the Marquis de Lafayette, another distingushed officer, struck their first blows for American independence at the battle of Brandywine on September 11, 1777. Washington was bent at this time on opposing the advance of General Howe's army northward toward Philadelphia. At Brandywine Washington's army was repulsed, and a large part of it might have been captured had it not been for the masterly aid given by Pulaski at the head of a cavalry squad, who delayed the progress of the British and thus enabled the army of Washington to retreat in an orderly way and to save their baggage.

AN EXCELLENT ACT OF A VOLUNTEER AND AN APPOINTMENT

In describing Pulaski's activities at this battle Jared Sparks states:

"At Brandywine Pulaski, as well as Lafayette, was destined to strike his first blow in the defense of American liberty. Being a volunteer and without command, he was stationed near General Washington till toward the close of the action, when he asked the command of the general's bodyguard, about 80-horse, and advanced rapidly within pistol shot of the enemy, and, after reconnoitering their movements, returned and reported that

they were endeavoring to cut off the line of retreat and particularly the train of baggage. He was then authorized to collect as many of the scattered troops as came in his way, and employ them according to his discretion, which he did in a manner so prompt and bold as to effect an important service in the retreat of the army, fully sustaining by his conduct and courage the reputation for which the world had given him credit. Four days after this event he was appointed by Congress to the command of the Cavalry, with the rank of brigadier general."

The historian Ramsay says:

"At Brandywine Pulaski was a thunderbolt of war, and always sought the post of danger as the post of honor."

When Congress on September 15, 1777, elected Pulaski "commander of the horse with the rank of brigadier," he became the highest ranking officer of the Cavalry, and had under his command four regiments of cavalry, under the immediate commands of Colonels Bland, Baylor, Moyland, and Sheldon. It must be said that during the early part of the Revolutionary War the Cavalry did not take much of a part in the warfare, that the Colonists did not seem to realize the importance of this unit, said to be the eye of the Army, and did not know much about opposing cavalry attacks successfully. Until the advent of Pulaski the highest rank the Cavalry Division had was that of colonel, and such regiments as did exist were not able to do much, for the reason that they were often scattered on detail and reconnoitering work for the generals and the Army; and besides, there was not so much open warfare being conducted.

Pulaski was a great horseman; he believed in a strong cavalry, and was experienced in cavalry fighting from his warfare carried on in Poland. Dissatisfied with what he considered the deplorable condition of the American cavalry, which prevented him from doing effective work on a large scale, he continually urged Washington and Congress to strengthen this branch of the Army. He drew up and presented to Washington several plans for its reorganization, made various estimates and regulations, and was strong for disciplining his men and horses. Always restless and active, he wanted to be in the thick of the battle and produce results.

In his memorial to Washington of December 19, 1777, Pulaski advances a cogent argument for the building up of the Cavalry, which must appeal to every thinking person:

URGING GEORGE WASHINGTON TO STRENGTHEN HIS CAVALRY

"The advantages that would arise from a superiority in cavalry are too obvious to be unnoticed. It may be further observed that during this war the country will daily become more open and clear of woods and fences, consequently better adapted to the maneuvers and service of the cavalry. While we are superior in cavalry the enemy will not dare to extend their force, and, notwithstanding we are on the defensive, we shall have many opportunities of attacking and destroying the enemy by degrees, whereas if they have in their power to augment their cavalry, and we suffer ours to diminish and dwindle away, it may happen that the loss of a battle will terminate in our total defeat. Our Army once dispersed and pursued by their horse will never be able to rally; thus our retreat may only be cut off, our baggage lost, and principal officers taken, and many other events occur not less fatal.

"Your excellency may be assured that the good of the service is my constant study, but the weak state of the corps I command renders it impossible to perform every service required. Nay, my reputation is exposed, as being an entire stranger in the country the least accident would suffice to injure me, but, notwithstanding, I cannot avoid hazarding everything that is valuable in life."

PULASKI'S SERVICE AT WARREN TAVERN AND IN GERMANTOWN BATTLE

After the Battle of Brandywine General Pulaski saved the army of Washington from a sudden surprise that might have proven fatal at Warren Tavern on September 16, 1777. At the head of his cavalry, while reconnoitering, he came upon a whole army of the British near Warren Tavern. He harrassed the enemy, thus impeding their progress, and hastily gave the information to Washington, who then prepared to meet the enemy. He also was in the Battle of Germantown, and spent the winter at Trenton.

Washington spent the winter with the Army at Valley Forge. There was a great scarcity of food for the men and forage for the horses, and Washington ordered Gens. Anthony Wayne and Pulaski to go to Haddonfield, near Camden, to look for supplies in that part of the country. The British upon learning of this fact sent a force of 1,200 men to capture either Wayne or Pulaski.

The opposing forces met at Haddonfield. Pulaski at the head of his little troop of cavalry was everywhere alert, charging the enemy with the spirit and effect. His own horse was shot from under him, and he personally took seven prisoners. General Wayne, in making his report of the battle, praised Pulaski very highly, saying that he "behaved with his usual bravery."

PULASKI LEGION

However, still dissatisfied with the condition of the cavalry of which he was in command, and with the fact that his pleas for the reorganization and strengthening of the same were apparently unnoticed, and feeling the lack of cooperation from his officers, who did not like to be subjected to the authority of a foreigner, Pulaski resigned his command in the early part of March 1778, and asked Washington and Congress to give him leave to organize an independent corps, known later as the famous Pulaski Legion. Congress, upon the recommendation of Washington, resolved on March 19 that an independent corps be established by Count Pulaski, consisting of 68 horses with lances and 200 light Infantry, and that he retain the rank of brigadier general. By October of that year he had recruited 330 men for his legion. "The scheme of independent legions," says Sparks, "seems to have been first suggested by Pulaski; and it proved of the greatest importance in the subsequent operations of the war, and, above all, in the southern campaigns. Lee's and Armand's legions were formed upon a similar plan."

While on a visit to Bethlehem, Pa., in April of 1778 Pulaski asked the Moravian nuns, whose convent was located there, to make a special banner for his legion. This was done, and the banner delivered about May, when he again was there. Longfellow has immortalized the making and the presentation of the banner in his Hymn of the Moravian Nuns at the Consecration of Pulaski's Banner, but according to information received from the Pennsylvania archives (Pennsylvania in rev. II), and other sources, the transaction was simply a business affair, and the flag was paid for by Pulaski. Subsequently, it was presented to the Maryland Historical Society.

The contention that it was purchased and paid for by Pulaski is supported by the information that he spent his own money to help equip his legion. In his address to Congress on September 17, 1778, he states: "* * * I have expended $16,000 at least of my own." And again in his memorable letter of August 19, 1779, to Congress, reproaching Congress for its lack of appreciation for his services and efforts, he says: "* * * you must be sensible also, that I did not come to America destitute of resources, to be a burden on you; that I have a letter of credit on Mr. Moris; and that I was known by almost every foreigner of character." It is estimated that Pulaski advanced $50,000 of his own money in forming and equipping his legion.

The Pulaski Legion saw action at Egg Harbor, N. J., on October 15, 1778, where it repulsed a surprise attack on the infantry under the command of De Bosen, who was betrayed by a traitor of the name of Juliet, and also at Osborn's Island, where the legion drove back the enemy in confusion, but was checked after a bridge had been destroyed by the retreating foe.

The Pulaski Legion spent the winter around Minisink in New Jersey, where the hostile attitude of the Torries and Indians required their presence for the protection of the frontiers, and on February 2, 1779, Congress resolved that Count Pulaski march with his legion to South Carolina to join General Lincoln, then in command of the southern campaign. Congress also made provision for enlarging the corps.

In pursuance to the resolution of Congress that he march south, Pulaski with part of his force reached Charleston on May 8. Three days later the remainder of the legion arrived. On his way to Charleston, Pulaski heard that General Provost of the British forces was coming up from Georgia. On the 11th the latter crossed the Ashley River at the head of 900 men, and scarcely had he landed when Pulaski made an assault upon the advance lines. He kept up a sharp skirmish, but was finally forced to retreat on account of the superior numbers of the enemy. He then planned on drawing the enemy into an ambuscade, but his infantry, eager to get into action, gave his strategy away. Sparks says: "His coolness, courage, and disregard of personal danger were conspicuous throughout the encounter, and the example of his prompt and bold attack had great influence in raising the spirits of the people and inspiring the confidence of the inexperienced troops then assembled in the city."

FORCED RETREAT OF GENERAL PROVOST

Pulaski by appearing before the Governor and Council of Charleston, who were ready to capitulate and surrender the city to the British, by his plea and advice, ably assisted by General Moultrie and Colonel Laurens, persuaded them to reject any offer of submission, and the same night General Provost, who had heard that General Lincoln was marching to Charleston with 4,000 men, retreated across the river.

Savannah, Ga., was a stronghold of the British, and it was the intention of General Lincoln to besiege the city and drive the enemy away. On the 3d of September, he received information that Count d'Estaing was off the coast with a large fleet and that he would join General Lincoln in an attack upon the city. The latter left Charleston with his army for Savannah, and Count Pulaski and General McIntosh were sent ahead of the main army to atack and harass the British outposts. Pulaski dispersed a detachment of British at Ebenezer with his dragons, and likewise was sent by General Lincoln to attack a party of the British that had come up the Ogechee River and landed below the ferry. He suddenly fell upon the enemy, forcing them to retreat and taking a number of prisoners.

BATTLE AT SAVANNAH

The armies of the French under d'Estaing and the American forces came together at Savannah about the 16th of September. A siege was begun, but the enemy was strongly entrenched and refused to give ground. Finally, becoming weary of the prolonged siege and fearing for the safety of his vessels, Count d'Estaing requested that the city be attacked by storm. General Lincoln consented to this plan with some hesitation, believing that if the siege were kept up the

enemy would be forced to surrender or to evacuate the city.

On October 9 the order was given out that the ramparts of the British were to be taken by storm. The plan of the assault had been carefully gone over, and orders were issued as to the manner of attack and the points to be assailed. The cavalry of the French and American was under the command of Pulaski, and he was to charge the embattlements, following up the infantry, who were to storm the right of the British lines.

The attack was made as planned as to time and the center of attack, but a soldier who deserted the American forces after the scheme and order were given out informed the enemy, who massed their troops at the points of expected attack, and by a deadly, galling fire, repulsed the assailants. Count d'Estaing, instead of taking a circuitious road to get to his point of attack, endeavored to cross directly over a swamp. He was caught between a deadly cross fire, and havoc was wrought among his men.

PULASKI MORTALLY WOUNDED

Pulaski, seeing the apparent confusion and realizing that all was not well, drove up at the head of his cavalry to where the French were, to reinforce and encourage them, thinking that he might be able to get to the rear of the enemy through some opening. Dashing madly ahead into a withering flame of shot and shell, he himself was struck in the groin by a swivel shot and fell from his horse mortally wounded, to be picked up later and carried away. Count d'Estaing was also wounded.

Major Rogowski, one of Pulaski's officers and also a Pole, who was in the heroic charge, states in his description of the battle:

"For half an hour the guns roared and blood flowed abundantly. * * * Imploring the help of the Almighty, Pulaski shouted to his men, 'Forward,' and we, 200 strong, rode at full speed after him, the earth resounding under the hoofs of our chargers. For the first two moments all went well. We sped like knights into the peril. Just, however, as we passed the gap between the two batteries, a cross fire, like a pouring shower, confused our ranks. I looked around. O sad moment, ever to be remembered, Pulaski lies prostrate on the ground."

PULASKI'S DEATH AND A WATERY GRAVE

Pulaski was carried away by his soldiers and placed on the American brig *Wasp*, and put under the care of skilled French surgeons, who vainly endeavored to remove the bullet and save him. Gangrene had set in, and as the ship pulled out of the harbor for Charleston Pulaski expired, and the stench from his wounds was so bad that he was deposited in a watery grave on the 11th day of October 1779 at the age of 31 years.

When the *Wasp* pulled into the harbor of Charleston with her flag flying at half mast and it became known that the gallant Pulaski was dead, the city took on an aspect of general mourning. The Governor, the council of the State, and the citizens united to pay tribute to their youthful defender, who shortly before by his bravery and advice had saved them from an ignominious surrender. Resolutions were passed, public ceremonies were held, and a day was designated for the holding of his funeral obsequies. Three French and three American officers carried his bier, followed by the horse that Pulaski rode, with all the trappings, armor, and dress that he wore. The procession was large and imposing, and a chaplain of the Army delivered a fervid eulogy over the departed officer. Congress, on being apprised of Pulaski's death, resolved "that a monument be erected to the memory of Brigadier Count Pulaski."

Thus ended the brilliant career of the illustrious and gallant officer, a heroic figure on two continents, who had written to Col. R. H. Lee on August 13, 1778: "Honor and true desire of distinguishing myself in defense of liberty was the only motive which fired my breast for the cause of the United States," and who had written to Congress on September 17, 1778, "I am a Republican whom the love of glory and the honor of supporting the liberty of the Union drew hither."

HONORED BY THE CITIZENS OF SAVANNAH AND UNITED STATES CONGRESS

The citizens of Savannah, Ga., erected a monument to the memory of Pulaski in Monterey Square, which was completed in 1854. The resolution of the Continental Congress providing that a monument be erected to his memory was not carried out until 1910, when the Fifty-seventh Congress of the United States provided for the erection of a bronze equestrian statue in Washington at a cost of $50,000. This monument, together with one erected by the Polish National Alliance of America in memory of Thaddeus Kosciusko, was unveiled during the month of May 1910.

The Honorable A. L. Brick, who appeared before the committee in Congress urging the erection of the monument in Washington, said:

"Pulaski died as he had lived, a noble and undaunted warrior, fighting the battles of liberty and of the Republic. * * * He sacrificed himself, all the years of his young life, his fortune, his ancestral dignity, his lofty spirit, his splendid genius, and all his earthly hopes, for liberty, justice, and humanity. For these things he gave all he had—his martyred life."

DOCUMENT OF AMERICAN MILITARY HISTORIAN

In the American Military Biography containing the lives and characters of the officers of the Revolution who distinguished themselves in achieving our national independence, the author says: "Perhaps a braver man than Pulaski never drew a sword," and in describing his death at Savannah, "Thus fell, in a most bold and daring achievement, the distinguished Polish patriot and hero, in the cause of American liberty; his memory is entitled to our veneration, as his life forms an item in the price of our independence."

It is only proper and just that America and grateful people enjoying the blessings of liberty, peace, and prosperity should recall the life of this great man and pay tribute to his valor and chivalry. He left the old world and came to this continent to help establish, as the immortal Lincoln said, "a new Nation, dedicated to the proposition that all men are created equal." He gave his last full measure of devotion to that cause, and four millions of his countrymen residing in the United States rejoice with the American Nation, of which they are a part, that Pulaski and that other illustrious Polish patriot, Thaddeus Kosciusko, and other distinguished men of Polish blood stood by the cradle of American independence and helped to lay the foundation for a new government in the new world, dedicated to the principles of human liberty and justice.

UNDER OUR FLAG A BRIGADIER GENERAL OF TWO HEMISPHERES MADE SUPREME SACRIFICE FOR THE CAUSE OF LIBERTY

Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following article:

UNDER OUR FLAG

(By Ignatius K. Werwinski, former chairman of the U. S. Pulaski Sesquicentennial Commission)

Under our flag, purest, most potent emblem of law, order, Christian civilization, that ever saluted the dawn, during the Revolutionary War, gave a life to a hero of two hemispheres, Brig. Gen. Casimir Pulaski.

Under our flag, ne'er dropped in dust of defeat, fostered by revered father of the Revolution, the name of Brig. Gen. Casimir Pulaski, is imperishably written in letters of gold on the pages of American history, defying the ages.

Under our flag, floating in zephyrs of high heaven o'er the eternal capital of a republic, founded on the rock of righteousness, symbol of humanity's fondest, dearest hope, forever proclaiming justice, human brotherhood throughout the land, through the inspiration left us by Brig. Gen. Casimir Pulaski.

Under our flag, unstained, untarnished, bejeweled, gleaming in darkest night, her triumphal march across the centuries a path of light. Who dare touch with profaning hand, this sleepless majestic guardian of an ardent, strong, brave, free people, and under which flag Brig. Gen. Casimir Pulaski gave his life in Savannah, Ga., on October 11, 1779.

Under our flag, inspiration of a mighty race, mingling in sentiment of cherished children, native of her soil undefiled, and lovers of liberty from every clime, seeking naught by the common good, yearning to serve mankind 'neath sheltering aegis of the red, white and blue, under which Brig. Gen. Casimir Pulaski fought.

Under our flag, immortalized by Washington, and under which flag fought Brig. Gen. Casimir Pulaski, her beauteous folds spread from Gulf to coast by Jefferson, borne aloft by Lincoln in strife of heroes that united as one a sisterhood of States and blended the blue and gray, in fires of patriotism, preserving every star in the shining standard of national sovereignty. May Old Glory, under which Brig. Gen. Casimir Pulaski fought and gave his life in all the flood of time wave with undimmed radiance and increasing splendor over the fairest expanse of God's earth.

Under our flag, precious, sublime inheritance, blessing of America's faith, power, unity, sanctified by patriot blood of our hero, Brig. Gen. Casimir Pulaski, we consecrate anew in o'erflowing measures our hearts, our eager, willing service of hand and brain to the defense and greater glory to our country for which Brig. Gen. Casimir Pulaski fought and gave his life.

Under our flag, may the American people pay the due tribute to the memory of Brig. Gen. Casimir Pulaski on the two hundred and first anniversary of the birth of Brig. Gen. Casimir Pulaski, Revolutionary War hero, by observing the anniversary of his birth on March 4, 1949.

(Dedicated to the Sons of Revolution.)

SOUTH BEND, IND., *March 4, 1949.*

(Mr. CROOK asked and was given permission to revise and extend his remarks and include some articles.)

Mr. SABATH. Mr. Speaker, I yield such time as he may require to the gentleman from Massachusetts [Mr. DONOHUE].

Mr. DONOHUE. Mr. Speaker, today marks the two hundred and first anniversary of the birth of a great son of Poland and a great hero of the American Revolution, Gen. Casimir Pulaski. The facts about General Pulaski's life are so well known that they need no repetition. We are all familiar with the fact that Casimir Pulaski, born at Podolia, took a prominent share under his father, Count Joseph Pulaski, in the formation of the Confederation of Bar and thereafter in the military operations. Ultimately he became commander in chief of the Polish patriotic forces. Having been driven into exile in 1772, Pulaski came to America and joined the Army of Gen. George Washington.

He distinguished himself in the battle of Brandywine, was made a brigadier general and chief of cavalry by order of Congress. He fought at Germantown and in the battles of the winter of 1778. After that, he raised a mixed corps called the Pulaski Legion, with which he defended the city of Charleston in May 1779. We all know that General Pulaski was mortally wounded at Savannah and that he passed to his eternal reward on October 11.

Mr. Speaker, I call attention to the birth of this great patriot of Poland and this great friend of the United States, not as a mere tribute to a man who has long since passed into the realm of history. Rather, I call attention to his magnificent life because the inspiration of his deeds is so important not only to the United States, but to all the sons and daughters of Poland—the inhabitants of that stricken land which was the first to fight in the Second World War, but which seems to have paid for its sacrifices only by continued enslavement.

The inspiration of General Pulaski, I am sure, will continue to give courage and confidence to all the friends and admirers of Poland, both within that ravaged land and beyond its boundaries.

Although the great state of Poland is now behind the iron curtain, the people of the United States have lost none of their friendship, none of their sympathy, none of their admiration for the heroic Poles.

As we observe the steady pressure against the aspirations of the Polish people and other peoples who have a right to be free, all thinking Americans realize it is our sworn duty to rally to the cause of Poland, and indeed to rally to the cause of every helpless suppressed nation which is struggling to be free from imperialistic tyranny.

Our boys have fought and died for freedom and the very least we can do is to strive to fulfill the ideals for which so many of them paid the supreme sacrifice. Poland must and will be free, or else the cause of democracy, which she symbolizes so nobly, will be submerged under the sea of totalitarian dictatorship and the world will revert again into brutality and barbarianism.

Under the inspiration of Pulaski, whose life exemplifies so magnificently the devotion and sacrifice of Poland and the Polish people, let us renew our determination to work and pray for the liberation of Poland and all the other oppressed liberty-loving peoples of the world.

I am proud to pledge my continued efforts to the sacred cause of Poland and all human freedom. By the grace of God and our united efforts, may Polish freedom soon be an actuality.

Mr. FURCOLO. Mr. Speaker, today marks the two hundred and first anniversary of the birth of the renowned Polish-American hero, Gen. Casimir Pulaski.

This hero who died on October 11, 1779, from wounds received in fighting for American freedom should be especially remembered. It was not his fight. He was not an American. Yet there coursed through his blood a love of liberty and freedom that brought him to the side of our great patriots in their struggle to establish this great Nation.

It is only proper that Congress recognize his sacrifice and that we call the attention of the world to it.

The name of General Pulaski lives in history and will ever serve as an inspiration to all who love freedom and justice.

His role in resisting the forces oppressing his beloved Poland has been celebrated by the historians of every freedom-loving nation. Every American schoolboy has been taught the debt of gratitude that our own country owes to the contributions and courage of this great patriot. As we revere his memory, we honor through him that love of liberty and that dauntless spirit, stemming from his Polish heritage, which sent him forth to fight for freedom in the New World.

Civilization is based upon a reign of peace and justice, and for this reason America has been ennobled by the spiritual contributions of her citizens of Polish descent. By being true to their culture and their creed, Americans of Polish ancestry cannot help being true to their country. Their love of Poland and desire to make it free will only enhance their love of America. All of us might well be proud if we could contribute as much as Pulaski did to progress in the United States and peace in the world.

Mr. SADOWSKI. Mr. Speaker, today, March 4, 1949, is the two hundred and first anniversary of the birth of that great Polish-American hero, Gen. Casimir Pulaski. Several Congressmen, including myself, have introduced resolution to proclaim October 11, not only this year, but every year, a General Pulaski Memorial Day.

With the passage of this resolution the President will call upon the officials of the Government to display the flag of the United States on all the Government buildings and will invite the people of the United States to observe the day in schools, halls, and churches, with appropriate ceremonies, commemorating the death of Gen. Casimir Pulaski, the Polish patriot, who fought and died for the cause of American independence.

Pulaski was born in Podolia, Poland, at a time when that nation was undergoing a severe internal political battle. With rapacious neighbors beginning to conspire against the freedom of the people, the boy Pulaski was consumed with an early desire to ward off danger, and evinced a keen interest in military affairs at a very young age. Long before he reached his majority Pulaski joined in the guard of Duke Charles, and thus gained a rigorous and practical experience in the art of warfare.

In 1769 he joined his father, Joseph Pulaski, in what was termed "The Confederation of Bar," this confederation being a conjointure of Polish noblemen, each one of whom pledged his time, his fortune, and his life to the salvation of Poland. Casimir Pulaski and his brother, Francis, became the active leaders in the movement. The older leaders were soon dispersed, some going abroad; others were confined in dungeons. Pulaski's father was one of those confined in a dungeon prison, where he later died.

But despite this Casimir carried on, and at the head of a small force of cavalry he performed heroic feats. With his brother he became a constant terror to the Russians, who were trying to capture him. Against overwhelming odds for 4 years this great patriotic organization under this great leader fought to oust the enemies of Poland from his country. But all their efforts proved fruitless. During this time one of General Pulaski's brothers was killed before his eyes, the youngest brother taken into captivity, and many of his countrymen were doomed to misery.

Gen. Casimir Pulaski was the leading spirit of his countrymen in this unequal struggle to preserve the country intact. Although but 25 years of age, he was the acknowledged leader and the hero of his countrymen. Heedless of his foe, which was much more powerful, he fought with a zeal and tenacity that made him renowned as a cavalry leader throughout the Continent of Europe.

General Pulaski not only lost his father and brother in this glorious attempt to save Poland from the first of her ignoble partitions, but his estates were confiscated and he was proscribed by King Stanislaus and had to travel to Turkey. Soon thereafter, in 1772, Count Casimir Pulaski issued his memorable manifesto, in which he said in part:

> I am not astonished that the enemies of my country resolved on her ruin, should direct their shares against those who most firmly resist their impetuosity, and that they should regard as such the brave Poles whom they have sacrificed and who are still repelling their most cruel attacks. * * * My destiny was clear, when at the age of 21, far from yielding to the amusements of youth, I regarded every moment as lost which was not employed in repelling the enemies of my country. * * * I have endeavored to mark my course by an invincible fortitude. Neither the blood of one of my brothers, which was shed by the enemy before my eyes, nor the cruel servitude of another, nor the sad fate of so many of my relations and compatriots has shaken my patriotism.

Perhaps no better insight into the sturdy character of Pulaski, who is revered both in Europe and America, could be given than the above excerpt from his manifesto. He traveled to Turkey, but, repelled with the feeble notions of liberty entertained by the Sultan, he journeyed on to Marseilles, France, and from there to Paris. It was in the French Capital that he made the acquaintance of Benjamin Franklin and young America's struggle for independence. Benjamin Franklin, writing from Paris to General Washington on May 29, 1777, said:

> Count Pulaski, of Poland, an officer famous throughout Europe for his bravery and conduct in defense of the liberties of his country against the three great invading powers of Russia, Austria, and Prussia, will have the honor of delivering this into your excellency's hands.

General Pulaski landed in America the middle of July 1777, and after presenting his letters to Washington and Congress, waited for Congress to take action. In the meantime Washington's army passed through the streets of Philadelphia. Spurred by the sight of marching

soldiers, Pulaski, restless and eager to aid our cause, decided not to wait for his commission, but to follow the Army as a volunteer. In Europe a member of the nobility, an officer of distinguished prestige, in America a private in the ranks. Such was Pulaski. Not self, but service, was his life's motto.

The night of September 8, 1777, Washington assembled a council of war to decide which position the Army should take in defense of Philadelphia. The upland, across the brook of Brandywine, was chosen. The Army moved to this position at dawn. The enemy's attack was expected on the 11th and about 9 o'clock of that day the red uniforms appeared. The battle started. The vanguard, under General Maxwell, retreated under heavy pressure. The rest of the Army was stretched out lengthwise for a considerable distance along the brook. The right wing was under the command of General Sullivan, and the left wing, to the south, was under the command of General Armstrong.

General Wayne and General Proctor commanded the cannon and the artillery. Washington remained with the reserve, which was commanded by General Greene, and Pulaski was stationed by the side of Washington.

Upon the withdrawal of General Maxwell the British kept up fire, but did not attempt crossing the creek. Washington was about ready to strike a blow at the enemy, but first wanted to be convinced that the opponents' main forces were not circumventing him for an attack at the rear. To that end a detachment was sent out to explore the region. About 2 o'clock an orderly dispatched the news that the enemy could not be seen on any of the roads on the opposite side of the creek. An order of attack was about to be issued when a man in a cart was noticed waving his hat and striving to reach headquarters. The man turned out to be Squire Cheney, with the startling news that the main forces of the enemy had crossed the Brandywine to the north and were fast approaching the Army's rear.

Washington immediately directed the division of Sullivan, together with the brigades of Conway, Stirling, and Stephans to meet the enemy. They hurriedly arrayed themselves for battle, just as the British were spied on the road. Thereupon the British vanguard showed itself on the plain. The American artillery opened fire. Hessian riflemen were playing havoc with the American front ranks. At the same time a column of infantry rushed to the upland occupied by the Americans. The center was holding up under the bombardment but both wings were fleeing. The enemy then concentrated on the center which soon wavered. Chaos reigned.

At this juncture Pulaski secured Washington's permission to use his bodyguard, some 30 horse, and launched a furious attack at the pursuers. With great skill he wedged into the side of the pursuing column. Swinging their sabers from left to right, this small detachment brought confusion to the ranks of the enemy. The pursuit was momentarily checked. Pulaski's forces took shelter with General Greene's army and together they held the enemy while the rear of the American Army retreated to Dillworth. There the road narrowed and the Americans gained a vantage point where they could withstand the onslaught of the enemy. Thus Washington's army was saved.

Within 2 months after his arrival on September 15, 1777, Congress elected Pulaski commander of the horse, with the rank of brigadier.

General Washington's letter to Congress recommending the appointment of Pulaski read as follows:

> This gentleman has been, like us, engaged in defending the liberty and independence of his country and has sacrificed his fortune and his zeal for these objects. He derives from hence a title to our respect that ought to operate in his favor as far as the good of the service will permit.

Shortly afterward, Washington's army was saved from an almost inevitable destruction at Warren Tavern, near Philadelphia, only by the warcraft of Pulaski. He also engaged in the Battle of Germantown. On the day of the Battle of Germantown he was sorely disappointed and mortified. There were but four regiments of cavalry raised and not one of them completed. Three of them only, such as they were, had joined General Washington's army, and on the day of the battle, guards were furnished out of those regiments to attend on the Commander in Chief and on other generals. This was a matter of deep regret and bitter chagrin.

When General Washington had taken his winter quarters at Valley Forge, the cavalry were sent over into New Jersey on account of forage and for other service on that side of the Delaware. Pulaski made his headquarters in Trenton.

Weary of the lapse in activity subsequent to these previous battles and dampened by the pettiness of the command under which he was stationed, as well as the tardy tactics of Congress in carrying out his suggestions for the improvement of the infantry, Pulaski expressed a wish to return to Europe. Washington persuaded him to remain, however.

In March 1778 he asked permission from General Washington and Congress to organize an independent corps, later to be known throughout the Colonies as the Polish Legion. In equipping it he is said to have spent $50,000 of his own funds. These horsemen, among other arms, bore the famous Polish lances, a new weapon on this continent. Rated as the most expert horseman in the American cavalry, his service in leading and inspiring the cavalry was of inestimable value. From the time Pulaski took command it became a notable weapon of offense and defense.

Then followed the battle of Charleston, S. C., when the city was sieged by 900 British troops from General Prevost's army. Although not altogether successful in his assault, Pulaski held the city 2 days until the arrival of reinforcements.

Probably Pulaski's most distinguished service was rendered in the siege of Savannah, Ga., although this move was made contrary to the sound advice of Pulaski, who pleaded a delay of a number of days due to their unpreparedness. Pulaski was here made commander of the entire cavalry, both French and American. During the battle their scheme failed. The French became entangled and their Admiral D'Esaing was wounded. Chaos resulted in the ranks. Hoping to rally the men and regain order, Pulaski rushed into the thick of the battle. Leading his men in a desperate charge, he received a wound in his right thigh and was carried from the field of battle fatally wounded. Pulaski died 2 days later while on board the brig *Wasp*, leaving Savannah Harbor on the way to Charleston. According to his friend and companion in arms, Capt. Paul Bentalou, he was buried at sea, and funeral services were held afterward in the city of Charleston.

In this manner, at the age of 31 years, ended the life of one of the most active and greatest patriots of his time. A man well born, of handsome physique and liberal education, who abandoned a life of ease and complacency for a career of unnumbered hardships, his was a proud and magnanimous personality. His corps of lancers and light infantry, which were recruited mostly in Baltimore, has since become famous under the name of Pulaski's Legion. He is known as the founder of the American Cavalry. Pulaski, like Washington, could have chosen the easy course. They were both men of large means. But they recognized the responsibility of wealth and rank.

An equestrian statue, which stands between Thirteenth and Fourteenth Streets on Pennsylvania Avenue, Washington, commemorates this hero of two hemispheres.

The splendid funeral honors paid by the citizens of Charleston to the memory of the brave Pulaski—the united regrets of the people and of the Army at the loss of an officer no less beloved than he was useful—and the last tribute of respect offered to his memory by Congress have already evinced the sensibilities and gratitude of our Nation. The gallant son of Poland had enthusiastically espoused the cause of America. He served that cause with zeal, ardor, and fidelity.

Pulaski died as he had lived—a hero, but an enemy of kings. Since the time of Pulaski others have come from his native land to mix their blood with the blood of other peoples to make one common country and to build a single destiny. Many Americans of Polish extraction have offered their lives in defense of this country on many battlefields—in the Civil War, the Spanish-American War, and in the great World Wars. The blood of Pulaski still flows in the blood of his countrymen.

Mr. O'HARA of Illinois. Mr. Speaker, because of the inspiration I have received, and the renewed faith in the destiny of my country that has come to me, when on many occasions during the years I have addressed gatherings of my fellow Chicagoans of Polish descent or extraction, I had wished for the first time

to raise my voice in the historic well of the House on the occasion of the birthday of Casimir Pulaski.

Unfortunately, because of the termination of the present rent-control law on March 31, 1949, and the catastrophic tragedy which would fall upon hundreds of thousands of American families if another rent-control law were not by that time enacted, I was, during the hour devoted by the House to impressive ceremonies honoring the natal day of Casimir Pulaski, engaged with my colleagues on the House Committee on Banking and Currency in the final deliberations on this vitally important measure.

Availing myself, therefore, of the general leave asked and granted for the extension of remarks, I wish here to call the attention of my colleagues to the quality of patriotism and love of country which is such a marked characteristic of men and women of Polish blood.

I have never known audiences that respond in greater measure and with more spontaneous applause than do those of the Polish-Americans of Chicago at any mention of an American tradition, the epic of an American heroism or the destiny of these United States as guide and servitor of mankind in the march to the mountaintops of human contentment.

In Chicago, Mr. Speaker, to be of Polish blood is to come with highest recommendation to universal esteem and to the confidence of all citizens.

From the first and down the years the sons and daughters of Poland have been conspicuous among builders of America. As far back as Jamestown they were part and parcel of the great American adventure. As Indian fighters and as craftsmen no members of Capt. John Smith's settlement excelled them. Skillful in making pitch tar and soap ashes they were made teachers of young men so that "their skill shall not die with them."

Reading in the early Jamestown records of the strike of the Polish Colonists when the House of Burgesses refused to permit them to vote I realize how long and consistent has been the fight of the people of Polish blood in America to attain for all men the enjoyment of civil rights.

The America to which Casimir Pulaski gave his life will erect its most fitting monument to him, not of granite, not in the flowers of laudatory phraseology, but in a social and an economic order in which no human being shall suffer the lash of cruel discrimination unless by his own deportment and lack of character he has isolated himself from the normal relationships.

To have lived but 31 years, only two of them in this America of ours, and then for 172 years to have been enshrined in the hearts of all Americans epitomizes the story of Casimir Pulaski. His name has been known affectionately to generations of American school children and their parents. He is one of our great national heroes. On his birthday after two centuries have passed this historic House of Representatives in what truly may be said to be the Capital of the world pauses in its deliberation on present problems to do honor to his memory.

Yet when he came to America, as so many who followed him, there were those who shunned him as a foreigner. Snarls there were among some because the accident of birth had given to Poland and not America the honor of his nativity. Some there were who refused to serve under him because he was not native-born and his ancestry, courageous and liberty-loving, nevertheless had no American background.

It had been the same in France. Impoverished because of his sacrifices for country and for the cause of liberty, he was thrown in jail for debt. Poverty, however, in the eyes of Benjamin Franklin did not hide the stature of one whom he described to Washington as one of the greatest officers of Europe famous throughout Europe for his bravery and conduct in defense of the liberties of his country against the three great invading powers, Austria, Russia, and Prussia.

To the cause of the Colonies he gave himself tirelessly. To the army of Washington he contributed the spark of his brilliant military genius. In the siege of Savannah when his own command was not in the immediate engagement word came that the French command was sorely pressed. Immediately he rode to the rescue of the French commander despite the great danger involved. First his horse was shot from under him, then rushing forward on foot he received the fatal wounds. Thus he died for America, where by a petty few he had been discriminated against because he was a foreigner, and in an effort to save the soldiers of France, where he had been jailed for debt.

Casimir Pulaski has been an inspiration to all of us, and in an especial sense to the men and women of his extraction who have followed him in service to our country.

Three of our distinguished colleagues from Chicago [Messrs. GORDON, GORSKI, and CHESNEY] are of that extraction. The gentleman from the Eighth District [Mr. GORDON], I might say, is the nephew of the beloved Father Gordon, who founded in Chicago the newspaper which has the largest circulation in the world of a newspaper printed in the Polish language, a journalistic preeminence to which our colleague as business manager made large contribution. The gentleman from the Fifth District [Mr. GORSKI] is a leader at the Chicago bar, and the gentleman from the Eleventh District [Mr. CHESNEY] is a hero of the sports-loving public of Chicago because of his all-American stature on the Bears' football 11.

Three of our colleagues from Detroit [Messrs. LESINSKI, SADOWSKI, and DINGELL], one from New York [Mr. GORKSI], one from Connecticut [Mr. SADLAK], and two from Wisconsin [Messrs. ZABLOCKI and O'KONSKI] are of Polish blood.

The Honorable Victor Schleager, the recorder of deeds of Cook County and outstanding leader in every worthy undertaking in Chicago; the Honorable Benjamin S. Adamowski, brilliant corporation counsel of the city of Chicago, who, as a young man and majority leader in the general assembly at Springfield, made a legislative record that has never been surpassed in our State; the Honorable Edmund K. Jarecki, county judge, whose protection of the purity of the ballot box has furnished a pattern for the entire Nation; the Honorable Joseph Baran, distinguished city treasurer of Chicago and prominently numbered among the great businessmen of the metropolis; the Honorable Casimir Griglic, member of the sanitary district and renowned as one of the great orators of the Nation; and the Honorable M. S. Szymczak, Governor of the Federal Reserve and internationally esteemed as one of the foremost financial authorities in the world; these are but a few of the many, many faithful public servants whose fidelity to their trust and brilliant achievements in the public interest have so impressed the electorate of Chicago and Cook County in Illinois that candidates of Polish blood invariably receive majorities of such size as unmistakably reflect the fullest confidence of all our people.

The Honorable Walter La Buy, learned jurist on the bench of the United States district court; the Honorable John Prystalski and the Honorable Peter Schwaba, on the State bench; and the Honorable Edward Scheffler, Victor Kula, Edward Luczak, and Raymond Paul Drymalski on the municipal bench of Chicago; all are of Polish extraction.

Capt. Peter Kielbasa, veteran soldier of the Civil War, was the first man of Polish blood elected to the Illinois Legislature. Today in the State senate at Springfield sit Senators Stanley Mondala and John S. Kluczynski; and on the house side are Representatives John Kukliski, Anthony Prusinski, Adam S. Mioduski, Joseph Zientek, Thaddeus Adesko, Stanley A. Halick, Stanley R. Kosinski, Frank Krasniewski, and Theodore Swinarski, while in the City Council of Chicago Alderman Joseph P. Rostenkowski, Joseph Ropa, Walter Orlikowski, and Felix Kucharski have made enviable records in the complex and difficult domain of municipal legislation.

Nor should I forget to mention Mr. Louis Lesnicki, noted veteran political observer for the Polish Daily News of Chicago, whose warm friendship I have prized for four decades. His literary but dynamic style of writing, combined with his keen insight into the minds and motivations of men, long have made him a journalistic power of magnitude in the Middle Western States. Also not to be omitted is the name of Anthony Czarnecki, Knight of St. Gregory and writer on the staff of the Chicago Daily News who long ago achieved, for a lone and then young reporter, the remarkable feat of unhorsing a mayor of Chicago at first almost single-handed.

From the Polish colonists at Jamestown; from Pulaski and Kosciusko, the "Father of American artillery" in the War of the Revolution; from Charles Blaszkowicz, mapping the coast of New England; from Sister Mary Veronica, nursing the wounded on the battlefield of Gettysburg; on down to Governor of the Federal Reserve Szymczak and the others of the virile today has come a rich contribution to the American heritage.

All this is heartening to us whose faith in the destiny of America to recall, on this birthday 201 years after the nativity on Polish soil, of a great American hero.

Mr. LANE. Mr. Speaker, under leave to extend my remarks, I wish to include the following article that appeared in a recent issue of Freedom and Union:

"FORWARD!" PULASKI SHOUTED

(Count Casimir Pulaski, born in Poland, March 4, 1748)

Count Pulaski, Polish patriot and American Revolutionary War hero, has often been called the father of American cavalry. He had the same difficulty in selling the use of the cavalry arm to the infantry generals of the American Revolution as did Gen. Billy Mitchell in advocating the use of air power before World War II.

Pulaski gave his life in a demonstration of the power of cavalry in the assault on Savannah, October 9, 1779. Major Rogowski, a Polish officer in the Pulaski Legion, gave this eyewitness account:

"For half an hour the guns roared and blood flowed abundantly. Seeing an opening between the enemy's works, Pulaski resolved with his legion and a small detachment of Georgia cavalry, to charge through, enter the city. Imploring the help of the Almighty, Pulaski shouted 'Forward!' and we, 200 strong, rode at full speed after him. Just, however, as we passed the gap between the two batteries, a cross fire, like a pouring shower, confused our ranks. I look around Oh! sad moment, ever to be remembered. Pulaski lies prostrate on the ground. I leaped toward him; a canister shot had pierced his thigh, and the blood was also pouring from his breast, probably from another wound. Falling on my knees, I tried to raise him. He said in a faint voice, "Jesus! Maria! Joseph!" Further, I know not, for at that moment a musket ball, grazing my scalp, blinded me with blood, and I fell to the ground in a state of insensibility."

Two days later Pulaski died in great agony of gangrene infection. He had given his life for America—and for freedom.

GENERAL LEAVE TO EXTEND

Mr. SABATH. Mr. Speaker, I ask unanimous consent that all Members who wish to do so may extend their remarks in the RECORD within five legislative days.

The SPEAKER pro tempore (Mr. BROOKS). Is there objection to the request of the gentleman from Illinois [Mr. SABATH]?

There was no objection.

EXTENSION OF REMARKS

Mr. VAN ZANDT (at the request of Mr. MICHENER) was given permission to extend his remarks in the RECORD and include a newspaper article.

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Montana [Mr. MANSFIELD] is recognized for 10 minutes.

MONTANA MANGANESE

Mr. MANSFIELD. Mr. Speaker, as our colleague the gentleman from Arkansas [Mr. MILLS] said in a speech on the floor of the House on February 28, "Manganese is the starch in steel." There is no substitute for this material in the making of steel, and were it not for manganese our steel mills would not be operating at the present time. According to testimony before the Mining Subcommittee of the Public Lands Committee, the United States now has in the national stock pile approximately 1,840,000 tons of manganese ore. At the present time we consume approximately 1,500,000 manganese tons of ore a year. This means that we have on hand a little more than a year's supply. Due to the fact that we produce only 130,000 tons a year in the United States, we are dependent to a large extent upon supplies from foreign countries. There has been a decided drop in the imports from India, the U. S. S. R., and other countries. Cuba, which was a major supplier of manganese, is now no longer to be considered because its deposits have been completely exhausted. At the present time there is no assurance as to how long we will be able to keep importing manganese from overseas. The result is that there is no surplus supply of manganese ore in the world. New sources must be developed. Foreign or domestic, we should get every ton of manganese ore available in the world as speedily as possible and stock pile it in the United States until our position is secure.

The best policy, in my opinion, would be to develop the manganese potential of the United States at the earliest opportunity. We cannot depend upon foreign countries for our needs and manganese is the most precious of all strategic minerals at the present time. In the Butte and Philipsburg areas in Montana, we have manganese deposits. We now have the means by which we can process low-grade ores. I therefore urge the Congress, in view of the present critical situation of manganese, that it give every possible consideration to the passage of H. R. 1239, a bill introduced by me on January 10, 1949, to stimulate the exploration, production, and conservation of strategic and critical ores, metals, and minerals and for the establishment within the Department of the Interior of a Mine Incentive Payments Division, and for other purposes. This will revive the premium-price plan which was so successfully carried out during the war and it will give hope to the small operators in Montana to prospect and develop their claims and will likewise give them some assurance in the matter of price. Because of the need for manganese, and other metals such as lead, zinc, copper, and other ores, it will give to the price of that mineral the stability which it needs so badly at this time. We have an abundance of manganese ore in the western part of Montana as well as in 27 other States. The properties are largely undeveloped and milling plants are required for the ore. No money is available for the domestic development and research and action is needed for the research of manganese and without delay. It is my hope therefore that this Congress will recognize the need for urgency in this matter and do all within its power to support the enactment of legislation that will give hope and assurance to our small operators and not only develop manganese deposits but other critical mineral needs as well.

Mr. Speaker, I am inserting in this part of my remarks a letter which I received on January 24, 1949, from William R. McLure, of Philipsburg, and also a resolution addressed to the Congress of the United States by the people living in the Philipsburg mining district of Granite County, Mont.—many of them my close personal friends. These people know whereof they speak and in their behalf I ask that the Congress give serious consideration to their request.

PHILIPSBURG, MONT., *January 24, 1949.*

Hon. MIKE MANSFIELD,
House of Representatives,
Washington, D. C.

DEAR MR. MANSFIELD: The writer has been chosen by the mining interests of Granite County, as well as by our leading citizens generally, to present our Montana Senators and Representatives in the Eighty-first Congress with the resolution of which the enclosed, being a certified copy, the original being in the files of the city of Philipsburg, Granite County, Mont., is a copy, as certified by the city clerk. Upon a reading of the enclosed certified copy you will find it fully and fairly self-explanatory.

The people of Granite County have every confidence in its present representation in Washington, D. C., and they believe that you, Senator JAMES E. MURRAY, Senator ZALES N. ECTON, Representative WESLEY D'EWART can put the metals program over for Granite County and that you will leave no stone unturned in your combined and individual efforts to do so.

Please advise if I should send copies of the resolution also to the Committee on Mines and Mining of the Committee on Public Lands, and the Army and Navy Munitions Board.

We will appreciate very much hearing from you and receiving any suggestions by which we will be further able to help you in securing an effective presentation of this whole matter as set forth in the title and in the body of this enclosed resolution.

With kind personal regards and best wishes for the best in the New Year for you and yours, I am

Very sincerely yours,

WILLIAM R. MCLURE.

Resolution to the United States Congress, in its eighty-first session, and to the Honorable JAMES E. MURRAY and ZALES ECTON, Members of the Senate thereof, and to the Honorable MIKE MANSFIELD and WESLEY A. D'EWART, Members of the House of Representatives thereof, urging and imploring upon that honorable body and the Members thereof, the creating of a stock piling program for the stock piling of low-grade and complex raw ores; and urging and imploring the passage of premium price legislation, now before the new Congress, in support of such a program in and for the Philipsburg mining district, Granite County, Mont.

To the Honorable Congress of the United States of America, in its Eighty-first Session Assembled, and to the Honorable James E. Murray and Zales N. Ecton, Members of the Senate Thereof, and to the Honorable Mike Mansfield and Wesley A. D'Ewart, Members of the House of Representatives Thereof:

Whereas the Philipsburg mining district, Granite County, Mont., has had and enjoyed a gross production of nonferrous metals in the amount of approximately $75,000,000;

Whereas the said Philipsburg mining district, Granite County, Mont., was one of the largest, if not the greatest contributor of manganese to the success of the war effort in and during World War I, during and through the period 1917 to 1919, inclusive;

Whereas for the information of the addressed, Bulletin No. 78 of the United States Geological Survey, and subsequent publications thereto, the latter stressing in some particularity, the manganese deposits in the district, give in excellent discussion, the over-all picture of the mineral character of the Philipsburg mining district, with particular reference to the Philipsburg quadrangle, geological survey thereof;

Whereas it is sought to enlist the attention of the appropriate committees of the

said eighty-first session of the United States Congress in sessions assembled, namely, the Committee on Mines and Mining of the Committee on Public Lands, and also, the Army and Navy Munitions Board, and/or other appropriate committees and/or boards, through and by the Montana representation herein addressed, in stressing to the Eighty-first Congress in it's regular session assembled, the necessity of stock piling of low grade and complex raw ores for the serving of any of several emergencies, which it appears, may soon arise, and which are already existent to great extent;

Whereas there are large deposits of lead, zinc, and copper ores in the said Philipsburg mining district, and whereas, if shipped to a lead smelter, the shipper is penalized for the zinc;

Whereas there is no zinc concentrator nearer to the said Philipsburg mining district, than one located at Salt Lake City, Utah, where payment of percentages of all contained metals is made;

Whereas the said Philipsburg mining district has large reserves of carbonate manganese that were partly disclosed during World War II, but no thorough examination or study of this potential supply has ever been made by the Bureau of Mines, to determine either the grade or the tonnage available;

Whereas, however, there was approximately 70,000 tons carbonate ore of a commercial grade mined and shipped to the Government stock pile during World War II. There was also mined and sold during the same period, to the Government stock pile, approximately 60,000 tons manganese oxide ore, as well as substantial tonnage of battery ore produced and sold to private industry. This tonnage likewise was sold during World War II.

Whereas there are in the district, considerable deposits of copper and iron ores, which also contain tungsten values, the latter being completely lost in the processes of custom smelting, but which, in the presence of a premium price plan, covering such strategic minerals, might well be saved for the requirements of the economies and advantage of the country and its emergencies;

Whereas there are immense deposits of ores containing strategic minerals, that are complex and marginal, but recovery of all of which could be effected under a stock-piling program set up for the Philipsburg mining district as herein proposed, supported by the proposed premium price legislation, which is also now before the honorable Eighty-first Congress of the United States;

Whereas in the findings of the Hoover committee, it has been found and established that the conditions of stock piling of strategic material in this country is deplorable, and whereas it is felt that a stock-piling program, supported by premium-plan legislation, would go a long way toward curing this observation made, and objection by the Hoover committee as herein quoted, with the said Philipsburg mining district given a part therein: Now, therefore, be it

Resolved, That the United States Congress has heretofore, in regular session assembled, passed and adopted legislation for the stock piling of low-grade and complex and low-grade raw ores, and that a stock-piling program be set up and established in accordance th rewith; and that the proper authority be exercised to the end that such a stock-piling program be initiated and ordered for the Philipsburg mining district; be it further

Resolved, That the Eighty-first Congress, in regular session assembled, do pass proposed legislation now before it, for a premium-price plan applicable.

Dated at Granite County, Mont., this 31st day of December 1948.

American Machine & Metals, Inc., L. B. Manning, manager; L. B. Manning; Roy McLeod; Bernard Le Roy; Doris E. Hoehne; W. L. Degenhart; Robert Franz; Ben Walkup; Lawrence M. Wanderer; Vernon R. Steffan; William R. McLure; Edward H. Kaiser; Herman Lindstadt; Jenny Saurer; Pauline R. Byrne; Huffman Grocery; R. J. Huffman; A. J. Murray; John Pankey; Bernice Pankey; J. W. Winninghoff; M. Everett Doe; Wilda W. Doe; Doe's Drug Store; Philipsburg Drug Co.; Frank Reavley; Theodore D. Saurer, Sr.; Earl Bellm; James Kistle; Lewis Mazza; Harry Hanifen; Carmon Bassinett; Wallace McPheters; C. A. Metcalf; Fred Coward; Arthur Taylor; Cleve R. Metcalf; Malcolm Moreen; Lewis E. Crowley; H. J. Courtney; Angus A. McDonald; Edward C. Neu; Carl M. Noreen; Virgil J. Sanderson; Charles D. McLure; Beverley McLure; Wm. Wallin; Billy Beckley; Ray Danielson; Philipsburg Hardware, by D. F. Knight; H. F. Knight; Katherine Knight; Frank Rickard; R. R. Wilson; Woodrow Wilson; B. E. Barnhill; E. P. Maehl; F. E. Splitt; James S. Sullivan; Robert L. Everhard; Joseph Mazza; G. J. Morman; B. G. Paige; A. L. Kearns; Gemma Mazza; W. C. Bowen; J. P. Beretta; H. E. McDougal; Barney Pickett; F. S. Neal; J. L. Miller; Sidney Kinsman; Joe Matelich; George M. McDonald; Charles Cantero; C. A. Brundy; E. A. Hanifen; Thomas J. Churchwell; John W. Orr; Leu Griffith; James E. Maehl; Ralph L. McLeod; James Conn; H. Murphy; E. R. Winninghoff; G. M. Dunn; E. J. Donnelly; Stella Holt; Vatis Page; C. E. Kennedy; Blanche C. Goff; William G. Schneider; Frank Winninghoff; James E. Dissett; William Haitz; Ryan Wicksberg; Charles Purbert; Joe Costello; Pete Lattola; Alfonso Bergamaschi; Harold Sanders; Charles Goff; F. R. Lueck; W. W. Moore; Frank Fessler; Harold Mitchell; Wm. H. Welch; Jake Polich; Fred Karkaran; Chris Johnson; Allen S. McKenzie; Esther Porter; Joe S. Porter; Theodore E. Saurer; John D. Miller; Clarence Therriault; Ross M. Hayworth; Joseph A. Kearns; James Patten; Geo. M. Mungas; Edmond M. Storer; Arnold Holt; H. A. Featherman; James M. Foster; Joe J. Slovack; T. R. Page; Mitchell A. Blanchard; Pershing D. Hanifen; Geo. A. Winninghoff; Basil H. Kennedy; Norman Sichveland; George McLean; Conell Kushman; Wm. H. Watson; Robert H. Lawry; Duncan McRae; George Untinen; Wm. R. Parfitt; B. J. Johnson; Marcus Arthur; W. R. Love; John H. Cole; Louise M. Cole; Val. C. Dietz; J. E. Serigstad; Ernest L. Mazza; Alvin V. Taylor, Jr.; Tom Van Norman; Herman Shoblom; John C. Cape; J. W. Kaiser; A. Z. Harris; C. Woody; Frank Puyear; Lou Cunningham; Fern Evans; Forrest Haggard; Beverly Crncevich; A. Andre; Charles Budel; Clarence Hamilton; A. A. Ackerschott; Lowell S. Johnson; Charles Bergamaschi; Roy V. Hamilton; Lyle L. Graham; Wilbur R. Storer; H. Leroy Sprague; Ray Budel; F. R. Hartley; Roy Owens; Rod. S. McRae; Thomas Ryan; Leonard Swanson; Ronald Day; Isac Therriault; Forrest J. McKenzie; George Hayworth; A. J. Budel; Raymond Danielson; Herman L. Hauck; Hans G. Scheiffele; Omer Edgar; John Raile; Jack Hoehne; P. W. Merrifield; E. P. Rule; Eli B. Christensen; Raymond Danielson, Jr.; G. A. Van Ostrum; Al. Morrison; Wm. E. Harris; Mary Harris; Mrs. Wm. W. Moore; M. N. Moody; L. E. Sandin; Henry Kistle; Walter C. Welker; J. Chandice Ettien; Jacob Schneider; Milo M. Hoyt; Frank R. Sprague; Jack Hiemark; John W. Pearson; E. C. Olson; Jas. W. Sorensen; Hugh F. Carlin; Buck Sanders; James W. Young; S. N. Watcheff; Fred Schultz; Ed. Lannon; Albert Budel; A. A. McDonald; Henry Luoma; Walter R. Edgar; Ollie W. Pickett; John Raile, Jr.; Caroll M. Huffman; George S. Hegley; Everett Finn; Arthur Peterson; George Rodgers; Donald Morrison; Wm. Patterson; S. T. Parr, Sr.; Neal Runtt; Nels Broman; Emery Carnegie; O. J. Durand; G. A. Jenkins; Ernest C. Ecklesdafer; J. H. Mellen; R. J. Fischer; K. H. Leishman; C. K. Muchmore; George G. Hanson; George A. Clawson; H. E. Norris; F. A. Ferry; Joseph C. Beck; Cecil R. Owen; B. H. Lysne; J. Peterson; Bert T. Kingrey; S. K. McGregor; H. P. Bissonette; E. L. Clawson; Leslie C. Nelson; Leo A. Hamilton; Reinhart Heinitz; Mildred McLain; W. A. McGowan; R. W. Hilcox; Lorin S. Arrington; F. C. Corth; Roy E. Rogers; Arnold W. Briggeman; John H. Brunett; F. M. Durfee, president, Lions' Club, Drummond, Mont.; Verlin Bradshaw.

CITY OF PHILIPSBURG,

County of Granite, State of Montana, ss:

I, Edwin T. Irvine, the duly appointed, qualified, and acting city clerk of the city of Philipsburg, Granite County, Mont., do hereby certify and declare that the within and foregoing instrument is a true, exact, and compared copy of a resolution duly and regularly on file and of record in the office of the city clerk of the said city of Philipsburg, Granite County, Mont., as of the date of this certificate.

In witness whereof, I have hereunto set my hand and affixed the great seal of the said city of Philipsburg, Granite County, Mont., a municipal corporation, this 19th day of January 1949.

[SEAL] EDWIN T. IRVINE,
City Clerk of the Said City of Philipsburg, Granite City, Mont.

A BRIEF SURVEY OF THE MINERAL RESOURCES OF THE PHILIPSBURG MINING DISTRICT

HISTORY

The Philipsburg mining district is one of the oldest in Montana. The Hope mill which was the first quartz mine in the State was started in 1866 and operated almost continuously until 1906.

The first ores of the district were mined entirely for their silver and gold values but as the mines became deeper the lead and zinc values increased to such an extent that the milling of the ore became a serious problem and the early-day miner found it next to impossible to extract his gold and silver at a profit. The result was that a number of the smaller mines closed down around 1905. The total production of the district up to the present time is between seventy-five and one hundred million dollars in nonferrous metals.

MANGANESE

With the coming of World War I, manganese became the No. 1 critical mineral in the United States. Prospecting was started for this mineral in the Philipsburg district and some of the largest and richest deposits in the country were uncovered. It is safe to say that without the Philipsburg manganese the United States would have been in serious difficulty during the years of 1917-18. After the First World War these manganese-dioxide deposits were mined for battery ore and Philipsburg has been the main source of this grade of ore ever since 1918.

Underlying the manganese-dioxide deposits lie the manganese-carbonate ores. During World War II some 70,000 tons of this ore was mined and shipped to the Government stock pile. These ores lie in the footwall and in beds cut by the lead, silver, and zinc fissures. There is unquestionably a very large tonnage of these carbonate ores already developed and ready to be mined. They should extend to the thousand-foot level or even

greater depth making the possible tonnage even greater than the dioxide ores.

ZINC LEAD

About a mile east of the town of Philipsburg lies the granite-line contact, and it is along this contact and extending into the granite for about 2 miles that the most productive fissures have been found. Where these fissures cut the limestone their walls have been replaced by zinc, silver, and lead minerals in some places to the extent of 20 to 30 feet, and it was from these veins that a large tonnage of lead, silver, and zinc ore was shipped to the Anaconda zinc plant during the time Anaconda was buying zinc ore. This ore averaged in the neighborhood of 12 to 14 percent zinc, 3 to 5 percent lead, 10 to 15 ounces silver, and two to four dollars in gold. All of this character of ore carries some manganese carbonate.

OUTLYING DISTRICTS

Princeton: The Princeton district lies about 18 miles northeast of Philipsburg, at the head of Boulder Creek.

The veins in this district are not so numerous as in the Philipsburg district; therefore, they have not been developed to the extent that the veins in the Philipsburg area have. But in late years several deposits of lead, zinc, and silver ores have been developed, and this district shows promise of being able to produce large quantities of these minerals.

Sunrise: This district lies 15 miles northwest of Philipsburg, at the head of Henderson Gulch. These veins are replacement veins in limestone and are very extensive as to both strike and dip. During World War I a large tonnage of this ore was shipped to a copper smelter in Butte, the average of which was 3 percent copper, 0.22 ounce gold, and 1.5 ounces silver. During the last few years there has been discovered very large and extensive bodies of low-grade tungsten ores lying along the contact between the lime and intrusive and igneous dykes. The Bureau of Mines has been investigating this district within the last year.

Black Pine: The Black Pine district lies 10 miles northwest of Philipsburg. The veins are fissure veins in quartzite and like Sunrise are very extensive both as to strike and dip. One vein, the Combination, was mined extensively in the early days for silver and has produced nearly $3,000,000 in silver and gold. The sulfide ores of this district carry copper and would average around 2 percent. These veins also carry tungsten and will average from two-tenths of 1 percent to three-tenths of 1 percent (WO_3). Like Sunrise the Bureau of Mines has been investigating this district.

CONCLUSION

The Philipsburg area has five of the most critical metals wanted by the Government for stock-piling, that is, manganese, lead, zinc, copper, and tungsten.

These metals are associated in two groups, the managense, lead, and zinc in one group and the copper and tungsten in the other.

The lead-zinc fissures cut the beds of manganese carbonate in such a manner that to make a profitable mining enterprise they should all be mined in one operation. Also the tungsten is a by-product of the copper, silver, and gold ores of the camps of Black Pine and Sunrise.

With a stock-piling project in the Philipsburg area these ores could be mined and stock-piled until such time where a mill could be provided to treat and separate each mineral. With such a program the Philipsburg area could provide a large tonnage of ore with which to overcome the shortage of these strategic minerals.

Most of the plants which handle custom ore are running at full capacity so that there is no outlet for the ores of the Philipsburg district at the present time.

WILLIAM R. MCLURE.

FEBRUARY 28, 1949.

(Mr. MANSFIELD asked and was granted permission to revise and extend his remarks and include a letter and also a petition.)

EXTENSION OF REMARKS

Mr. BREHM asked and was granted permission to extend his remarks in the RECORD and include an article from the London Daily News.

PARLIAMENTARIAN LEWIS DESCHLER

Mr. BREHM. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore (Mr. REDDEN). Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BREHM. Mr. Speaker, now that the shouting and tumult has died regarding our versed and beloved parliamentarian, and so many of you have had such a good time trying to get into the act, I think it is time to set you straight and remind you that Mr. Lew Deschler is my constituent, that his home town is Chillicothe, Ohio, and that I will continue to efficiently represent him in the future as I have in the past; unless you folks continue to brag on him and get him so puffed up that he would decide to run for Congress and represent himself. Of course in this event I would be compelled to support him for the office.

FEDERAL AID FOR EDUCATION

Mr. REDDEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore (Mr. BROOKS). Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. REDDEN. Mr. Speaker, several days ago, Hon. Roy Taylor, member of the North Carolina Legislature which is now in session, introduced in that body H. R. 177 relating to Federal aid for education. This bill was enacted into law last Thursday by the legislature of that State. It memorializes the Congress of the United States to support a program providing Federal funds for equalizing educational opportunities in the public schools of the Nation without Federal control.

In my opinion, this is the type of Federal aid for education that the people in this Nation desire, and the only type the people of North Carolina will accept.

I wish to congratulate the legislature of my State in the stand it has taken on this subject. I hope that the Congress will hasten action on legislation providing Federal aid for education, and that it will be aid without control.

Many of the States of the Nation are unable to provide a proper and needed standard of education, and I hope more legislative bodies will let the Members of Congress know their attitude in this respect.

I wish to commend Representative Taylor for his action in behalf of education. He lives in a section of North Carolina which is indeed appreciative of his outstanding public record in behalf of forthright legislation.

SENATE JOINT RESOLUTION REFERRED

A joint resolution of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. J. Res. 56. Joint resolution extending an invitation to the International Olympic Committee to hold the 1956 Olympic games at Detroit, Mich.; to the Committee on Foreign Affairs.

ADJOURNMENT

Mr. MANSFIELD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 54 minutes p. m.) under its previous order, the House adjourned until Monday, March 7, 1949, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

320. A letter from the Acting Attorney General, transmitting additional evidence and requesting that the case of Karel Krajsky or Charles Krajsky, file No. [redacted], CR 21623, be withdrawn from those now pending before the Congress; to the Committee on the Judiciary.

321. A letter from the Secretary of Defense, transmitting the annual report covering the activities of the Department of the Army for the fiscal year 1948; to the Committee on Armed Services.

322. A communication from the President of the United States, transmitting revised estimates for the fiscal year 1950 involving an increase of $5,700,000 for the Department of Commerce, in the form of amendments to the budget for said fiscal year (H. Doc. No. 97); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HART: Committee on Merchant Marine and Fisheries. House Joint Resolution 143. Joint resolution to authorize vessels of Canadian registry to transport iron ore between United States ports on the Great Lakes during the period from March 15 to December 15, 1949, inclusive; without amendment (Rept. No. 209). Referred to the House Calendar.

Mr. WALTER: Committee on the Judiciary. H. R. 2222. A bill to provide a 2-year moratorium with respect to the application of certain antitrust laws to individual, good-faith delivered price systems and freight-absorption practices; with amendments (Rept. No. 210). Referred to the Committee of the Whole House on the State of the Union.

Mr. MADDEN: Committee on Rules. House Resolution 128. Resolution for consideration of H. R. 1741, a bill to authorize the establishment of a joint long-range proving ground for guided missiles, and for other purposes; without amendment (Rept. No. 211). Referred to the House Calendar.

Mr. COLMER: Committee on Rules. House Resolution 129. Resolution for consideration

of H. R. 2546, a bill to authorize the Secretary of the Air Force to establish land-based air warning and control installations for the national security, and for other purposes; with amendment (Rept. No. 212). Referred to the House Calendar.

Mr. LYLE: Committee on Rules. House Resolution 130. Resolution for consideration of H. R. 2663, a bill to provide for the administration of the Central Intelligence Agency, established pursuant to section 102, National Security Act of 1947, and for other purposes; without amendment (Rept. No. 213). Referred to the House Calendar.

Mr. DELANEY: Committee on Rules. House Resolution 131. Resolution for consideration of H. R. 2216, a bill to amend the National Security Act of 1947 to provide for an Under Secretary of Defense; without amendment (Rept. No. 214). Referred to the House Calendar.

Mr. SPENCE: Committee on Banking and Currency. H. R. 1731. A bill to extend certain provisions of the Housing and Rent Act of 1947, as amended, and for other purposes; with an amendment (Rept. No. 215). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. HOLIFIELD:

H. R. 3238. A bill to authorize all Federal agencies to donate surplus properties for educational purposes; to the Committee on Armed Services.

By Mr. CELLER:

H. R. 3239. A bill to provide for the appointment of three additional district judges for the United States District Court for the District of Columbia; to the Committee on the Judiciary.

H. R. 3240. A bill to amend the Contract Settlement Act of 1944 to provide that claims under section 17 must be filed within 6 months to be allowable, to stop further accrual of such claims, and for other purposes; to the Committee on the Judiciary.

By Mr. DAVIS of Georgia:

H. R. 3241. A bill to provide for payment for motor vehicles used by carriers in the delivery of mail on an hourly basis instead of by contract; to the Committee on Post Office and Civil Service.

By Mr. HARVEY:

H. R. 3242. A bill to direct the Secretary of Agriculture to announce the parity price of milk, and to direct the Secretary of Agriculture to immediately announce the support price of milk; to the Committee on Agriculture.

By Mr. HOLIFIELD:

H. R. 3243. A bill to confirm and establish the titles of the States to lands beneath navigable waters within State boundaries and natural resources within such lands and waters and to provide for the use and control of said lands and resources; to the Committee on the Judiciary.

By Mr. HOPE:

H. R. 3244. A bill to provide for the liquidation of the trusts under the transfer agreements with State rural rehabilitation corporations, and for other purposes; to the Committee on Agriculture.

By Mr. KEATING:

H. R. 3245. A bill to terminate certain excise taxes; to the Committee on Ways and Means.

H. R. 3246. A bill to terminate the tax on places furnishing entertainment in connection with the serving of food; to the Committee on Ways and Means.

By Mr. KLEIN:

H. R. 3247. A bill to amend the Alcoholic Beverage Control Act of 1934 of the District of Columbia; to the Committee on the District of Columbia.

By Mr. SADOWSKI:

H. R. 3248. A bill to amend the Federal Alcohol Administration Act, as amended; to the Committee on Interstate and Foreign Commerce.

By Mr. SHAFER (by request):

H. R. 3249. A bill to provide for a national cemetery at Fort Custer, Mich.; to the Committee on Public Lands.

By Mr. STANLEY:

H. R. 3250. A bill authorizing the construction of the Smith Mountain Dam and hydroelectric power project in the Roanoke River Basin; to the Committee on Public Works.

By Mr. WORLEY:

H. R. 3251. A bill to direct the Secretary of Agriculture to grant to States projects administered under title III of the Bankhead-Jones Farm Tenant Act containing major recreational developments; to the Committee on Agriculture.

By Mr. MICHENER:

H. J. Res. 185. Joint resolution requesting the President to issue a proclamation designating Memorial Day, 1949, as a day for a Nation-wide prayer for peace; to the Committee on the Judiciary.

By Mr. KLEIN:

H. Con. Res. 43. Concurrent resolution to create the Westbrook Pegler Annual Award of Journalistic Infamy; to the Committee on Rules.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Nebraska, requesting that any authorization or appropriation for the construction of the Glendo Reservoir be withheld until plans therefor have been submitted to the State of Nebraska and to its department of roads and irrigation; to the Committee on Public Lands.

Also, memorial of the Legislature of the State of Minnesota, urging the enactment of legislation requiring shippers of cigarettes in interstate commerce to furnish to the taxing authority of the State to which shipped a copy of the invoice on each such shipment; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DOUGHTON:

H. R. 3252. A bill for the relief of Mrs. Zelma Inez Cheek; to the Committee on the Judiciary.

By Mr. GRANGER:

H. R. 3253. A bill for the relief of Doris M. Faulkner; to the Committee on the Judiciary.

By Mr. HARVEY:

H. R. 3254. A bill for the relief of Iva Gavin; to the Committee on the Judiciary.

By Mr. HORAN:

H. R. 3255. A bill for the relief of Roy F. Arnold; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

160. By Mr. HART: Petition of New Jersey Education Association, Trenton, N. J., requesting that public benefits be not extended to public employees covered by their own public pension funds; to the Committee on Ways and Means.

161. Also, petition of the John J. Grogan Association, condemning the Communist processes which so inhumanly resulted in the imprisonment of Cardinal Mindszenty; to the Committee on Foreign Affairs.

162. By Mr. KEARNEY: Memorial of Common Council of the City of Amsterdam, N. Y., advocating passage of the resolution designating October 11 of each year as General Pulaski's Memorial Day; to the Committee on the Judiciary.

163. By Mrs. NORTON: Petition of Albert L. Quinn Post, No. 52, American Legion, Jersey City, N. J., condemning the action of the Communist Party for their persecution of all forms of religious activity, Catholic, Protestant, and Jewish; to the Committee on Foreign Affairs.

SENATE

SATURDAY, MARCH 5, 1949

(Legislative day of Monday, February 21, 1949)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Our Father God, Thou hast taught us that our very bodies are to be the shrines of Thy spirit. We do not seem to ourselves temples of the holy but rather very secular houses not fit for Thy dwelling; yet Thou seest a temple in each of us, an altar there, even though forgotten, and needs and aspirations, yearnings and capacities, if we could be but strengthened by Thy might to be our best selves. For our own sakes and for the sake of this needy world Thou hast summoned us to serve in a desperate day, God of all grace, cleanse us, make us right within, that our humble shrines may be alight with the divine. Ere our day is done use us as Thy instruments, so that the paganism that blights the world shall be redeemed into the decency and justice and mercy and brotherhood of Christ Jesus our Lord. Amen.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

PROTECTION OF PERSONNEL ENGAGED IN INSPECTION OF CERTAIN AIRCRAFT

A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to provide for the protection of personnel engaged in the enforcement of regulations and the inspection of aircraft engaged in interstate and foreign air commerce (with an accompanying paper); to the Committee on the Judiciary.

REPORT ON PERSONNEL CEILINGS

A letter from the Director of the Bureau of the Budget, transmitting, pursuant to law, his report of personnel ceilings for the quarter ended December 31, 1948 (with an accompanying report); to the Committee on Post Office and Civil Service.

SALARIES OF SUSPENDED GOVERNMENT EMPLOYEES

A letter from the President of the United States Civil Service Commission, transmitting a draft of proposed legislation to amend section 6 of the act of August 24, 1912, as amended, with respect to suspensions of em-

ployees of the United States (with an accompanying paper); to the Committee on Post Office and Civil Service.

LEAVE OF ABSENCE

Mr. LUCAS. Mr. President, I ask unanimous consent that the junior Senator from Florida [Mr. HOLLAND] may be excused from attending the sessions of the Senate until next Wednesday.

The VICE PRESIDENT. Without objection, it is so ordered.

CALL OF THE ROLL

Mr. LUCAS. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Hoey	O'Conor
Anderson	Humphrey	O'Mahoney
Brewster	Hunt	Pepper
Bridges	Jenner	Reed
Broughton	Johnson, Colo.	Robertson
Butler	Johnson, Tex.	Russell
Byrd	Johnston, S. C.	Saltonstall
Cain	Kefauver	Schoeppel
Chapman	Kem	Smith, Maine
Chavez	Kerr	Smith, N. J.
Connally	Knowland	Stennis
Cordon	Long	Taft
Donnell	Lucas	Taylor
Downey	McCarran	Thomas, Okla.
Eastland	McCarthy	Thomas, Utah
Ecton	McClellan	Thye
Ferguson	McFarland	Tobey
Frear	McGrath	Tydings
Fulbright	McKellar	Vandenberg
George	Magnuson	Watkins
Gillette	Malone	Wherry
Green	Martin	Wiley
Gurney	Maybank	Williams
Hayden	Miller	Withers
Hendrickson	Millikin	Young
Hickenlooper	Mundt	
Hill	Myers	

Mr. MYERS. I announce that the Senator from Louisiana [Mr. ELLENDER], the Senators from West Virginia [Mr. KILGORE and Mr. NEELY], the Senator from Montana [Mr. MURRAY], and the Senator from Alabama [Mr. SPARKMAN] are absent on official business.

The Senator from Illinois [Mr. DOUGLAS] is absent on public business.

The Senator from Florida [Mr. HOLLAND] is absent by leave of the Senate.

The Senator from Connecticut [Mr. MCMAHON] and the Senator from New York [Mr. WAGNER] are necessarily absent.

Mr. SALTONSTALL. I announce that the Senator from Indiana [Mr. CAPEHART] is necessarily absent because of the death of his father, Mr. Alvin T. Capehart.

The Senator from Vermont [Mr. FLANDERS], the Senator from New York [Mr. IVES], the Senator from North Dakota [Mr. LANGER], and the Senator from Massachusetts [Mr. LODGE] are absent by leave of the Senate.

The Senator from Connecticut [Mr. BALDWIN], the Senator from Ohio [Mr. BRICKER], and the Senator from Oregon [Mr. MORSE] are necessarily absent.

The VICE PRESIDENT. Seventy-nine Senators have answered to their names. A quorum is present.

TRANSACTION OF ROUTINE BUSINESS

The VICE PRESIDENT. The Senator from Arkansas is recognized, under the unanimous-consent agreement of yesterday.

Mr. LUCAS. Mr. President, will the Senator from Arkansas yield to me so that I may make a unanimous-consent request, without the Senator losing any of his rights thereby?

Mr. FULBRIGHT. I yield, with the understanding that by so doing my right to the floor shall not be affected.

The VICE PRESIDENT. The Senator from Illinois asks the Senator from Arkansas to yield, without surrendering any right thereby. Is there objection?

Mr. WHERRY. I have no objection.

The VICE PRESIDENT. The Chair hears none, and the Senator from Illinois may proceed.

Mr. LUCAS. Mr. President, I ask unanimous consent that Senators may be permitted to introduce bills and joint resolutions, present petitions and memorials, and other matters which are ordinarily presented during the morning hour, without thereby interfering with or jeopardizing the parliamentary situation on the question now pending before the Senate.

The VICE PRESIDENT. Without debate?

Mr. LUCAS. Without debate.

The VICE PRESIDENT. Is there objection to the request of the Senator from Illinois? The Chair hears none, and it is so ordered.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A concurrent resolution of the Legislature of the State of Minnesota, relating to aid to that State in enforcement of cigarette tax; to the Committee on Finance.

(See concurrent resolution printed in full when presented by Mr. THYE on March 4, 1949, p. 1845, CONGRESSIONAL RECORD.)

A concurrent resolution of the Legislature of the State of South Dakota; to the Committee on Interior and Insular Affairs:

"Senate Concurrent Resolution 9

"Concurrent resolution memorializing the Congress of the United States to make provision for payment of the exact equivalent of taxes to the States and other lesser political subdivisions whenever the tax base of such taxing units is depleted by withdrawals of lands for the use of Federal agencies

"Be it resolved by the Senate of the State of South Dakota (the House concurring therein):

"Whereas the Federal Government and agencies thereof from time to time have withdrawn from the State and its political subdivisions areas such as the Ammunition depot at Provo; the Angostura irrigation project in Fall River and Custer Counties; the Belle Fourche irrigation project in Butte and Meade Counties; submarginal land utilization areas principally located in Stanley, Lyman, Jones, Jackson, Pennington, and Perkins Counties; air bases at Rapid City and at Sioux Falls; the Pine Ridge Indian Reservation; the Crow Creek Indian Reservation; the Cheyenne Indian Reservation; Rosebud Indian Reservation; the Standing Rock Indian Reservation; the Lower Brule Indian Reservation; the Sisseton Indian Reservation; the Black Hills National Forest; the Harney National Forest; Wind Cave National Park; Jewel Cave National Park; the Bad Lands National Monument; the Rushmore National Monument; the East and West Short Pine National Forests; veterans' facility hospitals at Sioux Falls and at Fort Meade; the bombing range in Shannon County; the experiment station at Newell; the various Indian schools; the Indian hospital at Rapid City; the Federal sanatorium at Hot Springs; and the other lesser withdrawals; and

"Whereas in the development of the Missouri River project it will be necessary for the Federal Government to acquire extensive areas in South Dakota such as dam sites, areas to be inundated and marginal lands, right-of-way for canals and ditches, townsites, and areas for administrative facilities; and

"Whereas the State of South Dakota has for a period of 10 years paid on school and endowment lands held in trust by the State, the exact equivalent of school district and county levies: Now, therefore, be it

"Resolved, That the Senate of the State of South Dakota (the house of representatives concurring therein) do memorialize the Congress of the United States to take steps to provide for the payment of the exact equivalent of taxes which would otherwise be levied on lands in the State and its political subdivisions were such lands not acquired by the Federal Government and its agencies; be it further

"Resolved, That a copy of this concurrent resolution be forwarded to His Excellency, the President of the United States, the United States Senator CHAN GURNEY, United States Senator KARL MUNDT, Congressman FRANCIS H. CASE and to Congressman HAROLD O. LOVRE, and to the presiding officers of both Houses of Congress."

A joint memorial of the Legislature of the State of Idaho; to the Committee on Appropriations:

"Senate Joint Memorial 6

"To the honorable Senators and Representatives of the United States of America in Congress assembled:

"We, your memorialists, the Legislature of the State of Idaho, respectfully represent that:

"Whereas millions of acre-feet of the water of Snake River are annually running to waste into the Columbia River and Pacific Ocean; and

"Whereas such wasted waters are urgently needed to supplement the water rights of water users of the Snake River Valley in Idaho; to irrigate new desert lands in the Snake River Valley of Idaho; and

"Whereas the conservation and storing of such waters will control the flooding and washing of thousands of acres of valuable farm lands in the upper Snake River Valley and will provide water power for the production of hydroelectrical energy, which is urgently needed in the Intermountain States: Now, therefore, be it

"Resolved by the Senate of the State of Idaho (the House of Representatives concurring), That we most respectfully urge upon the Congress of the United States of America that it appropriate the necessary funds and proceed at once with the early and speedy construction of the Palisade Dam project in Idaho; be it further

"Resolved, That the secretary of state of the State of Idaho be authorized and he is hereby directed to forward certified copies of this memorial to the Senators and the Representatives in Congress from this State, and to the Senate and the House of Representatives of the United States of America."

A letter in the nature of a petition signed by Norma Sims, chairman, social action committee, American Association of Group Workers, of New York, N. Y., praying for the enactment of legislation providing a program of low-rent housing, public and private, open to all groups; to the Committee on Banking and Currency.

The petition of Edward H. Weyler, secretary-treasurer, Kentucky State Federation of

Labor, of Louisville, Ky., praying for the enactment of House bill 2313, to suspend certain import taxes on copper; to the Committee on Finance.

A resolution adopted by the general committee of adjustment, Order of Railway Conductors, Illinois Central Railroad Co., of Chicago, Ill., opposing the St. Lawrence River project; to the Committee on Foreign Relations.

The petition of George K. Way, secretary, and several other members of the Board of Temperance of the Methodist Church, South Carolina Conference, of North Charleston, S. C., praying for the enactment of legislation to prohibit the transportation of liquor advertising in interstate commerce; to the Committee on Interstate and Foreign Commerce.

A resolution adopted by the Partisan Republicans of California, of Los Angeles, Calif., opposing the establishment of a police state in America; to the Committee on the Judiciary.

Resolutions adopted by the City Council of the City of Salem, Mass.; the Polish Army Veterans, General Haller Post, No. 125, of South Bend, Ind.; the Council of the City of Dearborn, Mich.; the City Council of the City of Clifton, N. J.; and the Common Council of the City of Amsterdam, N. Y., favoring the enactment of legislation proclaiming October 11 of each year as General Pulaski's Memorial Day; to the Committee on the Judiciary.

A resolution adopted by the board of directors of the Florida State Chamber of Commerce, of Jacksonville, Fla., protesting the enactment of legislation to federalize the practice of medicine; to the Committee on Labor and Public Welfare.

A letter in the nature of a petition from Paul E. Sanders, recording secretary, Local Union No. 2058, United Steelworkers of America (CIO), of Maywood, Calif., praying for the enactment of legislation to repeal the Taft-Hartley labor law; to the Committee on Labor and Public Welfare.

A letter in the nature of a petition signed by Nicasie Figueroa, president, Union de Mecanicos, Auxiliares y Ramas Anexas, of Santurce, P. R., relating to the minimum wage law, and so forth; to the Committee on Labor and Public Welfare.

A letter in the nature of a petition, signed by Jack Kroll, director, CIO Political Action Committee, Washington, D. C., requesting permission to arrange for a broadcast of Senate proceedings on Senate Resolution 15, to amend the so-called cloture rule; to the Committee on Rules and Administration.

A letter in the nature of a petition, signed by Marilyn Kaemmerle, administrative secretary, National Citizens' Council on Civil Rights, of New York, N. Y., praying for a change in the rules of the Senate so as to provide for cloture by majority vote (with an accompanying paper); ordered to lie on the table.

FEDERAL HOUSING PROGRAM—RESOLUTION OF GENERAL ASSEMBLY OF RHODE ISLAND

Mr. GREEN. Mr. President, on behalf of my colleague the junior Senator from Rhode Island [Mr. MCGRATH] and myself, I present for appropriate reference and ask unanimous consent to have printed in the RECORD a resolution adopted by the General Assembly of the State of Rhode Island, favoring the creation of a Federal housing program.

There being no objection, the resolution was received, referred to the Committee on Banking and Currency, and, under the rule, ordered to be printed in the RECORD, as follows:

House Resolution 543

Resolution requesting the Senators and Representatives from Rhode Island in the Congress of the United States to use their good offices to secure prompt passage of legislation for the creation and support of a Federal housing program

Whereas the lack of decent and adequate housing for citizens of our State and the United States is a problem confronting the American people which apparently cannot now be solved by local administrative governing bodies; and

Whereas a long-range housing program developed by the Federal Government should attack this challenge in the interest of health, safety, and welfare for all, through encouragement of private enterprise in the construction industry or the providing of Federal funds to clear slums and furnish public low-rent housing to areas whose needs cannot be fully met through reliance on private enterprise or local and State revenues: Now, therefore, be it

Resolved, That the Senators and Representatives from Rhode Island in the Congress of the United States be, and they are hereby, requested to use their good offices to secure the prompt passage of legislation for such a Federal housing program; and be it further

Resolved, That the secretary of state be, and he is hereby, authorized and directed to transmit duly certified copies of this resolution to the Senators and Representatives from Rhode Island in the Congress of the United States.

REPEAL OF TRANSPORTATION TAX—RESOLUTION OF HOUSE OF REPRESENTATIVES OF SOUTH CAROLINA

Mr. MAYBANK. Mr. President, on behalf of my colleague the junior Senator from South Carolina [Mr. JOHNSTON] and myself, I present for appropriate reference and ask unanimous consent to have printed in the RECORD a resolution adopted by the House of Representatives of the State of South Carolina, urging the repeal of the 15-percent Federal transportation tax imposed upon railroads as a wartime measure.

There being no objection, the resolution was received, referred to the Committee on Finance, and, under the rule, ordered to be printed in the RECORD, as follows:

Resolution requesting and urging that the National Congress consider the repeal and discontinuance of the 15-percent Federal transportation tax imposed upon railroads as a wartime measure

Be it resolved by the House of Representatives of the State of South Carolina:

SECTION 1. That the National Congress be requested and earnestly urged to consider the repeal and discontinuance of the 15 percent Federal transportation tax imposed upon the railroads of the Nation. That this request is being made to remove the tax for the reason that, as we understand it, this transportation tax was placed on railroads as a wartime measure to discourage civilian transportation during the war years and that the reason for the imposition of such tax no longer exists.

SEC. 2. That a copy of this resolution be forwarded to each Member of the Senate and the House of Representatives in the National Congress from the State of South Carolina.

DRAINING OF WACCAMAW, LITTLE PEE DEE, AND BIG PEE DEE RIVERS—CONCURRENT RESOLUTION OF THE LEGISLATURE OF SOUTH CAROLINA

Mr. MAYBANK. Mr. President, on behalf of my colleague, the junior Senator from South Carolina [Mr. JOHNSTON] and myself, I present for appropriate reference and ask unanimous consent to have printed in the RECORD, a concurrent resolution adopted by the General Assembly of the State of South Carolina, relating to the draining of the Waccamaw, Little Pee Dee, and Big Pee Dee Rivers, and for the drainage of the swamps adjacent to and tributaries entering said rivers.

There being no objection, the concurrent resolution was received, referred to the Committee on Agriculture and Forestry, and, under the rule, ordered to be printed in the RECORD, as follows:

Concurrent resolution memorializing the Congress of the United States to provide for the draining of the Waccamaw, Little Pee Dee, and Big Pee Dee Rivers, and for the drainage of the swamps adjacent to and tributaries entering said rivers

Be it resolved by the senate (the house of representatives concurring), That the General Assembly of the State of South Carolina hereby memorializes the Congress of the United States to provide funds for, and direct, the draining of the Waccamaw, Little Pee Dee, and Big Pee Dee Rivers, and for the drainage of the swamps adjacent to and tributaries entering said rivers in order to bring into active production a larger amount of farm lands lying adjacent to the streams.

That a copy of this resolution be forwarded each United States Senator and Member of the House of Representatives from South Carolina.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. KEFAUVER, from the Committee on Armed Services:

S. 213. A bill to provide benefits for members of the reserve components of the armed forces who suffer disability or death from injuries incurred while engaged in active-duty training for periods of less than 30 days or while engaged in inactive-duty training; with amendments (Rept. No. 95).

By Mr. GILLETTE, from the Committee on Agriculture and Forestry:

S. Res. 36. Resolution to investigate certain matters relating to crop production; without amendment (Rept. No. 96); and, under the rule, referred to the Committee on Rules and Administration.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. WHERRY (for himself, Mr. TYDINGS, and Mr. MAYBANK):

S. 1184. A bill to encourage construction of rental housing at or in areas adjacent to military and naval installations; to the Committee on Banking and Currency.

By Mr. GEORGE:

S. 1185. A bill to provide that all employees of the Veterans' Canteen Service shall be paid from funds of the Service, and for other purposes; to the Committee on Finance.

By Mr. CAIN:

S. 1186. A bill for the relief of N. H. Kelley, Bernice Kelley, Clyde D. Farquhar, and

Gladys Farquhar; to the Committee on Finance.

By Mr. McKELLAR:

S. 1187. A bill to provide for a Federal court building in Winchester, Tenn.; to the Committee on Public Works.

AMENDMENT OF CLOTURE RULE—AMENDMENT

Mr. REED submitted an amendment intended to be proposed by him to the resolution (S. Res. 15) amending the so-called cloture rule of the Senate, which was ordered to lie on the table and to be printed.

AMERICAN AID TO CHINA—RELEASE BY THE CHINESE EMBASSY

Mr. McCARRAN. Mr. President, in the column entitled "Washington Merry-Go-Round," of March 1, Mr. Drew Pearson reported Secretary of State Dean Acheson as having stated, in his conference with Republican Members of Congress last week, that much of the American aid to China "wasn't used to fight communism, but went into the pockets of Chiang Kai-shek's lieutenants."

Mr. President, I have in my hand a release from the Chinese Embassy, dated March 3, dwelling on the subject, refuting the statement, if it was made by Mr. Acheson. I ask unanimous consent that the release may be inserted in the RECORD, and in connection therewith I wish to say that such investigation——

The VICE PRESIDENT. The Chair will say to the Senator from Nevada that debate is not in order under the unanimous-consent agreement.

Mr. McCARRAN. I would not assume to debate it at all. I have nothing to debate.

The VICE PRESIDENT. Any statement is regarded as debate. The Chair will hear the Senator.

Mr. McCARRAN. Very well. I will insert the release in the RECORD without comment.

There being no objection, the release was ordered to be printed in the RECORD, as follows:

In his column, Washington Merry-Go-Round, of March 1, Mr. Drew Pearson reported Secretary of State Dean Acheson as having stated, in his conference with Republican Members of Congress last week, that much of the American aid to China "wasn't used to fight communism, but went into the pockets of Chiang Kai-shek's lieutenants."

The spokesman of the Chinese Embassy stated that the conference to which Mr. Pearson referred was understood to be off the record, and that there is no way to check the accuracy of the report. It is highly doubtful, however, that Secretary Acheson could have made such a statement or was accurately quoted.

American aid to China in the postwar period falls into different categories. They are different in nature and are administered in different ways. But there is absolutely no justification in saying that such aid was misappropriated for private gain.

One of the main items of postwar aid to China was the UNRRA program for China, to which the United States contributed some 72 percent. UNRRA was an international agency, and one of its basic principles was that the distribution of UNRRA supplies must be under the close observation of UNRRA personnel on the spot. At the peak of UNRRA operations in China more than a thousand UNRRA employees were stationed in various regions of China, actively supervising the distribution of UNRRA supplies. The successive heads of the UNRRA mission in China were all Americans, first Mr. Benjamin Kiser, later Maj. Gen. Glen E. Edgerton, and still later Mr. Harlan Cleveland. Their staff in China comprised nationals from practically all the larger nations of the world. Later the UNRRA Committee of the Council of the Far East, composed of representatives of the major nations in the Far East, including the United States, the United Kingdom, the Soviet Union, Australia, Canada, etc., was stationed in Shanghai and exercised the closest supervision of the distribution of supplies in China in accordance with UNRRA resolutions. UNRRA procurement was, of course, done by UNRRA in Washington and the different contributing countries. There were differences of opinion from time to time, especially with regard to the exact quantities of supplies to be shipped to the areas under Communist occupation, but no case of irregularity or misappropriation was reported and substantiated.

After the termination of UNRRA, the United States extended to China further aid amounting to $45,700,000, mostly in food and a small quantity of medical supplies. The distribution of these supplies was placed under the observation of the American Relief Mission in China, attached to the American Embassy in Nanking. The Relief Mission was headed by Mr. Donald Gilpatric. The food supplies went into the ration programs in the principal metropolitan centers of China. The exact scheme was worked out between the Relief Mission and the Ministry of Food of the Chinese Government. The actual funds for the purchase of the supplies were handled exclusively in Washington, between the State Department and the supply agencies of the United States Government, such as the Bureau of Federal Supply, the Commodity Credit Corporation, etc. The Chinese agencies, whether in Washington or in China, never handled any funds.

Under the China Aid Act, 1948, the China-aid program was administered by the Economic Cooperation Administration, which handled all the funds under that act, and procurement of supplies was done exclusively by American Government agencies in Washington. Like the previous programs, the Chinese Government never handled any funds.

The ECA also established a China mission in Shanghai, headed by Mr. Roger Lapham, who is now in Washington reporting the progress of the $275,000,000 civilian-aid program for China. Mr. Lapham's duties included close observation of the implementation of the program in China. There has been no case of misappropriation reported.

The China Aid Act, 1948, also included a $125,000,000 program which the Chinese Government used for the procurement of military supplies. It was at the express request of the Chinese Government that 75 percent of this fund was transferred to American Government departments and agencies to handle the procurement for China. Less than 20 percent of the funds were handled by the Chinese agencies in the United States. This decision to avoid handling any funds was to prevent all possibility of suspicion of irregularity.

According to the procedure suggested by the Chinese Government, whenever a procurement contract is signed by the Chinese technical representative in Washington, an application for payment, together with the contract or invoice or other necessary documentation is submitted to the State Department. In accordance with the agreed procedure the necessary payment is released by the State Department to the designated American bank which, in turn, makes payment direct to the American manufacturer concerned. At the end of each month these releases and payments are audited by a certified public accountant and a report is made to the State Department.

In view of this careful and businesslike procedure, no complaint or dissatisfaction has been heard from the American side or from any others.

During the postwar period the Export-Import Bank also extended a loan to China of $82,800,000. Of this sum, $16,000,000 was undisbursed, not drawn from the bank, and $12,000,000 repaid on schedule.

In view of the above, it would seem that any statement of misappropriation of American aid funds on the part of the Chinese is unfounded and unjustified. It is apparent that the desire of the Chinese Government to make the fullest and most effective use of American aid is as sincere as on the American side.

CORRESPONDENCE ON DISMANTLING OF GERMAN PLANTS

Mr. KNOWLAND. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a letter I addressed to the Secretary of the Army, Mr. Kenneth Royall, on February 14, 1949, asking questions regarding the dismantling and shipping of plants from western Germany into the satellite countries, and a letter dated March 2, 1949, from the Department of the Army giving some of the information requested.

There being no objection, the correspondence was ordered to be printed in the RECORD, as follows:

FEBRUARY 14, 1949.

Hon. KENNETH ROYALL,
Department of the Army,
Washington, D. C.

DEAR MR. SECRETARY: The London Times of February 8 contains an article which raised the question in Parliament relative to the dismantling and shipping to Czechoslovakia of heavy equipment from the Krupp works at Essen. The Times of the following day shows pictures of a heavy steam hammer and a heavy press in the process of being dismantled.

Will you please furnish me with the latest available information as to the amount of German equipment which has been shipped out to the western zone as reparations or otherwise during the year 1948 to:

1. Soviet Russia.
2. Czechoslovakia.
3. Yugoslavia.
4. Poland.
5. Hungary.
6. Bulgaria.
7. Rumania.

Sincerely yours,

WILLIAM F. KNOWLAND,
United States Senator.

DEPARTMENT OF THE ARMY,
OFFICE OF THE CHIEF OF STAFF,
Washington, D. C., March 2, 1949.

Hon. WILLIAM F. KNOWLAND,
United States Senate.

DEAR SENATOR KNOWLAND: Further reference is made to your communication of recent date, addressed to Secretary Royall, in which you requested information as to the amount of German equipment which has been shipped out of the western zone of Germany as reparations or otherwise during the year 1948 to Soviet Russia and to European satellite countries.

The following information has been compiled on this subject and although it covers only the first 11 months of 1948, I trust it

will be sufficient to supply the information you desire.

Reparation shipments made from the United States zone of occupation to the U. S. S. R. (including Poland) during 1948 was less than 500 tons. This equipment consisted of miscellaneous items remaining in plants previously removed to the U. S. S. R. under allocations made by the Allied Control Authority in late 1945 and early 1946 and before such allocations from the United States zone were stopped. This completes the shipments from these plants.

Reparation shipments to the satellite countries during the first 11 months of 1948 from the three western zones of Germany (United Kingdom, United States, and French zones) were: Albania, 1,126 tons; Czechoslovakia, 13,483 tons; Yugoslovia, 52,428 tons.

These shipments consisted of equipment which was allocated to these countries by the Inter-Allied Reparations Agency (IARA) under the terms of the Paris agreement of January 1946. Hungary, Bulgaria, and Rumania were not allies and, therefore, do not receive reparations equipment.

Other equipment shipped to these nations during the year 1948 was arranged through contract agreements between these countries and Bizonal Germany and were made generally for the purpose of securing critical raw materials needed in Germany. The total amount of export deliveries made under these agreements during the first 11 months in 1948 amounted to approximately 2.3 percent of the total of all exports from Bizonal Germany. The amounts roughly are as follows:

Albania	None
Bulgaria	$19,000
Czechoslovakia	8,837,000
Hungary	1,233,000
Poland	1,192,000
Rumania	13,000
U. S. S. R.	78,000
Yugoslavia	1,050,000

Records are not available to indicate the exact break-down of the equipment furnished. However, in general, products furnished under these agreements consisted of machinery, electrical equipment, refrigerators, vehicles, machine parts, mine equipment, optical apparatus, chemicals, and related products. In return Bizonal Germany received foodstuffs, clothing, shoes, steel, kaolin, and other needed raw materials. Imbalances in trade were settled in dollars.

It is a pleasure to have obtained this information for you.

Sincerely yours,

C. G. BLAKENEY,
Colonel, GSC, Legislative and Liaison Division.

SERVICE IN THE HOUSE AND SENATE OF WILLIAM P. FRYE, OF MAINE

Mrs. SMITH of Maine. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a statement I have prepared relative to the service of the Honorable William P. Frye, of Maine, in the House and Senate of the United States.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Mr. President, I want to join in the tributes the distinguished majority leader [Mr. LUCAS] and the distinguished senior Senator from Massachusetts [Mr. SALTONSTALL] yesterday paid to our great Vice President, ALBEN W. BARKLEY. His unparalleled service and devotion to his country and the tremendous respect and affection that those of us who have served, and are serving, with him in the Senate, hold for him are subjects which justify frequent repetition. He has done much to make my entry into this august body most pleasant.

But I do want to correct the RECORD to show that the distinction of having the longest service in Congress is held by the grandfather of my predecessor. William P. Frye, of Maine, served in the House and Senate for more than 40 years—from March 4, 1871, to August 8, 1911.

I want to join the majority leader and the minority whip in their tributes to Vice President BARKLEY. I am sure that no Democratic Vice President has ever attained the place in the hearts of Republican Senators that Vice President BARKLEY has.

LABOR-MANAGEMENT RELATIONS—STATEMENT BY SENATOR THYE

[Mr. THYE asked and obtained leave to have printed in the RECORD a statement on labor-management relations made by him for the Trainmen's News, Brotherhood of Railway Trainmen, on February 26, 1949, which appears in the Appendix.]

TEN GREAT TRUTHS ABOUT THE CONSTITUTION—ARTICLE BY SENATOR WILEY

[Mr. WILEY asked and obtained leave to have printed in the RECORD an article written by him entitled "Ten Great Truths About the Constitution," published in the Daughters of the American Revolution magazine for March 1949, which appears in the Appendix.]

ADDRESS BY SENATOR HUMPHREY AT HOWARD UNIVERSITY

[Mr. HUMPHREY asked and obtained leave to have printed in the RECORD an address delivered by him at Howard University on March 2, 1949, which appears in the Appendix.]

PROPOSED MISSOURI VALLEY AUTHORITY—ARTICLE FROM DENVER POST

[Mr. HUMPHREY asked and obtained leave to have printed in the RECORD an article entitled, "Proposal Urging MVA Unit Fails," published in the Denver Post of February 17, 1949, which appears in the Appendix.]

PROPOSED MISSOURI VALLEY AUTHORITY—ARTICLE FROM NORTH DAKOTA UNION FARMER

[Mr. HUMPHREY asked and obtained leave to have printed in the RECORD an article entitled "Legislators Back MVA," published in the North Dakota Union Farmer of Jamestown, N. Dak., of February 21, 1949, which appears in the Appendix.]

RESISTANCE IN INDONESIA—ARTICLE BY GEORGE T. McKAHIN

[Mr. BREWSTER asked and obtained leave to have printed in the RECORD an article entitled "Resistance in Indonesia," by George T. McKahin, published in the Far Eastern Survey of February 23, 1949, which appears in the Appendix.]

NOMINATION OF MON C. WALLGREN

[Mr. CAIN asked and obtained leave to have printed in the RECORD several editorials, telegrams, and letters relating to the nomination of Mon C. Wallgren to be Chairman of the National Security Resources Board, which appear in the Appendix.]

THE WATCHDOG COMMITTEE—EDITORIAL FROM THE NEW YORK TIMES OF MARCH 2, 1949

[Mr. BREWSTER asked and obtained leave to have printed in the RECORD an editorial entitled "The Watchdog Committee," published in the New York Times of March 2, 1949, which appears in the Appendix.]

IMPLICATIONS OF THE CLOTURE FIGHT—ARTICLES BY ARTHUR KROCK AND MARK SULLIVAN

Mr. RUSSELL. Mr. President, I ask unanimous consent to have printed in the body of the RECORD an article entitled "Will the Product Justify the Cost," written by Mr. Arthur Krock, and published in the New York Times of Wednesday of this week, and an article headed "Fears on the anti-poll-tax bill," by Mr. Mark Sullivan, published in the Washington Post of this morning.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the New York Times of March 3, 1949]

WILL THE PRODUCT JUSTIFY THE COST?

(By Arthur Krock)

WASHINGTON, March 2.—In a Government of divided powers one of the most difficult decisions the people must make is where official responsibility lies for what is done or not done by Government. The blame or the credit is usually a matter of dispute between the executive and legislative branches, and sometimes the judiciary is a party to the argument.

But if the current Senate filibuster against the proposed new cloture rule permanently damages the general welfare or the President's program or—where they chance to coincide—both, Mr. Truman's responsibility will be plain. And it will be equally plain that no blame can be charged to Senator LUCAS, the majority leader. He had a plan that would have made the filibuster harmless in these respects, and the President overruled him.

Mr. LUCAS, though a strong supporter of a two-thirds cloture rule that could be applied to any Senate discussion, and an advocate also of most of Mr. Truman's so-called civil-rights program, devised a legislative formula whereby business of high urgency could be taken up by the Senate at any time during a filibuster. The immediate subject would have been laid aside long enough for action that was required by a specified time—the next appropriation for the Economic Cooperation Administration is a good example. By this formula the basic issue in the filibuster would have been deferred until coming to grips with it would not imperil legislation which by common consent is classified as essential.

The majority leader's purpose was not to surrender to the filibuster or block the passage of the new rule. He planned only to prevent it from doing the damage to more paramount legislation that it may do.

THE PRESIDENT TAKES CHARGE

But when his plan was announced, the pressure groups which put civil rights foremost, and claim a large share of credit for the President's election, attacked Mr. LUCAS as a secret enemy of their principal interest and a defeatist. They served open notice that if his formula was followed they would charge the Democratic leadership and the administration with betrayal of the party platform, Mr. Truman's message to Congress last year, and the campaign pledges which, they said, attracted to him the votes he required to win.

The President reflected this viewpoint when on Monday last he told Mr. LUCAS and the other Democratic leaders in Congress that he wanted them to meet the filibuster head on, to carry the battle to a finish without interruption. By so saying, Mr. Truman assumed full responsibility for the consequences of this policy, whatever they may be, since to follow it was to reverse the procedure of his party leader in the Senate.

It may, of course, eventuate that the filibuster can be broken and the new rule adopted before any lasting harm is done to any other legislation, including that which the calendar makes urgent. In that case, those to whom this outcome is more important than any other will give to the President the credit that will be due. And those whom Mr. Truman has impressed as a political tactician, a fighter who won't recognize the hazards of hard battle, will be even more impressed.

Such a victory in the current issue is far from impossible. As has been pointed out in this space several times, the first section of the filibuster can be crushed if Vice President BARKLEY holds that the present cloture rule (No. XXII) can be invoked against it and a simple Senate majority sustains that finding. After that, two-thirds of the Senate, if so disposed, can adopt a new rule by using the old one to smash the second section of the filibuster. All this could be accomplished in 2 weeks, at the most, if there is the will to do it and continuous sessions are ordered toward the end.

VICTORY HAS ITS DANGERS

If the will does not exist, the filibuster could come to a successful conclusion in even less time, and no serious damage to other legislation would have occurred. For that outcome a Senate majority, either simple or two-thirds, would clearly have the blame or the credit, according to the viewpoint of the observer. And the President's insistence on a fight to the finish at this juncture of the session could not be arraigned as basically harmful to the general welfare, though his responsibility for the risk involved would still be clear.

From at least one aspect that might generally be a more useful result to Mr. Truman. If the filibuster of the southern Democrats is crushed by the stern measures the President ordered, they may form a hard bloc against other administration measures which they view with doubt but, in the absence of the new rule, might be persuaded to accept in the party's name. As a bloc they could make a majority with the Republicans against the rest of Mr. Truman's program and then the new rule could not be invoked. For, though the Republicans are under political pressure to aid the President on the immediate issue, the contrary would be true with respect to most others. The price of the new rule would then be loss of Democratic control.

But such a consequence is dismissed as foolish speculation by the President and those Senators and groups outside which are committed to break the filibuster in the interests of his civil rights program and want to abolish unlimited debate in that branch of Congress. They are resolved to take the chance, and leading them is Mr. Truman.

[From the Washington Post of March 5, 1949]

FEARS ON THE ANTI-POLL-TAX BILL

(By Mark Sullivan)

In the process by which a people are enabled to arrive at a common public opinion and course of action, an important agency is the voices of leaders. But the people themselves must have standards of judgment by which to evaluate the voices they hear.

In evaluating contemporary voices, one that commends itself strongly is that of General of the Army Dwight D. Eisenhower. He just now has two positions, to both of which he was called because of unique and elevated qualities recognized in him. For an emergency he is serving the Department of National Defense in a function which few men could perform as well—presiding officer of the Joint Chiefs of Staff. Permanently, he is president of Columbia University, selected for that post by persons whose responsibility was to get high equipment for the guidance of youth.

From the time General Eisenhower ended his military service in Europe, it has been increasingly recognized that he has equipment for public service in fields additional to military, that he has understanding of principles of government and society. One principle he holds is that the President should not be a military man. But for firm adherence to that principle, General Eisenhower might be President today. Democrats who doubted Mr. Truman's qualifications tried almost desperately to persuade General Eisenhower to accept the nomination. And there was a formidable movement by Republicans to nominate him as the candidate of that party.

General Eisenhower the other day, addressing preparatory and high school student leaders at the Columbia Forum of Democracy, warned of a danger. He described it as "a creeping paralysis * * * a readiness to accept paternalistic measures by the Government and along with these paternalistic measures coming a surrender of our own responsibilities and, therefore, a surrender of our own thought over our own lives. * * *"

"If," General Eisenhower warned, "we allow this constant drift toward centralized bureaucratic government to continue * * * there will be a swarming of bureaucrats over the land. Ownership of property will gradually drift into that central government and finally you have to have dictatorship as the only means of operating such a huge organization. * * * It is things such as that we must watch today."

General Eisenhower's warning was in general terms. It was against a broad trend. If someone were to make specific application of the warning to the many proposals for economic and social change which President Truman has sent to Congress, more than half the proposals would be rejected.

One among Mr. Truman's proposals would work with special force toward centralized government. This is the proposal that State poll taxes as a qualification for voting be abolished by act of Congress.

The primary and indispensable requisite of centralized government is to weaken local government. The poll-tax measure asserts that Congress has power to take away from the States their right to fix their own qualifications for voting for President, Vice President, and Members of Congress. The right to fix voting qualifications is perhaps the most fundamental power a State has. If that power is taken away, the very principle of statehood is undermined.

The principle involved, or the violation of principle, applies to every State, and also to every kind of voting qualification. If Congress takes the poll-tax qualification from a few Southern States, it thereby asserts that it can take from every State any of the many qualifications which States have. A familiar example is the length-of-residence qualification.

When southern Senators resist the poll-tax measure, it is not merely for the sake of the poll tax. That qualification is increasingly disapproved in the South, and some States have abolished it themselves. (Incidentally, the poll tax does not involve race discrimination; on this point there is widespread misconception.) The resistance is for all the States, for the right of every State to fix its own qualifications. It is for a principle, the rights and integrity of all States, their very existence as units of government.

The resistance is against a danger, centralized government, carrying threats of becoming totalitarian government. This danger is recognized as inherent in many of the proposals for economic and social change which President Truman has demanded that Congress enact. The breadth and imminence of that danger justifies the resistance to the poll-tax measure. If the resistance makes use of the Senate tradition against limitation of debate, the very existence of that tradition implies justification. The founding of the tradition and the preservation of it for a century and a half must have had a reason.

AMENDMENT OF CLOTURE RULE

The Senate resumed the consideration of the motion of Mr. LUCAS to proceed to the consideration of Senate Resolution 15, amending the so-called cloture rule of the Senate.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Illinois [Mr. LUCAS] to proceed to the consideration of Senate Resolution 15.

Mr. FULBRIGHT. Mr. President, yesterday there were several exchanges on the floor of the Senate, and there are one or two points to which I wish to refer before I resume the main thread of my speech.

I tried to give from memory a statement made by the junior Senator from Oregon [Mr. MORSE]. I should like to read it. It consists of only one paragraph. I read it so as to keep the RECORD straight for the benefit of those who may read it. The following is found on page 65 of the committee hearings:

> Senator MORSE. In view of the fact that the Senator made that reference, I want to say I appreciate his compliment. I never knew any prolonged speech of mine in the Senate ever changed anybody's vote. I seldom make prolonged speeches in the Senate in the hope that they will change votes. I think I either have them at the start or I do not have them.
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> I have to make those speeches for the record because I know if I don't say some of the things I say, they are not going to be said, and one of the difficulties with liberals is we have to spread ourselves out pretty thin and we have to fight a lot of battles and so sometimes I am making speeches on the floor of the Senate, not in the hope of changing votes, but in the hope that maybe 5 years or 10 years from now the record may create some new votes in the Senate when new faces get there after the people exercise the majority rule at the polls.
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> I would add this: That under my rule I still think I can make those prolonged speeches.

The Senator from Oregon is under the illusion that if we adopt the majority cloture rule, he can still make his long speeches, as he has in the past. The point of the interchange yesterday on the floor was that the great liberals of the Senate who are in favor of the pending resolution apparently have to spread themselves so thin that I do not think they have had an opportunity to digest and understand exactly what is involved. As I stated yesterday, the fact that the civil-rights question is involved in this matter has tended to becloud the issue. I think it has misled a great many persons, and that they have failed to appreciate the fundamental importance of a change in the rules of the Senate.

One further point which was made yesterday related to the parallel which

exists between the effort to increase the membership of the Supreme Court back in 1937 and the issue before the Senate today. I think there is a very close parallel. I believe that issue was perhaps one of the most far-reaching and important that came before the Congress in the 1930's, because it dealt with the integrity of one of the three coordinate branches of our Government. I think the present issue is very similar. Evidence of this fact is that virtually the same arguments which are now made on behalf of the proposed change were then being made on behalf of the attempt to subvert the Supreme Court to the wishes of the executive branch of the Government. I know that a great many present Members of the Senate were here at that time, although I was not. There are quite a number of other new Senators here. I desire to read a few brief passages to call their attention to the analogy. After that fight was over, and after the proposal was defeated, I believe that on second thought the vast majority of the people and the majority of Members of the Senate were convinced, and are convinced, that the decision on that issue was correct.

Mr. PEPPER. Mr. President, will the Senator yield for a question?

Mr. FULBRIGHT. I yield for a question only.

Mr. PEPPER. Does not the Senator from Arkansas make a distinction between an Executive recommendation to the Congress for legislation, such as was involved in the Supreme Court question, and the comment at his own press conference of a President who had been for 10 years a Member of the Senate, as to what he thought might appropriately be a Senate rule? Does not the Senator from Arkansas distinguish between those two cases?

Mr. FULBRIGHT. I think it is a distinction without any difference. We all know the relationship which exists between the majority leadership and the Executive on these subjects. There is no secret about it. After a conference the majority leader said, "This is the plan." It is commonly accepted that there is a close relationship. I certainly am not the one to say that they should have nothing to do with one another; but, after all, these are separate branches, and I think the independence of this body is just as important as the independence of the Supreme Court. I believe that the difference between the Senator's view and mine arises from the confusion caused by the injection of the civil-rights question into this issue.

I invite the Senator's attention to the fact that there is not one word in the Democratic platform about changing the rules of the Senate. The Democrats are not committed to change the rules of the Senate. They are committed to pass the civil-rights program. They have undertaken to force the Senate. With the great power of the Executive, I must say that I think it can be done, if they are willing to take the consequences.

Mr. PEPPER. Mr. President, will the Senator yield for a further question?

Mr. FULBRIGHT. Just a moment. If they want to undertake this program regardless of what may happen to the rest of the administration's program, they probably can force this change through. Why do they not place the question before us directly in connection with the civil-rights legislation? Then if they achieve that legislation, they will have achieved their commitment. They will not have disturbed and destroyed the great significance of the Senate.

I now yield to the Senator from Florida for a question only.

Mr. PEPPER. The Senator is aware of the fact, is he not, that the Senator from Florida was addressing his question to the Senator from Arkansas based upon the supposed analogy which the Senator from Arkansas was making between the recommendation of the President of the United States in his executive capacity to the Congress of the United States relative to certain subjects of legislation, and a comment at his press conference by the President of the United States, who had been for 10 years a Member of the Senate? My question is, Does not the Senator from Arkansas distinguish between the power of the President to make legislative recommendations and the power of the President to make recommendations relative to a change in the rules of the Senate?

Is it not true that the President has the power to recommend legislation to the Congress? But the President does not have power to recommend rule changes to the Senate in his official capacity. Therefore, is it a fair analogy to compare one with the other?

Mr. FULBRIGHT. I think it is a very excellent and precise analogy. I think the Senator is in complete error in saying that the President has not the power to make recommendations with respect to changing the rules. I think he has made such recommendations. Judging from reading the press, that is exactly what has happened. If we go back and examine statements made by the majority leader of the Senate a few weeks ago, and follow the policy through, in the light of what is happening here today in the Senate, we find that that policy is in direct accord with what the President has requested.

Mr. PEPPER. Mr. President, will the Senator yield for a last question?

Mr. FULBRIGHT. First, I wish to make one other comment. I think the Senator from Florida does not distinguish between the propriety of the President's doing it and his power to do it. He actually has done it, so he has the power to do it, but I agree with the Senator from Florida that it is not proper for him to do it.

Mr. PEPPER. Mr. President, will the Senator yield for a further question?

Mr. FULBRIGHT. I yield for a question.

Mr. PEPPER. The Senator from Arkansas recognizes, does he not, that any imputation of impropriety came from the Senator from Arkansas, not from the Senator from Florida?

Mr. FULBRIGHT. No; I think it came from the Senator from Florida.

Mr. PEPPER. Mr. President, will the Senator yield for a further question?

Mr. FULBRIGHT. I yield for a question.

Mr. PEPPER. Does the Senator from Arkansas insist upon the privilege of uninterrupted free speech for the Members of the Senate, but deny the privilege of free comment to the President of the United States at his press conferences?

Mr. FULBRIGHT. No; there is no means by which I could deny it to the President if I wanted to; I do not have the power to do so. But I think the question as to what I might deny to the President is wholly immaterial and irrelevant. There is no question about the fact that the President of the United States is the most powerful person in the world today. There is no king, no potentate, who has the power that the head of our country has, with its tremendous wealth and the distribution of $40,000,000,000 throughout the world and all that.

However, I make no point of that. I only say the President's power should be confined to the executive branch, and he should not try to dominate the one remaining independent branch of our Government. He has the power to appoint members of the Supreme Court; but the Senate is the only remaining branch of our Government which the President has not been able to dominate. Of course, Presidents have tried to change the rules of the Senate, but up to now such efforts have not been successful.

As I have said, in view of the demonstrated success of our Government, why the President should, in an offhand way, and mixed up with emotions as to entirely different matters in our country—namely, civil rights—attempt to intermingle those with the question of the Senate's rules is a matter entirely beyond my understanding. I think these questions should be brought up separately. Unfortunately, that cannot be done at this particular moment. But it can be done in the case of civil-rights legislation. Those in the majority can force continuous sessions, as they are doing now; and if they are willing to take the consequences, I have no doubt they could succeed in having such proposed legislation passed.

This issue really comes down to a question of the extent of the determination on the part of the leadership and the majority. If they are sufficiently determined and if they believe it is wise to pass the bill, there is no doubt that they can do so. This filibuster is purely a matter of degree. What has happened in the past in practically every case is that, due to the delay and the weighing of the wisdom of forcing the measure in question through the Senate, some kind of accommodation or compromise has been reached, generally speaking. There is nothing final about a filibuster. It is illusory to think that all filibusters are bound to succeed—in other words, that in such cases resistance is always effective. Such is simply not the case. The overwhelming power and influence of the Executive, combined with the power and influence of the majority party in the Senate, certainly outweigh that of any other group in the long run, if the majority party is willing to take the consequences of forcing through its decision. I think there can be no question about that.

But, Mr. President, I must say, in spite of the judgment of the senior Senator from Florida [Mr. PEPPER], for whom I have the greatest respect, that there is a very close analogy between the substance of these two matters, in that both of them change radically and drastically the powers of one of the three coordinate branches of our Government. When I say "three," I mean that the Senate is the one in the legislative field which has any effective power resistance.

I started to read a paragraph from the CONGRESSIONAL RECORD with regard to the fight on the Supreme Court. As evidence of the point of view of those who were making the fight in favor of that proposal to change the Supreme Court, I quote from pages 6873 and 6874 of the CONGRESSIONAL RECORD for July 7, 1937, from the argument of Senator Guffey, of Pennsylvania, in behalf of the Supreme Court packing bill. He was a proponent of that bill, and I now read what he said on that occasion:

The essence of democracy is majority rule.

Mr. President, that is exactly what the proponents of the resolution now before the Senate are saying.

I read further:

The American people, by a plurality never before equalled in our history, indicated that they desired the enactment of a program of social legislation to meet the conditions which exist today.

Mr. President, do not those words sound exactly like some of the arguments which are presented in connection with the matter now before us?

I continue to quote from the remarks of Senator Guffey in 1937:

They did not ask Congress to think up a lot of legal quibbles and sophistries as to why this cannot be done or that cannot be done. They experienced too much of that type of negative statesmanship in the days of the unfortunate Mr. Hoover. What they want now is not someone to tell them why this or that program cannot be enacted but to point out how it can be enacted. The people would like a demonstration of the fact that progressivism in politics means something more than a constant policy of obstruction and frustration.

Mr. President, I submit that argument is identical with the argument being made today about obstructionism in the Senate. The speech of the former Senator from Pennsylvania could be applied on all four's to the present case, and I believe no one would believe it was not made in the course of this debate.

Mr. MYERS. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield for a question only.

Mr. MYERS. The Senator from Arkansas just made a reference to Pennsylvania, but I did not understand the entire reference.

Mr. FULBRIGHT. I may say to the Senator from Pennsylvania that I quoted two paragraphs from a speech made by former Senator Guffey, of Pennsylvania, in the course of the debate on the Supreme Court packing bill, in 1937. I was not referring to the present senior Senator from Pennsylvania.

Mr. MYERS. I thank the Senator.

Mr. FULBRIGHT. I may say to the Senator from Pennsylvania that I am delighted that he is here and is paying such close attention that he caught my reference to Pennsylvania. I am very happy that he is here.

Mr. MYERS. Mr. President, will the Senator yield further?

Mr. FULBRIGHT. I yield for a question only.

Mr. MYERS. Does the Senator from Arkansas know that the Senator from Pennsylvania has been here practically the entire time during the course of this debate, since it first began?

Mr. FULBRIGHT. Mr. President, I did not mean to leave the impression that the Senator from Pennsylvania is not very attentive to his duties on the floor of the Senate. I know that he is. However, it is so seldom that the junior Senator from Arkansas has anyone to listen to him, that I simply assumed that, along with other Senators, the Senator from Pennsylvania was not here during all of of my presentation of this matter. I beg the Senator's pardon if I was incorrect in that assumption.

Mr. MYERS. Mr. President, will the Senator yield further?

Mr. FULBRIGHT. I yield for a question only, Mr. President.

Mr. MYERS. I hope the Senator from Arkansas will understand that when I do leave the floor, I do not go very far from the floor, but just to the cloakroom or to the President's room.

Mr. FULBRIGHT. I appreciate that very much.

Mr. President, although, as the Senator from Georgia [Mr. GEORGE] has said, no filibuster occurred on the attempt to reorganize the Supreme Court, I think it can safely be said that the right of unlimited debate was at least in some respect responsible for the unhurried and orderly consideration of that bill.

In support of this point, I wish to quote from the CONGRESSIONAL RECORD of July 6, 1937, at page 6788. In moving that the bill be taken up by the Senate, the then majority leader, Senator Robinson, of Arkansas, said:

If a filibuster develops, as has been threatened, I shall then take the course, so far as I am concerned, which judgment prompts. I shall not commit myself now to any policy that would be in aid of a threatened filibuster.

Senator Robinson further said:

However, considering the advanced stage of the session and the fact it has been heralded throughout the Nation that those who are opposed to the Court reorganization bill in any form have the intention of obstructing business, of preventing the Senate from registering its opinion, I now announce that it is my intention, so far as I am able to do so and so far as I have support in that purpose, to keep the bill before the Senate, when it is taken up, until it is disposed of, making reasonable allowance for such emergency measures as may be brought to the attention of the Senate.

I think those paragraphs most clearly confirm the analogy between what was involved in the approach to the two problems, which I think are of equal importance. It is so important that I want to read a little further from the statement made by the distinguished senior Senator from Georgia [Mr. GEORGE], because he was in the Senate at the time, and because of his reputation as one of the foremost constitutional authorities, not only in the Senate but in the country. It is not a very long excerpt, but I want to tie down the important point which I think might impress many, I shall not say unthinking persons, but many of those who are too hurried to be able to study the matter, including certain liberals who have to spread themselves so thinly over so many issues that on a matter of this character they can give it only passing attention. That is why it seems to me to be important to invite their attention to the analogy. In the course of 12 years, they have come to realize the importance of the court-packing proposal, and I think they now universally condemn it. That is true even of the liberals and of those who were impatient with any obstruction to the carrying out of whatever they thought was involved in the proposal of 1936. The same spirit is abroad today. We had an election last fall. Everything said in the course of the election, to the very last syllable of the platform, must be carried out because the election was favorable to a particular party. From the hearings of the subcommittee of the Committee on Rules and Administration, on February 18, 1947, I quote from the statement of the distinguished Senator from Georgia [Mr. GEORGE], as follows:

I come, however, finally to what I believe to be the most important and far-reaching legislative proposal placed before the American people and the American Congress in my day and time.

I may say it was quite a day and time the senior Senator from Georgia had been in the Senate.

I have referred to the President's message of February 5, 1937, recommending a reorganization of the judicial branch of the Government. That recommendation was referred to the Judiciary Committee of the Senate upon the date named; that is, February 5, 1937. On February 8, 1937, the distinguished Senator Ashurst, of Arizona, the then able chairman of the Judiciary Committee, introduced a bill (S. 1392) to reorganize the judicial branch of the Government, which bill was referred to the Committee on the Judiciary. From that date in early February until June 14, 1937, this bill was before the committee—

It was not before the Senate; it was before the committee.

From that date in early February until June 14, 1937, this bill was before the committee and under constant debate. The bill was finally reported adversely, with certain amendments, on June 14, 1937. On July 6, 1937, the bill was taken up in the Senate on motion of the then majority leader, the able and lamented Senator Joseph Robinson, of Arkansas. The bill was debated from July 6 continuously through July 13, and until July 14, when Senator Robinson passed from the scene of action. His death was then and now universally lamented. On July 22, 1937, the bill was recommitted to the Judiciary with instructions to report a bill within 10 days relating to judicial reform, substantially noncontroversial in character. There was organized in the Senate of the United States

no actual formal filibuster against the President's proposal, but in committeeroom, in conference, and wherever Senators who were opposed to the measure foregathered, the proposal was under constant discussion. From February 5 until the date of Senator Robinson's death, July 14, 1937, the proposal was one of sharp controversy in the press, over the radio, and on the floor of the Senate. I expressly disclaim any purpose to indulge in criticism of the late President Roosevelt or of his court proposal of February 5, 1937. Upon that proposal I have long since expressed my own views. I have no hesitancy in saying that this proposal, although not intended by the then President and not designed by him to have the effect, would have changed the whole character of the American Government, in my opinion.

That is the analogy I want to emphasize, for, in my opinion, the pending proposal, which appears on its face to be and is promoted by many as merely a step to enforce civil rights, would, aside from the merits of the particular issue, in the words of the Senator from Georgia, change the whole character of the American Government.

In a sentence, it would have converted the judicial branch of the Government into a mere agency or arm of the Executive, contrary to the intent and purpose of the Constitution.

Certainly, it requires no arguments now to show that the very genius of the American system of government is the judicial protection of the rights of the one man against the ninety and nine.

What an analogy it is! What is the function of the minority in the Senate except to protect the rights, as we see them, of, let us say, either our constituents at home or the citizens of the country as a whole? I mean, in any case, it is not an aggressive power we are defending; it is a power to resist the imposition of an arbitrary power by the Executive. It is "the judicial protection of the rights of the one man against ninety and nine."

Certainly it needs no argument to demonstrate that the whole Bill of Rights is but a clear and unmistakable declaration that certain immemorial rights of free men in America are above and beyond all government, general as well as local.

How may these rights be preserved unless we retain a strong, independent, and coordinate branch of the Government—the judicial branch—to give to them validity and life. As a Member of the Senate in 1937, I can assure you that those of us who opposed the reorganization of the judicial branch of Government were most anxiously concerned respecting our ability in the beginning to marshal even a scant one-third of the Senate against a powerful and a popular President of the United States—a great leader, not only of his party but of American thought. The effort was not actually made to invoke cloture and to limit and restrict debate upon this important issue; but if debate had been limited to 1 hour by each Senator on the bill as introduced by the chairman of the Judiciary in the early days of 1937, or if the present proposals to give to a scant majority of those voting or the constitutional majority of the whole membership of the Senate the power to limit debate had been the rule, the bill would probably have passed the Senate.

That is the conclusion I especially wanted to emphasize, that here the judicial branch does not have power to protect itself. It would not have had, I assume, if the bill had been passed. We were the ones in the exercise of our powers who protected the integrity of another branch, the judiciary. At this time our own integrity is being attacked, in my opinion, by an effort to change the rule.

The clear implication of the statement of the Senator from Georgia in the excerpt I read from the CONGRESSIONAL RECORD is that if majority cloture had been available to the then leadership it would have been used. I think that is clear from the implications of the statements by majority leaders of the Senate of that day, and it is certainly clear that is the opinion of the senior Senator from Georgia. He continues:

The bill would probably have passed the Senate. I must remind you that there were then in the Senate 76 Democrats, but 16 Republicans, 1 Independent Republican, 1 Progressive, and 2 Farmer-Labor Senators.

One-third of the Senators had been newly elected in the preceding fall election. With majority cloture, under those circumstances, I think it only common sense to believe the bill would have been passed, and could have been passed in short order. It is my guess that one of the reasons for the delay in bringing it to the floor was probably the effort to try to do something about the power of resistance of Senators, because they evidently had full control of the situation under the leadership of Senator Robinson, of Arkansas.

Mr. President, before I revert to the late President Wilson, I have an editorial which I should like to read. I have read from various documents, but this editorial is from a rather different source, and I think it might be interesting to some of our friends across the aisle. It is from the Wall Street Journal, a journal which is not ordinarily, I think, identified with a radical point of view on matters of this kind. It is in the issue of March 2, 1949, and reads as follows:

Every President within our memory has been dissatisfied with the Senate. For this body by design has been especially protected from a speed-up, whether demanded by the Chief Executive or by public sentiment itself, except under the most extraordinary circumstances.

Thus to most Presidents, sooner or later, the Senate comes to be a stumbling block in the way of prompt fulfillment of their urgent plans. And frequently the whole of this stumbling block appears to rest on the shoulders of a small group of willful men.

The Senate, unlike the House of Representatives, operates under rules which permit a few Members by the simple process of talking to delay action as long as their vocal cords hold out or until two-thirds of their colleagues will agree that time must have a stop.

This rule is a form. The substance which it represents is a conviction that matters of state should not be acted upon, except in gravest emergency, without full and unrestricted debate in at least one public place.

In the operation of this rule, and of others akin to it, it sometimes has seemed that a few men have used the form to abuse the substance of the principle.

The filibuster, which is this seeming abuse in action, is an odious word. Therefore it is frequently proposed to outlaw the filibuster. And we are told upon each such occasion that we are only avoiding paralysis in Congress, that we are merely changing the form and not the substance. We are clipping the wings of obstructionists.

That is what we are told, Mr. President. We are told that the situation is not really being changed. When it was proposed that the Supreme Court of the United States be enlarged, the idea seemed to be that if nine members are good, why are not 18 twice as good? They were not abolishing the court; they were only adding a few more justices. In this instance the statement is, "We are not doing anything to you; we are just cutting off the one source of power you have. There will be the same number of Senators in the Chamber."

The way the English used to attack the same problem in Parliament was to take in enough new peers to override the opposition. The unfortunate and rather sad history of the British Empire may have been influenced by that action involving the upper House of Parliament. They have now taken the final step of complete obliteration of the power of the House of Lords to hold up legislation. In 1910 they restricted to 2 years, as I recall, the power of that body to hold up any bill other than a money bill. Last fall, a special session was called finally to eliminate that power of the upper House of Lords. I do not say that explains the situation, but it might not be a mere coincidence that as that great empire began to lose its virility, certainly the facts are plain that there was the coincidence of the destruction of the power of the upper House. In any case, the change did not help them; it did not maintain them in their prior position.

Mr. President, I shall not take the time to read the remainder of the editorial which I started to read a few moments ago, because I know that Senators are impatient to get on with the business of the Senate; but I recommend to the Members of the Senate, as being very interesting, the entire editorial from the Wall Street Journal.

The main point, which I did not have an opportunity to make yesterday, was to bring to the attention of the Senate, in as clear a way as possible, what is the character of the body of which we are Members. As to the older Members, there is no need of that. They know much better than I do its significance. As I pointed out yesterday, it is very significant that the older Members of this body have, generally speaking, always resisted changes in the rules. As Senator Townsend, of Michigan, said, in the speech which I quoted yesterday, the wish to change the rules originates with new Members. He said they always come in with an instinct or a determination to reform the Senate. That has been true throughout the history of this body.

Before I read into the RECORD one chapter from Woodrow Wilson's book, which is all I intend to read—and that chapter is very short—I should like to refer to the question raised by the junior Senator from Oregon [Mr. MORSE] with reference to the late President Wilson. He said that Mr. Wilson had changed his views after he became President. That is quite correct. The only experience Mr. Wilson had in the Government—I think I am correct in this statement, and I hope any Senator will correct me if I am in error—was as Chief Executive. He had

never been a Member of the Senate or of the House of Representatives or of any other legislative body. His attitude was the very natural one that all Executives adopt with reference to any obstacle to the exercise of their power.

So I do not believe his impatience in regard to the Senate in any way destroys the force of his reasoning as exhibited in his book entitled "Constitutional Government in the United States," which was, when I was in school, and I think still is, regarded as one of the finest books on our constitutional system that has ever been written. It was published in 1911 by the Columbia University Press.

I may observe that I have often heard it said that Mr. Wilson's lack of understanding of the character of the Senate, or at least the appreciation of its character, after he became President, was responsible to a considerable degree for the difficulties he encountered. It has been said that his failure to consult with the leading Members of the Senate at that time accounted for his difficulties to a great degree. It is characteristic of all Executives to be impatient with the legislature. We have some very striking examples of that situation in other countries of the world, within recent years, and I think it would be well to call attention to some of the executives in other countries, such as Germany and Italy, who were able to take over their Governments. That is nothing new, and it is no reflection on any particular President. It inheres in the nature of Executive power, which, in my opinion, it naturally tends to expand and to dominate.

Did anyone ever hear of a legislative body which ever enslaved the people in any country? I cannot recall any time in history when a legislative body developed tendencies of expansion. A legislative body is always in the position of resistance to expansion of executive power. Someone may say that possibly Oliver Cromwell was an exception to the rule when he ordered the beheading of Charles I. But I think that at that time there was a revolution against the pretension of divine power with regard to kings which Charles I had tried to perpetuate and to impose upon the British. It was more in the nature of a popular revolution. It did not, of course, succeed in establishing itself in the England of that day. The course of history has always been the other way. The people begin usually by the establishment of the kind of government they really want—that is, it is more or less democratic—in the way the Greeks and the Romans did. But it always ends up by the executive department, which of course in the nature of things has to be established to execute the laws, as a practical matter, swallowing up the legislative. It always has. In my opinion, the power of the legislature in the United States to check the Executive is the reason why we have not been completely enveloped, because the Executive has all the advantage in the minds of the populace.

I am not trying to be personal about these things, I hope I can be objective, but last fall the press certainly did not evidence an overwhelming support of the successful candidate for the Presidency. Yet when we look from day to day, in the nature of things everything that is said by the Executive is carried in all the newspapers, the slightest statement, even of private affairs, is carried all over the country, and that gives a tremendous impetus to the powers of the Executive.

Most of the time some of the eccentricities of the Senate are criticized. It is very seldom otherwise. I cannot remember what I would call an out and out complimentary discussion of the Senate in any newspaper. The press occasionally will approve of some specific act, in a restricted way, but I am referring to the Senate as a body. I am not criticizing anyone. I am giving the facts concerning the type of organism or institution we represent. People can personalize the President. They can imagine they might be President, that their sons might be, and they can attach to the President the personal qualities which they cannot to the amorphous sort of idea of an institution such as the Senate or the House of Representatives. That condition inheres in the nature of things. The ability to resist that natural tendency is the great secret of the success and of the importance of this body.

I need not go on stating my own views, for the reason that President Wilson had such a power of expression that it would be much more informative to the Senate if I should read and put into the RECORD, so that the public could gain the advantage of it, what he said about the character of this body. I read from his work, Constitutional Government in the United States:

> It is very difficult to form a just estimate of the Senate of the United States. No body has been more discussed; no body has been more misunderstood and traduced. There was a time when we were lavish in spending our praises upon it. We joined with our foreign critics and appreciators in speaking of the Senate as one of the most admirable, as it is certainly one of the most original, of our political institutions. In our own day we have been equally lavish of hostile criticism. We have suspected it of every malign purpose, fixed every unhandsome motive upon it, and at times almost cast it out of our confidence altogether.
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> The fact is that it is possible in your thought to make almost anything you please out of the Senate. It is a body variously compounded, made many-sided by containing many elements, and a critic may concentrate his attention upon one element at a time if he chooses, make the most of what is good and put the rest out of sight, or make more than the most of what is bad and ignore everything that does not chime with his thesis of evil.
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> The Senate has, in fact, many contrasted characteristics, shows many faces, lends itself easily to no confident generalization. It differs very radically from the House of Representatives. The House is an organic unit; it has been at great pains to make itself so, and to become a working body under a single unifying discipline; while the Senate is not so much an organization as a body of individuals, retaining with singularly little modification the character it was originally intended to have.

I should say it is the only institution that has done that, except in the sense that the executive power has not changed in time so much as degree. It has greatly expanded.

Mr. McCLELLAN. Mr. President——

The PRESIDING OFFICER (Mr. McCARRAN in the chair). Does the Senator from Arkansas yield to his colleague?

Mr. FULBRIGHT. I yield for a question only.

Mr. McCLELLAN. The Senator is reading some very enlightening information as to how the Senate is constituted. Was it not intended by the founding fathers, the framers of the Constitution, that the Senate should ever be a body that was as far removed from politics as it was possible, under our processes of government, so that it could be away from the immediate effect of politics, and therefore free to make decisions without undue influence, and on the basis of statesmanship and the preservation of the very liberties which are guaranteed by the Constitution?

Mr. FULBRIGHT. I think the Senator is entirely correct. So far as they could go without, we will say, adopting the principle of hereditary titles or hereditary rights, such as existed in the mother country at that time, they did adopt that very principle. That is the explanation why the terms of office of Senators are longer, and why it is a continuing body, since all Senators are not elected at the same time. There is a system of overlapping of terms. It was an admirable compromise to accomplish the purpose desired.

Mr. McCLELLAN. Mr. President, will my colleague yield further?

Mr. FULBRIGHT. I yield for a question only.

Mr. McCLELLAN. Did not the framers of our Government have in their minds, as was clearly indicated all through the formulation of the Constitution, and in the letter and spirit of the document itself, that in order to form a union it was necessary to delegate to the Federal Government certain power, but does not the thread run all the way through the processes of forming the Constitution, and of the Constitution itself, of a constant limitation upon that power so as to keep the power of government as nearly in the people themselves as it is possible to do, and at the same time form a union of the States?

Mr. FULBRIGHT. The Senator has put it much better than I could. That is exactly the purpose. I cannot emphasize too strongly that the great distinction between our system and the systems that have been attempted in countries like Germany, in the case of the Weimar Republic, and in Italy, is that the founders of our Government erected barriers against the expansion of the executive power, or against the domination of the transient majority. It is the checks to that power which is the distinguishing feature of our Constitution. Constitutions like that of the Weimar Republic in Germany sound beautiful. In many respects that constitution makes a more complete document, perhaps, that the American Constitution, covering all the phases of human activity. It is very liberal, and all that. Of course, it had a fatal defect when the time came when Hitler was elected chancelor. It

had the fatal defect that under certain circumstances he could suspend it. There was, therefore, unrestricted power in the executive. In a legal way I think he violated the spirit, but in a strictly legal way, under the constitution, he did destroy it. I shall refer to that a little later. I have one excerpt about that situation which I think demonstrates clearly what I have said.

Mr. McCLELLAN. Mr. President, will my colleague yield further?

Mr. FULBRIGHT. For a question only.

Mr. McCLELLAN. May I ask the Senator whether he does not agree with me that so long as we retain the limitations and adhere to the limitations of power which are retained in the Constitution, there will never be a dictatorship or totalitarian government in the United States?

Mr. FULBRIGHT. I agree to that. That is, presuming that these bodies, the Court and the Senate, retain their integrity; but if a means can be found by which the executive branch, through its influence with the party and the majority leadership of the Congress, can work its way, then I think there will be a perfect opportunity to take over that power.

Mr. McCLELLAN. Will my colleague yield further for another question?

Mr. FULBRIGHT. I yield for a question only.

Mr. McCLELLAN. Our Government has survived very trying periods during the past 175 years, and during that time we have made greater progress in most every field than have any other people or nation in the history of the world. After we have demonstrated the great work and value of our system of government under the limited powers and the restrictions placed upon Government, does my colleague have any fear or does he share the apprehension I feel that if we now were to begin to relax or discard these restrictions and limitations we would ultimately destroy the very power and strength which has made us what we are, and that we will soon begin going in the direction of other governments which have surrendered this power to absolute state control?

Mr. FULBRIGHT. I agree entirely with my colleague. As I have tried to point out, the trend we have been witnessing is not merely something that is restricted to us. It has been going on all over the world, and we must be, I should say, unusually intelligent and vigilant to restrict a movement which is so widespread, and which began a good while ago. Of course, I believe that if we stand fast and are successful in preventing that trend here, it might well be the seed for the revival of free governments and democratic systems over the world. That, after all, is the whole theory, in my judgment, of a plan such as the Marshall plan, the ECA. The justification for the Marshall plan is to provide a breathing spell during which we hope there can be a rebirth and a strengthening of the democratic system which, for all intents and purposes, many countries lost during the last war. Of course, that is the result of the character and nature of wars. They tend to destroy popular and democratic government.

I resume reading from President Wilson's statement:

As I have already said, * * * it is impossible to characterize the United States in any single generalization; and for that very reason it is impossible to sum up the Senate in any single phrase or summary description. For the Senate is as various as the country it represents. It represents the country, not the people: the country in its many diverse sections, not the population of the country, which tends to become uniform where it is concentrated.

Most of the leading figures among the active public men of the country are now to be found in the Senate, not in the House. This was not formerly the case. Before the House became an effective, nondebating organ of business, it shared quite equally with the Senate the leading politicians of the country; but it has not been so of recent years. Organization swallows men up, debate individualizes them, and men of strong character and active minds always prefer the position in which they will be freest to speak and act for themselves. The Senate has always been a favorite goal of ambition for our public men, but it has become more and more the place of their preference as the House has more and more surrendered to it the function of public counsel.

Of course, there are fewer Senators than Members of the House, and it is a more conspicuous thing to be 1 of a body of 90 than to be 1 of a body of 357. Moreover, the tenure of a Senator of the United States is three times as long as the tenure of a Member of the House of Representatives, and every Member of the Senate must feel it a considerable advantage that 6 years instead of 2 are given him in which to make his impression on the country. There is time to find out what he is about and to master a difficult task. Both the smaller membership of the Senate and the longer term of its Members contribute to individualize the men who compose it and to give them an advantage and importance which Members of the House do not often have, unless they rise to one of the three or four places of real power which crown the committee organization of the representative Chamber.

I think this is a very significant paragraph.

And yet these are not the radical and fundamental differences between the House and the Senate. Size and tenure are after all matters of detail. They count, and count a good deal, in giving the Senate its character, but they do not go to the root of the difference between the two Houses. What gives the Senate its real character and significance as an organ of constitutional government is the fact that it does not represent population, but regions of the country, the political units into which it has, by our singular constitutional process, been cut up. The Senate, therefore, represents the variety of the Nation as the House does not. It does not draw its membership chiefly from those parts of the country where the population is most dense, but draws it in equal parts from every State and section.

It seems to me that those critics of our Government—they are, I believe, without exception domestic critics—who criticize the principle upon which the Senate is made up on the ground that States having little wealth and small population have as many representatives in the Senate as the richest and most populous States of the Union, the newest and least developed as many as the oldest and most highly organized, entirely mistake the standard by which the Senate should be judged as an instrumentality of constitutional government in a system like ours.

Mr. President, I believe some Senators and others who come from very large States, such as New York, ought to think that over, because there is a tendency to say, "Well, we pay a great amount of taxes, we have many people, and we ought to run this show." We see that implied in the press, and in statements made many times and in many places, and President Wilson here has put his finger on that element very clearly. As he said, they entirely mistake the standard by which the Senate should be judged.

I continue to read from President Wilson:

They are entirely wrong in assuming, for one thing, that the newer, weaker, or more sparsely populated parts of the country have less of an economic stake in its general policy and development than the older States and those which have had a great industrial development. Their stake may not be equal in dollars and cents—that, of course—but it is probably greater in all that concerns opportunity and the chances of life. There is a sense in which the interest of the poor man in the prosperity of the country is greater than that of the rich man. He as no reserve, and his very life may depend upon it. The very life of an undeveloped community may depend upon what will cause a richer community mere temporary inconvenience or negligible distress. And yet even this, vital as it is to the validity and the usual criticism of the make-up and character of the Senate, is in fact neither here nor there as compared with the essential point of the matter.

Neither is it of material consequence that some of the States represented in the Senate are not real communities, with distinct historical characteristics, a distinct social and economic character of their own, as most of the older States are. It is true that you have only to look at a map of the United States to see at a glance that many of the newer States of the Union are purely arbitrary creations, their boundaries established by the theodolite of the public surveyor. They are squares on a great checkerboard, elaborated into rectangular sections on broad plains where there are no natural boundaries to divide region from region; and these artificial squares, which Congress first laid off as the areas of Territories, it has one by one converted into States, each of which sends two Members to the Senate, just as Virginia and Massachusetts do, the history of whose boundaries and organization is a long history of constitutional struggle which gave them from the very outset characters and purposes of their own. Many a square Western State, laid out by the public surveyor, has now a more homogenous population and a more discernible individuality than some of her eastern sisters into whom a miscellaneous immigration has poured social chaos.

I agree wholeheartedly with that statement. I believe that much of our trouble originates in our social chaos.

And their very separateness of political organization insures them a development of their own.

Yet even that is not of material consequence. Even if every State of the Union were of artificial creation, not a natural community, but merely a region marked off to make a congressional district for elections to the Senate, the principle I am just now interested in pointing out as of capital importance in a system and country like ours would not be altered or affected. That is the principle that regions must be represented, irrespective of population, in a country physically as various as ours and therefore certain to exhibit a very great variety of

social and economic and even political conditions. It is of the utmost importance that its parts, as well as its people, should be represented, and there can be no doubt in the mind of anyone who really sees the Senate of the United States as it is that it represents the country, as distinct from the accumulated populations of the country, much more fully and much more truly than the House of Representatives does. The East and North are regions of concentration, regions of teeming population and highly developed industry—the regions north of Mason and Dixon's line and east of the Mississippi. It will not long be so. Cities are springing up in the South and beyond the Mississippi in the Middle West, on the Pacific coast, and upon the great lines of traffic that connect coast with coast, which will presently rival the cities of the East and of the old Northwest in magnitude and importance, and many a region hitherto but sparsely peopled is thickening apace with crowding settlers and an accumulating commerce. But for the present the South and West, if I may use those terms in the large, are not the centers of wealth or population, and have a character unlike that of the marts of trade and industry, and there are more Senators from the South and West than from the North and East. The House of Representatives tends more and more, with the concentration of population in certain regions, to represent particular interests and points of view, to be less catholic and more and more specialized in its view of national affairs. It represents chiefly the East and North. The Senate is it indispensable offset, and speaks always in its make-up of the size, the variety, the heterogeneity, the range and breadth of the country, which no community or group of communities can adequately represent. It cannot be represented by one sample or by a few samples; it can be represented only by many—as many as it has parts.

I think that is an element which has been completely forgotten in recent days. After all, we must remember that this man was a great liberal in his day, and is still considered a great progressive. He is not speaking as what so many of our people call a reactionary—anyone who does not approve of the complete elimination of the districts and sections of this country.

It thus happens that there are in the Senate more representatives of the individual parts of the country than of the characteristic parts of it. At least that is true if I am right in assuming that the characteristic parts of America are those parts which are most highly developed, where population teems and great communities are quick with industry, where our life most displays its energy, its ardor of enterprise, its genius for material achievement. Other communities are no doubt more truly characteristic of America as she has been known in the processes of her making. Only modern visitors, visitors of our own day, have known her as industrial America, the leader of the world in all the processes, whether material or economic, which produce wealth and accumulate power, the land of manufactures and of vast cities. The older America is still represented by the South and West with their simpler life, their more scattered people, their fields of grain, their mines of metal, their little towns, their easier pace of intercourse, their work that does not crowd out companionship.

Certainly it is easier to represent a northern or eastern constituency in Congress than to represent a southern or western constituency. There is more individuality, man for man, in the West and South than in the East and North. How constantly we repeat each other's opinions and bow to each other's influence; how seldom we take leave to be ourselves and utter thoughts of our own genuine coinage, in regions where we are parts of a packed and thronging multitude. Rubbing shoulders every day with thousands of your fellow citizens, putting your mind into contact with other minds at every encounter, you slowly have the individuality rubbed out of you by mere attrition and are worn down to a common pattern. Your opinion is everybody's opinion; my information is the common information current everywhere; your mind, like mine, like our neighbor's is assaulted day and night with the multitudinous voices of clamorous talk, and a common atmosphere gives us a common habit and attitude.

I think this is something that all of us in the Senate ought to rub up against every year. We have come to discount the very basic values of our whole idea of a progressive community, it seems to me, in recent years. Of course, such things as radio and television only make it easier to destroy the individuality of men's minds, and their habits and thoughts.

Only very unusual men can remain individual under such pressure of uniformity. It is uncomfortable to be singular in any habit, whether of action or of thought, where so many look on and make comment. Conformity is the easiest, plainest, safest way, and countless multitudes there be that walk in it. "Always be of the opinion of the person with whom you are conversing," was Dean Swift's advice to all who would win the repute of being sensible persons. And in crowded places of enterprise it is a very valuable asset of success to be thus reputed a man of sense.

He is now drawing our attention to one of the reasons why the Executive has such power in the legislative body, if it is not watched. This is very interesting on that point.

To conform opens the way to promotion. It is the common and very uncomfortable fortune of men of original views to be greeted at every turn with a stare and a shrug of the shoulders, as Mr. Bagehot has said, and to be followed with the comment, "An excellent young man, sir, but unsafe, quite unsafe." Mr. Bagehot must certainly have known: he was himself most singularly original and seemed always to have had the freshness of youth about him.

The variety of the country, therefore, is better represented in the Senate than in the House; its variety of opinion as well as its variety of social and economic make-up; its variety of opinion because of its variety of social and economic make-up. There are more opinions because there is more individuality in the uncrowded South and West than in the crowded East and North. Each mind is there apt to have a greater, freer space about it, space in which to look around and form impressions of its own. No country ought ever to be judged from its seething centers. To be truly known, it must be known where it is quiet, in places where impulse is not instant, hot, insistent; where you can at least presume that opinion will next week be what it is today.

In those hot centers of trade and industry, where a man's business grips him like an unrelaxing hand of iron from morning to night and lies heavily upon him even while he sleeps, few men can be said to have any opinions at all. They may bury their heads for a few minutes in the morning paper at breakfast or as they hurry to their offices, may dwell with dull attention upon the afternoon paper as they go wearily home again or drowse after dinner; but what they get out of the papers they cannot call their opinions. They are not opinions but merely a miscellany of mental reactions, never assorted, never digested, never made up into anything that can for the moment compare in reality and vitality with the energetic conceptions they put to use in their business. In small towns, in rural countrysides, around comfortable stoves in cross-road stores, wherever business shows as many intervals as transactions, where seasons of leisure alternate with seasons of activity, where large undertakings wait on slow, unhasting nature, where men are neighbors and know each other's quality, where politics is dwelt upon in slow talk with all the leisure and fond elaboration usually bestowed on gossip, where discussion is as constant a pastime as checkers, opinion is made up with an individual flavor and wears all the variety of individual points of view.

That is a wonderful description. I can well imagine, living in a city such as this, how extremely difficult it is to have a moment of leisure to contemplate anything. We are so burdened with the necessity of giving attention to so many external activities that there is virtually no time any more to think about anything.

I read further:

And the Senate has more Members from such regions than from those where opinion is made up by conglomeration and upon the moment, out of newspapers, and not out of the contributions of individual minds. It represents the population of the country not in its numbers but in its variety, and it is of the utmost consequence that the country's variety should be represented as thoroughly as its mass.

The processes by which we have made States out of the Territories of the United States have been seriously impaired once and again by mistakes which are the more to be deplored because they are apparently irremediable. Once make a State and you cannot unmake it. Once or twice Congress has admitted to the Union in equal partnership with the older States Territories which not only did not have population enough to justify their admission but which had no real prospect of gaining a population large and various enough to develop into compact and important communities with a character and purpose of their own—communities already sufficiently represented in kind in the councils of the country and not constituted in a way which gave promise of political vitality. But such mistakes have been few, and many a State which at first seemed a premature and unjustifiable creation has been speedily lifted to a plane of real dignity and importance by the abounding forces of our national growth. It has been hard to make mistakes where populations throng forward so steadily and in such wholesome masses to occupy the free spaces of the continent. We have had to reclaim deserts to accommodate their multitude. And as each new-fledged State has come in its two spokesmen in the Senate have added its voice to our councils in a place where voices can still be individually heard.

Here is the main point of the whole section:

The fact that the Senate has kept its original rules of debate and procedure substantially unchanged is very significant. It is a place of individual voices. The suppression of any single voice would radically change its constitutional character; and its character being changed, the individual voice of the country's several regions being silenced, there would no longer be any sufficient reason for its present constitution.

That statement is extremely appropriate to the present situation. In other

words, the conclusion is that there would be no reason for our continuance if the voices in the Senate were to be silenced and if the Senate's rules were to be changed.

I continue to read:

If it were to follow the example of the House and make itself chiefly an efficient organ for the transaction of business, the critics who condemn it because it is unequally compounded upon any balanced reckoning of the wealth and numbers of the country would have not a little tenable ground to stand upon.

In other words, one of the principal arguments made in the hearings before the committee was that this body is not efficient, and that a more efficient organ is needed for the efficient disposition of business. But, of course, Mr. President, that is exactly what should not be wanted; and that reasoning is precisely opposite to the wise course, especially at a time such as this in our history, or, for that matter, at any time.

I continue to read:

Another circumstance gives a Senator of the United States an individual importance which the average Member of the House of Representatives lacks. He comes into contact with a much greater variety of the public business. He is not a mere legislator. He is directly associated with the President in some of the most delicate and important functions of Government. He is a member of a great executive council. He is brought into very confidential relations with the President in matters which oftentimes call for not a little discretion and for very prudent judgments—judgments not to be drawn from public opinion but only from official facts privately considered, not spoken out of doors, belonging to intimate counsel and not to public debate. There is no better cure for thinking disparagingly of the Senate than a conference with men who belong to it, to find out how various, how precise, how comprehensive their information about the affairs of the Nation is; and to find, what is even more important, how fair, how discrete, how regardful of public interest they are in the opinions which they will express in your private ear.

Mr. President, I ask Senators to compare that passage with the later condemnation of the Senate, and I leave it to Senators' own good judgment to determine which one was given in an objective attitude, free from any personal pique or interest in the outcome of a controversial matter. I think it is rare that we find as approving a statement of the Senate as we find in this chapter of Woodrow Wilson's book.

I call the next statement particularly to the attention of the Senate:

The most reticent men in Washington are the members of the Supreme Court of the United States. It would, of course, be a great breach of professional honor on the part of any member of that Court to discuss any question involved in a pending case which the Court was considering or was about to consider—

I would say that in recent years that idea has changed considerably, because I think many of the members of the Court today take a deep interest in public matters. I do not mean to say that I condemn that, but it is a change which has come about with regard to the Court.

I read further:

but his obligation of reticence goes much further than that. Almost any piece of public policy that touches the individual, though it be ever so indirectly, may sooner or later come before the Supreme Court for judicial examination. Every member of the Court, therefore, feels bound to keep his opinions upon such matters to himself. He will not discuss with you any but the most general public questions, holds discretely silent with regard to every mooted matter of legal policy or construction. Men who know the proprieties never broach such matters with members of the Court. Senators feel a similar obligation of honor with regard to the matters in which they bear a confidential relation to the Executive. They are not at liberty to say to you or even to their constituents at home the grounds for such action as they may have taken in executive sessions of the Senate until the whole matter is so long gone by that no possible harm or embarrassment can come of publicity with regard to it. Members of the House are not under such restraints. Nothing comes before the House of Representatives which it is not the right of every man in the United States to discuss if he will. No doubt Members sometimes act upon private information from the White House or a department which they would feel it unwise to make generally known; but that seldom happens, and if the House talked at all, it might talk about anything it chose that it had information enough to understand.

Mr. President, I shall skip the next page; it is not particularly appropriate to this subject.

Now I go to page 126, and I shall soon be through:

In order to get a correct impression of the Senate, it is necessary that you extend your observations beyond particular sections of the country. One of the greatest disadvantages that public opinion labors under in the United States is that we have no national newspaper, no national organ of opinion. There is no newspaper in the United States which is not local, and narrowly local at that, both in the news which it prints and in the views which it expresses. Each paper makes such selections of general news as will interest the particular locality in which it is printed, and expresses such views of the Nation's affairs as local interest or information suggests. If you read New York papers, you will have New York opinions; if you read Philadelphia papers, you will have Philadelphia opinions; if you read Chicago papers, you will have Chicago opinions; if you read San Francisco papers, you will have, not western, but merely San Franciscan, opinions.

And if you read papers from all four cities, you will not get national opinion. Though the impressions they give you may sometimes seem to have the air of being national, you will find that they are, after all, local impressions, though made up out of national material. They bear the color of a place. I dare say the thing is inevitable in so big a country; but undoubtedly one of the reasons why we so habitually misjudge the Senate of the United States is that we have no national medium of intelligence, and the papers most widely read reflect not national, but local, conditions.

Indeed, one of the serious difficulties of politics in this country, whether you look at it from the point of view of the student or the point of view of the statesman, is its provincialism—the general absence of national information, and, by the same token, of national opinion. And one is forced to believe, reluctantly enough if he live in the East, that the East is the most provincial part of the Union—a very serious matter, because most of our information and most of our opinion is printed in the East and transmitted thence.

The observation by President Wilson that the East is the most provincial part of the United States is very interesting. Unfortunately, the East is the source of most of the national magazines and of much information, which, of course, makes it extremely difficult for those in the South and West to inform the rest of the people. It is one of the principal obstacles to making them aware of the real significance of an issue such as the one now before the Senate. I think, were it not for that unfortunate circumstance, and if we had, as President Wilson says, a national newspaper or some source of information that would represent the national view, it would be much easier to conduct the public business. I may say that might be an acceptable substitute for freedom of debate in the Senate. It is about the only thing I can think of that might take its place.

The East, being the oldest part of the country, having been for a long time the whole of it, having the oldest roots of history, the longest traditions of influence, the greatest wealth, and hitherto an unquestioned command of the economic development of the whole country, shows as yet little intimate consciousness of the rest of it—

This is remarkable, coming from a man who at the time was living in New Jersey—

is much less aware of other communities and other interests than its own than are other parts of the country. The chief reason why the President of the United States can concentrate in himself, if he choose, greater power and more extended influence than any other person or any other group of persons connected with the Government is, as I have already several times pointed out, that all the country is curious about him and interested in him as our one national figure, eager to hear everything that emanates from him. His doings and sayings constitute the only sort of news that is invariably transmitted to every corner of the country and read with equal interest in every sort of neighborhood. He is the one person about whom definite national opinion is formed, and, therefore, the one person who can form opinion by his own direct influence and act upon the whole country at once.

That is exactly the thought I was trying to express a moment ago, that, because of that very characteristic, we must be alert at all times to prevent the utilization of his unique position in an effort to expand and to extend the power of the Executive over the legislature; in fact, to destroy the independence of the legislative power.

It has, therefore, too often escaped the attention of the country as a whole that the large majority of the Members of the Senate of the United States obtain their seats by perfectly legitimate methods, because the people whom they represent honestly prefer them as representatives; yet the large majority of them are poor men who have little or nothing to live on besides their inadequate salaries; that the opinion and action of the Senate are for the most part determined by the influence of quiet men whom the country talks about very little, and about whom it suspects nothing in the least questionable or dishonorable; and that the few notorious Members whose reputations are most talked of generally play a very obscure part in its business. In most of the States great corporations, great combinations of interest, have little to do with the choice of Senators. Men go to the Senate who are in a very real sense the choice of the people—or rather men to whom natural and genuine political leadership has come by reason of their personal force or of their

services to their party—men of the rank and file who have made their way to the top by political, not by commercial, means, and who enjoy a veritable popular support. There are one or two very influential Members of the Senate who are also very rich men; but they are influential, not because of their riches, but because of their long and intelligent service, their complete experience in affairs, and the relations of intimate personal confidence which they have established with their fellow Senators. You have but to make the most casual inquiries in Washington to ascertain that the men who are in fact most influential in the proceedings of the Senate are not the men most advertised in the newspapers, most conspicuous in the talk of the Capital, not the men who talk most effectively for those far-off galleries, but small groups of quiet gentlemen seldom spoken of in the public prints, more thoughtful of their duties than of being generally talked about—men who have not laid by fortunes, but who have been at pains to grow rich in the esteem of the fellow citizens at home who know and support them.

One of the present difficulties lying in the way of maintaining a high grade of excellence in the Senate, as in the House, is that we do not pay our representatives in either House salaries large enough to command men of the best abilities, or even sufficiently to support those who accept seats in the Houses, in the sort of domestic comfort and dignity we naturally expect them to maintain.

I confess that portion of the paragraph does not bear directly upon the subject in hand, but I thought it might be interesting to note the attitude of President Wilson at that remote date.

Men of the highest ability do accept seats in the House and Senate, but they do so generally at a great sacrifice, find it exceedingly difficult to live in so expensive a place as Washington without a very teasing economy, and are usually forced at last to seek some remunerative employment in order to pay the debts they have almost inevitably accumulated in serving a country which economizes in the wrong items of its budget. If the Senate should ever come to deserve in fact the reputation of being a rich men's club, the true cost will be found rather in the salary account on our national budget than in the power of wealth to buy legislative seats. As it stands now, only rich men can afford, if they be in love with self-respecting ways of living, to accept an election in the Senate.

This, then, is the Senate, the house of individuals, a body of representative American men, representing the many elements of the Nation's make-up, exhibiting the vitality of a various people, speaking for the several parts of a country of many parts and many interests, wholly and yet full of sharp social and political contrasts; men much above the average in ability and in personal force; men connected in most cases by long service with the business of the Government and accustomed to handle its affairs in all their range and variety; a body of counselors who act, if not always wisely or without personal and party bias, yet always with energy and without haste.

It is interesting to the looker-on in Washington to observe the unmistakable condescension—

I fear I may have some reservations to make about the next thought expressed by President Wilson—

It is interesting to the looker-on in Washington to observe the unmistakable condescension with which the older Members of the Senate regard the President of the United States. Dominate the affairs of the country though he may, he seems to them at most an ephemeral phenomenon. Even if he has continued in his office for the two terms which are the traditional limit of the President's service, he but overlaps a single senatorial term by 2 years, and a Senator who has served several terms has already seen several Presidents come and go. His experience of affairs is much mellower than the President's can be; he looks at policies with a steadier vision than the President's; the continuity of the Government lies in the keeping of the Senate more than in the keeping of the Executive, even in respect of matters which are of the especial prerogative of the Presidential office. A Member of long standing in the Senate feels that he is the professional, the President an amateur.

Mr. BROUGHTON. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER (Mr. LONG in the chair). Does the Senator from Arkansas yield for a question?

Mr. FULBRIGHT. I yield for a question only.

Mr. BROUGHTON. It is true, is it not, that what the Senator has just read was written prior to the time the author himself became President of the United States?

Mr. FULBRIGHT. It was written before the author became President. I may also say it was written before the two-term tradition had been changed, so I think it quite an excusable observation, though not in accordance with recent developments regarding the Presidency.

I have dwelt at some length upon the character and the true constitutional purpose of the Senate because that character and purpose govern its whole organization and action. It is as different from the House in organization as in character and constitutional position.

I call that particularly to the attention of newer Members of the Senate, for there is the thought running through the hearings that the Senate should be more like the House, so that business could be disposed of more quickly and efficiently.

Its power is not concentrated—

I call attention to this, also, because I am not sure, in view of recent developments, whether it is entirely accurate. It says:

Its power is not concentrated in its Presiding Officer as the power of the House is. On the contrary, its Presiding Officer is of all its constituent parts the least significant. In mere fact, the Vice President of the United States is, in any analysis of the powers and activities of the Senate, practically negligible. Some occupants of that singular office have, it is true, made a considerable impression upon the Senate and have left distinct marks of their individuality upon its record, particularly in matters of procedure. Men of great natural force and unusual personality cannot spend 4 years in the chair of so serious and so busy an assembly without leaving some memory of their influence. But the Vice Presidents of the United States have, almost without exception, whatever their natural vigor or instinct of initiative, felt that their relation to the Senate was purely formal. The Vice President is not a Member of the Senate. His duties are only the formal and altogether impartial duties of a Presiding Officer. His position seems to demand that he should take no part in party tactics and should hold carefully aloof from all parliamentary struggles for party advantage. Its very dignity seems to rob it of vitality in respect of the only duties assigned to it by the Constitution. And yet the President pro tempore of the Senate, the Vice President's substitute upon occasion, is a vital political figure. He is chosen by his party associates of the majority to play a real part in the business of the assembly. He holds office at the pleasure of the Senate and is in a much more intimate and sympathetic relation with the party he represents than the Vice President of the United States can be.

Once or twice it has looked as if the President pro tempore were likely to accumulate powers and prerogatives which might give his office a power and authority comparable with those of the Speaker of the House of Representatives. The Senate, like the House, prepares its business through the instrumentality of standing committees, and in 1828 it conferred upon its President pro tempore the authority to appoint its committees. But in 1833, for political reasons which it is not necessary to detail here, it again changed its rule and resumed to itself the right to constitute its committees by its own choice by ballot.

Mr. President, with the permission of the Senate, I recommend all of this chapter, but I can see that it is long, and so I shall skip two or three pages at this point, and read further:

But the Senate is a deliberative assembly and is under no such discipline of silence and obedience to its committees as the House is. The duties of its committees are much more like those of ordinary old-fashioned committees such as are usually found in all parliamentary bodies, than are the duties of the House committees. They are by no means in complete control of the business of the Senate. A bill introduced by an individual Senator may be put upon the Calendar, debated, and voted upon without reference to a committee at all. The committees are an imperative convenience, and the greater part of the Senate's business is, of course, prepared by them, but they are not permitted to monopolize the floor, and the Chamber is quick to recognize the right of its individual Members to have their proposals considered directly, without committee intervention.

Moreover, the make-up of the committees of the Senate is determined much more strictly by seniority and by personal privilege and precedence than is the membership of the committees of the House, with much less regard to party lines and much more regard to personal and sectional considerations—by equitable arrangement rather than by the personal choice or individual purpose of the caucus chairmen. The variety of the country is allowed to show itself in the constitution of its committees, as in its debates and its recognition of individual privilege among its Members. An old-fashioned air of equality and democracy is still perceptible in the Senate, its popular reputation to the contrary notwithstanding—something of the discipline of party whips and leaders, as must in any political assembly be inevitable, but much more of the air of debate, much less the air of rigidly organized business and mere efficiency, than in the popular Chamber.

Indeed, the Senate is, par excellence, the Chamber of debate and individual privilege. Its discussions are often enough unprofitable—

I think this is the answer to the argument with reference to efficiency.

Its discussions are often enough unprofitable, are too marred by personal feeling and by exhibitions of private interest which taint its reputation and render the country uneasy and suspicious, but they are at least the only means the country has of clarifying public business for public comprehension.

In other words, it is true that there are inconveniences, and none of us really

enjoys a lot of speeches, whether they be in or out of a filibuster.

When we turn to the question which is the central question of our whole study, the question of the coordination of the Senate with the other organs of the Government and the synthesis of authority and power for common action, it at once becomes evident that such a body as I have described the Senate to be, must be very hard indeed to digest into any system. A coordination of wills, united movement under a common leadership, is of the very essence of every efficient form of government. The Senate has a very stiff will of its own, a pride of independent judgment, very admirable in itself, but not calculated to dispose it to prompt accommodation when it differs in its views and objects from the House or the President. Its very excellencies stand in its way as an organ of cooperation: Its slow deliberation, its tolerance of individual opinion, its confidence in the political judgment and experience of its own leaders, the feeling of permanency and stability which seems to lift it a little above the influences of the immediate day, the critical moment of decision. It looks upon the House of Representatives very much as it looks upon the President—as an organ of opinion, indeed, and as a coordinate branch of the Government of undoubted commission from the people, but as likely to change, a thing that, in its present character and disposition at least, is here today and gone tomorrow, to make room for new men and new moods. * * *

Particularly in its dealings with the President has the Senate shown its pride of independence, its desire to rule rather than to be merely consulted, its inclination to magnify its powers and in some sense preside over the policy of the Government. There can be little doubt in the mind of any one who has carefully studied the plans and opinions of the Constitutional Convention of 1787 that the relations of the President and Senate were intended to be very much more intimate and confidential than they have been; that it was expected that the Senate would give the President its advice and consent in respect to appointments and treaties in the spirit of an executive council associated with him upon terms of confidential operation rather than in the spirit of an independent branch of the Government, jealous lest he should in the least particular attempt to govern its judgment or infringe upon its prerogatives. The formality and stiffness, the attitude as if of rivalry and mutual distrust, which have marked the dealings of the President with the Senate, have shown a tendency to increase rather than to decrease as the years have gone by, and have undoubtedly at times very seriously embarrassed the action of the Government in many difficult and important matters.

The Senate has shown itself particularly stiff and jealous in insisting upon exercising an independent judgment upon foreign affairs, and has done so so often that a sort of customary modus vivendi has grown up between the President and the Senate, as of rival powers. The Senate is expected in most instances to accept the President's appointments to office, and the President is expected to be very tolerant of the Senate's rejection of treaties, proposing but by no means disposing even in this chief field of his power. Advisers who are entirely independent of the official advised are in a position to be, not his advisers, but his masters; and when, as sometimes happens, the Senate is of one political party and the President of the other, its dictation may be based, not upon the merits of the question involved, but upon party antagonisms and calculations of advantage.

The President has not the same recourse when blocked by the Senate that he has when opposed by the House. When the House declines his counsel he may appeal to the Nation, and if public opinion respond to his appeal the House may grow thoughtful of the next congressional elections and yield; but the Senate is not so immediately sensitive to opinion and is apt to grow, if anything, more stiff if pressure of that kind is brought to bear upon it.

But there is another course which the President may follow, and which one or two presidents of unusual political sagacity have followed, with the satisfactory results that were to have been expected. He may himself be less stiff and offish, may himself act in the true spirit of the Constitution and establish intimate relations of confidence with the Senate on his own initiative, not carrying his plans to completion and then laying them in final form before the Senate to be accepted or rejected, but keeping himself in confidential communication with the leaders of the Senate while his plans are in course, when their advice will be of service to him and his information of the greatest service to them, in order that there may be veritable counsel and a real accommodation of views instead of a final challenge and contest. The policy which has made rivals of the President and Senate has shown itself in the President as often as in the Senate, and if the Constitution did indeed intend that the Senate should in such matters be an executive council it is not only the privilege of the President to treat it as such, it is also his best policy and his plain duty. As it is now, the President and Senate are apt to deal with each other with the formality and punctilio of powers united by no common tie except the vague common tie of public interest, but it is within their choice to change the whole temper of affairs in such matters and to exhibit the true spirit of the Constitution by coming into intimate relations of mutual confidence, by a change of attitude which can perhaps be effected more easily upon the initiative of the President than upon the initiative of the Senate.

It is manifestly the duty of statesmen, with whatever branch of the Government they may be associated, to study in a very serious spirit of public service the right accommodation of parts in this complex system of ours, the accommodation which will give the Government its best force and synthesis in the face of the difficult counsels and perplexing tasks of regulation with which it is face to face, and no one can play the leading part in such a matter with more influence or propriety than the President. If he have character, modesty, devotion, and insight as well as force, he can bring the contending elements of the system together into a great and efficient body of common counsel.

Mr. LONG. Mr. President——

The PRESIDING OFFICER (Mr. HOEY in the chair). Does the Senator from Arkansas yield to the Senator from Louisiana?

Mr. FULBRIGHT. Just a moment. I have completed reading the chapter on the Senate, from the book by Woodrow Wilson. I merely wish to explain that I did not feel it necessary to take the time of the Senate to read the whole book, but I recommend that it be read, and very seriously, by everyone who is interested in the question pending before the Senate.

I now yield, for a question only.

Mr. LONG. Does not the Senator feel that the excerpt which he has been reading from that great book by Woodrow Wilson strongly indicates that Senators were originally intended by the founding fathers to be more or less ambassadors from the States, to be consulted by the President when legislation vitally affecting their States in particular was presented?

Mr. FULBRIGHT. I most certainly think so. We use the word "ambassadors" of the States. That expression, particularly in Washington, has acquired a certain special connotation; but I think that President Wilson in talking about the individuality of the representatives of the respective States meant exactly that, and I think being ambassadors is their proper function. I believe up to the present they have retained it to a considerable degree, except in those great metropolitan areas of the East in which President Wilson says social chaos has arisen.

Mr. LONG. Will the Senator yield for a further question?

Mr. FULBRIGHT. I yield for a question.

Mr. LONG. Does it not appear, judging from the book which the Senator has been reading, that it was originally planned, in the order of things in the American Government, that the President, rather than surrounding himself with a lot of White House consultants, legislation vitally affecting certain sections of the country was involved, even before asking for such legislation would send for Senators from the States most vitally affected, and carefully consult with them, just as he would consult with ambassadors with regard to this Nation's policy toward other nations before sending to the Congress proposals affecting them?

Mr. FULBRIGHT. I believe that was the thought President Wilson had, particularly in the latter part of the section in which the initiative to bring about coordination is spoken of as lying particularly in the President's hands.

Mr. LONG. Does it not strongly follow, from the excerpts from the late President Woodrow Wilson's book, which was written before he was President, that the great President, certainly before he was President, realized that the United States Senate itself should be the judge of the rules by which this great body was to proceed, and that the President from the White House was not to dictate to the Senate what rules it should use when proceeding to the consideration of the Nation's business, as the representatives of the sovereign States?

Mr. FULBRIGHT. A few moments ago the Senator from Florida, in the course of our discussion, raised that question. It seem to me that, while, of course, anyone has a perfect right to comment on anything of public interest, because of the coordinate position of the executive, legislative, and judiciary departments, the great power of the Executive should not be used in such a way as possibly to destroy the independence and power of the Senate. I disapprove of it very heartily, in the same way that we disapproved of his exercising a power to submit legislation to change the Supreme Court. To be sure, he had the power to suggest it, there was nothing unconstitutional or anything of that sort in the suggestion, but it was certainly disapproved by the Senate, and I think by the people generally.

If the people understand what I really believe to be involved in this particular move, namely, that it means a very substantial lessening, if not the ultimate destruction, of the power of the Senate in our system, I do not think the people will approve of this, either. But, as I have said, I think he has mixed up the matter of substantive law with his civil-rights legislation, which has an appeal all its own, entirely aside from how this matter affects the Senate. There is great danger in the way it is presented, and I do not think it is a proper way to present a question of this kind.

Mr. LONG. Would it not seem to the Senator that it would certainly be a more appropriate procedure, if the President of the United States had legislation in mind which he wanted enacted by the Congress, to proceed to the consideration of such legislation, rather than tell the Senate how it should change its rules in order that he might more expeditiously force such legislation through this body?

Mr. FULBRIGHT. I think the first is the proper way. It seems to me there is a proper course if gentlemen are sincere about civil rights. As I pointed out, that is the issue to which the party is committed. There is not a word in the Democratic Party platform about changing the rules of the Senate. I did not hear everything that was said at the convention in Philadelphia, but I was there, and I do not recall that subject was ever discussed as being a proper objective of the Democratic Party. The delegates did not say anything about it. They had a very distinguished committee on the platform, of which the present majority leader was I think a most brilliant member, and I do not recall that they ever mentioned a change of the rules of the Senate. But they mentioned civil rights. The proper approach for us today would be to be debating civil rights. So far as importance is concerned, I do not think the civil-rights question is in a class with the question of a change in the Senate rules. It is one of those more or less transitory measures which come and go, which have been before us from time to time. No doubt one of these days the question will be solved. I do not know exactly how it will be solved. I do not believe the civil-rights proposals which have been introduced are exactly the proper solution. They do not go to any fundamental aspect of our Government, and are in no way comparable in importance and significance to a proposal to change the rules of the Senate or the constitution of the Supreme Court.

Mr. LONG. Mr. President, will the Senator yield for a further question?

Mr. FULBRIGHT. I yield for a question only.

Mr. LONG. Does it not seem very likely that the effect of any change in the Senate rules will be far greater in the future than would appear probable, in view of the fact that Senators cannot be prevented, under the present rules, before they are changed, from having an opportunity to make themselves heard, while they may not have an opportunity to be heard at all if we change the rules in accordance with the present suggestion?

Mr. FULBRIGHT. I think the Senator could not be more correct in his attitude.

Mr. President, I have a little more material, one very striking feature, which I shall only mention, although I wish to read the whole letter later, bearing on that point. The CIO addressed letters to many Senators, one to me, and I want to contrast that with the position of the A. F. of L. in 1925, when Vice President Dawes undertook to reform the Senate rules. Let me show the difference, because at that time the protection of labor against the reactionary threats of the Republican majority was involved. Now the situation is somewhat reversed. Labor, feeling that it has a majority, wants to destroy this same thing that in 1925 labor thought was its whole salvation. That is exactly the point I hope to bring out in a little more detail. I could pursue it now, but I shall do so a little later on in my remarks.

Mr. LONG. Then, will the Senator yield for a further question?

The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from Louisiana for a further question?

Mr. FULBRIGHT. I yield for a question only.

Mr. LONG. Is it not true that organized labor certainly should be able to see potential future danger to itself in view of the fact that a great mass of people feel that some day there is going to be a tremendous reaction against the cause of organized labor, and that at such time certainly labor will need a spokesman to stand forth and debate the rights of labor on the floor of the United States Senate against punitive legislation which may be introduced if such a reaction should occur?

Mr. FULBRIGHT. I should not want to confine it against any particular minority. The same thing can be said of any interest that is of significance or importance in this country along either economic lines, or social lines, or geographical, or along any other lines of interest. Unlimited debate in the Senate is essentially a device for protection from a transient majority, protection against the imposition of arbitrary power. It is very significant in the case of labor, because in 1925 labor took such a positive position with regard to the matter.

I think the Senator from Louisiana is entirely correct. But that is the evil of bringing up the question of civil rights in connection with a proposal of a different kind, embracing an attempt to destroy the independence of the Senate, thereby so confusing the issue that the people do not understand what is involved. They think this is simply a desirable way to pass civil-rights legislation. Civil rights, in most instances, substantively have no particular interest to those of us who oppose the pending resolution. Our only disagreement with the advocates of the program is that under the Constitution the States not only should take care of such matters, but are doing the very thing which is being asked to be done, and they are proceeding very rapidly.

Mr. LONG. Mr. President, will the Senator yield for a further question?

The PRESIDING OFFICER. Does the Senator yield for a question?

Mr. FULBRIGHT. I yield for a question only.

Mr. LONG. Does it not seem to be completely unfair to the people of the United States that a basic fundamental of their Government should be confused with something that carries so much prejudice and so much misunderstanding as does racial legislation?

Mr. FULBRIGHT. I think that is the inherent evil of this approach. I would say that if it were not for my firm belief that this is a very difficult matter to understand, I would not begin to take the time of the Senate in trying to explain it. That is the main reason why a thorough discussion of this question is justified. If we were considering at the moment substantive bills on civil rights, I would see no excuse for me to pursue this sort of a discussion, because such measures are much easier to understand; they involve comparatively simple propositions.

Mr. President, I shall not read anything at great length; but I should like to cite an authority. I read a paragraph from The American Senate, written in 1926 by Prof. Lindsay Rogers. It is a very interesting book. I read only one paragraph from the preface, which states its thesis, and then recommend it to those who are interested:

> My view then, shortly stated, is this: The undemocratic, usurping Senate is the indispensable check and balance in the American system, and only complete freedom of debate permits it to play this role.

I think that is a very clear, unmistakable statement by this man, who is an authority on the question. He was for many years a leading professor of Columbia University. I continue to read:

> Its power comes, in large part, from the guillotine to which the House of Representatives submits—a procedure which has attracted scant attention—and is the more indispensable because it is directed against government by favorable publicity through the medium of the White House "spokesmen." Adopt cloture in the Senate and the character of the American Government will be profoundly changed.

I submit that statements of this character by leading scholars on the subject of government are very worthy of serious attention. I do not see how anyone can brush off this debate as mere pettifogging. The newspapers try to say this whole discussion is only a pettifogging argument by a few disgruntled southerners. This man is no southerner. He comes from Columbia University. I repeat:

> Adopt cloture in the Senate and the character of the American Government will be profoundly changed.

I continue to read:

> This is the subject that I discuss in the following essay, and I make no apology if occasionally I may seem to have the qualification that Byron said Mitford possessed for writing history, "complete partiality and a

bad temper." Considering my purpose and method, this may be an advantage.

I read another short paragraph on page 256:

Its—

He is referring to the Senate—

Its collective judgment on legislation cannot fail to be superior to the judgment of the House which too frequently represents no more than the hasty opinion of a few leaders. There is no legislation, no prior veto, such as exists in a parliamentary system of government and such as there is, in the United States, in respect of treaties. The rigid two-party system of the United States is not hospitable to minority groups, which reversing the experience of other governments, have secured their most adequate representation in the Upper Chamber of the American Congress.

In other words, according to the writer, this is the place where minority groups are most likely to receive fair and equal treatment.

Mr. President, another point has been greatly labored, I think, in some of the previous discussions, as if there were any doubt about the ultimate objective of the sponsors of this resolution. We have seen the public statement as to the objective of the President of the United States—that is, his advice to the leaders on the question of simple majority cloture. The majority leader of the Senate says he is in favor of cloture by a constitutional majority. I want to tie that point down by reading a few excerpts from the record by some of the sponsors of the proposal to show the universality of the view that cloture should be possible by a majority vote of the Senate, and not two-thirds. In other words, the idea is very clear that some of those who are in their hearts and in their convictions for majority cloture have for the moment compromised that and assented to two-thirds cloture, in order to make the first step and get into position to impose majority cloture.

I want to make a few short references to the record. On page 28 of the hearings, this statement appears, as made by the junior Senator from Oregon [Mr. MORSE]:

It seems to me that the majority-vote rule is the basic American principle in passing legislation, even though I recognize that in our system of government there are some exceptions to the majority rule. I don't think it is a very sound argument to argue, as some do, that the majority will trample the rights of the minority if majority rule prevails.

Then again on page 33 the Senator from Oregon said:

I am perfectly willing to trust the majority-rule principle to prevent that hypothetical of yours from becoming a reality.

On that same page the Senator from Oregon further said:

That is the purpose of having majority rule, to decide what the final decision should be.

On page 34 he said:

That fundamental principle of popular government, that the majority shall rule and take the consequence.

And on page 46 he said:

On the first day of the next Congress all Senators who believe in the establishment of majority rule in the Senate should support an amendment to the rules aimed at preventing any future filibuster.

I dislike to take too much time on this point. I am citing the several pages to emphasize the fact that there can be no doubt, when one reads the record, that the purpose of certainly most of the sponsors and proponents of this change is majority rule. I do not think there is the slightest doubt of it. Therefore, to accept the first step toward that end without clearly admitting and recognizing that the ultimate development from that step is majority rule, to me seems tantamount to being insincere in the whole effort. I do not see how it is possible for anyone to make himself believe that we could stop with the limited cloture which the junior Senator from Oregon [Mr. MORSE] has proposed. He insists, as he did yesterday, that that is as far as he wants to go. But as a practical matter, if we subject the Senate to the cloture rule which he has proposed, I do not see how any reasonable man can fail to believe that at some time, when some critical measure comes before us and there is the slightest impatience with delay, there will be an effort to impose simple majority cloture, under which there will no longer be any freedom of debate. In the words of Professor Rogers, it will completely change the character of our constitutional government.

Mr. LONG. Mr. President, will the Senator yield for a question?

Mr. FULBRIGHT. I yield for a question only.

Mr. LONG. Does it not seem extremely likely to the Senator that if this proposed change of the rule is adopted, it may be used hereafter by some future majority as an entering wedge and as a weapon by which they will proceed, without permitting full discussion, to change the rule to majority cloture, or to the type of thing which the President of the United States is now recommending?

Mr. FULBRIGHT. I wonder if the Senator will repeat his question. My attention was distracted.

Mr. LONG. Does it not seem to the Senator from Arkansas that if this proposed change in the rule is adopted, it will be used by some future majority as the entering wedge, as a method to shut off debate before Senators fully understand the issue, and bring about a further change in the rule to majority cloture, or to the type of proposal which the President of the United States is now making?

Mr. FULBRIGHT. There would not have to be any persuasion. If at some time in the future, after an election, there is a strong majority, it will be found, as is usual, that there will be a substantial number of newly elected Senators who, as Senator Townsend said, come to the Senate with an instinctive desire to reform the Senate. Such a proposal could be put through with little difficulty. I do not think there is the slightest doubt that they would be able to accomplish what the Senator suggests, and they would do it. At every session of Congress there are some controversial issues. That is bound to be the case, in a country so large as this, with so many different interests. With the typical and usual impatience of a great executive power, one of the first things to do is to get rid of the obstruction by imposing majority cloture. I think there is not the slightest doubt of it.

Mr. LONG. Mr. President, will the Senator yield for a further question?

Mr. FULBRIGHT. I yield for a question only.

Mr. LONG. Is the Senator not of the opinion that the proposed change in the rule is probably a method of the administration by which it proposes to initiate its onslaught with a great barrage of bills affecting the subject of civil rights?

Mr. FULBRIGHT. I think they are the first ones on the agenda; but I see no reason why the effort could not be extended to anything of a controversial nature which it is desired to put through Congress, by virtue of the control which the Executive exercises, and always has, over a substantial number of Members of the Senate. It would certainly be done.

The civil-rights question merely happens to be the issue which is immediately pending, and in connection with which there has been some difficulty. But the effort certainly would not be restricted to that issue. As the Senator pointed out a moment ago, some of our labor leaders and some of our more influential capitalists ought to remember that from time to time they have been the object of attack by the administration, and there is no doubt that they will be again. I think the Senator is entirely correct.

Mr. LONG. Mr. President, will the Senator yield for a further question?

Mr. FULBRIGHT. I yield for a question only.

Mr. LONG. In driving an automobile, just as in being a Member of the United States Senate or of any other legislative body, is it not a good idea to proceed at a speed slow enough so that one can stop within the range of his headlights and see what is happening before he proceeds?

Mr. FULBRIGHT. I think that is very good advice. I thank the Senator from Louisiana for his contribution.

Mr. President, most of the citations which I gave were from the junior Senator from Oregon [Mr. MORSE]. The senior Senator from Massachusetts [Mr. SALTONSTALL] had this to say on page 82:

The original Senate Resolution 25 in 1947 sought to do this by a majority vote but we have eliminated that provision in this resolution.

This is the significant part:

We have done so, in my opinion, and I speak only for myself, in order to take a short step forward in the effectiveness of parliamentary procedure. We have done this because we believe that there is a better opportunity to get a favorable decision in this way. It is better to move forward, even though we do not get as far as we want, than not to move at all. We must be practical and realistic. Therefore, in my opinion, and I speak only for myself, I believe it is much wiser and will be much more helpful to make such changes as will make cloture more easily possible and trust that two-thirds of the Members will want to reach a vote than to provide for clo-

ture on a majority vote and get nothing at this session of the Senate.

In other words, he says, "Although we really want majority rule, we will try this as the first step."

On page 84, another Senator, speaking along the same line, said:

I agree * * * that this is just a step to perfect our procedure.

On page 85 the Senator from California [Mr. KNOWLAND] said:

I believe, as a practical matter, that this is the most that can be expected from the Senate at this session of Congress.

The whole tenor of his remarks is that "we really want majority rule, but as a practical matter we do not believe we can get it, so we will accept the two-thirds, and that will be a stepping-stone by which, at the proper time, we will move on to majority cloture."

The Senator from New York [Mr. IVES], who is one of the most active proponents of this proposal, said on page 86:

As you will have gathered from what I said in those instances, I favor, myself, cloture by majority. I do not believe personally that a legislative body of any kind ever should be in a position where a majority of its total membership—not just a majority of a quorum, but a majority of the total membership—is not in a position to determine actions and procedures by that body. * * * I myself shall not press for the majority idea at the moment, even though I strongly believe in it.

I must say that they are very frank and candid about it. There is no attempt to deceive or mislead anyone as to the purpose. The Senator from New York says that at the moment, although he strongly believes in majority cloture, he is willing to accept the two-thirds rule in order to adapt himself to the conditions now prevailing in the Senate.

On pages 86 and 87 another Senator said:

Mr. Chairman, I personally felt the same on the majority rule, but I think we should not press for that, which is my personal opinion, but we should press for at least this amendment which will make this cloture rule applicable to all matters so that we can function.

This is the same thought which was expressed by another Senator who is a proponent of this proposal. The same thought runs throughout the testimony on behalf of the proponents of the change in the rule. Every witness who testified before the committee on behalf of a change in the rule, except one, in effect admitted that if he were willing to accept two-thirds cloture, it would be only a step in the direction of majority cloture.

In addition to this evidence, at page 81 the one witness before the committee who did not admit his support of majority cloture, did say:

While a simple majority may be desirable, it seems to me that there is still a strong sentiment among Democrats and Republicans for the two-thirds rule.

In addition to this we know that two of the five resolutions before the committee would have changed the rules so as to provide for majority cloture.

We also know that the majority leader has expressed himself as favoring cloture by a constitutional majority, and that the majority whip has indicated that he will offer an amendment to this resolution to provide for majority cloture.

I understand that he has changed his mind.

We also know that the organizations which are most active on behalf of a change in the rules have been most insistent that it provide for gag rule by a bare majority.

We also know that, although this rule proposes a two-thirds cloture, it, or any amendment to it, can be passed by a majority vote.

Indeed there can be little doubt that this proposal is not only a step toward majority cloture, but that it is intended only as such by its most ardent proponents.

To bring about a system facilitating cloture is to make a grant of power. If we are to act with wisdom upon grants of power we must not exclude any possibilities of how it may be used, and, in fact, we must assume that it will be exercised to the utmost.

This being true, and I do not think it can be denied, let us see what can follow from such a grant of power.

As an example of what may happen, I quote, from page 94 of the hearings, a statement by the Senator from Mississippi as to what has happened:

The historic debate in 1908 over the adoption of the Aldrich-Vreeland currency bill was an ominous example of how a disciplined majority, with frayed temper and short patience, could ride roughshod over previously established precedents and customs of the Senate.

At this time the great Senator Robert M. La Follette, of Wisconsin, was leading the opposition to what he believed to be a scheme of the privileged few to tighten their grip upon the money power of the Nation.

As the debate developed, the Presiding Officer of the Senate, Vice President Charles W. Fairbanks, acknowledged as partial to the majority who favored the Aldrich-Vreeland bill, made two precedent-shattering rulings and was immediately sustained. In the first he counted a quorum to declare that action on a vote had been taken, even though the total vote was less than a quorum. In the second ruling, Mr. Fairbanks declared that debate in the Senate was not business, and that no quorum could be called when only debate had intervened since a previous call.

Regardless of the merits of these two precedents, the fact remains that they were both established without debate, and at the instigation of a disciplined majority led by the distinguished Senator from Rhode Island, Mr. Aldrich.

The Aldrich-Vreeland bill debate not only provoked these two sudden, unpremeditated changes in the Senate rules—it also brought about one of the most patently unfair decisions of a Presiding Officer in the history of the Senate.

With Senator George Sutherland, of Utah, in the chair, Thomas P. Gore, of Oklahoma, moved the absence of a quorum. Sutherland held a call not in order, and then brazenly ruled that even an appeal was not in order. As one commentator has reported, "the majority was in no mood for the niceties of parliamentary procedure."

Mr. President, I think that is a very good example—and there are many others—in answer to the argument advanced by the junior Senator from Oregon [Mr. MORSE] that under any kind of rules the traditions of courtesy in the Senate are such, and we are all such nice fellows, that we would never impose on one another, but would always be fair to the opposition. That seems to be the Senator's principal basis for contending for a change of the rule; but of course his contention in that respect is not correct. In that connection I would ask Senators who were not here yesterday to read the RECORD for yesterday and see what the Senator from Oregon said about the action of the Committee on Labor and Public Welfare in refusing to permit him to offer an amendment in the committee.

Mr. President, the fact is that the only protection held by any minority in the Senate, either now or hereafter, is the difficulty of obtaining cloture. Our rules are changed by a majority only, and the only restraint upon that majority is the right of unlimited debate. To assume that this potential power of a majority will never be exercised is an assumption of the utmost folly.

Senators have pointed out that a provision for majority cloture may lead to a provision for the previous question, as is practiced in the House of Representatives. As a matter of fact, however, in the absence of the right of unlimited debate, under the Constitution there is no limit whatsoever to what can be done by way of changing the rules of the Senate.

That is to say, there is no constitutional limit to what could be done if a majority chose to go to extremes. In periods of high partisan feeling, which are not too difficult to imagine during these times, it is an ever-existing danger, for we should assume that a well-disciplined majority could adopt any rule of debate or procedure which would facilitate enactment of its program. That is one aspect of this whole matter which rather interests me, namely, the determination on the part of some Members of the Senate, particularly those on the other side of the aisle, to change this rule, when I know they are not so particularly interested in the passage of all of the program of the administration, which this proposed change is designed to facilitate. It seems to me they must feel a certain inconsistency in their position, because if they put this power of cloture in the hands of the leadership, then they certainly can look forward to very quick action on some of the other measures, which I am quite confident they are not too anxious to have passed. That is something I think they should very seriously consider.

Under such circumstances we could expect to move from the previous-question procedure to the delegation of power to a committee to decide what, if any, amendments may be presented upon the floor of the Senate.

Mr. President, any former Member of the House of Representatives knows very well how that completely stifles even the right of amendment on the floor. In the House of Representatives, if a closed rule is brought in, a Member of the House cannot even offer an amendment. All he can do is vote either "Yes" or "No." That is the only privilege of a Member of the House of Representatives in such circumstances. Such an arrangement is only a short step, and a very well known

one, from the usual practice of moving the previous question.

The Senate would thus become a smaller, and, therefore, more manageable, adjunct of the House. Of course, it is argued that even if this should occur, the people would retain their right to overthrow by election any body assuming such total powers. However, in answer to this, it should be noted that although the House is answerable to the public every 2 years—at every opportunity the people have to pass upon questions of national policy—the Senate is a continuous body, answerable to the public, in its total membership, only every 6 years; and it is entirely possible that such dictatorial powers could be assumed and retained for at least 4 years.

But this is only one of the dangers arising from the exercise of arbitrary power. A much greater danger than continuous control by a well-organized majority of Senators, is the ever-encroaching power of the executive branch of the Government. Mr. President, I keep coming back to the thought that that is the point that is fundamentally involved, because it is not peculiar to this particular case. That struggle is the one that has been going on ever since there has been any kind of governmental structure at all. In every kind of democratic government, where there must be a division between the legislative and the executive, there has always been such a struggle between them, and it will be a continuous struggle. There is nothing particularly bad about its existence, for it is characteristic. What is dangerous is for the weaker side, which is the legislative side, to give up its power. When I say weaker, I mean that in character it cannot be aggressive, for it does not execute the laws. Its power is primarily that of resisting the extension of arbitrary executive power.

The destruction of individual freedoms always comes from the executive. I can recall no instance, except isolated instances of the passage of a particular law in the heat of passion, in which the destruction of individual freedom has come from a legislative body. The approach of the executive is always to destroy the legislative branch, which constitutes the protection of the people's liberties. First, the executive branch destroys the legislative branch, largely by making some demagogic appeal to the weaknesses, the greed, the avarice of people. But when the legislative branch is destroyed, the pattern is very plain: the executive branch then finds itself in possession of complete and irresponsible power.

Mr. President, a moment ago I referred to two excerpts which I thought would be worthy of reading with regard to the growth of power in the countries of Europe in which there once was a regularly constituted democratic system, which gradually disintegrated under the impact of the rise of Hitler and Mussolini. These are short excerpts to remind Senators of what happened. I took this material from a factual statement in the Encyclopedia Brittanica. There is just one page of it, and I shall read it to show the developments from a fairly normal democratic system, in which there are the legislative, executive, and judicial branches of government, to a dictatorship.

I am not citing this, I may say, with any feeling that I think the present President or any other President of the country had in mind becoming a Hitler. That is not my reason for citing it. I do not think that enters even remotely into President Truman's mind. But growth and changes in power are not merely dependent upon the personal ambitions and desires of individuals. Once started, they have a way under any system of continuing. The growth of executive power is inherent in the system, the executive constantly showing a tendency to expand the power of the executive department.

Mr. HILL. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER (Mr. GILLETTE in the chair). Does the Senator from Arkansas yield for a question?

Mr. FULBRIGHT. I yield for a question only.

Mr. HILL. Is it not true that power feeds upon power?

Mr. FULBRIGHT. Absolutely.

Mr. HILL. And is it not also true that the more power there is, the greater the inherent impetus continually to reach out for more power?

Mr. FULBRIGHT. The Senator puts it very well. The more powerful an office such as the Presidency becomes, naturally the more impatient the President becomes toward any kind of obstruction or obstacle. If an official has but little power, he becomes accustomed to the necessity of compromise and adjustment to other conflicting powers. But the more powerful one becomes, the less patient he is toward any obstruction. The Senator from Alabama has described that better than I could. In other words, power feeds upon itself. I think the pending proposal is not altogether uninfluenced by the fact that as a result of the war the President has become much more powerful. The President still possesses powers given to the administration during the war, which would not have been delegated in normal peacetime. I think that is one of the things contributing to the President's impatience at any delay whatever on the part of the Senate.

Mr. HILL. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from Arkansas yield for a question?

Mr. FULBRIGHT. I yield for a question only.

Mr. HILL. Is it not due not only to the enhanced power which the war necessitated being placed in the hands of the Chief Executive, but to the enhanced power the Chief Executive now holds, by reason of the fact that the Federal Government has been forced into so many fields of activity undreamed of in the past?

Mr. FULBRIGHT. That is absolutely correct. The Senator has described it precisely. I may cite a slightly different aspect of the argument. It has been said here that because during the war additional functions have been assumed, and because of the growth of such things as social security, the Senate, therefore, should become more efficient and should pass legislation without the same consideration as heretofore. I think a more persuasive argument is that because the Government is now impinging upon the rights of citizens in every direction, legislation should be given more careful consideration and deliberation in the Senate than heretofore. It touches everyone so much more closely and vitally than ever before. There is no reason for abandoning what little deliberation the Senate can give to legislation.

Mr. HILL. Mr. President, will the Senator yield for a further question?

The PRESIDING OFFICER. Does the Senator from Arkansas yield for a question?

Mr. FULBRIGHT. I yield for a further question only.

Mr. HILL. Is it not true that, under our form of government and governmental procedures, the one place where careful and thorough consideration and deliberation of legislation may be had is in the Senate of the United States?

Mr. FULBRIGHT. I may say to the Senator it is the only place where such consideration can be had.

Mr. HILL. Is it not true that the question is not so much one of speed or what might be termed "sharp efficiency" as it is one of deliberation and the exercise of true wisdom on the part of the Senate?

Mr. FULBRIGHT. The Senator from Alabama states it exactly as it should be stated. That is precisely what I have in mind. The people who are thinking about speed and efficiency are entirely on the wrong track. When we speak on that subject, I am always reminded of a remark made by Senator Reed—that we have plenty of laws accumulated during the past 10,000 years; it is not a greater volume of laws we need; the need is for good laws. Resistance to the enactment of bad laws has accomplished more good than affirmative action, even through the passage of good laws.

Mr. President, I desire to read a brief article into the RECORD. I repeat, particularly for the benefit of those who have come into the Chamber later, I intend no comparison between the desires, intentions, or motives of the administration and the article I am about to read. I use it only to remind people of what actually happened under other democratic regimes that folded up. That is my only reason.

[At this point Mr. FULBRIGHT yielded to Mr. LUCAS, at whose request and by unanimous consent, the Presiding Officer laid before the Senate a message from the President of the United States, relating to the maintenance of adequate armed forces, the reading of which was deferred until later.]

Mr. FULBRIGHT. Mr. President, I may say to the distinguished majority leader, if he would like to have the message read at this time, I shall be glad to yield for that purpose, under a unanimous-consent request. I do not want to occupy the floor to the exclusion of the very important message from the President, which I am sure it is.

Mr. LUCAS. I can understand the Senator's extreme and deep interest in the message.

Mr. FULBRIGHT. Mr. President, as I said a moment ago, what I am about to read is a quotation containing, as I think, simply a statement of fact:

As a result of this and other strong-arm methods the Nazis won 44 percent of the votes, and, with 8 percent of their Nationalist coalition allies, had a clear majority of 52 percent. Though Hitler was opposed in principle to parliamentary government, which he had denounced as a lamentable failure, he was ready to use the ballot and the existing constitutional machinery to secure absolute control; on March 23 the Reichstag majority virtually set aside the Weimar constitution, leaving virtually dictatorial power in Hitler's hands. The Nazi revolution had begun.

In reorganizing Germany, Hitler proceeded to sweep away to a large degree the old division of Germany into states—Prussia, Bavaria, Saxony, Baden, etc. He set up instead a more centralized government ruled from Berlin.

Many have forgotten that only such a short time ago as that Germany was really a federal government very similar to ours, with quite a considerable degree of autonomy possessed by each of the German states.

Germany, like France as a result of the French Revolution, became "one and indivisible." Federal government was replaced by unitary government. This gave Germany greatly increased strength, abolished local states' rights jealousies—

It did the very thing that is now sought here. We are all to be good fellows, States' rights jealousies are to be eradicated—

and put an end to extensive and unnecessary duplication of administration.

These are very worthy purposes. Similar purposes have been current in this country in recent years, and are now current.

He also abolished or forced the voluntary dissolution of all political parties except the National Socialist Party. Germany became a one-party state, the state being controlled by the party. Hitler became the supreme head of both. On the leadership principle he appointed his lieutenants who were responsible to him. They in turn appointed their subordinates, and so on down through the hierarchy of state and party. One of the chief duties of the party is to instil Nazi tenets into the party members and also into all German citizens, thus uniting the whole German people into a single totalitarian state.

Mr. HILL. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from Arkansas yield for a question?

Mr. FULBRIGHT. I yield for a question only.

Mr. HILL. From what document is the Senator reading, may I ask?

Mr. FULBRIGHT. I have read from volume 10 of the Encyclopedia Britannica, at page 310. For the Senator's information, I have a House Document, No. 401, on Fascism in Action. It is one of several very excellent documents, as the Senator will recall, published by the Legislative Reference Service, the Library of Congress, under the direction of Ernest S. Griffith. I have another publication, Communism in Action, which is House Document 754. The pamphlets contain much longer statements than the one I have read. I have read that one, not so much because of the authenticity of the Encyclopedia Britannica, although it is certainly a very reputable publication, but because there is no question about the facts. It is simply published in a condensed form. The same material is in these two documents. With reference to the one on Fascism in Action in 1947, I should like to read one page from Part I—Political, appearing in House Document No. 401:

Described in 1919 as the most democratic democracy in the world, the Weimar system succumbed 14 years later to a combination of circumstances. The internal weakness of the republic, its lack of inspiring leadership and popular support, bureaucratic sabotage, the multiplicity of warring parties created by proportional representation, economic depression, the humiliating treatment of Germany by the Allies, her defeat in the First World War, the harsh Treaty of Versailles, antisemitism, the influence of the reactionary upper classes and the military clique, Nazi propaganda, and Hitler's dynamic leadership—all contributed to the overthrow of the republic and the triumph of the national socialist movement in 1933. And in addition, article 48 of the Weimar constitution provided that the President of the Reich might intervene, with armed force if necessary, to restore public security and order when they were seriously disturbed. He might in time of emergency abrogate certain fundamental rights, including the freedoms of speech, press, and assembly, and might remove guaranties of personal liberty and property rights. Thus the National Socialist Party under the leadership of Adolf Hitler rose to power in Germany within the legal framework of the constitution.

Mr. HILL. Mr. President, will the Senator yield for a question?

Mr. FULBRIGHT. I yield for a question only.

Mr. HILL. Is it not true that that is exactly what cloture does? It stifles and cuts off freedom of speech, does it not?

Mr. FULBRIGHT. That is the point I am trying to make. I hesitated to use this example, because I felt that some persons might think it was a very extreme example, and might say, "Do you really think the President will take over?" No; I do not think so; but I would remind Senators that when we first heard of Mr. Hitler, our correspondents returned from abroad, and made fun of him, and said he was merely a funny little man who came into power accidentally, and it would be only a year or two until the people would be rid of him. He wrote a book and told us exactly what he was up to, and we said, "He is a madman. It is all nonsense." Look at what happened to the world when no one took him seriously or did anything about it, when something could have been done. I am not trying to accentuate the thought that this is a culmination of the destruction of our Government. All I am saying is that it is the beginning, at least, of a movement which may not be stopped and which could destroy the Senate.

Mr. HILL. Mr. President, will the Senator yield for another question?

Mr. FULBRIGHT. I yield for a question only.

Mr. HILL. Would the Senator say that it is a signboard along the highway of government?

Mr. FULBRIGHT. Absolutely; it certainly is. I know someone may say, "Oh, you are too extravagant in your statement." Some persons always say that, just as they did when we suspected that Hitler might be dangerous.

The same thing, of course, has happened in Russia. Russia was a great republic. It had a wonderful constitution which guaranteed the rights of everyone against poverty and against discrimination, but in reality, with the exception of a small number of party members, the Russian people are all slaves.

Mr. HILL. Mr. President, will the Senator yield for another question?

Mr. FULBRIGHT. I yield for a question.

Mr. HILL. Is it not a fact that one who reads the Russian Constitution might think that utopia had at last arrived on the earth?

Mr. FULBRIGHT. That is correct.

Mr. HILL. But, instead of its working as utopia, it has worked out as a land of slaves?

Mr. FULBRIGHT. Exactly that. It seems to me that it should be very interesting to those who are so concerned regarding civil rights. Russia had them in its constitution, not simply a law, such as is being proposed here, but in the basic constitution. See how effective it has been. I think those who are so greatly concerned about curing our evils by some paper act or legislative act would be better advised to consider what has happened in Russia. I am not saying the President wants to bring about a dictatorship such as is in existence in Russia, but I do want to emphasize the point that in these matters, as the Senator so well said, when once started, power begins to feed upon itself and becomes more and more tyrannical.

Mr. KNOWLAND. Mr. President, will the Senator yield for a question?

Mr. FULBRIGHT. For a question only.

Mr. KNOWLAND. I should like to ask the Senator from Arkansas if the last question he raised does not present the fact to the Senate that in that case it was a minority group taking over control in the country which he mentioned?

Mr. FULBRIGHT. In Russia. That is correct. It was done by force of arms.

Mr. KNOWLAND. Will the Senator yield for another question?

Mr. FULBRIGHT. I yield for a question only.

Mr. KNOWLAND. Does not the Senator feel that in the history of Russia the fact that the Douma at that time did a lot of talking instead of acting to correct some of the laws of the Kerensky republic may have enabled the Communists to charge that the democratic processes of Russia were not functioning, and therefore they would seize the government by force? Does not the Senator recognize that as a danger, if a parliamentary body is not in a position to function in the field of legislation?

Mr. FULBRIGHT. I shall try to answer the Senator's question in this way: The minority to which I referred is the executive power. It has force at its disposal. It is always extending itself when there is any obstruction in its way.

Another observation I should like to make is that there never had been in Russia any kind of a legislature with any real power. It had been an autocracy throughout its history. During the very short interval in which Kerensky was nominally head of the government, it was not an effective government. I do not think there was any background for the carrying on of a democracy at all. The point I had in mind was the nature of executive power and how it always ends up by taking on more power. I do not think that in Russia there was an opportunity to function. Kerensky was in office only approximately a year. I doubt that any people, however wise, are able to pass from autocracy to an effective democracy inside of a year. It requires a century or so to develop such institutions.

Mr. HILL. Mr. President, will the Senator yield in connection with the minority question raised by the Senator from California?

The PRESIDING OFFICER (Mr. KERR in the chair). Does the Senator from Arkansas yield to the Senator from Alabama?

Mr. FULBRIGHT. I yield for a question.

Mr. HILL. Under the resolution which the pending motion would bring before the Senate to change the rules of the Senate, would it not be possible for 64 Senators representing less than one-third of our entire population to stifle, choke, and steamroller, the opposition of 32 Senators representing more than two-thirds of our entire population?

Mr. FULBRIGHT. Certainly. That is brought out very clearly, as the Senator has put it, in many interesting statistics in the hearing, demonstrating how the idea about majority rule loses all its substance when we examine the way the Senate is constituted, for one of the principal ideas of our constitutional system is to prevent the majority from imposing its will. Nearly all the safeguards in the whole system are to prevent what Senators are trying to bring about.

Mr. HILL. Mr. President, will the Senator yield further?

Mr. FULBRIGHT. For a question.

Mr. HILL. What is the Bill of Rights all about? What are the first ten amendments all about? Why was it that before the States would ratify the Constitution they had to be given absolute assurance that the Bill of Rights would be adopted?

Mr. FULBRIGHT. I should say the best reason was protection in the fields covered by the amendments against imposition by a majority, the same majority that has become so dear to the hearts of the proponents of the pending measure. That was the very purpose. The founding fathers could foresee that it would be difficult to get a majority to go together, but even if they did so, the framers of the Constitution did not want them to impose upon the minority in this way.

Mr. HILL. Is it not a fact that surely the founding fathers were thinking of the very thing which the Senator has so ably expounded here today when they wrote into the Constitution the provision that no State, without its consent, should be deprived of its two Senators?

Mr. FULBRIGHT. Yes, indeed. Of course, that is one of the provisions which cannot be amended by even three-fourths of the States. There is no amendment possible to that provision. That is the extreme example of their determination that no majority, no matter how large, even 99 percent, should, without its consent, ever decrease the representation of a State in the Senate.

Mr. HILL. In other words, is not that a perfect illustration of an absolute, iron-clad protection in the Constitution of the minority?

Mr. FULBRIGHT. Exactly, and that runs throughout our system. It was never intended, in my opinion, that there should be rule by majority.

Mr. President, a moment ago, in an interchange with the Senator from Louisiana, he raised the point about labor, which now is very strong in its influence on the counsels of the Government, and their urging that the rule be changed to a majority rule, that is that there be control of debate by a majority; and that has not always been their position.

In order to tie that point down, I wish now to read into the record a letter I received, addressed to me, from the Congress of Industrial Organizations, dated February 28, 1949, signed by Mr. Nathan E. Cowan. I wish to read it, and then contrast a statement in 1925 on the same subject by the American Federation of Labor. The letter says:

MY DEAR SENATOR: We understand that the pending business of the Senate is a motion to take up the Hayden-Wherry resolution. This measure would do no more to change the Senate rules on cloture than we believe Vice President BARKLEY will do at the first opportunity by the common-sense interpretation of the present rule which he proposed in Senate debate last August 2 (CONGRESSIONAL RECORD, p. 9601).

Now that a filibuster upon a false issue has begun, we call upon every Senator who values the good name of our Government to fight the real issue through to a showdown.

The real issue is majority rule against the exercise of the veto power over the will of the elected majority by a minority of one-third plus one. This amounts to majority against minority rule. It means the practice of a denial of democracy itself.

The Hayden-Wherry resolution proposes to change rule XXII, not to reduce the majority necessary to limit debate from the present two-thirds to a simple majority, but only to make cloture by the present two-third majority to apply to motions as it now applies to bills. This is an evasion of the real issue. As a remedy for the veto-by-filibuster, it is a transparent fake.

I hope that puts the proponents, those who brought forward the resolution, in their proper place.

Its principal supporters agree with southern Democratic defenders of unlimited debate in their opposition to the Myers-Morse resolution which proposes to reduce the number of votes necessary to invoke cloture from the present two-thirds to a simple majority.

By opposing the Myers-Morse resolution, Senators opposed to democratic practices in the Senate hope to avoid a reduction of the cloture vote requirement from two-thirds to a simple majority, and thereby to lessen the chances of enactment of civil-rights legislation, particularly FEPC.

The strategy of such Senators is aimed also at delaying and, if possible, preventing repeal of the Taft-Hartley Act and enactment of the major items of legislation for which the American people voted November 2. Those who fear the practice of democracy in the Senate of the United States are using the age-old formula of divide and rule.

The brazen hypocrisy of this maneuver is an attempt to frustrate and defeat the express wishes of the American people. It must not be allowed to succeed in its evil purpose of heading off real majority rule in the Senate and of delaying or defeating the measures for which the American people have voted their approval and their mandate.

Continuance of a filibuster over the fake "reform" offered in the Hayden-Wherry resolution would be an obscene offense against democracy. It would be particularly damaging at this time when every action of our Government is observed by the peoples of the world who are daily being asked to choose between democracy and totalitarianism. In these days of global cold war between ideas we cannot afford such a spectacle.

To transform the debate into a real discussion of the basic issue and to insure a show-down and record vote upon it, we urge you to—

1. Insist upon day-and-night, round-the-clock sessions.

2. Sign and present immediately a cloture petition which, under Vice President BARKLEY's certain ruling, will be valid against any filibuster device.

I do not know how they became so certain about the Vice President's ruling, but they say, "Vice President BARKLEY's certain ruling."

3. Insist upon the adoption of the Myers-Morse resolution as an amendment to the Hayden-Wherry resolution.

4. Vote for cloture and for the Myers-Morse resolution.

The above course, if begun at once, can bring the debate to a decisive vote within a week or 10 days, without causing an undue delay of other vital measures.

We believe the American people will support those Senators in both parties who cut through the maneuverings for partisan or sectional or economic advantage to get at the great moral and political issue that powerful groups in both parties are seeking to avoid. We believe that a two-thirds majority can be assembled to bring about a limitation of debate and proceed to a sure majority vote in favor of the Myers-Morse resolution.

The issue is the practice of democracy within the Senate of the United States. We urge you to use your voice and vote to bring about a vote upon that issue.

Sincerely yours,

NATHAN E. COWAN,
CIO Legislative Director.

Mr. President, I wish to quote from Mr. Haynes' book, The Senate of the United States, which is one of the leading books on the Senate, at page 416. I may say this is a very interesting passage, and since it involves two points which have been raised, one the part the Vice President plays in our deliberations, together with the position of the American Federation of Labor, I think I shall read the whole page.

I quote, beginning on page 415:

No other Vice President upon the occasion of his own inauguration has ever created such a sensation as did Charles D. Dawes. Hardly had he taken the oath of office in the presence of the President, the Supreme Court, the diplomatic corps, Members of the Senate and House, and a most distinguished audience that thronged the galleries, than with strident voice and violent gestures he entered

upon a scathing denunciation of the Senate rules, and an exhortation for their thoroughgoing reform, as "demanded not only by American public opinion, but I venture to say in the individual consciences of the Members of the Senate itself."

There again he was a new Member in the legislative branch, like those to whom Senator Townsend, of Michigan, referred who come to the Senate full of vim and energy toward the reform of the Senate.

Mr. HILL. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from Alabama for a question?

Mr. FULBRIGHT. I yield for a question only.

Mr. HILL. That was the first day Vice President Dawes presided over the Senate, was it not?

Mr. FULBRIGHT. That was the first time he had ever held any public office, I believe. To my knowledge, he had never been elected a Member of the Senate, or before that time to any national office.

Mr. HILL. Mr. President, will the Senator yield for another question?

Mr. FULBRIGHT. I yield for a question only.

Mr. HILL. Is it not a fact that he certainly had not served in any office in the Federal Government before that?

Mr. FULBRIGHT. That is what I meant. I have no knowledge of his having served in any such office. If it is true that he had, it has never been called to my attention. What I meant was that he had never been a prominent figure in Washington in the Federal Government. What he did, I may say, is characteristic of most of the proponents of this legislation. It takes time to become seasoned and to understand what is the significant role that Senators play.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield to the Senator for a question only.

Mr. KNOWLAND. Is it not correct that Mr. Charles G. Dawes was quite familiar with Washington, having been Director of the Budget in the Harding administration?

Mr. FULBRIGHT. Mr. Dawes was the right hand, the most powerful agent, in a sense, of the then President. He had the usual typical executive attitude toward any of the people's representatives in the Senate. I think that without exception nearly every executive, or man who is closely associated with an executive, has that same attitude. They do not like to wait or have to wait. They want to get action now. They do not like people to disagree with them. One must go down the line or one does not suit any executive.

Mr. KNOWLAND. Mr. President, will the Senator yield further?

Mr. FULBRIGHT. I yield for a question only.

Mr. KNOWLAND. Will not the Senator from Arkansas recognize the fact that the question asked by the Senator from California was not for the purpose of entering into an argument, but merely for correcting the record in respect to the intimation that Mr. Dawes had not held any public office and was not familiar with the operations of the Senate or the House.

Mr. FULBRIGHT. I appreciate the Senator's statement. Mr. Dawes had not held any elective office. He was in an appointive office, as a part of the executive branch. I was trying to reemphasize the point I made a moment ago.

Mr. HILL. Mr. President, will the Senator yield for a question?

Mr. FULBRIGHT. I yield for a question.

Mr. HILL. Is it not a fact that Mr. Dawes at that time had not held any office in the legislative branch of the Government?

Mr. FULBRIGHT. Yes.

Mr. HILL. And is it not also a fact that certainly at the time Mr. Dawes was the Director of the Bureau of the Budget, he held the most powerful office in the Government, with the single exception of the Presidency itself?

Mr. FULBRIGHT. I think that is correct, and I presume it is still one of the most powerful offices in the Government, because it has such great influence upon the supplies for all departments.

I continue to read from Mr. Haynes' book:

What he most—

Referring to Mr. Dawes—

What he most strongly condemned was that feature of the rules, which, as developed under senatorial courtesy, made it possible during the last few days of a session for the minority or even for a single Senator to kill legislation providing the revenue to pay the expenses of the Government, or to force the President of the United States to call a special session of Congress. Who would dare maintain that in the last analysis the right of the Senate to act should ever be subordinated to the right of one Senator to make a speech?

Not content with launching this attack, Vice President Dawes soon declared his intention to carry his reform campaign to the country, and the surprising spectacle was witnessed of the President of the Senate, imposed upon that body by the Constitution, continuing, wherever and whenever opportunity offered, his violent denunciation of the Senate rules. An early evidence of the belief that this issue might have votes in it was seen in a California Representative's forthwith announcing his candidacy for the Senate on a platform of reform of Senate rules. The most formal and outspoken opposition to the Dawes program of reform came from an unexpected quarter. At its national convention, the American Federation of Labor condemned unanimously the Vice President's campaign to abolish free speech in the United States Senate and urged that every publicity be given to the denunciation by labor of the Dawes scheme which does not come from the people but emanates from the secret chambers of the predatory interests.

One could substitute "special interests" for "predatory interests." I continue the quotation from the statement of the American Federation of Labor:

For several months the Vice President of the United States has conducted an agitation for the purpose of abolishing free speech in the United States Senate, the only forum in the world where cloture does not exist and where Members can prevent the passage of reactionary legislation * * *.

The railroad industry, the great oil industry, and other great industries in the United States want to make it possible for a handful of men in the United States Senate to control all legislation.

Imagine the application of that.

It is a vicious idea, a vicious purpose to which the Vice President of the United States has loaned himself.

That is the end of the quotation from the statement by the American Federation of Labor.

Mr. HILL. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield for a question only.

Mr. HILL. If the American Federation was correct at the time it adopted the resolution of denunciation of Vice President Dawes' plea for a change in the rules, has anything happened in the meantime that would keep the resolution and denunciation from being just as correct and just as powerful and just as persuasive today as it was when it was issued?

Mr. FULBRIGHT. The Senator from Alabama has raised a very interesting question. Of course, I believe they were eminently correct then. The only thing I can think of is that they feel that they are no longer a minority which needs protection; that they are so strong now—I am speaking of the CIO, not of the A. F. of L.——

Mr. HILL. Mr. President, will the Senator yield at that point for a question?

Mr. FULBRIGHT. I had not concluded. But I yield for a question only.

Mr. HILL. The Senator realizes that, of course, no officer or representative of the CIO can possibly speak for the A. F. of L.

Mr. FULBRIGHT. I grant that. I was assuming for purposes of illustration that labor's position then was very clear and very plain.

Here is an important segment of labor which takes exactly the opposite view, and the only explanation I can give is that if that change is representative of all labor—if it is, and I do not know that it is, and do not think it will be—if they would disentangle the element of substantive legislation which has been injected into this question of change of the rules, if they would make the distinction between that and the straight-out destruction of freedom debate in the Senate, I do not believe the A. F. of L. leaders would be for it today. But it is extremely difficult to give anyone an opportunity to regard this question for what it merely is. It is mixed up with the civil-rights legislation. That is what has misled the CIO. They think it is a minor change, which if made will facilitate the passage of civil-rights legislation, and the repeal of the Taft-Hartley law. In other words, it is so intimately connected with this program that they have not considered its long-range effect on others than themselves, or on any other group interested in the democratic systems.

If that be not true, we have to assume that they feel so strong and so secure in their position that they can always dominate the situation; that they are no longer interested in the protection of minorities. But in 1925 they were a minority interest, and they certainly put their

views into very strong language in the statement I have read. It is as strong language as one can find anywhere in any book I have seen, in condemnation of the effort to destroy the right of free speech in the Senate.

Mr. HILL. Mr. President, will the Senator yield for a question?

Mr. FULBRIGHT. I yield for a question only.

Mr. HILL. Is it not true that the course of history clearly demonstrates that the majority of today is very often the minority of tomorrow?

Mr. FULBRIGHT. Of course, that is true. As the Senator well knows, that is exactly what has happened. Anyone who would assume that the present pattern of interests in this country is frozen for all time is a very foolish person. I do not know which interest will rise and which will not; but certainly any such assumption as I have suggested would be a misconstruction of history.

Mr. President, there is only a little more of this particular quotation, which I should like to read to complete the record:

> The Vice President's intent was fulfilled. He made the Senate rules as to debate the chief topic of the day and called forth a prodigious amount of press comment and popular discussion. The impulse of the people—whose patience during the preceding 18 months had been sorely tried by the ridiculous and discreditable features of two uproarious filibusters—was to side with the Vice President in his strictures. But men of longer memories could but contrast the sweeping condemnation erupting from a Vice President, who at the moment was facing the Senate for the first time, with the far more tolerant judgment which had been expressed by Vice President Stevenson as he left the office after 4 years of service as the Senate's Presiding Officer.

The distinguished majority leader comes from the State of Illinois, whose present Governor, I believe, is a grandson of Mr. Stevenson. For that reason I think I shall read this one paragraph. This is Mr. Stevenson's comment on the problem. I think it is an excellent one. There are so many comments from so many distinguished people that I feel bad about not putting them all in the RECORD. However, I read this:

> It must not be forgotten that the rules governing this body are founded deep in human experience; that they are the result of centuries of tireless effort in legislative halls to conserve, to render stable and secure the rights and liberties which have been achieved by conflict. By its rules the Senate wisely fixes the limits of its own powers. Of those who clamor against the Senate, and its methods of procedure, it may truly be said: "They know not what they do." In this Chamber alone are preserved, without restraint, two essentials of wise legislation and of good government—the right of amendment and of debate. Great evils often result from hasty legislation; rarely from the delay which follows full discussion and deliberation. In my humble judgment, the historic Senate—preserving the unrestricted right of amendment and of debate, maintaining intact the time-honored parliamentary methods and amenities which unfailingly secure action after deliberation—possesses in our scheme of government a value which cannot be measured by words.

I do not believe that a better statement of what is involved in this whole question can be found than that of Vice President Stevenson.

Mr. HILL. Mr. President, will the Senator yield for a question?

Mr. FULBRIGHT. I yield for a question only.

Mr. HILL. Is it not true that the words of Mr. Stevenson which the Senator from Arkansas has read to the Senate were uttered by Mr. Stevenson upon his retirement as Vice President of the United States, after having been the Presiding Officer of the United States Senate for 4 years?

Mr. FULBRIGHT. That is correct. That statement, together with others, indicates an extremely able man with profound powers of observation and judgment. His distinguished grandson is now the Governor of Illinois.

Mr. HILL. Mr. President, will the Senator yield for a further question?

Mr. FULBRIGHT. I yield for a question only.

Mr. HILL. Is it not true that this statement of Mr. Stevenson's, made at the time of his retirement as Vice President after having presided for 4 years over the Senate, gives us a striking contrast to the statement of Vice President Dawes, made on the first day he came to the Senate, before he had even presided over the Senate?

Mr. FULBRIGHT. The Senator is entirely correct. The statement is consistent with what has happened to so many Senators. Contrast what the elder Senator Lodge, of Massachusetts, who came here in 1894 or 1893, said about the Senate rules when he first came here with what he said after 15 or 20 years' service. If I remember correctly, the distinguished majority leader quoted the statement which he made when he first came to the Senate. Contrast that with what he said in 1915, after he had had 15 or 20 years' experience. It is exactly the opposite. His statement after he had had a number of years' experience is one of the strongest statements ever made against a change in the rules of the Senate.

Mr. HILL. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield for a question only.

Mr. HILL. Is it not true that Senator Lodge's earlier statement, made at the time he first entered this body, was made immediately after the measure which he had sponsored in the House of Representatives, known as the Lodge force measure, had been defeated by unlimited debate?

Mr. FULBRIGHT. That is correct.

Mr. HILL. Mr. President, will the Senator yield for a further question?

Mr. FULBRIGHT. I yield for a question only.

Mr. HILL. Is it not true that as we study the history of the United States Senate and of the motions and resolutions which have been proposed to provide for cloture, we find that in practically every instance the author of the particular motion or resolution to provide for cloture had only recently, before he offered the motion or resolution, suffered some temporary defeat in this body in connection with the failure of a particular resolution or bill?

Mr. FULBRIGHT. Generally speaking, in nearly every instance I have observed, that has been true, except in the case of new Senators. They nearly always have the desire to reform the Senate, even though they have not suffered any great frustration.

In that connection, I invite the attention of the Senate to a statement by former Senator Moses, of New Hampshire. This statement is found on page 135 of the hearings:

> "It is to be observed that with few exceptions the demand for a change in the rules of the Senate arises from those whose contact with the Senate is either brief or nonexistent," the Senator continued. "Many a man has come into the Senate with a determination to tame it, and almost without exception these men themselves have been tamed by the Senate and have come to realize the true value of the Senate rules."
>
> Mr. Moses declared that limitation of debate already existed in the Senate. "It was generally applied," he said, "under unanimous-consent agreements—agreeing to a time for a vote and that, pending such vote, no Senator should speak more than once, nor more than a given time, upon a measure or a proposed amendment."

I do not wish to carry the quotation further. However, it illustrates very strikingly the practical unanimity of view among Senators of long experience.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield for a question only.

Mr. KNOWLAND. I should like to ask the able Senator from Arkansas if it is not a fact that the same Senator Lodge who served in the Senate for a long period of time was one of the 76 Senators who voted for cloture, rule XXII, and one of the 88 Senators either present or announced as in favor of the present rule XXII, which is now in the rules of the Senate?

Mr. FULBRIGHT. That is true. Of course, rule XXII is a very mild restriction upon the right of debate. I am quite sure that there was no confusion in the minds of Members of the Senate at the time the rule was adopted, as to the way it should be applied, which is the way it is being applied. It is a very slight restriction. In view of the elder Senator Lodge's statement in 1915, which is a very strong statement, I am satisfied that he felt, in deference to the conditions arising during the war, that perhaps it would be possible to maintain the integrity of the Senate if this very slight restriction were imposed. I agree that the restriction under the present rule is very slight. I do not want to see it increased. On the other hand, in view of the elder Senator Lodge's previous clear statement about restricting debate in the Senate, I am quite confident that he was under no illusions as to how strong that restriction was. I am quite sure that if he had believed that the rule would be interpreted as the CIO, in its letter, says the Vice President is going to interpret it, he would not have voted for it. He voted for it because he interpreted it in the same way the distinguished Senator from Michigan [Mr. VANDENBERG] interpreted it last year. That is a very logical interpretation. That is the only way I can reconcile Senator Lodge's statement,

which is published in the RECORD, with his vote for the rule.

Mr. HILL. Mr. President, will the Senator yield for a question?

Mr. FULBRIGHT. I yield for a question only.

Mr. HILL. Would the Senator from Arkansas mind reading to the Senate the last paragraph on page 202 of the hearings, which contains a portion of a statement by former Senator Lodge, of Massachusetts? I hand it to the Senator.

Mr. FULBRIGHT. Very well; I am glad to do so. This is to be found on page 202 of the hearings:

> And then he closes with these words:
> "The Members of the United States Senate have always cherished the freedom of debate which has existed in this Chamber. Senators have been reluctant to adopt any rule of cloture, and, even after the present rule was adopted in 1917, they have been reluctant to invoke it. Cloture is a gag rule. It shuts off debate. It forces all free and open discussion to come to an end. Such a practice destroys the deliberative function which is the very foundation for the existence of the Senate. It was the intent of the framers of the Federal Constitution to obtain from the upper Chamber of the Congress a different point of view from that secured in the House of Representatives. Thus the longer time, the more advanced age, the smaller number, the equal representation of all States. Careful and thorough consideration of legislation is more often needed than the limitation of debate."

Mr. KNOWLAND. Mr. President, will the Senator yield for a question at this point?

Mr. FULBRIGHT. I yield for a question only.

Mr. KNOWLAND. Does not the Senator from Arkansas agree, after reading that statement, that the late Senator Lodge, of Massachusetts, thought, contrary to the interpretations the Senator from Arkansas has made, that the rule he was then discussing was an effective cloture rule in the Senate of the United States; and does not his very statement, as contained in the hearings, indicate that in his judgment cloture was, as he put it, a gag rule which the Senate was reluctant to use? Will not the Senator agree with me that if the present interpretation of the rule prevails, namely, that cloture does not apply to a motion to bring up a bill, then rule XXII is absolutely meaningless?

Mr. FULBRIGHT. I say to the Senator from California that it is not absolutely meaningless. There are a great many instances, as shown throughout the RECORD, of attempts being made to use it; in other words, a petition for cloture was submitted. However, in many cases the Members of the Senate were not willing to vote for it.

In his first question the Senator from California said the late Senator Lodge, of Massachusetts, voted for cloture. I am not informed about that. If he did vote for cloture, the only way I can reconcile such a vote for cloture and his definite statements as to what he thought cloture was, would be that he realized that the rule did not amount to any more than I think it does—which is what the Senator from Michigan [Mr. VANDENBERG] ruled on. In other words, if the late Senator Lodge, of Massachusetts, had believed the rule to mean what the Senator from California wants us to believe it means, I cannot see how Senator Lodge could possibly have brought himself to vote for it.

Mr. LUCAS. Mr. President, will the Senator yield for a question?

Mr. FULBRIGHT. I yield for a question only.

Mr. LUCAS. Does the Senator from Arkansas understand that the late Senator Robert La Follette, of Wisconsin, was one of the Senators who took part in the debate at the time when the cloture rule was adopted by the Senate?

Mr. FULBRIGHT. Yes; that was in 1917.

Mr. LUCAS. Does the Senator from Arkansas agree with me that the late Senator Robert La Follette, of Wisconsin, had one of the keenest minds that ever graced this body?

Mr. FULBRIGHT. I think so.

Mr. LUCAS. Will the Senator from Arkansas agree with me that the late Senator La Follette knew what he was doing at the time when he opposed this very cloture rule?

Mr. FULBRIGHT. My guess is that he knew what he was doing at practically all times.

Mr. LUCAS. Will the Senator from Arkansas further agree, then, that the late Senator Robert La Follette, of Wisconsin, was correct when he made on the floor of the United States Senate the statement I am about to quote, in reference to the present cloture rule which the Senator from Arkansas has been discussing, and as to which he has used statements made by the late Senator Lodge, of Massachusetts, to prove his case? I point out that the late Senator La Follette was one of the three Senators who voted against the proposed cloture rule at that time. Now I read what he said then:

> So far as I am concerned, I will never by my voice or my vote consent to a rule which will put an end to freedom of debate in the Senate.

Can the able Senator from Arkansas reach any other conclusion than that the great Senator Robert La Follette, of Wisconsin, thought that when the cloture rule was adopted by the Senate it meant the closing of all loopholes which might permit endless debate in the Senate of the United States?

Mr. FULBRIGHT. I can only say that even though I have great respect for the late Senator La Follette, as I have stated, I cannot say that he was the only Senator who knew anything at that time. The vote at that time was 76 to what?

Mr. LUCAS. Seventy-six to three.

Mr. FULBRIGHT. I think it could often happen that at least 3 Senators out of 79 might be mistaken. In other words, we are not infallible; and those 3 Senators might have misinterpreted the significance of the proposed change. I am positive that the late Senator La Follette and many of the 76 Senators who voted in favor of the cloture amendment at that time did not intend to close debate in the sense that the Senator from Illinois wishes to have it closed. I do not think they thought of it in that way.

Mr. LUCAS. Mr. President, will the Senator yield further?

Mr. FULBRIGHT. I yield for a question.

Mr. LUCAS. Does the Senator from Arkansas believe that the late Senator Lodge, of Massachusetts, whom he has been quoting to prove his point, would have immediately challenged the theory of Senator La Follette, had he not believed that Senator La Follette was correct?

Mr. FULBRIGHT. I am frank to confess that I am not familiar with all of that debate. I was not on the committee. I obtained my information in the hard way, by reading the hearings. However, he might not have been present, and thus might not have had an opportunity to challenge it. So I cannot answer the question.

Mr. HILL. Mr. President, will the Senator yield for a question?

Mr. FULBRIGHT. I wish to complete this dialogue first.

Mr. LUCAS. Yes; I should like to ask a further question.

Mr. FULBRIGHT. I yield to the distinguished majority leader for a question only.

Mr. LUCAS. Does the Senator from Arkansas, from his reading of the debates which occurred at that time, recall that in those days there was a Member of the Senate by the name of Gronna—Senator Gronna, of North Dakota?

Mr. FULBRIGHT. Yes; I remember such a name. It does not stand out in my memory as being that of a particularly distinguished Senator; I merely remember the name.

Mr. LUCAS. At least, he was a Member of the United States Senate.

Mr. FULBRIGHT. I mean he was among other Senators; I did not mean he was merely one among ordinary individuals.

Mr. LUCAS. Certainly.

Does the Senator from Arkansas agree that Senator Gronna was correct when he made this statement on the floor of the Senate, in connection with the cloture amendment?—

> I think it is dangerous for a great government like ours to deny a minority, small though it may be, an opportunity to be heard.

How does the Senator from Arkansas interpret statements of that kind, if those great Senators at that particular moment—Senator Gronna, Senator La Follette, and Senator Sherman, of Illinois, the three Senators who voted against the cloture amendment—did not believe at the moment when they were debating the cloture amendment on the floor of the Senate that if it were adopted it would close all the loopholes?

Mr. FULBRIGHT. I have no doubt that those Senators believed that, and, of course, I agree that they were entirely correct in their general idea of opposition to the adoption of the rule and the closing of debate. But I think there might well have been a disagreement as to how to interpret that particular provision. After all, that is not so strange, because among the very distinguished Members of the present Senate there exists considerable disagreement as to what the rule means.

But all I can say is that a great many of the Senators who voted at that time for the cloture rule did not think it was

a serious impingement upon the powers of the Senate. Otherwise, I do not believe they would have voted for it. I think they believed it was a mild change.

Mr. HILL. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield for a question only.

Mr. HILL. I ask the Senator from Arkansas, Is it not a fact that under the circumstances in which the cloture rule is applicable and may be invoked, it does deny freedom of speech to the minority in the Senate?

Mr. FULBRIGHT. It most certainly does.

Mr. HILL. And is it not a fact that the late Senator Robert M. La Follette, Sr., of Wisconsin, then had in mind the very proposition that under the circumstances, when the cloture rule is applicable and is invoked, it shuts off the minority and denies it the freedom of debate and freedom of speech in the Senate?

Mr. FULBRIGHT. There can be no question about that. That is exactly what happens. I am sure it is what he had in mind at the time. The only point raised by the Senator from California is about the vote of a man who so obviously was bitterly opposed to over-all restriction of debate. The only way I can explain it is, he must have thought the proposal would be restricted in its operation; otherwise, his statement in the article from which I have quoted makes no sense at all.

Mr. KNOWLAND. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from Arkansas yield for a question?

Mr. FULBRIGHT. I yield for a question only.

Mr. KNOWLAND. Apropos of the statement made by the Senator from Alabama that the cloture rule would restrict the minority, does not the Senator from Arkansas agree with me that the unlimited use of the filibuster by a small minority in the Senate in effect acts as a gag rule on the overwhelming majority of the Senate, and, in addition to that, acts as a means of preventing an overwhelming majority of the Senate from exercising its constitutional obligation and right to cast a vote, not only upon the rules, which it has the constitutional power to do, but on substantive legislation? Does not the Senator recognize that the blockade exists on the right of the majority as a result of unlimited use of the filibuster?

Mr. FULBRIGHT. Mr. President, that question, if it is a question, contains so many assumptions with which I do not agree that it is very difficult to answer it.

The PRESIDING OFFICER. The Chair rules the Senator is under no obligation to answer the question.

Mr. FULBRIGHT. I thank the Chair. There are a great many aspects to it. In the first place, I know of no constitutional duty on the part of Senators to act upon any particular legislation. Senators are supposed to exercise wisdom, and if it is not wise to pass legislation, they ought not to pass it. I mean there is no great urgency merely to pass bills in order that bills may be passed. I may say further, when emphasis is laid upon the overwhelming character of the majority and the smallness of the minority, I am not willing to agree that those presently interested in defeating the pending resolution are but an insignificant minority. I dare say no filibuster has succeeded or has seriously inconvenienced the Senate that has not been conducted by a very substantial minority. I doubt if any filibuster has been successful, except in the old days of the lame-duck Congresses. I may cite as one instance the bill to permit the arming of merchant ships, which came to the Senate March 2 or March 3, when, under the law, the Congress had to adjourn on March 4. It is true that under such circumstances an individual, or two or three of them, could be an awful nuisance. But I qualify that by saying I doubt it is such a substantive injury to the legislative process as to warrant complete destruction of a great principle that has been in existence for so long a time.

The good must always be balanced against the bad. I should call it a minor inconvenience.

There were one or two examples last year, or the year before, when, only because Senators were tired, at 2 o'clock in the morning, somebody made a nuisance of himself. I did not like it, neither did the Senator; none of us did. But that is a small matter when viewed against the background of the history of the Nation and all that is involved. I do not approve of it. But my position is, the inconvenience is minor compared to denying freedom of debate to substantial minorities. I may say to the Senator, I do not think insignificant minorities have ever been successful to any real extent. They are merely minor nuisances, comparable to a flea bite, or something of the sort.

Mr. HILL. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from Arkansas yield for a question?

Mr. FULBRIGHT. I yield for a question.

Mr. HILL. The Senator is speaking of the history of the United States Senate. Is it not true that the history of the Senate, from its beginning down to date, over a period of 170 years, shows that free and unlimited debate by the Senate has not operated as a gag, and the most that can be said is, it has at times operated as a brake in slowing down the impulsiveness or perhaps the impetuousness or the impatience of a majority that would work its will, except for the right of free and unlimited debate?

Mr. FULBRIGHT. The Senator is entirely correct. The pamphlet lists bills alleged to have been defeated as a result of the filibuster, yet in all but two or three instances, connected with civil rights legislation, it did not defeat the legislation at all. It merely delayed it to afford reasonable time for consideration. That was its only effect.

In further answer to the Senator, I may say the criticism always implies that there is something terribly wrong with the United States. What amazes me is that our country, compared to other countries I know of—I have not been in Korea or Timbuktu or San Marino, or certain others—has done, relatively speaking, pretty well. The implication of the whole criticism is that something terrible is gnawing at the vitals of our democratic system, and that it is the filibuster in the Senate. How in the world is it possible to reconcile the success of our country, according to criteria accepted by civilized people, with the criticism and implication by way of criticism that we have failed in our obligations under the Constitution to legislate for the welfare of the people? That is what is absolutely incomprehensible to me. I cannot see anything so terribly wrong with this country as to require a fundamental change. If we were on the verge of revolution, if there were enemy troops at our gates, if somebody were flying over us with some kind of bomb, or something of that drastic nature, I might take it more seriously. But frankly I do not see what is wrong with thi country compared to other countries. I know we are not perfect, but we can only consider these things with regard to the progress made generally by humanity. I simply cannot see that we have failed so dismally in the performance of our duties under our system of government. I think that is the final answer to those who say we have always failed in the performance of our duty.

Mr. HILL. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from Arkansas yield for a question?

Mr. FULBRIGHT. I yield for a question only.

Mr. HILL. Is it not still true that the map of experience is the best light we have for our guidance?

Mr. FULBRIGHT. I think so; and that is one reason I have tried to rely on persons with experience, people who were considered and accepted as wise, not upon my own judgment. That is why I cite men like Woodrow Wilson, the various Senators, Mr. Rogers, and others of that type.

Mr. HILL. Mr. President, will the Senator yield for another question?

The PRESIDING OFFICER. Does the Senator from Arkansas yield for another question?

Mr. FULBRIGHT. I yield.

Mr. HILL. Is it not also true that with the exception of the so-called civil-rights measures, the proponents of the change in the rule cannot lay their hand on a single measure to justify the change?

Mr. FULBRIGHT. I believe that is correct, even if one were to go back beyond the period discussed, even to the first day in the history of the country. I wonder if Senators could search the record and find any bill, or can think of one, that was defeated by unlimited debate, which they would like now to pass in the light of subsequent events. The pending resolution is involved in politics, as everyone knows, in the light of current impatience, to which no one knows the answer. We merely know there is a great deal of difference of opinion as to the proper manner in which to approach this difficult problem. That is about all it amounts to. I wonder whether, in the

light of history, Senators would say with respect to any particular measure, "There is where we went astray; that was a terrible thing, which happened by reason of the filibuster."

Mr. HOEY. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from Arkansas yield for a question?

Mr. FULBRIGHT. I yield for a question only.

Mr. HOEY. In this connection, is it not significant that for 22 years no single petition for cloture has succeeded; that for the past 22 years, with the rule just as we now have it, the Senate has not applied cloture to any particular measure?

Mr. FULBRIGHT. If I understand the Senator, he means, even where, under the rule, it was applicable.

Mr. HOEY. That is correct.

Mr. FULBRIGHT. That is, where there was an actually pending measure, and cloture was voted down.

Mr. HOEY. Is it not true that for 22 years every single attempt to apply cloture as provided in the present rule has failed?

Mr. FULBRIGHT. I believe that is correct. I think that is the record.

Mr. HOEY. That is correct.

Mr. FULBRIGHT. That also leads one to wonder why the sudden interest in changing the rules. Is it because there is really something wrong with the rules, or is it merely a part of the civil-rights program? That is how I think even the most sincere person can be led astray—by looking only to the civil-rights aspect of the situation. There are those who are perfectly willing, we may say, to burn down the house in order to kill a mouse, willing to destroy the whole house, in order to get at this relatively minor matter; which it is, when viewed in the light of the whole complex of American life.

Mr. HILL. Mr. President, will the Senator yield?

Mr. FULBRIGHT. For a question only.

Mr. HILL. I should like to ask the Senator this question: Is not this whole matter a perfect illustration of the statement of Edmund Burke that politicians who do not understand their trade sell their tools?

Mr. FULBRIGHT. I think that is entirely correct. If we sell this tool, or if we give it away, there will be very little excuse for our staying in Washington, because there will be no distinction between the functions of the House and those of the Senate. There will be every reason in the world for people to say, "Why not get rid of the Senate?" In my opinion, we would be well on the way toward the fate which has overtaken every other democratic country we can think of, with one exception, during recent years. There would be complete domination over the Senate and there would be no more participation for us as elected representatives.

Mr. KNOWLAND. Mr. President, will the Senator yield for a question?

Mr. FULBRIGHT. I yield for a question only.

Mr. KNOWLAND. In view of the statement just made by the able Senator from North Carolina, that the rule has not been invoked for 22 years, may I ask the able Senator from Arkansas why we are gun-shy of having a rule in a position where it can be voted on by the Senate of the United States?

Mr. FULBRIGHT. I tried to make that point very clear a moment ago in reading from the record the statements made by the proponents themselves, including the Senator from California, that it is simply a maneuver in the first stage for complete majority control, which, in its ultimate conclusion, would be 25 Members. I hope I did not misquote them. I read the statements of the Senator from California, the Senator from New York [Mr. IVES], and the Senator from Oregon [Mr. MORSE]. They said, in effect, "We are really for majority rule, but as we do not think we can get that at this time, in order to make progress we will take a two-thirds majority rule, and as soon as that is accomplished we will clamp on cloture by a majority rule."

If there were any practical way to guarantee it would not go beyond two-thirds or three-fourths, I think we might make some progress toward reconciliation. But the proponents have so exposed their hands that there is no reasonable man who could accept any offer of restraint on their part, in view of their testimony before the committee. There is piled on top of that, recent evidence that the President is in favor of a majority cloture rule. So we have to treat it as an effort to bring in such a rule.

Mr. KNOWLAND and Mr. LUCAS addressed the Chair.

The PRESIDING OFFICER. Does the Senator yield for a question; and, if so, to whom?

Mr. FULBRIGHT. I yield to the Senator from California.

Mr. KNOWLAND. I should like to ask the Senator from Arkansas, if he were sure that there were sufficient votes on his side of the aisle and on this side of the aisle so that any major amendment to the cloture rule would be rejected, would the Senator be willing to let the Senate get into a parliamentary situation where it could at least vote on the subject?

Mr. FULBRIGHT. The Senator is beginning to get a little beyond me, by that question. The Senator knows that I am not very expert on this subject, and I should prefer to defer to some of my older colleagues with respect to the more technical aspects of the question. I have been led to believe that there is no practical way in which assurance can be given to this side of the aisle that the movement would stop there. I should prefer to leave that question to such Members of the Senate as the Senator from Arizona [Mr. HAYDEN] and the Senator from Georgia [Mr. RUSSELL].

It is my view that there is no practical way in which any such assurance can be given. I do not think it can be done in that way. I do not think it is intended to do it that way. The Senator is speaking about the possibilities of the use of power. There is no reason, if he once had that power, for not coming in the next day with a proposal for cloture by a simple majority. If I am incorrect about that, I should like to be corrected. I do not profess to be an expert on the technical niceties of rules. I am interested in the basic function which the Senate has had in our Government. The distinction of the Senate depends upon unlimited debate. That is the only reason the Senator and I have the slightest influence in this Government above that of a Member of the House of Representatives.

Mr. KNOWLAND. Mr. President, will the Senator yield for one more question?

Mr. FULBRIGHT. I may add that I am not too "blown up" about the influence I have. I am not boasting about it; it is not very great. But it would be even less if there were not the possibility which now exists here of influencing the course of legislation or the possibility of restricting the unlimited power of the Executive. It is only a possibility. It is seldom used, but it can be used if the Executive gets too far out of line.

I now yield for a question only.

Mr. KNOWLAND. I should like to ask the Senator from Arkansas, inasmuch as he has previously quoted Woodrow Wilson, from a book written at a time considerably prior to the time he became President of the United States, if he is not familiar with the statement which Mr. Wilson made at the time the matter of arming merchantmen was being considered, when he said——

Mr. FULBRIGHT. Mr. President, I do not believe that, under the rules, I would be justified in yielding for the Senator from California to quote the statement of Mr. Wilson, especially in view of the fact that the very point has been already covered, and I hesitate to burden the RECORD. I have tried to keep the discussion as brief as possible in order to conserve time and space in the RECORD. That point was covered this morning, and even yesterday. I am quite familiar with the statement. It was brought out. It does not in the least disturb me. It is characteristic of those who get into the Executive Office. They always have that attitude. If we search through history we might find another executive like Marcus Aurelius; we might find one or two additional ones, but most of them have had the irresistible impulse to acquire all possible power.

When Mr. Wilson, great philosopher as he was, came into his great power and responsibility in wartime, he became impatient with any obstruction to the exercise of it. As the Senator well knows, he did not very long survive the war, so as to be able to reflect upon those conditions. In my opinion, if he had lived long enough to have thought back he might have recognized how impatient he was. The statement in his book, which was published in 1908, is a statement based upon the fullness of his scholarship, and was written at a time when he had no personal interest in the subject. I think it is much more to be relied upon than would be the statement of a man in the midst of a fight, who does not like what is going on. When men go from here to the Executive Office they change their views, and when they come into the legislative branch and spend some time

here, invariably they change the other way. They have respect for the rules and know their significance.

Mr. HILL and Mr. LUCAS addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from Illinois?

Mr. FULBRIGHT. I yield to the Senator from Alabama for a question only.

Mr. HILL. I should like to ask the Senator from Arkansas this question: Is it not true that President Wilson's very words show he was impatient and had personal feeling in the matter and was not looking at it objectively or philosophically, as he was in the early period to which the Senator has adverted?

Mr. FULBRIGHT. The Senator is quite right. I do not like to repeat, but I merely wish to draw attention to the discussion that was had, that President Wilson had a very difficult time during the war, which is a period in which great power is given to the President, and much is expected of him. Presidents naturally become impatient. It is not that kind of a situation upon which we should base decisions as to the normal conduct of an institution such as the Senate. We normally delegate to the President, under wartime conditions, many powers which he does not ordinarily possess.

The incident having to do with arming merchant ships came right at the beginning of the war, and public opinion and the opinion of the Senate had not caught up. As the Senator no doubt remembers, the authorities went ahead and accomplished the purpose desired anyway. The delay in itself did not cause irreparable harm. After that we went on and won the war. I do not recall the exact facts, but I think the administration accomplished the chief purpose desired in some way. But that is not material.

I am a great admirer of President Wilson and his philosophy, and what he accomplished, but I certainly think he did have unfortunate relations with the Senate. I would not be a bit surprised if his failure to get ratification of the Treaty of Versailles, and to accomplish other things, was because of his impatience with the Senate, and his inability to understand how it worked under the actual conditions of war. That is the only way I can explain that. I do not think, however, that that tainted his scholarship in the slightest, or in any way raised a question about the soundness of his earlier position.

Mr. LONG. Mr. President, will the Senator yield for a question?

Mr. FULBRIGHT. I yield for a question.

Mr. LONG. Is it not true that the rules of the Senate which guarantee to the minority the right to delay the majority and the right to be fully heard do from time to time irritate and irk the President, and agitate the majority, and make them angry? If that were not true, would the rule, after all, amount to much?

Mr. FULBRIGHT. No. In other words, what the Senator actually is saying is that the only way to get along with the President is to do everything he wants, to have no rules, so that he can simply run over us. Any executive is going to be irritated at any restriction of his power.

The traditional difficulty in legislative systems is that the legislative branch has given up complete power to the Executive, as has been done in nearly every country. I said England has the exception. The executive there is part and parcel of the legislative. The difficulty is not met in that kind of a system. It is different from ours. They do not get the same kind of a reaction we have. But the House of Lords constituted a restriction, and it played a function in some degree like the Senate plays, though different in some respects, with regard to the House of Commons, and the Executive itself concentrated in the House of Commons. Now they are abolishing the House of Lords. That is a long story, which I went into. I do not think the success of Great Britain in recent years furnishes a model which we should go out of our way to follow. In considering what is relative success in a government or a community, the question arises how is it progressing? Is it much worse than any comparable government, or better? If it is worse, I would go along with the Senator from California and say, "Let us find out what is wrong if the machine does not function." In this country the demonstration of productive ability, of power, and, I may say of quite an appreciable increase in the wisdom of its policies, especially in the foreign field in the last few years, to me has been rather encouraging. I do not quite agree with the implication that there is something fundamentally wrong with this country. There are some changes, I grant, which can well be made.

Mr. LONG. Mr. President, will the Senator yield for a question?

Mr. FULBRIGHT. I wish to yield to the distinguished majority leader, who was on his feet a while ago, for a question.

Mr. LUCAS. Mr. President, will the Senator from Arkansas have his fears allayed in any way with respect to the question of a constitutional majority or simple majority in the resolution if I tell him, as the majority leader of the Senate, that upon a check of the Democrats, approximately 44 out of the 54 favor the two-thirds, as provided in the resolution in its present form?

Mr. FULBRIGHT. The Senator will understand, I think, what I tried to make plain a while ago, that I am no authority on the technical aspects of the rule. I have been led to believe, and I am subject to correction, that that is what the Senator might do next week, but that following next week, if he so desired, he might change it to a majority. What has disturbed us in the very frank admission by so many of those active in this whole movement, including the distinguished majority leader, is that they really want a majority cloture provision. The question is one which is difficult for me to answer. The Senator is now arguing about the niceties, as to just how far the Senate is to be gagged. My position has consistently been that there should be no gag rule, because there is no place to stop.

I am unable to say at this time that I would never agree to any restriction; I do not think that is quite the position I wish to take. But under present conditions, with this rule change involved, inextricably involved, with substantive changes of laws which have entirely different implications, I do not see, as a practical matter, how we can afford to make the kind of an agreement suggested.

The present situation came about through no motion of my own or of the majority leader.

Mr. LUCAS. Mr. President, will the Senator yield for a question?

Mr. FULBRIGHT. I yield to the distinguished majority leader for a question.

Mr. LUCAS. The slight concession the Senator made is appreciated, and I will ask the Senator whether he will not in his thinking, and in reaching a conclusion, have in mind the great legislative program that is before the country, including his bill for oleomargarine, the cotton bill for the South, appropriation bills, the reciprocal trade agreements measure, and other similar measures? And will he not have in mind in his thinking and in his conclusions the guaranty which I propose to give, so far as the majority is concerned, with respect to the number of Senators who will support a two-thirds rather than a constitutional majority or a simple majority. All I am asking the Senator to do is to think about it. I am not asking for a conclusion at this time, but I do believe it is worth while at this particular time, in what seems to me to be one of the most controversial periods of our history, to give that matter some serious consideration, especially in view of the immediate program we have in front of us, which we all know is highly controversial in many respects.

Mr. FULBRIGHT. I appreciate the attitude of the majority leader. I will say to the Senator from Illinois that I thought his first approach to this problem was a very good one, that is, that we have a discussion of the matter. I think the debate has brought out some points of view, at least it has impressed upon some Members of the Senate the seriousness of the question which is involved, regardless of the decision they may ultimately reach. I thought it would be a very sensible course to have a debate on this subject, give opportunity for some speeches on the part of those who are seriously interested, and even lay it aside for some of the important legislation. That would give an opportunity to the country to hear about it, and to discuss it, and then we could take it up again. That is the program I understood the majority leader stated he would have 2 or 3 weeks ago.

I may say that I do not mean this as a personal matter; I cannot emphasize strongly enough that this is not peculiar to the present occupant of our Executive Office; but the fact that he injects himself into this question suggests the thought that there may be involved this irresistible urge of great, powerful office, in whatever country it may be, to eliminate obstructions, not only now but potential obstructions against something the President might want next year. That does not appeal to me at all. I hope I make it clear that my thought is

not affected by who is in the office now. If we go back in history, we find this result has occurred time after time in the case of Presidents. In fact, the greater they are, the more powerful they are, the more likely they are to take these steps. The weaker they are, the more contented they are, the more willing they are to let things run along. I think the Senator will agree with my statement. There have been some excellent books written on the relation of the office of the President to the Legislature. All the great Presidents have had similar experiences.

I will think about the matter. Of course, I have tried to think about it. I will say to the Senator I certainly have not made up my mind that no compromise is acceptable. The Senator spoke of two-thirds vote. Let us take this illustration, purely for the purpose of demonstration, that three-fourths is agreed upon. That is strong enough. It may be that would insure against an immediate further change. There can be a change when a majority, even a large majority, does not wish it to be made. That is the way the Communist Party operates. If they win one election under their system, all elections are ended. One decision by a two-thirds vote may be a little too close to the line; it could eliminate any restriction at all. That would come about, however, as a result of pressure from the Executive, because there is no motive here to do it.

Mr. LUCAS rose.

Mr. FULBRIGHT. I shall be glad to yield to the Senator from Illinois.

Mr. LUCAS. I thought the Senator had finished his speech.

Mr. FULBRIGHT. I am ready to yield, if the Senator is desirous of recessing or adjourning at this time.

Mr. LUCAS. I desire to make a motion to recess until Monday when the Senator finishes his speech.

Mr. FULBRIGHT. Mr. President, I want to thank the Senate for its patience in listening to this very long discussion and for not having thrown me out entirely. Perhaps for the last time I have enjoyed the opportunity of freedom of debate on the floor of the Senate without having to sit down unceremoniously in the middle of a speech. So if the opportunity never occurs to me again, I will have enjoyed it once. I appreciate the attitude of the majority leader very much.

MAINTENANCE OF ADEQUATE ARMED FORCES—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

During the delivery of Mr. FULBRIGHT'S speech,

Mr. LUCAS. Mr. President, will the Senator yield for a unanimous-consent request?

The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from Illinois?

Mr. FULBRIGHT. I yield, with the understanding I do not thereby lose the floor.

Mr. LUCAS. Mr. President, I ask unanimous consent that, without the Senator from Arkansas losing the floor, the message from the President of the United States, now on the Vice President's desk, relating to national security, be laid before the Senate, and that its reading be deferred until some time later in the day.

The PRESIDING OFFICER. Is there objection to the request?

Mr. HILL. Mr. President, reserving the right to object, does the Senator from Illinois care to have the message read? Is it of such importance, coming from the Chief Executive, that it ought to be read at once?

Mr. LUCAS. No. I may say to the Senator, the only reason I make the request is for the convenience of the press. It is unnecessary that the message be immediately read.

Mr. HILL. In other words, before it can be released to the press, the message must be formally laid before the Senate, is that correct?

Mr. LUCAS. The Senator is correct.

The PRESIDING OFFICER. Is there objection to the request for unanimous consent?

There being no objection, the Chair laid before the Senate a message from the President of the United States, with the understanding that the reading thereof should be deferred until later in the day.

After the conclusion of Mr. FULBRIGHT'S speech,

Mr. LUCAS. Mr. President, I ask unanimous consent that the message from the President of the United States, which has previously been laid before the Senate, be printed in the RECORD at this point without reading.

There being no objection, the message was ordered to be printed in the RECORD, as follows:

To the Congress of the United States:

The maintenance of adequate armed forces has been one of the principal functions of the Federal Government since the establishment of this Nation. Today we maintain our armed forces in support of our primary desire for world peace. They are evidence of our determination to devote our utmost efforts toward achieving that all-important goal.

Throughout our history, the steady advance of science and technology has resulted in constant changes in the means of warfare and the character of our armed forces. In the few years since the cessation of hostilities in World War II, tremendous developments in technology have been made. The speed of aircraft has doubled, the means of undersea warfare have been revolutionized, the range and accuracy of guided missiles have increased, the potentialities of the atom have been more fully revealed.

The development of man's ability to shrink space and time and to control natural forces makes imperative a corresponding development of the means for directing and controlling these new powers. The effective and workable organization of our Government, and epecially of our armed forces, is essential in the modern world.

The recent reports of the Commission on Organization of the Executive Branch of the Government have focused attention on the importance of the sound organization of the Federal Government. The Commission has stated that the first essential to the achievement of better government is a general clarification of the lines of authority and responsibility within the executive branch. In its report entitled "National Security Organization," the Commission has specifically applied this principle to the organization of our armed forces. The report states that we now lack adequate civilian authority and control over the military forces, that maximum efficiency and economy are not being realized in defense expenditures, and that interservice relationships must be improved to achieve the most effective defense. The recommendations of the Commission which would strengthen the National Military Establishment and the position of the Secretary of Defense have great merit and present an objective toward which I believe we must continue to move.

I have long been aware of the necessity for keeping our national security organization abreast of our security requirements. To this end, I recommended unification of the armed forces to the Congress in December 1945. My desire was to improve our defense organization while the lessons of World War II were still fresh in the minds of all. We must not forget these lessons in evaluating our security position today.

A great deal was learned from those 4 years of war. We learned, among other things, that the organization of our War and Navy Departments, prescribed by detailed statutes, was far too rigid and inflexible for the actual conduct of war. We learned that modern war required the combined use of air, naval, and land forces welded together under unified commands overseas, and under the strategic direction of the Joint Chiefs of Staff.

Other lessons were also learned. We learned that widely diverse supply policies of the separate services were costly and hampered the total effectiveness of military operations. We learned that there were great differences in training and combat doctrine among the services, and that these differences often provoked sharp conflicts in our theaters of operation.

My message to the Congress of December 1945 had a double purpose. It was intended to take advantage of our wartime experience and to prevent a return to the outmoded forms of organization which existed at the outbreak of the war.

Following that message, the subject of the proper organization of our armed forces was debated throughout the Nation. After the most careful consideration, the National Security Act was enacted by the Congress in July 1947.

This act has provided a practical and workable basis for beginning the unification of the military services and for coordinating military policy with foreign and economic policy. A few examples of the progress achieved in the period since the act became effective are evidence of its value.

The efficiency of military purchasing has steadily increased until today more than 75 percent of the matériel of the armed services is procured under coordinated purchasing arrangements.

A number of joint training and education programs have been instituted so that the personnel of each service may gain a greater understanding of the weapons and doctrine of the other services.

A uniform code of military justice has been developed, designed to be applicable to the personnel of all the armed forces. This code is now before the Congress for its consideration.

The coordination of military policy with foreign and economic policies has been greatly improved, principally through the efforts of the National Security Council and the National Security Resources Board.

The past 18 months have dispelled any doubt that unification of the armed forces can yield great advantages to the Nation. No one advocates a return to the outmoded organization of the days preceding the National Security Act. On the contrary, the issue today is not whether we should have unification, but how we can make it more effective.

We have now had sufficient experience under the act to be able to identify and correct its weaknesses, without impairing the advantages we have obtained from its strength. We have also had the advantage of a thorough-going appraisal by the Commission on the Organization of the Executive Branch of the Government. On the basis of our experience to date, as further borne out by the Commission, we should now proceed to make the needed improvements in the act.

The duties and responsibilities of the Secretary of Defense as now set forth in the act are of too limited a character, and are restricted to specified items. For example, the act expressly provides that all duties not specifically conferred upon the Secretary of Defense are to remain vested in the Secretaries of the Army, the Navy, and the Air Force. While the Secretary of Defense, as the head of the National Military Establishment, ought to be ultimately accountable, under the President, for its administration, he is specifically limited by this act in the degree to which he may hold the military departments responsible to him. The departmental Secretaries are specifically authorized to deal directly with higher authority. Furthermore, many of the key responsibilities of the Secretary of Defense have been assigned by this statute, not to the Secretary, but to boards and agencies which derive much of their authority from the military departments themselves.

In short, the act fails to provide for a fully responsible official with authority adequate to meet his responsibility, whom the President and the Congress can hold accountable. The act fails to provide the basis for an organization and a staff adequate to achieve the most efficient and economical defense program and to attain effective and informed civilian control.

I, therefore, recommend that the National Security Act be amended to accomplish two basic purposes: First, to convert the National Military Establishment into an executive department of the Government, to be known as the Department of Defense; and, second, to provide the Secretary of Defense with appropriate responsibility and authority, and with civilian and military assistance adequate to fulfill his enlarged responsibility.

Within the new Department of Defense, I recommend that the Departments of the Army, the Navy, and the Air Force be designated as military departments. The responsibility of the Secretary of Defense for exercising direction, authority, and control over the affairs of the Department of Defense should be made clear. Furthermore, the present limitations and restrictions which are inappropriate to his status as head of an executive department should be removed. The Secretary of Defense should be the sole representative of the Department of Defense on the National Security Council.

I am not recommending the blanket transfer of all statutory authority applicable to the Departments of the Army, the Navy, and the Air Force to the Secretary of Defense. Neither am I recommending any change in the statutory assignment of combatant functions to the Army, Navy, and Air Force. I recommend, however, that the Secretaries of the Army, the Navy, and the Air Force administer the respective military departments under the authority, direction, and control of the Secretary of Defense.

To meet these additional responsibilities, the Secretary of Defense needs strengthened civilian and military assistance. This can be provided by the creation of new posts and by the conversion of existing agencies of the National Military Establishment into staff units for the Secretary. I recommend that Congress provide an Under Secretary of Defense and three Assistant Secretaries of Defense.

The duties now placed by statute in the Munitions Board and the Research and Development Board should be recognized as responsibilities of the Secretary of Defense. The act should be amended to make possible the flexible use of both of these agencies, and of the Joint Chiefs of Staff, as staff units for the Secretary of Defense. Finally, I recommend that the Congress provide for a chairman of the Joint Chiefs of Staff, to be nominated by the President and confirmed by the Senate, to take precedence over all other military personnel, and to be the principal military adviser to the President and the Secretary of Defense, and to perform such other duties as they may prescribe.

In my judgment these changes will make possible effective organization and management of the Department of Defense. They will provide a responsible official at its head, with strengthened civilian and military assistance, to undertake the immense job of aiding the President and the Congress in determining defense needs and in supervising the administration of our defense activities. These measures are essential to continued and accelerated progress toward unification. I am convinced that only through making steady progress toward this goal can we be assured of serving our major objective, the most effective organization of our armed forces, a full return on our defense dollar, and strengthened civilian control.

I urge the Congress to give prompt consideration to these recommendations. From the standpoint of present and potential cost to the Nation, there is no more important area in which to work for improved organization and operations. Action on these recommendations will prove beneficial to the Congress, the American people, and the President by providing better means of assuring defense needs and administering the defense program. We should seize this opportunity to strengthen our defense organization which is so vital to the security of this Nation and the peace of the world.

HARRY S. TRUMAN.

THE WHITE HOUSE, *March 5, 1949.*

EXECUTIVE SESSION

Mr. LUCAS. I now move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to consider executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. KERR in the chair) laid before the Senate messages from the President of the United States submitting several nominations, which were referred to the Committee on the Judiciary.

(For nominations this day received, see the end of Senate proceedings.)

The PRESIDING OFFICER. Reports of committees are in order. If there be no reports——

PROGRAM FOR SENATE SESSIONS

Mr. LUCAS. Mr. President, on the subject of reports of committees, I desire to make an announcement for the benefit of the Senate. The Senate will meet again, in recess, on Monday next. At that time the debate will continue on the motion to take up Senate Resolution 15.

I want to give a little hint as to what may come along next week. It seems to me that we have reached the point where we must hold longer sessions. I am fairly certain that some time in the early part of the week we will have to sit a little later than 6 o'clock in order to keep my good friends on the other side of the aisle from telling the country that this is a phony filibuster. I am sorry that the distinguished minority leader had to advise the press to that effect. I think I have been fairly diligent, as the majority leader, in the conduct of the affairs of the Senate since we have been moving along with the subject which is now before the Senate. I think my friend, the Senator from California [Mr. KNOWLAND], who is also interested in the subject before us, will agree with that statement. I have conferred with him a number of times about this question. We are trying to move along in an orderly way, and at the same time we do not propose to be too technical and too stringent about this matter. But I do believe that we may have to have little longer sessions as we move into the business before us if we expect to accomplish anything.

Mr. KNOWLAND. Mr. President, will the Senator yield for a question?

Mr. LUCAS. I yield for a question.

Mr. KNOWLAND. I should like to ask the majority leader a question. Certainly no one on this side of the aisle wants to deprive those who feel differently on the subject from having ample opportunity to discuss the matter, but would it not be well, beginning next week, to have the sessions run later into the evening, so that more Senators who are opposed to the motion may have an opportunity to present their case prior to the time any cloture petition might be filed?

Mr. LUCAS. I will say to the able Senator from California that my previous statement more or less stands in respect to what I think should be done. I believe that the sessions should last a little longer.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. LUCAS. I yield to my good friend from Georgia.

Mr. RUSSELL. Mr. President, I wish to express to the Senator from California my appreciation for his solicitude in seeing that those of us who wish to be heard on this subject have an opportunity to do so. If the majority leader will permit, I wish to state that, without regard to the validity of the word "phony" which is being passed back and forth from this side of the aisle to the other, I think the debate has not reached any stage of filibuster, and will not until every Senator has had an opportunity to be heard on this question.

I hope Senators on both sides will give every Senator who desires to do so a chance to be heard, because it appears that, if some Senators are able to work their will, this might be the last occasion when these historic walls shall have seen free, untrammeled, unrestricted debate after the Senate of the United States has been in existence for 160 years.

Mr. KNOWLAND. Mr. President, will the Senator yield for one more question?

Mr. LUCAS. I yield.

Mr. KNOWLAND. I should like to ask the Senator from Illinois if it is not a fact that, even though cloture against his motion to take up might be found to apply, either by decision of the Chair or action by the Senate, that that in itself would not cut off discussion, but it would merely move us into the parliamentary situation whereby the merits of Senate Resolution 15 could be discussed on the resolution itself?

Mr. LUCAS. The Senator is correct.

Mr. RUSSELL. Mr. President, does the Senator from California mean to infer that those of us who are opposing the resolution have not discussed the merits of the question?

Mr. KNOWLAND. Will the Senator from Illinois yield to me to answer that question?

Mr. LUCAS. I yield.

Mr. KNOWLAND. I have not charged that the able Senators, for whom I have a very high regard, have not consistently stayed right on the subject. They have not discussed any extraneous matters during the period of time I have been in the Chamber, I should like to say, and I think the Senator will agree, that I have been in the Chamber practically all the time the discussion has been proceeding.

Mr. RUSSELL. I will bear testimony to that. I think the Senator from California is the only Senator present who has been on the floor as much as has the Senator from Georgia, who has been present constantly.

Mr. KNOWLAND. I merely wish to say to the able Senator from Georgia that a filibuster does not necessarily mean that extraneous matters are being discussed. I think that a filibuster could also be defined as an announced effort of preventing the Senate of the United States from getting itself into a parliamentary position where it could even vote on the resolution itself, and I am merely pointing out that the able Senator would not be deprived of any of his freedom of debate if he and his associates would permit the Senate of the United States to function as a legislative body and amend its own rules.

Mr. RUSSELL. Some of us are still old-fashioned, and we speak a little more easily and with less restraint when we are speaking outside the shadow of cloture or gag rule that is always hanging over us after a measure has been laid down, thereby bringing it within the provisions of rule XXII, by making it the pending business.

The PRESIDING OFFICER. The clerk will state the nominations on the calendar.

DEPARTMENT OF LABOR

The Chief Clerk read the nomination of Michael J. Galvin, of Massachusetts, to be Under Secretary of Labor.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

COMMISSIONER OF EDUCATION

The Chief Clerk read the nomination of Earl James McGrath, of Iowa, to be Commissioner of Education.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

PUBLIC HEALTH SERVICE

The Chief Clerk proceeded to read sundry nominations in the Public Health Service.

The PRESIDING OFFICER. Without objection, the nominations in the Public Health Service will be confirmed en bloc; and, without objection, the President will be notified of all nominations this day confirmed.

RECESS

Mr. LUCAS. I move that the Senate stand in recess until Monday next at 12 o'clock noon.

The motion was agreed to; and (at 4 o'clock and 20 minutes p. m.) the Senate took a recess until Monday, March 7, 1949, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate March 5 (legislative day of February 21), 1949:

UNITED STATES ATTORNEYS

William R. Hart, of Iowa, to be United States attorney for the southern district of Iowa, vice Maurice F. Donegan, term expired.

John C. Pickett, of Wyoming, to be United States attorney for the district of Wyoming, vice Carl L. Sackett, retired.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 5 (legislative day of February 21), 1949:

DEPARTMENT OF LABOR

Michael J. Galvin to be Under Secretary of Labor.

COMMISSIONER OF EDUCATION

Earl James McGrath to be Commissioner of Education.

PUBLIC HEALTH SERVICE

APPOINTMENTS IN THE REGULAR CORPS OF THE PUBLIC HEALTH SERVICE

Charles U. Culmer to be surgeon (equivalent to the Army rank of major), effective date of acceptance.

Lewis H. Hoyle to be surgeon (equivalent to the Army rank of major), effective date of acceptance.

Willie G. Simpson to be senior assistant surgeon (equivalent to the Army rank of captain), effective date of acceptance.

Howard M. Kline to be scientist (equivalent to the Army rank of major), effective date of acceptance.

Lawrence Kilham to be surgeon (equivalent to the Army rank of major), effective date of acceptance.

Gerald R. Clark to be senior assistant surgeon (equivalent to the Army rank of captain), effective date of acceptance.

John D. Faulkner to be sanitary engineer (equivalent to the Army rank of major), effective date of acceptance.

SENATE

MONDAY, MARCH 7, 1949

(Legislative day of Monday, February 21, 1949)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

Rev. R. Orman Roberts, D. D., minister, Temple Methodist Church, San Francisco, Calif., offered the following prayer:

Remembering, O God, that gratitude is the parent of all virtues, we pause today on the threshold of this new week to give thanks to Thee for life itself and for every blessing that, out of Thy great heart of love, Thou hast bestowed upon us; praying especially that such intangibles as quietness of spirit, singleness of purpose, exaltation of righteousness, devotion to justice, rejoicing in hope, and the pursuance of peace shall be ours, now and in the life to come. In the name and spirit of our blessed Master, we pray. Amen.

DEATH OF SENATOR BROUGHTON, OF NORTH CAROLINA

Mr. HOEY. Mr. President, it becomes my sad and painful duty to announce to the Senate the death of my distinguished colleague from North Carolina, Hon. JOSEPH MELVILLE BROUGHTON, which occurred Sunday morning, March 6, at 8:45 o'clock, as the result of a heart attack.

This is the second time within my brief service in the Senate that I have had to announce the death of my colleague from North Carolina. The first instance was the death of Senator Josiah William Bailey, which occurred on December 15,

1946, and today the announcement of the death of Senator BROUGHTON, after he had served in the Senate the brief period from December 31, 1948, until his death yesterday, being only 2 months and 6 days.

Short as was the tenure of service of Senator BROUGHTON, it was long enough for the Senate to make some appraisal of the man, and to realize that if he had lived he would have achieved great distinction in this body, even as he served with high devotion and pure patriotism the people of his Commonwealth and of the Nation. Already he was taking high rank in the Senate because of his gentlemanly bearing, his attention to his duties on the committees where he served, and in the Senate, which he attended with regularity, as well as in the social contacts with the membership of this body, each of whom he esteemed most highly.

When Senator BROUGHTON came to the Senate as the elected representative from North Carolina, he was no stranger to this membership, having served as Governor of North Carolina at the same time that 16 other Members of this body had served as governors of their respective States. All of them entertained high admiration for him and were acquainted with his character, ability, and high public service.

JOSEPH MELVILLE BROUGHTON was born in Raleigh, N. C., on November 17, 1888, and therefore was just a little over 60 years of age. He was educated in the common schools of North Carolina, graduated from Wake Forest College, where he studied law, and later studied law at Harvard University, and was admitted to practice by the Supreme Court of North Carolina in 1914. He immediately entered upon the practice of law, achieved great distinction in his chosen profession, and soon obtained a lucrative practice.

Senator BROUGHTON was interested in public affairs throughout his entire career. He was elected to the State senate from Wake County in 1926, and was elected Governor of North Carolina in 1940, and served from January 1941 to January 1945. He made a notable record, sustaining the best traditions of service established through the long line of distinguished men who filled that high position in North Carolina.

Senator BROUGHTON was unanimously endorsed by the Democratic State Convention in North Carolina for nominee for Vice President in 1944, and his name was presented at the Democratic National Convention in Chicago, where he received the solid support of his own State, and votes from many other States.

In 1948, in a hotly contested primary in North Carolina, he was chosen as the Democratic nominee for the United States Senate, and was elected in the general election in November 1948, by a majority of over 300,000, following which he began his service in the Senate on December 31, 1948.

Senator BROUGHTON is survived by his gracious and charming wife, three sons, and one daughter, who have the deep and abiding sympathy of his host of friends in this hour of travail and sorrow.

Senator BROUGHTON was a comparatively young man, and yet he had lived long enough before the "silver cord was loosed or the golden bowl was broken" to have established a reputation for ability, character, and integrity, together with patriotic devotion to duty, which characterized his whole private life and public career. He had won the confidence, esteem, and affection of the people of North Carolina to a remarkable degree, and his passing will be mourned by all the people of the State, as well as his many acquaintances and friends throughout the Nation.

On another occasion, and at a more appropriate time, I shall take advantage of the opportunity to pay tribute to his memory and to set forth somewhat in detail the elements of his greatness and the extent of his service.

I would not close this brief tribute without recalling that he was a man of great faith and of high Christian virtues. All his life he had been intensely active in church affairs, and was a leading layman in the great Baptist denomination of North Carolina, and also one of the most outstanding Sunday school teachers in the Nation. In Raleigh, his home city, he taught a large men's Bible class for many years, including the period while he served as Governor, and when he came to Washington in January, he began the teaching of another men's Bible class at the First Baptist Church in Washington, and was continuing this almost lifelong service to his fellow man. The last thing he did Saturday night before retiring was to prepare his Sunday school lesson for his Sunday school class at 10 o'clock the following morning, but death intervened and the lesson prepared remains undelivered, except as he speaks to the members of his class and his friends and the Nation through his exalted example of high purposes and holy living.

Today in the United States Senate, of which he had been an honored Member for only a brief time, he had expected to deliver his maiden speech in discussion of the proposition now pending before the Senate, upon which he had very deep convictions, and he would have spoken with great effectiveness out of the wealth of his experience and the wisdom of his counsel.

Mr. President, we can ill afford to lose a man of the type and character of Senator BROUGHTON from public service. These days call for high thinking, noble action, and unselfish dedication to the ideals of the Republic, and a spiritual faith which shall always be a source of strength and power in every crisis. It is well to remember that there has never been a night dark enough to put out the stars, and amid all the confusion, strife and chaos extant in the earth, and likewise amid the sadnesses of sickness and death, this is still "My Father's world," but there is appointed a time for man to die. There is something majestic about death. Its very universality makes it a dreaded visitor in the homes of kings and subjects, presidents and citizens, rich and poor, white and colored, around the whole world. It levels all rank and makes a common denominator of all men. Sickness and death are not the tragedies of life; they are only the sadnesses. The age-old question propounded in the Book of Job, "If a man die, shall he live again?", is affirmatively answered by the faith of men in immortality, and all nature shares that faith as it expresses the beautiful resurrection each springtime from the death of winter.

Tomorrow, in his home city of Raleigh, N. C., we shall commit the body of Senator BROUGHTON to the earth in his loved Carolina, even as his spirit has already ascended the heights of immortality. May God rest his memory, and bestow His kindest benedictions upon his beloved family.

Mr. President, I offer the resolution, which I send to the desk, and which I ask to have read.

The VICE PRESIDENT. The resolution will be read.

The resolution (S. Res. 80) was read, as follows:

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of Hon. J. MELVILLE BROUGHTON, late a Senator from the State of North Carolina.

Resolved, That a committee of 16 Senators be appointed by the Vice President to take order for superintending the funeral of the deceased.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Mr. WHERRY. Mr. President, I know that I speak the sentiments of each and every Member on this side of the aisle, and I am sure of the entire membership of the United States Senate, when I say that we are assembled today in sorrow because of the passing of one of our colleagues. In these circumstances certainly we know no party lines.

News of the passing of the junior Senator from North Carolina, Mr. BROUGHTON, is a painful shock to all of us.

It was not my privilege to have a long association with him, but during the little more than 2 months he was a Member of this body I got to know him quite well and I came quickly to respect his sincerity and his high purpose. He was almost immediately accorded the respect and the admiration of his colleagues in the Senate, because of his kind understanding and tolerant manner. I am sure that we all looked forward to much aid from him in solving the many great problems that come to the Senate for determination.

As has been so ably stated already by his colleague, the senior Senator from North Carolina [Mr. HOEY], the junior Senator from North Carolina had an illustrious career of service to his State and to his Nation—as educator, State legislator, governor, and finally as a United States Senator.

Mr. President, I personally join in the expressions of profound regret over his passing, which are shared by Senators on this side of the aisle, and indeed by the entire Senate. We extend to his immediate family our sincere sympathy and condolences.

North Carolina has lost one of its leaders, and we of the Senate have lost an able colleague, who advocated honorably and courageously the course of government for which he stood.

Mr. LUCAS. Mr. President, every Member of the Senate has been shocked and saddened by the sudden and untimely death of the junior Senator from North Carolina, J. MELVILLE BROUGHTON. His death comes as a severe blow to all of us who knew him, and it comes as a particularly severe blow to the Senator from Illinois, because, Mr. President, I had the opportunity of knowing this distinguished man since 1940, when I first met him at the Democratic National Convention in Chicago and had the pleasure of appearing with him on the Chicago University round table program for a discussion of important issues of the day.

In the short time he spent in these halls, he impressed every Senator with the force of his personality, the keenness of his mind, and his genuine friendliness toward his fellow men. He was at the threshold of a most illustrious career in the Senate. If he had been spared, he would have taken rank among the distinguished leaders of this body.

I can personally testify as to his indefatigable work as a member of the committees to which he was assigned, because of my personal contact with him in respect to several bills which he was handling as chairman of a subcommittee.

He had already achieved a brilliant career as a lawyer and as a statesman in North Carolina. He won recognition in political circles when he served as a member of the State senate there from 1927 to 1929. In 1936 he was the temporary chairman and keynoter of the Democratic State convention. He was elevated to the governorship in 1941 and served through 1945.

He was a champion of southern economic improvement and served at one time as chairman of the National Planning Association's committee of the South. He took an active part in the work of this committee, and he had great dreams for the future development of his native region.

In 1944, while he was still serving as Governor of North Carolina, his fellow Democrats supported him for the Vice-Presidential nomination on the Democratic ticket. He was a vigorous campaigner in the national elections in 1944 and 1948, and was a warm friend of the late President Roosevelt and of President Truman.

He regarded a place in the United States Senate as one of the highest attainments in American life, and he took his seat in this Chamber last December 31 with a serious determination to serve the American people with all his energies and abilities.

His determination to fulfill his duties wholeheartedly may have been one of the contributing causes of his death. Although he had been in poor health for some weeks, he continued to appear for the sessions of the Senate and he presided over our deliberations as recently as last Friday.

We feel deep regret and sorrow that he was taken from us after so brief a period in the Senate. But we also feel deep pride in having known such a fine man as a colleague and a friend, even for a little time.

I know I speak for all Senators who will not have an opportunity today to express their sentiments when I say that we send to his loving wife and family our deepest sympathy in their hour of trouble and bereavement.

Mr. SALTONSTALL. Mr. President, as one who served with Senator BROUGHTON for 4 years as a fellow governor, and for several years as a member of the executive committee of the governors' conference, I rise to pay my brief tribute to him today.

During that period of time we became close friends. I respected his judgment, I respected his word, I respected his method and common-sense manner of arriving at his conclusions. As a result of that friendship and mutual understanding I believe we were able to settle several problems which concerned out respective States more easily, more amicably, and with better results for both States in the long run.

He was the first southerner to speak at Gettysburg on Memorial Day from the spot where Lincoln delivered his famous address. He was there, as were we all, as the guests of the then Governor of Pennsylvania, now a Senator from that State [Mr. MARTIN]. At that time Governor BROUGHTON made a very moving address. I remember it, and I am proud of having been present on that historic occasion, where, as a northerner, I was also invited to speak.

Senator BROUGHTON was a man of great sense of humor. He was an inimitable story teller, and a fine comrade. Whenever he saw me he always said that he started his political career in Massachusetts. He came to Massachusetts to attend the Harvard Law School in 1912. It was the year of the campaign in which President Wilson was a candidate. MEL BROUGHTON at that time made a few speeches in Massachusetts. He attended the victory parade, and in his elation that night he sent a telegram to his father saying, "We carried Massachusetts for President Wilson." He always referred to that incident whenever he met me.

Mr. President, this body has lost a man with whom all Senators would ultimately have become friends. His State has lost a man whose judgment and whose common sense in the affairs of public life it always valued. The fact that he had been Governor of his State, and subsequently, until his death, Senator, is evidence of the confidence in which his people held him. The country will miss his unfailing judgment on many of the most difficult questions which will come before the Senate for decision.

Mr. President, I extend my sympathy to his widow and to his fine boys and to his daughter. All of us are shocked at his sudden, sad, and unexpected death.

Mr. MARTIN. Mr. President, I rise to pay my brief tribute to the memory of Senator BROUGHTON. We were all terribly shocked when the announcement of his death was made.

I wish to refer briefly to the incident which has already been brought to our attention by the distinguished Senator from Massachusetts [Mr. SALTONSTALL]. The governors' conference was held in Pennsylvania in 1944. On Memorial Day, which is May 30 in the Northern States, it was felt appropriate that suitable exercises be held at Gettysburg. After going over the list of southern governors it was felt that the address on behalf of the South should be made by the then Governor BROUGHTON, and the address on behalf of the North by the then Governor SALTONSTALL, who was the chairman of the governors' conference.

That program was carried out, and there was a Nation-wide hook-up of radio facilities. Moreover, the exercises were transcribed for the use of our armies beyond the seas. I had the honor of presiding at those exercises. The two speeches were of outstanding value so far as American patriotism is concerned, and served as a morale builder for our troops all over the world. Those speeches have been preserved in the archives of Pennsylvania, and in the archives of the Gettysburg Battlefield Commission.

Senator BROUGHTON was an ideal American. He was a man of great courage. He was a man of real eloquence, because he believed in the things which he advocated. We have had the privilege of hearing him often in the Commonwealth of Pennsylvania, and our State is better by reason of his fine speeches. I believe that the Senate of the United States and the people of America have lost a great advocate, who believed in the highest ideals of America. Personally I have lost a fine friend.

I wish to extend to his family and to the people of North Carolina my sincerest sympathy.

Mr. O'CONOR. Mr. President, because of my acquaintance with the distinguished junior Senator from North Carolina over a period of years antedating his entry into this body, during which time I was a member of and served as chairman of the conference of governors, in which he participated most actively, I should like to pay a brief tribute to his memory.

In the untimely passing of the distinguished junior Senator from North Carolina, the Honorable J. MELVILLE BROUGHTON, the Senate of the United States and the people of our great country have lost a splendid public official, and we who have been privileged to know him over a period of years personally mourn the loss of a close friend, who has endeared himself by the excellence of his qualities and the breadth of his vision.

From the first day of contact with J. MELVILLE BROUGHTON, shortly after his accession to the governship of his great State in 1941, I was deeply impressed with his outstanding personal and official qualifications. His devotion to the public interest, his thorough knowledge of the law, combined with the eminent good sense of his interpretation of the statutes; his remarkable grasp of the problems of agriculture, of business, and of industry, in all of which he had wide experience; his high ideals both as to the purpose and aims of Government and, even more particularly as to his own life and conduct, set him apart, in my mind, as a gentleman whose friendship would be a true treasure and whose consultations and advice would ever furnish a sure guide.

In the various meetings and conferences among the governors of the country during the critical war years, I considered myself privileged to have available at all times his understanding knowledge of the problems with which we were mutually faced and the inspiration of his courageous efforts to devote to their solution all the capabilities which he possessed in such high measure.

No official of my acquaintance during the years I first met MELVILLE BROUGHTON has had a loftier concept of the opportunities afforded in Government to serve and advance the interests of all the people, not only of his own State but of the entire country. As has been indicated in the previous comments, he believed—and he acted in accordance with the conviction—that the American system of government was the ideal of all governments. The imperfections he accepted solely as challenges for the attainment of absolute perfection. He was just as firm in his convictions that his party represented the most advanced thought in the program for advancement of the people's interest and his support was never lacking in any program which would bring greater participation in government to the people or increased benefits in daily living.

The distinguished Senator from Massachusetts [Mr. SALTONSTALL] and the distinguished Senator from Pennsylvania [Mr. MARTIN] have made reference to the conference of governors. As an indication of the deep impression which Senator BROUGHTON made upon representatives from every section of the country, this instance may be cited: During a session of the governors' conference, attended by more than 40 of the chief executives of the States of the Union, an outstanding governor of one of the largest States, who happened to be of a different political affiliation from the Governor of North Carolina, asserted that if a poll were taken among the chief executives as to the one for whom the highest regard was entertained by all present, that choice would be the then Governor BROUGHTON.

Only last Thursday, when, with a group of Senators composing a subcommittee, we were at the White House with Senator BROUGHTON, the President of the United States, after the Senator's departure, gave expression to a tribute highly complimentary to the North Carolina Senator.

The entire period of his service in the different levels of government has been sufficient, I know, to impress deeply upon all his colleagues his thorough knowledge of governmental matters, his clear perception of fundamental principles, and his lofty idealism, all of which eminently marked him as a leader among men. Now that he is gone, I find that words are futile, indeed, to express the full meaning of his loss.

Mr. DONNELL. Mr. President, I rise to add a word of appreciation for a dear friend who has passed on.

It so happens that my father was a native of North Carolina, as was well known to our distinguished brother and colleague Senator BROUGHTON. The kindly references which he made to what he was pleased to consider a somewhat close kinship between himself and me, because of the fact that my father was a North Carolinian, in no small part contributed to the affection and regard which I had for our friend.

Mr. President, his qualities were known to all of us who had been associated with him, both in the Senate and as governors of States. His wholesomeness was manifest on all occasions. His kindly simplicity was equally obvious to all who knew him. Soundness of judgment characterized him, as it did others of our great men of present and past. Finally, he possessed a delicious sense of humor. These were all qualities which were designed to, and did, endear him to those who were associated with him.

Reference has been made by several Senators today to the historic incident at Gettysburg on the 30th of May 1944. It was my good fortune to be present on that occasion. I shall never forget the beauty of it. Great multitudes of children passed in single file and placed upon the graves of soldiers who had died scores of years ago flowers which were emblematic of the fact that today our Nation pays tribute and devotion to those of the North as well as those of the South.

I shall never forget the two notable addresses which were delivered upon that occasion, one by the Governor of a northern State, our distinguished colleague [Mr. SALTONSTALL], who spoke a few moments ago. He spoke on that occasion with characteristic frankness, plainness, and eloquence.

The other fine and beautiful address was delivered by our colleague from North Carolina who has gone on. Those addresses typify and symbolize to my mind the fact that today our Nation—North, South, East, and West—is united, regardless of the differences which may have separated us in years past.

So today, Mr. President, as in sorrow we express ourselves as to his departure, may we take some comfort in the fact that our great Nation, as he and the distinguished Senator from Massachusetts so clearly exemplified on that notable occasion, is today drawn together by bonds of friendship and affection—North, South, East, and West—which we all trust may never be severed.

I join with our colleagues today in expressions of sorrow at his departure, and in the further expression of our deepest sympathy for his sorrowing wife and other members of his family.

Mr. KEFAUVER. Mr. President, since we last met here, less than 60 hours ago, the only condition in which all men, everywhere, are truly equal has befallen one of our esteemed colleagues. An inevitable death has claimed the junior Senator from my neighboring State of North Carolina.

He was struck down as he prepared to use the time now allotted to me to further a cause in which he believed. As he walked and talked among us on this very floor Saturday afternoon, few of us discerned the fate that was in store for him. Now, we pause to pay our heartfelt homage to his memory, and to extend our condolences to his bereaved family and friends.

It was my pleasure to know Senator J. MELVILLE BROUGHTON when he served as chief executive of his beloved State of North Carolina. He served with distinction and credit to himself and to the people of his native Commonwealth. It was in his 4 years of service as Governor, that North Carolina awakened to the fact that local responsibility is essential to good government. As a tiller of the soil himself, he sought to show to all his people the advantages of crop diversification and other improvements in farming methods and marketing. He did much, also, to enhance the educational and health advantages of his people.

In addition to his official duties, he found time to be a servant of the public in other ways. He was an active, civic-minded citizen. Service as president of his State bar association and the Raleigh Chamber of Commerce, and long service as teacher of Sunday-school classes, mark his illustrious career. Senator BROUGHTON was a good party man. He was selected in 1936 as temporary chairman of the Democratic State convention, and delivered the keynote speech.

A little more than 60 days ago, Senator BROUGHTON and I took the oath of office in this body at the same time. In his short service here, he endeared himself to his colleagues and to all those with whom he came in contact. We extend our profound sympathy to his immediate family and friends. We join the people of North Carolina in grief at the loss of his services. But, to paraphrase Tennyson, now that God's fingers have touched him, he sleeps.

The VICE PRESIDENT. The question is on agreeing to the resolution offered by the Senator from North Carolina [Mr. HOEY].

The resolution was unanimously agreed to.

Under the second resolving clause the Vice President appointed the Senator from North Carolina [Mr. HOEY], the senior Senator from Maryland [Mr. TYDINGS], the Senator from Nevada [Mr. MCCARRAN], the Senator from Illinois [Mr. LUCAS], the senior Senator from South Carolina [Mr. MAYBANK], the Senator from Arkansas [Mr. MCCLELLAN], the junior Senator from South Carolina [Mr. JOHNSTON], the Senator from Massachusetts [Mr. SALTONSTALL], the senior Senator from Missouri [Mr. DONNELL], the Senator from Connecticut [Mr. BALDWIN], the Senator from Rhode Island [Mr. MCGRATH], the junior Senator from Maryland [Mr. O'CONOR], the Senator from Minnesota [Mr. THYE], the junior Senator from Missouri [Mr. KEM], the Senator from Mississippi [Mr. STENNIS], and the Senator from Oklahoma [Mr. KERR] the committee on the part of the Senate to attend the funeral of the deceased Senator.

Mr. HOEY. Mr. President, as a further mark of respect to the memory of the deceased Senator, I move that the Senate do now take a recess until tomorrow at 12 o'clock noon.

The motion was unanimously agreed to; and (at 12 o'clock and 31 minutes p. m.) the Senate took a recess until Tuesday, March 8, 1949, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

MONDAY, MARCH 7, 1949

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Holy Lord God of Hosts, the giver of all that makes life blessed, we thank Thee for the privilege of being man; made in Thy holy image; for freedom of the spirit, for the right of personal choice; for the joy of fellowship with Thee. Thou hast made us a little lower than the angels. Thou hast covered us with glory and honor. How excellent is Thy name.

In this day, we pray that we may not be conformed to this world but transformed by the renewing of our minds, that we may prove what is that good and acceptable and perfect will of God.

Keep in the folds of Thy loving care our President, our Speaker, and the entire Congress. In the name of our Lord and Saviour. Amen.

The Journal of the proceedings of Friday, March 4, 1949, was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Miller, one of his secretaries, who also informed the House that on the following dates the President approved and signed a joint resolution and bill of the House of the following titles:

On March 2, 1949:

H. J. Res. 84. Joint resolution to provide for the acquisition and operation of the Freedom Train by the Archivist of the United States, and for other purposes.

On March 4, 1949:

H. R. 54. An act to retrocede to the State of New Mexico exclusive jurisdiction held by the United States over lands within the boundaries of the Los Alamos project of the United States Atomic Energy Commission.

THE LATE HONORABLE WALTER GRESHAM ANDREWS

The SPEAKER. The Chair recognizes the gentleman from New York [Mr. WILLIAM L. PFEIFFER].

Mr. WILLIAM L. PFEIFFER. Mr. Speaker, last week it was my sad duty to report to the Members of this House the death of one of my distinguished predecessors, former Representative Stephen Wallace Dempsey, who so ably served the Fortieth New York Congressional District from the Sixty-fourth to the Seventy-first Congress.

Today it is with profound grief that I inform you of the untimely death of my immediate predecessor, Walter Gresham Andrews, who served the same district with distinction in this House from the Seventy-second to the Eightieth Congress, and who did not seek reelection last year because of ill health.

Walter Gresham Andrews was born July 16, 1889, at Evanston, Ill. He was a grandson of Walter Q. Gresham, Secretary of State in Grover Cleveland's Cabinet.

When he was a boy, his family moved to Buffalo, N. Y., where he attended public school. Later he attended Lawrenceville Academy, New Jersey, and was graduated from Princeton in 1913. While at college he was a great athlete and excelled at football, later serving as head coach of the Princeton team for 2 years.

Walter Gresham Andrews was a great soldier. In 1916 he enlisted as a private in the First New York Cavalry, and served on the Mexican border. During World War I he went to France with the One Hundred and Seventh Infantry, and attained the rank of major. Wounded in action on the Hindenburg line, he was awarded the Distinguished Service Cross.

Walter Gresham Andrews was a distinguished gentleman and statesman. He was the ranking Republican member of the House Military Affairs Committee from 1935, and served with great honor as chairman of the Armed Services Committee during the Eightieth Congress.

Walter Gresham Andrews was my friend. It was my privilege to serve on his staff in 1938 when he was chairman of the New York State Republican Congressional Campaign Committee, and he taught me much. I shall miss his friendship, his advice, and his counsel, and I join with all my colleagues in expressing deep sympathy and condolences to his sister, Mrs. William P. Urban, in her bereavement.

Mr. MARTIN of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. WILLIAM L. PFEIFFER. I yield to the gentleman from Massachusetts.

Mr. MARTIN of Massachusetts. Mr. Speaker, the death of Walter G. Andrews came as a great shock to his legion of friends, both in and out of Congress. As one who was privileged to enjoy his close friendship for many years, it was particularly sad news. As we travel through life we come to appreciate more fully that stout, lasting friendships count more than the material things of life. To lose a friend like "Ham" Andrews is indeed a great loss.

Andrews came into Congress 18 years ago, and his service to his district, his State, and his Nation was such that he was repeatedly elected without much effort. It could be truthfully said he could have been returned as long as he wished.

He was not a candidate for reelection because of waning health due to the strenuous work of reorganizing the national defense. This work will live long as one of his greatest contributions to his country. He was the first chairman of the unified Armed Services Committee, and his work of organizing the committee was a great tribute to his organizational ability.

As a veteran—a veteran who was injured in battle, privileged to wear the Distinguished Service Cross—he knew the national defense needs and he gave unsparingly of his time and health to build a defense that would keep secure the country he loved.

"Ham" Andrews was a grandson of Walter Gresham, a former Secretary of State. He graduated from Princeton. At college he excelled both as a football and baseball player. Later he served as coach. He always maintained his interest in these two great national sports.

For some months he knew he faced a losing fight, but he faced oncoming fate with the resolute courage that made him a fine athlete, a courageous Congressman, and an American patriot.

This world is the poorer through the death of "Ham" Andrews. Our deepest sympathy goes to his sister and her family.

Mr. VINSON. Mr. Speaker, will the gentleman yield?

Mr. WILLIAM L. PFEIFFER. I yield to the gentleman from Georgia.

Mr. VINSON. Mr. Speaker, I rise to pay tribute to a man I am proud to have known—a man beloved by us all, our former colleague, Walter G. Andrews, of New York, known affectionately to us as "Ham"—who suddenly and unexpectedly passed away last Saturday.

This is a profoundly sorrowful occasion for me. "Ham" Andrews was as fine a man as I have known in the House in the time I have been a Member of this body. He was honest and courageous in his views. He was as devoid of partisanship as a person can possibly be. He was true in friendship and extremely diligent in his attention to public affairs—so much so that I know that the fine service he rendered so overtaxed him that it must have had much to do with his untimely death.

His ambition was to serve well, to keep our Nation's interest always uppermost in the deliberations of the Congress. I never knew him to swerve from these goals throughout the many years he was with us here.

He was the first chairman of the House Committee on Armed Services. This was, to him, the highest honor the country could bestow. He devoted himself to that office with a selflessness and zeal and earnest conviction rarely seen in public life. All of us on that committee have remarked many times on how splendidly he served. I shall always be convinced that few men in America—if, indeed, there be anyone else who could have done so—who could have made that new committee function as excellently as it did during its first 2 years.

Such fairness in a man, such stanch loyalty to his friends, such disdain of narrow partisan considerations, such unswerving dedication to the Nation's interest—these all are characteristics of a great man. They are attributes of character to which we all aspire, to which we all pay homage.

"Ham" Andrews had them all—in abundance.

I have lost a respected and beloved associate, a cherished friend. In his passing, our Nation has lost a man who was as fine a public servant, as statesmanlike a Representative, as genuine a patriot, as it can produce.

It is an honor to have been among his friends.

I am moved beyond the power of words to express that he has gone.

Mr. WILLIAM L. PFEIFFER. I thank the gentleman.

I yield to the gentleman from Massachusetts [Mr. WIGGLESWORTH].

Mr. WIGGLESWORTH. Mr. Speaker, our departed colleague, "Ham" Andrews, as he was affectionately known to all who served with him here, was a very dear friend of mine for many years.

Our friendship extends back all the way to the days when we attended rival colleges, played on rival football teams, and subsequently coached those teams.

We both served as officers in World War I. We both served together here as Members of this House for 18 years.

We have been in each other's homes many times. The members of my family were devoted to him. We made various trips together over the years.

I have a sense of very deep personal loss in his death.

Under date of June 19, 1948, I expressed my great regret at his decision to retire from the Congress because of ill health, and paid my tribute to his character and to his capacity. That statement will be found in the pages of the CONGRESSIONAL RECORD. I shall attempt no detail at this time.

May I simply say, Mr. Speaker, that "Ham" Andrews was a man of the greatest courage. His courage was proven in an outstanding war record with the Twenty-seventh Division, during World War I, in which he was wounded, and in which he received the Distinguished Service Cross and an extraordinary commendation from his division commander, Maj. Gen. John F. O'Ryan. The latter stated that in the general's opinion, "No company officer in the division had a better record than yours for skill and determined leadership in battle." His courage was also demonstrated here both in committee and on the floor of this House, as those who served with him know, time and time again.

"Ham" Andrews was also a man of great ability, a fact proven by the outstanding contribution which he made to the Nation as ranking member of the Committee on Military Affairs during World War II and by the splendid work which he did in organizing the new Committee on Armed Services. That work has been commended by all concerned.

"Ham" Andrews was also a man of great human understanding and of great kindliness. He was always holding out a helping hand to those with whom he came in contact. He had a very wide circle of devoted friends, literally of all ages, and in every walk of life; true friends who are today the better for having known him; true friends who today mourn his untimely passing.

Mr. Speaker, I join in extending my heartfelt sympathy to his sister and to the other members of his family.

Mr. WILLIAM L. PFEIFFER. I thank the gentleman. I yield to the gentleman from New York [Mr. REED].

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include some extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. REED of New York. Mr. Speaker, it is with a sad heart that I announce the death of Hon. Walter G. Andrews, our beloved colleague of 18 years' service in the House of Representatives.

I know that in his death he will be mourned by the people in every city and hamlet of the Forty-second District of New York, which he served so faithfully and so well.

That our good friend approached death like a philosopher and a brave soldier, no person who knew him can doubt. "Ham" Andrews, as he was affectionately known and called by his colleagues, knew, when he left Congress, that his impaired health would permit him no longer to render a public service which his constituents would expect of him.

To the end of his last term in the Eightieth Congress he devoted his time, his strength, and his fine ability to the welfare of his constituents and in promoting legislation that would make for the security of his country, which he loved so devotedly and for which he had so valiantly fought and sacrificed.

I am only one of innumerable friends here and throughout the Nation who will this day deeply mourn the death of our friend and former colleague.

We all recognize that an outstanding athlete, a brave soldier, a constructive legislator, a statesman, and a great American has conscientiously accomplished his life's work and that he has performed it well. We all know that the Republic is infinitely stronger and better for his having lived and having served.

As a part of my remarks, I am inserting an article which appeared in the New York Herald Tribune on March 6, 1949:

W. G. ANDREWS, REPRESENTATIVE 18 YEARS, DIES—BUFFALO MAN HEADED HOUSE MILITARY COMMITTEE IN EIGHTIETH SESSION—WON DISTINGUISHED SERVICE CROSS

DAYTONA BEACH, FLA., March 5.—Walter G. Andrews, 59, chairman of the House Armed Services Committee in the Eightieth Congress, died after a heart attack here today at a hotel. A veteran of 18 years in the House, Mr. Andrews represented the Forty-second Congressional District of New York. He was a resident of Buffalo.

WAS WAR VETERAN

Walter G. Andrews, a Representative since 1930 and chairman of the House Armed Services Committee, announced in June 1948 that, on account of his health, he would not be a candidate for reelection. He was a veteran of World War I and held the Distinguished Service Cross.

He was born in Evanston, Ill., the son of William Henry and Kate Gresham Andrews. He was a grandson of Walter Q. Gresham, who was Secretary of State under President Grover Cleveland.

After his graduation from Princeton University in 1913 he was varsity football coach there for 2 years.

In 1916 he enlisted in the First Cavalry of the New York National Guard and went with that unit to the Mexican border. After the entry of the United States into World War I he was sent overseas and participated in several campaigns. He was wounded in the assault of the Hindenburg line. At the time of his discharge he had attained the rank of major in the One Hundred and Seventh Infantry, the former Seventh Regiment.

He was a director and a member of the executive committee of Pratt & Lamberg, Inc., and in 1930 was Federal census director for western New York. In that year he was elected to Congress for the first time.

In 1935 he became ranking Republican member of the House Military Affairs Committee. A gunnery expert in World War I, he took a practical view of military questions before the House. He was an advocate of universal military training and of the draft, but opposed combining the two in one bill.

In the rivalry between the Air Force and the Navy air arm in the newly constituted military forces, Mr. Andrews sided with the Air Force. All land-based aircraft, he held, should be controlled by the Air Force. He was active in promoting the restoration of old Fort Niagara and the improvement of the present Fort Niagara.

He was a member of the American Legion, the Saturn Club of Buffalo, the Metropolitan Club of Washington, D. C., and the Tiger Inn of Princeton University. He was not married.

Mr. WILLIAM L. PFEIFFER. I thank the gentleman.

Mr. Speaker, I yield to the gentleman from Missouri [Mr. SHORT].

Mr. SHORT. Mr. Speaker, it was with profound sorrow but no surprise that I learned yesterday of the passing of our late and lamented friend, Walter Gresham Andrews. For the past 18 months I have watched him fail in health, due to overwork and anxiety about the country which he loved and for which he died.

"Ham," as all of us affectionately called him and as he liked to be called, was a most remarkable individual. Many people did not fully understand and appreciate him. He could be abrupt, irascible, and impatient with those who could not as clearly and quickly grasp a point as he could himself. Often we differed on matters of legislation; in fact, at times we violently clashed in committee, out of committee, in his home, and in my home, but he was the type of man with whom you could differ and still love.

He was a man of superb courage, resolute will, and indomitable spirit, untiring in his efforts to serve his country whether in war or in peace. I seriously doubt if any man in this Congress could have performed the marvelous job he did following the reorganization, when we merged the old Committees on Military and Naval Affairs. Due to his indefatigable industry and earnest effort, he succeeded, I think, in molding the Committee on Armed Services into a rock of impregnable unity and of common understanding. He will always be remembered as its first chairman. And seldom will there be an abler one.

Whether it was on the football field, whether in the front-line trench, whether in the long, arduous hours of slavish work behind a desk, "Ham" Andrews, the grandson of the Secretary of State under Grover Cleveland, measured up in every way to the best traditions of his forefathers.

Many of us have been the recipients of his generous and gracious hospitality. Never was there a better host. His heart was rugged, but it was so big that it finally burst. He enjoyed helping others. For 14 years I have been privileged to sit by his side in our committee. We have felt the thrill of victory and the sting of defeat. Out of our mutual experiences was born a priceless friendship. My heart now aches and I shall miss him sorely.

"Ham" Andrews has left a rich legacy to each and every Member of this House. We admired him because of his sterling patriotism. His soul burned with love of country. He has left us the blessed memory of a comrade who could play

just as hard as he could work and whose rich fellowship in and out of Congress we shall cherish until the final day. God rest his soul, bless his loved ones, and help us to love our country with the same unalloyed passion that he did.

Mr. WILLIAM L. PFEIFFER. Mr. Speaker, I yield to the gentleman from Louisiana [Mr. BROOKS].

Mr. BROOKS. Mr. Speaker, I served on the old Military Affairs Committee with our late lamented friend, Walter Gresham Andrews, for many years. I knew him intimately. He was a real American; and his deportment and actions in Congress and elsewhere showed more conclusively than words that he placed the welfare of his Nation above all other considerations.

"Ham," as he was affectionately known by all of us, was, in fact, a man of action. He was a distinguished wearer of the Distinguished Service Cross. Endowed by nature with the rare ability to organize, he set to work to weld together into one great unified legislative force, the individual members of the two historic committees—the Military Affairs and the Naval Affairs Committees. In the handling of this work, Chairman Andrews performed such an outstanding job that his handiwork remains today in this Eighty-first Congress.

"Ham" did not seek reelection. He knew he was a very sick man. He knew he could not live long. We gave him a farewell party just before adjournment of the Eightieth Congress, and no one knew better than "Ham" the meaning of the word "farewell" as we left him there at the doorway of this party.

He has gone, but, in the great hereafter, where there is reward for honest, sincere, rugged effort; where there is appreciation for loyalty and patriotism of the highest order, there today is "Ham" Andrews, clad in the raiments of royal purple, welcomed and appreciated for the rugged, courageous public official that he was, affectionately accepted and received into the hereafter.

New York may well be proud of this native son, and this Congress of a brilliant and most conscientious Member.

Mr. WILLIAM L. PFEIFFER. I yield to the gentlewoman from New York [Mrs. ST. GEORGE].

Mrs. ST. GEORGE. Mr. Speaker, I want also to pay my tribute to the memory of Walter G. Andrews. I served only one term with him—my first and his last—but he had that gift of friendship so that even when one knew him a short time one felt as though one had an old and trusted friend.

I had the opportunity of seeing his work as chairman of the Armed Services Committee, that new committee which came out of the Reorganization Act. I admired his patriotism, and above all, I admired his conviction. He believed in the rearmament of this country. He believed in the strengthening of our defenses. I think it can be truly said that to that end he not only worked but gave his life.

Mr. WILLIAM L. PFEIFFER. I thank the gentlewoman; and I yield to the gentleman from North Carolina [Mr. DURHAM].

Mr. DURHAM. Mr. Speaker, there comes a time that we like to think about individuals deeply and sincerely; this is a trait that we should not be ashamed of here in this body. I had the privilege of serving with "Ham" Andrews during the most trying time that this country has ever passed through. Ham was always loyal to the principles of national defense. He not only used his influence but he worked hard at it.

When history is written, in my opinion it will be recorded that "Ham" Andrews exercised as much influence on not letting our armed forces fall to pieces after World War II as any individual on the committee. It so happened that he stepped into the chairmanship at an opportune time.

I am glad to have had the privilege of serving with this man of high character, and I wish to express to his family my deepest sympathy.

Mr. WILLIAM L. PFEIFFER. I thank the gentleman; and I yield now to the gentleman from Pennsylvania [Mr. GAVIN].

Mr. GAVIN. Mr. Speaker, it is with deep regret and sorrow we record the passing of our very dear and able friend, and former colleague, Walter Andrews.

Serving with him as a member of the Armed Services Committee, I can speak of the kind and sympathetic manner in which he considered all the problems that were presented to him as the chairman of this committee.

His previous military experience amply qualified him for this very important assignment and the efficient and constructive manner with which he organized the committee in the Eightieth Congress and carried on its work won for him the respect and admiration of all the Members on both sides of the aisle.

He was a fine, devoted and patriotic American whose one ambition in life was to preserve the principles and ideals of liberty and free government and to hand on to posterity those same great privileges and opportunities that were handed on to him.

He served his State and Nation and served them well. He will be greatly missed and it is with a feeling of deep sadness that we record his passing.

Mr. WILLIAM L. PFEIFFER. I thank the gentleman from Pensylvania.

Mr. Speaker, I ask unanimous consent that all Members who desire to do so, may have five legislative days within which to extend their remarks in the RECORD at this point on the passing of our colleague.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. WILLIAM L. PFEIFFER. Mr. Speaker, I yield to the gentleman from New York [Mr. HALL].

Mr. EDWIN ARTHUR HALL. Mr. Speaker, Walter G. Andrews came to this Congress imbued with a desire to see that America was made strong. When World War II came on our country was better prepared because of his diligence and his knowledge of military. Behind the scenes, in preparation for that great struggle, Congressman Andrews contributed no end to the adequate preparation and defense of this great nation. I always went to him for advice on questions of national preparedness. I was always rewarded by his sound suggestions. One of the things I admired most about Mr. Andrews was the fact that he never consummated anything until he had given it great thought, and after he had digested the facts in connection with any question, he submitted it and voted honestly and intelligently before the entire House. I have admired the great work that he did. America is certainly in a much more strategic position to defend herself in time of war because Walter Andrews was chairman of the Committee on the Armed Services.

His honesty, his sincerity, his forthrightness remind me of Polonius' speech in Hamlet:

> To thine own self be true,
> And it must follow, as the night the day,
> Thou canst not then be false to any man.

Mr. TABER. Mr. Speaker, Walter G. Andrews was a tower of strength in the House of Representatives.

He probably did more to build up the defense picture of the United States than any other member. In reality, he wore himself out in the work that he did in connection with the armed services.

He was a fine character, a man of real courage and one whom the country could ill afford to lose.

We rejoice that so fine a person was able to serve with us in the House of Representatives.

Mr. ELSTON. Mr. Speaker, from the time I came to Congress a little more than 10 years ago until the end of the last session, it was my privilege to have served with "Ham" Andrews on the Committee on Military Affairs and the Committee on Armed Services. As chairman of the later committee he rendered an outstanding service in its organization. In the selection of its administrative staff and other personnel he adhered strictly to the letter and spirit of the reorganization act. Aside from reducing the number of subcommittees, the organization and personnel of the committee remained unchanged when the committee was reorganized this year under a new chairman. This, I believe, was a tribute, not only to his unusual administrative ability and his sense of fairness but to his complete nonpartisanship on any matter pertaining to national defense and welfare of the Nation.

"Ham" Andrews served with distinction on the battlefields of France during World War I. He enlisted as a private and rose to the rank of major. For gallantry in action he was decorated with the Distinguished Service Cross. When he retired from Congress last year the House lost one of its most effective members and the Nation one of its most devoted public servants. "Ham" Andrews regarded nothing more sacred than the privilege of being an American.

Mr. KILBURN. Mr. Speaker, the country has lost a great citizen in the death of Walter Gresham Andrews. He was a truly great American, an unselfish, honorable, able man and legislator and a fine soldier.

When I first came to Congress 9 years ago he was extremely kind and helpful and always remained a true friend. He

did not hesitate to criticize me when he thought I was wrong but it was always to me directly. He had a great capacity for being kind and helpful in a quiet way. We all know his great legislative record with the Military Affairs and Armed Services Committees. He always took the broad viewpoint, thinking of his country first and did not use his influence in the committee for petty or selfish purposes. He loved to entertain and was a delightful host. In his passing I have lost a true friend and the country has lost one of its finest citizens.

Mr. LEFEVRE. Mr. Speaker, it was with deep sorrow that I read of the death of our former colleague, Walter G. Andrews, in yesterday's New York Herald Tribune. We, who are members of the New York delegation, regretted to learn last year that "Ham" was not going to run again for reelection due to ill health.

While in the Congress he devoted practically all of his time to our Nation's military affairs and, as chairman of the Armed Services Committee, he worked faithfully to bring about complete harmony in combining the duties of the old Military Affairs Committee and the Naval Affairs Committee. For 18 years he served his country in the Congress.

In 1916, "Ham" Andrews enlisted in the First Cavalry of the New York National Guard, and with that unit he went to the Mexican border. During World War I, he participated in several campaigns overseas. He was wounded and received the Distinguished Service Cross. At the time of his discharge, he was a major in the One Hundred and Seventh Infantry.

"Ham" was a graduate of my old alma mater, the Lawrenceville school in New Jersey, where he was held in very high esteem. At Princeton, he was one of its outstanding football players and after graduating from that institution, he was its varsity coach for 2 years.

At his home in Buffalo he was actively interested in the Pratt & Lambert Co. and had a wide acquaintance with the business and banking leaders of that city.

The city of Buffalo, New York State, and our country, mourn the loss of a devoted and loyal American.

Mr. TOWE. Mr. Speaker, it was with profound sorrow that I learned of the passing of Walter G. Andrews.

As a member of the Armed Services Committee it was my pleasure and privilege to serve under his leadership.

"Ham" Andrews demonstrated his loyalty and patriotism by serving his country on the Mexican border and in the First World War. As you all know, he had a distinguished military career, and as chairman of the Committee on Armed Services he again demonstrated his extreme devotion to his country.

Because of his understanding of the urgent necessity of preparing our country for any eventuality he brought to his work as chairman, a point of view which resulted in great accomplishment. He was a man of great determination and drive and at the same time was extremely considerate of the viewpoint of others. "Ham" Andrews may have been impatient at times; but we who worked with him never doubted that his impatience was born of a realization of the urgency and importance of his work, and a zeal to have done with vital jobs which needed doing. Underneath it all he was a generous, kind, and extremely considerate soul. Those of us who had the opportunity to work with him and know him well have lost a good friend.

Mr. BISHOP. Mr. Speaker, on Saturday, March 5, the Great Umpire called a third strike on a great American.

I shall always cherish the memory of having served as a member of the first Armed Services Committee of the House of Representatives under its first chairman, the late Walter Gresham Andrews, former Member of Congress from the State of New York.

Walter Andrews, affectionately known as "Ham," possessed all of the attributes of great leadership. His vision, wisdom, and fairness will always remain a goal to which any American may proudly aspire.

I particularly cherish the memory of "Ham" Andrews because, in addition to his tremendous administrative ability and his keen appreciation of the defense needs of this country, he was also a sportsman and he played the game of life as he played baseball or football; honestly and with determination.

As a ballplayer, I fully appreciate this characteristic in a great man, and in the formation of the first Armed Services Committee of the House of Representatives, "Ham" exhibited all of the qualities of leadership and direction that are found in a captain of a successful baseball club or football team. And he produced a winning combination as evidenced by the accomplishments of the first Armed Services Committee, and the assurance that it will continue as one of the greater committees of the Congress.

Winner of the Distinguished Service Cross in World War I, commander of a machine-gun company during sustained combat, and holder of the Purple Heart for wounds received in action—Member of Congress from 1930 until this past January—"Ham" Andrews devoted a great portion of his life to the American people.

The world can little spare men like "Ham" Andrews. This Congress, the armed services, and the American people owe him a debt of gratitude for his untiring efforts in behalf of our national defense. His passing leaves a void in the ranks of great living Americans.

Mr. VORYS. Mr. Speaker, the death of "Ham" Andrews brings a poignant feeling of loss to me and my family. All of you knew of his intelligent, high-minded, devoted work here in Congress, especially in the program for the armed services which came from his committee. All of you may not know of his thoughtful, friendly activities and interest in all kinds of people, both in and out of Congress. He was willing to appear as a crusty old bachelor, of limited friendships and interests; he was actually a great soul, thoughtful, considerate, and kind, with a host of friends in many different circles and walks of life. He befriended me, as a freshman Congressman, 10 years ago. He was thoughtful and generous in many little kindnesses to me, my wife, and our children. His wise advice and guidance resulted in the formation of the Wednesday Nite Club, a group of Republicans who still meet, and who helped others to start similar groups, first, to learn the ropes in Congress, then to improve our work by meeting together in good fellowship, hearing experts on various subjects, then discussing these subjects informally and frankly. Many other groups doubtless owe their original inspiration to "Ham" Andrews.

He was high-minded, tough, unswerving, and courageous in his own decisions on legislative matters, but his tact, his understanding and sympathy with those of opposing views, and his organizing ability, helped to make some of the debates on vexatious defense questions generate more light and less heat, leaving fewer scars after the vote was taken. His organization of the new Armed Services Committee last session was a work of real statesmanship that will benefit our country for years to come, and could well be an example to other committees.

A bachelor, his colleagues were his family; the armed services, his friends, his country were his family. My heart goes out to his sister and his close relatives at this time, but the whole human family benefited from his life and suffered a loss in his passing.

Mr. RIEHLMAN. Mr. Speaker, I concur in what has been said today about the late Representative Walter G. Andrews, whose untimely passing was a shock and loss to me. I served with "Ham" Andrews, as we all affectionately called him, the last 2 years of his long and strenuous service in the House. His interest in me and kindness to me shall always be remembered. He was a real statesman and an able legislator, and I know that his life had been devoted to the protection and welfare of his country. Needless to say, he will be greatly missed by his host of friends and admirers. I should like to take this opportunity to extend to his family my sincere and deep sympathy.

BROTHERS UNITED

Mr. BREHM. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BREHM. Mr. Speaker, on July 18, 1944, Pfc John P. Dennewitz was killed in action. On April 15, 1945, T/5 James H. Dennewitz was killed in action, and then, Mr. Speaker, on April 16, 1945, just 24 hours later William J. Dennewitz, United States Navy, was killed in action. These men were brothers and the children of Mr. and Mrs. Joseph Dennewitz, R. F. D. No. 5, Chillicothe, Ohio.

These young brothers were killed in different parts of the world, but all three of them made the supreme sacrifice in order that America might remain free. The spirits of these brothers have been united since their death and now their mortal remains have again been united in death by appropriate military services in their native Ross County, Ohio.

I know Mr. Speaker, that you and all my colleagues in this House join me in offering heartfelt sympathy to the par-

ents of these fine American boys and are grieved beyond expression that their homecoming and reunion had to be in this manner.

I am confident that all of us will renew our pledge and redouble our efforts in the hope that we may with divine guidance somehow formulate and build a just and lasting peace in order that future tragedies such as this may be eliminated from the world scene.

EXTENSION OF REMARKS

Mr. CURTIS asked and was granted permission to extend his remarks in the Appendix of the RECORD and include a speech delivered by him before the Legislature of Nebraska.

Mr. ANGELL asked and was granted permission to extend his remarks in the Appendix of the RECORD and to include Senate Joint Memorial No. 6 of the Oregon Legislature.

Mr. MARTIN of Massachusetts asked and was granted permission to extend his remarks in the Appendix of the RECORD in four separate instances on the excise tax.

Mr. SCUDDER asked and was granted permission to extend his remarks in the Appendix of the RECORD and to include an editorial from the Humboldt Times and a statement by Aubrey Drury.

ONE HUNDREDTH ANNIVERSARY OF LUTHER BURBANK

Mr. SCUDDER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. SCUDDER. Mr. Speaker, today is the one hundredth anniversary of the birth of Luther Burbank. He was born on March 7, 1849, and his birthday is observed every year as Arbor Day in California, provided for by an act of the State legislature. Today, thousands of trees will be planted in California to commemorate this man who loved and worked with nature.

Luther Burbank was known as the plant wizard. His work in the propagation of hundreds of varieties of fruit, vegetables, and flowers has caused his name to be indelibly imprinted in the minds of civilized humanity. When disease struck the potato crop in Ireland and threatened their livelihood, it was Burbank who came to the rescue by developing a potato with immunity. When the Phylloxera blight struck the vineyards of France and many of our American vineyards, Luther Burbank discovered that the California wild grape root would withstand this disease, and by its development saved the grape vineyards and the wine industry. Today the vineyards of Europe grow on California wild grape roots.

The work of Luther Burbank as the benefactor of a man cannot be overemphasized. Today in Santa Rosa, Calif., a fitting tribute is being paid this great American.

PERMISSION TO ADDRESS THE HOUSE

Mr. MURRAY of Wisconsin. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks and include an editorial from the February issue of the National Grange Monthly.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

[Mr. MURRAY of Wisconsin addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. TRIMBLE asked and was given permission to extend his remarks in the RECORD and include a statement by Mr. Ellis, of the University of Arkansas.

PERMISSION TO ADDRESS THE HOUSE

Mr. CHESNEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks and include a newspaper article.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

[Mr. CHESNEY addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. BRYSON asked and was given permission to extend his remarks in the RECORD and include a newspaper article.

NEW DEFINITION OF TREASON

Mr. BENNETT of Florida. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. BENNETT of Florida. Mr. Speaker, we have just heard two of our colleagues speak on the subject of communism. My purpose this morning is to speak on the subject of a House joint resolution which I introduced on the first day of the Congress.

Mr. Speaker, the time has come when we must amend our Constitution's definition of treason which, as it now stands, is restricted to acts committed in time of war.

On the first day of this session I introduced House Joint Resolution 9, which adds to the present definition the following provisions applicable in peace as well as wartime:

> Adhering to any group which advocates the overthrow by force or violence of the Government of the United States, or collaborating with any agent or adherent of a foreign nation in working for the overthrow or weakening of the Government of the United States, whether or not by force or violence.

I believe that the people of our country desire the opportunity to add this new definition to our Constitution's provisions. Many veterans' organizations have endorsed it and many civic and other organizations. We should pass this immediately so that the legislatures of the various States can pass upon it without delay. I hope that if any Congressman is in doubt on this proposal that his constituents will let him know their opinions upon it. Personally, I feel that there is no doubt that the vast majority of Americans want to have a chance to put this provision in our Constitution.

Mr. Speaker, the people of this country, in my opinion, are astounded by the fact the Congress has not yet acted after all of these investigations which are very worthy. Laws against the Communists should be enacted, and our Constitution should be revised along the lines I have suggested.

MINNESOTA FEPC LEGISLATION

Mr. McCARTHY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. McCARTHY. Mr. Speaker, on Friday of last week the gentleman from Mississippi [Mr. RANKIN] addressed the House for 1 minute. He prefaced his remarks with an excellent quotation to this effect, that "while the lamp holds out to burn, the vilest sinner may return." He went on then to commend the legislature of the State of Minnesota for having voted down the Fair Employment Practice Act. I would like to inform the Speaker that repentance in Minnesota followed fast, and on Friday, almost at the time when the gentleman from Mississippi was addressing the House, Senate Committee of the State Legislature of Minnesota reconsidered the FEPC and voted favorably on the measure. There is joy over the one that has returned; the lamp still burns for others.

EXTENSION OF REMARKS

Mr. WILLIS asked and was given permission to extend his remarks in the RECORD and include a statement he made before the Civil Functions Subcommittee of the House Committee on Appropriations on Flood Control.

Mr. PASSMAN asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. LARCADE asked and was given permission to extend his remarks in the RECORD in three instances and include editorials.

Mr. FORAND asked and was given permission to extend his remarks in the RECORD and include a resolution.

Mr. COFFEY asked and was given permission to extend his remarks in the RECORD and include a statement by Senator MYERS on the bill S. 1163.

Mrs. DOUGLAS (at the request of Mr. HOLIFIELD) was given permission to extend her remarks in the RECORD in five instances and include extraneous matter.

Mr. HAVENNER asked and was given permission to extend his remarks in the RECORD and include newspaper excerpts.

Mr. FURCOLO asked and was given permission to extend his remarks in the RECORD and include a radio address.

Mr. PHILBIN asked and was given permission to extend his remarks in the RECORD and include a magazine article.

Mr. CELLER asked and was given permission to extend his remarks in the RECORD in two instances.

Mr. HULL asked and was given permission to extend his remarks in the RECORD and include resolutions.

Mr. SMITH of Wisconsin asked and was given permission to extend his remarks in the RECORD in two instances and include extraneous matter.

Mr. GOLDEN asked and was given permission to extend his remarks in the RECORD on the subject of Federal taxation.

COMMITTEE ON EDUCATION AND LABOR

Mr. LESINSKI. Mr. Speaker, I ask unanimous consent that the Committee on Education and Labor may sit this week at times when there is no legislation on the floor of the House, or when the House is not in session.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

ANNOUNCEMENT

Mr. LESINSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. LESINSKI. Mr. Speaker, I am making the announcement that we have this morning started hearings on the repeal of the Taft-Hartley Act. I will make another announcement, that by a majority vote the Committee on Minimum Wages, has voted that no roll call be taken on that particular bill before Wednesday, so I am setting Wednesday for a roll call on the minimum-wage bill.

EXTENSION OF REMARKS

Mr. SCRIVNER asked and was given permission to extend his remarks in the RECORD and include tables relating to aid to education.

Mr. POTTER asked and was given permission to extend his remarks in the RECORD and include a joint statement prepared by Representatives FORD, ENGEL of Michigan, and himself.

Mr. WILLIAM L. PFEIFFER asked and was given permission to extend his remarks in the RECORD in two instances and include two editorials.

Mr. JUDD asked and was given permission to extend his remarks in the RECORD and include an article.

Mr. WHITE of Idaho asked and was given permission to extend his remarks in the RECORD and include extraneous matter, also a statement he made before the Committee on Agriculture.

SPECIAL ORDER GRANTED

Mr. DONDERO asked and was given permission to address the House for 20 minutes on Friday next, at the conclusion of the legislative program of the day and following any special orders heretofore entered.

PERMISSION TO ADDRESS THE HOUSE

Mr. McDONOUGH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

[Mr. McDONOUGH addressed the House. His remarks appear in the Appendix.]

THE FEPC BILL BEFORE THE LEGISLATURE OF MINNESOTA

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RANKIN. Mr. Speaker, we have just listened to the gentleman from Minnesota [Mr. McCARTHY] boasting that the committee of the Minnesota Legislature handling the so-called FEPC bill has reversed itself and reported that communistic monstrosity favorable.

If the gentleman from Minnesota gets any consolation out of this movement toward industrial suicide for his home State, it must be based upon his lack of information on the subject.

Instead of the committee reversing itself, only one member of that committee agreed to change his vote in order to let the measure come to the floor of the House, but in so doing he announced that he would vote against the bill.

Industries are running out of those States that have already adopted the FEPC program, which we all know was promulgated by Joe Stalin in 1920; and I predict that if the legislature imposes it upon the people of Minnesota it will sound the death knell of the industrial progress which that State is now making.

If the people of that great State want the legislature to commit industrial suicide for them in that way, I do not know of anything that we can do about it here. But I am reasonably certain that the sponsors of this communistic program could not ram it through both Houses of the Congress of the United States from now until doomsday.

The hush-hush attempts now being made in those States where this program has been adopted fails to conceal the evil influence it is having on the industrial progress of those areas.

It hangs like the sword of Damocles over the head of every businessman in those States where it has been adopted; and many of them are closing out their enterprises and moving elsewhere.

For instance, I have a letter before me here from a businessman who is out now looking for a place for his plant. He happens to have been in business in a State that adopted the FEPC, which compelled him as well as others to close down and move to some other State.

In this letter he says:

> I have been in business in the State of ——— for a long time. I am now getting the hell out of there.

The SPEAKER. The time of the gentleman from Mississippi has expired.

AMENDMENT OF NATIONAL SECURITY ACT—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 99)

The SPEAKER laid before the House the following message from the President of the United States, which was read and referred to the Committee on Armed Services, and ordered to be printed:

To the Congress of the United States:

The maintenance of adequate armed forces has been one of the principal functions of the Federal Government since the establishment of this Nation. Today we maintain our armed forces in support of our primary desire for world peace. They are evidence of our determination to devote our utmost efforts toward achieving that all-important goal.

Throughout our history, the steady advance of science and technology has resulted in constant changes in the means of warfare and the character of our armed forces. In the few years since the cessation of hostilities in World War II, tremendous developments in technology have been made. The speed of aircraft has doubled, the means of undersea warfare have been revolutionized, the range and accuracy of guided missiles have increased, the potentialities of the atom have been more fully revealed.

The development of man's ability to shrink space and time and to control natural forces makes imperative a corresponding development of the means for directing and controlling these new powers. The effective and workable organization of our Government, and especially of our armed forces, is essential in the modern world.

The recent reports of the Commission on Organization of the Executive Branch of the Government have focused attention on the importance of the sound organization of the Federal Government. The Commission has stated that the first essential to the achievement of better government is a general clarification of the lines of authority and responsibility within the executive branch. In its report entitled "National Security Organization," the Commission has specifically applied this principle to the organization of our armed forces. The report states that we now lack adequate civilian authority and control over the military forces, that maximum efficiency and economy is not being realized in defense expenditures, and that interservice relationships must be improved to achieve the most effective defense. The recommendations of the Commission which would strengthen the National Military Establishment and the position of the Secretary of Defense have great merit and present an objective toward which I believe we must continue to move.

I have long been aware of the necessity for keeping our national security organization abreast of our security requirements. To this end I recommended unification of the armed forces to the Congress in December 1945. My desire was to improve our defense organization while the lessons of World War II were still fresh in the minds of all. We must not forget these lessons in evaluating our security position today.

A great deal was learned from those 4 years of war. We learned, among other things, that the organization of our War and Navy Departments, prescribed by detailed statutes, was far too rigid and inflexible for the actual conduct of war. We learned that modern war required the combined use of air, naval, and land forces welded together under unified commands overseas, and under the strategic direction of the Joint Chiefs of Staff.

Other lessons were also learned. We learned that widely diverse supply pol-

icies of the separate services were costly and hampered the total effectiveness of military operations. We learned that there were great differences in training and combat doctrine among the services, and that these differences often provoked sharp conflicts in our theaters of operation.

My message to the Congress of December 1945 had a double purpose. It was intended to take advantage of our wartime experience and to prevent a return to the outmoded forms of organization which existed at the outbreak of the war.

Following that message the subject of the proper organization of our armed forces was debated throughout the Nation. After the most careful consideration the National Security Act was enacted by the Congress in July 1947.

This act has provided a practical and workable basis for beginning the unification of the military services and for coordinating military policy with foreign and economic policy. A few examples of the progress achieved in the period since the act became effective are evidence of its value.

The efficiency of military purchasing has steadily increased until today more than 75 percent of the matériel of the armed services is procured under coordinated purchasing arrangements.

A number of joint training and education programs have been instituted so that the personnel of each service may gain a greater understanding of the weapons and doctrine of the other services.

A uniform code of military justice has been developed, designed to be applicable to the personnel of all the armed forces. This code is now before the Congress for its consideration.

The coordination of military policy with foreign and economic policies has been greatly improved, principally through the efforts of National Security Council and the National Security Resources Board.

The past 18 months have dispelled any doubt that unification of the armed forces can yield great advantages to the Nation. No one advocates a return to the outmoded organization of the days preceding the National Security Act. On the contrary, the issue today is not whether we should have unification, but how we can make it more effective.

We have now had sufficient experience under the act to be able to identify and correct its weaknesses, without impairing the advantages we have obtained from its strength. We have also had the advantage of a thoroughgoing appraisal by the Commission on the Organization of the Executive Branch of the Government. On the basis of our experience to date, as further borne out by the Commission, we should now proceed to make the needed improvements in the act.

The duties and responsibilities of the Secretary of Defense as now set forth in the act are of too limited a character and are restricted to specified items. For example, the act expressly provides that all duties not specifically conferred upon the Secretary of Defense are to remain vested in the Secretaries of the Army, the Navy, and the Air Force. While the Secretary of Defense, as the head of the National Military Establishment, ought to be ultimately accountable, under the President, for its administration, he is specifically limited by this act in the degree to which he may hold the military departments responsible to him. The departmental Secretaries are specifically authorized to deal directly with higher authority. Furthermore, many of the key responsibilities of the Secretary of Defense have been assigned by this statute, not to the Secretary, but to boards and agencies which derive much of their authority from the military departments themselves.

In short, the act fails to provide for a fully responsible official with authority adequate to meet his responsibility, whom the President and the Congress can hold accountable. The act fails to provide the basis for an organization and a staff adequate to achieve the most efficient and economical defense program and to attain effective and informed civilian control.

I, therefore, recommend that the National Security Act be amended to accomplish two basic purposes: First, to convert the National Military Establishment into an executive department of the Government, to be known as the Department of Defense; and, second, to provide the Secretary of Defense with appropriate responsibility and authority, and with civilian and military assistance adequate to fulfill his enlarged responsibility.

Within the new Department of Defense, I recommend that the Departments of the Army, the Navy, and the Air Force be designated as military departments. The responsibility of the Secretary of Defense for exercising direction, authority, and control over the affairs of the Department of Defense should be made clear. Furthermore, the present limitations and restrictions which are inappropriate to his status as head of an executive department should be removed. The Secretary of Defense should be the sole representative of the Department of Defense on the National Security Council.

I am not recommending the blanket transfer of all statutory authority applicable to the Departments of the Army, the Navy, and the Air Force to the Secretary of Defense. Neither am I recommending any change in the statutory assignment of combatant functions to the Army, Navy, and Air Force. I recommend, however, that the Secretaries of the Army, the Navy, and the Air Force administer the respective military departments under the authority, direction, and control of the Secretary of Defense.

To meet these additional responsibilities, the Secretary of Defense needs strengthened civilian and military assistance. This can be provided by the creation of new posts and by the conversion of existing agencies of the National Military Establishment into staff units for the Secretary. I recommend that Congress provide an Under Secretary of Defense and three Assistant Secretaries of Defense.

The duties now placed by statute in the Munitions Board and the Research and Development Board should be recognized as responsibilities of the Secretary of Defense. The act should be amended to make possible the flexible use of both of these agencies, and of the Joint Chiefs of Staff, as staff units for the Secretary of Defense. Finally, I recommend that the Congress provide for a Chairman of the Joint Chiefs of Staff, to be nominated by the President and confirmed by the Senate, to take precedence over all other military personnel, and to be the principal military adviser to the President and the Secretary of Defense, and to perform such other duties as they may prescribe.

In my judgment, these changes will make possible effective organization and management of the Department of Defense. They will provide a responsible official at its head, with strengthened civilian and military assistance, to undertake the immense job of aiding the President and the Congress in determining defense needs and in supervising the administration of our defense activities. These measures are essential to continued and accelerated progress toward unification. I am convinced that only through making steady progress toward this goal can we be assured of serving our major objectives, the most effective organization of our armed forces, a full return on our defense dollar, and strengthened civilian control.

I urge the Congress to give prompt consideration to these recommendations. From the standpoint of present and potential cost to the Nation, there is no more important area in which to work for improved organization and operations. Action on these recommendations will prove beneficial to the Congress, the American people, and the President by providing better means of assuring defense needs and administering the defense program. We should seize this opportunity to strengthen our defense organization which is so vital to the security of this Nation and the peace of the world.

HARRY S. TRUMAN.

THE WHITE HOUSE, *March 5, 1949.*

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES: FOREIGN AFFAIRS ACTIVITIES (H. DOC. NO. 98)

The SPEAKER laid before the House the following message from the President of the United States, which was read and, together with the accompanying message, referred to the Committee on Foreign Affairs and ordered printed:

To the Congress of the United States:

The conduct of the foreign relations of the United States has become an increasingly momentous responsibility of our Federal Government. Many of our hopes for world peace and domestic security are dependent upon the effectiveness of our machinery for the development of foreign policy and for translating policies into action.

The foreign affairs activities of this Government are carried on by a number of agencies, but the greatest share of the responsibility is borne by the Department of State. Moreover, the President, and the Congress as well, rely upon the Secretary of State to provide leadership

among the Government agencies concerned with various aspects of foreign affairs and to recommend the steps necessary to achieve an integrated and consistent foreign policy.

The State Department has for some time recognized the need for modifications and improvements in its internal organization to enable it to discharge the increased responsibilities which have been assigned to it in the postwar period. During the past year, under the leadership of Secretary Marshall, the Department made certain urgent adjustments in its organization and undertook comprehensive studies of its long-range organizational requirements. The major recommendations arising from these studies received my approval some months ago, but were not placed in effect pending the completion of the report of the Commission on Organization of the Executive Branch of the Government.

The Commission has made a thorough study of our governmental machinery for the conduct of foreign affairs. With respect to the organization of the Department of State, the Commission's recommendations generally embody and endorse the organizational plans formulated by the Department. With my approval, the Secretary of State is now proceeding to put these plans into effect.

In order fully to carry out this reorganization, two changes in the statutes governing the Department are required. First, additional positions of Assistant Secretary of State should be created to permit the Department to organize its principal activities on a geographic basis and, at the same time, to maintain its requisite relationships with the Congress, and with the other executive agencies and the international organizations. Second, certain powers vested by the Foreign Service Act of 1946 in subordinate officials should be placed in the Secretary, subject to his delegation. This action is needed to provide the Secretary with authority commensurate with his responsibilities, and further to apply the principle, strongly recommended by the Commission on Organization of the Executive Branch of the Government, of clarifying the lines of responsibility and authority within the executive branch.

Early action on these measures is desirable to strengthen this Government's resources for achieving its international objectives.

The suggestions of the Commission with regard to the personnel management of the Department of State and the Foreign Service will require additional study before recommendations can be submitted to the Congress.

HARRY S. TRUMAN.

THE WHITE HOUSE, *March 4, 1949.*

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. McDaniel, its enrolling clerk, announced that the Senate had passed the following resolution (S. Res. 80):

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of Hon. J. MELVILLE BROUGHTON, late a Senator from the State of North Carolina.

Resolved, That a committee of 16 Senators be appointed by the Vice President to take order for superintending the funeral of the deceased.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That, as a further mark of respect to the memory of the deceased, the Senate do now take a recess until 12 o'clock meridian tomorrow.

The message also announced that pursuant to the foregoing resolution the Vice President had appointed Mr. HOEY, Mr. TYDINGS, Mr. MCCARRAN, Mr. LUCAS, Mr. MAYBANK, Mr. MCCLELLAN, Mr. JOHNSTON of South Carolina, Mr. SALTONSTALL, Mr. DONNELL, Mr. BALDWIN, Mr. MCGRATH, Mr. O'CONOR, Mr. THYE, Mr. KEM, Mr. STENNIS, and Mr. KERR as members of the committee on the part of the Senate.

EXTENSION OF REMARKS

Mr. BROWN of Ohio asked and was granted permission to extend his remarks in the Appendix of the RECORD and include an article on the restoration of Red Hill, the home of Patrick Henry.

Mr. THOMPSON asked and was granted permission to extend his remarks in the Appendix of the RECORD and include a speech by Hon. Willis Bradley, notwithstanding the fact that it exceeds the limit established by the Joint Committee on Printing and will cost $248.50.

Mr. BUCHANAN asked and was given permission to extend his remarks in the RECORD and include a statement on the St. Lawrence seaway.

Mr. SPENCE (at the request of Mr. BUCHANAN) was given permission to extend his remarks in the Appendix of the RECORD regarding sections 4 and 5 of the housing bill.

Mr. HILL asked and was given permission to extend his remarks in the Appendix of the RECORD and include the testimony given by the dean of the A. and M. College of Texas.

Mr. REED of New York asked and was given permission to extend his remarks in the Appendix of the RECORD in two instances and include extraneous matter in each case.

Mr. SANBORN asked and was given permission to extend his remarks in the Appendix of the RECORD in two instances and include extraneous matter.

Mr. RANKIN asked and was given permission to extend his remarks in the RECORD on the life and character of Col. James Perry Alvey, one of the most valuable men he has known since being in Washington.

SPECIAL ORDER

Mr. HOFFMAN of Michigan. Mr. Speaker, I have a special order for today. I ask unanimous consent that my remarks may be printed in the RECORD at the end of the legislative program and other special orders.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day.

The Clerk will call the first bill on the Consent Calendar.

MISSISSIPPI RIVER PARKWAY

The Clerk called the bill (H. R. 1997) to authorize the survey of a proposed Mississippi River Parkway for the purpose of determining the feasibility of such a national parkway, and for other purposes.

The SPEAKER pro tempore (Mr. COOPER). Is there objection to the present consideration of the bill?

Mr. CRAWFORD objected.

COUNTY OF ALLEGHENY, PA.

The Clerk called the bill (H. R. 1959) for the relief of the county of Allegheny, Pa.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the county of Allegheny, Pa., the sum of $29,147.50, in full satisfaction of all claims against the United States for damages sustained by the County of Allegheny, Pa., by a fire which completely destroyed a building known as Agricultural Hall, located in South Park, county of Allegheny, Pa., on February 16, 1944, while being occupied, used, and exclusively under the control of the War Department: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CERTAIN POSTAL EMPLOYEES

The Clerk called the bill (H. R. 2049) for the relief of certain postal employees.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

Mr. TRIMBLE. Mr. Speaker, I ask unanimous consent that the bill (S. 593) for the relief of certain postal employees be substituted for the House bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That all employees at first- and second-class post offices who were reduced from the position of regular clerk or regular carrier to the position of substitute clerk or substitute carrier prior to July 1, 1945, or who were formerly regular clerk or regular carrier and were reinstated as substitute clerk or substitute carrier prior to July 1, 1945, and whose compensation was converted to $1.24 per hour effective July 1, 1945, instead of $1.04 per hour as provided by sections 12 (a) and 24 of the act entitled "An act to reclassify the salaries of postmasters, officers, and employees of the Postal Service; to establish uniform procedures for computing compensation; and for other purposes," approved July 6, 1945 (59 Stat. 435, ch. 274), are hereby relieved of all liability to refund to the United States any amounts paid to them as a result of such overpayment of salaries from July 1, 1945, until the date their compensation was adjusted to conform to the provisions of the

act of July 6, 1945 (59 Stat. 435, ch. 274), as amended, and in the audit and settlement of the accounts any postmaster or other designated disbursing officer of the Post Office Department or postal service the amounts paid to such employees from July 1, 1945, as compensation shall be considered to have been authorized. Any amounts heretofore credited to such employees, or refunded to the United States by them on account of such overpayment of salaries shall be repaid to them out of any money available for the payment of salaries to city delivery carriers and clerks at first- and second-class offices: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

APPOINTMENT TO COMMISSIONED GRADE IN THE SUPPLY CORPS OF THE NAVY

The Clerk called the bill (S. 630) to amend section 19 of the act of August 13, 1946 (60 Stat. 1057), so as to remove the upper age limit for appointment to commissioned grade in the Supply Corps of the Navy.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 19 of the act of August 13, 1946 (60 Stat. 1057), as amended, is hereby further amended to read as follows:

"SEC. 19. No person shall be appointed to a commissioned grade in the Supply Corps of the Navy who will be less than 21 years of age on July 1 of the calendar year in which appointed and until his physical, mental, and moral qualifications have been established to the satisfaction of the Secretary of the Navy."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

UPPER HALF PAY AND ALLOWANCES FOR NAVAL RESERVE ADMIRALS

The Clerk called the bill (S. 673) relating to the pay and allowances of officers of the Naval Reserve performing active duty in the grade of rear admiral, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That any officer of the Naval Reserve serving in the grade of rear admiral shall, receive the pay and allowances prescribed by law for rear admirals of the upper half when any officer of the active list of the line of the Regular Navy, junior to him, is in the upper half of the list of rear admirals: *Provided*, That the provisions of this act shall not apply to officers of the Naval Reserve while on any lineal list established pursuant to title III of the Officer Personnel Act of 1947: *Provided further*, That no back pay or allowances shall be held to have accrued under the provisions of this act for any period prior to the date of its approval.

With the following committee amendment:

Page 1, line 4, after the comma, insert the following: "When otherwise entitled to active-duty pay and allowances."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

THE MARINE BAND

The Clerk called the bill (H. R. 2485) to authorize the attendance of the United States Marine Band at the Eighty-third and Final National Encampment of the Grand Army of the Republic to be held in Indianapolis, Ind., August 28 to September 1, 1949.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the President is authorized to permit the band of the United States Marine Corps to attend and give concerts at the eighty-third and final national encampment of the Grand Army of the Republic, to be held in Indianapolis, Ind., August 28–September 1, 1949.

SEC. 2. For the purpose of defraying the expenses of such band in attending and giving concerts at such convention, there is hereby authorized to be appropriated a sufficient sum to cover the cost of transportation and pullman accommodations for the leaders and members of the Marine Band, and allowance not to exceed $8 per day each for additional traveling and living expenses while on duty, such allowance to be in addition to the pay and allowance to which they would be entitled while serving their permanent station.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDMENT TO THE BANKRUPTCY ACT

The Clerk called the bill (H. R. 2513) to amend subdivisions (d) and (e) of section 58 of an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. ELSTON objected.

AMENDMENT TO THE NATIONAL SECURITY ACT OF 1947

The Clerk called the bill (H. R. 2216) to amend the National Security Act of 1947 to provide for an Under Secretary of Defense.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 202 of the National Security Act of 1947, approved July 26, 1947 (61 Stat. 495; 5 U. S. C., sec. 171a), is amended by adding at the end thereof the following new subsection:

"(d) There shall be an Under Secretary of Defense, who shall be appointed from civilian life by the President, by and with the advice and consent of the Senate. The Under Secretary shall perform such duties, and shall exercise such powers, as the Secretary of Defense may prescribe. The Under Secretary shall act for, and exercise the powers of, the Secretary of Defense during his absence or disability."

SEC. 2. Subsection (a) of section 301 of such act (5 U. S. C., sec. 171b), is amended by adding at the end thereof the following:

"The Under Secretary of Defense shall receive the compensation prescribed by law for Under Secretaries of executive departments."

With the following committee amendment:

Page 1, after line 9, insert "*Provided*, That a person who has within 10 years been on active duty as a commissioned officer in a Regular component of the armed services shall not be eligible for appointment as Under Secretary of Defense."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PARKING OF VEHICLES ON POST-OFFICE PROPERTY

The Clerk called the bill (H. R. 2660) to prohibit the parking of vehicles upon any property owned by the United States for postal services.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That it shall be unlawful to park, store, or leave any vehicle of any kind, whether attended or not, or for the owner of any vehicle of any kind to allow, permit, or suffer the same to be parked, stored, or left, whether attended or not, upon any property owned by the United States for postal purposes, over which the United States has exclusive or concurrent jurisdiction, without the consent of the postmaster, custodian, or any other officer of the United States charged with the custody and control of such property. Whoever violates the provisions of this act, or any rules or regulations promulgated hereunder, shall be punished by a fine of not more than $25.

SEC. 2. The Postmaster General is hereby authorized and empowered to promulgate such rules and regulations as are necessary to carry out the provisions of this act. Violations of such rules and regulations shall be subject to the penalties prescribed in section 1 of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CREATION OF PROFESSIONAL AND SCIENTIFIC POSITIONS

The Clerk called the bill (H. R. 20) to amend the act of August 1, 1947, as amended, to authorize the creation of 10 professional and scientific positions in the headquarters and research stations of the National Advisory Committee for Aeronautics.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BYRNES of Wisconsin. Mr. Speaker, reserving the right to object, I wonder if a member of the committee would explain this bill.

Mr. WILLIAMS. The purpose of this bill is to establish 10 positions in the professional scientific service within the National Advisory Committee for Aeronautics. Under an act passed by the Eightieth Congress certain positions were created within the Department of the Army, the Navy, and the Air Force which authorized the payment of more than $10,000 to certain employees and certain persons doing work of a professional nature. This extends that by creating 10 additional positions in the National Advisory Committee for Aeronautics.

The purpose of this is explained in a letter from Mr. Hunsaker of the National

Advisory Committee for Aeronautics to the chairman of the Post Office and Civil Service Committee, in which he states the following:

It has become difficult for NACA to hold and attract outstanding scientists while being at a competitive-salary disadvantage, not only with industry but with the three military services as well.

It is believed, as was brought in the hearings, that the refusal of the Congress to create these 10 additional positions would greatly impair the work of the NACA.

Mr. BYRNES of Wisconsin. Are these 10 new positions, or are they simply increasing the salaries of positions that now exist?

Mr. WILLIAMS. It is to increase the salaries of positions that now exist.

Mr. BYRNES of Wisconsin. In other words, what this is, in fact, is a pay increase, a salary-increase bill for just these classifications?

Mr. WILLIAMS. Not exactly, because they have such difficulty in holding the men that they have. There has been quite a turn-over.

Mr. BYRNES of Wisconsin. Does the gentleman feel that it would be inadvisable to consider these 10 positions in connection with the pay bill which I understand the Committee on the Post Office and Civil Service is now studying?

Mr. WILLIAMS. That bill will not affect anybody but the Chairman of the NACA.

Mr. BYRNES of Wisconsin. In the judgment of the gentleman, there is no direct relationship?

Mr. WILLIAMS. Except wherein the chairmanship is concerned, and if I am not mistaken, that bill provides for $15,000 salary for him anyhow.

Mr. BYRNES of Wisconsin. I withdraw my reservation of objection, Mr. Speaker.

Mr. STEFAN. Mr. Speaker, further reserving the right to object, does the gentleman know what the budget is for NACA for the next fiscal year?

Mr. WILLIAMS. No; I cannot say that I do. But, the Budget Commission has endorsed this bill.

Mr. STEFAN. Does the budget allow the amount of money for these 10 additional professional positions in the budget for the fiscal year 1950?

Mr. WILLIAMS. That I cannot say, but the Budget Commission has approved this bill along with the Civil Service Commission.

Mr. STEFAN. The bill has budget approval for the appropriation for this salary increase in the budget for 1950, and the appropriation is now before us.

Mr. WILLIAMS. That I cannot say, sir.

Mr. LYLE. Mr. Speaker, if the gentleman will yield, I am informed that they have, sir, but I have not personally checked it.

Mr. STEFAN. I withdraw my reservation, Mr. Speaker.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the first section of the act entitled "An act to authorize the creation of additional positions in the professional and scientific service in the War and Navy Departments," approved August 1, 1947, as amended, is hereby amended to read as follows:

"That (a) the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force are repectively authorized to establish and fix the compensation for, within their respective departments, not more than 13 positions each, and the Secretary of Defense is authorized to establish and fix the compensation for not more than 6 positions, each such position being established to effectuate those research and development functions, relating to the national defense, military and naval medicine, and any and all other activities of the National Military Establishment which requires the services of specially qualified scientific or professional personnel.

"(b) The Chairman of the National Advisory Committee for Aeronautics is authorized to establish and fix the compensation for, in the headquarters and research stations of the National Advisory Committee for Aeronautics, not to exceed 10 positions in the professional and scientific service, each such position being established in order to enable the National Advisory Committee for Aeronautics to secure and retain the services of specially qualified personnel necessary in the discharge of the duty of the Committee to supervise and direct the scientific study of the problems of flight with a view to their practical solution.

"(c) The rates of compensation for positions established pursuant to the provisions of this act shall not be less than $10,000 per annum nor more than $15,000 per annum and shall be subject to the approval of the Civil Service Commission."

SEC. 2. Section 3 of such act of August 1, 1947, as amended, is hereby amended to read as follows:

"SEC. 3. The Secretary of Defense and the Chairman of the National Advisory Committee for Aeronautics shall submit to the Congress, not later than December 31 of each year, a report setting forth the number of positions established pursuant to this act in the National Military Establishment and in the headquarters and research stations of the National Advisory Committee for Aeronautics, respectively, during that calendar year, and the name, rate of compensation, and description of the qualifications of each incumbent, together with a statement of the functions performed by each. In any instance where the Secretary or the Chairman, respectively, may consider full public report on these items detrimental to the national security, he is authorized to omit such items from his annual report and, in lieu thereof, to present such information in executive sessions of such committees of the Senate and House of Representatives as the presiding officers of those bodies shall designate."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COMPLETION OF PROCESSING OF VISA CASES

The Clerk called the joint resolution (H. J. Res. 160) to authorize completion of the processing of the visa cases, and admission into the United States, of certain alien fiancés and fiancées of members, or of former members, of the armed forces of the United States, as was provided in the so-called GI Fiancées Act (60 Stat. 339), as amended.

There being no objection, the Clerk read the joint resolution, as follows:

Whereas the so-called GI Fiancées Act, as amended and extended, expired on December 31, 1948, at which time several hundred cases of alien fiancés or fiancées of American citizen members, or former members, of the armed forces of the United States were pending under that act at American consular offices abroad; and

Whereas the quotas to which the aliens in most cases are chargeable are oversubscribed for several years: Therefore be it

Resolved, etc., That American diplomatic and consular officers are hereby authorized to finish processing all cases of the alien fiancés or fiancées of citizens of the United States which were pending at American diplomatic and consular offices on December 31, 1948, under Public Law 471, Seventy-ninth Congress (60 Stat. 339), as amended and extended, in the same manner as if that act were still in effect: *Provided*, That the American citizen concerned in each case has personally met his or her fiancé or fiancée: *Provided further*, That the processing of all such cases shall be completed and the aliens concerned, who are granted visas, as well as those who received such visas before January 1, 1949, and were unable to come to the United States for reasons beyond their control, who arrive at a port of entry in the United States before July 1, 1949, and who are found to be admissible under the immigration laws, including the provisions of Public Law 471, as amended, may be admitted into the United States within the period of validity of the visa, as provided in Public Law 471, as amended, the same as if it were still in effect: *And provided further*, That the record of entry of aliens admitted under the provisions of this act, who within 90 days of admission marry the fiancé or fiancée to whom they were destined at the time of entry, shall upon the submission of proof of marriage, be amended to show admission for permanent residence.

Mr. WALTER. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WALTER: Page 2, line 21, after the comma as it appears after the word "act", insert the following: "and under the provisions of Public Law 471, as amended."

The amendment was agreed to.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

APPOINTMENT OF POSTMASTERS

The Clerk called the bill (H. R. 253) to amend the act of June 25, 1938, relating to the appointment of postmasters under civil service.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. CASE of South Dakota. Reserving the right to object, Mr. Speaker, will a member of the committee kindly explain to the membership what this bill does?

Mr. MORRISON. This bill merely takes away the requirement for the appointment of a postmaster where a post office changes from third class to fourth class, and vice versa, where the post office changes from fourth class to third class, so that it is not necessary to have another examination and have the appointing all over again of a postmaster. If a post office changes from third class to fourth class, under this bill the postmaster remains the same. If the post office changes from fourth class to third class, the postmaster still remains the same.

This bill was considered by the subcommittee of the Committee on Post Office

and Civil Service. It has a favorable report from the National Association of Postmasters, the Civil Service Commission, and the Postmaster General. It was unanimously passed by the House subcommittee and unanimously passed by the full Committee on Post Office and Civil Service.

Mr. CASE of South Dakota. Mr. Speaker, there has been a great deal of interest expressed in this bill by people who depend upon third- and fourth-class offices in my district for their service. I appreciate the gentleman's explanation and hope the bill passes.

Mr. GOLDEN. Mr. Speaker, will the gentleman yield?

Mr. CASE of South Dakota. I yield to the gentleman from Kentucky.

Mr. GOLDEN. Is it not a fact that this bill just does away with the extra expense of an examination?

Mr. MORRISON. The gentleman is correct. The cost is $65 per post office, and last year some 300 post offices were involved in these changes, so that much will be saved.

Mr. CASE of South Dakota. Mr. Speaker, this bill has much to commend it and should pass unanimously. I withdraw my reservation.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 1 of the act entitled "An act extending the classified civil service to include postmasters of the first, second, and third classes, and for other purposes," approved June 25, 1938 (52 Stat. 1076), as amended, is amended by striking out the following after the word *"Provided,"*: "That postmasters now serving may continue to serve until the end of their terms, but they shall not acquire a classified civil-service status at the expiration of such terms of office except as provided in section 2 hereof" and inserting in lieu thereof the following: "That postmasters of the fourth class, appointed in the classified civil service, whose offices advance to a higher class, and postmasters of other classes, appointed in the classified civil service, whose offices are relegated to the fourth class, shall continue to serve under their original appointment until a vacancy occurs by reason of death, resignation, retirement, or removal, in which event the appointment shall be made as provided in section 2 of the act."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PENSIONS FOR VETERANS OF WORLD WAR I AND WORLD WAR II

The Clerk called the bill (H. R. 2681) to provide pensions for veterans of World War I and World War II based on non-service-connected disability and attained age, and for other purposes.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

MINING CLAIMS

The Clerk called the bill (H. R. 942) to amend the act entitled "An act to amend section 9 of the act of August 24, 1912 (37 Stat. 512)" (Public Law 593, 80th Cong.).

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act entitled "An act to amend section 9 of the act of August 24, 1912 (37 Stat. 512)" (Public Law 593, 80th Cong.), is amended to read as follows: "That the first proviso of section 9 of the act of August 24, 1912 (37 Stat. 512, 515), be amended to read as follows: *'Provided*, That all authorized indebtedness shall be paid in the order of its creation; all taxes shall be uniform upon the same class of subjects and shall be levied and collected under general laws, and the assessments shall be according to the true and full value thereof, except that all mining claims may be valued at the price paid the United States therefor, or at a flat rate fixed by the legislature, but if the surface ground is used for other than mining purposes, and has a separate and independent value for such other purpose, or if there are improvements or machinery or other property thereon of such a character as to be deemed a part of the realty, then the same shall be taxed according to the true and full value thereof. No tax shall be levied for Territorial purposes in excess of 2 percent upon the assessed valuation of the property therein in any 1 year; nor shall any incorporated town or municipality levy any tax, for any purpose, in excess of 3 percent of the assessed valuation of property within the town in any 1 year'."

With the following committee amendment:

Strike out all after the enacting clause and insert the following: "That the first proviso of section 9 of the act of August 24, 1912, as amended by the act of June 3, 1948 (62 Stat. 302), be further amended by deleting the phrase 'unpatented mining claims and nonproducing patented mining claims, which are also unimproved,' and inserting in lieu thereof the phrase 'all mining claims'."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

THE YOUNG AMERICAN MEDAL FOR BRAVERY

The Clerk called the bill (H. R. 157) authorizing the Attorney General of the United States to recognize and to award to outstanding courageous young Americans a medal for heroism known as the Young American Medal for Bravery, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Attorney General be, and he is hereby, authorized and directed to promulgate rules and regulations establishing a medal; the method of selecting such recipient thereof and awarding the same to any child residing in the United States, who is 18 years old or under, who has exhibited exceptional courage, extraordinary decision, presence of mind, and unusual swiftness of action, regardless of his or her own personal safety, in an effort to save or successfully saving the life or lives of any person or persons whose life or lives were in actual imminent danger.

SEC. 2. The Attorney General shall also honor by an appropriate medal such American boy or girl citizens, 18 years old or under, who, in the opinion of the Attorney General, shall have achieved outstanding or unusual recognition for character and service during any given year.

SEC. 3. The medal to be awarded for bravery or valor as defined in section 1 of this act shall be known as the Young American Medal for Bravery, while the medal for outstanding character and service as defined in section 2 of this act shall be known as the Young American Medal for Service, and such medals shall be presented by the Attorney General in person, or through a duly authorized representative designated by the Attorney General.

SEC. 4. Accompanying such medals herein designated there shall be an appropriate certificate of commendation presented to the recipient or recipients stating (a) the circumstances under which the act of bravery was performed, and (b) citing the outstanding recognition for character and service.

SEC. 5. It shall he the duty of the Attorney General to make a report to the Congress at the end of each fiscal year and to furnish the Congress with a list of the names of all those upon whom he shall have conferred either of such medals.

SEC. 6. It shall also be the duty of the Attorney General to list in his annual budget request the sum of money necessary to carry out the provisions of this act, which sum is hereby authorized.

With the following committee amendments:

Page 2, line 15, after the word "presented", insert the word "personally."

In lines 16 and 17, delete the language "in person, or through a duly authorized representative designated by the Attorney General," and insert in lieu thereof "for and on behalf, and in the name of the President and the Congress of the United States of America."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ALASKA GAME LAW

The Clerk called the bill (H. R. 220) to amend section 3 of the act entitled "An act to revise the Alaska game law," approved July 1, 1943, as amended (57 Stat. 301).

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 3 of the act entitled "An act to revise the Alaska game law," approved July 1, 1943, as amended (57 Stat. 301), is amended to read as follows:

"SEC. 3. Residence and citizenship: That for the purposes of this act a citizen or a national of the United States who has resided in the Territory for a continuous period of 12 months immediately preceding his claim for resident hunting, trapping, fishing, or other privileges under this act, or a foreign-born person not a citizen or national of the United States who has declared his intention to become a citizen of the United States, and who has resided in the Territory for a like period, shall be considered a resident; but if such a foreign-born person shall not have been admitted to citizenship within 7 years from the date he declared his first intention to become a citizen, he shall thereafter be deemed to be an alien until admitted to citizenship: *Provided, however*, That whenever the Secretary shall determine the fur resources of Alaska are threatened by hunting or trapping, or from other causes, he may, in his discretion and for such periods as he shall determine, extend the required residence period in the Territory from 12 months to 3 years as a prerequisite to obtaining a resident trapping license; a citizen or a national of the United States who

has not resided in the Territory for a continuous period of 12 months, or for the extended period of 3 years, as the case may be, immediately preceding his claim for resident privileges shall be considered a nonresident; and a person not a citizen or a national of the United States who is not a resident of the Territory, as defined in this section, shall be considered an alien."

With the following committee amendments:

Page 1, line 8, strike out the word "resided" and insert in lieu thereof the words "maintained a bona fide residence."

Page 1, line 8, strike out the word "continuous."

Page 2, line 14, following the words "months to", insert the words "not exceed."

Page 2, line 16, strike out the word "resided" and insert in lieu thereof the words "maintained a bona fide residence."

Page 2, line 16, strike out the word "continuous."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ALASKA COUNCIL OF BOY SCOUTS OF AMERICA

The Clerk called the bill (H. R. 1337) to authorize the sale of certain public lands in Alaska to the Alaska Council of Boy Scouts of America for recreation and other public purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Alaska Council of Boy Scouts of America is hereby authorized for a period of 1 year from and after the effective date of this act to apply for the purchase of, and the Secretary of the Interior is hereby authorized and directed to convey to the organization for recreation and other public purposes the following-described public lands situated in Alaska:

The east half of the northwest quarter and the northeast quarter of unsurveyed section 2, township 15 north, range 1 west; Seward meridian, embracing 240 acres.

SEC. 2. That the conveyance shall be made upon the payment by the said council for the land at its reasonable appraised price of not less than $1.25 per acre, to be fixed by the Secretary of the Interior: *Provided*, That the conveyance hereby authorized shall not include any land covered by a valid existing right initiated under the public-land laws or found by the Secretary of the Interior to be needed for public purposes: *Provided further*, That the coal and other mineral deposits in the land shall be reserved to the United States, together with the right to prospect for, mine, and remove the same under regulations to be prescribed by the Secretary of the Interior.

With the following committee amendment:

Page 2, line 14, after the word "under", insert "applicable laws and."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CLAIMS OF ALIEN ENEMIES

The Clerk called the bill (S. 29) to authorize payment of claims based on loss of or damage to property deposited by alien enemies.

The SPEAKER pro tempore (Mr. COOPER). Is there objection to the present consideration of the bill?

Mr. CUNNINGHAM. Mr. Speaker, reserving the right to object, I would appreciate it if the chairman of the committee, or someone, would explain this bill.

Mr. CELLER. Mr. Speaker, this bill authorizes the Attorney General to pay claims of less than $1,000 to former enemy aliens, particularly those on the west coast, whose property was taken by the military authorities. In many instances the Japanese there were forced to evacuate their homes, and cameras, binoculars, and other important items of personal property were seized by the military. This bill permits all those whose personal property was thus taken, where the property has not been restored, to file claims with the Attorney General, and the Attorney General is permitted to allow those claims, provided they are under $1,000. If they are above $1,000, he must report back to the Congress.

Mr. CUNNINGHAM. I thank the gentleman, and wish to ask him one more question. Does this bill include enemy aliens in the Islands of the Pacific and of the Philippines and Hawaii?

Mr. CELLER. I do not think there is any limitation in the bill. It is my understanding from a cursory reading at this time that those aliens would be benefited by the act.

Mr. CUNNINGHAM. Does the gentleman have any information as to how many of them there are and how much money it would cost?

Mr. CELLER. I am informed the amount is not very large, because the items are not very great or costly.

Mr. CUNNINGHAM. Does it exceed $1,000,000?

Mr. CELLER. Oh, no; nothing like that.

Mr. CUNNINGHAM. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. FERNANDEZ. Mr. Speaker, reserving the right to object, from what funds are these claims to be paid?

Mr. CELLER. This bill provides for the appropriation.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Attorney General is hereby authorized to consider, ascertain, adjust, determine, settle, and pay in an amount not in excess of $1,000, when accepted by the claimant in full satisfaction and final settlement, any claim against the United States arising on or after December 7, 1941, for damage to, or loss or destruction of, personal property, the use, operation, possession, custody, or control of which was prohibited by proclamation No. 2525, dated December 7, 1941, and proclamations No. 2526 and No. 2527, dated December 8, 1941 (55 Stat. pt. 2, pp. 1700, 1705, and 1707), the possession of which property was not prohibited by law prior to said promulgations and which was deposited by alien enemies or United States citizens of Japanese ancestry in the manner provided in the regulations promulgated by the Attorney General on February 5, 1942, as amended (7 Fed. Reg. 844; 28 C. F. R. 30.1–30.16): *Provided*, That the damage to or loss or destruction of property shall not have been caused in whole or in part by any negligence or wrongful act on the part of the claimant, his agent, or employee, and that the claim is substantiated in such manner as the Attorney General may by regulation prescribe: *Provided further*, That nothing in this act shall be construed to authorize the Attorney General to pay or settle any claims for damage to or loss or destruction of property which had been used for espionage or other illegal purposes on or before December 7, 1941.

SEC. 2. No claim shall be considered unless presented in writing within 1 year after the date of enactment of this act.

SEC. 3. Any decision or settlement made by the Attorney General under the authority of this act and such regulations as he may prescribe shall be final and conclusive, notwithstanding any other provision of law to the contrary.

SEC. 4. The Attorney General may report such claims as exceed $1,000 to Congress for its consideration.

SEC. 5. Such appropriations as may be required for the settlement of claims under this act are hereby authorized.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CERTAIN CONSULTANTS FORMERLY EMPLOYED BY THE TECHNICAL INDUSTRIAL INTELLIGENCE COMMITTEE OF THE FOREIGN ECONOMIC ADMINISTRATION

The Clerk called the bill (H. R. 1950) for the relief of certain consultants formerly employed by the Technical Industrial Intelligence Committee of the Foreign Economic Administration, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That no provisions of any law, regulation, or order (including travel orders or authorizations) which authorize or direct deductions from per diem allowances in lieu of subsistence for items of meals or lodging obtained free or purchased from any Government agency or from the Military Establishment or from any branch of the Government drawing rations from the military or providing quarters by arrangement with the military, shall be deemed to apply to those persons employed as technical, scientific, or other form of expert consultant by the Technical Industrial Intelligence Committee division of the Foreign Economic Administration without compensation or at $1 per annum during the fiscal years 1945 and 1946, by reason of such employment and during the period thereof; and no deductions shall be taken from per diem allowances in lieu of subsistence to such employees for any such meals or lodging during such employment (such meals or lodging being sometimes referred to herein as "items").

SEC. 2. Any charges for such items against the accounts of such employees appearing on the books of any Government agency shall be canceled and eliminated, and proper credits shall be entered against such accounts therefor.

SEC. 3. No certificate or statement as to such items furnished such employees shall be required of them.

SEC. 4. In order to carry out the provisions and purposes of this act—

(a) In any case wherein any such employee has not been paid any sum for said allowance and has not been advanced any funds for travel or other expenses, the Comp-

troller General of the United States is authorized and directed to allow credits or to cancel charges for such items in the accounts of such employee (whether on accounts in his office or in the office of any certifying, disbursing, or other accountable officer) and in the accounts of any present or former certifying, disbursing, or other accountable officer.

(b) In any case wherein any such employee may have been paid such allowance without deductions for such items, the Comptroller General is authorized and directed to allow credits or to cancel charges therefor in the same manner and to the same extent as provided in paragraph (a) of this section.

(c) In any case wherein any such employee has furnished a certificate as to such items, as a result whereof deductions therefor were taken from any sums paid him for such allowance, or in any case wherein any such employee has paid or refunded any sums to any Government agency by reason of claim made against him for such items, a sum equivalent to the amount of such deductions or refund shall be paid to such employee, and the Secretary of the Treasury is hereby authorized and directed to make such payments; and, for such purpose, there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as are necessary to carry out the provisions of this paragraph; and the Comptroller General of the United States is hereby authorized and directed to allow credits or to cancel charges therefor in the same manner and to the same extent as provided in paragraph (a) of this section.

(d) In any case wherein sums for travel or other expenses have been advanced to any such employee, or in any case wherein any such employee has been partially paid on account of such allowance, the Comptroller General of the United States is hereby authorized and directed to allow credits or to cancel charges for such items in the same manner and to the same extent as provided in paragraph (a) of this section, so that any such charges will be eliminated and canceled in determining whether such employees or the Government is entitled to any difference between such advance or partial payment and the allowable per diem: *Provided, however,* That in any case wherein any sums were advanced to any such employee for travel or other expenses, the disbursing officer shall be credited for charges for such items only to the extent of any such advances outstanding.

SEC. 5. Any surety on any bond furnished by any such employee is hereby relieved from any liability by reason of any claim or charges for any such items.

SEC. 6. No provision of this act shall apply to or prejudice any claim of the United States against any such employee or the surety on his bond by reason of any item other than those specified in section 1 of this act; and any refunds or payments made to any such employee by reason of this act shall be subject to deductions by reason of any other proper charges against the account of any such employee.

SEC. 7. Any refund or payment to any such employee, or any credit or cancellation of any charges for such items, made by reason of this act, shall be in full settlement of all claims by any such employee against the United States or any department or agency thereof for reimbursement for expenses of such employee for such items.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING TRANSFER OF CERTAIN PROPERTY TO THE SECRETARY OF THE INTERIOR

The Clerk called the bill (S. 170) to authorize the transfer of certain property to the Secretary of the Interior, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CUNNINGHAM. Mr. Speaker, reserving the right to object, I would like to inquire of the chairman of the committee about this, first, as to how much it would cost.

Mr. GRANGER. I have a similar bill to S. 170. There is no way of estimating what this would cost at the present time, because nothing has been done to determine that. It will be determined by how large the school will be. I understand they are talking about a school for five or six hundred students, which would make it cost about half as much as they are talking about.

Mr. CUNNINGHAM. After the transfer of the property is made, will there be expenditure of funds for building of the school or enlarging it?

Mr. GRANGER. That is, provided the appropriations are made.

Mr. CUNNINGHAM. I withdraw my reservation of objection.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Administrator of the War Assets Administration is hereby authorized and directed to transfer to the Secretary of the Interior, without reimbursement or transfer of funds for use by the Bureau of Indian Affairs as a vocational school for Indian children and a center for housing and training adult Indians for off-reservation employment and placement, the property known as the Bushnell General Hospital near Brigham City, Box Elder County, Utah, comprising two hundred and ninety-eight and five-tenths acres, more or less, together with roads, buildings, and other betterments thereon.

SEC. 2. The Secretary of the Interior is hereby authorized and directed to take over the property as soon as Congress has appropriated the necessary funds to provide for alterations, maintenance, and operation.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONSTRUCTION, EXTENSION, AND IMPROVEMENT OF SCHOOL BUILDINGS IN HOOPA, CALIF.

The Clerk called the bill (H. R. 554) to provide for the construction, extension, and improvement of school buildings in Hoopa, Calif.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of not to exceed $803,000 for the construction, extension, improvement, and equipment of school buildings in Hoopa, Calif.: *Provided,* That plans and specifications for the construction, extension, and improvement of the said school buildings shall be furnished by the Commissioner of Indian Affairs: *And provided further,* That the said school buildings so constructed, extended, and improved shall be the property of the United States, and shall be turned over to the Hoopa Valley Unified School District under the provisions of the act of April 16, 1934 (48 Stat. 596), as amended by the act of June 4, 1936 (49 Stat. 1458), and shall be made available to all the Indian children of the said district on the same terms, except as to the payment of tuition, as to other children of said school district.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TRIBAL FUNDS OF NAVAJO INDIANS

The Clerk called the bill (H. R. 994) to provide for disposition and use of tribal funds of the Navajo Tribe of Indians.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That notwithstanding any other provisions of existing law, the tribal funds now on deposit or hereafter placed to the credit of the Navajo Tribe of Indians, in the United States Treasury, shall be available for such purposes as may be designated by the tribal council of said tribe and approved by the Secretary of the Interior.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RED LAKE BAND OF CHIPPEWA INDIANS

The Clerk called the bill (H. R. 1755) to authorize a $100 per capita payment to members of the Red Lake Band of Chippewa Indians from the proceeds of the sale of timber and lumber on the Red Lake Reservation.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is authorized to withdraw as much as may be necessary from the fund on deposit in the Treasury of the United States arising from the proceeds of the sale of timber and lumber within the Red Lake Reservation in Minnesota, according to the provisions of the act of May 18, 1916 (39 Stat. 137), to the credit of the Red Lake Indians in Minnesota, and to pay therefrom $100 to each member of the Red Lake Band of Chippewa Indians of Minnesota who is living at the date of enactment of this act. Such payments shall be made as soon as practicable under such rules and regulations as the Secretary of the Interior may prescribe.

SEC. 2. No money paid to Indians under this act shall be subject to any lien or claim of attorneys or other persons. Before any payment is made under this act, the Red Lake Band of Chippewa Indians of Minnesota shall, in such manner as may be prescribed by the Secretary of the Interior, ratify and accept the provisions of this act.

SEC. 3. Payments made under this act shall not be held to be "other income and resources" as that term is used in section 2 (a) (7), 402 (a) (7), and 1002 (a) (8) of the Social Security Act, as amended (U. S. C., 1946 edition, title 42, secs. 302 (a) (7), 602 (a) (7), and 1202 (a) (8)).

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER. That concludes the bills eligible for call on the calendar at this time.

THREE HUNDREDTH ANNIVERSARY OF ANNAPOLIS, MD.

Mr. MURRAY of Tennessee. Mr. Speaker, I ask unanimous consent for the immediate consideration of the resolution (S. J. Res. 22) to authorize the issuance of a special series of stamps commemorative of the three hundredth anniversary of Annapolis, Md.

The SPEAKER. The Chair desires to state that he has consulted with the gentleman from Tennessee and understands the gentleman from Tennessee has cleared this matter with the majority Members on both sides.

Mr. MURRAY of Tennessee. That is correct.

The SPEAKER. Is there objection to the present consideration of the resolution?

There being no objection, the Clerk read the resolution, as follows:

Resolved, etc., That the Postmaster General is authorized and directed to prepare for issuance in May 1949 a special series of 3-cent postage stamps, of such design as he shall prescribe, in commemoration of the three hundredth anniversary of Annapolis, Md.

The resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ADMINISTRATION OF THE CENTRAL INTELLIGENCE AGENCY

Mr. SASSCER. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 2663) to provide for the administration of the Central Intelligence Agency, established pursuant to section 102, National Security Act of 1947, and for other purposes, as amended.

The SPEAKER. The Clerk will report the bill as amended.

The Clerk read as follows:

Be it enacted, etc.—

DEFINITIONS

SECTION 1. That when used in this act, the term—

(a) "Agency" means the Central Intelligence Agency;

(b) "Director" means the Director of Central Intelligence;

(c) "Government agency" means any executive department, commission, council, independent establishment, corporation wholly or partly owned by the United States which is an instrumentality of the United States, board, bureau, division, service, office, officer, authority, administration, or other establishment, in the executive branch of the Government; and

(d) "Continental United States" means the States and the District of Columbia.

SEAL OF OFFICE

SEC. 2. The Director of Central Intelligence shall cause a seal of office to be made for the Central Intelligence Agency, of such design as the President shall approve, and judicial notice shall be taken thereof.

PROCUREMENT AUTHORITIES

SEC. 3. (a) In the performance of its functions the Central Intelligence Agency is authorized to exercise the authorities contained in sections 2 (c) (1), (2), (3), (4), (5), (6), (10), (12), (15), (17), and sections 3, 4, 5, 6, and 10 of the Armed Services Procurement Act of 1947 (Public Law 413, 80th Cong. 2d sess.).

(b) In the exercise of the authorities granted in subsection (a) of this section, the term "Agency head" shall mean the Director, the Deputy Director, or the Executive of the Agency.

(c) The determinations and decisions provided in subsection (a) of this section to be made by the Agency head may be made with respect to individual purchases and contracts or with respect to classes of purchases or contracts, and shall be final. Except as provided in subsection (d) of this section, the Agency head is authorized to delegate his powers provided in this section, including the making of such determinations and decisions, in his discretion and subject to his direction, to any other officer or officers or officials of the Agency.

(d) The power of the Agency head to make the determinations or decisions specified in paragraphs (12) and (15) of section 2 (c) and section 5 (a) of the Armed Services Procurement Act of 1947 shall not be delegable. Each determination or decision required by paragraphs (12) and (15) of section 2 (c), by section 4, or by section 5 (a) of the Armed Services Procurement Act of 1947, shall be based upon written findings made by the official making such determinations, which findings shall be final and shall be available within the Agency for a period of at least 6 years following the date of the determination.

EDUCATION AND TRAINING

SEC. 4. (a) Any officer or employee of the Agency may be assigned or detailed for special instruction, research, or training, at or with domestic or foreign public or private institutions; trade, labor, agricultural, or scientific associations; courses or training programs under the National Military Establishment; or commercial firms.

(b) The Agency shall, under such regulations as the Director may prescribe, pay the tuition and other expenses of officers and employees of the Agency assigned or detailed in accordance with provisions of subsection (a) of this section, in addition to the pay and allowances to which such officers and employees may be otherwise entitled.

TRAVEL, ALLOWANCES, AND RELATED EXPENSES

SEC. 5. (a) Under such regulations as the Director may prescribe, the Agency, with respect to its officers and employees assigned to permanent-duty stations outside the continental United States, its Territories, and possessions, shall—

(1) (A) pay the travel expenses of officers and employees of the Agency including expenses incurred while traveling pursuant to orders issued by the Director in accordance with the provisions of section 5 (a) (3) with regard to the granting of home leave;

(B) pay the travel expenses of members of the family of an officer or employee of the Agency when proceeding to or returning from his post of duty; accompanying him on authorized home leave; or otherwise traveling in accordance with authority granted pursuant to the terms of this or any other act;

(C) pay the cost of transporting the furniture and household and personal effects of an officer or employee of the Agency to his successive posts of duty and, on the termination of his services, to his residence at time of appointment or to a point not more distant, or, upon retirement, to the place where he will reside;

(D) pay the cost of storing the furniture and household and personal effects of an officer or employee of the Agency who is absent under orders from his usual post of duty, or who is assigned to a post to which, because of emergency conditions, he cannot take or at which he is unable to use, his furniture and household and personal effects;

(E) pay the cost of storing the furniture and household and personal effects of an officer or employee of the Agency on first arrival at a post for a period not in excess of 3 months after such first arrival at such post or until the establishment of residence quarters, whichever shall be shorter;

(F) pay the travel expenses and transportation costs incident to the removal of the members of the family of an officer or employee of the Agency and his furniture and household and personal effects, including automobiles, from a post at which, because of the prevalence of disturbed conditions, there is imminent danger to life and property, and the return of such persons, furniture, and effects to such post upon the cessation of such conditions; or to such other post as may in the meantime have become the post to which such officer or employee has been assigned.

(2) Charge expenses in connection with travel of personnel, their dependents, and transportation of their household goods and personal effects, involving a change of permanent station, to the appropriation for the fiscal year current when any part of either the travel or transportation pertaining to the transfer begins pursuant to previously issued travel and transfer orders, notwithstanding the fact that such travel or transportation may not all be effected during such fiscal year, or the travel and transfer orders may have been issued during the prior fiscal year.

(3) (A) Order to the United States or its Territories and possessions on leave provided for in 5 U. S. C. 30, 30a, 30b, or as such sections may hereafter be amended, every officer and employee of the agency who was a resident of the United States or its Territories and possessions at time of employment, upon completion of 2 years' continuous service abroad, or as soon as possible thereafter: *Provided*, That such officer or employee has accrued to his credit at the time of such order, annual leave sufficient to carry him in a pay status while in the United States for at least a 30-day period.

(B) While in the continental United States on leave, the service of any officer or employee shall be available for work or duties in the Agency or elsewhere, but the time of such work or duties shall not be counted as leave.

(C) Where an officer or employee on leave returns to the United States or its Territories and possessions, leave of absence granted shall be exclusive of the time actually and necessarily occupied in going to and from the United States or its Territories and possessions, and such time as may be necessarily occupied in awaiting transportation.

(4) Notwithstanding the provisions of any other law, transport for or on behalf of an officer or employee of the Agency, a privately owned automobile in any case where it shall be determined that water, rail, or air transportation of the automobile is necessary or expedient for any part or of all the distance between points of origin and destination, and pay the cost of such transportation.

(5) (A) In the event of illness or injury requiring the hospitalization of an officer or full-time employee of the Agency, not the result of vicious habits, intemperance, or misconduct on his part, incurred while on asignment abroad in a locality where there does not exist a suitable hospital or clinic, pay the travel expenses of such officer or employee by whatever means he shall deem appropriate and without regard to the Standardized Government Travel Regulations and section 10 of the act of March 3, 1933 (47 Stat. 1516; 5 U. S. C. 73b), to the nearest locality where a suitable hospital or clinic exists and on his recovery pay for the travel expenses of his return to his post of duty. If the officer or employee is too ill to travel unattended, the Director may also pay the travel expenses of an attendant.

(B) Establish a first-aid station and provide for the services of a nurse at a post at which, in his opinion, sufficient personnel is employed to warrant such a station: *Provided*, That, in his opinion, it is not feasible to utilize an existing facility;

(C) In the event of illness or injury requiring hospitalization of an officer or full-time employee of the Agency, not the result of vicious habits, intemperance, or misconduct on his part, incurred in the line of duty while such person is assigned abroad, pay for the cost of the treatment of such illness or injury at a suitable hospital or clinic;

(D) Provide for the periodic physical examination of officers and employees of the Agency and for the cost of administering inoculations or vaccinations to such officers or employees.

(6) Pay the costs of preparing and transporting the remains of an officer or employee of the Agency or a member of his family who may die while in travel status or abroad, to his home or official station, or to such other place as the Director may determine to be the appropriate place of interment, provided that in no case shall the expense payable be greater than the amount which would have been payable had the destination been the home or official station.

(7) Pay the costs of travel of new appointees and their dependents, and the transportation of their household goods and personal effects, from places of actual residence in foreign countries at time of appointment to places of employment and return to their actual residences at the time of appointment or a point not more distant: *Provided*, That such appointees agree in writing to remain with the United States Government for a period of not less than 12 months from the time of appointment.

Violation of such agreement for personal convenience of an employee or because of separation for misconduct will bar such return payment and, if determined by the Director or his designee to be in the best interests of the United States, any money expended by the United States on account of such travel and transportation shall be considered as a debt due by the individual concerned to the United States.

(b) In accordance with such regulations as the President may prescribe and notwithstanding the provisions of section 1765 of the Revised Statutes (5 U. S. C. 70), the Director is authorized to grant to any officer or employee of the Agency allowances in accordance with the provisions of section 901 (1) and 901 (2) of the Foreign Service Act of 1946.

GENERAL AUTHORITIES

SEC. 6. In the performance of its functions, the Central Intelligence Agency is authorized to—

(a) Transfer to and receive from other Government agencies such sums as may be approved by the Bureau of the Budget, for the performance of any of the functions or activities authorized under sections 102 and 303 of the National Security Act of 1947 (Public Law 253, 80th Cong.), and any other Government agency is authorized to transfer to or receive from the Agency such sums without regard to any provisions of law limiting or prohibiting transfers between appropriations. Sums transferred to the Agency in accordance with this paragraph may be expended for the purposes and under the authority of this act without regard to limitations of appropriations from which transferred;

(b) Exchange funds without regard to section 3651 Revised Statutes (31 U. S. C. 543);

(c) Reimburse other Government agencies for services of personnel assigned to the Agency, and such other Government agencies are hereby authorized, without regard to provisions of law to the contrary, so to assign or detail any officer or employee for duty with the Agency;

(d) Authorize couriers and guards designated by the Director to carry firearms when engaged in transportation of confidential documents and materials affecting the national defense and security;

(e) Make alterations, improvements, and repairs on premises rented by the Agency, and pay rent therefor without regard to limitations on expenditures contained in the act of June 30, 1932, as amended: *Provided*, That in each case the Director shall certify that exception from such limitations is necessary to the successful performance of the Agency's functions or to the security of its activities.

SEC. 7. In the interests of the security of the foreign intelligence activities of the United States and in order further to implement the proviso of section 102 (d) (3) of the National Security Act of 1947 (Public Law 253, 80th Cong., 1st sess.) that the Director of Central Intelligence shall be responsible for protecting intelligence sources and methods from unauthorized disclosure, the Agency shall be exempted from the provisions of sections 1 and 2, chapter 795 of the act of August 28, 1935 (49 Stat. 956, 957; 5 U. S. C. 654), and the provisions of any other law which require the publication or disclosure of the organization, functions, names, official titles, salaries, or numbers of personnel employed by the Agency: *Provided*, That in furtherance of this section, the Director of the Bureau of the Budget shall make no reports to the Congress in connection with the Agency under section 607, title VI, chapter 212 of the act of June 30, 1945, as amended (5 U. S. C. 947 (b)).

SEC. 8. Whenever the Director and the Attorney General shall determine that the entry of a particular alien into the United States for permanent residence is in the interest of national security or essential to the furtherance of the national intelligence mission, such alien and his immediate family shall be given entry into the United States for permanent residence without regard to their inadmissibility under the immigration or any other laws and regulations, or to the failure to comply with such laws and regulations pertaining to admissibility: *Provided*, That the number of aliens and members of their immediate families entering the United States under the authority of this section shall in no case exceed 100 persons in any one fiscal year.

SEC. 9. The Director is authorized to establish and fix the compensation for not more than three positions in the professional and scientific field, within the Agency, each such position being established to effectuate those scientific-intelligence functions relating to national security, which require the services of specially qualified scientific or professional personnel: *Provided*, That the rates of compensation for positions established pursuant to the provisions of this section shall not be less than $10,000 per annum nor more than $15,000 per annum, and shall be subject to the approval of the Civil Service Commission.

APPROPRIATIONS

SEC. 10. (a) Notwithstanding any other provisions of law, sums made available to the Agency by appropriation or otherwise may be expended for purposes necessary to carry out its functions, including—

(1) personal services, including personal services without regard to limitations on types of persons to be employed, and rent at the seat of government and elsewhere; health-service program as authorized by law (5 U. S. C. 150); rental of news-reporting services; purchase or rental and operation of photographic, reproduction, cryptographic, duplication and printing machines, equipment and devices, and radio-receiving and radio-sending equipment and devices, including telegraph and teletype equipment; purchase, maintenance, operation, repair, and hire of passenger motor vehicles, and aircraft, and vessels of all kinds; subject to policies established by the Director, transportation of officers and employees of the Agency in Government-owned automotive equipment between their domiciles and places of employment, where such personnel are engaged in work which makes such transportation necessary, and transportation in such equipment, to and from school, of children of Agency personnel who have quarters for themselves and their families at isolated stations outside the continental United States where adequate public or private transportation is not available; printing and binding; purchase, maintenance, and cleaning of firearms, including purchase, storage, and maintenance of ammunition; subject to policies established by the Director, expenses of travel in connection with, and expenses incident to attendance at meetings of professional, technical, scientific, and other similar organizations when such attendance would be a benefit in the conduct of the work of the Agency; association and library dues; payment of premiums or costs of surety bonds for officers or employees without regard to the provisions of 61 Stat. 646; 6 U. S. C. 14; payment of claims pursuant to 28 U. S. C.; acquisition of necessary land and the clearing of such land; construction of buildings and facilities without regard to 36 Stat. 699; 40 U. S. C. 259, 267; repair, rental, operation, and maintenance of buildings, utilities, facilities, and appurtenances; and

(2) supplies, equipment, and personnel and contractual services otherwise authorized by law and regulations, when approved by the Director.

(b) The sums made available to the Agency may be expended without regard to the provisions of law and regulations relating to the expenditure of Government funds; and for objects of a confidential, extraordinary, or emergency nature, such expenditures to be accounted for solely on the certificate of the Director and every such certificate shall be deemed a sufficient voucher for the amount therein certified.

SEPARABILITY OF PROVISIONS

SEC. 11. If any provision of this act, or the application of such provision to any person or circumstances, is held invalid, the remainder of this act or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

SHORT TITLE

SEC. 12. This act may be cited as the "Central Intelligence Agency Act of 1949."

Mr. VINSON (interrupting the reading of the bill). Mr. Speaker, I ask unanimous consent that the further reading of the bill as amended be dispensed with and that the same be printed in the RECORD at this point.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

Mr. MARCANTONIO. Mr. Speaker, reserving the right to object, will that deprive any Member from making a point of order against the bill at this time?

The SPEAKER. A motion to suspend the rules suspends all rules. Therefore, a point of order would not lie as to any provision of the bill.

Mr. MARCANTONIO. Including the Ramseyer rule?

The SPEAKER. Including the Ramseyer rule.

The gentleman from Georgia asks unanimous consent that further reading of the bill be dispensed with. Is there objection?

There was no objection.

The SPEAKER. Is a second demanded?

Mr. SHORT. Mr. Speaker, I demand a second.

Mr. MARCANTONIO. Mr. Speaker, I do not want to embarrass the gentleman from Missouri, but I submit that to demand a second a Member must be opposed to the bill.

The SPEAKER. Is the gentleman from Missouri opposed to the bill?

Mr. SHORT. I am not; I am very much in favor of it.

Mr. MARCANTONIO. Mr. Speaker, I am opposed to the bill. I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER. The gentleman from Maryland [Mr. SASSCER] is recognized for 20 minutes; the gentleman from New York [Mr. MARCANTONIO] will be recognized for 20 minutes.

Mr. SASSCER. Mr. Speaker, I yield myself 8 minutes.

The SPEAKER. The gentleman from Maryland is recognized.

Mr. SASSCER. Mr. Speaker, H. R. 2663 is a bill to provide for the administration of the Central Intelligence Agency. There have been some misconceptions as to its purposes. For this reason, I would like to make certain broad statements concerning the bill and its purposes before discussing it in detail.

The Central Intelligence Agency was established as a successor to the Central Intelligence Group, under the provisions of section 102 of the National Security Act of 1947. This section sets out the functions of the Agency. It should be pointed out at once that H. R. 2663, which we are now considering, does not alter or add to these functions in any way. It simply provides for the administrative implementation of the functions which the Congress has already seen fit to give to the Agency.

Secondly, it should be pointed out that CIA functions exclusively under the powers granted it by the National Security Act of 1947 and not under any Executive order whatsoever.

Thirdly, with one or two exceptions to which your attention will be drawn, there is no authority in this proposed bill which at some time or other has not been granted to some other agency of the Government or which some other agencies are not now utilizing through their own implementing legislation. The reason why the hearings have been held in executive session, and why a certain amount of secrecy has been utilized in connection with this bill, is that the discussions with the members of CIA who appeared before the committee went into the operational background of the Agency. Naturally, operational details cannot be talked about in public for they go to the very heart of CIA's activities. Bear in mind, however, that the CIA is prohibited by law from any internal security functions. It deals only in the field of foreign intelligence.

This bill which we are now considering with one difference was introduced into the second session of the Eightieth Congress last year, and was unanimously approved by the Armed Services Committees both in the Senate and the House after detailed hearings. The bill itself passed the Senate on the last day of the session, but due to the last minute pressure of business could not be called up in the House. After most careful consideration, the present measure has again been unanimously approved, first by a subcommittee and then by the full Armed Services Committee in the House.

As I have said, its purposes are administrative, and its provisions break down into four main categories. In the first place, the Agency seeks to avail itself of the benefits of the Armed Services Procurement Act of 1947 so that it may utilize the most up-to-date procurement facilities in connection with its activities. Secondly, in connection with the sections dealing with foreign travel and similar allowances, the Agency, in availing itself of many of the provisions of the Foreign Service Act of 1946, is seeking to build up a career service in the intelligence field second to none. A second-best intelligence service is almost as bad as none at all. Within the framework of existing Government laws and salaries, we are seeking to place CIA on a career basis, particularly for those of its employees who may spend a large portion of their career on foreign assignment. Thirdly, we are supplying the Agency, by this bill, with certain general administrative authorities which are needed. Finally, we are supplying the Agency with appropriations language to which their budget and fiscal employees, as well as those of the General Accounting office, may look in the auditing of the Agency's expenses.

In broad terms, therefore, H. R. 2663 seeks to assist this country in the building up and development of a career foreign intelligence service, and to free the Agency from certain restrictions so that it may operate as a mature intelligence service must operate.

Section 1 of this bill merely contains certain very basic definitions of terms used in the act.

Section 2 authorizes a seal of office for the Agency, and provides that judicial notice shall be taken thereof. From time to time it has been necessary for CIA to produce records in court. For example, the records of the monitoring of foreign propaganda broadcasts in their possession have included recordings of the speeches made from Germany by Douglas Chandler and Robert Best. These recordings were the basis of the recent convictions of these two men for their treasonable activities during the late war. In order that authenticated copies of such material can be submitted when called for in court, a seal is necessary of which the court can take judicial notice.

Section 3 of the bill authorizes the Agency to utilize certain of the authorities granted the armed services in the Armed Services Procurement Act of 1947. The main features of this law which are being extended to the CIA are in the field of negotiation for contracts without advertising. The general ceiling for which contracts can be negotiated without advertising today is $100. The Armed Services Procurement Act raises this ceiling to $1,000, and it is being extended to include CIA contracts up to this amount. In addition, the act authorizes negotiation of contracts without advertising where public exigency will not admit of delay, where it is impracticable to secure competition, and for supplies or services the nature of which should not be publicly disclosed. It stands to reason that certain of the technical equipment which this Agency must utilize may be made only by one firm for reasons of security, and certainly some of this equipment should not be openly advertised for. Therefore, it seems only proper that these authorities which the Congress has already extended to the armed services should be further extended to CIA. The remainder of this section sets forth the applicable provisions of the Procurement Act regarding rules for advertising, the type of contracts that can be made, damages, joint procurement, delegations of authorities and limitations thereon.

Section 4 of the bill authorizes the Agency to assign its personnel to schools for special instruction and training, and to pay the cost of such tuition and expenses. This will permit the Agency to send selected employees to such schools as the National War College, advance courses in international relations and related fields, refresher courses in language fields, and special training courses.

Section 5 of the bill presents one of its most important features from a career standpoint. Virtually all of the provisions of this section have been taken directly from similar provisions in the Foreign Service Act of 1946. It provides for the payment of travel expenses for the employees of the Agency and for the members of their families when proceeding to posts of duty abroad, and from post to post abroad. It provides for their being returned to the United States with their families on statutory home leave after 2 years of continuous service abroad.

It must be reemphasized that these provisions are not new departures created for CIA, but are merely extending to the Agency the best features of other career services in the Government. This section also provides for the hospitalization and medical care of the Agency's full-time employees abroad, and includes provisions for the periodical physical examination of all of the employees on foreign posts.

Certain general administrative provisions are granted to the Agency, most of which are similar to authorities granted to other agencies of the Government at one time or another, or which deal with the security of the Agency's operations. For instance, there are provisions permitting the arming of couriers and guards carrying confidential documents. Specific authority is needed to override State statutes which prohibit the carrying of firearms without special licenses. Such a statute is in existence for the FBI, and the armed services have always been allowed to arm officer couriers.

Section 8 of the proposed bill contains a provision which will permit the entry of 100 aliens into the United States for permanent residence. This will be explained more fully by my distinguished colleague, the gentleman from North Carolina [Mr. DURHAM]. However, I would like to emphasize that this section involves a time factor. Time is of the

essence, and should these people be required to go through the many procedures of obtaining visas, having photographs taken, and filing applications—they would be dead before taking their second step. In certain areas of the world such persons can only contact an American once. This section permits quick action to save the lives of persons of high intelligence value to the United States.

Finally we have provided in this bill some basic appropriations language to which the Government Accounting Office and the budget and fiscal offices of the Agency can look in the expenditure of funds. Much of this language is necessary, for without it the expenditure of funds for the purposes set forth herein cannot be allowed. In addition, we have provided the legal basis for the granting to the Agency authority for the spending of those unvouchered funds which the Appropriations Committee of the House will earmark, and without which there can be no successful operation of an intelligence service.

For the reasons I have set forth, I urge the passage of this bill. Above all, it will allow this country to continue and increase the successful operation of its foreign intelligence, upon which some day the security of this country and our very lives may well depend.

Mr. DONDERO. Mr. Speaker, will the gentleman yield?

Mr. SASSCER. I yield to the gentleman from Michigan.

Mr. DONDERO. Will it affect the personnel of our American military government in Germany?

Mr. SASSCER. It is my understanding that it will not.

The SPEAKER. The time of the gentleman from Maryland has expired.

Mr. SASSCER. Mr. Speaker, I yield myself one additional minute.

Basically it is outlining the administrative procedure. There is a section in the bill relating to bringing in aliens, which my able colleague the gentleman from North Carolina [Mr. DURHAM] will discuss. However, I would like to again emphasize that this section involves a time factor. It in no way encompasses the functions or prerogatives of the immigration authorities or congressional committees. This is a security measure. These men can only contact an American once. Time is the element. If they cannot make a quick exit their heads may be off and valuable information lost.

Mr. CELLER. Mr. Speaker, will the gentleman yield?

Mr. SASSCER. I yield to the gentleman from New York.

Mr. CELLER. Does the gentleman mean to imply that immigration restrictions built up over the years are not suspended by this bill?

Mr. SASSCER. They are suspended for 100 aliens on the basis of their potential news value for security purposes and not for the purpose of general immigration laws.

The SPEAKER. The time of the gentleman from Maryland has again expired.

Mr. DURHAM. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. CELLER].

Mr. CELLER. Mr. Speaker, although I do not like the hush-hush business surrounding this bill, I shall not oppose it. Certainly if the members of the Armed Forces Committee can hear the detailed information to support this bill, why cannot our entire membership? Are they the Brahmins and we the untouchables? Secrecy is the answer. What is secret about the membership of an entire committee hearing the lurid reasons? In Washington three men can keep a secret if two men die. It is like the old lady who said, "I can keep a secret but the people I tell it to, cannot."

I must counter the remarks of the previous speaker. We have in the bill this very significant language "for permanent residence without regard to their inadmissibility under the immigration or any other laws or regulations."

In the first place, if there had not been a closed rule, I would have made the point of order to strike out this provision because it is exclusively within the province of the Committee on the Judiciary and is not the business of the Committee on the Armed Services. The Committee on the Armed Services has nothing to do with immigration. Now this provision I have read throws out the window, at the discretion of the Director mentioned in this bill and the Attorney General, all the legislative immigration restrictions that we have built up over the years. It throws them to the winds, and if the Attorney General and the Director wish to admit Facists, Communists, Hitler sadists, morons, moral perverts, syphilitics, or lepers, they can do it. I think the House ought to know what it is legislating about, and I think, in a measure, this indicates how the cold war is unhinging the nerves of some of our high military authorities. The secrecy, especially the brand we are treated to, is ridiculous. Secondly these immigration privileges are badly conceived. If you want to give this authority to the military, all right, but I think we should know what we are doing and whither we are going. The military is not infallible. Witness the situation of the charges levied by the military intelligence against one Agnes Smedley recently, that she was a Communist, or a Russian spy, and instead of retracting when they found they were in error, they simply admitted a faux pas. The military is indeed not infallible. On the question of immigration they are given carte blanche, willy-nilly, to admit 100 persons under this particular provision which should be stricken from the bill or, if it is not stricken, certain safeguards should have been added.

I have spoken briefly to advise the Armed Forces Committee to stick to its own knitting. When immigration is involved, let the proper committee be consulted—the Judiciary Committee.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. DURHAM. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, in the past few days, much has been said about a provision in the proposed act which will permit the entry of 100 aliens annually into the United States without regard to immigration laws. I would like to explain this provision carefully and fully.

Section 8 of this bill provides that whenever the Director and the Attorney General shall determine that the entry of a particular alien into the United States for permanent residence is in the interest of national security or essential to the furtherance of the national intelligence mission, that alien and his family shall be given entry without regard to their admissibility under the immigration laws and regulations. The number of persons who can come into the country under this provision is limited to 100 persons in any one year. Let me emphasize that what is being waived are the laws regarding the admissibility of an alien into this country, but no laws are being waived regarding his conduct once he is here. The alien must live up to every law of the United States just as every other alien must do, and failure to do so will lead to his deportation for cause. What is the purpose of this section? Briefly, it is this. There are many people all over the world who believe in this country and what it stands for implicitly. Many of them are living in police states. Some of them may have formerly been highly placed in the service of their government. Some of them may even be there now. Many of them have important intelligence information to make available to this country, and such information may be of vital importance to our national security and our policies. These people, be they soldiers or statesmen or scientists, can only approach a representative of America once. If they are seen talking with an American, it may mean the concentration camps, or in some instances death itself. There is no time here to get visas and fill out the forms which the immigration laws require. The element of time is often 24 hours or less. When CIA plans such an operation, security requires that the people knowing it be held to an absolute minimum. The people who will be selected will be most carefully screened by CIA, and only the select few will be chosen. The concurrence in the Director's selection lies with the Attorney General, whose Immigration and Naturalization Bureau must administer the immigration laws once these people have arrived. The Committee feels that this power should be granted to the Director of Central Intelligence, and that the operation of our intelligence agency requires its existence. Its force and effect is testified to by the screams of anguish which have already emanated from Communist sources abroad. The Rumanian radio protested immediately after the Armed Services Committee approved this section. This is what it said:

> Dollars fatherland, fatherland of gangsters and of international swindlers, is now officially decreed fatherland of spies from any corner of the world.

A statement by the American Slav Congress, which is on the Attorney General's list as a Communist organization, was forwarded to this committee, and almost upon its very receipt the Moscow radio started to broadcast its text. The Moscow radio says that this provision will make every freedom-loving American and every honest person in the world

disgusted with the cynicism of the United States Congress and its policy of reviving fascism and preparing a new world war. It is interesting to note that the Moscow radio picks up and endorses this protest almost as soon as the committee itself has received the telegram. The people who will enter this country under this provision are not spies. They are defactors from the totalitarian state. They are people whose love of democracy is so great that at the risk of their lives they come to representatives of the United States to give them information which will help the west and the United States survive.

I believe the well-known radio commentator, Edward R. Murrow, very neatly summed up the purpose of this section in his broadcast of March 4, in which he stated, and I quote:

> This is essentially an underground railroad for first-class passengers only, up to 100 a year. It will be confined to people of the highest caliber, morally and mentally, who have to get out of their own countries on short notice or face arrest, torture, or execution, people whose background, information, and services are so valuable to us that it would not be safe to keep them for any prolonged length of time even in countries of western Europe.

Mr. Speaker, the dearest thing we can give these aliens is admission to this country, and that is what your committee proposes.

As an essential weapon for the successful operation of this country's foreign Intelligence Service, and after the most serious and searching consideration, your committee has endorsed this section and urges its adoption, as well as all other provisions of the bill.

Mr. MARCANTONIO. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, I call the attention of the Members of the House who are present to the language on page 6 of the report. I think it can be said without any fear of contradiction that this is the first time in the history of the United States that this language is found in any report accompanying a bill coming before the Congress. It reads as follows:

> The report does not contain a full and detailed explanation of all of the provisions of the proposed legislation in view of the fact that much of such information is of a highly confidential nature. However, the Committee on Armed Forces received a complete explanation of all features of the proposed measure. The committee is satisfied that all sections of the proposed legislation are fully justified.

Let us look at this a moment. We are being asked to vote for legislation without having full explanation of all of the provisions of the bill.

Mr. DURHAM. Mr. Speaker, will the gentleman yield?

Mr. MARCANTONIO. I yield.

Mr. DURHAM. The gentleman knows of course that this is an espionage bill.

Mr. MARCANTONIO. I do not see what difference that makes. We have gone through two world wars. We have gone through a civil war and the Congress has never been asked to vote for any legislation without explanation of all of the provisions of the bill and that is what this report asks the Members of this House to do. Can anyone deny that that is what we are being requested to do under this motion to suspend the rules?

What are we doing here? First of all, as to the secrecy with which the committee has been operating, it admits that its members have the information which they are withholding from the House. As the distinguished gentleman from Massachusetts, the former Speaker of the House [Mr. MARTIN], said, if he is correctly reported in this morning's press: "There is no such thing as a secret in Washington, when any three persons know it." Yet, we are told that the information the committee has must be kept a secret from the Members of the House. What is worse, the committee informs us through its report that the Members of the House must pass this bill without any explanation of all of its provisions. This makes every single section of this bill suspect. No Member of Congress has been informed. No Member of Congress has been given the full explanation of all of the provisions of the legislation to which the representatives of the people are entitled before voting on any legislation. Only the members of the Committee on Armed Services, we are told, have been given the explanation. That is the situation you have before you. If under the wave of hysteria you want to abdicate your legislative functions to just one committee of the House, that is your privilege, but as for me I refuse to do it. I no not care what reason is given. There has never been and there can never be any justification at any time for the representatives of the people, who are elected to Congress, to abdicate their function of legislating with full knowledge on the matters which come before them. This bill suspends that function and says, "You must not have knowledge of all of the provisions of the bill." It says, "You must vote blindly and must take the word of a committee." No one challenges the good faith of the committee members, but the fact is that with 435 Members from 435 different districts, we are all entitled to have our own viewpoint on legislation based on at least a full explanation of all of the sections of a bill. For that reason all times in the history of the Congress of the United States the membership has been given full explanation in a report which is intended to explain the bill. Never has Congress been told in a report accompanying a bill, as this one does, that Congress cannot have a full explanation of all provisions in the bill. This is the first time that Members of the House are told, "You cannot have any full explanation of this legislation. It is highly confidential. It deals with espionage."

As a result of the hysteria under which this bill is being passed I suppose a majority of the House will vote for this bill, even though in doing so you are suspending your legislative prerogatives and evading your duty to the people of this Nation.

Now, without having been given explanation of all of the provisions, I have been trying to find out something about this bill by reading the bill, as well as the report. Here are a few things that the Members of the House ought to know. I deal with section 4, on page 3:

> SEC. 4. (a) Any officer or employee of the Agency may be assigned or detailed for special instruction, research, or training, at or with domestic or foreign public or private institutions; trade, labor, agricultural, or scientific associations; courses or training programs under the National Military Establishment; or commercial firms.

What does this mean? With all of the vast powers that are given this agency under the guise of research and study, you are subjecting labor unions and business firms to the will of the military. You are opening the door for the placing of these intelligence agents, supposed to deal with security pertaining to foreign as well as internal affairs in the midst of labor organizations.

The SPEAKER pro tempore. The time of the gentleman from New York [Mr. MARCANTONIO] has expired.

Mr. MARCANTONIO. Mr. Speaker, I yield myself five additional minutes.

You are opening the doors for the entrance of intelligence agents into labor organizations; yes, to spy on labor and carry out antilabor activities. I am sure if it were not for the cold war hysteria, very few Members of the Congress would vote for that provision. Certainly the majority would not vote to suspend the rules so that you must take this bill as it is without any opportunity for amendment, despite its serious implications against the security of the liberties of the American people.

The gentleman from New York has discussed the immigration provision of the bill. I simply want to add to his comments that this section will work out only in one way: That there will be admitted into this country former Fascists and Nazis, antilabor people, promonarchists, people that a democracy such as ours would want to keep out. It is only natural that the followers of the Hapsburgs, Francos, and other Fascist scum will be the beneficiaries of this feature of the bill, which suspends the immigration laws and allows for permanent admission of 100 of them per year.

Then, from the standpoint of Government operations, on page 15 of the bill, we find this:

> The sums made available to the Agency may be expended without regard to the provisions of law and regulations relating to the expenditure of Government funds.

I wish some of you gentlemen who have been cutting down appropriations for unemployment services and social welfare legislature would listen to this:

> The sums made available to the Agency may be expended without regard to the provisions of law and regulations relating to the expenditures of Government funds.

So what are we doing here? From what we know—and, mind you, we have not been told everything—but from what we know, we are suspending civil liberties in the interest of a military intelligence agency. That is definite. You cannot get away from that. We are also making it possible to have admitted into this country, under the guise of

counterespionage or counterintelligence, people that a democracy would spew out under all circumstances. We are suspending all laws with regard to Government expenditures, and we are asking the Members of Congress to suspend their prerogatives and cease to do their duty on legislation with full explanation of the legislation. Of course, there are times when bills get by. We cannot all be up to date on everything. We might not know what is in a bill. That happens. But this time we are told that we are not supposed to know what is in the bill. I want to read that again, and I hope it will sink in:

> The report does not contain a full and detailed explanation of all of the provisions of the proposed legislation in view of the fact that much of such information is of a highly confidential nature.

Congress is suspending its right to legislate and we are being asked to do this in furtherance of a cold war. This is illustrative of what this imperialist cold war is imposing on the people of a country: Suspending its civil liberties, invasion of the labor movement by intelligence agents, admission of undesirables—undesirable in any democracy—and asking Members of Congress to suspend their prerogative to pass on legislation.

But you say this is dealing with espionage, that this is done for the sake of security. I refuse to believe that our Nation is so unsafe from a security standpoint that we have to suspend not only the civil liberties of the people but the legislative prerogatives of the Representatives of the people in the Congress. If you want to do this in the hope that a newspaper will not criticize you for voting against it because of the hysteria which is being whipped up, that is your privilege; but I submit that the situation is obvious: Hysteria is used to undermine the civil liberties of the people and extend the military control—military control—I emphasize that, over the lives and thinking of the people of these United States.

Mr. Speaker, I reserve the balance of my time.

Mr. VINSON. Mr. Speaker, I yield the balance of my time to the distinguished gentleman from Missouri [Mr. SHORT].

The SPEAKER. The gentleman from Missouri is recognized for 4 minutes.

Mr. SHORT. Mr. Speaker, there is some plausibility in the argument advanced by the gentleman from New York. I suppose that none of us in the Chamber at this moment likes this particular kind of legislation, but I think we all will agree that the weakest link in our chain of national defense in days gone by has been in a weak intelligence system. The Germans, the Russians, the British, have had far better systems of intelligence than have we, and in spite of all our wealth and power and might we have been exceptionally weak in psychological warfare notwithstanding the fact that an idea is perhaps the most powerful weapon on this earth.

The pending bill, H. R. 2663, is substantially the same as H. R. 5871 which was introduced in the Eightieth Congress, unanimously reported by the Senate Committee on the Armed Services, and passed the Senate. A companion bill was unanimously reported by the House Committee on the Armed Services, but due to lack of time it failed of passage in the Eightieth Congress.

The purpose of this bill is simply to give the Central Intelligence Agency authority that is necessary for its proper administration. It is true that we will bring in not to exceed 100 persons a year, but before they are admitted they will be carefully screened by both the Director of Central Intelligence and the Attorney General of the United States. They act jointly, and it is absolutely essential that some of the information given to members of our committee as was given to members of the Rules Committee, must be kept confidential, because it is of a secret nature. The FBI does not advertise the movements it makes in the apprehension of a criminal. Our intelligence officers to be effective and in their own defense as well as the country's must keep many of their movements secret. I think it would be supreme folly for us to discuss every phase and ramification of a bill that is of such a highly confidential nature.

Mr. DURHAM. Mr. Speaker, will the gentleman yield?

Mr. SHORT. I yield to the gentleman from North Carolina.

Mr. DURHAM. Did the committee satisfy itself as to the expenditure of this fund?

Mr. SHORT. It did, and there is a definite limitation upon this. We limited not only the number of persons to be admitted but also the amount of money to be expended; however, we are not telling how, when, where, or to whom the money will go. We cannot, because of the very nature of the problem.

I am glad the gentleman from New York quoted from page 6 of the committee report because the language itself is self-explanatory. You are going to have to trust somebody, Mr. Speaker, and while perhaps it is asking too much for you to trust the members of the Committee on the Armed Services I think you can trust the Committee on Rules or any other committee of this House. Both committees mentioned reported this bill unanimously.

We are engaged in a highly dangerous business. It is something I naturally abhor but sometimes you are compelled to fight fire with fire. There is no other way out of it so far as I can see and perhaps the less we say in public about this bill the better off all of us will be.

The SPEAKER. The time of the gentleman from Missouri has expired.

Mr. MARCANTONIO. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, the gentleman from Missouri has stated correctly that information is withheld sometimes by a committee when it receives information which is confidential. However, what is before us is not an instance of merely withholding information. I read from the report:

> The report does not contain a full and detailed explanation of all of the provisions of the proposed legislation.

It is obvious, and even a 6-year-old child can see the distinction. What we have here is not a matter of withholding information; it is a matter of asking the Congress to legislate even though an explanation of the legislation is refused by the committee. The complaint I make is that the committee refuses to give any explanation of some of the provisions of the bill.

Mr. SHORT. Mr. Speaker, will the gentleman yield?

Mr. MARCANTONIO. I yield to the gentleman from Missouri.

Mr. SHORT. I want to call the attention of the Members of the House to a sentence from Rear Adm. Hillenkoetter's request which he made in a letter addressed to the Speaker of the House, found on pages 6 and 7 of the report.

In next to the last paragraph he states:

> In almost all instances, the powers and authorities contained in the bill already exist for some other branch of the Government, and the bill merely extends similar authorities to the Central Intelligence Agency.

That is absolutely true. These authorities exist for other Government agencies and all this bill does is to extend to the Central Intelligence Agency the powers already enjoyed by other agencies.

Mr. MARCANTONIO. The gentleman from Missouri has answered himself. The rear admiral says "in almost all instances," and again I say the committee refuses to explain the instances that are not covered by the rear admiral's statement, "In almost all instances." It is the exceptions that concern me.

Mr. SHORT. In the original statement of the gentleman from New York he said that never before had the Congress considered such legislation. We all know that the President was given blanket authority so far as the atomic bomb was concerned, and we spent $2,000,000,000 of the taxpayers' money before anybody knew what it was.

Mr. MARCANTONIO. The gentleman will remember that in connection with the atomic bill that we had here there was a report on the legislation. Nowhere in the report was it stated that the report did not contain a full and detailed explanation of all the provisions of the proposed legislation. The legislation was explained section by section in the report accompanying the bill. This is the first time in the history of Congress that Members are being asked to vote on legislation about which not merely information is withheld but also explanation as to the provisions of the legislation.

Mr. HOLIFIELD. Mr. Speaker, will the gentlema yield?

Mr. MARCANTONIO. I yield to the gentleman from California.

Mr. HOLIFIELD. I would like to question the gentleman from Missouri. On page 4 of the report, subsection 5 (b), it is provided that an employee while in this country on leave may be assigned to temporary duty in the United States for special purposes or reorientation prior to returning to foreign service.

In the original unification bill passed through the Committee on Expenditures, of which I am a member, we had the setting up of this CIA. It was clearly

brought out at that time that no internal security work of any kind would be done by the CIA; that all of its intelligence work would be done in a foreign field. In view of this particular paragraph here I want to be assured at this time that such special duties as are mentioned here, or reorientation, do not apply to security functions in the United States.

Mr. SASSCER. Mr. Speaker, if the gentleman will yield, I will say to the gentleman that that is correct, that this bill is in no wise directed to internal security. If they come back here it is purely a matter of leave, and reorientation, and training to go back into their work in foreign fields.

The SPEAKER. The time of the gentleman from New York has expired.

The question is on suspending the rules and passing the bill.

The question was taken; and the Speaker announced that the ayes seemed to have it.

Mr. MARCANTONIO. Mr. Speaker, I object to the vote on the ground that a quorum is not present, and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 348, nays 4, not voting 82, as follows:

[Roll No. 23]

YEAS—348

Abernethy	Camp	Fenton
Albert	Cannon	Fernandez
Allen, Calif.	Carlyle	Fisher
Allen, Ill.	Carnahan	Flood
Allen, La.	Carroll	Fogarty
Andersen, H. Carl	Case, S. Dak.	Forand
Anderson, Calif.	Cavalcante	Ford
Andresen, August H.	Celler	Frazier
Andrews	Chatham	Fugate
Angell	Chelf	Fulton
Arends	Chesney	Furcolo
Aspinall	Chiperfield	Gamble
Achincloss	Christopher	Garmatz
Barden	Church	Gary
Barrett, Wyo.	Clemente	Gathings
Bates, Ky.	Clevenger	Gavin
Bates, Mass.	Coffey	Gillette
Battle	Cole, Kans.	Golden
Beall	Colmer	Goodwin
Beckworth	Combs	Gordon
Bennett, Fla.	Cooper	Gore
Bennett, Mich.	Cox	Gorski, Ill.
Bentsen	Crawford	Gorski, N. Y.
Biemiller	Crook	Gossett
Bishop	Crosser	Graham
Blackney	Cunningham	Granger
Bland	Curtis	Grant
Blatnik	Dague	Green
Boggs, Del.	Davis, Ga.	Gregory
Boggs, La.	Davis, Wis.	Gross
Bolling	Dawson	Hagen
Bolton, Md.	Deane	Hale
Bolton, Ohio	Delaney	Hall, Edwin Arthur
Bonner	Denton	Halleck
Boykin	D'Ewart	Hardy
Bramblett	Dolliver	Hare
Breen	Dondero	Harris
Brehm	Doughton	Harrison
Brooks	Doyle	Hart
Brown, Ga.	Durham	Harvey
Brown, Ohio	Eaton	Havenner
Bryson	Eberharter	Hays, Ohio
Buchanan	Elliott	Hedrick
Burdick	Ellsworth	Heffernan
Burke	Elston	Heller
Burleson	Engel, Mich.	Heselton
Burnside	Engle, Calif.	Hinshaw
Burton	Evins	Hobbs
Byrne, N. Y.	Fallon	Hoeven
Byrnes, Wis.	Feighan	Holifield
	Fellows	Holmes
Hope	Meyer	Sasscer
Horan	Michener	Scrivner
Howell	Miles	Scudder
Huber	Miller, Calif.	Secrest
Hull	Miller, Md.	Shafer
Jackson, Calif.	Miller, Nebr.	Sheppard
Jackson, Wash.	Mills	Short
Jacobs	Monroney	Sikes
James	Morgan	Simpson, Ill.
Jenison	Morrison	Simpson, Pa.
Jenkins	Morton	Sims
Jennings	Murray, Tenn.	Smathers
Jensen	Murray, Wis.	Smith, Kans.
Jonas	Nelson	Smith, Va.
Jones, Ala.	Nicholson	Smith, Wis.
Jones, Mo.	Noland	Spence
Jones, N. C.	Norblad	Staggers
Judd	Norrell	Stanley
Karst	O'Brien, Ill.	Steed
Karsten	O'Brien, Mich.	Stefan
Kearney	O'Hara, Ill.	Stigler
Keating	O'Hara, Minn.	Sullivan
Kee	O'Konski	Sutton
Keefe	O'Sullivan	Taber
Kelley	O'Toole	Tackett
Kennedy	Pace	Talle
Kerr	Passman	Teague
Kilburn	Patman	Thomas, Tex.
Kilday	Patten	Thompson
Kirwan	Perkins	Thornberry
Klein	Peterson	Tollefson
Kruse	Pfeiffer, William L.	Towe
Lanham	Philbin	Trimble
Larcade	Phillips, Calif.	Underwood
LeCompte	Phillips, Tenn.	Van Zandt
LeFevre	Pickett	Velde
Lemke	Poage	Vinson
Lesinski	Polk	Vorys
Linehan	Potter	Vursell
Lodge	Preston	Wadsworth
Lovre	Price	Wagner
Lucas	Priest	Walsh
Lyle	Quinn	Walter
McCarthy	Rabaut	Welch, Calif.
McConnell	Rains	Welch, Mo.
McCormack	Ramsay	Werdel
McCulloch	Rankin	Wheeler
McDonough	Reed, Ill.	White, Calif.
McGrath	Reed, N. Y.	Whitten
McGregor	Rees	Whittington
McGuire	Regan	Wickersham
McKinnon	Rhodes	Wier
McMillan, S. C.	Ribicoff	Wigglesworth
McMillen, Ill.	Rich	Williams
Mack, Ill	Richards	Willis
Mack, Wash.	Riehlman	Wilson, Tex.
Madden	Rivers	Withrow
Magee	Rodino	Wolcott
Mahon	Rogers, Fla.	Wolverton
Mansfield	Rogers, Mass.	Wood
Marsalis	Rooney	Woodruff
Marshall	Sabath	Worley
Martin, Iowa	Sadlak	Yates
Martin, Mass.	St. George	Zablocki
Mason	Sanborn	
Merrow		

NAYS—4

Bosone	Morris	Powell
Marcantonio		

NOT VOTING—82

Abbitt	Hand	Nixon
Addonizio	Harden	Norton
Bailey	Hays, Ark.	O'Neill
Baring	Hébert	Patterson
Barrett, Pa.	Herlong	Pfeifer, Joseph L.
Bloom	Herter	Plumley
Buckley, Ill.	Hill	Poulson
Buckley, N. Y.	Hoffman, Ill.	Redden
Bulwinkle	Hoffman, Mich.	Sadowski
Canfield	Irving	Scott, Hardie
Case, N. J.	Javits	Scott, Hugh D., Jr.
Chudoff	Johnson	Smith, Ohio
Cole, N. Y.	Kean	Somers
Cooley	Kearns	Stockman
Corbett	Keogh	Tauriello
Coudert	King	Taylor
Davenport	Kunkel	Thomas, N. J.
Davies, N. Y.	Lane	Weichel
Davis, Tenn.	Latham	Whitaker
DeGraffenried	Lichtenwalter	White, Idaho
Dingell	Lind	Wilson, Ind.
Dollinger	Lynch	Wilson, Okla.
Donohue	McSweeney	Winstead
Douglas	Macy	Woodhouse
Gilmer	Mitchell	Young
Granahan	Moulder	
Gwinn	Multer	
Hall, Leonard W.	Murdock	
	Murphy	

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed,

The Clerk announced the following pairs:

General pairs until further notice:

Mr. Hays of Arkansas with Mr. Hugh D. Scott, Jr.

Mr. deGraffenreid with Mr. Case of New Jersey.

Mr. Whitaker with Mr. Hardie Scott.

Mr. Hébert with Mr. Hand.

Mr. Lind with Mr. Smith of Ohio.

Mr. Addonizio with Mr. Kean.

Mr. King with Mr. Coudert.

Mr. Tauriello with Mr. Canfield.

Mr. Winstead with Mr. Macy.

Mr. Murphy with Mr. Kunkel.

Mr. Lynch with Mr. Patterson.

Mr. Chudoff with Mr. Poulson.

Mr. Buckley of Illinois with Mr. Leonard W. Hall.

Mr. Granahan with Mr. Kearns.

Mrs. Norton with Mr. Latham.

Mr. Joseph L. Pfeifer with Mr. Plumley.

Mr. Young with Mr. Taylor.

Mr. McSweeney with Mr. Hoffman of Illinois.

Mrs. Douglas with Mr. Gwinn.

Mr. Lane with Mr. Corbett.

Mr. Donohue with Mr. Lichtenwalter.

Mr. Dingell with Mr. Cole of New York.

Mr. Baring with Mr. Wilson of Indiana.

Mrs. Woodhouse with Mr. Weichel.

The result of the vote was announced as above recorded.

The doors were opened.

Mr. VINSON. Mr. Speaker, I ask unanimous consent to extend my remarks on the bill just passed at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. VINSON. Mr. Speaker, during the past few days there has been a great deal of publicity and discussion about a bill reported favorably by the Armed Services Committee with respect to our Central Intelligence Agency.

There is nothing startling in this bill and, with one major exception, practically all of the remaining provisions of the proposed legislation now exist for some branch or branches of the Government. In fact, almost all of the proposed legislation was taken from existing laws applicable to other Government agencies, particularly the State Department.

The Central Intelligence Agency was established pursuant to section 102 of the National Security Act of 1947. Its functions are set out in that act, which states that it shall be the duty of the agency, under the direction of the National Security Council:

First:

To advise the National Security Council in matters concerning such intelligence activities of the Government departments and agencies as relate to national security;

Second:

To make recommendations to the National Security Council for the coordination of such intelligence activities of the departments and agencies of the Government as relate to the national security;

Third:

To correlate and evaluate intelligence relating to the national security, and provide for the appropriate dissemination of such intelligence within the Government, using

where appropriate existing agencies and facilities: *Provided*, That the agency shall have no police, subpena, law enforcement powers, or internal security functions: *Provided further*, That the departments and other agencies of the Government shall continue to collect, evaluate, correlate, and disseminate departmental intelligence: *And provided further*, That the Director of Central Intelligence shall be responsible for protecting intelligence sources and methods from unauthorized disclosures;

Fourth:

To perform, for the benefit of the existing intelligence agencies, such additional services of common concern as the National Security Council determines can be more efficiently accomplished centrally;

Fifth:

To perform such other functions and duties related to intelligence affecting the national security as the National Security Council may from time to time direct.

Now, what authority is granted in the proposed legislation? Well, the bill creates a seal of office for the Central Intelligence Agency. It extends to it certain provisions of the Armed Services Procurement Act of 1947. It permits the Director to provide for special instruction and training of agency personnel. It provides for travel allowances and expenses for agency personnel. It permits agency personnel to return to the United States on leave after 2 years of foreign service. It provides for the payment of transporting and storing household belongings. It provides for the health of employees overseas by permitting the payment of travel expenses to the nearest adequate medical facilities when local medical facilities are inadequate. It provides for the establishment of first aid stations at posts overseas. It provides for physical examinations for all employees. It provides for transporting the remains of an employee or a member of his family who may die while overseas, and it provides that the agency may recruit foreign nationals abroad where citizens of the United States are not available for such employment. And it provides allowances for agency employees similar to those given to State Department Foreign Service employees. It also contains other provisions of greater significance, such as the authority to transfer and receive from other Government agencies such sums as may be approved by the Bureau of the Budget for the performance of any of the agency functions. This is how the Central Intelligence Agency gets its money. It has been going on since the agency was created, and this simply legalizes that important function which is the only means by which the amount of money required to operate an efficient intelligence service can be concealed. Likewise, the bill removes certain limitations which exist under provisions of law which limit the amount of rental that the agency may pay for its quarters overseas and the amount of improvements that it may make in such leased facilities. This makes sense in view of the fact that an efficient intelligence agency must be able to rent adequate facilities regardless of the value of the property and must be permitted to make such improvements in the property as may be necessary for the proper safeguarding of information, and the installation of necessary equipment. The bill also eliminates the agency from the requirements of law which result in the publication of personnel data in the Official Register of the United States, and exempts the Bureau of the Budget from the necessity of including in its public report to the Congress the agency's personnel strength. This information has not heretofore been made public and must, of course, continue not to be made public, and this merely legalizes such action.

The most widely publicized feature of the bill is that with respect to the provision which provides for the admission of 100 aliens for permanent residence in the United States. This will only be done when the Director and the Attorney General concur in the admission of such aliens and will permit the agency to offer to certain defectors and others the greatest reward possible in this world today, residency in the United States. These people will be carefully screened and their admission will only be in the best interests of the United States, and, furthermore, if at a later date they should prove undesirable they can be deported.

Another section of the bill provides that the agency may spend sums made available to it without regard to provisions of existing law. It also permits the expenditure of funds for confidential purposes to be solely accounted for by certification of the Director. This is not unusual. The State Department has such authority, as does the Atomic Energy Commission, and, for that matter, so in effect do all branches of the armed services.

Therefore the only significant feature of this bill which will be completely new in all respects will be that pertaining to the admission of 100 aliens in the United States.

There has been a great deal of discussion as to why the committee meetings were conducted in executive session without a stenographic record being kept. It is obvious that there is certain information which must be confined to as few people as possible. For example, it would not be wise to disclose to the world the amount of money necessary to operate the Central Intelligence Agency annually. Nor would it be wise to announce to the world the number of personnel employed by the agency. Nor would it be wise to announce just where our CIA is operating, or how they are operating, or what information they are seeking to obtain, or what information they have obtained. But in order for a congressional committee to properly analyze a bill granting authority to an agency to perform certain functions, it seemed wise to obtain this information but not to make it public.

This bill will enable the agency to have legal authority for practically all the things it is now doing. You will note that the National Security Act specifically excludes the agency from internal security functions. There is no problem of invasion of the rights of American citizens involved in this legislation. If this Nation wants a modern, efficient, effective, capable, valuable intelligence gathering agency, then we must give it certain authorities. If we do not want such an agency, we will be the only nation in the world without one. It would seem a little ridiculous to spend one-third of our annual budget for our national defense and not grant reasonable monetary statutory and administrative support to the agency charged with gathering the intelligence information which has so much to do with the size of the appropriations we grant for the strength of our armed services.

I might add that this bill was reported unanimously by the subcommittee and unanimously by the full committee. That there were no dissenting votes is significant. The records indicating the Members who attended the meetings are available for public inspection.

HOUSE RESOLUTION 130

The SPEAKER. Without objection, House Resolution 130 will be laid on the table.

There was no objection.

THE COMMUNIST PARTY

Mr. BRYSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina

There was no objection.

Mr. BRYSON. Mr. Speaker, in view of the daily recurrence of events we cannot longer sit supinely by and allow members of the ungodly Communist Party to destroy us. Repeatedly, I have spoken out against the apparent determination on the part of Stalin's agents in this country to thwart all efforts toward establishing permanent peace.

Words and efforts of conciliation have proven to be of no avail. We must strike and strike now before it is too late. Today, I have introduced a bill in the House, which if enacted, would outlaw the Communist Party and order deportation of all foreign Communists within our borders. I submit this vital measure to each of you for its immediate favorable consideration.

Attached hereto I include a very timely editorial from my home-town newspaper, the Greenville Piedmont:

COMMUNISTS DROP MASK OF PATRIOTISM

In less than 2 weeks Communists in three democratic countries have made the convenient flexibility of the Red line of reasoning and the calculated treachery of the party oath brutally clear. The truth is not in them and honor has no meaning for them.

The two top American Communists, National President William Z. Foster and General Secretary Eugene Dennis, said this week that in the event of war between the United States and Russia the American Communist Party would try to defeat the predatory war aims of American imperialism.

They said they did not think war was inevitable, that they believed the American and Russian systems could exist separately and peaceably. But, they added, if Wall Street should plunge the United States into war, the Communists would oppose it as unjust and aggressive and destructive of the deepest interests of the American people.

There, you have it. Should Russia attack us, Wall Street aggression would be blamed.

French Communist Maurice Thorez said last week that Soviet Russia was by definition incapable of aggression. Therefore, if another nation becomes involved in a war with Russia, no matter what the circumstances,

that nation, not Russia, is the aggressor (just as little Finland committed acts of aggression against Russia at the dawn of World War II).

Thorez said also that if, in defending freedom and democracy Russia should pursue the troops of the other nation across its own borders, Communists residing in that country would automatically join with Russia and take up arms against their own nation.

There you have a classic example of Communist dialectics, which is completed by the following:

Thorez was asked how it was Russia invaded Poland in 1939 if it was by definition incapable of aggression. His answer: "Since Marshal Smigly-Rydz and other members of the Polish Government had fled to Rumania, there was no Polish Government against which to make an aggression."

Thus, we suppose, "by definition" an aggression against a people is not an aggression, while an aggression against a government might be. And why, do you suppose, the Polish Government fled in 1939?

Italian Communist Palmiro Togliatti backed up the Thorez line of reasoning. In a newspaper interview he declared: "I have no information to support the idea that the Soviet Union has the slightest intention of attacking any country. * * * As to the hypothesis that a Russian army would pursue on our soil an aggressor, I think in this case the Italian people * * * would have the evident duty to aid in the most efficient way the Soviet Army * * * in order to give that aggressor the lesson he deserves."

And if the Italian Army, or that of any other nation, undertook to defend itself against a Russian troop movement across its borders, the Communist mind and tongue would twist it into an act of aggression of the most heinous kind.

At last the mask has been dropped by American, French, and Italian Communists. They are quick to hide behind the American flag like rats seeking a hole when the heat is on. Dennis and his codefendants on trial in New York on a conspiracy charge, have been hiding behind every legal device known in democratic courts.

Yet they made it quite plain that if their countries should seek to defend themselves against a Russian onslaught, they and their followers will do their best to help the enemies of their countries.

If that isn't treason, then what is?

EXTENSION OF REMARKS

Mr. HAYS of Arkansas (at the request of Mr. TRIMBLE) was given permission to extend his remarks in the RECORD.

Mr. KLEIN asked and was given permission to extend his remarks in the RECORD on the bill just passed.

Mr. COLE of Kansas asked and was given permission to extend his remarks in the Appendix of the RECORD and include an article.

Mrs. ROGERS of Massachusetts asked and was given permission to extend her remarks in the RECORD and include a very fine dissertation by Mr. Arthur Krock on Assistant Secretary of the Navy, Mr. John Nicholas Brown.

MOVIE SHORT DEPICTING OLD-AGE PROBLEMS

Mr. BLATNIK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. BLATNIK. Mr. Speaker, I take this opportunity to invite all Members of the House to see a very significant movie short that is being shown between 4 and 5:30 p. m. every day, starting today and running through Friday, March 11, in room 1302 the Public Works Committee room in the New House Office Building. There are no admission charges, and all Members of Congress and their respective staffs are cordially invited to attend any of these showings.

This movie short is a March of Time production which has been prepared and edited by the editors of Time, Life, and Fortune magazines, and it relates to one of the most important and pressing social problems of our times—the problem of the hardships and sufferings of our old folks, the fathers and mothers of America.

This film describes the problems of old-age security in America, and the employment attitudes of the masters of modern industry regarding workers in middle age. It is a grim reminder of the desperate economic plight of millions of our senior citizens—it is a convincing presentation of the problem, and it shows the need for a thorough overhauling of our Federal old-age pension and assistance programs in order to give genuine economic security for our old folks after their life's work is done.

Inasmuch as the Congress may be called upon shortly to consider pending old-age-pension legislation, including the Townsend old-age insurance plan, I do believe that my colleagues will find this movie interesting and educational, and that it is well worth seeing. It is my hope that as many Members of the House as possible will find it convenient to see one of these several showings of said movie short.

The SPEAKER. Under previous order of the House, the gentleman from Maine [Mr. HALE], is recognized for 30 minutes.

CHINESE POLICY

Mr. HALE. Mr. Speaker, I have asked for this time to discuss what is going on in China and what we ought to do about it.

Early last month several of us prepared a letter to the President of the United States which was signed by 51 Members of the House and sent to President Truman under date of February 7. As the letter has never, so far as I know, been printed in full anywhere, I am asking unanimous consent to have it included in the RECORD at this point in my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mr. HALE. The letter is as follows:

FEBRUARY 7, 1949.

The PRESIDENT,
The White House, Washington, D. C.

DEAR MR. PRESIDENT: We, the undersigned Members of the House of Representatives, are deeply disturbed by what is happening in China. We believe that the American people are justifiably apprehensive. Our policy in Asia and the Pacific has for many decades been based upon the recognition that the freedom and independence of China are indispensable to the security of our country.

While it is impossible to identify all the causes of World War II, it is clear that the era of aggressions which preceded the attack on Pearl Harbor derived its first and fatal momentum from the inaction of the western powers, when in 1931 the Japanese attacked Manchuria. One of the principal objectives of World War II was the preservation of a free and independent China. This was the announced policy of the late President Franklin D. Roosevelt. He made firm commitments to President Chiang Kai-shek and the National Government of China in the conviction that a free and independent China is necessary to world stability and peace as well as to our own security. These commitments were made with full knowledge of the imperfections and limitations of that Government and in the conviction that there was no constructive alternative. Recent events have underscored the validity of that conviction.

Unfortunately, after our great victory over Japan in August 1945, the policy of supporting the National Government of China was abandoned in favor of a policy of insisting upon a coalition with the Communists as the price of American aid. This new policy has proved to be disastrous. Indeed, the State Department acknowledged the folly of such a policy in France, Italy, and Greece and received a dramatic demonstration of its dangers when Czechoslovakia, through its coalition government, was ruthlessly drawn behind the iron curtain.

Today the Communist armies in China appear to be on the verge of complete victory over our wartime ally and are demanding the heads of the Chinese leaders who supported us and opposed them.

In our opinion, victory of the Communists in China would be a monumental and historic defeat for us and a grave threat to our national security. It would represent also a defeat for the forces of freedom for which so many Americans gave their lives in World Wars I and II. It would constitute a victory for the forces of Communist tyranny which could not fail to impress and influence those peoples who have no natural affiliations with communism but whose continued resistance is threatened by Communist aggression and intrigue. Such a victory would enormously multiply the hazards of war.

We respectfully invite answers to the following specific questions:

1. Does the United States Government consider that it has met the obligations to the Republic of China which it assumed under the Cairo and Yalta agreements?

2. What has the United States Government done and what does it intend to do to induce the Government of the U. S. S. R. to meet its obligations to the Republic of China, including the commitment to "render China moral support and assistance with military and other material resources, this support and assistance to be given fully to the National Government as the Central Government of China" (Treaty of Friendship, Mutual Assistance, and Postwar Collaboration Between the U. S. S. R. and China, entered into pursuant to the Yalta Agreement and signed August 14, 1945)?

3. What is our present policy toward China?

4. To what extent is it based on the findings and recommendations contained in the Wallace report of 1944, and to what extent on the findings and recommendations contained in the Wedemeyer report of September 1947?

5. What changes, if any, are contemplated in our present policy toward China?

6. Does the administration intend to support vigorously the Chinese Government and other elements in China which are resisting or which will resist subjugation of that country by Communist forces?

7. If the National Government of the Republic of China should bring the matter of Communist aggression in China before the Security Council or the General Assembly of the United Nations as a threat to the peace, will the United States Government support its action?

In view of the grave threat to our national security presented by the crisis in China, it is our considered judgment that the public

interest requires as a minimum the appointment of a commission of one or more eminent Americans, with top-level military, economic, and political advisers, to make an immediate reexamination of the situation and report its recommendations to you and to the Congress.

Respectfully yours,

ROBERT HALE, Member of Congress, First, Maine; LEROY JOHNSON, Member of Congress, Third, California; CHARLES P. NELSON, Member of Congress, Second, Maine; JOHN W. HESELTON, Member of Congress, First, Massachusetts; JAY LEFEVRE, Member of Congress, Thirtieth, New York; JAMES C. AUCHINCLOSS, Member of Congress, Third, New Jersey; HAL HOLMES, Member of Congress, Fourth, Washington; W. STERLING COLE, Member of Congress, Thirty-ninth, New York, JAMES I. DOLLIVER, Member of Congress, Sixth, Iowa; JOHN JENNINGS, Member of Congress, Second, Tennessee; FRANK BARRETT, Member of Congress, Wyoming (at Large); CARL HINSHAW, Member of Congress, Twentieth, California; ANGIER L. GOODWIN, Member of Congress, Eighth, Massachusetts; FRANK FELLOWS, Member of Congress, Third, Maine; NORRIS COTTON, Member of Congress, Second, New Hampshire; T. MILLET HAND, Member of Congress, Second, New Jersey; T. H. WERDEL, Member of Congress, Tenth, California; WESLEY A. D'EWART, Member of Congress, Second, Montana; THRUSTON B. MORTON, Member of Congress, Third, Kentucky; ROLLA C. McMILLEN, Member of Congress, Nineteenth, Illinois; W. KINGSLAND MACY, Member of Congress, First, New York; JOHN DAVIS LODGE, Member of Congress, Fourth, Connecticut; KENNETH B. KEATING, Member of Congress, Fortieth, New York; LAWRENCE H. SMITH, Member of Congress, First, Wisconsin; J. W. WADSWORTH, Member of Congress, Forty-first, New York; BEN F. JENSEN, Member of Congress, Seventh, Iowa; DONALD L. JACKSON, Member of Congress, Sixteenth, California; JAMES T. PATTERSON, Member of Congress, Fifth, Connecticut; LEON H. GAVIN, Member of Congress, Nineteenth, Pennsylvania; CHESTER E. MERROW, Member of Congress, First, New Hampshire; FRANK B. KEEFE, Member of Congress, Sixth, Wisconsin; NOAH M. MASON, Member of Congress, Twelfth, Illinois; ANTON N. SADLAK, Member of Congress, Connecticut (at Large); J. CALEB BOGGS, Member of Congress, Delaware (at Large); CHRISTIAN A. HERTER, Member of Congress, Tenth, Massachusetts; ALVIN E. O'KONSKI, Member of Congress, Tenth, Wisconsin; GEO. A. DONDERO, Member of Congress, Seventeenth, Michigan; F. L. CRAWFORD, Member of Congress, Eighth, Michigan; JOS. P. O'HARA, Member of Congress, Second, Minnesota; CLIFFORD P. CASE, Member of Congress, Sixth, New Jersey; WALTER NORBLAD, Member of Congress, First, Oregon; EDWARD T. MILLER, Member of Congress, First, Maryland; AUG. H. ANDRESEN, Member of Congress, First, Minnesota; PAUL CUNNINGHAM, Member of Congress, Fifth, Iowa; WALTER H. JUDD, Member of Congress, Fifth, Minnesota; JOHN PHILLIPS, Member of Congress, Twenty-second, California; FRANCES P. BOLTON, Member of Congress, Twenty-second, Ohio; WALT HORAN, Member of Congress, Fifth, Washington; JOHN SANBORN, Member of Congress, Second, Idaho; RICHARD M. NIXON, Member of Congress, Twelfth, California; GEORGE J. BATES, Member of Congress, Sixth, Massachusetts.

Mr. Speaker, all of the 51 signers were Republican Members of the House. From this the inference may be drawn that the letter was a partisan demonstration. Such an inference, however, would be quite unwarranted. We asked several Members of the majority party to sign the letter, and many such Members were in full accord with the views expressed but for highly legitimate personal reasons were hesitant to sign. Under those circumstances we did not press for signatures.

On February 24 Secretary Acheson came up to the Ways and Means room in the New House Office Building and met with 30 signers of the letter. The Secretary stressed the fact that his discussion of our policy toward China would have to be confidential in character. Naturally I shall respect the Secretary's confidence. It must be plain to the House, however, that something is radically wrong when the Secretary of State feels obliged to confine to a closed session his discussion of our policy in China. I do not, of course, mean by this that in our relations with any country it may not be wise to maintain secrecy as to certain things, for example, appraisals of individual party leaders and programs. But if our policy to China were a clear and intelligent policy, the seven questions propounded to the President in our letter might, it seems to me, have been clearly and publicly answered.

These questions I should like to read to the House.

Unfortunately I am not an expert on China. I have never visited the country. I do not speak the language. I have never met Chiang Kai-shek or any of the other Chinese leaders either on the side of the National Government or on the Communist side. I should be even more modest than I am about the deficiencies in my knowledge of the subject were it not for the fact that probably a majority of the Members are no better equipped in this respect than I.

Fortunately, most of the facts which must govern our opinion about China are basic geographical and historical facts ascertainable without special knowledge. In view of the preconceptions and prejudices of the men upon whom the Secretary of State relies for information, up to the minute information upon which the Congress must base its decisions must be obtained from a Commission with top-level economic, military, and political advisers as recommended in our letter.

As a matter of history, everybody knows that we went to war in December 1941 to prevent the Japanese conquest of China. The Japanese attacked us at Pearl Harbor not because of antipathy to us as a nation, but because we were standing in the way of their Chinese conquest. It is an equally well-known historical fact that this country has always deemed a free and independent China essential to American security.

National security must be the paramount consideration of any intelligent foreign policy in this or any other country. It was the paramount consideration when we were forced to declare war on Germany in April 1917 as when we were forced to declare war on Japan and Germany in December 1941.

The outstanding and obvious fact about China today is that the Communist armies under Mao-Tze-tung are conquering China. The National Government under the Presidency of Chiang Kai-shek which in the Roosevelt administration we committed ourselves to support has thus far not succeeded in halting the Communist advance. We must consider that, unless effective steps are taken, Communist domination of China may become complete.

I do not for the life of me understand how there can be any doubt in the mind of any Member of the House of the consequences which would be entailed by such domination. We have seen the U. S. S. R. conquer one country after another in Europe, some by ruthless seizure, as in the case of Estonia, Latvia, Lithuania, and East Poland, some by infiltration and "coalition," as in the case of western Poland, Czechoslovakia, Hungary, and Rumania. The only difference between Russian conquest of these countries and Russian conquest of China is that China is a far bigger mouthful to swallow. I cannot myself believe that this distinction is very important.

The Russians have perfected the police state as no other country has ever succeeded in doing. Neither Hitler nor Mussolini in their palmiest days applied the technique of tyranny as thoroughly as it has been applied by Stalin, the Politburo, and the various subordinate agencies of the Soviet Government. They can erect a police state in China as they have already done in Russia which is as large in area and perhaps as decentralized. In the areas already conquered they seem already to have set up a police state and millions of refugees are fleeing into free China.

With China firmly in the Communist grasp all the other countries of continental Asia are brought under the heavy shadow of Communist aggression. I refer, of course, to Korea, Siam, Indochina, Burma, Malaya, India, and Pakistan. The same is to be said of the islands which lie off the southeast coast of Asia, the most important of which are, of course, Japan, the Dutch East Indies, and the Philippines. Who can imagine that this is a tenable situation for the United States? Probably not a dozen Members of this House. I do not think that even the State Department imagines it to be a tenable situation for the United States, but it hopes against hope and believes against reason that the worst will not happen. The cancer will just get well by wishing and neglect.

For the attitude of the State Department I refer the House to four very interesting articles which appeared in the New York Times under the signature of C. L. Sulzberger on February 14, 15, 18, and 21. These were obviously written on the basis of information received from State Department personnel. Just who the people were in the State Department I do not at the moment know, but the reasonable accuracy of the articles is admitted by State Department representatives with whom I have talked.

I am going to comment on these Sulzberger articles because they are more enlightening on the question of State Department thinking than anything that comes direct from the State Department. For instance, under date of February 14, Mr. Sulzberger writes:

"The United States, clearly recognizing the possibility that while Mr. Mao is a devout Marxist he may also be a Titoite heretic, cannot crystallize its own Chinese policy, until the political photograph is clarified." There is no question about the sincerity with which Mr. Mao regards himself as a Marxist. However, possibly ideology is the only tie between Mr. Mao and the Kremlin. It may alone serve to keep him the abject political tool of Moscow. It may not. For this reason Washington policy makers must watch and wait.

These statements mean simply that the United States cannot have any policy in China until the political photograph is clarified and the political photograph will not be clarified until we know how much Mr. Mao resembles Tito. This seems to me utter nonsense. The whole idea that between Mr. Mao and the Kremlin there is nothing but spiritual and ideological connection seems to me quite childish. Moreover when are we going to find out just how much Mr. Mao resembles Tito and when are we going to get copies of the communications which pass directly or indirectly between Mr. Mao and the Kremlin? If our own decisions as to China await absolute certitude on these points, when can we expect to have a Chinese policy?

Moreover, even if Mao did turn out to be another Tito, would that be any cause for rejoicing? Even if China became a replica of Yugoslavia it would still be a totalitarian state committed to the destruction of democracies.

On the 15th Mr. Sulzberger writes:

There is evidence that both the Chinese Communists and the Soviet Government are somewhat baffled by what has been occurring during the past few months in China. Mr. Mao's followers seem to feel furious and betrayed by the voracious appetite of their Communist guardian in Moscow.

If this means simply that Mao and Stalin are both surprised by the rapidity of the Chinese collapse it may be true. But why is Mr. Mao furious and betrayed at the voracious appetite of Moscow? At least we in this House ought by this time to know that the appetites of Moscow are insatiable.

Again Mr. Sulzberger—February 18:

There is logical basis for the belief that Moscow is reluctant to see too great an expansion of the powers of Chinese communism and for more than one reason.

This logical basis Mr. Sulzberger attributes partly to a latent fear in Moscow that Mao is going to be another Tito. This theme runs all through the articles.

Then Mr. Sulzberger goes on:

There are shrewd men in the State Department who ask: "If Stalin was adamantly opposed to the creation of a semi-independent Balkan federation under the leadership of Georgi Dimitrov, would he not be horrified at the growth of a huge, unwieldy Asiatic federation that has already demonstrated vital strains of nationalism? Under present Communist doctrine, as conceived by Moscow, all and any forms of nationalism are taboo."

It does not seem to me that the men in the State Department who ask this question are particularly shrewd. Nor do I believe that there is any truth in the statement that nationalism is taboo in Moscow. The Communists are quite capable of using nationalism as a tool. In fact, they are specifically indoctrinated so to do.

Mr. Sulzberger's delineation of our Chinese policy culminates in an article of February 21 in which he says:

The present Fabian phase of American policy toward China is founded upon the assumption that Mao-Tze-tung's Communist movement has a strong nationalist bias * * *. Whether this is a correct deduction must be judged by time. If so, it is bound to react against Soviet plans.

By the same token, if not so it is bound to react against America. And again the idea that the only thing we can do about the Communist enslavement of China is to wait and see, or more likely, to wait and not see.

Our policy makers—

Continues Mr. Sulzberger—

now reason that the United States must await the completion of the disintegration process in China before formulating a more positive policy there.

If we must await the completion of disintegration in China why did we not await the completion of disintegration in Greece and Turkey, Italy and France? Why do we have to have a North Atlantic Pact when apparently you could get more and better disintegration without it?

We cannot afford to commit ourselves to anything yet—

Mr. Sulzberger continues—

It would be futile to believe that a wall of provincial war lords can become a permanent dam, and sponsoring such a concept would incur the wrath of the victorious Mr. Mao.

Reading this, I ask myself why we incurred the wrath of the victorious Mr. Hitler or why we should have kept annoying the Japanese with our B–29's. Our military aid to Chiang, Mr. Sulzberger says, "was useless and only excited Americano-phobia among the Communists." Again the dreadful thought that the Communists will get to dislike us.

On the basis of our own experience it is felt that the U. S. S. R. can no more intervene and succeed in China than could the United States. External forces can influence but not control China.

Then why did we fear the Japanese? To be sure, they influenced China by overrunning the country, destroying and plundering. But they never in the State Department thesis could have controlled it. Almost everyone else, including an experienced Secretary of State, thought they could.

This thesis is also caressed editorially by the Washington Post, which spoke comfortingly only a few days ago of the "swift and remorseless way that the Chinese softened the invading Japanese." In view of this swiftness and remorselessness I do not understand why we fought a Pacific war. We ought to have let the Japanese invaders conquer and stay in China, subjecting themselves to this softening Chinese influence.

I should have said that the whole idea that China was insusceptible to conquest was repudiated once and for all the day after Pearl Harbor. Still Mr. Sulzberger complains:

It is difficult for the State Department to go a step further and spell out a specific policy, as many people demand.

This is all self-delusion, fuzzy thinking, and moral cowardice. Why should the State Department evade its duties because the performance of those duties is difficult? Obviously it is much more comfortable to wait and see. But we have pretty nearly reached the time to decide whether we are going to keep on being comfortable or make some overt effort to preserve American security by preventing attack from a Communist Russia buttressed by a Communist China in her rear. It is not so much that the State Department has failed. It has succeeded in making easy the advance of the Communists.

Most of the authorities seem agreed that Russia will not risk war on the west while her Chinese flank is exposed, and that she may risk it if her Chinese flank becomes secure.

Again and again it has been pointed out that Russia by focusing our attention on Berlin distracts it from China. This is a trick employed by every good prestidigitator and Stalin is a good prestidigitator.

The State Department is a majestic agency of our Government with what seems at times an inspired capacity for making mistakes and all the while believing itself infallible. It has been in the past permeated with Reds and leftists. If it is not still so permeated, there seem to be plenty of people left who have no fixed convictions against communism and are quite gullible about Communist propaganda. From information that comes to me recently I gather that the anti-Chiang and leftist influences in the State Department are right now in process of being further strengthened.

The Secretary of State is a man of high intellectual attainments with several years of experience in the Department, but he is dependent like any other department head on the briefing he gets from his staff. I am satisfied that the briefing has been bad. A great many things which indisputably happened in China are simply not in the State Department book. General Chennault would appear to me to know something about China. I am certain that our colleague from Minnesota, Dr. JUDD, knows a great deal about China. Such sources of information, the Secretary rejects and scornfully rejects. Despite the documentary evidence, including General Marshall's own report, the State Department will not even admit that General Marshall sought to "influence the formation of a coalition government" in China.

The State Department's motto is aptly represented by the old rhyme:

What there is to know, I know it,
What I don't know is not knowledge.

This attitude of mind on the part of people in power can wreck the greatest nation.

What can we do now to avert catastrophe? Many say, it is too late; but others who appear to me quite as worthy

of confidence say it is not too late. On this point I would like a fresh opinion which can be speedily obtained by sending a competent commission to China.

Some people regard Chiang Kai-shek as a great national hero; other as an incompetent villain surrounded by a corrupt personnel. I have no first-hand opinion but I make the observation that it is to the Communists' interest to make him out an incompetent villain. Therefore when I hear him disparaged I suspect the disparager has been unconsciously misled by the Communist line. The Kremlin understands the art of disparagement. How flattering are Pravda and Izvestia in their reference to President Truman, Secretary Forrestal, Secretary Marshall, and other American leaders?

Chiang is still the actual if not the titular head of the only organized opposition to Chinese communism. He has been our friend and in the long run we shall not profit from abandoning our friends. We are now making an unenviable record as a nation not to be relied on.

I would rather chance two or three more billion if that should prove necessary in a genuine effort to save China from Communist control even now than face the absolute certainty of disaster 5 or 10 years hence when the Kremlin has atomic weapons and is ready to move.

Even if the State Department is willing to see China disintegrate and wait till the dust settles, I hope that the Congress will not acquiesce in any such program. Quite as much as the executive department of the Government, we are responsible for the honor and safety of the Republic.

ANOTHER INDISPENSABLE MAN?

Mr. HOFFMAN of Michigan. Mr. Speaker, meeting with little opposition while kicking the Eightieth Congress around, and elected partly because of his promises and surrender to special interests and partly because of the soft campaign of an overconfident opponent, President Truman has jumped to the false conclusion that he was elected because a majority of the people supported his political program of promising to give everyone whatever was asked. At two Jefferson Day banquets held here in Washington, where the representatives of special interests, of big business, and of city political machines paid $100 each—and it is said the "kitty" was around $300,000—to fatten the National Democratic treasury, the President threatened not only Republicans but members of his own party with a purge. He said he might be forced to again tour the country, condemning the Eighty-first Congress—his Congress—the Congress he asked the people to elect—in fact, everyone who does not bow down and worship at the feet of Truman.

Never in the history of this country and seldom in known history has a little man in his own opinion grown to such stature.

In his campaign, the President condemned the Eightieth Congress as the second worst Congress in the history of our country, this though the greater part of the record it made was supported by his own party members. Now it is the Eighty-first Congress—and why? Just because it has not acknowledged the Truman brand of politics? As a former member of the Pendergast corrupt political machine, he just cannot understand the independence of certain party members, their adherence to their convictions, their devotion to their constituents.

Now he has the conceit to think he can make the people believe that he is the champion of the little man, of the people as a whole, though he has gathered around him the representatives of big business, though he consults daily with millionaires and labor bosses and would-be dictators, though it is a matter of common knowledge in Washington, at least, that he is the political prisoner of the CIO and other special interests.

His policies indicate he has been taken over, lock, stock, and barrel, hook, line, and sinker, by Phil Murray, the CIO, and its political adherents.

During his campaign he promised, and he is still promising, special privileges, special benefits to groups which he thinks can continue him in power. His only suggestion as to where he can get the money to pay off his political allies is to impose more and greater taxes upon everybody. His program for additional taxes will make the little man pay more for everything he eats and wears.

In the Eightieth Congress, a majority of his own party—Democrats—disregarded his orders and on several occasions overrode his veto. They voted for measures which they believed would contribute to the national welfare and security. That, in the Truman book, was treason to him. Now he is sending his orders to the United States Senate.

During the campaign, President Truman evidently believed that there were enough rubber-stamp, wishy-washy, spineless Democratic candidates for Congress who, if elected, would blindly follow him, even though his measures might wreck our national economy.

Due, in part, to his promises, many of of which he must have known were impossible of fulfillment, the President was elected and the people gave him an overwhelming majority in the Congress. His campaign was one of expediency, of promises—letting the chips (taxes) fall where they may.

Now he finds that, if judged by the measuring stick he used on the Eightieth, the Eighty-first Congress—"his" Congress, he called it—having enough good sense and sound judgment to refuse to follow his campaign promises which would wreck us, is worse than the Eightieth Congress.

Evidently peeved and irked at the failure of the Democratic Congress to bow down and worship at his feet, the President reveals his smallness and his weakness by applying to one of his radio critics an unprintable name. Nor, according to the reports, is that the first time the President used that language. In his campaign in California, it is reported he referred to a Republican candidate for Congress, the Honorable Bertrand Gearhart, many times selected by the people of his district to represent them, by expressing the hope that Mr. Gearhart—and the President, the press charges, referred to him as "that ———" —would be defeated.

Now most folks, at least decent folks, know, and many a mother has advised her little son when first he learned to use naughty words, that it was only the ignorant—people lacking ability, good sense, good judgment, common decency—who found it necessary to use nasty, obscene or profane language in describing their opponents. Perhaps the President learned the naughty words when a member of Tom Pendergast's vote-stealing political organization.

When he entered the White House door he should have either forgotten them or filed them away until he was out of the house honored by Lincoln and other God-fearing, God-serving, clean-mouthed Presidents.

The President has forgotten that this is a Republic. He has forgotten that pride goeth before a fall. Apparently by his utterances he considers himself greater than his party, than the Congress. He talks like a dictator.

He threatens to again take a train, to go out into the country, to whip up sentiment so that the people will repudiate their chosen Representatives, coerce them into doing his—Truman's—will.

Yes, using his own yardstick, the Eighty-first Congress has demonstrated that it is worse than the Eightieth, insofar as asserting its independence of Mr. Truman is concerned. So he will take a train. Hop to it, Mr. President.

The President promised that the Taft-Hartley Act would be repealed, the Wagner Act reinstated. The House Labor Committee turned down that very proposition, and in the Senate it is becoming more and more evident that the essential provisions of the Taft-Hartley Act will be retained. Congress has not yet sold out to the CIO.

In all humility, may it be suggested to the President that he take a train—that he appeal to the people, and that while on his train, he explain to them just why he must use nasty, dirty language; why he surrenders to Phil Murray and the CIO; why he has not taken effective measures to oust the Communists from the Federal Government; where he is going to get the money to carry out the program which he advocates and, for good measure, that they, the people, are paying for his train—he won't pay for it out of his increase in salary which the Eighty-first Congress gave him.

Yes, Mr. Truman, you take a train—take along your swelled head and it is quite certain that on this trip, if you take it, you will be met, not by a complacent, confident, self-satisfied Dewey, but by an opposition which will at least try to cut you down to size, expose your false front and hand you some of the same medicine—not socialized—you appear to be so eager to hand out.

President Truman evidently thinks he is on the way to a dictatorship, but it is just possible that he may learn, as have other self-satisfied individuals, that the Americans are a little slow, but eventually they will demonstrate their ability to take a man's true measure.

From the Chicago Tribune of the 28th of February is an editorial bearing upon the question of Mr. Truman's real greatness. It reads as follows:

GOVERNMENT BY CLAQUE

Mr. Truman told some of the New Deal faithful at a Jefferson-Jackson dinner that "I may even get on the train again and make another tour around the country" to try to dragoon Congress into passing his program of state socialism. The Republican response has been to tell him to hop to it. His quarrel with Congress lies at least as much with the sensible elements among his own party as it does with the Republicans, and the feeling is that if Truman takes the stump he will only succeed in exposing the high-nonsense content of his so-called program and its inherent contradictions.

All of the arguments are against him on such proposals as reverting to the Wagner Act, raising taxes, installing a full set of controls over the Nation's economic life, putting the administration into business as a producer of steel and other commodities, socializing medicine, hunting up alliances for war, etc., etc. But he feels that the demagogic tactics that won him an election are still good for another try, and that by rambling around the country addressing appeals to the prejudice and self-interest of the pressure groups which turned out for him before, he can whip Congress into obedience as if it were a circus dog with a trick to perform.

This certainly represents the nadir of representative government in the United States. If representative bodies are to vacate all judgment and simply govern themselves by the decibel count of the witless huzzahs of mobs driven to station platforms by political and union bosses, we might as well fold up and let Truman govern by decree, like a Hitler, a Mussolini, or a Stalin.

The arrogance of the minority President's public behavior has been growing by leaps and bounds. Mr. Roosevelt himself never gave a better exhibition. Within 2 days Truman cursed out his opponents in public, insulted the head of a presumably friendly state, and then threatened to go out and raise claques around the country to howl down Congress in its appointed job of legislating for the whole Nation.

Nobody must argue with the illumination that has descended upon this man. Nobody must oppose. Obedience to the leader: That is all that is required of the people and their representatives. No, this is not the Germany of the blood purge, the Italy of the castor-oil treatments, the Russia of the Moscow trials. It is the United States which an arrogant and intolerant man of small capacity and less wisdom and no dignity is trying to create in 1949.

EXTENSION OF REMARKS

Mr. McCORMACK (at the request of Mr. MURDOCK) was given permission to extend his remarks in the RECORD and include extraneous matter.

Mr. MURDOCK asked and was given permission to extend his remarks in the Appendix of the RECORD and include a newspaper item.

Mr. MULTER asked and was given permission to extend his remarks in the Appendix of the RECORD in three instances and include extraneous matter.

Mr. HALE asked and was given permission to revise and extend the remarks previously made and include a telegram from David Clark and an editorial from the World Telegram.

ANNOUNCEMENT

Mr. MULTER. Mr. Speaker, I ask unanimous consent that the RECORD indicate that if I had been present and voted on the bill H. R. 2663 I would have voted in the affirmative. I was delayed in getting to the floor by a delegation visiting me at the time.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

THE LATE HONORABLE JOSEPH MELVILLE BROUGHTON

Mr. DOUGHTON. Mr. Speaker, it is my sad and painful duty to announce to the House the death of the Honorable JOSEPH MELVILLE BROUGHTON, junior Senator from North Carolina, which occurred yesterday morning at 8:40 at the naval hospital as a result of an acute heart attack.

One of the mysteries of life is that one so young and active, with a career so useful and brilliant, should be suddenly removed from our midst. It reminds us of the uncertainty and brittleness of the thread of life.

JOSEPH MELVILLE BROUGHTON was born in Raleigh, capital of North Carolina, November 17, 1888, of a family long identified with public service.

The practice of law, the chosen profession of Senator BROUGHTON, has been interspersed with such public and civic responsibilities as city attorney of Raleigh, president of the Raleigh Chamber of Commerce, president of his county and State bar associations, member of the North Carolina Senate in 1927 and 1929, and Democratic Presidential elector-at-large in 1936.

In 1940 Senator BROUGHTON was elected governor of North Carolina by the largest majority ever received by any candidate for governor in the State, and in 1944 he received the unanimous endorsement of his State, as well as considerable support from other States, for the Democratic nomination for Vice President.

Throughout his professional, civic, and political activities, JOSEPH MELVILLE BROUGHTON was motivated by a religious conviction regularly and faithfully nurtured in active service as an outstanding layman in the church and superintendent of Tabernacle Baptist Sunday School in Raleigh for nearly 30 years, and as teacher of a men's Bible class in that Sunday school for a similar number of years, demonstrating that his philosophy in life was to consider things in the order of their importance.

At the age of 28 Mr. BROUGHTON took unto himself a real helpmate, Miss Alice Willson, of Raleigh. Surviving, in addition to Mrs. Broughton, are one daughter, Alice, and three sons, Melville, Jr., Bobby, and Woodson, all three of whom have served their country in the armed forces.

Senator BROUGHTON had the rare faculty for understanding the problems of agriculture, industry, and labor, and of manifesting his sympathetic interest in attainment of the goals of each of these groups without bias or partisanship. As a result, he enjoyed the confidence of industry, agriculture, labor, and all worth-while groups.

Senator BROUGHTON was elected to the United States Senate, after a heated contest, in 1948 by a majority of over 300,000, demonstrating that by his high character, outstanding ability, and conscientious devotion to duty he had earned and enjoyed the support of an overwhelming majority of the people of our Commonwealth. He assumed his duties as Senator on December 31, 1948, and consequently had served only a little more than 2 months. Yet, by his outstanding ability and assiduous devotion to duty he had impressed his colleagues most favorably.

Senator BROUGHTON was a most useful private citizen; an outstanding statesman; a devoted religious leader and teacher; a successful businessman; an able lawyer; and a great American—a truly great man.

It was of such as he the inspired writer wrote:

Mark the perfect man, and behold the upright; for the end of that man is peace.

I would not conclude these remarks without extending my heartfelt and most sincere sympathy to the bereaved family—the devoted wife and children.

I yield to the gentleman from North Carolina [Mr. DURHAM].

Mr. DURHAM. Mr. Speaker, again it becomes my sad duty to take the floor of the House in regard to a friend. I believe I could sum up my statement in a few words in regard to this great man by saying his whole concept of human rights was based on his belief in God. He was a man who spent much of his life in the interest of what he believed in, and he had a deep religious conviction. I suppose his influence in teaching over the radio has reached as many people in the last 10 years or more than any other individual in our State of North Carolina. He served as Governor of North Carolina during a part of the emergency that this country faced. He did an exceptional job, always placing his country first. He served, as Governor of North Carolina, not one class of people in our State, but he served all classes of people. I am very sorry that I will be unable to attend the funeral tomorrow due to the fact that I have legislation here on the floor of the House, but I wish to extend to his noble wife my deepest sympathy, to his sons and daughter, and may we grow many more men in the State of North Carolina that will measure up to the capacity and the character of this grand individual. He truly lived the life of a gentleman.

Mr. DOUGHTON. Mr. Speaker, I yield to the gentleman from North Carolina [Mr. JONES].

Mr. JONES of North Carolina. Mr. Speaker, the Nation has lost an able and distinguished Senator in the death of J. MELVILLE BROUGHTON, junior Senator from North Carolina, who died in the early hours yesterday morning. He had just served 2 months in the Senate but had unquestionably impressed his colleagues in the Congress as a most capable statesman and valuable addition to the United States Senate. He had just presided in the Chamber of the Senate Friday morning for 2½ hours, which was quite a long period for a freshman Senator.

Senator BROUGHTON was to make his maiden speech in the Senate this morning on the much-discussed rule 22. Although warned somewhat by a slight heart disturbance, he was determined to carry his part of the burden and planned to start his speech in the Senate today even with this slight physical warning, showing courage and obedience to duty in this decision.

In North Carolina Senator BROUGHTON was a distinguished lawyer, a great statesman and a splendid citizen. He served in the State Senate in 1927 with fine distinction. He was elected governor of North Carolina in 1942 and served for 4 years, giving the State a progressive, far-seeing administration, emphasizing especially the needs of the farmers and school teachers. After a spirited primary in 1948, he was elected by a substantial majority in the fall election and came to the Senate with the expectancy that he had entered into a long period of valued service to his State and Nation.

His home life was ideal as he left surviving him four fine children and a charming, gracious wife who must be credited with a great deal of the success which was accorded her talented husband.

Senator BROUGHTON graduated from Wake Forest College with a bachelor of arts degree in 1910, taught school and did newspaper work for several years, entering Harvard Law School in 1912. In 1914 he was admitted to practice law in his native State of North Carolina. As a successful lawyer he was outstanding, enjoying one of the best practices in the State and being elected by his fellow lawyers president of the North Carolina Bar Association.

North Carolina has lost a great statesman and citizen, and the Nation a distinguished Senator with a fine career predicted for him in that body, in the death of J. MELVILLE BROUGHTON, junior Senator from North Carolina. Mr. Speaker, may I join with my colleagues from North Carolina in extending sympathy to his family.

Mr. DOUGHTON. Mr. Speaker, I yield to the gentleman from North Carolina [Mr. DEANE].

Mr. DEANE. Mr. Speaker, yesterday morning at approximately 8:45 those of us who happened to be passing in front of the Capitol noticed the flags at half-mast. This indicated to us that some Member had passed on. It was Hon. J. MELVILLE BROUGHTON, United States Senator from North Carolina.

In thinking of the passing of this distinguished North Carolinian, this outstanding Christian layman, I cannot help but feel that perhaps many people on the sidelines and those who may daily visit the Capital of our great land may not fully realize the tremendous pressure Members of Congress face, day by day. Perhaps many may feel that all we do here is to respond to roll calls and vote "yea" or "nay." This was not true of this distinguished gentleman who has passed away and many who are Members of this great body. The trials, the work, the burdens here are terrifically heavy.

Senator BROUGHTON eagerly assumed the tasks assigned to him in the Senate during these past few weeks. He literally gave of himself without concern for his physical well-being.

Those of us who have been close to him through these years cannot help but feel that not only North Carolina but our Nation has lost a distinguished citizen, a great political leader, and an outstanding Christian gentleman.

I join with my colleagues in extending to his beloved wife and devoted children my feelings of sincere sympathy.

Mr. DOUGHTON. Mr. Speaker, I yield to the gentleman from North Carolina [Mr. CHATHAM].

Mr. CHATHAM. Mr. Speaker, the Baptist Church has lost an outstanding teacher, the State of North Carolina has lost a great representative, and the Nation has lost a great statesman. Senator BROUGHTON was beloved in our State of North Carolina as few men ever have been. He was a great farmer, a fine church leader, a teacher, a great lawyer, and one of the finest governors we have ever had. Throughout the length and breadth of our State there will be many a teary eye today and tomorrow. His place is secure in the hearts of the people of North Carolina because he will go down in history as one of the most beloved men ever to come out of our State. For his family, I hope that they will stand up under this great loss knowing that they have the affection and love of the people of our State. I extend to them my sincerest sympathy.

Mr. DOUGHTON. Mr. Speaker, I yield to the gentleman from North Carolina [Mr. CARLYLE].

Mr. CARLYLE. Mr. Speaker, when I learned of the sudden and untimely passing of that great statesman, Hon. J. MELVILLE BROUGHTON, of North Carolina, it was impressed upon me again that although we are enjoying life, we are but a step removed from the Great Beyond. I talked with him only a few hours before his passing, and he was in good spirit and appeared in good health.

Senator BROUGHTON had a fervent desire to be of real service to his State and Nation, and to that end was exerting to the fullest measure his able talents and ability.

My duties in Washington brought me in close contact with Senator BROUGHTON, and his counsel was invaluable and his full cooperation at all times assured. His splendid record as Governor and as United States Senator gives full assurance that he will be remembered as one of North Carolina's greatest sons. Our State and this Nation have lost an able and devoted public servant. Truly, a great and good man has fallen.

Senator BROUGHTON was a man who was at all times loyal. He was devoted to his family, his friends, his country, and his Creator. He was diligent in all of his undertakings, and the Death Angel almost caught him at his desk. He was strong in action, loyal to his purpose, and upright in life. It is difficult for us to realize that he has passed from among us, and we feel that the poet was using inspired words when it was written:

There is no death, I am sure of that;
The thing that seems to be
Is but a touch of winter
That lays bare the spreading tree.

Mr. DOUGHTON. Mr. Speaker, I yield to the distinguished gentleman from Massachusetts [Mr. MCCORMACK]

Mr. MCCORMACK. Mr. Speaker, several years ago, while on a speaking engagement in North Carolina, Mrs. McCormack and I had the honor and pleasure of first meeting the late Senator J. MELVILLE BROUGHTON. He was then Governor of the State of North Carolina. He immediately made a favorable impression upon both of us. We shall always remember the day and we shall always remember his fine personality, his generous hospitality, and the warmth of his reception. As Governor of the State of North Carolina, during a long public career, the name and fame and reputation of this great man had gone far beyond the geographical limits of the State of North Carolina.

We of Massachusetts and New England recognized him before he came to Washington as a Member of the other branch, as a man of great character, a man of unusual ability, and a man who considered public office to be a public trust.

Speaking, as I am confident that I do, for all of my colleagues in the House without regard to political party, we regret very much the passing of the late Senator BROUGHTON. His election to the Senate meant that on the national field he would be able to give to the people of the country the benefit of his great capacity, of his broad and understanding mind, and particularly of the deep faith that he entertained. Without regard to our religious convictions—and I am a communicant of the Catholic Church—I like to see persons entertain and possess a deep faith. Our institutions of government are dependent upon the belief of our people in God. No people can have democratic institutions of government who do not believe in God. Democratic institutions of government are strengthened when men and women of the country enjoying democratic institutions of government, not only believe in God but live as nearly as they can the life of God and the Redeemer.

This great man, referred to and properly so as a deeply religious gentleman and a great American, certainly exemplified that during his lifetime.

His widow and son cannot help, as time passes, but derive great consolation from the knowledge that he was a man of deep faith, and, possessing the deep faith that he had, that he was an example and an inspiration for all others to follow in life. In death, his memory will be a similar inspiration for all who follow.

I join with my colleagues in the House in expressing to our colleagues from North Carolina our deep sympathy in their great loss and sorrow, and to Mrs. Broughton and her son our profound sympathy in their bereavement.

Mr. DOUGHTON. Mr. Speaker, our colleague, the gentleman from North Carolina [Mr. BONNER] requested me to state that he would necessarily be absent today. Otherwise he would submit some remarks on this occasion.

I ask unanimous consent, Mr. Speaker, that all Members may have five legislative days within which to extend their remarks at this point in the RECORD on

the life and services of the late Senator BROUGHTON.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. KERR. Mr. Speaker, the sudden death of Hon. J. MELVILLE BROUGHTON shocked the Nation and left the State which he loved and served so ably in profound sorrow at the passing of its junior Senator. His death at any time would have been a tragedy. Coming as it did when he was approaching the fullness of his life and the climax of his power to serve his State and Nation, it is most unfortunate.

Senator BROUGHTON was a member of a family which has devoted its life to the religious uplift of our State and the installation of those human characteristics which keep men in step with God and enable them to obtain peace and success on earth and that crown in eternity which the faithful secure. North Carolina was proud of MELVILLE BROUGHTON and honored him as but few of its citizens have been honored. He was a well-equipped lawyer and in his profession convinced the people of his great State of his faithfulness and his reliability in every trust committed to him. He was elected Governor of North Carolina and held that position with distinction and afterward was elected to the Senate of the United States. These honors which his great State bestowed upon him do not compel you to forget the many other useful acts of his life. There burns deep in the hearts of all who knew him a shrine to the memory of this man whose life was a mirror of the God he loved. As a United States Senator, Mr. BROUGHTON stood on the threshold of an even more illustrious career and gave certain promise of taking his place among the great men of this Nation as he had already done among those of his native State.

Mr. BROUGHTON evidently knew that he had some serious physical trouble, yet he carried on by his own will power and innate greatness and continued his work in behalf of freemen everywhere and never ceased to withhold any of his physical, moral, and mental energy to serve his State and the Nation he loved so dearly. The wealth of a State or a Nation is not judged by its rich minerals and fertile lands, but by the manhood and womanhood of its people. Rich indeed is the State that can claim J. MELVILLE BROUGHTON as her son, and even richer are we who can claim him as a friend and realize the quickening inspiration of his life and his warm fellowship and constructive service which he always gladly rendered throughout his life.

All over the world, throughout all history, the scattered gone still live, not visible, but in some spiritual imbedded form; every day we meet someone who reminds us of someone we have known or loved.

What a happy thought, at least, to think that we may be privileged to live indefinitely in innumerable lives, long after we have retired for our last, long sleep.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. HAYS of Arkansas, for 5 days, on account of necessary absence from Washington.

To Mr. HÉBERT (at the request of Mr. BROOKS) for 5 days, on account of urgent business.

To Mr. HUGH D. SCOTT, JR. (at the request of Mr. SIMPSON of Pennsylvania), on account of illness.

THE LATE HONORABLE J. MELVILLE BROUGHTON

Mr. DOUGHTON. Mr. Speaker, I offer a resolution (H. Res. 135), which I send to the desk.

The Clerk read as follows:

Resolved, That the House has heard with profound sorrow of the death of Hon. J. MELVILLE BROUGHTON, a Senator of the United States from the State of North Carolina.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased Senator.

Resolved, That a committee of 12 Members be appointed on the part of the House to join the committee appointed on the part of the Senate to attend the funeral.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

The SPEAKER. The Chair appoints as members of the committee on the part of the House to attend the funeral, Mr. DOUGHTON, Mr. KERR, Mr. BULWINKLE, Mr. COOLEY, Mr. BARDEN, Mr. DURHAM, Mr. BONNER, Mr. DEANE, Mr. JONES, Mr. REDDEN, Mr. CARLYLE, and Mr. CHATHAM.

ADJOURNMENT

The SPEAKER. The Clerk will report the remainder of the resolution.

The Clerk read as follows:

Resolved, That as a further mark of respect to the memory of the deceased the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 29 minutes p. m.) the House adjourned until tomorrow, Tuesday, March 8, 1949, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

323. A letter from the chairman, Commission on Organization of the Executive Branch of the Government, transmitting the Commission's report on reorganization of the Department of Commerce (H. Doc. No. 100); to the Committee on Interstate and Foreign Commerce, and ordered to be printed, with illustrations.

324. A letter from the chairman, Comsion on Organization of the Executive Branch of the Government, transmitting to the Congress a study prepared for the Commission's consideration on the independent regulatory commission of the Government; to the Committee on Interstate and Foreign Commerce.

325. A communication from the President of the United States, transmitting supplemental estimates in the amount of $2,250,000 and contract authorizations in the amount of $3,400,000 for the fiscal year 1950 for the Department of the Interior, in the form of amendments to the budget for said fiscal year (H. Doc. No. 101); to the Committee on Appropriations and ordered to be printed.

326. A letter from the Executive Secretary, National Munitions Control Board, transmitting a report covering the exportation and importation of arms, ammunition, and implements of war for the period January 1 to June 30, 1948; to the Committee on Foreign Affairs.

327. A letter from the Postmaster General, transmitting a draft of proposed legislation to exempt the Post Office Department from the provisions of the Federal Register Act, as amended, and the Administrative Procedure Act, and for other purposes; to the Committee on the Judiciary.

328. A letter from the Secretary of Agriculture, transmitting a draft of a bill to permit the suspension of employees without pay for periods of 30 days or less without the preferment of written charges; to the Committee on Post Office and Civil Service.

329. A letter from the assistant to the Attorney General; transmitting a draft of proposed legislation to provide for the extension and application of the provisions of the Classification Act of 1923, as amended, to certain officers and employees of the Immigration and Naturalization Service in the Department of Justice; to the Committee on Post Office and Civil Service.

330. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, United States Army, dated August 25, 1947, submitting a report, together with accompanying papers, on a preliminary examination and survey of Cathance River, Maine, authorized by the River and Harbor Act approved on March 2, 1945; to the Committee on Public Works.

331. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, United States Army, dated July 26, 1948, submitting a report, together with accompanying papers, on a preliminary examiation of Jefferys Creek, Florence County, S. C., authorized by the River and Harbor Act approved on March 2, 1945; to the Committee on Public Works.

332. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, United States Army, dated July 26, 1948, submitting a report, together with accompanying papers, on a review of reports of waterway from Bon Secour Bay, Ala., to the Gulf, by way of Oyster Bay, requested by a resolution of the Committee on Rivers and Harbors, House of Representatives, adopted on September 25, 1945; to the Committee on Public Works.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BLAND: Committee on Merchant Marine and Fisheries. H. R. 1340. A bill to provide for United States-flag shipping participation in Government-financed cargoes; with amendments (Rept. No. 220). Referred to the Committee of the Whole House on the State of the Union.

Mr. GARMATZ: Joint Committee on the Disposition of Executive Papers. House Report 221. Report on the disposition of certain papers of sundry executive departments. Ordered to be printed.

Mr. BYRNE of New York: Committee on the Judiciary. H. R. 2672. A bill to provide for the settlement of claims of military personnel and civilian employees of the War Department or of the Army for damage to or loss, destruction, capture, or abandonment of personal property occurring incident to their service; with an amendment (Rept. No. 227). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk

for printing and reference to the proper calendar, as follows:

Mr. CASE of New Jersey: Committee on the Judiciary. H. R. 679. A bill to authorize the admission of Mrs. Julia Balint to the United States; without amendment (Rept. No. 216). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. H. R. 1010. A bill for the relief of Mrs. May K. Y. Mok, Frederick W. S. Mok, and Vincent W. C. Mok; with an amendment (Rept. No. 217). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. H. R. 1591. A bill for the relief of Bram B. Tellekamp; with an amendment (Rept. No. 218). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. H. R. 1876. A bill for the relief of Ralph Martin Elzingre, also known as Ralph Seawell; with an amendment (Rept. No. 219). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H. R. 1791. A bill for the relief of Raleigh B. Diamond; without amendment (Rept. No. 222). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H. R. 731. A bill for the relief of James Flynn; with an amendment (Rept. No. 223). Referred to the Committee of the Whole House.

Mr. DENTON: Committee on the Judiciary. H. R. 682. A bill for the relief of Mrs. Harry E. Hewitt; with amendments (Rept. No. 224). Referred to the Committee of the Whole House.

Mr. DENTON: Committee on the Judiciary. H. R. 607. A bill for the relief of Harvey M. Lifset, formerly a major in the Army of the United States; without amendment (Rept. No. 225). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on the Judiciary: H. R. 602. A bill for the relief of Fritz Busche; without amendment (Rept. No. 226). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ABERNETHY:

H. R. 3256. A bill to repeal the tax on oleomargarine; to the Committee on Agriculture.

H. R. 3257. A bill to repeal the tax on oleomargarine, and for other purposes; to the Committee on Agriculture.

By Mr. BIEMILLER:

H. R. 3258. A bill to amend the Public Health Service Act to provide for research and investigation with respect to the cause, prevention, and treatment of cerebral palsy, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. CHELF:

H. R. 3259. A bill to add to the Abraham Lincoln National Historical Park, Ky., certain land acquired by the United States for that purpose; to the Committee on Public Lands.

By Mr. CHESNEY:

H. R. 3260. A bill to terminate the war tax rates on telephone, telegraph, and other communications; to the Committee on Ways and Means.

By Mr. COFFEY:

H. R. 3261. A bill to amend the Immigration Act of 1924, as amended; to the Committee on the Judiciary.

By Mr. REED of New York:

H. R. 3262. A bill to restore the right of American citizens to freely own gold and gold coins; to return control over the public purse to the people; to restrain further deterioration of our currency; to enable holders of paper money to redeem it in gold coin on demand; to establish and maintain a domestic gold coin standard; and for other purposes; to the Committee on Banking and Currency.

By Mr. SASSCER:

H. R. 3263. A bill to provide special pensions for certain persons awarded medals for extraordinary heroism while serving with the armed forces of the United States of America; to the Committee on Veterans' Affairs.

By Mr. WHEELER:

H. R. 3264. A bill to authorize the Veterans' Administration to reimburse State and local agencies for expenses incurred by them in rendering necessary services in ascertaining the qualifications of educational institutions for furnishing training to veterans and in the supervision of educational institutions offering such training; to the Committee on Veterans' Affairs.

By Mr. WHITE of California:

H. R. 3265. A bill to provide price support for raisins; to the Committee on Agriculture.

By Mr. ANDERSON of California:

H. R. 3266. A bill to amend the Pay Readjustment Act of 1942, as amended; to the Committee on Armed Services.

By Mr. BUCHANAN:

H. R. 3267. A bill to provide for the acquisition of land and preparation of plans for the remodeling and expansion of the main post-office building in the Borough of Braddock, Allegheny County, Pa., and for other purposes; to the Committee on Public Works.

H. R. 3268. A bill to provide for acquisition of land and the construction of a post office in the Borough of East McKeesport, Allegheny County, Pa.; to the Committee on Public Works.

H. R. 3269. A bill to provide for acquisition of land and the construction of a post office in the Borough of Elizabeth, Allegheny County, Pa.; to the Committee on Public Works.

H. R. 3270. A bill to provide for acquisition of land and the construction of a post office in the Borough of Glassport, Allegheny County, Pa.; to the Committee on Public Works.

H. R. 3271. A bill to provide for acquisition of land and the construction of a post office in the Borough of Dravosburg, Allegheny County, Pa.; to the Committee on Public Works.

By Mr. BYRNES of Wisconsin:

H. R. 3272. A bill to mitigate the effect of double taxation of corporate income by allowing a limited credit against the income tax of the shareholder receiving dividends; to the Committee on Ways and Means.

H. R. 3273. A bill to increase the rate of surtax, in the case of corporations, from 14 percent to 16 percent; to the Committee on Ways and Means.

By Mr. DAVIS of Georgia:

H. R. 3274. A bill to provide for the conveyance of certain historic properties to the State of Georgia, and for other purposes; to the Committee on Public Lands.

By Mr. D'EWART:

H. R. 3275. A bill to provide for the sale or other disposal of certain submarginal lands located within the boundaries of Indian reservations in the States of Montana, North Dakota, and South Dakota; to the Committee on Public Lands.

By Mr. DOYLE:

H. R. 3276. A bill to grant recognition for wartime service in the United States merchant marine and to provide that persons who served in the wartime merchant marine shall not be liable for induction into the armed services under the Selective Service Act of 1948; to the Committee on Armed Services.

By Mr. FORAND:

H. R. 3277. A bill to provide for the issuance of a postage stamp in commemoration of the one hundred and sixtieth anniversary of the establishment of the first cotton mill in the United States; to the Committee on Post Office and Civil Service.

H. R. 3278. A bill to amend section 22 (d) (6) (A) of the Internal Revenue Code, relating to involuntary liquidation and replacement of inventory; to the Committee on Ways and Means.

H. R. 3279. A bill to provide free postage for hospitalized members and veterans of the armed forces and to make available for such purpose to certain Government hospitals machines for the impressing and cancellation of postage stamps; to the Committee on Post Office and Civil Service.

H. R. 3280. A bill to extend the loan benefits of the Servicemen's Readjustment Act of 1944 to certain widows of veterans; to the Committee on Veterans' Affairs.

H. R. 3281. A bill to raise the limit on the amount of annual income from other sources which may be received by the widow or child of a veteran of World War I or II without disqualifying such widow or child for a pension for the non-service-connected death of such veteran; to the Committee on Veterans' Affairs.

By Mr. MARSHALL:

H. R. 3282. A bill to repeal certain acts of Congress, known as Indian liquor laws, in certain parts of Minnesota; to the Committee on Public Lands.

By Mr. O'BRIEN of Michigan:

H. R. 3283. A bill to provide for cooperation with State agencies administering labor laws in establishing and maintaining accident-prevention activities in industry and in the preparation, promulgation, and enforcement of regulations to control industrial accident hazards; to the Committee on Education and Labor.

By Mr. PETERSON:

H. R. 3284. A bill to authorize grantees of recreational demonstration project lands to make land exchanges relating to such properties, and for other purposes; to the Committee on Public Lands.

By Mr. REGAN:

H. R. 3285. A bill authorizing the replacement and reconstruction by the Bureau of Reclamation of certain bridges across the Franklin canal of the Rio Grande project of the Bureau of Reclamation within the city of El Paso, Tex., and authorizing appropriation for that purpose; to the Committee on Public Lands.

By Mr. TACKETT:

H. R. 3286. A bill for the purpose of erecting in Waldron, Ark., a post-office building; to the Committee on Public Works.

H. R. 3287. A bill for the purpose of erecting in Ashdown, Ark., a post-office building; to the Committee on Public Works.

H. R. 3288. A bill for the purpose of erecting in Booneville, Ark., a post-office building; to the Committee on Public Works.

By Mr. BLAND:

H. R. 3289. A bill to amend the Merchant Marine Act, 1936, as amended, to further promote the development and maintenance of the American merchant marine, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. BRYSON:

H. R. 3290. A bill to outlaw the Communist Party; to the Committee on the Judiciary.

By Mr. HART:

H. R. 3291. A bill to amend the Shipping Act of 1916, as amended, to provide for the development of the American merchant marine, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. HEFFERNAN:

H. R. 3292. A bill to establish a Federal Commission on Services for the Physically Handicapped, to define its duties, and for other purposes; to the Committee on Education and Labor.

By Mr. McMILLAN of South Carolina:

H. R. 3293. A bill to amend the act entitled "An act to regulate the practice of

optometry in the District of Columbia"; to the Committee on the District of Columbia.

By Mr. MURRAY of Tennessee:

H. R. 3294. A bill to regulate the hours of duty and the pay of civilian keepers of lighthouses and civilians employed on lightships and other vessels of the Coast Guard; to the Committee on Post Office and Civil Service.

By Mr. PLUMLEY:

H. R. 3295. A bill to direct the Veterans' Administrator to repay certain educational loans made to veterans of World War II, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. RANKIN:

H. R. 3296. A bill to provide for the establishment of a veterans' hospital for Negro veterans at the birthplace of Booker T. Washington in Franklin County, Va.; to the Committee on Veterans' Affairs.

By Mr. SMITH of Virginia:

H. R. 3297. A bill to authorize the addition of certain lands to Manassas National Battlefield Park, Va., and for other purposes; to the Committee on Public Lands.

By Mr. DEANE:

H. Con. Res. 44. Concurrent resolution authorizing the printing of additional copies of House Document No. 401, Eightieth Congress, entitled "Fascism in Action"; to the Committee on House Administration.

By Mr. KEE:

H. Con. Res. 46. Concurrent resolution authorizing the Committee on Foreign Affairs to procure 2,000 additional copies of its hearings on the bill (H. R. 2362) to amend an act entitled "The Economic Cooperation Act of 1948," approved April 3, 1948; to the Committee on House Administration.

By Mr. McMILLAN of South Carolina:

H. Res. 132. Resolution to provide funds for necessary miscellaneous expenses of the Committee on the District of Columbia; to the Committee on House Administration.

By Mr. COX:

H. Res. 133. Resolution to amend paragraph (2) (c) of rule XI of the rules of the House (relating to the Committee on Rules) to read as it read during the Eightieth Congress; to the Committee on Rules.

By Mr. HAYS of Arkansas:

H. Res. 134. Resolution providing for the employment of 12 additional elevator operators, office of the Architect of the Capitol; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BARING:

H. R. 3298. A bill for the relief of Domingo Ozamis-Ormaechea; to the Committee on the Judiciary.

H. R. 3299. A bill for the relief of Serapio Zabala-Arrien; to the Committee on the Judiciary.

By Mr. BIEMILLER:

H. R. 3300. A bill for the relief of Mary Thomas Schiek, a Red Cross employee injured by the Army; to the Committee on the Judiciary.

By Mr. FERNÓS-ISERN:

H. R. 3301. A bill to extend the time within which suit may be filed under the Federal Tort Claims Act on the claim of the estate of Mrs. Juana Mercado Valle; to the Committee on the Judiciary.

H. R. 3302. A bill for the relief of the guardian of Porfirio Velázquez; to the Committee on the Judiciary.

H. R. 3303. A bill for the relief of Nemesio Vegas; to the Committee on the Judiciary.

H. R. 3304. A bill for the relief of José Cotto Santiago; to the Committee on the Judiciary.

H. R. 3305. A bill for the relief of the estate of José Salgado Santos; to the Committee on the Judiciary.

H. R. 3306. A bill for the relief of Antonio Rojas Vélez; to the Committee on the Judiciary.

H. R. 3307. A bill for the relief of Cristóbal Rivera Santiago; to the Committee on the Judiciary.

H. R. 3308. A bill for the relief of Aida Morales; to the Committee on the Judiciary.

H. R. 3309. A bill for the relief of the guardian of Ovidio Vázquez; to the Committee on the Judiciary.

H. R. 3310. A bill for the relief of Lydia Cortés; to the Committee on the Judiciary.

H. R. 3311. A bill for the relief of Carmen Morales; to the Committee on the Judiciary.

H. R. 3312. A bill for the relief of Héctor Luis Mélendez; to the Committee on the Judiciary.

H. R. 3313. A bill for the relief of the estate of the late Manuel Graulau Vélez; to the Committee on the Judiciary.

H. R. 3314. A bill for the relief of the estate of the late Eulogio Reyes Suárez; to the Committee on the Judiciary.

H. R. 3315. A bill for the relief of Alejo Padilla; to the Committee on the Judiciary.

H. R. 3316. A bill for the relief of the estate of the late Francisco J. Córdova; to the Committee on the Judiciary.

H. R. 3317. A bill for the relief of the estate of the late Domingo Acosta Arizmendi; to the Committee on the Judiciary.

H. R. 3318. A bill for the relief of Gladys Prieto; to the Committee on the Judiciary.

H. R. 3319. A bill for the relief of Juana Pagán; to the Committee on the Judiciary.

H. R. 3320. A bill for the relief of Ignacio Colón Cruz; to the Committee on the Judiciary.

H. R. 3321. A bill for the relief of Gloria Esther Díaz; to the Committee on the Judiciary.

H. R. 3322. A bill for the relief of Lilly Vélez; to the Committee on the Judiciary.

H. R. 3323. A bill for the relief of the estate of Rafael Rebollo; to the Committee on the Judiciary.

H. R. 3324. A bill for the relief of the estate of the late Anastacio Acosta; to the Committee on the Judiciary.

By Mr. MACK of Washington:

H. R. 3325. A bill for the relief of Catherine A. Glesener; to the Committee on the Judiciary.

By Mr. O'BRIEN of Michigan:

H. R. 3326. A bill for the relief of Mrs. Ann Morrison; to the Committee on the Judiciary.

By Mr. SANBORN:

H. R. 3327. A bill for the relief of the Elmore Cooperative Hatchery; to the Committee on the Judiciary.

By Mr. SIKES:

H. R. 3328. A bill for the relief of Daniel Lindsey Payne; to the Committee on the Judiciary.

By Mr. STAGGERS:

H. R. 3329. A bill for the relief of Hayward O. Brandon; to the Committee on the Judiciary.

By Mr. WALTER:

H. R. 3330. A bill for the relief of Therese Hohmann; to the Committee on the Judiciary.

By Mr. WHEELER:

H. R. 3331. A bill for the relief of J. H. King, Jr., and R. H. Padgett; to the Committee on the Judiciary.

By Mr. WITHROW:

H. R. 3332. A bill for the relief of Theodora Dovalis; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

164. By Mr. CARROLL: Memorial of the Colorado State Legislature, memorializing the Congress of the United States to enact legislation providing for the creation of a Department of Natural Resources, the establishment of regional or branch offices of that and other Federal departments and agencies, and for the location of a United States Military Academy of the Air in Denver, Colo.; to the Committee on Expenditures in the Executive Departments.

165. By Mr. FORAND: Resolution passed by the General Assembly of the State of Rhode Island and Providence Plantations, requesting the Senators and Representatives from Rhode Island in the Congress of the United States to use their good offices to secure prompt passage of legislation for the creation and support of a Federal housing program; to the Committee on Banking and Currency.

166. By Mr. HART: Petition of St. Francis Holy Name Society, Hoboken, N. J., protesting against the outrageous procedure employed in the alleged trial of His Eminence Josef Cardinal Mindszenty; to the Committee on Foreign Affairs.

167. Also, petition of Chapter 150, Catholic War Veterans, West New York, N. J., stating the signatories are in complete accord with the denunciations heaped upon the Hungarian communistic government for the outrageous charges made against His Eminence Cardinal Mindszenty and the reprehensible methods employed in the conduct of his so-called trial; to the Committee on Foreign Affairs.

168. By Mr. JACOBS: Memorial of the Eighty-sixth General Assembly of the State of Indiana to the Congress of the United States, to enact a law making family desertion a national crime; to the Committee on the Judiciary.

169. Also, memorial of the House of Representatives of the Eighty-sixth Indiana General Assembly, the senate concurring, that Congress pass and the President of the United States approve, if passed, the General Pulaski's Memorial Day resolution to establish October 11 of each year as General Pulaski's Memorial Day; to the Committee on the Judiciary.

170. Also, memorial of the Eighty-sixth General Assembly of the State of Indiana to the Congress of the United States, to enact effective legislation providing for flood control in the Wabash River watershed area and tributaries thereto; to the Committee on Public Works.

171. By Mr. LOVRE: Concurrent resolution of the South Dakota Legislature, memorializing the Congress of the United States to enact legislation which will assure the payment of prices for farm products at not less than 100 percent of parity; to the Committee on Agriculture.

172. Also, concurrent resolution of the South Dakota Legislature, memorializing the Congress and the President of the United States to take action to prevent the passage of legislation permitting the coloring of oleomargarine; to the Committee on Agriculture.

173. By Mr. NORBLAD: Address of Dr. A. L. Strand, president, Oregon State College, Corvallis, Oreg., setting out the records of Dr. Ralph W. Spitzer and L. R. LaVallee, whose contracts with the college were not renewed; to the Committee on Un-American Activities.

174. By the SPEAKER: Petition of Harold Colee, executive vice president, Florida State Chamber of Commerce, Jacksonville, Fla., requesting that Congress do not enact legislation in any form dealing with socialized medicine, be it known as compulsory health insurance, a national health program, State medicine, Government insurance, or by any other name; to the Committee on Interstate and Foreign Commerce.

175. Also, petition of Dr. Maurice Heck, Florida Apartment House Association, Miami, Fla., vigorously protesting against extension of rent control in any form; to the Committee on Banking and Currency.

SENATE

TUESDAY, MARCH 8, 1949

(Legislative day of Monday, February 21, 1949)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

Rev. Ralph Candler John, S. T. M., assistant minister, Foundry Methodist Church, Washington, D. C., offered the following prayer:

Eternal Spirit, our Heavenly Father, Thou art the creator and preserver of life, and Thy providence is the invincible guardian of that which is true and good. So instruct our minds that our thoughts may be as from Thee. So establish Thy ways in our hearts that we may lay claim to those invaluable qualities, exemplified by our Lord, which Thou alone canst give.

These mercies we ask to the end that as the affairs of our Nation and our world find determination in this place of destiny, all may be made to rest upon the timeless foundations of wisdom and righteousness. May we stand in strength because we stand with and for Thee. This we ask in Jesus' blessed name. Amen.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Swanson, one of its reading clerks, communicated to the Senate the resolutions of the House adopted as a tribute to the memory of Hon. J. Melville Broughton, late a Senator from the State of North Carolina.

The message announced that the House had passed, without amendment, the following bills and joint resolution of the Senate:

S. 29. An act to authorize payment of claims based on loss of or damage to property deposited by alien enemies;

S. 170. An act to authorize the transfer of certain property to the Secretary of the Interior, and for other purposes;

S. 593. An act for the relief of certain postal employees;

S. 630. An act to amend section 19 of the act of August 13, 1946 (60 Stat. 1057), so as to remove the upper age limit for appointment to commissioned grade in the Supply Corps of the Navy; and

S. J. Res. 22. Joint resolution to authorize the issuance of a special series of stamps commemorative of the three hundredth anniversary of Annapolis, Md.

The message also announced that the House had passed the bill (S. 673) relating to the pay and allowances of officers of the Naval Reserve performing active duty in the grade of rear admiral, and for other purposes, with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the following bills and joint resolution, in which it requested the concurrence of the Senate:

H. R. 20. An act to amend the act of August 1, 1947, as amended, to authorize the creation of 10 professional and scientific positions in the headquarters and research stations of the National Advisory Committee for Aeronautics;

H. R. 157. An act authorizing the Attorney General of the United States to recognize and to award to outstanding courageous young Americans a medal for heroism known as the Young American Medal for Bravery, and for other purposes;

H. R. 220. An act to amend section 3 of the act entitled "An act to revise the Alaska game law," approved July 1, 1943, as amended (57 Stat. 301);

H. R. 253. An act to amend the act of June 25, 1938, relating to the appointment of postmasters under civil service;

H. R. 554. An act to provide for the construction, extension, and improvement of school buildings in Hoopa, Calif.;

H. R. 942. An act to amend the act entitled "An act to amend section 9 of the act of August 24, 1912 (37 Stat. 512)" (Public Law 593, 80th Cong.);

H. R. 994. An act to provide for disposition and use of tribal funds of the Navajo Tribe of Indians;

H. R. 1337. An act to authorize the sale of certain public lands in Alaska to the Alaska Council of Boy Scouts of America for recreation and other public purposes;

H. R. 1755. An act to authorize a $100 per capita payment to members of the Red Lake Band of Chippewa Indians from the proceeds of the sale of timber and lumber on the Red Lake Reservation;

H. R. 1950. An act for the relief of certain consultants formerly employed by the Technical Industrial Intelligence Committee of the Foreign Economic Administration, and for other purposes;

H. R. 1959. An act for the relief of the county of Allegheny, Pa.;

H. R. 2216. An act to amend the National Security Act of 1947 to provide for an Under Secretary of Defense;

H. R. 2485. An act to authorize the attendance of the United States Marine Band at the Eighty-third and Final National Encampment of the Grand Army of the Republic to be held in Indianapolis, Ind., August 28 to September 1, 1949;

H. R. 2660. An act to prohibit the parking of vehicles upon any property owned by the United States for postal purposes;

H. R. 2663. An act to provide for the administration of the Central Intelligence Agency, established pursuant to section 102, National Security Act of 1947, and for other purposes; and

H. J. Res. 160. Joint resolution to authorize completion of the processing of the visa cases, and admission into the United States, of certain alien fiancés and fiancées of members, or of former members, of the armed forces of the United States, as was provided in the so-called GI Fiancées Act (60 Stat. 339), as amended.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

REPORT ON OPERATIONS UNDER BOULDER CANYON PROJECT ADJUSTMENT ACT

A letter from the Secretary of the Interior, transmitting, pursuant to law, the seventh annual report of operations under the Boulder Canyon Project Adjustment Act, for the year ended May 31, 1948 (with an accompanying report); to the Committee on Interior and Insular Affairs.

EXEMPTION OF POST OFFICE DEPARTMENT FROM PROVISIONS OF FEDERAL REGISTER AND ADMINISTRATIVE PROCEDURE ACTS

A letter from the Postmaster General, transmitting a draft of proposed legislation to exempt the Post Office Department from the provisions of the Federal Register Act, as amended, and the Administrative Procedure Act, and for other purposes (with an accompanying paper); to the Committee on the Judiciary.

COST ASCERTAINMENT REPORT OF POST OFFICE DEPARTMENT

A letter from the Postmaster General, transmitting, pursuant to law, the Cost Ascertainment Report and Appendix of that Department for the fiscal year 1948 (with an accompanying report); to the Committee on Post Office and Civil Service.

REPORTS OF COMMISSION ON ORGANIZATION OF THE EXECUTIVE BRANCH OF THE GOVERNMENT

A letter from the Chairman of the Commission on Organization of the Executive Branch of the Government, transmitting, pursuant to law, a report on the Department of Commerce (with an accompanying report); to the Committee on Expenditures in the Exectutive Departments.

A letter from the Chairman of the Commission on Organization of the Executive Branch of the Government, transmitting, pursuant to law, a report on Regulatory Commissions (appendix N) (with an accompanying report); to the Committee on Expenditures in the Executive Departments.

A letter from the Chairman of the Commission on Organization of the Executive Branch of the Government, transmitting, pursuant to law, a report on the Federal Communications Commission (with an accompanying report); to the Committee on Expenditures in the Executive Departments.

A letter from the Chairman of the Commission on Organization of the Executive Branch of the Government, transmitting, pursuant to law, a report on the Federal Trade Commission (with an accompanying report); to the Committee on Expenditures in the Executive Departments.

A letter from the Chairman of the Commission on Organization of the Executive Branch of the Government, transmitting, pursuant to law, a report on the Securities and Exchange Commission (with an accompanying report); to the Committee on Expenditures in the Executive Departments.

A letter from the Chairman of the Commission on Organization of the Executive Branch of the Government, transmitting, pursuant to law, a report on the Federal Reserve System (with an accompanying report); to the Committee on Expenditures in the Executive Departments.

A letter from the Chairman of the Commission on Organization of the Executive Branch of the Government, transmitting, pursuant to law, a report on the Civil Aeronautics Board (with an accompanying report); to the Committee on Expenditures in the Executive Departments.

A letter from the Chairman of the Commission on Organization of the Executive Branch of the Government, transmitting, pursuant to law, a report on the Interstate Commerce Commission (with an accompanying report); to the Committee on Expenditures in the Executive Departments.

A letter from the Chairman of the Commission on Organization of the Executive Branch of the Government, transmitting, pursuant to law, a report on the National Labor Relations Board (with an accompanying report); to the Committee on Expenditures in the Executive Departments.

A letter from the Chairman of the Commission on Organization of the Executive Branch of the Government, transmitting, pursuant to law, a report on the Federal Power Commission (with an accompanying report); to the Committee on Expenditures in the Executive Departments.

A letter from the Chairman of the Commission on Organization of the Executive Branch of the Government, transmitting, pursuant to law, a report on the United

States Maritime Commission (with an accompanying report); to the Committee on Expenditures in the Executive Departments.

LEAVES OF ABSENCE

Mr. LUCAS. Mr. President, I ask unanimous consent that the senior Senator from Florida [Mr. PEPPER] be excused from attending the sessions of the Senate today.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. LUCAS. I also ask, Mr. President, that the junior Senator from Minnesota [Mr. HUMPHREY] be excused from attending the sessions of the Senate for the next few days because of illness in his family.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. KILGORE asked and obtained leave to be absent from the Senate on Friday and Saturday next.

Mr. ANDERSON asked and obtained leave to be absent from the sessions of the Senate on Friday and Saturday next.

CALL OF THE ROLL

Mr. LUCAS. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Hayden	Millikin
Anderson	Hendrickson	Morse
Brewster	Hickenlooper	Mundt
Bricker	Hill	Murray
Bridges	Hunt	Myers
Butler	Ives	Neely
Byrd	Jenner	O'Mahoney
Cain	Johnson, Colo.	Reed
Capehart	Johnson, Tex.	Robertson
Chapman	Johnston, S. C.	Russell
Chavez	Kefauver	Schoeppel
Connally	Kilgore	Smith, Maine
Cordon	Knowland	Sparkman
Douglas	Langer	Taft
Downey	Lodge	Taylor
Eastland	Long	Thomas, Okla.
Ecton	Lucas	Thomas, Utah
Ellender	McCarran	Tobey
Ferguson	McCarthy	Tydings
Flanders	McClellan	Vandenberg
Frear	McFarland	Watkins
Fulbright	McKellar	Wherry
George	Magnuson	Wiley
Gillette	Malone	Withers
Green	Martin	Young
Gurney	Miller	

Mr. MYERS. I announce that the Senator from North Carolina [Mr. HOEY], the Senator from South Carolina [Mr. MAYBANK], the Senator from Oklahoma [Mr. KERR], the Senator from Rhode Island [Mr. MCGRATH], the Senator from Maryland [Mr. O'CONOR], and the Senator from Mississippi [Mr. STENNIS] are members of the committee on the part of the Senate, appointed to attend the funeral of the late Senator Broughton, of North Carolina, and are therefore necessarily absent.

The Senators from Florida [Mr. HOLLAND and Mr. PEPPER] are absent by leave of the Senate to fill a long-standing engagement at Winter Park, Fla., where today the President of the United States is to receive an honorary degree at Rollins College.

The Senator from Minnesota [Mr. HUMPHREY] is absent by leave of the Senate because of illness in his family.

The Senator from Connecticut [Mr. MCMAHON] and the Senator from New York [Mr. WAGNER] are necessarily absent.

Mr. WHERRY. I announce that the Senator from Connecticut [Mr. BALDWIN], the senior Senator from Missouri [Mr. DONNELL], the junior Senator from Missouri [Mr. KEM], the Senator from Massachusetts [Mr. SALTONSTALL], and the Senator from Minnesota [Mr. THYE] are absent as members of the committee of the Senate attending the funeral of the late Senator Broughton, of North Carolina.

The Senator from New Jersey [Mr. SMITH] is absent because of illness.

The Senator from Delaware [Mr. WILLIAMS] is necessarily absent.

The VICE PRESIDENT. Seventy-seven Senators having answered to their names, a quorum is present.

THE JOURNAL

Mr. LUCAS. Mr. President, I ask unanimous consent that the Journal be approved from February 25 up to and including March 7.

Mr. WHERRY. Mr. President, reserving the right to object, does that cover all the days since the Journal was last approved?

Mr. LUCAS. It does.

Mr. WHERRY. And the request, if granted, would not jeopardize in any way the present parliamentary situation?

Mr. LUCAS. It would not.

Mr. RUSSELL. Mr. President, reserving the right to object, I wish to say that I had noticed with interest that the distinguished Senator from Illinois had not asked to have the Journal approved during the past several days. Why is it necessary to approve it at this time?

Mr. LUCAS. I think it is a matter of convenience, I will say to the able Senator from Georgia, for the clerks who write up the Journal. I probably should have had it approved by unanimous consent each morning, but I have failed to make the request. I now ask unanimous consent to have the Journal approved for the days I have indicated.

Mr. RUSSELL. Mr. President, I should like to assist the clerks, but I want to consider the matter. I object.

The VICE PRESIDENT. Objection is made by the Senator from Georgia.

TRANSACTION OF ROUTINE BUSINESS

Mr. LUCAS. Mr. President, I make the same request I have previously made on the opening of Senate sessions, to wit, that all Senators desiring to introduce bills and joint resolutions, present petitions and memorials, and other matters for the RECORD, may be permitted to do so, without debate, and without jeopardizing the parliamentary situation.

The VICE PRESIDENT. The Senator from Illinois requests that all Senators be permitted to introduce bills and joint resolutions, and present petitions and memorials, and file reports and present other ordinary routine business, without debate, and without affecting the present parliamentary situation. Is there objection to the request of the Senator from Illinois? The Chair hears none, and it is so ordered.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A resolution of the Legislature of the State of Nebraska; to the Committee on Interior and Insular Affairs:

"Legislative Resolution 16

"Whereas the Bureau of Reclamation has asked Congress for an appropriation for the commencement of construction on the Glendo Reservoir on the North Platte River in Wyoming, unlimited as to the capacity of the reservoir, and unlimited as to the uses of the water to be impounded; and

"Whereas the Flood Control Act of 1944, enacted by the United States Congress, requires as follows: That before actior is taken on any construction on rivers in this area, investigations must be conducted in such a manner as to give to the affected State or States during the course of the investigations, information developed by the investigations and also opportunity for consultation regarding plans and proposals and so far as practicable, opportunity to cooperate in the investigations. The said Flood Control Act also requires the transmission to the affected State or States a copy of the proposed report and plans and proposals. If any affected State sets forth objections, the proposed works may not be authorized except upon approval by an act of Congress; and

"Whereas the Bureau of Reclamation in relation to the proposed Glendo Reservoir has not complied with this provision of the Flood Control Act to the extent of giving to the Nebraska authorities the information required; and

"Whereas Nebraska is one of the States which will be affected by the proposed Glendo Dam and there is a possibility that the effect will be detrimental to the general welfare of Nebraska citizens and to Nebraska projects, making and intending to make use of the waters of the North Platte River; and

"Whereas on June 11, 1945, the Supreme Court of the United States adjudicated the rights of the United States and of the States of Colorado, Wyoming, and Nebraska, in the waters of the North Platte River, and stated that further relief could be granted if further construction of reservoirs threatened to disturb the delicate balance of the river; and

"Whereas there is reasonable ground to believe that the construction of the Glendo Reservoir and its intended operation as announced by officers of the Bureau of Reclamation, would give to Wyoming more than its apportioned share of the river waters and would disturb the balance of the river: Now, therefore, be it

"*Resolved*, That the Legislature of the State of Nebraska hereby requests the Congress of the United States to withhold any authorization for the construction of the said Glendo Reservoir and any appropriation of money therefor, until the plans thereof have been submitted to the State of Nebraska and to its department of roads and irrigation, and an opportunity given to it to examine and evaluate said plans, and to present its objections if said plans should require objections."

Resolutions adopted by the Wholesale Dry Goods Institute, Inc., of New York, N. Y., favoring the adoption of a free-enterprise system with a minimum of Government controls; to the Committee on Banking and Currency.

Petitions of Bessie A. Childress, of Jefferson City, Mo., and Elizabeth E. Knight, of Fairfield, Maine, praying for the enactment of legislation to continue rent controls; to the Committee on Banking and Currency.

Petitions of Lillie H. Coleman, of Jacksonville, Fla., and sundry other citizens of

the United States, praying for the enactment of legislation to abolish rent controls; to the Committee on Banking and Currency.

A letter in the nature of a petition signed by Donald F. Kruger, adjutant, Shangri-La Post, No. 1064, the American Legion, Springfield, Ill., praying for the enactment of legislation to provide pensions for all veterans; to the Committee on Finance.

Petitions of Mrs. M. W. Pope, of San Diego, Calif., and sundry other citizens of the United States, relating to old-age pensions and social security; to the Committee on Finance.

A telegram in the nature of a petition, signed by Barto Chiappe, president, the Committee to Strengthen Friendship Between United States of America and Italy, Chicago, Ill., praying that Italy be included as a member of the North Atlantic Pact; to the Committee on Foreign Relations.

Petitions of Margaret C. Oest, of Rochester, N. Y., and sundry other citizens of the United States, relating to aid for China; to the Committee on Foreign Relations.

Petitions of Morris Bachrach, of New York, N. Y., and sundry other citizens of the United States, relating to the admission of the State of Israel as a member of the United Nations; to the Committee on Foreign Relations.

Petitions of E. Russell, of Washington, D. C., and sundry other citizens of the United States, relating to the trial and conviction of Josef Cardinal Mindszenty; to the Committee on Foreign Relations.

Petitions of L. S. Jordan, of Memphis, Tenn., and several other citizens of the United States, praying for the continuation of the Un-American Activities Committee; to the Committee on the Judiciary.

Resolutions adopted by the city commission of the city of Grand Rapids, Mich., and the common council of the city of Linden, N. J., favoring the enactment of legislation proclaiming October 11 of each year as General Pulaski's Memorial Day; to the Committee on the Judiciary.

Petitions of L. E. Evans, of Louisville, Ky., and sundry other citizens of the United States, relating to Federal aid to education; to the Committee on Labor and Public Welfare.

Petitions of Ernest Deheulle, of Everett, Mass., and sundry other citizens of the United States, relating to changes in the minimum wage law; to the Committee on Labor and Public Welfare.

Petitions of D. C. Abbott, of Sarasota, Fla., and sundry other citizens of the United States, relating to the Taft-Hartley labor law; to the Committee on Labor and Public Welfare.

A letter in the nature of a petition from W. E. Napier, of Oak Ridge, Tenn., relating to working conditions at Oak Ridge, Tenn.; to the Committee on Labor and Public Welfare.

A resolution adopted by the Pike County (Ky.) Fish and Game Protective Association, of Pikeville, Ky., favoring the canalization plan for the Levisa and Tug Forks of the Big Sandy River; to the Committee on Public Works.

A paper in the nature of a petition, signed by Phil Hamel, secretary of the Tribal Council of the Confederated Salish and Kootenai Tribes of the Flathead Reservation, of Montana, relating to the establishment of a Columbia River Authority; to the Committee on Public Works.

A letter in the nature of a petition from W. L. Totten, of Durham, N. C., relating to the constitutionality of civil-rights legislation; ordered to lie on the table.

Petitions of W. J. Davis, of Calera, Ala., and sundry other citizens of the United States, praying for a change in the Senate rules to prevent the filibuster; ordered to lie on the table.

By Mr. THOMAS of Oklahoma:

A concurrent resolution of the Legislature of the State of Oklahoma; to the Committee on Finance:

"House Concurrent Resolution 8

"Concurrent resolution requesting the Oklahoma delegation to the Congress of the United States to promote and support legislation changing the old-age assistance program to a direct-pension program and providing for pension payments of at least $60 per month

"Whereas the old-age-assistance program is not a direct-pension program based on the age of recipients but is a program of payments to persons, otherwise eligible, who do not have sufficient income or other resources to provide for themselves; and

"Whereas the old-age-assistance program requires vast expenditures of funds for administration which expenditures reduce the amount of funds available for distribution; and

"Whereas a direct-pension program whereby checks are mailed from Washington, D. C., to citizens eligible therefor by reason of age will not require said vast expenditure of funds for administration and will materially increase the amount received by each eligible person; and

"Whereas the payments under such a direct-pension program should be at least $60 per month; and

"Whereas such a change in the old-age-assistance program can be made by the Congress of the United States: Now, therefore, be it

"Resolved by the House of Representatives of the Twenty-second Legislature of the State of Oklahoma (the senate concurring therein), That the Oklahoma delegation to the Congress of the United States is hereby requested to promote and support legislation which will change the old-age-assistance program to a direct-pension program whereby checks are mailed from Washington, D. C., to citizens eligible therefor by reason of age, and which will provide for pension payments of at least $60 per month.

"That an authenticated copy of this resolution be presented to each member of the Oklahoma delegation to the Congress of the United States.

"Adopted by the house of representatives the 28th day of January 1949.

"WALTER BILLINGSLEY,
"Speaker of the House of Representatives.

"Adopted by the senate the 9th day of February 1949.

"JIM RINEHART,
"President of the Senate."

By Mr. YOUNG (for himself and Mr. LANGER):

A concurrent resolution of the Legislature of the State of North Dakota; to the Committee on Agriculture and Forestry:

"House Concurrent Resolution K

"Concurrent resolution petitioning Congress to continue adequate appropriations to the Farmers Home Administration

"Whereas the members of the Thirty-first Legislative Assembly of the State of North Dakota, mindful of the service performed by the Farmers Home Administration, in the rehabilitation of farmers upon the soil, and being cognizant that only through this agency has credit been available to many of the farmers of the State, and recognizing that the continuation of this agency is in the interests of all of the people: Now, therefore, be it

"Resolved by the House of Representatives of the State of North Dakota (the senate concurring therein), That we memorialize, petition, and urge Congress to continue the Farmers Home Administration, and to make adequate appropriations therefor; be it further

"Resolved, That copies of this resolution be sent by the secretary of state to the Secretaries of Agriculture and Labor, Farmers Home Administration, President of the Senate and Speaker of the House of Representatives, and to North Dakota's delegation in Congress.

"PALMER LEVIN,
"Speaker of the House.
"GEORGE OLSON,
"Chief Clerk of the House.
"C. P. DAHL,
"President of the Senate.
"W. J. TROUT,
"Secretary of the Senate."

A concurrent resolution of the Legislature of the State of North Dakota; to the Committee on Finance:

"House Concurrent Resolution N

"Concurrent resolution requesting the Commissioner of Internal Revenue to extend time for filing tax returns by farmers

"Whereas under the Federal income-tax laws a farmer who makes a declaration of his estimated tax for the taxable year must file such estimate on or before January 15 of the succeeding taxable year; and

"Whereas under the Federal income-tax laws a farmer who does not file an estimate of his tax must file his income-tax return for the preceding year on or before January 15; and

"Whereas due to weather conditions in the North Central States it is frequently impossible for a farmer to procure adequate records at such season of the year and to file his estimate and return; and

"Whereas the Commissioner of Internal Revenue has the power and authority to extend the time for filing such returns: Now, therefore, be it

"Resolved by the House of Representatives of the State of North Dakota (the senate concurring therein), That the Commissioner of Internal Revenue is petitioned and urged to extend the time for filing such returns by a farmer in the North Central States up and until February 15; and be it further

"Resolved, That the secretary of state is hereby directed to send copies of this resolution to the North Dakota delegation in Congress and to the Commissioner of Internal Revenue.

"PALMER LEVIN,
"Speaker of the House.
"GEORGE OLSON,
"Chief Clerk of the House.
"C. P. DAHL,
"President of the Senate.
"W. J. TROUT,
"Secretary of the Senate."

By Mr. GURNEY:

A concurrent resolution of the Legislature of the State of South Dakota; to the Committee on Interior and Insular Affairs:

"Senate Concurrent Resolution 9

"Concurrent resolution memorializing the Congress of the United States to make provision for payment of the exact equivalent of taxes to the States and other lesser political subdivisions whenever the tax base of such taxing units is depleted by withdrawals of lands for the use of Federal agencies

"Whereas the Federal Government and agencies thereof from time to time have withdrawn from the State and its political subdivisions areas such as the Ammunition Depot at Provo; the Angustura irrigation project in Fall River and Custer Counties; the Belle Fourche irrigation project in Butte and Meade Counties; submarginal land utilization areas principally located in Stanley, Lyman, Jones, Jackson, Pennington, and

Perkins Counties; air bases at Rapid City and at Sioux Falls; the Pine Ridge Indian Reservation; the Crow Creek Indian Reservation; the Cheyenne Indian Reservation; Rosebud Indian Reservation; the Standing Rock Indian Reservation; the Lower Brule Indian Reservation; the Sisseton Indian Reservation; the Black Hills National Forest; the Harney National Forest; Wind Cave National Park; Jewel Cave National Park; the Bad Lands National Monument; the Rushmore National Monument; the East and West Short Pine National Forests; veterans' facility hospitals at Sioux Falls and at Fort Meade; the bombing range in Shannon County; the experiment station at Newell; the various Indian schools; the Indian hospital at Rapid City; the Federal sanatorium at Hot Springs; and the other lesser withdrawals; and

"Whereas in the development of the Missouri River project it will be necessary for the Federal Government to acquire extensive areas in South Dakota such as dam sites, areas to be inundated, and marginal lands, rights-of-way for canals and ditches, town sites, and areas for administrative facilities; and

"Whereas the State of South Dakota has for a period of 10 years paid on school and endowment lands held in trust by the State, the exact equivalent of school district and county levies: Now, therefore, be it

"Resolved, That the Senate of the State of South Dakota (the house of representatives concurring therein) do memorialize the Congress of the United States to take steps to provide for the payment of the exact equivalent of taxes which would otherwise be levied on lands in the State and its political subdivisions were such lands not acquired by the Federal Government and its agencies; be it further

"Resolved, That a copy of this concurrent resolution be forwarded to His Excellency, the President of the United States, the United States Senator CHAN GURNEY, United States Senator KARL MUNDT, Congressman FRANCIS H. CASE, and to Congressman HAROLD O. LOVRE, and to the Presiding Officers of both Houses of Congress.

"REX A. TERRY,
"Lieutenant Governor, President of the Senate.

"Attest:

"NIELS P. JENSEN,
"Secretary of the Senate.
"A. E. MUNCK,
"Speaker of the House of Representatives.

"Attest:

"W. J. MATSON,
"Chief Clerk."

Two concurrent resolutions of the Legislature of the State of South Dakota; to the Committee on Agriculture and Forestry:

"Senate Concurrent Resolution 13

"Concurrent resolution memorializing the Congress of the United States; His Excellency, the President of the United States, to take action to prevent the passage of legislation permitting the coloring of oleomargarine

"Whereas the dairy industry brings over $40,000,000 to South Dakota farmers annually; and

"Whereas this industry must be given every encouragement; and

"Whereas uncontrolled competition from a product made from vegetable oils would seriously menace the dairy industry, thus causing untold loss to South Dakota agriculture; and

"Whereas the production of vegetable oils is relatively unimportant to South Dakota: Now, therefore, be it

"Resolved, That the Senate of the Thirty-first Session of the South Dakota Legislature (the House of Representatives concurring therein), do memorialize the Congress of the United States to prevent the passage of legislation allowing the coloring of oleomargarine; be it further

"Resolved, That copies of this concurrent resolution be forwarded to His Excellency, the President of the United States, to the Secretary of Agriculture of the United States, to the chairman of the Committees on Agriculture of both Houses of Congress, to United States Senator CHAN GURNEY, to United States Senator KARL MUNDT, to Congressman FRANCIS CASE, to Congressman HAROLD LOVRE, and to the presiding officers of both Houses of Congress.

"REX A. TERRY,
"Lieutenant Governor, President of the Senate.

"Attest:

"NIELS P. JENSEN,
"Secretary of the Senate.
"A. E. MUNCK,
"Speaker of the House of Representatives.

"Attest:

"W. J. MATSON,
"Chief Clerk."

"Concurrent resolution memorializing the Congress of the United States to enact legislation which will assure the payment of prices for farm products at not less than 100 percent of parity

"Whereas the payment of prices for farm products at 100 percent of parity, is essential to the preservation of a sound national economy, and to prevent loss, discouragement, and distress, and maintain and increase the large production of farm products required to meet both domestic and foreign needs: Now, therefore, be it

"Resolved by the House of Representatives of the State of South Dakota (the senate concurring):

"1. That the Congress of the United States be, and is hereby memorialized and urged to promptly enact suitably implemented legislation to insure the payment of 100 percent parity prices for farm products.

"2. That a copy of this resolution be forwarded to the President and Vice President of the United States, the Speaker of the House of Representatives, the Secretary of Agriculture, and to each South Dakota Senator and Member of the House of Representatives in the Congress of the United States.

"A. E. MUNCK,
"Speaker of the House of Representatives.
"W. J. MATSON,
"Chief Clerk of the House of Representatives.
"REX TERRY,
"Lieutenant Governor.
"NIELS P. JENSEN,
"Secretary of the Senate."

By Mr. TYDINGS:

A resolution of the House of Delegates of the State of Maryland; to the Committee on Finance:

"Resolution relating to the administrative expenses of the Employment Security Board

"Whereas as part of the enactment of employment security and unemployment compensation insurance, the Federal Government has provided that every employer having eight or more employees must pay to the Federal Government a tax of three-tenths of 1 percent of his pay rolls to pay administrative costs of the several Employment Security Boards; and

"Whereas these tax payments are wholly separate and distinct from other payments made to the State of Maryland from which the actual unemployment compensation benefits are paid; and

"Whereas it has been the history of these payments to the Federal Government for administrative expenses that the Federal Government has collected much more money than it has ever returned to the States for such administrative expenses; and

"Whereas this collection of excess monies is well illustrated by the current fiscal year during which it is estimated the Federal Government will collect approximately $224,000,000 from taxpayers throughout the country, while it has appropriated only about $130,000,000 for the payment of administrative expenses to the several Employment Security Boards: Now, therefore, be it

"Resolved by the House of Delegates of Maryland, That this body hereby memorializes the Congress of the United States either to reduce the amount of tax collected to defray the administrative costs of unemployment compensation or to return the excess amounts to the several States; and be it further

"Resolved, That this resolution be spread upon the Journal of the House and that the chief clerk of the house be and he is hereby instructed to send copies thereof to the President of the United States, to the Social Security Board, to the chairman of the Employment Security Board of Maryland, to each member of the Maryland delegation in the Congress of the United States, to the Council of State Governments, and to the Employment Security Board or Unemployment Compensation Board of every State in the United States."

A resolution of the House of Delegates of the State of Maryland; to the Committee on Foreign Relations:

"Resolution protesting the trial of 15 Protestant pastors in Bulgaria

"Whereas the freedom-loving people of the world for the second time within a few days have been outraged by the charges of espionage and black-market dealings against 15 Protestant pastors in the city of Sofia, Bulgaria; and

"Whereas these trials, just as the recent trial of Cardinal Mindszenty, of Hungary, constitute an attack by atheistic communism upon the freedom of religion; and

"Whereas prominent members of all religious groups in this country characterized the unjust trial of Cardinal Mindszenty, of Hungary, as a gross crime against freedom and as a rape of justice; and

"Whereas the trial of these 15 Protestant pastors in Bulgaria is but another example of the fact, if any were needed, that atheistic communism in this world is on the march against any and all freedom of religion and of expression; and

"Whereas all these trials are but part of a world-wide conspiracy of atheistic communism to threaten the liberty, democracy, religion, and the very life of the freedom-loving nations; and

"Whereas the Soviet, the Hungarian, and now the Bulgarian Governments have violated the basic guaranties of the United Nations as to freedom of worship, fair and impartial trials, and freedom of speech: Now, therefore, be it

"Resolved by the House of Delegates of Maryland, That this body representing a great State in which toleration and freedom not only are guaranteed by the Constitution but also are part of the very fabric of its life, solemnly protests the outrageous crime against religion and humanity now being perpetrated in the trial of these 15 Protestant pastors in the city of Sofia, Bulgaria; and be it further

"Resolved, That this resolution be spread upon the journal of the house and that the chief clerk be and he is hereby directed to send copies thereof to the President of the United States, to the Secretary of State of the United States, and to each Member of the Maryland delegation in the Congress of the United States."

A resolution of the Senate of the Legislature of the State of Maryland; to the Committee on Foreign Relations:

"Senate resolution protesting the trial and conviction of Cardinal Mindszenty

"Whereas the trial and conviction of Cardinal Mindszenty, of Hungary, constitutes an attack by atheistic communism upon the freedom of religion; and

"Whereas prominent members of various religious groups in this country have characterized this unjust trial and conviction as a gross crime against freedom and as a rape of justice, these persons, including Cardinal Spellman, archbishop of New York, the Reverend Daniel A. Poling, president of the World Christian Endeavor Union, and the Reverend Dr. Frederick Brown Harris, Chaplain of the Senate of the United States and pastor of Foundry Methodist Church in Washington, D. C.; and

"Whereas Cardinal Mindszenty was imprisoned in a Nazi concentration camp during World War II for his efforts in saving 1,500 Hungarian Jews from the clutches of the German Gestapo, thereby proving himself a defender of and a martyr for civil rights and humanity; and

"Whereas the arrest, trial, and conviction of Cardinal Mindszenty is a conscienceless attack upon religious and personal freedom and a wanton persecution which has called for h universal condemnation; and

"Whereas the main purpose of the trial, which is really a persecution, was to discredit and coerce religious leadership in Hungary in order to remove one of the main sources of moral resistance to communism; and

"Whereas the persecution of Cardinal Mindszenty is but a further evidence to show that the people of Hungary have been increasingly denied the fundamental human rights and freedom which are guaranteed by the United Nations; and

"Whereas this trial and conviction is part of a world-wide conspiracy of atheistic communism to threaten not only the countries of eastern Europe but also the liberty, democracy, and very life of the United States and the world; and

"Whereas representatives of the freedom-loving nations were barred from the courtroom during the trial of Cardinal Mindszenty: Therefore be it

"*Resolved by the Senate of Maryland,* That this body, representing the great State in which tolerance and freedom of religion were not only recognized in its founding and have, from its very beginnings, been guaranteed to its citizens and have been imbedded in the constitution of the State, but they are also a part of the very fabric of its citizens, solemnly protests the outrageous crime against religion and humanity perpetrated in the trial, conviction, and sentence of Cardinal Mindszenty; and be it further

"*Resolved,* That this resolution be spread upon the journal of the senate and that the secretary be, and he is hereby, directed to send copies thereof to the President of the United States, to the Secretary of State of the United States, and to each Representative from Maryland in the Congress of the United States."

A resolution adopted by citizens of Baltimore, Md., under the sponsorship of the Council of Lithuanian Societies, relating to the thirty-first anniversary of the proclamation of the independence of Lithuania; to the Committee on Foreign Relations.

A resolution adopted by the City Council of the City of Baltimore, Md., favoring the enactment of legislation proclaiming October 11 of each year as General Pulaski's Memorial Day; to the Committee on the Judiciary.

NATIONAL FARM PROGRAM

Mr. McCARTHY. Mr. President, I present for appropriate reference and ask unanimous consent to have printed in the RECORD a letter from the Wisconsin Farm Bureau Federation, Madison, Wis., signed by Curtis Hatch, president, relating to the national farm program.

There being no objection, the letter was referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

WISCONSIN FARM BUREAU FEDERATION,
Madison, Wis., February 9, 1949.

Hon. JOSEPH R. McCARTHY,
Senate Office Building,
Washington, D. C.

DEAR SENATOR McCARTHY: In view of the apparent confusion today on the question of farm opinion regarding the national farm program—a confusion which we believe is disproportionately reflected in the press and in the public utterances of some individuals, we respectfully call to your attention the position of the Wisconsin Farm Bureau Federation on this issue.

First, we would like to show clearly that the Wisconsin Farm Bureau Federation is wholly in accord with the American Farm Bureau Federation in support of the 1948 Agricultural Farm Act, as enacted by the Eightieth Congress and as it stands today.

In fact, the Wisconsin Farm Bureau Federation was influential, through its voting delegation, in drafting the policy of variable price supports which was adopted by the American Farm Bureau Federation in annual meeting at Chicago in 1947. As you are aware, that principle of a flexible farm program with variable supports was recommended to the Eightieth Congress by the American Farm Bureau Federation.

When that principle was incorporated into title II of what became the Agricultural Act of 1948, the Wisconsin Farm Bureau Federation was in full concurrence with the American Farm Bureau Federation in recommending passage. We called for action on this measure before the Congress should adjourn, and were gratified that the Congress, avoiding partisan differences, did enact it.

We are proud of the role of Farm Bureau in helping to bring this about. While all of the major farm organizations approved the act, we are confident that Farm Bureau support was responsible for its enactment.

Title I of the act, continuing the basic principles of the Steagall amendment through 1949, extends the time in which farmers may adjust their plans of operation to conform with the needs of the postwar era. Titles II and III assure farmers against disastrous price breaks in the period following 1949, and encourage them to seek the utmost efficiency in their farming operations.

This was the intention of the members of the Wisconsin Farm Bureau when they urged the adoption of a flexible price-support program, and it is their intention today.

The resolution adopted by the voting delegates of the Wisconsin Farm Bureau Federation at their annual meeting in 1947 set forth that:

"We will support the development of a long-range program that is primarily self-sustaining and which will assist in correcting the basic causes of disparity between agriculture, labor, and industry. We favor a price-support program that will prevent extremely low and disastrous prices. We recommend that all price-support programs be contingent upon compliance with production goals, market quotas, or other mechanisms to prevent excessive production."

This determination was reiterated at the annual meeting of the Wisconsin Farm Bureau in November 1948, following the enactment of the Agricultural Act of 1948, when the voting delegates affirmed endorsement of a variable price-support program with these words:

"We support the present farm price-support policy under the 1948 act. We believe it protects the Nation against a bankrupt agriculture, and insures ample supplies of agricultural products at a fair exchange value. * * * We believe that any change in present policy should be in the direction of placing greater emphasis on livestock farming in the interest of soil conservation and human health."

These voting delegates were voicing the instructions given them by members of the county farm bureaus in Wisconsin, who elected them for the purpose of expressing farm opinion through farm bureau resolutions.

This year the Farm Bureau in Wisconsin is gaining more new members because we are presenting the question of the level of price support as an issue in our membership campaigns.

Wisconsin farmers are aware that the freedom to choose the method of operation of their farms would in all likelihood be sacrificed if they should throw themselves on the reliance of artificial prices and the severely administered economy which would be the inevitable result.

Our farmers are well aware of the disruption which has resulted from a too rigid support of the price of potatoes, of the hampering restrictions which the potato program has brought about, and of the loss of public sympathy which has resulted.

Our farmers fear not only the regimentation and the restriction of opportunity which would follow rigidly supported prices, but they also recognize that such a program, universally applied, could alienate the good will of the public, and impose an excessive burden on the Federal Treasury.

The farmers of Wisconsin, expressing themselves through the Farm Bureau, believe that this organization should labor to achieve parity for agriculture. They believe that in extreme conditions it is the role of Government to provide floors under prices as an insurance against disaster. This concept is expressed in the Agricultural Act of 1948.

They do not believe that it is desirable, or possible, for the Government to underwrite the prices of farm products on an artificially high plane nor as a permanent practice.

They believe that the Agricultural Act of 1948 should be given a fair trial before consideration is given to making substantial changes in its objectives or its methods.

The Wisconsin Farm Bureau Federation earnestly requests that the Eighty-first Congress permit such a fair trial for the act. If or when need for corrections appear, we will join in suggesting such corrections.

Meanwhile, it is our sincere desire that the Congress give full consideration to all other measures which will help agriculture attain parity. We suggest such measures as the extension of trade treaties, which will reopen the channels of international trade; the international wheat agreement; support and encouragement for farmers' cooperative enterprises; coordination of programs to improve and conserve the fertility of the soil; aid and research for more efficient production and marketing; cooperative credit and rural electrification; equalization of educational opportunity and access to the fullest developments in health and nutrition; and, in general, aid for the expansion of the educational functions of the extension service of the land-grant colleges.

We do not believe that Government can guarantee parity, but we do believe that Government should guarantee the opportunity to achieve parity.

It is in this light that we ask you to give your considered deliberation to matters affecting farm policy before the Eighty-first Congress.

Yours very truly,

CURTIS HATCH, *President.*

EXPRESSION OF APPRECIATION FROM FARMERS OF KNOX COUNTY, NEBR.

Mr. BUTLER. Mr. President, I am in receipt of a very splendid thank you statement from the farmers of Knox County, Nebr., expressing their appreciation for the assistance rendered during the recent disastrous storm over Nebraska and other Western States. I ask that the resolution be printed in the body of the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

THANK YOU FROM THE FARMERS OF KNOX COUNTY, NEBR.

The farmers of Knox County, Nebr. wish to extend their thanks to all who contributed to and aided in Operations Snowbound. Practically every farmer, with few exceptions, in the county has been isolated for long periods of time since the initial blizzard of November 18–19. Recurring heavy snows accompanied by high winds, kept all roads blocked the major portion of the time.

The United States Weather Bureau credited east Knox County with having received 71 inches, and west Knox County with 57 inches of snow from November 18 to February 1. Continuous cold weather held the snow depth constant. There was almost no travel.

Food supplies dwindled, fuel was exhausted in many cases, and feed supplies within reach were low. The tremendous depth of snow made it impossible, in many cases, to reach roughage and hay supplies stacked in the fields.

A disaster was at hand. Swift action followed the request of our board of supervisors to Gov. Val Peterson to classify Knox County an emergency area. We are grateful for the prompt and efficient work of the Army engineers, the Fifth Army, the State of Nebraska, the National Guard, the National and the local Red Cross.

We are also grateful to the disaster committees set up in each town, the pilots who flew emergency missions under adverse conditions and patrolled the county locating cases of distress, and citizens who volunteered their time and services in this emergency. We especially want to thank each member of the county board of supervisors who gave 24-hour service in coordinating and directing work throughout Operations Snowbound.

In order that persons and governmental agencies and those responsible for Operations Snowbound be informed of our great appreciation for their work, a copy of this letter is being forwarded to each of the following: the President of the United States, Harry S. Truman; the Governor of the State of Nebraska, Val Peterson; the Congress of the United States; the Legislature of the State of Nebraska; Gen. Lewis A. Pick; Corps of Engineers of the United States Army; the Fifth Army of the United States; the national and the local Red Cross; the National Guard; Knox County Board of Supervisors.

Herbert Schroeder, President, Knox County Farm Bureau; Perry Adams, Chairman, Knox County Soil Conservation District; Herman Block, Chairman, Knox County Noxious Weed District; Ben Banks-C. H. Olson, Directors, Cedar, Knox Rural Public Power District; Joe Buschkamp, Chairman, Farmers Home Administration; Wm. R. Fosterman, President, Knox County Farmers Union; Albert Vakoc, Chairman, Production and Marketing Administration; Ben Banks, Chairman, S. E. Knox Noxious Weed District; Fritz Rokahr, Chairman, North Central Nebraska Public Power District; True Carder, Chairman, Knox County Agricultural Extension Service.

ALUMINUM FOR RURAL ELECTRIFICATION PROJECTS—STATEMENT BY SENATOR BUTLER AND LETTER FROM THE SECRETARY OF COMMERCE

Mr. BUTLER. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a statement I have made in reference to certain correspondence I have had with the Department of Commerce. I also ask that the letter from Secretary Sawyer be printed following my statement.

There being no objection, the statement and letter were ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR HUGH BUTLER

The attached letter to me from the Secretary of Commerce is being inserted at this time as a follow-up to correspondence inserted in the RECORD on February 17, 1949.

This letter is a fairly good summary of the prospects for increased supplies of aluminum for manufacture of electric conductor for use in rural electrification during the rest of this year and next year. It will be noted that the statement indicates that the rate of production of aluminum conductor is being increased by the end of this year to a level of two and one-half times the present rate. This letter in large part merely confirms reports I have already received from trade sources. Most of the increased capacity is due to an expansion by the Reynolds Metals Co. I believe this expansion of capacity will be a very material help in solving the conductor shortage from which we are suffering today.

Credit for this expansion must be divided among a number of individuals and groups who have been working earnestly and sincerely to find a means of solving this shortage. I have myself been deeply concerned about this problem for some time and have been exploring every possible means of securing additional aluminum for rural electrification. I believe the efforts of the National Rural Electric Cooperative Association deserve particular recognition. This fine organization has taken a very active part in exploring the possibilities of expanding our aluminum supply, and I believe it deserves the gratitude of every farmer who is waiting anxiously for electric service.

DEPARTMENT OF COMMERCE,
Washington, March 3, 1949.

The Honorable HUGH BUTLER,
United States Senate,
Washington, D. C.

DEAR SENATOR BUTLER: I wish to acknowledge your letter of February 16 in reference to the supply of aluminum for the production of electric conductor for rural electrification projects.

My staff has been making an intensive study of the all-over aluminum problem, with particular reference to the available supply of redraw rod for aluminum conductor. This study has not been completed and until it shall have been completed, I am unable to determine whether it is essential that a voluntary allocation program be recommended for supplying REA projects with aluminum conductor.

In the meantime, I am glad to give you the data already developed on aluminum conductor for such projects.

Formerly the price differential between aluminum and copper conductors was such that REA divided its purchases of conductor between aluminum and copper. Today the price differential between aluminum and copper conductors makes it possible to build the average aluminum line at a saving of $150 to $175 per mile over a copper line of like capacity. REA, therefore, is naturally favoring the construction of aluminum rather than copper lines.

The aluminum industry produced approximately 60,000,000 pounds of redraw rod for conductor in 1948. It is estimated that the production figure for 1949 will be 84,000,000 pounds. This increase of 24,000,000 pounds of aluminum for conductor will be brought about through an increase in aluminum ingot production and the installation of additional redraw rod and conductor facilities. A part of these increased facilities will be put into service in May. The last of this increase in facilities will not be installed until October. Therefore, the increased production because of all new facilities is only reflected in the last few months of 1949, whereas in 1950 when all these new facilities will be in service for the entire year, it is estimated that 150,000,000 pounds of metal will be available for conductor.

A given weight of metal provides 50 percent more conductor by weight. Therefore, the aluminum conductor production in 1948 was about 90,000,000 pounds. The estimated conductor production in 1949 will be 126,000,000 pounds. The estimate of conductor production in 1950 is 225,000,000 pounds.

If, upon completion of the study by the office of Industry Cooperation, it appears that a voluntary allocation plan is necessary, I shall so recommend such a plan to the aluminum industry.

Sincerely yours,

CHARLES SAWYER,
Secretary of Commerce.

JOHNSONVILLE (TENN.) STEAM PLANT—TELEGRAM FROM G. F. BULGRIEN

Mr. WILEY. Mr. President, I send to the desk a resolution which I have received from a union in my State, protesting against the proposed new TVA steam plant in Tennessee. This resolution opposes such a plant as a step toward socialism and toward further competition with our free-enterprise system.

I certainly endorse the sentiments expressed in this resolution, and ask unanimous consent that it be printed in the body of the RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

PORTAGE, WIS., *March 4, 1949.*

Senator ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.:

We, the 1,000 members and officers of Local 965, International Brotherhood of Electrical Workers, active in the heart of Wisconsin, do believe that the appropriation of our money to build the Johnsonville steam plant as an auxiliary for the TVA is a direct step toward socialism, and at complete variance with the intent of the TVA as originally set up.

We are very much opposed to any steps to put the Government any further into any business which will be in direct competition with any American business which has been built up by our free-enterprise system. Free enterprise has made us the great Nation that we are today. Let us take no action which may slow down this process.

We ask that you devote your full efforts to removing this item from the deficiency appropriation bill which is coming up in the Senate in the near future.

G. F. EULGRIEN,
Business Manager.

RESOLUTIONS OF WISCONSIN HOSPITAL ASSOCIATION RELATING TO TAX-SUPPORTED INSTITUTIONS

Mr. WILEY. Mr. President, I have received two resolutions from the able executive secretary of the Wisconsin Hospital Association, whose headquarters is in Eau Claire, Wis., a few miles outside my home town. The association represents approximately 85 percent of the hospital bed capacity of the Badger State, and it comprises both tax-supported institutions, together with voluntary private hospitals. One of the resolutions pertains to the controversial subject of consolidation of all Federal hospitals, and the other refers to a similar much-debated issue of compulsory Federal health insurance.

In connection with the latter resolution, I certainly endorse the sentiments expressed therein in opposition to such a compulsory program. I feel that these resolutions and similar resolutions from other hospital experts throughout the Nation should and will receive the careful attention of my colleagues, and I ask unanimous consent that they be printed in the body of the RECORD at this point.

There being no objection, the resolutions were ordered to be printed in the body of the RECORD, as follows:

"Whereas the American Hospital Association has repeatedly advocated the best possible medical and hospital care for veterans of the armed forces; and

"Whereas the American Hospital Association believes that this result can be obtained best by coordinating the Veterans' Administration hospitals and the hospitals of the other Federal agencies with the hospitals that provide care to the population as a whole; and

"Whereas the Voorhees Subcommittee on Federal Medical Services, in its report to the Hoover Commission studying the reorganization of the executive branch of the Federal Government, has advocated such coordination in order to achieve economy and to improve the standards of hospital care in Federal hospitals: Now, therefore, be it

"*Resolved*, That the Wisconsin Hospital Association, a unit of the American Hospital Association, meeting in Milwaukee February 17, 1949, does hereby commend the recent action of President Truman which recognized the principles of coordination and integration which have been endorsed and recommended by the Voorhees subcommittee, and expresses confidence that further study of the problem of integrating and coordinating all of the hospitals of the Nation can result in further improvements in the quality of hospital care available to citizens of this Nation."

I, N. E. Hanshus, executive secretary of the Wisconsin Hospital Association, do hereby certify that the foregoing resolution was unanimously adopted by the membership of the Wisconsin Hospital Association at its annual meeting assembled in Milwaukee on February 17, 1949.

N. E. HANSHUS,
Executive Secretary, Wisconsin Hospital Association.

"Whereas the house of delegates of the American Hospital Association, at its meeting in Cleveland, Ohio, in October 1944, adopted a resolution embodying a progressive program for improving the quality and distribution of hospital care; and

"Whereas the Hill-Burton Hospital Survey and Construction Act is already putting into practice the recommendation of the association for Federal aid for hospital construction in areas where additional hospital facilities are most needed; and

"Whereas the phenomenal growth of Blue Cross prepayment plans represents the remarkable progress toward the accomplishment of another essential part of the association's program; and

"Whereas the recent creation of the national agency to make voluntary prepayment protection more easily available is another step toward extension of voluntary budgeting for the cost of medical and hospital care as recommended by the association; and

"Whereas the need for Federal, State, and local government assistance in the provision of care for those unable to pay the whole cost is another essential recommendation of the association whcich has not been yet acted upon; and

"Whereas compulsory health insurance does not necessarily provide assistance for the care of persons unable to pay the whole cost; and

"Whereas current legislative proposals for compulsory health insurance would result in serious deterioration of the quality of care now available to the American people: Therefore be it

"*Resolved*, That the Wisconsin Hospital Association reaffirms its program for the improvement of the quality and distribution of hospital care; and be it further

"*Resolved*, That the Wisconsin Hospital Association urge legislative attention to provision of assistance for those unable to meet the whole cost of medical and hospital care; and for the provision of public health services and for more adequate numbers of trained personnel in the health field; and be it further

"*Resolved*, That the Wisconsin Hospital Association reaffirms its conviction that a program of Federal compulsory health insurance is inadvisable, and hat such a program is bound to be detrimental to the continued improvement of the quality of care for the American people."

I, N. E. Hanshus, executive secretary of the Wisconsin Hospital Association, do hereby certify that the foregoing resolution was unanimously adopted by the membership of the Wisconsin Hospital Association at its annual meeting assembled in Milwaukee on February 17, 1949.

N. E. HANSHUS,
Executive Secretary, Wisconsin Hospital Association.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. THOMAS of Utah, from the Committee on Labor and Public Welfare:

S. 249. A bill to diminish the causes of labor disputes burdening or obstructing interstate and foreign commerce, and for other purposes; with amendments (Rept. No. 99).

By Mr. THOMAS of Oklahoma, from the Committee on Agriculture and Forestry:

S. 314. A bill authorizing the transfer of a certain tract of land in the Robinson Remount Station to the city of Crawford, Nebr., and for oher purposes; without amendment (Rept. No. 98).

By Mr. ANDERSON, from the Committee on Agriculture and Forestry:

S. J. Res. 53. Joint resolution to provide for the reforestation and revegetation of the forest and range lands of the national forests, and for other purposes; without amendment (Rept. No. 97).

EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORT OF A COMMITTEE

As in executive session,

The following favorable report of a nomination was submitted:

By Mr. O'MAHONEY, from the Committee on Interior and Insular Affairs:

Llewellyn M. Williams, of Alaska, to be Secretary of the Territory of Alaska.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JOHNSTON of South Carolina:

S. 1188. A bill to amend the Social Security Act, as amended, so as to reduce the eligibility age for old-age or survivors benefit payments; to the Committee on Finance.

S. 1189. A bill to amend the Civil Service Retirement Act of May 29, 1930, as amended, so as to provide for retirement on full annuity at age 55 after 30 years service, and for payment of annuities to widows of retired employees without reduction in the annuities of such employees; to the Committee on Post Office and Civil Service.

By Mr. THOMAS of Oklahoma (for himself and Mr. KERR):

S. 1190. A bill to establish a United States Air Academy; to the Committee on Armed Services.

By Mr. MARTIN:

S. 1191. A bill for the relief of Clifford N. MacLloyd; to the Committee on the Judiciary.

By Mr. MILLER (for himself and Mr. MCCARRAN):

S. 1192. A bill for the relief of certain Basque aliens; to the Committee on the Judiciary.

By Mr. MILLER (for himself and Mr. WAGNER):

S. 1193. A bill to implement and augment existing statutes, so as to increase the prevailing immigration quota for Greece; to the Committee on the Judiciary.

(Mr. MUNDT (for himself and Mr. JOHNSTON of South Carolina) introduced Senate bill 1194, to protect the United States against certain un-American and subversive activities, which was referred to the Committee on the Judiciary, and appears under a separate heading.)

By Mr. FERGUSON:

S. 1195. A bill to incorporate the Blue Star Mothers of America; to the Committee on the Judiciary.

(Mr. FERGUSON also introduced Senate bill 1196, to protect the United States against un-American and subversive activities, which was referred to the Committee on the Judiciary, and appears under a separate heading.)

By Mr. TYDINGS:

S. 1197. A bill to amend section 67 of section 81 of the National Defense Act, as amended, to provide for an active-duty status for all United States property and disbursing officers, and to provide for additional officers of the National Guard of the United States on active duty in the National Guard Bureau; to the Committee on Armed Services.

By Mr. YOUNG:

S. 1198. A bill to provide for the education, medical attention, relief of distress, and social welfare of Indians in the State of North Dakota; to the Committee on Interior and Insular Affairs.

By Mr. KILGORE:

S. 1199. A bill for the relief of Fernando Gerassi, Estefania Maria Gerassi, and John Gerassi; to the Committee on the Judiciary.

By Mr. McCARRAN:

S. 1200. A bill authorizing a preliminary examination and survey of Gleason Creek, Robinson watershed, at and in the vicinity of Ely, White Pine County, Nev.; to the Committee on Public Works.

By Mr. CAPEHART:

S. 1201. A bill to provide for a new Federal building in Fort Branch, Ind.; and

S. 1202. A bill to provide for a new Federal building in Bloomington, Ind.; to the Committee on Public Works.

By Mr. JENNER:

S. 1203. A bill to authorize the award posthumously of a Distinguished Service Cross to Thomas L. Suedhoff; to the Committee on Armed Services.

By Mrs. SMITH of Maine:

S. 1204. A bill to authorize lump-sum payments to Air Force Reserve officers or former Air Corps Reserve officers who are or were selected for commission in the Regular Army, or Regular Air Force, or who were transferred to the inactive Reserve and then called to active duty in the Air Corps; to the Committee on Armed Services.

By Mr. HUNT:

S. 1205. A bill to revise the law with relation to the Dental Corps of the Army and to amend certain laws herein named; to the Committee on Armed Services.

By Mr. HUNT (for himself, Mr. FREAR, and Mr. SCHOEPPEL):

S. 1206. A bill to provide additional revenue for the District of Columbia; to the Committee on the District of Columbia.

CONTROL OF SUBVERSIVE ACTIVITIES

Mr. FERGUSON. Mr. President, I introduce for appropriate reference a bill to protect the United States against un-American and subversive activities, and I ask unanimous consent that the bill be printed in the RECORD as a part of my remarks together with a brief explanatory statement, an article from the New York Times of March 3, and excerpts from testimony before the Senate Committee on the Judiciary on May 23, 1948.

The VICE PRESIDENT. The bill will be received and appropriately referred, and without objection the bill, together with the matters referred to by the Senator from Michigan, will be printed in the RECORD.

The bill (S. 1196) to protect the United States against un-American and subversive activities, introduced by Mr. FERGUSON, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc.—

SHORT TITLE

SECTION 1. This act may be cited as the Subversive Activities Act, 1949.

NECESSITY FOR LEGISLATION

SEC. 2. As a result of evidence adduced before various committees of the Senate and House of Representatives, Congress hereby finds that—

(1) The system of government known as totalitarian dictatorship is characterized by the existence of a single political party, organized on a dictatorial basis, and by an identity between such party and its policies and the government and governmental policies of the country in which it exists, such identity being so close that the party and the government itself are for all practical purposes indistinguishable.

(2) The establishment of a totalitarian dictatorship in any country results in the ruthless suppression of all opposition to the party in power, the complete subordination of the rights of individuals to the state, the denial of fundamental rights and liberties which are characteristic of a representative form of government, such as freedom of speech, of the press, of assembly, and of religious worship, and results in the maintenance of control over the people through fear, terrorism, and brutality.

(3) There exists a world Communist movement which, in its origins, its development, and its present practice, is a worldwide revolutionary political movement whose purpose it is, by treachery, deceit, infiltration into other groups (governmental and otherwise), espionage, sabotage, terrorism, and any other means deemed necessary, to establish a Communist totalitarian dictatorship in all the countries of the world through the medium of a single world-wide Communist political organization.

(4) The direction and control of the world Communist movement is vested in and exercised by the Communist dictatorship of a foreign country.

(5) The Communist dictatorship of such foreign country, in exercising such direction and control and in furthering the purposes of the world Communist movement, establishes or causes the establishment of, and utilizes, in various countries, political organizations which are acknowledged by such Communist dictatorship as being constituent elements of the world Communist movement; and such political organizations are not free and independent organizations, but are mere sections of a single world-wide Communist organization and are controlled, directed, and subject to the discipline of the Communist dictatorship of such foreign country.

(6) The political organizations so established and utilized in various countries, acting under such control, direction, and discipline, endeavor to carry out the objectives of the world Communist movement by bringing about the overthrow of existing governments and setting up Communist totalitarian dictatorships which will be subservient to the most powerful existing Communist totalitarian dictatorship.

(7) In carrying on the activities referred to in paragraph (6) such political organizations in various countries are organized on a secret, conspiratorial basis and operate to a substantial extent through organizations commonly known as Communist fronts, which in most instances are created and maintained or used in such manner as to conceal the facts as to their true character and purposes and their membership. One result of this method of operation is that such political organizations are able to obtain financial and other support from persons who would not extend such support if they knew the true purposes of, and the actual nature of the control and influence exerted upon, such Communist fronts.

(8) Due to the nature and scope of the world Communist movement, with the existence of affiliated constituent elements working toward common objectives in various countries of the world, travel of members, representatives, and agents from country to country is essential for purposes of communication and for the carrying on of activities to further the purposes of the movement.

(9) In the United States those individuals who knowingly and willfully participate in the world Communist movement, when they so participate, in effect repudiate their allegiance to the United States and in effect transfer their allegiance to the foreign country in which is vested the direction and control of the world Communist movement; and in countries other than the United States those individuals who knowingly and willfully participate in such Communist movement similarly repudiate their allegiance to the countries of which they are nationals in favor of such foreign Communist country.

(10) In pursuance of communism's stated objectives the most powerful existing Communist dictatorship has, by the traditional Communist methods referred to above, and in accordance with carefully conceived plans, already caused the establishment in numerous foreign countries, against the will of the people of those countries, of ruthless Communist totalitarian dictatorships, and threatens to establish similar dictatorships in still other countries.

(11) The recent demonstrations of Communist objectives and methods throughout the world and the nature and control of the world Communist movement itself present a clear and present danger to the security of the United States and to the existence of free American institutions, and make it necessary that Congress, in order to provide for the common defense, to preserve the sovereignty of the United States as an independent nation, and to guarantee to each State a republican form of government, enact appropriate legislation recognizing the existence of such world-wide conspiracy and designed to prevent it from accomplishing its purpose in the United States.

DEFINITIONS

SEC. 3. For the purposes of this act—

(1) The term "person" means an individual or an organization.

(2) The term "organization" means an organization, corporation, company, partnership, association, trust, foundation, or fund; and includes a group of persons, whether or not incorporated, permanently or temporarily associated together for joint action on, or advancement of views on, any subject or subjects.

(3) The term "Communist political organization" means any organization in the United States having some, but not necessarily all, of the ordinary and usual characteristics of a political party, which (A) is substantially dominated or controlled by the foreign government or foreign governmental or political organization controlling the world Communist movement referred to in section 2, and (B) operates primarily to advance the political objectives of such world Communist movement.

(4) The term "Communist-front organization" means any organization in the United States (other than a Communist political organization and other than a lawfully organized political party which is not a Communist political organization) which (A) is under the control of a Communist political organization, or (B) is operated primarily for the purpose of giving aid and support to a Communist political organization, a Communist foreign government, or the world Communist movement referred to in section 2.

(5) The term "Communist organization" means a Communist political organization or a Communist-front organization.

(6) The term "publication" means any circular, newspaper, periodical, pamphlet, book, letter, post card, leaflet, or other publication.

(7) The term "United States," when used in a geographical sense, includes the several States, Territories, and possessions of the United States, the District of Columbia, and the Canal Zone.

(8) The term "interstate or foreign commerce" means trade, traffic, commerce, transportation, or communication (A) between any State, Territory, or possession of the United States (including the Canal Zone), or the District of Columbia, and any place outside thereof, or (B) within any Territory or possession of the United States (including the Canal Zone) or within the District of Columbia.

(9) The term "Board" means the Subversive Activities Board established by section 12 of this act.

(10) The term "final order of the Board" means an order issued by the Board under section 13 of this act, which has become final as provided in section 14 of this act, requiring an organization to register under

section 7 of this act as a Communist political organization or a Communist-front organization.

CERTAIN PROHIBITED ACTS

SEC. 4. (a) It shall be unlawful for any person to combine or conspire with any other person to perform any act which would substantially contribute to the establishment within the United States of a totalitarian dictatorship the direction and control of which is to be vested in, or exercised by or under the domination or control of, any foreign government, foreign organization, or foreign individual, with intent to assist in the establishment within the United States of such totalitarian dictatorship. For purposes of this subsection, the term "totalitarian dictatorship" means a government, not representative in form, characterized by (1) the dominance of a single political party to such an extent that such party and its policies are indistinguishable for all practical purposes from the government and governmental policies of the country in which such party exists, and (2) the suppression of opposition to such party, and (3) the denial of those fundamental rights and liberties of individuals which are characteristic of a representative form of government, such as freedom of speech, of the press, of assembly, and of religious worship.

(b) Any person who violates subsection (a) of this section shall, upon conviction thereof, be punished by a fine of not more than $10,000, or imprisonment for not more than 10 years, or by both such fine and such imprisonment, and shall, moreover, be thereafter ineligible to hold any office, or place of honor, profit, or trust created by the Constitution or laws of the United States.

EMPLOYMENT OF MEMBERS OF COMMUNIST POLITICAL ORGANIZATIONS

SEC. 5. (a) When there is in effect a final order of the Board requiring an organization to register as a Communist political organization, it shall be unlawful for any member of such organization, with knowledge that such order has become final—

(1) in seeking or accepting any office or employment under the United States, to conceal the fact that he is a member of such organization; or

(2) to hold any nonelective office or employment under the United States.

(b) When there is in effect a final order of the Board requiring an organization to register as a Communist political organization, it shall be unlawful for any officer or employee of the United States to appoint or employ any individual as an officer or employee of the United States, knowing that such individual is a member of such an organization.

DENIAL OF PASSPORTS TO MEMBERS OF COMMUNIST POLITICAL ORGANIZATIONS

SEC. 6. (a) When there is in effect a final order of the Board requiring an organization to register as a Communist political organization it shall be unlawful for any member of such organization, with knowledge that such order has become final—

(1) to make application for a passport, or the renewal of a passport, to be issued or renewed by or under the authority of the United States; or

(2) to use or attempt to use any such passport.

(b) When there is in effect a final order of the Board requiring an organization to register as a Communist political organization, it shall be unlawful for any officer or employee of the United States to issue a passport to or renew the passport of any individual knowing that such individual is a member of such organization.

REGISTRATION AND ANNUAL REPORTS OF COMMUNIST ORGANIZATIONS

SEC. 7. (a) Each Communist political organization (including any organization required, by a final order of the Board, to register as a Communist political organization) shall, within the time specified in subsection (c) of this section, register with the Attorney General, on a form prescribed by him by regulations, as a Communist political organization.

(b) Each Communist-front organization (including any organization required, by a final order of the Board, to register as a Communist-front organization) shall, within the time specified in subsection (c) of this section, register with the Attorney General, on a form prescribed by him by regulations, as a Communist-front organization.

(c) The registration required by subsection (a) or (b) shall be made—

(1) In the case of an organization which is a Communist political organization or a Communist-front organization on the date of the enactment of this act, within 30 days after such date;

(2) In the case of an organization becoming a Communist political organization or a Communist-front organization after the date of the enactment of this act, within 30 days after such organization becomes a Communist political organization or a Communist-front organization, as the case may be; and

(3) In the case of an organization which by a final order of the Board is required to register, within 30 days after such order becomes final.

(d) The registration made under subsection (a) or (b) shall be accompanied by a registration statement, to be prepared and filed in such manner and form as the Attorney General shall by regulations prescribe, containing the following information:

(1) The name of the organization and the address of its principal office.

(2) The name and last-known address of each individual who is at the time of the filing of such registration statement, and of each individual who was at any time during the period of 12 full calendar months preceding the filing of such statement, an officer of the organization, with the designation or title of the office so held, and with a brief statement of the duties and functions of such individual as such officer.

(3) An accounting, in such form and detail as the attorney general shall by regulations prescribe, of all moneys received and expended (including the sources from which received and the purposes for which expended) by the organization during the period of 12 full calendar months preceding the filing of such statement.

(4) In the case of a Communist political organization, the name and last-known address of each individual who was a member of the organization at any time during the period of 12 full calendar months preceding the filing of such statement.

(e) It shall be the duty of each organization registered under this section to file with the Attorney General on or before February 1 of the year following the year in which it registers, and on or before February 1 of each succeeding year, an annual report, prepared and filed in such manner and form as the Attorney General shall by regulations prescribe, containing the same information which by subsection (d) is required to be included in a registration statement, except that the information required with respect to the 12-month period referred to in paragraph (2), (3), or (4) of such subsection shall, in such annual report, be given with respect to the calendar year preceding the February 1 on or before which such annual report must be filed.

(f) (1) It shall be the duty of each organization registered under this section to keep, in such manner and form as the Attorney General shall by regulations prescribe, accurate records and accounts of moneys received and expended (including the sources from which received and purposes for which expended) by such organization.

(2) It shall be the duty of each Communist political organization registered under this section to keep, in such manner and form as the Attorney General shall by regulations prescribe, accurate records of the names and addresses of the members of such organization and of persons who actively participate in the activities of such organization.

(g) It shall be the duty of the Attorney General to send to each individual listed in any registration statement or annual report, filed under this section, as a member or as an officer of the organization in respect of which such registration statement or annual report was filed, a notification in writing that such individual is so listed; and such notification shall be sent at the earliest practicable time after the filing of such registration statement or annual report. In the event that the individual so notified shall disclaim the accuracy of such listing, he may by written communication so advise the Attorney General who shall thereupon enter the fact and date of such disclaimer upon the registration statement or annual report upon which such individual is so listed.

(h) In the case of failure on the part of any organization to register or to file any registration statement or annual report as required by this section, it shall be the duty of the executive officer (or individual performing the ordinary and usual duties of an executive officer) and of the secretary (or individual performing the ordinary and usual duties of a secretary) of such organization, and of such officer or officers of such organization as the Attorney General shall by regulations prescribe, to register for such organization, to file such registration statement, or to file such annual report, as the case may be.

(i) If there is in effect with respect to an organization a final order of the Board requiring it to register under this section—

(1) such organization shall, upon conviction of failure to register, to file any registration statement or annual report, or to keep records, as required by this section, be punished for each such offense, by a fine of not less than $2,000 and not more than $5,000; and

(2) each individual having a duty under subsection (h) of this section to register or to file any registration statement or annual report on behalf of such organization, shall, upon conviction of failure to so register or to file any such registration statement or annual report, be punished for each such offense by a fine of not less than $2,000 and not more than $5,000, or imprisonment for not less than 2 years and not more than 5 years, or by both such fine and imprisonment.

For the purposes of this subsection each day of failure to register, whether on the part of the organization or any individual, shall constitute a separate offense.

(j) Any individual who, in a registration statement or annual report filed under this section, willfully makes any false statement or willfully omits to state any fact which is required to be stated, or which is necessary to make the statements made or information given not misleading, shall upon conviction thereof be punished for each such offense by a fine of not less than $2,000 and not more than $5,000, or by imprisonment for not less than 2 years and not more than 5 years, or by both such fine and imprisonment.

KEEPING OF REGISTER; PUBLIC INSPECTION; REPORTS TO PRESIDENT AND CONGRESS

SEC. 8. (a) The Attorney General shall keep and maintain in the Department of Justice a register of all organizations which are registered under section 7, and such register shall be known as the Register of Communist Organizations. Communist political organizations and Communist-front organizations shall be listed separately in such register.

(b) Such register, together with the registration statements and annual reports filed under section 7, shall be kept and maintained

in such manner as to be open for public inspection.

(c) The Attorney General shall submit to the President and to the Congress annually (and at any time when requested by either House by resolution) a report with respect to the carrying out of the provisions of this act, including the names of the organizations listed in such register and of the data (including the names and addresses of the individuals listed as members of such organizations) contained in registration statements and annual reports filed under section 7.

MEMBERSHIP IN CERTAIN COMMUNIST POLITICAL ORGANIZATIONS

SEC. 9. It shall be unlawful for any individual to become or remain a member of any organization if he knows that (1) there is in effect a final order of the Board requiring such organization to register under section 7 of this act as a Communist political organization, (2) more than 30 days have elapsed since such order became final, and (3) such organization is not registered under section 7 of this act as a Communist political organization.

USE OF THE MAILS AND INSTRUMENTALITIES OF INTERSTATE OR FOREIGN COMMERCE

SEC. 10. It shall be unlawful for any organization which is registered under section 7, or for any organization with respect to which there is in effect a final order of the Board requiring it to register under section 7, or for any person acting for or on behalf of such organization with knowledge of such registration or order—

(1) to transmit or cause to be transmitted, through the United States mails or by any means or instrumentality of interstate or foreign commerce, any publication which is intended to be, or which it is reasonable to believe is intended to be, circulated or disseminated among two or more persons, unless such publication and any envelop, wrapper, or other container in which it is mailed or otherwise circulated or transmitted bears the following, printed in such manner as may be provided in regulations prescribed by the Attorney General, with the name of the organization appearing in lieu of the blank: "Disseminated by ————, a Communist organization"; or

(2) to broadcast or cause to be broadcast any matter over any radio or television station in the United States, unless such matter is preceded by the following statement, with the name of the organization being stated in place of the blank: "The following program is sponsored by ————, a Communist organization."

DENIAL OF TAX DEDUCTIONS AND EXEMPTION

SEC. 11. (a) Notwithstanding any other provision of law, no deduction for Federal income-tax purposes shall be allowed in the case of a contribution to or for the use of any organization if at the time of the making of such contribution (1) such organization is registered under section 7, or (2) there is in effect a final order of the Board requiring such organization to register under section 7.

(b) No organization shall be entitled to exemption from Federal income tax, under section 101 of the Internal Revenue Code, for any taxable year if at any time during such taxable year (1) such organization is registered under section 7, or (2) there is in effect a final order of the Board requiring such organization to register under section 7.

SUBVERSIVE ACTIVITIES BOARD

SEC. 12. (a) There is hereby established a Board, to be known as the Subversive Activities Board, which shall be composed of three members, who shall be appointed by the President, by and with the advice and consent of the Senate. One of the original members shall be appointed for a term of 1 year, one for a term of 2 years, and one for a term of 3 years, but their successors shall be appointed for terms of 3 years each, except that any individual chosen to fill a vacancy shall be appointed only for the unexpired term of the member whom he shall succeed. The President shall designate one member to serve as Chairman of the Board. Any member of the Board may be removed by the President, upon notice and hearing, for neglect of duty or malfeasance in office, but for no other cause.

(b) A vacancy in the Board shall not impair the right of the remaining members to exercise all the powers of the Board, and two members of the Board shall, at all times, constitute a quorum. The Board shall have an official seal which shall be judicially noticed.

(c) The Board shall at the close of each fiscal year make a report in writing to the Congress and to the President stating in detail the cases it has heard, the decisions it has rendered, the names, salaries, and duties of all employees of the Board, and an account of all moneys it has disbursed.

(d) Each member of the Board shall receive a salary of $12,500 a year, shall be eligible for reappointment, and shall not engage in any other business, vocation, or employment.

(e) Upon application made by the Attorney General under subsection (a) of section 13 of this act or by any organization under subsection (b) of section 13 of this act, the Board shall determine whether any organization is a Communist political organization within the meaning of paragraph (3) of section 3 of this act, or a Communist-front organization within the meaning of paragraph (4) of section 3 of this act, as the case may be.

(f) Subject to the civil-service laws and the Classification Act of 1923, as amended, the Board may appoint and fix the compensation of a clerk and such examiners and other personnel as may be necessary for the performance of its functions.

(g) All of the expenses of the Board, including all necessary traveling and subsistence expenses outside the District of Columbia incurred by the members or employees of the Board under its orders, shall be allowed and paid on the presentation of itemized vouchers therefor approved by the Board or by any individual designated by it for that purpose.

(h) The principal office of the Board shall be in the District of Columbia, but it may meet and exercise any or all of its powers at any other place.

(i) The Board shall have authority from time to time to make, amend, and rescind such rules and regulations as may be necessary for the performance of its functions.

(j) There are hereby authorized to be appropriated to the Board such sums as may be necessary for the performance of its functions.

PROCEEDINGS BEFORE BOARD

SEC. 13. (a) Whenever the Attorney General shall have reason to believe that any organization which has not registered under subsection (a) or subsection (b) of section 7 of this act is in fact an organization of a kind required to be registered under such subsection, he shall file with the Board and serve upon such organization a petition for an order requiring such organization to register pursuant to such subsection.

(b) Any organization registered under subsection (a) or subsection (b) of section 7 of this act may, not oftener than once in each calendar year, make application to the Attorney General for the cancellation of its registration and for relief from obligation to make further annual reports. Within 60 days after the denial of any such application by the Attorney General, the organization concerned may file with the Board and serve upon the Attorney General a petition for an order requiring the cancellation of such registration and relieving such organization of obligation to make further annual reports.

(c) Upon the filing of any petition pursuant to subsection (a) or subsection (b) of this section, the Board (or any member thereof or any examiner designated thereby) may hold hearings, administer oaths and affirmations, may examine witnesses, and receive evidence at any place in the United States, and may require by subpena the attendance and testimony of witnesses and the production of books, papers, correspondence, memoranda, and other records deemed relevant to the matter under inquiry. Subpenas may be signed and issued by any member of the Board or any duly authorized examiner. Subpenas shall be issued on behalf of the organization which is a party to the proceeding upon request and upon a statement or showing of general relevance and reasonable scope of the evidence sought. Such attendance of witnesses and the production of such documentary evidence may be required from any place in the United States at any designated place of hearing. Witnesses summoned shall be paid the same fees and mileage that are paid witnesses in the district courts of the United States. In case of disobedience to a subpena the Board may invoke the aid of any court of the United States in requiring the attendance and testimony of witnesses and the production of documentary evidence. Any of the district courts of the United States within the jurisdiction of which such inquiry is carried on may, in case of contumacy or refusal to obey a subpena issued to any person, issue an order requiring such person to appear (and to produce documentary evidence if so ordered) and give evidence relating to the matter in question; and any failure to obey such order of the court may be punished by such court as a contempt thereof. All process in any such case may be served in the judicial district whereof such person is an inhabitant or wherever he may be found.

(d) All hearings conducted under this section shall be public. Each party to such proceeding shall have the right to present its case with the assistance of counsel, to offer oral or documentary evidence, to submit rebuttal evidence, and to conduct such cross-examination as may be required for a full and true disclosure of the facts. An accurate stenographic record shall be taken of the testimony of each witness, and a transcript of such testimony shall be filed in the office of the Board.

(e) In determining whether any organization is a Communist political organization, there shall be taken into consideration—

(1) the extent to which its policies are formulated and carried out and its activities performed, pursuant to directives or to effectuate the policies, of the foreign government or foreign governmental or political organization in which is vested, or under the domination or control of which is exercised, the direction and control of the world Communist movement referred to in section 2 of this act; and

(2) the extent to which its views and policies do not deviate from those of such foreign government or foreign organizations; and

(3) the extent to which it receives financial or other aid, directly or indirectly, from or at the direction of such foreign government or foreign organization; and

(4) the extent to which it sends members or representatives to any foreign country for instruction or training in the principles, policies, strategy, or tactics of such world Communist movement; and

(5) the extent to which it reports to such foreign government or foreign organization or to its representatives; and

(6) the extent to which its principal leaders or a substantial number of its members

are subject to or recognize the disciplinary power of such foreign government or foreign organization or its representatives; and

(7) the extent to which in order to conceal its foreign connections (i) it fails to disclose, or resists efforts to obtain information as to its membership (by keeping membership lists in code, by instructing members to refuse to acknowledge membership, or by any other method); (ii) its members refuse to acknowledge membership therein; (iii) it fails to disclose, or resists efforts to obtain information as to, records other than membership lists, (iv) its meetings are secret; and (v) it otherwise operates on a secret basis; and

(8) the extent to which its principal leaders or a substantial number of its members consider the allegiance they owe to the United States as subordinate to their obligations to such foreign government or foreign organization.

(f) In determining whether any organization is a "Communist-front organization", there shall be taken into consideration—

(1) the relationship of persons who are active in its management, direction, or supervision, whether or not holding office therein, to any Communist political organization, Communist foreign government, or the world Communist movement referred to in section 2; and

(2) the extent to which its support, financial or otherwise, is derived from any Communist political organization, Communist foreign government, or the world Communist movement referred to in section 2; and

(3) the extent to which its funds, resources, or personnel are used to further or promote the political objectives of any Communist political organization, Communist-foreign government, or the world Communist movement referred to in section 2; and

(4) the extent to which the positions taken or advanced by it from time to time on matters of policy do not deviate from those of any Communist political organization, Communist foreign government, or the world Communist movement referred to in section 2.

(g) If, after hearing upon a petition filed under subsection (a) of this section, the Board determines that the organization is a Communist political organization or a Communist-front organization, as the case may be, it shall make a report in writing in which it shall state its findings as to the facts and shall issue and cause to be served on such organization an order requiring such organization to register as such under section 7 of this act.

(h) If, after hearing upon a petition filed under subsection (a) of this section, the Board determines that the organization is not a Communist political organization or a Communist-front organization, as the case may be, it shall make a report in writing in which it shall state its findings as to the facts and shall issue and cause to be served upon the Attorney General an order denying his petition for an order requiring such organization to register as such under section 7 of this act. A copy of such order shall be sent to such organization.

(i) If, after hearing upon a petition filed under subsection (b) of this section, the Board determines that the organization is not a Communist political organization or a Communist-front organization, as the case may be, it shall make a report in writing in which it shall state its findings as to the facts and shall issue and cause to be served upon the Attorney General an order requiring him to cancel the registration of such organization and relieve it from the requirement of further annual reports. A copy of such order shall be sent to such organization.

(j) If, after hearing upon a petition filed under subsection (b) of this section, the Board determines that the organization is a Communist political organization of a Communist-front organization, as the case may be, it shall make a report in writing in which it shall state its findings as to the facts and shall issue and cause to be served on such organization an order refusing to cancel the registration of such organization and to relieve it from the requirement of further annual reports.

JUDICIAL REVIEW

SEC. 14. (a) The party aggrieved by any order entered by the Board under subsection (g), (h), (i), or (j) of section 13 may obtain a review of such order in the United States Court of Appeals for the District of Columbia by filing in the court, within 60 days from the date of service upon it of such order, a written petition praying that the order of the Board be set aside. A copy of such petition shall be forthwith served upon the Board, and thereupon the Board shall certify and file in the court a transcript of the entire record in the proceeding, including all evidence taken and the report and order of the Board. Thereupon the court shall have jurisdiction to review the proceedings of the Board. In such review, the court shall review the evidence contained in the record so certified, make its findings of fact and conclusions of law thereon, and enter an order affirming or setting aside the order of the Board. If the court sets aside an order issued under subsection (j) of section 13 it may enter a judgment canceling the registration of the organization and relieving it from the requirement of further annual reports. The judgment and decree of the court shall be final, except that the same shall be subject to review by the Supreme Court upon certiorari, as provided in title 28, United States Code, section 1254.

(b) Any order of the Board issued under section 13 shall become final—

(1) upon the expiration of the time allowed for filing a petition for review, if no such petition has been duly filed within such time; or

(2) upon the expiration of the time allowed for filing a petition for certiorari, if the order of the Board has been affirmed or the petition for review dismissed by the United State Court of Appeals for the District of Columbia, and no petition for certiorari has been duly filed; or

(3) upon the denial of a petition for certiorari, if the order of the Board has been affirmed or the petition for review dismissed by the United States Court of Appeals for the District of Columbia; or

(4) upon the expiration of 10 days from the date of issuance of the mandate of the Supreme Court, if such Court directs that the order of the Board be affirmed or that the petition for review be dismissed.

PENALTIES

SEC. 15. Any organization which violates any provision of section 10 of this act shall, upon conviction thereof, be punished for each such violation by a fine of not less than $2,000 and not more than $5,000. Any individual who violates any provision of sections 5, 6, 9, or 10 of this act shall, upon conviction thereof, be punished for each such violation by a fine of not less than $2,000 and not more than $5,000, or by imprisonment for not less than 2 years and not more than 5 years, or by both such fine and imprisonment.

APPLICABILITY OF ADMINISTRATIVE PROCEDURE ACT

SEC. 16. Nothing in this act shall be held to make the provisions of the Administrative Procedure Act inapplicable to the exercise of functions, or the conduct of proceedings, under this act, except to the extent that this act affords additional procedural safeguards for organizations and individuals.

SEPARABILITY OF PROVISIONS

SEC. 17. If any provision of this act, or the application thereof to any person or circumstance, is held invalid, the remaining provisions of this act, or the application of such provision to other persons or circumstances, shall not be affected thereby.

The matters presented by Mr. FERGUSON were ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR FERGUSON

Mr. President, the need for legislation of the sort that I am now introducing has been reemphasized during the past week by the coordinated statements of world Communist leaders, including those of the American Communist Party. These statements demonstrate that Communists the world over consider themselves to hold a superior loyalty to Russia.

More pointedly, they demonstrate that American communism would do whatever possible to sabotage the security and defense efforts of the United States in the event of armed conflict with Soviet Russia.

My interest in this legislation was aroused last year by my examination of William Z. Foster, chairman of the American Communist Party, in hearings before the Senate Judiciary Committee. At that time Foster took a position for American Communists that was identical with his joint statement last week with Eugene Dennis, secretary of the American Communist Party. The more recent statement was made graphic by its timing, in connection with similar statements by Communist leaders in France, Italy, Great Britain, and other countries.

An article from the New York Times of March 2, reviewing those statements and giving the text of the Foster-Dennis statement, is attached, together with Foster's testimony before the Senate Judiciary Committee a year ago, to which I have referred.

The bill which I am introducing is the product of considerable independent study and of hearings which were conducted in the Senate last year on H. R. 5852, known as the Mundt-Nixon bill. As the result of study by members of the Senate Judiciary Committee last year it contains numerous departures from that bill.

The essence of the bill which I am presenting is a recognition of the world Communist conspiracy, a severe penalty for any conspiracy to attempt the establishment in the United States of a totalitarian dictatorship under foreign control, and a requirement that Communist organizations in the United States identify themselves by registration with the Government and identification of their propaganda activities. An independent board of three persons would be set up to make determinations as to whether an organization is of such a nature as to require that it be registered.

Cardinal features of the bill are as follows:

1. It establishes that "the recent demonstrations of Communist objectives and methods throughout the world and the nature and control of the world Communist movement itself present a clear and present danger to the security of the United States and to the existence of free American institutions, and make it necessary that Congress enact appropriate legislation recognizing the existence of such world-wide conspiracy and designed to prevent it from accomplishing its purposes in the United States."

2. It provides heavy fine and imprisonment for a conspiracy to attempt the setting up in the United States of a totalitarian dictatorship under foreign control, and specifies characteristics of a totalitarian dictatorship.

3. It defines a Communist political organization in the United States as one having characteristics of a political party but substantially dominated or controlled by the foreign government or foreign political organization controlling the world Communist movement and operating primarily to advance the political objectives of the world Communist movement; and it defines a Communist-front organization as one under the control of a Communist political organization or operating primarily for the purpose of giving aid and support to a Communist political organization, a Communist foreign

government, or the world Communist movement. Both are referred to in the bill as "Communist organizations."

4. It requires registration with the Attorney General of Communist organizations and a filing of a list of officers and a report on the source and expenditure of funds.

5. It requires Communist political organizations to file a list of members and makes knowing membership in an unregistered Communist political organization illegal.

6. The Attorney General is required to notify all individuals listed as officers of a Communist organization or members of a Communist political organization and such individuals, if erroneously listed, may file a disclaimer with the Attorney General.

7. It denies United States Government employment and passports to members of a Communist political organization.

8. It requires identification of broadcasts or publications circulated through the mails wherever sponsored by a Communist organization.

9. It removes tax exemptions or income-tax deductibility provisions for contributions to Communist organizations.

10. It establishes a Subversive Activities Board which may issue orders, following public hearings and a determination that an organization is a Communist organization, requiring an organization to register. The Attorney General may petition the Board for such an order. Orders and findings of the Board are reviewable by United States courts of law. The Board would consist of three individuals, appointed by the President with approval of the Senate.

It is important that the present bill be read in proper context.

Sincere and conscientious effort has been applied to exclude from the bill any feature which could be reasonably construed as persecution of any organization which by its nature does not constitute a real threat to American security and institutions. Particular effort has been made to avoid any use of the bill's provisions to smear any individual by any erroneous or unfair implication with a subversive organization.

It is not a thought-control bill. It is a measure requiring the identification of certain types of activity so that the public may be on guard as to its nature.

At the same time existence of a real threat cannot be denied.

This is not a time for hysteria. But the conclusion that the Communist movement constitutes a threat to the security of the United States and its institutions is not a cry of alarmists.

This is a time for clear thinking. It is, moreover, a time for hard thinking.

With due regard to the spirit of our national Bill of Rights and our legal system, the people and the Congress of the United States must address themselves to an obvious and present danger.

[From the New York Times of March 3, 1949]

COMMUNISTS HERE WOULD OPPOSE UNITED STATES IN WAR WITH SOVIET—TOP LEADERS OF PARTY FOLLOW LINE OF THE REDS IN OTHER NATIONS ON AID TO RUSSIA—WALL STREET IS ACCUSED—FOSTER AND DENNIS STATEMENT SAYS FOLLOWERS WOULD ACT TO DEFEAT IMPERIALISTS

(By Will Lissner)

The top leaders of the American Communist Party served notice yesterday that they would pursue a policy intended to defeat United States' aims if this Nation were involved in a war they considered "unjust, aggressive, imperialist."

Declaring that United States military preparedness and the North Atlantic defense pact raised a real threat of war embroiling France and Italy in military operations against the Soviet Union, the American Communist leaders said they would oppose such a war and cooperate to defeat its aims and bring it to a speedy conclusion.

The statement setting out this policy was signed by William Z. Foster, national chairman of the party, and Eugene Dennis, general secretary. It followed similar declarations by the top Communist leaders of France, Italy, Germany, and Great Britain.

Mr. Foster and Mr. Dennis said:

"If, despite the efforts of peace forces of America and the world, Wall Street should succeed in plunging the world into war, we would oppose it as an unjust, aggressive, imperialist war, as an undemocratic and an anti-Socialist war, destructive of the deepest interests of the American people and all humanity.

"Even as Lincoln, while a Congressman, opposed the unjust, annexationist Mexican War and demanded its termination, so would we Communists cooperate with all democratic forces to defeat the predatory war aims of American imperialism and bring such a war to a speedy conclusion on the basis of a democratic peace."

The flurry of declarations from the heads of the Communist parties began with that of Maurice Thorez of France in an address on February 22 before a meeting of his party. He said:

"If the common efforts of the freedom-loving French do not succeed in bringing our country back into the camp of democracy and peace, if later our country should be dragged against its will into a war against the Soviet Union and of the Soviet Army, defending the cause of freedom and of socialism, should be brought to pursue the aggressors onto our soil, could the workers and people of France have any other attitude toward the Soviet Army than has been that of the peoples of Poland, Rumania, and Yugoslavia?"

HOLDS DISCUSSION ABSURD

Palmiro Togliatti, of Italy, commented on this in a statement to a newspaper on February 26. He said he considered it absurd to discuss a war between the Soviet Union and Italy, but when asked what the attitude would be if the Soviet Army were to pursue an aggressor on Italian territory, he said:

"I think that in this case the Italian people cannot but condemn all aggressions and would have the evident duty of helping the Soviet army in the most effective way possible to give the aggressor the lesson he deserves, letting the whole world know immediately that the Italian people—or at least the great majority of their active and fighting part—think this way will help without a doubt to check aggressors and preserve peace."

Harry Pollitt of Great Britain, general secretary of the Communist Party, told party leaders on February 27 that British Communists would try to stop any "imperialist aggressive war against the U. S. S. R." He said:

"If provocateurs ask us what we will do in the event of an imperialist aggressive war against the U. S. S. R., we will reply in the same way as Ernest Bevin in 1920—organize strikes and councils of action to prevent that war from being carried through."

The statement of Mr. Foster and Mr. Dennis was in the same vein as Mr. Pollitt's, but less specific. Mr. Dennis and the other members of the national committee of the American Communist Party are on trial in Federal court here on charges of conspiracy to organize the party to advocate the overthrow of Government by force and violence.

ISSUED FROM HEADQUARTERS

The statement was issued from the national committee's headquarters on the ninth floor of 35 East Twelfth Street in response to requests from two newspapers and a news service for comment of the Thorez-Togliatti statements. A spokesman handed out mimeographed copies, explaining that it had been written by Mr. Foster and Mr. Dennis in collaboration.

Mr. Dennis, according to the spokesman, was in his office on the same floor. Mr. Foster, who is ill of heart disease, sent his notes by messenger from his home on Walton Avenue, the Bronx, and exchanged drafts with Mr. Dennis.

Asked if the succession of declarations did not indicate that the leaders had been directed to issue them by Moscow, the spokesman said, "No, that's nonsense."

After the reporters had read the statement, a stenographer took down their questions. They follow:

"What means would the Communists in this country take to oppose this so-called imperialist war that this country would be engaged in?"

"If this country were engaged in a war you considered unjust, aggressive and imperialist, would you promulgate or support a general strike?"

"By 'all democratic forces' do you mean Russia specifically?"

"If in such a war the United States should be invaded, would the Communist Party undertake to support the forces of the invading armies, namely, the Soviet armies?"

"In such an event (let us assume the war is considered unjust and imperialist), would you attempt by strikes to oblige armament factories to convert to peaceful production?"

"Will the Communist Party in this country oppose the military forces of this country if it is engaged in a war with Russia?"

The stenographer took the questions in to Mr. Dennis. Shortly thereafter the spokesman issued the following note:

"Mr. Dennis was tied up in a conference on the coming trial of the 11 Communist leaders scheduled to open next Monday at Federal court. Shown a series of written questions, he glanced at them and stated that he would seek to answer them during the course of the trial."

One of the newspapers referred to in the statement was the New York Times. Last Monday the city desk of the Times wrote Mr. Foster, asking him to reply to a question posed in an editorial in this newspaper last Sunday. It read:

"What would be the attitude of American Communists if Soviet Russia should charge Canada with aggression, land an army there, and pursue Canadian forces across the border of the United States; would American Communists have 'the evident duty,' as Signor Togliatti put it, of aiding in the most efficient way the Soviet Army?"

Mr. Foster and Mr. Dennis did not reply directly to this question, but they indicated that they had read it by quoting a phrase from the next sentence: "The event is, we hope, wildly improbable, but we have a right to know the answer."

Although the statement did not go into specific policies as had Mr. Pollitt's the recent history of the American Communist Party is a clue to what the American leaders had in mind.

POLICY WAS CHANGED

Before the Stalin-Hitler pact was signed in Moscow on August 24, 1939, the Communists were ardent supporters of an anti-Fascist front and campaigners for collective security. On the signing of the pact they did a flip-flop overnight, opposed recruiting and conscription with the slogan, "The Yanks are not coming." They denounced the war between Germany and England as "the imperialists' war," and opposed aid to Britain with the slogan, "Not a cent, not a gun, not a man."

Campaigning for American neutrality, they denounced Franklin D. Roosevelt, then President, as a "war monger," accused Wall Street of fomenting war, and formed innocents' fronts like the American League for Peace

and Democracy, the American Youth Congress and other groups to urge isolation.

When campaigning was unavailing, the Communists turned to direct action. They fomented strikes in the war plants through which this country was rearming, among them the North American Aviation, the Vultee Aircraft, and the Allis-Chalmers plants. In the latter plant especially the strikes were pressed with increasing violence and lawlessness. They colonized the maritime unions and fostered unrest in its personnel.

But when the Soviet Union was invaded on June 5, 1940, they did another flip-flop. Mr. Roosevelt became our superb leader, the war a people's war of national liberation and a holy cause and the slogan of the day, "Fight America, fight." Strikes were suppressed wherever Communists had influence, no matter how just or how unrelated to the war effort; war production was spurred and the draft pressed, many Communists themselves entering the armed forces. Once the war was over, Communists among the troops started a concerted campaign: Bring the boys back home.

In the last paragraph of the statement the Communist leaders referred to a peace drive they are about to start. This is parallel to a world peace drive being prepared by the Soviet Information Bureau, an agency under the Soviet Council of Ministers.

The American effort will include well-publicized conferences of intellectuals, of women and of youth. In addition, Henry A. Wallace, who collaborates with the Communists in the Progressive Party, has invited sympathetic leaders throughout the world to join him in barnstorming for peace in the spring. Pietro Nenni, Italian deputy who collaborates with the Communists; Pierre Cot, former French cabinet minister; and Konni Zillacus, left-wing member of the British Parliament, accepted.

TEXT OF RED STATEMENT

The text of the statement issued by William Z. Foster and Eugene Dennis on the Communist position in the event of another war follows:

"The Thorez and Togliatti statements emphatically serve the cause of universal peace.

"Only those who plot a third world war and seek to embroil France and Italy in aggressive military operations against our great ally of World War II, the Soviet Union, could read anything un-French or un-Italian in these statements.

"French and Italian sovereignty and independence are threatened today solely by Wall Street's schemes of world domination as expressed in the Marshall plan and the proposed Atlantic war alliance. It is our military and those of the British who have established a general headquarters at Fontainebleau. Not Russians but Americans have military bases and are intervening in the internal affairs of Greece, Turkey, Iran, China, Canada, Greenland, Brazil, as well as France, and Italy.

"On February 27 the New York Times editorially termed the danger of an invasion of our shores wildly improbable. What the Times failed to say, however, was that the threat of aggression against other nations is not wildly improbable and that this threat emanates precisely from Wall Street and its cartel-connected trusts. It is this which explains the colossal peacetime military budget, the effort to stampede the Nation into the Atlantic war alliance and plunge America and the world into an atomic war.

"We Communists join with millions of other patriotic Americans in opposing those who seek a new world war. We strive for peace and friendship between the U. S. A., the U. S. S. R., the new democracies, the colonial and all other peoples. We do not regard a new world holocaust as inevitable. We hold the peaceful coexistence of two different social systems wholly possible. We believe that efforts of the peoples to achieve peace can check the war makers and create new opportunities to achieve peace. The peace camp is infinitely stronger than the war camp.

"It is this which makes the war camp so reckless and ruthless. An atmosphere is rapidly being created in our Nation that to work for peace and American-Soviet amity is considered equivalent to treason. The trial of the Communist leaders, the current witch-hunts and other attacks on civil liberties are indicative of today's political climate.

"If, despite the efforts of the peace forces of America and the world, Wall Street should succeed in plunging the world into war, we would oppose it as an unjust, aggressive, imperialist war, as an undemocratic and an anti-Socialist war, destructive of the deepest interests of the American people and all humanity. Even as Lincoln while a Congressman opposed the unjust, annexationist Mexican War and demanded its termination, so would we Communists cooperate with all democratic forces to defeat the predatory war aims of American imperialism and bring such a war to a speedy conclusion on the basis of a democratic peace.

"American security and American peace lie in world security and world peace—not in any Wall Street-Ueber Alles policy decked out in the trappings of 'the American century.'

"For our part we will work with all those who seek peace, democracy, and social progress. The American people, assuming their historic responsibility, must reject the war policies of the Wall Street-Churchill cartelists and their bipartisan puppets and return our Nation to the peace policies of Franklin D. Roosevelt, the 'Grand Design' and cornerstone of which is firm American-Soviet friendship."

EXTRACT FROM TESTIMONY OF WILLIAM Z. FOSTER, CHAIRMAN OF THE AMERICAN COMMUNIST PARTY, UNDER EXAMINATION BY SENATOR HOMER FERGUSON BEFORE SENATE JUDICIARY COMMITTEE, MAY 23, 1948

Senator FERGUSON. Has it been brought out as to whether or not the American Communist Party is tied in any way with other Communist parties in the world?

Mr. FOSTER. I can answer that briefly, if I may.

No; it is not tied in any way whatsoever. Our party is an independent party without any world connections.

Senator FERGUSON. No strings or any connections whatsoever?

Mr. FOSTER. No connections or no strings with any other party.

Senator FERGUSON. Do you follow any other program?

Mr. FOSTER. No. We make our own program. You are absolutely right.

Senator FERGUSON. You are absolutely independent? No one else has anything to do with it or to say about the making of your program?

Mr. FOSTER. Precisely.

Senator FERGUSON. What is known as the Communist line, then?

Mr. FOSTER. Marxists think the same all over the world.

Senator FERGUSON. It is just a spontaneous thought?

Mr. FOSTER. Approximately.

Senator FERGUSON. That is your contention as to why——

Mr. FOSTER. For example, I just stated a minute ago here that the experience in central Europe in the building of socialism has been such that we have learned very, very much from it—very much. That is the path that socialism takes.

Senator FERGUSON. Do you in any way deviate from the Russian Communist Party? From their line?

Mr. FOSTER. In what respect?

Senator FERGUSON. Any respect? You say it is one of these spontaneous things. You think like the Soviet Russians do, and therefore, I want to know whether you deviate, whether the thought is conclusive?

Mr. FOSTER. We work out our policies, and you take a capitalist group in the United States. They work out a set of policies, and you will find that they will dovetail almost exactly to a similar capitalist group.

Senator FERGUSON. And I want you to answer my question.

Do you deviate from the Soviet Union policy?

Mr. FOSTER. We go along in a general way along a line of support of the fight for peace and so on, which the Soviet Union is following.

Senator FERGUSON. Do you deviate?

Mr. FOSTER. We are Communists. Why should we deviate?

Senator FERGUSON. All right.

Mr. FOSTER. I might say we did not deviate from the policy of the Chinese party, either. We agree with the policy of the Chinese party. We agree with the policy of the British party. We agree with the policy of the French Communist Party.

Senator FERGUSON. Because you are all one, is that not the fact?

Mr. FOSTER. We are Communists in different countries with a similar ideology and a similar Marxism and we work out our problems in the same general principle.

Senator FERGUSON. It comes to this, that you have one policy the world round.

Mr. FOSTER. No; that is not true.

Senator FERGUSON. Suppose that an American came into an armed conflict with Russia, where would the Communist Party's stand be, your Communist Party?

Mr. FOSTER. I will be frankly glad to answer that for you.

Senator FERGUSON. Where would you stand?

Mr. FOSTER. The Soviet Union is a Socialist union.

Senator FERGUSON. That is right.

Mr. FOSTER. A nonimperialist country.

Senator FERGUSON. I do not agree to that.

Mr. FOSTER. We will discuss that, too. Maybe you will have to withdraw some of your objections.

Senator FERGUSON. Tell me where your stand would be.

Mr. FOSTER. Give me a chance and I will be glad to explain it to your satisfaction.

Senator FERGUSON. I will be very patient if I get that answer.

Mr. FOSTER. The Soviet Union is a Socialist country, and a nonimperialist country. It is dedicated to the proposition of peace and its whole record has been a record of fighting for peace. If attention had been paid to what the Soviet Union said before World War II, there would not have been any World War II, and Mr. Churchill just said so in his memoirs.

Senator FERGUSON. Do you know what Ribbentrop and Molotov did about dividing the world before the World War?

Mr. FOSTER. Please let me explain. You asked me to explain a question, and I will do it completely.

Senator FERGUSON. I don't see how that part of the answer has anything to do with the question, but go ahead.

Mr. FOSTER. I am describing to you the policy of the Soviet Government is a peace policy. The fact of the matter is an exchange between the Soviet Government of letters indicates that the Soviet is not only that but hundreds of people all over the world.

The CHAIRMAN. His question was in case of war, where would your party stand?

Mr. FOSTER. Please let me explain.

The CHAIRMAN. You can answer without roving around the whole United States of America.

Mr. FOSTER. That is what you think. Who is answering these questions?

The CHAIRMAN. You aren't.

Mr. FOSTER. I will answer it. Don't make any mistake about it.

The CHAIRMAN. You will not take all week answering that question.

Mr. FOSTER. Any war, therefore, the Soviet Union being committed fundamentally to the proposition of peace, any war that may be developed between the United States and the Soviet Union can only be an imperialist war at the instigation of Wall Street, and we Communists are against all imperialists' wars.

Senator FERGUSON. Therefore——

Mr. FOSTER. Just a minute, please. Whether that war be directed against Russia, Great Britain, France, Italy, or wherever it is, we are against imperialist war of all kinds.

Senator FERGUSON. Then you would be with Russia?

Mr. FOSTER. What we would do in the event of such a war is we would fight to terminate that war at the earliest possible moment with a democratic——

Senator FERGUSON. On whose side, on the Russians' side?

Mr. FOSTER. A peace that would conserve the interests——

Senator FERGUSON. Whose side would you fight on?

Mr. FOSTER. Listen, you can't make me say things——

Senator FERGUSON. I am not trying to. I am trying to get an answer.

Mr. FOSTER. I am telling you what we would do in the event of a war and what our position is. We are against all imperialist wars, whether it is against Russia or anybody else.

Senator FERGUSON. But you are in favor of Soviet wars.

Mr. FOSTER. We are not in favor—Soviets don't make wars. No Socialist country makes wars.

Senator FERGUSON. All this penetration, all this murder, and all that goes on to penetrate is not war in your opinion?

Mr. FOSTER. That is just Red-baiting. First of all, there is no murder and war. Where is there murder? Please tell me.

Senator FERGUSON. But you would be on the side of the Communists in the case of this war?

Mr. FOSTER. In case of this war we would be on the side of immediate democratic peace. We would not support any imperialist war. We have never done so.

Senator FERGUSON. You would be against America?

Mr. FOSTER. Then America would be against the democratic peace. Is that what you are telling me? Not only would the Communists be for a democratic peace, but so would the American people, all except a handful of monopolists here who are trying to run the world.

The CHAIRMAN. What if Russia attacked America, where would you be?

Mr. FOSTER. Russia would never attack America. You are asking me an impossibility.

Senator FERGUSON. How is that impossible? How do you know it is impossible?

Mr. FOSTER. Because a Socialist Government is not an aggressive government.

The CHAIRMAN. What did she do to Poland?

Senator FERGUSON. What did they do to Yugoslavia and Czechoslovakia?

Mr. FOSTER. I just recited to you what they did.

The CHAIRMAN. They did not plan a march into Poland when Hitler went in on one side, they did not go in the other side and take half of it; no.

Mr. FOSTER. They marched in there, that is right. This was just Russian land that the Polish Government had——

The CHAIRMAN. Let us assume a hypothesis here. What if Russia should attack America, where would you stand?

Mr. FOSTER. You are not going to assume anything of the kind, with me. Such an attack cannot take place. You might as well try to say if Washington went up in the air at a higher level, what would I do in the cellar, or something. I can't conceive of such a proposition.

Senator FERGUSON. Then what is the purpose of this infiltration, this penetration in America of the Communist Party?

Mr. FOSTER. What penetration?

Senator FERGUSON. You think there is not any?

Mr. FOSTER. I want to say this: We have a Communist Party in the United States, and I have been a member of this party and its antecedents for 48 years, 48 years; 18 years before the Soviet Government was born. Socialism springs native to all countries.

Senator FERGUSON. You said that Russia never had——

Mr. FOSTER. It is not a conspiracy. There are 500,000,000 people in the world today following native Communist leadership, and to try to reduce that to the status of a conspiracy is ridiculous. Nobody would undertake that except some Red-baiter in America who has so little faith in the system that he is blowing so much about and such a great inferiority complex toward communism that he will find any kind of wild explanation to explain away realities.

Senator FERGUSON. What do you say about the war against Russia, that last attack of Russia on Finland? Was that an aggressive war?

Mr. FOSTER. Listen, Finland showed where it stood in the war. Finland was the tool of reactionaries of every stripe. It showed where it stood when it joined up with Hitler, in the war.

Senator FERGUSON. I see what you mean, then, that if the country that is attacked by Russia is not communistic——

Mr. FOSTER. There is no such country.

Senator FERGUSON. Then there is no aggression by Russia.

Mr. FOSTER. There is no such country. I will tell you what the matter is with the world. What is the matter with the world is that this is the big lie of the present situation. The United States is out to dominate the world, and it is carrying on the most aggressive campaign of imperialistic expansion in the entire history of the world.

CONTROL OF SUBVERSIVE ACTIVITIES

Mr. MUNDT. Mr. President, on behalf of the Senator from South Carolina [Mr. JOHNSTON] and myself, I introduce for appropriate reference a revamped version of the so-called Mundt-Nixon bill, to control subversive activities, and I ask unanimous consent that the text of the bill, together with an explanatory statement issued by me thereon be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred, and, without objection, the bill, together with the statement will be printed in the RECORD.

The bill (S. 1194) to protect the United States against certain un-American and subversive activities, introduced by Mr. MUNDT, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc.—

SHORT TITLE

SECTION 1. This act may be cited as the "Subversive Activities Control Act, 1949."

NECESSITY FOR LEGISLATION

SEC. 2. As a result of evidence adduced before various committees of the Senate and House of Representatives, Congress hereby finds that—

(1) There exists a world Communist movement which, in its origins, its development, and its present practice, is a world-wide revolutionary political movement whose purpose it is, by treachery, deceit, infiltration into other groups (governmental and otherwise), espionage, sabotage, terrorism, and any other means deemed necessary, to establish a Communist totalitarian dictatorship in all the countries of the world through the medium of a single world-wide Communist political organization.

(2) The establishment of a totalitarian dictatorship in any country results in the ruthless suppression of all opposition to the party in power, the complete subordination of the rights of individuals to the state, the denial of fundamental rights and liberties which are characteristic of a representative form of government, such as freedom of speech, of the press, of assembly, and of religious worship, and results in the maintenance of control over the people through fear, terrorism, and brutality.

(3) The system of government known as a totalitarian dictatorship is characterized by the existence of a single political party, organized on a dictatorial basis, and by an identity between such party and its policies and the government and governmental policies of the country in which it exists, such identity being so close that the party and the government itself are for all practical purposes indistinguishable.

(4) The direction and control of the world Communist movement is vested in and exercised by the Communist dictatorship of a foreign country.

(5) The Communist dictatorship of such foreign country, in exercising such direction and control and in furthering the purposes of the world Communist movement, establishes or causes the establishment of, and utilizes, in various countries, political organizations which are acknowledged by such Communist dictatorship as being constituent elements of the world Communist movement; and such political organizations are not free and independent organizations, but are mere sections of a single world-wide Communist organization and are controlled, directed, and subject to the discipline of the Communist dictatorship of such foreign country.

(6) The political organizations so established and utilized in various countries, acting under such control, direction, and discipline, endeavor to carry out the objectives of the world Communist movement by bringing about the overthrow of existing governments and setting up Communist totalitarian dictatorships which will be subservient to the most powerful existing Communist totalitarian dictatorship. Although such Communist political organizations usually designate themselves as political parties, they are in fact constituent elements of the world-wide Communist movement and promote the objectives of such movement by conspiratorial and coercive tactics, instead of through the democratic processes of a free elective system or through the freedom-preserving means employed by a political party which operates as an agency by which people govern themselves.

(7) In carrying on the activities referred to in paragraph (6), such Communist organizations in various countries are organized on a secret, conspiratorial basis and operate to a substantial extent through organizations, commonly known as Communist fronts, which in most instances are created and maintained, or used, in such manner as to conceal the facts as to their true character and purposes and their membership. One result of this method of operation is that such affiliated organizations are able to obtain financial and other support from persons who would not extend such support if they knew the true purposes of and the actual nature of the control and influence exerted upon, such Communist fronts.

(8) Due to the nature and scope of the world Communist movement, with the exist-

ence of affiliated constituent elements working toward common objectives in various countries of the world, travel of members, representatives, and agents from country to country is essential for purposes of communication and for the carrying on of activities to further the purposes of the movement.

(9) In the United States those individuals who knowingly and willfully participate in the world Communist movement, when they so participate, in effect repudiate their allegiance to the United States and in effect transfer their allegiance to the foreign country in which is vested the direction and control of the world Communist movement; and, in countries other than the United States, those individuals who knowingly and willfully participate in such Communist movement similarly repudiate their allegiance to the countries of which they are nationals in favor of such foreign Communist country.

(10) In pursuance of communism's stated objectives, the most powerful existing Communist dictatorship has, by the traditional Communist methods referred to above, and in accordance with carefully conceived plans, already caused the establishment in numerous foreign countries, against the will of the people of those countries, of ruthless Communist totalitarian dictatorships, and threatens to establish similar dictatorships in still other countries.

(11) The recent successes of Communist methods in other countries and the nature and control of the world Communist movement itself present a clear and present danger to the security of the United States and to the existence of free American institutions, and make it necessary that Congress, in order to provide for the common defense, to preserve the sovereignty of the United States as an independent Nation, and to guarantee to each State a republican form of government, enact appropriate legislation recognizing the existence of such world-wide conspiracy and designed to prevent it from accomplishing its purpose in the United States.

DEFINITIONS

SEC. 3. For the purposes of this act—

(1) The term "person" means an individual or an organization.

(2) The term "organization" means an organization, corporation, company, partnership, association, trust, foundation, or fund; and includes a group of persons, whether or not incorporated, permanently or temporarily associated together for joint action on any subject or subjects.

(3) The term "Communist political organization" means any organization in the United States having some, but not necessarily all, of the ordinary and usual characteristics of a political party, which (A) is dominated or controlled by the foreign government or foreign governmental or political organization controlling the world Communist movement referred to in section 2, and (B) operates primarily to advance the objectives of such world Communist movement, as set forth in section 2 of this act.

(4) The term "Communist-front organization" means any organization in the United States (other than a Communist political organization and other than a lawfully organized political party which is not a Communist political organization) which (A) is under the control of a Communist-political organization, or (B) is primarily operated for the purpose of giving aid and support to a Communist political organization, a Communist foreign government, or the world Communist movement referred to in section 2.

(5) The term "Communist organization" means a Communist political organization or a Communist-front organization.

(6) The term "publication" means any circular, newspaper, periodical, pamphlet, book, letter, post card, leaflet, or other publication.

(7) The term "United States", when used in a geographical sense, includes the several States, Territories, and possessions of the United States, the District of Columbia, and the Canal Zone.

(8) The term "interstate or foreign commerce" means trade, traffic, commerce, transportation, or communication (A) between any State, Territory, or possession of the United States (including the Canal Zone), or the District of Columbia, and any place outside thereof, or (B) within any Territory or possession of the United States (including the Canal Zone) or within the District of Columbia.

(9) The term "Commission" means the Subversive Activities Commission created by section 13 of this act.

(10) The term "final order of the Commission" means an order issued by the Commission under section 14 of this act, which has become final as provided in section 15 of this act.

CERTAIN PROHIBITED ACTS

SEC. 4. (a) It shall be unlawful for any person knowingly to combine, conspire, or agree with any other person to perform any act which would substantially facilitate or aid in the establishment within the United States of a totalitarian dictatorship the direction and control of which is to be vested in, or exercised by or under the domination or control of, any foreign government, foreign organization, or foreign individual. For purposes of this subsection, the term "totalitarian dictatorship" means a form of government, not representative in form, characterized by (1) the existence of a single political party, (2) such identity between such party and its policies and the government and governmental policies of the country in which it exists as to render such party and the government itself indistinguishable for all practical purposes, and (3) the abolition or prohibition of all other political parties.

(b) It shall be unlawful for any officer or employee of the United States or of any department or agency thereof, or of any corporation the stock of which is owned in whole or in part by the United States or any department or agency thereof, to communicate in any manner or by any means, to any other person whom such officer or employee knows or has reason to believe to be an agent or representative of any foreign government or an officer or member of any Communist organization as defined in paragraph (5) of section 3 of this act, any information obtained in the course of his official duties or employment of a kind which shall have been classified by the President (or by the head of any such department, agency, or corporation with the approval of the President) as affecting the security of the United States, unless such officer or employee shall have been specially authorized by the head of such department, agency, or corporation to make such disclosure of such information.

(c) Any person who violates any provision of this section shall, upon conviction thereof, be punished by a fine of not more than $10,000, or imprisonment for not more than 10 years, or by both such fine and such imprisonment, and shall, moreover, be thereafter ineligible to hold any office, or place of honor, profit, or trust created by the Constitution or laws of the United States.

(d) Any offense punishable under this section may be prosecuted at any time without regard to any statute of limitations.

EMPLOYMENT OF MEMBERS OF COMMUNIST POLITICAL ORGANIZATIONS

SEC. 5. (a) When there is in effect a final order of the Commission requiring an organization to register as a Communist political organization, it shall be unlawful for any member of such organization, with knowledge that such order has become final—

(1) in seeking or accepting any office or employment under the United States, to conceal the fact that he is a member of such organization; or

(2) to hold any nonelective office or employment under the United States.

(b) When there is in effect a final order of the Commission requiring an organization to register as a Communist political organization, it shall be unlawful for any officer or employee of the United States to appoint or employ any individual as an officer or employee of the United States, knowing that such individual is a member of such an organization.

(c) As used in this section, the term "member" shall not include any individual whose name has not been made public because of the prohibition contained in section 9 (b) of this act.

DENIAL OF PASSPORTS TO MEMBERS OF COMMUNIST POLITICAL ORGANIZATIONS

SEC. 6. (a) When there is in effect a final order of the Commission requiring an organization to register as a Communist political organization, it shall be unlawful for any member of such organization, with knowledge that such order has become final—

(1) to make application for a passport, or the renewal of a passport, to be issued or renewed by or under the authority of the United States; or

(2) to use or attempt to use any such passport.

(b) When there is in effect a final order of the Commission requiring an organization to register as a Communist political organization, it shall be unlawful for any officer or employee of the United States to issue a passport to, or renew the passport of, any individual knowing that such individual is a member of such organization.

(c) As used in this section, the term "member" shall not include any individual whose name has not been made public because of the prohibition contained in section 9 (b) of this act.

REGISTRATION AND ANNUAL REPORTS OF COMMUNIST ORGANIZATIONS

SEC. 7. (a) Each Communist political organization (including any organization required, by a final order of the Commission, to register as a Communist political organization) shall, within the time specified in subsection (c) of this section, register with the Attorney General, on a form prescribed by him by regulations, as a Communist political organization.

(b) Each Communist-front organization (including any organization required, by a final order of the Commission, to register as a Communist-front organization) shall, within the time specified in subsection (c) of this section, register with the Attorney General, on a form prescribed by him by regulations, as a Communist-front organization.

(c) The registration required by subsection (a) or (b) shall be made—

(1) in the case of an organization which is a Communist political organization or a Communist-front organization on the date of the enactment of this act, within 30 days after such date;

(2) in the case of an organization becoming a Communist political organization or a Communist-front organization after the date of the enactment of this act, within 30 days after such organization becomes a Communist political organization or a Communist-front organization, as the case may be; and

(3) in the case of an organization which by a final order of the Commission is required to register, within 30 days after such order becomes final.

(d) The registration made under subsection (a) or (b) shall be accompanied by a registration statement, to be prepared and

filed in such manner and form as the Attorney General shall by regulations prescribe, containing the following information:

(1) The name of the organization.

(2) The name and last-known address of each individual who is at the time of the filing of such registration statement, and of each individual who was at any time during the period of 12 full calendar months preceding the filing of such statement, an officer of the organization, with the designation or title of the office so held, and with a brief statement of the duties and functions of such individual as such officer.

(3) An accounting, in such form and detail as the Attorney General shall by regulations prescribe, of all moneys received and expended (including the sources from which received and the purposes for which expended) by the organization during the period of 12 full calendar months preceding the filing of such statement.

(4) In the case of a Communist political organization, the name and last-known address of each individual who was a member of the organization at any time during the period of 12 full calendar months preceding the filing of such statement.

(5) In the case of any officer or member whose name is required to be shown in such statement, and who uses or has used or who is or has been known by more than one name, each name which such officer or member uses or has used or by which he is known or has been known.

(e) It shall be the duty of each organization registered under this section to file with the Attorney General on or before February 1 of the year following the year in which it registers, and on or before February 1 of each succeeding year, an annual report, prepared and filed in such manner and form as the Attorney General shall by regulations prescribe, containing the same information which by subsection (d) is required to be included in a registration statement, except that the information required with respect to the 12-month period referred to in paragraph (2), (3), or (4) of such subsection shall, in such annual report, be given with respect to the calendar year preceding the February 1 on or before which such annual report must be filed.

(f) (1) It shall be the duty of each organization registered under this section to keep, in such manner and form as the Attorney General shall by regulations prescribe, accurate records and accounts of moneys received and expended (including the sources from which received and purposes for which expended) by such organization.

(2) It shall be the duty of each Communist political organization registered under this section to keep, in such manner and form as the Attorney General shall by regulations prescribe, accurate records of the names and addresses of the members of such organization and of persons who actively participate in the activities of such organization.

(g) It shall be the duty of the Attorney General to send to each individual listed in any registration statement or annual report, filed under this section, as an officer or member of the organization in respect of which such registration statement or annual report was filed, a notification in writing that such individual is so listed; and such notification shall be sent at the earliest practicable time after the filing of such registration statement or annual report. Upon written request of any individual so notified who denies that he holds any office or membership (as the case may be) in such organization, the Attorney General shall forthwith initiate and conclude at the earliest practicable time an appropriate investigation to determine the truth or falsity of such denial, and if the Attorney General shall be satisfied that such denial is correct, he shall thereupon strike from such registration statement or annual report the name of such individual. If the Attorney General shall decline or fail to strike the name of such individual from such registration statement or annual report within 6 months after receipt of such written request, such individual may file with the Commission a petition for relief pursuant to section 14 (b) of this act.

(h) In the case of failure on the part of any organization to register or to file any registration statement or annual report as required by this section, it shall be the duty of the executive officer (or individual performing the ordinary and usual duties of an executive officer) and of the secretary (or individual performing the ordinary and usual duties of a secretary) of such organization, and of such officer or officers of such organization as the Attorney General shall by regulations prescribe, to register for such organization, to file such registration statement, or to file such annual report, as the case may be.

REGISTRATION OF MEMBERS OF COMMUNIST POLITICAL ORGANIZATIONS

SEC. 8. Each individual who is a member of any organization which he knows to be registered as a Communist political organization under section 7 (a) of this act but which has failed to include his name upon the list of members thereof filed with the Attorney General, shall, within 60 days after he shall have obtained such knowledge, register with the Attorney General as a member of such organization. The registration made by such individual shall be accompanied by a registration statement, to be prepared and filed in such manner and form, and containing such information, as the Attorney General shall by regulations prescribe.

KEEPING OF REGISTERS, PUBLIC INSPECTION, REPORTS TO PRESIDENT AND CONGRESS

SEC. 9. (a) The Attorney General shall keep and maintain in the Department of Justice—

(1) a register of Communist political organizations, which shall include (A) the names and addresses of all Communist political organizations registered under section 7, (B) the registration statements and annual reports filed by such organizations thereunder, and (C) the registration statements filed by individuals under section 8; and

(2) a register of Communist-front organizations, which shall include (A) the names and addresses of all Communist-front organizations registered under section 7, and (B) the registration statements and annual reports filed by such organizations thereunder: *Provided*, That the Attorney General shall not make public the name of any individual listed in either such register as an officer or member of any Communist organization until 30 days shall have elapsed after the transmittal of the notification required by section 7 (g) to be sent to such individual, and if prior to the end of such period such individual shall make written request to the Attorney General for the removal of his name from any such list, the Attorney General shall not make public the name of such individual until 6 months shall have elapsed after receipt of such request by the Attorney General, or until such time as the Attorney General shall have denied such request and shall have transmitted to such individual notice of such denial, whichever is earlier.

(b) Such registers shall be kept and maintained in such manner as to be open for public inspection.

(c) The Attorney General shall submit to the President and to the Congress on or before May 1 of each year (and at any other time when requested by either House by resolution) a report with respect to the carrying out of the provisions of this act, including the names and addresses of the organizations listed in such registers and (except to the extent prohibited by subsection (b) of this section) the names and addresses of the individuals listed as members of such organizations.

MEMBERSHIP IN CERTAIN COMMUNIST POLITICAL ORGANIZATIONS

SEC. 10. It shall be unlawful for any individual to become or remain a member of any organization if he knows that (1) there is in effect a final order of the Commission requiring such organization to register under section 7 of this act as a Communist political organization, (2) more than 30 days have elapsed since such order became final, and (3) such organization is not registered under section 7 of this act as a Communist political organization.

USE OF THE MAILS AND INSTRUMENTALITIES OF INTERSTATE OR FOREIGN COMMERCE

SEC. 11. It shall be unlawful for any organization which is registered under section 7, or for any organization with respect to which there is in effect a final order of the Commission requiring it to register under section 7, or for any person acting for or on behalf of any such organization—

(1) to transmit or cause to be transmitted, through the United States mails or by any means or instrumentality of interstate or foreign commerce, any publication which is intended to be, or which it is reasonable to believe is intended to be, circulated or disseminated among two or more persons, unless such publication, and any envelope, wrapper, or other container in which it is mailed or otherwise circulated or transmitted, bears the following, printed in such manner as may be provided in regulations prescribed by the Attorney General, with the name of the organization appearing in lieu of the blank: "Disseminated by , a Communist organization"; or

(2) to broadcast or cause to be broadcast any matter over any radio station in the United States, unless such matter is preceded by the following statement, with the name of the organization being stated in place of the blank: "The following program is sponsored by , a Communist organization."

DENIAL OF TAX DEDUCTIONS AND EXEMPTION

SEC. 12. (a) Notwithstanding any other provision of law, no deduction for Federal income-tax purposes shall be allowed in the case of a contribution to or for the use of any organization if at the time of the making of such contribution (1) such organization is registered under section 7 or (2) there is in effect a final order of the Commission requiring such organization to register under section 7.

(b) No organization shall be entitled to exemption from Federal income tax, under section 101 of the Internal Revenue Code, for any taxable year if at any time during such taxable year (1) such organization is registered under section 7 or (2) there is in effect a final order of the Commission requiring such organization to register under section 7.

SUBVERSIVE ACTIVITIES COMMISSION

SEC. 13. (a) There is hereby established the Subversive Activities Commission, which shall be composed of three members designated by the President, one from the Department of State, one from the Department of Commerce, and one from the National Military Establishment. Members of the Commission shall serve as such without additional compensation. It shall be the duty of the Commission—

(1) upon application made by the Attorney General under section 14 (a) of this act, or by any organization under section 14 (b) of this act, to determine whether any organization is a "Communist political organization" within the meaning of paragraph (3) of section 3 of this act, or a "Communist-

front organization" within the meaning of paragraph (4) of section 3 of this act; and

(2) upon application made by the Attorney General under section 14 (a) of this act, or by any individual under section 14 (b) of this act, to determine whether any individual is a member of any Communist political organization registered, or by final order of the Commission required to be registered, under section 7 (a) of this act.

(b) Subject to the civil-service laws and Classification Act of 1923, as amended, the Commission may appoint and fix the compensation of such personnel as may be necessary for the performance of its functions.

(c) The Commission may make such rules and regulations, not inconsistent with the provisions of this act, as may be necessary for the performance of its duties.

(d) There are hereby authorized to be appropriated to the Commission such sums as may be necessary and appropriate to carry out its functions.

PROCEEDINGS BEFORE COMMISSION

SEC. 14. (a) Whenever the Attorney General shall have reason to believe that any organization which has not registered under subsection (a) or subsection (b) of section 7 of this act is in fact an organization of kind required to be registered under such subsection, or that any individual who has not registered under section 8 of this act is in fact required to register under such section, he shall file with the Commission and serve upon such organization or individual a petition for an order requiring such organization or individual to register pursuant to such subsection or section, as the case may be.

(b) Any organization registered under subsection (a) or subsection (b) of section 7 of this act, and any individual registered under section 8 of this act, may, not oftener than once in each calendar year, make application to the Attorney General for the cancellation of such registration and (in the case of such organization) for relief from obligation to make further annual reports. Within 60 days after the denial of any such application by the Attorney General, the organization or individual concerned may file with the Commission and serve upon the Attorney General a petition for an order requiring the cancellation of such registration and (in the case of such organization) relieving such organization of obligation to make further annual reports. Any individual authorized by section 7 (g) of this act to file a petition for relief may file with the Commission and serve upon the Attorney General a petition for an order requiring the Attorney General to strike his name from the registration statement or annual report upon which it appears.

(c) Upon the filing of any petition pursuant to subsection (a) or subsection (b) of this section, the Commission (or any member thereof or any examiner designated thereby) may hold hearings, administer oaths and affirmations, may examine witnesses and receive evidence at any place in the United States, and may require by subpena the attendance and testimony of witnesses and the production of books, papers, correspondence, memoranda, and other records deemed relevant to the matter under inquiry. Subpenas may be signed and issued by any member of the Commission of any duly authorized examiner. Subpenas shall be issued on behalf of the organization or the individual who is a party to the proceeding upon request and upon a statement or showing of general relevance and reasonable scope of the evidence sought. Such attendance of witnesses and the production of such documentary evidence may be required from any place in the United States at any designated place of hearing. Witnesses summoned shall be paid the same fees and mileage paid witnesses in the district courts of the United States. In case of disobedience to a subpena the Commission may invoke the aid of any court of the United States in requiring the attendance and testimony of witnesses and the production of documentary evidence. Any of the district courts of the United States within the jurisdiction of which such inquiry is carried on may, in case of contumacy or refusal to obey a subpena issued to any person, issue an order requiring such person to appear (and to produce documentary evidence if so ordered) and give evidence relating to the matter in question; and any failure to obey such order of the court may be punished by such court as a contempt thereof. All process in any such case may be served in the judicial district whereof such person is an inhabitant or wherever he may be found.

(d) All hearings conducted under this section shall be public. Each party to such proceeding shall have the right to present its case by oral or documenary evidence, to submit rebuttal evidence, and to conduct such cross-examination as may be required for a full and true disclosure of the facts. The testimony in any hearing conducted under this section shall be reduced to writing and filed in the office of the Commission.

(e) In determining whether any organization is a Communist political organization, the Commission shall take into consideration—

(1) the extent to which its policies are formulated and carried out and its activities performed, pursuant to directives or to effectuate the policies, of the foreign government or foreign governmental or political organization in which is vested, or under the domination or control of which is exercised, the direction and control of the world Communist movement referred to in section 2 of this act;

(2) the extent to which its views and policies do not deviate from those of such foreign government or foreign organization;

(3) the extent to which it receives financial or other aid, directly or indirectly, from or at the direction of such foreign government or foreign organization;

(4) the extent to which it sends members or representatives to any foreign country for instruction or training in the principles, policies, strategy, or tactics of such world Communist movement;

(5) the extent to which it reports to such foreign government or foreign organization or to its representatives;

(6) the extent to which its principal leaders or a substantial number of its members are subject to or recognize the disciplinary power of such foreign government or foreign organization or its representatives;

(7) the extent to which (i) it fails to disclose, or resists efforts to obtain information as to, its membership (by keeping membership lists in code, by instructing members to refuse to acknowledge membership, or by any other method); (ii) its members refuse to acknowledge membership therein; (iii) it fails to disclose, or resists efforts to obtain information as to, records other than membership lists; (iv) its meetings are secret; and (v) it otherwise operates on a secret basis; and

(8) the extent to which its principal leaders or a substantial number of its members consider the allegiance they owe to the United States as subordinate to their obligations to such foreign government or foreign organization.

(f) In determining whether any organization is a Communist-front organization, the Commission shall take into consideration—

(1) the identity of the persons who are active in its management, direction, or supervision, whether or not holding office therein;

(2) the sources from which an important part of its support, financial or otherwise, is derived;

(3) the use made by it of its funds, resources, or personnel; and

(4) the extent to which the position taken or advanced by it from time to time on matters of policy does not deviate from the position taken by any Communist political organization.

(g) If, after hearing upon a petition filed under subsection (a) of this section, the Commission determines—

(1) that an organization is a Communist political organization or a Communist-front organization, as the case may be, it shall make a report in writing in which it shall state its findings as to the facts and shall issue and cause to be served on such organization an order requiring such organization to register as such under section 7 of this act; or

(2) that an individual is a member of a Communist political organization (including an organization required by final order of the Commission to register under section 7 (a)), it shall make a report in writing in which it shall state its findings as to the facts and shall issue and cause to be served on such individual an order requiring him to register as such under section 8 of this act.

(h) If, after hearing upon a petition filed under subsection (a) of this section, the Commission determines—

(1) that an organization is not a Communist political organization or a Communist-front organization, as the case may be, it shall make a report in writing in which it shall state its findings as to the facts and shall issue and cause to be served upon the Attorney General an order denying his petition for an order requiring such organization to register as such under section 7 of this act; or

(2) that an individual is not a member of any Communist political organization, it shall make a report in writing in which it shall state its findings as to the facts and shall issue and cause to be served upon the Attorney General an order denying his petition for an order requiring such individual to register as such member under section 8 of this act.

(i) If, after hearing upon a petition filed under subsection (b) of this section, the Commission determines—

(1) that an organization is not a Communist political organization or a Communist-front organization, as the case may be, it shall make a report in writing in which it shall state its findings as to the facts; issue and cause to be served upon the Attorney General an order requiring him to cancel the registration of such organization and relieve it from the requirement of further annual reports; and send to such organization a copy of such order; or

(2) that an individual is not a member of any Communist political organization, or (in the case of an individual listed as an officer of a Communist-front organization) that an individual is not an officer of a Communist-front organization, it shall make a report in writing in which it shall state its findings as to the facts; issue and cause to be served upon the Attorney General an order requiring him to (A) strike the name of such individual from the registration statement or annual report upon which it appears or (B) cancel the registration of such individual under section 8, as may be appropriate; and send to such individual a copy of such order.

(j) If, after hearing upon a petition filed under subsection (b) of this section, the Commission determines—

(1) that an organization is a Communist political organization or a Communist-front organization, as the case may be, it shall make a report in writing in which it shall state its findings as to the facts and shall issue and cause to be served on such organization an order denying its petition for the cancellation of its registration and for relief from the requirement of further annual reports; or

(2) that an individual is a member of a Communist political organization or (in the

case of an individual listed as an officer of a Communist-front organization) that an individual is an officer of a Communist-front organization, it shall make a report in writing in which it shall state its findings as to the facts and shall issue and cause to be served on such individual an order denying his petition for an order requiring the Attorney General (A) to strike his name from any registration statement or annual report on which it appears or (B) to cancel the registration of such individual under section 8, as the case may be.

JUDICIAL REVIEW

SEC. 15. (a) The party aggrieved by any order entered by the Commission under subsection (g), (h), (i), or (j) of section 14 may obtain a review of such order in the United States Court of Appeals for the District of Columbia by filing in the court, within 60 days from the date of service upon it of such order, a writtten petition praying that the order of the Commission be set aside. A copy of such petition shall be forthwith served upon the Commission, and thereupon the Commission shall certify and file in the court a transcript of the entire record in the proceeding, including all evidence taken and the report and order of the Commission. Thereupon the court shall have jurisdiction of the proceeding and shall have power to affirm or set aside the order of the Commission. The findings of the Commission as to the facts, if supported by the preponderance of the evidence, shall be conclusive. If either party shall apply to the court for leave to adduce additional evidence, and shall show to the satisfaction of the court that such additional evidence is material, the court may order such additional evidence to be taken before the Commission and to be adduced upon the proceeding in such manner and upon such terms and conditions as to the court may seem proper. The Commission may modify its findings as to the facts, by reason of the additional evidence so taken, and it shall file such modified or new findings, which, if supported by the preponderance of the evidence, shall be conclusive, and its recommendations, if any, with respect to action in the matter under consideration. If the court shall set aside an order issued under subsection (j) of section 14 it may, in the case of an organization, enter a judgment canceling the registration of such organization and relieving it from the requirement of further annual reports, or in the case of an individual, enter a judgment requiring the Attorney General (A) to strike the name of such individual from the registration statement or annual report on which it appears, or (B) cancel the registration of such individual under section 8, as may be appropriate. The judgment and decree of the court shall be final, except that the same shall be subject to review by the Supreme Court upon certiorari, as provided in title 28, United States Code, section 1254.

(b) Any order of the Commission issued under section 14 shall become final—

(1) upon the expiration of the time allowed for filing a petition for review, if no such petition has been duly filed within such time; or

(2) upon the expiration of the time allowed for filing a petition for certiorari, if the order of the Commission has been affirmed or the petition for review dismissed by the United States Court of Appeals for the District of Columbia, and no petition for certiorari has been duly filed; or

(3) upon the denial of a petition for certiorari, if the order of the Commission has been affirmed or the petition for review dismissed by the United States Court of Appeals for the District of Columbia; or

(4) upon the expiration of 10 days from the date of issuance of the mandate of the Supreme Court, if such Court directs that the order of the Commission be affirmed or the petition for review dismissed.

PENALTIES

SEC. 16. (a) If there is in effect with respect to any organization or individual a final order of the Commission requiring registration under section 7 or section 8 of this act—

(1) such organization shall, upon conviction of failure to register, to file any registration statement or annual report, or to keep records, as required by section 7, be punished for each such offense, by a fine of not less than $2,000 and not more than $5,000; and

(2) each individual having a duty under subsection (h) of section 7 to register or to file any registration statement or annual report on behalf of such organization, and each individual having a duty to register under section 8, shall, upon conviction of failure to so register or to file any such registration statement or annual report, be punished for each such offense by a fine of not less than $2,000 and not more than $5,000, or imprisonment for not less than 2 years and not more than 5 years, or by both such fine and imprisonment.

For the purposes of this subsection, each day of failure to register, whether on the part of the organization or any individual, shall constitute a separate offense.

(b) Any individual who, in a registration statement or annual report filed under section 7 or section 8, willfully makes any false statement or willfully omits to state any fact which is required to be stated, or which is necessary to make the statements made or information given not misleading, shall upon conviction thereof, be punished for each such offense by a fine of not less than $2,000 and not more than $5,000, or by imprisonment for not less than 2 years and not more than 5 years, or by both such fine and imprisonment. For the purposes of this subsection—

(1) Each false statement willfully made, and each willful omission to state any fact which is required to be stated, or which is necessary to make the statements made or information given not misleading, shall constitute a separate offense; and

(2) Each listing of the name or address of any one individual shall be deemed a separate statement.

(c) Any organization which violates any provision of section 11 of this act shall, upon conviction thereof, be punished for each such violation by a fine of not less than $2,000 and not more than $5,000. Any individual who violates any provision of section 5, 6, 10, or 11 of this act shall, upon conviction thereof, be punished for each such violation by a fine of not less than $2,000 and not more than $5,000, or by imprisonment for not less than 2 years and not more than 5 years, or by both such fine and imprisonment.

APPLICABILITY OF ADMINISTRATIVE PROCEDURE ACT

SEC. 17. Nothing in this act shall be held to make the provisions of the Administrative Procedure Act inapplicable to the exercise of functions, or the conduct of proceedings, by the Commission under this act, except to the extent that this act affords additional procedural safeguards for organizations and individuals.

SEPARABILITY OF PROVISIONS

SEC. 18. If any provision of this act, or the application thereof to any person or circumstance, is held invalid, the remaining provisions of this act, or the application of such provision to other persons or circumstances, shall not be affected thereby.

The statement presented by Mr. MUNDT was ordered to be printed in the RECORD, as follows:

The following statement, issued today, is descriptive of the more important phases of the following bill to control subversive activities within the United States:

"TOUGHER, TIGHTER MUNDT-NIXON BILL INTRODUCED IN SENATE AND HOUSE—NEW PROVISIONS OUTLAW PEACETIME ESPIONAGE, WAIVE STATUTE OF LIMITATIONS

"WASHINGTON, D. C., March 8.—Culminating 3 months of study, consultation, and interviews dating back to the "pumpkin papers" hearings of the House Committee on Un-American Activities last December, Senator KARL E. MUNDT, of South Dakota, and Congressman RICHARD M. NIXON, of California, today introduced companion bills in the Senate and the House which incorporated the major features of the Mundt-Nixon bill of the Eightieth Congress (which passed the House, 319 to 56, but failed to reach the Senate floor for a vote). The new Mundt-Nixon legislative proposal substantially tightens the provisions curtailing Communist activities in this country, provides a tougher series of penalties, includes new sections outlawing peacetime espionage, makes the statute of limitations inapplicable to treasonable acts in time of peace, and requires the registration and publication of the names of all members of the Communist Party in the United States of America.

"As explained by its authors, the new Mundt-Nixon bill does not outlaw the Communist Party, but it sets up specific regulations forcing its operations out into the open and denying its members certain privileges, including the right to hold appointive Federal offices or to secure American passports to travel abroad. 'The controversial section 4 of last year's Mundt-Nixon bill, which was the focal point for attack by opponents of the legislation, has been entirely rewritten,' Senator MUNDT said, 'and we have clarified its language and purposes so that no honest opponent or misguided critic can allege that it is a "thought-control measure," that it outlaws the Communist Party, or that it denies any loyal citizen the complete exercise of his citizenship privileges. Our bill does, however, specifically outlaw certain treasonable acts; it puts a penalty upon types of espionage treachery disclosed in the Bentley hearings, the Chambers-Hiss hearings, and now in the Judith Coplon case; and it spells out methods and penalties for keeping Communists off the Federal pay roll.'

"MUNDT continued: 'In short, the new Mundt-Nixon bill sharpens the teeth and expands the bite of the legislation we introduced last year, and which the House approved by more than a 5-to-1 majority in a roll-call vote. Due to developments at home and abroad the past few months, I feel confident the present Congress will approve this formula for protecting freedom from the phalanxes of Communist treachery.'

"Congressman NIXON stated, 'An overwhelming majority of the House Members who voted for the Mundt-Nixon bill in the Eightieth Congress were reelected. It seems certain that those who voted for our Communist-control bill last time will support it even more vigorously in view of the sensational disclosures made by the House Committee on Un-American Activities last August and December and the fact that now we even find a trusted and highly placed employee of the Justice Department caught red-handed in passing security information to a Russian Communist.'

"In explaining the new Mundt-Nixon bill its authors jointly stated, 'Nothing has been changed from our original legislation which could in any way weaken the legislation or circumscribe its coverage of disloyal activities. On the other hand, a new provision (sec. 13) tightens the measure by establishing a Subversive Activities Commission (three members, appointed by the President: One each from Department of State, the Department of Commerce, and the Military Establishment) to work with the Attorney

General in enforcing and administering the provisions of the bill. Section 4 now outlaws peacetime espionage and requires the Communist Party to sever its umbilical cord with Russia or refrain from acts designated to establish totalitarianism in this country; and it waives the statutes of limitations on crimes of this type; section 8 requiring registration and publication of all Communist Party members and officers of all Communist-front organizations has been rewritten to provide new specific safeguards for innocent people falsely listed and sets up the machinery for such individuals to avoid publication of their names; section 12 denies tax deductions and exemptions to Communist and Communist-front organizations; section 2, paragraph 1, provides a concise, complete, and accurate definition of communism as it operates and is understood by its members and leaders today.'

"Senator MUNDT told the press today, 'I am gratified by the fact that many Senators have spoken to me of their interest in this legislation the past 2 months and have urged its prompt reintroduction. Now that one of the famous 'red herrings' has been found in the personal pantry of the Department of Justice, itself, I am hopeful that the executive and legislative branches of our Government will join forces to screen every Communist from the Federal pay roll, to press forward with the indictments already secured, to enact the corrective legislation both major parties promised the people in their political platforms, and to protect our freedoms in these anxious times from those who wittingly or unwittingly would sell us out to a totalitarian power that recognizes neither God nor man but whose sole objective is world-wide domination for the selfish satisfaction and sadistic greed of the power-crazed men of the Kremlin and their satellite sycophants who slink and snivel their way into positions of authority in every country failing to take action against such disloyalty.'

NORTH ATLANTIC SECURITY PACT

Mr. WATKINS submitted the following resolution (S. Res. 81), which was referred to the Committee on Foreign Relations:

Whereas the President of the United States in his inaugural address announced that he hoped soon to send to the Senate a treaty respecting the North Atlantic security plan resulting from negotiations between this country and other countries;

Whereas according to press reports the negotiations have proceeded to a stage where the text of said agreement or treaty is nearly completed and ready for submission to the governments of countries contemplating entering into said pact or treaty;

Whereas the proposal for the United States to become a party to said pact or treaty involves a departure from the historical policy of the United States with respect to alliances with other nations; and

Whereas the Senate is charged under the Constitution with the duty of advising the President in the matter of making treaties with foreign nations: Therefore be it

Resolved, That it is the sense of the Senate that it is in the interest of the security and unity of the United States and of friendly relations with other nations of the world that the text of said pact or treaty and all pertinent facts relating to it be submitted by the President to the Senate for consideration and study at a reasonable time before the date appointed for the signing of said pact or treaty by participating nations.

LABOR-MANAGEMENT RELATIONS AMENDMENT

Mr. THOMAS of Utah submitted an amendment intended to be proposed by him to the bill (S. 249) to diminish the causes of labor disputes, burdening or obstructing interstate and foreign commerce, and for other purposes, which was ordered to lie on the table and to be printed.

HOUSE BILLS AND JOINT RESOLUTION REFERRED

The following bills and joint resolution were severally read twice by their titles, and referred as indicated:

H. R. 20. An act to amend the act of August 1, 1947, as amended, to authorize the creation of 10 professional and scientific positions in the headquarters and research stations of the National Advisory Committee for Aeronautics; and

H. R. 253. An act to amend the act of June 25, 1938, relating to the appointment of postmasters under civil service; to the Committee on Post Office and Civil Service.

H. R. 157. An act authorizing the Attorney General of the United States to recognize and to award to outstanding courageous young Americans a medal for heroism known as the Young American Medal for Bravery, and other purposes;

H. R. 1950. An act for the relief of certain consultants formerly employed by the Technical Industrial Intelligence Committee of the Foreign Economic Administration, and for other purposes;

H. R. 1959. An act for the relief of the County of Allegheny, Pa.; and

H. J. Res. 160. Joint resolution to authorize completion of the processing of the visa cases, and admission into the United States, of certain alien fiancés, of fiancées of members, or of former members, of the armed forces of the United States, as was provided in the so-called GI Fiancées Act (60 Stat. 339), as amended; to the Committee on the Judiciary.

H. R. 220. An act to amend section 3 of the act entitled "An act to revise the Alaska game law," approved July 1, 1943, as amended (57 Stat. 301);

H. R. 554. An act to provide for the construction, extension, and improvement of school buildings in Hoopa, Calif.;

H. R. 942. An act to amend the act entitled "An act to amend section 9 of the act of August 24, 1912 (37 Stat. 512)" (Public Law 593, 80th Cong.):

H. R. 994. An act to provide for disposition and use of tribal funds of the Navajo Tribe of Indians;

H. R. 1337. An act to authorize the sale of certain public lands in Alaska to the Alaska Council of Boy Scouts of America for recreation, and other public purposes; and

H. R. 1755. An act to authorize a $100 per capita payment to members of the Red Lake Band of Chippewa Indians from the proceeds of the sale of timber and lumber on the Red Lake Reservation; to the Committee on the Interior and Insular Affairs;

H. R. 2216. An act to amend the National Security Act of 1947 to provide for an Under Secretary of Defense;

H. R. 2485. An act to authorize the attendance of the United States Marine Band at the Eighty-third and Final National Encampment of the Grand Army of the Republic to be held in Indianapolis, Ind., August 28 to September 1, 1949; and

H. R. 2663. An act to provide for the administration of the Central Intelligence Agency, established pursuant to section 102, National Security Act of 1947, and for other purposes; to the Committee on Armed Services.

H. R. 2660. An act to prohibit the parking of vehicles upon any property owned by the United States for postal purposes; to the Committee on Public Works.

AMERICAN AID FOR CHINA—STATEMENT BY ARCHBISHOP PAUL YU-PIN

Mr. McCARRAN. Mr. President, Archbishop Paul Yu-Pin, archbishop of China, made a statement in response to an article appearing under an AP headline, which is contained in a press release of last evening. I ask unanimous consent that the expressions of Archbishop Yu-Pin may be inserted in the RECORD.

There being no objection, the release was ordered to be printed in the RECORD, as follows:

Archbishop Paul Yu-Pin, of Nanking, today issued the following statement on the Associated Press dispatch quoting from an editorial attributed to the newspaper Yi Shih-pao, published in Nanking:

"I have always advocated, and shall continue to advocate, American aid for China in her struggle against Communist domination.

"I have not yet received the text of the Yi Shih-pao editorial referred to by the Associated Press, but I can say definitely that the views represented in the dispatch referred to are not my views.

"The Yi Shih-pao is owned by a group of Chinese Catholics. As president of the board of trustees of the Yi Shih-pao, I can say the policy of this paper has always been and still is anti-Communist.

"It has always considered American aid to China as an important contribution to the free people of China in their struggle against Communist armed invasion.

"The Yi Shih-pao is published in six cities in China. However, the papers in Peiping and Tientsin have already been confiscated following the Communist occupation of those cities."

INSTITUTE OF CHINESE CULTURE.

REDS' MILITARY ACTIVITIES IN FAR EAST — ARTICLE BY CONSTANTINE BROWN

Mr. McCARRAN. Mr. President, I ask unanimous consent to have printed in the Appendix of the RECORD an article entitled "Reds' Military Activities in Far East Apparently Being Overlooked by United States," written by Constantine Brown and published in the Washington Star of March 3, 1949. Mr. Brown in his article presents a very interesting discussion of the subject.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

REDS' MILITARY ACTIVITIES IN FAR EAST APPARENTLY BEING OVERLOOKED BY UNITED STATES

(By Constantine Brown)

While the attention of the American public is focused on dramatic developments in Europe, where the cold war has been greatly intensified, other equally dramatic developments in the Far East are being overlooked.

In high official quarters it is admitted that Malaya, Indochina, Indonesia, Burma, India, and the Philippines are of vital importance to us not only because they contain such great populations, but because they possess raw materials of great strategic value. If present unsettled conditions continue or grow worse, we may be denied access to them.

While we are disturbed by the situation in Berlin and by the antics of the Communist leaders in all the western European countries, there is a real war going on in most of the far eastern countries. The Communists have stepped up their military activities in Burma, where Premier Thakin Nu stated last week that 30,000 persons already have been killed in Communist-inspired disorders.

At one time the Communist bands, led in many instances by others besides native Burmese, have enjoyed important successes. At one time they threatened Rangoon. The disorders, which are infrequently reported in the press, are continuing.

In Malaya the British are having a hard time keeping up with the fast-moving Malayan guerrillas, who are well armed and ably commanded. Their hit-and-run tactics lead the British high command to believe that the leaders are trained especially for this kind of warfare.

REINFORCEMENTS CALLED

Last year only skirmishes were reported from Malaya, and the British Government thought they could be dealt with by the comparatively small military detachments they maintained there. In the last 2 months important reinforcements had to be called to Malaya, but there are no indications that their arrival has in any way slowed the activities of the guerillas.

The Indochinese war, which started late in 1946, continues in spite of efforts by the French authorities to come to an understanding with Viet-Nam leaders.

Although only occasional reports reach the outside world from that country, the French Government admits off the record that the campaign is draining France of its best troops and is costing a great deal of money.

In New Delhi, capital of India, Prime Minister Jawaharlal Nehru declared that Communists are inciting the population to active rebellion. This Communist policy, he said, has resulted in looting, violence, and sabotage in certain areas. Mr. Nehru added that the Government is determined to suppress these with all means at its disposal, but it is known to foreign observers in India that existing armed forces are too small to put down really serious outbreaks in the vast subcontinent.

Moscow has been successful in planting a large number of Communist cells throughout India. Until the outbreak of World War II, Indian young men who desired higher education went in large numbers to America, Britain, France, and Germany. When the war broke out various regulations imposed by those countries prevented them from going west.

MOSCOW STEPS IN

Moscow stepped into the breach and made it known that any Indian student desiring to study in Russia would be given all kinds of facilities. These included drastic reduction of fares to and from their native lands, free courses of instruction, and a very low charge for room and board.

A large number of young Indian intellectuals availed themselves of this opportunity and received thorough educations in such schools as the Lenin School at Baku. The curriculum there included thorough indoctrination in the Soviet "neodemocracy." The young Indians also were taught all that is to be known about machine guns and hand grenades. They were trained to become eventually the spearheads of the Russian fight against British imperialism in India, and this, of course, appealed to the Indian students.

After India became independent these men shifted to interference with the efforts of the Government to put the nation on its feet. Some of them now have joined the Indian Government, but there are still many who continue to be tools of U. S. S. R. intrigues. Some are active in labor unions, while others are working independently in various parts of the country.

The aim of the Soviet Union, according to those who follow these movements, is to create such conditions throughout the Pacific and Indian Ocean areas that in the event of a head-on clash with the west the latter will be denied strategic materials from those regions.

INTERGOVERNMENTAL RELATIONS—EDITORIAL FROM CLEVELAND PLAIN DEALER

[Mr. BRICKER asked and obtained leave to have printed in the RECORD an editorial entitled "Time for Good, Hard Look," published in the Cleveland Plain Dealer of February 15, 1949, which appears in the Appendix.]

HEALTH INSURANCE OR SOCIALIZED MEDICINE—ARTICLE BY PHILIP W. PORTER

[Mr. BRICKER asked and obtained leave to have printed in the RECORD an article entitled "Porter on Health Insurance," written by Philip W. Porter and published in the Cleveland Plain Dealer of January 8, 1949, which appears in the Appendix.]

REPRESENTATIVE HAYS' COMPROMISE PROPOSAL ON CIVIL RIGHTS—EDITORIAL FROM THE ARKANSAS GAZETTE

[Mr. FULBRIGHT asked and obtained leave to have printed in the RECORD an editorial entitled "Mr. HAYS' Compromise," dealing with the subject of civil-rights legislation, published in the March 1, 1949, issue of the Arkansas Gazette, which appears in the Appendix.]

UNLIMITED DEBATE A WEAPON FOR MINORITIES—ARTICLE BY GOULD LINCOLN

[Mr. BUTLER asked and obtained leave to have printed in the RECORD an article entitled "Unlimited Debate Is Fine Weapon for Minorities," written by Gould Lincoln and published in the Washington Sunday Star of March 6, 1949, which appears in the Appendix.]

REDUCTION IN WORLD TRADE VOLUME—ARTICLE BY ROBERT H. PATCHIN

[Mr. FLANDERS asked and obtained leave to have printed in the RECORD an article entitled "Total World Trade Volume At Scant Prewar Level," written by Robert H. Patchin, vice president, W. R. Grace & Co., and published in the Grace Log for January–February 1949, which appears in the Appendix.]

A COMPARISON OF COMMUNISM WITH DEMOCRACY—ADDRESS BY MR. JUSTICE WILLIAM O. DOUGLAS

[Mr. KEFAUVER asked and obtained leave to have printed in the RECORD an address making a comparison of communism with democracy, delivered by Mr. Justice Douglas, of the Supreme Court of the United States, at a dinner of the Associated Friends of Occidental College, California Club, Los Angeles, Calif., February 18, 1949, which appears in the Appendix.]

THE NORTH ATLANTIC PACT

[Mr. KEFAUVER asked and obtained leave to have printed in the RECORD an editorial entitled "Atlantic Pact or Union?", published in the February 7, 1949, issue of the Providence Evening Bulletin, and an editorial entitled "Partners Or Allies," published in a recent issue of the Washington Post, which appear in the Appendix.]

PROGRAM OF SENATE SESSIONS

Mr. WHERRY. Mr. President, I ask unanimous consent that I may propound an inquiry to the majority leader at this time.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Senator may proceed.

Mr. WHERRY. I ask the majority leader, in view of his announcement, how late we may expect the Senate to be in session before a recess.

Mr. LUCAS. Mr. President, I am very glad that the minority leader took the opportunity to make his unanimous-consent request, because I think every Senator should know that we are going to hold a night session tonight. We shall be here at least until 9:30, and probably 10 o'clock. All Senators should be reminded of that plan, because quorum calls may be in order from time to time. I hope it will not be necessary to call upon the Sergeant at Arms, as we had to do on two occasions last week, in order to find Senators and get them in the Chamber in order to answer a simple quorum call.

That is about all I have to say, and I thank the Senator from Nebraska.

Mr. WHERRY. I thank the distinguished majority leader for the answer to my query.

THE NORTH ATLANTIC PACT

Mr. WATKINS obtained the floor.

Mr. LUCAS. Mr. President, will the Senator yield for a question?

Mr. WATKINS. I yield for a question only.

Mr. LUCAS. Can the Senator tell me about how long he expects to speak upon the subject to which he is about to address himself?

Mr. WATKINS. I will say to the Senator that I am speaking without manuscript, and it is impossible for me to estimate the time any closer than to say possibly half an hour or an hour.

Mr. LUCAS. Mr. President, will the Senator yield for a further question?

Mr. WATKINS. I yield for a question only.

Mr. LUCAS. Is the Senator speaking on the motion to take up the resolution proposing to amend the Senate rules?

Mr. WATKINS. I am not.

Mr. RUSSELL. Mr. President, will the Senator yield for a question?

Mr WATKINS. I yield for a question only.

Mr. RUSSELL. I ask the distinguished Senator from Utah if he does not know that when he obtains the floor in his own right he is privileged to speak as long as he chooses, without accounting to anyone?

Mr. WATKINS. I so understood in my reply to the question of the distinguished Senator from Illinois. I did not think for a moment that the distinguished Senator from Illinois was questioning my right to speak as long as I desire, or on any subject I desire.

Mr. LUCAS. Mr. President, will the Senator yield for a further question?

Mr. WATKINS. I yield for a question only.

Mr. LUCAS. Does the Senator believe that I was within my rights in merely asking for information?

Mr. WATKINS. I certainly do, or I would not have answered the question.

Mr. LUCAS. I thank the Senator for his kindness and courtesy.

Mr. WATKINS. Mr. President, last Friday I discussed at some length some of the problems connected with the international affairs of the United States, and our security as a nation. During the course of those remarks I had occasion to call attention to something of which I thought there was some evidence, namely, a propaganda campaign to get the Senate of the United States in such a position that it could do nothing but accept the text of whatever treaty the President might send to the Senate.

I did not say that any particular newspaper or newspapers were guilty of any

such propaganda. What I shall say today will not refer specifically to any charge that there was propaganda. What I should like to do is to invite the attention of the Senate to what actually takes place when a Senator rises on the floor and discusses what, in my judgment, is one of the most important problems which will come before us. I naturally expect that the newspapers will give such matters coverage fairly and without attempting directly or designedly to keep from the people what was said.

I invite the attention of the Senate to the fact that I asked a number of questions which I thought were sufficiently important to be discussed here and to be presented to the American people. I did not do what some of the newspaper stories said I did. Let me cite an example of the coverage which was given to that particular speech.

The first item which I wish to call to the attention of the Senate is from the Washington Star of Friday, March 4, 1949. The subject of my speech covered approximately 22 pages of legal size paper, and I did not, of course, expect any newspaper to report the speech at great length. However, this is what was said in the Washington Star, in a story entitled "Danish Foreign Chief Coming Here for Pact Discussion Next Week." At the end of the story, following a number of other news items, we find the following:

Meanwhile, Senator WATKINS, Republican, of Utah, assailed in a Senate speech what he called a propaganda campaign to convince this country that a military alliance with western European countries is the last chance for peace.

He criticized newspaper editorials on military phases of the proposed security arrangement, and publication of what purported to be details of treaty provisions which are not available yet to Members of Congress generally. He demanded that obligations which the United States will assume under the pact be aired fully before, rather than after, the Senate acts on ratification.

Senator WATKINS foresaw the possibility of the pact being tossed into the lap of the Senate after what he described as a prepact publicity campaign to win the support of an uninformed American public.

I comment on that particular story only to the extent of saying that none of the arguments, observations, and comments I made in respect to the constitutional phase of the question involved, and particularly my comments on the editorials of the Washington Star, were given at all in that story. They were left out completely.

Then, Mr. President, in the New York Times for March 4, an article appeared under the heading "Norwegians join in Atlantic talks."

In the body of the article appearing under that heading the following statement appears:

Meanwhile, the Soviet propaganda campaign that the North Atlantic Pact is not a defensive arrangement but is clearly aimed at the Russians received aid from an unexpected quarter, Senator A. V. WATKINS, Utah Republican. Senator WATKINS said that the treaty is aimed at Russia, a view that was contrary to the official United States explanation that it was not aimed at any country in particular but was designed to prevent attack from any quarter by advance warning that it would be met by overwhelming force.

The Utah Senator admittedly—

Then there is a complete change over, which leaves the previous part of the sentence standing alone and without making sense. Probably that is due to an error in the make-up of the newspaper; something was left out. The further comment is as follows:

The Utah Senator admittedly papers had published details of the proposed treaty before it had been made available to all Members of the Senate. This, he said, was part of a propaganda pattern to win support in Congress and public opinion, and he threatened to demand long hearings and debate on the treaty when it came before the Senate.

In the first place, Mr. President, let me comment on this particular news story. It is really an editorial written by a news reporter who is supposed to be giving the facts. He did not state what I said. He has drawn his own conclusions, and he editorializes in connection with the comment. He did not report the actual facts, when he said that "the Russians received from Senator A. V. WATKINS," and when he said that I said the pact is aimed at Russia. As a matter of fact, Mr. President, I had said that it was the President of the United States who had singled out Russia and had said the pact was aimed at it as a nation. That is quite a different story, when the truth of the matter is disclosed.

Furthermore, I did not say I would demand that long debates on the pact be held in the Senate. I made no threats of any kind or description. The comments appearing in the newspaper article in that connection are merely more editorializing.

Mr. President, so much for the news stories. I have not seen all the others. However, in at least two Washington newspapers there was not one line or one word referring to my particular speech in the Senate. Yet both those newspapers had carried strong editorials in support of the proposed pact. However, for some reason or other, they were not willing to publish a single word of what I said about it. I am not saying that those newspapers are trying to be one-sided. I do not know the reason for their failure to make any reference to my speech. Perhaps what I said was not of sufficient importance to deserve comment by them, even to the extent of a paragraph. I simply point out what is taking place in this country. I say it because some of the newspapers' actions seem to justify the charges that are made by labor unions, and even by the Communists, namely, that the people of this country do not get news of all that is happening here, but learn from the newspapers only certain things the newspapers want the people to know.

Mr. President, I am not making that charge. In a very modest way I was myself a newspaperman at one time. I ran two small newspapers for a number of years. I know the problems the newspapers have because of the limitations of space. So I am not accusing those newspapers of deliberately omitting any reference to my remarks. However, they did not seem to be willing to devote any space at all to a discussion of the questions which have been asked in regard to this very important matter.

Then I called attention, in my remarks on Friday, to an editorial appearing in the Washington Star on February 18. I said it was an invitation to the Senate to disregard the plain words of the Constitution, and to follow a line of reason. I shall read that editorial in full, because the editor of the Washington Star on last Sunday morning took exception to what I said, though not in a spirit of bitterness. I think the Star writer is sincere; in fact, I believe all these newspaper writers are sincere; but it seems to me that they are so overwhelmingly committed to a certain line of action that they think that anything is fair in connection with it, and that they can say anything and do anything because it is in the interests of the country. I submit, Mr. President, that the duty of a newspaper which serves many persons is very much the same as that of a public utility. A newspaper is a conveyor of information, and at least it should give the information to the people. It is within the rights of the editor of the particular newspaper to print any kind of editorial he wishes to print, so long as it does not interfere with or damage the rights of other persons.

I shall read in full the editorial to which I referred last Friday, because I was charged with not giving all of it to the Senate:

ARTICLE I, SECTION 8

This section of the Constitution says that "the Congress shall have power * * * to declare war * * *."

When those words were written, war was a slow, tedious process. It was a matter of transporting armies across vast stretches of ocean in sailing ships, of naval blockade, of equipping men with muskets to face other men with muskets. The authors of article 1, section 8, could not foresee the day when war would become a matter of sudden, devastating attack, designed to destroy a country long before its Congress could assemble to declare war. They could not have been expected to foresee the time in which we live, a time in which man's true hope of survival lies in preventing wars, not in fighting them.

This being so, it is not reasonable for Members of the Senate to be standing on the letter of the Constitution, to be saying that Congress must not yield any part of its constitutional power to declare war. To do this is not only unreasonable; it puts in grave jeopardy our one best hope for the future.

This hope lies in the broader concept of a North Atlantic security pact. If that pact is to be effective, it must serve two purposes. It must put the Soviet Union—

By the way, Mr. President, the Star does not hesitate to name the aggressor—

on notice that an unprovoked attack on any member of the North Atlantic community will be regarded as an attack on all of the members, and will meet with a united resistance. It must also provide a method for organizing a common defense, for providing the members with the necessary military equipment, and for bringing their united military power into play immediately after an act of aggression against any member.

If this is done, it will serve the important secondary purpose of enabling the western nations to present a strong front against aggression if the worst comes. But it will also serve the more immediate and much

more important purpose of discouraging aggression. For the Soviets are far less apt to resort to war if they know that the western powers are both resolved and ready to meet force with force.

In the best of circumstances, this undertaking will be difficult enough. It will be hopeless if we do not play our full part.

Much, perhaps all, depends on the attitude of the Senate.

This is the statement I quoted from the editorial on Friday:

Those who oppose assuming any military commitment in the North Atlantic Pact are motivated by a reluctance to see the constitutional functions of Congress whittled down.

This is understandable. And, for me, that persuasive constitutional argument in support of their position can be advanced.

But it is difficult to believe that rational men will want to win a constitutional argument at the price of losing the last best hope for peace.

Senators will remember I quoted that and dwelt on it at some length.

Yet the chance for peace will surely be lost if the United States finally takes the position that it will assume no commitment to join with its friends and fight if need be against aggression. This is a matter in which men must not lose sight of the main chance. Differences over a constitutional doctrine which was valid enough—

The constitutional doctrine "which was valid enough" was the doctrine that only Congress can declare war, and at the time and place the duty or the opportunity comes to declare war. It continues:

Differences over a constitutional doctrine which was valid enough a century and a half ago must not be permitted to bind us and cripple us in an atomic age. If we are to have any hope of security, then the people of the United States must insist that their Senators and their President approach this measure in the spirit—

We now get to the point to which the Star editorial on Sunday calls attention—

If we are to have any hope of security, then the people of the United States must insist that their Senators and their President approach this matter in the spirit of accepting the maximum commitment that is constitutionally possible.

I call the attention of this body to the fact that all the arguments up to that point are absolutely to the contrary. There would have been no reason whatever for me to make any comment if the editorial had started out by saying:

If we are to have any hope of security, then the people of the United States must insist that their Senators and their President approach this matter in the spirit of accepting the maximum commitment that is constitutionally possible.

That keeps within the Constitution. I think that particular sentence is what we know in the law as an escape clause. The editorial had been arguing step by step for an acceptance of a program which the writer said might even be contrary to the express words of the Constitution, and making a plea that we do that very thing; and then of course, to be on the safe ground, he finally says in effect, "Well, notwithstanding anything I have said up to this point, do not do anything of course that is not constitutional."

This statement is made in concluding the editorial:

We must remember that our attitude, and the effect of that attitude on both our friends and our potential enemies, can spell the difference between success and failure in this all-important venture.

Then, on Sunday, March 6, another editorial was published by the Star. I shall be a little fairer with the Star editor than he was with me. I am going to give his editorial full coverage here. My arguments on this constitutional matter were not even mentioned in their news story. From an editorial entitled "The Senatorial Oath," published in the Washington Star, on Sunday, March 6, 1949, I read:

Senator WATKINS, of Utah, has taken the Star to task for urging editorially—as he sees it—that Senators should violate their oath to uphold the Constitution in connection with ratifying a North Atlantic security pact.

The Star does not in any way question Senator WATKINS' sincerity in this matter. But he has misinterpreted the Star's editorial position, and, more importantly, he seems to have missed the main point of the proposal for a security pact.

The Utah Senator quoted excerpts from an editorial published February 21 which, standing alone, might seem to support his claim that the Star urged Senators to violate their oath. But he did not quote this sentence of the editorial: "If we are to have any hope of security, then the people of the United States must insist that their Senators and their President approach this matter (the security pact) in the spirit of accepting the maximum commitment that is constitutionally possible."

That is the end of the quotation from the Star's first editorial, the one which I claim is the "escape clause," which was very clearly written into the tail end of the editorial.

This goes to the heart of the controversy.

I admit that it does. If they are going to stand on the Constitution and say, "Give us the best you can in view of the Constitution," that is one thing. But to come to us and say, "No matter what the Constitution says, we want this," is an entirely different matter.

This goes to the heart of the controversy. Senator WATKINS is among those who believe that the Senate should not and cannot ratify a treaty which would contain any commitment, formal or informal, military or moral, for the United States to go to the aid of an ally attacked by Russia.

I submit that piece of editorializing is a splendid example of a half-truth. I did not say at any time that we could not make any commitment, "formal or informal, military or moral." I said we could not make a commitment to declare war, but I did not say we could not make a formal moral commitment for help short of armed assistance. I said we could not make a moral commitment to fight, an implied commitment to fight, to take up arms.

Mr. TOBEY. Mr. President, will the Senator yield for a question?

The VICE PRESIDENT. Does the Senator from Utah yield for a question?

Mr. WATKINS. I yield to the Senator from New Hampshire for a question only.

Mr. TOBEY. Did the Senator ever read the poem by Alfred Lord Tennyson entitled "The Grandmother"? One line of which would seem to me to refer to the Senator's recent statement about a half-truth, reads as follows:

That lie which is half a truth is ever the blackest of lies.

Mr. WATKINS. I thank the Senator for his contribution. I have read the poem, but it was a long time ago, and I had forgotten it. I appreciate the Senator's mention of it. To continue with the editorial:

The Star does not believe this is the proper attitude.

Of course, if I had taken any such attitude, I would agree that that is not the proper attitude.

While not professing competence to pass judgment on the constitutional question involved, this newspaper most emphatically believes that our real hope of peace, and perhaps our only hope—

Easing up just a little bit from the other day, when the editor said "our only hope of peace," and stated that categorically—

and perhaps our only hope, turns on the willingness of the Senate to assume the maximum commitment that is constitutionally possible, and to do this in a spirit of resolution which cannot be misinterpreted abroad.

That represents, of course, a complete abandonment of the early part of the argument in the first editorial. To continue:

Senator WATKINS says: "I do not believe that the Eighty-first Congress has the power to say that American schoolboys of today shall be the front-line forces in any conflict that might occur 5, 10 or 15 years from now, or a generation from now."

Continuing with the editorial:

It would be nothing short of tragic if this should become the prevailing view.

Again, we have the statement that the only thing to do, is to be in such a position that we should be able to go to war. There is no commitment in that statement that any other course would be practical, if it should become the prevailing view that we ought to go to war. Write the ticket, and tell generations yet to come whether they shall fight, or whether they shall not fight. That is the gist of the whole matter. That is the thing I was talking about with respect to the constitutional argument.

For the simple truth is that the Eighty-first Congress will have nothing to say about it.

That is what I have been contending, namely, that the Eighty-first Congress should not have anything to say about what future generations shall do in the way of fighting, whether they fight or do not fight.

If a war of aggression should begin in Europe, or anywhere else, the schoolboys of today will be in the front-line forces, no matter what might be the wishes of the Eighty-first Congress.

I say that will be true, providing the Congress which those same schoolboys

had helped elect, and which represents them, declares war, or makes war possible. Then they will be there, but not without the declaration of the Congress, unless we now take the steps making it impossible for a Congress and those boys of the future to have any choice in the matter but to fight.

> In such a war, the chances are the front line will be right here at home. The schoolboys of today and the schoolboys of tomorrow will be among its victims. The one real hope is to prevent that war from starting.

I am in accord with the Star that, if possible, we should keep it from starting.

> And the one best chance of preventing it lies in a stand by this country which will make it as clear as possible that never again will we make the error of trying to sit idly by in the face of aggression.

We do not necessarily have to sign any pact in order to make it abundantly clear that we may fight if nations of our own kind are attacked and our security is in danger. As I pointed out on Friday, we have taken a course of action; we have made progress; we have adopted policies with respect to helping Europe, through the Marshall plan, the Greek-Turkey loan, aid to China, and numerous other commitments. We have gone ahead with this program and have made commitments. I said at that time that if these acts of ours do not speak more strongly than any language we can write, then it seems useless to attempt to do anything further.

When Stalin announced, through a newspaper correspondent, that he was willing to talk about entering some agreement regarding the abandonment of the Berlin blockade, and for the settlement of other questions, we said very curtly to Russia, "When you begin to act as you talk, we will listen to you." Why not apply that policy in this present instance? Our talk will be weak indeed if our actions do not carry such a message that it can easily be understood where we stand with respect to Russia and her aggression.

It seems to me, now, in going over the editorial opinion of the country, that the decision has already been made. There is really not anything left for the Senate to do except to take the treaty and put our rubber stamp on it and pass it back to the executive department.

Mr. MALONE. Mr. President, will the Senator yield for a question?

Mr. WATKINS. I yield for a question only.

Mr. MALONE. Is the North Atlantic Pact today, in reality, a response on the part of the President of the United States and the State Department to the resolution adopted by this body last year; and, if so, does the editorial comment of the country support the theory that we are already morally committed to accept the pact by reason of the resolution already adopted?

Mr. WATKINS. The Senator asks two questions. I would say, in a general way, in answer to them, that some newspaper editorials which I have read say that we are more or less morally committed, having once adopted the Vandenberg resolution. I do not believe we are committed by that resolution. I remember that in the debate the Senator from Nevada asked the distinguished Senator from Michigan a number of very pertinent questions in which he wanted to know definitely whether the adoption of the resolution would be a commitment to enter into any defense pact or any alliance of any kind with any other nation.

I do not know whether I have answered the Senator's questions.

Mr. MALONE. I think the Senator has answered them. Will the Senator yield for another question?

Mr. WATKINS. I yield for a question only.

Mr. MALONE. Right along that line of reasoning and the editorial comment we notice every day, if we accept the North Atlantic Pact, even though we have a technical loophole in the pact, have we given the world to understand that we are morally bound to go to war when any one of the European nations says it is attacked?

Mr. WATKINS. That is one of the arguments I have heard during the course of the debate on the Greek-Turkish loan, on the Marshall program, and also on the Vandenberg resolution. The contention was that there is not anything else left for us to do. I voted for the Greek-Turkish loan and for the Marshall program on the theory that we had either to help those nations or retire from Europe and admit that we had lost the war completely, and let the Communists take over, and I thought it would be the lesser of two evils to help those people, regardless of putting a heavy burden upon the taxpayers of the United States.

Mr. MALONE. Will the Senator yield for a further question?

Mr. WATKINS. I yield for a question only.

Mr. MALONE. One hundred and twenty-five years ago President Monroe laid down a doctrine which has worked very well. Would the Senator consider an extension of that doctrine, covering the nations of Europe and Asia and saying that, in the opinion of the President of the United States and the State Department, their integrity is important to our ultimate peace and safety? If, where our safety is threatened, we cover those nations by such an extension of the Monroe Doctrine, would not that be an answer to the situation?

Mr. WATKINS. I suppose that what the Senator wants to know is whether I favor a Monroe Doctrine for Europe.

Mr. President, may I have unanimous consent to ask a question of the Senator from Nevada as to just what he meant by the question?

The VICE PRESIDENT. The Senator from Utah may ask the Senator from Nevada to clarify his question.

Mr. MALONE. I appreciate the opportunity.

Mr. WATKINS. Does the Senator mean we should have a Monroe Doctrine for Europe?

Mr. MALONE. The Monroe Doctrine has been very successful for 125 years in the Western Hemisphere. President Monroe said, in words of one syllable, that:

> We owe it, therefore, to candor, and to the amicable relations existing between the United States and those powers, to declare that we should consider any attempt on their part to extend their system to the Western Hemisphere, as dangerous to our peace and safety.

If the President should consider any attack on the nations of Europe and Asia dangerous to the peace and safety of the United States, he could then extend the Monroe Doctrine to include such nations, as was suggested by President Monroe at the time of the adoption of the Monroe Doctrine.

Mr. President, I submit that a considered danger to our peace and safety is the only basis on which we should ever go to war—then we would be the sole judge of whether or not our peace and safety were threatened by any particular disturbance, instead of the nations of Europe or Asia being the judge. Would the Senator consider that that might be something worth thinking about and seriously considering before making any definite military commitments?

Mr. WATKINS. If the Senator puts it that way, "something to think about," I agree that I should be willing to think about it, but I should want to be certain, before taking on any more territory to defend, that the United States would have the ability to defend such territory and to enforce and defend such a doctrine before we announce it. I am not saying I would not vote for it, but I should certainly want to get the facts indicating what it would mean, in all directions, and to get all the truth connected with it, before I would want to make commitments with regard to it.

Mr. MALONE. Will the Senator yield for another question?

Mr. WATKINS. For a question only.

Mr. MALONE. The Senator does consider, I assume, that if we should sign any pact with a foreign nation, a North Atlantic pact or any other kind of a pact, there would be a commitment. Does the Senator consider that there is a commitment to go to war if the pact should be violated?

Mr. WATKINS. Whether there is or is not a commitment depends upon the wording and intent of the pact. I have heard it said that there is no commitment. As I understand, the distinguished chairman of the Foreign Relations Committee of the Senate, and the ranking Republican member of that committee, have said that, so far as they are concerned, the document will contain no provision which would commit this Nation to go to war.

Mr. MALONE. It would seem that everyone in the United States read the pact except the United States Senators.

The VICE PRESIDENT. The Senator yielded for a question.

Mr. WATKINS. I cannot, of course, Mr. President, control statements which are made; but I take it that the Senator's comment was only an observation which would not cost me the floor.

A moment ago I had come to the point at which I said the matter has been decided, so far as the newspapers of the

country are concerned, without the necessity of the Senate doing anything about it except giving it rubber-stamp approval. I wish to read, now, from an editorial appearing in the Christian Science Monitor of March 1, 1949:

PACT'S PROGRESS

There is going to be an Atlantic Pact. It is going to be a good one. To so say requires no special talent for prediction. It's all in the news.

Secretary of State Acheson has been able to go further than seemed possible for a while in assuring America's prospective allies of military aid in the event they are attacked.

Apparently someone has agreed with him now, and he can go to the point apparently where he satisfies them. The matter about which they wanted to be satisfied was this, "Will the United States come into the war, with an armed force, to help us in case we are attacked?"

I continue the editorial:

The draft of the treaty is nearly ready for submission to the governments.

By the way, the Senate now ascertains, through the Christian Science Monitor and the Associated Press, that the pact will soon be ready for us.

The draft of the treaty is nearly ready for submission to the governments. It reportedly includes not only adequate military assurances but provisions to help Europe help itself back to a respectable posture for defense, through supplies from American military surpluses and through financial aid.

As I see it now, they are going to do this all up in one package. It seems the popular thing to do is to put our measures all in one package. Now we are to put the financial aid in this package, as well as the military aid, and the supplies we may send them from our surplus. I continue reading from the editorial:

Both the Secretary of State and Senator VANDENBERG, ranking Republican member of the Senate Foreign Relations Committee, express themselves as more than satisfied with what has been accomplished.

I do not know whether or not these distinguished gentlemen would be willing to accept that commitment by this editorial writer. I doubt it very much, in view of what they have already said on the floor of this very body.

Senator TAFT, too, has given the pact a blessing, but has taken out a little political insurance on the side by expressing doubts as to the program for helping Europe to arm itself in advance of trouble.

Of course, I have no means of knowing that the editorial writer had the right to commit the Senator from Ohio to the particular views here expressed. If the Senator has not taken out such insurance, and has made such a statement as that, I think it high time he does take out insurance.

The editorial continues:

His move is believed to forecast stiffer opposition in Congress to the arms program than to the pact itself.

I call attention to the fact that the editorial writer says that it, the pact, will have something to do with military surpluses and the agreement for financial aid. I do not see how the Senator from Ohio, distinguished gentleman and great scholar that he is, is going to be able to separate those items unless we get a complete separation in the pact between the military help, or whatever help is provided for, the financial help, and the matter of economics.

The editorial continues:

We hope such opposition will not develop. There have been doubts enough cast on American intentions to make an effective alliance.

The Senator from Missouri [Mr. DONNELL] and the Senator from Utah, the present speaker, and all other Senators who were asking questions, are raising a lot of doubts—quite enough of them, according to this writer:

There have been doubts enough cast on American intentions to make an effective alliance.

Now what are we to do if we do not get a satisfactory response to our questions, because after all is said and done, these newspaper editors, and the others throughout the country who are making these comments from daylight to dark, are not the ones who decide for the American people. It will be the Senate of the United States which will make the answer.

The editorial continues:

As from American sources, so from European, the news blows briskly pactward.

This is a very able editorial. I have no quarrel with the editor's right to write that way if he so desires, but I am calling the attention of the American people and of the Senate to the fact that a propaganda campaign has gone forward now to the point where the propagandists believe it is completely won. I have disagreed with some of these papers. I still think we should propound some questions. I think we should go into this pact, if we do so, with our eyes wide open. I still subscribe to what Woodrow Wilson said, that covenants of this kind should be openly arrived at. I have voted for the other programs, and I may vote for this one when I get it before me so that I can satisfy my conscience and my understanding of what the pact means.

Mr. MALONE. Mr. President, will the Senator yield for a question?

Mr. WATKINS. For a question only.

Mr. MALONE. I inquire of the distinguished Senator from Utah if it does not seem to be shaping up lately that most things brought before the United States Senate must be passed in a hurry, that the Senate is just a stumbling block, not disposed to review anything along the lines of the Constitution, that we must cut down debate, cut down the number of votes necessary to impose cloture, that this body is merely a challenge to the State Department in finessing legislation giving them full authority over national and international policies?

Mr. WATKINS. Is the Senator asking that as a question?

Mr. MALONE. Yes. What is the Senator's attitude in the matter of the Senate of the United States maintaining its independence of the executive branch?

Mr. WATKINS. Surely the Senator can answer that as well as I. I am laying the facts before the Senator from Nevada and other Senators. They can develop for themselves whether we are to be regarded as a stumbling block.

I can see very plainly, the way the news is being given out and the way dispatches are reading now, that the pact is almost ready for signature, and that we are not going to be able to place before the American people the matters which should be before them so that whatever is done can have their support.

So, Mr. President, I determined to call this matter to the attention of the President of the United States. I felt that we should have a discussion in this body of the terms of the treaty which is destined to change the historical foreign policy of the United States. We all ought to know about it. We are not now in war, and I can understand no reason why, from security reasons, the American people cannot be told officially about what is going on in these negotiations, as well as those who write the inspired reports that are printed in some newspapers. We had better get the truth, and perhaps these reports are not giving us the truth. It takes time to get all the facts, all the truth. So I sent the following telegram to President Truman last night, to his temporary headquarters at Key West, Florida:

MY DEAR MR. PRESIDENT: In your inaugural address, you declared that a joint defense agreement between the United States and certain European democracies was being negotiated. From the press I learn that the negotiations have gone forward to the point where the proposed treaty will soon be ready for the signatures of the nations participating.

You will realize, and I believe it is generally conceded, that this proposed pact, as far as the United States entry into it is concerned, will be precedent-making and one of the most momentous steps this country has ever taken.

From time to time newspaper accounts purporting to give the language of the important articles in the pact have been released to the press. Members of the Foreign Relations Committee of the Senate have been permitted to read preliminary drafts. Other Senators, however, have been kept in the dark as to what the provisions of the pact will be. Meanwhile, a general debate has been carried on in the press and over the air by editors, columnists, and commentators on the necessity for, and the wording of, the pact.

The proposal that the United States enter into a pact which in effect is a treaty of alliance with European countries, is unprecedented.

For that reason, I am taking the unprecedented step of respectfully urging you now to give to the entire Senate of the United States and to the people of this country at least 60 days before the date set for the signing of the pact, the text of the proposed agreement, the names of the nations which will participate and the reasons why the United States should become a party to the pact.

I am convinced the American people should be given time to study and think about this proposed departure from our historic policy of "no entangling alliances," and that the Members of the Senate should have additional time in which to study this important matter.

You will realize, Mr. President, that if the text of the proposed treaty and the reasons for entering it and the names of the nations invited to join are not given to the Senate in advance of the signing of the treaty, that it will be very embarrassing, and possibly harmful, to the United States to have the

treaty discussed at length at the hearings before a committee of the Senate, and possibly in the end to have it rejected or have it approved with substantial reservations.

I submit, Mr. President, that the submission of the treaty to the Senate as a fait accompli will be decidedly unfair to the Senate and to the participating nations.

I am urging this suggestion in all seriousness because I sincerely believe that in times of peace we should adopt and follow the principles of President Wilson, who advocated "open covenants, openly arrived at."

I wish to comment on one statement which I made in the telegram, that under all the circumstances it would be unfair to the Senate to be confronted with a completed, signed treaty. I wonder if we could envision the situation we would be in if that should happen. Here we are fighting a cold war, at least we are told we are fighting a cold war, with Russia. There may be many Senators who will want to uphold the President, and I know I would uphold him so far as I could and still discharge my constitutional oath, in whatever he is doing in the executive department, in a military way, in operations in Europe, and in a struggle to maintain free institutions and free peoples everywhere. But, Mr. President, the moment anyone attempted to stand up and undertook to question the treaty, and throw doubt on it, and make the usual arguments which are made in cases of this kind, the cry from editorial writers and others all over the United States would be, "This man is attacking his own country and its program. They are debating in Congress, while our whole future is in jeopardy." Such people, Mr. President, under today's circumstances, would come almost to the point of accusing any Senator who questioned the matter as being guilty of the crime of treason.

Mr. LONG. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. MYERS in the chair). Does the Senator from Utah yield to the Senator from Louisiana?

Mr. WATKINS. I yield for a question only.

Mr. LONG. Is it not true that the Monroe Doctrine was not a treaty, but a mere declaration by the President?

Mr. WATKINS. That is as I understand it. President Monroe made the statement concerning the necessity of other nations staying out of this hemisphere.

Mr. LONG. Mr. President, will the Senator yield for a further question?

Mr. WATKINS. I yield for a question only.

Mr. LONG. Is it not true, in light of that fact, and in light of precedent, that the President of the United States, if he wanted to commit us to fight, could proceed and commit us, just as President Monroe did in the case of the Monroe Doctrine?

Mr. WATKINS. I may say, Mr. President, in answer to the Senator's question, that one of the things I am complaining about and concerning which I have been very much disturbed is the fact, as borne out by the history of the past 14 years, that the President of the United States, through executive agreements, has made commitments in the name of the United States which have put us in such a position that now our very security is threatened by Russia; not only our security, but the security of the democracies of the world. The President of the United States has great power; in fact he exercises much more power than he actually has under the Constitution, because many times Congress is willing to eat out of his hands. He can have his own way and go right on down the road just as he pleases. There is no question at all about that, in many instances.

Mr. LONG. Mr. President, will the Senator yield for a further question?

Mr. WATKINS. I yield for a question only.

Mr. LONG. In view of the suggestion by some persons that Congress should cease debating this issue, and should join in some sort of a pact in order to be ready for an atomic war, is it not true that the President, under his powers as Commander in Chief of the Army and Navy has had the power to meet force with force in the defense of the United States, or in our interests, and that historically the President has exercised that power from time to time to place our troops on foreign soil in time to fight if need be?

Mr. WATKINS. I believe the Senator is correct. Whenever we have been attacked by an enemy, if it was a sudden attack, like the attack at Pearl Harbor, or in any other way, the President of the United States and the armed forces have met the attack as rapidly as they could, without a declaration of war having been made by Congress, and authority from Congress. When such an attack is made a state of war is brought into being. It does not take an act of Congress declaring it to bring on a state of war. When an attack is made upon us a state of war exists. It is there. It is an actual, existing thing, and Congress appropriates the money necessary to carry on the war, and continues with further appropriations. For the sake of many of our legal requirements and forms, the Congress probably would go through with a formal declaration to take care of the matters I have just mentioned.

Mr. LONG. Mr. President, will the Senator yield for a further question?

Mr. WATKINS. I yield for a question only.

Mr. LONG. In other words, is it not true that if this country were attacked, or if it found that its security was involved, and that we had to fight to preserve our security, what would happen would then actually be that the President of the United States would proceed to take whatever measures were necessary and commence fighting by using the Army and Navy; in other words, do just as was done after the attack upon us at Pearl Harbor; and that Congress would take action after the fighting started?

Mr. WATKINS. That might be true. We might want to know whether he would do that in event an attack was made on some nations who are contemplating becoming members of the North Atlantic Pact. We might want to know whether or not he would feel, in the absence of a pact, that an attack made upon those nations would make it incumbent upon us to resist the aggressor. We have, as a matter of fact, for a number of years permitted democracies in Europe to disappear. I refer to Czechoslovakia and Hungary. We have permitted them to fall, with nothing more on our part than formal protests. Some have said we could not do anything about it. Others have said that Russia was only obtaining what she was entitled to as a part of the implied agreements enentered into at Yalta and Tehran. Whether or not the statement contained in the question asked by the Senator from Louisiana would be correct under all possible situations, I am not prepared to say.

Mr. WHERRY. Mr. President, will the Senator yield for a question?

Mr. WATKINS. I yield for a question only.

Mr. WHERRY. I, like other Senators, am not familiar with the North Atlantic Pact. We know about it only as we have read about it in the newspapers. I read a commentary or an editorial recently—I cannot recall clearly to mind which it was—which made the distinction between the situations which existed before prior wars, and the situation which might exist now. For example, we had at one time the Neutrality Act upon the statute books. That served notice, apparently, on an aggressor power that the United States would not go to war to defend a nation which might be attacked by an aggressor. The writer to whom I have referred raised the question that there was a difference between the precedents prior to wars in which we have become involved in Europe previously, and what might happen now, in this respect, that if we sign the North Atlantic Pact, together with the other nations who are proposed to become signatories to the pact, the provisions therein contained, as we would assume from the reports we have heard, would be notice to an aggressor power such as Russia—I did not mean to refer to Russia, but the Senator spoke of Russia—that in the event——

Mr. WATKINS. Editorials have contained the same statement.

Mr. WHERRY. It would be notice to Russia, or any other nation, that if they attack any of the signatory countries, the United States would fight. Therefore, it would eliminate the possibility which was not eliminated previously, because the United States would already be on record in a treaty that in event one of the signatory nations should become involved under the provisions of the pact, we would go to that nation's assistance and fight against the aggressor. What does the Senator think about that observation? Do I make myself clear?

Mr. WATKINS. I think I understand the point the editorial writer or commentator was striving to make, as the Senator has stated it. I think the commitment contained in a treaty is not the only way to serve notice on Russia that we will fight if any of the signatory nations are attacked. As has already been called to our attention by the Senator from Nevada [Mr. MALONE], there

are some other ways that could at least be explored. On the other hand, if we give notice that we will fight, if we commit ourselves to go to the rescue of the nations which come within the pact, and commit our forces, that is something else. That is another problem.

In order to illustrate what I have in mind, I may say that a man of considerable military knowledge and experience told me only today that many military men in this country are alarmed at the prospect that the pact may contain a military commitment which will bind the United States to fight on the ground in Europe. He called attention to the fact that Hitler, with 222 divisions, tried to smash Russia, and it cost him 5,000,000 men killed. He called my attention to the fact that every nation in history which has tried to invade Russia has been repulsed. He said the military are convinced that if there is any commitment to send troops over there, to make the war a ground war, the United States will be in grave danger under such a commitment. I mention that for what it may be worth. I have every confidence in the gentleman to whom I refer. He served for many years in the war. He has been on the staffs of some of our commanding generals, and I think he knows what he is talking about. It is something to think about. It is another question which I should like to see explored before we go too far.

Mr. MALONE. Mr. President, will the Senator yield for a question?

Mr. WATKINS. I yield for a question only.

Mr. MALONE. If I correctly understood the trend of the Senator's argument, what he means to say is that before we sign a pact which is a strong moral commitment to go to war any time a European nation in the North Atlantic pact says it has been attacked, we should carefully look into the situation. I believe the statement has often been made—at least it is very nearly correct—that there has been some kind of war going on in Europe continuously for 2,000 years. Does the Senator conclude that other means should be explored, such as an extension of the Monroe Doctrine by the President, who is charged with working out foreign policies?

Mr. WATKINS. Or by Congress.

Mr. MALONE. The Senate is not charged with making foreign policy, and, of course, we have no foreign policy.

Would the Senator conclude, from the trend of his remarks—I judge that he would—that we should explore the field to see if by some act of ours, or some foreign policy laid down by the State Department or the President of the United States, it could be made clear that we will go to war only when we believe that our peace and safety is threatened, and not be bound either technically or morally to declare war because some other nation says its peace and safety is threatened?

Mr. WATKINS. I think the Senator raises an important question, a question of policy for the United States to decide. Does it want to preserve freedom of action in fighting its wars? Or is it willing to be bound by some commitment to fight at a certain time and place, and in a certain way, as a matter of commitment for the future? I think that is one of the important questions involved in this entire program and in the debate. I will say to the Senator from Nevada that in my opinion it would be very unwise for the President of the United States even to follow the precedent established by President Monroe and make such a declaration himself. It—if made at all—should be made by joint resolution of the Congress, concurred in by the President.

Mr. WHERRY. Mr. President, will the Senator yield for a question?

Mr. WATKINS. I yield for a question only.

Mr. WHERRY. I do not want to belabor this question, because I realize that it is on a subject not related to the motion which is the unfinished business, but I suggest to the Senator that he did not answer my question to my satisfaction. That is no reflection on the Senator. However, it seems to me that the crux of the whole pact is this: Those who propose it want to assure the signatory countries that they will receive the military assistance of which the Senator has been speaking, if they are attacked. Can we give them such assurance in any other way except by entering into the North Atlantic pact? If we can, it seems to me that an alternative plan, if possible, should be suggested by the Senate. It seems to me that is the meat of the whole pact. If we are going to give other nations that assurance, if that is the sense of the administration's foreign policy, we can do it in the North Atlantic pact. Can we do it in any other way, within the framework of the Constitution? So far as concerns assuring signatory nations that they will have security and the promise of aid in the event that an aggressor nation attacks them, can we accomplish the purpose of the North Atlantic pact by some other means? I am asking for light. Whether the Senator wishes to discuss that question now or not does not make much difference. There is plenty of time. I should like to see some alternative plan which would accomplish the same purpose without going into the North Atlantic pact. Can such a thing be done within the framework of the Constitution?

Mr. WATKINS. I will answer a categorical "Yes" to the Senator's question. Moreover, I have already pointed out that, in my opinion, the conduct of the United States in the programs which have been adopted is a strong declaration that we will go to the rescue of the free countries of the earth if they are attacked by an aggressor.

Mr. WHERRY. If that is the answer, what is the difference between that and the provisions of the pact? Do we not make a moral commitment which is just as far reaching and binding as though we were in the pact?

Mr. WATKINS. I think not. We still preserve the right to choose where and when we will fight, the kind of weapons we will use, and the kind of campaign we will fight, primarily for our own preservation, and secondarily for the preservation of other nations.

Mr. WHERRY. I want information for myself. A moment ago the Senator stated that he might even vote for the pact if it would solve some of the questions which are bothering him. I am asking the Senator a question which I think is the meat of the whole subject. Can we give assurance of the aid which is expected of us, either under the provisions of the pact, or outside the pact, and still remain within the framework of the Constitution?

Mr. WATKINS. We may not be able to give the assurance which other nations want, but as the Senator from Nevada [Mr. MALONE] has stated, I believe that an assurance which should be satisfactory can be given. I do not believe that we ought to go to the extent of violating the Constitution to make a commitment for armed force in the event of an attack upon any one of the signatories without the Congress itself having the absolute power to say whether or not there should be war.

Mr. HICKENLOOPER. Mr. President, will the Senator yield for an observation at this point?

Mr. WATKINS. Unfortunately, under the ruling of the Chair during recent days of debate, I cannot yield for the purpose of permitting an observation. I can yield for a question only. I yield only for a question.

Mr. HICKENLOOPER. Mr. President, I shall now ask the Senator a question. Is it the Senator's impression of the proposed North Atlantic Pact, which, so far as we know, no Member of Congress has yet seen in detail, that if we enter into the North Atlantic Pact we shall be automatically committed to go to war upon the call of any of the signatory powers which believes that it has been invaded, or against whom aggression has been committed, according to its own belief?

Mr. WATKINS. I am unable to answer that question, because, of course, I have not seen the language of the pact. But, in the words of the newspaper writers who claim to know what it is all about, apparently there would be such a commitment, and it would mean just what the Senator states.

Mr. HICKENLOOPER. Mr. President, will the Senator yield for a further question?

Mr. WATKINS. I yield for a question only.

Mr. HICKENLOOPER. Preliminary to the question which I am about to ask the Senator, let me say that I have been somewhat familiar with the general theory of the North Atlantic Pact. Not only is it my definite and firm impression and belief that there is no intention to commit this country to go to war without compliance with the constitutional process, which gives Congress the sole and exclusive right to declare war, but, in my judgment, it will be made abundantly clear at the time the pact is considered that this country will retain the right to examine into the circumstances which might call for armed action, to examine into the surrounding situation, and the provocation, if you please. This country must always retain the right to decide the method, the

place, and the manner of bringing relief to the invaded country for the purpose of repelling aggression or invasion. I believe that that right will be clearly safeguarded and satisfactorily established.

Mr. WATKINS. I must remind the Senator of the recent ruling of the Chair that Senators may not make observations in the guise of questions. If the Senator wishes to ask me a question, I shall try to answer it.

Mr. HICKENLOOPER. I should like to ask the Senator one further question. Did not the Senator observe the question mark at the end of my remarks a moment ago?

Mr. WATKINS. It may have been there, but I will say that it was rather faint from this distance.

Mr. HICKENLOOPER. I thank the Senator.

Mr. MALONE. Mr. President, will the Senator yield for a question?

Mr. WATKINS. I yield for a question only.

Mr. MALONE. I ask the Senator first, Does he remember the furor that was manifested in the foreign newspapers, and was taken up to a certain extent by the newspapers here at home, when it was merely indicated that we would not commit ourselves to go to war in case the nations of western Europe were attacked? Does the Senator remember that? It was only a month ago.

Mr. WATKINS. I remember the consternation which was manifested in Europe. The nations of western Europe were thunderstruck by the interpretations made by the chairman of the Foreign Relations Committee of the Senate [Mr. CONNALLY] and by the ranking Republican member of that committee [Mr. VANDENBERG]; and I remember the stories about the stormy times and the discussions back and forth. The people of western Europe wanted and expected a direct commitment on the part of the United States to come to their aid in case they were attacked; and they expected not only aid in an economic way, but aid by military means. Of course, the newspapers abroad took up that question. The article from the Christian Science Monitor to which I have referred, calls attention to it, as does the news story to which I called attention the other day. The writer of that story had five different drafts of the so-called pact. I have before me an article, coming from a Paris newspaper, which indicates that we are right back where we were when the Senator from Missouri [Mr. DONNELL] asked for and received assurance that nothing of that sort would occur.

But now everything has been settled, according to the newspapers, to the satisfaction of the Senator from Texas and the Senator from Michigan, and, therefore, to the satisfaction of the entire Senate, according to the newspaper stories. However, Mr. President, let me say, with all due respect for those distinguished gentlemen, for whom I have great admiration and affection, that, regardless of whether they are satisfied or are not satisfied with it, their opinions alone will not suffice so far as I am concerned, because under my oath I myself have to be satisfied about these matters.

I say that advisedly, because time and time again in the recent history of our country, and particularly in the last few years, I have seen policies adopted, that in my humble opinion have been wrong. For instance, let me refer to the China policy and the sending of General Marshall to China in an effort to bring the Communists into agreement with the Government of the Chinese Nationalists. In my opinion that was completely wrong. Yet apparently that policy received approval in this country, for the time being.

One policy after another has been presented. Let me refer, for instance, to the Italian treaty and the question of its ratification. We have not heard much about that recently; but we do see some discussion in the newspapers about whether Italy will be invited to join this proposed pact.

Mr. President, what is the situation in Italy? What did that treaty do to Italy with respect to permitting her to defend herself?

Mr. MALONE rose.

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Nevada for a question?

Mr. WATKINS. I am answering his question; I have not yet finished answering it. I realize I am making a long answer, but it is still an answer.

Mr. President, I was referring to the Italian treaty. If the terms of that treaty are considered, it will be found that by it Italy is left without any defenses in the way of modern arms. Her fortifications were required to be leveled. She was permitted to have some obsolete armaments, but only a limited number of soldiers. At the time, I protested. I said it is the God-given privilege of every man, woman, and child who comes to this earth to have the right of self-defense; and I said the treaty is not fair to Italy, inasmuch as Tito and Stalin are glaring at the Italians from across the border; certainly it is not fair to Italy to take away every defense she has, unless we are prepared to provide her defense for her. When Senators discuss foreign policy, I point to that one example, in which case I think we made a complete mistake.

Only a year ago, I believe it was, one of the members of the Foreign Relations Committee said on the floor of the Senate that the ratification of that Italian treaty was a mistake. Commitment after commitment in our foreign policies has been made, and many of them have gotten us into trouble.

So, Mr. President, the mere fact that a commitment is recommended does not necessarily convince me that the proposal is a correct one. I want to know about these proposed commitments.

Mr. MALONE. Mr. President, will the Senator yield for a question?

Mr. WATKINS. I yield for a further question.

Mr. MALONE. Again referring to the Italian treaty, I ask the Senator whether he remembers an hour-long debate of that treaty on the floor of the Senate, in the course of which I stated that 198,000 Italians would be required to work 7 years without wages or compensation of any kind to pay the $360,000,000 reparations to Russia and her satellite countries—that the cost would be approximately $1,000,000,000, which of course we must pay since we have the only credit on which real money can be raised—the taxpayers of America must pay Italy's reparations to the iron curtain countries.

Incidentally, does the Senator recall that I pointed out that the processing of such raw materials would require about 14,000 Russian foremen and superintendents to remain in Italy for 7 years and that they probably would not be selected for their anti-Communist attitude. The result of course would be that the Italians would be under the domination of the very nation we are trying to protect them from today. Does the Senator remember such a discussion of the provisions of that treaty?

Mr. WATKINS. I remember that something to that effect was provided by the treaty, and I remember that I was very much opposed to the treaty because I felt it was premature and because I felt that problems in Europe growing out of the war had not been settled, and that it was the wrong time to make that treaty. I also objected because I believed the treaty would deprive the Italian people of the right to defend themselves, and certainly they should have that right.

Mr. MALONE. That is correct. We were both against it.

Mr. President, will the Senator yield for a further question?

Mr. WATKINS. I yield for a question.

Mr. MALONE. First let me say, to complete my former statement, that, according to the treaty, the Italians were not to be paid for completing the job the Italian treaty would thus pin on them. The result is that we are paying for all that now. The taxpayers of America are paying the Italian reparations to Russia and the satellite countries. I did not like it at the time it was proposed by the State Department and do not like it now.

To revert to the discussion of the proposed North Atlantic Pact, I inquire whether the Senator from Utah remembers the very great furor which developed in the western European nations press because of their claims or charges that we were not consistent when Senators CONNALLY and VANDENBERG agreed that the pact could not bind us technically to military action. Evidently promises had been made by someone that we would make a military commitment; but when Senators on the floor of the Senate stated that that would be impossible because of the Constitution of the United States, editorial writers all over Europe and in many parts of the United States condemned such statements as bad faith.

Can the Senator from Utah imagine what will be the tone of the editorials in the European press if we sign the Atlantic pact and then should later claim that we were not technically bound to come to the aid of the European countries when they say that their safety is threatened. Can the Senator anticipate the editorials and furor if we refuse to furnish military

aid to those countries after we signed the proposed North Atlantic pact on the grounds that our peace and safety was not threatened?

Mr. WATKINS. I can imagine that those countries would be very much disappointed. As a matter of fact, unless they receive the kind of commitment they wish to receive, I have grave doubt whether they will sign the proposed pact. A mere statement that we shall try to come to their aid will not satisfy those people, in my opinion. It seems to me that is not what they want, and they will not be satisfied with it.

But apparently today they are satisfied; and when I see articles such as the one I saw from a Paris newspaper today, I am inclined to believe that we are right back where we were before; in other words, we are faced with the identical meaning which formerly was given by the distinguished Senator from Missouri to the statements made by the distinguished Senators whom I have mentioned.

Mr. MALONE. Mr. President, will the Senator yield for a further question?

Mr. WATKINS. I yield for a further question.

Mr. MALONE. Then does not that make it absolutely imperative that the field be explored for other means of assuring Europe that when we consider our safety to be endangered by a threat to the integrity of any of the nations of Europe, or the nations we would name, then it would be our policy to protect that integrity. In other words, should we not adopt an international policy which would permit us to determine for ourselves when our peace and safety is threatened?

I say to the Senator that should be absolutely the only criterion for a declaration of war by the United States, namely, when we believe our peace and safety to be threatened. Does not that make it imperative that we explore the field, and not only determine the responsibility for fixing our foreign policy, but just what is the criterion for a declaration of war by this Nation—when our peace and safety is threatened, or when some other nation's peace and safety is threatened?

Mr. WATKINS. If the Senator asks me that as a question, I shall say that the President of the United States is supposed to negotiate treaties and to initiate the foreign policy by and with the advice and consent of the Senate; but I think we cannot discharge our duty as Senators very well unless we are given an opportunity to function.

There is much merit, Mr. President, in what the Senator implies by his questions; but I am not prepared to go into those matters at this time, and I have no intention of discussing the question whether we should enter the treaty. I am simply trying to get the treaty laid before us so that we can see what it is. To be very frank about the matter, I do not like the idea of having to depend on a newspaper columnist for information which will be of help to me in making up my mind in regard to such a proposal.

I do not think it is fair to me or to the other Members of the Senate to be put in the postion, after it is signed, of being told, "Well, here it is. If you now turn down the President, the whole world will say the Communists have won a victory, and you men are only helping the Communists." I do not want to be put in that position, and I do not think it fair of the President to put us in that position. I think he should do something more. I have a resolution here, calling on him to do something more than he has done up to this point.

Mr. MALONE. Mr. President, will the Senator yield?

Mr. WATKINS. I yield for a question only.

Mr. MALONE. I may ask the distinguished Senator from Utah, has it not over the years gradually become customary to sell the public on a proposition proposed by the State Department, through the tremendous public relations and propaganda machines in Washington, and to do that selling job thoroughly, before it ever reaches the Senate?

Mr. WATKINS. I have heard of it being done. I have, I think, some evidence there has been an attempt to do it in this particular case, without full and complete disclosure of all the facts.

Resuming where I left off before the series of questions began, let me say that I attempted, as I have already said, to get the President of the United States to lay before the Senate the text of the proposed pact and all pertinent facts relating thereto, before it should be signed by the participating nations. I did this inasmuch as he had announced the negotiation of a treaty and what its purpose was. I thought probably he might not refuse at least to listen to such a suggestion. I therefore sent him the telegram which I read a few moments ago. I can see from the developments now taking place in rapidly moving order that a mere request from one Senator is not sufficient; and so I have prepared and have offered today the following resolution (S. Res. 81):

Resolved, That the President of the United States in his inaugural address announced that he hoped soon to send to the Senate a treaty respecting the North Atlantic security plan resulting from negotiations between this country and other countries,

That according to press reports the negotiations have proceeded to a stage where the text of said agreement or treaty is nearly completed and ready for submission to the governments of countries contemplating entering into said pact or treaty,

That the proposal for the United States to become a party to said pact or treaty involves a departure from the historical policy of the United States with respect to alliances with other nations,

That the Senate is charged under the Constitution with the duty of advising the President in the matter of making treaties with foreign countries,

That it is the sense of the Senate that it is in the interest of the security and unity of the United States and of friendly relations with other nations of the world that the text of said pact or treaty and all pertinent facts relating to it be submitted by the President to the Senate for consideration and study at a reasonable time before the date appointed for the signing of said pact or treaty by participating nations.

I have offered that resolution, and I hope the Foreign Relations Committee will give it a hearing, within a very short time, because I understand again from the press that the pact is about ready for signature. As I pointed out, after that is done and it is laid before us, it is very embarrassing to oppose it, or ask any questions that might possibly injure the United States in the conduct of its foreign policy.

Mr. CONNALLY. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Texas for a question?

Mr. WATKINS. I yield for a question only.

Mr. CONNALLY. I may say to the Senator from Utah that the Foreign Relations Committee will give the resolution a hearing when and if it reaches the committee in proper form. The committee cannot hear it until it is submitted to the Senate by the presiding officer.

Mr. WATKINS. I am referring, as the Senator will recall, to the resolution I sent to the desk earlier today, which was referred to the Foreign Relations Committee. It is a resolution telling the President, or it is the sense of the Senate, it is our belief we ought to have the treaty and the facts surrounding it, and the names of the nations that are to become participants in it prior to the signing of the pact, in order that we may consider it and in order that the American people may know what is in it.

Mr. CONNALLY. Mr. President, will the Senator yield for another question?

Mr. WATKINS. I yield for a further question only.

Mr. CONNALLY. The draft of the treaty probably will be made known much sooner than the Senator could hope to get action on the resolution, I may say.

Mr. WATKINS. Will it be before it is signed, if I may ask the Senator? I ask unanimous consent for permission to ask the question.

Mr. CONNALLY. It is my belief——

Mr. WATKINS. Just a moment. I do not care to surrender the floor, and if the Senator will pardon me a moment, I ask unanimous consent that I may ask the Senator a question.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WATKINS. I asked the Senator from Texas if the pact would be made known before being signed, so far as he knows. I understand the Senator has seen it. Is that true?

Mr. CONNALLY. I have seen it as far as it has gone. I feel sure the contents of the pact will be made known to the Senate before it is finally signed by the participating countries.

Mr. WATKINS. How long before it is signed?

Mr. CONNALLY. It will be but a very short time.

Mr. WATKINS. The resolution I have offered if adopted, would require of the President a disclosure of the treaty, a considerable time before the date set for signing; and that would involve putting off the date of signing until the Senate

had an opportunity to consider the treaty in all its implications.

Mr. CONNALLY. I cannot answer the Senator on that point, because treaty-making is a function of the President. Nobody may direct him, nobody may interfere with him, nobody may lay down the terms upon which he shall act. I am unable to speak for him.

Mr. WATKINS. I realize that, but there is no harm in our suggesting, as advisers of the President, and saying it would help us a great deal if he would give us the information in advance, not after it becomes an accomplished fact.

Mr. CONNALLY. I have no quarrel with that. The Senator has offered his advice in the form of a resolution, which I am sure the State Department will promptly receive, and which I am sure will be accorded proper attention.

Mr. WATKINS. Certain questions have been raised by Members of this body in respect to any other methods which might be adopted possibly to resolve the difficulties we are now having with our erstwhile allies following the great struggle in which we overcame the axis powers. It seems to me every avenue should be explored, none should be overlooked. We have suggested in labor relations that there should be a cooling-off period. I wonder if that would not be a good suggestion to follow in respect to this matter. I have noticed in dispatches from Europe that every step that seems to be taken by the United States and the western democracies toward the culmination of negotiations for an alliance stirs a corresponding movement and action on the part of Russia and her satellites. It seems to constitute in their minds a threat to their peace, their security. I do not know whether they are sincere in their views; but I have a strong belief they are fanatics, and most fanatics are sincere in their beliefs. I remember it was said that even Hitler during the time he was making his denunciations and making one move after another, was a very sincere man, who believed he was right. Yet he was misguided and, of course, in error throughout the time he was going forward with his program. So, these people may be very sincere.

Mr. President, years ago I came across the words of the late Woodrow Wilson in a great essay which he wrote not long before his death. It was entitled "The Road Away From Revolution." This is an excerpt from what he said:

> The sum of the whole matter is this, that our civilization cannot survive materially unless it be redeemed spiritually. It can be saved only by becoming permeated with the spirit of Christ and being made free and happy by the practices which spring out of that spirit. Only thus can discontent be driven out and all the shadows lifted from the road ahead.
>
> Here is the final challenge to our churches, to our political organizations, and to our capitalists—to everyone who fears God or loves his country. Shall we not all earnestly cooperate to bring in the new day?

Our late President was writing about "the road away from revolution;" but I believe the principles laid down by him as the guide and criterion which we should follow with respect to our domestic affairs, can likewise be applied in the conduct of our foreign policy. I should like to see it tried more than it has been tried.

Mr. President, at the time the Greek-Turkish loan was before this body for discussion I made a statement which I believe, if it had been followed, would have been very helpful. After discussing historical instances which had occurred before the presentation of the so-called Truman doctrine, I made this statement:

> Mr. President, I am voting for this bill with the belief and the hope that this is only the first step; that we shall now come back to the first principles as set forth in the Atlantic Charter not only in Greece and Turkey, but in China; that we will reverse the action we took in that nation recently when we decided not to take sides as between the Nationalists and the Communists, but decided to get out; that we will redeem our promise made to the Koreans that they shall have their independence; that we shall refuse to make any more agreements with Russia until she gives some evidence that she is willing to honor and respect the agreements she has already made from the days of the Atlantic Charter down to the present time; that as a logical outgrowth of that stand we shall not ratify with Italy the treaty which renders Italy defenseless for a long time to come against a constant threat of the Communist Tito and his government, which is a satellite of Russia; that with respect to Germany we make no further agreements of any kind with Russia respecting that nation until such time as Russia honors her past agreements; that we lay all of the facts on the table before the United Nations.

I may say, Mr. President, that prior to the time at which I was speaking, the senior Senator from Virginia had offered a resolution to the effect that we should have a show-down with Russia in the United Nations and try to work out some plan that would stop the rapid progress toward a third world war.

I continue with my statement made at that time:

> Let us also declare it as our policy that we expect to honor all our agreements and expect other nations to do likewise; that we shall be glad to help Russia attain any of her legitimate ambitions and her necessities by peaceful means.

Russia probably has some legitimate needs and ambitions which should be satisfied. Over the years I have read, as we all have, about her need for warm-water ports, of access to the sea, and for certain raw materials which she does not herself possess. Of course, some consideration should be given to such needs.

Then I laid down this point. I remember that at the time I wondered how it would be received by Members of this body, and I had in mind the statement which I have just read, which was made by the late President Wilson. Let me read what I said:

> In fact, let us declare to her that as we are a Christian Nation, we shall be willing to abide by the doctrine of the Christ, known as the Golden Rule.
>
> By taking this stand, Mr. President, I sincerely believe we can stop the present ideological war and prevent a shooting war. Halfway measures, in my opinion, will not do. We must go the full distance. This is a case which requires the boldest of action. By any other methods, I believe we court disaster, and I say this notwithstanding the fact that we have the atom bomb. It should be clear that we cannot in any warfare in Europe use the bomb indiscriminately against any nation, because we may, in doing so, have to destroy millions of innocent people who have had no part in the bringing on of the struggle.

Then I referred to the fact that the people in England would, without doubt, as things were then going, be required to be neutral or they would immediately become the object of a heavy bombing attack with propelled missiles, or atomic bombs, should our antagonist acquire such bombs by that time.

I realize, Mr. President, that in this world of greed, in this world of bitter hatreds and controversies, there seems to be very little hope for the application of the doctrine of the Christ. Yet, we are a Christian nation. A chaplain comes here each day the Senate is in session and offers a prayer to the God who is the Father of us all, and the prayer is offered in the name of His Son Jesus Christ. I am wondering if we should not now make overtures in the spirit of Christianity to our supposed enemies? It was soon after I made that suggestion in my statement on the Greek-Turkey loan, before Czechoslovakia was taken over and before Hungary fell. I have noticed suggestions from time to time that it might be well for us to postpone action on the North Atlantic Pact, to explore still further all possibilities to see if we cannot sit down in the League of Nations and frankly say to Russia and all other nations, "These are our requirements. What are yours? Let us see if we cannot get together and take care of all the requirements for the peoples of this world so that they may have their place in the sun."

Mr. President, in concluding what I have to say today, I wish to refer to some of my personal views and my philosophy with respect to the basis on how we should resolve problems confronting this Government. I realize that what I have just said will probably be the subject, possibly not so much of criticism, as of a feeling that "It cannot be done; it is too idealistic. We would all be blown to pieces or placed under dictatorship and control of commissars before we could get such a program started."

In the concluding part of my campaign, when I ran for the Senate, I issued to the people of my State, a statement which I hope has been my guide in the discharge of my duties as a Senator. The statement is as follows:

> In the following brief personal statement I shall not attempt to discuss political issues. Rather, I shall give underlying principles on which, in my opinion, all questions of policy should be determined.
>
> With millions of my countrymen, I realize that we are living in tragic and anxious days, when the whole world is at unrest—days when selfishness and greed seem to be the activating forces that are taking us headlong to destruction.
>
> Whether we can stay these forces and bring order out of chaos and still preserve the precious liberties which Divine Providence has given us is one of the grave questions of the hour.

We are beset with almost insurmountable difficulties both at home and abroad. The war clouds have not dispersed and at home we are confused, bewildered, and frustrated.

Shortly before his death, Woodrow Wilson in The Road Away From Revolution, pointed out the great dangers facing the nations of the world and made a fervent plea that the spirit of Christ be made the basis for our conduct.

Said President Wilson: "The sum of the whole matter is this, that our civilization cannot survive materially unless it be redeemed spiritually. It can be saved only by becoming permeated with the spirit of Christ and being made free and happy by the practices which spring out of that spirit. Only thus can discontent be driven out and all the shadows lifted from the road ahead.

"Here is the final challenge to our churches, to our political organizations, and to our capitalists—to everyone who fears God or loves his country. Shall we not all earnestly cooperate to bring in the new day?"

In this critical hour when the fear of a third world war is gripping the nations and when we are at each others throats in our own land—

This was in 1946—

even now it is not too late to adopt the advice of the late President. It is not only not too late, but it is imperative that we act upon it immediately.

Humbly, then, and with at least a partial realization of the difficulties ahead, knowing that all men are beset with human frailities, I give my pledge that if chosen as your Senator, the spirit of Christianity will be my guide in seeking the solutions of the perplexing problems now confronting us.

In conclusion, Mr. President, I may say that it was in the selfsame spirit of that statement that I sent the telegram to President Truman last night, to which I have referred, hoping that we would find some way to stay the present rapid headlong rush into world war III. It was in the same spirit that I offered the resolution in the Senate today, because I believe, with the late President Wilson, that only "by the practices which spring out of the spirit" of the Christ can the world be saved and its people made free and happy.

CALL OF THE ROLL

Mr. WHERRY. Mr. President, I suggest the absence of a quorum, and just before the clerk starts to call the roll, I should like to state that for the first time in my experience a lady, the Senator from Maine, Mrs. MARGARET C. SMITH, will occupy the chair of the minority leader.

The PRESIDING OFFICER (Mr. MILLER in the chair). The Clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Ferguson	Kefauver
Anderson	Flanders	Kilgore
Brewster	Frear	Knowland
Bricker	Fulbright	Langer
Bridges	George	Lodge
Butler	Gillette	Long
Byrd	Green	Lucas
Cain	Gurney	McCarran
Capehart	Hayden	McCarthy
Chapman	Hendrickson	McClellan
Chavez	Hickenlooper	McFarland
Connally	Hill	McKellar
Cordon	Hunt	Magnuson
Douglas	Ives	Malone
Downey	Jenner	Martin
Eastland	Johnson, Colo.	Miller
Ecton	Johnson, Tex.	Millikin
Ellender	Johnston, S. C.	Morse
Mundt	Schoeppel	Tydings
Murray	Smith, Maine	Vandenberg
Myers	Sparkman	Watkins
Neely	Taft	Wherry
O'Mahoney	Taylor	Wiley
Reed	Thomas, Okla.	Withers
Robertson	Thomas, Utah	Young
Russell	Tobey	

The PRESIDING OFFICER. Seventy-seven Senators having answered to their names, a quorum is present.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, communicated to the Senate the intelligence of the death of Hon. SOL BLOOM, late a Representative from the State of New York, and transmitted the resolutions of the House thereon.

PAY AND ALLOWANCES OF CERTAIN OFFICERS OF THE NAVAL RESERVE

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 673) relating to the pay and allowances of officers of the Naval Reserve performing active duty in the grade of rear admiral, and for other purposes, which was, on page 1, line 4, after the word "shall" to insert a comma and "when otherwise entitled to active-duty pay and allowances."

Mr. TYDINGS. Mr. President, I wish to move that the Senate concur in the amendment of the House.

Mr. WHERRY. Is this in the nature of a uninamous-consent request?

Mr. TYDINGS. This is in the nature of a privileged matter.

Mr. WHERRY. That is why I wanted the explanation on the record. This involves the adoption of a conference report, which is a privileged matter, and does not require unanimous consent.

Mr. TYDINGS. It is not a conference report, but it is akin to it. What I am asking is concurrence in an amendment of the House without asking for a conference.

Mr. WHERRY. Very well.

Mr. TYDINGS. I move that the Senate concur in the amendment of the House.

Mr. WHERRY. Will not the Senator explain what the amendment is?

Mr. TYDINGS. Mr. President, the bill involved is one which corrects an ambiguity in the law concerning the pay of certain officers. The amount involved is not large, but if the ambiguity is not cleared up by legislation the result may be the filing of some claims in the Court of Claims. As I recall, the testimony before the committee was to the effect that if the proposed legislation were adopted it would clarify an issue which is in doubt. As I have said, the amount involved is not large, as I recall, and both Houses have approved the bill, which came from the Armed Services Committee of the Senate with a unanimous report. The amendment is a small one, which corrects an apparent error in the bill which existed when it was passed in the Senate.

Mr. WHERRY. I have no objection.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Maryland that the Senate concur in the amendment of the House.

The motion was agreed to.

NOMINATION OF MON C. WALLGREN

Mr. CAIN. Mr. President, on February 7, 1949, the President of the United States nominated Mr. Monrad C. Wallgren, of the State of Washington, to become the Chairman of the National Security Resources Board. This nomination was forwarded to the Senate and referred to the Armed Services Committee because of the constitutional provision which requires that certain nominations shall only be followed by confirmation by and with the advice and consent of the Senate. Mr. Wallgren's nomination is one of those which the Constitution demands shall only become effective when it has been confirmed by the Senate.

On February 9 I informed the chairman of the Senate Armed Services Committee, the Senator from Maryland [Mr. TYDINGS], that I wished to appear before the committee in opposition to the President's nominee. I first appeared before the committee on February 17 and was heard fully before the committee decided to consider the question further in executive session. The committee has not as yet made known its decision, which will either be to initiate an examination of its own on the charges I have preferred against Mr. Wallgren, as is my hope, or to vote favorably or unfavorably in sending the name of the nominee to the floor.

Mr. President, this afternoon I want to present in full my case of opposition to the President's nominee. This will take time, quite a good deal of time, sir, but the preparation of this case has taken all I have had in time, thought, and energy.

My presentation will, in part, be as constructive as I can make it, for I expect to detail the mission and work which lies ahead of the National Security Resources Board, and my presentation will partly be as destructive as I can make it because of my determination to prove that the President's nominee is not qualified for the task to which he has been appointed by the President. I shall hammer and keep on hammering at this point, because if my contentions are right I do the Senate and the country a favor in providing sound and legitimate grounds which will not permit us to confirm an unfortunate nomination.

There is just one question to be decided by the Armed Services Committee and by the United States Senate. Is the President's nominee qualified when examined against the necessary and reasonable requirements and standards of education, training, background, experience, reputation, and intellect, to be the chairman of the National Security Resources Board. What I think of Mr. Wallgren as a person is totally unimportant. What he thinks of me as a person or as a Senator, is, from my point of view, meaningless. If I have, on any single occasion, been discourteous or unfair to the nominee in any way, I ought to be criticized, and certainly I should be most happy to apologize. If I have raised issues which are not germane to the primary question they ought to be

stricken from the record. The only thing that matters is whether or not the President has selected a man who is competent to undertake a major security responsibility.

I have endeavored to establish, and I hope to prove beyond legitimate question, that if the Senate of the United States confirms the appointment of Mr. Wallgren we shall have given the nominee an assignment beyond his ability to master, we shall unjustifiably bring embarrassment and possible eventual discredit and shame to the President of the United States, and we shall hold in jeopardy the right and dreams of millions of Americans to hope for a world in which peace and tranquillity, and law and order, shall reign and prevail. In my case before the committee, I have made three major charges. They are that:

A. The nominee does not possess the capacity required by the Chairmanship of the National Securities Resources Board.

B. That the nominee has on occasions before the Armed Services Committee not told the truth.

C. That the nominee has been closely associated, in recent years, with those in Washington State who seek eventually to destroy constitutional government through their activities as Communists and as fellow travelers.

Let me make myself very clear at this point. I have not said, nor do I intend to say at any time, that Mr. Wallgren is in his own name and right a Communist or a fellow traveler. What I am saying is that he has kept company with those who have been, and so far as I know, continue to be such, and will be so considered by the average American in the days of tomorrow.

No charges could be more serious than those the junior Senator from Washington has preferred before the Senate Armed Services Committee against the President's nominee. No man has any right to serious consideration if any of these charges are proved to be fact. The nominee can be cleared of my charges only by the results of a painstaking inquiry which can only be undertaken, so far as I know, by the Armed Services Committee. The nominee is entitled to be cleared of every charge I have registered against him if a painstaking inquiry provides no single basis for any of my charges. As a Senator in my own right, I am entitled to have my charges proved or disproved by means of a painstaking inquiry.

That is all that I have ever asked the Senate Armed Services Committee to do up to this time—to undertake a thoughtful, thorough, painstaking inquiry into the validity of the serious charges which I have placed before that committee.

Before discussing the functions of the National Security Resources Board or the lack of capacity of the nominee I want to recognize and establish the very obvious weaknesses of my case of opposition to the nominee. I want Senators to know that I fully appreciated these weaknesses before signifying my intention to oppose the nominee.

My opposition would have been much the easier had the following not been true:

First. The nominee and the junior Senator from Washington live in the same State.

Second. The nominee and I belong to different political parties.

Third. The nominee is known to have been appointed to the chairmanship of the National Security Resources Board because of his personal relationship with the President.

Fourth. It has been rumored that I am ungrateful because the nominee appointed me to a short term in the Senate in 1946 when he was the Governor of Washington State.

Fifth. It has been claimed that I have been motivated by a personal grudge I have held against the nominee.

Sixth. It is said, as an obvious weakness, that when this case was begun it was the sort of contest which could not possibly be won. It was a 100-to-1 shot. The weakness involved in that premise is that, human nature being what it is, people are not very anxious to support those whom they have reason in their own minds to regard as losers.

Seventh. The last weakness is that the President's nominee, Mr. Wallgren, is a former Member of the United States Senate, and for that reason there would be a disposition on the part of my colleagues and his ex-colleagues not to go closely into the nature of any charges which were critical of any man who ever sat as a Member of this magnificent body.

Naive as I am politically—and this I very willingly admit—I hope no colleague of mine will be even more naive in thinking that I did not recognize that the above-mentioned weaknesses constituted in the beginning a serious obstacle to my securing a sympathetic hearing before the Armed Services Committee and before the Senate. I recognized every one of the items as being a serious handicap to the case I wanted to make against the nominee. I now think that members of the committee and the Senate are conscious of the need for finding out for themselves whether the nominee is competent and suited to his intended responsibilities. I wish briefly to give my own answers to each of the case weaknesses which I have mentioned.

With reference to the contention that my battle of opposition, if one cares to call it that, was at the outset a 100-to-1 shot, I wish merely to read one paragraph from a letter which I wrote under date of February 23 to Mr. Marquis Childs on this subject. I told Mr. Childs that I enjoyed exceedingly his Tuesday article, and felt that it would be helpful in determining the truth of the case before us. I added the suggestion that "you examine the testimony which was given on Monday, for it adds information to that which was rather scanty when the hearings first began last Thursday." I said to Mr. Childs, "I disagree conclusively only with your assumption that the nominee will be obviously confirmed. I think it is not far from even money that he would not be. I think that Mr. Truman, President of the United States, must have felt like this when practically everybody else said he could not win."

I recognize the amount of prestige which covers any man who ever has sat in the United States Senate. I recognize that it is painful and not very pleasant to examine any charges which have been made against any man who ever sat in the United States Senate. My only answer to that as a weakness is to say out loud what I feel deeply, that every Member of this body whom I have known during my two short years here will certainly on every occasion place the welfare and the security of his country above his friendship for and disposition to be kind or charitable to any man who ever previously sat as a Member of this body.

I wish now to answer the charge that I have been motivated by a personal grudge against the nominee by reading the letter which I wrote on this subject under date of February 23 to one whom most of us know by name, at any rate—Mr. Drew Pearson. The letter speaks fully and clearly for itself.

FEBRUARY 23, 1949.

Mr. DREW PEARSON,
Washington, D. C.

MY DEAR MR. PEARSON: Someone has told me that you said on your Sunday broadcast that my opposition to Mr. Wallgren had sprung from some sort of personal feud between the nominee and myself. Please don't believe this because it doesn't happen to be true. I have no use of any kind for Wallgren the man, but I wouldn't waste precious time in opposing him for personal reasons. I believe that his appointment would make meaningless everything our Nation is trying to do at home and abroad. He simply doesn't have what it takes and should you bother to examine the power and influence which is exercised by the Chairman of the NSRB you will surely agree with my contention. If you do you ought to do something about it. You have a chance in this instance to do something constructive for your Nation. I hope you make it.

Very sincerely,

HARRY P. CAIN.

In that connection I was exceedingly interested this morning in a column by Mr. Drew Pearson which concerned itself in part with the proposed confirmation of Mr. Mon Wallgren. I wish to read it. The heading of the portion which covers his comments to be made on the President's nominee is "Poker partner."

Southern leaders have quietly passed the word to block appointment of Mon Wallgren, the President's crony, as the first act of reprisal against President Truman's stubborn stand on the filibuster and civil rights.

First hint of this came when southern Democrats joined Republicans in delaying a vote on Wallgren behind the closed doors of the Senate Armed Services Committee.

Wallgren has been the target of bitter charges from Senator HARRY CAIN, Washington Republican, ever since Truman named his old crony and poker partner to head the National Security Resources Board.

When the appointment came up for a vote by the Armed Services Committee, Senator STYLES BRIDGES, New Hampshire Republican, demanded that a subcommittee investigate CAIN'S charges and prove Wallgren either innocent or guilty. This didn't suit Chairman MILLARD TYDINGS, Maryland Democrat, who wanted an immediate vote. But he was

overruled by a coalition of Republicans and southern Democrats.

In acid tones, TYDINGS set off the fireworks with a few cutting remarks about Senator CAIN.

"Senator CAIN has adopted a mass of charges based on innuendoes from newspaper reports," crackled TYDINGS. Then he read a statement from Wallgren retorting to CAIN's charges.

DESERT PALACE

In the statement, Wallgren claimed he had spent $20,000 building a so-called palace in Palm Desert, Calif.—not $60,000 as reported by the Associated Press. His wife had sinus, Wallgren explained, and the doctor had ordered her to stay in a dry climate.

Wallgren also denied that his business had gone bankrupt in 1933. It had slipped into poor financial condition, he admitted, but he had managed to salvage it. He owned his present healthy bank account, he added, to wise investments.

After reading the statement, TYDINGS wanted to take a vote on Wallgren at once. But BRIDGES held up a warning hand.

"I intend to approach this question with an open mind," declared the Senator from New Hampshire. "I had the pleasantest relations with Wallgren while he was in the Senate, but Senator CAIN has raised some very grave questions—so grave that the Armed Services Committee can't close its eyes without a thorough investigation."

He served notice that he would offer a resolution to authorize a subcommittee to get to the bottom of CAIN's charges.

The tip-off on how the South stood was given by Virginia's Senator HARRY BYRD who announced bluntly that he was "not prepared to vote" on the appointment and demanded that it be held over at least a week.

Before the meeting, Georgia's Senator DICK RUSSELL had given the signal to sabotage the Wallgren appointment as an act of defiance against Truman's fight to the finish on the filibuster.

In line with the southern bloc, Kentucky's Senator VIRGIL CHAPMAN agreed to the postponement and even suggested that the full committee instead of a subcommittee investigate Wallgren.

This got up the dander of administration Democrats who protested bitterly.

"We have heard a lot of political innuendoes and wild charges," bristled Wyoming's Senator LESTER HUNT. "The hearings have gone far afield, and nothing has been proven."

Tennessee's Senator ESTES KEFAUVER agreed that the hearings had already been overloaded with irrelevant material and that Senator CAIN had nothing else to prove. The charges against Wallgren, he warned, also reflected upon Washington's Democratic Senator WARREN MAGNUSON and President Truman himself.

"Any further delay," KEFAUVER declared, "will only do damage to the Nation, the agency and Wallgren."

But the Republicans, bolstered by the southern Democrats, ganged up on the President's friends and put off the vote.

Mr. President, I have not the slightest idea as to what portion, if any, of that article by Mr. Drew Pearson in this morning's Washington Post is true. I think a good many things about Mr. Pearson, as do most of the other Members of this Congress. One of the things I think is that he has on many an occasion manifested a magnificent disregard for accuracy. I am reminded of that fact because on March 4, just a few days ago, he called me by telephone and said he was interested in this matter, and said there were certain things he wanted me to know and certain things that he thought he would do. However, there is no recognition of any part of that conversation in this article, which he has just written so learnedly in regard to the Wallgren confirmation question.

Mr. Pearson said to me over the telephone—and I wish to quote him, because to my mind this matter is rather significant and very important:

Got your letter about Mr. Wallgren, and I have mixed feelings about Mr. Wallgren. I don't think he is as bad as you think he is, but I don't think he is too good. Be that as it may, did you look into the reported fact that some time ago, I should say about 3 or 4 years ago, Wallgren won $50,000 in a crap game from Johnny Myers, of Howard Hughes employ, at Palm Springs, Calif.?

Mr. President, that is precisely what was said to me over the telephone, and Mr. Pearson will know that I am speaking the truth, word for word, when I say that on the morning of March 4, Drew Pearson said that to me over the telephone, in a call which he had initiated from somewhere.

I do not know whether Mr. Wallgren won $50,000 from Johnny Myers, in Palm Springs, or anywhere else; but Drew Pearson thinks so; and I would encourage the committee to subpena Mr. Drew Pearson and have him testify, under oath, what he has said to me by telephone, because at the time when he called me on the telephone he went on to add this:

I can tell you this is a fact—

Mr. President, he did not say, "I can tell you this is a rumor" or "I have picked it up somewhere"; but he said, in his own words:

I can tell you this is a fact: That the Federal Bureau of Investigation heard about it, and they—the FBI—were convinced it was true. I don't believe they ever investigated it.

Mr. Pearson went on to say:

I think they figured it was a sort of political matter. They dropped it, but I know they heard about it. They had a couple of stooges or investigators down there, and they probably felt it was linked with some airplane contracts.

Mr. President, in this instance who knows whether Mr. Drew Pearson has spoken the truth I do not know. I know that no Member of the Senate on either side of this aisle knows whether Drew Pearson has spoken the truth. But he claims it to be the truth; and I think the Armed Services Committee of the Senate would do itself, the nominee, the junior Senator from Washington, every other Member of the United States Senate, and the American people a real service by interrogating closely a man who talks like that over the telephone to a United States Senator.

Mr. Pearson concluded a rather long conversation by saying:

I agree with you 100 percent that there should be a very thorough investigation. Let the investigation be the judge. You might be thoroughly correct. I am certainly with you on that investigation.

He went on to add that he thought he would let those who read his articles in the American free press and those who listen to him on the radio know that he thought a thorough investigation for the good of the country ought to be conducted. But he saw fit not to do that.

In the article he wrote in today's Washington Post he says that the only obstacle to confirmation of the Wallgren nomination is an obstruction put up by the southern Senators out of some venom, so Mr. Pearson says, they have for the President of the United States.

Mr. President, I am not in possession of any investigative moneys or personnel. I cannot take Mr. Pearson on the one hand and his words on the other and prove them, or have him do as he should do publicly—eat them if they are not true. But I think it is about time that some organized agency of the Congress investigated the promiscuous comments which are being made and have been made on this subject.

Mr. President, with reference to another of the weaknesses in this case, I wish to state only the truth. I was appointed to the Senate on the 26th day of December 1946 from the State of Washington by the then Governor, Mr. Mon Wallgren. That appointment was made for reasons best known to Mr. Wallgren. I did not ask for the short-term appointment nor did I seek it. That appointment probably constitutes one of the few instances on record when a Senator-to-be had no conversations of any kind with the Governor who appointed the Senator-elect to fill a short term. I have made that position clear only for the reason that I have been advised it has been said to other Members of this body that "Senator CAIN is extremely ungrateful because the person against whom he has proffered charges appointed him to a short term in the Senate of the United States." Of course he did. And, of course, he did it for reasons of which, so far as I know, he alone had knowledge.

Mr. LUCAS. Mr. President, will the Senator yield for one question?

The PRESIDING OFFICER (Mr. O'MAHONEY in the chair). Does the Senator from Washington yield to the Senator from Illinois for a question?

Mr. CAIN. I yield for a question only.

Mr. LUCAS. Did the Senator know all these things with which he charges Mr. Wallgren, when he accepted appointment by the Governor?

Mr. CAIN. In answer to that question, I say I think we shall satisfy every conceivable question the Senator from Illinois may have, before our case is concluded.

Mr. LUCAS. The Senator has not answered the question.

Mr. CAIN. The Senator from Washington will answer the question in the remainder of his case.

Mr. President, any President ought to have great latitude in the appointment of his executive assistants and it naturally follows that it is most difficult to make a case against a nominee who is bound by deep ties of personal friendship to the President. It has been said in my presence and related behind my back that HARRY CAIN has been right in his prime contention that the nominee is not suited for the chairmanship of the National Security Resources Board but because the nominee represents a personal

appointment of the President, the President should have his wish complied with and be held responsible for the future conduct of his appointee. Some colleagues for whom I have the greatest regard on my side of the aisle have made comments like this. I can only feel very strongly that there is no validity of any character in such a contention. If the wrong man becomes the Chairman of the National Security Resources Board and if then he either fails to prepare for the future or cannot conquer any trouble which may come, what good would there be in then holding a President responsible for destruction which could not be repaired. I am fighting the President on this appointment because I think it is a bad one to make. In making it I feel that the President is unintentionally trifling with the future well-being and security of all citizens. The Constitution states that the President shall seek advice from and secure the consent of the United States Senate before making certain appointments. I am a Member of the Senate, and, though my advice was not sought, I shall certainly not give my consent to an act which would be injurious to the future good of our Nation.

The President's nominee is a Democrat and the junior Senator from Washington is a Republican. Because of this there are those in this body who think that I oppose Mr. Wallgren in an effort to secure some sort of political advantage. Nothing could be further from the truth. I doubt if any Senator on the Republican side of the aisle could possibly have as much respect for the Democratic Party as I do. I am a member of a Democratic family which first settled in Virginia in the early part of the seventeenth century. My mother was a Kentuckian. My father was an Alabaman. I am a Tennessean by birth. To the best of my knowledge I am the only member of the Republican Party my family has ever produced. I know a Democrat when I see one and I have a tremendous amount of respect for what he is and represents. According to my own definition and concept, the present-day Democratic Party contains many members who bear no similarity to the conduct or principles or actions of Democrats like Andrew Jackson and Thomas Jefferson. This is strikingly true in the sovereign State of Washington, in which Mr. Wallgren and myself represent the two great political parties. It was a great and living Democrat, Mr. James Farley, who proclaimed this lamentable but undeniable fact to the American people. Just a few short years ago Mr. Farley referred to the Nation as consisting of 47 States and the soviet of Washington. What he meant was that the Democratic Party in Washington State had been captured and taken over by a group of irresponsible, profligate, spendthrift persons who carried on their destructive operations under the guise and cloak of modern-day liberalism. These persons brought discredit to their party and shame to the State. At long last the moderate and reasonable groups within the Democratic Party in Washington State rose in their wrath in 1946 and after denouncing were able to remove most of the wrongdoers from their ranks. I refer to the names of De Lacy and Coffee and Savage as some examples. The President's nominee does not bear the un-American stigma which has been attached to the names of such persons as O'Connell, Coffee, Savage, and De Lacy, but we ought not to forget that he associated, worked, ate, planned, and slept with them. He used them and they used him. When Mr. Wallgren is disposed of and a few remaining others are taken care of, then the Democratic Party in the State of Washington shall have regained the prestige it lost during recent years. I am opposing the President's nominee in part, not because he is a Democrat, but because of those with whom he has been too closely associated in the past he has been a very bad Democrat.

There are those, Mr. President, who think it improper for the junior Senator from Washington to raise questions of adequacy and competency about an appointee who lives with him in Washington State. My only answer to this is that because of that fact I know what I am talking about and my feelings are supported and advanced by thousands of other citizens in Washington State. These citizens, both Democrats and Republicans, have recently retired the President's nominee from the office of Governor and they think it would be wholly improper to permit him to transfer his base of operations to the Nation's Capital. My State is proud of those executive appointments which can be given to qualified persons from Washington State, but there are not very many who believe that the wrong man can bring the right sort of credit and praise to the State of his domicile. During recent weeks I have introduced into the RECORD some scores of letters written by citizens from Washington State. These men and women know the nominee, they have watched him in action, they have considered his conduct, and they have found him wanting. It would serve no purpose for me to sit idly by and leave the waging of this contest up to them. If I know that something should not be given to a citizen from my State, I ought to say so, and I am trying to say it in language which is courteous but very plain. If a man as a public official has a soul and a conscience, I am going to lay mine on the Senate floor this afternoon for all to see and examine. This exposure will convince even those whose minds are frozen in favor of the nominee that there is a Senator who thinks more, at least in this instance, of what is right than of what is expedient, easy, and politic.

In the Tacoma News-Tribune of Wednesday, February 23, 1949, there appeared the following paragraph from a story about the Wallgren confirmation question which was written here in Washington, D. C.:

> Former Gov. Mon C. Wallgren, of Washington State, states that he would like to know, "Who is behind the campaign to discredit him" for the chairmanship of the National Securities Resources Board.

I think this is a fair question and I think Mr. Wallgren and everybody else is entitled to know.

I think it is safe to say, Mr. President, that only three persons were responsible for beginning the case against the President's nominee for that office. I, the junior Senator from Washington, am one. A dead man is the second, and a man in the sky is the first.

In order to throw some reasonable light on what I admit is a somewhat unusual statement, I want to tell part of a story. On March 8, 1940, nine short—or long—years ago, a man died in my presence in the junior ballroom of the Winthrop Hotel in the city of Tacoma. Because of his unexpected and distressing death, I sit today in the United States Senate. The man's name was Dr. Kerstetter and he was to have been the next mayor of Tacoma. I sat in his presence, Mr. President, to wish him well in the election which was to be held on the following Tuesday. March 8 was a Friday. I had gotten my feet wet in politics for the first time in the primary campaign not 10 days before, for the office of mayor, and had been defeated. I had run third in a field of five. It is not important, Mr. President, that after my defeat in the primary election I had decided to return where I had come from, the field of competitive business, or that I had no intention of endeavoring again to seek public office. I was young and inexperienced. I wanted, if I could, to go to the city hall to try to make some reasonable contribution. In failing in the attainment of my desire, I thought I had better let well enough alone and leave public life up to others.

Dr. Kerstetter's death was just as unusual in design as it was unexpected. He had finished what he had to say in his excellent speech, which lasted maybe a half hour. He said, "Thank you," sat down, and died. No fuss, no furor, no noise. He simply said, "Thank you," and died.

Because of his death, and for the reason that I had been third in the primary campaign, the superior court of Pierce County saw fit to place my name on the ballot. The judge of the superior court could have held, as I have always understood, either that my name was to be placed on the ballot, acting on the assumption that it was the intention of the law to have a contest after a primary between two persons, or he, quite logically, could have said, I suppose, "It is an act of God, and, therefore, the man who survives is automatically the candidate." He saw fit not to do that, and my name was placed on the ballot. On the following Tuesday, four short days from the time Dr. Kerstetter died, I was elected as mayor of the city of Tacoma, from which position I came to the United States Senate in 1946.

There is a point involved here, Mr. President, which I have never said anything about or felt constrained to say anything about, but today I wish to do so in the matter which is currently before us. The point involved, Mr. President, is that I have always been conscious that neither my friends, of whom I have many, my supporters, or myself were by any means entirely responsible for sending the junior Senator from Washington from civilian life to the city hall in

Tacoma. A power far greater than all of us in this body possess collectively, a power which I understand only in part, made it possible for me to become a part of public life. Should I remain in the Senate for a long time—and certainly that is my personal wish—I hope I shall never forget how my public life and career began. There has been a very simple way for me to acknowledge the assistance I got from other than material and human sources. I decided, at the outset of my admittedly brief career in public life, to listen to my conscience and to my instinct when they spoke on important matters.

This has permitted me, Mr. President, to be a completely free agent since I entered politics in 1940. This is to say that I have sometimes, and even in the face of what appeared to be great opposition, had occasion to do in a full way what I thought was the right way to do something. I want Mr. Wallgren to know this, and, under the circumstances, because of Mr. Wallgren, I want the Senate to know about it also. This story is an honest and conclusive answer to the question, "Who is behind the campaign to discredit the nominee?" Such a question was carried in the press of this country all over the land.

Mr. President, as I shall attempt to prove, sir, I am not endeavoring to discredit anyone. I am simply of the opinion that the President's nominee is not suited to the portfolio which the President seeks for him. I am satisfied that my contention is right, accurate, and proven.

Mr. President, Mr. Wallgren might more properly have raised the question, "Who are those who did not approve, in the beginning, Senator CAIN'S intention to oppose the nominee?"

I think we ought to examine that question, because I have heard comments made about the cloak rooms here in the Senate that HARRY CAIN was put up to this job by his Republican associates in the State of Washington. I want to bring them into the story where they properly fit into it.

I know one man in the State of Washington, a prominent Republican, who was not very enthusiastic about it. I refer to the present Republican Governor of the State of Washington. He did not approve of my intentions. Some Senators know him, because some have served with him in conferences of governors in years gone by, and they know him as an honest, excellent, extremely articulate and able man. The Governor of the State of Washington, Mr. Arthur B. Langlie, when this case of opposition to Mr. Wallgren arose, did not approve of it.

My determination to oppose the nominee was not supported by the chairman of the Republican Central Committee in the State of Washington. That is a very important political post. It is the position of a man who speaks with authority, very generally, for what is going on in Republican circles throughout the 39 counties of my State. This gentleman did not approve of my intention. Both of these gentlemen, Mr. President, happily from my point of view, have since changed their minds, but in the beginning they were completely out of sympathy with what I had in mind to do.

I wanted to make certain about the opposition to my intention which came to me from across the country. I wired Mr. J. M. Dawley and asked for more information. That is all I did. I wanted information.

On February 10—and that is nearly a month ago, because the matter has been pending before the Armed Services Committee for a long time—Mr. Dawley, the Republican central committee chairman, wired me as follows:

> Election return figures being forwarded. Believe it would be a mistake for one of Washington's Republican delegation to object to Wallgren's confirmation. If pitch is to be made suggest it be from one of another State.

I think my response to Mr. Dawley should be in the RECORD. It is as follows, a telegram:

> Thanks for forwarding the election return figures. I could not determine from your wire whether or not you thought an attempt should be made to stop the confirmation. If you agree that the nominee is completely unsuited to the post in question it logically follows that every Senator who subscribes to this position ought to fight the nomination. I think that others will and I know that I shall. If you take any position in the matter at all, and it is not for me to suggest that you do, you ought to conclusively either be for or against the nominee. I am against his nomination not primarily because I am from Washington State but fundamentally because I am an American who thinks the nomination is indefensible.

On February 10 Governor Arthur B. Langlie, of Washington State, talked to me by telephone from his office in Olympia. He initiated the telephone call. He stated that he had been advised that I intended to oppose the President's nominee. He urged me not to do it, because he thought it was a futile battle, and that I would hold our great State up to criticism and question. He thought I would be butting my head against a stone wall, and for that reason the attempt would not be worth while. He actually said that he would have nothing to do with my intended opposition.

The Governor of the State of Washington, an excellent man, talked with me at some length, but on this occasion he could not change my mind, and I did not know whether I had changed his. I thought about the significance of the conversation because of the state of the world as we find it today. I thought about our conversation for a good part of that night, and sent him the following telegram the next morning:

> After thinking about your expressed position during most of last night, I am truly sorry that you are in opposition to my determined intention to oppose the President's nomination of Mr. Wallgren to become the chairman of the National Security Resources Board. I want to believe, and I do, that you meant literally every charge of incompetence and incapacity which you so ably made and documented during the last election. A majority of the voters in a sovereign State believed these charges to be true. Their action clearly said that if the nominee wasn't qualified to fill a national job possessed of powers and influence far greater in scope and authority than are the powers possessed by any single governor. I want to believe that you haven't been fully briefed on the requirements and power potential of the job in question. I am sending you a definition of this job tomorrow. Unless you see fit to change your position, I shall make it clear to anyone who inquires that you think the nomination should not be opposed and particularly by a representative from Washington State. There is no valid reason for us to quarrel about this problem for our responsibilities differ greatly. I do not only represent a sovereign State but, like any other Senator, I have a conclusive responsibility for every public question which affects the Nation. I would rather give up my seat in the Senate than to sit quietly by and countenance an appointment which I feel would be injurious to the best interests of all citizens. I hope that in due time you will find it right to agree with my position. Because of the way I feel I shall be satisfied if mine is the only vote which is cast against the nominee but I have every confidence that my opposition will be supported by other Senators on both sides of the aisle. There are items of principle which rise far above party loyalties. I think the problem before us is one of them.
>
> Very sincerely yours.

And I signed my name to this telegram to the Governor of the State of Washington.

I have read these telegrams, Mr. President, because I do not want anybody to think that I was encouraged by others to oppose the President's nominee. I want to add that both the Governor and the Republican State chairman have changed their positions since the fight began. They have been given reason to think about this country and its needs; they have reached their own decision to support my action because they have come to know that it is right, and that neither the State of Washington nor the Nation would benefit from the confirmation of the President's nominee.

The case against Mr. Wallgren has been my own individual responsibility from the beginning, but I have looked to those at home to provide me with the factual answers to many legitimate questions I have raised. In responding to these inquiries, the Governor and Mr. Dawley are no different than thousands of other citizens in Washington State. As I have recently read into the RECORD scores of letters from those citizens supporting my opposition to the nominee, I can this afternoon, and tonight, if required, read on the floor thousands of letters which have come from every one of the 39 counties in Washington State, and from many other sections of America, as well. Those letters are to me the greatest example of the vigor of the voice of America when it is motivated to take positive action.

At a later stage in my presentation there are certain things I must say about the President's nominee, not because I want to, but because to fail to do so would permit of a grave injustice being done to the American people.

I want to paint the nominee as being painfully naive, for that is what he is.

I want to picture him as being unusually and singularly uninformed on a vast variety of subjects, for there is nothing to be gained from saying that he is not.

I want to prove that he is soft and unintelligent in his treatment of Communists and fellow travelers for the record will bear me out.

I want to open him up for public scrutiny by all, because only by so doing is there to be gained an opportunity for stopping his confirmation, and even though I might assume, by way of argument, that he is to be approved by the United States Senate, I want all those in America who are concerned to know in whose hands they have entrusted their security for the future.

I want to hope that all of us will recognize that if we confirm the President's nominee the people should abolish that section of the Constitution which says that such appointments shall be confirmed only with the advice and consent of the Senate. The nominee's confirmation would make that provision both futile and meaningless.

During a recent press conference the President of the United States said that he considered my opposition to constitute a personal political fight between his nominee and myself. I consider the President's comment to be both unreasonable and unfair. He overlooked entirely the substance of the charges I have preferred against his nominee. He gave no evidence of being deeply interested in the competence or capacity of his nominee. I think that the President must concern himself with these questions before concluding action is taken by the Senate.

When the President said that he thought my position constituted a personal political fight between his nominee and myself, I am curious to know what he conceivably could have meant.

It is not a secret to anyone that this problem concerning the Wallgren nomination has been before the Committee on Armed Services now for about a month. Everyone knows that the committee for the last 10 days or 2 weeks has been considering the problem in executive session. Everyone knows that prior to that time the junior Senator from Washington, who was preferring the charges, was given an opportunity to prefer them before the committee, and everyone knows that anyone else who desires to be heard in support, for example, of the nominee, was made welcome by the chairman of the Committee on Armed Services and by his colleagues. If there was any validity of any kind, character, or description to the President's contention that this must be a political fight between Mr. Wallgren and myself, I raise what I construe to be a valid question in my own right. If that be so, why has not Mr. Wallgren been defended before that committee, on this charge that there is a personal political fight, by my colleague, the senior Senator from Washington [Mr. MAGNUSON]? My senior colleague [Mr. MAGNUSON] served in the Congress with Mr. Wallgren. He has been a close political associate of Mr. Wallgren's over a number of years, and if there was any truth of any character in the President's contention it would have necessarily followed that my senior colleague would have risen to the support and the defense of the nominee. That is what records are for—to let people read them. I would encourage every Member of the Senate to read the record which has been written before the Armed Services Committee, and in the absence of being able to find any evidence of a political fight between Mr. Wallgren and myself, in terms of any such allegations made by my senior colleague—and they were not made—I dare say the President must reconsider the carelessness of the answers which he gave in his own press conference.

I am going to talk for a couple of minutes about the President of the United States. I would rather not be misunderstood about that, either, because he is my President as well as everybody else's President; and if I question his motives, it is only because I think he is wrong, and I am not doing it merely to be politically critical.

Mr. President, I know of no President in all our history who has talked so much about the need for cooperation between the Congress and himself and done so very little to secure it. All around us today in the Senate, and for weeks gone by, is evidence of an unwillingness on the part of the President to seek advice from the Senate, which in itself often makes cooperation possible.

So far as I know, Mr. Truman never consulted with a single Senator about his desire to nominate Mr. Wallgren. I have reason to believe that most Senators would have suggested to the President that Mr. Wallgren was not a happy choice for the position of chairman of the NSRB. If Mr. Truman had turned to those of his own party in the Senate and asked their advice, I believe they would have willingly recommended that Mr. Wallgren be assigned to some other task, and on the first day of my presentation before the Senate Armed Services Committee I certainly went so far as to say there are scores of portfolios to which I, as a Senator, would not have objected had Mr. Wallgren been appointed to one of them.

Mr. Truman has forced a fight in this matter where no fight of any kind was necessary. My opposition to the President's nominee has brought unnecessary embarrassment to some of my Democratic colleagues who are faced with the difficult alternative of either voting to support the President when they know or may feel him to be wrong or to vote against the choice of the President. This is an unhappy situation which could so easily have been prevented had the President confided with his many friends in the Senate.

Mr. President, I bear no prejudice against the President of the United States of America, for in fact he is my President, and I wish him well. I did my best to tell him this in a brief note which was written to him shortly after the election. I want to read it now, because it bears on the question presently before us. I wrote:

MY DEAR MR. PRESIDENT: Perhaps no single Senator enjoyed working harder for your opponent, but certainly I join with our American majority in wishing you happiness, health, and success. I shall look for ways in which to support those portions of your coming programs with which I can logically agree. On the occasions when I oppose your recommendations I shall try my very best to do so on the basis of facts rather than on political prejudice. The challenge before our Nation is excitingly tremendous in every respect. As a member of the loyal opposition I hope to be of service in sharing your responsibility.

The President responded to my letter in the following fashion:

I certainly appreciated your note of November 9 very much and I sincerely hope that the new Congress and the President will be able to accomplish a constructive program. I believe we will.

This correspondence indicates that as a Republican Senator I had no intention of being antagonistic to the President for reasons of political bias. The President's response is cordial, and I thought sincere.

After I had concluded my presentation to the Armed Services Committee, I had occasion to again write to the President. I wanted him to be thoroughly familiar with the reasons for my opposition to his nominee. I think this letter ought to become a part of our consideration, and Senators will want to know what the President wrote to me in response to my letter. I wrote as follows:

For your attention and consideration there is attached a copy of a statement covering the Wallgren confirmation question which I submitted today to the Senate Armed Services Committee.

Shortly after your election as President of our United States, I wrote to you personally to wish you success. That wish was completely sincere. I said that I would look for ways in which to support those portions of your programs with which I could logically agree. I meant that. I added that when I found it necessary to oppose your recommendations I would try my best to do so on the basis of facts rather than on political prejudice. I continue to be so minded at this time.

The attached statement is a recitation of what I believe to be fact, not prejudice. I am unalterably opposed to your nominee because I do not think him qualified for the work which lies ahead. In my considered opinion the record supports this position. I have no personal interest in any choice you may make for any executive portfolio, but if your selection will affect the security of every American citizen, and for as long as the Senate of the United States is charged with the responsibility for confirming your appointments, I am on the soundest possible ground in raising a public question regarding the character, capacity, and knowledge possessed by any nominee.

My opposition to Mr. Wallgren is both firm and honest. In the problem before us I respectfully suggest that the nominee, while perhaps possessing virtues required by some assignments, is singularly lacking in what you require from advisers and assistants whose sole objective is that of keeping our Nation free at home and secure against aggression from abroad. The attached statement which bears on this subject is, I believe, deserving of thoughtful study by you, our President.

I did not say in that connection "somebody else's President." I did not personalize it by saying "my President." I said with all the respect at by command, "you, our American President." I went on to conclude with this paragraph:

Should you wish to talk with me personally about any aspect of the Wallgren nomination, I shall be privileged to sit with you at any time.

Unfortunately, Mr. President, I cannot tell you what the President thinks

about my letter or my position, because he has not yet found it convenient to reply, despite the fact I sent to his desk a week ago yesterday that which represents as serious a letter as this Senator could ever write to anybody.

I only know that the President—and this is public information—is now seeking rest and relaxation somewhere where I would like to be, where every other Senator would like to be—in the sunshine of Florida.

On the date I wrote to the President I likewise wrote to one I considered to be a friend of mine in the White House, Mr. John Steelman. I want this letter to be a part of my argument, in part because I want Mr. John Steelman to see it and to respond to it, because as a friend I am entitled to an acknowledgment, and as a Senator I must have one in order to determine the attitude of those on the executive side of this question.

My Dear John:

Which indicates that I do know him, as in fact I do—

I think you will want to thoughtfully read the attached statement which I submitted this afternoon to the Senate Armed Services Committee. It supports my point of view and that of thousands of conscientious, patriotic citizens.

So I was not writing to Dr. John Steelman either as merely one Senator or as a friend of Dr. Steelman, but as a representative of thousands of unhappy American citizens.

When last we met some days ago for the purpose of having the President brief the Public Works Committee about the need for remodeling the White House, I told you that my objection to the appointment of Mr. Wallgren was very deep-seated, and that I would fight his appointment as best and as long as I could. Since our conversation I have found no possible reason to change my mind covering Mr. Wallgren's fitness for his intended post.

I don't care who the Chairman of the National Security Resources Board is, provided he is intelligent, informed, and completely above suspicion and reproach. Mr. Wallgren must be judged by his past conduct and associations and he is found wanting when examined against the requirements of any reasonable standard.

To fight the President is neither pleasant nor easy. It is in fact wholly unpleasant and extremely difficult but I shall very willingly continue my opposition in hope that the President will come to understand that his appointee is not the man to protect America against war, or the man to win it if it comes.

The last sentence in the letter to John Steelman makes a great deal of sense to me—not that Mon C. Wallgren, as the President's appointee, is not the man to protect America against war or the man to win it if it comes. That is the unimportant part. Actually the fundamental question before the Armed Services Committee and before the Senate is: Whom are we going to get who is qualified to prepare America against the coming of the next war, and who will be one of the great managerial brains in winning that war if it comes?

I think it is a fantastic thing that I am required to consume as many hours as I shall take on this floor to defeat, if I can, a man who has been appointed for a job which anyone possessed of the barest kind of common sense knows is over his head. Why should we spend time in doing that, which appears to be necessary? Rather, should we not spend time in looking for someone? We have that kind of intellect, brain, and soul in this country. We have men qualified to undertake the responsibilities laid down, not by the President of the United States, but by the Congress, of which I am proud to be a part.

Mr. President, unfortunately, Mr. John Steelman has not yet found it convenient to acknowledge my letter. Whether he likewise is enjoying—as any man would and always ought to when he can—the sunshine of a great State called Florida, I am not qualified to say. But I have not had answers to either of two very important letters on a very important American public question.

It seems to me, Mr. President, that the executive branch ought to give more attention to problems which are presented to it by Members of the legislative branch. If my letters to the President and to Dr. John Steelman had been discourteous or facetious or antagonistic, I could understand why answers had been conveniently neglected. But the letters which I have just read into the RECORD admittedly are very courteous; and what is even more important, they were filled with substance about an important public question. They were deserving of the courtesy, not merely of a reply, but of an adequate reply. I wrote those letters in my official capacity as a United States Senator, and I trust that my indignation and distress over the careless way in which they have been treated will be shared by every other Senator on both sides of the aisle.

Cooperation is, and must always be, a two-way street. The President of the United States appears to define cooperation as meaning that his word on any subject is law, that his wish about any nomination must be approved, and that it is not for Members of the Senate to question, but to obey. I deny his premise in all its dangerous implications, as being continually bad for that harmonious relationship which the President constantly states to the country he must establish with the Congress.

Obviously, I do not compare the President of the United States, for whom I have a very great sympathy, with anyone else in public life in any of the many countries across the sea; but I am reminded that a year of my life some years ago was spent in Germany watching the development of the Third Reich. The year was 1935–36. I understood then that war was on its way. I was only surprised that so many very intelligent Americans thought we could avoid being drawn into it.

In Germany in those days the people used to look back to the good old days of Bismarck, who in his day was not always too highly regarded by his people, for they thought him a very strict disciplinarian. Bismarck had a slogan. Apparently he permitted the people to argue to their hearts' content, but he expected them to obey.

When Mr. Hitler came along he improved on that premise. It was very clearly understood by everyone in what had been a great nation—and I hope some day it may be again—back in 1935 and 1936, that Mr. Hitler had improved on Bismarck by saying, "The time has come when I do not want you to argue, but I do expect you to obey."

It is a very long road to disaster for any country, but this country will have less chance of encountering real and grave and disastrous trouble in the future if the executive branch, represented by the President, and the legislative branch, represented by the Congress, can work out and maintain a harmonious relationship which is completely denied in this particular example, in which the executive branch says, "We have presented to the Congress the name of a nominee and we shall brook no interference. We shall listen to no questions. We are not interested in any argument." I think the President has been unnecessarily careless in this instance, and I hope, for his own good and that of the Congress, that he will not do so again.

Mr. President, as one who has been a serviceman, I want to challenge the thinking of every service man and woman in this country concerning the President's present choice of a chairman to head the National Security Resources Board. Like most people who are referred to as being veterans, I do not talk very much about having been in World War II, but just as a matter of record I enjoyed an unusually rich experience during most of my several years of service, spent somewhere on a line running from Africa to the shores of the Baltic Sea. That was a long and fascinating journey. It took about 3 years to get from the beginning to the end. I think it is sufficient to say that I was there along with millions of others. I was privileged to serve first with the military government, and then with the Allied Control Commission, at a jumping-off place for the old crusades—Brindisi, down in the south of Italy. At that time I was with the Allied Control Commission; next with the supreme headquarters on a planning level; and then for a period of a year and a half, as I recall, with the greatest foot soldiers the world has ever known, the Airborne Infantry; and it goes without saying that I shall volunteer to go again if my country will have me, should the need arise.

Mr. President, I remember that what our American service personnel had to do under and on and over and beyond the seas was made completely worth while to all of us because of our confidence in what was being done by those who stayed at home. We knew that America had the best food, the best weapons, the best tanks, the best gliders and aircraft. We knew that the mechanical and intellectual genius of America was making it possible for our fighting forces to bring the war to a successful conclusion. We had reasons to believe that the very best brains in America were being employed in the Nation's Capital and throughout the land during our absence. We used to sit around, many a night, and talk about that; and we would say, "Well, we are a pretty lucky group of people over here, because the best brains we have at home

and all the experience and all the capacity our people have are being used to give us what we need in order to win this contest, which is only one small but important part of the war." We were sure that during our absence from the United States, the best brains to be found in our country were being employed to aid us. We knew that no one was going to let us down, and we felt certain that the management was vested only in the hands of the competent.

Mr. President, I cannot begin to tell you how important that feeling was to the soldiers, sailors, airmen, Marines, Waves, Wacs, Spars, and all the others, as they served outside the United States. We did not have any reason to doubt that a good job was being done at home. If the confidence to which I refer should ever be shaken or destroyed, should another war ever be forced upon us, it is this one Senator's opinion that there would be very little chance that the United States would ever win such a war. From my own personal point of view, I do not think there would be a chance of winning a war if those who fought it ever lost confidence in their leaders, particularly their leaders on the civilian level. Unless the Chairman of the National Security Resources Board is considered by the armed forces and by the millions of ex-service personnel to be brilliantly and soundly qualified in every way, he should be denied the office or should be removed from the office for his own good and for the good of the country.

Mr. President, from the beginning of this opposition to a man by the name of Mr. Wallgren, I have thought that it is a most regrettable thing that his name was ever sent to the Senate. The President of these United States, in seeking, understandably, to do something good for a friend, has placed that friend in a position from which he will never be able to extricate himself were he to live for a million years. I said at the beginning that I will hammer and keep on hammering on this point of competence. If I am right—and I know that in fact no one can say I am wrong—if I am right when I say that the chairman of the National Security Resources Board must be considered to be brilliantly and soundly qualified in every possible way, then we are convinced without argument that the President did his good friend, Mr. Wallgren, a monstrous, though unintentional disservice in nominating him for a position for which he must be opposed by everyone who wishes to give 10 minutes' thought to the functions of the job which is intended for him.

I have said somewhere—I think it was in the committee—that I had always known Mr. Mon C. Wallgren to be invariably and uniformly courteous and pleasant and congenial. I have known him through his operations in a political way for a good many years. We have never traveled in the same sort of social company, we have never been close to each other in a congenial or personal sense, but I have been in his presence and I have been in his company. He is a very pleasant man. But we are not looking for a pleasant man to save this country. We are not looking for someone who is congenial. We are not looking for anyone other than one of the outstanding brains we can find somewhere in our country; and, under oath or without it, Mr. Wallgren himself would be the last to suggest that he comes in that category.

Someone wrote me a very antagonistic letter a few days ago; I thought it an interesting one, too. The writer of the letter said, "It appears to us that you are opposed to Mr. Wallgren because you want the job." Well, Mr. President, there have been thousands of letters on this subject; but when my eye happened to glance at that one, I said to my office force, "I should like to answer it."

In answering it, I said:

> I think you missed the point, but I will answer you. Were I to be offered such a job, I would consider it to be as great a compliment as conceivably could be offered to me in my lifetime; but though I have spent a little better than 42 years in trying to work rather hard at training an intellect, and have had the advantage of traveling broadly around this world, both before and during and after the war, I would not begin to think that I possessed 10 percent of the qualifications which are needed for a job like that of chairman of the National Security Resources Board.

Mr. President, in the committee I asked Mr. Wallgren a question, and he gave me an answer which was satisfactory to him, although not satisfactory to me. I said:

> Mr. Wallgren, aren't there occasions when it is necessary to say "no," when offered a job, because the person who has had the job offered to him is of the considered opinion that he is not qualified for the responsibility?

Mr. Wallgren's answer to me, as I recall it, was:

> Well, the President thinks I am qualified.

Mr. President, one necessarily has to fight an unwise appointee who will not relinquish the offer of his own free will.

Among the articles about Mr. Wallgren which have been circulated broadly throughout the country, I read one—it was in one of the national weekly magazines; I think it was News Week, although I am not certain of that—which went something like this:

> Mr. Wallgren was offered the Chairmanship of the National Security Resources Board by the President, and the reporters asked Mr. Wallgren what he thought. Mr. Wallgren said: "Well, I like this. Any job is all right. This looks like a good one."

But, Mr. President, by the time we have gotten through, if the people care to examine the record, it will be found that we shall have proved conclusively that that attitude of mind is not adequate in itself to save this country.

Mr. LONG. Mr. President, will the Senator yield for a question?

Mr. CAIN. I yield for a question only.

Mr. LONG. In the course of his speech, does the Senator propose to prove or to establish that the nominee has any trait about him that would disqualify him for the position to which he has been nominated, or will the Senator show that he simply lacks the necessary qualifications, or will the Senator do both?

Mr. CAIN. I shall attempt to prove that by virtue of his background and training he is not qualified to undertake the responsibilities involved in the particular office; and, further, I shall attempt to prove that because of his chosen associates in recent years gone by, he is not deserving of consideration for a post which is primarily concerned with the future security of this country.

I thank the Senator from Louisiana very much for his question.

Mr. President, I think the American Legion and the Veterans of Foreign Wars and the Amvets and the American Veterans Committee and the Disabled American Veterans ought to have an opportunity to judge the qualifications of the President's nominee. The memberships of these fine organizations fought the last war, and many of them were killed or injured or maimed by it. Certainly their wishes are deserving of consideration when a man is to be selected for this important position, for the man selected for the position will have very much to say concerning whether such people, numbering in the millions, shall live or die in our brave new world of tomorrow.

Speaking as a serviceman and as a member of three such organizations, I want to say that every man overseas in any future war would have ample reason to shudder and to be frightened and to be scared over the management of the war at home, if the President's nominee is confirmed by the Senate. I wish I had words sufficient to the task of describing what war actually is without being either dramatic or personal about it. But if the Members of the Senate and the people of the country understood what war is and what it does to those who fight in it, as all America is likely to be required to fight in the next war, I think there would be such a demand on the part of the general public for competence and intelligence in executive public offices, in any security field, that we would never be required or requested to confirm those who so obviously lacked the requisite qualifications, not only Mr. Wallgren, but others who have been named. I will tell one more story, which merely comes to my mind. During the early part of the war as I recall—and the very distinguished Senator from Pennsylvania [Mr. MARTIN] might be interested in this, because of his great distinction in the armed services—the United States had two gliders as I recall, and I think I remember General Collins having told me once, a good many months ago, that those gliders could not be used in training operations because they had to land on a concrete runway for fear of being destroyed. At that time the Germans or the "Krauts," call them what you will, or wish, were invading with paratroops and gliders the island of Crete and they were doing very well with it; and so America thought it would try an improvement. The Eighty-second Airborne Division had that very unfortunate experience when they jumped off from somewhere in Africa and attempted to take needed ground in Sicily. That was the occasion on which a considerable number of C–47's, containing a good many parachutists, were knocked out of the air, because the operation has been so top secret with reference to the military

airborne side, that I presume certain of our naval units had not been properly briefed.

Because of that disaster, though the ground operation eventually was quite successful, as I understand, a decision was almost reached, so far as the Americans were concerned, not to wage war, with the use of air-borne troops and gliders. Fortunately the decision was not actually made, and once upon a time, in company with a number of other Americans, I stood on the friendly side of the River Rhine and watched the better part of 30,000 Americans, gliders and parachutists, air-borne. But in that particular engagement the Americans and the British who were fighting together had the mission of taking a small German town by the name of Wessel on the far side of the Rhine. On one occasion I happened to become lost in an area which was being fought over by the Seventeenth Airborne Division. We were going down a country road which was in fact a boundary between the American ground soldiers fighting on one side of the hedge and the Germans a few yards removed on the other. Certainly much to my consternation and to that of my jeep driver, we were going right up this boundary and passing a home out of which Americans had chased some German soldiers. We found four lying dead in the road. As sometimes happens when one thinks more of saving his life than of observing the amenities, we kept right on going. There was no way to detour around the four dead Germans. We knew they could not be hurt by anything we did, and so we merely ran right over them and went on our way. It was not a pleasant feeling, but I had occasion, I think it was 3 or 4 days later, to come back over the same road. The fighting had not then entirely ended. I found the same four dead German soldiers in the same road, with one distinction. They were still recognizable, but their heads were flattened out. I do not know how many scores of American jeeps had had occasion to run over the heads. It was a memory I thought of when I was talking about the need for getting people at home who could do the job in the next war and answer for what they may do in it, to those who in a physical sense will have to go to war the next time. Riding over the heads of what had been human being—and their stomachs, too—was made not only worth while but possible only because of the thought and the conviction that able men were doing big things at home in the United States of America.

I very much doubt, Mr. President, if the Senate of the United States has ever before been confronted with such a confirmation question as we have before us now. I find this very interesting. I have never known of a comparable case nor have I been able to find any in the confirmation records of the Senate where so few people had so little to say in approval or support of a Presidential nomination. The President made his nomination more than a month ago, and yet so far as I know there has been no editorial support for the nominee. I have never known this to happen in years gone by.

I asked the Congressional Librarians if they would not dig up for me the file on all the problems of confirmation that have been before the Senate almost from the beginning of our governmental structure. They did a good job. I spent a good many hours pouring over it, to find out who favored a nominee and who was against him, and the name of the nominee. In practically every case there were strong arguments for and strong arguments against a particular nominee.

I remember when the question concerning the nomination of Mr. David Lilienthal was before the Senate. I see our very distinguished minority leader, the Senator from Nebraska [Mr. WHERRY] has just entered the Chamber. He remembers that fight. It was a vigorous fight; it was a tough fight; it was an interesting fight. It was a serious question and the nominee was strongly supported by many Senators and vigorously opposed by others. Their attitudes were reflected in the editorial columns of our country.

This was likewise true when the President advanced the names of Mr. Ed Pauley and Mr. Dean Acheson. The people of America were conclusively in support of or in opposition to these men. This does not appear to be the case with Mr. Wallgren. I have yet to find a reputable or leading American paper which proclaims that the nominee is suited to the chairmanship. Something is obviously wrong somewhere, on the face of it. I am encouraging people, and have been doing so for 4 weeks, to find an editorial in support of the nominee, in order that arguments I had not previously considered might be considered by the one who is preferring the charges. I have had no such competent editorial comment brought to my attention in favor of the President's nominee.

I think this is a very important point to consider, because, in part, it constitutes one of the most serious indictments of his incapacity. No job could possibly possess greater significance and potential power. Yet we are thinking of placing a man in that job about whom no one seems to have much of a constructive nature to say. The nominee is inclined to shrug this off, because he maintains, with reference to Washington State, that all of the papers are controlled by Republican editors. But those very editors, Mr. President, ought to be the first to applaud the nomination if they thought it would benefit the Nation. I know of no newspaper in Washington State which thinks that the President ought to appoint a Republican to the chairmanship of the National Security Resources Board. They take for granted that the President is entitled to select anyone he wants to select. These editors insist that the President has made an unwise choice, not because his selection is a Democrat but because his nominee is lacking in what the President needs to make certain that the job is done. I have introduced other editorial comment from papers situated throughout the land. These papers usually represent both the Republican and the Democratic points of view. Yet not a single one of them has applauded the President's selection. The newspapers of this country will be the ones to explain the activities and the conduct of the next Chairman of the National Security Resources Board. It concerns me that they are seemingly in no position even to wish him well.

Read that editorial comment and think about it, because, unless a vote is cast in favor of the appointment, assuming that the appointment is made, no satisfaction will be gained in years to come from reading the reasons why——

Mr. SPARKMAN. Mr. President, will the Senator yield for a question?

Mr. CAIN. I yield for a question.

Mr. SPARKMAN. I was not here during the early part of the Senator's remarks. He may already have answered this question, but, if not, I should like to inquire if the Senator is intending to comment on the duties which are imposed upon the Chairman of the National Security Resources Board. What is the Chairman required to do? If the Senator intends to include the answer to that question later in his remarks, of course, I shall not ask him for the information at this time. I merely want to ask if it will be given at some point in the Senator's speech.

Mr. CAIN. Please permit me to answer that question. I should be inclined to think that the distinguished Senator from Alabama had had an opportunity to read what I am about to present, for my glance is on the next page, on which I embark on the constructive part of the speech, and it is a constructive answer to the Senator's question.

I am frightened, personally, Mr. President, that so many of the newspapers throughout the land consider the nomination to have resulted from a political obligation. Those words are not mine. Democratic and Republican newspapers all over the country say that happens to be a fact. I am distressed that they say it, whether it should or should not turn out to be a fact. I am further distressed that so many American newspapers have entirely ignored the question of Mr. Wallgren's confirmation. To me, it indicates only one thing, and that is that there are very few people in the Nation who are remotely conscious of the responsibilities which have been given to the NSRB. I hope, before my case is completed, to provide any person who wants to think with the information he needs to understand the mission, the workings, and the destiny of the National Security Resources Board.

I now come, Mr. President—and I ask the attention of the Senator from Alabama in this connection—to that part of my presentation which I like the best, because it is positive and constructive.

I want to discuss the National Security Resources Board against the background of where it came from and why; who designed it and laid down its mission, activities, and responsibilities, and the role it will likely play in the future.

I shall call as my first witnesses the chairman of the Senate Armed Services

Committee in the Eightieth Congress, the Senator from South Dakota [Mr. GURNEY] and other members of that committee which worked so long, hard, and sincerely, in developing and recommending the passage of Senate bill 758, the National Security Act of 1947, which is now referred to as Public Law 253. During the debate which took place on the subject in July of 1947 these gentlemen spoke feelingly on what they had endeavored to create in support of the future security of our great Nation.

Under date of July 7, 1947, the Senator from South Dakota [Mr. GURNEY] had this to say, in part:

> The unification bill is a sincere and earnest attempt to put into effect by legislation a security organization which is adequate, effective, modern—and yet economical.
>
> The bill also provides for a National Security Council, a Central Intelligence Agency, and a National Security Resources Board, all of which report directly to the President, but which also work closely with the agencies under the Secretary of National Security.

There are, I think, a great many people in the Nation, and there are, to my knowledge, certain Senators, who are not aware of the fact that the National Security Resources Board was created as a part of the unification bill which was passed by the Congress and signed by the President on, I think, July 26, 1947.

I have previously had prepared a chart of the organization for national security. It points up rather clearly for those who are interested in looking at it the fact that the organization for national security includes three great agencies, the National Security Council, the National Security Resources Board, and the National Military Establishment.

It may be news to some to learn, as we consider the advisability and wisdom of confirming the nomination of Mr. Wallgren, of Washington State, to be the Chairman of the National Security Resources Board, that automatically by confirming him we would make of him one of a limited number of members of the National Security Council, for though the definition of the National Security Resources Board does not say so, it is provided in the case of the National Security Council that among its members shall be the Chairman of the NSRB. I think it pretty important for people not only to know all there is to be known about the NSRB, but we had better take a sufficient amount of time in which to tell the Senate, and, through the Senate, the country, what the National Security Council is and what its functions are to be in the future.

The Senator from South Dakota [Mr. GURNEY] proceeded to say this about the unification bill:

> The bill before the Senate for consideration, in addition to the elements included in the National Security Organization, provides for the creation of a National Security Council. This Council, reporting to the President and aving as permanent members the Secretary of State, the Secretary of National Security, the Secretaries of the military departments, and the Chairman of the National Security Resources Board, gives us for the first time a permanent organization for the thorough integration of our foreign and military policies. Recognizing that military policy is an extension of foreign policy, it gives us a means of developing our foreign policy upon the basis of our military and economic strength. This function is now performed by the State, War, and Navy Coordinating Committee.

I wish to add this word at this time to what is being recited by the Senator from South Dakota. He tells us that the National Security Council shall concern itself primarily with the formation of an organization for the thorough integration of our foreign and military policies. We had better give even greater consideration than we had previously thought of giving to who is to be chairman of the NSRB, because he must know something about the needs of integration of foreign and military functions.

I continue to read from the Senator from South Dakota:

> As an important adjunct to the National Security Council there is provision for a Central Intelligence Agency, which fills a long-recognized demand for accurate information upon which important decisions relating to foreign and military policy can be based.
>
> The National Security Resources Board, headed by a chairman and composed of the heads or representatives of such departments and agencies as the President may appoint, will in time of peace advise the President concerning the coordination of military, civilian, and industrial mobilization to provide him with a sound basis on which to evaluate the elements involved in our domestic, military, and foreign policies.
>
> In time of war it would be made the effectuating agent for putting mobilization plans into operation generally, and for determining the needs of the civil and military elements of the Nation and allocating material and facilities among them.
>
> By means of the National Security Resources Board, Mr. President, there would be established adequate and timely provision—provision now desperately needed—for the protection and planned employment of our national resources; for we cannot afford ever again to dissipate those resources in the pursuit of extemporized plans, conceived in haste and executed under the pressure of emergency.

The chairmanship of the National Security Resources Board turns out to be quite a job, does it not? The Senator from South Dakota continued:

> Mr. President, many grave problems face the Eightieth Congress—problems calling for prompt and sound solutions. None, in my opinion, transcends in importance and urgency the proposal before the Senate today to unify the armed forces.
>
> The profound significance and far-reaching effect of the legislation may well change the course of history.
>
> I am sure the Senate understands that there is involved here more than a problem of organizing armies and fleets and air forces. There is embraced in the legislation the far greater task of laying the foundation and planning the structure of total national effort in event of total war—and it is perhaps the most challenging organizational problem that any nation can face.

I should like to say, in parenthesis, that I am willing to grant that the Senator from South Dakota is correct, that here is one of the most challenging organization problems that faces this Nation. If the President's nominee is qualified to undertake such an overwhelming responsibility, let us confirm him, and if he is not, the sooner we deny his confirmation, and give the President an adequate and reasonable and timely chance to appoint someone who can do the job, the better off everyone in this country will be.

I continue to read from the Senator from South Dakota:

> It is not being an alarmist to point out that, with the development of supersonic planes and guided missiles with atomic warheads, the cushion of distance provided by the Atlantic, Arctic, and Pacific Oceans will no longer provide a corresponding cushion of time in which we may react to attack and mobilize our forces. It is not being an alarmist to point out that in the event of another global war hostilities will be initiated without prior warning, and by an attack as complete and devastating as lies within the capabilities of the Nation which launches it.
>
> Clearly, Mr. President, the time to plan, the time to prepare, is now.
>
> And yet much of the planning of our military services has had to mark time, has necessarily had to wait for long months while these basic problems were debated and studied and finally resolved. It is now within the power of the Congress, it is now its responsibility, to give those services improved procedure and adequate agencies to help them with their tremendous task. It is now within our power to shun any display of weakness and vacillation which might encourage aggressors or lessen the faith of free peoples in our steadfastness of purpose. It is now within our power to give the President the help he so urgently needs, and to replace the security organization of 1798 with the organization of 1947. It is now our responsibility to act, for I say to the Senate in all sincerity, to procrastinate is to invite disaster.

That concludes my quotation from the Senator from South Dakota, but only for a moment, because I wish to return to him very shortly.

Mr. LONG. Mr. President——

The PRESIDING OFFICER (Mr. HUNT in the chair). Does the Senator from Washington yield to the Senator from Louisiana?

Mr. CAIN. For a question.

Mr. LONG. Assuming that the organizational chart which the Senator has before the Senate is actually a correct analysis of the establishment of the defense organization of the United States, what was the reason for placing the National Security Resources Board in a position to advise the President rather than to advise the Secretary of Defense, who has all the other boards under him?

Mr. CAIN. In answer to the question of the Senator from Louisiana, I will say that one of the prime reasons for passing the unification bill as it was eventually enacted by the Congress was to make certain that a major responsibility for preparing for war and waging war in the future would reside in the hands of civilians. It was a considered act which the designers of this legislation took. They wanted to give the Secretary of Defense every possible chance to be heard before the President, but they likewise wanted to make certain that the Secretary of Defense, as he represented the Military Establishment, would not,

under any circumstances, have an opportunity to place the military activities of this Government above the rights and responsibilities and obligations of civilian operation.

Mr. LONG. Mr. President, will the Senator yield for a further question?

Mr. CAIN. I yield for a question.

Mr. LONG. Further, assuming the accuracy of the chart before us, is it for the same reason that the Central Intelligence Agency was placed under the National Security Council, rather than being placed directly under the Secretary of Defense?

Mr. CAIN. I think that was the logic which was used by the designers of that legislation. I might suggest to the Senator from Louisiana that he has just raised another interesting question, because, as the chairman of the National Security Resources Board finds automatic membership on the National Security Council, he has, as a member of that council, jurisdiction over the Central Intelligence Agency which is charged, through its mission, with coordinating intelligence activities of Federal agencies concerned with national security. When we discuss the President's nominee, Mr. Wallgren, we are speaking of three different categories: his membership on the NSRB, his membership on the NSC, and his overriding jurisdiction over the Central Intelligence Agency.

Another of the prime proponents and authors of the unification bill of 1947, was the very able and distinguished Senator from the State of Massachusetts [Mr. LODGE]. I want to call him as my next witness to make a few remarks about what is likely to happen in the world of tomorrow either if we encounter trouble overseas, or if overseas brings trouble to this country. The Senator from Massachusetts said on July 7, 1947, from his seat just about two removed where I stand now:

> If Members of the Senate are wondering how they shall vote on the pending unification bill, I ask them first of all to try to visualize in their mind's eye what the war of the future will be like. Once they have done this I have not much doubt what their conclusion will be.
>
> What will this dreadful war of the future be like? I quote from an expert, Lt. Gen. Lawton Collins.

For the benefit of Members of the Senate who do not know it, the then Lt. Gen. Lawton Collins is now a four-star general, and the official capacity of Gen. Lawton Collins is Deputy Chief of Staff. General Collins said:

> We could expect that the war would start very suddenly and come through the air and that the enemy would try to eliminate the United States at the outset, not making the same mistake as last time of taking on somebody else first and allowing us to prepare. The attack would be primarily at the great cities and would cause great destruction both to physical structures and the people. It might involve atomic bombs, radioactive materials, biological warfare, and crop-destroying chemicals. The atomic bomb would probably be used against cities in preference to military targets.

Oh, and if it does! Everybody should pause and consider seriously what General Collins there says:

> The atomic bomb would probably be used against cities in preference to military targets.

Anyone who has been overseas in the past several years, either as a soldier or a civilian, man or a woman, knows what our side did, not with atom bombs, but with ordinary bombs, against the cities of our enemies overseas. One man's guess is as good as another's. I do not know how long other people think it is likely to take to clear away the debris in Berlin and then build Berlin up again to be a reasonably habitable city. How long is it going to require to make a city again out of Muenchen—or Munich, as you will? How long is it going to take to recreate Vienna? How long is it going to take to rebuild Wuppertal? Has any Senator ever heard of that place? Some 300,000 lived in that German city in the Ruhr. I remember being with some of the first ground soldiers who went into the place called Wuppertal. It had the only overhanging railroad train I at least had ever seen, or that existed anywhere in the world. By virtue of our might and the might of the British in the air, we killed, we conservatively figured, about 60,000 people in that community of some 300,000. Particularly was this made possible, or did it happen, because that was one of the cities whose management Hitler had advised had nothing to worry about because of the Yanks. Hitler assured its people the Yanks would never get as far up as the Ruhr. But the point involved is that what we have so successfully, without atomic bombs, done to large portions of the rest of the world will, if trouble comes again, be visited on us, and probably, as General Collins says, with atomic weapons, and even worse instruments of torture and destruction may be developed to follow them.

General Collins continued:

> We would have chaos, with communications disrupted, millions of persons sick, wounded, and dying, civil disorder, and sabotage. The initial bombing attack would likely be followed by air-borne troops. There is also the possibility of long-range submarines popping up offshore and directing guided missiles to targets on this continent.

The Senator from Massachusetts [Mr. LODGE] said further last year:

> There is the opinion of the responsible professional. Can Senators imagine it? Can they visualize this country with its cities in smoking ruins, its railroads destroyed, its major bridges blown up, all communications such as telegraph, telephone, and mail obliterated? Can they see the dead and the wounded and those who have been artificially made sick by radioactivity and by the germs of biological warfare? Can they comprehend it? It is hard for us Americans to do so, because never in the lifetime of a single American has our country ever been really stricken by a foreign foe. But we might as well start thinking about it now, because if there is another war, that is the way it is going to be.

This is the way in which we are going to attempt to get ready to make that war unlikely in the first place, and to wage successful war if it comes—by the agency organized as indicated on the chart before me.

My mind goes back to the position taken by several of my colleagues, close friends of mine, who say with reference to the President's nominee that he is the President's nominee, and that it should be his personal right to appoint anyone he wants to, and that we in the Congress, after the appointee secures the job, should hold the appointee responsible for what he does, and hold the President responsible for the conduct of the nominee after he is confirmed. But if war comes to this country, and comes rapidly, as every competent witness one could bring from anywhere would testify it will come, if it comes, and we are not ready because we have got a well-intentioned but by no means qualified man as the Chairman of the National Security Resources Board, in heaven's name I ask any American citizen what earthly good it is going to do then to turn to some President and say, "We think a predecessor of yours, or you, Mr. President, made an unwise choice in your selection of the Chairman of the NSRB, and we hold you entirely responsible for his misconduct, which is best represented by looking out the window"—if in those days there would be a window to look out of—"and see 10,000 Americans with their heads blown off."

Mr. LONG. Mr. President, will the Senator yield for a question?

Mr. CAIN. I yield for a question.

Mr. LONG. In line with the Senator's thinking, does it not pretty well stand to reason that if a foreign power were able to wage such war against the United States of America, the outcome of the war would probably depend almost entirely on the ability of this Nation to fight at the outset rather than its ability to fight after the war had been going on for a few months?

Mr. CAIN. In my considered opinion, the Senator is correct. We in this country have been blessed among all people. There have been two wars in my short lifetime. In both those wars, because of mistakes made by other nations and because of good fortune in general, we were given an opportunity to prepare ourselves before we had to go to war. In both instances we were about as unprepared as any nation could be or ever has been in the history of the world.

Mr. LONG. Mr. President, will the Senator yield for a further question?

Mr. CAIN. I yield for a question only.

Mr. LONG. In line with the chart before the Senate, would it not appear to the Senator that the Central Intelligence Agency under the National Security Council should be so organized that this Nation will know in the future approximately what would be the ability of a foreign power to attack the United States, and about how much of a stock pile of material and munitions such foreign power might have?

Mr. CAIN. In answer to the very interesting and worth-while question of the Senator from Louisiana, I can only refer to the mission of the Central Intelligence Agency. It is to coordinate in-

telligence activities of the Federal agencies concerned with national security, and, to the degree which is reasonable, to make its information available to the American people, so that we, in a psychological sense, can prepare ourselves against future or impending trouble.

Mr. LONG. Mr. President, will the Senator further yield?

Mr. CAIN. I yield for a question only.

Mr. LONG. Is it not more or less a fact that the United States is one of the few nations which really has no adequate spy system to determine what other nations are doing? It must judge through other information coming to it.

Mr. CAIN. The junior Senator from Washington is not qualified or competent to answer that question. I think there is good reason to believe, from my point of view, that we have extremely intelligent agents endeavoring to determine presently what is going on throughout the rest of the world; but whether or not we have them in sufficient number to compete on anything like an equal basis with other nations interested in securing intelligence from this country, I do not know.

The Senator from Massachusetts [Mr. LODGE] had some other things to say on the subject of the unification bill passed in July 1947. I think they are important for the RECORD, and of interest to anyone who cares to listen. The Senator from Massachusetts had a second reason for favoring the unification. I believe that his reason will be of interest to the Senator from Louisiana, because it appears to fit into his last question. The Senator from Massachusetts said:

> My second principal reason for favoring unification is that it will result in a definite well-thought-out procedure for the allocation of our available supply of military manpower. Saving money is, of course, of vital importance. But to save manpower is even more crucial because we have a definite shortage of manpower in this country for all of the things that we need to do. If we take the age group of young men physically fit for military service and then deduct the ones who must remain in essential nonmilitary activities, we have not a great deal left. It is too important a matter to leave the allocation of this manpower to last-minute horse trading between the Army and the Navy and the Air Force, as was the case during the war. There must be a definite system of allocation. This is one of the results which will flow from having the machinery to take care of the problems which all the services have in common.

The Senator from Massachusetts had a fourth reason.

> Fourth, I notice that in this bill the National Security Resources Board is given as one of its functions the duty of advising the President on policies to establish adequate reserves of strategic and critical materials and for the conservation of such reserves. The adoption of an intelligent policy with respect to our diminishing raw materials of all kinds is of vital importance and can mean the difference between defeat and victory in case of war.

I believe that in the fourth reason the Senator from Massachusetts has laid down a great mission which must be achieved; but by strong implication he is saying that it does no good to put a job on paper unless we have the brain of a man or woman to make it work. As we hammer on the question of a man's competency, I recommend careful consideration of the reasons stated by the Senator from Massachusetts and ask the question, Is the President's nominee qualified to do the job?

We turn from the Senator from Massachusetts to the Senator from Connecticut [Mr. BALDWIN], who himself had a great deal to do with the writing of the unification bill. He felt very strongly on the subject. He stated on the floor of the Senate on July 9, 1947:

> Briefly, what does this unification accomplish? First, it provides a National Security Council to advise with the President and the Congress on the integration of our domestic, foreign, and military policies. That is a very important consideration. It is something which we did not achieve in World War II until we had had a long and bitter experience with a different situation. We tried to establish it in Washington in a way that would provide the greatest coordination, but we found from experience that there was much delay, much uncertainty, and a lack of a sound integration of policy and program, and it was not until along toward the end of the war that we approached in our organization an establishment which is similar to that provided for in this bill—the National Security Council. True, the personnel are different, but our experience demonstrated conclusively that we needed something of that kind. So this bill creates a National Security Council.

I believe that what the Senator from Connecticut is saying is that out of the suffering of the past the unification bill presents itself as being at least in part an answer to the needs and requirements of tomorrow. The Senator from Connecticut continued:

> I might point out, Mr. President, that the National Security Council is entirely, as I recall it, a civilian organization. It is made up of the President, the Secretaries, and such other persons as the President may designate. Of course, that Council could bring to its service any officer it might desire. Consequently, it is the main coordinating factor, I think, in all our preparations for national security and for our defense. God grant that we shall not have to prepare for war, but merely for the possibility that it may come, and thus be prepared to defend ourselves.
>
> Under the Council there is established a central intelligence agency to provide coordinated, adequate intelligence for all Government agencies concerned with national security.

I think the Senator from Louisiana will be interested in the next observation of the Senator from Connecticut:

> When one reads the record of the past war in regard to that field, it is found that there was much to be desired in the way intelligence was covered, and there was great conflict about it. I say nothing here in depreciation of the men who were engaged in the Intelligence Service, because some remarkable and extremely courageous things were done. Nevertheless, we demonstrated from our experience the need of a central intelligence agency; and this bill provides such an agency. Neither a national security council nor an intelligence agency now exists.
>
> The bill provides for a National Security Resources Board to advise the President and the Congress on the coordination of the military, industrial, and civilian requirements of all national resources for war. It gears the capacity of our national economy to the requirements of national security and works closely with the National Security Council. That Board does not now exist. We had its counterpart in several different boards during the war, but it took a long time to coordinate them and have them work together. Provision is made for that by this bill.

All the Senator from Connecticut is saying is that because of mistakes made in years gone by, we are going to be as certain as we can that such mistakes are not permitted in the future. We are going to design ever and ever better instruments. It likewise logically follows that as we get better instruments we must get the very best brains to get the best work out of the best instruments.

Mr. President, in my presentation up to this time I have said, and I shall say it again, that in my considered opinion the President of the United States has made a grievous error in thinking that his nominee for the chairmanship of the National Security Resources Board is qualified to keep pace with congressional progress in the field of future war preparation and fighting legislation, if you please.

The Senator from Connecticut [Mr. BALDWIN] further said, as shown by the CONGRESSIONAL RECORD for July 9, 1947, at page 8499:

> The question of civilian control, as I have said, has been raised repeatedly in the discussions. Although the armed forces of the United States are at present under stringent civilian control, and although there has never been any legitimate fear that such control might be lessened or was becoming undermined, the unification bill, it seems to me, greatly increases civilian control over the Army, Navy, and Air Force.
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> * * * * *
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> Not only is there increased civilian control in the direction and maintenance of the armed forces, as just stated, but there are several new agencies which will have considerable influence over the military forces, but they are to be predominantly civilian in nature and composition.
>
> I think one great thing the bill accomplishes is that it brings into closer contact with the armed forces themselves a larger number of civilians than ever. That was true during the war, and one thing the bill does is that it continues and preserves those relationships with these new agencies, several of which are controlled in large part by civilians.
>
> For example, the National Security Council is composed of a civilian Secretary of State, a civilian Secretary of National Security, the civilian Secretaries of the Army, Navy, and Air Force, the Chairman of the National Security Resources Board, a civilian executive secretary, and such other members as the civilian President may designate. Military domination of that body hardly seems likely.
>
> Next, we find nothing but civilians in the National Security Resources Board, which is composed of a civilian Chairman and such civilian heads or representatives of the various executive departments and other agencies as may be designated by the civilian President.
>
> The only military agency in the entire bill is the Joint Chiefs of Staff, and the reason that is a military agency is that it is set up to do a purely military job.

Mr. LONG. Mr. President, will the Senator yield for a question?

Mr. CAIN. I yield for a question.

Mr. LONG. Does the Senator feel that that organization is entirely wise in limiting the membership of those boards entirely to civilians, without the inclusion of some military personnel to guarantee sound military advice in the handling and organization of our natural resources for war?

Mr. CAIN. I think there is a very logical answer to the Senator's query. The Chairman of the National Security Resources Board presently has, as the members of his Board, the secretaries of all the executive portfolios of the President: the Secretary of Defense, the Secretary of State, and the various other Secretaries. On our National Security Council, which is in a full sense a civilian organization, we find the Secretary of Defense, the Chairman of the National Security Resources Board, the Secretary of State, the Secretary of Defense, and the Secretaries of the Army, the Navy, and the Air Corps. We have a civilian Secretary of Defense who obviously has among his staff the best and most highly trained professional soldiers this country has to offer.

So it is my opinion that this organization for national security—which is the Senator's life and mine, in fact—is a fine integration and synchronization of the finest intellects and training possessed by both civilians and military personnel in America.

Mr. LONG. Mr. President, will the Senator yield for a further question?

Mr. CAIN. I yield for a question.

Mr. LONG. During the course of his speech, does the Senator propose to explain what qualifications he believes a man should have in order to be a member of the National Security Resources Board?

Mr. CAIN. I shall do that only in part, for I am speaking to the broad question of whether the President's nominee is qualified to be Chairman of the National Security Resources Board. I think it would not be proper for me to state in the course of this debate what qualifications should be possessed for some other position—for instance, what qualifications a Secretary of State should have—when that question is not before us.

Mr. LONG. Mr. President, will the Senator yield for a further question?

Mr. CAIN. I yield for a question.

Mr. LONG. To be more precise about the matter, during the course of his speech on the subject, does the Senator propose to go into the question of what qualifications he would expect for a man who would be Chairman of the National Security Resources Board?

Mr. CAIN. The Senator from Washington has every intention of doing so, and will come to it as soon as the remaining several witnesses who were designers of the law on unification of the armed forces have been quoted. I thought it important to try to establish what some of the leaders in the activity which resulted ir the armed forces unification law thought was needed by our country.

Mr. SPARKMAN. Mr. President, will the Senator yield for a question?

Mr. CAIN. I yield for a question.

Mr. SPARKMAN. Am I correct in my understanding that the National Security Resources Board compares, on the one hand, with the armed forces, on the other hand; in other words, that whereas the armed forces are charged with the responsibility of carrying on combat and making plans for combat, the National Security Resources Board is charged with the responsibility of mobilizing our resources in order to enable the armed forces to carry on combat?

Mr. CAIN. I think a proper answer to the Senator's question would be as follows: The National Security Resources Board has as its mission, laid down in the legislation pertaining to it, the responsibility of advising the President concerning the coordination of military, industrial, and civilian mobilization. That is its mission.

The National Security Council has the mission of advising the President on the integration of domestic, foreign, and military policy.

The National Military Establishment, which includes within it the Secretary of Defense, has as its mission serving as the principal assistant to the President in all national security matters.

I trust that is a satisfactory answer to the Senator's question, because it is a factual answer as to the missions laid down for them.

Mr. President, the Senator from Connecticut [Mr. BALDWIN] had more to say during the debate on the armed forces unification bill. He said:

> In fact, in a modern war it does not make too much difference whether a citizen is in uniform or not because the entire country goes to war in this day and age. To quote General Eisenhower:
>
> "War is no longer the concern of the soldier alone; in its commencement, its waging, and its settlement, he is only one of many. Although the outcome of battle is depending upon his action, the strength for a victory is the product of the entire nation behind him. The economist, industrialist, scientist, the farmer, worker, and teacher are all necessary to the waging of war. Similarly they are likely targets of enemy action. Security against war is a function that belongs to all citizenship."

From my point of view, I think that is a terrific American sentence, as used in that testimony by General Eisenhower, when he said:

> Security against war is a function that belongs to all citizenship.

In other words, he was saying that security matters are not restricted to consideration by the military in this country; but if war is to come and if we are to win a war, we must get ready again for war, if it is thrust upon us, by virtue of the activities of the National Security Resources Board and the National Security Council, which are civilian agencies aiding and abetting and assisting the National Military Establishment, which includes our veterans of the Army, the Navy, and the Air Corps.

The Senator from Connecticut [Mr. BALDWIN] further said:

> In a word, there has always been adequate civilian control over the armed forces. Now that we have found a need for wider civilian participation in the national security, we are proposing in this bill an increase in the civilian control to be exercised what might be termed the national, not merely the military, mobilization of the United States in the interests of its own existence.

Mr. President, at this point I should like to quote from the testimony of another witness, a distinguished Member of the Senate who sits on the other side of the aisle, the Senator from Alabama [Mr. HILL]. In speaking to the armed forces unification bill, he said:

> It would provide adequate security measures at all times, rather than only when hostilities threaten. It creates the National Security Council, the National Security Resources Board, the Central Intelligence Agency, the Munitions Board, and the Research and Development Board, in order that we may make certain that our foreign and military policies are coordinated and mutually supporting; that a central intelligence agency may collect and analyze the mass of information which is so essential for the Government to maintain peace and without which the Government cannot wage war successfully; that scientific research and development may be coordinated, not only within the military services, but between the military services and other Government agencies and with industrial and educational activities; that intelligent planning may guarantee coordination of our military program with the Nation's resources in manpower, materials, and facilities; and that all these objectives may be accomplished with the greatest possible economy consistent with a strong and effective national security.
>
> The result is a balanced, workable composite of the sound, constructive proposals advanced through the long history of this vital measure. In that regard it is significant that the Army-Navy agreement evolved by Admiral Sherman and General Norstad and transmitted by the President to the Congress with the full approval of Secretaries Patterson and Forrestal and of Admiral Nimitz and General Eisenhower is in important particulars identical with S. 2044 of last year, which was evolved by the Senate Military Committee. Thus the pending bill, S. 758, can find its genesis in proposals which the Congress commenced to study over 3 years ago and which have through mature and deliberate consideration been embodied in the wise and constructive measure now before the Senate.
>
> The bill is simple. In essence it does two things: First, it creates a single Secretary at the head of a National Security Organization for general supervision and control of an autonomous Army, Navy, and Air Force; and, second, it creates machinery for coordinating military and foreign policy on the one hand and military and industrial mobilization of resources on the other. That is all. But if these things are not done, I fear for our future security.

What does the Senator from Alabama really fear? He fears that if in this country we do not now begin to coordinate our military and foreign policy on the one hand, and our military and industrial mobilization of resources on the other, we are not going to be in position to withstand or resist or repel any aggressor or invader in the future. The Senator from Alabama says these things must be done. The President has said to us that his nominee, as chairman of the National Security Resources Board, who would automatically become a member of the National Security Council, is qualified, through his understanding and

managerial capacity, to get the Nation ready for any war that might come. The junior Senator from Washington has thought it proper to suggest to the Armed Services Committee of the Senate, and now suggests to the Senate itself that the nominee ought to be required to prove he is qualified. Under no circumstances, regardless of who the man may be, should we accept any individual as being qualified without questions concerning his capacity.

The Senator from Alabama [Mr. HILL] has other cogent reasons for recommending unification to the Senate; and they were heeded, too, in 1947. He says:

There is another cogent reason why unification is needed in Washington, in addition to the ones I have just stated, and that is that our own country may be a battlefield of the future. Any enemy strong enough to be a threat to world peace, will have weapons of range and power sufficient to attack our homeland, the United States itself. If the enemy is going to launch a world war, he will launch those weapons against us. Our clear duty is to admit this fact and to plan now for our security. If the United States should become a true theater of operations, no one would argue that we should have divided command in this, the most vital theater of all, while admitting the necessity of unity elsewhere.

If we are to be prepared at all to meet the speed of future attack, we must prepare in peacetime. We cannot wait for the distant red glow of another and far more disastrous Pearl Harbor to give us the danger signal. This unification proposal lies at the very base of all this country's postwar military planning.

It is the lessons of World War II which we must now apply. We must look forward so that we shall not be caught unprepared and outmoded if another war must come. If it comes, it will come fast.

I believe that that is what the bill would do. It applies those lessons in an intelligent, gradual fashion and provides a means for a further study of the complex problems of national security.

A corollary lesson is that the people, the Congress, and the President have no single individual or agency charged with the overall problem of national security to whom they can look for impartial recommendations and coordination. This bill provides the Secretary of National Security, a sort of Deputy President, to assist the Chief Executive in the carrying out of his great responsibility as Commander in Chief.

Unification will also apply another clear lesson of World War II, and World War I for that matter, and that is that there must be an agency to plan and administer the proper allocation of the economic and human resources of the country so that both civilian and military needs are adquately met in time of war. The National Security Resources Board is proposed for just that purpose.

Mr. President, I want to read that single paragraph by the distinguished Senator from Alabama again:

Unification will also apply another clear lesson of World War II, and World War I for that matter, and that is that there must be an agency to plan and administer the proper allocation of the economic and human resources of the country so that both civilian and military needs are adequately met in time of war. The National Security Resources Board is proposed for just that purpose.

Parenthetically, I may say that obviously now there is a National Security Resources Board. All that is needed to make it work is a chairman. The President has recommended that a particular individual be confirmed as chairman, to make possible the attainment of the fine goals talked about by the distinguished Senator from Alabama. I think we of necessity must prove beyond the very shadow of a doubt, not that he is a good fellow and a harmonious person, but that he is a competent person qualified to grapple with problems and to prepare for any trouble which may visit itself upon the world and upon this country in the years of our tomorrows.

Under a National Security Establishment wherein the efforts of all the armed services are brought into harmony—and there is no such establishment today—unnecessary duplications of money and effort can be eliminated. And through the recommendations of the Secretary of National Security to the President and the Congress, continuing improvements in efficiency and economy can be made which will carry out the obvious intent of the Congress.

It was the obvious intent of the Congress to see that the Military Establishment, which includes the National Security Resources Board, is an institution, an agency which works. The intent of the Congress is to make undeniably certain that whoever the Chairman may be, he shall have abilities commensurate with his responsibilities.

The various civilian agencies and the key civilian officials provided in the bill assure the traditional (and essential, if our system of government is to continue) civilian control of the Military Establishment. Together with the Joint Chiefs of Staff, these civilian agencies comprise an organ which can plan and prepare for the United States to meet the threat of a total war. Mark you, Mr. President, no one longer doubts that the next world war, if it should come, will be a total war. Much of this planning has not even been started, and without passage of this bill it will continue to be delayed.

Mr. President, the bill was passed. A small start has been made, it seemed to me, in the direction of preparing against the possibility of that total war to which the Senator from Alabama so graphically referred in July 1947. It ought again to be obvious to any American man or woman who thinks of America as never having been exposed to any small part of a total war, that if war comes again it will be total in all its gory, horrible aspects. Our job today is to get ready for it. The best and most well-intentioned legislation that the mind of man has ever conceived has not a chance of accomplishing the mission unless we select the finest brains in the Nation to make such magnificent words come to life.

Mr. President, charts are pretty to look at, but they do not operate or develop or run businesses. They do not win or forestall wars. They are designed only to arouse the curiosity of man to such a degree that he determines to do the job which is referred to on any such chart.

I like what was said by the Senator from Alabama in concluding his portion of the debate on the unification bill. He said:

The Congress must act now—this session—in order to give the country and the people the best security for the money spent. The lessons of World War II, only recently so vivid to us all, are dimming as time passes. We cannot ignore them. It would be a shocking incrimination of the Congress, and a welcome scandal for those at home and abroad who decry our form of government, if that which the country and its responsible leaders so clearly want is ignored or delayed by the representatives of the people in the Congress. I entreat my colleagues in the Senate, Mr. President, to take immediate and favorable action to accomplish the translation of the unification bill, S. 758, into enacted legislation so that it may become a law of the land to provide a suitable structure for our postwar national security in a world where lack of security may well spell a nation's death warrant.

Mr. President, it so happens that the Senator from Alabama is now in the Chamber, and I am delighted to have an opportunity to say in his presence that I know of no single paragraph on the subject of unification more clearly written or more clearly stated before the Senate at the time of the debate than was his statement. I can only join with the Senator in hoping that whoever becomes finally the Chairman of the National Security Resources Board, he may be qualified to undertake the monumental responsibilities referred to by the Senator from Alabama, by members of the Armed Services Committee, and by the Senate itself.

Mr. President, on July 9 the Senator from South Dakota [Mr. GURNEY] returned to the Senate to answer some questions and to make further comments regarding the unification bill. I should like to refer to him as my last witness, among those I have called, to show to the Senate and to those who read the CONGRESSIONAL RECORD what it was we had in mind at the time the unification bill was framed and recommended to the Senate. It is particularly significant that the committee did not carelessly create either the National Security Resources Board or the National Security Council. These civilian agencies were created because of suffering which had been endured by this Nation to its detriment in the past. Those two agencies in question are in part an answer to the future. Each of the witnesses I have previously called to testify has spoken strongly on this subject.

The Senator from South Dakota [Mr. GURNEY] on July 9 had this to say:

Mr. GURNEY. Mr. President, I call attention to the fact that the bill provides that the President shall preside over the National Security Council, provided that in his absence he may designate a member of the Council to preside in his place. That is set forth in title I of the bill, on page 31.

I should like to use that particular bit of testimony to indicate that if the President's nominee is confirmed as chairman of the National Security Resources Board, and he then automatically finds himself to be a Member of the National Security Council in the absence of the President of the United States, the Chairman of the NSRB can become the active Chairman of the National Security Council, and through those respective chairmanships can speak with greater authority on more subjects than can any other man in this country.

Others may say, and think it proper, that the President's nominee is qualified to fill the chairmanship of the NSRB and the potential chairmanship on the National Security Council; but as one who knows the nominee, who comes from the same State in which both of us have resided for a long time, I want to say, as seriously as I can, that the qualifications demanded for such assignments, are not possesed by the nominee in question.

The Senator from South Dakota [Mr. GURNEY] added:

> We do not propose to give the Secretary of National Security such standing that he will in a sense be the deputy commander in chief, shall we say? We do not wish to take away from the President, in any shape, manner, or form, his constitutional duty as Commander in Chief of the armed forces. With the President a member of the National Security Council and with this board set up primarily to advise the President on matters of national security, our committee did not feel that we should put the new Secretary of this new organization in a position superior to the one in which he is now placed by the bill, as shown on the chart. We might call the armed services organization our policeman. But we believe that the men in the organization, under the Secretary of National Security, will be men of standing, and men who will have knowledge of much value in meeting the whole national security problem. Therefore, taking them out of their positions as heads of the military branches or as heads of the Research and Munitions and War Council Boards, and bringing them up to sit on the Security Council, is of great value. We do not believe that the National Security Secretary should in any way control, by means of a superior position, the conclusions which emanate from the Security Council or the Resources Board.

I take it that what the Senator meant was that he wanted to disabuse the minds of anyone, especially those who felt that it was the intention of some to place the Secretary of Defense in a higher position, possessed of greater authority and influence than would be the Chairman of the National Security Resources Board and the National Security Council. The Senator was saying that it is the intention of the Congress to make certain that the National Security Resources Board and the National Security Council stand relatively on the same level with the office of Secretary of Defense, in order that they may more completely represent the civilian point of view in preparing for and fighting any war which might come to this Nation in the future. It is only another way of saying that now, since we have some time, as we appear to have, we had better make certain that the best brains available for such uses in this Nation are actually employed, as was the intention of the Congress.

On November 15, 1948, the Committee on the National Security Organization reported to the Commission on Organization of the Executive Branch of the Government on the historical background, prevailing status, and needs and requirements of, first, National Security Council; second, Central Intelligence Agency; third, National Security Resources Board; fourth, Office of the Secretary of Defense; fifth, military budget; and, sixth, Joint Chiefs of Staff and joint staff.

From these comprehensive reports I wish to discuss in detail the National Security Resources Board. Everyone is interested in it; not very many know very much about it. I think it safe to say that everything I shall say about it is included in reports and records which are available to anyone who wishes to ferret them out. I have been privileged to have an opportunity, or to be required, to do this necessary study, but now I am presuming to give a constructive, complete, and concrete answer to the average inquiry as to what the National Security Resources Board is. I want the people to know, as they should know, and this is the place from which the information should be given to them.

I. HISTORICAL BACKGROUND

The National Security Resources Board was established by the National Security Act of 1947. Its Chairman took the oath of office on September 26, 1947. Six weeks later the President appointed to membership on the Board the Secretaries of the Treasury, Defense, Interior, Agriculture, Commerce, and Labor. On the same day, the Board held its first meeting at the White House. On February 20, 1948, the President completed the Board, as now constituted, by appointing the Secretary of State to membership.

The National Security Resources Board is the outgrowth of an extended history. It begins with the experience of World War I. Neither the United States nor any other nation had an accurate conception of the demands on the national economic structure that were to develop between 1914 and 1918. After the war the National Defense Act of 1920 was passed, which charged the Assistant Secretary of War with the duty of planning for industrial mobilization. It is noteworthy that until the passage of the National Security Act of 1947, he was the only officer of Government specifically charged by law with this responsibility. In implementation of this responsibility, the Army and Navy Munitions Board was organized on July 15, 1922, with the Navy a somewhat reluctant partner, for the purpose of preparing joint industrial mobilization plans.

In 1931 the Army and Navy Munitions Board completed its first mobilization plan, which was subsequently revised in 1933, 1936, and again in 1939.

In principle the industrial mobilization plan of 1939 was sound. It made provision for centralized control of mobilization policies to be carried out through coordinated decentralized operations.

Mr. President, I do not know how many persons, either Senators or others, other than myself, are thoroughly familiar with this law, but in having been interested in the subject, I became concerned with the problem in detail because of a question or two I personally directed to the President's nominee when he was being heard by the Senate Armed Services Committee. I asked him:

"Mr. Wallgren, what is the National Security Resources Board?"

He appeared not to be very familiar with it, its function, its history, its background, or what it was intended to accomplish. I asked him, as did other members of the committee:

"What are you going to do when you become Chairman?"

His answer, at least in substance, as well as I remember it, was that he did not know, because he thought it would be presumptuous on his part to raise any question about an office to which he had not yet been confirmed. I think I asked him if he had done any reading on the subject, and his answer was "No." When I returned constantly to the question of competence I was horrified, as an American citizen and as a Senator, that a man could have offered to him one of the great opportunities this great country offers, and not exercise and show sufficient curiosity about it even to know any of the historical background of the agency or the mission assigned to him.

Because of the nominee's utter lack of understanding about what the position calls for I decided to find out all I could about the genesis of the NSRB in order that the RECORD would be clear and concrete and precise on this subject, so that at any time in the future a question was raised about the NSRB we could look back to the RECORD of March 8, 1949, and somewhere in my presentation find an answer to any legitimate question not only about the National Security Resources Board, in fact, but about the National Security Council as well.

I wish to look at the RECORD so far as the history of the NSRB is concerned.

WORLD WAR II

As World War II approached the industrial mobilization plan was not put into operation. The decision not to implement it was President Roosevelt's. What his reasons were he never stated publicly. There are various surmises. Among these are inadequate public appreciation of the urgent needs of the time and lack of public support for so abrupt a measure. Nineteen forty was a Presidential election year. The prospect of involvement in the European war was a matter of deep concern to the electorate. Industrial mobilization for war was unwelcome. Thus the mobilization plan for 1939 had political disadvantages.

I would personally recognize the disadvantages which are stated in this paragraph, but I am acutely conscious of the fact that when war comes to us in the future, if it does, we are not going to have time in which to concern ourselves in either political advantages or disadvantages. If we are prepared when the next war comes in terms of what is intended on the basis of the charts before us and these missions, we shall immediately and instantaneously, with the help of the American people, get on with the waging of the war. If we are not ready, the war is going to engulf us, as surely as the Germans, when they got ready, swept over the unpreparedness of France, for example, of Belgium, and likewise of Poland.

The plan, having been prepared by the Army and Navy Munitions Board, bore the label of its military origin. For many reasons, the organization that prepared it was not the one to put it into operation. There was no other organization able to do so. Mr. Roosevelt was faced

with either setting up a formidable new mobilization agency or resorting to less compromising but at the same time far less effective ingredients.

This is one of the most important lessons of World War II, and is one that should be heeded in the future. Fortunately, the National Security Act of 1947, in creating the National Security Resources Board, has spared President Roosevelt's successors the embarrassment of having to choose between the unsatisfactory alternatives he had to face.

ECONOMIC GENERAL STAFF

The National Security Resources Board is potentially one of the most influential units of the President's staff. It has been placed on the same level as the National Security Council, the Bureau of the Budget, and the Council of Economic Advisers—directly under and responsible to the President himself. In addition to the Chairman, its membership is composed of such "heads or representatives of the various executive departments and independent agencies as may from time to time be designated by the President." At present they are the seven members of the Cabinet, mentioned above, whose departments are most intimately concerned with the intended functions of the Board.

When President Truman was faced with the responsibility of appointing the membership of the National Security Resources Board, he had an opportunity to select as members representatives of any of his executive agencies. But because the President, in part, is thoroughly conscious of the importance of the NSRB, he made it his business, in the first place, to see that only the members of his Cabinet were likewise officially sitting members of the NSRB. It was at a time later than that—much later in fact—that, for reasons obviously best known to the President, he thought it fit and proper to recommend to the Senate as a nominee one who, on the basis only of his lack of training and experience, is obviously unqualified to sit authoritatively on that Board as its Chairman.

The form and language of the statute creating the Board, as well as its legislative history, indicate that this high-ranking civilian body was intended to provide the basis for a kind of economic and social general staff, comparable in position and prestige to its three companion units in their respective fields. Thus the National Security Council deals with high questions of our domestic, foreign, and military policy; the Bureau of the Budget with fiscal matters; and the Council of Economic Advisers with economic policy in broad outlines.

The National Security Resources Board provides a civilian planning and coordinating agency, capable of connecting and correlating the requirements of the Military Establishment with the capacities, potentialities, and needs of the civilian aspects of any mobilization effort.

It should be capable of planning in peace for industrial and civilian mobilization and of providing the blueprints and, to a certain extent, the skeleton organizations that would have to be instantly available in the event of another emergency or another war. It should also be able to coordinate these in the early, as well as in the advanced, stages of mobilization.

Three points must be strongly emphasized:

First. It is a civilian agency, thus recognizing the fundamental tenet of civilian control over our economy in times of war, as well as the fact that in modern war the purely military organization represents an important part, but still only a part, of the total effort.

Second. It is not subordinate to, nor even part of, the Military Establishment.

Third. It is a staff agency: its powers are not operative or executive. Whatever measure of coordination or control it may exercise must be exercised through or on behalf of the President.

II. STATUTORY RESPONSIBILITIES

In the original design of the National Security Resources Board, as indeed of the entire organizational pattern of which it is a part, the guiding thought was, undoubtedly, to prepare against a future emergency that might arise at some unpredictable time in the years ahead. At the end of the World War II, it was widely believed that the Nation was returning to a period of peace, comparable to that which existed prior to 1939, or even prior to 1914.

Mr. President, it obviously takes a long time to design and develop a presentation of this character, and I was just thinking at the moment how unfortunate it is that the President's nominee, in his several appearances in the hearings before the Senate Armed Services Committee, did not respond to questions of members of that committee by giving the information which I necessarily find it required of me now to give. I desire to make the function and the background of the NSRB as clear as we can to the Senate and others, for one reason—because the President's nominee, as of the time when he appeared to speak for himself before the Senate Armed Services Committee, did not have the remotest idea of either what his job had been, was, or was going to be in the future.

THE PHASE PATTERN

National Security was largely conceived in terms of planning against a hypothetical M-day, not in terms of current policy and action. Thus in virtually all the security planning, in the strictly military as well as in the industrial and related fields, one finds functions and requirements typically laid down in a phase pattern—phase I, peace, which might continue for an indefinite time from today; phase II, the appearance of an emergency; phase III, a declaration of war. For many types of planning this pattern is perhaps unavoidable, but its realism under the conditions of today is open to question.

The functions of the National Security Resources Board are defined in section 103 (c) of the statute as follows:

(c) It shall be the function of the Board to advise the President concerning the coordination of military, industrial, and civilian mobilization, including—

(1) policies concerning industrial and civilian mobilization in order to assure the most effective mobilization and maximum utilization of the Nation's manpower in the event of war;

(2) programs for the effective use in time of war of the Nation's natural and industrial resources for military and civilian needs, for the maintenance and stabilization of the civilian economy in time of war, and for the adjustment of such economy to war needs and conditions;

(3) policies for unifying, in time of war, the activities of Federal agencies and departments engaged in or concerned with production, procurement, distribution, or transportation of military or civilian supplies, materials, and products;

(4) the relationship between potential supplies of, and potential requirements for manpower, resources, and productive facilities in time of war;

(5) policies for establishing adequate reserves of strategic and critical material, and for the conservation of these reserves;

(6) the strategic relocation of industries, services, government, and economic activities, the continuous operation of which is essential to the Nation's security.

CURRENT FUNCTIONS

While this definition lays stress upon planning for a hypothetical future war, nevertheless the fact that the Board might also discharge important functions relevant to peacetime was not overlooked, either in the statute itself or in its legislative history. Thus, in subparagraph c (5), the Board is made responsible for advising the President concerning policies for the establishment and conservation of strategic and critical material—currently a matter of prime importance. In subparagraph c (6), it is similarly charged with advice concerning the strategic relocation of industries and services—a matter of profound significance to the peacetime economy.

There is further evidence that it was the intent of Congress that the Board would discharge functions more immediate than those of making blueprint plans for a future emergency.

The duties, responsibilities, and functions of the Board, it would seem, should not depend upon conventional and unrealistic time "phases" or upon the interpretation of such terms as "mobilization," "emergency," or "war." The Board's functions and duties should be gaged by realities, rather than by technical definitions. It appears to have been the intent of Congress that in case of need the Board should become the principal coordinating and mobilization agency.

A unique opportunity lies within the grasp of the Board. It can bring to the President and responsible agencies a full understanding of current economic policy relationships and their consequences on national security. The Board can provide the mechanism for coordinating the economic aspects of the Government's current security policies and for measuring them against the needs of the long-term civilian mobilization plan.

Unless the Board, or some other agency, exercises such responsibilities in these areas, there is no assurance that activities now undertaken in the name of national security will not, in the long run, impair our national strength.

For the Board to be occupying itself with theoretical blueprints and statistics looking to theoretical M-days when it

could and should be performing real, useful, and valuable current services hardly seems sensible.

PRESENT NEED FOR NSRB

Today we are unquestionably facing a situation that was not foreseen clearly at the time of the enactment of the National Security Act of 1947, but which does call imperatively for realistic evaluation of our resources, capabilities, and risks. On the one hand, the demands of merely stand-by preparedness against possible future emergency—as they have been developed out of the still imperfectly coordinated planning of the three services and related agencies—are proving to be much more onerous than was foreseen. Furthermore, we are living in a time of troubles which bears small resemblance to peace as we have been accustomed to think of it. For the first time in our history we are carrying, almost unaided, the full burden of world economic and miiltary power.

This situation simply does not fit into the phase pattern that has dominated so much of our planning in the field of national security. It demands precisely that kind of civilian and industrial staff work, of economic coordination and control, that the National Security Resources Board is required by law to provide in a time of mobilization; while some of the major responsibilities involved—for example that of stock-pile policy—are those with which the Board is specifically charged in time of peace.

The Board's first duty was and is to plan for, and to advise the President concerning, industrial mobilization in the event of war. But unless this planning is related closely to present realities the Board cannot successfully discharge this duty, nor can it realize its full potentialities as one of the major organs of government.

Mr. LONG. Mr. President, will the Senator yield for a question?

Mr. CAIN. I yield for a question only.

Mr. LONG. Does the Senator feel that in view of the burden which is presently on the United States, of defense not only of this Nation, but of half the rest of the world, we should dissipate our strength by spreading our tanks, guns, and airplanes, and whatever other arms we have, over the entire world; or does he feel that we should keep them in the United States, where they may be concentrated for the use of this Nation or any other nation to whose defense we may go in the future?

Mr. CAIN. The only answer the Senator from Washington can give to his friend from Louisiana is that I do not know nearly enough, or nearly so much as I should like to know, as to how the assets of this country should realistically be used in places beyond the continental United States. But one thing I do know is that unless this position is occupied by a man who knows infinitely more than the Senator from Louisiana and I know collectively, and who knows a great deal more than most of us, about making such determinations, which he will presumably lay before us for our consideration in the future, we shall not have the remotest idea of what we ought to do throughout the rest of the world, but we shall automatically be distrustful of any recommendations which are made by a chairman, for example, who we have reason to believe is not nearly so well qualified as is the Senator from Louisiana to come to conclusions which would provide an answer to the question which he has just asked.

Mr. LONG. Mr. President, will the Senator yield for a further question?

Mr. CAIN. I am happy to yield for another question.

Mr. LONG. In view of the Senator's statements on the floor today, I ask the Senator if he is inclined to agree with the Senator from Utah [Mr. WATKINS] in the statement which he made earlier in the day concerning the proposed North Atlantic Pact, to the extent that we could probably expect very little aid from other countries if we should enter into a compact with all the western European nations. We should merely be extending our commitments.

Mr. CAIN. This day has had more hours than I had previously intended it should have, and I have been constantly busy with a problem which I am presenting to the Senate. For that reason I did not have an opportunity to listen to the Senator from Utah, although he told me of the subject on which he was to speak. I shall, of course, read the RECORD with interest at the earliest opportunity.

Mr. LONG. Mr. President, will the Senator yield for a further question?

Mr. CAIN. I am happy to yield for a further question.

Mr. LONG. Does the Senator intend, during the course of his discussion of the qualifications of the nominee recommended by the President, to go into the background of the man whom he is discussing, and discuss what relevancy his training may have to appointment to the National Security Resources Board?

Mr. CAIN. I am delighted to say to the Senator from Louisiana that I am discussing at considerable length, because I think it important to have the RECORD show the situation clearly and concisely, the nature, functions, responsibilities, and missions of the National Security Resources Board, and, likewise, by way of historical background, of the National Security Council. When I get through with that, it is my intention, if required so to do, merely to tell the story of who the nominee is, where he comes from, what his training consists of, and who his associates have been, in order that the Senate may have two things before it: First, full knowledge of the man made available to every Senator; and secondly, full knowledge as to the requirements of the job. That is as far as I can go in making what I hope will be a positive contribution to the thinking of my colleagues. After that, the decision is theirs as to whether they think a job which is one of the largest with which I have ever had any research contact, can adequately be filled by a gentleman who, while possessing a good many harmonious virtues, is lacking in knowledge commensurate with the undertaking which he would take in hand.

I appreciate very much the questions from the Senator from Louisiana.

Mr. President, I should like to discuss for a few minutes the organization of the Board.

III. ORGANIZATION

The present adequacy of the Board in its organization and operations should be measured against the foregoing statement of purposes and principles. As to the present internal organizational pattern, I should like to refer to a chart which I have had prepared. If I may be so bold as to suggest it, until the very recent past very few Senators have had an opportunity to see this chart or study it.

The chart shows the position of the National Security Resources Board in the executive branch of the Government, as established by the National Security Act of 1947, for which many of us as Senators voted. The chart shows the relation of the National Military Establishment, which maintains close liaison with the National Security Resources Board, of which it is intended by the President that Mr. Wallgren shall be the Chairman, which Board, in turn, maintains very close relationship with the National Security Council, on which the Chairman of the National Security Resources Board will automatically sit as a member. With respect to the President and with respect to the security needs and requirements of this country, these three agencies are the three most important agencies in the United States.

The chart which I have laid before the Senate was approved by the Chairman on May 14, 1948. As I understand, the present internal organizational pattern is very flexible and well suited to the requirements both of the present and of a possible future emergency. The position of the several units on the chart indicates their relationship, not their relative importance. The large significance of this chart lies in the liaison features of the chart.

I now present the internal organization chart of the National Security Resources Board. I have no intention of lecturing from this chart, though I shall make reference to it.

It was said to the Senate Armed Services Committee by Mr. Wallgren, the President's nominee, that his job was largely that of dovetailing his activities with those of members of the Board who were also members of the President's Cabinet, and that he, as Chairman of the NSRB, would not have much of an administrative function. I lay before Senators for their own consideration and judgment precisely the administrative capacity to be demanded of the Chairman of the National Security Resources Board.

Mr. President, the Chairman of the National Security Resources Board has jurisdiction over the four great mobilization planning staff positions, namely, the Director of Production, the Director of Transportation and Storage, the Director of Human Resources, and the Director of Economic Management.

We should not forget to bear in mind that in the event of war, each one of

those four great agencies becomes a war agency; and the chairman who sits at the top has more to do by way of preparing the Nation for war than does any other individual or group of individuals in the United States, outside possibly the President.

As the chart which is placed before us shows, this pattern generally speaking establishes the staff on three levels under the Chairman.

The first level—as I now point out for those Members of the Senate who are interested in looking at the squares on the chart—includes:

First. The general counsel, responsible not only for the general legal work of the Board and its relations with the Congress, but also for preparing and maintaining current drafts of the legislation and executive orders that should be ready for use in the event of emergency.

Second. The secretary, charged with direction of the Board's secretariat and the administrative or housekeeping work of the Board including such important responsibilities as management of the advisory committees, certain relations with other governmental departments and agencies and with private institutions as well as with research and reports not falling within the special province of other divisions.

Third. The information officer and the functions of public relations.

Fourth. The office of Vice Chairman, the immediate director of the staff in its larger functions of planning and mobilization.

The Vice Chairman has at his command three staff agencies:

First. The Director of Plans and Programs and his staff, including the Chief Statistician, Chief Economist, Plans Branch, Program Branch, and Program Adjustment Division, who guide the development of the broad strategy of industrial mobilization planning and of the detailed programs necessary to support it. This important division is charged with integrating military requirements with the capacities of the civilian economy. Its duty is to consolidate military with civilian requirements, and to recommend steps to meet deficiencies, to formulate control mechanisms, to develop standard statistical, analytical, and planning methods and to balance and adjust the various resulting programs to each other.

Second. The Director of Mobilization Procedures and Organization and his staff are responsible for developing the basic concepts, the guiding principles, the fundamental procedures and organizational forms of the industrial mobilization plan itself. The division studies past experience in these matters, develops standard planning specifications for the guidance of all public and private agencies that may be involved, and maintains technical liaison with such agencies and with the advisory committees.

Third. The Mobilization Planning Staff proper consists of four divisions. Each is responsible for one of the major fields of industrial mobilization; production, transportation, manpower, and economic stabilization, through fiscal, financial, rationing, price and wage controls.

Mr. President, I should like to think that every Member of the Senate, in reflecting upon the problem of the confirmation of this nomination, would, as against the several paragraphs which I now wish to read, as a service to himself, mentally place the President's nominee in the seat of the chairman of the National Security Resources Board, and then consider whether the nominee could function as the chairman of this Board should

It is safe to say that a very great many persons in this country could not function adequately in the position of chairman of the National Security Resources Board. However, for the moment we are not concerned about that; we are concerned with one particular key individual.

As I said a moment ago, the mobilization and planning staff proper consists of four divisions. Each is responsible for one of the major fields of industrial mobilization: Production, transportation, manpower, and economic stabilization, through fiscal, financial, rationing, price and wage control. These divisions, through their relevant groups and subdivisions, are to supply the direct contact between the mobilization plan, in all its aspects, and the civilian economy. Their task is to develop and recommend detailed plans in several fields for matching resources to requirements, maintaining stockpiles or stand-by plants, developing new sources, and balancing requirements as among the various claimant agencies.

Mr. LONG. Mr. President, will the Senator yield for a question?

Mr. CAIN. I am most happy to yield for a question only.

Mr. LONG. Are we to understand from this chart that the director of production, who comes under the chairman and the vice chairman, as indicated by the chart, is to be in charge of the manufacture of aircraft, ordnance, marine, consumers' goods, equipment, tools, construction, and general products; and in the case of materials, solid fuels, petroleum and natural gas, steel, chemicals—including plastics—rubber, nonferrous metals, nonmetallic minerals, forest products, textiles, fiber, leather, and food; and in the utilities groups, fuel and other utilities, and communication? Is the chairman in charge of all of those, or is he simply in charge of advising in connection with their production?

Mr. CAIN. At the present time the Director of Production would be held responsible for formulating plans to be used by such subordinate agencies during war. If war comes to this country, under mobilization conditions the Director of Production, who is the director of this entire division, is director of a division which is intended to be the nucleus of an Office of War Production. In other words, it would be the Office of War Production for the next war; and there would also be the Office of Transportation, the Office of Manpower, and the Office of Economic Management. There is the organization for the next war.

Mr. LONG. Mr. President, will the Senator yield for another question?

Mr. CAIN. The Senator from Washington is most happy to yield for a question only.

Mr. LONG. Does the Senator from Washington have any idea as to the number of men presently engaged in or under the control of the National Security Resources Board and, further, how many men it is contemplated might be under the direction of the National Security Resources Board in the event of war?

Mr. CAIN. In the year 1947, when the National Security Resources Board was first established by law, it was, if I am not mistaken, given a budget of $2,000,000. For the reason that it had just begun its operations, it was possible for it to spend only $791,000.

Its budget for 1949, if I am not mistaken, is $3,000,000. Its budget for 1950 is to be $4,000,000. I stand ready to be corrected as to those figures, but I think they are essentially correct. If the Senator from Louisiana continues his interest in determining the exact number of men presently employed by the National Security Resources Board, it will take only a very few minutes entirely to satisfy his curiosity on that subject.

I found this problem somewhat interesting when I was looking into it, because I am trying to determine whether the President's nominee is qualified not only to manage and supervise these positions, but also to hire the personnel to fill them; and it seems to me that the Senator from Louisiana also may find it worth while to note in passing that, in connection with the National Security Resources Board, there are authorizations for the employment, under its Chairman—and the positions I am about to mention have nothing to do with the other members of the Board, who constitute the President's Cabinet—of persons to fill 60 openings on the National Security Resources Board as specialists, as they are called, special assistants, advisory committee members, directors, and technical assistants of one kind or another. There are 60 of those jobs at salaries of $10,000 each in the National Security Resources Board; and if I am not mistaken, 40 of them have already been filled.

I am likewise told, and I take it to be a fact, that a freeze order recently was imposed on the National Security Resources Board until the question of the confirmation of the nomination we are considering is settled. That leaves available to whomsoever becomes the next Chairman of that Board a minimum of 20 jobs at $10,000 apiece. Among my items of curiosity concerning the President's nominee is the question of how well and how wisely he would be able to select qualified assistants. It is not a question of what salary is paid to such a person, but it is a question of what he gives back in terms of energy and production.

Mr. LONG. Mr. President, will the Senator yield for another question?

The PRESIDING OFFICER (Mr. MILLER in the chair.) Does the Senator from Washington yield?

Mr. CAIN. I am happy to yield for another question.

Mr. LONG. For the benefit of the Senate, will the Senator state the salary of the Chairman of the National Security Resources Board?

Mr. CAIN. I think it should be a very great deal more than it is on paper. The salary attaching to the office of Chairman of the NSRB is $14,000. What a strange and contradictory thing that is. It was not the intention of anyone to make such a mistake. Let us assume it was in fact a mistake. When the law was passed by the Congress creating the NSRB, it was provided the Board should consist of any representatives the President saw fit to appoint from among the executive agencies of the Government. He therefore could have appointed minor subordinates. Instead, the President wisely saw fit to create as a board his Cabinet. Each member of the Cabinet, as I understand, is paid an annual salary of $15,000. Therefore, we have the Chairman drawing $14,000, with each of the other members of the Board drawing $15,000, in part for other duties they perform. My conception of the position of the Chairman and its magnificence in potentiality is that it would not make any difference what was paid to the right man to fill the position. In America the job ought to be first to find the man, then to ask him how much he wants, for he is the one who is to wage the next war for us.

Mr. LONG. Mr. President, will the Senator yield for another question?

The PRESIDING OFFICER. Does the Senator from Washington yield for a further question?

Mr. CAIN. I am glad to yield for another question.

Mr. LONG. In view of the fact that the other members of the Board, with the exception of the Chairman, are members of the President's Cabinet, would it not seem obvious that the Chairman could expect little more than advice from the members of the Board, and he would have to do all the work himself?

Mr. CAIN. I think it is a very logical construction which the Senator from Louisiana draws. I do not see how it could be otherwise. The Chairman is solely responsible, I want to make thoroughly clear to the Senator from Louisiana and to other interested Senators, for himself developing, through his administrative competence and influence over the directing heads, the plans which as Chairman he will in turn lay before the Board members for their consideration and approval or rejection.

As I conceive the relationship of the Chairman to the NSRB, it is comparable to the relationship existing between the president of an American corporation and his board of advisers; the board meets generally at stated times, and the president of the corporation comes in to advise the board as to how well operations have been moving along since the last meeting. I think that is precisely the situation which will confront Mr. Wallgren in the event he is confirmed by the Senate.

Mr. President, it is obvious from the broad scope of its functions that the National Security Resources Board must operate in an area in which a number of other executive agencies—some staff, some line—already have staked out jurisdictional claims. The Board is only one of several Presidential staff units and furthermore must deal with a host of long-established line agencies.

Neither statutory blueprints nor organization charts alone will solve this problem. Good will, a spirit of teamwork, and, above all, a clearly defined work program and clearly defined working relationships will go far toward its solution.

During the course of the past year satisfactory personal relations have been established between the Chairman of the National Security Resources Board, the Chairman of the Council of Economic Advisers, and the Director of the Bureau of the Budget. Periodic informal meetings between the heads of these three agencies are held. The Council of Economic Advisers is operating in the same general areas as the Board, and close working arrangements between these agencies promises mutual advantages. In time, it may prove to be desirable to merge them.

Unfortunately relationships with other important agencies leave much to be desired. Good will is not lacking, for example, in relations with the Munitions Board, but lines of responsibility are not clearly laid out although the work of these two agencies has not been seriously hampered thereby. Entirely satisfactory relations have not yet been established with the Department of Commerce. The same problem exists with other executive agencies. Most of the difficulty has arisen from lack of an agreed-upon NSRB work program clearly defining its relations to other agencies.

The degree of confidence that the President reposes in an agency and the extent to which he uses and supports it are not matters of legislation. The most crucial Board relationship is with the President himself. Statutory provisions requiring the President to consult with the National Security Resources Board before acting are of dubious constitutionality and of no practical value. Close relationships based on mutual confidence and respect alone will work.

The Board has taken a constructive step in forming the Interdepartmental Staff Group, consisting of representatives of its members—the Secretaries of State, Treasury, Defense, Interior, Agriculture, Commerce, and Labor. This will promote continuity in the Board's activities. It will also encourage a continuous and understandable flow of information, upon which policy decisions of the Board can be based, from the several departments to the logical reservoir for such information—the Board itself.

Many advantages should result from this arrangement. Among others, the designated representatives, meeting regularly and frequently as a working group, should engage in staff work that will assure adequate prior consideration of matters requiring the attention of the Board. Each representative also will serve as a focal point in his department for matters relating to the work and responsibilities of the Board and for facilitating the coordination of the Board's work with that of his department.

It is apparent that the four main divisions of the Mobilization and Planning Staff correspond to certain major war agencies of World War II—the War Production Board, the Office of Defense Transportation, the War Manpower Board, and the Office of Price Administration. Each should be capable of providing a plan and nucleus organization around which such agencies could be quickly re-formed, should the need arise. In the same way, certain of the subdivisions could, as circumstances might demand, serve as nuclei for other war agencies or pass into the established departments as the latter took over war functions. Thus, it is intended that the food subdivision of the materials group, under the Director of Production, would, in the event of war, pass to the Department of Agriculture as the nucleus of a war-food division within that Department; the foreign economics subdivision, under the Director of Economic Management, could become the nucleus for an office of economic warfare.

Under the full pressure of a war mobilization, the Mobilization Planning Staff proper would be expected to drop out of the National Security Resources Board organization, in order to provide the foundations for the required executive agencies of wartime direction. The Board, together with the remainder of its staff, would be the central coordinating agency for the guidance and control of the whole civilian war effort. If and when the pressures grew so heavy that this function could no longer satisfactorily be discharged by a board, but required a single directing head comparable to the Director of War Mobilization and Reconversion in the latter part of World War II, then the upper half of the present NSRB organization would provide his staff.

Mr. LUCAS. Mr. President, will the Senator yield for one question?

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Illinois for a question?

Mr. CAIN. I yield for one question only.

Mr. LUCAS. May I inquire from the able Senator as to how long he expects to speak on this subject?

Mr. CAIN. I inquire of the Senator from Illinois his wishes concerning the recess tonight.

Mr. LUCAS. I may say to the Senator, since he is asking me a question, that we are going to stay until he finishes his speech.

Mr. CAIN. Then, in answer to the question, I would not be able to say.

Mr. LUCAS. I thank the Senator.

Mr. CAIN. I would not be able to say how long I shall take. This is a serious undertaking, and I shall attempt to conclude, strength permitting, before the night is over.

Mr. LUCAS. I appreciate that, and I merely wanted to know. Some of the Senators were inquiring as to how long the Senator might speak.

Mr. CAIN. I would, if I could, answer the question; but I cannot.

Mr. LUCAS. It will be 2 or 3 hours, will it not?

Mr. CAIN. Will the Senator repeat his question?

Mr. LUCAS. It will probably be 2 or 3 hours, at least, will it not?

Mr. CAIN. Oh, all of that; yes.

Mr. LUCAS. We will accommodate the Senator and remain here just as long as he wants us to.

Mr. CAIN. I appreciate that very much.

While the basic principles of organization and procedure have been clearly established by experience in two World Wars, it is difficult to lay down precisely the detailed forms that the Federal executive organization as a whole should assume in the event of a third great war, except in the light of conditions as they develop.

Mr. LONG. Mr. President, will the Senator yield for one question?

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Louisiana for a question?

Mr. CAIN. I am pleased to yield for a question only.

Mr. LONG. Would it not occur to the Senator that, in view of the fact that the chairmanship of the National Security Resources Board ordinarily requires a man of high qualifications, it would be extremely difficult, during a period of peace, to find a properly qualified man, compared with the qualifications of a man whom patriotism would compel to take that position in time of war, since in time of peace a man who was qualified for the position would probably wish to be making more money as the head of a large corporation, whereas, in time of war, all persons naturally feel that they should come to the assistance of the Nation?

Mr. CAIN. I do not know. I am inclined to think that if the people of this country fully understand what the NSRB and the National Security Council were designed by legislation to consummate and attain, there would be many of the most able, talented, and properly trained men in America available for that opportunity. I will tell the Senator why. Anyone who thinks at all in these days knows that if another war shall come, it will not be a case of winning the war, it will be a case of somehow surviving as only a segment of society. The best brains of our Nation must be made to understand what will happen if war should come in the future, in order that they may accept offers made by the President of such portfolios as this one, and in order to make unnecessary the next war. I do not think the President of the United States would have any difficulty whatsoever in securing the services of an adequate, competent, immensely broad, and talented administrator for the office of chairman of the NSRB. I am convinced that in the present nomination the President was well intentioned, but he did not pay much attention to it. He was looking for an opening—and there is no criticism of this intended—to pay a political debt. As of the day on which he nominated Mr. Wallgren for the chairmanship, I think it is safe to say that there was no one else available as chairman in any of the scores of portfolios in agencies, bureaus, and commissions to which the President has authority to nominate men from civil life.

Mr. LONG. Will the Senator yield for a further question?

Mr. CAIN. I shall be pleased to yield for a question only.

Mr. LONG. In view of the fact that the position, according to the Senator's point of view, would probably indicate the need of man of great experience in production, such as the head of a great corporation, or a man who had been a member of the board of directors of many corporations who might have resigned from his position as president of a corporation or chairman of the board of directors, would it not seem to the Senator that to accept the position of chairman of this agency he would have to suffer a great financial sacrifice, because he would be required to resign his position as president of a great corporation, for instance?

Mr. CAIN. The Senator is correct. There are however, many people in the United States who have accumulated a great deal of this world's goods and who would be glad to represent their country in a position of that kind.

Mr. President, because I yielded in the middle of a sentence, I should like to repeat the last sentence.

While the basic principles of organization and procedure have been clearly established by experience in two world wars, it is difficult to lay down precisely the detailed forms that the Federal executive organization as a whole should assume in the event of a third great war, except in the light of conditions as they develop. The present organization of the National Security Resources Board, leaning as it does rather strongly toward the actual organization developed during the last war, provides a framework on which that type of organization could be quickly rebuilt in case of sudden emergency.

ADVISORY COMMITTEES

It is important to fill out as soon as possible the structure of advisory committees. Although these are indicated on the chart as directly associated only with the chairman, every key unit throughout the organization, including the subdivisions of the Mobilization Planning Staff, should attach to itself an advisory committee drawn from civil life and consisting of those with knowledge and, where available, wartime experience in the relevant field. Such advisory committees have already been formed for the Legal Division and for the Plans and Programs Division. These committees are essential, not only because of the advice and assistance they can give, but also as a reservoir from which the staff may be recruited when necessary and as a cadre of active participants in the event of emergency. Without such cadres on hand it would be very difficult for the staff divisions to fulfill their functions as nucleus agencies. It would contribute greatly to the speed and smoothness of an actual mobilization if the members of the advisory committees could, in addition to holding occasional meetings, individually spend a week or 2 weeks from time to time working directly with the staff unit with which they are associated.

PERSONNEL AND BUDGET

The proper personnel and fiscal requirements of the National Security Resources Board can best be measured in terms of staff and financing of other executive agencies. The Bureau of the Budget costs approximately $3,250,000 and the National Security Resources Board approximately the same amount. Many times this amount could be spent upon civilian mobilization planning, depending upon the degree of detail, but one may doubt its value. The Board spends a much larger proportion of its budget for consultants, advisers, and temporary contractual employees than does the Bureau of the Budget.

Since last spring the National Security Resources Board has been making strenuous efforts, and with some success, to fill a number of important staff posts. Recently the post of Vice Chairman, which was long vacant, has been filled. One difficulty in obtaining competent personnel from business and industry arises from the lack of clarity surrounding the legal conditions and circumstances in which such personnel can assume responsibilities. It is desirable that legislation be passed to clarify this situation.

IV. PRESENT PROGRAM

In appraising the accomplishment of the National Security Resources Board it must be remembered that the Board itself is a new organization.

LACK OF A SYSTEMATIC PROGRAM

The greatest defect in the NSRB operation in the past has been lack of a definite, carefully planned, and comprehensive work program. Progress toward remedying this defect was made by a memorandum, prepared under date of August 19, 1948, entitled "Preliminary Statement on Guiding Principles and Program Framework for Mobilization Planning" which brings the matter into focus.

This is a substantial step forward. Consistent attention paid to programs in the future should expedite the work of the Board's staff and remove uncertainties both internally and in relations with other agencies in the executive branch of the Government.

MOBILIZATION PLAN LACKING

As of November 1, 1948, the Board had not completed even an emergency mobilization plan. Delay was occasioned chiefly by the absence, until recently, of a work program that would put first things first. Many months ago the Munitions Board sent the NSRB a draft mobilization plan based on World War II experience. While a number of individual studies of value to mobilization planning have been undertaken by NSRB, the over-all plan was still lacking on November 1, 1948. It is encouraging to be able to report, however, that considerable progress was made in the fall months and that a tentative mobilization plan—more of an organizational framework and working philosophy than a detailed plan, however—was to be completed by December 1 and published by the end of this year.

SCHEDULE OF CIVILIAN REQUIREMENTS

A definite schedule of civilian requirements—at least as definite as military requirements—ought to be one of the most important, immediate NSRB projects. Civilian mobilization planning will remain largely theoretical until this has been accomplished.

Program analysis and program clearance give much better control than production priorities. If a program is within the capacity of the country, a relatively simple priorities system will work. If it is beyond the Nation's capacity, no system however complicated will produce results.

NSRB ACCOMPLISHMENTS

In spite of growing pains, the Board has done much toward assembling a competent staff and establishing a sound organization. It has made progress in the development of procedures—always a difficult task for a young agency. The Board itself had held 11 meetings as of November 1, 1948. It has given active consideration to a variety of major subjects falling within its province, and as a result has formally submitted a number of recommendations to the President, some of which have been rejected. Chart 3, on the dais, indicates the role of the Board in the national economy.

AD HOC STUDIES

The work of the staff has yielded several important and significant studies of resources, supplies, and present policies in special fields. Lacking a clear work program, however, the Board's staff has devoted itself primarily to the ad hoc consideration of a series of specific questions. The choice of subjects in large measure has been haphazard.

Notable among these studies is one dealing with the capacity and requirements of the Nation's electric power systems and the production of heavy power equipment; another dealing with raw materials and stock-pile policy; another on effective mobilization of the operating and manufacturing phases of the communications industry. Another study on the problem of economic stabilization in the event of a heavy pressure of security programs or of war emergency, estimates the probable magnitude of the task of stabilization in an already fully-occupied peacetime economy and discusses the kind of measures that would be required to deal with it. It represents an original and valuable contribution to a field that is too little understood.

The Board has devoted considerable attention to the study of possible relocation and dispersion of Government facilities and industrial enterprises. It has published a pamphlet guide on this subject. The studies indicate that dispersion of existing industry would be prohibitively expensive, but a proper location, with a view to adequate dispersion, of new construction is possible. Additional work on this subject and on underground facilities is needed.

I do not know the attitude of any other Senator in the Chamber, but when I read of the studies which are being undertaken and of the functions which are yet to be performed, I wish to come back and ask the question again of the Senate, is the President's nominee within 90 percent of being a man into whose hands can be entrusted the responsibilities which have been laid down, not by the President, but by the Congress? On the basis of hard-headed, common sense, I say that the answer obviously is that he is not competent. Judge, now, the President's nominee, for a few minutes, against what follows.

The studies indicate that dispersion of existing industry would be prohibitively expensive, but a proper notation, with a view of adequate dispersion of new construction, is possible. Additional work on this subject and on underground facilities is needed. Other similar studies are under way. A survey is being made of the wartime experience with machine tools and of the present machine-tool position, with a view to developing appropriate present and future policies in this field. A comprehensive survey of the world petroleum position has been made.

Questions relating to manpower are now under study by the Board. Several Government agencies are collaborating, at the Board's request, on a project to determine the characteristics of the human resources of the Nation, not only as to age, sex, and location, but as far as possible as to distribution of particular occupational skills. It is analyzing selective-service legislation, and has made specific recommendations to the President as to the form such legislation and Executive orders issued thereunder should take. It is undertaking a survey of those occupations that would be critical or in short supply in the event of a war, so that they may be identified in advance as far as possible and training programs can be undertaken in especially short areas. Progress on a manpower mobilization program has, however, been extremely slow.

In the medical field, the Board is commencing a series of studies to develop more accurate information and specific plans in connection with the national health in time of war. The health resources of the country represent a highly specialized phase of national security. The medical division of the Board is planning to press forward with studies of facts in these areas as rapidly as possible.

With the concurrence of the National Security Council, the Board recently has assumed certain responsibilities of a planning character with respect to economic warfare. It is also participating in the determination of current export controls policies, final responsibility for which rests in the Department of Commerce. Economic warfare planning had not advanced- -during the committee's sessions—to a point where it was available for committee examination. More active attention to this field seems essential.

The general counsel has prepared a draft of an Emergency Powers Act, designed to provide for powers of various kinds that may be required in emergency or war. It covers such things as priorities and allocations, the creation of Government corporations, contract price adjustment, price wage stabilization, authority to requisition, import and export controls, censorship, selective service, and many others. Some of the titles would come into effect upon enactment. The title covering price and wage stabilization would come into effect only after Congress makes a finding of the existence of a threat to the economic stability of the United States. Other titles would come into effect only upon a congressional declaration of war.

I do not know how many Senators will think that the President's nominee, Mr. Wallgren, is qualified by training and experience to lay down in general the price and wage regulations which ought to govern in this country, should the Congress make a finding of the existence of a threat to the economic stability of the United States. I do not think the President's nominee is competent for that task. I think other Senators will want to make more certain of his competence than they are now before assigning him to a role in which he will exercise great domestic influence and power over all the citizens of this country.

The legislation affecting this matter has been prepared carefully, and seems comprehensive. It does not include among its titles a National Service Act, but the powers it would bestow upon the President in time of emergency would seem to be almost as far-reaching. Two caveats to this phase of the Board's work must be entered. The first is to the method of procedure. This legislation, of far-reaching effect on labor particularly, has been framed without direct labor participation. From the point of view of acceptance of the steps proposed, this omission may prove to have been a mistake.

The second caveat relates to the philosophy of the proposed Emergency Powers Act. It may well be that the next war will be so horrendous in its effects, so comprehensive in its universality, that nothing less than conscription of the entire Nation to the compulsion of war will be adequate. It might, however, well be given the proper directives, proper leadership, proper mechanisms, and proper incentives, that the Nation would produce more under voluntary conditions than under compulsory ones. Wage increases are natural incentives in a capitalistic society; so, too, is every man's desire to better himself. Most men work better for the hope of reward than for the fear of punishment. It is completely clear that controls, probably far more extensive than ever before, will be needed to govern the economic life of the Nation in the next war, but those controls should be minimal, not maximal. Congress should study carefully the proposed Emergency Powers Act, and the Board would be well advised to restudy it with full participation by labor.

THE WORK MUST BE SYSTEMATIZED

The conclusion is justified that many of the Board's activities have been of an important and significant character. It is essential, however, that a comprehensive and orderly approach be developed to the multiple problems with which the Board must deal. Much remains to be

done to insure proper interrelation of the several divisions and projects. The major objectives must be plainly recognized, kept firmly in mind, and systematically advanced. Proper programing will go a long way to assist in attaining these goals.

STOCK PILING

The Board has a major policy-determining role in regard to stock piling strategic material. I think in this instance, Mr. President, we, as the Senate, had better move most carefully in making certain that there be selected for the role of Chairman of the NSRB one who understands strategic stock piling for the national welfare and security. To make a mistake in this respect is to make a gigantic error in terms of opportunities for selfish dealing that can result from the selection of a wrong individual through whose efforts others, possibly as little qualified as he, will be charged with the responsibility for a major endeavor.

Stock piling has important repercussions on procurement. Stock-pile requirements are now procured independently by the various relevant departments, the actual purchase being effected through the Treasury. This brings stock-pile demands into the open market uncorrelated with the demands of the other security programs, with resultant effects on both supply and prices. There is need for better coordination and timing. At other points, it is necessary to consider the development of new sources of supply, financing new plant and equipment rather than bidding competitively for the short existing supply. This, in turn, involves important considerations of foreign economic policy. For all these reasons, stock piling must stand high among the major subjects of both current and long-term planning by NSRB. On June 30, 1948 the Board submitted a memorandum to the President, which he subsequently approved, entitled "Steps Necessary to Accelerate the Stock Piling of Strategic and Critical Materials." Since that date somewhat more substantial progress has been made, but as of November 1,1948,over half the items in the program had still not reached their goals. In the light of the international situation this is very serious.

Though apparently the President's nominee, when he appeared before the Senate Armed Services Committee as a witness to speak in his own behalf, did not think there was anything serious about the fact that some of the goals herein referred to had not been reached. This being in the latter part of February, he was not aware of what the goals were, or that they had not been reached. His complete attitude of mind at those hearings was that of a man who was delighted to have been given a job—period. He was not curious about the job; he did not understand the job; but it was a job. The nominee said to us without a smile that, the President in thinking the nominee was qualified, having expressed his confidence in his nominee, it likewise followed that the members of the Senate Armed Services Committee without question would think him qualified. I am one Senator who, not being a member of the Armed Services Committee, would still not take a chance with my Nation's security by accepting the President's nominee without not only mere questions, but without serious questions.

PUBLIC RELATIONS

Public reporting, as complete as is possible within the limits of necessary secrecy, must be regarded as one of the Board's essential activities. Understandable and significant reporting is the foundation of successful public relations. It is the first requisite in spreading through public, industry, and government alike a grasp of what the Board is doing and an adequate comprehension of the significance and importance of the work. Without that comprehension, the activities of the Board cannot hope to prosper. Limited results have been attained in this field.

I know all of us are one in hoping that the results in the future will not be limited in any way, shape, or form, because the more the country knows about the successful progress of the NSRB and the National Security Council, the more rapidly this great Nation, through its people, will be able to support and uphold the efforts of its Government, as reflected in these several agencies.

V. EVALUATION

Let us try to evaluate what the NSRB has accomplished up to date.

The United States would have experienced even greater difficulty and delay than it did in meeting the mobilization demands of World War II had there not existed in the country a considerable cushion in the form of unused plant capacity, slack employment, and a relatively moderate wage and price level. Today there is no such situation. The civilian economy is already running at or near capacity, wages and prices have risen, at least to within sight of danger points, and there is little or no surplus manpower for even civilian needs. On this heavily occupied economy are imposed very substantial additional burdens.

THE MEASURE OF THE PROBLEM

Programs related to security and foreign aid policies that have been adopted, or are in process of adoption, include the Atomic Energy Commission program; the Economic Cooperation program; Army, Navy, and Air Force programs calling for heavy increases in manpower and in procurement; substantial programs for the stock-piling of strategic and critical materials; proposed expansion of shipbuilding, including tankers; possible lend-lease military aid.

No provision appears to have been made for continuing and comprehensive studies of the combined impact that all these programs are likely to have upon the civilian economy. Such estimates as have been made seem to indicate that the over-all burden in the initial stages would not be beyond the over-all capacity of the economy to sustain. But even if correct, such findings are subject to serious qualification. They assume the stability—except as they may be affected by the programs themselves—of present wage and price patterns. They refer only to the initial stages of these programs. Heavy upward revisions of all the programs might be compelled by events.

More importantly, over-all estimates do not reveal the many and often serious specific pressure spots and bottlenecks, which in the absence of proper coordination or control could have cumulative effects upon the entire economy.

Analysis undertaken by the National Security Resources Board staff clearly reveals the especial importance of the stock-piling program in the problem of supply of materials. In many short or strategic materials, stock-pile objectives constitute a very large percentage of the total "preferred" demand—that is, the demand for military, European recovery, and related security programs. In these cases, stock-piling policy alone can make the difference between sufficiency and inflationary shortages. It is, therefore, plainly apparent that stock-piling policy must be constantly coordinated with current procurement and adjusted as to rate, time, and methods of acquisition, to the policies of the Military Establishment and Economic Cooperation Administration, either by open-market purchase or through the development of new sources of supply.

Yet there is no single agency of Government today dealing from an over-all viewpoint with such unquestionably critical problems of coordination, correlation, timing, and method.

There is no authoritative agency through which the estimated requirements of the Economic Cooperation Administration can be directly related to the requirements of the armed forces, and the specific demands of the one adjusted and timed to the specific demands of the other. The Atomic Energy Commission stands almost completely outside the entire complex, mainly because of secrecy in its operations, but the effects of its purchases of steel and power and other items cannot, of course, be separated from the economy as a whole. The President must have available considered and integrated advice on all such policy items, backed by adequate current staff and statistical studies, and formulated jointly by the major operating agencies. The National Security Resources Board was created in order to perform precisely this kind of job.

Mr. LONG. Mr. President, will the Senator yield for a question?

Mr. CAIN. I am pleased to yield for a question.

Mr. LONG. Does the Senator have any information as to how well the National Security Resources Board has fulfilled the functions which he is discussing up to this time?

Mr. CAIN. What I have been relating in recent minutes attempts to present an evaluation of how well they have done their work. Certain criticisms have been made of the NSRB, to the effect that it has a number of capacities yet to be filled by capable persons. It simply has not yet been able, probably because of lack of personnel—it has not been lack of money—to pursue studies which lead to a further integration of our military and manpower problems. The only way in

which I can further answer the question of the Senator from Louisiana is to suggest that on the basis of its limited operation, there is great need for further effort by the NSRB. Everyone seems to be in agreement that if it gets the proper management it will go on from where it is, in a beginning stage, to become a real factor for the good and future stability of our economy, and will be a protection in terms of security for the future.

Mr. LONG. Mr. President, will the Senator yield for a further question?

Mr. CAIN. I am glad to yield for a question only.

Mr. LONG. With reference to the Senator's study, has he any knowledge as to the extent to which this country has acquired and accumulated the critical stock piles necessary in the event of another war?

Mr. CAIN. I wish I could answer the Senator's question accurately, but I have absolutely no information on that question.

NSRB AS THE COORDINATING AGENCY

It is clear that Government will have failed to make its own contribution unless it correlates its own programs, procurement policies, contract policies, and manpower policies to a much greater degree than it is now equipped to do. The President must have available considered and integrated advice on all such policy issues, backed by adequate, current staff and statistical studies and formulated jointly by the major operating agencies. The National Security Resources Board was created in order to perform precisely this kind of job. It not only was created to perform that sort of job, but its Chairman is expected to be a man who is qualified in his own right to explain to the President of the United States what the Board has done.

I hope I shall not be misunderstood in suggesting why I thoroughly disagree with a particular point of view which was before the Senate Armed Services Committee on one of the days of their recent hearings, which were open to the public. I had raised against Mr. Wallgren a question which I thought to be legitimate. I wanted to know what his educational background was, in order that we might measure his attainments against the standards of the job. It became obvious as we went along that, for one reason or another, he had been required to leave school in his sophomore year in high school. There was nothing distressing about that, but I was looking into the record to determine if in subsequent years he had seen fit to go back to school to specialize in some lines of endeavor which would be helpful in making him competent for the chairmanship of the NSRB.

About that time a question was asked of Mr. Wallgren which went something like this: "Is it not true that your education in a formal sense is about comparable to that of the President of the United States?" The answer was obviously "Yes."

The second question was, "Do you not think that you have as much right to be selected to be the chairman of the NSRB as the President had to be elected by the people of the country to be the President?" Mr. Wallgren's answer went something like this: "That is the President's opinion." Someone was trying to make the point that because our President did not have an opportunity, perhaps—and I have not looked into that record—to go to college and do postgraduate work, and so forth, because he did not benefit from that particular type of trained education, it was perfectly proper that he should have as an adviser to him someone whose best recommendation was that he had not had any more opportunity than had the President to benefit from higher education. I take that premise to be undeniably wrong and false and seriously injurious to the future in which we all seek to live in peace and happiness.

If the President is lacking in any capacity of any character, but has attained his position because of his native intelligence, he ought to be the first to make certain that he seeks advice from no officer who is not infinitely better trained and qualified than is he. One of the resistances which many of us have to the appointment of the President's nominee is that it is a further step in Government by mediocrity, and we disapprove of it conclusively, and hope we always will.

Mr. LONG. Mr. President, will the Senator yield for a further question?

Mr. CAIN. I am pleased to yield for a question.

Mr. LONG. Is it not entirely possible that a man appointed to this high position, even though he may have had very little experience with it to begin with, after he had held the job a while might learn the job by doing it, and gain the experience necessary properly to fulfill the job?

Mr. CAIN. Is the Senator referring specifically to this job?

Mr. LONG. Yes.

Mr. CAIN. I should say—and it is only my judgment; I may be mistaken—that it would be utterly and fantastically impossible to expect a person who was untrained—speaking of training in terms of the trained intellect—to fit into a place where he must deal competitively with the brains represented by the other members of the President's Cabinet, and, in his other capacity as a member of the National Security Council, deal with some of the foremost intellects of the country. Under any other circumstances, perhaps the Senator's premise would be correct; but in this particular instance I believe that a man must be possessed of administrative facility amounting almost to genius. That requirement is recognized by everyone who goes into the question. He must be possessed of a broad education which, roughly, would cover, on the basis of experience, some exposure to the fundamentals of the four agencies which, beyond the shadow of a doubt, will conduct the next war.

Mr. LONG. Mr. President, will the Senator yield for a further question?

Mr. CAIN. I am happy to yield for a further question.

Mr. LONG. Is it not entirely possible that a man without the experience which the Senator would require might surround himself with the proper advisers, whose knowledge would compensate for his lack of knowledge on the subject?

Mr. CAIN. I think there is much to be said for the Senator's position; but I shall attempt to answer his question from the chart before us. Whoever the Chairman of the NSRB is, he must, in a real sense, compete—if that is the proper word—with other members of the National Security Council, with every Cabinet member who sits as a member of the NSRB, and with the Secretary of Defense. If it is humanly possible, I believe that we ought to have as Chairman a man whose grasp of the required subjects is so concise and broad that he will be able to judge, in a reasonable and fair way, the requests, demands, aspirations, and desires of all the other agency heads with whom he works.

One of the things I have in mind is the following: Take, for example, a man for whom I have a very high regard, and who has recently left the Government service, or so we are told by the press, Mr. James Forrestal; or take, if you please, Mr. Symington, the Secretary of Air; or take, for example, Mr. Sullivan, the Secretary of the Navy; or take Mr. Royall, the Secretary of the Army. All four of those gentlemen sit on the National Security Council, and the Chairman of the National Security Resources Board also sits on that Council. Other Senators know as well as I do the competitive factors which are inherent in discussions between those military men. As the Chairman of the Board sits there, if he thinks one or the other of those military agencies is perhaps developing on the selfish side in the Board, he will have to be so able that he can require them to minimize their selfishness and, instead, act in furtherance of the national goal. It is not that they are actually so selfish, but it is really a question of whether each group tries to get more than its proper share of the national product for its own uses.

(At this point, Mr. CAIN, by unanimous consent, yielded to Mr. CONNALLY to report an original bill and submit a report, which appear under the appropriate heading at the conclusion of Mr. CAIN'S speech.)

Mr. CAIN. Mr. President, in the absence of a civilian agency capable of performing this current coordinating and regulating function, the failure to utilize the National Security Resources Board can lead to only one result: Inevitably it must lead to domination by the military over great areas in civilian and industrial life of the United States.

A moment ago the Senator from Louisiana wished to know whether an untrained man, such as I claim the President's nominee to be, could take over the job of Chairman of the National Security Resources Board and get along satisfactorily. I think the sentence I have just read shows that, if he cannot get along satisfactorily, the inevitable result will be that the military will take over functions in this country which properly, as the military well know, belong to and should be maintained by civilians.

An example of this is the powers conferred on the Secretary of Defense by the Selective Service Act of 1948, in respect to the allocation of steel. It is not the duty of the military to correlate military and civilian manpower needs; it is their duty to estimate the number of men required to fill their ranks. Theoretically, the selective-service systems are supposed to consider conflicting requirements, but they are inadequately equipped to do so.

The Munitions Board is under the duty of coordinating contracts so as to avoid conflict between the military programs themselves; it is not its duty to adjust these programs to the needs of the civilian economy, or even to such related programs as those of the Atomic Energy Commission or European Recovery.

The National Security Resources Board was created because of the acute realization of the limitations upon purely military planning, and of the lamentable consequences that must follow if there is nothing to balance large military demands on the Nation's resources. Yet, if the Board is not utilized, there will be no such balance wheel, and the national economy will be dominated in large part by the military.

LEARNING BY DOING

The idea that the Board can, in the midst of current problems and situations closely comparable in kind, if not in size, to those of an actual mobilization, simply sit down to the drawing of theoretical plans against a theoretical future, and yet still be adequate to the demands of that future, is patently fallacious. If the Board enjoys real responsibility, it can test procedures, improve its planning by experience, and establish close relations with the civilian and industrial agencies through which it would have to work in time of war.

It can learn to know the top personnel in private life upon whom it will have to call to staff the war agencies and attract many of them into its service, either as advisory consultants or as staff members. This would give the Board and its staff a body of experience and knowledge of personnel that would be of incalculable value in the event of war, and that might well reduce by months the time required to get an effective industrial mobilization into high gear.

Insofar as possible, the Board's research staff should be kept small. The fullest possible utilization of the facilities of existing Government departments and agencies should be accomplished.

MOBILIZATION PLANS MUST BE LIVING FACTS

From the negative point of view, the case is even clearer. If the Board is relegated purely to future problems, the results upon the Board structure itself are easily predictable and will certainly be lamentable. Top Cabinet officers are too busily preoccupied with the clamant present to give close attention to long-range planning; and under such circumstances the meetings of the Board members would be likely to become fewer and fewer, as well as less and less realistic. The Board's staff would be almost certain to drift off into a useless vacuum, isolated from the day-to-day issues of practical government out of which the future for which they should be planning would be growing, and the Board would be uncertain of both its responsibilities and its authority. However excellent its work, it would inevitably decline into a mere blueprint agency, with a certain by-product output of statistical material. As such, it would probably end up somewhere among the lower ranks of the present Presidential secretariat and staff agencies, with the value of the Board's own influential membership wasted.

The results of such an isolated approach were very clearly demonstrated in 1939 and 1940. Sound industrial mobilization plans were developed by the Army and Navy Munitions Board and were put, ready for use, in the pigeonholes—plans so good, indeed, that their salient features were ultimately adopted, after an enormous amount of time, energy, and perhaps human life had been wasted by disregarding them. The important question here is why they were disregarded. The basic reason was that the planning was divorced from the current political, industrial, psychological, and even governmental situations. Public opinion and its Representatives in Congress were reluctant to support the drastic measures the plans required. Even the industrial, agricultural, and labor leaders, on whose understanding and cooperation the plans depended, were unfamiliar with them or with the reasons behind them, and were often unconvinced of their correctness or of the necessity for resorting to them.

In another severe emergency one can expect a repetition of this situation unless the plans and planners are kept in close and continuous contact with the civilian life and economy for whose mobilization they are responsible.

The only way in which the indispensable contact between plan and public can ever really be maintained is by giving the planning agencies and staffs a genuine and significant responsibility in the day-to-day functioning of government and formulation of policy.

To date, the National Security Resources Board has failed to live up either to the congressional intention or to the urgent needs of the time. This is not wholly, by any means, the fault of the Board. Until the functions and purposes of the Board and its importance as a viable entity of government are appreciated by the top echelons of government, it cannot serve its purpose.

The Board has been entrusted with both current and future functions by the National Security Act, yet the demarcations between them apparently are not clear either to the Board itself or to those who should employ its services. There are indications that this concept is not understood, or perhaps not approved, in high circles. There is confusion among other departments and agencies as to the functions of the Board, and there are some evidences of departmental opposition to its activities. The danger is obvious; an outbreak of war tomorrow might again find us without a sound mobilization plan; we might once again be compelled to waste time, men, and money in the laborious process of evolving one after war had started. The National Security Resources Board must build the idea, and the business, of mobilization planning into a large number of interlocking Government agencies; it must not attempt to confine every detail of planning to itself. It must relate itself more closely to both industry and labor; it must bring representatives of both into its own and Munitions Board planning at an early stage.

But the Board will never be any stronger than the support it receives. Unless it is utilized, unless it is supported, it is a meaningless organization. It is completely clear that the head of this important Presidential staff agency must enjoy closest relations of mutual confidence with the Nation's Chief Executive. But it follows as day does the night that the confidence the President has in the Chairman must come from his and the country's knowledge that the Chairman is one of America's outstanding men, and that no one will ever have cause to question or doubt his character, competence, and capacity. On the basis of this standard, the President has no right to endow Mr. Wallgren with a vote of confidence, when a majority of all informed citizens will deny that Mr. Wallgren is suited to the chairmanship.

Mr. President, I have before me the testimony of Arthur M. Hill, first Chairman of the National Security Resources Board, who some weeks ago resigned. Let us bear in mind the agency was created by the Congress in 1947. Why should not this testimony become a part of the RECORD in order that we may become more familiar with the attitude of mind which guided Mr. Hill in the early days of his chairmanship of the Board? Mr. Hill was being questioned by the Senator from Michigan [Mr. FERGUSON] in the hearings before the Special Committee To Investigate the National Defense Program, pursuant to Senate Resolution 46, adopted by the Eightieth Congress, first session. I refer to part 42 of the hearings. I shall read the question by the Senator from Michigan and the response by Mr. Hill:

Senator FERGUSON. I think it is interesting and valuable to the committee to know what we may have in mind for the future.

Mr. HILL. I would like to direct my testimony to the future. Later I will endeavor to answer any questions that the committee might have.

It seems to me that two salient factors stand out as the basis of any consideration of planning for our future security in the field of our natural and economic resources. The first lies in the nature and extent of the impact of war on our national life. The phrase "total war" has been used for many years. The United States has not, however, ever experienced a total war. To date the continental United States has not been subject to direct attack. It is also true in the degree to which the activities of a nation—governmental and private—become involved in and are essential to the support of a war effort.

We are prone to think that we were engaged in "total" mobilization during World War II. Actually our mobilization did not tax our resources to the greatest extent possible.

From war to war more types of weapons are used; they become larger in size and number, more mechanical, more scientific, and more complex. More man-hours, more machine-hours, more facilities, more raw materials are needed in their manufacture. The productive capacity on the home front to support the armed forces increases proportionally. The ratio of the men behind the guns to the men manning the guns is ever expanding. Consider in this respect the machine gun, which was one of the major weapons of World War I, and the B-29 bomber, one of the major weapons of World War II. Then project this comparison to the atomic bomb.

This accelerated development of weapons means for the future that, while there may be relatively less personnel in actual contact with the enemy, the armed forces will need in their service branches relatively larger numbers of men with more varied equipment in greater quantities to supply, maintain, and transport the actual fighting forces. In any future war the logistical problem of the armed forces will be larger and more complex than during World War II. The requirements of the armed forces will demand more from the home front—more industrial capacity, more materials, more machine tools, more agricultural production, greater utilization of the transportation system. In turn, this drain on the normal civilian economy will require more extensive organization of all civilian activities for war.

Mr. BREWSTER. Mr. President, will the Senator yield for a question?

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Maine?

Mr. CAIN. I am pleased to yield for a question.

Mr. BREWSTER. I wanted to inquire of the Senator, in connection with consideration of the problem, whether or not he had examined the evidence of Mr. Baruch, who, perhaps more than any other person, was responsible for the development of the whole idea of our industrial mobilization, as a result of his studies through the past 30 years, since the First World War?

Mr. CAIN. I may say to the Senator from Maine I have, with great and continuing interest, read his observations made before the committee of which the Senator from Michigan was chairman.

Mr. BREWSTER. Mr. President, will the Senator yield for another question?

The VICE PRESIDENT. Does the Senator from Washington yield?

Mr. CAIN. I am pleased to yield for a question only.

Mr. BREWSTER. That was covered very extensively. I wondered whether or not the Senator had had his attention drawn to the testimony at the time Bernard Baruch, Mr. Forrestal, and various men who had charge of procurement during the World War, including Mr. Louis Johnson, who has just now been named as Secretary of National Defense, were all testifying. Has the Senator ever had occasion to examine the so-called Stettinius report?

Mr. CAIN. I think the answer to that question is "No." I have read the testimony, to which the Senator has referred of Mr. Baruch, Mr. Forrestal, Mr. Johnson, and others.

Mr. BREWSTER. Mr. President, will the Senator yield for a further question?

The VICE PRESIDENT. Does the Senator from Washington yield?

Mr. CAIN. I am pleased to yield for a question.

Mr. BREWSTER. I should like to invite the attention of the Senator to the so-called Stettinius report which followed the Johnson industrial mobilization report of 1938, I believe, and was the result of a committee appointed by the President before our entry into the war, but, as I recall, after the European nations were at war, in connection with which the question was examined very carefully. If the Senator has examined the record, he has found that the President did not feel it prudent to publish the report during the war, because of its impact on defense, but following the war President Truman furnished it to the War Investigating Committee. If the Senator will examine that report, I think he will find it to have a very substantial bearing. Will the Senator say whether or not he has had his attention directed to the discussion of that report in the various hearings before the War Investigating Committee, of which Mr. Truman was chairman both during the war and at its conclusion?

Mr. CAIN. So far as I have had time to do it, I have read all the testimony taken by the War Investigating Committee during the several years I have been in the Senate. Time simply has not as yet permitted me to do as I should like, which is to study carefully all the testimony taken during and shortly after the war.

But, on the basis of what I have had an opportunity to read and study, I should like to say to the distinguished Senator from Maine that because of what has been so well established in the testimony, we must be extremely careful and, in fact, completely certain that the man whose nomination we confirm as Chairman of the National Security Resources Board shall be an individual suited by competence, character, and integrity to the responsibilities he seeks to assume.

Mr. Hill continued:

I do not profess to know exactly what the weapons of war will be 10 or 20 years from now. It is my belief, however, that, regardless of what they will be, a type of warfare which involves only a relatively small number of people in the war effort and a relatively small part of civilian production is very unlikely. If experience is any criterion, the whole trend of war is toward greater and greater national effort in every field of human activity. Modern wars are fought not simply by the armed forces but by the totality of a country's organized resources.

The second basic factor in connection with industrial support of the Military Establishment is that of timing. In both World Wars I and II we had time to organize our war production in relative safety. With the probably increased range of future weapons and with the knowledge that the United States has been the decisive factor in two world wars, there is little likelihood that we will be granted such a respite again.

This means two things for us in the future. First, that we must have available definite and immediately workable plans for organizing our entire Government and our entire national life on short notice for war. Secondly, and more importantly, it also means that everything substantive which cannot be done promptly after the outbreak of war must be in a state of readiness ahead of time. For example, in any future war we cannot take the time that we took during World War II to build synthetic rubber plants. The lead time in the manufacture of fighting aircraft is about 2 years. We cannot afford to wait 2 years after the outbreak of war for mass production of aircraft.

Success in modern war depends upon the timely and comprehensive mobilization of a nation's resources. This is the basic factor. Without it, our Army, Navy, and Air Force are impotent.

The National Defense Act of 1947 recognizes the need for better planning and coordination than experienced in World War II in the utilization of our resources for any possible future war. In furtherance of these points, the act established the National Security Council, over which the President presides, to coordinate our foreign, domestic, and military problems. It integrated the Army, Navy, and Air Force into the National Military Establishment under the Secretary of Defense.

It also created the National Security Resources Board. The Board is composed of the Chairman, appointed by the President with the advice and consent of the Senate, and such heads or representatives of the various executive departments and independent agencies as may be from time to time designated by the President to serve as members. To secure coordination at the highest level, the Chairman of the National Securities Resources Board is also a member of the National Security Council, by law.

The function of the Board under the act is to advise the President concerning the coordination of military, industrial, and civilian mobilization. Supplementary to this broad statement, the act goes on to include certain items within the purview of the Board.

As these items have already been stated for the RECORD, I shall not again read them at this point.

The National Security Resources Board is not a part of the National Military Establishment but is an independent agency responsible directly to the President. It is a civilian agency. This provision of the act makes clear that the planning for the utilization of our economy in time of war is primarily a civil and not a military responsibility.

Civilian direction of the economy in wartime is essential in view of the democratic traditions and the organization of the American economy, which, under our great free enterprise system, will, in the final analysis, always be called upon to produce the munitions and weapons for the common defense in the event of war. The Board is visualized under the act as the President's principal channel of advice on matters concerning the state of the country's readiness in the field of economic preparedness.

Of course, the armed services must necessarily participate in the military aspects of industrial mobilization. Machinery for this participation is provided for in the act.

The Munitions Board, which is a part of the National Military Establishment under the Secretary of Defense, is charged in the act with three important functions:

(1) To coordinate and supervise procurement, production, and distribution, within the National Military Establishment;

(2) To plan for the military aspects of industrial mobilization; and

(3) To prepare material and personnel requirements to meet military needs.

The respective roles and responsibilities of the National Security Resources Board and the Munitions Board are thus clearly established.

You will appreciate, I am sure, the fact that I have only recently been appointed Chairman of the Board. Since my appointment in September, I have been actively

engaged in studying the problems involved in getting under way. In this connection, this series of hearings has been most instructive and helpful.

Mr. President, at this point let me say that Mr. Hill, whom I do not know, who was the first Chairman of the Board, in his very competent testimony said that from the moment of his appointment he had been studying his job with all seriousness. I do not think it should be forgotten that when a similar question as to what he knew about the job was posed to the individual who seeks it now, he merely said he thought it would be presumptuous of him to raise any questions of any character regarding the job until he had been confirmed in that portfolio. That was a concrete example of Rome burning while important work remained to be done.

I come back again to the question of competence, because, to me, it was utterly impossible for a man who was serious-minded regarding an important job to sit before a qualified committee of the United States Senate and give evidence of the fact that he not only had little knowledge of the job he sought but had no curiosity concerning the details of the portfolio, and would not have until he was actually ensconced in administrative charge.

I read further from Mr. Hill's testimony:

I wish at this time that I could present specific ideas of how the Board will operate. Considerable study is necessary before the Board's administrative machinery can be set up on a sound basis.

As provided in the National Security Act, we expect to make full use of all of the appropriate departments and agencies of the Government to carry on investigations, undertake studies, and prepare policies and plans for the consideration of the Board. Mobilization planning has of necessity become a function of the entire Government. The Board is the focal point for such planning.

The best brains in the country are none too many to solve all the complicated problems involved in the duties of the Board. We expect to draw on the wealth of experience resulting from World War II. The reports and records of the numerous hearings of this committee will be of great value to the work of the Board.

Mr. President, I should like to go back to the first sentence in that paragraph:

The best brains in the country are none too many to solve all the complicated problems involved in the duties of the war.

The chief and primary criticism of the President's nominee is that the President has recommended, for the Senate to confirm, an individual who, regardless of the merits and virtues he may possess, is not acknowledged by any one, to my knowledge, as being among the best brains in this country.

We expect to make the maximum use of the universities, research institutions, engineering and management firms, professional societies, management, labor, and consumer organizations, and private industries. We expect to make wide use of consultants from all the fields of specialization of interest to the Board.

The Board will require a staff to plan the program of work of the Board, review and integrate the materials received from agencies within and without the Government, and prepare plans and recommendations for the consideration and approval of the Board proper and transmittal to the President. We are trying to find for our staff the best possible career Government employees. The permanent staff, which will give continuity to the work, must be supplemented by men of outstanding capabilities from private life who should serve full time on a rotating basis or in an advisory or part-time capacity. This will lead to a roster of men familiar with mobilization plans, who can be called upon to fill key positions in an emergency.

Our immediate objectives are to determine the procedure which will best fit the functions assigned to the Board by the act, to organize and secure the personnel for the staff of the Board and to secure the cooperation and assistance of all appropriate agencies within and without the Government.

As I see it now, the end results of the work of the National Security Resources Board fall in three major categories. We must determine the status of our national resources in terms of materials, industrial plant, manpower, and the other essential factors of our economic life. We must also determine the essential wartime civilian requirements divided as between minimum consumer needs and the necessities for the maintenance and development of our industrial system. The total requirements, both civilian and military, must then be compared with the estimated total potential supply.

This leads to our second major responsibility, that of continuously reviewing current problems in the light of our economic readiness for a possible war. Such a review will undoubtedly result in recommendations to the President on specific actions to be taken to overcome existing shortages prior to the outbreak of any possible war. Stock piling of critical and strategic materials and preservation of our synthetic-rubber plants are cases in point. This is an immediate responsibility of the Board to determine those things that need to be done now, to keep us strong and insure our security.

Thirdly, it is incumbent upon the National Security Resources Board to develop comprehensive and detailed plans to cover the administrative machinery, that is, the policies, regulations, organizations, systems, and procedures that would be necessary in case of war to effectively channel and control production for the war effort and at the same time protect to the maximum possible extent our civilian economy. These plans would cover the entire field of the emergency agencies of World War II, such as Office of War Mobilization, War Production Board, Office of Defense Transportation, Office of Price Administration, Bureau of Economic Warfare, and War Shipping Administration. Such plans must necessarily be based on many intangibles and assumptions. They must be flexible and kept up to date.

The view has often been expressed that a democratic type of government such as ours is at a disadvantage in modern war. I do not share that view. A comparison of the American and German experience in World War II discredits any such theory. The only disadvantage that a democracy has in a modern war is that of the initiative—a disadvantage which we must overcome by the type of planning which I have been discussing.

To point the economy of an industrial state into total war is an enormous and complex undertaking. No one man or group of men can solve the problems involved. It can only be done with maximum effectiveness through the cooperative efforts of those engaged in all phases of national life: government, industry, agriculture, and labor. It is in that spirit that we are approaching the important task for national security which has been assigned to the National Security Resources Board.

Mr. President, all afternoon I have been trying as best I could to lay before the Senate in a documented way the duties, the functions, and the responsibilities of the National Security Resources Board, in order that all Senators who have not previously been familiar with those topics—and most Senators have not been—will be given an opportunity to study the NSRB from the record, and, against that record and against that study, will then, I think for the first time, qualify themselves to determine the right, from the standpoint of qualifications, of the President's nominee to become the Chairman of the National Security Resources Board, and the American people generally—for they ought to be held in high regard—will begin to understand what previously they have known nothing about, the National Security Resources Board and the National Security Council, which were designed by the Eightieth Congress in order to make as certain as legislation could that free people will live in the world of tomorrow.

Mr. President, what I have just concluded reading from has been what I conceive to be competent testimony submitted by a competent American who for a period of some months operated as the first Chairman of the National Security Resources Board. I had another reason for using this testimony. It was because I hoped that Senators concerned with this confirmation problem would contrast the legitimacy and the substance of the testimony of Arthur M. Hill with the inadequate testimony on the same subject submitted recently before the Senate Armed Services Committee by the President's choice to take the place of Mr. Arthur M. Hill, who has so recently resigned as Chairman.

Mr. President, though it will take a little time, which at this hour of the day obviously concerns me more, I think, than it does anyone else, I wish to discuss the National Security Council, where it came from and what it is designed to do. There is only one justification for taking the time of the Senate to engage in such a discussion; it is for the reason that I cannot myself ever get away from the fact that we are not being asked to appoint the President's nominee solely to the chairmanship of the National Security Resources Board but we always must confront his activities on the National Security Council, of which he becomes a member by automatic appointment resulting from his chairmanship of the NSRB.

Mr. MORSE. Mr. President——

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Oregon?

Mr. CAIN. The Senator from Washington is most pleased to yield.

Mr. MORSE. The Senator from Oregon is correct, is he not, that the Senator from Washington is opposed to the appointment of Governor Wallgren to the position of Chairman of the National Security Resources Board?

Mr. CAIN. The Senator from Oregon has been correctly informed.

Mr. MORSE. Is the junior Senator from Oregon correct that one of the reasons why the Senator from Washington

is opposed to the appointment is that he believes that the duties involved in the appointment are of such vital concern to the security of our Nation that this particular nominee should not be appointed because, in the opinion of the Senator from Washington, he is lacking in the necessary qualification of competence?

Mr. CAIN. In the considered opinion of the junior Senator from Washington the lack of competence is but one of the defects.

Mr. MORSE. It is one?

Mr. CAIN. One, and a major one.

Mr. MORSE. Do I correctly understand that the Senator from Washington is opposed also to the appointment because he believes that the former Governor of Washington does not have the technical background in his training that the Senator from Washington believes to be a prerequisite to this particular appointment?

Mr. CAIN. I should like to answer the Senator's question, if I may, in a more general way, by saying that I have found nothing in the nominee's background which indicates that he has benefited sufficiently from any technical knowledge or competence; that he is singularly lacking in almost the mechanical requirements demanded by a unique and important national job of this sort.

Mr. MORSE. Does the Senator from Washington take the position that the former Governor of Washington, Mr. Wallgren, should not be appointed to any Federal position?

Mr. CAIN. When the Senate Armed Services Committee first permitted me to appear before it, I remember saying in substance—I cannot remember precisely the words—that the President's nominee could have been nominated by the President to any of a score of positions on other Government agencies, bureaus, and commissions, and his appointment to any such position would not have been objected to by the Senator from Washington. I wanted to make myself very plain on that question, and I am most happy that the Senator from Oregon has seen fit to ask me that question.

Mr. MORSE. Mr. President, I cannot hear the Senator from Washington. May we have order?

The PRESIDING OFFICER (Mr. DOUGLAS in the chair). The Senate will be in order.

Mr. MORSE. Will the Senator from Washington yield for a few more questions?

Mr. CAIN. I think my rights can only be protected if we take the questions one at a time.

Mr. MORSE. I mean a few more questions, one at a time.

Mr. CAIN. Indeed. The Senator from Washington would be most pleased to yield for a question only. I merely want to be certain that my floor rights are maintained.

Mr. MORSE. Is the junior Senator from Oregon correct then in his understanding that the opposition of the distinguished junior Senator from Washington to Mr. Wallgren is not based upon any attempt on the part of the Senator from Washington to prevent Mr. Wallgren from being appointed to any Federal job, but only to this particular Federal job?

Mr. CAIN. There may be other Federal jobs to which the President might appoint Mr. Wallgren to which appointment I would take exception. I am taking vigorous exception to his appointment to this job, but I conceive that there are many jobs to which the President might appoint the gentleman in question and I certainly would raise no objection.

Mr. MORSE. May I ask the Senator from Washington then, in view of the answer he has just given me, whether I am correct in the conclusion that the Senator from Washington is not objecting to this confirmation on the basis of any political opposition that may have existed at one time in the State of Washington between the junior Senator from Washington and the former Governor of Washington, Mr. Wallgren?

Mr. CAIN. I may say to the junior Senator from Oregon in that connection that it was 9 years ago the 12th of this month that I was elected to the mayor's office in Tacoma, Wash., as the junior Senator from Oregon knows. I think it is a perfectly honest and accurate statement to make that until such time as I signified my intention of opposing Mr. Wallgren's confirmation for the chairmanship of the National Security Resources Board I had never under any circumstances or for any reason ever mentioned his name in public in my political career. There has never in the past, as between Mr. Wallgren and myself, been any association of any kind, character, or description.

Prior to the time the junior Senator from Oregon came into the Senate Chamber, I reviewed, at the beginning, what I conceived to be the weaknesses in my case, one of which was that it was said the junior Senator from Washington was ungrateful because the then Governor of the State of Washington had appointed HARRY CAIN to a short term in the United States Senate. I said that is true, but even in that instance there had been no conversation between the Governor of the State of Washington and the Senator-elect from the State of Washington. I said I supposed the reason for his appointment of myself was that his predecessor, when the situation was reversed, had made a comparable appointment. But there had been no political contest, if I understood the question asked by the Senator from Oregon correctly, between Mr. Wallgren and myself.

Mr. MORSE. Did the Senator from Washington, in the answer he just gave, or the comments he just made, mean HARRY CAIN or Hugh Mitchell?

Mr. CAIN. No; I meant HARRY CAIN.

Mr. MORSE. HARRY CAIN.

Mr. CAIN. This is rather important, if I may be permitted to answer a part of the Senator's question in this way. It has been said in and around the Senate in recent days, and it has come to my attention—such things always do; whatever is said becomes common information—that Senator HARRY CAIN is acting not quite properly; that he ought to be more grateful; he ought to remember that Mr. Wallgren, when he was the Governor of the State of Washington, appointed HARRY CAIN to a short term in the Senate, which was, I think, for about a week; the inference being that the appointment was made because of some association between Mr. Wallgren and myself. It was not so.

Homer Bone once sat in the United States Senate. As I recall, he was not very well during the latter part of his term as Senator. He resigned from the Senate, or left the Senate and became a circuit judge, as I recall, in a western judicial district. At the time of his departure from the Senate, if I am not mistaken, my senior colleague [Mr. MAGNUSON], then a Member of the House of Representatives, ran for the United States Senate and was elected. And again, if I am not mistaken, the then Governor of the State of Washington, Arthur B. Langlie, a Republican, quite logically appointed Mr. WARREN G. MAGNUSON to the short term in the United States Senate.

Some 4 years later the shoe was on the other foot, one might say, politically. Mr. Wallgren appointed me on the 26th day of December 1946 to the United States Senate, but perhaps it is the only case on record where one who was appointed to a short term or longer term of the United States Senate by any governor, had no association of any kind, character, or description with that governor.

Mr. MORSE. At the time of that appointment was the Senator who now has the floor Senator-elect.

Mr. CAIN. Yes.

Mr. MORSE. The Senator from Washington is aware, is he not, that the newspapers in recent days have carried stories to the effect that the President of the United States has characterized the opposition of the junior Senator from Washington to Mr. Wallgren as mere Washington politics?

Mr. CAIN. Yes; and prior to the time the Senator came in, some several hours ago, I did my very best to acknowledge the President's remarks. I said, "Sir, it was unfair, it was unreasonable, it was careless, it meant nothing. It could not be true." And I told why. But I said there were some serious charges preferred against Mr. Wallgren. The President has not acknowledged those. But the nominee himself, against whom I have preferred those charges, must be cleared of those charges, else he will carry them with him for a very long time. I thought the President, in fact, Sir, would rather not answer the substance of my charges or my letter which I wrote to him as a covering letter to a statement which I filed with the Armed Services Committee a week ago last Monday. But then I went on to suggest several hours ago that if this had been a political fight between Mr. Wallgren and myself in the State of Washington, it would have necessarily followed, would it not, that my senior colleague, who sits in this Chamber now, and who has been closely associated and affiliated with Mr. Wallgren for some years, would, during the hearings, have risen either in opposition to my assertions or in vig-

orous support of the President's nominee. I say that to the President. There is no political fight in the State of Washington.

Mr. MAGNUSON. Mr. President, will the Senator yield to me for a question?

Mr. CAIN. I am delighted to yield for a question only.

Mr. MAGNUSON. I merely wish to disabuse my colleague's mind. I expect at the proper time to make known my views on this nomination, and I conceive the proper time to be when the nomination is before the United States Senate for confirmation.

Mr. MORSE. Mr. President, will the Senator yield for a question?

Mr. CAIN. No; I wish to reflect on the observation of my colleague. It is for every Senator to determine, on every public question, what he thinks is the proper time and place. Certainly members of the Armed Services Committee, who for a period of 10 days or 2 weeks held open hearings, conceived that that was the proper time for people to make their comments known. I conceive that this afternoon is the proper time for me to speak. If my senior colleague sees fit to regard the proper time as some future date, I can only say that every Senator must be the judge of his own positions.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. CAIN. I yield for a question only.

Mr. MORSE. Does the Senator have at his desk a copy of the transcript of the record of the Armed Services Committee hearings on the Wallgren nomination?

Mr. CAIN. The transcript is in my office. I do not have it at my desk on the floor of the Senate. I shall be pleased to send for it if the Senator from Oregon wishes.

Mr. MORSE. Can the Senator advise me whether or not he expects to be still speaking at the end of the period of time which would be required to send a messenger to his office to get the transcript of the record?

Mr. CAIN. Indeed so.

Mr. MORSE. If the Senator intends to speak for some time, I wish he would get the transcript of the record, because I should like to ask him a few questions about some of its contents.

Mr. CAIN. I shall be pleased to do so.

Mr. President, I believe that a historical review covering the National Security Council will bring illumination to many on a subject on which they have previously known very little.

If the National Security Council—sometimes referred to as NSC—can be said to have had any statutory predecessor of comparable character in our recent governmental history, it must be found in an organization known as the National Defense Council. This was an advisory body, provided for in a clause of the Army Appropriation Act of 1916. Its members were the Secretaries of War, Navy, Interior, Labor, Agriculture, and Commerce, its responsibility to coordinate industry and the national resources for national security. The National Defense Council obviously was patterned after the British Committe of Imperial Defense, established in 1904, following and as a result of the Boer War, which now has been succeeded in present British defense by the Defence Committee. The National Defense Council of 1916 did not include the Secretary of State. Its responsibilities related to the mobilization of the national economy. It was not charged with responsibility for coordinating military policy and foreign policy. The Council itself met only a few times and soon fell into disuse. There emerged from World War I, then, no organization dedicated to the coordination of our foreign policy and our military policy. Prior to and during World War II, the Secretaries of State, War, and the Navy sometimes met in what was referred to as the Committee of Three. The President, the same Secretaries, the Chief of Staff of the Army, the Chief of Naval Operations, and sometimes the Chief of the Army Air Forces, met to consult on questions of national strategy; these meetings were sometimes referred to as a war council or war cabinet. During the years 1945–47, the Committee of Three, consisting of the Secretaries of State, War, and the Navy, and existing simply by their joint agreement, met informally each week to coordinate matters of common interest. All these groups were informal. They had no regular staff or secretariat.

In 1944, the State-War-Navy Coordinating Committee was formed by interdepartmental agreement. This committee, known as SWNCC (and so referred to hereinafter), was composed of the Assistant Secretaries of State, War, and Navy for Air, and was to "reconcile and coordinate the action to be taken by the State, War, and Navy Departments on matters of common interest, and under the guidance of the Secretaries of State, War, and the Navy, establish policies on politico-military questions referred to it."

The committee served to bring the State Department and the military departments together on the level of Assistant Secretaries. SWNCC accomplished something on the interdepartmental level, but suffered from certain weaknesses, which in summary, were: First, it was not organized on the highest level; the heads of departments did not themselves compose the committee; second, it did not have sufficiently broad powers; third, it did not have a sufficiently large or permanent secretariat. The Eberstadt report, therefore, recommended the establishment by statute of a National Security Council, which, to quote from that report "would be the keystone of our organizational structure for national security affording a permanent vehicle for maintaining active, close, and continuous contact between the departments and agencies of our Government responsible, respectively, for our foreign and military policies and their implementation."

I should like to go back to the first sentence again. The National Security Council "would be the keystone of our organizational structure for national security."

If Mr. Wallgren is beyond question one of the half dozen or small group of outstanding persons in this country, then America would benefit from his membership on the National Security Council, which is to be the keystone of the American organizational structure for national security. But if he is not—as in fact will be proved—it would be only a great disservice to him, to our President, and to this Nation were his nomination to be confirmed.

The National Security Council would be a policy forming and advisory, not an executive body.

Specific recommendations in the report contemplated that this proposed Council—hereinafter generally referred to as NSC or the Council—would take over the functions then performed by SWNCC. However, 2 months after NSC was established by the National Security Act of 1947, provisional terms of reference were approved reconstituting SWNCC as the State-Army-Navy-Air Force Coordinating Committee, known as SANACC—and so referred to hereinafter—which committee, with reduced jurisdiction, is still functioning on a provisional basis.

Neither the Committee of Three nor SWNCC can be regarded as NSC's forebear in our national security organization.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. CAIN. I am pleased to yield for a question only.

Mr. MORSE. Would the Senator yield to permit me to ask unanimous consent for a quorum call, with the understanding that it would in no way affect the Senator's rights on the floor?

Mr. CAIN. If the Senator from Oregon will permit me to consult the present distinguished occupant of the chair, or if I may yield without jeopardizing my rights, I shall be very pleased to accommodate the Senator's request.

Mr. MORSE. That is the basis of my request.

Mr. President, I ask unanimous consent for a quorum call without in any way affecting the rights of the Senator from Washington.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oregon?

Mr. MURRAY. Mr. President, I object.

Mr. NEELY. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. CAIN. Mr. President, the earlier committees were, unlike the National Security Council, not statutory; the level of membership is different; neither of the earlier committees served as an advisory body to the President. Thus, the National Security Council, as established by the National Security Act of 1947, may properly be regarded as a new agency, which began life in September 1947. Judgments as to its effectiveness must, therefore, be tempered by considerations of its youth, its lack of tradition, of established procedures, and of continuity of personnel.

II. THE ORGANIZATION

The members of the National Security Council are, by statute, the President, the Secretary of State, the Secretary of Defense, the Secretary of the Army, the

Secretary of the Navy, the Secretary of the Air Force, and the Chairman of the National Security Resources Board.

As additional members, the President may designate the Secretaries of the executive departments, the Chairman of the Munitions Board, and the Chairman of the Research and Development Board. At its first meeting the Council recommended, and the President approved the recommendation, that the permanent membership of the Council be confined to the mandatory members under the act. Other authorized officials were, however, to be invited to sit as members when agenda items in which they had a substantial interest or responsibility were before the Council. The Director of the Central Intelligence Agency attends all meetings as an observer and adviser.

The basic function of the Council, in the words of the act is—

To advise the President with respect to the integration of domestic, foreign, and military policies relating to the national security so as to enable the military services and the other departments and agencies of the Government to cooperate more effectively in matters involving the national security. (Title I, sec. 101 (a), Public Law 253, 80th Cong.)

The act then provides, in general terms, for the performance by the Council of other functions, as directed by the President—the objective, the coordination of national security policies and functions. Specifically, the act prescribes it to be the duty of the Council:

(1) To assess and appraise the objectives, commitments, and risks of the United States in relation to our actual and potential military power, in the interest of national security, for the purpose of making recommendations to the President in connection therewith; and

(2) To consider policies on matters of common interest to the departments and agencies of the Government concerned with the national security, and to make recommendations to the President in connection therewith. (Title I, sec. 101 (b), Public Law 253, 80th Cong.)

There is also a general clause to the effect that the Council shall make such recommendations and other reports to the President as it deems appropriate or as the President may require.

A further activity of NSC concerns the Central Intelligence Agency, generally referred to as CIA, which, by the same act, was established under the Council. The CIA's specified duties include, in general terms, advice and recommendations to the Council and other services of a similar nature, as directed by the Council, for the declared purpose of "coordinatnig the intelligence activities of the several Government departments and agencies in the interest of national security." The CIA is the direct descendant of the Central Intelligence Group, which was established by Presidential directive, dated January 22, 1946, and inherited the personnel, property, and records of that agency. This agency, with its superior, the National Intelligence Authority, went out of existence when the Director of Central Intelligence took office under the National Security Act of 1947. All the directives of the National Intelligence Authority have been revised by the National Security Council, and the Council has issued, to date, nine new directives. To the members of the Council, to its consultants, those within the operating procedure of the Council, to be more fully described below, to the chief planners in all departments and agencies, and to all intelligence chiefs, the Central Intelligence Agency furnishes daily reports of intelligence data, a weekly summary, and a more formal monthly review of the world situation.

The Council's staff, as prescribed by the act, is headed by a civilian Executive Secretary, appointed by the President. Under the Executive Secretary are two Assistant Executive Secretaries. The permanent employees at the present time, including these officers, number 14; their annual base salaries amount to $68,864. The organization chart indicates that there are two classes of consultants: NSC consultants, men in Government positions who function within the internal-operating procedure of the Council, and those known as special consultants. Special consultants, highly qualified persons who are not regularly in the Government service, may be employed by the Council, from time to time, on a temporary basis, and for a specific purpose. In its first year of life, the Council has, under this plan, utilized the services of one expert in an oil-policy case, and employed a former member of the Federal Bureau of Investigation to make a study of the internal security of the United States. This report has been completed and the employee has become permanent, at an annual salary of $9,975, as a specialist in internal security. The Council is also currently employing, as special consultants, a group of six persons engaged in making a survey of, and report on, the Central Intelligence Agency and its relations with other Federal intelligence organizations concerned with the national security. These special consultants began work in February 1948. Their report must be submitted to the Council by January 1, 1949. The total expenditure for this project to July 20, 1948, amounted to $7,731.

Mr. President, I now ask consent to have the organization chart of the National Security Council printed at this point in the RECORD.

There being no objection, the chart was ordered to be printed in the RECORD, as follows:

ORGANIZATION CHART OF THE NATIONAL SECURITY COUNCIL

The President.

National Security Council.—Central Intelligence Agency: The President, the Secretary of State, the Secretary of Defense, the Secreary of the Army, the Secretary of the Navy, the Secretary of the Air Force, the Chairman, National Security Resources Board, and as designated by the President, the Secretaries of the other executive departments, the Chairman of the Munitions Board and the Chairman of the Research and Development Board. Committees or boards (which may be established under the National Security Council). Reports special consultants (who may be employed by the National Security Council for special surveys or projects). NSC consultants (chief operational or policy planners designated by the respective NSC members to advise and assist the Executive Secretary). Executive Secretary. Arrangements and assistants.

National Security Council Staff: Secretariat (headed by an Assistant Executive Secretary and charged with performing necessary secretariat functions for the NSC, such as circulating papers, preparing agenda, arranging meetings, maintaining files, handling correspondence, etc.) Staff (headed by a Coordinator designated by the Secretary of State, composed of members both detailed from participating Departments and Agencies and employed by NSC, and charged with developing a program and arranging for the preparation of studies and recommendations for consideration by the Council).

Mr. CAIN. Mr. President, the Council's budget requirement for salaries and expenses for the fiscal year 1949 is $200,000. As this will be the Council's first full year of operation, no valid comparisons with the past are possible. The Council has, for the present, adequate office space and physical facilities in the old State building, and occupies no property under private lease. Administrative services for the Council are furnished by the facilities of the Central Intelligence Agency. The Council has authorized the employment of 10 persons as secretariat personnel to assist the executive secretary in reviewing and circulating papers, preparing agenda, recording and filing minutes, and so forth. At present, nine are employed for this purpose.

Mr. LONG. Mr. President, will the Senator yield for a question?

Mr. CAIN. I shall be most pleased to yield for a question.

Mr. LONG. Do I correctly understand that the budget for the coming year for the National Security Resources Board is only $200,000, or is that the budget for only one of the agencies of the board to which the Senator from Washington is referring?

Mr. CAIN. It does not happen to be either one. That is the budget requirement for the National Security Council, not the National Security Resources Board, which in the fiscal year 1949 has an administrative budget, as I recall, of $3,000,000, as opposed to a budget of $200,000 for the National Security Council, to which I have just referred.

Mr. LONG. Mr. President, will the Senator yield for a further question?

Mr. CAIN. I am pleased to yield for a question only.

Mr. LONG. Does the budget of $200,000 include the budget for the Central Intelligence Agency, which, according to the chart now before us, is an agency with functions under the National Security Council?

Mr. CAIN. I ask the distinguished Senator from Louisiana to permit me to obtain for him an answer to that question, for I can only assume that the Central Intelligency Agency of necessity would have its own administrative budget, as differentiated from that of the National Security Council itself. However, I cannot accurately answer that question now. I shall be very happy to obtain an answer to the question.

Mr. President, the so-called staff members of the Council's staff prepare the reports that the Council is to consider in performing the first of its specified duties previously referred to. In order that

these reports may be given broad consideration and in order that different points of view may be represented in their preparation, the present Executive Secretary decided not to confine the staff members to permanent employees of the Council, who might soon lose touch with realities. Nor did he deem it wise to draw these members solely from the staffs of the several departments and the Agency represented on the Council, since turn-over of such members might well result in loss of continuity and consistent policies. The aim, therefore, was a group composed of both types.

For what may be termed its own permanent career personnel, the Council seeks to employ individuals who have proven themselves outstanding students and analysts of world affairs, and who will thus bring to the staff a national, rather than a departmental, view. The number planned for this group, including necessary research analysts and clerical personnel, is 20. At the present time the Council employs five.

Each department and the Agency represented on the Council, except the Office of the Secretary of Defense—that is, the Departments of State, Army, Navy, Air Force, and the National Security Resources Board—were requested by the Council to assign one or more of their own staffs, with necessary alternates, for a 2-year tour of duty as staff members of the Council. Since the Department of State is chiefly responsible for our foreign objectives, commitments, and risks, the presiding officer of this group is at present a Foreign Service officer, class 1, from the State Department. He is known as Staff Coordinator; actually he sits as a presiding officer, and does not directly represent the State Department. One of the Council's permanent staff members acts as assistant to the Coordinator. The other members of this working staff are composed of a representative from the State Department, a representative and alternate—the alternates do not take part in the discussions—from the Department of the Army, one from the Department of the Navy, a representative and alternate from the Department of the Air Force, and one from the National Security Resources Board. From the Central Intelligence Agency there are detailed a representative and his alternate to attend meetings of the staff members—the staff members including the Staff Coordinator, No. 10.

The actual work of the Council operates through three tiers or levels, the staff members being the first level.

Here the actual breaking of ground begins. Here the paper that eventually takes the form of a report to the President is usually initiated. The second level is that of the NSC consultants. These compose another group who play an important part in the Council's work. Each report or paper that emerges from the staff members' level, having received final treatment there, is then submitted to the five NSC consultants for further consideration and action thereon by them. In this intermediate level each of the departments (and the agency member) is represented by a consultant, so delegated because his special duty within his own department or agency is in the planning and/or operations branch. This special duty qualifies him, ex officio, as an NSC consultant, and he continues to act in this capacity for the Council until relieved of that duty. Thus, the NSC consultants are: Director, Policy Planning Staff, State Department; Director of Plans and Operations, Army; Deputy Chief of Naval Operations; Deputy Chief of Staff, Operations (Air); Chief, Plans Branch, National Security Resources Board.

The third or top level in the Council's structure is found in the members of the Council itself.

III. OPERATING PROCEDURE

The Council's end-product, labeled "Report of National Security Council"—the form the "recommendation to the President" contemplated by the act takes in practice—may stem in its beginnings from many different sources. In the short history of the Council the large majority of papers have been initiated by members of the Council itself. The State Department has been responsible for a number, as have the Secretary of Defense and the Secretary of the Army. Appropriate questions of policy may also come to the Council from the President, from other departments, agencies, or committees, such as SANACC, for example, and from the Council's own staff members. In some cases, matters under consideration by SANACC may be taken over by the Council on the ground that they are questions of top-level policy.

After a matter has been submitted to the Council, the Executive Secretary decides whether or not it is, within the purview of the act, an appropriate subject for the Council to consider. Does the matter concern the national security, and, if so, should recommendations be made to the President with respect to it?

One of the most important duties of the Executive Secretary is to act as screen for all subject matter referred to the Council. The Council itself, however, has, of course, final decision as to what matters it wishes to consider. If the Executive Secretary decides that the subject is within the Council's jurisdiction, the matter is then taken under consideration by the staff members who, for this purpose, meet on an average of three or four times a week, generally for an entire afternoon.

Mr. MORSE. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from Washington yield?

Mr. CAIN. I am glad to yield to the Senator for a question only.

Mr. MORSE. Does the Senator from Washington now have before him the transcript of hearings before the Armed Services Committee?

Mr. CAIN. I have, indeed.

Mr. MORSE. Could the Senator turn to that volume of the transcript which contains the testimony of Mr. Wallgren in regard to the appointment of Mr. Coughlan as a member of the Social Welfare Board of Washington?

Mr. CAIN. May I ask a question of the Presiding Officer? I am obviously desirous of accommodating the wish of the junior Senator from Oregon. But I am not prepared to say I can immediately find the answer to his question. I wonder if it is proper for me in standing here to take whatever time is necessary to establish an answer to the Senator's question? I should like to do it, but I want to be most certain, if I may say so, that I am not imposing on the Presiding Officer.

The PRESIDING OFFICER. The Chair suggests the Senator have one of his assistants look up the reference while he continues with his own speech, until it is found.

Mr. CAIN. I thank the Chair.

Mr. MORSE. Mr. President, will the Senator from Washington yield for a question, while his assistant looks up the reference I should like to have?

The PRESIDING OFFICER. Does the Senator from Washington yield?

Mr. CAIN. If I remember, the Senator from Oregon asked whether we could find the testimony covering Mr. Wallgren's reference to Coughlan as a member of the social-security bureau or commission of the State of Washington.

Mr. MORSE. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from Washington yield?

Mr. CAIN. I am pleased to yield for a question only.

Mr. MORSE. Does the Senator recall in the testimony of the former Governor of Washington, Mr. Wallgren, in regard to the appointment of Mr. Coughlan to the social welfare board, I think it was——

Mr. CAIN. I think the name of it is Social Security Committee of the Public Welfare Bureau of the State of Washington.

Mr. MORSE. Does the Senator from Washington recall that in the course of his testimony the Governor from Washington said something to the effect that there is in the State of Washington or was in the State of Washington an organization of old people known as a pension union?

Mr. CAIN. The old-age pension group was what Mr. Wallgren referred to.

Mr. MORSE. Does the Senator from Washington recall that in his testimony the former Governor of Washington, Mr. Wallgren, said the old people in the pension union had been beseeching him to appoint one of their members, or one friendly to their interests, to a position on the Social Security Welfare Board of the State of Washington?

Mr. CAIN. That was Mr Wallgren's testimony, as I recall it; certainly in substance.

Mr. MORSE. Does the Senator from Washington recall that Mr. Wallgren, the former Governor of Washington, the nominee involved in the confirmation today, said in effect that Mr. Coughlan was counsel of the pension union?

Mr. CAIN. I think Mr. Wallgren said Mr. Coughlan was the local representative of the old-age pension group, and that he had been selected for membership on the social-security committee of the State "as a sop to the old people."

I think that was the phrase Mr. Wallgren used.

Mr. MORSE. Will the Senator from Washington have one of his assistants find in the transcript the exact reference setting forth the language which Mr. Wallgren used in his testimony when he said, in effect, that he had made that appointment as a sop to the old people of Washington? Will the Senator from Washington, when his assistant finds that reference, read it in detail, including Mr. Wallgren's testimony, some paragraphs before and some paragraphs following, so that the junior Senator from Oregon may question the Senator from Washington further in regard to his interpretation of the implications of the testimony of the former Governor of Washington?

Mr. CAIN. I think a member of my staff, I will say to the junior Senator from Oregon, will very soon have the references in which the Senator has evidenced interest, and as soon as they are available I should like to call them to the Senator's attention.

In the meantime, I shall continue with my prepared discussion of some of the functions and the history of the National Security Council.

The staff members from the departments and the National Security Resources Board who are assigned to duty on the Council maintain close relations with their own people. The Army member, for example, may spend half his working day in the Department of the Army, getting the Army views on such matters as may be before the staff members, so that when he sits as a staff member he will have available "the thinking of the Army." The same procedure is followed by the representatives of the Departments of State, of Navy, of the Air Force, and of the National Security Resources Board. Beginning at the working-staff level, a unanimous acceptance, not necessarily an agreement, is sought among the members representing the several departments and the National Security Resources Board.

After a paper has passed through the hands of the staff members it is then submitted, as explained above, to the NSC consultants. If the consultants cannot reach an agreement, the paper is put on the Council's agenda with the dissents noted, a split paper, as it is called. This practice is followed throughout the operational procedure of the Council. A split paper may come from the staff members; the final report to the President may have to go up as a split paper. In every case the dissenting elements are identified.

At the same time a paper is submitted to the consultants, information copies of the paper go to the Director of Central Intelligence; to the office of the Secretary of Defense; and when the subject is of concern to the Joint Chiefs of Staff, to the Staff Director, Joint Staff. It should be noted here that the Staff Director, Joint Staff, may, when the matter under consideration is of interest to him in his official capacity, attend meetings of the consultants as an observer. After the consultants have concurred on the paper or after it emerges from their level as a split paper, two copies then go to the Joint Chiefs of Staff for their consideration and comment. This paper has, of course, passed by this time through various hands in the several departments of which the Chiefs of Staff are the military heads. As a matter of practice, the Joint Chiefs of Staff meet every Wednesday and thus pass on the paper for the first time in their corporate capacity only, 1 day before the Council meets, which is on Thursday, every other week.

The office of the Secretary of Defense receives the comment of the Joint Chiefs of Staff on Wednesday afternoon or Thursday morning. This comment forms part of the Secretary of Defense's briefing for the Council meeting on Thursday afternoon. When the paper is received from the Joint Chiefs of Staff and if the time element permits, the Secretary of Defense may send it, with his approval or disapproval or without taking any action on it, to the executive secretary of the Council so that the Council members may acquaint themselves with the comment of the Joint Chiefs of Staff before the Council meeting. The comment from the Joint Chiefs of Staff is usually from the strictly military point of view, but the time element is close and the Secretary of Defense and the other members of the Council should have a longer interval in which to study the Joint Chiefs' comments. Needless to say, the Council gives full consideration to the views of the Joint Chiefs as thus expressed; in every case the comment of the Joint Chiefs is submitted to the President together with the Council's report. This is in keeping with the terms of the act which provide that the Joint Chiefs of Staff shall act as principal military advisers to the President and the Secretary of Defense.

The biweekly Thursday afternoon meetings of the Council last about 2 hours. The act provides that the President shall preside over these meetings, but in his absence may designate a member to preside in his place. The President presided at the first meeting. Since then he has generally named the Secretary of State, or, in his absence, the Secretary of Defense, in order of precedence, as presiding officer. The President attended and presided at the meeting of July 22, 1948, when Gen. Lucius D. Clay, the American commander in Germany, appeared before the Council and at two subsequent meetings.

In practice the Council has not hesitated to invite other persons to attend who have a substantial interest in, or responsibility for, the subject under review. For example, in a recent United States civil air policy matter involving certain foreign countries, the Secretary of Commerce, the ECA Administrator, and the Chairman of the Civil Aeronautics Board were asked to sit with the Council and to express their views. It may be noted that in this instance the Secretary of Commerce was clearly eligible to join the Council, the ECA Administrator probably so since he is of Cabinet rank, but the Chairman of the Civil Aeronautics Board was not thus eligible. This indicates that the Council feels free to invite nonmembers to attend its meetings whenever such attendance would contribute to a more comprehensive, better-informed treatment of the matter under consideration.

There is no fixed rule as to the origin or processing of NSC papers, each paper being handled as an individual problem in the way best adapted to its character. Papers may therefore originate by direction of the President, by suggestion of any other Council member, by reference from other departments or agencies, including interdepartmental committees such as SANACC, or by the initiative of the NSC staff itself. Papers may be prepared by the NSC staff, based upon drafts from appropriate departments, or by staff members. If requested or appropriate, however, papers referred to the Council may be submitted directly to the Council for consideration without study or action by the NSC staff members or by the NSC consultants. This is current standard procedure in the case of all papers referred to the Council by SANACC. If it appears appropriate in the case of any particular paper, an ad hoc group from the departments or agencies primarily concerned may be formed to prepare a draft paper for the Council. On the other hand, if it appears best in a given case, the regular NSC staff may be supplemented by additional members from other departments and agencies. In other words, maximum flexibility is retained so that each case may be handled in accordance with particular characteristics, importance, or urgency.

IV. EVALUATION

The National Security Council is the key organizational agency in the entire security structure, and on its proper and effective operation the success of the whole depends. While it has made great progress, especially in recent months, it has not yet measured up fully to the needs of the Nation.

In general, the Council has proved equal to dealing promptly with matters of immediate urgency; it has not yet, however, produced a comprehensive statement of current and long-range policies, although there was before the Council, as of November 1, 1948, a paper dealing with the threats that now confront this country and our objectives with respect to the major threat. The committee understands that certainly within 3 weeks, and possibly within 2 weeks of this date, this paper will have received thorough consideration by the council and will be in final form for submission to the President. In its early months the Council did not grapple with many problems that seemed to come squarely within its jurisdiction. A notable omission was its failure to deal with occupation policies, which appear to be the very type of problem for which the Council was conceived. Until quite recently these matters were left to SANACC (State-Army-Navy-Air Force Coordinating Committee), a junior organization. Now however, the Council is itself handling major occupation problems.

It is true that the Council was not consulted in the matter of Palestine, but our national policy vis-à-vis that coun-

try was established before the Council came into being. The position taken by the President and by the individual members of the Council is that such policy has never changed although certain modifications thereof have occurred.

The President's major policy address of March 17, 1948, particularly in its demand for Selective Service and bringing our forces up to their authorized strengths, was based on advice received from the Council. While the President has in no case refused to accept the views of the National Security Council, he has often failed to ask for them. Thus, a part of the Council's failure results simply from the fact that it has not been fully used. The Committee wishes to stress the conclusion that the Council's future value will depend largely on the degree to which it is employed for the purposes for which it was intended. The President's resort to its advice in connection with the crisis over the Berlin blockade is encouraging evidence that this is now being recognized.

On July 10, 1948, the Secretary of Defense formally asked the Council for guidance in connection with the formulation of the military budget for fiscal year 1950. An adequate reply to this inquiry goes to the very essence of the Council's basic function. It deserves and has received a top priority on the Council's agenda. Its preparation admittedly calls for most careful and deliberate thought and study. A reply had not, however, been received by the Secretary of Defense at the time of writing this report but the committee was advised that it would be forthcoming in the very near future.

The Council's weakness in long-term planning has been partly due to the pressure of emergency problems. It is now taking steps toward fulfilling its important long-range responsibilities. However, it is still far from being in a position to give the National Military Establishment that basic guidance which it must have if we are to achieve an efficient and economical balance between the size of the military establishment and the real needs of the Nation.

No complete formulation of our political objectives throughout the world has been made, although, as pointed out above, a thorough analysis of the major threats to the Nation and of our objectives in meeting these threats is about to be submitted for Presidential consideration. Obviously, a definition of these aims must precede the formulation of any realistic strategic war plans. Lacking this definition, our strategic planners either must make basic assumptions as to our national policies, which it is not their duty—as military men—to make, or they must plan in a political vacuum. Is it our political aim to leave an enemy country prostrate and devastated? What effect would this have upon the world after victory was won? Would victory be won more quickly and easily if our peace aims were defined in more constructive terms? These questions have not been answered; some of them have been posed to the Council by the Secretary of Defense, who has rightly asked for guidance. Strategic planning should follow, not lead, political planning.

For these deficiencies in the National Security Council the principal remedy must lie in a better realization, by the members of the Council itself, of the agency's true responsibilities and potentialities. The statute has established it; but its own members will have to make it work as it was designed to do. Some minor organizational improvements, however, can be made.

An interesting suggestion that the Committee considered was that the Vice President should preside over the National Security Council. Such a change might seem to be particularly appropriate, especially if the Vice President should assume, as many now believe that he should, a more active role in the executive department of Government. This suggestion has many superficial attractions: it would provide for continuity in the chairmanship of the Council, and it would focus primarily upon one man the responsibility for placing upon the Council agenda all those matters of broad policy that the Council ought to consider.

But it has grave objections. From a practical point of view Vice Presidents usually are chosen with more regard to geographical considerations than for their knowledge of foreign policy or national security matters. Moreover, they frequently represent a different and sometimes an opposite wing of the party from that of the President. The Security Council was intended to be, and must be, very close to the President; it is the highest advisory body in the land, and no intermediary should be placed between the President and the Council. The President now presides over the Council; in his absence the Secretary of State acts as chairman. This arrangement, in the Committee's opinion, is a completely proper and essential one and should not be changed. It is necessary to add, however, that the link between the President, the Secretary of State, and the Executive Secretary of the Council should be close and intimate. The two latter in particular should be jointly responsible for bringing to the Council's attention all those matters that should be considered. The Executive Secretary of the Council must remain just that; he must be close to the President, but he must never usurp the functions of the Secretary of State. The present Executive Secretary has met these requirements.

Mr. President, I am conscious of the fact that a short time ago the junior Senator from Oregon inquired as to whether I might find certain passages in the Wallgren hearing testimony. I thought that members of my staff could do so, and they have, but I should like to suggest to the Senator from Oregon that I have but five more double-spaced pages on the subject of the National Security Council, and if he will permit me to finish them to maintain the continuity, we will then go into the other matter.

While every witness before the committee testified to the usefulness of the Council, a number questioned the preponderance in its membership of representatives of the military departments. It was suggested that this tended to undermine its prestige and authority, not only with the public but with the other governmental departments, by making it seem primarily an organ of the military. More importantly, the presence of the three service Secretaries was criticized as leading to discussions as to which service should do what rather than of what should be done. The committee believes that the military representation in the members of the National Security Council should be confined to the Secretary of Defense. Obviously, any one of the service Secretaries can be invited to sit with the Council when matters with which he is particularly concerned are under consideration. This decrease in the service representation at the Council level should not, however, affect the present working relations between the Council and the three military services at the staff and consultant level.

The elimination of the service secretaries from the National Security Council might require consequent revision of the procedures within the National Military Establishment for the handling of Council papers—which now, at the first stages of formulation—are considered by the separate politico-military and planning sections of the individual departments and not in the office of the Secretary of Defense. If the Secretary deemed it advisable, he could, however, by simple administrative order, require clearance of Council papers—prepared by the separate departments—through his office.

Another suggestion advanced to the committee envisaged the attendance of the Joint Chiefs of Staff as nonvoting observers at all Council meetings. The Joint Chiefs of Staff have suffered from a want of guidance from the Council, but the latter also has suffered from a certain aloofness on the part of the Joint Chiefs of Staff. They might well, as a general rule, be invited to attend National Security Council meetings.

There is some feeling in the State Department that the Joint Chiefs have, in effect, a double veto—or more properly—two opportunities to comment on Council papers during the process of formulation, and that therefore the balance should not be further weighted toward the Joint Chiefs of Staff. Another possible solution to the problem of tightening the bond between political planning and strategic planning would be to have a civilian political expert, preferably a representative of the State Department, sit with the Joint Chiefs of Staff, either as a nonvoting observer or as a liaison officer. There should not be, in any case, any statutory requirement that the Joint Chiefs must attend all National Security Council meetings.

The value of the National Security Council might be increased if the Secretary of the Treasury were added to its permanent membership. Representatives of the Atomic Energy Commission and/or of the Research and Development Board should, on appropriate occasions, be invited to sit with the council. There are advantages in keeping an advisory board small; on the other hand, the formulation of national policy must be closely linked with financial policies and

with research and development progress. There is no need for any statutory change in this connection.

Permanent congressional membership in the Council— another suggestion made to the committee—would be neither practicable nor desirable, but the committee feels that some advantage to the national purpose might result if certain key Members of Congress, notably the chairmen of the Foreign Affairs Committees, were invited to sit in at certain meetings.

The relationships of SANACC with the National Security Council, lately clarified by administrative order, may require further clarification in the future. SANACC has performed much useful work in the past but some of its functions now have been properly assumed by the Council. It now has a provisional term of life, and during that interval its future usefulness should again be examined. It seems to this committee that SANACC might well continue as a subsidiary of the National Security Council, perhaps with a common secretariat. There are some organizational objections to this suggestion, but they do not appear to be insuperable. SANACC certainly should not handle broad matters of policy, and the Council should continue to have the power to requisition items from SANACC's agenda if desired.

In the past, matters of occupational policy were handled far too loosely; the organizational structure of the Government made for delays, divided jurisdiction, and confusion; as a consequence, policy often was not made in Washington, and the vacuum had to be filled by overseas commanders. The National Security Council has now assumed responsibility for major occupational policies, involving important political, strategic, or economic considerations; minor and routine matters—once handled by SANACC—are now jointly handled by the State and Army Departments, with the Air Force and Navy included when their interests are involved. This seems a logical way of meeting a difficult problem, with one proviso: the National Security Council, and the State Department as implementing agency, must keep in close touch with problems in occupied areas.

Even the most cursory review of the Council's duties indicate its high importance to the Nation. Its secretariat should remain small; the present budget—which may need some expansion—should not require major increase. There must be, however, a firm effort to attract the best brains of the Nation, in the field of foreign policy and national power, to the Council.

Mr. President, I may say in parenthesis, that all I have been attempting to do since the hearing on the Wallgren nomination, and all during the course of this long day, is to raise the question again and again as to whether the President's nominee represents some of the better brains of the country. If he does he is entitled to serious consideration for the portfolio which he seeks. If he does not it does the President and the country no favor to consider seriously his confirmation for a job which has so much significance with reference to the security of the future of our land.

Suggestions were made to the committee that the Council should review the military budget. The committee does not believe that it would be wise to define by statute a hard-and-fast statement of specific tasks for the Council, nor does it believe that the Council can, or should, usurp the functions of the Secretary of Defense. The review of the military budget is properly the concern of the Secretary of Defense. The Council, however, is charged with recommending broad, general policies for our actual and potential military power, based on an assessment of our objectives, commitments, and risks. An appraisal of the calculated risks we must face as a basis for fixing the size of the military budget is a proper function of the Council.

The committee is of the opinion that if the National Security Council is used sufficiently—and its use is increasing—it will be an invaluable agency of Government. It is properly placed, organizationally, as a high-level, policy-forming, advisory body to the President.

A few minutes ago the junior Senator from Oregon [Mr. MORSE] was exceedingly curious concerning some of the testimony which was offered by Mr. Wallgren during the hearings before the Senate Armed Services Committee.

Mr. MORSE. Mr. President, will the Senator from Washington yield so that I may restate my question?

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Oregon?

Mr. CAIN. I yield for a question only; yes.

Mr. MORSE. Will the Senator from Washington please turn to those pages of the transcript of record of the hearings of the Armed Services Committee on the confirmation of the President's nominee, Mr. Mon Wallgren, former Governor of the State of Washington, for the chairmanship of the National Security Resources Board, and read to me the testimony of Mr. Wallgren preceding his discussion of the appointment of Mr. Coughlan to the Social Security Welfare Board of the State Government of Washington, through that part of his testimony which dealt with the reasons he gave for the appointment, including a few paragraphs following that testimony?

Mr. CAIN. I know that the Senator from Oregon will not think me discourteous when I say that I was endeavoring to listen to him, and wanted to listen to him, while at the same time I was listening to several members of my staff who sit on my right. If I understood the substance of the Senator's question, it was that the Senator would like to have me briefly recite from the record some material references to Mr. Coughlan, who is a member of the Social Security Committee in the State of Washington, and any references Mr. Wallgren may have made to him, and to the unimportance of the job to which he was appointed.

I have in my hand, Mr. President, a copy of the hearings before the Committee on the Armed Services on the subject of the nomination of Mon C. Wallgren to be Chairman of the National Security Resources Board, which was taken on February 24, 1949. I wish to read a few pages of its contents in order to satisfy a legitimate question previously addressed to me by the junior Senator from Oregon.

Or page 281 the Senator from Texas [Mr. JOHNSON] is asking Mr. Wallgren a question:

There have been some remarks, and I have already seen the papers from my county saying that the Governor places Communists in high positions, government positions. When?

Mr. Wallgren responded by saying:

There was one man appointed, and he was charged with being a Communist, and brought before the district court and acquitted.

The Senator from Texas [Mr. JOHNSON] asked:

What was his name?

Mr. Wallgren replied:

His name was Coughlan, C-o-u-g-h-l-a-n, and I think his first name was John. He had been appointed to a meaningless job that paid no salary whatever.

The CHAIRMAN. You mean he is the man who served on the social security board?

Mr. WALLGREN. That is right.

The CHAIRMAN. Does that pay a salary?

Mr. WALLGREN. No. It has never functioned.

The CHAIRMAN. What were the nature of the duties of Mr. Coughlan while he was on the social security board?

Mr. WALLGREN. He had no duties, Mr. Chairman.

I might point out to you—I have some information on that, and we called to find out a little more about that. We called long distance, as to why he was appointed, and that is the important thing, I think.

Out there we have an old-age pension union. All the old people who are enjoying benefits under social security belonged to this old-age pension union, and this man was their attorney. They came down to me and had an idea that the social security committee in some way would function in a manner to provide them with additional benefits, and asked me to put him on the committee. We had no one on there at the time, and we just had three members that were supposed to serve.

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The committee was not functioning. It was a forgotten agency and, of course, if there was any sop here to the old folks it was to the old folks who really wanted representation on that committee. That was it.

It was on page 245 that Mr. Wallgren made reference to having appointed Mr. Coughlan as a sop to the old people of the State of Washington who belonged to the Old Age Pension Union.

Mr. MORSE. Mr. President, will the Senator yield for a question?

Mr. CAIN. I am happy to yield for a question.

Mr. MORSE. Will the Senator from Washington reread that paragraph in which the testimony seems to indicate that the nominee was making the appointment as a sop to the old people of the State of Washington?

Mr. CAIN. The one paragraph that covers that subject reads as follows:

Out there—

Obviously meaning the State of Washington—

we have an Old Age Pension Union. All the old people who are enjoying benefits under social security belonged to this Old Age Pension Union, and this man was their attorney. They came down to me and had an idea that the social security committee in some way would function in a manner to provide them with additional benefits, and asked me to put him on the committee. We had no one on there at the time, and we had just three members that were supposed to serve.

* * * * *

The committee was not functioning. It was a forgotten agency and, of course, if there was any sop here to the old folks it was to the old folks who really wanted representation on that committee. That was it.

I may say to the junior Senator from Oregon that I think somewhere in one of the other volumes of testimony taken by the Armed Services Committee Mr. Wallgren, early in his appearance before that committee, made the statement that John Coughlan had been appointed by him as a sop to the old folks of the State of Washington. In the part of the record to which I have just been referring, there is but a reference to the fact that the appointment of John Coughlan was a sop to the old folks of the Old Age Pension Union in the State of Washington.

Mr. MORSE. Mr. President, will the Senator yield for a further question?

Mr. CAIN. I am very pleased to yield for a question.

Mr. MORSE. Will the Senator from Washington endeavor to have a member of his staff find the earlier reference in the transcript of his testimony, in which it is alleged by the Senator from Washington that Mr. Wallgren made some reference to the appointment of Mr. Coughlan as a sop to the old people of Washington?

Mr. CAIN. As a matter of fact, on page 285 the Governor recognized that in his own words. He said:

The committee was not functioning. It was a forgotten agency and, of course, if there was any sop here to the old folks it was to the old folks who really wanted representation on that committee. That was it.

Mr. MORSE. Mr. President, will the Senator yield for a further question?

Mr. CAIN. I am glad to yield for a further question.

Mr. MORSE. Is the Senator still of the opinion that earlier in the hearings there was another reference?

Mr. CAIN. Yes, indeed.

Mr. MORSE. A reference to the appointment of Mr. Coughlan as a sop to the old people of Washington?

Mr. CAIN. I shall be very glad to try to find it for the Senator.

Mr. MORSE. I shall appreciate it if the Senator will try to find it for me.

Mr. CAIN. A member of my staff will have it immediately available.

Mr. MORSE. Mr. President, will the Senator yield for a further question?

Mr. CAIN. I am pleased to yield for a question.

Mr. MORSE. Is the Senator from Washington of the opinion that the nominee at least left the impression with the Senator from Washington at the time of his testimony before the Armed Services Committee that he did make the appointment of Mr. Coughlan as a sop to the Old Age Pension Union of Washington in order to relieve himself of the political pressure of the Pension Union which it was placing upon him for some representation on the Social Security Committee of the State of Washington?

Mr. CAIN. It is my opinion that the portion of the record to which the Senator refers, which covers the case of John Coughlan, is a series of startling contradictions which sooner or later must be reconciled by members of the Armed Services Committee. It is strikingly true—at least in my mind—that Mr. Wallgren, among other things, said that the Social Security Committee was meaningless, that it did not operate, that it did not function, that it had no function, and did not operate all during the 4 years of his last incumbency, but that he had told the Old Age Pension Union group that the appointment was as important in fact as it appeared to be on paper. So in order to placate them, to reduce the amount of political pressure they might exert on him, he said to them, "I will appoint your attorney, John Coughlan, as one of a three-man board."

It so happens that the record of a later date proves beyond question—and the Armed Services Committee will, I hope, see fit to subpena Mr. Coughlan to reconcile the discrepancies between his story and that of the Governor—that Mr. Coughlan came to Washington, D. C., as an official representative of the State of Washington, and of Mr. Wallgren, then its Governor, all of which Mr. Wallgren, while admittedly not under oath, but before a committee of Senators, has denied. It is difficult for some of us to see how a committee which was entirely meaningless, which never met, which the Governor hardly knew existed, could send one of its agents to Washington, D. C., to testify officially in a 10-page statement before the House Committee on Ways and Means, while Mr. Wallgren, then Governor, was entirely unconscious of the fact that Mr. Coughlan was ever in Washington. In fact, in the record Mr. Wallgren denies that he knew anything about it, until such time as it was drawn to his attention by me just a few short days ago.

Mr. MORSE. Mr. President, will the Senator yield for a question?

Mr. CAIN. I am glad to yield for a question.

Mr. MORSE. If the interpretation of the Senator from Washington of the testimony of the nominee is correct, namely, that Coughlan was appointed by the nominee in order to satisfy the old-age pension union group by way of throwing them a sop, what does the Senator from Washington think about the ethics, the morality, and fairness of such tactics on the part of the nominee if, as a result of those tactics, he misled thousands of old people in his State into believing that he was making an appointment of substance and importance to them?

Mr. CAIN. I can only give to the junior Senator from Oregon one answer to his question. On the basis of what I had reason to believe I knew about the President's nominee before I submitted my case in opposition to the Senate Armed Services Committee, and on the basis of the record which the President's nominee wrote into those hearings in his own words—not mine—I remain convinced, as I have been convinced for many weeks, that Mr. Wallgren is not big enough for serious consideration for the chairmanship of the National Security Resources Board.

One of the reasons—and we need to show only one reason before reasonable men, because it is not necessary to prove conclusively reasons one, two, three, four, and five—is this: The man who is to be selected for a job like this must have no weakness in his armor. I challenge any fair-thinking person to read the record covering only this one situation involving a man by the name of John Coughlan, with respect to whom the man who once had been Governor of the State of Washington said at great length that his appointment was meaningless, unimportant, and of no influence at all, but was a sop to a group of American citizens. If that becomes a proved fact, in my opinion, any person could rest his case against the nominee right there. I happen to think it is a fact; but it happens to be up to the Armed Services Committee to prove or disprove it.

Mr. MORSE. Mr. President, will the Senator yield for a question?

Mr. CAIN. I am most pleased to yield for a question.

Mr. MORSE. Is it the conclusion of the Senator from Washington that the nominee, while Governor of the State of Washington, appointed Coughlan in order to obtain political advantages for the nominee from the Old People's Pension Union, in the State of Washington?

Mr. CAIN. In that sense, I think I am not qualified to answer that question. My concern is that Mr. Wallgren fooled a large group of American citizens, namely, the old-age pension group in the State of Washington. What his reasons were for fooling those Americans, I do not know.

Mr. MORSE. Will the Senator advise me as to what motivations he thinks the nominee might have had for making the appointment under the circumstances under which the testimony showed he made it?

Mr. CAIN. I do not know that I can answer that question. My feeling is that the President's nominee, then Governor of the State of Washington, was guilty of a great display of moral weakness, regardless of what his reasons may have been, when he led the old-age pension group of the State of Washington to believe that it was going to get something, when he never had any intention of giving them anything except a fairy story. In the State of Washington we do not think that sort of conduct is very

good; but we believe it would be absolutely criminal to transplant it from Washington State, where at least we can isolate it, to the Nation's Capital.

Mr. MORSE. Mr. President, will the Senator yield further and permit me to ask another question in regard to the Coughlan appointment, so that I may lay a foundation for a question or two in regard to the appointing powers which the nominee would have if he were made Chairman of the National Security Resources Board?

Mr. CAIN. The junior Senator from Washington would be most pleased to yield to his colleague from Oregon for a question only.

Mr. MORSE. Mr. President, when the Senator from Washington says that the nominee's testimony at least indicates that Coughlan was appointed as a sop to the old people who were members of the Pension Union in the State of Washington, does he think that statement on the part of the nominee, which in effect I have accurately summarized, I think—in other words, the statement of the nominee that he made the appointment as a sop to the old people—supports a reasonable inference that he made it for political advantage in his relationships with the old people in the State of Washington?

Mr. CAIN. If anyone were to tell certain persons they were going to get something, when he had reason to know that they were not, and when the person who told them that they were going to get something for nothing was in a seat of public authority, I suppose that conceivably he would appoint one of their kind as a sop either in the hope that they would not be a serious political pressure upon him or because he had reason to believe that that sort of treatment would encourage all of them to support him in whatever programs he might wish to advance in the future. I cannot conceive of any other reason why a man—and the record points that out—would tell a number of persons, "Yes, you deserve representation. We have a fine social-security committee on the State level; and I, the Governor, and my Assistant Governor are members of it; so we will take your legal counsel, Mr. Coughlan, and put him on it; and from now on, all your troubles are over," when Mr. Wallgren's next breath was to the effect that it was never his intention to have a meeting of that committee at any time; but he swore the man in as an official agent of the State of Washington, and clothed that man, from the minute of his swearing in, with all the prestige and influence and power that went with a State appointment.

Mr. MORSE. Mr. President, will the Senator yield for a further question?

Mr. CAIN. I shall be pleased to yield for a question.

Mr. MORSE. Does the Senator know of his own knowledge, based upon his own experience as a Senator from the State of Washington, that the various old people's groups, of which the pension union is one in the State of Washington, exercised considerable political power and influence in the State of Washington.

Mr. CAIN. I have heard it said by many persons in the State of Washington that what is known as the Old-Age Pension Group or Society wields a considerable amount of political power, particularly on the western side of the State. Speaking only as an individual, I have never been conscious of that supposed power one way or another.

Mr. MORSE. Mr. President, will the Senator yield for a further question?

Mr. CAIN. I shall be glad to yield for a question.

Mr. MORSE. Will the Senator from Washington tell the Senate whether the nominee, if confirmed for appointment as Chairman of the National Security Resources Board, would, in his capacity as Chairman, have the power of appointment in filling various positions on the staff of that Board?

Mr. CAIN. Mr. President, if the Senator from Oregon will permit me to take one moment, I hope and think that I have a copy of the law which obviously will provide an accurate answer for the Senator's very reasonable question.

I read from the law:

The Chairman of the Board—

Referring to the National Security Resources Board—

subject to the direction of the President—

That is all; the direction of the President—

is authorized to appoint, and fix the compensation of, such personnel as may be necessary to assist the Board in carrying out its functions.

So far as I understand the law, I wish to make it clear to the Senator from Oregon that whoever the Chairman of the National Security Resources Board may next be, he will in his administrative capacity have mandatory authority over as many jobs as are represented by the chart of the organization of the staff of the National Security Resources Board, which I now indicate. I have been told by the Bureau of the Budget, if I am not mistaken, that there are 60 $10,000 jobs within the office of the Chairman of the National Security Resources Board, over which Mr. Wallgren, if appointed, will have complete power. That is not to say that he will discharge everyone who is there. He spoke of that subject only briefly during the hearings. He said, in effect, "If I am confirmed, I have some reorganization plans in mind." He did not go so far as to say what they were.

However, because of some "freeze" order, there now remain open approximately 20 jobs at $10,000 each, waiting to be filled by appointments to be made by the new chairman of the National Security Resources Board.

Mr. MORSE. Mr. President, will the Senator yield for a question?

The VICE PRESIDENT. Does the Senator from Washington yield?

Mr. CAIN. I am pleased to yield for a question only.

Mr. MORSE. Am I correct, then, in my understanding of what the Senator from Washington has just said, that if the nominee proceeds to function as Chairman of the National Security Resources Board, he will have the power to make some 60 appointments in due course of time, in filling various positions on the staff of the Board?

Mr. CAIN. I wish I had with me a break-down of the budget for 1949 for the office of Chairman of the National Security Resources Board. I do not have it. I would not want the Senator to think the Chairman is restricted to 60 appointments to positions within his operation, for it may be as a practical matter that many more than 60 persons are required. It may be the new Chairman, whether Mr. Wallgren or someone else, will leave the hiring of personnel to others or it may be that he and his associates will have several hundred jobs to fill. But we should bear in mind, I may point out to the junior Senator from Oregon, that the development first began as the result of the passage of the unification bill by the Congress, signed by the President on July 26, 1947. It is a mushroom organization. It is preparing to get started. But I have been able to secure only the chart indicating the division of the director of production, which every Senator in the Chamber should have interest in studying. I have not been able to secure the organizational charts for the other three planning divisions; which may mean that the other three have not been fully staffed as yet, and that the new Chairman will have to concern himself with filling the personnel requirements of the three planning staff divisions the Senator from Oregon can notice on the chart.

Mr. MORSE. Mr. President, will the Senator yield for a question?

The VICE PRESIDENT. Does the Senator from Washington yield?

Mr. CAIN. I am glad to yield for a question.

Mr. MORSE. Is the junior Senator from Oregon then correct in his understanding that irrespective of the number, the Chairman of the National Security Resources Board will have the authority, and it is authority under the law, to fill by way of appointment a considerable number of very responsible positions?

Mr. CAIN. On that subject I can only be guided by my understanding of the law, which says without reservation that the chairman, subject only to the wishes of the President, has complete authority and jurisdiction over all the personnel required to make the entire organization work.

Mr. MORSE. Mr. President, will the Senator yield for a further question?

The VICE PRESIDENT. Does the Senator from Washington yield?

Mr. CAIN. I am pleased to yield for a further question.

Mr. MORSE. Is it the fear of the Senator from Washington that if the nominee, while Governor of Washington, appointed a man by the name of Coughlan counsel for the Pension Union, which the Senator has testified is an organization of old people, to the Social Security Welfare Board of the State of Washington, as a political sop to the old people, there might be a danger that as chairman of

the National Security Resources Board, if confirmed for the position, he might make appointments of a political-sop nature to that board?

Mr. CAIN. Perhaps I could best attempt to answer that question by saying it was left up to certain members of the committee to find out who from the State of Washington are today working in the National Security Resources Board, and at what figure. Mr. Wallgren came as a witness before the Armed Services Committee, he was given every encouragement to talk, and questions were directed to him. He was asked, "What do you know about this job? What are your plans?" To which he replied, "Oh, I do not know anything about the job. I have not been confirmed yet. I want to stay as far away from it as I can until I am confirmed. But I have a couple of men down there somewhere." They are there as special assistants to the Chairman. One was what Mr. Wallgren called his "Assistant Governor" in the State of Washington. Another man had some sort of State job. Mr. Wallgren did not mention the second man in the presentation of his case to justify his claim that he is big enough to be considered for the job. But we merely called up the Budget Bureau and said, "Is anyone working down there?" The reply was, "Yes." They gave us the names of persons working at $50 per day. It was not the $50 a day, I may say to the Senator from Oregon, which most annoyed some of us who are most serious in our opposition to the appointment of the man. It was that his lack of standing, his lack of bigness, his lack of character in this particular instance would not permit him to say, "I have two men working in my interests for $50 a day down at the National Security Resources Board."

In further answer to the Senator's question, I think it is as certain as the fact that we are sitting here that, while Mr. Wallgren is, I suppose, eminently qualified to fill many a position, he is not qualified to fill this one. If confirmed, he will be the one to determine the brains to be employed in the four peacetime agencies which will become the wartime agencies to wage the next war. Therefore, to me, not only as a Senator from Washington State, but as a citizen of this country, I am not concerned with what any man or woman in the agency is paid; I am concerned solely with what he produces for his employer, who in a literal sense is the chairman, but who, in a much broader sense is every American citizen. If Mr. Wallgren has the disposal of in excess of 20 jobs at $10,000 each, that is totally unimportant, providing he could get the 20 right brains to fill the 20 niches in these important portfolios; and though I might be the only one, I am satisfied completely that his talent does not qualify him to select the brains required in order to wage and win the next war.

Mr. MORSE. Mr. President, will the Senator yield for a question?

The VICE PRESIDENT. Does the Senator from Washington yield?

Mr. CAIN. I am glad to yield to the Senator for a question only.

Mr. MORSE. Is it the fear of the Senator from Washington, then, based upon his answer to my previous question, that if the nominee is appointed chairman of the National Security Resources Board, which position carries with it broad appointive powers in the filling of a very long list of responsible jobs, and judging from the basis on which he seems to have made the appointment of Mr. Coughlan to the Social Security Welfare Committee of the State of Washington, he might not make appointments in the public interest, if confirmed for the position to which he has been appointed?

Mr. CAIN. I should rather say in my considered opinion he is not qualified to select the proper personnel for the Agency. If he, as an individual, is not qualified to be the chairman, as I shall certainly endeavor to establish before the case has reached its conclusion, I do not, for the life of me, see how an unqualified chairman can be, on the other hand, a qualified personnel procurer for an agency which prepares for and wages war. I think the best answer to the Senator's question is that the gentleman in question, the President's nominee, has been assigned to a job which he is not qualified to master. He will, in terms of swimming, I am certain, go down three times and come up only twice, and the country will the loser.

Mr. MORSE. Mr. President, will the Senator yield for a question?

Mr. CAIN. The Senator from Washington is very pleased to yield for a question only.

Mr. MORSE. Is it the fear of the Senator from Washington, judging by the nominee's appointments in the State of Washington, not only in respect to the appointment of Mr. Coughlan to the so-social-security and welfare committee of the State, but also other appointments in the State government of Washington, that there is a danger that he will not make appointments in the public interest, if appointed as Chairman of this Board?

Mr. CAIN. I shall go back to my previous answer, if that answer satisfies the Senator, and if I correctly understand the Senator's question. But I think the nominee's lack of bigness and understanding of the job intended for him would make it all too easy for him to make appointments to positions within the National Security Resources Board which are not in the national interest. I would not say there would be any premeditated attempt on his part to make bad appointments, but I say that, necessarily, he would make them because I do not think him competent to fulfill his responsibilities.

Mr. MORSE. Will the Senator yield for another question?

Mr. CAIN. I shall be glad to yield for a question.

Mr. MORSE. Does the Senator from Washington agree that those of us who are not familiar with the appointing record of the nominee while Governor of the State of Washington, save and except as we have learned something about it in connection with the Coughlan case, ought to look to his appointments generally in the State of Washington in attempting to reach a conclusion as to the type of appointments he might be expected to make as Chairman of the National Security Resources Board?

Mr. CAIN. I think that would be a fair position, sir. I think I have so stated in my various presentations. There have been a number of other appointments under the jurisdiction of the one who was then the Governor of the State of Washington that were not made in the best interest of the citizens of that State.

Mr. MORSE. Will the Senator permit another question along this line?

Mr. CAIN. I shall be pleased to yield for a question, sir.

Mr. MORSE. Does the Senator agree that those of us who are trying to reach a final conclusion as to whether we should vote to confirm or not to confirm in this instance need to satisfy ourselves that the nominee has a record of appointments in the State of Washington which is of such quality that if he carried the same appointing policies into the position for which he has been nominated the public interest would not be jeopardized thereby?

Mr. CAIN. I may say to the junior Senator from Oregon, if I understood his question correctly and if my assumption is correct, that Mr. Wallgren misled a considerable number of Washington State citizens by holding out to them, as a sop, the appointment of one John Coughlan to a committee which the Governor said later on never had any intention of functioning, then I think it would not be necessary to look beyond that point—that a man who was capable of the John Coughlan appointment, on the basis only of the record, would obviously be capable of other similar appointments, none of which would be good for the common welfare, and just one instance of which ought to result in automatic cancellation of any serious consideration which had been previously given to the nominee.

Mr. MORSE. Will the Senator permit one more question?

Mr. CAIN. I shall be most pleased to yield for a question, sir.

Mr. MORSE. Is the Senator prepared to say whether, in his opinion, this nominee, in filling appointments in the State of Washington, made any considerable number of appointments which could possibly be criticized as purely political appointments in the sense that the qualifications of the appointees had little or no relationship to the particular tasks which had to be performed in the office to which they were appointed?

Mr. CAIN. In my opinion, that is quite correct.

Mr. MORSE. Will the Senator yield for another question?

Mr. CAIN. The Senator will be pleased to yield for a question.

Mr. MORSE. Is it, then, a charge of the Senator from Washington against the nominee that an investigation of

the appointing practices of the nominee while he was the Governor of the State of Washington would lead to the conclusion on the part of a fair-minded person who is seeking to find the facts in order to make a judicial decision as to whether he should vote to confirm or not to confirm this nomination, would disclose that this nominee has a record of making political appointments in the sense that he appoints men for political advantage without primary consideration being given to their qualifications for the office to which he appoints them?

Mr. CAIN. The junior Senator from Oregon is probably conscious of the fact that all the junior Senator from Washington has thus far requested of the Senate Armed Services Committee is that it undertake a serious examination of the charges which I have preferred, one of which is that Mr. Wallgren has been in the past extremely careless in his political appointments; and, in further emphatic response to the Senator's question, I am completely and wholly satisfied that if the Senate Armed Services Committee undertakes such an investigation, it will determine to its own complete satisfaction that whatever other virtues Mr. Wallgren may have, one of them is not considering the public interest as being primarily important when making a political appointment. The Senator would find, through any disinterested, open examination, that Mr. Wallgren, to an unusual degree, has used political appointments under his power for results of political preference to him.

Mr. President, this has been an extraordinarily long and exceedingly interesting day and debate to the junior Senator from Washington. I began in the hope that I might thoroughly lay before the Senate two subjects with which I had reason to believe Senators were not as familiar as was I, first, the National Security Resources Board and, second, the National Security Council. I think that any of my colleagues in the Senate and the general public who are interested and curious and will study today's RECORD will find that it contains factual information which will be of assistance to their thinking about the future which lies ahead of all of us.

I have before me, as one can obviously see, Mr. President, as much material concerning the Wallgren confirmation matter as I have covered today, and more, which I trust I shall have an opportunity to discuss and submit for the RECORD before the question is resolved.

Mr. President, I understand that any Senator has two opportunities to speak on any question which is before the Senate. Having availed myself of a very long opportunity to talk once on the subject of this confirmation today, I shall look forward with enthusiasm to an opportunity to conclude my presentation at some later date.

Mr. MORSE. Mr. President, will the Senator yield for a parliamentary inquiry?

The VICE PRESIDENT. The Senator from Washington has yielded the floor.

AMENDMENT OF ECONOMIC COOPERATION ACT—REPORT OF A COMMITTEE (S. REPT. NO. 100)

During the delivery of Mr. CAIN'S speech,

Mr. CONNALLY. Mr. President, will the Senator from Washington yield for a moment?

Mr. CAIN. The Senator is permitted to yield only for a question.

Mr. CONNALLY. I ask unanimous consent that I may report a bill, which is very important, and then let it rest.

Mr. CAIN. Mr. President, is there any way by which I can accommodate the Senator from Texas and request such unanimous consent without jeopardizing my right to the floor?

The VICE PRESIDENT. The Senator can request unanimous consent that the Senator from Texas be permitted to do so, without interfering with the right of the Senator from Washington to the floor.

Mr. WHERRY. Mr. President, reserving the right to object, if it is agreeable to the Senator from Washington, let me say that I shall enter no objection, because the purpose of the Senator from Texas is simply to report or introduce a bill, and although it will come in the middle of today's session, and did not come at the beginning of the session today, nevertheless I feel that that courtesy should be extended to all Senators who wish to introduce bills.

Mr. CONNALLY. Mr. President, I thank the Senator from Nebraska and the Senator from Washington.

Mr. President, from the Committee on Foreign Relations I report the Economic Cooperation Administration bill, otherwise known as the Marshall plan bill, which I think to be of sufficient importance to warrant being reported from the committee at this time.

The VICE PRESIDENT. Without objection, the report will be received, and the bill will be placed on the calendar.

Mr. CONNALLY. Mr. President, I ask unanimous consent that the formal report may be filed within the next 48 hours.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. CONNALLY. I thank the Senator very much.

Mr. CAIN. The Senator from Texas is most welcome.

The bill (S. 1209) to amend the Economic Cooperation Act of 1948 was read twice by its title, and ordered to be placed on the calendar.

After the conclusion of Mr. CAIN'S speech,

ADDITIONAL BILLS INTRODUCED

By unanimous consent, additional bills were introduced, read the first time, and, by unanimous consent, the second time, and referred or ordered to be placed on the calendar, as follows:

By Mr. McCARTHY:

S. 1207. A bill to amend the law relating to timber operations on the Menominee Indian Reservation in Wisconsin; to the Committee on Interior and Insular Affairs.

S. 1208. A bill for the relief of Pasch Brothers; to the Committee on the Judiciary.

(Mr. CONNALLY, from the Committee on Foreign Relations, reported an original bill (S. 1209) to amend the Economic Cooperation Act of 1948, which was ordered to be placed on the calendar, and appears under a separate heading.)

MEMBERS OF BOARD OF REGENTS OF SMITHSONIAN INSTITUTION

The VICE PRESIDENT. The Chair appoints the Senator from New Mexico [Mr. ANDERSON] and the Senator from Massachusetts [Mr. SALTONSTALL] members of the Board of Regents of the Smithsonian Institution.

DEATH OF REPRESENTATIVE BLOOM, OF NEW YORK

The VICE PRESIDENT. The Chair lays before the Senate resolutions from the House of Representatives, which will be read.

The Chief Clerk read as follows:

IN THE HOUSE OF REPRESENTATIVES, U. S.,
March 8, 1949.

Resolved, That the House has heard with profound sorrow of the death of Hon. SOL BLOOM, a Representative from the State of New York.

Resolved, That a committee of 15 Members of the House with such Members of the Senate as may be joined be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provision of these resolutions and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect the House do now adjourn.

Mr. LUCAS. Mr. President, in behalf of the senior Senator from New York [Mr. WAGNER], I send to the desk a resolution and request that it be read and immediately considered.

The resolution (S. Res. 82) was read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. SOL. BLOOM, late a Representative from the State of New York.

Resolved, That a committee of two Senators be appointed by the Vice President to join the committee appointed on the part of the House of Representatives to attend the funeral of the deceased Representative.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

The VICE PRESIDENT. The Chair appoints the senior Senator from New York [Mr. WAGNER] and the junior Senator from New York [Mr. IVES] as the committee on the part of the Senate to join a similar committee from the House of Representatives to attend the funeral of the deceased Representative.

Mr. LUCAS. Mr. President, as a further mark of respect to the memory of the deceased Representative, I now move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was unanimously agreed to, and (at 9 o'clock and 4 minutes p. m.) the Senate took a recess until tomorrow, Wednesday, March 9, 1949, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate March 8 (legislative day of February 21), 1949:

INTERSTATE COMMERCE COMMISSION

Hugh W. Cross, of Illinois, to be an Interstate Commerce Commissioner for the remainder of the term expiring December 31, 1950.

MUNICIPAL COURT FOR THE DISTRICT OF COLUMBIA

Milton S. Kronheim, Jr., of the District of Columbia, to be an associate judge of the municipal court for the District of Columbia, vice Hon. John P. McMahon, deceased.

UNITED STATES ATTORNEY

John Brown, of Tennessee, to be United States attorney for the western district of Tennessee, vice William McClanahan, resigned.

UNITED STATES MARSHALS

Bernard Fitch, of Connecticut, to be United States marshal for the district of Connecticut. He is now serving in this office under an appointment which expired June 29, 1948.

Dimitre A. Batchoff, of Montana, to be United States marshal for the district of Montana, vice George A. Wright, term expired.

Raymond A. Morgan, of New York, to be United States Marshal for the western district of New York, vice Frank C. Blackford, retired.

Larry M. Morphis, of Tennessee, to be United States marshal for the middle district of Tennessee, vice Reed Sharp, term expired.

IN THE ARMY

Col. James Lowe Harbaugh, Jr., O12339, Judge Advocate General's Corps, United States Army, for temporary appointment as brigadier general in the Army of the United States under the provisions of section 515 of the Officer Personnel Act of 1947.

HOUSE OF REPRESENTATIVES

TUESDAY, MARCH 8, 1949

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Almighty God, in the name of Him whom Thou hast highly exalted, we pray that we may catch the still small whisper of Thy voice. Thou hast said if any man lack wisdom let him ask of God, who giveth to all men liberally and upbraideth not. Thou knowest our frame and rememberest that we are dust. Restrain us and bless us with pure and humble hearts.

If we have wronged any man, if we have been false to ourselves, O Lord God, make us true. Deliver us from all things that blight and blur; search us and know our hearts, and see if there be any wicked way in us, and lead us in the way everlasting. Through Jesus Christ our Lord. Amen.

We pause in deep sorrow this morning, in memory of one distinguished in public service, and the friend of man.

"This be the verse you grave for me;
Here he lies where he longed to be;
Home is the sailor, home from the sea,
And the hunter home from the hill."

Amen.

The Journal of the proceedings of yesterday was read and approved.

CALENDAR WEDNESDAY

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that business in order on Calendar Wednesday of this week be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

HOUR OF MEETING TOMORROW

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11 o'clock a. m. tomorrow, March 9, 1949.

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, I understand the first order of business will be the appropriation bill.

Mr. McCORMACK. The first order of business will be the appropriation bill; and when that is disposed of it will be followed by the bills we had scheduled and programed for today.

Mr. MARTIN of Massachusetts. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts, that when the House adjourns today it adjourn to meet at 11 o'clock tomorrow?

There was no objection.

LABOR-FEDERAL SECURITY APPROPRIATION BILL

Mr. FOGARTY, from the Committee on Appropriations, reported the bill (H. R. 3333) making appropriations for the Department of Labor, the Federal Security Agency, and related independent agencies, for the fiscal year ending June 30, 1950, and for other purposes (Rept. No. 228), which was read a first and second time, and, with the accompanying papers, referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

Mr. KEEFE reserved all points of order on the bill.

Mr. FOGARTY. Mr. Speaker, I ask unanimous consent that notwithstanding the rules of the House, the bill (H. R. 3333) making appropriations for the Department of Labor, the Federal Security Agency, and related independent agencies, for the fiscal year ending June 30, 1950, and for other purposes, may be considered tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. McCORMACK. Mr. Speaker, may I ask the gentleman from Rhode Island [Mr. FOGARTY] if time has been agreed on with respect to the Labor-Federal Security appropriation bill?

Mr. FOGARTY. I conferred with the ranking member of the minority and we have agreed on 2 hours' general debate.

The SPEAKER. The Chair recognizes the gentleman from New York [Mr. CELLER].

THE LATE HONORABLE SOL BLOOM

Mr. CELLER. Mr. Speaker, it is with genuine sorrow that we have learned of the demise of a distinguished colleague of ours, the gentleman from New York, Mr. SOL BLOOM.

A kindly man has left us. A life dedicated to service is no more. A gentle being who ever helped the helpless and hopeless passed on his way to an undiscovered country. A man high in his fellows' esteem can no longer strive and struggle for his country's weal. He might have disagreed with you but never was disagreeable. His distinguished service on the Foreign Affairs Committee under Presidents Truman, Roosevelt, Hoover, and Coolidge, as member and chairman, where he participated in fashioning and passing bills affecting war and peace, made him the cynosure of all eyes.

The name SOL BLOOM was known the world over for patriotism and gallant endeavor. With an early awareness of the value of reasoned and reasonable public relations he built up a reputation that spread from London to New Delhi, from New York to San Francisco, from Paris to Rio.

He leaves behind a good name, and as the Psalmist says:

Better is the fragrance of a good name than the perfume of precious oils.

In true Horatio Alger fashion he lifted himself from humble beginnings to heights of fame and power. Friend of kings and potentates, he nontheless never lost the common touch.

Guest of ambassadors and ministers, decorated by many rulers, frequently signally honored in his own land, he never forgot those in low estate, here or abroad. He bravely and courageously espoused just, although at times unpopular, causes. He fought for the stateless, the homeless, the displaced—those whose fate was like one on a ship on a sea without a shore. Ever a Zionist he aided in implementing the aim of his people in Israel. He was at home with tycoons or tanners, with bankers and clerks, with millionaires, and, as well, with the poor and lowly constituents of Tenth and Eleventh Avenues.

The universality of his endeavors and works is striking.

Our Constitution, the life of Washington, numerous centennials in our history, were dwelt upon by him. He has written well upon the tablets of our literature. Humorist, story teller, philosopher, statesman, wit—he was much sought after for radio, television, and the public platform.

One of his last acts was preparation for his annual birthday party which was always celebrated with the St. Ann orphans, of Washington.

We pray that the Lord God of Hosts may assuage the anguish of the bereavement of his surviving daughter, Vera. She must take comfort in a cherished memory of the loved and lost.

Well might we recall a passage in Proverbs:

A little sleep, a little slumber, a little folding of the hands to sleep.

I yield to the gentleman from New York [Mr. LYNCH].

Mr. LYNCH. Mr. Speaker, last night in New York I learned with deep regret of the death of our distinguished and beloved colleague, SOL BLOOM. He was a character in New York life. He had represented his district, originally the Nineteenth and later through reapportionment the Twentieth District, since 1923, and on the 3d of March of that year he took his oath of office in this House for the first time.

His career was like a story book. He was born of poor parents in Pekin, Ill. He went out west to San Francisco at the age of 3, where, after a few years, only a young boy 10 years of age, he obtained his first employment. He remained in San Francisco until he was 19 years of age, at which time, as the result of his business acumen, he had amassed what was then considered a fair-sized fortune, and putting Horace Greeley's words, "Young man, go west," into reverse, he started eastward and stopped off at Chicago, where he remained and engaged in business until 1903, and then went to New York. In 1923, 20 years later, he, for the first time, held the office of Representative in Congress, and has been in this House ever since until the date of his death. He would have been 79 years old tomorrow.

Here in the House he has had a distinguished career. He was twice chairman of the Committee on Foreign Affairs, and he has always shown statesmanship in the legislation that he has had passed through this House as chairman of that distinguished committee. Those who knew him in New York will miss him as a most charitable friend. He has more friends among the poor on the West Side of New York than probably any other man in public or private life. He was well known in the theatrical life of New York for several generations, and those in that profession will lose a great friend. We in the House have lost a distinguished colleague. The State of New York has lost a most able Representative, and I personally have lost a very close and dear friend.

Mr. CELLER. Mr. Speaker, I yield to the gentleman from New Jersey [Mr. EATON].

Mr. EATON. Mr. Speaker, once more we are face to face with the great, solemn reality that we belong to two worlds. Our dear friend Sol, alive, forceful, active, suddenly ceases to be, so far as we know, and has entered into the eternal silence from which he came and to which we are all journeying.

Lacordaire, the great French orator, standing by the dead body of Louis XIV, began his oration with these words, which I have often pondered: "God alone is great."

In these grim and tremendous realities which hover over us and swallow us up sooner or later, we realize that all men are equal, equal in our mortality, and gloriously equal in the immortality with which the Divine Creator has endowed us.

I have been associated with SOL BLOOM on the Foreign Affairs Committee since 1927. I have always been profoundly interested in him as a unique character which could develop only in this country. He was absolutely without academic education. He had one of the most acute natural intelligences I have ever known in or out of Congress. He was a remarkable man in his resources of mind and character and in what he accomplished in life.

Mr. Speaker, his message to us today would be his great debt to America. America gave him his opportunity and America honors him in his passing. He represents the glory and the challenge of our civilization. He was a devoted public servant. He had his faults and failures, which endeared him to me personally. In our long association on the Foreign Affairs Committee we did not agree many times; but we always agreed in our friendship. I stood by him and he stood by me. Now he is gone, but he leaves a great contribution to the interpretation of the fundamentals of our civilization. We will long cherish his memory, and we will do him the greatest honor possible by allegiance to those principles of our life which he defended so gloriously in his study of the Constitution of this country.

Dear Sol. I told him the other day that we would stand by him in the work of our committee. We cannot any more, except by endeavoring to follow out, as best we can, the ideals that he, in his life and in his death, so notably represented. May his spirit rest in eternal peace.

Mr. CELLER. Mr. Speaker, I yield to the gentleman from West Virginia [Mr. KEE].

Mr. KEE. Mr. Speaker, I want to add my tribute to the memory of SOL BLOOM. For 16 years I was closely associated with SOL BLOOM on the Foreign Affairs Committee. I worked with him side by side. I was a personal friend of his. I walked with him and I talked with him. He was one of the finest characters I have ever known.

Last night when the telephone rang in my apartment and the news came that SOL BLOOM had gone down into the valley of the shadow of death, it was one of the greatest shocks I have ever had. I have not recovered from it yet. It was so sudden, so unexpected, that even at this moment I cannot fully realize that my friend has passed away.

Death is something that we all must meet, but when it comes it sometimes comes with surprising suddenness. We sorrow with death when it comes to one who is in the prime of life or one in early youth; but often when it comes to those who have lived a full and complete life, to those who have done great things in this world and who have grown gray in the service of their country, it comes as a comforting spirit that with kind and gentle fingers presses down their eyelids to eternal rest. That is the rest that will come to SOL BLOOM. He was a man of intense loyalties. He was loyal to his family. He was loyal to his committee. He was loyal to his friends. He was loyal to his party and he was loyal to his country. He served his country well. He served humanity well. He was a charitable man. He was the kind of man we love to meet, the kind of man we love to work with and talk with. When I think of him, I feel that James Whitcomb Riley, the Hoosier poet, must have had a man of his character in mind when he said:

The kind of a man for you and me!
He faces the world unflinchingly,
And smites, as long as the wrong resists,
With a knuckled faith and force like fists:
He lives the life he is preaching of,
And loves where most is the need of love;

* * * * *

The latch is clicked at the hovel door
And the sick man sees the sun once more,
And out o'er the barren fields he sees
Springing blossoms and waving trees,
Feeling as only the dying may,
That God's own servant has come that way.

* * * * *

The kind of a man for me and you
Lives for the good that he can do;
He walks abroad and he meets all kinds
Of querulous and uneasy minds,
And sympathizing, he shares the pain
Of the doubts that rack them, heart and brain,

* * * * *

And feeling them with a faith half glad
That the bad are as good as the good are bad,
He strikes straight out for the right, and he
Is the kind of man for you and me.

Mr. Speaker, that is the kind of man we have lost from this body. May he rest in peace.

Mr. CELLER. Mr. Speaker, I yield to the gentleman from Massachusetts [Mr. MCCORMACK], our distinguished majority leader.

Mr. MCCORMACK. Mr. Speaker, there is indeed great gloom in the House of Representatives in consequence of the deep sorrow which is ours in the passing of our beloved colleague and friend SOL BLOOM. Sweet, charitable, lovable, loyal, sincere, a real philosopher, possessed of an understanding mind and possessed of nobility of character, with a deep religious feeling, a man of profound faith, SOL BLOOM has left his favorable imprint upon everyone who knew him. He was a great legislator and a great American. He has left his indelible imprint upon the pages of American history. His death shocked all of us, the more so because it was unexpected.

His constituents and his people might well feel proud of the representation that SOL BLOOM gave them. SOL BLOOM was a great national figure, a man of national and international importance. His death is a sad loss, not only to the House of Representatives, but an irreparable loss to the country. In his passing, many of my colleagues, including myself, have lost a valued and close friend. To his daughter I extend my profound sympathy in her bereavement. I know that in this extension of sympathy I express the thought of all of my colleagues of the House of Representatives.

One of the noblest, one of the finest characters I have ever met on the journey of life, or that I ever expect to meet as long as I live, was SOL BLOOM.

May God have mercy on his soul.

Mr. CELLER. Mr. Speaker, I yield to the gentleman from New York [Mr. O'TOOLE].

Mr. O'TOOLE. Mr. Speaker, SOL BLOOM was as much a part of the New York City picture as Times Square, Al Smith, or Jimmy Walker. To you Mem-

bers who do not live in the great metropolitan area, New York no doubt appears to be a hurly-burly existence. Yet there is another life to the great Baghdad-on-the-Subway. It is home to 8,000,000 people. It is a city that has a heart. It is a city that has its life of charity, life of religion, and cultural life.

During the course of the years we who are citizens of the city of New York learned to know that there was never a movement affecting our people, their lives or their hopes in which SOL BLOOM was not playing a foremost and active part. He loved New York as he loved the Nation. It was natural that he loved the Nation because he loved all mankind. He was a man of deep feeling, a man of fine sensibilities. I do not believe there is a member on this floor today who cannot visualize SOL BLOOM coming through that door. Every step of the way there was a smile and a continuous procession of friendship, kindliness, and thoughtfulness.

It may seem an anomoly, but SOL BLOOM possessed a great Christian attribute. I never heard him say a harsh word of any other human being. I can remember the days of hard and rugged debate that preceded the war when Sol would stand where I am standing now, leading the battle and taking the brunt of the shock. Ofttimes many an unkind word was thrown in his direction, but never was his answer harsh or mean. He would throw off the hurt in his humble fashion and was ever ready to extend the hand of forgiveness. He always seemed to realize that he was dealing with human beings whose dignity he respected. He fully understood and forgave the frailties and weakness of men. He set a splendid example to everyone in this House and in this country as to what constitutes a real gentleman.

We of the House shall miss Sol. We respected him. As my colleague the gentleman from New York [Mr. LYNCH] said, truly his was a typical American life. He came from a very humble beginning and through intellect, perseverance, diligence, and character he worked his way up gradually. Finally he reached the high places and walked with the great, but always in humility. His responsibilities were immense in the most trying period of the history of civilization.

Death has come to Sol as it must come to all Members. I think he has written his own eulogy and his own epitaph in his service to his city, in his service to his country, and in his service to mankind.

May his soul rest in peace.

Mr. CELLER. Mr. Speaker, I yield to the gentlewoman from Ohio [Mrs. BOLTON].

Mrs. BOLTON of Ohio. Mr. Speaker, those of us who have sat with SOL BLOOM on the Foreign Affairs Committee over a period of years have had many evidences of his loyalty to the United States, of his faithfulness to the tenets of his own belief, of his sense of responsibility to his Maker as an immortal soul. His death deprives the committee and this Congress of an able public servant, and leaves an emptiness that no one will ever quite fill. There will never be another Sol.

I have not always agreed with him—indeed, we have had some wonderful battles. But between us there was always recognition of the rightness of disagreement, that as Americans we could differ violently but in the end be friends. Not all men are so understanding of what such freedom in argument means, but Sol did, and one could not but love him for it, whose capacity for friendship will long live after him.

Many of the Members of this House have known him over a longer period of years than I, but I am certain that few have had opportunity to appreciate the peculiar charm that was his, the warm friendliness of his heart. I think that few, perhaps, have had the glimpse that he gave me upon two occasions of the desolation that came to him when his wife was taken from him. The privilege of such close moments are beyond the descriptive power of words; one never forgets them; one knows then the depths of a man's feeling, the quality of his faith.

I have had many opportunities to see his method of procedure; I have watched the results that have come from them. Recently, within the last weeks, I have watched his indomitable will carry him through and over intolerable moments of physical pain. Those moments, too, one does not forget. So alive has he been that it is hard to realize that today we cannot speak with him, nor touch his hand; we cannot see that amazing smile light up his face; yet we believe as he did, that his soul, freed from the restrictions of his failing body, has other work to do; so we cannot mourn him; we can but join together here to do him honor; we can but think of him—

* * * as one who layeth
His worn-out robes away,
And taking new ones, sayeth,
"These will I wear today!"
So putteth by the spirit
Lightly its robe of flesh,
And passeth to inherit
A residence afresh.

Mr. CELLER. Mr. Speaker, I yield to the gentlewoman from California [Mrs. DOUGLAS].

Mrs. DOUGLAS. Mr. Speaker, I too must pay my tribute to the great chairman of the Committee on Foreign Affairs. It is difficult for me this morning to speak about the loss of SOL BLOOM. When I went to the Committee on Foreign Affairs a little over 4 years ago I immediately lost my heart to this good and gentle man. I thought when I heard the news last night: Another of the great ones has left us.

But the sorrow I think we feel today is not for SOL BLOOM; he has had a rich and a full life; he has made a real contribution to the Congress, to the people of this country, and to the people of the world; the sorrow we feel is one of loss—another human being whom we have had the privilege to know and come to love has gone from us for the time being.

I should like to add a thought to the many things that have been said about SOL BLOOM that I think is heart warming at this time, and that is of the quality of the friendships that exist around the Foreign Affairs Committee table. The quality of friendship which has been built up in our committee has been made possible by SOL BLOOM with the cooperation of the gentleman from New Jersey [Mr. EATON]. In our committee more nearly do we override differences of party than in any other committee of the House. When I spoke to the gentleman from West Virginia, Judge KEE, the first thing he said was: "This is a great shock to me, a very great loss, but it is a comfort to realize that we are all good friends on the Foreign Affairs Committee and that everyone will help at this time to carry on."

SOL BLOOM made possible the warm relationship, the real affection, to which the gentlewoman from Ohio [Mrs. BOLTON] referred and on which the gentleman from West Virginia, Judge KEE, now relies. We could disagree, and we did, but we remained friends. SOL BLOOM made it possible for that kind of atmosphere to exist. I for one think that was a very real contribution to the many other contributions he has made.

Our friend has gone from us today, a man for whom I had come to have the deepest affection. Words at this time mean very little. The one tribute that I shall pay to SOL BLOOM is that I shall never forget him.

Mr. CELLER. Mr. Speaker, I yield to the gentleman from Illinois [Mr. SABATH].

Mr. SABATH. Mr. Speaker, it was my very great privilege to have known SOL BLOOM as a young man when he and I were members of several clubs and societies. Since that time, not only during his youth but ever since, SOL BLOOM has gained the confidence and the friendship of all those with whom he came in contact. He has served his people well, but, above all, he has served his country. He was loyal and devoted to his dear family, his departed wife, and his aggrieved daughter, Vera.

It has been my privilege to have served with over 3,000 Members of this House, but I cannot recall or recollect anyone who has made more friends and deservingly so than SOL BLOOM.

SOL BLOOM was a kindly man, a religious man, and devoted to his duty as a Representative from New York and to the service of his country. In his loss the people of his district, his State, and the Nation lose a great citizen.

SOL BLOOM was born in my own State—the great State of Illinois—on March 9, 1870. Tomorrow would have been the anniversary of his seventy-ninth year.

SOL BLOOM has served during the 25 most crucial years in the history of the country, and as chairman of that great Committee on Foreign Affairs he has at all times had the best interests of our country and people at heart. He was a peace-loving man, and frequently expressed the hope that, notwithstanding the general world disturbances, universal peace will be forthcoming to the people of our country as well as to the people of the world.

I know that he had the confidence of the President and all those in high positions because of his gentlemanly conduct

and insight into the principles of righteousness and goodliness.

Though of Jewish faith—a God-fearing man—showing a great deal of interest in the future plight of the Jewish people, he at all times, and properly so, had the interest of his country always uppermost in his mind.

I regret profoundly his passing, but I feel that he has left behind a splendid reputation, unblemished and noteworthy, which should and will be emulated by posterity and by many of those who have the privilege of serving in this House and who have a desire to serve the Nation. His memory and deeds shall live on forever.

Mr. CELLER. Mr. Speaker, I yield to the gentleman from Ohio [Mr. VORYS].

Mr. VORYS. Mr. Speaker, I want to pay my tribute to an amazing American. There was only one SOL BLOOM. There was only one country in the world where a man could have had the varied career that SOL BLOOM had. He loved to tell incidents of his career, and has told some of us many interesting anecdotes; about a poor boy who won his way and became rich, and who loved his country, and who became a great servant of the people.

I do not suppose there is any Member of this House that had more fights with SOL BLOOM than I have had, in committee and on this floor, and yet we were friends. SOL BLOOM was a hard fighter, but he never harbored a grudge. After some of the difficult and sometimes bitter debates involving our foreign affairs in the past decade, I have had the experience of leaving this floor and meeting him with his hand outstretched, willing to be friends, after we had settled the matter between us, because SOL BLOOM, in committee and on the floor, felt that Congressmen should be like scissors; they should cut what is between them and not each other.

SOL BLOOM was a great showman from the time he took part in the World's Fair in Chicago in 1893 down through the years. He appreciated putting things across so that the public would be interested and understand. For a long time during his service in Congress he devoted his genius as a showman to putting the history of the United States across with the public. Because of his activities a lot of people who were then children and are now grown to manhood know a lot more about George Washington and the early history of our country than they would have otherwise. Because of this genius of his a lot of us know more about the forming of our Constitution and the early events in the life of this young Republic. His contribution was a rare one, an unusual one, that could have been made in no other country.

SOL BLOOM was a Jew, and he was not afraid of being a Jew, or ashamed of it, or sensitive about it. In the past 10 years the Committee on Foreign Affairs has had before it many matters involving Jews and Palestine, and if we had had a chairman who made it difficult to talk about all phases of the problems involved, our work would have been greatly hampered. But SOL sat at the head of the table as a Jew who was proud of it but not sensitive about it, and he led in the discussions wherein all of us with SOL BLOOM, our chairman, faced the problems as Americans should.

He has made a unique contribution to the history of this Republic, he has made a unique contribution to the telling of the history of this Republic. This great soul will be remembered long. Our sympathies go to his daughter, Vera. SOL BLOOM will live not only in her heart and in the hearts of his friends, but in the life of the Republic he loved, for he helped to make his countrymen understand better their own great heritage.

Mr. CELLER. Mr. Speaker, I yield to the gentleman from South Carolina [Mr. RICHARDS].

Mr. RICHARDS. Mr. Speaker, may I add my word of tribute to this fallen leader who, during his life, did so much for his beloved country.

Like the gentleman from Ohio, I had my differences with Sol in our committee, but I always found that after the smoke of our differences had cleared away we could get together on common ground.

Sol was a remarkable man. He was a remarkable American. He was a strong pillar of the church of his orthodox faith. He was a stalwart champion of the hopes and aspirations of his race. But most of all, Mr. Speaker, he was proudest of the fact that he was an American, and he gave unstintingly of his time, his energy, his love, and his great ability to the advancement of the interests of his country.

We Members of the House will doubtless remember Sol first of all as the proponent and champion of legislation of momentous consequence to this country during the last decade. He led many a battle here in the field of foreign affairs, and he helped develop the foreign policy of this country into a virile movement for world stability, democracy, and peace.

We will remember him too as he came in that door with his grin, banter, and showmanship. Those of us who knew him pretty well realized that down under that flippant exterior was a heart running over with sentiment. The love of Sol for his wife and his daughter was a beautiful thing. I do not believe he was ever the same after his devoted wife left his side for the great beyond some years ago. I have heard it said by those who knew him longer than I that he was never the same afterward. Now he has left that talented, devoted daughter, who mourns his passing. I sincerely believe, as she sits at the bier of her father, that, in the words of Robert Ingersoll, "Listening love hears the rustle of a wing."

I always thought that Robert Ingersoll's great speech at the grave of his brother would have been more powerful, more comforting, if instead of saying, "On the night of death hope sees a star, and listening love hears the rustle of a wing," he had said, "Faith sees a star, and listening love hears the rustle of a wing."

Faith was inherent in this man. Who is there here today to guarantee that the path of faith he has chosen for himself is the right way, and that the other fellow is wrong? Only when the mists of eternity roll away will we find the answer. The important question for us who tarry here is whether we have faith in what we profess to believe. SOL BLOOM had that kind of faith. God rest his soul.

Mr. CELLER. Mr. Speaker, I yield to the gentleman from Connecticut [Mr. LODGE].

Mr. LODGE. Mr. Speaker, I was deeply shocked to hear late last night of the sudden death of SOL BLOOM with whom I have had the pleasure and honor of serving for over 2 years on the Committee on Foreign Affairs—first when he was ranking minority member and recently when he was chairman of this great committee. As chairman during the critical war years, he piloted much significant legislation through the Committee on Foreign Affairs and through this Chamber. He played a highly significant part in the international affairs of this country, both as chairman of this important committee and as a delegate to the United Nations Conference at San Francisco. SOL BLOOM was a man of many talents, great energies, lively wit, and a great capacity for friendship. He rose to outstanding achievements—a notable example of the vital opportunities and rewards that are available under our free system. Overcoming many obstacles he lived a long and useful life during which he attained great material success, rendered distinguished public service and made many fast friends. His life was a tribute not only to his own character and ability but also to the American system which makes possible such exceptional accomplishments. His participation, his leadership, his friendship, will be sorely missed. His death will be widely mourned. I mourn his passing.

* * * he is not dead, he doth not sleep—
He hath awakened from the dream of life—
'Tis we, who, lost in stormy visions, keep
With phantoms an unprofitable strife,
And in mad trance, strike with our spirit's knife
Invulnerable nothings. We decay
Like corpses in a charnel; fear and grief
Convulse us and consume us day by day
And cold hopes swarm like worms within our living clay.
He has outsoared the shadow of our night;
Envy and calumny and hate and pain,
And that unrest which men miscall delight,
Can touch him not and torture not again;
From the contagion of the world's slow stain
He is secure.

SOL BLOOM has gone where, beyond these voices, there is peace.

Mr. CELLER. Mr. Speaker, I yield to the gentleman from Connecticut [Mr. RIBICOFF].

Mr. RIBICOFF. Mr. Speaker, SOL BLOOM was a good man. He lived a good life. He accomplished good deeds.

SOL BLOOM was a religious man. He worshiped the God of his fathers. He respected the religious concepts of every creed, for he knew that all great religions were similar in their reverence of moral righteousness. To him the Bible was the greatest of books, and he walked in the steps of his Lord.

SOL BLOOM was a simple and friendly man. Free from rancor and hate, he loved all mankind. He forgave and was sorry for those whose souls were curdled by prejudice. His helping hand was outstretched to all mankind. His sympathy encompassed all suffering, all injustice. Kindly, the troubled of the world found

in him a champion. A charitable man, he gave his largess to all worthy causes.

Born in Pekin, Ill., the son of immigrant parents, he removed to San Francisco at a tender age. His life was the American story repeated—but repeated with emphasis. SOL BLOOM was the American dream come true. From beginnings no matter how humble, from whatever race, color, or creed, in the United States of America he who will can rise to heights of influence and service. His imagination and industry drove him forward from poverty and obscurity to a distinguished place in the affairs of our Nation. Self-educated, he was elected to Congress from the Twentieth District of New York in 1923, and again and again his district sent him back to Washington. His honesty, patience, quiet sincerity and ability won for him the respect of his colleagues, Presidents of the United States, and the entire Nation. SOL BLOOM loved America. He believed in its institutions and doctrines with all his heart and all his soul.

SOL BLOOM became chairman of the House Foreign Affairs Committee at the most crucial period in American history. To him fell the responsibility of the revision of the Neutrality Act, legislation dealing with national defense, lend-lease, our country's participation in the United Nations, rehabilitation of peoples in liberated countries, measures for the rescue of refugees, declaration of American policy in regard to world peace, the European recovery program, and other important legislation vital to our country and the freedom-loving nations of the world. He was one of the American delegates to the San Francisco Conference.

As a first-termer, he was kindly and helpful to me—a stranger to him. He welcomed me to the Foreign Affairs Committee. During our short friendship, we talked much together, and his wisdom, derived from experience, made a deep impression upon me. He was fatherly. In talking with SOL BLOOM, you knew that uppermost in his mind and heart was the welfare of the United States. Everything else in his life was subordinate to his country.

Death has stilled SOL BLOOM's heart and voice in the service of his Nation. All of us who knew him have had our lives enriched by his friendship. His contribution to our country and mankind will live on forever.

Mr. CELLER. Mr. Speaker, I yield to the gentleman from Minnesota [Mr. JUDD.]

Mr. JUDD. Mr. Speaker, the first time it was my privilege to meet the Honorable SOL BLOOM whose passing we mourn today was just 10 years ago, during the hearings on the neutrality legislation before the Foreign Affairs Committee.

I had just returned from China, where I had spent the last year or so removing American scrap iron from the bodies and brains of Chinese men, women, and children, and a period of several months under the control of the invading Japanese armies.

I was given an opportunity to testify before the committee, on what I had seen of Japanese aggression and the menace I felt it held for our own country and for world peace. I was a little shell-shocked, I know, by what I had been through, and felt so intensely that America must take action immediately to stop building up Japanese militarism. I remember so well my first impression of the chairman of the committee, Mr. BLOOM. He was completely courteous and considerate but the long, black ribbon he wore so jauntily on his eyeglasses, his immaculate dress, his gay manner seemed so casual in the face of the situation I felt so urgent. Then I noted how skillfully, during the questioning and discussion that followed my statement, he intervened two or three times, with some keenly witty remark or even mild banter which brought us back to calmer voices and better balance. After that hearing of 45 minutes or an hour my impression of the man had changed completely. It was apparent that he did not wear his feelings on his sleeve. No matter how deep his own concerns he maintained an even temper as chairman. His good humor increased, not lessened, the ability of all to think sanely. The real character of the man and his motivations were revealed—his depth, steadiness, dependability.

He was as good a blend as I have known of strong convictions and unfaltering devotion to them, mixed with unfailing kindliness, gentleness, friendliness, and fairness. He worked throughout his long and full life for a greater tolerance in human relations without developing a single iota of intolerance, or prejudice, or resentment, or bitterness himself.

I know how deeply disappointed he was by mankind's failure in immediate postwar period to accomplish the dreams he had for the United Nations to which he had given so much of his thought and effort as a delegate from our country to the conference at San Francisco. He brought it up one day in conversation. He had so hoped that this organization would somehow be able to resolve the age-old jealousies and hatreds, the minority problems, and boundary quarrels, and national rivalries; and that it could become the agency by which the eternal yearning of man for peace on earth could come to fruition. Yet, with all his disappointment and, perhaps disillusionment, there never crept into his words or manner a sign of cynicism or defeatism. He continued to pursue the dream. His unshakable confidence came out of his deep belief that God is; and that, therefore, what ought to be can be; but that God operates through men; and he was one who was glad to lay his time and his talents in the hand of the Eternal to be used as an instrument in bringing to earth His principles of human brotherhood and spirit of love and good will.

After serving with him in recent years on the Foreign Affairs Committee my admiration for SOL BLOOM steadily grew.

The life of SOL BLOOM is an unanswerable answer to modern American cynics. It is the everlasting denial of their doubts. What he did and what he became should give to all renewed faith in man and faith in this country and the principles on which it was founded, which gave him the opportunity to rise from the humblest beginning to a position of great influence and make an immeasurable contribution to his country and to the world.

He had lived such a rich and full life that we cannot grieve today for him; rather we grieve for his daughter and for ourselves—that we must go on without him. Many problems will become more difficult without his genial spirit and great experience to help guide us. We can honor him most in the Committee on Foreign Affairs, to which he was so devoted, and in the House of Representatives by doing an even better job for America and for mankind because we have to do it without his companionship and help.

Mr. CELLER. Mr. Speaker, I yield to the gentleman from Montana [Mr. MANSFIELD].

Mr. MANSFIELD. Mr. Speaker, words are useless at a time like this to express the deep love and appreciation that the members of the Committee on Foreign Affairs and the House of Representatives had for SOL BLOOM.

A great and a good man has passed from among us.

Those of us who had the privilege of serving under him on the Committee on Foreign Affairs will miss him, and miss him greatly. He was a man who could be held up as an ideal anywhere in this great country of ours, because SOL BLOOM by his own life had symbolized for all just what an American is and just what Americanism means.

At this time I want to express my very deep sympathy to his daughter, Vera Bloom, in this her hour of deep sorrow. I want to repeat again that this House has lost an outstanding Member, the country has lost a great statesman, and the world has lost a good friend.

May his soul rest in peace.

Mr. CELLER. Mr. Speaker, I yield to the gentleman from New York [Mr. JAVITS].

Mr. JAVITS. Mr. Speaker, I knew a good deal about Sol, as we all called him, from a rather close range. He represented the Twentieth Congressional District of New York which borders my district and has a population very much like that in my district.

Perhaps the greatest tribute that could be paid Sol is the love and devotion in which he was held by the people of his own district who, after all, knew him best. They came to him when they needed help. They cherished and loved him when he was here. You could note it by the tone in which every resident of the Twentieth Congressional District spoke of Sol, regardless of party.

Mr. Speaker, something has been said by my colleagues about SOL BLOOM's people. He was unmatched in his love for his faith, in his pride of origin and in what has been called the passion for justice—moral righteousness which distinguishes his own ancestors; yet, Mr. Speaker, SOL BLOOM was distinguished even more as he saw it by the fact that his people were the American people, and I believe that is the way he would like to have it known forever.

Some things stand out in a colleague's mind. I was a colleague of Sol's on the Committee on Foreign Affairs. I can never forget the light in his eye, the joy in his voice, whenever we talked about

the problems of children. Children, I think, meant more to Sol than any other human equation on earth. He showed that in his devotion to his duties and by his support for St. Ann's Orphanage here in Washington. He showed it in his solicitude for children everywhere through the International Children's Fund. He showed it most admirably by the light in his eye when he even talked about children.

My colleagues have spoken of the problems on which they may have disagreed with Sol. Two or three days before he died, and my colleagues I am sure will remember this, he said in the Foreign Affairs Committee, and I quote his words exactly, "I hate controversy." When Sol wanted things brought to a conclusion, and I think I understood him, it was only because he hated controversy and wanted to resolve the disagreement at the very earliest possible moment.

The innermost nature of the man was his love, and his longing for peace for men individually and collectively everywhere in the world.

Mr. Speaker, may the Lord give SOL BLOOM'S soul everlasting peace and give us perception to see the light in his life so that it may illuminate our way.

Mr. CELLER. Mr. Speaker, I yield to the gentleman from New York [Mr. MULTER].

Mr. MULTER. Mr. Speaker, I rise at this solemn moment to add a simple but heartfelt tribute to the memory of that lovable, that loving gentleman, SOL BLOOM:

> Counsel in the heart of man is like deep water, But a man of understanding will draw it out. (Proverbs 20: 5.)

Such a man of understanding was SOL BLOOM; this was an understanding that was deep-rooted in the true, the real American tradition. A background such as his could not be acquired by being educated in a school, but by education that was gained from a lifetime of experience—an education that stood him so well in treating with his fellow man. That genial, respectful, and respected gentleman will long be remembered by us, always ardently fighting for that which he thought was right, but never forgetting that there was the possibility that he was wrong and that the other person was right.

It was in that spirit that he always carried on in and out of this House. It was that spirit that I looked to for guidance when I came here, and I know it was that spirit that prompted others, when they might have been tempted to be harsh with someone who disputed with them, to be kindly. It was that spirit that urges and causes us to be more temperate and more tolerant of the other man's viewpoint.

May the remembrance of that fine gentleman ever be a shining example to us who remain of how to carry on the finest traditions of our country in the best interest of all.

Mr. CELLER. Mr. Speaker, I yield to the gentleman from Missouri [Mr. CANNON].

Mr. CANNON. Mr. Speaker, death is an unwelcome visitor under any circumstances. And all the more so when he comes unheralded and unannounced. That is particularly true in this instance when he knocked unbidden and unexpected last evening at the door of our colleague and our friend, SOL BLOOM.

SOL BLOOM was one of the most lovable of men. He radiated happiness. He loved life. He loved people. It was his delight to be of service. There is not a Member of this House to whom he has not rendered affectionate service whenever opportunity afforded. And to all of us who are left behind, the world is the sadder for his going.

He was a man of exceptional capacity. In him was strikingly exemplified that ancient proverb: "Seeth thou a man diligent in business? He shall stand before kings."

That was literally true of SOL BLOOM. And in his commanding position in this House, he dealt with affairs of state in which he negotiated with the executives of administration and the heads of governments of practically every nation throughout the world. The contributions which he rendered to his country and to mankind cannot be fully appreciated until the history of this age is written years hence.

And now that the chapter is ended those of us who really knew him on this floor can feel that he has passed on with a quizzical backward glance and a cheery wave of the hand. Certainly, with him, if with anyone, death is a door which leads to light, a door which opens through the silence of the darkest night to endless day.

Mr. CELLER. Mr. Speaker, I yield to the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Speaker, SOL BLOOM and I came to Congress together in 1923, and it has been our privilege to serve ever since. SOL BLOOM was a man of even temper. He was a careful and a patriotic man. He was, above all, a real American, whose heart beat for the freedom which was his, and which he enjoyed and wished the rest of the world to enjoy. Few men have made a greater impression upon this House than he. Few men have rendered greater service than he.

Mr. CELLER. Mr. Speaker, I yield to the gentleman from New York [Mr. KLEIN].

Mr. KLEIN. Mr. Speaker, there is very little I can add to the glorious tribute that has been paid to our colleague here this morning, but I know that, if Sol were listening here—and I am one of those who believe that he probably is—he would be overjoyed to know the esteem in which his colleagues hold him and the example he is leaving behind for us here to follow.

I, too, represent a district adjoining Sol's in the Borough of Manhattan, in New York City. In 1941, when I first came here after a special election, it was he that presented my certificate of election to the Speaker, and who escorted me to the well of this House and introduced me to the Members. Since then, on many occasions I have come to him for guidance and advice, and have never found him wanting.

He was a great American. He was a great Jew. As one of his coreligionists, I may say about him that he was one of our great assets. All religions, all races, and all creeds have their good and their bad, and we Jews are no different. However, as long as we have men like SOL BLOOM, as long as we have such assets as him we can overcome the liabilities we may have in those who bring discredit upon us, and as in business when your assets exceed your liabilities, we have no fear of spiritual insolvency or bankruptcy. Thanks to SOL BLOOM and many others, including our coreligionists in this House, we do have our assets, we do have people who bring glory and credit to all of us.

The people of this country, of the city of New York, of the Borough of Manhattan, particularly, and of the world, will miss him sorely. I offer my condolences to his daughter on my own behalf and on behalf of the Democratic organization of the county of New York and its leader, the Honorable Hugo Rogers, who called me this morning, the mayor of the City of New York, and all of the people of the city, who knew him so well and who loved him so dearly. We will miss him sorely, but I know his spirit will live on among us and guide us. May he rest in peace.

Mr. CELLER. Mr. Speaker, I yield to the gentleman from Michigan [Mr. SADOWSKI].

Mr. SADOWSKI. Mr. Speaker, many Members of the House have spoken about the great virtues SOL BLOOM possessed. They have spoken about the virtues of faith and hope. I should like to speak a few words about another great virtue he possessed, the virtue of charity.

He was not only charitable to the Members of Congress and to people he would meet in ordinary, everyday life, but his charity was unbounded. Many of us of the Catholic faith are charitable in our way to our institutions. Those of us of the Protestant faith are charitable to Protestant institutions. But SOL BLOOM'S charity went beyond his faith, his religion, his own Jewish institutions. I know something about it. I am a member of St. Ann's Catholic parish. All my children have attended school there. His Catholic charities are well known even to the school children. There is in the District a Catholic charitable institution known as St. Ann's Infant Asylum. SOL BLOOM took upon himself to support generously the orphanage of St. Ann's. In speaking about it to him on several occasions and expressing my deep appreciation, Sol would wave aside these expressions. He did not like to be praised about his charity. I think it is proper for me at this time to express the deep sorrow that all Catholics must feel. Certainly today there is great sorrow in the heart of Sister Superior Angela and her flock of nuns and there is great sorrow in the hearts of those orphans. It is said that the good Lord listens to all prayers, no matter what your faith. No matter what church you may belong to, all prayers are received by the Lord and are welcome. I know there will be many prayers said by the orphans at St. Ann's for peace and rest for the soul of SOL BLOOM, and I know that all of the members of St. Ann's Orphanage will join in those prayers.

Mr. CELLER. Mr. Speaker, I yield to the gentleman from Missouri [Mr. CARNAHAN].

Mr. CARNAHAN. Mr. Speaker, as one of the newer members of the Committee on Foreign Affairs, I add my tribute to a great American. Mr. BLOOM rose to eminence via the difficult path of merit. He leaves a lovely trace in the course of human progress. Death, the inevitable, to him is the benediction to a rich life and a beautiful invocation of immortality.

Mr. CELLER. Mr. Speaker, I yield to the gentleman from Illinois [Mr. GORDON].

Mr. GORDON. Mr. Speaker, it is with a heavy heart and conflicting emotions that I attempt to speak at this time a few words of tribute to the memory of our dear friend and honored statesman, SOL BLOOM, the chairman of the Foreign Affairs Committee, with whom I had the honor to serve under.

In my long service with him I had the occasion to observe first-hand his unselfish devotion to duty and his guiding desire to strive for the peace of the world.

SOL BLOOM was a man whose great experience proved of great value to our country and to the world during those critical war years when he served as chairman of our Committee on Foreign Affairs and piloted through to enactment vital measures affecting the conduct of the war that will lead to the establishment of peace to the world.

Born of Polish immigrants, SOL BLOOM typified all that is great and glorious in our wonderful democracy. Denied the advantages of a formal education because of the extreme poverty of his parents, he became self-educated in the best and truest sense of the word. His long and varied career is a shining example of what honesty, integrity, industry, and a desire to help others can enable one to accomplish in this great land of opportunity.

SOL BLOOM was a deeply religious man and showed it in his love for his fellow man and his ever willingness to lend a helping hand to those who needed assistance.

The record of his 27 years of service in Congress is one long list of not only outstanding legislative achievements but of actions where he used his high office to extend assistance in all worthy cases which came to his attention.

SOL BLOOM will be greatly missed, not only by his colleagues on the Foreign Affairs Committee and in the Congress, but by a host of friends all over the world who were privileged to have his friendship.

Mr. CELLER. Mr. Speaker, I yield to the gentleman from Illinois [Mr. VELDE].

Mr. VELDE. Mr. Speaker, I was deeply shocked to learn last night that SOL BLOOM had passed away. In my brief period of service here as a Member I sincerely regret that I did not have the opportunity to know him well. Much has been said today by Members who knew him very well, but since my home town of Pekin, Ill., is the birthplace of this great American, I feel impelled to say just a few words in his memory, and to extend the sympathy of his friends and relatives in Pekin and Peoria to his family.

SOL BLOOM lived only a brief time in Pekin, and that as a small child. He came up the hard way and the honest way, working hard as a youth, and then blossoming out in his manhod as a great example of our American citizenry, and as a splendid representative of the Jewish faith.

SOL BLOOM was always proud of his Pekin birth and early childhood. The citizens of Pekin are proud to claim their home town as the birthplace of such an outstanding American as SOL BLOOM. I am particularly proud to have served with him as a Member of Congress.

May his soul rest in peace.

Mr. CELLER. Mr. Speaker, I yield to the gentleman from Ohio [Mr. MCSWEENEY].

Mr. MCSWEENEY. Mr. Speaker, my colleagues, as a former member of the Committee on Foreign Affairs, I raise my humble voice in tribute to our great leader in that committee, but in the words of William Winter, I can only say:

What can I write upon my scroll, dear Master,
Thou, who with a wizard's brain and subtle skill,
With pen pellucid, voice divinely saying,
Has served thy fellows with untiring will.

Not mine to write upon thy scroll
The sum of garnered sheaves thy patient years have won.
Immortal voices on the trail's last bend
Shall laud thee statesman, patriot, father, friend.

As a boy my father told me that in all services of life aside from ability there must be a heart and mind for that work. We may combine those two qualities and say it is temperament. I believe that Mr. SOL BLOOM had a temperament for public service that is seldom exceeded by any man in public life. He always had a genial word for all those with whom he was associated. He had a temperament that allowed him to understand the vicissitudes of life. He took such pride in his family, in his friends, and in his public service.

We shall miss him. America's greatness rests on the fact that men like him have given so much of their time and effort to the well-being of their country. I am very glad to know that his very gracious and talented daughter carries on many of the concepts Mr. BLOOM had about life itself.

So my humble voice is raised in tribute to a great American.

Mr. CELLER. Mr. Speaker, I yield to our distinguished Speaker, the gentleman from Texas [Mr. RAYBURN].

Mr. RAYBURN. Mr. Speaker, I would not say anything after all of these wonderful tributes that have been paid to SOL BLOOM, except that SOL was such a friend. Few deaths have occurred since I have been a Member of Congress that more deeply affected me than the passing of SOL BLOOM; there have been but few men in Congress with whom I have served, or there have been few men in all my life, for whom I had a deeper affection than I had for SOL BLOOM. Every day of his life he paid tribute to the country in which he lived by his gratitude for what this great country had done for him, the opportunity it had given a poor boy, sending him to San Francisco, to Chicago, to New York, to make him successful in business and more successful as a servant of his country in this day and generation when good men and true—and women—are needed in the service not only of this country but in the service of the world.

SOL BLOOM gave a full portion of fine service to his country and to the age in which he lived; and today wherever out there—I do not know where—out there where mighty spirits have been waiting throughout the years, when this fine spirit approached he was welcome and received as an equal among the mightiest of spirits.

Sol's friendship was an enriching treasure which he gave to me without stint; in the memory of that friendship I shall not be so very poor.

Mr. CELLER. Mr. Speaker, I offer a resolution (H. Res. 136):

The Clerk read as follows:

Resolved, That the House has heard with profound sorrow of the death of Hon. SOL BLOOM, a Representative from the State of New York.

Resolved, That a committee of 15 Members of the House with such Members of the Senate as may be joined be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

The SPEAKER. The Chair appoints as members of the funeral committee the following Members of the House: Mr. CELLER, Mr. BUCKLEY of New York, Mr. JOSEPH L. PFEIFER, Mr. BYRNE, Mr. KEOGH, Mr. O'TOOLE, Mr. LYNCH, Mr. HEFFERNAN, Mr. KLEIN, Mr. ROONEY, Mrs. DOUGLAS, Mr. QUINN, Mr. REED of New York, Mr. VORYS, and Mr. JAVITS.

Mr. CELLER. Mr. Speaker, I ask unanimous consent that all Members of the House may have five legislative days in which to extend their remarks on the life and character of SOL BLOOM at this point.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. COOPER. Mr. Speaker, I could not fail to embrace this opportunity to raise my voice in brief but very sincere tribute to the life, character, and public service of Hon. SOL BLOOM.

It was with a very great shock and deep regret that I heard that he had passed away. He had been one of my closest and warmest friends during my period of service here. He was one of the most likable men I have ever known. His heart beat in tune with the welfare of the masses of our people, and he sincerely loved his fellow man. He possessed the highest attributes of character and all of the sterling qualities of manhood. He was a man of recognized ability and demonstrated devotion to

public service. He rendered most outstanding and distinguished service to his country and the world, and his guiding influence will be sorely missed in this critical period of world affairs.

I concur in the remarks made by my colleagues, and I desire to convey my deepest sympathy to his dear daughter and loved ones.

Mr. CHIPERFIELD. Mr. Speaker, it was with profound sorrow and a keen sense of personal loss I learned of the passing of SOL BLOOM, our beloved colleague from the Twentieth District of New York.

SOL, as he was affectionately known by his friends, was born in Pekin, Ill., just 20 miles from my home, Canton. So we of Illinois claim him as our own.

No one could have served on the Foreign Affairs Committee as I have for more than 10 years without learning to love and admire our great chairman, Mr. BLOOM. His outstanding ability, his sense of fairness to each and every member of that committee is known to us all.

With all his fine qualities, to me, his outstanding characteristic was his kindness to everyone and his love for his fellow men.

It is more than a coincidence that his passing was at the end of brotherhood week, for his life typified the precepts of brotherly love. He made friends all over the world and in all walks of life without regard to their race or religion. He was one of the outstanding men of our time. Truly a world citizen.

He gave so unstintingly of his time to his committee that he undermined his health. He died in the service of his country just as much as a soldier on the battlefield. If the true measure of a man lives in his good works, his influence on the lives of others, and the impact of his life on his time, then SOL BLOOM surely left his mark.

To me, his life was epitomized by Browning in the lines:

I was ever a fighter, so—one fight more the best and the last.

Mr. KEOGH. Mr. Speaker, when a colleague passes, one always is conscious of a personal loss. It means one we have been accustomed to see from day to day in our labors no longer will be a part of the scene.

In the death of SOL BLOOM, I feel a special sense of shock. Few men in public life have merited so well the respect of their friends. Few have been able to win and hold so many genuine friendships.

SOL BLOOM was a humble man. He was sensible always of the free opportunities of a democracy which made possible his rise to high station. He regarded his great public responsibilities in the chairmanship of the House Foreign Affairs Committee as a trust to be discharged in the best interests of democratic principles.

He was a vigorous fighter and forceful in all things, but SOL BLOOM was at heart a man of peace. Passionately he wanted a world of amicability and constructive progress. His faith was that this must come eventually, and he still was working toward it on the day of his death.

Amid many concerns of high policy, he never forgot that it was the people of the Twentieth New York District who sent him to the House and gave him his opportunities for service. He served them well because he understood them. His district, the State of New York and the Nation all have been bereft of a character of great nobility. The world has lost an influential and untiring worker in the cause of brotherhood.

SOL BLOOM'S words and actions exemplified his devotion to understanding, his abhorrence of discord and intolerance. Firm in his Jewish faith, he never bound his good offices to the confines of creed. One of the chief interests in his life was a Catholic orphan home.

I know all of my colleagues join me in expressing deepest sympathy to his daughter in her bereavement.

Mr. EBERHARTER. Mr. Speaker, as one sat here today listening to the many glowing tributes being paid to the memory of our colleague, SOL BLOOM, one could not help but notice the sincerity and emotion with which the sentiments were expressed, coming as they assuredly did from the hearts of those uttering them.

The thought occurred to me that if, in this one small Chamber, so many could speak in such terms of our departed colleague, how great a chorus of distress and sorrow must now be coming from literally thousands upon thousands, not only in Washington and New York and throughout the United States, but from practically every nation in the world, because the influence of the gentle and kindly soul and works of SOL BLOOM were indeed felt in all places, high and low; always for the good and for the well-being of humanity.

During perhaps the most trying period of international dealings and in the history of the United States, when the most momentous decisions of any time had to be made, SOL BLOOM, as chairman of the Committee on Foreign Affairs of the House of Representatives, guided and directed those decisions—which will for generations affect the future of all our citizens, as well as the course of world events.

Always courteous, always kind, always with the single purpose in mind of promoting justice, liberty, freedom, and truth, SOL BLOOM indeed played a significant and powerful part in shaping world events.

None who ever lived had more love of country and patriotism in his heart than our departed colleague. His place in history is secure.

To his daughter, Vera, I express the deepest kind of sympathy, the kind which can only go to a faithful and loving daughter who has lost a father who was magnificent in many ways.

Mr. FURCOLO. Mr. Speaker, the death of Representative SOL BLOOM is a tragedy not only to the residents of his district but to the Nation and the world. Mr. BLOOM was one of the great figures of this day, and the country has suffered a loss that cannot be measured.

The service he rendered to this Nation will live in the years to come and will benefit future generations. His whole public service was devoted to aiding humanity and seeking to improve the lot of all mankind.

His life should serve as an inspiration to all, and the goals he fought for should continue to be the aim of all those who believe in a better world.

Mr. MARTIN of Massachusetts. Mr. Speaker, it was with sincere regret I learned of the death of SOL BLOOM, whose warm personal friendship I had enjoyed for 25 years. When I first came to Congress 25 years ago, I was assigned to the House Foreign Affairs Committee, and upon that committee was SOL BLOOM. A friendship was started which was never tarnished.

SOL BLOOM was a man of character and ability. He had a keen mind and a studious nature. Through the years he devoted his fine talents to the study of foreign affairs, and at the time of his death was an acknowledged authority with a world-wide reputation.

He was a fine example of the opportunities which only America can give to its youth. Born a poor boy, with only a self-acquired education, he won both wealth and fame. He was admired by a host of friends who appreciated his generous and kindly nature.

Congress has lost a valued Member in the death of SOL BLOOM. To his daughter I extend my deepest sympathy in her hour of sorrow.

Mr. ROONEY. Mr. Speaker, I know all our hearts are saddened by the unexpected news of the passing last night of our dear friend and distinguished colleague, the Honorable SOL BLOOM, of the Twentieth Congressional District, New York. It is with deep emotion and a feeling of great sorrow that I raise my voice in brief, but nonetheless sincere, tribute to the life and character and public service of such a fine gentleman.

Congressman BLOOM served continuously in this House since March 4, 1923. As a Member for over 20 years and twice chairman of the House Committee on Foreign Affairs, he wielded a tremendous influence in solving many difficult problems during the most critical period of our international relations.

SOL BLOOM was a man of devoted patriotism to this great country of ours and of sincere allegiance to the people whom he was elected to serve. He gave his all toward establishing a more harmonious relationship between the conflicting forces of our society.

His genial and kindly manner, and his earnest and sincere loyalty to his colleagues in the House won him their love and respect.

Only recently I had many consultations with him concerning the resolution which by its terms protested the arrest, trial, and imprisonment of Josef Cardinal Mindszenty, of Hungary, and Archbishop Aloysius Stepinac, of Yugoslavia. On February 9, 1949, I took occasion to sincerely commend him for his promptness in bringing this legislation to the floor of the House for a vote.

Mr. Speaker, we have lost a skilled legislator, a great humanitarian, and a fine gentleman. His many years of public service and his record as a statesman will long endure. I am sure that I speak

not only for myself but for all the Members of this House and his legion of friends when I say that his kindness, his memory, will linger in our hearts forever. My prayer is that his daughter will be consoled by the fact that his long life was well and valuably spent. I extend to her my deep and sincere sympathy upon her loss. May he rest in peace.

Mr. YATES. Mr. Speaker, it was my good fortune to meet SOL BLOOM personally when I came to the Eighty-first Congress a short time ago. I was tremendously impressed by his friendliness and his burning desire to achieve those goals which he conceived to be necessary for the welfare of our Nation. I had heard of SOL BLOOM for many years through reputation and had come to rely upon him as a leader among those in our Government in its dealings with the nations of the world in seeking to achieve world peace and better understanding among all peoples. My brief acquaintance with him convinced me that the great reputation he had attained had not been lightly gained, but that it was founded upon true attributes of insight, wisdom, and justice.

This country has indeed suffered a great loss with the passing of SOL BLOOM, and I desire to join with the others among my colleagues who have paid tribute to this humble and great servant of our country.

Mr. PLUMLEY. Mr. Speaker, last night I was reading Spencer's Faerie Queene, not knowing that my friend SOL BLOOM was then dead.

I copied the following lines, which are apropos and applicable to him, and I use them now as my tribute to him and to his memory:

> Life is not lost for which is bought
> Endlesse renowne.

Mr. BYRNE of New York. Mr. Speaker and Members of the Congress, the passing of our dear colleague, SOL BLOOM, has affected all of us with a depth of sorrow that cannot be measured by mere words.

I met SOL many years before I came to Congress. He had always been very active in New York political circles, and was of such a happy disposition that once meeting him was to never forget him. He was always the life of every gathering, and his human and good-natured friendliness made all his companions call for more and more of his wit, sallies, and jollity.

When I did come to Congress his work in the George Washington celebration was occupying much of his time, and his approach to that obligation was of the very highest quality. It became a perfect passion with him, and he was so indefatigable in following through on every detail that practically every man and woman in Congress marveled at his strength and enthusiasm. His work as chairman of the great House Foreign Affairs Committee, and his optimism in every movement of our country toward final victory was contagious, and elevated the spirits not only of his fellow members of the committee, but literally thousands who came in contact with his overflowing spirit of certainty that nothing could stop us in our victorious march to eventual success.

Mr. Speaker, and fellow Members, a truly wonderful husband, father, citizen, and patriot has passed to his highly earned eternal reward, and I say of dear SOL, as Hamlet spoke of his father:

> He was a man, take him for all in all;
> We shall not look upon his like again.

Mr. DOLLINGER. Mr. Speaker, in the loss of SOL BLOOM from our midst, we have lost a great leader, patriot, astute legislator, and friend.

In his lifetime, SOL BLOOM won the love and respect of all who knew him. His innate kindliness and love for his fellow man endeared him to all. By his varied career, by his industry and love of country, as well as his outstanding successes, he proved that America is indeed a land of opportunity and democracy.

His many friends keenly feel shock and grief at his departure from this life; the people of this country have lost a great statesman. As a Member of Congress for more than 20 years, he fulfilled his duties as a Representative with dignity and courage. Twice chairman of the powerful Foreign Affairs Committee, he wielded great influence in steering our Nation through some of the most troubled and stormy periods of its international relations.

SOL BLOOM, while he was in our midst, set us an example of faithfulness, sincerity, honesty, and untiring devotion to responsibility which we found a challenge to emulate. Now that he is gone, his memory will remain with us, for it is not possible to forget such a man.

Mr. HELLER. Mr. Speaker, the death of Mr. SOL BLOOM removed from the House one of its most colorful characters. While I never had the pleasure of knowing him personally—having taken my oath of office less than 10 days ago—I was well acquainted with his career as a legislator and followed it closely during the past 20 years.

From what his distinguished colleagues said of him, it is evident that the members of the Foreign Affairs Committee have lost a fair-minded and helpful chairman; his district, a sympathetic and understanding Congressman; the people of New York State, a conscientious public servant and a man of great integrity and character; and Congress and its membership, a good, true friend who knew how to smile and who never lost his sense of humor.

SOL BLOOM was a true American. He believed that truth and justice are fundamental to an enduring social order; he believed in the sacredness of a promise, that a man's word should be as good as his bond; that character—not wealth or power or position—is of supreme worth; he believed in the dignity of labor, whether with head or hand; that the world owes no man a living but that it owes every man an opportunity to make a living; he believed that the law was made for man and not man for the law; that government is the servant of the people and not their master; he believed in the supreme worth of the individual and in his right to life, liberty, and the pursuit of happiness; he believed that the rendering of useful service is the common duty of mankind; he believed in an all-wise and all-loving God, named by whatever name, and that the individual's highest fulfillment, greatest happiness, and widest usefulness are to be found in living in harmony with His will; and he believed that love is the greatest thing in the world—that it alone can overcome hate—that right can and will triumph over might.

The life and achievements of SOL BLOOM are a challenge and an inspiration to the youth of the land. He has shown that in America great heights can be achieved, despite poverty and obscurity or lack of educational advantages.

I can find nothing more appropriate in describing SOL BLOOM and what he personified throughout his life than this credo:

> I am an American!
> The Golden Rule is my rule!
>
> In humility and with gratitude
> I acknowledge my undying debt
> To the founding fathers
> Who left me a priceless heritage
> Which now is my responsibility.
>
> With steadfast loyalty,
> I will uphold the Constitution
> And the Bill of Rights.
>
> I will treasure my birthright
> Of American ideals:
> I will place moral integrity
> Above worldly possessions.
>
> Problems of interest to my country
> Shall be of interest to me!
>
> I will count my right of suffrage
> To be a sacred trust,
> And I will diligently strive
> To prove worthy of that trust.
>
> I will give my full support
> To uphold public servants,
> But those with unclean hands,
> I will firmly oppose.
>
> Each obligation that comes to me
> As a true American,
> I will discharge with honor!
>
> My heart is in America
> And America is in my heart!
>
> I am an American!

Mr. DINGELL. Mr. Speaker, saddened and shocked, I rise to pay tribute to one of the most distinguished, productive, and lovable characters ever to serve the cause of humanity in this Chamber. The service record of SOL BLOOM is replete with outstanding accomplishment and there is nothing that any Member can say that could possibly add luster to what he himself had wrought. SOL BLOOM was as sincere as he was diligent in his application to the task before him. He was most kindly and considerate. He was an outstanding example of tolerance. However much he might have disagreed with the proponents or opponents of ideas not in conformity with his own, in my friendly and intimate contacts with him, which I have enjoyed over the many years of our joint service, I cannot recall a single instance when our departed colleague willfully or even accidently, by word or deed, ever bruised the mental or physical feelings of a fellow Member or a witness before the great committee of which he had become the distinguished and productive chairman.

SOL BLOOM rose to great heights from a most modest beginning, but he never lost the common touch. He had never forgotten the hardships of his youth, and throughout the entire span of his kaleidoscopic life he shared most charitably his many blessings.

SOL BLOOM always had a kindly word for his fellow man. He was ever ready for a kindly jest. His disposition, like his presence, dispelled the gloom with its sunshine. He was my friend.

A soft and a kindly voice has been stilled in this Chamber, but those of us who were privileged to hear his appeals on behalf of humanity will never forget the ring of sincerity which inclined even his opponents to support the righteous proposals which he espoused. There can be no doubt but that the reward of eternal rest will be granted to this outstanding legislator, who embodied all the cardinal virtues.

Mr. Speaker, I want to tender my expression of deep sympathy to Vera Bloom, the worthy and surviving daughter of my distinguished colleague, and I want to claim for myself a precious equity in her sorrow. I want moreover to express the prayer and the hope that God will rest and reward his weary, worthy soul, and that some day in Heaven we may meet again.

The SPEAKER. The Clerk will report the balance of the resolution.

The Clerk read as follows:

Resolved, That as a further mark of respect the House do now adjourn.

The resolution was agreed to.

ADJOURNMENT

Accordingly (at 1 o'clock and 35 minutes p. m.) the House, pursuant to its previous order, adjourned until tomorrow, Wednesday, March 9, 1949, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

333. A letter from the Postmaster General, transmitting the cost ascertainment report and appendix for the fiscal year 1948; to the Committee on Post Office and Civil Service.

334. A letter from the Secretary of the Interior, transmitting the seventh annual financial statement and report of operations under the provisions of section 13 of the Boulder Canyon Project Adjustment Act (54 Stat. 774, approved July 19, 1940); to the Committee on Public Lands.

335. A letter from the Secretary of the Interior, transmitting a detailed report showing credit operations through June 30, 1948; to the Committee on Public Lands.

336. A letter from the executive secretary, American Chemical Society, transmitting the annual report of the American Chemical Society for the calendar year 1948; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FOGARTY: Committee on Appropriations. H. R. 3333. A bill making appropriations for the Department of Labor, the Federal Security Agency, and related independent agencies, for the fiscal year ending June 30, 1950, and for other purposes; without amendment (Rept. No. 228). Referred to the Committee of the Whole House on the State of the Union.

Mr. HARRIS: Committee on the District of Columbia. H. R. 2799. A bill to amend the act entitled "An act regulating the retent on contracts with the District of Columbia," approved March 31, 1906; with amendments (Rept. No. 229). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. FOGARTY:

H. R. 3333. A bill making appropriations for the Department of Labor, the Federal Security Agency, and related independent agencies, for the fiscal year ending June 30, 1950, and for other purposes; to the Committee on Appropriations.

By Mr. REGAN:

H. R. 3334. A bill to grant the consent of the United States to the Pecos River compact; to the Committee on Public Lands.

By Mr. MILES:

H. R. 3335. A bill to grant the consent of the United States to the Pecos River compact; to the Committee on Public Lands.

By Mr. BARRETT of Wyoming:

H. R. 3336. A bill to grant the consent of the Congress to the Cheyenne River compact; to the Committee on Public Lands.

By Mr. BLAND:

H. R. 3337. A bill to amend the Merchant Marine Act, 1936, as amended, to strengthen the American merchant marine, to encourage investment in the American merchant marine to build more ships, and to remove inequities; to the Committee on Merchant Marine and Fisheries.

By Mr. BOYKIN:

H. R. 3338. A bill to amend section 9 of the Civil Service Retirement Act of May 29, 1930, as amended, so as to grant credit in accordance with such section for service for which, through inadvertence, no deductions from salary are made; to the Committee on Post Office and Civil Service.

By Mrs. DOUGLAS:

H. R. 3339. A bill to establish a Federal Commission on Services for the Physically Handicapped, to define its duties, and for other purposes: to the Committee on Education and Labor.

By Mr. GILMER:

H. R. 3340. A bill to provide for the designation of the reservoir formed by the dam on the Grand River near Fort Gibson, Okla., as Lake Chouteau; to the Committee on Public Works.

By Mr. HAYS of Arkansas:

H. R. 3341. A bill to authorize the attendance of the United States Marine Band at the Fifty-ninth Annual Reunion of Confederate Veterans to be held in Little Rock, Ark., September 27 through September 29, 1949; to the Committee on Armed Services.

By Mr. NIXON:

H. R. 3342. A bill to protect the United States against certain un-American and subversive activities; to the Committee on Un-American Activities.

By Mr. O'HARA of Minnesota:

H. R. 3343. A bill to provide for the incorporation, regulation, merger, consolidation, and dissolution of certain business corporations in the District of Columbia; to the Committee on the District of Columbia.

By Mr. RIVERS:

H. R. 3344. A bill to authorize the appointment of officers on the active list of the Philippine Scouts in the Regular Army, and for other purposes; to the Committee on Armed Services.

By Mr. SECREST:

H. R. 3345. A bill to amend Income Tax Code; to the Committee on Ways and Means.

H. R. 3346. A bill to grant equal allowances for quarters for all married enlisted personnel of the armed forces regardless of grade; to the Committee on Armed Services.

By Mr. SMITH of Virginia:

H. R. 3347. A bill to provide additional revenue for the District of Columbia; to the Committee on the District of Columbia.

By Mr. WHITE of Idaho:

H. R. 3348. A bill to grant an increased monthly pension rate to certain persons entitled to pension based on service during the Indian Wars; to the Committee on Veterans' Affairs.

By Mr. BLAND:

H. J. Res. 186. Joint resolution to extend the time for use of construction reserve funds established under section 511 of the Merchant Marine Act, 1936, as amended; to the Committee on Merchant Marine and Fisheries.

By Mr. CELLER:

H. Res. 137. Resolution authorizing the Committee on the Judiciary to conduct studies and investigations relating to matters within its jurisdiction; to the Committee on Rules.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of South Dakota, memorializing the President and the Congress of the United States to enact legislation which will assure the payment of prices for farm products at not less than 100 percent of parity; to the Committee on Agriculture.

Also, memorial of the Legislature of the State of South Dakota, memorializing the President and the Congress of the United States to take action to prevent the passage of legislation permitting the coloring of oleomargarine; to the Committee on Agriculture.

Also, memorial of the Legislature of the State of Wyoming, memorializing the President and the Congress of the United States to retain jurisdiction of the land management of the public domain in the Department of the Interior; to the Committee on Agriculture.

Also, memorial of the Legislature of the State of Oregon, memorializing the President and the Congress of the United States to make available funds for the purpose of maintaining, on a defense standard, the airports and facilities which have been either constructed or taken over by the armed forces and which are of primary strategic value to said forces; to the Committee on Appropriations.

Also, memorial of the Legislature of the State of Utah, memorializing the President and the Congress of the United States to pass S. 246, a bill granting $300,000,000 in aid of the public schools; to the Committee on Education and Labor.

Also, memorial of the Legislature of the State of North Carolina, memorializing the President and the Congress of the United States to locate a surplus Navy floating drydock at Wilmington for preservation of bottoms of Maritime Commission-owned merchant marine fleet laid up in Brunswick River; to the Committee on Merchant Marine and Fisheries.

Also, memorial of the Legislature of the State of Wyoming, memorializing the President and the Congress of the United States that all presently proposed Federal irrigation projects and all such which are proposed in

the future for construction in the State of Wyoming be continued in all stages under the direct supervision of the United States Bureau of Reclamation; to the Committee on Public Lands.

Also, memorial of the Legislature of the State of New Mexico, memorializing the President and the Congress of the United States to extend pensions of veterans of World War I; to the Committee on Veterans' Affairs.

Also, memorial of the Legislature of the State of Massachusetts, memorializing the President and the Congress of the United States to amend the Federal unemployment tax and the Internal Revenue Code to permit a 100-percent credit against pay-roll taxes collected by States and to return to the States full control over the administration of their unemployment-compensation laws; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of Wyoming, memorializing the President and the Congress of the United States to consider and pass legislation to amend and broaden the coverage of the Social Security Act; to the Committee on Ways and Means.

Also, memorial of the Legislature of the Territory of Hawaii, memorializing the President and the Congress of the United States to permit the naturalization of all peoples without regard to race or national origin; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOYKIN:

H. R. 3349. A bill for the relief of Russell A. DeLong; to the Committee on Post Office and Civil Service.

By Mr. CORBETT:

H. R. 3350. A bill for the relief of Clifford N. MacLloyd; to the Committee on the Judiciary.

H. R. 3351. A bill for the relief of John J. Franklin, James H. Bradford, William M. Orr Co., and Alex Maier; to the Committee on the Judiciary.

By Mrs. DOUGLAS:

H. R. 3352. A bill to authorize the naturalization of Michael Kroskof-Thomas; to the Committee on the Judiciary.

By Mr. GILMER:

H. R. 3353. A bill to authorize the President to present, in the name of Congress, a Medal of Honor to John T. Norman; to the Committee on Armed Services.

By Mr. JUDD:

H. R. 3354. A bill for the relief of John E. Paradissis; to the Committee on the Judiciary.

By Mr. McCORMACK:

H. R. 3355. A bill for the relief of Albina Bucewich; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

176. By Mr. BARRETT of Wyoming: Memorial of the Thirtieth Legislature of the State of Wyoming, memorializing the President and the Congress of the United States to retain jurisdiction of the land management of the public domain in the Department of the Interior; to the Committee on Public Lands.

177. Also, memorial of the Thirtieth Legislature of the State of Wyoming, memorializing the President and the Congress of the United States that all presently proposed Federal irrigation projects and all such which are proposed in the future for construction in the State of Wyoming be continued in all stages under the direct supervision of the United States Bureau of Reclamation; to the Committee on Public Lands.

178. Also, memorial of the Thirtieth Legislature of the State of Wyoming, memorializing the Congress of the United States to consider and pass legislation to amend and broaden the coverage of the Social Security Act; to the Committee on Ways and Means.

179. By Mr. HESELTON: Resolution of the General Court of Massachusetts, urging Congress to amend the Federal unemployment tax and the Internal Revenue Code and to enact legislation to permit 100 percent credit against pay-roll taxes collected by the States and return to the States full power over the administration of their unemployment-compensation laws; to the Committee on Ways and Means.

180. By Mr. MARTIN of Massachusetts: Memorial of the city council of Fall River, Mass., urging the designation of October 11 of each year as General Pulaski Memorial Day; to the Committee on the Judiciary.

181. Also, memorial of the General Court of Massachusetts, urging amendment of the Federal Unemployment Tax Act and the Internal Revenue Code to permit a 100 percent credit against pay-roll taxes collected by States and to return to the States full control over administration of unemployment-compensation laws; to the Committee on Ways and Means.

182. By Mr. WHITE of Idaho: Senate Joint Memorial 6, requesting that Congress appropriate necessary funds and proceed at once with the early and speedy construction of the Palisade Dam project in Idaho; to the Committee on Appropriations.

183. By the SPEAKER: Petition of John C. Burt, New York, N. Y., protesting against the rent and eviction control laws; to the Committee on Banking and Currency.

184. Also, petition of Carl V. E. Cassel, D. D. S., secretary, Minnesota State Dental Association, St. Paul, Minn., opposing the enactment of any bill containing the principle of compulsory health insurance; to the Committee on Interstate and Foreign Commerce.

SENATE

WEDNESDAY, MARCH 9, 1949

(Legislative day of Monday, February 21, 1949)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Almighty Father, the source from which we come, the goal to which we travel, the light and strength of these, our pilgrim days: We turn for this quiet moment from converse with our fellows to commune with Thee. Grant us for our hallowing thoughts that pass into prayer, prayers that pass into love, love that passes into life. In Thee is the secret of every virtue we possess and every victory won, and every thought of holiness. Enter into our lives this day and make them Thine. Redeem them from fear and frustration, equip and empower them by Thy heavenly grace, that they may be adequate for all the varied duties and responsibilities that confront these Thy servants entrusted with the authority of government. In the Redeemer's name we ask it. Amen.

MESSAGE FROM THE HOUSE—ENROLLED BILLS AND JOINT RESOLUTION SIGNED

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the Vice President:

S. 29. An act to authorize payment of claims based on loss of or damage to property deposited by alien enemies;

S. 170. An act to authorize the transfer of certain property to the Secretary of the Interior, and for other purposes;

S. 593. An act for the relief of certain postal employees;

S. 630. An act to amend section 19 of the act of August 13, 1946 (60 Stat. 1057), so as to remove the upper age limit for appointment to commissioned grade in the Supply Corps of the Navy;

S. 673. An act relating to the pay and allowances of officers of the Naval Reserve performing active duty in the grade of rear admiral, and for other purposes; and

S. J. Res. 22. Joint resolution to authorize the issuance of a special series of stamps commemorative of the three hundredth anniversary of Annapolis, Md.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

REPORT ON CREDIT OPERATIONS TO CERTAIN INDIANS

A letter from the Secretary of the Interior, transmitting, pursuant to law, a report showing credit operations to certain Indians, through June 30, 1948 (with an accompanying report); to the Committee on Interior and Insular Affairs.

REPORT ON EXPORTATION AND IMPORTATION OF ARMS, AMMUNITION, AND IMPLEMENTS OF WAR

A letter from the Executive Secretary of the National Munitions Control Board, Department of State, transmitting, pursuant to law, a confidential report covering the exportation and importation of arms, ammunition, and implements of war, for the period January 1, 1948, to June 30, 1948 (with an accompanying report); to the Committee on Foreign Relations.

LEAVE OF ABSENCE

Mr. MARTIN. Mr. President, I ask permission to be absent from the Senate during the remainder of the week, beginning at 6 o'clock this evening.

The VICE PRESIDENT. Without objection, it is so ordered.

CALL OF THE ROLL

Mr. LUCAS. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Anderson	Eastland	Holland
Baldwin	Ecton	Hunt
Brewster	Ellender	Ives
Bricker	Ferguson	Jenner
Bridges	Flanders	Johnson, Colo.
Butler	Frear	Johnson, Tex.
Byrd	Fulbright	Johnston, S. C.
Cain	George	Kefauver
Capehart	Gillette	Kem
Chapman	Green	Kerr
Chavez	Gurney	Kilgore
Connally	Hayden	Knowland
Cordon	Hendrickson	Langer
Donnell	Hickenlooper	Lodge
Douglas	Hill	Long
Downey	Hoey	Lucas

McCarran	Murray	Taylor
McCarthy	Myers	Thomas, Okla.
McClellan	Neely	Thomas, Utah
McFarland	O'Conor	Thye
McGrath	O'Mahoney	Tobey
McKellar	Pepper	Tydings
McMahon	Reed	Vandenberg
Magnuson	Robertson	Watkins
Malone	Russell	Wherry
Martin	Saltonstall	Wiley
Maybank	Schoeppel	Williams
Miller	Smith, Maine	Withers
Millikin	Sparkman	Young
Morse	Stennis	
Mundt	Taft	

Mr. MYERS. I announce that the Senator from Minnesota [Mr. HUMPHREY] is absent by leave of the Senate because of illness in his family.

The Senator from New York [Mr. WAGNER] is necessarily absent.

Mr. SALTONSTALL. I announce that the Senator from New Jersey [Mr. SMITH] is absent because of illness.

The Senator from Vermont [Mr. AIKEN] is absent by leave of the Senate.

The VICE PRESIDENT. Ninety-one Senators having answered to their names, a quorum is present.

TRANSACTION OF ROUTINE BUSINESS

Mr. LUCAS. Mr. President, I ask unanimous consent that Senators desiring to incorporate matters in the Appendix of the RECORD, to introduce bills and joint resolutions, present petitions and memorials, or present for the RECORD other matters usually presented during the morning hour, be permitted to do so without debate, and without prejudicing the parliamentary situation.

The VICE PRESIDENT. Is there objection?

Mr. WHERRY. Reserving the right to object—and I am not going to object to the request—I wish, without seeming to be presumptuous, to ask the distinguished majority leader if it is his intention to request the approval of the Journal.

Mr. LUCAS. Mr. President, I shall make such a request when the pending unanimous-consent request has been acted upon.

Mr. RUSSELL. Mr. President, some of us did not hear the unanimous-consent request.

The VICE PRESIDENT. The unanimous-consent request made by the Senator from Illinois is that Senators be permitted to introduce bills and joint resolutions and present routine matters as has been done at the beginning of each session for several days. Is there objection? The Chair hears none, and it is so ordered.

THE JOURNAL

Mr. LUCAS. Mr. President, I ask unanimous consent that the Journal from February 25 up to and including yesterday be approved.

Mr. RUSSELL. Mr. President, reserving the right to object, I have not yet had an opportunity to study the Journal. Therefore I feel constrained to object.

The VICE PRESIDENT. Objection is heard.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A concurrent resolution of the Legislature of the State of South Dakota, protesting against the enactment of legislation to permit the coloring of oleomargarine; to the Committee on Agriculture and Forestry.

(See concurrent resolution printed in full when presented by Mr. GURNEY on March 8, 1949, p. 1962 CONGRESSIONAL RECORD.)

A concurrent resolution of the Legislature of the State of South Dakota, praying for the enactment of legislation to assure the payment of prices for farm products at not less than 100 percent of parity; to the Committee on Agriculture and Forestry.

(See concurrent resolution printed in full when presented by Mr. GURNEY on March 8, 1949, p. 1962 CONGRESSIONAL RECORD.)

A joint resolution of the Legislature of the State of Oregon; to the Committee on Appropriations:

"Senate Joint Memorial 6

"To the honorable Senate and House of Representatives of the United States of America in Congress assembled:

"We, your memorialists, the Senate and the House of Representatives of the State of Oregon, in legislative session assembled, most respectfully represent and petition as follows:

"Whereas the west coast during World War II was vital to the defense of the entire United States; and

"Whereas this defense required the construction of large airports and extensive facilities for the operation of long-range aircraft and for the training of large numbers of air force personnel at strategic locations in Oregon; and

"Whereas these strategic airport and training facilities must be maintained so that our western defense front is held in a state of readiness; and

"Whereas the maintenance of these strategic airports is beyond the capacity of the present finances of the municipalities affected; and

"Whereas the Oregon cities owning these strategic airports are faced with increasing population: Now, therefore, be it

"Resolved by the Senate of the State of Oregon (the house of representatives jointly concurring therein), That the Eighty-first Congress of the United States be and it hereby is memorialized, and this forty-fifth legislative assembly of the State of Oregon hereby does petition the Congress to make available funds for the purpose of maintaining, on a defense standard, the airports and facilities which have been either constructed or taken over by the armed forces and which are of primary strategic value to said forces; be it further

"Resolved, That the secretary of state of the State of Oregon be and he hereby is directed to transmit copies of this memorial to the President of the Senate, to the Speaker of the House of Representatives of the United States, and to each Senator and Representative therein, representing the people of the State of Oregon.

"Adopted by senate February 9, 1949.

"WM. E. WALSH,
"President of Senate.

"Concurred in by house February 25, 1949.

"FRANK J. VAN DYKE,
"Speaker of House."

A joint resolution of the Legislature of the State of Wyoming; to the Committee on Finance:

"House Joint Memorial 5

"Joint memorial memorializing the Congress of the United States of America to consider and pass legislation to amend and broaden the coverage of the Social Security Act

"Whereas there still remain inequalities in our social-security system which require readjustment to assure a fuller life for all our citizens; and

"Whereas there are over 20,000,000 Americans still excluded from the benefits provided by the National Social Security Act; and

"Whereas, in view of the increased cost of living, present provisions are inadequate to provide our elderly citizens with a decent standard of living: Now, therefore, be it

"Resolved by the House of Representatives of the Thirtieth Legislature of the State of Wyoming (the senate concurring), That the Congress of the United States of America be memorialized to enact legislation for the extension of the Social Security Act of all deserving Americans not otherwise so protected, and broadening social security to provide an increase in aid for elderly citizens; be it further

"Resolved, That copies of this memorial be sent to the President of the United States Senate and the Speaker of the House of Representatives, and to United States Senators JOSEPH C. O'MAHONEY and LESTER C. HUNT and Congressman FRANK A. BARRETT.

"HERMAN D. MAYLAND,
"Speaker of the House.

"GEORGE BURKE,
"President of the Senate.

"Approved February 25, 1949.

"A. G. CRANE,
"Governor."

Two joint resolutions of the Legislature of the State of Wyoming; to the Committee on Interior and Insular Affairs:

"Senate Joint Memorial 3

"Joint memorial memorializing the President of the United States and the Congress of the United States of America to retain jurisdiction of the land management of the public domain in the Department of the Interior

"Whereas the Department of the Interior of the United States has been the custodial agent of the public-domain lands of this Nation since the foundation of the Republic; and

"Whereas the Department of the Interior, as the managerial agent of the public domain, has performed its functions in a creditable manner; and

"Whereas the functions of the Department of the Interior in the continental United States are confined almost entirely to the public-land States, and said Department has generally shown a sympathetic interest in the problems of the Western States, as was evidenced by the prompt, efficient, and diligent manner in which the Department of the Interior assisted the people of this State and of the West in opening roads and trails during the current storm disaster; and

"Whereas it is reliably reported that the Hoover Commission on the Reorganization of the Executive Departments of the Government, has recommended that the functions of the Bureau of Land Management of the Department of the Interior, except as to minerals, be transferred to the Department of Agriculture; and

"Whereas such recommendation, if adopted by the House of Representatives and the Senate of the United States, and approved by the President of the United States, will strike a mortal blow to the welfare of the people of the West: Now, therefore, be it

"Resolved by the Senate of the Thirtieth Legislature of the State of Wyoming (its house of representatives concurring), That the President of the United States and both Houses of the Congress of the United States be memorialized to oppose said recommendation of the Hoover Commission; be it further

"Resolved, That copies of this memorial be sent to the President of the United States and to the President of the United States Senate and the Speaker of the House of Representatives, and to United States Senators JOSEPH C. O'MAHONEY and LESTER C. HUNT, and Congressman FRANK A. BARRETT.

"GEORGE BURKE,
"President of the Senate.

"HERMAN D. MAYLAND,
"Speaker of the House.

"Approved February 25, 1949.

"A. G. CRANE,
"Governor."

"Senate Joint Memorial 4

"Joint memorial memorializing the President and Congress of the United States that all presently proposed Federal irrigation projects and all such which are proposed in the future, for construction in the State of Wyoming, be continued in all stages under the direct supervision of the United States Bureau of Reclamation

"Whereas the United States Bureau of Reclamation has had many years of, and the only, experience in initiation, construction, maintenance and development of all Federal irrigation projects in the West and in such matters has been and is required by laws of the Nation, to comply with all affecting State laws: Now, therefore, be it

"Resolved by the Senate of the Thirtieth Wyoming Legislature (its house of representatives concurring), That the President and Congress of the United States be and they are hereby memorialized, to promptly and effectively enact such legislation as may be appropriate to vest in said Bureau beyond any possibility of judicial doubt or executive direction concerning congressional intent, continued and direct supervision of the initiation, construction, maintenance, and development of all Federal irrigation projects wholly or partially within the State of Wyoming, now or in the future proposed, consistent with objectives of the so-called Pick-Sloan plan, and opposed to objectives of such plans as the Columbia Valley Authority and Missouri Valley Authority; be it further

"Resolved, That certified copies of this joint memorial be sent to the President of the United States, the President of the Senate, and the Speaker of the House of the United States Congress and to the Honorable JOSEPH C. O'MAHONEY, the Honorable LESTER C. HUNT, and the Honorable FRANK A. BARRETT, Senators and Representative respectively in said Congress, from Wyoming

"GEORGE BURKE,
"President of the Senate.
"HERMAN D. MAYLAND,
"Speaker of the House.

"Approved February 25, 1949.

"A. G. CRANE,
"Governor."

A concurrent resolution of the Legislature of the Territory of Hawaii; to the Committee on the Judiciary:

"Senate Concurrent Resolution 5

"Concurrent resolution memoralizing Congress to permit naturalization of all peoples without regard to race or national origin

"Whereas the United States of America stands today as the champion of the equality of men before the law without regard to race, color, or creed; and

"Whereas the recognition of the fact that we are all members of one world and that men are individuals to be valued as such without regard to the color of their skins has been recognized in the change of the naturalization law of America permitting Chinese, Filipinos, and East Indians formerly barred by their racial antecedents to the privilege of citizenship; and

"Whereas the outmoded naturalization law still denies citizenship to Japanese, Koreans, Indonesians, Siamese, Samoans, and Guamanians: Now, therefore, be it

"Resolved by the Senate of the Twenty-fifth Legislature of the Territory of Hawaii (the house of representatives concurring), That the Congress of the United States be, and it is respectfully urged to enact legislation permitting naturalization of all peoples without regard to race or national origin; and be it further

"Resolved, That certified copies of this concurrent resolution be forwarded to the President of the United States, to the President of the Senate, and to the Speaker of the House of Representatives of the Congress, to the Secretary of the Interior, and to the Delegate to the Congress from Hawaii."

A joint resolution of the Legislature of the State of North Carolina; to the Committee on Interstate and Foreign Commerce:

"Senate Joint Resolution 180

"Joint resolution petitioning the Congress of the United States to locate a surplus Navy floating drydock at Wilmington for preservation of bottoms of Maritime Commission-owned merchant marine fleet laid up in Brunswick River

"Whereas it has come to the attention of this General Assembly that the United States Congress is giving consideration to providing drydocks for the purpose of inspection and giving primary preservative treatment to vessel hulls of the Maritime Commission reserve fleets; and

"Whereas there are approximately 425 vessels of the Maritime Commission's merchant fleet now laid up in Brunswick River at Wilmington to be inspected and given such preservative treatment as the United States Maritime Commission decides essential; and

"Whereas the servicing of the Wilmington fleet by means other than a floating drydock at the lay-up basin, will involve excessive towage charges to the nearest commercial drydocks, located at Hampton Roads, Va., and Charleston, S. C., and will be an inefficient and uneconomical method of preserving the hulls of said vessels; and

"Whereas the United States Maritime Commission recognizes that greater efficiency and larger material savings can be effectuated by having said vessels serviced at the places where they are laid up and has recommended that floating drydocks be provided for the servicing of such vessels: Now, therefore, be it

"Resolved by the senate (the house of representatives concurring):

"SECTION 1. That the Committees on Merchant Marine and Fisheries of the United States Congress are requested and urged to give favorable consideration to, and take favorable action on, the recommendations of the United States Maritime Commission to provide floating drydocks to service the hulls of ships of the reserve fleets of said Commission at the places where they are now laid up.

"SEC. 2. That copies of this resolution be sent by the secretary of state to the President of the United States Senate, the Speaker of the House of Representatives, and the chairmen of the Senate and House of Representatives' Committees on Merchant Marine and Fisheries and to each Member of Congress from the State of North Carolina.

"SEC. 3. That this resolution shall be in full force and effect from and after its ratification.

"In the general assembly read three times and ratified, this the 2d day of March 1949.

"H. P. TAYLOR,
"President of the Senate.
"KERR CRAIGE RAMSAY,
"Speaker of the House of Representatives."

A resolution of the Legislature of the State of New Mexico; to the Committee on Finance:

"House Memorial 1

"Memorial by the Nineteenth Legislature of the State of New Mexico, memoralizing the Congress of the United States to extend pensions of veterans of World War I

"Be it resolved by the Legislature of the State of New Mexico:

"Whereas there are many veterans of World War I in the State of New Mexico who, as a result directly or indirectly of their military service in World War I, are no longer capable of full-time, gainful occupation; and

"Whereas many of said veterans of said World War I are suffering from disabilities, both service- and non-service connected, which incapacitate them from gainful employment: Now, therefore, be it

"Resolved by the Legislature of the State of New Mexico, That the Congress of the United States be, and is hereby, memorialized to enact legislation which will give to the veterans of World War I who have reached the age of 55 years a pension of not less than $60 per month, and that all veterans of World War I suffering from non-service-connected disability be granted disability compensation based on the existing total amount of disability; be it further

"Resolved, That a copy of this resolution be forwarded respectively to the President of the United States of America, to the President of the United States Senate, to the Speaker of the House of Representatives of the United States of America, and to the Senators of the State of New Mexico in the National Congress."

A joint resolution of the Legislature of the State of New Mexico; to the Committee on Interior and Insular Affairs:

"House Joint Memorial 6

"Joint memorial to the Congress of the United States requesting the enactment of legislation for the establishment of a separate united Pueblo Indian Administration

"Whereas there are various Pueblo Tribes of Indians within the State of New Mexico, who live on their own reservations and who have title to their own reservations as a tribe; and

"Whereas these Tribes of Pueblo Indians are only Pueblo Indians of their kind in the United States; and

"Whereas the problems of said Pueblo Tribes are peculiar to them and different from all other Indian Tribes in the United States; and

"Whereas in the past legislation applicable to other tribes has been applied to the Pueblo Indians of this State, without understanding the peculiar problems of said Pueblo Indians; and

"Whereas it appears that a separate administration would greatly benefit the Pueblo Indian Tribes and be beneficial to both the United States of America and the State of New Mexico; and

"Whereas the State of New Mexico is particularly interested in the welfare of the said Pueblo Indian Tribes: Now, therefore, be it

"Resolved by the Legislature of the State of New Mexico:

"SECTION 1. That the Congress of the United States be and it is hereby memorialized to enact legislation that will provide for the establishment of a United Pueblo Administration for the State of New Mexico, at the head of which shall be an administrator who shall be appointed by the President, by and with the advice and consent of the Senate; said United Pueblo Administration to be separate and apart from the Bureau of Indian Affairs and the Commissioner of Indian Affairs; to exercise its powers and duties under the direct supervision of the Secretary of the Interior; and the principal office of which to be within the State of New Mexico.

"SEC. 2. *And be it further resolved,* That a copy of this memorial be transmitted to each of New Mexico's Representatives and Senators in Congress, and to the Speaker of the House of Representatives and President of the Senate of the United States."

A joint resolution of the Legislature of the State of New Mexico; to the Committee on Labor and Public Welfare:

"House Joint Memorial 8

"Joint memorial memorializing the President of the United States to immediately go on record as favoring the specific mention of rheumatic diseases in the National Service Foundation bill now before the Congress of the United States

"Be it resolved by the Legislature of the State of New Mexico:

"Whereas from a survey made by the United State Public Health Service on the social and

economic significance among chronic diseases in the United States; rehumatism ranked first in prevalence and second in producing disability and invalidism; and

"Whereas 6,850,000 of our people are plagued by this disease and 147,000 of them each year become permanently invalided to join that large army of isolated prisoners; and

"Whereas a large number of our comrades are among those sufferers and permanent invalids who cry out for relief from their agony; and

"Whereas we, a democratic organization, believe we can best help our comrades by helping our whole citizenry in need of such service, by a research program such as the Government-subsidized National Service Foundation bill now before the United States Congress to promote research in medicine, physics, biology, national defense, and other fields: Now, therefore, be it

"Resolved by the Legislature of the State of New Mexico, That the President of the United States be and is hereby memorialized to take immediate and proper action as has been resolved by national conventions of the Disabled American Veterans, the Ameircan Legion, and the Veterans of Foreign Wars by going on record as favoring the specific mention of rheumatic diseases in the National Service Foundation bill, as is cancer and heart disease so mentioned, and to request the Congress of the United States to take immediate action.

"Approved by me this 2d day of March 1949.

"THOMAS J. MABRY,
"Governor, State of New Mexico."

A resolution adopted by the Niagara (Wis.) Grange, favoring a Federal support price on butterfat; to the Committee on Agriculture and Forestry.

A letter in the nature of a petition, signed by J. W. Steele, treasurer, Woodford County Farm Bureau, Versailles, Ky., praying for the enactment of legislation providing a 90 percent parity support price by the Government be continued on all farm crops under quotas; to the Committee on Agriculture and Forestry.

A resolution adopted by the American Warehousemen's Association, Washington, D. C., relating to Government ownership, price controls, wages, and so forth; to the Committee on Banking and Currency.

Petitions of Arthur Post, chairman, New York Hotel Tenants League, of New York, N. Y., and sundry other citizens of the United States, praying for the enactment of legislation to continue rent control; to the Committee on Banking and Currency.

A letter in the nature of a memorial, signed by Dr. Maurice Heck, E. E. Branscome, and S. G. Gilman, the Publicity Committee, Florida Apartment House Association, Miami, Fla., remonstrating against the enactment of legislation to continue rent control; to the Committee on Banking and Currency.

A letter in the nature of a petition, signed by A. L. Haugan, chairman, National Service Committee, Renton (Wash.) Kiwanis Club, praying for the enactment of legislation to carry out the recommendations of the Hoover Commission on streamlining the Executive Branch of the Government; to the Committee on Expenditures in the Executive Departments.

A letter in the nature of a petition, signed by Walent Bizuk, chairman, American Liberation Committee for Spis and Orava, Chicago, Ill., relating to the treatment of the Slovak people (with an accompanying paper); to the Committee on Foreign Relations.

A resolution adopted by the Wolfe Tone Council, American Association for the Recognition of the Irish Republic, the Bronx, N. Y., relating to the trial of Josef Cardinal Mindszenty and others; to the Committee on Foreign Relations.

A letter in the nature of a petition, signed by Jack R. McMichael, executive secretary, the Methodist Federation for Social Action, New York, relating to communism and the First Amendment of the Bill of Rights; to the Committee on the Judiciary.

A resolution adopted by the Common Council of the city of Fall River, Mass., favoring the enactment of legislation proclaiming October 11 of each year as General Pulaski's Memorial Day; to the Committee on the Judiciary.

The petition of Dewie J. Gaul and J. J. Comiskey, Jr., of Loras College, Dubuque, Iowa, praying for the enactment of the McMahon-Johnson bill, granting aid to private-school students; to the Committee on Labor and Public Welfare.

Resolutions adopted by the Minnesota State Dental Association, of St. Paul, Minn., and the Lions Club, in the State of Idaho, protesting against enactment of legislation providing compulsory health insurance; to the Committee on Labor and Public Welfare.

Petitions of Samuel Caplan, secretary, American Jewish Congress, of New York, N. Y., and Jack R. McMichael, executive secretary, the Methodist Federation for Social Action, praying for a change in the Senate rules to provide cloture; ordered to lie on the table.

A resolution adopted by the Missouri State Council of Machinists, in conference assembled at St. Louis, Mo., favoring the repeal of the Taft-Hartley labor law; ordered to lie on the table.

PROTEST AGAINST TRIAL AND CONVICTION OF CARDINAL MINDSZENTY—RESOLUTION OF SENATE OF MARYLAND

Mr. O'CONOR. Mr. President, I present for appropriate reference a resolution adopted by the Senate of Maryland, protesting the trial and conviction of Cardinal Mindszenty by the Communist-dominated Government of Hungary.

The resolution was referred to the Committee on Foreign Relations.

(See resolution printed in full when presented by Mr. TYDINGS on March 8, 1949, p. 1963, CONGRESSIONAL RECORD.)

AID TO PUBLIC SCHOOLS—RESOLUTION OF UTAH LEGISLATURE

Mr. THOMAS of Utah. Mr. President, I present a letter from the secretary of state of Utah enclosing a resolution adopted by the Legislature of Utah, favoring the enactment of Senate bill 246, granting $300,000,000 in aid of public schools, and I ask unanimous consent that they be appropriately referred and printed in the RECORD.

There being no objection, the letter and resolution were referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

THE STATE OF UTAH,
OFFICE OF THE SECRETARY OF STATE,
Salt Lake City, March 4, 1949.

The Honorable ELBERT D. THOMAS,
The United States Senate,
Washington, D. C.

DEAR SIR: I am requested by the Legislature of the State of Utah and have the honor to transmit to you herewith a copy of House Resolution No. 5, passed by the Legislature of the State of Utah on March 3, 1949, entitled "A Resolution Memorializing the United States Congress To Pass S. 246 Granting $300,000,000 in Aid of the Public Schools."

Yours very respectfully,
HEBER BENNION, Jr.,
Secretary of State.

—

House Resolution 5

Resolution memorializing the United States Congress to pass S. 246 granting $300,000,000 in aid of the public schools

Be it resolved by the House of Representatives of the State of Utah:

Whereas public education is the strongest single force for the preparation of skilled producers and informed citizens; and

Whereas the control of education is a State-local function but the support of education is a great, long-standing tradition shared by local, State, and Federal governments—a tradition older than the present Constitution of the United States; and

Whereas the Federal Government has for more than 150 years made grants in aid to education without taking the control of public education away from the State and local school boards; and

Whereas more than 50 great national organizations, including the American Legion, Veterans of Foreign Wars; National Grange; American Farm Bureau, Farmers' Union, NAACP, CIO, A. F. of L. and educational organizations, as well as many others, urge Federal aid, without Federal control, to help finance public education; and

Whereas the social welfare of an individual is expressed throughout the entire population; and

Whereas education is considered the foundation of modern culture and civilization, and the responsibility necessarily belongs to everyone who is a part of that culture and civilization; and

Whereas only the Federal Government can equalize the opportunity for schooling of the Nation's children under conditions now prevailing: Now, therefore, be it

Resolved, That the House of Representatives of the Twenty-eighth Utah Legislature memorializes the United States Congress to pass S. 246 to provide $300,000,000 to the public schools of the United States; be it further

Resolved, That the secretary of state send copies of this resolution to the President of the United States Senate, the Speaker of the United States House of Representatives, and to each of the United States congressional delegation from the State of Utah.

FEDERAL UNEMPLOYMENT TAX—RESOLUTIONS OF GENERAL COURT OF MASSACHUSETTS

Mr. SALTONSTALL. Mr. President, on behalf of myself and my colleague, the junior Senator from Massachusetts [Mr. LODGE], I present for appropriate reference resolutions adopted by the General Court of Massachusetts, favoring an amendment to the Federal Unemployment Tax Act and the Internal Revenue Code to permit a 100 percent credit against pay roll taxes collected by States and to return to the States full control over the administration of their unemployment compensation laws, and I ask unanimous consent that they may be printed in the RECORD.

The resolutions were referred to the Committee on Finance, and, under the rule, ordered to be printed in the RECORD, as follows:

Resolutions memorializing Congress to amend the Federal Unemployment Tax Act and the Internal Revenue Code to permit a 100-percent credit against pay-roll taxes collected by States and to return to the States full control over the administration of their unemployment-compensation laws

Whereas the Federal Government now finances the entire cost of the State employment security operations of the several States having approved unemployment-compensation laws, although such a 100-percent Federal grant of funds to administer State laws does not exist elsewhere in the field of Federal grants-in-aid; and

Whereas under terms of the Federal Unemployment Tax Act and the Internal Revenue Code the Federal Government levies a 3-percent pay-roll tax on defined employers against which tax these employers are given a maxi-

mum 90-percent credit, based on their contributions paid and experience rating credits earned; and the remaining 10 percent of the 3-percent tax, which is generally referred to as the three-tenths of 1 percent administrative expense tax, is not earmarked for the purposes for which it was originally intended, namely, for the expenses of the administration by the States of their unemployment-compensation laws and is not now being used in its entirety for such purposes; and

Whereas the Federal Government has collected by means of the said three-tenths of 1 percent administrative expense tax as of July 1, 1948, $1,670,940,000, out of which sum the States have been granted approximately $780,000,000 for unemployment compensation and employment service administration, leaving a Federal profit of approximately $891,000,000; and

Whereas the Federal Government under the present law determines what sums of money shall be returned to the States for expenses to administer unemployment-compensation laws, although the States, having the responsibility to administer their own laws, should have the right in their own judgment to determine what sums of money are needed to administer their own laws; and because the present control over such funds by the Federal Government has exposed large numbers of employees of the Division of Employment Security of this Commonwealth to loss of employment, which threatens to impair the efficiency with which this law is now being administered; and

Whereas the 100-percent Federal grant instead of promoting good Federal-State relations has a tendency to injure them: Therefore be it

Resolved, That the General Court of Massachusetts hereby urges the Congress of the United States to amend the Federal Unemployment Tax Act and the Internal Revenue Code and to enact legislation which will result in giving to employers a 100-percent credit against pay-roll taxes collected by the States, and giving to each State with an approved unemployment-compensation law the right and the power to expend from the receipts of the pay-roll tax levied upon employers as much as it deems necessary for the proper and efficient administration of its State law; and be it further

Resolved, That copies of these resolutions be sent forthwith by the State secretary to the President of the United States, to the presiding officer of each branch of Congress, and to Members thereof from this commonwealth.

In house of representatives, adopted, February 25, 1949.

In senate, adopted, in concurrence, March 2, 1949.

EXTENSION OF SOCIAL-SECURITY LAW—RESOLUTION OF CITY COUNCIL OF LYNN, MASS.

Mr. SALTONSTALL. Mr. President, on behalf of myself and the junior Senator from Massachusetts [Mr. LODGE], I present for appropriate reference a resolution adopted by the city council of the city of Lynn, Mass., favoring the enactment of legislation to broaden the provisions of the social-security law, and I ask unanimous consent that it may be printed in the RECORD.

There being no objection, the resolution was referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

Whereas petitions will be filed with the Eighty-first Congress for changes in the social-security laws; and

Whereas social-security benefits should be increased to provide for the increased cost of living, and social-security coverage extended so as to include many persons who should, in all fairness, be entitled to the benefits of same: Therefore, be it

Resolved by the City Council of the City of Lynn, That the Eighty-first Congress be urged to enact such legislation as to enable social-security benefits to be increased and social-security coverage extended while maintaining the status quo in respect to certain employment taxes; and be it further

Resolved, That copies of these resolutions be sent to United States Senators LEVERETT SALTONSTALL and HENRY CABOT LODGE, JR., the Members of Congress from the Massachusetts districts, President Harry S. Truman, and the press.

EXTENSION OF RECIPROCAL TRADE AGREEMENTS ACT—RESOLUTION OF ESSEX (MASS.) COUNTY COMMISSIONERS

Mr. SALTONSTALL. Mr. President, on behalf of myself and the junior Senator from Massachusetts [Mr. LODGE], I present for appropriate reference a resolution adopted by the county commissioners of Essex County, Mass., favoring the extension of the Reciprocal Trade Agreements Act to incorporate therein provisions to prevent lowering of tariffs or establishing quotas to a point where American industry would be placed in jeopardy, and I ask unanimous consent that it may be printed in the RECORD.

There being no objection, the resolution was referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

Whereas there is a bill pending before the United States Senate Finance Committee extending the President's authority to negotiate trade agreements; and

Whereas American industry must be protected against harmful foreign competition so as to prevent widespread unemployment and lowering of living standards; and

Whereas safeguards should be established by Congress to protect the shoe industry and all other industries in Essex County, textile industry in Lawrence and North Andover, fishing industry in Gloucester, leather industry in Peabody, hat industry in Amesbury, as all of these Essex County communities are highly dependent upon these industries; and

Whereas the county commissioners of Essex County approve the Economic Cooperation Administration program, and endorse the policy of encouraging international trade as a means to help relieve suffering and distressed peoples throughout the world so as to enhance the chances of world peace and calculated to prevent the spread of communism: Be it

Resolved, That Congress be urged in extending the Reciprocal Trade Agreements Act to incorporate therein provisions to prevent lowering of tariffs or establishing quotas to a point where American industry would be placed in jeopardy and to include the so-called escape clause to further safeguard against mistakes in judgment and such further restrictions as may be necessary to enable the President to fulfill his assurance to the American public that reciprocal-trade agreements program will not injure domestic producers; and be it further

Resolved, That copies of these resolutions be sent to Senators Henry Cabot Lodge, Jr., Leverett Saltonstall, Congressmen Edith Nourse Rogers, George J. Bates, Thomas J. Lane, Angier L. Goodwin, President Harry S. Truman, Gov. Paul A. Dever, the press, and copy spread upon the records.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. THOMAS of Oklahoma, from the Committee on Agriculture and Forestry:

S. 969. A bill to transfer the Pomona station of the Agriculture Remount Service, Department of Agriculture, at Pomona, Calif.; with an amendment (Rept. No. 102).

STUDY AND INVESTIGATION OF CLOSING OF TEXTILE MILLS—REPORT OF INTERSTATE AND FOREIGN COMMERCE COMMITTEE (REPT. NO. 101)

Mr. TOBEY, from the Committee on Interstate and Foreign Commerce, submitted a report on the study and investigation of the closing of American textile mills and the operations of Textron, Inc., which was ordered to be printed.

ENROLLED BILLS AND JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on today, March 9, 1949, he presented to the President of the United States the following enrolled bills and joint resolution:

S. 29. An act to authorize payment of claims based on loss of or damage to property deposited by alien enemies;

S. 170. An act to authorize the transfer of certain property to the Secretary of the Interior, and for other purposes;

S. 593. An act for the relief of certain postal employees;

S. 630. An act to amend section 19 of the act of August 13, 1946 (60 Stat. 1057), so as to remove the upper age limit for appointment to commissioned grade in the Supply Corps of the Navy;

S. 673. An act relating to the pay and allowances of officers of the Naval Reserve performing active duty in the grade of rear admiral, and for other purposes; and

S. J. Res. 22. Joint resolution to authorize the issuance of a special series of stamps commemorative of the three hundredth anniversary of Annapolis, Md.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. FULBRIGHT, from the Committee on Banking and Currency:

Walter Lee Dunham, of Michigan, to be a member of the Board of Directors of the Reconstruction Finance Corporation for a portion of the term expiring June 30, 1950.

By Mr. JOHNSON of Colorado, from the Committee on Interstate and Foreign Commerce:

David J. Coddaire, of Massachusetts, to be a member of the United States Maritime Commission for the term expiring April 15, 1954, to which office he was appointed during the last recess of the Senate;

Joseph F. Farley, and sundry other officers and persons for promotion and appointment in the United States Coast Guard and United States Coast Guard Reserve;

Gordon L. Bates, and several other officers of the United States Coast Guard Reserve to be commissioned in the United States Coast Guard, and Samuel R. Early, to be ensign in the United States Coast Guard; and

Lorin F. Woodcock to be lieutenant in the Coast and Geodetic Survey.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. GURNEY:

S. 1210. A bill to authorize and direct the Secretary of the Interior to issue to Chloe

Ford Riley a patent in fee to certain land; to the Committee on Interior and Insular Affairs.

By Mr. GURNEY (for himself, Mr. O'MAHONEY, Mr. MUNDT, and Mr. HUNT):

S. 1211. A bill to grant the consent of the Congress to the Cheyenne River Compact; to the Committee on Interior and Insular Affairs.

By Mr. SALTONSTALL (by request):

S. 1212. A bill for the relief of Carlton Hotel, Inc.; to the Committee on the Judiciary.

By Mr. McGRATH:

S. 1213. A bill for the relief of Nicholas J. Manticas and his family; to the Committee on the Judiciary.

By Mr. McGRATH (for himself and Mr. WAGNER):

S. 1214. A bill for the relief of Mrs. Marie Gulbenkian; to the Committee on the Judiciary.

By Mr. McCARRAN:

S. 1215. A bill authorizing a preliminary examination and survey of Martin Creek at and in the vicinity of Paradise Valley, Humboldt County, Nev.; to the Committee on Public Works.

By Mr. PEPPER:

S. 1216. A bill to promote the general welfare through the appropriation of funds to assist the States and Territories in providing more effective programs of public kindergarten or kindergarten and nursery-school education; to the Committee on Labor and Public Welfare.

S. 1217. A bill for the relief of Abraham Trattler; to the Committee on the Judiciary.

USE OF CERTAIN MERCHANT VESSELS FOR TEMPORARY TRANSOCEANIC PASSENGER SERVICE

Mr. FLANDERS (for himself, Mr. FULBRIGHT, Mr. MYERS, Mr. DOUGLAS, Mr. TOBEY, Mr. SMITH of New Jersey, and Mr. MUNDT) submitted the following resolution (S. Res. 83), which was referred to the Committee on Interstate and Foreign Commerce:

Whereas the Congress has by the act of August 1, 1946 (Public Law 584, 79th Cong.), the United States Information and Educational Exchange Act of 1948 (Public Law 402, 80th Cong.), and the Economic Cooperation Act of 1948 (Public Law 472, 80th Cong.) encouraged travel by American citizens in countries participating in the European recovery program and the interchange between the United States and foreign countries of students and other persons traveling for educational or cultural purposes; and

Whereas it has become evident, because of the shortage of accommodations for passengers in transoceanic shipping, that many students and other persons desiring to travel to foreign countries for educational or cultural purposes during the coming travel season are going to be unable to do so unless additional transoceanic passenger shipping accommodations at reasonable rates are made available in the near future; and

Whereas the United States Government owns certain merchant vessels which are now laid up but which could readily be returned to active service and outfitted for the transoceanic transportation of passengers; and

Whereas it is believed that the executive branch of the Government is possessed of adequate legal powers to enable it to return such vessels to active service and outfit them for the transoceanic transportation of passengers: Therefore be it

Resolved, That the President is requested to provide, through such departments and agencies of the Government as he may deem appropriate, for the return to active service and the outfitting for transoceanic transportation of passengers of such number of laid-up merchant vessels of the United States as may be required to provide accommodations, at rates reflecting costs to the United States, for the travel to and from foreign countries during the period May 1, 1949, to November 1, 1949, of approximately 7,500 American students and other citizens desiring to travel abroad for educational or cultural purposes. The President is further requested to utilize any vessels so returned to active service for the transportation to the United States, during the time that such vessels are not being used for the return travel of American students and other citizens, of displaced persons at such rates of fare as may be prescribed after negotiations with the International Refugee Organization.

FUNERAL EXPENSES OF THE LATE SENATOR BROUGHTON

Mr. HOEY submitted the following resolution (S. Res. 84), which was referred to the Committee on Rules and Administration.

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay from the contingent fund of the Senate the actual and necessary expenses incurred by the committee appointed to arrange for and attend the funeral of Hon. J. Melville Broughton, late a Senator from the State of North Carolina, on vouchers to be approved by the Committee on Rules and Administration.

MEMORIAL TO UNKNOWN SOLDIER OF WORLD WAR II

Mr. GILLETTE submitted the following resolution (S. Res. 85), which was referred to the Committee on Foreign Relations:

Resolved, That the President is requested to cause the United States Representatives to the United Nations to recommend to it that there be erected, at its permanent headquarters, a memorial which (1) shall be known as the United Nations Unknown Serviceman Memorial; and (2) shall mark the burial place of a member of the armed forces of a member nation, chosen by lot in a fitting manner, and so as not to identify the nation of his allegiance, from among the unknown dead of World War II.

ACTIVITIES OF CERTAIN FOREIGN AGENTS

Mr. O'CONOR submitted the following resolution (S. Res. 86), which was referred to the Committee on Foreign Relations:

Resolved, That the Senate of the United States express its great concern over the threat to our Nation's security which might arise out of unrestricted activities of foreign agents serving with secretariats or delegations of international organizations which have their official residence within the United States; and that it is the sense of the Senate that the Department of State and the Department of Justice should (A) in the exercise of authority heretofore conferred by law, take action at the earliest practicable date, in agreement with appropriate international organizations, to conclude such arrangements governing the entry, conduct, and activities of members and employees of such secretariats and delegations from foreign countries as may be necessary to prevent occurrences prejudicial to the safety and interests of the United States; and (B) in the event that existing statutory authority is inadequate to accomplish such object, to prepare and submit to the Congress at the earliest possible time, such proposed legislation as may be required therefor.

AMENDMENT OF ECONOMIC COOPERATION ACT—AMENDMENTS

Mr. JENNER submitted amendments intended to be proposed by him to the bill (S. 1209) to amend the Economic Cooperation Act of 1948, which were ordered to lie on the table and to be printed.

ASSISTANCE TO BLIND VETERANS OF WORLD WAR II—AMENDMENT

Mr. BALDWIN submitted an amendment in the nature of a substitute intended to be proposed by him to the bill (S. 807) authorizing financial assistance to blind veterans of World War II in obtaining an automobile or other conveyance, which was referred to the Committee on Labor and Public Welfare and ordered to be printed.

NOMINATION OF MON C. WALLGREN—LETTERS, TELEGRAMS, AND EDITORIAL COMMENT

Mr. CAIN. Mr. President, I ask unanimous consent to have printed in the Appendix of the RECORD several newspaper comments, telegrams, and letters relating to the nomination of Mon C. Wallgren to be Chairman of the National Security Resources Board.

Mr. LUCAS. Mr. President, reserving the right to object, I should like to know something about the contents of these letters. If they are the same type of letters as those introduced the other day into the RECORD by the Senator from Washington, I certainly am going to object.

Mr. CAIN. Would the Senator from Illinois permit the junior Senator from Washington to read only what I ask permission to submit for the RECORD in order that the Senator from Illinois and other Senators can consider the validity of the character of the comments?

Mr. LUCAS. I am constrained to interpose an objection if the Senator does not tell me that these letters are different from the type he introduced into the RECORD the other day. If they are the same type of letters I must object.

Mr. CAIN. I may say, Mr. President, to the Senator from Illinois, that each of the letters, each of the telegrams, and each of the editorial comments has been written by individual American citizens. The author of each document is not writing a similar letter or anything similar to what is written by others. It is the desire of the authors to write to a United States Senator, and it has only been his wish to submit their views for the RECORD in order that they may be considered by whoever wants to look at them.

Mr. LUCAS. The Senator will have plenty of time, when Mr. Wallgren's nomination comes up for consideration, to read the type of scurrilous and scandalous letters he put into the RECORD the other day. I therefore object.

The VICE PRESIDENT. The Senator from Illinois objects.

THE CRITICAL IRON ORE SITUATION—STATEMENT BY SENATOR WILEY

Mr. WILEY. Mr. President, I send to the desk a statement which I have prepared, urging an investigation of the critical iron ore situation facing the Nation. I have made this suggestion in a letter which I have sent to the distinguished senior Senator from Wyoming [Mr. O'MAHONEY], the able chairman of the Senate Committee on Interior and Insular Affairs.

In the letter I pointed out that one of the most critical shortages facing our Nation's industrial economy and plaguing our defense plans is the lack of adequate reserves of high-grade iron ore.

I feel that if we can get an investigation under way on this problem, we will be taking the first step to a solution of a matter affecting not only America's future but the future of the western world, which depends upon United States steel production for its very survival.

There being no objection, the statement was ordered to be printed in the RECORD as follows:

STATEMENT BY SENATOR WILEY

NEED FOR INVESTIGATION OF CRITICAL IRON ORE SITUATION BY SENATE INTERIOR COMMITTEE

This statement concerns one of the most critical problems facing our Nation's defense planners—the depletion of American iron ore reserves. It is a problem on which we, as Americans, have been bumbling and stumbling along, virtually blind, virtually heedless of the danger confronting us. We have ignored the problem almost completely. We—military men and civilians alike—have sat back on our haunches in a pre-Pearl-Harbor-like stupor. The time has come to awaken on it, and that is the purpose of these remarks—to sound an alarm so to speak, just as others have begun to toll the bells to warn our country of the danger. Uncle Joe is laughing at us, I am sure, in our lack of concern over this danger. The time has come to look at reality and to act.

PREVIOUS DISCUSSIONS OF THIS PROBLEM

A year ago in connection with this debate on the St. Lawrence seaway, I brought this subject to the attention of the Senate, pointing out the imminent exhaustion of the iron ore resources in the Middle West. At that time, there was some skepticism expressed by a number of my colleagues. I can well understand this, since the facts were not generally known at that time. Since then, however, the facts have been coming out gradually. The iron and steel industry itself has become much concerned about this situation, and has been engaged in a variety of activities to find substitute sources of iron ore. The most recent exhaustive study of this situation appeared in the magazine, Iron Age, of January 6. I commend this article to the careful attention of my colleagues. A few days ago, I wrote to our able colleague, the senior Senator from Wyoming [Mr. O'MAHONEY], who is chairman of the Senate Committee on Interior and Insular Affairs on this subject.

Let me read an introductory note by W. A. Lloyd, Cleveland regional editor of the Iron Age. Mr. Lloyd says in introducing this subject:

"The reign of the fabulous Mesabi is ending—1960, perhaps earlier, will see the end. United States dependency upon foreign ore is a reality. How and when this Mesabi tonnage will be replaced is told in this objective survey of the steel industry's No. 1 problem."

The study itself, which I am recommending to the attention of the Senate, was prepared for the Iron Age magazine by Dr. John W. Gruner of the Department of Geology and Mineralogy, University of Minnesota.

NEED FOR INTERIOR COMMITTEE INVESTIGATION

I consider this situation so serious that in the afore-mentioned letter to my industrious colleague, the senior Senator of Wyoming, I have respectfully requested that the Committee on Interior and Insular Affairs, which has been making a study of natural resources, initiate a thorough inquiry into the iron ore situation and the alternative methods of meeting the requirements of the iron and steel industry in the foreseeable future. This is one subject that we cannot improvise from day to day, as it will take years to develop substitute sources for the Mesabi Range. It is, in my view, the No. 1 problem of national security, since without the secure foundation of the iron and steel industry, our capacity to mobilize will be seriously weakened; indeed, the capacity of the western world will be threatened.

WHERE ARE WE GOING TO GET THE ORE?

There is a great deal of confusion as to where our country is going to find adequate supplies of ore after the Mesabi resources are exhausted. The average annual shipments from the Lake Superior region have been 80,000,000 tons of ore a year during the past 8 years. Much of this has come from open-pit mines. When these are exhausted, new supplies will have to be provided from other sources. Some students of the subject glibly assert that we can get all we want from low-grade ores. Others claim that it will be impractical economically and physically to get 80,000,000 or even 60,000,000 tons of ore from low-grade taconite. In fact, those who are actively engaged in the development of low-grade ores anticipate no more than 20,000,000 tons from this source by 1964. Where is the country going to secure the rest of the necessary ore supplies to make up the total of 80,000,000 or more tons needed? Unless this question is settled, there will be a real danger that part of the iron and steel industry in the Middle West will gradually move away to the coastal areas in order to take advantage of foreign ores. This cannot be beneficial to the country either in peace or in war, it will mean further suicidal industrial centralization of the type that I have been warning against for years.

COMPREHENSIVE PROGRAM NEEDED

This is such a vital problem that we must have a comprehensive national program worked out in cooperation with industry. And I feel certain that when such an overall program is worked out on an economical basis that it will provide for the continued utilization of the present ore mines; it will provide for the development of taconite up to the maximum of its economical and technological capacity; and it will also provide for the importation of substantial amounts of ore from outside sources (i. e., from Labrador and elsewhere) into the Middle Western mills.

I, therefore, respectfully call upon the Committee on Interior and Insular Affairs to make a thorough and impartial study of this subject.

TENTATIVE SCHEDULE OF PUBLIC HEARINGS ON PROPOSED CUT-BACK IN VETERANS' HOSPITAL CONSTRUCTION PROGRAM

Mr. PEPPER. Mr. President, I ask unanimous consent to have printed in the RECORD at this point the tentative schedule of public hearings before a special subcommittee and the Committee on Labor and Public Welfare on the proposed cut-back in veterans' hospital construction program.

There being no objection, the schedule was ordered to be printed in the RECORD, as follows:

SENATE COMMITTEE ON LABOR AND PUBLIC WELFARE—TENTATIVE SCHEDULE OF PUBLIC HEARINGS ON PROPOSED CUT-BACK IN VETERANS' HOSPITAL CONSTRUCTION PROGRAM

A special subcommittee of the Senate Labor and Public Welfare Committee, composed of Senator PEPPER, chairman, Senator HUMPHREY, and Senator MORSE, will hold public hearings to investigate the proposed curtailment of the veterans' hospital construction program and to determine the need for additional facilities and the availability of doctors, dentists, nurses, and other medical personnel to staff such facilities.

Under an Executive order of the President, the Veterans' Administration plans to cancel the construction of 24 new hospitals and to reduce the size of 14 others—a total of 16,000 beds. The States in which such cancellations and reductions are to take effect are as follows: California, Florida, Georgia, Illinois, Kentucky, Michigan, Minnesota, Mississippi, Missouri, New York, North Carolina, Ohio, Oklahoma, Oregon, Pennsylvania, South Carolina, Tennessee, Texas, Washington, D. C.

The subcommittee will conduct public hearings daily, except Sundays, from 10 a. m. until 12 noon, beginning Thursday, March 10, in the committee hearing room, P-26, in the Capitol Building.

All witnesses scheduled to appear before the subcommittee are instructed to submit 75 copies of their prepared testimony to the office of the Senate Committee on Labor and Public Welfare, room 42, Capitol Building, at least 72 hours in advance of their scheduled appearance. Witnesses are to present only a brief oral summary of their prepared testimony at the time of their appearance and should be prepared to answer any questions raised by the members of the subcommittee during the balance of the time allotted to them. The tentative schedule of the public hearings follows:

Witnesses should note this schedule carefully in order that the hearings can be carried out without confusion or delay:

THURSDAY, MARCH 10

10 a. m. to 12 noon: Veterans' Administration, the American Legion, Veterans of Foreign Wars.

FRIDAY, MARCH 11

10 a. m. to 10:30 a. m.: United States Army.

10:30 a. m. to 11 a. m.: United States Navy.

11 a. m. to 11:30 a. m.: United States Public Health Service.

11:30 a. m. to 12 noon: Regular Veterans' Association, American Hospital Association.

MONDAY, MARCH 14

10 a. m. to 11 a. m.: Disabled American veterans.

11 a. m. to 12 noon: AMVETS.

TUESDAY, MARCH 15

10 a. m. to 11 a. m.: American veterans' committee.

11 a. m. to 12 noon: Veterans' Administration.

WEDNESDAY, MARCH 16 [1]

10 a. m. to 11 a. m.: California—State service officers, State and local veterans' organizations, State medical association, State public agencies.

11 a. m. to 12 noon: Florida—State service officers, State and local veterans' organizations, State medical association, State public agencies.

THURSDAY, MARCH 17 [1]

10 a. m. to 11 a. m.: Georgia—State service officers, State and local veterans' organizations, State medical association, State public agencies.

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[1] In order to facilitate the presentation of testimony to the subcommittee, it will be necessary to arrange for the testimony of the State service officers and the representatives of the State and local veterans' organizations to be presented jointly in the form of panel discussions. This means that all State service officers and representatives of State and local veterans' organizations of a given State will testify together at the same time on the same day. Following the panel discussions for each State, the testimony of the State medical association and the public agencies of that State will be presented. This means that all testimony bearing upon the problems of a particular State will be concluded on the same day and appear consecutively in the record.

11 a. m. to 12 noon: Illinois—State service officers, State and local veterans' organizations, State medical association, State public agencies.

FRIDAY, MARCH 18 [1]

10 a. m. to 11 a. m.: Kentucky—State service officers, State and local veterans' organizations, State medical association, State public agencies.

11 a. m. to 12 noon: Michigan—State service officers, State and local veterans' organizations, State medical association, State public agencies.

SATURDAY, MARCH 19 [1]

10 a. m. to 11 a. m.: Minnesota—State service officers, State and local veterans' organizations, State medical association, State public agencies.

11 a. m. to 12 noon: Mississippi—State service officers, State and local veterans' organizations, State medical association, State public agencies.

MONDAY, MARCH 21 [1]

10 a. m. to 11 a. m.: Missouri—State service officers, State and local veterans' organizations, State medical association, State public agencies.

11 a. m. to 12 noon: New York—State service officers, State and local veterans' organizations, State medical association, State public agencies.

TUESDAY, MARCH 22 [1]

10 a. m. to 11 a. m.: North Carolina—State service officers, State and local veterans' organizations, State medical association, State public agencies.

11 a. m. to 12 noon: Ohio—State service officers, State and local veterans' organizations, State medical association, State public agencies.

WEDNESDAY, MARCH 23 [1]

10 a. m. to 11 a. m.: Oklahoma—State service officers, State and local veterans' organizations, State medical association, State public agencies.

11 a. m. to 12 noon: Oregon—State service officers, State and local veterans' organizations, State medical association, State public agencies.

THURSDAY, MARCH 24 [1]

10 a. m. to 11 a. m.: Pennsylvania—State service officers, State and local veterans' organizations, State medical association, State public agencies.

11 a. m. to 12 noon: South Carolina—State service officers, State and local veterans' organizations, State medical association, State public agencies.

FRIDAY, MARCH 25 [1]

10 a. m. to 11 a. m.: Tennessee—State service officers, State and local veterans' organizations, State medical association, State public agencies.

11 a. m. to 12 noon: Texas—State service officers, State and local veterans' organizations, State medical association, State public agencies.

SATURDAY, MARCH 26 [1]

10 a. m. to 11 a. m.: Washington, D. C.—District service officers, District veterans' organizations, District medical association, District public agencies.

[1] In order to facilitate the presentation of testimony to the subcommittee, it will be necessary to arrange for the testimony of the State service officers and the representatives of the State and local veterans' organizations to be presented jointly in the form of panel discussions. This means that all State service officers and representatives of State and local veterans' organizations of a given State will testify together at the same time on the same day. Following the panel discussions for each State, the testimony of the State medical association and the public agencies of that State will be presented. This means that all testimony bearing upon the problems of a particular State will be concluded on the same day and appear consecutively in the record.

COUNTING OF ELECTORAL VOTES—STATEMENT BY SENATOR FERGUSON

[Mr. FERGUSON asked and obtained leave to have printed in the RECORD a statement made by him before the subcommittee of the Senate Committee on the Judiciary, March 9, 1949, relating to Senate Joint Resolution 2, the proposed constitutional amendment to change the method of counting the electoral votes, which appears in the Appendix.]

COUNTING OF ELECTORAL VOTES—STATEMENT OF BASIL BREWER

[Mr. FERGUSON asked and obtained leave to have printed in the RECORD the statement made before a subcommittee of the Senate Committee on the Judiciary by Basil Brewer, publisher of the New Bedford (Mass.) Standard Times, on Senate Joint Resolution 2, to change the method of counting the electoral votes, which appears in the Appendix.]

THE EQUAL-RIGHTS AMENDMENT—STATEMENT BY DR. LOUISE POUND

[Mr. MORSE asked and obtained leave to have printed in the RECORD a statement on the equal-rights amendment by Dr. Louise Pound, professor at Nebraska University, which appears in the Appendix.]

IMPORTATION OF JAPANESE FABRICS—ARTICLE FROM THE NEW YORK TIMES

[Mr. BREWSTER asked and obtained leave to have printed in the RECORD an article entitled "Embargo Is Sought on Japan's Fabrics," and an article entitled "Knit Glove Protest Due," published in the New York Times of March 9, 1949, which appear in the Appendix.]

PROPOSED ESTABLISHMENT OF WAR CLAIMS COMMISSION—LETTER FROM FRANCIS M. SULLIVAN

[Mr. CHAVEZ asked and obtained leave to have printed in the RECORD a letter from Francis M. Sullivan regarding the establishment of a war-claims commission, which appears in the Appendix.]

THE FILIBUSTER—EDITORIAL FROM THE NEWARK (N. J.) EVENING NEWS

Mr. HENDRICKSON. Mr. President, I ask unanimous consent to have printed in the body of the RECORD an editorial entitled "The Filibuster," published in the March 7, 1949, issue of the Newark (N. J.) Evening News. The editorial, in discussing the filibuster, sets forth certain fundamental principles which the President of the United States and Members of this body can well afford to read and reflect upon.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE FILIBUSTER

Given enough books, reports, and clippings and the manpower and physical stamina to read them into the record, a willful minority in the United States Senate can bring the legislative machinery of the Nation to a standstill. The parliamentary deadlock thus achieved is known as a filibuster. How long a well-organized filibuster endures depends more on the ability of the majority to take it than upon the capacity of the minority to keep it going.

The evil of the filibuster is that it not only delays action on the measure under debate but that it prevents action on all measures. When successful, it imposes the will of the minority upon the majority, and in so doing is held to be alien and inimical to the democratic process.

But the filibuster is not without defenders, some of whom abhor, as in the present civil-rights case, the causes for which it has been invoked. At its theoretical best the filibuster has been defended as a brake on legislation which might otherwise be enacted hastily, in the heat of passion, a spirit of reprisal, or for some transient, partisan gain.

A man so far removed from southern sympathies as Senator VANDENBERG (Republican, Michigan) last year was forced to rule against his own party in the fight to apply cloture to the anti-poll-tax fight. He recognized the weaknesses of the existing Senate rules, but he also called the filibuster the last legislative sanctuary for minority rights. Yet as so often happens in practical application, theory is in sharp conflict with reality.

In the last 30 years the filibuster has been resorted to mainly by southern Senators to ward off antilynching and anti-poll-tax legislation. And in the debate now begun in the Senate to simplify cloture, the filibuster is being used not for the protection of the minority but as an instrument to continue minority oppressions in the South.

The Democratic attempt to change the Senate rules is a culmination of the civil-rights fight begun in the Democratic National Convention. Administration leaders, resuming in Washington where they left off in Philadelphia, act with Mr. Truman's full sanction and encouragement: Presumably they also act with full recognition of the possible cost to the Presidential program, including such high priority legislation as the Taft-Hartley Act, and more crucial to more people, the extender for expiring (March 31) rent controls.

But the Democratic attempt to change the Senate rules, which depends for success on Republican aid, was given a serious set-back by Mr. Truman himself. At a press conference last week, he casually remarked that it should be possible to invoke cloture by a simple majority vote. The cost of this off-the-cuff observation could be the alienation of Republican Senators who, while they resent the uses to which the filibuster has been put, nevertheless are apprehensive that what the President intends is to crush minority rights by application of a ruthless gag rule. It was a tactical blunder by Mr. Truman, the result of which is to jeopardize success of the cloture fight and the enactment of a civil-rights bill.

AMENDMENT OF CLOTURE RULE

The Senate resumed the consideration of the motion of Mr. LUCAS to proceed to the consideration of Senate Resolution 15, amending the so-called cloture rule of the Senate.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Illinois [Mr. LUCAS] to proceed to the consideration of Senate Resolution 15.

Mr. JOHNSON of Texas. Mr. President, I rise with some reluctance to speak against the motion now before the Senate.

I have been a Member of the Senate only 2 months. On both sides of the aisle sit men with experience here far exceeding my own who believe sincerely that this resolution is worthy and essential and should be adopted.

I respect their sincerity, and I do not weigh their judgment lightly.

In this debate, however, we are asked to choose between the freedom to enact laws hastily and the freedom to speak. For me, there is no choice. I cannot embrace any freedom which demands, as the terms for its existence, the imprisonment of another and more precious freedom.

CLOTURE NO HANDICAP TO ME

I am aware that the proponents of this resolution deny that their form of cloture would impede free speech. They only intend to prevent filibusters by limiting each Senator—if two-thirds of the Members desire to do so—to 1 hour on the floor to speak for or against a piece of legislation. Personally, that would rarely be a handicap or an affront to me. I can imagine few occasions—even now—when I would desire more than an hour of the Senate's time to present my views on most issues arising here.

But I would not knowingly imperil a moment of my freedom to speak. So, I refuse now to seek an authority over others which I would not yield myself.

It matters not, Mr. President, whether cloture permits Senators to speak 1 hour, 1 week, or 1 month. If this resolution is adopted, the bridle will be upon the tongues of all minorities, and no mount is free, once the bit is in its mouth.

There is no such thing as a "reasonable limit" on free speech. Good intentions, gentle reforms, and reasonable limits have destroyed more freedoms than evil forces could ever do, and I fear that danger now. As a distinguished Senator from Missouri, Senator Reed, once said:

> Cloture means the granting of a power. Whenever you grant a power, you must assume that the power will be exercised. So, when we discuss this proposed rule, we must do so in the light not of how it may be exercised so as to do no harm, but we must consider how it may be exercised to do harm.

Cloture is to the majority what filibuster is to the minority. Each is a device by which a group may try to achieve its goal in legislative deliberations. But the devices are not equals.

CLOTURE—THE DEADLIEST WEAPON

A filibuster, at best, has no assurance of success; it is more prayer than promise, a last hope for a conscientious minority. Not so, cloture. It is perhaps, the deadliest weapon in the arsenal of parliamentary procedures. Once a majority is armed with that weapon, the majority can be—if it so chooses—beyond the laws and moral compulsion of such flimsy restraints as parliamentary courtesy and precedents.

Against this, a minority has no defense.

When I say minority, I do not limit the term to mean only the South. A peculiar and passing interlude in history has vested the defense of the filibuster in the South, but only temporarily. The filibuster is not a Southern creation; it belongs to all the Nation, and to all the minorities—racial, religious, political, economic, or otherwise—which make up this Nation. I can foresee unlimited situations in which some of the minority groups, which have for 10 years agitated so earnestly for the filibuster's abolition, would want, and would use if they could, the filibuster to defend their rights.

Mr. President, I realize that we of the South who speak here are accused of prejudice, that we are labeled in the folklore of American tradition as a prejudiced minority. I would point out, though, that prejudice is not a minority affliction: prejudice is most wicked and most harmful as a majority ailment, directed against minority groups. Prejudice inflames, excites, exaggerates; prejudice, I think, has inflamed a majority outside the Senate against those of us who speak now, exaggerating the evil and intent of the filibuster. Until we are free of prejudice, then there will be a place in our system for the filibuster—for the filibuster is the last defense of reason, the sole defense of minorities who might be victimized by prejudice.

A KING CAN DO NO WRONG

When we speak of minorities, though, we are answered with the argument that the will of the majority should prevail, and that it is in the American tradition that the majority should prevail. This is a commonplace fallacy. It is akin to the doctrine that "a king can do no wrong."

In this country, a majority may govern, but it does not rule. The genius of our constitutional and representative government is the multitude of safeguards provided to protect minority interests. On the legislative level, where the laws are written, the House of Representatives was so designed by the architects of our Constitution that virtually every valid sectional or local interest would, at least, have a guardian here to scrutinize each law which might be enacted. But those guardians, in most instances, have little time and few opportunities to give voice to their thoughts on the floor for the benefit of their own constituents, their colleagues, or the people of this country.

The citadel of this carefully planned protection of minority rights is the Senate. Here, Members must be somewhat older in years than in the House, their terms of office are longer, and the change in membership is deliberately less abrupt. As the House is designed to provide a reflection of the mood of the moment, the Senate is meant to reflect the continuity of the past—to preserve the delicate balance of justice between the majority's whims and the minority's rights.

SENATE IS A BODY OF EQUALS

When we speak of majorities in the Senate—based solely on the numerical division of the Members—we speak in hollow terms. The Senate was conceived as a body of equals, with each of the States in the Union equally represented. Majority rule obviously did not underlie this concept. Here was a forum in which minorities—minorities of population or minorities of ideas—could stand on equal footing with the most overpowering majority.

Under this system, the 15,000,000 people of New York have no more votes in the Senate than the 110,000 people in Nevada. Does that imply any intent for the majority to reign supreme here? Certainly not; the implication is clearly contrary to the principle of the resolution sought to be brought before us. It would be folly to yield to New York the power to shut off the voice of Nevada; it would be a greater travesty upon justice to permit Nevada to invoke cloture against New York.

Let us look further at this theory of majority rule and the futility of its application to the Senate's procedures:

As has already been made plain by my colleagues on the Senate floor and in committee hearings, the 14 New England, Middle Atlantic and East North Central States, with a population equivalent to 47.7 percent of the population of the United States, has less than 30 percent of the votes in the Senate of the United States. Under the present rules of the Senate requiring a two-thirds vote to effect cloture, all of the Senators from this group of States could not prevent cloture.

If Texas and California were added to this list, we would have a majority of all of the population of the United States represented in this Senate by only one-third of the Members of this body.

Let me name those States: Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Ohio, Indiana, Illinois, Michigan, Wisconsin, Texas and California. Now, Mr. President, if, under the rules of the Senate, cloture should be invoked against the Senators from those States, it is clear that the will of the majority of the people of this country would most certainly be thwarted.

That would mean that the will of the majority of the Senators had prevailed, but it would not by any device of logic or argument mean that the will of the majority of the American public had prevailed.

IN TERMS OF INCOME

Mr. President, I dislike to talk of freedom in terms of income, in terms of money, but in passing I cannot refrain from pointing out that measured by the latest percentages of collections of Internal Revenue, the 14 States, mentioned above, exclusive of Texas and California, contributed 60.9 percent of the total income received by the Federal Government during the fiscal year ending June 30, 1948.

If the shoe were on the other foot, and if a revenue or appropriation measure were involved, I feel that the Senators from New York, Ohio, Illinois, Indiana, and the other States mentioned, would not and should not hesitate to say that since their constituents contributed a majority of the revenue and a majority of the population they should have the right to exercise their freedom of speech to prevent the passage of legislation ruinous to their people.

When we speak of majorities, Mr. President, let us not be blinded by our own estimate of our status. Let us not overemphasize our personal convenience or our personal convictions; and, particularly, let us not be guided by personal estimates of our colleagues. We may each in our private conscience find faults and shortcomings in the ability, as well as the reasoning, of some of our colleagues here. Mr. President, it is a great temptation to yearn for the power to shut off an irritating voice, particularly when that voice is being used against you.

MAJORITY IS SOMETIMES WRONG

But the fact that a voice of the minority is irritating or repetitious or even sometimes presumptuous does not indict that voice as being wrong and in error. The majority is ofttimes irritating, repetitous and presumptuous, and the majority is sometimes wrong.

If either the majority or minority assumes that all arguments have been heard, all evidence presented, all original thoughts revealed, then that group is making an assumption which our human fallibility does not permit. Mr. President, it takes great wisdom for a man to know when he himself has said enough, and I pray for that good sense myself. But, I say to you, Mr. President, only wisdom akin to divine judgment can tell us when our fellow man has said all he should say.

The late Senator Joseph Robinson, of Arkansas, once said in this Chamber:

I am willing to vindicate this forum of open debate where fools may be arrogant, but where men who have studied problems still have a chance to speak.

Some may, most certainly, be arrogant here. Others may shame the name of the Senate. Willful men may be abusive. But when, in irritation, you withdraw freedom from the few who abuse it, you withdraw it from the wise and learned men, too.

If you subtract from the freedom of one region and of those who represent that region, you subtract from the freedom of all regions and all representatives. Freedom, gentlemen, does not oblige the formulas of mathematics. You cannot subtract a quantity here and add it elsewhere. True, it may be divided, but only in equals, not in fractions. There can be no two-thirds freedom or three-fourths freedom or ninety-nine point nine percent freedom; and no majority is so powerful, so righteous, so benevolent that it can change this simple reality.

MAJORITIES ARE NOT PERMANENT

Majority is, after all, Mr. President, a treacherous word. Majorities are not fixed, they are not permanent. The majority which today seems secure may vanish tomorrow.

I think it is quite pertinent to this discussion to examine the creation of majorities, how they are built and who builds them in American life today. Majorities, after all, do not simply materialize of their own accord without leadership and encouragement.

Majorities are the creation of communications. People form their judgments and mold their thinking by what they read, by what they see, by what they hear—and, perhaps, sometimes, or oftimes, by what they smell. In this country, as in no other country in world history, our people have the opportunity to read more, see more, and hear more about public issues.

As our system of communications is improved and advanced by the discoveries of science, information is imparted with greater speeds. The report of what is going on—or, to be more exact, what seems to be going on—rushes direct from the point of origin to all Americans simultaneously. By radio, telegraph, telephone, and television, the information—or what one or two men in a particular agency may consider information—speeds out over the Nation and is received by individuals without a great deal of editing or much intentional commentary.

CITIZENS ARE BELIEVING SAME THING

The result of this is sobering, because, more and more, all our citizens are hearing the same thing, seeing the same thing, reading the same thing, and believing the same thing.

Furthermore, the trend of all agencies controlling the channels of rapid communication—a trend apparently demanded by the public—is for brevity. Our wire-service correspondents, our radio newsmen, all others collecting and presenting accounts of what happens here in the Senate Chamber or elsewhere, are told, "Make it brief, make it simple, but make it fast."

In such an atmosphere of speed and brevity, the word "filibuster" becomes a much more useful and meaningful expression than something such as unlimited debate or complete freedom of speech. A majority which would vigorously and devoutly defend a Senator's complete freedom of speech will, on the other hand, angrily condemn a Senator's filibuster because the word has been presented to them as an evil term, scornfully used.

That is only an illustration of a minor point, but I think it helps to emphasize the impact of rapid communications in building majority opinion.

MAJORITIES ARE ACCIDENTS OF TIMING

As the information reaching the public becomes more and more standardized, the first group to advocate and sponsor an idea here in Washington wins a tremendous advantage over their opposition. By presenting their case forcefully and persuasively and by presenting it rapidly, they have a good chance to captivate the majority of the people before any opposing group has time to marshal its forces and its evidence.

In other words, Mr. President, a majority can be and frequently is an accident of timing rather than the product of persuasion. As our communications become more rapid, almost instantaneous, we are going to see more majorities built up in a matter of days and even hours than in a period of months or years. We are going to see majorities demanding changes on less evidence and with less thought.

In the face of this obvious trend, it seems almost criminal to me for us to spend our time whittling away at the few remaining safeguards against unchecked and uncontrolled majority rule. These majorities, before which we are asked to bend our knee in submission, may not always be what they seem. Mass-produced majorities are quite likely to encourage mass-produced laws.

Somewhere in our legislative system, Mr. President, there must be preserved a forum where representatives of a minority, equipped with little more than their convictions and their voices, can stand in dignity and plead their case, unhurried and unhampered. If the pending resolution is adopted, no such forum will exist.

Oh, I know that proponents of this cloture resolution say every Senator would have ample time to present his case. I know others will point out that what a minority says here will be given equal treatment by the agencies of communication, and the public will have ample opportunity to weigh the merits of the minority's case.

That may be true, as a theory. But while we have made tremendous progress in devising methods and mechanics for getting more and more opinions and information into the minds of the public, we have not made much progress in finding devices to get opinions out of the mind of the public. Mr. President, you may convince a man that something is true with merely a word or a sentence, but if you seek to convince him that he should change his mind, then a lifetime may not be long enough to achieve that goal.

We must not, we cannot, submit to the theory that a majority is a divine and sacred thing. We must not, we cannot, ignore the forces which construct majorities. Truth must retain the privilege of open competition with information, for truth and information are not always one and the same thing.

1948 CAMPAIGN PROVES FALLACY

I would call to mind the happenings of last fall, which impressed me profoundly with the weight and power of unlimited debate. I say this to my colleagues on this side of the aisle, and I say it with sincere respect. The information was abroad in the land that the Democratic Party was doomed to defeat; for most of the year, perhaps even as late as October, I am sure a majority in this country, accepted that information as correct. But there was no cloture rule on the man in the White House. There was no rule limiting him to an hour's debate because two-thirds of the Nation thought they had heard from him all they could hear, or all they wanted to hear.

Mr. Truman went out to the people. He talked to them, telling them his views again and again, repeating his arguments as often as men and women would come to listen. I rode with him on that train for awhile. I saw him up before daybreak, waiting to speak to the people who gathered around the rear platform as early as 6 o'clock in the morning. I saw him still speaking far into that night. Over and over again, I heard some of his close associates say, "If only we had a few more weeks, there would be no doubt about the outcome." They knew then that because Mr. Truman had dared to keep speaking, because Mr. Truman had not bowed before the opinion of the majority 5 months before, the people were listening and were changing their minds.

If anything in our history exposes the fallacy of assumptions ventured here regarding the infallibility of temporary majorities, the Presidential campaign and election of 1948 does just that. It will not be remembered to the credit of our name if a Democratic leadership deprives the Senate and the Nation of that right now.

Mr. President, during the course of our consideration of this measure, I have been greatly impressed by an observation which the senior Senator from Ala-

bama [Mr. HILL], made during the committee hearings. Speaking of his service in the House prior to his election to the Senate, the able Senator recalled that he often heard the appeal as a Representative:

> We must go along with the party, because party government is the way of the House of Representatives.

And the Senator from Alabama added:

> I am pleading here today that we not retreat to this position of party government, but let the Senate of the United States stand where it has always stood as the great forum of the American people, of the American Nation, and of the constitutional American Republic.

That is a point upon which I urge the Senators to think seriously. It will be, I believe, a sad day when the rules of the Senate can be written in the national conventions of any political party. I realize, of course, that the Democratic convention of last summer did not suggest that the rules of the Senate be changed. But, Mr. President, both parties adopted plans and presented promises which some leaders thought would necessitate limitations on debate here—if those planks and those promises were to be fulfilled. If we submit now to this effort to change the rules, we will be submitting to the dangerously unsound proposition that a political party shall be entitled not merely to representation by its members here, but to the greater and overwhelming power of dictating how the business of the Senate shall be conducted.

On Saturday, the distinguished junior Senator from Arkansas [Mr. FULBRIGHT] pointed out very effectively that it is characteristic of strong Executives to become impatient with any obstruction which thwarts their exercise of power. Political parties suffer some of the same characteristics. If, though, we change the rules here to oblige the Executive and oblige victorious parties, we may make those executives and those parties stronger, but we most certainly shall not be making our Government stronger. We shall, instead, be taking away from the strength of the Government. We shall be opening the way to rule by political leaders and closing the door on government by responsible and duly elected officials.

That brings us to another consideration I should like to review, without thought of personalities, present or past.

I sincerely believe that the right of unlimited debate in the Senate is an essential safeguard against potential total supremacy of the executive branch.

A man elevated to the office of the Presidency has virtually unlimited powers of influence over his countrymen. His own personality is a force of great impact upon all the people of the Nation and, in fact, upon the people of the world. Add to those powers directly his all those less-conspicuous powers of his aides, his administrative agencies, and the multitude of channels which feel his influence, and you have a force no other representative government has ever entrusted for long to one man.

If on occasion you grant to this titular head of government the further intoxicant of an overwhelming majority of loyal supporters in the legislative branch, then, Mr. President, you have a force well-nigh irresistible. The distinctions between executive and legislative are difficult to preserve under such circumstances; mere memoranda become laws, and laws become mere memoranda.

In such a situation, which, happily, is more hypothetical than historical, the entire theory of our governmental system of checks and balances dissolves and evaporates. There is no one to check and no one to balance, unless and except the remaining minority has the prospect of holding each decision up to lengthy and thorough inspection here on the Senate floor.

FEW GOOD BILLS WRITTEN HASTILY

Delay may be bad in the legislative process, although I do not think delay is bad per se. It has been my observation that few good bills have been written hastily, and few bad measures have been written slowly.

Checks and balances, as I interpret the theory, imply that the authors of our form of government were not so worried about good legislation being delayed as they were about bad legislation being delayed not at all. I believe it was their thought that the minority, no matter how small numerically, might always have something to say that the momentary majority should hear. The right to check and balance was not granted to the majority, because a majority rarely seeks control over itself. Those rights were conceived and installed in the Constitution solely as safeguards for minorities.

Examine the branches of our Government, examine the struggles and conflicts of philosophy, and this is evident: The distinction between our form of government and totalitarian government is the distinction between the executive and legislative branches.

To whatever extent that distinction disappears, falls into disrepute or disuse, or is destroyed, to that extent this Government loses its representative character and becomes totalitarian in practice.

If that distinction be removed, the authority of the courts, of course, becomes fictional.

Fortunately, through most of our history, the voters of the various sections of the Nation have held sufficiently different opinions as to send here legislative representatives of divergent views, men and women with principles and purposes that were not all culled from the same political primer. This has preserved for us the character and purpose of Congress as a forum where representatives of many shadings of thought and ambition could assemble, where they could blend laws suited to the wants and needs of more than 150,000,000 people. There has always been ample representation for minorities, whatever their identity or distinction.

But, as I stated earlier, the last two decades have brought us the advent of instantaneous communications, and with that a standardization of reported information, information which is frequently all too brief and consequently misleading. Yet its influence on the opinion and viewpoint of the American people is profound.

Political beliefs are not immune; rather, they are particularly vulnerable, much more likely to succumb to the constant hammering of standardization than our religious, ethical, or moral beliefs. Many commentators already insist that the distinction in professed beliefs of our major political parties is disintegrating and remains only as a matter of emphasis.

This may be good. I do not propose to pass final judgment here, but this I believe: There is rarely one and only one proper answer to any problem, particularly the sort of delicate, complex problems presented to the legislative branch of this Government.

CONFLICT AND COMPROMISE

Lasting answers evolve from conflict and compromise. A gag rule is the trade-mark of temporary solutions arrived at by lazy minds. Yet the whole trend of our modern day thinking, as exemplified in this cloture resolution, is toward a gag rule and glorification of an unchallenged majority.

We—and I am speaking of all the Nation—read the same news, hear the same opinions on the radio, see the same personalities on the screen, and arrive, at approximately the same time, at the same conclusions. We think we have been thinking and congratulate ourselves on having thought alike, when actually we have not thought at all.

To me, all this is disturbing.

I am distressed by the regimentation, conscious or not, of our opinions, so that if we once make the wrong assumption and proceed on that judgment, we will plunge headlong to disaster with no one to warn us. But, Mr. President, I am more than distressed, I am genuinely alarmed, when this emphasis on standardization, and regimentation, if you please, paralyzes the judgment of a legislative body which was created to give sanctuary to disagreements.

If we fall prey to this trend here in the Senate, then the legislative branch of Government will surrender its most effective guarantee of a check on itself and a balance against the executive branch. For unlimited debate is a check on rash action within the legislative channels and a balance against abuses in the executive branch. Furthermore, we will be surrendering this guarantee at a time in our history when all evidence indicates a greater need to preserve and encourage the right to criticize and challenge mass opinion.

ROLE OF THE HOUSE

Like many of the Members of the Senate, I served for a number of years in the House of Representatives, at the other end of the Capitol, before coming to the Senate. I think I understand what that body can do and what it cannot do as a part of the legislative branch. It can and does feed a great quantity of new ideas into the bloodstream of legislative

thinking, because of its large and diverse membership. The House, also, is a great legislative laboratory for perfecting legislation, correcting oversights, and preventing impositions harmful to specific areas or groups.

But—and this I say with no intention to minimize the House's role—the House does not and cannot exert the force upon the Nation's political thinking that the Senate has and still does. Nor, in fact, does the House exert the equivalent influence upon the executive branch—its Members are not so secure in tenure, the frequent elections subject the Members to whims of public opinion, which, as we all know, can sometimes be aroused and inflamed by the leaders of the executive branch.

Why is the House in this role? Because there is no unlimited debate there. A member must ofttimes beg for a chance to address his fellow Members and then he is limited generally to 5 minutes or less. In that short time, he is fortunate if he can impress any of his colleagues, much less impress the Nation. As a consequence, the floor of the House and the cloakrooms constitute a national legislative workshop.

SENATE IS A NATIONAL FORUM

That leaves to the Senate the role of a national forum, where the underlying philosophy of legislation—as well as the surface details—can be laid bare for the public to contemplate. That in itself is a persuasive argument to me for lengthy and thorough debates on fundamental issues.

When a Senator speaks at length, it seems to me he is speaking, not alone to his colleagues, but to the Nation. Certainly history shows that the Nation frequently listens. To cut off any Senator from further debate is to cut off the Nation from further opportunity to become acquainted with the proposals affecting our people. Personally, I believe it is better for the Nation to hear too much about a bill before it becomes law than to know too little about it after that bill becomes a law.

So, Mr. President, it is my conviction that the right of unlimited debate here in the Senate is an essential safeguard in our American system of representative government; first, as a safeguard for the public's right to full information on all legislative decisions; second, as a safeguard against the deliberate or accidental destruction of the distinctions between the legislative and other branches of government; third, as a safeguard for Members here—both majority and minority—against rash, impetuous action, or action predicated on incomplete or inaccurate information.

It is well, perhaps, to add to this discussion an examination of the filibuster in actual practice. I do not wish to burden the ears of the Senators here or the pages of the RECORD with a repetition of history already presented so ably by various of my colleagues. But I do not honestly believe we can come to the heart of the debate unless and until some of the mythology of filibusters is exposed as more fiction than fact.

What, for example, does the average American citizen interested in affairs of his Government believe about the filibuster?

FILIBUSTER NOT SOUTH'S PROPERTY

First, I believe it is a widespread conviction that the filibuster is now and has always been exclusively the property of Southern Senators. For the past few years this has been so as to certain pieces of legislation which, by their nature, concerned the South primarily. This is not necessarily a traditional alignment.

When the cloture resolution under which we now operate here in the Senate was adopted back in 1917, the southern Members of the Senate at that time voted for it, as did virtually all Senators on both sides of the aisle. One year later, the Underwood resolution, to limit debate during wartime to 1½ hours for each Senator, was brought before the Senate. That was even more drastic than the cloture proposed now. I was impressed, though, when I looked over a tabulation of the voting on that resolution. Voting for the resolution, and thus voting against filibusters, or even very extensive debate, were a majority of the Senators from Southern States. The bulk of the opposition to the measure came from 29 Republican Party members.

Through the years there have been similar votes in which some Southern Senators have been as vigorously opposed to the filibuster as Senators from other regions are today. I do not believe it can be shown that the South created the filibuster, or that only the South has defied the rest of the Nation in preserving it.

FILIBUSTERS NOT COMMONPLACE

Another concept prevailing in the public mind is the idea that the Senate does nothing but waste valuable time while a minority of its Members engage in filibusters. Cartoonists, literary artists, and sponsors of a lot of ill-considered ideas have labored long and with some success to implant this concept in the public mind.

Mr. CONNALLY. Mr. President, will the Senator yield for a question?

Mr. JOHNSON of Texas. I yield for a question only.

Mr. CONNALLY. The Senator adverted a little while ago to the fact that some of these so-called filibusters—I repeat, so-called—were carried on by Senators from the South. Is it not true that the reason that has happened is that the legislation the southern Senators were opposing was aimed at the Senators from the South, and was presented from a geographical and a political standpoint?

Mr. JOHNSON of Texas. The Senator speaks quite correctly, and I shall discuss some of that legislation in detail a little later in my remarks. I thank the senior Senator from Texas.

Frankly, until the resolution came under consideration here, I did not know what the truth was. I rather thought that filibusters were more or less commonplace affairs here in the Senate. But since this matter came before us, I have studied the history of filibusters and I have been surprised at what the true history of the filibuster is. From 1841 through 1948, only about 35 important filibusters have been conducted on the Senate floor. When we consider the tremendous volume of legislation passing through here without filibuster, that number seems surprisingly small.

ONLY FIVE BILLS DEFEATED

What have these filibusters accomplished? As Senators have heard, and as many of them know, some 26 different bills have been temporarily defeated. I say temporarily because all except five of the measures filibustered have since become law—some within a few days, some within a few weeks, and a few such measures were delayed for a number of years. But just to reemphasize the record, I want to list the bills which, so far, have failed to become law because of filibusters:

First. The Force bill of 1890.

Second. The armed ship bill of 1917, which was actually not necessary since our merchant ships were armed under another existing statute.

Third. The antilynching bills.

Fourth. The anti-poll-tax bills.

Fifth. The FEPC bill.

That, Mr. President, is the list, the casualty list of filibusters.

Some of the proponents of the resolution contend that the fatality list should include some bills which were never brought to the floor for fear of a filibuster. That is easily said. But it might be more accurate to say only that a number of bills were never brought to the floor because their sponsors knew they would fail if brought to a vote. If you are going to indict the filibuster as a killer, indict it, please, only for the deaths of bills actually killed by filibusters, not for the deaths of weak-spined legislation which died of fright at the prospect of unlimited debate.

The fact remains, nevertheless, that filibusters have not occupied the majority nor even a significant portion of the Senate's time during the past 108 years. Filibusters have not killed off a great amount of legislation; instead, the overwhelming majority of bills filibustered have eventually become law. Only five bills can truthfully be listed as victims of the filibuster.

The Force bill of 1890 is a dead issue; history seems to agree that it was an unfortunate measure which should not have been passed anyway.

The armed ship bill became a dead issue almost immediately after its defeat, because it was not necessary.

I think I am safe in saying that no proponents of our present cloture resolution are in the least concerned over what happened to those two particular pieces of legislation. The defeat of those bills did not instigate this resolution. The defeat of those bills did not inflame the public hue and cry against unlimited debate in the Senate.

CIVIL RIGHTS FUNDAMENTAL ISSUE

No, Mr. President; when we strip away the trappings of rhetoric and theory and legend which surround the arguments here against the filibuster, we have left the simple fact that we are debating the so-called civil-rights legislation.

Some men, and some groups, have grown tired of exposing their measures for abolition of the poll tax, for punishment of lynch mobs, and for establish-

ment of a Fair Employment Practices Commission to full debate in the Senate of the United States. In their estimate of freedom, the freedom to speak here in the Senate is expendable and they are willing to demand its sacrifice for the theoretical gain of having these civil-rights measures enacted into law promptly. So, in great haste, and with a certain amount of strange illogic the strategy calls for depriving one minority of its rights in order to extend rights to other minorities.

As I said earlier here, Mr. President, freedom is not something which can be subtracted in one place and added somewhere else.

This civil-rights question brings into play all those strong and evil forces of racial prejudice. Perhaps no prejudice is so contagious or so dangerous as the unreasoning prejudice against men because of their birth, the color of their skin, or their ancestral background. Racial prejudice is dangerous because it is a disease of the majority, endangering minority groups. I say frankly that the Negro—as the minority group involved in this discussion of civil rights—has more to lose by the adoption of any resolution outlawing free debate in the Senate than he stands to gain by the enactment of the civil-rights bills as they are now written. Certainly these laws might give the Negro some opportunity to see those punished who interfered with his rights, but I do not believe any of these bills would actually guarantee the Negro—or any other group—that his rights would not be molested. If, perchance, the prejudice against the Negro of which we in the South are accused should spread across the Nation, fanned by inflammatory incident of only passing consequence, the Negro would have no recourse to halt enactment of vicious legislation here or elsewhere if this right of unlimited debate did not exist in the Senate.

I am not being fanciful in that illustration. The Ku Klux Klan, the Black Legion, and other such bigoted and vicious organizations have never been confined solely to the South; nor has prejudice itself thrived only in the South.

When we of the South rise here to speak against this resolution or to speak against the civil-rights proposals, we are not speaking against the Negro race. We are not attempting to keep alive the old flames of hate and bigotry. We are, instead, trying to prevent those flames from being rekindled. We are trying to tell the rest of the Nation that this is not the way to accomplish what so many want to do for the Negro. We are trying to tell the Senate that with all the sincerity we can command, but it seems that ears and minds were long ago closed.

I say this because I want my position on the civil-rights legislation understood clearly.

DO NOT BELIEVE IN POLL TAX

For example, I do not believe in the poll tax as a prerequisite for voting. In all of my campaigns for public office—six times for the House and twice for the Senate—I have made my position perfectly clear, and those who voted for me understood that. I told them, as I tell Senators now, that I see no reason for the poll-tax provision in the statutes of my State. I have advocated and do advocate the repeal of the constitutional provision of Texas which makes the payment of a poll tax necessary before a citizen can vote. I point out, too, that the present Governor of Texas has recommended to the legislature the repeal of the poll-tax provision in the statutes. A resolution has been introduced in the Texas Legislature and reported favorably by a committee of the Texas Senate, traditionally the most conservative branch of the Texas Legislature, which would submit to the voters of Texas an amendment to the Constitution eliminating the payment of a poll tax as a qualification for voting.

That is as it should be. The framers of the Constitution of the United States were plain, specific, and unambiguous in providing that each State should have the right to prescribe the qualifications of its electorate and that the qualifications of electors voting for Members of Congress should be the same as the qualifications of electors voting for members of the most numerous branch of the State legislatures. For that reason, and that reason alone, I believe that the proposed anti-poll-tax measures introduced in previous sessions of this body and advocated in the President's civil-rights program is wholly unconstitutional and violates the rights of the States guaranteed by section 2 of article I of the Constitution.

Believing that, I think I have the right to use my freedom to speak and stand on the floor of the Senate as long as I have the will, the determination, and the breath to oppose such a measure. I believe that I, and any other 32 Members of the Senate have as much right and the equal duty to prevent the passage of an unconstitutional law as do 9 members or 5 members of the Supreme Court to strike it down after it has been passed. I am not willing to surrender that right or that duty because the President of the United States thinks otherwise, or because of the hue and cry set up by those who claim to protect the rights of a minority while at the same time saying the majority should always rule supreme.

THE SOUTHERN POSITION

Mr. President, some Senators will find fault with that position; they may say that it answers nothing. But let me point this out to them: I, and a number of my colleagues from the southern poll-tax States, would like to have the poll tax repealed. We think that it may be done, eventually, if not this month or next month. But we know—because we know the South and because we know the people we represent—that if one of the anti-poll-tax bills is enacted, we may never see the States accept repeal of such a law. If we had a bill here and the power here to remove the laws properly and constitutionally, I, for one, would vote for repeal of the poll tax. But I do not believe that we have either the bill or the power. We would merely enact a law which, in due time, would be stricken down by the Supreme Court. Then we would have nothing. The States would be hamstrung by a hasty, ill-considered, and entirely futile act. The poll tax would remain; the right of unlimited debate would be dead, and the prospect of eliminating the poll tax would be dead. Remember that many of us agree with other Senators in opposing the poll tax. Our counsel is not insincere, nor is it founded on prejudice. We, like they, are representatives of proud people; we know what our people will accept and what they will not accept, and we urge them earnestly to heed our advice.

TEXANS DETEST LYNCHING

I, like all other citizens, detest the shameful crime of lynching just as I detest the crime of murder in every form.

In Texas, lynchings are virtually nonexistent and not thought of as a recourse of individuals seeking justice, or what they consider justice. Most Texans would be incensed at the suggestion that a lynching would be proper, no matter how vicious the crime of which a man might be suspected. I cannot speak for all the Southern States because I am not as familiar with the residents of those States. But, Mr. President, within the past 20 years new generations of Texans have reached maturity free of the ingrained hatreds and prejudices which beset their forebears who had seen more violent eras. What these Texans—young Texans, primarily—know about lynching they have learned from the same source as Americans in regions outside the South have learned. They have learned about lynching through the modern-day literature, in which so many barren authors have sought to enrich their plots with dramatic accounts of lynch law. Every lynching is a tragedy; but lynching is not, modern fiction notwithstanding, the great and fundamental tragedy of American Democracy.

I say this not in an effort to summon a self-righteous argument to the defense of the South, but because I want to remind Senators of the changing character of the South. We have our faults, historical and otherwise. But if Congress is to legislate—or try to legislate—a new character for us, I think it should be mindful of conditions as they are, not as they have been pictured.

Again, I say, with respect to lynching as with respect to the poll tax, most of us agree with the motives of our colleagues, but we are trying to tell them that the method proposed in the civil-rights legislation will not accomplish what they intend.

The proposed antilynching bill—or those proposed in the past—would not merely punish the crime of murder, which should be punished, but would hold responsible those who are entirely innocent. It would indict as killers men and women who never held a gun in their hands; it would punish as accomplices men and women who would never associate with the irresponsible elements which perpetrate most lynchings.

I hold that if an officer fails or refuses to protect me against a mob bent upon invading my property, depriving me of my liberty to go where I please or do me physical violence, I am entitled to as much protection as a prisoner accused of crime who is likewise treated to mob violence. But these antilynching bills only propose punishment in the case of a prisoner under lawful arrest. Mr.

President, an enlightened public already has rendered such a law virtually unnecessary even if it were not unwise in its scope.

One of the other civil-rights measures deserves some passing attention. That is the bill for creation of a Fair Employment Practices Commission.

This, to me, is the least meritorious proposal in the whole civil-rights program. To my way of thinking, it is this simple: If the Federal Government can by law tell me whom I shall employ, it can likewise tell my prospective employees for whom they must work. If the law can compel me to employ a Negro, it can compel that Negro to work for me. It might even tell him how long and how hard he would have to work. As I see it, such a law would do nothing more than enslave a minority.

Such a law would necessitate a system of Federal police officers such as we have never before seen. It would require the policing of every business institution, every transaction made between an employer and employee, and, virtually, every hour of an employer's and employee's association while at work.

I do not think the proposed law is workable, Mr. President. I am convinced it would do everything but what its sponsors intend. I feel certain it would reverse our entire historical trend of progress. It would do nothing more than resurrect ghosts of another day to haunt us again. It would incite and inflame the passions and prejudices of a people to the extent that the chasm of our differences would be irreparably widened and deepened.

I can only hope sincerely that the Senate will never be called upon to entertain seriously any such proposal again.

Those are my feelings, Mr. President. I pray that they will not seem either unreasonable or narrowly prejudiced.

For those who would keep any group in our Nation in bondage, I have no sympathy or tolerance. Some may feel moved to deny this group or that the homes, the education, the employment which every American has a right to expect, but I am not one of those. My faith in my fellow man is too great to permit me to waste away my lifetime burning with hatred against any group. I believe, and I believe sincerely, that we have a system of representative government which is strong enough, flexible enough, and fair enough to permit all groups to work together toward a better life.

I believe, Mr. President, that we can find the fair and permanent answers to our problems of housing, education, medical care, income—and all the other domestic issues—without reducing government to an absurdity by attempting to police the most intimate thoughts of our populace. I do not concede to Federal law an obligation which I think rightfully belongs to education, and which education alone can discharge. These advances must come and will only come as an outgrowth of conviction, not by compulsion.

Mr. President, we in the Senate should learn the facts of life. We cannot legislate love. We can, and as a nation we do, work together. We have done that in the past. We are doing it today. It is my conviction, though, that the opportunity for unlimited debate—somewhere within the framework of our Government—will be a greater aid to unity and cooperation and justice than any of the laws presented to us in the civil-rights program.

I realize, Mr. President, that it is easy for a young man to say, "We're going to roll up our sleeves and remake the world." I know the temptation is great for young men to assume that speed and progress are one and the same thing; that if you move rapidly, you move forward.

No nation, though, can long survive if its lawmakers legislate only from day to day. Somewhere within the fabric of our actions we must weave the sturdy fibers of our past, lest what we do in haste today unravel tomorrow. Read the history of our Nation, the history of American democracy, and I think it seems clearly evident that few things have contributed more to our solidarity, to our emerging maturity, or to our stature as citizens of the world than the debates conducted here in the Senate Chamber. Debate here has been, perhaps, the sturdiest fiber of our design for more representative government.

That is as it should be, Mr. President, and as it must be. As nations go we are young, both in terms of physical existence and in concepts of what we want to do. From the start we have had to proceed without signposts to guide us. Our concept of government has been an experiment, and it remains so today. We have nothing but our own reason to guide us; there are no precedents, no past examples to steer us easily through the shoals of international leadership where we find ourselves today.

Our predecessors here—the great names of American political history—were keenly aware of the responsibilities resting upon their decisions. They made no effort to dismiss their duties in great haste. They weighed a man's convictions, not by the clock, but, rather, by what he had to say.

Read through the transcripts of the Senate's proceedings when giants like Webster, Calhoun, and Clay stood here. No official record was kept of the length of time they spoke, as measured in hours and minutes; but we find, if we look, that a speech by Webster, back in 1830, filled 30 pages of the Journal; John C. Calhoun's last speech on slavery in 1850 was 22 pages long; Henry Clay, speaking on the compromise of 1850, expressed his firm convictions for 26 pages. Perhaps styles of oratory have changed since those men were here. Perhaps none of us have that much to say. But, Mr. President, styles do not change in freedoms; and the inability or unwillingness of men to utilize their freedom does not justify taking of it from them.

The freedoms we enjoy today are not freedoms of our own making. Through all the long history of civilizations preceding ours, mankind's highest aspiration has been for greater freedom. It was not until this union of States was formed a little more than a century and a half ago that freedom found a sanctuary. I do not propose to tear down that sanctuary now, in the name of haste, because I believe the freedom to speak—the freedom of unlimited debate somewhere in our law-making process—is the keystone of all other freedoms.

Look back at the governments of history. The senior Senator from Texas [Mr. CONNALLY] a few days ago very appropriately referred to debates in the Roman forum. Rome enjoyed its greatest progress, its greatest era of achievement during the days when great orators could stand in the forum and speak with freedom. When, in irritation, the Caesars and their partisans removed that freedom, Rome began fading as an influence in the world; and the way was paved for a long succession of arbitrary monarchs and dictators. The right of unlimited debate in the Senate of France was lost in 1814, a victim of cloture—and there followed a century, and longer, of internal confusion and strife. In England, the House of Commons gave up its right to unlimited debate in 1888. That nation has produced some great prime ministers since—men who had the privilege, as well as the talent, to speak thoroughly and forcefully, but it would be difficult for any Member of the Senate to name any lengthy list of members of Parliament who have inspired their countrymen with arguments advanced on the floor of the House of Commons since 1888.

I am no historian, but as I have studied the history of governments gone before us, I have been impressed by the fact that the freedom of unlimited debate in legislative chambers has been given up many times by members themselves who were irritated or frustrated by a minority. But, so far as I have found, once that freedom was yielded, it has never been returned. If we now give up this freedom in the Senate, I, for one, do not expect to live to see its return. For that reason, I cannot and I will not join hands with those who seek to throw this freedom out the window now.

As the distinguished senior Senator from Georgia [Mr. GEORGE] said the other day, this effort to cut off unlimited debate is a whittling process, whittling at the essential freedoms of our mind. I should like to point out here to the writers with their wrathful pens, to the commentators with their caustic voices, to the cartoonists with their derisive skills, and all who join the throng to keep alive the cries against unlimited debate that we here in the Senate of the United States cherish our freedom of expression as they cherish theirs. But for the grace of God and the United States Senate we might today be debating the limitation of their freedom to speak or that of the press, rather than our own.

If, Mr. President, I were given a choice, if I should have the opportunity to send into the countries behind the iron curtain one freedom and only one, I know what my choice would be. I would send to those lands the very freedom we are attempting to disown here in the Senate. I would send to those nations the right of unlimited debate in their legislative chambers. It would go as merely a seed, but the harvest would be bountiful; for by planting in their system this bit of freedom we would see all freedoms grow, as they have never grown before on the soils of eastern Europe.

This freedom we debate, Mr. President, is fundamental and indispensable. It stands as the fountainhead of all our freedoms. If we now, in haste and irritation, shut off this freedom, we shall be cutting off the most vital safeguard which minorities possess against the tyranny of momentary majorities. I do not want my name listed as one of those who took this freedom away from the world when the world most needed it.

Mr. RUSSELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Anderson	Hoey	Mundt
Baldwin	Holland	Murray
Brewster	Hunt	Myers
Bricker	Ives	Neely
Bridges	Jenner	O'Conor
Butler	Johnson, Colo.	O'Mahoney
Byrd	Johnson, Tex.	Pepper
Cain	Johnston, S. C.	Reed
Capehart	Kefauver	Robertson
Chapman	Kem	Russell
Chavez	Kerr	Saltonstall
Connally	Kilgore	Schoeppel
Cordon	Knowland	Smith, Maine
Donnell	Langer	Sparkman
Douglas	Lodge	Stennis
Downey	Long	Taft
Eastland	Lucas	Taylor
Ecton	McCarran	Thomas, Okla.
Ellender	McCarthy	Thomas, Utah
Ferguson	McClellan	Thye
Flanders	McFarland	Tobey
Frear	McGrath	Tydings
Fulbright	McKellar	Vandenberg
George	McMahon	Watkins
Gillette	Magnuson	Wherry
Green	Malone	Wiley
Gurney	Martin	Williams
Hayden	Maybank	Withers
Hendrickson	Miller	Young
Hickenlooper	Millikin	
Hill	Morse	

The PRESIDING OFFICER (Mr. DOUGLAS in the chair). Ninety-one Senators having answered to their names, a quorum is present.

REPORT OF JOINT COMMITTEE ON REDUCTION OF NONESSENTIAL FEDERAL EXPENDITURES

Mr. BRIDGES obtained the floor.

Mr. BYRD. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield for a question.

Mr. BYRD. I should like to make an insertion in the RECORD.

The PRESIDING OFFICER. If the Senator yields for that purpose, he will yield the floor.

Mr. BYRD. Mr. President, I ask unanimous consent that the Senator yield in order that I may make an insertion in the RECORD.

The PRESIDING OFFICER. Is there objection?

Mr. BRIDGES. Mr. President, I wish to make sure that my right to the floor is protected.

Mr. LUCAS. Mr. President, reserving the right to object, I will say to the distinguished Senator from Virginia that every morning, immediately after the Senate has convened, opportunity has been afforded, under a unanimous-consent agreement, to present routine matters. I dislike very much to object, and I shall not at this particular time, but I hope that Senators will be present when the roll is called in the mornings, so that we can proceed without interruption. I have made this suggestion to one or two other Senators, and I make it again to my friend from Virginia.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Virginia? The Chair hears none, and consent is given the Senator from Virginia, with the understanding that the Senator from New Hampshire does not lose his right to the floor.

Mr. BYRD. Mr. President, as chairman of the Joint Committee on Reduction of Nonessential Federal Expenditures, I submit a report on civilian employment in the executive branch of the Federal Government during the month of January 1949, and, in accordance with the practice of several years' standing, to have it printed in the body of the RECORD as a part of my remarks.

I ask also that the report be preceded by a statement of explanation and comment which I submit at the same time.

There being no objection, the explanatory statement and comment and the report were ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR BYRD

Federal civilian employment in January 1949 exceeded the number employed in January 1948 by more than 100,000, and pay-roll figures for the first half of the current fiscal year indicate civilian personal service costs in the executive branch this year will reach $6,500,000,000.

PERSONNEL

Compared with the report for January 1948, the new report covering civilian personnel in the executive branch during January 1949, as compiled today by the Joint Committee on Reduction of Nonessential Federal Expenditures, shows:

January	Total civilian employees, executive branch	Civilian employees, Military Establishment	Civilian employees, civilian agencies	Civilian employees inside continental United States	Civilian employees outside continental United States
1949	2,102,854	892,184	1,210,670	1,911,342	191,512
1948	2,001,836	834,376	1,167,460	1,775,867	225,969
Increased or decreased	+101,318	+57,808	+43,210	+135,475	−34,457

The steady increase of Federal civilian employment inside continental United States is obvious from these figures. This results largely from reduction of its civilian force abroad by the Military Establishment and the increase in the number of its civilian employees at home. Within the year the Military Establishment decreased its civilian rolls overseas by 34,933, but it increased its civilian employees at home by 92,741. Civilian agencies increased their employment 42,734 inside the United States and 476 abroad.

PAY

In the first 6 months of the current fiscal year the Federal pay roll in the executive branch cost $3,258,446,000. If this average of more than a half billion a month is continued through the second half of the year to June 30, the personal service cost for the year will be in excess of $6,500,000,000.

During the first 6 months the pay roll cost increased successively in every month except October. It was $516,578,000 in July, $532,082,000 in August, $535,280,000 in September, $525,487,000 in October, $535,303,000 in November, and $613,716,000 in December.

JANUARY-DECEMBER

While there was a net decrease of 1,602 in the total civilian personnel employed in the executive branch in January as compared with December, there was an actual increase of 653 in the employment inside continental United States. This net increase inside the country occurred despite substantial seasonal decreases by the Post Office and Agriculture Departments, a major decrease in the Veterans' Administration resulting from field office reorganization, and the continuing liquidation of War Assets Administration. Larger increases were reported by the Treasury Department and the Military Establishment. The over-all employment in January totaled 2,102,854 in January as compared with 2,104,456 in December.

MILITARY ESTABLISHMENT

With its civilian employment rising each month, the Military Establishment in January was employing 892,184 civilians. Uniformed military personnel in the same month numbered 1,665,000. Both figures were in excess of the average for next fiscal year which the President, in his budget message estimated at 865,000 civilians, and 1,616,000 uniformed military personnel in active status.

CIVILIAN EMPLOYMENT OVERSEAS

This committee report includes a tabular break-down of civilian personnel employed outside continental United States as of December 1948. It shows nearly 200,000 employees representing 33 Federal agencies in 96 countries.

Agencies with the larger numbers of persons assigned overseas include the Army, Air Force, Navy, State, Interior, Commerce, Agriculture, and Post Office Departments, the Economic Cooperation Administration, and the Veterans' Administration.

Foreign countries to which the largest numbers of Federal employees are assigned include Austria, China, France, Germany, Italy, Japan, Philippine Islands, Newfoundland, Mexico, Great Britain, and Canada.

ADDITIONAL REPORT OF THE JOINT COMMITTEE ON REDUCTION OF NONESSENTIAL FEDERAL EXPENDITURES, CONGRESS OF THE UNITED STATES, PURSUANT TO SECTION 601 OF THE REVENUE ACT OF 1941 ON FEDERAL PERSONNEL AND PAY

FEDERAL PERSONNEL IN EXECUTIVE BRANCH DECEMBER 1948–JANUARY 1949, AND PAY NOVEMBER–DECEMBER 1948

(Note with reference to personal service expenditure figures: It should be noted that the latest expenditure figures for personal service shown in table I of this report are for the month of December, and that they are compared with personal service expenditure figures for the month of November, whereas the latest employment figures covered in this report are for the month of January and are compared with employment figures for the month of December. This lag in personal service expenditure figures is necessary in order that actual expenditures may be reported.)

(Figures in the following report are compiled from signed official personnel reports by the various agencies and departments of the Federal Government. Table I shows total personnel employed inside and outside continental United States, and pay, by agency. Table II shows personnel employed inside continental United States, by agency. Table

III shows personnel employed outside continental United States, by agency. Table IV gives by agency the industrial workers employed by the Federal Government. For purposes of comparison, figures for the previous month are shown in adjoining columns.)

Personnel and pay summary

(See table I)

According to monthly personnel reports for January 1949 submitted to the Joint Committee on Reduction of Nonessential Federal Expenditures:

	Civilian personnel in executive branch			Pay roll (in thousands of dollars) in executive branch		
	In January numbered—	In December numbered—	Increase (+) or decrease (−)	In December was—	In November was—	Increase (+) or decrease (−)
Total	2,102,854	2,104,456	−1,602	613,716	535,303	+78,413
1. Agencies exclusive of National Military Establishment	1,210,670	1,214,228	−3,558	380,102	316,094	+64,008
2. National Military Establishment	892,184	890,228	+1,956	233,614	219,209	+14,405
Within National Military Establishment:						
Office of Secretary of Defense	1,226	1,190	+36	450	415	+35
Department of the Army	367,884	367,365	+519	94,118	84,443	+9,675
Department of the Air Force	158,789	157,799	+990	38,292	39,136	−844
Department of the Navy	364,285	363,874	+411	100,754	95,215	+5,539

Table I breaks down the above figures on employment and pay by agency.

Tables II, III, and IV break down the above employment figures to show the number of employees inside continental United States, the number outside continental United States, and the number in the so-called industrial categories. This further break-down in tables II, III, and IV does not include pay figures because pay-roll reports submitted to the committee by some agencies are inadequate for this purpose.

Inside continental United States

(See table II)

Federal personnel within the United States increased 653 from the December total of 1,910,689 to the January total of 1,911,342.

Exclusive of the National Military Establishment there was a decrease of 4,265 from the December total of 1,159,955, to the January total of 1,155,690.

Total civilian employment within the United States for the National Military Establishment for January was 755,652, an increase of 4,918 over the December total of 750,734.

The Office of the Secretary of Defense increased 36 from the December figure of 1,190 to the January figure of 1,226.

The Department of the Army civilian personnel within the United States increased 2,792 from the December figure of 297,049 to the January figure of 299,841.

The Department of the Air Force civilian personnel within continental United States increased 1,259 from the December figure of 130,946 to the January figure of 132,205.

The Department of the Navy within the United States increased 831 from the December figure of 321,549 to the January figure of 322,380.

Outside continental United States

(See table III)

Outside continental United States Federal personnel decreased 2,255 from the December total of 193,767 to the January total of 191,512.

An increase of 707 was reported in the overseas civilian employment of the departments and agencies other than the National Military Establishment, from the December total of 54,273 to the January total of 54,980.

Total overseas civilian employment for the National Military Establishment decreased 2,962 from the December figure of 139,494 to the January figure of 136,532.

The Department of the Army reported a decrease of 2,273 in overseas employment from the December figure of 70,316 to the January figure of 68,043.

The civilian personnel of the Department of the Air Force overseas decreased 269 from the December figure of 26,853 to the January figure of 26,584.

The Department of the Navy reported a decrease of 420 in overseas employment from the December figure of 42,325 to the January figure of 41,905.

Industrial employment

(See table IV)

Total industrial employment during the month of January decreased 284 from the December total of 574,448 to the January total of 574,164.

The departments and agencies other than the National Military Establishment increased 431 from the December total of 19,327 to the January total of 19,758.

The National Military Establishment decreased its total industrial employment 715 from the December total of 555,121, to the January total of 554,406.

The Department of the Army decreased its industrial employment 216 from the December figure of 206,605 to the January figure of 206,389. Inside continental United States there was an increase of 1,899, while overseas industrial employment decreased 2,115.

The Department of the Air Force industrial employment decreased 198 from the December figure of 95,248 to the January figure of 95,050. Inside continental United States the Air Force industrial employment increased 301; while outside continental United States it decreased 499.

The Department of the Navy decreased its industrial employment 301 from the December figure of 253,268 to the January figure of 252,967.

The term "industrial employees," as used by the committee, refers to unskilled, semiskilled, skilled, and supervisory employees paid by the Federal Government who are working on construction projects such as airfields and roads, and in shipyards and arsenals. It does not include maintenance and custodial employees.

Employees outside continental United States as of December 1948

Table V is carried at the end of this additional report by the Joint Committee on Reduction of Nonessential Federal Expenditures as a special report. It will not be repeated as a regular table in the report. It was compiled at this time in response to a request by members of the committee and it should be noted that the figures in this table were reported orally by responsible officers in each of the reporting agencies instead of in signed reports ordinarily required by the committee for preparation of the other tables in its regular monthly reports.

TABLE I.—*Consolidated table of Federal personnel inside and outside continental United States employed by the executive agencies during January 1949, and comparison with December 1948; and pay for December 1948 and comparison with November 1948*

Department or agency	Pay (in thousands of dollars)				Personnel			
	November	December	Increase	Decrease	December	January	Increase	Decrease
Executive departments (except National Military Establishment):								
Agriculture	18,419	19,323	904		74,963	73,680		1,283
Commerce	12,195	12,614	419		40,139	39,926		213
Interior	13,496	13,999	503		49,484	49,588	104	
Justice	9,178	9,539	361		26,195	26,345	150	
Labor	1,131	1,211	80		3,507	3,521	14	
Post Office	125,072	178,809	53,737		508,321	507,507		814
State	5,649	5,941	292		20,001	20,115	114	
Treasury	26,578	28,075	1,497		88,567	89,015	448	
Executive Office of the President:								
White House Office	85	84		1	214	218	4	
Bureau of the Budget	248	261	13		538	530		8
Executive Mansion and Grounds	15	15			64	69	5	
National Security Council [1]	9	9			19	22	3	
National Security Resources Board	170	190	20		390	410	20	
Council of Economic Advisers	23	23			39	39		
Emergency war agencies:								
Office of Defense Transportation	12	17	5		40	39		1
Postwar agencies:								
Displaced Persons Commission	32	46	14		116	147	31	
Economic Cooperation Administration	800	876	76		2,852	3,078	226	
Office of the Housing Expediter	1,585	1,681	96		4,837	4,856	19	
Philippine Alien Property Administration	32	34	2		134	128		6
Philippine War Damage Commission	217	203		14	937	933		4
War Assets Administration	4,155	5,007	852		7,349	6,708		641

[1] Exclusive of personnel and pay of the Central Intelligence Agency.

TABLE I.—*Consolidated table of Federal personnel inside and outside continental United States employed by the executive agencies during January 1949, and comparison with December 1948; and pay for December 1948 and comparison with November 1948*—Continued

Department or agency	Pay (in thousands of dollars)				Personnel			
	November	December	Increase	Decrease	December	January	Increase	Decrease
Independent agencies:								
American Battle Monuments Commission	14	15	1		135	138	3	
Atomic Energy Commission	1,682	1,768	86		4,835	4,803		32
Civil Aeronautics Board	260	274	14		664	670	6	
Civil Service Commission	1,247	1,480	233		4,118	4,228	110	
Export-Import Bank of Washington	60	61	1		123	122		1
Federal Communications Commission	503	535	32		1,354	1,353		1
Federal Deposit Insurance Corporation	371	389	18		1,031	1,052	21	
Federal Mediation and Conciliation Service	198	221	23		377	374		3
Federal Power Commission	353	341		12	831	824		7
Federal Security Agency [2]	9,321	9,234		87	34,972	35,114	142	
Federal Trade Commission	244	296	52		634	650	16	
Federal Works Agency	5,751	5,978	227		22,853	23,081	228	
General Accounting Office	2,887	3,034	147		9,411	9,432	21	
Government Printing Office	2,099	2,231	132		6,953	6,999	46	
Housing and Home Finance Agency	3,636	3,806	170		11,678	11,862	184	
Indian Claims Commission	6	7	1		11	11		
Interstate Commerce Commission	872	913	41		2,286	2,248		38
Maritime Commission	2,099	1,878		221	6,530	6,571	41	
National Advisory Committee for Aeronautics	1,816	2,236	420		6,887	6,895	8	
National Archives	105	135	30		380	388	8	
National Capital Housing Authority	70	81	11		306	308	2	
National Capital Park and Planning Commission	9	13	4		20	18		2
National Capital Sesquicentennial Commission	2	1		1	3	3		
National Gallery of Art	80	82	2		317	320	3	
National Labor Relations Board	574	567		7	1,661	1,582		79
National Mediation Board	53	58	5		107	108	1	
Panama Canal	3,290	3,216		74	22,918	22,920	2	
Railroad Retirement Board	683	706	23		2,388	2,421	33	
Reconstruction Finance Corporation	1,832	[3] 1,832			4,623	[3] 4,623		
Securities and Exchange Commission	467	486	19		1,159	1,165	6	
Selective Service System	1,075	1,212	137		5,979	5,903		76
Smithsonian Institution	166	175	9		555	549		6
Tariff Commission	103	108	5		239	240	1	
Tax Court of the United States	54	53		1	124	122		2
Tennessee Valley Authority	3,510	3,775	265		13,982	13,771		211
Veterans' Administration	51,501	54,948	3,447		215,078	212,928		2,150
Total, excluding National Military Establishment	316,094	380,102	64,426	418	1,214,228	1,210,670	2,020	5,578
Net change, excluding National Military Establishment			64,008				3,558	
National Military Establishment:								
Office of the Secretary of Defense	415	450	35		1,190	1,226	36	
Department of the Army								
Inside continental United States	71,312	78,463	7,151		297,049	299,841	2,792	
Outside continental United States	13,131	15,655	2,524		70,316	68,043		2,273
Department of the Air Force:								
Inside continental United States	33,800	32,661		1,139	130,946	132,205	1,259	
Outside continental United States	5,336	5,631	295		26,853	26,584		269
Department of the Navy	95,215	100,754	5,539		363,874	364,285	411	
Total, National Military Establishment	219,209	233,614	15,544	1,139	890,228	892,184	4,498	2,542
Net increase, National Military Establishment			14,405				1,956	
Grand total, including National Military Establishment	535,303	613,716	79,970	1,557	2,104,456	2,102,854	6,518	8,120
Net change, including National Military Establishment			78,413				1,602	

[2] Includes personnel and pay of Howard University and Columbia Institute for the Deaf.
[3] January personnel figures and December pay-roll figures for the Reconstruction Finance Corporation were not available in time for inclusion in this report.

TABLE II.—*Federal personnel inside continental United States employed by executive agencies during January 1949, and comparison with December 1948*

Department or agency	December	January	Increase (+) or decrease (−)
EXECUTIVE DEPARTMENTS (EXCEPT NATIONAL MILITARY ESTABLISHMENT)			
Agriculture	73,101	71,622	−1,479
Commerce	37,138	36,922	−216
Interior	44,325	44,260	−65
Justice	25,725	25,868	+143
Labor	3,471	3,485	+14
Post Office	506,585	505,774	−811

TABLE II.—Continued

Department or agency	December	January	Increase (+) or decrease (−)
EXECUTIVE DEPARTMENTS (EXCEPT NATIONAL MILITARY ESTABLISHMENT)—continued			
State	7,608	7,744	+136
Treasury	87,919	88,359	+440
EXECUTIVE OFFICE OF THE PRESIDENT			
White House Office	214	218	+4
Bureau of the Budget	538	530	−8
Executive Mansion and Grounds	64	69	+5

TABLE II.—Continued

Department or agency	December	January	Increase (+) or decrease (−)
EXECUTIVE OFFICE OF THE PRESIDENT—con.			
National Security Council [1]	19	22	+3
National Security Resources Board	390	410	+20
Council of Economic Advisers	39	39	
EMERGENCY WAR AGENCIES			
Office of Defense Transportation	40	39	−1

Footnotes at end of table.

TABLE II.—Continued

Department or agency	December	January	Increase (+) or decrease (−)
POSTWAR AGENCIES			
Displaced Persons Commission	45	56	+11
Economic Cooperation Administration	854	901	+47
Office of the Housing Expediter	4,813	4,831	+18
Philippine Alien Property Administration	2	2	
Philippine War Damage Commission	7	5	−2
War Assets Administration	7,326	6,693	−633
INDEPENDENT AGENCIES			
American Battle Monuments Commission	7	7	
Atomic Energy Commission	4,832	4,800	−32
Civil Aeronautics Board	644	650	+6
Civil Service Commission	4,113	4,223	+110
Export-Import Bank of Washington	121	120	−1
Federal Communications Commission	1,318	1,318	
Federal Deposit Insurance Corporation	1,031	1,052	+21
Federal Mediation and Conciliation Service	377	374	−3
Federal Power Commission	831	824	−7
Federal Security Agency [2]	33,994	34,141	+147
Federal Trade Commission	634	650	+16
Federal Works Agency	22,394	22,448	+54
General Accounting Office	9,411	9,432	+21
Government Printing Office	6,953	6,999	+46
Housing and Home Finance Agency	11,634	11,814	+180
Indian Claims Commission	11	11	
Interstate Commerce Commission	2,286	2,248	−38
Maritime Commission	6,492	6,532	+40
National Advisory Committee for Aeronautics	6,887	6,895	+8
National Archives	380	388	+8
National Capital Housing Authority	306	308	+2
National Capital Park and Planning Commission	20	18	−2
National Capital Sesquicentennial Commission	3	3	
National Gallery of Art	317	320	+3
National Labor Relations Board	1,648	1,570	−78
National Mediation Board	107	108	+1
Panama Canal	635	647	+12
Railroad Retirement Board	2,388	2,421	+33
Reconstruction Finance Corporation	4,610	[3] 4,610	
Securities and Exchange Commission	1,159	1,165	+6
Selective Service System	5,819	5,742	77
Smithsonian Institution	550	543	7
Tariff Commission	239	240	+1
Tax Court of the United States	124	122	2
Tennessee Valley Authority	13,982	13,771	211
Veterans' Administration	213,475	211,327	2,148
Total, excluding National Military Establishment	1,159,955	1,155,690	−5,821 +1,556
Net decrease, excluding National Military Establishment			−4,265
NATIONAL MILITARY ESTABLISHMENT			
Office of the Secretary of Defense	1,190	1,226	+36
Department of the Army	297,049	299,841	+2,792
Department of the Air Force	130,946	132,205	+1,259
Department of the Navy	321,549	322,380	+831
Total, National Military Establishment	750,734	755,652	+4,918

Footnotes at end of table.

TABLE II.—Continued

Department or agency	December	January	Increase (+) or decrease (−)
NATIONAL MILITARY ESTABLISHMENT—con.			
Net increase, National Military Establishment			+4,918
Grand total, including National Military Establishment	1,910,689	1,911,342	+6,474 −5,821
Net increase, including National Military Establishment			+653

[1] Exclusive of personnel of the Central Intelligence Agency.
[2] Includes personnel of Howard University and the Columbia Institute for the Deaf.
[3] January personnel figures for the Reconstruction Finance Corporation were not available in time for inclusion in this report.

TABLE III.—*Federal personnel outside continental United States employed by the executive agencies during January 1949, and comparison with December 1948*

Department or agency	December	January	Increase (+) or decrease (−)
EXECUTIVE DEPARTMENTS (EXCEPT NATIONAL MILITARY ESTABLISHMENT)			
Agriculture	1,862	2,058	+196
Commerce	3,001	3,004	+3
Interior	5,159	5,328	+169
Justice	470	477	+7
Labor	36	36	
Post Office	1,736	1,733	−3
State	12,393	12,371	−22
Treasury	648	656	+8
POSTWAR AGENCIES			
Displaced Persons Commission	71	91	+20
Economic Cooperation Administration	1,998	2,177	+179
Office of the Housing Expediter	24	25	1
Philippine Alien Property Administration	132	126	−6
Philippine War Damage Commission	930	928	−2
War Assets Administration	23	15	−8
INDEPENDENT AGENCIES			
American Battle Monuments Commission	128	131	+3
Atomic Energy Commission	3	3	
Civil Aeronautics Board	20	20	
Civil Service Commission	5	5	
Export-Import Bank of Washington	2	2	
Federal Communications Commission	36	35	−1
Federal Security Agency	978	973	−5
Federal Works Agency	459	633	+174
Housing and Home Finance Agency	44	48	+4
Maritime Commission	38	39	+1
National Labor Relations Board	13	12	−1
Panama Canal	22,283	22,273	−10
Reconstruction Finance Corporation	13	13	
Selective Service System	160	161	+1
Smithsonian Institution	5	6	+1
Veterans' Administration	1,603	1,601	−2
Total, excluding National Military Establishment	54,273	54,980	+767 −60
Net increase, excluding National Military Establishment			+707

TABLE III.—Continued

Department or agency	December	January	Increase (+) or decrease (−)
NATIONAL MILITARY ESTABLISHMENT			
Department of the Army	70,316	68,043	−2,273
Department of the Air Force	26,853	26,584	−269
Department of the Navy	42,325	41,905	−420
Total, National Military Establishment	139,494	136,532	−2,962
Net decrease, National Military Establishment			−2,962
Grand total, including National Military Establishment	193,767	191,512	−3,022 +767
Net decrease, including National Military Establishment			−2,255

TABLE IV.—*Industrial employees of the Federal Government inside and outside continental United States employed by executive agencies during January 1949 and comparison with December 1948*

Department or agency	December	January	Increase (+) or decrease (−)
EXECUTIVE DEPARTMENTS (EXCEPT NATIONAL MILITARY ESTABLISHMENT)			
Commerce	1,237	1,098	−139
Interior	3,935	4,509	+574
State	359	353	−6
Treasury	4,305	4,352	+47
INDEPENDENT AGENCIES			
Atomic Energy Commission	157	150	−7
Housing and Home Finance Agency	2	6	+4
Panama Canal	1,887	1,853	−34
Tennessee Valley Authority	7,445	7,437	−8
Total, excluding National Military Establishment	19,327	19,758	+625 −194
Net increase, excluding National Military Establishment			+431
NATIONAL MILITARY ESTABLISHMENT			
Department of the Army:			
Inside continental United States	158,863	160,762	+1,899
Outside continental United States	47,742	45,627	−2,115
Department of the Air Force:			
Inside continental United States	75,463	75,764	+301
Outside continental United States	19,785	19,286	−499
Department of the Navy	253,268	252,967	−301
Total, National Military Establishment	555,121	554,406	−2,915 +2,200
Net decrease, National Military Establishment			−715
Grand total, including National Military Establishment	574,448	574,164	−3,109 +2,825
Net decrease, including National Military Establishment			−284

TABLE V.—*Civilian personnel of the executive branch of the Federal Government employed outside continental United States as of December 1948*

[NOTE.—These figures were compiled by the Joint Committee on Reduction of Nonessential Federal Expenditures in response to a request by members made during the meeting of the committee, Jan. 26, 1949. The figures included in this table were reported orally by responsible officers in each of the reporting agencies, instead of in signed written reports ordinarily required by the committee for the preparation of its regular monthly personnel reports]

Country	Agriculture Department (1)	Commerce Department (2)	Interior Department (3)	Justice Department (4)	Labor Department (5)	Post Office Department (6)	State Department (7)	Treasury Department (8)	Air Force Department (9)	Army Department (10)	Navy Department (11)	American Battle Monuments Commission (12)	Atomic Energy Commission (13)	Civil Aeronautics Board (14)	Civil Service Commission (15)	Displaced Persons Commission (16)	Economic Cooperation Administration (17)
1. Aden							10										
2. Afghanistan							33										
3. Alaska	107	1,584	3,688	120	3	394		128	2,612	1,704	910			20			
4. Argentina		3					156				7						
5. Atlantic Islands [1]		2					84		1,233	3,333	2,064						
6. Australia		2					100				3						
7. Austria							179			8,731							29
8. Azores									1,058								
9. Balkans (unspecified)							4										
10. Belgium							184	3				3					21
11. Bermuda									551								
12. Bolivia	3	2					75										
13. Brazil	3	4	3				371			116	80						
14. British Guiana									525								
15. Bulgaria							59				2						
16. Burma							86										
17. Canada				44			280	31	255		4		3				
18. Canal Zone	7	125		8			3		3,423	4,922	3,339						
19. Ceylon							38										
20. Chile		1					128				7						
21. China (including Hongkong)		4					1,045	3	40	963	1,605						468
22. Colombia	4	1					126				4						
23. Costa Rica	133						64										
24. Cuba	3			9			140	3			3,027						
25. Cyprus							8										
26. Czechoslovakia							177										
27. Denmark and possessions							109				5						19
28. Dominican Republic	3						48										
29. Ecuador	5						102										
30. Egypt	2	9					243	2	1		91						
31. El Salvador	3						67										
32. Eritrea										147							
33. Ethiopia							36										
34. European colonies (Gibraltar)							7										
35. European colonies, protectorates, etc., in Near East and Africa							159										
36. Finland							68										
37. France and possessions (including French Morocco)	2	4					741	5	111	3,633	559	116					633
38. Germany (and Bizonia)				59			681	4	876	6,897						71	20
39. Great Britain (including North Ireland)		6		1			611	12	12	3	121	4					79
40. Greece							271		29	167	5						490
41. Greenland		31							255								
42. Guatemala	39						120		44		7						
43. Haiti	38						78										
44. Hawaii	134	619	65	75	8	616		295	3,651	6,321	15,473				5		
45. Honduras							48										
46. Hungary							139										
47. Iceland		18					34										1
48. India and Pakistan	2						431				9						
49. Indochina							34										
50. Iran							133										
51. Iraq							79										
52. Ireland							73										5
53. Israel							18										
54. Italy (including Trieste and the Vatican)							605	5	45	1,605	7	2					145
55. Jamaica									362								
56. Japan		3	5				115		5,819	7,003							
57. Korea							81		2	222							
58. Labrador									323								
59. Lebanon							65				4						
60. Liberia							106										
61. Libya							7		736								
62. Luxemburg							12										
63. Malaya							38										
64. Mediterranean area										1,045							
65. Mexico	644	7	9				501	2			8	3					
66. Morocco							82										
67. Netherlands and possessions (excluding East Indies)	3						182	1			6						35
68. Netherlands East Indies							62				3						
69. Newfoundland							15		1,455		803						
70. New Zealand							43										
71. Nicaragua	3						64		3								
72. Norway							108				4						22
73. Nova Scotia				4													
74. Pacific islands [2]	2	228				18	8		1,620	5,141	6,914						
75. Panama	1						86	2									
76. Palestine							63										
77. Paraguay							85										
78. Peru	13	7	1				161				5						
79. Philippine Islands		170	145				350	31	771	17,922	5,671						
80. Poland							182										

[1] Includes Antilles, British West Indies, and American West Indies except Virgin Islands.
[2] Includes Canton, Carolines, Guam, Marianas, Midway, Okinawa, Palmyra, Ryukyus, Samoa, Swan, Tinian, and Wake Islands, etc.

TABLE V.—*Civilian personnel of the executive branch of the Federal Government employed outside continental United States as of December 1948*—Continued

Country	Agriculture Department (1)	Commerce Department (2)	Interior Department (3)	Justice Department (4)	Labor Department (5)	Post Office Department (6)	State Department (7)	Treasury Department (8)	Air Force Department (9)	Army Department (10)	Navy Department (11)	American Battle Monuments Commission (12)	Atomic Energy Commission (13)	Civil Aeronautics Board (14)	Civil Service Commission (15)	Displaced Persons Comsion (16)	Economic Cooperation Administration (17)
81. Portugal and possessions							118				6						2
82. Puerto Rico	632	112	556	42	25	653		113	1,041		1,506						
83. Rumania							89				7						
84. Russia							157				10						
85. Saudi Arabia							52										
86. Siam	2						76				7						
87. Spain and possessions							217				6						
88. Sweden							148	4			8						26
89. Switzerland							208	4									
90. Syria							55										
91. Turkey							185			66	9						2
92. Union of South Africa							89				4						
93. Uruguay							85				6						
94. Venezuela		2					99				4						
95. Virgin Islands		16	685	20		34											
96. Yugoslavia							112				4						
Location unspecified	[1]	[3] 11		[4] 88		[5] 21				[6] 374							
Without compensation, location unspecified	74	30	2				2			1							
Total	1,862	3,001	5,159	470	36	1,736	12,393	648	26,853	70,316	42,325	128	3	20	5	71	1,998

Country	Export-Import Bank (18)	Federal Communications Commission (19)	Federal Security Agency (20)	Federal Works Agency (21)	Housing and Home Finance Agency (22)	Maritime Commission (23)	National Labor Relations Board (24)	Office of Housing Expediter (25)	Panama Canal (26)	Philippine Alien Property Administration (27)	Philippine War Damage Commission (28)	Reconstruction Finance Corporation (29)	Selective Service System (30)	Smithsonian Institution (31)	Veterans' Administration (32)	War Assets Administration (33)	Total
1. Aden																	10
2. Afghanistan																	33
3. Alaska		8	21	128	3			7				4	11		71	13	11,536
4. Argentina																	166
5. Atlantic Islands [1]																	6,716
6. Australia																	105
7. Austria																	8,939
8. Azores																	1,058
9. Balkans (unspecified)																	4
10. Belgium																	211
11. Bermuda																	551
12. Bolivia				3													83
13. Brazil	2											1		2			582
14. British Guiana																	525
15. Bulgaria																	61
16. Burma																	86
17. Canada			14														631
18. Canal Zone			1						22,283								34,111
19. Ceylon																	38
20. Chile																	136
21. China (including Hongkong)			1														4,129
22. Colombia																	135
23. Costa Rica				35								1					233
24. Cuba			2													1	3,185
25. Cyprus																	8
26. Czechoslovakia																	177
27. Denmark and possessions																	133
28. Dominican Republic																	51
29. Ecuador				1													108
30. Egypt																	348
31. El Salvador				2													72
32. Eritrea																	147
33. Ethiopia																	36
34. European colonies (Gibraltar)																	7
35. European colonies, protectorates, etc., in Near East and Africa																	159
36. Finland																	68
37. France and possessions (including French Morocco)			6			4											5,814
38. Germany (and Bizonia)			10			1											8,619
39. Great Britain (including North Ireland)			5			11											865
40. Greece																	962
41. Greenland																	286
42. Guatemala			4	12								2					228
43. Haiti												1					117
44. Hawaii		17	66	7	14		3						28		199	6	27,602
45. Honduras				1													49
46. Hungary																	139
47. Iceland																	53
48. India and Pakistan																	442

[1] Includes Antilles, British West Indies, and American West Indies except Virgin Islands.
[3] South American mission.
[4] Location withheld for security reasons. Overseas personnel of the Central Intelligence Agency is excluded from this table for security reasons.
[5] The latest actual reports available from the Post Office Department with respect to its personnel overseas was for the month of October. The figures in this chart represent a departmental estimate based on adjustments from the October report. Information on the location of 21 employees was insufficient for this adjustment.
[6] South American mission (10) and Army Attachés, world wide (364).

TABLE V.—*Civilian personnel of the executive branch of the Federal Government employed outside continental United States as of December 1948*—Continued

Country	Export-Import Bank (18)	Federal Communications Commission (19)	Federal Security Agency (20)	Federal Works Agency (21)	Housing and Home Finance Agency (22)	Maritime Commission (23)	National Labor Relations Board (24)	Office of Housing Expediter (25)	Panama Canal (26)	Philippine Alien Property Administration (27)	Philippine War Damage Commission (28)	Reconstruction Finance Corporation (29)	Selective Service System (30)	Smithsonian Institution (31)	Veterans' Administration (32)	War Assets Administration (33)	Total
49. Indochina																	34
50. Iran																	133
51. Iraq																	79
52. Ireland																	78
53. Israel																	18
54. Italy (including Trieste and the Vatican)			2			8											2,425
55. Jamaica																	362
56. Japan						4											12,949
57. Korea																	305
58. Labrador																	323
59. Lebanon																	69
60. Liberia			4														111
61. Libya																	743
62. Luxemburg																	12
63. Malaya																	38
64. Mediterranean area																	1,045
65. Mexico			1											2			1,177
66. Morocco																	82
67. Netherlands and possessions (excluding East Indies)			1														228
68. Netherlands East Indies																	65
69. Newfoundland																	2,273
70. New Zealand																	43
71. Nicaragua				5													75
72. Norway																	134
73. Nova Scotia			1														5
74. Pacific islands [1]																	13,931
75. Panama				15													104
76. Palestine																	63
77. Paraguay																	85
78. Peru			1											1			189
79. Philippine Islands			602	196		10				132	930				558		27,488
80. Poland																	182
81. Portugal and possessions																	126
82. Puerto Rico		10	226	21	25		10	17				3	116		775	3	5,886
83. Rumania																	96
84. Russia																	167
85. Saudi Arabia																	52
86. Siam												1					86
87. Spain and possessions																	223
88. Sweden																	186
89. Switzerland		1															213
90. Syria																	55
91. Turkey				28													290
92. Union of South Africa																	93
93. Uruguay																	91
94. Venezuela																	105
95. Virgin Islands			10	5	2								5				777
96. Yugoslavia																	116
Location unspecified																	494
Without compensation, location unspecified																	109
Total	2	36	978	459	44	38	13	24	22,283	132	930	13	160	5	1,603	23	193,767

[1] Includes Canton, Carolines, Guam, Marianas, Midway, Okinawa, Palmyra, Ryukyus, Samoa, Swan, Tinian, and Wake Islands, etc.

Mr. WHERRY. Mr. President, will the Senator from New Hampshire yield in order that I may make a similar request?

Mr. BRIDGES. I yield under the same conditions.

Mr. LUCAS. Mr. President, I shall not object. I presume the matter has come in since my announcement.

Mr. WHERRY. Mr. President, I shall wait until tomorrow morning.

Mr. LUCAS. I thank the Senator.

FEDERAL PUBLICATION ACTIVITIES

Mr. BRIDGES. Mr. President, last year, while I had the privilege of serving as chairman of the Committee on Appropriations of the Senate, I asked for and obtained a survey of governmental publications for the previous fiscal year. They amounted to an astounding number—between 83,000 and 84,000. I then determined that at some time I should like to acquaint the Members of the Senate and the people of the country with the results of the survey, and it has seemed to me, inasmuch as time was being consumed here, that this would be a very appropriate time to deal with a very worthy subject.

Mr. President, recently the President of the United States presented to the Congress his 1950 budget, calling for the largest peacetime expenditures this country has ever contemplated, almost $42,000,000,000. So large were the demands for increased expenditures that it was indicated that even the revenues produced from our present record-breaking national income will not be sufficient to balance the books. In other words, unless we increase the present rate of taxation, we are going to be faced with deficit spending—deficit spending in the year of the greatest prosperity the country has ever known.

I am wholeheartedly in accord with the President's idea that we must not resort to unbalanced budgetary practices in years of plenty. If we are ever to reduce our mammoth debt of over $250,000,000,000, we must do so now. Certainly we are only playing into the hands of the Kremlin cronies if we resort to deficit spending.

The administration's solution to this problem is to increase taxes. And I would be in favor of this method of budget balancing, too, if I were convinced that this constituted the only solution to the problem.

But I am convinced that it is not. I shall continue with my present conviction until a sincere attempt is made to reduce expenditures by eliminating the waste, the extravagance, and the duplication of activity and personnel which today have supplanted economy and efficiency in our Federal Government.

I am certain in my own mind that we can balance the budget and reduce the debt without increasing taxes. We can do it by reducing appropriations. We can reduce appropriations without impairing a single necessary function of Government. Even those who doubt this assertion—in all fairness—should admit that it is worth a try.

For years now I have continued to protest against ever-mounting appropriations and expenditures which were not necessary to the essential welfare of the country. I am referring to those appropriations which may catch votes, but which weaken our financial strength. We all know which ones they are. We also know how frequently they are brought before this body.

I have recently heard the assertion made that there is much criticism of the size of our Government, of its profligate spending and waste, but that no one points out just where we can reduce.

This is just not so. I and a number of my colleagues have repeatedly pointed out specific places to cut the budget. I shall not take the time now to enumerate these soft spots. It would take too much time—and besides, I wish to call to the attention of the Senate today one particular soft spot which has been too long ignored.

PUBLICATION COSTS A SPENDING "SOFT SPOT"

I refer to the publication activities of the Federal Government. I recognize that what I am about to say will be printed and at public expense, but for once the cost of this printing will be more than repaid thousands, I hope, millions of times over, if the situation which I shall describe is attacked with vigor and sincerity by those persons in the Government who are responsible for the flood of unnecessary Government pamphlets that today clog the mails and plague the public. I am endeavoring on this occasion to relieve the strain on the eyes and pocketbooks of the American taxpayers caused by the facile and foolish pens of the Government authors who, consciously or otherwise, have foisted upon us a new WPA writers' project of gigantic proportions.

My attention was first drawn to this field of Government activity during budget hearings when I noticed ever-increasing estimates for printing and binding, when I heard budget officers justify larger printing and binding appropriations on the grounds of large backlogs of unpublished material, and when a large number of Federal publications began streaming across my desk whose very titles indicated that the Government bureaus had virtually taken all knowledge as their field.

I asked the staff of the Appropriations Committee last year to investigate and a wealth of information was uncovered. Some of this I want to pass on to my colleagues today.

OVER-ALL COSTS UNKNOWN

Because we have no cost accounting system in the Government, no over-all figures on publishing expenses are available. Unless we canvassed each department and agency and they, in turn, canvassed each of their bureaus and units, no Government-wide figures on publishing could be obtained. The cost factor and the time factor precluded such an ambitious program. Thus, no one knows how many publications are published by the Government. Nor does anyone have any idea of the ultimate cost to the public. We do not even know the number of personnel involved.

But we do know that the United States Government is the largest publishing house in the world. We know that the over-all costs run into many hundreds of millions of dollars. We know that thousands and tens of thousands of employees work full-time on the various phases of disseminating information.

I wish to state here that what I am about to say implies no criticism of the Government Printing Office. We have found their records to be surprisingly complete. Furthermore, they have no power to limit the vast quantities of printed material which they turn out yearly for the entire Government.

Nor have I anything but praise for the efforts of my colleagues on the Joint Committee on Printing. Recently they have instituted changes in the regulations on printing and binding which will grant them more supervisory powers and which should provide the Congress with much needed and greater controls over printing and duplicating. What knowledge we do have of agency activity in this field—aside from that of the Government Printing Office—comes as a result of a recent survey made at the instance of the joint committee.

But, on the other hand, I do question the freedom exercised by many departments and agencies in spending vast sums of Federal money to publish material of little or no value. Of course, some of the projects involving expenditures other than for the printing and binding of authorized documents can be justified.

I do question their use of objects of expenditure other than the proper one to print and bind their documents unless so authorized.

I do question their duplication of information already made public by private sources or other Government agencies.

I do question their use of high-grade papers, their lavish use of illustrations, and their expensive formats.

In 1942 a subcommittee of the Senate Appropriations Committee sharply criticized several departments and agencies for their attempts through publications to propagandize the American public on controversial issues that were even then being debated in the Congress. I heartily agree that the public should not be taxed to pay for being propagandized, and I question this practice where it continues.

And I do question the advisability of the Government's having—in some cities—more than 20 separate printing and duplicating plants.

EIGHTY-THREE THOUSAND PUBLICATIONS SENT TO COMMITTEE

No one knows the number of publications which are printed and processed yearly by the Federal departments and agencies. That is a thing most people do not realize. Most people think that the printing of the Federal Government is all done in the city of Washington. In some cities in the United States the number of Federal agencies and bureaus runs into the hundreds. For instance, in the city of Chicago, the home city of the majority leader, the senior Senator from Illinois [Mr. LUCAS], and the present distinguished Presiding Officer of the Senate, the junior Senator from Illinois [Mr. DOUGLAS], there are 530 Federal agencies.

Now let us get back to printing. In San Francisco and in Philadelphia, for example, there are 20 separate printing and duplicating plants. Think of that. As I have said, most people think all the printing for the Federal Government is done in the Government Printing Office in the city of Washington, but all up and down this land, there is a vast array of Federal offices and agencies, and there are printing offices, duplicating offices, and all kinds of offices turning out Government propaganda. It is a very interesting matter, and I want the Senate to listen to the story.

No one knows the number of publications printed and processed yearly by the Federal Government departments and agencies. Much of this is done through the Government Printing Office, and of these we have complete records, but much more is done by the agencies themselves in their own printing plants throughout the country, and through contracts with outside printing firms. For the committee, I asked each agency to submit one copy of each publication issued during the past fiscal year which went to the general public. I want Senators to understand this point. In the last fiscal year we asked for one copy of each publication these agencies printed and distributed to the general public. The response almost overwhelmed me. This is not something that goes back 9 or 10 years, but it applies to the last fiscal year. We received between 83,000 and 84,000 separate copies of separate booklets and pamphlets issued by individual departments of the Federal Government.

Mr. BALDWIN. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Hampshire yield to the Senator from Connecticut?

Mr. BRIDGES. Certainly.

Mr. BALDWIN. Does the Senator mean by that that there are 83,000 separate documents dealing with 83,000 separate subjects?

Mr. BRIDGES. There are between 83,000 and 84,000 separate documents dealing with from 83,000 to 84,000 separate subjects.

Mr. BREWSTER. Mr. President, will the Senator yield ?

Mr. BRIDGES. I yield to the Senator from Maine.

Mr. BREWSTER. Did the Senator also learn how much the publications comprised in total volume?

Mr. BRIDGES. I can answer that as to some instances, but as to others the information was so weird and so far-reaching that it is necessary to make a general estimate.

Mr. SALTONSTALL. Mr. President, will the Senator from New Hampshire yield?

Mr. BRIDGES. I yield to the Senator from Massachusetts.

Mr. SALTONSTALL. The figures the Senator has just given do not, I assume, include pamphlets of instruction to field agencies, and the like?

Mr. BRIDGES. No; they relate only to publications for distribution to the general public.

Mr. SALTONSTALL. Has the Senator any figures as to the number of pamphlets of instruction issued to field agents?

Mr. BRIDGES. No. I may say to the Senator from Massachusetts that we have no such figures. That is still another field. We could not go into that in such great detail; but it is still another field. For instance, I see present in the Chamber the distinguished former Secretary of Agriculture, my good friend,

the Senator from New Mexico [Mr. ANDERSON], whom I admire greatly. I make reference to him and his former Department only in passing, because of my admiration for him. He told us they could not send in certain types of information because if they did they would comprise a stack of publications 52 feet high. They had to do with agricultural extension work, and so forth, which we are not including in this list at all.

Mr. FERGUSON. Mr. President, will the Senator yield for a question?

Mr. BRIDGES. I yield for a question only.

Mr. FERGUSON. The 83,723 publications, as I understand, do not include forms?

Mr. BRIDGES. No; they do not include forms. They are merely pamphlets and documents distributed to give information and propaganda to the general public.

I referred to one of the departments whose publications are not contained in this list. Even the eighty-three-odd-thousand publications which the committee received do not comprise more than a fraction of the total publications of the Government last year. They do not contain any of the multitude of publications which were issued solely for the internal workings of the Government. They exclude also thousands of publications which the agencies indicated would be expensive to collect. As I previously stated, one bureau begged off because its output would comprise a stack of publications estimated to be 52 feet high. Another begged off on a group which would fill, according to their own estimates, seven file cabinets of four drawers each. A third estimated that just one type of publication from that agency would fill a warehouse, if they could ever be collected. Remember, what I am talking about is just one copy of each publication going to the general public in the past fiscal year. I have not included the publications of the bureaus just referred to in the eighty-four-odd-thousand. Their publications are sort of bonuses on top of the eighty-three or eighty-four-odd thousand.

Yesterday the distinguished Senator from Tennessee [Mr. MCKELLAR], the present chairman of the Committee on Appropriations, went with me to the basement of the Capitol. I should like to have any Senator who wishes to do so take a little trip down there, because I believe it would be worth his while. If he would take a trip into the basement of the Capitol of the United States he would see rooms filled with publications of the sort I refer to. It is really an astonishing thing.

The Government Printing Office told me that in the past 10 years, from 1939 through 1948—and I have just received this figure—they delivered 133,582,867,587 copies of printed matter. Just think of that, Mr. President.

There are 140,000,000 people in this country. This is what they had to feed on. Just think of it. From the Government Printing Office alone—and it does not include the production of all the other plants over the country—came, during the 10-year period—133,582,867,587 copies of printed matter. That printed matter is of sufficient volume to bury all 140,000,000 of our citizens. During the past 10 years enough printed matter has been put out by the Government Printing Office to cover and bury the 140,000,000 people in the United States. It would provide them safe coverage.

Mr. FERGUSON. Will the Senator yield?

Mr. BRIDGES. I yield for a question only.

Mr. FERGUSON. Of course, the people ought to feel fortunate that we have not passed a law compelling them to read these documents. Does not the Senator think that is true?

Mr. BRIDGES. I think the Senator is correct and I agree with him.

Mr. MCMAHON. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield for a question only.

Mr. MCMAHON. Are the Senator's speeches included in that number?

Mr. BRIDGES. Does the Senator mean——

Mr. MCMAHON. If they are I was going to concur in the observation just made by the Senator from Michigan.

Mr. BRIDGES. I am talking about the publications put out by the executive departments, but I am sure that if the speeches of the Senator from Connecticut were included they would make wonderful reading. I know that would be true, and I know that he would not press to have several billion of them distributed. Perhaps he would want printed only a sufficient number to cover the people of Connecticut.

Mr. FERGUSON. Mr. President, will the Senator yield for a question?

Mr. BRIDGES. I yield for a question only.

Mr. FERGUSON. I am familiar with the fact that the speeches made by Senators and Representatives are not included, and that the publications referred to by the Senator from New Hampshire included merely those put out in the executive branch.

Mr. ANDERSON. Mr. President, will the Senator yield for a question?

Mr. BRIDGES. I yield to the Senator from New Mexico for a question.

Mr. ANDERSON. Is the Senator in position to affirm that the 133,000,000,000 copies of printed matter do not include the reprints of congressional and senatorial speeches?

Mr. BRIDGES. That is my understanding. Our request was for publications put out by executive departments.

Mr. ANDERSON. Does the Senator know whether the total run of the printing office would include such delicate items as 500,000 reprints for one Member of Congress?

Mr. BRIDGES. I will check that matter for the Senator. But we requested the run for the executive departments.

Mr. BREWSTER. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. BREWSTER. I wonder if the Senator from New Hampshire or the Senator from New Mexico has the relative rate of mailing of executive and congressional publications? I have seen the figure from time to time, and my impression is that it runs at a ratio of about 20 to 1, but I will not make that as a statement. I know that I was considerably relieved when I found how much more profligate the executive department was.

The PRESIDING OFFICER. The Chair would like to observe to the Senator from New Hampshire that he is under no obligation to yield to other Members of the Senate for statements. He should yield only for questions.

Mr. BRIDGES. I thank the Presiding Officer.

The PRESIDING OFFICER. And if other Senators interrupt to make statements of their own the Chair shall be reluctantly forced to rule that the Senator from New Hampshire has lost the right to the floor.

Mr. BRIDGES. I thank the Presiding Officer. I shall take heed and abide by that warning. I might say to the Senator from New Mexico, who made a statement as well as asked a question, that I do not know whether he did it with any ulterior purpose of making me lose the floor, but I would grant to him that he did it in all sincerity.

The PRESIDING OFFICER. The Chair was not referring to any remark made by the Senator from New Mexico, but to the prior remarks made by the Senator from Michigan, and subsequently to remarks made by the Senator from Maine.

Mr. BREWSTER. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield for a question.

Mr. BREWSTER. Do I understand that the rules of the Senate do not apply to the other side of the Chamber?

Mr. BRIDGES. That I cannot answer.

The PRESIDING OFFICER. The rules of the Senate are impartial. The Chair was listening very carefully to the Senator from New Mexico, and he asked questions of the Senator from New Hampshire, but the Chair did not understand the Senator from Michigan to be asking a question, but rather as making a statement, and the Chair thought that the Senator from Maine was making a statement rather than asking a question of the speaker.

Mr. BREWSTER. Mr. President, may I ask a further question?

Mr. BRIDGES. I yield for a question only.

Mr. BREWSTER. I shall be happy if the Senator from New Mexico or the Senator now in the chair will examine the RECORD, and I should like to inquire, after they have done so, if they do not find there that the Senator from New Mexico stated very clearly that the Senator from New Hampshire was in error. If that is not a statement, I should be glad to be advised what it was.

The PRESIDING OFFICER. We will read the RECORD very carefully tomorrow morning, sir, and in the meantime the Chair would like to caution the Senator from New Hampshire that he should yield only for questions directed to him.

Mr. BRIDGES. Mr. President, I should be very much delighted to yield, if it is within my province to do so now, in order to have the RECORD read, if the Presiding Officer desires to determine the matter.

The PRESIDING OFFICER. There is no necessity for that. What the Chair said was not an attempt to take the Senator off his feet, but it was an attempt to protect the Senator against inquiries which might be made by some of the Senator's colleagues which would, unintentionally on their part, have that effect.

Mr. BRIDGES. I thank the Presiding Officer for his consideration.

Mr. FERGUSON. Mr. President, will the Senator yield to me for a question?

Mr. BRIDGES. I yield to the Senator from Michigan for a question only.

Mr. FERGUSON. Of course the Senator from Michigan believes that he was only asking questions. But the Chair has ruled otherwise. I ask the Senator if he can state whether or not during the time that these great volumes of publications were going out we were suffering from a paper shortage in the United States.

Mr. BRIDGES. I shall be glad to answer that question and say that during the period when these publications were going out we were suffering from the greatest paper shortage in the history of the country. I have no doubt that the printing of these publications, running as they did to terrific volume, into the billions, contributed very greatly to the paper shortage.

The publications I have referred to do not include the immense quantities of material turned out by the departments and agencies themselves. No one can tell, no one can even estimate the colossal magnitude of what these establishments have processed and printed on their own presses. However, some slight indication of the volume may be gleaned from a survey made at the instance of the Joint Committee on Printing in 1947. This showed that at that time there were 133 Government printing plants and 256 Government duplicating plants located through the country. One department had 44 printing plants. Another 41. Another 23. One agency had 100 duplicating plants. Another 43. In all, there were 32 departments and agencies with printing or duplicating plants located all over the country. One city had 25 plants. Another 23. Washington had 61.

And all this—mind you—does not include the Government Printing Office operation itself, which had 15 plants, since reduced to 9. Do Senators wonder when I tell them that it is impossible to estimate—impossible to overestimate—the volume of Government printing and processing that is done outside the Government Printing Office?

Is it any wonder that I am bothered when I know that far away from Washington, D. C., in the city of Chicago, located in the great State represented in part by the distinguished Presiding Officer at the present time, 530 Federal agencies and departments have offices? That is an astounding thing to me.

Take the home city of the whip of the majority [Mr. MYERS], the city of Philadelphia. Philadelphia has 25 printing plants. The city of Washington, where we think bureaucracy is concentrated, has only 61 printing plants. That is quite a number of plants, but when we stop to think of the number of plants located in Philadelphia, which is not the capital of the country, perhaps 61 is not too high a figure for Washington.

One of the amazing characteristics of our Government is that it can carry on contradictory activities at the same time. I am not referring to the lady who wrote to me complaining that the Department of Interior's publication How To Control Vagrant Cats contradicts the purposes of National Cat Week sponsored by the Department of Commerce, although she may well have a good point.

I may say to the Presiding Officer that the woman who wrote me protesting against these two departments operating in conflict, with the Department of the Interior trying to control cats and the Department of Commerce sponsoring National Cat Week, came from Illinois. She is a very distinguished citizen of Illinois.

I hold in my hand a booklet which tells about how to control vagrant cats. On the first page there is a note as follows:

> This leaflet supersedes United States Department of Agriculture leaflet 50, How To Make a Cat Trap, issued in November 1929—a contribution by the Bureau of Biological Survey.

The pamphlet tells about commercial live traps for cats.

Under the heading "Commercial live traps," we find the following:

> There are several types of commercial live traps on the market that are effective in catching cats. They vary in door and trigger designs. Instructions for setting them are given by the manufacturers of the traps. They may be obtained through local hardware dealers or pet animal stores. These traps should be baited as described for the home-made trap.

Note this:

> After it is determined that the captive cat is not a neighbor's pet, it may be disposed of by placing the wire trap in a tightly closed box and gassing as has been described. Instead of gassing, the animal may be drowned by submerging the trap in water.

We are getting into some pretty high stuff here.

Mr. FERGUSON. Mr. President, will the Senator yield for a question?

Mr. BRIDGES. I yield for a question only.

Mr. FERGUSON. I shall try to make it a question. At least the pamphlet does give the option of two methods of killing a cat.

Mr. BRIDGES. Is the Senator asking me whether it does or not?

Mr. FERGUSON. Yes. Does it not give two methods of killing a cat?

Mr. BRIDGES. Yes. The booklet goes into great detail. Once you catch the cat, the first thing you do is determine whether or not it is a neighbor's cat. If it is not a neighbor's cat, as I have quoted from the booklet, the directions are either to gas the cat, or if one does not like to gas a cat, the thing to do is to get a large tub and submerge the cat in the tub so that it will be drowned.

Mr. BREWSTER. Mr. President, will the Senator yield for a question?

Mr. BRIDGES. I yield for a question only.

Mr. BREWSTER. Is it not well known that a cat has nine lives? [Laughter.]

Mr. BRIDGES. I point out that one of the things that bothers me particularly——

The PRESIDING OFFICER. Does the Senator from New Hampshire wish to reply to the question of the Senator from Maine?

Mr. BRIDGES. Yes. I have heard the report that a cat has nine lives, but I am not sure of it. It is not so stated in the booklet issued by the Government. That is one thing they forgot to tell. They forgot to tell whether a cat has nine lives or not.

The thing that bothers me particularly is that the woman from the State of the distinguished Presiding Officer is very sorely troubled. What is she troubled about? She is troubled because the Department of the Interior has issued a booklet on how to control vagrant cats. She says that that is in opposition to what the Department of Commerce is doing, because it is sponsoring National Cat Week. Mr. President, I think that it is a problem we ought to settle. It is too bad that the Government must publish thousands of booklets which raise a conflict in the minds of the people, and particularly this distinguished and outstanding woman from the home State of the Presiding Officer.

Mr. President, I do not wish to take more time on cats. I shall have something to say about other animals, and other subjects.

It is a very interesting thing that the right hand does not know what the left hand is doing. I am referring to the seemingly paradoxical situation whereby one agency of the Government will offer the same publication free of charge to the public which another agency of the Government is attempting to sell. This is true of not just one publication. It is a general practice for the departments and agencies to offer free of charge—as long as the supply lasts—copies of publications which the Superintendent of Documents is attempting to sell at a nominal charge. Even then the Government loses money, for his sale is based, not on total cost—which, as I have indicated, is unobtainable—but on the reprint cost plus a mark-up.

Last year the Superintendent of Documents issued free of charge for the agencies—I repeat, free of charge—61,979,102 publications. How many million publications the agencies themselves issued free of charge, we cannot even surmise.

I would be remiss in my duties if I made this a blanket condemnation. I do not wish to be so understood. Many of these publications undoubtedly are highly necessary to the workings of our Government and the welfare of our citizens. Many of them, in all justice, should be distributed free of charge. Items on rat control and the prevention of forest fires, to mention only two, are of such nature that one could not expect general dissemination if a price were asked for them.

But this is not to condone the vast flood of free publications which daily clutter our mails. A businessman, for example, can conceivably secure 465 publications from the Department of Com-

merce free of charge by merely mailing a penny postcard to the Department. The Congress itself is not above criticism in this respect, as we all know.

Recently Senators received a communication from a Government agency which apologized to us because only 100 copies a month of a popular Government pamphlet could be furnished for the next several months because of higher publishing costs. I do not know how other Senators feel about it, but I am willing to take a dose of my own medicine. I am willing to take a lesser number of publications for free distribution to help the cause of lowering the cost of publications. In the long run the people are not getting these publications free of charge; the cost is not paid directly, but it is paid indirectly in higher taxes.

In consequence, I hope my colleagues here and in the House of Representatives will join with me in a conscientious endeavor to order only such publications for distribution to our constituents as will really be of use to them. Let us continue to send them Infant Care, and let us think twice before we send them publications on Eliminating Bats from Buildings.

The bat is an interesting animal. Bats sometimes trouble people. The longer I remain in Washington the more trouble I have with bats. I have met a great many batty people here. Most of them I have found in certain Government departments. They all make some contribution, of course.

Perhaps Senators would like to hear something about how to get rid of bats:

> The most satisfactory and the only permanent way of obtaining freedom from the bat-roost nuisance, however, is to shut the bats out.

[Laughter.]

That is quite an effective way, Mr. President; I think that is one of the best things that could be done in that connection. Incidentally, the title of this portion of the pamphlet is Bat-Proofing Buildings."

I read further from it:

> Frequently there are only a few small entrances to the bat roost, and in such cases bat-proofing is relatively simple. It is necessary only to close the openings—

And so forth. Then I find this:

> In closing the entrances used by bats it is necessary that one or two be left open until after nightfall, so as to allow egress of the bats, and thus shut them out and not in. Ordinarily during midsummer all the bats will have left the roost within 15 minutes from the time the first one starts, but after their accustomed routine has been thus upset, several hours may lapse before the last bat finds its way out.

In other words, sometimes there is a laggard, and one or two of the bats might linger behind. That would be very serious.

Mr. BREWSTER. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield for a question.

Mr. BREWSTER. I was called out of the Chamber for a few minutes, so I have not heard all the Senator's discussion. I wonder whether he has yet reached the subject of dogs. Is there any information dealing with the maternity problem of dogs and their descendants? [Laughter.]

Mr. BRIDGES. I shall discuss the dog situation a little later; but I should like to have the Senator remain while I discuss an item which very directly concerns dogs. A booklet which has been published at considerable cost to the Federal Government will be, I think, of real interest in that connection. The booklet is on fleas. That is a very highly controversial issue, and it has to do with the dog situation, and I shall discuss it.

In fact, I now hold that booklet in my hand. It is entitled "Fleas of North America." [Laughter.]

Mr. President, this booklet appears to be quite a publication. The subtitle is "Classification, identification, and geographic distribution of fleas." [Laughter.]

Mr. President, I should like to read some of the material contained in the booklet. I hope that all Senators will listen to the reading of this material, for I am quite sure they will be interested in this, too.

I now read from the booklet:

> In the United States, fleas are serious pests of dogs—

So, Mr. President, dogs come into this matter. The complete sentence is as follows:

> In the United States, fleas are serious pests of dogs, of cats, and of poultry. Dogs may be greatly annoyed by fleas, when attacked, and spend much time gnawing at their affected parts.

That is a great contribution, Mr. President—to learn that when fleas attack dogs, the dogs have to spend a large part of their time gnawing at the affected parts.

I hope Senators will listen to this, and they should listen carefully, if they wish to understand what is the most frequently affected part. The booklet says:

> The most frequently affected part is the back, near the root of the tail.

[Laughter.]

As a result of fleas, that part of the dog—the root of the tail—becomes, so we are told by the booklet, raw and sore, and infection often follows. So we see that quite a big problem exists in this country in that connection; and we have this booklet, entitled "Fleas of North America—Classification, Identification, and Geographic Distribution of Fleas," to which we can turn. As we are told by this publication, the place to look on the dog is near the root of the tail; that is where the greatest trouble with fleas is, according to this booklet.

Mr. President, there are many other phases of this subject of fleas. This booklet comprises 142 pages, so it is apparent that many different angles in regard to fleas must be covered by this publication. I think it is something very worth while that we should pursue. [Laughter.]

Mr. President, I do not wish to become at all personal, but I may say that this publication is issued by the United States Department of Agriculture; it is Miscellaneous Publication No. 500. I do not know whether the distinguished former Secretary of Agriculture, now a Member of this body, could add any more than I have added in regard to the problem of identifying fleas, and so forth; but I shall do the best I can.

Mr. ANDERSON. Mr. President, will the Senator yield for a question only?

Mr. BRIDGES. Yes; for a question only.

Mr. ANDERSON. Has the Senator been familiar with the work done by the Department of Agriculture laboratory in Florida on the development of cures for this problem within the past few years?

Mr. BRIDGES. Mr. President, I am not criticizing that; I am merely talking about the publications the Department issues. I am not blaming the former Secretary of Agriculture at all. I am simply enlightening the Senate and the country in regard to some of the publications the Government issues, and this one was a particularly good one, it seemed to me. Frankly, I picked out only certain sections; I did not wish to read the entire 142 pages, so I picked out some of the pages which I thought would be of particular interest.

Now let me discuss the matter of the mailing list for such Government publications. Even the free distribution of publications has not been sufficient inducement to the public to gobble up this horde of printed documents. Let me explain. After an agency orders a publication printed by the Government Printing Office, the agency receives a supply it believes sufficient for its immediate needs. It arranges with the Printing Office to distribute another large group, supplying addressograph plates for the purpose. The Printing Office at present has a collection of over 2,000,000 addressograph plates which they must use to send out publications for the agencies. The agencies do not pay for this service, which runs to over $300,000 annually.

The remaining supply of publications is retained by the Government Printing Office as stock available for free distribution. The storage space the Printing Office has for this free stock is limited to about 35,000 square feet. Tons of undistributed publications dating back for many years serve as mute but concrete evidence of waste and extravagance resulting from poor administrative judgment that has come from overstocking of publications. Other unknown tons have been transferred to agency warehouses or sold as waste paper. The Government Printing Office is constantly pleading with the departments and agencies to remove their dead stock. I suspect they are fearful of the contingency whereby they would be forced out of their own building by surplus publications ordered by Government agencies.

During the past 2 years the Government Printing Office condemned over 10,000,000 publications. No one knows how many were condemned by the other Government establishments.

Committee investigators found widespread evidence of undistributed publications. Over 500,000 copies of some publications were found. And there were many publications of which there were from two to three hundred thousand copies available. They had lain there

for several years—untouched and unwanted.

PRINTING AND BINDING COSTS A FRACTION OF TOTAL

I am afraid that there are many of us in the Congress who have been misled as to the cost of the Government's publishing activities. The Bureau of the Budget recently estimated that the overall printing and binding cost for the entire Government in fiscal 1948 was approximately $45,000,000. This, of course, does not include the cost of the original research, the editing, the typing, the reviewing and checking, and the distribution. In fact, the committee discovered that in certain instances it does not even include a large part of the printing and binding costs themselves.

One large agency of the Government made an independent check on its publishing activities and discovered that printing and binding activities accounted for only about 25 percent of the total cost of processing the material from the manuscript to the printed page. And even this, it must be emphasized, did not include any costs whatever for research, writing, and distribution.

The head of another agency revealed that the distribution cost alone of a particular document came to five times the cost of printing it.

Still another agency admitted that the printing and binding cost of just one publication came to three times as much as they had secured from the Congress for printing all their publications.

It is apparent then that the object classification of printing and binding is but a part—probably a very small part—of the total costs of publishing in the Government.

With such figures as a guide—fragmentary as they are—one may well wonder how many hundreds of millions of dollars these publications are costing the people of this Nation.

It is apparent, also, that many departments and agencies have resorted to processing publications in their own plants to avoid congressional limitations imposed on printing and binding appropriations.

Moreover, the Congress itself has been remiss in this matter, for we have been told for a number of years by the Public Printer in his annual reports—and in unmistakably clear language—that the situation had gotten beyond his control. I, as one Member of the Congress, join with the Public Printer in urging a discontinuance of these wasteful practices and a general strengthening—without censorship—of the controls over publications of the executive branch.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. BRIDGES. Certainly; for a question.

Mr. FERGUSON. Can the Senator from New Hampshire advise the Senate whether there is a strict rule in regard to what may be published or printed in the Government Printing Office itself for a department or agency of the Government?

Mr. BRIDGES. I think it is supposed to be something pertaining to the work of the department; but I think that allows quite a good deal of latitude—too much, in fact.

Mr. FERGUSON. Can the Senator advise the Senate whether any of the publications are printed in foreign countries?

Mr. BRIDGES. They are.

Mr. FERGUSON. Can the Senator advise the Senate why that is done, or how it happens to be done?

Mr. BRIDGES. I think we filled up all the printing offices in this country, and had to expand, so to speak, in other countries, in order to get the printing done.

UNCLE SAM'S BOOK-OF-THE-MINUTE CLUB, UNLIMITED

At this time I should like to call your attention to some of these volumes which are issued by our Government agencies. I have not examined all of the publications carefully. It would take years to do a thorough job on that. Therefore, in bringing them to your attention, I do not wish to imply and I do not wish to have inferred, that I necessarily am critical of any one volume. I merely bring them to your notice at this time because I, for one, was amazed at some of the volumes I uncovered, and because I thought you would be interested in the variety of titles, the subject matter of many, and the format and binding of others. There may be valid reasons for some of the pamphlets, books, brochures, and other printed material which I am about to bring to your attention, but all of them contain questionable passages, questionable material, and many are overelaborate and costly of presentation.

This modest little book I hold in my hand is entitled "Tales From Korea." It is a book containing 148 pages. It is a very worth-while book. It was printed at Government expense and was widely distributed.

From the introduction to the book I read the following:

> Mr. Pyun offers us a collection of Korean tales, myths, fairy stories, and folk tales. You will find old friends, such as Brer Rabbit and Cinderella, dressed it is true in Korean clothes; Brer Rabbit speaking in Korean idioms instead of darky dialect, Cinderella riding in a sedan chair instead of a coach and four, but nonetheless truly the same old friends half the way round the world from where we met them last.

From the foreword I read the following:

> Many will perhaps disagree about the way the native names are rendered in this book, and feel that the doubtful improvement it brings does not quite compensate for the shock one is likely to feel in a humorousless travesty.

It continues with various descriptions.

Mr. BREWSTER. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from New Hampshire yield?

Mr. BRIDGES. I yield for a question only.

Mr. BREWSTER. Would it be contended we were wasting our time in a discussion of this character?

Mr. BRIDGES. I may say, in answer to the Senator, I do not see how that could be contended because certainly the administration should not be ashamed of any document it issues—84,000 individual copies of publications on various subjects—for free distribution all over this country and all over the world. I should say we are merely bringing to light certain illuminating facts.

Mr. BREWSTER. Is it the Senator's feeling that the Senate and the country should be informed of the nature of the publications in order that they may determine whether they feel it is an appropriate matter for public expenditure?

Mr. BRIDGES. I certainly do. I was going to say the volume, Tales From Korea, a very interesting book of 148 pages, was published for general distribution. It contains some very interesting pictures, too. It was printed at Government expense. The book was written by Y. T. Pyun, and the dedication placed in this booklet, printed at Government expense, reads:

> To my wife who mothers five children as well as our common son.

That is a very lofty dedication of a Government publication—"To my wife who mothers five children as well as our common son." I desire to go over some of the things with which he deals in the various chapters. He has one little story entitled "The Vanity of the Rat." That ought to be particularly important. Another one is "The Old Woman and the Tiger." The next one is "The Traveler and the Tiger." Then there comes one in which he really gets down to work—"The Origin of the Sun and the Moon." We all want to hear about that. I do not have time to read the chapter, but his discussion of the "Origin of the Sun and the Moon" ought to be very good. Another title is "The School Boy and the Fox." Another one is "The Strange Dream." That ought to be very appropriate here, I think. Another one is "Lies Rewarded With a Bride." That ought to have some particular appeal. Another is "The White-Eared Tiger." That ought to be of particular appeal to people. Another one is "The Absent-Minded Man." I shall not take more time on this, which merely shows the variations of the Government publication situation.

I should have here a pamphlet on Women in Radio, which I wanted to discuss with Senators. That is a very laudable subject, something I think quite worth while. It is put out by the Women's Bureau of the Department of Labor. Most of it deals with biographical sketches of women who have become well known as the result of their radio activities. It is one of an extensive series on woman's place in various occupations. It is published, among other things, for the woman who wants to go into radio, and maps out for her her whole life career, going into all the various matters in which she might be interested.

I have another booklet here, which I think will be of great interest, called Federal Duck Stamps, and Their Place. This is a very interesting story about Federal duck stamps. The booklet also includes Canadian goose, the pin-tailed duck, the canvasback duck, the green-winged teal, the black duck, the white duck, the white-front goose, the red-headed duck, and the snow goose. To all

these creatures we have apparently devoted this little booklet; which presumably contributed somewhat to our influence.

Various other publications have been issued, such as Getting Into a Different Thing, Farm Fishponds, Techniques of Fishpond Management, Farm Fishponds and Their Management, all of which is good and of varying interest to various people.

Another one is entitled "Family Spending and Saving, as Related to Age of Wife and Age and Number of Children." This is crammed full of interesting facts; for example:

Did you know that "among the young families without children, wives tended to spend more on their wardrobes than husbands"?

That ought to be interesting. That is page 33, paragraph 2. That is gone into in some detail.

Did you know that "almost one-fourth—23 percent—of the wives 60 or older at an income" below $1,000 "spend so little for dress that they used less than 30 percent of the family's clothing funds, leaving the balance for their husbands"?

Husbands seem to be getting the better of this deal.

In paragraph 1, page 19, the book tells how they conducted a survey of what women discuss, and they found that they always talked about their grocery bills, instead of about something really interesting.

I now come to another one. Here is a book on Estimating the Muskrat Population by House Counts. It is quite a book. I am sure it must be contributing something to the great good of the country. I do not know just where to start. It contains 17 pages, so I shall not take the time of the Senate to go into it. It has very many interesting things in it regarding the census method used, and all about the general situation.

Another booklet, which is a very good one, is entitled "Fish for Breakfast—And Why Not?" That is very good. In this booklet we find some very interesting quotations. Persons from the Middle West would be interested in this. It says:

The national stand-by of bacon and eggs is all very well, but some people find that such a breakfast dish is too rich, and, in any case, the possibilities for variety are strictly limited.

So they recommend fish for breakfast. It says further:

Perhaps the reason that those few minutes' extra sleep seem preferable to breakfast is that the breakfast menu has become drab and monotonous.

So they recommend fish. That is a good thing. I come from a State that has some seacoast, and we catch some fish from the sea and some from the very fine lakes in New Hampshire. I like fish. This publication contains a recipe for "kedgeree." That is a special kind of a fish preparation. It is made with flaky fish and is cooked with rice, hard-boiled eggs, and so on. The publication goes into all kinds of things.

Here is a very interesting one on attracting birds. It starts off by saying:

Formerly there seemed to be no question about the desirability of attracting birds. Now certain doubts have arisen in the minds of people as to whether it is wise to attract them or not.

So there is a disagreement. It says further:

Birds, as a rule, not only do not want bird neighbors too near, but are impatient with human meddling, and therefore should be granted as much privacy as possible.

So we should pay some attention to that.

The greatest reward from attracting birds—doubtless also in most cases the main incentive for the practice—is human enjoyment. The activity, beauty, and songs of birds supply life, color, and charm. Birds ornament the homestead, entertain the senses, and afford natural companionship that is a joy to a majority of mankind. They are so keen and spritely that they compel attention, so intensively alive and so in harmony with their environment as to inspire the beholder.

I could go on, but I do not wish to cover the whole field.

Here is another interesting publication, issued in recent weeks, entitled "Two Home-Made Traps for English Sparrows." It should be very interesting. In New Hampshire there is a dispute going on as to whether we should name the chickadee as the State bird. I am sure that if we could obtain a supply of these booklets and send them to New Hampshire, this particular one on how to make home-made traps for English sparrows, they might be able to catch some of the chickadees and examine them a little more carefully.

Here is a pamphlet entitled "Suggestions for Combating Objectionable Roosts of Birds—With Special Reference to Those of Starlings." That gets right down to Washington. The starlings in Washington are birds that cause some embarrassment, not only as to the Capitol, but to various buildings, including some of the statues. Washington is a beautiful city of statues, but we seem to have a major problem in connection with the starlings.

Here is a booklet which has been issued for general circulation on how to deal with the starling problem. That should be one of the most interesting problems that we could tackle here.

Here is one showing how to make a table lamp. It says that the first thing is—

Be sure to buy a socket with a three-position switch if you use a three-light bulb (50-100-150-watt).

It goes on at some length. It says:

It conserves eyesight, saves energy, and gives your room new attractiveness. You can make one, cheaply and easily, with materials readily available.

Here is another one that really gets home. Its title is "Care of Parrots." The care of parrots is probably one of the major problems of the country, and here is a little booklet on the care of them. It contains 16 pages and deals with parrot fever. It also deals with the difficulty in refeathering after molt. It speaks of egg-binding. I do not know what is meant by that. It must be something new in the science of caring for parrots. There are all kinds of angles to the parrot situation. The publication goes into details and covers quite a good deal of ground.

Here is one entitled "Feeding and Caring for Squirrels." That should not be a major problem, because I can remember that when I was a small child—I could not have been more than 2 or 3 or 4 years of age—I used to go out in the backyard and feed peanuts to squirrels. I had not had the advantage of having read a United States Government booklet on how I should feed squirrels.

I went through Boston, Mass., a few days ago. The Senator from Massachusetts knows all about Boston Common. I saw beautiful squirrels there, and I saw little tots feeding peanuts to them. I do not know whether the Senator knows, and I shall not ask him here, whether the people of Massachusetts have read about how to feed squirrels so that they will know the best way to hand a peanut to a squirrel. It must be a very efficient Government operation.

The next booklet is a very worth-while one, entitled "Establishing and Operating a Flower Shop."

As business gets a little dead in this Democratic administration it might be well to look into this booklet. When we got the Fair Deal I did not think we would get into anything like the situation we are in, so I think we ought to begin to think about new types of business. Here is a booklet which is rather a lengthy one, containing all kinds of diagrams. It is 46 pages long, telling about how to go into the flower business so that we can have more flowers.

Here is a booklet entitled "Establishing and Operating a Year-Round Motor Court." It devotes 125 pages to telling how to operate a motor court. A motor court is a very useful thing in our life in the United States as we travel over the country. I see the Senator from Wisconsin [Mr. WILEY] is present. Persons in his section of the country have been able to operate motor courts rather successfully. Persons come along in their automobiles and have to stop somewhere overnight. They do not want to sleep in their cars, so they go into a motor court. Here is a booklet of 125 pages as an aid to conducting that business.

Here is one to which I want the Senators to pay particular attention. I know the Senator from Nevada [Mr. MALONE] is a very distinguished gentleman and he likes to solve major problems. Here is one into which I do not think he has looked. This publication is entitled "The Cuban Frog Leg Industry." The Government is issuing publications on the Cuban frog-leg business. I wish I had time to go into many of the features in connection with the frog-leg business. Much of it is very interesting. I see that one of the subheads is "The Age for 'Prime' Frog Legs." That is something I did not know about. I shall quote from that for a moment. In Cuba some frogs are known to live longer than others. [Laughter.] That is very interesting.

In Cuba some frogs are known to live as much as 7 years or longer. For commercial purposes to insure tender meat——

Mr. BRICKER. Mr. President, will the Senator from New Hampshire yield?

Mr. BRIDGES. For a question only.

Mr. BRICKER. Does the pamphlet show any way to calculate how far a frog can jump by the length of his legs? [Laughter.]

Mr. BRIDGES. I have not found that in the pamphlet as yet. I will see. I shall go on with this, because it is interesting. It says that some frogs live longer than others, and some as long as 7 years. Then it says:

> For commercial purposes to insure tender meat, however, only those at least 1 year old (after reaching the frog stage)—

Get that—

> and not older than 2 years old are taken, because those younger than 1 year are not economical and those older than 2 years are not sufficiently tender.

That is really solving a major problem. I wish the Senator from Illinois [Mr. LUCAS], the majority leader, had been here earlier. I shall not take his mind off other things now, but I have had some very interesting letters from people in Illinois, and I discussed them with the present distinguished junior Senator from Illinois [Mr. DOUGLAS], who is now presiding. But I am sure that if the senior Senator from Illinois will read the RECORD tomorrow, he will get some real inspiration.

Mr. LUCAS rose.

Mr. BRIDGES. I cannot let the Senator interfere with me, because I might lose the floor. [Laughter.] I shall be glad to answer questions.

Mr. LUCAS. Mr. President, will my distinguished friend yield for a question?

Mr. BRIDGES. I yield for a question.

Mr. LUCAS. Will the Senator tell the Senate and the country why the distinguished Senator from Vermont, who is an indefatigable worker, Chairman of the Appropriations Committee for the past 2 years, did not find out about these frogs when he was Chairman of that Committee, when these same pamphlets were being issued, and he had the power and the Republican Party had the power to stop the issuance of them?

Mr. BRIDGES. I will answer that. In the first place, I cannot speak for the Senator from Vermont, because I do not see him here in the Chamber. The Senator from Illinois referred to the "Senator from Vermont." The Senator from Illinois occasionally knows I am the Senator from New Hampshire, and I am very proud of the fact that I am. I occasionally go into Vermont.

Mr. LUCAS. I apologize to the Senator.

Mr. BRIDGES. I accept the apology. These publications were collected during the past two years, when the Republicans were in control of the Congress. We have had to assemble them, and I am just making them known. If the Senator from Illinois and his Administration want to balance the budget and to get things done, what he should do, instead of rooting up subjects for new taxes on people, is to undertake to cut down some of the Government publications. That is one way he could render the people of Illinois a real service.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield for a question.

Mr. LUCAS. Does the Senator believe that by eliminating the frogs we could balance the budget?

Mr. BRIDGES. I will say that by eliminating some of the publications on frog's legs, which I have not had time to go into, we would help balance the budget, and to that end I invite the cooperation of the Senator from Illinois.

The next publication I have is another very interesting one, "The Cuban Shark Industry." Mind you, if we were talking about how to raise Hereford cattle, something practical in this country, I would be for it. But Cuba is not like the Hawaiian Islands, a territory of the United States. Cuba is an independent country. Yet we are organizing the frog industry there and now we are organizing the shark industry. There is very wide diversification in this pamphlet, and many fine pictures, and 27 pages of how to organize the shark industry.

To show that we have no prejudice against any particular country, the next one I have here is a pamphlet on Venezuela. The Venezuelan Salt Fish Industry. That is quite a publication, with maps and pictures—81 pages on the Venezuelan salt fish industry.

I cannot go into all these; it would take several hours merely to name them. But we have no prejudice. We will do something about any matter that comes along.

Now, here really is one; and I hope the Senator from Illinois, the majority leader, will give a little attention to this. I have one here now which I think will really catch his eye. It is Recipes for Cooking Muskrat Meat. [Laughter.] This is a very fine publication, and I assume from what it says that muskrat meat must be quite a delicacy.

Mr. BRICKER. Mr. President, will the Senator yield for a question?

Mr. BRIDGES. For a question.

Mr. BRICKER. Has the Senator ever tried it?

Mr. BRIDGES. I have never tried it. I have quite an inspiration since I have been reading this booklet, but I have never tried muskrat meat yet. However, I want to tell some of the ways it should be cooked. This is put out by the administration of which the distinguished Senator from Illinois is the majority leader, and I want him to be informed as to what his administration is doing. They give a fine recipe here for fried muskrat. Then they have another one for muskrat fried in wine. That would have a particular appeal. It might even appeal to a wider variety of people than just plain fried muskrat. Then we have smothered muskrat. That ought to be pretty good. Then we get into broiled marsh rabbit, and so forth.

Here is one from Maryland. I do not see either of the Senators from Maryland on the Senate floor, but we have Maryland shredded muskrat meat. That must be a super de luxe dish.

Here is another one, muskrat meat with tomato sauce. I always like catsup and I think tomato sauce would take some of the taste away.

Here is another that I did not think they could do—muskrat salad.

Another one is stewed muskrat liver, with onions.

Here are two more, indeed, three more. One is pickled muskrat. That should be good. The second is muskrat pie, and the other one is muskrat a la Louisianne. [Laughter.] That ought to be pretty good.

Mr. BREWSTER. Mr. President, will the Senator from New Hampshire yield?

Mr. BRIDGES. I yield for a question; yes.

Mr. BREWSTER. I wonder whether in the exploration of these various publications, particularly on this matter of edibility the Senator has found one which deals with the matter of how to cook and eat crow.

Mr. BRIDGES. I have not run into that yet, but if I do, I should like very much to talk about it. I have not yet discovered anything on that subject.

Mr. BREWSTER. I did not know whether the distinguished majority side had planned that for Republican edification or not, but I should like to inquire whether the Senator from Illinois might also have investigated the matter of eating crow in connection with the current discussion?

Mr. BRIDGES. I cannot speak for the Senator from Illinois.

Mr. LUCAS. If the Senator will yield to me——

Mr. BRIDGES. For a question.

Mr. LUCAS. Will the Senator agree with me that if pamphlets did come out on how to eat crow, they ought to come definitely from the Republicans, and not the Democrats?

Mr. BRIDGES. I would have some question about that, but I would say there was a period last November when that might be true.

Mr. BREWSTER. Mr. President, will the Senator from New Hampshire yield for another question——

Mr. BRIDGES. I yield.

Mr. BREWSTER. As to whether or not the current conditions in the Senate might indicate that the majority leader might be eating crow very shortly? [Laughter.]

Mr. BRIDGES. I would say that from my general knowledge—I have no specific knowledge—that is entirely possible, but I should not care to say definitely, because I have great respect for the Senator from Illinois, and I want him to have perfect latitude and not be influenced by anything I might say along that line. [Laughter.]

Here is another one that is pretty good, "Deer mortality from gunshot wounds." I like to go hunting, and I think it is a very worth-while sport. It is a subject which should be gone into, but I do not know just how anyone, however wise he may be, could prepare an accurate publication on that subject.

Here is something very good. Here is a document of 115 pages on Certain Child-Welfare Terms in Spanish, Portuguese, French, and English. I can understand the ones in English. There may be some reason for the others. But I will say we are going a little far afield when the Government issues free publications of 115 pages, translating these very endearing young terms into four different languages.

Here is another pamphlet which is very good. It is entitled "Mist Netting for Birds in Japan." We go over into Asia now, into the Far East, to consider things done there. This publication is about 40 pages. It contains a number of nice pictures. It deals with mist netting for birds in Japan. As I said there are many pretty pictures in the pamphlet. I do not believe I shall go into this pamphlet. I merely wish to say that it proves we are not prejudiced in the matter of putting out pamphlets dealing with other countries.

Here is one which has real appeal. It is entitled "Music While You Work." We could talk about such a thing as that for the Senate. If we could arrange to have music while we work on the Senate side of the Capitol it would be worth while. The pamphlet contains something like 60 pages on how best to provide music while we work.

We now go to the farm. I hold in my hand a pamphlet entitled "Your Farm House. Planning the Bathroom." Listen to this:

Whether you are putting a new bathroom into an old house or building everything new, plan the bathroom to fit your family's present and future needs. Let every one in the family, young and old, join in the planning. Here are just a few of the many questions you will want to talk over before you make your final plans.

Will dad and the boys coming in from work use the bathroom as a washroom, or can you build a separate washroom? Can you plan your bathroom to meet the special needs of the children or sick or aged members of the family? Do you need bathroom space to bathe and dress a baby?

Will there be a morning rush on the bathroom?

That is an important subject.

Perhaps you need a bathroom that several persons can use at one time.

That would be a wonderful thing. We have something there, Mr. President. I can remember when I was in college, living in a boarding house. There were three floors in the house. On the floor I lived there was one bathroom. I think there were 12 boys who lived on that floor. We all made a dash for the bathroom at one time. Of course we were all of one sex, and that did not cause as much embarrassment as if there had been mixed sexes living there. But we made a dash for the bathroom, and it would have been ideal if we could have had there to advise us the planner who put out the pamphlet.

I continue to read:

Perhaps you need a bathroom that several persons can use at one time.

I have been thinking about how that would work. It would be rather a difficult thing at best, even for the very astute minds of some of the planners we have here in Washington to figure out how that could be done in one bathroom. I can see how there could be a multiplicity of receptacles there, and that perhaps several persons could use the bathroom at one time, but I cannot understand how the planners could arrange it so the bathroom could be used by any great crowd at the same time. Yet, that is one of the solutions we are offering on the part of the United States Government, for such a problem.

The pamphlet says:

Always plan in advance.

That is a good thing to do. If we could sort of apportion the time of those who use the bathroom it would be very worth while.

Here is a pamphlet I got from the distinguished senior Senator from Washington [Mr. MAGNUSON]. It deals with the Columbia Basin. It is entitled "Columbia Basin—Joint Investigations—Farm Improvement." The pamphlet consists of 126 pages. I shall not have time to go into all of it. But there were several things contained in it that I particularly wanted to read to the Senate.

Home-furnishing needs are discussed. I hope the distinguished Presiding Officer is not going to leave, because I want him to hear this. I think it is very worth while. I know the Senator from Illinois to be a very learned man, with a very fine educational background, but I think he can learn some new things from what I am saying today. He may hear something he has probably never even imagined before.

The PRESIDING OFFICER. The Chair will pay very close attention to what the Senator from New Hampshire is saying.

Mr. BRIDGES. I thank the Senator. I read:

Roughly, three kinds of furnishings deserve consideration: Furniture, appliances, and accessories. The most important pieces among the first will be davenports, chairs, tables, pianos, radios, beds, and storage pieces—

And so forth and so on. Now we come down to something else:

Second, the pieces must satisfy the settler's taste. This is one of the more difficult problems to resolve. The average ruralist seems to feel his daily routine to be rather unexciting and in selecting home furnishings he is likely to satisfy his consequent craving for glamour by choosing flashy pieces.

Mr. President, I do not like that statement. I do not like to have that said with respect to the people of the State of the Senator from Washington. That is a direct reflection by the bureaucrats in Washington upon the taste of the people of that State. I rather resent that, because I think the farmers in the State of Washington, and the Columbia River Basin, at least those I have met, have pretty good judgment. I do not want to have reflections cast upon them any more than I would like to have reflections cast upon the farmers of the State of the senior Senator from Illinois [Mr. LUCAS]. Apparently, the bureaucrat who wrote the pamphlet thinks that the farmers of Washington, in the Columbia Basin, go in for glamour by choosing flashy pieces. I continue to read:

Ponderous davenports covered with brilliantly colored pile fabrics, refrigerators with much brightwork, highly figured rugs and wallpaper, elaborate pictures and accessories—these are the sort of things that may tempt him. He is likely to pass up the simpler articles and spend extra money he can ill afford to buy pieces with more class.

I realize that the bureaucrat who wrote the pamphlet believes as he wrote, but I cannot bring myself to condemn people in the State of Washington, as he does by what he writes. It is a matter which has been troubling me ever since I read it, and I will say to the senior Senator from Washington, that I felt bound to bring it to the attention of the Senate.

Mr. MAGNUSON. Mr. President, will the Senator yield for a question?

Mr. BRIDGES. I yield for a question only.

Mr. MAGNUSON. Does not the Senator from New Hampshire think that probably the purpose of the pamphlet is to sort of educate all the settlers we expect to come to our State, to the Columbia Basin, from New England and the middle west, to the real simple way of life in Washington, and to warn them not to bring their fancy ideas of the East with them when they come to our State?

Mr. BRIDGES. I do not think so, I will say to the Senator. I believe the Senator's friends there are perfectly competent to take care of themselves in this respect without needing such aid as is attempted to be provided in the pamphlet. I am sure that such a thing as this is rather of a questionable nature. But I will say in all candor to the Senator that I simply do not like the reflection that is cast upon the Senator's people by what I have read.

I read further:

It is not suggested that the farmer's taste is bad and that he must be saved from himself and made to buy only the proper things selected by trained decorators. Rather it is proposed that the desires which cause him to select a special type of furnishings shall be analyzed and those desires satisfied with items which individually and together are good buys.

Now that is a part of the collective state, as I see it. It is not proposed even to let the farmer in Washington buy what he wants. The bureaucrats seem to be afraid the farmer might have bad taste. So they are going to analyze him and analyze his desires for the items individually, so they can guide him in the direction of the type of things he had best buy.

I do not want to discuss the pamphlet further, but I suggest it is a subject which the Senator from Washington and the Senator from New Hampshire should look into more fully, because it is a sort of a reflection on some of our best people.

Here is a very nice pamphlet. It is entitled "Habits, Food, and Economic Status of the Band-Tailed Pigeon." Now we are getting into a new field—the habits, food, and economic status of the band-tailed pigeon. That is really a new matter. I am not very familiar with the band-tailed pigeon, but here we have a pamphlet of 76 pages on the subject of the habits, the food, and the economic status of the band-tailed pigeon. I cannot go into it in great detail, Mr. President, but I think Senators will be interested in one paragraph which tells about the courtship of the band-tailed pigeon:

Apparently little is recorded concerning the courtship of the band-tail. Bent (1932), quoting Swarth, indicates that cooing and other calls and spectacular circling glides by the male from a perch are among the details of courtship.

That is very interesting. The male starts to coo, and he coos a little and calls a little, and then he does circular gliding movements from a perch. That indicates the start of the courtship.

Pearse (1935) describes another activity, apparently part of the courting behavior. Short flights in a hesitant, quivering manner, during which the bird seems almost to float, form the basis of this display. The tail is fully spread, and Pearse says that the tips of the wings appear to be held down. The display is accompanied by two separate very low calls, one of which he describes as being very like the modified chirping of a cricket.

I should like to read another paragraph under the heading "Calls." This has relationship to the courtship of the band-tailed pigeon.

The deep, cooing notes of the band-tailed pigeon are distinctive. Once heard, as they ring through the depths of some mountain canyon, they will never be forgotten. Mrs. Florence Merriam Bailey (1902) terms the calls owl-like. They are most often heard during the courting period, and Wales (1926) describes the tilting of the head downward to horizontal, the inflation of the neck, and other actions incident to the display of that particular period.

The courting period of the band-tailed pigeon is an important period in its life. I can believe that.

After nesting has begun, the cooing is more subdued and less frequent.

A variety of low gutteral call notes may be heard when the parents are together at or near the nest: these are similar to the notes of the domestic pigeon at such times.

After the courtship is over and the nesting period has begun, they act like ordinary pigeons.

The squab, when hungry, utters a thin, piping note. Neither of these latter calls can be heard for more than a few yards.

That is a book which I think everyone should look into. Senators should carry it in their brief cases, because it gives inspiration to go on. If we can get down to the details of the courtship of the band-tailed pigeon, we certainly ought to be able to do something about humans.

The State Department sent to the committee approximately 20 volumes which it issued for South American distribution. Every one of these volumes is in Spanish. One group is highly technical and professional. I am limited to English and a smattering of French which I acquired many years ago when I was in college. I am not an authority on Spanish. If any Senator is a Spanish scholar, I think he would be very much interested in some of these books. They are not inexpensive books. The one I hold in my hand contains 847 pages. It deals with some of the details of human relations. It is printed in Spanish, and we are sending it to other countries for their use. It is a pretty good book to have in one's library.

There is another group of publications, which I shall not take the time to discuss in detail. Here is one which is very interesting, on Mobey Dick. It has been translated into Spanish. The book contains 700 pages, and is very elaborate.

Mr. President, I could continue citing examples like these for hours, but I shall not take the time to do so. There are one or two more publications which I should like to discuss.

This one is entitled "Among the Birds in the Grand Canyon Country." Let me quote from it:

One night after a thunderstorm over the North Rim, while the stars were still hidden, the moon gave a soft light through which the large landscape features could be discerned. Under the turreted South Rim our amphitheater walls led down in gigantic dark silhouetted steps lowering to the mesa; and beyond across the width of the great chasm was faintly seen the far-away familiar level of the North Rim. But as I gazed around dreamily, the soft, soothing voices of little toads, the drowsy chirring of crickets, and the faint poor-will, poor-will, soon lulled me into peaceful sleep.

That is what we paid for. We not only paid for the printing, but we paid for the trip and all the research. This author had some amazing experiences. They are almost startling. I took the book home and read it. It made me wish that I could take a trip out there next year.

The next publication is entitled "List and Index of Department of the Army Publications." One does not need to take the time to go through the Army publications. He can consult this list of all the publications issued by the Army. They concern almost every subject in the world.

There is another publication to which I think I should refer. It has to do with how to tell the sex of a watermelon. I think that is a very interesting thing. It is a subject which we should look into, and probably give some study. The pages in this publication are not numbered, but my guess is that it contains from 20 to 25 pages. It deals with a very heavy subject. When we come to determining the sex of a watermelon, it really taxes the brain of the average citizen, because that is a major subject. I know that some distinguished Senators come from States where watermelons are produced in great quantities. I like watermelons. I have spent some time either cultivating or eating them, but never determining their sex or studying their sex life. But I can appreciate that the sex life of a watermelon might be a very interesting subject to study. It certainly could do no one any harm. It would be perfectly harmless reading. If one could become proficient in determining the sex of a watermelon he could probably make some contribution—as much as many of our bureaucrats are making—to the country as a whole.

I cannot even pronounce the title of the next publication, but it consists of 49 pages. In one of the chapters there is discussed the cross between a goose and a swan. The goose is a commercial bird, something in which we are all interested. A good fat goose to eat is delicious, and goose feathers are of commercial importance. I do not know what we would gain by crossing a goose with a swan; but here we have a chapter on how to cross a goose with a swan.

Another chapter in this book is entitled "A New Name for the Japanese Blue Magpie." It tells why the Japanese blue magpie should be named differently.

Another chapter describes a hybrid between an Emden goose and a mute swan. Mr. President, I do not know what a mute swan is. This tells how they were kept in the Munich Zoo, and lists three other known records of that hybrid; and they call the cross between the Emden goose and the mute swan a swoose. [Laughter.]

So, Mr. President, we have a chapter on the swoose, which is a new thing in bird language, and one of the things we are contributing our tax money to develop in various ways.

Mr. President, the subject I have been discussing is the result of a survey made by the Appropriations Committee of the United States Senate last year, and finished then. Sometimes I have wished to discuss some things regarding it. Today I have discussed perhaps 50 of these pamphlets; but if Senators will come with me to the basement of the United States Capitol, the building in which we stand now—and, Mr. President, I should be delighted to escort you and other Senators down there—I can show them in one of the rooms in this building between 83,000 and 84,000 booklets and pamphlets, individual issues, every one of them representing a great series of publications issued by various agencies and divisions of the Federal Government. Not all of them are about the swoose, but many of them will make as interesting reading as some of the ones I have referred to today.

Mr. President, I think there are many subjects on which our Government can properly publish information, and I am not condemning all such publications. In the field of agricultural publications, when pamphlets are issued on diseases of cotton, or the hoof-and-mouth disease, or subjects of that sort—something useful to the people of our country—such publications are commendable, and I am in favor of them. If our Government publishes a book on infant care, I think that is a fine thing. But today the Government of the United States is wasting hundreds of millions of dollars not only in printing costs but in the labor that goes into preparing and writing such books and publications—and not only in the printing and the writing of such publications, but also in the research that goes into assembling the facts in regard to how to cook muskrat meat, for instance.

Mr. President, money comes rather hard today; and in spite of the change of control in the Congress, following the elections last November, and in spite of the 4-year lease of life given to the minority administration in Washington today and its desire for big spending, someone must save some money somewhere along the line.

Mr. SALTONSTALL. Mr. President, will the Senator yield for a question?

Mr. BRIDGES. I yield for a question.

Mr. SALTONSTALL. Would not the Senator like to mention, in connection with the arguments he has just made, the scarcity of paper?

Mr. BRIDGES. Yes; the scarcity of paper is an important item. These different publications, between 83,000 to 84,000 in number, were published—some of them in lots running into hundreds of thousands, and some in lots of only thou-

sands—in a period when paper was extremely scarce; in fact, during that period we suffered from perhaps our greatest scarcity of paper.

Mr. President, I see the Senator from Maryland [Mr. TYDINGS] in the Chamber. I wish he had been here when I was talking about one of the recipes in a Government publication, which was entitled, "The Way To Cook Shredded Muskrat Meat à la Maryland." I did not know that Maryland specialized in that dish; but it was one of the very interesting things in the book.

Mr. TYDINGS. Mr. President, will the Senator yield for a question?

Mr. BRIDGES. Yes, for a question.

Mr. TYDINGS. If the Senator would like to have me tell him how to cook muskrat à la Maryland, I shall be very glad to tell him how to cook it; and not only that, but if he will furnish the muskrat I shall be glad to cook it. [Laughter.]

Mr. BRIDGES. Mr. President, I am delighted to know that. Perhaps the Senator from Maryland does not need to read the book. Under those circumstances, he can join with me in opposing the publication of the book, and in that way we can save some money.

Mr. President, I have tried to point out that Government agencies are scattered throughout our country, and are not located solely in the city of Washington, D. C. I have tried to point out that in one city—Chicago, Ill.—there are 530 separate Federal departments and agencies housed in offices there. I have tried to point out that some cities outside of Washington have as many as 25 separate Federal Government printing establishments.

I have tried to point out the ramifications of this great printing and propaganda problem in this country, and that the printing was not limited to Washington, D. C., and the Government Printing Office here, but has spread all over the United States, and even into foreign countries.

Mr. President, I have stated that from the Government Printing Office alone, here in Washington, there have rolled out, recently, 133,000,000,000 copies of publications and pamphlets and when we stop to think that we have 140,000,000 citizens, that is rather good coverage. In short, Mr. President, I have indicated some of the ways of presenting this matter. Of course, I have used some of the more humorous bits as examples and illustrations, because I think they typify the problem I am trying to state.

Mr. President, as I conclude my remarks, I hope this talk will not be entirely in vain, but that the Congress of the United States will make a serious attempt, as the appropriation bills come through, to limit the amount of money which the Government departments can spend for printing and binding and propaganda. It is one of the most fertile fields for Government economy the Congress of the United States can find.

Mr. KNOWLAND. Mr. President, will the Senator yield for a question?

Mr. BRIDGES. I yield for a question only.

Mr. KNOWLAND. While the Senator from New Hampshire is speaking of printing, I should like to mention another subject, although perhaps it is not exactly the subject he has been discussing: I wonder whether the Senator from New Hampshire is familiar with the fact that the new Congressional Directory, which has just been issued, on page 313, shows, as Chairman of the National Security Resources Board, Mr. Mon C. Wallgren, of Washington, who has not yet been confirmed by the Senate, nor has his nomination been reported from the Armed Services Committee.

Mr. BRIDGES. Mr. President, that is very interesting; I did not know that. I now turn to page 313 of the new issue of the Congressional Directory; and it is rather startling to see Mr. Wallgren's name listed there, because I assumed that his nomination was still before the Armed Services Committee. But here is the Congressional Directory, printed by the Government of the United States, under the direction of the United States Congress; and this new issue of the Congressional Directory lists as Chairman of the National Security Resources Board a man whose nomination has not yet been reported from the Senate committee having charge of it. As a matter of fact, this book must have been printed and published some time ago; yet the nomination of that gentleman has not yet been reported to or confirmed by the Senate. Mr. President, when such a thing occurs, it must be either oversight or some kind of crystal-ball gazing. I thank the Senator from California for calling it to my attention.

Mr. CAIN. Mr. President, will the Senator yield for a question?

Mr. BRIDGES. I yield for a question.

Mr. CAIN. I wish to ask whether the Senator from New Hampshire has had occasion to refer to one of the first pages of the new Congressional Directory, the one opposite the page which carries the picture of the Capitol; and, after looking at that page, does the Senator from New Hampshire know to what date the new issue of the Congressional Directory is stated to have been corrected?

Mr. BRIDGES. I now refer to the page the Senator from Washington has mentioned. It says:

> Eighty-first Congress, first session, beginning January 3, 1949.
>
> Official Congressional Directory for the use of the Congress of the United States.

Then a picture of the American eagle appears, and then we find the following:

> First edition, corrected to February 15, 1949.

Mr. President, today is March 9, 1949, as I recall; so apparently there is some little error even in the congressional establishment, in connection with the printing of books.

Mr. MAGNUSON. Mr. President, will the Senator yield for a question?

Mr. BRIDGES. I yield for a question?

Mr. MAGNUSON. I wonder whether the Senator from New Hampshire or the Senator from California really believes that particular mistake in the Congressional Directory was deliberate? Actually, there are several mistakes in the Directory.

Mr. BRIDGES. I may say to the Senator from Washington I do not know how the name got there, unless somebody put it there.

Mr. MAGNUSON. Somebody, of course. As the Senator knows, proofs are made up, and is it not true many mistakes are made by the clerks? There are several mistakes in every issue, which must be corrected. The Senator of course does not believe it was deliberate, does he?

Mr. CAIN. Mr. President, will the Senator yield for a question?

Mr. MAGNUSON. As a matter of fact, the Senator asked a question, as I did. The matter was called to the attention of Senators. We have asked the chairman of the Committee on Printing to find out about it.

Mr. BRIDGES. I may say in answer to the Senator, I should like to know whether he thinks the name was placed there by mistake?

Mr. MAGNUSON. It is a mistake at this time; of course it is; just as there are several other mistakes.

Mr. CAIN. Mr. President, will the Senator yield for a question?

The VICE PRESIDENT. Does the Senator from New Hampshire yield?

Mr. BRIDGES. I yield for a question only.

Mr. CAIN. Does the Senator know the date on which Mr. Wallgren was nominated by the President to be the next Chairman of the National Security Resources Board?

Mr. BRIDGES. February 7, 1949.

Mr. President, I shall conclude my remarks on the Government printing operations and Government propaganda campaign. I am sure the distinguished Vice President now occupying the chair, who is part of the administration, pledged to the reduction of expenditures, will cooperate in eliminating a good deal of the unwise propaganda pouring forth in great fountains from Washington to all parts of the country; and if he will devote his energies and attention to the subject, based upon my knowledge of him and of his performance in the past, I feel sure we shall have great assistance in achieving the objective we seek.

The VICE PRESIDENT. The Chair thanks the Senator from New Hampshire for his generous compliment.

AMENDMENT OF CLOTURE RULE

The Senate resumed the consideration of the motion of Mr. LUCAS to proceed to the consideration of Senate Resolution 15, amending the so-called cloture rule of the Senate.

Mr. BYRD. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Anderson	Douglas	Hendrickson
Baldwin	Downey	Hickenlooper
Brewster	Eastland	Hill
Bricker	Ecton	Hoey
Bridges	Ellender	Holland
Butler	Ferguson	Hunt
Byrd	Flanders	Ives
Cain	Frear	Jenner
Capehart	Fulbright	Johnson, Colo.
Chapman	George	Johnson, Tex.
Chavez	Gillette	Johnston, S. C.
Connally	Green	Kefauver
Cordon	Gurney	Kem
Donnell	Hayden	Kerr

Kilgore	Miller	Stennis
Knowland	Millikin	Taft
Langer	Morse	Taylor
Lodge	Mundt	Thomas, Okla.
Long	Murray	Thomas, Utah
Lucas	Myers	Thye
McCarran	Neely	Tobey
McCarthy	O'Conor	Tydings
McClellan	O'Mahoney	Vandenberg
McFarland	Pepper	Watkins
McGrath	Reed	Wherry
McKellar	Robertson	Wiley
McMahon	Russell	Williams
Magnuson	Saltonstall	Withers
Malone	Schoeppel	Young
Martin	Smith, Maine	
Maybank	Sparkman	

The VICE PRESIDENT. Ninety-one Senators having answered to their names, a quorum is present.

Mr. McCLELLAN. Mr. President, in view of the very strict enforcement of the rules of the Senate I withhold at present the making of a parliamentary inquiry. My understanding is that the pending question is on the motion to take up consideration of Senate Resolution 15. That resolution, Mr. President, has for its purpose a change in a rule of the United States Senate which gives protection to a minority of the membership of this body, and often, in doing so, it gives protection to a majority of the citizenship of this Nation. A simple change in the rule is not all that is involved in this issue. It has many ramifications of great significance, and it has the possibilities of tragic consequences. What is involved in this matter is an inexhaustible subject. I do not presume that in the time I shall occupy the floor this afternoon I shall be able to say all that I might say upon the subject or to discuss at length all of its ramifications. The subject, Mr. President, could easily exhaust me and consume the full measure of my physical strength and mental vitality long before I could exhaust the discussion of the subject, assuming that I had the wisdom to discuss all phases of it.

So, Mr. President, I shall not undertake to exert myself and expend my strength hastily; but if I proceed with some deliberation I want to assure the President of the Senate and my colleagues that that is no indication or evidence of lack of sincerity or of enthusiasm or of conviction with respect to the position that I shall take.

Mr. President, in contemplating this occasion the scene which we now witness in this Chamber and which we have witnessed for the past 10 or 15 days—the threat that the Senate would lay aside important business and important affairs to take up what I knew, and what every other Member of this body knew, would be one of the most controversial subjects that has come before this body in the last quarter of a century, or possibly longer. I realized this, Mr. President, from the history of past debates on subjects and issues which involved very much the same questions and problems which are involved in this debate. Knowing the action taken in the past, the long debates which have ensued, knowing also, Mr. President, there was possibly great pressure being applied from minority groups and from others who would like to impose this iniquitous thing upon the American people, knowing that the pressure at this time and on this occasion would be more intense and concerted not only against the Senate of the United States but against the President of the United States himself and against this administration, there would possibly arise, and I think there has arisen, a desire on the part of the majority leadership of the Senate and others to make this an ordeal, an endurance test, a test of strength and capacity. Yes, Mr. President; it is a physical ordeal. It carries with it some anxiety, and particularly when we realize the merits involved, because we would lay aside in this time of world history great and important questions when there is more trouble, more distress, more chaos, more threat to human rights than ever before in the history of the world, except possibly when war was actually in progress.

Contemplating that, Mr. President, I found myself wishing that there might be some way, that something might transpire to cause the leadership of this body and others who were willing to compel consideration of this motion not to do so. As I thought about it the other evening, before the motion was made, after I had retired and these perplexing thoughts came to my mind as to why this was necessary, why we must suffer this ordeal, I found myself uttering a prayer in words almost in exact quotation of the prayer that Jesus offered up in the Garden of Gethsemane. Not only did I hope that the Senate of the United States might be spared this unnecessary, this useless, trouble, this conflict, because I not only wanted to be spared myself, but I thought of my fellow Senators. But, Mr. President, if I prayed more intensely about one thing than another it was that there still were enough of us left here who thought more of our country, who loved our liberty more, and who loved it sufficiently to have the strength to stand and oppose this movement until that strength was exhausted.

I hoped and prayed above all that the majority in this body and the leadership of this body would not press that cup to the lips of the American people and make them drink those bitter, those destructive drugs that are contained in this proposal. I urge Senators to think well of what they do.

Mr. President, I hope that this cup may soon pass from the Senate, and I hope it will never again be pressed to the lips of the free men and women of America.

Mr. President, I do not know whether reading from the Bible would be a breach of the rules of the Senate, it is getting pretty hard to tell what the rules are right now, but I thought I might read just a little Scripture. I am sure every Senator here is already informed, but when I turned to this Scripture the other night and read where Jesus prayed that that cup might pass from Him, I could not help following on and reading a little further, and recalling again what history has recorded as to what transpired immediately thereafter.

Mr. President, we are hearing much about majority rule. We are hearing much about breaking precedents. We are hearing something around here about the precedents of the Senate being overruled for the sake of expediency. I recall that our Saviour who prayed that the cup might pass from Him was soon to be condemned by a mob, by the majority, by majority rule. Then, Mr. President, I remembered, as I read the Scripture again, that the Saviour of man was condemned by the overruling of precedents, in that Pontius Pilate, the governor, could find no fault with him, and it was not the practice, and it is not the rule, to condemn to death innocent men. But precedent was broken in order to serve the will of a majority, a howling mob.

Mr. President, back in the shadows behind the Senate there are howling mobs which insist that Senators forget their oaths, forget their consciences, forget their duty, and be subservient to the will of the mob, even if it takes the overruling of the precedents of the United States Senate. That is what Senators are being asked to do, that is what Pontius Pilate was asked to do, and he did it, and the Saviour of mankind was crucified.

Yes, I know what he did, in a back-door sort of fashion. He sent and got a bowl of water and washed his hands and said, "I am going to have nothing to do with this good man," and tried to get the mob, on that occasion, as was the practice, to let him release the Saviour, but they would not do that, they took Barabbas instead.

You are taking Barabbas instead when you condemn these traditions which have made America great, when you overrule the precedents and the rules of the United States Senate which made it possible for minorities to be protected in the past. You are asking the release of the other, and subjecting to crucifixion, if the majority can have its way in the United States Senate at this time, one of the greatest bulwarks of liberty which the American people have.

Mr. President, the Senate was not intended to be just another legislative body. The very construction of it, the way it was set up, the very conception of it in the hearts and minds of our founding fathers, made the United States Senate something distinct, separate, apart, unto itself, as a legislative body. It has been kept that way until now. It ought to be so retained. Yes, Pilate washed his hands in an endeavor to see to it that the blood of the Saviour be not upon him. I am not going to wash my hands. I am going to vote against, speak against, and so long as I have the strength and the rational mind necessary, oppose what the Senate now proposes to do.

Mr. President, in political campaigns it is the practice, and quite proper, to exhort all good men to come to the aid of their party. I suppose most all political parties do that, particularly when a campaign is on, and we see, even when a campaign is not on, that cartoonists sometimes depict the minds of leaders in government and others, by giving illustration in comedy, in the nature of cartoons. Just this week, on March 7, one of the leading newspapers in Washington contained a cartoon on the first page showing the chairman of the Democratic National Committee pounding away on his typewriter, exhorting: "Now is the time for all good men of the North, East, and West to come to the aid of their party."

Of course, the cartoonist was simply being facetious. But, Mr. President, in times of national emergency, in times of danger of peril to our country, or when there is threat of evil legislation, we need to exhort all good men to come to the aid of their country.

Mr. President, I have never known how to be anything else politically but a Democrat. Democracy, as Southern Democrats know it, and have lived it and loved it, has been instilled into me from infancy. I shall never forget when I was only 8 years old attending a little summer country school. I had a little difficulty with another student, and the teacher, in order to enforce better discipline, and not being quite certain who was at fault, made sure he punished the right one by punishing both of us. I am not quite so certain I was not the right one, but according to the way I reported the incident to my father I probably deserved a medal rather than a thrashing.

It developed that the school teacher was a Republican. There were not many Republicans in that part of the country. He was the only one I can remember at that age. So my father, being such a partisan Democrat, thought it very appropriate that we even the score with this Republican school teacher, and in accordance with custom, some two or three weeks later when the school closed, and when we had the little exercises wherein the students might recite, "Twinkle, twinkle little star," or some other little poem or verse to display their oratorical abilities, instead of my memorizing some little verse, my father had prepared for me a speech supporting the nomination of Alton B. Parker. So Senators may understand that I am a Democrat from the beginning until now.

But, Mr. President, that is not the greatest thing of which to boast. However much more merit the Democratic Party may have, or however superior the Democratic Party may be to other political parties, or vice versa, that is not the issue.

What I am trying to emphasize is that it does not matter today, when it comes to the question at issue, whether one is a Republican or Democrat. The issue before us transcends party alinements. It transcends party obligations. Being a member of a political party, according to my concept of duty and conscience, imposes no obligation upon me to follow the leadership of that party, if and when the leadership of the party proposes legislation or policies which contravene or threaten or endanger the fundamental liberties of our land.

No, Mr. President, no Member of this body is under any such obligation, and took no such oath of allegiance, but he did take an oath of a higher allegiance than party allegiance when he became a Member of the United States Senate.

So I say, Mr. President, that the issue before us is one—and we sometimes hear it facetiously said—upon which we ought to rise above principle, and I mean party principle. We ought to rise to the height of American dignity, and everything Americanism stands for, and everything that is guaranteed by the fundamental law of the land.

I heard the able senior Senator from Georgia [Mr. GEORGE] speak on this subject a few days ago. He warned Senators that our Constitutional guarantees could be whittled away little by little. Very few countries have lost their liberties through one bold stroke of legislation. Most countries who have lost their liberties have lost them by a softening process, by the temptation to and a response of yielding to a little demand here and a little more there, and on and on. If America ever falters, if America ever fails, the America that you and I know, in view of our almost matchless power and strength economically and as a military power, will more likely fail by reason of disintegration from within. Disintegration can be brought about, and it is possible for disintegration to come in America, by the whittling down process of which the very able senior Senator from Georgia spoke a few days ago.

Mr. President, speaking of all good men coming to the aid of their country, that is important when this great deliberative body, the United States Senate, is urged to enact laws which are inimical to the welfare of our people, and which contravene the very concept of our liberties. On such occasions it is the duty and obligation of every Member of this body to rise above partisanship and above political considerations, and thus come to the aid and protection of our country.

Mr. President, is there one among us, is there a single Member of the United States Senate, who will refute the charge, and undertake to sustain the refutation of it, that except for political pressure groups this proposal would not be before the Senate today? Instead of wasting its time the Senate, in whose integrity and wisdom of action the very safety of America is reposed, could be undertaking to legislate on constructive measures which might bring more order, more peace, and more harmony among our people, and strengthen our economy. The time and energies of Members of this body, possibly for a period of weeks, is being consumed by an effort to impose upon the American people an iniquitous program, one which would stir up more strife, more disunity, and one which has less to recommend it to the conscience of honest men than any program that has ever been submitted to the Senate.

Mr. President, if we are going to yield to pressure groups, America cannot survive. When men write to Members of Congress and insist that they do their will without thinking, and undertake to coerce and intimidate by threatening to defeat them at the polls in the next election, if that philosophy, that sort of coercion and intimidation, is substituted for rational thinking and sound judgment on the part of Members of the Congress, the doom of America and of American liberty and freedom is somewhere in the offing.

But it is said that this is a democracy, and that the people vote, and that we ought to carry out their will. I do not know about that. When that will may have been expressed without full knowledge and information, or whenever that will contravenes the fundamental law of the land, no one is under obligation to carry it out.

Mr. LONG. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER (Mr. HUNT in the chair). Does the Senator from Arkansas yield to the Senator from Louisiana?

Mr. McCLELLAN. I yield for a question.

Mr. LONG. Does the Senator not agree with me that the so-called FEPC bill is one of the main bills behind the move to change the rules of the Senate and impose gag rule in this body?

Mr. McCLELLAN. The Senator is correct in part. That is the main one which appears on the surface. A while ago I spoke of the mob back in the shadows. That is not the final objective of their program. If we pass the bills now pending in the Senate, the next measure, and the final objective, will be to break down the segregation of the races. Make no mistake about it. We could not compromise with the gang which is behind the proposed legislation and pressing for its passage, threatening Members of Congress with defeat in the next election if they do not pass it. We could not settle with them on the present program.

Mr. LONG. Mr. President, will the Senator yield for a question?

Mr. McCLELLAN. I yield for a question only.

Mr. LONG. Is the Senator from Arkansas familiar with the fact that the so-called FEPC bill, in a State version, has been submitted to the people of 15 States, and that every time it has been submitted to the people for their vote it has been voted down by overwhelming majorities? Is it not true that the question was recently submitted to the people of the State of California, and that the people of the State of California voted it down overwhelmingly, by a vote of more than 3 to 1? Does the Senator know that the people of California defeated it overwhelmingly in every county in the entire State?

Mr. McCLELLAN. I have not checked that information, but I believe I have heard it stated on the floor of the Senate that that is what occurred in California recently. I have not counted the number of times the question has been submitted, but I do know that from time to time when the question of an FEPC under State law has been submitted to the people, it has been defeated. I do not recall a single State where such a proposal has been submitted, where the people approved it. All States are represented in the Senate by two Senators. If there is a single State in the Union where the people have approved such a law when the question was submitted to them, surely some Senator supporting this legislation would rise and cite evidence of the will of the people in any State where such a law might have been approved by the people.

Mr. LONG. Mr. President——

Mr. McCLELLAN. Mr. President, I do not yield further at the moment.

That is why the supporters of this program want the Congress to disregard the Constitution and everything it stands for, because they know that they cannot

carry out their abominable will by going directly to the people of the States. Would not that be a fair way to do it? No one would object to that method.

If the people of New York want to have an FEPC there, or if the people of Montana or the people of Wyoming or the people of Pennsylvania or the people of Texas or the people of Kalamazoo or the people of any other section of our country want an FEPC law, they can have it, Mr. President; in such a case the Congress could not legally interfere with it. The only way they could be prevented from having it would be for Congress to submit and the States to ratify a constitutional amendment prohibiting the enactment of such a law; but, of course, everyone knows such a proposal would not get anywhere.

However, some persons want to reverse the situation, inasmuch as the people in the several States where such an FEPC proposal has been submitted have condemned it and rejected it, an attempt now is made to resort to the Congress and have the Congress violate the Constitution in order to get that infamous proposal adopted.

Now I shall be glad to yield for a question only.

Mr. LONG. Mr. President, I ask the Senator from Arkansas whether he read the portion I shall mention of the hearings on the proposal to limit debate in the Senate of the United States; and I read now from pages 132 and 133, where the Senator from Mississippi [Mr. EASTLAND] made this statement with reference to the FEPC bill:

> For instance, I will take the State of California. There it—

Meaning the FEPC—

> has been submitted to a vote of the people, as I recall, and every time it has been submitted to the people it has been overwhelmingly defeated. It was overwhelmingly defeated in California, as I remember, by a vote of more than 2 to 1.
>
> Is that accurate?

To that question the Senator from California [Mr. KNOWLAND] answered:

> It was overwhelmingly defeated.

Then the following occurred:

> Senator EASTLAND. In every county?
> Senator KNOWLAND. Yes.

Mr. McCLELLAN. Mr. President, does the Senator from Louisiana ask me if I read that?

Mr. LONG. Yes; did the Senator from Arkansas read it?

Mr. McCLELLAN. I was not present at that time, and I did not hear the Senator testify. But I did read the testimony given by the distinguished Senator from California.

Mr. LONG. Mr. President——

Mr. McCLELLAN. Mr. President, I do not yield further at the moment.

Mr. President, I have been discussing the question of rising above party, and going to the aid of our country. This is equally true when we are confronted with requests for the enactment of measures which, if enacted, would usurp the powers that are reserved unto the several States of the Union and unto the people themselves.

I have just said there is no doubt that the Constitution reserves to the States themselves the power to do everything that is requested in connection with these proposals, except the power to set up a Federal police power over lynching. Otherwise, all such powers are reserved to the States themselves. When the Constitution is rightfully interpreted, it is found that such powers are not granted the Federal Government, and never have been, because all the powers of the Federal Government are derived from the people themselves, and only the powers that are delegated to the Federal Government can be exercised by the Federal Government. All other powers—in this connection I shall not take time to read the provisions of the tenth amendment to the Constitution, for all Senators are familiar with it—are reserved to the States and to the people themselves.

Mr. President, it is not disputed that the States themselves have the right to adopt the proposals which presently are made to us. That is the important point to be remembered in connection with the present proposals and the contentions regarding them. If the people of any State believe in these proposed laws and wish to have them, they can have them so far as we are concerned; just let the people back home approve these proposals and adopt them. It is easy to have them adopted, if that is the people's will. But if it is merely some pressure group that is making such demands, that is different.

Mr. President, I make no claim to perfection. All of us are beset with some human frailties. But if there were ever a period in the history of our Republic when the highest quality of intellect, wisdom, and integrity were needed by the Members of this body, that time is now. Our country needs our best, because there is a threat to our liberties. There is danger to our traditions and to many of our basic freedoms. Our concepts and ideals of freedom are under attack. A cold war, a global war, is now in progress. This war is an unrelenting war. There is no prospect that it will end or can be terminated within the foreseeable future. I do not know how long it will last, but I see no prospect of having it end now or at any time soon.

This cold war may grow in intensity. Not only does the cold war that now is in progress strike at governments and nations, but it actually imperils civilization. Smaller and weaker nations, unable to resist, have been helpless and defenseless, and have been compelled to capitulate to the forces of tyranny and conquest, to that powerful monster, communism, which is now abroad in the world seeking to devour and to destroy every vestige of freedom, wherever it may exist. At the moment, the direct thrust may not extend to America, but the indirect thrust is present here. This monster intends to destroy human liberty everywhere in the world. All concepts of freedom, wherever they exist in the world today, are under attack. In many parts of the world, where battles in this cold war are now being fought, we find the forces of religious freedom being persecuted and the rights of the individual and his freedom of mind and of thought and of action restrained and controlled by the state.

Mr. President, is there religious persecution in our land? None of these measures is designed to prohibit any religious persecution in our country. Of course we have none. Some persons say that religion and ancestry and color and race are taken into consideration when a person seeks a job. But, actually, all that has nothing to do with a man's religion and his right of freedom of worship. That goes beyond religion, and goes into the question of whether one man has a right to share with another individual what he himself has created. I shall have more to say about that matter before I conclude my remarks.

Mr. President, what I have just mentioned is not a matter of religious freedom. A man can have all the religious freedom on earth he wants, but never be employed by me or by some other Senator or by anyone else.

In the newspapers of this morning we read of the sentences which have been imposed on ministers of the Protestant faith in a foreign land, ministers who it is said have committed no crime whatsoever. Recently we learned of the Catholic priest who was condemned to life imprisonment in a foreign country.

Yes, Mr. President, the menace of which I speak intends, if it has the power to do it—and let us make no mistake about that—to spread its ideology throughout the world; and its ideology is human slavery. We are aware, or at least we should be, that this monster is presently employing and pursuing every means short of a shooting war, while actually preparing for a third world war, which it boldly proclaims is inevitable, to beguile, deceive, soften, and cripple our own people and our own Government and all civilization for the final kill.

Follow me as I lead up to this point. I am not mistaken about it. This power has decreed that our capitalistic economy, our free-enterprise system, and our way of life and the dignity of man as an individual must be exterminated from the face of the earth.

Are we so blind that we will not see; so deaf that we will not hear? Are we incapable of reading the signs of our time? Or seeing, do we refuse to read? Or reading, do we give those signs their proper interpretation and acknowledge their significance?

Our complacency and lack of diligence, if not our actual stupidity within the last quarter of a century, brought us into two world wars unprepared. We were well warned beforehand. There were many unmistakable signs in concrete events that transpired, from which we could have known that our becoming involved in those wars was inescapable. But we refused to interpret correctly those events. We did not heed the warnings in those prewar days, and our neglect to make ready for those contests exacted a much heavier cost in material wealth, human lives, and suffering as the price for winning those military victories. Have the blood, sweat, and tears we expended for survival in those mighty conflicts instilled into us no greater wisdom,

no keener sense of danger, no better understanding of the tactics and insidious softening processes employed by the developing aggressor? Have we learned nothing from those tragic experiences of the recent past? If we have not, Mr. President, then I fear we at present are living in a fool's paradise. If we have learned any lesson, Mr. President, from two world wars from which we were unable to escape, then certainly we should make use of that knowledge and employ the experience and wisdom gained to build a stronger fortress of Government and citadel of freedom over here.

Mr. President, the aggressor—and we know who that aggressor is in the world today—will not attack in a shooting war until it believes it has the superior power and strength to conquer. But once it becomes so convinced, the world will again be plunged into a a holocaust of brimstone and fire.

Your country and mine, Mr. President, is the hope of the world today. The United States of America enjoys the honor and the enviable position of being the only present insurmountable barrier to a world Communist superstate and the literal enslavement of the human race. Were it not for our might and power the sovereignty of many nations, smaller and weaker than are we, would have long since perished.

What made our country great and powerful, Mr. President? I acknowlege there are many answers to that question. The answer in fact cannot be given in a single word, in a sentence, in a chapter, or in a single book. Volumes would be required to tell the whole story. But, Mr. President, we can name in one word the thing that is inimical to everything that has made America great. That one word is communism. If there was ever a government in its concept and in its principles and in its fundamentals that was further away from communism, that government, the one furthest away in the history of the world, is the United States of America.

This greatness is the priceless heritage of our generation. And Mr. President, that heritage is now entrusted to you and to me as the elected representatives of the people of the several States in the United States Senate. If we falter through lack of wisdom, or if through political pressure today we yield to unwise demands, and pass unwholesome laws, laws that do not come within the letter and spirit of the Constitution, which is the fundamental law of our land—if we do that, Mr. President, we shall be poor guardians, we shall exercise a sordid trusteeship of the great heritage we are expected to preserve and hand down to posterity.

We are the trustees, the guardians of this great citadel of strength and freedom, and millions of people throughout the world are the direct beneficiaries of the might and power embraced in the greatness of our country.

What are we doing today to help the world, and particularly the war-torn countries that were devastated by the war? What are we doing out of our greatness and a heart that is as human as the power and economic might of the United States is great? Out of that we are taxing our people to help the unfortunate peoples of the earth. If America had not had the kind of liberty we have had for the past 175 years, do you think, Mr. President, we would be in a position today to extend this helping hand to the other governments and nations and peoples of the world? I say no, we would not be. I ask you to show me a nation with any other kind of government—and we are comparatively the youngest of all—show me a nation with any other kind of government, Mr. President, any other kind of ism that is inimical to democracy as we know it and practice it and believe in it. Where is that government, with the power and strength to help? Yes, other governments, millions of other human beings, are still alive today because America has the economic power developed and established and maintained under a free-enterprise system under which we prize human liberty and the rights of the individual and the dignity of man, Mr. President, above those who have authority to rule.

Yes, Mr. President, if this strength and power are to be preserved, maintained, and increased, so that they may be forever the insurmountable barrier they are today to the evil forces of tyranny, aggression, and conquest, we must not permit any weakening of the basic structure upon which they rest.

Mr. President, I would ask the question here, Will any Senator dare rise in this body and assert that America is weaker today, economically, spiritually, or otherwise, because this proposed change in the rule was not adopted a hundred years ago or at some other time in the history of our Nation? Of course, a Senator would not dare to do so, Mr President. It is absurd. Why insist upon a change at this time? The country is doing very well. We have our problems, but they consist in what we are doing to ourselves more than in what another nation is doing to us. If we keep America on the beam and keep the Constitution of the United States as our forefathers framed it, we shall not have much trouble.

Mr. RUSSELL. Mr. President, will the Senator yield in order that I may propound a question to him?

Mr. McCLELLAN. I yield for a question only.

Mr. RUSSELL. I should like to ask the Senator, if he prefers not to be interrupted at this stage in his very able discussion, please to say so, because I can defer my question until later if he prefers that that be done.

Mr. McCLELLAN. I am perfectly willing, Mr. President, to yield for questions. I will say that it would be impossible for me, even if I had the physical strength to do so, to conclude within any reasonable time all that I might say on this subject. I am perfectly willing to yield to a reasonable extent to my colleagues for pertinent questions. I yield for a question only.

Mr. RUSSELL. I should like to ask the able Senator from Arkansas if one of the essential elements of the strength of the American system of free enterprise is not the right to own private property?

Mr. McCLELLAN. May I answer that question by saying it is, and by saying that every individual in America who owns any property is a part of the capitalistic system of this Nation. A man who owns a little home, even though it be a humble cottage, has the right to own it, under the laws of the land. He owns it in his own right, without interference from Government, without the right of the Government to take it and use it. The Government can take property in this capitalistic land of ours, only for public use and only by paying just compensation for it, so that the property owner sustains no loss.

Mr. RUSSELL. I should like to ask the Senator a further question, if he will yield further.

Mr. McCLELLAN. I yield for a question only.

Mr. RUSSELL. Is it not true that one of the most insidious forms of the attacks of communism, which the Senator has aptly described as the very antithesis of the republican form of government, is the attack being made upon the right of ownership of private property?

Mr. McCLELLAN. That is correct.

Mr. RUSSELL. I should like to ask the Senator if we can escape state socialism if we permit an entering wedge to be driven by the Government or any agency of the Government or the representatives of any minority group and they are given the right to say to any man who owns a plant or a store whom he shall employ? Is not that pure state socialism, which will result in the Government taking over and owning private property and thereby destroying our free system of competitive enterprise?

Mr. McCLELLAN. That is correct.

Mr. President, when I was quite a young lad, I often went with my grandfather to cut down selected white-oak trees, from which we took the sap so that my grandfather could make splints and weave baskets. We cut down hickory trees in order to make mauls and ax handles. When a man cuts down a tree and converts that natural resource into a tool of usefulness, who would dare say that tool does not belong to him? If I had the genius and the talent to sit at this desk or in my office and write a poem or a song that would touch the hearts and move the souls of men, whose property would that poem be if I cared to have it copyrighted? If, through my ingenuity, I invent an instrumentality that can lighten the burden of mankind or be of service to humanity, if I care to have it patented, I have a property right in it which is mine, and my Government so recognizes. Then, Mr. President, if a man creates a job by investing money which he has earned and saved, it belongs to him. He invests his money in a business. He takes the risk. He has an incentive to go into business to make a profit. Whether it be a little corner grocery store or some great enterprise which spread from coast to coast across this continent, if he creates it, it is his. The Government did not create it. When we want the Government to create jobs, and the individual not to create them, that is socialism. Whenever the Government takes control, it is nothing but

bureaucracy, under which the Government would tell us where to work and what pay we should receive. Do we want that in America? Those are the things that did not make America great. We can sometimes tell what produced a result by knowing what did not produce it. A job which I have created by my own ingenuity, my own capital, my own toil, labor, and thrift does not belong to any bureaucrat, in any democracy, among any free people on earth, to dispense to whomever the Government chooses. It belongs to me, so long as America is free. If it were otherwise, it would be another instance of the whittling-away process. That is exactly what it would be.

Mr. President, we cannot permit any weakening of the basic structure upon which the Government rests. We cannot preserve, and persevere in, this strength and power if we ever begin compromising with the ideology which Russia is now trying to impose upon the rest of the world. We cannot compromise with Russia. That is thoroughly demonstrated. Its goal, its objectives, its ideology permit of no compromise. I say permit of none; they might make an agreement temporarily, but who would have any faith in it?

Under the present leadership of Russia and under the ideology of communism as practiced today, I do not think we can take her word for anything. I think we will be foolish if we ever do. I think we had better make her understand our words, we had better stay prepared and keep our freedoms and keep strong, and shun the very appearance of communism in this country. I remember some more of the Bible; I do not know too much about it, not nearly enough, but I think it teaches us to shun the very appearance of evil. We had better shun anything that begins to smack of communistic doctrines in this country.

We hear so much about making democracy work and making democracy live. So often many who claim to have that high purpose insist that to do so we must depart from and abandon many of the basic fundamentals which have served so effectively in the past in the building of our greatness, and accept, instead, and to degrees, parts of the Communist philosophy of politics, society, and economy.

Why do we have to partake of any part of it? We hear commentators and others say, "Well, if you do not want communism over here, you have to do a lot of the things Communists are doing." That makes sense to a fool, and to no one else.

We do not cause something to live by pouring poison on it or putting a destructive substance on it. If we want it to live we feed it the blood of life, that which goes into making it what it is, and we do not make it live by taking away from it. Every part and parcel of communism we adopt in America in this year or the next year or the next will simply take away that much of the real Americanism that has made America what she is.

Such arguments portend a dangerous indoctrination. If our people should ever become so careless or indifferent, or should be so gullible and stupid, as to accept or follow such illogical and dangerous leadership, our strength and power will degenerate accordingly. We cannot partake of communism, or accept any part or parcel of its philosophy and ideology, without weakening our own fortress of liberty.

To the extent that we pattern our laws after the socialistic theory and communistic practices we will place in jeopardy the freedom we love. To whatever degree we depart from or abandon the fundamentals of our own system of government, which by comparison and by time and test has proven to be superior to any other form or system of government ever instituted by man, to the same extent will the fiber and vitality of our own Government, and of the way of life it protects and preserves, deteriorate and decay.

If we want to soften America for the kill when the next war comes, if one shall come, there is no better way to do it than to begin now compromising with communism, and begin patterning our laws after those of Soviet Russia.

Mr. EASTLAND. Mr. President——

The PRESIDING OFFICER (Mr. FREAR in the chair). Does the Senator from Arkansas yield to the Senator from Mississippi?

Mr. McCLELLAN. I yield for a question only.

Mr. EASTLAND. What could set the pattern of communism to take over the United States more than the undermining of the powers of our State governments, depriving the American people of the very genius of the American system, which is local control of their affairs and local protection of their affairs, concentrating all power in the National Government, as the proposals we are discussing seek to do?

Mr. McCLELLAN. If ever State rights are abrogated in America, there will be no restraining power in the world to prevent a dictator from taking over in this country. Destroy State rights, and once they are destroyed, the people within the States will lose the power of control.

Hitler had his fifth columns in many lands and in many governments for a long period of time before he began World War II. Those fifth columns served well in preparing the way for success of war against the countries wherein those columns stood. It was a softening process by corruption in the high places and by propaganda that deceived and deluded the minds and hearts of people, and which had its telling effect upon the political integrity of governments themselves. Thus, many countries were weakened and their conquest made certain and easy.

Mr. President, if the Communist powers or power can get Americans to believe that the way to get along with them is to pattern after their laws and their ideologies, Americans will be placing themselves in a position of danger and jeopardy from which they would be unable to extricate themselves if and when such a war should come.

Mr. President, similar evil forces are present in America today. We need not think that all the influence of communism and all the activity of communism and all the subversiveness and all the cold war exists only in Europe or in Asia or somewhere else. These forces are present in America today. We are reassured over and over that the number of real Communists in America today is small. In fact, we are told the number is so small that we need not be concerned, and that their power and capacity for harm, either in time of peace or in time of war, would be infinitesimal. But I am not so certain that such statements or such attempted assurances are at all justified, if the whole truth were known. It occurs to me that they possibly have larger numbers and are of greater potential danger than we are willing to concede. But, irrespective of the number of real Communists in America, whether that number is small or much larger than we think, it is bold and threatening.

Mr. President, I only have to refer the Senate, as I shall in a little while, to headlines and newspaper articles which appeared only a few days ago, since the present debate has been going on in the Senate, to show the danger that exists.

Mr. LONG. Mr. President, will the Senator yield for a question?

Mr. McCLELLAN. I yield to the Senator from Louisiana for a question only.

Mr. LONG. Is the Senator familiar with the argument that has been made by some persons that it would help us in curtailing the activities of Communists and subversive interests if we would change the rules of the United States Senate so as to install gag law here on the floor of the Senate?

Mr. McCLELLAN. I shall comment on that as I proceed a little further. I can give my opinion about it, and tell the Senator who will rejoice when such a thing happens. It will not be the God-fearing and God-loving people of America, who love their country and want to preserve it—those who know what the real results of such action would be.

In the course of the present debate, since the motion to take up the resolution has been pending, the Communists in America, through their leaders, have brazenly announced in no uncertain terms that if war should come they will aid our enemies, they will fight on the side of the aggressor.

Mr. LONG. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from Louisiana for a further question?

Mr. McCLELLAN. I yield for a question only.

Mr. LONG. Is it not true that so far as the Communists are concerned, the Communists have made their position known on this gag-rule proposition to the effect that the Communists want gag rule in the United States Senate, and the Communists want the same kind of FEPC law, for example, that is proposed to be passed by gag rule?

Mr. McCLELLAN. The Communists do not want freedom of speech anywhere in the world, and they do not tolerate it. I think everyone knows that to be so. It would be just a step in that direction if this body should take the action we are now asked to take, after all our tradi-

tions of the past, and when no one can point to any real harm which has ever come from unlimited debate in the United States Senate. There may be temporary delay, but no real harm has ever come to the American people by maintaining this sanctuary of freedom of speech. I hope it will never be destroyed. I do not want to see our freedom taken away or see our country begin to abandon them.

Mr. President, I said the Communists were bold and brazen and threatening. A short time ago certain articles appeared in all the newspapers of the land dealing with what the Communists in this country had announced. I hold in my hand the Times-Herald of Washington, dated March 3, published since the present debate began. The headline is: "United States Commies join French Reds' threat to aid Soviet in war."

I shall not take the time to read all the news article. It says that the two leading Communists in America, the official representatives of communism in America, William Z. Foster and the general secretary, Eugene Dennis, said that American Communists would oppose such a war "as an unjust, aggressive, imperialist war."

They do not say they would oppose it if Russia started it. They do not say they would oppose such a war if it was provoked by aggression from Russia. There can be but one implication in that statement, and that implication is that if war comes they will oppose it. I suspect without war coming, so long as there is ever a possibility that there may be a war between Communist Russia and America, every Communist in the United States is a potential at least, if not an active, spy for Russia.

Some of them may be so simple they do not know what they are doing. We have had some testimony to that effect. One man was consorting with a known Communist. He carried papers to this Communist in secret. He delivered the papers to him. He pleaded his ignorance, or his youth, or something else. That could be true. The point I make is that every Communist in America, the little ones, the big ones, the middle-sized ones, the yellow ones, the striped ones, the spotted ones, the pink ones, the red ones, or those of any other color or term which can be applied to them—every one of them is an enemy of this country. They are enemies of everything you and I love. They are enemies of every vestige of freedom we enjoy, because we would not enjoy any if we had communism here. Every one of them that is physically able and well enough is a potential soldier, an enemy soldier, if and when war comes.

One may talk about tolerating them, temporizing with them, compromising with them; but they do not deserve the respect of the toleration of those of us who love our freedom and who intend, if we can, at all costs to maintain and preserve it.

Those who are not able to carry arms, when that war comes will definitely be engaged in sabotage, and from now until war comes they are engaged, so far as they can go and get by with it, in subversive activities.

Mr. LONG. Mr. President, will the Senator yield for a question?

Mr. McCLELLAN. I yield for a question only.

Mr. LONG. Is the Senator familiar with the figures which have been released on occasion that it is estimated the Communists have 70,000 members in the United States, and that they have 700,000 fellow travelers who would do the bidding of the 70,000 Communists?

Mr. McCLELLAN. I do not think anyone knows the number.

We all know the characteristics of communism. Communists will lie about anything. The truth is not in them. They must have a few known members; but there are many who have accepted the faith and who give their allegiance to Russia, though they are American citizens. They are undertaking to keep the truth concealed. Many of them are today advocating and encouraging many of the things which are being done.

A little while ago the very able Senator from Georgia asked me about property rights. Under the guise of liberalism and human rights versus property rights, great harm is being done in America today. Whenever we destroy property rights, there are no human rights, except as some dictator may permit. We cannot have human rights without property rights. Wherever in the history of the world property rights have been taken by the state, human rights of the individual have perished. If we cannot maintain and preserve property rights in our capitalistic system in America, we cannot retain that measure of freedom, that dignity of the individual, which Americans have today.

And what is transpiring in the United States today and what has been the business of the Senate for the past 10 days is a fair sample, Mr. President, of just what I mean. There is not a Communist in America who is not happy and pleased. There is not an informed Communist in Russia or within the jurisdiction of the Cominform who is not elated at the prospects of the passage of the resolution that has been moved for consideration in this body.

I would not say that many persons who are supporting this resolution, or who might support it or favor it, are not just as good Americans as I am; but I think they are mistaken when they believe that they are serving America. I know that if we were doing something which tended to strengthen America, tended to make her stronger and not weaker, something which represented another safeguard of our liberties and our freedoms, that would not please the Communists.

Every Communist in America, if he follows the party line, would vote to curtail and limit debate in the United States Senate. There is no freedom of debate in Russia. Every Communist in America, and throughout the world, in my opinion, will applaud every vote for this resolution. But while applauding, in my opinion, they will be laughing at those who so easily but terribly blundered.

Mr. President, the reasoning which brings us to conclusions and final judgment with respect to our actions in this body as Members of the United States Senate can be subjected to many tests. One rather safe test, I think, we, as Members of the Senate, can make as we consider measures in this body and that is, Does the measure have Communist support? There might be some exceptions, but as a general rule measures which have the support of Communists in America are measures which, if enacted, would harm our country and serve to advance the cause of communism. Therefore, when the Communists in this country express an opinion on policies of our Government, upon proposed laws or programs, this should serve as a warning to make us more cautious, to cause us to stop, look, and listen before we proceed to do that which would give them any comfort or cause for the slightest gratification.

Mr. President, when I vote—if I have that opportunity—to prevent consideration of Senate Resolution 15, to change the rules of the United States Senate, or when I vote against cloture on the pending motion, or on the resolution itself, I shall not please the Communists in America or the Communists abroad.

I regret to say, Mr. President, that in view of some things I have been hearing today, and in view of circumstances beyond my control, I may not have the opportunity to vote, whichever way the test comes in this body on that issue; but if I have the opportunity to vote to prevent consideration of Senate Resolution 15 or to vote against cloture on the pending motion or on the resolution itself, I shall not please the Communists. They will not applaud my vote; they will get no aid or comfort from my decision and action. But the American people can get comfort and gratification from my vote, and they will. Those who love America, who love their freedom, who cherish religious liberty and freedom of speech and freedom of mind and freedom of conscience, and who want to preserve these and hand them on to posterity—they can applaud those of us who vote here to prevent this evil thing from being done.

Mr. President, the American people are becoming a little impatient about the inaction of the Federal Government in dealing with Communists in this country. I am not prepared at the moment to say what legislation is required or just what action is needed; but a few days ago, while this debate has been in progress, I received a letter from a citizen in my State, a man who is chairman of the Americanism committee of the Veterans of Foreign Wars of Arkansas. I was very much impressed by it. I can well understand why any American citizen might express the same views that are expressed by this citizen of my State, who represents the boys who went across and actually did the fighting to win the great military conflict which threatened the Christian civilization of the world.

I am persuaded that there are many who wonder if the Congress will rise to the occasion and meet these issues, irrespective of small political groups and pressure gangs who try to threaten us. Mr. President, I would rather cast one vote in the United States Senate and be

expelled from it than to be elected for a thousand years and have to do the bidding of the Communists in this country.

The letter reads as follows:

DEAR SENATOR: Now is the time for all good red-blooded Americans to demand the outlawing of the Communist Party within this United States of America.

Mr. President, I do not know whether I have already said that that is exactly the best procedure; but the American people want something done about that situation. What are we doing here? We are doing just the opposite. What is being undertaken to be done in the Senate will, if it succeeds, furnish much gratification and joy to the Communists, for then they will have one more place where restrictions will have been placed on freedom of speech. The United States is where they want that done. If they can ever prevent freedom of speech in the Senate of the United States, they will be just that much closer to preventing freedom of speech among all the people of the United States, and they will be that much closer to destroying religious freedom and the other freedoms we cherish.

I read further from the letter:

The leaders of this murderous, traitorous, destructive and double-crossing, slave-driving, and libelous movement, have plainly declared their intentions toward our United States of America in case of war with our common enemy—Russia.

Mr. President, that is what I referred to a while ago, when I held up the headlines of a recent issue of a Washington newspaper. The American people are conscious of this danger, even if the Senate of the United States is not. The American people know it is time for action. But the kind of action that is being attempted to be taken here in the Senate is not the kind of action the people want, and it is not the kind of action that is necessary to protect the people and to preserve for them what they cherish and love and what their sons died for across the seas in two world wars.

The writer of the letter continues, as follows:

No case will ever be more clear. This is a dire threat that shall not go unanswered.

Listen to this, Mr. President:

You know now they definitely intend sabotage, destruction, pollution, and hindrance to the fullest extent of their power if war should come between our great Nation and this common enemy—Russia.

Mr. President, this letter comes from a former serviceman, a veteran who represents thousands of veterans in my State; and I know that thousands of veterans elsewhere in America share the same views he expresses in this letter.

I read further from the letter:

It is high time that this enemy in our very midst be openly recognized as such and necessary legislation be passed to outlaw and control this national menace. To outlaw an international gangster is the natural thing to do—we do not permit the individual gangster to run rampant in our communities. If the Communists go underground, let them go; you can catch a mole, and we have the means to do that little thing. To permit them to walk our public streets unmolested and have the use of our public halls is inviting national suicide. And we know you do not favor this.

Mr. President, the program of communism is the overthrow of our Government and all other governments by conquest, by force, if necessary. I think any American citizen who subscribes to that doctrine is a traitor to his country; and if any of our citizens commit any overt act in that direction, under existing law they are guilty of treason. Possibly our laws should be strengthened. Instead of creating a great army of snoopers to go around and find out whether a man would prefer to have white people work for him in certain capacities, rather than Negroes, and spend great sums of money for that purpose, and stir up more race trouble, why not spend that money to do something about the Communists in this country, who are our real enemies? If we get rid of them, we shall be serving everyone of our people.

However, I do not hear very much discussion of that matter. Some persons would prefer to have the Senate kill time and provide a spectacle, such as the procedure now being indulged in in the Senate of the United States. Our attitude on the present proposals is no surprise to anyone, for everyone knows how deeply we feel about this matter. But some persons would prefer to have the present situation develop in the Senate, rather than to have Senators spend their time as statesmen and American patriots in trying to protect our people from a common enemy.

However, instead, we do the bidding of the common enemy, for we drag into this Chamber proposals which only consume the time of some of the statesmen of this Nation, if there are such in the Senate, and consume their energies in debating a matter which only serves to stir up more strife and to breed more disunity.

Mr. President, why do not some persons wake up to the actualities? Certainly there is plenty of work to be done by the Senate; there is plenty to engage the time of the Senate. There are many things for us to do; there are many things which the American people will applaud us for accomplishing. But as I understand the present situation, it is proposed now that we jeopardize all other measures, for some persons take the position that the proposal now before us is paramount and simply must be fought out to a conclusion.

Mr. President, the letter which I have been reading continues, as follows:

We ask that you use your every effort in the passage of legislation to curb and oust every Communist and fellow traveler from our Nation.

Would not that be much better than hiring thousands of snoopers to run around, supposedly while enforcing a Fair Labor Practices Act, so-called? In the first place, Mr. President, they would not enforce it; in many instances they would trump up charges, merely to hold their jobs, for if they did not trump up charges, they would not have jobs. The proposal is simply one to deprive some of our people of their rights under the Constitution of the United States, and to make them accept a social standard which they do not wish to accept and will not accept. This is an attempt to tear down traditions and to deny to many of our people their right to choose their associates. That is one of the greatest freedoms we have. If I do not like to associate with another man, and if I do not wish to have him visit me in my home, or if I do not wish to work with him across the desk from me in my office, in my place of business, I should not be compelled to do so. Freedom of choice in that respect is one of the greatest liberties our people enjoy—the right of choosing one's associates, as well as the right to choose one's religion and to worship God according to one's own conscience. Our people cherish their right to set up standards of society that are acceptable to them, and not be subjected to associations which are obnoxious to them.

This challenge is ours, the crusade of the twentieth century is with us, let us carry the torch of freedom, boldly and fearlessly, to every nation upon the face of the earth by the defeat of communism within our own borders, first.

Mr. President, that is the thinking and the message from a veteran of the last war, Mr. R. G. Johnson, of Rogers, Ark., who represents the Veterans of Foreign Wars of Arkansas.

Yes, Mr. President, we had better be attending to some things of importance. I understand the President of the United States, at least the administration, has decided the pending question is all-important; that the changing of the rules of the Senate, which, of course, carries with it the so-called civil-rights program, is more important than any other legislation, and therefore the issue must be fought out. I did not hear the President say it, but every implication from published newspaper articles and from partial quotations of the President, is that he has not only agreed to it, but has insisted upon it; and while he insists upon that, knowing exactly what condition it would provoke in the Senate, namely, a stymie to the enactment of other important legislation—notwithstanding that, those are the orders, and Senators are now attempting to carry them out.

While we have the Communists in America threatening to join enemies if war comes, and while we ought to be doing something about it, far more important than what we are trying to do—which will please the Communists if the effort is successful—with this situation facing us, the President takes a vacation.

My thinking is that if the other legislation needed to be enacted in this body is of less importance than the question which is now involved in the issue presented by the motion, in my opinion, every Member of the Senate could very well take a vacation; and if they go on a vacation instead of passing the proposed legislation, they would be doing a far greater service to the country to go fishing and take no action, than they would to remain here and fight battles such as the pending one, and finally im-

pose this iniquitous thing on the American people.

Yes, Mr. President, I should like to have a vacation. I have not had one in 6 years—not since I came to the Senate. These have been very trying times. Perhaps it is my fault. Perhaps I could take a vacation; perhaps I should. I need one now. I should like to be spared the present ordeal; but I shall never, so long as I serve in the Senate, shirk any duty my conscience tells me I should perform, and I should certainly be remiss in my duty if I did not speak out in opposition to the pending proposal—yes, more, Mr. President, I should be more than derelict in duty if I did not fight it with all the power and strength I have.

How is the result sought to be accomplished? The very fact that the motion is pending and such a resolution was offered is self-evident that the present rule of the Senate, if observed, does not permit of a cloture petition being filed against a motion, but only against a measure. It is being urged that such a petition affecting the motion is expedient, because without it, in all probability the Senate can never get the resolution to a vote—not for quite some time, at least. In order to get a vote, it is proposed to file a cloture petition.

Mr. LONG. Mr. President, will the Senator yield at that point for a question?

The PRESIDING OFFICER. Does the Senator from Arkansas yield?

Mr. McCLELLAN. I yield for a question only.

Mr. LONG. Is it not true and necessarily a fact that the Committee on Rules and Administration would never have reported favorably a proposed two-thirds cloture rule if it thought the rule already eliminated loopholes, as some persons say the Chair should rule it does?

Mr. McCLELLAN. I have just said that is the best evidence that the present rules of the Senate do not permit a cloture petition to be filed against a motion. But, I may say to my friend that it is now proposed that the Chair overrule the precedents of the Senate, for expediency purposes, and hold that the rule does permit the filing of cloture against a motion. That is why I could not help but refer earlier in my remarks to how the Christ himself was condemned by overruling all precedents, through the power that reposed in the then governor, and through his not having the courage to stand against pressures.

I hope, Mr. President, if there is a cloture petition filed and an attempt made to get the President of the Senate to reverse the ruling made here less than a year ago by one of the ablest Members of the Senate, in keeping with past precedents of the Senate, when there was an opportunity then to appeal from it, and the present President of the Senate, then a Member of this body, took no appeal, it will be held that, if it was wrong then, that was the time to correct it.

Mr. KNOWLAND. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from Arkansas yield?

Mr. McCLELLAN. I yield for a question only.

Mr. KNOWLAND. Would the Senator from Arkansas not agree with me that an appeal was taken from the decision of the Chair on the motion of the Senator from Ohio [Mr. TAFT], but that it never came to a vote? Was not that the parliamentary situation?

Mr. McCLELLAN. I think that is correct; but we did not have to let it pass by without coming to a vote. Senators could have insisted on a vote.

Mr. KNOWLAND. Mr. President, will the Senator yield for another question?

The PRESIDING OFFICER. Does the Senator from Arkansas yield?

Mr. McCLELLAN. I yield for another question.

Mr. KNOWLAND. Was not the parliamentary situation in this body such at that time that the appeal itself from the decision of the Chair would have been subject to unlimited filibuster?

Mr. McCLELLAN. The Senator means unlimited debate; does he not? I should like to assist the Senator in asking his question. Yes; it was subject to unlimited debate.

Mr. LONG. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from Arkansas yield for a question?

Mr. McCLELLAN. I yield for a question.

Mr. LONG. If the Chair should so rule and were actually correct, then would it not have been wasting a great deal of time arguing about something when the rules already provided for it?

Mr. McCLELLAN. Every Senator knows what the rules of the Senate mean. They are very plain. I do not think a wayfaring man could err in interpreting them.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield for a question.

Mr. EASTLAND. Was it not so obvious that the decision of the distinguished senior Senator from Michigan [Mr. VANDENBERG], the President pro tempore of the Senate at that time, was correct and in line with the precedents of the Senate that the Republican Senators did not press an appeal from his decision.

Mr. McCLELLAN. Of course that is correct. The Senator from California [Mr. KNOWLAND] asked if an appeal would not have been subject to unlimited debate. It would have been. But a motion could have been made to table the appeal at any time, and that would have cut off the debate and brought a vote. That is the same approach, the same tactics, the same technique as are now proposed to be used.

Mr. KNOWLAND. Mr. President, will the Senator yield for another question?

Mr. McCLELLAN. I yield for a question.

Mr. KNOWLAND. I should like to ask the distinguished Senator from Arkansas if it is not a fact that the parliamentary situation a year ago was exactly the reverse of this one, and had a motion to lay on the table been made in connection with the appeal by the Senator from Ohio it would then have made the ruling of the Chair final by action of the Senate? If the able Senator and those who had the same point of view——

Mr. McCLELLAN. There would have been a decision one way or the other. Whether the motion was laid on the table or not, it would have indicated the decision of this body.

Mr. KNOWLAND. Will the Senator yield for another question?

Mr. McCLELLAN. I yield for a question.

Mr. KNOWLAND. Had the able Senator and those colleagues who felt that way about it been so sure, would they not themselves have moved to table the motion on appeal by the Senator from Ohio?

Mr. McCLELLAN. I cannot speculate as to what any individual Senator on this side of the aisle might have done any more than my colleague can speculate regarding Senators on his side of the aisle. Some Senators still have some individual privileges in the Senate as to making motions and parliamentary moves.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield for a question only.

Mr. EASTLAND. What would have been the point in Senators from south of the Mason and Dixon taking such action, when we had already won the fight?

Mr. McCLELLAN. It was not our place to appeal. We did not want to appeal from a decision which was correct.

Mr. EASTLAND. Will the Senator yield for another question?

Mr. McCLELLAN. I yield for a question.

Mr. EASTLAND. The decision of the distinguished Senator from Michigan was correct; is that the Senator's opinion?

Mr. McCLELLAN. Does the Senator mean the decision of the able Senator from Michigan?

Mr. EASTLAND. Yes. Was it correct?

Mr. McCLELLAN. Of course it was correct. I am only hoping that the Senate will never, by any parliamentary finesse or technique—there may be many words that could be used to express it—resort to such expediency as may be thought necessary definitely to abrogate the long-standing rules of this body.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. McCLELLAN. I am glad to yield to the able Senator from Texas for a question.

Mr. CONNALLY. Is it not true that, in addition to the precedents and the ruling by the Senator from Michigan, the situation, as we contend, had been observed by the Senate for 50 years by practically unanimous consent?

Mr. McCLELLAN. That is correct. Of course no Senator was surprised at the ruling of the very able Senator from Michigan who then occupied the chair. His decision was correct. There was no real fight over it after he made it. It was accepted as settling the question. It would seem to me—and I care not how earnestly Senators want the enactment of the civil-rights program or a change in the rules—that within less than a

year's time, to urge or even request the present Presiding Officer, who was then the leader of the minority in this body, to reverse that ruling, would weaken confidence in the integrity of this body. In my opinion, that would be the result. If we cannot rely upon a continuity of rulings which conform to precedents of this body, then, Mr. President, how are we to know that the written rule today will not be a mockery tomorrow when a parliamentary question arises? What caused some persons to lose confidence in the Supreme Court of the United States and begin to criticize it? It was because, without rhyme or reason, it began overruling the long-established precedents of that Court. If we act in that way in the United States Senate we may bring down upon our conduct the condemnation of the American people.

Mr. EASTLAND. Mr. President, will the Senator yield for a question?

Mr. McCLELLAN. I yield for a question.

Mr. EASTLAND. Is it not the opinion of the distinguished senior Senator from Arkansas that if this resolution should be adopted and a gag rule be established in the United States Senate, certain forces in this country will immediately begin an attempt to impose a capital levy and follow that with a drive to socialize American industry?

Mr. McCLELLAN. Mr. President, there is no limit to what some forces in this Nation will do to destroy America. When they make so bold as to announce that they will fight with the enemy in case of war, how can we have any confidence that they will not do anything in their power, small or large, to hasten the day of our destruction? As I have pointed out as I have tried to progress with my remarks this evening, every time we compromise a little they expect and demand more. We shall not appease them and prevent another war, and we shall not save America, by partaking of any part of communism in any form or fashion.

Mr. EASTLAND. Mr. President, will the Senator yield for another question?

Mr. McCLELLAN. I yield for a question.

Mr. EASTLAND. Is it the Senator's opinion that the Senators from the South, in opposing with every weapon at their command the adoption of this resolution, are fighting for the preservation of the American system of government and the American way of life, and are holding in check the forces of socialism and communism which would destroy our country?

Mr. McCLELLAN. Mr. President, in answer to the able Senator from Mississippi, without, of course, reflecting in any degree whatsoever upon the Americanism, patriotism, and statesmanship of any other Member of this body, I do say that, in my opinion, the faith of the people of the South in their ideology of democracy and Americanism under this Government is unsurpassed in America or anywhere else in the world. We may have our faults.

We may have our faults; no doubt errors have been made, of course, but who has not made them? However, on the question of patriotic integrity, we make no apology and surrender to no other segment of our population, East, West or North.

Before I conclude, Mr. President, I shall read a letter from a southern mother. I have had a copy of it placed on the desk of each Senator. The lady does not live in my State at present; she has lived in a number of States. She lives in the South. I challenge anyone to read the letter and tell me that there is any higher quality of true Americanism than the sentiments expressed by this mother.

Mr. LONG. Mr. President——

The PRESIDING OFFICER [Mr. MAGNUSON in the chair]. Does the Senator from Arkansas yield to the Senator from Louisiana?

Mr. McCLELLAN. I yield for a question only.

Mr. LONG. Does the Senator agree that the right of free debate in the United States Senate is actually one of the greatest bulwarks this country has against communism or action by pressure groups, or groups that would overthrow our Government?

Mr. McCLELLAN. I have said that repeatedly. Certainly it will not strengthen America to weaken the rule we are discussing. It can only serve those who want to impose their will on America, and unless we do preserve the power and the strength and the instrumentality of resistance, we can lose our liberty.

Mr. LONG. Does the Senator recall the statement made by the senior Senator from Texas [Mr. CONNALLY] a few days ago that in his opinion the famous Court-packing bill of 1937 would probably have been passed by the Senate if the right of free and full debate had not prevailed?

Mr. McCLELLAN. Yes, I remember that very well. I was serving in the House of Representatives at that time, and when the President came in person and delivered his message, I stood and applauded and thought that what he suggested would be a wonderful thing to do. If the Supreme Court was behind with its work, if the docket was congested, and more judges were needed in order to expedite the Court's business, I thought it would be a wonderful thing to do. If the bill had been brought up that day, or any time immediately thereafter, if there had not been debate on it, and I had not learned what the real situation was, I would have gone along. That shows the advantage of debate, the advantage of unlimited debate. Unlimited debate is one of our safeguards.

Mr. LONG. After mature reflection, and looking back on the subject historically, would not the Senator be of the opinion that if the United States Supreme Court had been packed at the request of the Executive, that would have had the effect of undermining a great portion of the American democracy?

Mr. McCLELLAN. I do not think the Court should be packed by the Executive at any time. Of course, it is the prerogative of the Executive to make appointments when vacancies occur, in order to keep the personnel of the Court complete, but such appointments can only be made after confirmation by the Senate. To increase the Court so as to change the philosophy and thinking of the Court in order to achieve a definite result in regard to legislation which, in the opinion of the Court previously appointed in the proper constitutional way, was unconstitutional, is a subterfuge I do not think should ever be resorted to.

Mr. EASTLAND. Mr. President, will the Senator yield for a question?

Mr. McCLELLAN. I yield for a question only.

Mr. EASTLAND. Would the Senator say that if it had not been for the right of unlimited debate in the Senate, or the right to resort to long debate in 1943 and 1944, a soldier-vote bill would have been rushed through this body, under gag rule, which would have jeopardized the election of President Roosevelt in 1944?

Mr. McCLELLAN. Some said that would have been the effect. At the moment I do not recall all that was involved in the fight, but I do remember that there was quite a long debate on the bill, and the bill did not pass in the form in which it was presented.

Mr. President, I am very much concerned about what may happen in this body if a cloture petition is filed and cloture attempted. I am concerned about it because I would want to be here and vote on it, but it appears now that may be impossible. But I cannot refrain from saying that if a cloture petition is filed before those who want to speak on the pending motion have an opportunity to do so, it is a further warning, and a significant warning, of what we may expect when the rule is changed. Senators need not be under any illusion that a change in rule in accordance with the pending resolution is all they are going to have to contend with. That is only the beginning. It is merely an entering wedge.

I had prepared to say, Mr. President, that the effort now being made to amend rule XXII of the Senate rules will serve as an opening wedge further to gag this body. Rule XXII was designed to shut off debate in the Senate. It has done that in the past, and can do so in the future, and I dare say that if and when there were an occasion when the Nation could not afford not to have action in the Senate, when its interest would actually be jeopardized, the rule as it is would work again as it has in the past.

If Senate Resolution 15 should be adopted, it would undeniably serve as a precedent for again amending the rule. The proposed rule is to make cloture apply to motions, or whatever the pending business may be, without changing the two-thirds majority required, but when the motion to bring it up in the Senate is made amendments are offered to change the rule so as to provide that a constitutional majority, 49 Senators, may invoke cloture. The movement did not stop there. According to press reports the President went further and said he wanted to see the number reduced to a simple majority, or 25 Members of the Senate. That should be a warning, and serve notice upon Senators that they should get ready for and expect further effort to restrict debate in the Senate by those who will want to cut off debate, and pass any measure that is proposed

without debate, without adequate deliberation. Those who make such proposals are not, in my judgment, serving democracy's interest and the welfare of the people of the Nation.

Mr. LONG. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield for a question only.

Mr. LONG. Would it not seem to the Senator from Arkansas extremely likely that if the rules of the Senate were ultimately changed to permit mere majority cloture, any time a capable and able leader saw his majority was getting away from him due to the effect of arguments on the opposing side, he would probably move to cut off debate?

Mr. McCLELLAN. I say it is not possible to delegate power without expectation that the power will be used, and no power possibly was ever granted that was not sometimes abused. I think we could expect it to be used, and often abused in order to cut off debate, in an effort to try to get hasty action before the Nation could be informed of the real merits of what was involved in the issue, and have time to form intelligent judgment, and to express its will and wish, through its elected representatives in this body. Yes, Mr. President, I think the thing proposed to be done is dangerous.

There is no pleasure and there is no comfort in standing on the Senate floor and enduring the discomfort we endure here, when pleading, hoping, praying that some Senators will yet see the light, hoping we can by persuasion restrain the decision which some Senators may desire to have made, and thereby put in motion forces which are destructive, and can never be stopped.

Mr. President, there is now before us the proposal by the distinguished Senator from Pennsylvania [Mr. MYERS] to amend Senate Resolution 15, so that cloture might become effective by vote of a majority of those elected. Then we have next heard, as I said, Mr. President, that the President of the United States favored the further amending of the rule so that cloture may be invoked by a bare majority of those present, which could be as few as 25 Members.

Mr. HILL. Mr. President, will the Senator yield for a question?

Mr. McCLELLAN. Yes, I yield for a question.

Mr. HILL. Is it not also true that some Senators who are now supporting Senate Resolution No. 15, with its change in the rules, have at different periods in the past advocated either a change to provide for cloture by a constitutional majority, or even by the simple majority to which the Senator has just adverted?

Mr. McCLELLAN. I think the Senator is correct; yes.

Mr. HILL. And is there not testimony from some Senators in the record of hearings before the Senate Committee on Rules and Administration to the effect that they look upon the resolution as simply one step? Is it not a fact that the implication is inescapable that if they can take this step then they will be back to take the other step, which will be either a provision for a constitutional majority, or perhaps even for a simple majority, which under certain circumstances may mean only 25 Senators?

Mr. McCLELLAN. That is correct. I take it, Mr. President, that whenever we reach that point in the United States Senate there will be little protection for the American people. There will then be little restraint to compel the Senate to deliberate before it acts, because there will be a continuously increasing volume of business, continually increasing pressures for legislation in a government which has grown as ours has in the past quarter of a century. Our Government has grown from one which expended for governmental purposes two or three billion dollars, to one which expends over $40,000,000,000 a year. For such a government certainly more legislation is required, and greater care, greater effort, and greater labor are demanded on the part of the Appropriations Committees to try to determine how public funds and tax revenues shall be expended. More legislation is required to provide the agencies of the Government necessary to administer, supervise and expend judiciously the funds which are appropriated for the several functions and services of Government which the people in a growing nation like ours require.

So, Mr. President, every time we relax this rule or that rule, a rule intended to protect minorities, we are simply relaxing further and further the provisions for our protection, and weakening the bulwarks which have been set up to protect minorities, the very minorities to appease whom it is now sought to take action to change the rule.

The able Senator from Louisiana [Mr. LONG] said earlier this afternoon, or possibly it was the junior Senator from Texas [Mr. JOHNSON], that the minority some Senators now try to appease and to gratify by the enactment of the so-called civil-rights program is the very minority for which Senators would be tearing down the barriers of protection. We had better think about these things more seriously than we have heretofore.

While discussing this phase of the matter I should like to read excerpts from the statement I made before the Committee on Rules and Administration.

Mr. HILL. Mr. President, will the Senator yield to me for a question?

Mr. McCLELLAN. I am glad to yield for a question.

Mr. HILL. Is it not true that the very reasons the Senator has so ably set forth here are the reasons why the Senate, through the years, has refused to deny free and unlimited debate?

Mr. McCLELLAN. I think they are the reasons, and I think our forefathers and our predecessors in this great body had that vision.

Mr. HILL. Mr. President, will the Senator yield further?

Mr. McCLELLAN. I yield further for a question.

Mr. HILL. Is it not true that there is sound wisdom, sound philosophy, and sound statecraft in these reasons which through the years have kept free and unlimited debate in this body?

Mr. McCLELLAN. Yes. Without undertaking to discuss in detail what had made America great, I tried to contrast earlier today the difference between what our country stands for and what communism stands for. I said that books could be written on that subject. I pointed out that it was not communism or anything like communism which had made America great. That we know. I said there are two clashing forces in the world today. I asked: Do we want to keep whittling away our liberty a little bit at a time, and weakening the structure upon which our liberties rest, as was so ably discussed by the senior Senator from Georgia a few days ago? I say not. I say we had better move slowly.

Mr. HILL. Mr. President, will the Senator yield for a question?

Mr. McCLELLAN. I yield for a question.

Mr. HILL. Is it not true that if we were to change the rules of the Senate we would not only change the procedure in the Senate, we would not only change the Senate itself, but we would make a fundamental change in the very American Government itself?

Mr. McCLELLAN. Yes, we would. To those Senators who, by voting for the proposed change, believe it will have no significance, I point out that, in my opinion, they are thereafter going to be asked to go further. They may not be asked to go any further in the present session of Congress, but they will be asked to do so hereafter, or succeeding Senates will. Senators can then say, "Well, the Senate which made the change did not have to make it." Of course not. But the argument will then be made that the Senate now in existence made the change. If a change is once made, changes can be made again and again, and it is by that process of further encroachment, further taking away of the liberties we have heretofore preserved, one step further being taken each time, that finally the strength of our Nation is broken.

Mr. HILL. Mr. President, will the Senator yield for a question?

Mr. McCLELLAN. I am glad to yield for a question.

Mr. HILL. Is it not the same old story of the camel once getting his nose under the tent?

Mr. McCLELLAN. It is the same old story.

Mr. President, I was about to read——

Mr. HILL. Mr. President, will the Senator yield for one other question before he reads?

Mr. McCLELLAN. I will yield for one further question.

Mr. HILL. Is it not of the greatest significance that with the exception of the so-called civil-rights bills, the proponents of this change in the rules are unable to put their hands on a single measure of any great significance or beneficence which has been defeated because of free and unlimited debate in this body?

Mr. McCLELLAN. That is absolutely true. Earlier in my remarks this afternoon I asked if there was any Senator who would dare say on the floor of the Senate that that was not the whole motivating cause behind the present proposal to change the rules. I do not think anyone would dare deny it. I went further and stated that I did not believe

that any Member of this body would dare make the assertion, and defend it, that any great harm had ever come to this Nation under the present rules of the United States Senate. There may have been a little delay and a little inconvenience, such as I and other Senators are now suffering in the effort to stop this awful thing from being done. Yes, there may have been a little delay and a little inconvenience, but I challenge any Senator to rise on the floor of the Senate and point out where, in all the years this rule has been in existence, America has suffered by reason of it.

Mr. HILL. Mr. President, will the Senator yield for a further question?

Mr. McCLELLAN. I am glad to yield for a question.

Mr. HILL. Is it not true that on May 4, 1918, while this country was in World War I, a resolution was submitted and presented to change the rules of the Senate so as to cut off free and unlimited debate for the duration of World War I, and that that resolution was defeated? We fought the great World War I. We made that herculean effort, and not a single soul can point to any act which brought any suffering or any impairment of the war effort, or any weakening of that effort because that resolution was defeated and because free and unlimited debate was preserved in this body.

Mr. McCLELLAN. That is correct. Since then we have fought a much larger war, with the rule unchanged.

Mr. HILL. Is it not true that we fought a much larger war, and that at no time was there any effort to cut off free and unlimited debate in order to pass any measure for the prosecution and winning of that war?

Mr. McCLELLAN. In all probability, had the rule been changed and had the rule been during the war what the President of the United States says he now wants, some of the very forces which are now demanding that we change the rule would have been able to draft the railroad boys into the military service in order to break a strike. A motion could have been made and debate could have been cut off, and they could have been in uniform before night, figuratively speaking.

Mr. President, that is a dangerous power to grant to any man. If the Senate is unwilling to retain the power it now has to protect minorities and to make certain that the American people can be informed on the issues involved before final action is taken, then we shall be making a sad mistake.

Mr. HILL. Mr. President, will the Senator yield for a further question?

Mr. McCLELLAN. I am glad to yield for a question.

Mr. HILL. Is it not true that the American Federation of Labor foresaw the very danger to which the Senator has just adverted in citing the illustration of killing the bill to prevent the drafting of the railroad workers, when the American Federation of Labor passed the stinging resolution condemning the proposal of Vice President Dawes to cut off free and unlimited debate in this body?

Mr. McCLELLAN. Yes, indeed, Mr. President. While some of the labor leaders are writing letters insisting that we vote to change this rule, let me say that that is the very thing that I am trying to point out. When I prepared the statement which I gave before the Rules Committee I was hoping that I might appeal to the wisdom and judgment of some of my friends across the aisle, because I knew that a large number of Senators on this side of the aisle would oppose it. As I said earlier in the day, I thought the issue transcended partisanship, and I hoped that I might make some suggestions which would cause every Member of this body to stop and think.

This is the statement which I made before the Committee on Rules and Administration:

> You have before you some five Senate resolutions proposing to relax this rule in varying degrees, even to the extent of abrogating the provision that requires a two-thirds vote to invoke cloture and thus limit debate on any pending measure.
>
> I oppose the adoption of any and all of these resolutions, and I appreciate this opportunity to state briefly for the record some reasons for my opposition.
>
> Any change in this rule will be a radical departure from long-established precedent.

When we come to depart from precedent there ought to be some real reason for it, if that precedent has served us well in the past. Why should we depart because of some whim, or to pass one particular bill, or two or three bills, to please minority groups, and for no other reason in the world? Why should we shatter precedent and disregard it or abrogate it, or overrule it? When we do so we are resorting to expediency. If we are to legislate all the time under the pressure of expediency, we cannot preserve our Constitution or the things it stands for.

That is the reason for the Constitution. That is what rules and precedents are for. I do not mean that they cannot be changed, but they certainly should not be changed for the sake of expediency, to gain a single objective without looking to the general results which may follow after the change is made.

Continuing with my statement before the Committee on Rules and Administration:

> Some of the changes are designed and intended to so liberalize procedure in the United States Senate as will enable a bare majority to compel in some instances hasty, ill-advised action on any pending matter. They will serve to enforce the will and purpose of the majority on the Senate and the people without granting opportunity for due deliberation, and before the people can be sufficiently informed to give enlightened expressions and make their views known on the vital issue then pending.
>
> The present rule has long stood the test, and has stood like a sentinel on guard providing an armor of defense against the enactment of ill-considered measures and those often sponsored to appease minority groups for political expediency, measures that would transgress the constitutional rights of majorities and substitute and impose the will of minorities on the body politic.

Mr. President, in my opinion every one of the pending proposals is unconstitutional. Earlier this afternoon I was speaking when some Senators who are now present were not in the Chamber. I was speaking about the FEPC. Why is the Federal Government asked to pass such a law when every State has the right to pass it, and every State which has undertaken to pass it, and has left it to the vote of the people, has met with failure, because the American people do not want it? Why do we want to have this battle for days and days, in an effort to change the rules of the United States Senate if we do not want, by Federal legislation, to impose a diabolical thing on the people of America, who do not want it and who reject it at every opportunity that is afforded them?

Mr. HILL. Mr. President, will the Senator yield for a question?

Mr. McCLELLAN. I am glad to yield for a question only.

Mr. HILL. Is it not true that the FEPC proposal has been defeated approximately 15 times in approximately 15 States of the United States?

Mr. McCLELLAN. That is what I understand. It has never been approved by the people, wherever it has been submitted.

Mr. HILL. Mr. President, will the Senator yield for a further question?

Mr. McCLELLAN. I yield for a question only.

Mr. HILL. Is it not true that in the State of California the FEPC proposal was not only defeated, but it failed to receive a majority of the votes in a single county in the entire State of California?

Mr. McCLELLAN. I think that is true. Let me say to the very able Senator from Alabama that it seems to me that one of the reasons why it failed in every county in the State of California may be attributed to some of the debates in the Senate of the United States, which informed those people of the iniquity of that proposal and of other proposed legislation of a similar character.

Mr. HILL. Mr. President, will the Senator yield for a further question at this point?

Mr. McCLELLAN. I am glad to yield for a question.

Mr. HILL. Is it not true that if the Members of the Senate had been denied free and unlimited debate, it might well have been impossible for those speeches to have been made here in the Senate?

Mr. McCLELLAN. That is absolutely true. Even despite the present rule and what we know it is and what it has repeatedly been held to be, there is now a hope on the part of some persons, in order to secure the enactment of these proposed laws, to have the precedents of the Senate overruled, and then to have sufficient pressure applied here to cause that action to be sustained.

Mr. LONG. Mr. President, will the Senator yield for a further question?

Mr. McCLELLAN. I yield for a question only.

Mr. LONG. Then, does not this FEPC question boil down to about this situation: Does it not mean that the majority of the people of the country, when they understand what the FEPC proposal is, are opposed to it, but a small pressure group, exerting pressure on a majority of the Members of the United States Senate, is actually attempting to force upon the majority of our people what the majority of the people themselves do not want?

Mr. McCLELLAN. That is certainly the only logical conclusion at which I can arrive.

Mr. President, the only reason why Senators want the proposed change in the Senate rule is to permit the passage of the proposed civil-rights program. If the people of the several States want an FEPC, such a law can be adopted in the States where the people want it, and it can be made just as airtight as is desired, so long as the Constitution of the United States is not violated, for, of course, it would not be legal for the Constitution of the United States to be violated under either a State statute or a Federal statute.

Mr. HILL. Mr. President, will the Senator yield for a question?

Mr. McCLELLAN. I am glad to yield for a question.

Mr. HILL. Is it not true that the FEPC bill which was before the Senate in 1946 would have violated right after right which the Constitution and Bill of Rights guarantee to the American people?

Mr. McCLELLAN. That is absolutely true.

Mr. President, I hope I can induce some of my colleagues to think about the importance of this matter. Today Senators on the other side of the aisle are in the minority. Perhaps after another election they may be in the majority, or perhaps they may remain in the minority. However, regardless of whether they are in the majority or are in the minority, they should carefully bear in mind the fact that the action proposed to be taken by the Senate will, if actually taken, forge a weapon which will be a dangerous instrumentality affecting all Senators. Certainly the majority can use it today to accomplish their ends, whether those ends be for good or for evil. However, the same majority, which creates and forges that weapon, will not always be able to retain control of it, for it will exist in the future to be used against them whenever they are in the minority. Thus they will have created the very weapon which may mean their own destruction.

Mr. HILL. Mr. President, will the Senator yield there for a question?

Mr. McCLELLAN. I yield for a question only.

Mr. HILL. Is it not true that approximately only 12 years ago the minority in the Senate had only about 16 votes, while the majority had approximately 80 votes; and is it not also true that in a situation of that sort—for that situation existed here only a dozen years ago, and it might again exist here at any time in the future—the one protection, the one shield, the one bulwark which the minority has to protect its rights is the right of free and unlimited debate?

Mr. McCLELLAN. That is true.

Mr. President, let me point out how far some persons might go in this matter. Today the most deep-seated convictions lie back of the inspired opposition to the pending proposal. I do not think anyone questions our sincerity. Members of the Senate would not stand on this floor time and time again, for generation after generation, fighting measures of this sort unless there were in their souls a deep and abiding conviction that the proposal was wrong. I have not seen those who wish to have the resolution adopted exert half as much effort in an attempt to have it adopted as we do in trying to prevent its adoption.

Mr. President, what is proposed to be done now by those who advocate the adoption of this resolution? Although they realize that a number of Members of the Senate have very deep convictions regarding this matter, the plan is to file a cloture petition and have action taken on it, if possible, before a number of the Members of the Senate have an opportunity to be heard even once on this question. Is not that a warning to all of us? Once the power is granted, it will be used; let us make no mistake about that. It may be used when Senators are otherwise defenseless.

Mr. LONG. Mr. President, will the Senator yield at this point for a question?

Mr. McCLELLAN. I am glad to yield to the Senator from Louisiana for a question.

Mr. LONG. Is it not entirely likely that if the Senate rule be changed so that two-thirds can impose cloture at any time, possibly as soon as the next Congress convenes a proposal may be made to change the rule so as to provide for cloture by simple majority vote; and then on the next occasion of the proposal of so-called civil-rights measures, the newly amended rule might be used, with the result that cloture would then be imposed as soon as the motion to apply the rule had been made?

Mr. McCLELLAN. Certainly that is possible.

Mr. President, I wonder whether it is true that there is a plan to file a cloture petition immediately on the commencement of the session tomorrow—and thus deny to many Members of the Senate an opportunity to let their people know what the issues are from their point of view.

Mr. EASTLAND. Mr. President, will the Senator yield at this point for a question?

Mr. McCLELLAN. I am glad to yield for a question.

Mr. EASTLAND. Is it not the proposal to file a cloture petition in an attempt to shut off debate before half the Senators who oppose this resolution and who desire to speak against it have an opportunity to speak?

Mr. McCLELLAN. I do not know when the petition is proposed to be filed; but if it is filed before Senators are given an opportunity to speak once on this proposal—whereas, under the rule they have a right to speak twice on any proposal—and if they are thus to be denied the right to speak even once, it certainly seems to me that the gag will be used if authority to use it is ever granted.

Mr. EASTLAND. Mr. President, will the Senator yield for a further question?

Mr. McCLELLAN. I am glad to yield for a question.

Mr. EASTLAND. If the cloture petition is filed tomorrow, to the Senator's knowledge, what percentage of the Senator's will have spoken in opposition to the motion, who desire to speak?

Mr. McCLELLAN. I have not kept count, but according to my recollection, I should say probably not over half will have spoken, of those who intended to speak. I may say to the able Senator from Mississippi I cannot possibly cover the subject in one speech and say all I had intended to say. I thought I had something I could speak about for an hour or two. Mr. President, I have not the physical strength, I cannot possibly hold out here in one speech through the hours of the night when Senators ought to be home getting some rest. While the President of the United States is vacationing we ought to have some rest, too; but we must remain here to fight this battle. That is the way I feel about it. But certainly, Mr. President—we certainly should have the right to debate the pending proposal. I do not know what the limit of my physical strength may be, but no matter if I held on until late in the night, if I am compelled to undertake to do so, I could not exhaust the subject. I should like to make another speech, under the rules of the Senate, when I shall have recuperated. I am suposed to have that right if I want it.

Mr. President, I cannot be here tomorrow to continue my remarks, and I cannot be here the following day, for reasons I need not state in the RECORD. But I should hate to be deprived of the right to be here and vote when the vote is taken, and I should hate to be deprived by my colleagues of the right and privilege of making another speech and concluding my remarks, getting into the RECORD for posterity, or for my own satisfaction at least, the fact that I have done everything in my power to prevent what it is proposed to do and to keep this evil from being imposed on my people. But now I do not know whether I am going to have that right or not. We have become rather strict here. We have got to apply a little pressure and a little gag; we have got to overrule the precedents, probably, and do a few other things I do not think should be done. In doing those things I think we are hurting our country. I think we shall finally come to the time when there will be some weeping and wailing and gnashing of teeth in America if it is done.

Mr. HILL. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from Arkansas yield?

Mr. McCLELLAN. I am glad to yield for a question.

Mr. HILL. Is it not true that if cloture should be ordered on the resolution, thereafter there could be adopted by the vote of a majority of only those present and voting, an amendment which would change the two-thirds requirement of the resolution to any kind of majority, and that then, after the adoption of such an amendment, a simple majority of the Senate could adopt the resolution?

Mr. McCLELLAN. That is absolutely correct, if we let the resolution come up, and if we do not do everything in our power to prevent it. Of course, when it is once taken up, it is subject to amendment, and I do not know what pressure may be brought to bear; I do not know how the majority feel. The majority might be persuaded to amend the resolution further to abolish the two-thirds rule; I do not know. It is tampering

with a thing that is dangerous. But if it is determined to do it, I want the RECORD to show and history to record, if it should take note of my feeble efforts, that so long as the CONGRESSIONAL RECORDS are kept, they will show that I made the supreme effort of my physical strength and endurance to try to prevent the enactment of the proposed laws, which the change in rule is designed to expedite.

Mr. HILL. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from Arkansas yield?

Mr. McCLELLAN. I am glad to yield for a question.

Mr. HILL. Then, is it not true that if cloture is adopted, and if the amendment reducing the required two-thirds to a simple majority, which in its barest form would mean only 25 Senators, should be adopted, no Senator could speak more than once, or longer than an hour, in opposition to the resolution?

Mr. McCLELLAN. That is correct; that is the extent to which he could speak.

Mr. MAYBANK. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Arkansas yield?

Mr. McCLELLAN. I yield for a question only.

Mr. MAYBANK. If the amendment to the rule should be adopted, I ask the Senator whether he thinks it would be possible to legislate the civil-rights program into the hearts of the people of the United States?

Mr. McCLELLAN. Oh, we may place it on the statute book, but as I have been pointing out regarding the FEPC, where the people have a chance to express themselves, they say they do not want it.

Mr. MAYBANK. That is true.

Mr. McCLELLAN. That is unanswerable to me. I simply cannot understand a Senator making a fight in this body to change the rule, in order to pass an FEPC bill that his own people have rejected and repudiated.

Mr. MAYBANK. Mr. President, will the Senator yield for a further question?

The PRESIDING OFFICER. Does the Senator from Arkansas yield?

Mr. McCLELLAN. I yield for a question only.

Mr. MAYBANK. In view of the fact the Senator well recognizes, as do other Senators, that the FEPC cannot be enacted into law, and that if it is, it will be no law, because of the impossibility of legislating such things into the people, does not the Senator believe the real purpose of the change in rules is to wreck the business interests of the country?

Mr. McCLELLAN. If the FEPC bill should ever pass, as I said this afternoon, it would mean thousands of snoopers around meddling in people's business and putting control on the capitalistic enterprises of the Nation, under the domination of bureaucracy here in Washington. That is all it means. That is what it means; it means nothing less; it means that much and more. I may say to the Senator from South Carolina, that this afternoon, earlier, in discussing the pending question, I pointed out to other Senators who were present that instead of spending millions of dollars to hire snoopers to run around and see whether a man was employing Negroes or white people or somebody else in the shops he himself had created—instead of doing that we had better be spending the money to track down the Communist spies in the Federal Government itself. There is the great danger. But no, we have got to undertake to interfere with private enterprise, and with the individual liberties of the businessman, hiring snoopers and boards, and using "cease and desist" orders and every other thing to tantalize him.

It is said that much can be done by conciliation. Senators know how conciliation is carried on. The conciliator goes to a man and looks at him in a conciliatory manner, calculated to convey the idea, "Well, you had better do this"; and he had better do it that way, or else; if he does not do it that way, of course, he knows he can be dragged to the Capital and carried on through the courts possibly. Many people will go ahead and yield to some of the demands in the hope of escaping a long-drawn-out, expensive hearing, court procedure, and so forth. But, Mr. President, that is a form of coercion and intimidation, nothing else; because the conciliator will come back after using such methods and tactics and make a report that he has been able to work the thing out by conciliation, and by mediation. It is a form of totalitarian rule; we cannot get away from that. That is what it will be, if we ever get it.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. McCLELLAN. I am glad to yield for a question.

Mr. MAYBANK. Does the Senator recall any bill which the administration has sent to the Congress that was strong enough and had sufficient teeth in it to track down the Communists in the employ of the Government?

Mr. McCLELLAN. If we had a bill such as that in the Congress, the same elements which are now trying to force civil-rights legislation through the Congress would be here fighting and talking about individual liberty and preserving freedom. The Communists would be the first to holler if we attempted to invoke any law against them. They would take all the advantages of the Constitution, although they want to destroy it.

Mr. MAYBANK. Mr. President, will the Senator yield for another question?

Mr. McCLELLAN. I am glad to yield to the Senator from South Carolina for a question.

Mr. MAYBANK. In view of the fact that this resolution has been advocated by the administration, does the Senator know why such a thing is recommended when the Democratic Party did not recommend it?

Mr. McCLELLAN. I cannot reason out, understand, or fathom all of the purposes back of the administration's program. I never have been able to do so, and I cannot at this time.

Mr. President, I want to read a little more of what I said before the Committee on Rules and Administration:

Section 2 of rule XXII is an imposing bulwark of true democracy.

Through the years it has served to safeguard the liberties of our people and has afforded them the right of thorough expression through the medium of their chosen representatives in the United States Senate.

Strike down and destroy if you will this fortress and protection of free and unlimited debate in the most profound legislative body in the world, but I want no part of the evil that will flow from such action charged against my official record and conduct as a public servant.

Contention is made with great emphasis that the present rule permits abuses. Abuses have occurred. I have witnessed some of them since I have been a Member of the Senate, in some instances by those who now clamor for a change.

But those abuses, Mr. Chairman, while they may have caused temporary delay and have served to inconvenience other Members of the Senate, their attainments and any harm that resulted as a consequence were infinitesimal in comparison to unwise and unsound legislation that would have been passed had the rule been different, if it had conformed to the changes now proposed.

Mr. HILL. Mr. President, will the Senator yield for a question?

Mr. McCLELLAN. I yield for a question only.

Mr. HILL. Is it not true that the right of free and unlimited debate in the Senate throws its cloak of protection not only around the greatest and most powerful corporations, but also around the humblest and the lowliest citizens of the United States?

Mr. McCLELLAN. It certainly does. The proposed change is actually not in the interest of anyone. As I said earlier in my remarks, one of the tests which we can safely make is that if the Communists favor legislation which is pending, it is time to stop, look, listen, and beware. I think every Communist in the world is applauding everything that will break down the protection and safeguards of the minority. I think every Communist in America and abroad will applaud every vote to change this rule. They will not applaud my vote or the votes of my colleagues, these able Senators who are helping in this fight. That I know. I am not trying to please the Communists. If I should do such a thing I would begin to wonder about my own integrity.

Mr. MAYBANK. Mr. President, will the Senator yield for a question?

Mr. McCLELLAN. I yield to the able Senator from South Carolina for a question only.

Mr. MAYBANK. Does the Senator know of any State in the Union, other than New York, in which an FEPC bill has been passed?

Mr. McCLELLAN. I do not know the circumstances of how it was passed in the State of New York. I know there have been efforts to try to introduce such legislation in several States, but every time it has been suggested the people have rejected it and refused it. Yet certain Senators are trying to pass such legislation here.

Mr. MAYBANK. Mr. President, will the Senator yield for a further question?

Mr. McCLELLAN. I yield for a question only.

Mr. MAYBANK. Does the Senator realize that such a law was attempted to be passed in the State of California?

Mr. McCLELLAN. Yes. That has been discussed this afternoon.

Mr. MAYBANK. Will the Senator yield for a further question?

Mr. McCLELLAN. I yield for a question only.

Mr. MAYBANK. Is it not a fact that Mr. Dewey, who was instrumental in having an FEPC law passed in New York, carried the State of New York over Mr. Truman.

Mr. McCLELLAN. I do not know whether that had anything to do with it. Whether the FEPC law had any particular influence on the election in that State I have no knowledge. I think we have plenty of concrete examples in the instances of some 12 or 15 States in which such a law has been proposed and has been submitted to the people themselves, but in each instance, I am advised, the people of those States—some of them are in the North, some in the West, but I do not think there are any in the South—have declared they wanted no part of it.

Mr. MAYBANK. Will the Senator yield for a further question?

Mr. McCLELLAN. I yield for a question only.

Mr. MAYBANK. Is it not a fact that Henry Wallace received more votes in the State of New York than in any other State?

Mr. McCLELLAN. I think that is correct. Of course, New York has more votes than has any other State in the Union.

Mr. MAYBANK. I will say, in proportion.

Mr. McCLELLAN. Yes; I think that is correct. It simply means that Mr. Wallace received very few votes in a State like that of the able Senator from South Carolina, or in my own State, because our people are red-blooded American citizens; they love the American way of life; they love everything for which we are fighting here tonight. That is why they are not easily deluded and deceived and why they do not vote for false "isms" and false doctrines which, if they were adopted in this country, would mean the loss of the liberty they love.

Mr. LONG. Mr. President, will the Senator yield for a question?

Mr. McCLELLAN. I am glad to yield to the Senator for a question.

Mr. LONG. Is it not a fact that the way the so-called pressure groups work is to play the Democrats against the Republicans, and the Republicans against the Democrats, and then wind up going for some Communist, for Henry Wallace, or some odd party?

Mr. McCLELLAN. That is correct. Some of the folks who voted that way were, of course, misinformed, not capable, possibly, of appreciating what they were really doing. But a great many persons who voted for Henry Wallace were persons who want to overthrow this Government. I am not so sure that Henry Wallace does not want to do it, himself.

Mr. President, I have said this before, but I do not think I have ever said it in this Chamber. I remember that in 1944 at the convention in Chicago, at the time President Truman was given the nomination for Vice President, among the group who made the fight to make certain of Harry Truman's nomination over Henry Wallace, are men who are here tonight fighting to preserve the liberties of the people in which we believe and which we did not believe Henry Wallace believed in then.

Whatever service I may have rendered in the National Congress at any time, I say to my friend from Alabama, to my friend from South Carolina, and to you, Mr. President, the greatest service I have ever rendered my country up to this hour was when I helped to defeat Henry Wallace and to nominate Harry Truman for Vice President of the United States in 1944. Whatever may be the President's errors of judgment now, whatever else he may try to do, I know that my own judgment is that if Henry Wallace had been the successful nominee, and had become the President of the United States, there would be a gag rule in the Senate by this time. That is his philosophy of government. We all know that that would have happened if he could have had his way.

I say, Mr. President, these are dangerous times in the world. We had better be on guard in this body every day, every hour. We cannot trifle with these off-hand formulas and philosophies. It is dangerous to do it.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. McCLELLAN. I am glad to yield to the able Senator from South Carolina, for a question only.

Mr. MAYBANK. I shall ask only one question, namely, is it not true that in 1944 there was an effort almost all one night to put gag rule on the Democratic Party, so to speak, by stampeding the convention in Chicago, when many of us who are here fighting today supported Harry Truman against Henry Wallace?

Mr. McCLELLAN. I remember that well, and I say without fear of successful contradiction that I know that my able friend from South Carolina, my able friend here from Virginia, and other Senators, stood with us in that fight, and kept Henry Wallace from becoming President of the United States. Mr. President, I guess it is now forgotten. I wonder if it is remembered.

Mr. MAYBANK. Mr. President, will the Senator yield for another question?

Mr. McCLELLAN. I yield for a question only.

Mr. MAYBANK. I ask the Senator if he does not remember the large groups around the auditorium in Chicago, and the parades, and all the rest, that tried to beat us down that night?

Mr. McCLELLAN. Oh, yes; I remember it, Mr. President; but people who have convictions, and who believe in the Americanism that we believed in that night, and in which we still believe, are not easily beaten down, nor are they easily threatened or intimidated. It sometimes takes a great deal of courage to carry out one's convictions and meet the obstacles which are placed in the way. It takes courage to come into this Chamber and stand and do one's duty under threat of political defeat. Most of us who are in politics, and who come to the Halls of Congress, or to any other office or position of importance in the Nation, like to have the realization and the comfort and the gratification of knowing that we can serve well enough in this body, or in whatever position of trust we hold, so that we can be reelected, if we desire to be, when the time comes. Men who serve in this body now dedicate their lives to public service, to serving their country. They do not have the opportunity, as was true perhaps in the earlier period of our Nation's history, to spend most of the time engaged in some private enterprise or vocation. We have to devote practically our entire time to our public duties, and our very pride in success makes it at least a possible temptation to us when people say "If you do not vote this way or that way, this group, our group, will see to it that you are defeated in the next election."

It takes a good deal of courage to stand the test and go through the fiery furnace we are sometimes compelled to endure in public service, but unless we have enough men in the Congress of the United States who will not thus be threatened and coerced and intimidated, and who will have the courage to walk up here and vote their convictions on the vital issues of the day, there is not much hope of America enduring indefinitely. It is that kind of courage which built America. It is that kind of political courage and political sacrifice which may be necessary to preserve this country.

Mr. MAYBANK. I wish to ask the Senator if he does not believe that minority groups are stronger in the industrial centers and in the large cities than they are in the great back country whence he and I come, and if he does not believe that we can see the picture more clearly, without threats and without fear? We have no fear. There may be threats, but we pay no attention to them.

Mr. McCLELLAN. I have never worried seriously about threats, but I do know that making threats is the tactics which seem to be employed in modern times by groups and organizations. They do not ask too often what we honestly think of the merits of an important question. We are not supposed to think. They want us merely to jump through the hoop.

I am sure every one of the Senators received a letter like the one sent me. I do not think I will have time to refer to it. I believe it was from the CIO, a letter telling us how to jump through the hoop. I do not think I am jumping. I am going to do what my conscience tells me is right, and my conscience does not tell me that the position this organization is taking on the proposed change in the rules is right. I think it is wrong, and I am not going to vote for a change in the rules.

Mr. MAYBANK. Mr. President——

The VICE PRESIDENT. Does the Senator from Arkansas yield to the Senator from South Carolina?

Mr. McCLELLAN. I yield for a question only.

Mr. MAYBANK. Does not the Senator remember that last year an attempt was made by the Senator who is now the

distinguished chairman of the Committee on Rules and Administration to suggest a constitutional amendment on the poll-tax question, and that the National Association for the Advancement of Colored People, and Walter White, sent a telegram in an effort to persuade the Senate not to pay any attention to the constitutional-amendment method proposed last August on the poll-tax question?

Mr. McCLELLAN. The Senator is correct, and while an anti-poll-tax bill is involved in the fight we are making, let me say in all fairness that I do not believe the people of America want the FEPC in many States, and the 13 States in which it was voted on were not Southern States, but it was rejected. If those who desire to abolish the poll tax had gone about it in a constitutional way some few years ago, by constitutional amendment, and had not wanted to force it arbitrarily by statute, I think the resolution proposing the constitutional amendment would have passed both Houses and the amendment would have been on its way to the people in the due process of amending the Constitution. I believe in my State it would have been ratified, although we have a poll tax, because the people are ready to get away from it. They have been ready for some years. They merely wanted to find a better system, and had a Federal constitutional amendment been submitted, realizing that it would probably have been ratified by most of the States, or the required number of States, the proponents of the repeal of the poll-tax laws would have gotten by persuasion, by due constitutional processes, what they wanted, long ago; whereas they have not been able to get it, they have delayed the attainment of it, by the method they used, which we think is unconstitutional.

Mr. LONG. Mr. President, will the Senator yield for a question?

The VICE PRESIDENT. Does the Senator from Arkansas yield to the Senator from Louisiana for a question?

Mr. McCLELLAN. I yield for a question only.

Mr. LONG. Would not the fact that the Communists and many of the pressure groups oppose a constitutional amendment to repeal the poll tax, although they scream and shout that the poll tax should be removed by congressional legislation, pretty well indicate that the pressure groups do not want to do anything for anybody, but rather seek to get something to scream and shout about?

Mr. McCLELLAN. I will say, respecting some of them, that all they want to do is to agitate, and if they were not agitating about this matter they would be agitating about something else. I am talking particularly about the communistic elements. They cannot be pleased, they cannot be compromised with and settled with. Their purpose is to continue agitation. They want anything about which to agitate. They will get on one side or the other, it does not matter, so long as they think they can stir up disunity in the United States and provoke discord.

Mr. President, I wish to continue reading the statement made by me before the committee. I regret that more Republicans are not apprehensive about the possible effect the proposed action will have on them. But I want to emphasize the statements I made before the Rules and Administration Committee. I read further from my statement:

Contention is made with great emphasis that the present rule permits abuses. Abuses have occurred. I have witnessed some of them since I have been a Member of the Senate, in some instances by those who now clamor for a change.

But those abuses, Mr. Chairman, while they may have caused temporary delay and have served to inconvenience other Members of the Senate, their attainments and any harm that resulted as a consequence were infinitesimal in comparison to unwise and unsound legislation that would have been passed had the rule been different, if it had conformed to the changes now proposed.

Great stress is put on the argument for majority rule. Yes, Mr. Chairman, majority rule is a general rule applicable to all democratic governments. But, like all other general rules, its strength and virtues are emphasized by noted exceptions which are dictated by common fairness and justice.

The founders of this Republic, in their wisdom, recognized and provided for some exceptions to guard against the enforcement of the will of a mere temporary majority by requiring a two-thirds vote of the Members of both Houses to override a Presidential veto, thus establishing a check and balance that would better insure the enactment of wholesome legislation to promote the general welfare and protection of the people in the flouting of authority by an overenthusiastic or frustrated majority of their representatives in the Congress.

Why, then, Mr. Chairman, must this wise provision of the Senate rules now be tampered with? There is no compelling need for these proposed changes except to serve political ends.

If there were no civil-rights program pending, these resolutions, in my opinion, would never have appeared on the scene in this session of Congress.

Obviously, those who advocate the enactment of measures embraced in the so-called civil-rights program realize the deep and unshakable convictions in the minds and hearts of those of us in the Congress and millions of other Americans who oppose the enactment of those measures. In an effort to overcome this unyielding opposition, they are now willing to resort to this tactic and attempt a change in the long-established, well-tested, and able-serving rules of the Senate in the hope of gaining an advantage that will enable them to enforce their will upon the Nation.

I wish the Republicans could listen to this:

Is such a victory worth the price they seem willing to pay? Is this rule to be changed just to serve this purpose? Do not the sponsors of these proposals know that the temporary advantage they may gain on the civil-rights issue now before the Congress is a two-edged sword? Do they not know that the same weapons they now attempt to forge and use to pierce the heart of the finest traditions of American democracy will ever remain available as a weapon to be seized and used for their own destruction when the situation may be reversed and they are on the defensive and fighting for a cause about which they have equally as deep convictions as do those of us who now oppose this procedure and the measures that inspire it?

By this process, Mr. Chairman, by these proposed changes in the rules, the majority is fashioning a dangerous legislative instrumentality. Its powers of destruction and evil will not long be controlled by its creators and those who first will use it.

Yes, Mr. President, overrule precedents if Senators want to get the resolution before the Senate, but when we overrule the precedent we are discussing then we invite the overruling of the next one which does not please us, and, simply to serve any temporary expediency, we can soon destroy the integrity of all the Senate rules. Are we willing to pay such a price? A Senate rule ought to mean something. We train and practice to play under the rules of the game, to observe the rules, and we rely upon them being observed, and expect to observe them ourselves. It will be a dangerous thing, Mr. President, to make such a change in the Senate rule as is now proposed.

Once it is established and its forces set in motion—

I am talking about this weapon—

its use will not be confined nor limited to those who create it. It will then become an accepted form of warfare in legislative battle, and the know-how and use of it can, and will, be employed to every advantage it will serve, not only in the impending battle on civil-rights measures, but with equal force and destructiveness against those who are willing to change the rule as an expediency to gain this shallow victory.

These proposed changes will not insure against abuses in parliamentary procedures in the processes of legislation in the future. These changes will invite greater abuses in the enactment of unwise laws than has already occurred under the present rule.

The present rule has been used to prevent hasty action on measures about which there was deep feeling and strong division not only among the Members of the Senate but among great sections and segments of the American people.

The changes now proposed would place a far greater advantage in the hands of those who are more responsibe to pressure groups and political considerations.

Which is the safer course, to forego temporarily or for a season the enactment of some law or laws that are highly controversial, although they may be highly meritorious, until the people can become enlightened and convinced of their merit and are willing to accept it, or change the rule so that a mere majority can enforce the enactment of legislation at will and undertake to compel the American people to abide by what they may regard as an unjust imposition on them?

Which is the safe course for our Nation? Which course has most in principle and virtue to recommend it, in keeping with the finest traditions of our democracy? Which course will better safeguard and protect the liberties of our people?

My answer is to retain the present rule.

Mr. President, I digress at that point to say that the faith which I have in the American people, to which I have referred, has been exemplified by the reports of what the American people have done in the States where they have had an opportunity to vote on an FEPC law. All we are fighting for is to keep government next to the people themselves.

Mr. HILL. Mr. President, will the Senator yield for a question?

Mr. McCLELLAN. I am glad to yield for a question.

Mr. HILL. Is it not true that if the American people had wanted the rules changed, or had thought that it would be wise to change them, they would have been changed long ago?

Mr. McCLELLAN. There is no doubt about it. The proposal to change them now is based upon political expediency, and nothing else.

Mr. HILL. Mr. President, will the Senator yield for a further question?

Mr. McCLELLAN. I am glad to yield for another question.

Mr. HILL. Is it not true that the rules have remained as they are, and free and unlimited debate has been retained in the Senate, because the people themselves recognized the wisdom of retaining free and unlimited debate, and have given their consent and approval to the retention of free and unlimited debate in the Senate?

Mr. McCLELLAN. During the last campaign I did not hear anyone say that any political party had a mandate to change the rules of the Senate. So far as I know, the people have never made any demand for a change in the rules of the Senate. The request for a change in the rules comes from the very elements which seem to me to be the least American and the least interested in the survival of America, of any class, group, or segment in our Nation.

Mr. President, no one enjoys a contest of the character of that now being waged in the United States Senate. When we undertake to do these things in the constitutional way, and bring about reforms constitutionally, I think the American people will make a more favorable response. As I said a few moments ago with respect to the amendment to the Federal Constitution regarding the poll tax, I believe that it is within the province of the people to delegate to the Federal Government the power to prohibit the poll tax. But I also believe that the American people have not yet done it. They did not do it in the Constitution, or in any amendment which has been made thereto.

Mr. MAYBANK. Mr. President, will the Senator yield for a question?

Mr. McCLELLAN. I am glad to yield for a question.

Mr. MAYBANK. I ask the Senator if he does not believe that the American people and those of us who are opposing this legislation would be glad to follow and support the Constitution which we took an oath to support, not only with respect to the poll tax, but with respect to all other measures?

Mr. McCLELLAN. I agree with the Senator. I am sorry, but I cannot yield except for a question. I have not yielded except under the rulings of the Chair, for a question. I know that no Senator wants to violate the rule. I can well appreciate that sometimes in asking a question Senators wish to express their own views. However, I am sure that no Senator wishes to take advantage of the present rules or interfere with the determination to see that they are rigidly enforced during this debate.

Mr. President, I did not quite conclude reading my statement before the Committee on Rules and Administration. I continue:

> I have an abiding faith in the wisdom and final judgment of the American people. They may be slow to accept change in the fundamental laws of our land.

They have been slow, Mr. President. In the history of this Nation we have not had very many amendments to the Constitution. They have been slow to change because they had something wonderful, the greatest document ever penned by the hand of man; and certainly they are going to be slow to change it. They ought to be. That is the only way we can have safety and security and protect our Government. Rapid changes, hastily conceived, hastily advised, hastily legislated, and hastily executed would destroy any freedom that any government ever instituted among men.

> They may be slow to accept change in the fundamental laws of our land, but once they are enlightened and informed—

That is what debate is for—

> they can be relied upon to make the right decision.

They may make mistakes because they have not been adequately informed. Some of them may be making a mistake in saying that they favor the civil-rights program; but if we are permitted to inform them, most of them will change their opinions.

Mr. HILL. Mr. President, will the Senator yield for a question?

Mr. McCLELLAN. I am glad to yield for a question.

Mr. HILL. Is it not true that they have not made very many mistakes so far as fundamental changes are concerned?

Mr. McCLELLAN. I believe that is true. That is what I was speaking of. I said that the people were slow to make changes in the fundamental law of our land. We can make changes in statutes. We can repeal a statute in a few days if we do not like it, or a month or a year later. If after trial and test in the administration of it, and after gaining experience, we decide that we have made a mistake, we can change the statute and no serious harm is done. But if we propose a constitutional amendment, our people are slow to change, because a constitutional amendment cannot be repealed as easily or as quickly as can a statute.

Mr. President, some time ago in my remarks I started to discuss another phase of this question. I have found it very difficult to follow through with any particular line of thinking. Because of the keen interest in this issue there are many questions in the minds of Senators, and those questions, as they are asked, often lead us away from the line of thought which we had prepared for our remarks.

I made some references to parliamentary decisions, and expressed the hope that no action would be taken by the Chair, or by those contemplating filing a motion for cloture, until all Senators who wish to speak on this question have an opportunity to be heard. I think it would be unwise for such action to be taken until every Member of the Senate who wishes to speak twice on this issue, under the present Senate rule, has a chance to do so; but certainly every Senator should have an opportunity to speak at least once on it. When and if such a petition is filed and when and if a ruling in support of the petition is made, there should be sufficient time thereafter for every Senator who wishes to be present and vote on that question to have an opportunity to do so. Sometimes unavoidable circumstances prevent Senators from being present even on occasions when the Senate is voting on important issues. But the Senate can make it possible for most Senators who wish to be present and to vote on such issues to do so.

Mr. KNOWLAND. Mr. President, will the Senator yield for a question?

Mr. McCLELLAN. I am glad to yield to the Senator from California for a question.

Mr. KNOWLAND. I should like to ask my distinguished colleague, the Senator from Arkansas, whether it is a fact that in the event that cloture is applied to the motion of the Senator from Illinois, that in itself would not cut off debate on the merits of Senate Resolution 15, but would merely move it up one additional step; and is it not also true that then Senate Resolution 15 would be subject to full debate?

Mr. McCLELLAN. Of course, the Senator from California knows that is possible under the rule; but the Senator also knows that under the rule, the minute the motion to have the Senate take up the resolution was adopted, it would be possible to file a cloture petition on the question of adoption of the resolution; and if cloture were then invoked, it would shut off debate on the resolution itself. Once the motion to take up the resolution was agreed to, and the resolution was before the Senate, certainly there would be a right to file a petition for cloture on the question of consideration of the resolution; it would not be necessary to wait as long as 30 minutes to file such a petition, once the resolution was taken up. Once the rule was thus changed for the sake of expediency, I do not know but that what I have just mentioned might occur, once the resolution itself was taken up. So far as I am concerned, I do not wish to take any chances of having that done.

Mr. President, parliamentary decisions which have become precedents in the United States Senate should not be brushed away lightly for a momentary expedient to accomplish any given result, however meritorious or desirable that objective may be. The word "measure" as used in rule XXII does not mean "motion." The present matter before the Senate is a motion to take up a resolution, which can be done by majority vote. Cloture lies only against "a pending 'measure' under" rule XXII of the Senate. Until the Senate agrees to take up a bill or resolution for consideration, it is not pending business. Under a correct interpretation of the present rule, cloture does not lie at any time—past, present, or future—against a "motion" to take up a

bill or a "motion" for any other purpose, until the present Senate rule shall have been changed. This has been recognized and accepted and confirmed repeatedly by parliamentary rulings by occupants of the Chair. Mr. President, if that were not the rule and the interpretation of it and the established usage of it, we would not now have before the Senate the motion to take up Resolution 15, and there would be no need for the resolution. The very existence of the resolution in the Senate is an acknowledgment that at present a cloture petition does not properly lie against a motion to take up a measure. That is why the attempt is made to have Resolution 15 considered.

Mr. HILL. Mr. President, will the Senator yield for a question?

Mr. McCLELLAN. I am glad to yield to the able Senator from Alabama for a question.

Mr. HILL. Has the Senator from Arkansas noted from the articles appearing in the press that some persons believe that the proponents of the resolution to change the rule might seek to invoke cloture not only against the motion to have the Senate proceed to the consideration of Resolution 15, which provides for changing rule XXII, but also on the resolution itself, at one and the same time?

Mr. McCLELLAN. That is true; I understand that is being considered.

Mr. HILL. Mr. President, will the Senator yield for a further question?

Mr. McCLELLAN. I am glad to yield for a question.

Mr. HILL. Is it not true that unless and until the motion to proceed to consider the resolution to change the rule is adopted by majority vote, the resolution will still be on the calendar and will remain there?

Mr. McCLELLAN. Of course. It is not now pending. If it were pending, it would be the measure under consideration.

Mr. HILL. Mr. President, will the Senator yield for a further question?

Mr. McCLELLAN. I am glad to yield for a question.

Mr. HILL. Does the Senator from Arkansas know any way on earth to abide by the Senate rule and still invoke cloture on a resolution or a bill which remains on the calendar?

Mr. McCLELLAN. That has never been the interpretation of the present rule. I know of no way by which that can be done except by making the resolution the pending business, and that process has been undertaken. However, a cloture petition does not lie against a motion.

Let me say that if there is this much deep-rooted opposition to a measure, it certainly should not be taken up at a session of this sort, when so many important matters are waiting to be attended to, until such important business has been disposed of.

Mr. HILL. Mr. President, will the Senator yield for a further question?

Mr. McCLELLAN. I am glad to yield for a question.

Mr. HILL. I ask the Senator this question: Does not the fact that this proposal is made--and I refer to the double-barreled proposition of attempting to invoke cloture on a resolution still on the calendar—show how far the proponents of the proposed change in the rule would try to go in their efforts to bring about such a change in the rule?

Mr. McCLELLAN. That is true, and that what makes me so apprehensive of this whole proposal and suggested procedure.

Mr. President, repeated parliamentary rulings have established, as a firm, fixed and unchallengeable precedent that rule XXII of the Senate, which now is in force, means exactly what it says, namely, that a cloture petition can be filed against a "measure," but not against a pending "motion," which "motion" is intended to determine the next course of procedure in this body.

The resolution which is the subject of the pending motion not only confirms but is within itself self-evident of this truth. Mr. President, I believe no one will challenge the statement I have just made as being a correct statement of the present rule of the United States Senate, insofar as it at present governs the processes and deliberations of this body.

Mr. MAYBANK. Mr. President, will the Senator yield for a question?

Mr. McCLELLAN. I am glad to yield for a question.

Mr. MAYBANK. Did not the Senator from Arkansas just state that the change of the rule proposed by Senate Resolution 15 might very well lead to a further change of the rule?

Mr. McCLELLAN. I say that the pending motion, if rejected, will dispose of the resolution, for if the motion to consider the resolution is rejected, we shall not proceed to consider the resolution. On the other hand, if the motion to consider the resolution is agreed to, we shall then proceed to consider Resolution No. 15. In short, the fate of the motion will determine the next procedure in the Senate; either we shall reject the motion, and then shall proceed to act on some other matter, or we shall adopt the motion and then shall proceed to consider Senate Resolution 15.

Mr. MAYBANK. Let me ask the Senator whether in his judgment the adoption of the motion and the adoption of the resolution might lead to a further change of the rule?

Mr. McCLELLAN. It might very well do so, and that is what I am complaining about. I do not wish to see the rule changed. I do not wish to have the Senate vote to change it, and I do not wish to see the precedents which have governed the procedure in this body for so long a time be overruled.

The pending resolution not only confirms but is within itself self-evident of this truth. I believe no one will challenge the statement which I have just made as being the present law of the land so far as the rules of the Senate are concerned and insofar as they at present govern the processes and deliberations of this body.

Contention is made that the framers of the rule, that cloture could only apply to a measure, did not know what they were doing at the time, or intended something else. I am not prepared to question the integrity or intellect of those who framed this rule. Whether the rule is wise or unwise is not the issue. They used simple language that anyone can understand. Yes, more, they used language that even a layman, a wayfaring man, can understand. And no one need err therein. I dare assert that past rulings of eminent statesmen should be sustained. A reversal of established precedent will not only do violence to the integrity of the Senate itself, but it will go much further than that; it will shatter confidence in our legislative processes and will be a terrific, weakening blow to every safeguard to the liberty of the American people.

The significance of a ruling that would arbitrarily change the whole course of Senate procedure may be, and I readily concede it will be, a convenient expedient to serve those who seek to attain a specific objective, namely, the enactment of the so-called civil-rights program. If such ruling is made, it may well gain that immediate objective. It may be the simple but dangerous instrumentality needed for the moment that will be productive of presently satisfactory results. But what we do, or what is done about this, is not of temporary duration. If it would only accomplish what is presently intended, the forging of such a weapon ultimately might be excused and forgiven. But the weapon that will be fashioned by such procedure is one that will neither rust nor decay. Its effective striking power will remain for future occasions. Those who have created it for use in this battle, perhaps for a decisive victory, will not long retain control of it. They construct it, use it, and control it for today; but for today only. Tomorrow it will be in the hands of someone else; or, if not tomorrow, it will some day be in the hands of the adversaries of those who would now fight with it.

Mr. President, when the situation is reversed there will be "weeping and wailing and gnashing of teeth." While it is all right to be contrite in spirit, and is certainly commendable to beg forgiveness, yet when mankind comes to the point of "weeping, wailing, and gnashing of teeth," according to the Scriptures, as I read them, it is "too little and too late."

What we do on this issue is not temporary. We cannot escape history. History is going to be written about this battle in the United States Senate, and history is going to record—and subsequent events are going to reveal that which history will record—if our opponents win this fight by relaxing the rules of the Senate, whether that victory served the welfare of America or whether it became one more blow to the liberty of the American people. The destiny of America will be influenced to some degree, either great or small; but, in my judgment, greater than we think, if an adverse decision is made.

I may say to those of the opposition, you may shatter precedents and bask in all of the glory of a victory gained because you have the immediate physical power to achieve it. But victory thus gained will have a way of turning sour. Such victories can very well consume those who resort to the use of such weapons, and the glory so gained, is a glory of the moment but a glory that will evaporate and be gone with the wind

except to leave a stain on the pages of history. Yes, Mr. President, I should hate to see a ruling like that made.

Our founding fathers in forming our Republic, a union of the several States, were confronted with a dilemma. They wanted a Republic, but they did not want to create a government that was or could be autocratic. It was their purpose to form a union, a federation of the several States, primarily for the purpose of security and defense; but they also intended to keep the sovereignty of the States and the liberty of the individual citizen inviolate, hence the tenth amendment to the Constitution of the United States. The framers of our Constitution made certain in unequivocal terms that the Federal Government was to be a Government of delegated powers only, and not a Government of absolutism, a Government with authority only to exercise specific powers granted to it by the sovereign States and the people themselves. Powers not delegated were expressly reserved. Within that structure of Government the greatest liberty to the individual citizen has been assured and preserved.

Mr. President, I challenge any Member of the Senate to rise and give convincing argument that anywhere in the Constitution any of the three civil rights proposals is expressly the result of delegated power by the people or by the States to the Federal Government. It cannot even be read into the civil-rights program. It can be stretched, twisted, and distorted, but in the end, it does not fit.

So, Mr. President, our forefathers did not intend that action should be taken in this way. They intended, as I said before, that if the Federal Government did not want the States to fix the qualifications of voters, as the power was reserved to the States in the Constitution which was adopted, then the only way the Federal Government could get a change would be to carry out and follow the processes and provisions of the Constitution authorizing amendments to that document. The framers of our Constitution made certain, in unequivocal terms, that the Federal Government was to be a government of delegated powers only, and that the powers not delegated were reserved.

Within that structure of government the greatest liberty of the individual citizen has been assured and preserved in America up to this time. Are we to cut loose from that anchorage? Are we to set sail without guide, without course, and without controls?

Books have been written, and many more could be written, on the majesty and dignity of man under the American system of government. Books have been written, and countless volumes could yet be written, depicting the rapid growth and development of America, and undertaking to tell why we have eclipsed the growth and power of every other government and nation or empire that ever existed. But, Mr. President, whatever may have been written and what could yet be said about it, liberty of the individual has been the most potent factor of all. And associated with liberty—and it cannot be disassociated from it—is some place, some forum, where the citizens, through his chosen representatives, can have freedom of speech, unlimited expression. Mr. President, there is today under the present rules of the United States Senate that one forum in existence. But only one, Mr. President. There is no other such forum in the world.

This body has been able to operate and function under the most liberal rules with respect to debate and with respect to speech and expression that the world has ever known. We built this great America under this system. Why is it necessary to change? There is today, under the present rules of the Senate, this one forum. If we change the rules and begin reducing and restricting that freedom which we now enjoy, we are simply, to the same degree, reducing the liberty and freedom of expression and the opportunity of expression of the American people whose representatives we are.

Mr. President, why do we have a United States Senate? What function as a safeguard, as a check and balance, was it intended to perform? Our forefathers, as the Constitution clearly directs, intended that Members of the House of Representatives should be close to the people and, therefore, provided that every Member of the House of Representatives should be elected every 2 years. If, Mr. President, it had been intended or if it were wise that legislation should conform to and carry out the immediate will of a temporary majority or the momentary popular sentiment of the people of this Government, there would have been no necessity in the world for creating this body, the United States Senate.

We hear a great deal about majority rule by representatives of the people. There was never any necessity for creating the United States Senate if whenever the will of the majority was ascertained it should immediately become the law of the land, irrespective of further deliberation and checking to make certain it was right, wise, safe, and sound.

I feel so deeply regarding the question, Mr. President, that I do not think any Senator who opposes the proposed change and who opposes the proposed civil-rights legislation ought to quit fighting this effort to impose such legislation upon the people of the Nation so long as he has the strength to fight. Of course, others have a right to think otherwise, but I reserve the right, so long as I have rights under the rules of the Senate, and have sufficient physical strength to do so, to speak out against this awful thing which is proposed to be done.

Mr. President, what is the United States Senate? The founding fathers intended that it should serve the very purposes which it has served throughout the Nation's existence. It was at first presumed that practically all legislation would originate in the House of Representatives, in which the membership was fresh from the people, and in which the Members were elected every 2 years, and that this body would be more of a supervisory, examining, and deliberative body to smooth out proposed laws and bring them within the Constitution, or reject them if they were unconstitutional.

It was intended to serve as a check against ill-advised legislation and not necessarily to jump through the hoop every time someone thought he had a majority on his side of an issue.

Our forefathers intended that the Senate should be a deliberative body. While the Senate was not restrained from initiating legislation, it certainly was the idea of those who founded this Government that most legislation would originate in the House of Representatives, whose Members were fresh from the ranks, the emotions, the reactions, the sentiments, of the people themselves. But our forefathers recognized that majorities are sometimes wrong.

Oh, yes, Mr. President, the Senate was created so that there might be a check and a balance and deliberation until the people could become better informed and have an opportunity themselves to reexamine the vital issues of the day, and then, after doing so, could reelect their Members to the House of Representatives the next year, or they could reject a Member and elect another if he did not favor a particular issue.

Mr. MAYBANK. Mr. President——

The VICE PRESIDENT. Does the Senator from Arkansas yield to the Senator from South Carolina?

Mr. McCLELLAN. I am glad to yield for a question.

Mr. MAYBANK. I wish to ask the Senator whether after the Philadelphia Convention the small States were not the first to ratify the Constitution and go along with the Government.

Mr. McCLELLAN. That is true. The Senate was created also to give protection to the smaller States, the minority groups in political subdivisions. The House was constituted on the basis of population. The representation of each State in the House is determined by population, but in the Senate the smallest State has as much force and as many votes as do the largest States in the Union. How those from small States with small populations could begin now to whittle away the protection they have here for their people I cannot understand.

Mr. President, we are probably more often wrong than our forefathers thought we would be. They were pretty farseeing, but probably did not contemplate that in the twentieth century, when the tempo of ingenuity and events is carrying us at a rapid pace, we might be prone, under pressures of expediency within and pressures of diabolical intent from abroad, to surrender to that which appears necessary for the moment to gain the immediate result desired. An immediate victory perhaps can be gained, but it would be a victory of expediency constructed on sinking sands.

I wish to call attention to the proposed change in rule in connection with the question how some may expect it to operate. Some say the present rule may have been somewhat abused, and they will change the rule so as to stop up loopholes, as they are called.

What Senators call loopholes are actually further protection to minorities.

I call particularly to the attention of the Republican Members of the Senate, to whom I now wish to refer, that if they think they can change these rules and not have Democratic majorities take full advantage of them, they are mistaken. I think they have every evidence they need of that. They should know by now what gag rule is and what it can do to them.

Some of them are very much interested in legislation which is pending before one of the committees of this body, and they remember when that legislation was first referred to that committee by the Presiding Officer. I am referring to the Committee on Labor and Public Welfare. They remember a measure of vital importance, in which there was great interest, not only on their part, but throughout the Nation. They remember the majority first undertook, without even holding hearings, to report that vital measure, which would have repealed a very important law passed during the last Congress. I think that was also true with reference to some other legislation. But Senators will remember they had to have a battle to get hearings on the bill, and after public hearings they had to have a battle with the majority to keep them from closing the hearings before they could have reasonable opportunity to be heard, or to have witnesses they desired to be heard brought before the committee. Finally, after the hearings were concluded, and the committee undertook to write up the bill, the gag was applied to the Republican members. Important as that bill is, and controversial as it is, the majority would not even give the Republican members the opportunity to present an amendment and have the committee vote on it. There was gag rule. Is the minority going to support it? Do they want some more of the same medicine? How consistent can they be, or how inconsistent will they be. I do not see how they can support it. They can expect a lot more treatment like that, if that is what they want. But they do not protect their people. Mr. President, you and I know that much time was lost by not trying to work out the bill in the committee.

I am persuaded that the pending motion is not the only measure which will come up in this body during this session which will cause some pretty long debate. But this is a sample of how a majority, where there are no rules to protect the minority, can operate. Think about it. If that is the kind of gag rule the minority likes, let them begin voting to change the rules of the Senate.

I am not going to have time to read a letter which was sent to me, an open letter addressed to the Members of the United States Senate, but I do wish to read the cover letter which I received from the lady who wrote this letter, which I have had mimeographed and placed on the desk of every Senator in order that my colleagues may have the opportunity—and I hope they will exercise the privilege—of reading this letter signed by an American mother from the South. I received the covering letter, which is dated March 4. I believe the letter enclosed with it, which is an open letter to all Senators, is also dated March 4.

This letter impressed me. As I have said, I shall not have time, possibly, to read the letter tonight, but I have made it available to every Senator. I do, however, wish to read excerpts from the covering letter which the lady wrote, which was addressed to me personally, and with which she enclosed the letter I have made available to all my colleagues. The letter is dated, as I said, March 4, 1949, and is from an address in Tennessee. The letter, which is addressed to me, is as follows:

DEAR SENATOR MCCLELLAN: From the bottom of our hearts—

And, Mr. President, as I read this letter it will explain why I had the other letter mimeographed and made available to all Senators:

From the bottom of our hearts, the mothers in the South are grateful to you and each and every one in the Senate who is trying to uphold the right to freely speak and to filibuster. We lived in Marianna, Ark., 4 years before coming to Tennessee. * * *

Women in the North are becoming very powerful in political life, as can be seen from all the legislation they are sponsoring and trying to get women all over the country to sponsor in federated clubs, American Association of University Women, and even in church societies. In the South we are too prone to leave all the disagreeable tasks to the men, and take for granted things will work out all right.

I am not at all sure what the procedure is in getting a letter read on the floor or getting one on each Senator's desk. The enclosed article comes straight from the heart, and expresses the sentiments of thousands of us who have in the past been inarticulate. I did not know if it were possible, should I get it mimeographed, to have one placed on each Senator's desk and also have the southern Senator holding the floor in the filibuster also read it, or just how it could be handled. I am sending it to you to do with as you think best, as I see you will have the floor tomorrow. If it would do any good to have a copy given each Senator I would gladly pay such expenses.

Mr. President, I wish I could assure the lady that some good will come of her letter. I hope that it will touch the hearts of Senators, and cause them to think well before they vote to change the rule.

I quote further from her letter:

It has been hard for us, in the South, to get rid of the old thought that only "cranks" write to their Congressmen, and I do not want you splendid men to feel you are alone in your fight for our rights and liberties. The thoughts and prayers of thousands of women back home are with you and being said for you.

I have signed the letter as I did—

She is referring there to the letter which I have made available to each Member of the Senate—

I have signed the letter as I did—

And listen to this, as an indication of what people are thinking—

because it seems that anyone who opposes Mr. Truman in his platform is abused unmercifully and I don't want any member of my family to suffer because I believe as I do that all Americans should support a cause that he thinks is right. My son is a Reserve officer in the Air Corps, and I should hate for him to later be penalized because I have taken part in supporting something the present administration is against. After all such tactics were in line with the gestapo and the Moscow regime, and seem wholly un-American to me, but Mr. Truman is in the driver's seat and seems to consider himself a dictator, rather than a servant to the people.

One of my father's great-great, etc., grandparents was a brigadier general in the Revolutionary War, and a member of the family has been in every war fought for freedom since, with the exception of the Spanish War when there was no man of fighting age. There are two small sons who will be in line for the next war that seems in the making, and I truly believe our lawmakers should be spending their time unifying the Nation and the peace-loving democracies, rather than causing strife and discord among our own people.

God bless you all. May the filibuster stay, the FEPC die its rightful death and President Truman become the President of all the people, and not just those who think as he does.

Mr. President, when I shall have concluded my remarks I shall hope to receive unanimous consent then to have the letter which I have made available, which the lady was anxious to have made available to every Senator, placed in the RECORD as a part of my remarks.

The VICE PRESIDENT. Does the Senator make any request now, or is he giving notice that he will make it?

Mr. MCCLELLAN. I am giving notice, Mr. President, that I expect to make the request. I should like the letter to appear after I have finished my remarks, and not right in the midst of them, if I may.

I had in mind to discuss quite at length each one of the bills. But I shall not discuss them as fully as I had hoped to do. But I want to take a little while on the three bills. I do not know how long the leadership intends to hold the session tonight. If it is a rule that we are going to stay until 9 o'clock, I think I am prepared to stay, but of course if Senators think they have heard as much as they want to hear tonight, and if the leadership feels that way, we might quit a little earlier, but if not, Mr. President—and of course I cannot conclude, as I said—I shall have to speak again, if I receive that opportunity. But I want to talk now briefly about the three bills.

Mr. President, in the course of the debate today I have stated that the three bills now pending do not represent all there is in the civil-rights program. They are all the legislation which has been introduced so far in the Congress, but that is by no means all that is required to satisfy those who are agitating for so-called civil-rights laws. I stated earlier that many of those who are advocating these laws, and who are applying very serious pressure to try to get them, would not be satisfied with the enactment of the anti-poll-tax law, the antilynching law, and the FEPC. They will not be satisfied until they get the Negroes of this country into every swimming pool, every hotel, every place of entertainment, every church, every society, every club, and everywhere else where white people may assemble. That is what is behind the effort. That is the ultimate goal. If these three bills were

passed now, that would not end this controversy. The proponents of civil-rights legislation wish to go a great deal further.

Mr. President, that is something that a great many people in America are very sensitive about. We do not want such a condition to be forced on us by law. If such a condition ever occurs—and I doubt that it should ever occur in America—it ought to come through the processes of education and evolution, and not by a force act, as those who advocate that relationship between the races now propose. These proposals are in the nature of force acts.

It is not necessary to dwell long on the anti-poll-tax measure, because it is of little consequence. I think there are only seven States which have the poll tax. Some of them, and possibly all of them, are now in the process of making arrangements to eliminate the poll tax. I predict that before we could get an anti-poll-tax law enacted in the Federal Congress, there might not be anything against which to enact the law. Regardless of how rapidly or slowly changes come in the States, it is their right to make the changes. I hope that by the time we get through with this fight it will have been lost because it will be found impossible to force an unconstitutional measure like this through the Congress.

The poll tax has been greatly exaggerated by many. For example, my State has a poll tax. It is only a dollar. Every penny of it goes into the common school fund. In my judgment any sorry son-of-a-gun in America who is not willing to pay a dollar to educate our children does not possess such attributes of citibenship as to entitle him to vote, in the first place. We cannot get very good government from people who would complain about paying a dollar to help educate the youth of the land.

A great deal of racket is raised over the poll tax. It has been said that it prevents many persons from voting. In my State 450,000 poll taxes were paid this year. How many do Senators suppose voted for President? Only a little more than half the number who paid poll taxes voted for President of the United States. So it was not the poll tax which kept them from voting. Two hundred thousand of them had poll-tax receipts in Arkansas, but did not vote. Some other reason will have to be found.

Of course, these arguments have been made many times. I do not care to dwell too long on the poll-tax measure. Whether it is right or wrong, the States are changing it. They are instituting a registration system. That is what is occurring in my State. I do not know how soon it will be inaugurated, but the people have already acted on it and authorized the legislature to establish a registration system. I am not sure that the bill has passed, but it will probably be passed at the present session of the legislature. So that question is of no great importance. We do not care very much about a poll tax. That is not the violence represented in these proposals, although it is unconstitutional. But if we start voting for and passing laws which we know are unconstitutional, they will operate just as the gag system operates. We shall continue to be gagged.

Mr. President, we took an oath to support the Constitution. I respect any Member of this body who, having taken such an oath, votes against a measure when he conscientiously believes and has a conviction that it is unconstitutional, whether he believes in the objectives of it or not. If he believes that the means of seeking to gain the objective are unconstitutional, he has my admiration if he adheres to his conviction and votes against the measure.

So far as the poll tax is concerned, it is overexaggerated. It is not a problem. I would not lose a minute's sleep if the poll tax were repealed in my State. I have always said that I did not care what was done about it. Every time the issue has been raised in my State, I have stated that I would just as soon run for office with a poll tax as without one. It makes no difference to me. When I go out to campaign, I am talking to my own people. If I cannot be elected with the poll tax in existence, I probably could not be elected without it.

We are using every penny of the money to support the schools. We need plenty of revenue to try to support the schools. I do not believe that this particular issue is all-important. Frankly, as I stated a while ago, I believe that any citizen who is so sorry that he would not be willing to contribute a dollar to help educate the children of the community possesses a doubtful quality of citizenship on which to base his right to vote. After all, the States can set the qualifications under the Constitution. They have set them, and when they set them, I think they have a right to set them.

Mr. President, I wish to pass to the next measure, the antilynching bill. From the time this measure was first introduced, it has been considerably watered down. The present bill does not go nearly so far as did some of the bills introduced many years ago, when the antilynching proposal may have been more popular. I do not know whether it was more popular or not, but it was far more justified then than it is now, if it ever was justified, because there were then a few lynchings to complain about.

If we had not had unlimited debate in the United States Senate, an antilynching bill would have passed and become a law which would penalize the taxpayers of a county by requiring them to be taxed and assessed to pay damages whenever a lynching occurred. Of course, Mr. President, that matter is not covered by the motion and the resolution we are discussing; but if the principle of the proposed antilynching bill is to be established by law so far as lynchings are concerned, it should be applied to all other crimes. If that were done, every murder or other heinous crime would be covered by the law, and then why could it not be assumed that the occurrence of the murder or other crime was the fault of the officers, in not enforcing the law? Certainly if the sauce is good for the goose, it should be good for the gander. It may be said, "That fault has been eliminated, so why talk about it?" I am simply showing how the same principle might apply in other cases.

But, Mr. President, why is there all this hubbub about the antilynching bill? Of course, lynching is a form of murder, perhaps in an aggravated form in that it is committed by a mob. Nevertheless, when a man is lynched, he is just as dead as if he had been murdered, and life was just as sweet to him as it is to any other man.

Last year there was only one lynching in the United States, but now we are asked to take all this time in the Senate because of the attempt to have the Senate pass an antilynching bill. Of course, such a bill is unconstitutional. If the Federal Government can pass a law to prevent one lynching, the same Government can pass a law to take jurisdiction over every murder in the country, and should do so. After all, why should there be discrimination so far as murders are concerned? We hear a great deal of talk about discrimination, and some persons say they are trying to prevent discrimination. But the antilynching bill is the rankest and most contemptible discriminatory bill ever to be introduced in the Congress. It singles out only one crime, but absolutely ignores all other crimes of comparable heinousness. Under the provisions of that bill, so far as the Federal Government is concerned, a murder could be committed and the Federal Government would owe nothing to the heirs of the murdered citizen of the United States if a gangster committed the crime. On the other hand, if down South a Negro raped a white man's daughter, and the Negro was lynched, then, under the proposed antilynching law, the Federal Government would owe something to the family of the Negro.

Mr. President, let Senators consider the reports in the daily newspapers. The Negro race has made marvelous progress, but the Congress cannot legislate culture or morals or civilization or progress in the case of any race.

Let me state what this propaganda is doing. The South is not paying for it, but the other sections of the Nation are paying for it. We, in the South, are not having any additional trouble; in fact, we are having less than ever before. But the other sections of the country are paying for this propaganda, for in many cases it is inciting the basest and most bestial instincts ever manifested.

I assume that most Members of the Senate read yesterday's newspapers. I do not wish to refer to the crime referred to there, or to take the time of the Senate by doing so. I merely point out that while last year there was only one lynching in the South, those who are responsible for the proposed antilynching bill would not have it apply to other forms of murder.

I do not know how many murders were committed in the United States last year, but there were 8,444 in 1946. I understand that there have been more than that in the years since then. In 1946 there were six lynchings. The number of lynchings is decreasing without the benefit of any Federal law, but the murder rate is rising. I do not have the exact figures for the murders committed

in 1947 and 1948, but they are on the increase.

In the same year, 1946, when there were 8,444 murders in the United States and only 6 lynchings, there were 12,117 cases of rape in the United States. Then Mr. President, where is the sincerity back of this proposal? Where is the great interest in humanitarian civil rights? When has the right to protect and preserve the virtue of womanhood ceased to be a human right and a civil right? However, no attempt is being made to have the Federal Government protect the womanhood of America; there is no demand to have such a provision included in the antilynching bill. If such a provision were made a part of it, those who now favor the antilynching bill would not vote for it. Why would they not vote for it? Because in that case the pressure groups would cease their pressure for the enactment of the bill.

The proposed antilynching bill discriminates, because if it were enacted the Federal Government would take over the job of protecting only one phase of human rights. However, if that step were taken, the Government should also undertake to protect the people of the Nation against the commission of all the most heinous crimes, and provision to that effect should be placed in the bill.

Since when has virtue not been sacred and worthy of protection? Some persons prize virtue higher than life itself. Men have died and have given their lives to defend the womanhood of their community and of their families. Yet the agitators for the proposed antilynching law—which would violate the Constitution, and is being proposed simply and solely to add insult to injury upon the section of our Nation which had the Negro imposed on its people in the first place by the profiteers of the North—would not have to live with the problem they would thus create, but we in the South would have to live with it.

Mr. President, I can vouch for practically everything that was said with respect to the relationship of the races by the good lady who wrote the letter which has been referred to. The races are getting along well. There may be some discrimination. There is discrimination with respect to social equality, and there always will be in the hearts of true southerners. But, so far as education is concerned, we are making progress.

Let me remind the Senate that if we have not been able to do all we should have done for the Negro in the South, we have not been able to do all we needed to do for ourselves. After all, the South was a war-torn region, and we were not given much opportunity to make an economic comeback. We have been under economic disadvantages ever since the Civil War. Because of freight rates and many other things, our economic recovery has been tremendously handicapped. Yet, Mr. President, today we are being taxed—by our own acceptance, of course; through their representatives in the Congress, the people of the South are being taxed—to rehabilitate the people of foreign countries and to try to restore their economy and relieve the suffering of those our people have never seen.

After the Civil War the South received no help. There was no ECA; there was no relief program for the South. Instead there was imposed upon the people of the South a carpetbag rule that should never have occurred. It is a blot upon the history of the Nation. We of the South know our problem. Others are learning it, and are going to learn more about it. There are those who keep agitating the race issue. The more they meddle with it, the more it is agitated. The race problem is magnified. There is not so much of a race problem in America as some may think. If those who meddle with it were to stop talking about it and quit agitating it, it would be found to be practically no problem at all. But the agitators keep telling the Negroes they ought to have certain rights and ought to do certain things. The more ideas of that kind are spread, the more news stories there will be such as the one recently in the newspapers.

We of the South know the Negroes. We get along well with them. No relationships can be perfect. It would be better if the problem were left to us and if others would quit meddling with it. I am misleading no one. The problem should be left to those of us who have lived with it and know how to handle it. There are organizations in the metropolitan cities that keep howling for Congress to do something about racial problems. I invite a comparison between such metropolitan areas and the South with respect to the number of heinous crimes committed relative to population. Those who agitate the question are inviting an increase in crime. I realize Senators have heard arguments like this before. It is not pleasant for me to stand here and endeavor to plead with Senators. If I did not believe they needed to know the truth of what I am saying, and if I did not think I knew what I was talking about; further, if I did not think there was some hope of getting the opposition to realize what they are doing before it is too late, I do not know that I would expend the effort, except for the consciousness I have that it is my duty to oppose unconstitutional laws and measures which I think would be detrimental to my country. But if the Congress, and if the majority and minority leadership, were to announce the abandonment or repudiation of the civil rights clap-trap and proceed in an effort to protect the economy of our country, the free-enterprise system that made America great, and endeavor to find a way of establishing peace in the world, enabling us to devote our minds, our wisdom, and our energy to things that are worth while, instead of to things that are destructive, we should be proceeding along the right path. The proposed program is destructive; it is productive of disunity, and it is causing an increase in crime.

It is said that what is proposed is in the interest of protecting human life. An antilynching bill is to be sought in the interest of protecting human life. I say that for every lynching such a bill would prevent, a dozen murders would result. If the message is sent across the land, "The Federal Government has enacted an antilynching bill; it will be down here to protect you," an idea will be put into the minds of some who now do not dare think of it. Is that what Senators want?

The fruits of such unwisdom are beginning to be seen in the North. That will not be the case in the South. The best thing on earth that could happen to America with respect to the proposed program would be to drop it. It is unfortunate that both political parties, as a sop to voters, endorsed it. It is tragic, to those of us in the South who know how vile it is, and what the penalty will be in exactions upon the harmonious relationship of the races, if the program is enacted. The best thing that could happen would be for both parties to repudiate the whole thing and for the Senate figuratively speaking to kick the whole program into hades and proceed with its legitimate business.

Earlier in my remarks I pointed out the danger to America of the spread of communism throughout the world. I pointed out that that was the real danger to America, not the matter of race relations. There is no danger from that. The relations between the races are improving all the time, but can only be worsened by a program of this sort. My advice is to let the matter alone.

Mr. President, I want to take only a few moments on the FEPC bill. Senators know pretty well what it is designed to do. I have said, and I repeat, these bills are not the end of the program. There are those who would not be satisfied even though all three of the civil-rights bills were enacted. Enactment of the FEPC, if it ever attempted to break down the segregation laws of the country, would be a greater step toward incitement to crime in America than anything else the Congress could do. That is FEPC. I do not know who conceived the idea, but it is not an American concept.

A little earlier today in answer to questions by my colleagues, I endeavored to point out that wherever property rights do not exist and are not respected and recognized by Government, human rights and human liberty do not exist. Is there any government on the face of the earth that recognizes human liberty and freedom and the individual liberty, majesty and dignity of man, that does not also recognize property rights? The right to own property, to create property, to possess and enjoy property, cannot be disassociated from the liberty of the individual. Take that right away from a man and you take away from him the right and the liberty to pursue happiness.

What does the FEPC bill propose to do? Fundamentally it proposes to say to those who own property and who operate a business, "No matter what your pleasure is, no matter what is required to make you happy in your business in operating it as you desire, you cannot do certain things with respect to your own personal comfort and pleasure."

It attempts to say that if one of another race or of another creed, color, or ancestry, applies for a job, the owner of the job—and I say that jobs are property—cannot discriminate by selecting an employee of the race, the color, or the religion he wants.

When did it come to pass in America, Mr. President, that he who creates property, who creates a job in his own right and on his own initiative, with his own capital, his own investment, his own ingenuity, cannot control the situation with reference to whom he will permit to share the benefits, the advantages, and the rewards of the labor involved? It is totalitarianism when the Government can tell the man who creates a thing that he cannot own it or cannot have it except under Government control. If he writes a song or a book, if he creates an invention of usefulness, his Government says that he can get his right protected by copyright or by patent, and no one but him can use it. It is a product of his labor, and he is protected. But now we are asked to break down that structure. The man who creates a job no longer has any protection.

What will happen if FEPC legislation is passed? Thousands of snoopers will be employed. We will tolerate a number of voluntary snoopers who will go around and see if they cannot find some one who has created a job and decided he wanted to employ white people. Then he will be taken somewhere for a hearing, or taken to court, and a cease-and-desist order will be issued against him. The bill provides for establishing I do not know how many commissions and committees. It would establish committees in each community. There will be a great many persons trying to run everyone's business. How much will it cost? I do not know, but if the law is enforced it will cost a great deal of money.

Mr. President, I again emphasize, as I did earlier in my remarks this afternoon, the fact that we had better be appropriating money for devising some means of getting Communist spies out of the Government of the United States, and out of the country. American business people take care of themselves. I do not know anyone who cannot make a living if he wants to work. I do not know anyone who is discriminated against or prevented from going into any kind of business he wants to enter.

I do not want a law which would compel some member of the black race to employ me, certainly not in any confidential or close relationship. It is his right to deny me any job he creates, and I have no right to call on the Federal Government to enact such a totalitarian law, so that a little bureaucrat in Washington, who does not know anything about local conditions, and who cares less, can decide for me whom I can employ and whom I cannot employ. If there were much sincerity about this, many Senators would practice what they preach. I have not seen many persons of another color in Senators' offices. There may be some.

Mr. President, if I were advocating this bill, if I were advocating the enactment of an FEPC bill such as the one proposed, I do not believe I could face a fourth of the population of my State and say, "Although I preach it I do not practice it." Those things have a great deal of weight with me. I simply believe that if it is good under legislation, it is good before legislation is enacted. Those who advocate the legislation ought to manifest their good faith and their purpose by setting an example of how they think it should work.

Mr. President, I do not know whether it is the purpose of the leadership to continue this evening. I have much more that I wanted to discuss and place in the RECORD. I ask unanimous consent at this point that the letter which I placed on the desk and made available to each Senator be placed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MARCH 4, 1949.

DEAR SENATORS: The women of the South, mothers, wives, and daughters of real men, who have fought and died to make this Nation great, are proud of the men, who again are risking their health and lives to preserve the Constitution of the United States, which you, as Senators should also revere. Neither bribery from corrupt politicians nor pressure groups can tempt them to give up their fight, and if you men, supported by the taxpayers of this great Nation, were real men, there would need to be no filibuster to prevent passage of so un-American a bill as the so-called FEPC. The Constitution guarantees to each State the right to levy taxes and make laws necessary for the well-being of its citizens. There is no excuse for the Federal Government attempting to make blanket laws, regulating the lives of all citizens, without respect to the needs of all those citizens. More descendants, counted on a percentage basis of the voting population, of the original founding fathers of this great Nation live below the Mason and Dixon's line than in any section of the Nation. For this reason, we are willing to stand abuse and privations in order to preserve for posterity the freedom of the individual, guaranteed us under the great document the Bill of Rights.

In times so grave as now, you men owe it to the Nation and to the world, to show your power of leadership by working on bills to stop communism in the United States and the world, to help unite the Western Powers for world peace, rather than try to put over on the country a piece of legislation such as the FEPC, which is nothing but tragic discrimination against the whites who have fed, clothed, and nursed the Negroes, when those same southern white people had lost all they owned because of them and hardly had enough to eat themselves. Why didn't the Negroes flock north following the Civil War, when the Federal Government was passing all sorts of discriminatory laws against the South? Care packages, lend-lease, money to rebuild schools, churches and homes destroyed by northern troops in the South were conspicuous by their absence in those days. Even just debts and justified claims of the South were refused payment under section 4 of the XIV amendment to the Constitution, forbidding the payment of the Confederate debt. One reason the Negroes didn't go north was that some of their loving northern brethren, such as Abraham Lincoln, had made it impossible for them to do so. While a member of the Legislature of the State of Illinois, Abraham Lincoln presented a bill preventing Negroes settling in that State.

However, since they have been treated as a political football ever since the northerners collected their money for these human beings they had brought over from Africa, there is little use in appealing to you on political grounds. Had the North never brought slaves and unloaded them on the Southern people, our section would have developed more rapidly. Our mechanized farming would be on a par with that in the Wheat and Corn Belts, had we not known the Negroes had to be housed, fed, doctored, and educated, no matter how little returns we received, or how little material wealth we started with after the disastrous Civil War. The education of our white children would be on a much more equal basis had we not had, again, this problem of education of the Negroes. We are steadily improving our schools for both races, and if the Federal Government will stop trying to stir up ill-feeling between the two races we will work out all these problems. But here again, most of you are not interested in our economics or educational problems.

Our final appeal is as human beings, and wives and mothers, who are entitled to just as much consideration as you would wish given your own wives and mothers. I received my degree from a northern university, and most of my married life was spent in New York, Detroit, and Baltimore. I know how totally ignorant most of you are of the real problems of southerners who live in communities where the Negroes outnumber us 3 to 1, and in some sections 10 to 1. These are not the clean, ambitious, self-sufficient colored people with whom you are sometimes thrown into contact. These are the indolent, happy-go-lucky people who believe in hoodoo, swap wives or women at will, don't enjoy a church meeting or social gathering unless there is bootleg whisky and a knifing scrape or two. They live in better houses than the log cabins and houses of our white forefathers and have greater facilities for keeping clean, but they go to our health clinics and won't follow the simplest instructions as to health habits and cleanliness. They won't save their money, as they love new clothes, cars, and liquor too well, so when a doctor is needed the white man for whom they work guarantees the bill, whether or not he is ever reimbursed. They work as little as they can, and only go to the cities when they hear of big unemployment checks; for how they love unemployment.

For 3 years I have lived in the country, and northern friends who have visited us cannot understand why I am not terrified to live where I am the only white woman in a radius of 5 miles, with hundreds of Negroes around me. They are our friends, and know we are the best friends they have ever had, but if you men don't wake up and realize what you are doing by all your pointless agitation I don't know how long they will remain friendly. They all have their radios, and hear the biased reports on civil rights. You wouldn't let your little children attend school with these children, drink from the same drinking fountains, and have three out of every five teachers colored. Education in the South will be retarded 50 years or more if nonsegregation is put in schools. Because of interbreeding many of the children are not very bright, yet there would be 10 Negro children to each white child, and of course many of the white children are from rather poorly educated homes, so children from homes such as yours or mine would, of necessity, have to be kept back or neglected in school while those others caught up.

These colored children have very low morals, as a large percentage are illegitimate children of very young unmarried colored girls, and for that reason alone, nonsegregation in such sections would be a tragedy. Perhaps, you think we should send our children to private schools. May I tell you that Southern farmers' incomes would hardly cover that, with high taxes, paying about twice as much for everything we buy, because labor costs have increased so tremendously since the New Deal sold out to unions. Of course, there is the other alternative of selling out, and starting over where we could live in a Northern city in a section where there are no Negroes. That seems rather hard on a disabled veteran of World War I, and our son, a pilot for 3 years in World War II, and a daughter and two other small sons, but it might be possible. It would be absolutely impossible for thousands of less fortunate white families

who have struggled to build up from nothing, their grandparents having lived in abject poverty as a result of the Civil War and World War I.

You are probably working for votes, but we are pleading for our very lives, for a chance to live in peace with a race that through the greed of Northern white men were brought to this section and resulted in one tragic war. They are free to go to other States, if our individual State laws do not please them. Why take away again the freedom of the white man in those States where the white man has borne the burden of the colored race all these years, and at a time when together, we are making progress in health, education, and all ways of life? In the name of all Southern womanhood, of mothers of veterans of past wars, and those wars that may result from your wasting time in causing disunity when we need unity, here and abroad, I plead with you to leave to each State those rights of local self-government as guaranteed to them, and get on with legislation that rightfully belongs to you, and is so needed to make the world safe for our generation, and for generations to come.

AN AMERICAN MOTHER FROM THE SOUTH.

Mr. McCLELLAN. Mr. President, since I cannot finish tonight, and since tomorrow I am compelled to leave and cannot be present for the next few days, I ask unanimous consent to be absent from the Senate for the next 3 days, or until next Monday.

The VICE PRESIDENT. Without objection, permission is granted.

Mr. McCLELLAN. Mr. President, I express the hope that during the time I am compelled to be absent from the Senate there will be no vote on the pending motion, and I hope there will not be any cloture petition filed or a vote taken on any action which may result from such cloture petition, because I want to be present to vote on the question.

EXECUTIVE SESSION

Mr. LUCAS. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

The VICE PRESIDENT. Reports of committees are in order. If there be no reports of committees, the clerk will state the nomination on the Executive Calendar.

SECRETARY, TERRITORY OF ALASKA

The legislative clerk read the nomination of Llewellyn M. Williams to be Secretary of the Territory of Alaska.

The VICE PRESIDENT. Without objection, the nomination is confirmed, and, without objection, the President will be advised of the confirmation at once.

ANNOUNCEMENT AS TO CLOTURE PETITION

Mr. LUCAS. Mr. President, I should like to take this opportunity to notify the Members of the Senate that when we recess today we will recess until the usual hour of 12 o'clock noon tomorrow, and there will be another night session on the pending question.

I may add that today we have circulated a petition for cloture to be filed on the motion to take up the pending measure, which is the amendment to the cloture rule. It now appears that probably sometime tomorrow afternoon the petition for cloture will be filed.

I merely make this announcement in order that Senators may know about it. We must get along with the business of the Senate, and it seems to me that after the length of time that has been spent in debating the issue, the time has now arrived when we must ascertain exactly where we are going with respect to the cloture petition.

I am not saying that what I have suggested will be done tomorrow, but from the number of signatures we have upon the petition for cloture, it seems very probable that we will file it sometime tomorrow.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. LUCAS. I yield to the able Senator from Georgia.

Mr. RUSSELL. I am sure the Senator realizes that there is a difference of opinion as to whether the motion to take up is the pending measure.

Mr. LUCAS. I understand that there is quite a difference of opinion as to whether or not the motion to take up is subject to cloture, and no doubt the Senator from Georgia will make the point of order at the proper time.

Mr. RUSSELL. The Senator stated it was "the pending measure." I did not want to leave the impression that the entire Senate agrees that that is the case.

Mr. LUCAS. It is part of the pending measure, I will say to the Senator from Georgia, in the interpretation of the Senator from Illinois.

Mr. RUSSELL. Very well.

Mr. LUCAS. As in legislative session, I now move that the Senate stand in recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 9 o'clock and 1 minute p. m.) the Senate took a recess until tomorrow, Thursday, March 10, 1949, at 12 o'clock meridian.

CONFIRMATION

Executive nomination confirmed by the Senate March 9 (legislative day of February 21), 1949:

SECRETARY, TERRITORY OF ALASKA

Llewellyn M. Williams, to be Secretary of the Territory of Alaska.

HOUSE OF REPRESENTATIVES

WEDNESDAY, MARCH 9, 1949

The House met at 11 o'clock a. m.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Thou in whom power and pity blend, who dost give us all things, restrain us from evil impulses and wrongdoing. Create in us new instincts, new desires, new powers of thought and feeling and will. As we stand before a righteous and a just God, may we dare to do the right, conscious that our works do follow us.

Keep in our minds that we are made in Thine image and Thy judgments will ever hold us to a strict accounting for the deeds done this day and every day. O lead us on in the ways of Christian manhood and womanhood, firm in the triumph of faith, the dominion of hope, and the ruggedness of courage. We humbly pray in the name of Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. McDaniel, its enrolling clerk, announced that the Senate had adopted the following resolution (S. Res. 82):

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. SOL BLOOM, late a Representative from the State of New York.

Resolved, That a committee of two Senators be appointed by the Vice President to join the committee appointed on the part of the House of Representatives to attend the funeral of the deceased Representative.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased Representative the Senate do now take a recess until 12 o'clock meridian tomorrow.

Pursuant to the above resolution, Mr. WAGNER and Mr. IVES were appointed on the part of the Senate.

The message also announced that the Senate agrees to the amendment of the House to a bill of the Senate of the following title:

S. 673. An act relating to the pay and allowances of officers of the Naval Reserve performing active duty in the grade of rear admiral, and for other purposes.

THE LATE WASHINGTON J. McCORMICK

Mr. MANSFIELD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. MANSFIELD. Mr. Speaker, it is with deep personal regret that I inform the House this morning of the passing of a former colleague and a predecessor of mine in the House of Representatives. Mrs. Cora Quast McCormick, wife of former Congressman Washington J. McCormick, who represented the First Montana District from 1921 to 1923, called me on the phone yesterday afternoon to tell me of her husband's passing. I know there are very few Members of the House today who served with Washington McCormick, but there are some old-timers who will recall the sterling service which he rendered on behalf of his constituents and the people of the United States as a whole.

Washington McCormick came of a pioneer Montana family. He was born in Missoula, Mont., on January 4, 1884. He attended the public schools in Missoula, the University of Montana, and the University of Notre Dame. He was gradu-

ated from Harvard in 1906. After that he attended the Law Department of Columbia, graduating from there in 1910. He was admitted to the New York bar in 1910, returned to Montana and was admitted to the Montana bar in 1911.

He engaged in the practice of law in the State of Montana. He was a member of the State house of representatives from 1918 to 1920 before being elected to the House of Representatives of the Congress of the United States.

I wish at this time to extend my most sincere condolences to Mrs. McCormick. We of Montana will miss her husband greatly because of his fine character, and his great contribution to the development of our State.

He was a good man who unselfishly served Montana and the Nation. A captain in the Army of the United States in World War I, he served his country in an industrial capacity in World War II. Only age kept him out of the armed forces in the late struggle but even that could not stop him from doing his share wherever and whenever he found the opportunity to do so.

Yes, Washington J. McCormick is gone from among us. But, the accomplishments which were his remain and the memories of his friendship will linger long after his body is laid to rest. His frankness, humor, and sagacity have endeared him to us and we will think of him lovingly in the years ahead.

May his soul rest in peace.

PERMISSION TO ADDRESS THE HOUSE

Mr. BROWN of Georgia. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks and include an editorial appearing in the Journal of Commerce, New York, under date of March 8, 1949, relative to keeping the FDIC an independent agency.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

[Mr. BROWN of Georgia addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. O'HARA of Illinois asked and was given permission to extend his remarks in the RECORD and include a statement relative to the Calumet-Sag Channel.

Mr. GRANAHAN asked and was given permission to extend his remarks in the RECORD and include an article appearing in the Philadelphia Evening Bulletin.

Mr. SADOWSKI asked and was given permission to extend his remarks in the RECORD in five instances and include excerpts.

Mr. STIGLER asked and was given permission to extend his remarks in the RECORD.

Mr. EVINS asked and was given permission to extend his remarks in the RECORD in two instances and include letters and articles.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

Mr. PRIEST. Mr. Speaker, I ask unanimous consent that the Committee on Merchant Marine and Fisheries may sit while general debate is in progress during today's session of the House.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

SPECIAL ORDER GRANTED

Mr. PRIEST. Mr. Speaker, I ask unanimous consent that today, following any special orders heretofore entered, I may be permitted to address the House for 10 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

COMMITTEE ON AGRICULTURE

Mr. PRIEST. Mr. Speaker, I ask unanimous consent that the Commitee on Agriculture may sit while general debate is in progress during today's session.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

COMMUNIST TRIALS

Mr. TAURIELLO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks and include a letter from the Holy Name Society of the Buffalo diocese and an editorial appearing in the New York Times.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. TAURIELLO. Mr. Speaker, and Members of the House, it is just 1 month today that I stood in the well of the House to protest the infamous trial of Cardinal Mindszenty. At the time I said it was not so much that it was a high dignitary of the Catholic Church that was being prosecuted and persecuted; it could have been some dignitary of some other denominational faith. That has now come to pass where the Communist-controlled Government of Bulgaria has arrested ruthlessly 15 ministers of the Protestant denominations and sentenced these men. I am raising my voice in protest here at this ruthless war on religious freedom by these satellite nations. Certainly this House of Representatives should take some action in voicing its protest against all these infamous trials.

Reports from reliable sources indicate that these ministers were ruthlessly arrested, incarcerated, drugged, and tortured so they would confess to things in which they had not participated.

This is a campaign on the part of antireligious forces to destroy religion and religious freedom not only in these Communist-controlled countries of Europe, but throughout the world. Certainly then, these antireligious forces are not only on the rampage to destroy religion and religious freedom but to destroy democratic nations throughout the world.

This apparently is their program and it remains for us, a democratic nation, believing in the great principles of freedom of religion, speech, the press, and all other freedoms to become alert to this great menace that exists and to combat it by asking the President of the United States and the State Department to file a strong formal protest with these Communist-controlled governments, which are carrying on this vicious campaign to destroy religion and the freedoms of all peoples, and to invoke economic sanctions if possible.

EXTENSION OF REMARKS

Mr. MARTIN of Massachusetts asked and was given permission to extend his remarks in the RECORD and include an editorial from the Boston Traveler, advocating a reduction in excise taxes.

Mr. DONDERO asked and was given permission to extend his remarks in the RECORD.

Mr. MACK of Washington asked and was given permission to extend his remarks in the RECORD and include a letter from Dr. Raver, the Bonneville Power Administrator.

Mr. MILLER of Nebraska asked and was given permission to extend his remarks in the RECORD on the Missouri Valley Authority, and further to extend his remarks and include a survey on the closed shop by Rogers Dunn.

Mr. HULL asked and was given permission to extend his remarks in the RECORD and include a letter.

Mr. VAN ZANDT asked and was given permission to extend his remarks in the RECORD and include a statement by David Lawrence on the subject Nonstop B–50 Flight Demonstrates Need for a Big Army and Navy.

Mr. RICH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD in two instances, and to include in one a speech by Henry J. Taylor over the radio entitled "Keep Uncle Sam Solvent," together with questions sent him by mail and his answers, and in the other an article entitled "Mr. Farmer, the Wage Law Hits You Too!—Aimed at the Factories It Goes Through to the Farms!" I do not know who the author is but I certainly approve what the gentleman who wrote it says.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

NAVY VESSELS LOANED TO RUSSIA

Mr. SCRIVNER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include a letter from former Secretary of the Navy Forrestal.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. SCRIVNER. Mr. Speaker, we were all pleased to learn that after 5 years under the Red flag of Russia, the U. S. S. light cruiser *Milwaukee* is back under the American flag again.

If that ship could talk, I wonder what it would have to say about life under the hammer and sickle.

The question the administration should now answer for the American

public, is: When will the other 580 Navy vessels we loaned to Russia be returned?

That the Members may have readily available a list of the ships we turned over to Russia, there is quoted below a letter from then Secretary of the Navy James Forrestal, dated April 30, 1947, in which 581 ships are listed, together with the dates on which they were turned over to Russian custody:

THE SECRETARY OF THE NAVY,
Washington, April 30, 1947.

Hon ERRETT P. SCRIVNER,
House of Representatives,
Washington, D. C.

MY DEAR MR. SCRIVNER: As requested in your letter of April 17, 1947, the following is a list, by type, of ships, boats, barges, and/or floating drydocks of the Navy transferred to the U. S. S. R., together with inclusive dates on which transfer was made:

Type	Number	Dates
AG (river tugs)	15	Aug. 21, 1944 through Apr. 11, 1945.
AM (mine sweepers)	34	June 25, 1943 through Aug. 17, 1945.
LCIL (landing craft, infantry)	30	June 10, 1945 through July 29, 1945.
PF (frigate)	28	July 13, 1945 through Sept. 4, 1945.
SC (submarine chasers, 110-foot)	78	July 13, 1943 through Sept. 2, 1945.
BPT (motor torpedo boat)	8	Feb. 8, 1944 through Feb. 16, 1945.
LCT (landing craft, tank)	17	Apr. 15, 1945 through May 26, 1945.
PT (motor torpedo boat)	194	Feb. 15, 1943 through Aug. 30, 1945.
YMS (motor mine sweepers)	43	Mar. 31, 1945 through Sept. 2, 1945.
YR (floating workshops)	4	June 19, 1945 through July 29, 1945.
PTC (submarine chasers)	26	Dec. 8, 1943 through Aug. 13, 1944.
LCM (3) (land craft, mechanized)	54	June 7, 1943 through Dec. 30, 1944.
RPC (submarine chasers)	36	Dec. 3, 1943 through Mar. 4, 1944.
Motor launch	1	Oct. 19, 1944.
Plane personnel boat	1	Mar. 15, 1945.
LCS (S) (landing craft, support)	2	Dec. 30, 1944.
LCVP (landing craft, vehicle and personnel)	2	Do.
CR (ice breaker)	3	Feb. 25, 1944 through Mar. 24, 1945.
250-ton pontoon barges	4	Jan. 10, 1945 through Oct. 15, 1945.
CL (light cruiser)	1	Apr. 20, 1944.

With exception of the light cruiser (formerly the U. S. S. *Milwaukee*) all the above-listed craft are subject to return to the United States not later than the termination of the present wars. The light cruiser is on loan to the U. S. S. R. and is subject to return upon implementation of the terms of the Italian peace treaty.

Very truly yours,

JAMES FORRESTAL.

Let us hope they come back to us soon, and in condition so they can rejoin their sister ships under the Stars and Stripes.

MINORITY VIEWS ON RENT-CONTROL BILL

Mr. COLE of Kansas. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. SMITH] be permitted to file minority views on the Housing and Rent Act of 1949.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

RENTAL HOUSING

Mr. COLE of Kansas. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. COLE of Kansas. Mr. Speaker, tomorrow we will consider the rent-control bill. I have some facts which I should like the House to consider as we approach this difficult problem.

At least 2,850,000 apartments and other rental-housing units have been added to the Nation's nonfarm housing supply since 1940, Melvin H. Baker, chairman of the Construction Industry Information Committee, stated Saturday.

Nevertheless, there are now 760,000 fewer rental units and 4,600,000 fewer persons living in rental accommodations than in 1940, because in the 9 years more than 3,000,000 units, mostly single-family houses, have been purchased for occupancy by new owners and thus have left the rental supply.

This unprecedented reduction in the number of rental units is attributed principally to the fact that many owners preferred to sell their properties rather than continue to operate them under rent controls.

This trend is a reversal of the customary pattern of the past, by which older single-family dwellings were frequently transferred from owner-occupancy to rental use.

Of the 2,850,000 rental units added to our supply since 1940, about 1,500,000 units have been created by remodeling of existing structures to provide additional units. About 750,000 units were provided with public funds in the war and postwar emergency housing programs, and 600,000 units were in new rental construction financed with private funds.

This decade has been the greatest period of housing production ever known, surpassing even the former all-time record years of the 1920's. But, in contrast, privately financed new rental construction has been at the rate of less than 70,000 units a year, compared with 350,000 units a year from 1923 to 1927.

The decline of rental units in the face of our tremendous total residential production is an abnormal and unprecedented situation.

PERMISSION TO ADDRESS THE HOUSE

Mr. RIVERS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include newspaper articles.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

[Mr. RIVERS addressed the House. His remarks appear in the Appendix.]

LEGISLATIVE PROGRAM

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD in two instances.

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, and I shall not object; would the distinguished majority leader inform us as to the program for the rest of the week?

Mr. McCORMACK. The Labor-Federal Security appropriation bill is the first order of business today. Then there are the several bills which were on the program for yesterday.

Mr. MARTIN of Massachusetts. But the appropriation bill comes first?

Mr. McCORMACK. Yes; and I am hopeful that we can dispose of that program today because I understand there is not much opposition to any of the bills, or at least that is my information. In any event the rent-control bill will come up tomorrow for general debate and will be continued under the 5-minute rule on Friday.

Mr. MARTIN of Massachusetts. There being 5 hours' general debate, we will consume about 6 hours on that tomorrow.

Mr. McCORMACK. Of course, there will be 1 hour on the rule; I suppose my distinguished friend has that in mind. If the bill is not disposed of on Friday, I will be constrained, however reluctantly, to go into a Saturday session. If the bill is disposed of on Friday, then we will adjourn over until Monday. Tomorrow I will confer with the gentleman from Massachusetts about coming in Friday at 11 o'clock to take the bill up under the 5-minute rule. I always like to adjourn from Friday to Monday whenever it is possible and the House has always cooperated whenever there has been such a full program, because the Members are exceedingly busy in their offices, and it gives them an opportunity to catch up with their mail and performing the many other duties in the performance of their work.

Mr. MARTIN of Massachusetts. I have no objection to meeting on Saturday if it is necessary.

Mr. McCORMACK. I have made that statement because it is necessary that the rent bill be disposed of, and I hope it will be disposed of by Friday.

Mr. RICH. Mr. Speaker, reserving the right to object, what is being done to cut down on these appropriation bills that are coming up, so that the taxpayers of this country can get some relief from the great burdens that are being imposed upon them?

Mr. McCORMACK. My friend is a very prominent and powerful Member when it comes to appropriations.

Mr. RICH. I am not a member of the Committee on Appropriations. They would not have me on that committee because if I were a member of it I would cut the heart out of some of these appropriations.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. McCORMACK]?

There was no objection.

DEPARTMENT OF LABOR, FEDERAL SECURITY AGENCY APPROPRIATION BILL, 1950

Mr. FOGARTY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 3333) making appropriations for the Department of Labor, the Federal Security Agency, and related

independent agencies, for the fiscal year ending June 30, 1950, and for other purposes. Pending that motion, I ask unanimous consent that general debate be limited to 2 hours, the time to be divided between the gentleman from Wisconsin [Mr. KEEFE] and myself.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island [Mr. FOGARTY]?

There was no objection.

The SPEAKER. The question is on the motion offered by the gentleman from Rhode Island.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 3333, with Mr. TRIMBLE in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the agreement, the gentleman from Rhode Island [Mr. FOGARTY] is recognized for 1 hour, and the gentleman from Wisconsin [Mr. KEEFE] will be recognized for 1 hour.

The gentleman from Rhode Island.

Mr. FOGARTY. Mr. Chairman, I yield myself 20 minutes.

Mr. Chairman, this is the annual appropriation bill for fiscal year 1950 for the Department of Labor, the Federal Security Agency, the National Mediation Board, and the Railroad Retirement Board.

First, I would like to pay tribute to the members of the subcommittee. In the 9 years I have been a Member of this honorable body I have yet to see a committee that has been more diligent than this Subcommittee on Appropriations for the Department of Labor and the Federal Security Agency.

We held hearings on the bill for several weeks, and there was seldom a time when a single member of the subcommittee was absent.

I pay particular tribute to my colleagues on the Democratic side, the able gentleman from West Virginia, Dr. HEDRICK, and the able gentleman from New York, Judge MCGRATH, for the valuable assistance they gave me during these weeks of hearings.

I want also to pay tribute to the members of the minority, including the former chairman of this subcommittee and ranking member on the minority side, the gentleman from Wisconsin [Mr. KEEFE], and the gentleman from Kansas [Mr. SCRIVNER], for the support and cooperation they gave to me while these hearings were in progress.

I would like to pay special tribute to our very able and conscientious clerk, Paul Wilson, who we were so fortunate to have as clerk for this committee. Without his help and support we would not have been able to report this bill today. He has been a monument of strength to every member of the committee in helping us to bring this appropriation bill to the floor today.

This is a very difficult and complex bill. In my opinion, it is one of the most important appropriation bills that will come before this House this year. It embraces many and varied programs. I am very happy to say that the membership of this committee, although we may disagree on some items in the bill, are generally in agreement. Some of the members felt that some appropriations should have been increased more than the Bureau of the Budget allowed, and we have done that in three or four instances. Some of us might have felt that some of the increases that we have allowed should have been in lesser amounts. Some of the members may feel that some of the requests that were allowed by the Bureau of the Budget should have been decreased, but in the over-all, I think I can safely say that we are fairly well in agreement on the the recommendations in this bill.

The bill carries total direct appropriations of $2,211,794,085, which is an increase of $353,838,775 over what has been appropriated for the fiscal year 1949 to date, but is a reduction of $23,271,600 under the Budget estimates. The increase over 1949 appropriations to date does not take account of substantial additional funds now pending in the first deficiency bill. I hope you will follow the report as we go along in this discussion, because it is a very comprehensive and well-prepared report that explains and covers practically every item in the bill, and shows in detail comparisons with the estimates and the current year.

The first portion of the bill relates to the Labor Department itself. On page 42 of the report there is a breakdown of the appropriations for the Labor Department, and you will notice in the last column a decrease in the amount of $216,200. This represents a supplemental request sent up for the International Labor Affairs Office after we had concluded regular hearings on the bill. Although we held hearings for part of a day on this supplemental item, we did not feel we had sufficient knowledge to determine whether or not this was necessary at this time, and thus to justify granting it without further consideration, and so we have excluded it from the bill. But in all the other items for the Department of Labor we have recommended the full amount allowed by the Budget. In total, the Department has available this year, fiscal year 1949, $14,373,150, and we are allowing them for fiscal 1950, $16,550,000, or an increase of $2,176,850 over what they had for fiscal year 1949. About $991,000 of that increase is for Public Law 900 pay-raise costs.

The largest single increase in the bill for the Department of Labor is for the Bureau of Labor Statistics, $1,441,452; and the largest item in that increase is for the collection of statistics on employment, hours, and earnings, on a State basis, and for selected industries, which will be a very comprehensive program in the future. It is supposed to eliminate duplication of collection of statistics from employers as has happened on occasion in the past. It will in effect permit the sending of but one form to an employer for reporting all these statistics, whereas in the past the employers have been bothered by having to fill out several forms. So it is our hope that by the inclusion of this item we will eliminate a duplication that has been going on in the past in the matter of the collection of important statistics on employment, hours, earnings, and so forth, by or through the Bureau of Labor Statistics. The increase also includes additional funds for strengthening the wholesale-price index and the cost-of-living index which have such wide usage. It will also provide for needed building construction statistics which are not available at the present time. We hope that with this and the other items of appropriation the Department of Labor will be more able to function as a real department next year.

My statement that this is a very difficult and complex bill is borne out by the portion dealing with the Federal Security Agency. For this Agency alone the budget estimates of direct appropriations are $1,501,481,985. Of that amount $1,372,655,260, or 91½ percent, represents items, which, for the most part, we cannot touch. In other words we cannot materially reduce the expenditures involved in these items which include grants and benefits to States and others of various kinds. Many of the amounts represent mandatory grants as, for example, the public-assistance grants which for the first time in history has reached a total of $1,058,000,000. For vocational rehabilitation there is $20,500,000. The unemployment-compensation and employment services grants are $135,000,000 in cash. For vocational education, $19,842,760. The Employees' Compensation Bureau, $13,000,000. The Children's Bureau receives annually for grants to the States, $22,000,000. The Public Health Service estimate of grants is $88,653,000. Another general category is for hospitals that we have to appropriate for, which are mainly marine hospitals, and the estimates of total appropriation for them are $29,519,789, or 2 percent of the over-all Federal security figure. In order to operate the educational institutions it takes $2,650,000, or two-tenths of 1 percent.

The construction program at Howard University, St. Elizabeths Hospital, and at Bethesda, Md., that we have embarked upon in the past 3 or 4 years included in this bill is mostly for past contract authorizations and the estimates for those are $25,928,425, or 1.7 percent of the over-all bill.

So, all in all, in the Federal Security appropriations that we have before us today, involving estimates of about $1,500,000,000, 95.4 percent represents items in which we could not show substantial savings; we have made reductions, however, wherever we could. We only have 4.6 percent of that sum, or about $69,000,000, to operate on and in which to make other cuts. We have made cuts wherever we felt justified in doing so under all the circumstances.

As I say, we have cut some of the items in the Federal Security Agency, but there are three notable exceptions where we have gone beyond the figures allowed by the Bureau of the Budget in the Public Health Service. On those three items the committee is unanimous in its decision, feeling that the Bureau of the Budget did not know of or perhaps fully appreciate the program that had been

started by this committee in the past 2 or 3 years and has been followed through by this committee when the Bureau of the Budget cut the request of the Public Health Service for mental-health activities, for cancer activities, and an appropriation for the National Heart Institute.

Those of you who were here a year ago will remember that this committee took the same type of action at that time under the leadership of the then chairman, the gentleman from Wisconsin [Mr. KEEFE], who has been very active in this entire program in the past. At that time we went over the figures of the Bureau of the Budget in providing funds for mental-health activities, for the National Cancer Institute, and approved substantial amounts for the National Heart Institute. The latter program was given added emphasis a year ago with the passage of the National Heart Act in June 1948, by the Eightieth Congress.

As I think everyone knows, when the public-health officials appear before committees of Congress, they are obliged to justify and support the budget figures, and are not allowed to justify anything over the budget; but because of the intense interest of this committee in these three programs — mental health, heart, and cancer—it was the unanimous decision of the committee to call in some of the outstanding men in those three fields in the country. So, as a result, after consultation with the Surgeon General, we set aside 2 days of hearings to have some of these outstanding men come in and testify and give us the benefit of their experience in these fields, to see what we could do to hold these programs started a year or two ago.

These men in the mental-health field included men like Dr. Menninger, of Kansas, eminently qualified in that field; also Dr. Paul White in the heart field; and in the cancer field we had Dr. Rhoades of Memorial Hospital, N. Y., who is considered one of the outstanding men on cancer in the world today. There were others before the committee. I know, if you will read the hearings and read our report and read the testimony of these and other outstanding people who appeared before the committee, that everyone of you would be willing to vote for more than we are allowing in the bill today for these three very important programs at the present time.

Mr. MURDOCK. Mr. Chairman, will the gentleman yield?

Mr. FOGARTY. I yield to the gentleman from Arizona.

Mr. MURDOCK. I want to commend the committee for its splendid action. I think it is a good step. I wanted to voice my approval now as well as later.

Mr. VORYS. Mr. Chairman, will the gentleman yield?

Mr. FOGARTY. I yield to the gentleman from Ohio.

Mr. VORYS. I, too approve of what the committee has done. At Ohio State University, in Columbus, Ohio, the State has made substantial appropriations for increasing the medical center, and it was hoped that there could be a construction program amounting to $1,500,000 in connection with cancer research. I note that that item was presented by Dr. Heller, and I wonder if the gentleman could tell me how much of that program could be carried out under the $2,500,000 additional granted by the committee.

Mr. FOGARTY. As I recall the testimony, the National Advisory Cancer Council had cleared, or had ready for clearance, about 17 projects at a cost of about $8,688,000. We are now recommending only $2,500,000, and it would be up to the Advisory Council and the Surgeon General to decide where the $2,500,000 will be allocated as regards specific projects cleared by the Council.

Mr. KEEFE. Mr. Chairman, will the gentleman yield?

Mr. FOGARTY. I yield to the gentleman from Wisconsin.

Mr. KEEFE. The gentleman will recall, when the matter was under discussion before the committee, that Dr. Heller listed a number of projects which they considered to be of high priority in the construction of facilities for cancer research. They totaled about $8,600,000, as I recall. The gentleman will also recall, I believe, that Dr. Heller testified that the National Advisory Cancer Council had not yet approved any of those projects because there were no funds presently available. What actually happened was, we have today in this bill $2,500,000 for construction funds, and, as the gentleman from Rhode Island has stated, the National Advisory Cancer Council will determine the allocation of those funds to the projects for which applications are now pending.

Mr. VORYS. Mr. Chairman, if the gentleman will yield further, I find, on page 20 of the report, a statement that—

> The $2,500,000 allocated for construction grants is firm. It is desired that the amounts for the other projects be allocated approximately as shown, but the committee wishes to point out that it has no intention or desire to so firmly earmark the breakdown as to require utilization of total resources contrary to the considered judgment of the Surgeon General based upon recommendations of the National Advisory Cancer Council.

Now, do I understand by that that if the committee has no intention to finally earmark funds, it has the intention that these funds shall be used as the National Advisory Cancer Council shall deem best, and not require spending a little on all of the projects, but permit them to pick specific projects if that is deemed the best way to meet the problem?

Mr. FOGARTY. I presume that will be what they will do. The reason we earmarked the $2,500,000 as a firm item is to make sure that that amount goes into construction grants and not go anywhere else; that they allocated it for that purpose.

Mr. VORYS. It is the intention of the committee to make it firm for construction, but not to require that it be allocated for any specific project or any specific lists of projects?

Mr. FOGARTY. No; we are not attempting to tell them where to spend the money. We are leaving that up to the Advisory Council and the Surgeon General. We have the utmost faith in that Council and the decisions that have been made by them and by the Surgeon General.

If you will refer to the report on these activities, starting on page 16 of the committee report, you will see the breakdowns we have allowed for the mental-health activities and cancer and heart research. At the bottom of page 16 you will see a table relating to funds for mental-health activities. We have allowed, in total appropriated funds for 1950, $825,000 more than was allowed by the Bureau of the Budget for the mental-health activities, and have allowed $2,010,000 more in contract authority for research—grants—and training—graduate and undergraduate—than the Bureau of the Budget allowed for contract authority in connection with mental-health activities.

The CHAIRMAN. The time of the gentleman from Rhode Island has expired.

Mr. FOGARTY. Mr. Chairman, I yield myself 10 additional minutes.

It was testified before the committee that the mental-health problem is one of the most serious problems we have to face in this country today. It was testified that about 50 percent of the hospital beds are occupied today by mentally ill patients. It was further testified that 8,500,000 people are mentally ill in this country at the present time.

I think if some of you had an opportunity to visit some State asylum run by the various States throughout this country, you would be shocked at the treatment that is being given in some States to their mentally ill. I, for one, firmly believe that something can be done to ease this situation. It is going to take time; it is going to take money; and it is going to take trained personnel. We are attempting in this bill to provide funds in the years to come, not only this year, to get the trained technicians, scientists, and other personnel we need at the present time and in the future to attempt to find out the causes of mental illness. Until we do find the causes, there is not much we can do about it. But I think when 50 percent of the hospital beds in this country are occupied today by mentally ill patients, it is about time the Federal Government took a definite step forward in attempting to find a solution to the problem of the causes of mental illness.

Mr. PRIEST. Mr. Chairman, will the gentleman yield?

Mr. FOGARTY. I yield.

Mr. PRIEST. I asked the gentleman to yield simply so I could express a very sincere appreciation for the work the subcommittee has done on the mental-health program. I am the author of the mental-health act that passed this House a few years ago. I have watched the beginnings of that program, and have been encouraged by some of the work that has been done. I appreciate the attitude of the subcomittee in providing funds that this work may be expanded, and I say this because it is a very sincere appreciation out of the depths of my heart.

Mr. FOGARTY. I thank the gentleman.

On page 19 of the report you will find a similar break-down for the funds of the National Cancer Institute. Here again

we have exceeded the figures that were given to us by the Bureau of the Budget by $4,400,000. The Bureau of the Budget requested $16,100,000 in appropriation. That request was increased $300,000. Because this is a program that has been started and implemented by this committee and the Congress in the past few years, we believe it is a going program and we have allowed the full amount which was requested by the Bureau of the Budget for the National Cancer Institute and increased the appropriated funds by $300,000. A year ago $8,000,000 was approved by the Congress for contract authority for cancer research construction grants. This year the Bureau of the Budget only allowed $900,000 for forward financing research projects. We have exceeded the figure by $4,100,000 in this field because we have made up our minds to keep this program going forward and not allow it to slip backward.

It was testified in the committee that one out of seven are dying of cancer in this country at the present time. It is the second leading cause of death. Some cases of cancer which were incurable a few years ago are being cured today because of the research that has been going on during the past 3 or 4 years. Unless we keep up that program; unless we allow contract authority for forward planning and graduate work in these schools, and for research facilities, so that we can get the proper men in this field and provide them with the facilities, we are not going to get properly trained people in this field of cancer or make progress like we should. There are hundreds and hundreds of men today who are putting their lives into this field of cancer research. If we can give them some encouragement, we believe that we can go a long, long way. That is why we have exceeded the budget by $4,400,000, over-all.

Mrs. BOLTON of Ohio. Mr. Chairman, will the gentleman yield?

Mr. FOGARTY. I yield.

Mrs. BOLTON of Ohio. Mr. Chairman, I am very much impelled to thank the gentleman for the magnificent work that his committee has done in this aspect of the budget. There is nothing that can contribute more for the encouragement of those who are working so desperately in this research field than this program of forward payment, and the refusal to submit to a cut. Those of us who have not had the privilege of working with you thank you for the work that you have done.

Mr. FOGARTY. May I say to the gentlewoman that this is not my program. This is the program of the entire Committee on Appropriations. They were unanimously in favor of this program, which was started before I became a member of the committee and which I am happy to play a part in now. Every member of the committee deserves credit for this program, because they have been unanimously in favor of it.

Mrs. BOLTON of Ohio. I realize, of course, that the full committee had to pass on this program, but I do appreciate so much that the subcommittee went to bat for it.

Mr. FOGARTY. On page 20 you will find the same break-down for the fund for the National Heart Institute. It is a relatively new program which has been implemented by the passage of the National Heart Act of 1948. We have increased the budget estimate for the National Heart Institute in appropriated funds by $3,725,000, and in contract authority by $3,220,000, or a total of $6,945,000.

This is practically a new program. But after listening to the testimony of outstanding men in this field, we were convinced that it is one of the most necessary programs that the Federal Government can support at the present time. I believe the Members of Congress and the members of the committee today could never find any fault with this subcommittee in going over the figures of the Bureau of the Budget, especially in view of what has happened within the last 4 or 5 days when we have lost three outstanding men in this country, one a Member of this body, another a Member of the Senate, and the third a former Member of this House, the former chairman of the Armed Services Committee, Mr. Andrews, of New York. Those three men have passed away in the last 4 or 5 days by sudden heart attacks. I know there are those in this Congress who will say, "What can we do about it?" That has been one of my complaints in the past. There are too many who seem to take that attitude, that if you have heart trouble there is not anything to do about it except to go home and go to bed. After listening to some of the men in this field, we are convinced that something can be done about it, if we provide the necessary funds to establish various clinics, to establish a way to get trained personnel in this field, and to establish proper research facilities throughout the country. That is the principal reason why we have gone over the figures of the Bureau of the Budget in this item. The No. 1 killer of our people today is heart disease. While we have been appropriating money in past years, year in and year out, for the Public Health Service for preventive diseases, like venereal disease, tuberculosis, and others, they have found new drugs to help in the cure of those diseases. But at the same time not much had been done about heart disease. Where we have found drugs that help in these preventive diseases, the record shows the cause of death by those diseases is going down year after year, but in the case of death by heart disease, the record shows an increase in the past 10 years. Instead of leveling off we are going higher and higher and higher. I think something should be done about it.

This Congress has appropriated in the neighborhood, as I recall, of $25,000,000 a year, or at least we did last year, to try to find out something about the hoof-and-mouth disease in cattle.

The CHAIRMAN. The time of the gentleman from Rhode Island has again expired.

Mr. FOGARTY. Mr. Chairman, I yield myself 10 additional minutes.

This Congress has appropriated over $25,000,000 for research in the hoof-and-mouth disease. That is a good program, and I am for it. I voted for it. I think it is necessary. But I think if we can do something like that we can at least not only take care of the animal industry of the country but also the human beings of this country, in an attempt to try to find out some way whereby they can have a longer and healthier life.

We are spending in the neighborhood of $9,000,000 for Bang's disease in cattle. We are spending millions of dollars to find out what diseases affect plants and trees. I think it is about time we gave serious consideration to the ailments affecting you and me and every other human being in the country, and we are attempting to do something about it in this bill.

Mr. DEANE. Mr. Chairman, will the gentleman yield?

Mr. FOGARTY. I yield.

Mr. DEANE. I would like to join with my colleagues in commending the committee for the forward approach and the great vision they have taken in bringing forward this very comprehensive piece of legislation. In thinking about what you are spending for hoof-and-mouth disease, I am reminded that we are spending today approximately 34 cents out of every dollar paying for past wars and preparing for future wars. It seems to me we need to begin to emphasize these great social problems involving the health and education of our people. I wish to highly commend the committee for its forward approach in coming to grips with this important subject.

Mr. FOGARTY. I thank the gentleman.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. FOGARTY. I yield.

Mr. YATES. I would like to join in the statements made by my colleague, and to commend the committee for the appropriation act which it has produced. Like the committee, I believe the greatest natural resource which our country has is the men and women who make up this country. The millions which we are spending to save our mineral resources, forests, and other resources are very essential to the national welfare, but the funds which this committee has appropriated will do much to check and eradicate the dread scourges which are killing and crippling so many of our people. These appropriations truly recognize the need for protecting and preserving our greatest natural resource, and I am happy to support them.

Mr. FOGARTY. There is one other major change in this appropriation bill to which I shall address myself and that is the appropriation for the Bureau of Employment Security for the fiscal year 1950. I think, as perhaps most of the Members know, the funds for the employment security programs in the States have not been sufficient for this fiscal year and that the Members perhaps have received many requests from the administrators of employment security in the various States for additional funds to be granted to them in this bill. As I remember the figures of a year ago the Bureau of Employment Security requested of the Bureau of the Budget $160,000,000 for fiscal year 1949. The Bureau of the Budget cut that request by about $15,000,000, that is, cut it down to $145,000,000 plus; this House cut that

request to $123,000,000, or a further decrease of $22,000,000; and we finally came out of conference with the sum of $130,000,000 for the State employment security programs.

The estimate of $135,000,000 for the fiscal year 1950 was based on work loads which it now appears certain are outdated. All of us know that unemployment has risen since last November or December, although I believe it is leveling off at the present time. I will not, however, admit that the unemployment situation today is anything to get alarmed about after reading the report of the Bureau of the Census released last week. A year ago, in February of 1948, we had employed in this country 57,200,000 people; in February of 1949, according to the figures of the Census, we had the same number of people employed, 57,200,000; but during the year 600,000 new employable people came into the labor market with no increase in available jobs; so, as a result, we have about 600,000 more unemployed today than we had a year ago, but we have exactly the same number of people employed today that we had in February of 1948.

Mr. NICHOLSON. Mr. Chairman, will the gentleman yield?

Mr. FOGARTY. I yield to the gentleman from Massachusetts.

Mr. NICHOLSON. I wish to ask the gentleman how this money is allocated to the States: Is it allocated on the case load of the State? The reason I ask the question of the gentleman is that in Massachusetts last year we asked for a million more than we got. The consequence was that in October we had to lay off workers and could not take care of the work load thrust upon us. According to this report, the matter of allocation is left to somebody who does not make a proper allocation.

Mr. FOGARTY. I would not say that. The decision is left to the Director of the Employment Security Bureau, Mr. Robert C. Goodwin, who makes the various allotments. The first step is for the State to submit to the Bureau of Employment Security here in Washington a budget of what it thinks it is going to need in the next year. We all know there are indeterminate factors that cannot be foreseen with accuracy, such as the increase of the work load or the increase of unemployment; but the States make their budget and their budget is sent to Washington to be passed on by the Bureau of Employment Security. It then goes to the Bureau of the Budget and the Bureau of the Budget determines what shall be submitted for the next year. For the coming fiscal year 1950 the Bureau of Employment Security requested $159,000,000 plus for this purpose; the Bureau of the Budget cut that request to $135,000,000, only $5,000,000 above what the Congress allowed them originally for 1949. In 1949 they were allowed $130,000,000. By recent action of this House in a deficiency bill they received an additional $10,000,000; so that, presumably, they will have available in 1949 at least $140,000,000 instead of the original $130,000,000.

Now, to get back to the gentleman's question, I think the committee has arrived at a common-sense solution of the over-all problem, and if the gentleman will let me proceed for just a couple of minutes, maybe I can clarify some of the things he has in mind. We of the committee realize how difficult it is to forecast in the future what the unemployment-compensation work load is going to be in any particular State. We realize the problem that the chief of the department has in making allotments to the various States under the budget that they request. We also realize that when some States were ordered a year ago to cut down because of lack of funds from the administrative level here in Washington, they refused to cut down and take off employees at the State level, and certain difficulties arose. That has been the fault of the State in two or three instances. Every State in the Union has run short of funds and has had to lay off help in their local offices. So, this year we are attempting to do something in this bill that will help straighten out the difficulties that were experienced in connection with the deficiencies experienced last year.

A year ago it was recommended that we establish a contingency fund of 10 percent of the base appropriation. If we had done that a year ago, we would have had a contingency fund of $13,000,000 to be used in the fiscal year 1949 to take care of this unforeseen increase in the work load that exists at the present time. We did not do that. So this year in order to overcome the situation, as we see it, we are appropriating the amount that has been allowed by the Bureau of the Budget, $135,000,000, but we have added certain language, and if you will look on page 25 of the report, you will see the language we have added to the bill, as follows:

Provided, That during the period ending March 31, 1950, this appropriation may be apportioned and obligated at an annual rate not in excess of $150,000,000 and, to the extent that the Federal Security Administrator, with the approval of the Director of the Budget, finds necessary to meet increased costs of administration resulting from change in a State law or increases in the numbers of claims filed and claims paid or salary costs over those upon which the original State's grant was based, such annual rate may be increased to not in excess of $157,500,000:

The CHAIRMAN. The time of the gentleman from Rhode Island has expired.

Mr. FOGARTY. Mr. Chairman, I yield myself five additional minutes.

Mr. Chairman, that means, as the report explains, that they can spend in the first three-quarters of the fiscal year 1950 at an annual rate of not to exceed $150,000,000. If this work load keeps up as it is at present they might have to spend the $150,000,000. If they do they will have to come in for another deficiency to this Congress next spring. I do not believe the rate is going to hold up that way. In my opinion, this is an unusual situation we are in at the present time. The unemployment situation is not going to continue as it is at the present time.

Also a year ago we wanted to establish some sort of a contingency fund to offset certain of these increases in State salaries that we could not foresee and that the State people and Federal security could not foresee. So we have set out in the language of the bill, "To the extent that the Federal Security Administrator, with the approval of the Director of the Budget, finds it necessary to meet increased costs of administration resulting from change in a State law or increases in the number of claims filed and claims paid or salary costs over those upon which the original State's grant was based, such annual rate may be increased to not in excess of $157,500,000."

This means that we are establishing a contingency reserve of 5 percent of the basic maximum annual rate of $150,000,000, or $7,500,000, that can be used for those purposes, if need be, under the conditions stated.

We have high hopes that in the near future after this contingency fund has had a chance to work we will eliminate the need for coming back to the Congress each time for a deficiency. Another thing we will be doing by granting this contingency fund is this: In the past the Employment Security Director has been able to make these grants on only a semiannual basis. The State people have found fault with that, and I think they have had some reason to find fault with it, but we have the assurance of Mr. Goodwin, Director of Employment Security, that if they are granted a contingency fund he will be able to allocate the funds on a yearly basis in the coming year; therefore I think that this is a common-sense approach to the over-all problem, which is very difficult to determine on a realistic dollar basis so far in advance as we normally have to do in this Congress.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. FOGARTY. I yield to the gentleman from Michigan.

Mr. CRAWFORD. With those increased provisions which go beyond anything ever provided for, if I understand the gentleman, the States then will have to submit their budgets to the headquarters down here and then let the headquarters here work out through contingency funds and such additional appropriations as the Congress might make, to meet the load that may develop. That is what the program would be.

Mr. FOGARTY. Yes.

Mr. CRAWFORD. I thank the gentleman.

Mr. FOGARTY. Mr. Chairman, I have talked much longer than I anticipated on this bill.

Mr. TEAGUE. Mr. Chairman, will the gentleman yield?

Mr. FOGARTY. I yield to the gentleman from Texas.

Mr. TEAGUE. My people in Texas, who are responsible for the administration of the George-Barden Act, have indicated that they were very short of money this last year, yet in the hearings, on page 110, it shows there was approximately $1,000,000 unexpended under this act. Does that mean that the $1,000,000 of the approximately $19,000,000 that was appropriated was not used?

Mr. FOGARTY. The total for fiscal 1948 was mentioned in the hearings. I do not recall the precise amount.

Mr. TEAGUE. It shows Texas has an unexpended balance of about $28,000.

Mr. FOGARTY. I do not know the total offhand, but there were some funds in the various States that were not used by the States. That is a matching fund item, and I would say that that would be the answer. But, we have had several requests for increasing this appropriation which is authorized by law to go up to $29,301,000 plus. There are a lot of things in this bill on which we would like to go over the budget request but we have to stop somewhere. So, we have allowed only the same that they had last year for the George-Barden program.

We have one new appropriation in the bill, for the water pollution program, and we have allowed practically what the Bureau of the Budget called for. There is $1,000,000 in grants to States. They asked for $1,380,000 for Public Health Service salaries and expenses, and we have reduced that by $380,000. But, we have been assured that this program authorized a year ago will not be hurt in any way by that reduction.

Mr. KEEFE. Mr. Chairman, I yield myself 20 minutes.

Mr. Chairman, I think this is perhaps the ninth time that I have appeared in the well of the House to discuss this particular appropriation. I elected to stay upon this particular subcommittee because I love the work. I want to say that in all the years that I have been upon this subcommittee I never have appreciated or enjoyed it more than this year. It has been a delightful experience to see such unanimity of thinking on the part of the members of this committee, and such a splendid approach manifested by the three new members of the committee who have taken such a great interest in the welfare of this country as evidenced in the appropriations made under this bill. I want to thank the chairman for his uniform fairness and courtesy. I have tried to be of such help as I could in aiding in the conduct of these hearings, in order that the Members would have the information at hand on the subjects with which this bill deals.

I want the House to know that both the gentleman from West Virginia [Mr. HEDRICK] and the gentleman from New York [Mr. MCGRATH] have shown great interest and have made every effort to understand the very complicated appropriation items that are contained in this bill. I feel tremendously relieved to have as one of the minority members of this committee the distinguished gentleman from Kansas [Mr. SCRIVNER], who always, out of his very clear thinking and his good mind, puts his finger exactly on the point at issue and is at all times trying to see if it is not possible to reduce appropriations and expenditures of money to ease the tax burden upon the people of America.

We are confronted with a peculiar situation and always have been under this bill. Just think of it: The little appropriation that is required to maintain the Department of Labor is puny and infinitesimal compared with the amounts we appropriate for the Federal Security Agency. The Venereal Disease Control Division of the Public Health Service alone spends more money than the entire Department of Labor in its activities. I use that just as an illustration to show the situation with which we are confronted in this bill.

In this bill you have the appropriation for railroad retirement. The law states that the railroad workers and the carriers shall contribute into the Public Treasury for the maintenance of the railroad retirement program, and we have to appropriate that money to them and have nothing to say about it. The law requires it to be done. It runs into hundreds and hundreds of millions of dollars.

You have all the appropriations for the Bureau of Public Assistance, that matches the State funds in the grants under the social-security law, for old-age assistance, for maternal and child-welfare aid, for aid to crippled children, and for aid to the blind. This year for the first time in the history of this Congress the amount of Federal aid for matching funds under the various titles of the Social Security Act reached the astounding total of $1,058,000,000.

Mr. CAVALCANTE. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. I yield to the gentleman from Pennsylvania.

Mr. CAVALCANTE. On the very point the gentleman is discussing, public assistance, it is stated on page 32 of the bill that the appropriation is for grants to States for old-age assistance and dependent children. I do not find any place, either in the report of the committee or the hearings, where any of these States repay to the Federal Government any portion of the grant they receive. Am I correct in that?

Mr. KEEFE. What does the gentleman mean, repay it to the Federal Government?

Mr. CAVALCANTE. They do not pay back to the Federal Government any portion of any grant they receive.

Mr. KEEFE. Of course; it is a matching-fund program. They do not pay it back.

Mr. CAVALCANTE. I wonder whether the committee knows that there are States that receive this grant, but, when a citizen applies for old-age assistance or for aid to dependent children, the State requires the signing of a restitution bond or agreement, and upon the death of the recipient of the old-age assistance the State levies against the estate and collects that money back, but does not account to the Federal Government for any portion of the money it collects.

Mr. KEEFE. I say to the gentleman that he is entirely in error with respect to that. That is not a fact. I have gone into that question at length, year after year, and it is a fact that is pretty well known, that the Federal Government does not require, in the administration of social security, that any State law shall require liens against the homes of beneficiaries. That is entirely a matter of State law.

Mr. CAVALCANTE. Yes.

Mr. KEEFE. But when an old-age pensioner, for example, who lived in a State which requires a lien to be filed against his or her home, dies, and the State takes that property over and sells it in order to realize a benefit under their lien and to recover the amount of money that has been paid, the Federal Government shares in the distribution of those funds just as the State does.

Mr. CAVALCANTE. Does the report show where the Government does receive the benefits? I have not been able to find it.

Mr. KEEFE. The gentleman can take that matter up with the Social Security Administration. I do not know whether it is shown this year in the tables, but it has been shown year after year. You will find out the exact amount that comes back to the Federal Government as its share of the recoveries under such social-security legislation. I know that is a fact, because I have gone into it. The matter has been raised time and time again in years past.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. I yield.

Mr. CRAWFORD. Referring to the $1,058,000,000 set forth on page 52 of the report and the $715,889,000 on the Railroad Retirement Agency on page 53 of the committee report, as I understand it, the Congress appropriated those funds. Was the $715,889,000 paid into the Federal Treasury by the railroads and the railroad employees?

Mr. KEEFE. That is right.

Mr. CRAWFORD. It was paid in?

Mr. KEEFE. Yes; that is right.

Mr. CRAWFORD. Likewise, what portion of the $1,058,000,000 was paid in under social security? What portion of that was paid into the Federal Treasury?

Mr. KEEFE. None of it.

Mr. CRAWFORD. None of it?

Mr. KEEFE. No.

Mr. CRAWFORD. In other words, the $1,058,000,000 is a direct appropriation and a burden on the taxpayers?

Mr. KEEFE. The $1,058,000,000 is a direct burden on the Treasury of the United States to provide matching funds under the social-security law.

Mr. CRAWFORD. While the $715,889,000 is an indirect burden paid in by the railroads and their employees?

Mr. KEEFE. That would fall in the same category as the appropriation for old-age and survivors' insurance. Under that program, the employee pays into the Treasury 1 percent of his wage and the employer pays in 1 percent of the pay roll. The total thus paid into the Treasury is then appropriated to the trust fund of the OASI. It falls in the same category. There is nothing that can be done about it. It has to be done under the law. What I am leading to with reference to that point and what I am trying to demonstrate, as I have in years past, is that people come in and say, "Here is a bill covering two-billion-two-hundred-and-thirty-million-odd dollars. That is a lot of money. Why do you not cut these appropriations? You ought to be able to cut off 25 percent or 10 percent or 15 percent." Or they quote some other theoretical percentage. But they lose sight of the fact that with this particular bill we have a very limited field in which the Committee on Appropriations can operate. In fact, I believe, of the appropriated funds carried in this bill, about 93 percent or 94 percent, or even 95 percent,

is in the category that you cannot touch unless you want to default and destroy the very programs that you have put upon the statute books, such as the railroad retirement and social-security programs.

Mr. HINSHAW. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. I yield.

Mr. HINSHAW. I do not like to correct the gentleman, but the funds of the Railroad Retirement Board are not covered into the Treasury. They are carried in a trust fund, the gross amount of which is something in the neighborhood of $7,000,000,000. Transfers are made from the trust fund to railroad retirement appropriations; is that not correct?

Mr. KEEFE. The chairman will be glad to answer that.

Mr. FOGARTY. I think the gentleman from Wisconsin [Mr. KEEFE] is correct. We put it into the general Treasury and then we appropriate to the trust fund.

Mr. HINSHAW. I am sure the gentleman will find there is a trust fund——

Mr. KEEFE. Of course, there is a trust fund. The appropriation we are talking about is appropriated out of the Treasury to that trust fund. The trust fund under social security represents billions of dollars. They have a trust fund under the Railroad Retirement Act, just as they have a trust fund under unemployment compensation, and just as they have a trust fund for old-age and survivors' insurance; but under the Constitution of the United States that money has to be paid first into the Treasury of the United States and we make an absolute appropriation of the total amount out of the Treasury to the trust fund for railroad retirement of the amounts that have been paid in both by the workers and the carriers. That is my understanding of the law. That goes to a trust fund, and that trust fund is managed by the Railroad Retirement Board in the payment of annuities.

Mr. McDONOUGH. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. I yield.

Mr. McDONOUGH. In reading the report on the bill, under "Grants for hospital construction," I wish the gentleman would explain how a hospital can qualify for aid under this section of the bill.

Mr. KEEFE. I would be glad to make an explanation on that. I think every State in the Union understands that each State may receive aid under the provision of the Hill-Burton Act; that is the Hospital Construction Act. Under that law every State has set up a hospital authority. That is a State authority, operating under the jurisdiction and direction, in most States, of the State public health service. That local State authority makes a survey of their particular State and determines the necessity for hospital beds in that State. They determine the priority, whether it shall be this type or that type of hospital, whether the hospital ought to be located here or there. That is all a matter for the determination of the local State hospital authority. A local village or city or community that is interested in building a hospital and wants to get funds under the provisions of the Hill-Burton Act does not make its application to Washington. It makes its application to its own State authority, and that authority lists all of those applications and determines, as I say, the necessity and the priority under which the construction will take place. They then recommend approved projects here to Washington, and on those approved projects, for which funds are made available by the Congress each year under the Hill-Burton Act, $75,000,000, the Washington office administering that law approves that project which has been initiated and which has been approved and presented by the State, and we furnish $1 for each $2 raised by the State or the local authority. Does that answer the gentleman's question?

Mr. McDONOUGH. Except for this: Can a philanthropic body, not connected with a city or county or municipal government, apply for a grant?

Mr. KEEFE. Of course. Any eleemosynary institution or institution operated for nonprofit purposes is eligible to receive the benefits of the Hill-Burton Construction Act. Does that answer the gentleman?

Mr. McDONOUGH. It does. I thank the gentleman.

Mr. KEEFE. I am glad to answer any questions with respect to this bill because the details are so multitudinous that you just cannot within the time limits attempt to cover all of these items. The chairman has done that very well.

Mr. FOGARTY. One thing I did not cover was that we failed to make appropriation for the National Labor Relations Board and the Conciliation and Mediation Service.

Mr. KEEFE. I think the report indicates that heretofore this bill has carried appropriation estimates for the National Labor Relations Board and the Conciliation Service. You will not find them in the bill. Action has been deferred pending action by the Eighty-first Congress, which has not yet taken place, and we do not know what that Eighty-first Congress is going to do.

That sort of leads me to rather a little bit of talk that I think we ought to discuss a little in connection with this matter. I do not want to throw any cold water on the spirit of harmony that has been manifested here, but I cannot help thinking of last year and the year before, when I was charged with the responsibility of presenting this bill to the Congress; what a belaboring I received from the Democratic side. Oh, how well I remember how we were charged with destroying the Department of Labor. Do you remember it? I have the speeches right here. I do not want to rub any salt in any old wounds, but I recall the speeches that were made, and I had to bear the brunt of that criticism. I want to tell you that I worried along with it for 2 years. I know how an assistant of the Labor Department came out into my State and charged the Eightieth Congress, the "do nothing" Congress, with destroying the Labor Department because of cutting off its funds; and I remember how he charged that I, as the chairman of that subcommittee, was responsible for stabbing labor in the back and all that sort of tripe. I notice he has just resigned, in disgust perhaps, because he was not appointed Under Secretary of Labor; I do not know what else; but he and plenty of others reiterated that stuff to the American people, and they did it here on this floor, and they pointed out how we had cut this appropriation and cut that appropriation, and how we had destroyed labor. Do you remember that? Some of you new Members who are here for the first time, who came in on that platform perhaps, and the promise that you and the Eighty-first Congress were going to take care of it; you were going to restore the Labor Department, and you would show this miserable Eightieth Congress a thing or two; you would show them a trick with a hole in it; you would put these funds back. What have you done? Well, you have done absolutely nothing up to date, absolutely nothing; and we have been here two months and a half. You have not done anything.

I know what the temptation is to talk politics on this floor; I know what it is; I know what the temptation is to go out and talk politics to the people of the country, but are you not just a little bit ashamed now that you realize the facts and the truth? Are you not a little bit ashamed for the way you misled the people—or at least tried to mislead them—you went out and paraded this information that the Eightieth Congress had destroyed the Labor Department.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. KEEFE. Mr. Chairman, I yield myself 10 additional minutes.

Now, let us look at the picture. We get into a very interesting subject here now and one that I think ought to be canvassed just a little bit on this floor. I am glad to say that my friends on the majority side of this committee this year perhaps looked at the recommendations of their President and his Bureau of the Budget with very great alarm when they discovered that in actuality and in fact the Bureau of the Budget accepted almost in toto the action of the Eightieth Congress so far as appropriations for the Department of Labor were concerned. Where is all this restoration of funds? Where is all this pledge that you were going to see that the Department of Labor was built up, and that you were going to give them all the money they asked for? Is it in this bill? Go back and tell the people what you have been doing; tell them the truth. If you tell them the truth you will find that the Eightieth Congress did a pretty good job, because the President himself and his Bureau of the Budget put their seal of approval on what the Eightieth Congress did when they submitted a budget estimate this year with only an increase, a total increase as between the bill passed by the Eightieth Congress and the bill suggested here, of only $2,176,850.

What makes that increase possible and necessary? Why, $991,000 of it represents salary increases that the Eightieth Congress gave to employees of the Labor Department and other agencies of government which became effective last August. Do you remember that?

You are so interested in these employees and doing things for labor. But the Eightieth Congress gave these employees a pay increase last August. Of the total increase in this bill for the Labor Department for 1950, $991,000 of it is accounted for by that pay-increase law.

That leaves $1,185,850 and of that amount $1,129,000 of the increase is for the Bureau of Labor Statistics.

Do you remember what happened on this floor last year? The committee recommended an appropriation for the Bureau of Labor Statistics and that was cut down by virtue of an amendment adopted on the floor of the House. The amount of the increase that the Bureau of the Budget gives in this bill to the Bureau of Labor Statistics is practically the same amount as the committee last year gave before action was taken on the floor of the House. You are getting just about the same amount that a subcommittee of the Appropriations Committee of the Eightieth Congress gave to the Labor Department in total, the total increase being $56,850.

Now, that is the great mouse you have developed as a result of this yelling and hollering as to what the Eighty-first Congress was going to do for the Labor Department. When you are charged with the responsibility as we were last year, and you are charged with a responsibility that compels you to look facts in the face as the Bureau of the Budget did and as the President did, you will find that the Eightieth Congress did a pretty good job and you cannot improve very much on it.

That leads me to another thing.

Do you remember the editorials and the wails that went around when the subcommittee last year, and there was great force behind it, wrote a lot of legislation into the appropriation bill to streamline the Federal Security Agency? Do you remember that? Do you remember the wails that went up? I remember one article after another published in the papers of my State, vicious articles, which said that I was responsible for destroying the social-security program. Right here on this floor it was said that if the Congress accepts the suggestion of the gentleman from Wisconsin and his subcommittee it will destroy the social-security program. Do you remember that? Oh, how I suffered under that.

Are you not a little bit ashamed of yourselves now? Are you not really ashamed of yourselves?

Now, read the record. The thing has been in operation now for a year. Do you believe Oscar Ewing, head of the Federal Security Agency? He is your boy. Do you believe Bob Goodwin, head of the Employment Service? He is your boy. Read their statements in this record. It is crystal clear that the thing is working magnificently and all this talk about what you were going to do to social security, the USES, the UC, and all that sort of thing was just a lot of boloney thrown out for pure, dirty, nasty political purposes. I want to rub your nose into it, good naturedly. I want to call to the attention of the American people how you fooled them.

Now listen, and I want you to get this. When Mr. Ewing, the Federal Security Administrator, was before the committee I asked him this question which you will find on page 739 of the hearings:

> Mr. Ewing, first of all I want to compliment you and the agency in carrying out and accelerating, if I may use that word, the program which this committee set out for you to do with the intent of strengthening the top administration of this agency and streamlining the operations in the field. If I interpret your statement correctly, the proposal for the consolidation of the various and sundry field offices of the constituent unit agencies into the Federal Security Agency regional office set-up, with the top-flight regional director, and the people under him representing the staffing arrangement at the headquarters here, has proven to be an efficient and satisfactory step, has it not?
>
> Mr. EWING. It has, and it is working, at the end of 7 months, very much more smoothly than we ever anticipated that it would.

Why not tell the American people the truth? We did a job in their interest and in the interest of the people of this country. And, you saved some money by doing it, too, do you know that? Yes; we closed a lot of these regional offices. You had a lot of these boys in there drawing big, fat salaries, and they squealed and they squawked, and they said, "You are going to throw us out of these fat jobs." They did not care anything about efficiency. They cared nothing about whether they were rendering service to the States or not. They were interested in their jobs as people of that kind always are. We went through it and we said, "Listen, we are setting up the Federal Security Agency on an efficient basis." I had the finest kind of help from the top-flight people in the Federal Security Agency to do that job last year. No one man could do it alone. We had wonderful help. But, the fellows on the outside, they always want to raise a political question, and the hangers-on that were getting these big, fat salaries, they did not like it.

Now, we have had it for 7 months. Mr. Ewing, Mr. Kingsley, Mr. Leo Miller, Mr. Stephens, and the people charged with the responsibility of doing that job, have done a magnificent job. And the thing is working. Has social security been destroyed? We cut a million-odd dollars off of Mr. Altmeyer's office. Did you restore it this year? You did not. You cut it even more. Why? Because we demonstrated that the job could be done without all that top-heavy overhead down there.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. KEEFE. Mr. Chairman, I yield myself 10 additional minutes.

It seems to me that just common decency and just good neighborliness, under the good-neighbor policy, maybe, should require some of you people to go out and tell the American people the truth about the Eightieth Congress and what they did in connection with this particular program.

I wish I had time to quote all the things that are in this record. Now we are moving in that direction, and I compliment my friend from Rhode Island, who has done a pretty good job. I think he has seen the light of this picture. Things did not work out as bad as they predicted it would last year, and we are getting some sort of management into this giant, sprawling thing we call the Federal Security Agency.

In this great field of public health that most of you know I have taken some part in for a period of years, I am proud of the work and the contribution that the Federal Government and its Public Health Service has been able to make in this great field of research and control in the matter of disease. I want you to know that the chairman of this subcommittee, the gentleman from Rhode Island [Mr. FOGARTY], and I see eye to eye on the necessity for the continuation and the enlargement of this program. There is no politics in it. I was amazed, as he was, and no doubt you were, to read the President's budget and find where he had recommended to this Congress action which, if we allowed it to go through, would have practically destroyed these vital programs involving cancer, heart disease, and mental health.

I am glad to know, and I pay tribute to him again, that the chairman of this subcommittee has the courage, in the face of extreme pressure applied to him as the chairman of a subcommittee not to override the Presidential budget, to stand firm and say, "I am interested in the people of America and in the health and welfare of the people of America. We are not going to allow these programs to deteriorate and be cut back so that they will be destroyed."

You take your hat off to that kind of a fellow. I do. They never take their hats off to me. They throw a lot of bricks at me. But I tell you right now, I take off my hat to that kind of a fellow. I believe in tossing an orchid whenever I find that kind of behavior.

So we have this great program set up and under way. I shall not rehearse again the fine presentation that was made by the chairman of this subcommittee, but I want you to know that I have been privileged to speak over this country and in various parts of the country and to many, many audiences, and I have yet to find the first man or woman who is not willing to pay taxes to support these great programs in the interest of public health. So we are going to move forward.

This represents a compromise. There have to be compromises in all our thinking. I think the chairman and myself would have gone much further with these programs than we finally did as a result of a compromise in the subcommittee. However, as the subcommittee stands, we agreed that we would effect those compromises which are always necessary to get a job done, and we have a bill here that we all support. It is a good bill. It is one that will carry forward the program that the dirty, nasty Eightieth Congress started in many of its aspects.

Again, carrying that program forward in the interests of the welfare of the people of America, we did a thing last year that was one of the most revolutionary things in this whole program that had ever been attempted before.

The scientists of this Nation had looked forward to it for years in the field of research. That was the program of forward financing, by which we provided the funds so that one of these trainees, these young medical men who are in the field of research, could be hired in a research program and be assured that his job would not terminate at the end of any Government fiscal year.

We provided, again, for a construction program in connection with the heart and cancer programs. The President's budget cut that program out entirely, cut out practically all the forward financing. I want to ask the Budget Director or anybody else, what is the use of building all these hospitals around the country under the Hill-Burton implementation, what is the use of building this $60,000,000 research hospital out here at Bethesda that will be the greatest research institution in the world, what is the use of doing all this research unless you are going to have the doctors and the clinicians and the people to staff these hospitals to give to the people of America the benefit of the research as it takes place?

So I am proud to have had a little part in this program, and I thank the Members of Congress who have unitedly, on both sides of the aisle, unanimously, supported this program. You have been simply wonderful. Last year when the committee came up with a brand new item to take care of public-health activities in Alaska, was there any dispute on the committee? There was not. We overwrote the budget $1,100,000, and we are overwriting it again $300,000 on that item, to carry forward that great work in Alaska to try to whip venereal disease and tuberculosis, to protect your son and mine who may be exposed to it as a member of our armed forces. In this field this committee and the Congress have been alert to the needs of the people of the United States. Thank God there has been no division in this field as between Republicans and Democrats. We are going to carry this program forward. We have just begun to scratch the surface. We are simply complementing and supplementing the work that is already going on in the great research centers of America, helping the magnificent men and women who are already in the field unsung and unknown, working day after day at the bench in an effort to find the causes of and a cure for cancer, for heart disease, and all these other ailments that are affecting so many people. Do you not think it is a good work? Are you not proud to be a Member of the Congress that is alert to that situation? Let me close by just saying this: We have many wonderful men and women in this country. That is what makes me believe that we can fight out our troubles and conquer almost any problem, because of the genius of the people of America. Is it not a wonderful thing that men like Maurice Goldblatt, of Chicago, a great businessman, will devote his time, effort, and money as a member of the National Advisory Heart Council trying in every way possible to find a cure for heart disease? Is it not wonderful when a man like Ernst Mahler, one of the distinguished scientists in the field of industrial chemistry, of the Kimberly-Clark Corp., will devote his time and talents and energies to help humanity serving as a member of this Advisory Council?

I could go on here for an hour and tell of the magnificent work of Dr. Wortis, of New York, in the field of psychiatry and mental health and Dr. Rhoads in the field of cancer, and Dr. White in the field of heart disease. I could tell you of these unselfish, magnificent men working here at Bethseda under the direction of one of the greatest men it has ever been my privilege to know, Dr. Dyer, head of the Institute of Health at Bethseda. I could name any number of these great men who, at great personal sacrifice, as far as money is concerned, are giving of their time, effort, and of their life in the interest of humanity. So that is why I like this bill. That is why I like the men who are on the subcommittee. This bill deals with human interest and human welfare.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. I yield.

Mrs. ROGERS of Massachusetts. The gentleman has made a magnificent contribution to public health during the last few years, as has the committee. I, for one, am extremely grateful. My question is whether the placement service for the veterans is working out satisfactorily.

Mr. KEEFE. Is the gentlewoman talking about the Veterans' Employment Service?

Mrs. ROGERS of Massachusetts. Yes.

Mr. KEEFE. There was testimony before the committee that it was. Representatives from the various veterans' organizations, appearing before the committee, said that it was. Mr. Faulkner, the Director, said that it was. Apparently the Bureau of the Budget and the President did not think so, because they cut something over a million dollars from this budget this year.

Mrs. ROGERS of Massachusetts. I trust the Senate will put it back into the bill.

The CHAIRMAN. The time of the gentleman from Wisconsin [Mr. KEEFE] has again expired.

Mr. FOGARTY. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, I want to reiterate what I said this morning and what I had to say in my remarks a year ago, that the gentleman from Wisconsin [Mr. KEEFE], when he was chairman of this committee for 2 years, and myself, were in complete agreement on all items under the Public Health Service. We see eye to eye on every appropriation in the Public Health Service.

I will admit that a year ago I complained quite bitterly about the proposed changes in the Federal Security Agency. I will admit this afternoon that the changes that have been accomplished in the administration of the Federal Security Agency have been all for the good. It has all been beneficial.

I complained in the last 2 years quite bitterly about what the Eighteth Congress was doing to the Department of Labor. I do not see any reason for changing the attitude that I had 2 years ago when I said publicly, in many speeches in the campaign last year, that the Eightieth Congress was crucifying the Department of Labor. The same type of statement I made on this floor a year ago, and 2 years ago, and I think with some justification.

I do not want to disagree too much with the gentleman from Wisconsin [Mr. KEEFE], because this year above all years we have been getting along much better than we ever anticipated. But when he brings in the record of the Eightieth Congress, if I were ever a candidate as a Republican in a national election I would never want to bring up the name of the Eightieth Congress, because if there was anything that helped elect Mr. Truman as President of the United States, in my humble opinion, it was the record that was established by the Members of the Eightieth Congress.

What did they do to the Department of Labor? In the fiscal year of 1948, 2 years ago, the Eightieth Congress cut the over-all appropriations that were allowed by the Bureau of the Budget for the Department of Labor by about 44 percent, as I recall. Let there be no mistake about that. What happened a year ago? This committee and this House cut the budget estimates of the Department of Labor by 25 percent, which was an additional 20 percent over what they cut them in 1948 fiscal year. Now, when we talked about the Bureau of Labor Statistics, they asked for, roughly, $5,000,000 2 years ago. What did we do? We cut that Bureau by 40 percent. Our committee did it. Then when we came on the floor to present the bill, as we are today, a motion was made by a Member on the Republican side to cut the appropriation for the Bureau of Labor Statistics by another million dollars. Even though we believed at that time, and said so on the floor, that it should not be cut, that is what happened.

What happened a year ago? The Bureau of Labor Statistics asked for over $5,000,000 and we allowed them $2,500,000 which is a little more than a 50-percent cut. And not only the cuts that were made by this committee in the last 2 years, but what I was complaining about at that time, and I believe I was right, was that we were taking these various agencies away from the Department of Labor and building up a huge administration in the Federal Security Agency. What happened years ago when we had the old Immigration Service in the Department of Labor? That was taken out. The Children's Bureau was taken out of the Department of Labor. Last year, by action of this Committee on Appropriations, we legislated the United States Employment Service out of the Department of Labor and put it into the Federal Security Agency.

The CHAIRMAN. The time of the gentleman from Rhode Island has expired.

Mr. FOGARTY. Mr. Chairman, I yield myself five additional minutes.

Mr. Chairman, the Hoover Commission has made its report, and I am now very thankful that last year when this matter was before the House we based our argu-

ment on the proposition that we should await the report of the Hoover Commission before we took any action as to whether or not the employment services should be taken out of the Department of Labor and put into the Federal Security Agency. If that had been followed we would have avoided a lot of unnecessary work, because the Hoover Commission now is recommending that the employment service be taken from the Federal Security Agency and put back into the Department of Labor where it belongs. Some of us believe that the Conciliation and Mediation Service should be put back into the Department of Labor.

I want to see the Department of Labor a real living department; I want to see it have some authority; I want to see it have some power; and this year for fiscal 1950 for the first time in years, and years, this committee has allowed the full amount that was awarded by the Bureau of the Budget for the Department of Labor.

I will not admit that the figures quoted by the gentleman from Wisconsin are correct; it is not an increase; it is not something that we have made any promise on, that we are going to build this up into a great, huge, governmental agency—I do not want to see it built up unless we can justify it; but there are certain agencies like Employment Security and others that I believe belong in the Department of Labor, and I hope they will eventually be placed there.

Mr. KEEFE. Mr. Chairman, will the gentleman yield?

Mr. FOGARTY. I am pleased to yield to my friend from Wisconsin.

Mr. KEEFE. I have listened very carefully to what the gentleman has said. He does not challenge the figures which I submitted in my statement. I am just wondering what the gentleman's answer is? The gentleman says we have allowed the estimates of the Bureau of the Budget; as a matter of fact, the gentleman just got through saying how the first session of the Eightieth Congress cut its budget 44 percent, and the second session cut it twenty-odd percent. Has the gentleman's party restored it? Has it overridden the Bureau of the Budget to put those things back? Of course, it has not. You have accepted the figures of the Bureau of the Budget and thus accepted the action of the Eightieth Congress. That is what you have done.

Mr. FOGARTY. We like to proceed with caution in going above the figures of the Bureau of the Budget on any item for which we appropriate, and I know that the gentleman from Wisconsin agrees with me that, in general, none of us want to go above the figures that are given to us by the Bureau of the Budget, because the Bureau has an over-all budget of some forty-odd billions this year. There are a lot of items in the Department of Labor I should like to have increased, but because of the over-all limitation I felt that it was within the policy of making good government in keeping as well as we could within the figures of the Bureau of the Budget; and in only three or four outstanding instances, in public health, did we go above the figures of the Bureau of the Budget. The fact still remains that the Eightieth Congress did more to tear down and break up the Department of Labor than any other Congress in the history of the Department, since 1913, when the Department of Labor became a Cabinet Department. I read between the lines all the way down the building up of this huge administration under Federal Security which I said a year ago if we let it go on, and on, and on, and built it up, would become such a tremendous agency that we probably could not control it in the future or control the appropriations it was demanding.

Mr. RABAUT. Mr. Chairman, will the gentleman yield?

Mr. FOGARTY. I yield.

Mr. RABAUT. I heard the gentleman both in the full committee and in his statement here this morning, and I want to commend the gentleman for the splendid statement he has made.

Mr. FOGARTY. I thank the gentleman from Michigan.

Mr. Chairman, I do not want to confuse the issues here, or anything like that; but, sincerely, if I were running for reelection on the Republican ticket in the next general election, I would not bring up the matter of the Eightieth Congress. It has been so explored, and the record has been brought to every nook and corner of this country that if you want to come back do not run on the record of the Eightieth Congress. If we as Members of the Eighty-first Congress cannot do a hundredfold better job for the common, ordinary people of this country than the Eightieth Congress did in the 2 years the Republicans were in control I do not want to run for reelection.

Mr. FELLOWS. Mr. Chairman, will the gentleman yield?

Mr. FOGARTY. I yield to the gentleman from Maine.

Mr. FELLOWS. When are you going to start?

Mr. FOGARTY. We have started. May I say to the gentleman from Maine one of the best starts of any Congress in the history of this country has been made by the Appropriations Committee.

The CHAIRMAN. The time of the gentleman from Rhode Island has expired.

Mr. FOGARTY. Mr. Chairman, I yield myself two additional minutes.

Mr. Chairman, this is the third appropriation bill that has been reported. The schedule called for now by the Committee on Appropriations is to report to the House every appropriation bill by the 1st of May. That is something which has never happened in a previous Congress. To my way of thinking, that is getting a pretty good start on what we intend to do and what we hope to accomplish in this year and the next year. We still have almost 2 years to go to make good and we are going to do our very best to make good in those 2 years.

The CHAIRMAN. The time of the gentleman from Rhode Island has expired.

Mr. FOGARTY. Mr. Chairman, I yield such time as he may desire to the gentleman from West Virginia [Mr. HEDRICK].

Mr. HEDRICK. Mr. Chairman, first I wish to thank Dr. Leonard A. Scheele, Surgeon General of the United States Public Health Service, for his outstanding statement made before our subcommittee and his unselfish cooperation with us in determining the needs of his departments.

I am pleased to report that the death rate from all causes in 1948 is the lowest ever recorded in the history of this country by 9.9 per 1,000 population. There is a marked decrease in the maternal and infant mortality and in such diseases as tuberculosis, pneumonia, and influenza. For example, the death rate from tuberculosis was 194 per 100,000 population in 1900, and in 1948, it was only 31 per 100,000 population.

The increase in births in 1948 was unusually great, being 3,700,000 live babies born during that year. The infant death rate also reached a new low. In 1915, we lost 100 babies out of 1,000 births, before they reached the age of 1 year. In 1948, the rate was only 32 per 1,000 births. This showing may add 17 years to the span of life. A new-born baby may now be expected to reach the age of 67, compared to 50 years in 1900. This is most encouraging, but we are now faced with the problems of the middle life, which is not as good, generally speaking. In 1948, diseases of the heart, kidney, circulatory system, and cancer accounted for 60 percent of all deaths in the United States. In 1900, the same group of diseases accounted for less than 23 percent of all deaths. Since 1900, the death rate for heart diseases and related ailments has increased from 333 per 100,000 population to 466 per 100,000 population. In the same time, cancer has increased from 64 in 1900 to 134 in 1948. This increase is likewise true in mental diseases, 600,000 mental patients now occupying beds in overcrowded hospitals in the United States.

The Public Health Service is one of the oldest Federal agencies. Last July, it celebrated its one-hundred and fiftieth anniversary. Today, it operates 25 marine hospitals and 120 out-patient clinics. It also operates hospitals for narcotic addicts and one leprosy hospital at Carville, La. The marine hospitals and clinics are the first to learn about epidemics and go into action to protect our country against spread of disease. The recent outbreak of yellow fever in Panama was soon under control by the prompt action of the United States Public Health Service. Thousands of doses of yellow-fever vaccine were flown to Panama and thousands of people were immunized against the disease. All quarantine stations and our ports were on the alert to prevent the entry of the infection into this country as well as the South American countries.

A few months ago at Donora, Pa., 20 people lost their lives due to smog. At the request of the Pennsylvania health authorities and other interested people, the Public Health Service stepped in and is making an investigation as to the causes and how to prevent similar occurrences in other communities. Numerous highly trained individuals have been experimenting for the past several

months, endeavoring to ascertain the causes of this calamity.

During the year 1948, the National Institute of Health isolated a virus of the common cold, and is now making an all-out fight against all virus diseases.

Although the Water Pollution Control Act of 1948 was passed, which authorizes a new laboratory at Cincinnati, Ohio, for extensive research in the field of water pollution, this laboratory has not yet materialized. This is badly needed, and I hope it can be made available within the near future.

While the death rate from tuberculosis, as formerly stated, has been steadily declining, we still have about 50,000 deaths yearly from this dreaded disease. The States are making more than 1,000,000 X-rays annually under the supervision of the public health, endeavoring to make an early diagnosis of the disease. It is generally known that the secret in treating tuberculosis successfully is an early recognition of the disease, and prompt and scientific treatment established at once.

In the past 10 years, the death rate from syphilis declined 45 percent. It has dropped from 21,000 in 1937 to 13,000 in 1947. There has also been a remarkable decline in congenital syphilis and central nervous system types of diseases which has been especially noticed within the past 10 years.

In the cancer field, Congress has made it possible for the Public Health Service to expand research in the National Cancer Institute and to aid non-Federal institutions in their research. While nothing striking has been brought out in the past few years as to the cause of cancer, it is felt by the authorities that the proper approach is being made and that something is bound to materialize within the near future. We must not get discouraged in this fight. We must wage war against cancer and every effort must be made to determine the causes regardless of the cost and the time it takes to accomplish this.

Concerning the problem of cardiovascular diseases, arthritis, and rheumatism, which affect the heart, we do not know the causes of many pathological conditions of the heart, but we must continue our investigations and experimentations until this problem has been solved.

The question of high blood pressure, for instance, is a question that still must be answered. Just why a young individual must have unusually high blood pressure and another individual, late in life, has a normal blood pressure or even a low type of pressure, is something that we are as yet unable to answer. However, we do know considerable about rheumatic heart disease which is commonly known in the medical profession as endocarditis. This type of heart disease, which should in reality be called infection of the heart, is most always caused by focal infection. In children, infection of the middle ear, diseased tonsils, and adenoids, and in infants pyelitis, are among the common causes of this type of heart infection. In reality, any concealed infection or pus formation within the system can readily cause endocarditis. It is vitally important before attempting to eradicate any infection of the body, especially in children, that a few doses of penicillin be given to safeguard against heart complications. This is also true in the treatment of acute inflammatory rheumatism which so frequently causes heart complications. A few years ago, rheumatic heart disease was practically always fatal, or at least the patient was disabled for life. Today, with our modern methods of treatment, a considerable number of these cases recover.

In recent years, there has been a marked increase in diabetes. Thousands of cases have been ascertained through annual physical examinations, examinations made by insurance companies, and the armed services. A simple blood test has recently come into use to determine diabetics and potential diabetics. It is estimated that thousands upon thousands of cases of diabetes now exist that have never been diagnosed.

The dentists of this country are to be congratulated on their recent scientific studies of tooth decay and gum infection. It was only recently that sodium fluoride has become of general use in the prevention of tooth decay in children. Numerous dental treatment units are now in certain sections of the country, endeavoring to instruct teachers and parents, as well as the local dentists in the use of this unusual treatment. It is estimated that 40 percent of tooth infection and cavity formations can be lessened by the use of this remarkable drug. Many communities throughout the country are now making studies and investigations with the idea of using sodium fluoride in their drinking water. Great results may be obtained by such usage. It has also been determined in recent years that the eating of candy is a cause of a large percentage of dental cavities.

In mental diseases, our studies must continue, endeavoring to determine the causes which bring about or promote this ever increasing type of disease. We need hundreds of trained individuals in this field, as well as in the field of heart and cancer diseases to continue the scientific investigations in the effort to relieve the human race of these most dreaded afflictions.

Mr. Chairman, I am quite sure that the vast majority of the membership of the House has had numerous communications from constituents and interested parties all over the country, with regard to increasing appropriations for some of these items, especially that of mental diseases. Our committee also received hundreds of communications in this regard. We endeavored to be as liberal as possible and did increase appropriations for cancer, heart diseases, and mental disorders. However, the increase naturally had to be moderate. We well realize the importance of these subjects and millions of dollars could be spent in research which, no doubt, would be money well spent, as far as most of the taxpayers are concerned. But we felt there had to be a limit on the amount of money spent in this regard. The expense of government is terrific, and we sought to make our appropriations justifiable.

I sincerely hope that the Members of the House will realize the responsibility that was placed on our shoulders and will collaborate with us in this respect.

Mr. FOGARTY. Mr. Chairman, I yield such time as he desires to the gentleman from New York [Mr. MCGRATH].

Mr. MCGRATH. Mr. Chairman, in addressing this body for the first time, one must recognize the stupendous task that falls upon every Member of the Congress of the United States. When the partisanship of the campaign is over and five men sit down as we did in this subcommittee representing different political thoughts, coming from districts having little in common—save their Americanism—one recognizes the responsibility that the public has reposed in us.

This subcommittee allowed at no time any partisanship considerations to interfere in its deliberations. We have presented to you, our colleagues, this morning a budget that is not skimpy and yet is not fattened out with unnecessary appropriations.

The Labor Department has received its just due as explained by the gentleman from Rhode Island [Mr. FOGARTY]. Public health is marching on under the guidance of the gentleman from West Virginia, Dr. HEDRICK, and the gentleman from Wisconsin [Mr. KEEFE], who though not a doctor, has the heart and soul of a physician. And to the gentleman from Kansas [Mr. SCRIVNER] came at all times the guidance of a successful and yet practical and humane businessman.

The Federal Security Agency appropriation consists of a direct total appropriation of one-billion-four-hundred-and-seventy-eight-million-odd dollars, an increase of $278,000,000 above the 1949 appropriation.

In addition to this sum, there are contract authorizations of $106,000,000.

Among the departments under the Federal Security Agency is the appropriation for the American Printing House for the Blind which was set at the same amount, namely, $115,000, as was granted last year.

The employees' compensation fund shows an increase of $2,188,000. This is occasioned by the fact that there was an increase of approximately 15 percent in claims in 1949 over the previous year. This has been caused by the many injuries sustained during the war years when production, wages, and patriotism kept many employees on the job who thus delayed filing their claims.

The very important protection which is afforded to the food-consuming public is handled by our Food and Drug Administration. This agency is charged by law with the enforcement of the Federal Food, Drug, and Cosmetic Act, the purpose of which is to protect the public from harmful, impure, or falsely labeled food and drugs. It is interesting to note that every day an average of 10 tons of rat or insect defiled foods are seized, the violators prosecuted, and the public is saved from illness and death. The committee saw fit to grant this department the sum of $5,900,000 and for this amount the American public is certainly getting real value.

The Bureau of Vocational Education receives the exact appropriation that it

received last year, $19,842,000, being the amount allotted by the Bureau of the Budget, plus certain allocations for Hawaii and Puerto Rico. With these allocations, the Office of Vocational Education has been allotted roughly $24,000,000.

Vocational rehabilitation is a program that appeals to everyone, first from a humane and even from a business viewpoint. The program is jointly financed by the States and the Federal Government; the States provide the services to the individual and the States defray half the costs of medical examinations, and surgical treatments. The Federal Government pays the other half of these costs as well as the costs of administration.

We are happy to advise this body that through this agency over 65 thousand people were rehabilitated this year and approximately seventy-four thousand should be rehabilitated next year. These people now take their place in society, contribute to our tax rolls, and if there is one agency that certainly returns more than it takes, it is this vocational rehabilitation program.

The problem of grants to States for unemployment compensation presented a difficult and somewhat vexatious problem. In view of the sudden and substantial increase in work load in the various States in paying unemployment compensation during the last two or three months, your committee felt it necessary to give extended consideration to the amount of funds needed by the States next year. A deficiency of $10,000,000 was approved by the House several days ago to give the States some additional funds to handle the recent rise in work load and with that amount, if ultimately granted, they will be able to operate during the balance of the current fiscal year to June 30, making it in all in the neighborhood of a $150,000,000 annual operation. The committee was convinced that the budget of $135,000,000 was insufficient for next year but it is next to impossible to forecast precisely the amount of funds needed. The record of past appropriations was that the States have had to run deficits and come in for supplemental appropriations almost every year. Some of the State costs are controllable; others are uncontrollable. In an effort to make reasonable provision for State operations, the bill provides for $150,000,000 during the first three-fourths of the fiscal year. This should permit the States to be able to operate effectively in handling payments of unemployment compensation promptly while at the same time permitting them to maintain a vigorous and effective employment service which certainly should be maintained at a time when people are unemployed and asking for compensation payments.

The language of the bill also provides for a contingency reserve of $7,500,000. The States and the Federal bureau have advocated some such procedure as this for several years and it is designed to provide some reasonable means for meeting emergencies when the Congress is not in session, or sudden increases in unemployment work loads which no one can foresee.

I appreciate that there are two schools of thought on the question of employment. Our committee considered all this and are united in the hope that unemployment will decrease but we are not prophets and it is our studied opinion that this appropriation will be sufficient for at least a period of 9 months and we believe for longer.

Because of the statutory obligation for public assistance which is on a State grant-matching basis, the Federal Government is obligated to appropriate $1,058,000,000 and this amount has been included in the bill. This is an increase of $261,000,000 over last year's budget. The Federal matching provisions were increased as of last October.

Another item that our committee has been diligent in observing is the question of administrative costs. They have been carefully pared wherever possible; for instance the Federal Security Administrator has asked for an increase of $223,000 for additional assistants. This item has been deleted entirely from the bill.

Mindful of the statutory obligations and the forward march in the field of health and the development of our Federal security program and justice for the Labor Department, we respectfully submit this budget for the consideration of the House.

Mr. KEEFE. Mr. Chairman, I yield 14 minutes to the gentleman from Kansas [Mr. SCRIVNER].

Mr. SCRIVNER. Mr. Chairman, in view of the very fine and cordial relations that this committee has enjoyed I hesitate to inject politics into the discussion. But inasmuch as the chairman of the subcommittee has seen fit to do so I say here again that I am partly in agreement and partly in disagreement with him. Rather than referring to "the record of the Eightieth Congress" I would qualify that as I have qualified some of his other statements and say, "The unknown record of the Eightieth Congress," because our greatest campaign weakness was in not making the record of the Eightieth Congress known to the American people. For had the American voters known the entire record, they would have endorsed it.

Along with the gentleman from West Virginia [Mr. HEDRICK] and the gentleman from New York [Mr. MCGRATH], I am serving my apprenticeship on this subcommittee of the Appropriations Committee. When this assignment was given me, I did not know what the future held for me in that activity. I had known the gentleman from West Virginia, Dr. HEDRICK, before having served with him on the Veterans' Legislative Committee. Judge MCGRATH, a new member, I did not know. I had not had much contact with the gentleman from Rhode Island [Mr. FOGARTY], though I knew the gentleman from Wisconsin [Mr. KEEFE]. But all of my misgivings were ill-founded and it has been a very, very pleasant relation. The hearings went forward with great dispatch. Sometimes I think the gentleman from New York [Mr. MCGRATH], the gentleman from West Virginia [Mr. HEDRICK], and I felt that we were taking some of these things pretty much on faith and sometimes on faith twice removed, because the gentleman from Rhode Island [Mr. FOGARTY] and the gentleman from Wisconsin [Mr. KEEFE] had gone into many of these matters with the various witnesses in very great detail over the past 2 years. We did not know them so well, but having faith in the chairman and the former chairman, and having faith in their faith in some of these witnesses, we took some of their statements just that way.

There was not complete unanimity. I thought some of the items could have been scaled down some more. I thought very few of them needed more than the budget allowed. We heard the presentations. All of our differences were in the committee room. There they were settled and we are unanimous in our position on this bill today.

The chairman remarked that we were called upon to consider some ILO funds. Our discussion of that and the hearings disclosed that as far as we saw the legislative authority which was cited to us did not relate to appropriations to this particular phase of the matter at all but rather to the Department of State. While we are mentioning ILO, I think some of you gentlemen may find some very interesting reading if you get the reports of the International Labor Organization, particularly the convention adopted by that organization in Philadelphia in 1945. You may find there some of the roots or some of the ideas for some of the far-reaching programs that have been suggested to the Eighty-first Congress in the last few weeks.

On the matter of railroad retirement, as has been suggested, Congress is dealing with trust funds. This appropriation does not come out of the general treasury as we think of appropriations, but nevertheless this committee has a duty to perform. We are obliged to see that these trust funds are properly handled and that they are handled with as great economy and efficiency as is humanly possible to conserve all of the funds available in that trust, so that the employees of the railroads may have full benefit thereof.

Mention has been made of the appropriation this year for old age assistance, and dependent and crippled children. That is a thousand and fifty-eight million dollars. Yes, $1,058,000,000. That is a great sum. To show you how these programs grow—well, it sounds like the Old Gold program that we hear on Sunday night—they grow and grow and grow. The first appropriation for old age assistance in 1938 was $214,000,000. Today it is $1,058,000,000; it tripled in the last few years, so they tell us. It makes us wonder where it is going in the next few years. We should see in our minds, as we think of these things, the sign on the railroad crossing, "Stop, look and listen." Where are all of these funds coming from? Where are they going? If you read some of the tables that were placed in these hearings at my request you will see that some of these programs look like the old game of put and take. Some States put in millions and millions of dollars and take little out; other States put in very little and take out enormous sums. It may be interesting if the Members study this juggling of funds and see how

the redistribution of wealth has taken place in the activities of this Government.

In the unemployment program we found some interesting information. The Congress and the public should be informed as to the charges made by some of the inadequate way in which it is claimed that the States have been carrying on their unemployment service; that they are not doing a proper job of scanning all these applications for unemployment payments. Well, there is not much mystery about it. The States can only do so much with the money that is recommended by the President and the Bureau of the Budget and allotted to them by appropriations. We find that from these taxes on employers, the Federal Treasury has received $1,313,580,000. That money has gone into the Federal Treasury. How much has gone out to the States for administration and in payment of benefits to employees, in these various State offices in that period of time? Five hundred and forty-eight million dollars, which means that there has been a net profit to the Treasury of the United States of $800,000,000. If that $800,000,000 paid in as a special fund by the employers of this Nation had been distributed to the States of this Nation, I dare say there would have been a much better job done, especially in the screening of many of these claims, and many, many millions of dollars might well have been saved.

According to the chairman [Mr. FOGARTY] and the gentleman from Wisconsin [Mr. KEEFE] there has been a great deal of improvement in efficiency in the Federal Security Agency in its application of the programs. From the admissions made to us, there can be still greater improvement. Mr. Ewing and Mr. Kingsley both admitted that there was a great deal of overlapping of programs. When we tried to find out where the overlapping is, they said, "Well we do not know where it is, but we know it is there." The heads of these various offices, along with the various employees who handle the financial activities and the budget matters, might very well look into some of these overlapping programs and eliminate those that now overlap. We will then have a still more efficient department there than we now have.

Two things have not been mentioned, but I think this House should give some detailed thought to them. One is Howard University. Starting on page 688 of the hearings, you will find the full and complete hearings on this great school. Starting on that page, you will find where Dr. Mordecai W. Johnson, the president of this university, told the entire story of the fine work they are doing, of the type of graduate they are turning out, the faculty they have, the difficulties they have encountered. But they are doing a marvelous job, and they are working on a great asset of this country, namely, young people of America. To carry on this program, constantly increasing appropriations have been made. The young colored people going out of there as graduates are doing a marvelous job not only in teaching but in medicine, dentistry, engineering, and all the other courses that are made available. Dr. Johnson is to be commended on the fine leadership he has given to the school and its pupils over a period of years, and the fine example he makes for them. He told us that he had come there to take a temporary job when he took that assignment, but that temporary job now has lasted over 20 years, according to my recollection. He can well be proud of the work he has done.

Many people seem to have the idea that Howard University is completely financed by the Federal Government. That is not true. The school is not financed completely by Federal funds at all. You will find that the students attending that school pay over $1,000,000 for their tuition just as in other schools. It is true there is a very considerable amount appropriated to finance the school, and properly so, I think, in view of all the circumstances, the past history and the very fine work they are doing. The money spent there will eventually repay this Nation not only in the services of those graduates but in the fine caliber of citizenship that will be there developed.

The other item that should be mentioned here, is Freedmen's Hospital, the cost of which runs more than the cost of a normal hospital because it is an adjunct of Howard University. The young colored students of medicine are taking much of their training and some of their internship there. With the added use of this hospital for education there is, of course, a greater cost of operation than there might be in some other hospital.

Before my time expires there is one question that I feel should be answered. That is one about the reduction of $11,000,000 in the appropriations for general health. This program is in addition to the special ones relating to cancer, heart, tuberculosis, venereal disease, and all that. We looked over that program, which called for an increase of more than 100 percent over last year's budget. They told us that the $11,000,000 they had last year took this general health service to communities with a total population of 90,000,000 people. They wanted to more than double it, and thus increase the scope of activity to only another 10,000,000 people. We thought that they just were not making a showing of sufficient utility of the dollars to justify this increase in appropriation; therefore, it was denied. Even though the increase was denied, their present activites will not be curtailed.

In closing, I, too, want to commend the chairman and other members of the committee on the very fine way in which this bill has been handled. Although nearly all of my suggestions for decreases were overruled, it was done with such a charming smile and courtesy that even though I did not get the proposals over, the wound was not deep.

Mr. KEEFE. Mr. Chairman, I yield such time as he may require to the gentleman from Michigan [Mr. SHAFER].

IS IT A FAIR DEAL TO DISCRIMINATE AGAINST INDEPENDENT UNIONS IN WRITING OUR LABOR LAWS?

Mr. SHAFER. Mr. Chairman, it has always been my contention that whenever Congress considers labor legislation care must be taken to see that all working men and women are treated fairly and squarely, not just the few millions who happen to be members of the CIO or the AFL.

It is commonly overlooked in Congress and in public discussions and in the newspapers that there are hundreds of independent unions with millions of members in these United States. They have a perfect right to be considered in all our discussions and considerations. It also frequently is overlooked that there are millions of laboring men and women who do not belong to any union. They, too, of course, should have a place in our minds when we think of legislation for all the people of our Nation.

Personally, my study of independent unions has proved to me that these can be the most effective for the individual worker and yet not be subjected to all the ills and weaknesses and abuses to which the big unions sometimes have been subjected. The members of the independent unions are more aware of their role in union affairs; they are more anxious to preserve their unions and to increase production. They have better leaders, all things considered, than do the members of the huge, mass unions which could prove so dangerous if infiltrated by the Communists and misled by men who want to make over America.

Mr. Chairman, I am referring to these independent unions at this time because of a recent visit with Floyd Huber and Maurice Porter, representatives of the independent union of the Sutherland Paper Co., at Kalamazoo, Mich. They are constituents of mine and I know them to be patriotic, sincere, honest, hard-working Americans. This also is true of most of their members, and of the vast majority of the workingmen in my district, regardless of race, creed, or color.

Mr. Huber and Mr. Porter understand that there is to be a repeal of the labor law we passed 2 years ago and that another labor law is to be enacted. I do not know whether this is to be the case or not, as yet, but I hear it myself. Personally, I am strongly in favor of the so-called Taft-Hartley bill. I voted for it before and I will vote for it again, although it, like all legislation, has some points in it that could be revised without too great difficulty.

The two independent union representatives brought me a resolution which their union had passed at a recent meeting. With the permission of my colleagues, I should like to read this resolution:

Whereas there have been instances of discrimination against segments of American labor; and

Whereas new legislation is presently being formulated: It is hereby

Resolved, That the Confederated Unions of America at this time present to the Congressmen of each individual State, these four points to be made a part of the new labor law:

1. In deciding all cases under the National Labor Relations Act of 1949, the same regulations and rules of decision shall apply irrespective of whether or not the labor organization affected is affiliated with the labor organizations national or international in scope.

2. Equal representation in the Department of Labor.

3. Upon request of the parties in dispute, the Secretary of Labor shall furnish arbitrators—all cost of which is to be borne by the National Government;

4. In the appointment of Labor-Management Advisory Committees for respective industries, equal representation must be granted all unions whether or not the union is national or international in scope.

Mr. Chairman, it is my understanding that there are many men in the Congress who are opposed to discrimination. At this time, a great deal of talk for and against discrimination is being heard on every side.

I am personally opposed to discrimination. Let me urge my colleagues to stand beside me. The particular discrimination to which I object—although there are many others, of course—concerns these independent unions. Of all the minorities in America, I sometimes think they are more discriminated against than any other.

For years, the present political administration has ignored the leaders of these independent unions. No independent union representative ever has been chosen to become an Assistant Secretary of Labor. There is a vacancy now in the Department of Labor for a union man of high caliber. But is any consideration being given to the idea of putting an independent union leader in that post? Not that I have heard of. I urge the President and his coworkers to consider this idea. While the suggestion comes from a Republican, it is still a good suggestion and I hope that some one among "the powers that be" will act upon it.

Likewise, for many years, under the old Wagner Act and the National Labor Relations Board as constituted in the hey-day of the New Deal, independent unions could expect no mercy if they happened to run afoul either the AFL or the CIO. The NLRB in those days invariably discriminated against the independents and in favor of the major unions. Only during the past 2 years has the NLRB made any attempt to deal fairly and squarely with the independent unions.

Yet, even under the Taft-Hartley law, there have been some discriminations against the independent unions, although not purposely so, of course. A provision in the law makes it mandatory for any union in a dispute to pay a part of the cost of the mediation. The costs in such cases, to the big unions, were inconsequential. But to the small, independent unions, these costs are exorbitant. It is manifestly unfair to ask the small, independent unions to bear the same share of this cost that the large, well-financed unions, with millions of members, are asked to pay.

Yes, Mr. Chairman, I am against discrimination, and I know that you and other Congressmen join with me in the determination to do everything possible to stop the discrimination against small, independent unions. They are composed of the hard-working, thoughtful, patriotic, law-abiding citizens America needs in this crucial period. We should encourage them, not discourage them.

The Government, in all its resources and majesty, could afford to pay the relatively small sums for conciliation and arbitration needed in various union disputes. The members of small, independent unions should not be penalized by having to pay these costs.

Mr. Chairman, President Truman has told the people of the country that his administration is to be the Fair Deal administration. If this is true, the discrimination against independent unions must cease. Members of these independent unions should be given equal consideration under our labor laws with members of the AFL and CIO.

Mr. KEEFE. Mr. Chairman, I have no further requests for time.

Mr. FOGARTY. Mr. Chairman, I have no further requests for time, and ask that the Clerk read.

The Clerk read as follows:

Salaries and expenses, Bureau of Veterans' Reemployment Rights: For expenses necessary to render assistance in connection with the exercise of reemployment rights of veterans under section 8 of the Selective Training and Service Act of 1940, as amended (50 U. S. C., App. 308), the Service Extension Act of 1941, as amended, the Army Reserve and retired personnel service law of 1940, as amended, and section 9 (h) of title I of the Selective Service Act of 1948 (Public Law 759, approved June 24, 1948), and under the act of June 23, 1943, as amended (50 U. S. C., App. 1472), of persons who have performed service in the merchant marine, including personal services in the District of Columbia, $270,000.

Mr. FOGARTY (interrupting the reading of the bill). Mr. Chairman, I ask unanimous consent that the further reading of the bill be dispensed with, and that the bill be subject to points of order and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Rhode Island [Mr. FOGARTY]?

There was no objection.

The CHAIRMAN. Are there any points of order?

Are there any amendments to be offered?

Mr. CAVALCANTE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CAVALCANTE: Page 32, line 18, after the word "year", strike out the period and insert a colon and the following: "*Provided*, That any State receiving a grant for such assistance or aid shall not require as a condition precedent from any recipent of such assistance or aid a promise, bond, or lien whereby such recipient or his or her estate shall be held to make repayment or restitution in the amount or part of any assistance or aid received by such recipient."

Mr. FOGARTY. Mr. Chairman, I make the point of order against the amendment that it is legislation on an appropriation bill.

Mr. TABER. Mr. Chairman, may I add that it also imposes additional duties on the Department in question.

The CHAIRMAN. Does the gentleman from Pennsylvania desire to be heard on the point of order?

Mr. CAVALCANTE. Mr. Chairman, I think the amendment is definitely in order. I merely wish to call to the attention of the Chair the decision by the House not many days ago when the deficiency appropriation bill was before us, when an amendment similar to this was offered to that bill and the ruling of the Chair was that the amendment was proper and in order.

The CHAIRMAN. In the opinion of the Chair, the amendment offered by the gentleman from Pennsylvania would entail additional duties upon the agency involved. Therefore, it would be legislation on an appropriation bill.

The Chair sustains the point of order.

Mr. FOGARTY. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House, with the recommendation that the bill do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. TRIMBLE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 3333) making appropriations for the Department of Labor, the Federal Security Agency, and related independent agencies, for the fiscal year ending June 30, 1950, and for other purposes, directed him to report the same back to the House, without amendment, with the recommendation that the bill do pass.

Mr. FOGARTY. Mr. Speaker, I move the previous question on the bill to final passage.

The previous question was ordered.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. TABER. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. TABER. I am, Mr. Speaker.

The SPEAKER. The gentleman qualifies. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. TABER moves to recommit the bill to the Committee on Appropriations with instructions to report the same back to the House forthwith with the following amendment: On page 29, lines 8 to 17, strike out the first proviso and insert in lieu thereof the following: "*Provided*, That, to the extent that the Federal Security Administrator, with the approval of the Director of the Budget, finds necessary to meet increased costs of administration resulting from change in a State law or increases in the numbers of claims filed and claims paid or salary costs over those upon which the original State's grant was based, this appropriation may be apportioned and obligated at an annual rate not in excess of $150,000,000."

Mr. FOGARTY. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The motion was rejected.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. LANE asked and was granted permission to extend his remarks in the RECORD in two instances, in one to include an address and in the other to include a letter written to the President of the United States.

Mr. SHAFER asked and was granted permission to extend his remarks in the RECORD in two instances, in one to include a magazine article.

Mr. BROOKS asked and was granted permission to extend his remarks in the RECORD and include a certain article.

Mr. CARROLL (at the request of Mr. BIEMILLER) was granted permission to extend his remarks in the RECORD and include a statement he made before the Rules Committee.

Mr. DONOHUE asked and was granted permission to extend his remarks in the RECORD and include a resolution.

Mr. CLEMENTE asked and was granted permission to extend his remarks in the RECORD and include an open letter by Generoso Pope.

Mr. FORD asked and was granted permission to extend his remarks in the RECORD and include a resolution from the city of Grand Rapids.

RADAR AIR WARNING AND CONTROL SYSTEM

Mr. COLMER. Mr. Speaker, I call up House Resolution 129 and asked for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 2546) to authorize the Secretary of the Air Force to establish land-based air warning and control installations for the national security, and for other purposes. That after general debate, which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The gentleman from Mississippi is recognized for 1 hour.

Mr. COLMER. Mr. Speaker, I will yield to the gentleman from Michigan [Mr. MICHENER] 30 minutes; and pending that, I yield myself 1 minute.

The SPEAKER. The gentleman from Mississippi is recognized for 1 minute.

Mr. COLMER. Mr. Speaker, this resolution makes in order the bill (H. R. 2546) a bill to authorize the Secretary of of the Air Force to establish land-based warning and control installations for the national security, and for other purposes.

This is a highly technical matter. It is not such a matter that one who has had as little opportunity as I have had to study it, could intelligently discuss or explain. The learned gentleman from North Carolina [Mr. DURHAM] who is a member of the Armed Services Committee, is fully familiar with the purposes and necessity for this legislation. I shall, therefore, defer to him and not take the time of the House myself. I am sure that when the House goes into the Committee of the Whole that he will give the House the necessary information to justify this legislation.

Mr. Speaker, since I have no request for time on this side, I shall move the previous question on the resolution unless the gentleman from Michigan [Mr. MICHENER] desires to speak or has request for time.

Mr. Speaker, I have no requests for time on this side.

Mr. MICHENER. Mr. Speaker, I have no requests for time on the Republican side.

Mr. COLMER. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

Mr. DURHAM. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 2546) to authorize the Secretary of the Air Force to establish land-based air warning and control installations for the national security, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 2546, with Mr. DAVIS of Georgia in the Chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from North Carolina is recognized for 30 minutes, and the gentleman from Michigan for 30 minutes.

Mr. DURHAM. Mr. Chairman, I yield myself 15 minutes.

The CHAIRMAN. The gentleman from North Carolina is recognized for 15 minutes.

Mr. DURHAM. Mr. Chairman, the legislation before the Committee for consideration, H. R. 2546, is of the most urgent character; it is necessary for the maintenance of our national security. The bill provides for the erection of public works, including buildings, facilities, utilities, and roads in both the continental United States and in Alaska, which may be necessary to provide for the establishment of an adequate air-warning and control system. Let me make doubly clear what I just said by emphasizing again that the authorization in this legislation is merely a public-works authorization. At the same time, however, the bill has much broader and more far-reaching implications. The construction of the public works which it will authorize is a necessary prerequisite to the setting up of an aircraft warning and control system which will alert our people and our defensive forces in sufficient time to permit the employment of all effective means of defense available to us against attacking enemy aircraft seeking to destroy our vital centers of production and population. The public works themselves will not provide us with an operational system; in addition there must be radar equipment, communications equipment, and an organization, in being, manned by highly trained technical personnel. But all of these essential elements must await the construction of the necessary public works.

An aircraft warning and control system is vitally needed for the protection of the United States. But let me make clear at the outset that such a system in and of itself alone by no means guarantees us security against injury from enemy air attack. To understand why this is so we must first know exactly what an aircraft warning and control system is and, secondly, what it is capable of doing and what it cannot do.

The primary purpose of such a system is to detect approaching enemy aircraft in sufficient time before they arrive at vital targets to permit friendly interceptor fighters to be directed against the enemy planes so that they may destroy them before they have accomplished their mission.

That is not the only purpose of such a system but it is by far its most important function. Other purposes are to alert other active defensive forces such as antiaircraft batteries and, also, to give air-raid warnings in order that every available means of passive defense as well may be employed.

But turning back again to what I said was the most important function, namely, the direction of interceptor fighters, let me explain why this is true.

As we all know, it is an axiom of military operations that the best defense is a good offense. This principle applies with full force in the case of air defense against attacking enemy aircraft. If we merely sound our air-raid warnings when enemy planes approach, it will be possible indeed for our population to seek cover in air-raid shelters and to take other measures of a passive category. But none of these passive defensive measures will stop the enemy bombers from coming over the targets and dropping their bomb loads. Much more can be accomplished if we mount an actual offensive against the enemy planes. That is, if we attack them with every means at our disposal. To a limited extent we can do this with antiaircraft, but this means again that we are seriously restricted because the enemy planes cannot be attacked until they actually fly within range of the antiaircraft batteries. We could, of course, deploy antiaircraft guns in such a way that no possible area of the sky was not covered, but the cost of any such fantastic proposal would be out of this world.

It is easy to see, therefore, why fighter aircraft afford the best available means of defense over large areas such as that of the United States. Because of their tactical mobility fighters can move around over large areas to any point where attacking hostile aircraft may appear. We can thus obtain a far greater degree of protection and can intercept a good many of the attacking aircraft long before they reach their targets, and can do so far more economically than if we made the entire countryside bristle with antiaircraft guns.

Now there are several technical points about an aircraft warning and control system which ought to be made very clear. When I say that they are technical, I do not mean that they are beyond the comprehension of a layman; on the contrary, an understanding of these features is essential to an understanding of the purposes of and the need for this legislation.

First of all, an aircraft warning and control system performs considerably more than the mere function of detection and early warning of approaching aircraft as they cross our borders. A flight of enemy planes entering the United States at a given point might be destined for any one of a great number and variety of vital strategic targets located one, two, or three or more hours of flight time away from the point of entry. If we knew that the planes had entered the United States, we could, of course, alert the entire country with consequent stoppage of production while the whole population scurried for air raid shelters. The absurdity of such a procedure is obvious. It is also clear that if we knew merely that at a given moment the planes had crossed our border and thereafter had no knowledge of their subsequent path, we would have no way of telling our fighters where to intercept them. It would do no good to send our interceptor planes to the point where the enemy had crossed the border because by the time they arrived there the enemy will have long since passed on.

Faced with these problems, therefore, it is plain that we must provide some method of continually tracking enemy aircraft once they have been detected so that we will know at any moment thereafter exactly where they are and what changes of direction they may take. Only by continually tracking the enemy position can we lead our friendly fighters to the kill.

It is this element of fighter direction which is the most important single function of an aircraft warning and control system. It is this which gives the system the name "control." What the system accomplishes is first, to detect and constantly track approaching enemy aircraft and, secondly, to issue orders to friendly interceptors to take off and attack the enemy. While they are doing so they are guided by control centers on the ground to the point of interception. Should the enemy change his course radically between the time the friendly fighters take off and the time they catch him, the control centers on the ground will be able to detect this change of course by means of the continual tracking process, and will be able to alter the course of our fighters accordingly.

Now I am sure that most of you gentlemen are familiar with the method in which radar is employed as the means for detecting and tracking the enemy planes and for directing our own planes against them. At the cost of repeating some information with which I am sure many of you are thoroughly familiar, it might be advisable nevertheless to go over some of the characteristics of radar rather briefly.

As you know, radar was developed shortly before World War II and was shrouded in secrecy during that conflict, so much so that for a long time even the name "radar" itself was taboo. We all know today, however, that it was one of the most important developments contributing to our successful operations in World War II, and it is very important that we should also fully realize in considering the pending legislation that it was radar which won the Battle of Britain. Radar, employed in much the same manner that we propose to employ it under this bill, was the key to the aircraft warning and control system established by the British. It was by means of radar that the approach of Hitler's planes was detected and by means of radar that the RAF defenders were guided to an interception.

Radar functions on a very simple principle despite the fact that complicated electronic equipment is required to make use of this principle. An ultra high-frequency transmitter sends out a radio wave of very high frequency. This wave travels through space until it strikes a target such as an approaching enemy plane, an enemy surface ship, or a distant mountain and a portion of the wave is then reflected back to the transmitting station where it is picked up by a receiver. Both the transmitter and the receiver, of course, are all part of the radar set. In addition, the set contains an electronic device capable of measuring the lapse of time between the instant when the radar impulse or wave was sent out and the instant when it returned. Since the speed at which the wave travels through space is known, the radar set computes the distance at which the target which reflected back a part of the wave is located. Also, because it is possible to control the direction in which the wave is beamed in the first instance, the radar set can tell us not only how far the target is but in what direction it lies. These two elements, direction and distance, enable us to locate the target's exact position on the map with reference to the known position of the radar set.

Now you will remember that I said a moment ago that a portion of the wave would be reflected back. Other portions of the same wave will travel out farther to other targets and the radar set will then show these to lie at a greater distance and in perhaps a slightly different direction. The point I want to bring out is one with which most of us are thoroughly familiar, namely, that our present-day radars as developed during World War II permit us to see a picture of the entire area within a distance of many miles in all directions from the radar set. The radar actually gives us a picture very much like a map on which we can see mountains, airplanes, high buildings and chimneys and, if at sea, ships, aircraft, land, and so forth. In other words, when used in an aircraft warning and control system, it will give us a continual picture of the enemy planes moving across the screen and it will also show us our own fighter planes and permit us to see at any instant whether they are headed on the proper course for an interception.

I said a few moments ago that radar was responsible for winning the Battle of Britain. This brings me to one of the most important points which we must constantly bear in mind in our consideration of the present legislation. An aircraft warning and control system will not under any circumstances guarantee us absolute security. There is no means known to science or the military today whereby we can throw an impenetrable ring or barrier around the United States which will protect us against all injury from enemy air attack. We cannot hope to keep out completely all enemy bombers who may seek to destroy vital centers. The best we can do is to destroy some of them and to attempt insofar as we can to disorganize their mission so completely that those we cannot shoot down will unload their bombs over some mountainside perhaps, instead of over a railroad yard. But even then many of the enemy's planes may still get through to points where vital damage can be done.

Radar and the aircraft warning and control system in which it was employed in the Battle of Britain did not win World War II, nor did it prevent tremendous destruction and loss of life in London, Coventry, and other cities. Neither did it destroy the German Luftwaffe. But granting all this to be true, let us make no mistake about its effectiveness. Had it not been for radar and for the British aircraft control and interception system by which Spitfires were unleashed against the oncoming Luftwaffe, it is virtually certain that the Battle of Britain would have been lost. And there can be no doubt that the ensuing destruction of cities and loss of life would have been of untold proportions so grave that the actual damage done in World War II would look negligible by comparison. Had Britain not possessed this system, she could have offered no effective defense against the German attacks.

It is because no other means exist for effectively utilizing our defensive capabilities that we so urgently need an aircraft warning and control system in this country. We must have the means by which we too can detect, track, and effectively intercept enemy aircraft threatening our homeland. Such a system is indispensable to the economical and effective use of our defensive weapons such as fighter aircraft and antiaircraft artillery. Without such a system it would be theoretically possible to deploy fighters so thickly in the air space over the United States that they could not fail to intercept any attack, but it is equally clear that the economy of this country would collapse before we were able to build the number of planes which would then be required. An aircraft warning and control system permits us to make the most effective and economical use of the planes and the guns which we have. It tells us that the enemy planes are here—and not over there somewhere; it thus enables us to direct our fighters here—instead of having them patrol aimlessly somewhere else. It also tells us that we must take passive defense measures and seek security in air-raid shelters here—and that it will not be necessary to do so in other places. Thus production may continue uninterrupted everywhere else although it may be necessary to suspend it temporarily here while the attack is in progress.

As the aircraft warning system used in the Battle of Britain did not suffice to destroy the Luftwaffe, nor to prevent many of its planes from bombing London, neither can we reasonably expect complete security from the system which will be provided under this bill. But what the Battle of Britain did accomplish, and what we can reasonably expect from our own aircraft warning and control system under comparable circumstances, was to provide the means whereby the interceptor fighters of the RAF were able to exact such a high toll of German bombers that Hitler was suddenly brought to the realization that the attacks were unprofitable in terms of the balance between the damage inflicted on Britain and the losses which he was suffering. This consideration alone forced Hitler to the conclusion that the German economy could not much longer stand the drain resulting from the high attrition rate imposed upon his bombers.

In like manner we hope to establish in the United States a warning and control system which will permit us to use our own interceptor planes so effectively that we can impose a prohibitive attrition rate upon enemy bombers seeking to destroy our vital centers. We cannot escape unscathed without a scratch, nor can we hope to avoid being hurt—perhaps badly in some places. But if we can provide the means whereby our fighters can hurt the hostile bombers badly enough to make the enemy call the whole thing off, the aircraft warning system will have fully justified the expenditure of every penny invested in it.

When we consider how much more effectively we will be able to use our defensive fighter aircraft with an aircraft warning and control system, it becomes very clear that we may actually be able to reduce the over-all cost of air defense because of the simple fact that a lesser number of fighters can be used more effectively. I do not mean to imply by this that we can afford any reduction in the number of fighters presently planned, even with such a system in being. The point is that we would need a great many more to adequately protect the United States if we do not provide an aircraft warning and control system.

An aircraft warning and control system consists essentially of radar stations, control centers, and communications facilities. An individual radar station will pick up enemy planes on its radar screen, and after identifying them as hostile aircraft, will communicate information as to their location to a control center. The control center will have operational control over defensive fighter aircraft and antiaircraft weapons and will immediately alert all defensive forces under its command which can be brought to bear upon the enemy. It will issue orders to fighters to take off and will guide them to a point of interception.

From what I have said to you so far, I believe it will be quite obvious that an aircraft warning and control system must be set up in such a manner as to provide a sufficient interval of time between initial detection and interception to permit all the necessary steps in the process to be taken before the enemy planes reach vital targets. In other words, the radar stations which detect the planes must be so located geographically in relation to vital strategic targets that the process of identification as enemy aircraft, transmission of information to a control center, orders to fighters, take-off of fighters, climb to enemy altitude and actual interception—so that all of these steps in the process can be accomplished before the enemy bombers arrive at their assigned targets.

Radar unfortunately has certain technical limitations. The radio waves or beams which it utilizes cannot be directed below the horizon. In other words, radar cannot "see" around the horizon and hence can detect only those targets which are above the line of sight to the horizon. It is this feature which made it possible for low-flying planes during World War II to escape detection by radar as they approached their targets. Just as a high mountain can be seen over the horizon, so also can a plane flying at higher altitudes. For all practical purposes, therefore, the range of radar is limited to about 150 miles, assuming that the attacking plans fly at altitudes which are tactically feasible. However, we can obtain greater range by deploying an additional radar station beyond the first. This would give us what was recently referred to in the newspapers as a two-notch program, whereas one station would represent what we might call a one-notch program. You may ask why, if we use two notches, we could not dispense with the original notch on the inside. We would still require that in order to enable us to continually track the enemy after he had passed inside the range of the outer radar station. Otherwise, without the inner station we would merely obtain early warning from the outer screen, but we would not know what the enemy's position was subsequently and hence we would be unable to continually track him until our fighters were able to complete the interception.

Because the basic active defense weapon for any large area is the fighter airplane, the first and most important consideration in organizing an aircraft warning and control system is to meet the requirements for fighter defense.

Fighters may be moved quickly to meet changing situations, but an aircraft-warning system is relatively fixed and immobile. We must, therefore, provide an aircraft-warning service in those areas in which it appears likely that we may be required to deploy fighters. The establishment of an aircraft-warning system is, in effect, an organization of the ground to provide a capability for utilizing fighters effectively. Actual fighter deployment will depend upon the force available and the tactical situation.

Aircraft warning requirements for fighter defense are based largely on the time and space relationship between friendly fighter performance, enemy aircraft performance, radar performance, geographic deployment of fighter airfields, geographic deployment of radar stations, and geographic location of the boundary of the area being defended.

Defensive fighter aircraft on ground-alert status at an airfield will be ready to take off on orders from a control center. However, because of the time element involved in the performance of all the necessary steps which must take place between the time of initial detection of enemy aircraft and the time of completion of interception, the enemy aircraft will have advanced a considerable distance during this interval. Hence an area lying between the point where they were originally detected and the point of interception by friendly fighters cannot be defended by the fighters; an area lying behind the point of interception by the fighters may, on the other hand, be considered to be defended.

From this it is very clear that if we can extend our early warning frontiers farther out, so to speak, we should be able to discover the enemy earlier, thus permitting fighters to intercept him earlier, and thereby extending the cover of fighter protection over a larger territory.

Where it is necessary to protect a vital target lying out in an area which is not defended, that is exactly what we will do. We will deploy an additional radar station farther out, thereby extending the cover of fighter protection to the target in question. In this manner, simply by deploying a radar station outward, we can obtain the same additional degree of protection which could otherwise be achieved only by the construction of an additional fighter airfield at a considerably greater expense.

The deployment of radar stations and control centers under the proposed program is designed to achieve full utilization of available fighter airfields.

The control centers, which will exercise tactical control over defensive fighter aircraft, will be provided, of course, with their incoming lines of communication from outlying radar stations which will furnish information of approaching hostile aircraft. But, in addition, they will also have lines of communication to civil and military airfields, both Air Force and Navy, for the operational control of fighters; to local antiaircraft artillery defenses; and to CAA traffic centers for movement liaison and control. Finally, there will be lines to local military commands for air-raid warnings and, also, off-shore radio liaison for coordination with naval ships and forces at sea. The control center will be the point from which all air-defense operations are controlled and directed for a given area. It is to be the command post of the air-defense area in which it is located. I will now proceed to a description of these areas.

The entire United States must be organized into air-defense areas to enable us to conduct an effective air defense. As I said a few moments ago, the system which it is proposed to establish is essentially an organization of the ground to provide a capability for utilizing our defensize fighter aircraft effectively. Accordingly, the entire United States will be divided into eight air-defense areas for peacetime and initial operations in war.

Upon mobilization of the Air National Guard, the eight original areas will be subdivided to make a total of 20 air-defense areas, covering the entire United States. Each of these areas will be under the command of an area air-defense

commander whose command post will be a control center. Of the 12 control centers to be brought into operation and manned by the Air National Guard a few days after mobilization, 10 are to be used as peacetime training stations at the home of the unit. The other two centers will have to be manned by National Guard units from other areas. These two must be constructed in advance and ready to receive the National Guard units. These two, plus the eight initial centers, make up the total of 10 centers in our current construction program.

The closest possible coordination exists between the Air Force and the Army and Navy in connection with this program, and I might say that the committee has been impressed by the cooperation evidenced by the three services and by the complete absence of the slightest indication of the existence of any interservice problems or controversies in this field. The only difficulties which exist today are those which stem from purely technical problems rather than from questions of responsibility.

Under the program planned, the commander of the eastern and western air defenses, respectively, will be charged with coordination with eastern and western sea frontiers and with the appropriate United States Army commanders in matters of mutual defense.

This program will provide the United States with the minimum acceptable degree of protection from a military point of view, but, at the same time, it is one which is economically feasible. It will furnish us with a modest degree of protection at a very reasonable cost; without this system we would have no protection whatsoever against attack by enemy aircraft.

It will require a considerable length of time to install and perfect this system and to make it operational. This element of lead time is of vital importance in our consideration of the present legislation. If the protection sought by this bill is to become a reality within a reasonable time in the future, we must act at once to get this program under way. Prompt and early action is essential if the United States is to have an adequate system of air defense within a reasonable time in the future. In this connection, let me point out that the achievement of an operational system in being will be necessary before we can expect protection from an aircraft warning and control system. The mere construction of buildings and installation of equipment is not sufficient. The system must be a going concern—an organization of large numbers of technical and operating personnel who have had extensive training and experience over a long period of time. I can think of no more appropriate illustration of the importance of this factor than the recent press reports regarding the failure of Navy radar operators to detect the approaching aircraft which recently dropped a simulated A bomb over a task force in the current fleet maneuvers. It is inconceivable that such penetration could have been accomplished without detection in actual operations during World War II when all personnel and units were in a high state of training and readiness.

The proposed program is of high priority, particularly in view of the time factor mentioned which will be required not only to accomplish the prompt installation of radar equipment, but also to achieve the required level of training and operational experience necessary to make the system fully operational. Until the system is in being and operationally effective, the Air Force cannot hope to discharge its primary responsibility for the air defense of the United States. Neither can the forces of the Army and the Navy, which those Departments will be required to furnish in defense of the United States against air attack, be utilized with maximum effectiveness unless employed in conjunction with a land-based air-defense system. The establishment of the system, however, will facilitate the development of tactics and techniques for joint employment of all available forces for air defense.

Because of the vital importance of this program as a defensive measure, the Air Force deemed it appropriate to request specific authority for the construction herein authorized, apart from the usual public-works program.

A construction program amounting to $85,500,000 will be authorized pursuant to the authority contained in this bill. This sum includes only the cost of construction of buildings, facilities, utilities, and other public works. It does not include the acquisition cost of real estate nor the cost of radar and communications equipment.

The total over-all cost of the air-warning and control system, including those costs which are not covered by the present legislation, will amount to approximately $161,000,000, exclusive of personnel costs. This sum includes an item of $42,250,000, representing the value of radar and communications equipment now on hand, which has already been bought and paid for. It also includes $7,000,000 for the cost of conversion and equipment of four radar picket vessels to be provided by the Navy under the program. These four vessels will be used to provide radar coverage over sea approaches in localities where the proximity of vital targets to the coast line precludes the deployment of land-based radar installations sufficiently far out to permit early warning and interception of enemy planes. Funds for these vessels were requested by the Navy but were deleted from current budget estimates prior to submission to the Congress. It is understood that the Navy already has a number of vessels of this character; hence these vessels can be provided by the Navy, even though funds are not included in the budget. In furnishing them, however, the Navy will be compelled to reduce correspondingly the amount of radar protection furnished by vessels of this character to the operating forces at sea.

After deducting the value of existing equipment and the cost of the picket vessels, there remains a total estimated cost of about $112,000,000, for which the Air Force will have to obtain new funds. This sum consists of the $85,500,000 for which authorization for construction is sought in the present bill, and also of an item of about $26,000,000 representing the cost of new radar and communications equipment, authority for the procurement of which exists independently of this bill.

This program has been considered by intelligence agencies looking at our strategic make-up from the point of view of a possible enemy. It will not furnish absolute protection, but it will give us a reasonable degree of protection where protection is needed at a cost which the economy of this country can sustain. Moreover, it represents a balanced program in which this particular project is in balance with other armed services' projects. It takes account also of the great strategic importance of Alaska where existing radar facilities are totally and wholly inadequate. In this connection, I might say also that testimony was received during the hearings from responsible officers of the Air Force to the effect that words would be impossible to describe how poor our radar defenses in the continental United States are today. This program has been approved by the Joint Chiefs of Staff, the Secretary of the Air Force, the Secretary of Defense, and the Bureau of the Budget.

In view of the fact that this particular legislation is designed merely to authorize the construction of the necessary public works, the Committee on Armed Services believes it appropriate to limit the authorization contained in this bill to $85,500,000. The bill has been amended accordingly, but with the clear understanding and intent that this limitation shall apply only to construction costs and will in no way limit the cost of procurement or installation of radar and communications equipment or other technical equipment required to establish an operational system in being. It is intended that this limitation shall apply expressly and exclusively to construction costs alone. The Committee on Armed Services and its staff has made a very careful and thoroughgoing study and analysis of the pending legislation. Prior to the hearings, a comprehensive list of written questions pertaining to almost every conceivable question which might arise in connection with this bill was submitted to each of the three armed services, and written replies were requested. Much of the information furnished in response to these queries was classified and hence cannot be made available. However, those replies which did not require classification for reasons of military security have been printed in the hearings and may be found at pages 352 to 359.

Complete and exhaustive hearings were held before the subcommittee, of which I am chairman, and by the full committee, and in both instances a motion to report the bill favorably was carried unanimously.

Despite the fact that a great deal of the information pertaining to this bill and obtained both during the hearings and in answer to the written questions is of a highly classified nature, I believe the Members of the House will find ample justification for this legislation in the open hearings and the committee report.

Mr. SHAFER. Mr. Chairman, I yield myself such time as I may desire.

At the outset I wish to compliment the able and distinguished gentleman from North Carolina [Mr. DURHAM] for his concise and clear presentation of this legislation. Any further remarks as to the purposes of this bill are unnecessary.

I would state, however, that this legislation comes to the floor by a unanimous vote of the committee. There is no opposition on the part of the minority members. All agree that it is essential that land-based air warning and control installations should be installed as soon as possible for our national security. It is recommended by the Department of the Air Force and all other defense-minded agencies, including the Aviation Policy Committee of the Eightieth Congress.

I urge the unanimous adoption of this legislation.

Mr. SHAFER. Mr. Chairman, I yield 10 minutes to the gentleman from California [Mr. HINSHAW].

Mr. HINSHAW. Mr. Chairman, the Congressional Aviation Policy Board of the Eightieth Congress in its report dated March 1, 1948, entitled "Senate Report No. 949" had the following to say, as a fifth recommendation:

> There should be established a joint task group designed to withstand an initial attack directed at the United States and to form the basic organization for a strong territorial defense. Defense plans must contemplate an aggressive attack designed to cripple our centers of war potential. In the current atomic age it may be expected that such attacks on the United States will be delivered by air with little or no warning. Now is the time to organize the internal defenses in order to localize and repel such an attack. It is imperative that an air-warning network be extended in all directions from which an attack may be expected. Economy may be achieved by employing elements of the civil-airways system wherever practicable.

Then, with reference to recommendation No. 6:

> A competent aircraft-warning network should be established under the direction and control of the proposed territorial command. An aircraft-warning network is composed essentially of long-range surveillance radar and a system of rapid communication. As much of this system as can be employed feasibly and integrated into the civil-airways traffic-control system should be so employed. This will provide economy by avoiding duplication as well as providing a reservoir of highly skilled operators and technicians in an emergency.

Mr. Chairman, this bill comes to the floor of the House to authorize the construction of those works necessary for the Military Establishment in connection with the early-warning network intended to cover the United States. There is also being set up in the Civil Aeronautics Administration a system which will employ radar in civil-airways traffic control. As much of that system and its communication system as are possible to be employed jointly and in conjunction with the Military Establishment in the event of war is intended to be so employed that as much of the product of the funds that are so expended by the people of the United States may be employed in the interests of national defense. The Civil Aeronautics Administration has under its jurisdiction several transcontinental circuitously laid teletype lines. There are a great many radio stations in conjunction with it, and, jointly between these two services in the event of an attack, we may expect the best possible warning that can be obtained.

Mr. DURHAM. Mr. Chairman, will the gentleman yield?

Mr. HINSHAW. I yield.

Mr. DURHAM. I might say to the gentleman that we took that into consideration in arriving at the conclusions on this bill. Of course, the gentleman understands there are many things about this program that are off the record and classified as military secrets. But does not the gentleman, with the experience that he has had with this matter, and I believe he is fully qualified to answer this question, believe that the continental United States gets more defense out of this one thing than any other thing that has come before us in the last several years?

Mr. HINSHAW. I can say this to the gentleman, and I am not repeating anything that has not been heretofore published when I say it, that tests made at Eglin Field Air Base of the United States Air Force have indicated that the B–36 when flying at altitudes of 40,000 feet or over can hardly be intercepted at the present time by the best type of interceptor aircraft that we have. These airplanes at an altitude of 40,000 feet will fly at the rate of approximately 6 miles a minute. It takes 26 minutes for the best fighter interceptors we have got, to get off the ground and get to that altitude. If you multiply 6 by 26 you will find we will not be able to meet an oncoming plane of the character of the B–36 at 40,000 feet altitude unless you know about it when that plane is at least 155 miles away from its target. Consequently, to make ourselves really more safe, we should know about it a great deal more than 155 miles away from any potential target. We should know about it, if possible, an hour away from its target, if not more.

Furthermore, we should be able to trap an oncoming bomber and know its direction, determine its altitude and its speed and the approximate target which it may have as its objective.

Mr. DURHAM. Mr. Chairman, will the gentleman yield?

Mr. HINSHAW. I yield.

Mr. DURHAM. The gentleman well knows this equipment can be placed on that type of bomber.

Mr. HINSHAW. Yes, it can be placed on that type of bomber, but you cannot keep them in the air all the time. The equipment that the gentleman is providing in this bill is intended to be ground equipment, as I understand it.

There is a bill coming up right after this bill, in connection with guided missiles. There is considerable question in the minds of those who are engaged in this study at the present time as to whether or not a bomber of the quality and character of the B–36, or some others that are on the drawing board today, can be intercepted at all by human-manned aircraft. It is quite possible that the only way they may be properly intercepted is through ground-to-air guided missiles likewise equipped with radar.

Mr. SHORT. Mr. Chairman, will the gentleman yield?

Mr. HINSHAW. I yield.

Mr. SHORT. Of course our latest bombers, the Boeing XP–47, which flew 2,289 miles recently from Moses Lake, Wash., to Andrews Airfield at a speed of approximately 610 miles an hour, is really faster than most of our interceptors today?

Mr. HINSHAW. That is perfectly true, but that kind of a bomber is not going to go over the North Pole and strike the United States right away, because they do not have the range.

Mr. SHORT. It will take time.

Mr. HINSHAW. Unfortunately for the airplane, it consumes fuel at a rate that increases in proportion to the square of the speed of the aircraft. There are distinct limits both upon the speed and the range of the aircraft in accordance with the amount of fuel that can be carried, and so forth. But you will remember that back in 1934 there were three Russian aircraft that flew over the North Pole and landed in the United States. One of those planes landed in the State of Oregon. The other two landed in southern California, if you please. It is perfectly possible to fly clear across those poles within limits. The less speed, the farther you can fly. Of course, you may say, "We do not need to worry about the slow-speed aircraft," but if you do not know they are there, what are you going to do about it? They can be over the target before you have any idea they are coming. Hence the vital importance of establishing this great early-warning network, not only in the continental United States but in other parts of the North American Continent, and extending the cooperative efforts with other departments of the National Defense Agency into other areas than the actual continent itself.

Mr. DURHAM. Mr. Chairman, will the gentleman yield?

Mr. HINSHAW. I yield.

Mr. DURHAM. We were assured that there was very close cooperation.

Mr. HINSHAW. I am sure there is.

I remember last year it was promised there would be complete cooperation in the continental defense command and in the seas adjoining the continental limits of the United States.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. DURHAM. Mr. Chairman, I yield 6 minutes to the gentleman from Texas [Mr. FISHER].

Mr. FISHER. Mr. Chairman, the scope and purpose of this legislation has been fully explained. I rise for the purpose of underscoring what has been said regarding the importance of the measure, particularly in strategic spots, like Alaska. After several years of study a definite plan and program for an aircraft warning and control system in the United States and Alaska have been finalized by the Air Force and reviewed and approved by the Joint Chiefs of Staff and the Secretary of Defense.

The bill authorizes the expenditure of $85,500,000. This authorization applies only to expenditures for buildings, facilities, utilities, and similar expenses, but does not include the cost of radar and communications equipment. Authorization for those expenditures is already in the law, and the Appropriations Committee is authorized to act under existing law.

It has been pointed out that necessary radar and communications equipment to be provided will cost an additional $26,000,000. Moreover, existing radar equipment valued at $42,250,000 will be available for allocation for use in this radar warning system.

"WHO HOLDS ALASKA HOLDS THE WORLD"

Mr. Chairman, I should like to address myself in particular to the importance of this measure in connection with the defense of what is perhaps the most vital of all our strategic spots today—Alaska. A good many years ago the famed air general, Billy Mitchell, said that "who holds Alaska holds the world." How right he was and how prophetic was his vision.

There is no question today but that Alaska is woefully underdefended. There is no secret about that fact. The Alaskan Command has publicly stated that the Territory is presently vulnerable to enemy thrust and that the defenses are presently inadequate to repel a possible attack. General Spaatz has stated:

> Provided with bases close to the Arctic area, an enemy could attack the most important cities of the United States, and, inversely, American bombing forces located close to the sixty-fifth parallel of north latitude could carry out reprisals of the same nature against the most important centers of population of any possible enemy.

That means that, operating from bases in Fairbanks, for example, enemy bombers could bomb most of the industrial heart of America.

The fall of China to the Chinese Communist armies, thereby bringing China under Communist pressure and Soviet Union influence, if not control, threatening to engulf the larger part of the Asiatic land mass, changes the complexion of the entire Pacific area and lays bare the weaknesses of our Alaskan defenses. A glance at the map reveals the fact that thousands of miles separate the California coast from the Asiatic mainland in the deeper latitudes. But the mainland of Alaska is only 56 miles from the Soviet Union, across the Bering Strait.

Moreover, Mr. Chairman, it is well to point out that the security of Alaska is the security of the great circle, the most efficient air route to the Orient. A further glance at the polar map shows that the Aleutian chain stretches along this air route toward the Kamchatka Peninsula, to Japan, China, and the Philippines. This main air route to the Orient uses Anchorage, Alaska, as an important base.

RUSSIA IS ACTIVE IN SIBERIA

In considering the over-all problem of defending Alaska from possible attack, it is well to recall that the Russians are thoroughly familiar with most of the airfields and installations in the Alaskan area. During the war more than 7,000 lend-lease planes were delivered to Russian fliers at Fairbanks. Quite a large number of Russian officers and men were kept there during much of the war and others received training in the Aleutians.

We do not know what the Russians are doing with regard to their military installations in Siberia in the vicinity of Alaska, but we do have good reason to believe there is much activity in that area. We know that Russia's Eulen Field is only some 200 miles from Nome. We know that the Soviet base of Anadyr, on the Siberian coast, is in that immediate vicinity. We know that not since 1944 has an American plane been permitted to fly across that area, en route to Moscow via Alaska and Siberia. We know that the Russians now hold the former Japanese naval base of Paramushira, which is only 716 miles from the Alaska Aleutian chain. And we have good reason to believe that an all-out industrial-development program is taking place in Siberia, with stepped-up military preparedness activities being pushed ever closer to the Bering Straits. According to Maj. Gen. William E. Kepner, of the United States Air Force, the Russians across the Bering Straits are very likely conducting tests of men and equipment similar to our own experiments.

ALASKAN DEFENSE NEEDS

Now, in order to carry out plans for the defense of Alaska, there are three important considerations:

First. A comprehensive warning system, such as is contemplated in the bill we are now considering.

Second. The deployment of more troops, equipment, and airplanes to Alaskan bases.

Third. More adequate housing in order to make possible such deployment and in order to make more effective the best utilization of the radar screen in the Arctic area.

It is certainly important that we recognize the danger of relying too much upon the presence of radar and other installations and not forget the human element which is necessary to operate them effectively. The more we build up our Alaskan defenses, the more we shall need personnel to man and protect the equipment for possible defensive and offensive warfare.

Mr. Chairman, we can no longer think of Alaska as a sort of sentry-base. Alaska is likely to be a major base in any future war. There is every reason to believe that such a war would see planes and missiles sent back and forth across the North Pole. Arctic tests of such equipment, as the Air Force has announced, are going on in Alaska this winter.

MUST THINK IN TERMS OF EAST AND WEST

In our last two wars, the United States sent its strength around the wide circumference of the earth, east and west across the oceans in the traditional and conventional concept of a flat projection of our planet. That geographical concept is archaic and abruptly we are faced with the military need to reorient our thinking in terms of east and west alone, and to start thinking of the different picture which the earth presents looking north and south across the polar cap. In the last war, for example, we used Africa as a stepping stone to Europe, and Australia was on our route to Asia. But if we look at the world from the Arctic region, we see that Europe and Siberia lie almost next door—between North America and Africa, the Sudan, India, Indo-China, the East Indies, or Australia. This is a whole new view of geography, and we must learn to think in these terms if only because the Soviet Union is assuredly thinking in them.

I am thinking of national defense plans in relation to the only great power with which our country could be forced into conflict at this stage of history. This is the air age and we have placed our hopes for peace largely on air power; in consequence, as part of our planning for peace we must turn our thinking toward Alaska.

I have spoken of possible attacks by air. But there is no guaranty that an attack would come by air alone. I was interested in reading a recent statement by Maj. Alexander de Seversky, a well-known aviation writer. In This Week magazine he singled out the Alaska-Kamchatka area as the only one in which, during another war, sea and land warfare would also be important. Major de Seversky cannot be accused of bias in favor of the importance of land and sea forces as compared with air power, and for him to make such a statement is significant.

ARCTIC TESTS ARE BEING MADE

But without attaching too much weight to any one commentator, we can all agree that the defense of Alaska is of the utmost importance. In recent months the Air Force has announced its testing under Arctic conditions of radio-controlled bombs and of the B-36 long-range bomber. These tests in Alaska, it is interesting to note, follow the tests given under artificially manufactured cold weather down at Eglin Air Force Base, in Florida. It was recently found—as just one example of many which come up during actual service tests in the Arctic—that Arctic duty produced an effect upon the tires not discovered during the previous tests at Eglin Air Force Base. Ordinarily, the tires of a plane upon landing are temporarily flattened and quickly resume their shape. But in the Alaskan tests of one plane the flattened tire froze and remained flat. These and other difficulties will be ironed out in present and future tests.

About a year and a half ago the Air Force announced that flights by Alaska-based squadrons had proved that Air Force units could fly anywhere in the polar regions during any season of the year. I am informed that already years of work, millions of flying miles and many millions of dollars, have gone into the work of testing material and personnel, observing and photo-mapping the Alaskan area for the strategic location of defenses.

ALASKAN COMMAND DOING GOOD JOB

The armed forces in the Territory, I believe, have done a good job with the resources and equipment available. The joint command of the services in Alaska has been unified, with Lt. Gen. Nathan

F. Twining, an Air Force officer, as commander in chief for Alaska, and Rear Adm. A. E. Montgomery as deputy commander. Army Alaska is commanded by Maj. Gen. B. L. Scott, an engineering officer, and the Alaskan air command, formerly under Maj. Gen. J. H. Atkinson, is now under Brig. Gen. Frank A. Armstrong.

The teamwork among these officers has been carried down the line to various bases and installations, each of which likewise has a unified command.

What is the present state, however, of Alaska's defenses? According to a New York Times dispatch of last February 14, the 586,400 square miles of the Territory, with its coast line of 33,000 miles, is defended by one antiaircraft battalion, a few B–29's—which are actually weather and photographic planes, about one group of Air Force jet fighters, one squadron of all-weather fighters, and a few naval patrol planes. There are no infantrymen and no combat ships, according to this report, permanently assigned to its defense. The military personnel of all services are chiefly members of supply, service, experimental or testing units, or staff and headquarters units.

HOUSING SHORTAGE IS ACUTE

The deployment of additional units, I am informed by the Air Force, waits upon the provision of additional housing. After the completion of housing now under way at Elmendorf and Ladd Air Force Bases, and the erection of temporary barracks authorized for Eielson Air Force Base, there will still be a shortage of space for 4,700 troops.

Those troops we now have in Alaska are in many cases inadequately housed. This was my own observation during a trip to Alaska last October, and I am pleased to have it confirmed by the New York Times reporter, Hanson W. Baldwin, who wrote on February 13 from Anchorage as follows:

> Nowhere has this correspondent seen soldiers and airmen and their wives living in such squalid, ramshackle huts as pass by the name of houses here.

At Eielson Air Force Base, near Fairbanks, in the interior, an Air Force inspector recently reported that enlisted personnel were housed in Pacific-type huts—built for a very different climate—in most cases inadequately heated, poorly lighted, and crowded. The latrines were a long way from the huts, and at winter temperatures of 20 to 45 degrees below zero, their walls and floors stayed covered with ice.

The shortage of space—even after present construction is completed—for some 4,700 additional troops is based upon emergency living-space conditions of 50 square feet per man. It does not allow for expansion to normal peacetime quarters of a personnel already stationed there. Ordinary peacetime space allowances run from 72 square feet for privates to larger spaces for higher ranks; in Alaska, the average allowance should be something like 90 square feet per man, compared with the 50 square feet which is provided. And the Arctic is not a good place in which to cut the soldier's living space. In this long, dark winter, and sparsely settled country, most of his off-duty time must be spent indoors. This means, in practice, that a soldier coming inside from temperatures of 20 degrees or more below zero, to a heated barracks, is confined there to a space 5 by 10 feet or less. This area is largely taken up already by his bunk. When he takes off the heavy parka, boots, and other outside clothing and hangs them up, there is hardly enough room left to turn around.

FAMILY QUARTERS NEEDED

Nor, Mr. Chairman, does the estimated shortage of barracks space on an emergency basis for 4,700 troops, which will still exist when current construction projects are completed, take into account the urgent need for family quarters for the men who are already there. There cannot be many areas in which this need is greater. Alaska is a long distance from the continental United States, and is itself an enormous Territory—stretching in length a distance about equal to the width of our country. It has less than 100,000 people and a handful of small towns and cities separated by hundreds of miles of wilderness. The leading towns are smaller than the military bases which are nearby, although their populations have already been swollen by the last war. They can offer very little accommodation to the soldier or civilian who wants to bring his family along. If you will imagine the most crowded boom town near the camps and war factories in the United States during the last war and multiply the shortage several times over, you will have a rough idea of the state of affairs.

At Eielson Air Force Base, which is some 26 miles out in the wilderness from Fairbanks, a town of about 8,000 people, the requirements for family housing are spaced to house 345 officers' dependents, and 1,282 dependents of enlisted men. The actual provisions for such housing now provide for a total of 16 dependents, in converted Quonset huts. At the other bases, the shortage of family quarters is almost as great.

Mr. Chairman, I have spent some time referring to the housing problem in Alaska. I saw some of it under favorable weather conditions, and I can testify the acute shortage applies also to civilians. The shortage has made it very difficult for the armed services to recruit the number or quality of civilian technicians needed. The bases are like small cities—for Alaska, they are big cities—each with its public utilities, streets, heating, telephones, and so on, to be operated best, most economically and efficiently by trained civilians. But capable technicians of the sort who are most needed can seldom be persuaded to leave their homes and families in the United States for civil service pay and dormitory life in the Arctic. I was informed that the annual turn-over of those civilian employees runs more than 100 percent.

The services have done their best to provide for all these needs with their available funds. The Air Force, for example, gives priority to Alaska in all its housing schedules. But it is costly to house forces in the Arctic. Because of the need to import labor and shipbuilding materials from the United States, and because of changes in design needed in areas of permanent frost, construction costs on the average are two and a half to four times the cost of comparable housing in the United States. For example, cement delivered in Alaska has cost $60 per barrel and in Seattle the cost is only $15.

Mr. Chairman, funds should be provided with the minimum of delay to meet all the needs I have mentioned: first, for additional barracks to permit the deployment of additional forces, and as soon as possible to permit the men now overcrowded to spread out into a normal space; second, to replace the present temporary barracks—rapidly wearing out—which house 11,000 men; and, third, to provide family housing for an estimated total of 5,600 dependents and housing for civilian technicians.

HOUSING SHORTAGE OBSTRUCTING DEFENSE PLANS

All these shortages, the Air Force informs me, have combined so far to prevent deployment of forces in the desired numbers, to retard the training programs, to lower the morale of the personnel, and cause difficulty in securing enough civilian specialists. Thus, the lack of adequate housing in Alaska has already seriously interfered with national defense at one of its most strategic points.

Let us not be lulled into false security by legislation such as the radar bill, nor by reports of technical progress in planes, guided missiles, or other weapons which may be used in possible future battles over the top of the world. These things by themselves do not win wars. They must be operated, and defended, by men on the ground, who must have adequate quarters for life in the Arctic regions.

In the hands of an enemy, Alaska would be as frightful a menace as it is now an asset and a safeguard. We have only to remember our brief taste of such a danger during the last war when the Japanese obtained a lodgment on the Aleutian Islands. This Aleutian episode, costly as it was in life and treasure, was only a feeble slap compared to the devastating blow which the United States would suffer from the loss of Alaska in a future war.

ALASKA HAS BRIGHT FUTURE

Mr. Chairman, before concluding I should like to put in a good word for Alaska generally and its future. It has many attractions, great opportunities for outdoor recreation, and remarkable resources for industry and agriculture. One of its main drawbacks has been lack of transportation facilities. Alaska raises only 10 percent of its food. Its roads are limited and inadequate. Many of its resources have been exploited. But it is still a virgin country with tremendous possibilities for the future. I am hoping for ultimate peace rather than ultimate war, and I am sure that our present military investment in Alaska can some day be repaid many times over by the future growth and development

of this magnificent territory. There is no better place to build for the future.

Mr. DURHAM. Mr. Chairman, I yield such time as he may desire to the gentleman from California [Mr. DOYLE].

Mr. DOYLE. Mr. Chairman, in support of this bill, H. R. 2546, which is to authorize the Secretary of the Air Force of the United States to establish land-based air warning and control installations, in the interest of our national security, and for other purposes, I speak briefly and yet emphatically and most sincerely for its unanimous approval.

As a member of the subcommittee of the Armed Services Committee of this House, I have sat at hearings on this proposal and, therefore, had the benefit and advantage of hearing all of the testimony of the expert witnesses who appeared before us in support of the bill's objectives.

As the witnesses testify, and as this bill is to be voted upon, I specifically call your attention to the text of the report accompanying this bill and to the fact, on page 2 thereof, that one of the functions of the United States Air Force is as follows, to wit—item 8 of section 6:

To develop, in coordination with the other services, doctrines, procedures, and equipment for air defense from land areas, including the continental United States.

One particular phrase in this item which I desire to emphasize to your attention is that the function of the Air Force, in developing equipment for land areas, is that it shall make such developments in coordination with other services. I am sure that the taxpayers of the United States are very much pleased at every point where they find that there is coordination with the other services, and, as a Member of this great Congress, I am particularly pleased that the President of the United States and the Secretary of Defense have repeatedly and clearly urged that there shall be unification and coordination between the services which are described as our Military Establishment.

I believe that the people of the United States will not be found wanting in a willingness to furnish all of the funds necessary for our adequate national defenses; but, Mr. Chairman, I also believe that the taxpayers of the United States clearly expect and anticipate that wherever duplication, rivalry, or overlapping of expenses or efforts for the same thing can be eliminated, without lessening the efficiency or progress of our national defense, those duplications or expenditures which so largely use the most of our tax dollar should be eliminated.

No doubt, in a peculiar way, and may I say possibly a personal way, I have been and am interested in the support of the worthy objectives of this bill, for the reason that my own distinguished son in his lifetime was a lieutenant in the Army Air Force, in the Aleutians-Alaska area, and he being a war casualty, I naturally remember more specifically some of the things he told me about the beneficent effects and results of radar, in connection with the Air Force's use of it in the Aleutians-Alaska area. I also remember his emphatic statement to me, the last time I talked with him, that our Nation must properly and adequately erect, construct, and maintain what he termed to me as a "radar picket fence." Naturally therefore, based upon his expert testimony to me, through his many years' experience in flying in the defense of our country, together with the expert testimony of the witnesses before our subcommittee, I find myself being in the unusually satisfactory position of being in support of this bill. I expect and anticipate that every Member of this House will vote for it; it deserves the unanimous vote of all Members.

In closing, may I briefly say that during the political campaign, by the result of which I was elected to return to this Congress, having served previously in the Seventy-ninth Congress, I used a slogan of mine which was, "A safe and sound America in a world at peace." It appears appropriate for me to repeat that slogan here, today, for the reason that, as the world now is, there appears that there can be no safe America without this radar fence. It further appears that there can be no sound America without being safe from aggression and until the world settles down enough to realize that the world citizens must live together in terms of peace, if they are to live at all. Lastly, the world must live at peace, because, in the presence of the rapidly expanding development of technological discoveries, there can be no survival of civilized man unless there is world peace. I pray God that it may not be a peace which comes primarily as a result of world fear, but for the present and until there is actually, essentially, and fundamentally a peaceful world, our great Nation must remain strong enough, in a military sense, to do its fullest share to prevent a world catastrophe to civilization which would surely be the result of any ungodly, crazy aggression, initiated in the world.

Therefore, Mr. Chairman, I wish you and my colleagues to understand that my interpretation and the emphasis I place upon being militarily strong is that our beloved Nation must never be the aggressor; but must remain strong enough militarily to fulfill to the fullest our mission and responsibility toward world peace, which is our keeping a mental attitude and spiritual conception of our world relationships which dictate that we shall never be the aggressor with our military forces, but that we shall be and remain sufficiently strong to insure that there is a safe and sound America in a world at peace.

In conclusion, I feel certain that you will join with me in reiterating that we hope and pray that every resource within the strength of the United Nations organization will be given such latitude, force, and effect that through the United Nations organization there shall more speedily come a world status of world understanding and cooperation which will reasonably insure a fixed and enduring world peace, which shall make possible and reasonable a much earlier de-emphasis upon the need of military strength than any of us can now conceive. I pray God that this status of a safe and sound America in a world of peace shall be steadily in our minds, in our hearts, and in our prayers.

The CHAIRMAN. If there are no further requests for time, the Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Air Force is hereby authorized to establish and develop within and without the continental limits of the United States in fulfilling the air defense responsibilities of the Department of the Air Force such land-based air warning and control installations and facilities, by the construction, installation, or equipment of temporary or permanent public works, including buildings, facilities, appurtenances, utilities, and access roads, and to provide for necessary administration and planning therefor, without regard to sections 1136, 3648, 3734, Revised Statutes, as he may deem necessary in the interest of national security.

SEC. 2. In furtherance of the above, the Secretary of the Air Force is authorized to make surveys and to acquire lands and rights pertaining thereto or other interests therein, including the temporary use thereof, by donation, purchase, exchange of Government-owned lands, or otherwise, and to place permanent and temporary improvements thereon, whether such lands are held in fee or under lease, or under other temporary tenure.

SEC. 3. There is hereby authorized to be appropriated, out of any moneys in the Treasury of the United States not otherwise appropriated, such sums as may be necessary to carry out the purposes of this Act, and when so specified in an appropriation act such amounts shall remain available until expended.

With the following committee amendments:

Page 2, after line 4, insert the following: "*Provided*, That not to exceed $85,500,000 shall be appropriated for the construction of public works authorized by this section."

Page 2, after line 20, insert the following new section:

"SEC. 4. The provisions of this act shall be subject to the duties and authority of the Secretary of Defense and the departments and agencies of the National Military Establishment as provided in the National Security Act of 1947 (Public Law 253, 80th Cong.)."

The committee amendments were agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. DAVIS of Georgia, chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 2546) to authorize the Secretary of the Air Force to establish land-based air warning and control installations for the national security, and for other purposes, pursuant to House Resolution 129, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read a third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. MANSFIELD and Mr. JOHNSON asked and were given permission to extend their remarks in the RECORD.

Mr. KERR asked and was given permission to extend his remarks in the RECORD with regard to the late Senator Broughton.

LONG-RANGE GUIDED MISSILES PROVING GROUND

Mr. MADDEN. Mr. Speaker, by direction of the Rules Committee, I call up House Resolution 128.

The Clerk read as follows:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 1741) to authorize the establishment of a joint long-range proving ground for guided missiles, and for other purposes. That after general debate, which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. MADDEN. Mr. Speaker, H. R. 1741 is a companion bill to the one just passed. It provides that the Secretary of the Air Force shall be authorized to establish long-range proving grounds for guided missiles and other weapons by the construction, installation, or equipment of temporary or permanent public works, including buildings, facilities, appurtenances, and utilities within or without the continental limits of the United States.

There was no opposition to this bill in the Committee on Rules, and it came out of the Committee on the Armed Services with a unanimous vote.

I was particularly interested in an article which appeared in a New York paper the other day in regard to this very thing. The article was the result of an interview with Air Force Secretary Symington. The article reads as follows:

While we cannot predict the exact role which guided missiles may play in any future war, we must do all we can to make certain such a conflict will not find the United States lagging behind.

The Air Force's research and development program in guided missiles aims to develop weapons to aid the primary Air Force mission.

This primary mission calls for the maintenance of air power to defend us from aerial attack, to provide tactical support for ground forces, and to wage strategic warfare to destroy the enemy's capacity to wage war and his will to fight.

The possibilities of guided missiles became clear toward the end of World War II when the Germans used, with considerable effect, the V–1 and V–2. We used radio-controlled bombs with effect.

MAY REPLACE BOMBS

Experts now estimate that within 10 years guided missiles may replace airborne guns and bombs. Within 15 years they predict we may have surface-to-surface guided missiles which can play important roles in tactical and strategic bombardment.

Since the war, we have conducted exhaustive research on all types of guided missiles. We are now beginning to develop selected projects which will produce high-performance missiles in various categories.

We confidently expect air-to-air and surface-to-air missiles will increase greatly our ability to ward off air attacks; that air-to-surface missiles and surface-to-surface missiles will be necessary to effective counter-attacks.

Air-to-surface guided missiles are being developed which can strike with high accuracy. The first, soon to be furnished to our combat groups, are bombs weighing 12,000 pounds or more.

RELIES ON GRAVITY

This missile, an improvement on our radio-controlled bomb, relies on gravity and can be deviated in its course by electronic controls. It will be valuable in support of ground forces where precision bombing is all-important.

Next will come self-propelled missiles which can be launched from airplanes flying beyond the enemy's highly defended areas. Powered by rocket or ram-jet and flying at supersonic speeds, the missile may be electronically guided in any of several ways. Designed for long-range strategic bombing, it will be ready for use in the next few years.

Our bombers carrying these missiles to the launching point will use for defense air-to-air missiles similar to those designed for our interceptor fighters for use in breaking up air attacks.

SEE 10,000-MILE RANGE

A time may come when surface-to-surface missiles will go as far as 10,000 miles from the launching site. Such a weapon, we feel, must be one of accuracy rather than one like the V–2, capable only of area bombardment.

It must be able to deliver a knock-out blow on a specific target if it is to repay the vast expenditures of man-hours and materials invested.

This Nation has the technical experts and the industrial capacity for leadership in guided-missile development and employment. Helping to achieve and continue in that leadership to safeguard international peace is a prime concern of the United States Air Force.

Our present launching site for guided missiles is only about 150 miles long, but within the present year the Air Force, the Army, and the Navy, will have missiles that will go beyond 500 miles. Immediate action on this bill is necessary so construction can be started on testing grounds for missiles already manufactured that will travel over 500 miles. It is predicted by the experts that within a very few years we will have missiles that will go as far as three to four thousand miles.

This appropriation originally was for $200,000,000, but it was reduced to $75,000,000 for the purpose of getting immediate action on the installation of these necessary proving grounds for the Air Force, the Army, and the Navy.

Mr. Speaker, I yield 30 minutes to the gentleman from New York.

Mr. WADSWORTH. Mr. Speaker, we have no requests for time on this side of the aisle on this rule.

Mr. MADDEN. Mr. Speaker, I move the previous question.

The previous question was ordered.

The resolution was agreed to.

Mr. BROOKS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 1741) to authorize the establishment of a joint long-range proving ground for guided missiles, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 1471, with Mr. KARSTEN in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. BROOKS. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, this bill bears the unanimous endorsement of the national defense establishments. It bears the endorsement of the Office of the Secretary of War, the Secretary of the Navy, and the Secretary of the Air Force. It has been approved by the budget. It was approved unanimously by the Committee on Armed Services. It comes to you today without opposition that I know about.

Mr. Chairman, the purpose of this legislation is to authorize the Secretary of the Air Force to establish a joint long-range proving ground for guided missiles and other weapons by the construction, installation, and equipment of necessary public works, either temporary or permanent, within or without the continental limits of the United States.

This proving ground is to be used jointly by the Army, Navy, and Air Force for scientific study, testing, and training purposes. It is a joint venture of the three armed services, because all services have a need, in varying degree, for such a facility. Moreover, from the inception of this project, each service has had equal representation in all phases of the planning.

In discussing this project, it would be desirable if we were able to predict exactly the relative importance of guided missiles in any possible future conflict. Unfortunately, we cannot at this time make such exact predictions as to the role which guided missiles will play in the future. The potentialities of these new weapons, however, were clearly indicated in the latter stages of World War II, when the Germans employed, with considerable effect, the V–1 and V–2 surface-to-surface missiles, and we ourselves employed radio-controlled bombs. I might say in this connection that the V–1, or buzz bomb, as it is popularly known, was not a guided missile in the strict sense of the term, because, if I am not mistaken, no means had been developed by the Germans by which its flight could be controlled or altered in any way to suit changing conditions, once the weapon had been launched. In other words, the V–1 was merely a pro-

jected but not a guided missile. I believe the same may also have been true of the V–2, a high-altitude rocket, which was employed with limited but nonetheless devastating effect in the latter stages of the war in Europe.

The weapons used in World War II, however, might be compared roughly to the aircraft used during World War I; they were of a crude and elementary character, but, nevertheless, their importance in the recent conflict is outweighed by their significance as forerunners of things to come in the future. Indeed, our experts in the field of guided missiles believe it quite likely that within 10 years we will be replacing present guns and bombs by guided missiles, and that within 15 years weapons of this character will have been perfected to the extent that they will have important applications in the field of tactical and strategic bombardment operations. These ultimate potentialities cannot possibly be realized, however, unless we pursue energetically the tasks which lie before us in research and development and operational experimentation and training.

During the hearings before the subcommittee which considered this legislation, testimony was received from Dr. Karl T. Compton, Chairman of the Research and Development Board, who gave the committee a very helpful description of some of the terms in daily usage in the field of guided missiles and the general problems and principles involved. Dr. Compton's remarks were of particular assistance in view of the fact that many important facts pertaining to this legislation must necessarily be classified for reasons of military security. For this reason, I believe it may be of assistance to some of the Members if I repeat to you some of the information which Dr. Compton furnished to us in open session. In that way I can be on safe ground, reasonably assured against the danger of venturing into those areas where security must prevail.

Dr. Compton has defined a guided missile as "an unmanned vehicle moving above the earth's surface, whose trajectory or flight path is capable of being altered by a mechanism within the vehicle."

By mutual consent, the services have further subdivided guided missiles into four categories according to the manner of launching and the location of the target. These are: Surface-to-surface, surface-to-air, air-to-air, and air-to-surface. A surface-to-surface guided missile, for example, is one which is launched from the ground or from a ship and is thence steered during its flight to strike its distant target, which may be an enemy ship or factory or other military objective on the ground or sea. An air-to-surface missile would be one launched from an airplane against a target on the surface of the earth, either on land or sea, and moving or stationary. Note particularly that we do not include ordinary bombs, shells, or bullets, as these missiles do not incorporate an internal mechanism to influence their trajectory.

The proving ground under discussion today is required primarily for the completion of research and development work on guided missiles with ranges greater than 150 miles, for which no facility now exists in this country.

To further explain guided missiles as compared to conventional shells or bombs and at the risk of oversimplification, let us consider the action of these two types of missiles. The artillery shell or bullet is fired from a gun at high velocity. After firing, it is influenced only by atmospheric conditions and gravity. In both cases, accuracy of the initial aim plus prediction of atmospheric conditions and possible movement of the target are the factors that determine a hit or miss.

The guided missile, on the other hand, usually has incorporated in it a motor which takes over after launching and accelerates the missile or continues it at a constant speed for an extended period of time, thereby increasing its range. Various internal mechanisms may be used to provide guidance and control to the missile while in flight. These mechanisms are controlled in various ways by outside influences, such as by radio or radar, as one example. The missile may have some kind of seeing eye which automatically steers it to its target after it has come within a few miles of its objective.

By these means, a missile can fly a predetermined course to a target, recognize it, and make final alterations to its course, in order to deliver the warhead within the target area. All this will be done eventually at supersonic speeds to reduce the possibility of enemy defense against it. This oversimplified description of a guided missile is, in no sense, what we have today, but is what we are working toward. At the same time, however, I will state that none of the features so briefly described are considered insurmountable by American science, and all are in an encouraging state of development.

A test range is an area within which the experimental guided missiles can be tested in flight to study their over-all performance and the behavior of all their parts—wings, motors, electronic equipment, rudders, stabilizers, and so forth. By such tests, faults can be identified and corrected, adjustments perfected, and alternative methods of operation compared. Without the benefit of such tests, the manufactured missiles would be so unreliable that the money spent on their development would be largely wasted.

An important term that is used repeatedly in connection with test ranges is instrumentation. This term is applied to the integrated system of devices used at a range to acquire the test data. One function or element of the instrumentation system is called telemetering, which may be described as the transmission of data from the missile to the ground by electrical means. It is essential that the scientist who is developing a missile know exactly what is happening within it at all times. Telemetering data tell us how engines, control surfaces, and other mechanisms of the missile are functioning, and whether the missile is rolling, tumbling, or deviating from its course. These data are picked up at various ground instrumentation stations located at intervals along the predicted flight path.

In connection with instrumentation, I would like to use this illustration. You all know the instrumentation panel which is in front of a pilot of an airplane, which gives the performance of the motor, his compass, and all the details that he needs to know about the functioning of the instruments. It is by means of the readings on those instruments that he properly controls his craft. In a guided missile there is no pilot present who can see those things, but it is necessary to have that same kind of information. Therefore, the instruments are put in the guided missile but, instead of having the pilot in the missile to look at the instruments, all the readings of those instruments are sent down to the ground by some kind of radio control and are reproduced in instruments on the ground so that the observer there sees what is going on in the plane just as if he were sitting in an imaginary cockpit in the guided missile and looking at the instruments themselves. That is what is known as the telemetering device.

In addition to the telemetering receivers at each station, special electronic instruments are necessary to track the missile throughout its flight to continually indicate its position in space, as well as high-speed cameras to take pictures of the launching and early part of the flight.

At the conclusion of a flight, a study of the data thus obtained gives a complete picture of what happened to the missile during its entire flight. Even the simplest missile, made to test a particular component of the finished product, costs many thousands of dollars. The more complicated may well run into the hundreds of thousands. This reason alone makes it absolutely essential for both economy and success that a flight-test range have adequate instrumentation to produce the data necessary in the experimental work connected with the development of guided missiles.

The project for the long-range guided missiles proving ground had its inception about 3 years ago when the Guided Missiles Committee of the Joint Chiefs of Staff recognized the necessity for a test range much longer than any existing facility; the maximum range at any present facility is 150 miles. The matter was, therefore, turned over to the Joint Research and Development Board which promptly established in the fall of 1946, the Committee on Long-Range Proving Ground, of which Brig. Gen. William L. Richardson, United States Air Force, was chairman. This committee consisted of representatives from the Army, Navy, and Air Force and was assigned as its mission the "examination of the entire question of a single, national, long-range guided missiles proving ground."

That committee determined first, that there exists an urgent requirement for such a facility and, secondly, as a result of its studies, established the necessary characteristics of an ideal proving ground.

As a result of investigation, it was found that a facility of this character would have to be located in a relatively isolated area for reasons of safety and security. It was found also that the ultimate development of the program would

require an eventual community of 13,000 inhabitants, consisting of 5,000 military and civilian employees and an estimated 8,000 dependents. Due to the necessity of establishing the installation in a sparsely populated area, it is necessary to provide to a minimum degree housing, shopping, schools, and other necessities of American life.

Testimony was received during the hearings before our subcommittee to the effect that plans for initial construction do not contemplate accommodating 13,000 persons. Only the minimum essential facilities will be included in the initial installation.

The required facilities for a long-range guided missile proving ground may be divided into three main groups:

First. A base area with suitable launching site, technical and administrative facilities.

Second. Instrumentation range at least 3,000 miles long, thoroughly instrumented by means of observation stations for the first 500 miles, and with impact areas at various points along the line of flight.

Third. A suitable climate for year-round operations. Existing guided-missile proving grounds are not capable of expansion in length to accomplish the task of testing missiles at longer ranges than 150 miles. Installations now in operation are those at White Sand-Alamogordo in New Mexico; Point Mugu and Inyokern in California. Even apart from the inability of these facilities to handle longer range missiles, a survey of the work loads of existing ranges by an independent committee of the Research and Development Board has disclosed that they will be saturated during the next few years. The services have agreed, therefore, that the long-range proving ground may be used to test shorter range missiles so long as this work does not interfere with the primary long-range flight-test missions.

For reasons of military security, the location of the proposed long-range guided-missile proving ground cannot now be disclosed. However, it has been ascertained that there will be no serious likelihood of hazard to persons or property, or of interference with private and commercial interests in connection with the test flying of missiles on the proposed range. The danger will be very small because every possible precaution will be taken. Means will be provided to dispose of missiles in the air, over a safe area, should they deviate too far off course. Normally they will fly so high as to be impossible of detection except with special instruments. From a safety standpoint they will be no more dangerous than conventional airplanes flying overhead, and from a nuisance standpoint they will be less objectionable. Most important of all, the test range will be located in a region so sparsely inhabited in the areas where there might be any danger that the hazard will be wholly negligible.

The need for a facility of this type is urgent. Experts in the field are convinced that guided missiles with ranges in the hundreds of miles and accuracies acceptable to the military can be developed. Their development is dependent upon the existence of a suitable range on which to test them. The guided-missile development program is one of our largest research and development programs in which the investment to date has amounted to hundreds of millions of dollars. If work was started upon the construction of this facility today, it would be needed for testing missiles ready for flight tests before it could be placed in operation.

Missiles with ranges up to 500 miles will be ready for testing during 1949, without a range of sufficient length on which to fly them. If the services are unable to test these and other lang-range missiles at time of completion, the entire schedule of research and development will be disrupted. Certain other nations have availed themselves of the services of German scientists and technicians and are making vigorous efforts to produce guided missiles of intercontinental ranges. The absence of suitable facilities in this country could easily make it possible for other nations to forge ahead of us in the development of long-range guided missiles.

In proposing the project to the Secretary of Defense, the Research and Development Board recommended that sponsorship of the project be assigned to the Air Force. Although the Air Force will have over-all responsibility for the range, each service will be appropriately represented at the operating level. Moreover, section 5 of the bill enables the Secretary of Defense to change the primary responsibility to either of the other services should he feel that such a change would better serve the National Military Establishment.

The proposed project is vigorously supported by the Army and by the Navy. These two services have expressed the view that all the services will enjoy significant advantages as a result of intimate association with all projects conducted at such a station; moreover, it is felt that this method of operation will be most economical.

The Navy has supported the project since its inception, both with material and personnel, and has assigned personnel to duty with the Air Force. In addition, the Bureau of Yards and Docks of the Navy Department is presently engaged in making engineering studies and designs leading to the construction of all off-shore facilities.

The proposed legislation, as submitted to the Speaker of the House of Representatives and the chairman of the Committee on Armed Services, would have authorized a total expenditure of $200,000,000, which contemplates the eventual cost of the project. Testimony was received, however, to the effect that the first phase, representing the minimum requirements to begin operations, will require an estimated expenditure of at least $70,000,000 over a period of approximately 3 years. A figure of $60,000,000 was mentioned during consideration of the bill in open session by the subcommittee. This estimate, however, relates to technical requirements only and does not include the minimum requirements for housing and necessary community facilities. A complete breakdown of costs furnished to the subcommittee in executive session fully supports the estimated figure of $70,000,000.

Testimony further disclosed the fact that no accurate estimate can be made at this time as to the ultimate cost of construction which may be required during later phases of the long-range guided-missiles project; the ceiling of $200,000,000 in the bill submitted by the National Military Establishment appears to have been merely an arbitrary figure selected at the request of the Bureau of the Budget. In view of these circumstances, the committee believes it appropriate to limit the authorization to the amount which will be required for the initial phase of the project. In setting such a figure, however, it is imperative that a reasonable margin of safety be allowed to provide for contingencies in order to insure that there will be no fiscal obstacles to the effective development of this vitally important facility. Taking into consideration the difficulty of estimating the exact cost of construction of certain highly technical elements and the possibility of fluctuating construction costs, the committee believes it appropriate at this time to fix the total authorization at $75,000,000, and the bill has been amended accordingly.

The proposed legislation has the approval of the Secretary of Defense and of all three Departments of the National Military Establishment. In addition, it has been approved by the Bureau of the Budget.

The Committee on Armed Services unanimously recommends the enactment of this bill.

Mr. ANDERSON of California. Mr. Chairman, I yield myself such time as I may need.

The CHAIRMAN. The gentleman from California is recognized.

Mr. ANDERSON of California. Mr. Chairman, the chairman of the subcommittee has done an excellent job of explaining a highly technical and restricted subject. There is no controversy on this bill; it is unanimously reported by the Committee on Armed Services, and we feel that it should be passed.

Mr. Chairman, I take pleasure in yielding to the sole surviving minority Member from the great State of Missouri, the ranking minority member of the Committee on Armed Services, the gentleman from Missouri [Mr. SHORT], 5 minutes.

Mr. SHORT. Mr. Chairman, being the only Republican Representative from Missouri is no new experience for me, for I was the lone wolf from that great State, the home of our President, in the Seventy-fourth, Seventy-fifth, and Seventy-sixth Congresses; but I assure you it was an honor and distinction I did not ask for then, and I do not particularly cherish, relish, or enjoy the distinction now.

You know the greatest compensation for being a Member of this body is the rare and rich fellowship which we enjoy with our colleagues. I do not think we should wait until a man dies before saying nice things about him, particularly when he so well and so richly deserves them.

I am going to take advantage of this opportunity to say that though I have had the pleasure and privilege of working under several different chairmen of various committees of this House, all of them fine men, I have never served under a finer, abler, fairer, more effective chairman than the present chairman of our Committee on Armed Services, the distinguished and outstanding Member from Georgia, Hon. CARL VINSON. For over 36 years he has served his district, State, and Nation well in positions of high responsibility. Any person who can be returned election after election for more than a third of a century to the United States Congress has to possess many fine qualities. Through the prolonged and paralyzing depression, through the terrible and trying years of the war, and in this, the most difficult postwar period, the gentleman from Georgia, CARL VINSON, has been a great bulwark and stabilizing influence and inspiration to his colleagues who have worked with him.

Through his rich and long experience he has accumulated a fund of wisdom. Every member of our committee respects him for his character, admires him for his ability, and we all are grateful for his helpful cooperation. All of us benefit from his wise counsel and from his sound judgment. He is astute and resourceful. He knows men and how to deal with them.

Since I have been a Member of this body I can truthfully say I do not think there is any chairman who ever comes on this floor with a bill better prepared to explain and defend than is the gentleman from Georgia [Mr. VINSON]. That is the reason all these bills we have brought in thus far at this session have come out of our committee by unanimous report. We have no partisanship in our committee because we are dealing with the security of our Nation, realizing that we all are in the same boat and we are going to sink or swim together.

This bill, of course, is highly important. The new weapons of modern warfare are terrifying. Pilotless planes and guided missiles, no doubt flying at invisible heights at supersonic speed, will be able to rain death and destruction from the sky. God forbid that we shall ever have to use them. While we want to keep ourselves strong on sea, land, and in the air, invincible to any attack from any quarter, I think we all would do well to work and pray for the cause of peace and do our best to create and develop a moral conscience of mankind whereby civilization shall not be destroyed by the instruments of our own hand.

As a member of the congressional delegation that visited the atrocity camps in the Reich 3 or 4 weeks before Germany surrendered, I visited a great underground factory at Nordhausen near Leipzig where the V–1 and V–2 bombs were being made, an underground factory with 33 miles of subterranean passages, comparable in magnitude and efficiency with the Ford plant at Willow Run or Boeing out in Seattle or Alcoa down in the Tennessee Valley. There we saw long assembly lines turning out those instruments of death and we saw the awful havoc that they did at Antwerp and at London. We got there just in time. Those bombs, however, in the last war, were not under control after they were once fired. Their course and direction was limited from the spots where they were touched off, but now we are producing missiles that can be guided by radar, and in the course of their flight, can have their direction changed. Why, Nagasaki and Hiroshima were nothing compared to the scenes of awful suffering and indescribable misery that will be experienced in another global conflict.

We shall continue, as members of the Armed Services Committee, charged with the security of this Nation, to keep our country strong, but I think that perhaps we should put forth all of our efforts not only as Members of Congress, but as citizens of a great Nation and as members of the human family, to create a moral conscience in this world and not put all of our faith in "horses that run upon the rocks."

For our distinguished, lovable chairman, I want to say that each and every one of us on our committee love him, and we hope that the good people in Georgia will continue to exercise their hard sense and sound judgment in returning him to this body as long as he desires and in which he has served for over a third of a century, and to which he has made such a magnificent contribution.

God bless you, Carl.

Mr. BROOKS. Mr. Chairman, I yield such time as he may desire to my colleague the gentleman from Mississippi [Mr. WINSTEAD].

Mr. WINSTEAD. Mr. Chairman, as a member of the House Committee on Armed Services, I have already had the responsibility of expressing myself in regard to H. R. 1741, which proposes the establishment of a joint long-range proving ground for guided missiles. Since this measure has been reported to the House by the unanimous vote of the House Committee on Armed Services, it is readily apparent that I fully support the measure. However, I want to take this additional opportunity to briefly voice my sentiments on the importance of the proposed legislation.

This is not a hastily prepared measure. On the contrary, it had its inception almost 3 years ago when the Joint Chiefs of Staff recognized the necessity for a testing range much longer than any existing facility. Even with the improved facilities which have been established within the last 3 years, we have no existing facility with which to test guided missiles at a range greater than 150 miles. We have been advised—and it is now a matter of public record—that guided missiles with ranges up to 500 miles will be ready for testing during 1949. Since we have no range upon which to test such missiles, we have arrived at the crossroads of our problem. We need to ask ourselves two questions: First. Is it in the best interest of our national defense to confine our endeavors to an improvement of guided missiles which have a maximum range of 150 miles? Second. Is it in the best interest of national defense to construct a guided-missiles range which will permit us to exhaust all foreseeable potentialities of guided missiles?

I do not hesitate to endorse the second choice. We cannot remain static in the field of guided missiles at a time when it is universally known that our only potential enemy is making a maximum effort in this field. We must not only keep abreast of any other nation in this field, we must be the undisputed leaders. I fully realize that this undertaking will entail the expenditure of large sums of money, and I am as reluctant as anyone else to increase the heavy tax burden which our people already bear. However, I am firmly convinced that if we have any hope for a lasting peace that it is mandatory to maintain an adequate defense which necessarily entails the expenditure of large sums of money on undertakings of this character. When one considers the astronomical sums which our Nation spent in winning the last war, I believe the present expenditure is justified as an agency which will either help us maintain the present unsteady peace or defend ourselves in the event of another national emergency.

On that basis and with that hope, Mr. Chairman, I give my full support to the proposed legislation.

Mr. ANDERSON of California. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from California [Mr. HINSHAW].

Mr. HINSHAW. Mr. Chairman, the bill pending before the Committee now is in accordance with recommendation No. 71 of the Congressional Aviation Policy Board of the Eightieth Congress. I desire to quote one paragraph of the explanatory matter accompanying recommendation No. 71. It says:

> Physical facilities required for transonic and supersonic research and development of aircraft and guided missiles are so expensive they can be furnished only by the Government. The NACA and the Research and Development Board are preparing a coordinated program of facilities required in the national interest. Since adequate research and development facilities are essential for continued United States aviation leadership, this plan should be expedited.

Mr. Chairman, I should have to be in favor of this bill, but I must here express certain doubts as to the wisdom, let us say, of giving such high priority to very long-range guided missiles, and I do so in the light of the recent experiments I mentioned earlier in connection with another bill, the experiments at Eglin Field, Fla., which indicated the great difficulty that pursuit ships will have in the interception of high-altitude aircraft which may be advancing upon the United States. It would seem to me that the results of those tests would indicate quite clearly that a far more important program than the one now before us is the program of research and development in the ground-to-air missiles. I say that because with the increasing speeds and altitudes of aircraft carrying bombs which may approach the United States it is quite apparent that it will be necessary to have something other than manned aircraft to intercept them. We do now have in the primer stage, almost, a guided missile which can be sent from

the ground, guided by ground radar, to a certain point.

Mr. ANDERSON of California. Mr. Chairman, will the gentleman yield?

Mr. HINSHAW. I yield.

Mr. ANDERSON of California. May I point out to the gentleman that in the statement of Dr. Karl T. Compton before the subcommittee he indicated that under this bill provisions are made for four types of guided missiles—surface to surface, surface to air, air to air, and air to surface, which I think covers the point raised by the gentleman.

Mr. HINSHAW. I agree that that is part of the program, but I feel strongly that the important thing we have to consider now is the interceptor type of missile, much more so than the attack type of missile. The interceptor-type missile is about the only thing that can with certainty do the job of intercepting a high-flying, fast-flying bomber directed against the United States. That has been practically proven in the tests conducted at Eglin Field. I believe that while it is nice to know that you can send missiles 2,500 miles—we have never been able to do it yet, but we may—and it will be nice to know that when the times comes, the important thing today is to develop the interceptor type of missile, a missile which can remain under control until the missile itself, through its own radar, can make contact with an oncoming vessel, either in the air or on the sea, and then release itself from ground control and control its own path with an integral electronic computer system which will direct it to the point of interception, and there, by other means which were known during the past war, explode itself in the vicinity of the attacking airplane.

I hope and trust that the funds that are to be expended by the Research and Development Board will be expended in this direction, not to the exclusion, perhaps, of these other plans, but to a degree whereby such a missile may be perfected and placed in production in the shortest possible time. This is vitally important to the defense of our country and to the discouragement of attacks against it.

The CHAIRMAN. The Clerk will read the bill for amendment.

Mr. BROOKS. Mr. Chairman, I ask unanimous consent that the bill be considered as read and that amendments be in order at any point in the bill.

The CHAIRMAN. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

The bill is as follows:

Be it enacted etc., That the Secretary of the Air Force is hereby authorized to establish a joint long-range proving ground for guided missiles and other weapons by the construction, installation, or equipment of temporary or permanent public works, including buildings, facilities, appurtenances, and utilities, within or without the continental limits of the United States, for scientific study, testing, and training purposes by the Departments of the Army, Navy, and Air Force.

SEC. 2. The Secretary of the Air Force is authorized in discharging the authority given in the preceding section to make surveys, to acquire lands and rights or other interests pertaining thereto, including the temporary use thereof, by donation, purchase, exchange of Government-owned lands, or otherwise, without regard to section 3648, Revised Statutes, as amended, in administering the provisions of the act of July 9, 1942 (56 Stat. 654, 43 U. S. C., Supp. 315q).

SEC. 3. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, not to exceed $200,000,000 to carry out the purposes of sections 1 and 2 of this act.

SEC. 4. The Secretaries of the Army, the Navy, and the Air Force are hereby authorized to contribute to the support of the joint long-range proving ground for guided missiles and other weapons to the extent they may deem necessary or advisable, including, but not limited to, the allocation for such support of funds available to them for such purposes.

SEC. 5. The Secretary of Defense may, at his discretion, transfer and reallocate to any department, board, or agency within the National Military Establishment all, or any part of the authority granted herein, and, in connection with such transfer or reallocation, may transfer all or any part of the funds available for the establishment or support of the joint long-range proving ground for guided missiles and other weapons.

With the following committee amendments:

Page 2, line 10, strike out "$200,000,000" and insert "$75,000,000."

Page 2, line 19, after "reallocate" strike out the remainder of line 19 and all of line 20, and insert "to the Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force all, or."

The committee amendments were agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. KARSTEN, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 1741) to authorize the establishment of a long-range proving ground for guided missiles, and for other purposes, pursuant to House Resolution 128, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

Mr. JOHNSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. JOHNSON. Mr. Speaker, pursuant to leave granted me to extend my remarks, I wish to include as part of my remarks a statement by Dr. Karl T. Compton, Chairman, Research and Development Board. This statement was made before Subcommittee No. 1 of the Armed Services Committee of the House on February 14, 1949. It deals with the subject of H. R. 1741, a bill authorizing the establishment of a joint long-range proving ground for guided missiles.

Dr. COMPTON. Mr. Chairman and gentlemen of the committee, since the research, development, and test of guided missiles is a comparatively new field, I will start my discussion by explaining a few of the terms that are in daily usage in this work. First, what is a guided missile? The currently accepted definition is that it is "an unmanned vehicle moving above the earth's surface, whose trajectory or flight path is capable of being altered by a mechanism within the vehicle."

By mutual consent, the services have further subdivided guided missiles into four categories according to the manner of launching and the location of target. These are: Surface-to-surface, surface-to-air, air-to-air, and air-to-surface. A surface-to-surface guided missile, for example, is one which is launched from the ground or from a ship and is thence steered during its flight to strike its distant target, which may be an enemy ship or factory or other military objective on the ground or sea. An air-to-surface missile would be one launched from an airplane against a target on the surface of the earth, either on land or sea, and moving or stationary. Note particularly that we do not include ordinary bombs, shells, or bullets, as these missiles do not incorporate an internal mechanism to influence their trajectory.

The proving ground under discussion today is required primarily for the completion of research and development work on guided missiles with ranges greater than 150 miles, for which no facility now exists in this country. There are other requirements for this facility, however, as will be brought out by General Richardson.

To further explain guided missiles as compared to conventional shells or bombs, and at the risk of oversimplification, let us consider the action of these two types of missiles. The artillery shell or bullet is fired from a gun at a high velocity. After firing, it is influenced only by atmospheric conditions and gravity. The airplane bomb, after it leaves the plane, is affected only by the motion of the plane at launching, the atmosphere, and gravity. In both cases, accuracy of the initial aim plus prediction of atmospheric conditions and possible movement of the target are the factors that determine a hit or miss.

The guided missile, on the other hand, usually has incorporated in it a motor which takes over after launching and accelerates the missile or continues it at a constant speed for an extended period of time, thereby increasing its range. Various internal mechanisms may be used to provide guidance and control to the missile while in flight. These mechanisms are controlled in various ways by outside influences, such as by radio or radar, as one example. The missile may have some kind of seeing eye which automatically steers it to its target after it has come within a few miles of its objective.

By these means, a missile can fly a predetermined course to a target, recognize it, and make final alterations to its course, in order to deliver the warhead within the target area. All this will be done eventually at supersonic speeds to reduce the possibility of enemy defense against it. I hasten to say that this oversimplified description of a guided missile is, in no sense, what we have today, but is what we are working toward. At the same time, however, I will state that none of the features so briefly described are considered insurmountable by American sci-

ence, and all are in an encouraging state of development.

A test range is an area within which the experimental guided missiles can be tested in flight to study their over-all performance and the behavior of all their parts: wings, motors, electronic equipment, rudders, stabilizers, etc. By such tests, faults can be identified and corrected, adjustments perfected, and alternative methods of operation compared. Without the benefit of such tests, the manufactured missiles would be so unreliable that the money spent on their development would be largely wasted.

An important term that is used repeatedly in connection with test ranges is instrumentation. This term is applied to the integrated system of devices used at a range to acquire the test data. One function or element of the instrumentation system is called telemetering, which may be described as the transmission of data from the missile to the ground by electrical means. It is essential that the scientist who is developing a missile know exactly what is happening within it at all times. Telemetering data tell us how engines, control surfaces, and other mechanisms of the missile are functioning, and whether the missile is rolling, tumbling, or deviating from its course. These data are picked up at various ground instrumentation stations located at intervals along the predicted flight path.

If I might interpolate just a bit into my prepared statement, I would like to use this illustration. You all know the instrumentation panel which is in front of a pilot of an airplane, which gives the performance of the motor, his compass, and all the details that he needs to know about the functioning of the instruments. It is by means of the readings on those instruments that he properly controls his craft.

Well, now, in a guided missile, there is no pilot there who can see those things, but it is necessary to have that same kind of information. So the instruments are put in the guided missile; but, instead of having the pilot in the guided missile to look at the instruments, all the readings of those instruments are sent down by some kind of radio control to the ground and reproduced on instruments at the ground so that the observer on the ground sees what is going on in the plane just as if he was sitting in the cockpit of a guided missile and looking at the instruments themselves. That is the telemetering device.

In addition to the telemetering receivers at each station, special electronic instruments are necessary to track the missile throughout its flight to continually indicate its position in space, as well as high-speed cameras to take pictures of the launching and early part of the flight.

At the conclusion of a flight, a study of the data thus obtained gives a complete picture of what happened to the missile during its entire flight. Even the simplest missile, made to test a particular component of the finished product, costs many thousands of dollars. The more complicated may well run into the hundreds of thousands. This reason, alone, makes it absolutely essential for both economy and success that a flight-test range have adequate instrumentation to produce the data necessary in the experimental work connected with the development of guided missiles.

You are undoubtedly interested in the question of the hazard to people and property, and the interference with private and commercial interests, in connection with the test flying of missiles on the proposed range. In the minds of the uninitiated, the danger element has been greatly exaggerated; the mere mention of guided missiles conjures up visions of death and destruction. Actually the danger in this case will be very small, because every possible precaution will be taken to make it so. The test missiles will not have explosive warheads; they will have means to dispose of them in the air, over a safe area, if they deviate too far off course. They will normally fly so high that it will be impossible to detect them without special instruments. From a safety standpoint, they will be no more dangerous than a conventional airplane flying overhead; from a nuisance standpoint, they will be less objectionable. Most important of all, the test range will be located in a region so sparsely inhabited, in the areas where there might be any danger, that the hazard will be wholly negligible.

I have tried to give you a brief picture of a guided missile from the point of view of the scientist who is developing it, some of the terms used, and the essentials of a test range. We who have been associated with the guided-missile field from its inception are convinced that weapons such as I have described, with ranges in the hundreds of miles and accuracies acceptable to the military, can be developed. To develop them, we must have a range on which to test them. The need is urgent. Actually, the guided-missile development program is one of our largest research and development programs, and hundreds of millions of dollars' worth of the results of this work are becoming dependent on the availability of such a test range. As so often happens, we will need this facility before it is in operation even if work were started on it today, as we are rapidly outgrowing existing facilities.

I do not mean by that that the existing ranges are becoming obsolete. On the contrary, I cannot visualize the time when we will not need the three existing smaller ranges. However, none of them permit expansion in length; and we are in dire need of a facility that can meet all of our foreseeable needs in the field of the long-range guided missiles.

I have purposely kept my discussion in general terms and left the presentation of detailed information to General Richardson. As already mentioned, this project has been critically studied by the experts of the Committee on Guided Missiles of the Research and Development Board, and unanimously approved by them and by the Board.

Thank you.

HOUSING AND RENT ACT

Mr. SABATH, from the Committee on Rules, reported the following privileged resolution (H. Res. 138, Rept. No. 243), which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 1731) to extend certain provisions of the Housing and Rent Act of 1947, as amended, and for other purposes, and all points of order against said bill are hereby waived. That after general debate, which shall be confined to the bill and shall continue not to exceed 5 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Banking and Currency, the bill shall be read for amendment under the 5-minute rule. It shall be in order to consider without the intervention of any point of order the substitute committee amendment recommended by the Committee on Banking and Currency now in the bill, and such substitute for the purpose of amendment shall be considered under the 5-minute rule as an original bill. At the conclusion of the reading of the bill for amendment, the committee shall rise and report the same to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any of the amendments adopted in the Committee of the Whole to the bill or committee substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

EXTENSION OF REMARKS

Mr. McCORMACK asked and was given permission to extend his remarks in the RECORD and include a letter received from the Comptroller General of the United States.

Mr. KLEIN asked and was given permission to extend his remarks in the RECORD in three instances and include extraneous matter.

Mr. COFFEY asked and was given permission to extend his remarks in the RECORD and include an article.

Mr. FUGATE asked and was given permission to extend his remarks in the RECORD and include an article.

Mr. HARVEY asked and was given permission to extend his remarks in the RECORD and include an editorial from the Greenfield Reporter.

PALESTINE REFUGEES

Mr. SABATH, from the Committee on Rules, reported the following privileged resolution (H. Res. 139, Rept. No. 244), which was referred to the House Calendar and ordered to be printed:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the resolution (S. J. Res. 36) for the authorization of a special contribution by the United States for the relief of Palestine refugees. That after general debate, which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. Under previous order of the House, the gentleman from Tennessee [Mr. PRIEST] is recognized for 10 minutes.

THE EIGHTY-FIRST CONGRESS

Mr. PRIEST. Mr. Speaker, I have asked for this time this afternoon in order to present a few facts and make a few pertinent comparisons in the interest of getting the record straight.

A great many of our Republican friends have remarked recently that the Eighty-first Congress has been slow in getting any action on legislation. In order to keep the record straight, I simply want to point out that during the first 2 months of the Eighty-first Congress 12 bills have been enacted into law, compared with 8 that were enacted into law during the same period in 1947 when the Eightieth Congress convened on January 3.

This record, Mr. Speaker, includes the first 2 months of both the Eightieth and

the Eighty-first Congress through the date of February 28 in each year.

Furthermore, Mr. Speaker, the House passed in the first 2 months of the present session, exclusive of bills on the Private Calendar, 15 bills in addition to those that have had action completed on them in both Houses and have become law. In the same period 2 years ago the Republican House passed only seven legislative measures, exclusive of those written into law.

Among the 12 laws enacted in January and February of this year were those extending the authority of the President to enter into voluntary agreements providing for the allocation of certain scarce materials and commodities; legislation providing for export controls; for the authority of the Maritime Commission to sell, charter, and operate ships. Other laws that have been enacted include appropriations for relief of disaster victims in the blizzard areas.

The promptness with which this Congress moved to meet the emergency in the recent western storm area reflects credit, I think, upon our legislative processes. Fifteen other measures passed by the House and sent to the other body during the first 2 months of this year included the Government Reorganization Act of 1949. That is the act which permits the President to bring about economies and greater efficiency in the Federal Establishment, and to put into effect many of the recommendations of the Hoover Commission.

Included also in bills that have passed this House and have gone to the other body is a bill extending the Reciprocal Trade Agreement Act, a basic essential in our foreign policy, a bill that has been called by Cordell Hull the very keystone of our foreign policy.

Other bills passed by the House and sent to the Senate include a bill extending the War Assets Administration, a bill covering the export of copper, and a bill covering cotton acreage planting.

All those bills referred to do not include numerous actions taken by the House necessary to the organization of Congress. Of course, both political parties had those problems. In the early days of the Eightieth Congress, when the Republican Party took over, of course they had to reorganize the Congress. The same thing was true when the Democratic Party took over on January 3 of this year.

My good friend, the chairman of the Republican National Committee, the gentleman from Pennsylvania [Mr. HUGH D. SCOTT, JR.], said a few days ago—and I have the newspaper clipping in my possession—that this was a "no-can-do" Congress. Evidently he was resorting to some fiction and not fact in making such a statement, or at least the chairman had not compared the record of the Eightieth Congress up through February 28 with the record of the Eighty-first Congress for the same period this year.

The record shows that this Congress accomplished more in the first 2 months of this session than did the Eightieth Congress in the first 2 months under the Republican administration.

Legislation is coming from committees and now scheduled with full programs ahead for every day of every week. I have here, Mr. Speaker, a tabulation of some of those bills. I simply want to refer to them so that the record on this point at least can be correct.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. PRIEST. I am happy to yield to the distinguished gentleman from Indiana [Mr. HALLECK].

Mr. HALLECK. Of course, I might observe, before asking the question, that it occurs to me the gentleman is protesting too much. How many of these bills to which the gentleman has referred have actually become law?

Mr. PRIEST. There have been 12 that actually have become law compared to 8 up to February 28 of 1947.

Mr. HALLECK. As I understand it, the gentleman referred to the allocation of materials and other things that had to do with price control; that was just an extension of legislation passed in the Eightieth Congress, was it not?

Mr. PRIEST. Yes; that was, but it was legislative action by the Congress.

Mr. HALLECK. That is right, and then the legislation to which the gentleman referred, extending the power of the Maritime Commission to operate ships; that was just an extension of what was done in the Eightieth Congress, was it not?

Mr. PRIEST. With some modification, I believe.

Mr. HALLECK. And the relief of copper from import duties; was not that just an extension of what was done in the Eightieth Congress?

Mr. PRIEST. I believe with some modification; yes.

Mr. HALLECK. Those are three.

Mr. PRIEST. Those are three.

Mr. HALLECK. And the control of exports from the United States with some slight modification was just an extension of what was done in the Eightieth Congress.

Mr. PRIEST. As I recall the legislation it would go perhaps a little beyond being a slight modification; it was almost new legislation on that subject, but it was one of the bills that has been enacted into law; that is correct.

Mr. HALLECK. Included in the 12 measures to which the gentleman refers, one was the measure which the gentleman does not specifically mention, raising the President's salary.

Mr. PRIEST. Yes; that was one.

Mr. HALLECK. And did the gentleman include in the 12 accomplishments of the Eighty-first Congress to date the enactment of legislation providing for the 4-day holiday for public employees?

Mr. PRIEST. If the gentleman will just permit; I am happy to continue to yield, but I will read at this point each one of the 12 bills that have been enacted during the first 2 months of the Eighty-first Congress and follow that by reading a list of the laws enacted during the first 2 months of the Eightieth Congress. I believe that is the best way to get the record straight.

Now, as to the bills enacted into law during the first 2 months of the Eighty-first Congress, they are shown by the following table:

BILLS ENACTED INTO LAW, EIGHTY-FIRST CONGRESS IN THE FIRST 2 MONTHS

Public Law 1 (S. J. Res. 16): Federal employees, holiday. Approved January 18, 1949.

Public Law 2 (S. 103): President, Vice President, Speaker of House of Representatives, salary increases. Approved January 19, 1949.

Public Law 3 (H. J. Res. 112): Appropriations disaster relief. Approved January 28, 1949, appropriating $500,000 for emergency relief in Western blizzard area.

Public Law 4 (H. J. Res. 88): Railroad equipment, free entry, amend. (Merci train.) Approved February 3, 1949.

Public Law 5 (H. J. Res. 136): Appropriations, disaster relief. Approved February 7, 1949. Five hundred thousand dollars for disaster relief in blizzard area.

Public Law 6 (S. 547): Prices, stabilization of, amend. Approved February 9, 1949. Continues through September 30, 1949 authority of the President to make voluntary agreements affecting transportation, inventory control, and speculative trading in commodities which basically affect the cost of living.

Public Law 7 (H. R. 2402): War Assets Administration, continue. Approved February 21, 1949.

Public Law 8 (H. R. 1252): Legislative Reorganization Act of 1946, amend. Provided that professional staff of congressional committees may be hired by executive branch of Government when such persons are terminated from committee staff. Approved February 24, 1949.

Public Law 9 (S. 492): Stamps, commemorative, Alexandria, Va.

Public Law 10 (S. 713): General Accounting Office, building, increase limit of cost.

Public Law 11 (S. 548): Export Control Act of 1949. Approved February 26, 1949, extends until June 30, 1951, the authority of the President to control exports.

Public Law 12 (H. J. Res 92): To continue the authority of the Maritime Commission to sell, charter, and operate vessels. Signed February 28, 1949.

I have here a list of the eight laws enacted by the Eightieth Congress during the first two months, from January 3 to February 28, 1947:

BILLS ENACTED INTO LAW, EIGHTIETH CONGRESS, IN THE FIRST 2 MONTHS

Public Law 1 (S. J. Res. 3): Senate, employee, approved January 31, 1947.

Public Law 2 (H. J. Res. 57): Alcohol plants, produce sugars, approved February 1, 1947.

Public Law 3 (S. J. Res. 4): Senate, employees compensation, approved February 19, 1947.

Public Law 4 (S. J. Res. 24): Senate, committee, staff organization. Approved February 19, 1947.

Public Law 5 (H. R. 1353): National Service Life Insurance Act, 1940, amended. Approved February 21, 1947.

Public Law 6 (H. J. Res. 114): Maritime Commission, vessels. Approved February 26, 1947.

Public Law 7 (H. J. Res. 121): United Nations, gift taxes. Approved February 26, 1947.

Public Law 8 (S. 568): Agriculture, foot-and-mouth disease. Approved February 28, 1947.

Those are the eight bills that were completely enacted into law on which the legislative process had been completed up to February 28, 1947, compared to the 12 I have just read.

I have here also, and I shall ask unanimous consent to insert it in the RECORD, a list of the 15 bills on which House ac-

tion has been completed up to that time this year and the 7 bills on which House action had been completed prior to February 28 of 1947.

Mr. MANSFIELD. Mr. Speaker, will the gentleman yield?

Mr. PRIEST. I yield to the gentleman from Montana.

Mr. MANSFIELD. I think the gentleman from Tennessee, the distinguished whip of the majority party, is entitled to a vote of thanks for bringing the record up to date. I should like to call his attention to the fact that the Republicans made arrangements for an inaugural in January of this year which caused us a loss on this side. We have had to take that added burden but in spite of it we have been able to show a better record to date than the Republican Party did over a similar period 2 years ago.

Mr. PRIEST. I thank the chief assistant majority whip of the House.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. PRIEST. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. May I also call attention to the bills that have passed the House and are now over in the Senate. Two of them are very important bills.

There is the reorganization bill which passed the House in one day. I do not remember of a reorganization bill ever having passed the House with less than one week's debate. I remember the first reorganization bill that came up in this body years ago. It was adopted by the committee after 3 weeks debate, then recommitted. Here is a bill that passed the House in 1 day providing permanent legislation.

In the same week we passed a reciprocal trade agreements bill in 2 days. Ordinarily I should say that either one of those bills would take a week.

Mr. Speaker, this is all due to the very fine Democratic organization that exists in the House and in great part to the wisdom of the voters last fall in sending to this body close to 100 new Democratic Members who are the tops so far as I am concerned.

Mr. PRIEST. I thank the distinguished majority leader. I have here a list of these bills. My purpose in taking the floor today was simply to get into the RECORD some facts. I was a newspaper man for 14 years before coming to this body and having been a newspaper man I believe in facts. A great deal has been said pro and con about the slowness of operation of the Eighty-first Congress and I wanted some facts in the RECORD to show what has happened and some comparison of what happened during a similar period in 1947.

The SPEAKER. The time of the gentleman from Tennesse has expired.

Mr. PRIEST. Mr. Speaker, I ask unanimous consent that I may include as a part of my remarks a list of bills enacted and a list of bills enacted by the House but on which action has not been completed during both the Eightieth and Eighty-first Congresses.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The matter referred to follows:

OTHER BILLS PASSED BY THE HOUSE, EIGHTY-FIRST CONGRESS, IN THE FIRST 2 MONTHS

H. R. 54: Los Alamos project of the United States Atomic Energy Commission. (Awaits signature of President.)

H. R. 128: Agriculture, cotton acreage. (Conference.)

H. R. 164: California, Churntown Elementary School District.

H. R. 858: Fair Labor Standards Act, 1938, amends. It would exclude from the regular rate of pay, for purposes of overtime computation, premiums paid for Saturday, Sunday, and holiday work and for work at undesirable hours.

H. R. 967: El Paso, Tex. (private bill).

H. R. 1211: Trade Agreements Extension Act of 1949. Extends the Reciprocal Trade Agreements Act to June 12, 1951, and eliminating amendments written into the act by the Eightieth Congress.

H. R. 1243: Hatch Act, amend, penalty. Relates to governmental employees who engage in political activity. Under the present law the penalty is automatic discharge. The bill permits the Civil Service Commission to fix the penalty.

H. R. 1401: Michigan, Mount Hope Cemetery Association.

H. R. 1998: Florida, Pinellas County, land description corrected.

H. R. 2101: Regional Agricultural Credit Corporation. Making $44,000,000 in loans available to farmers in the western disaster area.

H. R. 2313: Copper, copper-bearing ores, exemption from import tax. Continues the suspension of import duties on copper for 2 years, until March 31, 1951.

H. R. 2361: Reorganization Act of 1949. Provides for the reorganization of the Federal Government.

H. R. 2632: Appropriations, first deficiency. Steam plant.

House Joint Resolution 84: Freedom Train, acquisition. Authorizing the Government to operate the Freedom Train for 2 years at a cost of $2,500,000. Now awaits signature of President.

House Joint Resolution 85: Inauguration tax, admission tickets.

H. R. 4: Failure to bring a person under arrest before a committing officer within the proper time shall not render evidence admissible. Passed House February 24, 1947.

H. R. 597: Prevents disposition of garbage in Territorial waters of the United States. Passed House February 10, 1947, and later was pocket vetoed.

House Joint Resolution 27: Amendment to Constitution. Limiting Presidential tenure to two terms. Passed House February 6, 1947.

House Joint Resolution 122: United States Maritime Commission, Alaska Ocean Service. Passed House February 18, 1947.

H. R. 2157: Courts, limit jurisdiction. Overtime-pay suits must be commenced 1 year after date of accrual. Passed House February 28, 1947.

H. R. 1030: Continues in effect certain war excise taxes. Passed House January 29, 1947.

H. R. 1968: Urgent deficiency appropriation bill. Passed House February 18, 1947.

THE RECORD OF THE EIGHTIETH CONGRESS

Mr. HALLECK. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLECK. Mr. Speaker, I am not a little amazed to discover here today that my very amiable and fine friend from Tennessee, the majority whip, has deemed it necessary to come down here in the well of the House and undertake to explain why so little legislation has been passed by the Eighty-first Congress. That he would deem it necessary to make any sort of explanation or comparison at all seems to me to get him very close to the point where he must have something of a guilty conscience.

I was not too sure as I listened to the interruption by the majority leader, my very good friend from Massachusetts [Mr. McCORMACK], whether he was endeavoring to take credit for what had been accomplished or to commend the Republicans who have cooperated, certainly in the passage of the reorganization bill to which he referred.

First of all, in respect to the Eightieth Congress, I may say to my friend from Tennessee that for him to compare the Eighty-first Congress with the Eightieth Congress is to make a comparison with a Congress that did a magnificent job for the people of the country. I am glad to see that he apparently recognizes that, because he wants to put his comparison on that basis.

Now, among other reasons for my conviction in that regard is the fact that when the Eightieth Congress came into being and convened in Washington, it fell to our lot to put into effect the provisions of the Reorganization Act that had been enacted by the Seventy-ninth Congress. It was a tremendous job to shrink the committees from 48 to 19; to bring about the complete reorganization of committees; to staff those committees under the provisions of the Reorganization Act, and to carry into full force and effect every line of the Reorganization Act.

I have said before, and I say it again, that if the Eightieth Congress had not been a Republican Congress, the provisions of the Legislative Reorganization Act would never have been put into effect. Now, enough for that.

Let me say just this: In my opinion this attempted apology for the record of the Eighty-first Congress to this date is nothing more than a smoke screen to cover up the very obvious fact that none of the pledges made to the people in the last campaign, as to what would be done in this Congress, have as yet been carried out. Now, it would appear to me just as a bystander that over on the other side of the Capitol Mr. Truman seems to be filibustering his own program. I do not know how soon they will be able to move forward with the accomplishment of any of the promises that have been made.

Here in the House the plain fact remains that old hands are at the wheel. In other words, you have on the Democratic side in the Eighty-first Congress old hands with experience in the Seventy-ninth and preceding Congresses, who just moved back into the chairs they previously held and yet, in these upward of 2 months, as I said before, none of the significant, important pledges made to the American people have as yet been accomplished.

I hazard this prediction, too, from what I have been able to see around, that very few of those pledges are finally going to be enacted into law. I think if

you get down to it, that is the real reason for this attempted apology today. Certainly, no one of experience in this Chamber would otherwise get very excited about any one statement about a no-can-do Congress. Why, we took that criticism on our side during the Eightieth Congress. I sometimes think that over here you can dish it out but you cannot take it. I recall how you complained about the inaction of the Eightieth Congress. Well, we did not pay any attention to it. We knew that we could accomplish everything that we had promised the American people and we did accomplish that program. We got to it in an orderly way. We held careful hearings and the legislation was enacted into law. Yes, may I remind you again, the most significant parts of that program were enacted into law with more Democratic votes for them than against them.

The SPEAKER. The time of the gentleman from Indiana has expired.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that my friend the gentleman from Indiana [Mr. HALLECK] be permitted to proceed for two additional minutes.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. HALLECK. The generosity and kindness of my friend from Massachusetts overwhelms me. I have a slight feeling that he is getting ready to make a speech himself, and I hope he does. I hope he does, as I would like to hear him predict just what is going to be accomplished in connection with this promised program. Maybe he is going to tell us about the pension bill that, under this new rule adopted by the Eighty-first Congress, seems likely to come up next Monday although, as I understand, the Committee on Rules has not yet voted out a rule.

I inquired here on the floor the other day about whether the chairman of the Committee on Rules, my very dear friend the gentleman from Illinois [Mr. SABATH] could tell us what the President's attitude is about that pension bill. The President has advised us about everything else that is up here in the way of a legislative suggestion. I had not heard anything about that pension bill, although I did see that yesterday, according to the press this morning, the new Director of the Budget was up here testifying in opposition to the pension bill, so I would assume that the President is opposed to the pension bill.

Mr. HUBER. Mr. Speaker, will the gentleman yield?

Mr. HALLECK. I yield to the gentleman from Ohio.

Mr. HUBER. May I ask the distinguished gentleman from Indiana if he will urge the leadership on his side to support the so-called Rankin bill?

Mr. HALLECK. My recollection is that the gentleman from Ohio was one of the Members on the Democratic side in the Eightieth Congress who was constantly upbraiding the Rules Committee because they did not bring out more bills for the veterans, when the fact of the matter is that the Eightieth Congress enacted 188 different bills of direct benefit to the veterans—one of the best programs for the veterans ever enacted by any Congress. So I am not to be dissuaded by the gentleman's interrogation of me in that regard. I am wondering on my part whether or not he is going to challenge the position of the Bureau of the Budget as the official spokesman of the executive branch of the Government in respect to the position it has taken on this pension matter.

The other day at that dinner held here in the District, it was reported in the press—I did not get an invitation to the dinner so I was not there—the President said that the Republicans in Congress were blocking the accomplishment of his program. The majority leader has just referred to the 100 new Democrats who have come here to swell the ranks on the Democratic side. Why, we Republicans are down to 171 Members. You have all the rest of them out of 435. You have a great majority in the other branch of the Congress. Now, how in heaven's name does it stand to reason that the Republicans are blocking the accomplishment of this great "pie in the sky" that was offered the people in the last campaign?

Speaking only for myself, I would like to believe that there was sufficient strength among the Republicans to block a considerable part of this program that has been proposed, because I happen to think that a lot of it ought to be blocked. And, again I say, it is going to be blocked because there are enough Democrats in the Congress who put the welfare of their country, its solvency, and the freedom of the people ahead of political promises or political expediency. They are going to see to it that a lot of that program is not enacted into law.

THE EIGHTY-FIRST CONGRESS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, when I asked for the additional 5 minutes for my distinguished friend from Indiana, I had no intention of making any remarks, because nothing my friend said caused the spirit in me to move in the slightest, but as a result of the additional time the gentleman obtained he did make a few statements that did cause the spirit to move and prompted me to seek recognition.

My friend seems to place a great deal of emphasis on the liberalization of the rule. May I say to him that he had better study that rule, as well as some other rules, a little more and then he will not leave himself open to a devastating come-back in relation to a pension bill coming up under only one rule. Other than that, I have no observation to make. If he will confer with his friend to the right, the gentleman from Illinois might be able to advise him further. I make that suggestion to him out of the very extreme kindness of my mind and heart, as I do not want my good friend the gentleman from Indiana to make too many misstatements.

Mr. MARTIN of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. MARTIN of Massachusetts. I thought that we might explore that question of the rule a little bit further. Does the gentleman mean the Committee on Veterans' Affairs can bring up a pension bill at any time if they so desire?

Mr. McCORMACK. A general pension bill.

Mr. MARTIN of Massachusetts. Can the Committee on Veterans' Affairs bring up a bill at any time if they so desire, under the rule?

Mr. McCORMACK. It has a privileged status, the same as the appropriation bills or tax bills.

Mr. MARTIN of Massachusetts. I believe that probably the gentleman from Mississippi would appreciate that information.

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I must yield first to the gentleman from Mississippi [Mr. RANKIN] who is on his feet.

Mr. RANKIN. The distinguished gentleman from Massachusetts [Mr. McCORMACK] is correct in saying that pension legislation is privileged. But since the eclipse of the Committee on Rules, we also have the right to move on next Monday, or on Monday 2 weeks from now, to bring the rule up on the floor of the House under the new rule, whether it is privileged legislation or not. On those Mondays we are permitted to move, under the rule, to call up the rule after it has been introduced 21 days.

Mr. MARTIN of Massachusetts. That is under the rule as amended this session.

Mr. McCORMACK. That is correct, but I was not referring to that. I was referring to something else.

Mr. MARTIN of Massachusetts. If the gentleman will yield further, he also said that the gentleman could bring it up tomorrow if he wished.

Mr. McCORMACK. The gentleman had better read the rules a little more. However, my remarks were not directed to the gentleman from Massachusetts, but were directed to my good friend the gentleman from Indiana, because I do not want to see him embarrassed in the future.

Mr. MARTIN of Massachusetts. I thought the entire membership would like to have the same information that the gentleman possessed.

Mr. McCORMACK. I do not want to see my friend from Indiana embarrassed in the future, when he says that pension legislation can only come up under one rule. The rules are there for anyone to read. An appropriation bill does not need a rule, if there is no legislation attached to it. A tax bill does not need a rule. If the gentleman will look up the rules, he will find that there are some others that do not need rules.

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. BROWN of Ohio. For the enlightenment and information of the gentleman from Massachusetts, as well as the Members of the House, the special rule to which he has alluded does provide that if the Committee on Rules fails

to report out a rule requested by the chairman of a committee having charge of the legislative bill which has been reported to that committee within 2 calendar days, then on the second and fourth Mondays of each month the chairman of that legislative committee may call up his rule for consideration. That is, he may call up the rule which he has submitted to the Committee on Rules, and the Chair shall recognize the gentleman for that purpose. However, in this particular case, the rule which would be called up under that special rule by the gentleman from Mississippi, the chairman of the Committee on Veterans' Affairs, would be a closed rule, providing, of course, that the Committee on Rules does not grant a rule.

Mr. McCORMACK. The gentleman has said nothing which is inconsistent with what I have said.

The SPEAKER. The time of the gentleman from Massachusetts has expired.

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. McCORMACK] have five additional minutes.

Mr. McCORMACK. Mr. Speaker, that shows the spirit of America.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, I wish to say that the purpose of the gentleman from Tennessee was not to offer an apology, but to make the record straight to show what has happened to date in the Eightieth Congress and the Eighty-first Congress.

My Republican friends, in their desperation, have been making some statements which are rather far-removed from the true facts. It is only the Republican mind that could place such an interpretation upon it, when a Democrat takes the floor and presents the facts, particularly when it is uncomfortable to our Republican friends, that he is undertaking to make an apology.

I can remember last session. We did not attack the Republican Party at the outset because of its failure to function because we realized that it takes at the outset of a Congress at least 2 weeks for committees to be formed. We are all practical men and we know that. For the Democrats to attack the Republicans in the last Congress when they were in control for taking about 2 weeks to have the committees formed would not have been right. It would not have been fair and we did not do it. After the committees are formed, it then takes about 10 days or 2 weeks to internally organize and to get their bills assigned for hearings. So that the practical operation, when a new Congress meets, no matter what the Congress be, whether it is Republican controlled or Democratic controlled, we who have had some experience know that it takes from 4 to 6 weeks before a new Congress actually starts functioning. That is what happened 2 years ago and that is what is happening now.

Some of our Republican friends have been making some statements and speeches—even my good friend the gentleman from Massachusetts [Mr. MARTIN] made one down in South Carolina, as I remember, some weeks ago. Of course, I knew that JOE had departed from the role of statesman and was talking as a true Republican, attacking the Democratic-controlled Congress for having passed only one bill—a bill increasing the salary of the President, the Vice President, and the Speaker. In that case my friend knew that bill had to be passed on or before January 20. Otherwise any increase for the President would not have become effective during the term of the present President of the United States, and we were all unanimous in having a proper increase in salary for the President of the United States. Both sides cooperated, but that bill had to be enacted into law, as I remember it, on or before January 20, when President Truman assumed his present term of office.

Mr. MARTIN of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. Yes; I yield to my friend from Massachusetts.

Mr. MARTIN of Massachusetts. The gentleman does not say that my statement was not correct?

Mr. McCORMACK. Oh, no. I say the gentleman discolored it.

Mr. MARTIN of Massachusetts. In what way did I discolor it?

Mr. McCORMACK. The gentleman made the statement that we had done nothing, when the record shows we have done more to date than the Eightieth Congress, of which my friend from Massachusetts was the leader of the Republican Party and the Speaker of the House.

Mr. MARTIN of Massachusetts. The gentleman said in his South Carolina talk——

Mr. McCORMACK. Was it South Carolina?

Mr. MARTIN of Massachusetts. It was South Carolina. The gentleman said there were two bills passed and one of them was an increase in the pay of the President. Is that correct or incorrect?

Mr. McCORMACK. When did the gentleman make that speech?

Mr. MARTIN of Massachusetts. At 7 o'clock in the evening.

Mr. McCORMACK. I thought my friend from Massachusetts retired about 7 o'clock at night. In any event, I meant what date? Of course, 7 o'clock is rather late for my friend. But what date was it?

Mr. MARTIN of Massachusetts. I do not recall.

Mr. McCORMACK. Does not the gentleman know that it takes 2 weeks when a new Congress meets for the committees to be formed?

Mr. MARTIN of Massachusetts. Yes.

Mr. McCORMACK. Does it not take 10 days or 2 weeks thereafter for the committees to organize? Is that not right?

Mr. MARTIN of Massachusetts. I remember the gentleman stood on this floor and said you were going to bring the wage-hour bill out in 1 day, January 18, and you have not brought it out yet.

Mr. McCORMACK. That is true, but that is due to the fact that the Republican members of the committee are not cooperating. Any kind of a real extension of the wage-hour law, from 40 cents to 75 cents, will not come out of the committee through any assistance of any Republican member, with the possible exception of one. I hope there will be one, but I doubt it. In any event, however, the fact remains that the Eighty-first Congress, stating the record in response to the inaccurate statement made by Republican leaders, is far ahead. The final answer will be the end of the Congress. The people of the United States gave a vote of commendation of this Democratic Congress when they overwhelmingly repudiated the Republican-controlled Eightieth Congress last November.

The SPEAKER. The time of the gentleman from Massachusetts has expired.

COMMITTEE ON THE DISTRICT OF COLUMBIA

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that the Committee on the District of Columbia may have until midnight tonight to file a report and minority views on the bill (S. 135) relating to daylight-saving time in the District.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

EXTENSION OF REMARKS

Mr. TRIMBLE. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD in two instances, and in one to include a report of the Soil Conservation District of Benton County. This report may exceed the limit a little; but, notwithstanding this, I ask consent that the extension may be made.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. RODINO asked and was given permission to extend his remarks in the Appendix of the RECORD.

"THIS IS GREATER LAWRENCE" PROGRAM WINS NATIONAL RADIO AWARD

Mr. LANE. Mr. Speaker, I ask unanimous consent to address the House for 2 minutes and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LANE. Mr. Speaker, rating third place among the hundreds of radio stations in the United States for outstanding public service, WLAW, 50,000-watt affiliate of the American Broadcasting Co. at Lawrence, Mass., takes justifiable pride in its achievement.

Official notification wired on March 6, 1949, to Fred A. Sullivan, promotion manager of WLAW, by Jerry Franken, radio and television editor of Billboard,

the Nation's outstanding amusement weekly magazine, stated:

WLAW has been awarded third place for clear-channel network affiliates in the public-service category of Billboard's eleventh annual radio and television promotion competition. Details will be published in the March 12 issue of Billboard. Heartiest congratulations.

Produced and directed by Chief Announcer Frederick P. Laffey, who is also a captain in the Military Intelligence Reserve, the program is heard every Thursday at 7:15 p. m. It is sponsored by the Pacific Mills of Lawrence, world famous as a producer of fine textile fabrics.

Stressing the voluntary and effective teamwork which knits together all the diverse elements into democratic unity, "This Is Greater Lawrence" is an inspiring program idea, expertly produced for reception in all American homes.

Communism will never divide us as long as we have such affirmative expressions of tolerance, of mutual faith, and of work-a-day fellowship as are revealed in this program of community understanding, a program which should be emulated by every radio station.

Lawrence is one of the most cosmopolitan industrial cities in the United States. Of its 84,000 residents, 22,000 are foreign-born. But there are no racial or religious tensions, thanks to the community spirit developed through constructive public-relations efforts of which Pacific's program is such a splendid example.

Representatives of organizations embracing all civic endeavors tell the stories of the roles they play in the life of this city. They tell of the accomplishments which have been realized toward the greater health, happiness, and prosperity of their fellow men. They plan for the higher goals of tomorrow.

Reaching out to the neighboring communities of Methuen, Andover, and North Andover, "This Is Greater Lawrence" weaves a living, vibrant pattern of democracy in action.

Ernest D. Walen, executive vice president of Pacific Mills; Irving E. Rogers, president of the company which owns and operates the broadcasting facilities; and Frederick P. Laffey, producer and director of the program—these are the men who merit the plaudits of their fellow citizens.

Hats off to an all-American public service from Lawrence, Mass.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. WILLIAM L. PFEIFFER (at the request of Mr. ARENDS) for balance of week on account of death in family.

SENATE ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to enrolled bills and a joint resolution of the Senate of the following titles:

S. 29. An act to authorize payment of claims based on loss of or damage to property deposited by alien enemies;

S. 170. An act to authorize the transfer of certain property to the Secretary of the Interior, and for other purposes;

S. 593. An act for the relief of certain postal employees;

S. 630. An act to amend section 19 of the act of August 13, 1946 (60 Stat. 1057), so as to remove the upper age limit for appointment to commissioned grade in the Supply Corps of the Navy;

S. 673. An act relating to the pay and allowances of officers of the Naval Reserve performing active duty in the grade of rear admiral, and for other purposes; and

S. J. Res. 22. Joint resolution to authorize the issuance of a special series of stamps commemorative of the three hundredth anniversary of Annapolis, Md.

ADJOURNMENT

Mr. MILES. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 31 minutes p. m.) the House adjourned until tomorrow, Thursday, March 10, 1949, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

337. A letter from the Attorney General, transmitting the voluntary plan for the allocation of steel products for farm-type storage bins and the letters of compliance to the plan; to the Committee on Banking and Currency.

338. A letter from the Attorney General, transmitting a list of copies of orders of the Commissioner of the Immigration and Naturalization Service suspending deportation, as well as a list of the persons involved; to the Committee on the Judiciary.

339. A letter from the Attorney General, transmitting an additional list of copies of orders of the Commissioner of Immigration and Naturalization Service suspending deportation, as well as a list of the persons involved; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SMITH of Ohio: Committee on Banking and Currency. Part II, minority views on the Housing and Rent Act of 1949 (Rept. No. 215). Referred to the Committee of the Whole House on the State of the Union.

Mr. HARRIS: Committee on the District of Columbia. H. R. 1757. A bill to amend and extend the provisions of the District of Columbia Emergency Rent Act, approved December 2, 1941, as amended; with amendments (Rept. No. 237). Referred to the Committee of the Whole House on the State of the Union.

Mr. WILLIS: Committee on the Judiciary. H. R. 2285. A bill to amend title 17 of the United States Code entitled "Copyrights," with respect to relaxation of provisions governing copyright of foreign works; with amendments (Rept. No. 238). Referred to the Committee of the Whole House on the State of the Union.

Mr. KEE: Committee on Foreign Affairs. House Joint Resolution 178. Joint resolution extending an invitation to the International Olympic Committee to hold the 1956 Olympic Games at Detroit, Mich.; without amendment (Rept. No. 240). Referred to the Committee of the Whole House on the State of the Union.

Mr. ENGLE of California: Committee on Public Lands. H. R. 165. A bill to authorize the American River Basin development, California, for irrigation and reclamation, and for other purposes; with amendments (Rept. No. 241). Referred to the Committee of the Whole House on the State of the Union.

Mr. PETERSON: Committee on Public Lands. H. R. 2373. A bill to amend the act establishing the Hot Springs National Park; with amendments (Rept. No. 242). Referred to the Committee of the Whole House on the State of the Union.

Mr. SABATH: Committee on Rules. House Resolution 138. Resolution for consideration of H. R. 1731, a bill to extend certain provisions of the Housing and Rent Act of 1947, as amended, and for other purposes; without amendment (Rept. No. 243). Referred to the House Calendar.

Mr. SABATH: Committee on Rules. House Resolution 139. Resolution for consideration of Senate Joint Resolution 36, joint resolution for the authorization of a special contribution by the United States to the United Nations for the relief of Palestine refugees; without amendment (Rept. No. 244). Referred to the House Calendar.

Mr. HARRIS. Committee on the District of Columbia. S. 135. An act to authorize the Board of Commissioners of the District of Columbia to establish daylight-saving time in the District; with amendments (Rept. No. 245). Referred to the House Calendar.

Mr. COOLEY: Committee on Agriculture. H. R. 2960. A bill to amend the Rural Electrification Act to provide for rural telephones, and for other purposes; with amendments (Rept. No. 246). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar as follows:

Mr. JENNINGS: Committee on the Judiciary. H. R. 593. A bill for the relief of Hampton Institute; without amendment (Rept. No. 230). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on the Judiciary. H. R. 599. A bill for the relief of Victor R. Browning & Co., Inc., without amendment (Rept. No. 231). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on the Judiciary. H. R. 735. A bill for the relief of Phil H. Hubbard; without amendment (Rept. No. 232). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on the Judiciary. H. R. 766. A bill for the relief of John F. Galvin; with amendments (Rept. No. 233). Referred to the Committee of the Whole House.

Mr. BYRNE of New York: Committee on the Judiciary. H. R. 3077. A bill for the relief of Mrs. Rebecca Levy; without amendment (Rept. No. 234). Referred to the Committee of the Whole House.

Mr. BYRNE of New York: Committee on the Judiciary. H. R. 3234. A bill for the relief of Jesse A. Lott; without amendment (Rept. No. 235). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on the Judiciary. H. R. 3254. A bill for the relief of Iva Gavin; without amendment (Rept. No. 236). Referred to the Committee of the Whole House.

Mr. GOSSETT: Committee on the Judiciary. H. R. 1101. A bill for the relief of Anna Malone; with amendments (Rept. No. 239). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BATES of Kentucky:

H. R. 3356. A bill to modify the plan for flood control in the Ohio River Basin approved by the act of June 28, 1938; to the Committee on Public Lands.

By Mr. BLATNIK:

H. R. 3357. A bill authorizing annual payments to States, Territories, and insular governments, for the benefit of their local political subdivisions, based on the fair value of the national-forest lands situated therein, and for other purposes; to the Committee on Public Lands.

By Mr. BOGGS of Louisiana:

H. R. 3358. A bill to combat un-American activities by requiring the registration of Communist-front organizations, and for other purposes; to the Committee on Un-American Activities.

By Mr. BOLTON of Maryland:

H. R. 3359. A bill to provide for local taxation of real estate owned by the United States, and for other purposes; to the Committee on Public Lands.

By Mr. CASE of South Dakota:

H. R. 3360. A bill to grant the consent of the Congress to the Cheyenne River compact as entered into under the act of February 26, 1927; to the Committee on Public Lands.

By Mr. HARRIS (by request):

H. R. 3361. A bill relating to children born out of wedlock; to the Committee on the District of Columbia.

H. R. 3362. A bill to amend sections 260, 267, 309, 315, 348, 350, and 361 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901, to provide that estates of decedents being administered within the probate court may be settled at the election of the personal representative of the decedent in that court 6 months after his qualification as such personal representative; to the Committee on the District of Columbia.

H. R. 3363. A bill to amend section 16–418 of the Code of Laws of the District of Columbia to provide that an attorney be appointed by the court to defend all uncontested annulment cases; to the Committee on the District of Columbia.

H. R. 3364. A bill to amend section 137 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901, relating to the time within which a caveat may be filed to a will after the will has been probated; to the Committee on the District of Columbia.

H. R. 3365. A bill to amend section 13–108 of the Code of Laws of the District of Columbia to provide for constructive service by publication in annulment actions; to the Committee on the District of Columbia.

H. R. 3366. A bill to amend the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901, to provide a family allowance and a simplified procedure in the settlement of small estates; to the Committee on the District of Columbia.

H. R. 3367. A bill to amend section 16–416 of the Code of Laws of the District of Columbia to conform to the nomenclature and practice prescribed by the Federal Rules of Civil Procedure; to the Committee on the District of Columbia.

H. R. 3368. A bill to amend sections 356 and 365 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901, to increase the maximum sum allowable by the court out of the assets of a decedent's estate as a preferred charge for his or her funeral expenses from $600 to $1,000; to the Committee on the District of Columbia.

H. R. 3369. A bill to amend sections 130 and 131 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901, relating to the notice to be given upon a petition for probate of a will, and to the probate of such will; to the Committee on the District of Columbia.

H. R. 3370. A bill to amend section 16–415 of the Code of Laws of the District of Columbia to provide for the enforcement of court orders for the payment of temporary and permanent maintenance in the same manner as directed to enforce orders for permanent alimony; to the Committee on the District of Columbia.

H. R. 3371. A bill to provide for the appointment and compensation of counsel to impoverished defendants in criminal cases in the United States District Court for the District of Columbia; to the Committee on the District of Columbia.

H. R. 3372. A bill to amend section 1537 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901, as amended, so as to provide for service of process on agents or employees of a nonresident individual, partnership, association, group, organization, or foreign corporation conducting a business in the District of Columbia; to the Committee on the District of Columbia.

By Mr. MARCANTONIO:

H. R. 3373. A bill to amend the Nationality Act of 1940; to the Committee on the Judiciary.

By Mr. SCUDDER:

H. R. 3374. A bill to reduce the rate of tax on transportation of property; to the Committee on Ways and Means.

H. R. 3375. A bill to authorize the construction of a United States Veterans' Administration general medical-surgical hospital facility in Humboldt County, Calif.; to the Committee on Veterans' Affairs.

By Mr. TACKETT:

H. R. 3376. A bill to amend section 6 of Public Law 526, Seventy-ninth Congress, second session, and for other purposes; to the Committee on Public Works.

H. R. 3377. A bill to amend an act entitled "An act to provide for the general welfare by establishing a system of Federal old-age benefits, and by enabling the several States to make more adequate provision for aged persons, blind persons, dependent and crippled children, maternal and child welfare, public health, and the administration of their unemployment-compensation laws; to establish a Social Security Board; to raise revenues; and for other purposes," approved August 14, 1935, as amended; to the Committee on Ways and Means.

By Mr. WELCH of California:

H. R. 3378. A bill to broaden the cooperative extension system as established in the act of May 8, 1914, and acts supplemental thereto, by providing for cooperative extension work between colleges receiving the benefits of this act and the acts of July 2, 1862, and August 30, 1890, and other qualified colleges, universities, and research agencies, and the United States Department of Labor; to the Committee on Education and Labor.

By Mr. D'EWART:

H. R. 3379. A bill to authorize the Bureau of Indian Affairs to make and accept loans of road-building equipment; to the Committee on Public Lands.

By Mr. HAVENNER:

H. R. 3380. A bill to liberalize the delimiting marriage date in pension laws relating to certain widows of veterans of the Spanish-American War, including the China Relief Expedition and the Philippine Insurrection; to the Committee on Veterans' Affairs.

H. R. 3381. A bill relating to the immigration status of the lawful wives and children of Chinese treaty merchants; to the Committee on the Judiciary.

By Mr. KLEIN:

H. R. 3382. A bill to allow a deduction, for income-tax purposes, of $30 to a taxpayer who voted during the taxable year at any election in which a candidate was to be nominated or elected for Federal office; to the Committee on Ways and Means.

By Mr. MURRAY of Tennessee:

H. R. 3383. A bill to amend the act entitled "An act to reclassify the salaries of postmasters, officers, and employees of the postal service; to establish uniform procedures for computing compensation; and for other purposes," approved July 6, 1945; to the Committee on Post Office and Civil Service.

H. R. 3384. A bill to amend section 6 of the act of August 24, 1912, as amended, with respect to suspensions of employees of the United States; to the Committee on Post Office and Civil Service.

By Mr. O'BRIEN of Michigan:

H. R. 3385. A bill to require United States Civil Service Commission to establish regional office for State of Michigan at Detroit, Mich.; to the Committee on Post Office and Civil Service.

By Mr. SADOWSKI:

H. R. 3386. A bill to amend the Federal Tort Claims Act to increase the time within which claims under such act may be presented to Federal agencies or prosecuted in the United States district courts; to the Committee on the Judiciary.

By Mr. ANDERSON of California:

H. R. 3387. A bill to confirm and establish the titles of the States to lands beneath navigable waters within State boundaries and natural resources within such lands and waters and to provide for the use and control of said lands and resources; to the Committee on the Judiciary.

By Mrs. DOUGLAS:

H. R. 3388. A bill to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto; to the Committee on the Judiciary.

By Mr. HINSHAW:

H. R. 3389. A bill to confirm and establish the titles of the States to lands beneath navigable waters within State boundaries and natural resources within such lands and waters and to provide for the use and control of said lands and resources; to the Committee on the Judiciary.

By Mr. JOHNSON:

H. R. 3390. A bill to confirm and establish the titles of the States to lands beneath navigable waters within State boundaries and natural resources within such lands and waters and to provide for the use and control of said lands and resources; to the Committee on the Judiciary.

By Mr. KEOGH:

H. R. 3391. A bill to exempt graduates of the United States Merchant Marine Academy who hold commissions in the Naval Reserve from induction or service under the Selective Service Act of 1948; to the Committee on Armed Services.

By Mr. LEMKE:

H. R. 3392. A bill to regulate the sale of reserved accommodations on passenger trains; to the Committee on Interstate and Foreign Commerce.

H. R. 3393. A bill to create and establish an international university for the purpose of promoting universal understanding, justice, and permanent peace, to provide for the course of study, management, and operation of the university, and for other purposes; to the Committee on Foreign Affairs.

By Mr. McCORMACK:

H. R. 3394. A bill to provide benefits for members of the Reserve components of the armed forces who suffer disability or death while on 2 weeks' active duty, and for their

dependents; to the Committee on Armed Services.

By Mr. MACK of Washington:

H. R. 3395. A bill to provide assistance for local-school agencies in providing educational opportunities for children on Federal reservations or in defense areas, and for other purposes; to the Committee on Education and Labor.

By Mr. MURRAY of Wisconsin.

H. R. 3396. A bill to amend the law relating to timber operations on the Menominee Indian Reservation in Wisconsin; to the Committee on Public Lands.

By Mr. RANKIN (by request):

H. R. 3397. A bill to provide that all employees of the Veterans' Canteen Service shall be paid from funds of the service, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. SHEPPARD:

H. R. 3398. A bill to confirm and establish the titles of the State to lands beneath navigable waters within State boundaries and natural resources within such lands and waters and to provide for the use and control of said lands and resources; to the Committee on the Judiciary.

H. R. 3399. A bill to amend the Reconstruction Finance Corporation Act so as to more fully utilize the productive facilities of small-business concerns in the interest of national defense, and for other purposes; to the Committee on Banking and Currency.

By Mr. TOLLEFSON:

H. R. 3400. A bill for the purpose of erecting adequate Federal office and postal facilities in Tacoma, Wash.; to the Committee on Public Works.

By Mr. WOODRUFF:

H. R. 3401. A bill to include the Virgin Islands in certain titles of the Social Security Act; to the Committee on Ways and Means.

By Mr. YATES:

H. R. 3402. A bill to amend section II of the act entitled "an act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914; to the Committee on the Judiciary.

By Mr. FARRINGTON:

H. J. Res. 187. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. COOLEY:

H. J. Res. 188. Joint resolution to provide for the coinage of a medal in recognition of the distinguished services of Vice President ALBEN W. BARKLEY; to the Committee on Banking and Currency.

By Mr. GREGORY:

H. J. Res. 189. Joint resolution to authorize the issuance of a special 3-cent postage stamp commemorative of the Tennessee Valley Authority; to the Committee on Post Office and Civil Service.

By Mr. MULTER:

H. J. Res. 190. Joint resolution proposing an amendment to the Constitution of the United States with respect to the term of office and qualifications of Members of the House of Representatives; to the Committee on the Judiciary.

By Mr. AUCHINCLOSS:

H. Res. 140. Resolution to pay a gratuity to Annie O. Brown; to the Committee on House Administration.

By Mr. CHUDOFF:

H. Res. 141. Resolution to authorize the Committee on Interstate and Foreign Commerce to investigate and study public-opinion polls; to the Committee on Rules.

By Mr. RIVERS:

H. Res. 142. Resolution to authorize the Committee on Public Lands to investigate and study the circumstances surrounding the making of contracts and leases relating to golf courses in the District of Columbia; to the Committee on Rules.

By Mr. SMITH of Wisconsin:

H. Res. 143. Resolution to authorize the Committee on Armed Services to investigate and study the facts and circumstances relating to the obtaining of evidence in certain war-crime cases in Germany; to the Committee on Rules.

By Mrs. NORTON:

H. Res. 144. Resolution for the relief of Jean Ness; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred, as follows:

By Mr. BROWN of Ohio:

H. R. 3403. A bill for the relief of John B. H. Waring; to the Committee on the Judiciary.

By Mr. CELLER:

H. R. 3404. A bill for the relief of Thomas F. Dugan; to the Committee on the Judiciary.

By Mr. COOLEY:

H. R. 3405. A bill for the relief of Vivian Newell Price; to the Committee on the Judiciary.

By Mr. FARRINGTON:

H. R. 3406. A bill for the relief of Leslie Fullard-Leo and Ellen Fullard-Leo; to the Committee on the Judiciary.

By Mr. HAVENNER:

H. R. 3407. A bill for the relief of Mrs. Mary Ann Oliver; to the Committee on the Judiciary.

By Mr. JENNINGS:

H. R. 3408. A bill for the relief of Opal Hayes and D. A. Hayes; to the Committee on the Judiciary.

By Mr. PETERSON:

H. R. 3409. A bill to provide for the advancement of James Edgar Davis on the emergency officers' retired list of the Army; to the Committee on Armed Services.

By Mr. RABAUT:

H. R. 3410. A bill for the relief of Peter Kristian Kristensen; to the Committee on the Judiciary.

By Mr. SOMERS:

H. R. 3411. A bill for the relief of George Koniditsiotis; to the Committee on the Judiciary.

By Mr. TOLLEFSON:

H. R. 3412. A bill for the relief of N. H. Kelley, Bernice Kelley, Clyde D. Farquhar, and Gladys Farquhar; to the Committee on the Judiciary.

By Mr. WIGGLESWORTH:

H. R. 3413. A bill for the relief of Alfred Baumgarts; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

185. By Mr. CASE of South Dakota: Memorial of the State Legislature of State of South Dakota, memorializing the Congress of the United States not to enact legislation permitting the coloring of oleomargarine; to the Committee on Agriculture.

186. Also, memorial of the State Legislature of the State of South Dakota, memorializing the Congress of the United States to enact legislation which will assure the payment of prices for farm products at not less than 100 percent of parity; to the Committee on Agriculture.

187. Also, petition of Ralph R. Chapman, correspondent, and 26 other members of Local Branch 1225, National Association of Letter Carriers, Rapid City, S. Dak., veterans of World War II, requesting enactment of legislation to correct injustice of Public Law No. 134, enacted in July 1945; to the Committee on Post Office and Civil Service.

188. By Mr. TOWE: Petition of Hudson County Federation of Holy Name Societies, Jersey City, N. J., protesting against the outrageous procedure employed in the alleged trial of His Eminence Josef Cardinal Mindszenty; to the Committee on Foreign Affairs.

189. By Mr. WOLCOTT: Resolution of the Michigan State Legislature, protesting to the world the ruthless and unjust exercise of autocratic power in connection with the trial and conviction of Josef Cardinal Mindszenty; to the Committee on Foreign Affairs.

190. By the SPEAKER: Petition of Associated Townsend Clubs of Pinellas County, Clearwater, Fla., requesting enactment of H. R. 2135 and H. R. 2136, Eighty-first Congress, known as the Townsend plan; to the Committee on Ways and Means.

SENATE

THURSDAY, MARCH 10, 1949

(Legislative day of Monday, February 21, 1949)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

God of our fathers, to whose kingdom of justice and love the future belongs: It is Thy might which hath made and preserved us a Nation. In the dedication of this quiet moment, perplexed by rushing cares, we would still all other voices that Thine may be heard.

We long to see the genuine spirit of brotherhood regnant in our common life—cleansing it from all that is unwholesome, sweetening every human relationship, composing the differences of class with class and nation with nation, delivering from the lust for gain or power or privilege which would narrow our loyalties and harden our sympathies. To this end we pray that Thou wouldst hear us for the outward growth of Thy kingdom in the world, and for its inward growth in our own hearts and consciences. Through Jesus Christ our Lord. Amen.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Swanson, one of its reading clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 1741. An act to authorize the establishment of a joint long-range proving ground for guided missiles, and for other purposes;

H. R. 2546. An act to authorize the Secretary of the Air Force to establish land-based air warning and control installations for the national security, and for other purposes; and

H. R. 3333. An act making appropriations for the Department of Labor, the Federal Security Agency, and related independent agencies, for the fiscal year ending June 30, 1950, and for other purposes.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred as indicated:

H. R. 1741. An act to authorize the establishment of a joint long-range proving ground for guided missiles, and for other purposes; and

H. R. 2546. An act to authorize the Secretary of the Air Force to establish land-based air warning and control installations for the national security, and for other purposes; to the Committee on Armed Services.

H. R. 3333. An act making appropriations for the Department of Labor, the Federal Security Agency, and related independent agencies, for the fiscal year ending June 30, 1950, and for other purposes; to the Committee on Appropriations.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following communications and letters, which were referred as indicated:

REVISED ESTIMATE, FEDERAL SECURITY AGENCY
(S. Doc. No. —)

A communication from the President of the United States, transmitting a revised estimate of appropriation for the Federal Security Agency, involving an increase of $9,013,000, fiscal year 1949 (with an accompanying paper); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMISSION ON ORGANIZATION OF EXECUTIVE BRANCH OF GOVERNMENT

A letter from the Chairman of the Commission on Organization of the Executive Branch of the Government, transmitting, pursuant to law, a report on the Treasury Department (with an accompanying report); to the Committee on Expenditures in the Executive Departments.

A letter from the Chairman of the Commission on Organization of the Executive Branch of the Government, transmitting, pursuant to law, a report on Fiscal, Budgeting, and Accounting Activities (appendix F) (with an accompanying report); to the Committee on Expenditures in the Executive Departments.

A letter from the Chairman of the Commission on Organization of the Executive Branch of the Government, transmitting, pursuant to law, a report on Transportation and the National Government (vol. I, Proposed Revision of National Transportation Policy and Administrative Organization) (with an accompanying report); to the Committee on Expenditures in the Executive Departments.

A letter from the Chairman of the Commission on Organization of the Executive Branch of the Government, transmitting, pursuant to law, a report on Transportation and the National Government (vol. II, the Provision of Facilities and Regulation of Transport Enterprises) (with an accompanying report); to the Committee on Expenditures in the Executive Departments.

CALL OF THE ROLL

Mr. LUCAS. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Anderson	Chapman	Ellender
Baldwin	Chavez	Ferguson
Brewster	Connally	Flanders
Bricker	Cordon	Frear
Bridges	Donnell	Fulbright
Butler	Douglas	George
Byrd	Downey	Gillette
Cain	Eastland	Green
Capehart	Ecton	Gurney
Hayden	McCarran	Russell
Hendrickson	McCarthy	Saltonstall
Hickenlooper	McFarland	Schoeppel
Hill	McGrath	Smith, Maine
Hoey	McKellar	Sparkman
Holland	McMahon	Stennis
Hunt	Magnuson	Taft
Ives	Malone	Taylor
Jenner	Maybank	Thomas, Okla.
Johnson, Colo.	Miller	Thomas, Utah
Johnson, Tex.	Millikin	Thye
Johnston, S. C.	Morse	Tobey
Kefauver	Mundt	Tydings
Kem	Murray	Vandenberg
Kerr	Myers	Watkins
Kilgore	Neely	Wherry
Knowland	O'Conor	Wiley
Langer	O'Mahoney	Williams
Lodge	Pepper	Withers
Long	Reed	Young
Lucas	Robertson	

Mr. MYERS. I announce that the Senator from Minnesota [Mr. HUMPHREY] is absent by leave of the Senate because of illness in his family.

The Senator from Arkansas [Mr. MCCLELLAN] is absent by leave of the Senate.

The Senator from New York [Mr. WAGNER] is necessarily absent.

Mr. SALTONSTALL. I announce that the Senator from Vermont [Mr. AIKEN] and the Senator from Pennsylvania [Mr. MARTIN] are absent by leave of the Senate.

The Senator from New Jersey [Mr. SMITH] is absent because of illness.

The VICE PRESIDENT. Eighty-nine Senators having answered to their names, a quorum is present.

AMENDMENT OF CLOTURE RULE

The Senate resumed the consideration of the motion of Mr. LUCAS to proceed to the consideration of Senate Resolution 15, amending the so-called cloture rule of the Senate.

Mr. PEPPER obtained the floor.

The VICE PRESIDENT. Will the Senator from Florida yield so the Chair may ask the Senator from Illinois [Mr. LUCAS] if he proposes to make a request similar to that he has previously made for unanimous consent respecting the insertion in the RECORD at this time of routine matters?

Mr. PEPPER. I yield for that purpose, Mr. President.

Mr. LUCAS. Mr. President, I do not care to make that request.

The VICE PRESIDENT. The Senator from Florida has the floor.

Mr. PEPPER. Mr. President, I cannot escape the conviction that there are involved in this debate——

Mr. WHERRY. Mr. President, will the Senator from Florida yield so that I may ask unanimous consent to make an insertion in the RECORD?

Mr. PEPPER. I shall be glad to do so, Mr. President, if I may without impairing my status as being engaged in making my first speech upon the pending question.

Mr. WHERRY. I suggest to the majority leader that, if it meets with his approval, Senators be given the same privilege as has been afforded for several days past, to make insertions in the RECORD, at this time, at the beginning of the day's session.

The VICE PRESIDENT. The Senator from Florida has really not started his speech. If it is agreeable to the Senate, the Senator from Illinois——

Mr. WHERRY. Mr. President, I withdraw the request.

The VICE PRESIDENT. The Senator from Florida may proceed.

Mr. PEPPER. Mr. President, I had begun by saying that I cannot escape the conviction that there are involved in this debate crucial and vital issues. I deem those issues to be, first, the supremacy of the Constitution of the United States; second, the power of the Government of the United States to function; and, third, the duty of the Government of the United States to protect and further the principles of democracy in the United States and in the world. I say the supremacy of the Constitution of the United States is involved, because the situation in the Senate today contravenes the Constitution of the United States, and denies to the Senate of the United States the privilege of discharging its constitutional duty to legislate, for in Article I of the Constitution is to be found the following provision:

SECTION 1. All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Now, Mr. President, what is the legislative power? It is the power to consider legislation. It is the power to function. It is the power of its committees to deliberate on legislative proposals, to report them to the Senate, the power of the Senate to receive them, to regard them, to put them upon its calendar, to deliberate upon them, to adopt them, and at some reasonable time, Mr. President, to come to a decision with respect to such legislative proposals. Anything which denies to the Senate of the United States the power to function in one of those essential respects at any essential step from the initiation to the conclusion of a legislative proposal denies to the United States Senate its constitutional power and prerogative to legislate for the United States of America.

Mr. President, let me in the very beginning of my remarks say that if the Government of the United States was ever a confederacy it is not now a confederacy of sovereign States. The Government of the United States is the government of a nation. I am a Senator of the United States, a nation, a sovereignty in itself. The American flag floats over a nation. Thank God, it is a united nation among the political units of the world.

We all know, of course, the evolution of our state, our Nation, our national sovereignty. We know how it had its beginnings, of course, but, Mr. President, the third word in the preamble to the Federal Constitution is "people".

We the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty—

To whom? To the States? To the governors of the States? To the State legislatures? To the State supreme courts? No; "to ourselves," "the people," the Constitution says. And to whom else—the successors of the State sovereignties? No, Mr. President—to "our posterity."

This is a nation of people, Mr. President, not a nation of some political concepts that may be called sovereign states—

and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

For a nation, the United States of America.

Article I, section 1, of the Constitution reads as follows:

All legislative powers—

Legislative powers for whom, Mr. President? For the States? No; for the Government of the United States, which was breathed into being in the Constitution in 1787, and came into an effective status in the inception of this new thing upon the face of the earth, the Government of the United States, in 1789.

All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Mr. President, we derive our very compensation from the Government of the United States. The check which we receive for our services comes out of the Federal Treasury, and the funds to provide the sources of that compensation come from taxes levied by the Government of the United States.

The President is not the chairman of a board of directors. He is not the chairman of a conference of States. He is the Chief Executive and the principal magistrate of the most supreme power on the face of the earth, the United States of America, a nation, not a confederation. I thank God that I have the privilege to be a small part of the greatest unit of political character on earth, the United States of America.

This honored body has been vested with the power to be a part of the legislative function of the Government of the United States. Of course, our membership comes from the States, just as the membership of the House of Representatives comes from the districts. But, Mr. President, I do not represent the Governor of Florida. I do not represent the Legislature of Florida. I do not represent the Supreme Court of Florida. I do not hold my commission from them. I was not appointed by the Governor of Florida. I was not designated by my legislature or by the supreme court of my State. My certificate, on file in the office of the Secretary of the Senate, attests that I was elected by the people of Florida in an election.

So we are members of a government. This is not a part of some loose confederation which might have existed at some previous period of our history. The constituency of the Senate, of course, is founded upon a geographical entity, which is the State; but I say again that if there ever was any concept that a Senator represented a State in its official and sovereign capacity, that concept was certainly altered when the method of selection of Senators was changed from appointment by legislatures to election by the people. I regard a Senator as simply a member of a bicameral legislature, the Senate and the House of Representatives, in which is vested the legislative power of the Government of the United States.

Whatever thwarts the exercise of its legislative power by the Senate of the United States is a denial of the Constitution of the United States to that extent. There have been times in the past when an arrogant monarch actually barred the doors of a legislative assembly to the members of the assembly. That, of course, would be a denial of the legislative power.

Let us suppose that the honorable and honored minority in the Senate, opposing even a consideration of a rule change recommended by the Committee on Rules and Administration of this body, were to post themselves around the doors of this Chamber and say, "We forbid entry to every Senator who does not share our sentiments, every Senator who would organize the Senate into a legislative body, every Senator who would insist upon a calendar of Senate business, every Senator who would insist upon debate but eventually upon a decision and a roll call. We deny you access to this Chamber because we do not like what you might do." Of course, that would be unthinkable; but would it not be thwarting the legislative power and the duty of the Senate to legislate, to organize itself into a legislative assembly, and to function as such?

The counterpart of that is what is being done here today. It was done all last week. It will be done, undoubtedly, according to previous announcements, until in some manner the obstruction—not the debate—may be brought to a close.

Mr. LONG. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Florida yield to the Senator from Louisiana?

Mr. PEPPER. If the Senator will permit me, I should like to make my direct address, at the conclusion of which I shall be very glad to yield to Senators.

The VICE PRESIDENT. The Senator from Florida declines to yield.

Mr. PEPPER. Mr. President, I say that that is the counterpart of what is being done here now. Let us suppose that we gathered in this Chamber at noon of this day, and the Presiding Officer took his seat. Suppose he should deny recognition to any Senator who might rise to his feet. The Senate rules provide that every Senator must address the Chair and be recognized before he can utter a word. Suppose the Chair should say, "The Chair will not recognize any Senator who rises to his feet." The able leader of the majority might rise and say, "Mr. President—" and the Chair would say nothing. Again the able leader would insist, "Mr. President—" and the Chair would refuse to hear him, to recognize him. The minority leader might rise and say, "Mr. President—" and the Chair would refuse to call his name, to give him the floor. Senator after Senator might rise and seek recognition by the Chair. One after another they might be refused. We would sit here, a helpless body of men gathered together as a Senate, but unable to function because the Chair would not perform his part in the process and give the required recognition to Senators who aspired to carry on the business of the Senate.

That would shock the sensibilities of every Senator and every citizen; yet in principle, is not that what is being done now? We are being denied the power to change our own rules, to fix our own calendar, to determine what shall be the business of the Senate. It might as well be a bill of legislative character that might be thwarted by the minority in this case, which is not satisfied to rest the issue upon a vote of Senators, but which says to its fellow Senators, "We deny you the power to change the rules of the Senate, or even to consider a change." In numerous other cases the denial has been of the privilege to consider proposed legislation.

So I say, Mr. President, that if Senators were to range themselves around the doors, or if the Presiding Officer were to fail to recognize any Senator, that would be a denial of the duty of this body to function.

Let me give another case. Suppose Members gathered in the well of the Senate and made such loud noises that the business of the Senate could not be carried on, or distributed themselves over the Chamber and so conducted themselves that business could not be transacted. Would anyone deny that that would be something which would strike at the very quality of this body as a legislative assembly, something which would eventually have to be met and mastered before democracy could function and this assembly could discharge its duty? Of course not. None of the honored Members of this body could, in the remotest imaginative contemplation, be a party to such conduct. Yet, Mr. President, would that, in essential character be different from what they do now in denying to the Senate the right to consider a proposed rule change recommended by a standing committee of the Senate by a vote of 10 to 3 of the 13 members of the Committee on Rules and Administration, after public hearing and deliberation?

So, Mr. President, I say that whatever denies to the Senate the power to function in the exercise of its legislative power, contravenes and thwarts and denies and obstructs the functioning of the Constitution of the United States.

Let me put another case: Not far away from us is the Supreme Court of the United States. It has a membership of nine justices. They, too, have a calendar. They have an obligation under the Constitution, because the Constitution provides that the judicial power shall be vested in a Supreme Court and in inferior courts.

The judicial power imposes a duty as well as a prerogative upon the justices of that Court. Suppose they were attempting to fix the calendar of the business of the Supreme Court and provide for the argument of cases before the Court. Suppose that three of the justices, or one-third of the total number, were to say, "No; we do not want case A brought up. Carry that over until tomorrow or until next week;" and suppose that when next week came they

were to say, "Carry it over until next month;" and suppose that when next month arrived they were to say, "Carry it over until next year; we want to submit some more data. We do not approve what the majority may do in that case; therefore we protest against having that case placed on the calendar of the Supreme Court. We protest against its being argued by counsel before the Court, and against the briefs being received and considered." Or suppose the case had been argued, and suppose the Court had the matter before it, and suppose when the nine justices of the Court came to their conference, three of the justices were to say, "Mr. Chief Justice, we are not ready today. We do not want to take up that case now"; and suppose at the next conference they said the same thing, and at the next conference they persisted in the same course, and at the fourth conference the same conduct was engaged in, and day after day and week after week and month after month passed and those three justices continued to deny to their six brethren on the Supreme Court bench the right, the prerogative, and the duty of taking up and disposing of a case pending before that Court. If that ever became known, Mr. President, what would be the shock and the consternation of the citizens of the United States over such conduct by that Court, no matter how deeply the minority of justices felt that the probable opinion of the majority would be objectionable to them, and even not in accordance with the Constitution of the United States.

It all goes to show that when a minority presumes to tell a majority that the majority cannot even bring before a legislative body a legislative proposal or, in the case of a court, a legal proceeding, in such event the legislative or judicial powers are being denied to that body which has the obligation of functioning as a legislative or judical tribunal.

So I say that the Constitution of the United States is thwarted when the legislative function is denied to the Senate of the United States by a minority of its membership.

Mr. President, I realize that majorities can often be and often have been wrong; but surely there cannot be so much error in the decision of a majority upon a matter properly before the tribunal of which the majority is a part as there can be in a policy of a minority, often a small minority, which denies to the tribunal even the privilege of considering, let alone deciding, a matter which is properly before the duly constituted tribunal.

Furthermore, the Constitution of the United States provides that upon the demand of one-fifth of the Members of the Senate, a yea-and-nay vote may be required. Obviously that provision contemplated that eventually there would be a yea-and-nay vote if one-fifth of the Members of the Senate wanted the decision to be recorded by the yeas and nays. Obviously the forefathers contemplated that the Senate should get something done, should do its duty; so that provision of the Constitution clearly contemplates that although the Senate should debate, it should eventually decide the issues which are properly before it.

A third provision of the Constitution is that each House of the Congress of the United States is vested with authority to make its own rules. That is a constitutional privilege. Of course that is inherent in the nature of the body itself, but it is recognized by the Constitution that the Senate of the United States, and also the House of Representatives, shall have the power and of course the duty, since it must have rules in order to transact business, to prepare and to formulate and to determine its own rules.

Mr. President, is the minority in this case willing to allow the Senate of the United States to amend one of its rules? Obviously it is not. I say this is not a debate, but it is a determined obstruction which does not appeal to the Senate as to how it should vote, but tells it with all the strength the minority possesses that the Senate shall not vote; and not only that it shall not vote, but that it shall not even bring up a proposed rule change and make it the unfinished business on the Senate calendar. The minority says to the Senate, "We will not even allow you to consider a rule change," which under the Constitution of the United States the Senate is certainly privileged to do. Indeed, Mr. President, the Senate has a duty to modify its rules as experience dictates the necessity thereof, so that it may the better discharge the duty imposed by the first article of the Constitution which vests in the Senate and the House of Representatives the legislative power of the Government of the United States. Indeed, Mr. President, one of the ablest Senators who ever sat in this body, Senator Walsh, of Montana, argued, back in 1917, that it was unconstitutional for the Senate of the United States to adopt a rule that would thwart the legislative function which the Senate is duty bound to discharge. He said that we cannot escape the duty of legislating, imposed upon us by the Constitution, by the adoption of a rule which would thwart legislation and deny the right of the exercise of legislative power.

Mr. President, the Constitution of the United States provides that the Senate shall have a right to adopt its own rules. Of course, it does not tell us what the rules shall be; it does not prescribe the details. Of course it was contemplated that they should be worked out according to the wisdom of the Senate, based on the knowledge and the experience Senators would acquire.

But what do we have here? As we go back down the lane of history, we find that in the organization of the first Senate, when the rules were first promulgated, there was provision for a previous question. I know it has been well and ably said that the "previous question" was not contemplated as an instrument to bring debate of a general character to a conclusion, but that it was intended only to prevent the further discussion of matters of great delicacy and subjects the airing of which would not be in the public interest. Nevertheless, Mr. President, the previous question conferred upon the Senate a power to decide when it should use it.

Of course I am aware that when the rules were revised in 1806, after the farewell adress to the Senate of Vice President Aaron Burr, who called attention to the little use that was being made of the previous question rule, and that it probably was not necessary to retain it in the rules as then revised, the "previous question" was eliminated.

Mr. RUSSELL. Will the Senator yield for a question?

Mr. PEPPER. Mr. President, I regret exceedingly not to yield to my able friend the Senator from Georgia, but the Senator from Louisiana [Mr. LONG] previously asked me to yield to him, and I replied that, if I might do so, I should like to finish my remarks, and then I shall gladly yield to any Senator.

Mr. RUSSELL. Very well.

Mr. PEPPER. So, Mr. President, I say there was that power in the first Senate. Someone may say, "Yes, but the founding fathers never contemplated there would ever be such a thing as cloture." Eleven of those who were Members of the first Senate had participated in formulating the Constitution of the United States. They sat in the Senate. They had sat in the Constitutional Convention. The records do not disclose any outcries from those founding fathers that the inclusion of the previous question in the Senate rules was contrary to the sentiment of the framers of the Constitution. I do not recall whether their names have been put in the RECORD previously, but I shall not burden the RECORD very much if I put them in. They were John Langdon, of New Hampshire; Rufus King, of New York; Caleb Strong, of Massachusetts; William S. Johnson, of Connecticut; Oliver Ellsworth, of Connecticut; William Patterson, of New Jersey; Robert Morris, of Pennsylvania; George Read, of Delaware; Richard Bassett, of Delaware; Pierce Butler, of South Carolina; and William Few, of Georgia. Eleven Senators who sat in the Constitutional Convention were Members of the first Senate. They inserted within its rules the power to invoke the previous question. Moreover, we are told the previous question was employed prior to 1806, I believe, four times. I do not know, and I am told the details of its use are not disclosed, as to the occasion. I am aware of what has been said by authorities on the subject as to the limitation of it. But the previous question to bring debate to a conclusion was used four times between 1789 and 1806.

Through the years there has been a lengthy and voluminous history of efforts by leaders and Members of the Senate to curb the abuse of unlimited debate, in the public interest, in order that the Senate might discharge its constitutional duty to legislate for the Government of the United States. When I look back over the list of Senators who made those proposals, I am not ashamed to be in their company. I mention now Oscar Underwood, of Alabama, Senator Martin, of Virginia, the majority leader in 1917, Henry Clay, of Kentucky, but in the history of the country, from 1806 until

1917, scores of other Senators have recognized the necessity of meeting the abuse of the privilege of unlimited debate which prevailed in the Senate with a good many modifications which I shall not go into at this time.

During the Civil War, when there were executive sessions of the Senate, debate was limited to 5 minutes in executive session. There were numerous times during that period when the Senate voluntarily imposed limitations upon debate. Even now the rules of the Senate, aside from rule XXII, provide two limitations I can readily think of. One is that in the morning hour a Senator can speak for only 5 minutes; the other is that no Senator can speak more than twice on the same measure on the same legislative day. That is a permanent rule of the Senate. Nobody has attempted to repeal it. It is a limitation on debate. If there is to be free and unlimited debate, as some day there must be, why limit a Senator to two speeches on a bill? I am sure most of us think, Mr. President, the oftener we speak, the more we educate and edify our colleagues and the people of the country. Why limit a Senator's opportunity to educate and edify to only two speeches in one legislative day upon a subject, if it be a very serious and important subject? Can Senators not well imagine we might be debating the Atlantic Pact, in connection with which the Senator from Texas [Mr. CONNALLY], the chairman of the Foreign Relations Committee, and the able Senator from Michigan [Mr. VANDENBERG], the ranking minority member, might want to make a dozen speeches. Their colleagues might wish to hear them. Yet, under the rules of the Senate they would have to get unanimous consent before they could speak more than twice. Thus there has been constituted a rule for the limitation of debate, the necessity for which has developed from our experience of more than one and a half centuries of fruitful existence.

What was the occasion for the adoption of rule XXII, an amendment to which is now attempted to be brought before the Senate? Some say filibusters have never stopped anything that mattered; no legislation of any importance has ever been killed by a filibuster. In 1917 the ominous shadow of Kaiser Wilhelm and Prussian militarism and conquest already hovered over a great part of Europe and hung in the American skies. President Wilson proposed to the Congress that the Executive have authority to arm merchant ships of America plying the waters of the Atlantic, in order that we might defend Americans who were the crews of those ships, in order that we might preserve the freedom of the seas, which was a cherished American doctrine, in order that we might deliver goods to those to whom we chose to sell. Protecting the lives and the property of American citizens was the highest function of the Chief Executive. Yet when the proposal reached the Senate one Friday afternoon, at a time when, under the Constitution, the Senate would adjourn on the following Sunday because of the expiration of the Congress, it was a filibuster that prevented a vote in the Senate upon that bill, which admittedly, I think, would have prevailed had the Senators been given an opportunity to discharge the right they have to vote.

We hear a great deal in the Senate about the rights of minorities, although I am not so sure that the purpose of the present filibuster is not to prevent the majority of the Senate from preserving the rights of important minorities. I am not so sure from what has been said whether the minority today speaks the language of liberation from oppression or wishes to continue to forge shackles which have clung around the wretched feet of some minorities for centuries past.

I say we hear a great deal about the rights of minorities. Would it be an impropriety if I were to suggest that possibly the majority also has some rights in a legislative body? Would I be presumptuous to suggest that one of them is the right to determine what the Senate business shall be? Do I go too far when I intimate we have the right to debate and to deliberate and eventually to vote? Is it an unreasonable demand of the majority that they have a right to fix the Senate calendar, to determine what we shall debate, to give ample opportunity for discussion, and finally give Senators the right to act officially and to make a decision one way or the other?

I think I correctly recall that it was Daniel Webster who, in giving a definition of due process of law, said:

> It proceeds upon inquiry. It hears before it condemns, and renders judgment.

Does not a majority eventually have a right to render judgment, along with the right of inquiry, the right of hearing, before it decides?

So, Mr. President, I venture to say that the majority of the Senate has some rights which might be spoken of here, I hope, without offense, without any desire to diminish the rights of any Senators in this Chamber.

In 1917 a Senate filibuster killed President Wilson's recommendation that the Government be permitted to arm the merchant ships of America navigating hostile waters in moving across the sea. That precipitated action by the Rules Committee of the Senate. The agitation had started in 1915, and the Rules Committee had recommended in 1916 that there be adopted a cloture rule substantially in the form of rule XXII. But finally, when the filibuster killed President Wilson's proposal to arm American merchant ships, there was such indignation in the country at such restraint against the exercise of such power—indeed, Mr. President, there was such a consciousness in the Senate that something should be done—that something happened. What was it? The Republican conference and the Democratic conference agreed almost unanimously, as shown by the debate, upon the appointment of a committee of five Democrats appointed by the Democratic conference, and five Republicans appointed by the Republican conference, to get together and to formulate a cloture rule, because none existed in the Senate at that time. That committee of 10, a splendid bipartisan committee, made its recommendations. I believe the debate shows that at one time the action was unanimous, and then some Senator raised a question, but it was certainly an overwhelming unanimity which that committee presented to the Senate when it recommended the adoption of rule XXII. The Senate adopted the recommendation of the committee by a vote of 76 to 3 after about 6 hours' debate.

We Senators know what rule XXII is, but to those who may not be so well informed as we are, and who may read the RECORD, may I simply say that it is, of course, a rule which allows 16 Senators to file a petition for cloture. When such a petition is filed, it is the duty of the Presiding Officer to give notice to the Senate, through the clerk, of the filing of such a petition, and on the following calendar day but one, 1 hour after the Senate convenes, it is the duty of the Presiding Officer to lay the cloture petition before the Senate. Then it is up to the Senate to decide by a vote whether debate shall be brought to a close. If two-thirds of the Senators present and voting, it being assumed, of course, that a quorum is present, vote for closing debate, it is closed; but thereafter each Senator may speak for 1 hour on the bill or amendments, or upon amendments exclusively, whichever may be his choice. That gives the privilege of debate for 96 hours. It did not take the B–50 more than 94 hours to circle the globe. So an airplane could fly around the world while Senators were still debating under the permission of the cloture rule, rule XXII, if two-thirds of the Senators present and voting should bring debate to a close.

Mr. President, in 1917 that rule was proposed by a bipartisan committee of five Democrat and five Republican Senators. After 6 hours' debate in the Senate it was adopted by the Senate as rule XXII. It was assumed then that the Senate, by a two-thirds vote, could bring debate to a close. I have read in the CONGRESSIONAL RECORD every word of those 6 hours of debate, and there is not one intimation in the debate that any Senator had a doubt of the universality of the application of rule XXII to any pending question, as well as to any measure; that is, any bill or resolution that might happen to be before the Senate. In my opinion, it was certainly the belief of the Senate which adopted that rule and of the Senators who proposed it that debate was subject to being closed by two-thirds of the Senators present and voting, if they chose to close debate.

Of course, Mr. President, just as the founding fathers could not anticipate everything, it proved later on that the framers of that rule did not anticipate everything.

But before I pass to what happened in 1917, may I call the attention of my honored and revered southern colleagues to what southern Senators did in the Senate in 1917, with respect to rule XXII. I think the able Senator from Tennessee [Mr. KEFAUVER] and I, if we associate ourselves with the conduct of southern Senators in 1917, need not be ashamed of our company, or regret it. In the first place, who was it who brought the ma-

jority resolution before the Senate but the able majority leader and distinguished Senator from the Old Dominion State of Virginia, Senator Martin.

Mr. President, I want to read the names of the Southern Senators who voted for the cloture rule, rule XXII. Mind you, Mr. President, I say that when they voted for it they did not anticipate that shrewd and ingenious parliamentarians would later discover the loopholes which have permitted numerous filibusters since 1917 and which permit the filibuster which is in existence in the Senate today and it is these loopholes which the proposed rule change now before us would eliminate.

Here are the southern Senators who voted "yea" upon the adoption of the two-thirds rule:

Beckham of Kentucky; Broussard of Louisiana; Hardwick of Georgia; James of Kentucky; Kirby of Arkansas; McKellar of Tennessee; Martin of Virginia; Overman of North Carolina; Ransdell of Louisiana; Robinson of Arkansas—

I pause, Mr. President, to pay tribute to the great name of Joe Robinson, who was the leader of the Senate when I had the honor to come here in late 1936—

Sheppard of Texas; Shields of Tennessee; Simmons of North Carolina; Smith of Georgia; Smith of South Carolina; Swanson of Virginia; Underwood of Alabama; Vardaman of Mississippi; Williams of Mississippi.

Those were the Senators from the South, Mr. President, who actually voted for the adoption of that resolution.

Certain southern Senators were absent, but their attitude was recorded in the RECORD. They were:

Underwood of Alabama, for whom it was announced that he would vote "yea"; Culberson of Texas, on whose behalf it was announced that he would vote "yea"; Tillman of South Carolina, for whom it was announced he would vote "yea." The then senior Senator from Florida, my revered predecessor, Senator Duncan U. Fletcher, was absent and apparently was not recorded.

Mr. President, would anyone suggest that those southern champions did not love the South? Were they traitors to its traditions? Were they scallywags or carpetbaggers? Were they acting against the land of their birth and of their loved ones? No, Mr. President, I do not regard myself as being untrue to the South, to its traditions or its great champions of the past, if I associate myself with those in the Senate who believe that under the Constitution we have a duty to function, that under the Constitution we have the right to amend our rules, or, Mr. President, in this troubled era of the earth, when we stand like an Atlas with the world trembling upon our shoulders, that we have an obligation to promote and to further democracy in America and in the world.

As I have said, Mr. President, it was discovered that there were loopholes. I believe the first discovery came when it was suggested that there might well be cloture applied to the reservations to the Treaty of Versailles, and the Presiding Officer ruled that the cloture rule would not apply to reservations. But the author of the petition did not seek to make it applicable to the treaty and the reservations. Let that be remembered and borne in mind.

Then in 1922 there was debate upon another one of the so-called civil-rights bills, in that year the antilynching bill. I believe it was called the Dyer bill at that time. A moment ago I read the name of Mississippi's able John Sharp Williams as one of those who supported cloture in 1917, and now I refer to one of the most able and beloved men who ever sat in the Senate, a man to whom I am personally greatly indebted, Senator Pat Harrison, of Mississippi, who, apparently, was the ingenious discoverer in 1922 of the privileged motion to amend the Journal which brought the first ruling, I believe, that the cloture rule was not applicable to a motion to amend the Journal.

Filibuster after filibuster intervened, Mr. President, until finally in 1946, when the able Senator from Tennessee [Mr. MCKELLAR] was in the Chair, a question was presented as to whether rule XXII was applicable to a motion, and the Senator from Tennessee, then the President pro tempore of the Senate, ruled that rule XXII would not apply to the motion which was involved at that time, that also being, if I recall correctly, a motion to amend the Journal.

In 1948, when the able senior Senator from Michigan [Mr. VANDENBERG] was in the Chair as the President pro tempore, another cloture petition was presented. That cloture petition attempted to bring to a conclusion debate upon a motion to take up one of the so-called civil rights bills, the anti-poll-tax bill. I may say with no regret, Mr. President, that I am basically the author of that bill, introduced in the Senate in 1941. The able President pro tempore at that time filed an opinion in which he said that he felt himself bound by precedent and by the limitations of the rule to hold that the cloture rule, rule XXII, did not apply, under the circumstances then prevailing, to a motion to take up the anti-poll-tax bill.

If I recall the situation accurately, I think it should be said that this was a motion to take up, but there was other unfinished business in the Senate at that time. But I shall read in part what the able President pro tempore gave as his opinion. I quote from page 16 of the very excellent bulletin entitled "Public Affairs Bulletin No. 64," prepared by Dr. George B. Galloway, on the subject Limitation of Debate in the United States Senate. Dr. Galloway is now with the Legislative Reference Service of the Library of Congress. He was the principal adviser of the Joint Committee of the Congress on Reorganization, which produced the Reorganization Act effective in January 1946. This is a quotation from the opinion of the Senator from Michigan [Mr. VANDENBERG], then President pro tempore:

> In the final analysis, the Senate has no effective cloture rule at all. * * * a small but determined minority can always prevent cloture, under the existing rules * * * a very few Senators have it in their power to prevent Senate action on anything.

Mr. President, this is the President pro tempore of the Senate speaking, in the midst of a decision, or as a part of the explanation of an official decision made by him in interpreting rule XXII. I repeat:

> A very few Senators have it in their power to prevent Senate action on anything.

The Senator from Michigan continued:

> The existing Senate rules regarding cloture do not provide conclusive cloture. They still leave the Senate, rightly or wrongly, at the mercy of unlimited debate ad infinitum.

That decision was delivered on August 2, 1948.

Mr. RUSSELL. Mr. President, will the Senator yield for a question?

Mr. PEPPER. I yield, as I said a while ago, only if some Senator wishes to question the accuracy of a quotation. I shall yield for that, but as I indicated a moment ago, if the Senator will permit me to conclude my address, I shall then yield to any Senator who wishes to ask a question. If I do not follow that course I shall never get before the Senate the main points I wish to make.

Mr. RUSSELL. Of course, under that condition, Mr. President, I could not question the Senator, because I agree completely with the accuracy of the statement he has quoted. I merely desired to ask the Senator whether he was in agreement with the authority he was quoting so earnestly.

The PRESIDING OFFICER (Mr. GILLETTE in the chair). The Senator from Florida declines to yield.

Mr. PEPPER. Experience has proved thus far, at least, that the Senator from Michigan was right in what he was saying. It has generally been insisted that he was right. The question may be before the Senate at a later time, and if the question is presented to me as to what I would do, perhaps, if I were Presiding Officer of the Senate, that might be one thing. What I might do as a Senator, when the Senate has the right to make rules, may be another thing. I have never questioned the sincerity of the ruling of the able Senator from Michigan. I did, along with the majority leader, and I believe another Senator or two, submit some observations at the time the ruling was about to be made as to its correctness which speak for themselves.

I do say that certainly some way must be devised by which the Senate can control the business of the Senate and the Senate Calendar. We may have to decide that matter, Mr. President, before this discussion is concluded. But I am saying that, since 1917, Presiding Officers, when motions were presented, have ruled that there were loopholes in rule XXII, adopted in 1917, and the loopholes so far discovered by ingenious parliamentarians—than whom there are no abler anywhere than there are in the Senate—have been in reference to motions to amend the Journal after an adjournment, and, of course, motions to take up. To plug these loopholes is the primary purpose of the proposed amendment to rule XXII we are trying to take up.

The Senator from Tennessee [Mr. MCKELLAR], in the chair as President pro

tempore, and the Senator from Michigan [Mr. VANDENBERG], in the chair as President pro tempore, have held that they were bound by precedent to rule the way they did rule. What a court says, of course, is some evidence of what the law is, and the Chair certainly makes the rule, if the situation is such that a Senator cannot gain anything by taking an appeal; he is the final authority. If he rules that the rule does not apply, there would be no efficacy in taking an appeal, because that, in turn, would be subject to unlimited debate; and if the appeal were laid on the table, the ruling of the Chair would simply be affirmed. So when the Presiding Officer decides against the applicability of rule XXII, the majority is helpless to reverse him or even to get a vote of the Senate, because of the privilege of unlimited debate, which may be applied even to an appeal from the decision of the Chair by a previous understanding among Senators and under rulings of the several Presiding Officers.

It was discovered, therefore, that these loopholes were assumed to exist, and it was felt as long ago as the year before last that something should be done about it by the Committee on Rules and Administration of the Senate. A resolution came out of that committee in 1947, and lay upon the Senate Calendar throughout the session. In 1947 the able Senator from Massachusetts [Mr. SALTONSTALL], if I recall correctly, was designated by the Republican conference to study the subject of how the rule might be amended to bring about some kind of effective cloture in the Senate. The Committee on Rules and Administration reported favorably the resolution which we are attempting to get before the Senate, which received bipartisan support, and the favorable report for the proposed rule change was made by a vote of 10 to 3. Now the matter is here before the Senate upon a motion to take up.

Mr. President, I certainly do not question the motives or the deep sense of conscientiousness that impels the Senators of the minority in this fight, but has any Senator ever heard of a Senator associated with the minority in this debate propose to repeal rule XXII? Has any Senator ever heard the suggestion that rule XXII was undemocratic, that it thwarted the will of the minority or that it would destroy the character and impair and tarnish the noble traditions of the Senate? If they feel that any form of cloture accomplishes such odious results—and admittedly rule XXII applies to a bill once it is under debate—why have not these honorable Senators proposed a complete repeal of rule XXII, its eradication from the rule book, the obliteration of that contamination from the structure of law which governs the Senate? But they have not done that. Of course, they are temporarily satisfied to rely upon the loopholes which they have ingeniously discovered, or which their predecessors have discovered.

The question, Mr. President, which cannot be escaped is, Shall the Senate of the United States have the power which is conferred upon it by the Constitution, to make its own rules? If it has the power under the Constitution to make its rules it has the right to consider proposed rule changes, and anyone who denies that, I respectfully submit, denies the admitted right of the Senate to exercise its constitutional prerogative.

Yet able and honorable Senators of the minority tell us that in spite of the fact that one of the outstanding standing committees of the Senate has had before it numerous resolutions proposing rule changes, has had public hearings upon those proposals, has adopted them in committee, has recommended one of them to the Senate by a majority of 10 to 3, and has had it placed upon the Senate Calendar—yet notwithstanding all that they forbid the Senate the right to consider a proposed change in its rules.

Is that in accordance with the Constitution? Is that in accordance with the basic obligation of all of us to facilitate the business of the Senate? Is that in protection and in furtherance of democracy in this last great strong citadel of democracy in the world today? I submit that the answer is obvious—it is "No."

As I have stated before, Senators may say, "Well, there is nothing of any moment that has ever been thwarted by a filibuster." Dr. Galloway has listed on pages 20 and 21 of his bulletin, to which I have referred, a number of bills which have been defeated by filibuster.

The reconstruction of Louisiana in 1865.

The repeal of election laws in 1879.

The force bill in 1890 and 1891.

Three rivers and harbors bills in 1901, 1903, and 1914.

A tri-State bill in 1903. If I am informed correctly, that was a bill for the admission of three States into the Union, and it was defeated by filibuster. They may have later been admitted, no doubt were, but it confirms what the Senator from Michigan [Mr. VANDENBERG], said in his decision, that filibuster, under the present state of things, may be applied to anything. While it happens to be a rule change today, it was other things at other times.

The Colombian treaty over the Panama Canal in 1903.

Two ship subsidy bills in 1907 and 1922–23.

The Canadian reciprocity bill in 1911.

Arizona-New Mexico statehood in 1911.

The ship purchase bill in 1915.

Mr. McFARLAND. Mr. President, will the Senator yield?

Mr. PEPPER. If the Senator will allow me——

Mr. McFARLAND. Will the Senator yield for a question?

Mr. PEPPER. I have been declining to yield until I could conclude, and if the Senator will allow me——

Mr. McFARLAND. The Senator mentioned my State.

Mr. PEPPER. In that case I guess I will have authority to make my own distinction. I want to be accurate about anything I say. If there is any inaccuracy in what I have said I should like to be corrected. I yield for a question only to the Senator from Arizona.

Mr. McFARLAND. Is the Senator aware that the filibuster in regard to statehood of New Mexico and Arizona in 1911 was to secure action of the Senate which would permit the admission of Arizona as a State and that if it had not been for that filibuster, Arizona might not have been a State today.

Mr. PEPPER. I have no doubt, Mr. President, that Arizona would have made such an impression upon the Senate with its claim for admission that it would have been heard and have received favorable action at an early date. But I am glad to have any elucidation on the subject from my able friend from Arizona.

I mentioned the ship-purchase bill. That was in 1915. There were German ships in American ports. President Wilson wanted to purchase those German ships and put them in American commerce. Senators filibustered the proposal and defeated it by a filibuster. That was related to the national defense. An adequate maritime service, of course, is essential to the national security.

I have already referred to the armed-ship resolution of 1917. A filibuster prevented the President of the United States from protecting American lives and property and preserving the American freedom of the seas at that time.

Oil and mineral leasing bill and several appropriation bills in 1919.

Let me interpolate, Mr. President, so that I may proceed in chronolgical order, that I believe it is a fair judgment that the Treaty of Versailles was defeated in the Senate because there was no effective cloture rule applied—at least at the time of the debate upon that vitally important proposal.

Senators will remember that President Woodrow Wilson sent the Treaty of Versailles to the Senate Foreign Relations Committee in July of 1919. It was far into 1920 before that measure was ever disposed of—after prolonged debate and propaganda had so confused and divided the minds of the American people that they failed to demand of the Senate support of the President. The Senate did not support the President. The League of Nations was defeated. America stayed out, although we had initiated the proposal in the Versailles Peace Conference, and I, for one, will always feel that a part of the penalty and price we paid for that error was World War II.

There were three antilynching bills defeated by filibuster—in 1922, 1925, and 1937–38.

The migratory-bird bill, 1926.

The campaign-investigation resolution, 1927.

The Colorado River bills—Boulder Dam project—1927–28.

Emergency officers' retirement bill, 1927.

Washington public-buildings bill, 1927.

National-origins provision in immigration law—resolution to postpone—1929.

Oil-industry investigation, 1931.

Supplementary deficiency bill, 1935.

Work-relief bill — prevailing-wage amendment—1935.

Flood-control bill, 1935.

Oil-conservation bill, 1936.

There were four anti-poll-tax bills, in 1942, 1944, 1946, and 1948.

The fair employment practices bill, 1946.

Dr. Galloway adds at the bottom of page 21 of the bulletin the following:

Numerous appropriation bills: For a partial list of 82 such bills that failed from 1876 to 1916, see CONGRESSIONAL RECORD, June 28, 1916, pages 10152 and 10153.

So, Mr. President, the power to filibuster applies not only to the bad; it applies to the good. The power of the minority which may be exerted to defeat the consideration of a bad measure may also be used to thwart the most crucial decision the Government of the United States could make. I am not saying that it has been so used. I say that it could be. I say that it is a power which is dangerous to American democracy. I say that it is a power which is out of harmony with the character of this body, this Government, and this Nation. I say that it is a sword which might strike down the very deliverance of this country from danger. It is a power which no minority in any assembly should possess. It is a power which must be denied and curbed if the Senate of the United States is to discharge its constitutional duty to legislate, its privilege to provide its own rules, and its obligation to protect and further the greatest Government in the world, and the sentiments of democracy at home and abroad.

Another thing which I wish to emphasize to my honored colleagues is the complexity and multiplicity of the problems and tasks which face us as legislators in the Senate, and the almost immeasurable demands which face the Government of the United States, which we as Senators must squarely meet.

This is the highway of legislation; and, if legislation cannot pass this junction point, the American Government is paralyzed and helpless. If a minority can prevent the taking up of a proposed rule change, if a minority in the Senate can deny to the majority the right to consider a bill, it can also filibuster a motion to make a declaration of war, or the making of peace, or the supplying of the armed services with necessary funds, or the raising of an Army, Navy, and Air Force, or the organization of a National Guard.

Mr. President, that same power might paralyze a government in peace or war. It is a dangerous power. Senators ought not to ask that they be protected in the exercise of such a power. While they might not abuse it, who can attest that every man who will ever sit in this assembly will have an equal fidelity to the aims and objectives of this great Republic?

Take the matter of the Senate giving advice upon treaties, giving to the President of the United States concurrence in the establishment of our foreign policy. I invite attention to the danger which the power to filibuster constitutes to the Nation's foreign policy, which is our weapon along with our armed forces, to maintain peace and democracy in the world.

Today the question happens to be a motion to take up a proposed rule change. At an earlier time, in 1948, it was a motion to take up an anti-poll-tax bill. In 1946 it was a motion to take up an anti-poll-tax bill. In 1946 it was a motion to take up a labor disputes measure. In 1946 it was a British loan which was the subject of filibuster, upon which a cloture petition was filed, which was defeated by an equal vote of 41 to 41. That was a British loan. It might have been the Marshall plan. It might now be the proposal to extend the Marshall plan for another 15 months. Such a measure is now on the calendar. When the able chairman of the Foreign Relations Committee rises to move that the Senate proceed to the consideration of the extension of the Marshall plan, suppose Senators leap to their feet and begin to filibuster.

Someone may say, "Filibusters do not last very long. It is only a matter of a few days." Some figures have been compiled on that question by Dr. Galloway. Let me give the time consumed in some famous filibusters. I am referring to some data given me by Dr. Galloway.

In 1841 the subject filibustered was the Bank of the United States. The filibuster lasted 14 days.

In 1846 the subject was the Oregon bill. The filibuster lasted 2 months.

In 1880 it was the Blair education bill. The filibuster lasted 26 days.

In 1881 the subject of filibuster was the reorganization of the Senate, and the filibuster lasted 47 days.

How many more days are we in for now, if some way is not discovered to bring this matter to a close?

In 1890 the force bill was the subject of filibuster, and the debate lasted for 29 days.

Mr. STENNIS. Mr. President, will the Senator yield for a question concerning the accuracy of those statistics?

Mr. PEPPER. On that subject, I yield only for a question, so that I may not lose my standing.

Mr. STENNIS. May I inquire of the Senator if the time given as to the duration of those filibusters includes merely the days from the beginning to the end, or whether it is the actual days consumed in debate on the particular bills? For example, this subject has been before the Senate since a week ago last Monday. As the Senator knows, a great deal of time has been spent on other subjects. Does the Senator have information with reference to the so-called filibusters he cites which will give us the interim time?

Mr. PEPPER. I regret that I am unable to give the Senator that information. I asked Dr. Galloway to do some research in the Library of Congress about the length of filibusters and the subjects. These are the data which he supplied me. However, I promise the Senator that I shall ascertain that information accurately and place it in the RECORD, or else advise him at a later time, so that he may state it for the RECORD, if he chooses to do so.

In 1883, as I have said, the Silver Purchase Act was under consideration by the Senate, and the filibuster on it lasted 64 days.

In 1914, the Panama Canal bill was the subject of a filibuster which lasted 31 days.

In 1917 the armed ship bill was the subject of a filibuster which lasted 23 days.

In 1926, the World Court bill was the subject of a filibuster. Mr. President, I think that was related to the peace of the world. Had it not been for the cloture rule, the debate could not have been brought to a close. I know what the issue was. The Senate did not agree to have the United States join the World Court; but at least the Senate passed upon the matter, because the cloture rule was held applicable. If some Senator had moved to bring up that bill, and then the filibuster had started, there would not have been any power, according to the past rulings of the Chair, to have concluded debate upon that vital matter.

In 1933 branch banking was the subject of a filibuster which lasted 14 days.

In 1938 the antilynching bill was the subject of a filibuster which lasted 29 days. In that case I would not be surprised to learn that that was time actually devoted to debate. Incidentally, let me make my own position clear. I am going to refer to the civil-rights bills in a few minutes. I joined in the fight on an antilynch bill in 1938, and spoke for 6 hours on one day and for 5 hours on the next. I remember that many other lengthy speeches were made by my colleagues at the same time. I wish to interpolate, however, that my deep conviction about the League of Nations and the feeling I have always had that it was the fact that the Senate did not then bring debate to a close within a reasonable time that defeated the League of Nations in the Senate, have, I admit, colored my thinking on the subject ever since. I have always had strong convictions about an international organization, because of what happened then in the Senate. There was no more able advocate of the League of Nations than the distinguished Senator from Mississippi, John Sharp Williams, who was a giant in the Senate in support of that great proposal. But I became convinced that I would rather risk the wrong that the Senate might do after debate had been fully had and, if rule XXII applied, after it should be observed, than to deny the Senate the privilege of doing anything.

I think I would prefer the protection of the courts of the country against having a majority prostitute and deny the safeguards of the Constitution, rather than to have to depend on a minority of the Senate, with all respect and deference to my honored colleagues. I am afraid that sometimes Senators in their zeal and in their conscientiousness forget that we still have courts to assure the application of all the curbs and restraints of that blessed document, the Constitution, which Gladstone said is the greatest document ever struck off at a given time by the mind and hand of man.

So, in addition to the restraining influences of their own consciences and their own loyalty to their country and their consideration for their colleagues, we have the assured debate which rule XXII will allow even if amended as proposed because everyone knows that under rule XXII, if all the loopholes are plugged, it is necessary first to obtain the signatures of 16 Senators, in order to be able to file a cloture petition. Sixteen Senators constitute one-sixth of the entire Senate. I cannot imagine that Senators would join in a cloture petition

unless it had already been announced or unless it was previously known that the debate was not to educate, but to obstruct. I signed the petition that will be presented here today. I could not be forced to put my name on that piece of paper, Mr. President, if my honored colleagues here were to say, "Senators, hear us for a reasonable time. Pause before you decide." I tell my colleagues of the minority today, I would vote to give them a month for debate if they will give us assurance that when the month has expired, the majority may proceed to fix the Calendar of the Senate and bring this question to a decision. In fact, Mr. President, I would go further: If the minority will give me assurance that they will let us decide this matter, I will sit here in my seat every day I am able to be here for 2 months, to give them a chance to say everything they want to say.

But can they in good conscience give us such assurance, Mr. President? Have not they already said they feel this matter is so vital and so supreme that they cannot surrender any power they possess to prevent the Senate from even debating this question properly? That is the reason why we have to file the petition, because we know what their position is. We know the strength of their determination and their capacity to do what they have, with all honor and credit to them, set out to do, namely, to prevent the Senate from ever voting on the proposed change in the rule if they can help it.

So, Mr. President, I say I would prefer the protection of a majority and the shield of the courts, rather than to put the liberties and the security and the safety of America almost exclusively in the hands of a temporary minority of Senators in this body.

I was referring to bills which had been the subject of filibusters, and the length of time those filibusters consumed. The last one I have on my list is the one occurring in 1939, on the monetary bill. The time consumed by that filibuster was 16 days.

Dr. Galloway adds that the total time consumed on those several measures was 364 days; and there are 12 of them, so that makes an average of 30 days for each measure which was the subject of a filibuster, if Dr. Galloway's figures are correct.

Of course there have been numerous filibusters since 1939, which is the last date shown on the list I have. We have had filibusters on numerous other occasions.

Mr. President, I have pointed out the measures which have been the subject of filibusters. I have given the best evidence I have as to the length of time, both total and based on an average, consumed by those several filibusters.

And now, Mr. President, we come to the making of a very serious decision, namely, whether we are to allow the Senate to function as a legislative body, whether we are to allow it to discharge its constitutional privilege of fixing its own rules, or whether we are to deposit that power in a minority which from time to time may exist in the Senate of the United States.

Let it be remembered, Mr. President, that although this minority may be one-third of the Senate or may be even larger, on occasion it has been only one Senator, or only two Senators, or a very small number of Senators; as the Senator from Michigan [Mr. VANDENBERG] has said in his ruling, "A very few have the power to thwart the will of the Senate."

Mr. President, I said that I thought the filibuster and the power to filibuster are contrary to the provision of the United States Constitution which vests the legislative power in part in the Senate of the United States, as one of the coordinate bodies of the United States Congress. But there is another power the Senate has, as well as the legislative power, and that is what might be called a sharing of the executive power and functions. For instance, it is the power of the Senate to give concurrence upon treaties and other matters of foreign policy.

I have already mentioned that a filibuster was applied at one time to the British loan. I have pointed out that it might be applied to the Marshall plan. I, of course, suggest it might be applied to the Atlantic pact when it comes here in a few days from another committee of the Senate.

This is what concerns me: I spoke a while ago about the complex and awesome burden which faces the Government of the United States. Think how colossal are our responsibilities in the world at large. I feel that if the Senate is to continue to discharge its functions adequately to advise and consent to the ratification of treaties, if it is a necessary concurring party to our foreign policy as negotiated by the President, the Senate must not only have the power but it must be willing to make decisions with respect to whether it shall give or withhold its concurrence. This is what I mean: In 1918 President Woodrow Wilson, at the end of the then greatest war in history, went to Paris to the Versailles Peace Conference. He felt that if out of the peace conference there was not brought forth a League of Nations we in another generation should have to face another world war. In fact, upon his western swing, if not at Pueblo, Colo., where he fell stricken during an illness in September 1919, he made the prediction that in 25 years, if we did not adopt or support the League of Nations, we should be faced with another war. It was only 20 years later, in 1939, that the evil Hitler sent his Nazi hordes across the border of Poland to start the actual fighting part of World War II, which later sucked into its maelstrom the lives of half a million American citizens.

President Wilson, while at Versailles, had notice that the Republican membership of the Senate to a considerable extent was proposing reservations to the League of Nations. He had notice that there was criticism of his effort to have the League of Nations included in the League Covenant. He had notice that a round robin had been signed by Senators and piled upon their desks, advising that they would not concur in the Versailles Treaty unless the reservations specified were attached to the League of Nations Covenant. He had notice of that. Before he left Versailles he also had notice that France was demanding security from the United States against the subsequent violation of its borders by a revived Germany. He had rumblings from back home as to what the Senate might do with respect to such a treaty executed by him as President. But what could he do, either with respect to the League of Nations Covenant or with respect to the treaty which he signed assuring our pledge of coming to the aid of France along with England if a revived Germany should again assault that ancient and noble people? What could he do except come home? What could he do except submit the League of Nations Covenant to the Senate and let it take its own good time, in committee and upon the floor, to determine whether it should give or withhold its advice and consent to the ratification of the treaty? Meanwhile, what did the Senate do? It was not until far into 1920 that the matter was disposed of. What had happened meanwhile? The Versailles Conference was disbanded. The world stood suspended awaiting the verdict of America, whose President had proposed the League of Nations, to see what we would do; for then, as now, we had emerged from the war as the supreme power on earth. And although Wilson should plead and beg and implore, though he should go to the country and urge the Senate to act, nobody had power to make it act. If the loopholes which have since appeared had been discovered, when the chairman of the Foreign Relations Committee brought the proposed treaty to the floor, Senators could have filibustered it to death on a motion to take up, and it never could have been even considered.

The Atlantic Pact, by a filibuster, can be kept from the calendar of the Senate, no matter what the demand from the Nation may be, if we allow this dangerous power to remain uncurbed.

Senators feel deeply about civil rights. Other Senators have their convictions about other subjects. They are not alone in the very deep sentiments they have on various subjects. If we honor their conscientious determination with respect to the proposed rule change, can we deny to other Senators the equal protection of the principles they regard as vital? And if every minority is accorded such privilege, such unimpeded prerogative, where are we, as a body?

If I recall correctly, I do not believe President Wilson ever submitted the proposed guaranty to France. But suppose it should have been necessary to have given France an answer within a reasonable time from the date of the negotiation of the treaty, perhaps, for her own security, to stop her from marching into Germany, and the President had sent it to the Senate saying, "Senators, I lay this before you. I think it is a national necessity. I beg of you to give it your primary consideration and to give me your answer about it. Will you advise and consent to its ratification when it goes to the Senate?" Senators feeling deeply on a subject can filibuster against the measure ever being taken up, let alone being decided.

I raise the question I stated on this floor in late 1944, that I thought the

Senate had a concurrent power with the Executive with respect to the foreign policy of the country. I still believe so. Certainly in respect to that policy which is embodied in treaties, we are a necessary concurring party. In other words, we are a partner to the partnership, the concurrence of both members of which is essential before partnership action, as it were, may ensue. Yet the President might be in the most important of all conferences. He might need our concurrence or at least our advice as to whether or not we would concur. He might send us an urgent appeal to act. But a minority has it in its power to prevent any action at all. With all humility, I want to say to my colleagues that in this important era of world history, in this day when America is reaching the perihelion, the Senate must be able to act. I do not suggest what its action shall be, but it must meet the challenge to act and to decide according to its good judgment and its conscience. Yet, so long as the power of filibuster remains uncurbed in the Senate, the United States of America has no assured capacity to do anything that a minority of the Senate might not permit. Can we afford that? Is that safe? Is that wise? Is that a rock, the durability of which is such as to bear the destiny of America and America's obligations? Can we make a determined minority of the United States Senate the arbiter of American conduct, the light of history, and the final rendezvous with human destiny? I deny that that is a safe power to remain in the hands of any minority, however conscientious, patriotic, and devoted to its convictions and the public interest such a minority may happen to be.

Mr. President, in conclusion on that point, I believe the President of the United States, having the right and duty to negotiate our foreign policy, should feel that it is essential to America's security and to the peace of the world to negotiate an international agreement, should have the right to do so. And having done so within a reasonable time he should be able to tell foreign powers, "I will give you an answer one way or the other." Yet, with the type of filibuster taking place in the Senate, no honest President, least of all, one informed of the Senate's traditions, can assure any foreign government that there can be an answer ready within any reasonable time as to what the Senate of the United States will do.

I base that statement on the fact that advocates of the antilynching bill have been trying since 1922 to secure its passage, and they have never been successful yet. Advocates of the anti-poll-tax bill have been knocking at the door of the Senate for years. That bill has seldom been on the calendar. On one occasion the able Senator from New Mexico [Mr. CHAVEZ], one day in the morning hour, by a clever thought, moved to take it up, when it was not debatable, and he kept it before the Senate until 2 o'clock. That is the only time we ever had an opportunity to debate it. It may not be a good idea, it may not be sound policy, but I have introduced such a bill, and I think it is entitled to the consideration of my colleagues. They can decide whether they want to support it. I should like to have the privilege of addressing myself to it and to the Senate in its behalf. I do not have any power to coerce Senators to an affirmative conclusion. I ask only the right to be heard upon the consideration of this measure. To deny that is to deny democracy. The majority of the Senate asks the right to be heard. Is that an unreasonable request to make, Mr. President—debate, deliberate, eventually decide? That is democracy.

Mr. President, I am addressing myself to this matter primarily because the subjects of all the filibusters which I have enumerated have not always been civil rights. There are 26 measures enumerated by Dr. Galloway as being the subject of previous filibusters. I have counted three antilynching bills as only one. I have counted the anti-poll-tax bills as only one. I have counted the Fair Employment Practice Committee bills as only one. It will be seen that only five of all the bills I enumerated a moment ago have been concerned with civil rights. Therefore, Mr. President, I am not addressing myself merely to the civil-rights program. I am talking about other legislation which may come before the Senate. I am talking about any rule change which the Committee on Rules and Administration or any Senator may propose to the Senate, having the right of consideration and eventual decision by the Senate.

Mr. President, that is the basis upon which I principally predicate my position. However, I am not afraid to say a few words regarding the civil-rights program. Again, Mr. President, I am no Yankee; I am no carpetbagger; I hope I am not even a scalawag. But I am not ashamed to associate myself with the general principle of human rights, yes, of civil rights, of all the people of this country, of all races, creeds, colors, and national origins. I myself happen to come of Anglo-Saxon stock. Of course, I am proud of it, but I do not ask any preference for that lineage of which I happen to be a part. I would not presume to suggest that they are the only worthy people and that before the law they alone have rights entitled to protection.

Mr. President, I have never known of a public issue more distorted, more misrepresented, and, therefore, more misunderstood, than is the so-called civil-rights program of the President of the United States.

Mr. President, I am not saying something here that I have never said anywhere else. If I am not presumptuous, I want to quote a little from a speech which I made in Montgomery, Ala., on October 7, 1948, in a debate with the very able spokesman for the so-called Dixiecrats, and representatives of the Republican and Progressive Parties.

Here are a few things which I presumed to say at that time:

It is good to feel beneath one's feet again the soil of his native State. Not far from here, I, like my ancestors before me, was born. To this State my forbears came in the long ago, seeking the fulfillment of the American dream. They planted, they toiled with their harvests, they reared their children, built churches and school houses and their humble homes. And from Alabama's soil my grandfathers went off to wear the gray in a cause that was already lost 90 years ago.

Go back with me to 1860. The Democratic Party split because our forebears demanded Federal protection for the extension of human slavery into the new States growing up in the West. A position which the National Democratic Party would not and could not accept. In the election of 1860, northern Democrats who nominated Douglas and the southern Democrats who nominated Breckinridge got nearly one-half million votes more than the Republican nominee, Lincoln; but Lincoln, because of the Democratic split, won in the electoral college and became the President. Those who risked all upon extending slavery into the new territory wound up by losing the slaves they had even in the South, which assuredly they could have saved for decades, if not generations, and have been paid for in the end.

Today, speaking to you with the candor which the situation demands, history was against human slavery just as history today is on the side of the Government of the United States, which is the champion of human liberty and freedom in this world, practicing at home the democracy it preaches to mankind. Anything other or less than the Government of the United States, giving fair and just constitutional rights to every segment of our citizenship, holds us up to ridicule and scorn before the totalitarians of the world as hypocrites, as preaching one thing and practicing another. If the South throws its weight and strength against the Constitution of the United States and the basic principles of Americanism it will and should lose.

But there is a clear and distinct sphere for the application of the Federal Constitution with utter fairness and impartiality and the operation of State laws, traditions, and customs, without one doing violence to the other. The President of the United States has been flagrantly if not designedly misrepresented in his recommendations on the so-called civil-rights measures to the Congress.

Hear me, my colleagues, and my fellow southerners.

He has not recommended one thing relative to segregation in the States, in the public schools, in restaurants, in hotels, in theaters, swimming pools and the like—and, of course, he has made no recommendation concerning churches, lodges, clubs, and associations of local and personal nature.

He has recommended the abolition of the poll tax as a condition precedent to any citizen, white, black, yellow, or brown, voting for President, Vice President, Senator, or Congressman, as the United States Congress has the power, and in my opinion the duty to do, if the States will not strike it down themselves. He has recommended Federal jurisdiction to prosecute lynchers of any citizen whatever his color or wherever he may be, if the sheriff or his deputy or the United States marshal or his deputy willfully conspire in the lynching but only in such cases. He has advocated that in respect to commerce crossing State lines, Congress has the right to require that race, religion, color, or national origin should not be the sole basis of either hiring or firing. He has advocated that private companies have no authority to segregate passengers crossing State lines in public conveyances. And he has advocated equality of treatment and opportunity in the armed forces. But, of course, he has not recommended, and of course, Congress has no power to interfere with or to abolish local laws, traditions, customs, and practices, respecting the wise separation of the races in certain local places and institutions in the several States.

Time, education, and wise experience will determine when, whether, or to what extent the local practices requiring certain race separations should be changed. And whatever the decision is in these matters, mind you, it must be made by the people in the several States under the Constitution of the United States.

The State of New York has abolished segregation between different races. All races are assured equal access to any kind of public place. But that was not done by the Federal Government but by Governor Dewey and the Republican Legislature of New York.

What I plead for is that we not be deceived over a misunderstanding or by misrepresentation of this issue and fall into the crushing embraces of the Republican Party which is the historical, political, and economic enemy of the South.

You know how the South has grown under 16 years of Democratic administration. You know what Franklin D. Roosevelt did for southern industry, agriculture, labor, for the aged, for welfare, for women, for children, for the physically handicapped, for public power—for the whole South. You know how things were in the South before Roosevelt came in, under the Hoover administration. I don't need to remind you of those sad days—of a South as prostrate almost as when the Lancelot of the Confederacy sheathed his shining sword at Appomattox. I don't need to remind southern businessmen and farmers that when they fought for lower freight rates to northern markets it was Gov. Thomas E. Dewey, of New York, who led the fight against them. I don't need to remind you how Republican administrations tried to strangle your Tennessee Valley and the TVA; I don't need to tell Alabama farmers of how Republican agriculture legislation in the last Congress cut down parity and the support prices for cotton, corn, and peanuts and tobacco and rice, and that this legislation alone will take hundreds of millions of dollars away from southern farmers. I don't need to remind southern labor that if the Republicans gain full national power they will drive the Taft-Hartley dagger all the way into labor's heart. They will strangle social security; turn over the TVA again to the private power companies.

Republican rule meant depression under Hoover. It will mean a worse depression under Dewey. Republicanism will mean pushing the South back down the hill. Following off after either the third or the fourth parties means Dewey and depression—nothing less—nothing more. Don't be deceived by those who cry "wolf" against Truman but who also just as loudly cried "wolf, wolf, wolf" against Roosevelt, once or twice or maybe even three times, and, strangely, the very men who clamor States' rights and their brand of democracy will not let you vote in Alabama for the President of the United States if you want to vote for the nominee of the Democratic Party.

Mr. President, I interpolate, that is a strange inconsistency, that certain people who denied their people the right to vote for the nominees of the Democratic Party, including the President of the United States—they are not in the Senate, but in the State—would support the position of the minority in this matter.

I read further:

You know that in those Roosevelt elections many men with a lot of corporation clients and big business support in the South voted against Roosevelt behind the false facade of States' rights.

Mr. President, I interpolate, if I must take my choice, I am not so much interested in the preservation of State wrongs as I am in the adequate protection of human rights. With affection and the deepest earnestness, I say to my fellow southerners, history will condemn you if you stand persistently as the uncompromising champions of those who would perpetrate wrong in the name and behind the false facade of States' rights.

Mr. President, I had two grandfathers who wore the gray and fought for a cause which was lost 90 years ago. Human slavery was wrong, condemned by a just God to ignominious oblivion, and they to die by the sword who would perpetrate it or defend it. They were against the stream of time, Mr. President. I honor them out of the depth of my heart, but they were wrong.

I say today, Mr. President, that it is legal discrimination—and I am not talking about anything else—to say to a black man, "You have not an assured trial by jury." That is wrong. The God with his protecting bosom who hovers above and shields the Anglo-Saxon is also the God of the humble African, and the law that does not, from the majesty of a Nation's might, give him comparable protection, is an ignominious, hypocritical, false facade of pretense.

Mr. President, I say that I cast my lot with human rights rather than for the preservation of State's wrongs, let the consequences be what they may. Others claim the right to speak with candor. May I not exercise the same privilege?

I say, Mr. President, the South could get concessions if it came here with a proposal of compromise, not of unreasoning and persistent obstruction. Senators are not wedded to the bills we have heard mentioned, in any form that is unreasonable. I cannot believe Senators would be open to persuasion by their colleagues on every other subject and deaf to their entreaties on these matters.

Mr. President, I regret to say that my colleagues of the South do not say to us "Meet us in fair compromise." They say, as we said to the enemy in a foreign land, "Thou shalt not pass," even to the Senate of the United States when it is attempting to amend its rules so that it may transact its business against the day when they assume it might make a decision which they would not like. I said to these fellow citizens of my native State of Alabama in Montgomery, in the campaign of last year:

You know that in those Roosevelt elections many men with a lot of corporation clients and big business support in the South voted against Roosevelt behind the false facade of States' rights. They did not want the Federal Government to give the public cheap power. They did not want the Federal Government to help southern workers get fair wages.

Mr. President, I have no disposition to be presumptuous. I possess no merit worthy of mention. But I do have a vivid memory that in 1938 I fought a campaign on the issue of the minimum wage law. With all honor and deference to my respected southern colleagues, I do not recall that one of them was in accord with me or voted with me in the Senate on that just and wise measure. But I think later they have come to appreciate the wisdom of what we then did, for I have never heard of any proposal to repeal the law, although not all of them have been anxious to increase the amount, as I think we should at all times.

If today there exists a tragic difference between us, I have to be mindful of the fact that it is not the first, because when I came to the Senate, owing no allegiance to Roosevelt or any other President, sensible in my heart of no duty except to try to be a good Senator, I soon discovered, I thought, where human right and human progress lay, and to the best of my humble ability I identified myself with Franklin D. Roosevelt and what he was trying to do. My only regret is that I could not help more.

I think that is the future for my South. No part of America needs Federal help more than we. There are no more glorious people than ours. They wish to upraise the Nation.

When I hear what is said in the Senate about the President of the United States I cannot but recall a sight I saw only day before yesterday in one of the great cities of Florida, Orlando, when the President of the United States, within my sight, rode through what the newspaper headlines said were 50,000 cheering people lining 8 miles of highway and streets from the airport to Rollins College where he was the recipient of the degree of doctor of humanities. I did not hear hisses and catcalls. I did not hear epithets and denunciations hurled against him. The people seemed to receive him like any honest and sincere President seeking to do his duty—a great friend and leader.

I sometimes wonder if the people would feel as they do about some of these matters if we, their friends in whom many of them have confidence, would tell them the truth, instead of letting them hear the faults from their own enemies, those who have not always—I speak only of private interests, not of any Senators, of course—been the advocates of their best interests; if they could be told the facts instead of letting the words descriptive of these measures come from those who distort them.

As I said, I was speaking to the people in Montgomery about their future lying with the Democratic Party, and I did not mean with any offshoot of the Democratic Party; I meant the Democratic Party that had a convention at Philadelphia, that adopted a platform at Philadelphia. I did not go off to some other State only, I made 15 speeches in my own State supporting that President and that party and that platform, and I talked about civil rights in every speech I made, as I recall, but I explained the matter as I have here; that it is a falsity to say the President has proposed the abolition of the practice of segregation generally in the South. He has not. I go further and say that the Congress of the United States, in my opinion, possesses no power to make all the children of a community go to a given school, if there are other schools there of comparable quality and character open to them. It is only when we do not have but one school that colored children have a constitutional right to go to that school.

I challenge anyone to show me any decision of the United States Supreme Court which says if we have school A and school B and school C, and local law says that white children shall go to one school, and yellow children to another, and black to another, that the Federal Government, if the local facilities are at all comparable, can change that local requirement and make them all go to the white school. I have never seen any Member of this Senate seriously endeavor to bring about such a thing. On the contrary, we in the Senate passed the Federal education bill, with bipartisan support behind it. Therein we said the contrary. We said in that bill which we passed that not only do we not interfere in local affairs, but we put the provision in this law that the Federal Government shall not do so. Under that law providing for Federal aid the executive branch of the Government has nothing to do with the curriculum, with the faculty, with the schools the children go to, or who goes to certain schools. Those are local matters.

Yet, Mr. President, it is being said that the civil-rights measures mean that colored and white must be received in the same swimming pools. That is not true, if the colored have another one they can go to. If a swimming pool is built with public money, and the colored people and the brown people pay a part of it, they are entitled to swim in it. But if another one is provided for them out of public money, it reasonably follows, and we believe it is in the public interest to say, "You colored can swim in that one, and you whites can swim in this one."

Mr. President, if the truth were known by the people of the South about what the law is the whole civil-rights question would be regarded differently.

Now what about the anti-poll-tax proposal? I said in 1941, when I introduced the anti-poll tax bill, that it was framed upon somewhat of a new theory to apply to primaries as well as to general elections, to forbid any local authority from requiring a poll tax as a condition precedent to voting in a Federal election only. Only a Federal election. It has nothing to do with State elections, or local elections. But I maintain, Mr. President, that the Federal Government possesses the power to protect the integrity of Federal elections. I maintain that if a State says, "You have got to have a thousand acres of land before you can vote for Senator," that if it is not held to be invalid in the courts, Congress can forbid it. If we can forbid the requirement of a thousand acres of land as a prerequisite to voting, we can also forbid the requirement that an individual pay a dollar as an odious poll tax in the exercise of the franchise to vote, which I believe to be the duty as well as the privilege of the citizens.

I say that all the bill does is to provide that a citizen going to the polls for purpose of voting for a Senator, or a Representative, or an elector for President or Vice President, cannot be made to pay a local poll tax. That no longer, if it ever were, is a qualification. I know what the language of the Constitution is. But I cite to the Senate the case of the United States against Classic, which is later than the Breedlove case, the Pirtle case, and others. In that opinion the Supreme Court of the United States, speaking through Mr. Justice Stone, said that the right to vote for a Member of Congress is a right protected by the Federal Constitution, and that decision has never been reversed and has been followed in numerous cases since it was made. If it is protected by the Federal Constitution, whose duty is it to see to it that that right is implemented, if not the Congress of the United States? If that be a part of the Federal power, why should we not go to the defense of such a right? I venture to say that if a Federal statute forbidding the requirement that a poll tax must be paid in order that a citizen may vote in a Federal election comes before the Supreme Court, the Supreme Court of the United States will uphold it.

Why does not the minority which claim such a measure is constitutional refer it to the arbitrament of the law? Is not that good citizenship? Let them vote as they will. But let the Senate eventually decide. No, Mr. President, they put their power above that of the Congress, above that of the majority of the Senate. They say, "You cannot even consider an anti-poll-tax measure here. If we can catch you making a motion to bring it up, we will start a filibuster in time to stop it." That is the history of the situation. I do not say it with disparagement. I do not say it in any derogation of my colleagues, but that is the fact from the standpoint of parliamentary history, as it has been made here in the Senate. So I say the bill may not be good policy. Opinions may honestly differ. But the Senate should have the right to act upon it as it may determine.

Senators have told us that the poll tax is fast disappearing. Yes; thank goodness, it is. All honor and credit to those who have been making it possible for it to disappear. But I do not deny some credit for that progress to the often announced and persistent policy advocated by a large segment of the Government of the United States. I believe that agitation in the Congress has also been a part of the motive power behind the progress made in the several States in the abolition of the poll tax. Perhaps we, too, have done some good by agitating these emancipating proposals.

Let me add a further observation on that subject. Go to the records of Louisiana since the poll tax was abolished, and see the percentage of increase in women voting. I think it will be found to be approximately 75 percent. I have said before, and I am not ashamed to repeat it, that I was born in a humble house on a small farm. What was true of my mother is true of many other mothers. They do not always have even a dollar lying around to take down to the courthouse and give to the clerk at the appointed time. Usually it is $2, because they must pay for 2 years. There is more than one family to whom in a poll tax State $2 means a vote, and a child does not get a pair of shoes.

So I say that payment of a poll tax is no longer a qualification to vote. In my State, with the able advocacy and leadership of my distinguished colleague in the Senate [Mr. HOLLAND] the Legislature of Florida abolished the poll tax in 1937. I consider that action was subsequently responsible for my election in 1938. Perhaps that is proof that it should not have been abolished. I allow for a difference of opinion on that subject, although I assert the right to have my own. In the election of 1938 the vote in the Florida white primary jumped 100,000 over the election of 1936, after the poll tax was abolished in 1937. We know what class is primarily the beneficiary of the removal of such a burden. It is the ordinary, average citizen of America.

Mr. President, I have said something about the anti-poll-tax bill which I think the Senate might consider; and if we adopt this rule change it may eventually be possible to bring it up and debate it and decide it one way or the other.

I have spoken about the antilynching bill. It is said by those who oppose it that it is a discriminatory, anti-Southern law, and that it will apply to those who lynch a Negro in the South, but leave guiltless and harmless those who may murder a gangster in Chicago, for example. Those who say that have not seen the bill which was last reported from the Senate Committee on the Judiciary. The Senator from Michigan [Mr. FERGUSON] was chairman of of the committee. The committee made a thorough investigation, with a bipartisan approach, into the power of Congress in this sphere. It was held that the only way that the Congress can enter this field is in respect to officers, State or Federal, who willfully conspire—and that is the language of the bill with the lynch mob. The Judiciary Committee, in its latest report, says that Congress cannot legislate on the subject unless a sheriff or his deputy, or a United States marshal or his deputy, willfully conspires with a lynch mob.

Mr. President, one of President Truman's recommendations was that we strengthen the civil-rights section of the Federal statutes. That is a statute adopted in the post-Civil War days. It provides that it shall be a Federal offense to deprive a citizen of a right guaranteed by the Constitution of the United States. Let me cite a case which happened in my State.

According to the evidence in the case, a constable in a little village had a personal difficulty with an old Negro. On more than one occasion they had had strife. Later, so the evidence disclosed, the constable got this Negro out on the Suwannee River bridge and threatened him, and made him jump off. Later his body was found hanging in the bushes down the river.

The local grand jury did not indict the constable. He was a white man, and his victim was a Negro. I do not know of any other reason. There was no record of the reason in the proceedings. I do not question the patriotism of those people. However, the fact is that the grand jury did not indict the constable. He was later indicted by a Federal grand jury and tried in the Federal court. He

was sentenced to a year in prison, because that was the maximum under the civil-rights statute—murder, and a year the maximum penalty. Judge Waller, my former law partner, wrote the decision for the United States circuit court of appeals. The court affirmed the conviction and the sentence of a year imposed by the court.

I realize the problem of superimposing Federal power upon the State, but I say that case after case worthy of consideration has occurred. So, Mr. President, it is a subject worthy of the Senate's thinking and prayerful regard. I do not know the answer, but I do know that there should be adequate power in the Federal Government when that power may properly be invoked to protect the constitutional rights of those who are citizens of the United States as well as citizens of the several States. Sometimes we forget about the dual sovereignty. Citizens of the United States are citizens of the State in which they were born or naturalized, and also citizens of the United States. If the State has its rights, so has the Federal Government.

In connection with the civil-rights question, I intend to vote for the anti-poll-tax bill. That bill as I introduced it, went to the Judiciary Committee in 1941. A subcommittee was appointed to consider it. The chairman of the subcommittee was Senator George W. Norris, of Nebraska, a greater figure never served in the Senate. The subcommittee made some amendment in the bill, and it has ever afterward had substantially that form, in its passage through the House and its subsequent consideration in the Senate.

I shall also vote for the anti-lynching bill if it ever comes up, provided it follows the general tenor of the investigation and the bill reported by the Senate Judiciary Committee, or satisfies my mind as to its constitutionality.

With respect to the FEPC, I do not know what I shall do until I see the bill. I recognize the delicate line which is involved in that legislation. However, in my opinion it is basic Americanism to say that employment or discharge shall not be predicated solely upon race, religion, creed, or national origin. I do not know of anything un-American about that. It may be that it is not wise to lay down any standards of employment and discharge, that it is an undue interference with what is the fair prerogative of the employer.

But we have been telling some employers who have been denouncing the labor unions before our Committee on Labor and Public Welfare, and scholars on the subject, like Dr. Feinsinger, of the University of Wisconsin, Mr. William H. Davis, an able author and a most experienced man in this field, and Mr. Leiserson, one of the most eminent authorities on labor-management relations, have been telling them, that if they continue to insist on the protection of the individual against his labor union, they might get ready to experience legislation by Congress curbing their power to hire and fire except upon meritorious standards. So, Mr. President, an FEPC law may not be wise. That is the reason why we have reported out to the Senate the kind of labor bill we have. We say, "Stay out of the regulation of management, but at the same time stay out of the internal regulation of labor unions. Give us the latter, and we will later give you the former. Be assured of that. But we oppose both."

So I say it may not be wise, although not because it is a race matter, to enter into the field of interfering in respect to the hiring and firing of employees by employers in this country. I reserve an open mind on that matter.

As to these other matters, which are not so vital, I have already said that I think obviously the Congress has the power to regulate interstate commerce, and, of course, the power to control the conduct of the armed forces.

These measures may not be wise. Honest men may differ regarding them. But how can anyone rightfully deny to the Senate the privilege of considering these matters if it chooses to do so?

I read further from my Montgomery speech:

> I say further that some persons did not want the Federal Government to protect the small investor or the farmer against northern speculators with whom those persons were tied in, so they used a sort of States' rights argument against the shield of the public welfare.
>
> Mr. President, the South needs more, not less, of what it has been receiving in the way of Federal aid. The South demands a Government that will fight against monopoly, not a Government which will make it more dominant. Let us beware—

Mr. President, I said to my fellow southerners—

> of false prophets and false leaders.
>
> Remember the words of the Scripture:
>
> "For where your treasure is, there will your heart be also."
>
> When we hear these voices clamor against the old Democratic faith and party, let us ask where their interest is, and then we shall know that their hearts are there, too.
>
> Remember—
>
> "He whose bread I eat, his servant am I."
>
> When we hear these voices raised against the old Democratic principles, let us ask whose bread they eat, and then we shall know whose servants they are.
>
> I call not only upon all southerners who have voted in the ranks of democracy, but upon all liberals, as well, even the erring ones, to come back to the party which is the home of the liberals, the party of Jefferson and Jackson and Woodrow Wilson and Franklin D. Roosevelt and, yes, President Harry S. Truman, who has followed in their footsteps, with a courage they would have commended.
>
> Yes, I have been a Democrat; I am a Democrat; I shall continue to be a Democrat. Toward my party I would proudly express the sentiment of him who said:
>
> "Woodman, spare that tree!
> Touch not a single bough!
> In youth it sheltered me,
> And I'll protect it now."
>
> I say to my fellow southerners, for a century and a half the Democratic Party has sheltered you. I know the quality of your own loyalty, and that you will protect it now.

Mr. President, I have ventured to trespass upon the kindness of my colleagues long enough to say that I have shown some consistency upon this subject. I do not want the Republican Party justly to be able to claim that Republicans alone are the champions of human liberty. Let us see how they vote when these crucial issues come to a test, so as to see whether they are more interested in perpetrating a division in the Democratic Party or in carrying out their own platform pledges. President Truman has raised a standard to which all good men may repair. Let us see how many of our honored Republican colleagues will repair to that standard, which they have professed to embrace for so long a time.

I have spoken of my party. I do not want the Democratic Party to be called the citadel of reaction. It does not deserve that appellation. Our progress stretches over more than a century and a half. I want the Democratic Party to give progressive democracy to the people of the United States. I want all the other programs that are being clogged and impeded by the filibuster which is now impeding the flow of the stream of legislation to have a chance to move. I want the dam to be broken; I want the legislative stream to run. In this Congress we can give America and the world more democracy than they have ever had, if we shall put through this program.

I am beginning to wonder, Mr. President, whether the fears of some persons are well founded—namely, that lurking in the background of this filibuster is a determined opposition to a large part of the President's program, as well as to the civil-rights program. I do not charge it; I do not state it or assert it; but I say I cannot help but wonder whether far in the background such an opposition may make its visage appear.

Mr. LONG. Mr. President, will the Senator yield for a question?

Mr. PEPPER. As soon as I have concluded, I shall be glad to yield.

Mr. President, on the other side of the aisle I wonder how many there are who may play fast and loose, or, rather, I would prefer to say, who may not aid in the effort to expedite the Senate's business or to improve the Senate rule, and who will be gratified at least that this unhappy controversy and conflict may impede the progress of legislation which they have almost consistently opposed. I hope they will by their vote follow some of their splendid leaders who have been in the very forefront of this fight, so that we may truly make this a bipartisan victory for the Senate and for the Constitution and for democracy here and elsewhere in the world.

Mr. President, I add only one other comment. I hold in my hand a report on the Ninth International Conference of American States. I also hold in my hand the Universal Declaration of Human Rights. These were entered into by representatives of our Government; they were negotiated by our spokesmen. I believe they have already been reported to us, although we have taken no action on them.

Let me read from the Bogotá declaration of the rights and duties of man:

> ARTICLE 1. Every human being has a right to life, liberty, and the security of his person.
>
> ART. 2. All persons are equal before the law, and have the rights and duties established in this declaration, without distinction as to race, sex, language, creed, or any other factor.

That is what we said at that international conference. Do we believe that? Do we practice it here at home? Would we be embarrassed to have foreigners ask us about it? Mr. President, please remember, again, that I am talking about equal treatment before the law. No man has a right to come into my home, save when I invite him to cross its threshold. A man's home is still his castle; his goods and effects are still immune from undue search and seizure. His liberty and person are still inviolate under the law. But, Mr. President, social relations and contacts are personal; yet I have had some persons ask me, in Florida, "Is it true that President Truman is advocating that we have to take colored people into our sewing circle, into our garden club, into our church, into our civic club? That is what people have been telling us." I said, "Of course not. The President never recommended it. Congress could not require it, should it desire to do so."

I am speaking about rights before the law, rights to vote, the right to vote without a poll tax which discriminates against the poor of every color and creed; the right to trial by jury and to due process of law even against lynchings, and, if not assured by the States, then by the Federal power, whose sovereign the citizen partially is, under the Constitution; the right to regulate interstate commerce in reasonable respects; the right to regulate the transportation of passengers across State lines in public conveyances, under the interstate-commerce clause; the right to provide in the Department of Justice a civil-rights section for investigation and inquiry; the right of Congress to set up committees to deal with civil rights if it chooses to do so. The other document is entitled "universal declaration of human rights," declared by the United Nations Assembly. Mrs. Roosevelt was the chairman. In this declaration there are also affirmed the personal rights which we preach, which I am sure we all want to practice. I take, for example, article 6:

Everyone has the right to recognition everywhere as a person before the law.

Are we going to continue to be embarrassed in international conferences because we do not really apply democracy in America? There will be difficulties. From my own life experience, from generations of which I do not know before me, resident in the sacred soil of the South, I know the problems, the difficulties. I do not sympathize with extremists, but I affirm that ours in the South is a democratic people. We want to do right; we believe in progress, including human progress. Our people are of great heart and generous nature. The warm compassion of comradeship and Christian fellowship surges through their hearts. They are not the enemy of any class, of any color, of any creed; and if sometimes we misinterpret the things they cherish, if sometimes we misinform them on public issues and excite their emotions, and they appear to lack something of that blessed compassion which is Christian in its character, it is not because it is their true character, for there is no braver, finer, more generous and understanding and loyal people in all the world than are the people of our Southland.

I am taking far more time than I had contemplated; for which I humbly ask the indulgence of my colleagues. I have attempted to show that there is involved in the discussion the basic question of implementation of the Constitution of the United States. There is also involved the basic necessity of the power of the Senate to change its rules.

There is manifestly and immediately at stake the crucial question of the duty of the Government to protect and to further the principles of democracy here and throughout the world. May I, in closing, quote words, the eloquence and exalted character of which have been a challenge to me ever since I heard them. They fell from the lips of the Chaplain of the Senate, Rev. Frederick Brown Harris, not only a man of God but blessed with almost divine genius. As part of a prayer which he raised here from this rostrum, Dr. Harris laid upon each of us a compulsion we should all in our own way seek to observe and discharge, when he said:

May the servants of the public will be wise interpreters of Thy eternal law, brave spokesmen of Thy will, and of the truth which sets men free from ancient wrongs.

Mr. President, I ask unanimous consent that there be printed at the conclusion of my remarks several editorials regarding the subject we have been discussing.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the New York Times of March 7, 1949]

MAJORITIES HAVE RIGHTS, TOO

After a week's gentlemanly skirmishing the administration's fight to reform the cloture rule in the Senate has made no progress. Mr. Truman's own followers have rejected his ill-advised proposal to invoke cloture by majority vote. The pressure of important measures, which ought to be acted on with the least possible delay, may tempt them to give up or at least postpone a serious attempt to tighten up the existing cloture rule so that a two-thirds vote may at any time set a limit to debate. If this happens it will be a victory for about 20 southern Senators who claim the right to prevent the Senate from voting on bills they don't care for. The bills they don't expect to care for at this session are civil-rights measures promised in both major-party platforms and therefore presumably accepted by far more than a two-thirds majority of our citizens.

The parliamentary procedures involved are enough to confuse anybody who was not weaned on Roberts' Rules of Order. But there need be no confusion between full and free debate, on the one hand, and the machinery of the filibuster, on the other hand. Anyone who has ever seen a filibuster in operation, or who has even read about it in the newspapers, can tell the difference. A filibuster is not honest debate. It is an attempt to obstruct legislation by unfair means.

Fifty-six years ago the late Henry Cabot Lodge made some pungent comments on the relative sanctity of debating and voting "Of the two rights," he said, "that of voting is the higher and more important. We ought to have both, and debate certainly in ample measure; but if we are forced to choose between them, the right of action must prevail over the right of discussion. To vote without debating is perilous, but to debate and never vote is imbecile."

The Senate will not be in legislative session today. Tomorrow the fight will be resumed. We hope the administration Democrats and their Republican allies will make it a real fight. After all, majorities have some rights, too.

[From the St. Petersburg Times of March 6, 1949]

QUESTION BEFORE THE SENATE IS WHETHER PEOPLE WILL TOLERATE THE RULE OF A MINORITY

(By Henrietta and Nelson Poynter)

Filibuster—a freebooter; buccaneer; a lawless military adventurer who invades a foreign country—to act as a filibuster; to delay legislation by obstructive tactics.—Webster's Dictionary.

Twenty-one southern Senators are now busy preventing the people of the United States from expressing an opinion. The notable exception is CLAUDE PEPPER, of Florida.

Senator HOLLAND held the Senate floor for 5½ hours Thursday.

The question at issue is not the civil-rights program; it is whether a minority group can prevent the Senate of the United States from discussing and voting on proposed legislation. The rules of the Senate permit a single man to hold up the whole process of government. The proposal now being filibustered is to change them to allow the majority to be heard.

These 21 willful men are admittedly holding the floor to prevent a majority of the duly elected Senators from expressing an opinion. This time the problem is civil rights, but the Versailles Treaty was filibustered and the World Court—to name two notable examples. The filibuster is the triumph of a minority's will over the judgment of the people of the United States.

AS SIMPLE AS THIS

The present proposal to change the rules merely asks that at any time two-thirds of the Senators could vote to stop one man from talking. Senator ELBERT THOMAS, of Utah, dramatized the point by saying, "Any country that can send its people to war on a bare majority vote ought to be ashamed of itself when it takes a nearly unanimous vote to change a rule of procedure in the Senate."

The southerners are not alone in trying to maintain the autocracy of the Senate. The last test to limit debate was in 1946 on the anti-poll-tax bill, and such Republican stalwarts as MILLIKIN, of Colorado; BRIDGES, of New Hampshire; YOUNG, of North Dakota; and GURNEY, of South Dakota, voted against breaking the filibuster.

The Republican maverick, Senator LANGER, of North Dakota, has now changed his mind and says he will not vote to change the Senate rules. Some weeks ago in Washington he told why:

"Charlie McNary gave me some good advice years ago, and I've decided he was right. 'Don't ever vote for cloture,' he said, 'you may want to talk yourself some day.'"

Cloture is defined by Congressional Quarterly as "The process by which debate can be limited in the Senate. A cloture motion, which applies only to a bill or resolution, must be presented with the signatures of 16 Senators. It is voted upon 1 hour after the Senate meets on the second day after presentation. If it is agreed to by a two-thirds vote, each Senator thereafter is limited to 1 hour's debate."

In other words, the Senate is then allowed to talk for 96 hours; and if cloture were permitted, the present filibuster would have been over in 21 hours and the work of the country could go on. Nothing but public indignation is likely to make the Senate

change its rules. The cloture proposal itself was adopted in 1917 only because the country became so aroused over a successful filibuster against Wilson's armed-ship bill, which would have authorized the arming of merchant ships shortly before the United States entered World War I.

The fight to stop Senators from talking as a delaying tactic has been going on for over a hundred years. Henry Clay tried to do it in 1841 and Stephen Douglas tried again in 1850. Oscar Underwood, of Alabama (remember "24 votes for Underwood," who worked so hard to be President in 1924?) repeatedly attempted to cut the Senate talkathon.

But the Senate is still talking. And while the country waits for decisions on war and peace, housing and labor, we are treated to the spectacle of the son of the "Kingfish" threatening to match his father's record. We don't need recipes for pot likker from the United States Senate. We need democracy. And only the people can convince our Senators that they are not the aristocracy of the country—that they, too, are subject to majority rule.

[From the Washington Post of March 7, 1949]

CONSTITUTIONAL ISSUE

The first week of the filibuster in the Senate attained some aspects of a momentous constitutional debate in spite of the fact that the southern Senators are determined to defeat any limitation of debate by continuous talking. Much was said about the nature of our Government, the function of the Senate, and the intellectual climate that democracy must have in order to flourish. To say the least, the discussion gives added perspective to the country's civil rights problems. Its only deplorable aspect to date has been the announced intention of the minority to make the outcome depend not upon reason and persuasion but upon the coercion of endless talk.

We cannot agree with those who say that the issue before the Senate is the protection of minority rights. To be sure, the Senate is a bulwark against overhasty legislation; we hope it will always be such. In a free country there must necessarily be checks upon the tryanny of the majority. Individual rights must be upheld by the courts against unconstitutional legislation. And aside from constitutional rights, any policy closely touching the lives of the people is likely to fail, as prohibition did, if it is imposed upon a large and bitterly antagonistic minority by Federal force. All these factors must be carefully weighed when the Senate comes to debate the various separate measures in the President's civil-rights program.

But that bridge can be crossed only when Congress comes to it. The question now before the Senate is merely whether or not rule XXII shall be amended so that a two-thirds majority may end debate, with allowance for every Senator to have his say even after cloture has been invoked. Some Senators have talked as if the proposed amendment would deprive their States of representation in the Senate. On the contrary, it would make such representation more meaningful by depriving a relatively small group of the power to jam the legislative gears. It is absurd to say that an effective rule against filibusters would impinge unfavorably upon our constitutional system. The Constitution specifically gives each House of Congress the power to determine its own rules. The founding fathers must have concluded that this power would be used to save the Senate as well as the House from becoming an "imposing spectacle of impotence."

The only candid argument against the proposed change in rule XXII that we have heard is that if the Senate is freed from filibusters it may make some unwise decisions. But that is true of any form of democratic government, or any other type of government. The real question is whether greater mistakes will not be made by inaction forced upon the Senate by a minority than action supported, after due deliberation, by the majority. The way of popular government is to debate and let the majority decide. When unwise decisions are made, they will have to be corrected by experience. But under no circumstances can we permit the door to experimentation to be indefinitely closed by a willful minority without sacrificing the very essence of American constitutional government.

When rule XXII has been amended, Congress will have to face Mr. Truman's civil-rights proposals, not as political slogans, but as subjects for practical legislation. It may then decide, for example, as we think it should, that a constitutional amendment is the proper means of abolishing State poll taxes. But in no event can a talkfest to prevent Congress from taking up this or any other problem be justified. We have here not majority coercion of the minority but minority coercion of the majority. It is a great constitutional issue, and, as we see it, the outcome will determine whether our system of representative government can be reasonably adjusted to the requirements of the times in which we live.

[From the Washington Star of March 7, 1949]

FIGHT OVER FILIBUSTER—DEFENSE SEEN PRETENDING SIMPLE ISSUE IS ACTUALLY BASIC THREAT TO REPUBLIC

(By Thomas L. Stokes)

A lot of dust and noise and high-level constitutional confusion, mixed with ordinary political sand, has been kicked up to obscure the very simple issue involved in the current Senate battle over proposals to curb filibusters.

All that the Senate Democratic leadership is trying to do is what the Senate thought it was doing 32 years ago when it adopted the rule, rule 22, which permits limitation of debate by a two-thirds vote on presentation of a cloture or closure petition signed by 16 Members.

That rule has become unworkable under a decision from the chair in the last Congress by then President pro tempore of the Senate, Senator VANDENBERG, Republican of Michigan, that it did not apply to motions to take up a bill. This allows a filibuster against a mere motion to bring a bill before the Senate for consideration, so that the legislative process can be completely paralyzed. The current southern filibuster, correspondingly, is against a motion to take up a resolution reported by the Rules Committee which does nothing except make rule 22, adopted in 1917, applicable to filibusters against such motions.

The Michigan Senator publicly regretted his ruling, but said it was all he saw he could do. He urged the Senate to close this loophole, whereupon Senator TAFT, Republican, of Ohio, pledged his party to do that at the first opportunity in this Congress. Democrats, in control of this Congress, have accepted that responsibility.

ISSUE IS SIMPLE

That is the only direct issue involved in all the uproar in the Senate. It is very simple, yet it is presented as complex. All sorts of circumstances have been exploited for politics' sake to confuse this simple issue and blow it into something titanic on which our Republic might stand or fall, which is, of course, pure nonsense.

The southerners, alone, are simple and direct in purpose, which is to stave off, by any means available, the consideration of civil rights legislation, though if there ever was a mandate on any subject there was one on this issue in the last election. For both major parties were committed to civil-rights legislation.

Republicans have been acting very strangely and very timidly for all their bold public pronouncements. It will be to their advantage naturally in the congressional elections 2 years hence if President Truman has failed to realize at least a part of his civil rights program. Some of them are very much aware of this political factor and are cuddling up with the southern Democrats, an old familiar alliance, with the idea also of nourishing this alliance against other Truman measures later.

They sought an excuse first in the fact that it was a Republican, Senator VANDENBERG, who made the ruling which will become the first test, and they must stand by a party man, mustn't they? Vice President Barkley is expected to reverse the VANDENBERG ruling, when the issue is raised soon, and hold that the cloture rule is applicable also to motions. That will bring an appeal from the Chair. A number of Republicans are planning to join southern Democrats to overrule the Vice President, despite the TAFT pledge of the last Congress.

FAVORS MAJORITY CLOTURE

Republicans also have capitalized on President Truman's remark at a press conference that he favored imposing cloture by a mere majority, instead of two-thirds. That may have been impolitic in the midst of a fight, but it was honest. There are only a handful in the Senate for majority cloture, logical as a majority rule might seem in a democracy, so Republicans are only building up a straw man here, and they know it.

President Truman deserves high commendation for ordering an all-out fight on the filibuster, which holds the blockade against his civil-rights program, for he takes certain risks about the rest of his program. But it overshadows all else. Until it is settled, nothing really is settled.

There comes a time when a man must fight, and the President has recognized that clearly. The filibuster could be broken if his Senate leadership was sincere about it, hammered right through, and kept the Senate in session day and night. That is, if they are helped by Republicans, as they should be. For this is a national issue beyond party lines.

Mr. MYERS. Mr. President, it is always extremely difficult to follow the distinguished Senator from Florida [Mr. PEPPER], but I do not think it could ever be more difficult than to follow him than now after he has just concluded such a splendid and stirring address.

The Senate of the United States is now in the midst of debating an issue which far transcends a mere change in our rules.

I think that is conceded by most of us who stand committed to effective cloture, effective machinery for terminating debate when debate has ceased to be informational, has ceased to be contributory to a reasoned decision on the basis of the facts, and has become merely obstructionist, dilatory, time-consuming, and valueless in the determination of fact.

Of course, those on the other side of the issue who have so far participated in this historic debate are correct when they have stated—let us say have warned—that great issues beyond the ostensible issue of revising Senate rules are involved in the debate.

Mr. President, let us face it. The debate now proceeding in the Senate of the United States is round 1 of the showdown on the issue of civil rights. Let us

recognize it as being that, and let us not pretend otherwise.

Several Senators in opposition to the change in the rules of the Senate take the position that such a change would restrict the rights of some of the small States. They are of course sincere in that position. Frankly, however, I am not aware of any plot on the part of a combination of large States to destroy the small States or to gang up on them. It is not the Balkans of Europe with which we are dealing; it is the United States of America; it is a Nation whose people by and large recognize that when one area of the Nation seeks to profit at the expense of another, the result is disadvantageous to both. We have here issues which are often fought along geographic lines, but they are not issues of large States versus small States; they are issues in which the large States and small States in any one area may find themselves opposing the large States and small States in another area. And there are very few such issues.

There are issues in which industrialized States, large and small, and agricultural States, large and small, may see a problem somewhat differently; although, there again, large States like Pennsylvania and New York and California and Illinois, with great industrial capacities, also have tremendous agricultural production. I myself firmly believe, as I think most Americans do, that the so-called conflicts said to exist between the farmer and the industrial worker over economic issues are manufactured by certain special interests which breed upon division in the population. These alleged conflicts are not inherent at all. Labor and agriculture learned in 1948, for instance, that they both depended upon a liberal Congress for the full realization of their goals of a prosperous and balanced economy, and so farmers and industrial workers joined in electing the Eighty-first Congress and in electing a President who sees no conflict between the economic aims of the farmer and the economic aims of the industrial worker.

So, Mr. President, I am puzzled by the opposition of certain Senators to the change in our rules on the expressed ground that the smaller States from which they come are threatened unless the Senate can from time to time be prevented from proceeding with the legislative process.

We are not here today seeking to end the normal right of unlimited debate in the Senate. We are not setting up hard and fast rules, such as exist in the House of Representatives, for limiting Senators to 1-minute speeches or to 5-minute speeches under the rules and limiting debate on the vital issues to a few hours.

There is nothing in this change in the rules to prevent any Senator from taking the floor and holding it for as long as he can stand on his feet in order to call to the attention of the Senate and of the country certain facts he may have bearing on vital legislation which he thinks might otherwise be suppressed or ignored.

No, Mr. President, although some Senators may have various reasons for hesitating to join in this long-overdue revision of the Senate rules, reasons other than the issues of civil rights, the fact is that the hard core of opposition here, the backbone of the opposition, comes from those who have one concern and only one concern, and to them it is an overbearing concern. That is that if these rules are changed, then the Senate of the United States and the Congress of the United States finally will be in a position to enact civil-rights legislation.

We have not been able to enact civil-rights legislation—and the Congress has tried many times to do so, particularly in the days since the start of the first Roosevelt administration—because nearly all the Senators from below the Mason and Dixon's line have regarded this legislation as repugnant, un-American, perhaps communistic, and so on. Under the rules of the Senate, whenever a measure containing one of the well-known civil-rights proposals is about to be brought before the Senate—and usually this is known in advance—these Senators have proceeded to tie the Senate in knots, to bring it to complete paralysis, so that not even the routine business of approving the Journal can be accomplished, and so no legislation whatsoever is passed by the Senate of the United States unless and until the leadership of the Senate surrenders——

Mr. RUSSELL. Mr. President, will the Senator yield for a question?

Mr. MYERS. I cannot at this point.

The PRESIDING OFFICER (Mr. McGRATH in the chair). The Senator declines to yield.

Mr. MYERS. And agrees not to take up or seek to take up the particular civil-rights measure involved, be it an anti-poll-tax bill or an antilynching bill or a bill to establish a Fair Employment Practice Commission or to deal otherwise with matters of discrimination for reasons of color, primarily.

Mr. President, I now yield to the Senator from Georgia for a question.

Mr. RUSSELL. Mr. President, I desire to ask the distinguished Senator from Pennsylvania to point out the legislation which has been killed completely, to which he has referred, and to point out legislation on which a vote has not been had on a cloture petition under the two-thirds rule, at some stage of the proceeding.

Mr. MYERS. Mr. President, I refused to yield until I had completed a sentence. The sentence I just read is as follows:

> So that not even the routine business of approving the Journal can be accomplished, and so no legislation whatsoever is passed by the Senate of the United States unless and until the leadership of the Senate surrenders and agrees not to take up or seek to take up—

Any of these bills.

Mr. RUSSELL. Mr. President, the question which I desired to propound to the Senator was: Can he point out the instance and the bill to which the statement he has just made will apply; can he point out an instance in which the Journal was not finally approved, and, at some stage of the proceeding, a vote on a cloture petition was not had? Of course, the Senator knows that the Journal has been debated, but there was a final vote on the cloture petition. The Senator says they had to surrender——

The PRESIDING OFFICER. Is the Senator from Georgia propounding a question?

Mr. RUSSELL. Yes, Mr. President.

The PRESIDING OFFICER. The Chair understands that the Senator from Pennsylvania yielded for a question.

Mr. RUSSELL. The Senator from Georgia was undertaking to elicit the answer from the Senator from Pennsylvania.

Mr. MYERS. Mr. President, I will answer the question. I do not think we need to split hairs. I think the Senator from Georgia is fully aware of the import of my remarks; he is fully aware of what I have said. I repeat that under the present situation it is impossible for us to take up any other legislation until the pending question is laid aside. The opposition has determined that they will continue this debate for 2 weeks or 2 months, if necessary. During that period of time we cannot enact any other legislation, unless we agree to lay this subject aside.

That is the only point I seek to make. I say that under those circumstances we have a filibuster. That is the type of filibuster we encounter most frequently. Its purpose is to prevent the Senate from taking up for debate and possible passage a bill to which some Senators object.

The device of obtaining the floor and holding the floor in order to prevent immediate consideration or immediate passage of a particular bill—meaning that hour or that day—is also sometimes referred to as a filibustering tactic, but I do not think that is involved here. Most of us, at some time or another, have used that device to delay action on a measure momentarily, usually while there are absences from the Senate which we think hurt the chances of a bill one or another of us may favor, sometimes because we think the issue requires more clarification and more public understanding of the facts, sometimes because an individual Senator or a few Senators think that if they can hold off the final decision for a day or a few days at most, they can enlist a great public reaction which would have some influence upon wavering Senators who might otherwise vote differently.

That device, I said, is used frequently. I used it a year ago to hold the floor and prevent a vote on a particular day on a proposal advanced in the absence from Washington of the Senator from Ohio [Mr. TAFT] to extend the title VI provisions of the Federal Housing Act for a full year.

We who opposed that proposal felt that it would destroy our slim chances in the Eightieth Congress of getting through a good housing bill, the Wagner-Ellender-Taft bill, including provisions for public housing, if this one section of it, liberalizing financing methods for builders, was passed independently. I held the floor on the day this proposal was called up because that appeared the only means of holding off the decision until Senator TAFT and several other of the Republican friends of public housing, then out of the city, could return and

be heard. Their voices were heard a few days later on the issue, and the proposal was defeated at that time.

I regard that device as legitimate, and I think most Senators regard it as legitimate. That device is not threatened by these proposed changes in the rules. Under the proposals now before us to provide for termination of debate, the rule would remain the same, that 16 Senators must sign a petition for cloture and that this petition must lie over for two calendar days before it could be voted on, and then each Senator is allowed one full hour for debate. Senators fearful of hasty legislation and who sought to delay action for a reasonable period in order to bring certain facts to light would not have to fear cloture action. It just is not undertaken under those circumstances. Any attempt to steam-roller legislation here on the floor without giving Senators an opportunity to be heard on it is always resisted by the Senate, and cloture in such an instance could not be obtained unless the character of the men who sit in the United States Senate shall have been radically altered. I have seen time and again Senators stand up for the rights of other Senators with whom they violently disagreed. The best recent instance of that was just last June, during the debate on the conference draft bill, when one Senator who had been speaking for many hours and holding the floor against the bill and who then lost the floor under a ruling of the Chair on a point of order, succeeded in obtaining the floor once again for his second speech, when other Senators, favoring passage of the bill, insisted that their colleague be recognized by the Chair and be permitted to proceed.

That unselfish and fair-minded action might have resulted in keeping the Senate in session much longer than it otherwise would have been kept in session, but I think all of us here were heartened by the show of fairness which was accorded a Senator then conducting what the newspapers called a filibuster.

It is not our intention in these proposals to provide for cloture that they should apply to filibusters in the newspaper use of that term. Each time a Senator or several Senators attempt to take more than a few days in the discussion of a vital bill, the newspapers immediately begin referring to the "filibuster."

We have devoted weeks and weeks to certain important issues before the Senate in the past, but they have not been filibusters. When the debate is designed to inform and to plead on the basis of facts, it is healthy, and it is often compelling, that we have extended debate. It is only when the debate is intended to paralyze the Senate and prevent a determination of the issue that it is a filibuster. And that is what we are determined to prevent under these proposals.

Let us look for a moment at the resolution which we are trying to make the pending business of the Senate, namely, Senate Resolution 15, and at my proposed amendment to that resolution. Senate Resolution 15, reported favorably by the Senate Rules Committee, provides merely that the Senate of the United States be permitted to legislate when two-thirds of the Senators present and voting have decided that the debate on any matter—as opposed to any measure—has been a full and complete debate, a debate in which all facts relevant and germane to the issue have been brought to light, a debate in which there has been free expression of all informed views on the issue.

That is all the resolution does. There is nothing mysterious about it. There is nothing sinister about it. It does not embody a new, novel, or revolutionary theory, but one which the Senate over the years has accepted in regard at least to debates on bills and other measures. It is new only in the sense that it would reverse the rulings of some previous Presiding Officers to the effect that this limitation on debate could not apply to matters other than bills and measures—could not apply, that is, to the approval of the Journal, could not apply to motions to take up a bill or a resolution.

My proposed amendment, which I supported in the executive sessions of the Senate Rules Committee when we were considering this matter prior to the reporting out of Senate Resolution 15, and which I intend calling up when amendments to Senate Resolution 15 become in order, does go one step further. It provides that rather than two-thirds of those Senators present and voting, a majority of all Senators, namely, 49 Senators, under normal circumstances, in the absence of any vacancies in the membership, can take the responsibility and have the power to require a termination of debate and to end a filibuster in the Senate of the United States.

Is this a sinister proposal? Is this an attempt to gag the Senate of the United States? Is this an effort to impose silence—compulsory silence—upon individual Members of the Senate of the United States, when, perhaps, they shall be seeking to enlighten the Senate of the United States on facts as they bear upon issues before the Senate? Is this slavery for Senators? Is this a denial of the freedom of speech guaranteed to every American by our great Constitution? Is it any of those things, Mr. President?

Of course not. With due respect to the sincerity of so many opponents of these proposals for giving the Senate a degree of mobility now denied to it, I feel compelled to say that the arguments against effective cloture are window-dressing for a much deeper issue, namely, the issue, as I said before, of whether the Congress of the United States shall be permitted to enact legislation pledged to the people of America by the platforms of both the Democratic and Republican Parties in 1948 and in previous years. The issue, in other words, I repeat, is civil rights.

I would like to read that portion of the 1948 platform of the Democratic Party drafted at Philadelphia last July dealing with civil rights, which was agreed upon first by a small group of about 17 delegates designated by the chairman of the Democratic National Committee as a preliminary drafting group, and then subsequently approved by the 108-member resolutions committee of the Democratic Convention, which included 2 delegates from each State and Territory. This is what that draft said:

> The Democratic Party is responsible for the great civil-rights gains made in recent years in eliminating unfair and illegal discrimination based on race, creed, or color.
>
> The Democratic Party commits itself to continuing its efforts to eradicate all racial, religious, and economic discrimination.
>
> We again state our belief that racial and religious minorities must have the right to live, the right to work, the right to vote, the full and equal protection of the laws, on a basis of equality with all citizens as guaranteed by the Constiution.
>
> We again call upon the Congress to exert its full authority to the limit of its constitutional powers to assure and protect these rights.

I reiterate, Mr. President, that this plank, the so-called civil-rights plank of the Democratic platform, is the way it read when it was agreed upon by the 17-member preliminary drafting subcommittee and by the full 108-member resolutions committee of the Democratic National Convention of 1948. This was before anything new was added on the floor of the convention. This was before the vigorous, all-out floor battle on the convention floor over the addition of two additional paragraphs which subsequently were written into the platform by a vote of the majority of the convention delegates.

I have no intention of pretending that this plank as it was originally drafted and before it was expanded on the convention floor by vote of a majority of the convention delegates had the wholehearted and enthusiastic support of each member of the resolutions committee or of the preliminary drafting subcommittee. Far from it. We had no 5-minute rule, no limitation of debate of any kind in either the subcommittee or the full resolutions committee. We argued this matter out in a democratic manner, allowing free expression of views. There was no gag; there was no attempt at a gag; there was no consideration of the possibility of imposing a gag. Democratic delegates from nearly all the States actively participated in this discussion, and no delegate was limited as to the time he could speak. Every aspect of this issue, for it is all one issue, was thoroughly explored by able speakers. In our preliminary subcommittee, the argument raged for nearly all of an evening and a night. In the full resolutions committee the following day, we were in session from shortly after 2 o'clock in the afternoon until 2:30 or 3 o'clock in the morning of the following day, and although not all of the discussion by any means revolved around this plank, many hours were devoted to its free discussion—and, I might add, to a vote. The vote was had, and the will of the majority prevailed, and this plank was incorporated in the platform as submitted to the convention.

Let me repeat a few of those pledges:

> The Democratic Party commits itself to continuing its efforts to eradicate all—

Mr. President, I interrupt the reading to say that there is no hedging here. It

says we commit ourselves to continue our efforts to eradicate all—

racial, religious, and economic discrimination.

I think that means what it says. It so means to me. It so meant to President Truman when he carried his case for election to the people of the United States. As the presiding officer at those committee deliberations and debates at the convention, I can attest to the fact that those words were recognized as meaning what they say to all members of the resolutions committee. Those who feared the import of those words as they indicated the course which our party would follow in the Congress did not pretend to us that the words meant something else or that they were wishy-washy, or that they were watered down, or that they were any kind of a compromise on this issue of civil rights.

Again, in our platform plank as originally drafted and approved prior to submission to the convention, we reiterated a belief on the part of our party officially as a party that racial and religious minorities "must have the right to live, the right to work, the right to vote, the full and equal protection of the laws, on a basis of equality with all citizens as guaranteed by the Constitution."

The Constitution sets up no first and second classes of citizenship and our 1948 convention platform similarly allows for no such categorization.

The plank says further:

We again call upon the Congress to exert its full authority to the limit of its constitutional powers to assure and protect these rights.

There has been much discussion here in recent days about the constitutionality of some of the civil-rights measures which are to be enacted by this Congress, if this Congress, if Republicans and Democrats alike in this Congress, are to be true to the campaign pledges which they made; if the Congress, that is, is to redeem its promises.

The debate which has been carried on so far has been marked by frequent insinuations that the liberties of the people of America are to be trampled on and destroyed in contravention of the Constitution if the Senate succeeds in fortifying its machinery, its rules, with the power to legislate when two-thirds of the Senators present and voting or, under my proposal, a majority of the Members of the Senate, including those not present or not voting, determine that debate has been full and complete and that time for action, for a vote, has arrived.

Are there, Mr. President, Members of the Senate of the United States who believe that the courts of this democracy have abdicated to the Congress or to the Executive? Is there no protection left in America, Mr. President, should this pending resolution be approved, against unconstitutional legislation? Is our sole barrier to unconstitutional Government in the United States a minority of the United States Senate? Are they alone the defenders of free government in America?

If there should come before the Senate of the United States a measure which seeks to violate the Constitution of the United States, are we doomed, is our Constitution threatened, unless one-fifth of the Senate membership can hold the Senate inactive and helpless indefinitely?

Or, on the other hand, can we tolerate a device in the Senate which seeks to deny us the right to implement Constitutional guarantees of the full and equal protection of the laws for each citizen on a basis of equality with all other citizens?

That is really what we are determining here. We are determining whether the Congress is to be allowed to outlaw the poll tax. Many States have voluntarily abandoned the poll tax as a source of revenue, or worse, as a means of disenfranchising voters. Some opponents of Federal legislation to outlaw the poll tax as a prerequisite for voting in Federal elections pronounce themselves willing to approve the submission of a constitutional amendment to the States on this issue on the grounds that the legislation itself would be unconstitutional.

This issue has been argued and reargued, examined, analyzed, explored, many times in the Congress of the United States over the years and the prevailing view of the majority of the Members of the Congress is that the elimination of the poll tax by legislation is not unconstitutional.

Assuming we may be wrong, Mr. President, granting for the sake of argument that we may be wrong, is there no defense against unconstitutional legislation except the endless talk of a group of Senators able to paralyze the Senate of the United States, and with it, the process of democratic government? Are there no judges in our Federal system who dare defend the Constitution?

Our platform, and the platform of the Republican Party, promises legislation to establish a Fair Employment Practices Commission. This measure also has been denounced in this Chamber and in the other Chamber as unconstitutional, as vicious and un-American, as a Communist plot, as a threat to the public peace.

As I recall, we had during the war a temporary Fair Employment Practices Commission instituted by Executive decree which sought to end unfair discriminations in employment practices, and, lo, Mr. President, the Union stood, the Nation endured, the domestic peace was maintained, and communism continued ineffectual and despised in America.

I have no intention at this time of debating the individual provisions, fair or unfair, good or bad, constitutional or unconstitutional, of the various civil-rights bills which will be coming before this Congress, and which, I trust, will be enacted after full, complete, and thorough discussion and analysis and debate. If this is a filibuster which we now have under way, then I, of course, have no intention of seeking unnecessarily to prolong the debate.

If a cloture petition is filed, as it probably will be this afternoon, to seek to shut off debate on the motion to take up the proposed resolution and to test the rulings of previous Presiding Officers on whether cloture applies in a case like this, there will, I am sure, regardless of the decision of the Vice President in this instance, be adequate opportunity for full discussion of all aspects of the issue before it is resolved. So I do not feel that I am contributing to a filibuster.

I think it appropriate, in view of my previous references to the mechanics of drafting the 1948 Democratic platform, to point out, before the debate goes any further, that so far as this side of the aisle is concerned I think the issue was settled clearly at our Philadelphia convention.

I am not referring to the amendment from the floor spelling out in some detail the civil-rights proposals which our party, as a party, announced its intention of supporting. I am referring to the original language of the committee draft of that plank, language which pledges us to continue our efforts to eradicate all racial, religious, and economic discrimination and to guarantee to racial and religious minorities the right to live, to work, and to vote, and the full and equal protection of the laws on a basis of equality with all citizens as guaranteed by the Constitution through the exertion by Congress of its full authority to the limits of its constitutional powers to assure and protect these rights.

That is what we said in the original draft of the plank, and it stayed in the platform. Please note the fact, Mr. President, that there was no attempt by any opponents of civil-rights legislation to seek to rip any of this language out of the platform once it was presented to the convention. There were, however, several attempts to water it down by association, to insert in close juxtaposition to this language other language stressing States' rights. This effort was obviously aimed at weakening the original civil-rights plank. No one who voted on it had any doubt in that respect.

A distinguished Texan, former Gov. Dan Moody, submitted such an amendment and asked for a roll-call vote on it. This was a vote on whether or not the Democratic platform should stress the issue of States' rights in the same portion which also stressed the importance of civil rights. The vote on this amendment was 309 votes, yes; 925 votes, no; or 3 to 1.

This amendment got the support of the full delegations from Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Texas, and Virginia. It got support from a fraction of the delegations from California, Colorado, Oregon, and Wyoming, and half the votes from Alaska.

The vote against the amendment designed to emphasize States rights in connection with civil-rights issues was: Arizona, Connecticut, Delaware, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Dakota, Utah, Vermont, Washington, West Virginia, Wisconsin. Those were unanimous votes of those delegations. In

addition, it got 52½ of California's 54 votes, 9 out of Colorado's 12, 13 out of Oregon's 16, 5½ of Wyoming's 7, 3 of Alaska's 6, and the unanimous vote of all of the other possessions.

There was a further amendment from the floor on this issue that I think is relevant now. It was submitted by a delegate from Mississippi. It would, in juxtaposition with the civil-rights plank originally submitted, and which remained in our platform, insert language reserving to the States all rights and powers reserved to them by the Constitution, among them, according to this amendment, being the power to provide by law for qualifications of electors, the conduct of elections, regulation of employment practices within the States, segregation within the States, and define crimes committed within their borders and prescribe penalties therefor, except such crimes which under the grant of power by the Constitution to the general Government may be defined by it.

That is language which would have said: The poll tax is strictly a matter for the States; FEPC legislation is outside Federal jurisdiction; antilynch law is for the States alone.

Mr. President, this amendment was defeated without even the formality of a roll-call vote. It was shouted down in derision by the convention. There was no request for a division or a roll call. It was like a pro forma amendment striking out the last word.

The Democratic Party drafted its platform in good faith, in a good-faith determination to make good on it. We did not have our fingers crossed when we adopted these pledges on civil rights. We meant them. We will fight for them.

The Republican Party drafted a similar platform pledge on civil rights. I trust that that party also had no mental reservations about making good on this pledge.

Mr. IVES. Mr. President, will the Senator yield for a question?

Mr. MYERS. I am very happy to yield for a question.

Mr. IVES. Does the able Senator from Pennsylvania recall that the Republican platform, which embraced the provisions to which the able Senator refers, was adopted unanimously at the Republican Convention at Philadelphia?

Mr. MYERS. My answer to the Senator from New York is that that is my understanding and belief. I hope that his party will fight, as I know he will fight, for that plank as it was adopted at Philadelphia.

It is obvious by now that the Democratic Party and the Republican Party together can make good on our civil-rights pledges only if we can end the power of an organized minority to combine in successful efforts to kill each such proposal by nothing more lethal than talk, to kill it by endurance of their lungs and their feet, to kill it by being prepared to talk on and on and on and on until such time as the Senate and the people of America will have thrown in the sponge and surrendered and said that other matters of pressing importance held back from Senate consideration by a filibuster must go forward, and so the effort to pass civil-rights legislation must be sacrificed.

There are some other issues involved here, of course; but I do not believe I should go into them at this time.

In any event, I wish to make this pledge—and I think nearly every Senator would make a similar pledge: So long as I am in the Senate, I am going to stand fast for free speech and the free right of any Senator to express his views on pending legislation and to help us reach reasoned and fair determination of the issues through any material or information which he can provide in that direction. The Senate of the United States is an institution which, regardless of our tenure here, awes us all. We cannot help but be impressed by the responsibility we carry as Members of such a great body. I know of no Senator now a Member of this body who would have so little regard for the sacred principles of American democracy as to seek to make a mockery of them by joining in an arbitrary attempt to silence another Senator in the course of intelligent debate on any issue. When, as, and if cloture is invoked on this floor, whether by two-thirds rule, or by 49 Senators, as provided under my amendment, it will be invoked, I am sure, only after full debate and full opportunity for each Senator to contribute intelligently to the deliberations of the Senate.

But, Mr. President, when that privilege is abused—and we all know when it is being abused; we all know when extended debate has turned into filibuster, and when deliberation has turned into delay and obstruction—when that occurs, then we must have available the machinery by which to restore the Senate of the United States to its customary dignity and to return to the Senate its opportunity to act in the interest of the people, in the interest of the country, in the interest of humanity, in the interest of decency.

Mr. MORSE. Mr. President, I rise to support and defend the President of the United States, who I think has made the one and only sound proposal for the elimination from the Senate of the United States of what I consider to be the evil practices of filibuster.

I point out that the President has had a considerable amount of experience in the Senate of the United States as a Senator from Missouri; and on the basis of that experience and on the basis of his experience in the White House, I understand that it is correct—and I do not believe it will be denied—that the President of the United States in recent days has expressed his approval of a reform of the Senate rules for which some of us have been fighting for some time past—a reform which would truly restore to the Senate the principle of majority rule. I understand that the President has expressed himself in favor of the cloture petition or cloture procedure which some of us have been proposing for the past several years, namely, that under certain procedural steps in the Senate of the United States, we shall end debate by the same vote we use in passing major legislation, such as an Economic Cooperation Administration plan or lend-lease; yes, by the same vote rule we follow when we find it necessary to declare war, namely, a majority-vote rule.

I am a little at a loss, to say nothing about being somewhat disappointed, to find a complete retreat, apparently, on the Democratic side of the aisle from the President of the United States, the Democratic leader, insofar as giving to him the support he so justly deserves, in my opinion, for his proposal that we end debate in the Senate of the United States under a cloture rule which will permit of a majority-rule principle. I had hoped that for my antifilibuster resolution, which provides for a majority-vote rule, I would get some Democratic support. I do not want the present Presiding Officer of the Senate or any other Democratic Senator to think for a moment that I am the least bit embarrassed about standing here on the floor of the Senate and defending the President of the United States. On the contrary, I consider it a great privilege and a high honor. I only wish I had some Democrats joining me in defending the President of the United States this afternoon, because I think the President of the United States in his recommendation, which happens to correspond with my own recommendation and resolution, is standing for the only sound procedure which would make it possible for the Senate to operate efficiently and would give voice in the Senate of the United States to the people's business by taking care of it in accordance with what I am satisfied an overwhelming majority of the people think is basic to American democracy, namely, rule by the majority. Yet I understand that my good friend the Senator from Illinois [Mr. LUCAS], the majority leader, has said, in effect, that on this particular matter he is sorry that he cannot follow his chief. I do not quote him verbatim, of course, but I am sure I correctly quote his meaning, if he has been correctly quoted in the newspapers.

I have just listened to the speech of the Democratic whip, the Senator from Pennsylvania [Mr. MYERS], who earlier in this session submitted a resolution on cloture which provided for the principle of majority rule, and which differed from my resolution only in one particular. My resolution, as I subsequently perfected it, provided for a majority-vote principle; and, provided that after the adoption of cloture, through a petition filed by 16 Senators—as is the case under the present rule—and after 96 hours of debate would be permitted, each Senator who did not wish to make use of the full hour of debate after cloture—allowed to him by my resolution, would have the right and privilege of farming out his time, if some other Senator wished to take it and add it to the hour which the resolution automatically would provide to each Member of the Senate. I went to the Senator from Pennsylvania and suggested to him that we try to combine our two resolutions. My resolution, when first submitted, as the Presiding Officer will recall, sought to give to each Senator a 2-hour period for debate, after the adoption of

cloture, with the farming-out privilege; but I proceeded to make an investigation of the statistics shown in the history of filibusters in the Senate, and I discovered that not even the 96-hour period has ever been used, after cloture. So I decided that the minority would be adequately protected, so far as giving them adequate time to debate the merits of the case, if I changed my proposal so that, instead of providing a 2-hour period, it would provide a 1-hour period, and I so notified the Committee on Rules when I testified before it at the hearings.

At that time it was my understanding the Democratic whip was of opinion the majority-rule principle should prevail, save and except he thought the time should be limited to but 1 hour for each Senator, without the farming-out provision. I suggested to him we combine our two resolutions by my giving up the 2-hour provision and adopting his 1-hour provision, and in turn, by his agreeing to the farming-out provision of my resolution. He was very courteous, as he always is, and in fact, as all my colleagues always are to me and as I try to be to them. He said that under all the circumstances—and I think I quote him accurately—he thought perhaps it would be better if each one of us pressed for his individual resolution. I understood that language. I took it for granted the distinguished Senator from Pennsylvania had good reasons, which he was not at the moment discussing with me, for not accepting my compromise proposal; but I did not have the slightest notion that what he had in mind was, that at a subsequent date he would further modify his position by adopting a constitutional-majority principle in place of a simple-majority principle. But that is what he subsequently did; and so even the very distinguished and exceedingly able Democratic whip left the President of the United States on this issue and adopted a constitutional-majority principle for his resolution.

I have not been able to find out for a certainty, but it may be I stand here this afternoon as the only Member of the Senate solidly in support of the President on this issue. Be that as it may, if it is true, I am proud of it, because I am satisfied the President is absolutely right in the position he has taken; and I hope I have demonstrated by this time during my service in the Senate that whenever I think the President or any other Democrat is right, I am going to be nonpartisan enough to support him. I take it for granted the people of my State sent me here to support and fight for what I think is right. I am convinced, for reasons I shall hereafter set forth in this speech, that the simple-majority-vote principle for which the President is standing, if I have been correctly informed as to his position, is the absolutely sound way to eliminate the filibuster evil from the Senate.

With that as an introduction I wish to make a brief comment upon the rather peculiar position in which I find myself this afternoon, a position that might be subject to misunderstanding or misinterpretation if I did not make a clarifying statement. I have no desire to assist in any way a filibuster in the Senate. But I think that, before the cloture petition is filed this afternoon, those of us who have very definite views on the merits of the filibuster issue should get them into the RECORD. I am not sure what the parliamentary situation may be as to our rights to place them in the RECORD, at least in time for them to become a part of the RECORD before the vote, so far as the cloture matter is concerned, if we do not do it now.

So I desire to state for the RECORD my reasons in support of the Morse antifilibuster resolution, and I want to reply briefly to some very able, but I think fallacious, arguments which have been made on this issue by some of my distinguished colleagues on the other side.

I agree with the distinguished senior Senator from Georgia [Mr. GEORGE] this is a momentous debate. I think it is but another chapter in a great fight that is going to continue to be waged in the Senate until the coming of that happy day when the people's will will prevail and a rule in the Senate will be adopted making it possible for the will of the people through a majority vote of their elected representatives to be registered in this august body.

I do not think we are going to win the fight this time. I wish I could be more optimistic about it. But I expect now as in the other rounds of the fight in times gone by, the proponents of an antifilibuster resolution will lose. Why? Because neither party in the Senate, Republican nor Democratic, in my opinion, has stood up in the fight and made it clear it is willing to take those steps necessary to win the fight. Thus it must go back to the people, and the people once again are going to have to impress upon more Senators at the ballot boxes their determination to see to it that the fight is won in the Senate, either by getting men now in the Senate, once they come again face to face with the people on this issue in campaigns, to change their thinking on the issue, or by supplanting men already here, at future elections, with other candidates for the Senate, who will come here and make the fight which I think should be made now, and, as I have said on the floor on this issue in times past, which should have been made in previous battles.

We cannot win unless we are willing, as we have not been thus far in the fight, to continue in session for as many days, weeks, and months as may be necessary to demonstrate to the minority that we do not propose to have the majority will trampled by minority tactics in the Senate. It must be done some time; why not now?

I have asked that question over and over again during the last 4 years. I shall continue to ask it, until the time comes, which I hope will not be in the far distant future, when my party in the Senate, as a Republican policy will organize by way of opposition to a filibuster, and declare our determination to remain here for as many months as may be necessary to break the filibuster. I hope the alleged antifilibusterers on the Democratic side of the aisle will with equal determination so organize themselves that we can get the issue behind us. I am satisfied the rule of the Senate permitting filibusters is devastating to the interests of the people in the case of issue after issue.

I repeat, Mr. President, that the rights of the people in legislation before the Congress of the United States are no better than their procedural rights in the Senate of the United States. So long as the rules of the Senate permit, through a filibuster, the defeat of the will of the great, overwhelming majority of the American people on various issues, then there must be eliminated the procedures which produce such an unconscionable result, if this is to be a truly representative government. To me it is a very simple issue. I am either right or wrong, Mr. President, in saying that the most fundamental tenet of a democratic form of Government is that which says the majority will shall prevail, subject to the checks and balances of the Constitution, through a judiciary, and the veto of the President, in case the majority of the Senate and the House pass legislation which cannot be squared with the fundamental constitutional guaranties of the document which gave us all of our rights and liberties.

That is why I never have been able to accept, and cannot now accept, the able arguments of distinguished Democrats on the other side of the aisle, that the Constitution guarantees to them that, under the rules of the Senate, they shall have preserved to them the right to block the majority through procedural tactics, because, in their judgment, they do not believe certain legislation which the majority otherwise would pass is constitutional. Mr. President, that defies, in my judgment, our whole theory of government, not only of checks of powers but separation of powers as well.

The American people need to reflect once again on the fact that under our system of government, if we pass legislation which, in fact, is unconstitutional, the courts will pass on it, unless, before it gets to the court, the President of the United States exercises his veto, which, under the Constitution, requires a two-thirds vote to override.

When the founding fathers were faced with the problem of establishing the checks in the Constitution they did not have any difficulty in providing a two-thirds vote requirement when they wanted a two-thirds vote requirement as a check. They understood the effect of a two-thirds vote requirement as well as we do; and in the magnificent document which they wrote they checked us, the Senate of the United States, in the passing of unconstitutional legislation, by giving to the President the veto power over us and requiring that his veto shall stand unless a two-thirds vote of the Senate, as well as of the House, overrides it. But they did not anywhere in that document provide that the debate in the Senate of the United States shall be unlimited in the sense that a handful, a minority, of Senators can organize and block the will of the majority by

preventing a vote ever occurring on a piece of legislation. If they wanted to place that power in any minority group in the Senate, the English language was perfectly capable of being so used. But they did not do it. What did they provide? They provided that the House and the Senate shall be allowed to make their own rules governing procedure.

Mr. President, I think one of the most able arguments which has been made in the course of this debate was the argument made by the Senator from Georgia [Mr. GEORGE], for whom I have the highest respect and for whose views, as the RECORD will show, I find myself many, many times, I think, more often than not, in agreement; a man who, in my judgment, is a great lawyer, but with whom, on this issue, I find myself in complete disagreement. Because the argument he made recently on the floor of the Senate, in my judgment, has had great weight in the thinking of my colleagues, I propose, very humbly, this afternoon to answer a few of his observations, inasmuch as I disagree with the Senator on a great many of his historical observations and interpretations, and I disagree with him on some of his conclusions as to constitutional law.

In the speech of the Senator from Georgia, delivered on February 28, 1949, he said, at page 1606 of the RECORD, that had someone suggested a limitation on debate in a conference of the States, before the formation of the Constitution, it would have dissolved the conference.

The Senator from Georgia can assert it, but it is an assumption, which, in my judgment, does not rest upon historical probability. Why do I say that? Because, Mr. President, the Continental Congress, which preceded these great constitutional debates, operated on the basis of a rule which permitted of the previous question. It did not dissolve over that parliamentary practice which limited debate. At the very time the constitutional fathers sat it was the common practice in parliamentary bodies, colonial, and, to the extent we had them, combinations of colonial bodies such as the Continental Congress to use the previous question technique as the device for limiting debate.

I most respectfully say to my good friend from Georgia that I know of no basis in history to support his assumption that had any such proposal been made at the Constitutional Convention to limit debate in the Senate of the United States, the convention would have dissolved. To the contrary, I think the assumption ought to be that, in view of the parliamentary practice which prevailed at that time, by way of the previous question as a device for limiting debate just the opposite conclusion from that reached by the Senator from Georgia is the one which we should accept.

Mr. GEORGE. Mr. President, will the Senator yield?

Mr. MORSE. I shall be very glad to yield for a question.

Mr. GEORGE. Does not the Senator know that the previous question, at the time of the adoption of the Constitution, was itself a debatable question, and that it has little relationship to the previous question as now known in the House of Representatives?

Mr. MORSE. I am perfectly aware of that, but I am sure, also, that the Senator from Georgia would agree with me that at the time of the Constitutional Convention, at the time of the Continental Congress, the usages or practices which grew up around the use of the previous question did not fall into the evil way of a filibuster as it has developed on the floor of the Senate. Rather the fact is that Members voted on the previous question for limiting debate on a majority-vote basis. In other words, the practice was that men who assembled in parliamentary bodies, after full and fair debate on the merits of an issue, recognized the right of the majority eventually to end debate by the previous question.

In defending the right of unlimited debate in the Senate, Senators GEORGE and CONNALLY, for example, relate it somehow to State sovereignty, to the sovereignty of the individual State.

Sovereignty means supreme power. The question of the location of sovereign power in the United States is to be answered, not by reference to the political theory of the American Constitution, but by reference to the hard facts of American life. Whatever the original design, the stubborn fact is that supreme power has come to reside in the central government (if it resides anywhere) as a result of the outcome of the War Between the States, the industrial revolution, and the onward march of science and technology. The intellectual edifice of State sovereignty and States' rights, with its corollary doctrines of nullification and withdrawal, treating the National Government as the mere agent of associated States, which was elaborated by Calhoun, collapsed with the defeat of the South in the Civil War.

State sovereignty, in a narrow sense, no longer fits the cold hard facts of modern industrial society. It has passed away forever down the irreversible stream of time. Yet it lingers on in the southern mind like the nostalgic echo of a voice that is still. "But, oh, for the touch of a vanished hand, and the sound of a voice that is still."

Mr. President, the Senator from Georgia, in his very able speech on February 28, said that a right which attaches to the sovereign State is this right of unlimited debate. As I have just said, the Constitution does not say so. Article I, section 5, paragraph 2, of the Constitution provides that each House may determine the rules of its proceedings. Therefore I do not think there can be any reasonable doubt, certainly no reasonable constitutional doubt, concerning the power of the Senate under the Constitution to adopt a rule regulating debate in this body. If that premise is sound under article I, section 5, paragraph 2, then certainly there is no invasion of sovereign powers of the States under the Constitution for this body to adopt a majority-vote rule, because article I, section 5, paragraph 2, contains no word of limitation on the power of the Senate of the United States to adopt its rules.

Mr. GEORGE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oregon yield to the Senator from Georgia?

Mr. MORSE. I yield.

Mr. GEORGE. Of course, the Senator is familiar with the Constitution, and he recognizes, does he not, that there are some things which cannot be done by the Congress except by the consent of the States, and the one and foremost provision is that no State can be deprived of its equal representation or equal suffrage without its consent?

Mr. MORSE. That is correct.

Mr. GEORGE. I also call the Senator's attention to another constitutional provision, namely, that there can be no subdivision of a State, or the creation of a new State out of an old State, or the creation of a new State by combination of parts of two States, except by the consent of the States.

Mr. MORSE. That is true.

Mr. GEORGE. The Senator would not contend, would he, that by mere rule or regulation those constitutional prohibitions could be written out of the Constitution?

Mr. MORSE. Not at all, but I do contend that the observation just made by the Senator from Georgia is entirely irrelevant to the issue before the Senate, as to whether or not under article I, section 5, paragraph 2, of the Constitution the Senate of the United States has the right to adopt a rule governing debate in the Senate which will provide that a majority vote may limit debate. Such a proposed rule has not the slightest connection with the sovereign right of any State.

Mr. President, of course there are rights given to the States under the Constitution which the Senate of the United States cannot take away from the States, but I cannot go along with what I consider to be a fallacious conclusion in the logic of the Senator from Georgia, that because certain rights of the States are guaranteed to them under the Constitution, there is any connection whatsoever with the grant of rights and powers in article I, section 5, paragraph 2, which specifically reserve to the House of Representatives and the Senate the right to adopt rules governing their proceedings. I most respectfully say that the implication of the argument of the Senator from Georgia is a clear non sequitur.

Mr. President, in his very able speech the Senator from Georgia pointed out that there is a danger of whittling away the rights of the States. Let us consider the Hayden resolution for a moment. I am sure the Presiding Officer knows that I am not in favor of the Hayden resolution, save and except I may in the last analysis be forced to vote for it because I apparently stand here this afternoon, as I said before, as the only defender of the President of the United States in support of a majority-rule principle for limiting debate in the Senate, and, of course, if I have no support at the present time for the position the President of the United

States and I take in this matter, I shall have to bide my time until the electorate changes that situation, and during the interim I may have to go along with the Hayden resolution, inadequate as I think it is; but it is better than the present rule. So let us look at the Hayden resolution for a moment.

I say, Mr. President, that the safeguard of States' rights is to be found in the equal representation of the States in the Senate, and not in its parliamentary procedure. I repeat, my first answer to the able argument of the Senator from Georgia is that the safeguard of States' rights is to be found in the equal representation of the States in the Senate, not in its parliamentary procedure.

The Hayden resolution proposes no change in the voting requirements for the application of cloture, nor any reduction in the time allowance for debate following the vote on the cloture motion. No apprehension of the impairment of the rights of the States was voiced in the debate preceding the adoption of the existing cloture rule in 1917, for which all the southern Democratic Senators voted on that memorable day. Were State rights jeopardized during the 5-year period from 1917 to 1922, before the first breach in the ramparts of the present rule was found by a Presiding Officer? The States rights argument in this connection, I say most respectfully, Mr. President, is unsound, and designed to catch timid and unwary souls.

Mr. President, let us consider what an examination of the facts shows about the debates which occurred in 1917 at the time the present cloture rule was adopted.

The date was March 8, 1917. The debate consumed 6 hours, or 26 pages of the RECORD. Of the Senators who participated in the debate, six expressed their preference for majority rather than two-thirds cloture. They were:

Hollis, of New Hampshire, whose comments appear on pages 26 and 27 of the RECORD for March 8, 1917.

Norris, of Nebraska, whose comments in support of majority rule appear on pages 27 and 28 of the RECORD for that date.

Stone, of Missouri, whose support of majority rule cloture appears on page 31.

Owen, of Oklahoma, whose comments appear on page 32.

Thomas, of Colorado. Read his support of majority rule on page 33.

Vardaman, of Mississippi. Note his comment on page 39.

Senator Stone on that occasion prophesied that the two-thirds cloture rule would prove ineffective, and I venture in my humble way to prophesy this afternoon that, even with the adoption of the Hayden resolution, we will not solve the filibuster problem in the Senate, and we will never solve it until we adopt the majority-vote principle in this body.

Mr. BALDWIN. Mr. President——

Mr. MORSE. I will not yield. I am sorry.

The PRESIDING OFFICER. The Senator declines to yield.

Mr. MORSE. I wish to say why I will not yield, except to the Senator from Georgia. As a matter of courtesy to him, because of my reference to his argument, it would in my judgment be most unfair for me not to yield. But I am not going to yield to any other Senator, now that I have the floor, for two reasons. First, I do not want to be charged with engaging in a debate 1 minute longer than in all sincerity and good conscience I think I have to speak to make my case on the merits of the great issue pending before the Senate. In the second place, I am not going to yield because I do not want to be taken off the floor, and, although I know that the Senator from Illinois [Mr. LUCAS] would not attempt to take me off the floor by way of seeking to file a cloture petition while I am on the floor, I know he cannot necessarily control other Members of the Senate. I recall that at one time last year—I think my memory serves me correctly—a debate was proceeding when a ruling was handed down that if a Senator obtained the floor for the filing of a cloture petition he could take the speaker off his feet, and I am going to do my best to protect myself until I finish this argument, which so far as my political record is concerned, Mr. President, is of utmost importance to me. I submit that from the standpoint of future events in this country, the arguments which I propose to make this afternoon are going to be of utmost importance to some other Senators in the Senate of the United States.

On March 8, 1917, Senator Owen, of Oklahoma, stated that at least 40 Senators then favored majority cloture, but were bound by a gentlemen's agreement to vote for a two-thirds rule. It is my understanding that what happened behind the scenes in 1917 was that some 40 Senators expressed preference for a simple majority-vote rule in the Senate of the United States for limiting debate, but the leadership prevailed upon them, as so often happens in the Senate now, to modify their views or compromise their position by going along with a two-thirds vote rather than the majority vote which they preferred. It was that understanding and that arrangement which I assume Senator Owen was referring to when on March 8, 1917, he said that at least 40 Senators then favored majority cloture, but were bound by a gentlemen's agreement to vote for the two-thirds rule.

The RECORD shows, Mr. President, that Senator Thomas, of Colorado, on that day said:

> The principle of majority rule is an established and essential principle in American government from the Nation to its smallest hamlet. The majority should have and exercise the power of determining what its policy will be not only with regard to legislation, but, as well, the methods by which legislation is to be accomplished. Two-thirds cloture—

He said—

> will bring no real measure of relief. It will provide a delusion and a snare. Unless the rules be amended by providing cloture by majority the practical operation of this amendment will prove a deep disappointment to the hopes of its sponsors.

If prophetic words were ever uttered in the Senate of the United States, Mr. President, on March 8, 1917, Senator Thomas, of Colorado, uttered them in connection with the quotation from his speech I have just read to the Senate, because I think it is perfectly clear that the two-thirds vote rule in regard to cloture has proved to be a delusion and a snare.

On that same historic day, the Senator from Mississippi, Mr. Vardaman, stated that he recognized that unlimited debate has served the people of the South—

But—

He added—

> I would prefer that the rule would provide for the invocation of the cloture by a majority rather than by a two-thirds vote.

Mr. President, the two-thirds cloture rule was adopted on March 8, 1917, by a vote of 76 to 3. Of the 16 Senators not voting, it was announced that 11 would have voted "yea." Thus, at least 87 of the 96 Senators then favored a limitation of debate in the Senate of the United States. Where were the southern protests on that day when the sovereignty of the States was being invaded? Where were the southern protests on that day that a great constitutional safeguard was being destroyed in the Senate of the United States? Southern Senators on that day voted for the rule. I think it is also quite obvious that they voted for the rule, thinking, as was the practice for the 5 years thereafter, that it applied to all matters of business before the Senate, be it a motion to take up a bill, or to approve the Journal, or to consider a measure in the sense of the subsequent interpretation of the word "measure" being limited, as the Presiding Officer 5 years later ruled, to a pending bill.

No; I am not impressed, Mr. President, with the argument that the sovereignty of the States is being invaded by putting into application the simple majority-vote principle in the Senate of the United States so that we can transact the people's business and protect the people from the obstructionist tactics of men who seek to talk a bill to death so that no vote can ever occur on it.

I repeat now what I think I have said before on the floor of the Senate—I certainly have said it in committee—that there is all the difference in the world between a prolonged debate on the merits of an issue and a prolonged debate that is intended to continue until such time as the majority yields to an agreement or understanding that no vote on the measure at all shall take place, but, rather, that the majority shall surrender to the minority and the proposed legislation shall be laid on the table or be withdrawn. That has happened since I have been in the Senate, and the CONGRESSIONAL RECORD is filled with many instances of its happening before I came to the Senate. I say that that type of prolonged debate in the Senate of the United States defeats what I consider to be one of the fundamental purposes and principles of democratic government—majority rule.

Not only that, but let it be understood that one of the most costly prices we pay for the filibuster tactics in the Senate of the United States is in committee—not on the floor of the Senate, but in committee. The American people, I am sure, are not fully aware of the fact that the threat of the filibuster is a common weapon that profilibusterers use frequently in committee, where, after a committee by a clear majority is of one mind as to what kind of legislation should be recommended to the floor of the Senate, a minority of the committee will say, in effect, "If you vote the bill out in that form, we warn you we will talk it to death on the floor of the Senate." I call that parliamentary intimidation and, in my judgment, it is used too often in the Senate of the United States, with the result that too frequently committees bring to the floor of the Senate, not legislation by way of recommendation which corresponds to their real desires as a majority; not legislation which the majority of the committee thinks would be in the public interest; but legislation which has been whiplashed out of them by way of a threat of a filibuster if they do not yield in committee to the will of the minority.

Mr. President, if I had to state what I think is the greatest evil in the filibuster, I would not mention first the tremendous waste of time and expense involved in holding up the people's business on the floor of the Senate in actual debate, bad as I think that is. I should say that the great cost of the rule which permits a filibuster is paid in committee, in executive sessions of the committee, away from the public view, where the public is not aware of what is going on behind committee doors. We are confronted there with the threat that if we do not yield to the whiplash of the minority by writing into the bill provisions which we do not think ought to be in the bill, we either cannot get a bill at all, or if we get it to the floor of the Senate, the minority will talk it to death, to use the exact phrase which I have heard on several occasions in committees of which I have been a member since I have been in the Senate.

That is not good government. I do not think it is democratic government. Thus I repeat that I am proud to stand here today shoulder to shoulder with Harry S. Truman in support of a principle of good government which I think in some way, somehow, we must make prevail in America—that the Senate of the United States shall operate and function on the basis of a majority vote principle. My invitation is an open one, and will continue to be extended over the months and years ahead, so long as I am in the Senate, for Democrats and Republicans alike to join with me in support of President Truman on this issue, because he is right.

Returning to the argument of the Senator from Georgia [Mr. GEORGE], in this very able argument he said, on February 28:

> We can have absolutism in a legislative body. We can bring about absolutism in the Congress by a gag rule.

Mr. President, absolutism means despotism. Absolutism is the doctrine or practice of unlimited authority and control. I repeat that there are ample limits upon public authority in our constitutional system of checks and balances; but unlimited debate in the Senate has never been a part of American political theory.

I quote from the scholarly book by W. F. Willoughby, Principles of Legislative Organization and Administration, published in 1934. I read excerpts from pages 495 and 499. In that book Willoughby says:

> The real issue involved in obstruction in the Senate is simply this: Shall majority rule and responsible party government prevail? Impartial students of the question have concluded that it is desirable that the Senate should provide by its rules for greater freedom of debate than obtains in the House, but that it should at the same time provide means by which an abuse of this freedom may be prevented. * * * Obstruction which goes beyond that of legitimate debate is an evil that should be brought under control, both because it consumes the time of the Chamber and because it places undue obstacles in the way of proper working of party government. * * * As in all cases where power is granted, the opportunity for its abuse exists and * * * reasonable safeguards against such abuse should be provided. Such safeguards, however, should not go as far as to enable the minority, in an open contest, to make its will prevail over the majority. While a majority can use its powers in an illegitimate way, the same is true of the minority; and as between the two, the former * * * is the lesser evil.

Mr. President, I fail to see any basis in merit for the fear of the Senator from Georgia that the adoption even of a majority-vote rule in the Senate of the United States would run any danger whatsoever of absolutism. The Senator from Georgia was speaking of the Hayden resolution. I am sure that he would deplore even more my resolution. However, even under my resolution, I do not see any basis for the fear which he has expressed, if we constantly keep in mind the other checks against a majority which might seek to abuse its powers, as suggested by Mr. Willoughby in the book from which I have quoted; if we keep constantly in mind the veto power of the President, the two-thirds vote under the Constitution in regard to overriding the veto, and the great judicial safeguards of the United States Supreme Court in protecting constitutional rights both of individuals and of States.

That leads me to repeat for the RECORD the protection to minority rights contained in the resolution for which I am fighting and which adopts majority-vote-rule principle. It has been suggested in the course of this debate—in fact, in the committee the distinguished Senator from Arizona [Mr. HAYDEN] suggested it—that if we adopt a majority-vote principle in a resolution which provides for 96 hours of debate, as my resolution does, and which accords to each Senator the right to farm out his time, as my resolution does, there is nothing thereafter which would stop the Senate from further modifying such a rule so as to reduce the 96 hours to 48, the 48 to 24, the 24 to 12, the 12 to 6, or to use the argument of reducing it to an absurdity, wiping out entirely—so those who fear that danger say—any right to debate after cloture has been adopted.

I know that reducing things to an absurdity is frequently a very effective technique when someone wishes to argue from fear rather than from the realities. I believe that those who make that argument fly in the face of the realities of practice of the Senate. Why do I say that? I say it because, as I shall show later by certain statistics which I shall offer, it is most difficult to get 16 Members of the Senate to sign a cloture petition in the first instance. They are not going to do it, and they do not do it, unless and until they become convinced that there is in progress a filibuster which seeks to prevent a vote from ever occurring on an issue.

After the petition is signed, there is another safeguard reality. Those who employ the fear argument tell us that there is a danger that a majority may subsequently further modify the rule or overlook it. The safeguard is that after 16 Members have signed a cloture petition, under my resolution it would require a majority of the Members of the Senate to apply cloture. Has that happened very frequently? In the cases in which cloture petitions have been filed, we find that out of 19 times when such a petition was filed, it was possible to get a majority vote only 12 times. Incidentally, it was possible to get a two-thirds vote only 4 times. That is why I say that the proposal which is being offered here for a two-thirds vote is ineffective. Statistically it is shown to be little more than a gesture. A two-thirds vote was obtained only 4 times out of 19, and a majority vote 12 times out of 19. So it is evident that a majority of the Members of the Senate will hesitate a long time before they stop their colleagues from discussing the merits of an issue, unless they are convinced that the minority have organized in an endeavor to prevent the majority from even voting. Then I say it is proper for the Senate rule to vest in the majority the right to vote, as provided in my resolution. Although there are some Members of the Senate who seem to think that this type of a practical check in the Senate is not effective, I think the matter of fair play in the Senate and the matter of senatorial courtesy is one of the very practical safeguards protecting the minority from any steamroller tactics which those who have protested my use of the so-called senatorial courtesy argument seem to fear. History supports me, Mr. President, for the statistics which I shall shortly present show that the majority is very hesitant, as it should be, to apply any gag upon the minority, save and except in instances when it is satisfied that the minority is seeking to deny to the majority its democratic right to reach a vote on the issue in question.

So I say that when we examine the realities of Senate practices, the fear arguments, which are being advanced by the opponents of my resolution provid-

ing for a majority-vote rule, deserve very little weight.

But the Senator from Georgia apparently feels that there is a great danger of this, because in his speech on February 28 he said:

> Senate Resolution 15 is a grant of power which ultimately will be used to perpetrate a great wrong.

Mr. President, I do not share that opinion. I do not agree with the Senator from Georgia that Senate Resolution 15 is a grant of power. I say it is naught but a rule of procedure prescribing the conditions under which debate may be closed. It can be successfully invoked, under the Hayden resolution, only if two-thirds of the Senators present vote in favor of it. Two-thirds of the Senate will not perpetrate any great wrong upon the American people; in fact, the statistics show that, on the average, 83 Senators have voted on each of the 19 cloture petitions or motions which have been submitted since 1917. We see, therefore, that when a cloture fight arises in the Senate, and when the time comes for voting on that question, there are not very many empty seats in the Senate Chamber. The record shows that to be so. I repeat that, on the average, 83 Senators have been in their seats at the time of the vote on 19 different occasions since 1917 when cloture petitions have been filed and the question of invoking cloture has been voted on.

Mr. President, cloture does not take away any part, I submit, of the right of the smaller States of the Union to have their say in regard to what they wish to say.

In his speech on February 28 the Senator from Georgia also said:

> The smallest State in this Union * * * can say what it wishes to say.

I agree with the Senator from Georgia, but I deny his conclusion that Senate Resolution 15 will in any way take away that right. There will be ample opportunity for every State, large or small, to be heard upon the merits of a question, under Senate Resolution 15 or under my resolution providing for cloture by majority vote, if you will, Mr. President, both during the pre-petition stage, during the 2-day interval between the filing of the cloture petition and the vote on it, and during the 96 hours of potential debate after cloture has been adopted, if it is adopted. Under those procedural steps, I ask, can one really imagine a situation in the Senate of the United States in which the smaller States will not have ample opportunity or time to have their say, and all they want to say, on the merits of any issue pending before the Senate of the United States? Let us keep in mind, first, the reluctance of any 16 Members of the Senate to file a cloture petition unless they are convinced that a filibuster has started—which means that prior to that moment there has been adequate and ample time for debate on the merits of the issue in question—and, second, the fact that after the filing of the petition there is a 2-day interval which permits of two continuous days of debate on the merits of the issue involved in the cloture petition; and the further fact that after the adoption of cloture, if it is adopted, 96 hours of debate are permitted under the Hayden amendment, if each Senator wishes to use his hour, to discuss the merits of the issue; and the further fact that under my resolution 96 hours of debate is permitted, with the farming-out privilege, which I think is an additional safeguard to minority interests in the Senate—which I, too, wish to protect; I simply do not wish to give the minority the right to trample the majority underfoot. That is the difference. I do not wish to give to the minority the right to deny effectively to the majority the right to pass proposed legislation, which the present rule permits the minority to do.

No, Mr. President; the talk about taking away from the smaller States their right to say what they wish to say on an issue is a fear argument. It simply will not work out that way in practice. It does not work out that way in practice and I submit it cannot work out that way in practice. My proposal does give—and its great merit is to be found in its strength—to the majority in the Senate the right to prevent any minority group of Senators from denying to the majority the right finally to pass proposed legislation.

My good friend the Senator from Georgia said on February 28:

> If a man's soul recoils from such a proposition as that, is he not justified in saying that, so long as he can prevent it, it shall not even be submitted to the Congress of the United States for decision?

My answer to him is that I do not think such a right should be recognized under the rules of the Senate of the United States, because I believe such a claimed right, if allowed to be exercised, is equivalent to a license to defeat a fundamental tenet of democratic government, namely, the will of the majority. For one Senator or a minority of Senators to refuse to permit the Senate to vote upon a proposition, simply because the minority believe it is unconstitutional or is contrary to some sectional interest, in my judgment is an arrogant substitution by the minority of their judgment for that of the entire Senate and of the courts of the land. The final arbiters of the civil rights and liberties of the American people are and should be the courts, not transient minorities in the Senate of the United States, whose Members may come from only one section of the country or from only one political party, and none of whom may have been elected recently. The fifth amendment to the Constitution did not enact Herbert Spencer's proposed Social station. Neither should rule XXII enable a handful of Senators to prevent consideration of legislation passed by the House of Representatives and desired by an overwhelming majority of the American people.

Let me say a word about the interesting question of political science and politjcal ethics, as to just whom we represent in the Senate. Reasonable men may differ, as they differ on the point I now make; but so far as I am concerned it is a crystal-clear dictate that I feel was vested in me when the people of my State sent me to the Senate. They did not send me to the Senate from Oregon for Oregon. They sent me under our representative system of government from Oregon for the Nation; not to sit here and vote a blind partisan sectional interest on any piece of legislation. Great as the temptation sometimes is to vote and act in that way, weak and inclined as some of us at times may be to yield to the temptation, if and when we do, I say, in my judgment, we do not measure up to the great trust the people of our States placed in us when they sent us to the Senate.

I look upon the Senate as a part of our representative government, as a part of a legislative government, I may say to my good friend from Georgia, as a part of one of the legislative branches of the Government, sent here to legislate in the interests of all the people from the Pacific to the Atlantic and from the Canadian border to the Gulf of Mexico. The people of Oregon did not send me here as an ambassador from Oregon. I thought we answered and found the solution to that issue, terrible as it was, costly as it was, in the War Between the States. I thought as the outcome of that war the notion of Calhoun that we sat here as ambassadors from our respective States was repudiated, and that from that time on we were to sit in the Senate, not as ambassadors from particular States, fighting for the selfish sectional interests, economic, political, and social, of various sections of the country, but fighting for the welfare of the Nation. At least it is in that spirit I propose to stand always on the floor of the Senate and fight as a representative in the Senate from the great State of Oregon, believing that by so doing I am carrying out the great principle of representation to which I pledged myself when I took the oath at the Presiding Officer's desk when I first came into the Senate, to support and defend the Constitution—which means all the rights set forth in the Constitution for the benefit of the whole Nation—and to pass legislation, if necessary, to see to it that millions of people in this country who may not be getting the full fruits of their constitutional rights as set forth in the letter of the Constitution shall be able to live in terms of those rights. That is my conception of my duty of representation in the Senate. I am perfectly aware of the fact, as I read the able speech of the distinguished Senator from Georgia, delivered on February 28, that he has a considerably different notion as to what representation in the Senate imposes upon him by way of duties and rights and obligations.

Since I have come to the Senate I have been saddened several times because I felt on both sides of the aisle alinements were formed on the basis of selfish sectional interests on various economic and social problems before the Senate for consideration. I know the pressure to do that is great, and I know that sometimes when one does not yield to the pressure his failure to do so may be at

great cost to his own political fortunes. I have been able to practice it thus far, and I pray I shall have the strength and the courage to continue to practice it on specific issues, namely, that whenever I am satisfied a vote for a measure that would be of great benefit to my State would not at the same time be in the public interest, I intend to vote against the measure.

I say from the floor of the Senate this afternoon to the people of the State of Oregon I am willing to apply that concept of my duty now to two great measures about which much misunderstanding as to the facts exists in Oregon. Due consideration has not been given to the facts which the people of Oregon sent me here to give consideration to. I suspect the people of Oregon, at a referendum, if it were held today, might vote against the positions I think I shall probably take on those issues. But I shall take them because I do not think it important that any of us stay in the Senate, though I think it important that while we are here we vote on the basis of what we think is the national interest and not the interest of our respective States, if on an issue the national interests and the interests of our States are in conflict.

Thus, I mention the tidelands case, and I say to the people of Oregon today that in spite of the fact that a tremendous drive is being made in Oregon to line up the State in support of the tidelands bill, and although I am convinced that on the basis of that propaganda and its effect on public opinion as of now, in the State of Oregon, if I wanted to play politics with the issue I would vote for it, I shall not vote for it if, when the debate is over, such able constitutional lawyers in this body as the distinguished Senator from Missouri [Mr. DONNELL] can convince me that, as a matter of law, the tidelands belong to all the people of the United States, and not merely to the people living in the States whose shores the tidewaters wash. That is a specific application of the principle I am talking about. That issue, so far as I am concerned, must be decided in answering the mixed question of fact and law, Who, as a legal proposition, under our Constitution, owns the tidelands? If the debate satisfies me they are owned by all the people of the Nation, I shall vote against the tidelands bill. And let me say, so far as considerations of party responsibility are concerned, that I shall vote against it, even though the Republican Party made the tidelands bill a part of its platform. Theory, Mr. President, is fine. The test comes as to whether one is able to practice the sound political theory which I think was clearly written into our organic law. I do not read the Constitution of the United States as containing one word which would support even a presumption that Members of the Senate should sit here and vote sectional interests, although I confess that too frequently that is what has happened.

There is another issue, and that is the labor issue. In my State I cannot find very many "middle-of-the-roaders." They seem to want either the Taft-Hartley law, or the Thomas bill, depending, apparently, upon whether they follow the lines of management or the lines of labor. I think that in due course of time the people of my State will awake to the fact that both the proponents of the Taft-Hartley law and the proponents of the Thomas bill are taking extreme positions which are not in the public interest. They have got labor so disturbed, in my State, that the letters and telegrams I am receiving from labor are phrased in terms of charging me with "running out" on some position I have heretofore taken in the Senate of the United States. It is probably asking too much that they read the RECORD, but I say to organized labor, not only in Oregon but at the A. F. of L. headquarters, the CIO headquarters, and the brotherhoods' headquarters here, "You are being 'taken for a ride' by the proponents of the Thomas bill. You are being taken for a ride in several respects. First, they apparently are giving you the false impression that the Thomas bill has a chance of passing the Senate."

I shall not argue a question of fact, Mr. President, and that is all it is. It is so simple that all we have to do is to count. I have done some counting. I say to labor that the Thomas bill cannot pass the Senate of the United States. It is about time for labor to take stock of that fact. What we need, as I have said before, is a piece of labor legislation which will protect the legitimate rights of labor, which is all labor has the right to ask, and which will protect the legitimate rights of management, which is all management has a right to ask, and which thereby will protect the public interest.

I thought I had made myself clear, time and time again, on this issue during the committee hearings, but propaganda works wonders when the propagandists seek to misinform. Let me say once again that one of the amendments I tried to offer in committee, but was not allowed to, and which I shall offer, in due course of time, on the floor of the Senate, calls for the repeal of the Taft-Hartley law, because, in my judgment, that law is an extreme piece of legislation which is productive of class-conscious conflict and labor unrest, and is unfair and unworkable in many of its provisions. I shall also propose amendments, with the joint sponsorship of Senators on both sides of the aisle, which will protect the legitimate rights of labor and of management and which, to the extent that we can use the figure of speech in this discussion, follow a fair, middle-of-the-road course of procedure.

Mr. President, I say again that I refuse to sit in the Senate of the United States either as a blind partisan representative of a sectional interest, or as a biased representative of any pressure group, be it labor or management, or any other group. I say that it is not important that I stay here, but it is important so long as I stay here that that be my course of action.

Some people say, "In this organized drive against you, what are you going to do when you are licked in 1950?" My reply is, "I am not licked yet, but if and when that shall happen, I shall go back to my home town and into my law office and into further public service on a lower level." I might even run for the city council, Mr. President, because I think I might do a pretty good job of public service even on the city council. We need to understand in America that good public service is needed on all levels of our governmental organization. I think it is to be taken for granted that one who is as devoted to the public interest as I think my record shows I am, can be counted upon, so long as he has the strength to do so, to devote a great deal of his energies to public service, irrespective of the height of the level. I shall keep it pure public service, too, Mr. President.

I return now to my major thesis, namely, that it is a mistaken notion to assume that we sit here as the representatives of the small States or of the large States; but it is a sound theory that we sit here as representatives of the Nation.

Mr. President, in his very able speech on February 28 the Senator from Georgia said:

> There are those who would repeal the Bill of Rights, but I am sure there are none of those persons in the Senate.

In reply to my good friend from Georgia, I say that the Bill of Rights is not involved in the fight to curb the filibuster. It would require a constitutional amendment to repeal the Bill of Rights. All that is involved here is a procedural reform in the parliamentary rules of the Senate. Some persons are seeing ghosts under their beds, in the fears they are stirring up over the implications of this fight to curb filibusters in the Senate. The Hayden resolution is not inspired by a desire to clear the way for this or that legislation, but by a desire to increase the efficiency of the Senate in the performance of its legislative functions. My resolution is devised and designed to accomplish the same ends more effectively and more efficiently than is the Hayden resolution.

Mr. President, another argument in the able speech of the Senator from Georgia was the statement that whenever a measure possesses any real merit there will never be a filibuster against its consideration.

I merely submit the record to answer that argument. I say that the annals of the Senate of the United States are replete with filibusters ranging in length from a few hours to 2 months, on many meritorious issues; and without taking the time to read them, I cite as a reference a list of outstanding filibusters from 1841 to 1948, as published in the corrected copy of George Galloway's pamphlet entitled "Limitation of Debate in the United States Senate."

Mr. President, I ask to have incorporated as a part of my remarks at this point this list of filibusters in the Senate for the years mentioned, as set forth on pages 17 to 19 of the Galloway pamphlet.

The VICE PRESIDENT. Is there objection?

There being no objection, the list was ordered to be printed in the RECORD, as follows:

OUTSTANDING SENATE FILIBUSTERS FROM 1841 TO 1948

1841: A bill to remove the Senate printers was filibustered against for 10 days. A bill relating to the Bank of the United States was filibustered for several weeks and caused Clay to introduce his cloture resolution.

1846: The Oregon bill was filibustered for 2 months.

1863: A bill to suspend the writ of habeas corpus was filibustered.

1876: An Army appropriation bill was filibustered against for 12 days, forcing the abandonment of a rider which would have suspended existing election laws.

1880: A measure to reorganize the Senate was filibustered from March 24 to May 16 by an evenly divided Senate, until two Senators resigned, giving the Democrats a majority.

1890: The Blair education bill was filibustered. The force bill, providing for Federal supervision of elections, was successfully filibustered for 29 days. This resulted in the cloture resolution introduced by Senator Aldrich which was also filibustered and the resolution failed.

1893: An unsuccessful filibuster lasting 42 days was organized against a bill for the repeal of the Silver Purchase Act.

1901: Senator Carter successfully filibustered a river-and-harbor bill because it failed to include certain additional appropriations.

1902: There was a successful filibuster against the tri-State bill proposing to admit Oklahoma, Arizona, and New Mexico to statehood, because the measure did not include all of Indian Territory according to the original boundaries.

1903: Senator Tillman, of North Carolina, filibustered against a deficiency appropriation bill because it failed to include an item paying his State a war claim. The item was finally replaced in the bill.

1907: Senator Stone filibustered against a ship-subsidy bill.

1908: Senator La Follette led a filibuster lasting 28 days against the Vreeland-Aldrich emergency currency law. The filibuster finally failed.

1911: Senator Owen filibustered a bill proposing to admit New Mexico and Arizona to statehood. The House had accepted New Mexico, but refused Arizona because of her proposed constitution. Senator Owen filibustered against the admission of New Mexico until Arizona was replaced in the measure. The Canadian reciprocity bill passed the House and failed through a filibuster in the Senate. It passed Congress in an extraordinary session but Canada refused to accept the proposition.

1913: A filibuster was made against the omnibus public building bill by Senator Stone, of Missouri, until certain appropriations for his State were included.

1914: Senator Burton, of Ohio, filibustered against a river and harbor bill for 12 hours. Senator Gronna filibustered against acceptance of a conference report on an Indian appropriation bill. In this year also the following bills were debated at great length, but finally passed: Panama Canal tolls bill, 30 days; Federal Trade Commission bill, 30 days; Clayton amendments to the Sherman Act, 21 days; conference report on the Clayton bill, 9 days.

1915: A filibuster was organized against President Wilson's ship-purchase bill by which German ships in American ports would have been purchased. The filibuster was successful and as a result three important appropriation bills failed.

1917: The armed-ship bill of President Wilson was successfully filibustered, and caused the defeat of many administration measures. This caused the adoption of the Martin resolution embodying the President's recommendation for a change in the Senate rules, on limitation of debate.

1919: A filibuster was successful against an oil and mineral leasing bill, causing the failure of several important appropriation bills and necessitating an extraordinary session of Congress.

1921: The emergency tariff bill was filibustered against in January 1921, which led Senator Penrose to present a cloture petition. The cloture petition failed, but the tariff bill finally passed.

1922: The Dyer antilynching bill was successfully filibustered against by a group of southern Senators.

1923: President Harding's ship-subsidy bill was defeated by a filibuster.

1925: Senator Copeland (New York) talked at length against ratification of the Isle of Pines Treaty with Cuba, but the treaty was finally ratified.

1926: A 10-day filibuster against the World Court Protocol was ended by a cloture vote of 68 to 26, the second time cloture was adopted by the Senate. A bill for migratory bird refuges was talked to death by States' rights advocates in the spring of 1926, a motion for cloture failing by a vote of 46 to 33.

1927: Cloture again failed of adoption in 1927 when it was rejected by 32 yeas against 59 nays as a device to end obstruction against the Swing-Johnson bill for development of the lower Colorado River Basin.

One of the fiercest filibusters in recent decades succeeded in March 1927 in preventing an extension of the life of a special campaign investigating committee headed by James A. Reed, of Missouri. The committee's exposé of corruption in the 1926 senatorial election victories of Frank L. Smith in Illinois and of William S. Vare in Pennsylvania had aroused the ire of a few Senators who refused to permit the continuance of the investigation despite the wishes of a clear majority of the Senate.

1933: Early in 1933 a 2-week filibuster was staged against the Glass branch-banking bill in which Huey Long first participated as a leading figure. "Senators found him impervious to sarcasm and no man could silence him." Cloture was defeated by the margin of a single vote. Finally, the filibuster was abandoned and the bill passed.

1935: The most celebrated of the Long filibusters was staged on June 12–13, 1935. Senator Long spoke for 15½ hours, a feat of physical endurance never excelled in the Senate, in favor of the Gore amendment to the proposed extension of the National Industrial Recovery Act. But the amendment was finally tabled.

1938: A 29-day "feather duster" filibuster in January–February 1938 defeated passage of a Federal antilynching bill, although an overwhelming majority of the Senate clearly favored the bill.

1939: An extended filibuster against adoption of a monetary bill, extending Presidential authority to alter the value of the dollar, continued from June 20 to July 5, 1939, but finally failed by a narrow margin.

1942, 1944, 1946, 1948: Four organized filibusters upon the perennial question of Federal anti-poll-tax legislation were successful in these years. An attempt to pass fair employment practice legislation in 1946 was also killed by a filibuster. The present Senate cloture rule proved ineffective in these cases as a device for breaking filibusters.

Mr. MORSE. Mr. President, another argument of the Senator from Georgia was that some things in America cannot be settled by legislation. If this be true—and it may be—the remedy then certainly is not to deny to the Senate a chance to consider legislation in point, but for the Senate and the House to reject a bill, after full debate on the floor of each House, in accordance with a majority vote principle. That is the answer to that argument. But it certainly is no sound argument to set up a straw man and say, by way of assumption, that some things cannot be settled by legislation, and then say, "In order to prove we are right about that, we are going to deny to the majority any chance to try to settle them by legislation. We are going to put up our minority viewpoint as a blockade to any legislative attempt to try to settle things which we, the minority, may think cannot be settled by legislation."

The Senator from Georgia also said, in the course of his speech, that we should not shackle the States with respect to matters which offend their traditions, cultural institutions, and deep convictions. I submit that the Hayden resolution is not proposed to shackle the States. It is a reform, I repeat, in legislative parliamentary procedure. The civil-rights bills, if we want to discuss them at this point, are not designed to shackle the States, but to extend the frontiers of democracy throughout the country, and take the shackles off millions of fellow citizens who are being denied their constitutional rights and liberties in some sections of the country.

The Senator from Georgia refers in the course of his speech to the baneful influences of parties. I think it is clear that he means political parties. There are adequate safeguards, either under the Hayden resolution or the Morse resolution, to protect the minority from what I think the Senator from Georgia has in mind when he talks about the baneful influences of parties.

A few moments ago I listened to a very able and stirring address by the distinguished Senator from Pennsylvania [Mr. MYERS], the Democratic whip, who, although he has left the President of the United States on this issue, nevertheless made perfectly clear this afternoon in his speech that he thinks there is an obligation resting upon the Democratic Party to carry out what he considers to be at least certain party commitments on which a great campaign was waged in this country prior to November 2, 1948. I understood the Senator from Pennsylvania to be talking about giving effect to party responsibility, and urging his Democratic colleagues to keep faith with what he considers to be the pledges of his party in the field of civil rights.

I recognize that there may be those who will characterize his position as an exhibition of the baneful influence of political parties, but I say that by way of legislation we ought to submit such proposals on their merits to the Congress and let the majority decide by majority vote whether or not the pledges of the Democratc Party—yes, and the pledges of the Republican Party—should be given their day in the Senate for submission to a majority vote of the Senate, in order to enact legislation which will make it possible to send those issues to the President for his signature or his veto, and to the United States Supreme Court ultimately for its determination as to whether they are constitutional.

Mr. President, let me say, on the question of the constitutionality of legislation, that if I felt that any piece of legislation in the field of civil rights violated any constitutional provision I would not vote for it, and I would not have my friend, the Senator from Georgia, or any other Senator on the other side of the aisle who may differ with me on the issue of civil rights, vote for a piece of civil-rights legislation which he or they believed contained a single unconstitutional provision, because I believe we must live up to our oaths to support the

Constitution. I have not yet and I never shall vote for a piece of legislation in the Senate which I think contains any unconstitutional provision. But I am never going to take the position that because I think a piece of legislation contains an unconstitutional provision I have a right to organize a fighting minority in the Senate to block the majority from ever voting on such a piece of legislation. I have lived up to my oath when I make my argument against the constitutionality of a legislative proposal, when I cast my vote against it, and then start the legislation on its way to the White House, if it passes, and to litigation, on the way to the courts, for their determination as to its constitutionality.

I do not know, Mr. President, how we are to preserve our democratic form of government if we adopt any other principle in regard to such issues. The principle which it seems to me the gentlemen of the opposition are in fact defending is that they ought to have the right, a right which should be recognized, by physical force and endurance, through a filibuster, to prevent a vote on a piece of legislation to which they are opposed, in their good judgment, reasonable as they may be in their attitude on whether it is Constitutional or unconstitutional.

The word "despotism" has been mentioned in the debate, and I say it is more accurately applied to the position of a minority which wants to block a vote from ever occurring on an issue than to a majority which seeks to live within the checks and balances of our constitutional system of government.

At another place in his remarks the Senator from Georgia said, "You will come to majority rule in the Senate of the United States." Is not that a horrendous prospect? I thought that majority rule was always intended to be the rule governing the passage of legislation in the Senate. I thought that majority rule was the procedure for adopting amendments to the Senate rules. I thought majority rule to be the very essence, so far as a fundamental tenet is concerned, of our republican form of government. I thought that at all levels Federal and local officials are elected, laws are passed, and decisions rendered by majority vote, save and except in specific instances where by words of limitation in organic law exceptions are made to the majority-vote rule. As I said earlier in my speech, no such exception is set forth in the Constitution applicable to the issue to which we are addressing our attention, namely, the right of the Senate of the United States to adopt a parliamentary rule of procedure which will permit the majority to prevail in accordance with such provisions as are contained in the Hayden resolution and the Morse resolution.

At another point the Senator from Georgia said:

> There is an almost irresistible drift toward a larger and larger concentration of power in the Federal Government.

I agree to that statement; and I believe, Mr. President, I have, concerning that drift, some of the same fears the Senator from Georgia entertains. My fears are so deep that I think we must not delay longer in adopting in the Senate of the United States rules which will so improve its efficiency that we can move faster and more expeditiously to check abuses which develop through the great centralization of power in the Federal Government. So I say the drift to which the Senator from Georgia refers, to my way of thinking, presents all the more reason for increasing the efficiency of Congress so that it can cope more effectively in the public's interest with big business, big labor, and big government.

Filibusters weaken and delay the legislative processes and expose the Senate to public ridicule and the loss of public confidence. One has only to look at the calendar before us to see how correct I am as to the effects of a filibuster in producing delay in the enactment of legislation. Already in this debate both the proponents of the filibuster and the opponents of the filibuster have been expressing great concern over the fact that a backlog of vitally important legislation, such as rent control, ECA legislation, agricultural legislation, appropriation legislation—all vital to the welfare of the country—is beginning to pile up. No one should be surprised at that argument. It is the stereotyped argument. If Senators will read the past history of filibusters in the Senate they will find that the filibusterers say, in effect, "Yield now to us, the minority, because if you do not yield to us now you will be simply a party to piling up higher and higher important pieces of legislation which should be passed in the public's interest, because we will not let you vote on that legislation unless you withdraw the particular matter now before the Senate on which we are filibustering."

Mr. President, I have not analyzed myself sufficiently well to know just why it is that temperamentally, intellectually, yes constitutionally, I cannot yield to that sort of intimidation, and I never shall. I think the people of the United States had better understand the true meaning of that particular technique of the filibuster, because when they analyze its true meaning, then I think they will have a more adequate understanding of the common definition of a word which has crept into this debate, namely, "despotism."

In the course of his remarks the distinguished Senator from Georgia said:

> These proposals—
>
> Referring to the civil-rights bills—
>
> are essentially revolutionary.

I file my dissent to that conclusion and observation, because I do not think it is at all revolutionary to propose by law to abolish the poll tax, to outlaw lynching, and to promote fair employment practices.

As to the merits of such legislation, Members of the Senate can have many honest differences of opinion, but as to any conclusion that it is revolutionary, such a conclusion I think has to be based upon the assumption that giving to all the people of the country, irrespective of race, color, or creed, full protection to their constitutional rights, full constitutional liberties written into the organic law by the founding fathers, is revolutionary. To state the argument is to answer it. Revolutionary? No. Unfortunately, however, it represents a process of evolution we have had to develop in the field of civil rights, as the result of the already too long delay caused by refusal to accept, in some sections of the country, a full recognition of the fact that discrimination on the basis of race, color, or creed cannot be reconciled with constitutional guarantees.

At another point in his notable address the Senator from Georgia said:

> It is impossible, except through revolution, ever to take away the equality of representation in the Senate.

As I stated to him earlier in our colloquy, no one is proposing to take away that equality. I think that is a false, bogey argument. That equality does not confer, however, upon any State or group of States, the right to prevent the Senate from considering and enacting legislation. The business of an organism is to function, and the constitutional rights and duties of the Senate call upon us to legislate, leaving to the other branches of Government the opportunity to exercise their checks upon us if we legislate contrary to the organic law.

The last comment I shall make on the distinguished Senator's remarks of February 28 is his reference to the formation of political policies along sectional lines. I deplore that, too. But I ask, What is the basic cause of the sectional aspect of some proposed legislation? I say out of deep conviction that I think the basic cause is to be found in the cultural lag of the South behind the political and economic standards of the rest of the country, plus the unwillingness of many southern leaders to use their influence in extending the frontiers of political and economic democracy in that region.

I recognize it is going to take time to satisfy the many needs of the South that need to be satisfied in order to give it comparable standing economically with other parts of the country. I have said before, and I now repeat, that we cannot do these things overnight. I do not happen to be one who believes that it would be in the best interests of the South or of the Nation overnight to put into effect all the reforms which the civil righters want to put into effect. I am severely criticized by some of them because I have taken that position. Of course, we cannot make progress, as I said before, by way of a social avalanche. But I do say that we cannot even take the first steps until the Senate changes its rules so that at least we can pass some legislation which will give hope to millions of our fellow citizens for a full share of the liberty and freedom which those of white skin are entitled to enjoy under the Constitution.

On January 27, 1949, I addressed a letter to the Senator from Arizona [Mr. HAYDEN] in answer to a point which he made, and a point which the Senator from Georgia [Mr. GEORGE] made in his speech on February 28, the Senator from

Arizona having set forth to me the fear that, if my resolution were adopted, at some subsequent time there might be a further change of the rule which would permit, not 96 hours of debate, but of a lesser time. In order that the RECORD may be complete, and in order that it may show that I have conscientiously tried to work out a conscionable compromise with those who have a vitally and fundamentally different point of view on this subject, I wish to read the letter of January 27 which I wrote to the Senator from Arizona:

JANUARY 27, 1949.

HON. CARL HAYDEN,
United States Senator,
Washington, D. C.

DEAR SENATOR: You will recall that in conversation with me at the time I introduced my resolution (S. Res. 12) to amend the cloture rule, as well as in statements during the hearing (see discussion at pages 66–69 of the transcript) on the pending cloture resolutions, you pointed out that if rule XXII were amended as I suggest in my resolution, to permit cloture to be voted by a majority, then in the future that rule or any other could be amended by a simple majority so as to further curtail freedom of debate.

While a majority may now amend the rules, I recognize that if the cloture rule were changed so as to permit cloture to be voted by a majority then the circumstance to which you refer could occur; and conceivably the guaranties to the minority contained in my resolution could be reduced. While I feel that the danger to which you refer is not likely to occur, your committee may wish to consider the following suggestion:

If, in addition to a rule such as is embodied in my resolution, rule XL were amended at the same time to provide that a two-thirds vote would be necessary to amend that portion of rule XXII relating to cloture, the danger you envisage would be minimized. The result of such a combination of amendments to the rules would be that cloture could be applied by majority rule but the guaranties of adequate time for debate could be changed only by a two-thirds vote.

I considered proposing such a change as a formal part of my resolution, but I decided that there was no practical danger that the safeguards contained in my resolution would, if adopted, be cut down at a later time. Therefore, I limited my resolution to amending rule XXII. I still feel the same way, but in view of the fears you and others have expressed, I thought it might be helpful to offer this additional suggestion for your consideration.

With kindest regards.

Sincerely yours,

WAYNE MORSE,
United States Senator.

Mr. President, if and when we get into such a position that amendments to the Hayden resolution can be offered, I intend to offer my resolution, Senate Resolution 12, calling for cloture by majority vote with 96 hours of debating time after cloture has been adopted, with the right to farm out the time, plus a further amendment along the lines of the letter which I wrote to the Senator from Arizona on January 27.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. MORSE. Just a moment. The amendment I have suggested would provide that thereafter the provision as to the length of time allowed the minority to debate after cloture had been adopted shall not be changed except by a two-thirds vote.

Mr. RUSSELL and Mr. HAYDEN addressed the Chair.

The VICE PRESIDENT. Does the Senator from Oregon yield, and if so to whom?

Mr. MORSE. I yield first to the Senator from Georgia. First, let me state the condition under which I yield. I yield for a question only, and with the understanding that the Senator to whom I yield will not seek to offer parliamentarily any matter which will take me from the floor.

The VICE PRESIDENT. The Senator can yield only for a question; and if any interrupting Senator does not ask a question, the Senator can protect himself by refusing to yield further.

Mr. MORSE. I yield for a question.

Mr. RUSSELL. I assure the Senator that I shall only ask a question.

Mr. MORSE. I yield for a question.

Mr. RUSSELL. Am I to understand from the statement just made by the distinguished Senator from Oregon that every matter to come before the Senate should be submitted to a pure majority vote, except the one final work of perfection, the resolution proposed by the Senator himself, allowing majority cloture, which can never be assailed in the future except by a two-thirds vote? Is that the position of the Senator?

Mr. MORSE. I will tell the Senator what my position is. I think it is fundamental that we adopt a cloture rule which will permit of proceeding with legislation and voting on legislation by way of a majority vote; and because I think it is so fundamental to preserving the democratic form of government in the Senate that we must adopt a majority-vote principle in order to stop a minority from filibustering us into inaction on a particular piece of legislation, I am willing to try to work out with those who say they fear my resolution will threaten and jeopardize minority rights in the Senate to the degree of denying the minority adequate time to debate an issue on the merits, some conscionable compromise which will give the minority assurance that they are to have at least 96 hours after cloture has been adopted, to debate an issue, unless, under my proposal for cloture limitation, in that particular respect two-thirds of the Senate decide to reduce the 96 hours to a further limitation of time.

Mr. RUSSELL. Mr. President, will the Senator yield for a further question?

Mr. MORSE. I yield for a question only.

Mr. RUSSELL. It is the position of the Senator that any question before the Senate should be decided on a majority basis except the one rule which the Senator himself proposes to write, which shall be sacrosanct, and can be assailed only by a two-thirds vote of the Senate?

Mr. MORSE. First, let me say that I do not propose to write it. I simply propose to yield to Senators who I think represent the minority point of view in this matter, and that in order to remove some of their fears about the majority not giving them adequate time to express the minority point of view, I am willing that they be given greater protection.

Mr. RUSSELL. Does not the Senator think it is somewhat unfair to denounce those of us who oppose the imposition of cloture or gag rule by a mere majority, while at the same time seeking to preserve, with the protection of a necessary two-thirds vote, the rule which he insists should be written?

Mr. MORSE. No; I do not think there is anything unfair about it. On the other hand, I think I am clearly demonstrating great fairness in trying to answer the argument of the minority that if my so-called simple majority rule is adopted for limiting debate, at some subsequent time the majority may try to take away from the minority the 96 hours of debate assured them under my rule.

Mr. RUSSELL. Mr. President, will the Senator yield for a further question?

Mr. MORSE. I yield for a question.

Mr. RUSSELL. Does not the Senator think that he should be a little more tolerant of the views of those who are seeking to protect themselves by a two-thirds rule, inasmuch as he himself is seeking to protect his provision by a two-thirds requirement that he proposes to write into the rule?

Mr. MORSE. Mr. President, the Senator from Georgia is mistaken if he thinks I am trying to protect my provision by a two-thirds rule. I want my provision as is; but many of the Senators on the minority side of this question have argued that my provision may, some time in future, be changed to provide for cloture by a simple majority vote so as to deny the minority a reasonable time to debate. Unless the Senator from Georgia wishes to take the position that after cloture is invoked 96 hours is not adequate time in which to debate the merits of the issue—and, of course, those 96 hours would come after all the time that would be available prior to the invoking of cloture—I see nothing at all unreasonable about my offer of compromise.

I hasten to add that I do not prefer the compromise; however, I offer it in good faith only to assure those of the minority that I am willing to work out any conscionable proposal which will accomplish what I think is fundamental, namely, a basic rule which provides cloture may be applied by a majority vote and that after cloture is applied or invoked the minority shall be given 96 hours in which to debate the merits of their position.

Mr. RUSSELL. Mr. President——

The VICE PRESIDENT. Does the Senator from Oregon yield for a further question?

Mr. MORSE. I yield for a question.

Mr. RUSSELL. Mr. President, it is impossible to carry on this discussion in the form of a question and really express my views, so I shall desist.

Mr. MORSE. Mr. President, I should like to point out that throughout this debate I have not heard any mention of the rules of debate which prevail in legislative bodies generally in this country. Of course, the rules of other legislative bodies are not controlling in regard to our decision; I am perfectly aware of the fact that in a great many respects the Congress of the United States, which is created by the Federal Constitution, and is a part of a Federal Government of delegated powers, is quite a different legislative body from the legislatures of the States; but I am also aware of the fact that the legislative bodies of the States and the Congress of the United States have many similarities, many points in common. I think they certainly have one great common denominator, which is a general recognition on the part of the people of the country that legislative bodies, representing the people of the country either on a Federal level or on a State level, ought to carry out the people's will by way of a majority principle.

So I thought it would be rather interesting to find out what are the rules in the various State legislatures in regard to limitations upon debate, and to see whether, when I propose in the Senate of the United States the adoption of a majority-vote principle, I have proposed a parliamentary monstrosity which endangers the very foundation of our form of government. As I have listened to some of my friends of the opposition during this debate, I sometimes have asked myself the question, "What is it that you are proposing that is so terrible, so threatening to the perpetuation of democratic forms in this country?" Then I have reflected for a moment, and I have recognized that all I am offering is to put into practice a parliamentary procedure that is common throughout the Nation in the various State legislatures; and then I have felt a little better about it, because even momentarily I do not like to entertain the suspicion of a fear that I am proposing something that is revolutionary, as has been said by implication here on the floor of the Senate, in its effect on our great freedoms and liberties, as guaranteed by the Constitution, which I am just as desirous of defending as is any member of the opposition.

So I requested the Legislative Reference Service of the Library of Congress to prepare for me a study of the practices which prevail in the various States. I wish to read a few excerpts from those findings. I am satisfied—having checked them by a sampling process—that it is a very fine piece of research work which has been submitted to us, and I wish to give the entire Senate the benefit of the information set forth in the study.

The study shows that—

Examination of the rules of procedure in effect in the several State legislatures indicates that four major approaches are followed in an effort to limit debates. These are: (1) limitation on the number of times a member may speak to any single question; (2) limitation on the length of time a member may speak; (3) use of the previous-question motion to cut off debate; and (4) special forms of cloture.

Now let us see very briefly what is the general finding in regard to each one of these methods of limiting debate:

1. Limitation on number of times a member may speak: With but isolated exceptions, the rules of State senates and houses of representatives alike limit the number of times any member may speak on a single question at a single stage in procedure. The number specified is commonly twice, with a proviso that a member may not even speak the second time until all who desire to speak once have done so. Exceptions are, however, commonly made in favor of committee chairman, bill sponsors, etc.

2. Duration of normally permitted debate: About half of the legislative chambers go further and specify that, at least on a given day or at a given stage in procedure, a member may not speak in excess of a limited period of time without unanimous consent or other permission. Periods as short as 5 to 10 minutes are found (Oklahoma House and Senate respectively); a 30-minute limitation is common; while 1 hour (Alabama Senate and Arizona House); and 2-hour specifications (South Carolina and Colorado Senates) are also found. In some instances there are ever more restrictive time limits in force for debate on special subjects, e. g., questions of privilege.

Mr. President, what about the technique by way of moving the previous question: We find that—

Most State legislatures specifically permit use of the motion for the previous question as a device for cutting off debate, and word their rules so as to facilitate its use. Only two legislative chambers (the Senates of Utah and Vermont) are known to forbid the motion.

4. Other forms of cloture: In view of the frequency of provisions of the above types, it is obvious that the State legislatures do not have any great need for other forms of cloture. The following are some examples of those special cloture rules known to exist.

Mr. President, without taking time to read it, I ask unanimous consent to have the entire memorandum inserted at this point in the RECORD as a part of my remarks.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

LIMITATION OF DEBATE IN STATE LEGISLATURES

Examination of the rules of procedure in effect in the several State legislatures indicates that four major approaches are followed in an effort to limit debate. These are: (1) limitation on the number of times a member may speak to any single question; (2) limitation on the length of time a member may speak; (3) use of the previous-question motion to cut off debate; and (4) special forms of cloture.

1. Limitation on number of times a member may speak: With but isolated exceptions the rules of State senates and houses of representatives alike limit the number of times any member may speak on a single question at a single stage in procedure. The number specified is commonly twice, with a proviso that a member may not even speak the second time until all who desire to speak once have done so. Exceptions are, however, commonly made in favor of committee chairmen, bill sponsors, etc.

2. Duration of normally permitted debate: About half of the legislative chambers go further and specify that, at least on a given day or at a given stage in procedure, a member may not speak in excess of a limited period of time without unanimous consent or other permission. Periods as short as 5 to 10 minutes are found (Oklahoma house and senate respectively); a 30-minute limitation is common; while one-hour (Alabama senate and Arizona house) and two-hour specifications (South Carolina and Colorado senates) are also found. In some instances there are even more restrictive time limits in force for debate on special subjects, e. g. questions of privilege.

3. Previous question: Most State legislatures specifically permit use of the motion for the previous question as a device for cutting off debate, and word their rules so as to facilitate its use. Only two legislative chambers (the senates of Utah and Vermont) are known to forbid the motion.

4. Other forms of cloture: In view of the frequency of provisions of the above types it is obvious that the State legislatures do not have any great need for other forms of cloture. The following are some examples of those special cloture rules known to exist.

New York Senate, rule XIV, section 1, paragraphs 3 and 4:

"When any bill, resolution or motion shall have been under consideration for 2 hours, it shall be in order for any senator to move to close debate, and the president shall recognize the senator who wishes to make such motion. Such motion shall not be amendable or debatable and shall be immediately put, and if it shall receive the affirmative vote of a majority of the senators present, the pending measure shall take precedence over all other business.

"The vote shall thereupon be taken upon such bill, resolution or motion with such amendments as may be pending at the time of such motion, according to the rules of the senate, but without further debate, except that any senator who may desire to do so shall be permitted to speak thereon not more than once and not exceeding 5 minutes; upon the roll call any senator may speak not to exceed 5 minutes in explanation of his vote." (New Mexico Senate has a variant of this applicable after 6 hours with 30 minutes allowed subsequently.)

Alabama Senate, rule 34:

"The committee on rules may at any time report a special rule that debate on a pending measure shall cease at a certain hour, and a vote be taken on the measure. The consideration of such special rule shall not exceed 30 minutes, when a vote shall be taken thereon."

Indiana Senate, rule 51, paragraph 2:

"The senate at any time, by resolution adopted by a majority of the senators-elect, may further limit the time of debate." (E. g., shorten normal half-hour allowed each member.)

Louisiana Senate, rule 9, second paragraph:

"The Senate may at any time, by a majority vote, limit debate so that no senator shall be permitted to speak longer than 1 hour at one time without permission of the senate, and a motion to that effect shall be in order at any time, taking precedence over every other motion, except a motion to adjourn." (Par. 1 prohibits a member from speaking more than twice to any question without permission of the senate.)

Massachusetts Senate, rule 47:

"Debate may be closed at any time not less than 1 hour from the adoption of a motion to that effect. On this motion not more than 10 minutes shall be allowed for debate, and no member shall speak more than 3 minutes." (Motion has high priority under rule 46.)

Colorado Senate, rule X, paragraph 2:

"Debate may be closed at any time not less than 1 hour from the adoption of a motion

to that effect, and upon a majority vote of the members-elect an hour may be fixed for a vote upon the pending measure. On either of these motions not more than 10 minutes shall be allowed for debate, and no Senator shall speak more than 3 minutes; and no other motion shall be entertained until the motion to close debate, or to fix an hour for the vote on the pending question, shall have been determined."

Rhode Island Senate rule 23, is the most comprehensive existing, to our knowledge, and is quoted below:

"When any bill, resolution or motion shall have been under consideration for 2 hours it shall be in order for any senator to move to close debate, and the president shall immediately recognize the senator who wishes to make such motion. Such motion shall not be amendable or debatable and shall be immediately put. The motion to close debate may be moved and ordered upon a single motion, or an amendment or amendments, or may be made to embrace all pending amendments and include the bill, resolution, or motion to its passage or rejection. If such motion to close debate shall receive the affirmative votes of a majority of the senators present, a vote without further debate shall thereupon be taken upon such bill, resolution, or motion, provided that any senator who desires so to do shall be permitted to speak thereon not more than once and not exceeding 5 minutes, and provided further that one motion to adjourn shall be in order before such vote is taken. Should said motion to adjourn be carried, the measure under consideration shall be the unfinished business of the senate until disposed of. All incidental questions of order pending at the time of such motion to close debate is made, and on such questions arising after a motion to close debate has been made and before the final vote has been taken on the matter or matters to which the motion to close debate shall have been directed whether the same be an appeal or otherwise, shall be decided without debate."

Mr. MORSE. Mr. President, I also ask unanimous consent to have inserted at this point in the RECORD, as a part of my remarks, a tabulation of the rules of the various State legislatures in respect to the following points: The number of times a member may speak without leave; the duration of permitted remarks; the motion for previous question authorized; and other cloture rules. This tabulation is complete, and I ask consent to have it incorporated at this point in the RECORD.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

	Number of times member may speak without leave [1]		Duration of permitted remarks [2]		Motion for previous question authorized? [3]		Other cloture rules (for text of statute)	
	Senate	House	Senate	House	Senate	House	Senate	House
Alabama	2	2	1 hour	10 minutes		Yes	Rule 34	
Arizona		[4] 2		1 hour [5]	Yes	Yes		Rule 9 (9).
Arkansas	1	1	1 hour [5]	1 hour [5]	Yes	Yes	Rule [6]	Rule 15.
California	[4] [7] 2	[7] 1		5 minutes	Yes	Yes		
Colorado	[7] 2	1	2 hours [5]	10 minutes [5]		Yes	Rule 10 (2)	
Connecticut	2	2				Yes		
Delaware	[7] 2	2				Yes		
Florida	[4] 2	[4] 2	30 minutes	30 minutes [5]		Yes		
Georgia	[4] 2	[4] 2	30 minutes	1 hour [5]	Yes	Yes		
Idaho	[7] 2	[4] 2		1 hour	Yes	Yes		
Illinois	[4] 2	1	15 minutes	30 minutes	Yes	Yes		
Indiana	1	[4] 2	30 minutes [5]		Yes	Yes	Rule 15 (2)	
Iowa		[9] 1		[10]	Yes	Yes		
Kansas	[7] 2	1			Yes	Yes		
Kentucky	[4]	[4] 2	1 hour [5]	30 minutes [5]	Yes	Yes		Rule 12.
Louisiana	2	[4] 2		30 minutes	Yes	Yes	Rule 9	
Maine	[11] 3	2				Yes		
Maryland	[4] [12]	[4] 2				Yes		
Massachusetts	[4]	[4]				Yes	Rule 47	Rule 85.
Michigan	[7] 2	1			Yes	Yes		
Minnesota	[7] 2	[4] 2	[13]		Yes	Yes		
Mississippi	[4] 2	[4]	5–20 minutes [14]	5–10 minutes [15]	Yes	Yes	Rule [16]	
Missouri	1	[4] 2		15 minutes [12]	Yes	Yes		
Montana	[7] 2	1		30 minutes [5]	Yes	Yes		
Nebraska	[7] 2				Yes			
Nevada	[4] [7] 2	[4] [7] 2			Yes	Yes		
New Hampshire	[7] 2	[4] 2			Yes	Yes		
New Jersey	3	2		5–15 minutes [3] [17]		Yes		
New Mexico	[4] [7] 2	[4] [7]	[18]		Yes	Yes	Rule 65	Rule 78.
New York	[7] 2	2		15 minutes [5]		Yes	Rule 14 (3) (4)	
North Carolina	[7] 2	[20] 2	30 minutes [7]	10–30 minutes [21]	Yes	Yes		Rule 19.
North Dakota	[4] 2	[4] 2	5–10 minutes [22]	5–10 minutes [22]	Yes	Yes		
Ohio	2	[5] 2		20 minutes [7]	Yes	Yes		
Oklahoma	[4] [23] 2	[4] 2	5–10 minutes [24]	5 minutes	Yes	Yes		Rules 36, 37.
Oregon	2	[4] 2	[25]		Yes	Yes		
Pennsylvania	2	2			Yes	Yes	Rule 9	
Rhode Island	[4] 2	[4] 2			Yes	Yes	Rule 23	Rule 21.
South Carolina	[7] 2	[5] 2	2 hours [7]			Yes	Rule 14	
South Dakota	[4] 2	[5] 2	10 minutes	10 minutes	Yes	Yes		
Tennessee	[4] 2		10–20 minutes [26]	10–15 minutes [27]	Yes	Yes		
Texas	[4] 2	[4] 2		10 minutes [28]	Yes	Yes		

[1] These are the general provisions as to the number of times a member may speak on a given issue. Where 2 is the rule, it is commonly stated that no member may speak his second time until all desiring to speak once have done so. Special provisos are often made, but not listed here, for committee chairmen, bill sponsors, movers of the question, etc. Moreover, special allowances are usually found for committee of the whole and certain types of business.

[2] These are the general provisions as to the length of debate. Special limits sometimes exist for particular classes of members or types of business.

[3] Frequently accompanied by special provisions tending toward an immediate vote.

[4] No member may speak more than once on a question until every other member desiring to be heard has spoken.

[5] In the aggregate on any question.

[6] Unnumbered rule on previous question, sec. 2.

[7] In any one day on the same question.

[8] During the last 25 days of the session members shall not speak longer than 10 minutes at any one time.

[9] Members may speak only once without leave, and may not speak more than twice to a question until every member desiring to speak has spoken.

[10] When bills are being considered prior to their last reading, debate thereon is limited to 10 minutes to each member.

[11] No senator may speak more than once to the exclusion of others, if objection is made without leave.

[12] Except by unanimous consent.

[13] In discussing any resolution, senators are limited to 5 minutes each.

[14] 20 minutes is allowed a member to speak to the main question, and 5 minutes on a subsidiary question; when the time of a senator is extended by leave of the senate, it must be for a specific period.

[15] No member may ordinarily speak more than 10 minutes on any main question, or 5 minutes on an amendment, without leave.

[16] Rule on Motions and Amendments in listing the precedence of motions (preceding Rule 64) lists the motion to close debate at a specific time.

[17] No member shall speak on any question longer than 15 minutes the first time or 5 minutes the second time, without leave.

[18] During the last 3 days of the session no member may speak longer than 10 minutes on any one question.

[19] Except by consent of two-thirds of the members present.

[20] No member may speak more than once on amendments or certain motions.

[21] No member may speak on a question longer than 30 minutes for the first speech and 15 minutes for the second speech, without leave; nor may he speak longer than 10 minutes on an amendment or certain motions.

[22] No member may speak to a question longer than 10 minutes the first time or 5 minutes the second time, except by unanimous consent.

[23] Members may speak only once to an amendment to a question or a substitute question.

[24] No member may consume more than 10 minutes in debate on a question without the unanimous consent of the senate; and he may consume only 5 minutes when considering bills on general order, without such consent.

[25] During the last 10 days of the session, no member except the author of a bill shall be permitted to speak on its final passage for longer than 5 minutes, but members may waive their time in favor of another member; during those 10 days no member may speak on a motion or resolution longer than 3 minutes.

[26] No member may speak to a question longer than 20 minutes in the first speech and 10 minutes in the second.

[27] No member may speak to a question longer than 15 minutes in the first speech and 10 minutes in the second.

[28] The house by vote may extend the time allowed for only 10 minutes; but during the last 10 days of a regular session and the last 5 days of a special session the extension may be for 5 minutes only, and such extension requires unanimous consent.

	Number of times member may speak without leave		Duration of permitted remarks		Motion for previous question authorized?		Other cloture rules (for text of statute)	
	Senate	House	Senate	House	Senate	House	Senate	House
Utah	[4] 2	[4] 2			Prohibited	Yes		Rule 29.
Vermont	4 2	4 2			Prohibited			
Virginia	4 2	4 2			Yes	Yes		
Washington	[4] 2	[29] 2		10 minutes [29]	Yes	Yes		
West Virginia	5 2	5 2			Yes	Yes		Rule 38.
Wisconsin	5 2	5 2			Yes	Yes		
Wyoming	7 2	[4] 2	[30]		Yes	Yes		

[4] No member may speak more than once on a question until every other member desiring to be heard has spoken.

[5] In the aggregate on any question.

[7] In any one day on the same question.

[29] After the first 50 days of the session no member shall ordinarily speak more than once to the same question, without leave, or longer than 3 minutes.

[30] Any member is limited in debate on bills on third reading or amendments thereto to speaking not more than twice on the bill or on any one amendment, and may consume not more than 5 minutes each time he speaks.

Alabama Senate Rule 34: "The Committee on Rules may at any time report a special rule that debate on a pending measure shall cease at a certain hour, and a vote be taken on the measure. The consideration of such special rule shall not exceed 30 minutes, when a vote shall be taken thereon."

Arizona House Rule IX, par. 9: "There shall be no debate at the third reading of a bill except by a two-thirds vote of all members elected to the House."

Arkansas Senate Unnumbered Rule on Previous Question, sec. 2: "The previous question is the only motion used for closing debate in the Senate itself except the motion to immediately consider * * *."

Arkansas House Rule XV, sec 2: "The previous question is the only motion used for closing debate in the House itself except the motion to immediately consider * * *."

Colorado Senate Rule X, par. 2: "Debate may be closed at any time not less than one hour from the adoption of a motion to that effect, and upon a majority vote of the members-elect an hour may be fixed for a vote upon the pending measure. On either of these motions not more than ten minutes shall be allowed for debate, and no Senator shall speak more than three minutes; and no other motion shall be entertained until the motion to close debate, or to fix an hour for the vote on the pending question, shall have been determined."

Indiana Senate Rule 51: "Second.— * * * The Senate at any time, by resolution adopted by a majority of the Senators-elect, may further limit the time of debate."

Kentucky House Rule 12: "A motion to limit debate being moved and seconded, the question from the Chair shall be, 'Shall debate be limited?' A majority of the members present may limit debate to the time specified in the motion at any time. The Speaker shall proportion the time each member may speak under the motion to limit debate."

Louisiana Senate Rule 9: "* * * The Senate may at any time, by a majority vote, limit debate so that no Senator shall be permitted to speak longer than one hour at one time without permission of the Senate, and a motion to that effect shall be in order at any time, taking precedence over every other motion, except a motion to adjourn."

Massachusetts Senate Rule 47: "Debate may be closed at any time not less than one hour from the adoption of a motion to that effect. On this motion not more than ten minutes shall be allowed for debate, and no member shall speak more than three minutes."

Massachusetts House Rule 85: "Debate may be closed at any time not less than thirty minutes from the adoption of a motion to that effect. In case the time is extended by unanimous consent, the same rule shall apply at the end of the extended time as at the time originally fixed."

Mississippi Senate unnumbered rule: "Chamber provides for a motion to close debate but rule gives no details."

New Mexico Senate Rule 65: "When any bill, resolution or motion shall have been under consideration for six hours, it shall be in order for any Senator to move to close the debate, and the President shall recognize the Senator who wishes to make such motion. Such motion shall not be amendable or debatable and shall be immediately put, and if it shall receive affirmative votes of a majority of the Senators present, the pending measure shall take precedence over all other business. The vote shall thereupon be taken upon such bill, motion or resolution, with such amendments as may be pending at the time of such motion, according to the rules of the Senate, but without further debate, except that any Senator who may desire so to do shall be permitted to speak thereon not more than once and not exceeding one-half hour. After such motion to close debate has been made by any Senator no other motion shall be in order until such motion has been voted upon by the Senate. After the Senate shall have adopted the motion to close debate, as hereinbefore provided, no motion shall be in order but one motion to adjourn and a motion to commit. Should said motion to adjourn be carried, the measure under consideration shall be the pending question when the Senate shall again convene, and shall be taken up at the point where it was at the time of such adjournment. The motion to close debate may be ordered upon a single motion, a series of motions allowable under the rules, or an amendment or amendments, or may be made to embrace all authorized motions or amendments and include the bill, resolution or motion to its passage or rejection. All incidental questions of order, or motions pending at the time such motion is made to close debate, whether the same be on appeal or otherwise, shall be decided without debate. Provided, however, that debate upon contested election cases shall be limited to sixty minutes. Upon such question no Senator shall consume more than three minutes in debate thereof and no Senator shall speak more than once."

New Mexico House Rule 78: "When any bill, resolution or motion shall have been under consideration for three hours it shall be in order for any member to move to close debate, and the Speaker shall recognize the member who wishes to make such motion. Such motion shall not be amendable or debatable and shall be immediately put, and if it shall receive the affirmative votes of a majority of the members present, the pending measure shall take precedence over all other business. The vote shall thereupon be taken upon such bill, motion or resolution, with such amendments as may be pending at the time of such debate. After such motion to close debate has been made by any member no other motion shall be in order until such motion has been voted upon by the House. After the House shall have adopted the motion to close debate, as hereinbefore provided, no motion shall be in order but one motion to adjourn and a motion to recommit. The motion to close debate may be ordered upon a single motion, a series of motions allowable under the rules, or may be made to embrace all authorized motions or amendments and include the bill, resolution or motion to its passage or rejection. All incidental questions or orders, or motions pending at the time such a motion is made to close debate, whether the same be an appeal or otherwise, shall be decided without debate."

New York Senate Rule 14, secs. 3 and 4:

"SEC. 3. When any bill, resolution or motion shall have been under consideration for two hours, it shall be in order for any Senator to move to close debate, and the President shall recognize the Senator who wishes to make such motion. Such motion shall not be amendable or debatable and shall be immediately put, and if it shall receive the affirmative vote of a majority of the Senators present, the pending measure shall take precedence over all other business.

"SEC. 4. The vote shall thereupon be taken upon such bill, resolution or motion with such amendments as may be pending at the time of such motion, according to the Rules of the Senate, but without further debate, except that any Senator who may desire so to do shall be permitted to speak thereon not more than once and not exceeding five minutes; upon the roll call any Senator may speak not to exceed five minutes in explanation of his vote. After such motion to close debate has been made by any Senator, no other motion shall be in order until such motion has been voted upon by the Senate. After the Senate shall have adopted the motion to close debate, as hereinbefore provided, no motion shall be in order but one motion to adjourn or for a call of the Senate by the Temporary President, and a motion to commit. Should said motion to adjourn be carried, the measure under consideration shall be the pending question when the Senate shall again convene, and shall be taken up at the point where it was at the time of such adjournment. The motion to close debate may be ordered upon a single motion, a series of motions allowable under the rules, or an amendment or amendments, or may be made to embrace all authorized motions or amendments, and include the bill, resolution or motion to its passage or rejection. All incidental questions of order or motions pending at the time such motion is made to close debate, whether the same be on appeal or otherwise, shall be decided without debate."

North Carolina House Rule 19: "No member shall speak more than twice on the main question, nor longer than thirty minutes for the first speech and fifteen minutes for the second speech, unless allowed to do so by the affirmative vote of a majority of the members present; nor shall he speak more than once upon an amendment or motion to commit or postpone, and then not longer than ten minutes. But the House may, by consent of a majority, suspend the operations of this rule during any debate on any particular question before the House, or the Committee on Rules may bring in a special rule that shall be applicable to the debate on any bill."

Oklahoma House Rules 36 and 37: "These rules give each side 30 minutes in the aggregate to debate on final passage of a bill; provided, that when a bill or resolution carries an emergency section such section shall constitute a separate question, to be debatable for an aggregate of ten minutes, five minutes to be allotted each side. When there is a majority and minority committee report, five minutes is allotted each side for debate on the question of receiving the majority or minority report."

Pennsylvania Senate Rule 9: This rule lists a motion to limit or extend the limits on debate, but the rule gives no details.

Rhode Island Senate Rule 23: "When any bill, resolution, or motion shall have been under consideration for two hours it shall be in order for any senator to move to close debate, and the president shall immediately recognize the senator who wishes to make such motion. Such motion shall not be amendable or debatable and shall be immediately put. The motion to close debate may be moved and ordered upon a single motion, or an amendment or amendments, or may be made to embrace all pending amendments and include the bill, resolution, or motion to its passage or rejection. If such motion to close debate shall receive the affirmative votes of a majority of the senators present, a vote without further debate shall thereupon be taken upon such bill, resolution or motion, with such amendments as may be pending at the time of such motion, provided that any senator who desires so to do shall be permitted to speak thereon not more than once and not exceeding five minutes, and provided further that one motion to adjourn shall be in order before such vote is taken. Should said motion to adjourn be carried, the measure under consideration shall be the unfinished business of the senate until disposed of. All incidental questions of order pending at the time of such motion to close debate is made, and on such questions arising after a motion to close debate has been made and before the final vote has been taken on the matter or matters to which the motion to close debate shall have been directed whether the same be an appeal or otherwise, shall be decided without debate."

Rhode Island House Rule 21: This rule provides for a motion to fix a time for closing debate, but the rule gives no details.

South Carolina Senate Rule 14: "* * * the debate on any question and the time when such question shall be voted upon may be fixed by a vote of two-thirds of the Senate; and the debate on the question of fixing such time shall be limited within the discretion of the chair; and such motions shall have precedence of [other designated] motions * * *."

Utah House Rule 29: This rule provides for a motion to limit debate, but the rule gives no details.

West Virginia House Rule 38: "* * * The House by majority vote may limit debate on any question."

LIMITATIONS ON DEBATE ADOPTED BY THE SENATE

Mr. MORSE. Mr. President, in the course of debate it has been stated in effect that opponents of either my cloture rule or the proposed Hayden rule sometimes say one of the great traditions of the Senate is that it has carried on its proceedings for more than a century and a half without any effective limitation upon debate, so why change now? I should like to read now a memorandum showing that the Senate rules provided for a motion for the previous question during the first 17 years of its existence, and that a dozen other limitations upon debate have been adopted by the Senate over the passing years. Rather than take the time to read it, because I have talked longer than I intended, I ask unanimous consent to have the memorandum entitled "Limitations on Debate Adopted by the Senate in the Past" inserted in the RECORD at this point, in rebuttal of the argument that we have gone along for 150 years without any rules or limitation of debate, so why adopt one now?

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

LIMITATIONS ON DEBATE ADOPTED BY THE SENATE IN THE PAST

1. From 1789 to 1806 the Senate rules provided for a previous question motion which, if adopted by majority vote, had the effect of ending debate and bringing a question to a vote.

2. Since 1846 the Senate has frequently adopted unanimous-consent agreements which are a species of cloture.

3. During the Civil War debate in secret session on matters relating to the rebellion was limited by rule to 5 minutes by any Member and was confined to the subject matter.

4. In 1868 the Senate adopted a rule providing that motions to take up or proceed to the consideration of any question should be determined without debate.

5. In 1870 the Senate adopted the Anthony rule limiting debate on the call of the calendar to one 5-minute speech per Senator on any question. The Anthony rule was made a standing rule in 1880. (Rule VIII.)

6. During the 1870's Senate debate on appropriation bills was limited by the 5-minute rule.

7. In 1881 the Senate agreed, for the remainder of the session, to limit debate to 15 minutes on a motion to consider a bill or resolution, no Senator to speak more than once or for longer than 5 minutes.

8. In 1884 the Senate amended its rules to provide that all motions made before 2 o'clock to proceed to the consideration of any matter shall be determined without debate. (Rule VIII.)

9. In 1884 the Senate amended its tenth rule so as to provide that all motions to change the order of precedence on special orders, or to proceed to the consideration of other business, should be decided without debate.

10. In 1884 the Senate provided by rule that motions to lay before the Senate any bill or other matter sent to the Senate by the President or the House of Representatives should be determined without debate. (Rule VII, 7.)

11. In 1908 it was decided that Senators could, by enforcement of the rules, be restrained from speaking on the same subject more than twice in the same legislative day.

12. In 1917 the Senate adopted its present cloture rule. (Rule XXII.)

13. In 1939 and 1945 the Senate passed executive reorganization acts containing an antifilibuster rule.

Mr. MORSE. The memorandum will show that such a generalization as the one advanced by those who have made the argument I am attempting to rebut is not sound. It will also show the matter of limitation of debate has been one of frequent discussion in the Senate. It has in recent years been successfully defeated so far as changing the existing rule is concerned, by way of the filibuster technique itself. Thus we are confronted with the paradoxical situation that in order to eliminate the filibuster technique from the Senate we first have to defeat a filibuster. I do not know how many times the Senate is going to be willing to surrender in the face of that intimidation. I can merely go on hoping, as I said earlier in my remarks, that the happy day will come and come soon when both the Republican and Democratic parties in the Senate will awaken to the fact—and I believe it to be a fact—that the great majority of the American people want us to end the filibustering technique in the Senate by the adoption of a rule that will successfully banish it from the Senate.

There was another very able speech made during the course of the debate which I want to answer very briefly. I refer to the speech by the distinguished Senator from Mississippi [Mr. STENNIS]. He made his speech on March 1, 1949. The Senator challenged the proponents of the Hayden resolution to show how the American people have ever been harmed by the filibuster. I have already had inserted in the RECORD a list of the filibusters, as set forth in the corrected copy of the Galloway report, and I say one need only read that list and take into account the implications of the legislation filibustered to recognize that the public interest did suffer and has suffered as the result of many filibusters in the Senate. I would answer him further that the public interest has suffered, the rights of millions of fellow Americans have suffered, because the filibuster technique has made it possible to date to prevent the passage of civil-rights legislation, for example.

Of course the Senator from Mississippi does not agree with me on the merits of civil-rights legislation. But the fact that he does not agree with me on civil-rights legislation does not make his argument a sound one when he says, "Wherein has the public interest suffered as a result of the filibuster technique?" It has suffered not only in respect to civil-rights legislation but it has suffered in my judgment because of the many compromises, as I stated earlier in my remarks this afternoon, which frequently have to be made in committee before we can even get legislation to the floor of the Senate, under a threat that if we do not yield to minority demands the bill will be talked to death on the floor of the Senate. That is a terrible cost to have to pay for minority rule in the Senate.

The public interest has suffered also, as is evident from a statement of the legislation involved in bills held up by filibusters, as set forth in the Galloway Report, because of the compromise changes that had to be made before the legislation was subsequently passed. The argument has been made in the course of the debate that eventually the legislation was passed. But the proponents of that argument do not tell us in what form it was finally passed. In many instances it was passed in compromised form, compromises having been forced by the threat of filibuster. That is rule by intimidation, not by majority vote. That is rule by legislative blackmail, not by democratic processes.

Let us not forget that over the years of the history of the filibuster there is a filibuster on bill X or issue X, and a whole series of bills behind it never get to a vote in that session because of the delay caused by the filibuster. That is a tremendous loss to the public. The record will show that in many instances many appropriation bills were lost. Is it any answer when the Senator from Mississippi says, "But eventually the bills were passed, eventually the appropriations were made?" I say that is no answer at all. How much of a loss is it to the people of the United States to have postponed for 1 or 2 or 3 years a very important appropriation for some great public development that ought to have been passed at the very time a filibuster backlogged it and prevented it from getting to the floor of the Senate for passage?

If we want to add up the great cost to the people of the United States caused merely by delay alone to bills which were held up and never got to the floor of the Senate for a vote because another bill was filibustered, the delay cost alone would be a complete answer to the Senator from Mississippi, who says, "In what way has the public interest suffered from filibustering practices in the Senate?" I answer, in a multitude of ways, at terrific cost to the public welfare; and we ought to end it. The more quickly we end it, the better for the people of the United States.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point in my remarks a table entitled "Citations to Later Action on Filibustered Bills."

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Citations to later action on filibuster bills

Bills	Year of filibuster	Citations to later acts on same subjects
River and harbor bill.	1901	32 Stat. 331, June 13, 1902.
Do	1903	33 Stat. 1117, Mar. 3, 1903.
Do	1914	38 Stat. 1049, Mar. 4, 1915.
Colombian Treaty	1903	33 Stat. 2234, Feb. 23, 1904.
Canadian reciprocity.	1911	37 Stat. 4, July 26, 1911.
Arizona-New Mexico statehood.	1911	37 Stat. 39, Aug. 21, 1911.
Ship-purchase bill	1915	39 Stat. 728, Sept. 7, 1916.
Mineral lands leasing bill.	1919	41 Stat. 437, Feb. 25, 1920.
Migratory-bird conservation.	1926	45 Stat. 1222, Feb. 18, 1926.
Colorado River bill.	1927	45 Stat. 1011, May 29, 1928.
Do	1928	45 Stat. 1057, Dec. 21, 1928.
Emergency officers' retirement.	1927	45 Stat. 735, May 24, 1928.
Washington public buildings bill.	1927	45 Stat. 51, Jan. 13, 1928.
Oil-industry investigation.	1931	49 Stat. 30, Feb. 22, 1935.
Work relief bill, prevailing wage amendment.	1935	49 Stat. 1609, June 22, 1936.
Flood-control bill	1935	49 Stat. 1570, June 22, 1936.
Coal-conservation bill.	1936	50 Stat. 72, Apr. 26, 1937.

Mr. MORSE. Mr. President, I shall refer again to the argument of my good friend from Mississippi. And let me say that when I use the words "good friend" it is not simply a matter of formality, with me. I mean it when I refer in my speeches to the Members of the oppositions as friends or as able and distinguished Senators from their States. I want to say, and I am only sorry that he is not on the floor at this time, that I not only consider the distinguished Senator from Mississippi [Mr. STENNIS] a good friend, but I consider him one of the finest men, in the dictionary sense of the word "finest," that it has ever been my pleasure to know as intimately as I have come to know the Senator from Mississippi. I think his sitting in the Senate of the United States is a great honor to the State of Mississippi and a great honor to the Senate. But he and

I simply disagree fundamentally on the question of whether the rules of the Senate should be so changed as to prevent the technique of filibuster on the floor of the Senate. I am sorry to be in disagreement with a friend for whom I have such an affectionate regard as I have for the Senator from Mississippi, but I cannot accept the conclusions he has reached in the course of the debate in regard to the effects, which he thinks do not endanger the public welfare, of the filibuster technique in the Senate.

The Senator says:

Whence comes the demand for the alteration of the present rule?

I will tell him whence it comes. It comes from millions of American citizens; it comes from millions of voters who believe that the present cloture rule of the Senate does not permit the transaction of the people's business in accordance with democratic procedures which the people at least thought should prevail in the Senate of the United States. That is where it comes from, Mr. President. It comes from such organizations as the National Committee for Strengthening Congress.

I offer for the RECORD at this point, and ask unanimous consent to have printed in the RECORD, a memorandum which the National Committee for Strengthening Congress published on December 29, 1948.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

National Committee for Strengthening Congress, Inc., Washington, D. C.: Robert Heller, chairman, Robert Heller & Associates, Cleveland; H. Chapman Rose, treasurer and counsel, Jones, Day, Cockley & Reavis, Washington, D. C.; Warren S. Ege, secretary; Winthrop W. Aldrich, chairman of the board, the Chase National Bank of New York; Paul Block, Jr., publisher, the Toledo Blade; Sevellon Brown, publisher, Providence Bulletin and Journal; Louis Brownlow, public administration consultant; Erwin D. Canham, editor, the Christian Science Monitor; James B. Carey, secretary-treasurer, CIO; William L. Chenery, publisher, Collier's; Frederic C. Church, Boit, Dalton & Church, Boston; Carle C. Conway, chairman of the board, Continental Can Co., Inc.; Brooks Emeny, president, Foreign Policy Association; Mark Ethridge, publisher, Louisville Courier-Journal; Edward P. Farley, chairman of the board of directors, American-Hawaiian Steamship Co.; H. W. Fraser, president, Order of Railway Conductors of America; Paul G. Hoffman, president on leave, the Studebaker Corp.; Nathaniel R. Howard, editor, the Cleveland News; Ernest Kanzler, chairman of the board, Universal C. I. T. Credit Corp.; John D. Kerr, president, American Fruit Growers, Inc.; Allan Kline, president, American Farm Bureau Federation; John Shively Knight, editor, Chicago Daily News; Sigurd S. Larmon, president, Young & Rubicam, Inc.; Murray Lincoln, secretary, Ohio Farm Bureau Federation; Henry R. Luce, editor in chief, Time, Inc.; Rabbi Edgar F. Magnin, Los Angeles; Fowler McCormick, chairman of the board, International Harvester Co.; Thomas A. Morgan, chairman of the board, the Sperry Corp.; Bishop G. Bromley Oxnam; Frederick D. Patterson, president, Tuskegee Institute; James G. Patton, president, National Farmers Union; Eugene C. Pulliam, publisher, Indianapolis Star and the News; Quentin Reynolds, general manager, Eastern States Farmers Exchange, Inc.; Raymond Rubicam, Scottsdale, Ariz.; Beardsley Ruml, chairman of the board, R. H. Macy & Co.; David A. Simmons, lawyer, Houston, Tex.; H. Christian Sonne, president, Amsinck, Sonne & Co.; Miss Anna Lord Strauss, president, National League of Women Voters; Charles M. White, president, Republic Steel Corp.; Charles E. Wilson, president, the General Electric Co.

NATIONAL COMMITTEE FOR
STRENGTHENING CONGRESS,
Washington, D. C., December 29, 1948.

The Hon. A. S. MONRONEY,
The House of Representatives,
Washington, D. C.

MY DEAR SIR: With the opening of the Eighty-first Congress we are writing to each Member, as we did on December 30, 1947, again to urge the full enforcement of all the provisions of the Legislative Reorganization Act of 1946 and to go even further with some changes, the need for which has become progressively more apparent during the last year.

There is threatened the abandonment of the legislative budget. Why retreat now from proper legislative control of expenditures? We strongly urge all Members of the Congress to resist the proposed repeal of the legislative budget provision as threatened by the new chairman of the Appropriations Committee. This provision is designed to put into clear focus an over-all fiscal plan of expenditures and income for the year. It can be made to function properly if the leaders of the revenue-raising committees and the appropriations committees diligently seek to make it effective. The failure of the last two sessions to make this fiscal-control feature work is no excuse for abandoning this provision. It merely seeks to require the revenue-raising committees and the revenue-spending committees to get together and fix their over-all fiscal program at the beginning of the session.

In the past, the target for annual income and annual expenditures has been left to piecemeal chance without any effort to coordinate total expenditures with revenue. Congress cannot continue to appropriate money without any relationship or responsibility as to income. By making the legislative budget work as planned, the Congress and the country can have a businesslike approach to governmental fiscal affairs. If the February 15 date is too early for formulating a real legislative budget, then the date could be changed to 30 or 60 days later without difficulty.

At this time when the financial resources of our Nation are being stretched to the widest limits in our history, what is more important than the orderly management of the money affairs of the people? Why not have an informed center of financial responsibility in Congress, resting on the majority party so that the executive and legislative branches can adequately work together as was intended by the Constitution?

The Eighty-first Congress has an unparalleled opportunity to abolish fiscal anarchy in the legislative branch for the following reasons:

1. The standing committees have been reduced to a workable number.

2. One party is in control of the executive and legislative branches of the Government.

3. The reports of the nonpartisan Commission on Organization of the executive branch of the Government will be available early in January.

Beyond the provisions of the act, the performance by Congress of its legislative, supervisory, and representative functions could be improved in many ways. Many Members of Congress believe and have told us that steps should be taken to strengthen party government in, and democratize the procedures of, our national legislature.

We appeal to your sense of practical expediency—to every Member of Congress who wants his and its work done well. How can you possibly accomplish your great tasks without adjusting your machinery promptly?

Four great dangers now confront the efficient functioning of the Eighty-first Congress:

1. Filibusters in the Senate.

2. Blockades in the House Rules Committee.

3. Hostile coalitions on the floor.

4. Converting professional committee staffs into patronage positions.

As to filibusters in the Senate, the existing cloture rule (Senate Rule 22) which requires a two-thirds vote of those present to close debate, has failed to prevent successful filibustering.

What could be more undemocratic than permitting a minority to impose its will on the majority? Can the Senate afford during these critical times to block the road needlessly for much-needed legislation?

The intention of the majority of the Eightieth Congress was so plainly thwarted by filibuster threats of the minority party in its final days that maximum popular attention was called to the majority party's inability to formulate and control its legislative program. Adopted in 1917, this rule has been successfully invoked only 4 out of 19 times, the last time being in 1927. We urge immediate action to eliminate the filibuster in the Senate. We recognize and defend the right to full and adequate debate, but to so abuse this privilege with the filibuster makes the world's greatest deliberative body appear ridiculous to the Nation and the world.

Changes in the Senate rules to insure full debate yet forestall filibuster through applying the cloture rule are vital if the Senate is to continue to function without blockade to orderly legislative processes. We agree with those Senators who want to apply cloture by a majority vote instead of a two-thirds vote to end a filibuster. Such a change must protect the right of any Senator to be heard for adequate discussion or debate on any matters germane to the subject but must provide for ending a filibuster by majority rule. To be effective this must apply to such obstruction whether taken on legislation or at other points in the Senate's procedures to prevent dilatory tactics.

House rules must be changed to eliminate the veto power of the Rules Committee over other standing and coequal committees. In theory the Rules Committee is traffic director on the legislative highway, determining the order of business on the floor of the House. In practice it has become an obstruction to orderly traffic. It frequently usurps the functions of the regular legislative committees of the House by holding hearings on, and reviewing the merits of, bills that have already been carefully studied by the proper legislative committees. The practice of using this veto to force other committees to the will of the Rules Committee effectively thwarts the will of the majority. It has been proven that this cumbersome and abortive method can be effective only in extreme and exceptional instances. After a regular standing committee has conducted hearings often for months on important legislation, the Rules Committee should not have the absolute and unquestioned right to decide in one afternoon that it will not permit the House membership to express themselves on the bill.

1. We suggest that the House rules be changed to require the Rules Committee to report any legislation approved and submitted to them by a standing committee. The Rules Committee would be required to report to the House with the recommendation that the House:

(a) Grant a rule for immediate consideration of the legislation; or

(b) That no rule for consideration be granted.

Thus the Rules Committee could still serve to function as a traffic director of legislation to the floor of the House; but the House membership as a whole could override the Rules Committee by majority vote in case the Members disagreed with the Rules Committee's adverse report.

2. We oppose the granting of closed rules by the Rules Committee since they prevent effective legislative consideration and amendment from the House membership. In such exceptional cases where closed rules might be required we feel that a two-thirds vote should be required to grant a closed rule. The same provision should apply to the waiving of points of order by the Rules Committee since this waiver also suspends the House rules and should require a two-thirds majority. Closed rules effectively suspend the ordinary rules of the House and therefore the two-thirds requirement for suspension of the rules should also apply to the granting of a closed rule.

The danger of hostile coalitions on the floor can be met by strengthening party government in Congress, as follows:

1. The appointment of majority and minority policy committees in the House and Senate, these committees to include the chairmen of all standing committees so that there would be a complete synthesis of each House, and in turn chaired by the party leader in each House. These committees are not to be confused with the present committees in the Senate which are nothing more than steering committees and which do not include the chairmen of all the standing committees. The center of responsibility on both parties should be complete, formalized, and definitized.

2. Give the party leadership responsibility and power to select the chairmen of the standing committees instead of relying upon the seniority system; that is, permitting the committee on committees of the majority party in each Chamber, or the majority floor leaders, to select the committee chairmen.

Only the bonds of tradition and convention prevent the abolishment of the seniority system. Can Congress afford to retain this system when it should have a sensible plan for advancement of able people on the committees? Seniority provides advancement only by retirement, defeat, or death.

The two-party system is the only way for us to run our democracy. It is the motive power which makes the wheels of Congress go round. Party accountability and responsibility should be sharpened and strengthened. A favorable climate for this growth can be achieved by changing the machinery of Congress.

The House should follow the lead of the Senate, whose Committee on Executive Expenditures has studied ways and means of implementing and improving the Legislative Reorganization Act of 1946. We recommend that the Committee on Executive Expenditures of the House appoint a subcommittee for this purpose. We believe it has already been too long delayed.

One of the great achievements of the Legislative Reorganization Act of 1946 was the provision for professional staffing of standing committees on a permanent basis without regard to political affiliations and solely on the basis of fitness to perform the duties of the office. The staff members were to be considered permanent employees of the Congress and should not be dismissed for political reasons.

During the second session of the Eightieth Congress the standing and special committees of the Senate had 120 professional employees, and those in the House had 174. While some appointments may have been strictly political and while some professional staff members may have engaged in work other than committee business, contrary to section 202 (a) of the act, it would, we believe, be a regressive step to convert these staff jobs into patronage plums. We recommend a realistic staffing of committees with capable people from both parties in conformity with our two-party system.

We have a single objective and that is to be of help to you people in Congress. Many of us first became acquainted with Congressional problems of organization and procedure in 1944. We again offer to you our experience for what it may be worth.

Sincerely yours,

ROBERT HELLER,
Chairman.

Mr. MORSE. Mr. President, I call attention to some of the sponsors of this organization, so that the Senator from Mississippi can judge for himself whether they represent responsible, patriotic, Constitution-loving American citizens.

Winthrop W. Aldrich, Paul Block, Jr., Louis Brownlow, Erwin D. Canham, James B. Carey, Edward P. Farley, H. W. Fraser, Paul G. Hoffman, Nathaniel R. Howard, Henry R. Luce, Thomas A. Morgan, James G. Patton, Beardsley Ruml.

I am skipping as I go down the list. They will all show in the RECORD.

Miss Anna Lord Strauss; Charles E. Wilson.

It is such citizens, Mr. President, by the thousands, yes, by the millions, who think that something should be done to change the rules of the Senate so that the technique of the filibuster can be driven once and for all from the floor of the Senate.

That is my answer, on that point, to the Senator from Mississippi.

At another point in his remarks the Senator said:

> The Senate is the last major forum in the world where any group, however small, can seek and secure protection.

Mr. President, can the colored people of the South seek and secure protection in the Senate of the United States with respect to the passage of civil-rights legislation? I do not think so. I do not believe they will get such protection until we shall be able to modify our rules so that the majority-vote principle will prevail, and we can pass legislation free from the blockade of a minority that says, "We will not let you get to a vote."

At another point in the debate a statement was made, I think by my good friend the junior Senator from Georgia [Mr. RUSSELL], to which I desire to refer. I may say in passing that all I have said about the Senator from Mississippi [Mr. STENNIS] with respect to the high regard in which I hold him, I say with equal affection in regard to the junior Senator from Georgia. But here, again, on this point, he and I disagree. At one time in the debate he challenged, as I read the record, the Senator from Illinois [Mr. LUCAS] to name some prominent Democrats who ever favored cloture. There were many Democratic Senators who signed the cloture petition on November 13, 1919, to close debate on the reservations to the Versailles Treaty, among whom were Senators McKellar, Harrison, Hitchcock, Robinson, Sheppard, Swanson, Underwood, Walsh, and others.

I may say further to my good friend from Georgia that if he will go back to March 8, 1917, when cloture was first adopted, he will find all the Southern Democratic Senators who were present on that day voting for it. He will find Senator Vardaman, of Mississippi, saying on that date, as I have previously stated here today, that he favored a majority rule. In effect, he said, "Yes; the filibuster has protected the South," but, nevertheless, he felt that the majority-vote principle ought to be adopted. There were distinguished statesmen from the South in years gone by who favored cloture.

Mr. President, by way of summary I desire to emphasize the points in regard to my own resolution. To me it is a very simple issue: We either favor making it possible to act by a majority in the Senate of the United States, or we favor permitting a minority to block the will of the majority. We either believe the people of the United States want our representative form of government to function on the basis of majority rule, or we believe that the people of the United States favor minority blockage of their will.

I submit that the objective evidence clearly supports the conclusion that the American people want majority rule in the Senate of the United States. I submit, Mr. President, that, taking the country as a whole, when the present President of the United States took the issue to the people in the last campaign, it is a fair conclusion, by and large, that the people supported his position in regard to majority rule.

As I have said heretofore on the floor of the Senate in respect to another issue, I recognize that I cannot in all honesty say that there has been any mandate on this subject to date. We have to judge as we read or take the public pulse what public sentiment is, but I am firmly of the opinion, based upon my observation and from my talks with thousands of them that the American people by and large are sick and tired of the retention of the filibuster technique in the Senate. I am satisfied that the great majority of the American people are applauding Harry Truman today because of his great courage in saying to Congress and to the people of this country, "Yes, I favor majority rule and the majority rule principle in respect to cloture in the Senate."

Mr. President, I close with the same premise with which I started my speech; I am very proud to stand here today helping Harry Truman fight his battle for majority rule in the Senate. I am saddened and deeply regret that I do not have a whole army of Democrats behind me in backing up the President of the United States. I am sorry the majority leader and the democratic whip have left me on this issue. But I think they will come back, perhaps not at this session of Congress, but as the President takes this issue to the people, as I hope he will, and as other men who hold firm convictions about the importance of preserving majority rule if we are to preserve democratic government itself take

their position to the people of this country. The time will come, and I think in the not too distant future, when there will be a sufficient number of men, either those now serving in the Senate who will have changed their thinking on this point, or new men who will be elected by the people who will have the point of view of majority rule, to accomplish what I think we should accomplish now, namely, the adoption of Senate Resolution 12 rather than Senate Resolution 15, the resolution which would give us a cloture rule based upon the majority-vote principle.

THE TAFT-HARTLEY ACT—FULTON LEWIS, JR., POLL

Mr. JENNER. Mr. President, ever since final enactment, in the first session of the Eightieth Congress, of the 1947 Labor-Management Relations Act, commonly known as the Taft-Hartley Act, that law has been the subject of one of the greatest controversies in the labor-management history of our country. It was subjected not only to criticism, but to actual abuse, even before the statute had had opportunity to be tested. Certain labor leaders labeled it "slave labor," "vicious," and "un-American."

Proponents of the act were not as vociferous in their defense of the act as had been its opponents. Apparently they were content to give the act a fair test, and have been content with the results of its operation.

In the 1948 preelection campaign, certain groups sought to make the Taft-Hartley Act a labor issue. Certain labor leaders now call the result of the 1948 Presidential election a mandate to the present administration to repeal the Taft-Hartley Act and reenact the Wagner Act. This the administration now proposes to do, and legislation for that objective is now before the Members of the United States Senate.

That the election results were not considered by a vast segment of the American people as a mandate to repeal the most beneficial legislation ever enacted in behalf of working men and women, and management as well, is indicated by the avalanche of replies to the questionnaire broadcast by Fulton Lewis, Jr., a well-known radio commentator. Mr. Lewis submitted 19 questions over the air in two successive broadcasts. As a result of those broadcasts, the office of practically every Member of Congress has been deluged with replies to the questions, indicating an overwhelming demand that the Taft-Hartley Act be retained.

The replies, according to an analysis I have made of those received by me, represent the thinking of a cross section of the people in my State. They come from members of labor organizations, from businessmen, from housewives, from farmers, from white-collar workers, and professional men and women.

May I presume, Mr. President, briefly on the time of the Senate to read some extracts from letters accompanying the replies. Here is one from a constituent in Indianapolis:

I believe in unions. I am not an employer of labor, but on the other side; but I believe in the welfare of our country.

From another letter:

I strictly favor this law as it gives the employees freedom and privileges heretofore denied them.

From Gary, Ind., well known as a great industrial center, comes this statement:

From what I can see and hear, labor relations are in much better shape now and more stable under Taft-Hartley than they ever were under the Wagner Act. Labor union bosses are hell bent to get their old czaristic powers back but the laborer, the man who is "just a member of the labor union" seems to be relieved to get out from under the tyranny of his bosses.

From Indianapolis—from a white collar worker:

I am not one of Mr. Jacobs' illiterates, but a white collar worker.

From another letter I read this:

From August 1913 until Nov. 1, 1920, I was a member of the A. F. of L., belonging to the stenographer and bookkeepers union, and was employed by the president of the International Typographical Union. During that time I learned much in regard to the methods used by officials of local unions, which were in their infancy then compared to the methods used today, and I am confident that a labor law containing the principles brought forth in the questionnaire and answered as follows will be free of any hardships or injustices to the membership of any union organization, and will be a boon to the entire public.

In the replies, many of the correspondents pointed out particularly that they were members of CIO or A. F. of L. labor organizations.

I have refrained from using the names of these correspondents because, I do not want reprisals against these good union men and women.

Mr. President, I submit herewith an analysis of the first 750 replies I have received from Mr. Lewis' questionnaire and ask consent to have it inserted in the RECORD as part of my remarks.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

FULTON LEWIS, JR., QUESTIONNAIRE

(Percentages are those of the first replies received; figures in parentheses are the actual replies received)

1. Do you believe that the law should preserve the worker's right to strike? Yes, 80.8 percent (660); no, 19.2 percent (90).

2. In the case of a strike that would cause a national emergency, endangering the health and safety of the Nation—should the President be empowered to get a court injunction to delay such a strike? Yes, 95 percent (713); no, 5 percent (37).

3. When two or more unions are fighting each other, over who is to do a job or who is to represent the workers, and a strike is called to get for one union the work or the recognition—that is a jurisdictional strike. Should the law prohibit strikes of that kind? Yes, 94 percent (705); no, 6 percent (45).

4. When a union is engaged in a labor dispute with an employer, and seeks to coerce that employer, indirectly, or by interfering with the business of other companies where there is no dispute between the management and the workers, but which merely do business with the employer who is being struck—that is a secondary boycott. Do you believe the law should prohibit such boycotts? Yes, 93 percent (735); no, 2 percent (15).

5. Should the law forbid management to deduct union dues and assessments from the worker's pay envelope, except when the worker gives his personal O. K.? Yes, 77 percent (577); no, 23 percent (173).

6. Do you believe the law should require both unions and management to bargain in good faith? Yes, 99 percent (742); no, 1 percent (8).

7. Should the law guarantee to management and workers alike, the freedom to express their respective points of view on labor-management problems, provided there are no promises of bribes, or threats or reprisals—direct or implied? Yes, 99 percent (742); No, 1 percent (8).

8. Should the law protect the worker against unfair practices by unions or by management? Yes, 99 percent (742); No, 1 percent (8).

9. Do you believe the law should require union officials and company officials alike, to swear that they are not Communists, or Fascists, or members of any group which advocates the overthrow of the United States Government by force and violence? Yes, 99 percent (742); No, 7 percent (8).

10. Should the law require unions to make financial reports to members and to Government, just as companies are required to make the same reports to stockholders and the Government? Yes, 100 percent (748).

11. Should the law require that a collective-bargaining contract must be honored by both parties? And that each party has an equal right to sue the other party, for breaking the contract? Yes, 100 percent (749).

12. When a union requires an employer to pay money for work that has not been done, and will not be done, that is called "featherbedding." Do you believe the law should forbid "featherbedding?" Yes, 98.4 percent (738); No, 1.6 percent (12).

13. When a union, by contract or otherwise, requires an employer to hire only members of that Union—that is a closed shop. Do you believe the law should permit such a closed shop? Yes, 56.7 percent (425); No, 43.3 percent (325).

14. Do you believe it should be unlawful for a worker to be prevented from performing his job, by the use of violence, force, or intimidation? Yes, 74.3 percent (557); no, 25.7 percent (193).

15. Do you believe that foremen and supervisors, who have a divided responsibility to management which hires them and to the workers under them should be permitted to have unions of their own? Yes, 38.8 percent (291); no, 61.2 percent (459).

16. Do you believe the law should guarantee to every worker the right to join or not to join a union—to remain or not to remain a member—just as the individual worker wishes? Yes, 97 percent (727); no, 3 percent (23).

17. Do you believe that unions and employers alike, can now so affect the public interest for good or ill, that the law should state, as a matter of national policy, that the relationships of each with the other shall be regulated equally by law? Yes, 89 percent (667); no, 11 percent (83).

18. Suppose that an economic strike—one that does not involve any unfair labor practices—is under way, and a given striker has been replaced by a new worker, in his job. An election is held to decide what union, if any, is to present the workers if and when the strike has finally been settled. Should the law permit this worker, who is out on strike, to vote in that election? Yes, 24 percent (180); no, 76 percent (570).

19. Should the law place unions under the same prohibition against political activity or making political contributions in election campaigns, that applies to corporations? Yes, 94 percent, (705); no, 6 percent (45).

MILITARY TRIALS—PETITION FOR WRIT OF HABEAS CORPUS

Mr. LANGER. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a petition for writ of habeas corpus filed in the Supreme Court of the United States in the case of Willis M. Everett, Jr., on behalf of Valentin Bersin et al., before the Supreme Court.

There being no objection, the petition was ordered to be printed in the RECORD, as follows:

PETITION FOR WRIT OF HABEAS CORPUS IN THE SUPREME COURT OF THE UNITED STATES

(Willis M. Everett, Jr., on behalf of Valentin Bersin et al., petitioner, versus Harry S. Truman, Commander in Chief of the Armed Forces of the United States, and James V. Forrestal, Secretary of Defense of the United States, and Kenneth C. Royall, Secretary of the Army of the United States, and General Omar N. Bradley, Chief of Staff of the Army of the United States, and Thomas C. Clark, Attorney General of the United States, respondents.)

To the Honorable Fred M. Vinson, Chief Justice of said Court and the Honorable Associate Justices thereof:

This petition of Willis M. Everett, Jr., on behalf of Valentin Bersin, Friedel Bode, Willi Braun, Kurt Briesemeister, Willi Von Chamier, Friedrich Christ, Roman Ciotten, Manfred Coblenz, Josef Diefenthal, Josef (Sepp) Dietrich, Fritz Eckmann, Arndt Fischer, Georg Fleps, Heinz Friedrichs, Fritz Gebauer, Heinz Gerhard Godicke, Ernst Goldschmidt, Hans Gruhle, Max Hammerer, Armin Hecht, Willi Heinz Hendel, Hans Hennecke, Hans Hillig, Heinz Hofmann, Joachim Hofman, Hubert Huber, Siegfried Jakel, Bsnom Junker, Friedel Kies, Gustav Knittel, Georg Kotzur, Fritz Kraemer, Werner Kuhn, Oskar Klingelhoefer, Erich Maute, Arnold Mikolaschek, Anton Motzheim, Erich Munkemer, Gustav Neve, Paul Hermann Ochmann, Joachim Peiper, Hans Pletz, Georg Preuss, Hermann Priess, Fritz Rau, Theo Rauh, Heinz Rehagel, Rolf Roland Reiser, Wolfgang Richter, Max Rieder, Rolf Ritzer, Axel Rodenburg, Erich Rumpf, Willi Schaefer, Rudolf Schwambach, Kurt Sickel, Oswald Siegmund, Franz Sievers, Hans Siptrett, Gustav Adolph Sprenger, Werner Sternebeck, Heinz Stickel, Herbert Stock, Erwin Szyperski, Edmund Tomczak, Heinz Tomhardt, August Tonk, Hans Trettin, Johann Wasenberger, Gunther Weiss, Erich Werner, Otto Wichmann, and Paul Zwigart, most respectfully shows unto this honorable Court as follows:

1

That petitioner, Willis M. Everett, Jr., is an attorney and counsellor at law of Atlanta, Ga., but from September 1, 1940, to June 15, 1947, was an officer in the United States Army. In May 1946 while serving under the commanding general, United States Forces, European theater, your petitioner was directed by him to serve as chief defense counsel for each of the above-named parties who will hereinafter be referred to as parties plaintiff or accused. Petitioner is unable to secure the verification by individuals named as plaintiffs due to the lack of time and the facts hereinafter set forth. Petitioner has continued to act as chief defense counsel for plaintiffs herein and they have full knowledge, coupled with a request, that this petition is being brought by petitioner on their behalf to this honorable Court.

2

That each plaintiff named herein was an enemy soldier who unconditionally surrendered to the Army of the United States of America. Further, each plaintiff is a citizen and national of Germany. Each plaintiff is presently unjustly and unlawfully detained and imprisoned at a United States Army penitentiary, at Landsberg, Germany, or a penitentiary operated under the commanding general, European command, at Landsberg, Germany. Each plaintiff is being illegally restrained thereat as a result of the verdict and sentences of a certain general military government court at Dachau, Germany, on July 16, 1946.

3

The respondent, Harry S. Truman, is Commander in Chief of the Armed Forces of the United States of America. In his capacity as Commander in Chief he has custody and control of each plaintiff herein.

4

The respondent, James V. Forrestal, is the Secretary to the President of the United States of America in charge of all defense, including the Department of the Army, who also has custody and control of each plaintiff herein.

5

The respondent, Kenneth C. Royall, is the Secretary of the Army under the Secretary of Defense and is directly responsible for the Department of the Army. In his capacity he has custody and control of each plaintiff herein.

6

The respondent, Gen. Omar N. Bradley, is the Chief of Staff of the Army, Department of the Army, who was selected by the President of the United States, and has supervision of all troops of the line and in this capacity has custody and control of each plaintiff herein.

7

The respondent, Thomas C. Clark, is the Attorney General of the United States of America and in his capacity as Attorney General is the chief prosecutor for the United States of America and the proper person upon whom service shall be perfected under existing laws.

8

Petitioner alleges with certainty that the trial before the General Military Government Court at Dachau, Germany, hereinafter referred to as the war crimes trial or Malmedy trial, was utterly void because of the facts hereinafter set out and especially for the reasons that:

(a) No defense was possible due to the short period of time, less than 2 weeks, to prepare the defense for the 74 accused, and

(b) The unfamiliar and arduous task of communicating through inexperienced interpreters as well as a lack of assigned stenographers and interpreters so hampered the defense staff that it was not even physically possible to interrogate all of the accused, much less plan a defense, prior to the forced commencement of the trial, and

(c) The entire plan of this forced trial was calculated to make the whole defense impossible by not allowing time to procure and interview witnesses.

Upon assignment as chief defense counsel petitioner was assured by various responsible officers of the United States Army that these 74 accused would be given a fair trial, but the entire trial was totally lacking in due process as known in the courts of the United States of America, Great Britain, France, Italy, Belgium, Netherlands, and other nations.

9

Plaintiffs were of varying ranks from generaloborst (general) to sturmann (private) with varying length of service in the German Army but each plaintiff was in the German Army until the Commanding General, United States Forces, European Theater did, on or about May 9, 1946, purportedly discharge all of plaintiffs from the German Army, thus attempting to end their prisoner of war status. Copy of said original carrier note requesting and confirming such discharge is hereto attached, marked "Exhibit A" and made a part of this petition.

10

Plaintiffs were, under the Geneva Convention, prisoners of war after surrender and apprehension by the United States Army until they were discharged as aforesaid. However, their status probably changed to that of an accused war criminal on April 11, 1946, when they were first served with notice that they were being charged with war crimes. Copy of said charge sheet, less the German translation, is hereto attached, marked "Exhibit B," and made a part of this petition.

11

Plaintiffs had been illegally and forcefully incarcerated in Schwabisch Hall, Germany, a German penitentiary the equivalent of one of our United States Federal penitentiaries and used by the United States Army as an interrogation prison for varying lengths of time but generally in excess of 10 months prior to being served with charges of war crimes as set forth in paragraph 10 above. There were approximately 500 other German soldiers, suspected war criminals, also confined thereat. With few exceptions, each was placed in solitary confinement throughout this period. That the said Schwabisch Hall was exclusively under the control of and used by the United States Army for all suspects in the Malmedy case. One Lt. Col. Burton F. Ellis, JAGD, United States Army, was the senior officer thereat and responsible for the abuse and mistreatment of plaintiffs herein at said penitentiary.

12

The forced and illegal detention of plaintiffs as aforesaid was in violation of the Geneva Convention which provides that prisoners of war must be humanely treated and protected, particularly against acts of violence and insults. They should be equally treated. No coercion may be used on them to secure information, and under no circumstances will they be threatened, insulted, or exposed to unpleasant or disadvantageous treatment of any kind whatever. They are entitled to have their honor and person respected. They must have sanitation, open air, and exercise. Under all circumstances, prisoners of war are subject to the laws in force of the detaining power. Attention is invited to exhibit C.

13

As illustrative of these violations of international agreements, the American prosecution team in Schwabisch Hall, Germany, would place a helmet hood completely over the head of individual plaintiffs herein, then usually a beating would be administered, after which they would be forced into a completely dark cell which was their trial room. The hood was removed and each plaintiff would see before him a long table, draped with black cloth touching the floor, with candles burning at both ends of the table and a crucifix in the center. Sitting behind this table were varying numbers of American civilians, members of the prosecution team, who were wearing illegally the uniform and rank of United States Army officers. A mock defense counsel, usually an officer of the United States Army on the prosecution team, was furnished these youthful German soldiers, who, although he was not an attorney, held himself out to the plaintiffs herein as their defense counsel. They were informed or led to believe that they were being tried by the Americans for violations of international law. At the other end of the table would be the prosecutor, who would read the charges, yell, and scream at these 18- and 20-year-old plaintiffs and attempt to force confessions from them. If this method of threats failed to force desired false confessions from these plaintiffs, the mock trials would proceed by bringing in

one false witness after another against them, "proving" beyond a doubt by falsehoods that these plaintiffs were guilty of many war crimes. During the entire mock trials these purported defense counsels were making a sham and pretext of defending them. At the end of these illegal trials conducted in the name of the United States of America, these guileful defense attorneys would pretend to make a plea to this purported Army court for mercy. Upon conclusion, these sham courts would render death penalties within 24 to 48 hours by hanging. Thereupon said false defense attorney would express his sympathy, stating that he had done the best he could for these various plaintiffs. After these mock trials, the pretended defense attorney would attempt to, and was in a majority of instances successful in coercing these plaintiffs to sign false and void confessions, admitting any and all charges brought against them, because, as this false defense counsel would in effect say, "You will be hanged in 24 hours, anyway, so why not absolve someone else by taking the blame and writing out this confession I will dictate to you?" Many variations and modifications were made in the conducting of these mock trials which appeared entirely regular to these plaintiffs, as they were devoid of any knowledge of the American Army courts-martial system or war-crimes trials. There were 74 defendants, and there were 74 prosecution-dictated statements. All of the above described acts, deceits, and chicanery of American justice were performed by United States civilians, under Army jurisdiction, and by officers of the United States Army or executed under their immediate supervision and control.

14

As further illustrative of the violations of said international agreements and treaties, many plaintiffs herein at various times were deprived of food for days, all blankets were withdrawn in the middle of winter, many were given severe and frequent beatings and other corporal punishment, many were forced into what was called the death cell for days and weeks, others were given promises of immunity or light sentences if they would sign confessions implicating others, and endless tricks, ruses and so-called stratagem, all performed by these United States civilian employees of the Army or officers or enlisted men in the United States Army, or under their direct supervision, instruction, or acquiescence. Said group of American investigators or a majority of them subsequently became the prosecution team in said Malmedy trial.

15

As illustrative of promises of immunity or hope of reward, various behooded plaintiffs herein would be conducted to a room, then allowed to look out of a window where unknown persons were playing volley ball and similar games, at which time some American member of the prosecution team would urge plaintiffs to sign a confession, stating that they were not interested in punishing them, but were trying to convict their high-ranking officers, and if they would sign these dictated confessions implicating their officers they would be released within a few months and be out playing games with those other boys. Various plaintiffs herein would be assured and promised by the Americans that if they assumed full and complete responsibility for all the acts or alleged crimes committed by the soldiers under them and signed these prosecution-dictated statements or confessions, then the prosecution would not prefer any charges against members of their command.

16

As illustrative of the cruel torture and inhumane treatment of these plaintiffs as well as others in Schwabisch Hall, Germany, while prisoners of war, reference is made to the introduction into evidence of an unsigned statement by Arvid Freimuth, a young German soldier who had been through the various tricks, ruses and stratagem administered by the American prosecution which ended in one of those fateful mock trials. Lt. William R. Perl, an officer of the United States Army, had purportedly defended this youth. He was dictating to Freimuth one of those forced confessions in March 1946. Only 16 pages had been written by this boy and due to the lateness of the hour the completion was delayed until the next day. His death would not occur until then, according to the fake verdict of this false American military court. He was forced to write lies about his comrades in arms pointing to their guilt in crimes never committed. About 2 o'clock in the morning other prisoners heard him crying out in his cell, "I cannot utter another lie," or words to that effect. The body of that 20-year-old German youth was found dead hanging from his prison cell in Schwabisch Hall, Germany, when the guard opened the door a few hours later. The American prosecution was not satisfied with having the blood of this youth on their hands. During the real Malmedy trial the prosecution, over the objection of the defense staff, introduced this unsigned and unfinished statement in evidence against other plaintiffs herein, all with the approval and favorable ruling of the law member of the court. It was then that the American prosecution commenced asking this Lieutenant Perl, under oath, what this dead German youth would have said in his statement if he had lived. This incident is illustrative of the total lack of justice both pretrial and during trial.

17

In furtherance of illustrations wherein violations of international law were carried out by the United States Army investigation team or prosecution, while holding plaintiffs in solitary confinement in Schwabisch Hall, Germany, the investigators would forge the names of certain of plaintiffs' superior officers to confessions or statements, which would completely detail and point out the purported guilt of another accused. Then they would confront these young German soldiers with one or more of these forged statements and induce them to sign confessions to acts never committed by them. Many of plaintiffs herein while in Schwabisch Hall, Germany, would be hooded and taken to the death chamber and there unhooded and shown bullet holes in the wall where gruesome human flesh and hair would be imbedded from one of their "latest executions." By this method the American prosecution would force confessions of crimes never committed. On other occasions various hooded plaintiffs herein would be taken to the hangman's room and there unhooded, placed on a high stool and a hangman's rope placed around their necks. It was then that various plaintiffs herein would, upon belief that they would be hanged forthwith, sign directed statements not only admitting their own guilt of crimes never committed, but implicating other plaintiffs herein of crimes they had committed, which in truth had never been committed.

At the conclusion of many of these mock trials where other ruses had failed, the United States prosecution team would suggest and allow these youthful plaintiffs to write farewell letters to their parents before they would be hanged, which was in furtherance of the duress, scheming, and conniving of the Americans. Also the American prosecution would offer the privilege of seeing a priest in order to secure the "ministration of a Catholic priest before death." The American prosecutors would make many threats of violence and torture directed toward the mothers, fathers, sisters, wives, and children of various accused unless they signed complete confessions of acts and deeds never committed by them, and acts and deeds of other accused never witnessed by them.

18

One favorite ruse of the United States prosecution team in Schwabisch Hall, Germany, was to place plaintiffs in solitary confinement upon first being captured. Those German youths had no knowledge of why they were placed in this penitentiary. For weeks and months they would stay in the same cell without seeing a single person, not allowed to receive or write even a letter to their parents or wives, and not allowed to read anything. Then a stool pigeon would be placed in the same cell who was another German soldier. This youthful plaintiff was anxious to know what it was all about. This prosecution stool pigeon would relate an imaginary story of how he had just been tried by the American Army for shooting many Belgian civilians and maybe a few American soldiers. The stool pigeon would go into much detail about his own trial and then conclude with how light the verdict had been because he had cooperated, admitted everything whether true or not, and had written exactly what the American had dictated. Although he, the stool pigeon, had admitted many murders he had received only 1, 2, or 3 years' confinement for all that he had done. It was only a few days thereafter until that German lad would be hooded and brought before one of these mock trials with the hope and expectation of a light sentence such as the stool pigeon had described if he would sign an American prosecution-dictated statement.

19

All of the foregoing illustrations of violations of international laws, or practically all, were laughingly or jokingly admitted by the American prosecution team during their presentation of their case in the Malmedy trial or on direct examination of the witnesses. At this point these questions strongly suggest themselves: What did the American defense do about these forced confessions at the real Malmedy trial? Why were these confessions admitted as evidence and in many cases constituted the sole and only evidence against certain of these plaintiffs? Attached here, marked "Exhibit C," and made a part of this petition, is a copy of motion to withdraw confessions or statements of accused, which was properly presented and pleaded at the Malmedy trial, but this motion was promptly denied by the ruling of the law member of the court.

20

The question of jurisdiction of the General Military Government Court of the United States of America at Camp Dachau, Germany, is specifically raised because all of the crimes alleged to have been committed occurred within the sovereign state of Belgium and the situs of the crimes lay entirely outside the American occupation zone of Germany. The claim as to jurisdiction by the United States Army was by virtue of the physical custody of plaintiffs herein. Generally speaking, international law has repeatedly ruled that a person must be tried before the forum where the crime was committed. These principles were recognized in the Moscow declaration, the Potsdam declaration, and the London Conference. Reference is made to the Moscow declaration of October 30, 1943, which was entered into by Great Britain, the United States, and the Soviet Republic. The pertinent portion of said agreement touching on the subject presented to this honorable court is herewith quoted:

"German war criminals whose deeds can be localized will be sent back to those countries in which their abominable deeds were done in order that they may be punished

according to the laws of those liberated countries."

Again in the Potsdam declaration of August 2, 1944, entered into at Cecilienhof, near Potsdam, by the United States, Great Britain, and the Soviet Republic, the following is provided under article VII, which reads:

"The three Governments have taken note of the discussions which have been proceeding in recent weeks in London between the British, United States, Soviet, and French representatives, with a view to reaching an agreement on methods of trial of those major war criminals whose crimes under the Moscow declaration of October 1943 have no particular geographical allocalization. The three Governments affirm their intention to bring those criminals to swift and sure justice. They hope that the negotiations in London will result in a speedy agreement being reached for this purpose and they regard it as a matter of great importance that the trial of those major war criminals should begin at the earliest possible date. The first list of defendants will be published before September 1."

This London agreement entered into by the United States, Great Britain, the Soviet Republic, and the provisional government of the French Republic on August 8, 1945, provided as follows:

"Whereas the United States have from time to time made declarations of their intention that war criminals shall be brought to justice and whereas the Moscow declaration of October 30, 1943, on German atrocities in occupied Europe stated that those German officers and men and members of the Nazi Party who have been responsible for or who have taken a consenting part in the atrocities and crimes, will be sent back to the countries in which their abominable deeds were done in order that they may be judged and punished by the laws of those liberated countries and the free government that will be created therein, and whereas this declaration was stated to be without prejudice to the case of major criminals whose offenses have no particular geographical location and who will be punished by the joint decision of the governments of the Allies."

This London agreement went on to establish the International Military Tribunal to be held at Nuremberg, Germany, for the trial of war criminals whose offenses have no particular location. Article IV of this London agreement further provides:

"Nothing in this agreement shall prejudice the provisions established by the Moscow declaration concerning the return of war criminals to the countries where they committed their crimes."

A Central Control Council was instituted for the establishment of a military government in Germany by the four powers (United States, Great Britain, Soviet Republic, and the Provisional French Republic) and to each was allocated a zone of occupation, wherein each power was to establish its own military government. In the United States zone of occupation the military governor was and is the commanding general of the United States forces, European theater. Gneral McNarney, the then commanding general aforesaid, did on January 12, 1946, issue a directive as an amendment to the previous directive dated July 7, 1945, subject "Administration of Military Government in United States Zone in Germany," which embodied Control Council Law No. 10 and reads as follows:

"Article I, Control Council Law No. 10, provides: 'The Moscow declaration of October 30, 1943, concerning responsibility of Hitlerites for committed atrocities and the London agreement of October 8, 1945, concerning prosecution and punishment of major war criminals of the European Axis are made integral parts of the law'."

The military governor was without authority to alter or change the Moscow Declaration, the Potsdam Declaration, or the London agreement. His own orders authorizing the court and requiring officers under his command to act as judges of plaintiffs herein and to direct the prosecutor to draw charges and prepare for their trial was in violation of and inconsistent with his own directive.

21

Petitioner shows that the detention, confinement and restraint of liberty of plaintiffs herein is unlawful and without authority in law in that:

(a) The general military court which tried plaintiffs herein was unlawfully constituted and the individual members or a majority of them were not lawfully appointed to such purported general military court, and said war crimes trial and the proceedings thereof were void ab initio.

(b) On May 10, 1946, the commanding general, Third United States Army, did attempt to appoint to such court eight officers by Special Orders No. 117, and that six of such officers at the time of such purported appointment were not attached to, or under the command of the appointing authority, and that said appointing authority had no command over or authority to control or right to appoint these six officers to said purported general military court.

(c) Further that said six officers, Colonels Berry, Watkins, Raymond, Steward, Conder, and Rosenfeld, were not even subsequently transferred or assigned to said Third United States Army, thereby placing them under the control and authority of said commanding general.

Petitioner thus charges that by virtue of the above orders all members of the purported court with the exception of Brig. Gen. Josiah T. Dalbey and Col. Paul H. Weiland were not subject to the command of the appointing authority, had never been assigned or transferred to the command of the appointing authority, and the appointing authority had no authority in law to appoint said officers with the exception of General Dalbey and Colonel Weiland to the purported court, and therefore the court had no jurisdiction whatsoever over any of the 73 plaintiffs herein or the subject matter thereof, and that the proceedings, trial, and subsequent verdict were void ab initio. Attached hereto and marked exhibit "D" is copy of the Third United States Army order which is made part of this petition.

22

Petitioner shows that only six counsel were assigned him immediately prior to the commencement of this Malmedy trial and several of said attorneys were not adept, experienced, or skilled in defending criminal cases. Petitioner shows that less than 2 weeks' time was allowed by the United States Army to prepare the defense for 74 defendants in the case. At first the chief prosecutor, Lieutenant Colonel Ellis, even refused to turn over these forced confessions to the defense for inspection. Petitioner shows that three meetings of all the plaintiffs herein on different days were required, with their own officers exhorting them to confide in this petitioner and his staff, before it was possible to break down the barrier of mistrust between attorney and client created by the misdeeds of the American prosecution. Each of plaintiffs herein thought this was merely another mock trial. Not even all of the plaintiffs herein could be interviewed prior to the commencement of the Malmedy trial due to lack of interpreters and stenographic help which the United States Army failed to furnish upon repeated requests. Irrespective of many demands of petitioner, as chief defense counsel, insufficient time was given to make any investigation whatsoever prior to the beginning of the trial. Vigorous protests were made to the proper officers of the Third Army and the united forces, European theater, over the lack of time to prepare the defense, the lack of assistants required to make an investigation, and the questionable actions of the chief prosecutor and his staff.

23

As illustrative of the inadequacy of time to properly prepare a defense for the 74 defendants in the Malmedy case and the falsity of the confessions forced from the plaintiffs herein, reference is made to two atrocities alleged to have been committed by certain ones of the plaintiffs. When the prosecution rested its case, a few days were allowed the defense staff to interview witnesses and plan the defense for their 74 defendants. An officer was sent to Belgium and he investigated an incident in Wanne, Belgium, where it was alleged that one of plaintiffs herein had entered the house of a Belgian civilian and without provocation murdered a woman while she was sitting in her chair. This plaintiff in a forced false confession fully admitted the commission of this war crime and four or five of his codefendants swore to the same facts in their forced false confessions and related every detail exactly the same. This defense officer brought back an affidavit by the husband of the purportedly murdered woman to the effect that his wife had been killed during enemy action, but that his wife was standing in the street in front of his home when an American artillery shell exploded and killed her. This statement was properly sworn to before his priest.

The second illustration of the falsity of these forced false confessions relating to alleged atrocities concerned certain incidents within the churchyard at La Gleize, Belgium. Certain ones of plaintiffs herein admitted, in their forced false confessions, placing two or three groups of surrendered American soldiers, numbering 20 to 30, against the inside wall of this churchyard and shooting them down in cold blood with machine guns. The defense investigation developed the fact that there was no inside wall of the churchyard, but merely an outside retaining wall. The priest furnished this defense officer with a sworn affidavit that he was present in the church the entire time of the battle and alleged crimes, that he had examined the outside walls of the churchyard and no sign of any bullet marks were visible, that no such atrocities had ever been committed in the vicinity of his church, and that the only dead Americans he had seen in the town was the body of one in an American tank which was burned beyond recognition, and finally that on the afternoon the crimes were purportedly occurring he had walked along the outside wall and no dead Americans were there. Many more of the plaintiffs herein had corroborated these same detailed purported crimes under oath, but in forced false confessions. No additional time was given the defense staff to investigate each and every charge, although repeated requests were made.

24

On several occasions when witnesses were requested for various plaintiffs herein the members of the American prosecution staff would call them into their office before they could even be interviewed by the defense staff and would threaten them with being made defendants in the Malmedy case if they testified as to any knowledge of certain incidents and thereupon took sworn statements under duress from these witnesses to the effect that they knew nothing. Tampering with witnesses in the Malmedy trial was not an uncommon occurrence on the part of the United States Army prosecution staff.

25

Many witnesses for the prosecution were interviewed by the defense staff after they had testified on the witness stand and several were returned to the stand by the defense who thereby adopted them as their

witnesses. In each case they positively denied any truth in their original testimony and freely admitted perjury, giving as their reason therefor that they had been the victims of force, duress, beatings, and other forms of torture. However, when details of the beatings, etc., were requested, the prosecution would object and the law member of the court would always sustain the objection and prevent the evil and ruthless tactics of the prosecution from being further exposed in open court.

26

As illustrative of violations of the laws of all civilized nations the following is given. The relation of attorney and client is one of universal application. During the presentation of the defense of these plaintiffs, petitioner was in court with all his assistant counsel and all of the defendants, when petitioner noticed Lieutenant Perl slip into the bunker or long cell block where defendants slept. Shortly thereafter he was observed slipping out with an armful of papers. No American was allowed in this building as directed by competent American military authority. Lieutenant Perl then reported to the chief prosecutor, Lieutenant Colonel Ellis, and after a short conference went out of the court room. Within a few minutes petitioner secured the assistance of the officer of the guard who then surprised Lieutenant Perl in the chief prosecutor's office, and he admitted taking the private notes and papers written by the accused to their defense counsel and was translating them in accordance to instruction of Lieutenant Colonel Ellis.

During the course of the said Malmedy trial one or more of the prosecution staff would approach the wives of plaintiffs herein who were attending said trial and falsely represent themselves to be members of the defense staff. While posing as their husband's defense attorney they would attempt to gain further information about any and all privileged communications between husband and wife.

27

In addition to the absolute grounds of total lack of jurisdiction by this alleged court, petitioner has dealt briefly with many details which are recognized as not pertaining exclusively to the subject matter of jurisdiction, but in consideration of the broadened view of recent cases in the United States Supreme Court and Federal courts, it now appears a well-established rule that other matters such as due process may be inquired into by this honorable Court.

28

Petitioner charges that the misconduct of the chief prosecutor in the sanctioning of said acts and many of his staff in the execution of said acts was of such a grave character, both before and during the trial, that it rendered the entire proceedings void. In addition to illustrations hereinabove enumerated, the abusive manner of members of the prosecution staff in the questioning of plaintiffs herein as well as witnesses for the defense in open court was so offensive that it became necessary for the petitioner to call two recesses during the trial and advise all the plaintiffs herein not to take the stand in their own behalf. Finally, early in July 1946, petitioner, as chief defense counsel, announced in open court that he was taking the full responsibility in preventing the remaining defendants from taking the stand in their own behalf and further testifying as to the force, duress, and so-called tricks of the prosecution because the fear of those prosecutors lingers on.

29

Petitioner requested from the United States Army copies of the record of the Malmedy trial held during May, June, and July 1946, but the same was refused. For that reason petitioner is unable to give with certainty exact names, dates, quotations, facts, and places that involve the mass trial of 74 defendants and which covered a period in excess of 2 months. Furthermore, this trial was concluded almost 2 years ago.

30

Petitioner shows that from the best information available, three reviews of said case were made by the Deputy Judge Advocate for War Crimes and one review by the Judge Advocate, European Command, but petitioner has not received any of said reviews. Further, that on or about March 20, 1947, Gen. Lucius D. Clay, Commanding General, European Command, pronounced final judgment on plaintiffs herein. That execution of the death penalties will be carried out on Valentin Bersin, Friedel Bode, Kurt Briesemeister, Friedrich Christ, Josef Diefenthal, Ernst Goldschmidt, Hubert Huber, Paul Herman Ochmann, Joachim Peiper, Georg Preuss, Erich Rumpf, and Paul Zwigart on or about the 20th day of May 1948.

31

Petitioner further shows that much time and effort has been spent following the final verdict in said Malmedy trial pointing out many defects, deficiencies, and incorrect rulings during the course of said trial by preparing a brief based on the record and filing the same with the original record. Copy of said brief is hereto attached and marked "Exhibit E" and made a part of this petition. Due and impartial consideration was not and could not be given to said brief because the appointing authority was directed by the reviewing authority to try these plaintiffs and no latitude or freedom of judicial action could be accorded under such circumstances.

32

Petitioner has just received a petition addressed to this honorable court from Dr. jur, Eugen Leer, a Germany attorney who was an assistant to petitioner during said Malmedy trial. Said petition, it is believed, points out additional facts of other force, duress, cruel and inhuman treatment against certain plaintiffs herein by the American prosecution which was unknown at the time of said trial. Said petition is substantiated by various sworn statements of witnesses as well as medical examiners. Said petition is in German, and your petitioner has no English translation thereof and is unable to present the same either separately or in conjunction with this petition. After translation, permission is requested to amend this petition by adding the same hereto if its contents speak to the issues herein. Said petition is addressed as follows: To: Supreme Court, via chief defense counsel, Col. Willis M. Everett, Connally Building, Atlanta, Ga.

33

That such imprisonment and restraint of plaintiffs is not by virtue of any process issued by a court of the United States, or by a judge or commissioner or other officer thereof in a case where such court, judge, commissioner or officer thereof had, or has acquired, exclusive jurisdiction under the laws of the United States, and

That such imprisonment and restraint is not by virtue of any judgment or decree of a competent tribunal of criminal jurisdiction, nor by virtue of an execution issued upon such judgment or decree, and

That the cause or pretense of such imprisonment and restraint is by virtue of the verdict and sentences of the illegally appointed general military court at Dachau, Germany, on July 16, 1946, and

That there is no judge or officer in Germany or Europe competent to issue or grant a writ of habeas corpus or other legal remedies, and

That none of plaintiffs herein has any funds to defray the expenses in connection with the bringing a writ of habeas corpus in any other court, thereafter perfecting an appeal to this honorable Court, and under existing statutes and the decisions of the Federal courts no alien is permitted to proceed in forma pauperis, and

That the commandant of the Landsberg prison is an officer of the United States Army but is not made a respondent herein because he is not situated within the jurisdiction of this honorable Court and cannot be served with any process of this honorable Court. However, said commandant derives his power from and is subject to the direction and commands of the respondents Harry S. Truman, James V. Forrestal, Kenneth C. Royall, and Gen. Omar N. Bradley, all of whom are located within the jurisdiction of this honorable Court, and

That the facts hereinabove stated are questions of great moment and many difficulties are involved, to such an extent that both the principles of law and facts clearly classify this petition for a writ of habeas corpus as an exceptional matter. The case is therefore one within the jurisdiction of the Supreme Court of the United States.

Wherefore petitioner on behalf of plaintiffs named in the opening paragraph of this petition respectfully prays:

1. That a writ of habeas corpus issue directed to Harry S. Truman as Commander in Chief of the armed forces of the United States of America, Washington, D. C.

2. That a writ of habeas corpus issue directed to James V. Forrestal, Secretary of Defense of the United States, Washington, D. C.

3. That a writ of habeas corpus issue directed to Kenneth C. Royall, Secretary of the Army of the United States, Washington, D. C.

4. That a writ of habeas corpus issue directed to Gen. Omar N. Bradley, Chief of Staff of the Army of the United States, Washington, D. C.

5. That service be perfected on Thomas C. Clark, Attorney General of the United States, Washington, D. C.

6. That respondents Harry S. Truman, James V. Forrestal, Kenneth C. Royall and Gen. Omar N. Bradley be directed to withhold instantly any action contemplated in the execution or hanging of any of the plaintiffs herein by the commandant of the Landsberg prison in Germany until further order of this Court.

7. That respondents be required to furnish any necessary copies of the original record and all allied papers, documents, and exhibits to this honorable Court and furnish petitioner with two copies of the original record and all allied papers, which shall include two copies of all reviews made in said Malmedy case.

8. That, after sufficient time has been afforded petitioner to read and study the proceedings of the trial and reviews, petitioner may amend or make additions to this petition to conform to the record if any changes are necessary.

9. That respondents furnish to petitioner any necessary German-English translations of papers and documents received from plaintiffs or their German attorneys in connection with this case.

10. That respondents shall be required to cooperate with petitioner in the taking and securing of any necessary depositions of plaintiffs herein or of witnesses to the extent that the truth may be freely testified to, rather than the fear of prosecution. Also that depositions may be had, where necessary, from members of the prosecution staff; and

11. That respondents shall do what this honorable Court shall order and direct concerning the illegal detention and restraint of plaintiffs herein.

WILLIS M. EVERETT, Jr.,
Petitioner.

(Willis M. Everett, Jr., 402 Connally Building, Atlanta, Ga., attorney for petitioner and plaintiffs; Everett & Everett, attorneys of counsel.)

STATE OF GEORGIA,
County of Fulton, ss:

Personally appeared before me Willis M. Everett, Jr., who, being duly sworn, deposes and says:

1. That affiant is a citizen and resident of the State of Georgia;

2. That affiant is the petitioner named above; and

3. That affiant has read the foregoing petition and knows the contents thereof and that the same are true of my own knowledge except as to the matters therein which are on information and belief, and as to those matters affiant believes them to be true.

4. That affiant has carefully examined the case and has just cause and verily believes that because of poverty, petitioners are unable to pay costs or give security therefor. It is further stated with certainty that no agreement or understanding has been entered into between plaintiffs herein and this affiant for any compensation for the services of affiant and there is no understanding to pay this affiant on the part of anyone whatsoever in or on behalf of plaintiffs herein.

WILLIS M. EVERETT, Jr.

Sworn to and subscribed before me this 11th day of May 1948.

[SEAL] MARY EVERETT TOWNSEND,
Notary Public, State of Georgia at Large.

My commission expires April 2, 1950.

EXHIBIT A

Internal route slip, headquarters, U. S. forces, European theater

APRIL 26, 1946

DISCHARGE OF GERMAN PRISONERS OF WAR

No.	From	Pass to	Date	Has this paper been coordinated with all concerned?
1	JA., War Crimes Branch.	G-1, German Affairs Group.	Apr. 26, 1946	1. The Malmedy War Crimes case involving seventy-four (74) members of the German military establishment is scheduled to go to trial at Dachau, Germany, on or about May 2, 1946. 2. In order to preclude the possibility of legal complications arising with respect to the trial of the case, it is desirable that the provisions of "Disbandment Directive No. 8," Headquarters, United States Forces, European Theater, dated February 16, 1946, be carried out at once. It is therefore requested that the perpetrators in this case named in the attached list, now in custody at Dachau, be immediately discharged as prisoners of war and documented as civilian internees. 3. It is requested that this office be advised when documentation as civilian internees has been accomplished. (S) C. B. MICKELWAIT, *Colonel, JAGD,* *Deputy Theater Judge Advocate.* 1 encl., as stated. Telephone Wiesbaden 8707. Forwarded for your immediate action. For the A C of S, G-1: (S) HAL H. COOK, *Lieutenant Colonel, GSC.* 1 encl: n/c (For J. M. Coleman, Lieutenant Colonel, GSC, Chief, German Affairs Branch).
3	TPM USFET....	G-1, German Affairs, JA War Crimes Branch (in turn).	May 31, 1946	Documentation as civilian internees as requested in c/n above was completed on May 9, 1946. For and in the absence of the Theater Provost Marshal: (S) FREDERICK R. LAFFERTY, *Colonel, Cavalry,* *Deputy Theater Provost Marshal.* /51, 3-3771 1 encl: n/c
4	G-1 GA Br.....	JA War Crimes Branch.....	June 4, 1946	GA/RWG/cws/2-4607. Request contained in Minute No. 1 has been complied with. For the A. C. of S., G-1. (S) A. F. S. MACKENZIE, *Lieutenant Colonel, GSC,* *Acting Chief, German Affairs Branch.* Encl: n/c

EXHIBIT B

MILITARY GOVERNMENT COURT—CHARGE SHEET

DACHAU, GERMANY, *April 11, 1946.*

Names of the accused: Valentin Bersin, Friedel Bode, Marcel Boltz, Willi Braun, Kurt Briesemeister, Willi Von Chamier, Friedrich Christ, Roman Clotten, Manfred Coblenz, Josef Diefenthal, Josef (Sepp) Dietrich, Fritz Eckmann, Arndt Fischer, Georg Fleps, Heinz Friedrichs, Fritz Gebauer, Heinz Gerhard Godicke, Ernst Goldschmidt, Hans Gruhle, Helmut Haas, Max Hammerer, Armin Hecht, Willi Heinz Hendel, Hans Hennecke, Hans Hillig, Heinz Hofman, Joachim Hofman, Hubert Huber, Siegfried Jakel, Benoni Junker, Friedel Kies, Gustav Knittel, Georg Kotzur, Fritz Kraemer, Werner Kuhn, Oskar Klingelhoefer, Herbert Losenski, Erich Mauto, Arnold Mikolaschek, Anton Motzheim, Erich Munkemer, Gustav Neve, Paul Hermann Ochmann, Werner Pedersen, Joachim Peiper, Hans Pletz, Georg Preuss, Hermann Priess, Fritz Rau, Theo Rauh, Heinz Rehagel, Rolf Roland Reiser, Wolfgang Richter, Max Reidder, Rolf Ritzer, Axel Rodenburg, Erich Rumpf, Willi Schaefer, Rudolf Schwanbach, Kurt Sickel, Oswald Siegmund, Franz Sievers, Hans Siptrott, Gustav Adolf Sprenger, Werner Sternebeck, Herbert Stock, Erwin Szyperski, Edmund Tomczak, Heinz Tomhardt, August Tonk, Hans Trettin, Johann Wasenberger, Erich Werner, Otto Wichmann, Paul Zwigart, are hereby charged with the following offenses:

First charge: Violation of the laws and usages of war.

Particulars: In that Valentin Bersin, Friedel Bode, Marcel Boltz, Willi Braun, Kurt Briesemeister, Willi Von Chamier, Friedrich Christ, Roman Clotten, Manfred Coblenz, Josef Diefenthal, Josef (Sepp) Dietrich, Fritz Eckmann, Arndt Fischer, Georg Fleps, Heinz Friedrichs, Fritz Gebauer, Heinz Gerhard Godicke, Ernst Goldschmidt, Hans Gruhle, Helmut Haas, Max Hammerer, Armin Hecht, Will Heinz Hendel, Hans Hennecke, Hans Hillig, Heinz Hofmann, Joachim Hofmann, Hubert Huber, Siegfried Jakel, Benoni Junker, Friedel Kies, Gustav Knittel, Georg Kotzur, Fritz Kraemer, Werner Kuhn, Oskar Klingelhoefer, Herbert Losenski, Erich Maute, Arnold Mikolaschek, Anton Motzheim, Erich Munkemer, Gustav Neve, Paul Hermann Ochmann, Werner Pedersen, Joachim Peiper, Hanz Pletz, Georg Preuss, Hermann Priess, Fritz Rau, Theo Rauh, Heinz Renagel, Rolf Roland Reiser, Wolfgang Richter, Max Rieder, Rolf Ritzer, Axel Rodenburg, Erich Rumpf, Willi Schaefer, Rudolf Schwambach, Kurt Sickel, Oswald Siegmund, Franz Siever, Hans Siptrott, Gustav Adolf Sprenger, Werner Sternebeck, Herbert Stock, Erwin Szyperski, Edmund Tomczak, Heinz Tomhardt, August Tonk, Hans Trottin, Johann Wasenberger, Erich Werner, Otto Wichmann, Paul Zwigart, German nationals or persons acting with German nationals, being together concerned as parties, did, in conjunction with other persons not herein charged or named, at or in the vicinity of Malmedy, Honsfeld, Buellingen, Ligneuville, Stoumont, La Gleize, Cheneux, Petit Thier, Trois Ponts, Stavelot, Wanne, and Lutrebois, all in Belgium, at sundry times between December 16, 1944, and January 13, 1945, willfully, deliberately, and wrongfully permit, encourage, aid, abet, and participate in the killing, shooting, ill-treatment, abuse, and torture of members of the armed forces of the United States of America, then at war with the then German Reich, who were then and there surrendered and unarmed prisoners of war in the custody of the then German Reich, the exact names and numbers of such persons being unknown but aggregating several hundred, and of unarmed Allied civilian nationals, the exact names and numbers of such persons being unknown.

HOWARD F. BRESEE,
Colonel, CMP, Army of the United States, officer preferring charges.

The above charges are referred for trial to the general military court appointed by paragraph 24, Special Order No. 90, Headquarters Third United States Army, dated April 9, 1946, to be held at Dachau, Germany, on or about May 2, 1946.

By command of Lieutenant General Keyes:

W. G. CALDWELL,
Colonel, Adjutant General's Dept., Acting Adjutant General.

EXHIBIT C

IN A GENERAL MILITARY GOVERNMENT COURT OF THE UNITED STATES OF AMERICA, CAMP DACHAU, GERMANY

In the matter of the accused, Bersin, Valentin, et al.

Motion to withdraw confessions or statements of accused

1. Now come the defendants or accused and move to withdraw all their statements or confessions and expunge all reference thereto from the record.

A. (1) All of the above defendants were prisoners of war until April 11, 1946, which date was the day of the service of charges against each defendant. On and after April 11, 1946, each of the defendants was removed from the status of prisoner of war and became accused war criminals.

(2) The only law controlling this point is the Yamashita case in the Supreme Court of the United States of America which is quoted as follows:

"The day of final reckoning for the enemy arrived in August 1945. On September 3, the petitioner surrendered to the United

States Army at Baguio, Luzon. He immediately became a prisoner of war and was interned in prison in conformity with the rules of international law. On September 25, approximately 3 weeks after surrendering, he was served with the charge in issue in this case. Upon service of the charge he was removed from the status of a prisoner of war and placed in confinement as an accused war criminal."

Although this opinion is in Justice Murphy's minority opinion, it is in no sense a dissent from the majority opinion, as the issue was not raised in the petition. The majority opinion is therefore silent on this subject and the Court was not asked to decide this point. No other law or decision touches on this "change of status" and this expression of fact is the controlling law.

B. (1) Under the Geneva Convention, they, as prisoners of war, must be humanely treated and protected, particularly against acts of violence and insults. They should be equally treated. No coercion may be used on them to secure information, and under no circumstances will they be threatened, insulted, or exposed to unpleasant or disadvantageous treatment of any kind whatever. They are entitled to have their honor and person respected. They must have sanitation, open air, and exercise. Under all circumstances, prisoners of war are subject to the laws in force of the detaining power. Does solitary confinement for months or black hoods or mock trials or stool pigeons meet the dignified provisions of the Geneva Convention?

(2) Chapter 6, Prisoners of War of Geneva Convention of July 1929:

(a) Under article 2 the following applicable paragraph is quoted: "They must at all times be humanely treated and protected, particularly against acts of violence, insults, and public curiosity."

(b) Under article 3 the following applicable paragraphs are quoted: "Prisoners of war have the right to have their person and their honor respected. Difference in treatment among prisoners is lawful only when it is based on the military rank, state of physical or mental health, professional qualifications, or sex of those who profit thereby."

(c) Under article 5 the following applicable paragraph is quoted: "No coercion may be used on prisoners to secure information relative to the condition of their army or country. Prisoners who refuse to answer may not be threatened, insulted, or exposed to unpleasant or disadvantageous treatment of any kind whatever."

(d) Under article 9 the following applicable parts of paragraphs are quoted: "They may also be interned in enclosed camps; they may not be confined or imprisoned except as an indispensable measure of safety or sanitation, and only while the circumstances which necessitate the measure continue to exist."

(e) Under article 10 the following applicable paragraph is quoted: "Prisoners of war shall be lodged in buildings or in barracks affording all possible guarantees of hygiene and healthfulness."

(f) Under article 13 the following applicable paragraph is quoted: "It shall be possible for them to take physical exercise and enjoy open air."

(g) Under article 21 the following applicable paragraph is quoted: "Officers and persons of equivalent status who are prisoners of war shall be treated with the regard due to their rank and age."

(h) Under article 45 the following paragraph is quoted: "Prisoners of war shall be subject to the laws, regulations, and orders in force in the armies of the detaining power."

(i) Under article 46 the following applicable paragraph is quoted: "Any corporal punishment, any imprisonment in quarters without daylight, and, in general, any form of cruelty, is forbidden."

(j) Under article 56 the following applicable paragraphs are quoted: "In no case may prisoners of war be transferred to penitentiary establishments (prison, penitentiaries, convict prisons, etc.) there to undergo disciplinary punishment. These prisoners shall every day be allowed to exercise or to stay in the open air at least 2 hours."

C. (1) As prisoners of war under the Geneva Convention, all confessions were extracted by using varying degrees of force, duress, trickery, deception, mock trials, ceremonies, including the passing of judgment on those accused. In every situation involving a stress on the physical well-being, the natural impulses dominate the reasoning faculties. Any alternative that promises relief from a present intolerable situation is accepted without regard to consequences. When the primary feelings are stirred, the reasoning faculties are practically suspended. Under a promise or inference of relief, a person will choose to make a false confession as the speediest way to make his freedom certain. The question arises: Was the situation such that there is a reasonable probability that the accused made a false statement under duress? If so, the confession must be excluded.

(2) Attention is drawn to the opening statement of the prosecution in which the following language was used: "Despite the youth of these suspects, it took months of continuous interrogation in which all the legitimate tricks, ruses, and stratagems known to investigators were employed. Among other artifices used were stool pigeons, witnesses who were not bona fide, and ceremonies."

The prosecution's own witnesses testified on direct examination as follows:

"Question. Did you use any ceremony of any kind in the interrogation of Neve?

"Answer. I guess you would call it a ceremony. We used sort of a mock trial, I guess you would call it. We had whoever wasn't busy sitting in the chairs behind the table, posing as officers hearing the testimony. First the witnesses that we had against him were brought in, and if they were bona fide witnesses, they were sworn. And the interrogator sat down at a table with him and took notes, or maybe he started writing the statement right then.

"Question. Do you know whether or not the accused (sic) were confronted with witnesses who were not bona fide?

"Answer. I know that they were.

"Question. Do you know whether or not the interrogators ever raised their voices during interrogation?

"Answer. I am sure they did.

"Question. Do you know whether or not suspects ever broke down and cried after they had confessed?

"Answer. I saw a few; yes, sir.

"Question. Did they cry silently or did they sob out loud?

"Answer. I think out loud, sir.

"Question. Do you recall any other methods used for eliciting information other than you have already described?

"Answer. No special methods. Each interrogator had his own bag of psychological tricks, you might call it."

D. (1) The laws of military courts martial certainly control insofar as these accused are concerned up to the moment they were served with charges, alleging war crimes, at which time the Supreme Court has ruled that their status changes to a suspected war criminal. Under our court-martial laws no confession could be used and admitted against another jointly accused. In view of the position of authority of the prosecution staff, it will go without contravention that all the accused were in an inferior position and confessions to superiors should be regarded as clearly incompetent. It is not believed that by the widest stretch of imagination could these confessions or statements be used in a trial by courts martial due to the varying degrees of force and duress employed by the prosecution. On the other hand, it is readily conceded that if these statements had been subsequently reexecuted after the accused became suspected war criminals, no grounds for this motion would exist.

(2) On page 329 of Winthrop's Military Law and Precedents, we find the following language with appropriate substantiating cases: "In military cases, in view of the authority and influence of superior rank, confessions made by inferiors, especially when ignorant or inexperienced, and held in confinement or close arrest, should be regarded as incompetent unless very clearly shown not to have been unduly influenced. Statements, by way of confessions, made by an inferior under charges to a commanding officer, judge advocate, or other superior whom the accused could reasonably believe capable of making good his words, upon even a slight assurance of relief or benefit by such superior, should not in general be admitted. And it has been similarly ruled in cases of confessions made by soldiers, upon assurances held out, or intimidation resorted to, by noncomissioned officers."

On page 427, section 493, of Evidence from American Jurisprudence, the following is quoted as a clear statement of the law on confession implicating several persons: "The voluntary confession of a codefendant or coconspirator made after the commission of a crime or the termination of the conspiracy cannot be admitted against the other defendants when such confession was not made in their presence and assented to by them, even though the several defendants are being tried jointly."

This principle is briefly confirmed on page 327 of Winthrop's Military Law and Precedents, as follows: "A judge advocate upon a military trial may desire to keep out of sight a portion of confessions because it implicates parties other than the accused; but this is a reason not recognized as sufficient at law, since a confession is not evidence against any person (not an accomplice) other than the one who makes it."

E. The alleged confessions or statements of these accused are absolutely void and not admissible in evidence in this case. The laws of our Nation provide that a man should have only one wife at a time, and any subsequent marriage without appropriate divorce decrees render the second marriage void. The contracts of minors are void unless subsequent ratification after they reach their majority. The contracting of a party to commit a crime is void. Certain prerequisites are necessary to make a note negotiable, such as date due, a sum certain to be paid, etc., and without those elements they are void. So in criminal laws certain safeguards surround confessions or statements, in order to be admissible and not void. As previously outlined, international law laid down certain safeguards for treatment of prisoners of war, and any confession or statement extracted in violation thereof is not admissible in a court martial or any subsequent trial under a code set up by military government. If a confession from a prisoner of war is born in a surrounding of hope of release or benefit, or fear of punishment or injury, inspired by one in authority, it is void in its inception and not admissible in any tribunal of justice. Could anyone, by artifice, conjure up the theory that the military government rules and ordinances are superior to the solemn agreements of international law as stated in the Geneva Convention of 1939? Is this Court willing to assume the responsibility of admitting these void confessions? Is this Court willing to condemn these accused on written statements that are stained with illegality, due to their being obtained in the first instance in violation of the Geneva Convention to which our Nation is a signatory

and which has been championed from its inception?

F. That the so-called confessions or statements of these accused must be excluded from the record is apparent. It is not believed that the Court will put itself in the anomalous position of accepting statements into evidence which were elicited from prisoners of war in contravention of the Geneva Convention and therefore a violation of the rules of land warfare on the one hand and turn squarely around and mete out punishment for other acts which they deem violation of the same laws. To do so would be highly inconsistent and subject the Court and all American military tribunals to just criticism.

EXHIBIT D

HEADQUARTERS,
THIRD UNITED STATES ARMY,
APO 403, May 10, 1946.

SPECIAL ORDERS NO. 117—EXTRACT

32. Pursuant to authority delegated to the commanding general, Third United States Army, by Commanding General, United States Forces, European Theater, a General Military Court consisting of the following officers is hereby appointed to meet at the time and place designated by the President thereof for the trial of such persons as may be properly brought before it.

Detail for the court

Brig. Gen. Josiah T. Dalbey, [redacted], United States Army Headquarters, Third Infantry Division.

Col. Paul H. Weiland, [redacted], FA, Headquarters, Third United States Army.

Col. Lucien S. Berry, [redacted], Cav., Ninth Infantry Division.

Col. James G. Watkins, [redacted], FA, Thirty-second FA Brigade.

Col. Robert R. Raymond, Jr., [redacted], FA, Ninth Infantry Division.

Col. Wilfred H. Steward, [redacted], CAC, Headquarters Thirty-first AAA Brigade.

Col. Raymond C. Conder, [redacted], FA, Headquarters Ninth Infantry Division.

Col. A. H. Rosenfeld, [redacted], Inf., Headquarters USFET.

Lt. Col. Granger G. Sutton, [redacted], Inf., Headquarters USFET, Trial Judge Advocate.

Lt. Col. Homer B. Crawford, [redacted], AC, Headquarters USFET, Assistant Trial Judge Advocate.

Capt. Raphael Shumacker, [redacted], CMP, Headquarters USFET, Assistant Trial Judge Advocate.

First Lt. Robert E. Byrne, [redacted], JAGD, Headquarters USFET, Assistant Trial Judge Advocate.

Mr. Morris Elowitz, US CIV, Assistant Trial Judge Advocate.

Col. Willis M. Everett, Jr., [redacted], MI, Headquarters USFET, Defense Counsel.

Lt. Col. John S. Dwinell, [redacted], CAC, Headquarters USFET, Assistant Defense Counsel.

Capt. B. N. Narvid, [redacted], CE, Headquarters USFET, Assistant Defense Counsel.

Second Lt. Wilbert J. Wahler, [redacted], JAGD, Headquarters USFET, Assistant Defense Counsel.

Mr. Herbert T. Strong, US CIV, Assistant Defense Counsel.

Mr. Frank Walters, US CIV, Assistant Defense Counsel.

The employment of stenographic assistance is authorized.

By command of Major General Parker:

DON E. CARLETON,
Colonel, General Staff Corps, Chief of Staff.

W. G. CALDWELL,
Colonel, Adjutant General's Department, Acting Adjutant General.

PRINTING OF ADDITIONAL COPIES OF HEARINGS ON EXTENSION OF EUROPEAN RECOVERY PLAN

Mr. CONNALLY. Mr. President, from the Committee on Foreign Relations, I ask unanimous consent to report an original resolution, and request its immediate consideration.

There being no objection, the resolution (S. Res. 87) was considered by unanimous consent and agreed to, as follows:

Resolved, That 1,000 additional copies of the hearings held before the Committee on Foreign Relations on extension of the European recovery program be printed for the use of said committee.

ADDITIONAL TIME TO FILE REPORT ON ECA BILL

Mr. CONNALLY. Mr. President, I ask unanimous consent that the Committee on Foreign Relations may have 48 hours additional time in which to file its report on the ECA bill.

The VICE PRESIDENT. Without objection, it is so ordered.

REPORTS OF A COMMITTEE

The following reports of a committee were submitted:

By Mr. TYDINGS, from the Committee on Armed Services:

S. 1219. An original bill removing certain restrictions and conditions imposed by section 2 of the act of May 27, 1936, on certain of the lands conveyed by such act to the city of Charleston, S. C.; and for other purposes (Rept. No. 103);

H. R. 2216. A bill to amend the National Security Act of 1947 to provide for an Under Secretary of Defense; without amendment (Rept. No. 104);

H. R. 2485. A bill to authorize the attendance of the United States Marine Band at the Eighty-third and Final National Encampment of the Grand Army of the Republic to be held in Indianapolis, Ind., August 28 to September 1, 1949; without amendment (Rept. No. 105); and

H. R. 2663. A bill to provide for the administration of the Central Intelligence Agency, established pursuant to section 102, National Security Act of 1947, and for other purposes; without amendment (Rept. No. 106).

EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. TYDINGS:

S. 1218. A bill to provide for a preliminary examination and survey for the construction of a channel from the yacht basin at Havre de Grace to connect with the Oakington Channel; to the Committee on Public Works.

(Mr. TYDINGS, from the Committee on Armed Services reported an original bill (S. 1219) removing certain restrictions and conditions imposed by section 2 of the act of May 27, 1936, on certain of the lands conveyed by such act to the city of Charleston, S. C.; and for other purposes, which was ordered to be placed on the calendar.)

CONFIRMATION OF CERTAIN NOMINATIONS IN THE ARMED SERVICES

Mr. TYDINGS. Mr. President, from the Committee on Armed Services, I report numerous routine promotions in the Army, the Navy, and in the Air Force, and, as in executive session, I ask unanimous consent for their immediate consideration, and that the President may be notified of the confirmations.

The VICE PRESIDENT. Is there objection to the present consideration as in executive session of the promotions in the armed services? The Chair hears none, and without objection, the nominations are confirmed, and the President will be notified.

JOHN ERICSSON, CITIZEN OF THE WORLD—ADDRESS BY SENATOR JOHNSON OF COLORADO

[Mr. JOHNSON of Colorado asked and obtained leave to have printed in the RECORD a program for a memorial ceremony at the John Ericsson Monument in Washington, D. C., on March 9, 1949, together with the speech delivered by him on that occasion, which appears in the Appendix.]

REQUEST FOR CONSIDERATION OF ROUTINE BUSINESS

Mr. LUCAS. Mr. President, in view of the present situation, I ask unanimous consent that all Senators who at this time desire to submit matters for the RECORD or introduce bills or joint resolutions may be permitted to do so, as though it were in the morning hour, without debate, and without prejudicing or changing the parliamentary situation.

The VICE PRESIDENT. Is there objection?

Mr. CAIN. Mr. President, reserving the right to object; yesterday the distinguished floor leader, the Senator from Illinois, a man whom I consider to be a very good friend, imposed an extremely severe and most unusual form of gag rule against one of his constituents and some of mine. I wonder if the Senator from Illinois intends to act now as he did yesterday in his self-imposed role of censor for what is offered for the Appendix of the RECORD.

Mr. LUCAS. I cannot answer that question until the Senator makes his unanimous consent request.

Mr. CAIN. The Senator from Illinois has made a unanimous consent request to permit all Senators to submit matters for the RECORD.

Mr. LUCAS. That is correct. I cannot answer the Senator's question as the situation now is. If the Senator from Washington desires to object——

Mr. CAIN. The Senator from Washington does object.

The VICE PRESIDENT. Objection is made.

Mr. FERGUSON. Mr. President, I want to send to the desk a bill for appropriate reference.

Mr. LUCAS. Objection has been made.

The VICE PRESIDENT. The Senator from Illinois is recognized.

Mr. FERGUSON. Will the Senator from Illinois yield to me for the purpose of introducing a bill?

Mr. LUCAS. I yield to the Senator from Michigan for that purpose.

Mr. FERGUSON. Out of order, Mr. President, I ask unanimous consent to send to the desk a bill for appropriate reference.

The VICE PRESIDENT. Unless unanimous consent is given to the Senator from Illinois to yield to the Senator from Michigan for that purpose, it cannot be done.

Mr. WHERRY. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. WHERRY. If the Senator from Michigan were to obtain the floor by reason of the majority leader yielding to him, would it not be in order for the Senator from Michigan to ask unanimous consent to introduce a bill?

The VICE PRESIDENT. Under the rule the Senator from Illinois can yield to the Senator from Michigan only for a question.

Mr. WHERRY. But if the Senator from Illinois were to yield to the Senator from Michigan for a question, could not the Senator from Michigan propound a question in the form of a request for unanimous consent to introduce a bill?

The VICE PRESIDENT. The Senator from Illinois could ask unanimous consent to yield to the Senator from Michigan to introduce a bill, without prejudicing the parliamentary situation.

Mr. LUCAS. Mr. President, I ask unanimous consent that I may yield to the Senator from Michigan for the purpose of introducing a bill, without thereby prejudicing the parliamentary situation.

The VICE PRESIDENT. Is there objection?

Mr. CAIN. I object.

The VICE PRESIDENT. The Senator from Washington objects.

PRESENTATION OF CLOTURE PETITION

Mr. LUCAS. Mr. President, in a few minutes I shall send to the desk a petition to end debate on the motion to take up the Hayden-Wherry resolution.

This subject has occupied the attention of the Senate for 10 long days. None of us in this Chamber, I am sure, holds the idea that debate ought ever to be closed before the subject under consideration has been thoroughly explored. Full and free debate lies at the very heart of the democratic process. But the privilege of full debate carries with it the responsibility for eventual action.

In my judgment, the time for action has arrived. I respectfully submit that 10 days is more than ample time fully to explore and properly present the merits or demerits of a simple motion to take up a resolution. In ninety-nine cases out of one hundred such motions are passed without any debate at all. Therefore, Mr. President, we should not blind ourselves to what everyone knows—namely, that a determined minority of the United States Senate is attempting endless debate to keep us from fulfilling our legislative duties.

We have been elected by the people of our respective States as lawmakers. It is our primary duty to create the laws desired by the people and we must have rules under which the business of the Senate may be expedited. The Senate must not hang itself on the rope of its own rules. I wish to congratulate the Senators of both parties who have signed this petition to enable the Senate to rise to its responsibilities.

Although I am sure it will be contended by those who are participating in this endless debate that it is not a filibuster, no reasonable man can conscientiously deny that it is, if he will honestly analyze the record which has been made during the past 10 days.

I am perfectly aware that there are those in this body who are convinced that a cloture petition cannot be filed to close debate on a motion. But if I did not believe that the petition I hold in my hand is completely proper under the rules, I would not offer it. I shall have more to say later in defense of the petition at the appropriate time.

I now wish to present a simple statement of the basic truth at stake here. We are faced with the urgent necessity of making it possible for this legislative body to uphold the faith of our citizens in parliamentary government. Above and beyond all rules stands the firm expectation of the people of the United States that the Senate will prove that it can act when the time arrives for action.

Mr. President, I present the cloture petition, with the additional announcement that the Senator from Minnesota [Mr. HUMPHREY], who is absent by leave of the Senate because of the serious illness of his father, has requested me to state that had it been possible for him to do so, he would have signed the cloture petition.

The VICE PRESIDENT. The rule requires that the Presiding Officer shall read the petition to the Senate. If it is agreeable to the Senate, the Chair will ask the clerk to read it in his stead.

The legislative clerk read as follows:

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate upon the motion that the Senate proceed to the consideration of the resolution (S. Res. 15) amending the so-called cloture rule of the Senate.

SCOTT W. LUCAS; FRANCIS J. MYERS; ELBERT D. THOMAS; JAMES E. MURRAY; CLINTON P. ANDERSON; J. HOWARD MCGRATH; PAUL H. DOUGLAS; THEODORE FRANCIS GREEN; GLEN TAYLOR; HARLEY M. KILGORE; BRIEN MCMAHON; CLAUDE PEPPER; DENNIS CHAVEZ; JOSEPH C. O'MAHONEY; M. M. NEELY; BERT H. MILLER; WARREN G. MAGNUSON; WILLIAM F. KNOWLAND; H. C. LODGE, JR.; IRVING M. IVES; CHAS. W. TOBEY; LEVERETT SALTONSTALL; RALPH E. FLANDERS; ROBERT A. TAFT; HOMER FERGUSON; RAYMOND E. BALDWIN; OWEN BREWSTER; EDWARD J. THYE; MARGARET CHASE SMITH; WAYNE MORSE; H. ALEXANDER SMITH; CLYDE M. REED; ROBERT C. HENDRICKSON.

Mr. RUSSELL. Mr. President, I rise to a point of order.

The VICE PRESIDENT. The Senator will state the point of order.

Mr. RUSSELL. I desire to make the point of order that under the provisions of rule XXII of the Senate the petition just offered by the Senator from Illinois is not in order.

Mr. President, I realize that in discussing this matter I speak at the sufferance of the Chair. I shall, therefore, not undertake to answer the argument made by the distinguished Senator from Illinois prior to his presentation of the petition, nor shall I undertake to answer the barrage of oratory laid down today by those who favor the course of action which the Senator from Illnois now proposes. I shall confine my remarks, if the Chair will permit, purely to the parliamentary question involved.

Mr. President, this is not a new question.

The VICE PRESIDENT. The Chair may say to the Senator from Georgia, and all other Senators, that debate on the general situation is not in order on the point of order. The Chair is not interested in hearing any argument except on the point of order made by the Senator from Georgia.

Mr. RUSSELL. Mr. President, I shall endeavor to comply with the rule, which is as properly stated by the Chair.

The effort to file a petition to close debate at this stage of the parliamentary proceedings of the Senate flies in the teeth of the express letter, the very wording, of rule XXII of the Senate, as well as every precedent that has been established by Presiding Officers of the Senate on five separate occasions, upon two of which the decision of the Chair was upheld by a vote of the Senate.

I shall take the liberty of reading briefly from rule XXII:

If at any time a motion—

Notice the word "motion," Mr. President—

signed by 16 Senators, to bring to a close the debate upon any pending measure is presented to the Senate, the Presiding Officer shall at once state the motion to the Senate—

I shall not read all the rule, because I am sure that in view of the extensive discussion which has occurred with respect to this question in the press and over the air waves, as well as on the floor of the Senate, all Senators have read rule XXII. The crux of the matter is in the words "pending measure," and the question whether or not a motion is a pending measure.

This matter is to me, by law and by precedent, crystal clear. In parliamentary terms, parliamentarily speaking, there is a great difference—not a distinction, but a great difference—between a motion and a pending measure. The words "pending measure," as they have been uniformly construed by Presiding Officers of the Senate, and on two occasions sustained by a vote of the Senate, relate to substantive legislation, to a bill or to a resolution, and do not apply to a mere motion.

Mr. President, this matter could not be clearer than from a reading of all of rule XXII. Rule XXII, within itself, clearly makes the distinction between a measure and a motion. The first line of the rule is:

When a question is pending, no motion shall be received but—

Then it outlines the motions which are in order, as distinguished from a measure which is pending at the time the motion is made.

In the body of the rule, in the last paragraph, it refers to motions which cannot be made after a cloture petition is filed with respect to a pending measure. This matter could not have been more clearly illustrated than by the statement of the present distinguished Presiding Officer of the Senate on the day this question was first presented to this body. On that occasion the Presiding Officer advised with the Senate as to the parliamentary situation. His advice clearly differentiates between a motion and a measure, and establishes beyond any peradventure that a cloture petition will not lie against a motion, because it cannot be a measure, under the Presiding Officer's statement. I refer to page 1584 of the CONGRESSIONAL RECORD of February 28, where the Chair stated, before recognizing the Senator from Arizona [Mr. HAYDEN], chairman of the committee:

Before recognizing the Senator from Arizona, chairman of the committee, the Chair wishes to make a statement for the information and advice of the Senate in regard to procedure in debate.

This is the first statement which the Chair made:

In the first place, a motion to proceed to the consideration of a bill or a resolution cannot be amended by a motion to take up some bill in lieu of the one which is the subject of the pending motion.

Later, as found on page 1585, the distinguished majority leader asked this question of the Chair:

Do I correctly understand the Chair holds that any motion to lay aside the resolution amending the cloture rule, or a motion to take up another measure, would be out of order?

Another measure, mind you.

The VICE PRESIDENT. No motion to proceed to the consideration of another bill, either as an amendment or substitute to the pending motion, is in order.

That statement of the Presiding Officer, together with his preliminary statement that the motion was not subject to amendment, forever removed this motion from the realm of being a measure, if it was necessary to do so, and if the precedents in this case would not suffice, because it clearly distinguished between a motion and a measure.

That appears from rule XXII itself, in the first part of the rule, before we come to the paragraph which provides for the filing of a cloture petition upon a measure. It cannot be a measure if it is not subject to amendment.

I did not protest the Chair's ruling, because I agreed with him that this was a mere motion, and therefore did not come under the terms of rule XXII. Why do I say that? I invite attention to page 26 of the Standing Rules of the Senate. This is the language:

When a question is pending, no motion shall be received but—

Then it outlines several motions which may be made. When we get down to the last one, it says that there can be made a motion to amend, if it is a measure. A motion to commit may be made under rule XXII, if it is a measure. But a motion to amend a motion may not be made, nor may a motion to commit a motion be made.

When the Presiding Officer clearly distinguished, in his ruling, between a motion and a measure, it removed forever from the purview of rule XXII any effort to file a cloture petition, because it established, as clearly as do all the precedents in this case, the distinction between a motion and a measure.

I submit, Mr. President, that if the pending issue before the Senate is not subject to amendment, and is not subject to a motion to commit, as was ruled by the Chair in response to the question of the Senator from Illinois, and as had been earlier stated by the Chair on his own initiative, it cannot be a measure, but is a mere motion, and is therefore not subject to a petition for cloture. It has been uniformly held by every Presiding Officer that a pending measure may be a bill or a resolution, but not any of the incidental questions which may arise in the operation of the parliamentary machinery of the Senate. I have given some study to this subject. I have carefully read every word and every line of the debate which occurred in the Senate when this rule was first adopted in 1917. Not a single speaker inferred any intent or purpose in adopting this rule to make it apply to a simple motion. All the discussion shows that it was intended to apply only to matters of substantive legislation, such as are embraced within a bill or a resolution.

The first precedent which arose in this matter was established in November 1919. Not only was it established by a ruling by the then Presiding Officer—and of course a ruling by a Presiding Officer of the Senate is a binding precedent unless it is overturned—but it was established by the Senate on a vote. In that case, Mr. President, as the Chair realizes, of course, an attempt was made to file a petition for cloture to end debate in the Senate on reservations which had been offered by the then senior Senator from Massachusetts, the late Senator Lodge, to a resolution which he had offered providing for the establishment of peace with Germany. The attempt to file the cloture petition was directed only at the reservations and the resolution. A point of order was made by the late Senator George Norris, with whom so many of us served here, that the reservations and the resolution were not a pending measure, but that the pending measure was the treaty. The Chair sustained the point of order which was made by Senator Norris, holding in effect that cloture could apply only to a bill or a resolution, and would not be applicable to any of the collateral matters which come before the Senate, such as the present motion to proceed to the consideration of Senate resolution 15.

Mr. President, it is interesting to me to note the comment which was made by Senators who were present in that debate and who had also participated in the drafting of this rule. It showed to me very clearly that men like Senator Underwood and Senator Hitchcock, who filed the cloture petition, never thought that rule XXII, the cloture rule, was in fact so all-embracing as is proposed in connection with the attempt to make it apply in this case. Senator Hitchcock went so far as to say that in his opinion the treaty which was before the Senate could not be construed as a pending measure under the terms of rule XXII. Senator Underwood said:

This is a poor excuse for a rule.

Mr. President, those were his very words.

Of course, today many Members of the Senate say that it is a poor rule that we have. Nevertheless, it was the rule that the cloture petition would lie only to substantive legislation.

Mr. President, there are two other precedents, which, although not foursquare with this issue, do throw a good deal of light upon it:

In 1927 there were two rulings by the then Vice President Dawes, in which the issue arose as to whether cloture could lie to other than the measure pending before the Senate. In those cases Vice President Dawes—and all of us know there never has been a greater advocate of changing the rules of the Senate than former Vice President Dawes—ruled that the cloture petition applied only to the measure which was then pending before the Senate.

The next ruling which was made in this matter came on February 4, 1946, when the distinguished senior Senator from Tennessee [Mr. MCKELLAR], the present President pro tempore of the Senate, was the Presiding Officer. In that case there was a collateral issue before the Senate, in the form of an amendment to the Journal. The bill had already been made the pending business, but after an adjournment, there intervened a discussion as to the approval of the Journal. In that case Senators recognized what had been recognized by every parliamentarian, what had been held by every person who had had occasion to study this matter, namely, that a cloture petition cannot properly be filed on a motion. So in that case, Senators did not undertake to file a cloture petition on the motion, knowing that such a petition would not lie to the motion to amend the Journal, but they sought to go around the motion to amend the Journal, which was impervious to cloture, and to file the cloture petition as against the bill, which as I recall was Senate bill 105.

The Presiding Officer, of course, ruled—and he properly ruled, in view of the clear wording of the rule and the precedents in the case—that the matter before the Senate was the motion to amend the Journal; and that the motion to amend the Journal not being subject to cloture, it would be a mere subterfuge to go around the motion and apply cloture to the bill, which was not before the Senate at the time.

Mr. President, those precedents bring us down to the ruling which was made by the able and distinguished senior Senator from Michigan [Mr. VANDENBERG], which follows in orderly course all the precedents involved in this matter, but which is foursquare with the issue which

is sought to be presented now by the Senator from Illinois [Mr. LUCAS]. That ruling clearly establishes that under the rules and precedents of the Senate a petition for cloture does not apply to a mere motion. I am sure every person who was present when the distinguished Senator from Michigan made that ruling was impressed with the travail of spirit which afflicted him, and was impressed with the fact that he was compelled to rule against a position in which he believed, or against legislation in which he believed, in order to sustain the rules and the precedents of the Senate. I shall read a few extracts from that ruling:

The Chair wishes to state at the outset—

Said the Senator from Michigan—

that he is deeply conscious of the importance of preserving the integrity of congressional procedures, which, in the Chair's judgment, transcends at this critical hour in the world's history any possible transient advantages which might come from ruling of a different character.

The Chair is also conscious of a very great personal embarrassment and difficulty in rendering the decision because of his well-known prejudice in respect to the basic issues involved. He favors the anti-poll-tax legislation. He believes that debate should come to an end after a reasonable period, and he emphatically agrees that the Senate should be in ultimate control of its own destiny.

In making the ruling which the Chair will shortly announce he hopes that it may be entirely plain that he is not only putting aside all his own personal prejudices and predilections, but that he is also not undertaking, even by indirect inference, to rule upon the merits of the pending measure. He is dealing solely with what he considers to be his responsibility under oath, as an officer of the Senate, required to deal with the Senate on the basis of his best judgment and honest reflection of what the Senate rules require.

I did not read all of it, because I have covered generally, in my feeble way, not with the eloquence of the Senator from Michigan, the precedents in the case, which I have already stated.

As Members of the Senate are aware, there is now pending on the Senate Calendar a resolution, Senate Resolution 25, favorably reported from the Committee on Rules and Administration, which is designed to bring about such an amendment of the rule.

The Senate is familiar with the fact that the precedents of the Senate clearly indicate that a motion to approve the Journal cannot be brought within the jurisdiction of cloture action, and that conclusion has been very widely and generally accepted by all Senators with whom the Presiding Officer has ever conversed on this subject.

* * * * *

What is the basic measure at this moment?

Mr. President, I shall skip over that portion of the ruling and come to this statement of the Senator from Michigan, still speaking as the President pro tempore of the Senate:

The President pro tempore is not entitled to consult his own predilections or his own convictions in the use of this authority—

Referring to the authority of the Presiding Officer.

He must act in his capacity as an officer of the Senate under oath to enforce its rules as he finds them to exist, whether he likes them or not, and whether he agrees with them or not. Of all the precedents necessary to preserve, this is the most important of all. Otherwise the preservation of any minority rights for any minority at any time would become impossible.

The President pro tempore is a sworn agent of the law as he finds the law to be. Only the Senate has the right to change the law. The President pro tempore feels that he is entitled particularly to underscore this axiom in the present instance, because the present circumstances themselves bring it into such bold and sharp relief.

I pass over to this statement of the distinguished then Presiding Officer:

It was conceded when this committee reported, on March 24, 1947, more than 1 year ago, Senate Resolution 25, which seeks to make the existing Senate cloture rule succeed in its purported power to permit two-thirds of the Senate to curb unlimited debate. That resolution has been on the Senate Calendar for 16 months. It has not been adopted. It is intended to prevent the precise purpose sought by the pending point of order. Its presence on the Senate Calendar, by order of the Rules Committee, is, in the opinion of the Chair, complete proof that the Senate Rules Committee admits the validity of the pending point of order. The President pro tempore cannot be expected to cure, by an arbitrary ruling, the existing fatal defect in the cloture rule which the Senate itself has been invited, but has thus far declined, to cure.

After that statement by the Senator from Michigan, he sustained the point of order and ruled that the cloture petition did not apply to a mere motion; thereby following all the precedents and complying with the letter of the law.

In the case before us today, we have an instance wherein not once has the Rules Committee reported that this defect existed in the rule, but twice. In the Eightieth Congress the Rules Committee gave the matter exhaustive study and reported and stated in the committee report that there was a defect in the rule. In the Eighty-first Congress we have an effort to take from the calendar the very rule which it is now sought to circumvent and strike down by a ruling from the Chair that the rule is not necessary.

Mr. President, the Rules Committee of this body stands as an equal of any other committee of the Senate. It is charged with certain definite responsibilities, one of which is to study the rules and make suggestions for change. In this instance we have the commiteee charged with that responsibility in two different Congresses reporting that the cloture rule could not be applied to a mere motion, and suggesting that it be changed. Now we are told that, because of the fact that debate has gone on for a few days, in effect we should take a short cut and not follow the rules of the Senate which provide for their own amendment.

The Senator from Illinois invokes a ruling from the Chair that the Rules Committee of the Senate has done not only a vain but a foolish thing to struggle with this matter through two Congresses, to hold extensive hearings, to report resolutions to the Senate and seek to have them considered by the Senate, because if the cloture petition would lie as presented by the Senator from Illinois, the Rules Committee of the Senate has wasted its time, and all the Presiding Officers of the Senate who have ever passed upon this question were likewise in error.

Mr. President, the distinguished present occupant of the chair was a Member of the Senate. There has been much comment in the press about the views of the present occupant of the chair on this question, and I must confess it has been discussed somewhat around the Senate Chamber. But the then Senator from Kentucky, as a Member of this body, August 4, 1948, made a statement which showed conclusively the establishment of this precedent and the necessity for adopting an amendment to correct the rule if cloture were to be applied to a motion. I read briefly from the remarks of the present Presiding Officer of the Senate, the then Senator from Kentucky. It will be recalled, I am sure, that the Senator was speaking after a statement had been made by the Senator from Nebraska [Mr. WHERRY] that it was necessary for an amendment to be adopted in order to cure the rules and that it could not be done at that session of the Congress.

Mr. BARKLEY. Mr. President, I appreciate what the Senator from Nebraska, the acting majority leader, has said in regard to the present status of the rules of the Senate. There is no need to reiterate what has happened here in the past. When I was confronted with the same situation which confronts him I repeatedly stated that I favored an amendment to the rules of the Senate so that it would not be impotent when a well-organized group of a few Senators, or many, as the case might be, could, if they wished, tie up legislation indefinitely.

The other day when the Chair ruled against the cloture petition filed by the Senator from Nebraska, I then took the position, which I felt was justified, that when the Senate adopted the rule XXII it really thought it was bringing about the termination of debate on any matter which was pending before it, which was the subject of extended debate, which has come to be known as a filibuster. I still entertain that viewpoint. But the Chair ruled otherwise, and there is now an appeal from that decision pending.

I do not know how long it will take to amend the rules of the Senate. There has been a resolution on the calendar for 17 months to amend the rules of the Senate. So far as I recall, no effort has been made to bring that resolution before the Senate for consideration, and no motion has been made to take it up. I realize that on such a motion the same course could be pursued as on the motion now pending.

The then Senator from Kentucky concluded with these remarks:

Therefore, I not only am now, but have been in the past, and shall continue in the future, so long as I am a Member of this body, to be earnestly in favor of an amendment to the Senate rules—

Not to a ruling by the Chair that reverses the precedents and rules—

to be earnestly in favor of an amendment of the Senate rules that will make it possible for the Senate to function under any conditions which may arise in the deliberations of this body and in the consideration of legislation. It is a situation and a condition which does not prevail in any other legislative body in the world.

So I wanted to say to the Senator from Nebraska, that, notwithstanding the fact that for 17 months there has been on the

calendar a resolution to amend the rules—and no effort has heretofore been made to bring it up—and I presume no effort is to be made to bring it up at this session—whenever it comes up—

The amendment, in the orderly processes prescribed by our rules for amendment of the rules—

whenever it comes up, at this session or at the next session, I am in favor of such an amendment of the rules—

Not the rule that exists, that cloture will apply through a simple motion, but—

I am in favor of such an amendment of the rules as will make it possible for the Senate of the United States to function as an ordinary legislative body.

Mr. President, I do not desire to tire the Chair by reading statements of Senators on this subject, but I think that the distinguished Senator from Arizona [Mr. HAYDEN], the present Chairman of the Committee on Rules and Administration, who is charged with responsibility in this matter, should be quoted in the course of this point of order. This statement was made before the ruling of the distinguished Senator from Michigan which followed and more firmly established the precedent that a petition for cloture does not lie to a motion to proceed, and which sustains the point of order I have made.

I shall read very briefly from the statement of the Senator from Arizona. We all know he is a man not given to many words he expresses himself clearly in a few words. He was discussing what the Committee on Rules and Administration had found in the last session of Congress, just as has been found in this session, that a cloture petition does not lie to a motion to take up a bill. This is the Senator from Arizona speaking:

It was the deliberate judgment of the Senate Committee on Rules and Administration, after careful study, that at the present time the rules of the Senate did not permit a cloture petition to be filed either upon a motion to approve or amend the Journal, or a motion to proceed to the consideration of a bill.

That is what the Senator from Arizona said. He was addressing himself to the then President pro tempore before he ruled.

If the Chair were to reverse that position, he would go directly contrary to the action taken by the Senate Committee on Rules and Administration which, to my mind, would be parliamentary highjacking, in which neither the Chair nor the Senate should indulge.

Mr. President, that shows the views of the Committee on Rules and Administration which is charged with the primary responsibility in this case.

Mr. President, it is, of course, unnecessary for me to argue with legislators of long experience and great familiarity with the rules as to the value of precedents in the Senate of the United States. There are in the manual approximately 40 written rules. There are several hundred precedents which guide us in our deliberations. Those precedents have as much weight, they have the same authority, they have the same importance attached to them, as have the written rules of the Senate. I shall illustrate that by the statement made by our distinguished Presiding Officer on the day on which this matter was submitted to the Senate. He said:

If a Senator yield for any purpose other than to be asked a question, he would lose the floor.

We may study these rules from cover to cover, and we shall find no such rule as that. That is a precedent which has grown up in the Senate, which is just as valid, but no more valid, as the precedent that a cloture petition will not lie to a motion to consider a bill. It is just as sacred, but not a bit more sanctified than the present existing precedent. It is a rule of the Senate, until changed by action of the Senate, that a cloture petition will not lie to a motion to proceed to the consideration of a bill.

The Chair further stated to the Members of the Senate:

The Senator having the floor cannot yield for the purpose of allowing some other Senator to make a point of no quorum and having a roll call without losing the floor.

Senators may read the Senate rules, but they will find no such written rule. That is a precedent handed down to us and invoked, after its establishment, by Presiding Officers, just as I am earnestly imploring and expecting the present Presiding Officer to apply the precedent which has been established in the Senate for years past, by holding that this cloture petition does not apply to the motion to proceed to the consideration of Senate Resolution 15.

Mr. President, the matter of precedents, as I say, is familiar to the Vice President, and more familiar to him than it is to the Senator from Georgia. The Vice President is the constitutional President of the Senate. He is not a Senator. We regretted that the distinguished Senator from Kentucky was translated to the chair, because we lost him as a Senator; but, of course, that regret was tempered and cleansed away by our delight that he would still be with us as our Presiding Officer.

Of course, it is the function of the Presiding Officer to follow the precedents which have been established in this body, just as it is the duty of a judge to apply the law as he finds it, without regard to the opinion of the individual sitting on the bench as to what the law should be.

Mr. President, I could read statements from all the great parliamentarians of the past, from Thomas Jefferson on down through Hopkins of Virginia, Speaker Henderson, Speaker Gillette, Senator William H. Evarts, who was a great Senator, regarding the dangers which always ensue when short cuts are undertaken to be made, and their conclusions that precedents are as much rules of this body as is any rule written in the Senate Manual. Those rules and those precedents are the safeguards of order in the Senate, just as the law of the land is a safeguard of order in our States. We are all bound by them until they are changed in the manner prescribed by the rules themselves. Any other course would cause chaos and confusion in this body, and no Senator would have any assurance or any idea of what his rights might be upon the floor.

By the express wording of rule XXII it is crystal clear that it differentiates between a mere motion, as is the case here, and a pending measure.

Mr. President, I submit the point of order and invoke the Chair's favorable ruling.

Mr. SALTONSTALL. Mr. President, I wish most respectfully to argue very briefly to the Presiding Officer that I believe the point of order is not well taken.

The motion of the senior Senator from Illinois to proceed to the consideration of Senate Resolution 15, a resolution amending the so-called cloture rule of the Senate, is the pending measure within the meaning of rule XXII. If it is not, what is it the Senate is now debating? It is stated on our calendar of business that the "pending business" is his motion. In this case I respectfully submit that the "pending business" is clearly the "pending measure" within the meaning of rule XXII.

It is significant to note, Mr. President, that prior to 1917, when rule XXII was amended to include a cloture petition, there had never been a filibuster conducted in the Senate on a motion to amend the Journal of the Senate or upon a motion to proceed to the consideration of a bill or resolve. I cite this because it helps us to understand why the framers of the amendment to the rule used the words "pending measure," and did not in the debate prior to the adoption of the rule discuss what they intended those two words to mean. It is equally clear, it seems to me, that they intended by this amendment to adopt a procedure that would, in effect, if properly followed, be a method for closing debate and permitting action by the Senate.

Your decision, Mr. President, on this point of order, makes the fifth time, if we include the three times that Vice President Dawes ruled on the same point as one time, that a ruling has been made as to whether or not a cloture petition is in order. The first ruling was made by Senator Cummins, in 1919, when he ruled that a cloture petition was not in order when reservations to a resolve to ratify a treaty was the question before the Senate. He ruled that the resolve was the "pending measure," and that the reservations were in effect amendments and, therefore, not the "pending measure."

In 1927 Vice President Dawes ruled that a cloture petition must apply to the measure under consideration when the cloture petition was filed, rather than the one that was being debated at the time when the cloture petition had to be voted upon under the rules.

In 1946 the Senator from Tennessee [Mr. MCKELLAR] President pro tempore, ruled that cloture was not in order on a motion to amend the Journal of the previous session. He ruled that "Senate bill 101, the FEPC bill, while technically unfinished business had been temporarily superseded by a highly privileged matter which must be proceeded with under the rules until disposed of."

In 1948 the Senator from Michigan [Mr. VANDENBERG], President pro tempore, ruled that cloture was not in order on a motion to take up an anti-poll-tax bill when the pending measure in the Senate was a bill to provide for the development of civilian transport aircraft. The latter, in his opinion, was the "pending measure," under rule XXII. In each of these cases, therefore, the Presiding Officer had to decide what was the "pending measure."

In the present instance there is nothing pending before the Senate except the motion to take up Senate Resolution 15. This is certainly not a privileged motion within the meaning of an amendment to the Journal under rule III or under rule VI, regarding presentation of credentials of a Senator.

Our distinguished colleague, the junior Senator from California [Mr. KNOWLAND], recently quoted the definition of the word "measure" from Webster's New International Dictionary:

A step or definite part of a progressive course or policy; a means to an end.

How can it properly be argued, Mr. President, under the existing circumstances, where there is no other motion or amendment or other unfinished business pending before the Senate, that the motion of the Senator from Illinois "to proceed to the consideration of Senate Resolution 15" is not a measure within the meaning of the definition of that word? I quote the definition again. "Measure" is "a step or definite part of a progressive course or policy; a means to an end."

The Senate is a deliberative body. It is a legislative body. Its rules have been established to effect its orderly procedure. Its problems are principally those of legislation. Its deliberations must come to an end in each instance if legislative action is to follow. Again I turn to Webster's Dictionary for the definition of the word "deliberation." It is defined as—

A discussion and consideration by a number of persons of the reasons for and against a measure.

The present rule XXII was adopted in 1917 after there had been a failure of action because of lengthy debate by a small minority of the membership. The words "pending measure" were not interpreted in the debate at the time of adoption of the rule. But, I respectfully submit, Mr. President, a careful reading of those debates will give you, as it gave me, the feeling that the authors of the amendment to the rules believed that they were making it possible for the Senate to end its deliberations and come to a vote on any question the Senate might be deliberating when two-thirds of its membership believed that the time had come for action.

It was not until 1922 that the astuteness of one Member of the Senate discovered a method of avoiding a cloture petition, by depending upon the high priority given to an amendment to the Journal of the previous session. In short, through that means a method was found of destroying the effectiveness of a cloture petition. I submit that it becomes our responsibility to attempt to see that the language in such an important rule is made crystal clear, to use the words of our great colleague from Michigan, so that the rule cannot be open to different interpretations by different Presiding Officers. That was the sole purpose of those of us who previously filed this resolve and who now support its adoption.

A further reason has appealed to me, Mr. President, the more I have studied the rules. The more thought I have given to the whole subject of any change in the rules, it has become increasingly clear to me that the only possible way in which the rules can be changed, if the attempt to change is filibustered, is through the method which is now being pursued. Unless you rule, Mr. President, that cloture is in order on the present motion, I do not believe the present rule XXII will ever be changed at any time in any way, if there is the will to resist. The present resolve or one similar simply cannot be brought before the Senate to be voted up or down unless the opponents yield.

I say again that there is no other matter at this time pending before the Senate to which a finger can be pointed as a "pending measure" as a finger was pointed in each of the other rulings by prior Presiding Officers. I say again, Mr. President, that I believe a proper grammatical construction of the words "pending measure" requires you to rule that this motion is the "pending measure" that leads to legislative action on this resolve.

I repeat, Mr. President, this question is a new one. You are, therefore, not bound by the precedents of the rulings of prior Presiding Officers. You have them, however, as a background on which to reach your decision. In this instance, where there is no other business pending, I believe that the authors of the present rule XXII intended such a motion to be included within the matters that could be subject to cloture; otherwise, there is no possible way in which to bring a bill or resolve before the Senate for deliberation and action.

For these reasons, therefore, I respectfully submit that you should hold this cloture petition properly filed, and the point of order therefore not well taken.

Mr. LUCAS. Mr. President, I respectfully request that the distinguished Presiding Officer of the Senate permit me to make a few observations on what seems to me to be an extremely important question from the standpoint of parliamentary law.

The VICE PRESIDENT. The Chair will hear the Senator from Illinois.

Mr. LUCAS. In the first place, I wish to associate myself with all the remarks the distinguished Senator from Massachusetts [Mr. SALTONSTALL] has made with respect to the point of order. While I have great affection for the junior Senator from Georgia [Mr. RUSSELL], and high regard for his ability, I cannot agree with him either in his premises or his conclusions with respect to the point of order. I respectfully submit that there are no precedents which control this case, and that all the precedents cited by the Senator from Georgia have no application whatsoever to the pending question.

The ruling which the Chair is now called on to make on the point of order against the cloture petition will be one of the most significant rulings ever made in the history of the Senate by its Presiding Officer, because the point of order raises for the first time the question whether a cloture petition is proper when it is filed while no other business, except the matter on which cloture is sought, is pending before the Senate. This is the first time in the history of the United States Senate, through all the years when petitions for cloture have been filed, and when rulings have been made by the Chair upon various parliamentary points, that the Chair has ever been called upon for a ruling upon a set of facts similar to those now before the Senate of the United States.

Many Senators, of course, have in mind the ruling which was made on August 2, 1948, by the senior Senator from Michigan [Mr. VANDENBERG]. I undertake to say that the precedent then established does not affect the question presented by the petition now on the Vice President's desk. Those who have studied the scholarly opinion of the senior Senator from Michigan will understand why this is so. Let me quote a few sentences from that opinion, which will make my position entirely and perfectly clear. This is what the then Presiding Officer said in the opinion handed down some 7 months ago:

What is the pending measure at this moment? The pending measure is Senate bill 2644, a bill to provide for the development of civil-transport aircraft adaptable for auxiliary military service, and for other purposes. What is the purpose of the motion made by the able Senator from Nebraska, to which it is now being attempted to attach cloture? It is to create a new pending measure.

So the Presiding Officer, the senior Senator from Michigan, said at that time. Yes, Mr. President, "to create a new 'pending measure.'"

That is exactly—

Said the Senator from Michigan—

the objective which the pending motion has in view. In the view of the Chair, in a reasonable interpretation of the English language, the Chair is unable to believe otherwise than that the "pending measure" at this moment in the forum of the Senate is Senate bill 2644.

That is the ruling, Mr. President, upon which certain Senators support the point of order, and it has no more to do with the present situation with respect to cloture than the precedent established in 1919 when the Versailles Treaty was under consideration.

Further quoting the Senator from Michigan, who was then the Presiding Officer:

It is not the motion of the Senator from Nebraska to proceed to the consideration of House bill 29.

Mr. President, if that was not important in making up the mind of the distinguished Senator from Michigan, why did he draw that issue into his opinion? Of course, that was the basis for the opinion, and no one can read his opinion and arrive at any other honest interpretation. While the senior Senator from Michigan did insert some obiter dictum into his opinion, as a judge fre-

quently does, and told the Senate that it has no effective cloture rule at the present time, nevertheless there is the basis and the substance, in my judgment, of the position the Presiding Officer finally reached upon that occasion.

Mr. President, the present occupant of the chair is not confronted with the situation presented to the Presiding Officer last year. There is no bill, resolution, motion, or any other parliamentary matter before the Senate, except the motion to proceed to the consideration of Senate Resolution 15. We are, therefore, writing on a clean slate. If the Chair should now rule that the cloture petition is in order, he would not be doing any violence whatsoever to the ruling made by the Presiding Officer last year. Nor would he do any violence to any ruling by any earlier Presiding Officer even among all the rulings the junior Senator from Georgia quoted in his remarks upon the point of order.

Some Senators may also recall the ruling made by the distinguished Senator from Tennessee [Mr. McKELLAR] in February 1946 when he ruled that a cloture petition was not in order while the Journal of the preceding legislative day was under consideration. Obviously, we are not confronted with that situation. We have disposed of the Journal. It is not before us for approval. It does not bar the present cloture petition.

But, Mr. President, my argument does not rest on the negative ground of distinguishing this case from the earlier precedents. It rests entirely on the proposition that rule XXII was meant to be, and indeed must be, construed to be an effective device for closing debate in the Senate of the United States.

I undertake to say that no reasonable man who has read the debate which took place when rule XXII was adopted can have any doubt that the Senate was laying down for itself an effective cloture rule, and not providing a rule which could be evaded and frustrated by exceptions and reservations and loopholes.

Can anyone believe that the great men in the Senate of the United States at that time, probably the greatest collective group of Senators ever to sit in this body, did not know what they were doing in adopting a cloture rule? If the ruling of the Senator from Michigan is correct, they adopted a completely worthless rule. I cannot believe that we, some 32 years later, know better what they were attempting then to do than they knew themselves.

Senator La Follette, the elder, whom we all remember as one of the keenest minds in the history of the Senate, voted against the rule. He was one of the three Senators, as the Chair will recall, who voted against it. He said:

> So far as I am concerned, I will never by my voice or my vote consent to a rule which will put an end to the freedom of debate in the Senate.

That is the elder La Follette of Wisconsin talking. Do Senators think he did not know what was going on in the United States Senate at that time? Does anyone believe that old Bob La Follette, with his keen, philosophic, penetrating mind, did not know what he was doing when he made that statement, and did not believe that, if the rule were adopted, all debate would be cut off under that rule? Can anyone believe that Senator La Follette did not understand the meaning of the rule? Is it not perfectly clear that he opposed the rule because he thought it would put an end to successful filibustering in the United States Senate?

The debate on the adoption of the rule is full of statements which confirm this understanding. Not a word was said about the ineffectiveness of the rule against motions to proceed to the consideration of measures. Senators in debate specifically discussed not only bringing to a close debates on bills and resolutions, but on all discussion and the CONGRESSIONAL RECORD bears out that statement.

It does not behoove us, more than 30 years after the adoption of the rule, to say that the men who sat in the Senate in those days did not know what they were doing. Yet that is exactly what we are saying if we contend that the rule they adopted is useless to accomplish the purpose which they declared they had in mind.

Mr. President, everyone knows the position which you took on these questions when you occupied this chair as majority leader. You argued vigorously and eloquently in 1948, before the senior Senator from Michigan [Mr. VANDENBERG] made his ruling, and in 1946 before the senior Senator from Tennessee [Mr. McKELLAR] made his ruling.

Mr. President, you followed the admonition of St. Paul in his Epistle to the Corinthians, in which he said, "The letter killeth, but the spirit giveth life." We are following the letter rather than the spirit in this legalistic hairsplitting regarding the term "measure." Mr. President, this is no time in our history for legalistic hairsplitting. This is no time in the history of this Nation for a rigid interpretation. This is a time for the Presiding Officer to do exactly what he did a year ago, when he was a Senator, and to interpret the rule in the spirit that was intended by its framers back in 1917.

Mr. President, in my view the best presentation of the case for the propriety of the petition now pending before you was made in the language which you used last year when you occupied the position of minority leader of the Senate:

> I have not any doubt that when the Senate adopted the rule XXII, it intended to make it possible for the Senate to bring to a termination debate upon any matter before it. If it be true that a measure is a step, among other steps, and a progressive course to bring about the consummation of some action, certainly a motion would be a measure within that sense.

Mr. President, those were your words 1 year ago. That is the meat of the coconut, so far as I am concerned. I rest my case in behalf of myself and other Senators on both sides of the aisle who are greatly interested in seeing that this point of order is overruled, on the language which was used by the present Vice President when he was minority leader a year ago.

Mr. RUSSELL. Mr. President, will the Chair indulge me for about 3 minutes?

The VICE PRESIDENT. If the Senator from Illinois has concluded, the Chair recognizes the Senator from Georgia.

Mr. LUCAS. I had concluded, but I have a suggestion to make later.

Mr. RUSSELL. Mr. President, I must say that I regard the argument made by the Senator from Illinois in his attempt to establish the difference between a motion on one occasion and a motion on another occasion as about as labored a reasoning as I have heard in this body.

If I correctly understand the argument presented in the effort to induce the Chair to rule that a motion is a measure, if a motion is made to adjourn when there is a bill before the Senate, it is a motion; but if a motion to adjourn is made when there is no bill before the Senate, it is a measure. That is the nature of the argument which is made here today. In other words, if there is a motion to take a recess when there is a bill before the Senate, that is merely a motion; but if there is no bill before the Senate, then it becomes a measure, according to the arguments made by the Senator from Massachusetts [Mr. SALTONSTALL] and the distinguished Senator from Illinois [Mr. LUCAS].

Mr. President, of course a motion is a motion every day of the week, anywhere we find it; and we cannot make it a measure by attempting to say that because there is not some pending measure back of the motion to proceed, therefore the motion becomes a measure, but that if there were a measure back of the motion to proceed, the motion would still be a motion. I submit that that argument has no validity, and certainly is no reason for overturning the precedents in this case, which are overwhelming.

I was distressed by the argument made by the distinguished Senator from Illinois that this is a time of emergency, that we should not indulge in legislative hairsplitting, and should not pay attention to the precedents; that this is an emergency, and therefore we should go about our business, and the Chair should overturn the precedents and the Senate should sustain the Chair because there is an emergency.

The Chair knows better than I do, because of his longer service in this body, that that same argument will apply against any point of order which is made to sustain any Senator in any right which he possesses upon the floor. I say that the mere fact that men may be tired, and the majority leader is unable to work his will as rapidly as he may desire, is no reason for saying that we should not be legalistic, that we should have no hairsplitting, but because there is a desire to take up a measure, the Chair should rule and overturn the precedents, and, in the teeth of the express letter and wording of rule XXII, hold that a motion is a measure because there is no bill before the Senate at the present time.

I submit, with thanks to the Chair for his kindness in permitting me to make this statement, that there is no way to change a motion to a measure by sheer argument. It is either a motion at all times, or it is a measure at all times. Rule XXII clearly defines the difference between a motion and a measure. It provides that certain motions may be

made from time to time, and that the cloture rule shall apply only to the pending measure. That is clear evidence of the intent of those who framed the rule.

The Senator from Illinois challenges us as to whether or not the late Senator La Follette, of Wisconsin, knew what he was doing when he opposed this rule. The fact stands out from every word of that debate—and I have read every word of it—that the distinguished Senator La Follette, of Wisconsin, was opposed to cloture in any form, at any time. His statement cannot be used to throw any light upon the intention of those who framed this cloture rule to apply to a pending measure.

Under the precedents and under the rules, I submit that the Chair should sustain the point of order.

Mr. LUCAS. Mr. President, I presume that under the rules the Chair could have ruled immediately following the time when the point of order was made; but the Chair has been good enough to listen to these arguments, and I am sure that we all appreciate it. We hope that we have made some contribution toward helping the Chair make up his mind.

I rise to make a suggestion. I am not sure whether the Chair is ready to rule or not. I suggest that it might be possible for us to take a recess now until noon tomorrow, and that when the Senate reconvenes it be in order for the Chair at that time to make his decision on the point of order.

Mr. WHERRY. Mr. President, will the Senator yield for a parliamentary inquiry?

Mr. LUCAS. I yield.

The VICE PRESIDENT. The Senator will state it.

Mr. WHERRY. The cloture petition has now been filed. As I understand the rule, the cloture petition would be automatically voted upon at 1 o'clock on Saturday afternoon. Suppose the request is granted, and we recess until tomorrow noon. If after the ruling Senators should wish to debate the appeal, I ask the Chair whether the time set in the rule with respect to the cloture petition would automatically expire at 1 o'clock on Saturday. Is it the opinion of the Chair that Senators desiring to make speeches on the appeal might be permitted to do so? Would they be automatically cut off, and would the debate be terminated at 1 o'clock on Saturday afternoon?

The VICE PRESIDENT. That inquiry presents a serious question, as to whether debate on the appeal, if one is taken, should extend beyond the hour fixed in the rule for a vote, or whether debate on the appeal would be cut off. It would depend to some extent on whether a motion to lay the appeal on the table were made in the meantime; but the Chair has consulted the Parliamentarian about that question, because it occurred to the Chair that it might arise. Although the Chair is not finally passing on that inquiry, he is inclined to the opinion, based upon his consultation, that even if the debate should go beyond the 1 o'clock period on Saturday or 1 hour after the Senate convened, and if the decision of the Chair—whichever way it goes—should be sustained or overruled, so that the Senate would pass on the question of the application of the petition to the present motion, the vote would then take place immediately upon the conclusion of that matter, even if it were beyond 1 o'clock on Saturday.

Mr. WHERRY. In other words, if the debate continued on the appeal, when the Senator who was then speaking finished his argument, the cloture petition would become effective, and automatically the vote would be had on the petition?

The VICE PRESIDENT. Of course, it would depend on how the Senate voted on a possible appeal. But the Chair has in mind what the Senator from Nebraska has in his mind.

Mr. WHERRY. Yes.

The VICE PRESIDENT. In other words, that the Senate will not deprive itself of the right to vote on the cloture petition——

Mr. WHERRY. That is right.

The VICE PRESIDENT. If the Senate, either by upholding or overruling the Chair, should decide that the petition is fileable at this time.

Mr. RUSSELL. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Georgia will state it.

Mr. RUSSELL. I understand, then, that the Chair expects to rule, if we should ever reach that stage of the proceedings, that the filing of the petition would be considered as not nunc pro tunc from the time when it was offered, but that the Chair would hold that it would be permissible to extend the vote on the petition.

The VICE PRESIDENT. The Chair is not finally ruling; but the Chair is giving the view which he at the moment entertains, after consultation with the Parliamentarian of the Senate.

But of course the Chair is subject to advice before that situation arises, if it does arise.

Mr. RUSSELL. If the Chair sustained the point of order, that question would not arise.

The VICE PRESIDENT. The proceedings under the rule would probably be stayed until that period had been reached.

Mr. SALTONSTALL. Mr. President, will the Senator from Illinois yield to permit me to propound a parliamentary inquiry?

Mr. LUCAS. I yield.

Mr. SALTONSTALL. Mr. President, my parliamentary inquiry is this: Will the proper time for making the point of order on the question raised by the parliamentary inquiry of the Senator from Nebraska come, let us say, at 1 o'clock on Saturday, if that is the time when the cloture petition would otherwise be in order to be voted upon?

The VICE PRESIDENT. It is difficult to decide regarding a point of order which has not been raised, and which may not be raised; it is also rather difficult to pass on the question of when the point of order suggested by the question of the Senator from Nebraska might be raised so that the Chair could pass on it as it might arise under the situation which might then exist.

Mr. SALTONSTALL. My point is that it could not arise until 1 o'clock on Saturday; could it?

The VICE PRESIDENT. Probably not. If all the proceedings should be consummated before 1 o'clock on Saturday and if a decision should be arrived at, either by the Chair or by the Senate, that this petition could be filed, then the vote would take place.

Mr. RUSSELL. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Georgia will state it.

Mr. RUSSELL. Is it not true that in no event could there be a vote on the alleged cloture petition until the Senate and the Chair had taken final action on the parliamentary situation which is now before the Chair and the Senate?

The VICE PRESIDENT. The Chair thinks that is true.

Mr. LUCAS. Mr. President, before I make a motion for a recess, I am willing to abide by the wishes of the Chair as to whether he wishes to rule at this time.

The VICE PRESIDENT. The Chair is willing to rule now.

SEVERAL SENATORS. Rule! Rule!

The VICE PRESIDENT. It might be some accommodation to the Chair to have time overnight to study the arguments on the point of order, but if the Senate insists on having the Chair rule at this time, the Chair is willing to do so.

SEVERAL SENATORS. Rule! Rule!

The VICE PRESIDENT. The Chair will rule now, if that is the wish of the Senate, unless the Senator from Illinois wishes to make a motion for a recess.

Mr. LUCAS. Mr. President, I do not insist upon having the Chair rule at this time. I am willing to abide by the Chair's preference.

The VICE PRESIDENT. The Chair supposes that he might as well proceed to a ruling:

The Chair appreciates the importance of the question now before him; and because of its importance, the Chair will ask the Senate to indulge him in a discussion of the whole matter.

Many conflicting statements have been made. Even the Chair has been quoted on both sides of this point of order, tonight; and the Chair supposes that cancels his statements altogether. The Chair will not comment upon that. But there have been so many speculations, predictions, and comments, both in the Senate and in the press and otherwise, as to how the Chair would rule, that the Chair feels somewhat like the man who was being ridden out of town on a rail: Someone asked him how he liked it; and he said that if it were not for the honor of the thing, he would just as soon walk. [Laughter.]

There are two phases of this matter, as the Chair sees it. One is an effort to ascertain what the Senate intended when it adopted rule XXII; and the other is the application of the precedents or decisions which have heretofore been made in interpreting rule XXII. The Chair wishes to analyze those decisions to the best of his ability.

The first case which arose, following the adoption of the rule to which reference has been made, was in connection with the Treaty of Versailles, which was

before the Senate in 1919. It had been made the unfinished business by a vote of the Senate, and was the pending measure. During its pendency and the discussion upon it, various amendments and reservations were offered to the resolution of ratification; and debate upon them proceeded for some length of time.

Senator Hitchcock, of Nebraska, who was in charge of the treaty, filed a petition for cloture, not on the treaty itself, but on the reservations and amendments to the resolution of ratification of the treaty. The Chair held—and the Senate sustained the Chair in the ruling—that cloture did not lie on the amendments or the reservations to the treaty. What the Chair would have ruled if the petition for cloture had been filed on the treaty itself, the Chair cannot now speculate.

But if the petition had been filed on the treaty itself, and had been adopted by the two-thirds vote required under the rule, that would automatically have limited or closed debate on the amendments and reservations, because, under the terms of the rule itself, when a cloture petition is filed and is adopted by the Senate on the main pending measure, it applies to all amendments which have been presented up to that time.

So the ruling of the Chair and the action of the Senate, in holding that a cloture petition could not be filed as to an amendment to a measure which was the main measure pending before the Senate, do not, it seems to the Chair, have any application to the pending motion offered by the Senator from Illinois [Mr. LUCAS].

Passing for the moment the rulings of Vice President Dawes in 1927—which likewise, it seems to the Chair, have no relation to this matter, because there was a pending measure before the Senate, and the cloture petition seems to have been filed on a measure which was being debated, instead of the one which was actually the pending measure and the unfinished business—we come to the next precedent to which reference has been made, and which has been relied upon—namely, the ruling made by the distinguished Senator from Tennessee [Mr. MCKELLAR] as President pro tempore of the Senate in 1946. In that case the Senate had, by affirmative action, made Senate bill 101 the unfinished business of the Senate. It was known as the FEPC bill, in charge of the Senator from New Mexico [Mr. CHAVEZ]. While that measure was pending and under discussion, an adjournment was taken, which brought about the morning hour. The question of amending the Journal was raised. Strange to say, the rule does not require the approval of the Journal. The Chair has been under a different impression. We have from time immemorial by habit secured an approval of the Journal; but the rule itself says nothing about the approval of the Journal, but provides for its being read for amendments and corrections.

The Journal was under discussion, on a motion to amend it, and while that was in progress, a petition for cloture was filed on Senate bill 101, which had been made the unfinished business. It had been the pending measure. The Senator from Tennessee, acting as President pro tempore of the Senate, held that the motion to amend the Journal displaced Senate bill 101 as the pending measure, and that, inasmuch as the cloture petition had been filed on Senate bill 101, which at least for the time being had ceased to be the pending measure, it was not receivable and could not be filed, because it was presented at a time when a motion to amend the Journal was under discussion, which temporarily at least had suspended the status of Senate bill 101 as the pending measure.

Therefore, in effect, the Senator from Tennessee, as President pro tempore, was not required to pass on the question whether a cloture motion would be applicable to a motion to amend the Journal, because it was not so filed. It was filed for the purpose of bringing about the closing of debate on Senate bill 101, which the Senator from Tennessee held was not the pending measure at the time the cloture motion was filed. Therefore, in the opinion of the Chair, that ruling does not apply to the present situation.

We come now to the decision made in 1948 by the distinguished Senator from Michigan [Mr. VANDENBERG]. The Chair was happy the other day to see the distinguished Senator from Michigan quoted in the press as having said this was not a contest of popularity between the Senator from Michigan and the present occupant of the Chair. The present occupant of the Chair is very happy to feel that that is true; because if it were the question, the Chair would be foredoomed to defeat on that proposition in a contest with the Senator from Michigan. The Chair is sure the Senator from Michigan and all other Senators know there is no Senator here, nor has there been one since I have been in the Senate, for whom I have a more affectionate regard, and for whose opinions I have more profound respect than I have for his.

The pending measure at that time was Senate bill 2644, which was under the sponsorship and in control of the Senator from Maine [Mr. BREWSTER], providing for the development of civil-transport aircraft adaptable for auxiliary military service. That bill was the unfinished business and the pending measure at the time the Senator from Nebraska [Mr. WHERRY] moved that the Senate proceed to consider House bill 29, the anti-poll-tax bill passed by the House, which had been reported by the Senate committee and which was on the calendar. That motion was in order. If it had been voted on and had been successful, it would have displaced Senate bill 2644, because a motion to proceed to the consideration of another bill while a bill is under consideration as the unfinished business and the pending measure, if successful, displaces the original bill and puts it back on the calendar. That is what the Chair had in mind when this debate began, in his probably rather presumptuous effort to advise the Senate in regard to some of the rules in regard to the procedure. But a mere motion to take up one bill cannot be amended by a motion to proceed to the consideration of another bill. Such a motion is not in order. The motion to take up the first bill would have to be defeated before a motion could be made to consider another bill. In other words, a motion to take up Senate bill 46, for instance, cannot be substituted for a motion to take up Senate bill 92. The motion to take up bill 92 must be defeated, and then a motion made to take up bill 46, if that is what is desired.

So when the Senator from Nebraska made his motion to proceed to the consideration of House bill 29, which was an anti-poll-tax bill, in lieu of Senate bill 2644, which was the pending measure, a point of order was made. After some debate a petition for cloture was filed, on the motion of the Senator from Nebraska. A point of order was made by the Senator from Georgia. It was debated. I think it is fair to assume the point of order of the Senator from Georgia was based upon his belief and conviction that a petition for cloture would not lie in regard to a motion to proceed to the consideration of a bill. The point of order was debated. The present occupant of the chair, as Senator, took part in the debate. That is one reason why the Chair has felt it a duty to himself and to the Senate to go as deeply as possible into this whole question, so that he would not be prejudiced or even influenced by that action, and the position which he took as a Senator on the floor, although the Chair recognizes that when a Senator later becomes the Presiding Officer, the situation is not precisely comparable to that of a lawyer in court employed by a private client to prosecute or defend a lawsuit, who later goes on the bench to decide cases that might involve the same problem.

After debate, the then Presiding Officer, the distinguished Senator from Michigan, ruled that the pending measure was not the motion of the Senator from Nebraska to proceed to the consideration of House bill 29, but that the pending measure was Senate bill 2644, the aviation bill. Having decided that the aviation bill was the pending measure and that the motion of the Senator from Nebraska was not the pending measure, the Senator from Michigan might have rested his decision on that point alone, because, if, by that decision, the motion of the Senator from Nebraska was in a sense, as we say, thrown out of court, it followed almost automatically that a cloture petition could not lie upon that motion. But, inasmuch as the Senator from Georgia had made his point of order on the ground that the motion itself was not in order, and that any motion to proceed to the consideration of a bill or resolution could not be construed as the pending measure in the sense that a petition for cloture would lie, the Senator from Michigan no doubt felt an obligation to comment on the situation and to rule on it, in a fashion. I mean by that, having made the other decision, although I doubt if the Senator from Michigan who was presiding at that time intended it so, it might be classified as obiter dictum, as lawyers and judges say when a judge renders a decision which makes unnecessary a declaration or observation in the decision of the matter before him.

Be that as it may, in view of the fact that the Chair ruled that the pending measure at that time was Senate bill 2644, upon which no petition for cloture had been filed, therefore the motion of the Senator from Nebraska was not the pending measure, although the Chair ruled upon the point of order made by the Senator from Georgia.

The Chair is of the opinion that that situation and its complications are not applicable to the question which is now presented to the Chair, so that the Chair does not feel that previous decisions, based upon a different state of facts and a different legislative situation in the Senate, are binding upon the Chair at this time in passing upon a simple question as to whether a motion, a stark, uncomplicated motion, with nothing else pending before the Senate, is the subject of a cloture petition.

In order to reach a reasonable conclusion on that point the Chair has read and re-read the debates which took place at the time the rule was adopted; and as the distinguished Senator from Michigan said, in his comments on August 2, last year:

> The question is not new before the Senate, because it has been under discussion ever since the Senate was organized in 1789. Various efforts have been made to bring about the closing of debate, but not until 1917 was any formal rule adopted providing for cloture such as that which is in rule XXII.

The Chair not only has read the debates which took place at that time, but has also tried to get some help from law dictionaries, decisions of courts, and from all kinds of sources that might shed some light upon what the Senate meant or thought it meant when it used the phrase "pending measure." It has long been the practice of courts, in undertaking to interpret statutes, not only to look at the wording of a statute, but, if there be any ambiguity or uncertainty, to resort to the debates in the Congress or in the legislature or to the reports of committees on the legislation passed, in an effort to divine the intention of the legislative body in passing the act.

The Chair was unable to find very many decisions—in fact, only one legal decision—defining the word "measure," and that was in a case in Arizona in which under the initiative and referendum, there had been submitted to the people to vote upon an act of the legislature or a proceeding of the legislature. The supreme court of that State held that under a constitution providing for initiative and referendum there had not been submitted a completed act upon which to vote, and they could not submit to the people a mere proceeding or anything less than a complete act upon which the people could vote.

The Chair has also undertaken to enlighten himself about what the Senate meant in 1917, by looking at all sorts of dictionaries, literary and legal. While they are not binding on the Chair, or on the Senate, they do shed some light upon what the Senate was trying to do in 1917. It is not necessary to quote those definitions, but the most reliable and, the Chair thinks, probably the one which sheds the most light upon the question, is the definition found in the Century Dictionary, which defines a measure as one of a number of progressive steps looking to a definite conclusion, looking to the accomplishment of a fixed end. Therefore, if that sort of definition should be applied here, it would undoubtedly apply to the word "measure" in the rule.

In the debates which have taken place and in the decisions of courts there seems no question that a court has the right to interpret a statute. It has a right to construe it as it may apply to situations within the intention of the legislature. Courts have even gone so far as to say that a court may so construe a statute as to make effective the meaning of the legislative body, even though the formal words used do not precisely match the situation with which it is seeking to deal. The Chair thinks that is a general rule of construction which lawyers and judges generally recognize.

Now, therefore, what was the Senate seeking to accomplish in 1917? The distinguished Senator Walsh, of Montana, who was one of the ablest lawyers who ever served in this body, made a very long speech in which he argued the question whether the Senate was a continuing body and whether its rules had to be changed every time a new Congress convened. That has no relationship to this matter, but the final conclusion to which he came was that, without regard to that question, the Senate had the right to adopt such rules as would enable it to transact its business. Senator Cummings, of Iowa, who was at that time a distinguished Senator and was later President pro tempore of the Senate, made an address in which he said that he had long been in favor of the closing of debate in the Senate, and had long been in favor of amending the rules so as to enable the Senate to transact its business. To the same effect were the statements of Senator Hoke Smith, of Georgia; Senator Vardaman, of Mississippi; and Senator Hardwick, of Georgia.

In his decision in 1946 the Senator from Tennessee [Mr. MCKELLAR] quoted a statement by Senator Underwood, of Alabama, in arguing a point of order, in which the Senator from Alabama said that the rule was intended to apply to a bill, a resolution, or any other parliamentary action that was before the Senate for its consideration.

While the question of a motion or any other ancillary proceeding prior to the making of a definite bill the unfinished business of the Senate was not mentioned, those who voted for the amendment of the rule indicated, as it appears to the Chair, at least, that what they were trying to do was to close debate on the process which may have been before them, which they construed as business, in order that they might transact that business. Those who voted against it—only 3, Senator Sherman, of Illinois; Senator La Follette, of Wisconsin; and Senator Gronna, of North Dakota—placed their opposition to the amendment of the rule on the ground that it undertook to limit debate, and they were unalterably opposed to the limitation of debate in the Senate. So, in his effort to find out what was in the mind of the Senate at the time, the Chair has reached the conclusion that what the Senate was trying to do, what it thought it was doing, what it intended to do, was to adopt a rule which would enable it to transact its business.

In order to nullify that intention, the Chair would feel that he must rule that the word "measure" or the words "pending measure" must be given the narrow, strained, and legalistic construction that they meant only a bill which had been made the unfinished business of the Senate, and therefore was the pending measure, and it undoubtedly would be a pending measure.

A motion to proceed to the consideration of a bill is an absolutely indispensable process in the enactment of legislation. It is just as indispensable in order that a law may become effective or be enacted by Congress as a vote on the bill itself when a final conclusion has been reached and the vote is taken. Without a motion to proceed to the consideration of a bill or resolution, the Senate cannot consider it, and therefore a motion to proceed is an indispensable step and a necessary part of the process taken by the Congress or any other legislative body in order that a bill may finally become a law.

The situation which exists here now is one which, in the Chair's opinion, has never presented itself before. This is the only time when an uncomplicated, bald, stark motion, without anything else on the calendar, without anything else pending before the Senate, has been presented. All the other situations to which reference has been made were complicated by some other matter that was pending at the time which the Chair has held constituted the pending measure.

The Chair is unwilling to believe and cannot believe that in 1917 the Senate did not know what it wanted, did not know where it was going, and did not know how to get it if it did know where it was going. The Senate at that time was composed of some of the most distinguished men in the history of the Senate. The Senator from Massachusetts, Mr. Lodge; the Senator from Iowa, Mr. Cummins; the Senator from Georgia, Mr. Hoke Smith; the Senator from Mississippi, Mr. John Sharp Williams, and his colleague Mr. Vardaman; and many other Senators whose names could be mentioned only to emphasize the fact that they were able and outstanding Senators, composed the Senate at that time.

The Chair is unwilling to believe, from the debates which ensued not only on the resolution proposing an amendment to the rules, but the debates which had taken place from time immemorial in the Senate, that the Senate as it was then made up was so incompetent, so lacking in its conception of the effect of its action either on a rule or on a bill, that the Members contemplated that under the rule which they adopted a situation would arise such as that which confronts the Senate now. If what is contended is to be the rule of the Senate, then the Senate can never reach a point where it can vote on an amendment to its own rules, if there is a determined

effort made to prevent the Senate from ever reaching that point.

The Chair cannot believe that the Senate in debating this rule intended to freeze its own rules in perpetuity, so that it could never vote to change them so long as there was a determined group of Senators opposed to any change, who were willing to prevent the Senate from even considering a change in the rules except by unanimous consent, and it would almost amount to that.

Therefore it is the opinion of the Chair, without going into any further detail, that the precedents which have been cited do not apply to the present situation; that the Senate, when it adopted the rule, intended to make it possible for a cloture petition to be filed in order that it might transact its business, and certainly the motion under discussion is business, because if it were adopted, under the rules of the Senate in regard to quorum calls, it would be the transaction of such business as would justify another call after it had been voted upon.

Therefore, in view of the obvious intention of the Senate in 1917, as the Chair sees it, to close debate, as Senator Underwood said, on a bill, resolution, or any other parliamentary action that was before the Senate, and in view of the fact that the precedents which have been relied on do not in the opinion of the Chair apply to the present situation, the Chair cannot do otherwise than overrule the point of order, which he does.

Mr. RUSSELL. Mr. President, I appeal from the decision of the Chair.

The VICE PRESIDENT. The Senator from Georgia appeals from the decision of the Chair. The question is, Shall the ruling of the Chair stand as the judgment of the Senate?

RECESS

Mr. LUCAS. Mr. President, I move that the Senate stand in recess until tomorrow at 12 o'clock noon.

The motion was agreed to; and (at 8 o'clock and 7 minutes p. m.) the Senate took a recess until tomorrow, Friday, March 11, 1949, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate March 10 (legislative day of February 21), 1949:

UNITED STATES ADVISORY COMMISSION ON INFORMATION

The following-named persons to be members of the United States Advisory Commission on Information for the terms indicated, to which offices they were appointed during the recess of the Senate:

Mark Foster Ethridge, of Kentucky, for a term expiring January 27, 1951.

Mark A. May, of Connecticut, for a term expiring January 27, 1950.

Justin Miller, of California, for a term expiring January 27, 1950.

Philip D. Reed, of New York, for a term expiring January 27, 1949.

Erwin D. Canham, of Massachusetts, for a term expiring January 27, 1949.

The following-named persons to be members of the United States Advisory Commission on Information for terms of 3 years expiring January 27, 1952, and until their successors have been appointed and qualified (reappointments):

Philip D. Reed, of New York.

Erwin D. Canham, of Massachusetts.

COMMISSIONER OF INDIAN AFFAIRS

John R. Nichols, of New Mexico, to be Commissioner of Indian Affairs, vice William A. Brophy, resigned.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 10 (legislative day of February 21), 1949:

IN THE UNITED STATES ARMY

Maj. Gen. Herman Feldman, [redacted], United States Army, for appointment as the Quartermaster General, United States Army.

APPOINTMENTS IN THE REGULAR ARMY OF THE UNITED STATES

The following-named officers for appointment in the Regular Army of the United States to the grades indicated under the provisions of title V of the Officer Personnel Act of 1947:

To be major general

Maj. Gen. Stanley Lonzo Scott, [redacted].

To be brigadier generals

Brig. Gen. Albert Pierson, [redacted].

Brig. Gen. Williston Birkhimer Palmer, [redacted].

Brig. Gen. Robert Miller Montague, [redacted].

Temporary appointment in the Army of the United States to the grades indicated under the provisions of section 515 of the Officer Personnel Act of 1947:

To be major generals

Brig. Gen. Vernon Edwin Prichard, [redacted]

Brig. Gen. Francis Henry Lanahan, Jr., [redacted].

Brig. Gen. Roy Charles Lemach Graham, [redacted].

Brig. Gen. William Kelly Harrison, Jr., [redacted]

Brig. Gen. George David Shea, [redacted].

To be brigadier generals

Col. Frank Leo Howley, [redacted].

Col. Edward Caswell Wallington, [redacted].

Col. Kirke Brooks Lawton, [redacted].

Col. Harry Reichelderfer, [redacted].

Col. Emmett James Bean, [redacted].

Col. Wesley Tate Guest, [redacted].

NATIONAL GUARD OF THE UNITED STATES ARMY

The officers named herein for appointment in the National Guard of the United States of the Army of the United States under the provisions of section 38 of the National Defense Act, as amended:

To be major generals of the line

Maj. Gen. Ronald Cornelius Brock, to date from July 27, 1948.

Maj. Gen. Brendan Austin Burns, to date from October 25, 1948.

Maj. Gen. John Uberto Calkins, Jr., to date from April 27, 1948.

Maj. Gen. Karl Frederick Hausauer, to date from October 25, 1948.

Maj. Gen. Daniel Harrison Hudelson, to date from April 27, 1948.

Maj. Gen. Ralph Andrus Loveland, to date from July 27, 1948.

Maj. Gen. Alexander Gallatin Paxton, to date from July 27, 1948.

Maj. Gen. William Irwin Rose, to date from February 9, 1948.

Maj. Gen. Richard Smykal, to date from September 27, 1948.

Maj. Gen. Daniel Bursk Strickler, to date from July 27, 1948.

To be brigadier generals of the line

Brig. Gen. H. Miller Ainsworth, to date from September 27, 1948.

Brig. Gen. William Seiler Bailey, to date from February 5, 1948.

Brig. Gen. Frank B. DeLano, to date from April 28, 1948.

Brig. Gen. Alfred Halleck Doud, to date from October 26, 1948.

Brig. Gen. Homer Oliver Eaton, Jr., to date from April 28, 1948.

Brig. Gen. George Francis Ferry, to date from April 27, 1948.

Brig. Gen. William Murray Hamilton, to date from February 5, 1948.

Brig. Gen. Walter Jones Hanna, to date from July 28, 1948.

Brig. Gen. Thomas Linus Hoban, to date from October 25, 1948.

Brig. Gen. William Dolphas Jackson, to date from March 12, 1948.

Brig. Gen. Gordon Alexander MacDonald, to date from October 26, 1948.

Brig. Gen. Jesse Eschol McIntosh, to date from February 6, 1948.

Brig. Gen. Neil Robert McKay, to date from July 28, 1948.

Brig. Gen. John Webster Naylor, to date from April 28, 1948.

Brig. Gen. Carl Lawrence Phinney, to date from July 29, 1948.

Brig. Gen. Joseph Alsop Redding, to date from April 28, 1948.

Brig. Gen. Ralph Ferdinand Schirm, to date from July 29, 1948.

Brig. Gen. Patrick Elihu Seawright, to date from February 6, 1948.

Brig. Gen. Edward Devlin Sirois, to date from February 6, 1948.

Brig. Gen. Wint Smith, to date from June 8, 1948.

Brig. Gen. Paul Edward Warfield, to date from October 26, 1948.

Brig. Gen. Edward Otto Wolf, to date from September 8, 1948.

Brig. Gen. Warren Claypool Wood, to date from June 11, 1948.

To be major generals, Adjutant General's Department

Maj. Gen. William Henry Harrison, Jr., to date from March 5, 1948.

Maj. Gen. Curtis Dion O'Sullivan, to date from February 4, 1948.

To be brigadier generals, Adjutant General's Department

Brig. Gen. Murdock Alexander Campbell, to date from October 26, 1948.

Brig. Gen. George Milton Carter, to date from October 26, 1948.

Brig. Gen. Raymond Frederick Hufft, to date from November 1, 1948.

Brig. Gen. Richard King Mellon, to date from April 27, 1948.

Brig. Gen. George Clifford Moran, to date from July 28, 1948.

Brig. Gen. Frederick Gates Reincke, to date from July 28, 1948.

OFFICERS' RESERVE CORPS OF THE ARMY OF THE UNITED STATES

The officers named herein for appointment in the Officers' Reserve Corps of the Army of the United States under the provisions of section 37 of the National Defense Act as amended:

To be major generals

Brig. Gen. James Bell Cress.

Brig. Gen. Hanford MacNider.

Brig. Gen. Robert Wilbar Wilson.

To be brigadier generals

Brig. Gen. William Andros Barron, Jr.

Brig. Gen. Wallace Harry Graham.

Brig. Gen. Telford Taylor.

Brig. Gen. Thomas Edison Troland.

Brig. Gen. Courtney Whitney.

Col. Frank Brown Berry.

Col. Robert Hunter Clarkson.

Col. Clyde Emerson Dougherty.

Col. John Bettes Dunlap.

Col. James Calvin Frank.

Col. Charles Lyn Fox.

Col. Thomas Rodman Goethals.

Col. Harold Leroy Goss.

Col. Robert Dinwiddie Groves.
Col. William Rodes Jesse.
Col. Henry Kirksey Kellogg.
Col. Richard Leeson McNelly.
Col. Henry Carlton Newton.
Col. Francis J. Reichmann.
Col. James Thomas Roberts.
Col. Carl Ferdinand Steinhoff.
Col. Arthur Elsworth Stoddard.
Col. Carl Thomas Sutherland.
Col. Frederick Marshall Warren.
Col. Richard Seabury Whitcomb.
Lt. Col. Clement Bates Ellery Harts.

UNITED STATES AIR FORCE

The following-named persons for appointment in the United States Air Force in the grade indicated, with dates of rank to be determined by the Secretary of the Air Force, under the provisions of section 506, Public Law 381, Eightieth Congress (Officer Personnel Act of 1947):

To be second lieutenants

Milton I. Aalen
Grey L. Adams
James R. Adams
James D. Alexander
Theofelos A. Aliapoulios
Fred C. Allen
Herman D. Allshouse
George B. Ashby
Roy E. Bach
Linford B. Bachtell
David J. Baer
Richard M. Bagley
George F. Barker
Glen E. Barrington
George W. Beale
Vaughn L. R. Beals, Jr.
John C. Beeley
Rowland H. Bemis
John J. Berky
LeRoy W. Berry
William J. Besaw
Rufus L. Billups
Tommy F. Blackstone
Sylvester F. Blakely
Rudolph Bonapace
Harold K. Boyd
Lester T. Brannon, Jr.
Joseph S. Breeden
Jerome G. Bricker
Frederick A. Bristol, Jr.
John E. Brooke
Earl C. Brown
John D. Brown (Reserve Officers' Training Corps)
John D. Brown (aviation cadet)
Marvin L. Brown
Robert R. Buckley, Jr.
Lawrence K. Bulen
Marshall E. Burbank
David D. Bush
Irwin C. Cairns, Jr.
William G. Cameron
Matthew J. Campanella
Lucian C. Cantin
Avril B. Carter
Robert F. Chadeayne
William R. Chapin
William I. Chenault
John E. Chrisinger
Carl E. Christenson
Gilvin L. Claypool
Douglas R. Clifford
David B. Cloud
Robert E. Clyburn
Joseph W. Cohen
W. Frank Cole, Jr.
Mitchell E. Coleman
James D. Collums
Malcolm K. Condie
James E. Conlon
Clyde A. Cook
Randolph D. Cook
Arthur Cooper
Kenneth J. Costa
Harris E. Coutchie
John R. Crane
John S. Croswell, Jr.
Joe W. Cunningham
James A. Cushman
Jacques C. Dastillung
Robert A. Davidson
Harold A. Davis
Kenneth E. Davison
Thomas J. Devanny
Douglas C. Dowell
Earloyde Edmonson
Clinton W. Effinger III
Raymond Elliott
James T. Ellis
Morley L. Emery
Ferd B. English, Jr.
Paul J. English
Howard A. Hagen
Howard F. Hamill
Darwin R. Hamilton
Richard J. Hamilton
Robert L. Hamilton
Lloyd G. Hamlett
Victor W. Hammond
John I. Hammonds, Jr
George E. Hansen
Richard O. Hansen
Byne D. Harris
Thomas R. Harrison
Don M. Hartung
James E. Harvey
Robert A. Haun
Robert W. Hazlett
James G. Henry
Paul J. Hesketh, Jr.
Edward A. Hinkle
Robert C. Hinrichs
Richard H. Hittle
Gerald J. Hogenmiller
Walter A. Hogge, Jr.
Francis X Holbrook
Paul J. Holgren
Clarence W. Holloway
Arley R. Hombaker
Robert M. Horsky
Albert F. Howell
Virgil R. Huddleston
Bennett W. James
Robert D. Erickson
Francis P. Farrell
Kenneth W. F. Feltham
William P. Fey
Milo H. Fields
Edward F. Fisher
Charles M. Forbes
Dean W. Forbes
David L. Fort
Karl W. Forward
Thomas L. Foster
James E. Francy
Bobby G. Franklin
James D. Freeman
Robert E. Fullerton
Tom L. Gabbard
William H. Gallup, Jr.
James W. Geiger
John L. Gerwig
Kay G. Glenn
Jack D. Gooding
Robert A. Gray
James F. Green
Philip D. Greenwood
Robert E. Gross
David F. Guess
George C. James
Jake Jenkins
Evan L. Jensen
Gordon I. Jensen
Harold M. Jensen
Prentice E. Jones
Robert B. Jones
Robert C. Jones
Walter G. Jones
Robin A. Julien
Wilbur C. Kaiser
Eugene C. Karr
Alfred R. Kattar
Willis G. Kearl
David K. Keeler
Richard C. Keller
Howard F. Kempsell
Larry M. Killpack
William H. King
William M. King
James W. Kirk
Gilford W. Koopmann
Victor H. Kupferer
Robert J. Lacey
Robert H. Laier
Harry W. Lambe
Maximilian Lamont
Leonard C. Langdon, Jr.
Robert L. Larsh, Jr.
Robert W. Lauer
Norbert D. LaVally
Lawrence L. Lavanier
John H. Lawson
James E. Ledlie
Elmer K. Lile
Allen J. R. Longstreet
George A. Lowes
Robert T. Lowrance
William T. Luke
James V. Lukey
Benjamin C. Luna, Jr.
Richard J. Lyman
Paul R. Maguire
Samuel Mansbach
Lester P. Martin, Jr.
Richard L. Martin
Charles M. Mason, Jr.
Robert F. Maxwell
Bobby H. McAlister
Charles R. McAllister
Robert M. McAllister
Jerome M. McCarville
John C. McClure
Murray M. McColloch
Chester E. McCollough, Jr.
Clayton L. McDowell
William J. McElroy III
Wilson A. McElveen, Jr.
Leon McGoogan
Cleon F. McGraw
William D. McMullen
Harold W. Meade
Wayne A. Melendrez
David K. Merrill
Joseph Meyer
Harold L. Meyers
Harris E. Miller
Joseph N. Miller, Jr.
Wallace G. Minich
Joseph R. Mitchell
Robert E. Mitchell, Jr.
Willard L. Mitchell
John K. Moberly
Leonard A. Mobley
Rufus M. Monts III
Bruce H. Moore
Harold W. Moore
Robert E. Morey
Harold J. Mosher
John M. Musterman
Gordon G. Neal
Franklin W. Neff
Howard O. Neff
Harold D. Nelson
William R. Nelson
Norton H. Nickerson
Melvin H. Nuechterlein
Clair H. Oberdier
Eric F. O'Briant
Daniel J. O'Brien
Thomas S. O'Brien
Edward W. O'Leary
Francis J. Oles
William A. Owings
John T. Palmer
Walter G. Palmer
William M. Palmer
Robert B. Parker
Benton K. Partin
Robert B. Patton
Thomas E. Pearsall
Robert C. Perdzock
Charles H. Perin
Gerald Perselay
Ralph T. Peterson, Jr.
Duane M. Phillips
Lowell G. Phillips
Richard L. Pierce
William E. Pilcher
Lew L. Pilkington
Edgar H. Pittman, Jr.
John W. Plantikow
John S. Quinn
Luther T. Quinn, Jr.
Carmen D. Ragonese
Merle R. Rauscher
Pat A. Restaino
Donald E. Rice
Charles R. Riley
Allen W. Ripley III
Charles R. Ritchie
William J. Ritts
Harry E. Roadman
J. Lee Robbins
George A. Roberts
Gerald B. Robertson
William E. Robins
Louis Robinson
Arthur R. Ross
Jack R. Rotzien
Berry W. Rowe
Gene V. Rowland
Grant C. Rowland
John A. Rubino, Jr.
John H. Rule
Joaquin A. Saavedra
Robert J. Sagwitz
James L. Sanders
James C. Scheuer
James D. Schneider
Robert J. Scott
Earl H. Seibert
Albert Shabaikowich
Elwood M. Shaulis
Robert J. Sheldon
Bernard L. Sherline
Guy J. Sherrill
Vernon P. Shockley
Alonzo M. Shoemaker, Jr.
Thomas D. Shortridge
Robert W. Slack
Edmund G. Smith
Glenn C. Smith
Richard B. Smith, Jr.
Robert C. Smith, Jr.
Ronald E. Smith
Billy J. Smoot
Earl F. Spencer, Jr.
Manning M. Stair
Adolph J. Stampfl
William R. Stapleton
Robert A. Stefanik
Kenneth L. Sterne
Billy E. Stewart
Laslie M. Stewart
Joseph E. Stockwell
William A. Suiter
Edward J. Sullivan
Roland H. Swartzlander
Robert E. Swett
Henry L. Swift
Luther A. Tarbox
Theodore K. Taylor
Willard D. Tease
Hagop H. Terzagian
Doyle Thigpen
Donald O. Thompson
Joseph C. Thompson
Richard W. Thompson
Stanwood Thompson
Lawrence E. Till
Archie W. Tucker
Donald B. Tuttle
Maurice O. Van Emon
Arthur C. Voudouris
Charles H. Wade, Jr.
Jack O. Wade
Arnold M. Walkow
Ernest C. Walley
Gerald L. Waterman
Ernest P. Watras
Robert L. Watson
Thomas M. Watson, Jr.
Richard A. Weil
Robert F. Wenger
James W. Wheat
Gene R. White
Gwynne W. White
Ralph W. White
John E. Wolter

IN THE NAVY

The following-named officers for temporary appointment to the grade of rear admiral in the line of the Navy:

Frank T. Watkins
Wallace R. Dowd
Tom B. Hill

The following-named officers for temporary appointment to the grade of rear admiral in the Medical Corps of the Navy:

Carl A. Broaddus
Joseph B. Logue

The following-named officers for temporary appointment to the grade of rear admiral in the Supply Corps of the Navy:

Frank C. Dunham
Stephen R. Edson

The following-named officers for temporary appointment to the grade of captain in the line of the Navy:

Stanley M. Alexander
William C. Butler, Jr.
Rex S. Caldwell
Marshall E. Dornin
Walter M. Foster
John J. Greytak
Frederick V. H. Hilles
Bruce D. Kelley
Herman N. Larson
Nicholas Lucker, Jr.
William B. Moore
Marvin C. Parr
Louis F. Teuscher
John L. Wilfong

The following-named officer for temporary appointment to the grade of captain in the line of the Naval Reserve:

Edward R. Anderson

APPOINTMENTS IN THE NAVY

Luther F. Duncan, to be an ensign in the Navy from the third day of June 1949, in lieu of ensign in the Navy as previously nominated and confirmed, to correct date of rank.

The following-named (civilian college graduates) to be ensigns in the Navy from the third day of June 1949:

John M. Andersen
Robert G. Anderson
Alex L. Baldwin
Joseph E. Bores
John P. Cooper
David E. Dearolph
James E. Feely, Jr.
Richard L. Gribling
Hughen G. Halliburton
Robert R. King, Jr.
Dale W. F. Krehmeyer
Bernard P. Kritzmacher
Lewis S. Lamoreaux
Oren A. Peterson
James K. Staud
Winston J. Taylor
James A. White
William DeW. Wingfield

Worthen A. Walls (civilian college graduate) to be a lieutenant (junior grade) in the Civil Engineer Corps of the Navy.

The following-named (civilian college graduates) to be lieutenants (junior grade) in the Dental Corps of the Navy:

Robert W. Didion
Louis M. Ellis

Frederick S. Welham (civilian college graduate) to be a lieutenant in the Dental Corps of the Navy, in lieu of lieutenant commander as previously nominated and confirmed.

The following-named to be ensigns in the Nurse Corps of the Navy:

Marilyn A. Blasio
Willidean Blazier
Eleanor F. Bresnahan
Dolores T. Burns
Mildred C. Cannaday
Clare P. Cooney
Georgia J. Donnelly
Mary V. Doyle
Hope M. Estey
Frieda C. Galipp
Elizabeth A. Geary
Freda M. Hawkins

Violet C. Haydel	Katherine M. Merrill
Etha M. Horngren	Margaret C. Oleyar
Estelle Korol	Mary R. Remski
Rosalind C. Light	Margaret Shaker
Mary L. Lower	Alice L. Spence
Alice T. McCarthy	Frances C. Whitlock
Rose E. McCluskey	Dorothy Zulick

The following-named officers to the grades indicated in the Medical Corps of the Navy:

Commander

William S. Lawler

Lieutenant commanders

Wendell A. Butcher
Hermann J. Lukeman

Lieutenants

Gustave T. Anderson
Charles E. Weber

Lieutenants (junior grade)

Victor G. Benson	Edward Martin, Jr.
Cyril J Honsik	Gerald A. Martin

The following-named officer to the grade indicated in the Medical Service Corps of the Navy:

Lieutenant

George LeR. Baker

The following-named officers to the grades indicated in the Nurse Corps of the Navy:

Lieutenants (junior grade)

Helen E. Crabtree
Pauline R. Uhorczuk

HOUSE OF REPRESENTATIVES

THURSDAY, MARCH 10, 1949

The House met at 12 o'clock noon.

Rev. Walter Dominic Hughes, O. P., S. T. D., Dominican House of Studies, Washington, D. C., offered the following prayer:

Direct by Your inspiration, we beseech You, O Lord, all the actions of these our elected representatives, and in Your tender providence and paternal care govern those who govern us. Sustain them, Heavenly Father, by Your power, so that neither the hostility of enemies nor the indifference of unappreciative allies may thwart their efforts or deny to them ultimate success.

Incarnate wisdom, Son of God, who came into the world to enlighten every man, teach them truth. Educate them in the practical prudence of just judgments and the impracticality of hasty expedience and unworthy compromise. Divine Legislator, who as man was the most faithful executor of the will of God, give these legislators sound judgment and a right conscience. By Your continuing assistance enable them to provide laws that will promote our temporal welfare and remove the obstacles to the spiritual good of all in this great Nation dedicated to her from whom You took Your flesh to dwell among us.

Strengthened by divine power and enlightened with supernal wisdom, may they be moved by the Holy Spirit of Divine Love to forestall selfish interests and accomplish the common good of each and all. May that common good be the motivation of all their deliberations and counsels. May they exercise their authority, not in the petty tyranny of a partisan spirit, but in the spirit of Christian love, knowing that only by their own subjection to God as their Father may they enlist the allegiance of their fellow men as brothers.

Beginning each day and every action before God in prayerful submission, unwavering confidence, and sincerest love, may they and those whom they govern be rewarded with that measure of temporal happiness which will most readily lead them to the unbounded happiness of heaven in the vision and fruition of God, Father, Son, and Holy Spirit, who lives and reigns for ever and ever. Amen.

The Journal of the proceedings of yesterday was read and approved.

EXTENSION OF REMARKS

Mr. HERLONG asked and was given permission to extend his remarks in the RECORD and include the text of the address of President Truman given on the occasion of the conferring upon him of the honorary degree of doctor of humanities at Rollins College, in Winter Park, Fla., on Tuesday last.

Mr. SMATHERS asked and was given permission to extend his remarks in the RECORD and include an article by Grantland Rice.

Mr. HELLER, Mr. PASSMAN, and Mr. BOGGS of Delaware asked and were given permission to extend their remarks in the RECORD.

Mr. RAINS asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. LANE asked and was given permission to extend his remarks in the RECORD and include a statement made by himself.

Mr. ANGELL asked and was given permission to revise and extend the remarks he expects to make in the Committee of the Whole today and include certain extraneous matter.

Mr. RICH asked and was given permission to extend his remarks in the RECORD in two instances and to include in one an article from the United States News and World Report, entitled "You, Too, Work for Uncle Sam," and in the other an editorial from the Bristol Courier of Tuesday, March 8, on paying Britain's bills.

Mr. SMITH of Wisconsin asked and was given permission to extend his remarks in the RECORD on House Resolution 143, which he has introduced, and include an article and an editorial.

Mrs. ROGERS of Massachusetts asked and was given permission to extend her remarks in the RECORD and include a résumé prepared by herself regarding veterans' pensions, together with a letter from General Gray regarding veterans' pensions, and a statement from him regarding the discharges other than dishonorable.

Mr. WIGGLESWORTH asked and was given permission to extend his remarks in the RECORD and include a newspaper statement.

Mr. TOWE asked and was given permission to extend his remarks in the RECORD and include an article on socialized medicine.

Mr. YATES asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. RODINO asked and was given permission to extend his remarks in the RECORD and include an editorial from the Newark Evening News.

Mr. HART asked and was given permission to extend his remarks in the RECORD and include an article from the New York Times.

GOVERNMENT COMPETITION WITH PRIVATE SHIPYARDS

Mr. MURPHY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MURPHY. Mr. Speaker, many thousands of shipyard employees are in danger of losing their jobs. This unemployment will result if the Maritime Commission is not prevented from involving the Federal Government in the ship-repair business.

A reduction in ship construction and repair work has already compelled the shipbuilding industry to lay off large numbers of men. Therefore, the entrance of the Federal Government into any phase of shipbuilding work at this time would cripple an industry that has proven indispensable to our national security; it would result in unemployment and hardship to workers whose skills are a most important element in our national defense.

The Maritime Commission proposes to use movable military-type drydocks in order to recondition 2,000 laid-up cargo ships grouped into 6 fleets anchored in as many locations.

Shipbuilding experts from the East, West, and Gulf ports have testified before the House Committee on Merchant Marine and Fisheries that this activity of the Maritime Commission would be very injurious to their industry and not at all profitable to the Government. They warned that unemployment would spread throughout the industry as a consequence.

It was pointed out that the Maritime Commission, in formulating their plan, did not take into account the expense of shore installations necessary for such work. These installations are available in private yards where many were built during the war under facilities contracts by the Federal Government.

With funds already expended in our shipyards, it does not seem good judgment to employ additional Government money in the purchase of new equipment to accomplish what the existing private shipyards can do and have done during the war on a scale never imagined by the most imaginative.

My district contains one of the greatest shipping and shipbuilding areas in the country. Large numbers of our people depend directly or indirectly on the Maritime industries for their living. Government competition with private industry such as proposed by the Maritime Commission would have serious economic consequences to the people of the district I represent as well as to those of every other area in the country similarly situated.

EXTENSION OF REMARKS

Mr. CANNON. Mr. Speaker, Williams Jewell College, one of the oldest schools west of the Mississippi, this month celebrates its centennial anniversary and I ask unanimous consent to extend my remarks and include addresses delivered by the Governor of Missouri and the president of the college and other related data.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

STATE REPRESENTATIVE DUSENBURY AND REPRESENTATIVE HUGO SIMS, JR., OF SOUTH CAROLINA

Mr. YATES. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. YATES. Mr. Speaker, I rise to commend two distinguished citizens of South Carolina, both active in representative capacities, who apparently took their political lives in their hands by voting in accordance with their consciences rather than upon the basis of political expediency.

The first, Representative Dusenbury, stated in the South Carolina Legislature his opposition to the State's $60,000,000 World War II veterans' bonus bill. The holder of the Navy Cross and Silver Star, Representative Dusenbury has lost the use of his legs in action against the Japanese.

He stated in substance that he was a citizen first and a veteran second and that he would favor rather the use of the $60,000,000 for roads or schools in the State.

He stated further his political philosophy when he said:

I am certainly willing to put my political life on the line any time for my country.

The second person whom I should like to commend is the "baby" of this House, an ex-paratrooper in our armed forces, Representative HUGO SIMS, JR., who may be young but who has wisdom far beyond his years. Yesterday Representative SIMS voted his conscience in a way which he conceived to be for the welfare of his country by casting his vote—the deciding vote—in the Committee on Education and Labor in favor of the administration's minimum-wage bill. I know that extreme pressure was brought upon the gentleman to vote against the bill and that it may well have been much more expedient for him to do so, particularly at this time when he is beginning his career.

I am very proud to be among his associates in this House.

I am sure that in each of these instances the people of South Carolina will respect the integrity and ability of their representatives and will give them the long and distinguished careers they so richly deserve.

ANNIE O. BROWN

Mrs. NORTON. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged resolution (H. Res. 140) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That there shall be paid out of the contingent fund of the House to Annie O. Brown, wife of Edward Brown, late an employee of the House, an amount equal to 6 months' salary at the rate he was receiving at the time of his death, and an additional amount not to exceed $250 toward defraying the funeral expenses of the said Edward Brown.

The resolution was agreed to.

A motion to reconsider was laid on the table.

MRS. CHARLOTTE H. MURDOCK

Mrs. NORTON. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged resolution (H. Res. 126) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That there shall be paid out of the contingent fund of the House to Mrs. Charlotte H. Murdock, widow of Wallace C. Murdock, late an employee of the House of Representatives, an amount equal to 6 months' salary at the rate he was receiving at the time of his death and an additional amount not to exceed $250 toward defraying the funeral expenses of said Wallace C. Murdock.

The resolution was agreed to.

A motion to reconsider was laid on the table.

BOARD OF REGENTS, SMITHSONIAN INSTITUTION

Mrs. NORTON. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged resolution (H. J. Res. 89) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, etc., That the vacancy in the Board of Regents of the Smithsonian Institution, of the class other than Members of Congress, be filled by the appointment of Jerome C. Hunsaker, a citizen of Massachusetts, for the statutory term of 6 years, to succeed Frederic C. Walcott, retired.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOHN F. SCHMELZER

Mrs. NORTON. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged resolution (H. Res. 93) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That there be paid out of the contingent fund of the House of Representatives the sum of $393.52 to John F. Schmelzer and Alliance Insurance Co., care of William H. Clark, attorney, 637 Woodward Building, Washington, District of Columbia, as reimbursement for damages sustained to the automobile of John F. Schmelzer on May 13, 1948, as a result of an accident involving a House of Representatives postal truck at the intersection of Connecticut Avenue and California Street NW., Washington, District of Columbia.

The postal driver of the House of Representatives truck, while on official business, entered the intersection of Connecticut Avenue and California Street NW. against a red light, and was arrested, pleaded guilty, and paid a fine.

The resolution was agreed to.

A motion to reconsider was laid on the table.

COMMITTEE ON EDUCATION AND LABOR

Mrs. NORTON. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged resolution (H. Res. 113) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the expenses of conducting the studies and investigations authorized by House Resolution 75, Eighty-first Congress, incurred by the Committee on Education and Labor, acting as a whole or by subcommittee, not to exceed $15,000, including expenditures for printing and binding, employment of such experts, and such clerical, stenographic, and other assistants, shall be paid out of the contingent fund of the House on vouchers authorized by said committee and signed by the chairman of the committee, and approved by the Committee on House Administration.

SEC. 2. The official committee reporters may be used at all hearings held in the District of Columbia, if not otherwise officially engaged.

With the following committee amendment:

Line 5, strike out the words "printing and binding."

The committee amendment was agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

STRATEGY AND TACTICS OF WORLD COMMUNISM

Mrs. NORTON. Mr. Speaker, by direction of the Committee on House Administration, I ask for the immediate consideration of House Concurrent Resolution 18.

The Clerk read the resolution, as follows:

Resolved by the House of Representatives (the Senate concurring), That there be printed as a House document and that there be printed in addition 15,000 copies of Supplement III (Country Studies A, B, and C) of the report of the Subcommittee on National and International Movements of the Committee on Foreign Affairs entitled "The Strategy and Tactics of World Communism" for the use of the Committee on Foreign Affairs.

The resolution was agreed to.

A motion to reconsider was laid on the table.

FASCISM IN ACTION

Mrs. NORTON. Mr. Speaker, by direction of the Committee on House Administration, I submit House Concurrent Resolution 44, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved by the House of Representatives (the Senate concurring), That there shall be printed 100,000 additional copies of House Document No. 401, Eightieth Congress, entitled "Fascism in Action," of which 84,000

copies shall be for the use of the House of Representatives and 16,000 copies shall be for the use of the Senate.

The resolution was agreed to.

A motion to reconsider was laid on the table.

HOUSING AND RENT CONTROL, 1949

Mr. SABATH. Mr. Speaker, I call up House Resolution 138 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 1731) to extend certain provisions of the Housing and Rent Act of 1947, as amended, and for other purposes, and all points of order against said bill are hereby waived. That after general debate, which shall be confined to the bill and shall continue not to exceed 5 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Banking and Currency, the bill shall be read for amendment under the 5-minute rule. It shall be in order to consider without the intervention of any point of order the substitute committee amendment recommended by the Committee on Banking and Currency now in the bill, and such substitute for the purpose of amendment shall be considered under the 5-minute rule as an original bill. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any of the amendments adopted in the Committee of the Whole to the bill or committee substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

CALL OF THE HOUSE

Mr. MILLER of Nebraska. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. The Chair will count. [After counting.] Evidently no quorum is present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 24]

Albert	Hall,	Pfeiffer,
Allen, Ill.	Leonard W.	William L.
Aspinall	Hays, Ark.	Phillips, Calif.
Bland	Hébert	Potter
Blatnik	Howell	Poulson
Buckley, N. Y.	Jackson, Wash.	Powell
Bulwinkle	Jacobs	Reed, N. Y.
Byrne, N. Y.	Javits	Richards
Canfield	Kennedy	Rooney
Celler	Keogh	Scott, Hardie
Chatham	Kirwan	Scott,
Cooley	Klein	Hugh D., Jr.
Corbett	McMillan, S. C.	Smith, Ohio
Coudert	Macy	Somers
Davis, Tenn.	Marshall	Stigler
Dawson	Miles	Thomas, N. J.
deGraffenried	Morris	Vorys
Dingell	Murdock	Whitaker
Douglas	Murray, Tenn.	Wickersham
Fernandez	O'Toole	Wilson, Okla.
Furcolo	Patten	Withrow
Gilmer	Pfeifer,	
Granger	Joseph L.	

The SPEAKER. On this roll call 369 Members have answered to their names; a quorum is present.

By unanimous consent, further proceedings under the call were dispensed with.

EXTENSION OF REMARKS

Mr. WALTER asked and was granted permission to extend his remarks in the RECORD and include a report.

Mr. PATMAN asked and was given permission to extend his remarks in the RECORD in two instances and include certain statements and excerpts.

Mr. PATMAN asked and was given permission to revise and extend the remarks he intends to make in Committee of the Whole and include certain statements and excerpts.

Mr. McDONOUGH asked and was given permission to extend his remarks in the RECORD and include a resolution.

HOUSING AND RENT CONTROL, 1949

The SPEAKER. The gentleman from Illinois [Mr. SABATH] is recognized.

Mr. SABATH. Mr. Speaker, this resolution makes in order H. R. 1731, known as the rent-control bill. It is an open rule.

The rule provides for 5 hours of general debate, a very liberal time. The rule also provides that after general debate the bill will be taken up in the House under the 5-minute rule for amendment, thereby giving the Members ample opportunity and privilege to offer amendments if they so desire.

In the interest of the new Members, Mr. Speaker, may I say that during the Eightieth Congress the Committee on Banking and Currency endeavored for months to bring out a decent rent-control bill, and finally reported one out and instructed its chairman to come to the Rules Committee and ask for a rule on it. But, unfortunately, when the chairman appeared before the Committee on Rules, he forgot about the instructions of his committee and submitted his own closed rule not on the original bill reported by the committee but on a bill backed by the real-estate operators which was against the interests of millions of American veterans and people who were unable to obtain decent living quarters.

A reading of the bill now before us and the splendid report which the committee has submitted clearly shows that it is the aim of the committee to safeguard and aid veterans and persons of low earnings and income to obtain living accommodations.

I hope in view of what has taken place heretofore that my Republican friends will join with us in passing this bill so that they will not find themselves in the position of those who voted for the vicious real estate lobbyists bill in the last session of Congress. Some of them actually did intend to join us in passing a decent bill but, unfortunately, due to the powerful influences of the great lobby that was then active here, they were forced in voting against their own desires and convictions. The activities of the lobby has not in any way diminished and its representatives can be seen in the hotels, in the corridors of the Offices buildings, and in the galleries of the House and Senate, continuing their activities in full force, determined to kill this legislation in the interest of a few thousand owners of these big apartment buildings and hotels, most of which were acquired under distress conditions at 10, 15, and 20 cents on the dollar. They have spent over $3,000,000 trying to beat this legislation, legislation in the interest of the American people, but I hope none of you new Members, and even some of you Republicans, will not fall prey to the ingenious and arrogant tactics of this lobby which, mind you, Mr. Speaker, is sponsored by the National Association of Manufacturers, builders and contractors, hotel apartment operators, and by certain groups and combinations of hotel organizations that are acquiring every hotel and apartment hotel it is possible for them to obtain.

Mr. Speaker, I am of the opinion that any Member who is sincere and honest, and realizes the shortage that exists in rental quarters will support the committee and the bill.

I wish to congratulate the committee upon the splendid bill they have reported, and I reiterate and restate that any Member who is sincere, honest, and desirous of voting in the interest of the deserving veterans and the people will support this bill.

Mr. SABATH. Mr. Speaker, I yield 3 minutes to the gentleman from Georgia [Mr. COX].

Mr. COX. Mr. Speaker, I ask unanimous consent to speak out of order for 1 minute of my time.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. COX. Mr. Speaker, I have said a thousand times and now repeat, that communism has gained such a commanding influence over the minds of men as to endanger the peace and security of the whole human family.

Under the ceaseless attacks of Soviet Russia, states are falling one after the other, freedom is seeking a place to hide, religion is in retreat, and the whole moral order of the world is in a state of decay.

If communism is to be stopped here in our own country, now is the time to begin an all-out effort to stop it, and so, I wonder if the time has not arrived when the people in every part of the country should be urged to send their representatives here to counsel with one another upon the safety of the Republic.

Mr. Speaker, I fear that the strength and the will to save America must be found outside of the Government.

There may be here great virtue and wide understanding, but of courage and unselfishness there is little or none. The general welfare is consistently subordinated to personal and party politics.

And so, Mr. Speaker, we continue to ride the tide that rolls on toward that equality and democracy of which the new order speaks—an equality of servitude—a democracy of degradation.

Mr. Speaker, as to the pending rule I favor its adoption. I would like to make the observation that in time of emergency the rights of individuals must be sacrificed to the general welfare, but when the emergency has passed these rights should be restored.

The law which it is proposed to continue is confiscatory in character. Continue it indefinitely and all landed property will ultimately be sacked and ravaged. It is not good legislation and it is not good government.

Mr. Speaker, the gentleman from Georgia [Mr. BROWN] will offer several amendments. It is my feeling those amendments should be adopted, the limitation of 90 days should be imposed, then the whole thing thrown out of the window.

Mr. SABATH. Mr. Speaker, I yield 30 minutes to the gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. Mr. Speaker, I yield myself such time as I may need.

Mr. Speaker, as the gentleman from Illinois [Mr. SABATH], chairman of the Rules Committee, has told you, House Resolution 138 makes in order the consideration of the bill (H. R. 1731) to extend certain provisions of the Housing and Rent Act of 1947, as amended, and provides for 5 hours' general debate thereon. This rule would also waive all points of order on the bill.

However, the gentleman from Illinois failed to tell you that H. R. 1731 is a very much changed measure from that which was originally introduced by the gentleman from Kentucky [Mr. SPENCE], chairman of the Banking and Currency Committee, on January 24. If you will study a copy of the pending bill (H. R. 1731), you will note that practically the entire original measure, as introduced, has been stricken, and in its stead the committee has reported to the House a new version of the measure to extend the Rent Control Act.

While I know that this bill will be very thoroughly explained and fully debated on the floor of the House during the remainder of the day, and perhaps tomorrow morning, I want to emphasize the fact that the pending measure which would continue Federal rent control for 15 months, or until midnight of June 30, 1950, under a much stricter law than the present one. In other words, it would not only continue present controls over rental property, but would actually broaden and extend them. It would also give to rent-control officials far greater and broader powers than they have ever exercised heretofore.

The proposed law also gives to the Rent Control Director the authority to recontrol much of the rental property which has been decontrolled if he, in his judgment and discretion, deems it wise to do so.

This bill does not in any way give any assurance, or any guaranty, to any rental property owner that he will receive any return whatsoever on his investment. As far as this bill goes, it only provides that in fixing rents the Rent Control Director shall take into consideration any increased costs of maintenance and operation, such as increased taxes, higher cost of coal, labor, and so forth. Nowhere in this bill is there any provision which will give any assurance whatsoever to any American citizen who owns rental property that the rent fixed under the provisions of this proposed Federal law will be such as to give a fair return on the investment.

I am sure I am speaking for almost every Member of this House when I say none of us believes in rent profiteering. We do not like it, and we do not want it. Certainly, we all want to see the individual who is compelled to rent living quarters to receive fair treatment. We think he is entitled to that. But, on the other hand, many of us have the fixed opinion owners of rental property are also entitled to fair treatment.

Many of us in Congress have had rather sad experiences during recent years which have convinced us that neither the Federal rent-control law nor the administration thereof have been fair or just to many property owners.

I understand that in the Committee on Banking and Currency an amendment was offered by the distinguished gentleman from Georgia [Mr. BROWN] to require that in fixing rents the rental rate be set so as to give a fair return on the fair value of the property; or in other words, rents be fixed at a figure which will guarantee, that while the property owner has to obey the orders of the Rent Control Director, he will not be compelled to rent his property without any profit or any return upon his investment. The Brown amendment was offered in the committee, as I understand, with the thought and with the intent to extend fair treatment to those thrifty citizens who have invested their life savings in rental properties on the returns from which they have to depend for a living.

I am firmly convinced that there has never been a property right that was not also a human right.

We hear a great deal of talk, most of which is just pure, simple guff, about how human rights must always be placed above property rights, yet every property right that I ever knew of—and our Constitution, and the founding fathers who wrote it, so provided—is also a personal or a human right. It is just as much of a human right for an old man or an old woman who has saved his or her money throughout the years and invested it in a little rental property, to receive a fair return on such an investment as it is a human right for any individual to obtain a place to live at a fair rental. We should approach this entire problem only on the basis of attempting to be fair to all concerned.

I understand an amendment was also offered in the committee to extend the present rent-control law as is for 90 days in order an opportunity might be given to determine just which way we are going in our economic life here in America—whether this so-called little depression or recession or disinflation in which we find ourselves is only temporary or whether it is the beginning of a more serious situation which could develop into a full-fledged depression.

Certainly the great Committee on Ways and Means of this House, and certainly many of the agencies of Government which have seen fit to postpone action on legislation and on Government construction and other important matters until it can be determined whether we are going into a depression or are to continue at the present level of economic life, production of goods and employment of persons, have acted wisely.

I think it would be well for us to at least delay for 90 days any further consideration of this matter, until we determine just what the future may hold for America.

Of course, I am of the rather firm conviction that if there are still any communities in America—and I presume there are quite a number—in which there is still a great scarcity of rental property, and where rent control is still needed, that authority to control should be exercised by the State and local officials rather than by the Federal Government.

When this bill was before the Rules Committee, I asked a number of the members of the great Committee on Banking and Currency, who were requesting this rule, to tell us when they expected Federal rent control in America to end. Whether, if this bill was written into law, it would be the last rent-control bill we would have before us, or whether there would be others to come in the future. Whether we were embarking upon a series of continued bills, so that we will always have rent control here in this country, or will have it for many years to come. I did not get any answers, because, seemingly, they do not know. Personally, I am a little fearful that perhaps we may be going into a controlled economy, which will not be of any benefit but of great detriment to the Nation.

Despite the remarks of my beloved chairman, the gentleman from Illinois, that this is a bill for the benefit of the veteran—and it does have a section or two referring to the rights of veterans, under certain circumstances, to purchase new property or reconstructed property—from experience we have learned that Federal rent control has actually worked to the disadvantage of the veteran, because in the first Rent Control Act, passed during the war, and in every bill since, we have frozen the occupants of rental property in that property. In other words, during the war we passed a rent-control bill which provided that tenants occupying a property could always stay in that property. We made it very difficult or impossible to get rid of any tenant against his will. So when our thirteen or fourteen million veterans came home, they found that people who were not in the war had all available property rented, and that there was not any rental property to be found for use of the veterans. There was no way for them to rent an apartment or a home. Their only chance to rent a piece of property was to find one that had become vacant—a rather difficult thing to do under the circumstances. So this is not truly a bill for the benefit of the veteran.

I want to urge you to pay close attention to the coming debate, and above all else to be on the floor tomorrow and to listen to the arguments made in favor of the various amendments which will be offered. Also to vote on those amendments, because I am rather fearful that, unless this bill is properly amended, its passage will work a real hardship on the people of the United States, including many of our veterans. I hope, as this bill is fully debated and explained, that every Member of Congress may become acquainted with its provisions. As I

said in the beginning, this bill will give to the Nation a much stricter rent-control law than we have ever had before. Almost 4 years after the fighting stopped, it is proposed we extend the controls over and restrictions on the owners of property even further than we did in time of war. Therefore, I hope you will give careful consideration to this measure. This is an important matter. It contains an issue that the Congress must meet and pass upon, the more quickly the better.

Mr. SABATH. Mr. Speaker, I yield 5 minutes to the gentleman from Texas [Mr. PATMAN] a member of the committee.

Mr. PATMAN. Mr. Speaker, the Committee on Banking and Currency of the House is very fortunate. We have a very fine chairman, the Honorable BRENT SPENCE, of Kentucky. He is not only able, but he is fair to everyone, regardless of political affiliations of the member. He is always fair. Under his leadership and guidance we are permitted to bring to the House of Representatives today, I believe the best possible bill that could be brought for rent control. I do not like rent control but it is necessary. In 1947 I voted against the weak bill for the landlords only which was presented to the House for rent control. I am convinced now that we must have rent control until the emergency is over or at least until it is over to a greater extent than it is at the present time. I am convinced that some of the landlords have demonstrated an attitude toward tenants that if we were to release them from rent control at this time, I am afraid they would go too far. I am sure all landlords would not, but a sufficient number would so as to disrupt our economy. It is my prediction if we do not have rent control for the next 15 months, the time provided for in this bill, we will have increases in rents, from 50 percent to 500 percent. I am basing that upon testimony received before the committee. Unfortunately these areas that are so tight where housing accommodations and residential units are so scarce are areas in which wage earners live; and if we do not have rent control, wage earners will have to pay more rent. It will be doubled; it will be increased 200 percent, and in some instances 300 percent. That means just one thing; that is, that these wage earners cannot take care of that under their present budget. They will necessarily ask for increased wages, and if they do not receive increased wages we will possibly have strikes. So it is possible if we destroy rent control in March that we will have work stoppages in May, through strikes caused by the action of Congress in refusing to extend rent control.

This bill contains many valuable provisions that it has not contained in the past. Heretofore I have been against recontrolling. When the Housing Expediter decontrolled an area I was opposed to his having the privilege of going back and recontrolling that area. But I am now convinced that at least 150 or 200 areas can be decontrolled immediately if this bill becomes law as it is, for the reason that it provides for recontrol in the event rents get out of line. Although the Expediter would like to decontrol, not having the power to put them back under control if they get out of line, he is reluctant to do it. I think he is acting wisely in that, but if we give him the power to recontrol then he will be more liberal and generous in decontrolling areas. So at least 150 or 200 areas or portions of areas will be decontrolled almost immediately if this bill becomes law.

This bill will provide something else. The gentleman from Georgia [Mr. BROWN] has an amendment which the gentleman from Ohio [Mr. BROWN] mentioned a while ago. I am going to vote for that amendment. That amendment provides for a reasonable return upon a reasonable value. That is all right. That will correct the criticisms of many Members of this House.

The bill that was passed in 1947 I consider was strictly a landlord's bill. That bill wholly disarmed the tenants. The tenants had no rights that they could exercise, and the landlord was armed with all kinds of rights and privileges and opportunities to get rid of the tenants. So the tenants had no rights. This bill is not just a landlord's bill. It is a bill that is fair to both landlords and tenants.

It has an unusual provision in this, that each area office will have a local expediter, we will call him. He is not named that, but we will call him a local expediter—a person designated by the local board to help both landlords and tenants in presenting their claims.

The SPEAKER. The time of the gentleman from Texas [Mr. PATMAN] has expired.

Mr. SABATH. Mr. Speaker, I yield the gentleman three additional minutes.

Mr. PATMAN. The Housing Expediter learned, in contact with local boards all over the country, that landlords were not making applications for adjustments. They were discouraged. They would go into a local office and it would be filled with people. It would take up a lot of time. They would give up and go back home and suffer the consequences.

Out of 17,000 applications filed by landlords for readjustments in one recent month, 15,000 of those cases were processed up to a few days ago, and over 13,000 received increases in rents. So that shows that if they had merit in their case they would get a readjustment.

So this committee has recommended in this bill that we have a local person whose duty it is to do nothing else except to help the landlords and tenants in getting proper and fair adjustments. That is going to relieve many of these hardship cases. With that alone and with the Brown amendment, I think we will have a very fine bill for rent control.

The number of wage earners in this country who will be affected by these enormous increases in rents is sufficient to have a great effect, a devastating effect, upon our entire economy. So a vote for this bill is a vote for stabilization, and it is a vote against the stoppage of production and strikes in the future.

I hope you will vote for the 15 months' extension that the committee is asking you to vote for today.

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield.

Mr. BROWN of Ohio. I was very much interested in the gentleman's statement that he believed the Brown amendment was a good amendment and that he expected to vote for it when it was offered on the floor. Will the gentleman tell the membership by what vote the Brown amendment failed in the Committee on Banking and Currency?

Mr. PATMAN. That, of course, was an executive session of the committee. Does the gentleman say it is all right to disclose what happened in an executive session?

Mr. BROWN of Ohio. I certainly think it is all right on this particular matter.

Mr. PATMAN. It failed by a vote of 12 to 11 when it was first brought out.

Mr. BROWN of Ohio. And did the gentleman who is now addressing the House vote for it?

Mr. PATMAN. I voted against it.

Mr. BROWN of Ohio. But the gentleman has changed his position now?

Mr. PATMAN. I have; I am going to vote for it.

Mr. BROWN of Ohio. I wonder whether it is a conversion or whether the gentleman has come to the conclusion that he cannot pass the bill without the Brown amendment in it?

Mr. PATMAN. You cannot pass quick judgment on so long an amendment.

The SPEAKER. The time of the gentleman from Texas has again expired.

Mr. PATMAN. May I have three additional minutes?

Mr. SABATH. I yield the gentleman two additional minutes.

The SPEAKER. The gentleman from Texas may proceed.

Mr. PATMAN. I voted that way because the Brown amendment is not a mass of Brown amendments, as the gentleman said a while ago; it is just one amendment; it is a very long amendment; and when you bring up an amendment like that, you see a lot of words and phrases you are not accustomed to, and you like to look into its definitions, you like to determine how the courts have construed such provisions in the past. When you are convinced that the words and phrases are all right and that it will not be disruptive to the Rent Control Act, then I think it is perfectly all right to change your mind and vote for it; and that is exactly what I am going to do, after thorough consideration.

Mr. O'SULLIVAN. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield.

Mr. O'SULLIVAN. Did I understand the gentleman to say that the Brown amendment provides for a fair return based on the value of the property?

Mr. PATMAN. The gentleman from Georgia will present his own amendment. I do not like to be brought into the discussion about details in the amendment. I hope the gentleman will not insist.

Mr. O'SULLIVAN. I was thinking that probably the fairer way would be to base the return on the cost of the investment, because values have gone out of sight.

Mr. PATMAN. A number of ways were considered, but I think the Brown amendment fairly presents the matter; and that is the amendment I expect to vote for, after thorough consideration.

I am inserting herewith answers to questions that have been propounded to the Housing Expediter and his answers thereto:

QUESTIONS AND ANSWERS ON H. R. 1731 AMENDING THE HOUSING AND RENT ACT OF 1947, AS AMENDED

1. Question. For how long does the bill extend control over rents?

Answer. Until June 30, 1950, unless sooner terminated by proclamation of the President or by concurrent resolution by both Houses of Congress.

2. Question. What changes are made in the decontrol provisions relating to hotel accommodations?

Answer. The bill decontrols all accommodations in transient hotels and recontrols all accommodations in apartment and residential hotels. The test date for determining the status of a particular establishment is June 30, 1947.

3. Question. What effect has the bill on trailers and trailer spaces?

Answer. The bill recontrols trailers and trailer spaces not used exclusively for transient occupancy.

4. Question. Does the bill continue the decontrol of new construction completed on or after February 1, 1947?

Answer. Yes.

5. Question. Does the bill continue the decontrol of accommodations created by a change from a nonhousing to a housing use on or after February 1, 1947?

Answer. Yes.

6. Question. Does the bill continue the decontrol of additional accommodations created by conversion on or after February 1, 1947?

Answer. Yes, except that in conversions created on or after the effective date of the new act the landlord must obtain a decontrol order from the Housing Expediter, which shall be issued if the conversion results in additional self-contained family units.

7. Question. Does the bill continue the decontrol of motor courts and tourist homes?

Answer. Yes.

8. Question. Does the bill continue the decontrol of accommodations not rented for 24 successive months between February 1, 1945 and March 30, 1948?

Answer. No, these accommodations are recontrolled.

9. Question. Does the bill continue the decontrol of newly constructed housing accommodations completed between February 1, 1945, and February 1, 1947, which were not rented prior to June 30, 1947?

Answer. Yes.

10. Question. Does the bill continue the decontrol of nonhousekeeping, furnished housing accommodations located in a single-dwelling unit?

Answer. Yes.

11. Question. How will maximum rents be established for recontrolled units?

Answer. On the basis of the maximum rent last in effect under Federal rent control, plus or minus applicable adjustments; or if there was no such rent in effect, then the rent for comparable units, plus or minus applicable adjustments.

12. Question. Does the bill provide for execution of voluntary 15-percent increase leases?

Answer. No.

13. Question. What will be the status of units now covered by 1947 or 1948 statutory leases which are still in effect?

Answer. These units are recontrolled and the lease rent will be the maximum rent as long as the lease remains in effect.

14. Question. What will be the status of units covered by 1947 statutory leases which were decontrolled because the leases terminated prior to April 1, 1948?

Answer. These units are recontrolled, and the maximum rent will be the lease rent plus or minus applicable individual adjustments, unless there has been an over-all increase in the area, in which event it may be higher. (See answer to question 16.)

15. Question. What will be the status of units covered by 1947 and 1948 statutory leases which were terminated on or after April 1, 1948, or will hereafter be terminated?

Answer. These units will be under control and the maximum rent is the lease rent plus or minus applicable individual adjustments, unless there has been an over-all increase in the area, in which event it may be higher. (See answer to question 16.)

16. Question. What will be the maximum rent on a unit covered by a 1947 or 1948 statutory lease which is terminated or hereafter terminates where the unit is located in an area covered by an over-all increase in rent?

Answer. The maximum rent will be the lease rent plus or minus applicable individual adjustments, or the maximum rent which would be in effect in the absence of a lease, whichever is higher.

17. Question. What provision is made for adjustments in maximum rents?

Answer. The Housing Expediter is authorized to issue regulations providing for adjustments in any or all maximum rents established under the act as may be necessary to remove hardships or correct other inequities. In making hardship adjustments he shall give due weight to the question as to whether or not the landlord is suffering a loss in the operation of his housing accommodations. This provision is the same as in the present law.

18. Question. Is any provision made in the bill to give assistance to tenants and small landlords to obtain fair rent adjustments?

Answer. Yes, the Housing Expediter is authorized and directed to appoint an officer for this purpose in every defense-rental area. These officers will assist tenants and small landlords by giving them full information concerning available rent adjustments and help them in the preparation of applications for such adjustments.

19. Question. Does the bill continue the existence of local advisory boards?

Answer. Yes.

20. Question. What authority is granted to such boards?

Answer. Their present authority is continued, namely, to make recommendations to the Expediter with reference to decontrol of areas or portions thereof, or classes of housing accommodations; recommendations for general adjustments in maximum rents in an area or portion thereof or with respect to any class of housing accommodations as are necessary to remove hardships or correct inequities; and recommendations concerning operations generally of local rent offices. In addition, they are authorized to make recommendations on individual adjustment cases to the local area rent offices.

21. Question. Must the Expediter approve such recommendations?

Answer. He must approve such recommendations within 30 days if they are appropriately substantiated and in accordance with applicable law and regulations.

22. Question. May a local board appeal from the Housing Expediter's disapproval of its recommendation?

Answer. If the local board follows the procedure required by the act in making its recommendation, and the Expediter disapproves such recommendation, the local board may file a complaint with the Emergency Court of Appeals within 30 days after notification of disapproval by the Housing Expediter. Under the present law the Housing Expediter is required to certify each such case to the Emergency Court of Appeals within 5 days after his disapproval.

23. Question. Does the bill make any change in the period of time given to the Emergency Court of Appeals to make a determination in such cases?

Answer. Yes, the period is extended from 30 to 60 days (90 days in exceptional cases).

24. Question. Is any provision made in the bill for the decontrol of defense-rental areas or portions thereof?

Answer. Yes, the present provisions are continued. The Housing Expediter is authorized and directed to decontrol, on his own initiative or on recommendation of a local board, where the demand for rental housing accommodations has been reasonably met.

25. Question. May the Housing Expediter control areas not now under control?

Answer. Yes, but this authority is limited to the recontrol of areas which were decontrolled on or after July 1, 1947, or are hereafter decontrolled. Moreover, this authority does not apply to areas decontrolled as the result of approval by the Emergency Court of Appeals of a recommendation of a local rent advisory board.

26. Question. What provision is made in the bill for the establishment of maximum rents on housing accommodations in recontrolled areas?

Answer. The maximum rent in each case shall be the maximum rent last in effect under Federal rent control plus or minus applicable adjustments; or, if no maximum rent was ever in effect, the maximum rent shall be the rent generally prevailing in the defense-rental area for comparable controlled housing accommodations plus or minus applicable adjustments.

27. Question. Does the bill continue the present provisions for treble damage actions by tenants in overcharge cases?

Answer. Yes.

28. Question. May the United States also sue for treble damages in rent overcharge cases?

Answer. Yes, the bill changes the present law by giving the United States authority to sue in such cases where the tenant fails to act within 30 days after the date of the violation.

29. Question. Must the court award treble damages in all such cases?

Answer. No, the liquidated damages shall be the amount of the overcharge if the defendant proves that the violation was neither willful nor the result of failure to take practicable precautions against the occurrence of the violation. This provision is also in the present law.

30. Question. Is any provision made in the bill for criminal prosecution against willful violators?

Answer. No.

31. Question. Is the United States given any other enforcement powers?

Answer. Yes, the United States may apply to the courts for appropriate injunctions or restraining orders in cases of violations, or threatened violations.

32. Question. Is the Housing Expediter authorized under the bill to conduct investigations and hearings and to issue administrative subpenas?

Answer. Yes.

33. Question. Does the bill place any limitation upon a landlord's right to evict a tenant?

Answer. Yes, the Housing Expediter is authorized to issue regulations covering evictions.

34. Question. Does the bill continue veterans' preference in the sale or rental of new housing accommodations?

Answer. Yes.

35. Question. When do the veterans' preference provisions expire under the bill?

Answer. These provisions continue in effect until June 30, 1950, unless sooner terminated by a proclamation of the President.

36. Question. To what housing accommodations does veterans' preference apply?

Answer. The veterans' preference applies to newly constructed housing accommodations and housing accommodations created by conversions, completed after June 30, 1947. This includes prefabricated houses and dwelling units covered by any cooperative mutual ownership plan.

37. Question. What kind of preference is given on a first sale or renting?

Answer. Veterans are given first priority during the period of construction or conversion and 30 days thereafter.

38. Question. What kind of preference is given on a resale or rerenting?

Answer. Veterans are given first priority for a period of 7 days.

39. Question. Does the bill contain any restrictions on a sale or rental to a nonveteran at a reduced price?

Answer. Yes, the bill provides that no such housing accommodations to which veterans' preference applies may be sold, resold, rented or rerented, to any person at a price or rent lower than that for which it had been last offered to veterans.

40. Question. Is the present provision for criminal sanctions in cases of violations of veterans' preference continued?

Answer. Yes; but not continued as to other sections.

Mr. BROWN of Ohio. Mr. Speaker, before yielding to the concluding speaker on this side, I wish to be permitted, out of fairness to the gentleman who has just addressed the House, to say to the Chair and to the House that the matter under discussion as to the vote in the committee on the particular amendment had been rather well and fully discussed in a public session of the Rules Committee, and there was no intent in any way to violate the secrecy of the executive session.

The SPEAKER. Not in the House of Representatives.

Mr. BROWN of Ohio. Not in the House as such.

The SPEAKER. The Chair has no control over committees or over public utterances.

Mr. BROWN of Ohio. A complete report of the session and the hearing and the testimony in the Rules Committee did appear in the public press and over the radio.

Now, Mr. Speaker, I yield 12 minutes to the gentleman from Michigan [Mr. HOFFMAN].

(Mr. HOFFMAN of Michigan asked and was given permission to revise and extend his remarks and to include excerpts from certain letters.)

Mr. HOFFMAN of Michigan. Mr. Speaker, the statement of the gentleman from Texas that a vote for this bill was a vote for stabilization is, in one respect, true. For example, if a man owns a home and there is a tenant in it, and the rent is fixed, while the price of painting, papering, and repairing, the carpenters' and the plumbers' wages go up, there will be stabilization. The roof will continue to leak, the old paper will stay on the wall, and the plumbing will continue to be out of condition. There is no question about that because if the owner cannot make the repairs the place will not be repaired. In that way you will get stabilization.

SURRENDERING OUR HERITAGE OF FREEDOM

Mr. Speaker, one accomplishment of the disciples of the New Deal, of the Fair Deal, to which future generations will point with humiliation is the surrender of one of the freedoms wrested by the barons from King John more than 700 years ago.

After centuries of oppression and of slavery it was on the battlefield in the meadows of Runnymede that his then subjects forced King John, on June 15–19, 1215, to sign Magna Carta, the Great Charter, the grant of freedom which is the foundation of the liberties of our forefathers, of our freedom.

That Charter, among many other things, declared that the right of habeas corpus should not be suspended; that trial by jury should be the right of every subject charged with an offense; that the word of a subject should not be taken, even by the King.

King John put his hand and seal on an instrument which acknowledged and guaranteed many of the rights which we, centuries later, have come to regard as the right of the lowliest citizen of our land.

Then was laid the foundation for Sir Edward Coke's later statement which, translated, is, "For a man's house is his castle."

Third Coke's Institutes, chapter 73, page 161, has these words:

And yet in fome cafe a man may not onely ufe force and armes, but affemble company alfo. As any may affemble his friends and neighbours, to keep his houfe againft thofe that come to rob, or kill him, or to offer him violence in it, and is by conftruction excepted out of this act: and the fherif, &c. ought not to deal with him upon this act; for a mans houfe is his caftle, et domus fua cuique eft tutiffimum refugium; for where fhall a man be fafe, if it be not in his houfe?

The statement in Semayne's Case, Fifth Reports, chapter 91, again laid down the doctrine that, and I quote:

The house of everyone is to him as his castle and fortress, as well for his defense against injury and violence as for his repose.

William Pitt, and again Burke, in his speech on the excise bill is credited with that historic statement which gave us these words:

The poorest man may in his cottage bid defiance to all the force of the Crown. It may be frail; its roof may shake; the wind may blow through it; the storms may enter, the rain may enter—but the King of England cannot enter; all his forces dare not cross the threshold of the ruined tenement.

Perhaps the King of England may not enter a man's home; perhaps, with all his forces, he dare not cross the threshold of even the ruined tenement, but, by the action of the House today it is proposed by those who support legislation which may give away our liberties, which may give us a dictator and a tyrant, that the man in charge of the Office of the Housing Expediter may enter a man's home and that he may bring with him other men and women, their children, their dog and their cat, as well as, if they have one, the talking parrot.

More than 700 years ago, the poorest and the meanest, the poverty-stricken, found it necessary to fight a battle to obtain the right to live, to be free from persecution, to enjoy that which they had earned and saved.

Is it because today there are more tenants than landlords; is it because Members of Congress are elected by popular vote, that we find it necessary to repudiate the doctrine of Magna Carta?

But this is not the first time that the lesson learned by King John has been forgotten by tyrants, or by would-be dictators. Five hundred sixty-one years after King John had been taught his lesson, another King of England, George the Third, having forgotten some of King John's promises, was reminded by the signers of the Declaration of Independence that certain truths were self-evident, "that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty and the pursuit of happiness."

Then, by that same document, he was told that—

The history of the present King of Great Britain is a history of repeated injustices and usurpations, all having in direct object the establishment of an absolute tyranny over these States.

Specific instances of his conduct tending to show that he was seeking to establish an absolute tyranny were cited and one of those instances was that "the King was quartering large bodies of armed troops among us." That is, that the King had forgotten or ignored the truth that a man's home was his castle and was forcing our colonial forefathers to take into their homes his soldiers, his officers, his agents and his representatives.

Eight long years of war were fought before the surrender at Yorktown demonstrated to the King that his former subjects were free, that again a man's home was his castle and that again the King's man had no right therein.

Our forefathers by the Revolutionary War freed themselves from kingly rule, established a new form of government—not a democracy, but a representative republic.

In an effort to make certain that neither one nor all of the branches of the new government should have the right to invade a citizen's home or to take his property for private or public use without his consent or just compensation, the Fourth and Fifth Amendments were written into the Constitution. The Fourth Amendment expressly stated, among other things, that the right of the people to be secure in their homes against unreasonable seizure shall not be violated. The Fourth Amendment was a restatement of a principle laid down in Magna Carta.

It was evidently assumed by the signers of the Declaration of Independence, and undoubtedly by the citizens of the States, when the fourth and fifth amendments to the Constitution were adopted, that the property of one citizen could not, without due process of law, be taken from him by another.

That fundamental doctrine, that principle of justice, had never, since the dawn of civilization, been questioned.

To protect the citizen against his own Government, the Fifth Amendment was

adopted. That, among other things, stated that no person shall be deprived of his property without due process of law nor shall private property, even by the Government, be taken for public use without just compensation.

The pending measure proposes to take from owners the use of their property, the property itself.

No longer can it be said that the income of property, the rent of property, is not property within the meaning of the Constitution.

Even if it be assumed that there are in these United States of ours a large number of citizens who are unable to find homes in which to live, will anyone contend that the duty to supply them with homes does not rest upon the Nation as a whole?

That such a duty is acknowledged by the Congress is evidenced by the legislation and the appropriations to build homes, to extend aid to the unfortunate.

Even if it be said that, being a Christian Nation, we cannot let some of our citizens suffer for want of shelter, by what reasoning is the burden of caring for them or of aiding or assisting them shifted from the Nation to another group of citizens, those who by their hands, their thrift, have obtained homes of their own?

Must we have another Runnymede? Must our citizens who are being deprived of their property by the Rent Control Act, after more than 700 years, fight another battle to reestablish their right to enjoy that which they have earned?

Must we have another Revolutionary War 173 years after our forefathers established their independence from King George III, to make good the statement of Lincoln, and I quote:

> That men who are industrious and sober and honest in the pursuit of their own interests should, after a while, accumulate property and after that should be allowed to enjoy it in peace, is right.

True, we cannot permit our people to be without homes, without shelter. We cannot permit them to live in caves or in the woods or in the open fields. And if the local communities and private enterprise fail to give them shelter, then the Federal Government must do it; but shame, oh, shame, on a Congress which will take from the man, from the woman—yes, even from the widow past middle age, from the widow of a veteran—the right to an income through rent from the home, the property which she and her husband have worked for, have earned, and upon which she depends for her food and clothing.

The rent-control law, as everyone who has given it a moment's thought knows, is outrageously unjust. It is a confiscation of the right to the enjoyment of private property, not for the benefit of the state but for the benefit of those who belong to a minority group. It is a transfer of private property—in many cases without compensation—from one individual to another.

It is not only unjust and un-American, but it is a policy which is destructive of our liberty, and which, if followed through, would turn backward the hands of progress more than 700 years.

If tenants need assistance, then, instead of quartering them upon the premises of the landlord without just compensation to him, let us assume the burden as a nation and pay the property owner a subsidy.

If a minimum wage is good for the worker, then a minimum rent is good for the landlord. If a subsidy is necessary and good for the farmer, then the landlord is entitled to a subsidy.

If the painter, the paperhanger, the carpenter, and the plumber are entitled to an increased wage, then the owner of the tenement is entitled to a rent which will enable him or her to pay the ever-increasing taxes and insurance exacted by the Government, the increased costs of upkeep and repair.

Mr. Speaker and my colleagues, let us be fair. Let us not start on that road which leads only to oppression by compelling one group of our citizens to, at their own expense, furnish homes for another segment of the population. If we are to extend rent control, let us all—all taxpayers—pay the cost—not penalize the property owners.

Excerpts from letters which illustrate the plight of many landlords are as follows:

Please do what you can to keep them from passing this new rent law. I am a middle-aged woman with a few houses left me by my father, the rents from which are my sole means of support. There are many like me. We have put all we have into property because it was always considered a safe investment. Now with property taxes double what they were when these rents were set and labor prices also double, we cannot make a living, with the very small raise the OPA gives us in a few cases because of hardship. My tenants are making considerably more than I am. My property tax is about nine times my income tax; but still the Government won't give us a break.

Please use all the influence you have to see that we property owners get a square deal. We don't want a rent-control board to tell us we have to take so much for living quarters we have for rent when the plumber and the decorator and the electric company and the water company and the taxes and the coal company all raise their prices on us; plus the destructiveness of the children of these young couples on an apartment—you would honestly think that a pack of wolfhounds had lived in the apartment when they move out.

I am a widow. My husband was a vet of the first war. I lost him 4½ years ago from causes received in the war. I have a 16-year-old daughter I have in school here at Emmanuel Missionary College and we have made our upstairs into an apartment. The carpenter's wages were very high; the painting and decorating is very high; the apartment has to be redecorated once every year because folks allow their children to write on the walls and tear off brand new wallpaper and tear chunks out of new linoleum rugs.

Please help us to have a square deal.

Why a shortage of houses?

I was talking to a businessman in this town who contemplates building a house. Upon asking him how soon, this was his answer, "I am making too ——— much money staying where I am to build now." Can it be he is waiting for the end of rent control before building?

I happen to know he is getting a house for $25 per month, his landlady furnishing him housing at 1941 prices.

A complaint from a landlord shows how the agency's ruling in a hardship case would actually compel a landlord who claims her profit was but $3.25 per week, to make a refund of $10.25 per week.

That letter is as follows:

NILES, MICH., *February 26, 1949.*

Re rent control.

DEAR MR. HOFFMAN: 1. I wish to present what I sincerely believe is a "hardship case" in connection with rent control, although I am led to understand that a case cannot be considered a "hardship case" unless a property has been rented for 3 years, which is not the case in this particular instance.

2. First of all I feel I am a fairly well educated and intelligent person, otherwise I doubt if I could have held a position in the attorney general's office at Lansing for 2 years prior to my marriage (during the time Harry S. Toy was attorney general); however, I am very inexperienced in the art of renting property. The property in question is the first I have ever rented (I do not own the property, merely rented it, and rerented it and I no longer have any interest in the property) and I shall never rent again.

3. If you will bear with me I should like to give you a detailed account of my story:

4. My father purchased a house just off the South Bend highway which is zoned for business. My home is just a block from this property (in Niles) and is also in the prescribed business zone. My father did not wish to rent his property on a monthly basis inasmuch as it would require 60 days' notice for removal of tenants if the property should be used for business purposes.

5. The housing shortage was very acute at that time and I felt it was a shame to have a vacant piece of property which might as well be doing someone some good. So, I hit upon the plan of renting it from him and in turn rerenting it to several girls, after furnishing it very tastefully. I believed this would be a beautiful set-up for girls who would ordinarily just be able to secure a sleeping room. With this arrangement they would have their sleeping quarters, plus a place to entertain their friends and an opportunity to cook their own meals. I thought in this manner if the property should be sold or used for business it would create no particular hardship on the girls moving just themselves and their personal belongings with a week or two notice and I would have endeavored to help them find another place to live. However, I have learned just recently that regardless how one rents, it still takes 60 days to remove a tenant, although I was not advised of this at the time.

6. Not knowing that a rerental must be registered I started renting to girls on July 23, 1946. Form letter APP. C, dated September 23, 1946, advising me to register the rental was sent me. I went to the rent control office (then in Niles) to inquire about procedure in this matter and upon their advice on September 23, 1946, I filed form DH–1B, setting up the 5 room house, plus laundry, screened porch, storeroom and garage as a rooming house for four to six girls to rent at $25 per week. In other words if there were four girls occupying the house each would pay $6.25; if five girls, $5 each, and if six girls, the individual rent per week for each girl would be $4.16⅔. I was to furnish 6 tons of coal per season and $8 per month on the utilities bills of electric and gas (automatic gas water heater); pay the water bill, for hauling of rubbish, ads, and interior minor repairs.

7. Shortly after this a notice of proceedings dated September 26, 1946, proposing to decrease rent to $15 was received. Conference at the office and a thorough investigation resulted in no change from the original registration.

8. The early part of June 1947 I was called into the office evidently on a complaint from one of the girls and shortly thereafter an Order Adjusting Maximum Rent dated June 13, 1947, from $25 to $22.50 per week effective next payment date, signed by Mr. R. L. Jackson, was received. I then wrote a letter dated June 17, explaining additional services rendered and after investigation received a Modified Order Adjusting Maximum Rent dated July 10, 1947, changing the rent from $22.50 back to the original $25 per week, this final order was also signed by Mr. Jackson.

9. I was concerned with the moral standing of this home and after renting it for well over a year in this manner an episode occurred which decided me against continuing to rent to just girls. I broke up a party there one night about 2 a. m. which undoubtedly was innocent enough but there were about a dozen or more couples at this party—some were drinking beer and inasmuch as some of the girls present were not old enough I felt I did not want to assume any more moral responsibility for these girls inasmuch as they would not do as I asked them about having company after midnight, etc. As I lived a block away I could not always be cognizant of what was going on. So I told the girls they would have to move. This was in September 1947.

10. With the girl situation not working out too well, I felt the next best thing or possibly even a better thing would be to rent to two couples preferably with children, because lots of landlords will not rent to children. I proceeded to do this without the slightest thought that this would constitute a change at the rent control office. I was still accommodating as many people as I had before (plus children) and the expenses remained the same—in fact coal was higher, etc. In other words each couple's rent was $12.50 per week regardless of the number of children and regardless if one couple were the sole occupants. The same rate that was charged for four girls. This was first rented to married couples the latter part of September 1947.

11. About the 18th of January, this year, I received a notice from the area rent-control office in South Bend that I was evidently overcharging. On the 19th, I went over to the office and there was interviewed by the attorney, Mr. Cholis. He said there were no complaints that in going through their files they found this registration which was entirely out of line. He stated that the original order or registration as a rooming house was made out incorrectly by the rent-control office—should never have been made out on that form at all. I volunteered the information that it had been rented for about a year to two couples and children at the same rate as set up originally, but that it was so difficult to get two congenial couples to live together and the constant complaint from one couple about the other couple and vice versa and trying to iron out their difficulties in a diplomatic manner was getting me down and I had decided to give it up as a bad job. I told him that only one couple had been in the house since before Christmas at $12.50 per week. (I had interviewed lots of applicants, answered the phone dozens of times, but after talking with them I realized their interests were not in common with the tenant (Fatter) already there or some other factors were not conducive to a congenial living arrangement.) I told Mr. Cholis that before I received notice from the rent-control office I had spoken to Mr. Fatter, the tenant, about different arrangements. I told Mr. Fatter that if we couldn't find someone congenial I would have to give up the house—because of his children I was very concerned—and I asked him if he would be interested in renting direct from my father with me getting out of the picture or if not perhaps it would be a good idea to keep his eye open for something else because I couldn't go on indefinitely paying him to live there. I didn't give him any notice or say he had to move—I was trying to make a workable solution for all concerned. Mr. Cholis then told me that regardless of whether one were renting furnished, by the week or otherwise, it still would require 60 days to remove a tenant.

12. He told me I would have to fill out a correct form on DD–U listing it as a two-family unit at $12.50 per couple or family. I told Mr. Cholis that I didn't know the whereabouts of any of the tenants who had lived there previously, in fact had never seen them since they moved, so he told me to enter the starting date of the remaining tenant (not the date the first married couples moved in). Wishing to fill out this form then and there so I could get any information required and considering it just a routine matter—for I was getting out of it anyway and if it required a 60-day notice I didn't care much what they would eventually set the rent at—I wouldn't mind taking another 60-day loss. I made out the form in the office and left it there. The date the Fatters moved in was set as February 21, 1948. However, when I got home and checked my records I found it was January 21, 1948. Inasmuch as I didn't dream of any retroactive business and also because Mr. Cholis hadn't asked for the starting date of the first married tenants, I didn't notify them.

13. Next I received a notice of proceedings dated January 28, from the rent-control office advising the rent was set at $14.75 per week for all occupants retroactive to February 21, 1948. The notice stated that I had the right to forward a statement to the office in writing if I felt this notice was not fair. Inasmuch as my cost of maintaining this establishment was more than the rental they set, I wrote a letter (copy attached hereto) which I felt would clearly show that I wasn't making an excessive profit on this venture. I took this letter over to the office asking to see Mr. Jackson. I was told he was busy but another man over there came up to the bar and talked with me. I asked him to read the letter and tell me whether I had included everything that was necesasry—I stated that I did not set forth the expenses inasmuch as I was sure they knew just what all the services would be in connection with a rental of this nature. He said they would take my statement into consideration in reviewing the case.

14. On February 8, I received a final order decreasing maximum rent requiring refund to tenant with the same stipulation, $14.75 per week for all occupants and refunds payable to all tenants retroactive to February 21, 1948 (meaning $10.25 per week to be refunded). It was a waste of time to even write the letter.

15. This is really outrageous, because, if one tenant should be a disagreeable type that no one could get along with, he would be getting his rent for about $32 a month (unless the order means that if one couple occupies the house alone their rent would be $14.75 per week—but that isn't the manner in which I was renting—each couple knew that their rent would be just so much per week regardless of whether they were there alone or not) with me paying $40 rent for the house plus heat, light, gas, water, refuse disposal, use of furniture, depreciation on furniture, repairs, etc. It just doesn't add up.

16. This was originally set up on a businesslike basis with a reasonable profit to myself for making possible the rental of this property in the acute housing shortage. It was not set up on depression rentals, as I could not have handled it on that basis. For instance, this is the basis on which I predicated this venture in the first place:

Rent (which I pay)	$40.00
Coal ($18 per ton—furnished 8 tons instead of 6)	12.00
Gas and electricity (I paid at least $1 more per month than stipulated)	9.00
Water bill	1.32
Refuse disposal (ashes, tin cans, etc.)	2.00
Advertising	1.80
Furniture	10.00
Depreciation on furniture	6.25
Repairs, plumbing, windows, grates for furnace, etc	3.00
Total per month	85.37

So the overage between $85.37 and $108 was my profit per month if it were rented constantly. However, there were times when only one couple was there for a time and then my profit naturally was much less. As I stated in the enclosed letter I made $5.56 profit per week last year but that was not figuring the $10 went up for furniture; if I deducted that charge from my profit it would make my weekly profit about $3.25 and I am supposed to refund $10.25 per week—it doesn't seem to me that the rent control board was originally set up to require that hardship of any landlord.

17. As I mentioned before in this letter, Mr. Cholis stated there were no complaints but I have my reasons for believing Mr. Fatter must have made some kind of a complaint but what it was I wouldn't venture a guess because he had mentioned several times to me what a decent landlady he thought I was inasmuch as I never snooped around over at the house. When a tenant would move out I would go over and see that the bedroom was in order for the next tenant. I felt that it was their home and as such they should have the privacy of it. One reason why I believe a complaint must have been made is that on the form DD–U which Mr. Cholis had me fill out I listed the name of the tenant as Mr. and Mrs. William Fatter and on the final order which I received from the office in the lower left hand corner the name of the tenant was listed as William J. Fatter, 941 Maple Street (the address of the rental property in question), Niles, Mich. I never knew his middle initial. Another reason why I believe Mr. Fatter made a complaint is that a local member of the rent advisory board after talking to Mr. Jackson was informed of this complaint and told me.

18. Something Mr. Fatter doesn't know is that last summer my husband wanted me to give up the house—that it wasn't worth the time and effort I was putting into it—but I felt inasmuch as the Fatters were steady and apparently good tenants and had two little children it would create a terrific hardship on them to find a place to live on account of the children—so I continued on trying to get congenial cotenants. However, when he left without bringing me the keys or the $3 overage he owed on the utilities—but worst of all moving out in the dead of winter when the pipes could have frozen—does not show the same consideration to me that I gave him and his family. If it hadn't been for the children I would probably have closed it out long ago. When I approached Mr. Fatter about renting the house direct from my father, I even sat down and figured out what his expenses would be and if he got another couple in with him to help share expenses it figured out to about $11 per week for each couple in the winter and about $8 per week for each couple in the summer.

19. Inasmuch as I didn't know the whereabouts of any of the tenants, I was told by Mr. Jackson that I should bring certified checks to the office and they would have the FBI look up the missing tenants. Is the rent-control office in the practice of trying to scare all landlords? If so, my

conscience was clear and I didn't scare. Instead, I contacted the FBI and learned that this is foreign to their work.

20. Now, to sum up, Mr. Jackson signed the original order of $25 per week when it was set up for girls, and when I drew his attention to the fact that he signed this order he claimed it was all right as set up then. However, Mr. Cholis, the attorney, said it was all wrong in the first place and I'm lucky they don't make it retroactive to the first date it was rented to girls. Surely, when a property is thoroughly investigated by the rent-control office and an order set by that office, it should be considered legally in force until a change is made by the rent-control office. I learned from another source that it was not properly set up in the first place—that is, on the wrong form—so should I be penalized for a mistake made by the rent-control office upon which I acted in good faith? Had they set it up in the first place at the rate they now feel is right, I would never have undertaken the project. Of course, I realize ignorance is no excuse in law; however, as I stated before, I innocently assumed that there was no change in renting to two couples with children than to just girls. This assumption surely should not be considered as grave a mistake as the one made originally by the rent-control office. They should know the rules and regulations when it is their business better than I, who am an inexperienced landlord.

21. It seems if a complaint was to have been made, it should have been made months ago, rather than now when I no longer have any interest in the property. And isn't the tenant just as much at fault for not asking to see the registration form and signing it?

Application to the Administrator here in Washington brought only the statement that the landlord better pay or she would be subject to a triple penalty.

Mr. SABATH. Mr. Speaker, I yield such time as he may desire to the gentleman from Indiana [Mr. MADDEN].

Mr. MADDEN. Mr. Speaker, the bill now under consideration, H. R. 1731, will, if enacted into law without major changes, aid greatly in relieving the effects of the critical housing situation in metropolitan areas.

Rent control is highly essential if we are to proceed with the President's anti-inflation program outlined in his economic report to the Congress. The President, after his Economic Commission made a thorough study of the housing situation, recommended that rental regulations be extended and strengthened in order to aid the millions over the country who are enduring deplorable housing hardships. The cost of housing, whether rentals on hotels, apartments, or houses, is an important item in this present high cost of living. We are at present highly short of apartments and houses at reasonable prices. The veterans of our country, unfortunately, in too many instances, have been the victims of avaricious builders and greedy landlords. Of course there are a great number of exceptions, but in the Calumet region of Indiana I have had numerous complaints from World War II veterans who have been victimized by purchases of unstable and poorly constructed homes. These veterans could have avoided this situation if it had been possible for them to obtain apartments, hotel rentals, or housing at a reasonable cost. Many veterans and other people have already bought houses at inflated prices that they could not afford and were not financially able to handle. These people are having difficulty in keeping a roof over their head and pay the high cost for food, clothing, and other necessities.

Release of rental controls would force many thousands of additional families to vacate and resort to any means for temporary shelter. It would force millions to increase their rental payments at the expense of medical care, clothing and other necessities of life to the detriment of health, contentment and other essentials for their future.

I received numerous letters from tenants in a combination apartment hotel in my district that the management has raised their rentals three times in the last 15 months. This building houses a great number of people of moderate means, including school teachers, who cannot find any other suitable living quarters in that area.

I realize a great number of smaller landlords have been inconvenienced and hampered on account of rental controls. Almost without exception, whenever they complained to the local area Rent Director in my district, he willingly made reasonable adjustments so they could receive a just and fair return on their property.

Numerous witnesses appeared before the Committee on Banking and Currency not only from Chicago, New York, Los Angeles and large industrial areas, but also from smaller communities in our Nation, insisting that present rent controls be continued and expanded until the housing crisis is relieved.

Every Member of Congress should read as much of the testimony that has been offered to the committee as possible in order to get a true picture before he votes against the bill now under consideration.

Mr. SABATH. Mr. Speaker, in view of the statements made that the bill does not provide safeguards and benefits to the veterans, I am going to read for the benefit of the gentleman from Michigan [Mr. HOFFMAN] and the gentleman from Ohio [Mr. BROWN] the following provisions in the bill:

SEC. 2. Section 4 of the Housing and Rent Act of 1947, as amended, is amended to read as follows:

"SEC. 4. (a) In order to assure preference or priority to veterans of World War II or their families—

"(1) no housing accommodations designed for single-family residence, the construction or conversion of which is completed after June 30, 1947, shall be offered for sale or resale, or sold or resold, to persons other than veterans of World War II or their families, unless such housing accommodations have been publicly offered for sale exclusively to veterans of World War II or their families (a) during the period of construction or conversion and for 30 days thereafter, prior to a sale or offering for sale to such nonveterans, and (b) for a period of 7 days prior to a resale, or an offering for resale, to such nonveterans; and

"(2) no housing accommodations designed for occupancy by other than transients, the construction or conversion of which is completed after June 30, 1947, shall be offered for rent or rerent, rented or rerented to persons other than veterans of World War II or their families, unless such housing accommodations have been publicly offered for rent exclusively to veterans of World War II or their families (a) during the period of construction or conversion and for 30 days thereafter, prior to a first renting or offering for rent to such nonveterans, and (b) for a period of 7 days prior to a subsequent renting, or offering for rent, to such nonveterans; and

"(3) no housing accommodations designed for single-family residence, the construction or conversion of which is completed after June 30, 1947, shall be offered for sale or resale, or sold or resold, to any person at a price less than the price for which it had been last offered for sale to veterans of World War II or their families; and

"(4) no housing accommodations designed for occupancy by other than transients, the construction or conversion of which is completed after June 30, 1947, shall be offered for rent or rerent, or rented or rerented, to any person at a price less than the price for which it had been last offered for rent to veterans of World War II or their families."

Mr. Speaker, in view of these provisions does the gentleman from Michigan or the gentleman from Ohio still contend that the bill does not take care of the veterans in every possible way?

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield.

Mr. BROWN of Ohio. Will the gentleman advise the House whether the sections of this bill which pertain to veterans have anything at all to do with rent control?

Mr. SABATH. They have.

Mr. BROWN of Ohio. Will the gentleman explain how?

Mr. SABATH. It is bound to affect them, because in that case there will be more places for rent to these men, where now there are not enough.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield.

Mr. HOFFMAN of Michigan. I did not intend to make, and do not believe I did make, any statement that this bill did not give a benefit to veterans. The point I was trying to make was that there were veterans on both sides of the proposition, and I cited a case of a veteran's widow who owned a home and wanted to rent it.

Mr. SABATH. I am very glad that the gentleman made that clear to me. The gentleman from Michigan quotes King John and other kings. History tells us that the proclamations of King John and other kings were merely lip service to their subjects in an endeavor to appease them. I, myself, have never been in favor of the lip service of any kings, and I do not recall where kings have been of benefit anywhere so far as the liberties and rights of men and women are concerned. Surely, not in our own country. Now, so much as to the proclamations of the kings.

Mr. Speaker, I agree with the views of Abraham Lincoln. This bill aims to carry out what he stood for and advocated. So far as the case of the widow is concerned, I have had five or six of these widows interview me. Whenever they permitted me to ask questions, I learned that they owned not only one but three or four apartment buildings. They were nicely dressed and I did not observe from their appearances that they suffered

financial losses due to the controlled rentals of their properties. I further ascertained that none of these unfortunate widows, who have been sent down here by the million-dollar real-estate lobby, have lost any money or that their properties have been foreclosed in the last few years. In fact, these small owners, I venture to say, whenever they made a complaint that they were not fairly treated, have had their complaints adjusted, and the only reason relief was not more speedily granted was because the Eightieth — Republican — Congress failed to appropriate sufficient money for personnel to administer prompt relief and adjustment of rentals in such cases where a just or valid claim for increased rental existed.

May I say to you gentlemen that I know something about real estate. I started when I was 21 years old. I have built some homes, and sold thousands and thousands of lots and homes in years gone by, and I am pleased to say that I never foreclosed on anybody or had anybody thrown out of their homes. Furthermore my family owns several fairly decent apartment buildings. They are in favor also of an increase, but I, representing the people and knowing the sad plight of the veterans, the white-collar workers, and people of low income, who have been unable to find a place to live within their means, find that my conscience and my heart dictate that I must and should give preference to people who are in distress and who are unable to pay higher rent for decent living quarters.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield.

Mr. McCORMACK. As an indication of the problem of some of our veterans, I call to the attention of my colleague an advertisement which appeared recently in the local newspaper in Pittsfield, Mass. I quote:

> Will exchange 13 Air Medals, 6 battle stars, Victory Medal for apartment, furnished or not, for wife and children 5 and 4 years. Dial 2-3474 evenings.

That is an advertisement which a veteran put in the paper seeking an apartment.

Mr. SABATH. Mr. Speaker, I wish I could show you the thousands of letters that I have received from veterans as well as other people pleading and urging that something be done to obtain the passage of a measure for the extension of rent control to enable them to obtain decent living quarters at a reasonable rental. The charge that property owners have suffered because of the increase in taxes and so forth is not well founded.

In years gone by 10 percent, or 2 months, were allowed for vacant apartments. Under present conditions there have been no vacancies anywhere, and every landlord has received full 12-months' rent. Therefore, that more than offsets the increase in the cost of coal, maintenance, and increase in taxes, and no property owner has had his property foreclosed as was the case before rent control was enacted when, during the Republican administration, thousands and thousands of homes were foreclosed.

Mr. Speaker, the extent to which these large combines of property owners will go, is amazing. You undoubtedly read in the newspapers several days ago an article that described the situation in Oklahoma and other large cities, where some owners will refuse to rent their apartments if rent control is continued. I have heard that same threat in my own city of Chicago, from unscrupulous, dollar-hungry, avaricious, wealth-seeking accumulators, most of whom spend their winters in Florida at Hialeah, and the summers in Maine and Canada paying exorbitant prices which they can obviously afford. All this at the expense of their tenants whose rents they have increased from 50 to 200 percent.

I heard personally, from many men who have lived in these apartment hotels for years, and where rents were increased last July from 150 to 200 percent, that they were forced to move in order to give the owners an opportunity to create some additional transient space which they can rent three times a day and at what a price.

Therefore I feel, though I am in favor of this bill, that we should adopt a positive amendment that will stop this abuse, and also others that purport to give the tenant a break, such as the offer of cooperative apartments which people are forced to buy in desperation at three times their actual value.

I have a letter here which I just received, and hundreds of similar letters, which state, and I quote:

> Why should a building have no rent control on any portion of its space, just because it happens to have a limited number of rooms available to transients? There are a number of hotels in Chicago which have always housed a number of guests on monthly rates and yearly leases. In such of these where there happens also to be a few transient accommodations, the landlords have doubled and in some cases tripled the rents to the permanent guests. Many of these people have set incomes and are retired or semi-retired, and a great hardship is being worked on them. We certainly believe that the rent-control bill should designate permanent living quarters as apart from transient quarters, regardless of the building or whether it contains both such types of guest apartments. The point would seem to be a matter of protecting the people entitled to such protection, and not just a blanket coverage based solely on the buildings without due consideration to the facts concerning the individuals involved.

Landlords are not suffering, and as one who represents perhaps more property owners than any Member of the House, having over 440,000 people in my district, most of them being small-apartment and private-home owners, I am interested in the small property owner. That is the reason I am for this bill, because their rights and their interests will be safeguarded and protected in this bill, notwithstanding what some gentlemen may say.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield.

Mr. HOFFMAN of Michigan. I have two questions. First, assuming that the ad which the gentleman from Massachusetts [Mr. McCORMACK] read was inserted by a veteran, do you think that he, being a veteran of either the first or the last war, would want a widow of a First World War veteran to furnish him an apartment at less than it cost to keep it up?

Mr. SABATH. You know there are exceptions to every rule and of the thousands and thousands and thousands of people, you might get a letter from a woman who claims to be a widow, very likely a letter dictated by some of these big property owners who obtained the property at 10 or 15 or 25 cents on the dollar during the Republican crash, and of course you cannot go by that.

Mr. HOFFMAN of Michigan. Will the gentleman yield for one more question?

Mr. SABATH. I yield.

Mr. HOFFMAN of Michigan. The gentleman was talking about some 250,000 people in his district.

Mr. SABATH. No. Four hundred and forty thousand people.

Mr. HOFFMAN of Michigan. Over in Allegan County, Mich., with fertile soil, there is a big place over there, a 14-, 15-, or 16-room house. Why do you not take some of them over there and let them raise gardens and the food will be a great deal cheaper?

Mr. SABATH. With the extremely high prices that the farmers are receiving today for their products. I think it would be well for people to take to farming and thereby raise some of the products which are selling for the highest prices in history, all because of legislation passed by this House. I am proud of it. I voted for it. I wish to help the farmer whenever possible, but this does not alleviate the undesirable conditions that exist in present housing-accommodation availability. I am profoundly interested in the unfortunate man who has been unable for some 2 or 3 years to find a decent place to live in for himself and his family at a reasonable rental that he can afford to pay.

I know that this bill will make possible some relief for these unfortunate people.

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. SABATH. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

Mr. SPENCE. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 1731) to extend certain provisions of the Housing and Rent Act of 1947, as amended, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 1731, with Mr. GORE in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. The gentleman from Kentucky [Mr. SPENCE] is recognized for 2½ hours. The gentleman from Michigan [Mr. WOLCOTT] will be entitled to recognition for 2½ hours.

The gentleman from Kentucky [Mr. SPENCE].

Mr. SPENCE. Mr. Chairman, I yield myself 10 minutes.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. SPENCE. I yield.

Mr. McCORMACK. My purpose in asking my friend to yield was to announce to the Members present that later in the day when we go back into the House I shall ask that when we adjourn today we adjourn to meet at 11 o'clock tomorrow. It was impossible to submit the unanimous consent request at the close of debate on the rule because the time had been exhausted, but I want to make this announcement so the Members will know what the program will be; and I may say that if we dispose of this bill tomorrow that it is planned to adjourn over until Monday.

I thank the gentleman.

Mr. SPENCE. Mr. Chairman, we are going to hear a great deal about the constitutional questions involved in the control of rents, and a great deal about the American way of life. We always hear such arguments when there is any movement for the protection of any great segment of the American people. I think the Constitution of the United States is the greatest instrument ever devised by man; I think ours is the finest form of government under which man has ever lived, but the Constitution of the United States is not a strait-jacket, and the Constitution bends to meet the necessities of our people. Those questions were all foreclosed about a year ago when the Supreme Court of the United States decided that an emergency still existed which would warrant the imposition of controls on rents. It did not hold, as some decisions have, that the Court could not nullify legislative findings of facts. This was decided in the case of Miller against Woods, and that was a unanimous decision of the Supreme Court; so that question is foreclosed as to the constitutionality of this act.

Why was the Rent Control Act passed originally? For more than 6 years the American people had been engaged in a war into which they were drawn against their will, for 3 years a fighting war, and before that we were the arsenal of the democracies of the world. All of the efforts of our industries and all of the efforts of our people were devoted to fighting that war. During that time practically no housing was built in the United States; we had 12,000,000 men abroad. When they came back home the emergency for housing was greater than it was while they were away. The emergency still exists.

I do not want to favor a law that will not be just to both the landlord and the tenant, but we have got to give some protection to our people. I heard the gentleman from Michigan talk about the dignity of the home, and it is a dignity that has long existed in British law and in our law. Lord Coke, the great English jurist, said that a man's house may be built of rough boards and roofed with thatch; the wind may blow through it, and the rains may enter it, but the King cannot. That is what we are trying to get for the people of America—homes. It is essential that they should have homes. A Member this morning talked about the subversive activities that were going on in the United States; they are not coming out of homes. The home is the greatest pillar of our Republic; it is the stabilizer of our institutions, and when we provide homes for the American people we are doing something to destroy sinister influences in this country.

No man is required to rent his house under this law; no man is required to sell it, but we have said to the man who has a house for sale or for rent that during the period of construction and for 30 days thereafter, if it is for sale, he must first offer it to a veteran, and he may not sell it at a higher price than the lowest price for which he offered it to a veteran. We include that same provision with reference to rental property. You must offer it to a veteran for 30 days before you offer it to anybody else. On a resale you must offer it to a veteran for 7 days for sale and 7 days for rent.

Why all the turmoil and shouting about this provision? That was in the last act. That was in the act passed by the Eightieth Congress, and is still in the act. Why was that done? Because the veteran was away. He had been away a long time, and when he came back he had to have a home, and we were trying to get him one. I do not think there is anything unconstitutional or un-American about that.

Mr. Chairman, of course, nobody can make an argument that there ought to be confiscation of property. Both sides should be treated fairly. We think in this particular bill we have accomplished that result.

There have been many complaints in the past that those asking for adjustments to prevent inequities and hardships have not been able to file their complaints with sufficient celerity to have justice administered. In this bill there is provision made for an officer of the Expediter in each defense rental area to make out the complaints just as the expert in the Internal Revenue Department helps you make out your returns. I think that will greatly facilitate the adjustment of these claims and will be a means of rendering justice to both sides.

We have in this bill repealed that provision where the owner or his family have lived in the property for a period of 2 years after February 1, 1945, and had subsequently rented, the property was thereby decontrolled. That was introduced in the bill for the purpose of acquiring additional housing. But we have found that in many instances the owner who owned several apartments or several houses left the one he lived in and rented it. It was not under control. He went into another apartment. It resulted in an inequity that was so apparent and so flagrant that we repealed that provision of the law.

I have seen some statements in the press that we have broken faith with those who have left their residences or their apartments and rerented them. It is my conception of the law that a Congress does not break faith when it repeals a law, whatever rights may have been acquired under it. If that were true, one Congress would have its hands tied because another Congress had enacted laws under which interests had been acquired. Of course, there is no merit in any such contention. The Expediter found that was used as a means to increase rents to the point where they were not comparable with other rents. He told us in committee of the inequities and injustices that had come about.

We have repealed the criminal sanctions in the former law with reference to the violation of regulations by landlords and have placed in here instead a provision that where the tenant for 30 days fails to bring suit for treble damages, which was provided in the previous law, the Expediter may bring that suit. We have found that although tenants had the right to bring suit for treble damages where rents had been over the ceiling, they failed to do so because of the fear of eviction by the owner. So the Expediter now has the authority to bring that suit, and he probably in many cases will bring it if the tenant fails to do it. It will be a means of compelling the landlord to comply with the regulations of the Expediter.

As regards evictions, there were certain causes for evictions stated in the law: that the owner wanted to use the property for himself or his family; that he wanted to take the property off the rental market; that he wanted to remodel the property. These were suggestions as to what he could do to get the property. Under that there were mass evictions in some places. We have repealed those provisions and have provided that evictions shall be subject to the regulations of the Expediter. It is the only effective way administration of the law could be accomplished. And I have no doubt that those regulations and rules will be fair and impartial. I have no doubt that the Expediter does want to rectify the injustices and the inequities as he has been directed to do so.

We hear a lot of talk about bureaucrats. A bureaucrat is an administrative officer that must carry out a law. There is no way to enforce laws without having those charged with their enforcement. They are subject to the frailties and the fallibilities of human nature. The only laws that I know of that enforce themselves are the laws of nature. A man knows, when he violates those, what the result will be. But we must have somebody to carry out the law and this is the only way that we can administer it, and we must give him full and adequate powers to accomplish that purpose. I know of nothing worse to the morale of our people or to our institutions than to enact a law that is not enforced or will not be enforced. People have a contempt for that law which results in a contempt for all law.

I have heard a good deal of talk about sending this back to the States. None of the governors of the States want this. You do not have to send anything back to the States. The States have this power. The powers that the Federal Government has are those delegated by the people of the States. The powers that were not specifically delegated were retained by the States and the people. So, they primarily had this power and they did not want it and they do not want it now. That is but a device to do

away with rent control. It will destroy it. It means that you vote against the bill.

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

Mr. SPENCE. Mr. Chairman, I yield myself five additional minutes.

Then there is the proposition to continue rent control for 90 days. What we are trying to do now is to stabilize our institutions, to stabilize our economy, to let men know exactly what the future will bring forth, to give them confidence. To continue this law for 90 days would only result in chaos and confusion. Neither the landlord nor the tenant would know his future. How would the tenant feel if he thought he had a contract whereby his family might remain in the house where they resided for only 90 days? What are the worries and hardships that come upon a man when he goes to look for a house these days? I hope you will not vote for the 90-day extension.

There is more than rent involved in this case. There is more than the relationship between the landlord and the tenant. There is the stabilization of our economy. I do not know what the result will be if you do away with rent control at this particular time.

Housing is the prime necessity of our citizens. Civilized man must have shelter. If you raise the rents of the American people you have to raise their wages. If you raise the wages of the people, you have to raise the cost of everything they eat and everything they wear. It is a spiral of inflation that we are attempting to fight now. It is a danger that confronts each one of us. After the boom comes the bust. Let us not do anything to bring that catastrophe upon us after this great war. We have done pretty well up to now. We have pretty well stabilized our economy as far as is possible. If we turn loose these forces I do not know what the result will be.

Is there a man here who will say there is not a shortage in housing? Of course not. The Supreme Court of the United States said that a year ago. It still exists. The cost of everything depends upon supply and demand. There is a little supply and a great demand for this great necessity.

I do not say that all landlords would raise their rents. There are many good landlords. There are many landlords who have personal and friendly relations with their tenants. But there are some landlords that would raise their rents. They would raise them out of all reason. It is that minority, only those who try to impose upon their tenants who will feel the impact of this legislation. I want you to think of that when you come to vote for this.

This is not a political question. I know that on the minority side there will be an almost unanimous vote against the bill. If you beat it, the American people are going to know where that responsibility lies. They are pretty sharp about that. I want you to think of it also.

Mr. WOLCOTT. Mr. Chairman, I yield myself 20 minutes.

Mr. Chairman, we have had some sort of rent control since 1942, and each year we have continued rent control in some form. Only once before has rent control been extended for more than 1 year. On one occasion we continued rent centrol for 18 months. Now, 3½ years after the cessation of hostilities, when we are enjoying a de facto peace, we are asked to continue rent control for 15 months with an expansion of powers of very unusual nature, and in some particulars we give the Expediter broader powers than he has ever had before under rent control. We should ponder the necessity of expanding this power in times of peace.

To provoke thought, I want to make a statement which will for political purposes be denied, but which for practical purposes must be admitted, that if we continue rent control for 15 months now, without any more knowledge than we have about where we are going in this economic transition that is taking place, then you must reconcile yourselves to the fact that we have established rent control as a permanent policy of the Government.

As the gentleman from Kentucky said, there were other things in this bill besides rent control. Title I of the bill has to do primarily with veterans' preferences. It contains provisions now that have never been in law before. If it is enacted in the form in which it is presented, we take the chance of completely drying up the real-estate market and giving only lip service to those whom we most want to help. Existing law provides that any newly constructed property which is to be sold as distinguished from property which was constructed for the occupancy of the builder by contract, or others, must be first offered to a veteran for 30 days. If the property is being built to rent, the property must be offered first to a veteran for 30 days for rent. That has been the law since 1946. The reason why it is in here now is because, of course, we set up the Expediter under that 1946 act to administer the allocations and priorities in respect of veterans' housing. The reason we took the action which we did was during the year when the Government had control over the distribution of every ounce of building materials and every hour of man labor which went into the construction of homes, we built about 413,000 units. When the Eightieth Congress removed those restrictions and wrote existing law in 1947, the same industry built 840,000 units, almost twice as many as had been built under Government control. During this last year, notwithstanding the statements of demagogues to the contrary, private enterprise—not the Government—built 947,000-and-some-odd units, the greatest number of units that had ever been built by any country in the history of the world.

I am fearful that, because you give these preferences on resales and on rents, you will completely dry up the sources of investment capital in housing, and that we will be doing just the opposite which we intend to do. Of course, that authority runs to June 1950 and there is no way to correct that except by an act of Congress or by a proclamation by the President.

In respect to these priorities in title I, the Congress cannot get rid of them by concurrent resolution, as it can get rid of rent control. So free enterprise, the industry which we have to rely upon to build rental properties and to build homes is completely at the mercy of the administrators of the law. I will not argue with you about whether or not the Congress could, by the enactment of legislation, do away with it, because, of course, it would take a two-thirds majority of both Houses to do so.

Now, if we may go on to rent control. There are some very important differences. Let me repeat that I doubt the advisability of expanding rent control 3½ years after the cessation of hostilities and at a time when the national income is decreasing. I wish you would have in mind, Mr. Chairman, that it is axiomatic that vacancies in rental properties increase almost proportionately as national income decreases. That is why I advocate that we continue existing law as it is now until June 30, 1949, with assurance that this Congress will have to take another look at it before we adjourn, and, in the light of whatever changes may have taken place in our economy between now and June 30, we can then determine intelligently whether rent control should be continued, and the manner in which it should be continued and the standards which should be set up for its administration, in the light of whatever economic changes have taken place in the meantime.

Now there are precedents for that. The Ways and Means Committee of the House has argued, and argued well, that we should not consider tax legislation because of the changes which are taking place in our economy. They believe, undoubtedly, that we cannot intelligently enact tax legislation to fit into the changing economy, because we do not know what changes are taking place or are going to take place.

The Federal Reserve Board within the last 10 days has eased up on credit requirements under the so-called regulation W in recognition of the fact that there has been a diminishing demand for goods in several lines. I do not need to enumerate them. The papers are full of them. Decreases in production, decreases in demand, decreases in prices. And it naturally follows, decreases in national income, attending lack of production, lowering of prices, and so on.

Let me repeat, it is axiomatic that vacancies in rental properties increase almost proportionately as the national income decreases. I argue seriously. All of the groundwork has been laid. All of the hearings which are necessary have been had. Perhaps about the 1st of June we might have one session to bring ourselves up to date on what has happened to the economy, and during that month we would have ample time—more time than we have now before March 31, when this bill expires—to review this situation in the light of whatever changes have taken place.

Have in mind, Mr. Chairman, that I have always voted for rent control. To be sure, I have been denounced for being against rent control; and I have been denounced—in fact, my home has been picketed—for being for rent control. It is a rather unique position that I hold, having been denounced by both sides of

the question, a situation which, I can assure you, I did not enjoy very much. Nevertheless I like to think that I have been sensible in my approach to this question. I am firmly of the conviction that we should discontinue rent control just as rapidly as we possibly can; and, Mr. Chairman, this House, this Congress, is firmly convinced that we should do just that, because the declaration of policy to the effect that we should get rid of rent control just as rapidly as possible is not disturbed; and it seems to me that, under these present economic conditions, because of these fluctuations that are taking place at the present time, we are doing a most inconsistent thing to broaden rent control, expand rent control, give these new and unusual powers to the Expediter and at the same time leave a declaration of policy in the law that we should get rid of rent controls just as rapidly as possible. We announced to the world in the declaration of policy that we wanted to get rid of rent control just as rapidly as we possibly could, yet at the same time you are putting back controls on properties which had never been under control before. You are putting provisions in this bill which have never been in any rent control bill before in respect to powers of the Expediter and controls under the bill. I will take a short time briefly to skim over some of the powers which are reinstated, stressing those cases where the powers of control have never existed before.

Under the language of existing law we decontrolled all units in hotels where they were transient hotels, or apartment hotels, or residential hotels, provided that the hotel gave the hotel services ordinarily given by a transient hotel. That was the formula; that was the standard: Did the hotel in respect of any particular accommodation within the hotel give the maid service, the janitor, the bellboy service, the linen service, the secretarial service that is ordinarily given in a hotel? And unless those services were given that unit would not be decontrolled. It was a formula recognizing the increase in the cost of those services. But in the proposed bill we leave transient hotels out from under control; even though there are permanent units in these transient hotels, and even though the occupants of those permanent units have never had these hotel services; you decontrol them if they happen to be in a transient hotel. What is a transient hotel? No one knows; no one knows. We leave it to the Expediter to determine what is a transient hotel; he may hold that a transient hotel is a hotel that had 100 percent transient occupancy, and "transient occupancy" could be defined as occupancy for not more than 24 hours. We give him carte blanche authority to tell the trade what is a transient hotel. But notwithstanding the fact that in a residential hotel all of these services, and more too, are furnished, that hotel goes back automatically under control notwithstanding the fact that a majority of the units in the so-called residential or apartment hotel as found by the Expediter may be strictly transient units. So, of course, the sensible thing to do is to put this not on a hotel basis but on a unit basis. That is what we did and it has worked out very satisfactorily.

Heretofore trailers and trailer space have been decontrolled. They have not been under control. In this bill we recontrol all trailers and all trailer space which are not used for transient occupancy. No one who operates a trailer camp knows whether he comes within the controls or not, for the very reason he does not know what regulations are going to be set up, and we do not set up any standards in the act for the Expediter to follow in determining whether a trailer space is there for transient occupancy or permanent occupancy. Nobody will know until the regulations are published. You will not know what they are; this Congress will have no right to know, because it gives carte blanche authority to the Expediter to make such regulations as he desires to make in respect to all of these controls and all of the recontrols.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. WOLCOTT. I yield to the gentleman from Michigan.

Mr. DONDERO. Did the gentleman say that all new construction from now on would come back under control?

Mr. WOLCOTT. No.

Mr. DONDERO. I misunderstood the gentleman.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. WOLCOTT. Mr. Chairman, I yield myself five additional minutes.

Mr. Chairman, heretofore all units which had been converted after February 1, 1947, for rental purposes were out from under control. These reconverted units will come back under control unless after the control has taken place, after expenditures have been made to reconvert them, the Expediter holds that they should be decontrolled. So, of course, you are going to get no converted units under this bill for the very reason that no one in his right mind is going to convert property for rental purposes unless he knows they are not going to be under control. They would have converted them before this if they were sure they were not going to be controlled. You cannot blame anybody for not converting a unit for rental purposes and take a chance in light of the history of the administration of this law, even though they have spent thousands of dollars in converting a home and making available five or six new units; faced with the fact they have no certainty that the Expediter is going to decontrol them, of course, they are not going to go to that capital expense, notwithstanding the fact that the Administrator might, by regulation or otherwise, lay down a certain standard. We laid down the standard 2 years ago that the Expediter shall make adjustments to prevent hardships and correct inequities. He has not done so, and if the Expediter will not follow the clear mandate of the Congress in that respect, then, of course, you know from the history of the administration of this act, he is not going to make it very easy for anyone to get out from under these controls.

He may recontrol any unit which has been decontrolled by any administration action since February 1, 1947. That means all of these units in any defense rental area which have been decontrolled by the Administrator on the recommendation of the Board which has been substantiated will go back under control. It means that all of these units which come onto the market, which have not been rented for any 2-year period—and there are thousands of them—since 1947, go back under control, notwithstanding the expenditure of thousands of dollars, perhaps, for reconversion of those units into rental units. So, every unit which has been taken out from under control, excepting those which have been taken out from under control by action of the Emergency Court of Appeals, go back under control under this law.

Now, to appease that situation we set up a helper, an officer, in every rental area. There are 767 local advisory boards serving approximately 600 defense rental areas, and all of a sudden, when we should be sloughing off these controls and getting rid of them, we make it possible for them to put 600 people on the pay roll. If it is to be at a salary of $3,000 each per year, it is pretty close to $2,000,000, is it not? To do what? To inform small landlords. There is no definition of what a small landlord is. Under the language of the law they do not inform landlords of five or six apartments, perhaps, if the Administrator says that you shall inform anybody who has less than four. We do not know what he means by small landlords. We know he does not mean small landlords in stature. But, we do not know anything more about it than that. They are to inform them concerning the conditions under which rent adjustments may be obtained. Well, the fault to be found with these adjustments is not any lack of knowledge on the part of the landlord in respect to his procedural rights.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. WOLCOTT. Mr. Chairman, I yield myself five additional minutes.

Or that he does not know what his rights are. The letters which we get, the complaints against the administration of rent control, have to do with the failure of the Administrator to act after the matter has been presented to him. It is very obvious that they knew what their rights were, and they did not have to go to a friend of the court or somebody else to be told what their rights were. And they can get some help from this helper in the preparation of applications for rent adjustment and advise them on such other information as may be necessary and appropriate. It makes it possible to extend the administrative forces of rent control by at least 600 new employees. I would like to know what the Bureau of the Budget has to say about that. The President was never consulted on that one. He has not put that in his Budget. That was something, apparently, to appease the so-called small landlord and the tenant; appease them by a potential expenditure of over $2,000,000 predicated upon a minimum $3,000 salary for each helper.

Now, as to the review. Understand that there are no evictions here whatsoever unless the Expediter says that the tenant may be evicted. We set up the standards in existing law. But we do not know how or under what circumstances a person may be evicted because the Expediter under this law is given carte blanche authority to provide his own regulations in respect to evictions. But there is a very interesting thing with respect to review. At the present time you can get a review by the Emergency Court of Appeals in about 60 to 90 days, but under the language of this Act the matter may be delayed under the provisions of this bill for five or six months after the matter has been presented to the Expediter.

If a local board makes a recommendation to the Expediter, that matter can be stalled for 5½ months after the local board makes that recommendation.

We also in the bill give the Expediter the authority to come in and sue in the name of the United States for any alleged violations for the past year. Understand, they may go back a year and sue for any violations. If the tenant has not brought action within 30 days against the landlord for treble damages, the Expediter may in the name of the United States come in and get these punitive damages, treble damages, and no part of that goes to the tenant; it goes into the Treasury of the United States.

As we go along we will find some others. There is this snooper clause here which we discussed in connection with the export license bill we had up here 3 or 4 weeks ago. We thought that was obnoxious, but here is a real snooper provision. Without regard to whether a property is under control, the Administrator may subpena anyone into his office. He may obtain this information by subpena, requiring any person to appear and testify or to appear and produce documents, or both, at any designated place. Such person or anyone representing the Expediter can be put under oath by the Expediter. If he says anything that violates his oath as to a material matter, he can be brought before a district court for perjury and sent to jail, because the Expediter perhaps did not think he told the truth about the matter.

Here is a good one. This information shall be deemed confidential, if the person giving the information requests it, unless the Expediter determines that the withholding therof is contrary to the public interest.

Let me reiterate: This bill in its present form is such a bill as every one of us should hesitate to vote for in time of greatest emergency—in time of war. We do not know that conditions are getting better. We do know that something is happening to our economy.

Mr. Chairman, in all fairness to our oaths, in all fairness to ourselves and the offices which we hold, let us not do anything today that might put us in a very embarrassing position 3 months from now.

We will be in session 3 months from now, and the sensible thing to do is to continue rent control as it now exists on the statute books until June 30, and then take a look at it—let me repeat—in the light of whatever changes have taken place in our economy and determine our course then. We will know by then whether we want to continue rent control and in what manner and under what standards it shall be administered.

Mr. JENKINS. Mr. Chairman, will the gentleman yield?

Mr. WOLCOTT. I yield.

Mr. JENKINS. At heart I have always been opposed to rent control. I voted to extend it a time or two because we were told it was the wise thing to do and because there were some outstanding commitments, perhaps not written, but implied. In the future it will be argued that there are going to be some hardships worked on somebody. Does the gentleman know anybody in any big city or in any community or anywhere who would be harmed by this extension that the gentleman has recommended? Does he know any group to which that would be a detriment?

Mr. WOLCOTT. No, I do not. I think we should have in mind that because of the present cut-back in employment and in production and wages in certain of our localities, certain Members of Congress say that they must vote for a continuance of rent control to protect those people who are now out of employment and who have lowered incomes from having to pay higher rent. You get the picture—as national income goes down, then I say, are we going to set up rent control as a matter of permanent policy to protect against low incomes in time of depression and against inflation in time of plenty? If so, at least we should be consistent enough to knock out the policy statement in the existing law.

Mr. SHORT. Mr. Chairman, will the gentleman yield?

Mr. WOLCOTT. I yield.

Mr. SHORT. After the shattering argument and the irrefutable logic of the able gentleman from Michigan, it is beyond me to see how any reasonable person could vote for such a violent piece of legislation. This bill would legalize highway robbery. It would attack all human rights and property rights. What greater human right is there than for a man to work and save and enjoy the fruits of his own labor.

Mr. SPENCE. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. MULTER].

Mr. MULTER. Mr. Chairman, we have just heard a very vigorous indictment of a large number of the Members of this House as well as a very large number of the people of our country. Highway robbers and epithets of that kind are names that will not withstand analysis when applied to what we are trying to do now to extend rent control for another 15 months.

Who wants rent control extended in this country? Is it the highway robbers? Is it some Republicans—the majority of the Democrats—or the people of this country who need our help? Labor, represented by the CIO, the A. F. of L., the railroad brotherhoods, every responsible labor organization, has come before our committee and said, "You must extend rent control." Are they highway robbers? I do not think so.

What about the veterans? They are not all Democrats. They are not all Republicans. They are not all laboring men. Every responsible national veterans' organization has come before our committee and said, "You must extend rent control."

Would you have me name those organizations for you? Perhaps you do not agree with the principles of some of them, but they do talk for national groups, and, as a whole, they talk for almost every veteran who served this country in World War I and World War II. You have among them the American Veterans Committee, the AMVETS, the Jewish War Veterans, the Veterans of Foreign Wars, the Disabled American Veterans, and the American Legion. Are they highway robbers? Do they want other than a fair deal from this Congress? I think the gentleman who resorted to name-calling, will think better of it before the day is over.

Yes. We have had rent control for a long time. We may have to have it for a long time to come. There is no man in this House who will stand on this floor and say that we want rent control or control of any kind as a permanent part of our free American Government and its institutions that are so dear to all of us. But so long as we are in an emergency period we are going to ask for emergency legislation. That is all we are here asking for now. This emergency will not disappear in 90 days, but if it should, and we would all like to see it disappear in 90 days, there is provision in this very law for the President to immediately terminate this emergency bill and these emergency provisions. If he should fail to do it and we are still in session 90 days from now, this House, acting concurrently with the Senate can, by resolution, without the signature or consent of the President, immediately vitiate and bring to an end these emergency laws.

But do not fool yourselves. We will not relieve the housing shortage in 90 days or a year or 15 months. The Housing Expediter came before our committee and reported to us the results of findings covering a thousand cities and villages in 48 States of the country. He showed us an analysis of surveys made in 91 cities with populations of over 100,000. In those cities alone there is a shortage today of over 1,000,000 rentable units. I do not care whether you come from Iowa or Kentucky or Connecticut or any of the 48 States of the country, if you will make a fair analysis of the situation in your State you will find that you do need an extension of this emergency legislation in order to protect the people who are living in rented units.

Mr. FORD. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield.

Mr. FORD. Who made this analysis that was accepted and used by the Housing Expediter?

Mr. MULTER. They were made not only by his officials but by representatives of the local boards in the local areas. Existing law contains a provision for local boards—local people appointed by the Expediter upon the recommendation of the governors of the various

States. Those men are doing a fine job. Wherever they find a situation in their locality which warrants either an overall increase in rents or a decontrolling of their area or a part of their area or a classification of rental units within their area, they make a recommendation accordingly. They are working without compensation, and they are doing a good job. Wherever it is possible areas are being decontrolled and classifications within the areas are decontrolled when possible.

Mr. FORD. Is it possible that the analyses on which the Expediter based his opinion were taken by employees who are working for the Housing Expediter under the act and who might be seeking to have it perpetuated for personal reasons?

Mr. MULTER. I vigorously say to the gentleman that that is not the fact.

Mr. CARROLL. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield to the gentleman from Colorado.

Mr. CARROLL. If the gentleman will yield at this point, do I understand the method of picking the personnel of these local boards was changed in the Rent Act of 1948?

Mr. MULTER. That is correct.

Mr. CARROLL. And that act was passed by a Republican-controlled Congress?

Mr. MULTER. The gentleman is correct again.

Mr. CARROLL. And, as I understand, these local boards were to advise the Expediter and were to recommend the decontrol of certain areas where decontrol was feasible.

Mr. MULTER. That is correct.

Mr. CARROLL. Does their testimony indicate how they stand about this pending bill?

Mr. MULTER. How the local boards stand?

Mr. CARROLL. Yes.

Mr. MULTER. There has not been a request presented to the committee on behalf of any local board saying that their area should be decontrolled or saying that rent controls should not be extended; not a single board has sent such a request to our committee urging that rent controls cease.

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentleman yield for a question?

Mr. MULTER. I yield for a question.

Mr. HOFFMAN of Michigan. Does not the gentleman's question assume that the Eightieth Congress was right? Is that the foundation for the assumption?

Mr. MULTER. No; the gentleman pointed out that the Eightieth Congress, Republican-controlled, put into the law a provision, which is continued in the bill presently before us, so that the localities may control the situation or, if it is warranted, decontrol.

Mr. HOFFMAN of Michigan. And was that a good thing?

Mr. MULTER. None of those local boards have come before our committee and told us that we should end rent control.

Mr. HOFFMAN of Michigan. If the gentleman will read a letter I put in the RECORD in my remarks he will see where the local board of South Bend, Ind., is making the owner of a unit pay about $8 a week for the privilege of renting it; and she can get no relief.

Mr. MULTER. I am sure if that is the situation——

Mr. HOFFMAN of Michigan. That is the situation.

Mr. MULTER. I do not care to dispute it with the gentleman, but if that situation prevails, this bill as it will pass this House I am sure will correct that kind of situation.

Mr. BUCHANAN. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield.

Mr. BUCHANAN. The gentleman from Michigan a while ago referred to recovery and recontrol in this present bill that would bring under controls certain individual units or areas that were never under control in any previous law; can the gentleman point out a single instance in the proposed bill under consideration wherein that is true?

Mr. MULTER. That is not so, so far as I have been able to ascertain. As originally drawn there was language in the bill that might have been interpreted that way, but before the bill came out of committee that was amended; and the bill in its present form specifically provides that recontrol can be applied only to property and areas that had been under control previously.

The provision in the pending bill is that if the Administrator decontrols an area or a classification, he may recontrol it if the situation changes. That is necessary because he hopes to be able to decontrol areas which are communities where they might be able to get along without control. The experience in taking off controls has shown that rents have increased as much as 89 percent once controls are lifted. If the Administrator has the right to recontrol those areas after he decontrols them, he can then say to that area: "I am ready to decontrol here and will do it, but if you are going to jump your rents unconscionably, if you are going to exact extortionate rents, we will have to put you back under control."

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. SPENCE. Mr. Chairman, I yield five additional minutes to the gentleman from New York.

Mr. CARROLL. Mr. Chairman, will the gentleman yield for a short observation?

Mr. MULTER. I yield to the gentleman from Colorado.

Mr. CARROLL. I merely wanted to point out that we set up mechanics and features in the last rent-control bill for the purpose of supplying the Congress and the country with information, and as a result of these provisions information has now come to us that we ought to have rent control continued; the local advisory boards have maintained that it is necessary.

Mr. MULTER. Yes. That is correct.

Mr. BUCHANAN. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield.

Mr. BUCHANAN. The gentleman from Michigan advocated taking a look at this matter again after setting it aside for 3 months. What does the gentleman believe the chances would be in the log jam of legislation that is apt to occur in the month of June in getting a fair rent bill or any bill at all at that time?

Mr. MULTER. The chances are that 90 days from now the situation in the House, and in the body at the other end of the Capitol will be such that there will be no chance of getting any legislation on this subject. That is my opinion.

In 1940, we had in this country 1,800,000 families living doubled up because there were no accommodations for them to live by themselves. The situation has not gotten better but much worse. In 1948, we had 2,333,000 families still living doubled up because of lack of accommodations.

While we are talking about the kind of proof that has come before our committee for and against this bill, let me call your attention to some of the propaganda that has been foisted upon the Members of the House and upon the committee too.

Many of us received letters from persons who claimed to be small property owners crying to the Heavens they were not getting enough rent with which to maintain their property, and that they were losing their property by foreclosure. Some of those letters were turned over to the Expediter and he investigated them.

One typical instance is in the record of the hearings before our committee. It revealed this person who sent in a letter claiming to be a small property owner about to lose her small investment in her home because she could not get an adjustment of rents was a domestic in the home of the president of a property owners' association, one which was represented before us in committee, pleading their cause. This woman never owned that property, she never owned any other property, and she never made an application for a rent increase anywhere. That is typical of the kind of stuff that was brought before our committee on behalf of so-called property owners.

They submitted to us a survey which purported to show that vacancies had increased to such an extent that we do not need rent control. Let me read to you what we learned about one of those surveys. The Housing Institute that submitted the survey upon which this property owners' association was making its claim, when asked about it by the Expediter, wrote as follows:

> We assume that specialists in apartment houses know of vacancies in the apartment units of their city but that their estimate of the vacancy ratio is just a guess based upon their own experience and that of their associates.

Now, we had some landlords come before us who were fair. We had property owners who came before our committee and said, "Rent control should be extended. All we want is an opportunity to get fair adjustments if we can show that we are entitled to them."

So we wrote into this bill a provision requiring the Expediter to appoint an officer in each local area who will help

the small property owners to process their application and get an increase if they are entitled to it.

More than that we had one estimable gentleman, a property owner himself, who came before us as general chairman of an organization representing the owners of one-seventh of all the property in the country which is rented and controlled under existing legislation and which will continue under control if this bill passed.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. SPENCE. Mr. Chairman, I yield the gentleman five additional minutes.

Mr. MULTER. Mr. Chairman, what did he say to us? He said, "Gentlemen, you dare not take off rent controls. You must extend them."

This is a property owner talking for the owners of large multiple dwellings. He continued to say that there are abroad in this country persons who would extort oppressive rents; if you lift these controls you will have a chaotic condition the like of which the country has never had. You must continue controls, but give us the right, they said, to fair adjustments. That will be in this bill, I am sure, before we get through with it in this House.

There has been some talk about sending rent controls back to the various localities. Every person who was asked the question before our committee, the Representatives in Congress from various parts of the country and others, as to whether or not this can be handled on a local law basis said that it cannot be handled that way.

The only way it can be satisfactorily handled is by Federal legislation such as the bill presented to you now.

Mr. CAVALCANTE. Mr. Chairman, will the gentleman yield for a question?

Mr. MULTER. I yield to the gentleman from Pennsylvania.

Mr. CAVALCANTE. I share in a large degree the views of the gentleman from New York on this matter, and that is why I am concerned with some of the provisions. I direct the gentleman's attention to page 25 of the bill, line 8, which provides that—

> Any person who wilfully violates any provision of this section shall, upon conviction thereof, be subject to a fine of not more than $5,000 or to imprisonment for not more than 1 year, or to both such fine and imprisonment.

That subsection says "who willfully violates any provision of this section." Is it the gentleman's intention that subsections (a), (b), and (c) are part of this section?

Mr. MULTER. The answer to that, sir, must be this way: My intention would be to take that same provision and make it applicable to the entire act, as we enact it. That, however, was not the intention of my committee. This section the gentleman has just read is existing law. It applies only to veterans' preference. We did have a provision for criminal penalties in the bill as proposed, but on motion of one of the members of the committee it was stricken out of the bill, and it is not in the bill.

Mr. CAVALCANTE. Mr. Chairman, will the gentleman yield further?

Mr. MULTER. I yield.

Mr. CAVALCANTE. Subsection (c) of that section says:

> The Housing Expediter is authorized to issue regulations and orders—

And so forth. Now, will a violation of subsection (c) or if one of those orders or regulations are violated, entail the punishment covered in subsection (d)?

Mr. MULTER. I am not trying to evade the question, but we have a whole body of law and decisions by the courts indicating what type of order carries with it a criminal penalty, when you have a provision such as subsection (d) in a law it will take much more time than I have available to tell you what kind of an order or regulation will be subject to a criminal penalty. There are any number of orders and regulations which an Administrator may issue which will not invoke a criminal penalty.

Mr. CAVALCANTE. Mr. Chairman, will the gentleman yield further?

Mr. MULTER. I yield.

Mr. CAVALCANTE. Would not that doubt be resolved if on page 25, line 8, after the last word "provision" you would insert there "of subsection (a), clauses 1, 2, 3, and 4 of this section"? Then you would eliminate any doubt as to whether that penal section does cover a violation of the regulation or order made under subsection (c) of the act.

Mr. MULTER. I am afraid, sir, that I must differ with the gentleman there. Certain orders and regulations that the Expediter will make, will necessarily require enforcement by the threat of a criminal penalty.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield to the gentleman from Michigan.

Mr. CRAWFORD. On page 20 of the report, section 206 (a), we find this language:

> Any person who willfully violates any provision of this act, or any regulation or order issued thereunder, and any person who makes any statement or entry false in any material respect in any document or report required to be kept or filed under this act, shall, upon conviction thereof, be subject to a fine of not more than $5,000 or to imprisonment for not more than 1 year, or to both such fine and imprisonment.

What does that language mean?

Mr. MULTER. That is circumscribed by the same decisions that I referred to a moment ago in answering the question of the gentleman from Pennsylvania.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. SPENCE. Mr. Chairman, I yield the gentleman two additional minutes.

Mr. BUCHANAN. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield to the gentleman from Pennsylvania.

Mr. BUCHANAN. I might say in answer to the previous statement that that is not in the committee amendment.

Mr. MULTER. There was a great deal said here about the impact of this emergency legislation upon our national economy. Let me direct your attention to a few facts and figures with reference to that. There have been no mortgage foreclosures anywhere in this country on account of rent control legislation. During the years we have had rent control legislation upon our statute books the fact is that mortgage foreclosures have constantly decreased. I do not say rent control is the reason for it, but I do say that rent control has not caused the loss of a single piece of property to any property owner by foreclosure of a mortgage.

Just let me give you these simple figures: In 1939 we had over 100,000 mortgage foreclosures on nonfarm properties in the Nation. In 1948 we had a little over 11,000 mortgage foreclosures on the same type of properties.

In 1939 the savings and loan associations of this country, which invest practically all of their funds in real estate mortgages, owned $681,000,000 worth of property which they had to take back by foreclosure because the mortgagors could not pay the mortgage debt. In 1948 those same institutions owned only $10,000,000 worth of real estate.

The dividends paid by our savings banks have increased during rent control. The deposits in savings banks have constantly increased under rent control, not because of rent control, but rent control has had no impact upon them. The same is true of the aggregate of life insurance policies and dividends paid upon such insurance.

Mr. GAMBLE. Mr. Chairman, I yield 30 minutes to the gentleman from Kansas [Mr. COLE].

Mr. COLE of Kansas. Mr. Chairman, the great State of Kansas this week has abandoned a tradition of many years. We used to be a State that was known as dry and now we are wet.

In the debate which took place out in Kansas on the problem, one individual said to another, "Alcohol is a bad thing. It causes you to do bad things. It causes you to lose your job, to speak crossly to your wife. Occasionally it causes you to think about shooting at your landlord, and, worse than that, it causes you to miss him."

On both sides of the aisle are men who are either for or against this bill. On both sides of the aisle are men who would not vote for rent control under any circumstances. On both sides of the aisle are men who would vote for rent control under any circumstances. I happen to be rather in the middle of those. I voted for rent control during the war period and after the war, but now I am tired of it. It is to those people who have some doubt about the continuance of rent control that I address my remarks this afternoon.

What are we here to determine? The law as it now stands provides that Congress recognizes that an emergency exists and that for the prevention of inflation and for the achievement of a reasonable stability in the general level of rents during the transition period rent control shall be continued.

The proponents of rent control say that there is an emergency and that the emergency arises by reason of a shortage of housing units; secondly, that rent control is necessary to prevent inflation;

and, thirdly, that we require rent control to have a stability of rent level.

I sat for 10 days hearing witnesses on behalf of rent control and opposing rent control. Those witnesses who appeared on behalf of rent control can be classified rather simply. First, there were two unions appearing, the CIO and the A. F. of L. Then veterans' organizations appeared. Then certain organizations representing tenants in New York City and Chicago. The mayor of Detroit appeared, and of course the Housing Expediter appeared. The armed services appeared. But absent, Mr. Chairman—absent from these proponents of rent control were the tenants. I want to call your attention to that a little bit later. The evidence produced in the order of importance was as follows:

That there is a shortage of houses for rent.

That prices will skyrocket if rent control is taken off.

That evictions will cause hardships.

That there will be social maladjustment if we decontrol housing.

That inflation will cause hardships if we do not continue rent control.

I want to examine some of the testimony for the benefit of the members of this committee which was produced in our committee by the proponents of rent control. Mr. Woods, the Housing Expediter, appeared before our committee and testified that the one reason for rent control is the housing shortage. He said the shortage does contribute to inflation because prices skyrocket. Mr. Chairman, his testimony and statement went to considerably greater lengths than that, but in the final analysis the conclusion of Mr. Woods' testimony is that we require rent control. Why? Because of a shortage of houses for rent, and secondly because of the danger of inflation due to skyrocketing rents if we decontrol.

Then the CIO testified before our committee, and they came in with a statement about an inch thick. An estimable gentleman representing the CIO said, "Here at last we have the facts and the figures to show you the situation with reference to rent control." Then what did he do? He presented to the committee a series of answers to telegrams sent to CIO presidents and local officers in many cities and States throughout the United States. A summary of their testimony may be made when I say that most of these statements are similar to this:

Miss Ruth Warran, of the Georgia Workers' Education Service, reports that the housing shortage is stated in terms of social effect. She said:

> The still acute housing situation may, in the long run, deprive us of more than a roof over our heads. It can, according to experts on the subject, have very far-reaching and drastic social implications.
>
> In Atlanta, for instance, the J's and their children could find no place to live, when they had to move, except to buy a 16 by 16-foot tent and make their home in an open field.
>
> Mr. J. makes enough to afford a modest apartment or house but at present has been spending all he makes to provide the family with food, bedding, clothes, and coal to keep them warm. Joe, the redheaded 14-year-old, recently has been slipping in his grades and playing truant from school. He doesn't want his playmates to know he lives in a tent.

Here is another report:

> WIFE FORCED TO LIVE WITH BRUTAL HUSBAND
>
> We know of one family, in which the wife, mother of six children, was forced to stay with her husband who was an alcoholic, beat her and the children and supported her very inadequately. She tried to leave him by moving to another State where she stayed with a married daughter, but the latter could not support her and, as she was a nonresident and ineligible for relief, she was forced to return to her husband.
>
> If she had been able to find an apartment or a house or rooms to stay in, away from him, she could have left him and established herself independently. But like many others she was forced by lack of housing to stay in a place from which she could not have her husband evicted.

Now, that is the type of testimony that the CIO brought before us. They also said in effect that there is a housing shortage, that the housing shortage causes a rise in prices and that there may be evictions which will cause social maladjustments.

Following that testimony also is contained an article from Chicago in which they said:

> One hundred forty-five Chicagoans perished by fire in 1947. The toll rose in 1948, when 152 died in that manner. Usually the pattern is the same. Fire, originating in some squalid tenement, where construction and materials create a trap from which few escape, does its deadly work before even Chicago's Fire Department, one of the best in the land, can arrive on the scene.
>
> On January 18 fire struck the tenement at 259 West Twenty-second Place. Mrs. Mary Woo tossed her two children out of a window. Both were injured. Mrs. Woo and her unborn child weren't so fortunate. They died. So did Lee Lung, 66 years old.

Mr. Chairman, the point I make is that that testimony was true 50 years ago in Chicago. It was true 10 years ago in Chicago. It is true today in Chicago under rent control, and it will be true tomorrow in Chicago and 10 years from tomorrow in Chicago.

The A. F. of L. came before us and testified. In a nut shell, they testified that there was a housing shortage; that the housing shortage would cause a rise in prices. Following that, the Tenant's League and the Consumer's League testified before us. They said there is a housing shortage and that will cause a rise in prices.

The mayor of Detroit said the housing shortage is no less serious today than it was during the war; that it is becoming more and more acute.

Witness after witness testified to one thing: There is a housing shortage. It is becoming more acute. It is more acute now than it was before the war.

The armed services came before our committee represented by an estimable young man who was assistant to an assistant, which assistant had been directed by the Secretary of Defense to say to us that there is a housing shortage, or, "We cannot find reasonable houses at a reasonable rate of rental to provide for our men. There is a housing shortage. Therefore, we believe in the continuation of rent control."

Now, Mr. Chairman, the point I make is that these dogmas have been repeated so long that the people of America do not understand that they are merely repeating by rote the dogma which has been told to them time and time again without questioning why.

Of course, I understand that many of these men are doing the job as organizations are required to do. Someone says, "There is a housing shortage. What shall we do about it?" Some other gentleman gets up and says, "We should continue rent control." And so they pass a resolution. They are doing their job. They are doing the best they can and that is their answer.

We lawyers have a motion which we call a demurrer. We say that when all the evidence is in, assuming its truth you have no case. Let us return to the issues in this case.

First, it is said that there is an emergency.

Secondly, that without rent control there will be inflation.

Thirdly, we need control to stabilize rents.

Let us assume that there is a shortage, for the purpose of this argument before this committee. Has anyone testified before the committee or will anybody in this House say that rent control will cure the shortage? I will tell you three people who said it would not do so. One was Mr. Woods in the testimony before our committee. The other is Mr. Goodman, of the CIO, who said the same thing, that it would not alleviate the housing shortage; and the third is the man who testified as the witness who represented the armed services. He said that it would not alleviate the housing shortage.

All right. We are talking about the continuation of something which will not alleviate the first principle for which we are arguing, or for which some people are arguing. Are we really interested in securing houses which are satisfactory and units which one may find satisfactory to him at a satisfactory rental, or are we interested in controlling evictions. If we are interested in controlling evictions and if we are worried about great social maladjustments which may occur by reason of evictions, it is a very simple thing for us to draft a simple bill for that purpose.

Concerning inflation and high prices, I suggest you read the hearings in behalf of the proponents of this case and see how many of the witnesses talk about inflation. The only one, that I find, who talked about inflation was Mr. Woods.

I asked him: "How will rent control affect inflation?"

He said that it might affect inflation, it might do some good somehow or other. You know, we have talked a great deal about inflation and done nothing about it.

Mr. Chairman, this discussion has not—nor has one witness attempted seriously to discuss the impact upon our economy of rent control; and I challenge anybody to say that they have. Prices may rise; and if they do, then what?

They talk about a 50-percent increase, or 100-percent increase, or 200-percent increase; those increases, Mr. Chairman, are relative increases. Are they increases which take into consideration the comparison to a day's work? I received a letter from one of my towns in Kansas, Manhattan, I think it is, about ten or twelve thousand population, in which the lady said she had to pay her plumber $3 an hour and his helper the same; in other words, to get the plumber in to work for 20 minutes she had to pay him a dollar. How much did she pay him before rent control went into effect?

Yes; prices may rise somewhat; I will not say that they will not rise; but if they do, is that a shocking thing? Or is it shocking that prices should rise when this individual had had his or her house controlled at a rate which was in effect in 1942 and the man living in the house has had his wages raised time and time and time again? And in addition to that, the man occupying the house may not be the one who may need it; he occupies it because he happened to be there, because he got there before that veteran about whom the chairman of the Committee on Rules talked so much this morning, the veteran who came home and found a fellow in the house he wanted to rent. That is what happened to him.

We talk about stability of rent levels; what they are talking about is low-rent levels, but does that really occur under rent control? We have shown that even upon the evidence of the proponents of this bill that if there is an emergency, if there is a housing shortage, this bill does not meet it; and, consequently, that rent controls even according to their testimony do not control inflation; and, third, that they do not provide for a stability of rents, because there is no stability of rents under rent control. If I may paraphrase an old familiar quotation:

Theirs is not to question why; theirs is but to lose their jobs or die.

We have evidence on the other side of this problem, evidence submitted by those who were against rent control, which may be summed up as follows: Rent control in peacetime betrays the tenant. I want you to think about that a little. Rent control creates unnecessary injustices to property owners. There are some people who believe that injustices are required, sometimes; but rent control creates unnecessary injustices. It is a pattern for permanent control.

Who appeared in opposition? The great national associations of real-estate owners, of course; the associations representing great hotels, and representatives of other large and important groups; but, Mr. Chairman, other than that, they were property owners and tenants. Property owners; yes. The gentleman from New York said there were some alleged property owners who were having a little trouble with rent control. I wonder where he has been. Probably sitting up there in New York City wondering what is happening to the rest of the country. Yes; thousands and thousands of property owners that are having a little trouble. During this hearing you could not pry your way into that committee room with a crowbar. Why? Because small-property owners at their own expense and at the expense of property owners within their community were there trying for one moment to get a word in to tell this Congress what has happened to them.

Do you mean to tell me that those people are the selfish, grasping landlords about whom they have been talking? No. Those are the people you find back home, the people who felt they had the right to save a few dollars and invest it in some property, to provide some security. Now, they come here and say to us: "We want to do something about this law which is unjust and unfair."

The tenants were there to testify and how. They were there in absentia. Their silence was just as strong, their voice was just as loud as an atomic bomb. Their silence is just as strong as if they were before you today in this argument.

Look at your files and see how many letters you have had from tenants who want rent control continued. Of course, some tenants want rent control continued. None of them want to face the possibility of paying more money. But weigh them in the balance between those property owners who have found unjust and unfair treatment under this law. You have one or two letters. I have two from my district. I have hundreds of letters from bona fide tenants and the gentleman from New York cannot possibly refute, who are suffering under the inequities of this bill. The tenants were:

Victims of those who would use the desperate plight of people to advance;

Victims of splendid organizations which attempt to solve a problem by passing a resolution;

Victims of sympathetic people who repeat by rote any dogmatism;

Victims of a system that says you must take a slice of your neighbors' policy—whether or not you want it or need it;

Victims of a law which requires them to live in dilapidated, dirty, and deteriorating homes;

Victims who are veterans returning home;

Victims who see the well-to-do live in cheap-rental units while the poor pay higher prices;

Victims of a plan which reduces opportunity for obtaining a decent place to live at a reasonable price.

Let us look at some of the facts:

First. Forty-six and eight-tenths percent of occupied nonfarm units were occupied by tenants in April 1948. Fifty-eight and nine-tenths percent in April 1940.

Second. On the average nonfarm tenant families paid twelve percent of their income for rent in 1948—down nearly one-fourth from a comparable ratio of 15.8 percent in prewar 1941. This ratio declined because family incomes roughly doubled between 1941 and 1948 while median rents were increasing only about one-half—50.2 percent.

Under strict Federal rent control, rents for comparable dwellings in large cities increased only 11.3 percent between early 1940 and 1948. One effect of this rent control is clearly shown in the loss of low-rent units—a net decline by April 1947 of 3,565,000 in the number of occupied units renting below $30 must have resulted principally from demolition of low-rent units, sale for owner occupancy or such substantial improvement as to justify rent increases under rent control. With the loss of lower-rent units and addition to the supply of units renting above $30, principally through new construction or conversion operations, median rentals rose from $21.46 in April 1940 to $29.33 in April 1947 and to $32.23 in early 1948, an over-all net increase of 50.2 percent.

Median rents for nonfarm tenant families with incomes of $5,000 or more were only $45.38 in early 1948, down more than one-third—37.1 percent—from the 1940 median rent of $72.10 for families of similar incomes, while median rents of lower-income families changed relatively less; increasing from $17.68 to $20.83 for families with incomes of $2,000 or less and declining from $36.11 to $33.79 for families with incomes of $2,000 to $4,999.

In other words, those families who have an income of less than $2,000 a year are paying more rent proportionately than the higher-income families.

Here are some other figures I want to leave with you. In 34 cities 190,000 more tenant dwellings were occupied by one person in 1947 than in 1941.

What has happened and why? More single persons can now afford to live alone under the freezing of rents and rental units.

When the census on housing was taken in April 1940, the number of married couples living as extra families was 6.4 percent of all married couples. The report prepared by the committee showed that there are more married couples today living doubled up than there were in 1941, or whenever the date was. There may be, because there are more married couples. But, understand this: When the census was taken in 1940 the number of married couples living doubled up as extra families was 6.47 percent of all married couples. By April 1947, after the impact of the greatly increased marriage rate had been felt, the ratio had risen to 8.35 percent, but by April 1948, the date of the latest survey by the Bureau of the Census, the ratio had dropped back to 6.8, or only about 5 percent more than in 1940.

Now, for the landlords a moment—those selfish people. I do not believe that you need statistics. Perhaps the gentleman from New York does, but an interesting thing about the testimony which was presented this time showed two interesting features. One is that I hear very little about those selfish landlords this year. I did last year and the year before and the year before that, but I think only one person has mentioned the selfish landlord. That is rather interesting. But the more interesting thing was that nothing was produced concerning the income of landlords; in other words, to show what they were making. This indicates a belief that the landlords do have a case.

I recommend for your reading the report in the hearings made by Mr. Donald Hass, from Seattle, Wash. The people of the city of Seattle, in conjunction with

the University of Washington, expended $35,000 to make a full and complete survey of the housing situation in Seattle. Those were not guesses. Those were not irrelevant estimates. They are absolute facts which are the result of a careful survey made on the spot of every house, every unit, every building, every person who is interested in buying or building or renting in Seattle. This report shows the discrimination on the part of rent control between people who want to rent and between the landlords. It shows that the owners do not get a fair return. It shows a wasteful use of space. The interesting thing is that Seattle has no housing shortage, according to this report. It shows that control discourages the building of new construction. I realize that other associations and organizations cannot spend $35,000 for similar surveys, and, although Seattle did prove it, they did not get decontrol. There are, however, fine statements from Dallas, Houston, Norfolk, Alameda County, Calif., and from all sections of this country of ours to show how this law has worked in an unfair and inequitable manner. Administratively it has been impossible to provide justice.

The report of the commttee shows that only 14 local boards have recommended d.control. The majority contend that apparently we should continue control because only 14 areas have asked for decontrol. I want to read to you what a local board must do in order to recommend decontrol, remembering that local boards are citizens acting without pay. So they must find this: They must find the population of the city on VJ-day and the present day. They must find anticipated increases and decreases in the population. They must find the general trend of employment in the last 6 months. They must find anticipated changes in employment during the next 90 days. They must list all students who live with their parents and their wife's families and how they live and under what circumstances. They must find the approximate number of families seeking rentals. They must find the extent of rent decrease during the past 6 months. Imagine doing that in a city like Los Angeles or Kansas City, or even Topeka, Kans. They must find prospective trends if rent control is removed. They must list uninhabitable and nonseasonal dwellings. In my judgment, these regulations make it impossible for the local boards to prepare a decontrol report.

Now, what have I said? I have said, first, that in a peacetime economy—remember, this was born of wartime necessity—the emergency has not been proved great enough and is not great enough to justify these controls. Let someone answer that question.

Second, we have not shown such an emergency or need. We have not shown that rent control will build more houses or provide more units for people to rent at lower rentals, or at any price.

Third, the controls defeat the very object for which they are sought, and remember the statistics I quoted. They create shortages and higher prices.

Finally, in the final analysis, it is an unfair, arbitrary, discriminatory law which we have foisted now, in peacetime, upon a large segment of our people. In my judgment, it should be wiped out.

Mr. Chairman, I was told not long ago that the atomic bomb was mere child's play, that today bacteriological warfare had come into being to such an extent that perhaps pouring a tumbler full of bacteria into the water system of a huge city of 100,000 would completely eliminate the population of that city within 24 hours.

Mr. Chairman, I think there are other weapons of destruction of humankind which are just as powerful. I think one of those weapons is the destruction of character, the destruction of our great Republic by false ideas. One of those ideas is that the Government must at all times, under every circumstance, be the source to whom you must go to be relieved of all hardships, of all ills, of all wrongs.

Mr. Chairman, I think this Congress today has the opportunity to point the way—to determine where we are going and what shall be our path. I hope that it will be a path which will lead to greater freedom and greater service and cooperation among men.

Mr. O'HARA of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. COLE of Kansas. I yield.

Mr. O'HARA of Minnesota. First, may I congratulate the gentleman on the logic he has shown in summing up the position of the proponents and the opponents of the bill and the very fine statement he has made. Does the gentleman feel, as his conclusion from the study he has made, that the only basis upon which this legislation could be continued would be the continuation of an emergency condition?

Mr. COLE of Kansas. That is definitely right.

Mr. O'HARA of Minnesota. Does the gentleman definitely in his own mind feel that the emergency does not exist?

Mr. COLE of Kansas. I have definitely come to that conclusion, and I challenge anybody to prove the contrary.

Mr. O'HARA of Minnesota. Does the gentleman feel, further, that a continuation of this rent control would be what would amount to a legal destruction of the rights of certain people, and that, from the viewpoint of the courts, if there were a continuation, it would be discriminatory and arbitrary class legislation?

Mr. COLE of Kansas. Thousands and thousands and thousands of property owners are the answer to that question. I think that is true.

Mr. SPENCE. Mr. Chairman, I yield 10 minutes to the gentleman from Georgia [Mr. BROWN].

Mr. BROWN of Georgia. Mr. Chairman, I desire to read a letter which I received this morning, dated March 9, 1949, from Hon. Herbert B. Brill, executive secretary of the Metropolitan Fair Rent Committee of New York City.

Hon. William E. Russell, chairman of this committee, testified before our committee. I think he is one of the fairest witnesses I have ever heard. He is thoroughly honest and he impressed every member of the committee that he was altogether sincere. He is from the district and a constituent of my good friend the gentleman from New York [Mr. GAMBLE]. This is what Mr. Brill has to say:

METROPOLITAN FAIR RENT COMMITTEE,
New York, N. Y., March 9, 1949.

Hon. PAUL BROWN,
Representative from Georgia,
House Office Building,
Washington, D. C.

DEAR CONGRESSMAN BROWN: On behalf of the executive membership of our organization as well as each and every individual owner of rental housing in our area, which contains one-seventh of all the housing units under rent control, I want to take this opportunity to express our deep and everlasting gratitude to you for your recognition of the fact that a provision for a reasonable return on fair value is the only prescription that can lead to the cure of one of the major inequities in the rent law.

The New York press reports that there is overwhelming support for your proposal to insist that owners get a reasonable return on the fair value of their property.

Please be assured that when the measure is debated on the floor of the House tomorrow and the day after, you will have the blessings and moral support of the owners of some 2,250,000 housing units who have been denied a living wage, in their case, a reasonable return on the fair value of their properties.

We do so hope that your proposal will be accepted but, in any event, we want to iterate and reiterate our great thanks to you for recognizing one of the greatest injustices and inequities in the law and to congratulate you for your courage in sponsoring one of the greatest remedies which has heretofore been consistently refused because of political expediency and the specious argument of the Housing Expediter that an appropriate formula is difficult to prepare.

With kindest personal regards and sincere wishes for success in your endeavor to obtain a fair deal, I beg to remain,

Very respectfully,

HERBERT B. BRILL,
Executive Secretary.

Mr. Chairman, there is need for rent control in some sections of this country yet. But if we are going to continue rent control in order to regulate the 10-percent selfish landlords of this country, we certainly must make it fair to the other 90 percent of the landlords who do not want to chisel anybody, but who do desire a fair return. I am going to support this bill if we can get fair treatment for tenants and landlords alike.

Everybody wants this. But if we cannot do that, then, gentlemen, it will be difficult to justify it. The landlords are the only segment of our people who are regulated today. Many are getting now only about enough to pay the upkeep on their houses. If we are to continue to let one man in Washington be the guardian of every landlord in the United States, then I say we must make it assured in the law that the landlord who is helpless and who owns his property shall receive a reasonable return on a fair or reasonable value of his property.

Mr. O'HARA of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Georgia. I cannot yield now.

The amendment which I am offering sets up a plan which requires the Housing Expediter and the local boards, when considering hardship cases or other cases involving inequities, to fix rents at levels

that will yield the landlord a reasonable return on the reasonable value of his property, and sets up certain factors which must be considered in determining this question.

This, I believe, is the first effort that has been made to assure landlords that they will not have to subsidize tenants. No effort has been made by the Expediter to put this principle into operation. There is nothing in the present law which requires him to give consideration to it. That is the thing I want to cure. In my judgment, this glaring defect in the law and the administration of it is the principal cause of the almost universal complaints that we hear against the law on the part of the landlords.

I wish the Members of this House could have witnessed the demonstration that took place last week when this bill was before the Committee on Banking and Currency. The committee room was packed to the walls and the crowd overflowed into the corridors. They were for the most part small landlords who had come from all parts of the country to fight to preserve their property rights and a reasonable return on their property. They were in anything but an amiable mood. They were American citizens whose property their Government had required them to rent to other American citizens at a rental that represented no return to them, and in fact in many cases represented an actual loss.

We have all heard or read of the recent demonstrations over the country on the part of the landlords who have been compelled to rent their property without profit. Those incidents indicate the seriousness of this problem and the urgent necessity that something must be done now. Without such provision as is contained in this amendment, this rent-control bill is not fair. Under ordinary circumstances, and in normal times, rent control is thoroughly un-American, and it violates practically all the basic principles on which our country and our institutions and our freedoms are based. The only justification for such a law is the existence of a national emergency. It was only because of such emergency that this law was passed by the Congress and approved by the courts.

I am willing to go along with the idea now on the theory that an emergency still exists, but I am willing to only on the condition that private property cannot, under the express provisions of the law, be taken without just compensation, and that landlords will be assured a reasonable return on the reasonable value of their property.

Rent control in effect converts one's property into the status of a public utility, but it is not regulated in the same way that public utilities are regulated. It is a cardinal principle of public utility regulations that a reasonable return shall be allowed on the reasonable value of the property devoted to the public use. Can there be any sound reason why the same principle should not apply to rent-controlled housing that is applied to public utilities?

Mr. Chairman, this is an extremely serious problem; it is one that we should not consider lightly; it is one that contains the seed of widespread discontent and one that we can go a long way in solving by saying to the country in this act that we still believe in and stand by the fundamental rights which are guaranteed to all American citizens by the Constitution of the land.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. SPENCE. Mr. Chairman, I yield five additional minutes to the gentleman from Georgia.

Mr. ROGERS of Florida. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Georgia. Not at this time.

Mr. Chairman, the only objection that I have heard to this amendment is that it would be difficult to enforce. The Expediter said that my idea was correct that the people were entitled to a fair return on a reasonable value of their property, but it would be difficult to set up such a formula. I understand, however, that he has changed his mind since then. If this principle that I maintain, that the landlords of this country are entitled to a reasonable return on a reasonable value, cannot be inserted in the bill, then it would be difficult to defend your vote for it. I say it can be enforced. The local board can go in and find out what is a reasonable value. The local people know the value of the property; they know the assessed value. The real estate men there know whether or not that speaks the real value; and if it does not they can get the facts to show what a fair value of that property is.

The local board makes recommendation to the Expediter. It is up to the Expediter to approve it, if the board has done its duty.

Someone might ask: What is a fair value? In every State of the Union and every city, when a person makes a tax return he must return his land for taxing purposes at a reasonable value of the land; he must make a fair return of his property. If he fails to do so the assessors appointed in that county raise his tax; the assessors get up the formula; the assessors know the value, and they know what a reasonable value is. The same is analogous with the Expediter. If the assessors have a right to determine the fair value of any locality for taxing purposes, the Expediter has a right to determine whether or not the value reported by the local board of their community is fair and reasonable. More than that, he will get all factors relating to value.

When I told the members of my committee that a reasonable return on a reasonable value was not a very difficult thing to ascertain and enforce, all of them did not agree with me. They were all in favor of the idea but troubled about whether or not you could say what was a reasonable or fair return. Hardship is not defined in the law, but the Expediter in his regulations defines hardship. If this be so, it should be no more difficult to get at a reasonable return or a fair return.

Mr. Chairman, some members of the committee have changed their views since the vote in committee on this amendment because I explained to them that the first thing in this bill is the declaration of an emergency and the courts would be more liberal in construing the act in carrying out the intention of Congress. Whether we have an emergency or not, we declare in this bill that we do have.

Under these circumstances the Supreme Court of the land will hold, as it has always done in wartime or in an emergency in peacetime, many things to be constitutional and legal which it would not so construe in peacetime. The idea is silly to me that you cannot obtain a reasonable or fair valuation of property and give the poor landlord a reasonable return under the emergency provision of this bill.

Without the emergency clause in this bill, the rent ceiling could not be enforced. You cannot in peacetime, without declaring an emergency, say that the Government has a right to control the landlord's property and act as his guardian in making rent contracts, and certainly if the Supreme Court says that you can do this, it will uphold the principle of my amendment.

Mr. Chairman, without this amendment you are going to be unable to be fair to both the landlords and tenants under this bill, and we will say to the people of this country, especially, the widows and Gold Star Mothers who have invested all they have in small homes for renting, that they will not get any return and all that they will receive is just barely enough or hardly enough to pay the taxes and upkeep of their property, and this to continue for 15 months longer.

I realize there was great need during wartime for rent control, and there is some need now in some sections of the country for it. I am willing to go along, and I know everyone wants to go along, if we can have a reasonable return based on a reasonable valuation for all.

When the veterans came back from the bloody struggle abroad—those who were able to come back—they found all the houses of this country occupied by people who did not go to war. The veterans got very few places. I wish that situation could be corrected.

New buildings for the last 2 years have not been controlled and under this bill no new homes will be controlled. So most of the veterans have had to pay a higher price for a place in which to live. These are the people we wanted to help most, but we have not helped them as much as we wanted to. It is claimed that there are in many cities of this country from 10 to 15 percent of the landlords who are selfish and, without rent control, would charge from 100 to 200 percent higher rents. To prevent such unreasonable rents from this class we should not penalize the other 85 or 90 percent of good citizens who do not believe in extortionary rents by failing to give them reasonable returns under any rent law. By this amendment effectively administered we will have a remedy to give justice alike to the landlords and to the tenants.

The CHAIRMAN. The time of the gentleman from Georgia has again expired.

Mr. GAMBLE. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, I want to congratulate the gentleman from Georgia on the letter he has just read into the RECORD commending his proposed amendment. The writer represents an independent organization that is thoroughly familiar with rent control. To buttress the Brown amendment I would like to read from the testimony of Mr. Tighe E. Woods, Housing Expediter, pages 93 and 96 of the hearings:

The first type of adjustment is for financial hardship. The second type is for operating loss. The third is for fair return on fair value.

The first two types, hardship and operating loss, are now in our regulation. We have not been able to place the third, fair return, in our regulation because we have found no equitable and practical method for such a provision.

Page 96, quoting further:

In view of all these considerations we have been unable to develop practical and equitable individual adjustment provisions for fair return.

Well, if the Housing Expediter is unable to develop that formula after months of delay, I hope you will vote for the Brown amendment. The Housing Expediter having failed, let the Congress write the regulation.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. GAMBLE. I yield to the gentleman from Michigan.

Mr. CRAWFORD. I would like to submit this question to the gentleman from New York [Mr. GAMBLE] and the gentleman from Georgia [Mr. BROWN]. Is there any instance in the operation of the Federal Government at the present time and through the machinery of the Congress where private citizens in peacetime or in wartime are asked to provide goods and services below the cost of production?

Mr. GAMBLE. Not that I know of.

Mr. CRAWFORD. Is there any case on record?

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. SPENCE. Mr. Chairman, I yield 10 minutes to the gentleman from North Carolina [Mr. DEANE].

Mr. DEANE. Mr. Chairman, the distinguished gentleman from Kansas [Mr. COLE] indicated in his remarks that no national emergency existed. I wonder if he was present on the House floor yesterday when the House passed a bill for the purpose of erecting a radar fence around this country, the beginning cost being in the neighborhood of $80,000,000 and the ultimate cost approximately $170,000,000 to $200,000,000. If there is no national emergency, why did the Congress on yesterday decide that a 3,000-mile guided-missile range was necessary, the initial cost at the outset of around $71,000,000 with the ultimate cost reaching $200,000,000.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. DEANE. I yield to the gentleman from Texas.

Mr. PATMAN. Will the gentleman please discuss the emergency around these national defense areas, especially the testimony of the representatives of the Army, the Navy, and the Air Corps?

Mr. DEANE. I will.

If there is no national emergency, why are we expending today 34 cents out of every budget dollar for national defense?

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. DEANE. I gladly yield to the gentleman from Massachusetts.

Mr. McCORMACK. Might I say that on next Monday, if a rule is reported, the composition bill of the Army and Air Corps providing for a 70-group Air Force will also be brought up.

Mr. DEANE. I thank the gentleman from Massachusetts. If time permitted we could give one instance after another of the existence of a national emergency.

Mr. COLE of Kansas. Mr. Chairman, will the gentleman yield?

Mr. DEANE. I yield to the gentleman from Kansas.

Mr. COLE of Kansas. I did not say there was no emergency. I said there was no emergency of a housing nature which rent control would cure.

Mr. DEANE. If the gentleman did not say that there was no national emergency, I am glad to have him so advise the House.

Mr. COLE of Kansas. My statement did not have anything to do with what the gentleman is talking about.

Mr. DEANE. If there is no veterans' housing shortage, why did the representative of the Air Force, appearing before the committee in behalf of the Secretary of National Defense, make this statement in behalf of each branch of the armed forces? I quote from page 648 of the hearings:

Recent surveys on reenlistment figures definitely prove to us that the biggest factor in low rates is inadequate living conditions—housing—either a shortage of actual accommodations or inadequate accommodations at excessive rentals. At Mather Field, Calif., for example, the commanding general has allowed enlisted men and their families to recondition old barrack-type buildings, where it is necessary for entire families to use common cooking and other facilities. The reason? Principally because the military income will not stand a $60 to $80 per month room in a town 12 miles from the base.

I invite the Members to read the statement by this gentleman appearing on page 648 of the hearings.

Coming as I do from the Southern section of our country, and appreciating likewise the State of Kansas and certain States of our Union, where the need of rent control is not so pronounced, I contend we must keep in mind our Nation as a whole.

I am appearing here today as a small landlord, the owner of a small apartment house. If I voted my selfish convictions, I would vote against this bill.

My conscience will not permit me to vote against the extension of rent control because there is an emergency. If there is any doubt on the part of any members of this committee as to the urgency of the lack of housing accommodations throughout the country, I suggest that you go out and get in a taxicab in Washington or in any city of this country with a hundred thousand people, or even less, and make an individual poll, and you will find pretty soon how the people feel. I venture the prediction that if no rent-control act is passed by this Congress you will hear something and you will hear it very quickly. The average tenant is assuming that if the Eightieth Congress passed a rent-control law, surely the Eighty-first Congress will look after the interest of that great group of our citizens who have no spokesman.

I was interested and perhaps the other Members likewise would be interested in certain figures released by the Bureau of Labor Statistics. In 1948 the total housing units put under construction is estimated at 930,000. Of that number only 16.5 percent were available for rental. This situation continues to exist.

During the past year the Housing Expediter has made almost 8,000 surveys throughout the entire United States to determine whether rent control could be ended in the areas under rent control. Out of that large number, the Expediter was able to take only 31 decontrol actions, all of them in rather sparsely-populated areas. Although there were more than 750 of these boards, only about 15 of them sent in a recommendation to end rent controls in their areas. In my own district, there are three areas under control. I requested the Office of the Expediter to make a survey to determine the need for rent control. The findings showed that the leading officials of the towns in these areas indicated that there was a continuing need for rent control.

It seems to me that as we consider the legislation the individuals who can give the best opinion are not the representatives of the associations, or even labor or the veterans groups, but the best people to give us an opinion are the local advisory boards. If we accept their opinion on need, we will continue rent control.

Who is spearheading the opposition to rent control? They are the same organizations who, during 1948, spent approximately $1,000,000 in lobbying, not only against rent control but against housing. I am of the opinion that as we get into housing legislation you will find the same arguments against housing that we are having today against rent control.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. DEANE. I yield to the gentleman from Illinois.

Mr. YATES. With reference to the figures the gentleman gave as to the need for housing, may I call to his attention the figures I have on Chicago, Ill., from which I am Representative? The gentleman from Kansas made reference to the fact that the city of Chicago had poor housing 50 years ago, has poor housing today, and will probably have poor housing 50 years from now. If the efforts of private industry in that direction are accepted, I am willing to accept his statement, for here are the statistics I have received from the Library of Congress:

There was a need in the year 1948 for 137,500 new houses for the city of Chicago. Six thousand were actually built during that year. The survey of the Chi-

cago Housing Authority showed that of the 6,000 new units that were actually constructed, 81.5 percent of the new houses sold for more than $12,750, with none selling for less than $8,750.

They also estimate that rents average from $115 to $120 per month per unit.

Mr. DEANE. I thank the gentleman for his contribution.

Folks can pay only so much for the shelter, which is a basic necessity of life. For example, here is a family in my district. The father is an average workingman who gets $2,400 a year with which he must provide for his wife and their three children.

Today he is not financially able to buy the food he would like. If we doubled his present rent of $35 a month by removing rent control he would have less money with which to buy the minimum of food and clothing which his wife and children need.

There is another reason for continuing rent control. All the housing erected since the war has been high priced homes built for sale to people in the higher income brackets. Less than 1 in 6 of the houses built have been for rental purposes. But even these rental units built since the war have had asking prices of $75 to $100 a month or more. This is clearly out of range of the average working family.

We all realize rent control is only a temporary stopgap piece of legislation and we all look forward to the day it can be eliminated. To that end we broadened the Expediter's power in the bill we just reported out of the House Banking and Currency Committee on decontrol and recontrol. At present when an area is decontrolled it cannot be brought back under control again even though rents skyrocket. Under the House amendment the Expediter is given the right to recontrol decontrolled areas if rents rise out of reason. In this way rent control can be removed now from many fringe areas and if the responsible landlords take the leadership and keep rents from skyrocketing—then that area has shown it can handle its own problems. If it lacks that ability or the pressures are too great and rents continue rising then the Expediter can step in and recontrol.

I think we all realize the Expediter has had a difficult law to administer over the past 2 years. He has been burdened with a weak and inequitable law and handicapped by inadequate budget and personnel. Some rental areas cover three or four counties with only one man assigned to do the job in the whole area.

The rental housing industry is a $50,000,000,000 industry. It is penny-wise and pound-foolish to hamstring the industry by providing the agency regulating it with inadequate funds and personnel.

In closing I should like to make reference to one group of people we should try to keep in mind but whom we have not represented adequately in the past. I speak of the veterans and their families. Even at this late date—4 years after the termination of the war—too many veterans and their families are not fully reestablished in their community. Many of them are still taking their GI-training courses. I think we have an obligation to these veterans as they come into the communities of America to give them a decent place to live—not a place which bars children or dogs, if you please, but a place where they can raise their children with all the benefits of a home and a decent environment, and at a rent they can afford to pay.

We must remember the loyal, faithful services these men and women gave their country at a time when all of us were making the greatest profits in our history.

The veteran and his sorry housing plight is too often forgotten these days. I do not think we are performing any more than our minimum responsibility when we give them the benefits of rent control, until such time as we provide sufficient housing to satisfy the needs of the American family, the first and greatest bulwark for the protection of the American way of life.

Mr. McSWEENEY. Mr. Chairman, will the gentleman yield?

Mr. DEANE. I yield.

Mr. McSWEENEY. I am supporting this legislation, but I am somewhat worried about the criticism that it might be a deterrent to future building. Do you see anything in it that would be a deterrent to building?

Mr. DEANE. I cannot.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WOLCOTT. Mr. Chairman, I yield such time as he may require to the gentleman from Massachusetts [Mr. WIGGLESWORTH].

Mr. WIGGLESWORTH. Mr. Chairman, I regret exceedingly that this bill has been reported to the House in its present form. In my judgment, it goes altogether too far under present conditions, nearly 4 years after the termination of World War II.

I am not in favor of terminating all rent control at this time. I want to see it terminated as fast as it can be safely done with justice to the tenants of this country, but not now.

I am in favor of continuing the present law for the time being with something like the amendment which I understand will be offered by the gentleman from Georgia [Mr. BROWN], with a view to insuring a reasonable minimum rate to the small owners of the country. This amendment is essential, in my opinion, in view of the failure of the Rent Control Administration to comply with the clear intent of the Congress in this connection.

I am also in favor, among other things, of eliminating the broad authority which is recommended to recontrol properties already decontrolled.

I think it would be well to shorten the proposed period of extension with a view to earlier reconsideration of the entire matter by the Congress.

I hope the bill will be so amended under the 5-minute rule that justice to tenants and owners alike may be assured.

I cannot support the bill in its present form.

Mr. WOLCOTT. Mr. Chairman, I yield such time as he may require to the gentleman from Oregon [Mr. ANGELL].

Mr. ANGELL. Mr. Chairman, I have received many letters from residents of my Congressional District complaining of the unfairness of rent control. I want to bring to the attention of my colleagues portions of a letter written to the Senate Banking and Currency Committee bearing upon rent control calling attention to its operation in my district. I hope we as representatives of our constituents will legislate fairly for both tenants and owners of rental property. The letter to which I refer in part is as follows:

PORTLAND, OREG., *February 25, 1949.*
SENATE BANKING AND CURRENCY COMMITTEE,
Senate Office Building,
Washington, D. C.
(Attention, Chairman.)

Re rent control.

It would appear from newspaper accounts and radio broadcasts that the President of these United States, certain Members of Congress and Mr. Tighe Woods, Rent Control Administrator are attempting to intimidate the rental property owners.

* * * * *

Furthermore, all Members of Congress and Government officials, irrespective of party affiliations, implicated in this seeming communistic move, who are required to take the same oath of office, should be investigated by the Un-American Activities Committee for attempted destruction of these United States. This committee should make exhaustive investigation as to who originated the idea of rent control in these free United States (at that time) and just who is behind the propaganda to continue this unconstitutional rent-control law and persecution of a segment of the citizens of this Nation. For it is attempted destruction of these United States when property ownership rights, one of the basic fundamentals on which this Government was founded, are abrogated. This is either the forerunner of State slavery with commissars living on the fat of the land, or a conspiracy on the part of Government, banking and mortgage interests to confiscate income properties.

* * * * *

It appears, even under the existing unconstitutional rent-control law, Mr. Tighe Woods does not have the right to use the courts in eviction cases for the benefit of the tenants, nor, does he or the local rent-control boards have the right to advise tenants, via radio, to contact them for assistance in case of eviction notices. Local courts have complete jurisdiction under the State law. It is high time the Federal Government stops breaking the laws they have enacted, either constitutional or unconstitutional.

For your information, I am not a member of any property owners' association; I am merely a woman, one of many millions of widows and elderly people who have worked hard to accumulate a small piece of rental property. Our type of property owner is not like the big operators, we do not ask to be subsidized by the Federal Government, we are self-respecting American citizens who do not want charity but we demand the right to support ourselves and the constitutional right to control the use of our own property which has been earned by the sweat of our brow.

Any individual in these United States of America, be he the President, Senator, Congressman, Federal judge, veteran, CIO or A. F. of L. union member, who would deny to us our constitutional rights, is not a good American citizen.

Sincerely,

HENRIETTA B. ZIMMERMAN.

Mr. WOLCOTT. Mr. Chairman, I yield such time as he may desire to the gentleman from Michigan [Mr. MICHENER].

Mr. MICHENER. Mr. Chairman, the gentleman from Oregon [Mr. ANGELL] has just called our attention to a letter received from a constituent protesting against the continuation of rent control. Her reasons are legitimate and I have received literally hundreds of similar communications. The property owners affected by rent control in my congressional district are what has been termed here as the "little people." We do not have the large apartment dwellings. Much of our rental property is owned by the widow in the college town or the middle-class citizen who has been thrifty, worked hard, saved a little money, and invested it in a rental house in his home community. There is no real-estate lobby about these individuals. They do not belong to organizations and it is difficult for them to understand why their Government should discriminate against their particular type of investment.

Mr. Chairman, I voted for rent control, price fixing, and rationing during the war. We all realized when these laws were passed that they were discriminatory, but all war is discriminatory and exact equity cannot be accorded to all individuals and industries in a war emergency. Our people realized this and accepted the inevitable; however, the war which necessitated the imposition of these controls has been over for approximately 4 years, and still the property owners affected by rent control are required to accept approximately the same rental received in 1940 and 1941, notwithstanding the fact that wages, prices, and taxes have increased manyfold. I have in mind one widow who rents apartments in her own home. Utility costs have doubled. Her taxes have gone up 57 percent and upkeep likewise, yet this woman has been unable to get any appreciable rent for her property. My colleagues, this is wrong—dead wrong. What are we going to do about it? The bill which is before us and recommended by a majority of the Banking and Currency Committee will continue rent control for 15 months. A continuance of the present law is not contemplated. The proposed law extends the powers of the Administrator and places greater discretion in the Administration and in the Director of rent control to tighten up, loosen up, broaden, and extend rent control as in his own judgment seems most advisable. I am definitely opposed to granting these additional powers to any bureau or director, regardless of his political affiliations or his economic philosophy.

All those participating in this debate have admitted that rent control should not be continued permanently. Every speech supporting the pending bill is in the form of an apology accompanied by the assurance that eventually these long-suffering property owners will be released from the grip of their own Government and permitted to take their places in our economy on an equal footing with other owners of property, tangible and intangible.

Labor has been given a fair deal: Through unions, protected by the Government, labor can bargain and secure a fair price for its product.

Farmers have been given a fair deal: Parity prices; government buying of butter, wheat, corn, potatoes and other products; sometimes giving them away; sometimes burning them to keep prices up—and to hold up the income of the farmer.

The manufacturer is given a fair deal: Through the tariff, control of production and other practices legalized by the Government, he is allowed a fair profit.

The property owner has been given a raw deal: His expenses have increased—but not a thousand percent, like those of the United States Government. His gross income, through rent control enforced by Uncle Sam, is held down to the same sum he received in 1941. His net dollars are much fewer than in 1941. The dollars he has left, if any, will buy about one-half as much meat, bread, milk, potatoes, clothes and other necessities of life, as in 1941. Landlords are forced to subsidize their tenants, even though the tenant is rich and owner poor. Do shoe manufacturers supply the poor with shoes at half price? Do meat packers sell meat to the poor at less than cost? If the poor tenant needs help, why not let all the people help him?

It has been stated here that the Census Bureau's statistics show there is no housing shortage, but that there is a shortage of rental property. The number of housing units has increased since 1940 but the number of rental housing units has declined. Under the present law, houses are built for sale, but few indeed are built for rental. This condition will continue as long as rent control endures. The person, or the corporation, with money to invest cannot be expected to invest his money and savings in property with the threat of rent control hanging over his head. This is not theory—it is proven fact. It is not sufficient that the shortage of housing which we have be rationed or allocated among those requiring housing. The rationing alone of a scarcity of food, clothing, or housing can never produce an ample supply.

I believe that there is a general shortage of housing and that this condition can only be cured by more housing. Rent control deals with the effect and not with the cause. At the expiration of every continuation of this control, there is apparently less rental housing on the market, and it seems to me that the Congress should face the situation realistically and embark upon a course that will produce more rental housing. If we are to have adequate housing, it must come from one of two sources; either because the property owners can furnish rental housing at a profit and not at a loss, or the Government must enter the housing field and furnish homes to our people. In short, the property owners cannot be expected to continue to subsidize the tenants. He must be able to operate at a profit or the Government must take over.

This question cannot be decided on emotion. There must be more low-priced homes, both for sale and for rent. There are greedy landlords as well as greedy, inconsiderate tenants; however, landlords and tenants by and large are patriotic, good citizens interested in the welfare of their fellow men and their country. Congress must not foster class controversy or hatred. The tenants must have homes in which they can afford to live, and the property owners must have a fair return on their investments if the American way of life is to continue. Experience has demonstrated that rent control is not the answer.

Mr. Chairman, I cannot vote for this bill as reported by the committee because it will not produce more housing for anybody. I shall vote for the amendments which have been suggested and, if these amendments are adopted, the bill will be made much better.

Mr. WOLCOTT. Mr. Chairman, I yield 5 minutes to the gentleman from Massachusetts [Mr. NICHOLSON].

Mr. NICHOLSON. Mr. Chairman, I do not know whether this is necessary or not. One says it is; the other says it is not. We have to take their word for it. However, there is one thing in this bill, Mr. Chairman, that I would like to call to the attention of the Members of this House. We took an oath to protect and defend the Constitution of the United States. A great many of us have taken that oath a great many times and a great many of us have read that Constitution probably a thousand times. Under this bill you give the Expediter the right to make the laws. In this bill we give him the right to make regulations and orders, and he has already done it, because when asked the question on some succession of an estate or something, he said it was not in there but they took care of it by making a regulation.

Under our Constitution, the very first line of the Constitution is that the legislature, the Congress, shall do all the legislating, and nobody else. If it were not for any other reason, we ought not to vote for this bill.

This bill goes further than the one we had before. I have never rented my house, but if I wanted to rent it and wanted to enter into a contract with you or anybody else for $60 a month, the Expediter can step in and say, "The going rate in this area is $40. Therefore, your contract is not any good."

I have always thought, as I read the Constitution, that the Federal Government forbids any State from passing any law impairing the obligations of the citizen, or the right of contract. So here we destroy the right of contract.

So there are two things, Mr. Chairman. This morning the gentleman from Michigan told you about Runnymede and what the barons did to King John on June 15, 1215. The principal thing they took care of in that was property. Property is sacred in this country. Everybody should have a chance to own a home for himself and his family and bring them up under the Constitution.

So, Mr. Chairman, I think we should follow the Constitution a little better than we have been doing.

Under this proposed law the Expediter is given the right to confiscate your

property. There is not any question about it. Yet the Constitution says you cannot confiscate anybody's property without due process or without giving the man adequate compensation. The gentleman from Georgia [Mr. BROWN] has an excellent amendment and, like the gentleman from Georgia [Mr. COX] who said he hoped we would vote for it, I am going to vote for it. I am going to vote for the 90 days, just as the gentleman from Georgia [Mr. COX] said, and then I am going to vote to throw the whole thing out, and I hope the rest of you will be with me when that is done.

Mr. Chairman, the powers that are not delegated to the United States expressly are reserved to the people in the States or the people in the several States. So let us let the States run their own business, and if there is a shortage of housing in Massachusetts, let Massachusetts pass a law that will take care of the people in that State. When did it happen that we have to look to an all-munificent Government to run our affairs, to say where we will live and how we will live and how much we will pay to live?

Mr. MULTER. Mr. Chairman, will the gentleman yield?

Mr. NICHOLSON. I yield.

Mr. MULTER. Has Massachusetts a local rent law?

Mr. NICHOLSON. Well, we have a kind of a stand-by law, I think. The Governor is going to put in another one, because I believe he believes it should be done by the State of Massachusetts.

Mr. MULTER. Is the gentleman's State legislature in session?

Mr. NICHOLSON. Yes, indeed; we stay in session up in Massachusetts for at least 6 months and take care of the laws that are needed for the people. And while I am on that subject, let me say to the gentleman that we in Massachusetts are able to distinguish between laws demanded by public necessity and laws demanded by public clamor. We had better start doing it down here in Washington and get back to the constitutional government under which we were born and brought up.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. SPENCE. Mr. Chairman, I yield 14 minutes to the gentlewoman from Connecticut [Mrs. WOODHOUSE].

Mrs. WOODHOUSE. Mr. Chairman, this is the first measure before us in this Eighty-first Congress on which the vote will indicate whether we believe that we can be masters of the economic situation or that we must leave our fate in the blind hands of supply and demand. Carlyle, in one of his more acrimonious moods, said any poll parrot could be an economist. All you had to do to make him one was to teach him to say "supply and demand."

The last years have proven that we can handle the economic fluctuations if we will. They should also have taught us that we are all very interdependent—that the welfare of all is truly the only possibility for the long-term welfare of each. Some of us come from districts where rent control is of little local import. In other areas it is of vital concern. Currently, our economy is very sensitive. If rents get out of hand it will mean less expenditure by the average consumer on other goods, many of which have already shown a decline in sales. And the chain reaction set off might well affect the entire country. Uncertainty, such as would come from a 3-months' extension, would add to the dangers of instability.

Opponents of rent control argue that it will be permanent. There is no foundation for this fear. An article on the French situation has been given wide distribution by proponents of this idea. In the first place, any analogy between the economic situation in France and in the United States is fallacious. I also wonder if the people quoting this article by, in the words of the subtitle, "a distinguished Frenchman" know that the author was referred to by one of our outstanding conservative metropolitan dailies as "the French Goebbels" and that it was he who introduced Hitler's Otto Abetz to Pierre Laval and now lives in exile from his country.

Rent control was inaugurated as an emergency war measure. Other controls have been removed as the pertinent situation became more normal. And likewise rent control will be removed as soon as there is a better balance between people needing housing and housing available at a price or rent they can afford to pay. The housing shortage is a fact, not a dogma, as the gentleman from Kansas calls it.

The answer to rent control is not invective, not general statements about free enterprise, but more housing. I venture to say that had this body been permitted to vote on a housing bill in the Seventy-ninth Congress or even in the Eightieth, we would not be debating a rent-control bill today.

The vocal groups representing the average man testified for a continuance of rent control before the committee—the labor organizations, CIO, AFL, and some of the brotherhoods; the veterans, American Legion, AVC, Disabled American Veterans, Veterans of Foreign Wars, and Jewish War Veterans.

A member of the committee asked a veterans' representative this question: "Suppose the Eighty-first Congress does not extend and strengthen rent control; what would be the sentiment among the veterans of America?" The reply was: "I think the reaction would be very much against the persons failing to do so."

These veterans and wage earners know what protection rent control has given them and they know the housing shortage is not yet licked. They represent great numbers of tenants.

None of the arguments against the continuance of rent control for a short period are valid. The administration can be improved and will be by the bill under discussion.

What are some of the arguments of the opponents of the extension of rent control?

First. It is argued that the removal of rent control will stimulate the building industry. New construction is not under control and has not been for some 2 years. Today rents on new construction are 75 to 100 percent above rents for comparable units, and even when it was under control were 20 percent above comparable units. And still we have a housing shortage.

It is not rent control, but the high cost of building that is the primary deterrent to building more rental housing. The builders know the current unreasonably high construction costs cannot last. They want to sell, make a profit, and get out. Mr. Roy Wenslick, a real-estate man of St. Louis, whose studies are held in high regard by members of his profession, reports that for a six-room house, between 1942–48, the sales price has gone up 105 percent, the uncontrolled rental 75 percent.

Rent control has not held back construction. The elimination of rent control will only increase the speculative and inflationary factors. What we need is continuance of rent control for a limited period and immediate housing legislation which will make possible greatly expanded production of permanent standard housing, particularly rental units, within the reach of middle- and low-income families.

It is argued that tenants are paying an unreasonably small percentage of their income for rent. The National Association of Real Estate Boards quotes the 1948 Survey of Consumer Income by the Federal Reserve Board showing that tenants are paying on the average 12 percent of their income for rent. They say that is too little, that the proper figure is 20 to 25 percent. It is true that in the depression years the higher figure was usual. But they do not quote a further paragraph of this report:

> There is not much statistical basis for the traditional thinking that the average family spends one-fourth of its income for rent. Such a relationship probably exists only where incomes are at an abnormally low level during a depression and when at the same time rent obligations remain a relatively inflexible item in the family budget.

The smaller the family income the larger is the percentage spent for rent. Families with incomes under $2,000 per year pay 21 percent, according to the report of the Federal Reserve Board; families with $5,000 per year or more pay 9 percent. In other words, as incomes rise the percent of income spent on rent decreases even while the dollar amount actually increases.

Today tenants are paying the highest rents in history. If controls are removed immediately rents will go up still more. Several witnesses suggested that the increase would be at least 50 percent.

Rents for new construction, not controlled, are 75 to 100 percent higher than rents for comparable old units still under control. Rents for units which had not been rented for 24 months and were thus decontrolled are 89 percent above rents of comparable units. A survey of 44,626 units decontrolled by the present law showed rent increases of 55 percent.

Let us think of this in terms of the family. There has been some slight decline in cost of living, but in the adjustment there has also been some unemployment. A rent hike just now would not only be a threat to the stability of

our economy, but would have severe effects on the welfare of our lower-income families. These are usually the families with many children. Their living quarters today are far from what we would wish as homes in which to bring up American children—children who must be strong in mind and body if they are as adults to carry the great world responsibilities the American citizen must assume if we are to have peace. Let us be certain that we think of these homes, of these children, of our human investment as well as of the financial investment of the landlords.

The latter of course must be considered and has been. Opponents of rent control do not always mention such facts as that on multifamily dwellings landlords from 1941 through 1945 paid off $400,000,000 in mortgages; or that the Federal Reserve Board reports that foreclosures have been reduced 75 percent between 1940 and 1947. If small landlords had been taking the losses suggested the number of foreclosures would have increased, not decreased. And the condition of housing has improved. The Bureau of the Census reported in 1940 that of 30,000,000 nonfarm dwellings 4,000,000 needed repairs, while in 1947 only 2,700,000 out of 34,000,000 needed much major repairs.

Now there have been adjustments in rents. Of the 17,500,000 million units, the maximum number ever under control, 6,000,000 units have been affected by area rent increases, by decontrol, or by hardship increases. The Housing Expediter reports that 63 percent of all petitions processed, that is 1,717,429 requests for adjustments, have been granted an average increase of 19.9 percent in rent.

The small landlord may use a short form in asking for adjustment. His name, address, the dwelling involved, the maximum rent, the rent requested, and the grounds are listed on a printed form. The bill debated here today gives him additional help from members of the rent control office specifically designated for this job. And all landlords will be helped by the method prepared by the committee for arriving at a reasonable and fair rent.

The tenant also gets more protection under the proposed bill in improved methods of enforcement, and especially in the matter of evictions.

There is just one more point I should like to mention. Many of the representatives of real estate groups insist that there is no housing shortage, that the problem is one of maldistribution of rental properties. Because of rent control, they argue, single people are occupying apartments; if the rents were higher they would have to double up or move into a room in somebody's home.

This remedy comes perilously close to a decision that single people have no right to a home, no right to privacy, that we must ration apartments through price. Now many of the single persons are employed women. Surely, since they lack all the joy that goes with a family, we should not go further and deny them a right to a small apartment home of their own. This seems hardly the way to attack the housing shortage.

The sensible thing is to extend rent control for 15 months and meanwhile pass housing legislation which will enable both the Government and private companies to build housing people can afford to buy or rent. If we take the over-all point of view of the welfare of the greatest number, if we accept the realities of the economic aftermath of the war, if we really want to have economic stability, we will pass this bill.

Mr. CARROLL. Mr. Chairman, will the gentlewoman yield?

Mrs. WOODHOUSE. I yield to the gentleman from Colorado.

Mr. CARROLL. The distinguished gentlewoman from Connecticut is also a very able economist, and I should like to have her opinion on this point. As I understand, the cost-of-living index reflects a decrease of about 2 percent from September through January. What percent will this mean in the budget of those who are tenants? Does the gentlewoman have any idea? Will that offset this decrease in the cost of living as regards rents?

Mrs. WOODHOUSE. No. The increase in the rent would represent about four times what the decrease in the cost of living would be.

Mr. CARROLL. It is my information that there would be a 6 percent increase, and therefore it would wipe out this small amount that has been given in reduction of the cost of living.

Mrs. WOODHOUSE. The increase in rent would be higher than would be compensated for by the decrease in the cost of living.

Mr. CARROLL. There is a strange philosophy that as the cost of living goes down, as more people become unemployed, there is less pressure on the housing situation. I do not understand that. The gentleman from Michigan explained that as we go into more and more leveling off, with possible unemployment, there would be less pressure for housing units.

Mrs. WOODHOUSE. Less pressure for housing units makes for more misery in living, more people crowded into fewer rooms, poorer conditions for bringing up children, an altogether unhealthy situation which we, the richest country of the world, should never permit ourselves to allow.

Mr. CARROLL. I thank the gentlewoman.

Mr. GAMBLE. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. DONDERO].

Mr. DONDERO. Mr. Chairman, I am opposed to the continuation of rent control. The title of this bill should read, "A bill to guarantee that no houses will be built for rent until after June 30, 1950." A shorter title would be "A bill to discourage the building of houses for rent."

The statement on page 1 of the committee report that "as a result of exhaustive hearings the committee has concluded that the emergency with respect to the housing shortage growing out of the war still exists" should read "growing out of rent control."

Dictatorial rent control will increase the housing shortage. It furnishes an excuse for public housing and socialism. Our Government was established on the principle of private ownership of property; on that principle we have reared here in America the best, the strongest, and the richest country in the world. We have always believed that a man had a right to a reasonable return on his investment—whether it be from the toil of his hands, his business, or the property he owns.

Under this bill—far more hostile to property owners than the present law—that philosophy is abandoned. We are arbitrarily liquidating owners of rental property in favor of tenants and providing the excuse for public housing created by rent control.

I am informed that there are 2,000,000 less rental units today than there were at the beginning of the last war, or when rent control went into effect, and this in spite of the fact that 1,700,000 new units were constructed during the last 2 years. Rental properties are being removed from the market as fast as possible because there is no hope of reward from rental units. Rentals deserve the same freedom as food, clothing, and labor.

France has had rent control for 30 years. The people of that country watch the death notices now to obtain a place to live, and we are traveling in that direction.

In Blue Print for World Conquest, as outlined by the Communist International, the following statement appears:

> The starting point is the expropriation of the landlords and capitalists.

Rent control is alien philosophy against our thrifty middle-class population who, in the American way, have striven to remain free and independent citizens instead of becoming wards of the Government.

The theory of rent control is that the landlord is rich and the tenant is poor—yet 80 percent of rental property owners have incomes of less than $5,000 annually.

It does not take a financial wizard to know that the present cost of taxes, maintenance, repair, and operation of rental property is in many cases wiping out the income to which the owners are entitled. Many of them are widows, aged and infirm people, as well as minor dependents.

But, you say, they should go to the rent-control board for relief. Here is a statement from a widow, 74 years old, who writes to me:

> Don't tell me to see the rent-control board. That's a farce; all they do is ask for costly reports, then more reports, then stall and do exactly nothing.

Rent control will not build new homes for rent. It actually increases the evil it is intended to remedy.

We, who have been known as a Nation of home lovers, see not only the creeping hand of socialism taking over our home ownership, but, through a law such as this, stifle the very building of more homes and apartments to care for our needs. It is the plowing under of our assets all over again.

I say to you that this is a vicious law—a law of discrimination against a segment

of our people—and the quicker it is wiped off the books the better it will be. No economy can exist half slave and half free. Eventually none of it will be free.

There is no reason on earth to penalize the property owners alone from obtaining an adequate return on their investment. If they are to be held to a rigid line, then the building and construction industries must be held down in the cost of materials and wages to the same level, in building new rental properties or in repairing old properties. What is fair to one is fair to all.

Rent control must go, or it will be used as a wedge to control another phase of our national life. It is un-American.

Rent control will not build new rental properties. That is proven by the history of stringent rent control in France. Rent control defeats the very purpose which it is supposed to rectify. We see today more and more rental property being taken off the market because property owners can no longer afford to subsidize their tenants. Property is falling into disrepair because the owners cannot afford to make the repairs necessary to protect their investments. Eventually all rental properties will become slums.

Cases have come to my attention where the tenant has offered to pay more rent, only to have the rent-control board refuse to sanction it.

Complaints against the injustice of rent control are coming from the little people, small property owners, from all over my district.

Let no one be heard to say on this floor that it is only the real-estate owners who are opposed to rent control. On February 23 of this year, representatives of small-business organizations from 38 States, said:

> Let us begin practicing what we preach to the other nations of this world and mete out liberty and justice to our own 8,000,000 small owners of residential rental properties in America by terminating this un-American rent-control law.

It is my understanding that the gentleman from Georgia [Mr. BROWN] will offer an amendment to allow a reasonable return on the fair value of any property. Is there any Member in this House who is unwilling to be fair to his fellow citizens? I will support such an amendment.

This bill, H. R. 1731, to continue rent control for 15 months should be defeated and rental properties, virtually confiscated by rent control, restored to their rightful owners.

Mr. BUCHANAN. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. MCKINNON].

Mr. MCKINNON. Mr. Chairman, we have heard remarks several times in the House this afternoon to the effect that there is no housing shortage. In the few minutes that I have at my disposal I would like to review some of the things we found out as we filled some 852 pages of testimony before our committee during the last several weeks.

In the first place, the present law provides for local advisory boards—nominated by the governors of the respective States and appointed by the Expediter—to determine whether or not there is a housing shortage in any given area. We have some 767 advisory boards serving 600 defense areas since April 1, 1948. During that entire time since April 1, 1948, these local boards have recommended decontrol of only 14 areas. In less than 2 percent of our entire defense areas do we find a sufficient amount of housing to warrant decontrol of rental areas.

We also find from further testimony we have had before our committee another proof of housing shortages. The law provides for decontrol of areas or portions of areas by the Housing Expediter himself on his own initiative when he believes that the demand for rental housing has been reasonably met. In the past 9 months we have had 906 counties surveyed to determine the housing shortage in those various counties. The Housing Expediter, from facts and information he obtained in those surveys, has found it possible to decontrol only 26 of those areas, mostly in small, fringe areas lying on the outskirts of a large city. That, again, gentlemen, indicates a housing shortage in more than 97 percent of our defense areas.

The third reason that indicates there is a housing shortage in the United States today is the fact that the present law decontrolled new construction, conversions, units not rented for a 24-month period since February 1945, and permanent units in hotels. The Housing Expediter investigated 44,626 of these decontrolled units in over 1,000 cities in the 48 States in our country. He found that an average rental increase throughout all these decontrolled areas had taken place to the extent of 55 percent. In other words, the rents on places that did not have control had increased 55 percent in the past 2 or 3 years.

More than that, in some 8,000 units that came under the survey, rents had doubled in cost. In the 13,416 permanent hotel units in the survey, the rents had increased by about 60 percent. The fundamental reason, of course, is the fact that supply and demand are not in balance, and we do not have sufficient rental housing, and thus we do not have free competition in the establishment of prices for rental housing.

The fourth reason that indicates that there is a serious shortage in housing throughout our country is the many general statements that have been made to the effect that there is sufficient housing in such communities as Dallas, Des Moines, New Haven, Louisville, and several other places, calling for an investigation of the rental situation. The Division of Labor Statistics was sent in to investigate these claims that there was sufficient housing to allow for decontrol. But, instead, it found that just the opposite was true. In Dallas, for instance, in a study that was recently completed, there was a vacancy factor of less than eight-tenths of 1 percent; in Des Moines it proved to be four-tenths of 1 percent, according to this survey that was conducted by the Bureau of Labor Statistics, not by the Housing Expediter's office, not by the landlords, not by the lenders, but by a thoroughly impartial outfit.

The fifth reason that indicates insufficient rental housing in our country comes because of population increase. Back in April of 1940, according to the Bureau of the Census, we had 1,846,000 married couples living doubled up. By April of 1948 that figure had increased to 2,333,000 married couples living doubled up in our United States. Our marriages during the period between 1930 and 1940 averaged 1,345,000 a year, but by 1946, due to the delay from war, marriages averaged 2,285,000 a year during 1946, 1947, and 1948. This has caused a big demand for housing and a serious shortage. As a consequence we often see our divorce mills loaded up; and one of the major reasons, our sociologists tell us, is due to the fact that there is not sufficient housing to give the average new family a decent start in life and a chance for a successful marriage.

One of the best indications we have as to the inadequacy of housing in our country is furnished by the current investigation being conducted by the Banking and Currency Committee of the Senate. Testimony before that committee was to the effect that we shall need about a million and a half housing units per year for the next 12 years if we are going to meet the need for current housing and living accommodations for our population.

We also had a number of groups coming before our committee testifying to the need for more rental units—that there is a shortage of rental units at the present time. Who were they? The A. F. of L., the CIO, and also the Veterans of Foreign Wars, the American Legion, the Disabled American Veterans, the Amvets, the Jewish War Veterans, and many other groups representing the men who went out and won the war for us in the past few years. They testified that rent control is very necessary if the veterans are to get a share of the housing at a price they can afford to pay.

And last, but not least of all, if you cannot take the experience, and the facts, and the figures of the eight disclosures above referred to, then I suggest that you, as a Congressman, forget the amount of money you now earn and put yourself in the place of a man who earns $2,000 or $2,500 a year and go out and try to find a place to live. Put yourself in the place of these people living on low incomes.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. BUCHANAN. Mr. Chairman, I yield one additional minute to the gentleman from California.

Mr. MCKINNON. Put yourself in the place of the man or woman, for example, who has an income of only $2,000 or $2,500 a year, and try to see if you can find a place in which to live. Then you will see whether or not there is a housing shortage. Experience is a very good school for certain kinds of people, and perhaps that experience would show many people that there most definitely is a housing shortage and that a further extension of rent controls is necessary.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. GAMBLE. Mr. Chairman, I yield 10 minutes to the gentleman from California [Mr. JACKSON].

Mr. JACKSON of California. Mr. Chairman, we have under consideration here today and will have on tomorrow the bill H. R. 1731. This bill, as is the case with so many items of legislation, represents a great many things to a great many people. There probably are no two exact definitions, so far as this legislation is concerned. To the gentleman from Illinois it is almost an obsession; to the gentlewoman from Connecticut it is an absolute necessity; to others on this side of the aisle it is unfair, a monstrosity, and a few other things of that sort. So it is difficult to say exactly what it is, being, as it is, all things to all men. As I do not take issue with any Member of this body in his personal opinion with reference to the necessity for such restrictive legislation, I, in turn, must reserve to myself my own concept of it as a legislative sledgehammer to drive still deeper the socialistic wedge which will eventually crack open entirely the greatest political concept of government the world has ever known.

Rent control was in its infancy a wartime measure, and there can be little question among men and women of good will but that it was, as a wartime measure, very essential.

There are many of us who contend from an examination of the publications—the newspapers and want ads—in our own districts that this need has long ceased to exist and that the shortage of rental housing has come as a natural result of the withdrawal from the rental market of units which cannot be operated profitably under the present restrictive influence of an administration policy which gives every indication of seeking to take a course that leads down the broad road of state socialism.

A great deal has been said about the existence of a national emergency. If a national emergency does exist, Mr. Chairman, that emergency is far more dangerous in its inherent threat to our institutions and to our way of life than is represented in any threat to any of our military installations at the present moment.

People say, "Well, we can have rent control; it is not socialistic." My concept of any law that deprives an individual of the right to exercise control over legally acquired private property is that such a measure is socialistic, no matter what you call it or how you dress it up. You cannot have just a little bit of socialism. You cannot have a little socialism any more than you can be a little in the state of what the French call enceinte. Being a little socialistic is like shrugging off a minor detail like a cancer or any other malignant growth.

In the first place and unquestionably of primary importance is the fact that this is the crassest example of class legislation of which I have any personal knowledge. Is it class legislation directed against the drones in our society? Is it legislation directed against the dishonest or lazy or the parasites or those who would much prefer to earn their daily bread from the sweat of another man's brow? Is that the type of legislation it is? No. It is class legislation that is directed to the destruction of the property-owner class and to the eventual strangulation of the fine characteristics which have served to build the finest nation in the history of mankind. It is legislation directed in its basic concept at thrifty citizens, at initiative, at enterprise, at the desire for self-improvement and the desire for a better place in the sun.

Mr. Chairman, I must say that I do not approve in full measure some of the legislation which is currently being contemplated by the Eighty-first Congress, but I do feel that most of it is general legislation which cuts equally across the entire spectrum of our economic life. That cannot be said about the rent-control bill which has been brought to the floor of this House for action today. For instance, when the Mundt-Nixon bill was under discussion in this House, it was objected to by the rabid left-wing element on the grounds that you could not point to one single group of the citizenry and say, "We outlaw you." We cannot do that to Communists who should be taken by the seats of their pants and tossed out of this country, but we can do it to fine American citizens whose most serious crime has been the acquisition of rental units, many of these citizens being entirely dependent upon those units and the income from those units for their livelihood.

The legislation is not in its fundamental and basic concept the sort of legislation which has served to make this country great. In the first place I believe, and I say this with all humble deference to the Justices of the Supreme Court, that the act is, by its very terms, unconstitutional in that it denies to an American citizen the right to full and unfettered control over private property legally acquired.

In the second place this measure represents confiscation without due process of law. I have a watch. Perhaps the distinguished gentleman from Connecticut does not have a watch. But, I will deny and vociferously the right of any Government agency to tell me that I have to let him take it home overnight every other night in order that he may know what time it is, because he lacks a timepiece himself.

In the third place this bill centralizes powers in Washington, powers which should rightfully repose in the States and in the communities of this country. It is a physical impossibility to write an over-all rent-control law for a nation of 148,000,000 people that will be as equitable in the middle of Chicago as it is in the middle of the Everglades or in the Rocky Mountains of the West. It encourages—and I think this is a most important factor—the complete breakdown in that concept of democratic processes which requires respect for the rights and constitutional prerogatives of others.

This bill extends the dangerous philosophy of the New Deal, which philosophy has served, for the first time in our history, to set race against race, creed against creed, black against white, employer against employee, tenant against owner, and citizen against citizen.

The committee, according to my understanding of its proceedings, has refused to amend the bill in what appears to me to be a most reasonable respect. It was suggested by the gentleman from Georgia that, failing in other action, at least this House should say to the country and to the property owners of the country, "We believe as legislators that you have a right to a fair and reasonable return on your capital investment." It would be far from the ultimate in legislation, but it would restate, once and for all, a fundamental and basic principle of the American way of life. If we are going to have a Socialist state, let us not go in the back door to get it; let someone propose in the well of the House an amendment that will change the Constitution and make private ownership and control of property a treasonable crime against the state.

What about rent prices today? Are they high or low? How much should a family pay for rent? The traditional rule of thumb has always been, to the best of my knowledge, that rent should approximate 20 percent of income. We find today that the national mean, the national average, is from 10 to 12 percent, in spite of the fact that labor and material costs of every kind, services, and supplies, have skyrocketed all the way from 50 to 380 percent. We have not, as a matter of record, acquired any more rental units as a result of continued Federal rent control, nor are we apt to. The contrary is much more likely to be the case.

There are in this country and there are in my district single individuals occupying quarters which were intended to house an entire family, and that situation is certainly going to exist as long as we have Federal rent control with us. What is more, while we are talking about clearing the slums of today, continued Federal rent control is building up the slums of tomorrow because of the fact that the men and women who are attempting to operate rental units under present conditions cannot even keep up with the necessary repairs.

The gentleman from Massachusetts related a very appealing case which dealt with some veteran who was forced to trade in, or offered in the press to trade in, his medals won in combat in return for a place in which he and his family could live. I can only say in passing that if the Administration had not made it impossible to move the people who moved into that house when he was out winning those medals, he would not be faced today with the necessity of trying to trade them in return for a place to live. We hear a great deal about the veterans. There are 12,000,000 of them, but I think the important thing to remember is that the veterans of this country are Americans first, and they are veterans second. They certainly did not go out to fight the battles of this Nation and the battles of free men in order to come back to a regimented and total police state. Many own property, and many of their fathers and their mothers and their grandfathers own property. I think that is a very important point to remember.

Mr. LODGE. Mr. Chairman, will the gentleman yield?

Mr. JACKSON of California. I yield to the gentleman from Connecticut.

Mr. LODGE. The gentleman is making a very interesting statement, and the gentleman is a veteran. Is the gentleman also a property owner?

Mr. JACKSON of California. I am very happy the gentleman brought that out. It so happens that I do not own one foot of ground, nor am I likely to get myself in that unfortunate position until I find out for certain whether the Housing Administration is going to have the power to dictate how I conduct my affairs around the house.

Mr. MULTER. Mr. Chairman, will the gentleman yield?

Mr. JACKSON of California. I yield to the gentleman from New York.

Mr. MULTER. There are over 7,000,000 veterans who are heads of families who are now living in rental units that are under controls, and they will lose the benefit of this law if it is not extended.

Mr. JACKSON of California. That figure is predicated on some of the statements which have been made by the office of the Housing Expediter, and it has been my experience that in most cases he is more often wrong than right. I cannot hold any brief for the infallibility of Government bureau forecasts.

I certainly do not want to see a system of commissars set up throughout the length and the breadth of this land to control American citizens and to write legislation which should be written here on the floor of the House and in the other body.

If we are to veer off the rocks of state socialism, if we are ever to get back to some fundamental precepts which have successfully governed this country, this is the place to start. Let us be courageous enough to recognize inequity and injustice wherever it may be and, having recognized it, let us in the name of Heaven be strong enough to speak out against it. You cannot bend principles. One basic principle in this country is that a man has a right, an inherent, constitutional right, to control private property. You propose to take that right away from him. I propose to oppose you.

Mr. BROWN of Georgia. Mr. Chairman, I yield 12 minutes to the gentleman from New Jersey [Mr. ADDONIZIO].

Mr. ADDONIZIO. Mr. Chairman, as a member of the House Banking and Currency Committee, I have attended the hearings on H. R. 1731, dealing with the problems of the extension of rent control and veterans' preference in the purchase and the rental of newly constructed housing accommodations. The overwhelming testimony of the witnesses who appeared before our committee indicates that the housing shortage in this country is as acute today as it was during the war years, particularly in the large urban areas.

Most of the witnesses representing landlord interests admitted that fact, and, when pinned down, admitted that there was still a need for rent control. So the only real opposition to an extension of rent control comes from persons who are confusing the issue because they have put personal gain above what is good for the country. Their methods are to try to befuddle our thinking, or, failing in that, to cripple the administration of the law by extending it for such a short time that its enforcement will not be possible, and it will wither and die. Both approaches are dishonest and an attempt to repudiate the very findings of our own joint, bipartisan committee which went out last year and did a thorough, workmanlike job of looking into the housing situation.

The American Legion, at its annual convention in Miami last fall, called the turn on the small but vocal minority which pretends to speak for the real-estate interests. In no uncertain terms, the Legion condemned not only the methods used by these saboteurs of truth—yes, even saboteurs of the basis of our democracy, the American home—but the Legion also announced unequivocally that this small element did not and never has represented the thinking of the great majority of the people in the real-estate business. And there are plenty of men in the American Legion who are in the real-estate business.

In the House Banking and Currency Committee hearings I was deeply impressed by the testimony of representatives of all the veterans' organizations. These groups, as we all know, represent both landlord and tenant interests. But in every instance these witnesses, recognizing the seriousness of the housing shortage in this country, recommended the extension of rent control. Once before these men had put aside the thought of selfish gain and flocked to the colors because that was what the country needed; now they proved once again that the good of their country came first, and they were willing to face it honestly.

The veterans' organization represented before this committee included the Veterans of Foreign Wars, the Disabled American Veterans, and the American Veterans' Committee, the AMVETS, the American Legion, and the Jewish War Veterans.

Representatives of the two great labor organizations in this country, the A. F. of L. and the CIO, made a vigorous plea for a 2-year extension of rent control and predicted that we would be faced with a serious national crisis unless rent control was extended. A representation of the Brotherhood of Railroad Trainmen, representing 200,000 members, made a similar recommendation.

Some of those who are opposed to rent control, admitting that the demand for housing far exceeds the supply, contend that this is due to an inequitable distribution of dwelling space, and blame this maldistribution on rent control. Conceding that there has been a slight increase in the dwelling space occupied by the average American family, we cannot get away from the fact that we are in a serious housing emergency and that it will be several years before the supply of housing in this country catches up with the demand. We certainly cannot, by lifting rent controls, expect the American people to exchange their housing accommodations so that they will occupy the appropriate amount of dwelling space for a particular-sized family unit. It seems strange that those who are crying aloud that rent control is a form of police state would advance such a contention because it is only a police state that could distribute housing according to the needs of the occupant.

We are told also that the housing problem will shortly be relieved by new construction. I, for one, certainly hope that that day will be here soon. When that day arrives there will be no further need for rent control in this country. The facts indicate, however, that that day has not arrived and will not arrive in the near future. Although we have built over 2,500,000 new dwelling units in the last 5 years, this addition to the housing supply has merely absorbed in part the increased demand arising from large population increases and substantial increases in marriages and family-unit formations.

In our committee's report to this Congress, we have set forth a table showing the population of this country for the years 1940–48, inclusive, and the number of marriages during this period. These figures give us the answer as to why we are faced with a serious housing shortage in this country. Between 1940 and 1948 our population has increased from 131,979,000 to 146,114,000. The number of marriages increased from 1,595,000 in 1940 to a high of 2,285,000 in 1946. There were approximately 2,000,000 marriages in 1947 and 1,815,000 in 1948. By comparing these marriage figures with the average of 1,345,000 for the decade 1930–39, we can understand the tremendous pressure that has been placed on the housing market since 1946. It seems to be the consensus of opinion among those who should know that the number of new starts in housing will be less in 1949 than it was in 1947 and 1948. This is due primarily to the fact that the building industry is unable to construct houses for sale or for rent at prices that most Americans who are in dire need of housing are able to pay. You and I know that the average American veteran is unable to pay $10,000, $12,000, or $14,000 for a house, or pay a monthly rent of $100 or more, but this is what he must pay for newly constructed units. It is quite apparent that it will take years before sufficient new homes are constructed to relieve the pressures on residential rents in the larger cities in the United States.

In the Housing and Rent Act of 1947, which became effective on July 1 of that year, the Congress provided for the establishment of local rent advisory boards in all defense-rental areas. These boards were to consist of at least 5 members, who were to be appointed by the Housing Expediter on the recommendations of the respective State governors. In the Housing and Rent Act of 1948, which was effective April 1 last year, the Congress instructed the Housing Expediter to balance the membership on these boards so that landlords, tenants, and the general public would be properly represented. It is interesting to note that only 17 of over 750 of these advisory boards in approximately 600 defense-rental areas have recommended decontrol of an area, or part thereof. What better evidence can we have of the need for the extension of rent control than this? These boards, made up of representative American citizens who know conditions in their areas, by their failure

to recommend decontrol of their respective areas have given this Congress a mandate to continue rent control in this country.

The Housing Expediter in his testimony before our committee pointed out that within the last 9 months his staff made decontrol surveys in 986 counties throughout the United States, and that on the basis of these surveys, he has been able to take only 31 decontrol actions, and these mostly in fringe communities.

I could cite city after city, both large and small, throughout this Nation, which, according to the testimony presented to our committee, have practically no vacancies, and many others where the vacancy rate is less than 1 percent, but I shall not burden you with these further facts because I firmly believe that the need for the extension of rent control is quite obvious.

The opponents of rent control say, "Let all controls die on March 31, 1949, and the housing shortage will solve itself by the application of the law of supply and demand." They admit that rents will rise in the event that all controls are lifted but claim that the rise will be reasonable. They admit that there will be a considerable number of evictions immediately after controls are lifted but say that these shifts will only result in a more equitable and reasonable distribution of dwelling space.

I say, my dear colleagues, that these people, no matter how sincere, are completely blinded to the realities of the situation. We can get some idea as to what will happen to rents in the event that rent control expires this month by looking at the effect of the Housing and Rent Act of 1947, which decontrolled certain classes of housing accommodations. By this act, for example, Congress decontrolled all units which were not rented for the specified 2-year period and most hotel accommodations. The testimony before our committee indicates that the rents for these decontrolled units skyrocketed immediately after the effective date of the act.

The Housing Expediter testified that a sample survey indicated that the average rent increase in 13,416 permanent hotel units and units not rented for the specified 2-year period which were decontrolled was 60 percent. Hundreds and hundreds of individual cases of exorbitant rent increases where rents have been decontrolled were cited to the committee at the hearing on extension of rent controls—some of them having doubled and tripled. The testimony also disclosed that rents on newly constructed units which were decontrolled by the 1947 act were increased on an average of about 60 percent.

It is my honest conviction that the removal of all Federal rent controls at this time would result in chaotic conditions, particularly in our larger cities. Hundreds of thousands of American families faced with substantial increases in rent greater than their ability to pay would be evicted from their homes; hundreds of thousands of others in the middle- and lower-income groups would be forced to pay the higher rent and would suffer great hardships because of their inability to properly provide themselves and their families with food, medical care, and other necessities of life.

President Truman, in his Economic Report to the Congress under the heading "Policies to combat inflation and to promote production in certain industries," had this to say about the extension of rent control:

> The present housing shortage makes it necessary to continue rent control for at least 2 years and to strengthen its enforcement. I recommend that this be done.
>
> Even if the most optimistic interpretation is placed upon the slight reduction in the cost of living in recent months, it would be unwise to lift living costs again by rent increases even larger than the moderate ones taking place under the present system of control. Such a course would inflict further hardship upon the families who have already been the prime victims of inflation, and would make it harder to exercise moderation in wage demands.

The bill reported out by your Banking and Currency Committee would extend rent control for a period of 15 months from April 1, 1949. It would cure some of the weaknesses in the present law by recontrolling certain accommodations which were decontrolled by the 1947 act, and by giving the Expediter authority to regulate evictions and to sue in treble damages, where a landlord willfully overcharges. These are very necessary changes in the present law if we are to have effective rent control in this country for the next 15 months.

The present law decontrolled practically all hotel accommodations, including permanent accommodations in residential and apartment hotels where customary hotel services were provided. The result has been that thousands of American people who have been living in this type of accommodation for years have been required to pay exorbitant increases in rents. A great many of them have been forced to vacate accommodations which have been their home for a long period of time. I am very glad to see that our committee has seen fit to make provision for the recontrol of all accommodations in residential and apartment hotels so that these people will be given the same protection as is given to tenants in apartment houses. I fully recognize that many of these hotels have expended large sums of money in rehabilitating and modernizing their structures and refurnishing their accommodations, but the reported bill provides adequate provisions for adjustment to grant relief in such cases.

The need for strengthening the enforcement provisions of the act was very apparent to the committee. The testimony indicated that there has been an alarming increase in overceiling rents since the effective date of the 1947 act because of the lack of enforcement powers in the Housing Expediter. Effective rent control requires adequate enforcement sanctions, and therefore the reported bill properly provides for suits by the Housing Expediter where a landlord overcharges.

This bill is fair to both tenants and landlords. It gives reasonable security of occupancy to the tenant, but at the same time continues present provisions for adjustment of maximum rents which are inequitable. It also continues the provision giving local rent advisory boards authority to recommend general rent increases, which recommendations must be approved by the Expediter if appropriately substantiated.

The reported bill very properly provides for the continuance of veterans' preference in the purchase and renting of newly constructed and newly converted housing accommodations. I am sure that it is the will of this Congress that veterans of World War II who have been the chief victims of our housing crisis be afforded this continued advantage.

I trust that this House will give overwhelming support to the bill reported out by the committee so that this country will have an effective rent-control law for the next 15 months. If we fail to pass this bill and permit rent controls to lapse at the end of this month, I feel that this country will face one of the most serious domestic crises that has confronted it in this generation. I earnestly solicit your support for this bill.

Mr. WOLCOTT. Mr. Chairman, I yield 15 minutes to the gentleman from New York [Mr. GWINN].

Mr. GWINN. Mr. Chairman, I am not a landlord. I have never represented a landlord, so far as I know. I have an old ancestral farm that I never intend to subdivide and go into the housing business. I am not a member of this committee, but I came to Congress in the first place because, after studying socialism around the world to some extent, I found, at the bottom step of the ladder of every Socialist state, rent control.

Rent control means without exception scarcity, just as OPA controls of all kind have meant scarcity, rent control, price control, generally stop production. A stoppage of rental housing means without exception Government housing. The cry goes up everywhere, "Give us a house," when the compulsory state stops the free market in housing by rent control. Because of that I wish to dwell these moments assigned to me on certain fundamental facts.

It happens in our country, by the statistics of the Census Bureau, that there is no housing shortage, but there is a tragic shortage in rental properties. That is the difference. Now, let us bear in mind that there is a very great difference between whether there is an actual over-all housing shortage or a rental shortage. The Census Bureau has published, and the Joint Committee on Housing of the House and Senate has published in House Document 1564, the actual number of dwelling units in the United States in 1940 as being 34,854,000; in 1947 the dwelling units numbered 39,016,000, or a gain of approximately 4,000,000. But here is the significant thing about these figures: For the first time in the history of our country the number of rental units declined; that is, the housing that was offered for rent declined from 1940, when the rental units stood at 19,658,000, down to 17,669,000; that is, we had approximately a little over half of our people living as tenants in 1940. By 1947 they had been reduced to 45 percent of the people living as tenants and 54 percent living as owners.

Never in our history have we had such a liquidation of housing for rent; and that, Mr. Chairman, is the evil of the compulsory state's management by central government of this economy called housing.

What has it done? It has forced liquidation on a large scale of the 8,000,000 property owners. Most of them are little property owners—at least 6,600,000 of our little property owners own two rental units on the average—they are the carpenter, the mason, the retired farmer, the person who has saved and built a two-family house. The owner lives on one side, and the tenant on the other; the owner acts as caretaker and janitor and looks to the tenant for his old-age security. Those are the folks who have built rental properties in America: 6,600,000 of them; and it represents $67,000,000,000 of savings. Under rent control, under the compulsory state's management of that economy, we have forced a liquidation of 2,000,000 units of that $67,000,000,000 worth of property. It has been liquidated at about 60 cents on the dollar. Would that not be so? The people have crashed the market with property for sale. Everywhere it is the same. Listen to these figures and see whether or not you can spell housing shortage from them. There has been no such liquidation of property apparently in the history of our country as we have seen under rent control.

The propagandists say, "Look at the money these people are making by selling houses." But, Mr. Chairman, there is a tragedy behind that. These little people have been by the socialist State actually liquidated to the extent of 40 per cent of the value of their property. Rent control means, if it means anything at all, the forced rental of property for less than its market value. The rental that these people have been able to get is 40 percent below the market at least. When you take 40 percent away from the rental value of property, you take away 40 percent from the value of the property itself. These people with their life savings invested have had to save what they could from the wreck. They have had to liquidate in order to make themselves safe for the future.

Here is the way the dumping of property goes on in all the big cities: In 1940 the New York Times carried 6,322 classified advertisements of houses and apartments for sale. In 1948 it carried 23,636. In Chicago it ran from 11,000 to 32,000 and in Los Angeles from 18,000 to 78,000.

Is that housing shortage? That is a liquidation of housing.

Who is going to build the houses of the future? Nobody in the world except the six or seven million little property owners who have been in the business of building property for rent. If you destroy them you destroy all possibility of rental property coming into the market.

I ask you, Is anyone here willing, himself, to invest his money, his savings, in a rental property? I ask the question, Will you make an investment on a 15-to-20-year basis to rent under Government management of our economy?

The answer is that these little property owners are refusing to build houses. They are refusing to employ the carpenters, masons, plumbers, and painters who are now going on the streets unemployed. These very people that the Government under socialism liquidates, the source of building houses, have had to quit. So the economy is stopping now at the point where half of our economy in building should be going ahead.

The forced liquidation of rental properties is increasing at an accelerated rate. These people have hung on hoping that rent control would be discontinued as we promised that it would when the war was over, and when the emergency was over.

The people who make it a business to build rental property are quitting because they have no confidence in their Government. This Government itself in this field of our economy has morally collapsed. Nobody believes in it. Nobody can make his plans for the future on what this Government will do. No commissar of government can be trusted with regard to property investment.

With the moral integrity of government itself gone, the individual stops. The individual is the sole source of invention, production, cooperation, and the know-how by which our economy goes forward.

The individual will begin to build houses for rent and put his old houses in the market for rent when his confidence in his Government is restored—not before.

Just now he sees nothing ahead but exploitation of the property-owner group for the benefit of another group, because they have the most votes, allegedly. That to him is strictly in accordance with Marxist doctrine by which a free society is destroyed. Socialism has no moral basis. It inspires no confidence, and there will be a worsening of conditions in rental housing until we restore law and order in the Government and constitutional rights of the individual to which the Government must hold fast with integrity and with determination.

Did you remember that old game we played as kids called "Chairs"? You remember the fellow who stood out in the middle of the floor; as long as everybody was frozen to a seat he had no chair, neither he, or she. But on a signal they had to move. When they moved, he had a good chance of getting a chair.

Now, we have destroyed the moving day in our housing economy. Everybody is frozen. Nobody moves unless he dies. All these veterans mentioned are standing out there in the middle, like they stood in the game of chairs. Nobody moves. Our occupancy of one person per apartment increases. Two persons per apartment increases, when there should be three or four in each apartment. The third floor is not rented; the second floor is declared vacant; apartment after apartment is not for rent. The old houses are not reconditioned for rent. They are sold.

That makes the shortage of houses for rent.

Veterans who came home were on the outside, everybody else who stayed at home were frozen in. People moving from one city to the other are paralyzed in their effort. Our economy is breaking down. What is worst of all, the people themselves have become afraid of freedom.

They are crying to this Central Government like they are in Europe, which has already destroyed the economy in housing. They say "Oh, almighty state in Washington, please hold us where we are. We look to thee for help." All the time the people who own property are liquidating and selling and throwing the tenants out on the street and into the arms of the chiseler. The Government itself has created the situation. The chiseler is that person who alone strives in rent control. There is no cure for a chiseler or for a shortage in the management of Government economy except freedom itself. If there is freedom in our economy, if there is competition, the chiseler goes out of business overnight. He is the man that refuses to obey the bad law. While 95 percent insist they must obey it. He is the man that puts in the hearts of all of our people the fear of what will happen to them if they are put out of their apartments. Let us do away with the chiseler. Let us do away with the restrictions that create him. Let us do away with our inability to move according to our needs and according to our pocketbook, and with more over-all housing per person per family now than ever before we will make the adjustment as we always have.

Let us put our faith, Mr. Chairman, in the free economy, in the good life we have known for 165 years. Let us refuse to put our faith in European statism, of the compulsory devil state itself, in the management of our affairs.

Let us stop exploiting one group to benefit another group. That is socialism itself. That is the robbery by which all alike lose everything and especially the tenants.

Mr. MONRONEY. Mr. Chairman, I yield 15 minutes to the gentleman from New York [Mr. DOLLINGER].

Mr. DOLLINGER. Mr. Chairman, it is the solemn duty of this Congress to extend and strengthen rent control. We, to a great extent, are responsible for the necessity of continuing rent controls. Immediately after the shooting war stopped, Congress should have provided for a housing program of such magnitude and effectiveness, that housing accommodations would have been available to all. Unfortunately, that was not done. Therefore, rent control is necessary today, for we know that the housing shortage is still critical and will remain so for several years to come. Right now the little people of the country—widows and orphans, those receiving Government aid and pensions, the blind, the veterans—who cannot speak for themselves, look to us for effective and adequate rent-control protection.

The Joint Committee on Housing of the Eightieth Congress—a bipartisan committee—reported that in the spring of 1947 over 2,000,000 families were living doubled up—sharing homes with others, a half million were living in temporary housing, and 6,000,000 persons were living in housing below accepted standards of health and welfare. The

facts show that the housing shortage has become greater since then, and total building during this period has not even met the increase in family formation.

Landlords and the real-estate lobby threaten mass evictions—permitted under the present law—in order to compel us to withhold further action on rent control. Can we allow such tactics to continue? There are a total of at least 12,000,000 people at the bottom of the economic ladder in this country, who must survive on an average of no more than $45 a month, as well as those existing on unemployment insurance, veterans' pensions, civil-service pensions, and railroad-retirement pensions. If we were to have no rent control today, would any portion of their small incomes be left for food, or would the amount they receive be insufficient to pay for shelter?

Rents are a major item in the living costs of an average American family. No one can choose to do without shelter, nor can he provide himself with a substitute for it. We cannot divorce the cost of housing from our consideration of other economic problems. We have proof that we are still woefully short of housing, although the market seems to be saturated at high prices. Many have purchased homes they could not afford because they could not find places to rent at all, or because they could not afford to pay the rents being charged. Release of rent controls would force thousands of others to take the same unwise course—at the expense of diets, medical care, clothing, and other necessities of life.

When the Congress removed controls over new construction, it did so in order to encourage the building of new homes, and to correct the evils heretofore discussed. Did the decontrol of new housing accomplish the results claimed? The answer is, definitely No. Private industry cannot provide housing for less than $30 per room today, and the average American for whom these houses are being built, cannot afford to pay such rents.

We know that temporary housing is no solution. The State of New York attempted to alleviate the housing shortage by erecting temporary housing for veterans. Fox Hills, built only 2 years ago is already not livable—it has deteriorated into hovels standing in mud, which do not keep out the wind and rain—and the occupants must now be provided with new homes. New construction which is going up and which should provide homes for these veterans, is being offered for rent beyond their means, as their wages average only $56 per week.

The rent control bill before us is not satisfactory to me. Of course, I will vote for it, because without any controls, the housing situation in this country would be catastrophic, but I do plan to present amendments which I think are reasonable in view of the present emergency. I took the same position in committee that I take now, and offered the following amendments there. However, they did not receive favorable consideration, and I shall, therefore, offer them at the proper time before this body, and press for their passage.

The rent-control law should be extended to June 30, 1951. We know that the housing picture will not change for several years to come. Let us use foresight and enact the necessary protective legislation to see us through until the emergency is over and we have adequate housing. Should conditions improve sooner, there are sufficient provisions in the bill which would give the President, as well as the Housing Expediter, the right to terminate controls. Also, Congress has the right to enact legislation to end controls sooner, if conditions warrant.

As I have pointed out before, in removing controls over new housing, we did so with the assurance that enough buildings would be constructed to care for the shortage. That promise has not been kept. Less buildings were built last year than previously, and those that were built were out of reach of the average American. We must restore controls on all construction—new and old—or we will never solve our housing problem.

I feel that the inequity provision of the proposed bill should be completely eliminated, and that adjustment on the ground of hardship should only be considered by the Expediter in cases where the landlord has suffered an actual monetary loss in the operation of the housing accommodation. Further, no adjustment should take effect retroactively. The present law and the bill before us now, give the landlord the right to select the highest net operating income that he secured in any 2-year periods since 1939 and compare it with the period for which he seeks the hardship adjustment. And the Expediter will grant to the landlord such increase for the period requested, in order to restore the net operating income which he had in his two best years. Such a provision is unfair and unjust, and has no place in this type of emergency legislation. My amendment provides that a landlord has the right to apply for a hardship adjustment only in the event that he suffered an actual monetary loss in the operation of the housing accommodation.

Another scheme has been devised to compel the tenant to pay an unwarranted increase in rent, when all other attempts fail. This is called an application based upon comparability. It seems to me that this is the rawest kind of a scheme, designed to squeeze from the tenant the last available penny. All the landlord has to do in such case is to apply to the Expediter's office for a rent increase on the ground of comparability—which means that the landlord is receiving a lower rent than a comparable house or apartment is bringing. It is not necessary for the landlord to designate the apartment or building by name or number. It becomes the duty of the Expediter's office to go through their records and find a building which they consider comparable to the landlord's and then grant the increase. This service is granted by the Expediter's office without charge. It seems strange that a Federal agency should act as a representative of a landlord to grant an increase which is not justified. This practice works against the better interests of the American people and defeats the very aims of rent-control legislation.

The landlords have appeared before our committee asking for assistance and begging us to be "fair." Let us examine the case of the landlord. We find that before the acute housing shortage developed landlords suffered substantial losses due to vacancies and nonpayment of rents. Further, they formerly expended considerable sums for decorating and repairs, in order to retain tenants and attract new ones. Since the housing shortage became critical we know that the losses from vacancies and nonpayment of rent have almost disappeared and the need for competitive expenditures has vanished. Further, most tenants have assumed the cost of decorating and minor repairs. Figures show that landlord's incomes have been greatly increased by the 1,771,000 individual adjustments, by general area rent increases affecting 430,000 housing units, and the so-called voluntary 15 percent leases signed for 2,100,000 units under the 1947 and 1948 acts. These factors more than offset the expenditures actually incurred by landlords for essential items. A recent survey of 98 cities shows that the net operating income for apartment houses in 1946 was 24.7 percent higher than the average for 1939–40 and the net operating income for small structures was 31.2 percent higher. In New York City it was found that the net operating income in 1947 was nearly 10 percent higher than in 1943. We should not permit hardship adjustments to be granted on such a fallacious and ill-advised formula.

With respect to inequities, we know of cases where landlords applied for increases in rent because a rear apartment obtained a little sunlight for a few hours of the day, and in the landlord's eyes it made it a more desirable rental unit than a front apartment which was not fortunate enough to get a little sunlight. Since when can landlords charge for sunlight? Should we place premiums on sun and air and allow unscrupulous landlords to charge for them?

The bill before us puts back into the hands of the Expediter the right to grant certificates of eviction. These certificates are granted without any testimony being taken. The application is made by the landlord in writing, and the tenant submits his written answer. There is no opportunity given to either party to testify or cross-examine the other. In other words, a substantial right is taken from both parties when they do not have the right to a court of review. My amendment proposes to give either of the parties the right to appear in a court in which eviction cases are brought, and have the decision of the Expediter reviewed by a court and jury on questions of fact as well as of law. In my opinion this is the only fair way to protect the parties where such substantial rights are involved.

It is also our duty to prevent any gouging and exploitation by landlords—such cases having reached a high point during the past year. A frequent and most objectionable racket is to demand that a prospective tenant pay an exorbitant

price for furniture, which is no good and which the tenant does not need, before he can rent the apartment. In many cases large bonuses are obtained from prospective tenants—a hold-up which must be submitted to if the applicant wants a place to live.

In New York, where rent gouging is a crime, cases against landlords have brought shocking practices to light. In order to prevent continuation of such crimes, we must instill the fear of jail into the hearts of these inhuman creatures. Now that we are giving the right to the United States to intervene in the treble-damage suits, which will, in my opinion, remove a potent weapon from the law-enforcement agents of New York as well as other States that might feel inclined to enact such legislation, we must fortify the present rent-control bill. We should add to it a criminal penalty provision which would give the Government law-enforcement agencies the power to properly punish such landlords who prey upon those in desperate need of shelter, and who must reluctantly consent to any outrageous demands made upon them.

Finally, we must, by direction or otherwise, advise the Housing Expediter that the tenants are entitled to live in apartments and houses as human beings; that the apartments must be clean and habitable and not in disrepair. The Expediter's office states that we cannot insert in this bill any provision regarding the length of time that must elapse before a tenant is entitled to a paint job; that this question must be decided locally. I can see that it would be difficult to legislate on this point for the entire country, but I do serve notice now that I will insist that the expediter in New York promulgate rules to provide for restoration of such necessary services as painting, and so forth, which were heretofore in effect under the OPA. People must be allowed to live decently; nor should they be penalized for asking for their rights under the law. How would you like to live in an apartment whose walls were painted a nice sticky, depressing dark brown? That is known as spite painting, and we have had many such cases in New York. When compelled to paint an apartment, landlords have been known to use materials which would not dry on the walls, and colors offensive to live with. Rather than make the request of the expediter when the time limit had expired, a tenant has not asked to have his apartment painted, when threatened with spite painting by the landlord.

The present law that we seek by the bill before us to extend, was a tragic blunder. The law was so written as to invite evasion on the part of the landlords. The invitation was taken up, and how!

We are now able to right that wrong. We owe it, not only to ourselves, but to the American people. On November 2 last, they spoke in no uncertain terms. Their votes demanded more housing which they could afford to pay for and for a real, strong, sympathetic rent-control law. It has been traditional with us that we have kept our word. Let us not falter now, but without delay, live up to our obligation and legislate to protect our people as they expected we would, when they sent us to Congress.

Mr. WOLCOTT. Mr. Chairman, I yield such time as he may desire to the gentleman from Ohio [Mr. SMITH].

Mr. SMITH of Ohio. Mr. Chairman, no words can adequately portray the serious damage which rent control is causing to our economy, or the injustices which this socialistic device has wrought upon our people; nor is it possible to overemphasize the danger in any further extension of it to the future well-being of the Nation.

Rent control affects not only renters and owners of rental property, but the public generally. Directly or indirectly it touches almost every segment of our economy. Home building is in fact the very foundation of our economy. Therefore anything which in the least hampers this industry must of necessity have an adverse effect upon all industrial processes.

As experience, of which there has been an abundance, has clearly shown, rent control in every country where it has been applied has had the effect of seriously retarding the construction and upkeep of rental housing. However, our own experience alone should convince any reasonable person of the deleterious effects which rent control has in these respects.

During the depression of the 1930's there was an oversupply of rental property. There were many vacancies. A point of the utmost importance is the fact that following this depression war conditions not only made it possible for renters generally to avail themselves of all existing housing space, but, according to a recent census report, of more on a per capita basis than they had customarily occupied. This situation has contributed in no small degree to the difficulty many families are having in finding rental quarters.

This was the situation that confronted our returning World War II soldiers who had recently married or were looking forward to doing so, of which there were many, many millions. The rent-control law had in effect destroyed the rental market and given the families occupying rental homes what amounted to a monopoly on them. The answer given by the Washington politicians for their conduct in creating this state of affairs was little else but the shedding of crocodile tears, demagoguery, and false promises.

Prices and wages had risen substantially during the war while rents had been fixed at comparatively low rates. There can be no question that the rent-control law had the effect of greatly favoring those renters who had remained at home and sharply discriminating against those who were forced by law to go to war and who would be in need of rental homes after cessation of hostilities. Simple justice would have demanded the release of all political restrictions on the rental market so as to give veterans and their families, as well as others in need of rental housing, equal opportunity with those who were supplied with housing, to bid for rental space.

It cannot be too strongly emphasized that rent control is a purely socialistic device. It definitely confiscates private property. It expropriates rental property owners as surely, though not as yet so completely, as took place with rental property owners in Russia under the Soviet Socialist regime, and as is presently proceeding under the Socialist regimes of France, England, and other European countries. Socialism in Europe and our own country is confiscating outright the savings of the people which are in the form of rental property. Mark well the crucial fact that rent control expropriates the fruits of the labor of one class of our citizens ostensibly for the benefit of another class, which follows the Marxian formula for destroying freedom and the right of every person to enjoy the fruit of his own labor, and substituting therefor total socialism—that is, unlimited plunder by the political authority of the producing element of the population.

To be sure, if the political authority can get away with this in respect of one group, it is in a position—or well on the way to such—to do the same to all, just as eventuated in Russia and is now taking place on an ever increasing scale in France and England and practically all the rest of Europe. The point is, that the renter group itself is also marked for eventual liquidation.

Indeed this group, along with the remainder of the producing population, is already being expropriated. Many insidious political tricks are being used to effectuate this object. I shall mention only one, though it is the most effective of them all, perhaps even basic and without which the others would be practically impotent. I refer, of course, to the insidious practice on the part of the political authority of printing money to pay for its socialistic programs. It has already run off the printing press hundreds of billions of dollars of such money, actual and potential. In addition to having destroyed the price mechanism, the law of supply and demand, indeed all true values, moral and spiritual, as well as material, which profoundly affect the renter group, as well as all others, printing-press money has permanently destroyed a great part of the purchasing power of the savings invested in life insurance, of savings loaned to the political authority against what are called savings bonds or Government securities, of savings which are in the form of bank deposits, and of savings supposedly invested in old-age and survivors insurance, and so forth. No group has been hurt more by this, the most potent of all socialistic devices, than the renter class, which is mostly composed of wage earners and others in the lower-income groups, because they have invested their life savings in the above-mentioned ventures.

Of all the contrivances for cheating the laboring classes of mankind—

Said Daniel Webster—

none has been more effectual than that which deludes them with paper money. This is the most effectual of inventions to fertilize the rich man's field by the sweat of the poor man's brow.

If Daniel Webster were living today he would perhaps alter this language so as to read, "This is the most effectual of inventions to fertilize the Socialists' field by the sweat of the poor man's brow."

Ordinary tyranny—

Said Webster further—

oppression, excessive taxation, these bear lightly on the happiness of the mass of the community, compared with fraudulent currencies and robberies committed by depreciated paper—

That is, printing-press money, commonly called inflation.

These facts are pertinent to a consideration of rent control because they show that renters are paying dearly for any real or imaginary benefits they may be deriving from such control. It should be borne in mind that the same political regime has with one hand made those benefits possible and with the other hand destroyed their life savings. Even such benefits as renters may be receiving through rent control can be only temporary.

Surely most renters of residential property must see the pernicious implications and far-reaching dangers of rent control, if not as they affect themselves, then surely as they are bound to affect their children.

If immediately after the war all political controls that directly or indirectly affected the construction of rental housing had been completely and permanently removed, and if all politics had likewise been eliminated from the home-building industry, the housing problem would by now be pretty well solved and rents would be in line with other living costs where they justly belong.

Every extension of rent control fastens the evil more securely upon the Nation and entrenches more firmly the forces of socialism, bringing our people ever closer to the slavery which socialism has already imposed and is in process of imposing upon the inhabitants of the Old World.

Mr. SPENCE. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. O'HARA].

Mr. O'HARA of Illinois. Mr. Chairman, to the circumstance of the passing by the Eightieth Congress of the Rent Control Act of 1947 do I owe my opportunity to raise my voice in this well. In the district that I represent, the Second District of Illinois, there is a Republican majority; it is a substantial Republican majority; in the reapportionment of the State it was intended that the Second Congressional District of Illinois should remain Republican; but in large part because of the provisions of the Rent Control Act enacted by the Eightieth Congress those Republican voters, as well as Democratic voters in the Second Congressional District of Illinois, voted me here.

In the Second Congressional District of Illinois are many apartment hotels. Millionaires do not live there; the tenants are school teachers, retired school teachers, retired municipal employees on pension, and educators from the University of Chicago. I will say that by and large in that district the average rent paid is about $10 a week. The Eightieth Congress in its great wisdom decontrolled the residential and apartment hotels; and those people—because of that and because of the distress that came upon them—and by distress I mean real distress—men who were paying $65 a month rent for a roof over families that contained children, and men perhaps making $250 a month, on fixed salaries, had their rent raised to $200 and $225 a month. What was their answer? It was to go forth on the 2d day of November and to vote to send to this Congress as the Representative from the Second District of Illinois someone who was not a Member of the Eightieth Congress and who voted for the decontrol measure.

People are not fools; there is a lot of common sense in even the person who has not very much vocabulary, who has had his experiences in life; and in Chicago there is not anybody who does not know that there is a housing shortage. Some of these good people who were in the galleries and who applauded loudly a spokesman for the sacred rights of property were here because they had the money to get here. I thought of the people back home who didn't have the money to come to Washington, and who will face goodness only knows what if, when there are no homes to rent within their means, they are left without the protection of rent control.

Mr. Chairman, we have been here a long time today, and at the moment not many are present in this chamber. The chairman of the committee on which I have been privileged to serve has been gracious enough to divide my time so that I might start this afternoon and complete my remarks tomorrow. I should like to bring to your attention something to which common sense can apply the rule: Do we get anywhere when we decontrol? I shall bring to you tomorrow the facts as those facts are shown in my district in the case of apartment and residential hotels and also in the case of commercial properties.

I shall show tomorrow in my remarks here that the decontrol of apartments and residential hotels did not result in any new construction.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. SPENCE. Mr. Chairman, I yield to the gentleman from New York [Mr. MULTER] such time as he may desire.

Mr. MULTER. Mr. Chairman, on behalf of my distinguished colleague the gentleman from New York [Mr. KLEIN], I ask unanimous consent to insert in the RECORD at this point his remarks with reference to the bill now under consideration.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

MASTERPIECE OF UNDERSTATEMENT

Mr. KLEIN. Mr. Chairman, I am going to vote for this rent-control and housing bill of 1949, H. R. 1731, because it is the best bill that can be brought to the floor and passed. I will not say that I am voting for it with reluctance because it is an infinitely superior measure to the pale wisp of authority contained in the Rent Control Act of 1947, dictated as it was by the most stupendous pressure lobby assembled against the interests of the American people in many a long day.

This is, as a matter of fact, a good bill, but, with all respect to the very able chairman, the gentleman from Kentucky [Mr. SPENCE], and the hard-working members of the Committee on Banking and Currency, the country, and especially the metropolitan areas, could have used a stronger bill.

NEED IS ACUTE

Mr. Chairman, the committee has indulged in a masterpiece of understatement in the report when it says with straight face:

The committee has concluded that the emergency with respect to the housing shortage growing out of the dislocations of World War II still exists.

It may be that in parts of the country so mild a statement can describe the housing situation.

It may be that there are areas in which there is no appreciable shortage of rental housing of decent standards offered at reasonable rentals.

That cannot be said of the Nineteenth Congressional District of New York, nor, indeed, of the metropolitan area of New York as a whole.

My constituents write me daily, informing me of distressing conditions in our neighborhoods.

FAMILIES IN DISCOMFORT

Veterans—the men who were called on to fight for the safety and security of our Nation—and their families are jammed up in single-room apartments too small for an adequate bedroom. Many young couples write to me that they dare not plan a family until they are assured of a place in which they can live with babies in something approaching decency and comfort.

Others write of three families being crowded into a three-room apartment which affords no privacy, no comfort, no breathing room, with resultant discord and family quarrels. Last summer, during debate on the pitiful Republican Housing Act, I inserted in the RECORD a letter from a young couple striving to find a place to live while waiting for their baby.

MARRIAGE BROKEN

Now I have in my office anguished letters from that young wife telling how failure to find adequate quarters broke up their marriage. She is living with relatives on Long Island with their baby; the husband appears to have disappeared in frustration; and the couple is being divorced.

Others write me that they have received eviction notices because of plans for tearing down existing dwellings and replacing them.

We have still in this country thousands of American citizens who are displaced persons because of lack of adequate, reasonably priced rental housing.

I know that this Congress is going to pass the National Housing Act; I know that when passed it will greatly alleviate the present conditions; but I know also, and all of us here know, Mr. Chairman, that it will be years before the benefits

of the act are felt in the congested metropolitan areas.

Our housing deficit is huge, and new construction is not keeping pace with needs in the rental categories where the deficiencies are greatest.

I had hoped, Mr. Chairman, that the committee could agree to extension of rent control for at least 2 years, in order to supply stability to the housing industry and to tenants, and that the most desirable features of the Myers-Douglas bills could be incorporated into the committee bill.

LOBBY OF GREED

Nevertheless, realizing the vast pressures brought by the lobby of greed opposing rent control—a lobby which places higher values on sticks and bricks than on human lives and happiness—I know that the committee could not bring a better bill to the floor with any confidence of passage, and I must support what we can get.

Mr. SPENCE. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the Chair, Mr. GORE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 1731) to extend certain provisions of the Housing and Rent Act of 1947, as amended, and for other purposes, had come to no resolution thereon.

EXTENSION OF REMARKS

Mr. MITCHELL asked and was given permission to extend his remarks in the RECORD in two instances.

Mr. YATES asked and was given permission to extend his remarks in the Appendix of the RECORD and include an article.

Mr. DAVENPORT asked and was given permission to extend his remarks in the Appendix of the RECORD and include extraneous matter.

Mr. THOMPSON (at the request of Mr. COOPER) was given permission to extend his remarks in the Appendix of the RECORD and include an editorial.

Mr. SHAFER (at the request of Mr. WOLCOTT) was given permission to extend his remarks in the RECORD in four instances and include certain letters and resolutions.

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER. The Chair designates the gentleman from Massachusetts [Mr. MCCORMACK] to act as Speaker pro tempore tomorrow.

HOUR OF MEETING

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet tomorrow morning at 10 o'clock.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that Calendar Wednesday business of next week be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

ADJOURNMENT

Mr. McCORMACK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 59 minutes p. m.), under its previous order, the House adjourned until tomorrow, Friday, March 11, 1949, at 10 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

340. A letter from the Chairman, Commission on Organization of the Executive Branch of the Government, transmitting to the Congress, in typescript, volumes I and II of the detailed findings presented to the Commission by the task force which studied transportation and the National Government. This material is a further addition to the supporting data which accompanies the Commission's report on the Department of Commerce; to the Committee on Interstate and Foreign Commerce.

341. A communication from the President of the United States, transmitting supplemental estimates of appropriation for the fiscal year 1950 in the amount of $65,925 for the legislative branch, House of Representatives, in the form of amendments to the budget for said fiscal year (H. Doc. No. 103); to the Committee on Appropriations and ordered to be printed.

342. A letter from the Chairman, Commission on Organization of the Executive Branch of the Government, transmitting to the Congress, in typescript, the following staff reports: (1) Securities and Exchange Commission, (2) Federal Trade Commission, (3) National Labor Relations Board, (4) Federal Power Commission, (5) United States Maritime Commission, (6) Federal Communications Commission, (7) Federal Reserve System, (8) Civil Aeronautics Board, (9) Interstate Commerce Commission. The above reports were prepared for the Commission's consideration by the task force as a supplement to the Commission's report on independent regulatory commissions; to the Committee on Interstate and Foreign Commerce.

343. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, United States Army, dated January 11, 1949, submitting a report, together with accompanying papers and an illustration, on a review of reports on Redwood City Harbor (Redwood Creek), Calif., requested by a resolution of the Committee on Public Works, House of Representatives, adopted on January 28, 1947 (H. Doc. No. 104); to the Committee on Public Works and ordered to be printed, with one illustration.

344. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, United States Army, dated August 24, 1948, submitting a report, together with accompanying papers and an illustration, on a review of report on the Lost River and tributaries in the vicinity of Orleans, Ind. Requested by a resolution of the Committee on Flood Control, House of Representatives, adopted on November 15, 1945 (H. Doc. No. 105); to the Committee on Public Works and ordered to be printed, with one illustration.

345. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, United States Army, dated September 27, 1948, submitting a report, together with accompanying papers and an illustration, on a review of reports on Horseshoe Cove, Fla., requested by a resolution of the Committee on Rivers and Harbors, House of Representatives, adopted on November 8, 1945, and a preliminary examination and survey of channel, turning basin, and improvements at Horseshoe, Dixie County, Fla., authorized by the River and Harbor Act approved March 2, 1945 (H. Doc. No. 106); to the Committee on Public Works and ordered to be printed, with one illustration.

346. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, United States Army, dated October 6, 1948, submitting a report, together with accompanying papers and an illustration on an interim review of reports on the Mississippi River between Coon Rapids Dam, Minn., and the mouth of the Ohio River, with a view to local flood protection at Canton, Mo., requested by resolutions of the Committee on Flood Control, House of Representatives, adopted on September 18, 1944 (H. Doc. No. 107); to the Committee on Public Works and ordered to be printed, with one illustration.

347. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, United States Army, dated July 26, 1948, submitting a report, together with accompanying papers and illustrations, on a preliminary examination and survey of Sandy Hook Bay, N. J., with a view to providing a channel and improvements at Leonardo, authorized by the River and Harbor Act approved March 2, 1945 (H. Doc. No. 108); to the Committee on Public Works and ordered to be printed, with two illustrations.

348. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, United States Army, dated July 27, 1948, submitting a report, together with accompanying papers and an illustration, on a preliminary examination and survey of southwest side of Rappahannock River, in vicinity of Bowlers Wharf, Essex County, Va., to secure harbor of refuge and connecting channels, authorized by the River and Harbor Act approved on March 2, 1945 (H. Doc. No. 109); to the Committee on Public Works and ordered to be printed with one illustration.

349. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, United States Army, dated October 6, 1948, submitting a report, together with accompanying papers and an illustration on a review of reports on Brunswick Harbor, Ga., requested by a resolution of the Committee on Rivers and Harbors, House of Representatives, adopted on May 23, 1945 (H. Doc. No. 110); to the Committee on Public Works and ordered to be printed, with one illustration.

350. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, United States Army, dated June 14, 1948, submitting a report, together with accompanying papers and an illustration, on a review of reports on waterway connecting Pamlico Sound and Beaufort Harbor, N. C., with particular reference to Taylors Creek, requested by a resolution of the Committee on Public Works, House of Representatives, adopted on April 20, 1948, and also requested by a resolution of the Committee on Public Works, United States Senate, adopted on March 9, 1948 (H. Doc. No. 111); to the Committee on Public Works and ordered to be printed, with one illustration.

351. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, United States Army, dated April 20, 1948, submitting a report, together with accompanying papers and an illustration, on a review of reports on Gulfport Harbor, Miss., requested by a resolution of the Committee

on Rivers and Harbors, House of Representatives, adopted on May 16, 1946 (H. Doc. No. 112); to the Committee on Public Works and ordered to be printed, with one illustration.

352. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, United States Army, dated August 4, 1948, submitting a report, together with accompanying papers and an illustration, on a preliminary examination and survey of Potomac River and tributaries at and below Washington, D. C., with a view to elimination of the water chestnut, authorized by the River and Harbor Act approved on March 2, 1945 (H. Doc. No. 113); to the Committee on Public Works and ordered to be printed, with one illustration.

353. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, United States Army, dated October 7, 1948, submitting a report, together with accompanying papers and an illustration, on a preliminary examination and survey of Little Bay, Tex., authorized by the River and Harbor Act approved on March 2, 1945 (H. Doc. No. 114); to the Committee on Public Works and ordered to be printed, with one illustration.

354. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, United States Army, dated September 10, 1948, submitting a report, together with accompanying papers, on a preliminary examination of Pennypack Creek, a tributary of the Delaware River located in Philadelphia, Pa., with a view to providing facilities for light-draft navigation, authorized by the River and Harbor Act approved on July 24, 1946; to the Committee on Public Works.

355. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, United States Army, dated September 10, 1948, submitting a report, together with accompanying papers, on a preliminary examination of Finneys Creek, Accomac County, Va., and the channel connecting said creek with Wachapreague Inlet and the Atlantic Ocean, authorized by the River and Harbor Act approved on March 2, 1945; to the Committee on Public Works.

356. A letter from the Under Secretary, Department of Agriculture, transmitting a report on cooperation of the United States with Mexico in the control and eradication of foot-and-mouth disease under the terms of that law for the month of January 1949; to the Committee on Agriculture.

357. A letter from the Secretary of the Interior, transmitting a proposed bill to repeal certain obsolete laws and parts of laws relating to the sale of public lands; to the Committee on Public Lands.

358. A letter from the Chairman of the Commission on Organization of the Executive Branch of the Government, transmitting a study prepared for the Commission's consideration of fiscal, budgeting, and accounting methods and systems in Federal Government; to the Committee on Expenditures in the Executive Departments.

359. A letter from the Chairman of the Commission on Organization of the Executive Branch of the Government, transmitting a report on the Treasury Department, and separately, as appendix F, the task force report on fiscal, budgeting, and accounting activities of the Federal Government (H. Doc. No. 115); to the Committee on Expenditures in the Executive Departments and ordered to be printed, with illustrations.

360. A letter from the Secretary of Defense, transmitting a draft of a proposed bill to promote the national defense by authorizing a unitary plan for construction of transonic and supersonic wind-tunnel facilities and the establishment of an air engineering development center; to the Committee on Armed Services.

361. A letter from the Administrator, Federal Works Agency, transmitting a draft of a proposed bill entitled "A bill to authorize the construction at Suitland, Md., of a building or group of buildings for the servicing and storage of film records"; to the Committee on Public Works.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calender, as follows:

Mr AUCHINCLOSS: Committee on House Administration. House Resolution 140. Resolution to pay a gratuity to Anne O. Brown; without amendment (Rept. No. 247). Referred to the House Calendar.

Mrs. NORTON: Committee on House Administration. House Resolution 126. Resolution for the relief of Mrs. Charlotte H. Murdock; without amendment (Rept. No. 248). Referred to the House Calendar.

Mrs. NORTON: Committee on House Administration. House Joint Resolution 89. Joint resolution providing for the filling of a vacancy in the Board of Regents of the Smithsonian Institution, of the class other than Members of Congress; without amendment (Rept. No. 249). Referred to the House Calendar.

Mrs. NORTON: Committee on House Administration. House Resolution 93. Resolution for the relief of John F. Schmelzer and Alliance Insurance Co.; without amendment (Rept. No. 250). Referred to the House Calendar.

Mrs. NORTON: Committee on House Administration. House Resolution 113. Resolution to provide funds for the Committee on House Administration; with an amendment (Rept. No. 251). Referred to the House Calendar.

Mrs. NORTON: Committee on House Administration. House Concurrent Resolution 18. Concurrent resolution authorizing a reprint of supplement III (Country Studies A, B, and C) of the report of the Subcommittee on National and International Movements of the Committee on Foreign Affairs, entitled "The Strategy and Tactics of World Communism," for the use of the Committee on Foreign Affairs; without amendment (Rept. No. 252). Referred to the House Calendar.

Mrs. NORTON: Committee on House Administration. House Concurrent Resolution 44. Concurrent resolution authorizing the printing of additional copies of House Document No. 401, Eightieth Congress, entitled "Fascism in Action"; without amendment (Rept. No. 253). Referred to the House Calendar.

Mr. REDDEN: Committee on Public Lands. House Resolution 49. A bill to enable the people of Hawaii to form a constitution and State government and to be admitted into the Union on an equal footing with the original States; with amendments (Rept. No. 254). Referred to the Committee of the Whole House on the State of the Union.

Mr. REDDEN: Committee on Public Lands. H. R. 331. A bill to provide for the admission of Alaska into the Union; with amendments (Rept. No. 255). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ABBITT:

H. R. 3414. A bill to provide for the issuance of a special postage stamp in commemoration of the signing of the documents terminating the War Between the States; to the Committee on Post Office and Civil Services.

By Mr. ALLEN of California:

H. R. 3415. A bill to confirm and establish the titles of the State to lands beneath navigable waters within State boundaries and natural resources within such lands and waters and to provide for the use and control of said lands and resources; to the Committee on the Judiciary.

By Mr. BURTON:

H. R. 3416. A bill to provide for the construction of the Smith Mountain Dam and hydroelectric power project in the Roanoke River Basin; to the Committee on Public Works.

By Mr. CANNON:

H. R. 3417. A bill to amend the act entitled "An act to provide for cooperation by the Smithsonian Institution with State, educational, and scientific organizations in the United States for continuing ethnological researches on the American Indians," approved April 10, 1928, and for other purposes; to the Committee on House Administration.

By Mr. COFFEY:

H. R. 3418. A bill to allow, in the case of miners working underground, an income-tax deduction with respect to work clothes; to the Committee on Ways and Means.

By Mr. HART:

H. R. 3419. A bill to amend the Merchant Ship Sales Act of 1946; to the Committee on Merchant Marine and Fisheries.

By Mr. JACKSON of Washington:

H. R. 3420. A bill to authorize the exchange of wildlife refuge lands within the State of Washington; to the Committee on Merchant Marine and Fisheries.

H. R. 3421. A bill to grant to fishermen's cooperatives the same exemption from income tax as is allowed to farmers' cooperatives; to the Committee on Ways and Means.

By Mr. LYNCH:

H. R. 3422. A bill to include the Virgin Islands in certain titles of the Social Security Act; to the Committee on Ways and Means.

By Mr. MILLER of California:

H. R. 3423. A bill to provide for centralizing certain wage rates to the supervision of the Department of Labor; to the Committee on Education and Labor.

By Mr. SADOWSKI:

H. R. 3424. A bill to establish a Federal Commission on Services for the Physically Handicapped, to define its duties, and for other purposes; to the Committee on Education and Labor.

By Mr. SMATHERS:

H. R. 3425. A bill to authorize the refund to the Florida Keys Aqueduct Commission of the sum advanced for certain water facilities, and for other purposes; to the Committee on Armed Services.

H. R. 3426. A bill to amend the National Service Life Insurance Act of 1940, as amended; to the Committee on Veterans' Affairs.

H. R. 3427. A bill to exempt from admissions tax admissions to activities of elementary and secondary schools; to the Committee on Ways and Means.

H. R. 3428. A bill to amend the Civil Service Retirement Act of May 29, 1930, as amended, to provide annuities for investigatory personnel of the Federal Bureau of Investigation who have rendered at least 20 years of service; to the Committee on Post Office and Civil Service.

H. R. 3429. A bill to amend the National Motor Vehicle Theft Act to include embezzled vehicles and aircraft; to the Committee on the Judiciary.

By Mr. SUTTON:

H. R. 3430. A bill for the purpose of remodeling and improving the post-office building at Franklin, Tenn.; to the Committee on Public Works.

H. R. 3431. A bill for the purpose of erecting in Hohenwald, Tenn., a post-office building; to the Committee on Public Works.

H. R. 3432. A bill for the purpose of erecting in Centerville, Tenn., a post-office building; to the Committee on Public Works.

H. R. 3433. A bill for the purpose of erecting in Waynesboro, Tenn., a post-office building; to the Committee on Public Works.

By Mr. VINSON:

H. R. 3434. A bill to promote the national defense by authorizing a unitary plan for construction of transsonic and supersonic wind-tunnel facilities and the establishment of an air engineering development center; to the Committee on Armed Services.

By Mr. WALTER:

H. R. 3435. A bill to amend the Nationality Act of 1940, as amended; to the Committee on the Judiciary.

H. R. 3436. A bill to amend section 3 of the Lucas Act with respect to redefinition of request for relief; to the Committee on the Judiciary.

By Mr. WELCH of California:

H. R. 3437. A bill to amend the Federal Highway Act and other acts to permit the allocation of Federal funds to the construction, reconstruction, or maintenance of publicly owned toll bridges or toll roads; to the Committee on Public Works.

By Mr. BOGGS of Louisiana:

H. R. 3438. A bill to prohibit the picketing of courts; to the Committee on the Judiciary.

By Mr. EVINS:

H. R. 3439. A bill to provide for a Federal court building in Winchester, Tenn.; to the Committee on Public Works.

By Mr. HILL:

H. R. 3440. A bill for the addition of certain lands to Rocky Mountain National Park, Colo., and for other purposes; to the Committee on Public Lands.

By Mr. HUBER (by request):

H. R. 3441. A bill to provide for national cemeteries in the State of Ohio; to the Committee on Public Lands.

By Mr. JACKSON of California:

H. R. 3442. A bill to confirm and establish the titles of the State to lands beneath navigable waters within State boundaries and natural resources within such lands and waters and to provide for the use and control of said lands and resources; to the Committee on the Judiciary.

By Mr. KLEIN:

H. R. 3443. A bill to amend the Legislative Reorganization Act of 1946 by adopting principles of procedure in investigations by committees of the Senate and the House of Representatives; to the Committee on Rules.

By Mr. MURRAY of Tennessee:

H. R. 3444. A bill to provide for the collection and publication of cotton statistics; to the Committee on Post Office and Civil Service.

H. R. 3445. A bill to repeal the provisions of the Alaska Railroad Retirement Act of June 29, 1936, as amended, and sections 91 to 107 of the Canal Zone Code and to extend the benefits of the Civil Service Retirement Act of May 29, 1930, as amended, to officers and employees to whom such provisions are applicable; to the Committee on Post Office and Civil Service.

By Mr. PHILBIN:

H. R. 3446. A bill to amend the act of May 29, 1944, providing annuities for persons who participated in the construction of the Panama Canal, by extending the class to whom annuities may be paid; to the Committee on Merchant Marine and Fisheries.

By Mr. RIEHLMAN:

H. R. 3447. A bill to create a General Property Office, and for other purposes; to the Committee on Expenditures in the Executive Departments.

By Mr. WALSH:

H. R. 3448. A bill to provide that jewelry and luggage made at home by a disabled individual shall be exempt, if sold at retail by such individual, from the retailers' excise taxes; to the Committee on Ways and Means.

H. R. 3449. A bill to establish in the Veterans' Administration a Department for the Cure of Alcoholism; to the Committee on Veterans' Affairs.

By Mr. WHITE of California:

H. R. 3450. A bill to provide price support for barley; to the Committee on Agriculture.

By Mr. WICKERSHAM:

H. R. 3451. A bill to establish the United States Air Force Academy at Altus and Frederick, Okla.; to the Committee on Armed Services.

By Mr. KUNKEL:

H. R. 3452. A bill to amend the Railroad Retirement Act of 1937 with respect to the computation of annuities; to the Committee on Interstate and Foreign Commerce.

H. R. 3453. A bill to amend the Railroad Retirement Act of 1937 with respect to the definition of the employment relation; to the Committee on Interstate and Foreign Commerce.

By Mr. WICKERSHAM:

H. R. 3454. A bill to amend the Agricultural Adjustment Act of 1938 in respect of the apportionment among the States of the national acreage allotment; to the Committee on Agriculture.

By Mr. WEICHEL:

H. R. 3455. A bill to provide for the construction of a post office at Monroeville, Ohio; to the Committee on Public Works.

H. R. 3456. A bill to provide for the construction of a post office at Attica, Ohio; to the Committee on Public Works.

By Mr. HORAN:

H. J. Res. 191. Joint resolution relating to Father's Day; to the Committee on the Judiciary.

By Mr. LESINSKI:

H. Con. Res. 46. Concurrent resolution to provide additional funds for the Joint Committee on Labor-Management Relations; to the Committee on House Administration.

By Mr. TAURIELLO:

H. Con. Res. 47. Concurrent resolution to express the disapproval of the Congress of the action of the Government of Bulgaria in trying and sentencing 15 leading Protestant clergymen; to the Committee on Foreign Affairs.

By Mr. BATTLE:

H. Res. 145. Resolution providing for the employment of an additional clerk for any Member, Delegate, or Resident Commissioner; to the Committee on House Administration.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Minnesota, memorializing the President and the Congress of the United States to amend the Federal Social Security Act to permit the Federal Security Agency to participate in the payment of public-assistance grants to persons residing in public hospitals or other public institutions; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of Washington, memorializing the President and the Congress of the United States to enact and approve a bill requiring shippers of cigarettes in interstate commerce to furnish to the taxing authorities of the States to which the merchandise is shipped a copy of the invoice on each such shipment and the name and address of each purchaser, or to enact such other legislation in aid of the States affected as may be proper; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CELLER:

H. R. 3457. A bill for the relief of John W. Crumpacker, commander, United States Navy; to the Committee on the Judiciary.

By Mr. FLOOD:

H. R. 3458. A bill for the relief of Miss Celeste Iris Maeda; to the Committee on the Judiciary.

By Mr. HEFFERNAN:

H. R. 3459. A bill for the relief of Freda Corber; to the Committee on the Judiciary.

By Mr. HOEVEN (by request):

H. R. 3460. A bill for the relief of Elizabeth J. Underhill; to the Committee on the Judiciary.

By Mr. HOFFMAN of Illinois:

H. R. 3461. A bill for the relief of Lester B. McAllister and others; to the Committee on the Judiciary.

H. R. 3462. A bill for the relief of Walter J. O'Toole; to the Committee on the Judiciary.

By Mr. JACKSON of Washington:

H. R. 3463. A bill for the relief of Mr. and Mrs. Fred A. Fletcher; to the Committee on the Judiciary.

By Mr. JENSEN:

H. R. 3464. A bill to record the lawful admission for permanent residence of alien John Michael Ancker Rasmussen; to the Committee on the Judiciary.

By Mr. MARTIN of Massachusetts:

H. R. 3465. A bill for the relief of Jose Da Silva; to the Committee on the Judiciary.

By Mr. PETERSON:

H. R. 3466. A bill for the relief of William Couper; to the Committee on the Judiciary.

By Mr. PHILBIN:

H. R. 3467. A bill for the relief of Franz Eugene Laub; to the Committee on the Judiciary.

By Mr. SMATHERS:

H. R. 3468. A bill for the relief of John K. Murphy; to the Committee on the Judiciary.

H. R. 3469. A bill for the relief of Robert Joseph Vetter; to the Committee on the Judiciary.

By Mr. BATES of Kentucky:

H. R. 3470. A bill for the relief of Central Grocery Co.; to the Committee on the Judiciary.

By Mr. CELLER:

H. R. 3471. A bill for the relief of Mrs. Sarah J. Miller; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

191. By Mr. BREEN: Memorial of the city council of Hamilton, Ohio, memorializing the Congress to pass the General Pulaski's Memorial Day resolution; to the Committee on the Judiciary.

192. By Mr. GORSKI of New York: Memorial of Peter J. Rybka, councilman-at-large of Buffalo, N. Y., relative to immediate repeal of the Taft-Hartley law; to the Committee on Education and Labor.

193. Br. Mr. HART: Petition of Albert L. Quinn Post, No. 52, American Legion, of Jersey City, N. J., urging the condemnation of the Communist Party for its persecution of all forms of religious activity in general and for the outrageous treatment of Cardinal Mindszenty in particular; to the Committee on Foreign Affairs.

194. Also, petition of Jersey City Council, No. 137, Knights of Columbus, Jersey City, N. J., urging that the Government of the United States, as a signatory to the peace treaty of 1947 with Hungary, investigate the entire case involving Cardinal Josef Mindszenty and expose all violations of the treaty affecting his arrest, trial, and imprisonment and to take all necessary steps to compel enforcement of the treaty; to the Committee on Foreign Affairs.

195. By Mr. HILL: Petition of the State of Colorado, asking for an appropriation of the sum of $500,000 for the continuation and completion of the Leadville drainage tunnel; to the Committee on Appropriations.

196. By Mr. LECOMPTE: Petition of Fred D. Humphrey and other World War II veterans of Oskaloosa, Iowa, urging the adoption of legislation to permit postal employees who served in the armed services to benefit under Public Law 134; to the Committee on Post Office and Civil Service.

197. By the SPEAKER: Petition of William J. Pachler, secretary-treasurer, Utility Workers Union of America, CIO, Washington, D. C., petitioning consideration of their resolution with reference to distribution of public power, and correction of an erroneous impression that has been created regarding that union having been on record against the New Johnsonville plant of the TVA system; to the Committee on Public Works.

198. Also, petition of W. E. Wycoff, recording secretary, Stark County Industrial Union Council, Canton, Ohio, petitioning consideration of their resolution with reference to opposing and condemning any extraordinary debate or filibuster; to the Committee on Rules.

199. Also, petition of Louis de Bourbon, Athens, Greece, asking an investigation of his case involving loss of American citizenship; to the Committee on the Judiciary.

SENATE

FRIDAY, MARCH 11, 1949

(Legislative day of Monday, February 21, 1949)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

O Lord our God, who hast cast our lot in pleasant places: We praise Thee for our goodly heritage in this land. We remember with gratitude those whose gifts of head and heart and hand established the foundations of this Nation. We bless Thee for the ideals of faith and freedom which they cherished. Help us to hold them dear and to prize them above luxury or ease.

Deliver us from pride and self-sufficiency. So change our hearts and renew our wills that we shall love what Thou dost love and do what Thou dost command, and with singleness of mind and purpose seek first Thy kingdom and Thy righteousness. Grant to these leaders of the Nation purity of motive and soundness of judgment. Raise up in every land men of vision and courage who for the sake of the common good will think wisely and do justly and love mercy. Amen.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Swanson, one of its reading clerks, announced that the House had passed a joint resolution (H. J. Res. 89) providing for the filling of a vacancy in the Board of Regents of the Smithsonian Institution, of the class other than Members of Congress, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the following concurrent resolutions, in which it requested the concurrence of the Senate:

H. Con. Res. 18. Concurrent resolution authorizing a reprint of Supplement III (Country Studies A, B, and C) of the report of the Subcommittee on National and International Movements of the Committee on Foreign Affairs, entitled "The Strategy and Tactics of World Communism," for the use of the Committee on Foreign Affairs; and

H. Con. Res. 44. Concurrent resolution authorizing the printing of additional copies of House Document No. 401, Eightieth Congress, entitled "Fascism in Action."

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

VOLUNTARY PLAN FOR ALLOCATION OF STEEL PRODUCTS FOR FARM-TYPE STORAGE BINS

A letter from the Attorney General, transmitting, pursuant to law, the Voluntary Plan for the Allocation of Steel Products for Farm-Type Storage Bins and letters of compliance therewith (with accompanying papers); to the Committee on Banking and Currency.

SUSPENSION OF DEPORTATION OF ALIENS

Two letters from the Attorney General, transmitting, pursuant to law, copies of orders of the Commissioner of the Immigration and Naturalization Service suspending deportation as well as a list of the persons involved (with accompanying papers); to the Committee on the Judiciary.

REHABILITATION OF NAVAJO AND HOPI TRIBES OF INDIANS

A letter from the Secretary of the Interior, transmitting a draft of proposed legislation to promote the rehabilitation of the Navajo and Hopi Tribes of Indians and the better utilization of the resources of the Navajo and Hopi Indian Reservations, and for other purposes (with accompanying papers); to the Committee on Interior and Insular Affairs.

REPEAL OF CERTAIN LAWS RELATING TO SALE OF PUBLIC LANDS

A letter from the Secretary of the Interior, transmitting a draft of proposed legislation to repeal certain obsolete laws and parts of laws relating to the sale of public lands (with an accompanying paper); to the Committee on Interior and Insular Affairs.

CONSTRUCTION OF CERTAIN BUILDINGS AT SUITLAND, MD.

A letter from the Administrator of the Federal Works Agency, transmitting a draft of proposed legislation to authorize the construction at Suitland, Md., of a building or group of buildings for the servicing and storage of film records (with an accompanying paper); to the Committee on Public Works.

AMENDMENT OF CLOTURE RULE

The Senate resumed the consideration of the motion of Mr. LUCAS to proceed to the consideration of Senate Resolution 15, amending the so-called cloture rule of the Senate.

The VICE PRESIDENT. The question before the Senate is, Shall the decision of the Chair overruling the point of order made by the Senator from Georgia [Mr. RUSSELL] stand as the judgment of the Senate?

Mr. VANDENBERG obtained the floor.

Mr. LUCAS. Mr. President, will the Senator from Michigan yield to me to make the point of no quorum?

Mr. VANDENBERG. I yield.

Mr. LUCAS. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Baldwin	Butler	Chapman
Brewster	Byrd	Chavez
Bricker	Cain	Connally
Bridges	Capehart	Cordon
Donnell	Johnston, S. C.	O'Conor
Douglas	Kefauver	O'Mahoney
Downey	Kem	Pepper
Eastland	Kerr	Reed
Ecton	Kilgore	Robertson
Ellender	Knowland	Russell
Ferguson	Langer	Saltonstall
Flanders	Lodge	Schoeppel
Frear	Long	Smith, Maine
Fulbright	Lucas	Smith, N. J.
George	McCarran	Sparkman
Gillette	McCarthy	Stennis
Green	McFarland	Taft
Gurney	McGrath	Taylor
Hayden	McKellar	Thomas, Okla.
Hendrickson	McMahon	Thomas, Utah
Hickenlooper	Magnuson	Thye
Hill	Malone	Tobey
Hoey	Maybank	Tydings
Holland	Miller	Vandenberg
Humphrey	Millikin	Watkins
Hunt	Morse	Wherry
Ives	Mundt	Wiley
Jenner	Murray	Williams
Johnson, Colo.	Myers	Withers
Johnson, Tex.	Neely	Young

Mr. MYERS. I announce that the Senator from New Mexico [Mr. ANDERSON] and the Senator from Arkansas [Mr. MCCLELLAN] are absent by leave of the Senate.

The Senator from New York [Mr. WAGNER] is necessarily absent.

Mr. SALTONSTALL. I announce that the Senator from Vermont [Mr. AIKEN] and the Senator from Pennsylvania [Mr. MARTIN] are absent by leave of the Senate.

The VICE PRESIDENT. Ninety Senators having answered to their names, a quorum is present.

TRANSACTION OF ROUTINE BUSINESS

Mr. VANDENBERG. Does the Senator from Illinois wish me to yield to him to make the usual request at this time?

Mr. LUCAS. Yes.

Mr. VANDENBERG. I do so.

Mr. LUCAS. Mr. President, before the able Senator from Michigan proceeds, I ask unanimous consent that all Senators desiring to introduce bills and joint resolutions, present petitions and memorials, or committee reports, or submit for the RECORD matters usually placed in the RECORD during the morning hour, be permitted to do so, without debate, and without jeopardizing or affecting the present parliamentary situation.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented and referred as indicated:

By the VICE PRESIDENT:

Resolutions of the General Court of the Commonwealth of Massachusetts; to the Committee on Finance:

"Resolutions memorializing Congress to amend the Federal Unemployment Tax Act and the Internal Revenue Code to permit a 100-percent credit against pay-roll taxes collected by States and to return to the States full control over the administration of their unemployment-compensation laws

"Whereas the Federal Government now finances the entire cost of the State employment security operations of the several States having approved unemployment-compensation laws, although such a 100-percent Federal grant of funds to administer State laws does not exist elsewhere in the field of Federal grants-in-aid; and

"Whereas under terms of the Federal Unemployment Tax Act and the Internal Revenue Code the Federal Government levies a

3-percent pay-roll tax on defined employers against which tax these employers are given a maximum 90-percent credit, based on their contributions paid and experience rating credits earned; and the remaining 10 percent of the 3-percent tax, which is generally referred to as the three-tenths-percent administrative expense tax, is not earmarked for the purposes for which it was originally intended, namely, for the expenses of the administration by the States of their unemployment-compensation laws, and is not now being used in its entirety for such purposes; and

"Whereas the Federal Government has collected by means of the said three-tenths-percent administrative expense tax as of July 1, 1948, $1,670,940,000, out of which sum the States have been granted approximately $780,000,000 for unemployment-compensation and employment-service administration, leaving a Federal profit of approximately $891,000,000; and

"Whereas the Federal Government under the present law determines what sums of money shall be returned to the States for expenses to administer unemployment-compensation laws, although the States, having the responsibility to administer their own laws, should have the right in their own judgment to determine what sums of money are needed to administer their own laws; and because the present control over such funds by the Federal Government has exposed large numbers of employees of the division of employment security of this Commonwealth to loss of employment, which threatens to impair the efficiency with which this law is now being administered; and

"Whereas the 100-percent Federal grant, instead of promoting good Federal-State relations, has a tendency to injure them: Therefore be it

"Resolved, That the General Court of Massachusetts hereby urges the Congress of the United States to amend the Federal Unemployment Tax Act and the Internal Revenue Code and to enact legislation which will result in giving to employers a 100-percent credit against pay-roll taxes collected by the States, and giving to each State with an approved unemployment-compensation law the right and the power to expend from the receipts of the pay-roll tax levied upon employers as much as it deems necessary for the proper and efficient administration of its State law; and be it further

"Resolved, That copies of these resolutions be sent forthwith by the State secretary to the President of the United States, to the presiding officer of each branch of Congress, and to Members thereof from this Commonwealth."

A joint memorial of the Legislature of the State of Washington; to the Committee on Finance:

"House Joint Memorial 31

"To the Honorable Harry S. Truman, President of the United States, and to the Senate and House of Representatives of the United States of America in Congress assembled:

"We, your memorialists, the Senate and the House of Representatives of the State of Washington, in legislative session assembled, respectfully represent and petition as follows:

"Whereas the State of Washington imposes a tax upon the sale and use of cigarettes within its boundaries, and the revenues so obtained constitute an important portion of the funds available for its functions of government; and

"Whereas it has been brought to the attention of your memorialists that a large and growing system of evasion of cigarette taxes has developed through the use of the United States mails; that advertisements and inducements are being sent through the United States mails to the citizens of this State and other States, which advertisements and inducements encourage violations of the cigarette taxes imposed by the various States; that in numerous instances such advertisers entice prospective customers with statements to the effect that the use of the United States mails is proof of the legitimacy of such business and such a system; that the mails of the United States are actually being used for the purpose of making deliveries into this State and other States of cigarettes on which the tax required by the laws of such States have not and will not be paid; that this State is seriously affected by such use of the mails of the United States for the purpose of evading the laws of this State, and faces substantial losses of revenue as a result of such system of evasion; and

"Whereas it has been brought to the attention of your memorialists that there is now pending before the Congress of the United States certain proposed bills which would aid the individual States in the enforcement of their cigarette-tax laws by requiring shippers of cigarettes in interstate commerce to furnish to the taxing authorities of the State to which the merchandise is shipped a copy of the invoice on each shipment and the name and address of each purchaser: Now, therefore, be it

"Resolved, That your memorialists hereby respectfully petition and memorialize the President and the Congress of the United States to enact and approve a bill requiring shippers of cigarettes in interstate commerce to furnish to the taxing authorities of the States to which the merchandise is shipped a copy of the invoice on each such shipment and the name and address of each purchaser, or to enact such other legislation in aid of the States affected as may be proper; and be it further

"Resolved, That the secretary of state of the State of Washington is hereby directed to forward certified copies of this joint memorial to the President of the United States and to the presiding officers of the Senate and House of Representatives of the United States and to each Senator and Representative in Congress from the State of Washington."

A letter in the nature of a memorial, signed by Mrs. Virgil Gustison, president, Pro America National Organization of Republican Women, King County unit, of Seattle, Wash., remonstrating against the confirmation of the nomination of Mon C. Wallgren to be Director of the National Security Resources Board; to the Committee on Armed Services.

A letter in the nature of a memorial, signed by Kurt Mertig, chairman, Citizens' Protective League, Inc., New York, N. Y., remonstrating against continuation of the Marshall plan; to the Committee on Foreign Relations.

A resolution adopted by the Board of Commissioners of the City of Lexington, Ky., favoring the enactment of legislation proclaiming October 11 of each year as General Pulaski's Memorial Day; to the Committee on the Judiciary.

A resolution adopted by Local No. 603, International Brotherhood of Blacksmiths, Drop Forgers, and Helpers, American Federation of Labor, Alliance, Ohio, relating to the Displaced Persons Act; to the Committee on the Judiciary.

A letter in the nature of a petition signed by John K. Turton, of White Plains, N. Y., relating to the publication of a manuscript on the Constitution of the United States of 1787; to the Committee on Rules and Administration.

A resolution adopted by the Tuscarawas County Industrial Union Council of Dover, Ohio, favoring amendment of the Senate rules so as to prevent filibustering; ordered to lie on the table.

By Mr. LODGE (for himself and Mr. SALTONSTALL):

Resolutions of the General Court of the Commonwealth of Massachusetts; to the Committee on Armed Services:

"Resolutions memorializing the President and the Congress of the United States relative to the National Guard of the United States and of the several States

"Whereas the Congress of the United States is now considering proposed legislation which profoundly affects the civilian components of the armed forces and, particularly, the National Guards of the several States, and the National Guard of the United States; and

"Whereas much of this proposed legislation is based upon the so-called Gray Board report issued recently by the Committee on Civilian Components of the Secretary of Defense, or is based upon other similar recommendations of the Regular Military Establishment; and

"Whereas this proposed legislation is largely directed toward the disestablishment of the National Guards of the several States, beginning with the Air National Guard, in favor of reserve forces wholly under Federal control, thereby contravening the language, spirit, and intent of the Constitution of the United States; and

"Whereas many noble traditions of this Commonwealth, together with her sister States, spring from the military services our militia and National Guard have rendered in the cause of liberty from the beginnings of our country down through the years; and

"Whereas the national economy cannot sustain a reserve force program, estimated to cost $33,000,000,000 during the next 20 years, which cost would be additional to the $15,000,000,000 now annually budgeted for defense purposes; and

"Whereas it is unthinkable that the excellent reserve forces now in existence, the National Guards of the several States, which sent 18 well-trained and equipped National Guard divisions into the field during World War II and provided 12 combat groups to the Air Force, should be absorbed by another component: Therefore be it

"Resolved, That it is the sense of the General Court of Massachusetts that our present dual system of Federal-State organization and jurisdiction for the National Guard is a tested and proven instrument of military policy which has demonstrated, historically, the foresight and wisdom of those who framed our Constitution, and that the President and Congress of the United States should, therefore, disapprove legislation which would, in any degree, vitiate this system of National Guard organization and jurisdiction or would adversely affect the rights, privileges, or emoluments of National Guard members; and be it further

"Resolved, That the President of the United States direct the National Military Establishment to provide more effective cooperation and support for the National Guards of the several States and of the United States, in order to provide properly balanced, trained, and equipped National Guard forces for service in time of emergency; either local or national; and be it further

"Resolved, That copies of these resolutions be sent forthwith by the State secretary to the President of the United States, to the Presiding Officer of each branch of Congress, and to the Members thereof from the Commonwealth."

By Mr. HOEY:

A joint resolution of the Legislature of the State of North Carolina; to the Committee on Interstate and Foreign Commerce:

"Resolution 20

"Joint resolution petitioning the Congress of the United States to locate a surplus Navy floating drydock at Wilmington for preservation of bottoms of Maritime Commission-owned merchant marine fleet laid up in Brunswick River

"Whereas it has come to the attention of this general assembly that the United States Congress is giving consideration to providing drydocks for the purpose of inspection and

giving primary preservative treatment to vessel hulls of the Maritime Commission reserve fleets; and

"Whereas there are approximately 425 vessels of the Maritime Commission's merchant fleet now laid up in Brunswick River at Wilmington to be inspected and given such preservative treatment as the United States Maritime Commission decides essential; and

"Whereas the servicing of the Wilmington fleet by means other than a floating drydock at the lay-up basin, will involve excessive towage charges to the nearest commercial drydocks, located at Hampton Roads, Va., and Charleston, S. C., and will be an inefficient and uneconomical method of preserving the hulls of said vessels; and

"Whereas the United States Maritime Commission recognizes that greater efficiency and larger material savings can be effectuated by having said vessels serviced at the places where they are laid up and has recommended that floating drydocks be provided for the servicing of such vessels: Now, therefore, be it

"Resolved by the senate (the house of representatives concurring):

"SECTION 1. That the Committees on Merchant Marine and Fisheries of the United States Congress are requested and urged to give favorable consideration to, and take favorable action on, the recommendations of the United States Maritime Commission to provide floating drydocks to service the hulls of ships of the reserve fleets of said Commission at the places where they are now laid up.

"SEC. 2. That copies of this resolution be sent by the secretary of the state to the President of the United States Senate, the Speaker of the House of Representatives, and the chairmen of the Senate and House of Representatives' Committees on Merchant Marine and Fisheries and to each Member of Congress from the State of North Carolina.

"SEC. 3. That this resolution shall be in full force and effect from and after its ratification."

By Mr. TYDINGS:

A joint resolution of the Legislature of the State of Maryland; to the Committee on Armed Services:

"House Joint Resolution 8

"Joint resolution requesting the Congress of the United States to enact a bill confirming the title of the several States of the Union to submerged lands within their borders and requesting the Senate Committee on Armed Services to hold hearings to obtain information and to recommend to the Senate appropriate legislation defining and delimiting territorial waters of the United States

"Whereas the State of Maryland is the owner of approximately 1,600,000 acres of submerged lands covered by the tidal waters of the Chesapeake Bay and its tributaries, as well as some 61,000 acres of submerged lands of the Atlantic coastal shelf within 3 miles from the shore, subject only to Federal powers of navigation, commerce, and national defense; and

"Whereas, in 1775, the State of Maryland succeeded to all rights of Lord Baltimore, and, as a sovereign, the State also became entitled to the recognized public-law rights of a sovereign to land within its borders under navigable waters; and

"Whereas, by virtue of the Federal Constitution, ratified by Maryland on April 28, 1788, the State of Maryland's rights to these submerged lands under navigable waters were recognized and forever formalized, subject only to delegated Federal powers of navigation, commerce, and national defense; and

"Whereas, for more than 170 years, the United States Government, Congress, and the Supreme Court have uniformly, unanimously, and consistently recognized that title and the rights which accompany it; and

"Whereas, in 1937, for the first time and as an original proposition, the Federal Government began to assert, through the agency of Secretary Ickes, claim to the marginal seas by reason of the fact that oil was being extracted in those areas by the States; and

"Whereas the Supreme Court of the United States, in 1947, in a suit instituted by the Department of Justice entitled *'U. S.* v. *California'* (332 U. S. 19), overthrew more than a hundred years of established precedents in a might-makes-right decision and held that the United States had paramount rights over the submerged lands adjacent to the shores of California, while not deciding the question of ownership; and

"Whereas in a subsequent decision, entitled *'Toomer* v. *Witsell'* (334 U. S. 385), decided in 1948, the Supreme Court held that the power of South Carolina to regulate fishing in the marginal sea area within its boundaries may be exercised only 'in the absence of a conflicting Federal claim,' citing *U. S.* v. *California*; and

"Whereas the President of the United States has heretofore issued an Executive order authorizing the Secretary of State and the Secretary of the Interior to recommend establishment of zones for Federal regulation and control of fishery resources and fishing activities in those areas of the high seas contiguous to the coast of the United States, and the Department of State in December 1948 notified coastal State officials that it will begin to put this program into effect; and

"Whereas said Federal executive agencies have introduced in Congress and will attempt to speed the passage of a bill bestowing Federal ownership and control of the marginal seas of all the coastal States; and

"Whereas the Department of Justice in the proceeding above referred to entitled *'U. S.* v. *California'* is attempting to persuade the Supreme Court to declare that the San Pedro Bay off the coast of California is a marginal sea and so a Federal area, except as to points within headlands which are within 6 miles of each other; and

"Whereas the headlands of the entrance of the Chesapeake Bay are more than 6 miles apart; and

"Whereas the Department of Justice has publicly expressed the belief that the Chesapeake Bay, like Delaware Bay, is a historic exception to the 6 miles headland rule; and

"Whereas while the Department of Justice and the executive branch of the Federal Government have stated that the marginal-sea rule did not apply to navigable waters within the boundaries of the State and that its extension would not be sought, there are many in office in the Federal Government who believe and strive to the contrary; and

"Whereas if the Department of Justice and the executive branch of the Federal Government could persuade the Supreme Court to overthrow more than a hundred years of established precedent and to rewrite the Constitution of the United States in the case of the marginal sea, there is no reason to believe that they cannot, in the near future, similarly persuade the Court to extend that doctrine to the Chesapeake Bay and the inland waters of Maryland and all other States, and from there to all public lands and natural resources, and so destroy our present system of dual sovereignty and constitutional government; and

"Whereas the claims of those who would extend the Federal power are sought to be plausibly and immediately masked under the needs for defense of natural resources, including oil, and the necessity of Federal power over marginal seas for national defense; and

"Whereas actually the establishment of the open seas at a point within 3 miles of the shore line, in many cases, if not all, materially weakens the position of the United States in international law and thus hinders national defense; and

"Whereas the Congress of the United States has heretofore passed a bill (which was vetoed by the President of the United States) to retain in the States their formerly undisputed sovereignty and rights with the saving provision as follows: *'Provided, however,* That nothing in this act shall affect the use, development, improvement, and control by or under the authority of the United States of said lands and waters for the purposes of navigation or flood control or the production or distribution of power, or be construed as the release or relinquishment of any rights of the United States arising under the authority of Congress to regulate or improve navigation or to provide for flood control or the production or distribution of powers'; and

"Whereas a majority of both Democrats and Republicans in the Congress, since the decision of *U. S.* v. *California,* have always favored the passage of such a bill; and

"Whereas similar bills are now pending in the Congress of the United States: Now, therefore, be it

"Resolved by the General Assembly of Maryland, (1) That the State of Maryland is emphatically in favor of continued State ownership and control, subject only to constitutionally delegated Federal powers of lands and resources within and beneath navigable waters within the boundaries of the respective States and requests Congress to pass suitable legislation to that end; That the Senators and Members of the House in Congress from Maryland are hereby requested to give active opposition to all pending and proposed measures which would create Federal ownership or control of lands, fish, or other resources beneath navigable waters within State boundaries, except such rights as are delegated to the Federal Government by the Constitution of the United States, and that our Senators and Members of the House in Congress are hereby requested to give their active support to legislation which would recognize and confirm State ownership of such property; and

"(2) That the Senate Committee on Armed Services be requested to hold hearings at the earliest practicable date for the purpose of obtaining such information as may be necessary to enable that committee to recommend to the Senate appropriate legislation defining and delimiting the territorial waters of the United States consistent with the sovereignty of the several States of the Union, the international rights and obligations of the United States and with due regard to the national defense, to commerce, and to the conservation, development, and utilization of the resources of the marginal seas and the constitutional relationship with national economy and national defense; and

"(3) That a copy of these resolutions be mailed to each Senator and to each Member of the House in Congress from Maryland and that Senator MILLARD E. TYDINGS, as chairman of the Senate Committee on Armed Services, be and he is hereby respectfully requested to introduce a resolution in the Senate substantially similar to resolution (2) hereof and to expedite the hearings referred to in that resolution."

By Mr. MILLIKIN:

A joint memorial of the General Assembly of the State of Colorado; to the Committee on Appropriations:

"House Joint Memorial 7

"Memorializing the Congress of the United States to provide for the completion of the Leadville drainage tunnel

"Whereas there is a current shortage of base metals in the United States which is causing considerable distress among our people and those industries using said metals; and

"Whereas the Leadville, Colo., district is one of the outstanding areas in which base metals are known to exist as shown

by past production records and current studies made of the district; and

"Whereas a deep drainage tunnel for the Leadville area has long been advocated by the State of Colorado through its various mining agencies and by the Mining Association of the State over a period of years; and

"Whereas the Congress of the United States, as one of the war-emergency measures, by Public Law 133, approved July 12, 1943, appropriated $1,400,000 for the construction of the Leadville drainage tunnel, which sum may be repaid on a royalty basis by those operating mines drained and benefited by said tunnel; and

"Whereas the National Minerals Advisory Council, the mining associations, and the Department of the Interior, including its subdivision the United States Bureau of Mines, has recommended the expenditure of an additional sum of $500,000 for the completion of the present tunnel to its first objective; and

"Whereas the present tunnel is of little value until the work is completed and the money heretofore spent thereon will be a loss to the taxpayers of the Nation and cause distress in the area in which the project was started; and

"Whereas the completion of said tunnel will assist in making available mineral reserves which can be used in the event of a future emergency and should be completed with the least possible delay; and

"Whereas the said tunnel is urgently needed to serve the best interests of the Nation, the State of Colorado, and the area in question: Now, therefore, be it

"*Resolved by the House of Representatives of the Thirty-seventh General Assembly of the State of Colorado (the senate concurring herein)*, That the Congress of the United States be and it is hereby memorialized to appropriate the sum of $500,000 for the continuation and completion of the Leadville drainage tunnel to its first main objective; and be it further

"*Resolved*, That a copy of this memorial be submitted to the President of the United States, to the chairman of the Appropriations Committee of the Senate and of the House of Representatives of the United States, and to the chairman of the Subcommittee on Appropriations for the Interior Department of the House of Representatives, and to the membership of the appropriate committees of both bodies of the Congress, and to the Senators and Congressmen representing the State of Colorado in the Eighty-first Congress of the United States."

By Mr. LANGER:

Three concurrent resolutions of the Legislature of the State of North Dakota; to the Committee on Interior and Insular Affairs:

"Senate Concurrent Resolution E

"Concurrent resolution petitioning the Secretary of the Interior and the Acting Commissioner of Indian Affairs to take action with reference to claims awaiting presentation to the Indian Claims Commission

"Whereas by the McCumber Treaty entered into between the United States of America and the Chippewa Indians of the Turtle Mountains in North Dakota, the United States agreed to pay said Indians for lands ceded to the United States, and further agreed to provide allotments for the individual Indians on the Indian reservation or upon the public domain adjacent thereto; and

"Whereas said treaty was negotiated in 1894 but was not ratified by the United States until 1904, and in the meantime all of the public domain adjacent to the Indian reservation was otherwise appropriated and it became necessary to make allotments for many of the Indians in distant parts of North Dakota and Montana; and

"Whereas the said Indians appear to have legitimate claims against the United States which ought to be presented to the Indian Claims Commission; and

"Whereas in order for the said Indians to present such claims, it is necessary that they be represented by counsel and such counsel cannot be employed except with the approval of the Department of the Interior; and

"Whereas for 1 year the said Indians have been endeavoring to obtain the necessary approval so that such claims may be presented, and the Department of the Interior has wholly failed to take action in the matter, and has thus frustrated the efforts of the Indians to present their claim; and

"Whereas the time for presenting such claims is limited by law, and continued delay may prevent such Indians from properly preparing and presenting their claims: Now, therefore, be it

"*Resolved by the Senate of the State of North Dakota (the house of representatives concurring therein)*, That we request the Secretary of the Interior and the Acting Commissioner of Indian Affairs promptly to take such action as may be necessary or expedient to enable the Indians of the Turtle Mountains to present their claims against the United States; be it further

"*Resolved*, That we likewise request said officers to take like action with reference to the claims of any other tribes of North Dakota Indians who may have claims awaiting presentation to the Indian Claims Commission; be it further

"*Resolved*, That copies of this resolution be sent by the secretary of state to the Secretary of the Interior, Acting Commissioner of Indian Affairs, and to North Dakota's delegation in Congress."

"House Concurrent Resolution Z

"Concurrent resolution memorializing and petitioning the Congress of the United States to enact legislation providing for the assumption of a proportionate share of the bonded indebtedness of local units of government when the assessed taxable valuation in such units of government is reduced through acquisition of land by the United States

"Whereas the removal of land from the tax rolls through acquisition by the United States of America dislocates the economy of local governmental units and imposes an increased burden on the remaining property; and

"Whereas the bonded indebtedness of local governmental units where land is so acquired in substantial quantities and removed from local tax rolls, frequently is excessive for the remaining taxable property to bear; and

"Whereas the existence of local units of government is jeopardized by the imposition of such excessive burdens of taxation and indebtedness: Now, therefore, be it

"*Resolved by the House of Representatives of the State of North Dakota (the senate concurring therein)*, That we do hereby memorialize and petition the Congress of the United States to enact legislation providing and requiring that when 10 percent or more of the taxable property in any local taxing unit is removed from the tax rolls by acquisition by the United States of America or any agency thereof, a percentage of the bonded indebtedness of such taxing unit, equal to the percentage of the taxable valuation removed by such acquisition, will be assumed by the United States of America or the acquiring agency; be it further

"*Resolved*, That copies of this resolution, properly authenticated, be transmitted by the secretary of state to presiding officers of each House of Congress of the United States and to the Members of the North Dakota delegation in Congress."

"House Concurrent Resolution W

"Concurrent resolution memorializing the Congress of the United States to enact H. R. 2369, authorizing an appropriation for the completion of the International Peace Garden

"Whereas there has been established and is being maintained on the international boundary line between the United States of America and the Dominion of Canada a park situated partly in North Dakota and partly in the Province of Manitoba and known as the International Peace Garden, which park has been established and is being maintained as a constant memorial to the peaceful relations between the United States of America and the Dominion of Canada and for the purpose of furthering international peace among the nations of the world; and

"Whereas H. R. 2369, introduced in the Eighty-first Congress of the United States and referred to the Committee on Public Lands, would authorize an appropriation for the purpose of completing the International Peace Garden in accordance with plans previously approved: Now, therefore, be it

"*Resolved by the House of Representatives of the State of North Dakota (the senate concurring therein)*, That the Congress of the United States be memorialized to give immediate and favorable consideration to H. R. 2369; and be it further

"*Resolved*, That copies of this resolution be sent by the secretary of state to the chairman of the Committee on Public Lands, and to the North Dakota delegation in Congress."

A concurrent resolution of the Legislature of the State of North Dakota; to the Committee on Agriculture and Forestry:

"House Concurrent Resolution Y

"Concurrent resolution memorializing Congress and the President of the United States not to support any proposition disturbing the Rural Electrification Administration as it is presently set up and not to disturb the existing power agencies or the Government's power policy to the detriment of the people

"*Be it resolved by the House of Representatives of the State of North Dakota (the senate concurring therein)*:

"Whereas the press is still carrying news releases and other information to the effect that task forces of the Commission on Organization of the Executive Branch of Government are recommending that the Rural Electrification Administration be dispensed with; and

"Whereas we have other information that other task forces will or may recommend changes in legislation affecting our Government's power program: Now, therefore, be it

"*Resolved*, That we appeal to our Senators and Congressmen as a group and individually, and that we appeal to the President of the United States to not support any proposition that will disturb the Rural Electrification Administration as it is presently set up and to not disturb the existing power agencies or the Government's power policy to the detriment of the people; be it further

"*Resolved*, That the North Dakota secretary of state be requested to send a copy of this resolution to the President of the United States, to the United States Secretary of State, to the President of the United States Senate, and to the Speaker of the United States House of Representatives, and to each of the Senators and Representatives of the State of North Dakota."

Two concurrent resolutions of the Legislature of the State of North Dakota; to the Committee on Appropriations:

"House Concurrent Resolution S

"Concurrent resolution memorializing and requesting Congress to appropriate, and to make available, funds in the form of grants-in-aid to the counties of the State of North Dakota situated in the Red River Valley for constructing works for the prevention of floods and for drains adequate for the drainage of farm lands periodically flooded by waters of melting snows in the spring, and by heavy rains in the summer, of each year

"Whereas extensive areas of fertile farm lands in the counties of North Dakota located in the Red River Valley are flooded by the waters of melting snows in the spring and by heavy rains in the summer of each year, delaying, and often making impossible, the planting or harvesting of crops on these lands; and

"Whereas these flooded lands are very productive and produce a great amount of food when crops can be planted and harvested thereon; and

"Whereas the losses sustained are a serious depletion of the national economy, amounting in the aggregate to millions of dollars; and

"Whereas the cost of construction of works for the prevention of such floods and the construction of drains sufficient for the drainage of those lands is far beyond the financial ability of land owners to pay; and

"Whereas the counties affected, and the State of North Dakota, are unable to furnish the financial assistance required: Now, therefore, be it

"Resolved by the House of Representatives of the thirty-first legislative assembly of the State of North Dakota (the senate concurring therein), That the Congress of the United States be and is hereby urgently requested to appropriate not less than $2,000,000 to provide grants-in-aid to the counties of North Dakota situated in the Red River Valley to enable said counties to construct works for the prevention of floods and facilities for the adequate drainage of farm lands; be it further

"Resolved, That a copy of this resolution be mailed by the secretary of state to the President of the United States, to the Vice President, as the Presiding Officer of the United States Senate, to the Speaker of the House of Representatives, and to each of our Senators and Representatives in Congress."

"House Concurrent Resolution T

"Whereas the Department of the Interior of the United States through its Bureau of Reclamation, and the United States Army engineers, sixth district, is now engaged in the construction of projects to impound, divert, and otherwise control waters in the State of North Dakota; and

"Whereas the construction of such projects will result in the inundation of extensive tracts of land which are a natural habitat of wildlife in the State of North Dakota, including upland game birds and deer; and

"Whereas the destruction of such natural habitat of wildlife will seriously curtail, if not completely eliminate, the production of wild game within such areas unless adequate provision is made to provide a new and suitable wildlife habitat adjacent thereto; and

"Whereas the conservation of game to provide healthful recreation for the 70,000 hunters who each year take out hunting licenses in the State has become a serious problem in North Dakota; and

"Whereas such threatened extensive curtailment of the production of wildlife will endanger the entire game production and conservation program of the State; and

"Whereas the laws of the United States (60 Stat. 965) provide: 'Whenever the waters of any stream or other body of water are authorized to be impounded, diverted, or otherwise controlled for any purpose whatever by any department or agency of the United States, * * * such department or agency shall first consult with the Fish and Wildlife Service and the head of the agency exercising administration over the wildlife resources of the State wherein the impoundment, diversion, or other control facility is to be constructed with a view to preventing loss of and damage to wildlife resources. * * * The cost of planning for and the construction or installation and maintenance of any such means and measures (to prevent destruction of wildlife) shall be included in and shall constitute an integral part of costs of such projects'; and

"Whereas the Department of the Interior, through its Bureau of Reclamation and the United States Army Engineers, sixth district, are constructing or are about to construct such projects in the State of North Dakota without having complied with the provisions of said law for the reasons that the Congress of the United States has made no specific appropriation for the planning and construction of means to prevent the destruction of wildlife in connection with its appropriations for the construction of such projects: Be it therefore

"Resolved by the House of Representatives of the State of North Dakota (the senate concurring therein):

"1. That we earnestly petition and urge the Congress of the United States to make specific and adequate appropriations for the planning and construction of means to prevent the destruction of wildlife, as an integral part of all legislation authorizing the construction of projects to impound, divert, or otherwise control waters in the State of North Dakota;

"2. That we earnestly recommend to the Secretary of the Interior, to the Chief of the Bureau of Reclamation, and to the commanding officer of the United States Army Engineers, sixth district, that they, through their authorized deputies or agents, consult with the Game and Fish Commissioner of the State of North Dakota and with him formulate a comprehensive wildlife preservation program and that they construct means and measures to prevent the destruction of, and to promote the growth of, wildlife in the areas adjacent to all projects authorized by Congress for the impounding, diversion, or control of waters in the State; that such plans include the acquisition and development of lands adjacent to inundated areas as a new habitat for wildlife; and that a portion of said areas be set aside as game refuges but that 75 to 80 percent of such areas be reserved as and designated as public shooting areas to the end that game conservation and public recreation may be adequately and proportionately maintained; be it further

"Resolved, That the secretary of state of the State of North Dakota shall cause copies of this resolution to be sent to the President of the United States Senate; to the Speaker of the House of Representatives of the United States; to each Member of Congress from the State of North Dakota; to the Secretary of the Interior of the United States; to the Chief of the Reclamation Bureau; and to the commanding officer of the United States Army Engineers, sixth district."

Two concurrent resolutions of the Legislature of the State of North Dakota; to the Committee on Public Works:

"Senate Concurrent Resolution R

"Concurrent resolution urging the use of North Dakota material in the construction of the Garrison Dam and other projects

"Whereas the construction of the Garrison Dam and other projects in North Dakota by the Bureau of Reclamation and the Corps of Engineers of the United States Army will involve the use of large quantities of gravel, sand, and other materials available in North Dakota; and

"Whereas by tests performed in Logan County in July 1948, it was found that the gravel and sand of this region are satisfactory for such use; and

"Whereas large quantities of such gravel, sand, and other materials exist in this State, and the use of such local material will result in a monetary saving in the construction of the Garrison Dam and other projects: Now, therefore, be it

"Resolved by the Senate of the State of North Dakota (the house of representatives concurring therein), That the use of such native North Dakota material is urged and recommended; be it further

"Resolved, That the secretary of state send copies of this resolution to the Chief of Army Engineers, Washington, D. C.; Division Office, Corps of Army Engineers, Omaha, Nebr.; the District Engineer, Corps of Army Engineers, Fort Lincoln, N. Dak.; the Commissioner of Reclamation, Department of the Interior, Washington, D. C.; regional director of the Bureau of Reclamation, Billings, Mont.; district manager, Bureau of Reclamation, Bismarck, N. Dak.; and to the North Dakota delegation in the Congress of the United States."

"Senate Concurrent Resolution I

"Concurrent resolution memorializing Congress to enact legislation providing for the maintenance of the government of the Garrison Dam area

"Be it resolved by the Senate of the State of North Dakota (the house of representatives concurring therein):

"Whereas by reason of the Missouri River improvement program now being carried on in North Dakota, unusual situations have developed in counties where a large influx of itinerant people are gathered during the construction period; and

"Whereas the United States has acquired title to lands to be used in this development and approximately 100,000 acres of land are being taken off the tax lists and are now being rented back to individuals for agricultural purposes, thus maintaining social and governmental responsibilities, such situation creates an unusual hardship on local government: Now, therefore, be it

"Resolved by the senate (the house of representatives concurring), That the Congress of the United States officers in charge that, wherever they operate for profit lands taken off the tax lists, they assume full responsibility for maintaining government in such area; be it further

"Resolved, That the secretary of the State of North Dakota send copies of this resolution to the President of the Senate and the Speaker of the House of Representatives in Congress for incorporation in the CONGRESSIONAL RECORD and to the Senators and Representatives of this State."

The VICE PRESIDENT laid before the Senate a concurrent resolution of the legislature of the State of North Dakota, identical with the foregoing, which was referred to the Committee on Public Works.

EXCLUSION OF TUTTLE CREEK DAM FROM FLOOD-CONTROL PROGRAM—RESOLUTION OF HOUSE OF REPRESENTATIVES OF KANSAS

Mr. REED. Mr. President, I present a resolution from the lower house of the Kansas Legislature, urging that the dam known as the Tuttle Creek Dam, on the Blue River, be omitted from the flood-control program. Because this matter will come first before the Appropriations

Committee, I ask that the memorial be referred to that committee, and printed in the RECORD.

There being no objection, the resolution was referred to the Committee on Appropriations, and, under the rule, ordered to be printed in the RECORD:

House Resolution 35

Resolution memorializing the Congress of the United States to delete the present Tuttle Creek Dam project from the Pick-Sloan plan for flood control and the conservation and development of the water resources of the Missouri Valley Basin

Whereas in 1938 Congress authorized a project for the construction of a dam, commonly known as Tuttle Creek Dam, to be located on the Big Blue River about 5 miles north of Manhattan, Kans.; and

Whereas the Tuttle Creek Dam is included in the so-called Pick-Sloan plan for flood control and the conservation and development of the Missouri Valley Basin; and

Whereas if the proposed Tuttle Creek Dam is constructed it would result in the inundation of at least 60,000 acres of land when at full reservoir and at least 30,000 acres of land when at normal reservoir; and

Whereas the lands which would be inundated constitute some of the richest and most fertile areas in this State for the growing of agricultural products and the production of fat cattle and hogs; and

Whereas the proposed Tuttle Creek Dam at full reservoir would completely inundate five cities and villages in this State, namely, Stockdale, Garrison, Randolph, Cleburne, and Bigelow and partially inundate the cities of Irving and Blue Rapids, Kans.; and

Whereas the proposed Tuttle Creek Dam project was rejected by some United States Government engineers because the loss which would be occasioned by its construction was found to be greater than the benefits which would be derived from its construction; and

Whereas the benefits hoped to be secured from construction of the Tuttle Creek plan project could be secured by a program of soil conservation and upstream flood control on the Big Blue River and its tributaries; and

Whereas the persons residing in the watershed of the Big Blue River, living in both Kansas and Nebraska, have already petitioned the United States Department of Agriculture to establish a soil conservation district embracing the entire watershed of the Big Blue River: Now, therefore, be it

Resolved by the House of Representatives of the State of Kansas, That we urge and request the Congress of the United States to delete the Tuttle Creek Dam project from the Pick-Sloan plan for flood control and the development of the Missouri River Basin and not to make any appropriation of funds therefor and that it enact legislation which will authorize and provide for a plan and program of soil conservation and upstream flood control on the Big Blue River and its tributaries; and be it further

Resolved, That the secretary of state be instructed to transmit engrossed copies of this resolution to the President of the United States, the chairman of the Appropriations Committees of the United States Senate and the United States House of Representatives, and to the members of the Kansas delegation in the Congress of the United States.

AMENDMENT OF FEDERAL SOCIAL SECURITY ACT—CONCURRENT RESOLUTION OF MINNESOTA LEGISLATURE

Mr. THYE. Mr. President, I present for appropriate reference and ask unanimous consent to have printed in the RECORD a concurrent resolution adopted by the Minnesota State Legislature memorializing the Congress to amend the Federal Social Security Act to permit the Federal Security Agency to participate in the payment of public-assistance grants to persons residing in public hospitals or other public institutions.

There being no objection, the concurrent resolution was referred to the Committee on Finance, and, under the rule, ordered to be printed in the RECORD, as follows:

A concurrent resolution memorializing the Congress of the United States to amend the Federal Social Security Act to permit the Federal Security Agency to participate in the payment of public assistance grants to persons residing in public hospitals or other public institutions

Whereas many needy, blind, aged, and deserving persons, particularly the senile aged, require medical, nursing, rest home, and hospital care; and

Whereas in many localities such services are available only in public hospitals and other public institutions; and

Whereas the present Federal Social Security Act prevents the Federal Security Agency from participating financially in the payment of public assistance grants to these persons; and

Whereas there is no just reason for denying these persons the right to participate in the public assistance programs: Now, therefore, be it

Resolved by the house of representatives (the senate concurring), That the Congress of the United States shall take immediate steps to remove from the present Federal Social Security Act those provisions which restrict and prevent the Federal Security Agency from participating in the payment of public assistance to needy, blind, and aged persons residing in public hospitals or public institutions; and be it further

Resolved, That a copy of this resolution be forwarded to the President of the United States, the Vice President, the Speaker of the House of Representatives, and to each Congressman and Senator from the State of Minnesota.

The VICE PRESIDENT laid before the Senate a concurrent resolution of the Legislature of the State of Minnesota, identical with the foregoing, which was referred to the Committee on Finance.

ATLANTIC PACT AND ACTIVITIES OF COMMUNIST PARTY—RESOLUTION OF CITY COUNCIL OF BOSTON, MASS.

Mr. LODGE. Mr. President, on behalf of my colleague the senior Senator from Massachusetts [Mr. SALTONSTALL] and myself, I present for appropriate reference, and ask unanimous consent to have printed in the RECORD, a resolution adopted by the City Council of Boston, Mass., relating to the Atlantic Pact and the activities of the Communist Party and its members.

There being no objection, the resolution was received, referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

Resolved, That the City Council of the City of Boston, in meeting assembled, hereby memorializes and petitions the Congress of the United States to pass, and the President of the United States to approve, a strong Atlantic Pact, "with teeth in it," taking full advantage of every provision in the Constitution of the United States for the peace and security of the people of our own land, and the peoples of every other land who are now in danger of losing their God-given rights because of the machinations of the Soviet Union; and be it further

Resolved, That the City Council of the City of Boston favors enactment of appropriate legislation which will curb the treasonable activities of the Communist Party and its members, and its sympathizers, in our land, to the extent of outlawing, if necessary, the existence of said party within our shores.

GENERAL PULASKI'S MEMORIAL DAY—RESOLUTION OF COMMON COUNCIL OF FALL RIVER, MASS.

Mr. LODGE. Mr. President, on behalf of my colleague the senior Senator from Massachusetts [Mr. SALTONSTALL] and myself, I present for appropriate reference and ask unanimous consent to have printed in the RECORD, a resolution adopted by the Common Council of the City of Fall River, Mass., favoring the enactment of legislation proclaiming October 11 of each year as General Pulaski's Memorial Day.

There being no objection, the resolution was referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Resolution memorializing the Congress of the United States to pass, and the President of the United States to approve, if passed, the General Pulaski's Memorial Day resolution now pending in Congress.

Whereas a resolution providing for the President of the United States of America to proclaim October 11 of each year as General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski is now pending in the present session of the United States Congress; and

Whereas the 11th day of October 1779 is the date in American history of the heroic death of Brig. Gen. Casimir Pulaski, who died from wounds received on October 9, 1779, at the siege of Savannah, Ga.; and

Whereas the States of Arkansas, California, Connecticut, Delaware, Illinois, Indiana, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, New York, Nevada, Ohio, Pennsylvania, South Carolina, Tennessee, Texas, West Virginia, Wisconsin, and other States of the Union, through legislative enactment designated October 11 of each year as General Pulaski's Memorial Day; and

Whereas it is fitting that the recurring anniversary of this day be commemorated with suitable patriotic and public exercises in observing and commemorating the heroic death of this great American hero of the Revolutionary War; and

Whereas the Congress of the United States of America has by legislative enactment designated from October 1', 1929, to October 11, 1946, to be General Pulaski's Memorial Day in United States of America: Now, therefore, be it

Resolved by the Common Council of the City of Fall River and State of Massachusetts:

SECTION 1. That we hereby memorialize and petition the Congress of the United States to pass, and the President of the United States to approve, if passed, the General Pulaski's Memorial Day resolution now pending in the United States Congress.

SEC. 2. That certified copies of this resolution, properly authenticated, be sent forthwith to the President of the United States, the Vice President of the United States, and each of the United States Senators and Representatives from Massachusetts.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. GEORGE, from the Committee on Finance:

H. R. 1211. A bill to extend the authority of the President under section 350 of the Tariff Act of 1930, as amended, and for other purposes; without amendment (Rept. No. 107).

By Mr. JOHNSON of Texas, from the Committee on Armed Services:

S. 277. A bill to enhance further the security of the United States by preventing disclosures of information concerning the cryptographic systems and the communication intelligence activities of the United States; with amendments (Rept. No. 111).

By Mr. JOHNSTON of South Carolina, from the Committee on Post Office and Civil Service:

S. 1174. A bill to amend the act of June 25, 1938, relating to the appointment of postmasters under civil service; without amendment (Rept. No. 109).

By Mr. WILLIAMS, from the Committee on Finance:

S. 928. A bill to provide for designation of the United States Veterans' Administration hospital now being constructed at Wilmington, Del., as the William L. Nelson Veterans' Memorial Hospital; without amendment (Rept. No. 108).

By Mr. MYERS, from the Committee on Interstate and Foreign Commerce:

S. J. Res. 52. Joint resolution to authorize vessels of Canadian registry to transport iron ore between United States ports on the Great Lakes during the period from March 15 to December 15, 1949, inclusive; without amendment (Rept. No. 110).

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. THOMAS of Utah, from the Committee on Labor and Public Welfare:

Frank C. Squire, of the District of Columbia, to be a member of the Railroad Retirement Board for a term of 5 years from August 29, 1948, to which office he was appointed during the recess of the Senate (reappointment).

POSTMASTERS

Mr. JOHNSTON of South Carolina. Mr. President, from the Committee on Post Office and Civil Service, I report favorably the nominations of 267 postmasters.

The VICE PRESIDENT. The nominations will be received and placed on the Executive Calendar.

NATIONAL HOUSING—SUPPLEMENTAL REPORT OF BANKING AND CURRENCY COMMITTEE (PT. 2 OF REPT. NO. 84)

Mr. MAYBANK. Mr. President, from the Committee on Banking and Currency, I submit a supplemental report to accompany the bill (S. 1070) to establish a national housing objective and the policy to be followed in the attainment thereof, to provide Federal aid to assist slum-clearance projects and low-rent public-housing projects initiated by local agencies, to provide for financial assistance by the Secretary of Agriculture for farm housing, and for other purposes.

The VICE PRESIDENT. The report will be received and printed.

AMENDMENT OF ECONOMIC COOPERATION ACT—REPORT OF A COMMITTEE FILED DURING RECESS

Under authority of the order of the 10th instant,

Mr. CONNALLY, from the Committee on Foreign Relations, submitted a report (No. 100) to accompany the bill (S. 1209) to amend the Economic Cooperation Act of 1948, heretofore reported by that committee.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. FERGUSON:

S. 1220. A bill to provide for the adjudication of certain tort claims of Mrs. Ada Harris against the United States; to the Committee on the Judiciary.

By Mr. CAPEHART:

S. 1221. A bill to provide for the construction of a post office at Albion, Ind.; to the Committee on Public Works.

By Mr. MUNDT:

S. 1222. A bill authorizing the issuance of a patent in fee to John Lone Dog; to the Committee on Interior and Insular Affairs.

(Mr. MUNDT (for himself and Mr. GURNEY) introduced Senate bill 1223, to provide for the national defense through the acquisition of domestically produced manganese ores and concentrates essential to the manufacture of supplies and material for the armed forces in time of emergency, and for other purposes, which was referred to the Committee on Armed Services, and appears under a separate heading.)

By Mr. TAYLOR:

S. 1224. A bill for the relief of certain employees and former employees of the Naval Ordnance Plant, Pocatello, Idaho; to the Committee on the Judiciary.

S. 1225. A bill to amend the act providing for the admission of the State of Idaho into the Union by increasing the period for which leases may be made of public lands granted to the State by such act for educational purposes; to the Committee on Interior and Insular Affairs.

By Mr. LANGER:

S. 1226. A bill to amend section 12 of the Displaced Persons Act of 1948 in order that persons of German ethnic origin, born in the Union of Soviet Socialist Republics and now living in Germany or Austria, may enter the United States under the German and Austrian quota; to the Committee on the Judiciary.

By Mr. KEFAUVER:

S. 1227. A bill for the relief of Elizabeth Rowland; and

S. 1228. A bill for the relief of Fella H. Holbrook; to the Committee on the Judiciary.

S. 1229. A bill to enable certain former officers or employees of the United States separated from the service subsequent to January 23, 1942, to elect to forfeit their rights to civil service retirement annuities and to obtain in lieu thereof returns of their contributions with interest; to the Committee on Post Office and Civil Service.

By Mr. JOHNSTON of South Carolina:

S. 1230. A bill to provide longevity pay for postmasters;

S. 1231. A bill to repeal the limitation upon the total annual compensation of certain rural carriers serving heavily patronized routes; and

S. 1232. A bill to increase the equipment-maintenance allowance payable to rural carriers; to the Committee on Post Office and Civil Service.

By Mr. JOHNSTON of South Carolina (for himself and Mr. FLANDERS):

S. 1233. A bill to amend section 4 (b) of the Civil Service Retirement Act of May 29, 1930, as amended; to the Committee on Post Office and Civil Service.

By Mr. JOHNSTON of South Carolina (for himself and Mr. HENDRICKSON):

S. 1234. A bill to regulate the hours of duty and the pay of civilian keepers of lighthouses and civilians employed on lightships and other vessels of the Coast Guard; to the Committee on Post Office and Civil Service.

By Mr. HOLLAND:

S. 1235. A bill to provide for the documentation of the Canadian-built vessel *North Wind* owned by a citizen of the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. BRICKER (for himself, Mr. CAPEHART, and Mr. WITHERS):

S. 1236. A bill providing for the establishment, equipment, and maintenance of an experiment station at or near Marietta, Ohio, to conduct researches concerning petroleum and natural gas, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. LANGER:

S. 1237. A bill for the relief of Donato DiPinto; and

S. 1238. A bill for the relief of Khushad Ullah; to the Committee on the Judiciary.

By Mr. O'MAHONEY:

S. 1239. A bill to provide for the return of rehabilitation and betterment costs of Federal reclamation projects; to the Committee on Interior and Insular Affairs.

By Mr. IVES:

S. 1240. A bill for the relief of Sabina N. Heliczer; to the Committee on the Judiciary.

By Mr. BYRD:

S. 1241. A bill to authorize the issuance of a special series of stamps commemorative of the two hundred and fiftieth anniversary of the establishment of the Huguenot colony in Virginia; to the Committee on Post Office and Civil Service.

By Mr. McMAHON:

S. 1242. A bill for the relief of the D. W. Electrical Contracting Co.; to the Committee on the Judiciary.

By Mr. McGRATH (for himself and Mr. GREEN):

S. 1243. A bill to provide assistance to certain local school agencies overburdened with war-incurred or national-defense-incurred enrollments; to the Committee on Public Works.

By Mr. LANGER:

S. 1244. A bill to reimburse certain employees of the Bureau of Prisons of the Department of Justice, and for other purposes; to the Committee on the Judiciary.

S. 1245. A bill to amend the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended; to the Committee on Labor and Public Welfare.

S. 1246. A bill to provide clerical allowances at certain post offices of the fourth class; to the Committee on Post Office and Civil Service.

By Mr. McGRATH (for Mr. WAGNER):

S. 1247. A bill for the relief of the New York Quinine and Chemical Works, Inc.; Merck & Co., Inc.; and Mallinckrodt Chemical Works; to the Committee on the Judiciary.

By Mr. LANGER:

S. 1248. A bill for the relief of Shams Uddin; to the Committee on the Judiciary.

By Mr. KEFAUVER:

S. 1249. A bill to provide homes for city and farm families of average income, par-

ticularly those of World War II veterans; to the Committee on Banking and Currency.

By Mr. LANGER:

S. J. Res. 60. Joint resolution proposing an amendment to the Constitution of the United States relative to the expenditure of public moneys in aid of foreign nations and peoples; to the Committee on the Judiciary.

ACQUISITION OF MANGANESE ORES FOR NATIONAL DEFENSE

Mr. MUNDT. Mr. President, on behalf of my colleague the senior Senator from South Dakota [Mr. GURNEY] and myself, I introduce for appropriate reference a bill to provide for acquisition of manganese ores for the national defense, and I ask unanimous consent that an explanatory statement by me be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred, and, without objection, the explanatory statement presented by the Senator from South Dakota will be printed in the RECORD.

The bill (S. 1223) to provide for the national defense through the acquisition of domestically produced manganese ores and concentrates essential to the manufacture of supplies and material for the armed forces in time of emergency, and for other purposes, introduced by Mr. MUNDT (for himself and Mr. GURNEY), was received, read twice by its title, and referred to the Committee on Armed Services.

The explanatory statement was ordered to be printed in the RECORD, as follows:

STATEMENT IN CONJUNCTION WITH BILL ON MANGANESE INTRODUCED BY SENATOR MUNDT

Manganese is one of the vital elements essential to our national defense. In the long run it may prove more important to our national security and the perpetuation of our American way of life than multibillion-dollar grants abroad, defensive alliances, or a foreign policy which negates in Asia everything for which it professes to stand in Europe.

Up to now much of this indispensable ingredient called manganese has come to us in imports from Russia—in fact we have been receiving about 35 percent of our manganese imports from Russia. In the event that this supply should be shut off to us completely our entire steel fabricating industry would be seriously crippled. Consequently it becomes imperative that we develop our own sources of manganese and that we stock-pile sufficient of this metal to safeguard our security. The legislation which I have today introduced on behalf of Senator GURNEY and myself is designed to accomplish these specific objectives. Similar bills have been introduced in the House of Representatives by Congressman MARTIN of Iowa and Congressman MILLS of Arkansas.

Yesterday's press carried reports that the Russian Government is now curtailing its shipments of strategic manganese to the United States by a sharp 70 percent. Russia is within her rights in such a move but it should be clear handwriting on the wall for all to see that legislation such as we are today introducing should receive the prompt and favorable attention of this Congress.

The price tag the Russians are placing on the lifting of their partial embargo on manganese going to the United States is that this country should export to the U. S. S. R. the machine tools and other war supplies that country covets so avidly. Mr. President, that price tag is too high. It will—to quote the phrase of a former President who used it for a less defensible purpose—be "both better and infinitely cheaper" to produce and procure our own manganese by developing such great areas of deposit as we have in the State of South Dakota and as are located also in other regions of this Republic.

TERRITORIAL WATERS OF THE UNITED STATES

Mr. TYDINGS submitted the following resolution (S. Res. 88), which was referred to the Committee on Armed Services:

Resolved, That the Senate Committee on Armed Services, or any duly authorized subcommittee thereof, is authorized and directed to conduct a full and complete study and investigation to determine what legislation may be appropriate to define and delimit the territorial waters of the United States, which definition shall (a) be consistent with the sovereignty of the several States and the international rights and obligations of the United States, (b) give due regard to the requirements of the national defense, of commerce, and of the conservation, development, and utilization of the resources of the marginal seas, and (c) observe the constitutional rights of the several States in their relationship to the national economy and the national defense. The committee shall report its findings, together with its recommendations for such legislation as it may deem advisable, to the Senate at the earliest practicable date.

SEC. 2. For the purposes of this resolution, the committee, or any duly authorized subcommittee thereof, is authorized to employ upon a temporary basis such technical, clerical, and other assistants as it deems advisable. The expenses of the committee under this resolution, which shall not exceed $35,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

UPPER COLORADO RIVER BASIN COMPACT—AMENDMENT

Mr. McCARRAN submitted an amendment intended to be proposed by him to the bill (S. 790) to grant the consent of the United States to the Upper Colorado River Basin Compact, which was referred to the Committee on Interior and Insular Affairs, and ordered to be printed.

AMENDMENT OF CLOTURE RULE—AMENDMENT

Mr. McMAHON submitted an amendment in the nature of a substitute, intended to be proposed by him to the resolution (S. Res. 15) amending the so-called cloture rule of the Senate; which was ordered to lie on the table and to be printed.

PRINTING OF SUMMARY OF REPORTS OF COMMISSION ON ORGANIZATION OF EXECUTIVE BRANCH OF GOVERNMENT (S. DOC. NO. 28)

Mr. HAYDEN. Mr. President, on behalf of the senior Senator from Arkansas [Mr. MCCLELLAN], chairman of the Senate Committee on Expenditures in the Executive Departments, I present a summary of the reports heretofore issued by the Commission on Organization of the Executive Branch of the Government, including appendices and other supporting documents, and ask unanimous consent that it may be printed as a Senate document.

The VICE PRESIDENT. Without objection, it is so ordered.

HOUSE CONCURRENT RESOLUTIONS REFERRED

The following concurrent resolutions were referred to the Committee on Rules and Administration:

H. Con. Res. 18. Concurrent resolution authorizing a reprint of Supplement III (Country Studies A, B, and C) of the report of the Subcommittee on National and International Movements of the Committee on Foreign Affairs, entitled "The Strategy and Tactics of World Communism," for the use of the Committee on Foreign Affairs; and

H. Con. Res. 44. Concurrent resolution authorizing the printing of additional copies of House Document No. 401, Eightieth Congress, entitled "Fascism in Action."

PRODUCTION OF FERTILIZER IN JAPAN

Mr. THOMAS of Oklahoma. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a letter just received from the State department of agriculture of my State, the letter having to do with the manufacture of fertilizer. Attached to the letter is a short news article clipped from the New York Journal of Commerce. I ask that that be printed also.

There being no objection, the letter and article were ordered to be printed in the RECORD, as follows:

STATE DEPARTMENT OF AGRICULTURE,
Oklahoma City, March 7, 1949.

Hon. ELMER THOMAS,
Senate Office Building,
Washington, D. C.

MY DEAR SENATOR: Enclosed herewith is copy of a news dispatch which appeared in the New York Journal of Commerce on March 1, 1949, which includes the following: "Production of chemical fertilizers in Japan is nearing the 1941 prewar record. The Japanese Government's Ministry of Commerce has estimated 1948 production at: 917,000 metric tons ammonium sulphate, 997,000 metric tons superphosphate, 227,000 metric tons calcium cyanamide."

I have copy of your extension of remarks, entitled "Report on Nitrogenous Fertilizer," published in the CONGRESSIONAL RECORD February 7, which stated that the Department of the Army will supply to Japan and the Ryukyus 88,577 short tons of nitrogen during this fiscal year. I am not informed as to the cost of supplying this nitrogen, but based upon current prices and transportation charges, it will probably cost the taxpayers $20,000,000. The report also states that the requirements for Japan will increase by approximately one-third next year.

Before the war Japan was a large exporter of fertilizer. Now that its prewar production is resumed, it is difficult to understand why it is necessary for the Congress to appropriate funds to supply fertilizer to Japan, especially in view of the critical shortage of fertilizers in this country. Our farmers in the middle western States who are heavily burdened with taxes, part of which pay the cost of the foreign-relief program, are unable to buy the fertilizer they need.

Knowing your interest in the welfare of the farmers of our Nation, I am calling this situation to your attention.

Cordially yours,

HAROLD HUTTON.

[From the New York Journal of Commerce of March 1, 1949]

JAPAN FERTILIZER IS NEAR PREWAR—JANUARY OUTPUT EXCEEDS GOALS; HIGHER INSECTICIDE PRODUCTION PLANNED

TOKYO, February 28.—Production of chemical fertilizers in Japan is nearing the 1941 prewar record.

The Japanese Government's Ministry of Commerce has estimated 1948 production at 917,000 metric tons of ammonium sulphate, 997,000 tons of superphosphate, and 227,000 tons of calcium cyanamide.

EXCEEDS GOALS

Output in January 1949 far exceeded production schedules for the month. The good records were due to improved delivery of pyrites and coal and to the extra hydroelectric power made available for industry during the unseasonably warm weather which Japan has had this winter.

January production of ammonium sulfate totaled 81,292 metric tons, which was 124 percent of the goal. The output of superphosphate was 98,491 metric tons, or 109 percent of the goal. Calcium cyanamide production was 17,173 metric tons which was 122 percent of the goal.

SAUDI ARABIAN PIPE LINE

Mr. WHERRY. Mr. President, I ask unanimous consent to have printed in the body of the RECORD correspondence which I have had with various Government agencies and references I have made to various standing committees of the Senate, in connection with the Saudi-Arabian pipe line, a subject which was under investigation by the Senate Small Business Committee for a number of months prior to its expiration.

There being no objection, the matters were ordered to be printed in the RECORD, as follows:

MARCH 8, 1949.

Hon. MILLARD E. TYDINGS, *Chairman,*
Committee on Armed Services,
United States Senate,
Washington, D. C.

MY DEAR SENATOR TYDINGS: The Senate Small Business Committee which has now expired, and of which I was chairman in the Eightieth Congress, investigated as a phase of its steel studies, the export of large quantities of steel pipe and other steel for the development of Middle East oil projects. One of these is the Saudi Arabian pipe line, which is being constructed by the Trans-Arabian Pipeline Co., a subsidiary of the Arabian-American Oil Co.

Independent petroleum producers in this country, and other users of steel and tubular goods protested that the export of large tonnages of steel to develop Middle East oil interests was causing hardship, and hampering the development of oil resources in the United States.

Starting in October 1947, the Senate Small Business Committee waged a continuous battle against shipments of steel for the Saudi Arabian pipe line. The committee was told in its first hearing that the decision to make the allotment of steel, in the height of the domestic shortage, was at Cabinet level, in what was referred to as the public interest. Subsequent hearings for over a year failed to reveal what that public interest was. Over 480,000 tons of steel were originally allotted for the project, to be shipped over a period of 2 years; 360,000 tons of which would be steel pipe and tubing.

It is not necessary to go into a long discussion of committee hearings on the subject, which are available in printed volumes. A summary of the investigation is contained in a statement by the chairman made on the floor of the Senate on May 10, 1948, a copy of which is enclosed.

On June 18, 1948, the committee was able to secure a commitment from the Department of Commerce that shipments of steel pipe for the main-line construction of the Saudi Arabian pipe line would be held in abeyance, until further investigation by the Department of Commerce. The Secretary of State, the Secretary of National Defense, and the Secretary of Commerce all agreed at that time that no further shipments of main-line pipe would be made between that time and January 1, 1949, without prior advice to the Senate Small Business Committee.

As of January 31, 1949, the Senate Small Business Committee expired. As far as holding hearings or carrying on committee business, its authority passed out of existence on December 31, 1948. On February 24, 1949, the Secretary of Commerce issued a press release to the effect that licensing of steel pipe to the Trans-Arabian Pipe Line Co. was being resumed to the extent of 25,000 tons of 30-inch pipe in the first quarter of 1949. In other words, as soon as the watchdog committee went out of business, the licensing of pipe for the construction of the pipe line continued.

As a matter of fact, shipments of steel and steel pipe (other than the 30-inch main-line pipe) continued to go forward to Saudi Arabia unabated during the second, third, and fourth quarters of 1948. In this respect the Secretary of Commerce's press release of February 24 is misleading in that it only refers to a total of 260,000 tons of main-line pipe required for the line, and fails to enumerate the other large tonnages of steel and other gages of pipe originally estimated to total 480,000 tons.

Secretary Sawyer's release further states that he had received the recommendation of the Department of State, the National Military Establishment, the Department of the Interior, and the Economic Cooperation Administration last fall that licensing of pipe for the line be resumed. Yet, in the experience of the Senate Small Business Committee in hearings up through June 18, 1948, the Department of State was very leery of the project; the Department of the Interior only approved it because of a shortage of tankers (which are no longer in such short supply); and the National Defense Establishment did not then, and does not now, seemingly, endorse the operation.

Enclosed is copy of a release from the National Military Establishment dated February 26, 1949, stating that it did not participate in the decision, and that "justification for the issuance of the export licenses for steel must be based primarily upon considerations other than military. The economic and political considerations involved are matters upon which other departments are more qualified to comment than is the National Military Establishment."

Secretary Sawyer further remarks in his press release that the saving to the Arabian-American Oil Co., which will result by the construction of the pipe line, is to be shared with the National Military Establishment.

"Negotiations between the company," the release says, "and the National Military Establishment on this question were begun in late November, and concluded in February 1949.

"The company has now agreed to transport for the National Military Establishment, at cost, substantial quantities of oil from the Persian Gulf to the Mediterranean, for a period of 10 years after completion of the pipe line."

As I am sure you know, the Trans-Arabian pipe line proposes to run 1,100 miles across the Saudi Arabian desert, across Transjordan, across Syria to a Mediterranean outlet at Beirut, Lebanon. According to testimony before the committee last June, the Arabian-American Oil Co. did not have clearance for its line across Syria and there were other difficulties with the Arab states. Even under favorable conditions the line could not be completed until late 1950.

The announcement of an agreement between the Arabian-American Oil Co. and the Military Establishment introduces a further serious question. The pipe line is designed to transport crude oil. The National Military Establishment does not use crude oil. This would seem to require the construction of a refinery at the Mediterranean outlet, on the strength of the agreement. Furthermore, does not an agreement between the Military Establishment and Arabian-American Oil, or a commitment on oil to be held in reserve, establish a property right for the United States Government in the pipe line?

These are additional matters upon which investigation should be made. For this reason I am referring the matter to several standing committees whose interests I believe are involved in the problem: Banking and Currency on export controls; Armed Services in connection with agreements which the National Military Establishment may have undertaken; the Judiciary Committee which may be interested in the authority of an executive agency to enter into such contracts and the implications thereunder; the Senate Interstate and Foreign Commerce Committee, which investigated so ably the question of oil for the Navy last year; and the Senate Investigating Subcommittee.

As far as the Senate Small Business Committee is concerned, its last statement in the matter was contained in the final report on steel supply and distribution. That report anticipated that shipments for the pipe line would be resumed and warned that large shipments of steel to Saudi Arabia and to other Middle East oil developments should be a matter of further senatorial investigation.

While it is true that the Department of Commerce has reduced exports of steel in the over-all in the past year, the supply of steel pipe and tubing, sheet and plate are still far short of meeting domestic demand. No one denies that Middle East oil is necessary to meet the needs of western European recovery. However, the building of the pipe line has nothing to do with increasing oil supply; it provides only a more economical means of transportation.

Under normal supply conditions, no one would contest the right of private enterprise to buy and send steel to the Middle East or to any other location, but the Department of Commerce itself has found that steel supply is some 7,000,000 tons below current demand. As long as this condition exists, large diversions of steel must be prevented that would be better used, under any circumstances, in developing oil resources nearer home.

The Military Establishment has stated that 50 percent of the world's supply of oil lies in the Western Hemisphere. The Armed Services Petroleum Board has stated that "the military need for oil from a strategic defense point of view can best come from the Western Hemisphere."

I am enclosing for the attention of your committee the references mentioned herein, and a copy of the Senate Small Business Committee's Steel Report. I urge your inquiry into the problems which this material suggests.

Cordially yours,

KENNETH S. WHERRY.

(Copies to Hon. BURNET R. MAYBANK, chairman, Committee on Banking and Currency, United States Senate; Hon. CLYDE R. HOEY, chairman, Senate Investigating Subcommittee of the Committee on Expenditures in the Executive Departments, United States Senate; Hon. EDWIN C. JOHNSON, chairman, Committee on Interstate and Foreign Commerce, United States Senate; Hon. PAT MCCARRAN, chairman, Committee on the Judiciary, United States Senate.)

MARCH 8, 1949.

Hon. CHARLES SAWYER,
Secretary of Commerce,
Commerce Building,
Washington, D. C.

MY DEAR SECRETARY SAWYER: I was very interested to note the Department of Commerce's press release of February 24, and the announcement that the licensing of mainline pipe for construction of the Saudi Arabian pipe line is being resumed.

In the fourth paragraph of the release you are quoted as stating that the Department of State, the National Military Establishment, the Department of the Interior, and the Economic Cooperation Administration recommended last fall that the licensing of line pipe for the project be resumed. I would greatly appreciate having a copy of these endorsements which you received from these agencies last fall, or in connection with your recent action. It is fully realized, of course, that the Secretary of Commerce has final authority, under the law, for granting the licenses.

You further state in the press release that "a thorough and intensive study of the proposal" has been made by the Department of Commerce. I would also appreciate receiving a copy of this study which, I am sure, will describe the importance of the Saudi Arabian pipe line to the domestic economy; how it will facilitate the development of petroleum resources of the Middle East; and explain the importance to our national and international policies of raising the level of economic activity in that area.

I have written to Mr. Keeney, Under Secretary of the Navy, separately asking him for a copy of the agreement which the National Military Establishment has entered into with Arabian-American Oil Company. You state it was an important factor in connection with resumption of steel shipments to construct the pipe line.

You will be interested, I believe, in the enclosed copy of the final report on Steel Supply and Distribution issued by the Senate Small Business Committee, which refers to the Saudi Arabian pipe line; to exports of steel in general; and to a number of other recommendations which involve the interests of the Department of Commerce.

Cordially yours,

KENNETH S. WHERRY.

MARCH 8, 1949.

Hon. W. JOHN KENNEY,
Under Secretary of the Navy, Department of the Navy, Washington, D. C.

MY DEAR MR. KENNEY: I am writing to you directly because of your responsibility, in behalf of the National Military Establishment, in connection with the Saudi Arabian pipe-line project.

The release of the Department of Commerce dated February 24, announcing the resumption of shipments of main-line pipe to Saudi-Arabia, and a subsequent release by the National Military Establishment on February 26, have been interesting to me. Copies of the releases to which I refer are attached.

It is noted that Secretary Sawyer states that he has had the recommendation of the National Military Establishment since last fall for resumption of steel shipments for the pipe-line construction. Yet in your release of February 26, it is implied that the National Military Establishment, within its area of authority, did not participate in the decision to resume licensing to the Trans-Arabian Pipeline Co.

Secretary Sawyer refers in his release to an agreement between the National Military Establishment and the Arabian-American Oil Co., which seems to call for delivery of oil at the proposed Mediterranean outlet for a period of 10 years. He states this agreement was an important consideration in the decision to permit further exports of steel for the pipe line.

No mention of this arrangement is made in your release of February 26. I would appreciate very much a copy of this agreement, on which negotiations began in November and were concluded on February 18, 1949. Your advice on this matter is requested at the earliest possible moment.

Cordially yours,

KENNETH S. WHERRY.

DEPARTMENT OF COMMERCE,
Washington, February 24, 1949.

Approval of a license for the export of 25,000 tons of 30-inch steel pipe to be used by the Trans-Arabian Pipeline was announced today by Secretary of Commerce Charles Sawyer. This was the first export license granted for this purpose since April 1948, when licensing was suspended primarily because of disturbed conditions in the Middle East.

Today's action brings the total amount thus far authorized by the Department of Commerce for this pipe line to about 79,000 tons. The entire pipe line, which is to run 1,067 miles across the Arabian peninsula, is estimated to require a total of 260,000 tons of line pipe.

In making the announcement, Secretary Sawyer stated that during the period when licensing was suspended, the Trans-Arabian Pipeline Co. released for domestic use about 65,000 tons of pipe which had been produced for its account. This tonnage was transferred to domestic natural gas pipe lines being expanded to provide additional gas to the Pacific coast and Appalachian areas. The company has agreed to release additional amounts of pipe for domestic use during the next few months.

"The Department of State, National Military Establishment, Department of the Interior, and the Economic Cooperation Administration recommended last fall that the Department of Commerce resume the licensing of line pipe for this project," Secretary Sawyer said. "Action was deferred pending the completion of a thorough and intensive study of the proposal by the Department of Commerce. It was clear from this study that construction of the pipe line, which is being financed entirely by capital supplied by private American firms, would facilitate the development of the petroleum resources of the Middle East, and raise the level of economic activity in that area. The pipe line when completed is expected to permit the movement of oil from the Persian Gulf to the Mediterranean at a cost greatly below that of tanker transportation. The study showed also that, despite sharp increases in steel production in the United States, line pipe is still in seriously short supply in this country.

"In view of the shortage of steel in the domestic economy, and in view of the requirements of the military agencies for oil in the Mediterranean area, the Department of Commerce suggested to the company that it consider the possibility of sharing with the United States Government some of the transportation savings which would result from completion of the Trans-Arabian line. Negotiations between the company and the National Military Establishment on this question were begun in late November, and concluded on February 18, 1949.

"The company has now agreed to transport for the National Military Establishment, at cost, substantial quantities of oil from the Persian Gulf to the Mediterranean, for a period of 10 years after completion of the pipe line. The use of the pipe line, instead of tankers, for this movement is expected to result in a substantial financial saving to the United States Government."

NATIONAL MILITARY ESTABLISHMENT,
Department of the Navy,
Washington, D. C., February 26, 1949.

In response to numerous inquiries as to the interest of the National Military Establishment in the license recently granted by the Secretary of Commerce for exportation of steel pipe for the construction of the Trans-Arabian pipe line, W. John Kenney, Under Secretary of the Navy stated that the Secretary of Commerce had been advised that the position of the National Military Establishment was that—"the justification for the issuance of the export licenses for steel for the construction of the pipe line must be based primarily upon considerations other than military. The economic and political considerations involved are matters upon which other departments are more qualified to comment than is the National Military Establishment."

The Secretary of Defense did not participate in the determination of the desirability for the issuance of this export license as Mr. Kenney had been designated to represent the National Military Establishment in this matter.

Mr. Kenney is Chairman of the Armed Services Petroleum Board and as such has the responsibility and general supervision over all petroleum matters affecting the National Military Establishment.

EXCERPT FROM FINAL REPORT ON STEEL SUPPLY AND DISTRIBUTION REFERRING TO THE SAUDI ARABIAN PIPE LINE (S. REPT. NO. 43, ISSUED BY THE SENATE SMALL BUSINESS COMMITTEE)

Both the Steel and Oil Subcommittees of the Senate Small Business Committee have made continuous efforts over the past year and a half to put before the Senate and the public the full facts concerning the building of the Saudi Arabian pipe line—and the export of large quantities of steel for that project.

Hearings have been held on the subject since October 9, 1947, and various statements have been made on the effects of this project upon the domestic economy by various members of the committee, including a complete résumé of the situation made on the floor of the Senate by Chairman KENNETH S. WHERRY on May 10, 1948. (See appendix A.)

In spite of this complete record, many of the major points of consideration in the controversy have been largely overlooked in the press, and misleading statements by public officials have clouded the issue (hearings, pts. 21, 22, 33, 40).

For example, the general impression has been given that the Saudi Arabian pipe line will increase production of oil. As far as its proponents have testified before the Steel and Oil Subcommittees, it is not being built to increase oil production at any point, but to provide a more economical means of transportation of the oil from the Persian Gulf to the Mediterranean.

Statements have also been made that the building of the pipe line is necessary in order to relieve the strain upon tanker transportation, which has been said to be in a state of world-wide shortage. Yet the facts are that tankers are now being used, and will continue to be used to carry the 350,000 to 400,000 barrel-per-day production of the Saudi Arabian oil fields. And they will continue to be used, if and when the pipe line is completed approximately 2 years hence, to transport the oil from the proposed Mediterranean outlet to various points of consumption.

Less tankers may be needed then than are used now for the long haul around through the Suez Canal, but the fact remains that the building of a pipe line across Saudi Arabia is a matter of economics for the

owners of the Arabian-American Oil Co.,[1] rather than of increasing oil production.

It was also stated in steel and oil subcommittee hearings that the building of the pipe line, which will require 480,000 tons of steel (360,000 tons of which is steel pipe and tubing), is a more economical use of steel than to build tankers to add to those then available for Middle East oil transportation.

When that argument was put forth in October 1947 (hearings, pts. 21, 22), the United States Maritime Commission was arranging for the sale of 100 United States T-2 type tankers to foreign purchasers, at a terrific loss to coastwise oil shipping in the United States. In spite of protests by this committee, 83 of those tankers were approved for sale by the Attorney General in December 1947. Since that sale a huge new tanker-building program has been promoted to replace those tankers sold and to further relieve the so-called "world shortage" of tankers. This program within the past several months has been allocated 440,000 tons of steel plate (under the voluntary allocation plan provided by Public Law 395), with which 81 supertype tankers will be built.

At this point, not only is the Saudi Arabian pipe-line project being built with at least 122,000 tons of steel pipe and tubing (authorized from fourth quarter, 1947, through third quarter, 1948),[2] but 83 United States tankers have been put into foreign service, and steel has been allocated to build new tankers, which only a few months ago the committee was told the pipe line was supposed to replace.

The committee has tried to adduce testimony from the National Defense Establishment and from other responsible Government officials as to the practicability and defensibility of Middle East oil projects as compared with devoting the same quantity of steel to projects in the United States or in the Western Hemisphere.

This became such a point at issue in hearings that on March 17 the then Secretary of Commerce, Mr. Harriman, deferred the licensing of further steel for the Saudi Arabian pipe line, pending the advice of Secretary of Defense Forrestal.

At that hearing, also, the Assistant Secretary of State, Willard L. Thorp (hearings, p. 3680), was quoted as stating:

"It would be very stupid to be inflexible about a policy of granting export licenses for steel to build refineries and pipe lines in Saudi Arabia. The security and stability of the lease is uncertain. I think it is necessary to review our position regarding future export licenses."

Col. G. H. Vogel, of the Armed Services Petroleum Board (hearings, p. 3692), also testified, in answer to a question from the chairman, as follows:

"The CHAIRMAN. Let me ask you this question: With the availability of nearly 50 percent of the petroleum (in the world) in proven reserves located in the Western Hemisphere, from the military point of view and speaking now with reference to security and national defense, would you feel that it would be preferable to develop those reserves here or would it be just as wise to go to other parts of the world to do it?

"Colonel VOGEL. Certainly the military need for oil from a strategic defense point of view can best come from the Western Hemisphere."

It is obvious from its location on the map that the Saudi Arabian pipe line is not a defensible project from the standpoint of national defense.

It is equally true that the oil which is coming from the Arabian-American Oil Co.'s producing fields in Saudi Arabia—and from other producing fields in the Middle East—is invaluable to relieve the needs of western European countries that could not be served otherwise without strain upon Western Hemisphere resources.

That point has not been debated by the committee. In fact, the Senate Small Business Committee has put forth no objection to the continued shipment of minimum quantities of steel needed to increase production in the producing fields, even though such exports are a constant source of irritation to the smaller, independent oil producers in this country who are having great difficulty in getting steel.

The decision as to whether further shipments of steel would be approved for the Saudi Arabian pipe line was still in abeyance and in the hands of the National Defense Establishment as the session of Congress drew to a close in June 1948.

In the meantime, May 1948, a new Secretary of Commerce had been appointed, Mr. Charles Sawyer, and the problem which had been see-sawing back and forth between Mr. Harriman and Mr. Forrestal, automatically reverted to Mr. Sawyer, as the final authority in controlling exports.

In order to assure that the interests of the Senate Small Business Committee would be protected during the recess of Congress, Chairman WHERRY called an executive meeting on June 18, which was attended by Secretary of State Marshall, Secretary of National Defense Forrestal, Secretary of Commerce Sawyer, and Assistant Secretary of the Navy W. John Kenney. Following that meeting Secretary Sawyer announced that applications by the Trans-Arabian Pipe Line Co. for licenses to ship steel pipe in the second and third quarters of 1948 had been canceled until further considcration by the Department of Commerce. Secretary Sawyer agreed at that meeting that he would advise the commitee when and if further licenses were considered.

In preparation of the final reports of the steel subcommittee and the oil subcommittee, the committee staff reviewed the situation on licensing of steel to Saudi Arabia and found that the two quarterly reports by the Secretary of Commerce on Export Control and Allocation Powers, published since the meeting on June 18, showed licensing of steel-mill products, including pipe and tubing, to Saudi Arabia. A further break-down secured from the Special Projects Branch, Office of International Trade, showed the following tonnages of steel licenses to Saudi Arabia in the second and third quarters of 1948:

TABULATION IV.—*Steel-mill products licensed, Saudi Arabia*

	Second quarter, 1948, short tons	Third quarter, 1948, short tons
Bars	516	598
Structural shapes	1,672	8,391
Sheets and strip	9	164
Plates	1,819	3,186
Wire and wire rods	184	358
Pipe and tubing	5,291	5,871
Rails and accessories	----------	259
All other	13	90
Total	9,504	18,917

On December 27, 1948, the chairman addressed a letter to the Secretary of Commerce, drawing his attention to these figures in his published reports and asking for more information regarding the shipment of pipe and steel to Saudi Arabia, and to other Middle East oil projects.

The Secretary of Commerce was prompt to inform the committee, on December 31, that the Department of Commerce had adhered to the letter of its agreement, and assured the chairman that no licenses for line pipe have been issued to the Trans-Arabian Pipe Line Co. since his understanding with the committee on June 18. A fine line of distinction was made in Secretary Sawyer's letter between (1) main-line pipe and other pipe and tubing licensed to the Trans-Arabian Pipe Line Co., and (2) pipe and tubing and other steel licensed to the Saudi Arabian oil-field development. It is quite true, the Department of Commerce's commitment referred only to licenses issued to the Trans-Arabian Pipe Line Co., and not to licenses issued to Saudi Arabia, to be used for improving and increasing oil production in the Arabian-American Oil Co. fields.

There is only one oil project in Saudi Arabia, and that is owned by the Arabian-American Oil Co., of which the Trans-Arabian Pipe Line Co. is an operating subsidiary.

The splitting of hairs as to what phase of the Saudi Arabian oil project has received or continues to receive large quantities of steel is beside the point. What is important is that thousands of tons of steel pipe and other steel are going into a pipe line across the Saudi Arabian desert that might better have been spent in developing oil projects nearer home.[3] The Steel Subcommittee has been able to do nothing more than secure a partial curtailment. And there is no assurance that further exports for the actual pipe line will not be resumed at any time the Secretary of Commerce deems it advisable.

At the same time, shipments of steel pipe and steel to other middle east projects have increased appreciably. The Kuwait oil project (owned by Anglo-Iranian Oil Co., Ltd., and Gulf Exploration Co.) was licensed 25,612 tons of steel pipe and tubing in the second and third quarters of 1948; 11,650 tons of heavy-line pipe was licensed to the Anglo-Iranian Oil Co., Ltd. (owned by the British Government, Burma Oil Co., and other individuals), in the second quarter of 1948, for bringing oil to port side from the Agha Jari fields. The committee knew of this latter license, but understood it would result directly in production that would in turn bring a delivery of 40,000 barrels of its 100,000-barrel daily production to the United States. It will take approximately 2 years to complete this installation, also, and the committee has recently been informed that it is doubtful that the 40,000 barrels will ever be forthcoming to the United States.

These and other shipments of steel abroad need to be accurately reported as to their use, and gaged as to the strain they are putting upon supplies available for the domestic economy and for developing oil resources nearer home; and their relative importance for carrying out our foreign policies.

The Secretary of Commerce has advised this committee that he has recently established an interdepartmental requirements committee to weigh "just such factors" in the consideration of export quotas. Under this committee there is also a projects subcommittee "which reviews in great technical detail every petroleum or other project of importance." This is very reassuring to the committee, in the light of the ineffectiveness of the previous interdepartmental export advisory group set up by the Department of Commerce.

It is urgently recommended by the Steel Subcommittee that the Senate Small Business Committee or its successor committee secure from the Secretary of Commerce all current export data on exports of steel to the Middle East and Far East oil projects, and,

[1] The joint owners of the Arabian-American Oil Co. are the Texas Co., Standard Oil of California, Standard Oil of New Jersey, and Socony Vacuum Co.

[2] Steel pipe was free of export control, May to September 1947. Controls were reimposed at insistence of this committee.

[3] Article in November 12 Christian Science Monitor quotes Trans-Arabian official as stating 145 miles of pipe line have been laid, and work is progressing at rate of 5 miles per week.

in fact, licensing of steel for all "special projects," accompanied by a full justification therefor, in relation to the purposes and objectives pertaining to export control set forth in Public Law 188 (the Second Decontrol Act of 1947).

REPORT 523

INDEPENDENT PETROLEUM
ASSOCIATION OF AMERICA,
Washington, D. C., March 1, 1949.

The announcement of February 24 that shipments of pipe for the Trans-Arabian pipe line are to be resumed under export licenses issued by the Department of Commerce raises questions which can be answered only by the participants in this transaction.

Such questions are apparent from a reading of the news release, copy of which is enclosed with this letter.

A properly constituted inquiry might find it in the public interest to try to develop the following points:

1. What formal, signed agreement has been made between the companies operating in Saudi Arabia and the National Military Establishment, or is the word "agreed" in the final paragraph of the release used to cover a verbal understanding?

2. If a formal agreement exists, has the National Military Establishment agreed to perform any service for the other parties to the agreement? Protection and defense of the properties, for instance.

3. Is there any authority in law for a 10-year agreement between the National Military Establishment? Normally, authorizations for work to be done or programs to be carried on are on an annual basis.

4. Does the agreement, in effect, establish a property right for the United States Government in the pipe line?

5. The pipe line is designed to transport crude oil. The National Military Establishment does not use crude oil. What further steps would be taken at the Mediterranean end of the line to convert the oil transported for the account of the military into usable products?

The events leading to this latest decision are unexplained. All we have is this announcement that the Government has blessed the enterprise and that the export of the pipe will be resumed. Nor has the confusion been lessened or the responsibility fixed by the statement of the National Military Establishment which came 2 days after the Sawyer release. Save that it seems to contradict the Sawyer assertion that the military recommended issuance of licenses and disclaims military necessity and responsibility, we are no further along. We need a great many answers. The Brewster Committee got some of them last year and they were rather terrifying to those who believe that decency in public office and in industry is essential to the survival of our form of government.

The statement of the Military Establishment is also reproduced and enclosed with this letter. It will be noted that the existence of an agreement between that service and the company as implied in the Sawyer statement is not denied, or even mentioned; merely that the Secretary of Commerce should not use military considerations as a primary reason for the issuance of export license.

The approval of license for 25,000 tons may not sound imposing but the fact that licensing has been resumed after a lapse of nearly a year indicates that additional licenses will be issued as needed. There is, incidentally, a large discrepancy between the statements of total tonnage involved. The press release of February 24 says that 260,000 tons will be required for the 1,067 miles of line. The final report of the Senate Small Business Committee, dated February 10—the Wherry committee—says that the line "will require 480,000 tons of steel (360,000 tons of which is steel pipe and tubing) * * *.

There is agreement between the Senate committee and the Secretary of Commerce on one point. The Senate report referred to said:

"Less tankers may be needed than are used now for the long haul around the Suez Canal, but the fact remains that the building of a pipe line across Saudi Arabia is a matter of economics for the owners of the Arabian-American Oil Co. rather than of increasing oil production."

The press release which is enclosed says that "the pipe line when completed is expected to permit the movement of oil from the Persian Gulf to the Mediterranean at a cost greatly below that of tanker transportation."

There is no talk today of tanker shortage, as there was when the representatives of the Arabian-American company appeared by request on our program in Oklahoma City at our annual meeting in 1947 and later when the same argument was given to the Wherry committee. It is and always has been "a matter of economics." The economic advantage which Middle East oil already has over the high-cost, high-tax domestic production would be further increased by the pipe line.

The green light has been given to this program by a combination of agencies of Government, as the release shows. Secretary Sawyer speaks in his release of a thorough and intensive study of the pipe line project by his Department. It is not indicated whether this study resulted in a written report, or was one of those unrecorded findings which have been the basis for much official action in recent years.

Last June 18, as reported soon after, Senator Wherry held an executive session with Secretary of State Marshall, Secretary of National Defense Forrestal, Secretary of Commerce Sawyer and Under Secretary of the Navy Kenney. The Senate committee report previously referred to says that "Secretary Sawyer agreed at that meeting that he would advise the committee when and if further licenses were considered."

It would appear that this agreement was not kept, for the Sawyer press release says that four agencies of Government recommended last fall that licensing be resumed.

It is impossible to view this latest development as anything except one more step in a decision made long ago. Through all the evasions, the dodging and the squirming that has occurred over a period of 8 years, there has run one consistent thread. The Government of the United States was committed by certain officials to a course of securing the position of the oil companies which held the Arabian concession.

This was revealed in the hearings last year of the Brewster committee. The millions of dollars of public funds and the materials which were sent to Arabia placated a restless king and eased the burden of the companies. A few days ago a jury in New York awarded a former official of the companies which are part of the Arabian-American family more than $1,000,000 for services in bringing the needs of the companies to the attention of the right people in Government and getting the flow of public money started. The magazine, Newsweek, remarked that "for the first time, an official rate of pay was set up for influence."

There was the matter of the proposed Government pipe line across Saudi Arabia. Harold L. Ickes, then Secretary of the Interior, announced the project in early 1944. It was subsequently revealed that before the pipeline scheme was decided on, an attempt was made to buy stock in the companies operating in Saudi Arabia. Either way, the Government would have gone into business in the Middle East. The reaction in Congress was swift and heated. In response to a resolution in the Senate to kill the project by dissolving the Government corporation which would construct the line, a committee of 11 was created. The late Senator Francis Maloney was chairman. He held several executive sessions and announced that he had assurance that nothing would be done without further consultation. As a Government undertaking the pipe line was abandoned.

In the announcement by Ickes it was said that an agreement had been made which would reserve for the Navy 1,000,000,000 barrels of oil, at a price below the going market price. It was presumed that this agreement ended when the Government pipe line was killed. Yet, in the November 27, 1948, issue of the Saturday Evening Post, in an article, Allah's Oil, Author Leigh White referred to a reservation of 1,000,000,000 barrels of oil for the Navy in Saudi Arabia at a discount of 25 percent below market price. Mr. White went to the Middle East to get the material for his articles. An editor of the Post wrote us that a Government official was the authority for the statement mentioned above.

There are many things about the whole affair that American citizens are entitled to know. If the full purpose which has been so obvious and so persistent is realized, the safety of the United States will be greatly endangered. It has been conceded by officials of our Government that the Middle East oil fields, refineries and pipe lines could not be defended successfully, yet they go ahead with actions which seem to indicate that there would be an attempt to make a defense. If the Military Establishment has been given something—a stake in the project—that would constitute an obligation to back up the rights with arms. Again, this is a question that should be determined openly.

A more threatening aspect of the Government sponsorship of the Arabian development is the fact that it contemplates a dependence by the United States on this area for much of its military supplies of petroleum. In the event of war with Russia, the entire development in the Middle East area would be of no more value to us than was the Canol project of the recent war.

Very truly yours,

RUSSELL B. BROWN,
General Counsel.

THE MENACE OF COMMUNISM

Mr. WILEY. Mr. President, no doubt each of my colleagues receives numerous communications from organizations in their States concerning the critical problem of the menace of communism. Within the last few months I for one have received innumerable messages, letters and resolutions on this issue.

I send to the desk three communications from three diverse groups, each of which has made and is making an important contribution to clear thinking and action. I believe that the sentiments expressed in these messages deserve not only my careful attention but the attention of my colleagues, in order that together, in a democratic way, without hysteria, without witch-hunting, but with firmness and clear vision, we may meet head-on the menace of subversive groups and individuals.

I therefore ask unanimous consent that these messages be printed in the CONGRESSIONAL RECORD at this point

There being no objection, the matters were ordered to be printed in the RECORD, as follows:

FRATERNAL ORDER OF EAGLES,
SUCCESS AERIE 1954,
Hartford, Wis.

Hon. Senator ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.

DEAR SENATOR WILEY: No doubt you will be receiving many letters similar to the one we are writing you. The Fraternal Order of Eagles is sponsoring and advocating the support of all our Senators and Representatives to use all their efforts and influence in passing legislation that will outlaw communism or any other ism that is un-American.

This being the month of February and the birthdays of two of our most outstanding Americans George Washington and Abraham Lincoln, it should be especially proper that at this time we use all our efforts in defeating communism in every shape and form.

We are therefore asking you to support any good sound legislation that will defeat communism and that you will use your voice and influence to see to it that we will not be overrun with these sort of fellows in America. Your comments will be greatly appreciated.

Fraternally yours,
ROBERT T. HEINTZ,
Secretary.

KNIGHTS OF COLUMBUS,
WATERLOO COUNCIL, NO. 1669,
Waterloo, Wis.

Honorable Senator WILEY:

Whereas the Waterloo Council, Knights of Columbus, has this day at its regular meeting discussed the menace of communism to all Christian or religious organizations in this country, or in fact, in the world; and

Whereas the Constitution of these United States of America provides for the freedom of religious worship;

Therefore, we the undersigned strongly urge you to take whatever action is in your power to immediately exterminate any and all Communists from this our beloved country.

Sincerely yours,
ALVIN T. JOYCE,
Grand Knight.

FOND DU LAC COUNCIL OF
CATHOLIC WOMEN,
Fond du Lac, Wis.

Hon. ALEXANDER WILEY,
Washington, D. C.

DEAR MR. WILEY: Our organization has a very active legislative committee which carries on a spirited discussion at each meeting on current topics. Naturally one of our biggest peeves is the way the Communists are allowed entry into this country and the license granted them under freedom of speech to down the United States and declare allegiance to Russia.

It seems a very weak defense to invite traitors and treason at a time which is so static. Is it necessary to allow entry into our country of the Russian composer and the Italian top Communist leader who has been invited here by Henry Wallace? I am hoping that you, as our Wisconsin Senator, will use all your influence to stamp out such practices, to cut red tape in dealing with these individuals and stamp them as traitors with punishment due treason. We can't expect to curb evils unless we try to do away with them. It is a very poor lesson in citizenship to show our young people when the Government itself seems so gullible.

What about Anna Strong and the former bund leader? Are they desirable after giving up their American citizenship? Just how long does it take America to wake up? How many Pearl Harbors do we have to have before we learn?

Our men in Congress should be our spokesmen and believe me the people would rally if they would only take a definite stand on this question of communism. I'd suggest that they give the entire party a one-way ticket to Russia.

We mothers are tired giving up our young sons to foreign service when our leaders are inviting trouble and hob-nobbing with butchers of humans.

May we hope that you at least, Mr. WILEY, will play the game as a staunch American and throw your weight against all subversive elements?

Very truly yours,
MAE J. NEMICK (Mrs. J. A.),
President, Council of Catholic Women.

CIVIL RIGHTS LEGISLATION—ADDRESS BY SENATOR PEPPER

[Mr. PEPPER asked and obtained leave to have printed in the RECORD an address on civil rights delivered by him at Montgomery, Ala., on October 7, 1948, which appears in the Appendix.]

EXTENSION OF RECIPROCAL TRADE AGREEMENTS ACT—STATEMENT BY SENATOR MALONE

[Mr. JENNER asked and obtained leave to have printed in the RECORD the statement on the extension of the Reciprocal Trade Agreements Act made by Senator MALONE before the Senate Finance Committee on February 24, 1949, which appears in the Appendix.]

THE NEED FOR STRONGER RENT CONTROL — STATEMENT BY SENATOR MYERS

[Mr. MYERS asked and obtained leave to have printed in the RECORD a statement entitled "The Need for Stronger Rent Control," made by him on Senate bill 888 before the Subcommittee on Housing and Rents of the Committee on Banking and Currency, March 10, 1949, which appears in the Appendix.]

DR. PETER MARSHALL

[Mr. WHERRY asked and obtained leave to have printed in the RECORD the addresses at the funeral services of the late Dr. Peter Marshall, Chaplain of the Senate, together with the prayers delivered by him in the Senate during the Eighty-first Congress, which appear in the Appendix.]

PROCLAMATION OF MARCH 7 AS CZECHOSLOVAK DAY IN THE STATE OF NEW YORK

[Mr. IVES asked and obtained leave to have printed in the RECORD a proclamation, issued by Governor Dewey, of New York, proclaiming March 7, the anniversary of the birthday of former President Masaryk, as Czechoslovak Day in the State of New York, which appears in the Appendix.]

HOW BUREAUCRACY SWINDLES THE TAXPAYER—COMMENTS BY GEN. CARL GRAY ON ARTICLE FROM THE READER'S DIGEST

[Mr. MCGRATH asked and obtained leave to have printed in the RECORD comments by Gen. Carl Gray, Veterans' Administrator, concerning an article entitled "How Bureaucracy Swindles the Taxpayer," published in the Reader's Digest, which appears in the Appendix].

ADDRESS BY RALPH E. BECKER BEFORE THE OHIO YOUNG REPUBLICAN STATE CONVENTION

[Mr. CAPEHART asked and obtained leave to have printed in the RECORD the address delivered by Ralph E. Becker, Chairman of the Young Republican National Federation, before the Ohio Young Republican State Convention, at Columbus, Ohio, February 26, 1949, which appears in the Appendix.]

SOVIET "IMMIGRATION" INCREASES—EDITORIAL FROM THE HAVRE (MONT.) DAILY NEWS

[Mr. ECTON asked and obtained leave to have printed in the RECORD an editorial entitled "Soviet 'Immigration' Increases," from a recent issue of Havre (Mont.) Daily News, which appears in the Appendix.]

THE NETHERLANDS POLICY IN INDONESIA—ARTICLES FROM THE NEW YORK TIMES AND THE CHRISTIAN SCIENCE MONITOR

[Mr. BREWSTER asked and obtained leave to have printed in the RECORD an article by A. M. Rosenthal, a news item from The Hague, published in the New York Times of March 11, 1949, and an article by Daniel L. Schorr, published in the Christian Science Monitor of March 8, 1949, all relating to the Netherlands policy in Indonesia, which appear in the Appendix.]

NOMINATION OF MON C. WALLGREN—NEWSPAPER COMMENT, TELEGRAMS, AND LETTERS

[Mr. CAIN asked and obtained leave to have printed in the RECORD several newspaper comments, telegrams and letters relating to the nomination of Mon C. Wallgren to be Chairman of the National Security Resources Board, which appear in the Appendix.]

TRIBUTE BY RABBI WILLIAM F. ROSENBLUM TO THOMAS A. EDISON

[Mr. BRICKER asked and obtained leave to have printed in the RECORD a sermon by Rabbi William F. Rosenblum, entitled "And There Was Light," preached at Temple Israel, New York, in commemoration of Thomas Alva Edison on February 11, 1949, which appears in the Appendix.]

BROADCAST BY GEORGE E. SOKOLSKY ON LINCOLN AND EDISON

[Mr. BRICKER asked and obtained leave to have printed in the RECORD a radio broadcast by George E. Sokolsky on February 13, 1949, entitled "Lincoln and Edison," which appears in the Appendix.]

HISTORY OF THE WORD "FILIBUSTER"—ARTICLE FROM THE DETROIT FREE PRESS

[Mr. FERGUSON asked and obtained leave to have printed in the RECORD an article on the history of the word "filibuster," written by Malcolm W. Bingay, and published in the Detroit Free Press of March 9, 1949, which appears in the Appendix.]

OPERATIONS SNOWBOUND — EDITORIAL FROM THE MEMPHIS COMMERCIAL APPEAL

[Mr. GURNEY asked and obtained leave to have printed in the RECORD an editorial entitled "Operations Snowbound," published in the Memphis Commercial Appeal of February 14, 1949, which appears in the Appendix.]

SUBSIDY PAYMENTS IN THE MERCHANT MARINE—ARTICLE BY GEORGE W. MORGAN

[Mr. KEFAUVER asked and obtained leave to have printed in the RECORD an article entitled "Legislative Overhaul Asked for Nonsubsidized Lines," written by George W. Morgan, president, Association of American Shipowners, and published in the Journal of Commerce of February 17, 1949, which appears in the Appendix.]

CONSTITUTIONAL GOVERNMENT—EDITORIAL COMMENT ON SPEECH BY SENATOR FULBRIGHT

[Mr. MAYBANK asked and obtained leave to have printed in the RECORD an editorial entitled "Senator Fulbright Gives a Lesson in

Constitutional Government," published in the Winchester (Va.) Evening Star of March 9, 1949, which appears in the Appendix.]

FAIR TRADE PRACTICES

[Mr. TYDINGS asked and obtained leave to have printed in the RECORD an editorial entitled "Consistency, Thou Art a Jewel," from "The Apothecary" for February 1949, with a page from the same magazine entitled "Time—Life—Fortune Are Fair Traded," which appear in the Appendix.]

COTTON ACREAGE ALLOTMENTS—CONFERENCE REPORT

Mr. THOMAS of Oklahoma submitted the following conference report:

The committee of conference on the disagreeing votes of the two houses on the amendments of the Senate to the bill (H. R. 128) to provide that acreage planted to cotton in 1949 shall not be used in computing cotton acreage allotments for any subsequent year, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows: That the House recede from its disagreement to the amendment of the Senate to the text of the bill and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: That, notwithstanding the provisions of title III of the Agricultural Adjustment Act of 1938, as amended, or of any other law, State, county, and farm acreage allotments and yields for cotton for any year after 1949 shall be computed without regard to yields or to the acreage planted to cotton in 1949.

And the Senate agree to the same.

That the Senate recede from its amendment to the title.

ELMER THOMAS,
ALLEN J. ELLENDER,
MILTON R. YOUNG,
SCOTT W. LUCAS,
GEORGE D. AIKEN,
Managers on the Part of the Senate.

STEPHEN PACE,
W. R. POAGE,
CLIFFORD R. HOPE,
AUG. H. ANDRESEN,
HAROLD D. COOLEY,
Managers on the Part of the House.

AMENDMENT OF CLOTURE RULE

The Senate resumed the consideration of the motion of Mr. LUCAS to proceed to the consideration of Senate Resolution 15, amending the so-called cloture rule of the Senate.

The VICE PRESIDENT. The question is, Shall the decision of the Chair overruling the point of order raised by the Senator from Georgia [Mr. RUSSELL] stand as the judgment of the Senate?

Mr. VANDENBERG. Mr. President, I briefly address myself to the pending appeal from the parliamentary decision announced last night by the distinguished Vice President on the point of order submitted by the able Senator from Georgia [Mr. RUSSELL] in connection with the cloture petition submitted by the majority leader, the distinguished senior Senator from Illinois [Mr. LUCAS].

It happens that I was the President pro tempore of the Senate who faced the hard duty of making the parliamentary decision last August, upon which the present controversy is considerably based. Therefore, I feel that I have some continuing responsibility. I also have a concern to keep the record straight. But I speak without pride of opinion, and solely for the purpose of attempting to make clear precisely what I believe to be involved in the Senate's vote on this appeal. I have no desire to argue the question, but I think it is only fair to what I conceive to be the vital importance of this issue that I should restate my position and bring it down to date.

Mr. President, I have not changed my mind about the jurisdiction of the present, existing Senate cloture rule. Despite the ingenuous thesis developed by the majority leader and by the Vice President to rationalize the latter's departure from what I believe to be the plain mandate of the rules and precedents, I continue earnestly to believe that the existing rule does not permit cloture on a motion to take up a measure.

With equal tenacity I continue to believe that the rules of the Senate are as important to equity and order in the Senate as is the Constitution to the life of the Republic, and that those rules should never be changed except by the Senate itself, in the direct fashion prescribed by the rules themselves.

One of the immutable truths in Washington's Farewell Address, which cannot be altered even by changing events in a changing world, is the following sentence:

The Constitution which at any time exists, until changed by an explicit and authentic act of the whole people, is sacredly obligatory upon all.

I respectfully submit, as a basic explanation of my attitude, that I accept this admonition without reservation, and I think it is equally applicable to the situation which Senators here confront, though obviously the comparison cannot be literal. But, so far as I am concerned, the Father of his Country said to us, by analogy, "The rules of the Senate which at any time exist, until changed by an explicit and authentic act of the whole Senate, are sacredly obligatory upon all." I think that is the basic issue here today. Men of conscience obviously disagree about the facts. I respect their good faith, even though we reach opposite conclusions.

Mr. President, I repeat just a few words of the preliminary things which I said last August from the Presiding Officer's chair, so that there may be no misunderstanding of my motive. I think the Senate rules should be amended, by due process of law, to extend the two-thirds cloture rule to include motions and the entire parliamentary procedure involved in the legislative life of a measure. I favor the adoption of the Hayden-Wherry resolution. I think that unless the rule is changed as contemplated by this resolution, the Senate has no effective cloture at all, although a determined majority can break a filibuster if it really tries. Driven by experience to amend my much earlier belief in totally unlimited Senate debate, it is my conviction that the Senate must not longer leave itself in a legislative strait-jacket and impotent to legislate except by the process of exhaustion. This cannot be longer condoned in these dangerous days.

I believe that the Hayden-Wherry resolution perfecting cloture by a two-thirds vote meets this need without sacrificing the Senate's birthright, which is full, free, fair debate, with reasonable opportunity for the presentation of minority views and reasonable protection against intolerant and intolerable gags. To make my attitude totally plain, I think that any sort of majority cloture would violate these elemental specifications. I think the Hayden-Wherry resolution is the wise, rational middle ground.

But, Mr. President, as I said last August when I made my ruling, I repeat now, the rules of the Senate as they exist at any given time and as they are clinched by precedents should not be changed substantively by the interpretive action of the Senate's Presiding Officer, even with the transient sanction of an equally transient Senate majority. The rules can be safely changed only by the direct and conscious action of the Senate itself, acting in the fashion prescribed by the rules. Otherwise, no rule in the Senate is worth the paper it is written on, and this so-called "greatest deliberative body in the world" is at the mercy of every change in parliamentary authority.

In my view this is far more than a contest over the definition of words, though it may seem so to the casual bystander. This is a contest over the definition of Senate rights. I have no more trouble today, as Senator, than I had last August, as President pro tempore, in giving priority to what I believe to be these vital fundamentals.

I hasten to say that no word of mine reflects, directly or indirectly, on the good faith with which the distinguished Vice President is acting. I am sure he does not think he is changing the Senate rules by interpretive action. I am sure he thinks that after 32 years of darkness, he is uncovering the true meaning of the rule. He made it plain at the time that he did not agree with the President pro tempore last August. Yet his speeches frequently referred to his belief that the rules themselves should be changed to accomplish such results as he now would achieve by fiat. But I think he is substantially consistent. He thought I was wrong then. I think, most respectfully, he is wrong now. I suppose this is just that difference of opinion which makes horse races, as they say in Kentucky.

But if I may be allowed to say so, with greatest respect, I deeply regret that the distinguished Vice President, who was then on the Senate floor, did not then put his convictions to the test by appealing to the Senate from the decision of the Chair. That was the logical showdown hour, if there was any serious question about the validity of the ruling of the Chair. He did not do so. His then able assistant, the present majority leader, did not do so. A pro forma appeal was entered by the distinguished senior Senator from Ohio [Mr. TAFT], but it never was called up.

Senators who were here on that tense afternoon will recall that the President pro tempore repeatedly invited the Senate—indeed, he urged the Senate—to test his ruling on appeal. He said in plain language that he thought the Senate at the very least should decide by its own sovereign vote what it wanted the interpretation of the rules to be. But no appeal was taken when the President

pro tempore ruled that a motion to create a new pending question is not itself a pending question. I repeat, no appeal was taken. That is deeply significant.

Mr. LUCAS. Mr. President, will the Senator yield for a question?

Mr. VANDENBERG. Inasmuch as I have mentioned the Senator from Illinois, I will. I prefer to conclude my statement, and then yield.

Mr. LUCAS. Did I correctly understand the Senator from Michigan to say that no appeal was taken from the decision of the President pro tempore at that time?

Mr. VANDENBERG. I say that an appeal was submitted, but not pursued.

Mr. LUCAS. It was debated on the Senator's side of the aisle for a long time, until it was finally withdrawn by the Senator who was representing the majority at that time.

Mr. VANDENBERG. Well, whatever point the Senator from Illinois is making, I do not know.

Mr. LUCAS. But there was an appeal.

Mr. VANDENBERG. I have said an appeal was made pro forma. I have said it did not come from my friend the Senator from Illinois, that it did not come from my friend the Senator from Kentucky, and that it was never pursued to a finish. I submit that the absence of appeal upon that historic afternoon etched the precedent just that much deeper into the Senate's own recorded concept of its own rules, and makes its overthrow at this late date just that much more dubious. If the ruling was right then—and I repeat that it stood without final challenge—it is even more right today, in view of this circumstance.

Some say, "Oh, the issue today is different, and therefore the precedent last August does not apply today, in March." They say, "Last August the President pro tempore could point to the fact that there already was a pending question before the Senate when he denied the legality of cloture on a motion to create a new and different pending question. It is different now," they say, "All different. Now there is not any prior pending question."

That is right; there is not any pending question at all. There is only a motion to create one. Yet the rule says that cloture must attach to a pending question. This petition seeks to apply cloture to something which does not exist. The senior Senator from Michigan confesses that he is not impressed with the logic which asserts such a profound difference between cloture on a motion to displace a pending question and cloture on a motion to create one. The latter would seem to me to be even more elemental than the former; but in both cases it is the motion which is ineligible under what I believe the rule to be.

I freely agree, Mr. President, that precedents are rarely literal in their parallels, although I believe this one to be more literal than usual. And since I want to join the able majority leader in pleading, as he did last night, that we shall not split hairs, and since I want to join him in his Scriptural reminder that "The letter killeth, while the spirit giveth life," I respectfully ask to be excused from accepting what to me is the curious device by which the August precedent is thus sought to be escaped.

But the issue is now precipitated. Our parliamentary procedure has, by indirection, brought the Senate to a vote on a parliamentary ruling which would, for the time being, produce the same result as is sought to be produced by due process through the subsequent adoption of the Hayden-Wherry resolution. Thus, we sort of adopt the resolution in advance of adopting it. I do not know whether the dictionaries which Senators have been quoting would define that anomaly as standard practice or not. In any event, when the Senate decides, I want it distinctly understood that I shall act on the basis of its decision in further proceedings on this resolution.

Mr. President, it will be apparent that I attach high importance to the approaching roll call. Therefore, I urge that all Senators make sure they address their judgments to the one and only issue which in my respectful opinion is here legitimately involved. I urge that we put first things first, and keep them there.

The one and only legitimate issue in the approaching vote is this: What does the present rule of the Senate say and mean—not, what would many of us like to have it say and mean. We are not voting in this instance on whether we want a more effective cloture rule, and our votes are not appropriately related to that question. I say again I am one of those who do want a two-thirds cloture which shall apply to the total parliamentary procedure in respect to any measure. I shall so vote when that is the issue before us. But that is not the issue here. The immediate pending question is solely what the present and existing Senate cloture rule, with its interpretive precedents, says and means—that, and nothing else. If its present meaning, until changed by direct Senate action, is not faithfully protected, it makes little difference what we write into this or any other rule.

It may be said that we really are in effect actually voting for more effective cloture, if we sustain the ruling of the Vice President, because he would do, by a parliamentary device, precisely what the Hayden-Wherry resolution would subsequently accomplish by due legislative process. But I respectfully submit that this very fact underscores my contention that this is an affront to due legislative process. My point remains that our attitude toward the integrity of the rules, and not our attitude toward cloture, is the one and only question legitimately at issue on the approaching roll call.

Let me emphasize this point, Mr. President. I feel it is cardinal. I have heard it erroneously argued in the cloakrooms that since the Senate rules themselves authorize a change in the rules through due legislative process by a majority vote, it is within the spirit of the rules when we reach the same net result by a majority vote of the Senate upholding a parliamentary ruling of the Vice President which, in effect, changes the rules. This would appear to be some sort of doctrine of amendment by proxy. It is argued that the Senate itself makes the change in both instances by majority vote; and it is asked, What is the difference? Of course, this is really an argument that the end justifies the means.

I think there is a great and fundamental difference, Mr. President. When a substantive change is made in the rules by sustaining a ruling of the Presiding Officer of the Senate—and that is what I contend is being undertaken here—it does not mean that the rules are permanently changed. It simply means, that regardless of precedent or traditional practice, the rules, hereafter, mean whatever the Presiding Officer of the Senate, plus a simple majority of Senators voting at the time, want the rules to mean. We fit the rules to the occasion, instead of fitting the occasion to the rules. Therefore, in the final analysis, under such circumstances, there are no rules except the transient, unregulated wishes of a majority of whatever quorum is temporarily in control of the Senate. That, Mr. President, is not my idea of the greatest deliberative body in the world.

Again, we are not voting, on the next roll call, as to whether we do or do not favor new civil-rights legislation. I am one of those who do favor sound progress in this direction—under cloture if necessary—as my record clearly demonstrates. I shall continue this record consistently. But that is not the pending issue. The pending issue transcends any specific legislative program, no matter how notable or worthy. No matter how important its immediate incidence may seem to be to many today, the integrity of the Senate's rules is our paramount concern, today, tomorrow, and so long as this great institution lives.

Again, we are not voting, fortunately for me, as the Vice President has already goodnaturedly said, in a popularity contest between the distinguished Vice President and the President pro tempore of the last Congress. We are not voting in a political contest between a Democratic Vice President who rules one way and a Republican President pro tempore who ruled another. Perhaps this admonition is needless. But I merely want to be sure that none of my colleagues shall feel under the slightest compunction to vote on a friendship or loyalty basis so far as I am concerned. This is a solemn decision—reaching far beyond the immediate consequence—and it involves just one consideration. What do the present Senate rules mean; and, for the sake of law and order, shall they be protected in that meaning until changed by the Senate itself in the fashion required by the rules?

Here it is in a nutshell.

The Senate rules say that a cloture petition can be addressed to any pending measure.

The distinguished Vice President, supported by many of my closest colleagues, for whose opinion I have the profoundest respect, says the phrase pending measure includes a motion to make a bill or resolution the pending measure. He rules that a motion to create a pending measure is itself a pending measure.

The former President pro tempore ruled that the Senate cannot create a

pending measure until it has adopted the motion which undertakes to make it the pending measure. Since the rule confines itself to the pending measure, the present rule does not authorize cloture on the motion to create the measure, which is prerequisite to cloture.

I submit that this latter construction is the uniform and controlling Senate precedent insofar as and in whatever degree the precedents are pertinent. Certainly there is no shadow of a precedent to the contrary.

I submit that the very first Senate precedent, back in 1919, for whatever it is worth, confirms this view, even though the analogy may not be complete. At that time the late Senator George W. Norris was sustained, on roll call, on the point of order against cloture on reservations to a treaty which was the pending measure. His position was sustained in a Senate overwhelmingly composed of Senators who had created the cloture rule and who knew, better than can we, what were the rule's limitations.

Whatever the appropriate analogy at this point—and be it great or small—it will not escape the attention of Senators that, within 2 years after the adoption of the cloture rule, it was declared by its own authors not to cover the total legislative process, but really to relate to a correct identification of what was a pending measure. We hear it argued that these wise men surely intended totally effective cloture without what are now called loopholes. Well, Mr. President, all I know about it is that they themselves created at least one so-called loophole within 2 years of their promulgation of the rule and they did not act to close it. Others may speculate upon their intentions. All I know is what they did and did not do.

I submit that the Committee on Rules and Administration, in the recent Eightieth Congress, sustained my view when it reported a resolution—the forerunner of the present Hayden-Wherry resolution—to extend to motions as well as measures, the objective sought to be reached by the ruling of the distinguished Vice President. That was a year before the President pro tempore's ruling. Surely the Committee on Rules and Administration would not have proposed to amend, by due process, the cloture rules to bring motions within its jurisdiction if they were already there. It did not occur to anyone at that time that they were already there.

I submit that the Committee on Rules and Administration, in the present Eighty-first Congress, takes the same view, or it would not have reported the Hayden-Wherry resolution to bring, by due process, motions within the jurisdiction of the cloture rule. Indeed, the current report of the Committee on Rules and Administration of the Senate categorically asserts that the decision of the President pro tempore last August was correct. The opinion of the Committee on Rules and Administration is not lightly to be set aside in a problem of this character.

I submit, Mr. President, that every Senator here today is conversant with our unanimous-consent procedures. We all know, by repetitious experience, that unanimous-consent agreements always spell out their reference not only to the pending measure, but also to all motions in connection therewith. Why? Because it is the rule, the practice, and the precedents of the Senate that pending measures do not include motions.

Senators, it is against this background that today's appeal from the ruling of the Chair—a ruling, I respectfully submit, that nullifies this total record—must be considered if we are to vote upon the only consideration which we are entitled to consult when the integrity of the Senate rules is at stake.

Finally, Mr. President, I respectfully suggest that if the ruling of the Vice President is not sustained, there still remains the necessity for passing new cloture legislation by due process, and every effort must be made to this end. Somewhere, somehow, it ought to be possible to find a meeting of minds among reasonable men of good will upon a problem of such transcendent importance. There must be some reasonable form of effective cloture in the Senate, just as there also must be some reasonable form of effective protection for full, fair freedom of debate. I personally think the Hayden-Wherry resolution is the answer. But whatever the right answer, it must be found not only for the sake of the public welfare and the national security, but also for the sake of the dignity of the United States Senate.

I prayerfully wish, Mr. President, that instead of entrenching in extreme positions at either end of the argument, we might set our minds to an equitable composition of a problem which will plague us with increasing bitterness and disruption until, by due process, we strike common ground. There can be no winner in the kind of endless battle which goes on here today.

Mr. KNOWLAND. Mr. President, and Members of the Senate, it is with some hesitation that I follow my distinguished colleague from the State of Michigan [Mr. VANDENBERG]. During the three-and-a-half years I have been in the Senate there have been few occasions on which I have differed from his point of view on legislation and other matters pending before the Senate. But, Mr. President, I wish to submit that if rule XXII does not apply to motions to bring a bill or a resolution before the Senate of the United States, then rule XXII was an absolutely idle gesture by the men who constituted the Senate of the United States in 1917, because no bill or resolution can come before this body except by motion.

I also want to say, Mr. President, that I, too, as have a number of Members on both sides of the aisle, read every word of the debate preceding the adoption of the present rule XXII. There is nothing in that debate which indicates in the slightest degree that the Senators who proposed rule XXII were doing it with their tongues in their cheeks or were doing it for the purpose of deceiving either the Senate or the public. It is clearly apparent that they thought they were adopting an effective cloture procedure. I submit, Mr. President, that had they desired to place this narrow interpretation upon the rule, they could very easily have done so by striking out the word "measure," which appears in the rule, and which, as the Senator from Massachusetts [Mr. SALTONSTALL] last night pointed out, by dictionary definition, is a part of a continuous legislative process—they could have stricken out the word "measure" and merely inserted the words "bill or resolution." That would have given the narrow interpretation confronting us.

Mr. President, there are two ways a bill or resolution can be defeated. One is to have a majority of those voting cast their votes against it. In this case each Senator, on his own responsibility, participates in the legislative process and is answerable to the people of his State for his actions. The other way is to talk a bill or resolution to death. In either event the bill or resolution is dead. However, in the first method a Senator voting "No" cancels out the vote of a Senator voting "Aye." In the first case each Senator and the States have the equal representation the Constitution provides. In the latter case, by the use of the unlimited filibuster, one Senator cancels out the right to vote of 10 or 20 of his colleagues.

In no sense is Resolution 15 a gag rule. To the contrary, it is a moderate proposal to enable the two-thirds rule to function as it was intended to function by those who adopted it in 1917.

If in this clear-cut case before us today, when there is no pending business other than the motion of the Senator from Illinois, the cloture rule does not apply, then the Senate is helpless, and is deprived of the power given it by the Constitution of the United States to determine the rules of its proceedings.

No matter how distinguished the authorities are and have been who have ruled on different points of order from the exact parliamentary situation we face today, the fact still remains that the entire membership of the Senate should and must retain its constitutional rule-making power.

The moderate proposal contained in Resolution 15 is not new. Its language is exactly the same as that reported favorably by the Rules Committee during the Eightieth Congress.

On February 18, 1947, the distinguished senior Senator from Georgia [Mr. GEORGE], in his statement before the Rules Committee then holding hearings on the question of the cloture rule, had this to say. I quote from page 114 of the hearings:

> I am not disposed to quibble over the language of rule 22 as it now stands.
>
> At the outset I concede that the rule may properly be made applicable to any pending motion, question, or measure. This, of course, involves a change in the rule and a substantial change in point of fact, but, nevertheless, it is a change which I think should be made in the Senate rules.
>
> The real question before this committee resolves itself as follows: Is debate in the Senate to be limited by a decision of the majority present and voting upon the motion; by the decision of a constitutional majority; that is to say, by a majority of the whole membership of the Senate * * *; or is the rule to stand under which debate cannot be effectively closed unless two-thirds of the Senate present and voting upon the cloture motion decide to limit or close debate? All

other questions are immaterial and we are, therefore, brought face to face with the consideration of the real issue involved here—whether we will limit or close debate by a mere majority of those present and voting upon the question, whether we will require a constitutional majority of the whole membership, or whether we will permit the two-thirds rule, which has been in effect since 1917 to stand.

Mr. President, I was then and still am impressed by the argument made by the Senator from Georgia at that time. The committee was also. It appeared reasonable to assume that if the committee during the Eightieth Congress dropped the proposals for a simple majority or a constitutional majority cloture and merely closed the loopholes to make rule 22 effective, such a moderate proposal would receive the support of our colleagues from the South, or, if not their support, at least, would not have their bitter opposition.

In every way during the course of this debate those of us who favor this moderate Resolution 15 have sought to bridge the gap between us. On numerous occasions we have stated that a careful check on both sides of the aisle has indicated an overwhelming vote against any amendment to change Resolution 15 from an effective two-thirds rule to a majority cloture. Up to this moment we have received no assurances of cooperation.

Yet I do not easily abandon hope. The able senior Senator from Michigan [Mr. VANDENBERG] has made it clear that the Senate should not fall prey to either extreme. Legislative minorities have rights which should be protected, but so do legislative majorities. There must be a common ground upon which reasonable men can meet.

An effective two-thirds rule is certainly considered fair by a vast majority of the Members of this body from every check that has been made. If the Senate is allowed to exercise its constitutional rule-making power by voting on a two-thirds effective cloture rule, this can be soon demonstrated. But unless the Chair is sustained, or those engaged in the prolonged discussion for the purpose of preventing the motion of the Senator from Illinois from being voted upon abandon their tactics, the Senate may never have an opportunity to vote on a change in the rules or to exercise its rule-making power under the Constitution of the United States.

Mr. President, in the interest of giving those on the other side of the aisle the maximum protection which can be given under our rules, I would be willing and am prepared on my own responsibility to offer an amendment to rule 22 reading as follows:

> The above provision requiring a two-thirds vote of those voting to bring the debate on a question to a close shall not be changed, modified, or amended except by a two-thirds vote of the Senators present and voting.

This, Mr. President, together with the effective two-thirds cloture provisions provided in Resolution 15, should give the protection intended in rule 22 by the Senator from Georgia [Mr. GEORGE] and by others who have opposed majority cloture on both sides of the aisle.

What is the alternative with which we are faced? The alternative is for the Senate to surrender its rule-making power and its legislative power into the hands of a small minority of the Senate. I do not refer now to the considerable minority now opposing Resolution 15, but to every future hostile minority which may attempt to force its will upon the Senate by the unlimited use of the filibuster to prevent the Senate of the United States from discharging its constitutional legislative duties and from discharging its constitutional rule-making power.

If that be the issue with which we are confronted, then this question must be fought out again and again, day in and day out, at this session and at the next session.

But we do not need to disrupt the business of the Senate and the security of the country by such a contest, which would be bound to leave deep scars.

For that reason, Mr. President, I have offered here a possible amendment to the rule which will give the maximum protection the rules of the Senate will permit to be given to those who wish to assure that they have an effective two-thirds cloture rule, and not something else.

Mr. President, as a Senate we cannot, we dare not, say now and thus continue some of the precedents which have been established, that this body does not have control over its rule-making power.

For the reasons I have given, Mr. President, I urge that the decision of the Chair be made the judgment of the Senate.

Mr. BALDWIN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER (Mr. MYERS in the chair). The Senator will state it.

Mr. BALDWIN. Would it be in order for me to ask a question of the majority leader?

The PRESIDING OFFICER. It would be in order.

Mr. BALDWIN. The question I desire to ask is this: If the Senate votes to sustain the Chair in its ruling, does the majority leader then intend to proceed to an amendment of the rules as recommended by the Hayden-Wherry resolution? I make this inquiry because I am deeply impressed, as all of us are, by the able and thought-provoking address delivered by the able Senator from Michigan [Mr. VANDENBERG]. As for myself, I do not like to see the rules of the Senate, established on long precedent, changed in this fashion. However, if we are to proceed, by way of such a change, to an amendment of the rule so that the rule will rest in the future upon a written statement amending the rule and not upon a precedent established by a ruling of the Chair, I shall feel quite differently about the matter.

Mr. LUCAS. Mr. President, in answer to the inquiry of the able Senator from Connecticut, I will say that if the Senate should sustain the position taken by the Vice President last evening, it would practically accomplish what ultimately the rule would accomplish. So far as the Senator from Illinois is concerned, it would seem to him that if the Senate should sustain the ruling made by the distinguished Vice President, we should not have very much difficulty thereafter in obtaining a rule in line with what the Senator from Connecticut suggests, and insofar as the Senator from Illinois is concerned, he will continue to strive to obtain such a rule.

Now that the Senator from Connecticut has propounded the inquiry, the Senator from Illinois would say that the one way ultimately to secure the rule we all want is to sustain the Vice President's ruling, because that is the first step in the ultimate obtaining of the objective of the Hayden-Wherry resolution. If that ruling is not sustained, no Member of the Senate can say how long it will take in a sort of physical endurance contest to accomplish the things the Senator from Connecticut and the Senator from Michigan and every other Senator who is vitally interested in the problem, really want to have accomplished.

So far as the Senator from Illinois is concerned, he will make it the unfinished business to see whether we cannot finish it up if the ruling of the Chair is sustained.

Mr. BALDWIN. Mr. President, I thank the distinguished Senator from Illinois. I do not want to have anything I have said construed as a criticism of the distinguished Vice President who has ruled in a manner different than has been ruled previously when similar questions have been presented in the Senate. I do not support the ruling as a matter of expediency. I myself feel that it is an open question whether or not the word measure means a bill or a resolution or whether the word measure means any parliamentary proceeding in due course in the business of the Senate. Personally I take the latter view. I believe, as the distinguished Senator from California has said, that had those who made the rule intended it to apply only to a bill or a resolution, they would have said so. It has always seemed to me, in the brief experience I have had in legislative assemblies, that the term measure was an all-inclusive term; that it was used to embrace bills, resolutions, or any proposal of action presented for the vote of a legislative assembly. I do think, however, that we will rest on a much firmer foundation for the future if the proposed change in the rules is accomplished by an amendment as called for by the Hayden-Wherry proposal, and not have to depend upon the foundation of a precedent which to many of our colleagues appears to be a reversal of the position the Senate has long taken.

It seems to me, Mr. President, that at this juncture we should preserve in every way we can the rights of the minority. Those who drafted the Constitution of the United States took particular care to see to it that there was provision in that document to guarantee the integrity and the rights of the smaller States, and that is why they made that one provision of the Constitution a provision which never could be amended.

On the other hand, Mr. President, since those days, so long ago, the busi-

ness of the Senate has increased enormously. Since those days, so long ago, the position of our country in the world has changed. We now find the business of the Senate tremendously pressing. Not only are there great and important measures before us, but there are also smaller matters which are in themselves important, which have to be considered; smaller matters in great number and increasing number I might say, Mr. President. It therefore seems desirable to me that at this day and time we find the best means we honestly can to accomplish this amendment of the rules, which guarantees the rights of the minority, at the same time to protect the rights of the majority and to guarantee ultimate majority rule.

Mr. President, I should like to support the proposed amendment offered by the distinguished Senator from California, because it accomplishes exactly that. It makes it possible for the majority to function in very pressing days, with many urgent matters before us, and at the same time it does protect the rights of the minority.

Mr. President, if we sustain the ruling of the Chair and then move on and adopt the change in the rules, as the distinguished Senator from Illinois says he intends to urge us to do, I venture to prophesy that in the future it will be even harder to get a cloture petition signed by a sufficient number of Senators so that it will be presented as an issue for a vote on this floor, because I think that we are all sensitive to the fact that the rule we are considering here, if adopted, is epoch-making. But I for one, Mr. President, firmly believe that it is a rule we must adopt; it is a change we must make; it is a thing we must do to make it possible for this, the greatest deliberative and the greatest free assembly in the world, to get its work done, because it must be free, but at the same time it must have rules under which it can accomplish the pressing business it has to consider and act upon and decide upon in these rushing days.

Mr. LUCAS. Mr. President, will the Senator yield for one question?

Mr. BALDWIN. I yield.

Mr. LUCAS. I am very happy the Senator has raised this issue, and, based upon what he has said in his very eloquent statement, I am sure he agrees with me that the one way, or at least one step in the direction that he and I are seeking to go in closing the gaps and the loopholes which now make it impossible to limit debate, is to sustain the ruling of the Chair. When we get the loopholes stopped up it will be a long step in the direction of ultimately securing a complete change in the rules through the proper legislative committee.

Mr. BALDWIN. Mr. President, in reply I may venture one further remark. If the ruling of the Chair is not sustained, I for one am willing to stay here until we talk this matter out, until we reach a vote upon his rule, if it takes all night tonight and all night every night next week, or as many days and nights as we may be called upon to sit thereafter. I think now is the time we should bring this matter to decision. If the ruling of the Chair is not sustained, I should feel very sorry if then the majority leader should say, "Well, cloture does not apply. We cannot end the debate. There are many other pressing matters. We must drop this and go on to something else." So, just as strongly as he has urged me to support the ruling of the Chair, I in turn urge him to continue on until we come to a vote upon this change of the rules, whether the Chair is sustained in this particular ruling or whether the Chair is not sustained.

Mr. LUCAS. Mr. President, will the Senator yield for a further question?

Mr. BALDWIN. I yield.

Mr. LUCAS. The Senator will agree with me, will he not, that the objective which he and I are attempting to reach can be reached much more quickly, and we can break down the opposition faster if we are able to sustain the decision of the Chair, because we shall then be in a position to make the amendment to the cloture rule the unfinished business. If the decision of the Chair is sustained, I promise the Senator that, so far as I am concerned, I shall be willing to go on to see that we finally get the rule about which he is talking.

Mr. BALDWIN. I will say to my distinguished friend that my name is upon the cloture petition; and having embarked upon that course, I intend to see it through.

Mr. LUCAS. I thank the Senator.

Mr. BALDWIN. I urge the Senator, in turn, if we fail in this particular course, to adopt the other, and continue until this issue is finally resolved.

Mr. McKELLAR. Mr. President, I have listened with a great deal of interest and pleasure to the speech made by the distinguished Senator from Michigan [Mr. VANDENBERG], the former President pro tempore of the Senate, who made one of the most logical defenses of the present rule that I have heard. I endorse every word he said about it.

It is a strange thing, but it is true, that men come to the Senate and immediately want to change its rules. They want to reorganize the Senate. They want to fashion it with their own specific remedies. It is a remarkable thing that many Senators have such a poor opinion of the body which they have been so active in getting into. I have known men without large means to spend nearly all they had—if not quite all, all they could borrow from their relatives, all they could scrape up, and all their friends could produce—in order to get into the Senate, and as soon as they get here, in a great many cases, their first proposal is to reorganize the Senate on a pattern wholly different from that which has made this body the greatest deliberative body on earth, in my opinion.

What is the matter with the present rule? I not only endorse the statements made by the distinguished Senator from Michigan, but I believe that his ruling when he was President pro tempore of the Senate was absolutely in accord with the precedents. I ruled virtually to the same effect when I was President pro tempore, 2 or 3 years ago. To be exact, I think it was in February 1946. I was called upon to rule on a very similar question. The precedent was not exactly analogous, but very nearly so. I held that a motion was not a measure, as contemplated under the rule. Under the circumstances, the Senator from Michigan being on the other side, I think it was a very remarkable position for him to take when he so boldly, so effectually, and so properly upheld the rules of the Senate which have made this body known all over the world as the greatest deliberative body in the world.

Freedom of debate has been the historic watchword of the history of the Senate. The first amendment to the Constitution was to guarantee freedom of speech everywhere. Is it not a remarkable thing that in the first amendment to the Constitution we should go to the extent of guaranteeing everyone in the United States freedom of speech, and then undertake to gag the Senate? I do not believe it is right. I believe that the policy is wholly wrong. I so held when I was President pro tempore of the Senate several years ago. I would so hold again if the matter comes up.

Mr. President, I formed my views from reading the history of the Senate. I wish to give a brief outline of that history. I am somewhat embarrassed because of the great speeches made in this body by Members on both sides, giving the history of the Senate.

Before discussing the historical features, I first wish to discuss the rule itself. What is the matter with the present rule? In what way has it not been effective? We talk about loopholes in it. There were no loopholes. I happened to be a Member of the Senate in 1917, when this rule was adopted. I had been here only three days. I suppose it was lack of experience and knowledge that caused me to vote for the present rule. I am not sure that I would do it again if the question should arise. I doubt if it has helped in the work of this body. However, I voted for it then and I still am for the rule and will be so long as it is the rule.

I wish to call attention to what the present rule has done. It has been tested 19 times in the 32 years since its adoption. The question first arose when the Treaty of Versailles was before the Senate for approval. Senator Hitchcock, of Nebraska, filed a petition, with 15 or 20 other Senators, to apply the two-thirds cloture rule. As I previously stated, I was here when the debate occurred on this rule. I was a new Senator, and my ears were open. That rule was the result of a compromise.

There were liberal Members of the Senate in those days, just as there are liberal Members of it today, although perhaps there were not quite so many liberal Members then. But at that time there were some liberals who favored majority rule. Some of them contended that when the President undertook to send a measure here with his recommendation, it should be passed forthwith; that any Senator should have the right to move the previous question, and, if the motion were adopted, end the debate and have action taken. Under such a contention, Mr. President, practically all the laws passed by Congress

would be the result of recommendations coming from the White House; any measures sent from the White House to the Congress, with the recommendation of the Executive, would be passed by the Congress, without debate, without amendment. That was the view of some of the Members in those days.

After talking over the matter, after going into it very fully, the great men in the Senate at that time, many of whom had been in the Senate for a long period of time, agreed upon a compromise. In that compromise they made a distinction between a motion and a measure. A measure was a resolution or a bill which was before the Senate. It was agreed that if two-thirds of the Senate voted for cloture on a measure—in other words, for debate to be brought to a close—then debate on it would end. The idea of invoking cloture on a motion to take up a bill was not discussed in that debate, as Senators will observe if they read the debate occurring at that time. That was not the question. It was not a question of ending debate on a motion to take up a measure. The amendment to rule XXII was adopted for the purpose of closing debate on a measure which had already been debated and which in the opinion of the Senate had already been debated long enough, and when it was the view of the Senate that debate should be stopped.

Let us see what has been the history of the present cloture amendment to the Senate rule. We talk about the greatness of the Senate in its first period—and it was a great period—and in its second period and in its third period and in its fourth period, for more than 100 years. That was when the Senate became great. Did the Senate have a cloture rule then, to make it great? No, Mr. President, the Senate had unlimited debate throughout its history. The Senate became a great body because of its power of deliberation, because of the freedom of speech in this body. This was the one body in the entire world where the right of freedom of speech and freedom of debate existed—a right which now some persons desire to end, so that the Senate would become merely the endorsing body for a bill sent to the Senate by an Executive at the head of the administration.

So, Mr. President, in considering the history of rule XXII, which now is 32 years old, we find that the first situation developing under the rule occurred when Senator Hitchcock wished to bring to a close the debate on the Treaty of Versailles. Cloture was invoked, and the treaty was approved. There was no failure of the rule at that time.

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. PEPPER. I ask, as a matter of historical interest—because I have not been clear in my mind about this matter—what was the date when the motion to invoke cloture on the Treaty of Versailles proper was made here in the Senate? Does the Senator have that information before him, or does he remember?

Mr. McKELLAR. I think I have it here.

Mr. PEPPER. I shall not ask the Senator to turn aside from the train of his thought; I assumed that perhaps he had that information immediately before him.

Mr. McKELLAR. It was about 2 years after the rule was adopted, and of course it was after the close of the World War. Application of the rule had not previously been requested; no Senator rose from his seat and asked for application of the rule for 2 years after its adoption.

Mr. President, what was the next step in the history of this rule? In 1921, on February 2, 4 years after the amendment to the rule was adopted, Senator Penrose, of Pennsylvania, sought the aid of the rule for the passage of the tariff bill. He applied for cloture under rule XXII. The vote was very close; it was 36 to 35. Of course, cloture was not invoked, but the effect of the debate was that within 2 weeks afterward, compromises and adjustments were made, and that tariff bill was passed. Was anyone hurt by that 2 weeks' delay in the passage of the tariff bill which attempted to raise the tariff duties upon the people? No. That bill passed by a vote of 44 to 30. It did not become the law, but that was not because of the failure of the cloture rule, but because of a veto by the President of the United States.

Thus, Mr. President, the rule was not changed during the first 4 years of its existence.

Afterward, one year and a half elapsed before any Senator again sought the aid of the rule. Senator McCumber, of North Dakota, sought its aid in the passage of another tariff bill. On that occasion, the motion was not agreed to. However, no longer than a month after the vote on cloture, unanimous consent was granted to limit debate, and the bill passed. So there was no trouble with the rule up to that time.

The next time the rule was brought up was by Senator Lenroot, in an endeavor to close debate on the question of United States' participation in the World Court of International Justice. The motion was agreed to, and the treaty ratified. That is the history of the rule through 9 years. Was any wrong done to anybody? Did the rule fail to work? Not at all.

Still later, on June 1, 1926, Senator Norbeck sought cloture on a bill to carry out the terms of the Migratory Bird Treaty with Great Britain. The motion was not agreed to. The bill did not become a law, and thus, for the first time within a period of 9 years, could it even be claimed the rule did not work. However, in the succeeding Congress, the Seventieth, a similar bill, S. 1271, was passed and approved and became a law—45 Statutes at Large 1222.

The next time cloture was invoked was when Senator Pepper, of Pennsylvania, sought to close debate on a bill to consolidate national banking institutions. The bill became a law. Was there any failure of the rule to work? Were there loopholes in it? Nobody complained. For 10 years the rule had been in use, and there had been no trouble with it.

The next time the rule was invoked was Senator Hiram Johnson, of California, moved to close debate on a bill for the protection and development of the Lower California Basin, commonly known as the Boulder Dam bill. The bill caused a fight between California and Arizona. It was a warm and vigorous fight. I recall it very distinctly. When Senator Johnson asked for cloture on the bill, it was defeated by a vote of 32 yeas to 59 nays, showing that the Senate took the side of the people of Arizona in the controversy.

However, largely due to that vote, the respective sides, according to Senate custom, as all Senators know, got together and compromised and adjusted their differences. The Boulder Dam bill became a law. The dam was constructed and it is now the property of the United States.

Again, cloture was invoked by Senator Tyson, of Tennessee, on a bill affecting the pay of officers, other than officers of the Regular Army, who had incurred physical disabilities in line of duty. Cloture was attempted. It was defeated, but in the next succeeding Congress a similar bill was passed, vetoed by the President, and enacted into law when the Congress overrode the veto. Surely, until that time, it could not be said the cloture rule had any loopholes in it or had failed to accomplish what its authors had intended.

About that time, Senator Lenroot sought cloture on a bill to authorize the purchase of certain lands for the erection of buildings within the District of Columbia. Cloture was denied, but within a short time, according to the usual practice in the Senate, the respective sides got together, a proper bill was agreed upon, and was passed. The lands were purchased and the improvements were made. The buildings still exist in our beautiful Capital city. Was there any failure of the rule at that time? Not the slightest. The rule had worked well until that time.

On the day the Lenroot petition for cloture was submitted, as I recall, on the bill to authorize the purchase of lands for the construction of buildings in Washington, Senator Jones of Washington filed a petition to close debate on a bill relating to the Bureau of Customs and prohibition. Senator Jones was a great prohibitionist at the time, as I was. I voted with him. Cloture carried on that measure by a vote of 55 to 27. The measure was at that time very popular. The bill was duly passed. It is true a subsequent Congress of which all of us were Members repealed prohibition, but it was not by reason of the Senate rule. The prohibition bill was not harmed by reason of a failure of the rule to work; on the contrary, it was aided by the rule. The bill was passed, and passed properly, the vote having been 71 to 6.

I come next to the Glass Banking Act. Senator Glass, of Virginia, was one of the ablest and one of the finest men I have ever known in my long service in this body. He was one of the most vigorous men I ever knew, one of the most honest. Intellectually he was one of the most gifted men I have ever known. He was one of the best men ever to serve in the Senate. Those who knew Senator Glass will remember his sterling character and

his splendid service to his country. A petition to apply cloture to the bill was defeated. Within a few days thereafter, due largely to the argument on the cloture petition, there was a unanimous-consent agreement for a vote, and the banking bill was passed.

The next time the rule was invoked, the petition was submitted by Senator Ball, of Minnesota, whom we all remember. He moved to close debate on the Bretton Woods Agreement, which was really a bill for a loan to Great Britain. That was in 1946. Cloture was defeated by a tie vote. The measure later became a law. In what manner? It was passed, as all measures ought to be passed in the Senate, in order to get the very best possible law, after deliberation, adjustment, and compromise.

It is a long time from 1917 to 1946. No one can say the present rule did not work during that time. It worked in every instance.

A short time before that, Mr. President, there was another kind of bill which was brought before this body—not merely one kind; there were three other kinds of bills brought before this body—and it is in regard to those bills that I wish to speak. What were those three bills which disclosed the so-called loopholes to which reference has been made?

Those three bills were the antilynching bill, the anti-poll-tax bill, and the FEPC bill.

As to all general measures coming before this body the rule had worked well, but it had not worked well in those instances. Why? The record shows why. Let me first discuss the antilynching bill. Lynching is a horrible crime. No one can defend it; no one does defend it. Lynching is a form of murder. Everyone knows that lynching is a form of murder, and everyone knows that the States in which murders occur, except the District of Columbia, has control and jurisdiction over that form of crime. It has been said that lynching is an unusual form of murder, is confined to a single section of the United States, and that for that reason the Federal Government ought to take jurisdiction and make it part of its business to punish the crime of lynching. Let us think about that for a moment. The time when lynching occurred quite frequently was many years ago. The Federal Government did not have any jurisdiction over it. It has no jurisdiction over it, under the Constitution. A few days ago the newspapers reported a man had killed his wife and buried his baby alive, just across the river, in Virginia. That was a horrible murder. I think the Senator from Massachusetts would agree that it is a horrible form of murder. Think of a man killing his wife and burying his child alive. It is a terrible crime. But, because it is a terrible crime, should the Federal Government, which has no jurisdiction, no constitutional power, over crimes committed in a State, step in and say, "Hereafter, we will punish anyone who commits such a horrible crime"? I think not. I do not think any reasonable person would say that the Government should do so.

I do not think any single Senator in this body would say for a moment that the Federal government has any jurisdiction over the crime of uxoricide, or the crime of filicide or infanticide, which are just as horrible as lynching. The proposed Federal antilynching law is purely a political step, wholly unconstitutional and wholly unnecessary. Under the control of the several States, lynching has virtually ceased. Let us let it stay ceased!

Why was an antilynching bill taken up? I shall come to that in a moment. Before I do, I want to say that on the first occasion cloture was invoked was by the Senator from West Virginia [Mr. NEELY]. It was defeated; the bill never became law, and it should not have become law.

A short time after that, within 20 days, the Senator from New York [Mr. WAGNER] again sought cloture on the same antilynching bill. The petition was defeated and the bill was not passed.

Later a petition for cloture was submitted by the then Senator from Kentucky, Senator BARKLEY. A vote was had, and the yeas were 37 and the nays were 41. Can the rule be said to have failed when the Senate, by a full majority, was opposed to the legislation? Some persons want to make it possible to invoke cloture by a majority of Senators present, and some want a constitutional majority of 49. But all of the antilynching bills were defeated, and the Federal Government did not take jurisdiction by force and violence.

What has been the result as to the crime of lynching? I am very happy to say that the crime of lynching has virtually ceased. There were only two lynchings last year, and I believe one was of a white man and the other was of a colored man. Yet the time of this body is being taken, largely for the purpose of authorizing the Federal Government to take unconstitutional jurisdiction of this particular crime. Why? It is for political reasons. It is politics, confined not to one party, not to one administration, but to both parties and both administrations. For what reason? For the purpose of punishing murder by lynching? Not at all! It is for the purpose of getting votes!

I digress here long enough to say that in what I have to say regarding this matter I have not the slightest prejudice of any kind against the colored people of my State or of the Nation. Some of the best friends I have are colored people. I want to help them rather than to hurt them. But we cannot make any people stronger and better by legislation. They must depend on their individual efforts in order to get anywhere in the world. That is how white people get ahead. We work for what we get. One cannot rise in life, here or anywhere else, through man-made laws. I am asking my colleagues to consider these matters when they come to vote today.

Mr. President, I have said that the reasons behind the pending motion are political. Let us see if they are not. We know that the Negroes compose the largest minority group of voters in this country. It is said the opposition to certain proposed measures is made up of men who are prejudiced against colored people. That is ridiculous. Indians are colored people, and we are not prejudiced against Indians. Bills are not being introduced to grant unusual rights to Indians. Who ever heard of such a bill being introduced? It is never done, for the reason that the Indians are very few in number in the several States. They do not form such a political group as to demand unusual treatment. They do not have enough votes in any State in the Union to justify violation of the provisions of our Federal Constitution. That is why bills making special provision for Indians are not presented.

What is the next measure on the list? The next is the anti-poll-tax bill, and that has heretofore failed because of the same reason I have given in the case of the first bill. It failed because a majority of the Senate was opposed to the bill, and so voted.

Next comes the FEPC measure. We all know what that is. The only reason for the effort to amend rule XXII is because of the failure to get the FEFC bill, the antilynching bill, and the anti-poll-tax bill passed.

So far as I am concerned, I have no objection to the enactment of an anti-poll-tax bill. If I were a member of a State legislature, I think I would vote for a bill to repeal the poll tax. But when we became Members of the Senate, we took an oath to uphold and defend the Federal Constitution against all enemies, foreign and domestic, and, so far as I am concerned, I still believe that that oath is a proper oath; I still believe that Constitution is the greatest document ever written by man. The formation of that Constitution of checks and balances, as it has been so frequently called, has done more for our Republic than all else.

Mr. President, I shall not pursue that thought further than to say that the effort to get cloture is a political matter, not confined to any one party. The Democratic administration, the executive branch of the Government, is just as strong for it as are our Republican friends. Our Republican friends want to obtain credit for the adoption of a cloture rule in order to get votes. The President wanted it in order to get the colored vote. The colored vote embraces a great minority in almost every State in the Union, and the effort is made here to inflict this unconstitutional measure upon the people of the United States for political purposes, pure and simple.

Mr. President, I do not believe that is a wise thing to do. It would be unfortunate for the colored people of my State and of my section of the country, and I am against the Federal Government undertaking to take the step, first, because I want to see the colored people of this country get along with the white people. It would disturb relationships which are now pleasant. It would stir up prejudices and trouble which would injure both the colored race and the white race. It would result in harm to our common country. Gentlemen had better let such matters alone. They had better stand by the Constitution of the United States.

It may be said that the Constitution is old-fashioned, that it has been in existence 150 years or more, and that it is

time to get a new one. What kind of a Constitution do those who make that suggestion want? Do they want one providing for majority rule? If they will read our Constitution, they will see that the Constitution is not fashioned on majority rule. There are many things which show that the Senate is a unique body of men, and let us look into history in order to see if it has been a failure under the rule of unlimited debate.

Who fashioned our Constitution and who fashioned the Senate? Of course, the leader of all was George Washington. Those who wrote the Constitution are commonly supposed to have been John Jay, Alexander Hamilton, James Madison, and their distinguished colleagues in the Constitutional Convention. They were great men. They knew what they were doing. They created the greatest Government in the world.

Did they have cloture in those days? The first successful attempt at a modified cloture was in 1917, after more than 125 years of history under our Constitution.

What has been the history of it? Let us look at it for a moment. Beginning with the organization of the Senate after the Constitution had been ratified by the necessary number of States, and up until 1917, there had never been any cloture in this body. Freedom of debate had been the watchword of the Senate throughout its history. It was under this watchword that the Senate built up the high reputation it has had during our entire history as the greatest deliberative body in the world.

It will be remembered that when our Constitution was being drafted, beginning in 1787, I believe, the great body of our people were of British descent. We had been a British colony during practically all our history, and very naturally when the great men who were the framers of our Constitution, representing the Thirteen Colonies, came together in convention for the purpose of fashioning a new government, they evidently made the British Parliament their general guide, although of course they had before them the histories of the ancient Governments of Greece and Rome. They used their own ability and relied on their own experiences in shaping the Constitution.

Each of the 13 States, having a government of its own, with unlimited powers, was very jealous of its powers, and in forming the Federal Constitution they specifically provided that the jurisdiction of the Federal Government was to be limited to subjects over which it was given specific authority by the Constitution. All other powers were reserved to the several States or to the people.

Mr. President, as I said before, I am one of those who believe in our Government. I believe in our Constitution. I believe in American policies, in American practices, in American rules, and I am utterly and profoundly opposed to communistic proposals, whether they are advocated in Russia or whether they are advocated in America, or wherever they are advocated.

Mr. President, from the very beginning of our history, owing to our remarkable Constitution and to those who were elected to carry out its provisions, tremendous interest has centered around the personnel of the United States Senate. I am going to divide the history of the Senate and its personnel into periods.

In the period from 1789 to 1821 there was a great body of men who made themselves and their country famous. I will mention only some of the outstanding Senators of that period who made our country famous.

There was John Quincy Adams, of Massachusetts, who belonged to a celebrated family of that name, two of whose members afterwards became Presidents.

There was James A. Bayard, of Delaware, whose work not only made Delaware famous, but aided in making the Senate of the United States famous.

There was Charles Carroll, of Maryland, one of the greatest men of that first senatorial body.

There was Henry Clay, of Kentucky, a great orator and statesman, whose name is a symbol for all that is high and honorable in statesmanship.

There was William H. Crawford, of Georgia, one of the great men of his day.

There were John H. Eaton and Andrew Jackson, of Tennessee, both great men, and Andrew Jackson who first served in 1797 and who again served in 1823 and afterwards became President of the United States. I am proud even to have the pleasure of speaking his name in this body which he first adorned more than 150 years ago. Andrew Jackson was a fearless man, a man who was not bound, and was not willing to be bound, by gag rule of a majority, or of a party leader. I am proud to be one of the successors of such a man.

There was Rufus King, of New York, one of the outstanding men of his time.

There was John Langdon, of New Hampshire, a great leader from his State.

There was Samuel Maclay, of Pennsylvania, who took a great part in building up the Senate's reputation of that early day.

There was James Monroe, of Virginia, who afterwards became President of the United States.

There was Charles Pinckney, of South Carolina, who added great fame and prestige not only to his State but to the Senate itself.

These men and others of like kind, famous in their own communities, in their own States, and as citizens of the New Republic, gave to the Senate from the very beginning a great name and a great fame.

Were these great men bound down by cloture rule? No. It was not even suggested that they be bound by a cloture rule. They made this body great under the rule of unlimited debate. Has anyone been hurt by unlimited debate? Has our Government been hurt by it? Has our country been hurt by the freedom of debate which exists in the Senate? What American can say that our country would have been greater if the Senate had been under the control of a ruthless majority, with an ambitious Executive sending down to us for our approval such measures as he desired us to approve? That may be considered to be the modern way. Bills can be passed more rapidly in that way, there is no doubt of that. Mr. President, it is not my way. I do not believe it is right, and I shall vote against it. If the Senate did not have unlimited debate, all the President would have to do would be to send a bill to Congress, there would be no use for a committee to look into it, because that had already been done, and it should be passed as the Executive wanted it passed. That is the modern idea, that is the liberal idea. That is the way things are done in Russia. Russia right now is one of the outstanding nations of the world. Are we to pattern after Russia, or are we to pattern after the Government of our forefathers who created this great country of ours?

The men who first stood in the Senate, who were not ashamed of their seats in the Senate, who did not criticize the Senate and the Senate rules, were not bound by cloture. Why should we have cloture? So that some man may get more votes, as he thinks, in some States, to further his political ambitions? I do not think that is the reason why cloture should be established. I believe in the laws we pass here. I believe the United States Senate is still the greatest deliberative body in the world. I am proud to have a seat in a body which was first filled by the great men whose names I have read. They were not bound by cloture. Quite to the contrary.

Let us consider the next period for a moment, the period from 1821 to 1841. Who were some of the outstanding Senators of that period? There was Thomas H. Benton, of Missouri; James Buchanan, of Pennsylvania, who afterward became President; John C. Calhoun, of South Carolina, one of the greatest orators of his day; William Henry Harrison, of Ohio, who afterward became President; Robert Y. Hayne, of South Carolina, another great orator and statesman; James Iredell, of North Carolina; John Tyler, of Virginia, who afterward became President; Martin Van Buren, of New York, who also afterward became President; Daniel Webster, of Massachusetts, called by many the greatest orator of all time. There was also Franklin Pierce, of New Hampshire, who afterwards became President of the United States.

These were the men who gave the name and fame to the United States Senate. Were they gagged by cloture rule in those days? They had unlimited debate in those days. The laws which were passed by them, which made our country great, which brought us to the present state in which we find ourselves, were passed without any rule such as that which it is now proposed to inflict upon us.

Let us take the next period, the third period from 1841 to 1861. Some of those who sat in this body then were John M. Berrien, of Georgia, orator and statesman; Simon Cameron, of Pennsylvania, one of the great statesmen of his day. There was Lewis Cass, of Michigan. By the way, with all the name and fame that attaches to Lewis Cass, I doubt if he were a greater statesman than one of his successors in this body [Mr. VANDENBERG],

who stands for the American doctrine; not for the Russian doctrine of mob legislation, but the American doctrine of deliberation and debate.

Let us take some of the rest of them. Salmon P. Chase, of Ohio, was a great statesman and jurist. We all remember that afterward he became Chief Justice of the United States. John J. Crittenden, of Kentucky; Stephen A. Douglas, of Illinois, who was known as the Little Giant among orators in this body; John C. Fremont, of California; Hannibal Hamlin, of Maine, second to none; Sam Houston, of Texas, a great statesman and orator; Andrew Johnson, of Tennessee, who afterwards became President of the United States.

Did they have gag rule in those days? Did they accept directions from an Executive who desired votes, and would send bills down here to be approved without debate, merely because a temporary majority was in favor of them or in favor of the administration? That is not the way to legislate. We have the right way of legislating in this body.

As I stated a little while ago, I believe that I am the only Member of this body who was present and voted for the rule we now have, the amendment to rule XXII. When Senators have served as long as I have in this body, they will all have the same view I have. They will not be emphasizing the shortcomings of the Senate. They will be proud of its history, proud of its work, proud of its ability to do business. We do just as much business as, and probably more than, any other legislative body on earth today. We talk about the shortcomings of the Senate. What body in the world transacts more business than does the United States Senate?

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. MAYBANK. The Senator has spoken of the United States Senate and the business it transacts. The distinguished senior Senator from Tennessee is chairman of the Committee on Appropriations, which committee transacts more business than perhaps any of the other committees. If we should have gag rule in the Senate, what would be the final effect upon the committee? The distinguished senior Senator from Tennessee has kept hearings open day after day and week after week so that every witness, be he humble or high, could be heard.

Mr. McKELLAR. I thank the Senator. I believe that if this gag rule is enforced upon the Senate, it will not be long before we shall not have a committee like the Committee on Appropriations or the Committee on Foreign Affairs of the Senate. Directions will simply be sent down here for us to approve; and if the administration is in the majority, they will be approved.

I am astounded by some of the expressions from Senators who come from not very populous States, but very large States in the West. Hardly a day passes that some of those Senators do not come before the Appropriations Committee to have various troubles corrected and various items considered in the interest of their States. They ought to come when they have business of that kind. I am not criticizing them for it. I am commending them for it. But if a gag rule, such as is proposed, is imposed upon the Senate, they will receive short shrift when it comes to getting for their constituents what they honestly believe they are entitled to. Under the present rules, it makes no difference what party is in control of the Senate. Senators can always get a fair and impartial hearing for the wants, needs, and desires of their constituents, both in committee and on the floor of the Senate.

Will Senators accept directions as to what sort of bills shall be passed? If a gag rule is imposed upon the Senate, when a young man comes down from the other end of the Avenue with a bill which the Executive wants to have passed, they will have nowhere to go. Why? Because a majority—sometimes a kindly majority with respect to the desires of Senators, but more often a ruthless majority which is looking only at its own interests—will not give them an opportunity to be heard.

Do Senators want to change our committees Those committees were organized under the rules of the Senate. Our actions here are under rules which have been established, for the most part, for more than 100 years. Do Senators want to change those rules so as to make this a different body? Do they want to make it a body patterned after the Russian idea, or a body such as they have in Italy or France, or—and I am rather ashamed to say it—a body such as now exists in England, a socialistic body? The administration sends to the Parliament what the head of the government wants, and they get it. Is that legislation? Is that the kind of legislation that Americans want?

What has made this body great throughout the years? It has been its independence, its courage, its desire to look after the best interests of the Nation. Why change it? What reason can be given for changing the fundamental rules under which we are governed? Because some man wants to be President? Because some candidate, whether Democratic or Republican—and I make no distinction in that regard—wants to carry a State in the next political contest? Some candidate wants more votes. That is the only reason that can be advanced for the application of such a rule as is proposed.

Mr. President, let us stand by the Government of our fathers, which has made us the greatest nation in the world. The men whose names I have read, who once served as Members of this body, and whose successors we are, were not afraid. They passed no gag rules in those days.

Mr. President, some persons say we are filibustering. I do not believe any Member of this body would charge that I have ever made a filibustering speech. The speech I am now making is about as near as I have ever come to a filibustering speech in my life. I am not filibustering; I am pleading with the Members of the Senate of the United States, regardless of party, to stand by the Constitution, which they swore before Almighty God they would defend and protect against all enemies, foreign and domestic. Those oaths, the Senate rules, and the work done in this body under its rules have made this a famous body. Let us not be afraid to stand for the right to stand for what is best for our country—to stand against legislation proposed for political purposes only, which legislation is foreign to the principles and policies of our great forefathers and our great predecessors in this body.

Mr. President, you and I know that many Senators besides myself have seen men in their own States spend all they have and more, all their friends would give them, and all their families would give them, to be elected to this body, and yet as soon as they came to this body, they wanted to reorganize it, they wanted to readjust it or remake it, they wanted to remake it along the lines of the Russian Government—in short, a body controlled by a ruthless majority, or a despotism after the fashion of a Lenin, or a Stalin, or a Hitler. I wish to say here and now, Mr. President, that I have been to Russia, I have seen the Russian people, I have seen the Russian Government, I have seen that Government working. Between this great, free, Government of ours, with a Senate which believes in the freedom of debate, and the Russian Government, for instance, there is no more comparison than there is between daylight and darkness. The Russians virtually have no government. The Russian people have no rights, except those handed to them by someone temporarily in power.

Mr. President, let us not make the fatal mistake of taking the first great step toward overturning our free Government which has made our Nation so wonderful and so strong. Thus far we have not met with failure, but our every step has been on the road to success. Let us keep on that way.

Now let me discuss for a moment the history of the membership of the Senate from 1861 to 1901. Who were the Members of this body during that period? Among its Members were Justin S. Morrill, of Vermont; John P. Hale, of New Hampshire; John Sherman, of Ohio; Solomon Foot, of Vermont; Thomas A. Hendricks, of Indiana; William Pitt Fessenden, of Maine; Samuel C. Pomeroy, of Kansas; Zachariah Chandler, of Michigan; Frederick T. Frelinghuysen, of New Jersey; Oliver P. Morton, of Indiana; Roscoe Conkling, of New York, one of the most outstanding of all Senators not only among those of his own day but among Senators of all time; Garrett Davis, of Kentucky; George F. Edmunds, of Vermont; Carl Schurz, of Missouri; Thomas F. Bayard, of Delaware; William B. Allison, of Iowa; John J. Ingalls, of Kansas, one of the greatest orators ever to serve in this body; James G. Blaine, of Maine, another of the very outstanding men of his day both as an orator and a statesman; John P. Jones, of Nevada; and John T. Morgan and Edmund W. Pettus, of Alabama.

Mr. President, having been born in Alabama, I know I will be excused for an additional word about these two great men. They lived in the county where I was born and they were friends of my father, who was also a lawyer. The firm of Pettus and Morgan was a leading law

firm in Selma, Alabama, our county seat. They were law partners for many years. General Morgan was elected to the Senate in 1877 and served until his death in June 1907. General Pettus entered the Senate in 1897 and served in this body with his law partner, Senator Morgan, for more than 10 years, and until his death in July 1907. As a child I remember visiting their offices in Selma with my father. They were both great men, grand men who made great Senators and who stood for no gag rule!

In this connection I might add here that I believe Senators Pettus and Morgan were the only two law partners living in the same town who ever both served at the same time in the Senate, with the exception of our friends, the present two Senators from Rhode Island [Mr. GREEN and Mr. MCGRATH] who have served for several years together as Senators, from Providence, Rhode Island. They were also law partners and from the same town. Ordinarily Senators are elected from different sections of the State. Senators Pettus and Morgan, both of the then small town of Selma, were in the Senate together for nearly 10 years. It was quite unusual.

Mr. President, these great Senators in the period from 1861 to 1901, and others like them, aided greatly in maintaining and building up the name and fame of the United States Senate. Was there a gag rule on these distinguished men? Their names have been household words all over this country of ours. Many of them were great statesmen. Were they bound by gag rules? Did they get bills through the Senate by reason of cloture? Oh, no! They got their bills through by reason of their ability to put them through on this floor.

Others of the great Members of the Senate in those days were William Windom, of Minnesota; George F. Hoar, of Massachusetts; Lucius Q. C. Lamar, of Mississippi; James Shields, of Missouri; Isham G. Harris and Thomas Battle Turley, of Tennessee; Augustus H. Garland, of Arkansas; Orville H. Platt, of Connecticut; Henry M. Teller, of Colorado; George G. Vest, of Missouri; Zebulon B. Vance, of North Carolina; and Francis M. Cockrell, of Missouri.

Mr. President, were those men advocates of cloture? Oh, no; there was no cloture in those days. In those days, Senators stood on their own individual merit and got their bills passed by virtue of their arguments and eloquence and attention to duty. Bills were not shot through the Senate by a determined majority or by a gag rule imposed because of the wishes of an executive or a party majority. Those men made the United States what it is today; they made the United States Senate what it is today. In those days, men were men. Have we now no men to stand by our own institutions? Mr. President, I doubt whether 1 Senator among 10 in this body has even seen the work of the government that some persons are attempting to incline us toward—the Russian Government. In Russia, what is called majority rule exists. If any Senators here ever saw it, they would be ashamed of it, for it is not a government, it has nothing of which we would be proud. Senators are often told about it by persons who know very little or nothing about it. The present proposal is the first step toward communism in this country. I refer to the proposed amendment of the rule, the proposed abolition of freedom of debate in this body, and the creation here of a gag rule by which the Senate would pass bills which were sent to it by an Executive.

I wonder how many Senators have seen the so-called liberal government of Russia. If any Senator within the hearing of my voice has seen the Russian Government in action, I should be glad to have him stand up and tell me and tell the American people what sort of a government it is. That government does not have gag rules, because such rules are not needed. The Russian leader maintains whatever kind of government he desires; he has any kind of legislation that he wishes put through.

I see my friend, the Senator from North Dakota [Mr. LANGER], at his desk across the aisle. I wonder whether he would like to have a president send proposed legislation to the Senate and tell the Senate to pass it, regardless of whether the Senate liked it, but simply because the administration wanted it. Are we going to make the Senate that kind of a body? If so, Senators are not the kind of independent men I think they are. So, I am pleading with the Senate. I am not filibustering; I am pleading that this thing be not done to our country. Do not take this step. It was said today by the Senator from Michigan [Mr. VANDENBERG] it would be an historic step. It will be the first step toward the so-called liberalization of our Government, making it more and more like the supposed Russian Government about which we hear so much today.

Mr. President, I do not want to see the Senate reorganized. I do not want to see it refashioned to conform to any other legislative body. I think the Senate is the most effective legislative body in the world today. I am proud of being a member of it. I am proud of its history. I am proud of its rules. I am proud of its work. We had better let well enough alone. The Senate has done very well indeed for a little over 150 years. It would be better for us to stand by its rules instead of seeking to conform it to the new-fangled governments of the world.

I pause to give an illustration of what I really believe in. As the distinguished Senator from Michigan said, it is not exactly analogous to what we are talking about, but it is along the same line. A bill was recently sent to Congress requesting an appropriation of about $5,400,000, as I recall the figure. When General Fleming came before the Committee I was very greatly perturbed. I am not an architect, though I love beautiful buildings. As an American, I love the building we know as the White House. I think it is the most beautiful residence of any ruler or leader in all the world. Do Senators know what I was afraid of when General Fleming came to the Senate to ask for $5,400,000 with which to rebuild that edifice?

I was afraid the present White House was to be torn down and a newfangled building such as the Pentagon constructed in its place, to be known as the White House of America. I stated my fears to General Fleming. I said, "Before we appropriate one dollar of the money, I want to know whether you are going to change the outside appearance of the White House." He said he was glad to assure me it was not planned to change the outside appearance of the White House at all, that its outside walls, its columns and balconies and its general structure would be retained, but the purpose was to place a steel structure on the inside in order to make the walls strong. I then asked General Fleming what he was going to do to the historic rooms of the White House and the whole interior of that wonderful building. He said the Blue Room was not to be changed, nor the East Room, nor the various other historic rooms of the building. The building was to be repaired, but it would remain almost exactly as it appears today. I said to General Fleming, "So far as I am concerned, if you assure me that is what you are going to do, I shall be glad to vote for an appropriation to keep the White House as it is. It is an historic building. Every American should want it to remain as it is. We want it strong. We do not want its walls to fall, or anything like that." I said, "In my judgment, the people of America want the building to remain as it is. I certainly do. I expect to uphold your getting the money with which to repair it, on condition that its outer appearance and beauty are not to be destroyed, and on condition that its interior beauty, grace, and attractiveness are not to be impaired.

"That is the way I feel about the Government. I want to keep it as it is, with its present Constitution. I want to see it preserved along the lines intended by our great forefathers." They were great men in those days—Jefferson, Madison, Hamilton, and the others who fashioned it. They knew what they were doing. They erected a great Government. Our country has become better and richer and stronger and more efficient every year since it was established.

Today there are those who seek to undermine it through changing our rules. It is said, "The difference is only the difference between Tweedledum and Tweedledee. It is only the difference between a motion and a measure, so really there is no difference." All Senators know better than that. The effort is to make it conform to the fashion of the Russian Government; to which I am utterly opposed. I want our Government to remain an American Government. Our Government has succeeded when nearly every other government in the world has failed. Let us keep it an American Government of which we can all be proud.

As I say, regardless of anything that may be said to the contrary, I am not undertaking a filibuster. I am appealing to Senators, such of them as are present and listening, not to take the first big step toward destroying this great Government of ours. Let us stand by it. Let us uphold it. Let us uphold its Con-

stitution and its rules. Let us uphold the principles upon which it was founded.

I mean no disrespect to the Vice President. He and I have been friends for more than 30 years, and I have great respect for him. However, I think he is entirely wrong in the ruling which he has made on the point of order. I shall vote not to sustain that ruling. I think that to sustain it would be a fatal step in our history. I hope the other Senators who feel as I do will vote the same way. I can perhaps say that I speak from experience. I have been here for more than 32 years. I was quite proud of my Government when I came to the Senate, and I am a thousand times more proud of it today than I was at that time.

For Heaven's sake, my friends of the Senate, let us stand by the Constitution! Let us stand by the Senate! Let us stand by its rules!

Mr. SMITH of New Jersey. Mr. President, it is not my purpose to speak at length upon the question before us. I am one of those who have been giving thought to the question within the past few days, and I should like to express to my colleagues and for the record the reasons for such conclusions as I have reached in regard to my own action on the pending appeal from the decision of the Chair.

The first big issue, as I see it, Mr. President, is the question of whether we want any cloture rule at all. I want to commend, with all my sincerity, the strong case that I feel has been presented by our colleagues from the Southern States who are taking the position that there should be no limitation on debate under any circumstances.

Mr. MAYBANK. Mr. President, will the Senator yield for a question?

Mr. SMITH of New Jersey. I yield for a question.

Mr. MAYBANK. Does the Senator think that only Senators from the Southern States believe there should be no limitation on debate?

Mr. SMITH of New Jersey. Not by any means. I am commending the arguments made by the Senators from the Southern States.

Mr. MAYBANK. Mr. President, will the Senator yield for a further question?

Mr. SMITH of New Jersey. I yield for a question.

Mr. MAYBANK. Was not the distinguished senior Senator from Michigan the first speaker today——

Mr. SMITH of New Jersey. I shall come to that in a moment.

As I started to say, Mr. President, the first big question, it seems to me, is whether we want any limitation on debate at all, or whether the situation, as it has developed through the years, is such that there may be occasions on which it might be desirable, under extreme circumstances, to limit the freedom of unlimited debate. Having served for 2 years on the Foreign Relations Committee and being deeply concerned with world conditions, I feel that circumstances can arise in which it might seem important to a large preponderance of Members of the Senate that the business of the Senate be proceeded with. So I have come to the conclusion that somewhere, somehow, this body should be able to determine, after a long period of debate, and only after a long period of debate, that it is time we proceeded with the business before us. But I want to say, Mr. President, that I object strenuously to any suggestion from any source that it be a majority determination. I am much wedded to the idea that has been advanced by Senators on the other side of the aisle that the Constitution of the United States definitely protects us against the absolutism of majorities as well as against the absolutism of dictators. I agree entirely with that position, and I agree that in establishing the Senate it was understood that the States would be recognized State by State, their independent sovereignties recognized, and that we should not merge the States in what might be a majority of the population. That was undoubtedly the reason for the unlimited-debate rule.

So I say to my colleagues, very definitely, that I am opposed to any suggestion that a majority should determine the cloture rule. Personally, I say frankly that I should prefer to see a three-fourths majority cloture rule, because I think the privilege of unlimited debate is so important that only the most extreme circumstances should require setting it aside.

I will say, further, that the debates which have gone on in committee and the discussions which I have had convince me that a rule providing that a constitutional two-thirds majority, which would be 64 Members of the Senate, could determine that the time had come to set aside the privilege of unlimited debate, after a long and full discussion of any measure before us, it would be a reasonable rule. That is the rule which I understand is proposed by the Hayden-Wherry resolution.

Therefore, after thinking the matter through, I have come to the conclusion that I am prepared to support the Hayden-Wherry resolution as a clarification of the situation which now confronts us.

Mr. MAYBANK. Mr. President, will the Senator yield for a question?

Mr. SMITH of New Jersey. I yield for a question.

Mr. MAYBANK. I want to ask the Senator this question: Is the Hayden-Wherry resolution before the Senate?

Mr. SMITH of New Jersey. No; the motion to make it the unfinished business is before the Senate.

Mr. MAYBANK. So the question which is before the Senate is a motion; is that correct?

Mr. SMITH of New Jersey. That is correct. I am trying to address myself to the issues which have disturbed me in my thinking, and I appreciate the Senator's bringing out that point.

It has seemed to me that it was wise to approach the matter from the standpoint of clarifying what apparently is in our rules, known as rule XXII. That rule is our cloture rule. We have heard long debate on it. It provides that the cloture rule may be applied on any pending measure. We have heard discussed the question of whether a motion to make a certain piece of business the business before the Senate is a pending measure. There is obviously enough doubt as to what those words mean to make it important for us to try to clarify our thinking, if we are to have any effective cloture rule at all.

No one has a higher regard for my distinguished colleague, the Senator from Michigan, than I have. No one could have sat here last summer and heard his wonderful exposition of his interpretation of the language of the rule, and heard it again today, without realizing the great skill and the great earnestness with which he approaches all these questions. I very frankly admit that the position he takes is a perfectly reasonable one, because, certainly, from the use of that language and the precedents cited, it looks as though that were the sound conclusion to draw. I have no quarrel with the fact that he did decide in that way last summer, although I admit that at the time I felt completely frustrated when it seemed to him necessary to make that decision. Why frustrated? Because if rule XXII is limited to a measure before the Senate, and cannot be applied to any pending matter which might be holding up the Senate in its deliberations, then I could see no reason why the rule was ever adopted in the first place. In that case it is nothing; it is simply an expression which it is very hard for me to understand. It seemed to me, in thinking the matter through and studying it, that no one could possibly understand the motives of those who framed the rule, unless they intended to have some means by which, if the Senate expressed itself by a certain preponderance, which they set at two-thirds, the Senate could say, "At this point we will discontinue the debate and proceed to finish our business."

It seems to me without reason to argue that they intended to have a rule affect only a measure which was then before them, and not affect a motion to bring up that measure, if they really intended to make such a rule effective.

So, Mr. President, I have come reluctantly to the conclusion that I cannot agree with my distinguished colleague from Michigan. It seems to me that we become very legalistic if we do not go back into history and look into the minds of those who framed the rule, what the issue was before them at the time, what they were driving at, and why they thought it was necessary for them to do something.

What was the situation? There was a war in progress, as I read the record, when it was necessary for the Senate to look forward to the time when some issue might arise which would make it imperative for them to act. I feel that today, with the situation in the world as it is, I am unwilling to leave us without any possibility of shutting off what might be a genuine attempt to prevent this Government acting in case of a great crisis.

I feel that we must come to an agreement as to some kind of rule so that the preponderance of opinion of the Senate can be mobilized so as to say to those few who might want to head off action, "This is a crisis in which we feel we must act."

Mr. President, I believe that such a conclusion is consistent with my insistence that the right of unlimited debate

is one of the most precious possessions we have, one of the most precious protections for minorities in this country, one of the most precious protections against absolutism of a majority, of which I am as fearful as is anyone else.

I want very much to see us move in as rapidly as we can to determine whether or not we can, as statesmen, adopt the Hayden-Wherry resolution. I do not support the ruling of Vice President BARKLEY for any reason of expediency, but simply because I think he is on sound ground in saying he cannot explain the existence of rule XXII under any hypothesis except that it was the intention of the Senate, when the rule was adopted, to provide for the power to bring any discussion to an end and enable the Senate to go on with its business.

Mr. DONNELL. Mr. President——

The PRESIDING OFFICER (Mr. THOMAS of Utah in the chair). Does the Senator from New Jersey yield to the Senator from Missouri,

Mr. SMITH of New Jersey. I yield for a question.

Mr. DONNELL. Is the Senator willing to state how he stood last summer in regard to the Vandenberg ruling, whether he agreed with it or did not agree with it?

Mr. SMITH of New Jersey. We did not act on the matter, the Senator will recall.

Mr. DONNELL. Yes.

Mr. SMITH of New Jersey. I felt frustrated because I had hoped we would get another ruling. It seemed to me then, as I say now, that there was no way in which I could explain putting rule XXII into the Senate rules except on the theory that those who framed the rule intended to have some way by which they could bring debate to an end and proceed with their business. I still feel that way.

Mr. DONNELL. Will the Senator yield for a further question?

Mr. SMITH of New Jersey. I yield.

Mr. DONNELL. I wanted specifically to know whether the Senator at that time agreed or disagreed with the Vandenberg ruling.

Mr. SMITH of New Jersey. I disagreed with the ruling.

Mr. DONNELL. I thank the Senator.

Mr. SMITH of New Jersey. Mr. President, I saw an article in the New York Herald Tribune this morning which gave me a great deal of concern, and I wish to refer to it because I do not want anyone interested in this discussion to think I have acted in bad faith. The New York Herald Tribune this morning, Friday, March 11, after discussing the Barkley ruling and the news connected with it, said:

> Senators H. ALEXANDER SMITH, of New Jersey, and CLYDE REED, of Kansas, were among the Republicans who, after having promised to vote with the southerners, signed the cloture petition.

Mr. President, the last thing I would do would be to break a promise. I have never made a promise in this connection. I told the press I would not take a position until I heard the Vice President's ruling, and until I talked further with the Senator from Michigan [Mr. VANDENBERG]. I told questioners I would not take a position, and there was no justification to report me in any poll whatsoever. I have not changed my position at all. I am stating how I have felt all the way through. But I have declined to be committed to any poll of any sort prior to the time when we had to vote.

To sum up what I have said in these few remarks, I wish to read a statement I sent out yesterday when I signed the cloture petition. I said this:

> I have joined the cloture petition today in order that the Senate may be able promptly to decide whether it proposes to have any cloture rule at all. The present rule XXII, covering the question of cloture, is ambiguous and may be subject to different interpretations.

There is no doubt of that, as evidenced by the fact that two of the leading statesmen in this body today, my distinguished colleague, the Senator from Michigan [Mr. VANDENBERG], and the distinguished Vice President, Senator Barkley, have differed as to the interpretation of the rule, as it reads now. My statement continued:

> While I favor a cloture rule which may be effective when needed, I desire to make it clear that I believe firmly in the right of debate, and I would vigorously oppose any rule which would give a mere majority the power to curtail that fundamental right.

I wish to add, Mr. President—and I say it with deep respect—I was shocked beyond measure when I read in the press that the President of the United States had recommended that we adopt a majority rule on cloture. I continue reading from my statement:

> Ours is a Government of checks and balances, and the right of free debate is one of the checks to prevent the arbitrary domination by a mere majority. Only under extreme circumstances, and where the full membership of the Senate has had a chance to consider the implications, should the right of unlimited debate be curtailed. In my judgment, a two-thirds vote of the entire Senate, after twenty-four hours' notice and after a petition by a substantial number of Senators, should be required to set aside this safeguard of our fundamental liberties.

As I said before, Mr. President, I cannot reconcile the inclusion in our present rules of rule XXII except by the interpretation that it was the intention of those who framed it to provide that the Senate should have power to cut off debate on any subject when Senators felt it was important to proceed with Senate business.

For the reasons I have stated, Mr. President, I propose to support the Vice President's ruling at this time.

Mr. McMAHON. Mr. President, will the Senator yield for a question?

Mr. SMITH of New Jersey. I yield for a question.

Mr. McMAHON. The Senator stated he was against majority cloture. Does he differentiate between a majority of a quorum and a constitutional majority?

Mr. SMITH of New Jersey. Of course, if it was a constitutional majority, it would mean 49 Senators. But I would certainly oppose any majority rule, even a constitutional majority. I would like to see a constitutional majority of two-thirds which would mean 64 Senators. The right of unlimited debate is too precious a protector of minorities to be cut off by any smaller preponderance. But we must have a cloture rule which can be used effectively.

Mr. KEFAUVER. Mr. President, as a freshman Senator, I did not expect to speak for some weeks or months to come, and, after the addresses we have heard on the subject now under discussion, I know that what I may have to say will be of little weight, but before the debate was closed, I did wish to set forth my position. Also, I have some documents on my desk which I think might throw a little additional light on the intentions of the Senators in 1917 when rule XXII was adopted.

Mr. President, the position I take is not an easy one for me politically, because most of my colleagues from the South have been joining in this filibuster. It is not an easy position for me personally, because I have a very close and affectionate relationship with my colleagues from the South, and I dislike very much to have to disagree with them. I would not do so if I did not have a very deep conviction about the matter, and I hope my colleagues from the Southern States will understand that I am doing what my conscience dictates.

I have a firm conviction that the necessity of the Senate being able to function is paramount to any single domestic issue or any group of domestic issues, because if the Senate cannot discharge its constitutional obligation our whole system of democratic Government may be doomed. Particularly, Mr. President, at this time, when the United States of America has an obligation of world leadership for peace and world stability it is most necessary that our legislative body be able to function after reasonable consideration and debate. This position of leadership, holding the torch of democracy high, will require action with reasonable dispatch on important measures, treaties, resolutions, bills dealing with the defense of our country, and a score of international problems. All of these measures may be opposed, and undoubtedly will be opposed, by a few Members of the United States Senate. But they must be determined and not talked to death by a very few Members which is now possible unless rule XXII is strengthened.

During this crucial period of history, with a rule of unlimited debate, under which the mechanism of this body can be chained by the will of four or five determined men, I do not think we can afford to proceed into the difficult period ahead without making a determined effort to cure that situation.

When for the first time in the history of the world this Republic has a duty of international leadership, are we going to face the complexities of this period with our legislative body in a straitjacket?

Mr. President, the situation we now confront is exactly that which faced the United States Senate in March 1917, when rule XXII was adopted.

What was the purpose of the Senators in 1917? All the hairsplitting and technical interpretations that can be thought up cannot and should not obscure the in-

tent or thwart the purpose of the act of March 8, 1917, which is now rule XXII.

I know, Mr. President, that newspapers 30 years old may be subject to the statute of limitations, but in this case they are very revealing. The chief determination to be made here, I believe, is: What did the Members of the Senate in 1917 intend to do? At that time the *Lusitania* and other ships of the United States had been sunk by German submarines. President Wilson had recommended the passage of a bill to authorize the arming of ships, and the bill had passed the House of Representatives by a vote of 403 to 13. In the United States Senate, as has been so frequently stated, a small group of the Members of this august body filibustered and killed that measure. There was great indignation throughout the country. Petitions were sent to the United States Senate by several State legislatures, requesting that the Senate place itself in a position so that it could act for the defense of this country.

Mr. President, I have taken the trouble of going to the Library of Congress and reviewing a great many newspapers of that time, which, of course, reflected the condition of our Nation and the situation that brought about the necessity for passing some kind of cloture provision. These newspapers describe, with precision, the intention of the Senate.

Then, in recognition of the demand of the public, from the pulpit, the press, by the State legislatures, on March 4, 1917—and this is a point which I do not think has been brought out in the debates had here so far—as reported by the New York Times, a solemn agreement was signed by 33 Senators pledged to amend the rules to halt filibustering. On the front page of the New York Times of March 5, 1917, there appears an article which I shall read. The New York Times, I think, is one of the great newspapers of the country. At that time the editor and publisher was Adolph S. Ochs, of whom my home city of Chattanooga is very proud, because it was there that he had his start as publisher of the Chattanooga Times.

> WASHINGTON, March 4.— Under the leadership of Senator Robert L. Owen, of Oklahoma, virtually half of the new Senate has already pledged itself to cooperate to compel a change in the rules of the Senate, so that it can act instead of being rendered helpless by successful filibustering in the future.
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> As soon as the Senate meets in special session tomorrow an agreement, now in possession of Senator Owen, and which has already been signed by 33 Senators, including several Senators-elect, will become effective pledging them to cooperate to "compel" such a change in the rules of the Senate as President Wilson, in the statement issued by himself at the White House tonight, declares to be the only remedy for the present powerless, helpless situation of the Government in a great international crisis. The pledge is in the following form:
>
> "WASHINGTON, *March 3, 1917.*
>
> "We, the undersigned, hereby mutually covenant and agree to cooperate with each other in compelling such changes in the rules of the Senate as to terminate successful filibustering and enable the majority to fix an hour for disposing of any bill or question subject to the rule of 1 hour to each Senator for discussion before or after the hour is fixed. This agreement to go into effect March 5, 1917."

Who were some of the signers of this solemn agreement? Robert L. Owen, Oklahoma; Atlee Pomerene, Ohio; Henry F. Hollis, New Hampshire; Ollie M. James, Kentucky; James A. Reed, Missouri; William Hughes, New Jersey; James K. Vardaman, Mississippi; Henry L. Myers, Montana; Morris Sheppard, Texas; George E. Chamberlain, Oregon; John Sharp Williams, Mississippi; William F. Kirby, Arkansas; A. A. Jones, New Mexico; Claude A. Swanson, Virginia; Duncan U. Fletcher, Florida; John Walter Smith, Maryland; Willard Saulsbury, Delaware; W. J. Stone, Missouri; Edwin S. Johnson, South Dakota; Charles S. Thomas, Colorado; Henry F. Ashurst, Arizona; Key Pittman, Nevada; Paul O. Husting, Wisconsin; Thomas J. Walsh, Montana; Joseph T. Robinson, Arkansas; James D. Phelan, California; W. H. King, Utah; J. C. W. Beckham, Kentucky; Joseph E. Ransdell, Louisiana; James Hamilton Lewis, Illinois; William H. Thompson, Kansas; Francis G. Newlands, Nevada; Albert B. Fall, of New Mexico.

And then the story of the New York Times continues, Mr. President:

> Others, who, while they have not yet signed the agreement, have agreed to support the movement, are Thomas S. Martin, Virginia; Hoke Smith, Georgia; Harry Lane, Oregon; John F. Shafroth, Colorado; Oscar W. Underwood, Alabama; Kenneth McKellar, Tennessee; and Park Trammell, Florida.

Mr. President, I think the statement of this covenant is very significant. It is very short, and I want to read it, and paraphrase as I do:

> We, the undersigned, hereby mutually covenant and agree to cooperate with each other in compelling such changes in the rules of the Senate as to terminate successful filibustering.

What was the main purpose of these distinguished Members of the Senate from every section of the United States at the time they undertook to adopt rule XXII? To terminate successful filibustering. They did not pledge to terminate filibustering on one type of proceedings and leave the right intact for other purposes.

It is very significant, Mr. President, with all this talk about majority rule, that the next sentence should be:

> And enable the majority to fix an hour for disposing of any bill or question.

These distinguished Senators, many of them southerners, did not feel that unlimited debate was so sacred. They wanted majority cloture.

Mr. President, what were the limitations to this covenant which was entered into at that time? Was there any limitation that they would terminate filibuster only on a pending measure after it was in the process of being discussed? No, Mr. President, it covered all proceedings. Was there any provision that this limitation would not apply to a motion to bring up a pending measure, and, of course, no measure can be brought up unless there is a motion to bring it up? Their determination was to stop filibustering. They made no limitation as to motions or any preliminary proceeding. They only made one limitation. This limitation is—

> Subject to the rule of 1 hour to each Senator for discussion before or after the hour is fixed. This agreement to go into effect March 5, 1917.

Mr. PEPPER. Mr. President, will the Senator yield for a question?

Mr. KEFAUVER. I yield to the distinguished Senator from Florida.

Mr. PEPPER. Did the Senator in reading the contents of the resolution also find the statement in the alternative bill or question?

Mr. KEFAUVER. Yes. "Disposing of any bill or question." Yes, bill or question. This was their intention and we must assume they had the capacity to carry out their purpose.

Mr. PEPPER. If the Senator will yield further, I will say that is the point I thought should be brought out.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. KEFAUVER. I yield to the distinguished Senator for a question.

Mr. FULBRIGHT. I did not quite understand from what the Senator was reading. Was it a resolution adopted by the Senate?

Mr. KEFAUVER. This was the original beginning of the deliberations and of the agreement which led to the adoption of rule XXII. This was the covenant which was entered into by the Senators at that time as to what they were going to do to stop filibustering. "Covenant" is the word they used.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. KEFAUVER. I yield for a question.

Mr. FULBRIGHT. I do not quite understand the use of the word "covenant." We do not use that word here. I wonder what the significance of the word "covenant" is.

Mr. KEFAUVER. That was the language which they used:

> We, the undersigned, hereby mutually covenant and agree—

That is the language they used. They had a gentleman's agreement for that purpose. They were joining in a solemn agreement to curb unlimited debate which had rendered the Senate impotent.

Mr. PEPPER. Mr. President, will the Senator yield for a question?

Mr. KEFAUVER. I yield for a question.

Mr. PEPPER. Did not the Senator also read the name of Senator Martin, of Virginia, who was the majority leader, and who later presented to the Senate the resolution which became rule XXII, as one of the Senators who indicated that, while they did not sign the covenant, they would support the objectives of the covenant?

Mr. KEFAUVER. The Senator is correct. Those who said that they would agree to support it were Senators Martin, of Virginia; Hoke Smith, of Georgia; Lane, of Oregon; Shafroth, of Colorado; Underwood, of Alabama; McKellar, of Tennessee; and Trammell, of Florida.

These Senators were for the proposition of cloture by a majority.

After this time, in a bipartisan caucus, all the Democrats agreed to a change in the rule, as did all but two Republicans. Seventy Members agreed to cloture. When the bill was passed it was by a vote of 70 to 2, as I recall.

Is it possible that those great and capable Senators of that time, who had stated that they wanted to stop filibustering on any bill or question, did not know how to carry out their intention effectively? Is it possible that they would insert a limitation making the rule subject to the limitation of 1-hour debate, and, if they had intended other limitations, so that cloture would not apply to a motion, would have omitted mentioning such other limitations?

The expressions in the press of the Nation at that time are certainly very strong evidence of what Members of the Senate thought they were doing. In the Washington Post of March 8, 1917, on the front page, is an article undoubtedly written by a reporter who was present during the debate and at the time the vote was taken. I shall quote only part of it:

A patriotic, nonpartisan decision was reached by Republican and Democratic caucuses yesterday to amend the rules of the Senate to end forever the disgraceful spectacle of a filibuster such as last Sunday morning prevented the Senate from giving the President power to protect American ships at sea engaged in their lawful pursuits.

The article continues:

Democrats voted unanimously, after differences had been threshed out and reconciled, to support a rule under which debate could be limited by a two-thirds vote. * * * The Republicans, by a vote of 30 to 2, supported the same change in the rules.

The leading editorial in the Washington Post of March 8, 1917, is entitled "No More Filibustering." Prior to that time the Washington Post had editorialized on the need of a change in the rules. Certainly the editors of the Washington Post, as evidenced by the news stories and editorials, were satisfied that rule XXII had done what the agreement signed by the Senators was intended to accomplish. A part of the editorial of March 8, 1917, in the Washington Post is as follows:

The two party caucuses in the Senate have promptly agreed upon a new rule which will enable two-thirds of the Senators present to bring any debate to a close.

The editorial continues:

This is a perfectly fair rule. It does not limit debate if one more than one-third of the Senators present desire to continue the debate. Thirty-three Senators therefore can prevent cloture. On the other hand, 64 Senators can absolutely terminate a filibuster.

The greatest potential power possessed by the Senate is the power to approve or reject a treaty. This power, which might affect the national independence itself, was lodged in the Senate as the safest repository in the Government. Yet a treaty of the most far-reaching character may be ratified by two-thirds of the Senators present. It is surely proper and right to lodge with the same two-thirds the power to close debate.

Mr. President, it seems to me that neither in this editorial nor in any of the other editorials I have read in many newspapers which I have examined was there any doubt whatsoever on the part of the press at that time that rule XXII would enable any debate to be terminated by two-thirds of the Senators present on any question. That is, of course, what this editorial says.

I refer to a similar editorial in the Evening Star of March 9, 1917, as to the result of the vote which had been taken. This is also the lead editorial. The burden of the editorial was that actually the rule had not ended filibusters, that filibusters could still go on if one-third plus one of the Members of the United States Senate wanted them to continue.

It may not be difficult at any time to find 16 Senators in agreement as to closing debate on a bill; but a debate can only be closed by an order of two-thirds of the Senate. The difference between 16 and 64 is considerable.

So there was no question in the minds of the editors of the Star or of their reporters, as can be seen by the various news reports, as to what the result of the action taken by the United States Senate was. Neither this nor any editorial of that time suggested or implied that rule XXII was applicable to a part only of the legislative process.

The Washington Post gave its opinion as to what had happened, as to whether debate could be cut off by two-thirds of the Members of the Senate. It had been editorializing in favor of a cloture rule. Let us see what was the opinion of the Washington Post as to what had happened. I read from an editorial of March 9, 1917:

The adoption by the Senate of the new rule providing for the closing of debate is astonishing evidence of the power of public opinion in the United States.

A week ago the subject of cloture was an academic abstraction. Nobody paid serious attention to the proposal that had been pending for years, in one form or another, looking to a limitation of debate. The filibuster resulting in defeat of the armed ship bill disgusted the country. President Wilson seized the psychological moment to impress the country with the viciousness of the system which enabled a handful of men to block the processes of the Government, not by persuasion, but by mere physical obstruction. Thereupon the subject was one that would not down. Senators knew that it had to be disposed of. With admirable promptness they grappled with it, framed a sensible and a just rule, and by a vote of 76 to 3 put it into effect.

There can be filibustering still in the Senate, but it must be supported by 33 Senators to be effective. As a practical matter it is impossible to unite 33 Senators in a campaign of mere obstruction. There must be something radically wrong with a question which cannot reach a vote after reasonable debate. The determined opposition of 33 Senators to closing a debate would create the presumption that they had right on their side.

So, Mr. President, the Washington Post, which is a leading newspaper in Washington, as did all the great newspapers of that time, felt that the cloture rule applied to any action of the Senate, and that two-thirds of the Senators could limit debate. No exception is found to the conclusion of this editorial on the part of any Member of the Senate, in subsequent issues of the Post, so far as I have been able to find. No letters were written to the editors of any of the newspapers which I have examined disputing their logic that rule XXII applied to all proceedings.

Mr. President, on March 9, 1917, the New York Times, after having editorialized in favor of a change in the rules which would enable cloture by a two-thirds vote, in an editorial entitled "Cloture at Last," stated in emphatic terms that it was their opinion that there was a limitation of debate in the Senate on any subject or on any question which might arise, by a two-thirds vote of the Senate. I read from the editorial:

There could be no stronger proof of the way in which the events of the last month have impressed the Senate than the ease with which the advocates of cloture have had their own way. A month ago this greased slipping of cloture through the Senate would not have been possible. The House adopted it 27 years ago, after bitter and violent opposition, and it became a leading political issue in the elections.

The editorial goes on to say:

That a single incident like the filibuster of last week suffices to change the Senate's view, at a place where it seemed most strongly rooted, is eloquent of the way in which that body has been stirred and moved by the Nation's present peril.

Mr. President, it is very difficult for me to believe—as I think it would be for almost anyone who would read the newspapers of those days and consider the issue which was before the United States Senate in March 1917—that the Members of the Senate at that time would adopt an absolutely meaningless cloture rule. Their intention obviously was to limit debate, by means of cloture, on all matters of argument in the Senate of the United States. Is it reasonable to believe that those great Senators, by a vote of 70 to 2, would purposely exclude cloture from applying to that part of a proceeding which is absolutely necessary to the bringing of a bill before the Senate for consideration? Certainly they did not mean to do that, Mr. President; and in the gentlemen's agreement they signed, they specifically said they did not mean to exclude motions from rule XXII, because they made it subject to only one limitation, which is the invoking of cloture, as provided in rule XXII of the Senate Rules.

So, Mr. President, I feel that I must vote to sustain the ruling made by the Vice President. I wish to make it clear that I shall vote for cloture by two-thirds, and nothing less. Heretofore, I have made several statements on this subject, and in a book of which I was co-author I also stated that I felt that a legislative body must at some time be able to bring a matter to a decision. I think that is the general attitude of the Members of the House of Representatives. Of course, that is the theoretical attitude or philosophy of democracy.

I wish to say that I have been much impressed by many of the arguments and excellent speeches which have been made here by my colleagues from the South. I think there is a great deal of strength to the argument that more than a majority should be required in order to cut off debate. I am inclined

to agree with them on that score. But in any event I have joined other Members of the Senate in signing an agreement that I will not vote for anything less than cloture by two-thirds vote, which is the proposition being submitted here. I think that is a good compromise. I believe that the sponsors of the so-called majority cloture rule or the constitutional majority cloture rule would agree that their proposals have absolutely no chance of being adopted; I do not believe that there is any danger whatever that a provision for cloture by majority vote or by a constitutional majority will be approved by this body.

Mr. President, I know that the fear of civil-rights legislation is the prime factor which has brought about the present situation in the Senate. If civil-rights measures were the only ones which could be filibustered against, I would be very much tempted to join my colleagues from the South, because I am just as much opposed to some of the civil-rights measures as they are presented as any of them. But, Mr. President, unfortunately a filibuster cannot be limited to civil-rights measures or proposals. A filibuster is a multi-pronged instrument which can be used against any legislative proposal. Only a small percentage—I would say less than 25 percent—of the occasions when cloture has been invoked or has been attempted to be invoked, or when filibusters have been indulged in, have related to civil-rights legislation. Legislation for farm programs, to appropriate for TVA and other necessary projects must be presented in the Senate and they too would be subject to filibuster.

Mr. President, I am a southerner. I was born in the South, and my forefathers were born there and lived there for many, many generations. In the War Between the States, forefathers on both sides of my family fought on the Confederate side. I think I have as much love for the Southland as has anyone else. But, Mr. President, we cannot forever prevent by filibuster tactics the consideration of certain vital measures. As a matter of fact, under the rules of the Senate, as I understand them, except in the case of appropriation bills, there is no rule of germaneness. Any amendment—for instance, a civil-rights proposal—can be offered to a legislative measure; and, of course, at some time or other some of these bills will be passed. As a matter of fact, as I understand the rules, even in the case of an appropriation bill, under rule XVI, paragraph 4, if notice is given 1 day in advance, the rule can be suspended. So in such case by a two-thirds vote any rider in the form of proposed legislation which may not be germane to an appropriation bill can be added to it.

Mr. President, I feel that, in the case of most of the civil-rights measures, we have a good position on the merits of the controversies. As a matter of fact, I have the impression that, by relying on debate alone, by not meeting these issues on their merits, by not having some of us from the Southland take the initiative and show that we are solving our own problems, we are doing a good deal toward alining the rest of the Nation against us. We are giving the rest of the Nation the impression that we have no defense save a filibuster. If this is our only weapon we will lose eventually because some legislation to which a rider may be attached is going to pass. We cannot stop completely the legislative process.

I was very happy to see the distinguished Member of the House of Representatives from Arkansas [Mr. HAYS] come forth with a proposed solution of the problem, thus taking the initiative; and in Life magazine of this week I find an article on that subject by a former distinguished Governor of Louisiana, Mr. Sam Jones, who has made a proposal for a solution. I have not had a chance to study it closely, so I shall not discuss it in detail. At any rate, it is a proposal looking toward a solution. It is evidence that we of the South can take the initiative in seeking a reasonable adjustment of a perplexing question.

Mr. President, if the Nation is convinced, as it must be, that we of the South are sincerely trying to work out our problems, I do not believe that a majority of the Members of the Senate will vote for any obnoxious civil-rights measure or will attempt to cram any such measure down the throats of the people of the South. I know the Senate will give us a chance to have a full hearing, a chance to present our side of the matter. Our defense is reason and merit. Certainly we cannot forever block the action of the Senate and prevent the consideration of certain measures merely by keeping them from coming up, because if they are not offered in one way they will be offered as riders or amendments to other proposed legislation.

Mr. President, I have full confidence that the Members of this great body will give those of us in the South a chance to settle our own problems. I have great confidence that we can persuade any Members of this body who have any doubt on this subject in their minds that we are making a real effort toward solving any difficulties or problems that we have.

I have full confidence in the fairness and integrity of judgment of this body. If we lose that confidence our democracy and our Nation is gone. We are exhausted of idealism and we are bankrupt of the high democratic principles of freedom, honesty, and fair dealing. If ever we must feel that Members of the Senate are not going to do the just and fair thing in connection with legislation affecting the South or any other part of our great Nation, then our institution of democracy is gone. I do not believe that to be the case.

So, Mr. President, it is with a great deal of trepidation that I take a position opposed to that of the great majority of my colleagues from the South. I feel, though, I must seek to bring about legislation and vote for legislation which I think is for the great national interest of our country. I feel that this is the time of supreme trial of our democratic process. I do not think we can approach without a proper rule enabling the Senate to act the frightful days ahead, when this great body having exclusive jurisdiction over certain aspects of our foreign relations is going to be called upon to give the Nation leadership in the field of international affairs. If we do not furnish that leadership, democratic process throughout the world may break down. So, the necessity of the Senate functioning over personal considerations connected with any domestic issues makes me feel there should be some effective way whereby we can take action when two-thirds of the Members want to do so. I have confidence, furthermore, that when our position is explained, when merit and logic are applied, the wisdom and the justice of the Senate are not going to be put forth on a partisan or sectional basis, to do any harm to the rightful aspects of the position of the great Southland.

Mr. DONNELL obtained the floor.

Mr. RUSSELL. Mr. President, will the Senator yield to permit me to suggest the absence of a quorum?

The PRESIDING OFFICER (Mr. FREAR in the chair). Does the Senator from Missouri yield, to permit the Senator from Georgia to suggest the absence of a quorum?

Mr. DONNELL. I will, if I do not lose the floor by so doing. With unanimous consent that I do not lose the floor, I yield for that purpose.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. RUSSELL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Hoey	Murray
Baldwin	Holland	Myers
Brewster	Humphrey	Neely
Bricker	Hunt	O'Conor
Bridges	Ives	O'Mahoney
Butler	Jenner	Pepper
Byrd	Johnson, Colo.	Reed
Cain	Johnson, Tex.	Robertson
Capehart	Johnston, S. C.	Russell
Chapman	Kefauver	Saltonstall
Chavez	Kem	Schoeppel
Connally	Kerr	Smith, Maine
Cordon	Kilgore	Smith, N. J.
Donnell	Knowland	Sparkman
Douglas	Langer	Stennis
Downey	Lodge	Taft
Eastland	Long	Taylor
Ecton	Lucas	Thomas, Okla.
Ellender	McCarran	Thomas, Utah
Ferguson	McCarthy	Thye
Flanders	McClellan	Tobey
Frear	McFarland	Tydings
Fulbright	McKellar	Vandenberg
George	McMahon	Watkins
Gillette	Magnuson	Wherry
Green	Malone	Wiley
Gurney	Maybank	Williams
Hayden	Miller	Withers
Hendrickson	Millikin	Young
Hickenlooper	Morse	
Hill	Mundt	

The PRESIDING OFFICER. Ninety-one Senators having answered to their names, a quorum is present. The Senator from Missouri.

Mr. DONNELL. Mr. President, it is not my purpose to speak this afternoon on the merits of Senate Resolution 15, the Hayden-Wherry resolution. Indeed, as was brought out so clearly and as has been evident throughout this debate, that resolution is not yet before the Senate for consideration. The question to which I desire to address myself relates to the appeal from the ruling made by the Vice President last evening.

Rule XXII of the Senate rules provides, as will be well recalled by all of us, that, if at any time a petition signed by 16 Senators to bring to a close the debate upon any pending measure is presented, the cloture provision provided for therein shall in due time ensue.

So, Mr. President, the question which presents itself to the Senate and addresses itself, likewise, to the Presiding Officer, is whether the motion now pending before us to proceed to the consideration of a measure, namely, Senate Resolution 15, is a pending measure.

Mr. President, the Vice President, last evening, of course recognized, and, by his analysis, demonstrated his recognition, the fact that the question involved is as to the meaning of the word "measure"; whether the word "measure" includes a pending motion to take up for consideration a resolution which is awaiting action upon that motion. The Vice President, with his energy and ability, had looked into the question as to what is the meaning of the word "measure"; and I quote from an observation made by him last evening, appearing at page 2174 of the CONGRESSIONAL RECORD, as follows:

The Chair has also undertaken—

And I pause to say that by the word "also" he was obviously referring back to the search which he had made in various decisions of the courts, to quote his language, "defining the word 'measure.'"

So the Vice President said:

The Chair has also undertaken to enlighten himself about what the Senate meant in 1917, by looking at all sorts of dictionaries, literary and legal. While they are not binding on the Chair, or on the Senate, they do shed some light upon what the Senate was trying to do in 1917.

Now, Mr. President, I call particularly to the attention of the Senate this further language of the distinguished Vice President. Said he:

It is not necessary to quote those definitions, but the most reliable, and, the Chair thinks, probably the one which sheds the most light upon the question, is the definition found in the Century Dictionary, which defines a measure as one of a number of progressive steps looking to a definite conclusion, looking to the accomplishment of a fixed end. Therefore, if that sort of definition should be applied here, it would undoubtedly apply to the word "measure" in the rule.

So, Mr. President, bearing in mind that the Vice President had placed upon the Century Dictionary the seal of his approval, with the thought in his mind, as he tells us, that "the most reliable, and probably the one which sheds the most light upon the question, is the definition found in the Century Dictionary," which, in substance, is then given by the Vice President. I made available to myself today the Century Dictionary to see just what that dictionary said. I found, interestingly enough, that the Century Dictionary, which I have here upon my desk, was in existence in 1917. Indeed, it had reached the Senate Library approximately 11 years before that time, namely, on January 24, 1906, and bore the copyright of 1890.

So, Mr. President, the definition to which the Vice President referred was in a standard, well-known, authentic dictionary which had been in existence for many years prior to the time the Senate acted in 1917 in the adoption of the cloture rule.

I found, Mr. President, on examining the Century Dictionary, that the word "measure" has numerous references and numerous applications. For illustration, I found, as we all know, that the word "measure" means literally a measurement; and so we find in this dictionary, as I find also in others, illustrative measures, such as a measure of a foot rule, a measure of a yardstick, a measure of a pint cup, or a bushel basket. Those are measures. Yet obviously that is not the sense in which the term is used in the Senate rules.

I find also that in a term somewhat unfamiliar to me, the term "prosody," which seems to have some relation to grammar, and also relates to verse forms, a definition is given in the Century Dictionary which obviously does not apply to the case now at bar before the Senate.

I find that under music there is a series of definitions in the Century Dictionary of the term "measure," which obviously, regardless of how musical the new rule may sound to our ears, has not the significance in which the term is used in rule XXII.

I find that even in a terpsichorean dance, the term "measure" is defined as "a slow, stately dance or dance movement," and again, Mr. President, we find obviously a definition which does not apply to rule XXII.

Then we find, Mr. President, the definition to which the Vice President alluded last evening, and I found, somewhat to my surprise, that it was somewhat longer, and contained other items than those mentioned by the Vice President last evening.

I should like to tell my colleagues where this definition is. It is set forth in a paragraph numbered separately, obviously confined to one specific type of subject, just as paragraph 14 is devoted to the subject of measure as related to dance, and as paragraph 12 is devoted to measure in the sense of its relation to music.

We find that paragraph 15 of the definition set forth in the Century Dictionary, as I have said, is quite a little longer, and contains some further illuminating language, in my judgment, which was not contained in the opinion of the Vice President last eevning.

With the permission of the Senate, Mr. President, I shall read paragraph 15 as it appears in the Century Dictionary.

15. A determinate action or procedure, intended as means to an end.

At least to that point it very closely follows the language of the Vice President, which was not intended to be a verbatim statement taken from the dictionary, but obviously the substance of the statement. So I say to that point the Vice President follows the dictionary. Then the dictionary proceeds:

Anything devised or done with a view to the accomplishment of a purpose.

I look in the Vice President's statement and I find there, after the reference to the definite conclusion, his mention of looking to the accomplishment of a fixed end, which again is substantially what appears in the Century Dictionary. So, obviously, the Vice President and the speaker at this moment had in mind the same identical definition in the dictionary to which I am now addressing myself.

I call to the attention of the Senate this further very helpful and very illuminating language which follows immediately after what the Vice President gave to us. It reads as follows:

Specifically—

"Specifically," Mr. President—

Specifically, in later use—

Remember that this dictionary had been here in the Senate for 11 years before 1917. I read again from the definition in the Century Dictionary:

Specifically, in later use, any course of action proposed or adopted by a government, or a bill introduced into a legislature: as, *measures*—

That is italicized—

(that is, a bill or bills) for the relief of the poor; a wise *measure;* rash *measures.*

Then appear several quotations with respect to measures, from Johnson, from Goldsmith, and from W. R. Greg.

The definition which I have quoted, Mr. President, is the complete definition, rather than the partial definition which the Vice President quoted last night from the Century Dictionary. It will be observed that nowhere in the definition set forth in the Century Dictionary, which I have read in full, is there any intimation even that the word "measure" would apply to a situation in which there was pending merely a motion to take up for consideration some bill or bills. The reference is, as I have indicated, to "measure," as something more comprehensive than that, any course of action proposed or adopted by a government, a measure, for illustration, by the Government providing for the drafting of soldiers, a measure for the adoption of a particular standard of monetary measure or value, some course of action. By the way, the reference with respect to the drafting of soldiers and to a monetary measure was my own interpolation.

The language in the definition is, as I have already quoted, "any course of action proposed or adopted by a government," which obviously does not include a motion made upon the floor of the Senate to take up for consideration some bill which is lying back awaiting disposition.

Then, Mr. President, even more significant than that very comprehensive language to which I have referred, which is indicated by the term "measure," even more significant, and to my mind of a nature which, without any criticism of the Vice President, should have been called to the attention of the Senate when a quotation, in substance, from the Century Dictionary was presented to us, is the language:

A bill introduced into a legislature: as, *measures* (that is, a bill or bills) for the relief of the poor; a wise *measure;* rash *measures.*

Therefore I submit, Mr. President, that the definition set forth in this au-

thority, the Century Dictionary, to which the Vice President referred as the most reliable and probably the one which sheds most light on the question, very clearly leans toward the direction that by the term "measure" is not meant a mere motion to take up for consideration some bill or resolution or bills lying ready for preliminary action.

Mr. President, the distinguished senior Senator from Massachusetts [Mr. SALTONSTALL] yesterday also referred to a definition in the dictionary, and I am sure, from conversation with him today—and I do not know whether he is on the floor of the Senate at this moment—he thought he was giving us all of the definition from Webster's New International Dictionary. I quote from page 2170 of the RECORD of yesterday. He said:

> Our distinguished colleague, the junior Senator from California [Mr. KNOWLAND], recently quoted the definition of the word "measure" from Webster's New International Dictionary:
>
> "A step or definite part of a progressive course or policy; a means to an end."

Then a little later, only 10 or 12 lines further down on the page, the Senator from Massachusetts said:

> I quote the definition again. "Measure" is "a step or definite part of a progressive course or policy; a means to an end."

Mr. President, by this double quotation of the definition from Webster's New International Dictionary I take it that the distinguished Senator from Massachusetts as well as the distinguished Senator from California gave those citations their full approval as representing what is meant, according to Webster's New International Dictionary, by the term "measure".

But again we find in Webster's New International Dictionary a situation similar to that which exists in the Century Dictionary to which the Vice President alluded. I find—and I shall attempt to be as brief as possible—that in Webster's New International Dictionary cited by the Senator from Massachusetts and the Senator from California, there are numerous types of measures, and then each one of them is set off separately by a number so one can tell by looking at the number, just as one can tell in the Century Dictionary by looking at the number, whether or not one is dealing with a separate category. What do we find when we get into the section from which the Senator from Massachusetts and the Senator from California quoted? True we find the language, I think, which they have specifically quoted to the Senate, but let me read to the Senate all of it.

11—

That is paragraph 11 of the definition of measure—

> A step or definite part of a progressive course or policy; a means to an end;

The punctuation, by the way, Mr. President, is not a period. It is not the end of a sentence. It is a semicolon. And then, specifically, so the dictionary proceeds, or with an abbreviation which I understand to mean specifically, the abbreviation being "specif.," with the punctuation of period and comma after it:

> Specif., a legislative enactment; as, political measures; an inefficient measure.

Again, Mr. President, there is nothing from the beginning to the end of the complete definition set forth in Webster's New International Dictionary which to my mind would justify the conclusion drawn by some others that the term "meaure" includes a motion to take up for consideration. The language which I read, beginning with "specif.," which I understand to be an abbreviation for specifically—

> Specif., a legislative enactment; as, political measures; an inefficient measure—

Indicates very clearly to my mind that it is something of that nature—a legislative enactment or something which when enacted would become a legislative enactment, which is meant by Webster's New International Dictionary in the use of the word "measure" in this particular paragraph 11 of the dictionary.

Mr. President, I think I should say in fairness that the Webster's Dictionary to which I refer, so far as I have observed, seems to be not older than 1934. But I assume it is the same one that was used by the Senators to whom I have referred, and I think the language is the same. I have some difficulty in believing that the meaning of the word "measure" changed materially between 1917 and the year 1934.

So, Mr. President, we find that the Century Dictionary, when one reads it all—not merely the part given to us by the Vice President, but all of it—conveys the idea which I have mentioned, namely, that the word "measure" refers to bill or bills, and fails to convey the idea that the term "measure" refers to motions to take up for consideration. The same thing is true in Webster's New International Dictionary to which I have referred, the one from which the distinguished Senators from Massachusetts and California, respectively, quoted.

Mr. President, I have in my office another dictionary which is a 1935 edition. There is one outside in the lobby of the Senate, I suppose of the same date. At any rate, I have looked at the one in my office, which I think is Government property, but it is there. In that book, Funk & Wagnalls New Standard Dictionary of the English Language, 1935 edition, is this language under "measure." I may say before reading it that again in that dictionary likewise the term "measure" has many meanings. There is a long table, as I recall, of different kinds of measures, like one will find sometimes if one looks in a Bible dictionary; the measures that prevailed back in Egypt, or in the Holy Land, in the time of Christ or before. We find in the dictionary all these types of measures. But when we come down to this type of measure, what does it say? It says:

> A specific act or course of procedure designed as a means to an end.

Yes; it says that. It says further:

> An expedient; method; step.

And then this:

> Specif., a legislative bill; as foolish measures; a party measure.

So, Mr. President, these great authoritative works which give us the meaning and the pronunciation and the derivation of words, all unite, as I see it, to the general tenor that the word "measure," as used in the legal sense in which we are here interested on the floor of the Senate, refers to something in the nature of a legislative enactment, a bill or bills.

Therefore, Mr. President, it seems to me that the information we received last evening—and again I say it without criticism, but as a fact—is not complete as to the meaning, as shown in the dictionary or dictionaries with respect to the word "measure."

Mr. President, the word "specific" it will be observed, is used, I think, in all three of these definitions which I have read from. To my mind that is very significant in the case we now have before us, because we are talking here in the Senate now about something very specific, very definite. We are not talking about some vague theoretical consideration, some measure for the uplift of mankind, some measure far beyond, in ethereal heights. We are talking here in this particular discussion of a specific measure. Yes, it is not only specific, it is a pending measure, it is one we can put our fingers on. It is one that is pending in the Senate. The language of the cloture section of the rule refers to it, as I say, as any pending measure. So when we find in the dictionaries to which I have referred such a clear, definite, complete, if you please, indication of the specific application of the word "measure," it carries very great weight to my mind in determining what is the meaning of the word as used in the cloture rule, rule XXII.

Mr. President, it has been suggested here in a most interesting address, which I heard this afternoon in large part, delivered by the junior Senator from Tennessee [Mr. KEFAUVER], that it is inconceivable that Members of the Senate back in 1917 would have adopted a rule which would have a defect such as appears to some of us to exist. It was suggested that obviously, according to the New York newspapers and the Washington newspapers, they intended to cover all kinds of filibusters and absolutely to eliminate from the face of the earth, so far as the United States Senate is concerned, all future filibusters.

Mr. President, I do not know, and I do not know whether anyone else knows, what was in the minds of those who framed this rule, but I do know two things. One is that it has been graphically set forth to me earlier this afternoon by a Senator, and I hope he will have no objection to my mentioning his name—the junior Senator from Louisiana [Mr. LONG]—that the statute books of our country are replete with statutes in which the legislature meant to say one thing and said another. Who is there to say that the Senate of the United States is free from all fault, that we are infallible in the use of our language, that whenever we intend to say a particular thing we always say it, and that the language which we use is never wrong?

Mr. President, I do not know whether the use of the term "measure" was with the full realization of the fact that it

did not cover the situation, or whether it was with the design not to cover this particular situation. I cannot look back 32 years and undertake to analyze from the scanty knowledge I have, the views of the persons who voted for or against the rule at that time. But I do know that we have a language for the purpose of expression of opinions. We have the English language. We have well understood terms in that language. To my mind it is perfectly clear that, the Senate of the United States having used the word "measure" in the cloture rule, when the thought comes to the mind of someone as to whether it applies to motions to take up, no one is reasonably likely to draw the conclusion that the word "measure" includes such motions.

After all, it is the ordinary acceptation of a term which, in the absence of something to the contrary, is to be deemed the meaning of the term. It seems to be that the meaning of the legislative body was that the word "measure" meant a bill, a resolution, or something which was to be enacted into law, just as the three great dictionaries to which I have referred so clearly indicate. So, as the Senator from Louisiana pointed out this afternoon in conversing with me, it appears to me that there is a very great fallacy in the argument that, merely because newspaper writers or Senators themselves intended to accomplish something—one man perhaps intending to accomplish one thing, and another intending to accomplish another—and it is evident that as a composite they surely intended to accomplish something, we must draw the conclusion that the language they used necessarily produced that result.

Not only does the legislative branch of our Government, both State and national, occasionally make errors; not only does the legislative branch of our Government occasionally fail to express what it may have meant; not only does the legislative branch of our Government sometimes mean something different from what someone else thinks it should mean 32 years after the action was taken; but it is also true of the executive and of the judicial branches of our Government that sometimes the expressions made by them do not accurately record what today we say should have been recorded years ago.

If I may adopt the language of the Senator from Louisiana, he referred to the fact that the statute books are replete with illustrations in which language was used which did not express what some individual thinks it should express. From time to time even the higher courts find that subordinate courts use language which does not accurately express the intention of the court. Even the highest Court itself at times uses language which it is called upon to change by later utterance, and which it is compelled to recognize as having ineffectively and improperly expressed what the Court may have had in mind.

Mr. ROBERTSON. Mr. President, will the Senator yield?

Mr. DONNELL. I yield for a question only.

Mr. ROBERTSON. The Senator will recall that the rule which we are now discussing was framed by a Virginia Senator named Thomas S. Martin, who at that time was not only chairman of the Senate Appropriations Committee, but was majority leader of the Senate. He had been here for a long time, and was experienced in legislation. I ask the Senator if it is not a fact that the extended debate on the ship-arming bill occurred on the bill, and not on the motion to take up the bill, and that after that bill was withdrawn and President Wilson had acted under other authority to arm the ships, he called upon Majority Leader Martin to amend the rule under which he said debate had been unduly extended in a national emergency? Was not the specific issue to which Senator Martin and the Members of the Senate then addressed their attention a bill?

Mr. DONNELL. Mr. President, I am unable to answer the question of my distinguished friend, but I know, from his learning, which I have seen so frequently evidenced on this floor and elsewhere, that I have the greatest of confidence in any historical statement he may make. I am quite willing to accept his statement as being accurate. It certainly carries with it a presumption of accuracy.

Reverting for a moment to the meaning of the word "measure," I think in the first place that a good dictionary is ordinarily an excellent place to go to find the meaning of a word. Furthermore, I take it that in order to know what is the meaning of a word as set forth in the dictionary, it is important to consider the entire definition, not merely a part of it. When a controversial question is before us, such as the one which is now before the Senate, in which the question arises as to whether the word "measure" means a bill or resolution, or a motion to take up, the Senate should have before it not merely the portion of the definition presented to us last evening by the Vice President, but the complete definition as set forth in the book for whose accuracy, care, and excellency the Vice President has so well vouched.

To my mind, there can be no serious question as to whether or not the term "measure" includes a motion to take up for consideration. As was mentioned earlier today by the Senator from Michigan [Mr. VANDENBERG] the very fact that the Committee on Rules and Administration, which considered Senate Resolution 15, which is now before us, had something to say on this subject, is significant. I take it this is what the Senator from Michigan was referring to:

> The ruling of the Chair—
>
> That is, the Senator from Michigan [Mr. VANDENBERG]—
>
> was clearly required by the rules and precedents of the Senate, and that is the reason why this proposed change in the rules is indispensable.

Mr. President, to my mind, we are entitled, while talking about Members of the Senate of long ago, to consider the qualifications of our own colleagues.

I was fortunate enough to be the law partner of one of those fine gentlemen who served in the Senate in days gone by. He died in 1925 while a Member of the Senate. I refer to Hon. Seldon P. Spencer, of Missouri. I was pleased to hear reference to the names of Senators Vest, Cockrell, and Benton, from my own native State. While we are considering all these great majestic and stately figures of the dim past, let us for a moment, without undue modesty, refer to our own colleagues, and consider who they are, so that we may have in the records of this Congress for all future time some mention of their identity.

I have referred to the report of the committee, which contained the observation that—

> The ruling of the Chair was clearly required by the rules and precedents of the Senate, and that is the reason why this proposed change in the rules is indispensable.

My understanding is—and if I am mistaken I should like to be corrected—that the only Senators who dissented from the majority report from which I have quoted were the Senator from Mississippi [Mr. STENNIS], the Senator from Louisiana [Mr. LONG], and the Senator from Wyoming [Mr. HUNT]. Thirteen Members of the Senate are members of that committee. I do not know whether every one of the other 10 joined in the majority report, nor do I know the contents of the minority views.

At this point I ask unanimous consent that there be printed in the RECORD at the conclusion of my remarks, if it does not already appear in the records of the Senate, a copy of both the majority and minority views, as set forth in report No. 69 of the Eighty-first Congress, first session.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit A.)

Mr. DONNELL. Mr. President, as I say, I do not know whether the other 10 Senators, other than the 3 whom I have named, joined unanimously in the report. It does not appear from the report itself. However, I wish to mention very briefly something about the Senators who constitute the membership of the Committee on Rules and Administration, by which committee the majority and minority reports, respectively were presented. The majority report is made on behalf of the majority of the committee, and the minority views on behalf of the distinguished members of the minority of the committee.

Mr. President, taking up the minority first—because whether we agree or do not agree upon this issue, I think it only proper to say that each Member of the minority is a distinguished Member of this great body—we find on the minority of the committee the following members: The Hon. JOHN C. STENNIS of Mississippi. I happen to know he has presided as a judge of a court. Next we find the Hon. RUSSELL B. LONG of Louisiana, whom all of us know, and whom we are delighted to have with us; and I am sure I speak the sentiments of the Senate when I say that already, in the few weeks he has been here, he has endeared himself to us very much, and we are very happy to

have him here. Then we have the Hon. LESTER C. HUNT, of Wyoming, an old friend of mine, and former Governor of his State. The Senator who now sits in the Chair, the Senator from Maryland [Mr. O'CONOR], also well knows that the Senator from Wyoming has been one of the great governors in the West, during the period when both the Senator from Maryland and I held similar positions in our respective States.

Mr. President, passing on to the remaining members of the committee, I come now to the majority of the committee. In the first place I do not see him in the Chamber at the moment, although perhaps he is here—we have the distinguished senior Senator from Arizona, CARL HAYDEN. Mr. President, I shall not pay fulsome praise or compliments to these men; but CARL HAYDEN, of Arizona, has served in the Senate from 1926 to 1949—23 years of service. Then we have my friend, whom I knew years ago when he was Governor of the State of Rhode Island, Hon. THEODORE FRANCIS GREEN, who, although elderly in point of years, is young and vigorous and alert both mentally and physically; and he has served in this great body from 1936 to 1949. Then we have the distinguished majority whip of the Senate, the Senator from Pennsylvania, the Hon. FRANCIS J. MYERS, who has served in the Senate since 1944, and has been a distinguished and active and vigorous member of our body.

Then we have my good friend from one of the States which adjoins my State—the Senator from Iowa, the honorable GUY M. GILLETTE, a man who has served his State and also has served the Nation with great distinction. He served in the Senate from 1936 to 1938, and again from 1938 to 1944; and in 1948 he was again elected to the Senate.

Then we come to a new Member, who comes to the Senate from Kentucky. All of us have learned to know him, and I have also grown to know him as a member of one of the committees of which I have the honor to be a member—the Committee on Labor and Public Welfare. I refer to the honorable GARRETT L. WITHERS, Senator from Kentucky, who I understand has likewise served his State in a judicial capacity, and certainly as a lawyer, and is a gentleman of excellent and studious and careful attention to his duties in the Senate.

Then, over on the minority side—I was about to refer to it most hopefully as the majority side—we have the distinguished minority leader, the honorable KENNETH S. WHERRY, of Nebraska. He has been a Member of the Senate since 1942, as I recall; and we hope—at least, we on this side do so—that he will remain in the Senate for many, many years to come. He has already been elected for 6 years more.

Then we have the honorable WILLIAM F. KNOWLAND, of California, who came to the Senate in 1945, and by his great vigor and energy has demonstrated his great capacity and ability.

Then we have the honorable HENRY CABOT LODGE, JR., of Massachusetts. His very name is at least presumptive of the ability and the courage he possesses. He does possess those qualities to a marked degree, and today we pay all tribute to a distinguished grandson of a distinguished grandfather who preceded him in the Senate.

Then we have the honorable WILLIAM E. JENNER, of Indiana, who spoke here yesterday, and who by his vigor and acumen has demonstrated, both here in the Senate and elsewhere, his ability and courage and determination.

Finally we have the honorable IRVING M. IVES, of New York. No Member of the Senate will quarrel with me when I say that in the Senator from New York we have, in the first place, an eminent authority on the subject matter now before this body, and a man of vigor and integrity and courage.

So, Mr. President, those are the men who constitute the Senate Committee on Rules and Administration, to which I have referred, and which is the committee which reached the conclusion, as I pointed out earlier, that the ruling made by the senior Senator from Michigan [Mr. VANDENBERG] was clearly required by the rules and precedents of the Senate, and that that is the reason why the proposed change in the rule is indispensable.

Mr. President, to my mind, there can be no serious question as to the meaning of the word "measure." To my mind, it is clear—notwithstanding the excellent and most interesting and persuasive opinion, as it was persuasive to me, which was presented last night by the Vice President—that the word "measure" is correctly understood to have the meaning ascribed to it by the Senator from Michigan. I feel certain that when the opinion presented to us last night by the Vice President is analyzed in the cold light of reason and of the meaning of language, we shall arrive at the conclusion that the word "measure" cannot and does not include a motion to take up a bill for consideration.

Mr. President, I close for this afternoon by quoting a sentence which the distinguished Senator from Michigan [Mr. VANDENBERG] earlier today quoted from Washington's Farewell Address. I think it is so apt and so much in point that it will bear repetition. The Father of His Country said:

> But the Constitution which at any time exists, until changed by an explicit and authentic act of the people, is sacredly obligatory upon all.

Mr. President, in like manner and by a clear analogy, the rules of the Senate which at any time exist, until changed by an explicit and authentic act of the Senate, are sacredly obligatory upon all Members of the Senate.

EXHIBIT A

LIMITATION ON DEBATE IN THE SENATE

The Committee on Rules and Administration, to whom was referred the resolution (S. Res. 15) to amend subsection 2 of Senate standing rule XXII, relating to cloture, having had the same under consideration, report it back to the Senate without amendment and recommend that said resolution do pass.

The resolution is identical with Senate Resolution 25 of the Eightieth Congress, favorably reported to the Senate on April 3, 1947, to make rule XXII, as adopted on March 8, 1917, applicable to any measure, motion, or other matter pending before the Senate, or the unfinished business. This change is primarily necessary in order to overcome the possibility of unlimited debate upon a motion that the Senate proceed to the consideration of a bill or other measure which has not been made the unfinished business of the Senate.

The resolution further provides that a motion signed by 16 Senators to bring debate to a close may be presented at any time notwithstanding the provisions of rule III or rule VI or any other rule of the Senate. Rule III of the Standing Rules of the Senate provides that a motion to amend or correct the Journal shall be deemed a privileged question and proceeded with until disposed of, and rule VI provides that all questions and motions arising or made upon the presentation of credentials shall be proceeded with until disposed of.

The necessity for this change in rule XXII was first demonstrated in November 1922, when a number of motions to amend the Journal were debated for several days, thereby preventing the consideration of an antilynching bill which was finally laid aside.

Extended discussion of amendments to the Journal was the method usually used during the following 20 years to prevent the consideration of bills about which there were decided differences of opinion. In more recent years, however, the practice has been for several Senators to discuss at length the question of whether a particular bill should become the unfinished business of the Senate. A direct ruling that a petition to bring such discussion to an end may not be presented was made by the President pro tempore [Mr. VANDENBERG] on August 27, 1948. The intent of Senate Resolution 15 is to close those two loopholes in rule XXII and to make that rule applicable in all instances.

The fact that over 5 years elapsed before the first flaw in the cloture provisions of rule XXII was developed and that a much longer time expired before a second serious flaw was discovered is a definite indication that every Senator who voted to amend rule XXII in 1917 did so with a clear understanding that he was voting for an enforceable rule to close debate and not to produce a result, as Mr. Vandenberg stated, "That, in the final analysis, the Senate has no effective cloture rule at all." The ruling of the Chair was clearly required by the rules and precedents of the Senate, and that is the reason why this proposed change in the rules is indispensable.

That such a result was not intended is further substantiated by the fact that no statement by any Senator who was a Member of the Senate in 1917 has been found which would indicate that he supported the change made at that time in rule XXII because he was aware that the rule had loopholes in it which made it of no value as a means of bringing debate to an end. Upon the contrary all of the arguments advanced by Mr. La Follette of Wisconsin, Mr. Sherman of Illinois, and Mr. Gronna of North Dakota, the three Senators who voted against the adoption of the resolution offered on March 8, 1917, by Mr. Martin of Virginia, were all based upon the assumption that the adoption of that resolution would result in effective cloture, and no other Senator indicated to them that such a change in rule XXII would not accomplish that purpose.

While it is true that this limitation on debate was adopted during a period of national emergency, when war on Germany was soon to be declared, it was not hastily devised but came about as the result of consideration given to the subject during the previous session of Congress by the Senate Committee on Rules, from which

Senator Smith of Georgia favorably reported the following resolution on May 16, 1916:

"*Resolved*, That the standing rules of the Senate be, and they hereby are, amended as follows:

"At the close of rule XXII add '*Provided, however*, That if 16 Senators present to the Senate at any time a signed motion to bring to a close the debate upon any pending measure, the Presiding Officer shall at once state the motion to the Senate and at the close of the morning hour on the following calendar day lay the motion before the Senate and direct that the Secretary call the roll, and, upon the ascertainment that a quorum is present, the Chair shall, without debate, submit to the Senate by a yea-and-nay vote the question:

"' "Is it the sense of the Senate that the debate shall be brought to a close?"

"'And if that question shall be decided in the affirmativce by a two-thirds vote of those voting, then said measure shall be in order to the exclusion of all other business except a motion to recess or adjourn.

"'Thereafter no Senator shall be entitled to speak more than 1 hour on the bill, the amendments thereto, and motions affecting the same, and it shall be the duty of the Chair to keep the time of each Senator who speaks. No dilatory motions shall be in order, and all points of order and appeals from the decision of the Chair shall be decided without debate.'"

Shortly after the Senate met in special session on March 5, 1917, the question of amending the rules of the Senate so that debate could be closed was considered at conferences of the majority and the minority and a joint committee of five Senators from each conference was selected to prepare the necessary resolution which was presented to the Senate on March 8, by Senator Martin of Virginia, the majority leader, who obtained unanimous consent for its immediate consideration. A comparison of the Martin resolution (S. Res. 5) with Senate Resolution 149 as reported by Senator Smith of Georgia on May 16, 1916, clearly shows that only clarifying changes were made in the text of the earlier resolution without in any way modifying its intent and purpose.

The roll call shows that 76 Senators voted for the adoption of the Martin resolution and announcements were made that 12 other Senators who were absent would have voted for its adoption if present. There is nothing of record to indicate that any one of those 88 Senators had any other idea than that from then on a two-thirds majority of the Senators present could bring debate to a close. There is no evidence to show that any one of them was aware that the rule would prove to be ineffective and that he supported it with any mental reservation or any purpose of evasion.

That the Senate was at that time seeking to find a safe and sensible middle ground between majority cloture and debate without limit may be properly inferred by reference to a speech delivered in the Senate by Thomas J. Walsh, a Senator from Montana, on March 7, 1917 (the day before rule XXII was amended), from which the following is quoted:

"Mr. WALSH. Mr. President, I cannot doubt that the framers of the Constitution had in mind the fact that they were framing a system under which party government would be operative, and in that view they must have recognized that party members would confer and endeavor to agree upon a concerted line of action. I cannot doubt that. Their model was the English constitution; experience had taught them that there were two parties in the Parliament, and that the two parties were composed of members who conferred together and usually agreed upon a certain line of action which they desired to pursue.

"Mr. HARDING (Warren G. Harding, a Senator from Ohio). Mr. President, I am in perfect accord with the Senator from Montana in his statement that we are a Government through political parties. I think that it ever must be so, and I hope it will be so. I want to ask the Senator, however, if he is contending for a rule of the majority which will allow a majority in caucus to direct the majority in the Senate to come in here with a previous-question proposition which will deny the minority of the Senate the right of debate?

"Mr. WALSH. The Senator from Montana would not think for a moment of advocating any course the tendency of which would be to shut off legitimate debate; but I am sure the Senator from Ohio will have recognized in very recent events and in the proceedings of recent Congresses the necessity for shutting off something that is a mere pretense of debate.

"Mr. HARDING. Mr. President, if I may reply to that, I am again in accord with the Senator from Montana; and I have the abiding faith that a conservative cloture rule can be made a rule of this body along the lines of regular procedure for the amendment of the rules, without adopting a chaotic condition here wherein a majority of the Senate can fix the rules.

"Mr. WALSH. Mr. President, I do not agree with the Senator from Ohio that any chaotic condition would ensue, but I join with him in the hope that a reasonable cloture rule may be adopted; and it is in view of the likelihood of the submission of such that I am now addressing the Senate upon the question as to whether, when it is before us, it will be possible under the rules as they exist—assuming that they continue—for a Senator to stand here and simply pretend to debate, and hold up the proceedings of the Senate until he drops in his tracks from physical exhaustion. I want to address myself to that question for a few minutes. * * *

"Suppose a rule of court expressly authorized counsel to be heard ad libitum, what reverence would be paid to it in the face of an abuse of the right by counsel who undertook to talk against time? Would not any court make itself contemptible by recognizing any force in such a rule?

"To make the parallel more perfect, let it be assumed that the rule forbade any decision so long as any member of the bench desired to talk. Would not the court be declining to discharge the functions reposed in it by the Constitution by refusing to decide, after a reasonable time for investigation had elapsed and a reasonable opportunity had been given to every justice to make known his views and to convert his brethren to his way of thinking?

"To delay justice is to deny justice. The judge who heeded such a rule, after becoming satisfied that the due proceeding of the court was being arrested to await adjournment or a change in its composition, or some other fortuitous circumstances that might avert the impending judgment, would be guilty of a violation of his oath to administer justice without delay.

"I assert unhesitatingly that the Senate has no power to make a rule which will prevent it from bringing debate to a close or setting a time for a vote. That there are limitations upon the exercise of the right to bring on a vote may be conceded, but to maintain that a rule has any virtue under which one man may, by his physical prowess alone, defeat a vote is to invite calamity unspeakable and expose the Senate to the well-deserved contempt of mankind."

In arriving at what would be "a conservative cloture rule" the then Senators were aware that, 2 years before, on January 13, 1915, the Senate had determined that a two-thirds vote was necessary to suspend a rule and it no doubt appeared reasonable to them that, in amending a rule, a like majority should be required to bring debate to a close. Senators at that time were also aware of the several constitutional provisions as cited by the late Senator Overton of Louisiana in his statement before the Committe on Rules and Administration on February 11, 1947:

"A two-thirds vote is not an uncommon procedure in the Congress of the United States. The Constitution, as well as amendments thereto, impose the rule of a two-thirds majority in quite a number of instances. I shall refer to those instances briefly:

"No person shall be convicted on impeachment without the concurrence of two-thirds of the Senators present (art. I, sec. 3).

"Each House, with the concurrence of two-thirds, may expel a Member (art. I, sec. 5).

"A bill returned by the President with his objections may be repassed by each House by a vote of two-thirds (art. I, sec. 7).

"The President shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur (art. II, sec. 2).

"Congress shall call a convention for proposing amendments to the Constitution on the application of two-thirds of the legislatures of the several States (art. V).

"Congress shall propose amendments to the Constitution whenever two-thirds of both Houses shall deem it necessary (art. V).

"When the choice of a President shall devolve upon the House of Representatives, a quorum shall consist of a Member or Members from two-thirds of the various States of the Union (amendment 12).

"A quorum of the Senate, when choosing a Vice President, shall consist of two-thirds of the whole number of Senators (amendment 12).

"The Constitution, therefore, does not give recognition, in all cases, to the right of the majority to control."

In recommending that a two-thirds vote be required to bring debate to a close, your committee has adopted the same line of reasoning which prevailed when rule XXII was amended in 1917. A two-to-one vote is a double preponderance of opinion which gives adequate protection against hasty or ill-advised legislation and minimizes the influence of special interests or pressure groups.

Senate Resolution 15 has for its sole objective a restoration of Senate rule XXII so that it will accomplish the intent and purpose of the Senators who voted for its adoption in 1917. At that time serious consideration was not only given to guarding the rights of a minority in the Senate, but it was fully intended to provide a means whereby a two-thirds majority or more of the Senators could effectuate their will in conformity with their responsibility to the people who elected them.

The text of the resolution as reported is as follows:

"*Resolved*, That subsection 2 of rule XXII of the Standing Rules of the Senate, relating to cloture, be, and the same is hereby, amended to read as follows:

"'If at any time, notwithstanding the provisions of rule III or rule VI or any other rule of the Senate, a motion, signed by 16 Senators, to bring to a close the debate upon any measure, motion, or other matter pending before the Senate, or the unfinished business, is presented to the Senate, the Presiding Officer shall at once state the motion to the Senate, and 1 hour after the Senate meets on the following calendar day but one, he shall lay the motion before the Senate and direct that the Secretary call the roll, and, upon the ascertainment that a quorum is present, the Presiding Officer shall, without debate, sub-

mit to the Senate by a yea-and-nay vote the question:

"'"Is it the sense of the Senate that the debate shall be brought to a close?"

"'And if that question shall be decided in the affirmative by a two-thirds vote of those voting, then said measure, motion, or other matter pending before the Senate, or the unfinished business, shall be the unfinished business to the exclusion of all other business until disposed of.

"'Thereafter no Senator shall be entitled to speak in all more than 1 hour on the measure, motion, or other matter pending before the Senate, or the unfinished business, the amendments thereto, and motions affecting the same, and it shall be the duty of the Presiding Officer to keep the time of each Senator who speaks. Except by unanimous consent, no amendment shall be in order after the vote to bring the debate to a close, unless the same has been presented and read prior to that time. No dilatory motion, or dilatory amendment, or amendment not germane shall be in order. Points of order, including questions of relevancy, and appeals from the decision of the Presiding Officer, shall be decided without debate.'"

MINORITY VIEWS

The United States Senate established a system of free and unlimited debate in 1806, when its Members agreed to discard the last of earlier rules which had been somewhat similar to the procedure of the House of Representatives.

These full and free debate privileges, differing from any other legislative body in the world have been changed only under the stress of the gravest of national emergencies—war. During the War Between the States a temporary rule was adopted restricting debate on war measures considered during secret session of the Senate.

In 1917, a filibuster (a term used here to mean extended debate and discussion designed to prevent action upon a measure) delayed the arming of merchant ships in the period just prior to American entry into World War I. A determined Senate, intent upon preventing any similar action during the period of national emergency, adopted an amendment to rule XXII, which allowed two-thirds of the Members to vote to cut off debate upon a measure under discussion. This is the so-called cloture rule which Senate Resolution 15 seeks to amend.

Under the cloture procedure, a signed motion of 16 Senators to set a limit on debate must be brought to a vote without debate 2 days after being filed. If the motion is adopted by a two-thirds vote, cloture is invoked, limiting further debate on the measure to 1 hour for each Senator.

The cloture amendment to rule XXII was never used during World War I, and the Senate has actually reached a vote on invoking cloture only 19 times in the 32 subsequent years. Cloture has been invoked only 4 out of these 19 times that it came to a vote.

In 1922 it was ruled that a motion for cloture under rule XXII was not applicable to debate upon amendments to the Senate Journal. At a later date it was ruled that cloture was not applicable to debate upon a motion to take up a measure for consideration by the Senate.

The Senate Rules Committee has had under study five resolutions involving cloture. Three of them were designed to make ironclad the two-thirds cloture rule, and two proposed to amend the rule through the adoption of majority cloture.

COMMITTEE ACTIONS

The Committee on Rules has properly seen fit to reject the proposals which would have made it possible for a bare majority to shut off debate in the Senate. Despite this action, however, it is still clear that the forces which seek to broaden the cloture rule have as a goal the establishment of majority cloture. There is every reason to believe that the passage of Senate Resolution 15 would be regarded as just a step toward a system of control by a bare majority. This very evident attitude on the part of most of the sponsors of cloture proposals makes it more vital to oppose the adoption by the Senate of Senate Resolution 15.

Three of the sponsors of Senate Resolution 13, a measure identical with Senate Resolution 15, stated in their testimony before the committee that they regarded it primarily as a step along the path to majority cloture. Senator KNOWLAND, the fourth sponsor of the resolution, associated himself with the testimony of Senators SALTONSTALL, FERGUSON, and IVES, the three sponsors who made clear their belief in majority cloture.

With these factors in mind, opposition to Senate Resolution 15 becomes an obvious necessity, not only from the standpoint that passage of the resolution would impinge too greatly upon the historic freedom of debate of the Senate, but because it would also let the bars down for an early change to cloture by majority.

There is every reason to fear that the establishment of majority cloture would be only a transitory period in the rapid change in the fundamental nature of the United States Senate that might be inaugurated through tampering with the rules today.

TRANSITION TO PARTISANSHIP

The existence of a majority cloture rule would provide a source of great temptation to the party which happened to be in power. Without contending that such a course would be deliberately adopted, it is virtually certain that the rule would soon become a weapon in the hands of the partisan majority, used to shut off debate whenever the party program appeared to be bogging down in the face of determined opposition.

The leaders of the political party constituting the majority would first persuade themselves that they would be justified in using it for their own partisan purposes in some controversy where the opposition appeared to be using delaying tactics, but it would not be a far step from that point to become convinced that they were derelict in their duty if they did not use it on every occasion of partisan policy matter. They would be continually prodded and pushed into using this weapon by political pressure groups that do not belong to any party, have no responsibility to the people, and no obligation to uphold the organic law of the land.

It would not be a difficult step forward from the continuous application of majority cloture to restriction of the right of amendment, the second basic tenet of legislative freedom in the Senate. If the right of amendment were restricted or curtailed, the Senate would have lost its last major point of difference from the procedure of the House of Representatives. The differences between the two bodies would be no more pronounced than they are in the average State legislature.

In calm reflection or study it may be difficult for a Member of the Senate to conceive of such changes being effected, for it is unlikely that any Member of the body, as constituted today, would approve of such a sweeping plan were it presented in toto. It must be remembered, however, that few of the changes in the Senate rules or precedents have come in the process of calm deliberation. Virtually all of them have come at the height of partisan feeling engendered by bitter debate on highly controversial issues. Members of the Senate, of all parties and all shades of political opinion and background, have reached these highly partisan stages in the past, and there is no reason to believe that they would not be reached at some stage in the future.

An example of a type of partisanship that obscures calm thinking about this most serious change in our legislative procedure can be found in the recent efforts of Members of the minority party in the Senate to force hasty and pell-mell action upon the rules change. This effort could not have been planned without the knowledge that it would disrupt all activity of the Senate, and perhaps permanently block action on a general legislative program recently endorsed by the electorate of the country. Such a fundamental change in the very nature of our Government deserves consideration in an atmosphere much clearer of partisanship.

WASHINGTON'S WARNING

It was partisanship of this nature that was warned against by George Washington in his farewell address:

"I have already intimated to you the danger of parties in the State with particular reference to the founding of them on geographical discrimination. Let me now take a more comprehensive view and warn you in the most solemn manner against the baneful effects of the spirit of party generally.

"This spirit, unfortunately, is inseparable from our nature, having its root in the strongest passions of the human mind. It exists under different shapes in all governments, more or less stifled, controlled, or repressed, but in those of the popular forum it is seen in its greatest rankness and is truly their worst enemy. Without looking forward to any extremity of this kind, which nevertheless ought not be entirely out of sight, the common and continual mischiefs of the spirit of party are sufficient to make it the interest and duty of a wise people to discourage and restrain it."

With this very pointed reminder of the dangers of partisanship and party government, it is worth reflecting upon the reasons which have enabled this country to avoid the pitfalls described. There is general agreement that the stability of our two-party system, with neither party drawn along class or geographical lines, has been a major cause of the stability of our Government. There has been bitter partisanship at times, and various periods when one party has overwhelmingly dominated one or both branches of Congress, the most recent having been only 12 years ago, when 76 of the 96 Members of the Senate were Democrats.

What, in periods such as these, has prevented the partisan purposes of the majority party from completely crushing the opposition, running roughshod over efforts that might have been called attempts to delay or obstruct the will of the majority? The answer can be found in the rules of the Senate, with their provisions for free and unlimited debate, for the opportunity of full presentation to the people of the country of every point of view on legislative issues. Free debate in the Senate has become the bulwark of the two-party system during those periods when overwhelming sentiment in the country appeared to be threatening the institution. Debate in the Senate has made clear division over issues at times when it might appear that the minority point of view would be without a champion.

CHALLENGE

In the testimony favoring limitation on debate in the Senate presented to the committee, a great deal of theoretical handicaps and weaknesses of the present rules were presented, but the proponents of change failed to present one single example of any real injury to the American people caused by the delay on legislation due to extended debate. The opponents to change in the rules extend a challenge to the proponents to show such injury at any time since the free debate

rule was instituted in the Senate in 1806. This challenge was made early during the hearings on this subject, and was unanswered throughout that period. It is now specifically renewed.

Very lengthy and detailed studies have been made in regard to so-called filibuster efforts down through the history of the Senate. These studies show that on a number of occasions legislation has been delayed by lengthy argument, but that in very few cases has a bill been to all purposes defeated without a vote after having been debated on the floor of the Senate. Legislation has been erroneously reported as having been defeated by filibuster when it has actually only been delayed, with passage usually coming in an amended form. There is general agreement that these amended versions have been better laws in each case.

The printed hearings of the Rules Committee on the debate limitation question provide on pages 25 and 26 a documentary listing of later action on bills which were the subject of extended debate or filibusters. Of the important measures which can be described as definitely defeated by filibusters, the list dwindles down to five:

1. The force bill of 1890.
2. The armed-ship bill of 1917.
3. Antilynch bills.
4. Anti-poll-tax bills.
5. The Fair Employment Practices Commission bill of 1946.

There is now general agreement among all schools of thought, no matter what the views about Federal supervision of election processes, that the famous force bill of 1890, with its provision for Federal control of elections in the South with the use of Federal troops, was unwise legislation. We now realize that it developed from the partisan feeling that remained following the War Between the States, and that its eventual defeat through the process of a filibuster has served the best interest of our Nation.

ARMED SHIP CONTROVERSY

The armed ship bill of 1917 was important to the defense program of President Woodrow Wilson in the period immediately preceding World War I. Opponents were able to block its passage during the lame-duck session of the outgoing Congress, but immediately after this the President found authority to take this action without a new law, and our merchant ships were armed without any action being necessary by the special session of the War Congress that shortly convened. There is little doubt but that the bill would have been passed had the President desired it.

The three remaining bills that have been blocked by extended debate are part of the so-called civil-rights legislative program. There is ample reason to believe that their failure of passage is the motivating cause behind the present very extreme effort to change the time-tested rules of the Senate. Will the Senate be wise in taking such action to satisfy the temporary demands of a highly emotional pressure group? In the long legislative cycle, we know that this group will be succeeded in time by another group. Should the precedent be established for the amendment of Senate procedure whenever that procedure is considered a stumbling block in the face of demands of any powerful pressure bloc?

Each one of the so-called civil-rights bills that has reached the floor of the Senate has been of gravely doubtful constitutionality. Even some of the present most ardent sponsors of an antilynching law agree that the early Dyer Act and the later versions of this bill contained unconstitutional provisions. The extent to which the constitutionality of an anti-poll-tax bill is doubted can be best demonstrated by the fact that 10 Democratic Senators have submitted a constitutional amendment dealing with that subject, believing that to be the manner in which Congress should take action on a suffrage question. The FEPC proposal of 1946 contained provisions which have been universally decried as violating the constitutional requirements of a fair and impartial trial.

It would be superfluous to add that this type of legislation is conceded to be aimed at one section of the country, a type of action contradictory to the long-established American governmental principles first enunciated by President Washington. Have the American people suffered any injury through the defeat of these measures by use of prolonged debate?

BENEFITS OF DEBATE

Our recent legislative history offers very impressive testimony to show direct benefits that have been achieved through the system of extended and prolonged debate in the Senate. Two measures which were highly popular in the excited tempo of the times were defeated in the Senate because both the Members of the body and the citizens of the country as a whole had an opportunity to take a second and more detached thought on the matter.

In 1937, after the Supreme Court had ruled as unconstitutional several popular measures that were considered vital to the economic recovery program, a plan was submitted to enlarge the Court and make other changes in its personnel—the so-called court-packing plan. It is generally conceded that this plan would have passed the Senate by a fair majority if it had come to an early vote. Instead, opposition leaders adopted the strategy of delay. After a few months a majority of the Senate came to the conclusion that most of them hold today—that such action would have changed the fundamental nature of our Government, to the disadvantage of all of us.

A more recent case was that of the railroad strike of 1946, when it was recommended that striking employees be conscripted into the military service. Legislation to this effect passed the House of Representatives within a few minutes after the recommendation had been made. In the Senate, however, traditional procedure prevented hasty action or the invoking of any type of cloture, and the conscription plan was soon discarded as unwise.

There have been recent cases where prolonged debate has been the major factor in the passage of bills that were at a doubtful stage when first brought to the floor of the Senate. Two cornerstones of our recent foreign policy, the Lend-Lease Act of 1941 and the loan to Britain of 1946, both gained important support during the process of a lengthy debate.

NATIONAL EMERGENCY

The question has been raised that recent international history, with its record of totalitarianism disrupting the world, introduces the possibility of some misguided or disloyal handful of Senators obstructing emergency action designed to protect the physical security of the Nation. The possibility seems remote, but it is well to be prepared for any remote possibility in planning for the security of our country. To take adequate steps for such a situation, two of the authors of this minority report submitted to the Committee on Rules the following proposed amendment to rule XXII:

"If at any time a motion, signed by 86 Senators, is presented to bring to a close the debate upon any measure on the Senate Calendar (and a Senator having the floor may be interrupted for this purpose), the Presiding Officer shall at once state the motion to the Senate, and declare the measure the unfinished business of the Senate. Two hours after the motion has been stated (unless the motion itself as filed shall specify a longer time for debate, which specification, if any, shall control), the Senate shall proceed to vote on the passage of the measure by a yea-and-nay vote. At least one-half of the full time allowed for debate shall be allotted to Members who do not sign the motion. Except by unanimous consent, no amendment shall be in order after the motion has been filed. No dilatory motion shall be in order. Points of order, including questions of relevancy, and appeals from the decision of the Presiding Officer, shall be decided without debate."

The committee saw fit to reject this suggestion, but it is still available for the consideration of all Members of the Senate who would like to make preparation for action on national emergency matters and at the same time not break down the traditional safeguards for free debate.

Every evidence available indicates that the present cloture amendment to rule XXII was adopted only because the Senate considered it as a formula which would allow action on national emergency matters. The President, the Senate, and the country were angry following the action against the armed-ship resolution. President Wilson asked for a cloture rule because there existed "a crisis of extraordinary peril." A bipartisan group of Senators wrote and adopted the resolution with this thought in mind, and there were only 3 votes in opposition. Many of the Senators voting in favor of the resolution, including several who had filibustered against the armed-ship measure, had participated in filibusters previously and were to participate in them later. They considered themselves dealing with a national emergency involving the physical security of the country, as evidenced by the debate and newspaper accounts of the time.

MAJORITY RULE

This momentous change in the rules has been supported on the theory that it will implement majority rule in the Nation. This is a plausible theory that has its attractions, until a check is made of the actual representation in the Senate. Senators represent States, and not proportions of our population. It is possible for various combinations of 49 Senators to represent anywhere from 20 to 80 percent of the population of the country. Would it be rule by popular majority to say that 49 Senators representing only one-fifth of the citizens should have the power to run roughshod over the wishes of 47 representing four-fifths of the population?

To carry the illustration even further, it would be possible under a two-thirds rule for 64 Senators, representing less than one-third of our population, to run a steam roller over the opposition of 32 Senators, representing more than two-thirds of our population.

The effort to preserve this vital representation to each State is one of the primary causes of the tradition of free and unlimited debate in the Senate. The very geographic boundaries of our States sometimes cause conflicts with neighboring States that can be resolved only by action through the Congress. It is vital that the representatives of these States in the Senate have full and free opportunity to present their case.

Our founding fathers recognized the vital issues that might develop with the representation of the States in the Senate, and it was because of this that they made this representation the only provision in the Constitution that could not be amended or deleted.

The number of Senators who have been recorded as changing their views on the subject of cloture after a period of service in the Senate is impressive. Many have been recorded against any type of cloture after having initially favored it, while others have changed from favoring majority cloture to a less restrictive pattern.

It is well enough to talk about streamlining the rules of the Senate and avoiding an alleged waste of time, but when it comes to materially altering one of the fundamental principles which has controlled the oper-

ation of the body for many decades, and around which the Senate's most cherished and valued tradition has been built, we can realize the gravity of the subject matter with which we deal.

Unlimited debate on the floor of the United States Senate has become one of the major safeguards of American liberty. Those who seek to change this rule in the name of liberty may well pause to consider the dangerous precedent they are considering. A procedure which is today used to protect the rights of the States may be used tomorrow to protect the right of the individuals of a minority race or religion. The gag rule which some labor and minority groups now seek could be used in the future to deprive them of fundamental rights for which they have fought so hard.

BULWARKS OF LIBERTY

The major bulwarks of our liberty are the Constitution, our common law, and the free debate of the Senate. All safeguards of liberty are designed to prevent undue and unjust actions against a minority, and Senate debate is certainly so designed.

Debate is man's greatest political invention. It is the mother of parliamentary law. Because the United States Senate is the only parliamentary body in the world that has retained ulimited debate, the prestige of the Senate has grown to overshadow all similar bodies throughout the world. It is important that this symbol of free exchange of ideas should not be disturbed.

There are naturally abuses of free speech in the Senate, just as there are abuses of free speech on the part of private citizens. We should retain this freedom by something other than rigid rules that can be bent to the will of partisanship.

We know all too well the waves of emotionalism that actually do sweep across an entire nation at times, threatening to impair or destroy man's heritage of political, economic, and even religious freedom that is the product of centuries of effort.

We can find all too recent evidences in American history of political prejudice run rampant. Only 100 years ago prejudice against one particular religious group became so strong that the Know-Nothings, the political party built around this prejudice, attained for a brief period the status of the second major party in the Nation. No more than a quarter century ago a secret group, feeding primarily on religious prejudice, succeeded in grabbing political control of several States of our Nation—and these efforts were most successful outside the South.

But, as can be found in no other nation in the world, if any of our political, social, or religious groups find themselves under serious, sustained attack, they know that they have, as a last and effective place of refuge, the floor of the United States Senate. This condition did not just happen—it is the result of the tradition of freedom that finds expression on this same floor.

If the Senate has a majority cloture rule, or it begins to whittle away, bit by bit, the freedom of expression that has flowered there for so long, we will have taken a long step away from our heritage of freedom.

JOHN C. STENNIS.
RUSSELL B. LONG.
LESTER C. HUNT.

Mr. IVES. Mr. President, I venture rather timidly to get into the midst of this very technical discussion, because I realize that in our deliberations on this question the whole matter has now resolved itself into technicalities.

I say that, Mr. President, without in any way belittling tradition or precedent or the responsibility of the Chair, the Presiding Officer of the Senate, to rule in line with precedents. I know a little about that responsibility. I have a great respect for tradition. I have a great respect for precedent. I realize that by an irresponsible departure from precedent in the interpretation of the rules of a legislative body, that body always is threatened with ultimate chaos.

In this particular instance I regret exceedingly to feel that I must differ with my distinguished colleague, the Senator from Michigan [Mr. VANDENBERG], because I realize the process by which he reached his decision last summer and I realize the process by which he has reached his conclusion in the present instance. However, I point out that insofar as a presiding officer is concerned, as I see the matter, although his responsibility to rule in line with precedent is absolutely present in every instance, at the same time he must recognize differences in conditions which occur, differences in circumstances under which debates are conducted; and recognizing those differences, he must so rule.

Therefore, Mr. President, I do not find fault with the difference expressed by the Presiding Officer of the Senate, the Vice President of the United States, in his seeming conflict with the ruling of the President pro tempore, a year ago. I go further. Because I accept the premises on which he established his ruling in the present instance, I agree with his conclusions as expressed last evening. The question itself of "pending measure," as it has been so well explored by the distinguished senior Senator from Missouri [Mr. DONNELL], is one of the questions which obviously, as a result of the extensive exploration into which he has just gone, is something on which there may be a matter of difference of opinion among honest individuals.

This afternoon I listened with great interest to the presentation by the junior Senator from Tennessee [Mr. KEFAUVER]. I noted the evidence he presented from the record, which indicates, as he sees it and as I feel it must have been, the intent of those who were responsible for drafting rule XXII in its present form. I recognize the differences existing among us, especially on technical matters of this kind. I do not condemn presiding officers of legislative bodies who now and then, because they see these differences, rule differently, as some may see it, from the rulings in previous decisions.

However, as I said, in this instance I do not note such a difference. I do not note that the Vice President of the United States in effect is taking issue with previous rulings on the question at issue. It seems to me that regardless of the definition of "measure"—and he himself indicated that this definition is a question for the Senate itself to determine—the conditions with which we are confronted in the present instance are utterly different from those which have existed when other decisions of similar nature have been made. That, to me, in this particular instance, is of greatest importance.

Mr. President, it is very unfortunate that the civil-rights question has been injected into the debate. I am very glad indeed that the distinguished Senator from Michigan expressed himself as regretful it had become an issue in the debate. I wish this question of procedure and rule's amendment could be viewed and considered and decided completely apart from any other question that might possibly come before the Senate. As I see it, the question itself is of transcendent importance to the people of the United States everywhere.

We have heard a great deal in the course of the debate in regard to the rights of minorities.

Mr. LUCAS. Mr. President, will the Senator yield for one question?

The PRESIDING OFFICER (Mr. O'CONOR in the chair). Does the Senator from New York yield to the Senator from Illinois?

Mr. IVES. I yield for a question.

Mr. LUCAS. Is there any question in the Senator's mind that the civil-rights issue is the reason the filibuster is on?

Mr. IVES. In answer to that, it would appear that because of the injection of the question of civil rights into the debate we are now faced with a filibuster. But I nevertheless regret exceedingly that this paramount question of procedure and rules amendment cannot be considered exclusively on its own merits.

I shall state the reason. We hear all around us a great deal about the rights of minorities. We have heard a great deal about the rights of minorities during the debate. I can assure you, Mr. President, that I, for one, respect those rights, and I, for one, would fight to the limit in the Senate, so long as I am a Member of it, to see that every legitimate right of a minority in the Senate, as membership here is represented, is protected. But there comes a time when majorities also have rights. There comes a time when over the period of years, let us say, because that seems to be what it finally amounts to, the rights of majorities not alone to express themselves but to be heard and finally to prevail become imperative. That, as I see it, is one of the principal things involved in this debate, the right of majorities, not in the first instance; not in the second instance; perhaps not in the third instance; but finally to be heard, finally to have their will prevail. That right, I say, is at issue at this time.

Mr. President, I realize very definitely there may be those who will want to differ with me as to this majority right. I am not talking about the right of the majority in the Senate to decide rules; that is irrelevant in this immediate matter. I am not talking about the right of a majority of Senators to express themselves about matters coming before the Senate. I am talking about the rights of majorities among the American people. There are some who may differ with me on that. But I want to point out that, with the Senate situated as it is at the present time, in the final analysis, we cannot control our own action; there is no way by which the will of overwhelming majorities can ultimately prevail. An overwhelming majority in the Senate cannot control the action of the Senate. And that, Mr. President, is a bad situation to have in perpetuity. There is no safety valve, there is no possibility by which continuing large majorities finally can realize self-expression. That is a dangerous situation in a legislative body.

Oh, I know some Members of the Senate are worried about what might happen as the result of preponderant majority opinion existing in the United States which might be in conflict with some of our basic principles, as all of us who are here now believe them to be. One might worry about that, if a minority in the Senate finally might be able to control the situation. But I want to point out to my fellow Members of the Senate that if that condition should come about—and may God forbid it ever will arise in this country—but if that condition ever should arise, all the rules in kingdom come in the United States Senate would come to naught. Let us bear that in mind. That possibility, however, I think is not a question that should properly be under consideration in this debate.

I have noted with some concern reference to the majority report of the committee, and I want to say, insofar as I personally am concerned—and I can speak only for myself—I do not agree that the adoption of the resolution is essential in order to accomplish what is being attempted in the present instance through the ruling of the Chair. If one reads the resolution, for instance, he will note that it goes a great deal further than does the ruling of the Chair. It applies to "any measure, motion, or other matter pending before the Senate, or the unfinished business." This is quite different in its effect from the mere question which now confronts us.

So I do not join in that interpretation of the report of the committee as being applicable in the present instance. I agree that if we are to straighten out this matter in the manner in which the committee contemplates, so that in all time to come, or at least, until some future Senate properly decides otherwise, we shall know definitely, and the country will know definitely, how the Senate of the United States is to be able to proceed on all questions coming before it; we must adopt the resolution itself; to my way of thinking, the question raised in the committee report will confront us when we are debating the resolution proper. But the very fact, sir, that a large share of this debate has been devoted to the resolution itself, indicates that the resolution itself is, in effect, a part of the motion now before us. We cannot separate them. They are one and inseparable. The very fact that there is nothing immediately before the Senate except the motion to take up the resolution is indicative of the fact that there lies the resolution also. They are one and the same thing, as I see it.

So, Mr. President, reverting to my earlier remarks concerning the rights of majorities, the great necessity that the United States Senate be in a position to control its activities is very evident. Oh, I know it has been suggested in the debate that we override the ruling of the Chair and seek some other course by which to resolve the problem; but, Mr. President, no other course has yet been offered which, in itself, provides any answer. We all know that if the Senators who are opposed to the resolution in its present form persist in their opposition, they can defeat it. We all know, from experience in this body, that if we stay here night and day, assuming this ruling is overridden—and Heaven knows, sir, I would be willing to stay, and I have urged the majority leader to take such action in such eventuality, and I know that most of the Members on this side of the aisle would be willing to do so—all of us know, I repeat, that if we physically can stay here night and day, week after week and month after month, so can the opposition. The opposition has sufficient strength, because of their number, to last as long as we can last. We must show up for quorum calls. We are responsible for this body remaining in continuous session and not being faced with a condition which would bring about adjournment. That is the responsibility of those of us who are trying to bring about this needed correction in the Senate's rules.

Mr. LODGE. Mr. President, will the Senator yield?

Mr. IVES. I yield for a question.

Mr. LODGE. Even though it be true, as the Senator from New York says, that it is more difficult for those who are in favor of limitation of debate to maintain a quorum in a continuous session than it is for those who are opposed to such a limitation, does not the Senator from New York think that the attempt to do so must be made if faith is to be kept with the people and with the pledges which have been made in the platforms of both parties?

Mr. IVES. Mr. President, I am very glad the able Senator from Massachusetts has raised that question. I thought I answered it in my earlier remarks when I stated that I myself, personally, and I thought I was speaking also for a large and substantial majority on this side of the aisle, would be willing to stay here night and day until the matter is resolved as it should be resolved. Of course, we must stay in session if the question cannot be decided by a favorable vote on the ruling of the Chair. There is no alternative except to stay.

Mr. LUCAS. Mr. President, will the Senator yield for a question?

Mr. IVES. I yield for a question.

Mr. LUCAS. Assuming that civil rights are involved in the filibuster, does not the able Senator from New York agree with me that the Republican platform pledges can be partially redeemed by sustaining the Chair's ruling upon this important question, with the idea of looking forward to the ultimate end of what is contained in the resolution?

Mr. IVES. Mr. President, I think I brought that question rather to a point in a question which I raised yesterday with the senior Senator from Pennsylvania, when I recalled to his mind that the Republican platform itself, dealing with the civil rights question, even as does the Democratic platform, was adopted unanimously in Philadelphia. Of course we have that responsibility, and of course this is a step toward keeping our platform pledge; but, Mr. President, in the remarks I am now making I do not want to go into the civil-rights question if I can avoid it, because I do not think it should be considered at this time. There is no one in the Senate to whom I will yield as a greater advocate of civil rights than am I. I stand for them and the whole civil rights program 100 percent. Of course we have a responsibility; there is no argument about it. Of course, if we can persuade sufficient of our number to join with us in this necessary preliminary step, it will enable us to bring about more quickly a solution to some of these other problems. But——

Mr. LUCAS. Mr. President, will the Senator yield for a question?

Mr. IVES. Let me finish with my "but." But, Mr. President, I respect the rights of those who disagree with me. I have been trying to persuade Senators to join with me in approval of the ruling made by the Vice President of the United States, because I think it is a correct one, and I think it is the only way in which we can get this matter resolved. I see no other course, and none has been suggested in the course of the debate which has met with any acceptance worthy of the name.

Mr. President, in that connection, I would point out that the only way by which we can gain such an objective is to try to get together. If we try to get together and if we respect the rights of one another and the ideas of one another, perhaps we shall get somewhere; but right now there seems small likelihood of action of this nature.

I do not want to condemn Senators who disagree with me on the question, and I do not condemn them. I deeply respect their attitude. They have every right to it. I wish they felt differently, because if they did feel differently, we would soon have the matter resolved.

Mr. President, as I started to conclude once before, when I was diverted from doing so by several questions, as I see it, sustaining the ruling of the Vice President is the only legitimate course we can take to resolve the question which is before us. I know that the term "legitimate" can easily be challenged in the light of the presentations which have been made here, but I feel that it is a legitimate course. I feel, as I said, that the question of what is a pending measure is up to the Senate to determine insofar as definition is concerned. I feel that the situation before us, on which the ruling has been made, is a unique one. I feel that it has no exact parallel in all the history of Senate procedure; and I feel, finally, sir, that if we are to get ourselves into a position where we, as a legislative body, can be responsive to the overwhelming popular will, after all the necessary time for due and proper consideration will have elapsed, then this reform in Senate procedure must be made.

Mr. FERGUSON. Mr. President, I rise to discuss the question now before the Senate, namely the appeal from the decision of the Chair on a question of order.

The question involved is very important, because it involves the rule-making power of the Senate. The question is, who has the authority to interpret the rules of the Senate? The rule-making power is provided for in the Constitution.

Article 1 section 5 gives to the Senate, in fact, to both Houses, absolute power to make rules governing their proceedings.

Under the rule-making power we find rule XX in the Senate Rule Book. Any rule of the Senate can be tested as to its meaning by a question of order being raised. And how do we raise those questions? We raise them under rule XX, because the Constitution gives us absolute power, as a body, to make the rules.

The Vice President does not have a right to enter into the making of laws except in case of a tie vote. He is the Presiding Officer of the Senate, and by virtue of rule XX he is given certain authority. For instance, today, at this very moment, the Vice President does not occupy the Chair. If a question of order were raised, the present occupant of the Chair, the junior Senator from Maryland [Mr. O'CONOR] would rule upon it, as a Senator of the United States.

What does rule XX provide? I read:

A question of order may be raised at any stage of the proceedings, except when the Senate is dividing, and, unless submitted to the Senate, shall be decided by the Presiding Officer without debate, subject to an appeal to the Senate.

In other words, the Senate of the United States adopted a rule conferring upon the Vice President, or any Senator in the Chair presiding, the right to make a decision, but subject to the decision of the Senate, under a rule made by virtue of the rule-making power conferred upon the Senate by the Constitution of the United States.

The second provision is:

The Presiding Officer may submit any question of order for the decision of the Senate.

So I say, Mr. President, that the power to interpret the rule, which, in effect, is a rule-making power, is in the Chair, if no appeal is taken from the decision, or in the Senate on an appeal from a decision of the Chair, in case the Chair makes a decision, and in case the Chair does not desire to make it, he can submit it to the Senate for decision.

Mr. President, I know that men are sincere in their judgments in the particular matter before the Senate. This is an important case about which reasonable minds can differ. I think we should not treat it as a question involving civil-rights legislation, but of making rules and interpreting rules of the Senate of the United States. If we will keep that in mind, I think we will be able to decide what is a fair interpretation of the rule. We will be able to decide what the rule is. We can also decide the powers and authority of the Senate in interpreting the rules.

Mr. President, we have a decision of the Chair. Immediately there was an appeal for which the rule provides, and, as I understand, we have to ascertain what the judgment of each Senator is as to what the meaning of the rule is and what he desires it to be.

We speak about previous decisions of the Chair as binding on the Senators. Do we appreciate that the Senate did not have a parliamentarian, as such, until about the year 1935? The House has been closer in its following of decisions than has the Senate, because the Senate is not a judicial body; it is not a part of the executive branch; it is a political legislative body, except when it sits in impeachment proceedings.

Mr. President, one of the things I missed when I came to the Senate was that it did not follow precedents, and I miss it up until this day that we have not followed previous decisions, as courts have followed them, in order that we may interpret the rules and decide certain questions.

I have asked the Parliamentarian today whether we have a book on decisions to which we could readily refer. We have no such book of decisions. I say that the rule book of the Senate is not a book such as the rule books used by courts, in which precedents are followed. We would have citations under the rules showing where we could locate the interpretation of the rule. But the Senate of the United States, the greatest deliberative body in the world, does not have such a book, because it has not seen fit to follow precedents since it had the sole power to make the rules, and it had the sole power on an appeal from the decision of the Chair, or when a question was submitted to it by the Chair, to make the rule as of that date. That is very material at the present time. We have not followed decisions. For instance, I have seen questions of order raised when appropriation bills were under consideration because amendments were offered which were legislation on an appropriation bill. Did we follow decisions? I say that time after time I have seen Senators vote politically, because this is a political, legislative body, except during impeachment proceedings. They voted as they believed they wanted the legislation in the bill to be, or as they did not want it to be, according to their own political convictions. No precedents were cited or followed.

Mr. President, the measure we are considering is not a Republican measure, it is not a Democratic measure. There is not a Member of the Senate who does not think that we must have rules. We must have rules in order that we may have orderly procedure, and I think we probably surprise the world, when it comes to the matter of decorum and the dispatch with which this body acts, because it does act under rules, but it has the right to change the rules at any time by a majority vote on an appeal from the decision of the Chair.

Much of the work of the Senate is done by unanimous consent, and this body, by virtue of rule XX, always knows every hour of every day it is in session, that a question of order may be raised upon the floor and the Chair will have to rule, and if the Chair rules, any Senator can appeal from the decision of the Chair and a majority vote, on the appeal, will determine what the rule is and shall be for that particular case.

Mr. President, much has been said about the interpretation of rule XXII. In looking back through the records I have had a great deal of trouble in endeavoring to ascertain what those who adopted the rule had in mind. I have no quarrel with anyone who interprets the rule differently than I do, because I know that Senators are reasonable, but differ because they believe the position they will take when they make their decision is the correct one. I shall state what it is that impresses me and appeals to my conscience and dictates my decision in this matter. If rule XXII means that cloture can only be applied after a bill has been made the regular business then, Mr. President, the rule does not mean anything, for all any Senator has to do, or that any group of Senators has to do, is to be present in the Senate at the time the motion is made, and begin debate upon the motion.

Mr. President, we are now in the legislative day of February 21, 1949. Why? Because the Senate, under the interpretation of some Senators, cannot adjourn, and thus bring up a new legislative day, because if that were done the Journal would come up for approval, and there could be unlimited debate, without the right of cloture, upon the approval of the Journal. In this year of 1949 we face a situation in the Senate of the United States, whereby, because of the Senate rule, we are obliged to—yes I will say it—use a subterfuge, we have to recess instead of adjourn. We cannot have the morning hour because some Senators interpret the rule to mean that no cloture applies to debate on the question of approving the Journal.

As I have said before, I welcome precedent. I hope that we sometime can establish effective precedents in the Senate. I hope we can feel secure in following precedents, as the courts have done.

We hear complaint today that one of the defects of our judicial system is that our judges do not follow precedent. I saw the time, as other Senators did, when an attempt was made to pack the Supreme Court because the Supreme Court was following precedent. But I say that if Senators were today to ask our Parliamentarian, Charles Watkins, to show them any record of the precedents affecting the Senate rules, he would have great difficulty in doing so. He could show Senators his private records, and recall to them what he has in his mind on the subject, rather than furnish a definite record, because the Senate has not been in the habit of following precedents.

I say today, as my able colleague has said, that I have no quarrel with any other man's position upon this question. I cannot follow all the reasoning of the Vice President in his ruling, but my interpretation is that a motion to take up was included, or was intended to be included in the rule, unless we should say that those who adopted the cloture rule had their tongue in their cheek when they established the rule.

Mr. LONG. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. LONG. Did the Senator not come before the committee hearing and make a statement in direct conflict, to this effect, and I quote from page 85 of the hearings:

It may be that we have just discovered this defect in our rules. Let's say that by Senator

VANDENBERG's decision in the last session it brought to the attention of all of us that there was a defect, and it was pointed out that the defect applied in particular procedures, for instance, that a motion to bring up was not subject to a cloture petition.

So, now is the time, when we have discovered that we really haven't a cloture on these various matters, the right of cloture, that we ought to amend this.

Mr. FERGUSON. Yes, that statement was made, and I stand back of it. In August 1948 the ruling of the Chair was appealed from, but no vote was ever taken. That does not change what I am saying here today. I merely say today that paramount rights exist. I believe that the right to vote on a measure is paramount to the right of unlimited debate. But I am a firm believer in full and fair and reasonable debate. I am of the opinion that provision for a two-thirds vote for cloture on all matters will provide a fair, reasonable debate. I believe the people of the United States can trust the Senate. I believe the States can trust the two Senators from each State to allow full and adequate debate. That does not mean unlimited debate, but it means that if a two-thirds vote will bring about cloture, we will have full and fair debate in the Senate.

Therefore, Mr. President, it is my judgment that, as a Senator of the United States who is obligated to make the rules under the Constitution, my vote should be cast to sustain the ruling of the Chair. At this time such a vote will mean that those of us who vote in favor of sustaining the Chair believe that the motion to take up is a pending measure within the meaning of rule XXII. I shall so vote.

Mr. LANGER. Mr. President, very briefly I want to state my position on this motion. In the Eightieth Congress I led the fight to have the Republican Party carry out its pledges. The Republican Party at that time did not do so. On June 7, 1948, I brought to the attention of the Senate that in the Republican platform of 1944 the Republicans had placed the following planks. First:

We pledge the establishment by Federal legislation of a permanent Fair Employment Practice Commission.

Second:

ANTIPOLL TAX

The payment of any poll tax should not be a condition of voting in Federal elections and we favor immediate submission of a constitutional amendment for its abolition.

Third:

ANTILYNCHING

We favor legislation against lynching and pledge our sincere efforts in behalf of its early enactment.

And, Mr. President, fourth:

INDIANS

We pledge an immediate, just, and final settlement of all Indian claims between the Government and the Indian citizenship of the Nation. We will take politics out of the administration of Indian affairs.

Mr. President, day after day I stood upon this floor, when the Republicans had a majority, begging them to carry out the solemn promises, the definite pledges they had made to the people of the United States, and it is significant to note that I got exactly seven votes on three of the measures, and that only one of them was passed.

Mr. President, if I were assured that after this appeal had been decided my colleagues on the other side would make a sincere effort to carry out the wishes of President Truman, I would not take the few minutes I am taking. I have a definite idea as to their intentions. I wish to make perfectly clear the reason why I shall vote to overrule the decision of the Vice President yesterday afternoon.

In the first place, North Dakota holds a rather peculiar distinction. At the time rule XXII was adopted that grand and popular Viking, the late Senator Gronna, of North Dakota, was one of three Senators to vote against it. Also at that time there was in the Senate a man who was beloved all over the country, and particularly by the people of North Dakota. I refer to the late Senator Robert La Follette, Sr., one of the fighting champions—and one of the greatest—in behalf of the common people. Mr. La Follette was elected to the Senate in 1905. Because he had a lieutenant governor who disagreed with him politically he waited until 1906 before he came to the Senate. In 1917, eleven long years after Mr. La Follette first became a Member of this body, the question of cloture came up.

Mr. President, I believe that no other question which has arisen in the Senate during the 8 years I have been a Member has resulted in my receiving more telegrams and more telephone calls than I have received in this case, after announcing a few days ago that I would vote not to sustain the anticipated ruling of the Vice President.

In order that my position may be very clear, I wish to say that I fully agree with the late Robert La Follette, Sr. On March 8, 1917, in speaking of rule XXII, just before the vote took place, Mr. La Follette said:

With a rule such as is here proposed in force at that time, with an iron hand laid upon this body from outside, with a Congress that in 3 years has reduced itself to little more than a rubber stamp, let me ask you, Mr. President, if you do not think a rule of this sort would be bound to be pretty effective cloture? Especially is that true as some of the proposed legislation was of a character that appealed to certain Senators upon this side of the Chamber who, coming from States where the manufacture of munitions is a mighty important industry, are impressed with legislation that benefits the interests they represent?

Mr. La Follette continued—and I invite this to the attention of every man who pretends to be a progressive. Everyone who has studied history knows that Rome, after 450 fine years, fell when Julius Caesar made himself a dictator and when he subjugated the Roman Senate to his will. The English Parliament was strong for many hundred years, until Gladstone succeeded in abolishing the right of free discussion, at the time when the matter of freedom for Ireland came up for debate in Parliament.

I read at this time what Senator La Follette said when a proposal for cloture was before the Senate 32 years ago:

Mr. President, believing that I stand for democracy, for the liberties of the people of this country, for the perpetuation of our free institutions, I shall stand while I am a Member of this body against any cloture that denies free and unlimited debate. Sir, the moment that the majority imposes the restriction contained in the pending rule upon this body, that moment you will have dealt a blow to liberty, you will have broken down one of the greatest weapons against wrong and oppression that the Members of this body possess. This Senate is the only place in our system where, no matter what may be the organized power behind any measure to rush its consideration and to compel its adoption, there is a chance to be heard, where there is opportunity to speak at length, and where, if need be, under the Constitution of our country and the rules as they stand today, the constitutional right is reposed in a Member of this body to halt a Congress or a session on a piece of legislation which may undermine the liberties of the people and be in violation of the Constitution which Senators have sworn to support. When you take that power away from the Members of this body, you let loose in a democracy forces that in the end will be heard elsewhere, if not here.

I have not time to quote all of Mr. La Follette's speech. He gave one or two quotations. Here is one from a former Senator from Indiana, Senator Turpie, who, some 50 years previously, had made a statement in regard to limitation of debate. This is what Senator Turpie said:

I heard this body characterized the other day as a voting body. I disclaim that epithet very distinctly. I have heard it described elsewhere as a debating body. I disclaim that with equal disfavor. This body is best determined by its principal characteristic. The universal law and genius of language have given a name to this body derived from its principal attribute. It is a deliberative body—the greatest deliberative body in the world.

That was the first time, so far as I have been able to ascertain, that that description of the United States Senate was given. He continued:

Now, voting is an incident to deliberation, and debate is an incident to deliberation; but when a body is chiefly characterized as deliberative there is much deliberation apart from discussion and debate, and wholly apart from what is called the business of voting.

The essence and the spirit of a body like ours, now over a century old, may be best gathered from its rules of action, the body of law governing it always very small, now very brief. Of the 21 rules properly affecting parliamentary procedure in this body 11 relate to the subject of deliberation. More than one-half relate exclusively to that subject and have nothing to do with debate or voting. I suppose that the form of law under which the will of the majority must control this body embraces at least the rules which govern us. Here is rule XXII, one which touches us every day. I think it is the most frequently operative of any rule in the Senate.

Mr. President, after referring to the pledges made by the Republican Party, which they did not keep, I now call attention to the Democratic Party—whose members now say that they stand for civil rights. Mr. Truman was a member of this body for 5 years. What does the cold record show as to what he did for civil rights? Did he lead any fight for them in this body, Mr. President? I was here during those 5 years. He did not lead one fight for them. Where is he

today? He is not in Washington. Mr. President, he is out fishing, in Florida. That shows his great interest in this matter.

O Mr. President, these Negro votes are very fine on election day. Apparently the Democrats think they have to make a showing for civil rights this year and perhaps next year and perhaps the year after that—but not a serious effort to get these civil-rights measures enacted; and the effort here these past 10 days has not been serious.

Mr. PEPPER. Mr. President, will the Senator yield for a question?

Mr. LANGER. I refuse to yield at this time; I thank the Senator.

The PRESIDING OFFICER. The Senator from North Dakota declines to yield.

Mr. LANGER. Mr. President, the effort has not been serious. I imagine the Senator from Florida might give us some of Mr. Truman's votes on various measures. I think that he voted right when it came time to vote; but at no time did he lead a fight for civil rights.

Mr. President, what a difference. When two or three times at the last session I tried to prevent the passage of a bill which, under selective service, would draft the last remaining son of a family whose two other sons had been killed in the service, the Members of the Senate stayed here and had two sessions all night long—two long, long night sessions. But I have not seen any so far this session, Mr. President. So far in this session we have worked no later than 8 or 9 or 10 o'clock at night, and then we have quit until the next day at noon, not 11 o'clock. I, for one, want to make it very plain that at any time that the Democrats really want to pass these civil-rights measures, I am prepared to stay here all night or stay here a week or a month in order to enact the civil-rights program that Harry Truman has advocated since he has become President.

Not long ago the distinguished Senator from New York [Mr. IVES] said he thought he was perhaps as good a friend of civil rights as was any other Senator upon this floor. I think he is correct. I wish to say that during the 8 years I have been here, I have voted for every bill, without exception, calling for the establishment of civil rights in this country. So, today, I wish to make it very plain that when I vote to override the decision of the Vice President, I am still a firm, fighting friend of civil rights—just as strong a friend of civil rights as I ever was; and if the Democrats will begin tomorrow or Monday with a really serious, honest effort to carry out Mr. Truman's civil-rights program, I assure my friend the distinguished majority leader [Mr. LUCAS] that he will find me voting with him every single time. I hope the Democratic Party will do that. I hope they begin on it right away, and never quit until they secure the enactment of that civil-rights program. I think they will receive a great deal of support from Senators on this side of the aisle.

Mr. President, apropos of the telegrams and telephone calls on this matter which have been received by Senators—and two of those communications are rather threatening, especially one from New York—I wish to say that it seems to me that the people who sent those messages do not really understand the problem we face here, which was so clearly set forth today by the distinguished senior Senator from Michigan [Mr. VANDENBERG].

Mr. President, in closing, let me say that when I came to the Senate I had no better friend than Senator Charles McNary, of Oregon, who at that time occupied the desk next to the one I now have in this Chamber. He was then the minority leader. I shall never forget when he said to me that in his judgment one of the greatest safeguards of democracy was the fact that the right of unlimited debate exists in this Chamber, and I remember very well that when a distinguished Senator came to me and asked me to sign a cloture petition I talked with the senior Senator from Texas [Mr. CONNALLY], and I also secured the advice of Senator McNary, of Oregon, and I did not sign it. Certainly when a Member of the Senate like Senator La Follette, who was here 11 years, or a Member of the Senate like Senator McNary, gave me such advice, I did not sign it; I took the advice of the distinguished Senator Charles McNary, of Oregon.

Mr. CONNALLY. Mr. President, will the Senator yield for a question?

Mr. LANGER. I yield.

Mr. CONNALLY. I wish the Senator to be correct in his statement. I am sure he did not mean to say that I asked him to sign the cloture petition, for I was against signing it.

Mr. LANGER. That is correct; the Senator from Texas was against signing it. When such a petition was brought to me and I was asked to sign it, the distinguished Senator McNary, of Oregon, joined the Senator from Texas in saying that the right of free and unlimited debate in the Senate was one of the finest things about this body.

Mr. President, again I wish to assure my friend the Senator from Illinois [Mr. LUCAS], the majority leader, that if he will bring up this question of civil rights he will find no better backer than myself, and I shall be one of those who will hold up his right arm in carrying on that fight.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. LUCAS. Do I correctly understand that the Senator from North Dakota is in favor of the Wherry-Hayden resolution?

Mr. LANGER. I am not certain; that is a question we shall take up after this one. So far as the question of invoking cloture by a two-thirds vote is concerned, I am not quite sure whether I favor it or am opposed to it. I may even be opposed to it. I know that I do not favor cloture by majority vote, under any consideration.

Mr. LUCAS. In any event, the Senator from North Dakota is in favor of free and unlimited debate, and he has been in favor of it all the time, I understand.

Mr. LANGER. That is correct.

Mr. LUCAS. If the Senator does not favor the Wherry-Hayden resolution, why would he wish to keep us here for a month?

Mr. LANGER. I may be in favor of that resolution; I have not stated that I am opposed to it. I wish to study it and go over it. I do not wish to commit myself regarding it until I look it over and study it and hear the debate on it. I may even wish to offer an amendment to it.

Mr. LUCAS. Mr. President, will the Senator yield further?

Mr. LANGER. I yield.

Mr. LUCAS. The Senator has been talking about breaking this filibuster, but he is in favor of free and unlimited debate. I do not quite follow his reasoning, if he is in favor of having the Senate stay here for a month and if he is in favor of free and unlimited debate.

Mr. LANGER. It is very simple. If the Senator needs help, I shall be glad to give it.

Mr. LUCAS. I shall need a great deal of help.

Mr. LANGER. All the Senator from Illinois has to do is keep the Senate in continuous session. If that is done, it will not be very long, as the Senator from Michigan said today, before we shall arrive at some understanding or agreement which will be mutually satisfactory.

Mr. LUCAS. Mr. President, will the Senator yield further?

Mr. LANGER. I yield.

Mr. LUCAS. What the Senator says may be correct; but I am not sure that I shall be able to depend on the Senator from North Dakota, when we finally attempt to break the filibuster, to help us to break it, because he may not be in favor of the Hayden-Wherry resolution. I hope I can depend on the Senator from North Dakota when the time comes for him to go along with us.

Mr. LANGER. I assure the Senator from Illinois that I shall go along in helping secure the enactment of the Truman civil-rights program.

Mr. LUCAS. But the Senator from North Dakota makes some qualifications in that respect.

Mr. LANGER. No; I make no qualifications. When the Senator from Illinois asks me whether I favor a resolution which I have not yet had ample opportunity to study, I say that I am not sure whether I shall favor it without the crossing of a "t" or the dotting of an "i."

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. MAYBANK. The Senator from North Dakota has mentioned the name of the great Senator Bob La Follette. I wish to ask the Senator a question, because we were here together with another great Senator from the West, Senator Wheeler. I am sure the Senator from North Dakota well remembers the debates on the floor of the Senate with that distinguished Senator from Montana. I wish to remind the Senator that many a time Senator Wheeler——

Mr. LANGER. Senator Wheeler stood first, last, and all the time for free and unlimited debate upon this floor.

Mr. MAYBANK. Also, as I remember, he was a candidate, along with the distinguished Senator Bob La Follette, of the liberal movement in America.

Mr. LANGER. That is right.

Mr. KNOWLAND. Mr. President, will the Senator yield for a question?

Mr. LANGER. I yield.

Mr. KNOWLAND. I wish to inquire of the able Senator from North Dakota, in view of his statement and in view of the parliamentary situation with which the Senate is faced on the question of filibustering on a motion to take up a matter, how he anticipates he will ever get a chance to vote on any civil-rights legislation if we cannot even get it before the Senate for a vote.

Mr. LANGER. It would be delightfully simple. Just as the Senator from Michigan said today in his magnificent address, it will be possible to enact civil-rights legislation just as soon as either party makes up its mind it is going to do it—any time Republicans will make the sacrifices necessary to do it. The Senator will remember last year I brought up these Republican platform pledges. The junior Senator from Oregon rose on the floor and said he would bring up his cot every day, he would stay here a week, or a month. Just as soon as either the Republicans or the Democrats make up their minds to get the civil-rights program through it can be done. Instead of that, we adjourned for 3 days at a time until toward the end of the session. Then, in the last 2 or 3 weeks, some of us who were opposed to the drafting of our boys under selective service were kept here 2 nights before the Republican convention at Philadelphia, all tired out. We were kept in session because Senators wanted to adjourn and go to the convention. Although many days had been wasted during the month or 2 or 3 months before that, there was an adjournment 3 days ahead of time. So I close by telling the people of this country that I am unqualifiedly for the civil-rights program and will help to enact it—if only the Democratic majority will bring it up.

Mr. CORDON and Mr. PEPPER addressed the Chair.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. CORDON. Mr. President, I have never been one who believes in reiteration. I shall limit myself to one or two points which I believe have not been covered. Beyond that, I associate myself with the statement made earlier this afternoon by the eminent senior Senator from Michigan. I find myself in as embarrassing a position as the Senator indicated his was. I am a believer in cloture. I have reached that conclusion after long study and deliberation. I believe cloture should go to any motion, measure, or business, to any question which might be before the Senate at the time a petition for that purpose is submitted. I believe the petition should be a preferred matter, to be filed even while a Member of this body is on his feet. But, Mr. President, it is my conviction that we can pay too much in other more precious things for some of the things we desire.

Mr. President, as I view this matter, I am constrained to believe it has taken on a very great deal more importance, important as it is, than the subject matter warrants. I agree with the distinguished Senator from New York in his statement that this is a most important matter in the minds of millions of people. It has become important chiefly because it is misunderstood. The belief is abroad, based upon statements made and reiterated time after time and heard on the floor of this body, unless we correct the rule situation by the amendment we have to the present cloture rule, that in some moment of tragic and great public necessity in this country the Senate will find itself hog-tied and unable to act.

Mr. President, as long as the United States Senate is constituted under the provisions of the basic structure of this country, just that long a majority of a quorum on this floor can do what it will. We speak of rights under the rules of this body. If by the term "right" we mean a legal right, such rights are nonexistent. The rules we have in the Senate are worth while only to the extent that we who are Members of this body are willing to abide by them, as long as we who are Members of this body are willing to give our consent to their operation, as long as we who are Members of this body believe that the business of this body and the welfare of the people of the United States will be better served while we have those rules or some other rules.

But let us not delude ourselves, Mr. President, with any thought that we are hog-tied, handcuffed, futile in this body, if a time comes that we must do this or that. On that day, this body will act, and it will act within its constitutional power, because this body is the sole judge of its rules. The rules it has today exist by sufferance, by consent of a majority, even the rule of cloture, which requires two-thirds vote. That rule, or the rule requiring two-thirds vote for suspension of rules, can all go down and be overthrown on any day the Senate feels that the overriding welfare of the people here requires it.

So let us consider the rules for what they are. They represent the consensus of the Members of this body now and in the past that orderly operation in this body requires some ground rules. And we have, as a result of experience through the years, made, amended, modified, and added to, a set of ground rules. By sufferance of a majority of the quorums that appear here, we have restrained ourselves within them. Let it not be understood that I for a moment feel that we should not do that. On the contrary, I feel that the judgment of those who are in this body today, and of those who have been in this body since the inception of the Republic, has all gone to the proposition that the welfare of the country demands that we have orderly procedures.

I make only the point that there is no power under the shining sun that can tell a majority of a quorum of this Senate what it can or cannot do in the matter of rules at any given moment while the Senate is in session. The only place in which that power resides is in the body of the people, and then only by amendment to the Constitution itself.

So, Mr. President, let us have done with the thought that the country itself may be imperiled because we do not have the power to act. We can act at any time, on any question, when we feel that it is necessary. Our observance of the rule of restraint in this body has been outstanding, but just as outstanding has been the willingness of this body, by unanimous consent, time after time, in every session, to set the rules aside entirely and act as one.

If I may say that a careful consideration of the picture indicates that the Republic itself is not in danger as of the moment, then perhaps I can turn for another moment to the matter immediately at hand.

We are here concerned with a rule which had been adopted pursuant to other rules which were then in existence, by which we agreed to restrain our constitutional power for our good and for the good of the people. A question has arisen as to what the rule means. Again, Mr. President, let me say that although we have agreed among ourselves to follow a certain procedure to change the ground-rules we have adopted, we are not bound to do it, as witness the fact that at this moment we are here considering the question of whether we shall short-cut our rules. We can do it. It rests in the conscience and sound judgment of every Member of the Senate as to whether it is the better thing to do. There is no question about the power that rests here to do it.

Mr. President, as to the rule in question, I simply want to present one proposition, only one. There has been a very great deal of research done over the years, and most intensely within the past 2 weeks, to determine, so far as possible, what was intended to be done when the present cloture rule was adopted in 1917.

I want to associate myself with the remarks made by the Senator from Missouri, with reference to the definitions given of the word "measure." I think they should appear in the RECORD as broad as they appeared in the dictionaries. That has been done. The ruling was announced from the Chair that the words "pending measure" were not limited to bills or resolutions—in other words, actions of a substantive character—but that, necessarily, if there was no such measure before the Senate, then a motion to bring up such substantive business became itself a pending measure.

I say, in all frankness, Mr. President, that long ago, weeks ago, in my consideration of this question, I gave very deep and careful consideration to the point as to whether that should be the declaration from the Chair, because it appealed to me as answering one of the basic and fundamental rules of statutory construction, namely, that we must always presume that the legislative body did not intend a vain thing. But, Mr. President, when I had finished my investigation and again turned to the letter of the rule itself, to the plain words of the rule, I had to confess that the record carried evidence to the contrary. I then had to face this proposition as one who believes in law, one who believes there can be no order in this world without law, one who

believes that there can be no law unless there is precedent, that there can be no law unless a man today can determine his actions tomorrow by what happened yesterday, because I believe in that with every atom of my being. I had to say to myself, when I considered this matter, I cannot today legislate for the Members of this body who sat here in 1917, no matter what I may conjecture they intended to do. Unless I can find that they did it, I cannot today, ex post facto, do it for them. Therefore I had to turn my attention to the rule, and I now call the attention of the Senate to the rule.

Mr. President, if I may for a moment turn back to conjecture and speculation, always a dangerous field, I admit, I speculate that when those Senators in this body in 1917 adopted that rule they had in their minds the belief that it would be effective. That, of course, we all know. Then I speculate that, perhaps, had the evil which exists today existed at that time, or had they been able to foresee that it would exist today, they would have drawn a different rule. But, by the same token, Mr. President, had all of the lawmakers in all of the years that have passed had the same knowledge at the time they drew the laws of their times, they would have drawn them differently; and it might well be that there would be no purpose in a Senate or a House of Representatives today. We would have perfection in the law.

Mr. President, we cannot legislate for yesterday, but we can legislate today for today and for tomorrow. We have an orderly way of doing that. We have an extraordinary reserve power which we can wield if we must. But I believe in following ground rules when we have them, and when I follow the ground rules here, when I read the rule itself and seek from the context to determine what was in the minds of those who drew it, I find what, to me, is satisfactory evidence that it was not intended by its authors or those who adopted it to make the words "pending measure" apply to a motion of any kind at the time when the petition for cloture was filed. Let us look at the rule and see what we have. I now read from section 2 of rule XXII:

> If at any time a motion, signed by 16 Senators, to bring to a close the debate upon any pending measure is presented to the Senate, the Presiding Officer shall at once state—

I read no further, because from there on there is set out the method by which that petition is presented to the Senate.

There, Mr. President, the words used to identify the situation existing in this body are the two words "pending measure." Now let us drop down on the next page in my rule book and see if at any time in this rule there was any recognition that there could be two separate things, a pending measure and a motion. The rule says what I shall read, following the provision for adoption of cloture. We first have the method by which cloture is invoked, the condition under which it can arise, on a pending measure. Then we have the effect of invoking the rule, the limitation that happens then, and what do we find? I quote:

> Thereafter no Senator shall be entitled to speak in all more than 1 hour on the pending measure—

I interpolate; now follow the next words carefully—

> the amendments thereto, and motions affecting the same.

Those who drew the rule had in mind that the condition on the floor of the Senate which would give rise to cloture was a pending measure, but once cloture attached by virtue of the procedure set up in the rule then that cloture went beyond the pending measure, it went to other matters, and those other matters were amendments to the measure and motions concerning the measure; and that I point out.

Mr. President, there was a recognition by those who presented this rule and those who adopted it that a pending measure and a motion were two entirely different things.

I think we cannot pass by the evidence in the rule by speculating as to what the men in 1917 would have done had there been at that time knowledge of the evil which faces us now, or had they projected their thinking far enough to realize that while their rule was still effective other evils might arise. They did not. The obligation that is now upon the Senate is the same obligation which rests upon us to take care of other deficiencies in other laws which have been passed since the Republic began, and they are many.

We must amend our rule. We can do it, as I said before, in either of two ways. We can do it in the way established, or we can cut through and do it by virtue of the constitutional power which rests in the majority.

Mr. President, because I have such a deep belief that this country cannot exist once we have lost the anchor, may I say, of precedent, which holds the ship of state, constructed of law, in its place; that once we have lost that we are drifting into anarchy and disorder, I must follow what I conceive to be self-established rules of the Senate for orderly operation.

One thing more. If I left the matter there I would feel I was a defeatist. What shall we do, faced with a situation with which we are faced, not these questions in the background of so-called civil rights, but just this one question of a resolution to amend the cloture rule? Are we stymied? Reserving the basic power that we have in the Constitution to act directly, are we not obligated, first, because we believe in law, because law is of the very meat and bone of our being, to try in good faith, with all the endurance we have, to bring this matter to a vote, after allowing those who object to speak until they can speak no longer? Let us try that once. I, for one, am prepared to do it, and I wish to quote now the words of my illustrious predecessor in the Senate, the revered late Senator Charles L. McNary:

> So far as I am concerned, I am willing to stay here from dawn till evening star, and evening star to dawn, till the job is done.

Let us try that, and then, Mr. President, if we find that after the most courageous attempt that can be made we cannot win, I for one, I say in all frankness, will turn then and see whether or not events justify my using that other reserved constitutional right which rests in this body. But I believe we can win.

Mr. President, perhaps I of all the Members of this body have used up less CONGRESSIONAL RECORD space than any other Senator. Perhaps I am not qualified to make this observation, but I cannot help believing that it takes more effort to stand on one's feet hour by hour and make a speech than it does to sit in one's chair and listen, or walk out in the cloakroom and forget it. If it be a matching of endurance, who has the laboring oar?

Before we admit defeat, let us carry the battle as far as it can be carried.

Mr. PEPPER. Mr. President, I should like to make just a very few observations, if I may.

The question now is different from what it was yesterday, after the ruling of the Vice President. The question now is simply one as to whether the Senate is to sustain or not sustain the ruling of the Vice President of the United States.

Let it be clear that there is, in the words of the Senator from Michigan himself, the able President pro tempore who ruled on the 2d of August last year, no precedent save that ruling of the Senator from Michigan, who made the following statement in the course of his opinion. I quote from the CONGRESSIONAL RECORD, volume 94, part 8, at page 9603:

> There has been no direct ruling upon the specific question whether a motion to take up a bill is subject to cloture.

So there is but one precedent to the contrary, if it be a precedent, to the ruling of the Vice President of the United States yesterday on the pending petition to apply rule XXII to the motion to take up the resolution in question.

Second, Mr. President, I asked the Parliamentarian of the Senate as to whether there were instances when other Presiding Officers had ruled contrary to previous rulings. In the first place, the Vice President distinguished his ruling of yesterday from the ruling of August 2 of last year made by the eminent President pro tempore of that time. The Vice President yesterday pointed out that the President pro tempore last year ruled that the pending measure was a matter pertaining to aviation which had already been made the pending measure upon the motion of the Senator from Maine [Mr. BREWSTER], and that the motion of the Senator from Nebraska [Mr. WHERRY] was a motion to take up the anti-poll-tax bill at a time when there was a pending measure, that is to say a resolution, already before the Senate and therefore a pending measure before the Senate. I thought there was great weight in the distinction made by the Vice President in the ruling he made from the facts as they existed on the second of August last year, and all of us lawyers know that the rule of stare

decisis, even to a court, means that it has binding effect only when the facts in the two cases are the same.

Mr. President, the Parliamentarian, at my request, examined the index of the precedents of the Senate which he is preparing under a resolution of the Senate, and noted down, at my request, 14 instances in the last 25 or 30 years covered by this compilation, when the Presiding Officer of the Senate has ruled contrarily to a previous ruling of the Chair. I have all of them here. I shall not take the time of the Senate to detail them, but Senators will observe them in the Index to the Rules of the Senate, by Charles L. Watkins, Parliamentarian of the Senate. It was this day, at my request, that he went through the index and noted 14 instances where Presiding Officers had ruled contrary to the decisions made by previous occupants of the chair.

Mr. President, I stated in my observations prior to the ruling of the President pro tempore last year that the President pro tempore, in my opinion, had the right, if not the duty, to pass upon any question presented to him according to the way he sees it, in light of the language of the rule and the facts and circumstances surrounding the action.

Mr. LONG. Mr. President, will the Senator yield?

Mr. PEPPER. I yield to the Senator from Louisiana.

Mr. LONG. In order to complete the RECORD, I wonder if the Senator would state, in connection with the 14 examples of rulings which were handed down which were contrary to previous rulings, in how many of the 14 instances an appeal was taken.

Mr. PEPPER. I do not know. The Parliamentarian, Mr. Watkins, said that just from the index he could not tell the number in which appeals were taken, but he did not think appeals were taken in many of those instances.

I stated, Mr. President, what I believed to be the right rule to govern the Chair when a motion is presented to it, as follows:

> The decision which the Chair is about to make is of grievous import to the country and possibly to the world. I am aware of the precedents. * * * However, Mr. President, every Presiding Officer, if I may say so, stands upon his own authority. He exercises his own power. He has the authority to make a decision in accordance with the rule, its language and intent, which the distinguished Presiding Officer himself thinks is right and proper in course of his duties.

This is what the able President pro tempore, the senior Senator from Michigan, himself said, as it appears on page 9603 of the RECORD, in the course of his opinion prior to his ruling:

> But in his capacity as President pro tempore the senior Senator from Michigan is bound to recognize what he believes to be the clear mandate of the Senate rules and the Senate precedents; namely, that no such authority presently exists.

So he was bound to carry out what he himself believed to be the mandate of the rules of the Senate.

Mr. President, in my observations to the President pro tempore I compared the position of the Presiding Officer to that of any appellate court. I said the Presiding Officer has the same authority to reverse or to distinguish a previous decision that an appellate court possesses.

I have before me the case of *West Coast Hotel Company* v. *Parrish*, 300 U. S., and I am reading from page 400. This is the concluding sentence of a paragraph of a decision by Chief Justice Hughes, speaking for the Court. This is what Chief Justice Hughes said:

> Our conclusion is that the case of *Adkins* v. *Children's Hospital*, supra, should be and it is overruled. The judgment of the Supreme Court of the State of Washington is affirmed.

Mr. President, that is merely one example of the Supreme Court of the United States, speaking through the able jurist, its Chief Justice, Mr. Charles Evans Hughes, for the Court directly, reversing a previous decision of the Court which had been the supreme law of the land for I think 14 or 15 years.

I read from another decision of the United States Supreme Court, Mr. President, the case of *Helvering* v. *Hallock*, 309 U. S. I read from the opinion of Mr. Justice Frankfurter, speaking for the Court, on pages 121 and 122 of the decision. This is what Mr. Justice Frankfurter said:

> This Court, unlike the House of Lords, has from the beginning rejected a doctrine of disability at self-correction. Whatever else may be said about want of congressional action, to modify by legislation the result in the St. Louis Trust cases, it will hardly be urged that the reason was congressional approval of those distinctions between the St. Louis Trust and the Klein cases to which four members of this Court could not give assent. By imputing to Congress a hypothetical recognition of coherence between the Klein and the St. Louis Trust cases—

Mr. President, I call especial attention to this language—

> we cannot evade our own responsibility for reconsidering in the light of further experience, the validity of distinction which this Court has itself created. Our problem then is not that of rejecting a settled statutory construction. The real problem is whether a principle shall prevail over its later misapplications. Surely we are not bound by reason or by considerations that underlie stare decisis to persevere in distinctions taken in the application of a statute which, on further examination, appear consonant neither with the purposes of the statute nor with this Court's own conception of it. We therefore reject as untenable the diversities taken in the St. Louis Trust cases in applying the Klein doctrine—untenable because they drastically eat into the principle which those cases profess to accept and to which we adhere.

There the Supreme Court of the United States said it has never followed the House of Lords in adhering to a disability to correct its own mistakes or its own errors.

I shall refer to two other cases. In the case of *Breedlove* v. *Suttles* (302 U. S. Reports, p. 283), the Supreme Court of the United States said:

> The privilege of voting is not derived from the United States, but is conferred by the State and, save as restrained by the fifteenth and nineteenth amendments and other provisions of the Federal Constitution, the State may condition suffrage as it deems appropriate.

That opinion was in 1937. But later the United States Supreme Court, writing in 1940, had this to say about that part of the opinion, and I am now reading from *United States* v. *Classic* (313 U. S., p. 315):

> While in a loose sense the right to vote for representatives in Congress is sometimes spoken of as a right derived from the States (see *Minor* v. *Happersett*, *United States* v. *Reese*, *McPherson* v. *Blacker*, *Breedlove* v. *Suttles*)—

The case from which I just quoted.

> This statement is true only in the sense that the States are authorized by the Constitution to legislate on the subject as provided by section 2, article I, to the extent that Congress has not restricted State action by the exercise of its power to regulate elections under section 4, and its more general power under article I, section 8, clause 18 of the Constitution, and to make all laws that shall be necessary and proper for carrying into execution the foregoing powers.

Mr. President, the junior Senator from Tennessee [Mr. KEFAUVER] made one of the real original contributions to this debate, and I am sure his colleagues who heard him honor the sagacity of his research which brought to light the facts which he quoted here, which some Senators, not being in the Chamber at the time, might not have heard. The junior Senator from Tennessee read, I believe, from either the Washington Post or the New York Times of March 4, 1917. The RECORD will disclose which newspaper it was. He read from that newspaper the language of what might be called a sort of round-robin agreement, signed by 33 Senators. Senators will note that this was on the 3d of March. It bears that date. I have obtained from the Official Reporters of Debates a transcript of the statement of the Senator from Tennessee. This agreement is dated Washington, March 3, 1917. This is what it says:

> We, the undersigned, hereby mutually covenant and agree to cooperate with each other in compelling such changes in the Rules of the Senate as to terminate successful filibustering and enable the majority to fix an hour for disposing of any bill or question subject to the rule of 1 hour to each Senator from discussion before or after the hour is fixed. This agreement to go into effect March 5, 1917.

As I said, 33 Senators signed the agreement. I do not suppose it is necessary to name those Senators, but it will take only a moment. They were: Robert L. Owen, Oklahoma; Atlee Pomerene, Ohio; Henry F. Hollis, New Hampshire; Ollie M. James, Kentucky; James A. Reed, Missouri; William Hughes, New Jersey; James K. Vardaman, Mississippi; Henry L. Myers, Montana; Morris Sheppard, Texas; George E. Chamberlain, Oregon; John Sharp Williams, Mississippi; William F. Kirby, Arkansas; A. A. Jones, New Mexico; Claude A. Swanson, Virginia; Duncan U. Fletcher, Florida; John Walter Smith, Maryland; Willard Saulsbury, Delaware; W. J. Stone, Missouri; Edwin S. Johnson, South Dakota; Charles S. Thomas, Colorado; Henry F. Ashurst, Arizona; Key Pittman, Nevada; Paul O.

Husting, Wisconsin; Thomas J. Walsh, Montana; Joseph T. Robinson, Arkansas; James D. Phelan, California; W. H. King, Utah; J. C. W. Beckham, Kentucky; Joseph E. Ransdell, Louisiana; James Hamilton Lewis, Illinois; William H. Thompson, Kansas; Francis G. Newlands, Nevada; Albert B. Fall, New Mexico.

The newspaper article stated:

Others who, while they have not yet signed the agreement, have agreed to support the movement are: Thomas S. Martin, Virginia; Hoke Smith, Georgia; Harry Lane, Oregon; John F. Shafroth, Colorado; Oscar W. Underwood, Alabama; Kenneth D. McKellar, Tennessee; Park Trammell, Florida.

Mr. President, the reason I call attention especially to this point, with all honor and credit to the junior Senator from Tennessee, is the presence of the words "of any bill or question." The agreement did not say "measure." It did not say "resolution." It did not say "proposed law." It said "bill or question." A motion is a question.

When was this, Mr. President? This was the day following the beginning of the filibuster against the bill providing for arming of merchant ships, requested by President Wilson, which bill was killed by a filibuster which continued from 4:30 o'clock on Friday afternoon, the 2d of March, until noon on the 4th of March, the following Sunday, when the Congress expired by the terms of the Constitution.

Here were men who knew that the filibuster had been upon a bill or resolution, but they did not say "measure." They said "any bill or question." On the 3d of March the filibuster was in progress in the Senate, when this agreement was signed. Those men knew that it was a bill which was being filibustered, but they did not stop at "bill." They said "any bill or question." That was on the 3d of March when the filibuster, which started on the 2d and ended on the 4th, was in progress.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. PEPPER. I yield for a question only.

Mr. STENNIS. Was this agreement signed before the amendment to the rule was written?

Mr. PEPPER. That is correct.

Mr. STENNIS. They resolved to make it apply to a bill or question; but when they wrote the rule they merely said "pending measure." Does not the Senator think that that shows that they had changed their minds?

Mr. PEPPER. I do not think so, and I will state one reason why I say that.

On the 16th of May 1916, Senator Smith, of Georgia, reported Senate Resolution 195 to the Senate. In the debate on the 8th of March 1917, it was stated by Senator Smith that what became of rule XXII was substantially the resolution he had reported by the unanimous vote of the Rules Committee on the 16th of May 1916, which was Senate Resolution 195.

The reason I answer the able Senator from Mississippi as I do is this: Senator Hoke Smith, of Georgia, on the 16th of May 1916, reported a resolution to the Senate providing for cloture, which resolution used the words "pending measure." It said:

If 16 Senators present to the Senate at any time a signed motion to bring to a close the debate upon any pending measure—

Nevertheless, here was that same Senator Smith, on the 3d of March 1917, saying he would support a covenant with his fellow Senators saying that they were going to try to compel such changes in the rules of the Senate as to terminate successful filibustering and enable the majority to fix an hour for disposing of any bill or question. Senator Smith had already used the words "pending measure" in 1916. I have a list of the members of the Rules Committee in 1916. They were: Overman, of North Carolina; Kern, of Indiana; O'Gorman, of New York; Williams, of Mississippi; Lea, of Tennessee; Smith, of Georgia; Warren, of Wyoming; Gallinger, of New Hampshire; Nelson, of Minnesota; and Cummins, of Iowa. It will be noted that Senator Williams, of Mississippi, who was one of the signers with the group of 33 on March 3, 1917, was also a member of the Committee on Rules.

It seems to me that if those gentlemen had fixed "pending measure" as the way to go at this matter in their minds, they would have put "pending measure" in the agreement which they signed, had they not regarded as synonymous what they said in the agreement signed by 33, what they said in the resolution in 1916, and what they said in what became rule XXII. In other words, "pending measure" is descriptive of "bill or question." That is the basis on which I answer the able Senator.

Mr. President, I have made a little inquiry. I shall not at this late hour take the time of the Senate to go into it, but I have noted instance after instance in the debate in 1917 in which reference was made to what this rule was to do. Here is one example, on page 31 of the RECORD of March 8, 1917. This is what Senator Stone, of Missouri, said:

I wish to say, Mr. President, that I am in entire sympathy with and heartily for the adoption of a cloture rule. The proposed rule is not in the form I would have written it if I could have written it. It is perhaps not in the form in which other Senators would have written it if they could have written it. But it authorizes the Senate to bring discussion to a close whenever two-thirds of the Senate voting so conclude.

He uses the word "discussion."

There is another instance, on page 32 of the RECORD of March 8, 1917. This is Senator Owen, of Oklahoma:

Mr. President, in giving support to this modified cloture, by which two-thirds may close debate—

He did not say "on the pending measure." He said "by which two-thirds may close debate."

It ought to be said, in fairness, that Senator Lodge, of Massachusetts, was one of the five conferees from the Republican side of the aisle. I have finally been able to get the names of all those conferees. On the Democratic side they were: Reed, of Missouri; Owen, of Oklahoma; Swanson, of Virginia; Smith, of Georgia; and James, of Kentucky. They were appointed by the Democratic conference on March 6, 1917. By the way, Senator Reed, of Missouri, was designated by the chairman of the conference, Senator Martin, of Virginia, on March 6 to notify the Republican members of this committee that the Democrats had appointed their members, and to suggest that they get together.

On the 7th of March, the chairman of the conference also added Senator Walsh, of Montana, although that made six Members from the Democratic side, to the gentlemen who were to represent the Democratic conference in trying to work out an adequate cloture rule.

The Republican Members were Senators Lodge, Brandegee, Penrose, Cummins, and Fall.

Mr. President, I have referred to what Senator THOMAS said. I have sent for these magazines. I have not yet been able to obtain them. Senator Lodge, according to Senator THOMAS in his remarks, in 1893 had written an article on the subject of cloture; and here are two quotations from Senator Lodge's articles, which were quoted by Senator THOMAS. As I said, I have not yet been able to obtain the magazines. Senator Lodge said this in the North American Review in November 1893:

No minority is ever to blame for obstruction. If the rules permit them to obstruct, they are lawfully entitled to use those rules in order to stop a measure—

"A measure," Mr. President—

which they deem injurious. The blame for obstruction rests with the majority, and if there is obstruction it is because the majority permit it. * * * They and they alone can secure action and initiate proceedings to bring the body whose machinery they control to a vote.

Senator Lodge also said, as quoted there:

No extreme or violent change is needed in order to remedy the existing condition of affairs. A simple rule giving the majority power to fix a time for taking a vote upon any measure which has been before the Senate and under discussion, say, for 30 days, would be all-sufficient. Such a change should be made and such a rule passed, for the majority ought to have and must have full power and responsibility.

Senator Lodge used the word "measure." Other Senators used the words "close debate." Other Senators said "end discussion"; and other Senators have used similar terminology all the way through.

Mr. President, let me point out one other fact. Senator Martin, of Virginia, the Democratic leader, who presented that resolution to the Senate, was one of those who said he associated himself with the petition signed by the 33 Senators who said they must compel such changes in the rules of the Senate as to terminate successful filibustering and to enable the majority to fix an hour for the disposing of any bill or question.

I have checked the record of the votes; and I find that every one of the 33 Senators who signed that petition or document, voted for rule XXII, except 4 who were absent; and most of those indicated, through other Senators, that they would have voted for it had they been

present. But of the 33, 29 were present and voting on rule XXII, and voted for it. Mind you, Mr. President, that was on the 8th of March; and on the 3d of March they had signed the petition or covenant with one another, in which they said they were determined to compel a rule change that would stop successful filibustering on any bill or question.

Moreover, Mr. President, every one of the additional seven, consisting of the ones whose names I read a moment ago, who said that although they had not yet signed the agreement, they had agreed to support the movement—every one of them voted for rule XXII.

So what do we have? We find that on the 3d of March, 40 Senators covenanted with one another that they would compel a rule change which would stop successful filibustering and would permit the disposition of any bill or question at a fixed time by the Senate. Of those 40, 36 of them on the 8th of March voted for rule XXII.

That leads me to believe that they must have thought that rule XXII would accomplish the purpose they covenanted with one another to accomplish in the petition which the 33 signed.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. PEPPER. I yield to the distinguished Senator from Tennessee.

Mr. McKELLAR. Mr. President, I remember very distinctly being one of those who was called into that conference. I was a new Member of the Senate at the time; I had just been sworn in. But I recall very distinctly that all these questions were talked about and carefully considered, language was redrawn, and Senator MARTIN was one of the principal ones who insisted upon the use of the language a "measure" before the Senate at the time; and it is a fact beyond controversy that that language was not the language which the first Senators had been agreed upon, but that it was in that conference, by compromise and agreement, that this rule was brought out. It was not for a "motion"; it was for a "measure" before the Senate at the time.

Mr. PEPPER. Mr. President, I thank the able Senator from Tennessee for his always valuable contributions.

In conclusion, Mr. President, I have before me a volume entitled "Sutherland Statutory Construction," the third edition, by Horack, which lays down what I believe are recognized to be the sound rules for the construction of statutes and provisions which have to be regarded and determined by courts. I should like to read two sections of this work to the Senate. The first is section 4704, entitled "Intention of the whole controls interpretation of the parts." I read from it here:

> Intention of the whole controls interpretation of the parts.
>
> The presumption is that the lawmaker has a definite purpose in every enactment and has adapted and formulated the subsidiary provisions in harmony with that purpose; that these are needful to accomplish it; and that, if that is the intended effect, they will, at least, conduce to effectuate it. That purpose is an implied limitation on the sense of general terms, and a touchstone for the expansion of narrower terms. This intention affords the key to the sense and scope of minor provisions. From this assumption proceeds the general rule that the cardinal purpose or intent of the whole act shall control, and that all of the parts be interpreted as subsidiary and harmonious. "A statute is to be construed with reference to its manifest object, and if the language is susceptible of two constructions, one which will carry out and the other defeat such manifest object, it should receive the former construction." Thus Chancellor Kent observed: "In the exposition of a statute the intention of the lawmaker will prevail over the literal sense of the terms; and its reason and intention will prevail over the strict letter. When the words are not explicit, the intention is to be collected from the context; from the occasion and necessity of the law; from the mischief felt and the remedy in view; and the intention should be taken or presumed according to what is consistent with reason and good discretion."

Mr. President, just one more section from this volume; I read now section 4706, entitled "Limitation on Literal Interpretation." It reads as follows:

> The literal interpretation of the words of an act should not prevail if it creates a result contrary to the apparent intention of the legislature and if the words are sufficiently flexible to admit of a construction which will effectuate the legislative intention. The intention prevails over the letter, and the letter must, if possible, be read so as to conform to the spirit of the act. "While the intention of the legislature must be ascertained from the words used to express it, the manifest reason and obvious purpose of the law should not be sacrificed to a literal interpretation of such words." Thus words or clauses may be enlarged or restricted to harmonize with other provisions of an act. The particular inquiry is not what is the abstract force of the words or what they may comprehend, but in what sense were they intended to be used in the act. The sense in which they were used by the legislature furnishes the rules of interpretation and when this cannot be determined from the context of the act, the court may resort to extrinsic aids.

Mr. President, that is a sound rule of construction in the courts. I think it is a rule of construction applied by the Vice President of the United States, ably and courageously expressed in his decision of yesterday. What would he have found if he followed the single precedent—and I want to emphasize that—the single precedent to the contrary of his ruling? In August of last year the Senator from Michigan, the then President pro tempore said there had been no direct ruling upon the specific question whether a motion to take up a bill is subject to cloture. If the Vice President had followed the single precedent of the President pro tempore of last year, what would have been the result? First, as ably pointed out by the Senator from New Jersey [Mr. SMITH], it would have made the cloture rule adopted in 1917 absolutely of no consequence at all. It would mean that a measure to which there was strong opposition would never be considered. It could never be made the pending measure, because of a previous filibuster on a motion to take it up, if debate could not be stopped on such motion. So the 1917 rule, rule XXII, would have been a vain act, as was first said by the junior Senator from California [Mr. KNOWLAND], when he also opposed ably, on August 2 of last year, the decision that was made, or rather submitted observations contrary to the decision subsequently made by the President pro tempore.

Secondly, what would be the effect, I ask, if the Vice President yesterday had followed the single precedent made by the President pro tempore on August 2 of last year? I do not have to go outside the statement of the President pro tempore himself at the time he made his decision. He said:

> The President pro tempore fully recognizes the implications of the resultant situation, as stated so eloquently by the Senator from California [Mr. KNOWLAND]. There is nothing new about those implications. They have been perfectly apparent to students of the Senate rules for many years. They mean that, in the final analysis, the Senate has no effective cloture rule at all.

That is what the ruling of the Chair August 2 of last year meant. If adhered to by the Vice President on yesterday, that would still be the ruling of the Chair, and the effect of rule XXII. I continue to read from the opinion of the President pro tempore:

> They mean that a small but determined minority can always prevent cloture, under the existing rules. They mean that a very few Senators have it in their power to prevent Senate action on anything.

That was the effect of the ruling of the Chair, last year. If the Vice President had followed it yesterday, that would be the effect of the ruling on the meaning of rule XXII.

Mr. TYDINGS rose.

Mr. PEPPER. I yield to the Senator from Maryland.

Mr. TYDINGS. If I am not interrupting the Senator, I should like to ask him this question: Assuming that we had before the Senate a proposition to declare war; assuming that that had been debated at some length without bringing the matter to a decision, and a cloture petition had been filed to end debate and bring the matter to a decision. Then suppose there had been entered or offered a motion to postpone to a day certain, which would be a motion on a pending measure. Would the ruling of the Senator from Michigan, in the judgment of the Senator from Florida, apply, or would the ruling of the Vice President apply to that situation? Do I make myself plain?

Mr. PEPPER. Does the Senator mean, under the assumption that the resolution providing for a declaration of war had been made the unfinished business and the pending business of the Senate?

Mr. TYDINGS. It has been made the pending business of the Senate, and there has been a filibuster against it. A cloture petition has been filed, but there is a motion, which is in order, to postpone consideration of it to a day certain or to an indefinite day. I am looking at rule XXII.

Mr. PEPPER. Yes, I know there is authority.

Mr. TYDINGS. One of the measures or procedures that may be taken is to postpone indefinitely. We will assume for the sake of my question that the motion to postpone indefinitely is in order. Would the motion to postpone be

subject to the ruling of the Senator from Michigan, in which event the cloture petition would be avoided and the motion to postpone indefinitely could be debated at length, or would the ruling of the Vice President apply in that case under the present rule? Do I make myself plain?

Mr. PEPPER. Yes. I may say to the able Senator that in the first place attention was called to the fact that such motions could be made when rule XXII was adopted. Some thought that would deprive the Senate of the power to bring debate to a close. However, it seems to me the obvious answer to that is that any such motions can be laid on the table by motion, and that, of itself, would terminate debate immediately on those questions. I think that would be an effective way of disposing of any of those motions.

Mr. TYDINGS. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Maryland?

Mr. PEPPER. I yield.

Mr. TYDINGS. The point is that a motion to postpone indefinitely would not be subject, under the ruling of the Senator from Michigan, to any limitation on debate. Is that correct?

Mr. PEPPER. I think that is correct.

Mr. TYDINGS. If that is correct, one of the things which has worried me about the situation is, there could be a declaration of war pending before this body; a cloture petition could be filed to end debate on it; but if a motion, which would be in order, to postpone to an indefinite date were made, that motion, under the ruling of the Senator from Michigan, would be without limitation, because it would not apply to a pending measure. Therefore, there would be no vote on whether the country were to go to war. I should like someone who has given this matter some study to answer that question.

Mr. HOLLAND rose.

Mr. PEPPER. Before I yield to my colleague, I should like to say that there would be no doubt of it if there were Senators on the floor who wished to oppose the declaration of war and wished to thwart it in every way they could. They could simply start their debate, of course, when the motion to take up was made, and unmistakably under the ruling of the President pro tempore last year, there would be no way at all except by sheer physical exhaustion to bring the debate to a conclusion.

Mr. TYDINGS. But I am assuming the cloture petition has been filed, and is in order, and has been voted by the Senate. Now suppose a motion is made to postpone the decision on a declaration of war to an indefinite date. Would that motion come under the cloture petition, or would it be without it? In the latter event, even though the debate had been terminated on the motion to declare war, there would still be the right to debate the motion to postpone indefinitely, from now to the end of doom, as I understand.

Mr. GEORGE. Mr. President, I may call attention to the fact that the rule, if read through to the end, textually provides that if the cloture is filed to the pending measure, that stops the debate, as the rule itself provides, of course, on all motions or amendments; so it could not be continued.

Mr. TYDINGS. I think that is correct.

Mr. PEPPER. I have just turned to the rule. It says, after these rules——

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. TYDINGS. I should like to ask the Senator if the second paragraph in his judgment does not cover that situation, where it refers to the pending measure and the amendments thereto and motions affecting the same; so that in the contingency I have cited, the motion would not hold; it would come under the cloture resolution, would it not?

Mr. PEPPER. I do not know how the President pro tempore would have ruled upon that. It says all motions affecting the same. Naturally, I would assume that the motions enumerated would be regarded as motions affecting the same. If an attempt were made to close debate on some of those motions, and not on the measure—like the reservations to the Treaty of Versailles, rather than on the Treaty—there would have been no difficulty.

Mr. TYDINGS. Mr. President, will the Senator yield for a further question?

Mr. PEPPER. I yield.

Mr. TYDINGS. I should like to ask the Senator if it is not his understanding that after the cloture resolution has been adopted it does apply to motions, and applies to everything outside the pending measure?

Mr. PEPPER. Yes, including amendments.

Mr. TYDINGS. But before it is adopted, under the ruling of the Senator from Michigan, it would not apply to motions or matters that were not pending measures. Is that correct?

Mr. PEPPER. That is correct. But let me repeat, that any opposition which was determined and wanted to make such a fight could, of course, initiate it when the motion to take up was made.

Mr. HILL. Mr. President, will the Senator yield?

Mr. PEPPER. My colleague asked me to yield for a question. I now yield to him.

Mr. HOLLAND. I was simply going to call attention to the same matter mentioned by the distinguished senior Senator from Georgia [Mr. GEORGE], namely, that when the cloture petition has been filed and voted on, the pending measure, amendments thereto, and motions affecting the same are all equally affected. I wanted to call further attention to the fact that the last portion of the paragraph which has been quoted in part specifically provides as follows:

> No dilatory motion, or dilatory amendment, or amendment not germane shall be in order.

Mr. TYDINGS. Mr. President, will the Senator yield for a question?

Mr. PEPPER. I yield.

Mr. TYDINGS. I should like to ask the Senator from Florida if it is not a fact that a cloture motion does not cover antecedent motions?

Mr. PEPPER. That is the way the President pro tempore ruled last year.

I now yield to the Senator from Alabama for a question.

Mr. HILL. I was going to call attention to the same thing the junior Senator from Florida [Mr. HOLLAND] has developed.

Mr. PEPPER. I have never understood why a motion to lay on the table would not lie if one of those motions were made, even if it were a debatable motion.

Mr. President, I was stating what the President pro tempore said last year was the effect of his ruling. I have only one other quotation from the President pro tempore, which appears on page 9603 of the CONGRESSIONAL RECORD of August 2, 1948:

> The fact is that the existing Senate rules regarding cloture do not provide conclusive cloture. They still leave the Senate, rightly or wrongly, at the mercy of unlimited debate ad infinitum.

That is the effect of the ruling of the President pro tempore last year. If the Vice President yesterday had followed that ruling, that would be the rule of the Senate this afternoon, without any action of the Senate to the contrary.

I now should like to call this to the attention of my colleagues: The Chair ruled yesterday on a motion to take up a resolution. The Chair has not yet ruled on the question of a motion to amend the Journal. So let no one suppose that there is no necessity for the adoption of the resolution, first, to put it beyond the hands of the Presiding Officer, to put it in unmistakable language, so as to resolve its ambiguity by language clearly intended to accomplish the complete effectiveness of rule XXII. But let it be remembered, Mr. President, that there is still a loophole. We do not know how many more may be discovered by ingenious parliamentarians and able Senators. There is still, after the ruling of the Chair yesterday, the unclosed loophole of a motion to amend the Journal, debate upon which cannot be closed by any ruling that has so far been made.

Mr. President, I conclude by saying that the President pro tempore last August made the only precedent that faced and influenced the Presiding Officer, the distinguished Vice President, yesterday, in his ruling that the consequences of adhering to that rule are to give a few the power to prevent the Senate from doing anything, to paralyze, if a determined minority wills it, the functioning of the Senate and, possibly, the Government of the United States.

Therefore, Mr. President, what is the duty of Senators? With those two rulings before us, the duty of Senators, and their right, is to vote upon that matter according to what they believe is most consistent with the public interest and with the real basic intent of rule XXII, for the President pro tempore himself said, when he ruled last year:

> In making the ruling I have recognized the right of the Senate to make and interpret its own rules.

If we vote against the Vice President's decision of yesterday, we continue the

power of a minority to prevent the Senate, in the language of the President pro tempore last year, from doing anything. If we stand with the Vice President in his able, clear, and courageous ruling of yesterday, we close the pending loophole, we close the pending filibuster outlet, and we, at least, so far as can now be surmised, make it possible for the Senate to discharge the right which it has under the Constitution of the United States to make its own rules. If we repudiate the Vice President's ruling of yesterday, there is nothing save a most bitter, exhausting, and acrimonious contest that will keep the Senate in continuous night sessions, which may mean the lives of one or more Senators, and which will bring this body into public question, if not disparagement. It will mean, Mr. President, indefinitely holding up the voluminous mass of legislation waiting to come to this Chamber, which means so much to the people of the United States and possibly to the people of the world.

Mr. President, the Senate itself, for the first time, has the power to move forward, and I certainly hope the Senate will give its confidence to the Vice President's ruling of yesterday.

Mr. HUMPHREY. Mr. President, will the Senator yield for a question?

Mr. PEPPER. I yield.

Mr. HUMPHREY. I should like to ask the Senator from Florida whether this whole controversy has for its basis the clarification or interpretation of the word "measure." Is that correct?

Mr. PEPPER. That is correct—"pending measure."

Mr. HUMPHREY. Is it not the fact that the distinguished Senator from Michigan pointed out this afternoon that if we were to sustain the ruling of the Chair, the Vice President, in his interpretation of rule XXII, that would be a means to an end? Is that what he said?

Mr. PEPPER. Yes; the Senator from Michigan did say that.

Mr. HUMPHREY. In other words, he pointed out that what we were attempting to do was to adopt the Hayden-Wherry resolution by sustaining the Chair; is that correct?

Mr. PEPPER. The Senator is correct.

Mr. HUMPHREY. I notice on page 1534 of Funk & Wagnall's New Standard Dictionary a new definition of the word "measure." I wondered whether the Senator had come across that definition. Let me give the definition, in view of what the distinguished Senator from Michigan has stated about means to an end. The dictionary states, in defining the word "measure":

> A specific act or course of procedure, designed as a means to an end; an expedient; a method; a step.

I should like to ask the Senator from Florida if rule XXII, as it is now written, does not encompass, in view of the definition given by a reputable dictionary, the term "motion," by this particular definition.

Mr. PEPPER. I think, unmistakably so, as the Vice President held yesterday. It also might be pointed out that in Webster's New International Dictionary, second edition, measure is defined as follows:

> A step, or definite part of a progressive course or policy; means to an end; specifically, a legislative enactment; as political *measures;* an inefficient *measure.*

Mr. HUMPHREY. Is it not true that despite the fact that we may sustain the ruling of the Chair, we yet must consider the over-all revision of rule XXII?

Mr. PEPPER. The Senator is correct.

Mr. HUMPHREY. As provided by the Hayden-Wherry resolution?

Mr. PEPPER. To close up other known loopholes, and still others which may yet be discovered.

I wish to say, in further answer to the question of the able Senator from Minnesota, that if any Senator is really interested in passing the Truman program, in carrying out the Democratic platform, I hardly know of any more effective step toward that end, any better measure toward that objective he could pursue, than to sustain the Vice President in his ruling of yesterday.

Mr. HUMPHREY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Hill	Morse
Baldwin	Hoey	Mundt
Brewster	Holland	Murray
Bricker	Humphrey	Myers
Bridges	Hunt	Neely
Butler	Ives	O'Conor
Byrd	Jenner	O'Mahoney
Cain	Johnson, Colo.	Pepper
Capehart	Johnson, Tex.	Reed
Chapman	Johnston, S. C.	Robertson
Chavez	Kefauver	Russell
Connally	Kem	Saltonstall
Cordon	Kerr	Schoeppel
Donnell	Kilgore	Smith, Maine
Douglas	Knowland	Smith, N. J.
Downey	Langer	Sparkman
Eastland	Lodge	Stennis
Ecton	Long	Taft
Ellender	Lucas	Taylor
Ferguson	McCarran	Thomas, Okla.
Flanders	McCarthy	Thomas, Utah
Frear	McFarland	Thye
Fulbright	McGrath	Tobey
George	McKellar	Tydings
Gillette	McMahon	Vandenberg
Green	Magnuson	Watkins
Gurney	Malone	Wherry
Hayden	Maybank	Wiley
Hendrickson	Miller	Withers
Hickenlooper	Millikin	Young

The PRESIDING OFFICER (Mr. FREAR in the chair). Ninety Senators having answered to their names, a quorum is present.

Mr. HICKENLOOPER. Mr. President, I shall not take the time of the Senate this evening in analyzing my views of the precedents or of the philosophy underlying the rulings of past Presiding Officers of the Senate. Those are matters which have been adequately canvassed, and I believe that the basic views all can be expressed in a very few minutes. Sufficient to say that the question of the applicability of the cloture rule to incidental procedural mechanics of the Senate has, in my opinion, been amply answered by an unbroken line of decisions of able Presiding Officers in the past.

I can say at the outset that I agree thoroughly with the philosophy that the Senate should and must have, and I believe, arduous as it may be, that the Senate does have today, a means of eventually taking control of its deliberations.

However, Mr. President, I want to call to the Senate's attention now that the great progress which the Anglo-Saxon system of law and parliamentary procedure has made in the generations past has been based upon their adherence to a reliable system of rules, whether it be in their court procedure, which we have followed with success, or in the parliamentary procedure, which they laid down for us in the generations past. We have seen the examples in other nations where precedent has been disregarded, where the whimsical ruling of the majority has overridden the basic rights of the minority, and we have seen chaos and catastrophe inflicted not only upon the majority but upon the minority when violations of such orderly procedures have occurred.

In all fairness, Mr. President, I may say that I believe that the present cloture rule of the Senate is not sufficient. I shall support the Hayden-Wherry resolution when, as, and if, under orderly procedure of existing rules, it comes up for action. I believe we can strengthen the rules of the Senate in order to meet emergencies. But today we do not face a matter of philosophy. We face a matter of orderly and reliable procedure. There are various tools and weapons of protection for the minority and the majority in any orderly body. The majority, I may call to the Senate's attention, always has two safeguards. It has first and ultimately the safeguard of a majority vote which protects it. It also has the safeguard of reliable rules upon which it can count. The minority, on the other hand, only has the safeguard of reliance upon the rules. It does not have the safeguard of a majority vote. It can only rely upon the precedents and the historical background of fair dealing and fair treatment under the rules which have been established in an orderly manner.

We are facing that situation today. We are not facing the philosophy of cloture. We are not facing the philosophy of the will of the majority necessarily, unless we submit to the caprice of alternate rulings of Presiding Officers who are undoubtedly sincere in their approach to the question, but who nevertheless find themselves on opposite sides of a proposition that heretofore in an unbroken line of precedents has been held to be one way.

We are now met with the argument that if we do not support this reversal of the unbroken precedent in the Senate on this proposition we will never get to a vote on the ultimate question. To me, and with due respect to the great judgment and sincerity of those who advance it, that is a specious argument. Running all through the body of the law of these United States is the principle that difficulty of compliance is no excuse for the violation of the written law, and therefore the difficulty of compliance with the existing rules of the Senate is no excuse for the majority, because it has the votes capriciously and on whim, if you please, because of the exigencies of the situation, whether they be political or otherwise, to override the rules upon

which the minority may be expected to rely and have a right to rely on the one hand, and the rules which are a part of the protection of the majority on the other.

No, Mr. President, I shall not discuss the philosophy of the social program that is proposed. I may differ from many persons on that subject. I shall support at the proper time the adoption of a clearer rule of cloture because I believe in the principle of the ultimate control, under all circumstances, of a self-controlled body. But to say that because this body has the inherent and the constitutional right to write its rules and to pass upon the judgment of its Presiding Officers, is no excuse whatsoever to say that we can cast aside the reliance that either the majority or the minority is privileged to place upon existing precedents and existing rules.

This is a matter of the mehanics of the orderly operation of the Senate of the United States. It is a matter which, if approached from the standpoint of overriding action by a majority, upon its convenience and to serve its own purposes, will be precedent, if you please, which will have its repercussions for long periods of time, and the eventual results I would not dare predict.

I may disagree with my friends on the other side of the aisle, and perhaps with some of those on this side of the aisle on the ultimate vote on the question of the change of rules, but I find myself in agreement with many on this side and on the other side when it comes to the sanctity of the reliance upon the rules under which we operate.

Mr. CONNALLY. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Texas?

Mr. HICKENLOOPER. I yield for a question.

Mr. CONNALLY. Is it not true that the very necessity for and the adoption of rules is to prevent the wild action of any majority, as in a town meeting? Is not the whole philosophy of the adoption of rules of procedure to prevent such wild action?

Mr. HICKENLOOPER. The necessity for adopting reliable rules has been recognized since the time civilized man began to move forward in orderly progress. Never until reliable rules have been adopted and held sacred, if you please, has real progress been made.

The Senate is sovereign. There is no question about that. The majority of the Senate today can override any decision of the Chair, and can take any action it wishes. I may say, as others have said, that I am not without experience as a presiding officer of a parliamentary body, and I am aware of the responsibilities. I am aware in some measure of the great problems which arise in the orderly procedure of legislative bodies. But I say, Mr. President, that we must not permit ourselves to lose sight of the fact that if we override those rules upon which historic reliance has been placed in our procedure, in order expediently to reach a political result, in its broadest sense, we shall be doing violence to the only body remaining in the world today which has comparative freedom of discussion and debate in the interest of human rights.

In order to try to make my position clear, and without arguing the technicalities and the hypercritical analysis of this particular decision or that one—and I have my views as to why I disagree with the distinguished Vice President in his differentiation of this decision, as a matter of principle, from others which have been made in the past—without going into those technicalities, I will say that I have come to the firm conclusion that the broad principle of reliance upon rules involved in the question before the Senate on the matter of application of cloture is no different from the principles which have been applied in former decisions of this body.

The decision of the President pro tempore of last year, the Senator from Michigan [Mr. VANDENBERG], called forth not one dissenting voice on the floor of the Senate. There was no objection to the philosophy of his decision. There was no call for a vote on an appeal. By reason of that action, or inaction, the decision was completely acceptable as applicable under the present rule.

Mr. President, we must operate under rules upon which we can rely. In relying upon those rules, where there is a question, we must be guided by precedent. The precedent is unbroken. The principle has not been destroyed. We must either rely upon such rules or we shall pass gradually, step by step, to the whimsical and capricious will of Presiding Officers and the exigencies of the moment in writing the rules of the game while the runner is between third base and home. I believe that we must determine to make the sacrifice of time and inconvenience involved in arduous night sessions, if we must have them; but we must live under the rules, so that orderly procedure can be had, or we may face a situation of chaos, in which neither the minority nor the majority can rely upon what the rule will be tomorrow, or what the action of the Senate will be under any given state of facts.

It seems that there is a great misunderstanding on the part of the people of the country. They ask, Why cannot the Senate get busy? Why can it not go to work? Why do Senators have to endure long speeches and continued debate? The orderly progress of our Nation and the growth of mutual respect by individuals, and mutual protection of their rights, came as a result of the very indulgence which the American people have accorded one to another, for the full and free expression of their views. Were it not so, we would have an autocracy in this country, and a system so highly controlled by those who rule that progress could not be made, and orderly parliamentary and legislative procedure could not go forward.

It is easy, in times when emotion runs high, to say, "Let us take the reins in our hands and ride roughshod to the objective. Let us brush aside the main principle, which is the orderly rule of procedure." So far as I am concerned, I am not so much supporting the ruling of last year as I am opposing the ruling of this year. I believe that the unbroken precedents support that kind of a vote. I am perfectly willing to undertake to endure any arduous discomfort to me thereafter, if as a result, the Senate can operate under orderly and reliable rules of procedure, and when the time comes for a vote, after exhausting the rights of the minority or the majority, vote on the issue at hand.

Mr. LUCAS. Mr. President, will the Senator yield for a question?

Mr. HICKENLOOPER. I yield for a question only.

Mr. LUCAS. Did I correctly understand the Senator to say that he is not supporting the opinion handed down by the Vice President, the Presiding Officer of the Senate, nor is he supporting the opinion which was handed down last year by the then President pro tempore of the Senate?

Mr. HICKENLOOPER. The Senator did not correctly understand me. What I mean to say is that I am neither supporting nor opposing the opinion of last year or the opinion of this year, as a contest between two opinions. I am supporting the principle of the holding of last year by the Senator from Michigan, and the unbroken principle involved in the precedents. I am opposing the holding of yesterday because I think the principle is wrong, and that the holding is erroneous. I mean to say that I am engaging in no contest between the former ruling and the present ruling.

Mr. LUCAS. Mr. President, will the Senator further yield?

Mr. HICKENLOOPER. I yield for a question only.

Mr. LUCAS. Did the Senator take the same position when he put his name on a petition for cloture about 9 months ago, when the poll-tax question was under consideration on a motion to take up the poll-tax bill?

Mr. HICKENLOOPER. I signed the petition for cloture on the motion to take up the poll-tax bill. This particular issue had not been raised at that time. The question had not been raised as to the applicability of cloture to such a motion. That question was not raised until later.

Mr. LUCAS. But the Senator knew what he was doing at that time, did he not?

Mr. HICKENLOOPER. I knew that I was signing a petition for cloture. Certainly I did.

Mr. LUCAS. The Senator knew exactly what the results would be when he tried to get cloture by a petition with respect to a motion to take up the poll-tax bill, did he not?

Mr. HICKENLOOPER. The Senator from Illinois is entirely in error. The Senator from Iowa did not know what the implications of the matter would be. The Senator from Iowa is not omniscient.

Mr. LUCAS. I am surprised that a man so brilliant as the Senator is should make such an admission.

Mr. HICKENLOOPER. The Senator from Iowa tries to be frank. I do not know what the attitude of the Senator from Illinois is on such questions, but I

try to be frank. I admit that I did not know what the implication of this particular parliamentary procedure would be.

Mr. LUCAS. Was it a political implication?

Mr. HICKENLOOPER. Certainly not.

Mr. LUCAS. Then, why did the Senator sign the cloture petition with respect to a motion to take up the poll-tax bill last August, upon which the Senator from Michigan made the ruling? The Senator from Iowa is a distinguished Member of this body. He understands the rules, and he has very definite and specific opinions upon these questions. I think it would be interesting to the Senate and to the country to know why the great Senator from Iowa is now changing his mind overnight on this question.

Mr. HICKENLOOPER. The Senator from Iowa is not changing his mind at all. Last year the Senator from Iowa signed the petition to bring debate to a close on the motion to take up the poll-tax bill. I believed that it should be brought to a close. Thereafter the question of the applicability of the cloture rule to that particular measure was raised. I frankly say to the Senator from Illinois and to the Senate as a whole that the matter of the applicability of that petition to the measure then before the Senate had not occurred to me, and I do not believe it occurred to the Senator from Illinois or to any other Senator.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield to the Senator from South Carolina for a question.

Mr. MAYBANK. I shall ask the distinguished Senator from Iowa if I may request unanimous consent to propound a unanimous-consent question to the Senator from Illinois.

Mr. HICKENLOOPER. Mr. President, that is a little complicated; I do not know whether I understand that any more than I understood the Senator from Illinois when he accused me of not understanding what I did last year when I signed the petition for cloture on the anti-poll-tax bill. But if it can be cleared up, I shall yield.

The PRESIDING OFFICER. Is there objection?

Mr. HICKENLOOPER. Mr. President, I do not wish to lose my right to the floor.

Mr. MAYBANK. I ask unanimous consent that the Senator from Iowa not lose his right to the floor in yielding for this purpose.

The PRESIDING OFFICER. Is there objection?

Mr. HICKENLOOPER. With that understanding, Mr. President, I shall yield for that purpose.

Mr. WHERRY. Mr. President, what is the ruling of the Chair?

The PRESIDING OFFICER. Is there objection?

Mr. WHERRY. None.

Mr. LUCAS. Well, wait a moment.

Mr. WHERRY. That is to say, there is no objection on my part.

What is the ruling of the Chair?

The PRESIDING OFFICER. The Chair hears no objection. Without objection, consent is granted.

The Senator from Iowa has the floor.

Mr. HICKENLOOPER. Mr. President, I understand that unanimous consent has been given, without prejudicing my right to the floor, to permit the Senator from South Carolina to propound a unanimous consent request.

The PRESIDING OFFICER. That is correct.

Mr. MAYBANK. I ask the Senator from Illinois how he has voted on cloture procedures in this body before?

Mr. LUCAS. Mr. President, I shall reserve my answer to that question until later. [Laughter.]

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. Under the same conditions, Mr. President.

The PRESIDING OFFICER. Does the Senator from Iowa yield for a question?

Mr. HICKENLOOPER. Is the request that I yield for a question, Mr. President?

Mr. MAYBANK. I ask only that, Mr. President.

Mr. HICKENLOOPER. I yield for a question.

Mr. MAYBANK. Then I would ask the Senator from Iowa to ask the Senator from Illinois how he voted on the poll-tax cloture and other clotures. [Laughter.]

Mr. HICKENLOOPER. Mr. President, I have the greatest regard and affection for the Senator from South Carolina, and I shall accede to any reasonable request he makes, as a matter of friendship and as a personal accommodation.

Therefore, Mr. President, if the Presiding Officer agrees that I may do so without prejudice to my right to the floor, I shall ask the Senator from Illinois how he voted on the matter of cloture on the poll-tax measure. [Laughter.]

The PRESIDING OFFICER. Is there objection?

Mr. LUCAS. Mr. President, I move that we proceed with the regular order.

The PRESIDING OFFICER. The Senator from Iowa has the floor.

Mr. LUCAS. I should like to know the parliamentary situation, Mr. President, in view of all the parliamentary inquiries which have been propounded, one after another.

Let me say that I will answer all these questions when I get the floor; and there will not be any question about it, I say to my friends the Senator from South Carolina and the Senator from Iowa.

Mr. HICKENLOOPER. Mr. President, because of my great affection for the Senator from South Carolina and my desire to have his curiosity satisfied, I shall now yield the floor, in the hope that the Chair will recognize the Senator from Illinois, in order to give him an opportunity to answer the question of the Senator from South Carolina. [Laughter.]

Mr. O'MAHONEY. Mr. President——

The PRESIDING OFFICER. The Senator from Wyoming.

SENATE RULES A MEANS, NOT AN END

Mr. O'MAHONEY. Mr. President, the debate which has taken place thus far would lead an onlooker, I think, to wonder whether the rules of the Senate are a means to an end or are an end in themselves. I do not believe this body is impervious to the rules of the common sense or of constitutional law. We are not here dealing with the laws of the Medes and Persians, which cannot be altered or changed; we are dealing with the power which was given under the Constitution of the United States to each House of the Congress to make its own rules. That grant of authority to the Houses of Congress to make the rules for their own procedure was a grant of authority designed to make it possible for each of those bodies to function as a governing institution. We are here only as members of the legislative body of the United States; and the business of a legislative body is to legislate. It is not to spend hour upon hour splitting hairs about the meaning of the word "measure" and the meaning of the word "motion" or talking endlessly about irrelevant subjects. We are endeavoring to determine whether the Senate can transact business.

I have observed over many years—and I speak as a lawyer—that lawyers are very much inclined to appeal to technicalities and there are many lawyers in this body. The debate up to this hour, on the part of those who have been trying to say that the word "measure" does not include "motion," as the Vice President ruled last night that it does, is an appeal to technicalities, in complete disregard of the fundamental need of our times. Parliamentary government in the world stands in its greatest danger at this hour. In times past, Members of this body stood upon this floor—Members affiliated with both parties—and warned the Senate that the abuse of the right of filibuster was making and would make the Senate lose the confidence of the people. These words have been uttered by men who have been able to hold the loyalty and devotion of Republican Senators and Republican voters, and by men who have been able to claim the loyalty and devotion of Democratic Senators and Democratic voters.

JEFFERSON'S MANUAL

Mr. President, I desire very briefly to call the attention of this body to the origin of these rules. First of all, I wish to cite the views of the great founder of the Democratic Party, Thomas Jefferson. I could almost say—in fact, I think I can say—that he was also the founder of the Republican Party. He was the Vice President of the United States and the President of this body under the administration of John Adams; and out of his great store of learning he undertook to say to the Senate, and to Senators for all time to come, what he thought of the rules of procedure. He prepared the Manual which appears in the Senate Manual which lies on the desk of every Senator—Jefferson's Manual. He wrote a little preface to it, and I now read a part of it:

Considering, therefore, the law of proceedings in the Senate as composed of the precepts of the Constitution, the regulations of the Senate, and, where these are

silent, of the rules of Parliament, I have here endeavored to collect and digest so much of these as is called for in ordinary practice, collating the parliamentary with the senatorial rules, both where they agree and where they vary.

You will observe that he collected precedents on both sides, setting down the rules that had been observed from time to time in the British Parliament whether they agreed with or varied from the Senate rules.

Skipping to the next page:

For some of the most familiar forms no written authority is or can be quoted; no writer having supposed it necessary to repeat what all were presumed to know. * * * They have been, however, constantly advancing toward uniformity and accuracy, and have now attained a degree of aptitude to their object beyond which little is to be desired or expected. * * * But—

He said, and this is his concluding statement—

I have begun a sketch, which those who come after me will successively correct and fill up till a code of rules shall be formed for the use of the Senate, the effects of which may be accuracy in business, economy of time, order, uniformity, and impartiality.

He recognized, if I read these words correctly, the fact that the rules of order are a growing system. He recognized the fact that the Constitution of the United States gives to each House the right to make its rules and to change its rules. There is scarcely a session of the Congress, certainly of the Senate, in which we do not have repeated example of the suspension of all rules so that we may proceed to act. There is a rule against attaching legislation to an appropriation bill; but over and over again Senators come here upon the floor and give notice of their intention to bring about a suspension of the rules, and put such an amendment upon the bill.

Jefferson was talking to us when he wrote this preface and collected the parliamentary rules. Among the various precedents which he had cited here, there are many from the British Parliament and from parliamentary authorities whose views he quoted. He cites them, not because they have any effect upon the Senate, I am bound to say. But he cites them to indicate what I conceive to be his view that it is the fundamental duty of a Senate to act, not merely to debate. In this citation on page 267, which is a quotation from the rule of another parliamentary body:

No one is to speak impertinently or beside the question, superfluously or tediously.

THE ISSUE OF IRRELEVANT DEBATE

That, of course, was a rule at one time of the British Parliament. Why do I cite it here? Because I want to say to my distinguished colleagues upon this side of the aisle that that point of view expressed in Jefferson's Manual from the British Parliament was not very dissimilar from the point of view expressed by the late Senator from Arkansas, Joseph T. Robinson, for many years the majority leader of this body, who spoke in the city of Memphis, Tenn., on the 11th of November 1925 and there discussed the effects of the filibuster and what could be done about it.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. O'MAHONEY. Just a moment. Mr. Charles G. Dawes was at that time Vice President of the United States. From the speech of the Honorable United States Senator Joseph T. Robinson I read:

If Vice President Dawes, in a case where a Senator is abusing the privilege of debate by insisting upon speaking to irrelevant questions—

I stop here to say I have just been shown a computation of the subjects which have been discussed since this debate started on the 28th day of February. Thirteen Members of the Senate arose to speak upon the issue, the motion to take up, while 12 Senators spoke upon totally and completely irrelevant subjects. So here is the opinion of Joseph T. Robinson:

If Vice President Dawes, in a case where a Senator is abusing the privilege of debate by insisting upon speaking to irrelevant questions, will hold the Senator out of order, he will be able to force a vote upon the correctness of his ruling, and, if a majority of the Senate sustain him, the Senator can only proceed upon a motion and with the consent of the Senate. So that extreme cases of filibustering may be met through the exercise of intelligence and courage on the part of the Chair, if supported by a majority of the Senate.

He concludes:

Some of us, including myself, would like to see the absurd precedent, that a Senator is himself a judge of whether he is speaking to the subject, overruled.

So I say to my Democratic colleagues, a great and able Senator from the South, who was just as loyal as is any man now in this body, in my judgment, to the traditions and the desires and the aspiration of the South, said in his speech in Memphis that he would like to see this precedent shattered, and he hoped the time would come when we might have a courageous and intelligent chairman who would be willing so to rule. I am happy that the Vice President has shown the courage and the intelligence in his ruling to declare that the measure includes a motion.

Mr. MAYBANK. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Wyoming yield?

Mr. O'MAHONEY. I yield to the Senator from South Carolina.

Mr. MAYBANK. Would the distinguished Senator from Wyoming discuss relevancy at this time, with respect to which he read so eloquently from the book?

Mr. O'MAHONEY. Yes.

Mr. MAYBANK. And might I ask the Senator a question?

Mr. O'MAHONEY. The relevancy is, those Senators who are arguing that the ruling of the Chair should not be upheld are saying they are bound by precedent. I am saying to Senators upon this side of the aisle that they are not bound by precedent, first, because the Constitution of the United States gives us the right to make our own rules; and, secondly, because a great, revered former leader of the Democratic Members of this body himself said he wanted to see some of these rules overruled.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. MAYBANK. Would the Senator discuss what is before the Senate?

Mr. O'MAHONEY. I am discussing it.

Mr. MAYBANK. I did not understand the Senator to be discussing it.

THE SENATE IS NOT THE SLAVE OF THE RULES

Mr. O'MAHONEY. I am discussing whether or not we are the slaves of the rules or the masters of the rules. There are some Senators here who would like to make us the slaves of the rules. They may succeed; I do not know. But I say to the Senator from South Carolina, make the Senate a slave to these technical rules and impede the business of the Senate, and the day will come when that will be rued by those who did it. Let us not forget what is going on in the world.

Mr. MAYBANK. Mr. President, will the Senator further yield?

Mr. O'MAHONEY. I hope that the Senator will please bear with me and permit me to make my argument.

Mr. President, I was introduced to this body 32 years ago—not as a Member but as a spectator. I sat in the family gallery of the Senate during part of the famous filibuster on the measure to authorize the arming of merchant vessels. I heard the Senators in that debate, and I saw what was transpiring. I read in the newspapers the covenant which was read into the RECORD this morning by the junior Senator from Tennessee, signed by some 33 Senators. I read it the day it was published, on the 3d of March 1917. I read there the names of many a distinguished son of the South. Why did they make the covenant with themselves and with the country that in the next succeeding Congress they would move immediately to bring about a rule which would be capable of putting an end to debate upon any bill or question? On the 4th of March a new Senate came in. The distinguished Senator from Wyoming, Mr. Kendrick, to whom I had the honor of being secretary, entered this body on the 4th of March, and I then had access to the floor of the Senate. I heard the discussions on the floor and in the cloakrooms.

Mr. MAYBANK. Mr. President, will the Senator yield for a question?

Mr. O'MAHONEY. I yield for a question.

Mr. MAYBANK. I was in this body in November 1941, when the same question was raised. I ask this question of the distinguished Senator from Wyoming: Was there any filibuster in 1941 in connection with arming merchant ships, and was the legislation not passed? I ask that question to show how the Senate has been getting along since the date the Senator speaks of and since the date it was first mentioned here. I speak of November 1941, when the issue before the Senate was the arming of merchant ships. I simply ask whether there was any filibuster at that time?

Mr. O'MAHONEY. I think the Senator's question is totally irrelevant. I

do not recall a filibuster at that time. But it has nothing to do with the thinking of the southern Senators who, on the 8th of March 1917, 5 days after their covenant in the previous Congress, voted for the cloture rule which is before us.

Mr. President, I want to enter in the RECORD at this point, as part of my remarks, the roll call in the Senate upon that date, so that there may be no doubt as to how the vote went at that time. It appears on page 45 of the CONGRESSIONAL RECORD of March 8, 1917.

There being no objection, the roll call was ordered to be printed in the RECORD, as follows:

The result was announced—yeas 76, nays 8, as follows:

Yeas—76: Ashurst, Beckham, Brady, Brandegee, Broussard, Calder, Chamberlain, Colt, Cummins, Curtis, Fall, France, Frelinghuysen, Gerry, Hale, Harding, Hardwick, Hitchcock, Hollis, Hughes, Husting, James, Jones of New Mexico, Jones of Washington, Kellogg, Kendrick, Kenyon, King, Kirby, Knox, Lane, Lewis, Lodge, McCumber, McKellar, McLean, Martin, Myers, Nelson, New, Newlands, Norris, Overman, Owen, Page, Penrose, Pittman, Poindexter, Pomerene, Ransdell, Reed, Robinson, Saulsbury, Shafroth, Sheppard, Shields, Simmons, Smith of Georgia, Smith of Maryland, Smith of South Carolina, Smoot, Sterling, Stone, Sutherland, Swanson, Thomas, Thompson, Townsend, Trammell, Underwood, Vardaman, Wadsworth, Warren, Watson, Williams, Wolcott.

Nays—8: Grona, La Follette, Sherman.

Not voting—16: Bankhead, Borah, Culberson, Dillingham, Fernald, Fletcher, Gallinger, Goff, Gore, Johnson of South Dakota, Phelan, Smith of Arizona, Smith of Michigan, Tillman, Walsh, Weeks.

Mr. O'MAHONEY. Mr. President, this roll call shows that there were 76 Senators voting "yea" in support of rule XXII and three Senators voting "nay." There was not a single Democratic vote cast against that rule. The only three votes cast against it were those of Senator Gronna, of North Dakota; Senator La Follette, of Wisconsin; and Senator Lawrence Y. Sherman, of Illinois.

Only a moment ago I canvassed those 76 votes in order to get the names of the States whose Senators in this body voted for the cloture rule to put an end to debate. I ask any of my good friends upon this side of the aisle to challenge either their integrity or their intelligence, or tell me that they did not know what they were doing. The States were Arizona, Kentucky, Louisiana, Georgia, Tennessee, Virginia, North Carolina, Oklahoma, Missouri, Arkansas, Texas, South Carolina, Florida, Alabama, and Mississippi. That is a roll of distinguished States and of distinguished statesmen. Why were they moved to take that action? They were moved, Mr. President, because they felt the time had come in a great national crisis when the Senate should be able to legislate, when it should not be prevented by a minority from carrying out the very purpose for its existence. Some Members of the minority were willing to indulge in the sort of irrelevant debate which one of the Democratic majority, the late Senator Joseph Robinson, called an abuse of privilege.

PRESIDENT WILSON'S VIEW

The filibuster which I witnessed on the 3d and 4th of March resulted in the defeat of a bill which, in the opinion of the majority of the Members upon both sides, was necessary in the interest of the United States. The President of the United States, a Democrat, a native of Virginia, issued that famous statement of his which goes ringing down through history——

Mr. FULBRIGHT. Mr. President, will the Senator yield for a question?

Mr. O'MAHONEY. Permit me to read this, please:

In the immediate presence of a crisis fraught with much more subtle and far-reaching possibilities of national danger than any the Nation has known within the history of its international relations, Congress has been unable to act either to safeguard the country or to vindicate the elementary rights of its citizens. More than 500 of the 531 Members of the two Houses were ready and anxious to act. The House of Representatives had acted by an overwhelming majority, but the Senate was unable to act because a little group of 11 Senators had determined that it should not. The Senate of the United States is the only legislative body in the world which cannot act when its majority is ready. A little group of willful men, representing no opinion but their own, have rendered the great Government of the United States helpless and impotent.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. O'MAHONEY. The Senator from Arkansas first asked me to yield.

Mr. FULBRIGHT. I believe the Senator said that filibuster went on for 2 days.

Mr. O'MAHONEY. No, I said I saw it, or part of it.

Mr. FULBRIGHT. How long?

Mr. O'MAHONEY. I do not know; I came here toward the very end of February.

Mr. FULBRIGHT. The bill was on the floor 4 days altogether. Is not that correct?

Mr. O'MAHONEY. I do not know.

Mr. FULBRIGHT. That is a fact. If the rule the Senator is supporting had been in effect at that time, it could not have brought the debate on that bill to an end, even under the cloture rule that is now proposed.

Mr. O'MAHONEY. The Senator is indulging in technicalities which, from my point of view, have nothing to do with this debate. The Senator may split hairs if he pleases; we are concerned here in 1949 with the salvation of free government. Make no mistake about that.

Mr. MAYBANK. Mr. President——

The VICE PRESIDENT. The Senator can yield only for a question.

Mr. MAYBANK. Will the Senator yield?

Mr. O'MAHONEY. I yield for a question.

Mr. MAYBANK. I should like to ask the Senator to define free government. That is what I am for.

Mr. O'MAHONEY. I know the Senator defines it as I do, and I hope he will defend it with his vote.

JEFFERSON ON ENDLESS DEBATE

Mr. President, in order that I may again bring to the minds of some of my distinguished brethren on this side a realization of what we are indulging in here, I wish to read a letter which was written by Thomas Jefferson from Monticello on January 17, 1810—Thomas Jefferson, whom we all honor and revere. This letter was written to John Wayne Eppes. It was not written about the Senate, but about the House of Representatives. But the letter clearly demonstrates what Thomas Jefferson thought about endless debate and about the desirability of bringing debate to an end, about action instead of talk. The words of Thomas Jefferson are these:

I observe that the H. of R. are sensible of the ill effects of the long speeches in their house on their proceedings. But they have a worse effect in the disgust they excite among the people; and the disposition they are producing to transfer their confidence from the legislature to the executive branch, which would soon sap our Constitution. These speeches, therefore, are less and less read, and if continued will cease to be read at all. * * * I observe that the House is endeavoring to remedy the eternal protraction of debate by sitting up all night—

As we are invited to do by Members on the other side who are unable apparently to get over the technicality of whether a motion can be included within the meaning of the word "measure."

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield to my distinguished friend from Tennessee.

Mr. McKELLAR. Why can we not vote now?

Mr. O'MAHONEY. The Senator can vote in just a minute.

Mr. McKELLAR. I should like to vote now. I have been ready to vote for quite a while. [Laughter.] The other side is taking up all the time of the Senate. They are doing the filibustering and charging it to us. I am ready to vote.

The VICE PRESIDENT. The Senator can yield only for a question.

Mr. McKELLAR. Vote.

Mr. O'MAHONEY. I sat in the Senate this afternoon and listened to the able speech of the distinguished Senator from Tennessee, and I was very much interested in it. I assure the Senator that he talked considerably longer than I intend to talk.

Mr. McKELLAR. I am glad to hear it.

Mr. O'MAHONEY. But I wish to make plain what Jefferson was thinking of this sort of thing. So I go back to his letter:

I observe that the House is endeavoring to remedy the eternal protraction of debate by sitting up all night, or by the use of the previous question.

As I said at the outset, Mr. President, are we in the Senate impervious to the rule of common sense? Shall the great majority of a body wear itself out because a small minority is willing to exercise its muscle and its lungs, as well as its brain, in protracted debate, in discussing irrelevant questions? Jefferson apparently did not think that was a sensible thing to do, so he said:

Both will subject them to the most serious inconvenience. The latter may be turned upon themselves by a trick of their adversaries. I have thought that such a rule as the following would be more effectual and less inconvenient.

And thereafter proceeds the rule which Thomas Jefferson suggested for terminating debate:

Resolved, That at ——— o'clock in the evening * * * it shall be the duty of the Speaker to declare that hour arrived, whereupon all debate shall cease.

I ask, Mr. President, that the entire letter may be printed in the RECORD at this point, though there will be some repetition.

The VICE PRESIDENT. Is there objection?

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MONTICELLO, *January 17, 1810.*

DEAR SIR: * * * I observe that the House of Representatives are sensible of the ill effects of the long speeches in their House on their proceedings. But they have a worse effect in the disgust they excite among the people, and the disposition they are producing to transfer their confidence from the Legislature to the executive branch, which would soon sap our Constitution. These speeches, therefore, are less and less read, and, if continued, will cease to be read at all. * * * I observe that the House is endeavoring to remedy the eternal protraction of debate by sitting up all night, or by the use of the previous question. Both will subject them to the most serious inconvenience. The latter may be turned upon themselves by a trick of their adversaries. I have thought that such a rule as the following would be more effectual and less inconvenient: "*Resolved*, That at [8] o'clock in the evening (whenever the House shall be in session at that hour), it shall be the duty of the Speaker to declare that hour arrived, whereupon all debate shall cease. If there be then before the House a main question for the reading or passing of a bill, resolution, or order, such main question shall immediately be put by the Speaker, and decided by yeas and nays.

"If the question before the House be secondary, as for amendment, commitment, postponement, adjournment of the debate or question, laying on the table, reading papers, or a previous question, such secondary [or any other which may delay the main question] shall stand ipso facto discharged, and the main question shall then be before the House, and shall be immediately put and decided by yeas and nays. But a motion for ajournment of the House may once, and once only, take place of the main question; and if decided in the negative, the main question shall then be put as before. Should any question of order arise, it shall be decided by the Speaker instanter, and without debate or appeal; and questions of privilege arising shall be postponed till the main question be decided. Messages from the President or Senate may be received but not acted on till after the decision of the main question. But this rule shall be suspended during the [three] last days of the session of Congress."

No doubt this, on investigation, will be found to need amendment; but I think the principle of it better adapted to meet the evil than any other which has occurred to me. You can consider and decide upon it, however, and make what use of it you please, only keeping the source of it to yourself.

Ever affectionately yours.

REPUBLICAN AUTHORITY FOR LIMITATION

Mr. O'MAHONEY. Mr. President, I have statements urging the overthrow of precedents, not only by distinguished Democrats, but also by distinguished Republicans, which I should like to recommend to the attention of my brothers on the other side who may think themselves ready to vote against sustaining the ruling of the Chair.

The late Henry Cabot Lodge, a Senator from the State of Massachusetts for many, many years, discussed the philosophy underlying the question of whether or not the Senate shall be the master or the servant of its rules, whether or not the hand of the dead past can be laid upon us so that we cannot meet the needs of the current present. He was writing in the North American Review in 1893. He said:

Of the two rights—

Of debating and of voting—

that of voting is the higher and more important. We ought to have both, and debate certainly in ample measure; but if we are forced to choose between them, the right of action must prevail over the right of discussion. To vote without debating is perilous, but to debate and never vote is imbecile.

As it is, there must be a change, for the delays which now take place are discrediting the Senate, and this is greatly to be deplored. The Senate was perhaps the greatest single achievement of the makers of the Constitution, and anything which lowers it in the eyes of the people is a most serious matter.

Heed these words, my friends upon the other side of this Chamber:

A body which cannot govern itself will not long hold the respect of the people who have chosen it to govern the country.

Those are words of wisdom, and I think that they should fall with particular force upon the ears of every Member of this body, the Republicans as well as the Democrats, when we recall the fact that ever since the end of the shooting war we have been involved in a campaign from Moscow designed to sabotage free government everywhere in the world. Such sabotage has proceeded in Italy; it has proceeded in France; it has been initiated here. There is nothing the leaders in the Kremlin would more dearly like to see than that the United States Senate should demonstrate before the world its incapacity to act when two-thirds of the Members of the Senate say the time has come to act.

Mr. STENNIS. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Wyoming yield to the Senator from Mississippi?

Mr. O'MAHONEY. I yield.

Mr. STENNIS. What is the date of the statement the Senator quoted from the late Senator Lodge?

Mr. O'MAHONEY. Eighteen hundred and ninety-three.

Mr. STENNIS. Does not the Senator know that, in 1915, that same distinguished gentleman made a speech on the floor of the Senate in which he said he had changed his mind after serving here as a Member of the Senate, and was opposed to cloture? Does the Senator recall that?

Mr. O'MAHONEY. I think that may have been true, but I will say to the Senator that it detracts nothing from the correctness and the face of his first position.

Mr. LODGE. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. LODGE. In view of the personal element injected into the debate by the colloquy which just took place, I will ask if it is not true that the Senator from Massachusetts, of whom the Senators have just spoken, voted in favor of rule XXII when it came up in 1917?

Mr. O'MAHONEY. He most certainly did. He voted in favor of that rule. Leaders upon both sides of the Chamber voted in favor of it. I have already placed the roll-call vote in the RECORD. But I want it clearly understood here again that Senator Martin, of Virginia, who was at that time the Democratic floor leader, the majority leader, voted for the rule. Senator Simmons, of North Carolina, who I think succeeded him, voted for the rule. Senator Robinson, who succeeded Senator Simmons, voted for the rule. Senator Lodge, on the Republican side, and Senator Cummins, of Iowa, Republican Senator from that State, and then President pro tempore of the Senate, voted for the rule.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. FULBRIGHT. I should like to ask the Senator if he does not know that all the members from the South, including myself, are for Rule XXII exactly as it is now? We do not want to change Rule XXII. We agree with the Senator from Massachusetts.

CAN A MOTION BE A MEASURE?

Mr. O'MAHONEY. Again, if the Senator will permit me to say so, he is indulging in hair-splitting. He wants us to believe that a motion is not a measure, that when a motion is the pending business, the Senate is handcuffed. If the Senator from Arkansas wants to indulge in that sort of technical hair-splitting, he may do so without any objection on my part, but I will say to the Senator that these times are too dangerous, in my opinion, to permit that sort of trifling with the effectiveness of democratic procedures in the Senate of the United States.

Mr. FULBRIGHT. Mr. President, will the Senator yield for a question?

Mr. O'MAHONEY. Certainly.

Mr. FULBRIGHT. I ask the Senator, Who started this trifling? Certainly I did not, nor did those who believe as I do bring up this matter in these serious times the Senator speaks of. The Senator from Wyoming knows that very well. If there is any trifling about it, we did not initiate it.

Mr. O'MAHONEY. The time has come to determine whether or not the Senate has a rule, a rule such as its authors thought they were writing, by which debate can be brought to an end.

If there were any doubt that when a motion is before the Senate it is the pending business, it is solved for me by the ruling which was made on February 4, 1946, by my distinguished friend, the senior Senator from Tennessee [Mr. MCKELLAR], who spoke in this Chamber earlier today. In that ruling which he made as President pro tempore, at the

time a cloture petition was filed with respect to S. 101, entitled "A bill to prohibit discrimination in employment because of race, creed, color, national origin, or ancestry," which he held was not the pending measure, I find this interesting paragraph:

The question arises, What is the business now pending before the Senate? At the present time, and since the Senate met on Friday, January 18, 1946, as appears from the CONGRESSIONAL RECORD, the matter pending before the Senate is and has been the question of the amendment of the Journal of Thursday, January 17, 1946, save certain business transactions by unanimous consent.

So here is the plain declaration in the most recent ruling but one, save that of the Vice President yesterday, by the President pro tempore of the Senate, that a motion to amend the Journal was the pending business. Now let us split hairs on that. Can a motion be the pending business? The Senator from Tennessee said it was. The Senator from Michigan said it was not. The present Vice President says it is.

Mr. McKELLAR. Mr. President, as the Senator has referred to the ruling I made, will the Senator yield to me?

Mr. O'MAHONEY. Yes, I yield.

Mr. McKELLAR. The Senate by its action approved that ruling of the then President pro tempore.

Mr. O'MAHONEY. I have no doubt about that, but I will say to the Senator that when it did it agreed with him that a motion was the pending business.

Mr. FULBRIGHT. Mr. President, will the Senator yield to me for a question?

Mr. O'MAHONEY. If the Senator will permit me to conclude. So many of these questions are, as I have said, just like the pure technicalities taken out of the common-law books, such as when there should be a comma rather than a semicolon, or when there should be a period instead of a semicolon.

We are facing fundamentals, not technicalities. Observe the splinter parties in France, where members of the legislative body, insistent upon having their own way, have frequently rendered it impossible for the Government of France to function. Time after time its governments have been changed. The great virtue of the Senate, as I have seen it operate, has been that it operates—most of the time—with reason and impartiality, and with good humor among all the Members. By unanimous consent over and over again we do various things. But here and now we know that Communist propaganda is based upon the conviction that democratic governments are unable to function because they do splinter, because minority division renders cohesive action impossible.

At this moment Members of this body on the Joint Committee on Atomic Energy, Members of this body on the Committee on Armed Services, are wondering in their nightly hours whether or not the Russians are building the atomic bomb. They are wondering whether we are headed toward war. And we, by the almost unanimous action of this body, are spending billions of dollars to prepare ourselves so that democratic government may survive. But we find the Senate rendering itself incompetent by endless debate.

I say to you, Mr. President, the danger which confronts us now is greater by far than the danger which confronted the Senate in 1917, when the proposition before this body was the arming of merchantmen. Free government has been driven back and back until here in the United States alone we remain a free Government, with the representatives of the people still authorized and capable of doing business. But now we are asked, upon a technicality, to forego the right to do the business of the Senate. I say, Mr. President, that in my humble opinion the time has come when the Senate should demonstrate to the people of the United States and to the people of the world that it can function, and to do so it must support the ruling of the Vice President.

Mr. GEORGE. Mr. President, may I ask the Senator, before he takes his seat, if the bill to arm merchant vessels was not finally passed?

Mr. O'MAHONEY. After the adoption of rule XXII.

Mr. GEORGE. It was finally passed, was it not, without further filibuster?

Mr. O'MAHONEY. After the adoption of rule XXII.

Mr. GEORGE. As it stands today?

Mr. O'MAHONEY. Oh, yes.

Mr. GEORGE. Mr. President, I would not rise on this occasion if I did not feel it my duty to defend the father of my party. My distinguished friend from Wyoming—and there is no man for whom I feel a more genuine affection—also gave to him the honor of being the father, perhaps, of the Republican Party. Therefore I feel that I must rise to defend Mr. Jefferson, first, with respect to the letter written by Mr. Jefferson in which he called attention to the ordeal of spending the night in the House in order to end a debate, or else invoking the previous question. I call attention to the fact that Mr. Jefferson rejected both and proposed another remedy of his own. So Mr. Jefferson did not, even with respect to debate in the House, favor the previous question.

But that is not the particular matter to which I wish to call attention. We are very prone in our debates here to wander far afield. No doubt the Senator from Wyoming is correct in saying that much irrelevancy is brought into the debate. I rise for the purpose of calling special attention to Mr. Jefferson's Manual of Parliamentary Practice, on the importance of rules. The distinguished Senator from Wyoming read only the preface. Now let me read the first chapter. It ought to preclude debate on this question, because I take it that all Senators are open-minded on this particular question. It is not a question now of whether there should be a strict, rigid cloture rule, or whether the present rule is a good one or a bad one, or whether we ought to have any. The question is, What has happened to what rules we have, and is the ruling under those rules right or wrong, regardless of precedent?

I digress to say—because it has been emphasized by distinguished Senators—that when a precedent is wrong it is often corrected. Even our courts indulge in that practice, and properly so. That is not the question. If the precedents of the Senate were wrong, the distinguished Vice President was entirely correct in setting us on a proper course and disregarding those precedents. There is no question about that.

Coming back to Mr. Jefferson, in order that he may be properly defended against distinguished Members of my own party in this body, Mr. Jefferson's statement is in the Senate Manual. Senators do not need to go outside to get the facts, if they are looking for them. Mr. Jefferson said this:

Mr. Onslow, the ablest among the Speakers of the House of Commons, used to say it was a maxim he had often heard when he was a young man, from old and experienced members, that nothing tended more to throw power into the hands of administration, and those who acted with the majority of the House of Commons, than a neglect of, or departure from, the rules of proceeding; that these forms, as instituted by our ancestors, operated as a check and control on the actions of the majority, and that they were, in many instances, a shelter and protection to the minority against the attempts of power.

That is the real Jefferson.

So far the maxim is certainly true, and is founded in good sense; that as it is always in the power of the majority, by their numbers, to stop any improper measures proposed on the part of their opponents, the only weapons—

I hope the Republicans will note this—

by which the minority can defend themselves against similar attempts from those in power are the forms and rules of proceeding which have been adopted as they were found necessary, from time to time, and are become the law of the House, by a strict adherence to which the weaker party can only be protected from those irregularities and abuses which these forms were intended to check and which the wantonness of power is but too often apt to suggest to large and successful majorities.

Do Senators want more?

And whether these forms be in all cases the most rational or not, is really not of so great importance. It is much more material that there should be a rule to go by, than what that rule is; that there may be a uniformity of proceeding in business not subject to the caprice of the Speaker or captiousness of the Members. It is very material that order, decency, and regularity be preserved in a dignified body.

That is Thomas Jefferson. That is the Thomas Jefferson I have followed. That is the Thomas Jefferson that I shall follow to the end.

I have been shocked today by the suggestion made by a distinguished Member of this body, when he reminded us that the Senate was a political legislative body, and that really, and at last, rules were but shifting sand, and that the majority in control make and unmake them at will. I was shocked almost beyond utterance when the distinguished leader of my own party—and there is no man whom I hold in higher esteem than the distinguished Senator from Illinois, for whom I have also a personal affection—sought to inject into the debate of the distinguished junior Senator from New York [Mr. IVES], when he was dis-

cussing an appeal from the ruling of the Chair affecting a rule of the Senate, the consideration of whether or not both political parties had not declared for civil-rights legislation. We do not need to go far to see where we are going. We do not have to go very far to see where we shall end, when we abolish our rules by convenient interpretation, and leave our destiny in the hands of the majority.

Thomas Jefferson was eternally right. Let me read his statement again. Nothing that I could say would be better.

> Mr. Onslow, the ablest among the speakers of the House of Commons, used to say it was a maxim he had often heard when he was a young man, from old and experienced members, that nothing tended more to throw power into the hands of administration, and those who acted with the majority of the House of Commons, than a neglect of, or departure from, the rules of proceeding; that these forms, as instituted by our ancestors, operated as a check and control on the actions of the majority, and that they were, in many instances, a shelter and protection to the minority against the attempts of power.

I shall not read more. It is all here in our manual.

Mr. President, the true liberal in America and in every other land is a man who seeks to build up the power of the minority to resist the majority. I commend that to some who describe themselves as liberals. There is but one test, finally, and that is whether we are building up or whether we are tearing down the power of the minority to protect itself and to prevent the administration from taking over and to prevent the overweening majority from overriding all the rights of the minority. Senators can find many other things in Mr. Jefferson's Manual, if they will examine it.

I wish to digress here to say that the distinguished Senator from Michigan this noon correctly stated the issue before the Senate. That issue is not whether we favor or whether we oppose cloture, rigid or loose or indifferent, but whether we are to have rules and whether we respect those rules and insist upon a fair interpretation of them.

But here in Mr. Jefferson's Manual, at page 327, Mr. Jefferson has something to say that we might well heed, especially those of us who call upon him every now and then in election years. He says:

> Section XXII. Motions.

And he discusses motions; and that is the issue before us now. The issue here is really, as the distinguished Vice President has ruled, when is a motion not a motion? According to his ruling, a motion is not a motion if there is no pending business; but if there is pending business, a motion is a motion.

No, Mr. President; it is either a motion or it is not; and it does not change its complexion because of what the Senate has previously done or because of what it contemplates doing. It is simply a motion, if it is a motion.

Mr. Jefferson, in the Manual, goes on to discuss motions. He says:

> When a motion has been made, it is not to be put to the question or debated until it is seconded.

That is a rule which, of course, we have long since discarded.

Then he says:

> It is then, and not till then, in possession of the House.

There you are, Mr. President. What is a motion? What is a motion to proceed to the consideration of a bill? A Senator can make it every day of the year if he can obtain recognition from the Chair; he can make it until someone has amended his motion or until the yeas and nays are ordered on his motion or until some step has been taken by the Senate so as to bring the motion in the control of the body itself; and then he cannot take it away, except by unanimous consent or by a vote.

But what is the situation here? What do we have here? We have a motion to proceed to the consideration of Senate Resolution 15. That is all we have. Until something is done with that motion by the Senate, the mover may withdraw it or he may cancel it. It is nothing but his motion; that is all there is to it. It does not even become the property of the Senate until there is an amendment to it or until the Senate has ordered a yea-and-nay vote on the question of its acceptance or rejection. Until then, it is never in the custody of the body itself; it is never lost to the man who makes it. Yet the distinguished Vice President, with all respect for him, has held that that is the pending business before the Senate—not that it is a measure, but that it is the pending business. It is not business at all. It is merely an attempt of some Senator to have some business brought up. It does not make any difference whether one Senator is trying to get it up or whether 15 or 20 or 30 or 40 Senators are trying to get it up. It is merely a motion which some Senator wishes to bring before the Senate.

My good friend the Senator from Wyoming [Mr. O'MAHONEY] says we are entirely too technical. That reminds me, Mr. President, of an old friend of mine whom I met on the streets of Atlanta one morning. He said, "You know, I was about to be married to a very wealthy lady, but I lost out on a technicality."

"Well," I said, "that is too bad. What was the particular technicality to which you attribute your undoing?"

He said, "Well, the lady declined to accept me." [Laughter.]

So here we are discussing technicalities, it is said.

Mr. President, there is no technicality about it, except to determine whether the Vice President was right or wrong in his ruling.

When we go to the Senate rules—and, by the way, most of them were really inspired by Mr. Jefferson; they were the outgrowth of Mr. Jefferson's activities and his great service to his countrymen—we find that a motion is dealt with in a specific rule of the Senate itself. Rule XXI speaks of motions, deals with motions, deals with nothing else but motions.

Then we come to rule XXII, the Senate rule dealing with the precedence of motions; and then in the plainest possible language it is said that—

> If at any time a motion, signed by 16 Senators, to bring to a close the debate upon any pending measure is presented to the Senate, the Presiding Officer shall at once state the motion to the Senate—

And so forth; and then the further procedure takes place as stated.

Mr. President, I know as well, I think, as anyone——

Mr. O'MAHONEY. Mr. President, would it be convenient for the Senator from Georgia to yield for a question at this point?

Mr. GEORGE. I shall be glad to yield; but I shall yield a little later, if the Senator will permit me to do so. It will not be very long.

Mr. O'MAHONEY. The Senator was about to leave Jefferson's Manual, so I wished to ask him a question.

Mr. GEORGE. Oh, yes. I like Mr. Jefferson.

Mr. O'MAHONEY. So do I.

Mr. GEORGE. I like to read him.

Mr. O'MAHONEY. So do I. But I am——

Mr. GEORGE. I wish the Senator——

Mr. O'MAHONEY. But I ask the Senator whether he is sure he was reading from Mr. Jefferson.

Mr. GEORGE. I was reading the first section of Jefferson's Manual.

Mr. O'MAHONEY. Will the Senator be kind enough to tell me the page from which he was reading?

Mr. GEORGE. Yes, sir; I was reading the page following the preface, which the Senator from Wyoming read to the Senate.

Mr. O'MAHONEY. Very good; was it page 297?

Mr. GEORGE. Yes.

Mr. O'MAHONEY. Was it the page beginning with the words "Mr. Onslow"?

Mr. GEORGE. Yes; I read that.

Mr. O'MAHONEY. Did the Senator read the italics at the end of that paragraph?

Mr. GEORGE. At the end of the paragraph?

Mr. O'MAHONEY. Yes.

Mr. GEORGE. Oh, yes; Mr. Jefferson documents his statements very well.

Mr. O'MAHONEY. I take it to be——

Mr. GEORGE. Oh, no; Mr. Jefferson is here, in his "Manual of Parliamentary Practice," telling what the practice is, and is documenting it as he goes along.

Mr. O'MAHONEY. Will the Senator answer another question, then?

Mr. GEORGE. Yes; I shall be pleased to.

Mr. O'MAHONEY. May I ask the Senator whether he has read that portion of the preface appearing on page 293, which I read, in which Mr. Jefferson described what he was doing:

These are the words:

> Considering, therefore, the law of proceedings in the Senate as composed of the precepts of the Constitution, the regulations of the Senate, and, where these are silent, of the rules of Parliament, I have here endeavored to collect and digest so much of these

as is called for in ordinary practice, collating the parliamentary with the senatorial rules——

Mr. GEORGE. Exactly.

Mr. O'MAHONEY. The sentence concludes:

both where they agree and where they vary.

Mr. GEORGE. I have read that.

Mr. O'MAHONEY. Then I ask the Senator, Does he not agree with me that the language of the paragraph beginning "Mr. Onslow" is not the composition of Thomas Jefferson but what he quoted from a parliamentary authority named and set forth in the italic?

Mr. GEORGE. No; I do not so understand it, at all.

Mr. O'MAHONEY. I so understand it.

Mr. GEORGE. Now the Senator is engaging in technicalities; he is hair splitting. I most respectfully submit that Thomas Jefferson is here setting out what he regards as correct and proper parliamentary practice, and he is documenting it as he goes along. He is not drawing it out of thin air. He does not pretend to do that at any point. But I said already that out of this manual of Jefferson's has come substantially the important rules of the Senate itself.

And now, since the Senator has drawn my attention back to Thomas Jefferson, I shall read from page 326:

Where the Constitution authorizes each House to determine the rules of its proceedings, it must mean in those cases (legislative, executive, or judiciary) submitted to them by the Constitution, or in something relating to these, and necessary toward their execution.

That goes rather to the merits of some of the problems we have been considering here. I repeat, it is not a question of whether I believe in cloture or whether I oppose it, and it is not a question of whether any Senator believes in cloture or opposes it. The question here is whether the Senate has the rules, and if so, what is the fair and proper interpretation of those rules? I do not want to repeat, but I do not care a whit about the precedents of the Senate if they are not right. The fact that all the precedents point one way and not one exists that points in the direction of the ruling made by the Chair on this question, is an important fact. But, after all, if precedents are wrong, the Vice President was right in overruling them.

Now, what is there to debate about? How can an axiom be debated? How can an axiomatic truth be debated? When the cloture rule provides for cloture on a pending measure, what is there left in doubt? It cannot be a mere effort to take up a measure. It cannot be a mere motion which is in the breast of the mover which can deal with as he wishes and as he pleases. Until the Senate has done something to make it its own, the mover himself may withdraw it, present it on the succeeding day, present it on another day, and present it on every day in the session. Then what does it amount to? I answer, nothing but an effort on the part of a Senator to get up a measure, or on the part of a group of Senators to get up a special measure. Does it make any difference that a political party has endorsed those measures? To admit it is to confess the validity of everything Mr. Jefferson condemns in that sort of procedure.

Mr. President, I was about to say I think all of us are conversant with the general rule that if there is any doubt of the meaning of a word or of a phrase or any ambiguity about it, extraneous evidence may be consulted for an explanation. The debates in the Senate at the time of the adoption of rule XXII may be consulted. One may listen to what Senators had to say and to letters they may have written, or any other evidence. But is there any ambiguity? Is anybody in doubt about the plain unmistakable language of the rule with respect to pending measure? It not only must be a measure, Mr. President, but it must be pending, before cloture may be invoked. That is the rule. The great primary question is, Is this a body of law, or are our rules to be accommodated to every shifting prejudice or every temporary majority, or to the pledges of political parties? Adopt that rule, and minorities are gone in this country, and although I have never sought to speak for them, I repeat——

Mr. McGRATH. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Georgia yield for a question?

Mr. GEORGE. Not just now. I repeat, if the hands of the minority are not constantly strengthened, we are headed toward a form of government under which minorities will not have any rights. When I came to the Senate, by the way, there were about 20 more Republicans across the aisle than there were Democrats on this side of the aisle. And I remember another day when there were about 76 Democrats on this side of the aisle, and 19 or 20 Republicans on the opposite side. Tear down the rules, disregard the rules, neglect to enforce them, and the minority has no rights left that can be protected. And any administration, with a majority back of it, can work its will.

I do not want to bring up old scores, but in 1937 when we were asked to add to the Supreme Court of the United States by legislative act, and when the distinguished Senator from Wyoming, be it said to his eternal credit, was on the same side that I felt impelled to take, I then said—and I am perfectly conscious of the fact that I was right—if that recommendation had been carried out, there would have been a change in the form of this Government within 10 years.

Tonight I say another thing: I know the distinguished Senator from Oregon has severely lectured us about appeals to fear, but sometimes it is good to take counsel of one's fears, when there is some substance in them. I say tonight, if we adopt outright majority rule in the Senate of the United States it will be easily possible to change the form and the substance of the Government within 10 years. That is not an idle statement. That is a statement which may become historically correct, and may be verified.

What is the situation in this body at this moment? Here is a rule of the Senate. Textually it provides that the cloture rule is applicable only to pending measures. The distinguished Vice President has ruled that a motion to bring up a measure, there being no business before the Senate, is within the purview of the rule. From that ruling an appeal has been taken, and the appeal will be decided by a majority vote of the Senate. There is majority rule already, without doing any more about it, if we want to disregard the established rules which were made fundamentally to protect minorities and, of course, to give the majority a chance, in an orderly way, to function, but, at the same time, to give protection to the minority. That is what I plead for; and with all respect to the distinguished Vice President and the distinguished Senators who have argued or may argue about it, Jefferson's Manual, whether Jefferson wrote it, got it out of thin air, or collected it from all of the established precedents of Old England, is the eternal rule. The minority can have protection only through the constant and faithful application, interpretation, and enforcement of the rules of the Senate. If I had any doubt about the rules, I would not have made this speech. I shall not use the old Latin phrase, but in English it means "The thing speaks for itself." If it were not literally true, true beyond all doubt, I would not have raised my voice.

The only cloture provided under existing rules is cloture on a pending measure—a measure, not a mere motion within the keeping of those who make it.

However much debate may take place and however inconvenient it may be, there is nothing to prevent the majority leader's moving to proceed with other business and, in the course of this session, coming back to any unfinished business, or any business which, at the moment, he may be unable to get before the body. So, on this plain and unmistakable language, which does not admit of extrinsic or extraneous evidence, debates, or newspaper articles—if I may so suggest to my distinguished friend from Tennessee [Mr. KEFAUVER]—there can be no question that there is no pending measure before the Senate. There was none before it last evening, and therefore the cloture rule could not possibly apply.

I do not care to go outside of what is in the RECORD, but permit me to say that I came to Congress in November 1922, when President Harding called an extra session to consider a ship-subsidy bill. Congress convened, as I remember, on approximately the 20th or 21st of November, or sometime in the latter part of November, and on the 27th day of December a distinguished Senator who is not now with us, but who was then a Senator from California, moved to proceed to the consideration of bill 13, which was then on the calendar. The Democrats met in caucus. In that caucus was the distinguished senior Senator from Virginia, the Honorable Claude Swanson, who was one of the conferees on rule XXII. Also in that caucus was the distinguished Senator from Montana, Senator Walsh, who was later appointed by President Roosevelt to be the Attorney General of the United States but who, unfortunately, died before taking office, or at least before assuming

the duties of his office. He was a very able lawyer. In the caucus was the distinguished Senator from Missouri, James Reed—and I pause here to say that at that time I doubt whether there was a more able debater in any parliamentary body on this earth than was Jim Reed, of Missouri. There were many orators, including, I think, Senator Borah, of Idaho, who excelled in oratory. But no one could say that Senator Reed was not an able debater. He was in the caucus, as I have stated, and there were other distinguished Senators there.

Reference has been made to the distinguished Senator from Georgia, the late Senator Hoke Smith. In the corridor, beyond that door, Senator Smith said that had his view prevailed in the writing of rule XXII in 1917 there would then not be open to us motions to amend the Journal of this body. But he said that his view did not prevail in the writing of the rule, or in the writing of a rule of relevancy which he wished to have made a part of that rule.

The great Senator from Montana, Tom Walsh—and he was a great Senator—went into the caucus and said, in effect: "Senators, I regret that I cannot participate with you in resisting the consideration of bill 13, but you know my views."

His views were well known.

"I have always believed in a strict and rigid cloture," or at least, since he had come to the Senate. He said he had not believed it proper to resist proceedings in the consideration of any matter which might be properly brought before the Senate.

"Therefore," he said, "I must sit here as a silent participant, so to speak, and leave it to you."

Oscar Underwood was the chairman of that caucus, and I have known few more effective legislators in my life than Oscar Underwood. One might disagree with Senator Underwood, might not adopt all his policies, but I have known few more effective legislators. He knew all about rule XXII. He favored the previous question rule. He had come from the House of Representatives. He was experienced in the proceedings in the House. But he said, "Here is the rule. So long as this rule stands and I have enough Members of the Senate to call the roll, they will not take up this measure."

Now I have named the great leaders of our party who wrote rule XXII, had to do with it, and understood its operation. It is true, they might not have thought there would be any great difficulty at any time getting a bill before the Senate. That might be true; I do not know about that; but I do know that then we outlined the procedure which we would follow, and I know that Pat Harrison sat where I am standing, and that Oscar Underwood sat in his seat on the aisle, and he made that fight, and he said to the distinguished leader of the Republican Party at that time, the late Senator Henry Cabot Lodge, from Massachusetts, that there was no need to cover up, that he and all the world knew what we were doing, that we were resisting the placing before the Senate of the particular bill to which I have referred, and he invited Senator Lodge, the then leader of the majority, to break down the opposition if he could, but that if he could not, to withdraw the motion to take up the bill.

So the debate went on and on, and in a short time Senator Lodge, after a meeting of the Republicans, said to the minority, "We recognize that we cannot break your opposition under the rule as it stands."

Is there any doubt about the rule? None whatever. Was there any doubt in the opinion of Jim Reed? None whatever. Was there any doubt in the opinion of Oscar Underwood? None whatever. Was there any doubt in the opinion of Senator Hoke Smith? None whatever. Was there any doubt in the opinion of Senator Walsh, who opposed filibuster in every form? None whatever.

But now we indulge in a doubt, and in the face of plain, unmistakable and unambiguous language a ruling is invoked from the Chair, the Chair rules, and to uphold the Chair now is really to make effective majority cloture in this body. It comes down to that, Mr. President, in actual practice.

I regret the necessity for these remarks, but I could not feel that I would fully discharge my duty if I did not say what I said in the beginning of the debate on the merits, as I thought, of some of the measures which lie back of this motion, though I may have been indulging in technicalities. I also said that this was a memorable debate in this body, and I now repeat that statement.

Mr. LUCAS. Mr. President, I have not been a Member of the Senate as long as has my distinguished friend the Senator from Georgia [Mr. GEORGE] or my able friend the Senator from Michigan [Mr. VANDENBERG]. It is with some hesitancy that I even attempt to answer either of these two Senators, who have enjoyed long and distinguished careers in the Senate of the United States.

I feel rather flattered that I should have made an argument last night which would cause the able Senator from Michigan [Mr. VANDENBERG] to declare in one of the able forensic efforts which he usually makes that mine was an ingenious argument offered to the Chair on the question upon which he was to make a ruling; and, taking slight advantage, I thought, of the distinguished Vice President, who was not in a position to answer, made the same remark about the ruling of the distinguished Vice President last evening. If I deserve that much attention on the part of the Senator from Michigan, who has such a reputation throughout the United States of America and the world, and cause him to do me the honor of even noticing a remark I happen to make, or the argument I made in behalf of the honest position I was taking, I am very much gratified, even though it may have been characterized as ingenious.

Mr. President, I have the highest measure of respect for the Senator from Georgia, and I deeply regret that the Senator from Georgia saw fit to say that he was shocked at a question which the Senator from Illinois propounded to the able Senator from New York this afternoon respecting the plank in the Republican platform concerning civil rights. Again I am flattered that I am able to draw to the attention of the Senator from Georgia, able and distinguished as he is.

Mr. President, I do not have the forensic ability or the persuasive power of either the Senator from Michigan or the Senator from Georgia, but certainly their eloquence should not cause me to quake or quiver, if I am to discharge my duty as I see it. I did not bring the civil-rights question into this debate. I do say to the distinguished Senator from Georgia that he has made persuasive arguments germane to the issue before the Senate of the United States, but he is not the only individual who has discussed this question, and he had better look to some of his own brethren, who raised the question of civil rights in this debate. He had better be shocked at those Senators who were the first to raise the question of civil rights upon the floor of the United States Senate.

Mr. President, this is a memorable debate. I have conscientious convictions about what ought to be done under the circumstances. I assert that no one can fairly challenge my sincerity with respect to the position I took last evening when I made an argument on the point of order. There are other Senators who have convictions as conscientious as those of others who have spoken here, about what ought to be done and what ought not to be done.

Mr. President, I consider the vote which I shall soon cast as important as any I have cast since I have been in the United States Senate. I know of no more important issue to come before the Senate of the United States or before the Congress, since I have been in the Senate than the one before us at this particular time, unless it be the question of the reorganization of the Supreme Court, which was discussed by the Senator from Georgia a few moments ago, a proposal which the Senator from Illinois, who was at that time a Member of the House of Representatives, opposed.

Mr. President, all I can do in my humble capacity as a Senator and as majority leader in the United States Senate on all these issues, is to hope that I am right, and pray that God will give me the power to see the right.

I remind the Senator from Georgia, who talks about minority groups in the Senate being protected, that there are other minority groups involved in the issue before us, who ought also to be protected. There is not a Senator on this floor who does not know what lies behind the present debate. It cannot be hidden. I am going to talk about civil rights in this debate, and that is the issue, whether Senators like it or not. Everyone knows that is the issue.

Why all the filibuster, why all the talk by my friends from the South about civil rights, if civil rights are not involved in the Hayden-Wherry resolution? Why did they not address themselves strictly to the issue, which ostensibly was a motion to proceed to the consideration of the Hayden-Wherry resolution? Because I asked a question about civil rights I am taken to task by my friend the Senator from Georgia. He is shocked.

Perhaps it is well to shock great men once in a while, Mr. President.

There is something more in this issue than merely the amendment of the rule, or we would not have had a debate here for 10 days. Ninety-nine out of 100 motions which are made are agreed to, and the measures are taken up without any debate whatsoever. Yet for 10 days we have been struggling with a simple motion to take up Senate Resolution 15. And because our great Vice President, who has been consistent and honest from the beginning, made a ruling last night that the motion was a part of the measure, a continuous step from the time the motion is made until the consummation of action, it is said that he is all wrong.

The Senator from Michigan in referring to me said that I was being ingenious. He said we are trying to eliminate by a parliamentary device precisely what the Hayden-Wherry resolution would subsequently accomplish by due legislative process.

The Senator says this is an affront to due legislative process. Is it an affront because the Vice President disagreed with the distinguished Senator from Michigan in his ruling made last year? I undertake to say to the Senator from Georgia and the Senator from Michigan that they cannot point to a single precedent, where the facts and circumstances before the Senate were the same as those upon which the able Vice President made a ruling last night.

The able Senator from Georgia talks about what great men had to say back in 1917 when the cloture rule went into effect. Long debate took place, occupying 26 pages of the CONGRESSIONAL RECORD. Throughout all that long debate there is not a single word to suggest that any one of the 88 Senators in favor of the resolution had any belief, or any reason to believe that the rule for which they voted contained gaping loopholes, or that any of those Senators favored the rule with the understanding that it would prove to be ineffective. It was debated from beginning to end as a rule to limit debate on any matter that might come before the Senate.

George H. Haynes, in his great work, the Senate of the United States, tells us that 33 Senators—as was mentioned by the distinguished Senator from Tennessee [Mr. KEFAUVER] this afternoon—33 Senators, headed by Simmons, Robinson, Lodge, and Borah, made a public pledge in the following language, which I again quote, to show the real intention of those men who were responsible for rule XXII:

> To cooperate with each other in compelling such changes in the rules of the Senate as to terminate successful filibustering and enable the majority to fix an hour for disposing of any bill or question—
>
> Any bill or question, mind you—
>
> subject to the rule of 1 hour to each Senator for discussion before or after the hour is fixed.

Did these men know what they were doing when they wrote that provision? I would suppose they did. They signed that pledge with the understanding that it involved any question. Do Senators think Joe Robinson did not know what he was doing? No, Mr. President; the proof of the pudding is in that pledge.

This expressed intention of the supporters of the resolution is strangely at odds with the special interpretation placed upon the rule last year by the distinguished Senator from Michigan when he said:

> In the final analysis, the Senate has no effective cloture rule at all.

But, Mr. President, that was not the basis upon which the Senator from Michigan made his ruling last year. That was his conclusion. Based upon what? Based simply upon the fact that the pending measure at that time was the aviation bill, sponsored by the Senator from Maine [Mr. BREWSTER], and in his opinion he so stated; but, Mr. President, after I called attention to that fact last night, not one word did the Senator from Michigan say in his explanation to this body today as to why it was he put that issue in his opinion if it was not the real, basic, fundamental point upon which he made his decision. And he talks about somebody being ingenious in an argument. If he had wanted to make a candid explanation to the Senate in the great effort he made today, he would have explained why it was he said the following last year in his ruling:

> What is the pending measure at this moment? The pending measure is Senate bill 2644, a bill to provide for the development of civil-transport aircraft adaptable for auxiliary military service, and for other purposes. What is the purpose of the motion made by the able Senator from Nebraska, to which it is now being attempted to attach cloture? It is to create a new "pending measure." That is exactly the objective which the pending motion has in view. In the view of the Chair, in a reasonable interpretation of the English language the Chair is unable to believe otherwise than that the pending measure at this moment in the forum of the Senate is Senate bill 2644. It is not the motion of the Senator from Nebraska to proceed to the consideration of House bill 29.

That is the language of the Senator from Michigan. Why did not the Senator from Michigan, in his defense of the opinion which he rendered at that particular time, explain to Senators today, and especially to new Members of the Senate, why he wrote that into his opinion last year? Why did he not go into that subject, instead of chiding the Vice President and the Senator from Illinois for not prosecuting the appeal?

I wish to comment very briefly on one or two things which the Senator from Michigan said. He is a great parliamentarian. He made a momentous ruling last year. Many Senators who are following him now were against him last year. Many of his own colleagues on the other side of the aisle who signed their names to cloture petitions to take up the very matter which I am now discussing are now with him.

The distinguished minority leader was the Senator who presented the petition for cloture at that time, but the ruling of the Senator from Michigan has changed his view. It changed the view of the Senator from Iowa [Mr. HICKENLOOPER], the Senator from Missouri [Mr. DONNELL], and others who were with him on that cloture petition, for some reason or other. I never understood before that the Senator had that much power; but he does have it. He has changed the view of many of his colleagues as a result of the opinion which he rendered.

I wish to comment briefly on one point. The Senator from Michigan made much of the argument that although an appeal was taken from his ruling of last August, that appeal was never pursued in the Senate, either by the Senator from Illinois, who was the Democratic whip at that time, or the then majority leader, who is now our distinguished Vice President. That appeal, he said, was never presented to the Senate for a vote. He argues from that fact that therefore his ruling was etched that much more deeply into the precedents of the Senate. He said that it was very significant that no appeal was taken, which, in my judgment, Mr. President, is anything but a kind implication.

It is perfectly true that the Senate never voted on the appeal from the ruling of the Chair in the case of the Vandenberg ruling, but the fact that no vote was taken does not add any strength whatever to the validity of that ruling, for a very simple reason. It is strange, indeed, that my distinguished friend, who made many rulings from the Chair, did not appreciate this point when he was preparing the great address which he delivered today.

Under the parliamentary situation established immediately after the ruling of the Chair, no vote on the appeal was possible. The cloture petition was filed while a motion to proceed to the consideration of the anti-poll-tax bill was being endlessly debated. A filibuster was in progress. The cloture petition was filed in an effort to end that debate. The President pro tempore ruled that the cloture petition did not apply to the motion to proceed to the consideration of the anti-poll-tax bill.

An appeal was entered by the senior Senator from Ohio [Mr. TAFT]. But, Mr. President, that appeal, just like the motion to proceed to the consideration of the anti-poll-tax bill itself, was subject in turn to unlimited debate. The only way of shutting off debate on an appeal, as we all know, is to move to lay the appeal on the table; but that is not a motion which can logically be made by those who oppose the ruling of the Chair, since if the appeal were laid on the table the Chair would be sustained. The Senator from Michigan knows that to be so.

Do Senators think that the Senator from Georgia [Mr. RUSSELL], who took an appeal from the ruling of the Chair last night is going to make a motion to lay that appeal on the table? That is exactly what the Senator from Michigan said to the then Democratic leader, Mr. BARKLEY, or the Senator from Illinois should have done last year; but that is not a motion which can logically be made by those who oppose the ruling of the Chair, since if the appeal were laid on the table the Chair would be sustained. So those who opposed the ruling of the Chair last August had no means by which they could show their

strength and avoid the ruling of the Presiding Officer.

The truth of the matter is that at that particular time the distinguished Senator from Georgia, when this question was called up, demanded the yeas and nays, and under the parliamentary situation it was impossible for the Senator from Nebraska to withdraw his motion thereafter.

Later the Republicans held a caucus and decided that they could not break the filibuster at that time in the special session, and they withdrew.

Mr. WHERRY. We moved to take up another measure.

Mr. LUCAS. They moved to take up another measure, which is the same thing as withdrawing. At any rate, they did not pursue the matter further.

In fact, when the Presiding Officer decides against the applicability of rule XXII, the majority of the Senate is helpless to reverse him or even to get a vote of the Senate, because Senators who support the ruling of the Chair are in a position, by unlimited debate, to prevent the appeal from ever being brought to a vote. A motion to lay the appeal on the table, the only way in which debate can be shut off on an appeal, is not a motion which Senators who oppose the Chair's ruling can make, because it is directed to sustaining rather than reversing the ruling of the Chair. If the motion to lay on the table is successful, the ruling of the Chair is sustained.

It seems to me, therefore, the argument that the ruling of the Senator from Michigan is a precedent which then had the backing of the Senate disappears completely under this analysis, which is strictly in accord with parliamentary law. The Senator from Michigan can find it out tomorrow if he will consult the Parliamentarian.

I think we all understand that if there had been any way to bring the appeal to a vote at that moment, the ruling of the Presiding Officer probably would have been reversed. I am sure that Senators who signed the petition for cloture at that time would have overruled the Presiding Officer at that moment, if they had had an opportunity to vote on the question; but many of the same Senators who signed their names to the petition for cloture at that time have now reversed themselves on the identical proposition, except that this question is even clearer than the issue raised on previous cloture petitions.

I have said a little about the ingeniousness, to which the Senator from Michigan referred in his argument. I think the ingenuity is all on the other side, Mr. President. When Senator Pat Harrison, to the surprise of most Members of the Senate, undertook to filibuster the Dyer antilynching bill in 1922 by the device of endlessly debating a motion to amend the Journal, he demonstrated a very extraordinary type of parliamentary ingenuity. He had to be ingenious to find his way around the plain meaning of rule XXII.

Who was being ingenious in August 1948 when an endless debate took place on a motion to proceed to the consideration of a bill, a motion which the Senate almost invariably agrees to without any debate at all?

The debate during the last 10 days shows that those who take refuge in the so-called loopholes in the rule have resorted to the most complicated devices for distorting, in my judgment, the plain meaning of the rule.

The senior Senator from Michigan [Mr. VANDENBERG] argues that the interpretation of the rule he laid down last August is the only reasonable interpretation of the rule under the precedents, and that the integrity of the Senate rules is involved here. But last year, when he made his decision when the same question was before the Senate, he never said anything about the integrity of the Senate rules being involved. Why is the integrity of the Senate rules involved today, when it was not involved a year ago? Is it because the Vice President happened to rule a little differently? Is the integrity of the rules of the Senate involved because of that?

The fact is that other Members of the Senate with an equal knowledge of parliamentary rules and with equal respect for the Senate rules are of an entirely different opinion. It was, in fact, the senior Senator from Ohio [Mr. TAFT], chairman of the Republican policy committee, and certainly a great constitutional scholar, who took the appeal from the decision of the Chair last August. How more vividly could he have demonstrated that he disagreed completely and fundamentally with the ruling of the President pro tempore at that time?

Mr. President, let all of us acknowledge that there are honest differences of opinion on this issue and on many other parliamentary issues. It does not behoove any of us to assume that his position is unanswerable, and that those who oppose him are merely being ingenious in their opposition. No Member of this body has a deeper respect for the rules of the Senate than does the Senator from Illinois.

Mr. PEPPER. Mr. President, will the Senator yield for a question?

Mr. LUCAS. I shall yield in a moment.

Mr. President, where do the Senate rules come from? They do not come from Mount Olympus. They do not come as edicts from on high. They come from the minds of men like ourselves. Under the Constitution, the Senate of the United States makes its own rules; and when Senators undertake to sign one cloture petition after another, we have a right to believe at least that they knew what they were doing at that time and that they were sincere in signing those cloture petitions.

Now I yield to the Senator from Florida.

Mr. PEPPER. Mr. President, the Senator from Michigan in his address today laid considerable emphasis upon the fact that last August an appeal was not prosecuted, although taken by the Senator from Ohio to the ruling of the President pro tempore. Had an appeal from what might be considered an unfavorable ruling of the Chair—that is, a ruling that rule XXII did not apply to a motion to take up—been made, is it not a fact that such an appeal would have been subject to unlimited debate?

Mr. LUCAS. The Senator from Florida is correct, and that is exactly what I said a moment ago. There can be no question at all about that. The Senator from Michigan can find that out, if he will consult the Parliamentarian upon that matter tomorrow. That is exactly the situation.

Mr. President, does anyone believe that the Senator from Georgia, who today took issue with the decision of the Chair, is going to make a motion to lay the appeal upon the table? Today we are confronted with a situation exactly the reverse of the situation which existed 7 months ago, yet the Senator from Michigan lays great stress on the point that no one made such a motion at that time. That is the most fallacious argument I have heard in a considered opinion for a long, long time.

Mr. President, let me make one or two other statements which I think should be made in the course of this debate, notwithstanding what my good friend the Senator from Georgia has said.

I believe it is high time to clear away the fog of confusion which has surrounded this debate. I am going straight to the heart of the matter. Regardless of whether anyone likes it or does not like it, I am going to be plain and honest about this situation. Some can hide it if they wish to do so, but everyone knows why this rule was brought up. Everyone knows why this filibuster is on. If the civil-rights program were not involved, there would not be any filibuster here at the present time. So why hide it? Why try to say that nothing but a rule is involved, when other Senators have talked for days on the floor of the Senate about the FEPC and the anti-poll-tax bill and the antilynching bill?

Everyone knows that the basic question we are discussing here is not simply a question of a change in the Senate rules. First, it is a question of whether we mean to breathe life into the cloture rule, so that we can get along with the business of the Senate of the United States, instead of remaining here days and nights debating a simple motion to take up this measure. How ridiculous it is, Mr. President, when one thinks about it. What a spectacle we are making in the eyes of the people of this country. Yet there are Senators who wish to have the Senate remain in continuous session for weeks; in fact, the Senator from North Dakota [Mr. LANGER] has said he wishes to have the Senate stay in session for a month or perhaps 6 weeks or more, day and night, in order to break the filibuster; and yet he does not know for certain whether he is in favor of the Hayden-Wherry resolution. Mr. President, what shall we say of that?

The question whether we mean to breathe life into the cloture rule involves the question of clearing away the legalistic interpretations of the rule which in the past have defeated its fundamental purpose. It is a question of whether parliamentary government, now

under attack all over the world, can survive in this country. So long as a determined minority can block the Senate from taking imperative action on the domestic and international fronts, to my way of thinking this matter cannot be long delayed. In my studied judgment, it is a threat to the democratic process of the Nation.

If the Senate will take the steps necessary to bring to a close the debate on this motion, Mr. President, if the Senate will sustain the ruling of the Chair which was made last night, we shall have an opportunity to prove how sincere we were when we made the civil-rights pledges in the 1948 platforms of both political parties.

It is a question of whether we are going to enact a Federal law against lynching, and a Federal law on poll taxes, and a Federal law to protect all races from discrimination by unfair restrictions in employment.

The distinguished Senators who are conducting this filibuster have made no bones about their objectives. They are fighting our motion to apply cloture because they are determined to block any consideration of civil-rights laws in this Congress. They have said it over and over again.

There is an honest division of opinion in my party over civil rights. The whole country is well aware of the fact that we had a heated argument on this question at the last Democratic National Convention. The issue was brought to a vote, and a large majority of the delegates at that convention pledged my party to action in that field. How shall we get civil-rights action if we do not get it in the Congress of the United States? How are we going to get it if Senators can filibuster forever upon a motion to take up a simple resolution? Why is it so wrong for United States Senators to talk about this issue, Mr. President, when everyone knows that that is the real basis of this situation? Why should anyone be shocked?

As I have said, there is an honest division of opinion, and the whole country is well aware of it. I completely disagree with the able southern Senators, my friends, who have refused to abide by the majority decision of the Democratic Party. However, they are entitled to the utmost respect for their deep sincerity and their tenacity in defense of their position. There cannot be any question about that. When the cloture issue comes to a vote, I am confident that my Republican friends on the other side of the aisle will demonstrate as much sincerity and strength and tenacity in upholding the Chair as the Democratic friends of mine from the South are doing in maintaining their position. We who defend a common position should all be together upon this issue. I wonder if we are?

Mr. President, many of my Republican colleagues now in the Senate have already indicated by their signatures on cloture petitions and by their votes how they stand on this issue. I want to take this opportunity of congratulating and commending every Senator on the Republican side of the aisle who has worked to obtain signatures to the petition for cloture, and who has tried to convince some of his friends that they ought to sustain the Chair in his ruling, as the first step to break up this filibuster. I pay tribute to the Senator from New York [Mr. IVES], the Senator from California [Mr. KNOWLAND], and other Senators who have worked indefatigably along with the Senator from Illinois and others in an attempt to do something to choke off the long-winded debate that has taken place on matters wholly irrelevant and immaterial to the issue before the Senate.

On February 4, 1946, 17 Republican Senators signed a cloture petition to close debate on a motion affecting the Journal, in order to proceed with a bill to prohibit discrimination in employment because of race, creed, color, national origin, or ancestry. I think they will not object if I read their names into the RECORD, because many of the same men who signed that cloture petition then are now fighting to cut off this endless speechmaking and get down to the business of the United States Senate. They were the Senator from Vermont [Mr. AIKEN], the Senator from Maine [Mr. BREWSTER], the Senator from Nebraska [Mr. BUTLER], the Senator from Indiana [Mr. CAPEHART], the Senator from Oregon [Mr. CORDON], the Senator from Missouri [Mr. DONNELL], the Senator from Michigan [Mr. FERGUSON], the Senator from Iowa [Mr. HICKENLOOPER], the Senator from California [Mr. KNOWLAND], the Senator from North Dakota [Mr. LANGER], the Senator from Oregon [Mr. MORSE], the Senator from Kansas [Mr. REED], the Senator from Massachusetts [Mr. SALTONSTALL], the Senator from New Jersey [Mr. SMITH], the Senator from Ohio [Mr. TAFT], the Senator from New Hampshire [Mr. TOBEY] and the Senator from Nebraska [Mr. WHERRY]. That cloture petition was filed while the Journal was under consideration. They thought cloture was so important, they would have shut off debate on the consideration of the Journal. They are all able men, all experienced and seasoned veterans in the Senate, who signed the cloture petition at that particular time.

On August 2, 1948, 17 Republican Senators, including some who had signed before, placed their names on a petition to end debate on a motion to take up a bill outlawing poll taxes. Here are the names: The Senator from Oregon [Mr. CORDON], the Senator from Michigan [Mr. FERGUSON], the Senator from Vermont [Mr. FLANDERS], the Senator from Iowa [Mr. HICKENLOOPER], the Senator from New York [Mr. IVES], the Senator from Indiana [Mr. JENNER], the Senator from Missouri [Mr. KEM], the Senator from California [Mr. KNOWLAND], the Senator from Massachusetts [Mr. LODGE], the Senator from Pennsylvania [Mr. MARTIN], the Senator from Wisconsin [Mr. MCCARTHY], the Senator from Oregon [Mr. MORSE], the Senator from Kansas [Mr. REED], the Senator from Massachusetts [Mr. SALTONSTALL], the Senator from New Jersey [Mr. SMITH], the Senator from Ohio [Mr. TAFT], and the Senator from Nebraska [Mr. WHERRY]. Did they mean what they said at that time?

The following 24 Senators signed either one or the other of these petitions. Let me state who they are: The Senator from Vermont [Mr. AIKEN], the Senator from Maine [Mr. BREWSTER], the Senator from Nebraska [Mr. BUTLER], the Senator from Indiana [Mr. CAPEHART], the Senator from Oregon [Mr. CORDON], the Senator from Missouri [Mr. DONNELL], the Senator from Michigan [Mr. FERGUSON], the Senator from Vermont [Mr. FLANDERS], the Senator from Iowa [Mr. HICKENLOOPER], the Senator from New York [Mr. IVES], the Senator from Indiana [Mr. JENNER], the Senator from Missouri [Mr. KEM], the Senator from California [Mr. KNOWLAND], the Senator from North Dakota [Mr. LANGER], the Senator from Massachusetts [Mr. LODGE], the Senator from Pennsylvania [Mr. MARTIN], the Senator from Wisconsin [Mr. MCCARTHY], the Senator from Oregon [Mr. MORSE], the Senator from Kansas [Mr. REED], the Senator from Massachusetts [Mr. SALTONSTALL], the Senator from New Jersey [Mr. SMITH], the Senator from Ohio [Mr. TAFT], the Senator from New Hampshire [Mr. TOBEY], and the Senator from Nebraska [Mr. WHERRY].

Now, let us compare this list of 24 with the list of Republican names on the present cloture petition. Some who signed the earlier petition have not undertaken to sign this one. Let us see who they are. I will read their names: The Senator from Nebraska [Mr. BUTLER], the Senator from Indiana [Mr. CAPEHART], the Senator from Oregon [Mr. CORDON], the Senator from Missouri [Mr. DONNELL], the Senator from Iowa [Mr. HICKENLOOPER], the Senator from Indiana [Mr. JENNER], the Senator from Missouri [Mr. KEM], the Senator from North Dakota [Mr. LANGER], the Senator from Pennsylvania [Mr. MARTIN], the Senator from Wisconsin [Mr. MCCARTHY], and the Senator from Nebraska [Mr. WHERRY].

Mr. President, I have tried to understand the apparent reluctance of these Senators to sign the present petition. Two interpretations of their position have been suggested to me; one is that they oppose the adoption of the Hayden-Wherry resolution and therefore are prepared to have the filibuster run on endlessly. That is their position, and obviously I shall respect it, if it is. I must regretfully conclude that they are opposed to civil-rights legislation, which cannot be enacted, as everyone knows, without an effective rule to prevent a stubborn minority from thwarting the will of the Senate.

If that interpretation is wrong, and I am eager to be convinced that it is, the only other interpretation of their position which makes sense is that while they favor the resolution to give the Senate an effective cloture rule, they are more concerned with keeping the Senate in a position where it cannot act on the resolution, or on any other legislation now crying for action.

To each of these distinguished Senators I wish to speak very frankly across party lines. Knowing them as I do, I cannot believe they are taking a cynical or hypocritical position on this matter. Have I not the right to conclude that when they signed the petitions for limitation of debate under rule XXII of the

Senate, they knew what they were doing? I am sure they were not merely making gestures for the benefit of the public. I am sure they were asking for cloture because they were honestly convinced that rule XXII could be effective in bringing debate to an end, and that we could then enact civil-rights legislation.

Before they vote on the present issues which have occupied us for so many days, I urge them to follow the logic of their actions in 1946 and 1948, when they signed cloture petitions. Surely they will not bewilder the people by declaring they were wrong in 1946 and 1948, and are now bound to take refuge in a special interpretation of the Senate rule handed down by the distinguished Senator from Michigan. He merely wanted them to make up their own minds and use their own judgment. I know they are not ostriches, that they are not sticking their heads in the sands of parliamentary interpretation. I am sure they understood the parliamentary history of rule XXII when they put their names to the petitions.

I know they do not wish to seek to avoid their personal responsibility by pleading blind loyalty to a former Presiding Officer, the great Senator from Michigan. He has already declared he does not desire any Senator to vote out of a sense of loyalty to him or out of any pride of party.

We all know when issues come to a vote in the Senate the ultimate responsibility in every case rests with each individual Senator. Members of the Senate make the rules, not the man who happens to be in the chair as their Presiding Officer. The Presiding Officer simply gives form to our decisions. We are the ones solely responsible for the rules under the Constitution. We cannot escape that grave responsibility by taking refuge in a ruling of the Presiding Officer.

We are the supreme court, Mr. President. We bow to no one in the formulation and interpretation of the rules. If the proposed enactment of the civil-rights program is one of the reasons for the filibuster, and, in view of the fact that the senior Senator from Michigan last week saw fit to quote the Democratic platform upon civil rights in the course of the debate, I think it well at this juncture that the Republican platform on civil rights should also be quoted, because no one is deluded in this debate into believing that civil rights is not the issue here. Here is what they said:

> Lynching or any other form of mob violence anywhere is a disgrace to any civilized State, and we favor the prompt enactment of legislation to end this infamy.
>
> One of the basic principles of this Republic is the equality of all individuals in their right to life, liberty, and the pursuit of happiness. This principle is enunciated in the Declaration of Independence and embodied in the Constitution of the United States; it was vindicated on the field of battle and became the cornerstone of this Republic. This right of equal opportunity to work and to advance in life should never be limited in any individual because of race, religion, color, or country of origin. We favor the enactment and just enforcement of such Federal legislation as may be necessary to maintain this right at all times in every part of this Republic.
>
> We favor the abolition of the poll tax as a requisite to voting.

That is the platform adopted unanimously by the Republicans in convention at Philadelphia. We did not get a unanimous endorsement in our convention, Mr. President, but we who favor civil-rights legislation won, just the same. I know that Republican Senators welcome the opportunity to measure up to those noble words that were expressed in that convention on the question of civil rights, and for the first time they have the opportunity to say whether or not they meant what they said by sustaining the Vice President. They cannot convince the people of the country anywhere that they rested their position on a technicality in the United States Senate.

When Senators return home the people will ask, "How did you vote? Did you vote to stop the filibuster, or did you vote to continue it?" The people will not listen to any explanation of technicalities and Jefferson's manual.

[Laughter in the galleries.]

The VICE PRESIDENT. The occupants of the galleries will be in order.

Mr. LUCAS. I know Senators will not tell the people that they voted to keep the filibuster going. They cannot afford to do that. Many Senators are coming up for reelection in 1950. A political issue broader than the technical issue is involved here.

Mr. BRIDGES. Mr. President, will the Senator yield?

Mr. LUCAS. I decline to yield at this time. I am afraid the Senator from New Hampshire will ask me about frogs. I cannot yield now.

I remember, Mr. President, that on one occasion I had a conversation with the great and distinguished Senator from Arizona, former Senator Ashurst, upon this very question. He said, "I have yet to meet the first man who does not permit his political opinions to be interwoven with his technical, economic, and every other kind of opinion that he expresses in the United States Senate."

No, Mr. President, I know Senators will not tell the people that they had to override a ruling of our distinguished Vice President because they were driven by motives of partisan pride. They were very eager to get a resolution to amend the rules released from the Committee on Rules and Administration. Thirty-one Senators took the very unusual step of supporting a motion in the Senate to discharge the committee from further consideration of a rules change.

Ah, Mr. President, I know of many Senators who have been cooperating with me in connection with this legislation on this side of the aisle. They have done every possible thing they could do to convince the Republican Members to go along and stop this filibuster. But they will not be successful. They will permit it to go on. Some Senators want it to go on; they do not want it stopped.

Here are the names of the Senators who voted to discharge the committee, none of whom signed the cloture petition. They were so anxious to have the rule reported from the committee, so they could get civil-rights legislation to the floor, that they tried to discharge the committee almost before it began its hearings. They are: BRICKER, BRIDGES, CAIN, CAPEHART, CORDON, GURNEY, HICKENLOOPER, MALONE, MARTIN, SCHOEPPEL, VANDENBERG, WHERRY, WILEY, WILLIAMS, and YOUNG.

Some Republican Senators told the press and the public that they were extremely anxious to obtain action on civil-rights legislation. I know that they are still eager to do so. I know that they will follow the chairman of the Republican Policy Committee, the senior Senator from Ohio, who has declared that he will vote for a change in the rules so as to assure consideration of civil-rights legislation.

Mr. President, it was the distinguished Senator from Ohio who sensed the narrow interpretation made by the Senator from Michigan of the word "measure" a year ago. I shall never forget the occasion when the Senator from Ohio rose and said, "Mr. President, I take an appeal from the decision of the Chair." Yet, the Senator from Michigan chided the Vice President and the majority leader for not anticipating the action of the Senator from Ohio.

Mr. President, the issue is now crystal clear in the eyes of the people. Our votes will be entered upon the RECORD, and the people will know whether or not we have kept our pledges. They will find out whether we mean what we say on this vote. They will find out whether or not the platforms of the Democratic Party and the Republican Party mean anything on the first opportunity we have to cast a vote.

When the people come to make their judgment in future elections, they will not ask whether we voted to sustain or repudiate a ruling of the Vice President; they will only ask, "Were you for or against ending filibusters in the United States Senate?"

Mr. President, I move to lay the appeal on the table.

Mr. WHERRY. Mr. President——

The VICE PRESIDENT. Let the Chair put the question.

The question is on the motion of the Senator from Illinois to lay on the table the appeal of the Senator from Georgia [Mr. RUSSELL] from the ruling of the Chair.

The motion is not debatable.

Mr. RUSSELL. Mr. President——

Mr. LUCAS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Green	McCarthy
Baldwin	Gurney	McFarland
Brewster	Hayden	McGrath
Bricker	Hendrickson	McKellar
Bridges	Hickenlooper	McMahon
Butler	Hill	Magnuson
Byrd	Hoey	Malone
Cain	Holland	Maybank
Capehart	Humphrey	Miller
Chapman	Hunt	Millikin
Chavez	Ives	Morse
Connally	Jenner	Mundt
Cordon	Johnson, Colo.	Murray
Donnell	Johnson, Tex.	Myers
Douglas	Johnston, S. C.	Neely
Downey	Kefauver	O'Conor
Eastland	Kem	O'Mahoney
Ecton	Kerr	Pepper
Ellender	Kilgore	Reed
Ferguson	Knowland	Robertson
Flanders	Langer	Russell
Frear	Lodge	Saltonstall
Fulbright	Long	Schoeppel
George	Lucas	Smith, Maine
Gillette	McCarran	Smith, N. J.

Sparkman	Thomas, Utah	Wherry
Stennis	Thye	Wiley
Taft	Tydings	Withers
Taylor	Vandenberg	Young
Thomas, Okla.	Watkins	

The VICE PRESIDENT. Eighty-nine Senators having answered to their names, a quorum is present.

The question is on the motion of the Senator from Illinois [Mr. LUCAS] to lay on the table the appeal taken by the Senator from Georgia [Mr. RUSSELL] from the ruling of the Chair on yesterday in regard to the filing of the cloture petition.

Mr. RUSSELL and other Senators asked for the yeas and nays, and they were ordered.

Mr. WHERRY. Mr. President, will the present occupant of the Chair, the Vice President, state for the benefit of all Senators the effect of the vote to be taken? If a Senator votes to lay the motion on the table, he votes to sustain the Vice President in his decision, does he not?

The VICE PRESIDENT. A vote to lay the appeal on the table is a vote to sustain the Chair. A vote not to lay the appeal on the table has the opposite effect.

Mr. WHERRY. That is as I understand it.

The VICE PRESIDENT. The yeas and nays having been ordered, the clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. GILLETTE (when his name was called). On this vote I have a pair with the senior Senator from New York [Mr. WAGNER], who is necessarily absent. I am advised that if he were present and voting he would vote "yea." If I were permitted to vote I should vote "nay." I withhold my vote.

Mr. MURRAY (when his name was called). On this vote I have a pair with the senior Senator from Arkansas [Mr. MCCLELLAN] who is absent by leave of the Senate on the sad mission of burying his son, whose remains have just been returned from North Africa. If the Senator from Arkansas were present he would vote "nay." If I were permitted to vote I would vote "yea." I therefore withhold my vote.

The roll call was concluded.

Mr. MYERS. I announce that the Senator from New Mexico [Mr. ANDERSON] is paired on this vote with the Senator from Pennsylvania [Mr. MARTIN]. If present and voting, the Senator from New Mexico would vote "aye," and the Senator from Pennsylvania would vote "nay."

Mr. WHERRY. I announce that the Senator from Pennsylvania [Mr. MARTIN] is absent by leave of the Senate and is paired with the Senator from New Mexico [Mr. ANDERSON]. If present and voting, the Senator from Pennsylvania [Mr. MARTIN] would vote "nay," and the Senator from New Mexico [Mr. ANDERSON] would vote "yea."

The Senator from New Hampshire [Mr. TOBEY] is absent on official business and is paired with the Senator from Delaware [Mr. WILLIAMS], who is absent on official business. If present and voting, the Senator from New Hampshire [Mr. TOBEY] would vote "yea," and the Senator from Delaware [Mr. WILLIAMS] would vote "nay."

The result was announced—yeas 41, nays 46, as follows:

YEAS—41

Aiken	Johnson, Colo.	O'Conor
Baldwin	Kefauver	O'Mahoney
Brewster	Kilgore	Pepper
Chavez	Knowland	Saltonstall
Douglas	Lodge	Smith, Maine
Downey	Lucas	Smith, N. J.
Ferguson	McCarthy	Taft
Flanders	McGrath	Taylor
Frear	McMahon	Thomas, Okla.
Green	Magnuson	Thomas, Utah
Hendrickson	Miller	Tydings
Humphrey	Morse	Wiley
Hunt	Myers	Withers
Ives	Neely	

NAYS—46

Bricker	Hayden	Maybank
Bridges	Hickenlooper	Millikin
Butler	Hill	Mundt
Byrd	Hoey	Reed
Cain	Holland	Robertson
Capehart	Jenner	Russell
Chapman	Johnson, Tex.	Schoeppel
Connally	Johnston, S. C.	Sparkman
Cordon	Kem	Stennis
Donnell	Kerr	Thye
Eastland	Langer	Vandenberg
Ecton	Long	Watkins
Ellender	McCarran	Wherry
Fulbright	McFarland	Young
George	McKellar	
Gurney	Malone	

NOT VOTING—8

Anderson	Martin	Wagner
Gillette	Murray	Williams
McClellan	Tobey	

So Mr. LUCAS' motion to lay on the table Mr. RUSSELL's appeal from the decision of the Chair was rejected.

Mr. LUCAS. Mr. President, I move that the Senate stand in recess until——

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. BALDWIN. Mr. President, will the Senator yield for a question?

Mr. LUCAS. I yield to the Senator from Nebraska.

Mr. WHERRY. By reason of the fact that tomorrow is Saturday, would the Senator please, if he can, announce for the Senate what his intentions are respecting the sessions for tomorrow and tomorrow night? The reason I ask that is this: As minority leader, I felt, when the debate started, that we should keep the Senate in session and attempt to bring the Wherry-Hayden resolution to a vote.

[Cries of "No!" "No!" "No!"]

The VICE PRESIDENT. The Senate will be in order.

Mr. WHERRY. I do not want to suggest a program, but I do feel it would be helpful to Senators on this side of the aisle to know what are the intentions of the majority leader.

Mr. HOLLAND. Mr. President——

The VICE PRESIDENT. Does the Senator from Illinois give heed to the request of the Senator from Nebraska?

Mr. LUCAS. I will take it under consideration.

Mr. WHERRY. Will the Senator tell us whether——

Mr. LUCAS. I will tell the Senator the program before we finish. Some Senator asked me to yield.

Mr. HOLLAND. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The question now is, Shall the decision of the Chair stand as the judgment of the Senate?

Mr. LUCAS. On that I ask for the yeas and nays, Mr. President.

Mr. WHERRY. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. RUSSELL. Mr. President, is not the question debatable?

The VICE PRESIDENT. The question on the appeal is debatable.

Mr. RUSSELL. If the distinguished Senator from Illinois desires to proceed tonight I shall claim the floor and address myself to the appeal.

The VICE PRESIDENT. The Senator from Illinois had started to make a motion to recess until some time.

Mr. LUCAS. If the Senator from Georgia will yield——

Mr. RUSSELL. I will yield, Mr. President, if it does not affect my rights to the floor.

The VICE PRESIDENT. Well, the Senator has not made a speech yet on the appeal. The Senator from Illinois.

Mr. LUCAS. I will say to the Senate that what I propose to do is to take a recess until tomorrow at 12 o'clock. I expected to make the motion to recess at the proper time. I do not expect to detain the Senate much longer tonight.

Mr. RUSSELL. Mr. President——

The VICE PRESIDENT. The Chair should state that at whatever time the Senate resumes its session after recess the appeal will be the matter before the Senate.

Mr. RUSSELL. Mr. President, upon further consideration, I am perfectly willing to proceed to a vote on the appeal at this time, if the Senate desires to vote.

SEVERAL SENATORS. Vote! Vote!

Mr. LUCAS. Let us vote and get it out of the way. I ask for the yeas and nays.

The yeas and nays were ordered.

The VICE PRESIDENT. The question is, Shall the decision of the Chair stand as the judgment of the Senate? Those who favor the decision of the Chair standing as the judgment of the Senate will vote "yea." Those who oppose will vote "nay." The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. GILLETTE (when his name was called). Mr. President, I make the same announcement as I did on the former vote, respecting my pair with the senior Senator from New York [Mr. WAGNER]. I am informed that if the Senator from New York were present he would vote "yea." If I were permitted to vote I would vote "nay." I withhold my vote.

Mr. MURRAY (when his name was called). On this question I have a pair with the senior Senator from Arkansas [Mr. MCCLELLAN], who is absent by leave of the Senate on a sad mission to bury his son, whose remains have just been brought to this country from north Africa. If the Senator from Arkansas were present he would vote "nay." If I were at liberty to vote I would vote "yea." I therefore withhold my vote.

The roll call was concluded.

Mr. MYERS. I announce that the Senator from New Mexico [Mr. ANDERSON] is paired on this vote with the Senator from Pennsylvania [Mr. MARTIN]. If present and voting, the Senator from New Mexico would vote "yea," and

the Senator from Pennsylvania would vote "nay."

Mr. WHERRY. I announce that the Senator from Pennsylvania [Mr. MARTIN] is absent by leave of the Senate and is paired with the Senator from New Mexico [Mr. ANDERSON]. If present and voting, the Senator from Pennsylvania [Mr. MARTIN] would vote "nay," and the Senator from New Mexico [Mr. ANDERSON] would vote "yea."

The Senator from New Hampshire [Mr. TOBEY] is absent on official business and is paired with the Senator from Delaware [Mr. WILLIAMS], who is absent on official business. If present and voting, the Senator from New Hampshire [Mr. TOBEY] would vote "yea" and the Senator from Delaware [Mr. WILLIAMS] would vote "nay."

The result was announced—yeas 41, nays 46, as follows:

YEAS—41

Aiken	Johnson, Colo.	O'Conor
Baldwin	Kefauver	O'Mahoney
Brewster	Kilgore	Pepper
Chavez	Knowland	Saltonstall
Douglas	Lodge	Smith, Maine
Downey	Lucas	Smith, N. J.
Ferguson	McCarthy	Taft
Flanders	McGrath	Taylor
Frear	McMahon	Thomas, Okla.
Green	Magnuson	Thomas, Utah
Hendrickson	Miller	Tydings
Humphrey	Morse	Wiley
Hunt	Myers	Withers
Ives	Neely	

NAYS—46

Bricker	Hayden	Maybank
Bridges	Hickenlooper	Millikin
Butler	Hill	Mundt
Byrd	Hoey	Reed
Cain	Holland	Robertson
Capehart	Jenner	Russell
Chapman	Johnson, Tex.	Schoeppel
Connally	Johnston, S. C.	Sparkman
Cordon	Kem	Stennis
Donnell	Kerr	Thye
Eastland	Langer	Vandenberg
Ecton	Long	Watkins
Ellender	McCarran	Wherry
Fulbright	McFarland	Young
George	McKellar	
Gurney	Malone	

NOT VOTING—8

Anderson	Martin	Wagner
Gillette	Murray	Williams
McClellan	Tobey	

So the ruling of the Chair was not sustained.

Mr. WILEY. Mr. President, I ask unanimous consent to have printed in the RECORD a statement I have prepared relative to the pending question.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Mr. President, this debate has resulted in some very fine arguments on both sides of the issue. I have listened with profit and pleasure to such arguments. I want to briefly state my own conclusions in the matter.

1. The Senate is, of course, master of its own rule making.

2. In view of the changed geography and politics on this globe, it would appear, considering all the factors, that the word "measure" might well be interpreted to mean bill, resolution, motion, and any other legislative activity of the Senate.

3. In reaching this conclusion, I am not oblivious of the arguments made for the limited interpretation of the meaning of the word "measure."

4. Changing conditions sometimes require new rules or new interpretations. In following this suggestion, we have to make sure that we do not make rules that permit unthought-through action to damage the general welfare.

5. The legal conclusion reached by my distinguished associate, Senator VANDENBERG, no one can find fault with; and no one can find fault with the difference in opinion of the Members of this Senate. The logic or motivation or the activating factor in one mind may be dissimilar from the logic, the motive, or the activation in another human mind.

6. The important thing is that we maintain an adequate check and balance in Government and in each division of Government. The Senate itself must make sure that its rules operate equitably, but, above all, that such rules operate to the public welfare.

7. Therefore, rule XXII should be changed in accordance with Senate Resolution 15, which is ready for action, but I would amend this resolution so that there would be not only a proviso that when two-thirds of the Senate vote for closing of debate, it shall be applicable to all measures, motions, and legislative actions of the Senate but a provision that such resolution does not apply to the Senate rule. In such a case the right to filibuster shall be retained.

8. Now, what does this mean? It means that when and if two-thirds of the Senate have reached the conclusion on any such measure, motion, etc., that the debate should be closed, that a speedy vote on the measure will be had. It means further that if there should be an attempt at any time by less than two-thirds to close debate, that the rest of the Senators who will not have voted for closing debate, will not be shut off from continuing the same. It means also that if there should be an attempt at any time to change rule XXII from two-thirds to a greater or lesser number, that cloture can never be effective.

9. I feel this is a reasonable approach to this situation. The Senate must not strangle itself so that it becomes ineffective, neither must it strangle the rights of the minority. Rather, it must make sure that the rights of the majority and the rights of the minority are maintained. The principal purpose of the Senate is in the field of legislation. This does not mean simply passing measures—it means not passing faulty proposed legislation, as well as passing constructive laws.

10. It also means that the Senate is a forum for reason and logic where men of different economic, social, political, religious, racial, and geographic backgrounds will have ample opportunity to reason things out and meet on some constructive compromise basis. It means also that men with this diversity of background will have an opportunity to operate as a check and balance on each other so that neither excess nor stalemate will be the rule of this body. It means also that here is the forum for the clarification of issues, so that the people will not be confused with a lot of irrelevant matters, and that ample opportunity will be given for the clarification of every significant measure or issue pending in the Senate.

Mr. LUCAS obtained the floor.

Mr. BALDWIN. Mr. President, would the distinguished majority leader be willing to answer a question?

Mr. LUCAS. I yield for a question.

Mr. BALDWIN. I noticed from his remarks that the majority leader laid great stress upon the fact that the Republican Party was pledged to a civil-rights program in its platform, and he appeals for Republican support. The Republican Party has no mandate in this election in any way, shape, or manner. I call attention to the fact that we have been reminded of that not once, but many, many times. The question which I wish to ask the majority leader is this: Does he intend to go forward now and debate the question of the change in the rules until we have a decision on it, or is he of a mind to lay it aside and take up something else?

Mr. MYERS. Mr. President, will the Senator yield?

Mr. LUCAS. I do not believe that I have to give the Senator from Connecticut a quick answer on that question. We are going to meet tomorrow at noon. That ought to be satisfactory. If the Senator from Connecticut would like to meet a little earlier, I can accommodate him in that respect. I think when I get around to it I shall probably make a motion to take a recess until tomorrow at noon, as we have been doing.

Mr. CHAVEZ. Mr. President——

Mr. LUCAS. I do not think the Senator from Connecticut is critical. I hope he is not critical.

Mr. BALDWIN. Let me say to my distinguished friend that I am not critical. I have supported his position throughout.

Mr. LUCAS. I appreciate it very much.

Mr. BALDWIN. I have done so with the utmost sincerity. I have supported the ruling of the Chair in two votes. I have announced my intention, as have many other Republican Members, of supporting the change in the rules. I may say to my distinguished friend that many other Republican Members have taken the position that if they had an opportunity to do so they would vote to amend the rule. That is the position of the distinguished Senator from Michigan [Mr. VANDENBERG], and he made it crystal clear.

I merely wish to make this observation to my friend: In my mind there will be a feeling that there is an utter lack of sincerity in his position unless he now manifests his intention, or tomorrow manifests his intention, to go through with this matter until we come to a vote, if it takes night sessions all next week and the week following. That is my purpose in asking the question. I should like to know if we are going through with this thing to the end, because many of us have taken a very sincere and positive stand, and we want to see the question settled.

Mr. MYERS. Mr. President, will the Senator yield?

Mr. LUCAS. Mr. President, I can only say to my distinguished friend that I think he will agree with me that up to this point the Senator from Illinois, as majority leader, has done about everything that could be done within reason. We have this decision. Twenty-three Republicans voted against us. Had we had those 23 Republicans with us, we would now be much further along than we are.

Mr. BALDWIN. Mr. President, may I interrupt my friend a moment to say——

Mr. LUCAS. Just a moment——

The VICE PRESIDENT. Under the rule, the Senator can yield only for a question, not for a statement.

Mr. LUCAS. I am speaking, Mr. President.

The VICE PRESIDENT. The Senator does not have to yield; but if he yields, he can yield only for a question.

Mr. LUCAS. Mr. President, have I the floor?

The VICE PRESIDENT. The Senator from Illinois has the floor.

Mr. LUCAS. I thank the Presiding Officer.

I do not know what my strategy is going to be. I do not believe that a good leader ever takes all the responsibility. I think a good leader is one who is led by his people. I intend to consult with a number of my friends on this side of the aisle. The Senator from Connecticut is very anxious, as I notice my distinguished friend the minority leader is, to get into the RECORD the statement that he wants all-night sessions. All the minority leader had to do was simply to vote with us.

Mr. WHERRY. Mr. President, my name has been mentioned. I ask the Senator to yield at this point.

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator yield, and if so, to whom?

Mr. LUCAS. I have not yet finished my statement.

Mr. HICKENLOOPER. Mr. President, will the Senator from Illinois yield to me? I yielded to him a while ago.

The VICE PRESIDENT. The Senator from Illinois has not yielded, and cannot be interrupted. If he yields, he can yield only for a question.

Mr. LUCAS. Please give me a chance. We were defeated on the last vote. I do not yet know exactly what we are going to do, but we are going to control the situation on this side of the aisle. If we make a move in the direction suggested by the Senator from Connecticut, I know that he will be with us day and night, for weeks and months, if necessary. I know that he will bring a cot here——

Mr. BALDWIN. Mr. President——

Mr. HICKENLOOPER. Mr. President——

Mr. BALDWIN. Mr. President, will the Senator yield for just one more question?

Mr. LUCAS. I know that the Senator from Connecticut will bring his cot here and sleep for weeks and weeks in order to break up the filibuster.

Mr. HICKENLOOPER. Mr. President, I shall not speak for weeks. I merely want the Senator to yield to me for a question.

Mr. LUCAS. I yield.

Mr. HICKENLOOPER. I am delighted.

Mr. LUCAS. I yield for a question. I do not yield for a speech. I want to get the Senate away from here. The newspapermen are becoming tired.

Mr. HICKENLOOPER. I ask the Senator if his doubt about his future procedure is as firmly founded as was his question to me a while ago as to why I signed the cloture petition——

Mr. LUCAS. There is utterly no comparison between the two.

Mr. HICKENLOOPER. I am glad the Senator so anticipated me that he could answer the question before I finished asking it.

Mr. LUCAS. I am surprised that the Senator would ask such a question at this point.

Mr. BALDWIN. Mr. President, will the Senator yield?

Mr. MYERS addressed the Chair.

Mr. LUCAS. I yield to the Senator from Pennsylvania.

Mr. MYERS. Mr. President, I am sure the majority leader realizes that our sincerity has been questioned.

Mr. LUCAS. Oh, yes; I know that.

The VICE PRESIDENT. The Chair rules that the Senator from Pennsylvania cannot interrupt the Senator from Illinois to make a statement. He can only ask a question.

Mr. MYERS. Mr. President, does the Senator from Illinois recognize that many on the other side of the aisle have questioned our sincerity in this whole debate?

Mr. LUCAS. They certainly have, by implication. [Laughter.]

Mr. MYERS. Does the Senator from Illinois recall that on yesterday a question was addressed to me by the Senator from New York, during the course of which he stated that the Republican Party at its convention in Philadelphia voted unanimously for a civil-rights plank?

Mr. LUCAS. The Senator is eminently correct.

Mr. MYERS. And does the Senator from Illinois believe that the vote which was just had is the only vote we may have on civil-rights legislation?

Mr. LUCAS. I think there is a very good possibility that it is the only vote we may have.

Mr. MYERS. Does the Senator from Illinois know that 23 Republicans voted to override the Chair on that vote? I would say, then, Mr. President——

The VICE PRESIDENT. The Senator cannot make a speech; he can only ask a question.

Mr. MYERS. Does not the majority leader then think that that is the test of one's sincerity?

Mr. LUCAS. I am not going to question——

The VICE PRESIDENT. Does the Senator from Illinois renew his motion that the Senate take a recess until 12 o'clock tomorrow?

Mr. CHAVEZ. Mr. President——

Mr. LUCAS. I yield to the Senator from New Mexico.

Mr. CHAVEZ. Does the Senator from Illinois know how many of those who have adherence to the policy of President Truman voted against sustaining the President of the Senate?

Mr. LUCAS. Quite a few.

RECESS

Mr. BALDWIN. Mr. President, will the Senator yield for a question?

Mr. LUCAS. Mr. President, I move that the Senate stand in recess until 12 o'clock tomorrow.

The VICE PRESIDENT. The question is on the motion of the Senator from Illinois.

Mr. WHERRY, Mr. BALDWIN, Mr. CHAVEZ, and other Senators asked for the yeas and nays.

The yeas and nays were ordered, and the legislative clerk called the roll.

Mr. WHERRY. I announce that the Senator from Pennsylvania [Mr. MARTIN] is absent by leave of the Senate, and is paired with the Senator from New Mexico [Mr. ANDERSON]. If present and voting, the Senator from Pennsylvania [Mr. MARTIN] would vote "nay," and the Senator from New Mexico [Mr. ANDERSON] would vote "yea."

The Senator from Kansas [Mr. REED] and the Senator from Wisconsin [Mr. WILEY] are detained on official business.

The Senator from Massachusetts [Mr. SALTONSTALL] and the Senator from Wisconsin [Mr. MCCARTHY] are necessarily absent.

The Senator from New Hampshire [Mr. TOBEY] and the Senator from Delaware [Mr. WILLIAMS] are absent on official business. If present and voting, the Senator from New Hampshire [Mr. TOBEY] and the Senator from Delaware [Mr. WILLIAMS] would vote "nay."

The result was announced—yeas 46, nays 38, as follows:

YEAS—46

Byrd	Hunt	Miller
Chapman	Johnson, Colo.	Murray
Connally	Johnson, Tex.	Myers
Douglas	Johnston, S. C.	O'Conor
Downey	Kefauver	O'Mahoney
Eastland	Kerr	Pepper
Eaton	Kilgore	Robertson
Ellender	Long	Russell
Frear	Lucas	Sparkman
Fulbright	McCarran	Stennis
George	McFarland	Thomas, Okla.
Green	McGrath	Thomas, Utah
Hayden	McKellar	Tydings
Hill	McMahon	Withers
Hoey	Magnuson	
Holland	Maybank	

NAYS—38

Aiken	Gurney	Mundt
Baldwin	Hendrickson	Neely
Brewster	Hickenlooper	Schoeppel
Bricker	Humphrey	Smith, Maine
Bridges	Ives	Smith, N. J.
Butler	Jenner	Taft
Cain	Kem	Taylor
Capehart	Knowland	Thye
Chavez	Langer	Vandenberg
Cordon	Lodge	Watkins
Donnell	Malone	Wherry
Ferguson	Millikin	Young
Flanders	Morse	

NOT VOTING—11

Anderson	Martin	Wagner
Gillette	Reed	Wiley
McCarthy	Saltonstall	Williams
McClellan	Tobey	

So the motion was agreed to; and (at 10 o'clock and 42 minutes p. m.) the Senate took a recess until tomorrow, Saturday, March 12, 1949, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

FRIDAY, MARCH 11, 1949

The House met at 10 o'clock a. m., and was called to order by the Speaker pro tempore, Mr. MCCORMACK.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Thou who art the good Shepherd, who leads us into pastures of love by the still waters of restful quietness, waken in our waiting souls the peace of those who put their trust in Thee, who can live and serve in the midst of difficult problems.

For the facing of this hour give us a searching light that we may step fear-

lessly into the trackless ways of an unknown future. We ask not for ease, nor for the approval of men, but for Thy blessing upon every task. We pray Thee to merge our courage and our motives into Thine own will, that they may be forceful for good and uprightness. For our Redeemer's sake we pray. Amen.

The Journal of the proceedings of yesterday was read and approved.

COMMISSIONED OFFICERS OF THE COAST AND GEODETIC SURVEY

Mr. VINSON. Mr. Speaker, I ask unanimous consent that the Committee on Armed Services be discharged from further consideration of the bill (H. R. 2572) to extend to commissioned officers of the Coast and Geodetic Survey the provisions of the Armed Forces Leave Act of 1946 and that the bill be referred to the Committee on Merchant Marine and Fisheries.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

EXTENSION OF REMARKS

Mr. RIEHLMAN asked and was given permission to extend his remarks in the RECORD and to include two editorials and two articles relating to a statement made by the Honorable KENNETH B. KEATING with respect to social security.

Mr. MARTIN of Massachusetts asked and was given permission to extend his remarks in the RECORD and include two editorials on the reduction of excise taxes.

EXTENSION OF REMARKS

Mr. BIEMILLER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a radio debate on the President's health program in which I participated. The Public Printer estimates the cost to be $230.75, but I ask that it be printed notwithstanding that fact.

The SPEAKER pro tempore. Without objection, notwithstanding the cost, the extension may be made.

There was no objection.

Mr. RICH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an article by George S. Benson. This is a new one on me. It is entitled "If Ever This Nation Needed an Economy-Minded Congress, It Is Now."

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. JAVITS asked and was given permission to extend his remarks in the RECORD and include a magazine article.

Mr. LANE asked and was given permission to extend his remarks in the RECORD and include a newspaper article.

Mr. DENTON asked and was given permission to extend his remarks in the RECORD.

Mr. PHILLIPS of Tennessee asked and was given permission to extend his remarks in the RECORD in connection with a bill he is introducing today.

Mr. NELSON asked and was given permission to extend his remarks in the RECORD and include a resolution received from the City Council of the City of Auburn, Maine.

Mr. PATTEN asked and was given permission to extend his remarks in the RECORD and include extraneous material.

Mrs. DOUGLAS asked and was given permission to extend her remarks in the RECORD in five instances and include extraneous matter.

Mr. ANGELL asked and was given permission to revise and extend the remarks he expects to make today in the Committee of the Whole and include certain correspondence.

Mr. CLEVENGER asked and was given permission to extend his remarks in the RECORD and include two excerpts from newspapers.

Mr. GAVIN asked and was given permission to extend his remarks in the RECORD and include an article.

Mr. FERNANDEZ asked and was given permission to extend his remarks in the RECORD and include a letter from the Secretary of the Interior and a letter from the President of the United States with respect to the rehabilitation of the Navajo Reservation.

Mr. RIVERS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an editorial from the Washington Post on the Butter Trust bill reported from the Committee on Agriculture, commonly called the oleo bill. It is not an oleo bill but a Butter Trust bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

COMMITTEE ON THE DISTRICT OF COLUMBIA

Mr. DAVIS of Georgia. Mr. Speaker, I ask unanimous consent that the Committee on the District of Columbia have until midnight tonight to file a report on the bill (H. R. 3347) to provide additional revenue for the District of Columbia, and that members of that committee desiring to file minority views may have until the same time to file their report.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

COMMITTEE ON FOREIGN AFFAIRS

Mr. DOUGHTON. Mr. Speaker, I offer a resolution (H. Res. 46) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That JOHN KEE, of West Virginia, be, and he is hereby, elected chairman of the standing Committee of the House of Representatives on Foreign Affairs.

The resolution was agreed to.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. MULTER asked and was given permission to extend his remarks in the RECORD and include extraneous matter.

Mr. HOFFMAN of Michigan asked and was given permission to extend his remarks in the RECORD in three instances, in each to include letters and newspaper articles.

HOUSING AND RENT CONTROL, 1949

Mr. SPENCE. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 1731) to extend certain provisions of the Housing and Rent Act of 1947, as amended, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H. R. 1731, with Mr. GORE in the chair.

The Clerk read the title of the bill.

Mr. WOLCOTT. Mr. Chairman, I yield 1 minute to the gentleman from Illinois [Mr. MASON].

THE MOST POWERFUL MAN IN AMERICA TODAY

Mr. MASON. Mr. Chairman, Woodrow Wilson had his Colonel House; Herbert Hoover was big enough to be his own man; F. D. R. had a succession of advisors, only two of whom—Justice Frankfurter and Judge Rosenman—lasted throughout Roosevelt's 12-year reign; now President Truman has his Leon Keyserling, the most powerful man in America today, and the most dangerous man in America today.

Leon Keyserling, as President Truman's economic adviser, is the author of the President's so-called Fair Deal, the architect of Truman's bold new world program, and the father of the concept now dubbed the welfare state. The idea of Government owned and operated steel plants is Keyserling's, and the social-welfare program now before Congress in the form of bills to extend and liberalize social security and to establish socialized medicine is another of his brain children. This social-welfare program will cost $20,000,000,000 per year when in full operation and will involve a pay-roll tax of 15 to 20 percent.

Who is this Leon Keyserling, and upon what red meat doth he feed? Because he has a passion for anonymity and directs the administration show from behind the scenes, not one American citizen in ten thousand has ever even heard of him.

Mr. Chairman, Leon Keyserling graduated from the Harvard Law School in 1931 and was hired immediately by the New Deal as an economist. He worked for the AAA for awhile; then helped draft the NIRA, the NLRA, the Railway Retirement Act, the Social Security Act, the Wagner Act, and other laws relating to public housing and public works. He then became chief counsel for USHA and helped draft the full-employment bill. Keyserling did all this while still an inexperienced youngster right out of school, without any actual experience in either the business world or the industrial world. Mr. Keyserling is only 40 years old, yet because of his influence with President Truman he is the most powerful and the most dangerous man in America today.

Mr. WOLCOTT. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Obviously a

quorum is not present. The Clerk will call the roll.

The Clerk called the roll and the following Members failed to answer to their names:

[Roll No. 25]

Bailey	Hart	Poulson
Blatnik	Jennings	Powell
Bonner	Karst	Richards
Buckley, N. Y.	Kennedy	Scott, Hugh D., Jr.
Bulwinkle	Kirwan	Short
Burke	Klein	Smith, Ohio
Byrne, N. Y.	Kruse	Somers
Celler	Lucas	Staggers
Chiperfield	McMillan, S. C.	Thomas, N. J.
Coffey	Macy	Wadsworth
Cole, N. Y.	Moulder	Whitaker
Davis, Tenn.	Murphy	Wigglesworth
Dawson	Norrell	Willis
DeGraffenried	Norton	Wood
Dingell	O'Konski	
Gathings	O'Toole	
Gilmer	Pfeiffer, William L.	
Hall, Leonard W.	Phillips, Calif.	

Accordingly the Committee rose; and the Speaker pro tempore having resumed the chair, Mr. GORE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 1731), and finding itself without a quorum, he had directed the roll to be called when 378 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The SPEAKER pro tempore. The Committee will resume its sitting.

Accordingly the Committee resumed its sitting.

Mr. WOLCOTT. Mr. Chairman, I yield 10 minutes to the gentleman from Kentucky [Mr. MORTON].

Mr. MORTON. Mr. Chairman, in order that I may make my position completely clear, let me state that I come from a normally democratic city and an industrial district with far more tenants than landlords. I came here 2 years ago realizing that we had to have an orderly release from rent control. I still believe that, but I cannot vote for this bill in its present form.

I should like to call attention to a few cases to illustrate just what is happening in my district.

An old colored woman, who can no longer support herself, with the aid of an FHA loan, plus her own funds, built a small home in 1945. Her payments for the home, furniture, some wiring, and so forth, amounted to $38.50 a month. Shortly after that she lost her health and could no longer support herself. First, she tried to rent the home and the OPA said, "Go ahead and rent it. When you and the tenant get together, we will come out and pass on it." She rented it for $32 a month, although her payments were $38.50. The OPA came out and cut that to $20 a month. So she was obliged to sell the property. She retained a portion of the lot next door with a garage, which she fixed up so that she and her grandchildren could live in it. She was soon forced to find some income, so she sold this lot and used the proceeds as a down payment on some rental property. She fixed up the porch on this property which she acquired so that she could live there herself. She knew nothing about the fact that the property had been registered. She furnished those rooms that had for some time been unfurnished, and rented the property. Then it was discovered some time later that the property had been registered, and the rooms that she was renting out by the week she was told she could get only $6 a month for, plus 5 percent, or $6.30. The tenants are suing her for $484, which she does not have in her possession. She left Louisville the day before yesterday with $2 of her own money and $10 which she had borrowed, in order to go to the regional office in Cleveland, Ohio, to plead her case. I hope she has had good luck.

There is a case of a 76-year-old widow, Mrs. George Phillips, of 2247 Date Street, in Louisville, Ky. Her husband died 22 years ago. She has made her living by renting a portion of her home to others. For this she received $13 per week. Everything was furnished. During the war the linens wore out. She was unable to replace them. She was required to cut the rent to $12 a week. She has never been able to get it increased.

Her budget for food today is $2.25 a week. She is a woman who has never been the object of charity and who owns her own property. Her tenants, a family of three, admit they are paying cheap rent. Her total remainder, after her direct expenses, is $28 per month for taxes, insurance, repairs, fuel, renewal of furniture, food, and all her personal requirements.

Tenants in my district are suffering under this law. Here is a picture of a property in which 22 people were living and the return to the owner of the property was $169.85 per month after direct expenses only. This is a picture of the property taken only a short time ago. The building is being torn down. The owner has leased the property, I wish I had a copy of the lease to show you, but the owner signed a 5-year lease, renting the ground, only the ground, as a parking lot, for $225 a month, while he received $169 a month for this property and gave shelter to 22 people in my community. He will get more money. He will no longer pay taxes on the building. The city is worse off, the tenants are worse off, the owner is worse off. I do not know where it leads us. It certainly is not contributing toward a healthy supply-and-demand situation when we prevent any rental vacancies from developing, by the administrative rent-control program. We have heard a lot in the last 3 or 4 months about a mandate; if it is a mandate that a colored grandmother in my district who has never been an object of charity shall now become an object of charity; that a 76-year-old woman who has been a widow for 22 years and has lived off of the income from the modest home which her husband left her, has now been reduced to $2.25 a week for her own food; if that is the mandate, so be it. If loyalty to that mandate means my continuance in this body, I can sell apples.

Mr. MULTER. Mr. Chairman, will the gentleman yield?

Mr. MORTON. I yield.

Mr. MULTER. Is it not a fact that in Louisville, Ky., which I think is in the gentleman's district, 18,000 families are living doubled up; approximately 3,000 families are on an active list awaiting temporary accommodations in a project that houses only 567 families?

Mr. MORTON. Yes; I think those figures were submitted. I have some reason to doubt them. The reason for lack of vacancies, of course, is just what I have been pointing out here, that we have torn down so much of our property that we no longer have any facilities available for these people. It so happens that of the 22 who moved out of this building last week and the week before, all but one of them have found new quarters.

Mr. MULTER. In the last 12 months alone over 8,000 families have contacted your mayor's committee seeking rental accommodations in Louisville.

Mr. MORTON. That may be correct; and if the condition I have discussed continues there will not be any rental accommodations available.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. MORTON. I yield.

Mr. DONDERO. Not only in the case the gentleman has cited but the injustices of the rent-control law are causing the owners of property to do everything they can to get rid of their property, sell it, convert it to commercial purposes, do anything to rid themselves of the property because they cannot receive an adequate return. That is what is making the condition the gentleman from New York has just cited, in addition to what the gentleman from Kentucky has already stated. That is the condition in about every district of the United States.

Mr. MORTON. The gentleman is entirely correct, and I might add that in a local newspaper in my city 3 days ago I saw something which cheered me quite a lot, something which I had not seen for a long time. Do you remember the old days, back in the time when there were vacancies and the bait was 3 months' rent free if you took the property? Such ads are beginning to appear again in my city in spite of the affidavits before the mayor's committee.

I hope, Mr. Chairman, that this Committee will adopt the Brown amendment and others needed to assure fair treatment for all under the act. None of us want permanent rent control. Let us without emotion or partisanship amend this bill so as to assure the provision of more rental property, either by new construction or conversion. In that way we can accomplish the orderly liquidation of wartime rental control. Such an amended measure I can in good conscience support.

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

Mr. SPENCE. Mr. Chairman, we agreed to yield 10 minutes to the gentleman from Illinois [Mr. O'HARA]. He consumed 5 minutes of his time yesterday. I therefore yield the gentleman 5 minutes at this time.

Mr. O'HARA of Illinois. Mr. Chairman, as a new Member of this House, although in years considerably above the average age of my colleagues, I am as surprised as are the people back home by the character of the opposition to this bill. I look in the galleries and see the

owners of property who have been brought here to furnish the background for the speeches I hear from the Republican side of this House placing the sacred rights of property above human rights.

There are no rights as sacred as the right of honest men and women to have homes in which to live and in which to rear their families.

I say to my Republican colleagues that unless within the next year and a half they revise their concepts to include recognition of human rights as well as what they call the sacred rights of property the seats on their side of this Chamber in the Eighty-second Congress will be the most lonesome spots in all America.

And to my Democratic colleagues who by compromise with Republicans would lose for the plain people at home that which the plain people won by their own efforts and their votes in November of 1948, may I say that there is an end of patience.

Unless the Eighty-first Congress in the legislation which it enacts gives priority to human rights, always of course with proper respect for the legitimate rights of property, this Congress will go down in an ignomy deeper than that of the Eightieth Congress.

The plain people of America have a right to roofs over their heads. I have heard applied to them here today the term of parasites. I do not like that sort of name calling. But even if they were parasites, these decent and honest people who work hard but do want at night the security of homes in which to rest, I as a Member of this Congress would regard myself as derelict in every sense of duty if I voted to throw them with their wives and their babies from their humble homes out into the storm. A vote to end rent control means just that—and everyone in this Chamber knows it.

Unless rent controls are continued hundreds of thousands of American families, yes, millions of such families, will be left to barter, not collectively but individually, in an uncontrolled market during a time of unprecedented housing shortage.

Mr. Chairman, when every veteran organization in this country—the American Legion, the Veterans of Foreign Wars, the Disabled Veterans, all of them—has appeared before the House Committee on Banking and Currency and testified that the veterans of America are demanding a continuance of rent control, I am surprised when distinguished colleagues of mine on the Republican side of this House in contradiction of these veterans themselves say: "Oh, the veterans do not want continuance of rent control." The veterans who in my own city search in vain for homes within their means, the veterans who live doubled-up or in unsanitary temporaries, know that there is a grave housing shortage; but these Republican colleagues of mine tell us in this Chamber that there is no housing shortage and the veterans are all happy except those who own rental properties.

There are tenants back home who are not here. They thought they spoke on November 2 and they thought they sent to this Congress their representatives to speak for them here. They may not have had railroad fare, but they did have votes to give us, and we accepted those votes.

These landlords have come here, many of them mighty fine people. I met them from my home town of Chicago and some of them, I believe, honestly think they have complaints directed against the administration of this law but not the law itself. I say to those landlords in Chicago that if in the administration of this rent-control law, which I hope, trust, and believe this Congress will enact, they do not get a fair deal through its administration, I will be their champion to the extent of my humble ability. The bill is fair alike to landlords and to tenants; if there is failure in its just administration I have the faith that the President of the Fair Deal will take care of that in no uncertain way.

The members of the Banking and Currency Committee, every one of them, have had in mind a Fair Deal to these landlords.

Every member of our committee has thought to put into this enactment provisions that will adequately protect them. But if there be isolated cases, as so eloquently and graphically presented by my distinguished colleague from Kentucky, where injustice has been done, believe me, Mr. Chairman, there are thousands and thousands of other cases where tenants have suffered almost beyond human endurance when they have been left to be preyed upon and when there is no legislation to protect them. I have special reference to constituents of mine in the Second Congressional District of Illinois, thousands of mighty fine people, living in so-called apartment hotels and residential hotels. They too are entitled to a Fair Deal.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. WOLCOTT. Mr. Chairman, I yield 6 minutes to the gentleman from North Dakota [Mr. LEMKE].

Mr. LEMKE. Mr. Chairman, I wish to state to the Members on both sides of the aisle that there are, and there can be no human rights without property rights. The right of possession of that which is yours, of the necessities of your body and your comfort, are property rights. Let no one disturb those.

I am aware that there are two sides to rent control. There are rent hogs who charge all and more than the traffic will bear. Then there are tenant hogs who wish to occupy, damage, and destroy other people's property for less than taxes, maintenance, and repairs—to say nothing about a reasonable profit.

Fortunately for our Nation both of these classes are in a minority. Here we are asked to assist those who wish to get that which is not theirs and in many cases needlessly and recklessly damage or destroy it. I have no brief for either of these classes. I know that the great majority of landlords and tenants are reasonable and honest.

However, I do not believe that rent control is the remedy. I do not believe that it has improved the situation. In fact as has been stated by both proponents and opponents of this bill, after 12 years of this unlawful control, the situation is worse than when we began. In fact it has become worse because owners of rental property refuse to continue to rent at a loss.

In many localities there is no great shortage of housing. In many parts of the country there is competition again in rent—competition again among landlords. There are vacant houses and vacant apartments. I realize that is not true in all localities, but we must take the law of average. In fact rent control is destroying the goose that lays the golden eggs—homes and apartments.

It has been stated on this floor, and I challenge the accuracy of those statements, that the landlords and the real-estate men are spending $3,000,000 in lobbying. Such assertions, unless proof is furnished, are misleading and dangerous. Being made on the floor here, they are taken as gospel truth by the public.

The only lobbying I have seen is through the mails by both landlords and tenants, and I am satisfied that the total expense of that lobbying on both sides would not exceed $40,000 or $50,000 throughout the Nation. That is far short of $3,000,000.

I am fully aware that witnesses appeared on both sides of this issue before the Banking and Currency Committee, but amendment 1 of the Constitution "prohibits Congress from interfering with the right of the people peacefully to assemble and to petition the Government for a redress of grievances." It depends upon whose ox is gored. Some of these landlords have a real grievance. They have been compelled to lease their property for less than taxes, maintenance, and repairs, in violation of the Constitution. Their property is in fact being confiscated.

Why should not these landlords appeal to Congress for redress? It is their property that is being taken unlawfully and unconstitutionally. Would you remain silent if the Government confiscated your home? If Congress should pass a law compelling you to take two or three families into your home would you remain silent? If by rent control you can confiscate city homes and property, then you can also through rent control confiscate farm homes and farm property. That is the Russian method, not the American. Rent control is a step in that direction.

I say without the fear of contradiction that this bill is unconstitutional. The war is over and only a person who is intellectually dishonest will deny that. Therefore, the Federal Government has no right to take property from you under the guise of a war power. The police power belongs to the States and not to the Federal Government. Amendment 10 of the Constitution says:

> The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively or to the people.

Again it is unconstitutional under the provision in our Constitution prohibiting us from depriving a person of his liberty

or his property without due process. The fifth amendment says:

> No person shall * * * be deprived of life, liberty, or property without due process of law; nor shall private property be taken for public use without just compensation.

Just compensation, if it means anything, means taxes, maintenance, repairs, and a reasonable profit. Every Member of Congress has received letters showing that in many cases the landlord has been compelled to lease his property for less than taxes, maintenance, and repairs.

Every Member of this body took an oath to uphold the Constitution and the laws made pursuant thereto. You who are so fervently for this bill should stop and square your conscience with your oath to uphold the Constitution.

If you are not concerned with the Constitution, if you have no respect for your oath—and there are some who feel there is no longer any constitutional restraint—then may I ask you to square your conscience with the commandment "Thou shalt not steal," and to help deprive other people of their property is stealing. May I also ask that you square your conscience with the commandment "Thou shalt not covet thy neighbor's house, nor his maidservant, nor his manservant, nor his ox, nor his ass nor anything that is thy neighbors." Maybe if you have no respect for the Constitution or your oath, you will respect your Bible and your religion.

I repeat that this bill is not only unconstitutional but it is mere lip service. It is not a remedy to the housing situation. Twelve years has proven that. It has prolonged the shortage of housing. If the Committee on Banking and Currency wishes to do something real to relieve the situation, then let them report H. R. 853, a bill that I introduced which makes it possible for the homeless whose incomes are in the lower brackets to either build or buy a home of their own, not only to build or buy it but to pay for it.

Under that bill the Housing Administration would loan to those who desire to buy or build a home up to $15,000 provided they match the amount they borrow by putting up 10 percent of their own money. It provides that this money would be loaned to the borrower for 40 years at 2 percent interest. That is about the average that the Government pays. There is no opposition to this bill. There is no lobby against this bill. Just why do they refuse to report that bill and to continue with make-believe legislation—rent control?

This bill further provides that the home should be tax exempt until paid by both State and Federal Governments. That would make it possible for the low-income people to pay for a home. It provides further that any payment on the home shall be deducted from his income tax. May I again ask that the committee report that or a similar bill?

The stability of our Government depends upon homes. Let us stop this lip-service stuff—rent control—and do something worth while, something befitting the great American Republic. This is long past due. This juggling back and forth, and fooling the people who want homes with rent control, is becoming obsolete.

Mr. WOLCOTT. Mr. Chairman, I yield such time as he may desire to the gentleman from Michigan [Mr. SHAFER].

Mr. SHAFER. Mr. Chairman, I am opposed to this legislation in any form and I shall vote against it. The only reason why rent-control legislation is before the Congress today is because there are more tenants than there are landlords. Tenants have a numerical superiority and therefore a greater potency at the ballot box.

There are many reasons why I am opposed to rent control in peacetime. Above all others, it is because of the violence being done to our free-enterprise system through the continuation of rent control year after year. Every time such controls are extended we push our Nation further down the road to socialism.

The real reason for rent controls has ceased to exist. Rent controls were deemed necessary in wartime when we established training centers for our fighting forces and when industrial centers mushroomed because of the influx of labor into defense plants. Aside from one or two places where the Government is building and expanding facilities for the production of fissionable materials, there is no great mushrooming of communities today.

In other words, Mr. Chairman, rent controls were a wartime expedient that has no place in the peacetime economy based on the free-enterprise system. It completely nullifies the law of supply and demand as it relates to rental housing units available.

Following this line of thought, practically all of the rental housing in America came into being before there were any rent controls. Few rental units, comparatively, have been built since we have had rent control and these have been exceeded by the number of rental units that have been withdrawn from our economy. Proof of this statement can be found by anyone who cares to read the record of the hearings. With rent ceilings based on prewar prices without regard to the increased material and labor costs, the so-called landlords have been unable to properly maintain their property. As the result, much of it is becoming shabby and run down. Eventually, it will no longer be habitable.

Let me read into the RECORD at this point a letter which I received this morning from one of these so-called landlords, a widow:

> MARCH 10, 1949.
>
> Hon. PAUL SHAFER,
> *Congressman, Third District of Michigan, Washington, D. C.*
>
> DEAR PAUL: In view of the many reiterations by Housing Expediter Tighe Woods that the present rent-control law provides for handling of hardships I am attaching a memoranda from the Battle Creek branch rent office.

The memorandum refers to a petition for an increase which was rejected. The letter continues:

> Last year we finally asked for our first increase in rent since the law went into effect. Our rents have always been very low. The property in question is the apartment house building on the old Kingman place with which you are familiar. We were obliged to put on a new roof in 1946. It cost $932.50. While we had to pay this on completion, in the figures for the rent-control office we had to spread it over a period of 15 years and compare it with the cost of the previous roof treated in the same way, which practically canceled out, of course.
>
> The building must be painted and the windows puttied or they will fall out. We have simply not had sufficient money from our rentals to do it. With the rent control there is no hardship until you have gone into debt.
>
> These figures were presented before the increase in city taxes last year. We were obliged to do them all over, one set for each of the six apartments in the building. The tax for 1947 was $296.16 and for the year 1948, $371.20.
>
> Sincerely yours,
>
> ANNA H. CALLAHAN.

Mr. Chairman, this is just one of hundreds of letters I have received which clearly indicate to me that this legislation is all one-sided, with the landlord holding the bag. In the first place, rents were frozen arbitrarily on a given date in 1941. The ceilings which were established did not take into consideration relationships between rentals then in effect and the value of the property involved. This has caused all manner of injustices and inequities as between so-called landlords in the same community. Some have fared better than others, but all, as I stated before, are holding the bag.

Let us remember that by abolishing controls in other fields the Eightieth Congress abolished shortages. Continued rent controls, however, have made the rental situation worse. There are hundreds of thousands of rental units in the country today that are not for rent because of controls. The Government, in this legislation, seeks to gain the authority to force landlords to rent such properties. That alone should cause the defeat of this legislation.

I hold no brief for the rental industry, but I do not believe these landlords make up a class of unscrupulous, miserly, heartless group, waiting for a chance to take advantage of every tenant sheltered under their roofs, and I do not believe that tenants, as a class, are underprivileged, impoverished individuals who are incapable of exercising independent judgment and who are wholly dependent on the Federal Government for the protection of their rights. I believe the great majority of tenants are self-reliant citizens and many of them are enjoying far greater increases in income than their landlords.

If the Congress today can legally discriminate against landlords—and I do not believe there is anyone in this House today who can say that this legislation is not discriminatory—Congress might well discriminate against tenants. It is a definite possibility which the tenants should recognize.

Definitely, Mr. Chairman, we in Congress should consider the plight of the tenants in the future when the present supply of rental housing, through lack of proper upkeep or withdrawal from the rental market, has either ceased to exist or become undesirable. One only needs

to read articles that have been reprinted from the Reader's Digest and the Saturday Evening Post relative to the deplorable state of rental housing in France, which resulted from rent controls, to vision what is happening here in America. By continuing rent controls here, we are merely repeating what happened in France. Tenants should be urging Congress to protect them from being forced to live in America in the future as tenants in France are now being forced to live today.

Mr. Chairman, rent controls have prevented the construction of rental housing. This is a known fact. I am wondering if the insistent demands for continuance of rent controls is not the result of a subtle campaign on the part of the administration to put through a great, expensive Federal housing program which will further increase taxes and provide more Government jobs.

Certainly rent control has not prevented inflation, as its proponents said it was supposed to do. It has held down the cost of housing for some, but that has only been accomplished at the expense of others. It has compelled many families to go into debt and pay exorbitant prices to buy or build homes which in the majority of cases they could not afford.

Rent controls are fundamentally wrong, unfair, discriminatory, and, as I said in the beginning, would not be considered today if it were not for the fact that there are more tenants than there are landlords whose potency at the ballot box blinds Congress to obvious facts.

Mr. WOLCOTT. Mr. Chairman, I yield 7 minutes to the gentleman from Michigan [Mr. CRAWFORD].

Mr. CRAWFORD. Mr. Chairman, it is easy for me to understand why the Members of this body are being charged with suffering from an acute seizure of schizophrenia. To save you the time required to look that up, let me say that it is a type of psychosis characterized by loss of contact with environment and a disintegration of one's personality.

It might be a bit more charitable to let us off by just pointing out that politicians manifest a dual personality, with the inevitable overflow of double talk.

A friend of mine has pointed out that an examination of the history of human progress will show that the real achievements of a solid and enduring character have come through evolutionary growth, slow and gradual, working through methods of trial and error. Whenever we have tried planned economy, we have found ourselves involved in failures and disappointments.

Evolution has the quality of patience. Its process is almost automatic. But planned economy! Ah! It is always in a hurry, imbued with the complex of the reformer, bedeviled by the critical faculty, spurred on by an impetuosity calling for action now.

Abuses unquestionably should be corrected but planned economy, with its impulses for immediate results, has not been endowed with the constructive quality that would serve in building up a permanent system.

Mr. Chairman, in this fateful hour for the United States, almost 4 years subsequent to the cessation of major military hostilities, when the hopes of the majority of the Europeans and the fears of a loud minority alike are focused on the action of this Congress and the attitudes of our people, this great Committee on Banking and Currency reports to this House the bill under consideration.

This bill will, if approved, further promote domestic bickering and blundering. This bill will further promote class warfare, as between owner and tenant; as between owner and the administrators of this Government; as between owner and this Congress. This bill should not be on this floor at this time.

This country needs more productivity—and by this term I mean more service out of that which we now have. We need to have more living units occupied, instead of having the Congress sit here and debate a proposal which we well know will take more living units which now exist, out of use, simply because there is no law now on the books to force a citizen to sell his labor, in the form of a house, below cost.

This bill is designed to further featherbed those tenants who are receiving shelter below the cost to the owner of the property which is occupied by the tenant. To carry on such a program, to further extend such a philosophy with the approval of the Congress, naturally, and logically discourages those who have funds and who would use those funds with which to build more housing units, if the owner and builder believed the Congress was in favor of the owner receiving just a fair wage for his savings and investment in the form of a living unit.

This bill is specifically designed to discourage the private financing and building of homes and to thus prepare the way for public housing, financed by Federal funds, to be leased primarily to political pets, and below cost of the service rendered. This is an underhanded way of promoting political power and paying political debts.

Why did this great committee, why do Members of the House cringe under the propaganda barrage which continually portrays our free economy and constitutional-republic form of government as selfish, reactionary, and doomed to early collapse? Even if you and you and you do not believe this concocted and false propaganda, then why behave as if you did?

This Republic of ours, this economy of ours, this accomplishment of our individual citizens under the freedom and liberty which they have historically enjoyed may have some incidental faults: But let me remind you that it is all resting on some very basic virtues. And I for one, do not propose to throw these virtues away in exchange for a monetary —90 days or 15 months—satisfaction of the belly.

When any Member stands here and substantially argues that it is utterly impossible for us to have liberty and security at the same time; it is my firm opinion said Member engages in presenting to us the most mischievous fallacy that could possibly be spread among our good people.

This bill would promote hardened arteries of our economy.

Irrespective of to what extent Chet Bowles and his followers may argue that such proposals as are now before us are progress and liberalism, let me say to you that is only bedecking the approach with verbiage. This bill is reactionary: It is just a part of the whole scheme to further eliminate from our everyday vocabulary and life such terms as pioneering, invention, progress, opportunity, individual liberty and freedom.

Heretofore, down through our history, we have had a set of cherished and inspiring values, among which the freedom and dignity of the individual human being centered.

This totalitarian philosophy which runs rampant all through this bill calls for a further promotion of the welfare-state with the clear-cut understanding that the individual citizen who has lived simply, exercised thrift, invested his savings in the form of shelter beyond his individual needs must now, upon the adoption of this bill, become, in the realm of home renting, subservient to the police state.

Heretofore, the American ideology has held out the prospect of both plenty and freedom.

In the world's mart where the two products of Russia and the United States are now being offered, we should be bold enough to promote the sales of our own package of goods. If we cannot to some extent restore and protect the confidence of our own people in the American ideal here at home, upon what grounds, and by what line of reasoning do you expect the nationals of other countries to accept the philosophy being preached through such implementations as the Marshall plan?

If we are to continually adopt the ideology of Russia and other dictatorships as evidenced by the provisions of this bill now before us, why should others follow our leadership?

The very existence of this country, with its constitutional-republic form of government, its individual freedoms, its challenge to men to work, save, and invest are competitive forces and, within the framework of our constitutions as they have historically been interpreted, constitute the one bright social and economic light to the outside world which today struggles against dissolution.

But, Mr. Chairman, even our society must be invigorated. Adoption of this bill would destroy the faith of millions of our citizens.

This Congress has no moral or legal right to take away from one class of citizens the value of their property and give it to another class under the guise of rent control.

In the purchase of wartime or peacetime goods for the defense and use of the Federal Government, I know of no other program wherein the citizen must sell his goods below cost and thus dissipate his capital.

As politicians, dealing with this question, we have no right to impose the program here proposed, on our people.

Homes are built of the goods of commerce, such as brick, steel, lumber, cement, hardware, copper, brass, and hundreds of other items. To build or not to build is a decision to be made by the citizen. What the citizen will do is always primarily influenced by what his Government says the citizen's rights are to be. High policy of Government and top-level rights of citizens are here involved.

Mr. SPENCE. Mr. Chairman, I yield such time as he may desire to the gentleman from Washington [Mr. MITCHELL].

Mr. MITCHELL. Mr. Chairman, I rise in support of rent control, real rent control.

The housing situation in Seattle has been cited as a reason for the end of rent control. I submit the facts in the Seattle housing situation present a compelling reason for adoption by this Congress of a much improved rent-control law. The legislation presented by the committee does improve upon the laws adopted by the Eightieth Congress.

Reference has been made here to figures in the Banking and Currency Committee testimony regarding Seattle, but I submit that the full facts in that testimony have not been presented.

I believe it pertinent to refer to page 661 of the hearings and quote a report of the Seattle Chamber of Commerce of January 15, 1949, which states:

The supply—

Of housing—

is still short in the medium and lower income brackets both for sale and for rent.

And on January 14, 1949, Mayor Devin wrote in part:

Progress has been made locally in the production of rental housing at rents from $85 per month upward.

But he stated further:

It is my opinion that we still have a serious rental problem in the rent range up to, perhaps, $60 monthly, with the problem more serious as the rent gets lower. It is in this area that the real housing problem remains.

Mr. Donald C. Haas, representing the Apartment Owners' Association of Seattle, submitted a survey—pages 447 and 448—made by the Veterans of Foreign Wars, showing 502 housing units, houses, and apartments, advertised for rent in Seattle. But he did not cite that this survey really bears out the statements of Mayor Devin and the Seattle Chamber of Commerce, that housing at reasonable rentals is seriously deficient.

Of 346 apartments, furnished and unfurnished, only 78 rent for $61 or less.

Of 156 houses, single and duplex, furnished and unfurnished, only 16 rent for $61 or less, to which fuel costs must be added.

In a subsequent letter from the Veterans of Foreign Wars these additional important facts on Seattle are given that on February 18, 1949—

The Seattle Housing Authority had an active waiting list of 944 families. For the 5 weeks preceding February 18, 1949, the authority received 120 new applications per week.

And the VFW adds:

The afore-mentioned numbers represent veteran families only who are in need of housing and do not cover the nonveteran families seeking housing in this area.

When we consider efforts made here to indicate there is no housing shortage, it would be well to remember another Seattle survey cited by the VFW:

In March of 1948 a survey was conducted among 2,781 families residing in temporary-housing projects of the Seattle Housing Authority. The over-all household income for these families was just a few cents below $225 per month. On this household income per family, the represented 2,781 families in the temporary projects can only afford a gross monthly rent of $45.

It is in the context of the need displayed in Seattle that we should review the strenuous efforts made to demonstrate that there is no housing shortage in the United States and that rent control is the cause rather than the consequences of the housing difficulties that confront the Nation. These demonstrations, in my opinion, affront the common sense and fly in the face of facts well known to the average family.

In the heat of controversy and debate over this problem, we sometimes forget that the welfare and comfort of human beings—of American families—are at stake. Housing is not only a commodity to be bought and sold in the market; housing is not only a field of investment and a source of income to property owners; housing is also a basic necessity which must be made available to every member of the community. Government in a civilized society cannot shut its eyes and allow people to scramble for a limited supply of shelter, with the poorest families taking the hindmost. Rent control is one aspect of the responsibility of government in a time of emergency, when the demand for housing runs far in excess of the supply.

Those who have asked for the removal of rent control on the ground that this sector of the economy should not be singled out for discriminatory treatment fail to recognize that housing fulfills a special need that cannot be deferred, that has no alternative means of satisfaction. Food and clothing and other daily necessities are infinite in their variety; high-priced as they are in most cases, at least there is some leeway to choose lower priced articles of clothing or cheaper cuts of meat. Wide consumer choice imposes some restraint on prices, and new supplies come to the shelves in a fair degree of responsiveness to demand.

With housing, it is otherwise. Housewives can go on a buyers' strike against steaks and chops, but they cannot go on a renters' strike against shelter. Families of moderate and low income have no choice today in selecting a roof over their heads.

Those who want rent control eliminated so they can charge what the traffic will bear are callous in their disregard of human welfare. They have fashioned for themselves a brutal philosophy that people will get along somehow, that the poor are always with us, and that the fruits of a free-enterprise economy are reserved for a favored part of the population. The president of the National Apartment Owners' Association expressed this brutal philosophy very clearly when he said to members of the Banking and Currency Committee during the hearings on rent-control legislation:

I have never yet seen any time in the history of the country, so long as I have lived, when there were not some slums, when there were not some poor people, and when there were not some people sleeping in boxcars and by the side of the railroad tracks, and I see them today, sir, in this present economy, as I go from Los Angeles down to my ranch in the country, I see them sleeping alongside of the railroad tracks. They always do that. That is the kind of people they are.

It is my earnest hope that the landlords and property owners who are today confronted with the distasteful but necessary condition of continued rent control will take upon themselves a new and greater sense of responsibility in working toward the objective of more and better housing at prices that people can afford to pay. The sooner that this objective is on the way to being realized, the sooner will the necessity for rent control be removed and the less will be the interference of government.

Mr. SPENCE. Mr. Chairman, I yield 10 minutes to the gentleman from Oklahoma [Mr. MONRONEY].

Mr. MONRONEY. Mr. Chairman, as we come to the end of a rather long debate on a very difficult and troublesome problem, I am convinced that we face the greatest crisis in the extension of rent control that this House has ever faced since it first became necessary to have rent control.

In other words, I do not think there is a single Member in this House, and that includes gentlemen on the Republican side as well, whose vote will not be absolutely vital in determining whether rent control is killed or whether we extend it. No Member can enjoy the luxury of a vote against the bill, thinking that perhaps it is going to be passed anyway, and thus not hear from the tenants who will be dispossessed.

As this debate has progressed, it has impressed me as to the difference in thinking on the two sides of the aisle. We have had a great deal of talk from the Republican side, and I grant you they are making a very good case for the protection of American investment. If this issue were the protection of so many hundred thousand bushels of wheat or so many hundred bales of cotton or ingots of steel, I think you probably could justify almost everything they have said against rent control.

But, Mr. Chairman, we are not talking solely about investments—about people's investments in houses. We are talking about 14,350,000 homes of American citizens and American families.

My distinguished colleague from Michigan [Mr. CRAWFORD] has said the administration wants rent control to have a planned economy. I disagree. We have had rent control as a necessity because of the war, because home construction was shut off for five or six long years

while families accumulated and backed up in doubled-up housing accommodations.

So we face a condition that you could not possibly, in safety, end when the war stopped. We are not enacting rent control as a new policy in this country. We are trying to get out of rent control as fast as we can, without destroying the very basis of America itself; that is, the homes of America.

No, we are not advocating a planned economy. But, Mr. Chairman, I ask that you do not advocate planned chaos. If you pass the amendment that will be offered to this bill from the Republican side of this House today, to kill rent control after 3 months, you will get a planned chaotic condition in most of the metropolitan areas of this country.

I have heard a great deal from landlords, and I feel very sorry for many many hundreds of them. We have and have always tried to help adjust their genuine hardship cases. Less than a a thousand landlords appeared before this Congress reciting their hardship cases, but I know there are many more that should be adjusted.

I sympathize with the gentleman from Kentucky and others who have received hardship cases, but I know that all Members on both sides of the aisle have been as alert as I have to try to correct and adjust them.

But gentlemen, many hardship cases are bound to occur when you have 14,000,000 homes under rent control. There is no Solomon in the world who can make a decision that is going to please both the landlords and the tenants.

I have had a lot of complaints on these adjustments that have been made by rent-control administrators, from the tenants as well as from the landlords. In fact, every citizen who rents a home in my own community of Oklahoma City, a city of 300,000 population, had his rent raised 20 percent by the action of last year's rent bill.

That action for wholesale as well as individual adjustments is still possible in this bill. It is possible—not impossible—to get hardship adjustments made or area-wide adjustments to decontrol entire areas by local boards.

But it does not do Congress any credit at all in a callous disregard of the problem to say, "We are sick and tired of rent control."

Yes, my distinguished friend and colleague from Kansas on the Republican side said he was sick and tired of rent control. Well, Mr. Chairman, I am sick and tired of rent control; but I do not believe that earning $15,000 a year salary places me in the same need of rent control as the fellow who earns $1,500, or $2,500 a year.

Mr. Chairman, we have heard a lot of complaints, we have heard a lot of reasons, why hardship adjustments were not being taken care of properly, and this bill is designed to help correct that situation.

In the month-long hearings this Congress and this committee spent over this subject there was no real evidence that convinced me that anything had improved in the supply of housing to make possible decontrol or abolition of rent control in most areas of this country.

The best proof that killing rent control now is dangerous is furnished by the local boards, a mechanism which the Republican Congress a year ago put into operation to try to give the very best possible determination, by local citizens, of the condition and need for continuing rent controls in that area.

These local boards have been in existence over a year now. Only 2 percent of the areas were recommended by these local citizen boards for decontrol. Yet, the Members on the Republican side with 98 percent of the areas being found, apparently, by these local boards to be too dangerous to decontrol, are now all going to be decontrolled by act of Congress. You can claim, if you wish, that your Republican bill provides for a 3-month extension. It provides for killing rent control, and make no mistake about it. The only advantage that you get by this amendment that you are going to have in your motion to recommit on this 3 months' extension is that the weather is going to be a little bit warmer in July when these people are moved out on the streets from the homes of America. Do not make any mistake, eviction is one of the terrible fears of 14,000,000 people in this country. It is very important, I think, not to unsettle this economy at this time.

I do not believe there is anything socialistic about continuing a war program until it is possible to get out of it safely, and I do not believe there is anything un-American about it. I do believe that 14,000,000 people might be turned away from democracy and disappointed in their Government itself, if they are turned out on the streets without any protection here, the 1st of April, or even on the 1st of July.

These people cannot find homes. Almost half of our population must rent; many of them are in low-income groups earning less than $2,500 a year, and there is no supply of housing available into which they can move when they get that dreaded eviction notice or a notice for an increase in rents that they cannot pay.

Consider also the fact that the children of America of these people who must rent cannot find many places in which they can be admitted to live. I am not going to question the landlords' right to prevent families with children coming in. I am stating that if you kill rent control, if you take away the rights of families who now have children, living under the protection of rent control, and make it possible for their automatic eviction or the rents to be greatly increased, I do not know where families with children can move. You can read some of the very best publications in this country that have personally canvassed the situation on housing availability, where families with children need housing, and you cannot find that they can get into very many places.

Mr. Chairman, the issue is rather simple. It is not a question whether you like rent control or not. I hate rent control; I do not think it can be smoothly administered, and I know there will always be some inequities in 14,000,000 rent-control operations as between the landlord and the tenant.

But I do not believe that the thousand or 2,000 cases that have been heard by our committee and the Senate, or letters perhaps numbering 10,000 or 15,000 that you and I heard from in these hardship cases, means that rent control has failed.

If this Congress turns tail and runs because of pressure from the landlords who have protested against the hardships they have felt, we do not deserve the title of being Members of the greatest legislative body in history.

I do know that with 14,000,000 renting there must be a lot of landlords and a lot of tenants who are willing to put up with the condition and not say it is un-American and not say it is socialistic. It is important for our economy that we do not do anything at this late hour when inflation has just about run its course to start another spiral of prices and wages chasing each other clear up to the ceiling, then dropping and ultimately collapsing in a mammoth bust.

Mr. Chairman, at stake in this issue is not the question of investment. I think it is the question of protecting those 14,000,000 people in American homes who must of necessity rent. These tenants are people, Mr. Chairman, they are human beings the same as the landlords from whom they rent these places, and I think we have got to protect the human beings of this country, both the landlords and the tenants.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. TALLE. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. VURSELL].

Mr. VURSELL. Mr. Chairman, the very impassioned plea made by the previous speaker with reference to 14,000,000 people being turned out without a roof over their heads if rent control is not continued is probably about as responsible a statement as the statement made by a former speaker that the landlords are spending many millions of dollars to defeat this bill.

Now, let no one be deceived or moved in the close of this debate by any emotionalism. We are dealing with a problem here that will either get more rental units or less of them for the people.

In summing up this debate as I have listened to it for hours I have come to the opinion that the new rent-control bill, vastly increasing the power of the Government to punish the people and which will hold back building construction, should be defeated by this House.

When rent control was passed as a war measure, the Congress promised that it would be taken off as soon as possible. The recent speaker, the gentleman from Oklahoma who said he was anxious to get out from under rent control as rapidly as possible, at the same time recommends 4 years after the war is over, after hostilities have ceased, a bill that greatly expands the power to recontrol units that we promised the people we would

not control as an incentive to get them to build, and brings it to this House with the plea he wants to get out of rent control by an extension for 15 months with the toughest rent-control bill that has ever been written since the first bill was enacted.

Mr. Chairman, this bill should be defeated because it is unfair, is unconstitutional; because it singles out a certain class of property owners and in fact confiscates a part of the meager profits of the owners. Regardless of any court decisions it is morally unfair, unconstitutional, and confiscates their property without redress here in the free country of America, where we protect so carefully the constitutional rights in the writing of any bill pertaining to members of the Communist Party of this country who seek the overthrow of this Government by force and violence, yet we insist on having this bill, unfair and unconstitutional as it is, placed upon the backs of the property owners of this country for the next 15 months.

Mr. Chairman, this bill should be defeated because its passage breaks the word of Congress by bringing under recontrol much property that the prior legislation promised the people should be free from rent control in the future in an effort to get them to invest their money in new rental buildings.

Mr. Chairman, it should be defeated because it will continue to dry up the construction of new rental units and defeat the very purpose of increasing the building of rental units throughout the Nation.

It should be defeated because if this bill is placed on the statute books it will most likely never be repealed and will drive this country into a constant housing shortage in the future that will put us in a position that France finds herself in today, with all of her buildings old and run down, because private capital will not continue to invest its money in the construction of rental buildings. France today is a nation of slums with inadequate housing conditions throughout the nation because that nation put on strict rent controls after World War I, and has never lifted them.

When the Eightieth Congress revised rent controls and enacted the present bill that would furnish incentive for new buildings, new rental units through private enterprise more than doubled in the 2 years of the Eightieth Congress. This action during the past year brought into new construction almost 1,000,000 new rental buildings and statistics show that under the present bill written by the Eightieth Congress more houses and rental units were built in those 2 years than in any time in the history of the Nation. It is time now for the Government to get out of rent control as quickly as possible.

Mr. Chairman, the most liberal compromise with rent control this Congress can possibly justify is to kill the proposed bill and extend the present bill for 3 months, serving notice on the various State legislatures now in session throughout the Nation that rent control must in the future be the responsibility of the States thereafter, and be operated under State law, where deemed advisable; that the Federal Government by such action serves notice on the people of the Nation and the States that the Federal Government is through with rent control. We should let rent control expire now or within 3 months.

If the proposed bill with its vastly increased power to punish the people is passed, it is estimated that it will cost the Federal Government $35,000,000 each year for its administration. It will broaden and extend the power of bureaucracy over the people and will add probably a thousand new employees to the already tax-eating Federal Government.

Mr. Chairman, this bureaucratic rent-control organization is fighting for its continuance and expansion as bureaucracy always does. The Congress has an opportunity to do away with this worse than useless bureaucratic department of Government and save to the taxpayers of the Nation approximately $35,000,000 a year. The Congress now has an opportunity to encourage and to obtain in the future constantly greater numbers of rental units and to prevent the drying up of building construction throughout the Nation by the defeat of this new proposed legislation.

Mr. SPENCE. Mr. Chairman, I yield the balance of my time to the gentleman from Massachusetts [Mr. McCORMACK].

Mr. McCORMACK. Mr. Chairman, we have just listened to the gentleman from Illinois. My mind goes back to a time only several months ago, in the Eightieth Congress, when from the lips of the gentleman and others on the Republican side came the cry of "socialism" directed against the Wagner-Ellender-Taft housing bill. Today we hear them say that more houses is the solution of the predicament that exists in the urban or city districts throughout the country. When a housing bill comes up they will be raising the same opposition against such legislation. They use that bill now to try to defeat this bill, yet when the bill came up in the last Congress they were against the provisions that would really enable housing to be constructed throughout the country. When such a bill comes up again they will be making the same arguments against it.

I have before me a news item, carried widely throughout the country, which appeared in the Boston Post. It states, "GOP seeks early rent-law death."

While that is the headline of the one on the paper who wrote it, it carries a quotation from the minority leader, that the House Republicans "overwhelmingly favor junking Federal rent controls in the near future and turning the problem over to the States."

This bill is a well-considered bill. With the Brown amendment which will be adopted, and I urge its adoption when the gentleman from Georgia [Mr. BROWN] offers it, it will be a bill that certainly meets any logical objection to the extension of rent control, having in mind the problem that exists throughout the country today.

The great majority of our landlords, particularly those owning two- or three- or four-family houses, accept rent control. Their record of compliance is outstanding and commendable. It is only from a powerful, highly organized small group with plenty of finances that we see this pressure against the passage of such legislation.

The same forces, not the same individuals but the same minds, have opposed every progressive piece of legislation. They opposed social security, they opposed the Tennessee Valley Authority, they opposed the construction of Boulder Dam, they opposed irrigation and reclamation projects, they opposed flood control, and they opposed the use for the benefit of the people of a community of power developed from flood-control projects. They were leading the fight only last year on one of the dams located in Georgia, but they did not dare to go through with it. If they had won the last election, you know what was going to happen in this Congress. They were going to complete the job all along the line.

It is estimated there are 3,000,000 families living doubled up. This means the family life of 6,000,000 families in America is adversely affected.

This unhealthy condition exists among the poor families and those in what might be termed the lower middle-income group. That is not a healthy situation, yet it exists. The lifting of rent control will aggravate that situation. I agree that the final solution will be the building of more houses, but we all know that that takes time. When that situation adjusts itself, and it will in the next 15 months, rent-control legislation thereafter will not be necessary. But until then a reasonable and proper rent-control law, such as this bill provides, is vitally necessary.

This is essentially, my colleagues, an urban or a city problem. Members from the rural districts should view the pending legislation from that angle. I realize that some of my colleagues representing rural or mainly rural districts might say, "This does not strictly or directly concern me, or the people of my district; why should I worry about it; I can vote against such legislation." That represents the local or the sectional consideration as against the over-all or national consideration.

The great majority of the Democratic Party has always represented the over-all or national consideration in all questions. There are some Republicans who do likewise, and I pay compliment to them for so doing. In referring to the Republican Party, as such, I want it understood that I separate them as individuals. But the Republican Party in the main responds to the dollar influence. That is their history, outside of Abraham Lincoln and Theodore Roosevelt. The dollar influence predominates and human values take a secondary place.

With all our weaknesses, the Democratic Party is still the party of Thomas Jefferson. We may have our internal disputes, but we are all in favor of those fundamentals that Thomas Jefferson created and gave to the American people as the foundation of the Democratic Party. With all our human weaknesses we are a party that serves the people directly, and the primary consideration in our minds in all legislation is the

human value, without destroying any economic group in our country.

The problem of rent control, as I said, is essentially an urban or city problem. It concerns the laborer, the factory worker, and the office worker; the State, city, and Federal employee, the person with a fixed income who lives in an urban or city district. It affects mainly them.

Tomorrow, or in the days to come, legislation will be considered by this body, as it has in the past, relating to rural districts or to agricultural districts. In case of a contest on such legislation, Members on both sides, and particularly my Democratic colleagues, may ask us from the urban or city districts not to view such legislation from a local or sectional angle. That argument will be sound. But, no matter what you do today, I am not going to react and obscure my national outlook. No matter what might happen on this or any other bill, I am going to do everything I can to look forward, no matter what legislation comes up. I am not going to look at a problem purely from a sectional or local angle merely because I can say it does not concern directly me or my people. I am not going to obscure the national considerations involved. That argument will be sound. It has been sound in the past and will be sound in the future. If it is sound when addressed to us by our friends from the rural or agricultural districts, then it is just as sound today for me and others to advance the argument to those who come from rural or agricultural districts.

I can remember only several days ago in this body when the fight on the steam plant for the TVA came up. Members from urban districts could easily have said, "This means nothing to us. We can vote against it." But the Democratic Members from the urban or city districts did not do that. They voted unanimously with our Democratic colleagues from the great section of the country so deeply affected. The urban Democratic Members marched through the tellers and defeated the practically solid Republican vote to prevent the appropriation that would build a steam plant at the Tennessee Valley Authority project.

What about the Tennessee Valley Authority years ago and the dramatic fights that were waged in this House? I spoke for it, as I spoke for the appropriation several days ago. I spoke for the TVA then. I spoke for Boulder Dam. I spoke for the first Bankhead Cotton Quota Act in 1933. All I knew was that our agriculture was in bad shape. Something had to be done. Whether it was the right legislation or not I did not know, but we had to experiment, and as a result of experiment and experience get proper legislative guides. That bill passed this body by six or seven votes. It was a fight between agricultural interests, Members of this body. Our urban friends then supported the South with its great economic problem in connection with cotton. In that dramatic fight I remember I took the floor and spoke for it. Other Members from city or urban districts did the same. There was a solid urban vote in support of the Bankhead Cotton Quota Act, and on all subsequent legislation, because we are imbued with the spirit of Jefferson. We view our problems nationally and not from a sectional angle.

I could go on and talk about many other bills, but the few to which I have referred are sufficient to convey to you the fact that when a bill comes up here concerning rural or agricultural districts in our country, it is my problem; it is a problem of Members from all parts of the country, and not say, "Oh, I can vote against it. Nobody in my district or very few in my district are concerned about it." That would be the wrong approach. It is the wrong approach today. One thing is certain, the great bulk of the Republicans will be against you on any bill. They will be against this bill today, and when you come in tomorrow with something else, they will have some alibi, some phony alibi, some crippling amendments which if adopted would destroy the bill.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. Not now. The great bulk of them will be doing it. I can remember one of my friends on the Democratic side who had a hab't of making quite a few speeches that were discomforting to me as a Democrat—bailing out the Republicans from time to time. Yet, when he had a matter of deep concern to himself, a matter of vital concern to himself and his district, when it was considered in this House only five Republicans voted with him. The rest of them voted against him. I turned to one of my colleagues then and I said, "See what happens. You can play with them all you want to, but when the time comes to support you or help you they always have a reason for not doing so."

This is an urban problem. We from the city or urban districts ask little. We freely give plenty. Rent control, I repeat, is essentially an urban or city problem. The condition is not only an economic one but it is a moral one. Fourteen million families, as the gentleman from Oklahoma said. As I have said 3,000,000 of these families live under doubled up conditions. That is not only an economic problem but it is also a moral problem. Housing is a moral problem today as well as economic. When people live under such conditions the natural operation of family life is interfered with, no matter how closely they may be related to one another; those who live together in doubled-up families, the normal family life is interfered with; and that is where the moral and spiritual aspects of it come into operation. I will agree that more housing is the answer, but we must first get through an effective housing act. Pending that situation however, we cannot let this economic condition facing over 14,000,000 families continue without some kind of control in their interest, and we cannot let this doubling up condition facing 3,000,000 families and constituting 6,000,000 altogether, continue. The least we can ask of Members who may be against the rent-control bill is that at least if one goes through is to see in good conscience that there ought to be an effective one—the least we can ask you to do is to vote against any crippling amendments that will be offered from the Republican side. You should vote for the bill. Conditions in the crowded areas of the country call for the passage of this bill; but, above all, let us look at it broadly and nationally; let my friends, particularly on the Democratic side from the rural or agricultural districts view this bill and the crippling amendments that will be offered from the Republican side in the same way that we from the urban or the city districts have supported your legislation, fighting shoulder to shoulder with you to prevent the Republicans from stopping the passage of the progressive legislation necessary to your interests.

This bill is necessary for the interests of over 14,000,000 families throughout the country. Let us pass it.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired, all time available for general debate under the rule has expired.

Under the rule the Clerk will read the substitute.

The Clerk read as follows:

Be it enacted, etc. That this act may be cited as the "Housing and Rent Act of 1949."

Mr. JAVITS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, let us get this question of rent-control legislation in perspective. In the first place, the statute under which rent control is now operating, in effect in 1947 and 1948, is a statute passed by a Congress with a Republican majority, reported out by a House Banking and Currency Committee with a Republican majority. It is also very important to remember that there is no monopoly on solicitude for human rights on either side of the aisle. That point may be best demonstrated by the fact that there is a filibuster in process on the other side of the Capitol from among Democratic Members, against legislation to protect one of the most cherished human rights—the right to be free from discrimination because of color; so let us be pretty careful when any of us try to arrogate to themselves alone the mantle of liberalism. Men on both sides of the aisle are proceeding sincerely, and they include proponents as well as opponents of this very legislation.

Mr. Chairman, there is a very urgent need for the further extension and strengthening of rent-control legislation. It has been truly stated that some—the exact figure is 15,789,225—housing units are under the jurisdiction of the Housing Expediter, and that the leases, the 15-percent leases which are permitted in the present law only apply today effectively to 522,744 units. The problem is of enormous magnitude. One-third of the counties of the United States are under the jurisdiction of the Housing Expediter for rent control. They include the most populous counties in the country.

Again exact figures: Two and one-half million married couples in April 1948, were living doubled up with others, as compared with 1,846,000 in April 1940, an increase of 35 percent.

On the question of whether any people are being expropriated of their property, by rent control, let us look at the facts. The facts show that in a survey made in New York as recently as 1947 it was found that the net operating income—not gross, but net—of landlords was 9.7 percent higher in 1947 than it was in 1943. Further than that, under the law, by which rent control is now operating, and which has at least given us basic-rent control, though it has serious weaknesses, any landlord can come in and get an increase in his rental if he shows he is not doing as well in net operating income, not gross, as he did in a preceding 2-year period—any 2-year period he picks—since 1939, long before rent control was in effect. The American system is that if you are in business, you should have a fair opportunity, but you take your chances on your own management.

Mr. Chairman, it has been said, and this is an extremely important fact, that this bill affects great urban districts. These are also the unspoken words of some 70 Republican Members who came from big cities and who are not here today. Those men want to run again, they want to be elected, and I think we on our side have to give some thought to their situation. It was the basis for the enactment of the 1947 rent-control law and the 1948 rent-control law and what, in my opinion, the public interest dictates must be the 1949 law, because the problem has not been solved. Housing construction figures show this. It appears this year that housing construction starts are likely to be less than they were in 1948 and certainly less than in 1947.

With that situation we have got to continue rent control. I do not believe either side can arrogate unto itself the mantle of the protection of human rights because I have already given a very clear instance where some Democrats are derelict right now in the effort to get legislation to protect human rights.

Mr. Chairman, I think the public interest demands the enactment of this law, I am going to vote for it myself and I trust and hope that I may be joined by a sufficient number of the Members of the House to pass it and pass it today.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. TABER. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I was a little amused at the speech of the majority leader here. I have in mind that there are 264 members of the majority party in this House and only 171 of the minority party. Why was he worrying about the minority party?

You know, on this bill I am torn between two interests—one the public interest and the other my own personal interest. I am satisfied that if this bill is defeated, rental units will begin to come on the market very shortly. I know personally of many and I hear of more from all directions where people cannot afford to put them on the market, but they would come on the market at a reasonable price if the bill is defeated. I believe that the housing shortage would immediately be alleviated if we do not have the bane of this bill on the statute books.

On the other hand, I have a piece of real estate of my own coming on the market about the 1st of July. I am satisfied that if we continue rent control I would be able to sell it for $3,000 or $4,000 more than I can if we get rid of rent control and the housing shortage can be alleviated, as I am sure it will be.

Frankly, I intend to do my duty and vote against this bill. Housing construction has improved in the last few years. It has improved much since we got rid of the Federal housing construction program. It will continue to improve if we can stay rid of it and use what intelligence there is in the American people. I do not feel that it is possible in any way to continue this regimentation of the American people with unfair action on the part of the rent-control authorities facing us at every turn, and make any progress toward getting rid of the housing shortage in any such way as we should.

I hope that this bill will be defeated.

Mr. MARCANTONIO. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I was amazed to hear the gentleman from New York [Mr. JAVITS] sing the praises of the rent law that was passed in 1948 by this Congress. Coming from the same city, and having the same experiences, he should know that that law has converted the office of the housing expediter of New York City into an annex of the real estate board. The office of the housing expediter has been granting increases in rents every day and in thousands of instances. The tenants have been given no protection. They are even deprived of an opportunity to come in and be heard.

To show to what extent rent increases have become a racket under existing law, I hold here an advertisement that appeared last December in the Real Estate News. It says:

RENT ADJUSTMENT SERVICE ON A WIN-OR-NO-PAY BASIS

The Rent Adjustment Service Co., of 1775 Broadway, offers members of the Greater New York Taxpayers Association an attractive proposition in connection with applications for adjustment of rents.

Without advance retainers or fees it will conduct a rental survey of a member's building, and if such study indicates a justifiable case under the hardship or inequity provisions of the rent regulations it will file all necessary applications with the Office of Housing Expediter and obtain proper increases to which the owner may be entitled.

If successful in obtaining rent increase orders from OHE, its compensation will be 50 percent of the aggregate rental increase in rents so obtained—

And so forth. This racket has been working successfully, and the rents have been going up with the cooperation of the New York office of the Housing Expediter. Now we are confronted with a tragic situation in this House with respect to the present bill. While it is somewhat of an improvement over the existing Rent Act, in that it removes the device for 15 percent increases, we are faced with the proposition of continuing many of the loopholes of the last act and also with the proposal of boring a bigger hole through rent protection by virtue of the Brown amendment to which, I understand, there is agreement. I, for one, will not support that amendment because in my considered judgment it is going to increase the number of escapes through which landlords can obtain rent increases. It will cause rent increases all along the line.

This bill offers no protection to thousands of tenants in Government subsidized housing projects who are facing evictions because of increases in their rents. Such a provision was contained in last year's rent bill. The failure to carry that provision in this bill, in the face of the existing housing shortage, will cause serious hardships to thousands of these tenants who have no place to go. The solution of this problem is more housing and not evictions.

This bill continues one of the most serious escapes which exists in the present law, the comparability escape. Through this escape a landlord does not have to show any books; all he has to establish is that the rent on the date determining the maximum rent was substantially lower than the rent generally prevailing in the defense-rental area for comparable housing accommodations on the maximum-rent date. The landlord who cannot obtain any increase on the basis of hardship, when he cannot make out an equitable case on the basis of hardship, can come in under this comparability escape and obtain an increase. He does not have to present any books; he does not have to show his operations; all he has to do is make out some kind of a prima facie case that his rentals are lower compared to the rentals in the same area. On that basis, without giving the tenant an opportunity to come in and be heard, rents are increased. That is permitted by the law of 1948, and that practice will be continued under the present bill.

When you add to that the Brown amendment, providing for a reasonable return on a reasonable value, just what is going to happen to the tenants in the cities such as mine?

The gentleman from New York [Mr. JAVITS] praised the rent bill of last year, but I do not see how he can praise it in the light of how it has worked out. I am very, very apprehensive as to how this present bill is going to work out. We are confronted with the choice of having no controls at all or having this bill. We have to vote for it. However, I want to state my protest against the continuance in this bill of the loopholes of the present law, and the insertion of more loopholes.

Mr. Chairman, I have attempted to protect the interests of the tenants of my district before the Housing Expediter. My experience has been that the Real Estate Trust runs that office in New York City. Here in some detail is the story of how the rent law is administered in New York City.

The Emergency Price Control Act of 1942—Public Law 421, Seventy-seventh Congress—provided:

The Administrator may by regulation or order establish such maximum rent or maximum rents for such accommodations as in his judgment will be generally fair and equitable and will effectuate the purposes of this act. (Sec. 2 (b)).

It shall be unlawful * * * to demand or receive any rent for any defense-area housing accommodations * * * in violation of any regulation or order under section 2 (sec. 4 (a)).

The EPCA of 1942 was amended—Public Law 383, Seventy-eighth Congress—to provide:

And he shall make adjustments for such relevant factors as he may determine and deem to be of general applicability in respect of such accommodations, including increases or decreases in property taxes and other costs within such defense-rental area (sec. 2 (b)).

The Price Control Extension Act of 1946—Public Law 548, Seventy-ninth Congress—provided:

The Congress hereby affirms * * * (2) that unnecessary or unduly prolonged controls over prices and rents and use of subsidies would be inconsistent with the return to such a peacetime economy and would tend to repress and prevent the attainment of this and the other goals herein declared (sec. 1A (2)).

The Housing and Rent Act of 1947—Public Law 129, Eightieth Congress—provides:

The Congress hereby reaffirms the declaration in the Price Control Extension Act of 1946 that unnecessary or unduly prolonged controls over rents would be inconsistent with the return to a peacetime economy and would tend to prevent the attainment of the goals therein declared (sec. 201 (a)).

The Congress therefore declares that it is its purpose to terminate at the earliest practicable date all Federal restrictions on rents or housing accommodations. At the same time the Congress recognizes that an emergency exists and that, for the prevention of inflation and for the achievement of a reasonable stability in the general level of rents during the transition period, as well as the attainment of other salutary objectives of the above-named act, it is necessary for a limited time to impose certain restrictions upon rents charged for rental housing accommodations in defense-rental areas. Such restrictions should be administered with a view to prompt adjustments where owners of rental housing accommodations are suffering hardships because of the inadequacies of the maximum rents applicable to their housing accommodations, and under procedures designed to minimize delay in the granting of necessary adjustments (sec. 201 (b)).

The term "controlled housing accommodations" means housing accommodations in any defense-rental area, except that it does not include—

(3) any housing accommodations—

(A) the construction of which was completed on or after February 1, 1947, or which are additional housing accommodations created by conversion on or after February 1, 1947 * * *; or (B) which at no time during the period February 1, 1945, to January 31, 1947, both dates inclusive, were rented (other than to members of the immediate family of the occupant) as housing accommodations (sec. 202 (c)).

The Housing Expediter shall, by regulation or order make such adjustments in such maximum rents as may be necessary to correct inequities or further to carry out the purposes and provisions of this title: *And provided further*, That in any case in which a landlord and tenant, on or before December 3, 1947, voluntarily enter into a valid lease in good faith with respect to any housing accommodations for which a maximum rent is in effect under this section and such lease takes effect after the effective date of this title that expires on or after December 31, 1948, the maximum rent for such housing accommodations shall be, as of the date such lease takes effect, that which is mutually agreed between the landlord and tenant in such lease if it does not represent an increase of more than 15 percent over the maximum rent which would otherwise apply under this section (sec. 204 (b)).

The Housing Expediter is authorized to issue such regulations and orders, consistent with the provisions of this title, as he may deem necessary to carry out the provisions of this section, and section 202 (c) (sec. 204 (d)).

The Housing and Rent Act of 1948—Public Law 464, Eightieth Congress—provides:

The term "controlled housing accommodations" means housing accommodations in any defense-rental area, except that it does not include—

(3) any housing accommodations;

(A) the construction of which was completed on or after February 1, 1947, or which are additional housing accommodations created by conversion on or after February 1, 1947; or (B) which for any successive 24-month period during the period February 1, 1945, to the date of the enactment of the Housing and Rent Act of 1948, both dates inclusive, were not rented (other than to members of the immediate family of the landlord) as housing accommodations (sec. 202 (c)).

The Housing Expediter shall, by regulation or order, make such individual and general adjustments in such maximum rents in any defense-rental area or any portion thereof, or with respect to any housing accommodations or any class of housing accommodations within such area or any portion thereof, as may be necessary to remove hardships or to correct other inequities, or further to carry out the purposes and provisions. Due weight shall be given the question as to whether or not the landlord is suffering a loss in the operation of the housing accommodations (sec. 204 (b)).

THE REGULATION ISSUED BY THE HOUSING EXPEDITER

Controlled housing rent regulations for New York City defense-rental area, issued pursuant to the Housing and Rent Act of 1947, Public Law 129, Eightieth Congress, provides:

SEC. 5. (a) Grounds for increase of maximum rent: Any landlord may file a petition for adjustment to increase the maximum rent otherwise allowable only on the grounds that:

* * * * *

(11) Inequitable rents: The rent on the date determining the maximum rent was substantially lower than the rent generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date.

Section 5 (a) 11 is but one of 13 grounds on which landlords may seek increases under this regulation—section 5 (a).

One of the other grounds is "substantial hardship from increase in operating expenses"—section 5 (a) 12; and another is "landlord operating at a loss"—section 5 (a) 16. Under these two subdivisions no landlord can complain of hardship, particularly under section 5 (a) 12, since the Housing Expediter will by adjustment of the rents of the tenants restore the landlord to his operating position as of the maximum rent date. The word "hardship" has a different connotation under the rent regulation than it has in common usage. Under the regulation—5-a-12—an increase will be ordered if "the landlord is suffering a substantial hardship because his present net income for the property is less than his average annual net income for a prior base period due to an unavoidable increase in operating expenses." In other words, if a landlord's net income for a prior base period was $100,000, and his net income is now $50,000 because of increased taxes, payroll, etc., an increase in rents will be ordered so as to restore landlord to his former position, that is, a net income of $100,000. Consequently, every landlord who will open his books to the OHE auditors, and can substantiate his figures, has no fear of suffering decreased net income because of rent control.

However, for those landlords whose net income has increased since rent control became effective, because of the so-called voluntary leases, changes from residential to commercial or business occupancy with consequent limitless rentals, and other means, there is no need to submit books and records disclosing increased net income—they can apply for increases in rents of remaining housing accommodations in the building under Section 5-a-11 of the regulation; and in making such an application nothing more must be done than to submit a simple statement—typed onto the form supplied by the OHE, stating in the words of the regulation:

The rent on the date determining the maximum rent was substantially lower than the rent generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date.

A copy of the application is then sent to the tenants who are given 5 to 15 days in which to answer the landlord's application. A proper answer should compare tenant's apartment, its facilities and equipment with (1) other apartments in the same building and (2) with other housing accommodations in the area—pointing out differences with respect to location in area, type of structure, services received, and facilities available in the various apartments.

It is a most difficult problem for even a lawyer. Tenants in tenements have a most difficult time in opposing such applications, even with the assistance of an attorney.

The landlord has made a simple unsubstantiated statement—and the area rent office does all of the work for the landlord, checking its files to find paper records of so-called comparable accommodations, and making allowances for the existence or lack of refrigerators and other equipment; and since it is the expressed policy of the Congress "to terminate at the earliest practicable date all Federal restrictions on rents on housing accommodations"—see section 201-b, Public Law 129, Eightieth Congress—the area rent director has taken advantage of this language and has readily granted increases. Generally the tenants are denied any opportunity to review these decisions.

The tenants are harried into quickly replying without adequate opportunity to obtain and correlate facts, either individually or jointly, and requests for extension of time in which to reply are now denied, although made in behalf of

the tenants of a building by their Congressman.

What has happened in some of the cases involving section 5–a–11, the so-called comparability section?

Former employees of the Office of the Housing Expediter and others are advertising for landlord clients. I have read to you the advertisement that appeared in Real Estate News, December 1948, organ of the Greater New York Taxpayers Association, an association of tenement-house owners. In the first place, the area rent office was flooded with such applications right after the 1st day of January 1948, as though by a signal. All types of structures were involved. High-rent as well as low-rent tenements were subject of applications on the ground set forth in section 5–a–11.

Landlords who were unable to justify prior applications under the hardship section 5–a–12 now came boldly forward, represented largely by former employees of the OPA or OHE, and simply demanded increases under section 5–a–11 without justification or substantiation, the area rent office supplying alleged substantiation from its files. The hush-hush attitude surrounding activities in the area rent office has resulted in a refusal to disclose factual basis for granting such applications. Why? This in and of itself warrants an investigation of the New York office of the Housing Expediter.

Under section 5-a-11, tenement rents have been increased in 1957 First Avenue, Borough of Manhattan, as follows:

Apartment 4, Tenant Walsh, $12 to $17—41 percent.

Apartment 7, Tenant Celli, $15 to $21—40 percent.

Apartment 10, Tenant Farina, $10 to $15—50 percent.

Apartment 11, Tenant Farina, $16 to $20.50—28 percent.

Apartment 12, Tenant Nardelli, $15 to $21—40 percent.

Apartment 12A, Tenant Tentine, $15 to $19—20 percent.

Apartment 15, Tenant Pilotti, $8 to $15—87 percent.

Apartment 17, Tenant Finamore, $16 to $21—25 percent.

Apartment 20, Tenant Arroyo, $8 to $14—75 percent.

Apartment 24, Tenant Quiles, $11 to $15—36 percent.

In that building, landlord and tenants were unable to negotiate voluntary leases for 10-percent increases.

In the four buildings at 1421–1431 Madison Avenue, landlord's application for an increase in rents under section 5–a–12 was denied. Landlord thereafter employed Maurice Whitebrook, Esq., former attorney for the regional office of the Housing Expediter, to file an application under section 5–a–11. The landlord's application simply stated:

> This is a proceeding under section 5 (a) 11. All rents in this property (a group of four houses operated as one unit) located on Madison Avenue and Ninety-eighth Street, are substantially lower than the rents for comparable accommodations on March 1, 1943, because the property was then operated by a trustee whose sole purpose was to rent all apartments regardless of prevailing rental values. As a result, all rents are considerably below the bottom of the range for similar accommodations. Average rentals throughout this property are $8 per room. There are no rentals nearly as low as these on Madison Avenue or in the vicinity of this property.

The answer submitted in behalf of the tenants, signed by nearly all of the 78 tenants in the building, set forth in detail and under oath the following:

First. Landlord's application listed no comparables.

Second. Landlord's application misstated the facts, falsely attributing certain actions to a person now deceased.

Third. Landlord's application states that it is made under section 5 (a) 11; incorrectly stating, that rents in subject premises are lower than rents for comparable accommodations on March 1, 1943.

Fourth. Tenants' statement and supporting affidavit filed by me listed comparable premises.

Fifth. Tenants' statement and supporting affidavit described in detail the differences in services and equipment found in subject and comparable premises, showing partial lack of elevator service and complete lack of refrigerators in subject premises as compared with comparable premises, as well as general desirability of comparables as against subject premises as evidenced by successful competition waged by comparables on rent-freeze date;

Sixth. Tenants' statement and supporting affidavit described in detail the nature of the area in which subject premises are located, pointing out how that area in the vicinity of Madison Avenue, between Ninety-seventh and Ninety-eighth Streets, where subject is located, has changed in recent years and become a part of the vast slum area above Ninety-sixth Street with its prevailing overpopulated and congested houses of poor working-class families.

Seventh. Tenants' statement and supporting affidavit showed that subject could not therefore be compared with structurally similar houses located below Ninety-seventh Street or west of Madison Avenue; and

Eighth. Tenants' statement and supporting affidavit exposed the falsity of landlord's statement concerning prior management of subject premises.

The area rent office, however, increased rentals in 41 units, a total of $210 per month. In 10 units, the tenants' rentals were increased by more than 15 percent, despite the fact that landlord previously was unable to justify an increase under section 5–A–12. No reply has been received to a letter of December 11, 1948, written by me to the housing expediter in New York, asking for the data upon which such increases were granted.

The area rent office, without request from the landlord, has granted increases under section 5–A–11 where the OHE could not grant an application filed by landlord under section 5–A–12. For instance, increases were granted for premises 429 East Eightieth Street, as follows:

Apartment 1W, Tenant Lee, $20 to $25—25 percent.

Apartment 2E, Tenant Minich, $20 to $26—30 percent.

Apartment 2W, Tenant Birchman, $20 to $26—30 percent.

Apartment 3E, Tenant Zemko, $20 to $26—30 percent.

Apartment 4E, Tenant Kemmerer, $23 to $26—13 percent.

Apartment 4W, Tenant Vacant, $20 to $26—30 percent.

Apartment 5W, Tenant Baisle, $18 to $24—33⅓ percent.

Apartment 5E, Tenant Bittner, $18 to $24—33⅓ percent.

This matter was taken up with the Federal Housing Expediter. In answer to my protest to the granting of increases of 25 to 33⅓ percent in cases where landlords could not obtain increases of 10 to 15 percent, Mr. Woods advised me:

> As you know, the regulations provide various grounds as a basis for adjustment in the event that landlords can qualify under any of these grounds for rent increases. Accordingly, in the event that a landlord files a petition with the area office for a rent adjustment under one specific subparagraph of section 5 (A) of the regulation, and although no relief is accorded to him under that specific provision, he is not thereby precluded from having his rent adjusted under any other applicable paragraph, provided that he actually qualifies for a rent increase.

This is the kind of deal the tenants are receiving in New York City. What I have related today merely touches on one aspect of rent control and its administration, but it is indicative of the attitude of the Housing Expediter and of the regulations promulgated by him under the act.

While the landlord's lobby shouts "Stop, thief," it is reaping huge profits at the expense of the tenants, and with the aid and assistance of the OHE. The New York Times report—March 4, 1948—of action taken by the House Banking and Currency Committee is revealing. It reports that the landlords were defeated in their efforts to substitute a fair-return provision for the comparability and hardship provisions. The landlords are very pleased with the double-barreled weapon of hardship and comparability increases which give them more than a fair return. See New York Times of March 4, 1949. Now, you are ready to give the real-estate trust the reasonable return on reasonable value provision in addition to the hardship or comparability provision. Is it any wonder that the Rent Act and regulations are still a Swiss cheese of loopholes for landlords. Here we have an opportunity to plug these holes. The emergency is still with us. The tenants must have protection. This can be done only by tightening the law. Anything less is a betrayal of the tenants' rights to the real-estate interests.

Mr. BARDEN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I voted for rent control during the war, as a war measure, when the population shifted and certainly was out of balance. It is now several years after the war, and I see no justifiable reason for us to begin to follow the line of least resistance and keep incorporating these invasions of property rights in the law under the heading of rent control that the American people have always enjoyed. I am opposed to this bill.

Personally, I can stand to wear a little poorer clothes, I can stand just a little more physical discomfort in my home, without some of the fixings and advantages, but I cannot stand to be without freedom.

I realize we have some bad situations, and I do not know how to correct them. Possibly if we could extend this on a temporary basis with genuine assurance that this would never become a permanent part of our economic life, we would be getting somewhere, but there is not a man within the sound of my voice who does not know that conditions in the towns of five, ten, and fifteen thousand people do not warrant this kind of legislation. But, of course, if they are eliminated, it will do away with a lot of the personnel in the Bureau.

When the Administrator forces the owners of fine homes of the kind referred to here—seven-room homes with nice baths, and with a garage—to rent them for $25 a month, the owner is not being treated fairly and the average fair-minded tenant does not advocate that kind of treatment. The Constitution protects both personal and property rights, and the invasion of one may result in either the disregard of or invasion of the other.

Mr. Chairman, if we are to legislate here, let us legislate for all the American people. One of the housing administrators told me in very frank terms, "This is a tenants' bill. We are not concerned with returns on property." If that policy is to be adhered to, then the small investor will be very reluctant to invest in rental property, which will soon bring about a worse condition than we now confront. Loans for home construction will encourage home ownership. Home ownership will relieve our present problems and contribute toward a stronger, thriftier people and a stronger America.

Now, I believe the average tenant and landlord in America wants to be fair. I believe it is dangerous to bring up a generation feeling that the Government is going to take care of them and is going to take from someone else that which is his, and give others the benefit of it. The two boys who figured in the recent train robbery, one is now in jail and the other in the hospital. Why? Because they tried to wrongfully take from someone else that to which they were not entitled and that to which the possessors were entitled. We might just as well be frank about this. One of the gentlemen who preceded me made the statement that this is an urban problem. He repeated it. He said it is essentially a city or urban problem. It is awfully difficult to cut the pattern of life in some rural districts to fit that of the big cities. The men in New York have their problems, and I would like to help them solve them. But there ought to be a better way to solve those problems than to say that the pattern or the prescription necessary for New York must be swallowed by the people who live totally different from those people in New York.

I have traveled around in Europe, and God forbid that I ever see any such illustrations of a police state over here. But if some communism or socialism must arise, I do not propose to be a party to bringing it about by legislation. It will arise through some other channels, and not by legislation to which I am a party.

Mr. CHRISTOPHER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise to defend the proposed legislation which will extend rent control in the United States. I shall vote for this legislation and I shall be proud when I do so, because I want it written opposite my name that I have on all occasions sought to defend the weak against the strong. I come from a rural section where rent control is not a great problem. Still, if I voted to end rent control at this time I would be ashamed to walk down the streets of Springfield, Mo., after I had taken such action. I would not want to be pointed out by the soldier boys that I know in that city of 75,000 as the man who voted for a proposition which would force them out of their homes to live in a tent—and that would happen down there in the Ozarks of Missouri if rent control is not extended. I am not going to do it.

Some of the gentlemen who have decried this legislation said that it retards the building of new housing units. New housing units, when they are completed, are not controlled, and that argument falls flat on the floor of this House of its own weight. So much for that.

The proponents of repeal told me over in my office that landlords were being driven into bankruptcy. I have no doubt whatever that there are instances where landlords are being made the goat. But it is not the fault of the law. It is not the fault of the legislation; it is the fault of the administration by their local boards. I am of the opinion that when a landlord goes to his local board with a just case he will get a fair hearing and a just settlement of his claim.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. CHRISTOPHER. I yield.

Mr. PATMAN. Under this new bill there will be a local person appointed by the local board, whose duty it will be to advise small landlords, prepare their papers for them, in order that they may get adjustments from the board. It is a forward provision that will be helpful.

Mr. CHRISTOPHER. I thank the gentleman very much for his comment. I am not sure that this law can be administered properly. But I do not want to be numbered as among those who ended rent control at this time when there are so many families that are doubled up, and so many others whose rents would be doubled or multiplied by three in many cases, because there is no way to determine the amount of hog in the human family.

This law with its adjustment provisions seeks to give a square deal to everybody.

The CHAIRMAN. The time of the gentleman from Missouri [Mr. CHRISTOPHER] has expired.

Mr. BURDICK. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I occupy, as usual, a unique position in regard to this debate. I owe my election to nobody who contributed money, except my own political organization. I am free to do what I think is right and just, and I want to do that today.

I think it is a mistake for this Congress to ever think of abandoning rent control until our economic situation changes. I think you are making a mistake if you do it. I am speaking to Republicans more than I am to Democrats when I say that.

Mr. FERNANDEZ. Mr. Chairman, will the gentleman yield?

Mr. BURDICK. If I could get some more time, I would yield all afternoon.

I think it is equally bad to continue this law as it is, unless we amend it. We cannot afford to destroy property, no matter how few those are whose property is destroyed. We must protect the least of everyone who is in distress. But I believe it is the duty of this Congress to keep some program on the statute books, and it is the duty of this Congress, in doing it, to make it as just as it is possible for the human mind to conceive.

You say the war is over. It is not. I hope you will think of that when you get into the next one. When war starts in America, democracy stops. Did you not know that? You cannot walk off and leave these 14,000,000 people, who are defenseless, because you say the shooting has stopped. No peace has been signed. This situation in time will be justly dealt with, but just the moment we take it off entirely, what about the American Legion in my country, 100 percent behind keeping this program? What about the labor organizations in my country who want this? What about the Veterans of Foreign Wars who write me to keep this on? I said to them, "I will vote to keep it on provided Congress amends the law so that a man whose property is being confiscated can get into some kind of a court or hearing and have rents established that are fair and just."

Now, I do not know anything about what amendments will be offered, but if you have an amendment that looks like anything I have in mind to deal out justice to those who want to fix rents that are fair and reasonable, I will vote for it, and I will also vote for the bill.

It is not the easiest thing in the world for me to take the position of a lone wolf in a political party. I do not believe I will be the only lone wolf here on this vote, but at least I must be honest with the members of my own party, and I must be honest with the Democrats when I point out my view of the situation. The situation is serious at this time. I have had experience, and plenty of it; I remember in my State when loan companies were foreclosing farmers, were driving them out onto the highways homeless, and we had to organize ourselves to prevent it. I was called a dictator; I was called everything under the sun, but we stopped the foreclosures. And now the businessmen who could not foreclose when they wanted to say that we performed the greatest service ever performed in North Dakota, because the creditors got their money, and these men who were kept on the farms by mere force and awkwardness are rich men today. Turn loose all these people through the processes of the courts by dispossesion, and if Congress is not in

session you will have another Congress called to meet an alarming situation.

Do not defeat the bill. Make it reasonable and keep it on the books until this country can get itself out of a situation due to an aftermath of war.

Many Members on and off the floor have expressed themselves as alarmed over the spread of communism in this country. I have tried time and again to state to this House that communism never develops anywhere unless the people are in want, in distress, or suffering. Should rent controls be withdrawn and an era of dispossessions ensue, you will have men, women, and children out in the streets and alleys, with no place to go. If these dispossessed people should mount into the millions, there will be just that many people in distress, in want, and suffering. We fought this last war for the four freedoms, and one of them was freedom from want, and another freedom from fear. These freedoms—both of them—will be denied to homeless people—people who have no place to go. Such a situation, if long continued, would make more Communists in the United States than all the Red organizers have ever convinced. It seems a strange paradox, but it is, nevertheless, a historical truth, that those who complain the loudest about the development of any radical movement always do the most themselves to bring about what they do not want.

Do we want to admit that we cannot write a bill that will be fair and just to tenants and fair and just to landlords? Write an amendment in this bill giving property owners the right and privilege of having something to say about what rates of rental are fixed—write a formula that will not take private property without due process of law, and I, like a great many others among the Republican Members, will support it.

The CHAIRMAN. The time of the gentleman from North Dakota has expired.

Mrs. BOSONE. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I come from a family of landlords; most of my friends are in the rental class. Through the last several years I have seen injustices on both sides, the landlord and the renter; I have seen in court some injustices. One case which is typical: A young husband was accused of assault and battery. He had taken his wife's shoe and with the heel had struck his wife in the stomach, and she was pregnant at the time. I took this case into chambers, and I had scarcely said a word when the young wife said: "Judge BOSONE, this is not my husband's fault; we have to live with my father and mother and my five brothers and sisters under a small roof. My husband is ordinarily a fine boy. I love him very much, but under the circumstances he is irritated beyond bounds at times, and this is the result of a housing condition."

I said, "Can you not find a place to live?"

And the young husband answered: "No; I make the average wage in Salt Lake City, and I cannot find a place to live, but," he said, "I am going out now and pitch a tent, if I have to, to make my marriage work." I told him to go out and pitch a tent—to get out from under the environment in which he was living with his young wife. That is exactly what he did.

Mr. Chairman, I am going to vote for this bill, even though my family do belong to the landlord class. They rent apartments; they rent homes and I can say that one of the homes, a four-room house, with an acre of land, is being rented for only $7 a month, which does not pay the taxes. Yet, I am voting for this bill because I see the great majority of the people in the renting class need low-income rentals, and I think it is only fair. I am going to vote for this bill with, of course, the amendment, which I understand will be introduced this afternoon.

By unanimous consent, the pro forma amendments were withdrawn.

The Clerk read as follows:

TITLE I—AMENDMENT TO TITLE I OF HOUSING AND RENT ACT OF 1947, AS AMENDED

SEC. 2. Section 4 of the Housing and Rent Act of 1947, as amended, is amended to read as follows:

"SEC. 4. (a) In order to assure preference or priority to veterans of World War II or their families—

"(1) no housing accommodations designed for single-family residence, the construction or conversion of which is completed after June 30, 1947, shall be offered for sale or resale, or sold or resold, to persons other than veterans of World War II or their families, unless such housing accommodations have been publicly offered for sale exclusively to veterans of World War II or their families (a) during the period of construction or conversion and for 30 days thereafter prior to a sale or offering for sale to such nonveterans, and (b) for a period of 7 days prior to a resale, or an offering for resale, to such nonveterans; and

"(2) no housing accommodations designed for occupancy by other than transients, the construction or conversion of which is completed after June 30, 1947, shall be offered for rent or rerent, rented or rerented to persons other than veterans of World War II or their families, unless such housing accommodations have been publicly offered for rent exclusively to veterans of World War II or their families (a) during the period of construction or conversion and for 30 days thereafter, prior to a first renting or offering for rent to such nonveterans, and (b) for a period of 7 days prior to a subsequent renting, or offering for rent, to such nonveterans; and

"(3) no housing accommodations designed for single-family residence, the construction or conversion of which is completed after June 30, 1947, shall be offered for sale or resale, or sold or resold, to any person at a price less than the price for which it had been last offered for sale to veterans of World War II or their families; and

"(4) No housing accommodations designed for occupancy by other than transients, the construction or conversion of which is completed after June 30, 1947, shall be offered for rent or rerent, or rented or rerented, to any person at a price less than the price for which it had been last offered for rent to veterans of World War II or their families.

"(b) As used in this section—

"(1) The term 'person' shall include an individual, corporation, partnership, association, or any other organized group of persons, or a representative of any of the foregoing.

"(2) The term 'housing accommodations' shall include, without limitation, any building, structure, or part thereof, or land appurtenant thereto, or any real or personal property, designed, constructed, or converted for dwelling or residential purposes, together with all privileges, services, or facilities in connection therewith; industrially made or prefabricated houses, sections, panels, or their aggregate as a 'package,' designed or constructed for dwelling or residential purposes; and a certificate, deposit, membership, stock interest, or undivided interest in real estate, under a cooperative mutual ownership or similar plan, which carries with it the right of occupancy of individual dwelling units.

"(c) The Housing Expediter is authorized to issue regulations and orders prescribing the manner in which such housing accommodations shall be publicly offered in good faith for sale or rent to veterans of World War II or their families and such other regulations or orders as he may deem necessary in the public interest to effectuate the provisions of this section. The Housing Expediter is further authorized to grant such exceptions to the provisions of this section for hardship cases as he may deem appropriate.

"(d) Any person who willfully violates any provision of this section shall, upon conviction thereof, be subject to a fine of not more than $5,000 or to imprisonment for not more than 1 year, or to both such fine and imprisonment.

"(e) This section shall cease to be in effect at the close of June 30, 1950, or upon the date that the President proclaims that the protection to veterans of World War II or their families provided by this section is no longer needed, whichever date is the earlier."

Mr. DOLLINGER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DOLLINGER: On page 25 line 13, strike out "1950" and in place thereof substitute "1951."

Mr. DOLLINGER. Mr. Chairman, I do not think I have to burden the House more than a moment with an explanation. I seek by this amendment to change the date to June 30, 1951, instead of 1950. I feel certain that the housing shortage is not going to change within a year or 15 months. Let us be realistic about it. The fault lies with our failure to build houses. Now we are not going to correct that condition for a year or for 2 years. I hope we can correct it by June 30, 1951. If, perchance, we can do that, then the bill has sufficient protective measures; the President could, by proclamation, eliminate controls, and the Housing Expediter would have the right, and we likewise. Must we go through this same procedure every year and hold hearings on proposed legislation to extend rent control and thereby make the tenants jittery over what will happen to them? Let us not dangle a sword over their heads. Let us make them feel that they have security. Let this thing correct itself. We all want to eliminate controls. The way to do it is to give us enough time to build new houses, and I believe we will then solve the problem.

Mr. CRAWFORD. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, here is another argument which means, in substance, to make rent control a permanent part of our economy. The gentleman who just left the well of the House did not say that, but that is exactly what the amendment would mean; therefore I am opposed to the amendment. If I was a big,

so-called, landlord, with lots of apartments rented, or lots of houses rented, I would advocate rent control. I would advocate rent control on the basis that a fair rent should be paid to me, which means to say that I would all the time be able to charge a price for rents which gave me a fair return on my investments, whether fully occupied or not. So I can understand why people stand in the well of this House and say they are landlords and they are for rent control.

Suppose you went out here with a proposition that you would pass a law fixing it so that all grocery men could sell goods at a price above their cost sufficient to give a fair return, what grocery man would not be in favor of that? He would not have to worry about depressions. He would not have to worry about a slump in business. Why, by the sanctification of his government, he could charge his customers a price which would give him a net return on his operation.

Now, you better do some pretty good, deep economic thinking on this question. Suppose I was in charge of the so-called one-seventh of the housing units for rent in this country, which I understand was presented before the committee that brought this bill to the floor, having under my supervision 5, 10, 15, 20, 25, 50, or 100,000 apartment units in a great concentrated area, would I not be for rent control? I certainly would be if I was to be guaranteed a fair return on my investment. Of course, under those conditions, I would be for rent control. Suppose those great apartments in the metropolitan areas become inhabited by only 30, 40, 50, or 60 percent capacity, are they not going to be able to charge a rent which covers all their costs of operation, plus a little return, provided you give them a fair return on this proposition? If I undertsand the English language, and if I understand anything about economics, they would certainly be entitled to do that.

Mr. SPENCE. Mr. Chairman, will the gentleman yield?

Mr. CRAWFORD. I yield to the gentleman from Kentucky.

Mr. SPENCE. The committee considered the amendment that the gentleman has offered.

Mr. CRAWFORD. I did not offer any amendment.

Mr. SPENCE. I mean that the gentleman from New York has offered. The committee rejected it and adopted in lieu thereof the extension of 15 months.

Mr. CRAWFORD. I think the chairman has made my case. I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The amendment was rejected.

Mr. JAVITS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. JAVITS: On page 23, line 1, after the word "nonveterans", insert the following: *"Provided, however,* That on housing accommodations constructed with the assistance of the Federal Housing Administration, or the Veterans' Administration, or on which the Federal Housing Administration, or the Veterans' Administration has insured or guaranteed loans, for 90 days thereafter, unless the seller shall offer to deliver during the aforesaid 30-day period a certificate to the purchaser that construction equals or exceeds the applicable minimum property requirements of the Federal Housing Administration or the Veterans' Administration, and that each item of material or equipment equals or exceeds that described or indicated in the application on which the appraisal of the Federal Housing Administration or the Veterans' Administration is based and such housing accommodations are as represented therein."

Mr. SPENCE. Mr. Chairman, I reserve a point of order against the amendment.

Mr. JAVITS. Mr. Chairman, title I of the bill relates not to rent control but to housing, and purports to deal with a situation affecting the veterans and the sale of property to veterans. It gives veterans a preferential right for 30 days to acquire any newly constructed housing.

I propose that the priority should be increased to 90 days unless the owner of the property—in answer to what is a crying need—gives the veteran a certificate that the materials which went into the property under construction equals or exceeds what he described in his application to the Federal Housing Administration or the Veterans' Administration from which he has gotten the loan aid in connection with the construction, and that the housing is exactly as represented in that application. An owner is required to describe to the Veterans' Administration or the Federal Housing Administration exactly what materials are going into new housing and what standards the construction will meet.

My amendment is designed to follow the terms of this bill. The most we can do under the terms of this bill, and I believe this amendment is properly inserted at this point despite the reservation of a point of order against it, is change the provision of the bill which gives the veteran 30 days priority on new housing and say to the landlord, "It is going to take longer than that to find out whether the cellar is going to fill up with water after a good rainstorm, or the walls are going to come apart"—instances of which we have had time and time again, in new construction, especially in outlying sections of New York City—"so we want you to give the veteran a preference for a longer period of time so that the house can stand a little weathering and the veteran can see whether or not this house is really going to stand up in accordance with the standards which you represented in your loan application."

A few of the facts on this are as follows:

The Housing Expediter, who has authority to receive complaints with respect to housing constructed in 1946 and early in 1947 under the veterans' emergency-housing legislation, which applies only to those periods, received 200,000 complaints of the type of difficulty, which my amendment would seek to reach. Of those 200,000 complaints, he had to dismiss 160,000 for lack of jurisdiction. Just think of it, 160,000 complaints had to be dismissed because he had no jurisdiction under the statute by which he could follow up these complaints of the veterans. In those cases in which he could retain jurisdiction he has already recovered a million dollars and is in a fair way to recover a total of $7,500,000. My amendment seeks a technique by which the Housing Expediter may gain some jurisdiction over all the complaints where an application has been made either to the FHA or the VA for loan aid, and that applies to most of the economy houses and other houses available to veterans which are being put up.

Mr. YOUNG. Mr. Chairman, will the gentleman yield?

Mr. JAVITS. I yield.

Mr. YOUNG. It appears to me that the gentleman from New York has offered a very good amendment for the welfare of all the veterans of this country.

Mr. JAVITS. I thank the gentleman and hope that the members of the committee, regardless of whether they are veterans or not, but who I know are sincerely interested in veterans' affairs, will support the amendment.

Mr. MULTER. Mr. Chairman, will the gentleman yield?

Mr. JAVITS. I yield.

Mr. MULTER. Would your amendment require the Housing Expediter to take jurisdiction of these complaints and pass upon them?

Mr. JAVITS. As a practical matter he could do much because he would have jurisdiction over the veterans' priority and over the certificates to be issued by builders. If the landlord wants to shorten the period of 90 days veterans' priority, he would have to submit a certificate and whatever administrative problems arise under this act, the Housing Expediter will handle. I cannot give the Housing Expediter or the Housing Administrator specific authority to go after these complaints, because that would be beyond the purview of this bill.

Mr. MULTER. This authority should be vested with the Housing Administrator, rather than the Expediter, because he is the man who services these matters in the first place and gives the permits for the construction and reviews the plans and appraises the properties. He is best qualified to pass on those complaints.

Mr. JAVITS. That may be, but giving the authority to the Housing Expediter is the next best plan and the only thing that we can effectively do because this is the bill we have before us.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. JAVITS. I yield.

Mr. DONDERO. Under the gentleman's amendment, would taxes, interest on the mortgage, and fire-insurance premiums be suspended during that 90 days so that it will not be a complete loss to the property owner while he has to wait?

Mr. JAVITS. If the gentleman please, whether he has to wait 90 days or only 30 days is entirely up to the builder under my amendment.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. JAVITS. I yield.

Mr. CRAWFORD. I want to see if I understand the gentleman's amendment.

Under this amendment that you now propose, do you mean that if a citizen takes his savings and builds a house for rent that he must, if the necessity arises, by reason of a veteran not showing up to purchase the house, that the citizen who built the house has to wait 90 days before he completes the transaction of selling it?

Mr. JAVITS. He must not, sir. All he has to do is to give the buyer a certificate that he is honest and that he has actually put into the house what he has represented would be put into it, and then a 30-day priority is all that is required.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. SPENCE. Mr. Chairman, I withdraw my point of order.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. JAVITS].

The question was taken; and on a division (demanded by Mr. JAVITS) there were—ayes 36, noes 60.

So the amendment was rejected.

The Clerk read as follows:

TITLE II—MAXIMUM RENTS

SEC. 201. (a) Section 202 (c) of the Housing and Rent Act of 1947, as amended, is amended by striking out paragraph (1) thereof and inserting in lieu thereof the following:

"(1) any housing accommodations which on June 30, 1947, were located in transient hotels as distinguished from apartment or residental hotels; or."

(b) Section 202 (c) (2) of the Housing and Rent Act of 1947, as amended, is amended by striking out "trailer or trailer space" and inserting in lieu thereof "trailer, or trailer space, used exclusively for transient occupancy."

(c) Section 202 (c) of the Housing and Rent Act of 1947, as amended, is amended by striking out paragraph (3) thereof and inserting in lieu thereof the following:

"(3) any housing accommodations (A) the construction of which was completed on or after February 1, 1947, or which are housing accommodations created by a change from a nonhousing to a housing use on or after February 1, 1947, or which are additional housing accommodations created by conversion on or after February 1, 1947: *Provided, however,* That any housing accommodations resulting from any conversion created on or after the effective date of the Housing and Rent Act of 1949 shall continue to be controlled housing accommodations unless the Housing Expediter issues an order decontrolling them, which he shall issue if he finds that the conversion resulted in additional, self-contained family units as defined by regulations issued by him: *And provided further,* That contracts for the rental of housing accommodations to veterans of World War II and their immediate families, the construction of which was assisted by allocations or priorities under Public Law 388, Seventy-ninth Congress, approved May 22, 1946, shall remain in full force and effect; or (B) the construction of which was completed on or after February 1, 1945, and prior to February 1, 1947, and which between the date of completion and June 30, 1947, both dates inclusive, at no time were rented (other than to members of the immediate family of the landlord) as housing accommodations; or."

Mr. RAINS. Mr. Chairman, I offer an amendment, which is at the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. RAINS: On page 25, strike out lines 18 to 24, inclusive.

Mr. RAINS. Mr. Chairman, by offering this amendment I do not want you to understand that I am opposed to the bill. For a great many years, as a member of the Committee on Banking and Currency, we have had before us the problem of rent control. I have voted for it in each particular instance, and, if the Brown amendment is adopted today, I will vote for it now. I voted for the Brown amendment in committee, and if that is adopted I intend to vote for the bill today.

In the committee there was great division of thinking, because you can observe the bill itself. We struck out the entire original bill and wrote a completely new bill after the enacting clause.

Among the things I think the committee failed to do was to go far enough with reference to decontrol, or I should say when the committee recontrolled hotels I think they went too far. In my judgment we are approaching the time when we will see the end of rent control. I am not one who can tell you, and I listened long to the committee hearings, that the rent-control picture is worse than it was a year ago or the year before, because the evidence before the committee does not bear out that statement. I look forward to the day when we can completely do away with rent control.

Frankly, I am of the opinion that one way to achieve that goal is to enact a fair and reasonable bill now. For that reason I offer the pending amendment. I do not believe it wise, practical, or possible to recontrol hotels that have heretofore been decontrolled. In my opinion—and I know this is true in my district, and that is the district for which I speak—the hotels today, instead of being full, are about 75 percent occupied. In the hotel business in my country the law of supply and demand is working admirably.

I want you to understand that I do not intend by this amendment to decontrol apartments. This amendment seeks only to keep the controls off of hotels, as it is under existing law. I do not believe that the adoption of this amendment will work a great hardship in any section of the country. I do say that to recontrol hotels will bring about an impossible situation, because if a man or a patron spent 1 night in a hotel, or 1 week, that would establish the rental rate under the present bill. It renders the hotel business completely and totally uncertain. If the law of supply and demand has been met in hotels, why reach out and recontrol those places?

Mr. SMATHERS. Mr. Chairman, will the gentleman yield?

Mr. RAINS. I yield to the gentleman from Florida.

Mr. SMATHERS. I would like to subscribe to what the gentleman is saying. I come from a district where we have probably more hotels proportionately than any other one district in the country. To recontrol these hotels would create a very unsettled condition and, in a sense, reverse the trend which we all hope for, to get rid of controls.

Mr. RAINS. I thank the gentleman.

Mr. KUNKEL. Mr. Chairman, will the gentleman yield?

Mr. RAINS. I yield.

Mr. KUNKEL. If the gentleman's amendment is adopted, the law will remain exactly as it has been up to now?

Mr. RAINS. That is correct.

Mr. O'BRIEN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. RAINS. I yield.

Mr. O'BRIEN of Michigan. Is it not a fact that the only hotels recontrolled under this bill are apartment and residential hotels? Is not that correct?

Mr. RAINS. There is not one word in this amendment or in the old law about controlling or decontrolling anything except hotels. If an apartment hotel is a hotel, it would be decontrolled, but if it is an apartment house, it would not be decontrolled; in other words, the definition of "hotel" is what determines whether or not this amendment should be adopted.

Mr. JUDD. Mr. Chairman, will the gentleman yield?

Mr. RAINS. I yield.

Mr. JUDD. The language which is stricken out by the gentleman's amendment comes under a clause in the present law which defines what the term "controlled housing accommodations" does not include. The statement of the gentleman from Michigan, I think, is correct, that the bill recontrols only apartment or residential hotels; it does not recontrol transient hotels.

Mr. RAINS. Oh, yes; it does if it is an apartment hotel. The old law defined "hotel." In this particular instance nothing is said defining a transient hotel. Whether a transient apartment hotel is decontrolled is not clear.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. CRAWFORD. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have asked for this time in order to clarify in my own mind the meaning of this amendment, if I may have the attention of the gentlemen from Alabama [Mr. RAINS]. As the law stands at the present time are rents in transient hotels controlled?

Mr. RAINS. No.

Mr. CRAWFORD. As the law stands at the present time are rents on apartments located in transient hotels controlled?

Mr. RAINS. As I recal. it, under the regulations, if it is 50-percent transient they are not controlled under the present law.

Mr. CRAWFORD. That has to do with the regulations, however.

Mr. RAINS. That is right.

Mr. CRAWFORD. I wonder if the chairman of the committee can inform us exactly what the status of apartments located in transient hotels are under the present law?

Mr. SPENCE. It is based entirely upon service, both transient hotels and apartment hotels: If the ordinary services furnished by hotels is furnished it is decontrolled. Apartment hotels are under the same regulation under the same law: If they furnish bellboy service, maid service, telephone service, or desk service they are decontrolled. That was

the reason it was changed, because many of these apartment hotels furnished service which was entirely inadequate, yet enough to keep them under the law; and they were decontrolled. We have made it so that they must comply with the regulations of the Expediter.

Mr. CRAWFORD. I see the gentleman from Kansas [Mr. COLE] on his feet; in a minute I shall yield to him, but I want to get straightened out in my mind on certain features. In my home town of about a hundred thousand population there is a very fine first-class hotel, a transient hotel, but a hotel where a number of the older citizens of the city take apartments through the winter months; they receive maid service, they receive telephone service, they receive bellboy service just like a transient customer. I want to know from someone on the committee if the gentleman's amendment proposes to control or decontrol that kind of hotel.

Mr. COLE of Kansas. Mr. Chairman, will the gentleman yield?

Mr. CRAWFORD. I yield to the gentleman from Kansas.

Mr. COLE of Kansas. I refer the gentleman to Public Law 129.

Mr. CRAWFORD. Let us stick to the specific question.

Mr. COLE of Kansas. I am answering the gentleman's specific question.

Mr. CRAWFORD. All right.

Mr. COLE of Kansas. Public Law 129 has a provision in it which reads as follows:

(1) Those housing accommodations, and any establishment which is commonly known as a hotel in the community in which it is located, which are occupied by persons who are provided customary hotel services such as maid service, furnishing and laundering of linen, telephone and secretarial or desk service, use and upkeep of furniture and fixtures, and bellboy service.

Mr. CRAWFORD. So if the gentleman's amendment prevails that kind of a hotel will not be under control?

Mr. COLE of Kansas. That is right. It will be decontrolled.

Mr. KUNKEL. Mr. Chairman, will the gentleman yield?

Mr. CRAWFORD. I yield to the gentleman from Pennsylvania.

Mr. KUNKEL. If the gentleman's amendment is not adopted, under the present language of the bill if the hotel to which the gentleman refers is more than 50 percent transient it would be decontrolled anyhow. If you except this then the standard will probably be the one applied by the regulations of the Housing Expediter prior to the time of the enactment of the law which the gentleman from Kansas just read.

Mr. CRAWFORD. May I ask the gentleman from Pennsylvania this question? If he had in his town such a hotel as I have described where the apartment occupancy is not 50 percent and he did not want the institution controlled, would he vote for the amendment now before the committee?

Mr. KUNKEL. Sure.

Mr. CRAWFORD. The gentleman would vote for the amendment now before the committee?

Mr. KUNKEL. I would.

Mr. MARTIN of Massachusetts. Mr. Chairman, I move to strike out the last word and do so in order to find out from the majority leader the program for next week.

Mr. McCORMACK. Mr. Chairman, Monday is District day and there are four District bills to be considered, namely, H. R. 3347, the sales-tax bill; H. R. 1757, rent-control bill for the District of Columbia; H. R. 2799, regulating the retent on contracts; and S. 135, involving daylight saving. Of course, I have no knowledge as to whether the chairman of the District Committee will call them up in that order or not, but those are the bills to be considered.

Mr. MARTIN of Massachusetts. You could not call a District bill up on Tuesday.

Mr. McCORMACK. Monday is District day.

Mr. MARTIN of Massachusetts. These are not all District bills?

Mr. McCORMACK. These could not go over until Tuesday. The District bills would have to be disposed of on Monday, but if the District bills are disposed of soon enough we will take up other legislation.

There is House Resolution 107, permitting the Committee on Interstate and Foreign Commerce to make investigations; H. R. 1437, involving personnel and composition of the Army and Air Force; Senate Joint Resolution 136, Arab and Jewish refugees of Palestine; House Resolution 137, permitting the Committee on the Judiciary to make investigations.

On Tuesday, of course, the first order of business will be the calling of bills on the Private Calendar.

On Wednesday we expect to call up the bill H. R. 2960, to amend the Rural Electrification Act to provide for rural telephones. If all of the above bills are not disposed of on Monday and Tuesday their consideration will go over until Wednesday.

Thursday, of course, is St. Patrick's birthday and there will be no business scheduled for that day.

On Friday the civil functions of the War Department appropriations bill will be called up for consideration.

Mr. MARTIN of Massachusetts. It is understood that if the pending bill is not finished today it will be concluded tomorrow?

Mr. McCORMACK. That is my intention. I am in hopes it will be finished today because then we can adjourn over until Monday.

Mr. PACE. Mr. Chairman, will the gentleman yield?

Mr. MARTIN of Massachusetts. I yield to the gentleman from Georgia.

Mr. PACE. I noticed the majority leader announced consideration of a resolution to give the Judiciary Committee investigatory powers but did not mention the one relating to the Committee on Agriculture.

Mr. McCORMACK. The one involving the Committee on Agriculture was reported out today. I did not know about it yesterday when I made up the program for next week.

Mr. O'HARA of Illinois. Mr. Chairman, I offer a substitute amendment for the amendment offered by the gentleman from Alabama [Mr. RAINS].

The Clerk read as follows:

Substitute amendment offered by Mr. O'HARA of Illinois: Amend title II, section 201, by substituting for lines 22, 23, and 24 on page 25:

"(1) Any housing accommodations in hotels, which accommodations were, on June 30, 1947, used exclusively for transient occupancy, that is for living quarters for nonresident upon a short-time basis; or."

Mr. O'HARA of Illinois. Mr. Chairman, the language used in my substitute amendment to the amendment offered by the gentleman from Alabama is the original language in the Spence bill. I, as a member of the Committee on Banking and Currency, spoke and voted for the language in the original bill. The matter came to a vote in committee, and according to the reports in the newspapers the vote was very close.

The district that I represent has many people who live in apartment and residential hotels. As a result of the decontrol by the Eightieth Congress they suffered repeated and unjustifiable increases in rent beyond their means to meet. The resultant indignation against the Eightieth Congress, which had subjected them to such a plight, contributed in no small measure to the result of the election on November 2, 1948.

The people living in those apartment and residential hotels have been pretty badly treated, some of them victims of gouging indefensible by any rule of decency. I speak now duly weighing my words and with no desire to exaggerate. The great mayor of the city of Chicago, the Honorable Martin Kennelley, who has the respect of all the men and women, I believe, in that great city, and the corporation counsel of the city of Chicago, the Honorable Benjamin S. Adamowski, and other public officials and citizens, have asked me to present to this Congress the plight that the people of Chicago would be in if the decontrol of these apartment and residential hotels were continued.

I am telling you, my colleagues, that if the amendment offered by the gentleman from Alabama prevails and these apartment and residential hotels are not recontrolled, there will be such a wave of righteous indignation in the city of Chicago that even the most reasonable person could find no word of praise for the Eighty-first Congress.

The substitute amendment that I offer places all housing accommodations used for permanent residence back under control.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. O'HARA of Illinois. I yield to the gentleman from Texas.

Mr. PATMAN. According to the way I read this, if a transient hotel has one or a few permanent occupants it would be recontrolled?

Mr. O'HARA of Illinois. As I read it, any permanent residential unit in any hotel is recontrolled, yes; that is, under the original language of the Spence bill

which my substitute amendment seeks to restore.

Mr. PATMAN. Just the units?

Mr. O'HARA of Illinois. The units.

Mr. PATMAN. In other words, the gentleman still holds transient hotels out, except the units used for permanent residence?

Mr. O'HARA of Illinois. I thank the gentleman from Texas. Certainly. I do not wish to do anything at all to harm any honest-to-goodness transient hotel. I think it is an industry that is entitled to every support we can possibly give. But permanent residential units in transient hotels are housing accommodations and should be subject to the same controls as those elsewhere. My substitute amendment merely recontrols the housing units that were used for permanent residence.

Mr. GAMBLE. Mr. Chairman, will the gentleman yield?

Mr. O'HARA of Illinois. I yield to the gentleman from New York.

Mr. GAMBLE. How does the gentleman intend to have these units that are going to be recontrolled pay back the over $2,000,000,000 that was spent redecorating and refurbishing these hotels since they were controlled? That is a pretty serious economic situation.

Mr. O'HARA of Illinois. Yes. We had a very serious situation a number of years ago when the people of Chicago from their hard-earned savings paid out money through the purchase of real-estate bonds for the building of those hotels. They did not get any of their money back, or very little of it. When we had the Republican brand of free economy, and no controls on the exercise of the sacred rights we have been hearing so much about today, some $11,000,000,000 went into the building of most of the hotels and big apartment buildings in America—from the savings of the plain people—and under Republican economy the bonds went into default. The dean of the House the gentleman from Illinois [Mr. SABATH], who worked so heroically for those impoverished bondholders, will support my words, I am sure.

As to $2,000,000,000 being spent in refurnishings since the decontrol of hotels, I am afraid the reports from the Second District of Illinois will not give any aid and comfort to the arithmetic of the gentleman from New York. Most of the reports from my district are in the minus column.

Mr. JUDD. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I believe this amendment is good, and I rise in support of it. It presents a fair, reasonable, and workable middle ground between what the gentleman from Alabama [Mr. RAINS] is trying to accomplish on the one hand and what the language of the bill before us would do on the other hand.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. JUDD. I yield to the gentleman from Illinois.

Mr. YATES. When the gentleman says he rises in support of the amendment, he means the substitute amendment, not the amendment offered by the gentleman from Alabama?

Mr. JUDD. That is correct. I rise in support of the substitute amendment offered by the gentleman from Illinois to the amendment offered by the gentleman from Alabama.

There are three sorts of rental accommodations in hotels and so-called apartment hotels. There are regular apartment houses that are under control on the same basis, and in my judgment should be, as houses that are rented are under control. At the other extreme are the regular transient hotels, like the Statler, the Washington, and so forth. There is no question about the propriety of their being decontrolled. Our problem here is the third group—those hotels where a considerable part of the hotel is regularly used by transient guests and the hotel provides all the services that are listed, but another section of the hotel has for years, and in many cases has always, been used by tenants who live in it on a permanent basis. They have a little kitchenette with a hot plate and perhaps a refrigerator.

I know in my district many people who have lived in such accommodations for as long as 20 years. If anybody is going to have the protection of rent control, they should have it, too. They are living in rental accommodations the same as tenants anywhere.

Under the Rains amendment we would have this kind of a situation. Here is a hotel with, say, 51 percent transients. Under the ruling the Expediter heretofore has made, that hotel would be called a transient hotel and be completely decontrolled. Even people who have lived there 10 or 20 years are decontrolled.

What do some hotels do under such conditions? Here is a sample. A retired school teacher has lived in a given small apartment for years. Her rent under control was $45 a month. The management understandably wanted to get rid of her so they could use the rooms for transient guests and get more income. So immediately when their apartments were decontrolled, they upped the rent, in this case to $145. They knew she could not pay it. The purpose was to force her to leave so that they could then take over the accommodations and use them for transients.

If you are going to recontrol for anybody, then people in such accommodations ought to have it along with the rest. But under the language of the bill, if 51 percent are transient, the whole hotel is decontrolled, whereas right across the street is another hotel where 51 percent are permanent and 49 percent transient guests, and all would be put back under control, which could bankrupt the hotel under present increased costs. I agree with the gentleman from Alabama that the language in the bill would create a completely unjust situation. The language in the committee bill actually compels injustice to someone, no matter how administered. It creates injustice either by putting the whole hotel, including transient accommodations, back under control; or, on the other hand, by taking out from control, or leaving out of control, those tenants who rent on a permanent basis. The language of the substitute amendment provides that those accommodations which were for transients shall remain decontrolled. Those accommodations which were for permanent occupancy under long-term rental terms are put back under control. It seems to me completely unreasonable to put anyone back under rent control unless we do the same for those who live in these so-called hotels on a permanent basis.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. JUDD. I yield.

Mr. HARRIS. May I ask the gentleman if he is familiar with this provision of the District of Columbia rent control?

Mr. JUDD. No; I am not.

Mr. HARRIS. As I understand it, for example, the Mayflower Hotel here in the District has transient rooms and also apartment units. The transient rooms, that is where an individual comes in and gets a room for the night or for several days, are not controlled. But the monthly residential apartment in that hotel is controlled. Is that exactly what is meant by the language of this bill?

Mr. JUDD. No; not of the bill. But it is precisely what the substitute amendment would do. It has worked in the District and is the best pattern for the Nation. I had prepared a similar amendment, but I was glad that the gentleman from Illinois offered it, because he is a Democratic member of the committee, and that demonstrates that this is not an attempt to be partisan or to destroy the rent-control bill.

Mr. KUNKEL. Mr. Chairman, will the gentleman yield?

Mr. JUDD. I yield.

Mr. KUNKEL. Under the present law the test is whether ordinary hotel services, such as telephone, maid service, bellboy service, and things such as that are furnished. You can have a controlled apartment in a transient hotel today, but it is an apartment that was rented permanently and in which those services are not rendered.

Mr. JUDD. This changes present standards in existing legislation, by putting emphasis on the transient character of the guest.

Mr. KUNKEL. Not if the amendment offered by the gentleman from Alabama is adopted.

Mr. JUDD. No; I am opposed to the amendment offered by the gentleman from Alabama. I am in favor of the substitute amendment which gives equity to both groups in these combination hotels.

Mr. KUNKEL. Are you going to see to it, then, that the people who left the hotel on June 30, 1947, because their rents were increased are going to get their accommodations back, or are you going to give the benefit to those people who came in and took their place?

Mr. JUDD. I do not see how we could make it retroactive. They left under the law as it existed then. I do not see how you can make it retroactive to tenants that have left.

Mr. KUNKEL. If you cannot make it retroactive, then you are not protecting the people that you say you are trying to protect.

Mr. JUDD. It cannot be done completely, that is perfectly true. But we can prevent this practice from going any

further. I recognize the difficulty the gentleman mentions.

Mr. KUNKEL. All you are doing is giving some future person an advantage.

Mr. JUDD. No; most of the tenants are still where they were in 1947. If the language which is in the present bill is kept it is bound to be in litigation from now until doomsday because it says "transient hotels as distinguished from apartment or residential hotels." Now how will those three terms be defined? It will require court decisions. There will be suits brought against the rulings and the regulations issued by the Expediter. By using for the dividing line the term, "housing accommodations used exclusively for transient occupancy," we can get around the trouble. I hope you will support the substitute amendment.

Mr. COLE of Kansas. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I want to call the attention of the gentleman from Minnesota in connection with residential hotels and transient hotels. There is a distinction, you must remember, between units occupied by permanent residents in hotels and guests who were permanent residents in a hotel.

Under the substitute amendment, I am afraid that we have not properly made this distinction. For instance, Mr. Jones lived in room 202 of the Blank Hotel under rent control and he moved. Under the substitute amendment, there arises some question as to whether or not room 202 is thereafter controlled, even though Mr. Jones does not occupy it and whether or not Mr. Smith comes in and occupies that room. It becomes a rather technical thing, and I do not believe that the substitute amendment reaches that particular situation. In connection with the recontrolling of these rents and the testimony which we had before our committee and the statement by the gentleman from Illinois [Mr. O'HARA], I want to read from page 780 of the hearings, in which the gentleman from Illinois said he has not heard any complaint from certain hotels in Chicago, but meanwhile, for instance, the faculty of the University of Chicago had not had their salaries increased and they live in that neighborhood. They might get a top salary of $5,000. Then were listed in the hearings the hotels about which complaints are made. I want to read to you a little about how much the rent in those hotels have been raised, starting on page 776. Here is a hotel where the legal maximum rent on June 30, 1947, was $10.50 a month. It has been raised $4.50 per month. Then on down the line, the next one, the legal maximum rent was $3.50 per week, and it has been raised $7 per week.

Here is another one, $9 per week, and it has been raised $5 per week.

Here is one, $13 per month, and it has been raised $4.50 per week.

Here is one, $4 per week, and it has been raised $5 per week.

I am taking them at random, whether high or low. Here is one at $6 per week, and it has been raised $2 a week.

Here is one, $50 a month, and it has been raised $40 a month.

Here is one at $57 a month and it has been raised $15 a month.

And so on down through this list of tabulation of controlled housing units.

The point I am making, referring to the statement of the gentleman from Illinois before the committee, is that these people are not suffering undue hardships by reason of these raises in rates.

We have three classes of people. Those suffering undue hardships as tenants; those suffering undue hardships as landlords; and those suffering undue hardships as the traveling public. So we must think of all of them. But I do not believe that the people who are occupying these residential hotels whose salaries are around $5,000 are suffering any undue hardship by reason of the tabulated increases shown in the testimony produced before our committee.

Mr. JUDD. Mr. Chairman, will the gentleman yield?

Mr. COLE of Kansas. I yield.

Mr. JUDD. I wanted to comment on your distinction between accommodations that are used on a transient basis and persons who are transient guests. It seems to me the language of the O'Hara amendment is clear. It says "any housing accommodations in hotels, which accommodations were on June 30, 1947, used exclusively for transient occupancy." The emphasis is not so much on the tenants as on the basis on which the accommodations were rented. If they were rented on a transient basis they are decontrolled. If on a permanent basis they are recontrolled.

Mr. COLE of Kansas. You mean the unit itself is recontrolled, whether Mr. Jones lives in it or not?

Mr. JUDD. Yes.

Mr. COLE of Kansas. I do not agree with that. I do not believe it is sound policy of controlling accommodations in a hotel.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. COLE of Kansas. I yield.

Mr. DONDERO. It is my understanding that the average transient hotel in this country has an occupancy up to about 80 percent at this time. In those hotels are many permanent occupants. Does the gentleman think it is necessary to put those hotels back under control when they do not have 100-percent occupancy?

Mr. COLE of Kansas. No, I do not.

In closing, one thing I want this Committee to take carefully into consideration is the fact that if we adopt this amendment we will roll back prices on those hotels.

The CHAIRMAN. The time of the gentleman from Kansas [Mr. COLE] has expired.

Mr. SABATH. Mr. Chairman, I rise in support of the substitute amendment offered by my colleague from Illinois [Mr. O'HARA].

Mr. Chairman, for many years I have been familiar with the men who control and own these large apartment buildings and hotels, not only in Chicago, as my colleague stated, but all over the United States. It is a group of men who came into possession of many of these apartment buildings and hotels during the Republican financial crash and since the crash, due to the fact that the receivers and trustees of the vicious so-called protective bondholders' committees which I then designated as scheming and thieving committees, robbed the bondholders of nearly all of their rights and interests in these buildings, acquiring the properties, either directly or indirectly, at 20 to 40 percent of their original construction costs.

Mr. Chairman, I am personally aware of the existing conditions, not because I have read of them, but through personal experience. For instance, I have lived for over 16 years in an apartment hotel having approximately 200 suites and about 25 so-called transient rooms. Shortly after decontrol the management not only increased my rent over 100 percent, but raised that of all the permanent tenants who have lived there for many years from 100 to 150 percent. This was done for the purpose of forcing the old tenants out who were unable to meet the increased rent, and the vacated apartments were reconverted into two or three transient rooms and, therefore, brought a higher return for the same space as when rented as an apartment suite. Unfortunately, it has been disclosed, in the case of some of the smaller apartment hotels where reconversion to transient rooms has taken place, that the rental of such rooms has been highly profitable—they having been rented two or three times during the course of one day. This shameful practice, I am glad to say, has not taken place in the higher class or outstanding apartment hotels.

Mr. Chairman, it is my observation that while many old tenants are being forced to vacate or suffering by being compelled to pay higher rentals, the owners of these apartment hotels and hotels are sunning themselves down in Florida and paying $30 to $40 a day for rooms, all at the expense and suffering of their tenants. Some 2 or 3 months ago I attended a luncheon at a club in Chicago and met the new owners of several apartments and apartment hotels who told me that if Congress reenacted the rent-control act they would close their premises or such units as they became vacant. I cannot help but feel that their conversation at that time was an offshoot of the Oklahoma situation, but it has given me much food for thought. It is my belief that this Congress should have a little more courage, should have more interest at heart in the people who are compelled to rent than in many of these landlord racketeers, who acquired hotel-apartment buildings and apartments, as I have stated, during the Republican-created depression at 15 or 20 cents on the dollar.

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentleman yield for a question?

Mr. SABATH. I will if the gentleman will not object to my having five additional minutes.

Mr. HOFFMAN of Michigan. As far as I am concerned the gentleman may have ten.

Mr. SABATH. Mr. Chairman, I have asked for this time to discuss the amendment of the gentleman from Illinois [Mr. O'HARA] to recount my personal experience and observation of the operations and activities of some of these profiteering and racketeering landlords

and owners of apartments and apartment hotels in my city, and undoubtedly their practices hold true in other large and metropolitan cities of the country. I am constrained to yield to the gentleman from Michigan to take up the time of the House in view that these distressing conditions may not exist in his district and especially in consideration of the fact that other amendments are to be offered and other Members want to be heard.

Mr. Chairman, in closing I want to refer to the solicitude of some Members for the owners of recently acquired hotels and apartment hotels who have reconverted and remodeled them at an expense of hundreds of thousands of dollars. I say to them, and it is my honest opinion, that these landlords and owners have not made these expenditures to aid or help the tenants to obtain fair and reasonable rentals but to serve as an excuse in raising rents to obtain an unconscionable profit for themselves.

Mr. Chairman, this substitute amendment deserves the support and vote of the membership, and if they have the interest of the people at heart, they will vote for it.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. HOFFMAN of Michigan and Mr. BOGGS of Louisiana rose.

The CHAIRMAN. The Chair recognizes the gentleman from Louisiana [Mr. BOGGS], a member of the committee.

Mr. BOGGS of Louisiana. Mr. Chairman, I rise in opposition to the substitute amendment.

Mr. Chairman, I believe that most of the Members of this body know that I have fought over a period of time for effective rent control and adequate housing legislation. As a member of the Banking and Currency Committee two years ago I opposed in that committee and on the floor of the House the so-called Fletcher amendment

The gentleman from Alabama and myself tried in every way possible to obtain effective, comprehensive legislation. So, in speaking for the amendment offered by the gentleman from Alabama and against the amendment offered by the gentleman from Illinois, I think I can speak without bias and with some little experience.

This is not a crippling amendment. It is a fair amendment and leaves the law where it is.

As I understand it, rent control is designed to protect the poor people, the people who if controls were removed would suffer terrific hardships. If controls are not maintained there will be a much larger percentage of the family income for food, clothes, and other necessities of life devoted to the payment of rents. That is why I am supporting this bill today.

In our hearings before the Banking and Currency Committee two years ago it was shown to my satisfaction, and I believe to the satisfaction of all of the members of the committee who approached this thing from an unbiased point of view, that there was little or no justification for the control of hotels, residential or otherwise. After all who, by and large, lives in these hotels? Are they streetcar motormen? Are they coal miners? My good friend from Illinois says that he had to pay $250 a month rent to live in a hotel in Chicago. Frankly, I do not think that is a terrific imposition upon the gentleman from Illinois, and I would not consider it a terrific imposition upon me. I do not know what the conditions are there, but I venture to say that it is probably a fair proposition.

The statement has been made here that people who run these hotels in our cities are racketeers, that they acquire their properties at 10 or 15 cents on the dollar, and so forth and so on. I doubt that. There may be some degree of truth in the statement, but certainly it could not be generally true. This is an industry which cooperates with practically every civil endeavor in every community in the United States. Most hotel operators are good citizens, and it is unfair to stand up here in the well of the House and talk about them as racketeers. The truth of the matter is that a hotel resident is just different from someone who lives in an apartment house or in some other accommodation because he lives in that establishment because of the services that he gets. The costs are different. The costs are adjudged on the basis of service. Everyone recognizes the fact that services have increased. Wages have increased, and necessarily so. It would be a terrible thing if the people who work in hotels, in the various and sundry employments provided therein, had a depressed wage, the same wage as that which prevailed in 1942.

What this amendment really does is roll back hotel-room accommodations not to 1947 but to 1942, because that was the level existing in 1947, when they were decontrolled. I sat on that committee, I listened to the evidence, I took part in the testimony, and at that time I could see no justification for the continuation of these controls, and certainly there can be no justification at this time.

Mr. COMBS. Mr. Chairman, will the gentleman yield?

Mr. BOGGS of Louisiana. I yield to the gentleman from Texas.

Mr. COMBS. It has been my observation that since rent controls were removed from our hotels, by and large and with the exception of a little gouging at certain times of crowded conditions, these hotels have cooperated 100 percent in keeping their rates reasonably well down throughout the country.

Mr. BOGGS of Louisiana. I thank the gentleman for his observation. It is a very fair one.

The CHAIRMAN. The time of the gentleman from Louisiana has expired.

Mr. HOFFMAN of Michigan. I move to strike out the last word.

Mr. Chairman and Members of the House, I, too, am a little peeved at this attack on our hotel people by the gentleman from Illinois [Mr. SABATH].

When the rule was under discussion yesterday, he said that he hoped some of us would not find ourselves in the position of those who voted for the vicious real-estate lobbyists in the last session of Congress. Referring to Republicans, the gentleman further said:

> Some of them actually did intend to join us in passing a decent bill, but, unfortunately, due to the powerful influences of the great lobby that was then active here, they were forced in voting against their own desires and convictions.

That charge made yesterday—and you will find it on page 2179 of the CONGRESSIONAL RECORD—is, so far as I know, entirely without foundation.

The gentleman further said that there was an effort to kill this legislation—and again I quote—"in the interest of a few thousand owners of these big apartment buildings and hotels, most of which were acquired under distress conditions at 10, 15, and 20 cents on the dollar."

I have not seen any lobbyists. The protests which I have received against this legislation come from the owners of small homes who rent a room or two, or from the owners of small apartment houses who have difficulty paying their taxes, keeping their buildings in repair.

The gentleman from Illinois [Mr. SABATH] has had not a little to say about vicious racketeers who were in the hotel business. At one time, he said he had been around the country, and he knew all about them and some of their operations. He said he knew these people.

Now I say to the gentleman from Illinois [Mr. SABATH], he is one of the most powerful Members of the House. He is the head of the Committee on Rules. So why does he not get busy, put through a resolution and expose those whom he describes as the vicious, racketeering owners of hotels and apartment houses.

If his information, if his statements, are true and those men are exposed, public opinion will drive them out of business.

I cannot let his statements against hotel owners go without challenge. It happens that I personally know Mr. Bruce Anderson, who, representing the American Hotel Association, appeared last year before a House committee when an attempt was made by Mr. Denham, general counsel for the National Labor Relations Board, to extend the meaning of the term "interstate commerce," the term "affecting commerce."

Mr. Anderson operates the Olds Hotel at Lansing, Mich. He operates the Four Flags Hotel at Niles, Mich. It just happens that I know—and I use my words advisedly—that there is no racketeering in connection with either hotel nor are the rates of either unreasonable.

The rates of the Book-Cadillac in Detroit are undoubtedly higher than the rates of smaller hotels in other cities, giving less service, but I have been at all three of the hotels which I have named, as well as at others in cities in the Midwest, and I have found no reason to complain of the rates charged for the services rendered.

In every city in Michigan with which I am familiar a man can get the kind of accommodations he desires at a price that will fit his pocketbook.

It is most unfair and unjust—in fact, it is outrageous—to charge hotel and apartment owners and managers as a

class with charging an exorbitant price for the service they give. Perhaps the gentleman from Illinois [Mr. SABATH] had in mind some places in Florida, operated by some of his friends, who may have overcharged some of his Chicago friends.

I wish to add something else for the benefit of the gentleman from Illinois [Mr. SABATH]. In my own district—the Fourth Congressional District of Michigan—we have a hotel in the city of St. Joseph, the Whitcomb Hotel. It is a well-built, commodious, comfortable hotel, operated at rates which fill it with guests throughout the year.

That hotel has an exceptionally well-appointed regular dining room; the meals are good; the prices are reasonable. It has another very large room overlooking Lake Michigan, as does the hotel, where banquets are held; where several hundred people frequently gather for meetings and dinners. The service rendered by the hotel is excellent.

It is in a resort area. All through the summer it is difficult to obtain rooms, accommodations. If you want to be a guest there during the summer you must get your reservations in early.

And from whence come these people? From various sections of the country, but mainly from Chicago, from the gentleman's home city.

They like it so well, the service rendered is so good and the rates are so low, that many of them stay practically all summer long. The surroundings are so peaceful and so enjoyable that they come as families. They come not only with their children, but with their grandchildren.

Why are they there? They are there because they are getting more for their money than they can get at any other place in that section of the country.

Nor is that all. Through the early spring and fall—yes, through the winter—the people from Chicago live at that hotel. Is the owner a racketeer or a profiteer? Or is he even taking unfair advantage of his guests? Certainly not. They patronize his hotel; they live at his hotel, because that hotel is to them a home, and because, as just stated, they not only get their money's worth—they think they are getting a bargain when they register at the Whitcomb Hotel.

I have no doubt whatever but that many of them find that they can live at the Whitcomb Hotel in St. Joseph, Mich., and live better, that is, more comfortably and for less money, than they can live in their own homes in Chicago.

Would the gentleman from Chicago [Mr. SABATH] put that man out of business with rent control? Would he deprive people of a place where the businessman may go or send his wife and children during the summertime?

Would he ask that they stay in Chicago and freeze in the wintertime when, for less money, they may go to Michigan and live in comfort and pleasant surroundings?

You know, over in my county, the gentleman from Illinois [Mr. SABATH] has a son, or nephew, who has a farm and a big fine summer home on Dumont Lake. Are we, the people of that vicinity, gouging anybody? The gentleman's son and family and friends come over there during the summer because it is a good place to live, because the fishing is fine, and you get butter, not oleo; you get butter colored a deep, rich yellow, nutritious and all; milk and eggs and meat and bread and vegetables and fruit of all kinds for far less money than is paid in Chicago. Yes, and fish—fine, fresh eating fish—for the catching. The gentleman's son and his grandchildren—I hate to be personal about this—come over there because they get better food; better fishing; cleaner, purer air; purer water, all the things that a man likes and all he wants to enjoy, and all in pleasant, healthful, friendly surroundings for less money than can be found elsewhere. We and all our people are glad to have you come. We will take your money, give you more than you pay for, but do not kick about the price charged by Michigan hotel and apartment owners or managers.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. YATES. Mr. Chairman, I rise in support of the substitute amendment.

Mr. Chairman, this amendment would appear to be something that the people from the city of Chicago are particularly devoted to, this adherence and support to the substitute amendment offered by the gentleman from Illinois [Mr. O'HARA] and the opposition to the original amendment that was offered. But we, in the city of Chicago, are no different than any other community—I believe, in the entire country. I believe the apartment hotel, the so-called residential hotel, is a phenomenon of all large urban communities. Furthermore, the apartment hotel strikes me as having no greater difference than other housing facilities at this particular time, as to the needs of the people for additional housing.

I dislike very much to disagree with the gentleman from Louisiana inasmuch as I have heard much in his favor. I understand that in the past he has been the champion of housing legislation and in support of the tenants in this monopolistic housing situation in which we find ourselves.

Mr. SMATHERS. Mr. Chairman, will the gentleman yield?

Mr. YATES. I yield to the gentleman from Florida.

Mr. SMATHERS. I would like to say in furtherance and on behalf of the gentleman from Louisiana that he has evidenced his good intention to do right by the tenants when they are deserving of right, but at the same time he is not so narrow-minded and bigoted that he cannot change his mind when the opportunities are presented to him to show that a change is needed.

Mr. YATES. I thank the gentleman for his contribution, and I want to state that I agree with him. None of us propose to be bigoted—our actions, of course, will show that fact best. But I want to go on further and say that I hold no brief for any argument which says the owners of these particular facilities are racketeers and such. The only argument I make is that under housing conditions as we find them today in the cities of this country the apartment hotel is just as much to be considered a permanent accommodation as any apartment building.

The very rich live in the apartment buildings just as they live in apartment hotels. The medium-class families, the so-called middle class, live in apartment buildings; so do they live in apartment hotels. The telephone operators in our large corporations, who work for a rather meager pittance these days, are gathered in these apartment hotels primarily, not because they like to get into these places and get the service about which the gentleman speaks so much, but because they cannot find other accommodations in which to live. I think that has to be considered at this time. Retired pensioners, school teachers, civil servants—certainly not a money class—live in these structures.

I think the amendment is fair. It will do away with the indecisiveness, with the evanescence of the law as it exists at the present time and to which the law would be returned in the event the substitute is defeated and the original amendment offered were voted back in the House.

I should like to read a few paragraphs from a University of Chicago Law Review article which will appear this spring. It states, and correctly so, that the definition of the present act is something which nobody can understand not even the courts, since it has been the subject of much litigation. It says:

> However, congressional failure more specifically to define the term "hotel" has raised serious doubt as to the controlled or decontrolled status of certain types of urban establishments. Urban centers are characterized by a type of multiunit dwelling, containing separate, furnished, permanent living accommodations, usually including kitchen facilities. Residents of these units receive certain special services as an element of their rental fee.
>
> Although these dwellings have become known as apartment hotels, they differ basically from the regular hotel in that they seldom accommodate any transient guests. Whether these units are hotels within the Housing and Rent Act is a problem that has affected thousands of urban dwellers and is at present a source of bitter litigation.

Furthermore, in answer to the gentleman from Louisiana, who stated that the prices will be rolled back to 1942, that the prices which were charged in 1942 took into consideration, first, the offering of the special services; and, second, that under the law that was passed in the last Congress the hardship provisions and the loss provisions should adequately take care of the increased cost.

As to the need for recontrol of these establishments, I wish further to point out the testimony that was given before the last Banking and Currency Committee. The testimony which was given to the committee was to this effect. Professor Finkelstein, a member of the New York Temporary City Housing Rent Commission, testified that increases in rents for permanent hotel units in New York City jumped from 25 to 400 percent of the former controlled rentals. That is why we want to return apartment hotels under control.

Mr. Alex Elson, chairman of the Temporary Community Housing Rent Commission of Chicago, presented figures for the period from August 1947 to February 1948, a brief period of 6 months following the decontrol, showing increases in rentals in 249 hotels in Chicago, ranging from 16 to 333 percent over former rentals. That is why we want to return apartment and residential hotels under control.

Mr. SABATH. Mr. Chairman, will the gentleman yield?

Mr. YATES. I yield to the gentleman from Illinois.

Mr. SABATH. The substitute our colleague offered will not injure any decently conducted hotel or apartment building. They do not have to fear any danger from that amendment. In fact, the respectable hotel owners would be benefited by this amendment.

Mr. YATES. I thank the gentleman for his contribution. Yes; that is true.

Mr. MULTER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I think we ought to try to understand precisely what is being done by this amendment and the substitute amendment. We are now dealing with the proposed definition of what will not be controlled, if this bill passes. Let us take the law as it exists at the present moment. Under existing law, any housing accommodation in any hotel, transient or otherwise, is not subject to control. The amendment as offered in the original bill—not the one before us, but as originally introduced—provided, as the substitute would provide, that housing accommodations in hotels which are used permanently, that is, permanent housing accommodations in any kind of hotel, would be subject to control. The amendment which was offered would seek to take hotels of any kind, whatsoever, transient or nontransient apartment, residential, or otherwise, out of control definitely and completely. I think the bill should be passed as presented by the committee. These amendments were considered in committee, and a majority of the committee were in favor of the provision as it now reads, which is:

> Any housing accommodation which was located in a transient hotel that was a transient hotel on June 30, 1947, should be exempt from control.

The gentleman from Florida referred to a situation in his State. In Miami Beach all dwelling accommodations in and out of hotels were decontrolled by court action. The local board recommended it. The Expediter did not go along with it, and the court ordered it.

Mr. SMATHERS. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield.

Mr. SMATHERS. I would like to mention that one Member told me that he had just come from Florida, and since the decontrol they have found prices were lower than they have ever been before, and there are more hotel rooms available. I am going to vote for the bill, but I just wanted to make that observation.

Mr. MULTER. The point I am trying to make is that where the court has decontrolled areas, as they have in Florida, this bill does not permit them to be recontrolled, under any circumstances. We set up a provision for local boards, and those local boards have the right to recommend increases in rent. They have the right to recommend decontrol of a complete area, or decontrol of a classification within an area. They can decontrol hotels in your area if hotels should be decontrolled, and if the local board's recommendation is not approved by the Expediter they can go to court and have it done by the court. You can take the bill as presented by the committee in this respect certainly and feel safe that you are losing nothing by it and that your area will not be adversely affected in any way whatsoever.

Mr. JAVITS. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield.

Mr. JAVITS. The difference really is only whether the Expediter controls units or controls whole buildings. Did the Expediter tell the committee which he preferred administratively?

Mr. MULTER. The Expediter said that he prefers to control all permanent housing in hotels and out of hotels. He said there should be no distinction between permanent residents just because they are in a hotel. That is his view.

Mr. JAVITS. I do not know that the gentleman got my question. The difference in these amendments is that one says it will control separate units and the other says whole buildings. Which does the Expediter prefer to do? Does he prefer to control whole buildings or units?

Mr. MULTER. The Expediter proposed to control units. The amendment, as brought out by the committee, decontrols transient hotels. Permanent hotels and residential hotels are under control unless the local board or the Expediter says that that classification in the particular area should be no longer subject to control.

Mr. JAVITS. And does the Expediter prefer it that way?

Mr. MULTER. That is right.

Mr. JUDD. Then the gentleman says that the Expediter prefers the substitute amendment to the committee language?

Mr. MULTER. That is what the Expediter said to us. The majority of the committee did not agree with him, and said that hotels which were transient on June 30, 1947, should no longer be subject to control. That does not mean rolling back rents to 1942, because you have a provision, and you will get a further provision, I believe, about getting an increase of rent so as to give you a reasonable return if you are entitled to it.

The CHAIRMAN. The time of the gentleman from New York [Mr. MULTER] has expired.

Mrs. DOUGLAS. Mr. Chairman, I rise in support of the substitute amendment offered by the gentleman from Illinois [Mr. O'HARA].

The gentleman from New York [Mr. MULTER] has just said that the Administrator prefers the wording of the substitute amendment. I do not wonder. It seems to me that the impression has been created that what we are doing in protecting permanent residents in hotels is to protect the high-income groups who prefer to live in hotels rather than in homes. This is not true in the city of Los Angeles. For instance, we have 5,000 people living permanently in little hotels; not the Biltmore Hotel, not the Ambassador Hotel, but in little hotels.

A check was made by the city council when last year the decontrol bill—that was properly named decontrol—passed this House. You will remember that the Eightieth Congress removed all hotel quarters from rent control. These people living permanently in hotels who were taken out from under the rent-control program, found their rents were going to be raised not 10 percent, but 100, 200, and 300 percent. The city council had to act immediately in this matter in the city of Los Angeles to protect permanent residents in hotels. Rents were allowed a 25-percent increase and frozen. Those affected were not rich people. They were not young people. They were old people living on pensions, or on very small incomes, living in one little room and, as the gentleman from Minnesota [Mr. JUDD] said, cooking on a hot plate. They have barely enough to get along on as it is without 100- or 200-percent increases in rent. The city council came to their relief and put rent controls on permanent residences in hotels.

I have here a letter from a little old lady, 80 years old, and she says:

> I am so heartened to see Mr. SPENCE's bill introduced. It will protect us when the city regulation expires on March 31, 1949. We are so glad Mr. Truman was elected. We are so glad a Democratic Congress will now come to our rescue.

I do not say this to be light in the matter. I say it as a most solemn reminder. The Democrats have promised those 5,000 old people in Los Angeles living in hotels that they will come to their aid and see that controls are reinstated.

I hope the substitute amendment will be agreed to.

Mr. SABATH. Mr. Chairman, will the gentlewoman yield?

Mrs. DOUGLAS. I yield.

Mr. SABATH. I wish to say what applies to the 5,000 little hotels in the city of Los Angeles applies to about 250,000 of these small apartment buildings all over the United States that have been taken advantage of by unscrupulous owners. I do not mean that some of the owners are not decent, respectable, honest people, but there are a bunch of racketeers who came into possession of these places within the past few years that are taking advantage of these unfortunate people.

Mrs. DOUGLAS. And may I just add this. In the areas to which the gentleman from Florida referred, the Expediter has the power to remove controls. This amendment seeks to protect only permanent residents in hotels. The amendment does not affect those hotels in the country that make their money on the transient trade.

And remember, if old people are put out of hotels in Los Angeles because they can't pay higher rents, there is no place for them to go. The population of Los Angeles has doubled since the war.

The CHAIRMAN. The time of the gentlewoman from California has expired.

Mr. McKINNON. Mr. Chairman, I offer an amendment to the substitute.

The Clerk read as follows:

Amendment offered by Mr. McKINNON as an amendment to the substitute offered by Mr. O'HARA of Illinois: On page 1, after the word "basis", insert the following: "Provided said accommodations to be recontrolled are now occupied by the same tenants as of June 30, 1947, or."

The CHAIRMAN. The gentleman from California is recognized for 5 minutes in support of his amendment.

Mr. McKINNON. Mr. Chairman, I preface my remarks by saying I am most sympathetic with the gentlewoman from California [Mrs. DOUGLAS] and the gentleman from Illinois [Mr. O'HARA] in the conditions and problems that confront them and which they so well set forth. We realize, however, that many of the people dispossessed in 1947 will not be able to regain possession of the apartments they then occupied if these units are placed back under control.

Mr. BOGGS of Louisiana. Mr. Chairman, will the gentleman yield?

Mr. McKINNON. I yield.

Mr. BOGGS of Louisiana. The gentlewoman from California [Mrs. DOUGLAS] stated that the council in Los Angeles had passed regulations of its own. Is there any reason why other cities cannot do the same thing?

Mrs. DOUGLAS. They have not, and the Democrats were elected to do it.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. McKINNON. I yield.

Mr. YATES. I may answer with respect to the city of Chicago the city council attempted to do just that. When the Housing and Rent Act of 1947 was passed, it, in so many terms, decontrolled these units. But under the particular laws of Illinois, the supreme court of the State held the action of the council to be unconstitutional. So they cannot do it under Illinois State law.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. McKINNON. I yield.

Mr. PATMAN. Obviously they cannot do it, because only the Federal Government can abrogate a contract; the State cannot; the city cannot.

Mrs. DOUGLAS. Mr. Chairman, will the gentleman yield?

Mr. McKINNON. I yield.

Mrs. DOUGLAS. In answer to the gentleman from Florida I would say that the Democrats were elected to do certain things, one of which was to pass a rent-control act that would meet the needs of the American people.

Mr. McKINNON. The amendment to the substitute proposes simply that in recontrolling the permanent units of these hotels and returning them to the 1947 rental basis the present occupants of the units, who were not occupants in 1947 shall not benefit by this windfall; that rather than to allow them to inherit the windfall by coming in under the amendment proposed by the gentleman from Illinois [Mr. O'HARA] they would be excluded, because their condition would not be comparable to that of the people who occupied those particular units in 1947. It is simply a provision to do justice to both the hotel operator and the person who, living there today, also lived there prior to 1947 but whose rent, in the interim, has been increased.

Mr. SPENCE. Mr. Chairman, I move that all debate on the pending amendment and all amendments thereto, including the substitute and all amendments thereto, close in 10 minutes.

The motion was agreed to.

Mr. WOLCOTT. Mr. Chairman, I rise in opposition to the substitute amendment.

Mr. Chairman, perhaps we can clear up in our minds what we are doing. The existing law provides that there shall be no control on housing accommodations in any establishment which is commonly known as a hotel in the community in which it is located, which are occupied by persons who are provided the customary hotel services, such as maid service, the furnishing and laundering of linen, telephone and secretarial or desk service, use and upkeep of furniture and fixtures and bellboy service. We predicated the decontrol of all hotel units upon whether these hotel services were rendered. So in the apartment hotels, the residential hotels and in the permanent units in transient hotels which did not provide these services, those accommodations are not now nor have ever been decontrolled.

Of course, it is just as reasonable to decontrol a unit in an apartment hotel or residential hotel which provides these hotel services as to decontrol a room, transient or otherwise, in a transient hotel which is in the same situation. Rooms in transient hotels which do not get these services were not decontrolled. Rooms in apartment hotels and residential hotels which did not get these services were not decontrolled, they never have been decontrolled and they are not decontrolled now, that is the law.

Mr. JUDD. There are court decisions in my city which have interpreted the law differently than that and they are decontrolled.

Mr. WOLCOTT. There is the law and the courts are bound by the law. So far as I know all courts in the United States at least are bound by this law.

What would you do by the amendment offered by the gentleman from Alabama? You would restore existing law in that respect so that all units in all hotels, transient and apartment and residential, which gave the services would be decontrolled.

Under the amendment offered by the gentleman from Illinois [Mr. O'HARA] which you will find on page 16 of the report, which was in the bill originally introduced, you will notice that it provides:

Any housing accommodations in hotels, which accommodations were, on June 30, 1947, used exclusively for transient occupancy, that is for living quarters for nonresidents upon a short term basis.

They will go back under control. These will be the only ones which will be controlled. So what we call the permanents in transient hotels on June 30, 1947, will go back under control regardless of whether they are now being rented to transients, regardless of whether they are or are not giving the same services to these units that they may be giving to a transient unit which is not under control right across the hall from it.

The reason we took the controls off in the first instance was to legislatively remove the inequities which had not been corrected by the Administrator in respect to these cases.

If the committee amendment which is found on page 25 of the bill prevails, then you will decontrol all of the units in a transient hotel regardless of whether the services are given. I would not think that any of you who have been talking here today about continuing controls would vote for that committee amendment unless you knew how many permanent accommodations there are in transient hotels that are not getting this service, because under the language of the committee amendment you would take out from under control all of the units in a transient hotel regardless whether they were getting hotel services or not.

To sum it all up, the sensible thing to do is to leave the law just as it exists today, predicating decontrol of these units upon whether they are giving these ordinary hotel services, and that means that we should vote for the amendment offered by the gentleman from Alabama [Mr. RAINS].

Mr. BUCHANAN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the situation as it now exists is sort of betwixt and between. We have here three proposals offered to the committee amendment. The first one we shall vote upon is the one offered by the gentleman from California [Mr. McKINNON], so far as recontrol of units specifically is concerned. The next is the one offered by the gentleman from Illinois [Mr. O'HARA], and that would, of course, recontrol units as of June 30, 1947. The other is the one offered by the gentleman from Alabama [Mr. RAINS], which would decontrol or return to the existing law.

When this matter was under discussion in the committee it was a question of going from one extreme to the other and trying to arrive at some fair and reasonable compromise whereby it would be fair both to the operators of hotels, not alone large hotels, but to those who are operators of small hotels, 25 rooms or above. While there is no solution that will satisfy the hotel owners nor the occupants, neither the permanent residents in transient hotels. Nevertheless, the committee amendment as agreed upon brings it within the shadow of reasonable fairness to as many people as possible under any provisions for recontrol. So, after very careful consideration and due deliberation of this matter, which was very carefully discussed in committee and in debate, we arrived at that particular solution in the committee amendment.

Mr. JUDD. Mr. Chairman, will the gentleman yield?

Mr. BUCHANAN. I yield to the gentleman from Minnesota.

Mr. JUDD. Does not the gentleman feel that the purpose of rent control, if there is to be rent control, is to protect people as contrasted with protecting one hotel against another hotel? The purpose of it is to protect people, wherever

they live, and if you want to protect people, then you have got to protect them in the permanent units in transient hotels as well as in regular apartments or individual houses that are under rent control.

Mr. BUCHANAN. We must also think in terms of protecting people who are owners and operators of small hotels. I agree that there is no reasonable solution that will satisfy all. One way or the other you are going to affect some people, you are either going to hurt the hotel owners or you are going to hurt the occupants.

Mr. JUDD. That is the difficulty with the gentleman's amendment. It is bound to hurt one side or the other in every single instance. If they are decontrolled, it hurts the tenants in the permanent units. If they are recontrolled, it hurts the owners. It could actually put out of business a lot of hotels.

Mr. BUCHANAN. By "the gentleman's amendment" does the gentleman refer to the committee amendment as adopted in committee?

Mr. JUDD. Yes, that is what it would do. I prefer the amendment offered by the gentleman from Illinois [Mr. O'HARA], which puts it on whether the unit is rented on a permanent or a transient basis rather than on whether the hotel is 51 percent of one type or 51 percent of the other type.

Mr. BUCHANAN. That is why the committee arrived at the point where it thought it would be better to recontrol the structure rather than units, applying to transient hotels with a portion of permanent residents.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. BUCHANAN. I yield to the gentleman from Texas.

Mr. PATMAN. Is it not true that the amendment offered by the gentleman from Illinois [Mr. O'HARA], as amended by the amendment offered by the gentleman from California [Mr. MCKINNON] is preferable to the amendment offered by the gentleman from Alabama [Mr. RAINS], and the Rains amendment should be defeated because the committee's bill, which should stand as it is, decontrols those permanent units in transient hotels?

Mr. BUCHANAN. That is the opinion of the committee as reported here in the committee amendment.

Mr. KUNKEL. Mr. Chairman, will the gentleman yield?

Mr. BUCHANAN. I yield to the gentleman from Pennsylvania.

Mr. KUNKEL. Is it not true that the Rains amendment neither recontrols nor decontrols any property?

Mr. BUCHANAN. The Rains amendment would continue existing law.

Mr. KUNKEL. It neither recontrols nor decontrols it?

Mr. BUCHANAN. The existing law as of June 30, 1947, decontrols transient hotels affecting permanent residents within those transient hotels.

Mr. KUNKEL. If you do not adopt the Rains amendment you are going to put yourself in the position of telling people whom you have decontrolled that you are going to go back and undo what was done earlier.

Mr. BUCHANAN. The reason for the committee's making this suggested change, of course, was to bring under the umbrella of protection those permanent residents who live as residents in transient hotels, who would otherwise have lost their protection by various devices entered into if the hotels were converted into transients.

Exclusion from control of transient hotel accommodations would, therefore, be based upon the character of a structure in its entirety, rather than, as under present law, upon units of housing accommodations within the structure.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. MCKINNON] to the substitute amendment offered by the gentleman from Illinois [Mr. O'HARA].

The amendment to the substitute was rejected.

The CHAIRMAN. The question is on the substitute amendment offered by the gentleman from Illinois for the amendment offered by the gentleman from Alabama [Mr. RAINS].

The question was taken; and on a division (demanded by Mr. JUDD and Mr. YATES) there were—ayes 54, noes 112.

So the substitute amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Alabama.

The question was taken; and the Chair being in doubt, the Committee divided; and there were—ayes 146, noes 83.

Mr. SPENCE. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. PATMAN and Mr. RAINS.

The Committee again divided; and the tellers reported there were—ayes 174, noes 98.

So the amendment was agreed to.

Mr. WOLCOTT. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. WOLCOTT: Page 25, beginning in line 17, strike out all of titles II and III of the committee amendment and insert in lieu thereof the following:

"TITLE II—MAXIMUM RENTS

"SEC. 201. Subsections (a) and (f) of section 204 of the Housing and Rent Act of 1947, as amended, are each amended by striking out 'March 31, 1949' and inserting in lieu thereof 'June 30, 1949'."

The CHAIRMAN. The gentleman from Michigan [Mr. WOLCOTT] is recognized for 5 minutes in support of his amendment.

Mr. WOLCOTT. Mr. Chairman, this is the amendment about which we have had some discussion in general debate. Its purpose is to continue the existing law without any change until June 30, 1949. You will notice that it does not in any manner amend or otherwise affect title I of the bill which has to do with veterans' preferences; it does however continue existing rent-control authority until June 30, 1949.

In the law as it now exists, and in the proposed bill there is a declaration of policy which I think we should have in mind. We should have in mind that the proposed bill which is before us for consideration does not in any way change the declaration of policy. The declaration of policy in part states:

The Congress therefore declares that it is its purpose to terminate at the earliest practicable date all Federal restrictions on rents on housing accommodations. At the same time the Congress recognizes that an emergency exists and that, for the prevention of inflation and for the achievement of a reasonable stability in the general level of rents during the transition period, as well as the attainment of other salutary objectives of the above-named act, it is necessary for a limited time to impose certain restrictions upon rents charged for rental housing accommodations in defense-rental areas.

That declaration of policy was written 2 years ago, at which time we announced to the country that we believed that rent controls should continue for a short period, and we referred to this period as a transition period; we said that rent controls in this modified form in which it was proposed should continue for the reasons given, among which was the prevention of inflation. Now, you can see how inconsistent it would be if we were to adopt the bill which was reported out of the Committee on Banking and Currency in the light of that policy. We are going through some sort of economic transition period now; we must admit that there are economic changes over which we have little or no control going on at the present time. I called attention in general debate to the fact that the Federal Reserve Board had taken cognizance of a decline in demand for goods in many lines by easing credit requirements. We must take cognizance of the fact that in many lines we have overproduced. The pipe lines are full to overflowing of certain commodities, especially in textiles, in leather, and some machinery. We have not only seen this production effort of ours fill the demand but it has been so great that it has created, even in the face of the high purchasing power and high demand, surpluses which are causing certain cutbacks of production and certain cutbacks in the use of labor.

So, summing all this up, there is a decline in national income, and let me repeat what I said in general debate, it is axiomatic that vacancies in rental properties increase almost proportionately as national income decreases. We do not have to be too old to remember that during these fluctuations how the vacancies of rental property increased and decreased as the economic line fluctuated. Even as late as a few days ago it was reported in the press, and I think he is absolutely correct in recommending it, that the gentleman from Texas [Mr. PATMAN] took cognizance of the fact that investment capital was not coming into the market, that investment capital was being frozen to a certain extent by what he alleged were excessively large margin requirements on stock transactions. As I understand the press reports, he advocates the reduction of marginal requirements from 75 to 50 percent, which is a further recognition of the fact that we

are going through this transition period and we ought to stop, look, and listen to what is happening in America before we continue any of these controls.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. SPENCE. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Michigan [Mr. WOLCOTT].

Mr. Chairman, let us not deceive ourselves. This is an amendment to kill the bill. It seems many members would not dare kill it by direction but would kill it by indirection. We know the conditions which exist now with reference to housing. We know that housing is not like other commodities. It takes a long time to produce houses. We know today as well as we will know 90 days from now that housing at that time will be inadequate.

What advantage is there in continuing this for 90 days except to cast turmoil and trouble on all the people, landlord and tenant alike. There will be no stability of relationship, we will not know what the result will be and nobody can know the result.

The gentleman from Michigan stated that as national income decreases vacancies increase. Why is it that vacancies decrease when the supply of housing will not meet the demand? It is because the people of America have to double up with their in-laws or live in tents. It has no relation to the supply of houses. That statement of the gentleman clearly indicates what might happen. There might be vacancies if rent control were removed and rents were so high that the majority of the people could not pay them, but it would only mean discomfort and trouble to all people who desire houses at this time. I cannot see any purpose in the world in continuing rent control for only 90 days. Rent control ought to be considered by the committee after adequate hearings, and we ought to know what we are doing. We have held long hearings. We do know the conditions that exist now, and the evidence showed conclusively that housing is entirely inadequate, and that housing, by reason of the very nature of the thing, cannot meet that demand in 90 days or in a year. This is but a measure to kill the bill. Rent control was one of the issues in the last campaign, and this is an issue that is now important to the American people. Is it important that we should have a cohesive Democratic Party which should stand by the principles it advocates? Is it important that we should stand together, as the opponents on the other side of the aisle stand together, or must we be a discordant party affected by factions and discord?

I hope that we will in this vital time, in this great issue that confronts our people, stand together and vote down this amendment which would mean the destruction of all rent control and the betrayal of the pledges that we made to the people in the last election. Let not that happen.

Mr. McCORMACK. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, when I made my remarks earlier in the day, this was one of the amendments that I had particularly in mind. I recognize that there is merit to the amendment offered by the gentleman from Alabama [Mr. RAINS] although I would not have gone as far as that. And, while I voted against that amendment, I want it understood that I did not consider that to be a crippling amendment, and I know the gentleman from Alabama would not offer it from that angle. So, I want to draw clearly the line of demarcation between that amendment and the present one.

I made some remarks earlier today that I feel very strongly about. I thought them out carefully. I sat down last night and I reflected, and I reduced some of my thoughts to writing. Most of you know that I am an extemporaneous talker, and I try to express thoughts that are well developed in my own mind. But, I wanted to be careful about what I said.

This is a crippling amendment to this bill. The gentleman from Michigan admits that there is necessity for extension of rent control by his very amendment, extending it 3 months. That is an admission. Well, if that is so, why should not we, the Democrats, and those on the Republican side who believe in effective rent control, accept the extension of 15 months? Fifteen months is a compromise. The recommendation was 2 years, and this was a compromise, and the reason 15 months was adopted in the committee was to bring it to the end of the fiscal year rather than have the year end in March of next year. That is the reason why 15 months was adopted by the committee, but as a compromise over the 2-year recommendation.

Mr. SADLAK. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Connecticut.

Mr. SADLAK. Does the gentleman deny that there is no growing unemployment in the United States today, and particularly in Connecticut and New England?

Mr. McCORMACK. What does the gentleman mean, do I deny? There is seasonal unemployment, and that happens every year. But, there is no unemployment due to any basic disturbance of our economic system.

Mr. SADLAK. There are over 250,000 unemployed in the New England States. That is not seasonal.

Mr. McCORMACK. We have seasonal unemployment there and throughout the country, and the gentleman from Connecticut knows it just as well as I do.

Is the gentleman in favor of this amendment?

Mr. SADLAK. I know the facts.

Mr. McCORMACK. Is the gentleman in favor of this amendment?

Mr. SADLAK. Yes, I am.

Mr. McCORMACK. All right. We will place this gentleman on record anyway. He comes from Connecticut. That places him on record. One Republican goes on record, anyway. The gentleman has admitted his state of mind.

Mr. Chairman, this is one of the crippling amendments I had in mind when I made my remarks this morning. I hope the amendment will be defeated.

Mr. MONRONEY. Mr. Chairman, I move to strike out the last three words, and ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MONRONEY. Mr. Chairman, I rise in opposition to the Wolcott warm-weather amendment, because, make no mistake about it, when you vote this amendment in the bill you have done the equivalent of striking out the enacting clause, or voting to kill rent control.

I should like to address the Members on my side of the aisle on this matter. I think if we are going to kill rent control, we ought to do it in an honest, above-the-board way, and not do it in such a way that we will try to destroy or hide the evidence.

I do not think we should give the members of the Republican Party the right to do as they did under OPA, kill OPA and then shift the blame to the Democratic Party for its loss. I plead with you today, as we have this amendment up, which, believe me, is destructive and destroys completely all hope of any continuation of rent control, to vote down this amendment. If you must vote against rent control, do it in an honest and forthright way, and stand up and be counted so that the people who are against rent control will know exactly how you stand, and the millions of tenants will also know exactly where you stand.

There is no sense in allowing this 90-day reprieve on the life of rent control unless it is to have warmer weather for people to be dispossessed in, and there is no excuse for continuing the expense of rent control for 90 days if you intend to kill it on June 30.

I have listened very carefully to the remarks of the gentleman from Michigan in general debate and I have listened to him just now.

If he would come out and say in a forthright way that he is against rent control, that he intends for it to expire on June 30, then I believe the members of the Democratic Party who might want to vote with him on this amendment might say there has been a forthright statement that rent control will die on June 30, but I have not been able to detect in his remarks to date on the floor whether he intends to let rent control die on June 30, and that, I think, will be in the RECORD.

Mr. WOLCOTT. Mr. Chairman, will the gentleman yield?

Mr. MONRONEY. I yield to the gentleman to clarify that subject.

Mr. WOLCOTT. I will be very glad to clarify it because the gentleman calls my attention to the fact that I had not made it clear in my statement. I stated that we are in no position today to determine whether we should continue rent control beyond June 30, 1949, because we do not know where we are going to be at the end of this economic-transition period. We will know in the next 90 days whether this depression or recession, or whatever you might call it, is a flash in the pan or whether it is going to be more or less permanent. At that time we can take another look at

rent control to determine whether we want to continue it. If we do continue it, we can write the standards into the law to fit any charges that have taken place in the meantime.

Mr. MONRONEY. I thank the gentleman for those remarks, because they are completely contrary to the published statements of the position of the Republican Party on the extension of rent control, which was that they were out to kill rent control by a 90-day extension.

You Democrats have heard this explanation. You know that if you vote for this amendment that that will be the excuse, that they were extending it for a 90-day look-see period.

Everyone within the sound of my voice knows that to vote for this amendment means to vote to kill rent control and end it forever. I cannot go along on the theory that simply because there has been some slight dropping off of employment and a slight recession in prices that we should throw our hats up in the air and say "Hurrah! there is a depression on the way and we do not need to face up to this hard proposition of extending rent control."

Mr. CHRISTOPHER. Mr. Chairman, will the gentleman yield?

Mr. MONRONEY. I yield.

Mr. CHRISTOPHER. If we are starting in on a depression, then this is the time that we need to continue rent control. The less income a worker has, the less capacity he has to pay high rent.

Mr. MONRONEY. If, as my distinguished colleague the gentleman from Michigan [Mr. WOLCOTT] has said, it is axiomatic that the lower the income drops the less crowded housing conditions become, I wonder how he explains away the fact that our national housing plant in the Nation today was built to accommodate about a $100,000,000,000 income, while today the national income is about $225,000,000,000. I, for one, do not hope to see and do not believe that we will see the national income drop to $100,000,000,000 a year to the point where we will put our population and its income back into a housing plant which was designed to accommodate only $100,000,000,000 a year.

This housing situation will be just as tough in 90 days from now. If you pass up this chance to extend rent control, you are actually killing rent control by this vote, but you are destroying the evidence of the responsibility of those who are guilty of doing the act.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HOFFMAN of Michigan. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, now that we have heard three of the distinguished Members on the other side crack the party whip, permit me to say that I am pretty discouraged about this whole business. I do not think it is quite cricket to tell us that just because this amendment was offered, it is a Republican move to kill rent control. I do not know what the Republican organization wants to do or intends to do. I only know that as one Republican, I have been listening. I have wanted to compromise and go along if I could. I have never been for rent control and I am not for rent control now. But I am willing to try to take a little dose of it out of courtesy to you gentlemen, thinking that you might know more about the subject than I do. I was willing to just go along a little way if I could find some good reason and when some say they are willing to vote to extend it to June 1949, then you say, "Why, that is an underhanded business. You just want to kill the whole thing." That grieves some—that hurts, that is unkind—and I think untrue.

The gentleman from Massachusetts [Mr. MCCORMACK] said that the offering of the amendment by the gentleman from Michigan [Mr. WOLCOTT] was an admission that we must have rent control. Therefore we should take 15 months of it. As I get it, it is the purpose of the gentleman from Michigan [Mr. WOLCOTT] to take a look at it, as he said, and see what happens, where we are in June, and what is going to happen after June next. The gentleman from Massachusetts [Mr. MCCORMACK], in his argument, said if it is a good thing, why not take it for 15 months? Here is one answer: Any Member of the House might be willing to take one little drink of good liquor, but nobody—well not very many—want to take 15. Do you see the point? Even a little of a good thing may be enough to take at one time. When we, on this side, try to compromise you rebuff us and charge us with underhand practices. That is discouraging—very, very discouraging.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. CROOK. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I have been observing this discussion very carefully this afternoon. I have seen an atrocious attempt made, as many of my colleagues have said, to deliberately kill rent control. I listened to the distinguished gentleman from Michigan [Mr. WOLCOTT] as he brought out the reasons why this should be extended for a 90-day period. I was just wondering where the distinguished gentleman got his philosophy. But on reflecting over the past few years, I have found some traces of the Hoover fever that yet prevails.

During Hoover's administration we were peeping around the corner. Yes. Looking for two cars in every garage. What did we get? Two families in every garage. We were looking for a chicken in every pot. What did we get? Not even a pot to cook our beans in.

I happen to be a carpenter by trade myself. How much can you build in 90 days? What can you do in that period? I recall when Franklin D. Roosevelt was first elected they were saying that grass would grow in the streets of New York. You cannot face your constituents in this battle after voting for this 90 days' extension. Your actions will rise to haunt you as sure as you are seated in this august assembly room.

Looking back into my own territory, in the last year we could not even buy a sack of cement to patch a piece of sidewalk or fix a foundation under a house. Why? Because the materials that go into the building of our homes were being purchased by speculators. When you drive through this community and see the great pieces of construction work going on and you look in the papers and see the prices of those homes from fifteen to sixty-five thousand dollars, I can readily see why the common man has not been able to buy a piece of real estate or to build within the reach of his ability to pay.

The people of this Nation will never stand for a discontinuation of this rent control, or allowing this 90-day period, which will allow them to be pushed out under the hot rays of the sun and make them think they are living in the comforts of well supplied homes.

You must not forget what you are doing today. I remind you, lest ye forget. Lest ye forget!

The CHAIRMAN. The time of the gentleman from Indiana [Mr. CROOK] has expired.

Mr. SPENCE. Mr. Chairman, I wonder if we cannot agree on time to conclude the debate on this amendment.

I ask unanimous consent, Mr. Chairman, that all debate on this amendment and amendments thereto close in 20 minutes, the last 5 minutes to be reserved for the Committee.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky [Mr. SPENCE]?

There was no objection.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. FULTON] is recognized for a minute and a half.

Mr. JENSEN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. JENSEN. How much time does this leave for each Member?

The CHAIRMAN. This will give a minute and a half to each Member whose name was called with 5 minutes reserved to the Committee to close the debate.

Mr. JENSEN. Mr. Chairman, I will yield back my time and withdraw my name from the list. This will give more time to the others.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. FULTON] is recognized for 2 minutes.

Mr. FULTON. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, we may as well face the fact that rent control is necessary in the country today. This issue has been a bipartisan one, the Republicans as well as the Democrats voted for instituting rent control because of the necessity in this country. We all admit that as of this moment rent control should be continued because it is necessary. If it be necessary it should not have tenants hanging on to the edge of a 90-day precipice not knowing where they stand.

This issue does not divide the Congress by party, and I was certainly surprised to see such a raft of Democrats vote on the last amendment trying to obtain decontrol. This is a case where it goes by where you live, this goes by the wing of the party you are in. I am very proud that I am in the Republican Party and represent one of the largest industrial areas of the country, the southern part of the city of Pittsburgh, Pa. I represent steelworkers, miners, shipbuilders, and

white-collar people who work in heavy industry. We in Pittsburgh know that rent control is needed; we know that we need not less rent control and more evictions, but more and better housing, and we need the time to do it.

On the proposition that this problem should be returned to the States in 90 days, everybody in this House knows that 90 days is not time enough within which 48 States can make separate provisions to deal with the situation in the various States. They will have to make surveys to find what is the real housing need, and they cannot do that within such a short period. Therefore, as a Republican, I am going to support this proposed extension of rent control.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

The gentleman from New York [Mr. McGRATH] is recognized for 2 minutes.

Mr. McGRATH. Mr. Chairman, I thought that, being a first-year Member, I would be absolutely silent for the first year, but I recognize that this problem is so important that one must not be silent.

Mr. Chairman, I sat upon the bench of the City of New York for 13 years, and in the last six passed upon nothing but cases involving landlord and tenant problems, ex contractu and tort actions were forgotten. We turned our court into a welfare court.

There is no answer to this housing problem except more housing. This rent control bill is merely an effort to hold things in abeyance until more houses are constructed. The adoption of this amendment would destroy rent control. The whole housing problem is not a political one but it is an economic one and a moral one. I have heard people say in court: "We cannot have a family; we have no place in which to live." If you are going to say to those people already doubled up with other families, that they will have to go on the streets to live, then instead of having it said that grass will grow in the streets of New York, we shall see clothing and household effects piled up on our streets.

If you adopt this ninety-day amendment you destroy effectively and you destroy in toto the protection that you are giving now to the people of our city. I ask you to approach this problem not as Democrats—and I do not speak here, Mr. Chairman, as a Democrat—this is a problem that strikes at the heart of every home; and when you strike at the home you strike at the family, and the family according to my philosophy is the basic unit of all civilization.

I hope the amendment will be defeated.

The CHAIRMAN. The Chair recognizes the gentleman from Oklahoma [Mr. MORRIS].

Mr. MORRIS. Mr. Chairman, each of us has a right to his opinion and I express mine at this opportunity for what, if anything, it might be worth. I believe we ought to vote down this amendment. I intend to vote against the entire bill unless a certain amendment is adopted which will permit local units and the States to decontrol. I voted against Federal rent control in the last Congress. I think that if rent control is now justified at all it ought to be at the State level and not at the national level. However, I believe an amendment will be adopted, I hope it will be, to pretty well accomplish that particular purpose.

If that amendment is adopted I believe that I can vote for the bill. If it is not, I think I will vote against it. That is my present thought.

All of us, every one of us, ought to have courage in this House and we ought to welcome the proposition of going on record as to our positions. I do not think we ought to try to kill this bill by indirection or by any other than a direct method. We ought to stand up here and vote against the bill if we are disposed to vote against it, and conscientiously think we ought to vote against it, instead of voting for an amendment here which would have the effect of killing the bill by an indirect method.

I do not impugn the motives of the author of this amendment. I suppose he is as good a man as I am. I do not impugn the motives of any one or any group, but I think to adopt this amendment would be bad legislation and I do not think we ought to accept it. As I say, I do not challenge anyone's motives, yet I think it would be bad legislation to adopt it.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. JAVITS].

Mr. JAVITS. Mr. Chairman, we are told that a democracy has within itself the seeds for its own destruction. We are told that when the liberties it cherishes and protects are permitted to become license, the exercise of those liberties themselves at such a time can destroy democracy. We have in the particular amendment before us an illustration of that situation.

We know there is a national emergency in connection with the shortage of housing accommodations and therefore in connection with rents. If we have not within our democracy the organic strength and the organic flexibility to deal with that emergency, and to deal with it without fear, knowing we are not going to sacrifice our essential liberties in the process, indeed the foundations of American freedom are in danger.

I believe the pending amendment must be defeated and it must be defeated on this very clear ground: Either the House wants rent control or it does not. Possible changes in economic conditions in 3 months have little to do with it. It is housing conditions and the housing shortage we are talking about here. If the committee wants to give this power of rent control back to the States and municipalities, a course with which I disagree, then face it firmly. But let us not make a mockery of our democracy and the democratic process by saying we are doing one thing—continuing rent control—and doing at the same time another—ending rent control.

I believe that the pending amendment should be defeated.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. BUCHANAN].

Mr. BUCHANAN. Mr. Chairman, the Committee on Banking and Currency for more than 4 weeks very carefully took a look at the rent situation in this Nation. We had under consideration a bill to extend rent control for 2 years. We felt that the period of 2 years was too long, that it did not bring the termination date as of the close of a fiscal year; therefore I personally in committee offered the amendment to curtail the time to 15 months, which amendment was adopted by the committee.

We did it for a dual purpose: First, to take a look at the work of the Housing Expediter in the more than approximately 600 areas under control in the country wherein there have been some very rapid shifts in population over the last 2½ to 3 years. We felt that in some of the rural and small town areas that these areas should have been decontrolled. I must compliment the members of the Committee on Banking and Currency, because when we go behind closed doors in executive session I believe that that committee makes an attempt to analyze and to weigh all factors, and many times we split so far as partisan party lines are concerned.

The committee has been most considerate in recommending an extension of 15 months.

If this amendment is adopted—then just write off any rent control so far as this Congress is concerned.

I ask that it be voted down. This is the test.

The CHAIRMAN. The Chair recognizes the gentleman from Connecticut [Mr. SADLAK].

Mr. SADLAK. Mr. Chairman, I am sure that the membership of the House is familiar with my desire, in connection with the first deficiency appropriation bill, to obtain sufficient funds to be sent back by us to the respective States to provide sufficient funds to hire personnel to handle the growing number of unemployment claims. I want to state now, as I have on previous occasions that I hope that the growing unemployment in the United States will very shortly reach its peak.

I would like to take the facts as they are reported to me, and I have particular reference to my own State of Connecticut. I would like to take the report of the commissioner of labor, who is the responsible authority for keeping his fingers on this situation. He has indicated in an article in the New Haven Evening Register of March 9 that there are now in Connecticut 60,239 claims for idle pay filed in the State. He reports a rise of 180 percent since the job drop began in mid-October. There is no tapering off of this unemployment. It seems to be on the upgrade, and as long as we have that situation I am convinced that we ought to adopt the Wolcott amendment. This procedure will enable us to determine more accurately the action to be taken as we shall then better know the extent of the developments, improbabilities and uncertainties that face us presently due to the serious fluctuation of our economy which is certified by the continued growth of unemployment.

A continuation of the newspaper article from which I read a few moments ago follows:

SIXTY THOUSAND TWO HUNDRED AND THIRTY-NINE CLAIMS FOR IDLE PAY FILED IN STATE—EGAN REPORTS RISE OF 180 PERCENT SINCE JOB DROP BEGAN IN MID-OCTOBER

HARTFORD, March 9.—State Labor Commissioner John J. Egan reported today that claims for unemployment compensation in Connecticut have increased 180 percent since mid-October.

Egan said that idle pay benefits were asked by 60,239 during the week which ended March 5, as compared with 21,485 during the second week of October when the present rise in unemployment started.

During the week which ended February 26, he said, 56,120 persons asked for unemployment compensation.

New claims filed last week totaled 7,909, the labor commissioner added, as compared with 2,649 filed during the same week a year ago.

MANY PLANTS SLACKEN

Lack of work, Egan said, resulted in layoffs of from 100 to 350 in textile, hat, bearings, brass products, machinery, plastics, and electrical products plants.

Lay-offs of from 50 to 100 occurred in chain, silver products and rubber footwear factories for the same reason, he added.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. MULTER].

Mr. MULTER. Mr. Chairman, I am not going to challenge the good faith of the gentleman who offered the amendment, which is not a crippling amendment; it is a destructive amendment. I am going to challenge the good faith of the Republican Party as to whether or not they want rent control extended. The only excuse offered for a 90-day extension is that they may want to look at the situation again in 90 days. Now, do not salve your conscience by the fact that this particular amendment does not apply to title I, which concerns itself with veteran preferences. Title II, which is affected by this amendment, concerns itself with veterans and with everybody in this country, who lives in rented dwelling accommodations.

If you must look at this situation 90 days from now you can do it without this amendment. There are three ways to do it. Everybody must admit there is no excuse for extending this law for 1 day unless we have a housing shortage. If there is a housing shortage today which will warrant us in extending this law, you cannot cure that housing shortage in 90 days. You will cure it only when you create more housing, and you are not going to do it in 90 days.

What are the provisions for looking at this situation 90 days from now if you should extend this law even for 2 years, and all we are asking for in this bill is 15 months?

There are two methods provided in the bill for examining the situation at any time within the 15 months, whether it be 30 days, 60 days, or 90 days from now. Look at the provisions of the bill.

The President by proclamation may say the emergency is ended and bring the law to an end. I know there are those of you here who will not trust the President, but surely you will trust yourselves. The second way to look at the situation is, by at any time offering a bill by which this House will act concurrently with the Senate and declare that the emergency is ended, and thus bring the controls to an end.

If you do not trust yourselves, maybe you will trust the United States Supreme Court. Anybody at any time from today on, even under the existing law as well as under the law that we will pass if we pass this bill, can go to the Court and adduce facts showing that there is no emergency, there is no housing shortage, and the Court, perforce, will be compelled to say that the emergency no longer exists as a matter of fact and, therefore, as a matter of law controls must end.

I have before me the decision of the United States Supreme Court in Brown against Feldman, reported in volume 256. There are any number of other decisions to the same effect by the Supreme Court, and this principle of law cannot be gainsaid:

If the prediction—

That is what we are doing now, we are predicting that this emergency will continue—

If the prediction does not square with the facts as they develop in the future, the courts can grant relief even if the legislature should neglect to do so.

That is the law of this land. You can do your looking now and give us this extension now. If you give us a 90-day extension instead of the 15 months extension you are hiding under a bushel. If you really want a test on this and dare to record yourselves, then I challenge the Republican Party to offer this amendment for a 90-day extension by way of a motion to recommit, and let us have a roll call on it. We will then see if you have the courage to kill this bill with a 90-day extension. This bill should be extended for 15 months. Give us a chance to perfect this bill now on the floor, and then offer your 90-day amendment on a motion to recommit, and be recorded, if you dare.

Mr. Chairman, I trust the amendment will be defeated.

Mr. MONRONEY. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MONRONEY. Mr. Chairman, if the Wolcott amendment is adopted, the bill will be considered as having been read and no further amendments will be in order to the bill, including the Brown amendment; is that true? The Committee will then rise?

The CHAIRMAN. The gentleman from Georgia [Mr. BROWN] has not offered an amendment, and the Chair is not advised as to the place at which it would apply. However, the Chair may answer the inquiry of the gentleman by pointing out that the Wolcott amendment strikes out both titles II and III and, therefore, if it is adopted, no amendments which would apply to titles II and III of the bill would be in order, because those titles would be stricken out.

The Chair may say also that this is in the nature of a substitute, and amendments perfecting the language of the bill can be offered now, but if this amendment is adopted no amendments will be in order because titles II and III will be stricken.

Mr. MONRONEY. Further, Mr. Chairman, time for debate on this amendment has expired, so even though the Brown amendment were offered at this time no debate would be allowed on it?

The CHAIRMAN. The unanimous-consent request that was granted applied only to this amendment.

The question is on the amendment offered by the gentleman from Michigan [Mr. WOLCOTT].

The question was taken; and on a division (demanded by Mr. WOLCOTT) there were—ayes 165, noes 161.

Mr. SPENCE. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. BUCHANAN and Mr. WOLCOTT.

The Committee again divided; and the tellers reported that there were—ayes 163, noes 178.

So the amendment was rejected.

The Clerk read as follows:

SEC. 202. Section 203 (b) of the Housing and Rent Act of 1947, as amended, is amended to read as follows:

"(b) On the termination of rent control under this title all records and other data (and the cabinets or containers holding such records and data) used or held in connection with the establishment and maintenance of maximum rents by the Housing Expediter, and all predecessor agencies, shall, on request, be transferred without reimbursement to the proper officials of any State or local subdivision of government that may be charged with the duty of administering a rent-control program in any State or local subdivision of government to which such records and data may be applicable: *Provided, however,* That any such records or data (and the cabinets or containers holding such records or data) shall be so made available subject to recall for use in carrying out the purposes of this title."

Mr. CELLER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, running through this debate one sees a distinct cleavage between the city and the country, between the urban Representatives and the rural area Representatives. This should not be.

There is no such thing as a rural economy unattached to city economy, nor vice versa. No part of the country can live in a vacuum. All parts of the country must be considered as a whole.

There is an emergency beyond question. Every hamlet has it, every village has it, every city has it. It may be that in certain farm areas there is no such thing as a housing emergency, but in order to have a proper economy in this land of ours we must have a balanced economy. One part of the country cannot go forward to the disadvantage of another part of the country. We all share the blessings of this land, we must all strive in sort of a brotherhood to solve the problems that affect the whole country. We all share the country's benefits. Why should we not share the solution of our difficulties? We in the

cities ask the support of those in the interior. The city problems, the question of housing shortage, slum clearance, the difficulty in finding homes for veterans, are problems for all of us and not merely problems for Representatives of the city.

Mr. Chairman, there is no such thing as a natural law of supply and demand with reference to housing units just because there are involved human relationships and when human relationships are involved you cannot have a law of supply and demand applying as you would with shoes, or ships, or sealing wax. There is a great deal of misery and a great deal of suffering because of this dislocation due to lack of housing and rental units. Those who suffer cannot wait until supply catches up with demand. Human suffering cannot wait.

There is no such thing as freedom of contract as to rental units and, therefore, the legislature must step in to create some sort of equality. That is what this bill does. There is no acceleration, and there has been no appreciable acceleration of building rental units for the ordinary wage earner, there has been no real building of apartments, no real building of tenements. Oh, yes, housing and building supplies have been used for the erection of houses, complete units, but most of them unfortunately for us are away beyond the purse of the average wage earner. Most of the homes that have been built were of the expensive type.

Where are the three-, the four-, and the five-family apartments that the average family must have. They do not want an entire house, these wage earners in my district and in yours. They want an honest-to-goodness apartment. My mail contains daily, prayerful, pleading letters anxiously asking for apartments, particularly for the veterans. We are told there are 7,000,000 veteran heads of families in rental units now under control. It would be catastrophic for those veteran heads of families if we decontrolled the units they occupy, as would happen if the amendment that was just voted down had prevailed. Any other similar crippling amendment would have a very disastrous effect upon the fortunes of those veterans.

I fear, and I am sure you fear if you know the facts, there will be great disturbances, particularly in the cities and in the congested areas if there is no rent control. Landlords would have a field day if they were permitted to elevate the rents without hindrance. Decontrol, I want to warn you, carries with it the threat of tenant strikes. Those facing dispossession because of inability to pay more rent or because of inability of finding other quarters would, with aid of neighbors, barricade themselves in their apartments. City marshals armed with writs of dispossession would be sorely put to it. The tenants sought to be ousted would fight to keep roof over the heads of their families, their dear ones.

In congested areas in cities like New York, Philadelphia, Chicago, and the like the situation might be freighted with much danger. Why court that danger?

I deprecate violence. I would punish violence, but I would deeply sympathize with those whose homes would be taken, whose hearths would be invaded so ruthlessly.

And I assure you many thousands would suffer—suffer immeasurably—if this bill fails or if it be emasculated by amendments.

We must therefore do all we can to prevent the causes of violence or threatened violence.

Defeat of this bill would be catastrophic. Removal of rent control is unthinkable.

Agitators and demagogs would relish decontrol. They thrive upon the discord and disorder and violence decontrol would usher in.

The bill as presented is fair and equitable. Landlords are not compelled to operate at a loss. There are hardship clauses that would rescue landlords suffering losses.

The bill is just to tenant and landlord—to the landlord there is security of occupancy while to the tenant there is provision of adjustment of maximum rents if found unjust.

There is continuation of local rent advisory boards to recommend increases under fair conditions with the approval of the Expediter. There are provisions for elimination of hardships and inequities.

I shall oppose the so-called Brown amendment for fair and reasonable return upon fair and reasonable investment. Such amendment sounds proper but it would be most upsetting. Under the formula there would spring up millions of proceedings to revamp and readjust rentals. Confusion would result. The present formula is adequate. No landlord under the present formula of rent adjustment has gone into bankruptcy. Under the Brown amendment much chicanery and deceit are possible. Clever lawyers and accountants could present figures in such a way as to greatly enrich the landlord at the expense of and misery of the tenant. If the Brown amendment prevails it must be voted down.

Finally I quote from the committee report:

The Housing Expediter testified that there appears to be a growing black market in overceiling rents. He cited a study which the Bureau of Labor Statistics recently made at his request, of a comparison of actual rents and legal rents in Philadelphia, Pa. An overceiling rent was found for one out of every four units compared. The average overcharge was 34 percent above the legal rent. The actual rents were those reported in the Bureau's regular November 1948 survey. These rents in this representative sample were compared by the Bureau of Labor Statistics with maximum legal rents on record in the area rent office of the Housing Expediter. A similar study made by the Bureau of Labor Statistics in March 1946 showed overcharges for less than 1 out of every 12 units compared.

The committee believes that to have effective Federal rent control it is necessary to have strong eviction controls and adequate enforcement sanctions in the office charged with the administration of the law.

While the present law permits tenants to bring suits for overcharges and to defend themselves in local courts against illegal evictions, the facts are that these provisions have proven totally inadequate to secure reasonable compliance with the law. It is evident that tenants are paying overcharges without resort to court actions. Tenants are reluctant to report violations to area rent offices because of their fear of eviction. Despite widespread violations, the number of tenants' complaints filed and compliance actions started under the 1947 and 1948 acts is far less than the corresponding figures for the previous 12 months. Thus, the average number of tenants' complaints filed each month since July 1, 1947, was 34,000 as compared with a monthly average of 52,000 during the preceding 12 months. Similarly, the number of compliance actions averaged 17,600 per month since July 1, 1947, as compared with a monthly average of 49,300 during the preceding year. In surveys of military establishments, where violations were definitely established in interviews, 55 percent of the tenants refused to file a complaint and 60 percent of these gave fear of eviction as the reason. This is also the principal explanation given by tenants who refuse to supply area rent offices with evidence upon which action could be taken. The record reflects that many tenants have acceded to landlords' demands because of eviction fears. Given the alternative of paying black-market rents or being evicted, tenants choose to pay the overcharge without complaint. In some instances, of course, such fears may well be unfounded because the tenant could have successfully defended himself against illegal eviction in the local courts. Nevertheless, many tenants will not run this risk. In other words, the present system just has not worked. The result is a gradual break of the legal ceiling. The committee amendment would give the Housing Expediter authority to issue regulations governing the eviction of tenants from controlled housing accommodations. This will permit uniformity in the operation of eviction provisions. Such is not the case under existing law, and the variation between local courts in applying the provisions of the present law result in actions that are discriminatory as between tenants in different local court jurisdictions. As long as rent control is a national problem, the application of restrictions on evictions should be the same in every locality.

Existing law gives a tenant the right to sue for treble damages for rent overcharges in excess of the maximum rent within 1 year after the date of such violation. Provision would be made in the committee amendment that if the tenant fails to institute such action within 30 days from the occurrence of the violation, the United States may institute such action and thereafter the tenant would be barred from bringing an action for the same violation. The committee believes that such right to the United States in connection with suits on rent overcharges will be an effective deterrent to the growing black market in overceiling rents.

Mr. COLE of Kansas. Mr. Chairman, I ask unanimous consent that the committee may return to the consideration of section 201.

Mr. SPENCE. I object, Mr. Chairman.

Mr. WOLCOTT. Will the gentleman reserve his right to object for a moment?

Mr. SPENCE. I will.

Mr. WOLCOTT. We want to get along here just as rapidly as we can. The gentleman will have to admit that immediately after the teller vote there was a great deal of confusion. The gentleman from Kansas had been sitting here and had his amendment all prepared to offer to section 201 and the Clerk started reading section 202 before the confusion had subsided sufficiently so that the gentleman understood that he had not finished section 201. I wish the gentleman would not object to it. That is a very fair request.

Mr. LESINSKI. I object, Mr. Chairman.

Mr. WOLCOTT. I might say to the gentleman, if that is the way we are going to operate here this afternoon, that from now on it will be in accordance with the rules of the House strictly.

Mrs. DOUGLAS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mrs. DOUGLAS: On page 26, line 12, strike out beginning with the comma down through the word "further" in line 22, and insert——

Mr. COLE of Kansas. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. COLE of Kansas. We have passed page 26, line 12.

The CHAIRMAN. The point of order is well taken. The amendment applies to section 201.

The Clerk will read.

The Clerk read as follows:

SEC. 203. (a) Section 204 (a) of the Housing and Rent Act of 1947, as amended, is amended by striking out "March 31, 1949" and inserting in lieu thereof "June 30, 1950."

(b) Section 204 (b) of such act, as amended, is amended to read as follows:

"(b) (1) Subject to the provisions of paragraphs (2) and (3) of this subsection, during the period beginning on the effective date of this title and ending on the date this title ceases to be in effect, no person shall demand, accept, or receive any rent for the use or occupancy of any controlled housing accommodations greater than the maximum rent established under the authority of the Emergency Price Control Act of 1942, as amended, and in effect with respect thereto on June 30, 1947: *Provided, however,* That the Housing Expediter shall, by regulation or order, make such individual and general adjustments in such maximum rents in any defense-rental area or any portion thereof, or with respect to any housing accommodations or any class of housing accommodations within any such area or any portion thereof, as may be necessary to remove hardships or to correct other inequities, or further to carry out the purposes and provisions of this title. In the making of adjustments to remove hardships, due weight shall be given to the question as to whether or not the landlord is suffering a loss in the operation of the housing accommodations.

"(2) In any case in which a valid written lease with respect to any housing accommodations was entered into and filed in accordance with the provisions of this subsection (b) as then in effect, and such lease was in effect on the effective date of the Housing and Rent Act of 1949, such housing accommodations shall be subject to the provisions of this title and, until such lease is terminated or expires, the maximum rent for said accommodations shall be the rent set forth in said lease.

"(3) In any case in which a valid written lease with respect to any housing accommodations was entered into and filed in accordance with the provisions of this subsection (b) as then in effect, and such lease has heretofore terminated or expired or hereafter terminates or expires, such housing accommodations shall be subject to the provisions of this title and the maximum rent for said accommodations shall be the rent set forth in said lease, plus or minus applicable individual adjustments: *Provided, however,* That if such housing accommodations are in a defense-rental area in which a general increase in maximum rents has been or is hereafter granted, the maximum rent shall be said lease rent plus or minus applicable individual adjustments, or the maximum rent in the absence of a lease, whichever is higher.

"(4) If a lease entered into under this subsection has heretofore terminated or hereafter terminates, prior to the expiration date of such lease, the landlord shall file with the Housing Expediter a report of the termination of such lease, unless a report of such termination was filed with the Housing Expediter prior to the effective date of the Housing and Rent Act of 1949. Such report shall be filed within 15 days after the date of such termination or 15 days after the effective date of the Housing and Rent Act of 1949, whichever is the later date.

"(5) In order to help assure fair adjustments for tenants and small landlords the Housing Expediter is authorized and directed to designate for every defense-rental area an officer whose function shall be to assist tenants and small landlords by—

"(A) informing them concerning the conditions under which rent adjustments may be obtained;

"(B) helping in the preparation of applications for rent adjustments; and

"(C) providing them with such other information and services as may be necessary and appropriate."

(c) (1) Section 204 (e) (2) of such act, as amended, is amended by striking out the word "and" immediately preceding the words "stenographic assistance" and inserting a comma in lieu thereof and by inserting, immediately following the words "stenographic assistance", the following: "and reporting services for public hearings (including attendance fees)."

(2) Section 204 (e) (3) of such act, as amended, is amended by adding to the end thereof the following new sentence: "If the Housing Expediter disapproves any recommendation of a local board he shall promptly notify the local board in writing of such disapproval."

(3) Section 204 (e) (4) (A) of such act, as amended, is amended by striking out "interpleader" and inserting in lieu thereof "pleadings."

(d) The paragraph immediately following section 204 (e) (4) (E) of the Housing and Rent Act of 1947, as amended, is amended to read as follows:

"If the Housing Expediter, within 30 days after the date of his receipt of such recommendation, either disapproves or fails to approve such recommendation, the local board may file a complaint with the Emergency Court of Appeals. Such complaint shall be filed within 30 days after the date on which the Housing Expediter notifies the local board of his disapproval, or the date of the expiration of such 30-day period, as the case may be. The clerk of the Emergency Court of Appeals shall notify the Housing Expediter in writing of the filing of any such complaint promptly after it has been so filed. Within 15 days after the receipt of such notice by the Housing Expediter, the Housing Expediter shall file such recommendation in the Emergency Court of Appeals, together with the record and statement of findings of the local board and such statement as the Housing Expediter may desire to make as to his views on the matter. The statement of the Housing Expediter may be accompanied by such supporting information as the Housing Expediter deems appropriate. Thereupon, the Emergency Court of Appeals shall have jurisdiction to enter, within 60 days after the date of its receipt of such recommendation from the Housing Expediter (or within such additional period of not more than 30 days as the court may find necessary in exceptional cases), an order approving or disapproving the recommendation of the local board. The recommendation, record, and statement of findings of the local board, together with the statement and supporting information filed by the Housing Expediter, shall constitute the record before the court. If the court determines that the recommendation is not in accordance with law, or that the evidence in the record before the court, including such additional evidence as may be adduced before the court, is not of sufficient weight to justify such recommendation, the court shall enter an order disapproving such recommendation; otherwise it shall enter an order approving such recommendation. The judgment and decree of the court shall be final. The powers heretofore granted by law to the Emergency Court of Appeals are hereby continued for purposes of exercise of the jurisdiction granted by this subsection. The court shall prescribe rules governing its procedure in such manner as to expedite the determination of cases of which it has jurisdiction, under this paragraph. The Housing Expediter, the local board, and representatives of the State or States involved shall be granted, to the extent determined by the court, an opportunity to be heard, by pleadings or otherwise, with right to be represented by counsel."

(e) (1) The proviso contained in section 204 (e) (5) (A) of such act, as amended, is amended by striking out "provisions of section 209" and inserting in lieu thereof "regulations and orders with respect to practices relating to the recovery of possession of housing accommodations issued under section 209."

(2) The first sentence of section 204 (e) (6) of such act, as amended, is amended by inserting a period immediately after the word "subsection" and by striking out the remainder of the sentence.

(f) Section 204 (f) of such act, as amended, is amended to read as follows:

"(f) The provisions of this title shall cease to be in effect at the close of June 30, 1950, or upon the date of a proclamation by the President or upon the date specified in a concurrent resolution by the two Houses of the Congress declaring that the further continuance of the authority granted by this act is not necessary because of the existence of an emergency, whichever date is the earlier; except that as to offenses committed, or rights or liabilities incurred, prior to such termination date, the provisions of this act and such regulations, orders, and requirements shall be treated as still remaining in force for the purpose of sustaining any proper suit, action, or prosecution with respect to any such right, liability, or offense."

(g) Section 204 of such act, as amended, is amended by adding at the end thereof the following new subsections:

"(h) For controlled housing accommodations which were not included within the definition of 'controlled housing accommodations' as such definition read prior to the effective date of the Housing and Rent Act of 1949, the maximum rent shall be the maximum rent last in effect for such housing accommodations under Federal rent control, plus or minus applicable adjustments; or, if no maximum rent was ever in effect for such housing accommodations, the maximum rent shall be the rent generally prevailing in the defense-rental area for comparable controlled housing accommodations within such area, plus or minus applicable adjustments.

"(i) Whenever in the judgment of the Housing Expediter such action is necessary or proper in order to effectuate the purposes of this title, he may by regulation or order establish maximum rents for any or all controlled housing accommodations in any defense-rental area, notwithstanding any administrative decontrol action taken since June 30, 1947, or hereafter taken, under this title: *Provided, however,* That he may not establish maximum rents for any housing accommodations in the case of which maximum rents have been heretofore or are hereafter removed as the result of approval by the Emergency Court of Appeals of a recommen-

dation of a local advisory board. In the case of housing accommodations for which a maximum rent is established pursuant to this subsection, the maximum rent shall be the maximum rent last in effect for such housing accommodations under Federal rent control, plus or minus applicable adjustments; or, if no maximum rent was ever in effect for such housing accommodations, the maximum rent shall be the rent generally prevailing in the defense-rental area for comparable controlled housing accommodations within such area, plus or minus applicable adjustments."

Mr. CASE of South Dakota (interrupting the reading of the bill). Mr. Chairman, I ask unanimous consent that section 201 may be returned to with permission to the gentlewoman from California [Mrs. DOUGLAS] to offer her amendment, and with permission to the gentleman from Kansas [Mr. COLE] to offer his amendment.

Mr. GREEN. I object, Mr. Chairman.

Mr. LESINSKI. I object, Mr. Chairman.

Mr. DOLLINGER. Mr. Chairman, I ask for consideration of an amendment which has been up at the desk.

The Clerk read as follows:

Amendment offered by Mr. DOLLINGER: On page 26, strike out——

The CHAIRMAN. We have passed section 201. We are now considering section 202.

Mr. DOLLINGER. This is to section 202, Mr. Chairman.

The CHAIRMAN. The Chair will state to the gentleman that section 202 begins on line 9, page 27. The gentleman is evidently confusing a subsection on line 5, page 26.

Mr. DOLLINGER. Mr. Chairman, that amendment has been on the desk, and I had asked for the floor, but the Chair recognized another Member.

The CHAIRMAN. The Chair will state to the gentleman the fact that an amendment has been on the desk gives no parliamentary recognition at all. The gentleman may only offer an amendment when he is recognized to do so.

Mr. NICHOLSON. Mr. Chairman, I ask unanimous consent to allow the member of the committee to present his amendment.

Mr. WOLCOTT. Mr. Chairman, reserving the right to object——

Mr. KELLEY. I object.

The CHAIRMAN. Objection is heard.

Mr. MARTIN of Massachusetts. Mr. Chairman, I did not hear anybody objecting.

Mr. WOLCOTT. I do not want the RECORD to show I objected, Mr. Chairman, because I reserved the right to object.

Mr. KELLEY. I object, Mr. Chairman.

Mr. GAMBLE. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. GAMBLE. Where will the Clerk begin to read when he reads?

The CHAIRMAN. When the Clerk begins to read he will begin to read section 203, page 27, line 25.

Mr. GAMBLE. I thank the Chairman.

Mr. BROWN of Georgia. Mr. Chairman, I offer an amendment, which is at the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. BROWN of Georgia: Page 28, line 22, strike out beginning with the word "In" down through the period in line 25, and insert the following sentences: "In making and recommending individual and general adjustments to remove hardships or to correct other inequities, the Housing Expediter and the local boards shall observe the principle of maintaining maximum rents for controlled-housing accommodations, so far as is practicable, at levels which will yield to landlords a reasonable return (but not in excess of a reasonable return) on the reasonable value of such housing accommodations. In determining whether the maximum rent for controlled-housing accommodations yields a reasonable return on the reasonable value of such housing accommodations, due consideration shall be given to the following, among other relevant factors: (A) Increases in property taxes, (B) unavoidable increases in operating and maintenance expenses, (C) major capital improvement of the housing accommodations as distinguished from ordinary repair, replacement, and maintenance, (D) increases or decreases in living space, services, furniture, furnishings, or equipment, and (E) substantial deterioration of the housing accommodations, other than ordinary wear and tear, or failure to perform ordinary repair, replacement, or maintenance."

Mr. BROWN of Georgia. Mr. Chairman, as I said yesterday, in the large cities of this country there is still some need for rent control. Rent control is to protect tenants from that class of landlords who are selfish. We must protect the other 90 percent of landlords who are not selfish.

I have endeavored by this amendment to give equal rights to tenants and landlords—to protect both. If my amendment is adopted, the landlords of this country are entitled, under the law, to a reasonable return on the reasonable value of their property.

This is just one more factor added to the hardship cases. Under the present law the Expediter has given in many cases only enough for the landlords to come out about even, without any return on their investment.

Mr. CARROLL. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Georgia. I yield.

Mr. CARROLL. I appreciate how hard the gentleman has worked on this to try to bring out an equitable solution of this problem of hardship and inequity which confronts the landlords. However, is it not true that there is ample evidence before your committee that as a result of the lack of staff, the administration of the rent-control program was brought into sharp criticism? I am wondering, under your standards, assuming that your amendment is passed by this body, I am wondering what action will be taken by the Congress to implement the staffs so that they can make a proper estimate of reasonable return upon reasonable value. I think it is a very important question as to what this Congress is going to do to give them a proper staff.

Mr. BROWN of Georgia. I will promise the distinguished gentleman from Colorado that at every avenue, at every turn, I am going to do my utmost to get a fair return for the landlords and the tenants of this country, but not more than that so there will be no hardship on tenants or landlords. That is what I am trying to do.

Mr. SPENCE. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Georgia. I yield to the gentleman from Kentucky.

Mr. SPENCE. I may say that personally I am not opposed to the gentleman's amendment, and I am confident that a majority of the Committee on Banking and Currency are not opposed to the gentleman's amendment.

Mr. O'BRIEN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Georgia. I yield.

Mr. O'BRIEN of Michigan. In place of the phrases "reasonable return" and "reasonable value" would the gentleman be willing to substitute the phrase "just and reasonable rent"?

Mr. BROWN of Georgia. No; I am sorry I cannot consent to it. There has been but one change made in this amendment and that was to change the phrase "fair return" to "reasonable return" at the request of one of the attorneys who studied the bill and thought perhaps that would be better; but personally I see no difference between "reasonable return" and "fair return," because to be fair it has to be reasonable.

Mr. JAVITS. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Georgia. I yield.

Mr. JAVITS. I ask unanimous consent, Mr. Chairman, that the gentleman may have five additional minutes and then ask the gentleman if he will yield to me.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

Mr. WOLCOTT. Mr. Chairman, I object.

Mr. JAVITS. Mr. Chairman, will the gentleman yield briefly?

Mr. BROWN of Georgia. I yield.

Mr. JAVITS. I understand by reading the testimony that the Expediter says he has the power now to include in his regulations the very thing the gentleman wishes to include. Will the gentleman, then, explain to the Committee why he desires to spell it out specifically?

Mr. BROWN of Georgia. I think the best evidence is the Expediter's own words. His testimony appears at page 93.

This is a part of the statement of Mr. Woods, the Housing Expediter:

Mr. WOODS. In discussing certain points raised yesterday about rent adjustments, which take into account the financial position of landlords, I neglected to make absolutely clear the distinction between the three different types of adjustments which were discussed.

I have written a statement on these and should like to read it so that there may be no misunderstanding.

The first type of adjustment is for financial hardship. The second type is for operating loss. The third is for fair return on fair value.

The first two types, hardship and operating loss, are now in our regulation. We have not been able to place the third, fair return, in our regulation because we have found no equitable and practicable method for such a provision.

Mr. Woods and everybody else realizes that you cannot justify this rent control bill without a reasonable return to the landlord based on reasonable value of his property.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. BROWN of Georgia. Mr. Chairman, I ask unanimous consent that I may proceed for five additional minutes.

Mr. COLE of Kansas. Mr. Chairman, reserving the right to object, in deference to my good friend from Georgia I will not press my objection this time, although I will say that I have not been treated too well by some of his colleagues.

Mr. BROWN of Georgia. In deference to my friend I may say that I think everybody understands this amendment.

Mr. WOLCOTT. Mr. Chairman, reserving the right to object, I think, under the circumstances, it would not be fair and in keeping with precedents which have been established here this afternoon in the last half hour, much as all of us respect the gentleman from Georgia and respect his position in this matter, to grant a request for continuing his time beyond the 5-minute period. The courtesy was not even shown a member of this Committee on the Minority side to offer an amendment in good faith to this bill, and I made a statement at that time that if that was the way we were going to operate here then we would operate in accordance with the rules of the House, and the rules of the House give a Member offering an amendment 5 minutes to debate it. For that reason I will have to object until there is some arrangement worked out whereby we may discuss the bill.

The CHAIRMAN. Objection is heard.

Mr. BROWN of Georgia. I have covered the principal point of the amendment, anyway.

Mr. HAYS of Arkansas. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I shall be pleased to yield to the gentleman from Georgia since he has worked so arduously on this amendment and I feel that the House is entitled to the benefit of his knowledge on the subject.

Mr. BROWN of Georgia. Mr. Chairman, will the gentleman yield?

Mr. HAYS of Arkansas. I shall be pleased to yield, but first I wish to say that I was happy to hear the gentleman from Kentucky, the chairman of our committee, state that he had no objection to its inclusion in the bill. I hope very much that the amendment will be adopted; I think it does strengthen the bill.

Mr. Chairman, I yield to the gentleman from Georgia.

Mr. BROWN of Georgia. I introduced this amendment in the committee on the first day of the executive session. Every member had a copy of it, the Expediter knew what it was, everybody knew what it was. During the hearing I told them in substance what I was going to introduce. Everybody agreed that there should be a reasonable return to the landlords on a reasonable value. Nobody has offered anything else.

The only objection has been that the Expediter said he agreed with the principle of my amendment but that it might be difficult to enforce. That is the reason some of the members voted against the amendment, as I understand now.

Later on I had a talk with the attorney for the Expediter and I said, "Do you realize that we cannot have any rent-control law unless it is during war or an emergency and that emergency must be set out in the bill?" That is what we have done. You cannot enforce this law unless we declare in the bill there is an emergency. If the amendment is adopted the courts will uphold this amendment and certain other provisions of the bill in peacetime which they could not do unless the bill contained the emergency clause. The attorney for the Expediter told me, "From that viewpoint, I will have to agree with you. It will be legal and we can enforce it."

After this statement many members of the committee stated they did not understand it, but if it could be enforced they wanted to support it. I think we have found the main remedy to correct the injustice. The amendment may not be perfect but I think it is helpful and it is the only remedy offered that will improve the bill if it is adopted.

Mr. HAYS of Arkansas. I agree with the gentleman from Georgia. I am not sure how the political cards would fall in this case. It is rather difficult for me to appear in support of rent control and plead for its extension for a 15-month period. Many of my people have felt its restrictions strongly and have resented them. I have been rather sympathetic with many of the complaints that have come out of my district. As a matter of fact, the rural areas generally, as has been suggested, do not have an immediate stake in the extension of rent control, but I came to the conclusion after hearing the testimony before our committee that it would be disastrous not only to the metropolitan areas for controls to be lifted at this time but because of the repercussions in our economy generally. It would be disastrous ultimately to the rural areas. Surely by this time we are convinced that our economic life is all bound up together.

I was very much impressed, as I am sure the members of the committee were, with the statements of Mr. Russell, for example, who appeared on behalf of property owners of New York City. He agreed under questioning that some controls are necessary and should be extended.

The committee has not done a perfect job, but we have greatly improved the legislation in the light of our experience. If we can have a 15-month control with the improvements that have been made in the committee bill and by the inclusion of the Brown amendment, to which no one should object, I believe the administration of rent control will be much more satisfactory in the remaining period. We must live with it for a little while longer. My conscience does not rest when I think of the results of abruptly ending OPA. It was unfair to let rental property owners' costs go up and not give them some relief. But we had to make that decision and the Congress made it. Now we have another one to make and it is like a decision of General Eisenhower in choosing between regiments as to which to send into battle. It meant casualties in either event.

At this stage, recognizing that the emergency is still on, it is necessary for us to have for a limited period some rent controls. I agree that we cannot live with them forever. We cannot limit the income of one group nor control rigidly one area of the economy for an indefinite period and leave the rest of our economy uncontrolled. I am sure of that, but the thought comes to my mind that it was the Congress not the States or the localities which declared that we were involved in war. That was our responsibility, and we must meet our responsibility now by dealing with conditions which the war produced.

The CHAIRMAN. The time of the gentleman from Arkansas has expired.

Mr. WOLCOTT. Mr. Chairman, I offer an amendment to the amendment offered by the gentleman from Georgia [Mr. BROWN].

The Clerk read as follows:

Amendment offered by Mr. WOLCOTT to the Brown of Georgia amendment; Strike out the words "so far as is practicable."

Mr. WOLCOTT. Mr. Chairman, I think we better commune with ourselves and see how serious we are in wanting to give the landlords a reasonable return on fair values. You know that so long as it is left to the discretion of the Expediter they are not going to do anything of the kind. Under existing law the Expediter is mandated in this respect. The law provides:

That the Housing Expediter shall, by regulation or order make such individual and general adjustments in such maximum rents in any defense-rental area or any portion thereof, or with respect to any housing accommodations or any class of housing accommodations within any such area or any portion thereof, as may be necessary to remove hardships or to correct other inequities, or further to carry out the purposes and provisions of this title. In the making of adjustments to remove hardships due weight shall be given to the question as to whether or not the landlord is suffering a loss in the operation of the housing accommodations.

When the Expediter appeared before the committee he admitted that he had not been following that mandate. He, in substance, said that if a landlord was starving to death in 1942, he is no worse off now, and he must continue to starve to death. I refer you to the language on page 488 of the hearings. You can see for yourselves how the Expediter has defied the mandate of Congress to correct inequities and to prevent hardships, and has not taken into consideration costs. So long as it is left to the Expediter to determine whether it is practical or not to do it, this language in the Brown amendment is mere weasel words.

On page 93 of the hearings, after Mr. Woods had reviewed some of their problems, and in speaking on this question of fair return on reasonable value, he said:

We have not been able to place the third (category) fair return, in our regulation because we have found no equitable and practicable method for such a provision.

In other words, he forewarns us that he is going to find that this is imprac-

tical, and he is not going to put it into operation.

The former Rent Administrator, the Governor of Connecticut, appearing before the Senate committee, allegedly had this to say, and it is reported in the paper by a very responsible reporter. We have a right to assume that he is correctly quoted. Mr. Bowles had this to say, and I will quote from the paper: "Trying to fix a reasonable return on the fair value of the landlord's property could only result in administrative chaos."

Now, I think that we better be fair with ourselves; we, at least, should be honest with our constituents, and I know that this amendment right now is thrown out to many of you as bait to induce you to vote for this bill. You are led to believe that if this amendment is adopted you have done something for your landlords. The language appears in substance in existing law, mandating him to do identically the same thing, and it has not been done. Do not write any letters to your constituents telling them that you have voted them a reasonable return on fair value so long as you leave these words in here which leaves it to the discretion of the Administrator to determine whether it is practical or not, because he says it is impracticable. The former Administrator, Governor Bowles, says that it would result in administrative chaos.

I might say that one of the other objections to it was that it was impractical because you have to hire so many people, so many experts on land values to administer the law or to help the administration of the law, that the Committee on Appropriations probably would hesitate to give the amount of money to these appraisers, because of the short continuance of rent control, that would be necessary to do the job. So it is not holding out any hope whatsoever for anybody. Have that in mind when you write your constituents about it.

Mr. DOLLINGER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I am opposed to this amendment, and likewise I am opposed to the substitute amendment because I think the substitute amendment is interposed only for the purpose of crippling rent control. I think both amendments will have that effect.

I had intended to offer an amendment to correct the hardship evil, because hardship cases are granted not as a result of an actual monetary loss but to give to a landlord the right to increase his profits. The landlord can pick his two best years, and if his current profits do not equal that period he will be granted an increase which will allow him the difference. These are emergency times. We must protect the tenant because of the emergency.

First of all I am opposed to this amendment because the enemies of rent control want this amendment to prevail. Suppose we adopt the amendment, what will be a reasonable return? Will the Expediter consider it on the original cost? Will he consider it on replacement value? Will he consider it on the sales price or on the assessed valuation? How will the Expediter fix a reasonable return? Will he consider present business conditions? Will he consider the earning power of the wage earner? Will he decide that a reasonable return in a period of emergency should be less than in normal times? Suppose the Expediter fixed a figure and he was in error, how would we correct it? We do not have the right of court review. Do you not think the tenant in a situation such as this should have the right to go before a court and jury to determine this very important matter?

Now is not the time to pass such legislation. After practically every landlord has applied for relief because of hardship or inequity or has received the so-called 15 percent voluntary increase, and every tenant in the country has in one form or another paid an increase, are we now to determine that because of some other angle or some other hocus-pocus theory we are to pay an additional rent increase on an over-all scale to the extent where the tenant will suffer extreme hardship?

We must realize now that the wage earner is not making as much as he made before. We are in no position to say to him, "You must pay more than you can afford to pay," and take away from him and from his family, out of their very mouths, the food and the other necessities of life. He cannot move from this apartment if the rent is too high. Yes, he can go without food, he can use some substitutes, but there is no substitute for housing. Let me conclude by saying that if we adopt this amendment there will be a backlog in the Administrator's office because every landlord will make an application. Every landlord thinks he is not getting enough. When those applications come before the Administrator, who will pay the cost of administration? Why not use that money for low-cost housing?

Let us be fair about it. You are going to cripple rent control. You know now that rent control is essential. Let us try to build houses and eliminate the shortage. Let us do away with rent controls in proper fashion, but let us not cripple it in this way.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. DOLLINGER. I yield.

Mr. CASE of South Dakota. In view of what the gentleman has said about the impracticability of the proposed amendment, does the gentleman believe that if the House should approve this amendment it would remain in the bill when it goes to the President for signature?

Mr. DOLLINGER. Will it remain in the bill? If the House approves it, how can it get out of the bill?

Mr. CASE of South Dakota. There is another body to be considered; and then there is a possible conference on the bill.

Mr. DOLLINGER. I think we are only responsible for our own body. Let us legislate for our own body. Let us give to the people real, honest-to-goodness legislation and tell them we mean it until this emergency is over.

Mr. MONRONEY. Mr. Chairman, I move to strike out the last three words.

Mr. MONRONEY. Mr. Chairman, I rise in opposition to the Wolcott substitute and in support of the Brown amendment. During the 7 years that we have had rent control under consideration by the Committee on Banking and Currency, I know of no amendment that has been studied as carefully or as long, nor with the diligence that this so-called Brown amendment has been studied. I pay my respects to the distinguished gentleman from Georgia. He has consistently fought to get a good amendment which would be workable and which would help us in Congress to give a mandate to the Housing Expediter that he must adjust these hardship cases and give a reasonable return to the people who own property. When we heard testimony on rent control before our committee we did not hear evidence on the need for extending rent control. That only came up very, very occasionally.

Most of the time in those long sessions, some extending until 11 o'clock at night, was devoted to complaints by the dozens of hardship cases.

The amendment offered by the gentleman from Georgia [Mr. BROWN] strikes at the very heart of the question of adjustment of these hardship cases in a way which I am sure the Housing Expediter now realizes, after careful study, and after only slight modification, that this amendment will direct him to make these reasonable hardship adjustments. For whom?—for the small landlord who, to this good hour, has not been able to be properly represented in securing hardship adjustments.

It gives him a formula to work on which will help us to render this substantial equity which we want to give to the small individual property owner.

I yield to the distinguished author of the amendment.

Mr. BROWN of Georgia. This provision was in the bill when it was introduced. It was in it when it was considered and was voted on by the members of the committee.

Mr. MONRONEY. I thank the gentleman. I think for 7 years the gentleman from Michigan has been approving this provision reading so far as practicable on all hardship adjustment cases and now at this late hour we are being asked to strike it out.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. MONRONEY. I yield.

Mr. McCORMACK. In relation to the remarks made by the gentleman from Michigan [Mr. WOLCOTT], I think that we, who have served with the gentleman from Georgia [Mr. BROWN], know that he is not the type who uses mere weasel words. The gentleman from Georgia [Mr. BROWN] is not the type who throws out bait for votes. I know something about this amendment. I know the amendment has been very carefully worked out. It has a proper place in the bill. I do not think the remarks of the gentleman from Michigan [Mr. WOLCOTT] about weasel words and that the amendment is being offered as bait will have any influence on Members of the House, particularly on the Democratic side.

Mr. MONRONEY. I agree completely with the distinguished majority leader.

Mr. Chairman, if you want to give this relief to those individual cases—bear in mind that the big people are getting it, because they can hire attorneys—there are corps of attorneys taking these cases on contingent fees of 33⅓ percent or 50 percent in the big cities on 1,000-unit apartments and managing to prove their cases under the present hardship provision. The ones who are not getting these adjustments are the little people of America, who own one or two houses. As I say, if you want to give this relief to such people, they are the ones that Mr. Brown's amendment is designed to help.

I firmly believe if you strike out the words "so far as practicable" you make it possible for the courts to strike out the entire Brown amendment and you will therefore be defeating the entire purpose which is to give this reasonable return. The gentleman from Georgia [Mr. BROWN], is seeking to do something which is very important. This amendment is properly drawn and should be included in the bill.

Mr. SPENCE. Mr. Chairman, will the gentleman yield?

Mr. MONRONEY. I yield to the distinguished chairman of the committee.

Mr. SPENCE. It seems to me that the words "so far as practicable" take care of the possibility of human error. It is impossible to attain exact justice. The Supreme Court knows that, and over the facade of the Supreme Court Building is written "Equal Justice Under the Law." That is all that can be attained. If you make it obligatory on the Expediter to attain exact justice and to ascertain a reasonable return on a reasonable value, it would be impossible for him to do so. The provision "so far as practicable" permits him to render justice as far as it is humanly possible to do so.

Mr. MONRONEY. You might have to calculate the value of the house down to the last screw or the last nail if you strike this out. It would nullify exactly what is needed in this bill; that is, adequate hardship adjustment.

Mr. BROWN of Georgia. The most outstanding lawyer that represents Congress, I think, and who knows little and cares less about politics, drew this amendment for me. He knew my idea and suggested the word "practicable," realizing the bill probably would not be workable without it. No one connected with the committee had anything to do with it except myself. The amendment states "a reasonable return but not beyond a reasonable return." He said that without the word "practicable" you might lack 1 cent of giving enough and that might involve endless litigation. Therefore, as he explained, you must have a little discretion for someone.

Mr. MONRONEY. Bear in mind you are dealing with 14,000,000 rents and not just 10 or 12. So you need this language.

The CHAIRMAN. The time of the gentleman from Oklahoma [Mr. MONRONEY], has expired.

Mr. JENNINGS. Mr. Chairman, I entertain the highest esteem for both the distinguished gentleman from Georgia [Mr. BROWN] and for the able gentleman from Michigan [Mr. WOLCOTT].

The gentleman from Georgia [Mr. BROWN] has offered the following amendment to the bill we are now considering:

> In making and recommending individual and general adjustments to remove hardships or to correct other inequities, the Housing Expediter and the local boards shall observe the principle of maintaining maximum rents for controlled-housing accommodations, so far as is practicable, at levels which will yield to landlords a reasonable return (but not in excess of a reasonable return) on the reasonable value of such housing accommodations. In determining whether the maximum rent for controlled-housing accommodations yields a reasonable return on the reasonable value of such housing accommodations, due consideration shall be given to the following, among other relevant factors: (A) Increases in property taxes; (B) unavoidable increases in operating and maintenance expenses; (C) major capital improvement of the housing accommodations as distinguished from ordinary repair, replacement, and maintenance; (D) increases or decreases in living space, services, furniture, furnishings, or equipment; and (E) substantial deterioration of the housing accommodations, other than ordinary wear and tear, or failure to perform ordinary repair, replacement, or maintenance.

The gentleman from Michigan has offered an amendment to strike from the Brown amendment, the words "so far as is practicable."

I favor the Wolcott amendment. Unless Congress puts a legal bridle on Tighe Woods, the Housing Expediter and rent-control dictator, and unless we put a curb bit in his mouth, he will continue to violate the law this Congress writes. During the hearings on this bill Woods served notice on Congress that he has no intention to allow owners of controlled rental property a reasonable rent on their property. I quote his words:

> We have not been able to place the third, fair return, in our regulation because we found no equitable and practicable method for such a provision.

I favor the Wolcott amendment to strike out the provision that Mr. Tighe Woods shall not allow the owner of rented property a reasonable return on the reasonable value of his property, unless he, Woods, finds that it is practicable for him to do so. Woods tells us in advance that he has not allowed and will not allow the owner a reasonable rent on the reasonable value of his property.

If you were about to loan a person $100 and he offered you a note, promising to pay the loan on a given date provided it were practicable for him to do so, you, of course, would not let him have your money on a note like that.

It is a simple and easy thing for any honest man of ordinary intelligence to ascertain the fair and reasonable value of a room, an apartment or a house, and the services furnished by the owner to a renter, and upon the facts to set a reasonable and fair rental value on such property.

To do this is easy if you want to do right. Every lawyer who ever tried a lawsuit knows how to go about proving the reasonable rental value of a room, an apartment, or a house.

If the Brown amendment is amended by the Wolcott amendment, then you will have said to Mr. Tighe Woods, "You must quit robbing Peter to pay Paul; you shall no longer make fish out of one citizen and fowl out of another."

It is of small concern what the Supreme Court may have held during the war in upholding rent control as an emergency war measure. The war ended almost 4 years ago. We are now at peace.

The Federal Government has neither the moral nor the legal right to take the property of one citizen for the use of another. The Government is denied this power by the fifth amendment to the Constitution:

> No person shall be deprived of life, liberty, or property without due process of law; nor shall private property be taken for public use without just compensation.

The founding fathers guarded as jealously the right of a citizen to own, enjoy, and bequeath property as they safeguarded his liberty and his life. They knew that our ancestors were never free until they wrung from their rulers the right to own and enjoy property. When your ancestors and mine first marked out a boundary of land, built upon it a home, claimed it as their own, and their title to it was recognized by their neighbors and by their Government, they began the journey to liberty and civilization. The right to own property is the time-honored badge of a freeman.

There is no such thing as a property right disassociated from a human right. If there were no human beings, there would be no property right. A property right is a human right.

This proposed measure is drawn with devilish cunning and had its origin in the minds of men who hate our free institutions. It is shrewdly drafted and designed to give the Government power over the property of our citizens, and thereby give it power over the lives of our people.

It is violative of the fourth amendment to the Constitution which provides that—

> The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable search and seizure shall not be violated.

The Housing Expediter and dictator set up under this act either himself, or through his minions, may by the power of subpena search, seize and ransack your place of business, your books, papers and effects, and hale you before himself or one of his satellites and may, if he has his will, burden you with a fine of $5,000 and a possible year in jail, all because you have been guilty of the crime of success and incur his ill will.

This measure erects a multitude of new offices and turns loose upon the people swarms of officers to harass our people and eat out their substance.

This is not all. If the tenant neglects or refuses to bring suit against a home owner whose premises he has occupied as a renter for an alleged violation not only of this act but of some rule or regulation promulgated by Mr. Tighe Woods, Woods himself, or one of his satellites at his direction, may sue you, Mr. or Mrs.

Citizen, for triple damages in the courts of the United States.

The act is more Russian than it is American. In Russia, which is a Communist, totalitarian, and police state, the government owns and controls all the houses, all the farms, all the railroads, every form of property, and controls human life from the cradle to the grave. This act is a step toward such a condition in this country.

Be not mistaken; be not deceived; the men back of this measure intend to rivet rent control forever upon the people of this country.

Chester Bowles, former head of the OPA, now Governor of Connecticut, stated publicly this week that we must have rent control from now on and also said that if this measure is not passed there will be riots and bloodshed in this country.

Let me read you a letter written me by a retired fireman of the city of Knoxville, 67 years of age, whose wife is 66, and who are being robbed of the proceeds of their life earnings by the law now administered by Tighe Woods and which is not as vicious as this proposed measure:

KNOXVILLE, TENN.

Hon. JOHN JENNINGS, Jr.,
House of Representatives,
Congress of the United States,
Washington, D. C.

DEAR CONGRESSMAN JENNINGS: I am a retired city fireman, 67 years old and my wife is 66 years old.

During my years of service to the city we have tried to be frugal and have managed to accumulate a small piece of property, located at 909½ Market Street, from which we had hoped to have an income for our old age.

We live at 2219 Highland Avenue, which we also own.

I want to take up with you the matter of the two apartments at 909½ Market Street, which are controlled by the OPA. In this building, there are three apartments, the third being the one which my wife and I occupied until March 2 years ago and which does not come under rent control.

The two apartments are as follows:

One three-room apartment with porch. Bedroom, dining room, and kitchen. These are furnished comfortable, with kitchen furnished with a $289 electric refrigerator (new), gas stove, and dinette equipment.

The two-room apartment (with porch) is similarly furnished.

For the three-room apartment I am allowed $35 per month, and furnish water (cold and hot) and stoker heat.

For the two-room apartment I am allowed $27.50 per month and furnish water (cold and hot) and stoker heat.

When the OPA went into effect coal was $6 per ton. I am now paying $12.75 per ton for the same coal—14 tons for each season for the three apartments.

I have asked for an increase but can get no reply from the local rent-control office.

I understand that the matter of the new rent-control laws will shortly come up before Congress.

With increased costs in maintenance, repairs, taxes, I will appreciate your help not only in my behalf but for every other property owner in the country who is faced with situations which may destroy much that persons may have accumulated for their old age.

Respectfully yours,

E. L. MAPLES.

It is thus seen that these two decent American citizens can obtain from their property, under the present law, only $62.50 per month. The result is that when they have kept up the repairs, furnished these facilities, and paid the taxes, they do not have a dime income left for the support of themselves.

The pretense that this measure will aid the veterans is a delusion and a snare. It freezes the present renters in the property they now occupy to the exclusion of the veterans. It prevents people who otherwise would build new houses from building. There have always been those "who would steal the livery of heaven to serve the Devil in." And the effort made in this measure to use the veteran as a front will not fool anyone.

Not so long ago, a brokenhearted Gold Star Mother of my district called on me and related the heart-breaking abuse to which she had been subjected by the rent-control authorities of the Knoxville area. She put her complaint in affidavit form. Her son, Charles O. Irwin, while a member of the armed forces of the United States, in order to be permitted to go with his outfit, the Nineteenth Engineers, for combat service to Europe, submitted to a major surgical operation. This brave mother was an invalid who had been under the surgeon's knife a half dozen times in order that she might live. This brave boy stated to his mother, "I wish to be worthy of you. If you can undergo a surgical operation I intend to do so."

His operation was successful. He went with his comrades to Italy and was killed in battle in southern Italy on October 11, 1944. His mother purchased a home in Maryville, Tenn., for the sum of $4,500. After having repaired it and decorated it, she rented it for the sum of $40 per month, the rate fixed by the OPA. She purchased it for rental purposes upon the assurance from the OPA that she could rent it for $40 per month. Most of the money with which she purchased this house was money she received from insurance for the death of her son, and money he had sent to her while he was in the Army. The OPA reduced the rent on this property, which she purchased with the blood-soaked money of her hero soldier boy, to $22.50 per month. This was an eight-room house, with two baths, and is located on a paved street in the business district of Maryville, a city of more than 10,000 people.

There should be some precincts in this country too sacred for the foot of a small-bore Federal bureaucrat to enter. Mrs. Irwin, in her anguished statement to me, asked "Where is the liberty for which my boy died—and when will they bring him back to me?"

They can bring back his ashes—they cannot bring him back. But by abusing this invalid mother, they may send her to him sooner than she otherwise would have gone.

Our people are tired of this sort of thing. It is un-American. It is everlastingly wrong. I shall vote against this bill, even though it be amended in the particulars sought by my good friend from Georgia [Mr. BROWN], and my good friend from Michigan [Mr. WOLCOTT]. The statement of Chester Bowles that we must continue rent control from now on in this country, and that if this Congress abolishes it we will have riots and bloodshed, is a slander on the people of this country and the people of Connecticut. Let us amend the bill in the particulars sought by these amendments and then vote it down when it comes up for final passage.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. COX. Mr. Chairman, I move to strike out the paragraph.

The CHAIRMAN. The gentleman from Georgia is recognized.

Mr. COX. Mr. Chairman, in the discussion of this question we ought to be at least intellectually candid. I am going to vote for the Brown amendment with or without the Wolcott amendment. But we fool ourselves if we have even the inkling of a suspicion that there is anything in that amendment that protects the right of the landlord. The amendment, insofar as its promising a sort of protection, justice, or equity to the landlords, is not worth the paper upon which it is written. It seeks to lay down a rule to govern the determination of the question as to what constitutes a fair return, and then immediately by these three words which the Wolcott amendment seeks to eliminate cancels it all out by putting complete discretion in the Expediter.

Let me say, Mr. Chairman, that it is my profound conviction that rent control is an attack upon the spirit of the Constitution, upon the institution of private property and the contractual rights of members of a free society. It does not represent a legitimate political undertaking. It penalizes thrift and frugality. It is unjust. It takes from the citizen that which is his, not for the support of the State, but for the benefit of others who have contributed nothing to its development or creation.

I shall support the Wolcott amendment and I think, and if anything that this Congress might say in the use of language that would be a binding force upon the Expediter, it should be adopted. The law, from its very inception, has been administered in an atmosphere of mean and angry hostility to private ownership. Unless it is so written as to be binding upon the Expediter it will continue to be administered in that sort of manner. I believe that it is well to accept the amendment offered by the gentleman from Michigan [Mr. WOLCOTT] and the amendment offered by the gentleman from Georgia [Mr. BROWN], and when we come to vote on the bill as amended to cast it down. A free society cannot live under this kind of treatment of public questions, and so important a segment of our whole economy, as that with which we deal, should not be frozen into this pattern of state socialism.

Mr. HALLECK. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, with respect to the pending amendment, if it is to mean

anything at all certainly the Wolcott amendment to the amendment offered by the gentleman from Georgia [Mr. BROWN] should be adopted. If we are to put any responsibility on the Administrator to provide for a reasonable return then the language of the statute should say just that because the word "reasonableness" itself admits of a wide area of discretion.

Now, beyond that, a little while ago the very estimable majority leader referred to the matter of bait for votes. This morning in one of the local papers this story appeared and I hope the chairman of the Committee on Banking and Currency will pay attention to what I am about to read because I want him to say whether or not this story speaks the truth. It is written flat, as the newspaper people would say. The story is as follows:

A confidential list of counties in 30 States which Rent Control Administrator Tighe E. Woods has promised to decontrol if rent control is extended was being circulated on both sides of the Capitol yesterday.

Hard-pressed administration Democrats, fighting to push through rent-control extension before the March 31 expiration date of the present law, believed circulation of the list has swung enough votes to put over a 15-month extension in the House.

I would like to ask the gentleman if there has been any such list as that circulated?

Mr. SPENCE. As far as I know, there has not been. I know nothing about it. I want to say further that I have not used improper methods of any kind.

Mr. HALLECK. The gentleman has answered the question. He says he knows nothing about it. I may say, however, that the wire services are carrying a similar story and I just do not believe that reputable newspaper people here in Washington would write that in that fashion if it were not true.

Now, who is talking about bait for votes? What sort of operation is this? What sort of appeal to political expediency is this? To what depth of cynicism will the administration go to further its program?

Mr. SPENCE. I know nothing about it.

Mr. HALLECK. The gentleman has answered the question I asked him and I refuse to yield further.

Mr. Chairman, if that story is true, and I have no reason to believe it is not true because no one has risen here to deny it, it can only mean first, that it is a bait for votes by circulating a confidential memorandum to certain people whose areas would be affected and not showing it to others. Why was it not made public before the committee? Why are not all of us permitted to know about it?

Secondly, and as the gentleman from Georgia, [Mr. Cox] just pointed out, what sort of administration can we expect from an agency that comes up here in this fashion to get votes for this measure? Why did they not decontrol these areas if they say they should now be decontrolled? Why have they not decontrolled them heretofore? What sort of business is it? They come here now in an effort to garner votes for this measure and say secretly to certain Members whose votes may be in doubt, "Oh, do not worry; if you will just give us this rent-control bill why we will see to it that your area is decontrolled."

The story goes on further, talking about votes and bait for votes. We all know that the committee voted against the Brown amendment. Now what do we see? Why, they are in here doing a complete flip-flop saying, "We are going to support the Brown amendment."

The writer of this story was smart enough to diagnose the situation by saying:

Another factor in what House Democrats believe is the swing back of some 35 votes into their column—just enough to put the rent-control extension bill over—is a compromise on the return allowed the landlord.

Now, of course you on the majority side have been hard put. I have no doubt in my mind that except for these maneuvers, certainly in respect to the first one of circulating this confidential list which was reprehensible to say the least, the Wolcott amendment for a 90-day extension would not have been defeated. A handful of votes would have changed the result.

Let me say for myself in connection with this matter that I have been here through all of the time we have had rent control. I have supported all of the rent-control measures up to this time.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. SPENCE. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the gentleman who has just spoken does not require much evidence to come to a conclusion. I know nothing about the report that was circulated as to the decontrolling of certain areas or certain properties, and I think the gentleman knows nothing about it except what he has seen in the papers. It does not take very much evidence for the gentlemen on the other side to accuse and convict the Democratic administration. He talks about the flip-flop in the committee. I only wish that our party was subject to the discipline and control that his party is. I have seen time and time again bills either defeated or voted up, and after the returns were about to be announced, 15 or 20 Republican Members under the party lash marched down the aisle and changed their votes. This frequently happens. When he talks about flip-flops I think he ought to consider his own condition. I think he ought to consider what they have been doing. They do not seem to get over the wounds that have been inflicted upon them. They talk all the time about the last election. Now, they talk about the last vote; that they would have won the last vote if this thing had not been circulated. They are very unfortunate, but they have not the philosophy to stand the gaff, and it is just too bad. I hate to see them suffer so much.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. SPENCE. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. Would the gentleman state whether he has flip-flopped on the Brown amendment himself?

Mr. SPENCE. I have not stated anything about what happened in the committee, and you do not know anything about it. Whatever was done was in executive session. You on the minority side have all been advocating this Brown amendment right along. You all said you wanted it until we said we did not object to it, that we wanted it, and then you changed your opinion. I think that the amendment will be adopted and the bill will pass notwithstanding.

Mr. BUCHANAN. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I might say to the gentleman from Indiana that on page 7 of the report on this particular bill there is this language, if he will read very carefully and follow with me the report concerning the so-called fringe portions of defense-rental areas.

Existing law denies the Housing Expediter the right to recontrol any housing accommodations in any defense-rental area or portion thereof, or housing accommodations of a class, in the case of which maximum rent controls have been removed by administrative action. In taking decontrol actions, the Housing Expediter after making appropriate surveys must judge that the need for continuing maximum rents in these areas or class of accommodations no longer exists, due to sufficient construction of new housing accommodations or that the demand for rental-housing accommodations has been otherwise reasonably met. The Housing Expediter informed the committee that as a result of his surveys he believed that in many fringe portions of defense-rental areas, decontrol might be undertaken at this time if he had the power to step in and order recontrol should pressures for unreasonable rent increases threaten to again spill over into such portions of defense-rental areas.

There was continued interrogation of the representatives of the Housing Expediter's office by telephone and by conversation as to just what these particular fringe areas were. Of course, a list was compiled by the people interested. If there is any list circulating, I want to take the responsibility for being the author of such a list, because it was a compilation with those members who have talked with the various members of the Housing Expediter's office. So this is not any official list; it is not of a confidential nature. The answer is that we have a right to know just what the areas are and why the Housing Expediter asked for the right to recontrol particular areas.

Mr. EBERHARTER. Mr. Chairman, will the gentleman yield?

Mr. BUCHANAN. I yield to the gentleman from Pennsylvania.

Mr. EBERHARTER. I think things have come to a pretty pass in this Chamber when the former majority leader comes into the well of the House and practically accuses 30 Members of this body of subjecting themselves to what may be termed a bribe in order to vote for this bill, because to my mind that is what he intimated when he was on the floor of this House and said 30 Members practically changed their vote because they were assured their areas would be decontrolled. I say it is a shame that the former majority leader would make such a statement on the floor of this Chamber.

Mr. BUCHANAN. I thank the gentleman for his observation.

Mr. COLE of Kansas. Mr. Chairman, will the gentleman yield?

Mr. BUCHANAN. I yield.

Mr. COLE of Kansas. Does the gentleman know of such a list?

Mr. BUCHANAN. I believe I have made that statement very clear, that if there has been a compilation of any list——

Mr. COLE of Kansas. I did not ask that. I said, does the gentleman know if there is such a list?

Mr. BUCHANAN. If the gentleman followed my remarks very carefully, I stated that in the compilation of various conversations of members of the committee who were interested——

Mr. COLE of Kansas. I do not believe I asked that question. I said, does the gentleman know if there is such a list? That can be answered "Yes" or "No."

Mr. BUCHANAN. If the list exists——

Mr. COLE of Kansas. Does the gentleman know?

Mr. BUCHANAN. If the list exists, then it was compiled by the gentleman speaking.

Mr. COLE of Kansas. Yes or no? The gentleman knows, or he does not know.

Mr. BUCHANAN. I think I made myself clear.

Mr. COLE of Kansas. Is there such a list?

Mr. BUCHANAN. I do not believe I can make it any clearer to the gentleman.

Mr. SCRIVNER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I take this time only to ask the author of the amendment, the gentleman from Georgia [Mr. BROWN], by whom and how will "reasonable" be defined and determined as it relates to return and to value?

Mr. BROWN of Georgia. I stated a minute ago that this is one more factor in regard to hardship cases. The local boards will obtain their evidence. They can go to the tax returns. If the tax returns are too low in that particular county or locality, they can go to the real-estate people and get at the true facts, just as the assessor does when a man returns this property for taxation. The law says he must return it at the reasonable value. Some people may not do that. The assessors have the right to find the facts, just as the Expediter does here. They must ascertain the real facts. It is analogous to the situation of the Expediter who through the local board will go into all the factors to establish the value or reasonable value of the property in the particular locality involved. One section of the bill says there is an emergency existing, and, therefore, you can go thoroughly into all the elements establishing a reasonable value of the property. The board can go into all the factors under this emergency section which will be held legal under the emergency provision of this bill.

Mr. SCRIVNER. That might answer in part the question as to value, but who is going to determine what is a reasonable return? Can you fix any percentage?

Mr. BROWN of Georgia. Percentages vary. Some would say 6 percent or 8 percent or 10 percent. In some sections of the country like New York, where they have many millionaires, a man making 2 percent or 3 percent on a million dollars thinks he is getting a pretty good return. In my section of the country where we have cities of only 5,000 or 10,000 population, it might be small. Therefore it is difficult to set a particular standard for every community in the United States. You must go into that on a local basis to arrive at the proper value and reasonable return for each community.

Mr. SCRIVNER. Who is going to determine that?

Mr. BROWN of Georgia. This thing was looked into by many, many prominent lawyers. We came to the conclusion that this is the only way that we can get anything like a reasonable return for the landlords of this country.

Mr. SCRIVNER. I am not a prominent lawyer. I was going along with your amendment. I am trying to get some information. Who is going to make that determination?

Mr. BROWN of Georgia. The committees in the localities get the information.

Mr. SCRIVNER. Why do you not say so in your amendment?

Mr. BROWN of Georgia. I do say so. You will find it if you read the amendment.

Mr. PATMAN. Mr. Chairman, I move to strike out the last word.

Mr. SPENCE. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. I yield.

Mr. SPENCE. I ask unanimous consent that debate on this amendment and all amendments thereto close in 35 minutes, with 5 minutes reserved to the committee to close the debate.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky [Mr. SPENCE]?

There was no objection.

Mr. CASE of South Dakota. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CASE of South Dakota. Was the unanimous-consent request with reference to this amendment and all amendments thereto or to the section?

The CHAIRMAN. It was with reference to this amendment and all amendments thereto.

The gentleman from Texas [Mr. PATMAN] is recognized for 5 minutes.

Mr. PATMAN. Mr. Chairman, when the Housing Expediter came before our committee he asked for this unusual power to recontrol an area or a portion of an area that had been decontrolled. He had never had that power before. Many of us were curious about it. I was inclined to be against it, as I had been in the past. He said that if he had the power he could decontrol immediately one or two hundred places in the United States, because they were on the fringe, and he was not sure whether controls should be kept on or not, but he was afraid to take them off because he was afraid they would get out of control. Not having the right to recontrol them, he was reluctant to decontrol these one or two hundred places. So when he said that, the committee seemed to be favorable to it. I was favorable to it. It induces him to more quickly and more expeditiously decontrol an area. Then there is some responsibility on the people in that area—on the landlords. They know that if they do not treat the tenants fairly they can be recontrolled. So it is a fine thing, and it should be in this bill.

Now, with reference to lists: I called up Mr. Woods' office. I said there are places in Texas you could take controls off immediately, and he named them over to me. A number of Members did the same thing. Naturally there are several people who have lists of their own States. But that is all they have. There will probably be two or three times that many decontrolled when an investigation can be made and when they feel that they can safely let them go, with the understanding that they can be put back on if they do not act right.

Now, not so long ago the Republican Members had a conference, and the newspapers stated that the Republican leaders announced that they were for the Brown amendment. They were for the Brown amendment. The Democrat Members then commenced to have meetings, and for a week, night and day, we discussed the Brown amendment with the attorneys in the office of the Housing Expediter, and we finally agreed that we would be for the Brown amendment also. Now, when we come out for the Brown amendment the Republicans say there must be something wrong about it, and they do not want it. They want to strike out the phrase "insofar as practicable." That is an elastic phrase. We need it. We cannot do exact justice, as the chairman said. No one expects exact justice. We can only expect equal justice under the law. If you were to put the Housing Expediter in a strait-jacket and say that he had to administer exact justice, it would be absolutely impossible, and the law would be no good. So that phrase is very useful, as an elastic phrase, so that equal justice is done to everyone. As far as exact justice is concerned, take the 100-pound man, he stills pays the same fare on a railroad passenger train as the man who weighs 300 pounds. That is not exact justice. The person who buys a number 6 shoe pays the same price as the fellow who buys a number 12 shoe. That is not exact justice. It is not expected to be. The baldheaded man still pays full price for a hair cut. It is just absolutely impossible to administer exact justice. So we need that phrase, "insofar as practicable," which the gentleman from Michigan [Mr. WOLCOTT] wants to strike out.

So I hope that the committee will vote down the amendment offered by the gentleman from Michigan [Mr. WOLCOTT], and then after voting down that amendment I hope they will vote for the Brown amendment. Then I hope they vote down all other crippling amendments that are proposed here, and that they will vote for this bill, because rent control will expire March 31, unless we do something now.

The CHAIRMAN. The gentleman from New York [Mr. MARCANTONIO] is recognized.

Mr. MARCANTONIO. Mr. Chairman, I oppose the Brown amendment as well as the Wolcott amendment. I think I can safely state that with the adoption of the Brown amendment you are opening rent control so wide that within a few months the Members of this House will be informed of hundreds of thousands of complaints from the tenants of this Nation. As the law stands now, as it is being interpreted in New York City by the Office of the Housing Expediter, there exist eleven provisions under which a landlord can obtain rent increases; this adds the twelfth.

We are not dealing here with reasonable rent. It is significant that the author of the amendment asks for reasonable return; he will not accept the phrase "reasonable rent," and there you have the machinery which is going to put the tenants of this country into a tight squeeze by the real-estate interests. "Reasonable return" is going to mean that landlords will receive increases all along the line. This amendment will not establish reasonable rents, but will force the tenants to insure a reasonable return to the landlords. Do you see the difference?

It is likewise significant, may I say to the friends of rent control, that every enemy of rent control in this House is for the Brown amendment; bear that in mind. The enemies of rent control are making a tremendous advance by the adoption of this amendment. It is very bad policy for the friends of rent control to accept this amendment. It is this type of appeasement which is going to bring about the nullification of rent control.

As things stand now, the office of the Housing Expediter in New York City is an annex of the real-estate board. With this Brown amendment the partition is going to be knocked down and the real-estate crowd is going to take over completely. If you really believe in rent control, then you have no choice but to defeat both the Brown and Wolcott amendments.

The CHAIRMAN. The time of the gentleman from New York has expired.

The gentlewoman from California [Mrs. DOUGLAS] is recognized.

Mrs. DOUGLAS. Mr. Chairman, I think the impression has been created today that nothing has been done for the landlords this last year. I wish to correct that impression. According to the Expediter, Mr. Woods, in testimony before the Banking and Currency Committee, more than one-half million individual petitions have been granted since July 1947, with an average rent increase of about 20 percent. He stated that he had granted about 73 percent of all landlord petitions filed.

This last year 35 different areas or parts of areas were decontrolled by the Expediter; 25 areas were given area-wide rent increases recommended by the local boards. They varied anywhere from 2 to 20 percent. We had a great number of houses—I have not been able to get the exact number, but it goes into very large figures—where the rent was increased 15 percent; there are the new houses that have no rent control at all; there are the thousands upon thousands of apartments decontrolled under the heading of conversions.

The Eightieth Congress decontrolled conversions last year as a ready solution to the housing crisis. This business of conversions has become a sordid chapter in the history of housing in this country. Families by the thousands have been evicted so that a four- or five-room unit could undergo some sort of alteration—in all too many cases a mere subterfuge for evading the law—and the space be rerented at excessive rents as one- or two-room units, inadequate for normal family life. It has not been Park Avenue 10-room apartments that have undergone these conversions.

Mr. Woods testified that many of these conversions have been phonies and asked for more authority so he could sort out the real conversions from the phonies.

We no longer ought to permit apartments to be taken out from under the rent-control program under the conversion provision.

Family life in America has already received a severe blow. Remember, it has been families with children that have been the first to be evicted. What we ought to be considering today is a rent-control bill that faces squarely the fact that we have not enough housing to meet family needs. We ought to be strengthening the rent-control bill that has been brought before us, not weakening it.

Any realistic survey of the housing situation shows that we are going to need rent control for another 2 years. If we are going to need a rent-control program for another 2 years, it must be equitable for landlords and tenants alike. The bill before us today is not such a bill.

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts [Mr. HESELTON].

Mr. HESELTON. Mr. Chairman, there seems to be some doubt as to the existence of a list of areas which could be and might be decontrolled by the Expediter. Certainly the RECORD should be clear as to the facts. I want to read from a United Press dispatch that was issued at 11:08 this morning with reference to a list of 107 areas which the Expediter could and might move from rent control. This states:

> Rent Director Woods disclosed a list of 107 areas which he could—and might—remove from rent controls provided he can clamp restrictions on again if rents skyrocket.

Then there is this significant sentence from the dispatch of a reputable news agency:

> The list apparently was another move to obtain votes for rent-control extension.

The rest of the dispatch is as follows:

> Woods emphasized that he did not mean he would decontrol rents in the 107 areas. He said these areas were on his so-called doubtful list. But he indicated he would take such decontrol action in the areas, if he could restore controls.
>
> At present the rent administrator has no power to restore controls once they have been removed. He pointed out that rents might zoom upward unreasonably in the doubtful areas if the controls are ended. For this reason, he said, he should have power to recontrol such areas.

Because I had been asked to find out if any of those areas were located in New England, I immediately called the Expediter's office and talked with Mr. Montoux. He advised me that the list did not contain any communities in New England. He gave me the names of the 25 States on the list now in the Expediter's office. These States are as follows:

Arkansas, Arizona, California, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Maryland, Michigan, Minnesota, Montana, Nebraska, New Jersey, North Dakota, Ohio, Oregon, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Virginia, West Virginia.

I asked if there had been a press release containing the communities on that list. I was advised there was no press release as such but that there is a single copy of such a list in the Expediter's office. I understand the list of communities is a lengthy one.

In any event, there are no communities in 23 States on this list. The States omitted are:

Alabama, Colorado, Connecticut, Delaware, Idaho, Kansas, Louisiana, Maine, Massachusetts, Mississippi, Missouri, Nevada, New Hampshire, New Mexico, New York, North Carolina, Oklahoma, Rhode Island, Utah, Vermont, Washington, Wisconsin, Wyoming.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. HESELTON. I yield to the gentleman from Indiana.

Mr. HALLECK. Of course, the story to which the gentleman refers is clear evidence of the fact and substantiates the story that was contained in the press this morning that such a list has been in circulation. Undoubtedly the release has been made and the whole thing made public after it appeared in the press.

The CHAIRMAN. The gentleman from California [Mr. JACKSON] is recognized.

Mr. JACKSON of California. Mr. Chairman, I have an amendment to the amendment at the Clerk's desk.

The CHAIRMAN. Does the gentleman desire to offer it?

Mr. JACKSON of California. Yes, I should like to offer it at this time.

The CHAIRMAN. Is it an amendment to the amendment?

Mr. JACKSON of California. It is an amendment to the amendment.

The CHAIRMAN. The gentleman cannot offer that until the Wolcott amendment has been acted upon.

Mr. JACKSON of California. Mr. Chairman, in light of the fact that I cannot offer at this time an amendment to the amendment that has been offered by the gentleman from Georgia, I will take this opportunity to explain it so far as time permits.

I think I have made it very clear on the floor of the House that I am opposed to the principle of rent control; however, that does not foreclose in any way my desire nor my right to try to write into the measure and try to put into the measure such things as will make it a better bill to my way of thinking than it would be without them.

For that reason I should like to ask the gentleman from Georgia whether or not there would be any considerable objection on his part to an amendment to his amendment. His amendment, as I understand it, indicates five criteria which are to be used by the Housing Administration which it must use as a criteria in deciding a reasonable return upon a fair value. May I ask the gentleman whether or not he would accept or would be very much opposed to the inclusion of a sixth, which would be lettered (f) saying: "The assessed valuation of the property in question." It seems to me that is a definite figure from which you can take a position, and I offer it in all good faith.

Mr. BROWN of Georgia. In some sections of the country property is assessed on 40 to 50 percent of its value and in other sections of the country it is assessed at 100 percent. Therefore you cannot enforce that provision.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. FULTON].

Mr. FULTON. Mr. Chairman, I wish to express my support of the Brown and the Wolcott amendments at this time to provide that landlords are entitled to a reasonable return on a reasonable valuation of their property.

May I also bespeak my confidence in the Congressman from Allegheny County, Pa., my colleague, Mr. FRANK BUCHANAN. While it has been stated there is such a list of proposed decontrol areas in existence, I know that he is of the highest integrity and used it for only the legitimate committee purposes which he stated on the floor.

While some persons may or may not have misused the list for certain purposes, as a fellow Congressman of a different party in Pittsburgh, I know that he had no part in it and would have no such part in such misuse. I wanted to make sure that the House knew that on the Republican side there are many that have full confidence in the gentleman from Pennsylvania [Congressman BUCHANAN], and it is a pleasure to express such friendship and confidence, when a question such as this has arisen.

We must include a reasonable return in this bill for landlords, which is only fair under our economic system. If we do not have a reasonable return on investment, we have socialized housing. You cannot have one group profit at the expense of another group in this country. You have to have a balance between groups, between landlords and tenants, in an emergency as well as in ordinary times. Once the emergency exists, you need controlled housing. When you have controlled housing, Congress must see that there is protection given to both groups.

Congress should adopt the amendment to strike out the "as far as practicable" provision, because it does not define in the bill what that means. You cannot tell from reading the bill whether it is to be "as far as practicable" under the local circumstances outside of the local board's or the Expediter's office, or within the office, based just on practicability as to personnel and management. There is no way by which you can tell how the particular person to make the decisions on reasonableness will react on the outside practicability. If you, as someone said here, are going to retain the provision to avoid getting exact justice, you would then get inexact justice. So, in order to have exact justice you must do as the gentleman from Michigan [Mr. WOLCOTT] says, and that is strike out the words "as far as practicable" and make it incumbent on the Administrator or the Expediter to make a reasonable decision.

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts [Mr. FURCOLO].

Mr. FURCOLO. Mr. Chairman, this amendment, regardless of the motive of those who offer it, unquestionably is going to have one result. It will result in an increase in rents throughout the entire country.

What is reasonable value? What is reasonable return? Does anyone here know one single landlord who feels that he gets a reasonable return on the reasonable value of his property? Who is going to determine it? You are going to find out that instead of having a Government of laws under this amendment you will have a Government by men, the men who administer it. You will find that for the most part the philosophy of those men will be in line with the philosophy of those who oppose the rent-control situation all the way through.

If we are going to have rent control, we ought to have it. With this amendment, you will have landlord after landlord going before the proper authorities and establishing beyond question that they do not get a reasonable return on their property. That may be fair or unfair, it may be just or unjust, but in this situation you cannot have justice for all. It comes to a determination of whether you are going to have justice based upon property rights, which in this instance is the landlord, or whether you are going to have justice based upon human rights, which in this instance is the tenant. And remember, there is not only 1 tenant but the 14,000,000 families that have been referred to many times.

So the choice is plain. If you want to see a rent increase throughout the country you will vote for this amendment. If you do not want to see rents increased, you will vote to defeat this amendment. That is why I am voting to defeat this amendment.

I do not like to go against the majority leader of my own party, who has asked us to vote in favor of this amendment. I do not like to go against the committee of my own party. But as between the tenants of this country and them, I have to stand by the tenants of this country. I can do that only by voting to defeat the amendment.

If the amendment passes, the administrative burdens of the act will be burdensome beyond measure.

Secondly, rents will be increased all over the country—increased beyond all fairness and justice. Not just hardship cases will be increased—all rents will be increased.

I cannot in good conscience support such an amendment even though it is endorsed by almost all the Members present of both parties.

And, incidentally, let me point out that it is significant that this Democratic amendment is supported by the very same Republican members who have gone on record as opposed to rent control, and who have sponsored amendments crippling rent control. They are not changing their position. They are consistent in their attempts to kill or cripple rent control. If we are to be consistent in our attempts to have rent control, we must defeat this amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. DONDERO].

Mr. DONDERO. Mr. Chairman, I shall vote for both the Brown and the Wolcott amendments, and I shall accept the Brown amendment either with or without the Wolcott amendment because I think it is fair. However, if this bill is going to be administered in the same spirit as the present rent-control law is administered, I fear all the good the gentleman from Georgia seeks to do, and I know he offers his amendment in good faith, will be completely nullified.

This afternoon not too many paid much attention to the statement made by the gentleman from North Carolina [Mr. BARDEN] when he quoted the Housing Expediter as saying, "This is a tenants' bill. We are not interested in return on investment." If that spirit is to prevail in the administration of this bill, if it becomes law, everything the gentleman from Georgia seeks to do, to obtain justice for the property owners of the country, who own rental units, will be completely nullified.

As some evidence of how rent control is administered in the Detroit area, let me give you an instance. Here are five houses appraised at a total value of $54,000. This comes from the owner's income-tax return to the Government for last year. The net income after repairs, taxes, and depreciation were taken out was $165 on the total of the five houses, or $2.75 per month on each house. That is the kind of thing that is bringing rent control into disrepute and forcing the 8,000,000 little property owners of the country to subsidize the tenants, thus taking away from our thrifty people by law what we put people in jail for doing if they stick a gun in your face.

Mr. Chairman, I am for the Brown amendment, and I hope it becomes part of the bill.

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts [Mr. NICHOLSON].

Mr. NICHOLSON. Mr. Chairman, I am willing to give what little time I have to the gentleman from Georgia [Mr. BROWN], if he wants to ask a question. But everyone who appeared before our committee and I think I was there at every session, agreed that we should have some formula to give a fair return to a man who owns a piece of property. The Expediter does not want to write that formula. As a matter of fact, Mr. Chairman, I do not think he can write it, because when he was asked the question, Is a man allowed 1 percent return on his investment? he said, " I do not know." When he was asked if it was 2 or 3 or 4

percent, he said he did not know, and he has absolutely refused to write any formula to carry out a rent-control law. The gentleman from Georgia has put in something that they can hang their hat on. I believe, Mr. Chairman, and everybody else believes, that if a man has to pay his taxes, let us say $200, and he has to pay insurance and furnish heat and so forth, it all enters into the cost of operating the property and that would give us the amount as to how much he received.

I think the Expediter ought to do it himself instead of having the Congress do his work for him. Mr. Chairman, the people who appeared before our committee did not have too much confidence in the Expediter. They said everything would be all right if he knew how to administer it. I do not say whether he has administered it properly, or whether he is not administering it properly. But I think if we do accept the amendment offered by the gentleman from Michigan, the ranking minority member of the committee, it makes it a little clearer. Whether somebody has flip-flopped or not does not make any difference to me. Everybody has a right to see the light of day.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. GAMBLE].

Mr. GAMBLE. Mr. Chairman, as I said yesterday, I voted for the Brown amendment when it was considered by the Banking and Currency Committee in committee, and I expect to support it today either with or without the Wolcott amendment. If a good many of those members of the Committee on Banking and Currency who have been extolling the virtues of the so-called Brown amendment this afternoon had voted for the amendment in the committee, we would not have had to spend 2 hours on it today.

Mr. COUDERT. Mr. Chairman, will the gentleman yield?

Mr. GAMBLE. I yield.

Mr. COUDERT. Mr. Chairman, I wonder how many Members of the House have in mind at this moment the provisions of the fifth amendment of the Constitution of the United States. Let me call it to your attention again: "Nor shall private property be taken for public use without just compensation."

There is not anything in that article of the Constitution about "so far as practicable." There is no limiting language. It fixes a firm and proper principle and imposes an obligation. If we mean business in this committee in the matter of affording landlords a fair and reasonable compensation, then we should certainly strike out the limiting language and leave the obligation one of fair and reasonable compensation without that limiting, restricting language, which the gentleman from Michigan would strike out by his amendment.

Mr. GAMBLE. Mr. Chairman, perhaps we ought to add to the amendment "a fair and reasonable Housing Expediter."

Mr. CHAIRMAN. The Chair recognizes the gentleman from Kentucky [Mr. SPENCE].

Mr. SPENCE. Mr. Chairman, I yield my time to the gentleman from New York [Mr. MULTER].

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. MULTER].

Mr. MULTER. Mr. Chairman, I am one of those Members of the House who wants to protect tenants and at the same time dares say that the landlord, too, has some rights. This amendment is intended to safeguard the rights of the tenant and to keep a roof over his head and at the same time protect those landlords who are protesting that there is nothing in the law under which their rights, too, can be protected.

Only today I received a telegram from one of the tenants in my district. He wires me:

> Ask that you do something to prevent rent control from being talked to death. Landlord of our building already rubbing his hands in glee over the death knell of rent control.

Let us disappoint that landlord and all other landlords who want to ring the death knell on rent control. At the same time, by this Brown amendment let us give them a fair deal. We are not looking to prefer one over the other, but we must protect the tenants against extortionate owners who seek to get oppressive rent from a man who has no place else to go.

At this time let us dispel all this mystery that has been injected here about a newspaper item referring to lists of areas that might be decontrolled. Tighe Woods, the Expediter, is painted as a terrible man. According to the landlords, he is the tenants' friend, and according to the tenants, he is the landlords' friend. He is a bad man to everybody.

He proved to our committee that he was trying to do a good job and an honest job. He frankly told us in committee that there were some hundred areas that he had surveyed and that he was ready to decontrol them. He did not dare do it unless he knew that if the landlords in those areas sought to extort oppressive rents, he could then come in and recontrol those areas. There is no secret about where those areas are. Any Member can get on the telephone and ask him.

When he was before the committee he said this:

> I urge that those who criticize our machinery suggest practical, workable improvements for our consideration.

The Brown amendment, without the Wolcott amendment which deletes part of it, is the amendment which we considered in principle in committee. It suggests a workable and practical method which the Expediter says he can use. He said to us in committee: "Give us a formula that we can use." This is the formula which the Expediter's office says they can follow and do justice to all, in accordance with the dictates of conscience and the dictates of the needs of the landlords as well as the requirements of the tenants. Give him what he is asking for. Give him what the majority of the committee feels he can use. Let us not take out these words, "insofar as practicable." A reasonable return upon a reasonable value as far as practicable is all you can ask for. No landlord has a right to ask for more and no tenant has a right to expect less. That is what we are trying to do here. That is what you should do.

Let me correct one statement that was erroneously made to you by the gentleman from Michigan who offered the amendment to the amendment. He said that the Expediter, in order to determine whether or not there is a loss, takes the worst year, and if there was a loss you cannot do better than bring yourself up to the point where you make up the excess cost even though you still suffer a loss and do not break even. That is not the regulation that was issued by the Expediter under existing law, and it is not what he is trying to do. But he says in addition to that, "If you will give me something like this, I can do a better job."

Mr. WOLCOTT. I may say to the gentleman that in the committee I read the law. I did not read the regulation.

Mr. MULTER. Then I misunderstood you. I thought you said that under the law he indicated he could not do anything on the subject. He has issued a regulation under that law which I think is proper. He has tried to do a good job, and I am sure if we pass this amendment as proposed by the gentleman from Georgia [Mr. BROWN] we will get a good, workable rent-control law.

The CHAIRMAN. The time of the gentleman from New York [Mr. MULTER] has expired.

All time for debate on this amendment and all amendments thereto having expired, the question is on the amendment offered by the gentleman from Michigan [Mr. WOLCOTT] to the amendment offered by the gentleman from Georgia [Mr. BROWN].

The question was taken; and on a division (demanded by Mr. WOLCOTT) there were—ayes 126, noes 132.

Mr. WOLCOTT. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed as tellers Mr. WOLCOTT and Mr. BROWN of Georgia.

The Committee again divided, and the tellers reported that there were—ayes 154, noes 158.

So the amendment to the amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia [Mr. BROWN].

The question was taken; and on a division (demanded by Mr. MARCANTONIO) there were—ayes 226, noes 31.

So the amendment was agreed to.

Mr. SPENCE. Mr. Chairman, I move that the Committee do now rise.

The question was taken; and on a division (demanded by Mr. COLE of Kansas) there were—ayes 167, noes 70.

So the motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore [Mr. MCCORMACK] having resumed the chair, Mr. GORE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 1731) to extend certain provisions of the Housing and Rent Act of 1947, as amended, and for other purposes, had come to no resolution thereon.

THE LATE WASHINGTON J. McCORMICK

The SPEAKER pro tempore. The Chair recognizes the gentleman from Montana [Mr. D'EWART].

Mr. D'EWART. Mr. Speaker, I rise to announce the death of a former Member of this House, Washington J. McCormick, 65, a former Montana Representative in Congress, son of western Montana pioneers, who died March 7 at a hospital after a long illness.

Mr. McCormick was born in Missoula January 4, 1884, and served in the State legislature from 1919 to 1921. He was a Representative in Congress from 1921 to 1923. He attended Montana State University and the University of Notre Dame, and received law degrees from Harvard and Columbia Universities. He was commandant of cadets at Montana State University during World War I and was an expediter in a California shipyard during World War II. He announced as Republican candidate for Governor in 1948, but withdrew.

He is survived by his widow, two daughters, a sister, and two nieces. The daughters are Angela, of Missoula, and Mrs. John Vance, Jr., of Chevy Chase, Md. The sister is Mrs. William Fitzgerald, of Missoula.

Mr. McCormick was a member of the New York and Montana bar associations, was the author of several books of poetry and historical articles. In recent years he made his home at the family ranch near Fort Owen at Stevensville. Because of his writings he was often referred to as the "Bard of the Bitterroots."

Mr. Speaker, I extend my own sympathy and, I am sure, also that of the House to Mr. McCormick's family in their loss of a loving husband and father. He was for years and until the time of his death an honored and outstanding citizen of the State of Montana. We of that State mourn his passing.

ADJOURNMENT OVER

Mr. PRIEST. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

EXTENSION OF REMARKS

Mr. MURDOCK and Mr. DAVENPORT asked and were given permission to extend their remarks in the RECORD.

Mr. LUCAS asked and was given permission to extend his remarks in the RECORD and include two letters which he received from a tenant on the subject of rent control.

Mr. JENNINGS asked and was given permission to revise and extend the remarks he made in the Committee of the Whole today and include a letter and other excerpts.

Mr. SADLAK asked and was given permission to revise and extend the remarks he made in the Committee of the Whole this afternoon and include a newspaper editorial, and also to extend his remarks in the RECORD and include a proclamation reporting the vote of the people of the State of Connecticut in the recent elections on the World Government Referendum.

Mr. KELLEY asked and was given permission to extend his remarks in the RECORD and include two resolutions.

Mr. GORSKI of Illinois asked and was given permission to extend his remarks in the RECORD and include a speech made by a Lithuanian consul.

Mr. CANFIELD asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. BLATNIK (at the request of Mr. MARSHALL) was given permission to extend his remarks in the RECORD.

Mr. McCULLOCH asked and was given permission to extend his remarks in the RECORD and include an editorial from the Cleveland Plain Dealer.

Mr. FULTON asked and was given permission to extend his remarks in the RECORD and include an article on the steel industry.

Mr. JUDD asked and was given permission to extend his remarks in the RECORD in three instances, in each to include an article.

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Michigan [Mr. DONDERO] is recognized for 20 minutes.

COMMUNIST ART IN GOVERNMENT HOSPITALS

Mr. DONDERO. Mr. Speaker, most of the Members of Congress will readily remember the world-wide junket of left wing art which the State Department fostered in 1947. It was commonly reported that the State Department purchased 79 paintings of so-called contemporary and modern art for $55,000 of the taxpayers' money. These paintings were started on a tour through Latin America and Europe, and after being shown in Haiti and Prague the junket was stopped by Secretary Marshall because of the unfavorable publicity which the whole project received in American newspapers and other publications.

It has been revealed that the War Assets Administration subsequently sold these paintings of left wingers for the sum of $5,544.45, that is, the Government recovered about 10 cents on the dollar for its investment of the taxpayers' money. They did not recover any of the expenses incurred in financing the junket as far as it went.

The Members of Congress and the American public, recalling the positive action of Secretary of State Marshall in putting an abrupt stop to the State Department's venture into radical art, may be warranted in concluding that that was the end of the matter, but such is far from the truth. The Members of Congress should accept this basic truth—that radical, left wing art cannot survive of itself. It does not have merit, and its creators do not have the real talent to cause sufficient demand for their product from the public. If they had to live on what they can earn from their work, they would cease very soon to be a menace to some of our dearest traditions. The members of this left wing art movement are constantly scheming to get their hands on public funds, and even private philanthropies, in order to grow.

I want to call to the attention of the Members an article which appeared in the issue of the Art Digest, dated January 15, 1949. This will be found on page 16, under the heading "Gallery-on-Wheels":

> The United States naval hospital at St. Albans, N. Y., has an interesting innovation in its art program for the patients. The hospital fine arts exhibition, through its fine arts committee headed by Carroll Aument, of the Museum of Modern Art, is holding an exhibition in the ship's library. Many of the patients are unable to go to museums and galleries and some cannot even make the library. For the latter, works of art are brought to them in the wards on roller galleries. A new group will be shown each day with a different participating artist accompanying the gallery-on-wheels to explain the difference between the aims of the painters following the classical and modern trends of thought.
>
> Capt. William H. H. Turville, United States Navy, commanding officer of the hospital, feels that the patients will derive valuable educational and therapeutic benefits from the exhibit. He has great faith in the morale-building results derived through awenkening a self-creative urge in his patients, and he expects this activity will be a valuable supplement to the art program already under successful progress at the hospital.
>
> Twenty-eight well-known contemporary artists are contributing their services, including Xavier Gonzalez, Yasuo Kuniyoshi, Jean Liberte, Ben Shahn, Jack Levine, Eugene Berman, Abraham Rattner, Reginald Marsh, Matta Echuarren, I. Rice Pereira, Louis Bosa, George L. K. Morris, Joseph Hirsch, Max Weber, Rufine Tamayo, Alexander Brook, and Arthur Osver.
>
> The exhibition begins January 17 and continues for 2 weeks. If the show proves to be as stimulating as is hoped, the art committee will take it to every large Government hospital in the country.

Now, this article would seem to refer to a project predicated on a kindly desire to do something for our disabled heroes, who may not be able to leave their beds. These artists are taking their art right to the bedside of the veteran. The artists are explaining to him in person, according to this article, their aims when they produced their paintings, that is, what they had in mind and what they wanted to show. Let us look with a little care, and see what this "gallery-on-wheels" exhibit really signifies. According to the article, 28 well known contemporary artists contributed their services, but only 17 of them are mentioned by name. Of these 17, 9 were among those from whom the State Department bought 79 creations for $55,000. Nine of these 17 were "junketeers." Of the 17, nearly all are individuals of known radical affiliation. Let me give you a little information about them, where I have no facts, I shall be frank to so state:

Xavier Gonzalez, Mexican: Article in New Masses, December 19, 1944; Picasso, written by Gonzalez.

Yasuo Kuniyoshi: Artists' Union; American Artists' Congress; American Group, Inc.; Artists' League of America; New Masses art auction, June 20, 1944; Artists League of America; New Masses art auction, June 26, 1944; keep-Wallace-on-the-air auction, October 17, 1948; State Department show.

Jean Liberte: Artists' Union; American Artists' Congress; Artists' League of America; State Department show.

Ben Shahn: John Reed Club; American Artists' Congress; Artists' Union; State Department show; ACA; New Masses art auction, March 24, 1942; National Council Arts and Sciences; Professions, We Are for Wallace, New York Times, October 20, 1948; assistant to Diego Rivera on Radio City mural later destroyed because of Lenin's figure.

Jack Levine: Illustrator for New Masses, examples, June 4, 1946, August 20, 1946; National Council Arts, Sciences, and Professions; sponsor for Wallace; State Department show.

Eugene Berman.

Abraham Rattner; New Masses plug review, January 26, 1945; keep-Wallace-on-the-air auction; State Department show.

Reginald Marsh: John Reed Club; cartoonist, New Masses, example, June 12, 1934; State Department show.

Matta Echuarren, Chile.

I. Rice Pereira: American Artists Congress; ACA; Artists Gallery, and Artists League of America; Protestant magazine auction; State Department show.

Louis Bosa: Plug review New Masses, November 7, 1944; keep-Wallace-on-the-air auction.

George L. K. Morris: Illustrator, New Masses, April 1, 1947; editor, Partisan Review; State Department show.

Joseph Hirsch: ACA; American Group, Inc.; sponsor, New Masses cultural award, January 9, 1945; cover, New Masses, August 27, 1946; Protestant auction.

Max Weber: American Artists Congress; ACA; Winner, New Masses cultural award, January 23, 1945; sponsor, New Masses, cultural award, January 9, 1945; New Masses permanent auction committee, Art Digest, February 15, 1947; Protestant auction; sponsor, National Council of American-Soviet Friendship; chairman, Committee on Manhattan Artists for Wallace, 23 West Twenty-sixth Street; State Department show.

Rufine Tamayo: Artists Union; ACA.

Alexander Brook: American Artists Congress; permanent auction committee of New Masses, Art Digest, February 15, 1947.

Arthur Osver: Very favorably reviewed in New Masses, February 18, 1947; Gallery-on-Wheels; Art Digest, January 15, 1949, page 16.

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New Masses; former Communist cultural magazine.

Artists Union, American Artists Congress, Artists League of America, American Group, Inc.: Communist's fronts, see page 6892, CONGRESSIONAL RECORD, June 30, 1943.

John Reed Club: Revolutionary artists' and writers' club.

Protestant magazine: Robert Stribling said:

> We have seen publications cloaked in such disarming names as the Protestant become echoes of the Daily Worker.

Partisan Review: Red magazine, was started by John Reed Club, page 256, Un-American propaganda activities. H. S. 272.

National Council of American-Soviet Friendship, Inc.: Termed "Communist and subversive," Justice Department.

National Council of the Arts, Sciences, and Professions: Communist controlled, according to World-Telegram, February 28, 1949, page 3.

ACA Gallery: A definitely communistic place, 61–63 East Fifty-seventh Street. American Artists Congress was formed in ACA Gallery.

Interesting note: Nine of these artists were included in ill-fated State Department art show—9 out of 17. The NCASP is an outgrowth of Independent Citizens' Communist Association and was formed in the office of Budenz when he was editor of Daily Worker, September 18, 1948.

Now that I have shown the true affiliation of these persons who exhibited their art to the bedridden veterans in St. Albans Hospital, and who explained what they had in mind when they created their paintings, do you have any doubt that a great deal of explanation was necessary before anyone could understand why these paintings were produced at all? I do not know what explanation these left-wingers made, but I do know that these individuals—radicals all—spending 2 weeks in an important naval hospital explaining their theories to an audience who could not get away from them, had a great opportunity not only to spread their propaganda, but to engage in espionage, if they were inclined to do so. Furthermore, I cannot for 1 minute believe that they devoted all this time and energy as a pure philanthropy, and I would like to know how much they were paid, and by whom they were paid to put across this propaganda undertaking in a Government institution.

Is this only an isolated example of what these ex-State Department junketeers are doing? Certainly not. The article which I have quoted states very frankly: "If the show proves to be as stimulating as is hoped, the art committee will take it to every large Government hospital in the country." What the article does not show is that the "gallery-on-wheels" will be taken at the taxpayers' expense, or how much is being paid to spread this propaganda on a national scale. I am very anxious to find out how this group of radicals was able to put across this program on the Navy Department and, as they include all Government hospitals, on the Army and possibly the Veterans' Administration. How can these subversives keep lifting up their heads in our Government departments? Who gets them in, and why are not Government officials and Army and Navy officers more watchful and careful—so that these things cannot happen.

The Congress has been most liberal in making large appropriations to the armed forces. The Navy and the Army and the Air Corps have active intelligence units, and they have experienced intelligence agents in their respective Reserves. These intelligence officers are well-informed, in general, on the activities of subversive groups and Communist-front organizations throughout the United States. They are all in liaison with the Federal Bureau of Investigation of the Department of Justice. From these established intelligence groups any Government official or high officer of our armed forces can quickly and accurately ascertain the true character of any subversive group in the United States. Why was this not done by the authorities at St. Albans Hospital, and if this resurgence of radical State Department art junketeers on a national scale, to be paid for out of taxpayers' money, was authorized by the higher-ups, let us find out who they are.

Far from exaggerating the extent of infiltration of Communists and Communist sympathizers into our Government and into our public institutions, we have been too complacent for too long, and the Congress and the public does not yet realize the extent to which our prized inheritances and institutions are being undermined. In the arts and sciences the facts are startling, and I propose at an early date to give you additional facts, which I think will arouse your indignation, as they have aroused mine, and instill in you an enlarged determination to see that these subversive movements are thwarted, and that Americanism is permitted to continue its healthy growth.

Mr. CANFIELD. Mr. Speaker, will the gentleman yield?

Mr. DONDERO. I yield.

Mr. CANFIELD. Does the gentleman know, perchance, that one of those pictures was a picture of a red herring?

Mr. DONDERO. I am not too familiar with the subject of red herrings.

ADJOURNMENT

Mr. PRIEST. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 41 minutes p. m.), under its previous order, the House adjourned until Monday, March 14, 1949, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SMITH of Virginia: Committee on the District of Columbia. H. R. 3347. A bill to provide additional revenue for the District of Columbia; with an amendment (Rept. No. 257). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. PETERSON: Committee on Public Lands. H. R. 2812. A bill to direct the Secretary of the Interior to sell certain land at South Naknek to the Russian Orthodox Greek Catholic Church of North America; with an amendment (Rept. No. 256). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BENNETT of Michigan:

H. R. 3472. A bill to provide additional income-tax relief for supporting blind or

aged dependents; to the Committee on Ways and Means.

By Mr. CLEMENTE:

H. R. 3473. A bill to provide reduced annuities at age 55 after 15 years of civilian service for persons involuntarily separated from the Federal Service not by removal for cause; to the Committee on Post Office and Civil Service.

By Mr. DOLLINGER:

H. R. 3474. A bill to restore the citizenship of persons who fought in Palestine, and for other purposes; to the Committee on the Judiciary.

By Mr. HOBBS:

H. R. 3475. A bill to provide for the recording of the proceedings in one of the courtrooms of the United States District Court for the District of Columbia by sound-recording equipment; and for the reproduction of the sounds of such proceedings, in whole or in part, in the United States Court of Appeals for the District of Columbia and in the Supreme Court of the United States upon the review of any such case; to the Committee on the Judiciary.

By Mr. MORRIS:

H. R. 3476. A bill to promote the rehabilitation of the Navajo and Hopi Tribes of Indians and the better utilization of the resources of the Navajo and Hopi Indian Reservations, and for other purposes; to the Committee on Public Lands.

By Mr. PHILLIPS of Tennessee:

H. R. 3477. A bill to provide for the issuance of a special postage stamp in honor of Greeneville, Tenn.; to the Committee on Post Office and Civil Service.

By Mr. PRICE:

H. R. 3478. A bill to extend the time for completing the construction of a bridge across the Mississippi River at or near a point between Delmar Boulevard and Cole Street in the city of St. Louis, Mo., and a point opposite thereto in the city of East St. Louis, Ill.; to the Committee on Public Works.

By Mr. RIVERS:

H. R. 3479. A bill to revise the law with relation to the Dental Corps of the Army and to amend certain laws herein named; to the Committee on Armed Services.

By Mr. WHITAKER:

H. R. 3480. A bill to authorize the Commonwealth of Kentucky to use for certain educational purposes lands granted by the United States to such Commonwealth for State-park purposes exclusively; to the Committee on Public Lands.

By Mrs. WOODHOUSE:

H. R. 3481. A bill to provide for the issuance of a postage stamp in commemoration of the three hundredth anniversary of the founding of Stonington, Conn.; to the Committee on Post Office and Civil Service.

By Mr. WORLEY:

H. R. 3482. A bill granting the consent of the Congress to the negotiation of a compact relating to the waters of the Canadian River by the States of Oklahoma, Texas, and New Mexico; to the Committee on Public Lands.

By Mr. DENTON:

H. R. 3483. A bill to facilitate the admission of certain alien minor children adopted by United States citizens; to the Committee on the Judiciary.

By Mr. SCUDDER:

H. R. 3484. A bill to confirm and establish the titles of the State to lands beneath navigable waters within State boundaries and natural resources within such lands and waters and to provide for the use and control of said lands and resources; to the Committee on the Judiciary.

By Mr. SMATHERS:

H. R. 3485. A bill to amend National Service Life Insurance Act to allow lump-sum payments to beneficiaries; to the Committee on Veterans' Affairs.

By Mr. WHITTEN:

H. R. 3486. A bill to provide that the Secretary of Agriculture be included as a member of the Advisory Board of the Export-Import Bank of Washington and as a member of the National Advisory Council of the International Bank for Reconstruction and Development; to the Committee on Banking and Currency.

By Mr. CURTIS:

H. R. 3487. A bill to authorize Federal aid for the construction of additional school facilities to school districts overburdened with school enrollments brought about by Government construction and defense programs; to the Committee on Education and Labor.

By Mr. DINGELL:

H. R. 3488. A bill to reduce to prewar levels the excise taxes on automotive transportation; to the Committee on Ways and Means.

By Mr. PATTEN:

H. R. 3489. A bill to promote the rehabilitation of the Navajo and Hopi Tribes of Indians and the better utilization of the resources of the Navajo and Hopi Indian Reservations, and for other purposes; to the Committee on Public Lands.

By Mr. TOLLEFSON:

H. R. 3490. A bill to establish a Federal Commission on Services for the Physically Handicapped, to define its duties, and for other purposes; to the Committee on Education and Labor.

By Mr. BOLTON of Maryland:

H. R. 3491. A bill to provide for a preliminary examination and survey for the construction of a channel from the yacht basin at Havre de Grace to connect with the Oakington Channel; to the Committee on Public Works.

By Mr. LARCADE:

H. R. 3492. A bill to amend the River and Harbor Act of 1948 to provide for reports by the Chief of Engineers with respect to national defense values of river, harbor, and waterway improvements; to the Committee on Public Works.

By Mr. THOMPSON:

H. Res. 147. Resolution requesting the Secretary of State to investigate the domestic fishing industry; to the Committee on Merchant Marine and Fisheries.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of North Dakota, memorializing the President and the Congress of the United States to enact legislation providing for the maintenance by the Government of the Garrison Dam area; to the Committee on Public Lands.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BARRETT of Pennsylvania:

H. R. 3493. A bill for the relief of Anne Robinson Norwood; to the Committee on the Judiciary.

By Mr. BARTLETT:

H. R. 3494. A bill to authorize the Secretary of the Interior to transfer a building in Juneau, Alaska, to the Alaska Native Brotherhood and/or Sisterhood, Juneau, Alaska, Camp; to the Committee on Public Lands.

By Mr. CAMP:

H. R. 3495. A bill for the relief of Theodore Robert Fears; to the Committee on the Judiciary.

By Mr. CARROLL (by request):

H. R. 3496. A bill for the relief of A. W. Estabrook; to the Committee on the Judiciary.

By Mr. CARROLL:

H. R. 3497. A bill conferring United States citizenship posthumously upon Yaso B. Benderach; to the Committee on the Judiciary.

By Mr. COUDERT:

H. R. 3498. A bill for the relief of the Gluckin Corp.; to the Committee on the Judiciary.

By Mr. DOYLE:

H. R. 3499. A bill for the relief of Mabel Colliver; to the Committee on the Judiciary.

By Mr. DONOHUE:

H. R. 3500. A bill for the relief of Karl Weyrauch; to the Committee on the Judiciary.

By Mr. HAND:

H. R. 3501. A bill for the relief of Nelson Bell; to the Committee on the Judiciary.

By Mr. JOHNSON:

H. R. 3502. A bill for the relief of Severino Juanarena-Ituralde; to the Committee on the Judiciary.

H. R. 3503. A bill for the relief of Sabino Gonzalez-Baron; to the Committee on the Judiciary.

By Mr. KING:

H. R. 3504. A bill for the relief of Andrija Artukovic and family; to the Committee on the Judiciary.

H. R. 3505. A bill for the relief of Mary Arnovick; to the Committee on the Judiciary.

By Mr. REGAN:

H. R. 3506. A bill for the relief of Luis P. Murphy, United States immigrant inspector, El Paso, Tex.; to the Committee on the Judiciary.

By Mr. SPENCE:

H. R. 3507. A bill for the relief of William Luttrell; to the Committee on the Judiciary.

By Mr. TOLLEFSON:

H. R. 3508. A bill conferring jurisdiction upon the United States District Court for the Western District of Washington to hear, determine, and render judgment upon any claim arising out of personal injuries sustained by Carl J. Freund and Pauline H. Freund, his wife, of Seattle, Wash.; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

200. By Mr. BURDICK: Memorial of the Legislative Assembly of the State of North Dakota, petitioning Congress to continue adequate appropriations to the Farmers Home Administration; to the Committee on Appropriations.

201. By Mr. CANFIELD: Memorial of the city council of the city of Clifton, N. J., memorializing the Congress to pass and the President to approve the General Pulaski Memorial Day resolution; to the Committee on the Judiciary.

202. By Mr. CARROLL: Memorial of the Colorado State Legislature, memorializing the Congress of the United States to provide for the completion of the Leadville drainage tunnel; to the Committee on Appropriations.

203. By Mr. HOLMES: Memorial of the Senate and House of Representatives of the State of Washington, urging legislation covering shipments of cigarettes between States having different taxation laws; to the Committee on Ways and Means.

204. By Mr. O'TOOLE: Petition, consisting of 1,092 separate and individual protests, forwarded by the Ninth Assembly District Regular Democratic Organization, Brooklyn, N. Y., requesting an official and public denunciation by our Government of the unjust persecution of Josef Cardinal Mindszenty and requesting that he be liberated by requesting our delegates to the United Nations Security Council to present his case to that body; to the Committee on Foreign Affairs.

205. By Mrs. ROGERS of Massachusetts: Memorial of the General Court of Massachusetts, relative to the National Guard of the

United States and of the several States; to the Committee on Armed Services.

206. By the SPEAKER: Petition of E. J. Minges, president, Friendship Townsend Club, No. 1, Miami, Fla., petitioning consideration of their resolution with reference to taking immediate action on the consideration and enactment of H. R. 2136, known as the Townsend plan; to the Committee on Ways and Means.

207. Also, petition of Mrs. Nellie Welch and others, Palm Beach, Fla., petitioning consideration of their resolution with reference to taking immediate action on the consideration and enactment of H. R. 2136, known as the Townsend plan; to the Committee on Ways and Means.

208. Also, petition of Mrs. Hattie Erdman and others, Miami, Fla., petitioning consideration of their resolution with reference to taking immediate action on the consideration and enactment of H. R. 2136, known as the Townsend plan; to the Committee on Ways and Means.

SENATE

SATURDAY, MARCH 12, 1949

(Legislative day of Monday, February 21, 1949)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Our Father God, we turn to Thee from the perplexities and uncertainties which daily beset us. We are bewildered by the confusion of the world. Often we lose the way of certitude and self-control.

Deliver us, we beseech Thee, from the inclinations of our own hearts to self-deceit. Drive from them all equivocation and pretense. Make us true servants of Thy will in this troubled time. We ask it in the spirit of Jesus Christ our Lord. Amen.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on March 10, 1949, the President had approved and signed the following acts:

S. 198. An act for the relief of the city and county of San Francisco;

S. 279. An act to authorize the advance on the retired list of Lt. John T. McDermott, United States Navy (retired), to the grade of lieutenant commander; and

S. 307. An act for the relief of Engebert Axer.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

REPORT OF SECRETARY OF THE ARMY

A letter from the Secretary of Defense, transmitting, pursuant to law, a report of the Secretary of the Army, 1948 (with an accompanying report); to the Committee on Armed Services.

REPORT ON CONTROL AND ERADICATION OF FOOT-AND-MOUTH DISEASE, UNITED STATES AND MEXICO

A letter from the Under Secretary of Agriculture, transmitting, pursuant to law, a report on cooperation of the United States with Mexico in the control and eradication of foot-and-mouth disease, for the month of January 1949 (with accompanying papers); to the Committee on Agriculture and Forestry.

REPORT OF COMMISSION ON ORGANIZATION OF EXECUTIVE BRANCH OF GOVERNMENT

A letter from the Chairman of the Commission on Organization of the Executive Branch of the Government, transmitting pursuant to law, a report on regulatory commissions (with an accompanying report); to the Committee on Expenditures in the Executive Departments.

EXTENSION TO AND REMODELING OF BUILDING IN THE DISTRICT OF COLUMBIA

A letter from the Administrator of the Federal Works Agency, transmitting a draft of proposed legislation to authorize the construction of an extension to and the remodeling of the building located at Twenty-first Street and Virginia Avenue NW., in the District of Columbia (with an accompanying paper); to the Committee on Public Works.

RATIFICATION OF PROPOSED AMENDMENT TO CONSTITUTION RELATING TO TERM OF OFFICE OF PRESIDENT

The VICE PRESIDENT laid before the Senate a certified copy of a joint resolution of the Legislature of the State of North Dakota ratifying the proposed amendment to the Constitution of the United States relating to the term of the office of the President, which was ordered to lie on the table.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate and referred as indicated:

By the VICE PRESIDENT:

A joint memorial of the Legislature of the State of Colorado; to the Committee on Labor and Public Welfare:

"House Joint Memorial 8

"Memorializing the Congress of the United States to protest the order of the Administrator of Veterans' Affairs providing for the discontinuance of the Veterans' Administration hospital at Fort Logan, Colo.

"Whereas the Administrator of Veterans' Affairs of the United States Government, the Hon. Carl R. Gray, Jr., has issued an order to the effect that upon the completion of the veterans' hospital now being constructed in the vicinity of Ninth and Clermont Streets in East Denver, Colo., the Veterans' Administration hospital at Fort Logan, Colo., shall be discontinued; and

"Whereas there is great need for the continuance of the Fort Logan hospital, particularly for convalescent veterans afflicted with tuberculosis, for domiciliary care and as a rehabilitation center, inasmuch as other veterans' hospitals in and around Colorado and the Western States cannot provide the necessary facilities for those veterans requiring long periods of time to be restored to health; and

"Whereas veterans' organizations in Colorado are greatly concerned over the order of the Administrator of Veterans' Affairs to discontinue the Fort Logan hospital, and believe it to be an unwise and unnecessary move: Now, therefore, be it

"Resolved by the house of representatives of the thirty-seventh general assembly (the senate concurring therein), That the Congress of the United States is hereby respectfully memorialized to protest the order of Carl R. Gray, Jr., Administrator of Veterans' Affairs, providing for the discontinuance of the Veterans' Administration hospital at Fort Logan, Colo., upon the completion of the veterans' hospital now being constructed in Denver, Colo., in the vicinity of Ninth and Clermont Streets, and to do all in its power to have such order rescinded; and be it further

"Resolved, That copies of this memorial be forwarded to the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States, to the Senators and Congressmen from the State of Colorado in the Congress, and to the Administrator of Veterans' Affairs, the Hon. Carl R. Gray, Jr."

A concurrent resolution of the Legislature of the State of Michigan (with an accompanying paper); to the Committee on Expenditures in the Executive Departments:

"House Concurrent Resolution 22

"Concurrent resolution requesting the clerk of the house and the secretary of the senate to forward copies of the Detroit Free Press editorial 'Our Greatest Danger: Financial Rocks Ahead' to the President of the United States, the President of the Senate and Speaker of the House of Representatives in Congress, to the Members of the Congress, and to the governors of the several States of the Union

"Resolved by the house of representatives (the senate concurring), That the clerk of the house of representatives is hereby requested to send to the President of the United States, the Speaker of the House of Representatives and the Members of the House of Representatives in Congress, and the governors of the several States of the Union, and the secretary of the senate is hereby requested to send to the President of the Senate and the Members of the Senate of the Congress of the United States a copy of the Detroit Free Press editorial of February 23, 1949, 'Our Greatest Danger: Financial Rocks Ahead.'

"Adopted by the house March 7, 1949.

"Adopted by the senate March 8, 1949."

A concurrent resolution of the Legislature of the State of North Dakota, protesting against the enactment of legislation affecting the Rural Electrification Administration; to the Committee on Agriculture and Forestry.

(See text of concurrent resolution printed in full when presented by Mr. LANGER on March 11, 1949, p. 2217, CONGRESSIONAL RECORD.)

A concurrent resolution of the Legislature of the State of North Dakota, favoring the appropriation of funds in the form of grants in aid to the counties of North Dakota for constructing works for the prevention of floods; to the Committee on Appropriations.

(See text of concurrent resolution printed in full when presented by Mr. LANGER on March 11, 1949, p. 2217, CONGRESSIONAL RECORD.)

A concurrent resolution of the Legislature of the State of North Dakota, favoring the appropriation of funds for the planning and construction of means to prevent the destruction of wildlife; to the Committee on Appropriations.

(See text of concurrent resolution printed in full when presented by Mr. LANGER on March 11, 1949, p. 2217, CONGRESSIONAL RECORD.)

A concurrent resolution of the Legislature of the State of North Dakota, favoring the enactment of legislation providing for payment by the Federal Government of certain taxes, in lieu of local taxes; to the Committee on Interior and Insular Affairs.

(See text of concurrent resolution printed in full when presented by Mr. LANGER on March 11, 1949, p. 2216, CONGRESSIONAL RECORD.)

Resolutions of the General Court of the Commonwealth of Massachusetts, relating to the National Guard of the United States and of the several States; to the Committee on Armed Services.

(See text of resolutions printed in full when presented by Mr. LODGE (for himself and Mr. SALTONSTALL) on March 11, 1949, p. 2215, CONGRESSIONAL RECORD.)

A letter in the nature of a petition, signed by William T. White, president, Home Owners League, Inc., Schenectady, N. Y., relating

to housing, rent control, etc.; to the Committee on Banking and Currency.

A resolution adopted by a forum of German-American citizens under the auspices of the American Labor Party, Yorkville, N. Y., relating to the creation of an international council to control the Ruhr industries; to the Committee on Foreign Relations.

Resolutions adopted by the City Council of the city of Auburn, Maine; the Common Council of the city of Elizabeth, N. J.; and the Common Council of the city of New Kensington, Pa., favoring the enactment of legislation proclaiming October 11 of each year as General Pulaski's Memorial Day; to the Committee on the Judiciary.

A petition of Rosa L. Emerson and sundry other members of Negro Veterans of World War II, Montgomery, Ala., relating to cloture; ordered to lie on the table.

CALL OF THE ROLL

Mr. LUCAS. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Holland	Myers
Baldwin	Humphrey	Neely
Brewster	Hunt	O'Conor
Bridges	Ives	O'Mahoney
Butler	Jenner	Pepper
Byrd	Johnson, Colo.	Reed
Cain	Johnson, Tex.	Robertson
Chapman	Johnston, S. C.	Russell
Chavez	Kefauver	Saltonstall
Connally	Kem	Schoeppel
Cordon	Kerr	Smith, Maine
Donnell	Kilgore	Smith, N. J.
Douglas	Knowland	Sparkman
Downey	Langer	Stennis
Eastland	Lodge	Taft
Ecton	Long	Taylor
Ellender	Lucas	Thomas, Okla.
Ferguson	McCarran	Thomas, Utah
Flanders	McCarthy	Thye
Frear	McFarland	Tobey
Fulbright	McGrath	Tydings
George	McKellar	Vandenberg
Gillette	McMahon	Watkins
Green	Magnuson	Wherry
Gurney	Malone	Wiley
Hayden	Maybank	Williams
Hendrickson	Miller	Withers
Hickenlooper	Millikin	Young
Hill	Mundt	
Hoey	Murray	

Mr. MYERS. I announce that the Senator from New Mexico [Mr. ANDERSON] and the Senator from Arkansas [Mr. MCCLELLAN] are absent by leave of the Senate.

The Senator from New York [Mr. WAGNER] is necessarily absent.

Mr. SALTONSTALL. I announce that the Senator from Ohio [Mr. BRICKER], the Senator from Indiana [Mr. CAPEHART], and the Senator from Oregon [Mr. MORSE] are necessarily absent.

The Senator from Pennsylvania [Mr. MARTIN] is absent by leave of the Senate.

The VICE PRESIDENT. Eighty-eight Senators having answered to their names, a quorum is present.

AMENDMENT OF CLOTURE RULE

The Senate resumed the consideration of the motion of Mr. LUCAS to proceed to the consideration of Senate Resolution 15, amending the so-called cloture rule of the Senate.

Mr. TYDINGS obtained the floor.

Mr. WHERRY. Mr. President, will the Senator from Maryland yield that I may propound a unanimous-consent request?

Mr. TYDINGS. I can yield only for a question. I should like to accommodate the Senator, but I cannot yield without losing the floor.

Mr. President, I rise this morning with reluctance, because I do not wish to be put in the category of having engaged, directly or indirectly, in the debate which is now taking place, and which has been prolonged to this date. I do not rise to discuss primarily civil rights. That question is not before us. If it comes before us, I shall feel at liberty at that time to make my own position abundantly plain upon whatever measure may be pending.

Mr. President, I rise to discuss the security of the United States of America under the rules of the Senate under which we are at present operating. I rise to find fault with no rulings which have been made, or to discuss whether those rulings were right or wrong. I do think there is a matter connected with the proposed change of the rules which is of transcendental importance to the Senate, the country as a whole, and the civilized people of the world.

In the debate upon the proposed change of the rules it was stated that no limitation on debate worthy of the name had ever been made in the Senate up to 1917. Then, when much of the world was at war, and we ourselves were destined to become a participant in World War I in the very near future, a proposition was before this body to arm merchant ships. There was a great deal of resolution upon the part of each of those who supported and opposed the then pending measure. Because the safety of the country was involved, in the minds of a majority of the Senators then present, it was deemed wise, in the world which had evolved from the time our Government was first organized down to 1917, to take cognizance of the change which had come about in the affairs of nations and of men. So a rule was propounded, now known as rule XXII, to limit debate in this body whenever two-thirds of the Members deemed it advisable so to do.

Had we been living in the world of Jefferson and Washington, even of Lincoln, that cloture proposition would have been discountenanced and cast aside. In all the debate at that time even those who supported the cloture rule stated they did so with reluctance. But they grew up to the times in that memorable debate because the safety of the United States of America made it imperative that on a given occasion it must act if the Nation were to survive. That was in 1917.

The question now is, after two great world wars, with the invention of the atomic bomb and the intercontinental bombing plane, and flights continuous in nature around the world, whether we can grow up in 1949 to the exigencies of the occasion which now confront the Senate.

By virtue of the tolerance of my colleagues, I have been privileged to serve on three of the most important committees of the Senate, particularly with reference to the national security. I am a member of the Armed Services Committee, I am a member of the Foreign Relations Committee, and I am a member of the Joint Committee on Atomic Energy. In each of those committees and on all three of them I have been privileged to hear strategy and probabilities discussed on the various highest levels by the top men in our Government—State, military, and otherwise. There is no reason why every Member of the Senate should not have had the opportunity to acquaint himself with what many of us have been told, except that it has been deemed wise to acquaint fully in all of its ramifications some of the things involved in the international sphere only to those who have the primary responsibility of dealing with the subjects under consideration and as a safeguard to extreme secrecy.

From that background I today make bold to assert, first, that the rule of the United States Senate limiting debate, known as rule XXII, is inadequate to meet the challenge of this day and time.

Let me first demonstrate that very briefly before concluding what I hope will be a short address to bring the matter I have in mind to the attention of my colleagues.

We have already held, rightly or wrongly, in this body, that a cloture petition does not lie to a motion to consider a bill, to the approval or amendment of the Journal, and to various other enterprises of legislative mechanics. That being so, in 1917, on the mere motion to take up the armed ship bill, a handful of men could have defeated that proposition. In the future a handful of men can defeat a greater proposition by opposing a motion or debating at length a motion to take up some other bill that may have even greater import and significance than the armed ship bill had in 1917.

Now, with that brief recital of the facts as they relate to this rule—and I hope I have recited them accurately—let us look for a moment at the world situation which exists today. We have a good many boys in Europe and a good many boys in Japan. There are hundreds of thousands of them, to be exact. I do not know how many Senators or Representatives have boys over there. Fortunately I have not. Mine is home after serving abroad. But if we had boys over there, perhaps my remarks would find a little more poignancy in the hearts and thoughts of those in Congress than they might otherwise have.

It was not long ago when the Russians served notice on the American troops that our trains could no longer carry food into Berlin. The question was: How shall we feed our own men who are stationed in Berlin, and how shall we feed that part of the population of Berlin which comes under our military control? For a moment everything was at sixes and sevens. There was no solution. It seemed that we had reached an impasse and that in all probability, unless we could devise some means short of war with which to accomplish our objective, we had two, and only two, alternatives. One was to get out of Berlin, and thereby say that a former ally, now an unfriendly ally, had told us to get out and we had tucked our tail between our legs and gotten out with a loss of face all over the

world, and the hope of revitalizing western Europe would have gone, in my opinion, with that gesture and operation of acknowledged defeat.

The other alternative was to take the train and run it through the Russian zone, anyway; and if we had embarked upon that enterprise, the sparks of war would have been very close to the powder keg, and we might have inadvertently touched off another great world conflict.

Fortunately, there was still another alternative weighed and considered—doubtful, perhaps, at first, but finally tried, and of proved success when we adopted the air lift. And with our sons over there, a new method was found to hold our ground and discharge our obligations, and war was averted, or at least very serious consequences were for the time postponed.

Suppose we had not been able to have found the peaceful solution to what looked like a difficulty that could only be solved by retreat or by force of arms? There are strong men in Congress who do not want another world war. There are men who hate war so violently, so they assert, that they would almost submit to any alternative rather than plunge the world again in a bath of blood. Suppose that a measure had come before the Senate—if it had not been for the air lift—which required immediate action, and out of a strong conviction a small group of Senators, as was the case in 1917, had said, "We will filibuster this proposition to the very death before we will offer any resistance or take any measure whatsoever that might, perchance, lead us into war." And suppose that 90 percent of the Senate felt that the way to avoid war was to adopt the pending measure; then, whatever it might be, it could not be brought to a decision in this body for the simple reason there would be the parliamentary possibilities that a small group of Senators could employ to defeat the pending proposal.

I am unwilling to leave this question of what rule XXII should be in the hazy skies of divergent possibilities which in sum add up to the fact that the Senate possibly could not act in one of the darkest hours in the history of civilization and in the affairs of mankind.

When Thomas Jefferson wrote his manual he could not possibly foresee the atomic bomb. He could not possibly foresee the intercontinental bombing plane. He could not possibly see guided missles, which in the very near future, in my opinion, will fly from one continent to another through the stratosphere. He could not, perhaps, see that disease germs might be a weapon of offense and defense in bacteriological warfare. He could not visualize, perhaps, all the poison gasses, used and unused, discovered and yet to be discovered, which will be available in a war of extermination, which the next war will probably be—not only for those who wear the uniform but for the men, women, and children in the great cities from Maine to California and from Florida to Washington, and all over the world, if need be.

I am not making these remarks in any sense by way of personal criticism. When we go back to the precedents of more than 100 years ago and review the history of this country for its first 125 years of existence, we are using an outmoded yardstick to measure the exigencies of the day and hour in which we draw the breath of life on this planet. The Senate is in the horseback days, so far as the rules are concerned, when it comes to dealing with a probable or possible contingency in which the Nation's very existence may be at stake, so long as we say that by a mere motion 1 or 2 or 10 men can paralyze the entire Government and prevent it from meeting an emergency which will not be postponed for a day or a week, but may conceivably turn on a mere matter of seconds or minutes.

The two atom bombs which were dropped on Hiroshima and Nagasaki, crude affairs, the first atomic bombs we had ever made, resulted in an official death toll of 78,150 at Hiroshima, with no wounded or missing, and a toll of between 35,000 and 40,000 killed or missing at Nagasaki, a total of 118,000 known killed or missing. What would one of them do to New York City or Chicago? In a fast bomber, such as many of us have seen with our own eyes, the speed and other capabilities of which have been published in the press, it is possible to fly from Siberia to Seattle in 3 hours, and, if it is carrying an atomic bomb, wreak havoc. It is possible to fly to Chicago in 4 hours. Nay, more than that. In a matter of 5 or 6 hours, it is possible to fly from Maine to Moscow; and if there is a plane over there, in the same length of time it can fly from Moscow to Maine.

We are only in the beginning of high speed, intercontinental bombers. We are just starting. Soon planes—perhaps bombing planes—will penetrate the sound barrier. Our great plane builders, such as Douglas, Boeing, Glenn Martin, and others, say that the day of the plane which will travel 1,500 or 2,000 miles an hour is just in the offing. When a plane is traveling even 1,000 miles an hour, if it is coming in this direction, it is no time for doubting Thomases to be arguing motions to take up bills on the floor of the Senate, or anywhere else.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield for a question.

Mr. RUSSELL. I should like to ask the Senator what the Congress would do if one of those fast bombing planes took off from Moscow at midnight and started for Washington.

Mr. TYDINGS. I will come to that. I should like to say to my good friend, for whom I have not only great admiration, but a warm friendship and very great respect, that, as I stated in the beginning, nothing I am saying is any criticism of anything that has happened up to this hour. It is directed primarily to the need for a rule, without saying what the rule should be, in order that the Senate can function to the best of its ability to meet the exigencies of a new day, and not the day of Thomas Jefferson, or even the day of La Follette, Reed, Lodge, and others.

Mr. RUSSELL. My question was directed to the argument which the Senator is making. Even if Senators were all in Washington, like firemen, with their clothes hanging up so that they could jump into them and dash to the Capitol, it would be impossible for the Congress to do anything to prevent what the Senator outlines. It is my understanding that the radar network which we are planning to string around the country is not designed primarily to notify Members of Congress so that they can come from their homes to Washington. I was under the impression that it was to notify the operators of our jet planes so that they could meet the enemy. I do not believe that the Air Force would wait until Congress convened before trying to prevent atomic bombs from being dropped on Washington, D. C.

Mr. TYDINGS. I did not say that Congress could act with the speed necessary to intercept an enemy bomber carrying a bomb. I used that illustration only to paint the picture, to show the difference which exists between the world today and the world of yesterday. Today everything is predicated on speed which baffles the imagination of man, while we in the legislative process——

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. TYDINGS. No; I will not yield further.

Yes; I will yield, for fear that the titters which went through the room might make some feel that I am relinquishing my position. I will yield to any Senator, if Senators want a long discussion.

Mr. RUSSELL. I merely wish to ask the Senator if, in the last analysis, the argument he is making is not fatal to the preservation of any concept of democratic government in this country? We all know that the great advantage of a totalitarian state over a democracy is that it can act without consulting anyone. If the argument which the Senator is making is carried to its last analysis, does it not mean that we should have no Congress at all, but should entrust all powers to one man, who can make split-second decisions?

Mr. TYDINGS. I do not accept that thesis, even in part. I use as my best proof the events of 1917, when events were much slower than they are today. Even then, when no bomber was coming, the Senate found it necessary to cut off debate. So if we needed such a rule in an emergency of that kind, when we were not even at war, when we were not even threatened, when all that was under consideration was the question whether we should arm merchant ships, God knows the situation calls for more speedy action today than it could conceivably have called for in the year 1917.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. TYDINGS. I do not wish to say that the Congress has a magic wand, or that even if given the speed of Minerva in thought and action, it could handle all the difficulties which may overnight overcome us. What I mean to say—and I do not think it can be successfully contradicted—is that there are a multitude of exigiencies with which Congress can deal successfully if it has the machinery which will permit it to deal with them

successfully. That is my whole point. I do not say that there might not be some extreme case in which, even though we could cut off debate in 1 minute, for example, that minute would not be sufficient to deal with an emergency which might occur in an instant.

What I am attempting to picture is the world in which we live. As the Senator from Michigan [Mr. VANDENBERG] and I have both said in public statements, we are dealing with realities, with the stark facts of life in the year 1949, and not with the stark realities of life in the year 1800 or 1917.

I now yield to the Senator from Arkansas, although I would appreciate it if Senators would bear with me and let me finish my statement.

Mr. FULBRIGHT. I am sure the Senator knows that there has been a war since 1917. We finished one more recently than that. Can the Senator cite one instance in which the rule was applied in the last war, or in which it should have been, and in which the country's defense suffered?

Mr. TYDINGS. I can only say that in 1917, when we were at peace, when the threat of war hovered over the horizon, Senators found it necessary for the first time in the history of the Senate to impose a limitation on debate.

I am not saying that the rule ought to be a majority cloture rule. I am not saying that the rule for two-thirds is wrong. What I am directing myself to is this: that the rule does not amount to a tinker's dam unless it is broad enough to encompass the reading of the Journal and to encompass motions aside from the pending question. That is my point in this debate: that so long as those two avenues of escape from cloture are open, there is no cloture to determined men who will do just what has been done here, namely, argue on the motion, against which cloture has been held on numerous occasions not to lie, as was reaffirmed last night, rather than permit the prime legislation itself to come before this body for decision.

Mr. President, we are spending about $20,000,000,000, all told, to try to save the civilization of western Europe. We are spending $15,000,000,000 or more this year on our own Army, Navy, and Air Force, not for the last war but to meet the contingency I have briefly alluded to in the remarks I have made so far. We are likely very soon to be confronted with a proposal to furnish arms and weapons, perhaps, to certain countries of the globe. Why? Because there is inherent in each of those propositions the idea, not that we are charitable, not that we are a big brother and love our neighbor as ourselves, but that our self-interest makes it wise for us to embrace and pursue these policies. In the last analysis, self-preservation is the greatest motivating force, rightly or wrongly, behind each of these proposals. Yet while we tax our people, take from them the fruits of their labor to do all of these things, we have left in our own legislative procedure a gap where a mere motion can frustrate the whole proposition of terminating a debate, even if the national safety and security are involved in the process.

If I could have voted my true convictions last night, it would not have been to tear down the two-thirds rule. I think there is ample justification in certain contingencies to put restraints and checks and balances upon the legislative processes up to a point. But I was confronted with the thoughts to which I am giving partial voice today: That even though I thought good arguments had been advanced by the eminent Senator from Michigan [Mr. VANDENBERG] to sustain the point of view which he supported, yet we might be caught in a situation where no change in the rule could be effected; and, thinking of the dire consequences that might lie in the offing if no change were made in the rule, I supported the position of the Vice President, because it was the best way that I could see, whether it be technical or whatever one may call it, to render the greatest service at the immediate moment in the way of protecting the interests of the Nation.

Mr. President, there is not a Member of this body who will deny that the cloture rule we now have on the books does not cover the reading of the Journal, does not cover motions of all manner and kind which are not essentially the pending motion, and does not cover even a motion to take up something and make it the pending measure. My plea here this morning is that whether we have civil-rights legislation or do not have it, let us at least change the rule so that if we are going to have cloture, we may actually have it; that we do not assume that we have it securely in hand, only to find that, like an eel, it slips out of our hand because we cannot have a firm and complete grip on the termination of debate in this body. I am afraid that in the exultation which may come to either the proponents or the opposition who are interested, not in the rule per se, but in the propositions which hang behind the rule, which are broadly called civil rights, they may take a temporary victory, one way or the other, and leave this rule as it is; and then some day we may be sorry.

Mr. President, I am not going to draw on my imagination to picture the things which might happen if we do not change the rule. I do believe that we may be confronted at some time in the future with the necessity of passing in a very short time a great deal of legislation having to do with our own survival. I would take it for granted that possible future enemies—and as I make this remark I hope to God we shall not have another war—may themselves be close to obtaining the atomic bomb, that in time they may have the atomic bomb, that in time they may have the intercontinental bombing planes. Whenever they do, Mr. President, I do not care how vivid our imagination may be at this good hour, it will not encompass the ideas pro and con that will seep through our heads when we are confronted with the stark realities of that situation, when it is a reality, and no longer merely a probability.

But if such a time comes, some Senator who does not view it as 90 percent of us might view it, could rise here on the floor of the Senate, and say, "This leads to war, if you propose any kind of a preparedness measure that amounts to very much"—just as some men said in 1917. That has been the classic example used by both sides here, so there is no reason why I should not use it. It is exhibit A–1 in this case. It has been relied on by all the speakers up to now. If it was relied on then, God knows it should be relied on a thousandfold more right now.

In the course of my service here on the Armed Services Committee with the eminent Senator from Massachusetts [Mr. SALTONSTALL] and some other Senators, I have had the privilege of going to Bikini and watching the atomic bomb dropped on the fleet; and I pictured in my mind what that bomb would have done to Baltimore or to Washington or to New York.

Yes, Mr. President; we never needed a cloture rule for over 100 years because we had two great oceans on either side of us, the Atlantic and the Pacific. In those days no one could come over the breast of those great waters and attack our own country; we could debate from now until doomsday, from Dan to Beersheba, we could cover the whole map in the course of our debates, and no one was going to bother us. We knew that.

Mr. President, those great oceans are becoming smaller and smaller; today they are only rivulets. At least 25 of my colleagues have flown the Atlantic, and many of them have flown the Pacific, and some of them have flown all the way around the world.

Mr. RUSSELL. Mr. President, will the Senator yield for a question?

The VICE PRESIDENT. Does the Senator from Maryland yield?

Mr. TYDINGS. I yield for a question.

Mr. RUSSELL. Is the Senator taking the position that it would be necessary for Congress to take any steps whatever before the Army and the Navy of the United States could undertake to anticipate an attack upon the United States with an atomic bomb?

Mr. TYDINGS. The Senator has answered that himself, when he referred to what happened in 1917. There was not an atomic bomb even in existence, and the Senate in 1917 found it necessary to apply cloture in order to arm ships when we were at peace, and it had to be done over and over again. Heaven knows, if it had to be applied in those days it is easy to see how much greater the necessity will be for doing it in the future, in the realistic world in which we are now living.

Mr. RUSSELL. The Senator did not answer my question. Is it necessary for the Congress to take any action before the armed services that we are now supporting at the great expense to which the Senator refers, would be permitted to defend the United States from attack?

Mr. TYDINGS. Is it necessary? Of course we could not take any steps if we thought an attack was not coming, because there would not be anything to consider.

Mr. RUSSELL. I am assuming an instantaneous attack, of which the Senator paints such a dire picture, and which has already frightened not only the Senate but all the American people,

as to whether or not, if such an attack were launched, it would be necessary for the Congress of the United States to take any steps whatever before the Air Forces could rise to shoot down the planes which were coming over.

Mr. TYDINGS. Yes, it would, because I conceive in the day in which we live, modern intelligence being what it is compared with years gone by, that in most cases our people would be more alert than in the case of Pearl Harbor, when they did not have, perhaps, the intelligence, or if they did have it, did not analyze it, that the Japs were coming. I would assume that our intelligence service would know what was in prospect by the movement of troops up to the border, by the movement of airfields into Siberia, by the movement of airfields closer to London and the European coast, by an increase of military activity in Russia, and, if they have the bomb, by the movement of the bomb itself to the airfields in the east, and that it might be very, very necessary for us to take appropriate legislative action on a variety of subjects, such as the draft, universal service, cvillian participation, as watchers, and generally for our protection. If we should have another war, let me say to my friend from Georgia, it would be necessary to organize the farmers, the school teachers, the policemen, the school children in the large cities, particularly when we know that other countries have the bomb. We are not going to let our cities remain like sitting ducks on a pond and wait for the bomb to come, and the subsequent confusion and disorder. And mark you, Mr. President, when the first bomb drops on an American city, we are going to have a lot of trouble keeping the populations of those cities in the cities.

If they have automobiles and an Aunt Molly living out in the country, they are going out for a little longer than the week end. The Senator can be sure of that.

Mr. RUSSELL. Mr. President, will the Senator yield for a further question?

The VICE PRESIDENT. Does the Senator from Maryland yield?

Mr. TYDINGS. I yield for a further question.

Mr. RUSSELL. Assuming our intelligence is not quite so efficient and infallible as the Senator suggests—and some of us perhaps have some doubt that our intelligence knows the exact movement of everything behind the iron curtain—assuming, and I do not think it a violent assumption, they did not know anything about it, but the radar screen we propose to put around America should pick up a strange four-motor bomber bearing down on the city of New York, does the Senator think it would require any action by the Congress before our fighter planes went up and sought to shoot down that plane?

Mr. TYDINGS. No. But there would be required much action of a legislative character after that, which the rule we now have would not permit us to take, unless it is amended.

Mr. RUSSELL. Mr. President, will the Senator yield for a further question?

The VICE PRESIDENT. Does the Senator from Maryland yield?

Mr. TYDINGS. I yield for a further question.

Mr. RUSSELL. Does not the Senator know that the War Between the States had been in progress for some weeks before the war was declared; and does he not know that when war was declared in 1917, the resolution stated that, a state of war had been existing for some months between this country and Germany, and that President Roosevelt did not even ask the Congress of the United States to declare war against Japan and Germany until 2 days after Pearl Harbor? So, with all the terrific speed of which the Senator speaks, we might just as well capitulate now, if we have got to wait on the Congress to take action to defend the United States from attacks from outside the country.

Mr. TYDINGS. Of course, the fallacy in the Senator's premise is that, by inference, he is saying we only need in 1949 the same legislative procedures we needed when the first Senate met. That is what it adds up to. And even in spite of that, while he is talking, he has himself used over and over again the example of 1917, when the Senate after a long debate on a mere arming of merchant ships, when we were not at war. The Senator has used that classic example to show that at times we do need legislative action, and when we do need it, we can get it under the rule.

Mr. RUSSELL. If the Senator will permit, I would challenge that statement and defy him to find in the RECORD where I ever used the 1917 instance in any way as an argument to that effect.

Mr. TYDINGS. That is a fair inference of the Senator's remark.

Mr. RUSSELL. I should like to ask the Senator just how much debate he would permit, if we can be destroyed here in 2 seconds and must have Congress act before any action can be taken to defend the country. If all Members of Congress slept in their clothes and held themselves in instant readiness to dash to the Capitol, just how much debate would the Senator permit?

Mr. TYDINGS. I would allow very little debate, I may say, under the circumstances the Senator used as a predicate for his own question, to wit, that a Russian bombing plane was on its way to the cities of America. I should certainly want to have some curb on motions, and amendments to the Journal, while my life and the lives of my fellow Congressmen hung in the balance. But, according to the Senator's interpretation, even if such a plane were coming, he would then resist the right of the Senate to say that motions and amendments to the Journal shall not be precluded from cloture, because he would say "Well, we will take a month, or a year, if there be some men who want to do it, and we will go on with the debate, while our cities are destroyed."

Mr. RUSSELL. Does not the Senator know he has completely misinterpreted my position, and that, to the contrary, I hold that the United States Army and Navy could be set in motion without an act of Congress by the President, if an enemy were to attack our shores?

Mr. TYDINGS. There would be set in motion our one and one-half divisions in Europe. They would be set in motion against the 115 Russian divisions. They would be set in motion, and that would be the last motion any of them would take, and it would not be a motion to take up a bill or to approve the Journal.

Mr. RUSSELL. Mr. President, will the Senator yield? I should like to ask him one other question.

The VICE PRESIDENT. Does the Senator from Maryland yield?

Mr. TYDINGS. I yield for a question.

Mr. RUSSELL. If the Russians were, within the next 10 minutes, to move into Berlin by force to eject our troops stationed there, and were to move into Vienna to eject our troops stationed there, and were to attack all along the border between Russian territory in Germany and our territory, would the Senator propose to require our troops to be set into instant motion or be slaughtered, or to be captured and sent to Siberia by the Russians, because, forsooth, the Congress had not acted? Or does not the Senator think that when the Russians moved our troops would start shooting, whether one division or a half division, or a battalion? The Senator need not reproach me with the scarcity of troops, there, because I have supported both universal service and the draft.

Mr. TYDINGS. The position of the Senator from Georgia is this, that of course our troops would start shooting, but he is not meaning they would win against a force that outnumbered them 100 to 1, does he?

Mr. RUSSELL. No.

Mr. TYDINGS. But, after they had been exterminated and a bill was introduced here, or 10 bills, to deal with the emergency situation, someone would say, "Oh, it is too bad. We should not have done that. We have lost 100,000 men. But, if we go to war, we shall lose more, and therefore I am going to hold the floor. I am going to say that the Journal should not be approved, because the semicolon in the second sentence has been put in the wrong place, and, furthermore, there is a verb there that does not agree with its subject or its number, and therefore I shall have to insist it is necessary that it be corrected before I will act." I will take just as extreme a case as the Senator from Georgia took.

Mr. RUSSELL. The Senator, of course, speaks up to par. I will ask the Senator if he thinks he is quite up to par on his usual sarcasm?

Mr. TYDINGS. I have to play golf according to the character of the fellow I am playing against. [Laughter.]

Mr. RUSSELL. Very well. I will ask the Senator this question, then: Does the Senator reproach me for the scarcity of troops?

Mr. TYDINGS. I am not reproaching the Senator.

Mr. RUSSELL. Oh, yes; the Senator is reproaching me.

Mr. TYDINGS. The Senator asked questions, and I am giving him an answer.

Mr. RUSSELL. Yes; and in doing so, I will ask the Senator if he did not reproach me for the paucity of troops in Germany. Does not the Senator, who is

the chairman of the distinguished Armed Services Committee of the Senate, charged with the responsibility in these matters, feel that he has some responsibility for those troops?

Mr. TYDINGS. Of course; and I should like to say to the Senator, in answer to his question, that there are already a half-dozen military bills on the calendar which we cannot reach because on a motion to take up a bill there is no check at all. One Senator can hold out as long as his health lasts. There are bills providing for the establishment of a radar screen. I do not want to be diverted from my argument, but that device cannot be built with one appropriation. All that is being done is to make a mere start. There are bills to protect the codes of the United States, which even now may be violated without any protection of law.

Mr. RUSSELL. When were those bills placed on the calendar?

Mr. TYDINGS. They came in a few days ago. I do not know whether they are on the calendar, but they have been reported unanimously from the Committee on Armed Services; and here we are, debating a mere motion to take up a resolution, and the debate has gone on for 10 days. I am not quarreling with the fundamental position of the Senator from Georgia. He has a perfect right to express his views and to express his opinion as to what the rules should be. What I am trying to do is to point out that the rule is no rule, that debate is unlimited, and unless this loophole is closed there can be in the future, as there was in 1917, and with more reason for it, the necessity of taking up bills of various kinds.

Mr. RUSSELL. Mr. President, will the Senator yield further for a question?

Mr. TYDINGS. I shall not yield further to the Senator. I have been courteous. There is a great deal of repetition apparent in his questions, without reflecting on him, and I do not think the questions are germane to the matter which I am attempting to discuss.

The VICE PRESIDENT. The Senator declines to yield.

Mr. TYDINGS. Let me conclude. What have we done here? We have used as a yardstick to measure the rules of the Senate the fact that the times of George Washington prove, first, that no cloture was needed for the first 100 years of our Nation's history. Then we have used a yardstick that goes back to 1917. Even at that time we said that the old Washingtonian yardstick was no longer long enough to measure the exigencies of 1917. So we established a new yardstick, which sufficed for 20 or 30 more years. Now we are at the point where we must have still another yardstick to measure debate in the Senate.

My plea today has nothing to do, pro or con, with civil rights per se. I am not even thinking of the civil-rights program; I am not attacking those who favor it or those who oppose it. I am saying that the rules of the Senate, as they stand and will stand until these loopholes are closed up, may conceivably put the security and the welfare of the Government and the people of this Nation into serious jeopardy. I am saying that until we plug up those loopholes, whether by a two-thirds majority vote or a three-fourths majority vote, or whatever kind of a plug we may use to put into those loopholes, there is no curtailment of debate in this body, and that in this day of the intercontinental bombing plane, the atomic bomb, guided missiles, disease germs, the speed and dispatch with which those weapons may be carried, and the devastation which will occur, once war comes, we should gear ourselves, as we ask the services, to gear themselves to meet the exigencies, whatever they may be, with all dispatch and promptness and without undue delay and debate.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield for a question.

Mr. VANDENBERG. Mr. President, with much that the Senator says I find myself in complete agreement, as I have frequently indicated heretofore. It is as a matter of national security that I think it is essential to have an effective, reasonable cloture rule. This is the question I want to ask the Senator. He has indicated that in 1917, when the Senate found itself confronting a need in respect to national security, it proceeded as men of good will should proceed, and a group of Senators was created from both sides of the aisle to address themselves to the necessity, and they came out with an agreement, for the first time in the history of the Nation, in respect to a cloture rule.

We now confront a situation—and I ask the Senator if this is not true, since I must address him only in the form of a question—we confront a situation in which two great and fundamental necessities collide. I agree completely, as to the necessity which the Senator describes, that we must have a reasonable cloture rule which is effective. At the same time that necessity collides with another necessity which is very close to my heart, and evidently close to the hearts of a majority of the Senators, namely, that in reaching this result we must proceed by due process and protect what we believe to be the essential dignity of the rules of the Senate of the United States. I ask the Senator whether he thinks it is impossible for Senators in 1949 to proceed as Senators did in 1917—drop the atmosphere of bitterness, contention, and controversy with respect to this challenge and undertake, as Senators did at that time, to sit down together and find a common ground which does protect, so far as is reasonable or right, the freedom of debate, yet which, on the other hand, does protect the necessities of this Government if an emergency should arise.

Mr. TYDINGS. I am completely in accord with the suggestion made by the able Senator from Michigan, and my sole purpose in rising here today and making the preliminary remarks which I have made, and which I shall conclude, if not interrupted, in the next 5 minutes, was finally to make an appeal to my good friends on both sides of the civil-rights question and to ask them if they will not let it drop from their thoughts while fashioning a rule for over-all purposes.

I am sorry the Senator from Georgia has left the Chamber, because I had no intention of attacking his position in what I have said, or the position of others who disagree. My sole purpose was to try to picture in not too cogent terms, not with the amount of thought that I would like to have given it—this idea came to me last night—but to picture some of the possibilities of the present and the future as compared with 1917 and the centuries before, and to ask those on this side of the aisle and the those on the other side of the aisle if they will not attempt, in a spirit of fair compromise, to find some way of plugging up the loopholes in rule XXII so that in some conceivable national emergency we shall not be impotent to deal with it.

Mr. ROBERTSON. Mr. President, will the Senator yield for a question?

Mr. TYDINGS. Just a moment, please. I believe there is a fundamental will in this body to accomplish that objective. As I said before, I am not attacking anyone. I am not criticizing the Senator from Georgia or the Senator from Illinois, or agreeing with them necessarily. This is an appeal, within reason, and confronted with the situation which exists, for representatives of both sides to sit down somewhere and bring out a fair rule, all things considered, which will, at least, in a moment of national disaster or possible disaster, operate to permit the Senate to do business with due dispatch.

I now yield to the Senator of Virginia for a question.

Mr. ROBERTSON. Mr. President, I should like to ask the Senator if he will give us his definition of a fair compromise. Does it mean, in his opinion, that those in the South who are trying to protect themselves from what they believe to be wholly unconstitutional measures, as well as from measures that would be practically disruptive to our social and economic conditions, must do all the compromising and accept what may be a majority or a two-thirds settlement, or would a fair compromise include a consideration of some other basis, possibly a little more liberal than two-thirds, to end debate when the national interest is at stake?

Mr. TYDINGS. I cannot give the eminent Senator from Virginia a specific answer to his interrogatory, but in my opinion, in a general way—and I think he will understand—unless there is going to be that degree of comity on the part of both sides of this question to reach a compromise, there is no point in meeting. I am hopeful, however, that by an exchange of views on the rule itself there can be a meeting of the minds of those who are on the two sides of this proposition.

I should not care to say what I think the compromise ought to be. I do not think it would be fair to my own proposition to suggest that there be a meeting, and then say what the meeting ought to bring forth. I am content to believe that if the approach is made, as it was made in 1917, and the gentlemen from the South say, "We cannot go beyond this point," and the other gentlemen say, "We cannot go beyond that point," somewhere in between can be found a middle

ground where, with a little give-and-take, the Senator and his associates can save whatever they want to save without giving undue hostages to fortune, and at least make it possible, under the conditions agreed upon, to terminate debate on matters other than a pending measure.

Mr. ROBERTSON. In the opinion of the distinguished Senator from Maryland, would consideration of a three-fourths majority be a proper item in a spirit of compromise?

Mr. TYDINGS. I would say to the Senator that that certainly ought to be one of the propositions which should be given due consideration. I am not going to agree to any proportion, for myself, but the very thought that the Senator propounds that himself, coming from a side of the civil-rights question upon which I know he feels strongly, is the best evidence that there is room for the agreement which I have requested.

Mr. MALONE. Mr. President, will the Senator yield for a question?

Mr. TYDINGS. I yield.

Mr. MALONE. I should like to inquire of the distinguished Senator from Maryland if it is his opinion, as indicated by the entire trend of his argument, that all the votes against the ruling of the Chair came from Senators who are against the civil-rights bills?

Mr. TYDINGS. I will say to the Senator from Nevada, with his permission, that I would rather not pass an opinion in any way, shape, or form on the civil-rights matter, for the reason that I am here making a plea for a change in the Senate rules. I am not rising to argue the pro or con of civil rights at this time. The Senator from Maryland has engaged in such arguments before, and will do so again, if the question comes to the floor and he deems it necessary. My point is that, no matter whether the civil-rights question is decided, and every Senator votes for the decision that is made, there will still remain this loophole in the rule, and that is the thing I wish to see plugged.

Mr. LODGE. Mr. President——

Mr. TYDINGS. I yield to the Senator from Massachusetts.

Mr. LODGE. I am trying to get the floor.

Mr. WHERRY. Mr. President, will the Senator yield that I may ask a question?

Mr. TYDINGS. I yield for a question.

Mr. WHERRY. Does the Senator from Maryland contemplate, because of the remarks which have been made, making any such suggestion as he and the Senator from Michigan indulged in, in a colloquy relative to arriving, if possible, at some solution of the problem before the Senate?

If the Senator does not mind, before he answers, I should like to make an observation. It was the intention of the Committee on Rules and Administration to bring into the Senate, on the theory that a cloture petition did not lie on the motion, a rule which would permit that which Senators in the main would accept. The committee worked earnestly in that endeavor, and if we lay aside all politics and all questions of legislation, it will be admitted, I am sure, the committee has done that. We did it 2 years ago. We did it a year ago. We have brought the same kind of a rule before the Senate at this time.

I did not think the time had arrived when one might propose a unanimous-consent request to do what the Senator has suggested, because my feeling is we have not yet attempted to settle this matter in the one way in which we can settle it, that is, by breaking a filibuster. But if the Senator has that idea in mind, which is in harmony with the Senator from Michigan, and thinks that there could be any other effort made, other than what has been made by the Senator from Arizona [Mr. HAYDEN] and those of us on this side, while I cannot speak for the minority at this moment as to how they would all feel about such a solution, I want the Senator to know that, as the ranking member of the minority on the Committee on Rules and Administration, and as the minority floor leader, I will do my level best to have a solution worked out, and I am satisfied that in the mean this side of the aisle would like very much indeed to meet the situation in the way suggested, if it can be done.

Mr. TYDINGS. I thank the Senator, and in answer to his question, very briefly, I may say I have talked with a number of Senators on both sides, with no particular proposition to submit, and I have found among those from the South and among those from the West and the North, an underlying desire to try to find common ground on the question raised. Therefore it was my hope that I might give some little momentum to that worthy objective by these remarks on the floor this morning.

To conclude, Mr. President, let me say once more that I have risen not to criticize those who are opposed to the civil-rights program, or those who favor it, or those who voted on the side of one ruling or the other from the Chair, but to try to show in a very humble way that we are living in a world that is not the world of George Washington or Woodrow Wilson, and knowing that the Senate is basically patriotic and alert to its duty, it is my hope that this little talk of mine may inspire some momentum which will help us to get out of an impasse which might, conceivably, in a dark hour of our destiny, be darker than it need be.

Mr. LODGE. Mr. President, I wish to address myself briefly to the situation which is confronting us here today. I shall not rehash what happened in the Senate yesterday. I shall certainly not condemn any Senator who may disagree with me. I do feel that the question before the Senate is one which has very large implications indeed, and that no good purpose is served by making it the subject of partisan recriminations.

Mr. President, both our major political parties are involved in this subject in approximately the same way. If one reads the planks of the respective party platforms, as I have just done this morning, he finds they have substantially the same import. The fact is that the matter transcends any question of party, that there were many Senators last night who did not feel that their votes in any way related to the merits of having the Senate limit debate or not, and that therefore the cause is not yet lost. It is disheartening to me to see interviews in the newspapers today that the vote last night marked the end, for this session, of any effort to get a change in the Senate rules, and that it marked the end, for the session, of any attempt to secure civil-rights legislation. I cannot believe that that is true.

Although the cause is not yet lost, I think in all candor we must admit to ourselves that the spectacle that has been going on here for the last 10 days has not been an edifying one for the country as a whole. The American people do not understand how it is possible that in a group like the United States Senate there is not some way whereby, after everyone has had a chance to be heard, we would be able to vote on an issue that comes within the purview of the Constitution. I think the average citizen feels that what we have been doing here does not constitute a good performance. I believe that if we were to drop this matter now and go on to something else we would cause great disappointment and dismay in the country, we would hurt the whole institution of government, we would injure the office of United States Senator which we hold, and we would regret it all the rest of our lives.

I do not say that simply because this involves the issue of civil rights, although it does involve the issue of civil rights, of course, and that is a very broad issue. It is in all truth becoming broader all the time. There was a time when the question of civil rights was a political question and a social question, but now it has become also an economic question, it has become a military question, and in a very real sense it affects the whole solidarity of the American people. In fact it is hard to think of an issue that can come before us which means more to men and women in their inner life than a question which affects the individual worth of a human being.

This question of his individual worth and his standing in the community is more important than what he eats or what he wears or where he lives or anything else. I think we would have to look far before we could find an issue which in its urgency and insistency and immediacy surpasses this question of civil rights.

We know, for example, that we are not a country which has a great surplus of manpower any more. We used to think we did, but we know now that is not true. We know how during the war in our industries we had to do away with segregation in a great many places in order to get production for the war effort. The war also taught us the lesson that we can no longer afford, in the tragic event of another war, to continue the senseless, stupid, and cruelly destructive racial segregation that has gone on in our armed services in the past. It is unfair to the citizen who is segregated against. It is unfair for the other citizen because it means that he has to carry the whole load of the battle.

This question is changing, it is growing, it is getting broader all the time, and the sentiment is growing, I think,

in many parts of the country, that there must be no second-class citizens in America; that we simply will not stand for it.

I have lived in the South, and I have friends in the South, and I have never said, and I never will say, because I do not think it, that all the discrimination and all the segregation is in the South. I think there is just exactly as much unreasonableness, just exactly as much of a hateful attitude in other parts of the country as there is there, and I will say that to anybody. I think there may be an undue amount of sensitivity there as to the effect of some of these proposed laws. It has never been clear to me how the enactment of anti-poll-tax legislation or antilynching legislation could possibly injure the rank and file of citizens there whose well-being depends on the established order. I never could see that. I think that is unduly alarmist. So I am fair about this. I think no section is without blame. It is an issue that underlies all things.

You may think you have disposed of it for the session. When you refused to sustain the Vice President's ruling you may have thought you had heard the end of it, but, Mr. President, you have not heard the end of it, and, in my judgment, you will never hear the end of it until it has been solved.

Mr. President, there is not only the question of antilynching legislation and anti-poll-tax legislation. There is the question of segregation in housing, segregation in education, segregation in the armed services, fair-employment practices. Some of those things may require legislation, and some of them may not, but they are all thorny, burning issues which are of the utmost vitality to a very large segment of the American people, and I say that regardless of race, creed, or color. So we contemplate a challenge today of great breadth and depth and significance.

Apart from the civil-rights question, which heaven knows is broad enough, there is the enormous question of whether this Government is going to be able to cope with issues that come before it, whether the United States Senate is going to be able to meet the whole challenge of modern life. That is at stake here. The fact that this debate is holding up social legislation, in which I personally happen to believe is regrettable, but no more important issue can face us at this moment than the issue we are confronting, and there never will be a better time to come to grips with it than this time, because it is impossible ever to bring up a measure like this and have a prolonged debate like this without having some meritorious legislation pile up in back of us.

Those of us who were on the Committee on Rules and Administration did what we could to get this measure out as quickly as possible. I wish we could have gotten it up in January, when we were meeting only 2 days a week. We could not do that, but we got it out in February. We got it up as soon as possible so that the number of important bills which were pressing for Senate consideration were at a minimum.

This thing is now up. We ought to stay with it and see it through, and let no arguments, however appealing, as to the merits of other legislation, dissuade us from so doing.

Now, what is the practical course which is open to us?

Mr. McMAHON. Mr. President, will the Senator yield for a question?

Mr. LODGE. I yield for a question.

Mr. McMAHON. Assuming that the debate went on for a few days more, and got up to the deadline for rent control, would the Senator suggest that we should let rent control lapse?

Mr. LODGE. Well, I have always been in favor of rent control.

Mr. McMAHON. That is not the question.

Mr. LODGE. Will the Senator let me answer his question? He interrupted me before I had a chance to answer.

Mr. McMAHON. I am sorry.

Mr. LODGE. I have got to answer the Senator in my own words. I cannot answer him in his own words.

I have always been in favor of rent control, and I still am. In Massachusetts the Governor has announced that he will press for State action in the event that Federal rent control is not extended, and if Federal rent control should lapse, of course, State action could, should, and in Massachusetts would be provided.

Now, Mr. President, the practicality is that if we want to bring this issue to a head and have a show-down on it, there is, as I see it, only one course left open to us. It is a very disagreeable course, one which no Senator enjoys contemplating. That is the course of having continuous night sessions and holding the Senate in session, as has been done in the past, until we wear out the filibuster and obtain a vote.

I realize the many objections to such a procedure. It is extremely fatiguing physically to everyone. It could be injurious to health. Those who are trying to promote the legislation are in a much more difficult position than those who are trying to stop it. At 3 o'clock in the morning when a Senator finishes his speech, for example, the absence of a quorum is suggested, and it is impossible to obtain a quorum. The Sergeant at Arms is sent out to bring in Senators and he cannot find enough to make a quorum. Then it is necessary to adjourn and we lose all we have accomplished by way of wearing down the filibuster.

But I believe there are enough Senators who are willing to agree to stay here all night. That is the test. I can see no other way out of the difficulty. If we start at once, we ought to be able to get a show-down on this issue in plenty of time to prevent any jeopardy to rent control.

This technique is so clear to the public, so clear to the press, and so much has been said about it that I believe that unless we do sit in continuous all-night session the public will feel that we are not really serious.

Mr. LONG. Mr. President, will the Senator yield for a question?

Mr. LODGE. I yield for a question.

Mr. LONG. Did not the Senator from Massachusetts state, in committee meeting, that in his opinion a filibuster could not be broken if as many as 16 Senators were to engage in it?

Mr. LODGE. No; I did not say that. I said that was the indication.

Mr. LONG. Mr. President——

Mr. LODGE. Let me answer the Senator's first question before he asks me the second.

I am not a defeatist or a pessimist. I never give up. The fact that it is difficult to break a filibuster does not in the least discourage me from trying. The old saying is, "The difficult we do right away; the impossible takes us a little longer." I believe in making a real try to break the filibuster. Does that answer the Senator's question?

Mr. BALDWIN. Mr. President, will the Senator yield?

Mr. LODGE. I yield to the Senator from Connecticut for a question.

Mr. BALDWIN. Am I to understand the Senator from Massachusetts to say that he personally would be willing to stay here as long as necessary in order to finish this job, and come to a determination of this question?

Mr. LODGE. That is correct. I am willing to stay here all day and all night, until we reach a decision on this question. I believe that a great many other Senators would be willing to do so. I feel that unless that happens, the public will feel that we have been trifling and toying with this question. I have been here since 1937, on and off. It is my judgment, based upon my experience, that it is not possible to break a filibuster by sitting until 9 o'clock every night. It is not tiring enough.

Mr. BALDWIN. Mr. President, will the Senator further yield?

Mr. LODGE. I yield for a question.

Mr. BALDWIN. Would it interest the Senator to know that he might have company? I, for one, would be glad to join him, and I am sure a great many other Senators would.

Mr. LODGE. I know that if the Senator from Connecticut were here, we would have good company.

Mr. BALDWIN. I thank the Senator. Will the Senator further yield?

Mr. LODGE. I yield for a question.

Mr. BALDWIN. Did the Senator read the RECORD this morning of the vote last night on the question of taking a recess? Does the Senator realize that in that vote practically every Republican then in the Chamber—I think every Republican, with one or two exceptions—voted, on a yea-and-nay vote, against the recess?

Mr. LODGE. I stated at the outset of my remarks that I was not going to try to inject politics into my discussion.

Mr. BALDWIN. I appreciate that.

Mr. LODGE. I think a good many Democrats would also be present.

Mr. BALDWIN. I think that is correct.

Mr. LODGE. I also believe that a number of Senators who voted against the Vice President's ruling would agree to go along with a program of this kind. A number of Senators who voted against the Vice President's ruling are in favor of the Hayden-Wherry resolution. Therefore, I do not believe that we ought to confine this effort to one party. It is a two-party question. It is a thing

which transcends party, just as the whole civil-rights question does.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks excerpts from the Democratic and Republican platforms bearing on this question.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

[From the Republican platform of 1948]

Lynching or any other form of mob violence anywhere is a disgrace to any civilized state, and we favor the prompt enactment of legislation to end this infamy.

One of the basic principles of this Republic is the equality of all individuals in their right to life, liberty, and the pursuit of happiness. This principle is enunciated in the Declaration of Independence and embodied in the Constitution of the United States; it was vindicated on the field of battle and became the cornerstone of this Republic. This right of equal opportunity to work and to advance in life should never be limited in any individual because of race, religion, color, or country of origin. We favor the enactment and just enforcement of such Federal legislation as may be necessary to maintain this right at all times in every part of this Republic.

We favor the abolition of the poll tax as a requisite to voting.

We are opposed to the idea of racial segregation in the armed services of the United States.

[From the Democratic platform of 1948]

The Democratic Party commits itself to continuing its efforts to eradicate all racial, religious, and economic discrimination.

We again state our belief that racial and religious minorities must have the right to live, the right to work, the right to vote, the full and equal protection of the laws, on a basis of equality with all citizens as guaranteed by the Constitution.

We highly commend President Harry S. Truman for his courageous stand on the issue of civil rights. We call upon the Congress to support our President in guaranteeing these basic and fundamental rights: (1) The right of full and equal political participation; (2) the right to equal opportunity of employment; (3) the right of security of person; (4) the right of equal treatment in the service and defense of our Nation.

Mr. LODGE. Mr. President, I conclude simply by saying that unless we really grasp this nettle and have continuous night sessions, and unless a number of Senators solemnly agree to stay here, the public will not feel that we have kept faith with them in giving effect to one of the most basic aspirations of the human spirit.

Mr. WHERRY. Mr. President——

Mr. LODGE. Mr. President, I understand that the Senator from Arkansas [Mr. FULBRIGHT] has a statement of a personal nature which he desires to make. I ask unanimous consent that he may be recognized.

Mr. WHERRY. Mr. President——

Mr. LUCAS. Mr. President, I object to the unanimous-consent request.

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Nebraska?

Mr. WHERRY. Mr. President, I desire the floor in my own right. I understood that the Senator had concluded.

Mr. LODGE. I understand that the Senator from Arkansas has a personal statement of a very sad and moving character to make. I wanted to give him an opportunity to make his announcement without having it count as a speech.

Mr. FULBRIGHT. Mr. President, the majority leader objected.

Mr. WHERRY. Mr. President, I was on my feet before the majority leader was. I was seeking recognition. I should like very much to address myself to the Senate for a few minutes on a question which I think should be taken care of at this time.

The VICE PRESIDENT. Is the Senator asking the Senator from Massachusetts to yield?

Mr. WHERRY. I ask for recognition in my own right. I was on my feet even before the Senator from Illinois was.

The VICE PRESIDENT. The Chair will not quarrel with the Senator from Nebraska about that.

Mr. WHERRY. I shall not enter into any quarrel with the distinguished Vice President, for whom I have the highest regard. I tried to obtain recognition last night and could not get it. I have tried a number of times today. Inasmuch as I was on my feet, and directly in line with the vision of the Vice President, I think I should be recognized.

The VICE PRESIDENT. The Chair recognizes the Senator from Nebraska.

Mr. WHERRY. Mr. President, I ask the Chair if the motion to take up Senate Resolution 15 is not the question before the Senate?

The VICE PRESIDENT. That is what the Chair was about to state, before he recognized another speaker.

Mr. WHERRY. I now ask that the yeas and nays be ordered on that motion.

The yeas and nays were ordered.

Mr. WHERRY. Mr. President, I wish to join in the remarks made by the Senator from Connecticut [Mr. BALDWIN] last night, or such remarks as he was permitted to make; also the remarks of the Senator from Massachusetts [Mr. LODGE] today, relative to night sessions in the Senate, in order that, by a determined effort, through holding continuous night sessions, or at least night sessions, we may get a vote on the Hayden-Wherry resolution.

The suggestion has been made that we circulate petitions among a group of Senators who will agree to stay in session at night, and who will support the Hayden-Wherry resolution when the time comes.

However, I wish to say to Members of the Senate that if the majority means what it says, and will say what it means, it has it within its power to hold the Senate in session until we reach a vote on this question. I want the RECORD to be indelibly clear. We cannot blame Senators on this side of the aisle or on the other side of the aisle because they believe this or believe that. The administration has the power, because it has a majority of 54 Senators, to hold the Senate in session until we reach a decision. Furthermore, it has the responsibility of carrying out this program.

Mr. President, I want the Senate to know where I stand. I believe the time has come for us to agree by unanimous consent, if possible, as was so ably suggested by the Senator from Maryland [Mr. TYDINGS], joined by the Senator from Michigan [Mr. VANDENBERG], that rule XXII shall be effective on a motion as well as on a pending measure, or else decide that it is not effective at all. We have to do either one or the other.

Mr. SALTONSTALL. Mr. President, will the Senator yield to me?

Mr. WHERRY. I shall yield in a few minutes.

Mr. President, I wish the Members of the Senate to know that, so far as I am concerned, I shall use my good offices to bring that about; but until that time comes, it is our duty as Members of this body not to have to sign petition after petition to be presented here; rather, it is our duty to cooperate with the majority leader, who should take the lead, and not be subject, as he said last night, to being led by this whim or that whim of some of the Members on his side of the aisle. He should take the lead, as he said, to direct the Senate into night sessions, and to make a fair trial to break the filibuster. Up to this moment, Mr. President, all we have had have been a couple of pink teas--two little night sessions not lasting even to near midnight, and then it is said that we have exhausted all the possibilities, and have made all possible efforts, and cannot get anywhere.

Mr. President, I do not agree with that suggestion. When we started on this legislation, I made a statement on the floor of the Senate that the thing for the Senate to do was to make up its mind that it would have to stay in continuous session if it ever were to have an opportunity to vote on the Wherry-Hayden resolution. I said that because the Senate was canvassed quite thoroughly by the distinguished senior Senator from Arizona [Mr. HAYDEN] and myself as to whether an agreement could be entered into that we might vote upon the Wherry-Hayden resolution without amendment, without crossing a "t" or dotting an "i." I believe that the senior Senator from Arizona will agree with me that we came to the conclusion that that could be accomplished only by submitting the proposed legislation, debating the issue, and then attempting to get it to a vote when we reached the point where we could break a filibuster.

Mr. President, today I am not mentioning any particular proposed legislation, as was done last night. That is not what is involved here. There are on the calendar of the Senate many pieces of legislation that are just as important as those which were mentioned, those which the majority leader said we were hiding behind.

I recall a filibuster—one which was ended rather satisfactorily—on a piece of legislation which was not even connected with civil rights. So I am not mentioning what proposed legislation is in the mind of the Senate or would come before the Senate. My opinion is that until we perfect rule XXII so that cloture will apply upon a motion as well as upon a pending measure, we shall not get before the Senate the proposed legislation which some Senators would like to have come before it.

Mr. President, I want the majority leader to know that so far as I am concerned—and I believe I am speaking the sentiments of at least a majority of the Members of the Senate on this side of the aisle, although of course I am not pledging them—we are perfectly willing to stay here and debate this question; we are perfectly willing to have night sessions. I wish to state that it is more important to do that than to bring up any proposed legislation which might be brought up with the idea that it would displace this matter.

The most important thing now, if we mean what we say, is to continue this debate until, by unanimous consent or by some other means, we can obtain an opportunity to vote on the Wherry-Hayden resolution. If we can get that kind of leadership here—one that is decisive, one that is determined, one that does not just simply give this matter a sort of show, so that we can vote on cloture, but leadership that will actually make that determined effort—my prediction is that the time will come when, either by unanimous consent or otherwise, we can make an agreement to amend rule XXII so as to make it effective, or else an opportunity will arise when we can vote on a motion or measure similar to the Wherry-Hayden resolution.

Now, Mr. President, I shall be glad to yield to the assistant Republican leader. I tried to make these remarks last night; but unfortunately I was not able to obtain an opportunity to do so. I wish to say now that in my experience as acting majority leader I always yielded, when requested, to the leader across the aisle; and as long as I am minority leader, I shall always do so.

Now I yield to the Senator from Massachusetts.

Mr. SALTONSTALL. Mr. President, I have listened to the distinguished minority leader, the Senator from Nebraska [Mr. WHERRY]. I have listened to my colleague from Massachusetts [Mr. LODGE]. Today I have listened to the Senator from Maryland [Mr. TYDINGS], and to the question which was propounded to him by the Senator from Michigan.

I should like to ask the minority leader a question; and if I am able to do so, either through unanimous consent or otherwise, I should like to ask the majority leader the same question in a moment.

Mr. WHERRY. Mr. President, I am quite satisfied that the Senator from Massachusetts can ask me any question he wishes to ask, and still I shall not lose the floor. But I do not wish to be forced into the position of having to request unanimous consent to permit the Senator from Massachusetts to ask a question of the majority leader in my time, because of the rule to which I have 100 percent subscribed.

Mr. SALTONSTALL. Mr. President, just now I am about to ask a question of the Senator from Nebraska.

Mr. WHERRY. That is quite all right, and I shall be glad to answer it as best I can.

Mr. SALTONSTALL. We have met all this week, Mr. President; we are meeting this afternoon, on Saturday; and if this situation continues, we shall meet long into the night. I am heartily in accord with the thought that if we cannot get together on this matter, then we must try our best to work it out through the parliamentory process of having long sessions and full discussion and all-night sessions, if necessary.

My question to the Senator from Nebraska is this: Based on what we have heard today, based on what we have heard from the Senator from Michigan, the Senator from Maryland, the Senator from Massachusetts, and the Senator from Nebraska, would not it be a helpful suggestion to have the majority leader and the minority leader agree with one or two other Senators to meet on Sunday and see if something could be worked out? If something cannot be worked out, then let them make a statement on Monday, and we shall be guided by the regular legislative processes as to what occurs thereafter in the course of long, long sessions.

But, Mr. President, it seems to me——

The VICE PRESIDENT. The Chair must insist that the Senator from Nebraska yielded for a question.

Mr. SALTONSTALL. I am asking a question, Mr. President.

Mr. WHERRY. Very well. I yield for a question.

Mr. SALTONSTALL. I want the Senator's opinion as to whether it would be possible for a few Members of the Senate, under the leadership of himself and the majority leader, this afternoon and evening and tomorrow to ascertain whether something can be worked out and some proposal brought back on Monday. If that cannot be done, then let us go through with the inevitable alternative of staying all night, if necessary.

Mr. WHERRY. Mr. President, in answer to that question, which I think is a highly intelligent one and deserves an answer, and I think it is made in the eternal hope that something can be done in keeping with the fine sentiments of the Senator from Massachusetts, who attempts to get these things done by agreement, and to eliminate all of the bitterness of a debate, let me say that I am in accord with the sentiments behind the suggestion, and I say to my colleague and assistant leaders on this side of the aisle that I shall be glad to work out any kind of a meeting between the majority leader and the minority leader or the senior member of the Rules Committee and the ranking minority member and any other appointees the majority leader might like to have.

However, my understanding would be that we would have to have unanimous consent, if the meeting were to be a meeting of a committee which is authorized by the Senate. Otherwise it would have to be done outside of the Senate.

So, if unanimous consent is required, I would agree to it. If the Senator's idea is to do it outside the Senate, I should be glad to enter into any agreement based on such a proposal, with the idea that if we could be helpful in working out the matter and bringing back a proposed solution on which we might have a vote, then such a vote would be had in the Senate.

Mr. SALTONSTALL. Mr. President, will the Senator yield for a further question?

Mr. WHERRY. I am glad to yield.

Mr. SALTONSTALL. I should like to ask the same question of the majority leader, but without causing the minority leader, the Senator from Nebraska, to lose the floor. I ask such uanimous consent.

Mr. WHERRY. Mr. President, I would have to be the one to make the decision in such case, because, after all, I would be yielding the floor for a purpose in direct contradiction of the rule we already have. Mr. President, in order that the Senator from Massachusetts may ask the question of the majority leader and not have to request such unanimous consent, I now yield the floor.

Mr. SALTONSTALL. Mr. President, I should like to ask the majority leader the same question I asked the Senator from Nebraska. My suggestion would be that the matter be discussed outside the Senate by an informal group, at a meeting to be arranged by the majority leader anc the minority leader.

Mr. LUCAS. Since the minority leader and the majority leader are together upon the question at the present time, it seems to me if there is any question of compromise it should come from some other source than merely the majority leader and the minority leader. The Senator from Georgia [Mr. RUSSELL] has been acting more or less as chairman of those who are opposed to the rule. I should think someone from his group should be taken into consideration in respect to any compromise that may be made. If we are to make a compromise, it would seem to me that probably members of the Rules Committee, who are responsible for reporting the amendment to the rule, should work it out. However, I should want to look rather closely at the compromise. I am always willing to compromise, but I would want to know what the compromise was, of course, as would every other Senator. If something can be worked out that is satisfactory to the Senate, of course the majority leader will be very happy about it.

Mr. SALTONSTALL. Mr. President, I have the floor, have I not?

The VICE PRESIDENT. The Chair has recognized the Senator from Massachusetts.

Mr. SALTONSTALL. My thought is, the group should include not merely the majority leader and the minority leader, but, as the Senator from Michigan said so clearly a few moments ago, it should include Senators on both sides of the question. My suggestion to the majority leader and the minority leader simply is that they select four or five or six other Senators to sit down over the week end, possibly on Sunday, to discuss a compromise. It seems to be a discussion of that kind would be more profitable than to continue the discussion in the Senate. Let us omit the word "compromise"; let us say the suggestion is that Senators get together to see what can be worked out, rather than remain here from a quarter to 2 until 10, 11, or 12 o'clock tonight to hear speeches that may become

more acrimonious as they proceed, making impossible an agreement on the subject which most Senators desire. All Senators want to get together on the matter, in order that the Senate may proceed in one way or another. It may be that such an agreement could be reached over Sunday. That is my suggestion. It is not merely that the majority leader and the minority leader get together, but that they as the leaders on both sides, arrange such a meeting.

Mr. LUCAS. I may say to the honorable Senator from Massachusetts the suggestion has merit, and, insofar as I am concerned, and as far as I can, I shall be glad to discuss the matter with anybody. I do not see how the Senate can take official action upon it. I think the suggestion is worthy of serious consideration, and I promise the Senator from Massachusetts—and I am sure the Senator from Nebraska will agree—that we will make an effort to see what can be done. But it seems to me it is a matter wholly outside Senate action. As I said a moment ago, it would have to be carried on perhaps by members of the Rules Committee who were responsible for bringing in the rule. I am sure there are those on both sides of the issue who would be in a much better position to talk about a compromise and bring something forward for consideration by the Senate than either the Senator from Illinois or anybody else who is not on the Rules Committee. The Senator from Nebraska is a member of the committee.

Mr. SALTONSTALL. My suggestion is made to the majority leader, because the leadership would have to come from him, in the hour that the Senate recessed, in a suggestion that the Senate recess in order that such a meeting may be held. Such a meeting is of no value if held in the middle of the night. Such a meeting is of value when men are fresh, when their minds are clear, and when they have a will to get together in a discussion. That is why, at a quarter to 2, I make the suggestion to the able majority leader. I make it most humbly and most modestly. Oftentimes, fools step in where intelligent men fear to tread. I make the suggestion on Saturday afternoon at a quarter to 2, in the hope that it is the proper time to express such a thought to the majority leader, in order that he may guide the Senate in the way that is best.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Illinois to proceed to the consideration of Senate Resolution 15.

Mr. LUCAS and Mr. RUSSELL addressed the Chair.

The VICE PRESIDENT. The Senator from Illinois.

BEREAVEMENT OF SENATOR McCLELLAN

Mr. LUCAS. Mr. President, the distinguished Senator from Arkansas [Mr. FULBRIGHT] has a very sad message to impart to the Senate. A few moments ago the junior Senator from Massachusetts made a unanimous-consent request, to which I objected. I did not know what was in the mind of the Senator at that time. I have since learned. I now ask unanimous consent that the Senator from Arkansas be permitted to make a brief statement without in any wise jeopardizing his own rights in the parliamentary situation with respect to the pending question, and that it may not be counted as a speech upon his time when the filibuster continues.

The VICE PRESIDENT. Is there objection? The Chair hears none. The Senator from Arkansas.

Mr. FULBRIGHT. Mr. President, the Senate knows that the senior Senator from Arkansas had left the Senate for his home at Sheridan, Ark., to bury his son Max, killed in action in 1943. I think the Senate ought to know that on Thursday, while the Senator was there, his other son, John, Jr., who was on his way to Sheridan to join his parents in the burial of his brother Max, met with an automobile accident, sustaining injuries from which he died this morning at Fayetteville. I thought the Senate ought to know the fact relative to the senior Senator from Arkansas.

AMENDMENT OF CLOTURE RULE

The Senate resumed the consideration of the motion of Mr. LUCAS to proceed to the consideration of Senate Resolution 15, amending the so-called cloture rule of the Senate.

Mr. RUSSELL. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state the inquiry.

Mr. RUSSELL. Has the Chair declared that the yeas and nays have been ordered on the motion to proceed to the consideration of Senate Resolution 15?

The VICE PRESIDENT. The Chair declared the yeas and nays were ordered.

Mr. RUSSELL. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Holland	Murray
Baldwin	Humphrey	Myers
Brewster	Hunt	Neely
Bridges	Ives	O'Conor
Butler	Jenner	O'Mahoney
Byrd	Johnson, Colo.	Pepper
Cain	Johnson, Tex.	Reed
Chapman	Johnston, S. C.	Robertson
Chavez	Kefauver	Russell
Connally	Kem	Saltonstall
Cordon	Kerr	Schoeppel
Dornell	Kilgore	Smith, Maine
Douglas	Knowland	Smith, N. J.
Downey	Langer	Sparkman
Eastland	Lodge	Stennis
Ecton	Long	Taft
Ellender	Lucas	Taylor
Flanders	McCarran	Thomas, Okla.
Frear	McCarthy	Thomas, Utah
Fulbright	McFarland	Thye
George	McGrath	Tobey
Gillette	McKellar	Tydings
Green	McMahon	Vandenberg
Gurney	Magnuson	Watkins
Hayden	Malone	Wherry
Hendrickson	Maybank	Wiley
Hickenlooper	Miller	Williams
Hill	Millikin	Withers
Hoey	Mundt	Young

The PRESIDING OFFICER (Mr. O'MAHONEY in the chair). Eighty-seven Senators having answered to their names, a quorum is present.

Mr. LUCAS rose.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. LUCAS. Mr. President, I desire to make one or two announcements for the benefit of Senators with respect to what the program will be. I probably should have done so when I entered the room, but I yielded for the Senator from Maryland [Mr. TYDINGS] to make a speech which he thought was very important, and I agree with him that it was a very important speech which he made. I want Senators to know that the Senate will remain in session, for how long I am not sure, but at least, whoever is in charge of the dining room downstairs had better arrange to have a few sandwiches for dinner.

Mr. WILEY. For a midnight dinner?

Mr. LUCAS. Furthermore, Mr. President, I shall not permit any unanimous-consent requests to be entered; there will be no bills or resolutions of any kind introduced from now on; there will be nothing but speeches upon the pending measure which is before the Senate.

While I am on my feet, Mr. President, I think it is well to read to the Senate a memorandum which I have received from the Official Reporters' office. I have been charged with carrying on a pink-tea session——

The PRESIDING OFFICER. The Chair calls attention to the fact that the majority leader is speaking under the rules and may be charged with the time taken.

Mr. LUCAS. That is perfectly all right. I wish to make this statement——

Mr. WHERRY. Mr. President, a parliamentary inquiry.

Mr. LUCAS. I will yield only for a question.

Mr. WHERRY. Mr. President, is the majority leader making two speeches on the motion which is before us?

The PRESIDING OFFICER. The Chair is not aware of any other speech being made on this issue by the Senator from Illinois who now has the floor. He is putting the Senator from Nebraska and all Senators on notice.

Mr. RUSSELL. Mr. President, I desire to propound a parliamentary inquiry.

Mr. LUCAS. I yield for that purpose.

Mr. RUSSELL. Mr. President, I should like to ask the Chair if it is not a new precedent, that a Senator is being charged with one speech if he makes a 2- or 3-minute statement as to the operation of the business of the Senate?

It is my understanding of the precedent that it has never been applied to the majority leader. There are times when it is absolutely necessary for him to rise and advise the Senate, in a 2- or 3-minute statement, as to the business of the Senate. I fear that by a vigorous application of the rule—and I am not protesting against its being applied to me—we may stall the deliberations of the Senate, and no Senator would be advised as to what is to take place. The majority leader should not be subjected to a strict interpretation of the rule in Jefferson's Manual if he rises and makes a 2- or 3-minute statement for the information of the Senate. I think that would be carrying the rules too far. Apply it to us, if that is the desire, but in order to let the Senate function in the ordinary way, the majority leader should be permitted to fulfill the duties

of his office. If he makes too long a statement, it should be charged to him, but I submit that it is going too far to apply that drastic rule when he is discharging his duties as majority leader.

The PRESIDING OFFICER. In answer to the Senator from Georgia, the Chair finds nothing in the rule which states the period of time which a speech may or may not take. The Chair is unable, therefore, to say whether a speech of 1 minute or 2 or 3 minutes is or is not within the rule. Of course, when a Senator rises to address the Chair to make a speech, I think it would be only fair that the Chair, not having any knowledge of what the statement was to be, should advise the Senator who addressed the Chair what the rule was.

Mr. RUSSELL. Mr. President, will the Senator from Illinois yield to me to submit a unanimous-consent request?

Mr. LUCAS. I yield to the Senator for another question.

Mr. RUSSELL. Mr. President, I ask the Senator from Illinois if he does not think it appropriate, in order that the Senate may not be completely bogged down under this ruling, that the Senator from Georgia be permitted to ask unanimous consent that brief statements made by the majority leader pertaining solely to the work of the Senate shall, during the remainder of this discussion on Senate Resolution 15, be considered outside the purview of the rule?

Mr. LUCAS. Mr. President, before I grant that request——

Mr. DONNELL. Mr. President, will not the Senator speak louder? We on this side would like to hear what is said.

Mr. LUCAS. I wish to say that I perfectly understood what the Chair was attempting to do. The Chair was attempting to advise the Senator from Illinois that if he made a speech it would be charged against him. I have never understood heretofore—and I entirely agree with the Senator from Georgia—that if the majority leader of the Senate is rising merely for the purpose of explaining what is going to happen in the way of the transaction of the business of the Senate, solely for the purpose of informing the Senate, his remarks were to be charged to him as a speech. I think the Chair has to construe the rule with more or less liberality in deciding whether or not the majority leader does make a speech.

I am about to read into the record a letter which is tremendously important from the standpoint of transacting business in the United States Senate, and if it is charged to me as a speech I shall have to accept that ruling, because it must go into the record now. I shall have to take my chances on that.

Mr. WHERRY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Nebraska?

Mr. LUCAS. I yield to the Senator from Nebraska.

Mr. WHERRY. I am in complete accord with the Senator from Georgia, and also with the feelings expressed by the majority leader. However, I do feel it is unnecessary for the Senator from Georgia to submit this unanimous-consent request, because I can assure the distinguished majority leader that if at any time he desires to make a statement relative to the program of the Senate, I, for one, and I am satisfied that I speak the sentiments of all Senators on this side of the aisle, will not object, and will not ask to have the time charged to him.

Mr. RUSSELL. Mr. President, will the Senator from Illinois yield for a question?

Mr. LUCAS. I yield.

Mr. RUSSELL. The Senator from Nebraska can give no assurance on that question. We have been put on notice by the Chair. I ask the majority leader if the Chair did not propose to invoke the rule.

Mr. WHERRY. Mr. President, if the Senator from Illinois will yield further, it seems to me that to give the unanimous consent now would establish a new precedent, and we have not had a chance to think about it. I would much rather that the Senator withdraw his request, and permit the Senator from Illinois to proceed, in his official capacity, and not be charged with a speech, except when he makes a speech on the subject matter of some debate. I do not see how the Senate can proceed except under such precedents. If we enter into this unanimous-consent agreement it seems to me we would be doing something which might establish a precedent which we would not want to have in the future.

Mr. RUSSELL. Mr. President, will the Senator from Illinois yield?

Mr. LUCAS. I yield to the Senator.

Mr. RUSSELL. Mr. President, since the Senator from Nebraska has indicated he will not object, I shall not submit the unanimous-consent request, but I should like to ask the Senator from Illinois if he would be interested in knowing that those of us who are charged with filibustering have no desire to muzzle the majority leader, and that no point of order will be made when the majority leader is in the discharge of the duties of his office and not engaged in making a speech.

Mr. LUCAS. I thank the Senator.

Mr. President, speeches have been made with respect to all-night sessions, and in order to set the RECORD straight, in order to demonstrate to the Senate and the country that the Senator from Illinois has not been derelict in his duty, I wish to read into the RECORD the letter I hold in my hand dealing with those who report our proceedings. This is a memorandum which came to me after a conference I had with the reporters on this question:

FEBRUARY 21, 1949.

Hon. SCOTT W. LUCAS,
United States Senate,
Washington, D. C.

DEAR SENATOR LUCAS: The Official Reporters of the Debates and Proceedings of the Senate take the liberty of addressing you, as majority leader of the Senate, in regard to a prospect now looming on the horizon which fills them with misgivings and dread.

We stand ready, as always, to give our best to the work which we are privileged to do for the Senate, and to endure, without complaint, long hours, day and night, to the limit of our capacity. The prospect we dread is that of continuous sessions extending over a protracted period. Should the forthcoming debate on the pending cloture resolution be of this character, we hesitate to contemplate what the effect might be. No matter how long the Senate remains in session, all the reporters and the expert transcribers must remain on duty, without relief. At the close of the last regular session, which ended on June 20, 1948, there was a continuous session lasting from Friday morning until Sunday morning. During that period of almost 48 hours none of the reporters or transcribers had any sleep or opportunity to shave, bathe, or have a change of clothes, and they had to return to the office Monday morning and work all day in order to complete the transcript of the RECORD for the Government Printing Office. They were on the verge of a complete break-down when the session came to a close, and for some of them several weeks were required to bring about restoration to normal health.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. WHERRY. I should like to emphasize that that shows that the Eightieth Congress did a mighty lot of work, if the reporters found themselves in that condition.

Mr. LUCAS. Yes, Mr. President, they did it in the last 3 days of the session, which broke down the health of the individuals about whom I am reading.

It may be asked why we could not hire extra reporters and transcribers from the outside, so as to work on 12-hour shifts. Aside from the great difficulty of getting from the outside men who have their regular work and binding engagements, which, even if able to do so, they are strongly disinclined to forego for a limited period of Senate employment, it is true that no shorthand reporters, regardless of their skill, efficiency, and rapidity, can alone and by themselves perform satisfactorily the work of a parliamentary reporter in the Senate. Their unfamiliarity with names and governmental affairs, their total lack of knowledge of parliamentary forms and procedure, and their inability to undertake proper revision and editing, make it necessary that one of the official staff take notes with them and put their copy in shape for the printer. From long experience we have found that it takes a minimum of at least 1 year to break in a new reporter so that he can stand on his own feet, and we have known instances of 2 or 3 years being required. If the worst comes to the worst, we may be forced to the expedient of trying to get an extra force of both reporters and transcribers; but we do not know where to turn for this help, and, if it can be obtained, we shudder to think of the appearance of the RECORD.

If we could be afforded some idea of what lies ahead in the way of protracted continuous sessions, we should appreciate the information, which would enable us to try to do what seems to be practically impossible, namely, assemble extra reporters and transcribers. This would involve considerable expense, which we would have to pay out of our own pockets, unless in the future the Senate in its generosity should make provision for reimbursement.

Thanking you for the many courtesies received at your hands, and grateful for the great consideration always accorded us by the Senate, we are, with great respect,

Sincerely yours,

JAMES W. MURPHY,
JOHN D. RHODES,
Official Reporters of Debates, United States Senate.

Mr. President, I want to say, even though it is a speech, that, as a result of what happened last night, I am now asking the reporters to get extra reporters on the job, regardless of what the RECORD may look like, regardless of the

time it takes to get it out, regardless of the amount of money required to pay the extra reporters. Generous as the Committee on Rules and Administration is with other appropriations dealing with fiscal matters of the Senate, I am sure the reporters need not fear that they will have to pay anything out of their own pockets.

I merely present the letter now, Mr. President, to let the country know that the majority was not unaware of what was coming. I hoped we might be able to stave off this situation by the vote last night, which we could not do. Now we are up against the gun, and we shall meet it.

Mr. EASTLAND obtained the floor.

Mr. WHERRY. Mr. President, will the Senator from Mississippi yield to me so I may address an inquiry to the Senator from Illinois?

Mr. EASTLAND. I yield only for a question.

Mr. WHERRY. I think——

Mr. EASTLAND. I yield only for a question.

The PRESIDING OFFICER. The Senator declines to yield.

Mr. WHERRY. Mr. President, I ask the Senator from Mississippi if he will yield so I may propound a question to the Senator from Illinois, and to ask unanimous consent that the Senator's rights may not thereby be prejudiced.

Mr. EASTLAND. Mr. President, I ask unanimous consent that the Senator from Nebraska may make a short statement.

Mr. WHERRY. No, just to ask a question.

Mr. EASTLAND. Or ask the Chair a question, without prejudicing my rights on the floor, or without it being counted as one of my speeches on the resolution.

The PRESIDING OFFICER. The Senator from Mississippi asks unanimous consent that the Senator from Nebraska may direct an inquiry to the Chair, without depriving the Senator from Mississippi of his right to the floor. Is there objection? The Chair hears none.

Mr. WHERRY. Will the present occupant of the chair then address this question to the majority leader, the Senator from Illinois? Will there be a night session or a Sunday session, or what is the program going to be after tonight? We are entitled to know that. We have been led to believe that because of these added reporters—and the Senator from Illinois is now showing some leadership—we are going to get out of the pink-tea stage and we are going to make a real attempt to break the filibuster. All I want to know is: Are we going to go on here on Sunday? Are we going to go on here in continuous session? I think we are entitled to know the answer to that question.

Mr. LUCAS. We are going to continue, I do not know how long, until some time tonight, and when that is over we are going to take a recess, if I can get the Senate to agree with me, until Monday. In the meantime if there is anything that can be worked out with respect to the suggestion which was made by the distinguished Senator from Massachusetts, we will know about it by that time. On Monday, when we come back here with all the extra reporters, and extra beds and cots, and full of energy and enthusiasm for weeks and months of session, we will try to break up this filibuster.

I am very happy to know that my distinguished friend, the Senator from Nebraska, finally recognizes a leader when he sees him.

Mr. EASTLAND. Mr. President, statements have repeatedly been made on the floor that in 1917, when the present rule XXII, the cloture rule, was adopted, Senator John Sharp Williams, of the State of Mississippi; Senator James K. Vardaman, a Senator from the State of Mississippi, not only supported that rule but desired to go further and adopt a rule that would have provided for cloture by majority vote. The argument is therefore made, and the charge is hurled that because those two distinguished southerners in 1917 were in favor of cloture by a majority vote, we from the South also at this time should favor the pending resolution or should favor cloture by a majority of a quorum of the United States Senate.

Mr. President, to begin with, the position of the distinguished Senator, John Sharp Williams, one of the greatest Senators who ever sat in this body, and the position of Senator James K. Vardaman, shows that the matter of cloture, the matter of gag-rule in the Senate of the United States, is not a sectional matter. It shows that the principles involved, the great guaranty of the safeguard of human liberty which has protected the rights of minority groups, racial and religious minorities, throughout all the history of this country, has not been a sectional matter. But it goes further, Mr. President. Senator Williams and Senator Vardaman did favor cloture by majority vote. But now things are changed, and such a program would absolutely crucify the State which they represented with such distinction in 1917. These facts are a warning to every Senator in this Chamber, whether he be from New England or from the West, that conditions change, and that when an attempt is made to gag us, the rule under which it would be done will be turned to the destruction of other sections of the country in a few years.

Mr. President, those two distinguished Senators from the State of Mississippi 32 years ago were in favor of gag-rule in the Senate, which, if it had prevailed, would have resulted in the destruction of the social institutions of their State and of their people in 1949, and if conditions change in the next few years in the West or in the East the Senators from those sections who now favor the gag-rule will be the strongest defenders of the right of unlimited debate in the Senate of the United States.

Mr. President, I shall discuss briefly, first the Government of the United States, the powers of the United States Government, the rights which are inherent in citizenship in the United States, the powers of the States, the duties of the States, and the rights inherent in citizenship in the States, to show that the program recommended a year ago by the President of the United States, if enacted into law, would change the form of our Government. It would abolish the dual system of government. It would nationalize the thing which is the genius of Anglo-Saxon government—the power of the people in local communities to control their local affairs—and would centralize that power in the city of Washington. If that program were enacted it would not merely affect the Southern States, because when we take from the people in the local communities their police power and their power to regulate their own affairs, even though it comes in the guise of an anti-southern measure, the people of every single section of the country, on the Atlantic, on the Pacific, along the vast Canadian border, and along the Gulf of Mexico, will be deprived of their most precious rights and possessions.

So, Mr. President, in opposing a change in the Senate rules which would permit the passage of this program we are making a fight for the American system of government. We are making a fight for the protection of every citizen of America, in every State in the Union—every American of every race, and of every creed, whether a native-born or foreign-born citizen of this country.

I shall discuss our system of government to show the clear unconstitutionality of this program and how its enactment would change our form of government and would destroy the system which has built our country and made it great. Then I shall discuss the cloture rule, the right of unlimited debate as it has come down from the Greek senate through the Roman senate; how it has been responsible for making the United States Senate the greatest deliberative body in the history of the world, and how it is the greatest safeguard for the liberty of our people that has existed since this Government was founded. In fact, Mr. President, the right of unlimited debate in the United States Senate is a stronger safeguard to minority rights than is the Constitution of the United States, because we cannot count upon the Supreme Court scrupulously to interpret that document.

Mr. President, when President Truman asserted the power of the Federal Government to control civil rights, the relationship of man to man, the right of liberty, the right of life, the right to the pursuit and acquisition of happiness, and the rights to property, and declared that those rights were subject to the power of the Federal Government, he made the most far-reaching assertion of power for the Federal Government ever made by a President of the United States.

We are now engaged in a historic controversy. An attempt is being made to change the rules of the Senate, to deprive all the people of America of the protection provided by the right of unlimited debate, the right to the protection of life, liberty, and property, and the pursuit of happiness. It is an attempt to change our system of government. It is a program which, if enacted, would result in domination by the Federal Government of the internal and domestic affairs of the States. When we

attempt to do that, Mr. President, we go beyond any political considerations which should govern any Senator in deciding his position on these questions.

This question goes much further than any question of race or religion. Our system of government itself is at stake. If the program is successful, the States will be deprived of their primary powers and duties. They will be bereft of sovereignty. Our division of authority, our dual system of government, will become merely a hollow shell.

In the beginning there stretched along the Atlantic seaboard 13 sovereign, free, and independent States; States which only recently had won their freedom from Great Britain by virtue of bloody revolution. Those States possessed all the authority, all the power, of any sovereign State. In fact, the powers of those States were limited only by the restrictions placed upon them in their own constitutions. They possessed the power to control and regulate the lives and liberties of their citizens, if that power were given in their State constitutions; the power to control and regulate the right of their citizens to acquire and own property; the right of their citizens to engage in trade and commerce. Moreover, each of those sovereign States separately had the power to wage war, negotiate and conclude treaties of peace, set up their own postal systems, provide their own mediums of exchange—all the powers of any government.

There were loose in the world at that time three great imperialistic powers—France, Great Britain, and Spain. Our forefathers thought that because those predatory nations engaged in acquiring great empires were loose in the world, as a matter of protection it would be best to set up a national government, but a government of limited powers, a government of delegated powers, a government which would receive from the hands of the States which formed it the powers which those States thought would be better exercised or could be better exercised by a national government, rather than by each State acting individually. So delegates from those States assembled in the city of Philadelphia to confer and then to set up the Government of the United States. At that time there was no United States. The Government which was erected was a creature of the 13 sovereign States who created it; and it secured all its powers by delegation from the several States—powers which were not freely delegated, Mr. President, powers which were not willingly delegated, there being suspicion of a national government, and a desire to retain in the States all the powers which possibly could be retained by them.

As a result of that Convention, the United States Constitution was written, and was ratified by the States, and the United States was brought into being. Under it we have what is known as a dual system of government; and under this dual system of government, an American has dual citizenship—citizenship in the United States and citizenship in the State where he chiefly resides. An American citizen has certain rights by virtue of his citizenship in the United States, and certain rights by virtue of his citizenship in a State. Each of the governments—the United States Government and the State government—has certain powers which operate in separate and distinct fields, there being no overlapping.

Mr. HILL. Mr. President, will the Senator yield for a question only?

Mr. EASTLAND. I yield for a question.

Mr. HILL. Is it not true that the Declaration of Independence proclaimed to the world the American ideal; and is it not also true that when Jefferson in the Declaration of Independence spoke of certain inalienable rights, he meant rights which no government—neither the Federal Government nor any other government, for that matter—could take away from the individual citizen?

Mr. EASTLAND. That is correct. Let me tell the distinguished Senator from Alabama, who has been of monumental service in the great controversy in which we are now engaged, that under that system certain powers were delegated to the Federal Government. The Constitution says that all other powers are retained by the States, except four, which are prohibited to the States, and therefore are retained by the people. Those four powers, the only four which are prohibited to the States, are such that no decent government should exercise them.

Mr. HILL. Mr. President, will the Senator yield for a further question?

Mr. EASTLAND. Yes; I yield for a question.

Mr. HILL. Is it not a fact that if that very specific reservation of powers to the States and to the people, respectively, had not been expressly written into the Constitution, there never would have been any Constitution, there never would have been any Federal Government?

Mr. EASTLAND. That is exactly correct.

Mr. HILL. I should like to ask the Senator this question: Will he enumerate the four powers to which he was about to advert when I asked my last question?

Mr. EASTLAND. I shall enumerate them a little later in my speech.

First, Mr. President, I desire to refer to the powers inherent in a citizen of the United States. In addition to enumerating the powers of the United States, I shall enumerate the rights which one acquires by virtue of citizenship in the United States; and then I shall enumerate the rights of the States, and then the powers which are prohibited to both the States and the United States—and those powers were prohibited, Mr. President, because they violated the genius of free government. So the founding fathers conceived a Government of the United States, which would be strong in certain particulars, but weak in others; and, in the great field of personal relationships, a Government whose acts would be void. They conceived a Government which could wage war; negotiate peace; control interstate commerce; control the relations of one State to another; control and limit the action of a given State in respect to a citizen who, though residing in it, was a citizen of another State; control foreign affairs; set up a medium of exchange; create post offices and post roads; provide a uniform system of bankruptcy; but which would have absolutely and utterly no control over the lives, the liberties, and the pursuit and acquisition of happiness of its people, and which would have absolutely no control in anywise over the personal rights of the individual; it being conceived by those wise men that if we in America were to remain free, the people in each community should regulate and control the affairs of their own people and do it in the light of their customs, their traditions; that this was a big country, a vast country, with conditions entirely different in one area from the conditions existing in another area, and therefore the rule of equity in our system required that the people in each area should control and regulate those great fundamental rights as they desired.

That, Mr. President, is the genius of our system. As I said, we have both State constitutions and a National Constitution. Thereby we have a dual citizenship—citizenship in the United States protecting one field of rights, citizenship in the State protecting another field of rights. Acts by the United States outside its field of delegated powers are absolutely void, as are the acts of a State outside the powers reserved to it in that great document. A great Justice of the United States Supreme Court, Chief Justice Waite, in the case of the United States against Cruikshank, wrote a great decision which has rung down through the years, and which even in 1949 commands respect as great as the respect it commanded when the opinion was delivered fifty-odd years ago. Touching the point now under discussion, he said:

> The people of the United States resident within any State are subject to two governments—one State, one National. The powers which one possesses, the other does not. They were established—

He meant the two governments were established—

> for different purposes and have separate jurisdictions. Together they make one whole, and as a whole they furnished the people of the United States with a complete government—

"A complete government," Mr. President—

> ample for the protection of all their rights at home and abroad.

Let me say in passing, when we consider the division of powers between the State and the United States, there was wisely given in the Constitution the additional power to the Federal Government that it shall be the final judge of its own powers. There went with that vast and important power of final judgment the duty upon the United States, upon its Supreme Court, upon its Executive, and upon its Congress, to judge carefully and impartially, not to usurp powers not granted; not to enter fields which were not granted to it; with the further duty not to abdicate powers which were delegated to it.

Mr. HILL. Mr. President, will the Senator yield at that point for a question?

The PRESIDING OFFICER. Does the Senator from Mississippi yield?

Mr. EASTLAND. I yield to my distinguished friend for a question.

Mr. HILL. Is it not, as the late Chief Justice Stone said, speaking of the Federal powers, and more particularly of the Supreme Court, that the only restraint on the Supreme Court is the restraint imposed upon members of the Court by their own consciences? Is it not true he was thinking then, and that he expressed the very thought the Senator from Mississippi is so ably expressing at this time?

Mr. EASTLAND. I thank the Senator. I thoroughly agree with him in that statement. Because of that, it is their duty, as it is our duty, to be careful, extremely careful, to make sure that we do not attempt to invade the fields of the sovereign States.

Mr. HILL. Mr. President, will the Senator yield for another question?

The PRESIDING OFFICER. Does the Senator from Mississippi yield?

Mr. EASTLAND. I yield for a question.

Mr. HILL. Is it not also true that when Senators take an oath of office to support and defend the Constitution of the United States, the oath means not merely that we shall defend it from an enemy from without, so to speak, but also that we shall defend it from any attack from within, no matter how honest or sincere the attack may be, and that we shall live up not only to the letter but to the great spirit of the Constitution of the United States?

Mr. EASTLAND. I may say to the distinguished Senator, again I must agree with him. Under our oaths of office we must live up to the spirit, we must live up to the letter of our system of government. We must see to it because of the powers and responsible positions we hold in America that we retain inviolate the American system of government and do not deprive the people of any particular area of their precious God-given rights of human liberty, that we do not permit them to be nationalized, as might happen if the attempt to amend the rules of the Senate should succeed, or permit the States to be destroyed, and the great personal relationships, involving the rights of life, liberty, and property in the several States, to become nationalized.

Mr. KNOWLAND. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from Mississippi yield?

Mr. EASTLAND. I yield for a question.

Mr. KNOWLAND. I should like to ask the Senator from Mississippi whether it is not a fact that the same Constitution to which he refers also gives to the Senate and the House of Representatives the rule-making power for their respective bodies. Is that not correct?

Mr. EASTLAND. That is correct.

Mr. KNOWLAND. Will the able Senator from Mississippi——

Mr. EASTLAND. Wait. Mr. President, I yielded only for a question.

Mr. KNOWLAND. I shall only ask the Senator from Mississippi a question. I should also like to ask the Senator if he can explain to the Senate and for the RECORD how the Senate can exercise either its rule-making power or its power to legislate, so long as the unlimited use of the filibuster is permitted without restraint.

Mr. EASTLAND. Mr. President, I am sorry the distinguished Senator, the very able Senator from California, was not listening attentively to the colloquy between the distinguished Senator from Alabama and the Senator from Mississippi. Had the Senator from California listened to that colloquy he would have known that it was agreed that it is the first duty of a Senator, under his oath of office and under the Constitution of the United States, to protect the American system of government. The best interests of the people of California, Mississippi, Alabama, New York, Massachusetts, and every other State are served when this division of powers, as outlined in the Constitution and as outlined in our system of government, is not violated. That is our primary duty; that is the foremost obligation upon us; and in opposing this resolution we are upholding the highest duty which devolves upon a Senator of the United States by virtue of his oath of office, which is to uphold the Constitution, protect the rights of the States, and protect and defend the liberties of the people of the Nation.

Mr. KNOWLAND. Mr. President, will the Senator yield for a question?

Mr. EASTLAND. I yield only for a question.

Mr. KNOWLAND. I should like to ask the Senator from Mississippi this question: Does he think that those of us who are on the other side of this question from the position being taken by the able Senator from Mississippi, are any less mindful of the oath which we, too, took to support the Constitution of the United States and protect it from its enemies, foreign and domestic? Does the Senator not recognize the fact that the same oath he took, we also took, and that we have just as deep an obligation to protect our constitutional form of government?

Mr. EASTLAND. Mr. President, of course, my friend from California, and every other Senator, has the same obligation the Senator from Mississippi has, the Senator from Alabama has, and every other Senator has. I know I have said nothing that would impugn the motives of any Senator; but again I say had the Senator from California listened to the colloquy between the Senator from Alabama and the Senator from Mississippi he would have known that we consider it our duty to protect the Constitution of the United States, to protect our system of government, and that we consider that to be our first obligation. We believed it was being violated and, therefore, in our humble and feeble way, we would do what we could to protect the lives and liberties of all the people in the Nation.

Mr. President, the essential basis of the American system of government is the existence of sovereign States. The Federal Government is a creature of the States, and the retention of the State, with its powers and obligations, is absolutely and utterly essential to the existence of the United States.

The second premise is that this Government was founded upon the equality of the States, that all the States are equal in every respect. There was no disposition on the part of individual States to attempt to humiliate and badger other States when a measure came up, as does this measure, which asserts the overlordship of one State over another, which asserts that certain States are better than other States, which asserts that certain States protect life, liberty, and property of their citizens better than do other States. By the way, Mr. President, certain States which are gangster-ridden, in which banks must be closed because they cannot get police protection from robbers, States in which women cannot go out on the streets at night for fear of criminal assault, States which are rife with gangsters, rife with murderers, point their fingers at the States of the South and say, "You do not protect life, liberty, property, and the pursuit of happiness," when the crime tables show that life is safer and there is less crime and more liberty in the great States south of Mason and Dixon's line than in some other States.

Mr. President, every State of the Union is a great State, and I certainly would say nothing which would disparage any State. They have their problems as we in the South have ours. If the Nation is to endure, to remain great, States must look with charity on their sister States, and the people of the country must cooperate to solve, in a sane, sensible way, the problems which confront them. But, Mr. President, as I said, the States are the basis of the whole system of our Government. It cannot be said that the Government of the United States has the power to go into various communities and punish crime and exercise police powers reserved to the States. It was the great John Marshall, in his famous decision in the case of McCullough against Maryland, who said that no political dreamer was wild enough to dream of tearing down the States and compounding the American people as one common mass.

Mr. President, the people of the several States cannot perform any function or exercise at all any political power acting as a mass, acting in common, acting as American citizens. They cannot do that, under our system of Government, without revolutionizing the whole American system.

What is the general scheme of the American system of government? What was the scheme of the Constitution when it made us one people, with one common country, for all the great purposes for which it was established? What are the powers of the United States Government? Mr. President, I am endeavoring to show the patent unconstitutionality of a program which is sought to be adopted under an attempt to amend the Senate rules, and to show that if

that program were enacted it would destroy our system of government.

Mr. President, I wish to quote from a report of the Senate Committee on the Judiciary in 1887 whose author was a very distinguished United States Senator from the State of Mississippi.

Mr. HILL. Mr. President, will the Senator yield for a question before he goes into that?

Mr. EASTLAND. I yield for a question.

Mr. HILL. Is it not true that the founding fathers not only felt that all States should be equal, but that they sought to guarantee their equality when they put into the Federal Constitution the provision that every State, no matter how large or how small it might be, no matter what its population or its resources, should have two Senators in this body, and that they could not be deprived of their representation here except with their own consent?

Mr. EASTLAND. What the Senator says is exactly true. In fact, the whole basis of the American system of government is the equality of the States, and no State has a right to badger and point at another State, and especially no areas which are crime ridden, controlled by gangsters, where race riots occur, where people are murdered right and left, have a right to point to other areas and say, "We are better than you."

Mr. President, the report to which I refer was submitted to the Senate by Senator J. Z. George, one of the great constitutional lawyers of this country. Senator Platt, of the great State of New York, when he read it said that it was not only right, but the greatest work on the Constitution and the American system of government that was ever written.

I quote from Senator George:

> These great purposes are expressed in the Constitution itself in the powers delegated by it to the United States. These powers are exclusive as to all that concerns the people and the States in their relation with foreign powers, both in peace and in war, including the making of treaties, the receiving and sending of ambassadors, ministers, and consuls.

Mr. President, these are the duties of the Federal Government—not to control the fundamental rights of its people. I quote further from Senator George:

> Making war and conducting peace, intercourse and commerce with them, the protection of our people in foreign countries and outside the jurisdiction of any State and on the high seas.
>
> Secondly, the Federal powers extend to the regulation of relations between the States themselves and the citizens of each with the citizens of the others, and between each of the States and the United States, covering commerce among the States, compacts between two or more of them; the duty of surrendering fugitives from justice and labor; the force and effect in other States of public records and judicial proceedings in each State; the securing to the citizens of each State the privileges and immunities of citizens of the several States within the jurisdiction of any State of which they are not citizens, leaving, however, to each State to determine and define the rights and privileges of its own citizens, and securing only these same privileges so defined by a State to citizens of other States when they are within its jurisdiction.

Mr. President, discussing further the powers of the United States, the distinguished former Senator, the great and revered leader who led the State of Mississippi successfully through the rigors and debauchery of carpetbaggerism, said this in listing the powers of the Federal Government:

> Thirdly, the power and duty to guarantee to each State a republican form of government, and to protect it from invasion, or, on application of the State, from domestic and foreign violence. These were the great purposes for which the Constitution was formed, and adequate powers to obtain them were granted.

By that he meant that provision in the Constitution which says that the Federal Government has the powers incident to those listed which are necessary to effect the great purposes of the Constitution of the United States.

Mr. President, where in those powers is there the right to enact an anti-poll-tax bill? Where in those powers is there the right to enact antisegregation statutes? Where in those great powers is there the right to pass a fair employment practices act? Cannot Senators see that if we adopted this resolution and amended the rules it would put the Federal Government into those personal relations of men which, if we are to remain a free people, must be controlled by all the people in the great communities, hundreds and thousands of them, scattered over the length and breadth of this great Nation?

Mr. STENNIS. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER (Mr. MAGNUSON in the chair). Does the Senator from Mississippi yield to his colleague?

Mr. EASTLAND. For a question. I do not wish to be accused of filibustering.

Mr. STENNIS. Did the Senator have a chance to read a column by the writer Mark Sullivan which appeared in the Washington Post of March 5, 1949, on the question which the Senator is discussing now, the poll-tax bill?

Mr. EASTLAND. I did not have a chance to read it, but if the Senator will kindly leave it on my desk I shall read it into the RECORD a little later in this discussion.

Mr. STENNIS. To point out——

Mr. EASTLAND. Mr. President, I yield only for a question.

Mr. STENNIS. Will the Senator yield further for another question?

The PRESIDING OFFICER. The Senator yields for a question only.

Mr. EASTLAND. Only for a question.

Mr. STENNIS. Will the Senator permit me to point out particularly one——

Mr. EASTLAND. No; I yield only for a question. I do not care to be accused of filibustering.

The PRESIDING OFFICER. The senior Senator from Mississippi yields to the junior Senator from Mississippi for a question only.

Mr. STENNIS. Mr. President, this is a question.

Mr. EASTLAND. I yield for a question only.

Mr. STENNIS. I want to ask the Senator if he agrees with the following short paragraph from the column written by the columnist Mark Sullivan——

Mr. EASTLAND. Ask me the question.

Mr. STENNIS. That is the question:

> When Southern Senators resist the poll-tax measure, it is not merely for the sake of the poll tax. That qualification is increasingly disapproved in the South, and some States have abolished it themselves. (Incidentally, the poll tax does not involve race discrimination; on this point there is widespread misconception.)

I continue to quote from Mark Sullivan:

> The resistance is for all the States, for the right of every State to fix its own qualifications. It is for a principle, the rights and integrity of all States, their very existence as units of government.

Does the Senator agree with the soundness of this famous columnist's conclusions as to that point?

Mr. EASTLAND. Mr. President, I thoroughly agree with the soundness of those conclusions. Take the poll tax. The money acquired from the levying of a poll tax operates the school systems of various States in the Union. It is largely spent for Negro schools to educate the colored race. The South has accomplished much for Negro education, for the health of the Negro, for the economic progress of the Negro of the South. The South has made phenomenal progress in the past few years in this respect. There is nothing racial about the poll tax, because it is levied on everyone, both white and black.

Statements are made, which are utterly erroneous, that the poll tax keeps Negroes from voting. In my State the poll tax is not levied on one who is over 60 years of age. In some States it is levied on no one who is over 50 years of age. In others it is not levied on anyone who is over 45 years of age. It certainly could not limit suffrage, because people would vote without the payment of the poll tax after they had reached the age at which they became exempt.

Now, Mr. President, we of the South are not going to permit our institutions and our people to be destroyed by racial groups in northern cities who have raised Hitler's banner of racism in the United States. We have nothing like that in the South. In fact, in the South we have no racial discrimination. Our institutions, it is true, are built upon segregation, with equal facilities to all. The right of association is a personal right, and under the American system of government the control of those personal rights is vested in the States.

Mr. President, let me make this statement with respect to the resolution which would change the cloture rule. The books are full of statements from Jewish organizations, from influential Jews; from Negro organizations, from influential Negroes; from Catholic organizations, from influential Catholics; from Protestant organizations, from influential Protestants; that the right of unlimited debate in the Senate has been the great safeguard of minorities in this country. The labor organizations have adopted the same view.

I have a statement here which comes from the great American Federation of Labor. Back in 1925 Vice President Dawes, from that desk, attempted to lecture the Senate on changing its rules so that gag rule could be applied in the Senate and business could be expedited, as he said. This is the statement given out by the great American Federation of Labor dealing with the right of unlimited debate in the Senate. I read the statement from the American Federation of Labor:

For several months the Vice President of the United States has conducted an agitation for the purpose of abolishing free speech in the United States Senate, the only forum in the world—

Mr. President, get that. It is the American Federation of Labor which says this.

The only forum in world where cloture does not exist, and where Members can prevent the passage of reactionary legislation.

May all liberals hear that, Mr. President. May they hear what the American Federation of Labor said about the right we are defending in the United States Senate, this very right of unlimited debate.

The only forum in the world where cloture does not exist and where Members can prevent the passage of reactionary legislation.

The statement continues:

The railroad industry, the great oil industry, and other great industries in the United States want to make it possible for a handful of men in the United States Senate to control all legislation.

Now listen:

It is a vicious idea, a vicious purpose, to which the Vice President of the United States has loaned himself.

Mr. President, that is what one of the great labor organizations said about the right we are protecting here. They said it is a bulwark which has prevented the passage of reactionary legislation, and has prevented the railroad industry, the oil industry, and other great industries in the United States from dominating the Government and beating into the dust the man who labors for a living.

Mr. President, I say when we oppose a change in the rules we are in a holy cause to protect America, and to protect the right of all the people of this country, black or white, yellow or red.

I was reading from a great essay on the Government of the United States to show that under our system of government this program is beyond its powers, and the action of the Government in attempting to control it or to exercise control over these rights is void. I read on from what Senator George had to say:

All other powers delegated to the United States are merely ancillary to these great ends and for the support and maintenance of the common government, as they are such as can conveniently and properly be exercised only by a government common to all the States.

These auxiliary powers relate to the establishment of a uniform system of bankruptcy and naturalization laws; the power to coin money, to regulate its value, and the value of foreign coins in circulation here; to fix the standard of weights and measures; to grant patents and copyrights; to establish post offices and post roads; the power of taxation; to punish counterfeiting of the current coin and securities of the United States—

Mr. President, that is about as far as the United States can go in the field of criminal law. But I read on—

to punish piracies and felonies on the high seas and offenses against the law of nations; to raise and support armies and to support and maintain a navy; and certain powers over the militia.

These powers, in general terms, include all that are delegated to the United States. If we stop and consider them, we will see how few they are, great indeed in importance, unlimited in degree, but very limited in number. If we abstract from these powers all that relate to our intercourse with foreign nations—all that concern the relations of the States with each other, in their character as States, and their relations to the Union; all that relate only to giving force, efficacy, and support to the United States in their exercise of their other powers—we will see how infinitely small in number are all the remaining powers, which concern only the rights, privileges, and convenience of private persons—private citizens when in the jurisdiction of a State.

Where is the authority to go into a State and supplant the police power of the State? Where is the power to punish for murder or for crime within a State? Where is the power to regulate suffrage within a State? If we raise the banner of race in this country and think we can do it for one race, we deprive every citizen of America of certain rights. We deprive every State of this country of its principal and fundamental duties. In fact, we abolish State governments.

I continue:

These powers are:

1. The securing to the citizens of the several States the privileges and immunities granted by any State in whose jurisdiction they may be to its own citizens.
2. Jurisdiction over bankruptcy.
3. Jurisdiction over naturalization.
4. Jurisdiction over the currency.
5. The power to establish post offices and post roads.

Where is the power of the Federal Government to undermine the essential authorities of the great States of this Nation?

We look in vain to any of these powers for authority to do any of the things that are contemplated under the proposal to amend the rules of the Senate so as to permit the enactment of this program.

But along with these powers come provisions which show the soul and spirit of the Constitution, and without which the Constitution either becomes a lifeless corpse or, having energy and vitality, is an instrument only of oppression and wrong. These provisions recognize the absolute equality of the States, and secure fairness and impartiality in the exercise of the powers granted by the Constitution. Thus, direct taxes are required to be apportioned among the States according to their population; and all duties, imposts, and excises are required to be uniform throughout the United States; no preference is allowed in any regulation of commerce or revenue to the ports of one State over the ports of another; the levying of a tax on any article exported from any State is also prohibited, whereby the dangerous power of taxing articles produced mainly in one State or section and not in others, is denied to the Government.

And then there is the great provision of article V, which secures absolutely and forever the equal suffrage in the Senate of each State against even an amendment of the Constitution. Under this guaranty of equality Delaware, Rhode Island, and Nevada each have the same voice in this body as the great State of New York, and under it the six New England States, with a population entitling them only to 24 Representatives out of 325 allotted to all, have 12 Senators.

Those being the representatives of New England 50 years ago.

Mr. President, those are the powers of the United States. Those are all the powers possessed by the United States; and I look in vain for authority to enact this program. If the program violates the Constitution, if it would tear down the system of government, it is my sworn duty under my oath as a Senator of the United States to oppose it with every weapon at my command.

We hear much said about rights inherent in United States citizenship. We hear pressure groups say, "You must pass this bill. It protects a right guaranteed by the Constitution of the United States." Those groups—and a school of thought has grown up in this country which concurs with them—say that the Constitution of the United States provides that these personal relationships and personal rights come to one by virtue of citizenship in the United States.

Mr. President, here are all the rights which one has by virtue of United States citizenship; here is the United States Supreme Court talking in a famous opinion rendered when it was a great forum, the greatest court on which the sun ever shone. I read now from an opinion written when the United States Supreme Court was at the very zenith of its power and greatness, when it commanded the respect of the bench and bar of America and of all Americans, who revered it and looked upon it with respect. Here is what that Court says are the rights inherent in United States citizenship:

The right to come to the seat of government, to assert any claim a citizen may have upon the government, to transact any business he may have with it, to seek its protection, to share its offices, to engage in administering its functions.

(2) The right of free access to the seaports through which all operations of foreign commerce are conducted, to the subtreasuries, land offices, and courts of justice in the several States; the right to demand the care and protection of the Federal Government over the life, liberty, and property—

Listen to this, Mr. President; it is not the right to demand the care and protection of the Federal Government over the life, liberty, and property of Americans when in a State, but it is—

over the life, liberty, and property when upon the high seas or within the jurisdiction of a foreign government.

And that is all. That is the sole power the Federal Government has over the lives, liberties, and property of its citi-

zens; and that is when they are upon the high seas or within the jurisdiction of a foreign government.

I read further:

The right to peaceably assemble and petition Congress for a redress of grievances; the right of writ of habeas corpus; the right to use the navigable waters of the United States, however they may penetrate the territory of the several States; all rights secured to citizens by treaties with foreign nations; the right to become a citizen of a State by residing in it.

Then the Court said:

There are certain rights which pertain to a citizen in his character of a citizen of the United States, and are therefore subject to Federal jurisdiction and power, which grow out of prohibitions in the Constitution of the United States on State action, of which is the right to be absolved from all the consequences of bills of attainder, ex post facto laws, and laws impairing the obligations of contracts enacted by the States; and the rights secured against prohibited State actions, as expressed in the three amendments to the Constitution.

The Court listed those as the sole rights inherent in one by virtue of citizenship in the United States.

Mr. President, where do we find the authority to enact this proposed program? I have just read to the Senate a statement of the rights and powers of the United States Government; and they are all the powers possessed by this Government. I say they show that an attempt is being made by the Senate of the United States to enact a program which, if approved by the Court, would destroy the American system of government and would destroy the United States itself; and therefore we are well within our rights when we oppose that program.

Mr. President, the distinguished Senator from Alabama asked me a few moments ago to list the powers which are prohibited to the States, powers which remain alone in the people of the United States. I read those powers:

The scheme of the Constitution embraces not only a division of powers between the several States and the United States, by delegation of certain specific powers to the latter and a reservation of the powers to the States, but it includes also the prohibition of certain powers on both—

Speaking of powers prohibited to both the National Government and the States.

These powers, so far as they relate to persons—

I tell the Senator from Alabama—

were deemed despotic in their nature, unjust in their operation, and contrary to the genius of free government; and hence, while prohibiting their exercise by the Federal Government, the States also surrendered them as a pledge of their fidelity to the great principles of republican liberty.

Mr. HILL. Mr. President, will the Senator yield for a question only?

Mr. EASTLAND. I yield for a question.

Mr. HILL. Is it not in the field of the powers the Senator from Mississippi is talking about that we refer to the citizen as the sovereign citizen?

Mr. EASTLAND. The Senator from Alabama is exactly correct.

Mr. HILL. Just as we have the Federal Government sovereign in a certain field of powers, and just as we have the States sovereign in a certain field of powers, there is also a certain field of powers in which the citizen is sovereign; is not that correct?

Mr. EASTLAND. The Senator from Alabama is absolutely correct, Mr. President; and I say it would be a sad day, indeed, for the United States if the powers which are retained to the citizen—powers prohibited to both the Federal Government and the State governments—and the powers which are retained by the States should be nationalized and vested in the United States.

But what are these powers? Three of them relative to the lives and liberties of the people—namely, bills of attainder, ex post facto laws, and the suspension of the writ of habeas corpus. One of them relates to property—namely, laws impairing the obligations of contracts. The other relates only to the equality of persons in a free government, namely, the bestowal of titles of nobility. These powers were retained to both, except, Mr. President, that the United States Government was authorized by appropriate legislation to pass laws that would invalidate the obligations of contracts, because the power of bankruptcy was vested in the United States.

There were some other prohibitions to the States, but they were manifestly introduced for the purpose of preventing conflict between State powers and Federal powers, which might but for the prohibition have been concurrent.

In all these there is not a pretense for the claim of the Federal Government—

I invite especial attention to this—

there is not a pretense for the claim of the Federal Government to intervene between a State and its citizens for the protection and security of the great fundamental rights of person and property and the pursuit and acquisition of happiness, all these being left to the care and protection of the States, except only in the four cases we have just mentioned. Of all the civil rights of men and all the rights of person and liberty, only those four, and no more, are entitled to Federal protection in favor of a citizen against the State. This protection extends only to the prevention of State action in violation of them, under the fourteenth amendment—

Which I shall hereafter discuss.

Now, Mr. President, what are the rights possessed by the States? What are the powers possessed by the 48 States of the Union? In fact, what are their duties—the duties which if taken from them would leave the States impotent and make them largely administrative agencies of the United States Government?

The Supreme Court many, many times has outlined the powers which are regulated and controlled by the States. I shall take the time of the Senate, because of its importance, to list those powers, and show beyond any peradventure of a doubt that the Federal Government cannot enter the field in which it is sought to place it by legislation proposed, without doing violence to our system and without destroying local self-government in every Western State of the Union, in every Eastern State of the Union, in every State and in every locality. But I read from my distinguished predecessor:

In this grant, jurisdiction thus reserved to or kept by the States, is the entire power over all contracts—who may make contracts and who are incapable of making them, from want of mature age or of mental capacity or of freedom of will; the form in which they must be made; the evidence to establish or defeat them; their nature and obligations; the consequences of default in complying with them, and the sole remedies to enforce them amongst citizens of the same State; the sole power over marriage—who can contract it, the forms to be observed in celebrating it, the relative rights, powers, and duties of husband and wife toward each other and in the community, the causes and manner of its disolution, and all the relations and mutual duties and powers and rights of parent and child, and superadded is the institution of the family—

Mr. President, the family, the unit, and basis of civilization—control of that is in the State—

with the right to control and hold against adverse fortune the homestead, for its shelter and conservation; the titles and tenures of all property of every kind—the modes and forms of its acquisition and transfer, how the right to it may be lost by neglect or acquiescence in wrong, what are the injuries to it, and the nature and the extent of redress of such injury, and by what rules it shall be enjoyed in life, and, on the death of the owner, how it shall descend and be distributed, and on what failure of blood it shall escheat to the State, the right to dispose of it by will, and by whom, and in what form wills must be made, whether entails or primogeniture shall be allowed, and to what extent property may be held in mortmain by corporations, and what rights, if any, corporations created in other States or in foreign nations shall enjoy in its jurisdiction; the civil status of all its people—as to legitimacy, or the contrary, as affected by their birth, their education in youth—

I invite particular attention, Mr. President, to this—

their civil rights, their qualifications to vote and hold office, and their conduct in life and their protection and security in life, liberty, property, and reputation; crimes against property—larceny, robbery, burglary, arson, malicious injuries, trespasses, cheats, embezzlement, forgeries, and the like; crimes against the person—assaults, batteries, mayhems, murder, seductions, false imprisonment, and all offenses against reputation and character—slander and libel, offenses against good order, good morals, and the health of the community. The great right of the free exercise of religious worship, the freedom of religious belief, the freedom of speech and of the press—all these and more of like character——

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. EASTLAND. In a moment. Let me complete the sentence—

are wholly within the jurisdiction and the powers of the States and depend on State laws and governments for preservation and protection.

I now yield for a question only to my distinguished friend from South Carolina, a distinguished former Governor of South Carolina and a distinguished Member of this body.

Mr. MAYBANK. Mr. President, I should like to ask the distinguished Senator from the great State of Mississippi if he heard the speech of the Senator

from Massachusetts [Mr. LODGE] this morning.

Mr. EASTLAND. Yes; I heard the speech of the distinguished Senator from Massachusetts.

Mr. MAYBANK. Did the Senator from Mississippi hear the Senator from Massachusetts refer to the poll-tax issue, at the beginning of his speech?

Mr. EASTLAND. No. I am sorry, but I did not hear that.

Mr. MAYBANK. Has the Senator, during his long tenure of distinguished service in this great body, ever heard of any Senator on the floor of the Senate opposing a constitutional amendment to repeal the poll tax, which is the constitutional method, according to the Constitution of the United States?

Mr. EASTLAND. Mr. President, as a general rule, I would say that a great many Senators who oppose the passage of an anti-poll-tax bill would not oppose a constitutional amendment. But the Senator asked me if I had heard of anyone who opposed a constitutional amendment——

Mr. MAYBANK. On the floor of the Senate.

Mr. EASTLAND. On the floor of the Senate? I have to say that I have heard of no one who opposed it on the floor of the Senate. That is because such an amendment has not been submitted. If it is submitted to the Senate for debate, my information is—I hope I do not do my colleague an injustice—my colleague, the junior Senator from Mississippi, will oppose the adoption of a constitutional amendment, and I am certain the senior Senator from Mississippi will oppose the adoption of a constitutional amendment to repeal the poll tax.

Mr. MAYBANK. Mr. President, will the Senator yield further?

Mr. EASTLAND. For a question only. I do not want to be accused of filibustering.

Mr. MAYBANK. Does the Senator from Mississippi know that the Legislature of South Carolina this week passed a law to submit to the voters the question of abolishing the poll tax in South Carolina?

Mr. EASTLAND. No; I did not know that. But that is the proper way to handle such matters. In fact, it is the only proper way in which they can be handled, because it is something over which the State has complete control. I have no authority and no power, as the Senator knows, over the legislature of my State, though I have some friends in the legislature. I want to make it crystal clear to everyone that I am opposed to the repeal of the poll tax in my State. South Carolina can handle its own problems, Georgia can handle its problems, and other States can handle their problems, in their State control and State sovereignty, but, so far as my State is concerned, I am against the repeal of the poll tax. I favor the poll tax. I think it is a good tax. I think it is good law. I think that as a qualification for voting it is wholesome, and it makes for good government.

Let me say at this point, Mr. President, that I will put the government of Mississippi, for honesty and competence, on a par with the government of any State in the Union. I think the poll tax has contributed to clean elections and to wholesome, competent government.

If a bill providing for a repeal of the poll tax is introduced in the legislature of my State, if the legislators listen to its senior Senator, the bill will not pass. If it were submitted to the people for a vote—which I do not think could be done in my State—I might be induced to get into my car, travel around, and make some speeches against the repeal of the poll tax.

Mr. MAYBANK. Mr. President, will the Senator yield for another question?

Mr. EASTLAND. I yield for a question only.

Mr. MAYBANK. I should like to ask the distinguished Senator from Mississippi how much the poll tax costs a year, whether it is retroactive, and who pays it?

Mr. EASTLAND. The poll tax is $2 a year. It must be paid by February 1, each year, for 2 years before an election. It has not disqualified one person from voting. Anyone who has not foresight enough to pay it for 2 years in advance of an election is not capable of casting an intelligent ballot.

Mr. MAYBANK. Mr. President, will the Senator further yield?

Mr. EASTLAND. I yield for a question only.

Mr. MAYBANK. Did the Senator know that in South Carolina the poll tax was only $1 a year, and did the Senator know that all persons over 60 years of age were exempted from it, and did the Senator know that no women have to pay the poll tax?

Mr. EASTLAND. Yes; I knew that, and I also knew that it did not prevent anyone in South Carolina from voting.

Mr. MAYBANK. Did the Senator also know that anyone who does not have a dollar on election day can go to the polls and say he has not a dollar, and can vote?

Mr. EASTLAND. Mr. President, that shows that many people in this country have been fed on a lot of "bunk" to the effect that the poll-tax disfranchises persons. They have been fed on propaganda deliberately put out by organizations which are subversive, in order to change the form of our government and place the Federal Government in the field of suffrage—something which is abhorrent to our system of government. If such power should be concentrated in Washington it would be much easier for communism to control this Government. The greatest safeguard we have from communism and radicalism is the division of power all over this country in its different sections. I say to the Senator from South Carolina that that is behind the activities of private organizations which strive to have enacted such a program.

Mr. MAYBANK. The Senator was also speaking——

Mr. EASTLAND. I can yield only for a question.

Mr. MAYBANK. I should like to ask the Senator if he has a complete list of all the crimes which have been committed in the United States, and if he has the proportion of crimes in the larger cities as compared with those committed in rural areas of the country from which he and I come?

Mr. EASTLAND. I have seen such statistics, Mr. President. I should like to say that the senior Senator from Mississippi comes from the country. He lives a mile and a half out, on the bank of the river, from a great metropolitan area containing a population of 80 persons. He knows something about the conditions there, and he knows something about the conditions in metropolitan areas.

The senior Senator from Mississippi knows that womanhood is safer on the streets of Southern cities than on the streets of any of the great metropolitan areas of the North. When I read in the newspapers of the crimes which occur—rape, murder, robbery, and the like—in areas which point their fingers at the South and say, "We are more law-abiding than you. We are better than you," it makes me glad that I am from a rural district in the State of Mississippi. I know that conditions in the metropolitan areas in my State and the other Southern States are far superior to conditions in the city of Washington, or Baltimore, Philadelphia, or New York, areas whose culture is not American, and which today attempt to dominate the country.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield for a question.

Mr. MAYBANK. I should like to ask the Senator if he would be good enough to give for the RECORD the proportion of foreign-born in Mississippi, as against New York, for instance.

Mr. EASTLAND. I could not give those statistics. There are a great many foreign-born in my State, and they are good citizens; they are good people. I think that they are a credit to us, and my State is not only proud of them, but we have a commission set up to bring in many displaced persons from Europe. Of course, we want those who can be assimilated, but we are glad to have them.

Mr. MAYBANK. Will the Senator yield on that point?

Mr. EASTLAND. For a question only.

Mr. MAYBANK. Does the Senator know that in the hearings before the Committee on Appropriations it has been shown that so far only 6,000 displaced persons have been brought to the United States?

Mr. EASTLAND. I do not know what the figures are.

Mr. MAYBANK. Does the Senator further know that in Virginia and many other Southern States commissions are set up to handle displaced persons, and that they are unable to get them?

Mr. EASTLAND. I do not know.

Mr. MAYBANK. Does the Senator know that in the Displaced Persons Act provision was made that a certain percentage of the displaced persons had to be farmers?

Mr. EASTLAND. That is correct, but we are getting very few farmers from among them. The Displaced Persons

Commission has not followed the act. I think everyone knows that. In fact, it is more or less a joke. They take in whomever officials desire personally to bring into this country.

Mr. MAYBANK. Is it the Senator's opinion that it is in the best interests of the country to import large numbers of displaced persons into the cities?

Mr. EASTLAND. No; I do not think it is good policy to bring large numbers of displaced persons into the cities, which are overcrowded, which have no available housing. So far as the displaced-persons law is concerned, if the Senator from South Carolina remembers, I voted as he did on that. In fact, I think both the distinguished Senator and I spoke at length against the passage of that bill.

Mr. MAYBANK. Will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from South Carolina?

Mr. EASTLAND. Only for a question.

Mr. MAYBANK. Will the Senator submit for the RECORD, during the course of his able address, the number of unemployed persons now living in the United States?

Mr. EASTLAND. I do not have those figures and cannot put them into the RECORD. If I can secure them at some later time, I shall be glad to put them into the RECORD.

Mr. ROBERTSON. Mr. President, will the Senator yield?

Mr. EASTLAND. For a question.

Mr. ROBERTSON. Does not the Senator recall that in the issue last week of the United States Daily News figures were published which show that there are now 3,100,000 unemployed persons in the United States?

Mr. EASTLAND. I saw something to that effect; but I do not think we are going to have a depression.

Mr. LONG. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield to the distinguished Senator from Louisiana.

Mr. LONG. In connection with the point the very distinguished senior Senator from Mississippi made about the poll tax not disfranchising people, does he know that in my State of Louisiana it is a fact that after we repealed the poll tax within 2 years we had double the number of eligible voters in the State?

Mr. EASTLAND. I did not know the figures as to Louisiana, but regardless of the figures, those are questions solely for State decision. It is within the power of the State to regulate suffrage.

Mr. President, I quote further from the powers which have been listed as belonging to a State:

> In short, the State authority meets the child at his birth, and attends him through infancy, manhood, and old age, and to his death, and is sufficient, if wisely exerted, to secure him all the blessings which make life desirable in this world, and the opportunity of gaining for himself, in his free exercise of his religious belief, a blissful hereafter.

Mr. President, that is from an opinion of the Supreme Court of the United States, which lists all the powers of the United States, which lists the rights possessed by the citizens, which rights are inherent in United States citizenship; which lists those vast powers retained by the State governments, those fundamental powers, the regulation of life, liberty, and property and the pursuit of happiness.

Mr. CONNALLY. Mr. President, will the Senator yield for a question?

Mr. EASTLAND. In a moment. I defy anyone to point his finger to one sentence which, under the Constitution and the American system of government, would authorize the adoption of the program now attempted to be enacted by changing the rules of the Senate, imposing gag rule, and depriving our people of their most elemental rights of liberty and justice before the law.

Now I yield to the distinguished Senator from Texas for a question.

Mr. CONNALLY. Is it not true that all governmental powers originally resided in the States, and that it is only those powers which the States have willingly and cordially transferred to the Federal Government that the Federal Government possesses?

Mr. EASTLAND. What the distinguished Senator says of course is exactly true. In the beginning there was no Federal Government.

Mr. CONNALLY. There was none.

Mr. EASTLAND. There were 13 separate, independent, and sovereign States——

Mr. CONNALLY. Nations, if one wishes to call them that.

Mr. EASTLAND. Stretched out along the Atlantic seaboard, possessing every power of sovereignty possessed by any government.

In addition to the other powers possessed by those States, each had the power to conduct war, negotiate peace, to conduct its own foreign relations, and to set up its own postal system; but in the field of foreign relations, in the field of waging war and negotiating peace, they believed the States could act better in unison rather than alone, so they delegated those powers to the United States.

The attempt to invade the great field of personal liberties and personal rights and place that power in Washington, if successful, would destroy the State, which is the basis of the American system, and, Mr. President, it would destroy our system of government itself. That is what we of the South are endeavoring to fight against here today.

Mr. LONG. Mr. President, will the Senator yield for a question?

Mr. EASTLAND. I yield to my friend from Louisiana for a question.

Mr. LONG. Does the distinguished Senator from Mississippi agree with me that the best government is that which is closest to the people, and does he further agree with me that insofar as possible——

Mr. EASTLAND. Wait a moment. Mr. President, I will answer the first question the Senator asked me, which is if I agree with him that the best government is the government which is closest to the people. What the Senator says is absolutely true. The best government is the government which is closest to the people and that is so because of the genius of the American system. This is a big country. Conditions in the East are different from conditions thousands of miles away in the West. So the great statesmen, the great men from Virginia and other States who created the Constitution, provided that the power to control the personal relationships of men and their intimate contacts, rested within the States.

Mr. LONG. Mr. President, will the Senator yield further?

The PRESIDING OFFICER. Does the Senator from Mississippi yield further to the Senator from Louisiana?

Mr. EASTLAND. I yield only for a question.

Mr. LONG. Does the distinguished senior Senator from Mississippi further agree with me that an ordinary citizen has much more say-so in his own local government than he has in the enormous over-all Federal Government?

Mr. EASTLAND. I think that is a very intelligent question, Mr. President, and I certainly agree with the distinguished Senator from Louisiana. In fact, I go further than he has gone. The average citizen has no authority in his Government. The Federal Government today is largely controlled by pressure groups in eastern cities which control the publicity and the radio. So long as we retain the authority and control in the different localities and divide the powers, our country is safe. America then will remain free and, Mr. President, America will remain great.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield for a question only.

Mr. MAYBANK. Does the Senator know that it has cost the Government $3,500,000 to carry out the provisions of the Displaced Persons Act for a year? The Senator from Mississippi spoke of that act awhile ago.

Mr. EASTLAND. No, Mr. President, I did not know that.

Mr. MAYBANK. Did the Senator further know that with that expenditure of money a little more than 6,000 persons have been brought in, although it was expected to bring in 35,000?

Mr. EASTLAND. I am not surprised. But I think we have to go carefully. We can get into trouble very easily if we try to expand and strengthen that act. The cry has gone out over the country that the Displaced Persons Act should be amended to prevent discrimination. But let me say that in the name of removing discrimination a great discrimination against other groups is being practiced by the Commission today, and the situation would become much worse if we were to expand the act and remove all restrictions. In fact, it is a trick, so say the organizations which spend millions of dollars for propaganda over the radio, in order to place a great discrimination against other groups who desire to come into this country, in favor of one group, and I say that advisedly because it is true.

Mr. MAYBANK. Mr. President, will the Senator yield further?

Mr. EASTLAND. I yield for a question.

Mr. MAYBANK. Did the Senator know that those on the Displaced Persons Commission have stated they were

unable to obtain farm labor to come to the United States?

Mr. EASTLAND. If they could not get farm labor or farmers to come to the United States, of course, if they carried out the provisions of the act, it would mean they could not bring in as many persons as were expected. That, however, does not justify bringing others in. But the point is, as the Senator from South Carolina well knows, that the cry has gone up for equity and justice, but groups in the East who cry out for equity and justice and spend money for what they say is that purpose, do not desire equity and justice. That is the last thing they want, because they desire to monopolize the quotas for their own people. Every Senator within the sound of my voice knows that what I say is absolutely true.

Mr. LONG. Mr. President, will the Senator yield for a question?

Mr. EASTLAND. I yield for a question.

Mr. LONG. Does the distinguished senior Senator from Mississippi agree with me, in line with our earlier discussions, that when the Federal Government takes from the local government, from the city government, from the parish or the county government, and from the State government the rights those governments have, the Federal Government is in effect taking from the people the right to govern their own destiny?

Mr. EASTLAND. What the Senator says is absolutely true. I congratulate the distinguished junior Senator from Louisiana. I see that he has a firm and fundamental grasp of the American system of government and the necessity to retain that system in order to protect and preserve the liberties of our people.

Mr. President, when the Constitution was adopted the people were so zealous to prevent the Federal Government from invading the dominion of the States, from usurping their liberties, from taking away their power to control their fundamental rights, through their own State governments, that they enacted the Bill of Rights, the first eight amendments to the Constitution of the United States. Those amendments were a checkrein, not on the States, but on the Federal Government and on the Federal Government alone.

Mr. President, the contention has been made that the Federal Government should have the right to go into a State and deprive it of its control of life, liberty, and the property of its people, and the privilege of protecting their rights, their liberty, and their property. When it was claimed a year ago by the President of the United States that the Federal Government should have such power it was the most far-reaching assertion of Federal power ever declared by any man who has occupied the Presidency of this great Republic.

Mr. President, I desire to discuss the general scheme of the Federal Government and the State governments. I am going to quote from my distinguished predecessor, one of the great men who have sat in this body. I shall read from a report which came from the Judiciary Committee as a minority report, but which was adopted by the Senate. I submit that it meets the acid test. I submit it to the intelligence and judgment of Members of the United States Senate. I read further:

And now, if we will take a survey of the whole, we see that this grand scheme of free government for the security of the rights and promotion of the welfare and safety and advancement of the happiness of the people of the United States is, in short, this:

First, a common government of all the States with exclusive jurisdiction and powers as regards foreign nations and all intercourse with them, with jurisdiction over the relations between the States as States, and over commerce among the States and between them and foreign nations; over certain very limited powers whose influence and force ordinarily extend beyond State lines and could more conveniently be exercised by the common Government—

That is the United States side of the dual government which is known as the American system—

over the securing to the citizens of each State, when in the jurisdiction of another State, the same great fundamental rights which the latter State grants to its own citizens; a denial to the States of certain despotic and arbitrary powers in respect to personal and private rights, which are incompatible with free institutions, and the denial to the common government, in the exercise of its granted powers, the authority to invade certain great rights of private persons, as we have enumerated them; that all the powers of the common government were delegated and enumerated, and all other governmental powers not prohibited were reserved to or kept back by the States; that the States—as they then existed, possessing all the power then reserved to them—were essentially the basis of the Federal system, without which it could not have the beginning of life, nor any subsequent existence; that these States were equal in power and dignity, and this equality is the essence of the whole scheme.

Mr. President, a truer statement was never made. The very basis of this country, a union of States, is founded upon the equality of States and their recognition by their sister States. I read further:

That each was adjudged to be capable of discharging its Federal functions and of exercising without control or restraint from any quarter its reserved powers.

Second, that in this great mass of reserved powers in the States were embraced not only the protection and security of all the rights of life, liberty, and property, and the pursuit and acquisition of happiness, but also the unrestricted power to define and determine what these rights are, their extent and limit, and all the processes of law for their vindication.

Mr. President, it is sought to nullify that great precept of the American Constitution. Senators are obligated under their oaths to fight to the last ditch a program which would destroy the sovereignty of the States and deprive the people in each community of the power to control their affairs.

I read further:

And in this mass of reserved powers are also all jurisdiction over the conduct of men, the conservation of morals, and the preservation of the public health. That as to all these, the reserved power of each State was and is absolute, without other restriction than it shall itself see proper to impose on its own government, so far as its own citizens are concerned, and the same rule prevails as far as concerned citizens of other States within its jurisdiction, except only that by the Federal Constitution it is so bound that the measure it metes to its own citizens, the same shall be meted to them.

This outline of these matters embraced within the reserved powers of the States would ordinarily be sufficient; but in this day, when there exists so great a tendency to belittle and obscure the powers, duties, dignity, and importance of the States, and to look to the Federal Government to rectify all wrongs, to remedy all evils, to supply prosperity and to check adversity, to bestow wealth and to remove poverty, and to these ends to invoke its powers over interstate commerce and its powers of internal and external taxation, in order to build up one interest at the expense of another, to break down one rival interest for the benefit of another, to take charge of sanitation and inspection in the States, to control all that pertains to the good order and morals of the people, * * * it may be well to specify in detail some of these great powers of government which, under our constitutional system, are reserved exclusively to the States.

A few moments ago I listed at great length the powers which were reserved to the States, to show the absurdity of the proposition that the Federal Government has the right and the power to intervene in the States to protect property rights and personal rights of the citizens who reside there.

I am going to trouble the Senate by reading what the Supreme Court of the United States says on this question. There can be no controversy about it. The courts always held the same thing. I was surprised to see the principle enunciated a year ago by the Supreme Court, when it decided the restrictive-covenants case, for the Court then said that under the fourteenth amendment or any other amendment of the Constitution the Federal Government could not go into a State and attempt to rectify an individual wrong committed on a person by another person.

In the Slaughterhouse cases the Supreme Court—and let me say that that is one of the greatest decisions ever rendered by the Supreme Court of our country—in referring to and quoting from the decision of Judge Washington, in the case of Corfield against Coryell, in speaking of the great and fundamental rights which, by the Constitution, are left under the sole guardianship and protection of the States, said they are comprehended under certain general heads. That case was decided back in the late seventies or early eighties, but it has been adhered to up to this time, and was endorsed by the present Court only a few months ago. I quote now from the decision in the Slaughterhouse cases:

Protection by the Government of the right to acquire and possess property of every kind and pursue happiness and safety, subject to such restraints as the Government shall prescribe for the general good of the whole.

Mr. President, the same Court in the same case, in referring to the case of *Ward* v. *Maryland* (12 Wall. 430), said:

This definition, above quoted, from Judge Washington, was in the main adopted there.

Listen, Mr. President:

It embraces nearly every civil right for the establishment and protection of which organized government is instituted.

Mr. President, please note that. Here is the Supreme Court of the United States speaking in a great decision, which was referred to and endorsed by the present Court less than a year ago:

It embraces nearly every civil right for the establishment and protection of which organized government is instituted. These rights are, in the language of Judge Washington, those rights which are fundamental; and they have always been held to be the class of rights which the State governments were created to establish and secure. It would be the vainest show of learning to attempt to prove by citation of authority that up to the adoption of the recent amendments—thirteenth, fourteenth, and fifteenth—no claim was set up that those rights depended on the Federal Government for their existence.

Mr. President, I read that once more:

It would be the vainest show of learning to attempt to prove by citation of authority that up to the adoption of the recent amendments—thirteenth, fourteenth, and fifteenth—no claim was set up that those rights depended on the Federal Government for their existence or protection, beyond which are the very few express limitations which the Federal Constitution imposes on the States, such as, for instance, the prohibition against expost facto laws, bills of attainder, and laws impairing the obligations of contracts; but, with the exception of these and a few other restrictions, the entire domain of privileges of citizens of the States, as above defined, lay within the Constitution and legislative powers of the States.

Mr. President, please note that all these lay within the Constitution and legislative powers of the States, and without the power of the Federal Government.

I shall quote again from what that distinguished Court said in the Cruikshank case. The Court, in denying the validity of a statute of the United States providing for the punishment of a conspiracy to murder and imprison within a State, said this, in the words of Chief Justice Waite:

The rights of life and personal liberty are natural rights of man.

Mr. President, I wish to repeat that:

The rights of life and personal liberty are natural rights of man. To secure these rights, says the Declaration of Independence, governments were instituted among men, deriving their just powers from the consent of the governed. The very highest duty of the States, when they entered into the Union under the Constitution, was to protect all citizens in their jurisdiction in the enjoyment of these inalienable rights with which they are endowed by their Creator.

Listen to this, Mr. President:

Sovereignty for this purpose rests alone with the States.

Let me repeat that, please:

Sovereignty for this purpose rests alone with the States.

Mr. President, the protection of those rights is the fundamental duty of the governments of the 48 States. As I have repeatedly said, ours is a dual system of government; and when we deprive the States of their principal duties, we destroy the States.

I have said, further, that under our system the Federal Government cannot live without the sovereign States. It is based upon the States, and their equality is fundamental to our system. When we destroy that system, we have destroyed the system which has prevented tyranny and dictatorship in America, and has made this country free and great.

When the powers of the States are usurped by the Federal Government, as it is attempted to do here, the United States is on the high road to dictatorship; tyranny and oppression will be the fate of the average man and of minority groups, who now cry for the destruction of America, who now cry for the destruction of the system that has protected them and has permitted them to live and prosper in peace.

Mr. STENNIS. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from Mississippi yield?

Mr. EASTLAND. I yield for a question.

Mr. STENNIS. I ask the Senator, in connection with his discussion relative to retaining the present form of government wherein the States are recognized, can he think of anything more certain to destroy the integrity of the States and our dual system of government than a Federal regulation of the qualifications of electors?

Mr. EASTLAND. I may say to my distinguished colleague, the regulation and control of elections, and the protection of life, liberty, and property, are fundamental. They represent the important fundamental power and duty in the State, the fundamental safeguards of the liberty of our people. If the people in each locality may regulate and control their own elections, then they may control the men they elect to high office and thus prevent the establishment of dictatorship and tyranny and oppression in this country.

Mr. STENNIS. Mr. President, will the Senator yield for another question?

The PRESIDING OFFICER. Does the Senator from Mississippi yield?

Mr. EASTLAND. I yield for a question.

Mr. STENNIS. I ask the Senator whether he does not believe, as one experienced in government, that if the Congress ever takes over the power of regulating the qualifications of electors, it will prove to be merely a forerunner of the Congress taking over absolute control with reference first to electors and then to elections themselves?

Mr. EASTLAND. There can be absolutely no doubt about that. The process of the eating away and usurpation of powers by the Federal Government would go on and on. It would gain in momentum as it progressed, until we would have a Government along European or Asiatic lines. I may say here and now, that is one of the great issues before us, whether we are going to retain our Government of checks and balances, with control locally by the people of the great functions of domestic government, or whether we are going to concentrate in Washington a strong central Government; which is the only kind of government Europeans know. I wonder if the alien minority groups sponsoring the proposed legislation really grasp the meaning of American institutions.

Mr. STENNIS. Mr. President, will the Senator yield for a further question?

The PRESIDING OFFICER. Does the Senator from Mississippi yield?

Mr. EASTLAND. I yield for a question.

Mr. STENNIS. In view of what the Senator has said with reference to the Federal control of the qualifications of electors and Federal control of elections leading to a centralized government which would be European or Asiatic, is he not influenced in that conclusion by the fact that the United States is such a vast nation geographically, has so many different economic situations confronting its people, and is composed of so many different racial and religious backgrounds and political theories? In other words, summing up the question, is not the Senator's conclusion based in part on things peculiar to this Nation, which set it apart from England or from any other comparable nation in the world?

Mr. EASTLAND. Mr. President, I think our system is best for the protection of all groups, for the protection of the personal liberty of every group, regardless of race or religion, and best adapted to give every group its rights, which every decent American wants to do. It is the American system. It was designed because this country has different conditions. It has met the test. But when authority is concentrated in Washington the result is a government along European or Asiatic lines, with a strong national government, a country peopled by subjects who know only the law of force. That is the fight that is being made in this country today. Many of the people who now attack our institutions recognize only one thing—brute force. They do not grasp the justice underlying American institutions.

Mr. STENNIS. Mr. President, will the Senator yield for another question?

The PRESIDING OFFICER. Does the Senator from Mississippi yield?

Mr. EASTLAND. I yield for a question.

Mr. STENNIS. Does not the Senator think our dual form of government, with the government of the several States varying according to the nature of their people, their environment, their economies, is the main reason why as a Nation we have been so successful for the past century in applying the melting-pot idea—that is, growing into a strong and powerful Nation with the most diverse citizenship and economy and religions and political philosophies, all under one flag, the most outstanding of that type of thing in the world?

Mr. EASTLAND. I thoroughly agree with the Senator. I say "Yes" to his question. In fact, for a country of this kind with so many different racial and religious groups, and with economic conditions so different, we cannot be free,

we cannot give justice to the various groups of this country, unless we retain the genius of our system which permits the people in each locality to control under their laws their police power and to build their institutions in the light of conditions, because our country is so vast that for Congress to attempt to write a code of law or a code of ethics or a code of morals—or what is considered morals—for every section of the country, would result in vast injustice to great areas. The genius of the American system, as the founders so ably discerned, was to let the people in the light of their own conditions control their destiny, their own government, and their personal rights, protecting the lives, the liberties, and the property of the people, and to have a general government to handle, largely, only matters of public defense, and, because we then expected war with England or France or Spain, the imperialistic powers, to conduct foreign relations—those things which the States could do in union better than separately. If it had been mentioned, if it had been thought that a program would have been seriously proposed which would go into the States and undermine their power, their jurisdiction, and their dignity, and take from them their fundamental powers and duties, we would never have had the United States. The safe road, the best road to follow is that marked out by the American system, with its checks and balances, its division of powers and authority, and tell the people on the Connecticut River in the great State of Connecticut, and on the Columbia River in the great State of Oregon, and on the Missouri River in the great State of Nebraska, and along the great reaches of the Mississippi, "You are an American. It is best that you control your affairs, that you fix your own code of conduct, subject only to the limitations of the fourteenth amendment to the Constitution."

Now, Mr. President, I shall discuss briefly the fourteenth amendment.

It is claimed that by authority of the fourteenth amendment we can undermine the authority of the States. It is the fourteenth amendment upon which the President, in his message, hangs the authority which, I say again, is the most vast claim of Federal authority ever made by a President of the United States. Let us see the meaning of it, and let us see if it undermines the State governments. Even in the heat of reconstruction, fanned by the flames of the war, when amendments were placed in the Constitution to persecute the Southern States, those amendments did not go so far as does this program by which it is attempted to amend a rule of the Senate and to institute gag rule here.

Mr. ROBERTSON. Mr. President, will the Senator yield for a question?

Mr. EASTLAND. I yield for a question.

Mr. ROBERTSON. Does the Senator have before him the exact wording of the fourteenth amendment?

Mr. EASTLAND. I think I have it here.

Mr. ROBERTSON. When the Senator reads that amendment, I should like to have him say whether he agrees with me that it was specifically worded so as to apply only to actions by States, and not actions between individuals.

Mr. EASTLAND. Of course. The Supreme Court, a year ago, in the restrictive-covenant case, specifically said that that was all the Federal Government could do, and it attempted to call a halt to the present drift to undermine State authority and concentrate it in Washington.

Mr. ROBERTSON. Will the Senator yield to me for a further question?

Mr. EASTLAND. I yield for a question.

Mr. ROBERTSON. That opinion, I believe, was written by the Chief Justice, was it not?

Mr. EASTLAND. I believe it was.

Happily for the Nation, the first case in which the construction and meaning of the thirteenth and fourteenth amendments came before the Supreme Court was one in which southern white men were seeking redress against one of the pernicious statutes then common in the Southern States, by which those possessed of the State government were making traffic and merchandise of their powers for the purpose of enriching themselves and their friends. I refer to the great slaughterhouse case. There was nothing in that case to excite or alarm or prejudice, so far as the colored race was concerned, and nothing to prevent a careful consideration of the amendment. It is remarkable, too, that a States' rights jurist of unequaled powers and great purity of character appeared before the Court pressing for a construction of the amendment; which, if adopted, would have been a fatal precedent upon which could have been built, and would have been built, a system of legislation which would have left the Southern States, at least, no other control over their internal affairs than it should please the Congress to give.

Mr. ROBERTSON. Mr. President, will the Senator yield for a further question?

Mr. EASTLAND. I yield for a question.

Mr. ROBERTSON. Is it not true that in a decision handed down by the Supreme Court of the United States last year there was a quotation from the Slaughterhouse cases, to which the Senator has just referred, showing that the doctrine that the Federal Government has no control of actions between individuals is still recognized by our courts?

Mr. EASTLAND. Yes; and specifically in that case. There can be no dispute about it.

It is remarkable, too, that this construction was concurred in by the two Democrats who then held seats on the Supreme Court bench, and that it narrowly, yet plainly, through construction, was upheld by Republican judges and vindicated in an opinion of unsurpassed ability by one of the great Republican Judges of that Court.

In this opinion the Court Judge who drew it referred to the tendency created by the war in favor of more enlarged powers to the Federal Government. I wish to quote from the opinion, which shows the real meaning of the fourteenth amendment, on which it is attempted to hang this program and to seek authority for its enactment:

However pervading this sentiment, and however it may have contributed to the adoption of the amendments, we do not see in those amendments any purpose to destroy the main features of the general system. Under the pressure of all the excited feelings growing out of the war, our statesmen have still believed in the existence of States with powers for domestic and local government, including the regulation of civil rights, the rights of person and property were essential to the perfect working of our complex form of government, though they have thought proper to impose additional limitations upon the States and to confer additional powers on the Nation. The fourteenth amendment provides, among other things, that no State shall make or enforce any law which shall prejudice the privileges and immunities of the citizens of the United States; and the main effort in that case by the appellants was to bring within the scope of the Federal Government jurisdiction to protect citizens against the exercise by a State legislature of a power to grant to a corporation an unjust and odious monopoly in the business of slaughtering livestock for food and of receiving at their landing all livestock shipped to the parish in which the city of New Orleans is situated, a territory embracing 1,154 square miles. It was urged in their behalf that this right deprived over a thousand persons of the right to follow their vocation as butchers in the city of New Orleans, in the State of Louisiana, a right which they had as citizens of the United States.

Mr. President, there was asserted the right of certain butchers in the city of New Orleans to engage in the trade of slaughtering cattle, and the court said it was a right which they secured by virtue of being United States citizens. The question was whether such a right was a right inherent in citizenship in the United States, the right to engage in commerce, in a profession, in business, and the right to be protected.

The Court, however, denied this claim, holding that there were two citizenships in our system—

This is the United States Supreme Court. The Court just a year ago ratified this decision. I read further:

The Court, however, denied this claim, holding that there were two citzenships in our system, one of the United States, and one of the State in which a citizen of the United States resides; that these two citizenships pertain to all citizens of the United States who were also residents of any State; that the rights, privileges, and immunities of such a person as a citizen of the United States were separate and distinct from his rights, privileges, and immunities as a citizen of a State; that protection of the former alone was committed to the Federal Government and of the latter to the State government; that each citizen of the State owed a double allegiance, namely, to the Federal Government and to the State in which he resided; that he looked to the one for the security and protection of a part of these rights and to the other for protection in all the others; that both governments were parts of a complete whole, and both necessary to the protection and security of the citizen in all his rights, privileges, and immunities.

The Court then proceeds to enumerate the rights which pertain to a citizen in his character of citizen of the United States and

which we will here reproduce so that by considering the actual examples a clearer insight may be had into their nature than could come from definition and description only.

The rights are as follows:

The right to come to the seat of government to assert any claim he may have upon that government, to transact any business he may have with it, to seek its protection, to share its offices, to engage in administering its functions.

The right of free access to its seaports, through which all operations of foreign commerce are conducted; to the subtreasury; land offices, and courts of justice in the several States.

The right to demand the care and protection of the Federal Government over his life, liberty, and property when on the high seas or within the jurisdiction of a foreign government.

The right to peaceably assemble and petition (Congress) for a redress of grievances, and to the writ of habeas corpus.

The right to use the navigable waters of the United States however they may penetrate the territory of the several States.

All rights secured to citizens by treaties with foreign nations.

The right to become a citizen of a State by residing in it.

The Court then proceeds:

"There are rights which pertain to a citizen in his character of citizen of the United States, and are therefore subject to Federal jurisdiction and power which grow out of prohibitions in the Constitution of the United States on State actions; of such is the right to be absolved from all the consequences of bills of attainder, ex post facto laws, and laws impairing the obligation of contracts enacted by the States; and the rights secured against prohibited State action, as expressed in the three new amendments to the Constitution."

The Court in these principles refused to give relief against the legislation of the State of Louisiana complained of.

This great judgment (in the Slaughterhouse cases) was the first beacon light that flashed across the gloom and darkness of constitutional exposition produced by the events of the war. It recalled the great principles on which the Constitution was based, and pointed out the path of safety to be pursued. It is so clear in its argument, so convincing in its reasoning, that men wonder on reading it how they ever entertained any doubt about the true meaning of the Constitution as affected by the amendments.

This case was followed by others, in which the principles announced in the Slaughterhouse cases were followed to their logical conclusion in strict accord with the terms of these amendments. So far as the present argument is concerned it is only necessary to say that the power conferred on the Federal Government by these amendments was held to be the only power to enforce the prohibitions on State actions contained in them.

These amendments so far as they relate to the questions now involved consisted wholly of negations—prohibitions always on State action and sometimes on Federal action.

The language of the fourteenth amendment is as follows:

"No State shall make or enforce any law which shall abridge the privileges and immunities of citizens of the United States, nor shall any State deprive any person of life, liberty, or property, without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws."

And the fifteenth amendment ordains as follows:

"The right of the citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude."

I quote further:

It is now firmly settled that these provisions are directed solely against State laws and State action, through persons or agents clothed with State authority. It is also settled that the power conferred on Congress to enforce these provisions is a power only to enforce the prohibition against State action. That the rights conferred on persons under them are not positive, original rights but the right only to exemption from, and protection against, the prohibited State action. And the power of Congress to interfere in any case is purely a power of correction, a power to give redress against a prohibited State action, that the exercise, the actual exercise of the efficient power by Congress, under the amendments presupposes State action of the kind prohibited, and until there be such prohibited State action, the power of Congress is wholly dormant and without such action really being taken, somewhere or at some time the power of Congress should sleep forever.

In no case under these amendments, so far as the present controversy is concerned, can the power of Congress be made to reach, for punishment or for correction, or for redress in any way, civil or criminal the acts of private individuals.

Mr. President, I repeat that the Supreme Court of the United States, the present Court, just a few months ago completely ratified that statement.

I shall quote briefly from other decisions of the United States Supreme Court to show that no such power as is proposed to be granted to the Federal Government under the present proposal can be granted. I shall show that such a program would destroy the States and destroy our system of government. I shall then discuss at great length the right of unlimited debate, the cloture rule, and what it means to the people of the United States.

Chief Justice Waite, in delivering the opinion of the Supreme Court in *United States* v. *Cruickshank* (92 U. S. p. 555), speaking of the provisions in the fourteenth amendment prohibiting the States from denying to any person within their jurisdiction "the equal protection of the laws," said:

"This provision does not, any more than the one which precedes it, and which we have just considered (namely, the provision prohibiting a State from depriving any person of life, liberty, or property, without due process of law)"—

Now get this, Mr. President—

"add anything to the rights which one citizen has under the Constitution against another."

The Court said the fourteenth amendment does not give one citizen any more or additional rights against another citizen.

"The equality of the rights of citizens is a principle of republicanism. Every republican government is in duty bound to protect its citizens in the enjoyment of this principle if within its power. That duty was originally assumed by the States, and it still remains there."

Get that, Mr. President.

"Every republican government is in duty bound to protect its citizens in the enjoyment of this principle (of equality) if within its power."

That duty was originally assumed by the States, and that duty remains in the States, said the Supreme Court.

"The only obligation resting upon the United States is to see that the States do not deny the right. The amendment guarantees this, but no more. The power of the National Government is limited to the enforcement of the guaranty."

On that ground the Supreme Court in that case held that the United States had no power to punish a conspiracy to commit murder, or to falsely imprison a citizen, and none to punish false imprisonment or murder itself. The case was decided in 1875, and was a logical outcome of the principles announced in the Slaughterhouse cases.

Another great decision by the United States Supreme Court is that in the case of Strander against West Virginia.

The case of *Virginia* v. *Rives* (100 U. S., 313), from which I shall quote, was decided at the same term of the Court the Cruikshank case was decided. The Supreme Court in that case remanded to the State court a criminal case which had been removed to the Federal court upon the ground that subordinate officers in violation of the laws of the State had discriminated against the accused, who was a colored man, in declining to summon on the grand jury which indicted him and on the panel which was to try him, any person of his own race. Justice Strong, speaking for the Court, and quoting all the provisions of the first section of the fourteenth amendment, said:

They all have reference to State action exclusively, and not to any action of private individuals. It is the State which is prohibited from denying to any person under its jurisdiction the equal protection of the laws, and hence the statute above referred to is intended for protection against State infringement of these rights.

Mr. President, it can be seen from these decisions that the American Congress and the American Government cannot go into the field of the personal rights, the personal liberties of the individual, and stand between one citizen and another citizen, and give one citizen rights against another citizen in a State. If that were done it would undermine our entire system of government.

I read from another very important case, which shows that the Supreme Court of the United States has gone right down the line, and today still hews to the line and shows the patent unconstitutionality of the program for which it is attempted to amend the Senate rule. It shows that such action would destroy our system of government and deprive the individual in Minnesota, as well as the individual in Vermont, of his most essential rights as a citizen, and take from him that guaranty, that protection of his individual rights which he must have if he is to remain a freeman, and if we are to keep the American system of government, with its dual citizenship, and the sovereignty of the States, to protect and preserve those elementary rights.

I read from United States against Harris. In this case there was an indictment under the following words:

If two or more in any State or Territory conspire, and go in disguise upon the highways or on the premises of another, for the purpose of depriving, either directly or indirectly, any person or class of persons of the equal protection of the laws or of equal privileges and immunities under the laws, or for the purpose of preventing or hindering the constituted authorities of any State or Territory from giving to all persons within such State or Territory the equal protection of the laws, each of said persons shall be punished by a fine—

And so forth. We have a program here under which it is attempted to do that very thing.

The indictment charged certain private citizens of Tennessee of taking certain other citizens of the State from the custody of the sheriff who held them for trial on a criminal charge, and with beating, wounding, and maltreating them, and killing one of them, and thereby depriving them of an equal protection of the laws of the State. The Supreme Court, as if wearied by the compulsory reiteration of principles already well settled, delivered a very elaborate and learned opinion, drawn by Mr. Justice Woods, and again confirmed the true construction of the Constitution already fixed by the preceding cases. The Court deemed it necessary again to enforce the old maxim of constitutional construction by quoting from Judge Story that which, up to the war, had never been doubted as a fundamental canon of constitutional law.

What is that fundamental canon of constitutional law which Mr. Justice Story, the great learned justice of the United States Supreme Court, laid down? I quote from him:

Whenever, therefore, a question concerning the constitutionality of a particular power arises, the first question is whether the power be expressed in the Constitution. If it be, the question is decided. If it be not expressed, the next inquiry would be whether it be properly incident to an express power and necessary for its execution.

That is the end of the quotation from Judge Story.

I read further from the report:

The Court then, proceeding on this canon of construction, quote and discuss all the various provisions of the Constitution on which this legislation and the indictment founded on it could possibly have been based, namely, the thirteenth, fourteenth, and fifteenth amendments, and section 2, article IV, which we have before noticed as guaranteeing to the citizens of the several States the privileges of citizens in each State, and find that none of them is a warrant for this legislation. Referring to the first section of the fourteenth amendment * * * and to the fifth * * * the learned judge quotes from the Slaughterhouse cases as follows:

"If the States do not conform their laws to its requirements, then by the fifth section of the articles of amendment, the Congress is authorized to enforce it by suitable legislation."

And he quotes and adopts the following expressive language of Mr. Justice Bradley in the Cruikshank case when it was tried in the circuit court:

"It (the fourteenth amendment) is a guaranty against the acts of the State government itself. It is a guaranty against the exercise of arbitrary and unconstitutional power on the part of the government and legislation of the State, not a guaranty against the commission of individual offenses; and the power of Congress, whether express or implied, to legislate for the enforcement of such a guaranty does not extend to the passage of laws for the suppression of crime within the States."

I emphasize that, Mr. President. Congress has no authority to legislate for the suppression of crime within the States. The Supreme Court affirmed that a year ago.

"The enforcement of the guaranty does not require or authorize Congress to perform the duty that the guaranty itself supposes is to be the duty of the State to perform."

And quoting from the same case, when in the Supreme Court, he again announced the doctrine that "the obligation resting upon the United States is to see that the States do not deny the right. This the amendment guarantees, and no more. The power of the National Government is limited to this guaranty." And he also repeated what was said in *Virginia* v. *Rives*, that "these provisions of the fourteenth amendment had reference to State action exclusively."

I quote further:

"A private person cannot make constitutions or laws, nor can he with authority construe them, nor can he administer or execute them. The only way, therefore, one private person can deprive another of the equal protection of the law is by the commission of some offense against the laws which protect the rights of persons, as by theft, burglary, arson, libel, assault, or murder. If, therefore, we hold that section 5519 is warranted by the thirteenth amendment, we should by virtue of this amendment accord to Congress power to punish every crime by which the right of any person to life, liberty, property, or reputation is invaded. Thus, under a provision of the Constitution which simply abolished slavery and involuntary servitude we should, with few exceptions, invest Congress with power over the whole catalog of crimes. A construction of the thirteenth amendment which leads to this result is therefore unsound."

Mr. President, Congress passed an antisegregation law which prohibited segregation in hotels, theaters, restaurants, places of public amusement or accommodation, or in transportation. The same cry has gone up now. We are trying to amend the rules of the Senate to pass such an act. When it was passed a number of cases went to the United States Supreme Court. In those cases certain persons were prosecuted for practicing segregation. Not one of those cases came from the South. They came from Northern States and from Western States. The Court, in the civil-rights cases, handed down one of its great decisions, which is the law today, and which says that when we try to enter this field and undermine the rights of the States, and take from them their fundamental rights, we undermine the entire American system of government.

Both classes of these—

Speaking, now, of the civil-rights cases—

came before the Supreme Court in December 1883.

The law which had passed Congress was described as a bill to enforce in public places, theaters and inns, on railroad cars, and on steamboats, a social equality between the two races.

The cry went up, and cases went to the Supreme Court from Northern States, which wanted to get rid of the law. Section 1 of that act—and we are trying to amend the rules so as to enact another one—provided:

SECTION 1. That all persons within the jurisdiction of the United States shall be entitled to the full and equal enjoyment of the accommodations and advantages, facilities, and privileges of inns, public conveyances on land or water, theaters, and other places of public amusement, subject only to the conditions and limitations established by law and applicable alike to citizens of every race and color, regardless of any previous condition of servitude.

Here is what the Court said:

It is State action of a peculiar character that is prohibited; individual invasion of individual rights is not the subject-matter of the amendment. It has a deeper and broader scope. It nullifies and makes void all State legislation and State action of every kind which impairs the privileges and immunities of citizens of the United States, or which deprives them of life, liberty, or property without due process of law, or which denies to them the equal protection of the laws.

But, Mr. President, social rights and freedom from segregation were not privileges or immunities of citizenship of the United States.

In speaking of the fifth section, which gives Congress the power to enforce this, the Court says:

To enforce what? To adopt appropriate legislation for correcting the effect of such prohibited State laws and State action, and thus to render them effectually void and inoperative; this is the legislative power conferred on Congress, and this is the whole of it. It does not invest Congress with power to legislate upon subjects which are within the domain of State legislation, but to provide against State legislation and State action of the kind referred to.

It does not authorize Congress to create a code of municipal law for the regulation of private rights, but to provide modes of redress against the operation of State laws and the action of State officers, executive and judicial, when these are subversive of the fundamental rights specified in the amendment. Positive rights and privileges are undoubtedly secured by the fourteenth amendment, but they are secured by way of prohibition against State laws and State proceedings opposing these rights and privileges, and by power given to Congress to legislate for carrying such prohibition into effect; and such legislation by Congress must necessarily be predicated upon such supposed State laws and State proceedings and be directed to the correction of their operation and effect.

The minority report of 1887, from which I am reading, then says:

This is clear enough, but the Court emphasized the decision again in this extract:

"Until some State law has been passed, or some State action, through its officers or agents, been taken adverse to the rights of citizens sought to be protected by the fourteenth amendment, no legislation of the United States under said amendment, nor any proceeding under said amendment, can be called into activity; for the prohibitions of the amendment are against State laws and acts done under State authority."

And, again, the Court, in denying the power of Congress, under these amendments, to legislate on the subject of the violation by private persons of rights secured by them, use this language:

"Civil rights, such as are guaranteed by the Constitution against State aggression, cannot be impaired by the wrongful acts of

individuals unsupported by State authority in the shape of laws, customs, or judicial or executive proceedings; the wrongful acts of an individual unsupported by any State authority are simply a personal wrong, or a crime of that individual, an invasion of the rights of the injured party, it is true, whether they affect his person, his property, or his reputation; but if not sanctioned in some way by the State, or not done under State authority, his rights will remain in full force, and may presumably be vindicated by a resort to the laws of the State for redress. An individual cannot deprive a man of his right to vote, to hold property, to buy or sell, to sue in the courts, to be a witness or a juror; he may by force or fraud interfere with the right in a particular case; he may commit an assault against the person or use ruffian violence at the polls, or slander the good name of a fellow citizen; but unless protected in these wrongful acts by some shield of State law or State authority, he cannot destroy or injure the right; he will only render himself amenable to satisfaction or punishment, and amenable therefor to the laws of the State where the wrongful acts are committed."

Mr. President, I quote further from the report on that historic decision:

When the Constitution seeks to protect rights against the discriminative and unjust laws of a State by prohibiting such laws, it is not individual offenses but abrogation and denial of rights which it denounces and for which it clothes Congress with power to provide a remedy. The abrogation or denial of rights for which the State alone were, or could be responsible, was the great seminal and fundamental wrong which was intended to be remedied; and the remedy to be provided must be predicated upon that wrong. It must assume that in the cases provided for, the evil of the wrong actually committed rests upon State law or State authority for its exercise or perpetration.

Mr. President, there can be no doubt, under the decisions of the United States Supreme Court, that our system of government would be invaded if we amended the Senate rules so as to permit the passage of the program that is advocated here, and we would do violence to our system and would deprive our people of their fundamental rights, their privileges, and the great safeguard of human liberty. To reach that unconstitutional end, the demand is made to amend the rules of the United States Senate.

Mr. President, since the dawn of history, in all parliamentary bodies there has been a principle to protect human liberty, known as the right of unlimited debate. From the dawn of history it has been recognized that majorities are not always right, that great injustice comes from the use of brute force, and that if mankind is to remain free, it is necessary that majorities be curbed.

That was true of the Greek Senate, it was true, as I shall show in a moment, of the Roman Senate, and it has been responsible for making the United States Senate the great deliberative body it is today. The right of unlimited debate under our system is peculiarly fitting, is peculiarly appropriate to the United States Senate. It is a great American institution which has been interwoven into our governmental system for generations. It stands today as a great protector of the rights of the individual citizen, the rights of minority racial and religious groups. And let me say, when I speak of racial minority and religious groups, every single group in the country is a minority group. When I speak of them I speak of all of us. The Methodists are a minority; the Baptists are a minority; the Presbyterians are a minority; the Catholics are a minority; the Jews are a minority. The system is peculiar to the United States, because the United States is a union of States. The Congress gets its name from a word meaning "an assembling"; not an assembling of the people, but an assembling of the United States—an assembling of States that are united. The Senate of the United States is composed of two ambassadors sent to the Central Government to represent respectively the sovereign States. It is not strictly a legislative body. It is part of our duty of course to legislate, but also to advise, consult, and approve.

The very idea of gag rule in the Senate, applied to gag the ambassador of a sovereign State, is abhorrent to the American system, which, as I have stated, is built upon equality of the States.

Mr. MAYBANK. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from Mississippi yield?

Mr. EASTLAND. I yield for a question.

Mr. MAYBANK. I should like to ask the distinguished Senator from Mississippi, is it not a fact that the smallest State of the Union has the same representation in this body as the largest, and that, when the appointment of Senators from the various States was changed to an election, the election of Senators from those sovereign States was left to the will of the people, and under the articles of the Constitution, were they elected according to the laws of the several States?

Mr. EASTLAND. A Senator, as ambassador from a State, of course, could only be elected by the State in the manner prescribed by the State. Under the amendment to the Constitution Senators must be chosen in the States by popular vote. If they were not so chosen, we would not have an assembling in the Senate of ambassadors from sovereign States. Senators come to the American Congress, the word "Congress" meaning an assembling of united sovereign States, to advise with each other on problems of common interest to the several States. If one Senator can be gagged, or if a number of Senators can be gagged, quality can be denied to Senators and to the respective States of the American Union.

Mr. MAYBANK. Mr. President, will the Senator yield for a further question?

The PRESIDING OFFICER. Does the Senator from Mississippi yield?

Mr. EASTLAND. I yield for a further question.

Mr. MAYBANK. I should like to ask the Senator whether there was any intimation or thought of a Federal law in connection with the election of Senators by popular vote in the several States, after the Constitution had been changed so as to provide for their election in that manner instead of by the legislatures of the States?

Mr. EASTLAND. None whatever. The State sets up its own rules and regulations, as provided in the constitutional amendment. It sets up its own qualifications for voters. But the point is, gag rule in the Senate is abhorrent to our system of government. We are representatives of sovereign States—we are sovereign; and a sovereign cannot be gagged.

Mr. MAYBANK. Mr. President, will the Senator yield for a further question?

The PRESIDING OFFICER. Does the Senator from Mississippi yield?

Mr. EASTLAND. I yield for a question only.

Mr. MAYBANK. Is it not the opinion of the Senator that if we had gag rule, laws might be enacted, following the gag rule, such as the law that has been proposed for the Federal Government to repeal poll taxes; which in the end would be a law against the sovereign States in the election of their Senators. Is that not true?

Mr. EASTLAND. Mr. President, I regret I did not hear the Senator's question. I have yielded merely for a question. May I have unanimous consent to request the Senator to repeat the question, without my losing the floor?

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. MAYBANK. My question to the distinguished Senator from Mississippi was, if a gag rule were imposed on the Senate, in the Senator's opinion would that be followed by legislation affecting State elections, and if so, would it not be in direct conflict with the Constitution with respect to the change in the manner of electing Senators?

Mr. EASTLAND. There is no doubt about that. But the point to the whole thing is, the sovereignty of one State cannot be destroyed without at the same time destroying the sovereignty of all States. Every State in the Union has as much stake in this controversy as does the State that sent the Senator from Mississippi to this body, and as do the States that sent to this body other Senators who now oppose the program.

Mr. MAYBANK. Mr. President, will the Senator yield for a further question?

The PRESIDING OFFICER. Does the Senator from Mississippi yield?

Mr. EASTLAND. I yield for a question only.

Mr. MAYBANK. Mr. President, does the distinguished Senator from Mississippi deny that the largest States are protected in the matter of representation in the House of Representatives differently from the basis of their representation in the Senate?

Mr. EASTLAND. That is correct.

Mr. MAYBANK. Mr. President, will the Senator yield for another question?

The PRESIDING OFFICER. Does the Senator from Mississippi yield?

Mr. EASTLAND. I yield for a further question.

Mr. MAYBANK. Does not the Senator believe the power of life and the rights pertaining to it in the small States resides in the Senate of the United States?

Mr. EASTLAND. Of course it does.

Mr. President, as I have said, throughout all parliamentary history it has been

recognized that the right of unlimited debate is a valuable right for the protection of minorities, to check a ruthless majority, and that right in the Senate has done much to hold the United States together. Had it not been for the right of unlimited debate in the Senate, the American Union, in all probability, would have been broken up in 1812, when there was a serious controversy in New England, some of whose citizens desired to leave the Union because of the War of 1812. But, by the right of unlimited debate, when Senators from sovereign States, clothed with the robe of sovereignty, come here to counsel and debate together, such questions are resolved for the good of all. America has prospered. It has stood firm under the guiding principles on which the Nation was built.

Mr. President, why is it that almost all Senators who have served in this body any length of time, from the beginning down to the present time, have recognized the value of the Senate rule authorizing unlimited debate, and have striven to preserve and protect that right and have considered it essential to protect the people, in all areas of the country, from unbridled majorities? A bill can be debated in the House of Representatives, under their rule, only an hour. I have been there and have seen Representatives beg and plead for 5 minutes time. Under a gag rule, if a measure came to the Senate it could be rammed through by the power of a great lobby or great pressure group, and the people of the Nation would not know what was happening.

Mr. MAYBANK. Mr. President, will the Senator yield for a question?

Mr. EASTLAND. I yield for a question.

Mr. MAYBANK. I should like to ask the Senator if he remembers the silver controversy—I do not wish to use the term "filibuster"—which affected some of the Western States?

Mr. EASTLAND. Yes, I remember it. Was that the Senator's question?

Mr. MAYBANK. Yes.

Mr. EASTLAND. Yes, I remember that.

Mr. MAYBANK. Was it not the Senate of the United States that saved the West after the bill had been rammed through the House?

Mr. EASTLAND. It was a combination of western Republicans and southern Democrats that saved the West on that occasion.

Mr. MAYBANK. Mr. President, will the Senator yield for a further question?

Mr. EASTLAND. I yield for a further question.

Mr. MAYBANK. If the western silver group had lost the fight, is it not the Senator's opinion that the East, which was so anxious to have the legislation passed, would have been the sufferers in the end?

Mr. EASTLAND. They would. I predict, Mr. President, that if this resolution is adopted it will hasten the day of socialism in this country, and it will aid the chances of the enactment of a capital levy in the United States. The people of the industrial East have a great stake in retaining the right of unlimited debate in the Senate of the United States.

Until 1806 there was the right in the Senate to move the previous question. Such a motion was debatable. Until 1917 there was the right of unlimited debate in the Senate. The statement has been made, time and time again, in this debate that the cloture rule was adopted at that time because of the filibuster on the armed-ship bill and because of the imminence of war with Germany. That rule provided that two-thirds of the Senators could invoke cloture on a pending measure. The right of unlimited debate on a motion to take up a bill was deliberately left out of the purview of that rule. If one will read the debates in the CONGRESSIONAL RECORD when the resolution creating rule XXII was under consideration, one is bound to admit that it was the intention to resort to that rule only in cases involving the national defense, when war was imminent, and when cloture should be invoked in order to defend the country in a grave emergency.

The great Senators in this body practically unanimously have opposed cloture and have recognized the importance of unlimited debate. The conditions we have today are far different from those which the Senators who wrote the rule conceived would exist if cloture should ever be adopted.

Mr. President, unlimited debate is vital to the preservation of a republic, as is shown by the experience of Rome. For 450 years the Roman Republic had endured with no restrictions on debate in the Roman Senate. During all this period Rome had grown in greatness and power until hers was the dominant position in the ancient world. No ancient people enjoyed the freedom of a republic for so long a time as did the ancient Romans. But the golden age of Roman freedom was now drawing to a close. During the first triumvirate of Caesar, Pompey, and Crassus, pleadings before the judices selecti—senatorial judges trying criminal cases—were limited to 2 hours. Cicero, one of the most far-sighted statesmen of his day and a great champion of the Roman tradition of freedom, deprecated the effect of this cloture upon the cause of freedom, sensing that it foreshadowed the beginning of the end of the Roman Republic.

His premonition was correct; within a few years Rome was under the authoritarian despotism of its first Caesar.

Interestingly enough, Julius Caesar had himself insisted on unlimited debate in his earlier years. At the time of Cataline's conspiracy, when Julius Caesar was praetor, he was the only member of the Roman Senate who refused to vote in favor of inflicting capital punishment on the accomplices of Cataline. He insisted upon the right of unlimited debate until, tension mounting high, a group of Roman knights thrust at him with drawn swords, and only by the extreme efforts of his friends who drew their togas about him was his life saved.

Other Roman statesmen of note insisted on the right of unlimited debate. Cato the Younger, in his fight against the usurpation of power by Caesar and Pompey in later years, resorted to unlimited debate in a vain effort to preserve the Republic.

Mr. TOBEY. Mr. President, will the Senator from Mississippi yield?

Mr. EASTLAND. For a question.

Mr. TOBEY. The Senator pays tribute to the memory of Julius Caesar, of historical fame. In order to make the record accurate and complete, should he not also add that he was aided and abetted by one Cleopatra?

Mr. EASTLAND. I do not know about that. I have said that Caesar destroyed the right of unlimited debate in the Roman Senate under conditions similar to the conditions in this country today, and by the use of pressure groups such as those we now see around the Capitol, in order to make himself a despot; and he did it and destroyed the liberty of the Roman people.

When Cato persisted in talking after Caesar ordered him to desist, he was dragged from the rostrum and ejected from the Senate. So jealous was the Roman Senate of its prerogatives, that when Cato was ejected the entire Roman Senate walked out of the Senate chamber.

Cato and others resorted to unlimited debate only when the Republic itself and the freedom on which it was founded were at stake. There is a marked similarity today in the fight to preserve the freedom of the States from Federal usurpation—a freedom vital to the preservation of the American system. The American Republic has endured 160 years. The Roman Republic lasted nearly three times as long—450 years. Let us take a lesson from the observations of Cicero in the declining years of Rome's freedom, and preserve the sacred right of unlimited debate so essential now, as then, to the freedom we all want to preserve.

Mr. President, let us heed what Cicero said, that cloture in the Senate of a republic will destroy the republic. With what a prophetic eye he pictured what would happen in a few years to imperial Rome if Julius Caesar were listened to and cloture adopted.

Mr. President, history is the record of man's efforts to solve his social, economic, and military problems. It is often said that history repeats itself, but the very reason that history is written and studied in our schools is that the mistakes of history may not be repeated.

Mr. TOBEY. Mr. President, will the Senator yield?

Mr. EASTLAND. For a question.

Mr. TOBEY. I might help the Senator out a little and strengthen his argument by quoting the words of the distinguished French statesman, Mr. Briand, who said that "the only lesson we learn from experience is that we learn nothing from experience." Does the Senator concur?

Mr. EASTLAND. I do not concur in that statement. I think the only way we can learn is by following experience.

The founders of the American Government were keenly aware of the fact that freedom in the Roman Republic had disintegrated as a result of factors which they sought to avoid in writing the Constitution of the United States.

Let me say that a reading of the notes of the Constitutional Convention will disclose that time and time again the

factors which caused the destruction of Rome were pointed to and discussed, and an attempt was made to set up a system in this country so that the thing which caused the decline and fall of Rome would not happen here.

I have just shown how the forces intent on destroying Roman freedom first attacked the right of unlimited debate. It would be interesting to go a bit further and to note how Julius Caesar, in his ambitious manipulation of the Roman mob to further his own acquisition of power, proceeded from this point to whittle down the power of the Roman Senate.

Mr. HILL. Mr. President, will the Senator from Mississippi yield?

Mr. EASTLAND. I yield for a question.

Mr. HILL. Is it not true that previous to Caesar's imposition of cloture on the Roman Senate, the Roman Senate had enjoyed free and unlimited debate for some 450 years?

Mr. EASTLAND. That is correct. Caesar raised a cry to give vast lands to the poor people of Rome by taking the land away from its owners. When for years the Roman Senate refused to enact his proposal, he brought pressure groups, mobs, around the Senate, and by threatening Senators, by putting the heat on, by pressure, they adopted cloture in the Roman Senate, so that they could pass legislation taking away from their owners the lands in one area of the Roman provinces, and distributing them to members of the groups which surrounded the Roman Senate.

Mr. President, I think the similarity is striking. There are pressure groups in great numbers which come down to Washington from New York and other eastern cities and surround this Capitol, trying to intimidate the United States Senate to adopt a program which would undermine our whole system of government, just as happened in Rome.

Cicero, one of the great statesmen of all time, during that agitation warned the Roman Senate that if they adopted cloture it would mark the beginning of the end, that it would mark the decline of Rome, and that within a few years there would be despotism and tyranny there. He said that behind cloture the power of the Roman Senate would be whittled down, and a tyrant would then take its place and exercise its power. And, Mr. President, that is exactly what happened in Rome. Julius Caesar was a very ambitious man. He desired to make himself dictator of an imperial Rome. The thing that stood in his way, the thing which prevented him, was unlimited debate in the Senate of Rome. So he said, "We are going to distribute land among certain people." He brought those people to Rome and with their aid forced the Senate to change its rule of unlimited debate. Within 2 years he had destroyed the power of the Roman Senate. He became a tyrant. Rome lost her liberty and declined and fell.

Mr. President, the turning points of history are not always on the battlefield. Here was a great turning point of Roman history when Caesar broke the power of the Roman Senate, and, though the senate existed in name for another 500 years until it was dissolved and its members pensioned by Odoacer, the King of the Goths, from that time on it was always more or less of a rubber stamp for the Emperor of Rome.

How right the distinguished Senator from Georgia [Mr. GEORGE] was when he said that with majority cloture in this body we would be a rubber stamp, that we would be controlled by the executive branch of the Government.

Mr. President, cloture was not in effect in the House of Commons for 1,000 years, or until 1882. The previous question could not be invoked in the House of Commons for 1,000 years. Let me say that during that time England, Great Britain, the British Empire, reached the zenith of its power and its glory. It was during that time that the statement remained true that the sun never set on England and her possessions. What happened? The British wanted to crush Ireland. The British Parliament, at the request of wealthy pressure groups in England, desired to crush the Irish. To do that they had to put gag rule in the House of Commons.

One of the black pages in history, Mr. President, is what happened to the brave Irish people as a result of the treatment they received from Great Britain. Thousands of our own good citizens in this country today were driven out of Ireland and to our shores because of the mistreatment they received there. It is interesting to note that some of them, our friends, would vote for cloture in this body, for gag rule here; when such a rule was adopted in the British Parliament in order to crush their parents and grandparents and actually drive them from their native land.

Mr. LONG. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from Louisiana for a question?

Mr. EASTLAND. I yield for a question.

Mr. LONG. Does the Senator know exactly what year it was when gag rule was adopted in the House of Commons?

Mr. EASTLAND. Yes; in 1882.

I say, Mr. President, that gag rule there certainly marked the decline of England as a great power. She, with her possessions, did not begin to decline at first, but that rule certainly marked the beginning of her decline as one of the great governments of the earth. The treatment which the British meted out to the Irish after cloture had been forced in the House of Commons in order to crush the Irish has made Ireland a free state today. The hatred of the Irish toward Great Britain, or toward the British, was certainly justified.

It is interesting to note, Mr. President, that in these two great examples in history, Rome and Great Britain, when gag rule was adopted in their parliamentary bodies it was done at the request of groups which desired to force tyranny and oppression upon their fellow citizens. It was done in a desire to take away from a segment of their populations their freedom and their liberty.

I submit that today an attempt is being made to enforce gag rule on the Senate of the United States in order to undermine this Government and deprive the people of every section of our country of some of their elementary and most important rights and privileges.

The founders of the American Government were not unaware of the fragile nature of human freedom and sought to protect American liberty with certain safeguards. One of the most interesting statements to be found in the Journal of the Constitutional Convention kept by James Madison, who later followed Jefferson as President of our Nation, was the statement by Edmund Randolph on the purpose of the United States Senate. I wish to read this statement by Randolph from page 81 of Madison's Journal:

> Mr. Randolph observed that he had, at the time of offering his propositions, stated his ideas as far as the nature of general propositions required; that details made no part of the plan, and could not perhaps with propriety have been introduced. If he was to give an opinion as to the number of the second branch [the Senate], he should say that it ought to be much smaller than that of the first; so small as to be exempt from the passionate proceedings to which numerous assemblies are liable. He observed that the general object was to provide a cure for the evils under which the United States labored; that in tracing these to their origin, every man had found it in the turbulence and follies of democracy; that some check therefore was to be sought for, against this tendency of our governments; and that a good Senate seemed most likely to answer the purpose.

A Senate of long debate, not purely a legislative body but a body where these questions were reasoned out and agreed upon, with no group ruthlessly attempting to impose a program on another great section of this country.

Mr. President, we observe from this statement of Edmund Randolph that the founders of our Government, the creators of the American Constitution, who as a group probably had a greater understanding of political philosophy than any other group in the history of the world, established the United States Senate primarily as a protection for American liberty as a restraint upon the House of Representatives, as a bulwark against the enactment of hasty legislation, as a gyroscope to keep us on a fixed course insuring the continuance of American freedom.

Mr. HILL. Mr. President, will the Senator yield for a question?

Mr. EASTLAND. I yield for a question only.

Mr. HILL. Is it not true that this very concept of the Senate was what moved the founding fathers to select the Senate as the body to share in the treaty-making power of the Government, and also to share in the appointment power of the Chief Executive?

Mr. EASTLAND. Of course.

Mr. HILL. Is it not true that the Senate is a great deal more than what we might term an ordinary legislative body?

Mr. EASTLAND. The distinguished Senator from Alabama was not present when I said that the Senate is not a legislative body. The word "Congress" means an assembly of the States, an assembly of the United States. Senators are representatives of sovereign States. We are here clothed with the sovereignty

of those States. We are here to debate, to reason, to work out the common problems which confront all the States of the Union. As I stated earlier, the United States is basically a union of equal States, States equal in every respect; and it is abhorrent to that doctrine of equality to gag the ambassador of a sovereign State who comes here clothed with the sovereignty of the State which sent him here.

Mr. HILL. Mr. President, will the Senator yield for a further question?

Mr. EASTLAND. I yield for a question only.

Mr. HILL. Is it not true that a State is prohibited from entering into any kind of a treaty or agreement with a foreign power, but that the States do share in the treaty-making power and in the shaping of our foreign policy through their representatives on the floor of the United States Senate?

Mr. EASTLAND. The Senator is exactly correct.

Mr. President, we need not more legislation but less legislation. The best government is still that which governs least—governs least because it governs so successfully that the enactment of numerous laws becomes unnecessary. Most of the legislation required today is legislation to undo the mistakes of yesterday. The historical function of the Senate, therefore, should not be altered to provide greater acceleration in the passing of legislation, but more deliberation, greater opportunity for the exercise of judgment, more time for wiser counsel to advise and inform public opinion.

When the American people are informed, they will do the right thing. I have always felt that we could trust the people. In fact, I think the people are more to be trusted than many political leaders think is wise. The right of unlimited debate to inform the people and let the issues sink in is a great safety valve which will do much to protect our people and to preserve our Republic. When, supported by powerful pressure groups, we rush through legislation, that is not the way to legislate. Some of those pressure groups control the radio, the newspapers, and other avenues of publicity. When we legislate in that manner, we deny the ambassadors from a sovereign State the right to debate at great length and to reason out these questions, inform themselves, and inform their people.

Mr. President, the system of legislation here proposed would be the death knell of this Republic. It is said that the proposal is only to close a loophole in the rules. If such a proposal is adopted, no one can tell me that in a very few years we shall not have majority cloture. Most of the leaders of this body today favor cloture by majority vote. The President of the United States, with all his vast power, favors majority cloture. Great organizations which control newspapers, magazines, and the radio are constantly spending many thousands of dollars on propaganda to drive the people to bring pressure on their representatives to change the rules and adopt cloture by majority vote in the United States Senate, under the theory that the Senate must be in a position speedily to transact its business.

Mr. President, the danger signals are out. If the proposal before us is adopted, within 5 years we shall have majority cloture in this body, and it will sound the death knell of the American Republic. This resolution would fundamentally change our system of government.

I am the ninth Senator who has spoken in opposition to that resolution. Yet, since the first Senator spoke in opposition to it, the newspapers, the radio, and many of the magazines have been full of the cry, "It is a filibuster, a filibuster, a filibuster! Shut off debate, shut off debate, shut off debate!"

Mr. President, the tyranny of the majority soon becomes the tyranny of one man who is clever enough and unscrupulous enough to use the majority as a ramp for his ascension to power. The Communist world dictatorship, whether it be Stalin or an individual or a secret group functioning in the background behind Stalin himself, today is moving in every country in the world through local figureheads, Trojan horses, Communist fronts of every kind, to seize world power for the Communist dictatorship. Every radical periodical and organization in America is bringing pressure to bear to curtail the right of unlimited debate in the United States Senate. They are raising a hue and cry about a minority in the Senate blocking the will of the majority. They set themselves up as the champions of democracy. In this regard it is interesting to note that all over the world, using their well-known techniques, they always refer to their own tyranny as democracy.

Mr. President, I say that the right of unlimited debate here has stood the test. I defy any supporter of this resolution or any Senator who advocates changing the Senate rule and invoking cloture, to point to one piece of worth-while legislation which the right of unlimited debate has defeated in this body. I deny the statement that the United States Senate cannot legislate, that the Senate cannot attend to its business, because of the right of unlimited debate. Under the present rules, the United States Senate has met every great test, and has legislated with expedition; and I submit that the rule has well served the cause of human liberty.

In 1925, when Vice President Dawes advocated a change in the Senate rules, many great Senators, both Democrats and Republicans, immediately made statements in opposition to his proposal. They showed the fallacy of the Dawes' argument, and pointed out that this country would be better off if the rules were not changed. I shall quote now from a letter to the New York Times written by Senator Key Pittman, United States Senator from the State of Nevada. The letter is dated May 13, 1925:

> The campaign of Vice President Dawes is exciting considerable interest in the West.

Mr. President, I ask unanimous consent that the Senator from Connecticut [Mr. BALDWIN] may be permitted to place in the Appendix of the RECORD a proclamation issued by the Governor of his State; and that my right to the floor in no wise be jeopardized by yielding for that purpose; that the proposed insertion not count as one of my speeches on this resolution; and that my rights be in no wise affected by my yielding or by having the Senator from Connecticut place anything in the RECORD in this connection.

The PRESIDING OFFICER (Mr. HOLLAND in the chair). Is there objection to the unanimous-consent request of the Senator from Mississippi?

Mr. MAGNUSON. I object.

The PRESIDING OFFICER. Objection being heard; the Senator from Mississippi will proceed.

Mr. EASTLAND. Mr. President, I quote further from the letter by Senator Pittman:

> I have recently been requested to address several semicivic societies and public service clubs upon this subject. I hoped that the majority and minority leaders in the Senate would set forth the reasons for the attitude which I believe a majority of the United States Senate hold in opposition to the position taken by the Vice President.
>
> The subject is not only very interesting but, in my opinion, of vital importance to the proper functioning of the legislative branch of our Government.

Mr. President, I submit it is strange that all the statements and opinions of all the great leaders of this body seem to be ignored at this time. Evidently the present attitude of some persons is that in this case, history is worth nothing. Nevertheless all the great leaders of this body have shown the fallacy of having cloture here and the fallacy of such an amendment of the rules, and they have shown that unlimited debate is necessary. Men of vast experience are unanimously of that opinion; yet the cry goes forth that we must change the rules of the Senate so that the majority can function.

Mr. LONG. Mr. President, will the Senator yield at this point for a question?

The PRESIDING OFFICER (Mr. MAGNUSON in the chair). Does the Senator from Mississippi yield to the Senator from Louisiana for a question?

Mr. EASTLAND. I yield for a question.

Mr. LONG. Would it not seem entirely likely that once gag rule were installed here in the Senate, any time a majority were in a position to pass a certain measure, it would take advantage of the situation if it thought extended debate would defeat the measure—whether it were a bill or a resolution—and would force it to a vote before there was time for ample discussion and before the people of the country or perhaps the Senators themselves could learn all that was involved in the measure?

Mr. EASTLAND. That is correct.

Mr. President, I quote further from Senator Pittman's letter:

> Much may be said on both sides of the question. So far as I am aware, only one side has been presented to the public, and that by a very prominent and earnest advocate.

He was referring to Vice President Dawes.

> I believe I understand the feeling of impatience that actuates the Vice President.

His life has been spent as an executive and largely in a position of command. There is no position of command in the legislative body.

I submit that that statement by Senator Pittman shows the necessity of unlimited debate in this body. There is no position of command in the United States Senate. Nobody may give orders here so long as we have unlimited debate. It has built the greatness of this body, and it has protected the country with all the varied interests of the different sections.

Every legislator stands upon an equality with every other Member of this body. The States and districts of the United States, represented by Senators and Representatives, are as widely separated as the most divergent countries of Europe; and the conditions of life, commerce, and production are equally divergent. In the very nature of things, national legislation in a republic, therefore, must be accomplished through persuasion and compromise.

Mr. President, I submit, if in this country justice is to rule, legislation must be secured through persuasion and compromise, and should a time come when in a legislative body someone is in a position to command and give orders and to control the body, liberty itself will have been destroyed. Quoting further from Senator Pittman:

Every beginner in national legislative life is a crusader.

Ah! How true that statement is. "Every beginner in national legislative life is a crusader."

On my entry—

Said Senator Pittman—

into the Senate in 1913, I was classified as a fanatical crusader. For 3 years I fought for the same thing that Vice President Dawes now seeks to force upon the United States Senate. Experience, through long years of legislative practice, has forced me to the conclusion that I was in error.

I am not in favor of unlimited debate in the United States Senate. Unlimited debate does not now exist in the United States Senate. At any time two-thirds of that body may limit debate on any question to the extent that a Senator may only speak once, and then for a period not to exceed 1 hour. This, in my opinion, is a reasonable limitation and is sufficient.

Senator Pittman said, therefore, the present cloture rule was a reasonable limitation and was sufficient. I submit it is sufficient. The business of the Senate is transacted quickly. Proponents of the resolution have failed, even though challenged repeatedly in the hearings to do so, to cite one single worth-while measure which has failed of enactment because of the right of unlimited debate. What is the necessity for the rule? What is the necessity for changing the rule, when there has been cited not one single worth-while bill which has ever been defeated by the right of unlimited debate under rule XXII?

Mr. RUSSELL. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from Mississippi yield?

Mr. EASTLAND. I yield for a question.

Mr. RUSSELL. I should like to ask the distinguished Senator whether, on the contrary, almost inestimable good has not been worked by virtue of the rule, in that it has enabled all legislation to be scrutinized and analyzed here, and has prevented the passage of much legislation that would have worked great injury to the American people?

Mr. EASTLAND. The distinguished Senator from Georgia is certainly correct. It must be retained for another reason, as Senator Pittman says, namely, that in a legislative body no one should be in a position to demand and give orders. When we have that in the Senate of the United States, it will be found to have destroyed the Senate, just as Julius Ceasar destroyed the Roman Senate when he aspired to make himself dictator of imperial Rome.

In the House of Representatives the cloture rule prevails.

I showed how it was applied in the British House of Commons in 1882 to crush the Irish. As a result of the tyranny there, thousands of people were driven from the country. Some of their children and grandchildren in this country today cry for gag rule in the Senate, the very thing that crushed their families in the old country.

Senator Pittman continued:

In the House of Representatives the cloture rule prevails. The country has witnessed the result of such rule in the House. I expressly disclaim any desire or any intent to criticize that body. It is composed of 435 Members, while the Senate has only 96. It is possible that business could not be satisfactorily transacted in the House were it not for such cloture rule.

Without regard to the necessity of the rule, it must be admitted that bills of great importance, containing thousands of different items, are passed within a few hours and without sufficient debate or consideration.

Think of that. We have bills here of great importance containing thousands of items, involving the expenditure of billions of dollars. For that reason it is necessary that we have the right to speak, to debate, and to reason at great length. No such bills have been defeated because of the right of unlimited debate in the Senate. But I submit the American people have been saved many billions of dollars during the life of the Republic because in the Senate the previous question could not be moved and such bills rushed through this body. I read further:

It has been the extended and full debates in the Senate that advised the country with regard to vital legislation, and, through this information, molded public opinion.

The Senate was founded as a part of our institutions—

As an American institution—

For the protection of minorities, not alone minority parties, but minority populations and minority principles.

Ah, why, I ask those who love justice, who desire to protect the weak and the humble, give up that sacred tradition of the Senate, that great American institution, the right of unlimited debate? Every time that has happened in foreign legislative bodies it has resulted in crushing the minority groups in such countries.

Mr. HILL. Mr. President, will the Senator yield for a question?

Mr. EASTLAND. I yield for a question.

Mr. HILL. With reference to the House of Representatives, which we all greatly respect, is it not true, because of the necessities of the situation in the House, that the fundamental concept of the House is entirely different from the fundamental concept of the Senate?

Mr. EASTLAND. Yes; that is absolutely true. But I will say to the Senator from Alabama that, regardless of that, there was unlimited debate in the House of Commons for a thousand years, until in 1882 certain groups in England desired to crush Ireland. The Irish resisted through the right of unlimited debate. They were fighting to maintain their liberties and their homes. There were filibusters. Cloture was adopted. A rule to move the previous question was added, and as a result, Ireland was crushed; and, Mr. President, the treatment which the Irish received through the laws passed after that time is one of the blackest pages of Anglo-Saxon history.

I quote further from Senator Pittman:

It has been the extended and full debates in the Senate that advised the country with regard to vital legislation, and, through this information, moulded public opinion.

The Senate was founded as a part of our institutions for the protection of minorities, not alone minority parties, but minority populations and minority principles.

Mr. President, it is certainly necessary that in this country the principles and institutions of every section of the country must be protected.

To establish a cloture such as they have in the House would nullify the very purpose of the United States Senate.

Get that, Mr. President. Senator Pittman said that the adoption of a cloture such as they have in the House—and that is what is being backed by the President of the United States, by many powerful Members of this body, by great organizations which have expended thousands of dollars on propaganda in this country—Senator Pittman said that such a thing would destroy the Senate of the United States. He says it "would nullify the very purpose of the United States Senate."

He said, further:

It is true that legislation has been delayed by extensive debate, but when has such delay caused any serious harm to our Government?

I ask the question, Mr. President, as I asked the proponents of this resolution at the hearing, When has such delay caused serious harm to this Government? That question has not been answered on this floor. The proponents of the resolution have shown not one bill worth while to the protection or upbuilding of the Nation that has been defeated by the right of unlimited debate, and they have failed to show where unlimited debate has done any harm to the Government of the United States.

Mr. MAYBANK. Mr. President, will the Senator yield for a question?

Mr. EASTLAND. I yield for a question.

Mr. MAYBANK. Mr. President, I desire to ask the Senator a question. With respect to the Senator's able address

regarding minority groups, I wish to ask him this question: Does he believe that the Reorganization Act which was passed covers the ground for those who like such unconstitutional legislation as the Senator has suggested?

Mr. EASTLAND. The Senator is exactly correct.

I continue reading from Senator Pittman's statement:

Let those who contend for cloture point to particular instances, if they can, wherein the rules of the Senate have been destructive of the progress of our people.

Who can do that? Who can point to a single instance of the rules of the Senate having been destructive of the progress of the American people? I challenge any proponent, any supporter of the resolution, to point to one instance in which the rules of the Senate have delayed the progress of the American people. I defy them to point to one instance of the rules of the Senate having worked hardship on any segment of our population. That question was asked at the hearing, but the record is absolutely bare of an answer to it. Why, Mr. President, the necessity for this resolution?

Senator Pittman concludes:

It is possible that our country suffers from too much legislation, rather than too little.

Mr. President, in that statement I fully concur.

I shall now read extracts from an article by Arthur Wallace Dunn, appearing in a great American magazine. The article is in reference to filibusters, and it appeared in the American Review of Reviews, the issue of December 1925. It gives the history of this matter and discusses the time when former Vice President Dawes made his assault upon the rules of the Senate. It is certainly gratifying to see how the great leaders in the political life of this Nation, without regard to party affiliations, come to the defense of the rules of the Senate, and show concretely how those rules have protected and preserved the liberties of the American people. Mr. President, the same reasons are valid today. That was before the time of pressure-group power in the United States. Let me read from this article, whose reasons in 1925 are certainly valid today:

Filibustering is the weapon of minorities in the United States Senate to prevent the enactment of unwise and oftentimes vicious legislation.

This man was a student of the question. He says:

Filibustering is the weapon of minorities in the United States Senate to prevent the enactment of unwise and oftentimes vicious legislation.

Mr. President, I state that, in my judgment, the right to filibuster is a wholesome right which has been of great benefit to the poor, the weak, and the oppressed in this country. Let me read further:

Every successful filibuster has the support of public opinion and could not succeed without such endorsement. Filibustering in the Senate has been too infrequent for the public good.

Listen, Mr. President. It has been "too infrequent," says this authority, "for the public good."

If a determined minority of sound and conservative Senators had more often exercised the privilege of unlimited debate to defeat measures sponsored by a majority, the country would be better off and there would have been less iniquitous and unenforceable legislation on the statute books. Majorities for bad legislation are often obtained by clamorous organizations and noisy propagandists.

Yes, Mr. President; that is correct. Majorities are often obtained in that way. The author is correct in saying that the right of unlimited debate frequently defeats vicious legislation which would tear this country apart.

There are great and small filibusters. Those which achieve renown generally continue for days, and even months, while the lesser kind are those which defeat undesirable legislation by a simple threat. Hundreds of bills reach the calendar during a term of Congress; that is, they are reported from different committees and are ready for consideration by the Senate. Of these a large proportion never get farther than the calendar stage. Suggestion by a sponsor for a bill of doubtful character that it should receive consideration, causes an opposing Senator to remark, "That bill will lead to prolonged debate."

The implied threat of a filibuster, for that is the meaning of the remark, is often sufficient to kill an objectionable bill. The sponsors of such questionable measures learn by inquiry among fellow-Members that their bills will be talked to death if brought forward and the proposals are therefore allowed to sleep quietly on the calendar.

Real or important filibusters occur when a seeming majority is in favor of a bill. The word "seeming" is used advisedly—

With that statement I agree, Mr. President; the word "seeming" before "majority" is used advisedly—

for it rarely happens that a genuine filibuster is conducted against a bill which is really favored by an actual majority of Senators.

In my judgment that statement is true and accurate, for it rarely does happen that a genuine filibuster is conducted against a bill which is really favored by an actual majority of the Senators.

There may be a sufficient number of Members committed to a bill to pass it—Senators, who, for various reasons, feel compelled to vote for the bill if it reaches a vote—but among this majority there are a number who are secretly doing everything they can to prevent a vote. Such Senators may be actuated by a desire to avoid a party break with their President.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield for a question.

Mr. MAYBANK. I was just thinking why the word "compelled" was used there—that certain Senators were "compelled" to vote for a bill.

Mr. EASTLAND. I do not know what the motive is that compels any man to cast a vote. I would not impute any but the highest motives to any Member of the Senate.

Mr. MAYBANK. I did not mean that the Senator would do that.

Mr. EASTLAND. Does the Senator desire to ask a question? I yield for a question.

Mr. MAYBANK. The Senator previously spoke of minority groups.

Mr. EASTLAND. Of course, they put on tremendous pressure.

Mr. KILGORE. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from West Virginia?

Mr. EASTLAND. For a question only.

Mr. KILGORE. Based upon the Senator's statement——

Mr. EASTLAND. Which statement?

Mr. KILGORE. The statement recently made; would the Senator be willing to accede to a majority vote of the Senate as to whether or not the Senate should consider the amendment to the rule?

Mr. EASTLAND. Mr. President, I am sorry my distinguished colleague from West Virginia has not been present today. I cannot begin to recount at this time the reasons I have given against a majority vote on this motion. I have spoken for 5 hours and if the Senator will read my remarks in full I am sure he will find 1,000 reasons why the resolution should not be agreed to and why it is not only my privilege, but, as I consider it, my sworn duty under my oath to uphold my Government and my father's Government and my country to oppose it.

Mr. KILGORE. Mr. President, will the Senator yield for another question?

Mr. EASTLAND. I yield for a question.

Mr. KILGORE. That was not my question. My question was, Would the Senator agree to have a majority vote at the present time to pass on the motion to consider the new rule?

Mr. EASTLAND. Now, Mr. President, there is an example of gag rule. Actually, there is a Senator of the United States who would attempt to shut off debate to prevent an ambassador from another sovereign state, associated with him in the Government of the United States, from presenting his State's objections to a bill.

Mr. KILGORE. Mr. President——

Mr. MAYBANK. Will the Senator yield?

Mr. EASTLAND. Mr. President, there is an example——

Mr. KILGORE. Mr. President——

Mr. EASTLAND. I have the floor, Mr. President. I refuse to yield.

The PRESIDING OFFICER. The Senator declines to yield. The Senate will be in order.

Mr. EASTLAND. I refuse to yield. I have the floor.

Mr. KILGORE. Mr. President, a point of order.

Mr. EASTLAND. Mr. President, I refuse to yield.

The PRESIDING OFFICER. The Senate will be in order. The Senator from Mississippi declines to yield for a point of order.

Mr. KILGORE. I can raise a point of order——

Mr. EASTLAND. Mr. President, I refuse to yield.

Mr. KILGORE. On the floor of the Senate.

The PRESIDING OFFICER. The Chair is of the opinion that the Senator from West Virginia cannot take the Senator from Mississippi off the floor for that purpose. The Senator from Mississippi will proceed.

Mr. EASTLAND. Mr. President, to yield now for a vote on any motion would imply gag rule in this body. It would prevent me from presenting the case of my State and the case of my people in the only free forum in the world, and I say that an attempt to shut off debate now in line with the request——

Mr. KILGORE. Will the Senator yield for a question?

Mr. EASTLAND. For a question.

Mr. KILGORE. I was not implying, when I was asking the Senator——

Mr. EASTLAND. Wait a minute. I yielded for a question.

Mr. KILGORE. I was not implying——

Mr. EASTLAND. Mr. President, I ask the Presiding Officer to protect me in my rights. I yield for a question only.

The PRESIDING OFFICER. The Senator from Mississippi yielded to the Senator from West Virginia for a question.

Mr. KILGORE. Mr. President, I have a right——

Mr. EASTLAND. I decline to yield. I read further from this statement:

> Such Senators may be actuated by a desire to avoid a party break with the President, or they may be influenced by a sentiment that has been created in their States. A bill may be put forward as a party measure (most filibusters of note have been against measures of this kind), and every partisan is expected to stand by his party.

Then it proceeds to say, Mr. President, that the criticism of a filibuster which existed at that time has been removed at the present time. When there was a short session of Congress, when Congress convened in December and, under the Constitution——

Mr. President, let us have order.

Mr. RUSSELL. A point of order.

The PRESIDING OFFICER. Senators conversing in the back of the Senate Chamber will retire to the cloakroom. The Senate will be in order.

Mr. EASTLAND. Mr. President, the only reason against a filibuster with any semblance of validity was when there were short sessions of Congress, when Congress under the law had to adjourn by the 4th of March. At that time a determined minority could filibuster until the 4th of March and prevent the passage of legislation. The only reason, with any semblance of the validity to it, for changing the rule was that when we had the short sessions of Congress great opportunity was afforded to stifle legislation. Now, as the Presiding Officer knows, the Constitution has been changed. We have no more short sessions, and the very reason for changing the cloture rule died when the provision of the Constitution which established the short session of Congress was repealed.

I read further from the article:

> Filibusters never have defeated nor can they defeat a measure which the people want. In the very nature of things filibusters must fail when directed against bills which have been decreed as essential. The most notable instance bearing out this statement occurred in 1893, when a prolonged filibuster collapsed under pressure of public opinion; this was the filibuster against the bill to repeal the Silver Purchase Act, which provided that the Government should buy 4,500,000 ounces of the metal every month and coin 4,500,000 silver dollars. The addition of so much silver currency to the circulating medium of the country aroused the apprehension of the bankers, and through them all other businessmen. At the same time the country was suffering on account of a serious panic; Federal revenues fell far below expenditures; there were serious crop failures and a most deplorable condition. The bankers attributed the hard times to the silver purchases and the country seemed to accept that view.
>
> President Cleveland called Congress in extra session in August 1893 for the express purpose of repealing the Silver Purchase Act. All attention was focused upon the Senate when it became apparent that a filibuster had been organized to defeat the repeal. It soon developed that there was a determined majority in the Senate for the repealing bill. Under such conditions the minority was compelled to surrender. If they had persisted they would have forced a revolution and a change of the rules, which might at some future time prevent them from using the filibuster on a more vital occasion.
>
> In 1893 the filibustering minority was composed of western Republicans and southern Democrats.

Mr. President, I have heard much in the past few years about combinations of Republicans and southern Democrats which have exercised some influence in this body, and I find that it was in 1893 when that coalition was formed. It has continued down to the present time to resist the excesses in legislation which certain groups in the industrial East have sought to enact into law.

I continue to read:

> Silver was not important to the southerners, but Federal interference in their elections was most vital.

Mr. President, I wish right now that we had a strong silver question confronting the Senate.

> They could not afford to risk the possibility of Senate cloture—

The article refers to the southerners—

> which might be used to put through another force bill, and so the threat of that forced them to abandon the filibuster, which speedily collapsed.

Mr. MAYBANK. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from South Carolina for a question?

Mr. EASTLAND. I yield to my distinguished colleague, the senior Senator from South Carolina, the distinguished former mayor of the great city of Charleston, S. C., and a very distinguished former governor of that State.

Mr. MAYBANK. I should like to ask the distinguished Senator from Mississippi, who has served here long, faithfully, and honorably, what happened to the force bill?

Mr. EASTLAND. Mr. President, the force bill died a natural death, as some other proposals are now gasping their last.

Mr. MAYBANK. Will the Senator yield for another question?

Mr. EASTLAND. I yield for a further question.

Mr. MAYBANK. Why did the force bill die?

Mr. EASTLAND. Through the right, the God-given right, of unlimited debate which we now have in this body.

Mr. MAYBANK. I thank the Senator.

Mr. HILL. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from Alabama for a question?

Mr. EASTLAND. I yield for a question.

Mr. HILL. Does the Senator know of anyone who would today defend the force bill or say that that bill should have been put on the statute books?

Mr. EASTLAND. Mr. President, no one would defend the Force bill today or say that it should have been put on the statute books. I thank the Senator for his question. It raises a very telling point and shows the absolute importance of retaining the rule which has worked so well as a check upon the transient majorities of the moment and as a safeguard to the great fundamental liberties of our people.

Mr. HILL. Mr. President, will the Senator yield for another question?

Mr. EASTLAND. I yield for a question.

Mr. HILL. Is it not true that the very authors of that bill themselves came to realize what a mistake it would have been to have jammed through that bill and put it on the statute books? Was that not admitted by them to be a fact?

Mr. EASTLAND. I agree with the distinguished Senator from Alabama. That again shows how well the rule has worked, how it has helped this country, how it has saved majorities from themselves.

Mr. MAYBANK. Mr. President, will the Senator again yield for a question?

Mr. EASTLAND. I yield for a question.

Mr. MAYBANK. I ask the distinguished Senator from Mississippi if the author of the force bill, which was not passed because of the existence of the Senate rule, later changed his mind completely with respect to the right of freedom of speech and filibuster in the United States Senate?

Mr. EASTLAND. At first Senator Lodge said he thought debate should be limited in the Senate. Like many other great men who have been in the Senate, he, after long experience here, realized the importance of unlimited debate. I ask, Mr. President, why we should ruthlessly push aside the advice of all the great men who have sat in this body

throughout its history, who had experience as Senators for years, and who at first hand came to know how well the right of unlimited debate worked? Those who would change the rule would ruthlessly brush aside that great freedom and privilege as worth nothing.

Mr. HILL. Mr. President, will the Senator yield for a question?

Mr. EASTLAND. I yield for a question.

Mr. HILL. I ask the Senator if it is not true that the author of the force bill, Senator Henry Cabot Lodge, of Massachusetts, to whom the Senator has referred, said:

> The Senate, I believe, has never failed to act in any case of importance where a majority of the body really and generally desired to have action, and the full opportunity for deliberation and discussion characteristic of the Senate has prevented much rash legislation born of the passion of an election struggle and has perfected still more that which ultimately found its way to the statute books.

Are not those the very words of the author of the force bill, which was killed in this body, this very Senate of the United States, by free and unlimited debate?

Mr. EASTLAND. I thank the Senator. He has made a very valuable contribution by his question. It is true that Senator Lodge made that statement, and it shows further the importance of retaining the rule as it is.

We do not in reality have unlimited debate in the United States Senate now. A Senator on one legislative day, on any subject, can make only two speeches, and under that system, we have been debating here for several weeks. Only nine Senators have spoken against the resolution, yet from the very day the debate began the cry has gone up, "Cloture! Cloture! Cloture! Filibuster! Filibuster! Filibuster!" If those who have raised that cry could have inflicted cloture, the country would not have known what issues were involved.

Mr. President, I read further from this article——

Mr. HILL. Mr. President, will the Senator yield for a question?

Mr. EASTLAND. I yield for a question only.

Mr. HILL. Does not the Senator think that this debate has brought to the Senate and to its individual Members a better realization of the historic concept of the Senate and of the part the Senate was supposed to play in our system of government?

Mr. EASTLAND. Yes. I will say to my friend from Alabama, who is one of the most distinguished Members of this body, and who before coming here was a very distinguished Member of the House of Representatives, that this debate has shown the American people the importance of the Senate. It has shown them the importance to them of their representatives being able to debate at length when their rights are involved. The distinguished Senator from Alabama, who served for a number of years in the House of Representatives, and certainly knows, by virtue of his service there, and the right to move the previous question there, how important it is, because of the House rules, that we retain the right to debate at length in the Senate.

Mr. HILL. Mr. President, will the Senator yield for a further question?

Mr. EASTLAND. I yield for a question only.

Mr. HILL. Is it not true, with no disrespect for the House—in fact, with all appreciation of the House and the great part it plays in our Government—that with 435 Members of the House, when any measure is before that body perhaps 430 of them can speak only through the sufferance of the Member who is in charge of the bill, or perhaps the minority Member who is controlling the time for the minority side?

Mr. EASTLAND. Yes.

Mr. HILL. Mr. President, will the Senator yield for another question?

Mr. EASTLAND. I yield for another question.

Mr. HILL. Is it not also true that when the time comes for amendments to a bill, the amount of time a Member has a right to indulge in debate is at the most 5 minutes? He can have only 5 minutes of time on any amendment; is not that true?

Mr. EASTLAND. Yes.

Mr. HILL. Is it not also true that if the chairman of the committee sees fit to move the previous question, the House votes the previous question, as it does time after time, on nearly all bills? Then if a Member offers an amendment, he does not have one moment of time in which to explain the amendment.

Mr. EASTLAND. I agree with the distinguished Senator. My answer to his question is that he is correct. I mean no disrespect for the House. The House has a membership of 435. The only way it can function is under such rules; but because of that condition it is all the more vital that we have the right of unlimited debate here. I do not believe that any Member of the House would seriously state that the issues can be adequately presented in the time they have to debate a question; and because they cannot be adequately presented in the House, it is absolutely vital that we have the time here to present the issues.

Mr. HILL. Mr. President, will the Senator yield for a further question?

Mr. EASTLAND. I yield for a question only.

Mr. HILL. Under the rules of procedure of the House, may it not come to pass that all the Representatives from a particular State are denied any voice in the debate or discussion on a bill before that body?

Mr. EASTLAND. Yes. That is true; and the viewpoint of the States cannot be presented.

Mr. HILL. Mr. President, will the Senator yield for a further question?

Mr. EASTLAND. Just a moment. That is a very important question, and I should like to comment on it. Under our system, in which we are ambassadors of sovereign States, it would be a monstrous thing for the two Senators from a State to be denied the right to present the viewpoint of the State on legislation. It is a sovereign State, and we here are clothed with the sovereignty of our States. To adopt a change in the rules of this body which would deny Senators the right to present the viewpoint of their States, and the objections of their States to legislation, would result in tyranny. It would result in oppression. It is fundamentally unjust and foreign to the American system of government.

Mr. HILL. Mr. President, will the Senator yield for a further question?

Mr. EASTLAND. I yield for a question only.

Mr. HILL. May it not well be that the only opportunity for the expression of the voice or views of a State is in this body, through the Senators from the State?

Mr. EASTLAND. Of course it is—that is, if Senators have the right of unlimited debate. But if cloture had been invoked in connection with the pending motion, as was attempted, more than half the States affected, and their Senators, would have been ruthlessly denied the opportunity to present the objections of their States to taking up the resolution. We have seen an illustration of that in the past day or two.

Under such a system, why talk about the United States being a country where justice dwells? Under such a system, the United States would not be a country where liberty dwells. Mr. President, if we should adopt such a rule, we would destroy our country.

Mr. MAYBANK. Mr. President, will the Senator yield for a question?

Mr. EASTLAND. I yield for a question only.

Mr. MAYBANK. Did the Senator from Mississippi hear the Senator from New Jersey [Mr. SMITH] speak yesterday?

Mr. EASTLAND. I did not.

Mr. MAYBANK. Did not the Senator hear the Senator from New Jersey speak about the southern Senators?

Mr. EASTLAND. No; I did not.

Mr. MAYBANK. When I asked the Senator from New Jersey why he mentioned southern Senators, the Senator from Michigan spoke——

Mr. EASTLAND. I did not hear that, Mr. President.

Mr. MAYBANK. Mr. President, will the Senator yield for a further question?

Mr. EASTLAND. I yield for a question only.

Mr. MAYBANK. What is the Senator's understanding of the cloture petition which was filed, when Senators from New England States, such as Connecticut, Rhode Island, and other States, signed the petition to cut off debate in the United States Senate? I wonder if the Senator could explain how a cloture petition——

Mr. EASTLAND. I do not remember the details of the cloture petition. I remember that it was signed and filed. The thing that was abhorrent to me about it, the thing that was unjust to me, was that it would prevent States from presenting in an orderly way their objections. I do not think that is sound. I do not think it is right, and I do not think it is just.

Mr. MAYBANK. Mr. President, will the Senator yield for a question?

Mr. EASTLAND. I yield for a question only.

Mr. MAYBANK. Does the Senator realize that both Senators from Maine signed the petition?

Mr. EASTLAND. Yes; I remember that both Senators from Maine signed the petition.

Mr. MAYBANK. Does the Senator recall that one of the Senators from New Hampshire signed the petition?

Mr. EASTLAND. Yes; I remember that one Senator from New Hampshire signed it.

Mr. MAYBANK. Does the Senator recall that both Senators from Massachusetts signed the petition?

Mr. EASTLAND. Yes; I remember that.

Mr. MAYBANK. Does the Senator realize that both Senators from Rhode Island signed the petition?

Mr. EASTLAND. Yes; I remember that.

Mr. MAYBANK. I ask the Senator if he can explain why——

Mr. EASTLAND. Mr. President, I yield for a question only.

Mr. MAYBANK. Mr. President, I ask the distinguished Senator from Mississippi to express his opinion as to why they signed it.

Mr. EASTLAND. Mr. President, I do not know why they signed it, unless they wanted to shut off debate. But the point is——

Mr. MAYBANK. Mr. President, will the Senator yield for a further question?

Mr. EASTLAND. I yield for a question only.

Mr. MAYBANK. Will the Senator from Mississippi answer this question: Why do most of the Senators who signed the cloture petition come from New England, not from the West or the Midwest?

Mr. EASTLAND. It is true that many of them do come from the New England States. Of course, they had a right to sign it; but what their motives or reasons were, I do not know. I can say this, however, that they are not going to get by with it.

Mr. MAYBANK. Mr. President, will the Senator further yield?

Mr. EASTLAND. I yield for a question only.

Mr. MAYBANK. The question I have to propound is this: Inasmuch as a former distinguished Senator from Massachusetts changed his mind regarding the rules of the Senate, how does the Senator from Mississippi explain the present attitude of the Senators from New England, as against the attitude of Henry Cabot Lodge, Sr.?

Mr. EASTLAND. Mr. President, I do not know how to explain it. I think the Senator from Massachusetts should in his own time speak at length to the Senate and inform us why that has occurred. Certainly it is a matter which should be explained for the enlightenment of the Senate. But whatever his motives or reasons were, I am sure they were of the highest; I am sure he had a good reason for what he did.

Mr. LODGE. Mr. President, is the Senator speaking about me?

The PRESIDING OFFICER. The Senator from Mississippi has the floor, and can yield only for a question, without losing the floor.

Mr. EASTLAND. Mr. President, I refuse to yield except for a question.

Mr. LODGE. I have asked the Senator a question: Is he speaking about me?

Mr. EASTLAND. I was speaking about the Senator from Massachusetts; yes. I said, in answer to a question from the Senator from South Carolina [Mr. MAYBANK], that I did not know what the Senator's reasons were for signing the cloture petition, but I judged that he had good reasons, and I judged that his motives were of the highest.

Mr. LODGE. I thank the Senator; he is entirely correct.

Mr. EASTLAND. One moment, Mr. President; I yield for a question only. I have to protect my rights to the floor.

I continue to read from the article on cloture and filibustering, appearing in the Review of Reviews:

The southern Senators—

Says the article—

were under terrific pressure. The country was suffering, and millions of men were out of employment. These Senators were standing out against a President of their party, and were being severely criticized by all the leading papers of the East and most of their home papers. Public opinion had decreed that the Silver Purchase Act should be repealed, and the well-organized filibuster against the repeal failed because of the force of public opinion in the United States.

Mr. President, there is one instance where a bill was killed by a filibuster in a short session, but was passed in the next Congress in a called extra session. The only reason for this rule ceased when short sessions of Congress were abolished. After all, the filibusters occurred during short sessions, which under the law had to expire by March 4. When the short-session provision was repealed, the danger of having filibusters prevent the passage of worth-while legislation was removed.

Mr. HILL. Mr. President, will the Senator yield for a question?

Mr. EASTLAND. I yield for a question only.

Mr. HILL. Is it not true that when there were short sessions of Congress, there was really very little time for the consideration of very much legislation except the important annual supply or appropriation bills?

Mr. EASTLAND. Of course.

Mr. HILL. Is it not also true that in those days Congress met on the first Monday in December, and then shortly thereafter the Christmas holidays came along, and following them Congress returned to its session about the 1st of January, and then had to end the session by the 4th of March?

Mr. EASTLAND. Yes.

Mr. HILL. And is it not likewise true that most of that time was necessarily required for the passage of the annual supply or appropriation bills?

Mr. EASTLAND. What the Senator from Alabama says is exactly correct. There were filibusters then which prevented the passage of many bills, but we no longer have short sessions of Congress. The criticism against the rules occurred then. The mere fact that we have appropriation bills with hundreds or thousands of items, by which billions of dollars are appropriated, passed by the House of Representatives in an hour's time, when the leaders there know that the issues cannot be adequately presented, is clear proof that to shut off debate in the Senate would be a monstrous thing. How else can we inform ourselves about important matters? How else can the American people be informed as to the money we spend or what we do with their money, unless in the Senate there is the right of unlimited debate? I say in the presence of the guardian of the exchequer my distinguished friend the senior Senator from Virginia [Mr. BYRD] that this rule has saved the American taxpayers billions of dollars, in addition to preserving our Government itself.

But I read further:

There is one instance where a bill was killed by a filibuster in the short session, and passed by the next Congress in a called extra session. In 1911 President Taft——

Mr. HILL. Mr. President, will the Senator yield for a question?

Mr. EASTLAND. I yield for a question only.

Mr. HILL. Is it not true that the President of the United States can call the Congress into extra session whenever in his discretion or judgment he feels the Congress should be called into extra session?

Mr. EASTLAND. Yes.

Mr. HILL. Is it not also true that the history of our country is replete with instances when the President of the United States has called the Congress into extra session?

Mr. EASTLAND. Certainly. The President can call the Congress into special session at any time. I say that if the cause is right and just, the power of public pressure will assure that a legislative proposal is enacted into law. We can trust the power of the people to see that right is done. We can trust the power of informed and mobilized public opinion in the United States.

What we oppose here is having gag rule applied, with the result that a bill will be rammed through the Senate before the people are really informed of its contents.

Mr. MAYBANK. Mr. President, will the Senator yield to me for another question?

Mr. EASTLAND. I yield for a question.

Mr. MAYBANK. I should like to ask the Senator whether during the period in which cloture petitions for gag rule have been presented in the Senate—petitions which so many of the New England Senators have signed—the country has grown to the West and the Southwest and the far West?

Mr. EASTLAND. I agree that the country has grown to the Midwest, the Southwest, and the far West; and we have in those sections of the country large populations whose interests are just as much involved in the proposal here as are the interests of the people of the New England States.

Mr. MAYBANK. Mr. President, will the Senator yield further?

Mr. EASTLAND. I yield for a question only.

Mr. MAYBANK. I should like to ask whether the Senator from Mississippi has any idea why so many New England Senators are so anxious to put gag rule upon the American people.

Mr. EASTLAND. Mr. President, I do not know what are the reasons of the New England Senators in desiring to put gag rule on the American people. I know that at one time the right of unlimited debate in the Senate prevented several New England States from withdrawing from the Union, so in that case the right of unlimited debate saved the Union. That was at the time of the War of 1812.

Mr. President, it is interesting to note that in one generation, Senators from a certain section of the country are in favor of unlimited debate, but in a following generation the Senators from the same section sometimes advocate the ending of unlimited debate; yet when, in the next generation, the worm turns, and measures are proposed which would crucify the very States whose Senators have been advocating the abolition of unlimited debate, then those Senators immediately take a strong stand in opposition to a change which would permit gag rule. I say that situation shows the necessity for leaving the Senate's rules alone.

President Taft warned the filibusterers that he would call an extra session if the bill failed, and he carried out his threat. The result was that the bill was again passed by the House, and after a short time it passed the Senate. Canada refused to accept the reciprocity agreement, and it has never been revived.

DEFEATING THE FORCE BILL IN 1891

The most notable filibuster in half a century was against the force bill, so called because it proposed to use Federal force in elections in the South. It was brought forward in the Fifty-first Congress, coming up for final consideration in the Senate in the short session.

Mr. MAYBANK. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Mississippi yield?

Mr. EASTLAND. I yield for a question only.

Mr. MAYBANK. Mr. President, I ask the Senator, has he stated the date of the previous filibuster?

Mr. EASTLAND. In 1911 President Taft sent the Canadian reciprocity agreement to Congress to be enacted into law. The paragraph respecting the force bill, in 1891, continues:

The filibuster was led by Senator Arthur P. Gorman, of Maryland, and lasted for several weeks. While the filibuster was in progress an effort was made to change the rules of the Senate so as to bring the force bill to a vote; but the filibuster was turned on the new proposition with the same persistency, and after 6 days of fruitless effort it was abandoned. All the Democrats were against the force bill—

Get that, Mr. President—all the Democrats of that day were against the force bill, and all the Democrats of that day were against gag rule in the United Senate. The Democratic Party of that day was the party of liberty for the individual citizen, it was the party of freedom for the underdog. The article continues:

All the Democrats were against the force bill, and it was known that 8 or 10 Republicans disapproved but felt bound to vote for it if that stage was reached. Endurance tests in the way of all-night sessions were tried without result. Finally, the bill was set aside with the aid of eight Republican votes; and that was the last that was ever heard of it.

I submit such bills are killed by unlimited debate as a rule, and it is the last that is ever heard of them.

Mr. President, we can trust the American people. We can trust the power of public opinion to result in the right thing being done. What we oppose is not an educated, mobilized public opinion, but the proposal to change the rules which will permit gag rule in an attempt to cram through legislation before the American people are informed of the issues involved.

Mr. President, I have another speech. I understand a motion is to be made to recess. For that reason, I yield the floor.

Mr. LUCAS. Mr. President——

The PRESIDING OFFICER. The Senator from Illinois.

Mr. LUCAS. Before I move that the Senate stand in recess until Monday next, I desire to make a brief statement with respect to what we expect to do on Monday. I should like to advise Members of the Senate that during the day a number of Senators from both sides of the aisle have been in consultation with a view to attempting to reach some kind of amicable agreement satisfactory to the great majority of the Members of the Senate on the pending question.

It will be recalled that this morning the Senator from Massachusetts [Mr. SALTONSTALL] made inquiries of the minority leader, the able Senator from Nebraska [Mr. WHERRY] and the majority leader, with respect to obtaining some kind of agreement among the various controversial elements in the debate, in order that we might get along with the business on the calendar.

I may say, Mr. President, this afternoon the able Senator from Arizona [Mr. HAYDEN], who is chairman of the Committee on Rules and Administration, and who has been working diligently upon the question, has been able to submit to various members certain proposals he believes might be agreed to by the Senate. The able Senator from Nebraska, the minority leader, who is also the ranking minority member of the Rules Committee, has also submitted a proposition which he believes has much merit. The two Senators, together with other Members of the Senate, have been working upon the matter in conjunction with the Senator from Georgia [Mr. RUSSELL], the Senator from Virginia [Mr. BYRD], and other Senators opposed to taking up the resolution.

While I cannot say definitely that anything will be accomplished, yet we believe as a result of what has been done there is an opportunity to bring about a settlement of the issue between now and Monday. As a result of the very sincere, industrious attempt upon the part of many Members of the Senate to reach an amicable settlement of this very highly controversial question, it seems to me we should have an opportunity to work further over the week end, to see if that objective cannot be attained.

It is with that thought in mind that I am about ready to make the motion to recess. However, before I do that, I am sure my able friend, the Senator from Nebraska, desires to say a word. I yield to him.

Mr. WHERRY. Does the Senator yield?

The VICE PRESIDENT. The Senator from Nebraska.

Mr. WHERRY. I deeply appreciate the observations made by the majority leader. I commend him for the complimentary remarks he made about the chairman of the Committee on Rules and Administration, and all other members who have worked so industriously, not only on this particular occasion, but during the past 2 years, in an attempt to bring before the Senate an amendment to the cloture rule, Senate rule XXII, which would be acceptable to all the Members of the Senate.

I agree with the distinguished majority leader the result that might be obtained through work over the week end might not be acceptable to all the Members of the Senate; but, along with the plans that have been suggested and discussed, I am convinced the one particular plan that might be used has a basis upon which a final solution might be made.

It is for that reason that I feel the majority leader is justified in asking that the Senate take a rather early recess this evening, over Sunday, in the hope that this proposition, as a basis, might be used as a solution of the problem and may be acceptable to the Members of the Senate. For that reason, Mr. President, although I want to renew my statement with reference to keeping the Senate in session, beginning Monday, if we cannot bring about a solution, I am in hearty agreement with the statement that we ought to make the effort, and therefor, having in mind the prospect of a solution, I feel that the motion to take a recess is in order at this time.

Mr. HAYDEN. Mr. President, will the Senator yield?

Mr. LUCAS. I yield to the Senator from Arizona.

Mr. HAYDEN. Mr. President, I think there is a possibility, if we devote our minds to it, of arriving at an equitable solution of the problem, and I think it is entirely proper for the Senate to take a recess.

Mr. RUSSELL. Mr. President——

Mr. LUCAS. I yield to the Senator from Georgia.

Mr. RUSSELL. Mr. President, I merely wish to say that the Senators associated with me in opposing the pending resolution are receptive to any reasonable compromise which will end this controversy and serve to protect the rights of Senators.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of

the United States submitting sundry nominations, which were referred to the Committee on Armed Services.

(For nominations this day received, see the end of Senate proceedings.)

RECESS

Mr. LUCAS. Mr. President, if there are no other Senators who desire to address the Senate, I now move that the Senate take a recess until Monday next at 12 o'clock noon.

The motion was agreed to; and (at 7 o'clock and 51 minutes p. m.) the Senate took a recess until Monday, March 14, 1949, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received March 12 (legislative day of February 21), 1949:

IN THE NAVY

The following-named midshipmen (aviation) to be ensigns in the Navy from the 3d day of June 1949:

John Abbott	Walter N. Haupt
Richard R. Allman	James R. Hoffman
Arthur H. Barie	John E. Huesgen
William H. Barry	Albert N. Into, Jr.
Frank C. Bonansinga	Don M. Isberner
Kenneth C. Bonine	Ralph A. Jenkins
Waldo L. Born	Jack E. Keller
Walter L. Brown	Francis J. Klinker
William L. Burgess, Jr.	Malcolm R. McCann
Edward J. Cosgriff, Jr.	Dwight A. Mahaffy
Robert E. Dobelstien	John E. Marshall
Orion J. Dussia	Ernest L. Masson, Jr.
George Dzamka	Victor E. Menefee, Jr.
Robert W. Fero, Jr.	William H. Mero
Bruce D. Fraites	James R. Messner
Bernard E. Goehring	Raleigh Miller, Jr.
William L. Hall	Charles P. Moore
Arthur D. Hamilton	Donald F. Munday
Kennard R. Hamilton	Leo A. Regan
Evan C. Harris	

The following-named (civilian college graduates) to be ensigns in the Navy from the 3d day of June 1949:

John H. Carroll, Jr.	Robert A. Lewis
Charles W. Cates	Charles E. Swingle
Frederick W. Denton III	Harold R. Podorson
	William E. Rhoads

Thomas J. Moran (civilian college graduate) to be a lieutenant (junior grade) in the Navy (special duty officer).

Harvey L. Rittenhouse (civilian college graduate) to be a lieutenant in the Medical Corps of the Navy.

John H. Schulte (civilian college graduate) to be a lieutenant (junior grade) in the Medical Corps of the Navy.

The following-named (civilian college graduates) to be ensigns in the Supply Corps of the Navy from the 3d day of June 1949:

Junius C. Bell	James C. Protulis
Everette T. Brown, Jr.	John C. Walker III
Dominic V. Cefalu	John R. Waltrip
Thomas J. Ingram III	Anton L. Witte

The following-named (civilian college graduates) to be lieutenants (junior grade) in the Chaplain Corps of the Navy):

Jonathan C. Brown, Jr.
Cornelius J. Griffin.

Howard B. Marble, Jr. (civilian college graduate), to be a lieutenant (junior grade) in the Dental Corps of the Navy.

The following-named to be ensigns in the Nurse Corps of the Navy:

Patricia M. Clark	Shirley M. Riggan
Sophia H. Gormish	Esther M. Thomson
Florence R. Martin	Ethel J. Whitesell
Verna LaJ. Miller	Mildred L. Williams
Lillian A. Patsel	Marjorie R. Wilson
Marie A. Petrovitch	Marion E. Withers

IN THE MARINE CORPS

The following-named officer for appointment to the permanent grade of major general in the Marine Corps:

Field Harris

The following-named officer for appointment to the permanent grade of brigadier general in the Marine Corps:

Christian F. Schilt

The following-named officer for appointment to the temporary grade of brigadier general in the Marine Corps:

Clayton C. Jerome

The following-named officers for appointment to the permanent grade of lieutenant colonel in the Marine Corps:

James O. Appleyard	Jack F. McCollum
Paul E. Becker, Jr.	Martin E. W. Oelrich
Charles H. Cowles	Jonas M. Platt
Eugene A. Dueber, Jr.	Leon A. Ranch
William F. Frank	John T. Rooney
Joseph A. Gray	Nicholas A. Sisak
Walter Holomon	John W. Stevens II
Louis N. King	

The following-named officer for appointment to the permanent grade of lieutenant colonel in the Marine Corps Reserve:

John J. Capolino

The following-named officer for appointment to the permanent grade of captain in the Marine Corps:

Josef I. Reece

The following-named officers for appointment to the permanent grade of first lieutenant in the Marine Corps:

Myrl E. Boys
Robert H. Porter, Jr.

The following-named citizens (civilian college graduates) for appointment to the permanent grade of second lieutenant in the Marine Corps:

John R. Heppert, a citizen of Ohio.
John K. Stewart, a citizen of Kansas.

SENATE

MONDAY, MARCH 14, 1949

(Legislative day of Monday, February 21, 1949)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

Rev. Bernard Braskamp, D. D., pastor, Gunton Temple Memorial Presbyterian Church, Washington, D. C., offered the following prayer:

O Thou eternal God, we thank Thee for this new day. Grant that during all its hours we may be filled with a desire to serve our generation according to Thy holy will.

May the spirit of the Master fashion and permeate our character and conduct, our aspirations and hopes, our speech and actions, our attitudes and feelings toward one another and all mankind.

We pray that Thy servants may be guided in some special way by the eternal truth and righteousness of God as they formulate the policies and administer the affairs of government for our beloved country.

Help us to appropriate by faith the inexhaustible resources of divine wisdom which Thou hast placed at our disposal and may we meet our duties and responsibilities calmly and courageously.

In Christ's name we pray. Amen.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

REPORTS OF COMMISSION ON ORGANIZATION OF EXECUTIVE BRANCH OF GOVERNMENT

A letter from the Chairman of the Commission on Organization of the Executive Branch of the Government, transmitting, pursuant to law, a report on the Department of Labor, and separately, in typescript, a meorandum on the Department by George W. Taylor, professor of labor relations, University of Pennsylvania, National War Labor Board (with an accompanying report); to the Committee on Expenditures in the Executive Departments.

A letter from the Chairman of the Commission on Organization of the Executive Branch of the Government, transmitting, pursuant to law, a report on information services as a further addition to the supporting data which accompanied the Commission's report on general management of the executive branch, filed with the Congress on February 7, 1949 (with an accompanying report); to the Committee on Expenditures in the Executive Departments.

A letter from the Chairman of the Commission on Organization of the Executive Branch of the Government, transmitting, pursuant to law, a task force report on independent regulatory commissions (appendix N), as a supplement to the Commission's report on regulatory agencies as well as the Commission's report on Commerce (with an accompanying report); to the Committee on Expenditures in the Executive Branch of the Government.

AMENDMENT OF CLOTURE RULE—AMENDMENT

Mr. MUNDT submitted an amendment intended to be proposed by him to the resolution (S. Res. 15) amending the so-called cloture rule of the Senate, which was ordered to lie on the table and to be printed.

CALL OF THE ROLL

Mr. LUCAS. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Hendrickson	Malone
Anderson	Hickenlooper	Martin
Baldwin	Hill	Maybank
Brewster	Hoey	Miller
Bricker	Holland	Millikin
Bridges	Humphrey	Morse
Butler	Hunt	Mundt
Byrd	Ives	Murray
Cain	Jenner	Myers
Chapman	Johnson, Colo.	Neely
Chavez	Johnson, Tex.	O'Conor
Connally	Johnston, S. C.	O'Mahoney
Cordon	Kem	Pepper
Donnell	Kerr	Reed
Douglas	Kilgore	Robertson
Downey	Knowland	Russell
Eastland	Langer	Saltonstall
Ecton	Lodge	Schoeppel
Ellender	Long	Smith, Maine
Ferguson	Lucas	Smith, N. J.
Flanders	McCarran	Sparkman
Frear	McCarthy	Stennis
George	McFarland	Taft
Gillette	McGrath	Taylor
Green	McKellar	Thomas, Okla.
Gurney	McMahon	Thomas, Utah
Hayden	Magnuson	Thye

Tydings	Wherry	Withers
Vandenberg	Wiley	Young
Watkins	Williams	

Mr. MYERS. I announce that the Senator from Arkansas [Mr. FULBRIGHT] is attending the funeral services of the son of the Senator from Arkansas [Mr. MCCLELLAN] and is therefore necessarily absent.

The Senator from Tennessee [Mr. KEFAUVER] is absent on public business.

The Senator from Arkansas [Mr. MCCLELLAN] is absent because of a death in his family.

The Senator from New York [Mr. WAGNER] is necessarily absent.

Mr. SALTONSTALL. I announce that the Senator from Indiana [Mr. CAPEHART] is necessarily absent.

The Senator from New Hampshire [Mr. TOBEY] is absent on official business.

The VICE PRESIDENT. Eighty-nine Senators having answered to their names, a quorum is present.

AMENDMENT TO CLOTURE RULE

The Senate resumed the consideration of the motion of Mr. LUCAS to proceed to the consideration of Senate Resolution 15, amending the so-called cloture rule of the Senate.

Mr. WILEY. Mr. President, on Friday night, March 11, 1949, I placed in the RECORD a short statement in relation to the issue before the Senate. I had already talked to a number of Senators, among them being the Senator from Arizona [Mr. HAYDEN], cosponsor of the resolution the motion to take up which is pending before the Senate. I have talked with a number of Democrats, including the Senator from Mississippi [Mr. STENNIS]. I personally stated that I would have no objection to fixing the percentage of Senators' votes that would close debate at the present two-thirds or three-fourths.

But Mr. President, I knew that this was but a part of the issue. Therefore, I suggested the ideas, which to everyone appeared absolutely new to them, and which I felt would do the job, to wit: That the resolution, once agreement was reached on the percentage, should contain the provision that the right to filibuster against any change in the rule relating to the percentage, assuming the resolution were adopted, should be retained.

This, as I stated, meant that if there should be an attempt at any time to change the amended rule 22 from two-thirds, or a greater percentage, to a greater or lesser number, cloture could never be invoked. Mr. President, I feel that it is important that we understand that basis.

Our problem is this: To maintain in our Government an appropriate check and balance and at the same time so to constitute the machinery of government that it can function efficiently as a world power. As I stated on Friday last in my statement:

> Changing conditions sometimes require new rules or new interpretations.

During the debate a number of instances have been cited to illustrate the truth of that statement. The Hoover Commission has clearly demonstrated that this conclusion applies not simply to Congress and it has made no recommendations with respect to Congress, but applies to all departments of the Government. It is a significant thing, Mr. President, that this Commission, on which are some of the best brains of our country, have recognized that the changing conditions require changing rules or new interpretations.

Modern inventions and ingenuity have not only made necessary this change, but an added reason is that as a world power, our activities are now far-flung throughout the globe. We have not only, on the one hand, a contracted globe due to our inventiveness and ingenuity, but for the first time, because of the exigencies of the new day, we have reached out and, everywhere on the globe we are in the picture. So we must have an efficient governmental mechanism not only in Congress, but, as stated by the Hoover Commission, in the administrative branch of the Government.

I repeat, the Hoover Commission has made it clear that all departments of Government are dragging their feet and not performing as they should. Therefore we in Congress must make sure we are on our toes, that we are not dragging our feet, that we have a mechanism which will do the job, whatever it is, and that, whatever emergency may arise, our work will be efficient.

Mr. President, if the suggestion I made on March 11 is adopted we will be able to carry through the business before us, and will not be accused of dragging our feet and, Mr. President—I wish to make this very clear—we will also protect the fundamental rights of the private citizens and the fundamental rights of the States.

Mr. President, on practically any measure that comes before this great body there is some misunderstanding at times. I am one of those who believe that the maintenance of checks and balances in Government is imperative, more so than ever in this period. I am not one of those who feel that we can get rid of checks and balances in Government. I want to make myself clear on that subject. I would not vote for the majority provision which has been suggested. I think it would be catastrophic. We shall need all the checks and balances that are fundamentally sound and correct, in the not too distant future, especially when we have to meet the impact of the administration's onward march toward socialism.

If the Senate of the United States had gone like the House in the recent national election, we would have bills in the hopper which would provide for the Government taking over insurance companies and banks. So, Mr. President, the maintenance of checks and balances in the Senate is imperative. It is important that we maintain them to stop the onward march that is in progress all over the world, which has taken over the European continent, and which would wipe out our American concepts which have been maintained by the checks and balances in government.

There is another reason why we should get along with our business. We shall soon have the North Atlantic Pact in our laps. Everyone else has talked about this pact. The newspapers have it. Apparently it has not been released, and yet it has been released. I feel that there should be a complete discussion of the pact, and that the people should be permitted to know the full implications thereof. This is the first time it has been proposed to violate in writing the ancient concepts of George Washington. I am not saying that we should not. Again I point out that we are living in a changed world with changed obligations, changed conditions.

But I am saying that the people of the country should be advised of the implication of the responsibilities and the liabilities. So I say that we had better get on with the big business before us. Let us maintain the checks and balances, and preserve the right in the Senate so that the President alone will not have the veto power, but we shall have the veto power in relation to acts of the President.

Approval of the pact would make it the fundamental law of the land. Mr. President, we do not break promises. The obligations of the pact, as indicated in the newspapers, are clear-cut and definite. We have become involved in two world wars without having any pact or agreement in relation to cooperation and collaboration with other nations. If we had had such an agreement, would the Kaiser have started? If we had had such an agreement would Hitler have started?

I repeat that the purpose of the pact is clear-cut. It says, in the ancient slogan of America, "Do not tread on me," and we add, "Or any of my associates. If you do, I will go to war." We went to war without having such pacts. Now we say to the world, "Do not start anything. You know what we will do."

So I suggest to our brethren who are seeking to find the way out of this legislative dilemma called a filibuster, that they consider the two suggestions, first, a two-thirds vote, and second, a three-fourths vote, and reach some agreement. Then I suggest that we write into the new rule the proviso that if at any time it is suggested that the percentage shall be changed that it shall be subject to filibuster. I believe that if that is done, in a few days we shall be under way. We shall give to the country a demonstration of efficiency, which we must have, and we shall have a mechanism which will work. If it works as it should, we shall wipe out the misunderstandings which are so prevalent, misunderstandings due not simply to ignorance, but due to propaganda which vicious people are sending through the country, the purpose of which is to do away with the legislative branch of government.

Mr. ELLENDER obtained the floor.

Mr. BUTLER. Mr. President, will the Senator yield for an insertion in the RECORD?

Mr. ELLENDER. I decline to yield.

Mr. DONNELL. Mr. President——

Mr. ELLENDER. I yield for a question only.

Mr. DONNELL. I should like to ask the Senator if he has any objection to my asking leave to be excused from the Senate for a certain period?

Mr. ELLENDER. I have. I would lose the floor if I did so.

Mr. DONNELL. Mr. President, I ask unanimous consent that the Senator may not lose the floor——

The VICE PRESIDENT. The Senator cannot yield for that purpose.

Mr. DONNELL. Mr. President, a parliamentary inquiry——

Mr. ELLENDER. Mr. President, I decline to yield.

Mr. DONNELL. Mr. President, will the Chair rule——

Mr. ELLENDER. Mr. President, I decline to yield.

The VICE PRESIDENT. The Senator cannot yield for anything but a question.

Mr. DONNELL. That was not my parliamentary inquiry. The parliamentary inquiry is——

The VICE PRESIDENT. The Senator cannot yield for a parliamentary inquiry.

Mr. DONNELL. Will the Senator yield for a parliamentary inquiry if he does not lose his place on the floor?

Mr. ELLENDER. I cannot do that. As I understand the rule, if I did that I would lose the floor.

The VICE PRESIDENT. The Senator cannot yield for anything but a question.

Mr. DONNELL. I am asking unanimous consent that he may do so without losing the floor.

The VICE PRESIDENT. That is not a question within the rule.

Mr. LUCAS. Mr. President, I demand the regular order.

The VICE PRESIDENT. The Senator from Louisiana declines to yield.

Mr. ELLENDER. Mr. President, this debate involves a single issue: Will free speech continue as the outstanding characteristic of the United States Senate, or will it give way to gag rule? Will the Senate remain a place of last refuge to protect the rights of a free people, or will it become a mere rubber stamp for any political group in power, the majority for the moment?

For 143 years—since 1806—free debate in the Senate has served as a beacon light against tyranny. During that period our country has withstood six wars, including that supreme test of any government's sovereignty—a civil war. We have come through the strain and tension that accompany economic depressions, quick growth in population and area, and changes in political administrations.

Other governments have crumbled under these pressures. Ours remains free and strong. I believe that much credit for that condition results from the Senate's right of unlimited debate. It has operated as a most important element in the system of checks and balances that the authors of our Constitution so wisely provided.

In passing, let me say that I was glad to note the position taken a few moments ago by the distinguished Senator from Wisconsin [Mr. WILEY] on that subject.

It is no mere accident that our Constitutional Government has endured through these years. There have been in the past, and there will be in the future, ambitious men who would compromise the rights and freedoms of Americans. They would readily exploit a legislative majority to run roughshod over the rights of some of our people. But always their attempts are frustrated in the Senate, where the voices of minorities can be heard.

Despite the high-sounding utterances we hear every day in the Senate about democratic procedure and majority will and efficiency of the Senate, I don't believe that anyone can honestly escape the conviction that this movement to change the Senate rules is dictated solely by the agitation of pressure groups to throw a political sop to certain minorities, particularly the Negro. There can be no other consideration, despite all the arguments advanced. It may be charged that the Senate is inefficient, but no Senator can seriously contend that the legislative process has broken down or is even near the breaking point. Senators may inject the issue of national danger, but there is no rational ground for their statements. We have only recently emerged from the most cruel war in history, and this body functioned efficiently throughout that period without surrendering its cherished heritage of freedom of speech. I repeat, Mr. President, there can be no consideration other than politics behind the demands for curtailing debate. This rules change is desired only as a means toward the passage of certain legislation, the President's civil-rights program. During this debate, our majority leader stated that to be the purpose in no uncertain terms. The laws are demanded by certain minorities as their price for political support. The advocates of these proposals would, in my judgment, destroy our most powerful protection against despotism; they would destroy our last citadel of freedom of speech.

It occurs to me, Mr. President, that this consuming desire, on the part of the leadership in both of our great political parties, for the political support of minority groups, has caused many men to lose perspective. I simply cannot understand it. During the 12 years I have been a Member of this body, I have developed a tremendous admiration for many Senators who have always been found in the front line of battle to preserve constitutional Government. I have watched them fight skillfully. I have heard them argue with appeal and effect that the trend toward centralized government must be checked. I have heard them say with force and conviction that executive power must not be allowed to assume a position of predominance. I have heard them warn that bureaucratic tyranny is about to absorb the rights of the individual. At the moment, the Senate has before it a proposal that is so dangerous to constitutional government and so capable of untold evil, that I should expect the instant opposition of these champions of freedom. I should think that these men would stand up again and, pointing to the danger, would give the Senate the benefit of their advice. Surely, they are not blind to the dangers lurking ahead, should they permit cloture to be imposed by a simple majority, as is now being advocated by none other than the President of the United States.

Mr. President, when the first Senate organized in 1789, it adopted, among others, the previous question rule. The rule remained in effect until 1806, when the rules were revised and the previous question rule was omitted. During the 17 years from 1789 to 1806, the previous question was moved only four times, and was invoked only three times. Like several other rules copied from other parliamentary systems, it was found unnecessary or obnoxious. The Senate soon rid itself of it.

From 1806 to 1917, the Senate operated entirely without a cloture rule, except for a brief interval during the Civil War when debate was limited to 5 minutes when the Senate was in secret session considering matters pertinent to the war.

It is interesting and significant that from 1806 until 1917, there were many attempts to impose a permanent cloture rule in the Senate, but they were always voted down.

In 1917, as the United States approached entry into World War I, a cloture rule was adopted as an amendment to rule XXII, and it is still a part of the Senate rules.

I do not think it can be effectively argued that adoption of this rule in 1917 was anything but an emergency, wartime measure. Only three Senators voted against its adoption. Does it stand to reason that for more than a hundred years the Senate, time and time again, rejected cloture proposals, and then, suddenly, in 1917, only three Senators opposed cloture? Very plainly it was a wartime measure, and should be so considered.

Mr. President, the Legislative Reference Service of the Library of Congress recently issued a very interesting thesis, entitled "Limitation of Debate in the United States Senate." This document traces the history of debate in the Senate, presents a discussion of Senate rules, and gives a summary of arguments for and against the practice of filibustering.

One portion of the document has undoubtedly created a false impression. It purports to show a list of 37 measures defeated by filibuster; but as the Senator from Arizona and others have pointed out, this is an error. Only four proposals have thus far been defeated by filibuster. One of these was the obnoxious Force bill of 1890–91, and the other three are the so-called civil rights measures, which I contend are directed at the South, and are resented by the South. The remaining 33 bills listed as defeated by filibusters, although possibly delayed, were ultimately enacted into law.

This document includes some 14 arguments against filibustering. Perhaps the Senators supporting the pending rules change have not endorsed all these arguments. Nevertheless, they are commonly heard, and they have been placed in the RECORD. I want to discuss a few of them and attempt to reveal their false foundations and the fallacious reasoning that dictates them.

Here are two of the arguments; I quote:

Under the practice of filibustering, the basic American principle of majority rule is set at naught. Not only is the majority thwarted in its purpose to enact public measures, it is also coerced into acceptance of measures for which it has no desire or approval.

Filibusters are undemocratic, in that they permit one-third of the Senators present, plus one, to obstruct the majority. This group of Senators may be from only one section of the country, they may be from only one political party, and none of them may have been recently elected. It is a dubious argument to defend the filibuster on the ground that it protects the minority when actually its principal use, actual or potential, is to deny fundamental democratic rights to certain minorities. Most of the really undemocratic conditions in our country today exist because of the threat or use of the filibuster.

In connection with the pending resolution, we hear frequent mention of the term "will of the majority." We hear it argued, as set forth above, that the right of unlimited debate in the Senate thwarts or defeats the will of the majority and sets at nought the so-called principle of majority rule.

If there is a single lesson that should be taught us by a study of American history and by an inspection of the expressions of the men who framed our Constitution, it is, that complete majority rule, in its strict, literal meaning, has never been followed in the United States. The framers of the Constitution never intended it should be practiced. They clearly contemplated a limited majority rule. They devised elaborate controls and restraints designed to prevent the majority of the moment from altering the fundamental structure of the Government. They realized that human beings often act hastily and passionately, and they sensed that the time would come when a majority might seek to impair the freedoms for which they had fought. So they devised an elaborate system of curbs. The right of unlimited, unrestrained debate in the Senate is one of those curbs, and one of the most vital.

The filibuster is labeled an undemocratic practice. It is alleged that it thwarts the will of the majority. If that be true, then it can be argued that the entire Constitution under which we govern ourselves is undemocratic, because there are many devices contained therein which serve the sole purpose of thwarting or defeating the will of the majority. I shall discuss them in a moment.

What is the standard for measurement of the majority's will? How can we accurately determine the sentiments of the majority of the American people? As James Bryce wrote in his book the American Commonwealth, "the obvious weakness of government by opinion is the difficulty of ascertaining it." Senators sponsoring the change in rules say the majority will is being defeated. I wish they would tell us how they know a majority of our people favor one measure or another.

Do Senators determine the majority's will from the volume and content of their mail? That seems unlikely in this day, dominated by highly organized and well-financed pressure groups. Do Senators feel that a majority of the Senate is always an accurate reflection of the majority sentiment? Such a conclusion is patently wrong and unjustified. A majority of the Senate is merely a majority of States, which may or may not include a majority of the American people.

A combination of one-third of the 48 States contains two-thirds of the Nation's population. The remaining two-thirds of the States contain only one-third of the population. A combination of one-fifth of the States—nine States—contains one-half of the total population of the United States.

First. One-fifth of the States—nine States—contain approximately one-half of the population of the United States—1940 census:

New York	13,479,142
Pennsylvania	9,900,180
Illinois	7,897,241
Ohio	6,907,612
California	6,907,387
Texas	6,414,824
Michigan	5,256,106
Massachusetts	4,316,721
New Jersey	4,160,165
Total for 9 States	65,239,378
Total population United States (1940 census)	131,669,275
One-half of population	65,834,638

Second. One-third of the States—16 States—contain approximately two-thirds of the population of the United States—1940 census:

Total for 9 States as listed above	65,239,378
Missouri	3,784,664
North Carolina	3,571,623
Indiana	3,427,796
Wisconsin	3,137,587
Georgia	3,123,723
Tennessee	2,915,841
Kentucky	2,845,627
Total for 16 States	88,046,239
Total population United States (1940 census)	131,669,275
Two-thirds of population	87,779,516

The remaining States would account for the other one-third.

Perhaps some Senators feel that since the House of Representatives is constituted on a proportionate population basis, a majority vote on a measure in that body indicates that a majority of the American people favor a measure. Indeed, if the rules of the Senate are changed to abolish unlimited debate, I believe the Senate will eventually deteriorate until its only function will be to ratify House action. It will probably occupy the same status in our Government as the House of Lords now occupies in the British Parliament.

But let us examine further into the so-called principle of majority rule. Some say when Senators use their right of unlimited debate to prevent or delay legislative action they are guilty of defeating the will of the majority. Let us consider instances wherein the will of the majority is restrained or defeated, not by filibuster or other dilatory tactics, but by the constitutional functioning of our Government.

The House of Representatives can pass a bill by a large majority, a margin that may be so great as to indicate overwhelming popular approval by the American people, if House sentiment is to be judged a measure of the people's sentiment. The bill comes to the Senate, and after full inquiry by committee and after full debate, the Senate votes and rejects the bill. In rejecting such a bill, has not the Senate thwarted the will of the majority as reflected by the House vote? Is the Senate's right to disapprove wrong? Is it undemocratic? Is it a thoroughly democratic procedure for a majority of the Senate, representing possibly a minority of our people, thus to set at naught the so-called principle of majority rule? It happens at every session of Congress. What should we do about it? Amend the Constitution so that either house of Congress would be prohibited from rejecting action of the other?

In 1946 the Congress passed an act, by a preponderant majority in each House, quitclaiming all Federals rights to possession of our tidelands and recognizing full ownership thereof in the several sovereign States. I do not think any Senator will deny that the passage of this act met the approval of a majority of our people, as reflected by their elected representatives in Congress. But what happened? The President vetoed the bill. He exercised his constitutional right arbitrarily to obstruct the people's will. It is legal; it is constitutional. The veto power has been used since Washington's time as a check of majority rule. It has been used by 25 Presidents. All the President of the United States has to do under the Constitution is to state his objections to the legislation. His objections may be a well-reasoned argument that the bill is unconstitutional, or that it is not beneficial to the Nation, or his objection may be that he does not like the color of the paper on which the bill is printed. In the case of a pocket veto, he does not have to state any objections at all. Unless both Houses can muster a two-thirds majority to override the President, his objections are sustained. And in the case of a pocket veto, the Congress has to wait until a new session convenes in order to take corrective action. Is it undemocratic for one man, the President of the United States, with or without valid objection, to defeat the will of a clear majority of the Congress? Do Senators want to amend the Constitution and do away with this offending provision?

Consider another example, legal and constitutional, whereby the majority's will is obstructed by a minority: During the first session of the Eightieth Congress, a tax-reduction measure was passed. It was known as H. R. 1. The House passed it on March 27, 1947, by an exact two-thirds majority, 273 voting for the bill and 137 voting against it. It came over to the Senate, where it was passed on May 28. Voting for the bill were 52 Senators, more than 60 percent of those Senators voting. Would it not appear that such majorities in both Houses indicated that most Americans wanted the law? We all remember what happened. The President vetoed the bill on July 18, returning it to the House with a statement of his objections.

Within minutes after hearing the President's veto message, the House of Representatives voted to override the President. The vote was 299 to 108. Two hundred and ninety-nine House Members—73 percent of those voting—reaffirmed the sentiment of the majority.

When the Senate voted on the matter, 57 Senators voted to override and 36 Senators voted to sustain the President. The Senate, by a 61-percent margin, again announced that its majority favored enactment of the bill. But the Constitution requires a two-thirds majority in each House to override a Presidential veto, and the bill did not become law. This instance presents a clear-cut case: Approximately one-third, 39 percent of the Senate, very definitely frustrated and obstructed the will of 61 percent of the Senate and 73 percent of the House of Representatives. Let us examine the Senate vote on that matter and figure the population aspect. Both Senators from each of 19 States voted to override. They represented a total population of approximately 50,000,000. Both Senators from each of nine States voted to sustain. They represented a total population of approximately 15,000,000. Senators from 20 States split their vote, one voting to sustain and the other voting to override. These States contain approximately 60,000,000 persons. I do not argue this as an accurate estimate, but to be fair, let us assume that each Senator represented half his constituency. Let us suppose that 30,000,000 favored overriding the veto and the other 30,000,000 favored sustaining the President. Thus, we see that some 80,000,000 Americans, just about two-thirds, wanted to override and some 45,000,000 wanted to sustain. Is it not apparent that one-third of the people, with the help of the President and a few Senators, obstructed the will of the other two-thirds?

I do not hear any oratory condemning this undemocratic feature of our Government. I do not recall reading any books condemning this procedure. I do not know of any pressure groups fighting for its removal. It is reasonable to assume, however, that if Presidents should ever exercise their power to veto measures in which pressure groups are interested, the chances are that a clamor for a change would soon be resounding in our legislative halls.

Here is another example: The Congress may pass a bill, possibly without a dissenting vote in either House. The President approves it and it becomes the law of the land, yet a nine-member Supreme Court can nullify it. If the Court divides and renders a 5–4 decision, it might be said that one member of the Court defeated the will of the majority of the American people. There are some who deny that the Court has power of judicial review of congressional acts. They say such provision is not in the Constitution; they are correct. The power of judicial review is not explicitly provided in the Constitution, but it is clearly implied, and time and custom have established that power in the Supreme Court so firmly that it would take a constitutional amendment to remove it. The Supreme Court often defeats the will of the majority. Should we deny the Supreme Court that right?

These are merely a few examples of what the framers of the Constitution had in mind—evidence that they feared majority rule and deliberately wrote into the Constitution elaborate devices by which the dangers of complete majority rule could be eliminated.

Consider how difficult it is to amend the Constitution. Many steps are involved and considerable time is required. If our founding fathers had intended this country to be governed by simple majority rule, it occurs to me that they would have framed the Constitution to allow its change whenever sentiment among a majority of the people called for a change. By the same token, it seems to me that those people who want to change the fundamental character of our Government should first seek to change the Constitution itself by removing all these devices which defeat the majority's will.

To amend the Constitution, it is necessary for both the House and Senate to pass a resolution placing the proposal before the several States. The resolution must pass each House by a two-thirds majority—not a simple majority, but a two-thirds majority. Then the proposal is submitted to the several States. Three-fourths of the States—not a majority and not two-thirds—but three-fourths of the States must ratify the proposed amendment before it can be effective. Each State is free to ratify the amendment or to reject the amendment or to take no action whatsoever. There is no way for the Congress to impose cloture on the State legislatures. The Congress cannot command the State legislatures to vote on the proposition after 96 hours of debate or at 2 o'clock next Tuesday. States can act or they can fail to act. The Louisiana House of Representatives can ratify the amendment without a dissenting vote, the Louisiana Senate can reject it by one vote, and Louisiana's ratification is withheld. If the Louisiana Legislature desires, it can pigeonhole the proposition for 10, 15, 30, or 50 years before considering it, unless a time limit is provided in the proposal. This is a clear example of dilatory tactics. But it is legal; it is constitutional. Shall we change it?

This elaborate system of checks and balances did not just happen. Those safeguards were placed in our Constitution deliberately. They result from a deeply ingrained fear on the part of our founding fathers—fear that a strong executive, exploiting a simple but determined majority of Representatives and Senators, would override the guaranties of freedom unless checked.

Mr. President, as I read the debates that took place at the Federal Convention of 1787, it seems perfectly clear that the men who wrote our Constitution intended the Senate of the United States to be a place where majorities could be sometimes resisted, and not as a place where majorities were always to be accommodated.

At this point I want to read to the Senate a few paragraphs from that debate. I quote only from the remarks of James Madison and Edmund Randolph, but I believe that the fears and opinions they expressed were an accurate reflection of the general temper of the Convention. I quote from Debates in the Federal Convention of 1787 as Reported by James Madison, House Document No. 398, Sixty-ninth Congress, first session:

James Madison, page 169: "The use of the Senate is to consist in its proceeding with more coolness, with more system, and with more wisdom, than the popular branch."

James Madison, pages 162 and 163: "All civilized societies would be divided into different sects, factions, and interests, as they happened to consist of rich and poor, debtors and creditors, the landed, the manufacturing, the commercial interests, the inhabitants of this district or that district, the followers of this political leader or that political leader, the disciples of this religious sect or that religious sect. In all cases where a majority are united by a common interest or passion, the rights of the minority are in danger. What motives are to restrain them? A prudent regard to the maxim that honesty is the best policy is found by experience to be as little regarded by bodies of men as by individuals. Respect for character is always diminished in proportion to the number among whom the blame or praise is to be divided. Conscience, the only remaining tie, is known to be inadequate in individuals: In large numbers, little is to be expected from it. Besides, religion itself may become a motive to persecution and oppression. These observations are verified by the histories of every country, ancient and modern. In Greece and Rome the rich and poor, the creditors and debtors, as well as the patricians and plebeians alternately oppressed each other with equal unmercifulness. What a source of oppression was the relation between the parent cities of Rome, Athens, and Carthage, and their respective provinces: the former possession the power, and the latter being sufficiently distinguished to be separate objects of it? Why was America so justly apprehensive of parliamentary injustice? Because Great Britain had a separate interest, real or supposed, and if her authority had been admitted, could have pursued that interest at our expense. (We have seen the mere distinction of color made in the most enlightened period of time, a ground of the most oppressive dominion ever exercised by man over man.)"

This is still Mr. Madison speaking:

What has been the source of those unjust laws complained of among ourselves? Has it not been the real or supposed interest of the major number? Debtors have defrauded their creditors. The landed interest has borne hard on the mercantile interest. The holders of one species of property have thrown a disproportion of taxes on the holders of another species. The lesson we are to draw from the whole is that where a majority are united by a common sentiment, and have an opportunity, the rights of the minor party become insecure. In a republican government the majority, if united, have always an opportunity. The only remedy is to enlarge the sphere, and thereby divide the community into so great a number of interests and parties, that in the first place a majority will not be likely at the same moment to have a common interest separate from that of the whole or of the minority; and in the second place, that in case they should have such an interest, they may not be apt to unite in the pursuit of it. It was incumbent on us then to try this remedy, and with that view to frame a republican system on such a scale and in such a form as will control all the evils which have been experienced.

Now from page 196 I again quote Mr. Madison:

Mr. Madison considered 7 years as a term by no means too long. What we wished was

to give to the Government that stability which was everywhere called for, and which the enemies of the republican form alleged to be inconsistent with its nature. He was not afraid of giving too much stability by the term of 7 years. His fear was that the popular branch would still be too great an overmatch for it. * * * It was to be much lamented that we had so little direct experience to guide us. The constitution of Maryland was the only one that bore any analogy to this part of the plan. In no instance had the senate of Maryland created just suspicions of danger from it. In some instances perhaps it may have erred by yielding to the house of delegates. In every instance of their opposition to the measures of the house of delegates they had had with them the suffrages of the most enlightened and impartial people of the other States as well as of their own. In the States where the senates were chosen in the same manner as the other branches of the legislature, and held their seats for 4 years, the institution was found to be no check whatever against the instabilities of the other branches. He conceived it to be of great importance that a stable and firm government organized in the republican form should be held out to the people. If this be not done, and the people be left to judge of this species of government by the operations of the defective systems under which they now live, it is much to be feared the time is not distant when, in universal disgust, they will renounce the blessing which they have purchased at so dear a rate, and be ready for any change that may be proposed to them.

Those words, Mr. President, are not mine; they are the words of James Madison. I quote further from Mr. Madison, at page 279:

In order to judge of the form to be given to this institution (Senate), it will be proper to take a view of the ends to be served by it. These were first to protect the people against their rules; secondly, to protect the people against the transient impressions into which they themselves might be led. A people deliberating in a temperate moment, and with the experience of other nations before them, on the plan of government most likely to secure their happiness, would be first aware that those charged with the public happiness might betray their trust. An obvious precaution against this danger would be to divide the trust between bodies of men, who might watch and check each other. * * * It would next occur to such a people that they themselves were liable to temporary errors, through want of information as to their true interest, and that men chosen for a short term and employed but a small portion of that in public affairs, might err from the same cause. This reflection would naturally suggest that the government be so constituted, as that one of its branches might have an opportunity of acquiring a competent knowledge of the public interests. Another reflection equally becoming a people on such an occasion would be that they themselves, as well as a numerous body of Representatives, were liable to err also, from fickleness and passion. A necessary fence against this danger would be to select a portion of enlightened citizens, whose limited number and firmness might seasonably interpose against impetuous councils. It ought finally to occur to a people deliberating on a government for themselves that as different interests necessarily result from the liberty meant to be secured, the major interest might under sudden impulses be tempted to commit injustice on the minority. * * * How is this danger (of changing interests) to be guarded against on republican principles? How is the danger in all cases of interested coalitions to oppress the minority to be guarded against? Among other means by the establishment of a body in the government sufficiently respectable for its wisdom and virtue, to aid on such emergences, the preponderance of justice by throwing its weight into that scale. Such being the objects of the second branch in the proposed government he thought a considerable duration ought to be given to it.

That was Madison speaking, Mr. President.

I now shall quote a few passages from Edmund Randolph, of Virginia, as they appear on page 128 of the book to which I have just referred:

Mr. Randolph observed that he had * * * stated his ideas as far as the nature of general propositions required; that details made no part of the plan, and could not perhaps with propriety have been introduced. If he was to give an opinion as to the number of the second branch, he should say that it ought to be much smaller than that of the first; so small as to be exempt from the passionate proceedings to which numerous assemblies are liable. He observed that the general object was to provide a cure for the evils under which the United States labored; that in tracing these evils to their origin every man had found it in the turbulence and follies of democracy; that some check therefore was to be sought against this tendency of our governments; and that a good Senate seemed most likely to answer the purpose.

Mr. Randolph, page 196: "The democratic licentiousness of the State legislatures proved the necessity of a firm Senate. The object of this second branch is to control the democratic branch of the National Legislature. If it be not a firm body, the other branch being more numerous, and coming immediately from the people, will overwhelm it. The Senate of Maryland constituted on like principles had been scarcely able to stem the popular torrent. No mischief can be apprehended, as the concurrence of the other branch, and in some measure, of the Executive, will in all cases be necessary. A firmness and independence may be the more necessary also in this branch, as it ought to guard the Constitution against encroachments of the Executive who will be apt to form combinations with the demagogs of the popular branch."

Mr. President, I believe that unlimited debate in the Senate is an integral part of this system of checks and balances. I believe that the great and wise men who planned our Constitution intended that the Senate should be a forum where such a check should operate. Just as the power of the Supreme Court is implied as a part of the system of checks and balances, I believe they foresaw and intended that unlimited debate in the Senate should be a part of the system.

I deny that one or even several Senators can obstruct the legislative process, as some advocates of rules change say. I contend that free debate in the Senate has not been abused to an extent where our country has suffered or its interests jeopardized.

I believe that whenever 20 or more Senators from a dozen or more sovereign States are so unanimous in their belief that a measure is unconstitutional, impractical, and greatly injurious to the interests of their constituents, it is in order for the Senate to proceed carefully. Under such circumstances, they are not only justified under the Constitution, but they are duty bound to use every legal means at their command, specifically including the right of unlimited debate, to present their case to the American people.

I deem it highly unwise to attempt to force a law through Congress that would not have a chance of approval by the American people if it were submitted to them for decision. If it were possible to submit to the people of this country, as the sole issue, the President's civil-rights program, I know it would be snowed under.

Another argument that appears in the pamphlet prepared by legislative reference reads:

The constitutional provision that the yeas and nays of the Members of either House on any question shall, at the desire of one-fifth of those present, be entered on the Journal requires an immediate vote when the yeas and nays have been properly demanded.

This is a gross and deliberate misinterpretation of article I, section 5, clause 3 of the Constitution, which states:

Each House shall keep a Journal of its proceedings, and from time to time publish the same, excepting such parts as may in their judgment require secrecy; and the yeas and nays of the Members of either House on any question shall, at the desire of one-fifth of those present, be entered on the Journal.

The entire paragraph deals with the Journal—its keeping, publications, and form. The phrase "yeas and nays * * * shall * * * be entered on the Journal" has to do only with the recording and publication of the yeas and nays. It means only what it says—that whenever a vote is to be taken, one-fifth of Senators present can call for a record vote as distinguished from a voice vote. It does not mean, and cannot intelligently be stretched to mean, that one-fifth of Senators present can shut off debate and require a vote to be taken.

If any further clarification is needed, it is readily furnished in unmistakable form by the actual words of the men who framed the Constitution. The record is very plain that when they wrote this section, they had in mind only the clerical procedure of recording a vote.

On Friday, August 10, 1787, the Constitutional Convention considered this particular section for debate. At that stage of the proceedings, this language was section 7 of article VI, reading as follows:

The House of Representatives, and the Senate, when it shall be acting in a legislative capacity, shall keep a Journal of their proceedings, and shall, from time to time, publish them; and the yeas and nays of the Members of each House, on any question, shall at the desire of one-fifth part of the Members present, be entered on the Journal.

I quote now from Madison's journal:

Article VI, section 7, was then taken up.

Mr. Gouverneur Morris urged that if the yeas and nays were proper at all, any individual ought to be authorized to call for them; and moved an amendment to that effect. The small States may otherwise be under a disadvantage, and find it difficult to get a concurrence of one-fifth.

Mr. Randolph seconded ye motion.

Mr. Sherman had rather strike out the yeas and nays altogether. They never have done any good, and have done much mischief. They are not proper as the reasons governing the voter never appear along with them.

Mr. Elseworth was of the same opinion.

Colonel Mason liked the section as it stood. It was a middle way between the two extremes.

Mr. Ghorum was opposed to the motion for allowing a single member to call the yeas and nays, and recited the abuses of it in Massachusetts in stuffing the journals with them on frivolous occasions (and) misleading the people who never know the reasons determining the votes.

The motion for allowing a single member to call the yeas and nays was disagreed to (unanimously).

Mr. Carroll and Mr. Randolph moved * * * to strike out the words "each House" and to insert the words "the House of Representatives" * * * and to add to the section the words "and any Member of the Senate shall be at liberty to enter his dissent."

Mr. Gouverneur Morris and Mr. Wilson observed that if the minority were to have a right to enter their votes and reasons, the other side would have a right to complain, if it were not extended to them: and to allow it to both, would fill the Journals, like the records of a court, with replications, rejoinders, etc.

The Convention voted down Mr. Carroll's motion. Without any further debate on that part of the section, the Convention adopted it by unanimous vote on the following day, August 11, 1787. (P. 518 et seq., Debates in the Federal Convention of 1787 as Reported by James Madison, Documents Illustrative of the Formation of the Union of the American States, H. Doc. No. 398, 69th Cong., 1st sess. 1927.)

One of the arguments we frequently hear in support of changing the rules of the Senate is that the Senate is not operating efficiently. It is contended that the efficiency of the Senate could be increased if we had a gag rule to shut off debate.

Mr. President, I do not doubt that for a moment. I believe that it is well established and recognized that loss of efficiency is the price we have to pay for democracy. Almost anybody will admit that a dictatorship can operate faster, smoother, and with less waste than a free government.

One of the most efficient governments in history was the Third Reich. Hitler fashioned a government that was the smoothest piece of governmental machinery the world had ever seen. The government of Germany was too efficient to allow any legislative action that was not to the wishes of the majority. The Reichstag did not dilly-dally over legislative procedure. It did not waste time in debating issues or holding committee hearings. It was efficient to the point where it had only one duty—to roar approval of any measure "the majority" might request. The majority was none other than Adolf Hitler. No time was lost. No dilatory tactics were permitted. No expense was caused by filling the Reichstag Record with speeches. The Reichstag was a marvel of efficiency.

We all remember another great apostle of efficiency, Benito Mussolini. He came to power in Italy by promising to make the trains run on time. He created an efficient government in Italy, and under it the trains did run on time. The Italian legislature also ran on schedule—Mussolini's schedule—entirely unfettered and unhampered by freedom of debate.

I have no information about the Russian legislative body, but whatever it is and wherever it is we can be sure that it is a very efficient body. And I feel safe in asserting that it does not enjoy the privilege of unlimited debate.

If we accept this doctrine of efficiency in our country, what is it going to lead to? Will passage of this resolution alone bring about the millennium? If we curtail debate in the Senate, will that alone bring about the utopia wherein the Senate can do its business efficiently and satisfactorily?

I think not. I think instead that the day will come—and soon—when the leadership in the Senate will be impatient with the two-thirds rule. It requires too much time. It is wasteful. It is inefficient. It defeats the will of the majority. Having the power and the votes to do so, and an efficient two-thirds cloture rule to muzzle the opposition, the leadership will drive through a further change in the interest of efficiency. The rules will be amended whereby a simple majority can shut off debate at any time.

Surely that should be enough to satisfy the disciples of efficiency. If that situation comes about—and it most assuredly will if we vote this pending rules change—if that situation comes about, it portends the absolute finish of democratic government in this country. The system of checks and balances will come to an end. The more or less even keel upon which our Government has operated for so many years will be sharply upset. I think we will discover that unlimited debate in the Senate is the keystone of the system of checks and balances. Remove that keystone, and the whole structure will come tumbling down. The majority of the moment can control everything. The Constitution will be merely a piece of paper. The majority of the moment could revise the Federal courts to assure efficiency in the judicial branch. It could pass any kind of law it wanted. It could pass laws specifically violating the Bill of Rights and even removing the constitutional rights. Who or what is going to stop them? The Supreme Court? Not the Supreme Court. The efficiency experts would have long since taken steps to bring that institution into the orbit of efficiency. This is not preposterous fantasy, Mr. President. Every Senator in this Chamber—and there are few present at the moment—knows how easily the Supreme Court could be changed by a Senate majority. It almost happened a few years ago. The Senator from Texas [Mr. CONNALLY] told us about this just the other day. He said that when the Supreme Court reorganization bill was first proposed it would have passed the Senate by a 3-to-1 majority if cloture had been applied to end debate. Only through free and unlimited debate in the Senate did the American people become aware of the dangers of the proposal. Only by unlimited debate were Senators convinced that the bill should not be passed.

These advocates of efficiency are not going to stop when they have a two-thirds rule, or the simple majority rule that will surely follow. They will soon find that the Senate is running far ahead of its committees. Senate action will be so easy that it will find itself caught up with its work, waiting for the committees to report more bills.

When that situation comes about, Mr. President, the efficiency experts of the Senate will decide that something must be done with the old-fashioned, outmoded, time-wasting, inefficient committees. They will decide that the committees are obstructing the will of the majority. The committees could be described as undemocratic. To remedy that loophole in democracy, the efficiency experts, using their new-found plaything, could easily shut off debate and vote on a proposition to limit the committees in the time they can have to consider legislation. They might provide that whenever a bill is committed it will be accompanied by an order to make a report on the bill within 1 week. They will argue that certainly a week is long enough for a committee to consider a bill. If 48 hours or 96 hours is long enough for the Senate to consider a measure, surely, it is a generous gesture to allow a full week for a committee. Of course, it will probably develop that a committee cannot hear all of its witnesses in a week; so, in the interest of efficiency, it will be necessary to limit the number of witnesses who may appear, and also limit each witness in the amount of time he can consume. Two hours should be sufficient. An efficient witness should be able to say all he has to say on a subject in 2 hours. If he is not an efficient witness, then the committee has no business hearing him at all. "Two hours—that's enough," they would say. And, of course, sooner or later, the efficiency experts will get together and decide that even 2 hours is too long, and they will chop that time down to 1 hour, and then a half-hour, and so on.

That may sound fantastic to Senators, Mr. President, but that is the doctrine, followed to its logical conclusion, we will hear in the interest of efficiency if we permit it to get a start.

Efficiency is a wonderful thing to contemplate. It will be a great and glorious day for the Congress when the efficiency experts get through. Congress will meet on the 3d day of January each year, just as the Constitution provides. There will not be any time lost. The bureaucrats will have a slate of legislation all ready for Congress. The assembly line will go to work immediately, and before the end of the week the Senate can start grinding out bills. This new-found majority power can probably finish everything by the 1st of February, and then all of us can go home. When we get home we may find some soldiers in our back yard to make sure that nobody harms the efficient Senators, but that will be all right. It will all be in the interest of efficiency.

Mr. President, the remarks I have just made may sound fantastic and farfetched, but let the Members of this great body take heed. The movement to obtain a majority cloture rule is already well under way. It has support from both sides of the aisle, although I note considerable change in attitude among my friends on the Republican side as a

result of events of the past week. They have witnessed and felt the efficiency and ruthlessness of a majority voting strictly on party lines. They have seen the tactics employed by a majority in jamming a bill through committee. They have been further enlightened by a recent statement of the President of the United States asking for majority cloture in the United States Senate. They know the purpose behind the President's desire for majority. Their eyes have been opened, and their minds have been cleared of any false ideas or dreams they might have held about the so-called traditions of the Senate and the innate and everlasting spirit of fair play which, according to one of their membership, will always protect a minority group against roughshod tactics by the majority of the moment. As has been pointed out by the Senator from Mississippi [Mr. STENNIS] and by others, the rules of the Senate, and not the superior intellect or integrity of its Members, is what sets the Senate above and apart from any other legislative body in the world.

Mr. President, I fear that majority power will become a dangerous toy, an awful plaything that will be used to push and pull and bounce and destroy American freedoms and liberties. It is dangerous to give a majority unrestrained power. It is like letting little children play with matches. It is like giving whisky to the Indians. It is like giving a pistol to a drunken man.

Another argument advanced against the filibuster, in the pamphlet prepared by the Library of Congress, is that "experience abroad and in the State legislatures indicates that debate can be limited without undemocratic results."

This argument is easily dismissed because there is no basis for comparison between the Senate of the United States and any other legislative body in the world. The highly centralized governments of other countries have done away with the right of free and unlimited debate. No other nation in the world guards the rights of the individual as zealously as does the United States. As to State legislatures, we must remember that they operate in much different spheres of activity. Each of them legislates only on matters affecting a particular State. In addition to the restraints imposed on them by the Constitution of the United States, there are many others spelled out in each State constitution. Almost every State constitution goes into the greatest detail in describing what its legislature can and cannot do.

The United States Senate is unique in history. There is no basis or good reason to compare it with any foreign or State legislative body.

Another argument is that unlimited debate arouses "popular resentment and brings the Senate into disrepute at home and abroad." The term "popular resentment," like the word "majority," is a vague and fleeting term, Mr. President. I know that there are some citizens of our country who resent filibusters. I believe, however, that the persons who desire to amend the Senate rules so as to eliminate the filibuster are not fully cognizant of the far-reaching effects such a change would have on our system of government. I am equally certain there are other citizens who are resentful of efforts to curtail free debate. I am sure that all Senators have learned long ago to take the brickbats along with the roses. Speaking for myself, I have a great deal more fear of the resentment and criticism that may come from hasty, ill-advised legislation, than of criticism resulting from prolonged debate and consideration of a measure.

As to the feeling in foreign countries, I do not believe that should enter into our considerations in this Chamber. There are not many foreigners who care very much about the way the United States Senate functions. I do not expect to hear any foreign outcry against the evils of a filibuster unless it should interfere with the flow of ECA funds.

Another argument against the filibuster is that it costs the taxpayers thousands of dollars, consuming days and weeks of valuable time and many pages of the CONGRESSIONAL RECORD at $71 a page. If someone should undertake the job of counting the pages of the CONGRESSIONAL RECORD filled as the result of filibusters, and compare that figure with the pages of the CONGRESSIONAL RECORD filled with routine debate, proceedings, insertions in the Appendix, and the like, he would come up with a very disappointingly minute percentage. Of course, as is frequently pointed out by the junior Senator from Georgia [Mr. RUSSELL], lengthy discussion does not blossom into a filibuster until it is engaged in by a southern Senator.

I quote another argument. I repeat, Mr. President, these arguments are the ones included in the thesis to which I referred in the first part of my remarks. The thesis was prepared several weeks ago under the auspices of the Library of Congress and was supported by voluminous data on the subject. I quote another argument:

> They (filibusters) impose upon the Senate an indignity which would not be tolerated in any other legislative chamber in the world.

If the author of the statement terms the right of free and unrestrained debate an "indignity," then certainly it is a true statement, for no other country in the world tolerates unlimited debate. It is also true that no other country tolerates individual liberties as we do in America. I hope we can keep our country that way.

Another of the arguments against the filibuster, as set forth in the pamphlet heretofore referred to, asserts that free speech would not be abolished in the Senate by majority cloture because there would be adequate opportunity to discuss a measure both before and after cloture is voted.

Mr. President, curtailment of debate at any time, unless by unanimous consent, is a gag. It makes no difference whether the allotted time is 1 hour or 1 month. Freedom of debate is curtailed if there is any Senator who has anything further to say. A gag is a gag, regardless of how and when applied.

The word "adequate" is another vague and indefinite term. What is adequate in the mind of one Senator may be totally inadequate in the mind of another. "Adequacy of debate" is one of the most frequent arguments for cloture. I do not see how we can establish any time limit that will be adequate under any and all circumstances. A given number of hours may be adequate for debating a private bill or rank-and-file legislation, but totally inadequate for debating a great constitutional question.

When two-thirds cloture or majority cloture is available to the Senate leadership, the Senate rules can be changed at any time, by a two-thirds majority or a simple majority, as the case may be, so that the previous question can be moved, as is now the procedure in the House of Representatives. That point has been thoroughly covered by other Senators during the debates which have heretofore taken place, and I shall not dwell on it at any length at this time. However, I consider this one of the most urgent reasons for defeating any change in the rules of the Senate which curtails the right of Senators to engage in free, unlimited debate.

The proponents of the pending resolution charge that unlimited debate in the Senate permits minority rule instead of majority rule. There is no basis for that charge. The only power afforded a minority by the filibuster is to maintain the status quo of our organic laws. A minority can resist a change in the law under the present rules of the Senate, but it cannot bring about the enactment of new laws. Therefore, the charge that the filibuster permits a minority to rule the country is a gross misrepresentation of the issue.

It is argued that the filibuster prohibits the enactment of social legislation. The answer to that charge is that in the past 15 years the Congress has gone into the field of social legislation to an extent never dreamed of theretofore. We have enacted dozens of laws in this field. There may have been delays in the enactment of such laws, but by its own nature, does not social legislation demand delay and deliberation and investigation and the most careful study? Whenever a law seeks to change existing patterns affecting human behavior, is it not extremely wise to counsel delay until every aspect of the situation can be carefully surveyed and weighed? Is this not the proper approach?

I was not a Member of the Senate when the so-called Wagner Act was passed in 1935, but I understand its enactment came about after most extensive hearings before congressional committees and debate in the Senate. Whether we view the Wagner Act as a good law or a bad law, I think we can find unanimous agreement that the evils it sought to arrest and remedy were real—they existed—they had existed and grown worse during the years. Like a cancerous growth, defects in labor-management relations had grown from bad to worse. They presented a serious situation—a very real danger to the American economy and to domestic tranquillity.

This situation did not present itself for the first time in 1935. The need had been present for years, becoming progressively worse, and pleas for corrective action were made every year by those who advocated changes. But cor-

rective legislation was delayed until the Congress was sure of its ground. The Wagner Act presented a sharp departure from existing standards—from existing patterns of behavior—from existing measurements of value. The Congress showed good judgment in delaying its enactment until it felt certain it was moving in the right direction.

The Taft-Hartley Act was passed in 1947, amid one of the greatest controversies ever witnessed in the Senate. The need for amendment of existing labor legislation did not arise in 1947; far from it. The need had built up during the years since enactment of the Wagner Act. Passage of such a measure as the Taft-Hartley Act was delayed for several years. I recall, Mr. President, when I first came to the Senate in 1938, we held hearings on a proposed amendment to the Wagner Act. The hearings lasted for a period of 6 months. At the end of those long and exhaustive hearings, the committee was not satisfied. A report was never made to the Senate by the committee recommending favorable action on the then pending amendments. Even in the Eightieth Congress passage of the Taft-Hartley bill was delayed for many months. Was it delayed by filibuster? I do not think anybody here can argue it was, although there was some trace of filibuster sentiment on the floor of the Senate.

The Social Security Act was a sharp departure from the thinking of Americans on the subject embraced in the law. There was no filibuster, but passage of the bill came about many years after its need first became apparent.

The area of public-housing legislation is a very controversial one. The first public-housing act was passed in 1937. The need existed long before that. Passage was delayed, not by a filibuster, but by the desire of Congress and the American people to survey carefully the situation before acting.

These are but a few examples. Without exception, one can single out any law bearing on social changes and discover that its passage was delayed for years and years, sometimes by filibuster, sometimes by threat of filibuster, but always by the Congress' desire to make certain that the country was ready for the change and that the law could be administered so as to achieve its purpose.

I think it should always be so. In matters proposing a sharp change from existing social patterns, Congress must not act hastily. The rights of the minority must be given full consideration. Bear in mind, Mr. President, once a program of social reform is undertaken, there can be no turning back.

Mr. President, whenever the Congress considers new legislation, the first question to be determined is: Is this law necessary? Congress should not legislate merely for the sake of legislating. It should not experiment. There should be no abridgment of the rights and freedoms of the people as guaranteed by the Constitution, except by constitutional amendment.

The filibuster has not delayed passage of social legislation. By and large, it has delayed only a certain type of legislation, classified by some persons as social legislation, namely, the FEPC, the anti-poll-tax bill, and the antilynching bill. The Legislative Reference Service has published a list of bills defeated by filibuster. However, as the senior Senator from Arizona pointed out, the account is erroneous. All but four of the bills listed ultimately became law. Of the four that have not been enacted, three of them are included in the President's civil-rights program. The fourth was the infamous force bill of 1890, designed to amend and enforce the election laws of the United States, especially in the South. I have not heard anyone complaining because the force bill was blocked, and I do not expect to hear complaints. So, for all practical purposes, we may concern ourselves only with the three so-called civil-rights bills.

Mr. LONG. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield for a question only.

Mr. LONG. Does the distinguished senior Senator from Louisiana recall that in connection with the force-bill filibuster the move was made to attempt to change the rules of the Senate simply for the purpose of forcing the passage of the force bill, and that that move failed miserably because Senators realized that the real purpose was not to change the Senate rules, but to force through a piece of substantive legislation and to gain advantage in forcing it through?

Mr. ELLENDER. That is correct. I am glad my distinguished colleague has made that point.

Mr. President, do the same standards apply to the civil-rights bills as apply to other examples of social legislation which I have mentioned? Are they fundamentally alike, and if they are not alike, how do they differ? It will be admitted by all fair-minded Senators that there are great differences between the two types of legislation. Social-security and labor legislation affect the population on a Nation-wide basis. They transcend sectional or State boundaries. There is not a State or county or city or village whose citizens are not concerned with such legislation. On the other hand, the civil-rights bills are aimed directly at the South. They will scarcely affect any section of the country other than the South. It is freely admitted by many that the purpose of these bills is to give the Negroes political and social equality with the white people of the South.

Mr. LONG. Mr. President, will the Senator yield for a question?

Mr. ELLENDER. I yield for a question.

Mr. LONG. Is the Senator of the opinion, and does he agree with me, that if persons from outside the South, who are proposing civil-rights legislation, should have occasion to live in the South and study the social pattern there, they would come to realize that the South is doing a good job in working out its problems, and that those persons would not favor a change if they realized the situation?

Mr. ELLENDER. I have talked with men and women from the North who visited the South and who departed with changed minds after having an opportunity to study the situation at first hand. For instance, as I shall point out further along in my remarks, we have a very serious problem in the South, in that in some States almost a majority of the citizens are colored. In a State such as Minnesota, on the other hand, less than one-half of 1 percent of the population is colored, and that one-half of 1 percent live in St. Paul and Minneapolis. In passing, I could point out in Louisiana any number of parishes in which the proportion of colored to white is one-third white and two-thirds colored, and in Mississippi, the proportion in some localities is as much as 4 to 1. So the problems are different. If ever the Senate again considers, or if any Senate committee considers, the anti-poll-tax issue, the anti-lynch-bill issue, or the FEPC question, my hope is that the committee considering the question will ask southern Negroes to appear, or, better yet, that the members of the committee themselves will visit that section and get first-hand information, and not accept information coming from pressure groups in New York, Washington, Chicago, and other cities. These people do not know what the problem is; they are merely playing politics with the entire issue.

I have heard some proponents of the measures, including my friend and colleague, the junior Senator from Minnesota [Mr. HUMPHREY], state that the civil-rights measures are not sectional. I would like to believe those good people. But nobody can dispute the fact that the 13 Southern States, according to the 1940 census, have approximately 75 percent of the Negroes in the country. Forty-nine percent of Mississippi's entire population is Negro. Forty-three percent of South Carolina's population is Negro. Thirty-six percent of Louisiana's population is Negro. The burden of working out a satisfactory arrangement whereby the two races can live together in peace and harmony has fallen entirely on the South. We, in the South, are making good progress in our unceasing efforts to solve the problem. In the past, some of our greatest statesmen representing other sections of the Nation have recognized the existence of that situation, and have tried to help us. I should like to quote from the remarks of one of those great men, the esteemed late Senator from Idaho, Senator Borah. In a speech before the Senate in 1938, in opposition to the enactment of an antilynching bill, Senator Borah made these significant remarks:

> We in the North may be interested in the Negro politically. We care little about him economically. But he is an indispensable factor in the economic development of the South. They can and will do for him far better without our interference or advice than with it. * * * It is true, as is contended here, that at times he has suffered from mob violence in the South, but it is equally true that he has suffered from race riots in the North.
>
> Notwithstanding anything that has been said or that may be said to the contrary,

this is a sectional measure. It is an attempt upon the part of States practically free from the race problem to sit in harsh judgment upon their sister States where the problem is always heavy and sometimes acute.

That is the late Senator Borah speaking, not the senior Senator from Louisiana.

I reject the pending measure as fundamentally not in the interest of the white people of the South, not in the interest of the black people of the South, not in the interest of national unity, not of national solidarity, not in the interest of eliminating crime. History has proven that it will be a failure, and those who suffer most will be the weaker race.

Those are not my words; they are the words of the late lamented Senator Borah, of Idaho, who was an honored Member of this Chamber for many years.

Mr. LONG. Mr. President——

The PRESIDING OFFICER (Mr. MILLER in the chair). Does the Senator from Louisiana yield to his colleague?

Mr. ELLENDER. I yield for a question.

Mr. LONG. Is the Senator of the opinion that a law can be enforced in a section of the country where the tremendous majority of the people are against that law?

Mr. ELLENDER. No, sir. I am in full accord with the sentiments of Senator Borah. In fact, I can make it a little stronger; any unpopular law is difficult of administration no matter where it is applied.

Mr. President, does the same need exist for the civil-rights bills as existed for passage of labor legislation and social-security legislation. Has the need for antilynching, antipoll tax, and FEPC legislation been clearly established? I challenge the Senators who support civil-rights legislation to produce proof that the southern Negroes, who are supposed to be the beneficiaries of this legislation, have asked the Congress for its enactment.

When the Senate has considered social legislation, such as I have previously described, it has heard from all sides. When it enacted the Taft-Hartley Act it heard testimony against the bill by labor leaders day after day. They came freely—they were anxious to come—and they presented their case very well. The labor leaders had a great interest in the bill; they stood to be deprived of certain powers and privileges and immunities if the bill became law. It was proper to allow them to present their case. Testimony was heard from big business, little business, and the public at large.

As I recall, Members of the Senate traveled out of Washington and visited industrial areas, and saw for themselves what was taking place. In other words, there was a very definite and careful investigation. Has such an investigation been made into the merits of the FEPC, the antilynching, and the anti-poll-tax bills? Senators may argue otherwise, but it should be apparent to all that this legislation is concerned only, or at least predominantly, with the colored people.

Mr. LONG. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield for a question.

Mr. LONG. Does the Senator know whether or not the FEPC laws as passed by the various States or municipalities have been effectively enforced?

Mr. ELLENDER. In the State of New York there has been an FEPC law on the statute books for some time. My understanding is that there have been very few offenders punished under the law, as the result of complaints against management. As I remember, the record shows that no serious effort has been made to use the sanctions provided for in the law. Instead, the administrators of the law have more or less tried to get the parties to conciliate their differences. They have not tried to enforce the law to the letter, as might have been necessary in some cases; they have preferred not to test the law. They simply get the parties together to compromise their differences so as not to bring the case to trial.

I do not know what has happened in New Jersey, where a similar law is now on the statute books, but I will say this to my distinguished colleague: in many other States efforts to enact an FEPC law have been badly defeated. I remember particularly the attempt in California, where a people's referendum on the question of an FEPC law resulted in an overwhelming vote against it. As I have said, the same sentiment exists in other States, and I am as certain as I am speaking here today that if the proposed FEPC measure were submited to the people of the United States, only a bare handful would vote for it.

Mr. President, before I was interrupted, I was saying that some 75 percent of our Nation's Negro population lives in the South. They work and own property and raise families there. This legislation is primarily concerned with that 75 percent of the Negro population. Have Senators made any effort to find out how this legislation would affect them? I have been in the Senate for 12 years, but I have yet to see or hear Negroes living in the South testifying before a committee and demanding these laws.

I now wish to digress, Mr. President. As a member of the Senate Committee on Labor and Public Welfare, I heard the testimony on the so-called Ives FEPC bill, which was introduced in the Senate during the Eightieth Congress. We heard many witnesses, but most of them came from the North, people who knew nothing about the situation in the South. So far as I know, absolutely no demand was made by southern colored people for an opportunity to testify. None of them were summoned, none of them were invited. The committee depended entirely upon witnesses, as I have said, who came from large cities, many of them heads of the pressure groups responsible for all this so-called civil-rights agitation.

Of course, I have heard representatives of the National Association for the Advancement of Colored People and the National Negro Congress and other organizations testify before the committees. They say that every Negro in the South lives under constant fear of lynching, that many southern Negroes are prohibited from voting by the poll tax, and that southern Negroes are poor because they are discriminated against in the matter of employment. No doubt there are southern Negroes who are members of their organizations. But these men represent organizations quartered and largely financed in New York and Washington and Chicago. They do not represent the southern Negroes. Has any Senate committee ever visited the area to be affected by these bills and determined for itself the conditions there? It has not happened since I have been in the Senate.

As I have pointed out, in the consideration of other social legislation the Senate has heard evidence of need—long-established, long-aggravated need. Facts and figures and statistics were presented. The Senate has had to be convinced that the need for corrective legislation existed, and that the remedy sought after would cure, rather than aggravate, the situation complained of. The advocates of civil-rights legislation have failed to present a conclusive case to the Senate.

Where is the need for antilynching laws? Alone among American crimes, lynching stands on the threshold of extinction. In 1948 there were three lynchings—and one of those, I might say, was of a white man. In 1947 there was one lynching. Lynching has declined from 130 in 1901 to 1 in 1947 and 3 in 1948. Can any reasonable man, not politically inclined, argue that the South has not progressed in its campaign to eradicate lynching? Has not the South, by its own efforts and without Federal intervention, successfully controlled lynching until it is practically extinct? Can anyone assert, with sincerity, that lynchings in America are so frequent as to warrant Federal action? Does one criminal incident warrant changing the basic law of our land?

I hear it argued that every southern Negro lives in constant fear of lynching. The contenders for Federal laws become eloquent in their argument. With booming voices they tell Senate committees that every Negro in the South goes to bed at night unable to sleep for fear of what may happen in the night. These witnesses wipe tears from their eyes when they tell about wives and little children who weep and wail and complain with bitterness of the social system that will take their pappy away from them before daylight tomorrow morning.

We hear that argument, but can we obtain any proof? Have we heard any southern Negro come before a committee and say that these conditions exist? Have any Senators attempted to establish the truth by asking southern Negroes as to whether or not such a fear exists?

Let us examine the poll-tax issue. I will merely gloss over the subject at this time. I propose to cover the subject adequately later on in the course of my remarks. Without regard to its constitutional aspects, can any Senator stand here and sincerely assert that there is need for Federal action in this field? Even if it were admitted that State poll taxes are unjust, undemocratic, or unwise, can anyone deny that the need for corrective Federal action, if it ever exist-

ed, is rapidly diminishing? Only seven States retain poll-tax laws, and I understand there is much activity in each of those States for repeal. Certainly a few more years, a few more sessions of State legislatures, will eliminate the poll tax, without resort to a law openly violative of the Constitution of the United States. I may say to the Senate, Mr. President, that I propose to elaborate on that before I take my seat. Let the advocates of poll-tax repeal spend their time and efforts in those States where poll taxes exist and I know that they can more effectively accomplish their purpose.

Mr. LONG. Mr. President, will the Senator yield for a question at that point?

Mr. ELLENDER. I yield for a question.

Mr. LONG. As a matter of fact, is it not true that the senior Senator from Louisiana himself assisted in repealing the poll-tax law in the State of Louisiana?

Mr. ELLENDER. I am glad my colleague mentioned that. I happened to be the floor leader in the Louisiana House of Representatives at the time the proposal came up, and I handled the measure on the floor. The repeal measure was carried by a large vote. We took that action under our present laws. I am positive similar action will be taken in the other seven States in which the poll-tax law still exists. As a matter of fact, two States are now waiting for the time to elapse, under the provisions of their constitutions, so they may vote on the question. I believe those States are Virginia and Tennessee. But the point is, as I shall demonstrate to the Senate after a while, poll-tax laws existed from colonial days on up to the time of the formation of the Union. Poll-tax laws existed in the Thirteen Original States. Every one of those States had such laws. I shall show how and under what circumstances the changes in those laws were made.

Let us consider the subject of woman suffrage. That is a cause for which American women had battled for years. Women went to jail in their attempt to cast a ballot. They were denied that right by the States. State laws denied them the right to vote. Did the women of the country come to Congress and try to obtain the passage of a mere Federal act to give them the right to vote? No. They asked Congress to submit a constitutional amendment to the people. After due process that amendment was adopted. It is the nineteenth amendment. That is how woman suffrage came about. That is the process I am now advocating, rather than the passage of a mere act of Congress, as some pressure groups are seeking.

We come now to the FEPC proposal. There is discrimination in employment, just as there is discrimination by all people in all walks of life in all their everyday activities. Every person discriminates. Every person has his own tastes and likes. A man likes a certain automobile because it has certain features that appeal to him. A man buys a double-breasted suit of clothes because he feels he likes it better than another style. A housewife buys a certain brand of soap or bread or soup because she feels that the brand is better, that the merchandise is better suited to her family's needs and likes and tastes. In doing so she discriminates against other brands. By the same token, the grocer from whom she buys might stock her brands at the exclusion of other brands. He is discriminating. He buys and stocks certain brands of goods because he feels that those brands on his shelves will do more for his business than other brands.

There is absolutely no difference between a businessman stocking goods of his choice and employing personnel of his choice. When an employer hires a helper, he is making a purchase—he is purchasing the services of a person. He is motivated by the same desire as in buying goods—to get the most for his money and to get what is best suited for his business. He is under no obligation to give a man a job. No man has a legal or moral or constitutional right to a particular job or any job at all. When a man places his services in the labor market, he can only seek to sell his services to someone who needs them.

All of us would like to have everybody treated fairly in the matter of employment. We pass laws that seek to make jobs available for everybody. None of us likes to see a man denied a job and suffer the resultant hardships just because he is a Negro, or a Jew, or a Japanese, or for that matter just because he is white, Protestant, or a Catholic. But I deny the wisdom of the Federal Government attempting to force employers to buy services they do not want, or to pay for services they do not need, and that are not suited to their business. Men should be free to choose their own associates. Mr. President, more could be said on the subject, but I shall leave the details for further discussion.

Mr. President, it might be pertinent to register at this point of my remarks what a few leading southern Negroes think about the laws which precipitate all this discussion. I think Senators should find their views very important, because the southern Negroes are the ones primarily concerned with this legislation. I think Senators will find their views revealing and significant, because they should certainly know more about this subject than a few well-paid Negro agitators from New York City and Washington.

In December 1948 an outstanding American Negro wrote a magazine article wherein he briefly traced his life, as the son of a slave, through hard times and despair and handicaps to ultimate success. I believe the Senator from North Carolina [Mr. HOEY] mentioned this man the other day and told of the respect and esteem he commands among both races. His name is Charles C. Spaulding. He is president of the North Carolina Mutual Life Insurance Co., which has $131,000,000 worth of life insurance in force. He is president of a bank which has $5,000,000 in resources. He is a director of a bonding company, a building and loan association, and a fire insurance company.

His success story is typically American, and his account of it is truly inspiring. Here is a southern Negro, born in the South, and living in the South. He has spent his lifetime trying to better conditions among his own people in the South and trying to foster cooperation and better feeling between the races. Here is a Negro eminently qualified to speak for southern Negroes. What does he say? Does he tell a story of fear and deprivation and cruel discrimination? Does he counsel young Negroes to leave the unfair South for the democratic North? No. His story speaks of confidence and progress and good will. Like another great Negro, Booker T. Washington, he tells young people of his race to "drop your buckets where you are." He tells them that their opportunity lies in the South. He tells them that their "fair share" of the rewards of life cannot be expected from an act of Congress. He tells them they must work out their own salvation and expect rewards in direct proportion to their hard work and character and integrity.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield for a question only.

Mr. LANGER. Since the Senator is discussing Negroes and what they think about these proposed measures, let me ask him if he has received any letters from relatives of Negroes who have been lynched.

Mr. ELLENDER. No; I have not.

Mr. LANGER. Does the Senator believe that relatives of Negroes who have been lynched agree with him?

Mr. ELLENDER. I do not recall ever receiving any letter from any relative of anyone who was ever lynched.

Mr. LONG. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield for a question only.

Mr. LONG. As a matter of fact, is it not true that in the few cases in which persons have been lynched, the man who was lynched was actually a murderer, or a man who had raped some woman of the other race?

Mr. ELLENDER. That is true.

I may say further to my distinguished friend from North Dakota that there has not been a lynching in Louisiana for so many years that I do not remember when one ever happened. I know that there has been none since I have been a Member of the Senate. Therefore there has been no occasion for my constituents to send me letters on that subject.

Mr. LANGER. Mr. President, will the Senator further yield?

Mr. ELLENDER. In a moment. I am as much against lynchings as is my good friend from North Dakota. I say to him, as I stated a moment ago in the course of my remarks, that today the crime of lynching is almost extinct. In 1901 there were as many as 130. Today the situation is entirely changed. Last year there were three, and there was only one the year before that. I should like to have the Senator, in his own time——

Mr. LANGER. Does the Senator mean in Louisiana?

Mr. ELLENDER. No; in the United States. I should like to have the Senator from North Dakota, in his own time, not mine, point out to me any crime that has decreased to such an extent as has

lynching. Then we may be able to discuss the subject more intelligently.

Mr. LANGER. Mr. President, will the Senator yield for a question?

Mr. ELLENDER. I yield for a question only.

Mr. LANGER. Last year there was more than one lynching in the State of Georgia alone.

Mr. ELLENDER. I yield for a question only, and not for a statement.

Mr. LANGER. I ask the Senator if it is not true that there was more than one lynching in Georgia last year.

Mr. ELLENDER. As I say, in 1947 there was only one lynching in the entire United States, and last year, 1948, there were three. One of those was a white man. That was in the entire United States. How many murders were there in Chicago, and in New York? I should like to have a capitulation of the number of killings that took place when some poor colored man in the State of New York, let us say, or the State of Illinois, tried to exercise one of the rights given to him under the laws of one of those States. During the debates that took place on the floor of the Senate in 1938, when the antilynching bill was under consideration, I pointed out that in many States laws were passed merely to appease the colored people, and for no other reason. In Pennsylvania laws were passed by the Legislature to permit Negroes to swim in pools where whites swam; and when the Negroes came there to exercise that right a mob started a riot, and many colored people were killed.

We never give to the Negro in the South a right which we do not expect him to exercise. What I am telling the Senator is that the policy in the North, so far as the Negro is concerned, is a policy of appeasement. The so-called civil-rights laws which are being suggested here are for no other purpose than to appease the colored voters, so that they may be persuaded to vote for the Republicans or Democrats in the next election, depending on who makes the most promises.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield for a question only.

Mr. LANGER. Does the Senator know that in my State we have only 30 Negroes? So I could not possibly be asking this question for political purposes.

Mr. ELLENDER. Yes; I am aware the Senator's State has few Negroes, and I am surprised that the distinguished Senator from North Dakota should try to impose his judgment on a problem with which he has limited concern and experience. He does not know a thing about the Negroes. What he ought to do is to go down to Louisiana and spend 2 or 3 years. He might then change his opinions somewhat.

Mr. LANGER. Mr. President, will the Senator further yield?

Mr. ELLENDER. I yield for a question only.

Mr. LANGER. Does not the Senator know that I have been all through the South, and have studied the question?

Mr. ELLENDER. The Senator may have gone there on a short visit. That may be true; but I am satisfied that if the Senator should remain there for any length of time and study the problem, as we have, and witness the progress made and the advances made in education, he would reach a different conclusion.

I was in the Legislature of the State of Louisiana back in 1921. I was a member of the convention which drafted our present constitution. At that time the amount appropriated by the State of Louisiana to educate both colored and whites was not as much as we are now spending to educate colored people alone.

Mr. LANGER. Mr. President, will the Senator further yield?

Mr. ELLENDER. I yield for a question only.

Mr. LANGER. Is it not true that in Louisiana 2 years ago only $5.12 was spent to educate a colored child and $51 to educate a white child?

Mr. ELLENDER. That statement is not correct.

Mr. LANGER. It is correct.

Mr. ELLENDER. Let the Senator produce the evidence in his own time, and not in mine. He will have ample opportunity, and I invite him to do so.

Mr. President, as I previously stated, before I was interrupted—and, by the way, Mr. President, I do not mind interruptions; I invite Senators to ask me questions at any stage of this debate, because I really want the facts to be presented; and if I am unable to instantly produce the facts asked of me, I shall gladly produce them later and insert them in the RECORD.

Mr. LANGER. Mr. President, will the Senator yield for a question?

Mr. ELLENDER. I yield for a question.

Mr. LANGER. Will the Senator tell us how much the State of Louisiana spent for its white children, as compared to its colored children, in 1947?

Mr. ELLENDER. I do not have the figures available at the moment, but I can obtain them for the distinguished Senator. They have been placed in the RECORD so many times, and I should be able to remember them. However, I wish to say to the Senator that Louisiana is making every effort possible in order to give to the Negro children, as well as to the white children of the State, the very best of education. During the course of this debate—I do not expect it to end today—I shall cheerfully present the facts to the Senator for his inspection, if he will be patient. I have the facts available in my office.

Mr. LONG. Mr. President, will the Senator yield for a question?

Mr. ELLENDER. I yield for a question.

Mr. LONG. Does the Senator know that in the last session of the Louisiana Legislature, all colored school teachers in the State were placed on exactly the same pay scale as the white school teachers; and does the Senator also know that Louisiana is the only State where every school child in the entire State has an opportunity to get free school lunches, and also that every school child in the State receives free school books?

Mr. ELLENDER. Yes; I know that. The trouble is that the Senator from North Dakota is asking for facts in regard to years gone by. However, I shall get for him the information he has requested.

Of course, Mr. President, I admit that Louisiana is a relatively poor State, and I admit that we were not able to give to all our people, including white people, the same school facilities that are provided in more fortunate areas. But all in all, considering our economic situation, I am satisfied that we have done for the children of Louisiana as well as could be expected under the circumstances.

Mr. LANGER. Mr. President, will the Senator yield at this point?

Mr. ELLENDER. I yield for a question.

Mr. LANGER. Referring now to what the Senator——

Mr. ELLENDER. Mr. President, I yield for a question only.

Mr. LANGER. This is going to be a question.

Mr. ELLENDER. I do not want any statement to be made in the guise of a question; I can yield only for a question.

Mr. LANGER. Referring to what the Senator from Louisiana [Mr. LONG] has said about furnishing free school lunches and free textbooks, and particularly about the equality of teachers' pay, is it not true that the equality of pay is entirely due to the bill which the Senator from Ohio [Mr. TAFT] introduced 3 years ago?

Mr. ELLENDER. Of course not. We have been progressively increasing the pay of Negro school teachers, as well as white school teachers, for a long time. We did not need a law or a court order or anything else to make us do it; we have been doing it within our means.

As the distinguished junior Senator from Louisiana stated a moment ago, during the last year the Louisiana Legislature enacted laws which will enable the State of Louisiana to pay the teachers a fair, reasonable salary; and the yardstick established for the whites will apply equally to the colored, and the amount of money now being distributed for the education of children will be applied proportionately.

Of course, I admit that in previous years we were unable to do that; but I believe that in the course of a few years the difference between the money spent for white children and the money spent for colored children and the difference between the amount of money spent for white teachers and the amount of money spent for colored teachers will be entirely eliminated.

Mr. LANGER. Mr. President, will the Senator yield for a further question?

Mr. ELLENDER. I yield for a question.

Mr. LANGER. Is it not true that the State of Louisiana is not a poor State at all, but on the contrary in 1947 had a surplus of $20,000,000 and in 1946 had a surplus of nearly $20,000,000, and in 1945 had a surplus of $15,000,000; but at that very time a black child was given an allowance of $5.12 a year for his education, and a white child was given $51.72 for his education?

Mr. ELLENDER. Mr. President, in answer to the Senator's question, I admit that Louisiana is a very rich State in point of natural resources. The only trouble is that the natural resources are

not owned by Louisianians. To the contrary, they are owned by large corporations in Chicago, New York, and various other places, which control all the wealth we have in the great State of Louisiana. The result is that we cannot tax it. All we have been able to do in the past has been to obtain a small pittance; but we have been unable actually to tax those who really make the money from our natural resources. For instance, the Texas Oil Co. is owned by capital located, I believe, in New York, Chicago, and various other large cities and States; the great Gulf Refining Co. is owned by the Mellons, of Pittsburgh; and the Standard Oil Co. is owned by John D. Rockefeller, one of the richest men in the world, at one time. Rockefeller has always been a resident of New York. There is no oil in New York. Yet with the oil he got from Louisiana and from other Southern States, he has been able to accumulate vast wealth.

Mr. President, in the past year, thanks to the present State administration, which now is in the capable hands of the Honorable Earl K. Long, the uncle of my distinguished colleague, we have imposed on these oil companies a somewhat heavier tax. Because of that, today, we are able to pay more to the poor people in the State. Now we are making it possible to give them $50 for old-age assistance. I may say that although the colored people comprise 36 percent of the population of the State and the white people comprise 64 percent, almost 52 percent of the recipients of the $50 old-age assistance are colored. Because of their position and because of these taxes, we have been able more or less to equalize the pay of the teachers, as between colored school teachers and white school teachers; and, moneywise, we have been able to improve the situation of the colored children. We shall be able to spend more money toward their education than we have been able to spend in the past for that purpose.

Mr. LANGER. Mr. President, will the Senator yield for a further question?

Mr. ELLENDER. I yield for a further question.

Mr. LANGER. The Senator does not claim, does he, that North Dakota ever stole anything from Louisiana?

Mr. ELLENDER. I did not accuse anybody of stealing anything.

Mr. LANGER. Mr. President, will the Senator yield for a further question?

Mr. ELLENDER. I yield for a question only.

Mr. LANGER. Will the Senator not say that North Dakota receives but a fair price for the seed potatoes it ships to Louisiana?

Mr. ELLENDER. I do not know about that. But, since the Senator raises the question, I will say to him that I have been planting seed potatoes for about 26 years. I recall buying seed potatoes once from North Dakota, but I now buy most of my stock from Nebraska. I have found it very beneficial to me to buy seed potatoes from Nebraska rather than from North Dakota. Nebraska seed potatoes seem to be a good deal better than the North Dakota seed potatoes. But that is beside the question.

Mr. LANGER. Mr. President, will the Senator yield for a further question?

Mr. ELLENDER. I yield for a question only.

Mr. LANGER. Is it not true the Senator bought Nebraska potatoes because the freight rates were lower from Nebraska than from North Dakota, the difference being 10 cents a hundred?

Mr. ELLENDER. No, indeed. It is because the Nebraska potatoes seem to be a little more prolific than the North Dakota potatoes.

Mr. President, let us get down to serious business now. Before I was interrupted I stated, and I repeat, that I invite interruptions at any time. I was about to quote from an article by Spaulding, a colored man, as I said, who was born and raised in the South, and who has made a great success.

Some of my people are embittered—

I am quoting Spaulding—

Some of my people are embittered and blame the white man in the South for all of their difficulties in life. I honestly can't see it that way, as there are two sides to all questions. Personally, I will never forget the help some of these white men gave us when we were struggling to launch our insurance company.

There has been a great deal of just criticism made about the South. While it may be America's No. 1 problem, I think it is America's No. 1 opportunity for men of good will, prudence, and character. Some of the northern newspapers report only episodes of violence and bitterness of the South, but the great news in the South today is that an increasing number of men of good will of all complexions are working together amicably for the greater prosperity and well-being of all. They are succeeding to a spectacular degree. One evidence of this is that for 10 years the South has led the rest of the United States every single month of every single year in gains in consumer buying. Not only in the South but throughout America my people are maturing and prospering—and launching their own enterprises. (In Durham alone they have more than 160.) During the past decade the number of my people who became managers, skilled craftsmen, and business executives has more than doubled.

What is more exciting to me is that many of the rising business leaders are emerging right here in the South. In Atlanta, Ga., for example, two Negroes operate a chain that includes some of the finest drug stores in the city. And I can take you to several spacious plantations in the Old South that are owned by people of my race whose own parents or grandparents worked there as slaves.

I have traveled through 15 European countries and am convinced that there is no place on this globe where people, whatever their background, can make such progress as right here in America, provided they demonstrate ability, character, and imagination.

Though life begins for me every morning, I am 74, with most of my career behind me. But if I were a young man starting out today I would be excited about the opportunities now opening up in America because of its expanding prosperity and its constant technological advances. The opportunities today are far greater than they were 50 years ago. In fact, there are more challenging careers looking for ambitious, qualified men than can be met. I, personally, would work for the chance to set up my own business, because I believe so firmly that enterprise is where the greatest opportunities lie and where the greatest service can be rendered.

Our capitalistic society in America depends for its growth upon bold young men willing to take a chance on pioneering new fields of service. And it bountifully rewards the skillful pioneer, whatever his origin.

As for myself, I shall always feel grateful that my ancestors were transplanted to North America. It is the best place in the world that I have found to live and leave one's mark.

Mr. President, I hold in my hand an editorial by Davis Lee, publisher of the Newark (N. J.) Telegram, which appeared following the election. In the editorial, the publisher had this to say:

President Harry S. Truman returned to Washington this week from a much deserved vacation at Key West, Fla. However, during his southern sojourn our Chief Executive held many conferences with important national figures, and during one of his confabs he announced that he intends to push his civil-rights program.

This causes one to question Mr. Truman's knowledge of the race situation in these United States. Again one wonders if the President hasn't misconstrued the victory which he received November 2. He says that his election was a mandate from the people to carry out the platform of the Democratic Party. Of course every right-thinking person knows that Mr. Truman was elected because the Republican Party's record was so rotten that the masses feared another depression if Dewey had gotten in. Many southerners who opposed most of the party's platform voted for Mr. Truman because they felt that the Democratic Party would do more for the people. The common man.

One is inclined to wonder if the President is sincere in his declaration of intention, or is he vindictive or just plain bullheaded? If he is sincere then he should familiarize himself with the facts. He should read Joe Louis' life story, which has been running in Life magazine.

Joe made a very significant statement which all advocates of civil rights should read. He declared that even though he was born in Alabama, he had never heard about segregation, discrimination, and Jim Crowism until his family moved to Detroit.

Does Mr. Truman and the advocates of civil rights know that millions of Negroes in the South are not affected by segregation and discrimination? Does he realize that by custom and choice the Negroes stay with their own and the whites do likewise? The southern white man has forced the southern Negro to do business with his own to the extent that in Georgia Negroes own $61,000,000 worth of business. This is not true in any Northern or Eastern State.

Does Mr. Truman know that Negroes in 15 Southern States own and control more cash and real property than the Negroes in the rest of the Nation?

And despite this glowing picture of Negro success and achievement, the South has many shortcomings—it still perpetrates many injustices upon the Negro, but a Federal civil-rights law will not correct these evils and cure its racial ills.

The South is still the poorest section of our Nation, and it is only human that southern whites will provide better schools, hospitals, etc., for their own than for Negroes. After all, they carry the bulk of the tax load.

Mr. LONG. Mr. President, will the Senator yield for a question?

Mr. ELLENDER. I yield for a question.

Mr. LONG. Is the Senator familiar with the fact that the State of Louisiana during the 1949–50 fiscal year is spending $15,000,000 for the construction of schools for Negroes?

Mr. ELLENDER. I am glad the distinguished Senator brought that to my attention. I know he is very familiar with all those figures, because as I recall he assisted very greatly, when the Legislature of Louisiana was in session, in the passage of the laws that are making such construction possible.

Mr. LONG. Mr. President, will the Senator yield for another question?

Mr. ELLENDER. I yield for a question.

Mr. LONG. Does the distinguished senior Senator from Louisiana know that in the 1940–41 fiscal year the State of Louisiana spent approximately $2,000,000 for colored education and $14,000,000 for white, and that in its present fiscal year the State of Louisiana is spending $14,000,000, seven times as much, for colored education, against $34,000,000 for white, which puts the pro rata expenditure just about in line for white and colored? Did the Senator know that?

Mr. ELLENDER. That is what I was trying to depict to the distinguished Senator from North Dakota a moment ago when I made the statement that today Louisiana is spending as much if not more money for the colored than we spent 25 years ago for both colored and white.

Now, Mr. President, I desire to continue reading from the editorial written, after the election of Mr. Truman, by Davis Lee, publisher of the Newark (N. J.) Telegram:

If Mr. Truman would foster a program of financial aid to the South like he has to Europe, and with no more strings attached, in a decade it would become a paradise, the land of milk and honey. Ever since the War Between the States the rest of the Nation has criticized, condemned, and taken unfair advantage of the South. Northern agitators who have never been South, and who know absolutely nothing about the fine race relations which exist between the two races, persist in spreading false propaganda.

Mr. Truman's civil-rights program calls for a Federal FEPC, antilynch law, and the repeal of the poll tax. No Federal law is necessary to force southern whites to employ Negroes. They employ more Negroes than are employed by northern whites. In fact you can't find one creditable business in the South which does not employ Negroes.

Mr. EASTLAND. Mr. President, will the Senator yield for a question?

Mr. ELLENDER. I yield for a question.

Mr. EASTLAND. Is it true that many businesses in the South employ Negroes exclusively, so that if there were an FEPC it would cost thousands of Negroes their jobs?

Mr. ELLENDER. There is no question about that. In my home town there are not many large businesses, but there are almost as many colored persons employed as there are whites. The best painters and plumbers in my home town are colored. Recently I had my house painted, and I was glad to obtain the services of a colored painter, because he was the best we had in my home town. The idea that we shun colored persons and do not give them an opportunity is simply propaganda; it is nothing else.

Mr. EASTLAND. Mr. President, will the Senator yield for a further question?

Mr. ELLENDER. I yield for a question.

Mr. EASTLAND. Are there sawmills and packing plants in Louisiana using exclusively Negro labor?

Mr. ELLENDER. Yes. They are established throughout my parish. There are not very many sawmills, because we have no more timber to cut, but there are several packing plants.

Mr. EASTLAND. Are there not sawmills in the upland section?

Mr. ELLENDER. Yes. I was speaking at that moment of my immediate locality. There are many sawmills located throughout the State. I may say that I do not know of any discrimination practiced in employment matters. Many colored persons are employed in the sawmills and in the sugar factories. There are many sugar factories in my immediate locality. Jobs, such as operating engines, are performed by colored employees. I do not know of any discrimination practiced there. I have a brother who owns a farm not far from where I reside. He has three tractors on the farm, and they are operated by colored employees. There are a number of white persons employed on the place who cut ditch banks, but the colored boys seem to know better how to run tractors than do the white boys, so that the operation of the tractors is performed by the colored boys. The same thing applies in connection with operating trucks that haul sugarcane to the mills. My brother has three or four trucks, as I remember, and I know that at least two of them are operated by colored boys, whereas some of the white boys cut cane and do work which is more menial and for which they receive less pay.

Mr. EASTLAND. Mr. President, will the Senator yield for a further question?

Mr. ELLENDER. I yield for a question.

Mr. EASTLAND. Is it not true that over the entire State of Louisiana, if an FEPC law were in operation and employers should have to hire white and colored employees on a proportional basis, it would cost thousands of Negroes their means of livelihood?

Mr. ELLENDER. There is absolutely no question about it, because many colored persons would have to be discharged in order to make places for white persons who might be in line for their jobs. I believe that would be especially true in Mississippi, where the proportion of colored to white persons is 49 to 51.

Mr. EASTLAND. Mr. President, will the Senator yield for a further question?

Mr. ELLENDER. I yield for a further question.

Mr. EASTLAND. Is it not true that many of those who would lose their jobs would simply have to migrate to the North?

Mr. ELLENDER. I assume that might happen. It would be a natural consequence. If they could not be provided with employment in the South, they would seek elsewhere for it.

Mr. President, I continue to read from the editorial written by Davis Lee:

Last week I was in North and South Carolina, where I saw thousands of buildings going up and I saw more Negro carpenters on the buildings than whites. This is true throughout the South, but it is not true in the North. It is hard for a Negro to get a job above that of a hod carrier in these parts.

Last week in the tidewater area of Virginia I saw more Negroes at work on the ferries than whites. The ferries from Cape Charles to Little Creek are without question the largest in the world, and the entire steward's department is manned by Negroes. These Negroes are so completely in charge that they decide what the white people must eat.

A few weeks ago, when I was in Mississippi, several white businessmen told me that they employ more Negroes than whites. Then what is the purpose of Mr. Truman's FEPC bill? Such a bill would no doubt anger the South to such an extent that millions of Negroes now employed would be thrown out of work.

As for the antilynch bill, it appears that we are getting ready to lock the barn door after the horse has been stolen. There are no lynchings now, and why pass a law to antagonize a people who seem to have the situation well in hand?

I don't believe that Mr. Truman is more interested in the repeal of the poll tax than the governors and many of the Representatives of the poll-tax States. Practically every newspaper in the South is for repeal of the poll tax, but all resent outside interference and northern pressure. The poll tax in the several Southern States does not deny unqualified Negroes the use of the ballot any more than it does whites who cannot qualify. Even southerners feel that while many ignorant Negroes and whites cannot use the franchise intelligently, that the law nevertheless should be repealed. And it will be repealed, but not by force.

Before attempting to force through a Federal civil-rights law to change the customs of the South, Mr. Truman should straighten out the liberal North. If he wants to end segregation and discrimination, why not start with the YMCA and YWCA and the Christian church?

Notre Dame is a religious university, but it will not accept Negro students. There are few summer resorts in the East or North that do not advertise that their places are restricted, which means no Jews are allowed.

Does Mr. Truman know that New Jersey has an FEPC and a civil-rights law, and that both are a joke. Hundreds of big companies still refuse to employ Negroes; that no white hotels in south Jersey will even permit a Negro to drink a coca-cola much less spend the night.

Not long ago the New Jersey State Elks held their annual convention in Salem, N. J., and every white restaurant in town closed up during the 3-day confab to keep from serving Negroes.

Someone should remind our Chief Executive of the existence of our Constitution and the Bill of Rights. The complete enforcement of existing laws will give everyone of us, little and big, full protection of our rights as American citizens.

If our President and the advocates of civil rights are in favor of changing the customs of this Nation, they will have to use a different approach. Congress can't do it. However, a well-rounded program of education will remove all racial barriers in about 200 years from now.

The language which I have just been quoting is not mine, but is the language of Davis Lee, a colored man, who is publisher of the Newark (N. J.) Telegram. I believe it should be read and reread by many Senators who are now advocating a change in our basic laws so as to permit by congressional fiat the elimination of poll taxes or the establishment of FEPC, or similar legislation.

I now yield to my distinguished colleague for a question.

Mr. LONG. Did the senior Senator from Louisiana know that as late as 1939–40 the average pay for a colored school teacher in Louisiana was $502.60, and that in the present fiscal year the average school teacher's pay has been increased to $2,800, which is about six times what it formerly was?

Mr. ELLENDER. I was aware that a considerable increase had been made. As I tried to state to my distinguished colleague from North Dakota, I admit that there was a wide discrepancy years ago, but if the records are studied, he will find progress, and particularly has that been true in the past 2 or 3 years. One of the main reasons is that today we have in Louisiana a governor who has been able to obtain a legislature willing to go along with him in the matter of taxing our natural resources to such an extent that we were able to obtain a sufficient amount of money to provide more for our public schools, and for many other worth-while endeavors in my State.

Mr. LONG. Is it not true that much of this great advance in the State of Louisiana has been due to the fact that the State was fortunate enough to have development of our natural resources which enabled us to find tax revenue sufficient to support such a program?

Mr. ELLENDER. That is correct; there is no doubt about it.

Mr. LONG. Is it not further true that if Senators who are advocating better opportunities for the colored would get behind the Federal aid to education bill and help the other Southern States to obtain sufficient funds so as to educate the colored people the effort would probably contribute more than any other one thing to the solution of the racial problem?

Mr. ELLENDER. That has been my contention for the past 12 years. I am coauthor of a bill for Federal aid to education, as is my distinguished colleague, and I am very hopeful that within the next few weeks we will be able to place that law on the statute books.

Mr. LONG. Do not the facts I have been citing to the Senator in the form of questions pretty well indicate that Southern States are ready and able to give good education to colored children when they have the money available with which to work?

Mr. ELLENDER. There is no doubt about it. As I have pointed out during the course of my remarks, progress has been made in the South, and I do not want anything to occur here which may impede that progress.

Mr. President, I should now like to read from an issue of the Alexandria (Va.) Gazette, quoting in full an article by George S. Schuyler, associate editor of the Pittsburgh Courier, one of the largest Negro newspapers:

HERE'S WHAT SCHUYLER REALLY SAID

(EDITOR'S NOTE.—The following articles were written by Negro Associate Editor George S. Schuyler, of the Pittsburgh Courier, one of the largest Negro newspapers in the United States)

Here, word for word, is what the Pittsburgh Courier Associate Editor George S. Schuyler said about the changing South in his November 6 column, Views and Reviews:

"Now that we are through with the election, I think we should begin to give more attention to the South and the changes taking place there which are all for the better from the viewpoint of the nearly 11,000,000 Negroes who call it home. We should consider what are the opportunities for our people there and how they can be utilized to the best advantage, since over three-quarters of the Negroes live there and, from all appearances, always will.

"Certainly our people are not taking advantage of the available opportunities in that area where the majority of them elect to live. For all of its faults, it is a good country in which to live, and is getting better. After a recent turn through 14 States of the South (an area with which I have been familiar since 1926) it strikes me that, as elsewhere, the biggest handicap Negroes are encountering is themselves.

"Most of what is said and written about the South is untrue. Today it is not a place of terror and persecution, nor has it been in many decades. I am always amused when friends express fear and sympathy because I am going South, assuming wrongly that I am endangering my life. Actually I think no more of visiting the heart of Mississippi or Texas or South Carolina than I do about visiting Minnesota, Maine, or New Mexico.

"I have gone into large towns and small villages in every one of the Southern States and have always been treated as well as anywhere else by both white and colored people. True, there are Jim Crow laws, the existence of which I deplore, but I obey them, and their existence (which irks me) does not blind me to the opportunities Negroes have there. For all the faults of the South, it must be admitted that colored people are better off there than any other minority elsewhere with comparable background—and I believe I have more information about the position of minorities in other countries than most people.

"Right now the South is prosperous. Negroes everywhere can purchase homes and farms, and they are doing so. Nowhere is there studied insult or discourtesy within the social framework of the section, and everywhere Negroes tell me that persecution and police brutality are rarely encountered—and they should know.

"There is less opposition than ever to Negroes voting, and I think it will gradually disappear if Negroes are not misled into voting as a bloc. There is scarcely a city which does not have Negro policemen today. While there have been two or three fatalities and several threats to Negroes in connection with voting, the significant thing is not that they have occurred but that there have been so extremely few.

"Contrasted with the rock-ribbed prejudices and persecutions in comparable areas elsewhere, the tolerance on display in the South today is little short of amazing. Moreover, most southern white people of prominence in every State are apologetic about these shortcomings and the less timid are sincerely trying to better conditions. For this they should get far more credit than professional propagandists are wont to give them.

"There is little or no evidence that the Negroes anywhere in the South are terrorized and none that I have talked with say so. They don't like to be barred from public places or public activities, and there is deep resentment against color discrimination. But they are not hopeless and despairing, any more than the Negroes in the most of the areas outside the South who are subjected to racial proscription. Southern schools for Negroes are not up to the local white standards and certainly not up to the national standards but any honest observer who has visited Dixie periodically can see and must admit that there has been vast improvements in physical plants and teachers' quality and pay. Swarms of Negroes are graduating from high schools and colleges.

"While industrialism is increasing rapidly in the South it is still predominantly agricultural and so are most of the Negroes. Unfortunately our people are not acquiring as much land as they could and should, and too few of them are studying to be scientific farmers. That they could acquire wealth and security, to say nothing of gaining greater respect and power by doing so, is evidenced by the success of the minority that has applied itself to growing better crops and raising better cattle. In all these efforts they have the approbation and cooperation of the civilized minority of whites everywhere in the South.

"It is my sincere opinion that the more widely southern Negroes apply themselves to these economic fundamentals and become more firmly rooted in the southern economy, the easier will the socio-political problems be solved. I find no unanimity among southern whites on what should be done about these problems. In some areas I do not think it would be difficult even to get repeals of the Jim Crow laws regarding transportation—if the campaign were intelligently directed by Negroes in the areas concerned, with outside Negroes and whites staying far in the background.

"Other (and most) areas would be tougher to crack, but it is sounder strategy to work on the more tolerant areas first, and win over some, than to antagonize the whole South by loud, mudslinging campaigns directed from the East and North which accomplish nothing.

"Since most Negroes are going to remain in the South, their leaders will have to learn to act like it, and to push programs of gradualism with greater skill and statesmanship, unswerved by emotional claque from 'abroad.'"

Mr. President, those are not my words. They are the words of a Negro who wrote for the Pittsburgh Courier. I hope Senators who are not present will read that valuable editorial.

I now read a subsequent editorial by Mr. Schuyler, from the same publication, the Pittsburgh Courier:

WE SHOULD HAVE MATURED SUFFICIENTLY TO FACE AND ACCEPT THE TRUTH

The day after the recent Town Hall discussion on "What shall we do about racial segregation?" one of my African Nationalist readers telephoned me to say how much he deplored the fact that Hodding Carter, the Pulitzer prize-winning Mississippi newspaper editor, had quoted from my column of November 6, in confirmation of the improving interracial situation in the South.

I replied that there was nothing to deplore about this; that I had told the truth about the South today, and that Mr. Carter was to be commended for reading The Pittsburgh Courier and learning the truth. It is the men and women of intelligence, understanding, and goodwill, of all colors, in the South who can make that section of the country a better place in which to live.

Conditions in the South are vastly better than they were 20 years ago, and nobody who actually knows the score down there will deny it. They are not what they could and should be, of course, because human beings persist in being human beings. In other words they are petty, selfish, prejudiced, and envious, but at the same ime they are kindly, charitable, and benevolent, too.

We have to recognize people for what they are and try to get along with them as they are. In our individual relationships we get along with people by making allowance for

their shortcomings, by avoiding topics on which they are touchy, by enlisting their sympathies, and by displaying goodwill and a give-and-take spirit. We certainly do not make friends and influence people by offending, insulting, threatening, and smearing them because we do not share their point of view. They have a right to their opinion as we have to our opinion. Almost anybody's opinion can be changed, but in order to do so we must render them amenable, which cannot be done by arousing their antagonism. This is especially true when those whose opinions we would change are in the majority and possess the predominant economic, political, and social power and influence.

As I have stated previously, the nearly 11,000,000 Negroes in the South today obviously wish to remain there, else they would have long departed from the section because no one has stopped them from doing so. It is an insult to these people to say that they are terrorized and persecuted, and nevertheless remain, when the price of bus or railroad coach fare would place them above the Potomac and Ohio Rivers. Since they elect to stay there, they must try to get along there and better their conditions there, which certainly cannot be done by antagonizing the people amongst whom they must live.

It is 85 years since the Negro slaves were emancipated in the South, and their social, economic, and cultural condition has rapidly improved since that time. They have been subjected to mass murder, torture, persecution, and insult since then (like other minority and underprivileged groups the world over), but they are subjected to little of this today. This is primarily due to the goodwill of liberal white people in the South, secondarily to the efforts of the Negroes themselves, and only thirdly to outside pressures.

I have stated here many times that the Negroes themselves in the South can tremendously improve their position through their own efforts and with the help of friendly whites. They can erase illiteracy themselves, they can increase home and farm ownership themselves, they can easily join or set up all sorts of cooperative societies for their economic advancement, they can strengthen themselves spiritually through their religious organizations, they can qualify as registered voters almost everywhere, and, in short, they have it within their power to attain the same cultural level as the whites, and even surpass that of most whites, thus erasing the obvious differences between the two groups.

And the more they succeed in doing this, the more easily will the onerous racial segregation be destroyed, especially as regards discrimination. Ultimately racial segregation will be destroyed with it, but no sane person expects that to occur overnight, as some of our more superficially minded people seem to expect.

Negroes need not expect the central government to force the white majority in the South to drop these barriers, and they are sadly deluding themselves if they think Mr. Truman or anybody else is going to do so. The white people of this country are not going to fight each other again over the Negroes, and the sooner we realize that, the better. Just as Northern whites have striven to settle their differences with Southern whites ever since the Civil War, so must Southern Negroes strive to establish rapport and unity with their Southern white neighbors. There are many ways of doing so but only a few prominent Negroes and whites are attempting them. Unfortunately, those few who are trying it are criticized, smeared, and condemned for doing so, mostly by people far from the scene who can offer no sound alternative.

Of course it is unpopular to say these things, but popularity must ever be sacrificed to truth by honest men with no axes to grind. By this time we Negroes should have matured sufficiently to face and accept the truth.

I repeat, Mr. President, those are not my words, but are the words of a Negro editor, from another of whose editorials I quoted a while ago.

I have before me another editorial by C. C. Carlin, Jr., president and editor of the Alexandria Gazette, of December 27, 1948. The editorial is entitled "How Is Segregation Working in the South?"

HOW IS SEGREGATION WORKING IN THE SOUTH?

The recent political campaign and President Truman"s support of the so-called civil-rights proposals plus the fact that these bills will meet with strong opposition in the next Congress has focused the spotlight on the important question: How is segregation working in the South.

Your editor who was born and has spent his entire life in Virginia has observed the progress of both races under our State laws. Likewise, he has observed the progress in other States of the deep South. This writer, seeking first-hand information, recently visited North Carolina, South Carolina, Kentucky, Georgia, Alabama, Tennessee, Mississippi, and Louisiana where he had an opportunity to study and observe existing conditions as well as the relationship between the two races.

We have never believed that any laws were perfect because they are laws but we feel that southern segregation laws, based on mutual understanding, provide the best possible approach toward the solution of the controversial race relationship.

In these days of abundant transportation, high wages, and full employment, it is self-evident that the majority of our American Negroes have chosen the South as a good place in which to live or 11,000,000 of the 14,000,000 in the United States would not reside here.

In each State we found the friendliest relationship between the two races. All busy working together for their joint benefit and for the most part law abiding and contented.

In the cotton States, where the dollar goes further, we were astonished to find that a cotton picker was paid $4 per 100 pounds and that an expert could pick four to five hundred pounds per day. In most places the picking season lasts 6 months. In fact during the picking season it is extremely difficult for others to obtain help because of the high earnings available in the fields.

Many of these Negro workers own their own homes, farms, profitable shops of all kinds, banks, newspapers, taxicab companies, as well as every conceivable kind of a business.

To top it all, we discovered the town of Mound Bayou, Miss., with a population of approximately 3,000 entirely colored, where white people come to trade but it is said that the sun never sets on a white person in that community. This is truly segregation in reverse.

In New Orleans, and other large southern cities, there are numerous Negro night spots and clubs and we have yet to find the first white man who was ever entertained in any of them. We know of a prominent white theatrical agent who tried every means to obtain admission to the Negro clubs, but who was politely told "this is a Negroes club, white folks are not admitted."

Many of the well-to-do Negro merchants will tell you that they prefer segregation and credit it largely for their success. They contend that if segregation were abolished that they would lose most of their trade to white competitors.

There are a few lower-class whites, usually newcomers to that locality, who are antagonistic to the Negro and who say they should all be sent back to Africa. Some Negroes are irked by segregation but their main complaint seems to be leveled at the school system where they say the white children have the best of it but most of these freely admit that colored schools in the South have greatly improved during the past 10 years and are still improving.

Very few Negroes are disturbed by the poll tax and those who want to vote are able to do so without difficulty.

We did not find any Negroes who were afraid of lynching, in fact we could not find a single Negro who had ever seen a lynching, or had a friend or acquaintance lynched. All told us that they believed the police officers treated them fairly and that when there was trouble with the law it was invariably the fault of the violator.

Mr. EASTLAND. Mr. President, will the Senator yield for a question?

Mr. ELLENDER. I yield for a question only.

Mr. EASTLAND. Does the poll tax, when used as a prerequisite for voting, disqualify people because of race?

Mr. ELLENDER. Of course not.

Mr. EASTLAND. Mr. President, will the Senator yield for another question?

Mr. ELLENDER. I yield for a question.

Mr. EASTLAND. What was the age limit when there was a poll tax in Louisiana?

Mr. ELLENDER. Twenty-one years.

Mr. EASTLAND. What was the limit at which the tax expired?

Mr. ELLENDER. Sixty-five. Persons above 65 could vote without having to pay the poll tax. I may say to the distinguished Senator, as was pointed out a while ago, that I led the fight in the Louisiana Legislature to repeal the poll tax. I believe the poll-tax law ought to be eliminated in every other Southern State, but it ought to be done by due process.

Mr. EASTLAND. Mr. President, will the Senator yield for another question?

Mr. ELLENDER. I yield for a question only.

Mr. EASTLAND. What does the distinguished Senator mean when he says that it ought to be done legally and as the law provides?

Mr. ELLENDER. For example, I contend that determination of the qualifications of voters is a prerogative of the States. It is the States themselves and not the Congress that should pass upon the question. As I have pointed out in the course of my remarks—and I think it will bear repetition, because I see a few Senators present who were not present a while ago when I made the statement—the distinguished Senator from Mississippi well knows that at one time women were deprived of the right to vote. A famous case arose in the State of Missouri, the case of Minor against Happersett. I know that the distinguished Senator from Wyoming [Mr. O'MAHONEY], who is an able lawyer and a member of the Judiciary Committee of this body, is familiar with that case. In that case the question at issue was whether or not, by State law, a woman could be denied the right to vote. That case found its way to the Supreme Court of the United States, and the Supreme Court held in no uncertain language that the right to spell out the qualifications of voters is a prerogative of the States, denied the right of the fair sex to vote, and sustained the State statute.

Mr. EASTLAND. Mr. President, will the Senator yield for a further question at that point?

Mr. ELLENDER. I yield for a question only.

Mr. EASTLAND. Was it not necessary to amend the Constitution of the United States to give women the right to vote?

Mr. ELLENDER. The distinguished Senator from Mississippi has anticipated me. That was the exact point I was coming to. If the State had the right to say that a woman could or could not vote, how much stronger a case is there for the States having the right to spell out other qualifications? In order to enable the fair sex to be in a position to vote, the nineteenth amendment was adopted, and it is now the law. One of the great leaders in that noble fight was none other than Susan B. Anthony, whose statue adorns this Capitol.

As I have pointed out during this debate, and at other times, most of us from the South favor the abolition of the poll tax, but we want to have it done legally. If the question is ever presented to the Senate, I shall vote in the negative. I want it to be done legally. That is my position, and that is my reason for opposition to the pending measures in the Eighty-first Congress. That was the reason for my opposition to such measures in practically every Congress since I have been a Member of this great body.

Mr. EASTLAND. Mr. President, will the Senator yield for a question?

Mr. ELLENDER. I yield for a question.

Mr. EASTLAND. If the poll tax does not disqualify people from voting, why is it not a wholesome tax?

Mr. ELLENDER. Some States—such as Vermont and Massachusetts, I believe; I wish to be corrected, if I am in error—require the payment of poll taxes, but not as a prerequisite for voting. They use such a tax as a means of raising funds. Of course, the poll tax which is obnoxious to the proponents of the anti-poll-tax measure is the poll tax required as a prerequisite for voting. That is where the rub comes, as it were, according to the proponents of the anti-poll-tax measure.

Mr. EASTLAND. Mr. President, will the Senator yield for a further question?

Mr. ELLENDER. I yield for a question.

Mr. EASTLAND. Why should not a person be required to pay a tax in order to vote?

Mr. ELLENDER. That is a question of choice, Mr. President. Some of us think it should be, and others think it should not be. I presume that the distinguished Senator from Mississippi has his own views on the subject. I have mine. Personally, I believe that the imposition of a poll tax, although not as a prerequisite for voting, is a very good way to raise money. For instance, I believe it might be a good way to raise money if we were to put a big tax on bachelors, so that they could at least assist in paying for the education of children in our schools.

Mr. EASTLAND. Mr. President, will the Senator yield for a question at that point?

Mr. ELLENDER. I yield for a question.

Mr. EASTLAND. What is the Senator up to? Is he trying to get the women's vote?

Mr. ELLENDER. No; I am not trying to do that; but I am saying that the views of some Senators and the views of some other persons differ on the subject of why a poll tax should be imposed.

However, the main cleavage between the proponents and the opponents of a poll tax lies in the question of whether to utilize such a tax as a prerequisite for voting.

So far as concerns the imposition of a poll tax for the purpose, let us say, of raising funds in order to pay for schools or to operate city service or anything of that character, I do not know of much opposition to such a tax.

Mr. EASTLAND. Mr. President, will the Senator yield for another question?

Mr. ELLENDER. I yield for another question.

Mr. EASTLAND. Does not the Senator think that voting is a privilege, as it was considered when this Government was adopted?

Mr. ELLENDER. Regardless of whether it is or is not a privilege, somewhat the same question is involved, I might say to the distinguished Senator. I would have no different answer.

For instance, I believe the tax could be imposed in such an amount that many poor people might be deprived of the right to vote, because of their inability to pay the tax; and under such circumstances, I can conceive of ways by which it would be possible for a man of wealth to assist in paying the poll taxes of many of his friends, and thereby obtain a large group of votes. To my way of thinking, that is one of the main objections to the imposition of a poll tax as a prerequisite for voting.

However—and I do not wish to be misunderstood by the distinguished Senator from the State of Mississippi—I think the States have a right to impose a poll tax if they choose to do so, for the simple reason that, as I understand the Constitution of the United States and as I understand the jurisprudence on the subject, the prerogative of stating the qualifications of voters lies in the States, not in the Congress.

Mr. EASTLAND. Mr. President, will the Senator yield for a further question?

Mr. ELLENDER. I yield for a question.

Mr. EASTLAND. What right has a man to vote if he does not care enough about the privilege of voting to pay a nominal sum toward the upkeep of the schools?

Mr. ELLENDER. That is an argument that has been advanced by the proponents of the poll tax. I may say to the Senator that the same argument permeated all the colonial assemblies, before we became a United States. I shall point out in a few moments to the Senator that many of the colonists thought that a man who was not willing to pay a certain poll tax or who did not own a certain amount of property or did not have a certain amount of education should be denied the right to vote. From all of that have come, of course, the various requirements which have been imposed by the different States of the Union. In a few moments—and I hope the Senator will bear with me—I shall point out all those differences; and during the course of my argument he will be able to note the many reasons advanced by the various States and by the various colonies as to why some of them imposed a poll tax qualification and some of them imposed a property ownership qualification, and some imposed an educational requirement; and of course there were many others. Does the Senator from Mississippi know that the great State of New York, where most of the Jews in the United States live, once prohibited Jews from voting? Think of that. Does the Senator know that at one time in the State of Georgia a Catholic was not permitted to vote? All those matters simply go to show how jealously and how zealously the founders of our Government guarded the right to spell out the qualifications of voters.

Before I conclude, I hope I shall have time to show to the Senate that the Constitution probably would not have been adopted by the Thirteen Original States if there had not been a specific provision—I shall show it historically—that the right to spell out the qualification for voters was to remain a prerequisite of the State, and not to be surrendered by the State.

Mr. EASTLAND. Mr. President, will the Senator yield for a question?

Mr. ELLENDER. I yield for a question.

Mr. EASTLAND. What are the voting requirements in Louisiana at the present time?

Mr. ELLENDER. To be 21 years of age and to be able to interpret certain passages of the Constitution. Those are the principal qualifications.

I may say to my distinguished friend, the Senator from Mississippi, that in the city of New Orleans alone from 12,000 to 15,000 Negroes are registered, and no efforts are made anywhere to prevent them from registering. If they come forward to register, they receive the same treatment as do the whites. There is no one to obstruct them. I believe that was ably demonstrated in the State of Mississippi when we held hearings with respect to the late Senator Bilbo. The Senator recalls I was chairman of the committee that held hearings there, and I know what my colleagues on that committee were impressed when they heard from the lips of many of the colored people there that there was no effort made to prevent colored people from registering in the State of Mississippi. We heard more than one colored man. As I remember, there was one who had signed a petition, taking part in the proceedings to oust Senator Bilbo, who came forward and admitted on the stand under oath that he could not point out any case where any colored people had come to apply to vote, who were denied, if they were qualified.

Mr. EASTLAND. Mr. President, will the Senator yield for a question?

Mr. ELLENDER. I yield for a question.

Mr. EASTLAND. Did the hearings show that the great number of those voted for him?

Mr. ELLENDER. Yes. In the city of Mound Bayou, I believe, in Mississippi, referred to as being an all-Negro city, it was shown that in one or two of the precincts, a large percentage of the voters, who were colored, voted for the late Senator Theodore Bilbo.

Mr. EASTLAND. Mr. President, will the Senator yield for a further question?

Mr. ELLENDER. I yield for a question.

Mr. EASTLAND. Will the Senator please tell me whether or not they concurred in our institutions and in the racial principles of Senator Bilbo?

Mr. ELLENDER. There is no doubt about it; absolutely no doubt about it. The record shows it. The record is available for anyone to read.

Mr. President, before I was interrupted I was reading, from the Alexandria Gazette, an editorial by C. C. Carlin. I continue to read:

In the light of our recent experience in the South, we sincerely wish that President Truman and the others who are urging the passage of the "Force Bills"—which in our opinion would put an end to the progress being made between the races in the South—would make a personal survey on race relations in the southern States. If the sponsors are sincere when they say that the purpose of these bills is to aid the Negro race, they should welcome the facts.

Senator J. J. SPARKMAN, of Alabama, has stated that he will introduce a bill in the next Congress to have an impartial committee make a competent and complete survey of racial conditions in the United States which would ascertain the facts prior to congressional consideration of the misnamed civil-rights bills.

The December, 1948 issue of the American Magazine carries a lead story, which every American should read, written by a Negro executive, son of a slave, entitled "What America Means to Me."

The author, Charles C. Spaulding, is president of the $131,000,000 North Carolina Mutual Insurance Co., and is also the president of a bank which has $5,000,000 in resources.

Mr. President, it will be recalled that I read quite an extensive excerpt from the article to which Mr. Carlin refers in his editorial.

In this article, he states in part.

"Some of the northern newspapers report only episodes of violence and bitterness of the South but the great news in the South today is that increasing numbers of men of good will of all complexions are working together amicably for the greater prosperity and well being of all.

"They are successful in a spectacular way. Anyone who still thinks of people of my race as Uncle Remuses will be startled to learn that last year they had a total income of $10,000,000,000 which I will wager would rival the entire income of the people of any one of several countries in Europe today."

Elsewhere on this page we are reproducing two articles which were written by George Schuyler, associate editor of the Pittsburgh Courier, one of the largest Negro newspapers in the country, who visited the South to secure first-hand information on conditions pertaining to the races. We are also reproducing a recent editorial dealing with the racial problem by Editor Davis Lee, publisher of the Newark (N. J.) Telegram, another Negro publication with a large circulation.

We believe these articles are unbiased and ably present the viewpoint of the well-informed Negroes of good will of our Nation.

I could read from many more editorials by eminent writers throughout the United States, but it would be simply clogging the RECORD and perhaps killing more time. I do, however, desire now to read a few quotations from a very interesting book written by a colored man by the name of Joseph Winthrop Holley, D. D., LL. D., founder and president emeritus of Albany State College. The title of the book is "You Can't Build a Chimney From the Top." I am not going to try to take the time of the Senate to read the whole book, although I should like to, because it is very interesting. But I shall content myself with reading a few excerpts from it touching on a few of the questions I have discussed during the course of my remarks. The book deals with the subject of lynching, poll tax, the FEPC, and many of the conditions in the South about which I have been reading. I am sure my good friend, my newly found friend, the distinguished junior Senator from Illinois [Mr. DOUGLAS], could find a good deal of solace by reading the book. I am hopeful that some day in the not too distant future he will read the book and then pay us a long visit in the South, so as to learn by experience what are the problems that confront the South with respect to the Negro. In this book, as I have just indicated, the author deals with lynching. Permit me to quote a few passages or a few paragraphs on the subject of lynching:

As I said at the outset, lynching has been with us a good many years. Fortunately it is on the decline, and if we are patient I am convinced it will soon become a thing of the past.

What is the cause?

He asks.

What is the cure?

He asks.

In the early days a lynching was generally brought about by some vile crime committed against some innocent person, usually a woman, in the heat of passion and excitement; and aided and abetted in not a few cases by whisky, the fire is kindled, men lose their reason, and all the leader has to do is to give orders and they are almost certain to be executed.

The crime of lynching, like all other crimes, has a demoralizing influence upon those who engage in it, and almost invariably the lyncher suffers more than the lynched.

A father took his son to see a Negro hanged by a mob, and at the breakfast table next morning the child said, "Father, I've seen a Negro swung up and his body riddled with bullets; now I want to see one burned at the stake."

Every effort should be made by our moral, religious, and educational forces to prevent crime of all kinds, on the one hand; and every appeal made to the honor, the humanity, and the sense of justice of those entrusted with the making and enforcement of law, on the other.

Lynching should never have been made a political issue. It was during the second administration of President Theodore Roosevelt that lynching was brought to the attention of Congress, and the antilynching bill took the place of the old civil-rights bill, both designed to influence the Negro vote. I have noted, from time to time, that the Republican Party, which sponsored antilynching bills, would have control of both Houses of Congress and the President, and yet could not get an antilynching bill through. When the Republicans lost control of the Government, the Democrats took up the fight for an antilynching bill. They have controlled both Houses and the President, but still no antilynching law has passed.

After all, the main cure for the lynching evil is to remove the cause.

We have here, in Albany, Ga., one of the most outstanding and efficient fire chiefs in the country if not in the world. He teaches the art of preventing fires by the process of eternal vigilance. Houses are built strictly in accordance with the laws governing fire hazards; no materials likely to produce combustion are allowed, and every precaution is taken to protect human life and property when fires do occur, as they will in spite of all cautions. Our chief has the most efficient group of firefighters to be found anywhere and the best firefighting equipment that can be procured. The fire loss in the city for the past few years was 44 cents per capita. The fire insurance rate is lower in Albany than in any other city of its size in the country. Chief Bronsnan's remarkable success in fighting fires is due to his ability to put them out before they start.

With lynching, as with fire, we must prevent it at its source; and the source is the people. The people—black and white—must be taught respect for law and order. They must be taught the dignity and the sacredness of human life, and that no man nor group of men have any right to take that which they cannot give. When these truths are rooted and grounded in the lives of the youth of the Nation, it will be difficult to get them to join a mob to take the life of a fellow man, be he white or black.

Certainly this is not going to stop lynchings altogether—neither does teaching people how to prevent fires keep fires from occurring—but it does make the people antilynching conscious and hence makes it easier for the officers of the law to apprehend and punish those guilty of such deeds.

It should be noted that there has never been a lynching in this county (Dougherty), for the people here are opposed to that method of dealing with lawbreakers. A recent case may be cited as representative:

A young Negro GI who had recently returned from service overseas and had been reemployed by a large packing company at the same wages paid the whites doing the same work, went to a neighborhood store, remained until closing time, and then followed home the owner who lived next door to the store. As the man went up the steps to his front door, the GI demanded that he drop the box in which he carried the cash sales for the day. As the storekeeper turned, the young man shot and killed him.

By Monday (the killing was Saturday night) the boy was arrested, and it was a full month before he was brought to trial. At the trial the court appointed two of the best lawyers at the bar to defend him. He was eventually electrocuted. Throughout, there had been no threat of violence.

To some it may seem difficult, but I am convinced that our approach should be through the State rather than the Federal Government. And the approach should be straightforward, forthright, and manly. The appeal should be to the hearts and consciences and the sense of justice and fair play, to those responsible for making and enforcing the laws of the State. Our method of abuse, agitation, propaganda, and high-pressure politics does more harm than good.

Mr. President, that last sentence is directly in accord with the views of many of us. I recall, very vividly, that in 1938, when the antilynching bill was before this body, I used that thought many times in a discussion of the issue.

Moreover, it is my opinion that the Government at Washington is not going to pass an antilynch law, for such a bill has been before the Congress for 50 years, and I am

afraid it will be there as long as the Negro vote in the doubtful States is the unquestioned balance of power. Both of the major parties have taken us for monumental suckers.

Always I find myself turning from lawmakers and legislation back to the people themselves and to education. That is our slow but safe and sure trail out of the wilderness.

"Give light and the people will find their own way."

Who does not recall the life-long propulsion of the tales in his school readers? Why not begin in the nursery—in our earliest oral storytelling and first schoolbooks? Why not set an earnest, capable committee to create for the South, with an indirect but potent antilynching atmosphere, a human-relations primer?

Let stories lead our small Negro children to the strength of patience and endurance, so that they may not grow too bold or oversmart or mean or bitter between the friction of new hopes and old ill-treatment—such stories as that classic of its kind, the Crucifixion, about the cruelest and deepest of all injuries, and Christ's grandeur when he prayed, "Father, forgive them for they know not what they do." The Negro has so many opportunities to attain the stature of the Saviour in this respect. While first-class general instruction widens his information and exercises his intelligence, the parables and fables of a human-relations primer may revise and develop his native gentleness that so pleasantly disarms and wins his way, and spur him through industry to attain economic success and general respect.

Give the small white southerner credit for remembering from his earliest reading, stories that exhibit movingly the sameness of the human heart in all races.

A Chinese boy, attending a Christian school in China, earnestly searched in picture after picture of the Holy Family for some glimpse of Chinese visitors to Jesus. Finding none, he sorrowed. Afterward, when he grew up and became a distinguished artist, he devoted himself to the world's greatest story, painting all its scenes with Chinese backgrounds and the Apostles and others as members of the yellow race. Such tales as this one of the Chinese boy's hunger and the way in which he satisfied it have a pervasive influence.

Do you remember the story of the stoned frogs who cried out to the persecuting boys, "This may be fun to you but it is death for us?"

It is not impossible that in a decade or two a wisely planned human relations primer, with little or no mention of the problem at which it is aimed, might give us a generation of southerners who would be antilynching conscious.

However, lynching has become a thing of the past, and by the slow process of evolution. There was only one lynching in 1947 and 39 cases where officers of the law prevented them. So far this year (1948) two cases of prevention have occurred and in both cases Negroes were the victims of would-be lynchers.

Mr. President, as I pointed out a moment ago during the course of my remarks, there were three lynchings in 1948. Evidently the lynching of the one white person had been registered at the time this book was written, because, as I have just stated, this book records only two as having taken place in 1948. I continue reading:

During the forty-odd years I have lived and served in Georgia, I have witnessed a growing public resentment of this unfortunate method of dealing with lawbreakers and it is entirely probable that we have seen the end of this thing we call lynching. That is—in the South. Thank God and the good people of both races.

Mr. President, the same author has written a whole chapter on Jim Crow cars, and I propose to read several excerpts for the benefit of the few Senators who are present.

The greatest hardships I have experienced in traveling on Jim Crow cars have been the bad behavior on the part of my own people. During 1903 to 1919, when whisky was plentiful, it was positively unsafe for women to ride on the train on Saturdays and holidays as men would tank up on corn liquor, and the whole environment was surcharged with liquor. Conductors have repeatedly escorted colored women and children into the white coaches to protect them from the evil overtures of their own people. It was necessary for us to teach our school girls how to protect themselves from the approaches of the male of their own people while traveling. And if I had any desire to go into the white coach it would be for protection from my own people.

I quote further from this chapter:

However, as I have said, things have improved wonderfully in the past quarter of a century. Most lines have not only comfortable coaches, but little difficulty is experienced in getting seats and sleeping-car accommodations.

I quote further, Mr. President, from the same author at page 209 of his book, in the chapter Jim Crow Cars:

Only when a fellow who has been up North for a few months and comes back with a chip on his shoulder looking for trouble, is there likely to be trouble. I spent 2 years in Philadelphia and my work was such that I had to use the streetcars and busses to get to and from my work, and the behavior of Negro men, and women, too, on the public carriers was something terrible. And the situation seems to be getting worse.

The better class of colored people themselves are becoming alarmed over the increasing rude conduct of the newcomers from the South. Our Negro newspapers are constantly hammering away at these evildoers but to little avail.

I do not believe in lynching or mob violence. But I do believe that the good Negroes in the large centers, where their own people persist in making trouble for themselves and everybody else, should take these hell raisers out into the parks and fix them so they will not be able to sit down for 30 days.

That is his prescription.

I have known decent colored people to get off the car and take a taxi rather than ride with the rough class of their own people. And I have had these same people tell me that they do not blame the southern people for not wanting to ride in the same cars with colored people.

My own hope is that the Negro leaders, our newspapermen, our ministers of the Gospel, our school teachers, and all others who have the interest of the race at heart, will make up their minds that they will unite in a determined effort to make our people conform to the ordinary requirements of civilized life. For it is difficult to see how we can avoid having Jim Crow cars as long as we have Jim Crow people.

Mr. President, this author has written a very fine chapter on segregation. He has given his views, and I am going to take occasion to read them. I repeat, Mr. President, the book from which I am reading is entitled "You Can't Build a Chimney From the Top," and its author is colored, Joseph Winthrop Holley, D. D., LL. D., founder and president emeritus of Albany State College of Georgia. He starts at page 210 of his book, chapter 13, entitled "Segregation:"

TACT AND TIME ARE NECESSARY PARTS OF THE CURE

If the reasons for my attitude are given due consideration, there will be nothing startling in the fact that I, a Negro of some education, favor segregation in the Southern States for the time being.

The realness of my interest in southern Negroes and in the South, to whom I am happy and proud to belong by birth, and among whom I cast my lot for life by choice, will stand comparison with the interests of advocates and agitators of nonsegregation. My knowledge of conditions, both near and far, surely compares favorably. All my childhood was spent in South Carolina; 13 years of my youth I went to school in the eastern United States; and during the 44 years of my efforts to better my race in south Georgia, I have spent much time in the North, in Europe, and in Africa.

I do not turn from nonsegregation as an ideal; but in impatient and intolerant pursuit of it, I can see only trouble and even tragedy. Ideally, there should be brotherhood among human beings; God is our Father; we are adjured to love each other and be each other's keepers. Yet, Arabs and Jews are fronting each other today in Palestine, dealing out death and destruction, spurning cooperation. India, having gained the boon of independence, has its streets littered with the dead of its irreconcilables.

WELLESLEY COLLEGE,
Wellesley, Mass., June 2, 1947.

DEAR DR. HOLLEY: I am enclosing a letter which is being mailed to B. T. today. I read your letter to the members of the board of admission when B.'s credentials were discussed. I wish you might have been present to see the real interest which the members of the board expressed in Blossom and their very deep regret that she could not be included in our freshman class. If her credentials had been a little less good than those of our successful applicants, we would have accepted her quite readily, but, unfortunately, her scores were so low we felt that it would not be a kindness to her to subject her to the extreme academic competition and pressure which she would be under at Wellesley. I know that this news will be sad for you because of your real interest in B. and your desire to carry out Miss Hazard's wishes, but I am sure that we have done the right thing; and if you had been present at the meeting, I think you would agree.

You may be interested to know that Wellesley is anxious to increase the number of Negro students in this student body, and I am proud to write that this year we were able to accept 5 of the 12 Negro applicants, and that we would have been glad to accept more if their records had indicated that they could carry our work. I know it will be a source of pride to you, too, because we have not accepted such a high percentage of our white applicants this year. Thank you for your interest and understanding. I hope that some day Wellesley can accept one of the girls whom you recommend to carry on the important work in which Miss Hazard was so much interested.

Very sincerely yours,

MARY E. CHASE,
Director of Admission.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield for a question only.

Mr. EASTLAND. Is it not true that the facts as outlined in the letter are duplicated in medical colleges all over the North, where colored students cannot stand the competition when they must compete with white students?

Mr. ELLENDER. There is no doubt about that. In fact, many white persons are unable to enter certain colleges, such as Harvard, Yale, or Columbia,

whereas they might be able to enter other schools throughout the country. It is common knowledge that various universities have different entrance requirements. Dr. Holley exposes the truth. It is something we must recognize. Under the Constitution of Georgia, as I have just stated, I believe it is incumbent upon the State of Georgia to give to colored persons the same facilities as are provided for white persons. I believe the time is not far distant when the opportunity in Southern States for colored people, even under our segregation laws, will be virtually the same as for whites. I know that we have made marvelous progress in the State of Louisiana. Today we have four eminent Negro colleges in my State. There seems to be satisfaction on the part of the colored race.

Mr. EASTLAND. Mr. President, will the Senator yield for a further question?

Mr. ELLENDER. I yield for a question only.

Mr. EASTLAND. How could Negroes obtain an education unless it were in a segregated institution? Do not the facts show that they cannot compete with white students?

Mr. ELLENDER. In justice to the colored pupils, it may be possible that they did not have the same opportunity to obtain the necessary foundation.

Mr. EASTLAND. That is true.

Mr. ELLENDER. By the way, that same situation exists in our own schools in Louisiana. For many years I have been advocating a consolidation of the high schools in various parishes in my State. The parish in which I live, Terrebonne Parish, is the largest parish in the State of Louisiana. Instead of having a dozen high schools scattered throughout the parish, we have only one, and it is a good one. I am glad to say that the graduates of that high school can enter the portals of almost any university in the United States. In some parishes in Louisiana there are as many as 16 high schools. The money to educate the children in a parish where there are 16 high schools must be divided more or less into 16 pots. Many teachers have as many as two or three subjects to teach. I do not believe it is a reflection on any of those schools, but I do know that many of their graduates could not qualify to enter a number of colleges throughout the United States whose admission requirements are much higher than others. As the distinguished Senator from Mississippi pointed out, the same thing which occurs in our white schools applies also to the colored schools.

Mr. ROBERTSON. Mr. President, will the Senator yield for a question?

Mr. ELLENDER. I yield for a question only.

Mr. ROBERTSON. I wish to say to the distinguished Senator from Louisiana——

Mr. ELLENDER. Mr. President, I yield only for a question.

Mr. ROBERTSON. This is preliminary to framing the question.

Mr. ELLENDER. I ask the Senator, please, to ask a question. I do not yield for a statement.

Mr. ROBERTSON. Does the Senator believe that we can put the spirit of brotherly love into a man's heart by legislative fiat?

Mr. ELLENDER. Not in the least. A moment ago I read from this book, and from various editorials, to the effect that it is taken for granted that it cannot be done. We cannot legislate tolerance, religion, or anything of the kind.

Mr. ROBERTSON. Does the Senator believe that if we are ever effectively and efficiently to solve the problem of giving better opportunities to the colored people in our midst, it must be done at the State and local level?

Mr. ELLENDER. There is no question about that. I have argued that on the floor of the Senate when the antilynching bill was before us. On one occasion I spoke for six successive days. On five other occasions when the question was before us I made the same argument. I believe that if the Senators, especially those who favor such legislation, will take the trouble to study the record, they will conclude that legislation of that sort is not conducive to bettering the relationship in the South between the two races.

Mr. ROBERTSON. Mr. President, is the Senator familiar with the civil-rights cases decided by the Supreme Court in 1882?

Mr. ELLENDER. I am familiar with some of them.

Mr. ROBERTSON. I refer particularly to the one called the Civil Rights Case, reported in One Hundred and Ninth United States Report, page 3.

Mr. ELLENDER. I am not familiar with it.

Mr. ROBERTSON. I ask the Senator if he agrees wholly with what the Court said in that case; and mind you, Mr. President——

Mr. ELLENDER. I do not yield for the purpose of permitting the Senator to make a statement; I shall yield only to permit the distinguished Senator to ask a question.

Mr. ROBERTSON. I ask this question: Does the Senator from Louisiana agree that this is a sound holding—as handed down by the Supreme Court in that case:

> It is absurd to affirm that because the rights of life, liberty, and property (which includes all the civil rights that men have) are by the amendment sought to be protected on the part of the States without due process of law, Congress may therefore provide due process of law for their vindication in every case.

Mr. ELLENDER. Certainly. As I have just indicated from the various editorials and from the book from which I have been quoting, there is no question about that.

Mr. President, we cannot legislate morals; we cannot legislate tolerance. Yet that is what I claim the proponents of some of these civil-rights bills are advocating at the present time. It simply cannot be done.

Mr. ROBERTSON. Mr. President, will the Senator yield for another question?

Mr. ELLENDER. I yield for a question.

Mr. ROBERTSON. Do the people of Louisiana have a real sympathy for the colored people of that State and a real desire to help them?

Mr. ELLENDER. Certainly; and I know that their interest in that respect exceeds that to be found in the Northern States.

Mr. ROBERTSON. Does the Senator from Louisiana know of any Southern State——

Mr. ELLENDER. I yield only for a question.

Mr. ROBERTSON. Does the Senator know of any Southern State having a considerable proportion of Negroes in its population that does not have that sentiment toward them?

Mr. ELLENDER. I do not.

Mr. EASTLAND. Mr. President, will the Senator yield for a question?

Mr. ELLENDER. I yield for a question only.

Mr. EASTLAND. What State has more segregation than Pennsylvania or New York or Illinois?

Mr. ELLENDER. I do not know. As was pointed out in one of the editorials, some colored man who was present actually saw this situation: There was a Negro convention in one of the New Jersey cities; and in order not to serve the colored delegates, all the restaurants closed while the convention there was going on. Yet New Jersey is one of the States which has passed the FEPC law and has been trying to appease the colored people.

Mr. EASTLAND. Mr. President, will the Senator yield for a further question?

Mr. ELLENDER. I yield for a question only.

Mr. EASTLAND. Does the distinguished Senator know that the city council of Chicago recently voted for segregation in the housing there, under their housing program?

Mr. ELLENDER. I am not familiar with that, I say to the Senator; but if he says so it must be true. I have no knowledge of it.

Mr. President, I read further from the book:

> The second difficulty that would face us, if we were permitted to enter the University of Georgia, would be our own inertia, or our inability to take advantage of the opportunities when they come.
>
> Harvard and Yale Universities have been open to our people for at least 80 years or nearly a century. And yet, there are hardly a dozen Negroes born and reared in Massachusetts and Connecticut who have graduated from Harvard or Yale. The Negroes who have gone to these great institutions have been from the South and what is true there is generally true from Maine to California.
>
> Then, too, there is Canada, with some of the finest universities on this western continent. Yet, of the many Negroes who found refuge in that country during slavery, few if any have taken advantage of the opportunity at their very doors.
>
> Were the colleges and universities of the South thrown open to him, would the Southern Negro react differently? In other words, would the Negroes in Georgia do what the Northern, Western, and Canadian Negroes have refused to do?
>
> The third obstacle is financial. It costs a full-pay student (and you may depend upon it, the Negro would be full pay plus) $2,000 a year. Where is the Negro family that is able to raise $4,000 a year to send Susie and Jimmy to the University of Georgia?
>
> The fourth hurdle is not external. And there is no hope of leaping it safely now. In entering the University of Georgia, a Negro

would meet a hostile faculty and student body. The man may take the colt to the water but cannot make him drink. Frankly, no self-respecting Negro is going to send his sons and daughters to any college where the students and teachers do not want them and will not treat them like fellow humanbeings. The faculties and students in our white colleges in the South are not ready to receive Negro students.

Taken from any standpoint, the Negro as a group is not ready to profit by going to the white universities of the South. Let us insist instead that we be given our own schools, taught by the best trained men and women we can get. And let us make these colleges as fine as the finest. I am convinced that we can find Negro men and women who are capable of doing just that.

Mixed elementary schools in the Southern States would not be happy places for any of the pupils, and they would be unsatisfactory for other races.

For instance, if the children of both races were forced to attend the same schools, Negro teachers would have to find other forms of employment. Certainly the southern whites are not going to send their children to schools being taught by Negroes, any more than that is being done in the North. Here in Georgia, for example, we have 7,000 Negro teachers, mostly women, drawing more than half a million dollars a month for 12 months in the year and plans are being made to double that amount in the future. Mixed schools would mean that these faithful women would be turned adrift with nowhere to go for their support. And thus another field of opportunity for the young Negro would be closed.

Mixed schools in the South would be wrecked by an inescapable superior and inferior complex. If the white teacher should run true to form, would she not say to the white child, "My little man, you are white," with all of its implications; and to the colored child, "Sammy, you are colored," with all that goes with it?

No; it is best to let us work out our own problems under the guidance of "God, who made and loveth all."

The position I have taken on this question of segregation in our State schools and colleges has had the full approval of some of the leading minds in the country, including Miss Caroline Hazard, who was informed of every step taken by me to get the Negro units divorced from the other units in the university system and have them set up under Negro faculties made up of the most outstanding men and women to be found, with salaries commensurate to the kind and character of work done. The best teachers in our colleges are none too good; for the sicker the patient, the more skillful ought the physician be.

I wish to quote from a letter from Miss Hazard:

"Your letter of August 1 interested me very much. I did see that the Governor had adopted your address as a part of his own message, and it seems to me that your address was a very fine one and entirely reasonable. I think you are right in accepting the segregation of the two races in the schools of the State. Here in my own kindergarten, I find a little pickaninny and she is received without question, but in the South that is too much to expect. If you can only insist upon equal accommodations and, at least in the graded schools, equal facilities, you will do very well. Do let me know how things turn out. Certainly you are a citizen of Georgia and you should exercise the rights and privileges of a citizen of that great State. Thank you for the clippings. Your most eloquent statement makes a very fine climax to the Governor's message."

I not only had the approval of Miss Hazard but of some of the most distinguished and outstanding leaders and scholars of the race. For example, I have before me a letter, written on the day of the election in the heated governor's campaign of 1942 by Dr. Horace Mann Bond, then president of the Fort Valley State College, now president of Lincoln University. It was a source of encouragement and comfort to me:

"Frankly, although it may seem funny, I think, on the one hand, it may be better for our schools if Mr. Talmadge is elected. I know you think this is funny, knowing as you do how much Rosenwald money we have had, but that can't last forever and the school, in the long run, will have to have State money to survive, and I'm really convinced that now is the best chance to make a change from private to public support, even at a temporary loss. Arnall might mean private money for awhile but the time for that is over. This I feel even if I would get lost in the shuffle."

The movement to force the two races to worship in the same churches in the South is another direct and flagrant violation of individual rights. The Pilgrim Fathers came to these shores to find freedom. Neither the church nor the State has any right to interfere with the manner or place of worship of the two races here in the South. Such a coercive movement is fraught with grave danger to both whites and blacks.

Neither race wants mixed congregations. Last year, when the YWCA was in annual session in Atlantic City, N. J., a vote was taken to do away with segregation in the YW and officials were instructed to establish no further separate units.

I asked my 16-year-old daughter if she would like to join the YW (white) on Arch Street, Philadelphia. She promptly said, "No, I'll join the colored YW on Catharine Street but not the white Y. You know, Daddy, the right to worship where you please is one of the four freedoms for which the last world war was fought."

That young girl expresses the sentiments of every normal youth, white and black, in the United States. You might find a few whites, like the followers of Father Divine, who prefer to worship with colored people, but they are not to be taken too seriously as they are not many in number.

Colored people who are honest-to-goodness Christians and are really serving God with a clean heart are not the ones who seek admission into white churches. The few Negroes who would attend white services add no strength to their own churches and would add none to white churches. I pity the white minister who would be dependent upon the colored aristocracy for financial support.

It is the common run of folk, the masses, who support Negro congregations and institutions, and these people would never go to white churches because the preaching of the white minister does not appeal to them. Besides, most colored people take the white man's religion cum grano salis. The white minister cannot dish the Gospel out to suit Aunt Nancy. She wants her preacher, when he gets up in the pulpit and takes a text, to start low, rise high, wax warm, and sit down in a storm.

Negroes who are rightly constituted—and the great majority still are—do not wish to go where they are not wanted. They dislike to ride in motorbusses where there too often is only standing room for them and every lurch of the coach jostles them against someone who openly resents the contact. Some southern Negroes on account of this unpleasantness have given up riding on the busses and have taken to the trains, so they may have the mental comfort of segregation. They distinguish keenly the difference between recognition that is accorded from the heart and the kind invoked by law that tears down old-time consideration on both sides and kindles mutual hard feelings.

I asked Monroe Trotter, editor of the Boston Guardian, "Why do you northern Negroes fight to get Negroes in white colleges when you do not attend them yourselves?"

He replied, "We are fighting for a principle. We want the right to go places whether we go or not."

May it not be questioned seriously whether this is principle and altruism or merely blind vanity? How much would it profit us southern Negroes (or the South, or the North, or the Nation) if these out-of-State individuals should gain for themselves by law their barren point, but lose for us the good will of our white neighbors with whom all of us must live? The northern Negro could, of course, go back North with his pride fattened, but we southern Negroes, to whom the victory meant nothing, would be left to endure the blazing antagonism that this shotgun union would arouse.

Surely it is plain folly to obstruct and embitter our Southern States in their struggle with a painful evolutionary problem. They wish to take care of us, and they will. I had faith in southern men and women when I began my work in Albany, Ga., 43 years ago, and I still have the same faith in and love for the children of those whose aid I have experienced gratefully all these years.

Mr. President, let me repeat, the book from which I am reading is the book written by a Georgia Negro named Joseph Winthrop Holley, D. D., LL. D., founder and president emeritus of Albany State College. The title of the book is "You Can't Build a Chimney From the Top":

Progress has been slow, but we have gone forward. Our difficulties have been primarily educational, based on lack of funds. As long as friends from the outside advanced southern efforts with their contributions our gain was steady, but since radicals, with or without money, began to try not to hasten but to overthrow the southern program there has been growing trouble and confusion and actual retrogression.

Economic conditions are changing rapidly in this part of the country. The Southern States will have more money in the future; their prospects are rich. As they become more able they will wish increasingly to take care of their colored people. If the Nation feels it cannot wait and wants swifter results, Washington might wisely step in financially and speed up the efforts of the Southern States to help us.

Our real and great need now is immediate and generous and understanding help to raise ourselves.

"You cannot build a chimney from the top."

The most effective influence for race tolerance and the most powerful compulsion toward nonsegregation will come as we lift our mass intelligence, skill, and industry into responsible citizenship and Christian character.

Since the above was written I have received some rather interesting and important information which I think will be well to add in this connection:

The Reverend Joseph Wilson Cochran, former secretary of the board of children education of the Presbyterian Church in the United States of America, a life-long friend of the author, was asked to read my work and to write frankly what he thought of it, and to make any suggestions he thought might improve my effort.

Dr. Cochran writes:

"Since receiving your letter and work only 2 days ago, I have spent much time and thought on the matter, reading carefully the story of your life, and your political, social and religious philosophy. I have been deeply moved by it all. And must confess that you have made out a stronger case for racial segregation than I had thought possible. I have a much clearer picture of what the Negro wants in the way of separate schools, churches, and hospitals and why you trust the southern white man to give you

what you want rather than northern educational theorists. Your book is an extremely controversial document and is likely to meet the disapproval of that powerful and growing school of thought that believes the Negro will not get his rights until segregation is entirely eliminated. Your book will be scoffed at up North and praised down South. So what? That doesn't mean that your book would not do good in both areas. Be assured, my dear friend, that I entertain only the liveliest interest in your project and hope you will not abandon your desire to produce a worth-while contribution to a problem that is vexing the best minds of this generation."

In the Atlanta Constitution of February 25, 1947, John W. Clark, trustee of the University of North Carolina has this to say:

"The Julius Rosenwald Fund, working through the Federal Council of Churches, and the CIO is heading a drive to do away with separate schools, colleges, churches, and hospitals for the races in the South. There is good money in attacking southern people and southern traditions."

These statements by Dr. Cochran and Trustee Clark would equal the recommendations of the President's Civil Rights Committee and bring us face-to-face with the abolition of segregation in the South as the only hope for a satisfactory solution of the problem of the races in this section.

My own conviction is that the program is too utopian for the present; that the Congress is not likely to adopt such a radical measure; that if it is passed, it will be difficult to enforce and would do more harm than good in the end.

Not only are the Negro high schools doing work below the standard required for admission into white colleges, but according to reports of the dean of the medical college at Howard University, quite two-thirds of the applicants for the freshman class are utterly unprepared to pursue the courses as laid down, and what is true at Howard is true also at Meharry Medical College. If our people are not trained well enough to enter our Negro professional schools, how can we expect them to enter the white colleges for professional and graduate work?

There is all the difference in the world in the character of the work done by the early missionaries who established our Negro colleges and that done by these same schools today. There has been a steady lowering of standards in both high schools and colleges until we have reached the point where few graduates from our high schools are prepared to do effectively the freshman level of college work, and graduates from our colleges are not prepared for work in professional and graduate schools.

The president of Harvard University says:

"Harvard receives Negro students in its medical college on the same terms as others, but the Negro colleges do not give their students enough premedical training for entrance."

In other words, the training in our Negro colleges is below the standard, so that to do effective professional and graduate work our Negro high schools and colleges will have to be equipped and manned to furnish this basic education without which all other will be vain.

I think it would not be amiss to call attention to sayings and doings of two of America's greatest statesmen and the Negroes' greatest benefactors. The reference is to a recent statement in the Atlanta Constitution and to an editorial appearing in the Macon Telegraph.

The statement from the Atlanta Constitution is by the martyred President Abraham Lincoln: "I am not, nor ever have been, in favor of bringing about, in any way, the social and political quality of the white and black races. I am not, nor ever have been in favor of making voters or jurors of the Negroes, nor of qualifying them to hold office nor to intermarry with white people. There is a physical difference between the white and black races which will forever forbid the two races living together on terms of social and political equality. Inasmuch as they cannot so live, while they do remain together there must be the position of superior and inferior; and I, as much as any other man, am in favor of having the superior position assigned to the white race."

From the Macon Telegraph: "I am glad to advise that the Franklin D. Roosevelt deed referred to in our editorial some weeks ago reads as follows: 'This indenture, made and entered into this 9th day of March 1929, between the Meriwether Reserve, Inc. (formerly the Georgia Warm Springs Foundation, Inc.), a corporation under the laws of Delaware, hereafter in this indenture known and designated as grantor, and Rebecca M. Hardaway, of Columbus, Muscogee County, Ga., hereafter in this indenture known and designated as grantee: Witnesseth that:'

"The fourth provision of this deed reads as follows:

" 'Fourth. Neither the land herein conveyed, nor any part thereof, shall be sold, rented, or otherwise disposed of to any Negro or other person of African descent, or to a corporation or association owned or controlled by Negroes.'

"These excerpts are taken from a sworn, certified copy of the original deed, which deed is recorded in the Superior Court of Meriwether County, Ga., under date of November 21, 1945, record 25, page 215."

You can't build your chimney from the top.

Mr. President, I have been reading some very interesting quotations from this book. I intended to read more, but, instead, I now desire to devote a few hours to the poll-tax question.

Mr. GEORGE. Mr. President, will the Senator yield for a question?

Mr. ELLENDER. I yield to the distinguished Senator for a question; yes.

Mr. GEORGE. Was the Senator reading from the book written by Dr. Holley?

Mr. ELLENDER. That is correct.

Mr. GEORGE. He is the head of a colored institution at Albany, Ga.; is he not?

Mr. ELLENDER. That is correct.

Mr. GEORGE. Has the Senator ever had an opportunity to know Dr. Holley or to visit him?

Mr. ELLENDER. No; I never had the pleasure of meeting him.

Mr. GEORGE. Has the Senator ever visited his institution?

Mr. ELLENDER. No; I have not.

Mr. GEORGE. Does the Senator know that the work of Dr. Holley's institution is comparable to the work done by Booker T. Washington at an earlier date?

Mr. ELLENDER. That is what I understand, but I am not familiar with it. I have never visited it, but some day, on my way south from Washington, I propose to make a special trip to visit that institution, as I have done in the past to visit Tuskegee, in Alabama.

Mr. GEORGE. Does the Senator know that Dr. Holley is held in universal high esteem by the white men and women, as well as by the colored men and women, in Georgia.

Mr. ELLENDER. That is my understanding.

Now, Mr. President, as I indicated earlier in my remarks, I propose to deal at length with the question of poll taxes and the various qualifications imposed from colonial days to date. The history of this aspect of the case is most interesting. As I proceed I shall develop that the Colonies from their inception maintained qualifications for voters. When the Colonies formed the Thirteen States of our Union they still jealously and zealously guarded their right to prescribe qualifications for voting.

I propose to demonstrate to the Senate in detail what the provisions were as to the various Colonies, and then as to the States, and follow that by an analysis of many decisions that were rendered by the Supreme Court of the United States, holding conclusively that the right to prescribe qualifications for voters is within the States and not the Congress.

As several cases held, there are no Federal voters; they are all State voters, and their qualifications are prescribed by the States in which respective voters all over the country live.

As early as 1750 there were different qualifications for voting in the different colonies. I quote from Formation of the Union, 1750–1829, by Hart, page 15:

In each there was an elective legislature; in each the suffrage was very limited; everywhere the ownership of land in freehold or other property, or the occupancy of a house was a requisite, just as it was in England for the county suffrage. In many cases there was an additional provision that the voter must possess a specified large quantity of land or must pay specified taxes. In some Colonies there was a religious requirement.

Mind you, now, all these requirements I have just mentioned were prerequisites for the exercise of the voting privilege.

While there were few specific provisions concerning suffrage in the charters of the Colonies, popular elections existed in each of the Colonies from the earliest date down to the Revolution. Popularly elected assemblies carried on local government. Virginia had a House of Burgesses as early as July 30, 1619. And what was the first consideration of these colonial groups who were fiercely protective of their rights?

One of the first tasks of these colonial assemblies was to regulate the elective franchise. (See McCulloch, Suffrage and Its Problems, at p. 18.)

While the qualifications were vague and indefinite, there were many requirements, each a proof of the local regulation of voting qualifications. Even the Crown and the English Parliament made no serious attempt to modify or harmonize the various suffrage regulations. I quote from the same volume, page 19:

This left each colony practically free to pass its own laws providing for the franchise. By the time of the Revolution this practice became thoroughly established, thus allowing each commonwealth to make suffrage laws to fit its peculiar electoral problem.

Down to 1776 there were seven qualifications for the elective franchise. The outstanding one was the landed-property qualification, which probably arose because of the business corporation-like nature of the early Colonies. A piece of land was considered as giving a person the freedom of the company, as provided by Massachusetts in 1621, just as

a block of stock entitles its holder to vote in a corporation.

Porter, History of Suffrage in the United States, pages 3 and 4:

But this very simple test of property-holding could not long hold out alone, although it was the first and the dominating consideration for almost 200 years following. The population became so complex, the interests of colonists expanded so far beyond mere commercial enterprise, that other standards of fitness for participation in the affairs of the community were sought out and established. Strict limitations had been put upon the right to join the company, and after the companies ceased to exist and the Colonies became exclusively political institutions, the same limitations were carried over for the suffrage with some elaboration. They dealt with all the various things which are supposed to determine capacity to take intelligent interest in community affairs. Race, color, sex, age, religion, and residence were now investigated before the applicant was admitted to the suffrage. The theory was that only those who clearly had an interest in the colony—measured in terms of tried standards—should exercise the right of suffrage.

There we find a yardstick or a method of providing qualifications for voters during colonial days.

Virginia had varying requirements. In 1655 a voter had to be a habitant and a householder; in 1699 he had to be 21 years of age, a male habitant and freeholder, Papist barred. By 1762 this had been further refined by the freeholder being particularly required to own 50 acres, or 25 acres and house 12 by 12.

Massachusetts first required religious standards, Puritan and Orthodox, in 1631. By 1691 Massachusetts required a voter to be English and to own 40 shillings freehold or £40 of property.

Connecticut in 1638 required a voter to be a habitant, a Puritan, and a freeman, and varied this by 1702 to specify that he have 40 shillings freehold or £40 property.

Rhode Island, as early as 1665, required a competent estate and barred Christian Papists. By 1767 Rhode Island added to this the requirement of living in a town, plus owning 40 shillings freehold or £40 property.

New Hampshire in 1680 required that a voter be 24 years of age, English, Protestant, and have an estate of £20. By 1728 the last requirement was increased to £50 realty.

North Carolina in 1669 required a voter to be a deist and to have a 50-acre freehold. By 1760 this had varied. The qualifications were 21 years of age, 1½ years residence, British nationality, and a 50-acre freehold.

South Carolina in 1669 required a person to be a deist and to have 50 acres freehold. By 1759 a South Carolina voter had to be white and 21 years of age, Protestant, and have a settled freehold.

Georgia demanded a man to be 21 years of age and to have 50 acres of land, papists barred. In 1775 the land requirement took on a subtle change. It was replaced by the word taxpayer, plus ½ year's residence required, and papists barred.

Pennsylvania in 1683 required a voter to own 100 acres—10 cultivated—or 50 acres—20 cultivated—or pay taxes. In 1700 Pennsylvania required a man to be 21 years of age, a 2-year resident, English, and own 50 acres—12 cultivated—or £50 in property.

Delaware, in 1701, had a 2-year residence requirement, 21-year-age requirement, and land ownership of 50 acres—12 cultivated—or £50 in property. By 1733 British citizenship had been added to the list.

Maryland's only requisite in 1637 was that voters be freemen. In 1718 Maryland had barred Catholics and required 50 acres or £40 property.

New York in 1683 accepted a vote from any freeholder. In 1701 21 years age was requisite and £40 realty was necessary, and Papists and Jews were barred.

New Jersey in 1668 allowed any freeholder to vote. In 1725 that freeholder had to be a 1-year resident, and must own 100 acres or £50 property.

It is interesting to regard some of the varying reasons for the above requirements, keeping in mind that the very fact they have varied in each State, with the particular conditions of growth and the existing population, adds undeniable power to the case I am presenting for each State in the Union, for their own continued right to judge their own needs and provide therefor.

I read from Porter, History of Suffrage in the United States, pages 4 and 5:

Standards of character and fitness varied from one part of the country to another. In Massachusetts the Puritans believed that only by restricting suffrage to men in their churches could the future well-being of the colony be insured. The problem of the "right" to vote became distinctly subordinate. They restricted the suffrage for the good of the community. The fact that their standard of good character (church membership) was narrow is not at all surprising. The character of the man's employment was often considered a criterion of his ability to vote intelligently, and thus college men and clerical officers were presumed to be especially fit for the suffrage.

The philosophy of suffrage has always been more or less opportunistic, if the word is permissible. Suffrage qualifications are determined for decidedly materialistic considerations, and then a theory is evolved to suit the situation. In the early days riot and disorder might accompany an election. The authorities would thereupon fix the qualifications so that the disorderly people could not vote next time. Then would come the theory to justify it—only those owning a certain number of acres would be considered fit to vote, only those of a certain religious faith, and so on. Unquestionably this has happened in times of stress, for theory did not come to be the preliminary determining factor until complete peace and order prevailed, and even then theory was not uncolored by materialistic considerations. Suffrage limitations were bound to adapt themselves to social and economic conditions. In rural Virginia the freehold requirement of 50 acres excluded very few of the best type of men. But such a requirement in an urban community would have been intolerable. Obviously an absolute criterion could not obtain. It became necessary to adopt whatever criterion was calculated to embrace the best men.

Moral qualifications were restricted almost exclusively to New England. It was sometimes necessary for the voter to show proof of his good character. At other times if one were accused of improper conduct it would cost him his vote, although the particular offense was not mentioned in the law. In the South there were restrictions against men of certain race—foreigners and Negroes were excluded.

I read further from Porter History of Suffrage, bottom of page 5 and all of page 6:

All of the restrictions and qualifications can be seen to support one of two fundamental principles: One may be called the theory of right and the other the theory of the good of the state. Every qualification imposed had one of these two principles in view. Either it was established in order to fulfill the right which certain people were supposed to have, or else it was established simply in order to serve the best interest of the state. It might have been said that a man had a right to vote because he owned property, or because he was a resident, or because he paid taxes, or simply because the right to vote was a natural right. And this would be the guiding consideration without regard to the effect it might have on the well-being of the community. Thus in some places nonconformists were allowed to vote because their property right was recognized. Nonresidents were permitted to vote where they owned property solely because they were supposed to have a right to vote on account of their holdings. This theory of right was the first to appear and has always persisted. Each generation would seek to add a new subhead to the title, as it were, and base a right to vote on some new ground.

The other great principle or theory had to do with the good of the state. It developed as soon as the narrow business-corporation concept was abandoned, and it was most emphasized by the Puritans. It continues to the present day but has never been entirely divorced from the theory of right. Under this theory of the good of the state men were excluded because they were not church members, because they were criminals, because they had not been residents a long-enough time. It is not always possible to classify every restriction definitely, but it may be said that one of these two theories controls every modification of the suffrage.

In the North, there were no race qualifications, because the few free Negroes scattered through the northern Colonies seemed to have caused little alarm along suffrage lines. North Carolina, Georgia, South Carolina, and Virginia were the only Colonies which disfranchised Negroes before the time of the Revolution, showing that either very few of them tried to vote or there was little aversion to it, the former probably being correct. At any rate, there was no race issue injected generally into the suffrage regulations. Another generation saw a marked change.

There was in none of the Colonies except Pennsylvania the rigid residence requirement of 2 years. And why the particular need there, true locally, yet not present elsewhere? Probably because of the conservative proprietor's desire to limit the influence of the many recent immigrants.

The property test was the most frequent and weightiest qualification. The cheapness of land led to the requirement above stated, in some instances, that the land be worth a certain sum in money or produce a certain income. Again we see the ever-present variations in the different Colonies. In Georgia there

could not be the same money value requirement as in more thickly populated New England, and conversely, a voter in crowded New England could not have been required to own the same quantity of land as the voter in sparsely settled Georgia. In Virginia the varying standard of 50 acres of land, or 25 acres of land being worked and occupied by a house 12 feet square, or a town lot with a house of similar dimensions, was the answer to the rural versus urban problem. The city dwellers could not acquire land to a broad extent, and the rural dwellers resented a value fixation being set on the land to be held.

Five of the Colonies allowed the substitution of personal property for real estate.

This indicates a distinct concession of the urban communities, and it is significant that four of these States are in the small New England group, where the supply of real estate was limited. This adaptation of the suffrage qualification to the particular economic situation illustrates the willingness of men to adjust their ideas of what is fundamentally right to the needs of the dominant group. (Porter, History of Suffrage in the United States, p. 9.)

The next break-down in this type requirement is from personal property to taxpaying. As conditions change, a trend emerges, the picture alters, and the statutory machinery with which we are equipped permits each State to shift or vary its position with the times.

Religious tests were decisive in New England, and common everywhere except in Pennsylvania. In the South Papists were usually specifically barred. New York barred Jews. Maryland also barred Catholics. Massachusetts supplemented the religious tests by moral-character qualifications. Later a property qualification was inserted as an alternative. Later the religious test disappeared. South Carolina, with her requirement that a voter acknowledge the being of God, was the last State to have the statutory religious standards for suffrage and religion as a qualification for voting passed out with the colonial period.

Citizenship and residence were of comparatively little importance in a new county, predominantly British.

Before turning to the Articles of Confederation and our Constitution, the following words concerning voting qualifications in the Colonies seem particularly appropriate:

It is of moment to note that there were no efforts at uniformity in the regulation of suffrage. In each colony by charter, or more often by acts of the assembly, the elective franchise was controlled independently. This commonwealth treatment of suffrage was the natural result of colonial history. So thoroughly grounded was this policy that when the Colonies seized sovereignty and organized a Federal Government the suffrage program was undisturbed. It continued as the basic foundation on which all Federal elections must rest. (See McCulloch, Suffrage and its Problems at p. 29.)

The truth of the proposition that each State best knows its own conditions and is best equipped to handle them, is shown by the direction of the Continental Congress, on May 10, 1776, following the outbreak of the Revolution, to each of the Colonies to "adopt such governments as shall best conduce to the happiness and safety of their constituents in particular, and America in general." (Hart, Formation of the Union, 1750–1829, at p. 89.) Following these instructions, the Colonies had already begun, before July 4, 1776, to draw up written instruments of government. I now desire to read a few paragraphs from McCulloch on Suffrage and Its Problems. I read from page 30, the first paragraph:

With the separation from the mother country came very little change for the Colonies severally. The Union took the place of the Crown, while the various commonwealth governments went on very much as before. Therefore, suffrage regulations were not disturbed at all; each commonwealth continued to regulate the elective franchise independently. The several States sought directions of the Continental Congress as to framing constitutions to replace the old charters which had been granted by the King. But after this had been done, the two sets of governments moved along independently. The Central Government under the Articles of Confederation interfered with the States as little as possible, and they do not seem to have looked to it even for advice.

The only point at which the two governments could touch even indirectly on suffrage matters was article V, which provided that the delegates to the Confederation Congress should be "appointed in such manner as the legislatures of each State should direct."

Also, quoting directly from the Articles of Confederation, and to demonstrate the doctrines that remained ever uppermost in the minds of the founders of our country, I quote article II:

Each State retains its sovereignty, freedom, and independence, and every power, jurisdiction, and right which is not by this Confederation expressly delegated to the United States in Congress assembled.

I now read from the Federalist Articles of Confederation, article V, the first paragraph:

For the more convenient management of the general interest of the United States, delegates shall be annually appointed in such manner as the legislature of each State shall direct, to meet in Congress on the first Monday in November, in every year, with a power reserved to each State to recall its delegates, or any of them, at any time within the year, and to send others in their stead, for the remainder of the year.

Also:

In determining questions in the United States in Congress assembled, each State shall have one vote.

The above provisions show clearly that matters of voting qualifications were to be left strictly to each State. The Articles of Confederation were inadequate and hurried, and later proved insufficient to cope with the changing United States and its manifold problems. A new and far-sighted instrument was needed, a considered and well-debated structure built on a framework with a future. But, it is noteworthy, before we turn from the Articles of Confederation, that even though the country was in the midst of revolution, torn by varying doctrines and lacking in all organization at the time they were written, there was one thing that was not left out. Many important things were left out, much was left a blank, but even in a time of crisis these men who were struggling for a workable governing organ to suit their needs and their hopes, kept one thing before them, the inviolable right of each State to determine the qualification of its voters and to control its own elections. They did not fail to preserve this right in the articles they drafted.

When the Articles of Confederation, which were adopted in time of stress without full cognizance of the problems to be solved and with the States themselves ill defined geographically and politically, proved unsatisfactory and insufficient, it was suggested by Hamilton in 1780, and later by Tom Paine, that a convention be called to revise the Articles of Confederation, and to draft a Constitution of the United States of America.

Let us go back to that convention. There is drama in the air. Vital provisions for the constitutional structure of a new country are in the making. Each delegate has his own theories, his own pet beliefs to advance. All are filled with a desire for the best in government for their new country.

Maj. William Pierce, of Georgia, made some notes of the membership of the convention. Among those historically well known to us today who were prominent in drafting provisions affecting voting qualifications was Rufus King, about whom Major Pierce said:

Mr. King is a man much distinguished for his eloquence and great parliamentary talents. He was educated in Massachusetts, and is said to have good classical as well as legal knowledge. He has served for 3 years in the Congress of the United States with great and deserved applause, and is at this time high in the confidence and approbation of his countrymen. This gentleman is about 33 years of age, about 5 feet 10 inches high, well formed, a handsome face, with a strong expressive eye, and a sweet high toned voice. In his public speaking there is something peculiarly strong and rich in his expression, clear, and convincing in his arguments, rapid and irresistible at times in his eloquence but he is not always equal. His action is natural, swimming, and graceful, but there is a rudeness of manner sometimes accompanying it. But take him tout en semble, he may with propriety be ranked among the luminaries of the present age. (United States, Formation of the Union—Documents, p. 96, all paragraphs, starting "Mr. King.")

There was Nat Gorham, about whom it is said:

Mr. Gorham is a merchant in Boston, high in reputation, and much in the esteem of his countrymen. He is a man of very good sense, but not much improved in his education. He is eloquent and easy in public debate, but has nothing fashionable or elegant in his style; all he aims at is to convince, and where he fails it never is from his auditory not understanding him, for no man is more perspicuous and full. He has been President of Congress, and 3 years a Member of that body. Mr. Gorham is about 46 years of age, rather lusty, and has an agreeable and pleasing manner. (United States, Formation of the Union—Documents, p. 96, last paragraph, on Mr. Gorham.)

One of the high lights was Alexander Hamilton.

Colonel Hamilton is deservedly celebrated for his talents. He is a practitioner of the law, and reputed to be a finished scholar.

To a clear and strong judgment he unites the ornaments of fancy, and whilst he is able, convincing, and engaging in his eloquence the heart and head sympathize in approving him. Yet there is something too feeble in his voice to be equal to the strains of oratory; it is my opinion that he is rather a convincing speaker, than a blazing orator. Colonel Hamilton requires time to think, he inquires into every part of his subject with the searchings of philosophy, and when he comes forward he comes highly charged with interesting matter, there is no skimming over the surface of a subject with him, he must sink to the bottom to see what foundation it rests on. His language is not always equal, sometimes didactic like Bolingbroke's, at others light and tripping like Stern's. His eloquence is not so defusive as to trifle with the senses, but he rambles just enough to strike and keep up the attention. He is about 33 years old, of small stature, and lean. His manners are tinctured with stiffness, and sometimes with a degree of vanity that is highly disagreeable. (United States, Formation of the Union—Documents, p. 98, last par., "Colonel Hamilton," through paragraph, p. 99.)

From Connecticut came Oliver W. Ellsworth, who was on the Committee of Detail charged with forcing the provisions affecting elections:

Mr. Ellsworth is a judge of the Supreme Court in Connecticut; he is a gentleman of a clear, deep, and copious understanding; eloquent, and connected in public debate; and always attentive to his duty. He is very happy in a reply, and choice in selecting such parts of his adversary's arguments as he finds make the strongest impressions, in order to take off the force of them, so as to admit the power of his own. Mr. Ellsworth is about 37 years of age, a man much respected for his integrity, and venerated for his abilities. (United States, Formation of the Union, p. 98, 2d par., beginning "Mr. Ellsworth.")

From Pennsylvania, on this committee, came Mr. James Wilson:

Mr. Wilson ranks among the foremost in legal and political knowledge. He has joined to a fine genius all that can set him off and show him to advantage. He is well acquainted with man, and understands all the passions that influence him. Government seems to have been his peculiar study, all the political institutions of the world he knows in detail, and can trace the causes and effects of every revolution from the earliest stages of the Grecian commonwealth down to the present time. No man is more clear, copious, and comprehensive than Mr. Wilson, yet he is no great orator. He draws the attention not by the charm of his eloquence, but by the force of his reasoning. He is about 45 years old. (United States, Formation of the Union, p. 101, 5th par., beginning "Mr. Wilson.")

From Virginia came James Madison and Edmund Randolph:

Mr. Madison is a character who has long been in public life; and what is very remarkable, every person seems to acknowledge his greatness. He blends together the profound politician with the scholar. In the management of every great question he evidently took the lead in the convention, and though he cannot be called an orator, he is a most agreeable, eloquent, and convincing speaker. From a spirit of industry and application which he possesses in a most eminent degree, he always comes forward the best informed man of any point in debate. The affairs of the United States, he perhaps, has the most correct knowledge of, of any man in the Union. He has been twice a Member of Congress, and was always thought one of the ablest Members that ever sat in that council. Mr. Madison is about 37 years of age, a gentleman of great modesty, with a remarkable sweet temper. He is easy and unreserved among his acquaintance, and has a most agreeable style of conversation. (United States, Formation of the Union, p. 104, 1st par., beginning "Mr. Madison.")

Mr. Randolph is Governor of Virginia, a young gentleman in whom unite all the accomplishments of the scholar and the statesman. He came forward with the postulata, or first principles, on which the convention acted, and he supported them with a force of eloquence and reasoning that did him great honor. He has a most harmonious voice, a fine person, and striking manners. Mr. Randolph is about 32 years of age. United States, Formation of the Union, p. 105, 3d par., beginning "Mr. Randolph.")

Robert Morris, with James Wilson, Benjamin Franklin, Gouverneur Morris, and others, represented Pennsylvania:

Robert Morris is a merchant of great eminence and wealth; and able financier, and a worthy patriot. He has an understanding equal to any public object, and possesses an energy of mind that few men can boast of. Although he is not learned, yet he is as great as those who are. I am told that when he speaks in the Assembly of Pennsylvania, that he bears down all before him. What could have been his reason for not speaking in the convention I know not, but he never once spoke on any point. This gentleman is about 50 years old. (United States, Formation of the Union, p. 101, 1st par.)

On May 29, 1787, Edmund Randolph presented the following resolution:

"*Resolved therefore,* That the rights of suffrage in the National Legislature ought to be proportioned to the quotas of contribution, or to the number of free inhabitants, as the one or the other rule may seem best in different cases.

"*Resolved,* That the National Legislature ought to consist of two branches.

"*Resolved,* That the Members of the first branch of the National Legislature ought to be elected by the people of the several States every (blank) for the term of (blank)." (United States, Formation of the Union, p. 116, all of pars. 2, 3 and in par. 4 to semicolon after "term of.")

Then Mr. Charles Pickney laid before the House the draft of a Federal Government which he had prepared, to be agreed upon between the free and independent States of America. (United States, Formation of the Union, p. 119.)

By all these statesmen the United States was referred to as a Union of free and independent States, a group of varying entities with varying problems, soils, industries, populations, having in mind future additions of more States, united for the common good of all.

Article III of Mr. Pickney's draft reads: "The Members of the House of Delegates shall be chosen every (blank) year by the people of the several States; and the qualifications of the electors shall be the same as those of the electors in the several States for their legislatures." (Elliott, Constitutional Debates, vol. I (first edition), p. 145.)

Pinckney also provided in article 5 of his plan:

Each State shall prescribe the time and manner of holding elections by the people for the House of Delegates. (See III Records of the Federal Convention, p. 597, Appendix D.)

Alexander Hamilton's suggested provision was a general one:

III. The Assembly to consist of persons elected by the people to serve for 3 years (United States, Formation of the Union, p. 979.)

When Mr. Randolph's plan was considered, what was the feeling concerning the provision for election of Members of the first branch of the National Legislature by the people of the several States? The discussion is illuminating in showing the angles considered, which make clear the meaning of the provisions ultimately adopted.

Mr. Sherman opposed the election by the people, insisting that it ought to be by the State legislature. The people, he said, immediately should have as little to do as may be about the Government. They want information and are constantly liable to be misled.

Mr. Gerry—

These are his views—

The evils we experience flow from the excess of democracy. The people do not want virtue, but are the dupes of pretended patriots.

Mr. LONG. Mr. President, will the Senator yield at that point?

The PRESIDING OFFICER (Mr. O'CONOR in the chair). Does the Senator from Louisiana yield?

Mr. ELLENDER. I yield for a question.

Mr. LONG. Would the Senator not think that, due to better education and a more learned electorate today, perhaps some of that logic might not be as good today as it was at the time it was adopted?

Mr. ELLENDER. There is no question about that, I may say to my distinguished friend. What I am reading now was stated in 1789 or 1779. I am reading from the Formation of Our Union, and the purpose of my reading is to show that not only did the Colonies maintain the right to prescribe who should or should not vote, but that the same right was maintained under the Articles of Confederation and when the Colonies became States under the Constitution. The right of suffrage and the right to prescribe the qualifications of voters was guarded zealously first by the Colonies and then by the States.

As I am going to point out in the course of the debate, if it had not been written into the Constitution that the right to prescribe the qualifications of voters was to remain the prerogative of the States, the Federal Constitution in all probability, would never have been adopted. I continue with the views of Mr. Gerry:

The evils we experience flow from the excess of democracy. The people do not want virtue, but are the dupes of pretended patriots.

That expression was made many years ago, and as my distinguished colleague, the junior Senator from Louisiana, has pointed out, that situation does not exist today. But it has the effect of demonstrating the extent to which the people of that time desired to go in order to preserve their right to declare who should vote and who should operate the Government.

Mr. LONG. Mr. President, will the Senator yield for a further question?

The PRESIDING OFFICER. Does the senior Senator from Louisiana yield to the junior Senator from Louisiana?

Mr. ELLENDER. I yield for a question.

Mr. LONG. Is not the logic expressed therein to some extent applicable today, however, to the extent that possibly it might be wise to consider certain educational qualifications for voters?

Mr. ELLENDER. It is true that very few States are without such qualifications. Many States, it is true, do not require payment of a poll tax as a prerequisite. But many of them require a person to possess certain educational qualifications in order to vote, and many of them today retain the same qualifications as those I have cited heretofore with respect to the Colonies. There have been, of course, certain slight changes.

In many States, as I pointed out a while ago, there was a requirement with respect to religious qualifications. Some prohibited Catholics from voting; in some States Jews could not vote. Some allowed only deists to vote, but those religious qualifications have gradually been eliminated. As I pointed out, South Carolina was the last State of the Union to dispense with religious qualifications.

To continue:

Mr. GERRY. The evils we experience flow from the excess of democracy. The people do not want virtue, but are the dupes of pretended patriots. In Massachusetts it had been fully confirmed by experience that they are daily misled into the most baneful measures and opinions by the false reports circulated by designing men, and which no one on the spot can refute. One principal evil arises from the want of due provision for those employed in the administration of Government. It would seem to be a maxim of democracy to starve the public servants. He mentioned the popular clamor in Massachusetts for the reduction of salaries and the attack made on that of the Government though secured by the spirit of the Constitution itself. He had, he said, been too republican heretofore: He was still, however, republican, but had been taught by experience the danger of the leveling spirit.

Mr. President, I may say the word "republican" as there used was spelled with a small "r", not with a capital "R".

Mr. Mason argued strongly for an election of the larger branch by the people. It was to be the grand depository of the democratic principle of the Government. It was, so to speak, to be our House of Commons—It ought to know and sympathize with every part of the community; and ought therefore to be taken not only from different parts of the whole Republic, but also from different districts of the larger members of it, which had in several instances, particularly in Virginia, different interests and views arising from difference of produce, of habits, and so forth. He admitted that we had been too democratic but was afraid we should incautiously run into the opposite extreme. We ought to attend to the rights of every class of people. He had often wondered at the indifference of the superior classes of society to this dictate of humanity and policy; considering that however affluent their circumstances, or elevated their situations might be, the course of a few years, not only might but certainly would, distribute their posterity throughout the lowest classes of society. Every selfish motive therefore, every family attachment, ought to recommend such a system of policy as would provide no less carefully for the rights and happiness of the lowest than of the highest orders of citizens.

Mr. Wilson contended strenuously for drawing the most numerous branch of the Legislature immediately from the people. He was for raising the Federal pyramid to a considerable altitude, and for that reason wished to give it as broad a basis as possible. No government could long subsist without the confidence of the people. In a republican government this confidence was peculiarly essential. He also thought it wrong to increase the weight of the State legislatures by making them the electors of the National Legislature. All interference between the general and local government should be obviated as much as possible. On examination it would be found that the opposition of States to Federal measures had proceeded much more from the officers of the States, than from the people at large.

Mr. Madison considered the popular election of one branch of the National Legislature as essential to every plan of free Government. He observed that in some of the States one branch of the legislature was composed of men already removed from the people by an intervening body of electors. That if the first branch of the general legislature should be elected by the State legislatures, the second branch elected by the first—the executive by the second together with the first; and other appointments again made for subordinate purposes by the executive, the people would be lost sight of altogether; and the necessary sympathy between them and their rulers and officers, too little felt. He was an advocate for the policy of refining the popular appointments by successive filtrations, but thought it might be pushed too far. He wished the expedient to be resorted to only in the appointment of the second branch of the Legislature, and in the executive and judiciary branches of the Government. He thought too that the great fabric to be raised would be more stable and durable if it should rest on the solid foundation of the people themselves, than if it should stand merely on the pillars of the legislatures.

Mr. Gerry did not like the election by the people. The maxims taken from the British constitution were often fallacious when applied to our situation which was extremely different. Experience he said had shown that the State legislatures drawn immediately from the people did not always possess their confidence. He had no objection however to an election by the people if it were so qualified that men of honor and character might not be unwilling to be joined in the appointments. He seemed to think the people might nominate a certain number out of which the State legislatures should be bound to choose.

Mr. Butler thought an election by the people an impracticable mode.

On the question for an election of the first branch of the National Legislature by the people:

Mass., ay. Conn., div. N. York, ay. N. Jersey, no. Penn., ay. Delaware, div. Va., ay. N. C., ay. S. C., no. Georgia, ay.

(United States, Formation of the Union, p. 125, starting "Mr. Sherman," all p. 126 and on 127 through words "Georgia, ay.")

In the final report on Mr. Randolph's plan the Committee of the Whole merely said:

3. *Resolved*, That the Members of the first branch of the National Legislature ought to be elected by the people of the several States for the term of 3 years. (United States, Formation of the Union, at p. 201.)

And nothing about voting qualifications, leaving this for specific provision in the States.

On Monday, August 6, the Committee of Detail reported finally the following provision:

(Art. IV, sec. 1). The Members of the House of Representatives shall be chosen every second year by the people of the several States comprehended within the Union. The qualifications of the electors shall be the same, from time to time, as those of the electors in the several States of the most numerous branch of their own legislature. (See United States, Formation of the Union, at p. 472.)

It is particularly interesting to turn to the reports of the work of the Committee of Detail to see through what stages article IV, section 1 (which is article I, section 2, of our Constitution today) progressed. The very regulations being proposed at this time in this body were suggested in 1787 at the Constitutional Convention and rejected at that time. On June 19 one draft was set forth. It provided:

That the Members of the second Branch of the Legislature of the United States ought to be chosen by the individual legislatures—to be of the age of 30 years at least; to hold their offices for the term of 6 years, one-third to go out biennially; to receive a compensation for the devotion of their time to the public service; to be ineligible to and incapable of holding any office under the authority of the United States (except those peculiarly belonging to the functions of the second Branch) during the term for which they are elected, and for 1 year thereafter. (II Farrand, Records of Federal Convention, p. 129 and 130).

The next step was as follows:

The qualification of electors shall be the same (throughout the States, viz) with that in the particular States unless the legislature shall hereafter direct some uniform qualification to prevail through the States. (II Farrand, Records of Federal Convention, p. 139).

(Citizenship; manhood; sanity of mind; previous residence for 1 year, or possession of real property within the State for the whole of 1 year, or enrollment in the militia for the whole of a year.)

Next:

The Members of the House of Representatives shall be chosen biennially by the people of the United States in the following manner. Every freeman of the age of 21 years—having a freehold estate within the United States—who has—having—resided in the United States for the space of one whole year immediately preceding the day of election, and has a freehold estate in at least 50 acres of land. (II Farrand, supra, p. 151.)

Then:

The Members of the House of Representatives shall be chosen every second year—in the manner following—by the people of the several States comprehended within this Union—the time and place and the manner of holding the elections and the rules. The qualifications of the electors shall be (appointed) prescribed by the legislatures of the several States; but their provisions—which they shall make concerning them shall be subject to the control of—concerning them may at any time be altered and superseded by the Legislature of the United States. (II Farrand, supra, p. 153.)

Mr. President, that was a proposal which was made at one time, and I am citing all these various proposals to show how the members of that Convention finally drifted to the provision of the Constitution which is now in that sacred document. In my mind any Senator who will take the time to read these excerpts, to read the history of the present article of the Constitution which gives to the States the right to prescribe qualifications of voters, will come unequivocally

to the conclusion that this was to be done by the States and not by the Congress.

I have taken much time and much effort in digging up this information, Mr. President. At this moment, approximately 6 o'clock, I have been talking almost 6 hours, and four Senators, including the Presiding Officer, have been listening to me.

Mr. MAYBANK. Mr. President, will the Senator yield for a question?

Mr. ELLENDER. I yield for a question.

Mr. MAYBANK. I should like to ask the Senator this question: Did not the Seventy-seventh and Seventy-eighth Congresses confirm what our founding fathers did when the question before this body was that of reducing from 21 to 18 years of age the age limit of those eligible to vote, and did not the State of Georgia, and perhaps another State, reduce the age limit from 21 to 18 years?

Mr. ELLENDER. Yes.

Mr. MAYBANK. Let me ask the Senator this question: Did the Federal Government, which drafted those boys, make any change in the qualifications?

Mr. ELLENDER. Of course the Congress did not undertake to prescribe qualifications, but it worked out a plan whereby those men could vote. The point which I am trying to stress is that if Senators would take the time to study all of the debates which took place when the Convention drafted our present Constitution, they would find, without any doubt, that it was the intention that the States themselves should have the right to define the qualifications of voters. Not only that, but our courts have so held. So I am satisfied that if Senators will open their minds and study the debates and consider Article 2 of the Constitution, and read it carefully, they will find that it is written, in language as plain as language can be, that the qualifications of voters are a prerogative of the States and not of the Congress.

Mr. MAYBANK. Mr. President, will the Senator further yield?

Mr. ELLENDER. I yield for a question.

Mr. MAYBANK. I should like to ask the distinguished Senator from Louisiana if that is not exactly what was worked out in the Seventy-seventh and Seventy-eighth Congresses for those who were in the armed services.

Mr. ELLENDER. Insofar as making facilities available is concerned, that is correct. But, they had to be qualified.

Mr. MAYBANK. By State laws?

Mr. ELLENDER. That is correct; except, as I remember, the poll tax. There was some exception made in that respect. Basically, I believe it was wrong to have done that. Congress had no authority in that respect to take the steps it did. But in an emergency I voted for it, though having doubt as to whether it was a violation of the Constitution. I voted for it so as to give soldiers the right and opportunity to vote. But the law itself did little except follow the State laws in the respective States except as to the poll tax, as I have said.

Again, see the next report:

The Members of the House of Representatives shall be chosen every second year, by the people of the several States comprehended within this Union. The qualifications of the electors shall be prescribed by the legislatures of the several States but these provisions concerning them may, at any time, be altered and superseded by the legislature of the United States—the same from time to time as those of the electors, in the several States, of the most numerous branch of their own legislatures.

That proposition was submitted in debate, and I cite it to show the varying views of the members of the Convention and the manner and method proposed by each of them. I cite it merely to show that I do not believe anyone overlooked any argument. In other words, there was free debate on the entire subject, and everyone knew what it was all about. After long debate the present amendment to the Constitution was finally adopted by the Convention, and later ratified by three-fourths of the 13 States.

Mr. MAYBANK. Mr. President, will the Senator from Louisiana yield?

Mr. ELLENDER. I yield for a question.

Mr. MAYBANK. Is it not a fact that the same rule was adopted when provision was made for the election of United States Senators by popular vote? Is it not a fact that that provision is twice in the Constitution?

Mr. ELLENDER. The Senator is correct. Prior to 1913 Senators were chosen by the legislatures of the respective States, as provided by the Constitution. In 1913, when the Constitution was amended so as to make it possible to elect Senators by popular vote, the identical language is employed one-hundred-and-some-odd years previously, which, in effect, stated that the electors choosing Members of the House of Representatives should have the qualifications of electors of the most numerous branch of the State legislature. That language was copied, word for word, when the seventeenth amendment prescribed the new method of election of United States Senators.

Mr. MAYBANK. Is it not a fact that since that language was again placed in the Constitution, it showed that those who were here in the early twentieth century believed in the founding fathers and their conception of government?

Mr. ELLENDER. They must have. That goes without argument.

Every one of these suggestions was thought of long ago. They were discussed and wisely rejected by the framers of our Constitution, when they finally agreed on the form above set out; that is—

The Members of the House of Representatives shall be chosen every second year by the people of the several States comprehended within this Union. The qualifications of the electors shall be the same, from time to time, as those of the electors in the several States, of the most numerous branch of their own legislatures. (See Farrand, p. 178, art. IV, sec. 1.)

This point, as all others in the much-debated text, was discussed fully. It is interesting to note what such well-informed and brilliant men as Gouverneur Morris; James Wilson, who was a Justice of the United States; Oliver Ellsworth, who was later Chief Justice of the Supreme Court; Colonel Mason; Benjamin Franklin; John Rutledge, who was also a Chief Justice of the United States; and James Madison, thought of the proposed resolution.

I now quote from Formation of the Union, pages 487, 488, 489, 490, 491, 492:

Mr. GOUVERNEUR MORRIS moved to strike out the last member of the section beginning with the words "qualifications of electors," in order that some other provision might be substituted which would restrain the right of suffrage to freeholders.

Mr. FITZIMMONS seconded the motion.

Mr. WILLIAMSON was opposed to it.

Mr. WILSON. This part of the report was well considered by the committee, and he did not think it could be changed for the better. It was difficult to form any uniform rule of qualifications for all the States. Unnecessary innovations he thought too should be avoided. It would be very hard and disagreeable for the same persons at the same time, to vote for representatives in the State legislature and to be excluded from a vote for those in the National Legislature.

Mr. GOUVERNEUR MORRIS. Such a hardship would be neither great nor novel. The people are accustomed to it and not dissatisfied with it, in several of the States. In some the qualifications are different for the choice of the Governor and of the Representatives; in others for different houses of the legislature. Another objection against the clause as it stands is that it makes the qualifications of the National Legislature depend on the will of the States, which he thought not proper.

Mr. ELLSWORTH thought the qualifications of the electors stood on the most proper footing. The right of suffrage was a tender point, and strongly guarded by most of the State constitutions. The people will not readily subscribe to the National Constitution if it should subject them to be disfranchised. The States are the best judges of the circumstances and temper of their own people.

Colonel MASON. The force of habit is certainly not attended to by those gentlemen who wish for innovations on this point. Eight or nine States have extended the right of suffrage beyond the freeholders. What will the people there say, if they should be disfranchised? A power to alter the qualifications would be a dangerous power in the hands of the Legislature.

Mr. BUTLER. There is no right of which the people are more jealous than that of suffrage. Abridgments of it tend to the same revolution as in Holland where they have at length thrown all power into the hands of the senates, who fill up vacancies themselves, and form a rank aristocracy.

Mr. DICKINSON had a very different idea of the tendency of vesting the right of suffrage in the freeholders of the country. He considered them as the best guardians of liberty; and the restriction of the right to them as a necessary defense against the dangerous influence of those multitudes without property and without unpopularity of the innovation it was in his opinion chemirical. The great mass of our citizens is composed at the time of freeholders, and will be pleased with it.

Mr. ELLSWORTH. How shall the freehold be defined? Ought not every man who pays a tax to vote for the representative who is to levy and dispose of his money? Shall the wealthy merchants and manufacturers, who will bear the full share of the public burdens be not allowed a voice in the imposition of them—taxation and representation ought to go together.

Mr. GOUVERNEUR MORRIS. He had long learned not to be the dupe of words. The sound of aristocracy therefore had no effect upon him. It was the thing, not the name, to which he was opposed, and one of his principal objections to the Constitution as it

is now before us, is that it threatens the country with an aristocracy. The aristocracy will grow out of the House of Representatives. Give the votes to people who have no property, and they will sell them to the rich who will be able to buy them. We should not confine our attention to the present moment. The time is not distant when this country will abound with mechanics and manufacturers who will receive their bread from their employers. Will such men be the secure and faithful guardians of liberty? Will they be the impregnable barrier against aristocracy? He was as little duped by the association of the words taxation and representation. The man who does not give his vote freely is not represented. It is the man who dictates the vote. Children do not vote. Why? Because they want prudence, because they have no will of their own. The ignorant and the dependent can be as little trusted with the public interest. He did not conceive the difficulty of defining freeholders to be insuperable. Still less that the restriction could be unpopular. Nine-tenths of the people are at present freeholders and these will certainly be pleased with it. As to merchants, etc., if they have wealth and value the right they can acquire it. If not they don't deserve it.

Colonel MASON. We all feel too strongly the remains of ancient prejudices, and view things too much through a British medium. A freehold is the qualification in England, and hence it is imagined to be the only proper one. The true idea in his opinion was that every man having evidence of attachment to and permanent common interest with the society ought to share in all its rights and privileges. Was this qualification restrained to freeholders? Does no other kind of property but land evidence a common interest in the proprietor? Does nothing besides property mark a permanent attachment. Ought the merchant, the monied man, the parent of a number of children whose fortunes are to be pursued in his own country, to be viewed as suspicious characters, and unworthy to be trusted with the common rights of their fellow citizens.

Mr. MADISON. The right to suffrage is certainly one of the fundamental articles of republican government, and ought not to be left to be regulated by the legislature.

When he spoke of the legislature he meant Congress.

A gradual abridgment of this right has been the mode in which aristocracies have been built on the ruins of popular forms. Whether the constitutional qualification ought to be a freehold, would with him depend much on the probable reception such a change would meet with in the States where the right was now exercised by every description of people. In several of the States a freehold was now the qualification. Viewing the subject in its merits alone, the freeholders of the country would be the safest depositories of republican liberty. In future times a great majority of the people will not only be without land, but any other sort of property. These will either combine under the influence of their common situation; in which case, the rights of property and the public liberty, will not be secure in their hands; or what is more probable, they will become the tools of opulence and ambition, in which case there will be equal danger on another side.

Mr. LONG. Mr. President, will the Senator yield for a question at that point?

The PRESIDING OFFICER. Does the Senator from Louisiana yield to his colleague?

Mr. ELLENDER. I yield for a question, yes.

Mr. LONG. Is it not a fact that since the writing of these papers there has been a great liberalization of all the qualifications for voting by all the States, or at any rate by most of the States that were involved at that time?

Mr. ELLENDER. That is correct. I have previously pointed that out.

Mr. LONG. Mr. President, will the Senator yield for a further question?

Mr. ELLENDER. I yield for a further question.

Mr. LONG. Does not that further prove in historical retrospect that the Federal Government does not have to make the States liberalize their requirements for voting, but that as a historical fact the States have done it of their own accord?

Mr. ELLENDER. That is correct. There is no doubt about that. If the Senator will be patient with me, I have before me data to show how each State, from the formation of the Union, made such changes. Congress did not do anything about it. But the States themselves did it through their own local governments.

The example of England had been misconceived (by Colonel MASON). A very small proportion of the representatives are there chosen by freeholders. The greatest part are chosen by the cities and boroughs, in many of which the qualification of suffrage is as low as it is in any one of the United States, and it is in the boroughs and cities rather than the counties that bribery most prevailed, and the influence of the Crown on elections was most dangerously exerted.

Doctor FRANKLIN. It is of great consequence that we should not depress the virtue and public spirit of our common people, of which they displayed a great deal during the war, and which contributed principally to the favorable issue of it. He related the honorable refusal of the American seamen who were carried in great numbers into the British prisons during the war, to redeem themselves from misery or to seek their fortunes, by entering on board the ships of the enemies to their country, contrasting their patriotism with a contemporary instance in which the British seamen made prisoners by the Americans, readily entered on the ships of the latter on being promised a share of the prizes that might be made out of their own country. This proceeded, he said, from the different manner in which the common people were treated in America and Great Britain. He did not think that the elected had any right in any case to narrow the privileges of the electors. He quoted as arbitrary the British statute setting forth the danger of tumultuous meetings, and under that pretext narrowing the right of suffrage to persons having freeholds of a certain value; observing that this statute was soon followed by another under the succeeding Parliament, subjecting the people who had no votes to peculiar labors and hardships. He was persuaded also that such a restriction as was proposed would give great uneasiness in the populous States. The sons of a substantial farmer, not being themselves freeholders, would not be pleased at being disfranchised, and there are a great many persons of that description.

Mr. MERCER. The Constitution is objectionable in many points, but in none more than the present. He objected to the footing on which the qualification was put, but particularly to the mode of election by the people. The people cannot know and judge of the characters of candidates. The worst possible choice will be made. He quoted the case of the senate in Virginia as an example in point. The people in towns can unite their votes in favor of one favorite, and by that means always prevail over the people of the country, who being dispersed, will scatter their votes among a variety of candidates.

Mr. RUTLEDGE thought the idea of restraining the right of suffrage to the freeholders a very unadvised one. It would create division among the people and make enemies of all those who should be excluded.

On the question for striking out as moved by Mr. GOUVERNEUR MORRIS, from the word qualifications to the end of the article III:

N.H. no. Mas. no. Conn. no. Penn. no. Del. ay. Md. divided. Va. no. N.C. no. S.C. no. Georgia not present.

Adjourned.

WEDNESDAY, AUGUST 8, IN CONVENTION

Art. IV. Sec. 1 being under consideration—Mr. MERCER expressed his dislike of the whole plan, and his opinion that it never could succeed.

Mr. GHORUM. He had never seen any inconvenience from allowing such as were not freeholders to vote, though it had long been tried. The elections in Philadelphia, New York, and Boston where merchants and mechanics vote are at least as good as those made by freeholders only. The case in England was not accurately stated yesterday (by Mr. MADISON). The cities and large towns are not the seat of Crown influence and corruption. These prevail in the boroughs, and not on account of the right which those who are not freeholders have to vote, but of the smallness of the number who vote. The people have been long accustomed to this right in various parts of America, and will never allow it to be abridged. We must consult their rooted prejudices if we expect their concurrence in our propositions.

Mr. MERCER did not object so much to an election by the people at large including such as were not freeholders, as to their being left to make their choice without any guidance. He hinted that candidates ought to be nominated by the State legislatures.

On the question of agreeing to art. IV, sec. 1, it passed nem. con. (Quoted from United States, Formation of the Union, all pp. 487–491 to art. IV, sec. 2 on p. 49.)

How timely this discussion is today. How true and to the point. I have no need to search for reasons or to manufacture a logician's arguments. I need only take the very words of men whom history has stamped with greatness and foresight to prove my position.

I repeat some of these well-considered words, in fact, I delight to dwell upon their wisdom.

The right of suffrage was a tender point, and strongly guarded by most of the State constitutions.

The States are the best judges of the circumstances and temper of their own people.

A power to alter the qualifications would be a dangerous power in the hands of the legislature (referring to the National Legislature).

Particularly note what Benjamin Franklin, noted for his practical, earthy, common sense, said:

He did not think that the elected had any right in any case to narrow the privileges of the electors.

Turning now from the remarkable document of James Madison, recording the activities of the Constitutional Convention, to the notes of Rufus King, a delegate from Massachusetts to the Constitutional Convention, corroborating the Madison papers, here is King's record

of the debate over the clause, "electors to be the same as those of the most numerous branch of the State legislature."

MORRIS proposed to strike out the clause and to leave it to the State legislature to establish the qualification of the electors and elected, or to add a clause giving to the national legislature powers to alter the qualifications.

ELLSWORTH. If the legislature can alter the qualifications, they may disqualify three-fourths, or a greater portion of the electors—this would go far to create aristocracy. The clause is safe as it stands—the States have staked their liberties on the qualifications which we have proposed to confirm.

DICKINSON. It is urged that to confine the right of suffrage to the freeholders is a step toward the creation of an aristocracy. This cannot be true. We are all safe by trusting the owners of the soil; and it will not be unpopular to do so, for the freeholders are the more numerous class. Not from freeholders, but from those who are not freeholders, free governments have been endangered. Freeholds are by our laws of inheritance divided among the children of the deceased, and will be parceled out among all the worthy men of the State; the merchants and mechanics may become freeholders; and without being so, they are electors of the State legislatures, who appoint the Senators of the United States.

ELLSWORTH. Why confine the right of suffrage to freeholders? The rule should be that he who pays and is governed, should be an elector. Virtue and talents are not confined to the freeholders, and we ought not to exclude them.

MORRIS. I disregard sounds and am not alarmed with the word "aristocracy," but I dread the thing and will oppose it, and for this reason I think that I shall oppose this Constitution because it will establish an aristocracy. There cannot be an aristocracy of freeholders if they all are electors. But there will be, when a great and rich man can bring his poor dependents to vote in our elections—unless you establish a qualification of property, we shall have an aristocracy. Limit the right of suffrage to freeholders, and it will not be unpopular, because nine-tenths of the inhabitants are freeholders.

MASON. Everyone who is of full age and can give evidence of his common interest in the community should be an elector. By this rule, freeholders alone have not his common interest. The father of a family, who has no freehold, has this interest. When he is dead his children will remain. This is a natural interest or bond which binds men to their country—lands are but an artificial tie. The idea of counting freeholders as the true and only persons to whom the right of suffrage should be confided is an English prejudice. In England, a Twig and Turf are the electors.

MADISON. I am in favor of entrusting the right of suffrage to freeholders only. It is a mistake that we are governed by English attachments. The Knights of the Shires are chosen by freeholders, but the members of the cities and boroughs are elected by freemen without freeholds, and who have as small property as the electors of any other country. Where is the crown influence seen, where is corruption in the elections practiced—not in the counties, but in the cities and boroughs.

FRANKLIN. I am afraid that by depositing the right of suffrage in the freeholders exclusively we shall injure the lower class of freemen. This class possess hardy virtues and great integrity. The Revolutionary War is a glorious testimony in favor of Plebeian virtue—our military and naval men are sensible of this truth. I myself know that our seamen who were prisoners in England refused all the allurements that were made use of, to draw them from their allegiance to their country—threatened with ignominious halters, they still refused. This was not the case with the English seamen, who, on being made prisoners entered into the American service and pointed out where other prisoners could be made—and this arose from a plain cause. The Americans were all free and equal to any of their fellow citizens—the English seamen were not so. In ancient times every freeman was an elector, but afterward England made a law which required that every elector should be a freeholder. This law related to the county elections—the consequence was that the residue of the inhabitants felt themselves disgraced, and in the next parliament a law was made, authorizing the justice of the peace to fix the price of labor and to compel persons who were not freeholders to labor for those who were, at a stated rate, or to be put in prison as idle vagabonds. From this period the commond people of England lost a great portion of attachment to their country.

WEDNESDAY, AUGUST 8. QUALIFICATIONS OF ELECTORS OF REPRESENTATIVES

GORHAM. The qualifications (being such as the several States prescribe for electors of their most numerous branch of the legislature) stand well. Gentlemen are in error, who suppose the electors of cities may not be trusted. In England the members chosen in London, Bristol, and Liverpool are as independent as the members of the counties of England. The Crown has little or no influence in city election, but has great influence in boroughs, where the votes of freeholders are bought and sold. There is no risk in allowing the merchants and mechanics to be electors; they have been so since time immemorial in this country and in England. We must not disregard the habits, usages and prejudices of the people (pp. 873, 874, 875, to top p. 876).

This debate, with the resulting provisions duly considered, was again recorded by Dr. James McHenry, delegate from Maryland. (See United States, Formation of the Union, pages 934 and 935.)

When all the views were aired, and the pros and cons of leaving the qualifications of voters for the National Legislature to be decided by the several States had been debated, the considered result was article I, section 2, of the Constitution of the United States, adopted September 17, 1787:

The House of Representatives shall be composed of Members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

Every word of that provision had been torn apart in open discussion, until there can be no possible doubt that it was the intention of the framers of the Constitution to leave to State control the field of voting qualifications.

In submitting the Constitution, Dr. Samuel Johnson, the Delegate from Connecticut, added to it the following letter:

The friends of our country have long seen and desired that the power of making war, peace, and treaties, that of levying money and regulating commerce, and the correspondent executive and judicial authorities should be fully and effectually vested in the General Government of the Union; but the impropriety of delegating such extensive trust to one body of men is evident—thence results the necessity of a different organization. It is obviously impracticable in the Federal Government of these States to secure all rights of independent sovereignty to each, and yet provide for the interest and safety of all. Individuals entering into society must give up a share of liberty to preserve the rest. The magnitude of the sacrifice must depend as well on situation and circumstance, as on the object to be obtained. It is at all times difficult to draw with precision the line between those rights which must be surrendered and those which may be reserved; and on the present occasion this difficulty was increased by a difference among the several States as to their situation, extent, habits, and particular interest.

In all our deliberations on this subject we kept steadily in our view that which appeared to us the greatest interest of every true American, the consolidation of our Union, in which is involved our prosperity, felicity, safety, perhaps our national existence. This important consideration, seriously and deeply impressed on our minds, led each State in the Convention to be less rigid in points of inferior magnitude than might have been otherwise expected, and thus the Constitution, which we now present, is the result of a spirit of amity and of that mutual deference and concession which the peculiarity of our political situation rendered indispensable. That it will meet the full and entire approbation of every State is not perhaps to be expected, but each will doubtless consider that had her interest alone been consulted the consequences might have been particularly disagreeable and injurious to others; that it is liable to as few exceptions as could reasonably have been expected, we hope and believe; that it may promote the lasting welfare of that country so dear to us all, and secure her freedom and happiness, is our most ardent wish. (United States, Formation of the Union, p. 712.)

Thus we see that at a time when all rights of independent sovereignty could not be secured to each State, when the interest of each State alone could not be considered, when the greatest interest of every American was the consolidation of the Union, even then, when the line was drawn between the rights which had to be surrendered and those which would be reserved, the right to determine the qualifications of voters was reserved to each State.

A comment on this is found in McCulloch, Suffrage and Its Problems, at page 30:

When the more perfect union was formed under the Constitution of the United States, each State had the right to frame its own laws respecting suffrage. Hence article V was carried over into the new Constitution and became article I, section 2: The franchise for the election of the Members of the House of Representatives shall in every State be the same as for the "most numerous branch of the State legislature." The Constitution did not disturb the diversities of suffrage regulations existing in the several Commonwealths: It adopted them. For the Constitution to have been anything but silent on the regulation of suffrage would have been an innovation, and, as Viscount Bryce observed, the members of the Constitutional Convention were too sound political scientists to ignore precedents. Only in three amendments (and only directly in the fifteenth and nineteenth) has the Constitution trenched on the Commonwealth right to regulate suffrage—and even then under extraordinary circumstances. (McCulloch, p. 30, paragraph beginning "When" * * * through first paragraph on p. 31.)

These amendments I shall discuss later, when I have fully covered the formative period.

McCulloch, further commenting, says:

While there has been a revolution in the conception of citizenship, there was no such change in the regulation of suffrage, the determining and regulating power continued to rest with the States. However, much as publicists and reformers may desire a uniform national suffrage law, it is unattainable; expediency and constitutionality are both adverse. In fact such a plan was considered by the Constitutional Convention itself, but it received the vote of only one Commonwealth—Delaware. "The provision made by the convention appears to be the best that lay within their option." The "fathers" were satisfied for the States to continue to make their own suffrage tests, rather than to further prolong the convention and so further endanger the rather slim chances of ratification by the several Commonwealths. The prospect in the convention itself was anything but promising. Even Franklin moved to call in a parson that they might invoke the "assistance of Heaven."

The Constitution conferred the franchise on no one. Likewise citizenship does not bestow suffrage, either upon the natural born or the naturalized alien. The several States have the unqualified right to impose qualifications and regulate suffrage subject only to the limitations in the amendments referred to above. In handing down the decision in the case of *Corfield* v. *Coryell*, Judge Washington in enumerating the privileges and immunities that are usually associated with citizenship, said: "To which is to be added the elective franchise, as regulated and established by the laws or constitutions of the State in which it is exercised." (McCulloch, Suffrage and Its Problems, p. 32, paragraph starting "while" to end of paragraph, and on p. 33, starting line 6, word "The Const." through word "exercised" line 18, p. 33.)

Also note what Hart says in his Formation of the Union, at pages 136–37:

The real boldness of the Constitution is the novelty of the Federal system which it set up. This was the best of the few elaborate written Constitutions ever applied to a federation; and the details were so skillfully arranged that the instrument framed for 13 little agricultural communities works well today for 48 large and populous States. * * * The convention knew how to select institutions that would stand together; it also knew how to reject what would have weakened the structure.

It was a long time before a compromise between the discordant elements could be reached. To declare the country a centralized Nation would destroy the traditions of a century and a half; to leave it an assemblage of States, each claiming independence and sovereignty, would throw away the results of the Revolution. The Convention finally agreed that while the Union should be endowed with adequate powers, the States should retain all powers not specifically granted, and particularly the right to regulate their own internal affairs. (Formation of Union, p. 137, paragraph beginning "it was" through paragraph word "affairs.")

Mr. LONG. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the senior Senator from Louisiana yield to his colleague?

Mr. ELLENDER. I yield to my distinguished colleague for a question.

Mr. LONG. Is the Senator not of the opinion, and does he not believe, that the elaborate discussions to which he has referred were with the view to protecting the States in their right to name their electors, and in prescribing their qualifications? Does he not believe that that was a device to prevent the Central Government from undermining and destroying the State governments themselves?

Mr. ELLENDER. I think there is no question about that. In other words, one of the things the 13 original States feared was that if the power of suffrage were lodged or fixed in the Congress, it could disfranchise many people and that it would place more power in the central government. As I shall point out from the discussions, it will be seen that the States guarded very jealously and zealously the right of suffrage. They saw to it that they retained the full power to spell out the qualifications of voters.

Mr. LONG. Mr. President, will the Senator yield for another question?

The PRESIDING OFFICER. Does the senior Senator from Louisiana yield?

Mr. ELLENDER. I yield for a question.

Mr. LONG. Is the Senator of the opinion that a Federal law to eliminate a poll-tax requirement would be completely unconstitutional?

Mr. ELLENDER. I may say to my colleague, that is what I have been trying to show here all day. There is absolutely no question about it. That is why I am giving this history, to show beyond doubt that the framers of the Constitution meant what they said when the suffrage article of the Constitution was adopted. As I tried to point out in the course of the debate, many other forms of procedure as to elections were considered. As I pointed out a while ago there were strenuous objections to letting Congress fix the qualifications. In other words the proposal now being made that Congress fix the qualifications was discussed and considered in the Constitutional Convention in 1787. The framers of our present Constitution in no uncertain terms made it clear that the States retained the right to prescribe qualifications, and that that power was not left in the hands of the Congress.

Mr. LONG. Mr. President, will the Senator yield for a further question?

The PRESIDING OFFICER. Does the senior Senator from Louisiana yield?

Mr. ELLENDER. I yield for a question.

Mr. LONG. What would be the Senator's guess as to what would happen if a Federal antipoll tax were enacted and it were contested before the United States Supreme Court?

Mr. ELLENDER. I have no doubt the Supreme Court would declare it unconstitutional. That is my personal opinion. Aside from that, the Senator may have in his mind the question, Why not let it go to the Supreme Court? Every Senator takes an oath that he will obey, respect, and follow the Constitution, and will not violate it. I think it is incumbent on every Member of this body who wants to be true to his oath, indeed, it is his bounden duty, if he knows deep down in his heart that a proposal submitted to this body is unconstitutional to vote against it and do all in his power to prevent its passage.

Mr. LONG. Mr. President, will the Senator yield for a further question?

The PRESIDING OFFICER. Does the Senator from Louisiana yield to his colleague?

Mr. ELLENDER. I yield for a question.

Mr. LONG. Do I correctly understand the Senator's position to be that he feels the Senate should regard itself as just as much the guardian of the Constitution as the United States Supreme Court?

Mr. ELLENDER. There is no doubt about it. Of course, the United States Supreme Court was created for that purpose. It has that duty. In other words, the Supreme Court passes on laws enacted by the Congress. But I believe it is the duty of every Senator elected to this body to maintain the integrity of the Constitution and to observe his oath.

Mr. LONG. Mr. President, will the Senator yield for another question?

The PRESIDING OFFICER. Does the senior Senator from Louisiana yield to the junior Senator?

Mr. ELLENDER. I yield for a further question.

Mr. LONG. In view of the fact that the United States Supreme Court, especially in recent years, has been known to reverse itself on previous decisions, does the Senator not feel that the Supreme Court cannot always be depended upon to decide a question exactly as he thinks it should be decided?

Mr. ELLENDER. That is one reason why I want to exercise my own judgment in fighting and voting against any measure I think is unconstitutional. That is why I am taking certain steps now. I have no doubt the act would be unconstitutional, and I intend to do all in my power to prevent it from being brought to the Supreme Court.

Mr. CONNALLY. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from Louisiana yield to the Senator from Texas?

Mr. ELLENDER. I yield for a question.

Mr. CONNALLY. Is it not true that the oath taken by Senators requires them to do that? We take an oath to defend the Constitution. When we vote against a bill that is unconstitutional, we are defending the Constitution itself, in accordance with our oath are we not?

Mr. ELLENDER. That is correct. There is no doubt about it at all.

Mr. CONNALLY. Mr. President, will the Senator yield for a further question?

The PRESIDING OFFICER. Does the Senator from Louisiana yield?

Mr. ELLENDER. I yield for a further question.

Mr. CONNALLY. I ask the Senator, Is it not true that we are under no obligation to follow the decisions of the Supreme Court if we conscientiously think the question we are voting upon is unconstitutional?

Mr. ELLENDER. That is correct. Let me quote the oath for the benefit of Senators. I have taken the oath of office three times. I believe the distinguished Senator from Texas has taken it about

five or six times. I hope he takes it many more times.

Mr. CONNALLY. I thank the Senator.

Mr. ELLENDER. The oath reads:

I, TOM CONNALLY, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter: So help me God.

That is the oath that every Senator, now sitting in this Chamber, who is now serving in the Senate, took before he assumed his duties as a Senator.

Mr. HILL. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from Louisiana yield?

Mr. ELLENDER. I yield for a question.

Mr. HILL. Does not the oath mean that we will not only not vote for and will not support any bill we think is unconstitutional, but that we will do all we can to oppose the bill and to prevent its passage?

Mr. ELLENDER. That is what I stated a moment ago in answer to questions from my distinguished colleague. That is why I am taking so long to make these explanations.

Mr. LONG. Mr. President, will the Senator yield for a further question?

The PRESIDING OFFICER. Does the Senator from Louisiana yield to his colleague?

Mr. ELLENDER. I yield for a question only.

Mr. LONG. I ask, as a point of law, is it not true that when a statute is passed by the Congress, the statute carries a presumption of constitutionality until declared unconstitutional by the United States Supreme Court?

Mr. ELLENDER. That is correct. That is the law.

Mr. HILL. Mr. President, will the Senator yield for a further question?

The PRESIDING OFFICER. Does the Senator from Louisiana yield?

Mr. ELLENDER. I yield for a question.

Mr. HILL. Does not the Senator think that if the States and their representative or delegates in the State conventions which ratified the Constitution had not thought that the matter of suffrage and the question of qualifications of electors were left solely, entirely, and absolutely in the hands of the States, there never would have been any Federal Constitution?

Mr. ELLENDER. There is no doubt about that. I expect to go more into detail regarding that, in the course of this debate. There is no question that it was one of the main points of discussion during the debates preceding the adoption of the Constitution. In the course of the next few hours I shall demonstrate that the conventions of the various States could never have ratified the Constitution except with the understanding that the right to spell out the qualifications of voters was a prerogative of the States and not of the Congress.

Mr. HILL. Mr. President, will the Senator yield for a further question?

Mr. ELLENDER. I yield for a question.

Mr. HILL. Is it not true that there was no matter which came before the Constitutional Convention, or which afterwards came before the State conventions which ratified the Constitution, regarding which the delegates in the Constitutional Convention and the delegates in the several State conventions were so jealous and evidenced so much interest as in this very matter of the complete reservation to the States of all power and authority over the qualifications of electors?

Mr. ELLENDER. There is no question about it.

Mr. President, history records that in 1788 there appeared the first edition of the now famous Federalist, a collection of essays written in favor of the new Constitution as agreed upon by the Federal Convention of September 17, 1787.

Mr. HILL. Mr. President, will the Senator yield for a further question?

Mr. ELLENDER. I yield for a question.

Mr. HILL. Is it not true that the fathers, in framing the Constitution, did not leave the matter open, did not leave it for the Congress possibly to widen it in some sort of way, but they specifically provided in plain, clear language in the Constitution, that the qualifications for electors for officers in the Federal Government should be the qualifications of those fixed by the States for their representatives in the house of representatives of the State legislatures?

Mr. ELLENDER. Not only is that true, Mr. President, but our own Supreme Court has so held, on many occasions, as I propose to demonstrate from a 30-page brief which I have in this envelope. I am now trying to demonstrate not only that the Colonies were jealous of their prerogative of fixing the qualifications of voters, but the Constitution would never have been ratified by the States unless that provision were placed in the Constitution. I shall further show that the highest court in our land has so construed the Constitution.

Mr. President, history records that in 1788 there appeared the first edition of the now famous Federalist, a collection of essays written in favor of the new Constitution as agreed upon by the Federal Convention on September 17, 1787.

Mr. HILL. Mr. President, will the Senator yield for a further question?

Mr. ELLENDER. I yield for a question.

Mr. HILL. Were not the Federalist papers written by Mr. Hamilton, Mr. Madison, and Mr. Jay, who had been in the Constitutional Convention and who had made the greatest contributions to the writing of the Constitution?

Mr. ELLENDER. That is correct.

Mr. HILL. Is it not true that no men could have spoken with greater authority on the Constitution than did those three men who had played such a large and conspicuous part in the drafting of the Constitution?

Mr. ELLENDER. That is correct. I hope that Senators will take the time to read these extracts. I do not ask them to read the whole article, but only the pertinent parts. It required a great deal of work and research to obtain what I have here, and I am hopeful that many of the Senators who are not present at this moment will read, at least, these excerpts.

Mr. President, the authorship of the Federalist has been the subject of great research and argument. It is now conceded that a number of the papers were written by Alexander Hamilton, some by Madison, and a few by Jay. The distinguished Senator from Alabama has just mentioned those names. He anticipated what I had to say. I quote from an introduction to the work by Henry Cabot Lodge:

The Federalist, furthermore, was the first authoritative interpretation of the Constitution, and was mainly written by the two principal authors of that instrument. It was the first exposition of the Constitution and the first step in the long process of development which has given life, meaning, and importance to the clauses agreed upon at Philadelphia. It has acquired all the weight and sanction of a judicial decision, and has been constantly used as an authority in the settlement of constitutional questions. (The Federalist, Intro., p. XI iii, 2nd para.)

In No. 45, by Madison, in a paper concerned with the question of whether the whole of the mass of Federal power would endanger the State's authority, the author said:

The powers delegated by the proposed Constitution to the Federal Government are few and defined. Those which are to remain in the State governments are numerous and indefinite. The former will be exercised principally on external objects, as war, peace, negotiation, and foreign commerce; with which last the power of taxation will, for the most part, be connected. The powers reserved to the several States will extend to all the objects which, in the ordinary course of affairs, concern the lives, liberties, and properties of the people, and the internal order, improvement, and prosperity of the State. (The Federalist, p. 290, paragraph beginning "The powers delegated.")

Next, let us turn to the Federalist, No. 52, by Hamilton, probably Madison. From the more general inquiries pursued in the four last papers, I pass on to a more particular examination of the several parts of the Government. I shall begin with the House of Representatives.

The first view to be taken of this part of the Government relates to the qualifications of the electors and the elected.

Those of the former are to be the same with those of the electors of the most numerous branch of the State legislatures. The definition of the right of suffrage is very justly regarded as a fundamental article of republican government. It was incumbent on the convention, therefore, to define and establish this right in the Constitution. To have left it open for the occasional regulation of the Congress would have been improper for the reason just mentioned. To have submitted it to the legislative discretion of the States, would have been improper for the same reason; and for the additional reason that it would have rendered too dependent on the State governments that branch of the Federal Government which ought to be dependent on the people alone. To have

reduced the different qualifications in the different States to one uniform rule, would probably have been as dissatisfactory to some of the States as it would have been difficult to the convention.

Mr. HILL. Mr. President, will the Senator yield?

Mr. ELLENDER. For a question.

Mr. HILL. Is it not true that some in the Constitutional Convention thought that the qualifications of the electors should be written into the Constitution?

Mr. ELLENDER. That is correct.

Mr. HILL. Is it not true that some thought that the matter should be more or less left open?

Mr. ELLENDER. That is correct; and some thought, I will say to my distinguished friend, that they should be spelled out by the Congress. I may say to the Senate that I do not know of any proposal which was more thoroughly discussed from all angles than was the one dealing with suffrage. So, there is no question that if a Senator desires to be reasonable himself and will study the question closely, he will have no difficulty in seeing that Congress has no right whatever to fix qualifications for the voters of any State.

As I pointed out on several occasions there are no United States voters. They are all State voters. Their qualifications are fixed by the States, and they have been so fixed ever since we have had States. The provision made by the Convention appears, therefore, to be the best that lay within their option. It must be satisfactory to every State, because it is conformable to the standard already established, or which may be established, by the State itself. It will be safe to the United States, because, being fixed by the State constitutions, it is not alterable by the State governments, and it cannot be feared that the people of the States will alter this part of their constitutions in such a manner as to abridge the rights secured to them by the Federal Constitution.

Mr. HILL. Mr. President, will the Senator yield for another question?

Mr. ELLENDER. I yield for a question.

Mr. HILL. Could language be any clearer than this language in section 2 of article I of the Constitution:

The House of Representatives shall be composed of Members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for the electors of the most numerous branch of the State legislature.

I ask the Senator, could language be more specific than that?

Mr. ELLENDER. It could not be made clearer.

Mr. HILL. There is no way of misinterpreting it, is there?

Mr. ELLENDER. The Senator is correct.

Mr. HILL. Is it not true that when we provided for direct election of United States Senators, we adopted the same language?

Mr. ELLENDER. The Senator is correct.

Mr. CONNALLY. Mr. President, will the Senator from Louisiana yield for a question?

Mr. ELLENDER. I yield for a question.

Mr. CONNALLY. It occurs to me, as it has heretofore, that in addition to the arbitrary power of the Convention to write what it did about the electors for the most numerous branch of the State legislature having the same qualifications as those prescribed for electors for Members of the House of Representatives, there was a philosophy in that provision as well, in that an elector for a member of the State legislature having the same qualifications as the elector for a Representative, there could be no confusion between the qualifications of a voter in the Federal and the State election.

Mr. ELLENDER. That is correct; there is no doubt about it. All those points were brought out during the debate before that part of the Constitution was actually adopted.

Mr. HILL. Mr. President, will the Senator yield again?

Mr. ELLENDER. For a question.

Mr. HILL. In other words, is it not true that when a citizen of a State becomes a qualified elector to vote for a member of the lower house of the legislature of the State, he then and there becomes a qualified elector to vote for Federal officers?

Mr. ELLENDER. That is correct. I continue to read:

The qualifications of the elected, being less carefully and properly defined by the State constitutions, and being at the same time more susceptible of uniformity, have been very properly considered and regulated by the Convention. A Representative of the United States must be of the age of 25 years; must have been 7 years a citizen of the United States; must, at the time of his election, be an inhabitant of the State he is to represent; and, during the time of his service, must be in no office under the United States. Under these reasonable limitations, the door of this part of the Federal Government is open to merit of every description, whether native or adoptive, whether young or old, and without regard to poverty or wealth, or to any particular profession of religious faith.

That is from the Federalist, No. 52, pages 327 and 328.

The provision in section 4, clause 1, of article I, provides that—

The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the legislature thereof, but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators.

Mr. HILL. Mr. President, will the Senator yield again?

Mr. ELLENDER. I yield for a question.

Mr. HILL. Is it not true that the last section to which the Senator adverted applies only to the mechanics and does not apply at all to the qualifications of the man or the woman who is to go to the polls, mark the ballot, and drop it into the box?

Mr. ELLENDER. The Senator is correct. The matter here refers to the manner of holding elections. The Senator again anticipated me.

"Manner" here refers to manner of holding elections, the mechanics thereof. Obviously there is no bearing upon voting qualifications. The Congress treated the person of the elector in article I, section 2, and the form or procedure of the election in article I, section 4. That this power was only to be exercised in case of national emergency or failure of the State to provide for an election is made clear by Hamilton in his discussion in the Federalist, No. 59:

They have submitted the regulation of elections for the Federal Government, in the first instance, to the local administrations; which, in ordinary cases, and when no improper views prevail, may be both more convenient and more satisfactory; but they have reserved to the national authority a right to interpose, whenever extraordinary circumstances might render that interposition necessary to its safety.

Nothing can be more evident, than that an exclusive power of regulating elections for the National Government, in the hands of the State legislatures, would leave the existence of the Union entirely at their mercy. They could at any moment annihilate it, by neglecting to provide for the choice of persons to administer its affairs.

That is from the Federalist, page 369, line 22.

Even so, this procedural provision caused considerable objection and discussion in the State conventions which clarified its meaning by argument and emphasized its procedural application only, before they adopted the Constitution. I will discuss this fully in my treatment of the adoption of the Constitution by the various States, which I shall begin at this point.

I read from Formation of the Union, by Hart, pages 140 to 145:

The text of the Constitution was printed and rapidly distributed throughout the Union. It was still but a lifeless draft, and before it could become an instrument of Government the approving action of Congress, of the legislatures, and of State conventions was necessary. On September 28, 1787, the Congress unanimously resolved that the Constitution be transmitted to the State legislatures. The Federal Convention was determined that the consideration of its work should not depend, like the Articles of Confederation, upon the slow and unwilling humor of the legislatures; but that in each State a convention should be summoned solely to express the will of the State upon the acceptance of the Constitution. It had further avoided the rock upon which had been wrecked the amendments proposed by Congress by providing these when nine State conventions should have ratified the Constitution, it was to take effect for those nine. On the same day that Congress in New York was passing its resolution, the Pennsylvania Legislature in Philadelphia was fixing the day for the election of delegates; all the State legislatures followed, except in Rhode Island.

Mr. HILL. Madam President, will the Senator yield for a question?

The PRESIDING OFFICER (Mrs. SMITH of Maine in the chair). Does the Senator from Louisiana yield to the Senator from Alabama?

Mr. ELLENDER. I yield for a question.

Mr. HILL. Is it not true, as the Senator has so well and ably brought out, that not only was this whole question of the qualifications of the electors thrashed out in the Constitutional Convention in Philadelphia, but that the question was also raised, discussed, con-

sidered, and thrashed out by the State conventions which met to determine whether or not the Constitution would be ratified by their States?

Mr. ELLENDER. That is correct. I am coming to that. The Senator seems to anticipate me all the time. I propose to discuss what each State convention did, what each legislature did. Some actions were taken by conventions and some by legislatures. I believe I shall be able to demonstrate, without fear of successful contradiction, that the suffrage provision in the Constitution was one which caused more debate than almost any other.

Mr. HILL. Madam President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from Louisiana again yield to the Senator from Alabama?

Mr. ELLENDER. I yield for a question.

Mr. HILL. Is it not true that these debates show clearly how jealous the States, through their delegates in the State conventions, were of too much concentration of power in the Federal Government?

Mr. ELLENDER. Madam President, I have answered that question two or three times on the Senate floor. That is the reason, to my way of thinking, why they thought they should prevent the creation of a too highly centralized Government. They felt that if they could maintain the right to fix the qualifications of electors it would accomplish the purpose.

Mr. HILL. Madam President, will the Senator yield for one more question?

The PRESIDING OFFICER. Does the Senator from Louisiana yield for another question?

Mr. ELLENDER. I yield for a question.

Mr. HILL. Is it not true that Patrick Henry and George Mason, two of the greatest of all our Revolutionary patriots, opposed in the Virginia Convention and before the people of Virginia, in many speeches——

Mr. ELLENDER. Madam President, the Senator, as I said before, is anticipating. I will bring that all out, if the Senator will just be patient.

Mr. HILL. Very well.

Mr. ELLENDER. Madam President, I continue to read:

> The next 6 months was a period of great anxiety and of national danger. The proposed Constitution was violently attacked in every part of the Union: the President, it was urged, would be a despot, the House of Representatives a corporate tyrant, the Senate an oligarchy. The large States protested that Delaware and Rhode Island would still neutralize the votes of Virginia and Massachusetts in the Senate. The Federal courts were said to be an innovation. It was known that there had been great divisions in the Convention, and that several influential members had left, or at the last moment refused to sign. "The people of this Commonwealth," said Patrick Henry, "are exceedingly uneasy in being brought from that state of full security which they enjoyed, to the present delusive appearance of things."
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> As the State conventions assembled, the excitement grew more intense. Four States alone contained within a few thousand of half the population of the Union: they were Massachusetts, Virginia, New York, and North Carolina. In the convention of each of these States there was opposition strong and stubborn, one of them—North Carolina—adjourned without action; in the other three, ratification was obtained with extreme difficulty and by narrow majorities. The first State to come under the "new roof," as the Constitution was popularly called, was Delaware. In rapid succession followed Pennsylvania, New Jersey, Georgia, and Connecticut.
>
> In Massachusetts, the sixth State, there was a hard fight; the spirit of Shays' Rebellion was still alive; the opposition of Samuel Adams was only overcome by showing him that he was in the minority; John Hancock was put out of the power to interfere by making him the silent president of the convention. It was suggested that Massachusetts ratify on condition that a long list of amendments be adopted by the new government. The friends of the Constitution pointed out that this plan meant only to ratify a part of the Constitution and to reject the rest; each succeeding State would insist on its own list of amendments, and the whole work must be done over. February 6, 1788, the enthusiastic people of Boston knew that the Convention, by a vote of 187 to 167, had ratified the Constitution; the amendments being added not as a condition, but as a suggestion. Maryland, South Carolina, and New Hampshire brought the number up to nine.
>
> Before the ninth ratification was known, the fight had been won also in Virginia. Among the champions of the Constitution were Madison, Edmund Randolph, and John Marshall. James Monroe argued against the system of election which was destined twice to make him President. In spite of the determined opposition of Patrick Henry, and in spite of a proposition to ratify with amendments, the convention accepted. New York still held off. Her acquiescence was geographically necessary; and Alexander Hamilton, by the power of his eloquence and his reason, made clear the advantage of the Constitution to a future commercial state and the eleventh ratification was obtained.
>
> During the session of the convention in Philadelphia, Congress continued to sit in New York; and the Northwest Ordinance was passed at this time. Congress voted that the Constitution had been ratified, September 13, 1788; and that elections should proceed for the officers of the new government, which was to go into operation the first Wednesday in March, 1789.
>
> What, meantime, was the situation of the two States, Rhode Island and North Carolina, which had not ratified the Constitution, and which were, therefore, not entitled to take part in the elections? They had in 1781 entered into a constitution which was to be amended only by unanimous consent; their consent was refused. Had they not a right to insist on the continuance of the old Congress? The new Constitution, they considered, was flatly unconstitutional; it had been ratified by a process unknown to law. The situation was felt to be delicate, and those States were for the time being left to themselves. North Carolina came into the Union by a ratification of November 21, 1789. It was suggested that the trade of States which did not recognize Congress should be cut off, and Rhode Island yielded. May 19, 1790, her ratification completed the Union of the old thirteen States.

Keeping this summary in mind, let us consider in detail the proceedings and debates in the various States as they pertain to voting qualifications.

Delaware's ratification was the first one to be reported in general convention. Elliott's accounts of the constitutional debates contain nothing on Delaware's convention.

Pennsylvania was second to ratify the Constitution. In a speech by Mr. Wilson, on October 28, 1787, on behalf of the Constitution, he made the following observation:

> The legislative department is subdivided into two branches—the House of Representatives and the Senate. Can there be a House of Representatives in the General Government, after the State governments are annihilated? Care is taken to express the character of the electors in such a manner, that even the popular branch of the General Government cannot exist unless the governments of the States continue in existence.
>
> How do I prove this? By the regulation that is made concerning the important subject of giving suffrage. Article I, section 2: "And the electors in each State shall have the qualifications for electors of the most numerous branch of the State legislature." Now, sir, in order to know who are qualified to be electors of the House of Representatives, we are to inquire who are qualified to be electors of the legislature of each State. If there be no legislature in the States, there can be no electors of them: if there be no such electors, there is no criterion to know who are qualified to elect Members of the House of Representatives. By this short, plain deduction, the existence of State legislatures is proved to be essential to the existence of the General Government. (Elliott II, Constitutional Debates, p. 438.)

Concerning section 4 of article 1, Mr. Wilson, who was one of the members of the committee of detail, said:

> I will read it: "The times, places, and manner of holding elections for Senators and Representatives, shall be prescribed in each State by the legislature thereof; but the Congress may at any time, by law, make or alter such regulations, except as to the places of choosing Senators."
>
> And is this a proof that it was intended to carry on this Government after the State governments should be dissolved and abrogated? This clause is not only a proper, but necessary one. I have already shown what pains have been taken in the convention to secure the preservation of the State governments. I hope, sir, that it was no crime to sow the seed of self-preservation in the Federal Government; without this clause, it would not possess self-preserving power. By this clause, the times, places, and manner of holding elections shall be prescribed in each State, by the legislature thereof. I think it highly proper that the Federal Government should throw the exercise of this power into the hands of the State legislatures; but not that it should be placed there entirely without control.
>
> If the Congress had it not in their power to make regulations, what might be the consequences? Some States might make no regulations at all on the subject. And shall the existence of the House of Representatives, the immediate representation of the people in Congress, depend upon the will and pleasure of the State governments? Another thing may possibly happen; I don't say it will; but we were obliged to guard even against possibilities, as well as probabilities. A legislature may be willing to make the necessary regulations; yet the minority of that legislature may, by absenting themselves, break up the house, and prevent the execution of the intention of the majority. I have supposed the case, that some State governments may make no regulations at all; it is possible, also, that they may make improper regulations. I have heard it surmised by the opponents of this Constitution, that the Congress may order the election for Pennsylvania to be held at Pittsburgh, and thence conclude that it would be improper for them to have the exercise of power. But suppose, on the other hand, that the assembly should order an election to be held at Pittsburgh; ought not the General Government to have the power to alter such improper election of one of its

own constituent parts? But there is an additional reason still that shows the necessity of this provisionary clause. The Members of the Senate are elected by the State legislatures. If those legislatures possessed, uncontrolled, the power of prescribing the times, places, and manner, of electing Members of the House of Representatives, the Members of one branch of the General Legislature would be the tenants at will of the electors of the other branch; and the General Government would lie prostrate at the mercy of the legislatures of the several States.

I will ask now, Is the inference fairly drawn that the General Government was intended to swallow up the State governments? Or was it calculated to answer such end? Or do its framers deserve such censure from honorable gentlemen? We find, on examining this paragraph, that it contains nothing more than the maxims of self-preservation, so abundantly secured by this Constitution to the individuals States. Several other objections have been mentioned. I will not, at this time, enter into a discussion of them, though I may hereafter take notice of such as have any show of weight; but I thought it necessary to offer, at this time, the observations I have made, because I consider this as an important subject, and think the objection would be a strong one if it was well founded. (Elliott II, supra, pp. 440–441.)

Again:

The power over elections, and of judging of elections, gives absolute sovereignty. This power is given to every State legislature; yet I see no necessity that the power of absolute sovereignty should accompany it. My general position is, that the absolute sovereignty never goes from the people. (Elliott II, supra, pp. 464–465.)

Mr. Wilson leaves no doubt as to the meaning of the Constitution as he reiterates:

Permit me to proceed to what I deem another excellency of this system: All authority, of every kind, is derived by representation from the people, and the democratic principle is carried into every part of the Government. I had an opportunity, when I spoke first, of going fully into an elucidation of this subject. I mean not now to repeat what I then said.

I proceed to another quality that I think estimable in this system: It secures, in the strongest manner, the right of suffrage. Montesquieu, book 2, chapter 2, speaking of laws relative to democracy, says:

"When the body of the people is possessed of the supreme power, this is called a democracy. When the supreme power is lodged in the hands of a part of the people, it is then an aristocracy.

"In a democracy the people are in some respects the sovereign, and in others the subject.

"There can be no exercise of sovereignty but by their suffrages, which are their own will. Now, the sovereign's will is the sovereign himself. The laws, therefore, which establish the right of suffrage, are fundamental to this government. And, indeed, it is as important to regulate, in a republic, in what manner, by whom, to whom, and concerning what, suffrages are to be given, as it is, in a monarchy, to know who is the prince, and after what manner he ought to govern."

In this system, it is declared that the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature. This being made the criterion of the right of suffrage, it is consequently secured, because the same Constitution guarantees to every State in the Union a republican form of government. The right of suffrage is fundamental to the republics. (Elliott II, supra, p. 482.)

In response to further objections to article I, section 4, Mr. Wilson said:

It is repeated, again and again, by the honorable gentleman, that "the power over elections, which is given to the General Government in this system is a dangerous power." I must own I feel, myself, surprised that an objection of this kind should be persisted in, after what has been said by the honorable colleague in reply. I think it has appeared, by a minute investigation of the subject, that it would have been not only unwise, but highly improper, in the late Convention, to have omitted this clause, or given less power than it does over elections. Such powers, sir, are enjoyed by every State government in the United States. In some they are of a much greater magnitude; and why should this be the only one deprived of them? Ought not these, as well as every other legislative body, to have the power of judging of the qualifications of its own members? "The times, places, and manner of holding elections for representatives may be altered by Congress." This power, sir, has been shown to be necessary, not only on some particular occasions, but even to the very existence of the Federal Government. I have heard some very improbable suspicions indeed suggested with regard to the manner in which it will be exercised. Let us suppose it may be improperly exercised; is it not more likely so to be by the particular States than by the Government of the United States?—because the General Government will be more studious of the good of the whole than a particular State will be; and therefore, when the power of regulating the time, place, or manner of holding elections, is exercised by the Congress, it will be to correct the improper regulations of a particular State. (Elliott II, supra, p. 509.)

Mr. McKean enumerated the arguments against the Constitution. Number four was that Congress could, by law, deprive the electors of a fair choice of their representatives by fixing improper times, places, and modes of election. He answered that argument as follows:

Every House of Representatives are of necessity to be the judges of the elections, returns, and qualifications of their own Members. It is therefore their province, as well as duty, to see that they are fairly chosen, and are the legal members; for this purpose, it is proper they should have it in their power to provide that the times, places, and manner of election should be such as to insure free and fair elections. (Elliott II, supra, p. 535.)

Obviously this text had reference to procedure only, and insures against the failure of a State to provide for an election; it had no bearing upon the qualifications of the electors, or voters, which was specifically left to the States in article I, section 2.

However, being zealous in their guard of their rights, a group of citizens of Pennsylvania gathered at a meeting in Harrisburg suggested a number of amendments to be submitted to the new Constitution. Among them was the following provision:

That Congress shall not have power to make or alter regulations concerning the time, place, and manner of electing Senators and Representatives, except in case of neglect or refusal by the State to make regulations for the purpose; and then only for such time as such neglect or refusal shall continue. (Elliott II, supra, p. 545, sec. 4.)

Pennsylvania ratified the Constitution December 12, 1787; New Jersey, December 18, 1787.

Connecticut was fourth on the list to come under the roof. I have found no argument specifically on the point of State control of voting qualifications, so I shall only note, in passing, the general observation of Governor Huntingdon, of Connecticut:

The State governments, I think, will not be endangered by the powers vested by this Constitution in the General Government. While I have attended in Congress, I have observed that the Members were quite as strenuous advocates for the rights of their respective States, as for those of the Union. I doubt not but that this will continue to be the case; and hence I infer that the General Government will not have the disposition to encroach upon the States.

On September 17, 1782, Connecticut ratified the Constitution. (Elliott II, supra, p. 199.)

Madam President, the Massachusetts Convention entered upon the consideration of the proposed Constitution on January 9, 1788. Here we find an extensive discussion of section 4, of article I:

Mr. Pierce (from Partridgefield), after reading the fourth section, wished to know the opinion of gentlemen on it, as Congress appeared thereby to have a power to regulate the time, place, and manner of holding elections. In respect to the manner, said Mr. Pierce, suppose the legislature of this State should prescribe that the choice of the Federal Representatives should be in the same manner as that of governor—a majority of all the votes in the State being necessary to make it such—and Congress should deem it an improper manner, and should order that it be as practiced in several of the Southern States, where the highest number of votes makes a choice—have they not power by this section to do so? Again, as to the place, continues Mr. Pierce, may not Congress direct that the election for Massachusetts shall be held in Boston? And if so, it is possible that, previous to the election, a number of the electors may meet, agree upon the eight delegates, and propose the same to a few towns in the vicinity, who, agreeing in sentiment, may meet on the day of election, and carry their list by a major vote. He did not, he said, say that this would be the case; but he wished to know if it was not a possible one.

Mr. Bishop rose, and observed that, by the fourth section, Congress would be enabled to control the elections of Representatives. It has been said, says he, that this power was given in order that refractory States may be made to do their duty. But if so, sir, why was it not so mentioned? If that was the intention, he asked why the clause did not run thus: "The times, places, and manner of holding elections for Senators and Representatives, shall be prescribed in each State by the legislature thereof"; but, "if any State shall refuse or neglect so to do, Congress may," etc. This, he said, would admit of no prevarication. (Elliott II, supra, p. 22.)

He proceeded to observe, that if the States shall refuse to do their duty, then let the power be given to Congress to oblige them to do it. But if they do their duty, Congress ought not to have the power to control elections. In an uncontrolled representation, says Mr. Bishop, lies the security of freedom; and he thought by these clauses, that that freedom was sported with. In fact, says he, the moment we give Congress this power, the liberties of the yeomanry of this country are at an end. But he trusted they would never give it; and he felt a consolation from the reflection.

The fourth section, which provides that the State legislatures shall prescribe the time, place, and manner of holding elections, and that Congress may at any time make or alter them, except in those of Senators, though not in regular order, under deliberation.

The Honorable Mr. Strong followed Mr. Bishop, and pointed out the necessity there is for the fourth section. The power, says he, to regulate the elections of our Federal Representatives must be lodged somewhere. I know of but two bodies wherein it can be lodged—the legislatures of the several States, and the General Congress. If the legislative bodies of the States, who must be supposed to know at what time, and in what place and manner, the elections can best be held, should so appoint them, it cannot be supposed that Congress, by the power granted by this section, will alter them; but if the legislature of a State should refuse to make such regulations, the consequence will be, that the Representatives will not be chosen, and the General Government will be dissolved. In such case, can gentlemen say that a power to remedy the evil is not necessary to be lodged somewhere?

Mr. J. C. Jones said, it was not right to argue the possibility of the abuse of any measure against its adoption. The power granted to Congress by the fourth section, says he, is a necessary power; it will provide against negligence and dangerous designs. The Senators and Representatives of this State, Mr. President, are now chosen by a small number of electors; and it is likely we shall grow equally negligent of our Federal elections; or, sir, a State may refuse to send to Congress its Representatives, as Rhode Island has done. Thus we see its necessity.

To say that the power may be abused, is saying what will apply to all power. The Federal Representatives will represent the people; they will be the people; and it is not probable they will abuse themselves. Mr. Jones concluded with repeating, that the arguments against this power could be urged against any power whatever.

Reverend Mr. WEST. I rise to express my astonishment at the arguments of some gentlemen against this section. They have only stated possible objections. I wish the gentlemen would show us that what they so much deprecate is probable. Is it probable that we shall choose men to ruin us? Are we to object to all governments? And because power may be abused, shall we be reduced to anarchy and a state of nature? What hinders our State legislatures from abusing their powers? They may violate the Constitution; they may levy taxes oppressive and intolerable, to the amount of all our property. An argument which proves too much, it is said, proves nothing. Some say Congress may remove the place of elections to the State of South Carolina. This is inconsistent with the words of the Constitution, which says, "that the elections, in each State, shall be prescribed by the legislature thereof," and so forth, and that representation be apportioned according to numbers; it will frustrate the end of the Constitution, and is a reflection on the gentlemen who formed it. Can we, sir, suppose them so wicked, so vile, as to recommend an article so dangerous? (Elliott II, supra, p. 23.)

The debate continued at length, while men sought to construe and interpret, to assure themselves that the State control of its elections was not superseded. The Honorable Mr. King, in the course of his speech, said:

The idea of the honorable gentlemen from Douglass, said he, transcends my understanding; for the power of control given by this section extends to the manner of election, not to qualifications of the electors. (Elliott II, supra, p. 51.)

Madam President, the temper of the convention is well illustrated by the words of Mr. Adams, speaking to the Chair, John Hancock presiding, of the convention.

Another of Your Excellency's propositions is calculated to quiet the apprehensions of gentlemen lest Congress should exercise an unreasonable control over the State legislatures, with regard to the time, place, and manner of holding elections, which, by the fourth section of the first article, are to be prescribed in each State by the legislature thereof, subject to the control of Congress. I have had my fears lest this control should infringe the freedom of elections, which ought ever to be held sacred. Gentlemen who have objected to this controlling power in Congress have expressed their wishes that it had been restricted to such States as may neglect or refuse that power vested in them, and to be exercised by them if they please. Your Excellency proposes, in substance, the same restriction, which, I should think, cannot but meet with their full approbation. (Elliott II, supra, pp. 131 and 132.)

Mr. Mason was still worried over the possibilities of section 4. Said he:

We now come, sir, to the fourth section. Let us see: the time, place, and manner of holding elections, shall be prescribed in each State by the legislature thereof. No objections to this: but, sir, after the flash of lightning comes the peal of thunder. "But Congress may at any time alter them," etc. Here it is, Mr. President, this is the article which is to make Congress omnipotent. Gentlemen say, this is the greatest beauty of the Constitution; this is the greatest security for the people; this is the all in all. Such language have I heard in this house; but, sir, I say, by this power Congress may, if they please, order the election of Federal Representatives for Massachusetts to be at Great Barrington or Machias; and at such a time, too, as shall put it in the power of a few artful and designing men to get themselves elected at their pleasure. (Elliott II, supra, pp. 135 and 136.)

On February 7, 1788, Massachusetts ratified the Constitution, and added to its report these words:

And, as it is the opinion of this convention, that certain amendments and alterations in the said Constitution would remove the fears and quiet the apprehensions of many of the good people of the commonwealth, and more effectually guard against an undue administration of the Federal Government, the convention do therefore recommend that the following alterations and provisions be introduced into the said Constitution. Thirdly, that Congress do not exercise the powers vested in them by the fourth section of the first article, but in cases where a State shall neglect or refuse to make the regulations therein mentioned, or shall make regulations subversive of the rights of the people to a free and equal representation in Congress, agreeable to the Constitution. (See Elliott II, supra, p. 177.)

With the qualifications of voters definitely to be regulated by the States under the Constitution, still the people of Massachusetts were so concerned with the possible abuse of the power of Congress over the "time, place, manner," or procedure of an election that they wished it clearly understood that Congress should assume the exercise of such power only in case of extreme necessity, where neglect of duty by a State compelled it.

As pointed out on several occasions, that part of the Constitution dealing with the times, places, and manner of holding elections and so forth dealt only with the mechanics of an election, not with the qualification of voters. That was reserved to the States, as I have been trying to demonstrate. The States themselves, in ratifying the Federal Constitution, saw to it that the right to spell out the qualifications of their electors should be a prerogative of the State, and was not to be exercised by the Congress under any condition.

No. 6 was Georgia, January 2, 1788.

No. 7 was Maryland. Among the amendments proposed to be suggested by the States was the following:

2. That the Congress shall have no power to alter or change the time, place, or manner of holding elections for Senators or Representatives, unless a State shall neglect to make regulations, or to execute its regulations, or shall be prevented by invasion or rebellion, in which cases only, Congress may interfere, until the cause be removed. (See Elliott II, supra, p. 552.)

However, so many amendments were suggested that, through fear of obtaining no security at all for the people, the Constitution was ratified.

In speaking to the Maryland House of Delegates, Mr. James McHenry, referring to the section in the Constitution providing that the qualifications of electors be the same as those of electors for the State legislature, said:

To this section it was objected that if the qualifications of the electors were the same as in the State governments, it would involve in the Federal system all the disorders of a democracy; and it was therefore contended that none but freeholders, permanently interested in the Government, ought to have a right of suffrage. The venerable Franklin opposed to this the natural rights of man—their rights to an immediate voice in the general assemblage of the whole Nation, or to a right of suffrage and representation, and he instanced from general history and particular events the indifference of those, to the prosperity and welfare of the States who were deprived of it. (Farrand III, Records of the Federal Convention, p. 146.)

Also concerning section 4, he said:

It was thought expedient to vest the Congress with the powers contained in this section, which particular exigencies might require them to exercise, and which the immediate representatives of the people can never be supposed capable of wantonly abusing to the prejudice of their constituents—convention had in contemplation the possible events of insurrection, invasion, and even to provide against any disposition that might occur hereafter in any particular State to thwart the measures of the General Government. (Farrand III, supra, p. 148.)

On May 23, 1788, Maryland ratified the Constitution.

South Carolina met in convention to consider the Constitution, May 12, 1788. Speaking of the much-debated fourth section of article I, giving Congress supervisory power over the time, place, and manner of elections, Mr. Pinckney, who was also one of the delegates to the Federal Convention, and in excellent position to know the intention of that body, said:

But if any State should attempt to fix a very inconvenient time for the election, and name (agreeably to the ideas of the honorable gentlemen) only one place in the State, or even one place in one of the five election districts, for the freeholders to assemble to vote, and the people should dislike this arrangement, they can petition the General

Government to redress this inconvenience, and to fix times and places of election of Represenattives in the State in a more convenient manner; for, as this house has a right to fix the times and places of election, in each parish and county, for the members of the house of representatives of this State, so the General Government has a similar right to fix the times and places of election in each State for the Members of the General House of Representatives. Nor is there any real danger to be apprehended from the exercise of this power, as it cannot be supposed that any State will consent to fix the election at inconvenient seasons and places in any other State, lest she herself should hereafter experience the same inconvenience; but it is absolutly necessary that Congress should have this superintending power, lest, by the intrigues of a ruling faction in a State, the Members of the House of Representatives should not really represent the people of the State, and lest the same faction, through partial State views, should altogether refuse to send representatives of the people to the General Government. (Elliott IV, supra, p. 303.)

When South Carolina ratified the Constitution, May 23, 1788, they added this observation, or recommendation, to the ratification:

And whereas it is essential to the preservation of the rights reserved to the several States, and the freedom of the people, under the operations of a general government, that the right of prescribing the manner, time, and places, of holding the elections to the Federal Legislature should be forever inseparably annexed to the sovereignty of the several States, this convention doth declare that the same ought to remain to all posterity, a perpetual and fundamental right in the local, exclusive of the interference of the General Government, except in cases where the legislatures of the States shall refuse or neglect to perform and fulfill the same, according to the tenor of the said Constitution. (Elliott I, supra, p. 323.)

New Hampshire acted ninth of all the States, and we find no discussion there of the sections involving voting qualifications. However, we do find New Hampshire, equally watchful, recommending the following amendment, among others, to the Constitution:

III. That Congress do not exercise the powers vested in them by the fourth section of the first article, but in cases when a State shall neglect or refuse to make the regulations therein mentioned. (Elliott I, supra, p. 326.)

On September 17, 1787, Virginia ratified the Constitution. The Virginia Convention was lengthy, the debates heated and protracted. Article I, section 2, providing that the electors of the delegates to the House of Representatives shall have the qualifications for electors of the more numerous branch of the State legislature, was read. Mr. George Nicholas spoke as follows—Elliott III, supra, pages 8, 9, 10:

Secondly, as it respects the qualifications of the elected. It has ever been considered a great security to liberty, that very few should be excluded from the right of being chosen to the Legislature. This Constitution has amply attended to this idea. We find no qualifications required except those of age and residence, which create a certainty of their judgment being matured, and of being attached to their State. It has been objected, that they ought to be possessed of landed estates; but, sir, when we reflect that most of the electors are landed men, we must suppose they will fix on those who are in a similar situation with themselves. We find there is a decided majority attached to the landed interest; consequently, the landed interest must prevail in the choice. Should the State be divided into districts, in no one can the mercantile interest by any means have an equal weight in the elections; therefore, the former will be more fully represented in the Congress; and men of eminent abilities are not excluded for the want of landed property. There is another objection which has been echoed from one end of the continent to the other—that Congress may alter the time, place, and manner of holding elections; that they may direct the place of elections to be where it will be impossible for those who have a right to vote, to attend; for instance, that they may order the freeholders of Albemarle to vote in the county of Princess Anne, or vice versa; or regulate elections, otherwise, in such a manner as totally to defeat their purpose, and lay them entirely under the influence of Congress. I flatter myself, that, from an attentive consideration of this power, it will clearly appear that it was essentially necessary to give it to Congress as, without it, there could have been no security for the General Government against the State legislatures. What, Mr. Chairman, is the danger apprehended in this case? If I understand it right, it must be that Congress might cause the elections to be held in the most inconvenient places, and at so inconvenient a time, and in such a manner, as to give them the most undue influence over the choice, nay, even to prevent the elections from being held at all—in order to perpetuate themselves. But what would be the consequence of this measure? It would be this, sir,—that Congress would cease to exist; it would destroy the Congress itself; it would absolutely be an act of suicide; and therefore it can never be expected. This alteration, so much apprehended, must be made by law; that is, with the concurrence of both branches of the Legislature. Will the House of Representatives, the Members of which are chosen only for 2 years, and who depend on the people for their reelection, agree to such an alteration? It is unreasonable to suppose it.

But let us admit, for a moment, that they will: what would be the consequence of passing such a law? It would be, sir, that, after the expiration of the 2 years, at the next election they would either choose such men as would alter the law, or they would resist the Government. An enlightened people will never suffer what was established for their security to be perverted to an act of tyranny. It may be said, perhaps, that resistance would then become vain; Congress are vested with the power of raising an army; to which I say, that if ever Congress shall have an army sufficient for their purpose, and disposed to execute their unlawful commands, before they would act under this disguise, they would pull off the mask, and declare themselves absolute. I ask, Mr. Chairman, is it a novelty in our Government? Have not our State legislatures the power of fixing the time, places, and manner of holding elections? The possible abuse here complained of never can happen as long as the people of the United States are virtuous. As long as they continue to have sentiments of freedom and independence, should the Congress be wicked enough to harbor so absurd an idea as this objection supposes, the people will defeat their attempt by choosing other representatives, who will alter the law. If the State legislatures, by accident, design, or any other cause, would not appoint a place for holding elections, then there might be no election till the time was past for which they were to have been chosen; and as this would eventually put an end to the Union, it ought to be guarded against; and it could only be guarded against by giving this discretionary power, to the Congress, of altering the time, place, and manner of holding the elections. It is absurd to think that Congress will exert this power, or change the time, place, and manner established by the States, if the States will regulate them properly, or so as not to defeat the purposes of the Union. It is urged that the State legislatures ought to be fully and exclusively possessed of this power. Were this the case, it might certainly defeat the Government. As the powers vested by this plan on Congress are taken from the State legislatures, they would be prompted to throw every obstacle in the way of the General Government. It was then necessary that Congress should have this power.

Another strong argument for the necessity of this power is, that, if it was left solely to the States, there might have been as many times of choosing as there are States. States having solely the power of altering or establishing the time of election, it might happen that there should be no Congress. Not only by omitting to fix a time, but also by the elections in the States being at 13 different times, such intervals might elapse between the first and last election, as to prevent there being a sufficient number to form a house; and this might happen at a time when the most urgent business rendered their session necessary; and by this power, this great part of the representation will be always kept full, which will be a security for a due attention to the interest of the community; and also the power of Congress to make the times of elections uniform in all the States, will destroy the continuance of any cabal, as the whole body of Representatives will go out of office at once.

Governor Randolph, although he would not sign the Constitution at the time it was designed, defended it in an impassioned address.

Mr. Henry was equally impassioned in his plea to turn down the Constitution. Note what he says of section 4, article I, as outlined in Elliott III, page 60, as follows:

What can be more defective than the clause concerning the elections? The control given to Congress over the time, place, and manner of holding elections will totally destroy the end of suffrage. The elections may be held at one place, and the most inconvenient in the State; or they may be at remote distances from those who have a right of suffrage; hence 9 out of 10 must either not vote at all, or vote for strangers; for the most influential characters will be applied to, to know who are the most proper to be chosen. I repeat, that the control of Congress over the manner, etc., of electing, well warrants this idea. The natural consequence will be that this democratic branch will possess none of the public confidence; the people will be prejudiced against Representatives chosen in such an injudicious manner.

From Elliott III, pages 110 and 111:

Mr. Corbin, answering Mr. Henry, in part, said "Do the people wish land only to be represented? They have their wish: for the qualifications which the laws of the States require to entitle a man to vote for a State representative are the qualifications required by this plan to vote for a Representative of Congress; and in this State, and most of the others, the possession of a freehold is necessary to entitle a man to the privilege of a vote."

Governor Randolph, also answering Mr. Henry, said:

The State will be laid off and divided into 10 districts: from each of these a man is to be elected. He must be really the choice of the people, not the man who can distribute the most gold; for the riches of Croesus would not avail. The qualifications of the electors being the same as those of the representatives for the State legislatures, and the

election being under the control of the Legislature, the prohibitory provisions against undue means of procuring votes to the State representation extend to the Federal representatives; the extension of the sphere of election to so considerable a district will render it impossible for contracted influence, or local intrigues, or personal interest, to procure an election. Inquiries will be made, by the voters, into the characters of the candidates. Greater talents, and a more extensive reputation, will be necessary to procure an election for the Federal than for the State representation. The Federal representatives must therefore be well known for their integrity, and their knowledge of the country they represent. We shall have 10 men thus elected. What are they going yonder for? Not to consult for Virginia alone, but for the interest of the United States collectively. Will not such men derive sufficient information from their own knowledge of their respective States, and from the codes of the different States? (Elliott III, p. 125, line 24, to line 5, p. 126.)

Mr. Henry retorted at length and resorted to bitter vituperative remarks.

He said:

I shall make a few observations to prove that the power over elections, which is given to Congress, is contrived by the Federal Government, that the people may be deprived of their proper influence in the Government, by destroying the force and effect of their suffrages. Congress is to have a discretionary control over the time, place, and manner of elections. The Representatives are to be elected, consequently, when and where they please. As to the time and place, gentlemen have attempted to obviate the objection by saying, that the time is to happen once in 2 years, and that the place is to be within a particular district, or in the respective counties. But how will they obviate the danger of referring the manner of election to Congress. Those illumined genii may see that this may not endanger the rights of the people, but in my unenlightened understanding, it appears plain and clear that it will impair the popular weight in the Government. Look at the Roman history. They had two ways of voting—the one by tribes, and the other by centuries. By the former, numbers prevailed; in the latter, riches preponderated. According to the mode prescribed, Congress may tell you that they have a right to make the vote of one gentleman go as far as the votes of 100 poor men. The power over the manner admits of the most dangerous latitude. They may modify it as they please. They may regulate the number of votes by the quantity of property, without involving any repugnancy to the Constitution. I should not have thought of this trick or contrivance, had I not seen how the public liberty of Rome was trifled with by the mode of voting by centuries, whereby one rich man had as many votes as a multitude of poor men. The plebeians were trampled on till they resisted. The patricians trampled on the liberties of the plebeians till the latter had the spirit to assert their right to freedom and equality. The result of the American mode of election may be similar. Perhaps I may be told that I have gone through the regions of fancy—that I deal in noisy exclamations and mighty professions of patriotism. Gentlemen may retain their opinions; but I look on that paper as the most fatal plan that could possibly be conceived to enslave a free people. If such be your rage for novelty, take it, and welcome; but you never shall have my consent. My sentiments may appear extravagant, but I can tell you that a number of my fellow citizens have kindred sentiments and I am anxious, if my country should come into the hands of tyranny, to exculpate myself from being in any degree the cause, and to exert my faculties to the utmost to extricate her. Whether I am gratified or not in my beloved form of government, I consider that the more she has plunged into distress, the more it is my duty to relieve her. Whatever may be the result, I shall wait with patience till the day may come when an opportunity shall offer to exert myself in her cause. (Elliott III, pp. 175 and 176.)

Such a piece of legislation as we are now considering in the Senate, if passed, would only vindicate the seemingly wild and hysterical conclusions of Mr. Henry.

Governor Randolph, further answering Mr. Henry, said:

His interpretation of elections must be founded on a misapprehension. The Constitution says, that the times, places, and manner of holding elections for Senators and Representatives, shall be prescribed in each State by the legislature thereof; but the Congress may at any time, by law, make or alter such regulations, except as to the place of choosing Senators. It says, in another place, "that the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature." Who would have conceived it possible to deduce, from these clauses, that the power of election was thrown into the hands of the rich? As the electors of the Federal representatives are to have the same qualifications with those of the representatives of this State legislature, or, in other words, as the electors of the one are to be electors of the other, this suggestion is unwarrantable, unless he carries his supposition further, and says that Virginia will agree to her own suicide, by modifying elections in such manner as to throw them into the hands of the rich. The honorable gentleman has not given us a fair object to be attacked; he has not given us any thing substantial to be examined. (Elliott III, p. 202.)

Note here that Governor Randolph particularly observed that the "electors of one are to be the electors of the other"—a principle and result which the bill I am now opposing would seek to change unconstitutionally.

Mr. John Marshall, speaking in behalf of the Constitution, said:

If there be no impropriety in the mode of electing the Representatives, can any danger be apprehended? They are elected by those who can elect representatives in the State legislature. (See Elliott III, supra, p. 230.)

When article I, section 4 was read in its proper turn in the Virginia convention, having been previously discussed in general with the rest of the document—

Mr. Monroe wished that the honorable gentleman, who had been in the Federal convention, would give information respecting the clause concerning elections. He wished to know why Congress had an ultimate control over the time, place, and manner of elections of Representatives, and the time and manner of that of Senators, and also why there was an exception as to the place of electing Senators. (Elliott III, supra, p. 366.)

It was found necessary to leave the regulation of these, in the first place, to the State governments, as being best acquainted with the situation of the people, subject to the control of the General Government in order to enable it to produce uniformity and prevent its own dissolution. And, considering the State governments and General Government as distinct bodies, acting in different and independent capacities for the people, it was thought the particular regulations should be submitted to the former, and the general regulations to the latter.

Again, we see the framers of the Constitution intent on the protection of the provision for election by the States, in the event of their negligent failure to provide therefor. At all times they conceded the States' right to provide for voting qualifications in their own limits more suitably than Congress could.

When Virginia finally ratified the Constitution they added a list of amendments which they suggested and sought. Among these was the following:

16. That Congress shall not alter, modify, or interfere in the times, places, or manner of holding elections for Senators, or Representatives, or either of them except when the legislature of any State shall neglect, refuse, or be disabled, by invasion or rebellion, to prescribe the same. (Elliott III, supra, p. 661.)

Again we see a State convention desiring that the meaning of the framers be put into unquestionably plain language.

New York, the tenth State to act, ratified the Constitution July 26, 1788. Apparently, as in most of the State conventions, section 2 of article I, met with approval, as there was no fault to be found with the provision that the qualifications of the electors should be the same as for those of the most numerous branch of the State legislature. But again we find dissatisfaction with the possibilities of abuse latent in section 4 of article I.

Mr. Jones rose and observed that it was a fact universally known that the present Confederation had not proved adequate to the purposes of good government. Whether this arose from the want of powers in the Federal head or from other causes, he would not pretend to determine. Some parts of the proposed plan appeared to him imperfect or at least not satisfactory. He did not think it right that Congress should have the power of prescribing or altering the time, place, and manner of holding elections. He apprehended that the clause might be so construed as to deprive the States of an essential right, which, in the true design of the Constitution, was to be reserved to them. He, therefore, wished the clause might be explained and proposed, for the purpose, the following amendment: *"Resolved,* as the opinion of this committee, that nothing in the Constitution, now under consideration, shall be construed to authorize the Congress to make or alter regulations, in any State, respecting the times, places, or manner of holding elections for Senators or Representatives, unless the legislature of such State shall neglect or refuse to make laws or regulations for the purpose, or, from any circumstance, be incapable of making the same, and then only until the legislature of such State shall make provision in the premises."

The Honorable Mr. Jay said that, as far as he understood the ideas of the gentleman, he seemed to have doubt with respect to this paragraph, and feared it might be misconstrued and abused. He said that every government was imperfect, unless it had a power of preserving itself. Suppose that, by design or accident, the States should neglect to appoint representatives; certainly there should be some constitutional remedy for this evil. The obvious meaning of the paragraph was that, if this neglect should take place, Congress should have power, by law, to support the Government and prevent the dissolution of the Union. He believed this was the design of the Federal Convention. (Elliott II, supra, p. 325.)

Mr. Smith expressed his surprise that the gentleman should want such an explanation. He conceived that the amendment was founded on the fundamental principles of representative government. As the Constitution stood, the whole State might be a single district for election. This would be improper. The State should be divided into as many districts as it sends Representatives. The whole number of Representatives might otherwise be taken from a small part of the State, and the bulk of the people, therefore, might not be fully represented. He would say no more at present on the propriety of the amendment. The principle appeared to him so evident that he hardly knew how to reason upon it until he heard the arguments of the gentlemen in opposition.

Mr. DUANE. I will not examine the merits of the measure the gentleman recommends. If the proposed mode of election be the best, the legislature of this State will undoubtedly adopt it. But I wish the gentleman to prove that his plan will be practicable and will succeed. By the constitution of this State, the Representatives are apportioned among the counties, and it is wisely left to the people to choose whom they will, in their several counties, without any further division into districts. Sir, how do we know the proposal will be agreeable to the other States? Is every State to be compelled to adopt our ideas on all subjects? If the gentleman will reflect, I believe he will be doubtful of the propriety of these things. Will it not seem extraordinary that any one State should presume to dictate to the Union? As the Constitution stands, it will be in the power of each State to regulate this important point. While the legislatures do their duty, the exercise of their discretion is sufficiently secured. Sir, this measure would carry with it a presumption which I should be sorry to see in the acts of this State. It is laying down as a principle that whatever may suit our interest or fancy should be imposed upon our sister States. This does not seem to correspond with that moderation which I hope to see in all the proceedings of this convention.

Mr. SMITH. The gentleman misunderstands me. I did not mean the amendment to operate on the other States. They may use their discretion. The amendment is in the negative. The very design of it is to enable the States to act their discretion, without the control of Congress. So the gentleman's reasoning is directly against himself.

If the argument had any force, it would go against proposing any amendment at all, because, says the gentleman, it would be dictating to the Union. What is the object of our consultations? For my part, I do not know, unless we are to express our sentiments of the Constitution before we adopt it.

It is only exercising the privilege of freemen; and shall we be debarred from this? It is said it is left to the discretion of the States. If this were true, it would be all we contend for. But, sir, Congress can alter as they please any mode adopted by the States. What discretion is there here? The gentleman instances the Constitution of New York as opposed to my argument. I believe that there are now gentlemen in this house who were members of the convention of this State, and who are inclined for an amendment like this. It is to be regretted that it was not adopted. The fact is, as your constitution stands, a man may have a seat in your legislature who is not elected by a majority of his constituents. For my part, I know of no principle that ought to be more fully established than the right of election by a majority.

Mr. DUANE. I neglected to make one observation which I think weighty. The mode of election recommended by the gentleman must be attended with great embarrassments. His idea is that a majority of all the votes should be necessary to return a member. I suppose a State divided into districts. How seldom will it happen that a majority of a district will unite their votes in favor of one man? In a neighboring State, where they have this mode of election, I have been told that it rarely happens that more than one-half unite in a choice. The consequence is they are obliged to make provision, by a previous election, for nomination and another election for appointment, thus suffering the inconvenience of a double election. If the proposition was adopted, I believe we should be seldom represented—the election must be lost. The gentleman will, therefore, I presume, either abandon his project or propose some remedy for the evil I have described.

Mr. SMITH. I think the example the gentleman adduces is in my favor. The States of Massachusetts and Connecticut have regulated elections in the mode I propose, but it has never been considered inconvenient, nor have the people ever been unrepresented. I mention this to show that the thing has not proved impracticable in those States. If not, why should it in New York?

After some further conversation, Mr. Lansing proposed the following modification of Mr. Smith's motion:

"And that nothing in this Constitution shall be construed to prevent the legislature of any State to pass laws, from time to time, to divide such State into as many convenient districts as the State shall be entitled to elect Representatives for Congress, nor to prevent such legislature from making provision that the electors in each district shall choose a citizen of the United States, who shall have been an inhabitant of the district for the term of 1 year immediately preceding the time of his election, for one of the Representatives of such State."

Which being added to the motion of Mr. Jones, the committee passed the succeeding paragraphs without debate, till they came to the second clause of section 6. (Elliott II, supra, pp. 327, 328, and 329.)

On July 26, 1788, the ratification of the Constitution was effected, accompanied by a number of suggested amendments, among which was the one specifically defining those occasions on which Congress might exercise any power over the "time, place, and manner" of elections.

North Carolina remained reluctant and refused to ratify the Constitution until a convention of States was called and certain proposed amendments adopted. Again no exception was taken to section 2 of article I.

The first clause of the fourth section was read.

Mr. SPENCER. Mr. Chairman, it appears to me that this clause, giving this control over the time, place, and manner of holding elections to Congress, does away with the right of the people to choose the Representatives every second year, and impairs the right of the State legislatures to choose the Senators. I wish this matter to be explained.

Governor JOHNSON. Mr. Chairman, I confess that I am a very great admirer of the new Constitution, but I cannot comprehend the reason of this part. The reason urged is that every Government ought to have the power of continuing itself, and that, if the General Government had not this power, the State legislatures might neglect to regulate elections, whereby the Government might be discontinued. As long as the State legislatures have it in their power not to choose the Senators, this power in Congress appears to me altogether useless because they can put an end to the General Government by refusing to choose Senators. But I do not consider this such a blemish in the Constitution as that it ought, for that reason, to be rejected. I observe that every State which has adopted the Constitution and recommended amendments has given directions to remove this objection, and I hope, if this State adopts it, she will do the same.

Mr. SPENCER. Mr. Chairman, it is with great reluctance that I rise upon this important occasion. I have considered with some attention the subject before us. I have paid attention to the Constitution itself, and to the writings on both sides. I considered it on one side as well as on the other, in order to know whether it would be best to adopt it or not. I would not wish to insinuate any reflections on those gentlemen who formed it. I look upon it as a great performance. It has a great deal of merit in it, and it is, perhaps, as much as any set of men could have done. Even if it be true, what gentlemen have observed, that the gentlemen who were delegates to the Federal Convention were not instructed to form a new constitution, but to amend the confederation, this will be immaterial, if it be proper to be adopted. It will be of equal benefit to us, if proper to be adopted in the whole, or in such parts as will be necessary, whether they were expressly delegated for that purpose or not. This appears to me to be a reprehensive clause; because it seems to strike at the State legislatures, and seems to take away that power of elections which reason dictates they ought to have among themselves. It apparently looks forward to a consolidation of the Government of the United States, when the State legislatures may entirely decay away.

This is one of the grounds which have induced me to make objections to the new form of government. It appears to me that the State governments are not sufficiently secured, and that they may be swallowed up by the great mass of powers given to Congress. If that be the case, such power should not be given; for, from all the notions which we have concerning our happiness and well-being, the State governments are the basis of our happiness, security, and prosperity. A large extent of country ought to be divided into such a number of States as that the people may conveniently carry on their own government. This will render the government perfectly agreeable to the genius and wishes of the people. If the United States were to consist of 10 times as many States, they might all have a degree of harmony. Nothing would be wanting but some cement for their connection. On the contrary, if all the United States were to be swallowed up by the great mass of powers given to Congress, the parts that are more distant in this great empire would be governed with less energy. It would not suit the genius of the people to assist in the government. Nothing would support government, in such a case as that, but military coercion. Armies would be necessary in different parts of the United States. The expense which they would cost, and the burdens which they would render necessary to be laid upon the people, would be ruinous. I know of no way that is likely to produce the happiness of the people, but to preserve, as far as possible, the existence of the several States, so that they shall not be swallowed up.

It has been said that the existence of the State governments is essential to that of the General Government, because they choose the Senators. By this clause, it is evident that it is in the power of Congress to make any alterations, except as to the place of choosing Senators. They may alter the time from 6 to 20 years, or to any time; for they have an unlimited control over the time of elections. They have also an absolute control over the election of the Representatives. It deprives the people of the very mode of choosing them. It seems nearly to throw the whole power of election into the hands of Congress. It strikes at the mode, time, and place, of choosing Representatives.

It puts all but the place of electing Senators into the hands of Congress. This supersedes the necessity of continuing the State legislatures. This is such an article as I can give no sanction to, because it strikes at the foundation of the governments on which depends the happiness of the States and the General Government. It is with reluctance I make the objection. I have the highest veneration for the characters of the framers of this Constitution. I mean to make objections only which are necessary to be made. I would not take up time unnecessarily. As to this matter, it strikes at the foundation of everything. I may say more when we come to that part which points out the mode of doing without the agency of the State legislatures.

Mr. IREDELL. Mr. Chairman, I am glad to see so much candor and moderation. The liberal sentiments expressed by the honorable gentleman who spoke last command my respect. No time can be better employed than endeavoring to remove, by fair and just reasoning, every objection which can be made to this Constitution. I apprehend that the honorable gentleman is mistaken as to the extent of the operation of this clause. He supposes that the control of the General Government over elections looks forward to a consolidation of the States, and that the general word "time" may extend to 20, or any number of years. In my humble opinion this clause does by no means warrant such a construction. We ought to compare other parts with it. Does not the Constitution say that Representatives shall be chosen every second year? The right of choosing them, therefore, reverts to the people every second year. No instrument of writing ought to be construed absurdly, when a rational construction can be put upon it. If Congress can prolong the election to any time they please, why is it said that Representatives shall be chosen every second year? They must be chosen every second year; but whether in the month of March, or January, or any other month, may be ascertained, at a future time, by regulations of Congress. The word "time" refers only to the particular month and day within the 2 years. I heartily agree with the gentleman, that, if anything in this Constitution tended to the annihilation of the State governments, instead of exciting the admiration of any man, it ought to excite the resentment and execration. No such wicked intention ought to be suffered. But the gentlemen who formed the Constitution had no such object; nor do I think there is the least ground for that jealousy. The very existence of the General Government depends on that of the State governments. The State legislatures are to choose the Senators. Without a Senate there can be no Congress. The State legislatures are also to direct the manner of choosing the President. Unless, therefore, there are State legislatures to direct that manner, no President can be chosen. The same observation may be made as to the House of Representatives, since, as they are to be chosen by the electors of the most numerous branch of each State legislature, if there are no State legislatures, there are no persons to choose the House of Representatives. Thus it is evident that the very existence of the General Government depends on that of the State legislatures, and of course, that their continuance cannot be endangered by it.

An occasion may arise when the exercise of this ultimate power in Congress may be necessary; as, for instance, if a State should be involved in war, and its legislature could not assemble—as was the case of South Carolina, and occasionally of some other States, during the late war—it might also be useful for this reason—lest a few powerful States should combine, and make regulations concerning elections which might deprive many of the electors of a fair exercise of their rights, and thus injure the community, and occasion great dissatisfaction. And it seems natural and proper that every government should have in itself the means of its own preservation. A few of the great States might combine to prevent any election of representatives at all, and thus a majority might be wanting to do business; but it would not be so easy to destroy the Government by the nonelection of Senators, because one-third only are to go out at a time, and all the States will be equally represented in the Senate. It is not probable this power would be abused; for, if it should be, the State legislatures would immediately resent it, and their authority over the people will always be extremely great. These reasons induce me to think that the power is both necessary and useful. But I am sensible great jealousy has been entertained concerning it; and as perhaps the danger of a combination, in the manner I have mentioned, to destroy or distress the General Government, is not very probable, it may be better to incur the risk, than occasion any discontent by suffering the clause to continue as it now stands. I should, therefore, not object to the recommendation of an amendment similar to that of other States—that this power in Congress should only be exercised when a State legislature neglected or was disabled from making the regulations required.

Mr. SPENCER. Mr. Chairman, I did not mean to insinuate that designs were made, by the honorable gentlemen who composed the Federal Constitution, against our liberties. I only meant to say that the words in this place were exceeding vague. It may admit of the gentleman's construction; but it may admit of a contrary construction. In a matter of so great moment, words ought not to be so vague and indeterminate. I have said that the States are the basis on which the Government of the United States ought to rest, and which must render us secure. No man wishes more for a Federal Government that I do. I think it necessary for our happiness; but at the same time, when we form a government which must entail happiness or misery on posterity, nothing is of more consequence than settling it so as to exclude animosity and a contest between the general and individual governments. With respect to the mode here mentioned, they are words of very great extent. This clause provides that a Congress may at any time alter such regulations, except as to the places of choosing Senators. These words are so vague and uncertain, that it must ultimately destroy the whole liberty of the United States. It strikes at the very existence of the States, and supersedes the necessity of having them at all. I would therefore wish to have it amended in such a manner as that the Congress should not interfere but when the States refused or neglected to regulate elections.

Mr. BLOODWORTH. Mr. Chairman, I trust that such learned arguments as are offered to reconcile our minds to such dangerous powers will not have the intended weight. The House of Representatives is the only democratic branch. This clause may destroy representation entirely. What does it say? "The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the legislature thereof; but the Congress may at any time, by law, make or alter such regulations, except as to the places of choosing Senators." Now, sir, does not this clause give an unlimited and unbounded power to Congress over the times, places, and manner of choosing Representatives? They may make the time of election so long, the place so inconvenient, and the manner so oppressive that it will entirely destroy representation. I hope gentlemen will exercise their own understanding on this occasion and not let their judgment be led away by these shining characters, for whom, however, I have the highest respect. This Constitution, if adopted in its present mode, must end in the subversion of our liberties. Suppose it takes place in North Carolina; can farmers elect them? No, sir. The elections may be in such a manner that men may be appointed who are not representative of the people. This may exist, and it ought to be guarded against. As to the place, suppose Congress should order the elections to be held in the most inconvenient place in the most inconvenient district; could every person entitled to vote attend at such a place? Suppose they should order it to be laid off into so many districts and order the election to be held within each district; yet may not their power over the manner of election enable them to exclude from voting every description of men they please? The democratic branch is so much endangered that no arguments can be made use of to satisfy my mind to it. The honorable gentleman has amused us with learned discussions and told us he will condescend to propose amendments. I hope the representatives of North Carolina will never swallow the Constitution till it is amended.

Mr. GOUDY. Mr. Chairman, the invasion of these States is urged as a reason for this clause. But why did they not mention that it should be only in cases of invasion? But that was not the reason, in my humble opinion. I fear it was a combination against our liberties. I ask, when we give them the purse in one hand and the sword in another, what power have we left? It will lead to an artistocratical government and establish tyranny over us. We are freemen, and we ought to have the privileges of such.

Governor JOHNSTON. Mr. Chairman, I do not impute any impure intentions to the gentlemen who formed this Constitution. I think it unwarrantable in anyone to do it. I believe that were there 20 conventions appointed, and as many constitutions formed, we never could get men more able and disinterested than those who formed this; nor a Constitution less exceptionable than that which is now before you. I am not apprehensive that this article will be attended with all the fatal consequences which the gentleman conceives. I conceive that Congress can have no other power than the States had. The States, with regard to elections, must be governed by the articles of the Constitution; so must Congress. But I believe the power, as it now stands, is unnecessary. I should be perfectly satisfied with it in the mode recommended by the worthy Member on my right hand. Although I should be extremely cautious to adopt any constitution that would endanger the rights and privileges of the people, I have no fear in adopting this Constitution, and then proposing amendments. I feel as much attachment to the rights and privileges of my country as any man in it; and if I thought anything in this Constitution tended to abridge these rights, I would not agree to it. I cannot conceive that this is the case. I have not the least doubt but it will be adopted by a very great majority of the States. For States who have been as jealous of their liberties as any in the world have adopted it, and they are some of the most powerful States. We shall have the assent of all the States in getting amendments. Some gentlemen have apprehensions that Congress will immediately conspire to destroy the liberties of their country. The men of whom Congress will consist are to be chosen from among ourselves. They will be in the same situation with us. They are to be bone of our bone and flesh of our flesh. They cannot injure us without injuring themselves. I have no doubt but we shall choose the best men in the community. Should different men be appointed, they are sufficiently responsible. I therefore think that no danger is to be apprehended.

Mr. M'DOWALL. Mr. Chairman, I have the highest esteem for the gentleman who spoke

last. He has amused us with the fine characters of those who formed that government. Some were good, but some were very imperious, aristocratical, despotic, and monarchial. If parts of it are extremely good, other parts are very bad.

The freedom of election is one of the greatest securities we have for our liberty and privileges. It was supposed by the member from Edenton, that the control over elections was only given to Congress to be used in case of invasion. I differ from him. That could not have been their intention, otherwise they could have expressed it. But, sir, it points forward to the time when there will be no State legislatures—to the consolidation of all the States. The States will be kept up as boards of elections. I think the same men could make a better constitution; for good government is not the work of a short time. They only had their own wisdom. Were they to go now, they would have the wisdom of the United States. Every gentleman who must reflect on this must see it. The adoption of several other States is urged. I hope every gentleman stands for himself, will act according to his own judgment, and will pay no respect to the adoption by the other States. It may embarrass us in some political difficulties, but let us attend to the interest of our constituents.

Mr. Iredell answered, that he stated the case of invasion as only one reason out of many for giving the ultimate control over elections to Congress.

Mr. DAVIE. Mr. Chairman, a consolidation of the States is said by some gentlemen to have been intended. They insinuate that this was the cause of their giving this power of elections. If there were any seeds in this Constitution which might, one day, produce a consolidation it would, sir, with me, be an insuperable objection, I am so perfectly convinced that so extensive a country as this can never be managed by one consolidated government. The Federal Convention were as well convinced as the Members of this House, that the State governments were absolutely necessary to the existence of the Federal Government. They considered them as the great massy pillars on which this political fabric was to be extended and supported; and were fully persuaded that, when they were removed, or should molder down by time, the General Government must tumble into ruin. A very little reflection will show that no department of it can exist without the State governments.

Let us begin with the House of Representatives. Who are to vote for the Federal Representatives? Those who vote for the State representatives. If the State governments vanish, the General Government must vanish also. This is the foundation on which this Government was raised, and without which it cannot possibly exist.

The next department is the Senate. How is it formed? By the States themselves. Do they not choose them? Are they not created by them? And will they not have the interest of the States particularly at heart? The States, sir, can put a final period to the Government, as was observed by a gentleman who thought this power over elections unnecessary. If the State legislatures think proper, they may refuse to choose Senators, and the Government must be destroyed.

Is not this Government a nerveless mass, a dead carcass, without the executive power? Let your representatives be the most vicious demons that ever existed; let them plot against the liberties of America; let them conspire against its happiness—all their machinations will not avail if not put in execution. By whom are their laws and projects to be executed? By the President. How is he created? By electors appointed by the people under the direction of the legislatures—by a union of the interest of the people and the State governments. The State governments can put a veto, at any time, on the General Government, by ceasing to continue the executive power. Admitting the representatives or Senators could make corrupt laws, they can neither execute them themselves, nor appoint the executive. Now, sir, I think it must be clear to every candid mind, that no part of this Government can be continued after the State governments lose their existence, or even their present forms. It may also be easily proved that all federal governments possess an inherent weakness, which continually tends to their destruction. It is to be lamented that all governments of a federal nature have been short-lived.

Such was the fate of the Achaean League, the amphictyonic council, and other ancient confederacies; and this opinion is confirmed by the uniform testimony of all history. There are instances in Europe of confederacies subsisting a considerable time; but their duration must be attributed to circumstances exterior to their government. The Germanic confederacy would not exist a moment, were it not for fear of the surrounding powers, and the interest of the emperor. The history of this confederacy is but a series of factions, dissensions, bloodshed, and civil war. The confederacies of the Swiss, and United Netherlands, would long ago have been destroyed, from their imbecility, had it not been for the fear, and even the policy, of the bordering nations. It is impossible to construct such a government in such a manner as to give it any probable longevity. But, sir, there is an excellent principle in this proposed plan of federal government, which none of these confederacies had, and to the want of which, in a great measure, their imperfections may be justly attributed—I mean the principle of representation. I hope that, by the agency of this principle, if it be not immortal, it will at least be long-lived. I thought it necessary to say this much to detect the futility of that unwarrantable suggestion, that we are to be swallowed up by a great consolidated government. Every part of this Federal Government is dependent on the constitution of the State legislatures for its existence. The whole, sir, can never swallow up its parts. The gentleman from Edenton (Mr. Iredell) has pointed out the reasons of giving this control over elections to Congress, the principle of which was, to prevent a dissolution of the Government by designing States. If all the States were equally possessed of absolute power over their elections, without any control of Congress, danger might be justly apprehended where one State possesses as much territory as four or five others; and some of them, being thinly peopled now, will daily become more numerous and formidable. Without this control in Congress, those large States might successfully combine to destroy the General Government. It was therefore necessary to control any combination of this kind.

Another principal reason was, that it would operate in favor of the people, against the ambitious designs of the Federal Senate. I will illustrate this by matter of fact. The history of the little State of Rhode Island is well-known. An abandoned faction have seized on the reins of government, and frequently refused to have any representation in Congress. If Congress had the power of making the law of elections operate throughout the United States, no State could withdraw itself from the national councils without the consent of a majority of the Members of Congress. Had this been the case, that trifling State would not have withheld its representation. What once happened may happen again; and it was necessary to give Congress this power, to keep the Government in full operation. This being a Federal Government, and involving the interests of several States, and some acts requiring the assent of more than a majority, they ought to be able to keep their representation full. It would have been a solecism, to have a government without any means of self-preservation. The confederation is the only instance of a government without such means, and is a nerveless system, as inadequate to every purpose of government as it is to the security of the liberties of the people of America. When the councils of America have this power over elections, they can, in spite of any faction in any particular State, give the people a representation. Uniformity in matters of election is also of the greatest consequence. They ought all to be judged by the same law and the same principles, and not to be different in one State from what they are in another. At present, the manner of electing is different in different States. Some elect by ballot, and others viva voce. It will be more convenient to have the manner uniform in all the States. I shall now answer some observations made by the gentleman from Mecklenburg. He has stated that this power over elections gave to Congress power to lengthen the time for which they were elected. Let us read this clause coolly, all prejudice aside, and determine whether this construction be warrantable. The clause runs thus: The times, places, manner, of holding elections for Senators and Representatives, shall be prescribed in each State by the legislature thereof; but the Congress may at any time, by law, make or alter such regulations, except as to the place of choosing Senators. I take it as a fundamental principle, which is beyond the reach of the general or individual governments to alter, that the representatives shall be chosen every second year, and that the tenure of their office shall be for 2 years; that Senators be chosen every sixth year, and that the tenure of their office be for 6 years. I take it also as a principle, that the electors of the most numerous branch of the State legislatures are to elect the Federal Representatives. Congress has ultimately no power over elections, but what is primarily given to the State legislatures. If Congress had the power of prolonging the time, and so forth, as gentlemen observe, the same powers must be completely vested in the State legislatures.

I call upon every gentleman candidly to declare, whether the State legislatures have the power of altering the time of elections for Representatives from 2 to 4 years, or Senators from 6 to 12; and whether they have the power to require any other qualifications than those of the most numerous branch of the State legislatures; and also whether they have any other power over the manner of elections, any more than the mere mode of the act of choosing; or whether they shall be held by sheriffs, as contradistinguished from any other officer; or whether they shall be by votes, as contradistinguished from ballots, or any other way. If gentlemen will pay attention, they will find that, in the latter part of this clause, Congress has no power but what was given to the States in the first part of the same clause. They may alter the manner of holding the election, but cannot alter the tenure of their office. They cannot alter the nature of elections; for it is established, as fundamental principles, that the electors of the most numerous branch of the State legislature shall elect the Federal Representatives, and that the tenure of their office shall be for 2 years; and likewise, that the Senators shall be elected by the legislatures, and that the tenure of their office shall be for 6 years. When gentlemen view the clause accurately, and see that Congress has only the same power which was in the State legislature, they will not be alarmed. The learned doctor on my right, Mr. Spencer, has also said that Congress might lengthen the time of elections. I am willing to appeal grammatical construction and punctuation. Let me read this, as it stands on paper. (Here he read the clause different ways, expressing the same sense.) Here, in the first part of

the clause, this power over elections is given to the States, and in the latter part the same power is given to Congress, and extending only to the time of holding, the place of holding, and the manner of holding, the elections. Is this not the plain, literal, and grammatical construction of the clause? Is it possible to put any other construction on it, without departing from the natural order, and without deviating from the general meaning of the words, and every rule of grammatical construction? Twist it, torture it, as you may, sir, it is impossible to fix a different sense upon it. The worthy gentleman from New Hanover, whose ardor for the liberty of his country I wish never to be damped, has insinuated that high characters might influence the members on this occasion. I declare, for my own part, I wish every man to be guided by his own conscience and understanding, and by nothing else. Every man has not been bred a politician, nor studied the science of government; yet, when a subject is explained, if the mind is unwarped by prejudice, and not in the leading-strings of other people, gentlemen will do what is right. Were this the case, I would risk my salvation on a right decision. (Elliott, 4, supra, p. 50, starting the first clause of the fourth section, copy all pp. 51, 52, 53, 54, 55, 56 57, 58, 59, 60, 61, 62, to end par. words "right decision.")

Note particularly what Mr. Davie said: "They cannot alter the nature of the elections; for it is established as fundamental principles, that the electors of the most numerous branch of the State legislature shall elect the Federal Representatives."

Mr. Davie said:

This clause, sir, has been the occasion of much groundless alarm and has been the favorite theme of declamation out of doors. I now call upon the gentlemen of the opposition to show that it contains the mischiefs with which they have alarmed and agitated the public mind, and I defy them to support the construction they have put upon it by one single plausible reason. The gentleman from New Hanover has said, in objection to this clause, that Congress may appoint the most inconvenient place in the most inconvenient district, and make the manner of election so oppressive as entirely to destroy representation. If this is considered as possible, he should also reflect that the State legislatures may do the same thing. But this can never happen, sir, until the whole mass of the people become corrupt, when all parchment securities will be of little service. Does that gentleman, or any other gentleman who has the smallest acquaintance with human nature or the spirit of America, suppose that the people will passively relinquish privileges, or suffer the usurpation of powers unwarranted by the Constitution? Does not the right of electing representatives revert to the people every second year? There is nothing in this clause that can impede or destroy this reversion; and although the particular time of year, the particular place in a county or a district, or the particular mode in which elections are to be held, as whether by vote or ballot, be left to Congress to direct, yet this can never deprive the people of the right or privilege of election. He has also added that the democratical branch was in danger from this clause; and with some other gentlemen took it for granted that an aristocracy must arise out of the General Government. This, I take it, from the very nature of the thing, can never happen. Aristocracies grow out of the combination of a few powerful families, where the country or people upon which they are to operate are immediately under their influence; whereas the interest and influence of this Government are too weak and too much diffused ever to bring about such an event. The confidence of the people, acquired by a wise and virtuous conduct, is the only influence the members of the Federal Government can ever have. When aristocracies are formed, they will arise within the individual States. It is, therefore, absolutely necessary that Congress should have a constitutional power to give the people at large a representation in the Government, in order to break and control such dangerous combinations. Let gentlemen show when and how this aristocracy they talk of is to arise out of this Constitution. Are the first members to perpetuate themselves? Is the Constitution to be attacked by such absurd assertions as these, and charged with defects with which it has no possible connection? (Elliott IV, supra, p. 66.)

Mr. Maclaine said:

Mr. Chairman, I thought it very extraordinary that the gentleman who was last on the floor should say that Congress could do what they please with respect to elections, and be warranted by this clause. The gentleman from Halifax (Mr. Davie) has put that construction upon it which reason and common sense will put upon it. Lawyers will often differ on a point of view, but people will seldom differ about so very plain a thing as this. (Elliott IV, supra, pp. 68, 69.)

And the remarks of Mr. Steele are today, 1949, as absolutely pertinent and as directly against the bill before this body as they were when entered by him in 1788:

Mr. STEELE. Mr. Chairman, the gentleman has said that the five Representatives which this State shall be entitled to send to the General Government will go from the seashore. What reason has he to say they will go from the seashore? The time, place, and manner of holding elections are to be prescribed by the legislatures. Our legislature is to regulate the first election, at any event. They will regulate it as they think proper. They may, and most probably will, lay the State off into districts. Who are to vote for them? Every man who has a right to vote for a representative to our legislature will ever have a right to vote for a Representative to the General Government. Does it not expressly provide that the electors in each State shall have the qualifications requisite for the most numerous branch of the State legislature? Can they, without a most manifest violation of the Constitution, alter the qualifications of the electors? The power over the manner of elections does not include that of saying who shall vote: The Constitution expressly states the qualifications which entitle a man to vote for a State representative. It is, then, clearly and indubitably fixed and determined who shall be the electors; and the power over the manner only enables them to determine how these electors shall elect—whether by ballot, or by vote, or by any other way. Is it not a maxim of universal jurisprudence, of reason and common sense, that an instrument or deed of writing shall be so construed as to give validity to all parts of it, if it can be done without involving any absurdity? By construing it in the plain, obvious way I have mentioned, all parts will be valid. (Elliott, 4, supra, p. 71.)

These words should be italicized and underscored in our minds. They state absolutely, that under the Constitution as written, Congress can never constitutionally regulate the qualifications of electors. I agree.

The North Carolina convention suggested the amendment:

4. That Congress shall not alter, modify, or interfere in the times, places, or manner of holding elections for Senators and Representatives, or either of them, except when the legislature of any State shall neglect, refuse, or be disabled by invasion or rebellion, to prescribe the same. (See Elliott, 4, supra, p. 249.)

The convention adjourned August 4, 1788.

On May 29, 1790, Rhode Island ratified the Constitution, and listed a number of proposed amendments; among these was—

That Congress shall not alter, modify or interfere in, the times, places, or manner, of holding elections for Senators and Representatives, or either of them, except when the legislature of any State shall neglect, refuse, or be disabled, by invasion or rebellion, to prescribe the same, or in case when the provision made by the State is so imperfect as that no consequent election is had, and then only until the legislature of such State shall make provision in the premises. (Elliott, I, supra, p. 336, amendment II.)

What has become of our Constitution as regards the provisions on voting qualifications? We shall see that the words of the framers, and the thoughts and opinions of the men who debated its ratification have been adhered to. Those changes which have been enacted affecting voting qualifications have been done by amendment to the Constitution itself, the only legal way to change the States' own individual regulations on this matter. There have been several amendments touching this subject matter. Why did Congress, in the past, resort to constitutional amendment to effect changes in the qualifications of State electors if their end could have been accomplished by congressional act? Because Congress knew that was the only legal way they could regulate or infringe upon a field specifically delegated to State regulation by the Constitution itself.

I turn now to examine the amendments to our Federal Constitution as they affect section 2 of article I which says, again, that the electors of representatives to Congress shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

Some amendments have affected suffrage problems. I shall first list the amendments and then discuss them.

Section 2 of article XIV says that as to any State which denies the right to vote to any male citizen over 21 years of age except for participation in rebellion, or other crime, the basis of representation therein shall be proportionately reduced. This regulation in itself recognizes the right of the State to deny such right if it wishes.

Article XV, which deals with Negro suffrage, is as follows:

SECTION 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

SEC. 2. The Congress shall have power to enforce this article by appropriate legislation. (Proposed by Congress on February 26, 1869, 915 Stat. L. 346), and ratified by three-fourths of the States by February 3, 1870.)

Article XV, Constitution of the States and United States, page 10.

Article XVII, election of Senators:

The Senate of the United States shall be composed of two Senators from each State,

elected by the people thereof, for 6 years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies: *Provided*, That the legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution.

Article XIX, woman's suffrage:

SECTION 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.

SEC. 2. Congress shall have power to enforce this article by appropriate legislation. (Proposed by Congress June 5, 1919 (41 Stat. L. 362), and ratified by three-fourths of the States by August 26, 1920.)

Article XV, as we all know, came on the heels of the Civil War, and as a result thereof. It is rather significant, to my mind, that, even at that time Congress made no attempt to interfere by legislation with the States and recognized that an amendment to the Constitution was the only method of attaining that right constitutionally. That is, with the Civil War a recent memory, and the subject of former slavery still a bitter topic, with the abolitionists riding high and the victorious North contending only with carpetbag governments of the worst type in the as yet unreconstructed South, Congress still knew its limitations sufficiently to realize that the qualifications of electors had been left to the State government entirely by the Constitution and the only way to vary such qualifications or affect them at all was to amend the instrument. The amendment itself is specifically self-limiting in scope and leaves the rest of the field in the State's hands.

Though the sovereignty is in the people, as a practical fact it resides in those persons who by the constitution of the State are permitted to exercise the elective franchise. The whole subject of the regulations of elections, including the prescribing of qualifications for suffrage, is left by the national Constitution to the several States, except as it is provided by that instrument that the electors for representatives in Congress shall have the qualifications requisite for electors of the most numerous branch of the State legislature, and as the fifteenth amendment forbids denying to citizens the right to vote on account of race, color, or previous condition of servitude. Participation in the elective franchise is a privilege rather than a right, and it is granted or denied on grounds of general policy; the prevailing view being that it should be as general as possible consistent with the public safety. Aliens are generally excluded, though in some States they are allowed to vote after residence for a specified period, provided they have declared their intention to become citizens in the manner prescribed by law. The fifteenth amendment, it will be seen, does not forbid denying the franchise to citizens except upon certain specified grounds, and it is matter of public history that its purpose was to prevent discriminations in this regard as against persons of African descent. (Cooley, Constitutional Limitations, p. 752.)

While I shall discuss later some decisions on the subject of the fifteenth amendment, and also shall go into detail on the State Constitutions, I should like here to quote a general statement concerning conditions between 1812 and 1867 concerning the Negro vote:

Race: Increasing race prejudice had well-nigh eliminated the Negro as an elector. All but six States had written "white" in their constitutions: Massachusetts, New Hampshire, Vermont, Rhode Island, Maine, and New York. However, in the latter State, in order to vote, the Negro must own $250 worth of property on which he had paid the taxes and reside in the Commonwealth 2 years longer than was required of a white man. It is alleged that public opinion was so averse to his voting even in the New England States that the Negro was kept away from the polls in all but two. Chancellor Kent says that the Negro really voted in Maine alone. At least it is a significant fact that New Hampshire (1857) and Vermont (1858) found it necessary to enact laws that Negroes should not be excluded from the polls. Therefore, it fell out that just before the Negro was to have suffrage granted him as a special favor by the fifteenth amendment he was kept from the exercise of the elective franchise most completely. The aforesaid amendment was revolutionary in more ways than one; it struck the word "white" from the constitutions of over 30 States. As an indication of what was to become a local, though intensely bitter, race and suffrage problem about the middle of the following period, note that Oregon in 1857 disfranchised Chinese. Yet the general race test disappeared. (McCulloch, Suffrage and Its Problems, p. 47.)

Speaking of the period immediately following the Civil War, McCulloch says:

Period of problems: This period inherited three growing problems: The question of Negro suffrage, deadlocked in the preceding period, at once became paramount as a post-war measure; the agitation for woman suffrage, stilled during the time of civil strife, was renewed by its zealous advocates; the tendency to allow aliens to vote on mere declarations of intent to become citizens was increased notably. During the epoch some sort of solution is attempted for each of these problems.

At the outset of the period the elective franchise was secured for the Negro by constitutional amendment. The thirteenth amendment had made him a man instead of a chattel. The fourteenth amendment conferred citizenship upon him and incidentally endeavored to insure the ballot to him by providing that when any male citizens over 21 years of age were excluded from the elective franchise (except for crime) the basis of representation of said State in Congress should be proportionately reduced. This incidental treatment of the problem of Negro suffrage not promising satisfactory results, more direct and drastic means were found. The fifteenth amendment (1870) provided that the right of citizens of the United States to vote shall not be denied or abridged on account of race, color, or previous condition of servitude. Therefore, the out and out race test for suffrage was displaced irrevocably. However, it should be noted that suffrage was still a commonwealth matter. The United States, through congressional action or court decision, could interfere in questions affecting the elective franchise only when the provisions of the fourteenth and fifteenth amendments were violated. (McCulloch, supra, pp. 51 and 52.)

In the struggle to preserve the Union, which incidentally freed the slaves, the North experienced at least a partial change of sentiment. Especially as the difficult work of reconstruction wore on, the expedient of giving the newly made freemen the ballot gained ground. Yet even in 1865 the Republican Party was opposed to the extension of the franchise to the Negroes. Neither Lincoln nor Johnson proposed such a measure. But finally Sumner's plan prevailed as a party policy. Argument: The Negro was still in subjection, while the South had been freed from slavery; the ballot would make him free indeed. In fact, at that time, it seemed to be a choice between maintaining an army at the South or securing the ballot for the Negro; the latter was regarded as the lesser of two evils. The weapon proved a boomerang. (McCulloch, supra, pp. 80 and 81.)

The radical Republicans insisted on the Negro becoming an elector in the South, while he was disfranchised in the vast majority of the northern Commonwealths. The North threw theories and prejudices to the winds and sought to find a practical solution of the vexing question, "What to do with the Negro?" The thirteenth amendment destroyed slavery; the fourteenth made the Negro a citizen, but not a voter. Finally the fifteenth sought to secure the elective franchise for and to him, in spite of race prejudice and existing adverse and discouraging conditions. Shellenbarger, who proposed a substitute prohibiting any disfranchisement of males 21 years of age, except for crime, pointed out that this amendment would suggest other disqualifying tests than race, color, etc. Subsequent events have shown that this desperate expedient was futile. While the amendment secured temporarily the widest extension of the elective franchise to the Negro, it was extreme and unwise.

What was secured for the Negro by the fifteenth amendment? It did not confer suffrage upon him, nor upon anyone. The States were still left wide latitude aside from its inhibitions. It merely prevented discrimination on account of "race, color, or previous condition of servitude." However, it has been held to confer suffrage indirectly; in extending the franchise to any class of inhabitants, Negroes may not be excluded. To secure a decision under the fifteenth amendment it has been held that the indictment must specify that the elector was excluded because he was a Negro—just such an inference is not sufficient. While power is conferred upon Congress to legislate upon the subject of Commonwealth elections, this may not be done except when an otherwise qualified voter is denied that privilege because of "race, color, or previous condition of servitude." Hence, the redress formerly secured by this amendment was not so sweeping as would at first appear.

The suffrage issue was injected into a Mississippi case, but the Supreme Court upheld the decisions of the State courts; while in a Virginia contention the Court refused to assume jurisdiction. The decision in the case of an Alabama Negro, wherein it was held by the Supreme Court that that tribunal did not have jurisdiction, maintained that the offense, and hence a remedy, was political rather than judicial. The inference was that recourse must be had through Congress acting under the fourteenth amendment. There has been little likelihood of such action. However, the recent decision declaring the Oklahoma grandfather clause unconstitutional is a departure from precedent. It would seem that the fifteenth amendment is to become more effective. The disappearance of shifty and temporary expedients, used under the guise of legality to disfranchise the Negro in the South, should be welcomed. Even the South seems to accept his view of the matter.

The immediate result of the reconstruction policy was to put the Southern Commonwealths under negro rule. Led by political adventurers, the ignorant Negroes gave the

South such a government as has been a nightmare to that section ever since. The big offices were appropriated by the carpetbaggers—the little ones being left to the ignorant Negroes. There was a reign of fraud and extravagance. Preceding 1861 South Carolina's average annual stationery bill had been $400; for 1873 it was $16,000. Six million dollars went through fraudulent bonds. This shameless plundering of the South went on for a time unchecked. The estimated carpetbag deficit of the 11 Southern States totaled $298,020,641.80. They spell "pray" with an "e", and thus spelled they obey the apostolic injunction to "pray without ceasing." Such a state of misgovernment could not long endure. (McCulloch, supra, pp. 82, 83, and 85.)

It is interesting historically to note what some of the Nation's leaders thought of the fifteenth amendment.

Neither Lincoln nor Johnson wished universal manhood suffrage immediately extended to the freedman. Lincoln preferred that it be conferred gradually, first securing it to the very intelligent (those able to read and write) and to those who had served in the Union Army. Johnson advised a similar plan: extending the ballot to those Negroes owning a little property and those able to read and write. The evident purpose was to allow the southern commonwealths to solve the problem—the National Government insisting that those Negroes qualified be allowed to vote. Nor was this plan of solution vain or hopeless. While the South was deeply prejudiced against Negro suffrage, many of the leading men of that section took the same view of the matter. Wade Hampton and L. Q. C. Lamar may be taken as typical men of the South who saw the issue clearly. Wade Hampton of South Carolina wrote: "I realized in 1867 that when a man has been made a citizen of the United States, he could not be debarred from voting on account of his color. Such an exclusion would be opposed to the entire theory of republican institutions." But for the untoward events that preceded the adoption of the fifteenth amendment, the South might have been spared much of the bitterness of reconstruction and the Nation the vexing problems arising from indiscriminate Negro suffrage. The whole people lost their only freind in Lincoln; the troublesome times needed his great mind and greater heart. While the South was proud and unbending even in defeat, Congress was actuated by unstatesmanlike motives and forced upon the prostrate commonwealths an intolerable political situation.

The ablest men of the time were averse to conferring the ballot on the Negro irrespective of his fitness for it. Beecher in 1865 pointed out the futility of such a course and concluded: "You will never be able to secure the elective franchise for the Negro and maintain it for him, except by making him so intelligent that men cannot deny it to him." And so it has fallen out. But the cautious method of treatment was abruptly ended with Lincoln's death and Johnson's unfortunate quarrel with Congress. The extreme faction gained control with dire results for the great suffrage problem. As the hasty system inaugurated by the reconstruction policy of Congress began to bear fruit, even the Negroes deplored the increased degradation of their race. They realized that they were merely tools. The political adventurer from the North pulled the strings. (McCulloch, supra, pp. 91, 92, and 93.)

Mr. President, McCulloch says, and repeats, that this particularized provision for the Negro does not affect State control over every other voting qualification, including, certainly, the existence now of a poll tax as a prerequisite to the exercise of the voting privilege. State control is reaffirmed in article XVII which quotes word for word the tests for electors of Representatives in the first article, second section, of the Constitution, and makes that apply to the electors of Senators as well. In other words, the test that all electors qualified to vote for the most numerous branch of the State legislature shall be qualified to vote for Representatives, set out in 1787 at the Constitutional Convention, is reaffirmed and extended 150 years later.

The nineteenth amendment extends the right to vote to women.

I quote further from McCulloch:

The agitation for woman suffrage became more intense after the enfranchisement of the Negro and began to bear fruit in the multiplication of the number of States that granted school suffrage to women. Also municipal and bond suffrage was extended to women in a few instances. In the West a few commonwealths bestowed upon woman the full elective franchise. Wyoming led in this movement; her full suffrage law bears the date 1869. The number of such States gradually but very slowly increased, extending the movement eastward. Then came the World War and another suffrage revolution. Woman suffrage became a war measure of almost spontaneous proportions. Because constitutional amendments were too slow, a number of State legislatures followed the questionable expedient of granting women the franchise for nonconstitutional offices. Years before, an amendment to the Constitution of the United States, following the lines of the fifteenth amendment and thereby securing the ballot for women, had been offered; but such proposals usually died in a congressional committee. During the war this amendment was brought forward with marked difference in its reception. As the prospective nineteenth amendment it was passed by Congress and submitted to the several States for ratification in 1919 and received the endorsement of the requisite number of commonwealths in 1920. Like the former amendment (fifteenth), the nineteenth amendment disturbs the commonwealth regulation of suffrage as little as possible; it provides that the "right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on acount of sex." (McCulloch, supra, pp. 52 and 53.)

Until this period, in spite of the agitation of women suffragists, the elective franchise had been confined to males. The constitution of every State so specified. The sagebrush territory of Wyoming had granted women full suffrage in 1869; but this departure only emphasized the universality of the rule. Yet insistent agitation accomplished something. Following the chivalrous example set by Kentucky in 1838, other States allowed women to participate in school elections. While this was a sop thrown to the troublesome agitators for woman suffrage, there was also the idea in the minds of legislators that educational matters rather belonged in woman's sphere. This practice grew until 26 States had extended school suffrage to women. Along with this innovation came another, closely associated with the ownership of property: women were permitted to vote in municipal elections and in voting bonds. This extension of suffrage to women was not so general as that of school suffrage; only nine States saw fit to grant some sort of "municipal suffrage" to women. Meanwhile a few of the sparsely settled States of the Rocky Mountain region followed the pioneer, Wyoming, and extended full suffrage to women. In this section there were no large cities, and, equally significant, the number of men greatly exceeded that of women. However, the movement gathered weight very slowly and by 1910 but four States had taken this advanced stand: Wyoming, Colorado, Utah, and Idaho. But, nothing having happened of startling nature because of woman suffrage in these commonwealths, and agitation becoming more widespread and more insistent, the movement spread; and at the outbreak of the World War the number of States in which women had full suffrage had more than doubled: Washington, California, Oregon, Kansas, and Arizona had fully enfranchised women. During the World War suffrage events moved rapidly: Nevada and Montana were early added to the list, and then the movement invaded the East. After the United States entered the war, New York, Michigan, South Dakota, and Oklahoma extended the ballot to women. This secured full suffrage for women in 15 States. But even a more significant thing was happening. Since constitutional amendments move slowly, the legislatures of 15 States proceeded to grant women suffrage for "nonconstitutional offices," this permitted women to vote for Congressmen and Presidential electors. Frankly, woman suffrage had become a war issue. Under this stress the Anthony amendment was revived and, with the help of the President, pushed through Congress—receiving the required extraordinary majority, June 5, 1919. Then began the ratification by States. Few State legislatures were to meet at an early date in regular session, hence it was necessary for the Governors to call extra sessions—if the amendment was to be ratified in time for women to vote in the election of 1920. With remarkable celerity 35 States ratified. All States west of the Mississippi, excepting Louisiana, had approved the amendment. Most Southern States had rejected it or their legislatures had not been convened; while some New England Governors had refused to call extra sessions. This was the situation in mid-summer. President Wilson, the chairman of central committees, and Presidential nominees brought great pressure to bear in the border States, which had neither ratified nor rejected the amendment; for each party was eager to secure the credit for ratification and thus have a catch appeal to women voters. Finally, after a bitter and close struggle, Tennessee ratified the nineteenth amendment, August 18, 1920; and the word "male" was stricken from the constitutions of 33 States. (McCulloch, supra, pp. 60, 61, and 62.)

In an academic sense, woman suffrage is as old as Plato. However, his dream of women sharing in the political burdens of the state was no more real than were his asses frisking along the highway in the exuberance of republican freedom. It is a far cry from Greek civilization to that of the twentieth century, and the enfranchised woman of today looks out on a vastly different world. The social position of modern women rests on a foundation laid far back in the past. It was for Christianity to give woman a new worth and dignity; she possessed an immortal individuality—a soul. Accordingly, the position of women has ever been the great and outstanding difference between pagan and Christian civilizations. However, it takes time for even religious truth to overcome fixed ideas and customs. Slowly and painfully the world achieved progress. The rise of the Puritan home in England marks the beginning of the highest position ever assigned to woman. Even then, with marked gains in individual liberty and social standing political equality for woman was far in the future. If the relative estimate of womanhood is a sure criterion of civilization, then America enjoys the highest in the world. Therefore, in the United States has come the first agitation for and the widest extension of sexless political equality.

The question of woman suffrage in the United States has been closely associated

with that of the Negro. The half dozen women delegates sent from America to the World's Antislavery Convention, which met in London in June 1840 were emphatically refused seats. Therefore, these women came home pledged to agitate for woman suffrage. Thus, in trying to free the Negro from the bonds of slavery, was the question of woman suffrage precipitated. After several years of local agitation, the first woman's-rights convention met in Seneca Falls, N. Y., in July 1848. Other sections of the country followed this example, and the woman suffrage question was fairly launched. The movement in England did not get under way until 1865. English women had enjoyed municipal suffrage, based like that of men on guild, freehold, and property bases. Thereafter the struggle was begun for parliamentary suffrage. The contest there has been long and bitter. The methods employed by the agitators, while quite British, would have been wholly out of place in America. Finally under stress of the World War, partial success was achieved: In 1918 parliamentary suffrage was extended to some 6,000,000 women, and in 1928 to all.

At the Declaration of Independence universal manhood suffrage was not even a future event in the minds of publicists. Certainly no one contemplated the extension of the ballot to women. Yet, soon thereafter women actually voted. The first instance of undoubted authenticity was in New Jersey in 1797. Women then voted under the Constitution of 1776, which declared that all inhabitants were electors—if otherwise qualified. This was clearly an oversight on the part of the lawmakers and was corrected by a more exact definition in 1807. In the History of Woman Suffrage it is asserted that women had voted in Massachusetts under the charter from 1691 to 1780 and under the Constitution from 1780 to 1785. However, this is mere conjecture. There were no further instances of women exercising the right of suffrage, during the early periods of our national history.

During the decade preceding the Civil War there was considerable agitation for woman suffrage, but the preponderance of the slavery issue kept it in the background. The only tangible result of this early agitation for woman suffrage appears to have been the action of Kansas in 1861, following the earlier example of Kentucky, granting school suffrage to women. When the Negro became a citizen and later an elector—both by amendments to the Federal Constitution—the women agitators for suffrage became impatient in their demands for the ballot. Some presumed to vote, claiming that privilege under the fourteenth amendment. A Mrs. Ricker voted without protest in New Hampshire in 1872. When Susan B. Anthony insisted on voting the same year, she was fined $100—which was never paid. Finally, in 1875, a decision was handed down by the Supreme Court of the United States asserting that the amendment had not contemplated women voting and that the regulation of the elective franchise was entirely within the province of the various States. This stopped women from voting a second time.

Meanwhile, the leaders of the movement were not idle. In 1869 what was known as the sixteenth amendment was urged upon Congress: The right of suffrage in the United States shall be based on citizenship and shall be regulated by Congress; and all citizens of the United States, whether native or naturalized, shall enjoy this right equally without any distinction or discrimination whatever founded on sex. This proposed amendment had two significant features besides its main intent: it would have invalidated at one stroke the declaration of intent tests in a number of States and it would have wrought a suffrage revolution by vesting in Congress the regulation of suffrage instead of leaving this function to the several commonwealths—which had been the custom from colonial days. The first vote obtained on the proposed amendment was in 1887, when the Senate refused to submit it to the States for ratification by a vote of 34 to 16. To have been constitutionally effective, this vote would have had to have been the reverse of what it was. Eleven favorable committee reports have been had on the proposition: five from the Senate and six from the House—the first in 1871, the last in 1893. Since the latter date attention has been directed principally to obtaining favorable action on the part of the States, through woman-suffrage amendments to the Commonwealth constitutions. However, the insistent agitation was bearing some fruit: school suffrage was being extended to women quite generally, and by the opening of the World War 26 States had made such a concession to women, while 9 had conferred either municipal or bond-voting suffrage.

The Territory of Wyoming was the first Commonwealth to grant full suffrage to women. This was done in 1869, while the Territory was not erected into a State until 20 years later. Yet even in 1889 the pioneer State stood alone. There seems to be some doubt as to the facts about the case of Wyoming. The action on 1869 appears to have been treated as a joke. There was no political significance in the measure. However, when the Territory was admitted as a State the opposition to woman suffrage had well-nigh ceased. In 1893 Colorado adopted an amendment to her constitution extending suffrage to women. The majority for the amendment was 6,347; a similar measure lost in 1877 by 5,844. Again it is difficult to get at the facts. Men outnumbered women in the Centennial State by 49,761. However, the measure seems to have been largely the result of the panicky and chaotic condition prevailing there then, and a sort of byproduct of populism. Idaho and Utah extended suffrage to women in 1896. The latter Commonwealth thus returning to its Territorial regulation, which had been annulled by the Federal Government because of the prevalence of polygamy. A woman critic attributed the adoption of woman suffrage in Wyoming to a political trick, in Colorado to populism, and in Utah to polygamy. Anyhow, there were no further concrete results for a number of years. In fact, since New York and Massachusetts had just rejected woman suffrage by overwhelming majorities there seemed little probability that other States would extend the franchise to women. In contrast to Colorado, in the latter State women outnumbered men by over 70,000. Frankly, it was an isolated western fad—ignored by the South and ridiculed by the North. For further advance of woman suffrage the time element was necessary.

Around 1910 the movement took on new life. A number of things contributed to this revival of interest in woman suffrage. Agitation, while persistent, was dignified; it took on more the nature of an educational propaganda. Also the novel suffrage venture of a few sparsely settled States had not caused either an upheaval of the social order or the moral downfall of woman. The rest of the Nation began to look with more respect on the whole question of woman suffrage. Other States began to adopt like amendments enfranchising women. In 1910 Washington gave woman the ballot, in 1911 California extended suffrage to women, and in 1912 Oregon did likewise, thus uniting the Pacific coast in the movement. The same year Arizona and Kansas granted suffrage to women. While the movement had reached beyond the West of high altitudes, it was still confined to the great West, where the States were not averse to trying experiments. The conservative North and South were content to remain on the side-lines. No ordinary course of events would have caused even the North to adopt woman suffrage by a mass movement, much less the ultraconservative South.

Then came the World War. At that time nine States had granted women the elective franchise. When the United States entered the conflict two more had extended political suffrage to women—Nevada and Montana, both in 1914. However, at once woman suffrage became a war measure; the unselfish and heroic war work of the women of America and elsewhere was an unanswerable argument. Whatever woman wanted she should have as a fitting reward for her patriotism. As Mrs. Medill McCormick put it: "We have sacrificed as you have in its defense." Events moved rapidly. The greatest suffrage victory came in New York in 1917. As recently as in 1915, woman suffrage had been lost in that State by an adverse majority of over 185,000. Two years later the women framed a monster petition with over a million signatures of women asking for the ballot and the suffrage amendment carried that year by over 100,000 votes. The advocates of woman suffrage were greatly encouraged and the movement gained momentum. The next year Michigan, South Dakota, and Oklahoma enfranchised women. Similar amendments were submitted in five other States; but, the amending process was too dilatory to suit aroused woman suffrage sentiment and more speedy methods were adopted. The unique plan was devised to enfranchise women by mere legislative action, allowing them to vote in elections for "nonconstitutional offices," such as electors for President and sometimes Members of Congress. Illinois had adopted this expedient in 1913. During the year 1917, Michigan, Nebraska, North Dakota, and Rhode Island enacted similar legislation. Two years later, Tennessee, Missouri, Iowa, Minnesota, Wisconsin, Indiana, Ohio, and Maine did likewise; while Arkansas in 1917 and Texas in 1918 permitted women to vote at primaries only. Therefore, at the close of hostilities women had acquired political suffrage in some form in 29 States—15 by amendments to the commonwealth constitutions and 14 by legislative enactment.

As great as was this victory for woman suffrage, an even more sweeping one was on the way.

Meanwhile the Anthony amendment to the United States Constitution had been urged upon Congress. President Wilson endorsed it as a war measure and brought his influence to bear upon the members of his party in Congress. While he had been uniformly successful in having his way with Congress, the proposed amendment failed of the necessary two-thirds majority in the Senate—though it had passed the House by a vote of 274 to 136, January 10, 1918. The succeeding Congress, while less obedient to the wishes of the President, took up and pressed forward the proposed amendment with such vigor that on June 5, 1919, it was passed by both Houses with the requisite majorities and submitted to the States for ratification. (McCulloch, supra, pp. 109, 110, 111, 112, 113, 114, 115, and 116.)

By September of 1920 a sufficient number of States had ratified for the amendment to become effective.

So what do we have? A Constitution which, since 1787, its inception, has given the control over voting qualifications to the States. This control has been twice abridged, once after the Civil War, in favor of the Negro, once after the World War, in favor of women. It took two wars and sweeping movements to accomplish these changes, and then they were accomplished by amendment to the Constitution. After the fifteenth amendment, the seventeenth amendment reaffirmed

the States' rights to control over voting qualifications. These rights are unchanged in the Constitution today and are absolutely prohibitive of any such abortive legislation as is now being considered in this House.

I have completed the first of three phases of my presentation—that concerned with the United States Constitution. The second phase, which I now approach is concerned with the original State constitutional provisions, and their changes. The third phase will treat many decisions on the subject of voting qualifications, interpreting various constitutional provisions.

Should Senators ask, Why go into all the State regulations to prove the unconstitutionality of the proposed measure abolishing poll tax by congressional act? I reply that the State regulations, stressing their variety and the causes therefor, are essential. I quote from Porter:

Of course, the basis on which a study of the suffrage must be founded would be the constitutional provisions in the various States. Altogether there have been about 120 constitutions drawn up and put in operation since the Declaration of Independence, and the suffrage provisions in these constitutions must be the structural work on which a history of suffrage may be built. They indicate the actual turning points and show in unembellished outline form the trend of thought on the matter of suffrage. But the question at once occurs: Is it necessary to take account of the acts of State legislatures and add statutes to the outline structure? However, a study of the constitutional law on the subject and a survey of statutory acts concerning suffrage lead to the conclusion that the legislative acts are of scarcely any importance and do not need to be added to the constitutional provisions in order to form an adequate basis for a history of suffrage. Writers on constitutional law and the law of elections dispel all scruples on this matter. (Footnote: M. H. Throop (Law of Public Officers, p. 129) says: "The power of the State to regulate the elective franchise is exercised universally by means of provisions in the constitution of each State." He goes on to point out that there is a very small field left for statute law. Acts are sure to be declared void if they prescribe further qualifications than the constitution contains, or if they grant suffrage to any person who does not possess the qualifications stipulated for. However, requirements not in conflict with the spirit of the constitution may be superadded, such as terms of residence in election districts, exclusion of certain public officers from the suffrage, etc. But anything the legislature may do is likely to be of small importance.) But it occasionally happens that the constitution permits the legislature to use discretion in the matter of enlarging the suffrage. Thus in recent years legislatures have been permitted to levy poll taxes as a prerequisite to voting and to impose literacy tests. But authority for these must always be positively found in the constitution itself. (Porter, History of Suffrage in the United States, pp. 14, 15, to top of p. 16.)

First, New Hampshire: In 1776, at the time of the Declaration of Independence, New Hampshire's congress drew up a constitution. It is said that congress was chosen and appointed by the free suffrages of the people of said colony—See Thorpe, 4, Charters and Constitutions, page 2451.

This was the first constitution framed by an American commonwealth. In 1784 a complete constitution was ratified for New Hampshire.

Article XI reads:

All elections ought to be free, and every inhabitant of the State having the proper qualifications, has equal right to elect, and be elected into office. (Art. XI, of Thorpe, 4, supra, p. 2455.)

The electors' qualifications are fully set out, as follows:

The Senate shall be the first branch of the legislature: and the senators shall be chosen in the following manner, viz. Every male inhabitant of each town and parish with town privileges in the several counties in this State, of 21 years of age and upwards, paying for himself a poll tax, shall have a right at the annual or other meetings of the inhabitants of said towns and parishes, to be duly warned and holden annually forever in the month of March; to vote in the town or parish wherein he dwells, for the senators in the county or district whereof he is a member.

And every person qualified as the constitution provides, shall be considered an inhabitant for the purpose of electing and being elected into any office or place within this State, in that town, parish, and plantation where he dwelleth and hath his home.

The selectmen of the several towns and parishes aforesaid, shall, during the choice of Senators, preside at such meetings impartially, and shall receive the votes of all the inhabitants of such towns and parishes present and qualified to vote for Senators, and shall sort and count the same in the meeting, and in the presence of the town clerk, who shall make a fair record in the presence of the selectmen, and in open meeting, of the name of every person voted for, and the number of votes against his name; and a fair copy of this record shall be attested by the selectmen and town clerk; and shall be sealed up and directed to the secretary of the State, with a superscription expressing the purport thereof, and delivered by said clerk to the sheriff of the county in which such town or parish lies, 30 days at least before the first Wednesday of June; and the sheriff of each county, or his deputy, shall deliver all such certificates by him received, into the secretary's office, 17 days at least, before the first Wednesday of June.

And the inhabitants of plantations and places unincorporated, qualified as this constitution provides, who are or shall be required to assess taxes upon themselves toward the support of government, or shall be taxed therefor, shall have the same privilege of voting for Senators in the plantations and places wherein they reside, as the inhabitants of the respective towns and parishes aforesaid have. And the meetings of such plantations and places for that purpose, shall be holden annually in the month of March, at such places respectively therein, as the assessors thereof shall direct; which assessors shall have like authority for notifying the electors, collecting and returning the votes, as the selectmen and town clerks have in their several towns by this constitution. (Thorp, 4, supra, beginning p. 2459, par. starting "The Senate, etc." to end second par. top p. 2460.)

All persons qualified to vote in the election of senators shall be entitled to vote within the town, district, parish, or place where they dwell in the choice of representatives. Every member of the house of representatives shall be chosen by ballot; and for 2 years at least next preceding his election shall have been an inhabitant of this State, shall have an estate within the town, parish, or place which he may be chosen to represent, of the value of 100 pounds, one-half of which to be a freehold, whereof he is seized in his own right; shall be at the time of his election an inhabitant of the town, parish, or place he may be chosen to represent; shall be of the Protestant religion; and shall cease to represent such town, parish, or place immediately on his ceasing to be qualified as aforesaid (Thorpe, 4, supra, last paragraph p. 2461 through second line top p. 2462.)

In 1792 this was modified somewhat.

SEC. XXVIII. The senate shall be the first branch of the legislature, and the senators shall be chosen in the following manner, viz: Every male inhabitant of each town and parish with town privileges, and places unincorporated, in this State, of 21 years of age and upward, excepting paupers and persons excused from paying taxes at their own request, shall have a right, at the annual or other meeting of the inhabitants of said towns and parishes, to be duly warned and holden annually forever in the month of March, to vote in the town or parish wherein he dwells for the senator in the district whereof he is a member. (Thorpe, 4, supra, p. 2479, sec. XXVIII.)

In 1902 the rather broadened viewpoint in some ways is shown by another amendment, which at the same time shows a rising feeling against aliens.

All elections ought to be free, and every inhabitant of the State having the proper qualifications has equal right to elect and be elected into office, but no person shall have the right to vote or be eligible to office under the constitution of this State who shall not be able to read the constitution in the English language and to write: *Provided, however,* That this provision shall not apply to any person prevented by a physical disability from complying with its requisitions, nor to any person who now has the right to vote, nor to any person who shall be 60 years of age or upwards on the 1st day of January, A. D. 1904. (Thorpe, 4, supra, p. 2493, pt. II, art. XI.)

In the New Hampshire Constitution of 1784 it was further provided that—

All persons qualified to vote in the election of Senators, shall be entitled to vote, within the (town) district (parish or place) where they dwell, in the choice of Representatives. (Art. XIII, p. 1039, Constitutions of the States and United States.)

And the qualifications remain as above set out.

Chafee sets out the qualifications in summarized form in his report:

Who may vote: Persons who have resided in the town 6 months and have paid all taxes assessed during the preceding year. Women are liable to tax.

Registration: No person shall vote whose name is not on the check list unless it was omitted by mistake and his right to vote was known by the supervisors when list was made.

Need not be renewed by voters who voted at the preceding election. Persons voting at the primary need not re-register for the following general election.

May be effected—how: By personal appearance before the supervisors.

When: 1. In Claremont and Newport last session October 31 when list is revised.

2. In towns with more than 600 voters, supervisors are in session October 27, November 2, and additional days if necessary.

Absent voting: Is permitted only in Presidential elections. Apply to city or town clerk during the 30 days before the election on a blank obtained from secretary of state, city, or town clerk. (Chafee, Summary of General Election Laws of the United States.)

New Hampshire was one of the first four States to set up a tax payment as the sole qualification, omitting the requirement of owning property. It is also of passing interest to note that while almost all States require an elector to be

a citizen, New Hampshire clings to the ancient word "inhabitant." However, the meaning probably is not changed. Also New Hampshire was one of the first to require the educational test, namely, that a voter must read and write English. Also, New Hampshire was one of the six States which never excluded the Negro—see Porter, History of Suffrage in the United States, page 90.

Delaware was chartered in 1701. At this early date the State had assumed control over the qualifications of electors. In article II there was this provision:

And that the qualifications of electors and elected, and all other matters and things relating to elections of representatives to serve in assemblies, though not herein particularly expressed, shall be and remain as by a law of this government made at Newcastle, in the year 1700, entitled "An act to ascertain the number of members of assembly and to regulate the elections." (See Thorpe, I, supra, p. 559.)

In 1776 the Delaware Constitution employed the "property test," then quite a general one.

ART. 3. One of the branches of the legislature shall be called "the house of assembly", and shall consist of seven representatives to be chosen for each county annually of such persons as are freeholders of the same.

ART. 4. The other branch shall be called "the council", and consist of nine members; three to be chosen for each county at the time of the first election of the assembly, who shall be freeholders of the county for which they are chosen, and be upward of 25 years of age. * * *

ART. 5. The right of suffrage in the election of members for both houses shall remain as exercised by law at present; and each house shall choose its own speaker, appoint its own officers, judge of the qualifications and elections of its own members, settle its own rules of proceedings, and direct writs of election for supplying intermediate vacancies.

Thorpe I, supra, page 562, articles 3 and 4, through words "25 years of age"; also article 5, page 563, through sentence ending intermediate vacancies."

In 1792, Delaware, in convention at Newcastle, drew up a new constitution. They provided:

SEC. 1. All elections of governor, senators, and representatives shall be by ballot; and in such elections every white freeman of the age of 21 years, having resided in the State 2 years next before the election, and within that time paid a State or county tax, which shall have been assessed at least 6 months before the election, shall enjoy the right of an elector; and the sons of persons so qualified shall, between the ages of 21 and 22 years, be entitled to vote, although they shall not have paid taxes.

SEC. 2. Electors shall in all cases, except treason, felony, or breach of the peace, be privileged from arrest during their attendance at elections, and in going to and returning from them.

Thorpe I, supra, article IV, page 574.

We see here the departure from the property test, which was replaced by the payment of a tax. In 1831 Delaware again changed its constitution:

SECTION 1. All elections for governor, senators, representatives, sheriffs, and coroners shall be held on the second Tuesday of November, and be by ballot; and in such elections every free white male citizen of the age of 22 years or upwards, having resided in the State 1 year next before the election, and the last month thereof in the county where he offers to vote, and having within 2 years next before the election paid a county tax, which shall have been assessed at least 6 months before the election, shall enjoy the right of an elector; and every free white male citizen of the age of 21 years, and under the age of 22 years, having resided as aforesaid, shall be entitled to vote without payment of any tax: *Provided*, That no person in the military, naval, or marine service of the United States shall be considered as acquiring a residence in this State, by being stationed in any garrison, barrack, or military or naval place or station within this State; and no idiot, or insane person, or pauper, or person convicted of a crime deemed by law felony, shall enjoy the right of an elector; and that the legislature may impose the forfeiture of the right of suffrage as a punishment for crime.

SEC. 2. Electors shall in all cases except treason, felony, or breach of the peace, be privileged from an arrest during their attendance at elections, and in going to and returning from them.

Thorpe I, supra, article IV, page 589.

It is interesting to note the variations in all the State laws. A mere reading of them shows their vital differences. Each State has suited its own peculiar problems and citizenry, perhaps even its own geographical position. This is entirely proper and to be expected, contrary to the uniformity proposed here to be imposed by unconstitutional legislation.

In 1897 there was another Deleware constitution, providing for the choosing of Representatives, among others, by qualified electors. While the various bills of rights always provide that elections are to be free and equal, it has long been accepted, as stated by many whom I have quoted heretofore, and as shown by decisions which I shall discuss later, that the right to vote is a privilege rather than an absolute right, which must be exercised in accordance with certain regulations set up by each State. In 1897 Delaware ruled:

SECTION 1. The general election shall be held biennially on the Tuesday next after the first Monday in the month of November, and shall be by ballot; but the general assembly may by law prescribe the means, methods, and instruments of voting so as best to secure secrecy and the independence of the voter, preserve the freedom and purity of elections and prevent fraud, corruption, and intimidation thereat.

SEC. 2. Every male citizen of this State of the age of 21 years who shall have been a resident thereof 1 year next preceding an election, and for the last 3 months a resident of the county, and for the last 30 days a resident of the hundred or election district in which he may offer to vote, and in which he shall have been duly registered as hereinafter provided for, shall be entitled to vote at such election in the hundred or election district of which he shall at the time be a resident, and in which he shall be registered, for all officers that now are or hereafter may be elected by the people and upon all questions which may be submitted to the vote of the people; provided, however, that no person who shall attain the age of 21 years after the 1st day of January, in the year of our Lord, 1900, or after that date shall become a citizen of the United States, shall have the right to vote unless he shall be able to read this constitution in the English language and write his name; but these requirements shall not apply to any person who by reason of physical disability shall be unable to comply therewith; and provided also, that no person in the military, naval, or marine service of the United States shall be considered as acquiring a residence in this State, by being stationed in any garrison, barrack, or military or naval place or station within this State; and no idiot or insane person, pauper, or person convicted of a crime deemed by law felony, or incapacitated under the provisions of this constitution from voting, shall enjoy the right of an elector; and the general assembly may impose the forfeiture of the right of suffrage as a punishment for crime. (Thorpe I, supra, p. 620, secs. 1, 2, of art. V.) Here a new refinement is seen—the "education test" is coming in at the end of the century. These are the prevailing qualifications today. Summarizing the qualifications for electors, plus certain administrative provisions concerning soldiers and absentees, see Chafee.

Who may vote: Persons who have resided in the State 1 year, in the county 3 months, and the election district 30 days.

Residents who leave to enter the Federal service or are temporarily absent because of the nature of their business.

Registration: General registration, 1940. Permanent as long as voter retains qualifications.

May be effected: How—In person only, before registrars of the election district. When—One day each week in April, May, and June. Board gives notice of days and hours.

Supplementary registration before registrar August 13 to October 17.

Absent voting: Civilian—The constitutionality of voting by mail is pending in the Supreme Court; nevertheless, the legislature at its last session passed a vote-by-mail law.

Any qualified elector absent from the State or election district, in Federal or State employ, or because of the nature of his work or business, may vote by mail at any general election. Apply to the Clerk of Peace not more than 20 nor less than 3 days prior to election for official ballot on form furnished by the clerk. The ballot will be accompanied by full instructions.

Armed forces: An election is held at the quarters of the commanding officer of each camp. The Governor sends two persons to deliver the necessary supplies, including the ballots. They collect and return the votes and all equipment at the close of the election to the State (Delaware, Chafee report).

Mr. LODGE. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield for a question.

Mr. LODGE. Has the Senator seen the bulletin as to the time when the Democratic leader is going to move to adjourn?

Mr. ELLENDER. How could I see it? If the Senator will bring it to me, I will read it.

Mr. LODGE. Mr. President, will the Senator further yield?

Mr. ELLENDER. I yield for a question.

Mr. LODGE. Does not the Senator think that if that report is correct it will come as a very grievous shock to people all over the country who are hoping to see this Congress do something about bigotry and prejudice?

Mr. ELLENDER. I do not know what the situation is. I have been speaking for a little more than 10 hours, and I feel able to go 10 more, if necessary. I am not aware of what has happened. I understood that there might be some plan to end all this. I have not been advised, so I expect to continue to talk.

The problems each State has had to cope with can be seen by the nature of its laws concerning qualifications. Del-

aware was one of the first States to lengthen the period of residence required. The reason—increased immigration creating an alien problem. Such a problem would not and did not exist in many other States. Likewise, Delaware was one of the first States to allow women to participate in school elections, a phase which preceded women's right to vote generally—see McCulloch, Suffrage and Its Problems, pages 38 and 126.

Pennsylvania was chartered as a province in 1681. It is notable that even in this original instrument some consideration of elections and of who could vote was shown. In speaking of the power in William Penn to make laws, and so forth, it says, "according to their best discretions, by and with the advice, assent, and approbation of the freemen of the said country, or the greater part of them, or of their delegates or deputies," and so forth—see 5 Thorpe, supra, page 3037.

Further election laws are found in Penn's Charter of Liberties, 1682:

2. That the freemen of the said province on the 20th day of the twelfth month which shall be in this present year 1682 meet and assemble in some fit place of which timely notice shall be beforehand given by the Governor or his deputies and then and there shall choose of themselves 72 persons of most note for their wisdom, virtue, and ability who shall meet on the 10th day of the first month next ensuing and always be called and act as the provincial council of said province. (See 5 Thorpe, p. 3048, par. 2.)

A similar provision was in the frame of the government of Pennsylvania. See 5 Thorpe, supra, page 3055. Further we find there this provision:

III. That all elections of members, or representatives of the people and freemen of the province of Pennsylvania to serve in provincial council, or general assembly, to be held within the said province, shall be free and voluntary; and that the elector, that shall receive any reward or gift, in meat, drink, moneys, or otherwise, shall forfeit his right to elect; and such person as shall directly or indirectly give, promise, or bestow any such reward as aforesaid, to be elected, shall forfeit his election, and be thereby incapable to serve as aforesaid: and the provincial council and general assembly shall be the sole judges of the regularity, or irregularity of the elections of their own respective members. (See 5 Thorpe, supra, p. 3060, art. III.)

Here we see, in varied form, a provision similar to the bribery prohibitions of today.

In 1696 the following provisions are found in the frame of government.

For the electing of which representatives, it shall and may be lawful to and for all the freemen of this province and territory aforesaid, to meet together on the 10th day of the first month yearly hereafter, in the most convenient and usual place for election, within the respective counties, then and there to choose their said representatives as aforesaid, who shall meet on the 10th day of the third month yearly, in the capital town of the said province, unless the Governor and council shall think fit to appoint another place.

And, to the end it may be known who those are, in this province and territories, who ought to have right of, or to be deemed freemen, to choose, or be chosen, to serve in council and assembly, as aforesaid, be it enacted by the authority aforesaid, that no inhabitant of this province or territories, shall have right of electing, or being elected as aforesaid, unless they be free denizens of this government, and are of the age of 21 years, or upwards, and have 50 acres of land, 10 acres whereof being seated and cleared, or be otherwise worth 50 pounds, lawful money of this government, clear estate, and have been resident within this government for the space of 2 years next before such election. (See Thorpe, p. 3071, line 18.)

There is also a provision that any elector who receives a reward for giving his vote shall forfeit his vote. See 5 Thorpe, supra, page 3073.

The Constitution of Pennsylvania in 1776 was established by general convention in Philadelphia. In the declaration of rights thereof is the following provision:

VII. That all elections ought to be free; and that all free men having a sufficient evident common interest with and attachment to the community, have a right to elect officers, or to be elected into office. (See 5 Thorpe, supra, p. 3083.)

What constitutes an "evident common interest" is defined as follows:

SEC. 5. The freemen of this commonwealth and their sons shall be trained and armed for its defence under such regulations, restrictions, and exceptions as the general assembly shall by law direct, preserving always to the people the right of choosing their colonels and all commissioned officers under that rank, in such manner and as often as by the said laws shall be directed. (See 5 Thorpe, supra, p. 3084, sec. 5.)

In 1790 another constitution was framed. Article III provides as follows:

SECTION 1. In elections by the citizens, every freeman of the age of 21 years, having resided in the State 2 years next before the election, and within that time paid a State or county tax, which shall have been assessed at least 6 months before the election, shall enjoy the rights of an elector: *Provided,* That the sons of persons qualified as aforesaid, between the ages of 21 and 22 years, shall be entitled to vote, although they shall not have paid taxes.

SEC. 2. All elections shall be by ballot, except those by persons in their representative capacities, who shall vote viva voce.

SEC. 3. Electors shall, in all cases except treason, felony, and breach or surety of the peace, be privileged from arrest during their attendance on elections, and in going to and returning from them. (See 5 Thorpe, supra, p. 3096, art. III.)

In 1838 a new Constitution was ratified by a close margin. Article III thereof was:

SECTION 1. In elections by the citizens, every white freeman of the age of 21 years, having resided in this State one year, and in the election district where he offers to vote 10 days immediately preceding such election, and within 2 years paid a State or county tax, which shall have been assessed at least 10 days before the election, shall enjoy the rights of an elector. But a citizen of the United States, who had previously been a qualified voter of this State and removed therefrom and returned, and who shall have resided in the election district and paid taxes as aforesaid, shall be entitled to vote after residing in the State 6 months: *Provided,* That white freemen, citizens of the United States, between the ages of 21 and 22 years, and having resided in the State 1 year and in the election district 10 days as aforesaid, shall be entitled to vote, although they shall not have paid taxes.

SEC. 2. All elections shall be by ballot, except those by persons in their representative capacities, who shall vote viva voce.

SEC. 3. Electors shall in all cases, except treason, felony, and breach of surety of the peace, be privileged from arrest during their attendance on elections and in going to and returning from them. (See 5 Thorpe, supra, p. 3108–3109, art. III.)

Here for the first time, Mr. President, we find the significant word "white," indicating a new consciousness of the Negro problem even in the Atlantic States.

1873 saw another Constitution come into effect in Pennsylvania. The suffrage provisions are detailed:

SECTION 1. Every male citizen of 21 years of age, possessing the following qualifications, shall be entiled to vote at all elections, subject however to such laws requiring and regulating the registration of electors as the General Assembly may enact:

1. He shall have been a citizen of the United States at least 1 month.

2. He shall have resided in the State 1 year (or, having previously been a qualified elector or native-born citizen of the State, he shall have removed therefrom and returned, then 6 months) immediately preceding the election.

3. He shall have resided in the election district where he shall offer to vote at least 2 months immediately preceding the election.

4. If 22 years of age and upwards, he shall have paid within 2 years a State or county tax, which shall have been assessed at least 2 months and paid at least 1 month before the election.

SEC. 2. The general election shall be held annually on the Tuesday next following the first Monday of November, but the general assembly may by law fix a different day, two-thirds of all the members of each house consenting thereto.

SEC. 3. All elections for city, ward, borough, and township officers, for regular terms of service, shall be held on the third Tuesday of February.

SEC. 4. All elections by the citizens shall be by ballot or by such other method as may be prescribed by law: *Provided,* That secrecy in voting be preserved.

SEC. 5. Electors shall in all cases except treason, felony, and breach of surety of the peace, be privileged from arrest during their attendance on elections, and in going to and returning therefrom.

SEC. 6. Whenever any of the qualified electors of this commonwealth shall be in actual military service, under a requisition from the President of the United States, or by the authority of this commonwealth, such electors may exercise the right of suffrage in all elections by the citizens, under such regulations as are or shall be prescribed by law, as fully as if they were present at their usual places of election.

SEC. 7. All laws regulating the holding of elections by the citizens or for the registration of electors shall be uniform throughout the State, but laws regulating and requiring the registration of electors may be enacted to apply to cities only, provided that such laws be uniform for cities of the same class.

SEC. 8. Any person, who shall give, or promise or offer to give, to an elector, any money, reward, or other valuable consideration for his vote at an election, or for withholding the same, or who shall give or promise to give such consideration to any other person or party for such elector's vote or for the withholding thereof, and any elector who shall receive or agree to receive, for himself or for another, any money, reward or other valuable consideration for his vote at an election, or for withholding the same, shall thereby forfeit the right to vote at such

election, and any elector whose right to vote shall be challenged for such cause before the election officers, shall be required to swear or affirm that the matter of the challenge is untrue before his vote shall be received. (See 5 Thorpe, supra, pp. 3138–3139, art. VIII, first eight sections.)

Pennsylvania, like Delaware, felt the alien problem, and was one of the first to require a long residence period.

Pennsylvania was one of the few States in the North to have a taxpaying qualification.

As a matter of interest, Mr. President, showing that the privilege of suffrage has always been qualified by the State, according to its own needs and situation, I quote:

In the Pennsylvania Convention of 1789 all joined heartily in the following statement and had it printed in large bold type:

"All power being originally vested in, is derived from, the people, and all free governments originate from their will, are founded on their authority, and instituted for their peace, safety, and happiness; and for the advancement thereof; they have, at all times, an unalienable and indefeasible right to alter, reform, or abolish their government in such manner as they may think proper." (From Pennsylvania Convention, 1789, Minutes, p. 45.)

In spite of this acceptance of an abstract principle, a vigorous effort was early made in the Convention to establish a property qualification for suffrage. Almost feverish eagerness was manifest to get such a restriction in, and it was proposed almost before the business of the Convention was well under way. Eventually there was apprehension that it would not carry, and it did not; in its stead the usual compromise of a taxpaying qualification was introduced. Both these large States and their smaller neighbors were extravagant in formal announcements of the rights of the people. But Massachusetts considered the people to be the property owners. Pennsylvania was one step in advance of Massachusetts and considered the people to be the taxpayers. Abstract pronouncement sounded well until specific definition of the terms was sought, and when the radicals said that the people included all men 21 years of age the fight was on in earnest. (Quote Porter, History of Suffrage in the United States, p. 28, second paragraph to end first paragraph, p. 29.)

Also, there is a remark of interest on Pennsylvania's exclusion of Negroes.

In tracing out the story of the suffrage a year or two later, Pennsylvania looms up large, for in 1837 a convention was held in that State, the records of which filled more than a dozen large volumes, in which the suffrage question fills its share of pages. The property interests made a tremendous effort to come back, as the saying is, but they were only able to cling to the taxpaying requirement; the hot debate which bade fair to lead either side to victory concerned the right of the free Negro to vote. A new tone was struck in this convention in connection with the Negro problem. Heretofore it had been treated almost solely as a political problem; now the other phase of the question was presented with greater emphasis, and it was maintained that other than political considerations would inevitably determine the question despite any action the lawmakers might take. It was pointed out that public sentiment, even where the law was in doubt, arose above all law and the Constitution and would keep the Negro from the polls. It was very significant that men frequently asserted that to give the Negro suffrage would be to imply a promise that could never be carried out. It implied an equality that race characteristics belied. The Indian could not be elevated—he died out; the Negro could not be elevated? They did not undertake to answer the question, and it has not been answered yet, but they stuck tenaciously to the proposition that he could not be elevated and should not be incorporated into the body politic.

That was in the great State of Pennsylvania.

The prospect of Negroes sitting in legislatures, in the jury box, on the bench, at the bar, in all positions of respect and honor, repelled men with such force as to cause them to lose sight of all abstract political doctrine.

Up to about this time the Negro had not been a serious problem, for he was not present in sufficient numbers even to threaten to exercise any great influence in the Government. But the menace was growing. The slavery controversy was waxing hot; the abolitionists were carrying fiery brands wherever they went; in a word, the political situation over slavery was coming to a crucial point, and race prejudice was developing to a point it had never reached before. This race prejudice, or consciousness of racial distinction, was present in the Pennsylvania convention in a way that it was not in the earlier conventions. This accounts for the sort of argument outlined above. Arguments telling of the Negro's rights and extolling his virtues and good qualities could have no effect. No matter what was said men were conscious of a distinction between the races which they viewed with jealousy and growing alarm, and all the old arguments pro and con fell upon deaf ears. From now on men were likely to vote from prejudice one way or the other.

Much opprobrium was heaped upon those who were said to vote against the Negro simply because his skin was dark. But few men really did that; the dark skin was to them merely an outward indication of qualities which fostered the racial antipathy. But in the midst of this illogical prejudice it is satisfying to discover an argument based on expediency. One of the speakers in the convention pointed out that Negroes had all the rights and privileges of citizenship and that it was not expedient to let them vote. They were no more discriminated against than were minors, women, and nontaxpayers. The elective franchise should only be given to those through whom the peace and prosperity of society would be promoted.

The defenders of the Negro followed the usual line. One delegate struck a new chord when he opposed the exclusion of the Negro because the basis of exclusion was a fact over which he had no control—his color. A suffrage qualification, said he, should be such that any man could attain it. A high property test, a taxpaying test, a long residence, age, literacy, were qualifications which a man could acquire, but race or color violated sound principles of democracy and left nothing to strive for; such men were hopelessly disfranchised. This man invoked a new principle of democracy, but his principle would have included women too, although no one thought of that. It merely shows how inevitably both sides were driven to decide the whole proposition on the issue of expediency.

It may be well to consider briefly the question as to whether the Negroes as a group needed special representation. It has been characteristic of the political parties in this country since the break-down of the Federalists in the early part of the nineteenth century that they have cut athwart all social and economic groups. There has been no labor party, no capitalist party, no religious party, no conservative or radical party. All parties have appealed to all classes, rich and poor, East and West. But the advent of the Negro presented a very distinct group, and it was considered by some that such a group needed special representation that could not be attained through any existing parties. However, it is significant that, while the Republican Party has claimed most of the Negroes, there is no essential reason why they should not distribute themselves as the white men have done throughout the other parties. Fortunately no deliberate attempt was made to treat this group as deserving special representation, even though it was considered at this time.

Of course the usual compromises were suggested to let the Negro in, but they were all repudiated, and the Negro was denied the suffrage by a vote of 77 to 45.

I repeat, that was in the great State of Pennsylvania.

This denial of the suffrage to Negroes gave rise to considerable opposition throughout the State, where the abolition movement was relatively strong. The action of Pennsylvania in excluding the Negro marks a turning point in the development of the Negro-suffrage controversy. In a number of States Negroes had not been excluded in the past and never were excluded. There were some other States which had not excluded Negroes in the first place, but as time went on it was found desirable to do so. Pennsylvania was the last of these States. From this time on the actual Negro-suffrage situation did not change until the fourteenth amendment was in effect. (Quote Porter, supra, bottom of p. 85 through line 24, p. 89.)

I am attempting to show by the heterogeneous laws of the 48 States the diversified conditions underlying the variations, and the different peoples, different habits, different economic, industrial, and agricultural set-ups which make it a matter of prime necessity to "render unto Caesar the things which are Caesar's" and cease this attempted unconstitutional meddling with States' affairs.

New Jersey, in the agreement of 1664, which was the concession of the province of New Caesarea, or New Jersey, provided as follows for elections:

That the inhabitants being freemen, or chief agents to others of the province aforesaid; do as soon as this our commission shall arrive, by virtue of a writ in our names by the governor to be for the present (until our seal comes) sealed and signed, make choice of 12 deputies or representatives from amongst themselves; who being chosen are to join with the said governor and council for the making of such laws, ordinances, and constitution as shall be necessary for the present good and welfare of the said province. But so soon as parishes, divisions, tribes, and other distinctions are made, that then the inhabitants or freeholders of the several respective parishes, tribes, divisions, and distinctions aforesaid, do by our writs, under our seals (which we engage, shall be in due time issued) annually meet on the first day of January, and choose freeholders for each respective division, tribe, or parish to be the deputies or representatives of the same: which body of representatives or the major part of them, shall, with the governor and council aforesaid, be the general assembly of the said province, the governor or his deputy being present, unless they shall wilfully refuse, in which case they may appoint themselves a president, during the absence of the governor or the deputy governor. (Quote 5 Thorpe, supra, p. 2537.)

In 1683 in the Fundamental Constitutions for the province of East New Jersey it was provided:

The persons qualified to be freemen, that are capable to choose and be chosen in the great council, shall be every planter and inhabitant dwelling and residing within the province, who hath acquired rights to and is

in possession of 50 acres of ground, and hath cultivated ten acres of it; or in boroughs, who have a house and three acres; or have a house and land only hired, if he can prove he have 50 pounds in stock of his own; and all elections must be free and voluntary, but where any bribe or indirect means can be proved to have been used, both the giver and acquirer shall forfeit their privilege of electing and being elected forever. (See 5 Thorpe, supra, p. 2575, par. 2, No. III first 10 lines.)

In 1776 came the first Constitution of New Jersey as such framed by convention. Article IV contains the voters' qualifications:

ARTICLE IV. That all inhabitants of this colony, of full age, who are worth 50 pounds proclamation money, clear estate in the same, and have resided within the county in which they claim a vote for 12 months immediately preceding the election, shall be entitled to vote for representatives in council and assembly; and also for all other public officers, that shall be elected by the people of the county at large. (See 5 Thorpe supra, p. 2595.)

In 1844 New Jersey drew up another constitution. Here we see the provisions closely following the previous ones.

Right of suffrage: Every male citizen of the United States, of the age of 21 years, who shall have been a resident of this State 1 year, and of the county in which he claims his vote 5 months, next before the election, shall be entitled to vote for all officers that now are, or hereafter may be, elective by the people; provided, that no person in the military, naval, or marine service of the United States shall be considered a resident in this State, by being stationed in any garrison, barrack, or military or naval place or station within this State; and no pauper, idiot, insane person, or person convicted of a crime which now excludes him from being a witness unless pardoned or restored by law to the right of suffrage, shall enjoy the right of an elector; and provided further, that in time of war no elector in the actual military service of the State, or of the United States, in the Army or Navy, thereof, shall be deprived of his vote by reason of his absence from such election district; and the legislature shall have power to provide the manner in which, and the time and place at which, such absent electors may vote, and for the return and canvass of their votes in the election districts in which they respectively reside.

The legislature may pass laws to deprive persons of the right of suffrage who shall be convicted of bribery. (5 Thorpe, supra, p. 2601, art. 11.)

This constitution was not changed substantially. Chafee summarizes the New Jersey rules today by saying all persons living in the State 1 year and county 5 months can vote; all voters in municipalities must have registered since December 20, 1941, and registration in rural sections to be by house-to-house canvas and personal appearance. At one time long before the nineteenth amendment women were allowed to vote in New Jersey for a short period—see Porter, History of Suffrage in the United States, page 67.

Woman suffrage was almost unheard of up to the middle of the nineteenth century. The exceptional case in New Jersey proves the rule, and the facts have been retold so many times that apologies should be offered for giving them here. In the New Jersey constitution of July 2, 1776, the privilege of voting for assemblymen was given to "all inhabitants of full age who are worth 50 pounds proclamation money." There was nothing to indicate that anybody expected women to take advantage of this clause, and it seems that they did not do so in sufficiently large numbers to attract any attention, for in 1797 the new constitution contained the phrase "all free inhabitants," etc. But some closely contested elections a few years later stimulated interest to such an extent that women did seek to vote, and no legal impediment could be discovered to prevent them. The action ultimately led to such disorders that in 1807 the legislature took proper steps to put a stop to woman suffrage for good and all. (Porter, supra, p. 136, first paragraph.)

New Jersey was one of the first States to allow women to vote in school elections.

In 1820 the Negro problem was felt even in New Jersey, and they altered their constitution to exclude Negroes by defining their qualifications in terms of "white males"—see Porter, supra, page 90.

It is also of interest to note the trend away from property requirements in the absence of the former one when the 1844 constitution was drawn.

Georgia was one of the early colonies which later fell heir to the problems of all southern States. Georgia was chartered in 1732. At a convention in Savannah, Georgia's first constitution was framed and agreed to in 1777. Article IX provided for the qualifications of voters.

All male white inhabitants, of the age of 21 years, and possessed in his own right of £10 value, and liable to pay tax in this State, or being of any mechanic trade, and shall have been resident 6 months in this State, shall have a right to vote at all elections for representatives, or any other officers, herein agreed to be chosen by the people at large; and every person having a right to vote at any election shall vote by ballot personally. (II Thorpe, supra, p. 779, art. IX.)

Here we find the exclusion of the Negroes in the first constitution because of their presence in that State in sufficient numbers at that time to raise the issue. The lack of that presence is reflected in northern and western States by their failure to make any such provisions.

In 1789 another constitution was framed. Here we find:

The electors of the members of both branches of the general assembly shall be citizens and inhabitants of this State, and shall have attained to the age of 21 years, and have paid tax for the year preceding the election, and shall have resided 6 months within the county.

All elections shall be by ballot, and the House of Representatives, in all appointments of the State officers, shall vote for three persons; and a list of the three persons having the highest number of votes shall be signed by the speaker, and sent to the Senate, which shall from such list determine, by a majority of their votes, the officer elected, except militia officers and the secretaries of the governor, who shall be appointed by the governor alone, under such regulations and restrictions as the general assembly may prescribe. The general assembly may vest the appointment of inferior officers in the governor, the courts of justice, or in such other manner as they may by law establish. (II Thorpe, supra, p. 789, art. IV, secs. 1 and 2.)

The "liable to tax" has changed to "have paid tax."

The electors of members of the general assembly shall be citizens and inhabitants of this State, and shall have attained the age of 21 years, and have paid all taxes which which may have been required of them, and which they may have had an opportunity of paying, agreeably to law, for the year preceding the election, and shall have resided 6 months within the country; Provided, that in case of an invasion, and the inhabitants shall be driven from any county, so as to prevent an election therein, such refugee inhabitants, being a majority of the voters of such county, may meet under the direction of any three justices of the peace thereof, in the nearest county not in a state of alarm, and proceed to an election, without having paid such tax so required of electors; and the persons elected thereat shall be entitled to their seats. (II Thorpe, supra, p. 800, art. IV, sec. 1.)

This is found in the 1798 Constitution.

In 1865, just after the Civil War, another constitution came into being. Again note the prominence of the Negro problem:

The electors or members of the general assembly shall be free white male citizens of this State, and shall have attained the age of 21 years, and have paid all taxes which may have been required of them, and which they have had an opportunity of paying, agreeable to law, for the year preceding the election; shall be citizens of the United States, and shall have resided 6 months either in the district or county, and 2 years within this State, and no person not qualified to vote for members of the general assembly shall hold any office in this State. (Thorpe II, supra, p. 820, art V. sec. 1.)

In 1868 Major General Meade called a convention in Atlanta and submitted a constitution to the people, which was ratified by a narrow margin.

SECTION 1. In all elections by the people the electors shall vote by ballot.

SEC. 2. Every male person born in the United States, and every male person who has been naturalized, or who has legally declared his intention to become a citizen of the United States, 21 years old or upward, who shall have resided in this State 6 months next preceding the election, and shall have resided 30 days in the county in which he offers to vote, and shall have paid all taxes which may have been required of him, and which he may have had an opportunity of paying, agreeably to law, for the year preceding the election (except as hereinafter provided), shall be deemed an elector; and every male citizen of the United States of the age aforesaid (except as hereinafter provided) who may be a resident of the State at the time of the adoption of this constitution shall be deemed an elector, and shall have all the rights of an elector as aforesaid: *Provided*, That no soldier, sailor, or marine in the military or naval service of the United States shall acquire the rights of an elector by reason of being stationed on duty in this State; and no person shall vote who, if challenged, shall refuse to take the following oath:

"I do swear that I have not given or received, nor do I expect to give or receive, any money, treat, or other thing of value, by which my vote, or any vote, is affected, or expected to be affected, at this election, nor have I given or promised any reward, or made any threat, by which to prevent any person from voting at this election."

SEC. 3. No person convicted of felony or larceny before any court of this State, or of or in the United States, shall be eligible to

any office or appointment of honor or trust within this State, unless he shall have been pardoned.

SEC. 4. No person who is the holder of any public moneys shall be eligible to any office in this State until the same is accounted for and paid into the treasury.

SEC. 5. No person who, after the adoption of this constitution, being a resident of this State, shall engage in a duel in this State, or elsewhere, or shall send or accept a challenge, or be aider or abetter to such duel, shall vote or hold office in this State; and every such person shall also be subject to such punishment as the law may prescribe.

SEC. 6. The general assembly may provide, from time to time, for the registration of all electors, but the following classes of persons shall not be permitted to register, vote, or hold office: (1) Those who shall have been convicted of treason, embezzlement of public funds, malfeasance in office, crime punishable by law with imprisonment in the penitentiary, or bribery; (2) Idiots or insane persons.

SEC. 7. Electors shall, in all cases except treason, felony, or breach of the peace, be privileged from arrest for 5 days before an election, during the election, and 2 days subsequent thereto.

SEC. 8. The sale of intoxicating liquors on days of election is prohibited (Thorpe II, supra, p. 825, art. II, first eight sections).

A problem indigeneous to the particular State has arisen here in the prevalence of the custom of dueling. The State has taken this mode of discouragement, namely, deprivation of voting privilege.

In the Constitution of 1877 the provisions were slightly varied in form but not in substance.

By amendment, the Georgia constitution was made to read:

Article II, section 1:

PAR. I. Registration: After the year 1908, elections by the people shall be by ballot, and only those persons shall be allowed to vote who have been first registered in accordance with the requirements of law. (Added by an amendment adopted October 7, 1908.)

PAR. II. Qualifications of voters: Every male citizen of this State who is a citizen of the United States, 21 years old or upward, not laboring under any of the disabilities named in this article, and possessing the qualifications provided by it, shall be an elector and entitled to register and vote at any election by the people: *Provided*, That no soldier, sailor, or marine in the military or naval services of the United States shall acquire the rights of an elector by reason of being stationed on duty in this State. (As amended October 7, 1908.)

PAR. III. Residence—Poll tax: To entitle a person to register and vote at any election by the people, he shall have resided in the State 1 year next preceding the election, and in the county in which he offers to vote 6 months next preceding the election, and shall have paid all poll taxes that he may have had an opportunity of paying agreeably to law. Such payment must have been made at least 6 months prior to the election at which he offers to vote, except when such elections are held within 6 months from the expiration of the time fixed by law for the payment of such taxes. (As amended November 8, 1932.)

PAR. IV. Additional qualifications: Every male citizen of this State shall be entitled to register as an elector, and to vote in all elections in said State, who is not disqualified under the provisions of section 2 of article 2 of this Constitution, and who possesses the qualifications prescribed in paragraphs 2 and 3 of this section or who will possess them at the date of the election occurring next after his registration, and who in addition thereto comes within either of the classes provided for in the five following subdivisions of this paragraph.

1. Veterans: All persons who have honorably served in the land or naval forces of the United States in the Revolutionary War, or in the War of 1812, or in the war with Mexico, or in any war with the Indians, or in the war between the States, or in the war with Spain, or who honorably served in the land or naval forces of the Confederate States or of the State of Georgia in the war between the States; or

2. Descendants of veterans: All persons lawfully descended from those embraced in the classes enumerated in the subdivision next above; or

3. Good character: All persons who are of good character and understand the duties and obligations of citizenship under a republican form of government; or,

4. Literacy: All persons who can correctly read in the English language any paragraph of the Constitution of the United States or of this State and correctly write the same in the English language when read to them by any one of the registrars, and all persons who solely because of physical disability are unable to comply with the above requirements but who can understand and give a reasonable interpretation of any paragraph of the Constitution of the United States or of this State, that may be read to them by any one of the registrars.

5. Land ownership: Any person who is the owner in good faith in his own right of at least 40 acres of land situated in this State, upon which he resides, or is the owner in good faith in his own right of property situated in this State and assessed for taxation at the value of $500. (Constitution of the States and United States, p. 360, art. II, pars. 1–4.)

Here are a number of clauses which merit attention. We find the education clause so-called, the literacy tests, and good character clause. Also, it is odd to find a provision requiring property ownership in some form inserted as late as 1908. Georgia had abandoned the property qualification in 1789. See Porter, History of Suffrage in the United States, page 22. Georgia has recently amended its constitution permitting persons who have reached the age of 18 years to vote. Poll taxes have been abolished and I may add that they have been abolished as provided for by the constitution of the State of Georgia.

Connecticut was chartered early in the seventeenth century but it was 1818 before a constitution was drawn in convention at Hartford. Article 6 governed the qualifications of electors:

ART. 6. Of the qualifications of electors:

SECTION 1. All persons who have been, or shall hereafter, previous to the ratification of this constitution, be admitted freemen, according to the existing laws of this State, shall be electors.

SEC. 2. Every white male citizen of the United States, who shall have gained a settlement in this State, attained the age of 21 years, and resided in the town in which he may offer himself to be admitted to the privilege of an elector, at least 6 months preceding; and have a freehold estate of the yearly value of $7 in this State; or, having been enrolled in the militia, shall have performed military duty therein for the term of 1 year next preceding the time he shall offer himself for admission, or being liable thereto shall have been, by authority of law, excused therefrom; or shall have paid a State tax within the year next preceding the time he shall present himself for such admission; and shall sustain a good moral character, shall, on his taking such oath as may be prescribed by law, be an elector.

SEC. 3. The privileges of an elector shall be forfeited by a conviction of bribery, forgery, perjury, dueling, fraudulent bankruptcy, theft, or other offense for which an infamous punishment is inflicted.

SEC. 4. Every elector shall be eligible to any office in this State, except in cases provided for in this constitution.

SEC. 5. The selectmen and town clerk of the several towns shall decide on the qualifications of electors, at such times and in such manner as may be prescribed by law.

SEC. 6. Laws shall be made to support the privilege of free suffrage, prescribing the manner of regulating and conducting meetings of the electors, and prohibiting, under adequate penalties, all undue influence therein, from power, bribery, tumult, and other improper conduct.

SEC. 7. In all elections of officers of the State, or members of the general assembly, the votes of the electors shall be by ballot.

SEC. 8. At all elections of officers of the State, or members of the general assembly, the electors shall be privileged from arrest during their attendance upon, and going to, and returning from the same, on any civil process.

SEC. 9. The meetings of the electors for the election of the several State officers by law annually to be elected, and members of the general assembly of this State, shall be holden on the first Monday of April in each year. (Thorpe I, supra, p. 544, art. 6.)

Today this has been simplified.

Article VIII, qualifications for electors:

Every white male citizen of the United States, who shall have attained the age of 21 years, who shall have resided in this State for a term of 1 year next preceding, and in the town in which he may offer himself to be admitted to the privileges of an elector, at least 6 months next preceding the time he may so offer himself, and shall sustain a good moral character, shall, on his taking such oath as may be prescribed by law, be an elector. (Constitution of the States and the United States, p. 292, art. VIII.)

The good moral character requisite is present here. Chafee, in his summary, says, briefly:

Who may vote: Persons who have resided in the State 1 year and the town 6 months and are of good moral character.

Persons who are absent in the Federal service or in attendance at an institution of learning.

Registration: Is required of all voters.

Need not be renewed, but previously registered voters should see that their names are on the list by writing city or town registrars before October 6 giving their residence and the last year in which they voted. (Chafee, Summary on Connecticut.)

It also is interesting that Connecticut was one of three States in which male sex was not specified. Connecticut was one of the five States, with New Jersey, Rhode Island, Virginia, and Tennessee, which stuck to the property test, believing the landed man was most to be trusted.

Only property holders were deemed to have a permanent interest in the government and therefore to be the only safe repository of the elective franchise. (See McCulloch, Suffrage and Its Problems, pp. 36 and 39.)

Also, as the older property qualifications broke down, individuals began to be disfranchised for other reasons. As early as 1650 Connecticut—long before their constitution—provided in Andrus Code, that one publicly whipped was dis-

qualified as a freeman and denied the franchise.—See McCulloch, supra, page 39.—Connecticut was one of the first States to allow women to participate in school elections.

The alien problem was felt in Connecticut, an Eastern State with industrial and manufacturing areas. In Connecticut:

A constitutional amendment was passed in 1855 prescribing that ability to read the constitution or statutes would be a requirement for exercising the right of suffrage. There is no doubt that this was aimed directly at the foreigners, although natives must have come under it also. (See Porter, History of Suffrage in United States, p. 118.)

Massachusetts was first chartered in 1620 by King James, under the charter of New England, which was surrendered in 1639 to King Charles. In 1780 was drawn up the first constitution or form of government for the commonwealth of Massachusetts. Part the first, article IX, provides:

All elections ought to be free; and all the inhabitants of this Commonwealth, having such qualifications as they shall establish by their frame of government, have an equal right to elect officers, and to be elected, for public employments. (Thorpe, 3, supra, p. 1891, art. IX.)

What these qualifications are we find in article II, chapter I.

II. The senate shall be the first branch of the legislature; and the senators shall be chosen in the following manner, viz.: there shall be a meeting on the first Monday in April, annually, forever, of the inhabitants of each town in the several counties of this Commonwealth; to be called by the selectmen, and warned in due course of law, at least 7 days before the (first Monday in April) for the purpose of electing persons to be senators and councilors (and at such meetings every male inhabitant of 21 years of age and upward, having a freehold estate within the commonwealth, of the annual income of 3 pounds or any estate of the value of 60 pounds, shall have a right to give in his vote for the senators for the district of which he is an inhabitant). And to remove all doubts concerning the meaning of the word "inhabitant" in this constitution, every person shall be considered as an inhabitant, for the purpose of electing and being elected into any office, or place within this State, in that town, district, or plantation where he dwelleth, or hath his home.

And the inhabitants of plantations unincorporated, qualified as this constitution provides, who are or shall be empowered and required to assess taxes upon themselves toward the support of government, shall have the same privilege of voting for councilors and senators in the plantations where they reside, as town inhabitants have in their respective towns; and the plantation meetings for that purpose shall be held annually (on the same first Monday in April), at such place in the plantations, respectively, as the assessors thereof shall direct; which assessors shall have like authority for notifying the electors, collecting and returning the votes, as the selectmen and town clerks have in their several towns, by this constitution. And all other persons living in places unincorporated (qualified as aforesaid) who shall be assessed to the support of government by the assessors of an adjacent town, shall have the privilege of giving in their votes for councilors and senators in the town where they shall be assessed, and be notified of the place of meeting by the selectmen of the town where they shall be assessed, for that purpose, accordingly. (Thorpe, 3, supra, p. 1895, art. II, p. 1896, art. II, p. 1896.)

The qualifications for voting for the House of Representatives is similar.

ART. IV. Every male person, being 21 years of age, and resident in any particular town in this commonwealth for the space of 1 year next preceding, having a freehold estate within the said town of the annual income of £3, or any estate of the value of £60, shall have a right to vote in the choice of a representative or representatives for the said town. (Thorpe, 3, supra, p. 1898, art. IV.)

This was amended to eliminate the property qualification.

ART. III. Every male citizen of 21 years of age and upwards, excepting paupers and persons under guardianship, who shall have resided within the commonwealth 1 year, and within the town or district in which he may claim a right to vote, six calendar months next preceding any election of governor, lieutenant governor, senators, or representatives (and all who shall have paid, by himself, or his parent, master, or guardian, any State or county tax, which shall, within 2 years next preceding such election, have been assessed upon him, in any town or district of this commonwealth; and also every citizen who shall be, by law, exempted from taxation, and who shall be, in all other respects, qualified as above-mentioned, shall have a right to vote in such election of governor, lieutenant governor, senators, and representatives; and no other person shall be entitled to vote in such elections). (Thorpe, 3, supra, p. 1912, art. III.)

Then the education requirement came in the form of another amendment.

ART. XX. No person shall have the right to vote, or be eligible to office under the constitution of this commonwealth, who shall not be able to read the constitution in the English language, and write his name: *Provided, however,* That the provisions of this amendment shall not apply to any person prevented by a physical disability from complying with its requisitions, nor to any person who now has the right to vote, nor to any persons who shall be 60 years of age or upwards at the time this amendment shall take effect. (Thorpe, 3, supra, p. 1919, art. XX.)

Then we see the arising of a definite alien problem in article XXIII.

ART. XXIII. (No person of foreign birth shall be entitled to vote, or shall be eligible to office, unless he shall have resided within the jurisdiction of the United States for 2 years subsequent to his naturalization, and shall be otherwise qualified, according to the constitution and laws of this commonwealth: *Provided,* That this amendment shall not affect the rights which any person of foreign birth possessed at the time of the adoption thereof: *And, provided, further,* That it shall not affect the rights of any child of a citizen of the United States, born during the temporary absence of the parent therefrom.) (Thorpe, 3, supra, p. 1920, art. XXIII.)

Upon further consideration this article was later specifically repealed by article XXVI. Also special consideration was voted to service or ex-service men by article XXVIII.

ART. XXVIII. No person having served in the Army or Navy of the United States in time of war, and having been honorably discharged from such service, if otherwise qualified to vote, shall be disqualified therefor on account of being a pauper, or, if a pauper, because of the nonpayment of poll tax. (Thorpe, 3, supra, p. 1921, art. XXVIII.)

It is interesting to note that article XXIII was adopted in 1859 and repealed immediately after the Civil War. Chafee says:

Who may vote: Persons who have resided in the State 1 year and the city or town 6 months. Male voters are subject to poll tax.

Persons who are absent on the day of the biennial State election. (Chafee's summary on Massachusetts, first section only, "Who may vote,")

Certain other details were added by further amendments.

ART. XXIX. Election law: The general court shall have full power and authority to provide for the inhabitants of the towns in this commonwealth more than one place of public meeting within the limits of each town for the election of officers under the constitution, and to prescribe the manner of calling, holding, and conducting such meetings. All the provisions of the existing constitution inconsistent with the provisions herein contained are hereby annulled.

ART. XXX. Residence requirements for voting: No person, otherwise qualified to vote in elections for governor, lieutenant governor, senators, and representatives, shall, by reason of a change of residence within the Commonwealth, be disqualified from voting for said officers in the city or town from which he has removed his residence until the expiration of six calendar months from the time of such removal.

ART. XXXI. Voting qualifications for ex-soldiers: Article 28 of the amendments of the constitution is hereby amended by striking out in the fourth line thereof the words "being a pauper," and inserting in place thereof the words "receiving or having received aid from any city or town," and also by striking out in said fourth line the words "if a pauper," so that the article as amended shall read as follows: "Article XXVIII. No person having served in the Army or Navy of the United States in time of war, and having been honorably discharged from such service, if otherwise qualified to vote, shall be disqualified therefor on account of receiving or having received aid from any city or town, or because of the nonpayment of a poll tax.

ART. XXXII. Taxpaying qualifications for voting: So much of article III of the amendments of the Constitution of the Commonwealth as is contained in the following words: "And who shall have paid, by himself, or his parent, master, or guardian, any State or county tax, which shall, within 2 years next preceding such election, have been assessed upon him, in any town or district of this Commonwealth; and also every citizen who shall be, by law, exempted from taxation, and who shall be, in all other respects, qualified as above mentioned," is hereby annulled. (Constitution of the States and the United States, pp. 788 and 789, arts. XXIX, XXX, XXXI, XXXII.)

In the last of these, the taxpaying qualifications were removed, by the State, as is proper. In 1924 amendment LXVIII was passed:

ART. LXVIII. Woman suffrage: Article III of the amendments to the constitution, as amended, is hereby further amended by striking out, in the first line, the word "male." (Constitution of the States and the United States, p. 799, art. LXVIII.)

In the early days Massachusetts had the property requirement frequently found in constitutions and later outmoded. Porter says:

Ideal starting points could readily be found in the abstractions of the Declaration of Independence. Here is a resolution passed in the Massachusetts constitutional convention

of 1779. "*Resolved*, That it is the essence of a free republic that the people be governed by fixed laws of their own making." This particular convention was perfectly honest in this declaration and still considered it thoroughly consistent to restrict "the people," who should govern the State, to property owners. Such resolutions as this were later turned against the very men who made them. Abstract propositions of right continually proved to be boomerangs and struck with telling force. "All elections ought to be free, and all the male inhabitants of this commonwealth, having sufficient qualifications, have an equal right to elect officers." The little phrase about having sufficient qualifications was weak indeed against the contention that all the male inhabitants had an equal right to elect officers. (Porter, History of Suffrage in United States, p. 28.)

In speaking of Massachusetts and Pennsylvania, "Massachusetts," says Porter, "considered the people to be the property owners."

The transition from the property-owner requirement in Massachusetts was a very slow one.

In Massachusetts the property qualification for suffrage had made its last stand in 1820, when a constitutional convention was called to amend the old constitution. Popular interest was aroused in the matter of suffrage extension, and there was every indication that property was going to be hard pressed to hold its own. The sentiment prevailed that every man who was subject to do service for the State or who contributed to its support in the way of taxes was entitled to a vote. The practical side of the issue was stressed much more than the philosophical. Why the ballot should have been looked upon as the only fitting reward for paying taxes it is hard to see. The State protects life, liberty, and property and performs all the obligations and functions implied thereby. But these seem not to have been recognized as a return for taxation. Suffrage extensionists seem to have blinded themselves to the many good things they have received from the State as citizens, not as voters.

The defenders of property tests quickly demolished the theory of right invoked by those seeking to extend the suffrage. The argument was then immediately shifted to the question of expediency. It was said that the property test encouraged industry, economy, and prudence and gave dignity and importance to those who chose and those who were chosen. Further, it was said that men who had no property should not act, even indirectly, on those who had, and exploit their wealth. To permit these things would work ruin to the State. Other men believed that the property qualification had a very salutary effect on young men, inducing them to practice industry and careful habits.

It is also interesting to note some perversions of the old democratic arguments. It was said that to let the unpropertied vote would surely mean their exploitation by employers, and then the State would have, not a free electorate, but one controlled by capitalists able to swing elections at will. Another perversion that had been used before was utilized to defend the taxpaying qualification. Instead of "no taxation without representation," it was declared there should be "no representation without taxation." The most talented statesmen of the country were present and defended the property test in one way or another. The venerable John Adams was there and painted dire pictures of what would happen if the franchise were extended. Daniel Webster and Joseph Storey gave ample support.

But in spite of all this talent, property tests did not stand a chance. The arguments were attacked sometimes with able retorts, more often with fallacious reasoning; but it made no difference, men had had enough of special privilege and were determined to get rid of discrimination on the basis of property. Men said that they had a natural right to vote, but it only took a few words to ruin that argument utterly. Men said that they should not be governed without their consent, but the others pointed to the Negroes. Men said that they should not be taxed without being represented, but the others pointed to women. Men said that universal suffrage was a glorious ideal, but the others pointed to minors. Men said that they should be permitted to vote in order to defend their rights, but the others pointed to manifold benefits received from the Government even by those who could not vote. Finally men said that they were going to vote anyhow, and the others threw up their hands in despair. The best talent in the country, profound arguments, historical evidence presented by the learned Adams, all the conservative forces of the State, could not stay the onward sweep of suffrage expansion. The only thing that accounts for it is a deep-seated, firm, but more or less unreasoning, conviction that all men should vote. Rude men from rural districts would stand helpless before the intellectual statesmen thundering at them in resounding periods. They would voice a few idle arguments and then vote on the strength of their inbred conviction. The most impressive thing about this entire movement toward broader suffrage is that men came to be filled with a fixed determination that as this country was a democracy all men should have a hand in running it. They were ready to argue, but were determined to have their way in any event. The political thought of the past 20 years had brought men to a realization that they were part of the Government, and now they wanted to get their hands in it.

But in Massachusetts the process had been very slow. It will be remembered that the normal progress was from real-estate property tests to a personal-property alternative, to taxpaying, and then to no limitation. Massachusetts had reached only the point of transition from the personal-property alternative to taxpaying, for this convention provided an amendment to the constitution that all who paid a State or county tax should vote. (Porter, History of Suffrage in United States, pp. 69–72.)

In 1853 a convention was held in Massachusetts and the taxpaying qualification came in for thorough debate. As it was the last time the question was discussed on the basis of the old standards it may be worth while to give the arguments some attention, although not much that was new appeared. The history of suffrage in Massachusetts had been typical. There had first been real-estate qualification, then the personalty alternative, then the substitution of taxpaying, and now even that was nearly worn out. The smallness of the tax was much dwelt upon. As it was only a dollar and a half, advocates thought that no objection should be made. But it was pointed out that whether or not the poor man could afford that small sum, or ought to afford it, he simply would not. It would seem to him like throwing money away, and he would prefer to lose his vote. This undoubtedly was true, and it was also true that the conservatives hoped that just that thing would happen.

It is unnecessary to review the old arguments. "All governments derive just powers from the consent of the governed. Nontaxpayers are part of the governed." "Men should be represented in government—not their dollars."

[FOOTNOTE.—Massachusetts Convention, 1853, Debates. A member said that he quoted Benjamin Franklin, as follows: "You require that a man shall have $60 worth of property, or he shall not vote. Very well, take an illustration. Here is a man today who owns a jackass, and the jackass is worth $60. Today the man is a voter and goes to the polls with his jackass and deposits his vote. Tomorrow the jackass dies. The next day the man comes to vote without his jackass and he cannot vote at all. Now tell me, which was the voter, the man or the jackass?" Fortunately, someone informed the gentleman that he was quoting Tom Paine and not the venerable Franklin.]

On the other hand, "Representation should only go with taxation"; "those who pay for supporting the government should have the exclusive right to control it." All these and other arguments were of course exploited. And the never-failing natural-rights philosopher was also present.

[FOOTNOTE.—Mr. Simonds spoke thus: "You have no right to deprive him of this privilege. And I ask if it is not time that we should assert this declaration of the Bill of Rights, that this is a right which belongs to every man—a right which we can neither give nor take away from him?"]

A strong effort was made to introduce a new sort of compromise. It was proposed to retain the taxpaying qualification for town meetings. Indeed, it was remarkable that so many were willing to grant full suffrage for everything except town elections. They seemed not to care so much who voted for President and Governor, but only the best men in the community should vote for hogreeve. It is a striking illustration of the reverence and jealousy men held for the time-honored town meetings. In the rural districts it was the most important thing in their lives.

The small-tax requirement hung on, however, for 10 years longer, and finally gave way in 1863. North Carolina abolished her requirement in 1868. That left Delaware, Pennsylvania, and Rhode Island. The first of these did not give it up until 1897, and it still holds in the other two States; but it must be remarked again that any kind of a tax requirement connected with suffrage since 1860 has been practically nothing but a registry fee, and several States accomplish the same end by requiring that men must pay their poll taxes before voting. The old-fashioned taxpaying test as a compromise with property qualifications was gone before the Civil War. (Porter, supra, p. 108–111.)

As immigration was heavier in Massachusetts and neighboring States than almost anywhere else, the antialien feeling ran higher.

In Massachusetts there was an even more determined effort to get rid of the foreigner, and more elaborate steps were taken there than anywhere else. In 1857 an amendment to the constitution was passed requiring that all voters must be able to read the constitution and write their own names. And in order to pacify a certain portion of the native element that would find such a test prohibitive, it was not to apply to anyone over 60 years of age or to anyone who already exercised the franchise. Two years later another amendment was passed requiring foreigners to remain in the State for 2 years after naturalization before they could vote. This seems to mark the highest point in the opposition to aliens, and it is worth noting that it was the ignorant, poverty-stricken, famished, unwashed Irish Catholic rowdy whom the country may thank for bringing forth literacy tests. They were applied freely to the Negro in future years and today are being used on general principles, but they originated practically for the benefit of the Irishman. (Porter, supra, p. 118–119.)

When the women's suffrage problem arose, the arguments advanced were the old ones turned to a new use:

There was no trouble in adjusting the old arguments to suit the new occasion. For

more than half a century the advocates of broader suffrage had been filling up their arsenal with weapons to use upon conservatives. Many of the liberals were shocked beyond expression and left speechless when the women raided their armory, took their weapons, and went forth to use them as they had seen them used by men. Natural, inalienable, inherent right. No taxation without representation. Government by consent of the governed. All that old-time revolutionary philosophy with its mixture of truth and abominations was revived once more and spread broadcast by the abolitionists and woman-suffrage advocates alike.

Characteristic of this sort of argument is a statement to be found in the records of the Massachusetts constitutional convention of 1853:

I maintain first that the people have a certain natural right, which under special conditions of society manifests itself in the form of a right to vote. I maintain secondly that the women of Massachusetts are people existing under those special conditions of society. I maintain finally, and by necessary consequence, that the women of Massachusetts have a natural right to vote.

That is the sort of argument that marked the beginning of the woman-suffrage movement. Once more the strange phenomenon appeared—the suffrage expanding on a wave of specious doctrine. But it caught the popular fancy and served to bring the issue forward. (Porter, supra, pp. 140–141.)

However, at that time Massachusetts voted the measure down by a large majority.

Maryland was chartered in 1632 by King Charles. In 1776 Maryland's constitution was formed. In the Declaration of Rights we find:

That the right in the people to participate in the legislature is the best security of liberty, and the foundation of all free government; for this purpose, elections ought to be free and frequent, and every man, having property in, a common interest with, and an attachment to the community, ought to have a right of suffrage. (Thorpe, 3, supra, p. 1687, art. V.)

The qualifications appear in article II of the Constitution:

That the House of Delegates shall be chosen in the following manner: All freemen, above 21 years of age, having a freehold of 50 acres of land, in the county in which they offer to vote, and residing therein—and all freemen, having property in this State above the value of 30 pounds current money, and having resided in the county, in which they offer to vote, one whole year next preceding the election, shall have a right of suffrage, in the election of delegates for such county: and all freemen, so qualified, shall, on the first Monday of October, seventeen hundred and seventy-seven, and on the same day in every year thereafter, assemble in the counties, in which they are respectively qualified to vote, at the courthouse, in the said counties; or at such other place as the legislature shall direct; and, when assembled, they shall proceed to elect, viva voce, four delegates, for their respective counties, of the most wise, sensible, and discreet of the people, residents in the county where they are to be chosen, one whole year next preceding the election, above 21 years of age, and having, in the State, real or personal property above the value of 500 pounds current money; and upon the final casting of the polls, the four persons who shall appear to have the greatest number of legal votes shall be declared and returned duly elected for their respective counties. (Thorpe, 3, p. 1691, art. II.)

In 1810 this was amended as follows:

ART. XIV. That every free, white, male citizen of this State, above 21 years of age, and no other, having resided 12 months within this State, and 6 months in the county, or in the city of Annapolis or Baltimore, next preceding the election at which he offers to vote, shall have a right of suffrage, and shall vote, by ballot, in the election of such county or city, or either of them, for electors of the President and Vice President of the United States, for Representatives of this State in the Congress of the United States, for delegates to the general assembly of this State, electors of the senate, and sheriffs. (Thorpe, 3, supra, p. 1705, art. XIV.)

In 1851 Maryland adopted a new constitution. In the declaration of rights we find the following:

ART. 5. That the right of the people to participate in the legislature is the best security of liberty, and the foundation of all free government; for this purpose elections ought to be free and frequent, and every free, white, male citizen having the qualifications prescribed by the constitution ought to have the right of suffrage. (Thorpe, 3, supra, p. 1713, art. 5.)

This is set out fully in article I:

Every free white male person, of 21 years of age or upward, who shall have been 1 year next preceding the election a resident of the State, and for 6 months a resident of the city of Baltimore, or of any county in which he may offer to vote, and being at the time of the election a citizen of the United States, shall be entitled to vote in the ward or election district in which he resides, in all elections hereafter to be held; and at all such elections the vote shall be taken by ballot. And in case any county or city shall be so divided as to form portions of different electoral districts for the election of Congressman, Senator, delegate, or other officer or officers, than to entitle a person to vote for such officer, he must have been a resident of that part of the county or city which shall form a part of the electoral district in which he offers to vote for 6 months next preceding the election; but a person who shall have acquired a residence in such county or city entitling him to vote at any such election, shall be entitled to vote in the election district from which he removed until he shall have acquired a residence in the part of the county or city to which he has removed.

SEC. 2. That if any person shall give, or offer to give, directly or indirectly, any bribe, present, or reward, or any promise, or any security for the payment or delivery of money or any other thing to induce any voter to refrain from casting his vote, or forcibly to prevent him in any way from voting or to obtain or procure a vote for any candidate or person proposed or voted for as elector of President and Vice President of the United States, or Representative in Congress, or for any office of profit or trust created by the constitution or laws of this State, or by the ordinances or authority of the mayor and city council of Baltimore, the person giving or offering to give, and the person receiving the same, and any person who gives or causes to be given an illegal vote, knowing it to be so, at any election to be hereafter held in this State, shall, on conviction in a court of law, in addition to the penalties now or hereafter to be imposed by law, be forever disqualified to hold any office of profit or trust, or to vote in any election thereafter. (Thorpe, 3, supra, pp. 1716, 1717.)

In 1864 a new constitution was ratified in Maryland by a slim plurality of 375 votes. Article 7 of the bill of rights provides:

That the right of the people to participate in the legislature is the best security of liberty and the foundation of all free government; for this purpose elections ought to be free and frequent, and every free white male citizen, having the qualifications prescribed by the constitution, ought to have the right of suffrage. (Thorpe, 3, supra, p. 1742.)

SECTION 1. All elections shall be by ballot, and every white male citizen of the United States, of the age of 21 years or upward, who shall have resided in the State 1 year next preceding the election, and 6 months in any county, or in any legislative district of Baltimore City, and who shall comply with the provisions of this article of the constitution, shall be entitled to vote at all elections hereafter held in this State; and in case any county or city shall be so divided as to form portions of different electoral districts for the election of Congressman, Senator, delegate, or other officer or officers, then to entitle a person to vote for such officer he must have been a resident of that part of the county or city which shall form a part of the electoral district in which he offers to vote for 6 months next preceding the election; but a person who shall have acquired a residence in such county or city entitling him to vote at any such election shall be entitled to vote in the election district from which he removed, until he shall have aquired a residence in the part of the county or city to which he has removed.

SEC. 2. The general assembly shall provide by law for a uniform registration of the names of voters in this State, which registration shall be evidence of the qualification of said voters to vote at any election thereafter held, but no person shall be excluded from voting at any election on acount of not being registered until the general assembly shall have passed an act of registration, and the same shall have been carried into effect, after which no person shall vote unless his name appears on the register. The general assembly shall also provide by law for taking the votes of soldiers in the Army of the United States serving in the field.

SEC. 3. No person above the age of 21 years, convicted of larceny or other infamous crime, unless pardoned by the governor, shall ever thereafter be entitled to vote at any election in this State, and no lunatic, or person non compos mentis, shall be entitled to vote.

SEC. 4. No person who has at any time been in armed hostility to the United States, or the lawful authorities thereof, or who has been in any manner in the service of the so-called Confederate States of America, and no person who has voluntarily left this State and gone within the military lines of the so-called Confederate States or armies, with the purpose of adhering to said States or armies, and no person who has given any aid, comfort, countenance, or support to those engaged in armed hostility to the United States, or in any manner adhered to the enemies of the United States, either by contributing to the enemies of the United States, or unlawfully sending within the lines of such enemies money, or goods, or letters, or information, or who has disloyally held communication with the enemies of the United States, or who has advised any person to enter the service of the said enemies, or aided any person so to enter, or who has by any open deed or word declared his adhesion to the cause of the enemies of the United States, or his desire for the triumph of said enemies over the arms of the United States, shall ever be entitled to vote at any election to be held in this State, or to hold any office of honor, profit, or trust under the laws of this State, unless since such unlawful acts he shall have voluntarily entered into the military service of the United

States, and have been honorably discharged therefrom, or shall be on the day of election actually and voluntarily in such service, or unless he shall be restored to his full rights of citizenship by an act of the general assembly passed by a vote of two-thirds of all the members elected to each house; and it shall be the duty of all officers of registration and judges of election carefully to exclude from voting, or being registered, all persons so as above disqualified; and the judges of election at the first election held under this constitution shall, and at any subsequent election may, administer to any person offering to vote the following oath or affirmation: "I do swear (or affirm) that I am a citizen of the United States; that I have never given any aid, countenance, or support to those in armed hostility to the United States; that I have never expressed a desire for the triumph of said enemies over the arms of the United States; and that I will bear true faith and allegiance to the United States and support the Constitution and laws thereof as the supreme law of the land, any law or any ordinance of any State to the contrary notwithstanding; that I will in all respects demean myself as a loyal citizen of the United States, and I make this oath or affirmation without any reservation or evasion, and I believe it to be binding on me"; and any person declining to take such oath shall not be allowed to vote, but the taking of such oath shall not be deemed conclusive evidence of the rights of such person to vote; and any person swearing or affirming falsely shall be liable to penalties of perjury, and it shall be the duty of the proper officers of registration to allow no person to be registered until he shall have taken the oath or affirmation above set out, and it shall be the duty of the judges of election in all their returns of the first election held under this Constitution to state in their said returns that every person who has voted has taken such oath or affirmation. But the provisions of this section in relation to acts against the United States shall not apply to any person not a citizen of the United States who shall have committed such acts while in the service of some foreign country at war against the United States, and who has, since such acts, been naturalized, or may be naturalized, under the laws of the United States, and the oath above set forth shall be taken in the case of such persons in such sense.

SEC. 5. If any person shall give, or offer to give, directly or indirectly, or hath given, or offered to give, since the 4th day of July, 1851, any bribe, present, or reward, or any promise, or any security for the payment or delivery of money or any other thing to induce any voter to refrain from casting his vote, or forcibly to prevent him in any way from voting, or to procure a vote, for any candidate or person proposed or voted for as elector of President and Vice President of the United States or Representative in Congress, or for any office of profit or trust created by the constitution or laws of this State, or by the ordinances or authority of the mayor and City Council of Baltimore, the person giving, or offering to give, and the person receiving the same, and any person who gives, or causes to be given, an illegal vote, knowing it to be such, at any election to be hereafter held in this State, or who shall be guilty of or accessory to a fraud, force, surprise, or bribery to procure himself or any other person to be nominated to any office, national, State, or municipal, shall on conviction in a court of law, in addition to the penalties now or hereafter to be imposed by law, be forever disqualified to hold any office of profit or trust, or to vote at any election thereafter. (Thorpe, 3, supra, pp. 1746, 1747.)

The feeling in Maryland made evident by these provisions needs no clarification.

The year 1867 saw another constitution, with little change in the bill of rights. However, the end of the war and the readmission of Confederate States to the Union is reflected by the omission of certain noticeable prohibitions and exclusions in the 1864 constitution:

SECTION 1. All elections shall be by ballot; and every white male citizen of the United States of the age of 21 years or upward who has been a resident of the State for 1 year and of the legislative district of Baltimore City, or of the county, in which he may offer to vote for 6 months next preceding the election shall be entitled to vote in the ward or election district in which he resides at all elections hereafter to be held in this State; and in case any county or city shall be so divided as to form portions of different electoral districts for the election of Representatives in Congress, Senators, Delegates, or other officers, then to entitle a person to vote for such officer he must have been a resident of that part of the county or city which shall form a part of the electoral district in which he offers to vote for 6 months next preceding the election; but a person who shall have acquired a residence in such county or city entitling him to vote at any such election shall be entitled to vote in the election district from which he removed until he shall have acquired a residence in the part of the county or city to which he has removed.

SEC. 2. No person above the age of 21 years, convicted of larceny or other infamous crime, unless pardoned by the governor, shall ever thereafter be entitled to vote at any election in this State; and no person under guardianship, as a lunatic, or as a person non compos mentis, shall be entitled to vote.

SEC. 3. If any person shall give, or offer to give, directly or indirectly, any bribe, present, or reward, or any promise, or any security, for the payment or the delivery of money, or any other thing, to induce any voter to refrain from casting his vote, or to prevent him in any way from voting, or to procure a vote for any candidate or person proposed, or voted for, as elector of President and Vice President of the United States, or Representative in Congress, or for any office of profit or trust, created by the constitution or laws of this State, or by the ordinances, or authority of the mayor and City Council of Baltimore, the person giving, or offering to give, and the person receiving the same, and any person who gives, or causes to be given, an illegal vote, knowing it to be such, at any election to be hereafter held in this State, shall, on conviction in a court of law, in addition to the penalties now or hereafter to be imposed by law, be forever disqualified to hold any office of profit or trust, or to vote at any election thereafter. (Thorpe, 3, pp. 1783, 1784.)

Mr. LUCAS. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Louisiana yield to the Senator from Illinois?

Mr. ELLENDER. I yield for a question.

Mr. LUCAS. Will the Senator yield the floor in order that I may make a motion to adjourn?

Mr. ELLENDER. No; I do not think I want to do that at the moment. If I may be permitted to make a motion and ask unanimous consent that I may go on with my speech tomorrow, without losing my rights, I shall be glad to do that.

A discussion of the prohibitions affecting citizens of the Confederacy, is found in the Self-Reconstruction of Maryland, by William Starr Myers:

The late autumn of the year 1864 found the Union men strongly entrenched in power in Maryland. Aided by the sympathy of the National Government—both active and passive—they had during the preceding 6 months elected a State convention, formed a new constitution which abolished slavery and made many radical changes in the government, and accomplished its adoption at the polls.

A narrow majority of 375 out of a total of 59,973 votes cast had been secured for the constitution only by the somewhat doubtful expedient of permitting Maryland soldiers in the field to vote on the question, their overwhelming approval altering the adverse result in the State at large. But the Union party leaders felt no uneasiness as far as the future was concerned, for the constitution of 1864 was designed, rightly or wrongly, not only to free the slaves but to secure a permanent hold of the party in power.

The element was known as the Union Party during the war, and was compcsed of the more loyal and active citizens of the State, who not only desired that Maryland should stand by the Union, but believed that the South should be conquered and that President Lincoln and the national administration should be given hearty and unswerving support. The party included men who had been of various political affiliations in times past, and it held together fairly well in spite of radical differences of opinion on many topics of State and National policy. The Republican Party did not exist under that name till at least a year after the close of the war, and the process of its formation will be shown in the events about to be narrated.

Mr. WHERRY. Mr. President, will the Senator yield for a question?

Mr. ELLENDER. I will gladly yield for a question.

Mr. WHERRY. I could not hear exactly the colloquy——

Mr. ELLENDER. I will yield for a question.

Mr. WHERRY. May I ask the Senator if he would speak in louder tones so we could know what his answer was to the question of the majority leader? We could not hear over here.

Mr. ELLENDER. As I understand, the majority leader asked me if I was willing to give up the floor in order that he might move to recess or adjourn. My answer to him was that if I could obtain unanimous consent to continue my speech tomorrow, without losing the rights I now have, I would do that; I would consent to it.

Mr. WHERRY. I do not want to be presumptuous, but my understanding is——

Mr. ELLENDER. I do not yield for anything but a question, Mr. President.

Mr. WHERRY. Will the Senator yield further for a question?

Mr. ELLENDER. I yield for a question.

Mr. WHERRY. What the Senator is saying is that——

Mr. ELLENDER. I yield for a question.

Mr. WHERRY. Would the Senator, if he was assured that he could have unanimous consent to continue his

speech tomorrow when the Senate convenes——

Mr. ELLENDER. Under those circumstances I would yield for a recess, yes.

Mr. WHERRY. I do not know what is in the mind of the majority leader.

Mr. ELLENDER. I yield for a question, Mr. President. I want to be protected. I do not want to lose the floor.

I continue to read:

The Democratic Party in the State, defeated and discredited, still kept up all the active opposition of which it was capable. It condemned the policies of Lincoln and his administration, and more or less acknowledged the right of the Southern States to secede, though all the while protesting its loyalty to the Union, and its hope that Maryland would remain in the old federation.

The new constitution is worthy of careful attention. The Union party based their hopes on those provisions which were designed to exclude from the franchise all Southern sympathizers and other disloyal persons, and furthermore they intended so to carry out its mandate for a registration of the voters of the State that their opponents would be further rendered powerless at the polls.

Twenty-seven Johns Hopkins Studies, pages 9 and 10.

The constitution directed, in addition, that the legislature should pass laws requiring the voter's oath to be taken by the president, directors, trustees, or agents of corporations created or authorized by the laws of this State, teachers or superintendents of the public schools, colleges, or other institutions of learning; attorneys at law, jurors, and such other persons as the general assembly shall from time to time prescribe. Moreover, a very dangerous power was placed in the hands of the judges of election, who alone were permitted to decide as to what was conclusive evidence of the right of a person to vote. The sinister effects of this provision soon made themselves felt, and as we shall see, almost led to bloodshed in the exciting days that followed.

The aspect of military affairs in the South at this time could only add to the confidence of the Union men of Maryland. It was during the autumn of 1864 that Grant, after the awful slaughter of the Wilderness and Cold Harbor, was at last tightening his grip on Lee at Richmond and Petersburg. Sherman, by his masterful campaign from Resaca to Atlanta, overcame the brilliant strategy of Johnston and the reckless bravery of Hood, and entered upon his march to the sea. Sheridan defeated Early and drove him out of the Shenandoah Valley, and finally, to crown all, Thomas annihilated Hood's army at Nashville. Surely the Confederacy was in its death throes and the Union would be saved. This was no time to look for weak-kneed sympathy with rebellion.

An election for National and State officials was to take place on November 8, 1864. Governor Augustus W. Bradford on November 3 issued a proclamation or open letter addressed to the judges of election, giving it as his opinion that this would be the first election under the new constitution (by executive proclamation of October 29, it went into effect on November 1, 1864), and saying that it was obligatory upon the judges to observe the requirements and administer the test oath to all applying to vote.

A large number of these officials who were to conduct the election in Baltimore City, said to have been about one-third of the total for that district, held a meeting in the criminal court room on November 3, and unanimously decided to administer the oath to all voters. This oath was not to be taken as conclusive evidence of loyalty, but in addition citizens were to be sworn to give true answers to such other questions as should be propounded to them, in order to satisfy the judges of their right to the ballot. A second and more largely attended meeting of the judges was held in the same place on November 7 to consider the question which had arisen and caused some controversy, as to whether they had the right to commit for perjury, and if so, whether or not they should proceed to use it. After some debate, it was deicided to leave this question to individual discretion, but to keep a list of the rejected votes for future action. This matter seems in the end to have made little trouble at the election, which was very quiet, many persons of doubtful patriotic status refraining from an attempt to vote. There were few arrests by order of the judges.

Great interest in this election was aroused by the fact that not only was a full State ticket to be voted upon, but electors for President and Vice President also were to be chosen. The Union Party ratified the national Republican nominations of Abraham Lincoln and Andrew Johnson, and held its State convention on October 18, 1864, in Temperance Temple, Baltimore. A very patriotic platform was adopted, declaring the determination to stand by the administration until this wicked rebellion has been crushed out, and every Rebel made to bow in submission to the Constitution and the laws of the land, and every foot of territory brought under the dominion of the Federal Government. Candidates were nominated for all the State offices, headed by Thomas Swann of Baltimore City for governor and Dr. Christopher C. Cox, of Talbot County, for lieutenant governor. The Democratic Party made its nominations through its State central committee, which met in Baltimore on October 27, and arranged a ticket including Judge Ezekiel F. Chambers, of Kent County, for governor, and Oden Bowie of Prince George's County for lieutenant governor.

The result of the election was, as had been expected, a victory for the Union Party, the vote being as follows: For governor, Swann, 40,579; Chambers, 32,068; Swann's majority, 8,511. For lieutenant governor, Cox, 41,828; Bowie, 32,178. Lincoln carried the State by 7,432 majority, and for Congress, Edwin H. Webster, of Harford County, Charles E. Phelps, of Baltimore City, and Francis Thomas, of Allegany County, were successful in the Second, Third, and Fourth Districts, respectfully. The Democrats, however, carried two districts, electing Hiram McCullough, of Cecil County, in the first, and Benjamin G. Harris, of St. Mary's County, in the fifth.

In the general assembly of the State the Union Party secured a large majority in the house of delegates, but the results of the election showed that the membership of the senate would stand: Democrats 13, Union Party 11. Fortunately for the latter, W. M. Holland, Democratic senator-elect from Dorchester County, resigned on November 15, saying that circumstances of a domestic character beyond his control made it extremely inconvenient for him to serve. A special election was held on December 23 to fill the vacancy and Thomas K. Carroll, the Union candidate, was elected by a good majority. This made a tie on a party vote, but the deciding vote would be cast by Lieutenant Governor Cox. In spite of test oaths, partisan judges of election, and the supporting influence of the National Government, the Democratic Party in Maryland had made a fairly good showing, and there was a possibility of the Union control being shaken, or even broken, at any time. This was evidently realized, and efforts were at once made by the leaders of the latter party to guard against any such contingency. An editorial in the Baltimore American on the preceding October 19 had said:

"It is of the utmost importance that the control of the affairs of Maryland should be in the hands of capable, honorable, and loyal men, who will administer them not only to the direct benefit of the State itself but with regard to the maintenance and prosperity of the entire Union. The fortunes of Maryland and of the Union are indissolubly linked together, and to fill the State offices with men who have the integrity of the whole Union at heart is the true way to advance the interests of the State itself."

This statement voices the opinion of the more sober and responsible leaders in the Union cause, and gives a very fair idea of the principles upon which they based their actions during the political struggles of the following 2 years.

The general assembly met at Annapolis on January 4, 1865. In his message Governor Bradford recommended for passage various measures designed to carry out certain provisions of the new constitution, and in adition he desired that action be taken looking toward the procuring of compensation from the National Government for slaves emancipated under the State constitution, in accordance with President Lincoln's message of March 6, 1862. Also, he argued sensibly that some other time and tribunal than the day and judges of election be provided, to determine who may vote under the new laws and regulations. The neglect on the part of the legislature of this common-sense matter of justice and order was another cause of the turmoil and trouble of the succeeding years.

According to article II, sections 1 and 2, of the new constitution, the term of office of Governor Swann and Lieutenant Governor Cox was to commence on January 11, 1865, but the new executive was not to enter upon the discharge of his duties until the expiration of the term for which Governor Bradford had been elected. The latter had been inaugurated on January 8, 1862, hence he held office till January 10, 1866, and continued the able administration he had given the State during the preceding years of trial and perplexity.

The inauguration of the new executive and his subordinate took place in the senate chamber at Annapolis on the appointed day. Governor Swann's inaugural address called upon the legislature to forget the dissensions and heartburnings of the past, and come together once more, in a spirit of conciliation and harmony, to give our best energies, as one party, to the work of reconstruction and reorganization upon which we are entering with such prospects of admitted and assured success. He favored foreign colonization of Negroes, recommended an attempt to procure national compensation for the slaves, and significantly closed as follows:

"It is not a very agreeable reflection to the State of Maryland, in looking back upon the past, that many of her citizens have entertained, and not infrequently expressed sympathies with the objects of this rebellion. Such evidences of disaffection at the South have been summarily dealt with heretofore, by the offer of the alternative of the oath of allegiance to the so-called Confederate States, or prompt expulsion beyond their lines. The recognition of such a rule here would doubtless have been received as in the righest degree tyrannical and oppressive. It is hardly reasonable to expect, however, that this Government will permit itself to be sacrificed by those upon whom it has a right to rely, and who have made their election to share the protection of its laws. In standing by the Union, Maryland will know how to discriminate between its friends and enemies, and the time has passed when those

who really desire its dissolution will be permitted to make a virtue of their disloyalty, or to claim participation in the poltical power of the State. Differences of opinion upon National and State politics may exist without treason; but the paramount obligation of loyalty cannot be compromised, and the citizen who turns away from his duty of allegiance to his Government—no matter upon what pretext—forfeits the privileges which it confers, and the protection which attaches to the rights of citizenship."

Lieutenant Governor Cox immediately entered upon his duties as President of the Senate, the office of lieutenant governor having been created by the constitution of 1864.

The senate on February 14, by a vote of 11 yeas to 10 nays, unseated, on the ground of disloyalty, Littleton Maclin, Democratic senator from Howard County, and Republican opponent, Hart B. Holton, was declared elected. Samuel A. Graham, of Somerset County contested upon the same grounds the seat of Levin L. Waters, the Democratic senator from that county, but the matter was deferred to the next session of the legislature in order that further testimony in the case might be taken, and was finally dropped, perhaps in consideration of the fact that a Union Party majority in the senate was now secured.

Mr. LUCAS. Mr. President, will the Senator yield for a question?

Mr. ELLENDER. I yield for a question.

Mr. LUCAS. Will the Senator now yield the floor in order that I may make a motion?

Mr. ELLENDER. Mr. President, as I understand the rules, if I myself should make a motion, I would not lose the floor. I therefore wish now to ask unanimous consent, should the Senate take a recess upon the granting of this unanimous consent, that when the Senate reconvenes at 12 o'clock noon today, I may retain the floor and not lose my rights.

Mr. MORSE. Mr. President, I object.

The VICE PRESIDENT. The Senator from Oregon objects.

Mr. ELLENDER. I continue to read from Myers' account:

Turning our attention to the work of the legislative session, we find that on February 1 Governor Bradford submitted to both houses the thirteenth amendment to the Constitution of the United States. It was advanced to its third reading on the same day by the house of delegates, passing its second reading by a vote of 53 yeas to 24 nays. The Senate referred it to a committee and on February 3 finally passed it by a strict party vote of 11 affirmative from the Union Party, 10 negative from the Democrats. The house immediately passed it on its final vote, by acclamation.

Some little strife was stirred up over the question of the election of a United States Senator to fill out the unexpired term of the late Thomas H. Hicks, but John A. J. Creswell, of the Eastern Shore, was finally chosen by a large mapority on March 9, his leading opponent, Lieutenant Governor Cox, having withdrawn from the contest.

Two most important bills were passed by the assembly at this session. One was the act dealing with the status of the colored population of the State and was voted by large majorities on March 24. "All the disabilities which had necessarily attached to the Negro as a consequence of the institution of slavery were removed, with two exceptions, one disqualifying Negroes from being witnesses in cases where white men were concerned, and the other authorizing Negroes to be sold for crime for the same period that a white man might be confined in the penitentiary for the same offense."

The other bill was to provide for the registration of the voters of the State according to the requirements of the new constitution. It was reported in the house of delegates, on March 8, 1865, and after a hard struggle against it on the part of the opposition it was passed on March 22, by the vote of 51 yeas to 23 nays. The Senate, after more vain opposition on the part of the Democrats, passed it finally on March 24, by a vote of 13 to 6. This act, famous in the history of the State, which formed a center for most of the political strife of the period, provided that the Governor was to appoint three citizens most known for loyalty, firmness, and uprightness as registers in each ward or election district, also three men to register the soldiers and sailors of the State, who were to visit the several regiments, camps, and hospitals, and have the results placed upon the books of the various districts. From these lists, entry on which was indispensable in order to exercise suffrage, they were to exclude all disloyal persons, and might even refuse to permit them to register, after taking the oath of allegiance.

To these officers of registration was further given power—

"To compel the attendance of witnesses for the purpose of ascertaining the qualifications or disqualifications of persons registered; they shall have power to issue summons, attachments, and commitments of any sheriff or constable, who shall serve such process, as if issued by a judge of the circuit court, or a justice of the peace, and shall receive the same fees and in the same manner as allowed by the law in State cases."

The intent of the act was well summed up in an editorial of the Baltimore Sun of July 11, 1865, as follows:

"It will be seen that the question of the right of suffrage under the Constitution and the law, is left entirely to the discretion and judgment of the various officers of registration, who are to be appointed by the Governor, in the city and counties, from which judgment there is no appeal—and the disqualification is perpetual unless the person is restored to civil rights through military service or a vote of two-thirds of all the members elected to each house of the general assembly."

The following clause included in the bill as originally reported to the House of Delegates was stricken out by a majority of only one vote in that body:

"Section 19, be it enacted. That the officers of registration for the purpose of ascertaining more fully whether any person is disqualified under the fourth section of article first (of) the Constitution, shall. if such person's right is challenged, or they have not personal knowledge, propound the following among other questions: Have you ever given aid to the rebellion by advice, by giving or sending information? Have you ever given or sent money, clothing, provisions, medicine, or any munitions of war to persons engaged in the rebellion? Have you ever given shelter or protection to persons engaged in the rebellion? Have you ever advised or encouraged any person to enter the rebel service? Have you ever assisted any one to enter such service by furnishing them with money, provisions, advice, letters, or information? Have you ever in conversation or by writing justified those engaged in entering into the rebellion? Have you ever expressed a wish or desire for the success of the rebel arms or for the defeat of the Union arms? Have you ever rejoiced over any of the successes of the rebel arms or defeat of the Union arms? Have you ever desired or wished that the rebel forces might defeat the Union forces?"

It would be difficult to imagine a more stringent or dangerous measure, one more hostile to the idea of a constitutional and orderly democratic government, or one more open to abuse.

After spasmodic attempts to pass a measure requiring the oath of allegiance of all officers of corporations, and another calculated to secure compensation for emancipated slaves from the United States Government, but from which nothing ever came, the legislature finally adjourned on March 27, 1865.

It is now necessary, in order to make our narrative complete, to retrace our steps a little in point of time. During this period the important question of the Negro population was agitating the people of Maryland. All slaves had become free on November 1, 1864, when the constitution went into effect, and there were now nearly 90,000 "freedmen" to be dealt with, besides a nearly equal number of Negroes who had been free when abolition was accomplished. When we think of this herd of human beings, little more than half civilized, poor, ignorant, and helpless, suddenly raised in legal status from a position of servitude to the proud estate of man, with all the attendant duties and obligations, we must realize that they still remain completely under the power of the white population. A few wished to treat them as being what they were in fact, children in intelligence with an almost unlimited potentiality of physical power, but the larger number naturally looked upon them with the contempt of former masters. Sometimes, at the other extreme, there was foolish talk about immediate social and political equality.

When the October election showed the adoption of the constitution, the major part of the people of Maryland loyally acquiesced in the result, but many of the more tenacious slaveholders speedily took advantage of an old provision in the "Black Code" of State laws that Negro slave children could be bound out for terms of apprenticeship without the consent of their parents. With the more or less open connivance of many of the court officials they had the slave and effectively the grand purpose of the people of the State of Maryland * * * (therefore) there should be remedies extraordinary for all their (i. e., the freedmen's) grievances—remedies instantaneous without money or reward—and somebody to have care for them, to protect them, to show them the way to the freedom of which they have yet but vague and undefined ideas.

The order provided further that all freedmen were to be considered under special military protection until the legislature should by its enactments make such protection unnecessary, that provost marshals in their several districts, "particularly those on the eastern and western shores," should "hear all complaints made to them by persons within the meaning of this order" and "collect and forward information and proofs of wrongs done to such persons, and generally * * * render Major Este such assistance as he may require in the performance of his duty." Finally, "lest the money derived from donations, and from fines collected, prove insufficient to support the institution in a manner corresponding to its importance, Major Este will proceed to make a list of all the avowed rebel sympathizers resident in the city of Baltimore, with a view to levying such contributions upon them in aid of the Freedmen's Rest as may be from time to time required."

Early in January, General Wallace abolished the Freedmen's Bureau in Maryland and made his report to the general assembly. A reading of this report and the documents submitted therewith should fill every fair-minded person of today with a deep sympathy for the Negroes in their helpless condition at this time. The details there disclosed of all the suffering, sorrow, and injustice which they endured render one heartsick, even though an allowance be made for the exaggerations of heated partisanship and an excited state of public feeling.

As we have seen, the legislature, in response to the report, passed a bill removing practically all the disabilities from the Negro population which had been laid upon them under the slave code, and affairs gradually settled themselves according to the new economic and social conditions which are still in existence today. This readjustment did not come all at once, but only after much injustice and many wrongs had been committed by both whites and blacks. (At as late a date as November 1, 1866, Gen. O. O. Howard, chief of the national "Freedmen's Bureau," stated in his report to the Secretary of War that "frequent complaints are received of outrages and atrocities without parallel committed against freedmen" in portions of Maryland.) Richmond fell before Grant's victorious army on April 3, 1865, and by the end of the month both Lee and Johnston had surrendered. This was the practical ending of the military operations of the Civil War. About 20,000 men from Maryland had taken service in the armies of the Confederacy, and the survivors were soon paroled and began to return home in large numbers. The Union men were much elated and joined in a hearty celebration of the national triumph of their cause, but as the ex-Confederates began to show themselves about the streets and to frequent their old haunts and a large immigration from the South, particularly from Virginia, began to set in, this feeling gave way to alarm, too often accompanied by signs of prejudice and vindictiveness. The party in power at once began to foresee and to fear what finally took place—an active coalition between the Democrats and the southern sympathizers and the eventual overthrow of the Union Party in the State. The Registration Act had been passed just in time, and when signs of opposition to it began to appear its advocates decided to fight to the last ditch to keep it on the statute books and in active operation.

The assassination of President Lincoln on April 14, 1865, threw the Union people for a time into a panic, and naturally increased hostility toward the ex-Confederates, whom they imagined to be undertaking a new method of warfare, by means of murder and secret criminal intrigue. Gen. W. W. Morris, for a short time in command of the Middle Department, issued orders on April 15, placing Baltimore under stringent martial law, and including a provision that "paroled prisoners of war (Rebels), arriving in this department are hereby ordered to report at once to the nearest provost marshal, in order that their names may be registered, their papers examined, and such passes furnished them as may be necessary for their protection. Such prisoners of war will not be permitted to wear the uniform of the army and navy of the so-called Confederate States, but must abandon their uniforms within 12 hours after reporting to the provost marshal, and adopt civilian dress."

General Wallace, who resumed command a few days later, extended these repressive measures, and was actively assisted by the officers of the United Stats Army stationed in various parts of the State. After the death of J. Wilkes Booth and the capture of the other conspirators, the military bonds were gradually relaxed, the National Government wisely leaving the settlement of the various difficulties in Maryland to the people of the State.

Mr. LUCAS. Mr. President, will the Senator yield so that I may make a motion to adjourn?

Mr. ELLENDER. I notice quite a number of Senators are desirous of leaving. I have now been on the floor for a little more than 12 hours. I feel that I could go on until 6 o'clock. But it seems as though some Senators want to recess. I should like very much to retain the floor, but I presume, if I were to renew my request to retain the floor by unanimous consent, there would be objection. It is not my purpose to keep Senators listening to my remarks. I do not feel very tired. I feel I could go on, but, in order to accommodate the majority and the minority, I will take my seat.

LEAVE OF ABSENCE

During the delivery of Mr. ELLENDER's speech,

Mr. ELLENDER. Mr. President, with the understanding that I shall not lose the floor and that none of my rights shall be impaired, I ask unanimous consent to make a unanimous-consent request. I understand that the Senator from Missouri [Mr. DONNELL] wants to absent himself from the Senate for a couple of days. I ask unanimous consent that, beginning at 4 o'clock this afternoon, he be excused from attendance on the Senate until 12 o'clock noon on Wednesday next.

The PRESIDING OFFICER (Mr. O'CONOR in the chair). The Senator from Louisiana asks unanimous consent that the Senator from Missouri [Mr. DONNELL] be excused from attendance on the sessions of the Senate beginning at 4 o'clock this afternoon until 12 o'clock noon on Wednesday next. The Senator makes the request with the understanding that it will not impair his right to the floor. Is there objection? The Chair hears none, and it is so ordered.

Mr. ELLENDER. I also ask that this interruption may be placed at the close of my speech.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT OF CLOTURE RULE

The Senate resumed the consideration of the motion of Mr. LUCAS to proceed to the consideration of Senate Resolution 15, amending the so-called cloture rule of the Senate.

After the conclusion of Mr. ELLENDER's speech,

Mr. WHERRY. Mr. President, before the Senator from Louisiana takes his seat, will he yield?

Mr. ELLENDER. I yield for a question.

Mr. WHERRY. My understanding was that the majority leader requested the Senator to yield in order that the Senator from Illinois might make a motion to adjourn.

The VICE PRESIDENT. The Chair may say to the Senator from Louisiana and to others, if the motion to adjourn is made and carried, tomorrow will be a new day's business, and there will be nothing before the Senate.

Mr. WHERRY. That is correct.

Mr. LUCAS. Mr. President——

The VICE PRESIDENT. The Senator from Illinois.

Mr. LUCAS. I asked the Senator from Louisiana to yield the floor in order that I might make a motion to adjourn, for this reason——

Mr. ELLENDER. What was the request?

Mr. LUCAS. Mr. President, I thought I had the floor. Do I have the floor?

The VICE PRESIDENT. The Chair understood the Senator from Louisiana to yield the floor, and the Chair recognized the Senator from Illinois.

Mr. ELLENDER. If a motion is to be made to recess or to adjourn, very well.

The VICE PRESIDENT. The Senator from Illinois has the floor.

Mr. LUCAS. Mr. President, I requested that the Senator from Louisiana yield the floor in order that I might make a motion to adjourn. As everyone knows, in the earlier part of the evening it was impossible for all groups who have been in conference to reach any agreement with respect to the compromise upon the rules. Since that time, however, it has been reported to me by the minority leader of the Senate that he still believes there is an opportunity for some amicable arrangement satisfactory to all parties in interest who can be reached. I have not received any information of that kind from the distinguished Senator from Georgia [Mr. RUSSELL] with respect to any compromise that might be acceptable to him. All the negotiations have come through the minority leader, the Senator from Nebraska. I presume he has been in touch with the Senator from Georgia, and probably with the Senator from Virginia [Mr. BYRD] with respect to the matter; otherwise, the Senator from Louisiana probably would not have yielded the floor at this time.

Mr. President, I have been attempting in good faith to compromise the situation, and insofar as the Senator from Illinois is concerned, I am still willing to postpone action in the Senate in order that we may give a further opportunity for the various groups who are interested to see whether some arrangement cannot be made whereby we can set aside the pending question and go along caring for the backlog of legislation which is now on the calendar. During the afternoon, it seemed to me perhaps there was no opportunity for an agreement, and after conferring with a number of Senators on this side of the aisle who are vitally interested and concerned about our program, it was deemed advisable that at the first available opportunity the Senator from Illinois should move that the Senate adjourn, with a view to coming back tomorrow, if the motion could be agreed to, and immediately starting work upon the calendar and vital measures now ready for consideration.

However, as I have indicated, I am willing, and I am sure every other Senator is willing, further to postpone any action on the question of adjournment, and merely take a recess until tomorrow at noon, with a view of ascertaining, in the meantime, whether it is possible to reach the settlement which we all hope may be made.

The VICE PRESIDENT. If the Senator will allow the Chair to make a suggestion, it is already tomorrow. A motion made at this time to adjourn or take a recess until tomorrow would carry us over until Wednesday.

Mr. LUCAS. I thank the Vice President for the suggestion. I do not want to do that. I want to move to adjourn or

take a recess until 12 o'clock noon today, Tuesday.

I now yield to the Senator from Nebraska.

Mr. WHERRY. Mr. President, I appreciate very much the action of the majority leader in yielding to me for an observation. He mentioned the fact that he had a conversation with me and that there was a possibility that we might continue our efforts to work out some solution which might be taken back to the respective caucuses or conferences and to the membership of the Senate. I was interested in some of the remarks which the majority leader made regarding our efforts. I think that inasmuch as the majority leader has mentioned it, and inasmuch as some statements have been made, especially by the Senator from Rhode Island [Mr. McGRATH] relative to the conferences, it is only fair that time be given to those who took part in the conferences to make their own statements of what actually happened in them, so that the Members of the Senate may know what we attempted to do, not as a committee, but as individual Senators, attempting to arrive at a solution which we might recommend so that some action could be taken regarding a change of the rule. I think the majority leader should grant that request. I think we should individually make to the Senate statements of what took place, and set forth what the real facts are.

I say to the majority leader, and I say it as one who appreciates his duties and responsibilities, that this is a tremendous action that is about to be taken—an adjournment or a recess. There is so little difference between those who have been negotiating that I think another effort should be made to reach a solution. The differences are so slight that it seems to me those of us who wish to deal with men as men should meet once again. I am satisfied that we can resolve the differences.

I am not asking the majority leader to move to take a recess. He can use his own judgment as to what he thinks he should do. My opinion is that we should not adjourn until every effort has been made to resolve the differences. I say to the majority leader again that if he moves that the Senate take a recess, I shall cooperate to the very best of my ability to see if there is some way in which we can resolve the very small differences which exist between those Senators who are doing their level best to bring about a solution. Otherwise, if we adjourn, the pending motion, of course, will go out with the adjournment, and we shall have lost an opportunity of a lifetime to amend a Senate rule so as to make it possible to bring up legislation in an orderly fashion.

So, Mr. President, I leave it with the majority leader. I make the observation that I think every effort which can be made should be made. I have had a little responsibility in the past 2 years. I obtained acquiescence to unanimous-consent requests when most the Senators thought nothing could be done. I think we can reach a solution if we can have a good night's sleep, come back, and make up our minds that we are going to do our level best to go along. On the other hand, certainly if the majority leader feels that all efforts have been exhausted and that all that is left to do is to adjourn, he can make that decision. But once again let me say I am perfectly willing to do all I can if an opportunity is given to see if we can resolve the differences which lie between us.

Mr. McGRATH. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. McGRATH. Mr. President, I should like to know to what the Senator from Nebraska refers when he says that the Senator from Rhode Island has interfered with any plans to bring about a compromise.

Mr. WHERRY. Mr. President, the release which I read, which was issued by the Senator from Rhode Island, as the chairman of the Democratic National Committee——

Mr. McGRATH. As a Senator in this Chamber, sir, I have as much right to issue a release as has the Senator from Nebraska.

Mr. WHERRY. I am not objecting to the release. The Senator can issue all the releases he wants to so far as I am concerned. But inasmuch as a release was issued which contains statements which do not correspond with my opinion of the facts, I think every Senator has a right to express his reactions regarding what happened in the meetings and to express his individual views, in view of the references made by the Senator from Rhode Island in his release tonight. I do not have the release with me; but if we take a recess until tomorrow, I shall be glad to take the floor in my own right, bring the release with me, and compare it with the facts of the meetings, to the satisfaction of the Members of the Senate, indicating that there is a very small difference between Senators who want to resolve them. Up to this moment I have given my word that I would not say anything publicly as to what happened in the meetings, and I have not done so; but I think, now that it has been made an issue, we have a right to state what happened in those meetings, so that all Senators will understand what the program was and what we were trying to accomplish.

Mr. McGRATH. I think I should be permitted——

The VICE PRESIDENT. The Senator from Illinois has the floor.

Mr. LUCAS. I yield to the Senator from Rhode Island.

Mr. McGRATH. I think I should be permitted to say that a brief review of the negotiations which have gone on since we adjourned on Saturday indicates that we were supposed to appoint a committee——

Mr. RUSSELL. Mr. President, a point of order.

The VICE PRESIDENT. The Senator will state it.

Mr. RUSSELL. I make the point of order that the Senator from Rhode Island is not asking a question.

Mr. LUCAS. I yield the floor, Mr. President.

The VICE PRESIDENT. Does the Senator from Rhode Island wish to take the floor in his own right?

Mr. McGRATH. Yes, Mr. President, I wish to take the floor in my own right.

The VICE PRESIDENT. The Senator from Rhode Island is recognized.

Mr. McGRATH. Mr. President, I regret that the Senator from Georgia has seen fit to make a point of order against me.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. McGRATH. I yield for a question.

Mr. RUSSELL. Does not the Senator from Rhode Island know that those Senators who are on the floor cannot open their mouths, except to propound an interrogatory, without being assailed on a point of order?

Mr. McGRATH. I realize that, but the Senator from Georgia did not raise a point of order against the minority leader who was expounding on the position he had taken.

Mr. RUSSELL. Mr. President, will the Senator yield for a question?

Mr. McGRATH. I yield for a question.

Mr. RUSSELL. Was the Senator from Rhode Island in the Chamber a few days ago when the Senator from Georgia raised the point with the Chair, when he had sought to apply the rule to the majority leader, and that the Senator from Georgia expressed the thought that the rules applied to himself and to every other Senator, and that he thought the majority leader should have some latitude?

Mr. McGRATH. I was in the Chamber, and I recognized that the request was within the rules of the Senate. I also recognized the fact that the minority leader was addressing himself to this problem a few moments ago, and the Senator from Georgia was in his seat and did not raise the point of order which he has attempted to raise against me.

Mr. RUSSELL. Mr. President, will the Senator yield for a question?

Mr. McGRATH. I yield for a question.

Mr. RUSSELL. Mr. President, I should like to ask the Senator if he was in the Chamber when that statement was made?

Mr. McGRATH. Yes; I was in the Chamber.

Mr. RUSSELL. And if he did not hear me say I thought the same rules applied to the majority leader and the minority leader that applied to the other Senators on the floor?

Mr. McGRATH. The Senator said majority leader.

Mr. RUSSELL. I intended to include the minority leader, if I did not say it.

Mr. McGRATH. I heard what the Senator said. When the majority leader rose and some one attempted to make a point of order, the Senator rose and of course said a point of order should not be raised against the majority leader.

Mr. RUSSELL. Will the Senator yield for a further question?

Mr. McGRATH. I yield.

Mr. RUSSELL. If the Senator was present, did he not hear me say that I asked unanimous consent that the majority leader be permitted to make such statements in his time, as the leader of the Senate, as he desired, without being charged with the time?

Mr. McGRATH. That is true, so far as the majority leader was concerned.

Mr. RUSSELL. Will the Senator yield for a further question?

The VICE PRESIDENT. Does the Senator from Rhode Island yield to the Senator from Georgia?

Mr. McGRATH. May I finish my answer? The Senate could hardly function at all if it were the policy to silence the majority leader.

Mr. RUSSELL. I should like to ask the Senator one further question, and then I shall desist.

Mr. McGRATH. I yield.

Mr. RUSSELL. I should like to ask the distinguished Senator from Rhode Island if he does not think that the minority leader should also have some rights in connection with the operation of the Senate, and if he does not know if the rule had been applied to the present distinguished occupant of the Chair for the past 2 years, it would have permanently paralyzed the functions of the minority on the floor of the Senate.

Mr. McGRATH. I believe that to a degree, but I think it should be qualified to this extent, that when the minority leader or the majority leader makes references to another Senator such as have been made tonight, the Senator should be given the courtesy of making a reply.

Mr. RUSSELL. Does not the Senator know I made not the slightest objection to the Senator making a reply, that I am sitting here awaiting his reply, but that I merely objected to the Senator speaking in the time of the majority leader?

Mr. McGRATH. The Senator raised a point of order against the Senator for making his reply.

Mr. RUSSELL. I should like to ask the Senator if it was not made because he was speaking in the time of the majority leader.

Mr. McGRATH. I do not know what was in the Senator's mind when he made his point of order. All I know is that he attempted to make a point of order which would have taken me off the floor.

Mr. RUSSELL. Does not the Senator know that he had a perfect right to the floor if the majority leader was willing to yield the floor?

Mr. McGRATH. Yes; I know that.

Mr. President, I was about to review the procedings which transpired since last Saturday night, because the representation had been made by the superintending forces that there might be a chance of coming to some agreement and some understanding with respect to the matter which is now engaging the attention of the Senate.

Representatives of the three contending parties were appointed, and some time, some place, on some day, they had a meeting. I was not present at the meeting. I had no part in it. I know what transpired only by the reports which came to me—and I am sure they came to every other Senator who was interested from those who represented them—to the effect that some progress was being made, that it was possible that a compromise could be reached in this situation, and that nothing more was to be said.

I was not further informed until I read in the morning newspapers the so-called Wherry resolution, which proposed that the solution of our problem was that we should now adopt for all intents and purposes a three-quarter constitutional majority-cloture rule.

I said this morning, Mr. President, and I repeated today any number of times, and not more than 2 hours ago for the last time, that in my opinion as a Senator, as a spokesman for my party, and as a spokesman for the American people, this is not a compromise at all, but that it is a step backward, a step 30 years backward, Mr. President, because if such a rule were adopted, if the so-called Wherry compromise—and I understand the minority leader was very anxious to have his name associated with it—were adopted, it would mean that we could not apply cloture in the Senate unless we were able to get at least 4 and possibly 12 more names to cloture petitions in the future than we are required to get now under the rule, and therefore I said to the American people, as it was my right and duty to do, that this in my opinion was not a compromise.

Mr. President, I stand by that statement, both as a Senator and as the head of one of the great political parties, the great political party which won the last election, if you please, and I say here and now that any compromise that may come back to this Chamber will meet with high opposition on the floor, in the press, and in the country, if it attempts to take a backward step.

I am unashamed of what I said to the press, and I shall defend it to the end, here and elsewhere, the minority leader to the contrary notwithstanding.

Mr. KNOWLAND. Mr. President, I had not intended to get into this debate this evening. I happen to be one of those on this side of the aisle who voted to sustain the ruling of the Vice President last Thursday night when it was made.

I think that from the time I came to the Senate, three and a half years ago, up to the present time, I have been as interested in the problem of getting an effectual cloture rule as has any other Member of the Senate, and have worked very diligently to see if we could not have an effective rule.

In January of this year the members of the minority party on the Committee on Rules and Administration endeavored to bring on to the floor of the Senate in the early part of the session a cloture rule, which could be amply debated at a time when the Senate was adjourning over 3-day periods. Both in the committee, and at the time a resolution was offered by the junior Senator from California to bring to the floor of the Senate for action a cloture resolution, it was pointed out time and time again that if the Senate ever was to change its cloture rule, it should be done in the first 30 or 45 days of a legislative session, but that the responsibility must rest upon the majority party. They did not determine to bring the cloture rule forward in the early part of this session, when we were adjourning for 3-day periods. They delayed until an accumulation of legislation began flowing down to the floor of the Senate.

I certainly endeavored, with others of my colleagues who felt as I did, to cooperate with the majority leader.

Mr. MYERS. Mr. President——

Mr. KNOWLAND. I shall be glad to answer questions after I conclude, but I decline to yield at this time.

I offered to cooperate with the able majority leader in trying to arrive at some reasonable compromise so that the Senate would not be at the mercy of a small handful of Senators, who could completely tie this body into knots and completely obstruct the legislative process.

Our whole representative system of government rests upon the willingness of the men who sit in this Chamber to make their views meet and finally come together with a reasonable compromise. There is not a single piece of legislation which has ever been proposed as to which we could not, if each individual Senator introduced a bill, find that there would probably be 96 different bills and 96 different points of view. But the American constitutional representative process makes for the meeting of minds and gradually getting a piece of legislation which will have the support of the majority of the Members of this body.

It was in that spirit that this informal committee was set up and met last Sunday. I think every member of that committee recognized that if everyone stood adamant we would have a deadlock, we would get no effective cloture rule, and in the final analysis, unless some reasonable compromise were reached, the Senate would be left absolutely without an effective cloture rule, and we would be in the position we have been in for the period since 1917, when our very ineffective cloture rule was adopted. Because of that situation there was a desire to give and take, and to try and arrive at a reasonable compromise.

Now just how unreasonable is this situation that was presented? The Senator from Rhode Island [Mr. McGRATH], apparently has charged that the minority leader, the Senator from Nebraska [Mr. WHERRY], himself was proposing a three-quarters rule. That is not the fact. I believe the Senator from Rhode Island knows that it is not the fact. At least the Members who sat in committee know that it is not the fact. The Senator from Nebraska——

Mr. McGRATH. Mr. President, will the Senator yield?

Mr. KNOWLAND. I will yield when I have finished my statement.

The Senator from Nebraska has consistently been for a two-thirds cloture. The Hayden-Wherry resolution itself, which was reported by the Committee on Rules and Administration in the Eightieth Congress—and precisely the

same resolution was reported in the Eighty-first Congress—provides, as every Member of this body who will examine Senate Resolution 15 can see, that we have the simple two-thirds requirement that is now in rule XXII, with the exception that the authors of that resolution and the members of the Committee on Rules and Administration endeavored to close the loophole. That has consistently been the position of the able Senator from Nebraska, the minority leader.

But, in order to get a meeting of minds, and because some of those from the South who had a different point of view had requested that he write into it as a basis of discussion the words "three-quarters," he did so, though he made it perfectly clear, and every man who attended that conference, if he will recollect, will have to testify to the fact, that he was not for a three-quarters rule, that he was not proposing it, that it was merely there because it was requested by some of the southern Senators.

On this issue I have disagreed with some of my friends and able colleagues from the South. But I want to pay them a tribute tonight. Though we have disagreed, I believe that they entered the conference with an open mind, attempting to find some middle ground around which we might gather and present to the Senate of the United States a reasonable compromise that could have the overwhelming support of a large number of Senators indeed, I believe an overwhelming majority of the Senate of the United States.

How different, as a matter of fact, is the present two-thirds rule from the constitutional two-thirds rule which was the basis of the compromise proposal? If there are 96 Senators in the Senate Chamber present, under the present two-thirds rule it requires 64 Senators to obtain cloture. Under the constitutional two-thirds proposal it requires the same 64 Senators.

If there is one absentee in the Senate of the United States, and there are only 95 Senators present, it requires 64 Senators, under the present two-thirds rule, and it requires 64 under the requirement of two-thirds of the entire membership of the Senate.

If there are 94 Senators present in the Senate, it will require 63 on the basis of two-thirds of those present, and 64 under a constitutional two-thirds, a difference of one Senator.

If there are 93 Senators present it will require 62 under the two-thirds of those present, and 64 under the two-thirds of the whole Senate.

Now as a practical matter, whenever there is a cloture vote history has shown that there has been an average of more than 90 Senators either present and voting or paired. Therefore the difference is a very small difference indeed between a two-thirds vote and a constitutional two-thirds vote. And I say to those on the majority side of the aisle, who have kicked over this possibility of compromise, that they assume a heavy responsibility when they do so, because they leave the Senate of the United States defenseless. The responsibility for any filibusters hereafter, the responsibility for blocking legislation upon a motion to take up a measure, regardless of what that measure may be, is going to rest squarely upon the shoulders of the majority leadership if they block this one fair effort at a reasonable compromise.

I do not know on what basis they intend to do this, but I do say—and I believe it can be said without fear of contradiction—that we had a fine opportunity of adopting in its original form the Hayden-Wherry resolution up to the time the President of the United States injected himself into this controversy. He was first injected into the controversy by the able majority leader when he came out of the White House and said that the President of the United States felt that the Congress should adopt a new cloture resolution. If he had stood on that, I still think we could have won the fight. But did he stop there? He did not. The President of the United States, going beyond his jurisdiction or his proper function as an executive officer of the Government, losing sight of the fact that we do have a separation of powers, again injected himself into the situation, and came out in favor of a simple majority. He completely left his own leadership in the Senate of the United States clear out on the end of a limb. Not even his leadership in the Senate of the United States could support him on that fantastic proposal.

When we had almost arrived at a reasonable solution, when every man who sat in that conference had a reason, when he left it on Sunday, to believe that in good faith the southern Senators would go to their conference, those of us on this side of the aisle representing two different points of view would go to our conference, and the majority leadership would go to their conference—and all of us, I think, had a reasonable idea that we would be able to work out this situation—then what happened overnight? I do not know what happened. I do not know whether telephone calls came in from Florida or elsewhere, but apparently overnight this situation was just kicked in the teeth, the props were kicked from under the only reasonable solution we might have.

I do not know why this is being done. It seems to me that we are losing the last best hope we have at this session of the Congress to secure an effective cloture. One almost gains the impression that on this matter, like the negotiations conducted by Molotov, they do not want any fair and reasonable solution to the problem. But I say that if this reasonable proposition fails, the responsibility must rest upon the shoulders of the majority leadership of this Chamber.

Mr. WHERRY and other Senators addressed the Chair.

The VICE PRESIDENT. The Chair recognizes the Senator from Nebraska.

Mr. WHERRY. Mr. President, I appreciate the observations made by the Senator from California. I do not mean in any way to inject vociferous arguments here at this point in the debate on the rule. But I certainly feel as I felt when I requested the conferences, that all those who attended the conferences should have a right to bring the facts to the Senate for the information of the Senate.

I appreciate very much the remarks of the Senator from California, who is one who has been constantly in favor of a constitutional majority, one who has given untiringly of his efforts to bring about a change in the cloture rule. He knows, and every other Member of his group knows, including the majority leader, that I was asked to put down on paper something that would be tangible, upon which all those who were present might have some basis for discussion.

Mr. LUCAS. Mr. President, will the Senator yield there?

Mr. WHERRY. Yes.

Mr. LUCAS. I do not know a single thing about the 75 percent majority proposal—how it got there in the beginning.

Mr. WHERRY. Did I not say I was only for a two-thirds majority only?

Mr. LUCAS. The Senator said he was for a constitutional two-thirds after he got to the conference. I am talking about how the 75 percent proposal arose in the beginning. Do not associate me with that, because I had nothing to do with the resolution whatsoever until the Senator from Nebraska presented it to me in his office some time Saturday night. It was all prepared at that time.

Mr. WHERRY. That is true. I have no quarrel with that statement.

Mr. LUCAS. Just leave me out of the original 75 percent.

Mr. WHERRY. If the majority leader does not want to corroborate the statement I made when I presented this work sheet, when I stated to the group that I was attempting to put down the minimum which those who were interested would support, I shall have to do the best I can.

Mr. LUCAS. Mr. President——

Mr. WHERRY. Mr. President, I decline to yield.

Mr. LUCAS. I was trying to help the Senator.

Mr. WHERRY. I appreciate the Senator's help; but the way he is helping me is not very much assistance so far.

Mr. CHAVEZ. Mr. President——

Mr. WHERRY. I stated at the beginning that I was not for some of the provisions on the working sheet; that I was not for the three-fourths vote on the particular cloture proposal mentioned, either with respect to the rules, or with respect to everything besides the rules.

Mr. MCGRATH. Mr. President——

Mr. WHERRY. I will not yield until I am through with this statement.

Mr. MCGRATH. I merely wanted the Senator to yield for a question.

The VICE PRESIDENT. The Senator declines to yield.

Mr. WHERRY. I said in the beginning, and I said half a dozen times in our discussions, and I stated at the close, that so far as I was concerned, I could never go along with the three-fourth's proposal; but there were those who said that the basis must depend on the minimum which was included in the work sheet for our discussion.

I handed those sheets to the Members, and when we got through I asked them to give them back to me. I was not in favor of some of the provisions. One or two Members said they wanted to keep them and submit them to their associates. I said, "If you want to keep them,

I want you to take a pencil and change every one of the 'three-fourths' to 'two-thirds.'" Mr. Trice was present, and he changed every one he could get his hands on.

Those are the facts about the work sheet, upon which we tried to set down in black and white what each faction would have to have as a minimum, to constitute a basis for discussion.

Mr. CHAVEZ. Mr. President——

Mr. WHERRY. Let me finish my statement, please.

The VICE PRESIDENT. The Senator declines to yield.

Mr. WHERRY. I left that meeting with the firm conviction that we were agreed on the principles of what we were trying to do. I should like to take 2 or 3 minutes to make a few observations as to what we tried to do, to use it as a basis——

Mr. MYERS. Mr. President, will the Senator yield for a question?

Mr. WHERRY. I will not yield until I am through.

We applied the Hayden-Wherry resolution to everything that could possibly be brought before the Senate, with the exception of the rules. That is the formula on which we started. There were those in the group who wanted to protect the rights they had under the rules. We said, "All right; we will try to give you protection on the rules, provided you will make the concession on everything else but an amendment of the rules." I think that is sound.

The Senator from Rhode Island [Mr. McGRATH] says in his statement to the press that—

> The administration forces, at a caucus, almost unanimously rejected a GOP proposal to limit debate on the vote of 64 Senators.

Mr. President, in the caucus this afternoon everyone present, with the exception of the majority leader, agreed on a two-thirds vote of the membership of the Senate. Everyone but the majority leader——

Mr. MYERS. Mr. President, will the Senator yield?

Mr. CHAVEZ. Mr. President——

Mr. WHERRY. Everyone but the majority leader agreed to take this proposal back to the respective conferences and put it up to the conferences to get further instructions.

Mr. MYERS. Mr. President, will the Senator yield?

Mr. WHERRY. I will not yield until I finish this statement. Then I shall be glad to yield to the Senator.

Mr. MYERS. Will the Senator yield to correct a statement of fact?

The VICE PRESIDENT. The Senator declines to yield, and no Senator has the right to interrupt him unless he yields.

Mr. WHERRY. A genuine effort was being made by those of us who were interested in changing the rules. We said then, and I say now, that all the rights that ever have been gained because of precedents which have been established, and all the rights now available under the rules would be preserved so far as the rules are concerned. There would be no change. So there can be no quarrel with that proposal.

Mr. MYERS rose.

Mr. WHERRY. Just a moment.

The proposal upon which there has been a basis of agreement is that the rules remain the same so far as the limitation of debate is concerned as relates to an amendment to the rules themselves. Every right in that respect which has ever existed would be preserved. Nothing would be taken away, with one exception, and that is that if and when a motion to amend the rules is finally taken up, if it ever gets that far—and in that respect there would be 100 percent protection against the motion to take up an amendment to the rules—but if it gets there, instead of the two-thirds vote, there would be a constitutional two-thirds. Every Senator present in that caucus, including the majority leader, agree to that. It was not a GOP plan.

Mr. McGRATH. Mr. President——

Mr. WHERRY. That much of the recommendation was agreed upon by every Member in that conference.

Mr. McGRATH and Mr. CHAVEZ addressed the Chair.

The VICE PRESIDENT. Does the Senator yield, and if so, to whom?

Mr. WHERRY. I will not yield until I finish my statement.

The VICE PRESIDENT. The Senator declines to yield.

Mr. WHERRY. The Senator from Rhode Island says tonight, "We are not going to compromise in any way that would make the rule stiffer than it is now."

I do not agree with that statement. It does not represent the facts. I feel that it does not carry all the information. I have a very high regard for the Senator from Rhode Island, but I speak as one who has studied the rules with the Senator from Arizona [Mr. HAYDEN], one of the most able authorities on rules in the Senate. He has been here for a great many years.

This is the first time we have been able to obtain approval of a proposal under which cloture could be applied to a motion to take up a measure. We have never had it before.

Rule III relates to amending the Journal. This is the first time, notwithstanding rule III, and notwithstanding rule VI, that we have been able to obtain approval of a proposal to obtain cloture, so that if any Senator wanted to get a bill off the calendar and he should move to take it up, that motion, under the agreement which I should like to see brought to the floor of the Senate, would be subject to cloture. A cloture petition would apply to amending the Journal; and notwithstanding rule VI, it would be possible to obtain a vote on cloture so that legislation could be brought up.

We have never had such a thing before. That certainly is giving up, to my mind, a great deal of protection which has been insisted upon by those who do not want to give it up. I refer to Senators from the Southland.

The only concession we have made is with respect to the two-thirds rule, if and when a cloture petition is filed. The rule now is two-thirds of those present and voting. We agreed to the constitutional two-thirds. The only difference is the difference in the vote on a cloture petition, as between two-thirds of the membership voting, and two-thirds of the membership of the Senate. It was shown to us time and again that, based upon past votes, that difference did not amount to a vote and a half. I am sure that Senators will agree with that statement.

Mr. MYERS and Mr. CHAVEZ addressed the Chair.

The VICE PRESIDENT. Does the Senator from Nebraska yield; and if so, to whom?

Mr. WHERRY. I decline to yield at this time. I wish to complete my statement.

The VICE PRESIDENT. The Senator declines to yield.

Mr. WHERRY. I should like to inform Senators as to what happened at these meetings, and I should like to correct the impression that I ever favored a three-fourths rule. From the first I stated that I would not support it. The only concession I have made has been to go along with the Senator from Arizona [Mr. HAYDEN] and support the change from a vote of two-thirds of the Senators present to a constitutional two-thirds of the Senate. He himself has agreed with the group with respect to that change in the rule. The only one who has objected to the constitutional two-thirds is the majority leader; and he agreed to the proposal with respect to a change in the rules. So it comes down to one little difference. If it is desired to invoke cloture on a motion to take up a piece of legislation, whether it relates to the civil-rights program, or labor, or anything else, all that is necessary to do under the new proposal is to make the motion. If debate ensues on that motion and if Senators feel that the debate should terminate, under the proposed change a cloture petition would lie on that motion. That was never possible before. With the new rule, even the amendment of the Journal would be taken out of the picture. With the new rule, rule VI would be out of the picture, so that a cloture vote could actually be taken on a motion to take up proposed legislation, and then, after the proposed legislation were taken up, a cloture vote could be taken on the proposed legislation itself.

I did not inject the matter of civil rights into this picture. I made it plain that I was interested only in changing the rule. But I say that if any of the civil-rights measures—I will not say all of them—are attempted to be brought up under this new provision or rule, they will be able to be brought up, and Senators will have a chance to have them passed. That is something that has not been possible before. So I say to the Senator from Rhode Island in all sincerity that this proposal is not a stiffening of the rule.

I should like to see all of us agree on this proposal. I should like to bring it up as the Hayden-Wherry resolution came up, so that all of us can agree. Personally, I should like to have the two-thirds vote apply, and I say that again on the floor. But I am willing to go to the two-thirds constitutional vote, in order to get everything we need in connection with bringing about an amendment of the rule, because I think 90 percent of our need involves having this

new rule apply to everything but the rules themselves.

This is the first time that a change in the rules has been asked for in all the years I have been here, and of course it is under the cloture rule. Perhaps I should say that beginning 2 years ago was the first rule change attempt we have had made. But 90 percent of the things we bring up here are not rule changes; they are motions to bring up proposed legislation.

I say now, and I want to say it on the floor, that I am getting along with all groups. The majority leader has been very fair to us, and has expressed his own opinions. So far as I know, we are in complete harmony. I personally feel that he has gone a long way to try to compose these differences.

I also wish to pay my compliments to the Senator from Georgia [Mr. RUSSELL] and the Senator from Virginia [Mr. BYRD]. I tell the Senate that they are giving up an endless amount of rights when they agree to have a cloture petition applied to a motion to bring up proposed legislation; and every fair man will agree with that statement.

The only difference is between a two-thirds vote and a two-thirds constitutional vote; and the agreement was that that difference would run about a vote and a half.

Now I yield, first to the Senator from New Mexico [Mr. CHAVEZ].

Mr. CHAVEZ. No, Mr. President; I wish to speak in my own time.

Mr. WHERRY. Very well; then I shall be glad to yield to the Senator from Rhode Island.

Mr. McGRATH. Mr. President, the Senator from Nebraska has said that he does not have the figures. I happen to have them. Does the Senator from Nebraska realize that the average vote on the last 19 clotures applied for in the Senate has been 83 votes, which means a difference of 12, or two-thirds means a difference of 8—not 1½?

Mr. WHERRY. I do not recall all the figures, but I know that on the four measures where cloture was applied, it would not have made one iota of difference. They were carried, as I recall, by votes of 76 to 3 or 81 to some other small number; so it would not have made a bit of difference whether it was a constitutional two-thirds or whether it was two-thirds of a majority; and I am talking about the votes on cloture which carried in the Senate.

Mr. McGRATH. Mr. President, will the Senator yield at this point?

Mr. WHERRY. Yes; I am glad to yield.

Mr. McGRATH. Does the Senator dispute the accuracy of the figures I gave, which are the actual figures of the experience in the Senate?

Mr. WHERRY. I do not know where the Senator from Rhode Island got the figures, and I do not know whether they are accurate.

Mr. McGRATH. I got them from the Office of the Senate itself.

Mr. WHERRY. If the Senator from Rhode Island says they are accurate, I take his word for it.

Mr. TAFT. Mr. President, will the Senator yield for a question?

Mr. WHERRY. I yield.

Mr. TAFT. Is it not true, however, that the fact that fewer than 90 Senators vote is not an evidence of what can be done if the Senators know they have to vote, but is only evidence that there were a large number of pairs on those occasions?

Mr. WHERRY. Certainly.

Mr. TAFT. In other words, there were pairs, by which Senators did not have to be present.

Under the rule proposed by the Senator, as I understand it, or by the conference, every Senator could be included in the vote, except Senators who were absolutely so ill that they could not get to the Senate. Otherwise the majority could always get every vote they had in the Senate.

Mr. WHERRY. Certainly.

Mr. MYERS. Mr. President, will the Senator yield?

Mr. WHERRY. I ask the Senator to wait a moment, please.

Furthermore, Mr. President, if each Senator was in his seat, where he ought to be if he is living—I admit there are times when we have vacancies because of death—but if we have a full roster, as we have had for a month and a half, and if all Senators are in their seats, there is not a bit of difference between a two-thirds vote and a two-thirds constitutional vote. If Senators are here, they will vote; and if the matter is important enough that cloture on it is desired, Senators should be here. So in reality we would not be giving up a thing, unless there were a vacancy which was caused by death.

Mr. MYERS. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. MYERS. Do I correctly understand that the Senator from Nebraska is still interested in working out a compromise?

Mr. WHERRY. Yes, sir.

Mr. MYERS. Then let me ask why the Senator is engaging in so much political debate.

Mr. WHERRY. Mr. President, I do not yield for any more of that kind of political observation. The Senator can accuse me of being political if he wishes to do so; but I say I am only interested in changing this rule. I have the courage to stand here and take all the heat you want to pour on me; and when you get all through, I have nothing but a sincere purpose to apply cloture to a rule to take up proposed legislation. The Senator from Pennsylvania is the one man, along with the Senator from Illinois, the majority leader, who should be helping me, because they have to get their program before the Senate of the United States. If they will help us get this rule, they will be able to get most of their program before the Senate by means of a cloture rule; but if they do not, some of their programs will not get before the Senate, because they will not be able to apply cloture on a motion to take up a measure.

Mr. MYERS. Mr. President, will the Senator yield further?

Mr. WHERRY. I yield, if the Senator does not get into a political discussion. I am not discussing this matter on the basis of a political angle.

Mr. MYERS. I know the Senator is not doing that so far.

Mr. WHERRY. I thank the Senator.

Mr. MYERS. But why do we have such a long conversation at this hour in the morning; why these long speeches at this hour in the morning?

Mr. WHERRY. I shall be glad to state the case. The reason for that is that I merely requested of the majority leader that, inasmuch as the Senator from Rhode Island had issued a statement which I did not think conformed with the facts as I know them, each and every Senator should have a right to rise on the floor of the Senate and give his own version. Certainly we were there and took part in it, and I thought we should have a right to report to the Senate.

Mr. MYERS. Mr. President, will the Senator further yield for a brief question?

Mr. WHERRY. First, Mr. President, there is something else I want to say. In every one of these discussions, I want my colleagues to know that I have the highest regard for the work the Senator from California [Mr. KNOWLAND] and the Senator from Massachusetts [Mr. SALTONSTALL] have done. I could not ask for finer cooperation. I want everyone to know that we did not guarantee any agreement. All we said we could do was to have a possible understanding of this proposed solution, and that we would take it back to our conferences, and then would abide by the direction of the conference; we said that none of us was speaking in any way but individually, that there was no official or formal committee. I opposed having a committee organized. I thought the matter came in the right way, from the majority leader, who extended the invitation, and also from the majority whip or deputy majority leader or whatever the proper title may be. I am glad that the Senator from Massachusetts [Mr. SALTONSTALL] and all the other Senators were there.

Mr. President, we had reached the place where, with the exception of just one thing—and that is the difference between a two-thirds vote by the Senators present and a two-thirds constitutional vote—we were ready to take a step which to my mind would revolutionize the future of the Senate in respect to the bringing up of legislation. That does not stiffen the rule; it broadens it; and any fair man will agree with that statement.

Mr. MYERS. Mr. President, will the Senator yield?

Mr. WHERRY. Certainly I yield. I thought the Senator from Pennsylvania wanted the Senate to take a recess.

Mr. MYERS. Mr. President, will the Senator yield?

Mr. WHERRY. I shall be glad to yield, except I am through with my main speech; and if Senators wish to have the Senate take a recess, I shall be glad to yield the floor.

Mr. CHAVEZ. Mr. President, I wish to make a speech in my own time, when I obtain an opportunity to do so.

The VICE PRESIDENT. The Senator from New Mexico is recognized.

Mr. CHAVEZ. Mr. President, I think the difficulty at this hour in the morning is that both the majority leader and the minority leader take themselves too seriously. [Laughter.]

They appear to be worried about whether we change rule XX and rule XXII. What the American people are interested in is whether the Senate is going to function.

They are not interested in what the majority leader or the minority leader might think or any maneuverings made in accordance with their judgment and in the best of faith. They do not care anything about that whatever. The question before us now is this: Is the Senate going to do its duty, or are we going to wrangle as to whether the majority leader thinks the minority leader did something or the minority leader says that the majority leader did something? Now, we should be ashamed of ourselves. It is now 20 minutes to 2 o'clock in the morning, and the majority leader and the minority leader are arguing as to what happened in an impromptu meeting as to how to get together. Beautiful. A wonderful thing to tell the peoples of the world, when we are trying to prove that democracy really works.

Mr. President, I am for civil rights, but I am for orderly government first. I want this body to function. Yes, I am for FEPC; I am for antilynching legislation, and for other civil rights. I love all the Senators from the South. I do not agree with them in their philosophy. But, by the eternal! merely because we cannot get antilynching legislation or anti-poll-tax legislation or FEPC, are we to stop the work of the Senate? Are we merely going to argue about getting some Senators together in a meeting room? They think they are hot. They are not. I believe in the Senate of the United States. Senators were elected to do their duty in this body. The sooner we get together the better. If we are licked on civil rights, well, we are just licked. That is all there is to it. The majority leader could quit his effort right now. We cannot put the civil-rights program through. I want to, but we just cannot. Are we going to quit and not pass the deficiency bill? Are we not going to pass certain other bills which are necessary for the country? Are we going to argue forever about this thing? I think the majority leader and the minority leader had better get together and find some way to get the Senate functioning.

Mr. MORSE. Mr. President, I hesitate to rise to speak at this hour of the morning, but there were some remarks made by the Senator from Nebraska and the Senator from California with which I am in complete disagreement. Therefore, for the RECORD, and at the time the remarks are made, I wish to answer them.

As we all know, for a great many years prior to 1946 the Democrats were in control of the Senate. They did not take effective steps to adopt a cloture rule so as to make it possible to control filibustering in the Senate. So much, from the standpoint of the responsibility of the Democratic Party on this issue.

But during the Eightieth Congress the Republicans were in control of the Senate. What did the Republicans do about making that fight which sometime must be made if we are to check filibustering in the Senate? By and large, they did nothing. For a large part of that time the Senator from Nebraska was acting majority leader on the Republican side of the aisle. I want to say what I have said before, that the Republican Party cannot escape its responsibility between the years of 1946 and 1948 for not doing anything effective about checking the filibuster in the Senate. There is no question about the fact, at least in the cloak rooms, if they do not want to admit it on the floor of the Senate, that there is a general admission that a great deal of political strategy is taking place in regard to party position on this issue.

The responsibility of the Senate, Democrats and Republicans alike, who really want to do something about filibustering in the Senate, is to join forces and drive the filibuster off the floor of the Senate, by sitting here for as many hours and days and weeks as necessary to break it. I think we could break the present filibuster in 10 days if we were willing to sit here as Republicans and Democrats in continuous session to break it. Of course, it would cost a price; it would cost a price in respect to certain legislation; but the American people are never going to get rid of the practice of the filibuster in the Senate without paying a price, because whenever this fight is made, there is always going to be some important legislation backlogged as a result of it. I am willing to trust the American people on that issue, and I happen to hold to the point of view that an overwhelming majority of the American people want the practice of filibustering in the Senate stopped.

I also happen to hold to the point of view, contrary to that held by my good friend the Senator from California [Mr. KNOWLAND], for whom I have an exceedingly high respect, that the American people do not think it fantastic to make a fight for majority rule in the Senate. Why? It is the principle of majority rule that controls in the overwhelming majority of the State legislatures in limiting debate. It is majority rule that prevails in the House of Representatives in regard to a limitation of debate. Since when does it become fantastic to stand for the principle of majority rule in limiting debate in the Senate? The only thing fantastic about it is that there has been for many years a strong minority in the Senate from a section of our country that has taken the position it ought to have the right preserved to it to domineer the majority in the Senate by filibuster tactics.

They talk about our sitting here as ambassadors from our States. I say that notion of representation in the Senate died with Calhoun and with the War Between the States. We sit here, in my judgment, to do the people's business, and we cannot do the people's business, in my judgment, with any such proposal as I have heard from the lips of the Senator from Nebraska tonight, which he calls a compromise, that does not in effect involve a tightening of the cloture rule.

The statistics cited by the Senator from California and also by the Senator from Nebraska include pairs and dead pairs. Senators who have gone away and walked off the floor of the Senate cannot be included in any statistical analysis of what the effect of the proposal made by the Senator from Nebraska will be.

The Senator from Rhode Island is correct when he points out that in the last 19 cloture-petition attempts in the Senate, the average vote was 83. That means that in some instances the vote was down to 76. But what the Senator from California and the Senator from Nebraska are overlooking is that when there is a constitutional two-thirds requirement, men are encouraged to take "walk-out powders" in the Senate and let the Sergeant at Arms find them—if he can. Mr. President, if you will check up on the experiences of the attempts of the Sergeants at Arms over the years to find Senators who do not want to be found, I will tell you that the constitutional two-thirds majority will open the way, will open the door to some very unfortunate practices in the Senate if what we are actually trying to do is have an effective cloture rule against filibustering.

I said at one time that if I went along with anything other than a majority rule, I would go along with the Hayden-Wherry resolution. It does not make much difference whether I go along with it or not, because, for the present, I think the Senator from Arizona [Mr. HAYDEN] and the Senator from Nebraska [Mr. WHERRY], if they can get it to a vote, will get a majority vote for it in the Senate of the United States. But that will not solve the problem, because, in my judgment, time will show that it will not effectively check filibusters. We shall not check filibusters in this body until we come to majority rule. I am perfectly willing to let the last forum decide that, which will be the people of the Nation, if we have to take this issue to them in the next 4 to 6 years.

I desire to say, in closing, Mr. President, that I shall continue to fight for majority rule in the Senate, and I do not care what adjectives any colleague wants to attach to that fight for what I consider to be a basic tenet of American democracy. The Senator from California can call it fantastic if he wants to, but I will meet him anywhere in California, before his own constituents, and let them decide whether the issue I am fighting for in the Senate of the United States is fantastic, because I believe the people of America believe that the time has come to put majority rule into practice in the Senate. They will not reach the judgment, Mr. President, that it is fantastic.

I say to the Senator from Nebraska that I am not in the slightest degree interested in such a compromise as that which he has outlined tonight. The only way he will get it by me is by a motion by which I shall be outvoted. He will never get it by me on any parliamentary basis that requires unanimous consent.

I repeat what I have said several times since I have been in the Senate, that once again the time is here for Republicans to stand up and be counted before the minority groups of America who want to know whether we are going to protect their civil rights by meeting head-on this filibuster intimidation which is raised in this case, by continuous sessions for so long as it shall take to drive the filibusterers down in the fight which they are waging against the majority.

Mr. President, it was day before yesterday that a Senator stood up on the floor of the Senate and compared the fight which some of us are making for majority rule in the Senate with communistic tactics. Let me say that the commonest communistic tactic is to use minority devices to defeat the majority. That is my answer to that Senator who sought to spread on the RECORD the innuendo that those of us who are fighting for majority rule in the Senate of the United States are fighting for a communistic principle.

Once again I say, in closing, Mr. President, that I am willing at any time to let the American people decide whether the fight I have made, and which I shall continue to make, in the Senate for majority rule conforms to their idea of democratic processes.

Mr. HUMPHREY and Mr. TAYLOR addressed the Chair.

The VICE PRESIDENT. The Senator from Minnesota.

Mr. HUMPHREY. Mr. President, I realize the lateness of the hour, but, as some Senator said a moment ago, there does not seem to be any great desire on the part of my colleagues to go to their restful homes. Apparently, every Senator has been properly excused by his beloved wife, and is permitted to have the evening out. On that basis, I should like to make a few remarks in reference to what I have just heard on the other side of the aisle from the distinguished junior Senator from Oregon [Mr. MORSE].

I want the Senator from Oregon to know, referring to his comments of a few days ago in the Senate, that I took exception to one of his remarks in which he said he was the only Member of the Senate who upheld the position of the President of the United States as to the majority-rule principle in the application of cloture. I am sure that both of us, in discussing this subject in a friendly manner, realize that on this side of the aisle the junior Senator from Minnesota has stood for the majority-rule principle. I have stood for it, recognizing that there were not very many other adherents, but recognizing it was a sound principle; and I think I shall live to see the day when it is adopted in the Senate of the United States.

I have heard a great deal about compromise. I have attended some of the caucuses in which we have talked about compromise, and I have said, in no uncompromising terms, that I was not for any compromise beyond what has already been compromised in the Hayden-Wherry resolution. I submit to this body that the Hayden-Wherry resolution is compromise No. 1. Why do I say that? First of all, there are those of us who believe in majority rule. I gather from some of the remarks in this honorable body that it is almost subversive to favor majority rule in these days. But there are some Senators in this body who believe in unlimited debate, and between the poles of majority rule and unlimited debate, where there is no application of cloture, is a compromise which can be well termed a compromise of the Hayden-Wherry resolution. I am willing to support the Hayden-Wherry resolution—period. I am willing to support it because I recognize it to be a sensible, honorable compromise. I fully appreciate that we cannot all have our way, and I think it is about time we started talking about who gives when the giving needs to be done. It must come on both sides of a compromise, not simply on one side. There is not a single principle in American constitutional government which gives a minority an unrestrained right to obstruct the action of a majority.

I have heard tonight about a so-called constitutional two-thirds majority. I should like to say to the distinguished Senator from Nebraska that it is not a constitutional two-thirds majority; it is an unconstitutional two-thirds majority. I submit to the Members of the Senate that the Constitution of the United States, if it is based upon any one principle, is based upon the single principle of the ability of the majority of the Members of the House of Representatives and of the United States Senate to conduct the business of the Nation. I submit that in the Constitution, wherever there is any difference expressed, it is the exceptions which are outlined in the Constitution. The five particular exceptions in which a two-thirds vote is required—and not a two-thirds constitutional majority vote—we cannot find those words in the Constitution—are as follows:

A two-thirds vote is required for the submission of a constitutional amendment.

A two-thirds vote is required to expel a Member.

A two-thirds vote is required to pass a measure over the President's veto.

A two-thirds vote is required for the purpose of approving a treaty.

A two-thirds vote is required in the Senate when it sits as a court of impeachment.

Everything else in the Constitution is based upon the principle of the majority, all argument notwithstanding.

I should like to call something else to the attention of the Senate. We left the Articles of Confederation when we adopted the Constitution of the United States. The Articles of Confederation permitted a handful of States to place a veto upon the will of the majority. The Articles of Confederation provided, by their express terms, that 4 States out of the 13 could in many instances stop the whole processes of government. I submit to the Members of this honorable body that one of the reasons we abandoned the Articles of Confederation was because of the stalemate of government, the inactivity of government, the failure of government, because of the single fact that a willful minority could stop the onward progress of a majority.

Let me make a few other comments regarding majority rule. I have listened here, day in and day out, and I have attended the sessions of the Senate almost as attentively, and surely as patiently, as have most of the Members of the Senate. I have heard two terms bandied about in such manner that I could hardly believe my ears.

I was brought up to believe that there was no greater honor that could come to a man in this whole Nation than to be selected by his fellow citizens to serve in the greatest parliamentary body in the world, the Congress of the United States. I was likewise brought up to believe that human rights were far more important than property rights, that human rights were God-like in their nature.

I likewise was brought up to believe that a majority will make fewer mistakes in the long run than any selected minority. I never did believe in minority rule, nor do I now. I do not believe in minority rule in Europe. I do not believe in minority rule in America, even if it is by veto or negative action. Yet on the floor of the Senate I have heard repeatedly about the Constitution of this country, and the prerogatives of the Senate, that there is a great prerogative of the minority. If there is any prerogative in the Constitution it is the prerogative of the majority to conduct the business of the country, and not of the minority to obstruct it.

We have heard a great deal about the Constitution. That Constitution is a living instrument, it is an instrument which needs the full protection of every Member of the Senate. I did not take an oath to uphold the rules of the Senate; I took an oath of office to uphold the Constitution of the United States. I am not going to be a party to any kind of a compromise that will bind my hands, and the hands of others, as to changing the rules of the Senate by making it any more difficult to change them than it is now. Frankly I would much rather we would lose the fight on honest, decent principles than to go into some kind of a willy-nilly compromise which may prejudice us for the months and the years to come.

Mr. President, there are some other things I should like to say which have occurred to me since I have been a Member of the Senate. It used to be that back in the times of the feudal era the philosophers argued how many angels could dance on the point of a needle. Now it is getting to be wondered how many Senators can talk about a loophole in a rule.

We have heard much about the loopholes in the rules of the Senate. As has been so well stated by the Senator from Oregon, and as was so eloquently stated by the leader of my party, the Democratic Party, the distinguished Senator from Rhode Island [Mr. MCGRATH], the people of the United States of America are not really particularly concerned about some of the prerogatives of Senators. They are a great deal more concerned about some of the things which they want to see enacted into legislation.

At a time when we are trying to tell the whole world about the validity of constitutional government, at a time when we are trying to tell the world how American democracy works, at a time when we are trying to show to the people of Italy, who are under constant threat of totalitarian government, at a time when we are trying to show France that this Government will work, at a time when we are trying to pierce the iron curtain with our ideas, what are we doing here? We are making a circus out of the United States Senate. I say, as some other Senator said here tonight, it is indeed shameful, not shameful only because of what we do, but shameful because of some of the things that have been said.

I wonder what young boys and girls in the schools of America think when they hear distinguished Senators scorn the principle of majority rule. I wonder what young men and women think when they hear, it seems to me in a sort of indifferent manner, talk, and consideration of what we call civil rights.

Mr. President, I did not come here to pose any civil-rights legislation the first day, the second day, the first week, or the second week. I am not one of those who believe in priority legislation. I think all this legislation is important, and I hope my colleagues on the other side of the aisle think it is important. I think rent control is important; indeed, very important. I think the social-security program expansion is important, that Federal aid to education is important, that the Missouri Valley Authority and the Columbia Valley Authority are important, that the St. Lawrence waterway is important, that the ECA is important. But if we leave the rules of the Senate as they are now, or if we accept the so-called compromise—and I call it an unconstitutional compromise—there could be a filibuster on any one of these programs.

I am convinced, from what I have heard, that there are some who are not going to be too happy about the extension of rent control. How do I know we are not going to have a filibuster on that? I understand there are some not too happy about the North Atlantic Pact. Perhaps we will have a filibuster on that. I have heard there are some who are not too happy about the extension of ECA. I think it is about time we changed the rules in the way proposed, and I can believe, with the Senator from Oregon, that now, right now, is the time to change the rules.

Now just let me say one other thing. I said in our caucus the other day that there are some things I may not agree with, and let me give an example. There is flood control. We have had very few floods in the State of Minnesota. We have had minor overflows of creeks, and once in a while of a river. I do not know how some of my colleagues from the South would like to have the junior Senator from Minnesota stand up and conduct a filibuster on flood control. I know that would be absolutely ridiculous. Of course we need flood-control legislation and flood-control appropriations. That is giving to what we call the national welfare, giving to some people where they have not had a rain in 2 years, much less a flood.

How about support for cotton? I have not heard of any cotton being raised in my State, but I know the Government of the United States needs the Government support price for cotton, and I am going to try to go along with that kind of a program. If I wanted to stand up and say, "I believe in the right of the minority to have unlimited debate," we could stop that program, too. I have heard the Senator from Louisiana say he was not tired when he got through. I can assure him that my physique is fully capable of taking on as arduous a task as he has assumed, and take it on for possibly longer.

There are some not in favor of Federal aid to education. There have always been disputes as to that. Yet I submit that represented in this body are some States, more interested in education than others, that have been fighting this filibuster. In my State for every dollar we get we are going to give three. And so the program is not going to do me any good, and it would be the right of the minority to stand up and carry on the battle against it; but I take the national point of view.

That is not the way we built America. This is not 48 sovereign States; this is the United States of America. This is one Nation, indivisible, just one great United States, and the sooner we get it into our minds that we are living in the twentieth century, when everyone is important in every part of the country, the sooner we will get into our minds that every part of the country is dependent on the others. The sooner we make up our minds that we have to work together as a team and not singly, the sooner we will give America the kind of legislation it needs.

We have heard tonight of a constitutional two-thirds majority. I want the Senator from Nebraska to know that since 1917 only three times has there been, in 19 tries at the application of cloture, a constitutional majority. In only 12 out of 15 times, just 12, has there been even a simple majority. It does not seem to me that even the application of the simple majority principle would be too extreme.

Mr. ROBERTSON. Mr. President, will the Senator from Minnesota yield?

Mr. HUMPHREY. I yield for a question.

Mr. ROBERTSON. Since 1917 has there been a single instance of an attempt to invoke cloture except in the case of the so-called civil-rights measures, as to which some Members of the Senate were willing not to be present when the voting occurred?

Mr. HUMPHREY. I do not have the facts as to that, but during the past 11 years there have been 6 attempts to close debate on the civil-rights bills, and the votes on none of those occasions were such that they would represent a two-thirds or constitutional majority. In six instances they did not even have a simple majority.

Mr. President, let me make my position clear. The fact that there was failure on civil-rights legislation then is no reason why we need to continue to fail. I am one of those who would like to meet with some of the gentlemen regarding this matter and see what we could work out. I heard the distinguished Representative from Arkansas, BROOKS HAYS, make a speech in which he had some very constructive proposals, not negative proposals, but positive, affirmative proposals, on civil-rights legislation. Whether we get civil rights in this session or not is not the issue. I submit to my friends who have been carrying on this filibuster that civil-rights legislation is just as inevitable as social-security legislation was. There were those who fought the social-security program in the same identical manner they are fighting the civil-rights program. We are not talking about civil rights here. We are talking about a rule in the United States Senate. Whatever it may be, that rule needs to be cleared up and made operative. I may say, Mr. President, that I did not write it. I have not been in the Senate long. Many other Senators have had much greater opportunity to deal with this matter than those of us who are freshmen Senators. But I can assure Senators that the people of the United States of America want the United States Senate to function, and they want it to function under the kind of rules by which they can secure the enactment of legislation.

They are not at all interested whether we are gentlemen to each other here. They are not at all interested whether we go around to each other and work these things out so we are all happy. The people of the country want to know that we are going to pass legislation about which they are going to be happy. We are the servants of the people, I remind the Senate. They are not our servants. The Congress belongs to the people. It does not belong to us. The rules of the Senate belong to the people. They do not belong to us. The Constitution is the mechanism by which the people of the United States can make their will felt in the processes of government. Sometimes I think we get so cozy, we become so secure when we get into our 6-year terms, that we forget that there may be some people out in the country who are expecting things to be done.

I should like to call to the attention of every Senator the brilliant address which was made on the floor of the Senate by the Senator from Florida [Mr. PEPPER]. Last night I read that address twice, once to myself and once to my family and friends. I asked the distinguished Senator from Florida how many of his colleagues were present to listen to him. He said, "A sizable number. Some came and some went." But I submit that there has been no address on the floor of the Senate which has more clearly presented the argument in behalf of the change of the rules than that which was made by the Senator from Florida. I think it should be must reading. Since we have prerogatives, let us have a prerogative on reading for each and every one of us, to apply ourselves just a little bit to reading that very important elucidation of the facts pertaining to this particular issue.

I wanted to say what I have said, Mr. President, because frankly I think it needs to be said. I think it has been said

by others, but I wanted it said from this side. I say to the Senator from Oregon, if he can talk his colleagues on his side of the aisle into favoring majority rule, we will work on our colleagues on this side, and I say to the Senator from Oregon that if he cannot, then let us adopt the Hayden-Wherry resolution. But, for goodness' sake, let us not permit ourselves to be talked into something that is called a compromise, which is not a compromise at all. Compromise was made in the Committee on Rules and Administration. That is where the compromise was made. That is all the compromise the junior Senator from Minnesota is going to stand for so far as his vote is concerned.

I think, if Senators go back to their people and ask them what they think about the matter, they will learn that the position which has been announced over here is the position that has pretty much public support. It might not be a bad idea if we all take that position.

Mr. LUCAS. Mr. President, I shall not detain the Senate very much longer, but I feel that some brief remarks and observations are necessary to be made before a motion is made to take a recess.

When the distinguished chairman of the Committee on Rules and Administration came to me earlier in the evening and said he desired to talk to me about a further compromise with respect to the pending matter, we recalled that in the earlier part of the evening we found it impossible to reach an agreement. I gave the information to the press at that time that we could not reach an agreement; that I would return to the floor of the Senate and at the first available opportunity move to adjourn, and that I hoped I might be able to secure enough votes to carry the motion.

In the meantime I heard it rumored back and forth that I was not going to secure the votes to adjourn, which would have been perfectly all right with me. So far as the majority leader is concerned, I am willing to assume the responsibility for what has happened up to now. My good friend, the Senator from California [Mr. KNOWLAND] has suggested that we are going to have to assume that responsibility, and I am willing to assume the responsibility for the move which has been made up to now.

The Senator from Nebraska [Mr. WHERRY], the minority leader, said he wanted to talk to me, so the Senator from Arizona [Mr. HAYDEN] and I went and talked to the minority leader. He said, "Senator LUCAS, I think there is an opportunity probably to compromise this thing and settle it yet, if you are willing to have the Senate take a recess rather than adjourn tonight." He said, "I will talk to the Senator from Virginia [Mr. BYRD] and the Senator from Georgia [Mr. RUSSELL] about it."

I have not heard yet from either one of those Senators in the debate. I should like to know whether the arrangement is satisfactory to either the Senator from Virginia or the Senator from Georgia with respect to adjournment or the taking of a recess. Both Senators are just as vitally interested and probably more so with respect to this situation than are the Senator from Illinois or the Senator from Nebraska.

Mr. President, I am an agreeable man, a sympathetic individual, but at the same time there comes a time for action, and I feel that that time has come. Never since I have been in the Senate has it been more necessary for the Senate to do one thing or another; either to accept the compromise which was proposed this afternoon by the Senator from Illinois or take some other action. As I told those with whom I conferred, I would have to come before my committee again, but I thought I could sell that idea to them, and I would be glad to try it, and that I was for it myself.

Mr. President, we have either got to fish or cut bait. The time has arrived for action. I see the log jam of important legislation there now is. Rent control is an extremely important matter. It must be considered by the United States Senate before the date of the expiration of the rent-control law. If we are going to have round-the-clock sessions, as some of my distinguished friends have suggested, it will simply mean that no legislation of any kind can be considered by a single committee of the United States Senate, because we have been given notice that under those circumstances no committee would be permitted to meet, and under those circumstances, Mr. President, as majority leader, I would refuse to permit any kind or character of unanimous-consent request to go through the Senate. So if round-the-clock sessions are to be the program, then there absolutely can be no action of any kind.

I know that some Senators would love that kind of a program. I know that some Senators would like to see everything presented by President Truman in his campaign last year go down to defeat. I know that there is a great deal behind this effort. Senators are not fooling the American people with this kind of a proposition. The trouble is that 9 times out of 10 the American people are far ahead of every individual Senator. They know what is going on. We cannot fool anyone.

Mr. President, I never expected to participate in this kind of debate tonight. I was under the impression that we were going to return to the Senate Chamber, that I would make a brief statement about adjourning, and that my friend from Nebraska [Mr. WHERRY] would say that he thought we could reach a compromise, and perhaps suggest a recess. But instead of that, the time had come for individual Senators who wanted to make certain speeches about what happened, and spread themselves on the floor of the United States Senate, to which I have no objection. But I did not quite have that understanding. It is perfectly all right to do that. I have enjoyed the speeches; especially did I enjoy the speech of my good friend from New Mexico [Mr. CHAVEZ], in which he chided the minority leader and the majority leader because we were arguing over who did this, and who did that. I think there was some merit in what he said.

After all, it does not make much difference. There may be a slight misunderstanding here and there. The question finally is, Are we going to get action or are we not? I do not want anyone to question my good faith with respect to any meeting which I attended.

Mr. President, I am about to make a motion that the Senate take a recess. I am going to keep that agreement. I do not know whether Senators will vote with me or not. I may not be able to carry the vote. I understand that the coalition is strong enough to keep us from either taking a recess or adjourning, if it wishes to do so. That is perfectly all right with me, if they want to do it. In the mean time, if we take a recess and can work out something in the morning before noon, I shall certainly be very happy to do it. But when we come back at noon tomorrow, if we cannot reach some agreement, I hope I can get the Senate to agree with me and adjourn in order that we may take up important measures which are now pending on the calendar.

Mr. President, I should like to ask my good friend the Senator from Georgia [Mr. RUSSELL] if he agrees with the arrangement which the Senator from Nebraska [Mr. WHERRY] has suggested, if he was a party to it, or if he knows anything about it.

Mr. RUSSELL. Mr. President, would the Senator mind repeating his question?

Mr. LUCAS. I merely stated that the Senator from Nebraska came to me and said that if we would take a recess until tomorrow he thought there was an excellent opportunity to reach some compromise, and that he wished to make one further effort to do so. He stated that he would talk with the Senator from Georgia and the Senator from Virginia to see if that plan was satisfactory. I wonder if he did talk with the Senator from Georgia, and whether or not the proposal is satisfactory to the Senator from Georgia.

Mr. RUSSELL. Mr. President, the Senator from Nebraska did consult with the Senator from Virginia and the Senator from Georgia, and asked us if we would not participate in one further conference. I want to be perfectly frank with the Senator from Illinois. In view of the attitude which has been taken, I think there is only a faint hope of accomplishing anything. I told the Senator from Nebraska that I would try to be reasonable, and would attend conferences on this matter to the end.

Mr. LUCAS. I thank the Senator from Georgia. I have never questioned the statement made by the Senator from Nebraska, but I wanted to corroborate it on the floor of the Senate, because up to this time neither the Senator from Georgia nor the Senator from Virginia has said anything about the tentative agreement or understanding which they had with respect to further conferences tomorrow.

RECESS

Mr. President, I move that the Senate take a recess until 12 o'clock noon today.

The motion was agreed to; and (at 2 o'clock and 25 minutes a. m., Tuesday, March 15, 1949), the Senate took a recess until 12 o'clock meridian of the same day.

HOUSE OF REPRESENTATIVES

MONDAY, MARCH 14, 1949

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Holy Spirit, the divine presence in our lives whereby we find strength and help in time of need, come Thou to our waiting hearts and minds as we pray.

We bring to Thee our sins because Thou art willing to forgive; we bring to Thee our weakness because Thou art willing to strengthen; we bring to Thee our ignorance, even as the night brings its darkness to the morning; we bring to Thee our souls because Thou art willing to cleanse.

In hope and gladness, with free minds to serve and warm hearts to love, do Thou lead us on, and Thine shall be the glory forever. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of Friday, March 11, 1949, was read and approved.

MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Miller, one of his secretaries.

JEAN NESS

Mrs. NORTON. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged resolution (H. Res. 144) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That there shall be paid out of the contingent fund of the House to Jean Ness, sister of Wm. M. Ness, late an employee of the House of Representatives, an amount equal to 6 months' salary at the rate he was receiving at the time of his death and an additional amount not to exceed $250 toward defraying the funeral expenses of said Wm. M. Ness.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AMENDING THE PRINTING ACT OF JANUARY 12, 1895

Mrs. NORTON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 1579) to amend the Printing Act of January 12, 1895, as amended, with respect to the printing of extra copies of congressional hearings and other documents.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That so much of paragraph 4 of section 2 of the Printing Act of January 12, 1895, as amended (U. S. C., 1946 edition, title 44, sec. 133), as precedes the second proviso therein is hereby amended to read as follows:

"PAR. 4. Orders for printing extra copies, otherwise than herein provided for, shall be by simple, concurrent, or joint resolution. Either House may print extra copies to the amount of $1,200 by simple resolution; if the cost exceeds that sum, the printing shall be ordered by concurrent resolution, except when the resolution is self-appropriating, when it shall be by joint resolution. Such resolutions, when presented to either House, shall be referred immediately to the Committee on Printing, who, in making their report, shall give the probable cost of the proposed printing upon the estimate of the Public Printer and no extra copies shall be printed before such committee has reported: *Provided,* That the printing of additional copies may be performed upon orders of the Joint Committee on Printing within a limit of $700 in cost in any one instance:".

With the following committee amendment:

On page 2, line 6, after the word "on", strike out the word "Printing" and insert "House Administration of the House of Representatives or the Committee on Rules and Administration of the Senate."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COMPOSITION OF THE ARMY OF THE UNITED STATES AND THE AIR FORCE OF THE UNITED STATES

Mr. SABATH, from the Committee on Rules, submitted the following privileged resolution (H. Res. 148), which was referred to the House Calendar and ordered printed:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 1437) to authorize the composition of the Army of the United States and the Air Force of the United States, and for other purposes. That after general debate, which shall be confined to the bill and continue not to exceed 4 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

COMMITTEE ON THE JUDICIARY

Mr. SABATH, from the Committee on Rules, reported the following privileged resolution (H. Res. 137) authorizing the Committee on the Judiciary to conduct studies and investigations relating to matters within its jurisdiction (Rept. No. 261), which was referred to the House Calendar and ordered to be printed:

Resolved, That the Committee on the Judiciary acting as a whole or by subcommittee, is authorized and directed to conduct thorough studies and investigations relating to matters coming within the jurisdiction of such committee under rule XI (1) of the Rules of the House of Representatives, and for such purposes the said committee or any subcommittee thereof is hereby authorized to sit and act during the present Congress at such times and places within the United States, its Territories, and possessions, whether the House is in session, has recessed, or has adjourned, to hold such hearings, and to require by subpena or otherwise the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, and documents, as it deems necessary. Subpenas may be issued over the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member. The chairman of the committee or any member thereof may administer oaths to witnesses.

That the said committee shall report to the House of Representatives during the present Congress the results of their studies and investigations with such recommendations for legislation or otherwise as the committee deems desirable.

SPECIAL ORDERS GRANTED

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to address the House for 25 minutes today following the legislative business of the day and any other special orders heretofore entered.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. DONDERO. Mr. Speaker, I ask unanimous consent to address the House for 30 minutes on Monday next following the legislative business of the day.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

EXTENSION OF REMARKS

Mr. DONDERO asked and was given permission to extend his remarks in the Appendix of the RECORD and include an editorial.

Mr. PATMAN asked and was given permission to extend his remarks in the Appendix of the RECORD in two separate instances and in each to include extraneous matter.

Mr. O'NEILL asked and was given permission to extend his remarks in the Appendix of the RECORD.

Mr. SIMS (at the request of Mr. HARE) was given permission to extend his remarks in the Appendix of the RECORD and include an editorial from the Washington Post.

Mr. SABATH asked and was given permission to extend his remarks in the Appendix of the RECORD in two separate instances, in one to include three articles from the Chicago Sun-Times and in the other an article from the New York Times.

Mr. ELLIOTT asked and was given permission to extend his remarks in the Appendix of the RECORD.

Mr. JENSEN asked and was given permission to extend his remarks in the Appendix of the RECORD and include a letter from two constituents and an article from the Washington Post; also, to extend his remarks in the Appendix of the RECORD and include an address by Mr. Kent Leavitt, president of the National Association of Soil Conservation Districts, before the annual convention of the Mississippi Valley Association in St. Louis on February 7, 1949.

Mr. HARVEY asked and was given permission to extend his remarks in the Appendix of the RECORD and include an

editorial from the Phoenix Star appearing as a guest editorial in the Monthly Press.

Mr. MACK of Washington asked and was given permission to extend his remarks in the Appendix of the RECORD and include a table of fish imports in recent years.

PERMISSION TO ADDRESS THE HOUSE

Mr. MACK of Washington. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

[Mr. MACK of Washington addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. HESELTON asked and was given permission to extend his remarks in the RECORD and include a resolution of the General Court of Massachusetts relative to the development of the waterways of the Commonwealth of Massachusetts.

Mr. MARTIN of Massachusetts asked and was given permission to extend his remarks in the RECORD in two instances, in one to include an editorial and in the other a letter from a man in New York, a worker for the Western Union, who indicates how many people are out of employment through the excise taxes.

Mr. RANKIN asked and was given permission to extend his remarks in the RECORD and include a speech by Gen. John Thomas Taylor, of the American Legion, and a short statement by the Director of the Bureau of the Budget.

Mr. LANE asked and was given permission to extend his remarks in the Appendix of the RECORD in two instances and include newspaper articles.

Mr. MADDEN asked and was given permission to extend his remarks in the RECORD and include a letter from the National Furniture Manufacturing Co., of Evansville, Ind.

Mr. RIBICOFF asked and was given permission to extend his remarks in the RECORD and include a proclamation by the governor of the State of Connecticut.

Mr. MONRONEY asked and was given permission to extend his remarks in the RECORD and include an article from the New York Times and an article from the Wall Street Journal.

Mr. BOGGS of Louisiana asked and was given permission to extend his remarks in the RECORD and include an editorial.

AMERICAN INDUSTRY GOING ABROAD

Mr. RICH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RICH. I noticed in the paper on Saturday that the Remington Rand Co., of Syracuse, N. Y., an organization which employs 1,200 people, is moving its plant over to Scotland. Why?

Mr. Speaker, I want the tariffs kept that were formerly placed on merchandise coming into our country for protection of American labor and industry. These reciprocal trade agreements are going to ruin this country; reducing tariffs without consent of Congress. The laboring people will have no work, the manufacturing plants will be closed down or move to some foreign country, and the people of the country will be in the bread lines again if we do not keep our tariff laws. It will be a sorry day if we do not do away with these reciprocal trade agreements for America, American industries, American labor, and the high standard of American living.

When we note that the Remington Rand Co. is moving to Scotland, when we see the Waltham Watch Co. closed down on account of watches coming in from Switzerland, and when we observe the woolen mills of Massachusetts being moved to Burma, it will result in the people of this country being unemployed. No work, no pay, no food; all living on the Government. Then the Government goes broke.

I say let us revise the tariff immediately. Before our industries move abroad in order to meet competition. Do away with the reciprocal trade agreements. It is time for us Americans to look after our own American business, our own American living, and our own high standard of living. Duty-free imports total $4,118,200,000 in 1948, an all-time high, and represents a 20-percent increase over 1947.

Dutiable imports into the United States amounted to $2,919,700,000 in 1948, an increase of 32 percent over 1947. These figures show you what I mean, when I say let us put our tariff laws into effect and, instead of cutting them down, raise them up before we lose our own markets for the American industries; before our labor is out of jobs; before our industries move to foreign countries where labor is cheap; a word to the wise is sufficient. Act and act now.

PERMISSION TO ADDRESS THE HOUSE

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks and include certain excerpts from the CONGRESSIONAL RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

[Mr. RANKIN addressed the House. His remarks appear in the Appendix.]

RENT CONTROL

Mr. COX. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. COX. Mr. Speaker, I have asked for the floor in order to say that on tomorrow an effort will be made to write a little self-determination, a little home rule, a little Americanism, into the rent-control bill. The gentleman from Mississippi [Mr. WILLIAMS] will offer an amendment which will provide that any municipality or other subdivision of government may get from under the law by simply resoluting to that effect.

Mr. Speaker, this bill is, in my judgment, a subtle approach to state socialism, and what fools we are to hug such a dangerous measure to our bosom when we know that they are sapping the lifeblood of the Nation.

EXTENSION OF REMARKS

Mr. MILLER of Nebraska asked and was given permission to extend his remarks in the RECORD and include a resolution.

Mr. VAN ZANDT asked and was given permission to extend his remarks in the RECORD and include an editorial appearing in the Altoona Tribune.

Mr. McCORMACK asked and was given permission to extend his remarks in the RECORD and include a statement by Secretary of Defense Forrestal.

RENT CONTROL

Mr. MILLER of Nebraska. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. MILLER of Nebraska. Mr. Speaker, I was glad to hear that the gentleman from Mississippi will offer an amendment to the rent-control bill that might put it back into local control. I have always felt that the best government is that which is kept close to the people. I also have an amendment which approaches it in similar language, except that I provide that when a State or political subdivision by a vote of the people decides that they do not want rent control, that will settle the matter. It would no longer be necessary for the officials in that community to come to Washington hat in hand and say, "Please. Our people decide they do not want rent control, can we follow their wishes?" It is done by the vote of the people. Is there anything wrong with that approach?

We ought to trust the people at home to handle their own affairs.

The amendment I propose is as follows:

Amendment to H. R. 1731:

Page 35, in line 18 strike out the quotation marks, and after line 18 insert the following subsection:

"(j) In any case where, in an initiative or referendum voted on at a general or special election held in any State, or in any county, municipality, or other political subdivision of a State, a majority of the qualified voters voting on such initiative or referendum vote in favor of termination of Federal rent control in such State, county, municipality or political subdivision, the provisions of this title shall be inapplicable to such State, county, municipality, or political subdivision after the tenth day following the date on which such general or special election was held."

RENT CONTROL

Mr. HOFFMAN of Michigan. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN of Michigan. Mr. Speaker, I do not quite get this idea of the gentleman from Georgia [Mr. Cox]. If I am correct, he wants to let the States or the local communities decide whether they should have rent control. The gentleman from Nebraska [Mr. MILLER] wants to let the people in certain smaller areas decide whether they want it or not. I would like to ask the two gentlemen to explain some time just where they get the idea that even the States, or the people in the community, say, in a township, by vote can take your property from you, your rent money, give it to me, or open your door and let me come in and squat in your house as a tenant for a certain sum as rent. I do not get that idea at all. I do not see how that can be done under our form of government.

Mr. COX. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN of Michigan. I yield.

Mr. COX. I did not mean to be understood that I should vote for the continuation of the law under any circumstances.

Mr. HOFFMAN of Michigan. I thank the gentleman.

Mr. COX. I am against it.

Mr. HOFFMAN of Michigan. I never could understand how it could be constitutional. I know the Constitution does not make much difference any more, but I cannot understand how the rent-control law is fair or just.

THE HONORABLE MARY T. NORTON

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to address the house for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, whenever any individual Member of the House of Representatives is honored, we all feel happy and we all feel proud, because in any individual Member of the House being honored, in its broader sense, the House itself is honored.

One of the most beloved and one of the most able and conscientious Members of this body, who has served in it for years, is the gentlewoman from New Jersey [Mrs. NORTON]. Whether one agrees with her political views or not—and I agree with all of them—we all have deep respect for her and a profound feeling of friendship of an abiding nature. MARY NORTON is an unusual lady. She is a great fighter and she has those sweet qualities of charity, love of God and love of neighbor, that makes her near and dear to all who know MARY NORTON. She has received many honors in the past, but recently, on March 6, she received a most unusual honor, a plaque awarded by the International Relations Club of St. Elizabeth's College in New Jersey for outstanding service in national affairs. This club has been in existence for 25 years, and this is the first award it has ever given to any person. It is one of many such clubs and colleges throughout the country that are studying and debating the problems presented to the United Nations and their relation to world peace. These clubs are organized for the purpose of supporting international relations and contributing toward establishing a future permanent peace.

We are all proud of MARY NORTON. The House, I know, will join with me in expressing to the International Relations Club of St. Elizabeth's College in New Jersey our congratulations on selecting this sweet lady, our outstanding Member, for this award. I also know all the Members of the House will join me in congratulating MARY NORTON on this latest honor she has received.

Mr. COX. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Georgia.

Mr. COX. I rise simply to make the observation that this, the first honor bestowed by this organization, could not have been better bestowed.

Mr. McCORMACK. I appreciate the observation very much. I might also say that some of the other honors MARY NORTON has received are as follows:

1930: The first degree of doctor of laws ever conferred by the College of St. Elizabeth, the oldest women's college in New Jersey, in recognition of service in welfare and Government.

1937: The degree of doctor of laws from Rider College, Trenton, N. J., for distinguished service to State and Nation.

1946: A citation from the Women's National Press Club, awarded for the most important contribution to Government in 1946.

1947: The siena medal of the Theta Phi Alpha Sorority (National Catholic University Women) conferred by Archbishop Cushing, of Boston, as the outstanding Catholic woman of the year.

These honors, as well as the latest one she has received have been conferred upon MARY NORTON because she has earned such splendid recognitions. We all rejoice with Mrs. NORTON in the happiness that is hers in the latest honor she has received.

PERMISSION TO ADDRESS THE HOUSE

Mr. RIVERS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include an editorial from the Sunday Star.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

[Mr. RIVERS addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. SANBORN asked and was given permission to extend his remarks in the RECORD and include a letter.

RENT-CONTROL BILL

Mr. WILLIAMS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include an amendment I intend to offer to the rent-control bill.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. WILLIAMS. Mr. Speaker, I wish to thank the gentleman from Georgia [Mr. Cox] for the remarks he made just a moment ago about the amendment I intend to offer to the rent-control bill tomorrow. I intend to explain this matter thoroughly tomorrow on the floor, but in order that the Members may know what the amendment contains, I include it in my remarks at this time. It is as follows:

On page 35, line 18, strike out the quotation marks, and after line 18, insert the following subsection:

"(j) If the legislature or comparable governing body of any State, municipality, county, or other political subdivision declares by resolution that Federal rent control is no longer needed in such State, municipality, county, or political subdivision, and transmits a certified copy of such resolution to the Housing Expediter, the provisions of this title shall be inapplicable to such State, municipality, county, or political subdivision 15 days after such certified copy shall have been mailed by registered mail to the Housing Expediter."

DISTRICT DAY

The SPEAKER. This is District day. The Chair recognizes the chairman of the Committee on the District of Columbia, the gentleman from South Carolina [Mr. MCMILLAN].

PROVIDING ADDITIONAL REVENUE FOR THE DISTRICT OF COLUMBIA

Mr. McMILLAN of South Carolina. Mr. Speaker, by direction of the Committee on the District of Columbia, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 3347) to provide additional revenue for the District of Columbia; and pending that motion, I ask unanimous consent that general debate be limited to not more than 2 hours, the time to be equally divided and controlled by the ranking minority member of the committee and myself.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 3347, with Mr. BOGGS of Louisiana in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. McMILLAN of South Carolina. Mr. Chairman, I yield 1 minute to our distinguished majority leader, the gentlemen from Massachusetts [Mr. McCORMACK].

Mr. McCORMACK. Mr. Chairman, I ask for this time to announce to the membership that the bill to amend the Rural Electrification Act and to provide for rural telephones which was put on this week's legislative program for Wednesday will not come up on that day, but

will follow the civil-functions appropriation bill on Friday. If there is no time to take it up on that day, it will come up on some later date, probably the following week.

There is also one other change in the program. A resolution to grant to the Committee on Agriculture the ordinary powers of a committee to investigate was reported out by the Committee on Rules after I had announced the program. I have conferred with the distinguished minority leader. If possible, that will come up sometime this week, either Monday, Tuesday or Wednesday.

Later in the day I intend to ask unanimous consent that when the House adjourn today it adjourn to meet tomorrow at 11 o'clock. I make this announcement now so that the Members may be aware of my intention and govern themselves accordingly.

Mr. MARTIN of Massachusetts. May I say to the gentleman that that is perfectly agreeable to me.

Mr. McCORMACK. I thank the gentleman.

Mr. McMILLAN of South Carolina. Mr. Chairman, I yield 10 minutes to the gentleman from Virginia [Mr. SMITH].

Mr. SMITH of Virginia. Mr. Chairman, we have before us for consideration today the revenue bill for the District of Columbia; that is the tax bill. It is a rather complicated bill and there are a great many questions to be asked and answered. I would like the House to have an intelligent knowledge of what is in the bill and will seek to give them that knowledge, but I cannot do it very well with a lot of conversation on the floor, and I hope that those gentlemen who desire or need to converse will do so outside of the Chamber, because a great many of the Members here are interested in this bill and it is a very controversial measure.

Mr. Chairman, we find that the budget for the District of Columbia is going to be short about $18,000,000 this year. It is going to be short $18,000,000 if the House and the other body agree to the retroactive pay raise for the District employees. You will remember that last year there was a general raise for civil-service employees. The bill for the District of Columbia employees was contingent upon the passage of the Revenue Act. The Revenue Act did not pass, and therefore they did not get that raise. The District Committee is of the opinion that they should have had that pay along with other civil-service employees and therefore they have again reported a similar bill.

It will cost $10,000,000 to carry that through. Aside from that, the budget is $8,000,000 in the red. The question has arisen before the Senate and House Committees on the District of Columbia as to how that fund shall be raised.

There is a minority report here which claims that we should tax somebody else and in some other way. Your committee has been struggling and struggling with this financial problem of the District of Columbia for a great many years. We proposed year before last what we thought was a fair and just income tax, and that is the proposal of the opposition today—that we have an income tax. Well, we tried that 2 years ago and the House flatly turned it down. We believe that the fairest and most equitable tax is a 2 percent sales tax, with certain exemptions, and which parallels, to a very large extent, the bill now in force in the adjoining jurisdiction of Maryland. If we do not do that, I do not know where you are going to get the money to carry on the business of the District of Columbia.

Some folks may think that we have an extravagant budget for the District. I want to say to you in that connection that the budget for the District of Columbia was cut to the bone this year. There is a crying need here for many capital improvements, such as schools and various and sundry other public institutions. This budget is $18,000,000 in the red and does not carry a single dollar for new capital improvements. The only thing in the budget for capital improvements is a continuation of certain projects already authorized and now under construction.

We are hopeful that if the House will agree with the committee which has put in a great deal of time and effort and hearings on this matter, we will have solved one problem that has consumed a great deal of the time of the Congress in late years, and put the budget of the District of Columbia on a sound financial basis.

I might say that this bill, with a few minor changes, was passed by the House last year. We went through all this struggle and all this fight last year, and the bill was passed by a substantial majority. It was killed by a filibuster in the Senate on the part of one Member, in the closing days of the session, when there was no time to give it adequate consideration.

As I say, this bill is substantially the same bill that was passed last year. Last year, for the first time, we considered the matter by a joint committee of the Senate and House, and we held joint hearings. We heard everybody who desired to be heard. The hearings lasted for several weeks. This year again we held joint hearings with the Senate and House, and we heard everybody who asked to be heard, both for and against the measure. After hearing them all, this committee came out with a unanimous report in both the Senate and House, recommending the passage of this bill.

We have put in a great deal of hard work on this matter. I know that a sales tax is a controversial measure in some areas, but it is the only solution of the difficulty we see, and we do hope that the House will give some weight to the time and energy and hearings that have been put on by the joint committee that considers the fiscal affairs for the District in all of its ramifications.

I should like for the House to know what organizations in the District recommended this bill. You have heard a lot of talk around here about home rule, letting the people of Washington have what they want to have. That is what our joint committee tried to do, we tried to find out what the people of Washington wanted. There appeared before us and recommended the passage of this bill representatives of the Washington Board of Trade, the Washington Taxpayers' Association, the Fiscal Relations Committee of the Federation of Citizens Associations of the District of Columbia. The Federation of Citizens Associations of the District, as you know, represents all of the civic associations throughout the District of Columbia, and this bill had their full and complete approval. Those are the people who are going to have to pay this tax, and that is what they want. Now, if you wish the people of Washington in some measure to have what they want, why not give them the sales tax which the Citizens Association as a whole through their several organizations have recommended to this Congress? It was also recommended by the representatives of the Junior Board of Commerce, by the Federation of Business Men's Associations, by the Northwest Council of Citizens Associations, and by the Federation of Women's Clubs, the people who do most of the shopping and will have to pay the tax. Those organizations have unqualifiedly recommended the passage of this bill. It has also been editorially endorsed time and again, and again this year by the leading newspapers of Washington—the Washington Post, the Washington Star, and the Washington Times-Herald have all recommended it editorially.

It might be interesting, since I have said who recommended it, to say who came and opposed it. The wholesale liquor dealers of Washington came in and expressed their opposition to a sales tax.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. McMILLAN of South Carolina. Mr. Chairman, I yield the gentleman from Virginia two additional minutes.

Mr. GRANGER. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. The Central Labor Union opposed it. The Progressive Party of Washington, that is the Henry Wallace party, opposed the sales tax.

Mr. GRANGER. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. Not at the moment.

The Americans for Democratic Action——

Mr. GRANGER. Mr. Chairman, I make a point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Eighty-seven Members are present, not a quorum.

The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 26]

Barden	Davies, N. Y.	Harrison
Barrett, Pa.	Dawson	Hart
Blatnik	Dingell	Hays, Ark.
Boykin	Ellsworth	Hébert
Buckley, Ill.	Engle, Calif.	Heffernan
Buckley, N. Y.	Feighan	Heller
Bulwinkle	Fogarty	Herter
Burnside	Fulton	Hoffman, Ill.
Canfield	Gathings	Horan
Carlyle	Gilmer	Javits
Celler	Gordon	Jenison
Chelf	Gorski, Ill.	Keating
Chudoff	Gossett	Kelley
Corbett	Granahan	Keogh
Coudert	Hale	Latham
Davenport	Harris	Lesinski

Linehan	Poulson	Smith, Ohio
McGrath	Powell	Smith, Wis.
Marshall	Quinn	Somers
Morton	Reed, N. Y.	Tackett
Murdock	Richards	Taylor
Murphy	Riehlman	Thomas, N. J.
Nelson	Sadlak	Trimble
Norrell	St. George	Walter
O'Konski	Scott, Hardie	Weichel
O'Toole	Scott,	White, Idaho
Patterson	Hugh D., Jr.	Willis
Pfeifer,	Shafer	Wilson, Okla.
Joseph L.	Short	Wood
Philbin	Smathers	Woodhouse

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. BOGGS of Louisiana, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having nad under consideration the bill H. R. 3347, finding itself without a quorum, he directed a roll to be called, when 324 Members answered to their names, disclosing that a quorum was present, and he submitted herewith a list of the absentees for printing in the Journal.

The SPEAKER. The Committee will resume its sitting.

The CHAIRMAN. The gentleman from Virginia is recognized for 2 minutes.

Mr. SMITH of Virginia. Mr. Chairman, I was interrupted by the roll call. I had about completed my statement and was on the point of yielding to the gentleman from Utah [Mr. GRANGER] for a question, which I am now happy to do. I do not see him present. I therefore yield back the balance of my time.

Mr. McMILLAN of South Carolina. Mr. Chairman, I yield to the gentleman from Massachusetts [Mr. BATES.]

The CHAIRMAN. The gentleman from Massachusetts is recognized for 1 hour.

Mr. BATES of Massachusetts. Mr. Chairman, I yield myself 25 minutes.

Mr. Chairman——

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield for a consent request?

Mr. BATES of Massachusetts. I yield.

Mr. CASE of South Dakota. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD following the remarks of the gentleman from Massachusetts.

The CHAIRMAN. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. BATES of Massachusetts. Mr. Chairman, the bill before the committee this afternoon is the so-called revenue bill for the District of Columbia; in other words, it is a revenue-raising bill that will provide means by which we can meet the obligations of the District government. As everyone knows, the operation of the District government is under the control of the Commissioners appointed by the President, yet the determination of how much money can be spent must be made by the Congress. The appropriation bill providing for those expenditures recently passed the House. That bill carried with it appropriations of approximately $99,000,000, after a cut of $4,000,000 in the budget estimates. At the present time, considering the financial condition of the District, I believe I may well say that perhaps there is no large city in the United States that is facing a more difficult financial condition than the District of Columbia. With a budget estimate submitted to Congress of $103,000,000, we find ourselves on the basis of present revenue sources approximately $8,000,000 short of the requirements of the District. At the present time several bills are pending before Congress providing for increases in salaries to all District employees, including the teachers, firemen, policemen, and all other civil employees, of $330 a year, which is the so-called cost-of-living bill increase that passed a year ago for all Federal employees but did not pass the Congress last year for District employees because there was not a sufficient amount of revenue available to meet the increases. If the salary increase of $330 is approved for the fiscal year 1950 for all District employees the same as it was for Federal employees, that will add $5,000,000 more to the deficit, making $13,000,000. If we make the salary schedules retroactive to July 1, 1948, another full year, then we will add $5,000,000 more; in other words, we shall have a total deficit of $18,000,000 facing the District if those salary bills are approved by Congress for the fiscal year 1950.

Mr. Chairman, I have been associated with municipal work for nearly 30 years; I have been in all ends of the work, municipal taxation, finance, and administration. Along with other Members of Congress, I have served on the District Committee for the reason that I want to make our contribution in a nonpartisan way to the welfare of the Capital City of the Nation. We give a great deal of time to that committee work in order to be helpful in maintaining a decent government for the District of Columbia and to see to it that the administration is proper from the standpoint of meeting the requirement of the people of the District as well as the many visitors.

We are facing a deficit of $18,000,000. The question arises as to how we are going to provide the revenue. I do not like a sales tax. I have consistently opposed the sales tax for 10 years on the floor of this House, ever since the so-called Pond report in 1939. I have been one of the spearheads against the sales tax for the reason I felt that perhaps from other sources we could meet the requirements of the District government without resorting to a sales tax. But when we are facing a situation where we need $18,000,000 more if the salary bill becomes law, then we must resort to some new source of revenue in order to meet those obligations.

It may be said that we ought to broaden the income tax. Well, along with my opposition to the sales tax for 10 years I have been consistently supporting, urging, and spearheading the drive in Congress to broaden the income tax so that we could have more money from that source, but the Congress every year has turned down that legislation.

In 1939 I offered the first District income-tax bill on the floor of this House. It was an amendment to the tax-revenue bill. It was approved that year and has been law ever since.

In the submission of a sales-tax bill for consideration of the House this year we are doing exactly what we did a year ago in a bill that passed the House but failed in the Senate because of lack of time and due to lack of time and nonpassage of the revenue bill a year ago all the District employees have suffered the loss of a so-called increase in salaries and wages.

The bill that we have before us today will provide nearly enough money within a limited degree to meet all the requirements of the District government. In other words, while this bill will not meet the entire $18,000,000 deficit it will raise $16,000,000 in itself and there are other sources that may be made available in order to make up the deficiency of $2,000,000.

Mr. KLEIN. Mr. Chairman, will the gentleman yield?

Mr. BATES of Massachusetts. I yield to the gentleman from New York.

Mr. KLEIN. Can the gentleman tell me how much it is estimated will be obtained from title IV which are the amendments to the income-tax act of the District?

Mr. BATES of Massachusetts. We will lose approximately $1,500,000 in additional income-tax receipts. We are changing the income-tax law from an exemption of $1,000 which prevails in the present law to an exemption of $5,000. The reason for that is we are recommending a sales tax which will be felt more severely by what we call the low-income group. In other words, we do not want to superimpose a sales tax on the low-income group and force them to pay not only an income tax but also a sales tax.

Mr. KLEIN. If we do not have those amendments we actually would be obtaining additional revenue which would increase the revenues to the District?

Mr. BATES of Massachusetts. That is on the income tax but it is only $1,500,000 whereas our deficit is approximately $18,000,000 if we are to meet the payroll requirements.

Mr. LYNCH. Mr. Chairman, will the gentleman yield?

Mr. BATES of Massachusetts. I yield to the gentleman from New York.

Mr. LYNCH. I know the gentleman has been heretofore opposed to the sales tax and I assume it is only because of the stringent financial necessity that he is now in favor of it. But I refer particularly to line 24, page 3, pertaining to the sale of advertising space and sale of radio and television advertising. As we know, the power to tax is the power to destroy. If we are going to tax advertising in papers no matter for what purpose the advertising may be, or even advertising over the radio and television, does not the gentleman think that is a rather bad precedent to start?

Mr. BATES of Massachusetts. Well, of course, what we are up against here is to find the most equitable way by which we can raise this $18,000,000. There was no substantial objection, in fact. I have heard of no opposition within the District

to the tax on advertising space or sales of radio and television advertising. It seems to me that that is a legitimate form of taxing. If we are to tax a million things that people wear and eat as they go to a restaurant, surely we should be satisfied that the tax on newspaper and radio advertising is not unjust. That will bring in, in that particular item, about half a million a year.

Mr. JONES of Alabama. Mr. Chairman, will the gentleman yield?

Mr. BATES of Massachusetts. I yield to the gentleman from Alabama.

Mr. JONES of Alabama. The gentleman, in giving us the estimated revenue from that section that imposes a sales tax on advertising through the newspapers, radio, and television, has answered the question I had in mind.

Mr. BATES of Massachusetts. Now, then, of course, we have an amendment in committee by those who felt that the sales tax ought to be broadened and to include food; in fact, there was quite a heated discussion in the committee when an amendment was offered by a Member to make food taxable. But, we felt that because of the widespread criticism that would be leveled at a bill that would impose a tax on food for home consumption, we should eliminate food as an exemption from the bill.

Mr. LYNCH. Mr. Chairman, will the gentleman yield?

Mr. BATES of Massachusetts. I yield.

Mr. LYNCH. Of course, I appreciate the gentleman's position, but when you have any tax it is more or less a deterrent. Now, if you have a tax on advertising, I should think that it would be a deterrent for sales so that your real purpose would be defeated by preventing the advertising of other objects which, if taxed and brought before the public notice, would give you a better return than the tax on the advertising.

Mr. BATES of Massachusetts. Of course, it has always been said, and I have probably used the language myself, that the sales tax in itself is perhaps one of the most deterrent taxes that we have. But we are forced into the situation where we either have to do one of three things: First, adopt the bill as we now have it before us; or, second, broaden the income-tax bill as we have attempted to do on recommendation of our committee for 10 years to include all people domiciled in the District; or, third, increase the real-estate tax, which was increased only 2 years ago 30 percent over and above what they paid the year before that.

If we meet these requirements from the real-estate tax, then the property tax itself will nearly double within a period of 2 years, and I do not believe that any member of the committee wants a thing of that sort to happen. So, we are trying to find some way out of this dilemma; if we could get an income tax in a broadened fashion, so that we could not only broaden the number available for taxation, but we also could increase the rate and bring it more in line with other jurisdictions.

Mr. BUCHANAN. Mr. Chairman, will the gentleman yield?

Mr. BATES of Massachusetts. I yield to the gentleman from Pennsylvania.

Mr. BUCHANAN. I want to compliment the gentleman for his long and effective efforts here on behalf of the fiscal problems of the District of Columbia. I wonder if he could give us some idea as to the number of transient visitors in the District, on an annual basis, and the amount they possibly might spend?

Mr. BATES of Massachusetts. Of course, I have heard many estimates of the amount of money spent in the District by visitors, up as high as sixty-five or more million dollars a year. But I think for the most part those are pure guesses.

Mr. LYNCH. Mr. Chairman, will the gentleman yield further?

Mr. BATES of Massachusetts. I yield.

Mr. LYNCH. As I understand the gentleman's position it is this, that even if you had an income tax such as you have been in favor of previously, you would not have proposed this sales tax in this bill now?

Mr. BATES of Massachusetts. I frankly say that the income tax that the committee has recommended down through a period of many years—myself and Mr. Dirksen have spearheaded the fight—for the establishment of a broader income tax in the District each year for 10 years, but without success, because of the domiciliary provisions in the bill that the Members of Congress did not like, and they defeated that legislation. That may have brought in around $10,000,000 on the basis of the present rates. If we double the rates, and that would bring them in line with the rates existing in other tax districts, it would meet the requirements of this budget.

Mr. GRANGER. Mr. Chairman, will the gentleman yield?

Mr. BATES of Massachusetts. I yield to the gentleman from Utah.

Mr. GRANGER. Is it not a fact that in the gentleman's proposal to decrease the exemption on income tax that actually what you are doing to the poor people you are talking about is this: You are trading them a possibility of paying 1 percent on income but you are throwing a burden on them of 2 percent with this sales tax?

Mr. BATES of Massachusetts. Of course, there is no imposition of any tax on what we call poor people under the income provisions of this bill because in order to be assessed under the income-tax provisions of this bill one's net income must exceed $5,000 a year.

Mr. GRANGER. As I understood the gentleman, he said the reason this exemption is made is to let the poor people out from under so they would not pay, too, but what you are actually doing is making them pay 2 percent instead of the 1 percent they would pay as income tax.

Mr. BATES of Massachusetts. That would be on the basis of total income, but they would pay no income tax under the present bill. The present law applies to all those receiving income in excess of $1,000. The income-tax rate applied under this bill applies to incomes of $5,000 or over. Everybody with a net income of under $5,000 is tax-exempt under the the provisions of this income-tax law, but, of course, they become subject to the provisions of the sales-tax law.

Mr. SCUDDER. Mr. Chairman, will the gentleman yield?

Mr. BATES of Massachusetts. I yield to the gentleman from California.

Mr. SCUDDER. I should like to clarify paragraph (g) of section 1 regarding foods that are sold for home consumption. A similar provision was in the California law and created a great amount of dissatisfaction. The legislature in its widom finally eliminated that feature. I believe that is a direct tax on the poor people, and so is not reasonable as a tax. I believe the inclusion of this provision will hamper the function of the bill.

Mr. BATES of Massachusetts. The gentleman knows that the sale of food for home consumption is exempted under the provisions of this bill.

Mr. SCUDDER. I did not read it so.

Mr. BATES of Massachusetts. Food for home consumption is exempted under the provisions of this bill. I say again that in most sales-tax jurisdictions food is taxed, and it is not under the provisions of this bill.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. BATES of Massachusetts. I yield to the gentleman from Minnesota.

Mr. AUGUST H. ANDRESEN. This is a tax applying in the District of Columbia. Does it have any exemption as far as diplomats and foreign visitors are concerned, or do they pay the same tax as we Americans are required to pay?

Mr. BATES of Massachusetts. They pay the same taxes we do here, as far as the sales tax applies.

Mr. AUGUST H. ANDRESEN. I understand that some of the diplomatic corps avoid the excise tax in this country when they go down to buy things that have an excise tax on them, because they are foreigners and associated with the diplomatic corps.

Mr. BATES of Massachusetts. The only ones exempted under the provisions of this bill are sales to the United States or the District or any instrumentality thereof, or sales to a State or any of its political subdivisions, if such State grants a similar exemption to the District. As used in this subsection, the term "State" means the several States, Territories, and possessions of the United States. There is no reference to the diplomatic corps. They pay the tax.

Mr. AUGUST H. ANDRESEN. Then it is the gentleman's interpretation of the bill that the tax would apply to everybody who buys things in the District of Columbia.

Mr. BATES of Massachusetts. At retail; tangible personal property, yes.

As I said before, the only question is, What do we have as an obtainable alternative to the sales tax, the revision of the income tax, the use tax, and the excise tax, as contained in this bill?

The three alternatives that we have before us and I mentioned a moment ago. One is a very substantial increase in the real-estate tax in order to meet the requirements of the budget which, in substance, will nearly double the real-estate tax in the period of 3 years within the District. Secondly, to broaden the income tax which Congress on every occasion down through the past 10 years has

denied; and thirdly, whether or not we will adopt those sources of revenue included in this bill that will meet the District requirements.

It may be said, of course, that there is another alternative, that will meet in part the problem facing the District, and that is to borrow money for what we call capital outlay permanent improvement projects. In the bill this year we have about $15,000,000 for major capital improvements in the general fund, that is, for school buildings, municipal buildings, and so forth, the water fund for the construction and reconstruction of new enterprises in that department, and then in the highway fund for highway purposes. But this bill deals directly and entirely with one of the three funds, namely the general fund. It has nothing to do with the water fund, because the water fund is self-supporting, not only as to ordinary expenses, but on capital outlays. The highway fund is self-supporting, both for maintenance, operation, and capital outlay and is about $7,000,000 a year. But there is a deficiency of about $8,000,000 in what we call the general fund and it is from that fund that the sources of revenue are developed to run all the other activities of the District outside of water and highway activities.

Mr. Chairman, I yield to the gentleman from New York [Mr. KLEIN].

Mr. KLEIN. The gentleman mentioned the fact that just 2 years ago the real-estate tax in the District was raised. Is it not a fact that in spite of that raise the tax rate on real estate in the District of Columbia is lower than in any other city of comparable size in the United States?

Mr. BATES of Massachusetts. Of course the gentleman has answered that question on many occasions in the past because naturally he was interested in it. I believe that all of us will admit that through a period of many years Washington has enjoyed a very low tax rate and tax bill. But in order to meet the requirements of 2 years ago the assessors in the District of Columbia revalued all the properties on an average of about 20 percent. In addition to that we increased the tax rate from $1.75 to $2 per $100. The total percentage of increase in the tax bill of any taxpayer in the District of Columbia on real or personal property increased approximately 30 percent from 1947 to 1948. If we meet these requirements, of the present deficit of $18,000,000 through a property tax, the tax bill of 1937 will be nearly doubled in 1950.

Mr. KLEIN. In spite of that, and taking into consideration the increase in the assessed valuation, the tax paid by real-estate owners in the District of Columbia is still less than any other city of comparable size in the United States.

Mr. BATES of Massachusetts. I think it is fair to assume that the tax bill, with the adjusted tax rate in the District of Columbia, is very much lower than most of the large cities in the United States. But I think we ought to permit property owners to become adjusted to the so-called increased tax burden, especially when we have rent control in the District and all the other elements of cost, such as maintenance and operation are going up sky high and at the same time the tax bill has increased 30 percent in a period of 2 years.

Mr. Chairman, I yield to the gentleman from Minnesota, a member of the committee.

Mr. O'HARA of Minnesota. The gentleman would agree, would he not, that if the tax rate on real estate is increased, that added burden will fall largely on apartments and small residences which in turn will mean a greater burden upon the renter?

Mr. BATES of Massachusetts. Naturally there will be an automatic increase in the rent of every tenant in the District because the rent-control law permits the rent-control board here to take into consideration increased costs due to increases in taxes which may occur within the District.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield to me to make an observation on the question of an alternative tax?

Mr. BATES of Massachusetts. I yield.

Mr. CRAWFORD. There has been introduced in this Congress and there was introduced last year a proposal which I think was sponsored by Mr. Milton Kronheim to fix the price on the sale of liquor in the District which would raise about $20,000,000 a year additional from consumers which money is going into the pockets of the people who run the 350-plus liquor stores in the District of Columbia.

If this District would monopolize the sales of liquor, as my State of Michigan does and as a number of other States do, you could raise $20,000,000 revenue per annum at no additional cost to the consumers of liquor in this District, and meet this deficit and get rid of the sales tax and be on your way. For that reason I am against this bill and propose to vote against it if I get an opportunity.

Mr. BATES of Massachusetts. Of course, that is very easily said, but certainly more difficult to accomplish, because the question of how you are going to regulate the liquor business in the District of Columbia has to be settled by the Congress. It is not a revenue-producing proposition. As we consider the revenue bill in the District, we must rely on what we consider to be the present sources of revenue and any new sources we are attempting to develop, as we have set out in this bill.

Mr. KUNKEL. Mr. Chairman, will the gentleman yield?

Mr. BATES of Massachusetts. I yield.

Mr. KUNKEL. How much additional revenue did the increase in the valuation of the property in the District of Columbia, plus the increase in the tax rate, produce in round figures?

Mr. BATES of Massachusetts. I do not know just at this moment.

The CHAIRMAN. The time of the gentleman from Massachusetts has again expired.

Mr. BATES of Massachusetts. Mr. Chairman, I yield myself two additional minutes.

I have the figures here. I can quickly tell the gentleman what those increases were.

After that bill was put into effect in 1947 the real estate revenues increased from $24,000,000 in 1947 to $31,514,554 in 1948. Tangible property revenues, which also comes in for assessment at the local rate, increased from $3,705,933 to $5,274,614. In addition to that, we have motor vehicles that are also assessed on the personal property at the same rate. Those revenues increased from $1,676,480 in 1947 to $2,527,255 in 1948. So the increase in assessed value in 1947, plus the 25-cent increase in the rate, yielded about $9,158,256 additional revenue from property sources.

I hope that the Members will very carefully consider this bill, in the light of what we are experiencing in the District of Columbia. It must be kept in mind, as I close my statement, that there is not one cent in the budget this year for what we call construction of new school buildings, over and above those already authorized and for which appropriations are made in the budget this year. I trust that this bill, with perhaps one or two minor changes, will be approved by the House.

Mr. CAVALCANTE. Mr. Chairman, will the gentleman yield?

Mr. BATES of Massachusetts. I yield.

Mr. CAVALCANTE. I wonder if the gentleman knows that the subject which this bill seeks to tax on page 3, line 24, that is, advertising space in the newspapers, and so forth, also radio and television, has already been declared unconstitutional by the Supreme Court.

Mr. BATES of Massachusetts. I have not heard of anything of that kind, and no opposition developed to that provision of the bill.

The CHAIRMAN. The time of the gentleman from Massachusetts has again expired.

Mr. BATES of Massachusetts. Mr. Chairman, I reserve the remainder of my time.

WE LIVE IN A NEW WORLD

Mr. CASE of South Dakota. Mr. Chairman, offhand, refueling of a giant bomber in the air may not sound as revolutionary as the atom bomb. Taken together, however, those two achievements have created a new world.

The splitting of the atom has destroyed matter. The ability to fly anywhere, any time, has destroyed space.

Two and a half years before the atomic bomb fell on Hiroshima, members of the House Appropriations Subcommittee for the Army and Air Force, in a super-secret hearing, learned the objectives of the Manhattan project. The secret was never broken.

Within the past 2 years, the same committee learned that refueling in mid-air had been successfully accomplished and that gigantic bombers were being designed and fitted to do the job. Last week, that became a secret no longer.

And, when a Minnesota boy by the name of Capt. James Gallagher recently piloted a big B–50 bomber on a flight completely around the world without once touching ground, he dropped an atomic bomb on a lot of arguments for big carriers and overseas bases.

For, now it is a demonstrated fact that not only can a bomber leave from the

Air Force base in Rapid City, S. Dak., for example, and deliver a bomb load on any part of the northern hemisphere in Europe and Asia, but it can return to that base—given only some flying tankers to escort it part way and meet it coming back.

It has been my consistent conviction that developments of this sort are far more important in stopping Stalin and company, than all the millions of words hurled in his direction and all the billions of dollars that could be poured into Europe.

Theodore Roosevelt said, "Speak softly and carry a big stick." To one Congressman, at least, that is still our best foreign policy.

Mr. McMILLAN of South Carolina. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. SABATH].

Mr. SABATH. Mr. Chairman, ever since I have been a Member of this House, for over 42 years, certain interests have always tried to impose a sales tax on the people of the Nation as well as the people of the District of Columbia.

Now, as to the District of Columbia, the gentleman stated that the valuation had increased 30 percent in the last 10 or 12 years. I know from my own experience that the actual valuation of real estate in the last 12 years has increased from 200 to 800 percent. Rents have increased, income has increased, business has increased for businessmen and property owners. They feel they can impose upon those who can least afford to pay a sales tax, including those perhaps 30 percent of the people who just cannot afford to have their own homes and who are obliged to live out in rooming houses and eat in public, medium- and low-priced restaurants where thousands of Government employees and workers must frequent. I do not hesitate to tax the people who live in large hotels, because they can pay the tax.

The gentleman from Virginia [Mr. SMITH] adroitly called attention to those who were against the tax and mentioned the liquor dealers, the Progressive and Democratic organizations, and so on. He did not mention the fact that housewives and thousands of others affected were in opposition to the sales tax.

Mr. SMITH of Virginia. If the gentleman will yield, Mr. Chairman, I did not mention the Democratic organization; on the contrary, the President recommended it. I mentioned that the Americans for Democratic Action and the Wallace Progressive Party were opposing this bill.

Mr. SABATH. The Democratic organization is a progressive organization and is always with the people and for the people.

Now, of course, the gentleman from Virginia will not suffer; his people will not pay the tax.

This tax will not only be 2 percent, but it will mean 3 and 4 percent, because on small purchases, less than a dollar, they will still pay 2 cents, and on less than a quarter they will pay 1 cent, and so on.

The people will go to Virginia, to Arlington and neighboring towns, to make their purchases; naturally the gentleman from Virginia is for this bill, because it will help his district, and I do not blame him. But it will be against the best interests of the businessmen and the people of this city.

I know that real estate can stand an increase of at least 25 percent and still leave Washington as the lowest city in real estate taxes in the United States.

We have here also, it should be remembered, thousands of people who own a large number of securities, bonds, and personal property; why do we not tax them? If they were properly and honestly taxed, there would be no difficulty in raising the money that the District needs. We in Illinois during the Hoover time upped the sales tax, because the State and cities were practically broke and in debt. Nearly one-third of the money paid by the consumers never reached the State. Such will be the case here. It will never reach the treasury of the District. Consequently, I think it is an unfair tax and should not be imposed.

We had an election in the State of Illinois, and the Democratic candidate for governor, during the campaign, severely criticized the sales tax. That Republican-controlled State was carried by him by more than half a million votes because the people were sick and tired of various aspects of the sales tax. Consequently, I believe that the sales tax should be eliminated from this bill and a proper tax placed on those who can afford to pay and who should be made to pay.

To sum up, the provision in H. R. 3347, providing for a retail sales tax, for those residents of the District of Columbia, is unnecessary, unjust, and discriminatory. There are other and more practical means of meeting the fiscal needs of the District of Columbia than by the imposition of a tax burdensome on those who should not and cannot be taxed further.

Those in the lower-income brackets are already hard put to meet the necessary expenditures of home upkeep. The cost of adequate clothing and shelter for the poor man and his family represent a budget which, if he meets it at all, leaves him poor indeed. And this situation is well known and is admitted on all sides as truly existing. To add to his worries, to his growing inadequacies, the average resident in the District of Columbia finds that he is to be required to pay a retail sales tax, while those better able to pay are left unnoticed and alone to escape their fair and just obligations. As I said before, here in the District of Columbia, the values of real estate have advanced and increased many times their values during the past years. We have the admission that in spite of a 30-percent increase in real estate taxes since 1937, the tax rate in the District of Columbia is lower than any city of comparable size in the United States. Yet, and in spite of this truth, no attempt is made, no suggestion is offered, to require real estate to shoulder its obligations and help defray costs of the operations of the Government of the District of Columbia.

Is there a more discriminating legislation than that which relieves those who profit on the one hand, while inveighing upon those who profit not?

Today, in the District of Columbia, the owner and holder of real estate lives in comparative ease, in a modern Utopia, compared with the lot of his tenants—the average worker.

This proposed legislation is un-American, is badly thought out, and irrational. It should be given more constructive thinking. Other avenues should be traversed, such as taxing personal property, bonds and securities, for example. Also to be explored is the proper administration of an income tax, which places the responsibility properly upon those, who, with large incomes, are permitted to evade payment of an income tax, because as they claim, they are paying income tax in their home State. The adoption of this aspect of the bill would affect the purse of thousands of veterans, school children, their teachers, and visitors to our National Capital, from which visits they receive inspiration and patriotic impulses.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. McMILLAN of South Carolina. Mr. Chairman, I yield 1 minute to the gentleman from Virginia [Mr. SMITH].

Mr. SMITH of Virginia. The gentleman from Illinois made a personal allusion to me in his statement to the effect that I was supporting this bill because it would favor Virginia merchants. I am afraid the gentleman from Illinois has done what he sometimes has done heretofore; namely, neglected to read the bill to which he refers.

If the gentleman from Illinois had read the bill that he undertakes to get up here and criticize on the floor of the House he would find on page 35, title II, the compensating use tax which requires all purchases outside of the District and brought in here for use to be taxed as they would be taxed if the sale took place in the District of Columbia.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. McMILLAN of South Carolina. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. KLEIN].

Mr. CAVALCANTE. Mr. Chairman, will the gentleman yield?

Mr. KLEIN. I yield to the gentleman from Pennsylvania.

Mr. CAVALCANTE. Will the committee explain why in the exemptions that they propose they exempt from this tax the sale of tickets for admission to places of amusement and sports, yet by the same bill it imposes a tax upon the meal that you eat when you go into a restaurant or hotel. Which of these does the committee think more essential, the meal or the ticket of admission?

Mr. KLEIN. Mr. Chairman, I think one of the advocates of this bill has the floor, possibly he might want to answer that. I do not think it ought to be taken out of my time. I am against the bill, so I want everything out of it.

Mr. Chairman, we are back to the same argument, the same debate, that we had in the last session of the Congress and the session before that, on the matter of whether an income tax or a sales tax is the answer to the fiscal problems of the District. At the outset I want to commend the gentleman from Virginia and the gentleman from Massachusetts, with whom I have served on the Subcommittee on Fiscal Affairs. It is a hard job to be able to find sources of revenue for the District. It is like a man out in the middle of the ocean. He wants a drink, but he cannot drink the water. It is "Water, water everywhere, but not a drop to drink." There is plenty of money here in the District and plenty of sources of revenue, but, unfortunately, many Members who do not live in the District all year may have their own personal axes to grind, and so we cannot pass legislation of this kind.

I think what is going on here today is a good argument for home rule in the District. If the District had elected Representatives who were responsive only to the people that elected them, they could have a sales tax if the people wanted it.

We have these questions of District legislation coming up time and time again. Members are opposed to some as, for instance, to daylight saving time, but for no reason other than the prejudices of their constituents back home, which should have no bearing on District legislation.

Mr. Chairman, it is elementary that a sales tax is the most unfair type of taxation imaginable. The essence of a fair system of taxation is taxing a person according to his ability to pay. That is why an income tax is fair. If a man makes a large amount of money, he should pay a large tax. If he makes little money he pays a little tax and if he does not make any money, he should not pay any tax at all.

What does a sales tax do? A sales tax taxes everybody equally whether they earn a lot of money, whether they earn little or no money at all. Even for the bare essentials of life, which are taxed by this bill, a poor man pays the same tax regardless of his ability to pay, as does the rich man. That, I say, is unfair.

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. KLEIN. I yield to the gentleman from Michigan.

Mr. HOFFMAN of Michigan. The gentleman says this tax hits everybody. That is true. But what about all the other people who have property and have more ability to pay, do they not have other taxes to catch them?

Mr. KLEIN. Yes.

Mr. HOFFMAN of Michigan. Then what is the matter with it?

Mr. KLEIN. The gentleman from Michigan, who is well known as being a——

Mr. HOFFMAN of Michigan. Let us skip all of that and give me an answer.

Mr. KLEIN. You pay the same tax as I would. That is why it is unfair.

Mr. HOFFMAN of Michigan. Oh, no. I pay the 2 cents or whatever it is on a sales tax. You have to pay on that big income you get. You see where they catch you in addition?

Mr. KLEIN. Yes.

Mr. HOFFMAN of Michigan. I do not have to pay that.

Mr. KLEIN. But nevertheless, I think a man with more income ought to pay more taxes.

Mr. HOFFMAN of Michigan. Well, he does.

Mr. KLEIN. Now, the gentleman from Massachusetts [Mr. BATES] has mentioned the alternatives, to this form of taxation and he has mentioned them as well and as fairly as anybody could. He has brought out the fact that the real-estate tax in the District has recently been raised, I think he said 30 percent since 1937, and just recently 2 years ago, the tax rate was raised and the assessed valuations were increased. But, that is no excuse for still having the tax rate too low. And, you heard him admit on the floor that in spite of that the tax rate in the District of Columbia is lower than any other city of comparable size in the entire United States. While I do not want the tax rate to be brought up where it is beyond the ability to pay, it seems to me that the property owners in the District should bear their fair share of the tax burden. Sixty-five million dollars per year is spent in the District by visitors to the National Capital. It seems to me, therefore, that these people who benefit by that ought to pay some part of the tax cost out of it.

The next point that we have here is the question of the income tax. I will offer an amendment, when the bill is being read, to take the sales-tax feature of this bill out. It would leave the income tax, but increase the rates. Now, look what they do in this bill, as regards the income tax. The rates are reduced, and the gentleman from Massachusetts admitted that they would lose money; that this is not meant as a revenue-raising measure. However, I have introduced a bill, in the last session and in this session, which I think would answer the problem. It would raise $15,000,000 a year; an income tax which would be a fair way of taxing the people, which would tax all wage earners in the District except those of very low income. Let me point out one loophole in our present income-tax law. We have income-tax laws in the District, but the people are able to escape paying their taxes, for this reason. Take my own State. We have a State income tax. It would not be fair for the residents of the State of New York, who work for the Federal Government down here, to pay local taxes here, because they pay them in the State of New York. However, they use that as a subterfuge. The people in the District can get an exemption in the District by claiming they pay the tax back in their home State. In their home State they do not pay it because they claim they paid it in the District of Columbia. That is a loophole that should be plugged up.

Mr. JONES of Alabama. Mr. Chairman, will the gentleman yield?

Mr. KLEIN. I yield to the gentleman from Alabama.

Mr. JONES of Alabama. The gentleman refers to a situation which involves fraud. I do not see how you will ever pass income-tax legislation if it is left solely on the ground of fraud.

Mr. KLEIN. I think if it were written into the law it would be very specific. If a person pays taxes in his own State, he should be made to show a receipt and exhibit it for the purpose of exemption. This may be a question of administration. My point is that if you leave the exemption as it is and increase the tax rates, that would raise $15,000,000, which would be as much as we could expect from the sales tax. And, it is a fairer means of raising revenue.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. McMILLAN of South Carolina. Mr. Chairman, I yield 4 minutes to the gentleman from Massachusetts [Mr. KENNEDY].

Mr. KENNEDY. Mr. Chairman, the sales tax became popular during the depression when many of the taxable elements disappeared and others were taxed almost to confiscation. Now times have gotten better. Eight of the States who imposed a sales tax during the depression have repealed it, and the State of Virginia recently refused to adopt the sales tax as a method of raising revenue.

If the District of Columbia were in a crisis I certainly would support the enactment of a sales tax, but the facts show that rather than being in a crisis the District of Columbia is sitting pretty. The District of Columbia is the most lightly taxed community for its size in the country. The per capita income is 60 percent above the average in the United States. The property tax is among the lowest. We have no sales tax. There is no income tax in this District, for all practical purposes.

How should we raise the necessary funds? One method is to pass the bill H. R. 1385, which would provide $15,900,000. That is the Klein bill. Another method would be to increase the ad valorem tax, which is now $2 per hundred. An increase of 25 cents in the ad valorem tax would bring an increase of $4,000,000.

Another method might be to increase the Federal payment, which is now $12,000,000. In 1925 the Federal Government agreed to pay 25 percent of the money needed to run the District. It is now 12 percent. Perhaps they could increase it to 16 percent, which would raise another $12,000,000.

Perhaps another technique would be to repeal the law of 1878, which forbids any indebtedness for this District. If that was done, we could get a lot of capital improvements made that are greatly needed.

If these four techniques were enacted, all on a small scale, they would bring about the necessary $16,000,000. I suggest to the gentleman from Massachusetts [Mr. BATES] that this bill be recommitted and all of these possible means of raising funds could be explored. Instead of having a sales tax we could have

partially an increase in the ad valorem tax, partially an increase in the Federal payment, partially an increase in the bonded indebtedness, and partially an increase in the income tax along the line suggested by H. R. 3347.

The sales tax is most unfair. It puts the major burden on the people in the lowest income groups. I believe that with the suggestions we have made we could find a satisfactory solution to the problem of raising funds to pay for the District necessities.

Mr. BATES of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. KENNEDY. I yield.

Mr. BATES of Massachusetts. I suppose the gentleman knows well that for the past 10 years, especially last year, we did attempt to get through the income tax of which he is speaking, but because of the domiciliary aspects of the bill the House overwhelmingly defeated it, amended it, and practically nullified the income tax law in the District. So today we receive only about $3,500,000 from personal income. If you will give us the bill we have recommended for 10 years here, we will get that revenue. If you do not give us that bill, then the bill before us is about the only reasonable alternative.

Mr. KENNEDY. What would the gentleman think of increasing the Federal payment, increasing the ad valorem tax by 25 cents, repealing the law of 1878 to allow bonded indebtedness so we could have more capital improvements, and increasing the income tax now in the bill?

Mr. BATES of Massachusetts. Let us take No. 1, as to the Federal contribution. In 1937, when we were revising the tax structure here, I recommended and the Committee on Appropriations gave $4,000,000 over the $8,000,000 that was already given, an increase of 50 percent in the Federal contribution, which is now $12,000,000 a year. If you want to give more, it is all right with me.

Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. HINSHAW].

Mr. HINSHAW. Mr. Chairman, a good deal has been said about the lower rate of taxes on real estate in the District of Columbia. At $2 per $100 that is a low rate; but the rate is only effective when the valuation of the premises is considered. While the rate is low, the valuations in the District of Columbia are probably higher in proportion to the real value than any other place in the United States. It is the product of the rate multiplied by the assessed valuation that is of real importance.

Mr. KENNEDY. Mr. Chairman, will the gentleman yield?

Mr. HINSHAW. I yield.

Mr. KENNEDY. According to the Detroit Bureau of Economic Research, when divers tax rates were adjusted on the basis of 100 of the leading 10 cities Boston was at the top and Washington, D. C., was the lowest.

Mr. HINSHAW. That is what the gentleman may say.

Mr. BATES of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. HINSHAW. I yield to the gentleman, but I would like to have another minute.

Mr. BATES of Massachusetts. I will yield the gentleman additional time, if it is necessary.

Mr. Chairman, those figures of the Detroit Bureau were tabulated before the 1947 revision of property values in the District of Columbia.

Mr. HINSHAW. That is probably true. I have in my pocket a real-estate tax bill covering property in the District of Columbia and I know something about it.

Mr. BATES of Massachusetts. Mr. Chairman, I yield an additional half minute to the gentleman from California.

Mr. HINSHAW. Mr. Chairman, the valuations by assessment in the District of Columbia are exceedingly high. Another thing that ought to be pointed out is the fact that a very large proportion of the land in the District of Columbia is owned by the Federal Government and is not taxable. There are hundreds of eleemosynary institutions in the District of Columbia owning large parcels of land. There are all sorts of institutions here, religious and otherwise, which pay no taxes whatsoever. The taxable property in the District is limited to what remains after subtracting the tax-free property.

Mr. Chairman, I would like to refer briefly to the subject of the tax on radio advertising. On page 11 of the bill, line 15, section (b) we find exempted from the sales tax those things which the State would be without power to tax under the limitation of the Constitution of the United States. I think in all probability radio advertising is interstate commerce and would not be subject to tax in the District of Columbia, in spite of the fact that the committee has taxed it in the bill. I think it is an unconstitutional provision in the bill and I would be very glad to vote for its exclusion.

Mr. McMILLAN of South Carolina. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. MILLER].

Mr. MILLER of California. Mr. Chairman, this is my first year on the District Committee. We only had one meeting of the full committee before it passed this bill out with a favorable recommendation. I confess that I was not satisfied with the bill and I would feel derelict in my duty if I accepted any such important piece of legislation without further exploring and satisfying myself that there was no other way of raising the revenues for the District of Columbia except those methods suggested in the bill which includes a sales tax. I am very much opposed to a sales tax for reasons that have been stated here. I know the evils of the sales tax. To me it is discriminatory and repressive. I want to make it very clear that I realize the necessity for raising money and for keeping the budget of the District of Columbia in balance. I also feel that the pay raise for teachers, firemen, policemen, and all employees of the District of Columbia is long overdue and that it should be made retroactive to July 1, 1948. This requires the raising of about 10 additional millions of dollars. On the basis of the figures for 1946, which were the latest that I was able to obtain, I find that in Baltimore about 61 percent of the revenue necessary to run that city is collected from the ad valorem tax on real estate. In Boston about 60 percent is collected from the ad valorem tax on real estate. The same is true for Pittsburgh; in San Francisco 75 percent of the revenue comes from the tax on real property. In Milwaukee about 60 percent.

In Buffalo about 75 percent; while in the District of Columbia, as of 1946, we took only 43 percent of the revenue necessary to run the city, from taxes on real estate.

As of 1947 the rates of taxation within the District, compared with a number of other cities, showed that the average per $1,000 was about $29.13, while in the District they are paying about $20. To me that $10,000,000 can be readily raised by raising the tax rate on real estate in the District to $2.50 per $1,000, still well below the average of the major cities within its classification throughout the country.

I submit if we pay a higher rational ad valorem tax in other cities I can see no reason why the people who live in the District of Columbia should not be forced to pay that at a comparable level. To me the argument is fatuous that you say because for a long time the rate of tax was allowed to lag and that it was only last year that it was adjusted. This is no argument why it should not be brought into harmony with the taxes throughout the Nation in cities of comparable size. If we do that we are placing this tax more nearly where it belongs. Then there will be no excuse for changing the base for the income tax.

I again submit to you people of good will that it is pretty hard to justify to a man who is getting $50 a week where he is benefited by giving him an exemption of $5,000 on his income tax.

Mr. GRANGER. Mr. Chairman, will the gentleman yield?

Mr. MILLER of California. I yield.

Mr. GRANGER. Is it fair to say that the ad valorem tax in the District of Columbia is lower than in any comparable city in the United States and that the income tax is lower than any income tax in any State in the Union, and that the liquor tax is exceptionally low in the District of Columbia?

Mr. MILLER of California. As far as I know, from the data that has been furnished me—and I have every reason to believe that it is correct—I would be forced to agree that the matter of the ad valorem tax in the District of Columbia is exceptionally low.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. MILLER of California. Mr. Chairman, I ask unanimous consent that I may include in my remarks the tables from which this data was taken.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

1946

	General expenditures			Revenues			Percentage of property tax to general revenues
	Current	Debt retirement	Total	Property tax	Other local taxes	Total revenues	
Boston	$81,091,000	$13,562,000	$94,653,000	$62,420	$2,445	$89,762	0.60
Washington, D. C	62,669,000	166,000	62,835,000	29,126	26,783	67,612	.43
Baltimore	60,662,000	5,102,000	65,764,000	42,045	3,306	65,971	.61
San Francisco	43,398,000	3,520,000	46,918,000	31,629	1,317	46,391	.75
Buffalo	34,763,000	9,779,000	44,542,000	30,776	1,044	44,650	.75
Milwaukee	35,035,000		35,035,000	24,331	1,102	40,960	.60
Cleveland	33,777,000	4,960,000	38,737,000	23,063	576	38,476	.60
St. Louis	28,052,000	4,293,000	32,318,000	19,831	9,619	34,510	.60
Pittsburgh	20,261,000	4,213,000	24,474,000	19,223	653	23,604	.60

Source: Bureau of the Census.

1947 comparative tax rates on property

	Actual tax rates per $1,000					Estimated rates of assessed to true value	Adjusted tax rate
	City	School	County	State	Total		
Boston	$33.25	$9.76	$2.27	$1.22	$46.50	$100	$46.50
Buffalo	22.01	7.50	10.81		40.32	100	40.32
Pittsburgh	20.13	11.75	8.38	None	40.26	100	40.26
Milwaukee	14.75	12.46	11.73	$0.24	39.18	84	33.41
Baltimore	29.60		None	1.00	30.60	100	30.60
San Francisco	42.53	13.67		None	56.20	50	28.10
St. Louis	17.70	9.00	None	$0.70	27.40	100	27.40
Cleveland	15.80	9.80	$4.10	None	29.70	75	22.28
Washington, D. C	20.00		None	None	20.00	100	20.00
Average					34.28		29.13

Source: Compiled by Detroit Bureau of Governmental Research from data furnished by city officials and members of the Governmental Research Association. Published in the National Municipal Review, January 1948.

Mr. McMILLAN of South Carolina. Mr. Chairman, I yield 5 minutes to the gentleman from Alabama [Mr. JONES].

Mr. JONES of Alabama. Mr. Chairman, the first time that I came to the well of this House to make a speech was for the purpose of supporting such a bill as the gentleman from New York [Mr. KLEIN] is now advocating.

We were unsuccessful, and by the O'Hara amendment we were precluded from imposing an income tax on a large segment of the people who reside in the District of Columbia and who are in the employ of the Federal Government. So when we took into account the great number of times we have been here to make an effort for a fair coverage by income tax and we have been defeated, for that reason we felt that this tax, the sales tax, was the tax of last resort. I assure you it was with a great deal of reluctance that we were forced to this conclusion. We took into account the ad valorem tax in the District of Columbia. During the Eightieth Congress we increased the ad valorem tax by 25 cents, from $1.75 to $2 per hundred.

During the period 1940 to 1948 the District of Columbia had the highest percentage increase of any city of comparable size in the United States. The tax increase during these years was 31.6 percent, or a total increase of $383,000,000. The next highest increase was the city of Baltimore; then followed St. Louis, Milwaukee, and Boston. Boston, incidentally, had an increase in ad valorem taxes of $62,210,000. So we felt that to make the tax less painful we would not impose any additional ad valorem tax at this time.

Another reason why we did not resort to an advalorem increase was that we found that an increase of ad valorem taxes necessary to raise the amount of $15,000,000 would cost the wage earner who is the head of a household an average of $52; whereas, to impose a sales tax would only increase his payment by $19. So you see by this sales tax we have worked a lesser hardship upon the small-income groups than had we imposed additional ad valorem taxes which would be reflected in the rent increases that would automatically follow.

Mr. MILLER of California. Mr. Chairman, will the gentleman yield?

Mr. JONES of Alabama. I yield.

Mr. MILLER of California. I notice the gentleman stated that an increase in ad valorem taxes would cost the average property owner forty dollars to fifty dollars.

Mr. JONES of Alabama. Fifty-two dollars is the figure which was submitted to the committee.

Mr. MILLER of California. And the figure of $19 is based on a per capita estimate; is it not?

Mr. JONES of Alabama. No; the figures I have just given were based on the head of a household.

Mr. MILLER of California. Only a $19-a-year increase to the head of a household because of a sales tax?

Mr. JONES of Alabama. That is the figure estimated, because we have been most liberal in making exemptions to take care of the basic requirements such as food and medicines.

Mr. MILLER of California. Our sales tax in California is a little higher than that, but I am astounded to hear that it is only $19 a year on the basis of the head of a household.

Mr. JONES of Alabama. As a matter of fact, the gentleman from Illinois stated as one of the organizations which supported an increase in the ad valorem taxes were the Americans for Democratic Action. As a matter of fact, this organization opposed any additions to the real-estate property tax for the simple reason that it meant that the rent payer would absorb the entire cost of the increase in ad valorem taxes.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. McMILLAN of South Carolina. Mr. Chairman, I yield one additional minute to the gentleman from Alabama.

Mr. JONES of Alabama. Mr. Chairman, I wish to point out that last year, during 1948, the tourists visiting Washington spent something like $65,000,000. Under the sales-tax provisions of this bill the visitors to the District of Columbia would have paid approximately 7 percent of the entire revenues accruing under this bill.

I wish to impress upon the members of the committee that we have worked long and hard and realistically on this bill, knowing that we must provide the services and the necessities for the corporate enterprise of Washington to go along without serious injury. We felt an obligation to pay increases in wages similar to that afforded other Federal employees, and for that reason we have fashioned a bill that we believe will satisfy the great needs that are imposed by the various wants of the people of the District.

Mr. BATES of Massachusetts. Mr. Chairman, I yield 5 minutes to the gentlemen from Nebraska [Mr. MILLER].

Mr. MILLER of Nebraska. Mr. Chairman, I have very reluctantly come to the position of supporting a sales tax. I say that because the great State of Nebraska, where I come from, has neither a sales tax, an income tax or bonded indebtedness. That is something for some of your States to shoot at. We pay as we go, which I think is a good thing. It is a fine recommendation to all governments and political subdivisions.

I have come reluctantly to the support of a sales tax because after very careful consideration by the committees of the House and Senate, and after consideration by the Commissioners and other groups in the District of Columbia, the conclusion has been reached that a sales tax is necessary. I have been asked by several groups in the last few days to state my position on the sales tax. I prefer not to support it if we could raise the money some place else. In these groups that came to me I found there were two members of the families of two different groups who were employed in Washington and making a salary of from $6,000 to $8,000 between them. I asked them, "Do you pay an income tax?" "No, we do not pay an income tax." "Do you have children going to school?" "Yes, we send children to school."

I have come to my own conclusion that here is a group of people, a very large group in Washington, D. C., that have all of the advantages and privileges of good government and the schools but pay very, very litle for those privileges.

Then there are a large number of tourists that come here and spend upwards of $65,000,000 in Washington that require the District of Columbia to have extra policemen and extra facilities to handle those visitors. It does seem that

they ought to help just a little in paying some of this increased cost.

You either adopt a sales tax or you are going to have a larger Federal contribution to the District of Columbia, and I am not adverse to that. The Federal contribution, instead of being $12,000,000, with a million dollars for water, ought to be maybe $18,000,000 or $20,000,000. But you are going to have to raise that to $25,000,000 or $30,000,000 if you do not have a sales tax. So you will be saying to the people back home, "I do not think the people of the District ought to carry that burden; you back home ought to carry some of the burdens of the people of the District of Columbia."

Then, again, some of you want the employees of the District of Columbia to have an increase in pay. If that is going to come about, then you are going to adopt a sales tax.

I may say, too, that I have a definite feeling the property taxes are not as high as they should be. I think they ought to be $2.75 or even $3 a hundred. I think it has been too low in the past. I would write into this bill that the property tax should be at least $2.50 a hundred on actual valuation.

I would also point out that in the bill we are considering today the net income-tax reduction starts at $5,000, while over in the State of Virginia and Maryland the net-income reduction starts at $1,000. Most of the States have $1,000. I think that is going to cause some of the folks living in the District of Columbia to say, "Well, I am a resident now of the District of Columbia," particularly if they live over in Maryland or Virginia or some States that have a lower income-tax exemption. That is something to think about, too.

I am convinced there are a great many people enjoying the privileges of good government in the District of Columbia who are not paying a proper amount to support that good government. For that reason, I come very reluctantly to the question of a sales tax.

It seems to me the District of Columbia ought to be a model city; it ought to be a city to which the people of the world point with pride. At the present time it is not such a city. There are several reasons for that. One is lack of home rule. So I say to you folks who are objecting to a sales tax either accept it or place a bigger tax burden on the folks in the several States.

The CHAIRMAN. The time of the gentleman from Nebraska has expired.

Mr. McMILLAN of South Carolina. Mr. Chairman, I yield 5 minutes to the gentleman from Montana [Mr. MANSFIELD].

Mr. MANSFIELD. Mr. Chairman, I, too, think that Washington should be a model city so that the citizens of the United States, when they come here, would see a city run as it should be and not a city depending upon the sales tax for its revenue. I fear that if this District sales tax goes through the next step will be the imposition of a national sales tax. I feel also that insofar as the needs of the city and the District are both concerned, that we have a good alternative in the arguments offered by the gentleman from New York [Mr. KLEIN] and the gentleman from Massachusetts [Mr. KENNEDY]. I have no hesitation whatever in being against a sales tax because there is no question in my mind but that it will be the poor who will pay it all the time and pay the most.

The sales tax is regressive. Instead of attempting to lessen inequality in incomes, as a sound tax system should do, a sales tax tends to defeat this objective. It reduces the consumption of the poor, but only the savings of the rich. Poorer persons spend a larger proportion—usually all—of their income on the necessaries of life, and thus pay a larger share of their income in taxes. The more children there are in the family, the more likely it is that the total income will go for the bare necessities. Persons on relief, the unemployed, student veterans, retired employees, all would be especially burdened by a sales tax. Instead of exempting amounts considered necessary for subsistence, as the income tax does, the sales tax exempts amounts saved and (instead) taxes what is spent for subsistence. The sales tax is in effect on income tax with no exemptions, except for the rich who are exempt on all they don't happen to spend.

Sales taxes tend to reduce effective purchasing power of the low-income groups which must be depended upon to buy the bulk of America's products. In periods of declining economic activity, the tax may help to speed the downward trend.

Mr. HUBER. Mr. Chairman, will the gentleman yield?

Mr. MANSFIELD. I yield to the gentleman from Ohio.

Mr. HUBER. I note with interest that the gentleman has mentioned the fact that he is opposed to the imposition of a general Federal sales tax. I quote from the Democratic platform: "We are opposed to the imposition of a general Federal sales tax." I agree with the gentleman that this would be the first step. Does he not agree?

Mr. MANSFIELD. I certainly do and I am glad that the gentleman from Ohio has called the attention of the House to the pledge of our party.

Often sales taxes so cut into the wages of those on whom they fall that they lower standards of living. They are based neither on the ability to pay nor benefits received. They seize upon the act of purchasing as the occasion for a tax. They exact the tax in bad times as well as in good times—because people must live. Tribute must be paid even when the unemployed draw on small savings for the needs of life. It is ironical that this very fact—stability of yield—is often urged by proponents of the sales tax as one of its major virtues.

Mr. EDWIN ARTHUR HALL. Mr. Chairman, will the gentleman yield?

Mr. MANSFIELD. I yield to the gentleman from New York.

Mr. EDWIN ARTHUR HALL. Does not the gentleman feel that it would be a lot fairer to first give the people of the District of Columbia suffrage and let them decide the issue for themselves?

Mr. MANSFIELD. I think that would be much more fair.

The great revenues produced by a sales tax, as well as the constancy of the yield—assuming the revenues are great and the yield constant—are arguments against the sales tax, rather than for it. They tend to increase the magnitude of the injustice. To argue for a tax on the ground that it exacts from the poor the same toll in depressed times that it does in good times seems to lack a sense of proportion. But what magic is there about one method of collection—the sales tax—that does these things that cannot be done by another method of collection—the income tax? The real measure of the amount of the tax that can be taken from the people is the amount that can be drawn from them without impairing their usefulness, and without interfering with the economy. If the tax—a sales tax—reduces consumption, as it inevitably must, then it becomes a tax which reduces production, and creates unemployment.

The fact that a few pennies at a time are taken by the retail sales tax, and that the consumer is unaware of the total burden he bears over the year, is hardly an argument for such a tax. Certainly taxpayer ignorance of burden is no virtue. Rather it is a fault. Any statements as to ease of administration and low cost of collection frequently overlook the fact that the retailer is forced to assume the role of unwilling and unpaid tax collector. The burden is especially heavy for the small firm. There will be times too when firms will not be able to pass on the tax to consumers, and so it will fall with unequal effect on all firms. And all firms will suffer from the activities of dishonest firms which are given an additional opportunity to chisel and defraud. The consumer has no way of knowing that the tax exacted from him ever finds its way into the coffers of the Government. Tax consciousness as an argument in support of a retail sales is very weak. It must be clear that there is little relation between interest in Government and taxes on consumption.

The retail sales tax, in addition to imposing a great burden on the retailer, also penalizes him to the extent that it encourages consumers to buy from stores outside the taxing jurisdiction. Purchases can be made of course either by traveling direct to the nontaxing jurisdiction, or by mail orders.

The use tax—tax on the use, storage, or consumption of property bought outside the jurisdiction for use therein—can be easily evaded in most cases. It can only be applied to goods that cannot be easily concealed. A substantial exemption has to be granted, and thus the local merchant is still at a disadvantage. The use tax, to the extent it is imposed, is in reality a burden and a barrier to interstate commerce.

Mr. Chairman, I shall vote to recommit this bill unless the sales-tax provision is deleted, and I shall vote against its final passage if the sales tax is retained therein. I hope we will have a roll call on this measure so everyone can stand up and be counted.

Mr. BATES of Massachusetts. Mr. Chairman, I yield 5 minutes to the gentleman from Minnesota [Mr. O'HARA].

Mr. O'HARA of Minnesota. Mr. Chairman, I appreciate that the imposition of

taxes is one of the unpleasant legislative responsibilities we, as legislators, have. This sales-tax bill was considered for approximately 2 months of hearings last year, and at least several weeks of hearings this year. The joint subcommittees of the House and the Senate have unanimously prepared, and the House side of it has brought before you, what is the best judgment that can be produced in the way of a sales-tax bill.

I think any sales tax is a matter of nuisance. Personally, I think everyone in this country, whether rich or poor, should know what the payment of taxes is, and his responsibility as a citizen. I think it is unfortunate when we talk about this being a poor man's tax or a rich man's tax. I think it is both. It has to be.

Some who oppose this bill, and they were a minority in the committee, urged the increase of the income tax. I shall take up each of the arguments as they were presented. Let us say that you reduce the exemption on the income tax to $500 or $1,000. The poor people are going to pay proportionately more under that type of taxation than they will, I believe, under the income-plus-sales-tax provision of this bill.

Let us take the next feature that is talked about, particularly by some of the gentlemen who oppose this bill. They suggest that you increase the real-estate taxes. The poor person with an income of $2,500, $3,000, or $4,000, if real-estate taxes are raised, will pay considerably more either as rent or as taxes on his little home than he would be paying proportionately under this bill. It just adds up that way regardless of what may be said, because higher real-estate taxes mean higher tax payments by the little property owner and higher rent payments by the little renter.

It is argued here that we could avoid this tax bill by making a higher Federal contribution. Of course, one of the most painless methods and that which affords a opportunity for a little demagoguery is to come before the House asking for a higher Federal contribution. Consider the fact, however, that 49 percent of the real property in the District of Columbia is owned or occupied by the Federal Government and is exempt from taxation. Personally I favor a higher Federal contribution toward the expenses of running the District of Columbia, but I believe that that is only one of the items. We are approaching a situation where there is a tremendous shortage of schools in the District of Columbia for both white and colored children. We are having a terrific problem in meeting that expense. Personally I hate to see the District of Columbia going into a bonded indebtedness because sooner or later we, ourselves, or our children and the people who live in the District have to pay those bonds. They will keep on mounting and mounting, so that eventually you will have something approaching a tremendous debt in itself. Personally I feel very strongly that the only out we have and the fairest out we have is increasing tax revenues by a sales tax.

Mr. REES. Mr. Chairman, will the gentleman yield?

Mr. O'HARA of Minnesota. I yield.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. BATES of Massachusetts. Mr. Chairman, I yield two additional minutes to the gentleman.

Mr. REES. As I understand, the gentleman is certainly in favor of the proposition that owners of real estate in the District of Columbia should pay just as much taxes as they do in Minnesota, Kansas, and other States. While it has been argued that the tax rate is supposed to be 100 percent in the District of Columbia, there have not been any examples suggested by this committee except to show that it runs similar to those in other places. Of course, it may be a little different. But I ask the gentleman this question: the gentleman wants, does he not, the people who own property in the District of Columbia to pay the same taxes as they pay in Minnesota, Omaha, St. Paul, or whatever city or State it may be?

Mr. O'HARA of Minnesota. I would answer the gentleman by saying that the imposition of taxes should be on the same basis of fairness and that they should bear their fair share of the burden of taxation.

Mr. REES. So that all owners in the District of Columbia will bear their share the same as owners of property anywhere else.

Mr. O'HARA of Minnesota. I want to see the property owners in the District of Columbia bear their fair and proportionate share. Let me say to the gentleman from Kansas, in 1947 we increased the taxes both by raising the rate and increasing the valuations 20 percent in the District of Columbia. As I recall, the assessor says that the increase was about 32 percent over what the tax had been before.

Mr. REES. Of course, that depends on how high the tax was before.

Mr. O'HARA of Minnesota. That is true.

Mr. REES. What you did was to increase the tax rate from $1.75 per $100 to $2 per $100 when across the country it is about $3 per $100 for an average city of comparable size.

Mr. O'HARA of Minnesota. Some of the cities have gone too high in the matter of taxation on real estate. I think there is a limit on the taxes that you can impose on real estate.

Mr. REES. I thoroughly agree with the gentleman.

Mr. McMILLAN of South Carolina. Mr. Chairman, I yield 5 minutes to the gentleman from Missouri [Mr. JONES].

Mr. JONES of Missouri. Mr. Chairman, I am for a sales tax for the District of Columbia. I am for an increase in the ad valorem tax in the District of Columbia. I am for an increase in the income tax in the District of Columbia. I am opposed to any further increase in the Federal contribution to the District of Columbia and hope that Congress may enact legislation which will raise the revenues which are payable by the residents of the District of Columbia which will enable us to reduce, not increase, the Federal contribution. I recognize that Congress has an obligation to the District of Columbia in providing revenue for this District, but I doubt if there are many Members of Congress—I have inquired, and I have been unable to determine to what extent the Congress does make contribution in the way that it supports the various recreational facilities, the park facilities, library facilities, and other facilities that are provided for the residents of the District of Columbia, through the various Federal agencies, to which my State of Missouri and the other States make their contribution. I come from the State of Missouri where we have had a sales tax since 1933. For the past 16 years that tax has been administered by the Honorable Forrest Smith, who last November was elected Governor of the State of Missouri. I think that is an indication that the people of Missouri are in favor of a sales tax.

I was a member of the State legislature that raised Missouri's sales tax from one-half percent to 1 percent and subsequently to 2 percent on a broad base. I intend to offer amendments to this proposed bill today, to further broaden the base of this tax. I do so because I feel that a sales tax is a fair tax. I feel that a sales tax offers an opportunity to every resident of the District of Columbia to make a contribution and to feel a responsibility in those benefits that they receive. Particularly do I refer to the schools. We all recognize the crying need in the District of Columbia, which also exists throughout each of our States. We do need better school facilities. I feel that regardless of the income of any person in the District of Columbia it is a privilege for them to contribute to the support of the public schools, as well as the other benefits within the District.

As I said before, I will vote for other increased taxes, but I feel a sales tax is a fair tax, and it is a tax which will help meet the needs of this District. I hope we can broaden the base in order that the people of the District may enjoy these benefits.

The CHAIRMAN. The time of the gentleman from Missouri [Mr. JONES] has expired.

Mr. McMILLAN of South Carolina. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. BUCHANAN].

Mr. BUCHANAN. Mr. Chairman, I am against a sales tax in the District of Columbia. I believe we have not exhausted all the alternatives that have been presented here today. It is my understanding that a sales-tax measure should be taken only after all other alternatives have been exhausted, and fully considered. Otherwise, we have the situation that it is a regressive tax and it does not take into consideration the ability of people to pay.

The history of taxation and government expenditures over the last 2,000 years has led economists to reach pretty well defined conclusions about desirable taxation principles. Here we have a direct violation of the accepted principle. We are legislating, as a congressional body, for a Federal city. We are setting a pattern that is apt to be copied in many of the States of this Nation. I believe we should take into consideration the fact that we have not exhausted other alternatives to their full extent.

Now, who is going to pay this tax? Let us take a look at just who pays and how much.

The family with an income of $2,000 a year will pay anywhere from $5 to $15 through a sales tax; the family earning between $2,000 and $4,000 will pay from $15 to $30; those earning between $5,000 and $6,000 will pay somewhere between $30 and $50; and those earning between $7,500 and $10,000 will pay anywhere from $50 to $70; those earning $10,000 or above will pay $100, approximately. To all appearances this seems to be a small tax, but when you take into consideration that while the consumer will pay a tax on the fuel he consumes, on the cost of oil and gas used in the home, the producer is exempt from a tax of this character; when you run down all the items of household consumption, soaps, beverages, and items of that sort which are included, you will cut down materially the income the little man has left available for other more necessary purposes. In other words, you put the squeeze on an already burdened lower-income-level group. The chief victims of inflation have been these people in the income levels below $4,000, and the bulk of this tax will be placed upon the people in that particular income level. While it is true that a good many people who have heretofore opposed this tax in the District are aware of the large number of transient visitors to the District and the large amount of money that will be spent in the District annually by transients, nevertheless, the very fact is that the people who live in the District have no right to voice their opinion by referendum and while they were represented by various organizations and appeared before the committee and registered their protest they have no say in the selection of their officials. I wonder if those who are proposing and supporting this legislation would take the same position in their home State? I know that in looking over the list of States that have sales-tax provisions and those that do not have, we find a very paradoxical situation. The sales tax has only one purpose—it provides revenue. I cannot in good faith support this tax proposal. We should recommit this bill to the committee and advance a plan for complete reform in the District fiscal system. Let us act in that direction.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. McMILLAN of South Carolina. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio [Mr. YOUNG].

Mr. YOUNG. Mr. Chairman, we in the Congress should be happy that Americans, including millions of children, come to the Capital of their country every year, that they spend $65,000,000 per year here in the District; and we should not cast any burden upon them or do anything which would make it harder for the many millions of our citizens to come from all the States here to the Capital of their country. To compel them to pay a tax when they buy merchandise or eat a meal in a restaurant is to burden them unduly.

Mr. Chairman, in addition to that, a number of States have imposed sales taxes. If now the Federal Government succeeds in imposing this nefarious form of taxation here in the District of Columbia I assert that this will serve as an entering wedge for those who advocate a general Federal sales tax to be imposed upon all the people of the United States.

The obvious purpose of a sales tax such as is proposed for the District of Columbia and is embodied in this bill is to take little from those who have much and much from those who have little.

A sales-transaction tax burdens most heavily people in moderate circumstances. Surely real-estate taxes in the District of Columbia should be increased 25 percent. These real-estate taxes are exceedingly low. Taxes should be levied according to ability to pay. Let us not impose a sales tax that is stifling to business and is a tax on consumption and a nuisance to vendor and purchaser.

For example, those residing in the District who eat their meals at home would not have to pay a sales tax upon food purchases. This proposed sales tax is discriminatory in their favor. It is unfair and unjust to those who eat some of their meals in restaurants. For example, a clerk, stenographer, or anyone else who eats a light breakfast, say orange juice and coffee, at a cost in a drug store or a lower-price restaurant of only 15 cents, would be compelled to pay a tax of nearly 7 percent.

This is an unjust bill and it should be defeated.

Mr. BATES of Massachusetts. Mr. Chairman, I yield 5 minutes to the gentleman from New Jersey [Mr. AUCHINCLOSS].

Mr. AUCHINCLOSS. Mr. Chairman, before I say anything I want to compliment the members of the Committee on the District of Columbia who have done such hard work on this measure. I do not agree with the result of their work, but I have served with them on this committee for some time and I fully appreciate the sacrifices that they have made. The members of the special committee have gone into this question, which is a very difficult one, thoroughly, and I have no doubt they have explored every opportunity there is to balance the budget and to bring the mess of the finances of the District of Columbia into some order.

Mr. Chairman, in my opinion, a sales tax is a devastating tax and I am against it. If it is necessary to have a sales tax, then it is the last thing we should put on the people. I am really surprised at some of my Republican colleagues who continue to talk about taxation and taxation and spending and spending. The District of Columbia does not elect, so I cannot complete that phrase, but it is a sad commentary for us Members, who represent every State in the Union, who believe in liberty and freedom, to stand up here and decide how people who cannot have a voice in their government should be taxed.

I understand there are about $15,000,000 worth of capital improvements included in the District budget. Last year there were about $22,000,000 worth of capital improvements included in the budget to be paid out of current taxation.

Last year I had the privilege of making quite a study of the organization of the government of the District of Columbia. A subcommittee of the Committee on the District of Columbia introduced a home-rule bill and during the study of that bill we looked into the matter of funding the capital improvements and permitting the District to issue bonds. The subcommittee that considered this measure was unanimous in the opinion that such a provision should be made. In our home-rule bill we inserted a provision that 3 percent of the assessed valuation of the taxed land in the District should be the limiting amount of any bond issue that might be made. That would raise about $67,000,000, which is only 3 percent of the entire assessed valuation of the taxable land.

If these capital improvements in last year's budget and in this year's budget, which amount in the aggregate to about $37,000,000, could be funded, and if bonds could be issued to take care of those capital improvements covering a period of say 20 years, there would not be any talk about increased taxation. There would not be any need of increased taxation and there would be every opportunity for a reduction in the payment by the Federal Government to the District of Columbia. Now, these bonds issued by the District of Columbia and sold to the public, the investors of this country, would be in great demand. They would sell at a very low interest rate, and I have no doubt that they would command a premium in the market. I believe a substantial premium would be realized from the sale of such bonds, and that premium would go a long way toward paying the expenses of any such bond issue. An amendment to this bill to permit such a bond issue, I understand, would not be germane, so it cannot be introduced or considered. But we can either refer this bill back to the committee for further consideration or pass it and instruct the committee to look into this question of bonded indebtedness for capital improvements.

The CHAIRMAN. The time of the gentleman from New Jersey has expired.

Mr. BATES of Massachusetts. Mr. Chairman, I yield 5 minutes to the gentleman from Maryland [Mr. SASSCER].

Mr. SASSCER. Mr. Chairman, I find myself in somewhat the same position as my distinguished colleague, the gentleman from Massachusetts [Mr. BATES]. For a number of years in the Maryland senate and here I have opposed the sales tax. For reasons expressed here today—may I pause to compliment the committee on the District of Columbia for the hard and untiring work that they have done in an effort to establish the fiscal affairs of the District of Columbia on a substantial basis—I have decided to vote for this bill. The fiscal affairs of the Nation, the District of Columbia,

the States, and the various counties are interwoven and correlated to a great extent. I hope I am not approaching this matter provincially; I do not intend to, and that has not been my policy in the past. But I do believe that we must speedily come to the place where all these taxes must be considered in relation to each other. In certain fields Federal Government can explore and in others the State may operate with the rest left to the counties and towns. I would like to see a commission appointed representing the District of Columbia and the adjoining States in order that the tax structures of these adjacent areas might be synchronized as far as possible. We have Greater Washington; not just the District of Columbia. Over half of the population of this metropolitan section is in the environs. Today we have half of that area paying a sales tax and half not. Abraham Lincoln said that a nation cannot exist half free and half slave. The economy of a city or a greater area cannot prosper with a line drawn across it so that half of it pays a sales tax and half of it does not.

Thought was given to the question of establishing a commission to study these different taxes. If that were done many inequalities between areas could be worked out. Raising the income-tax exemptions develops one in this bill in relation to the adjacent areas. I am glad that the bill raises the exemption on the income tax to $5,000. To my mind that answers many of the arguments that have been made here on the floor today that this is a bill falling heavily upon the shoulders of those least able to pay it.

In line with that same thought of synchronizing, across the borders in Maryland and Virginia you have a $1,000 exemption. There is nothing we can do about that, but it is just one of many things to which thought can be directed for the purpose of coordinating these taxes.

At the proper time I am going to offer an amendment which I think in a minor way will improve this bill. It has been stated that we wish to exempt the necessities of life, food, clothing, and so forth. Certainly medicine is a necessity of life and should be exempted whether on prescription or not.

Mr. BATES of Massachusetts. Mr. Chairman, I yield myself the remainder of my time.

Mr. Chairman, I know that every Member of the House realizes how important this bill is to the District, and I am fully aware that every Member also understands how imperative it is to develop revenue sufficient to meet the requirements of the District government.

There are several basic facts I hope you will keep in mind: First, in order to balance the District budget and meet the requirements for the increased salaries which are coming in here from the other committees of the House, we must find $18,000,000 over and above the present sources of revenue. There have been many suggestions made. Revising the income tax was suggested by the gentleman from New York [Mr. KLEIN]. For 10 years we have been trying to get that through. I mentioned that in my previous statement. However, the House, always by an overwhelming vote, has defeated that bill because, as I said, of the domiciliary provisions, where folks from back home in their own State, even though they live in the District 12 months of the year, will not have to pay an income tax. We have tried to rectify that without results.

The second fact in regard to the expansion of our so-called capital outlay for buildings of all descriptions, including schools, is that we are not permitted to raise funds for such purposes by bonding. That has been considered and will again be reviewed in the light of additional requirements for school construction needed by the District, even after this bill is passed, and I hope it will be.

In regard to the sales tax, none of us came to the thought that we could wholeheartedly support the sales tax, but again, let me say, there is no attainable alternative.

If we adopt the so-called Klein bill and we put in these domiciliary provisions and make everybody living here 7 months of the year subject to taxation, that will yield, as I say, $10,000,000, which is still $8,000,000 short of our requirement. We are spending only $7,000,000 a year for what we call capital outlay in the general fund. We may borrow for that, but that will not meet the requirements. On the other hand, we have to depend upon the substantial sources that we have recommended in this bill to meet the requirements. It has been stated that the District has a low real-estate tax. I admit that relatively speaking, compared with other cities, it is low. On the same basis 2 years ago, as chairman of the Committee on Fiscal Affairs of the District of Columbia, I recommended an increase be made in the real-estate tax for the first time in 10 years, and in addition to that a 20-percent increase in the valuations was made by the assessors. Let us consider, if you will, for a moment by way of explanation what that means to a given taxpayer. Let us say a man has a $10,000 assessment. At the old rate of $1.75 per $100, he paid $175 in taxes. With the revaluation of 20 percent, and an increase in the rate from $1.75 to $2, he now pays $240 taxes. If we are to raise $18,000,000 by a property tax, and that is the only substantial source that I can think of in the light of the opposition in the House to our income-tax-revision bill, that same man would have to pay $2.80 per $100 or an increased value of 20 percent, making the assessed valuation $12,500, and he would pay $336 taxes on that house, which is nearly double that which he paid 2 years ago. It seems to me we ought to be decent about this, especially in the light of rent control and the increases in the cost of maintenance. You just cannot put excessive costs on property owners or anyone else. It is unfair and unjust.

Mr. KEEFE. Mr. Chairman, will the gentleman yield?

Mr. BATES of Massachusetts. I yield.

Mr. KEEFE. Is that not just about what everybody has had to do in almost all the States of the Union? We have had to pay that increased ad valorem tax.

Mr. BATES of Massachusetts. I do not know what States the gentleman has in mind.

Mr. KEEFE. The gentleman's illustration clearly demonstrates that as between property in my city and property in the District of Columbia, if you increase it by just the amount that you have said, you would be getting somewhere near what the citizen in my city has to pay for that type of property as against what they pay here in the District of Columbia.

Mr. BATES of Massachusetts. Of course, we could discuss the matter of different tax bills and other communities of the country at great length. But when you double a tax bill in this or in any other city within a period of 3 years, then I say you are laying on those property owners an excessive burden to which they cannot possibly adjust themselves in such a short period of time. I have been associated with this kind of question for 30 years directly and indirectly, and I know something about property values, local administration and all related questions, and especially on the tax problem which is before us today.

If there were any other way by which we could raise this money through broadening the income-tax basis to enable us to raise a substantial part of this $18,000,000, I surely would be for it, but the House on a number of occasions said "No," so this is the only alternative that I know of that will raise a substantial sum of money.

Mr. KLEIN. Mr. Chairman, will the gentleman yield?

Mr. BATES of Massachusetts. I yield.

Mr. KLEIN. The gentleman left out one other source of income and that is the Federal contribution. Is it not a fact that if the Federal Government had to pay taxes in the District of Columbia on the buildings which it owns or occupies in the District of Columbia in 1949 at the tax rate of $2, which is what the rate now is, they would have to pay almost $16,000,000 a year?

Mr. BATES of Massachusetts. That is approximately correct, but that is $4,000,000 more than the Federal Government now pays. In 1947, when we were revising the so-called tax structure of the District of Columbia, I recommended that the Federal contribution be increased from what it was then—$8,000,000—to $12,000,000. That recommendation was adopted.

Mr. KLEIN. That is correct.

Mr. BATES of Massachusetts. If all the buildings owned by the Federal Government in the District of Columbia are assessed at full value at what we call the unit cost of construction, at the rate of $2 per $100, it would give us $16,000,000. I do not know whether the Members of the House want to go along on such a program as that or not.

Mr. KLEIN. Mr. Chairman, will the gentleman yield?

Mr. BATES of Massachusetts. I yield.

Mr. KLEIN. Does not the gentleman think, if this bill were rejected, then it would be incumbent upon the members of the Appropriations Committee to get that money, and they would increase the Federal contribution?

Mr. BATES of Massachusetts. It is not a question of the Appropriations Committee getting the money. It is a question of the House today, in this revenue bill, developing the sources of revenue to meet the budget.

The CHAIRMAN. The time of the gentleman from Massachusetts has again expired.

Mr. McMILLAN of South Carolina. Mr. Chairman, I wish to take this opportunity to thank the members of the subcommittee for the fine work they have done in bringing this bill to the floor of the House for consideration. I do not believe the Members generally realize the difficult problem the Committee has in securing funds for the District of Columbia. I want to take this opportunity again to thank the gentleman from Virginia [Mr. SMITH] and the gentleman from Massachusetts [Mr. BATES] and the other members of the committee for the fine work they have done.

The CHAIRMAN. All time has expired. The Clerk will read.

Mr. SMITH of Virginia. Mr. Chairman, I desire to propound a unanimous-consent request.

I ask unanimous consent that title I and title II of the bill, the sales-tax provision, be considered as read and printed in the RECORD at this point, and subject to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The bill is as follows:

Be it enacted, etc., That this act divided into titles and sections may be cited as the "District of Columbia Sales Tax Act."

TITLE I—SALES TAX

SECTION 1. Definitions: For the purposes of this title and as used herein, unless otherwise required by the context, the following terms shall mean or include:

(a) "Person": Includes an individual, partnership, society, club, association, joint-stock company, corporation, estate, receiver, trustee, assignee, referee, or any other person acting in a fiduciary or representative capacity, whether appointed by a court or otherwise, and any combination of individuals acting as a unit.

(b) "Vendor": Includes a person selling property or rendering services upon the receipts from which a tax is imposed under section 2 of this title.

(c) "Purchaser": Includes a person who purchases property or to whom are rendered services, receipts from which are taxable under section 2 of this title.

(d) "Sale" and "selling": Mean any transaction whereby title or possession, or both, of tangible personal property is or is to be transferred by any means whatsoever for a consideration by a vender to a purchaser, or any transaction whereby services subject to tax under section 2 of this title are rendered for consideration to any purchaser by any vendor, and shall include, but not be limited to, any "sale at retail" as defined in section 1(f) of this title. Such consideration may be either in the form of a price in money, rights, or property or by exchange or barter, and may be payable immediately, in the future, or by installments.

(e) "Tangible personal property": Means corporeal personal property of any nature.

(f) "Retail sale" and "sale at retail": Mean the sale in any quantity or quantities of any tangible personal property or service taxable under the terms of this title. Said term shall mean all sales of tangible personal property to any person for any purpose other than those in which the purpose of the purchaser is to resell the property so transferred in the form in which the same is, or is to be, received by him, or to use or incorporate the property so transferred as a material or part of other tangible personal property to be produced for sale by manufacturing, assembling, processing, or refining. For the purpose of the tax imposed by this title, the term "sale at retail" shall include but shall not be limited to the following:

(1) The sale for consumption of any meals, food or drink or other tangible personal property for a consideration, at any restaurant, hotel, drug store, club, resort, or other place at which meals, food, drink, or other tangible personal property are sold.

(2) Any production, fabrication, or printing of tangible personal property on special order for a consideration.

(3) The sale or charges for any room or rooms, lodgings, or accommodations furnished by any hotel, inn, tourist camp, tourist cabin, or any other place in which rooms, lodgings, or accommodations are regularly furnished to transients for a consideration.

(4) Sales of advertising space and sales of radio and television advertising.

(5) The sale of natural or artificial gas, oil, electricity, coal, or steam, when made to any purchaser for purposes other than resale or for use in manufacturing, assembling, processing, or refining.

(6) The sale of material used in the construction, and of materials used in the repair or alteration of real property, which materials, upon completion of such construction, alterations, or repairs, become real property, regardless of whether or not such real property is to be sold or resold.

(7) The grant of the right to continuous possession or use of any article of tangible personal property granted under a lease or contract if such grant of possession would be taxable if outright sale were made; in such event such lease or contract shall be considered the sale of such article and the tax shall be computed and paid by the vendor upon the rentals paid.

(g) "Food": Cereals and cereal products; milk and milk products, including ice cream; meat and meat products; fish and fish products; eggs and egg products; vegetables and vegetable products; fruit, fruit products, and fruit juices; spices and salt; flavoring extracts and condiments, sugar and sugar products (other than candy and confectionery); coffee and coffee substitutes; tea; cocoa and cocoa products (other than candy and confectionery); and ice when used for household consumption: *Provided, however,* That the word "food" shall not include spiritous or malt liquors, beer, sodas, and any other beverages such as are ordinarily dispensed at bars and soda fountains or in connection therewith.

(h) "Price": Means the aggregate value in money of any thing or things paid or delivered, or promised to be paid or delivered, by a purchaser to a vendor in the consummation and complete performance of a retail sale without any deduction therefrom on account of the cost of the property sold, cost of materials used, labor or service cost, or any other expense whatsoever. "Price" shall be deemed to be the amount received exclusive of the tax hereby imposed provided the vendor shall establish to the satisfaction of the assessor that the tax was added to the price. "Price" shall not include the following:

(1) The consideration received for labor or services used in installing, applying, remodeling, or repairing the property sold if the consideration for such services is separately stated from the consideration received for the tangible personal property in the retail sale.

(2) The consideration received for professional services rendered in connection with the sale of any tangible personal property if the consideration for such services is separately stated from the consideration received for the tangible personal property transferred in the retail sale.

(3) The amount paid by any purchaser as, or in the nature of, interest or finance charges on account of credit extended in connection with the sale of any tangible personal property, if the interest or finance charges are separately stated from the consideration received for the tangible personal property transferred in the retail sale.

(4) The amount paid by any purchaser on account of any bona fide freight, delivery, and other transportation charges in connection with any sale of tangible personal property if said freight, delivery, or other transportation charges are stated or shown as a separate item from the price of the tangible personal property transferred in the retail sale.

(i) "Business": Includes any activity engaged in by any person or caused to be engaged in by him with the object of gain, benefit, or advantage, either direct or indirect.

(j) "Engaging in business": Means commencing, conducting, or continuing in business, as well as liquidating a business when the liquidator thereof holds himself out to the public as conducting such a business.

(k) "Retail establishment": Means any premises in which the business of selling tangible personal property is conducted or in or from which any retail sales are made.

(l) "Tax": Means the tax imposed by this title.

(m) "Purchaser's certificate": Means a certificate signed by a purchaser and in such form as the Assessor shall prescribe, stating the purpose to which the purchaser intends to put the subject of the sale, or the status or character of the purchaser.

(n) "Successor": Includes any person purchasing or succeeding to the business or a portion thereof or the whole or any part of the stock of goods, wares, or merchandise of a vendor quitting, selling out, exchanging, or otherwise disposing of his business.

(o) "Taxpayer": Means any person required by this title to make returns or to pay the tax imposed by this title.

(p) "Tax year": Means the calendar year, or the taxpayer's fiscal year if it be other than the calendar year when such fiscal year is regularly used by the taxpayer for the purpose of reporting District income taxes as the tax period in lieu of the calendar year.

(q) "Semipublic institution": Means any corporation, and any community chest, fund, or foundation, which is supported principally by either public subscriptions or endowment or principally by appropriation made by the Congress of the United States, and which is organized and operated exclusively for religious, charitable, or educational purposes, or for the prevention of cruelty to children or animals, to a substantial extent within the District, no part of the net earnings of which inures to the benefit of any private individual or shareholder, and no part of the activities of which is carrying on propaganda, or otherwise attempting to influence legislation.

(r) "Return": Includes any return filed or required to be filed as herein provided.

(s) "District": The District of Columbia.

(t) "Commissioners": The Commissioners of the District or their duly authorized representatives.

(u) "Assessor": The Assessor of the District or his duly authorized representatives.

(v) "Collector": The Collector of Taxes of the District or his duly authorized representatives.

IMPOSITION OF TAX

SEC. 2. Beginning on and after the first day of the first month succeeding the sixtieth day after the approval of this act for the privilege of selling certain tangible personal property at retail as defined hereinbefore and for the privilege of dispensing certain selected services defined as sales at retail by section 1 (f) of this title, a vendor shall collect from the purchaser a tax in the amount specified in this section on the price of each separate retail sale made in the District on and after such date. The tax imposed by this section shall be paid by the purchaser and shall be computed subject to the terms and conditions of this title, as follows:

(a) On each sale where the price is from 14 cents to 50 cents, both inclusive, 1 cent;

(b) On each sale where the price is from 51 cents to $1, both inclusive, 2 cents;

(c) On each 50 cents of price or fraction thereof in excess of $1, 1 cent.

EXEMPTIONS

SEC. 3. The tax imposed by this title shall not apply to the following sales:

(a) Sales where the purchase price is less than 14 cents.

(b) Sales to the United States or the District or any instrumentality thereof.

(c) Sales to a State or any of its political subdivisions if such State grants a similar exemption to the District. As used in this subsection, the term "State" means the several States, Territories, and possessions of the United States.

(d) Sales to a semipublic institution: *Provided, however,* That such sales shall not be exempt unless (1) such institution shall have first obtained a certificate from the Assessor stating that it is entitled to such exemption, and (2) the vendor keeps a record of the price of each such separate sale, the name of the purchaser, the date of each such separate sale, and the number of such certificate.

(e) Sales of food for human consumption off the premises where such food is sold.

(f) Sales of motor-vehicle fuels upon the sale of which a tax is imposed by the act entitled "An act to provide for a tax on motor-vehicle fuels sold within the District of Columbia, and for other purposes," approved April 23, 1924, as amended or as may be hereafter amended.

(g) Sales of tickets for admission to places of amusement and sports.

(h) Sales of transportation and communication service.

(i) Sales of property purchased by a utility or public-service company for use or consumption in furnishing a commodity or service: *Provided,* That the receipts from furnishing such commodity or service are subject to a gross-receipts or mileage tax in force in the District during or for the period of time covered by any return required to be filed by the provisions of this title.

(j) Sales of newspapers.

(k) Casual and isolated sales by a vendor who is not regularly engaged in the business of making sales at retail.

(l) Sales of livestock, poultry, seeds, feeds for livestock and poultry, fertilizers, lime, and land plaster used for agricultural purposes.

(m) Sales of food or beverages of any nature if made in any car composing a part of any train or in any aircraft or boat operating within the District in the course of commerce between the District and a State.

(n) Sales of goods made pursuant to bona fide contracts entered into before the date of approval of this act: *Provided,* That there is a contract in writing signed by the buyer and seller which imposes an unconditional liability on the part of the buyer to purchase at a fixed price subject to no escalator clause goods covered thereby, and an unconditional liability on the part of the seller to deliver a definite quantity of such goods at the contract price.

(o) Sales of natural or artificial gas, oil, electricity, solid fuel, or steam, directly used in manufacturing, assembling, processing, or refining.

(p) Sales which a State would be without power to tax under the limitations of the Constitution of the United States.

(q) Sales of motor vehicles and trailers.

(r) Professional, insurance, or personal service transactions which involve sales as inconsequential elements for which no separate charges are made.

(s) Any sale in which the only transaction in the District is the mere execution of the contract of sale and in which the tangible personal property sold is not in the District at the time of such execution.

That nothing contained in this subsection shall be construed to be an exemption from the tax imposed under title II of this act.

COLLECTION OF TAX

SEC. 4. Upon each taxable sale or service the tax to be collected shall be stated and charged separately from the sale price or charge for service and shown separately on any record thereof at the time when the sale is made or evidence of sale issued or employed by the vendor and shall be paid by the purchaser to the vendor as trustee for and on account of the District, and the vendor shall be liable for the collection thereof and for the tax. The vendor shall be personally liable for the tax collected or required to be collected under this title, and the vendor shall have the same right in respect to collecting the tax from the purchaser, or in respect to nonpayment of the tax by the purchaser, as if the tax were a part of the purchase price of the property or service and payable at the time of the sale: *Provided, however,* That the Collector shall be joined as a party plaintiff in any action or proceeding brought by the vendor to collect the tax.

SEC. 5. The tax hereby imposed shall apply and be collected by the vendor from the purchaser at the time the sale is made regardless of the time when the purchase price is paid and delivered; unless the Commissioners shall provide by regulation in the case of credit or installment sales for the payment of the tax upon collection of the price or installments of the price or at some other time.

SEC. 6. It shall be unlawful for any vendor to advertise or hold out or state to the public or to any customer directly or indirectly that the tax or any part thereof imposed by this title will be assumed or absorbed by the vendor or that it will not be added to the selling price of the property sold or the taxable services rendered, or if added to said price that it, or any part thereof, will be refunded. Any person violating any provision of this section shall upon conviction be fined not more than $500 or imprisoned for not more than 6 months, or both, for each offense.

SEC. 7. (a) Where a purchaser has failed to pay or a vendor has failed to collect a tax upon a taxable sale, then, in addition to all other rights, obligations, and remedies provided in this title, such tax shall be payable by the purchaser directly to the Collector, and the purchaser shall file a return thereof with the Assessor and pay the tax imposed thereon to the Collector within 20 days after such sale is made.

(b) The Commissioners may, whenever they deem it necessary for the proper enforcement of this title, provide by regulation that the purchaser shall file returns with the Assessor and pay directly to the Collector the tax herein imposed, at such times as returns are required to be filed and payment made by vendors.

SEC. 8. Whenever a vendor makes sales through vending machines or in any other manner making collection of the tax impractical as provided herein, the Assessor may—

(a) authorize such vendors to prepay the tax and waive collection from the purchaser;

(b) require vendors so authorized to furnish bond sufficient to secure prepayment of the tax and to print upon the property sold a statement to the effect that the tax has been paid in advance.

The terms and conditions of this section shall be inapplicable unless the vendor shall make application to the Assessor for the authority herein contained, and unless the Assessor, after hearing, shall find that the conditions of the vendor's business are such as to render impracticable the collection of the tax in the manner otherwise provided under this title.

SEC. 9. It shall be presumed that all receipts for the sale of tangible personal property and services mentioned in this title are subject to tax until the contrary is established, and the burden of proving that a receipt is not taxable hereunder shall be upon the vendor or the purchaser as the case may be. Unless the vendor shall have taken from the purchaser a certificate signed by and bearing the name and address of the purchaser and the number of his registration certificate to the effect that the property or service was purchased for resale, the sale shall be deemed a taxable sale at retail. The certificate herein required shall be in such form as the Assessor shall prescribe and in case no certificate is furnished or obtained prior to the time the sale is consummated, the tax shall apply as if the sale were made at retail.

SEC. 10. In order to permit the tax imposed by this title to be paid and collected on the basis of the total sales price on all sales made on the same occasion by the same vendor to the same purchaser, without regard to the value of the sales price of the separate items aggregating the total amount of the sale, any group or association of vendors are hereby authorized to establish appropriate rules and regulations to provide uniform methods of adding the average equivalent of the tax to the selling price in each sale or transaction subject to the tax. Such rules and regulations shall be valid and effective only if written approval of the Assessor is given thereto. Such rules and regulations, if they do not involve price fixing, shall not be deemed illegal as in restraint of trade or commerce. In the event appropriate rules and regulations are not submitted to the Assessor he shall formulate and promulgate appropriate rules and regulations to effectuate the purposes of this section. Any rules and regulations adopted by any group or association of such vendors, with the approval of the Assessor, and any rules and regulations, promulgated by him on his own initiative, may be repealed, modified, or amended by the Assessor, in whole or in part, from time to time, after reasonable notice of such action has been given those affected.

SEC. 11. The tax imposed by this title and interest and penalties thereon shall become, from the time due and payable, a personal debt of the person liable to pay the same to the District. An action may be brought

at any time within 3 years from the time the tax shall be due and payable in the name of the District to recover the amount of any taxes, penalties, and interest due under the provisions of this title, but such actions shall be utterly barred after the expiration of the aforesaid 3 years.

SEC. 12. Whenever the business or property of any person subject to tax under the terms of this title shall be placed in receivership or bankruptcy, or assignment is made for the benefit of creditors, or if said property is seized under distraint for property taxes, all taxes, penalties, and interest imposed by this title for which said person is in any way liable shall be a prior and preferred claim. Neither the United States marshal, nor a receiver, assignee, or any other officer shall sell the property of any person subject to tax under the terms of this title under process or order of any court without first determining from the Collector the amount of any such taxes due and payable by said person, and if there be any such taxes due, owing, or unpaid under this title it shall be the duty of such officer to first pay to the Collector the amount of said taxes out of the proceeds of said sale before making any payment of any moneys to any judgment creditor or other claimants of whatsoever kind or nature. Any person charged with the administration or distribution of any such property as aforesaid who shall violate the provisions of this section shall be personally liable for any taxes accrued and unpaid which are chargeable against the person otherwise liable for tax under the terms of this section.

SEC. 13. The taxes imposed by this title and penalties and interest thereon may be collected by the Collector in the manner provided by law for the collection of taxes due the District on personal property in force at the time of such collection; and liens for the taxes imposed by this title and penalties thereon may be acquired in the same manner that liens for personal-property taxes are acquired. If the Assessor believes that the collection of any tax imposed by this act will be jeopardized by delay, he shall, whether or not the time otherwise prescribed by law for making return and paying such tax has expired, immediately assess such tax (together with all interest and penalties, the assessment of which is provided for by law). Such tax, penalties, and interest shall thereupon become immediately due and payable, and immediate notice and demand shall be made by the Collector for the payment thereof. Upon failure or refusal to pay such tax, penalty, and interest, collection thereof by distraint shall be lawful.

RETURNS AND PAYMENT OF TAX

SEC. 14. (a) On or before the 20th day of each calendar month every vendor who has made any sale at retail, taxable under the provisions of this title, during the preceding calendar month, shall file a return with the Assessor. Such returns shall show the total gross proceeds of the vendor's business for the month for which the return is filed; the gross proceeds of the business of the vendor upon which the tax is computed; the amount of tax for which the vendor is liable and for such other information as the Assessor deems necessary for the computation and collection of the tax.

(b) The Assessor may permit or require the returns to be made for other periods and upon such other dates as he may specify: *Provided*, That the gross proceeds during any tax year shall be included in returns covering such year and no other.

(c) The form of returns shall be prescribed by the Assessor and shall contain such information as he may deem necessary for the proper administration of this title. The Assessor may require amended returns to be filed within 20 days after notice and to contain the information specified in the notice.

(d) Every purchaser who has failed to pay to a vendor the tax imposed shall file a return with the Assessor and pay the tax to the Collector, within the time prescribed by this title or by regulation.

SEC. 15. (a) At the time of filing his return as provided by sections 14 and 16 of this title, the taxpayer shall pay to the Collector the taxes imposed by section 2 of this title.

(b) The taxes for the period for which a return is required to be filed by a vendor under sections 14 and 16 of this title shall be due by the vendor and payable to the Collector on the date limited for the filing of the return for such period, without regard to whether a return is filed or whether the return which is filed correctly shows the amount of gross proceeds and taxes due thereon.

SEC. 16. On or before 30 days after the end of the tax year of each vendor required to collect and pay to the Collector the tax imposed by the provisions of this title, such vendor shall make an annual return for such tax year in such form as may be required by the Assessor. The Assessor for good cause shown may on the written application of a vendor extend the time for making any return required by this section.

RETURNS TO BE SECRET

SEC. 17. (a) Except to any official of the District, having a right thereto in his official capacity, it shall be unlawful for any officer or employee of the District to divulge or make known in any manner the amount of gross proceeds or any particulars relating thereto or the computation thereof set forth or disclosed in any return required to be filed under this title, and neither the original nor a copy of any such return desired for use in litigation in court shall be furnished where neither the District nor the United States is interested in the result of such litigation, whether or not the request is contained in an order of the court: *Provided, however*, That nothing herein contained shall be construed to prevent the furnishing to a taxpayer a copy of his return upon the payment of a fee of $2.

(b) Nothing contained in section 17 (a) of this title shall be construed to prohibit the publication of notices authorized in section 30 of this title, or the publication of statistics so classified as to prevent the identification of particular returns or reports and the items thereof, or the publication of delinquent lists showing the names of persons, vendors, or purchasers who have failed to pay the taxes imposed by this title within the time prescribed herein, together with any relevant information which in the opinion of the Assessor may assist in the collection of such delinquent taxes.

(c) Nothing contained in section 17 (a) of this title shall be construed to prohibit the Assessor, in his discretion, from divulging or making known any information contained in any report, application, or return required under the provisions of this title other than such information as may be contained therein relating to the amount of gross proceeds or tax thereon or any particulars relating thereto or the computation thereof.

(d) Any violation of the provisions of section 17 (a) of this title shall be punishable by a fine not exceeding $1,000 or imprisonment for 6 months, or both, in the discretion of the court.

(e) Notwithstanding the provisions of this section, the Assessor may permit the proper officer of the United States or of any State or Territory of the United States or his authorized representative to inspect the returns filed under this title, or may furnish to such officer or representative a copy of any such return, provided the United States, State, or Territory grants substantially similar privileges to the Assessor or his representative or to the proper officer of the District charged with the administration of this title.

(f) All reports, applications, and returns received by the Assessor under the provisions of this title shall be preserved for 3 years and thereafter until the Assessor orders them to be destroyed.

DETERMINATION OF TAX

SEC. 18. If a return required by this title is not filed, or if a return when filed is incorrect or insufficient, the amount of tax due shall be determined by the Assessor from such information as may be obtainable. Notice of such determination shall be given to the taxpayer. Such determination shall finally and irrevocably fix the tax unless the person against whom it is assessed, within 30 days after the giving of notice of such determination, shall apply in writing to the Assessor for a hearing, or unless the Assessor of his own motion shall redetermine the same. After such hearing or redetermination the Assessor shall give notice of his final determination to the person against whom the tax is assessed.

REFUNDS

SEC. 19. (a) Except as to any tax finally determined as provided in section 18, where any tax has been erroneously or illegally collected, the tax shall be refunded if application under oath is filed with the Assessor for such refund within 1 year from the payment thereof. For like cause and within the same period a refund may be made upon the certificates of the Assessor and the Collector. Whenever a refund is made upon the certificates of the Assessor and the Collector, the Assessor and Collector shall state their reasons therefor in writing. Such application may be made by the person upon whom such tax was imposed and who has actually paid the tax. Such application may also be made by a vendor who has collected and paid such tax to the Collector: *Provided*, That the application is made within 1 year of the payment by the purchaser to the vendor, but no actual refund of moneys shall be made to such vendor, until he shall first establish to the satisfaction of the Assessor, under such regulations as the Commissioners may prescribe, that the vendor has repaid to the purchaser the amount for which the application for refund is made. In lieu of any refund required to be made, a credit may be allowed therefor on payment due from the applicant.

(b) Application for a refund or credit made as herein provided shall be deemed an application for a revision of any tax, penalty, or interest complained of and the Assessor may receive evidence with respect thereto. After making his determination of whether any refund shall be made, the Assessor shall give notice thereof to the applicant.

SEC. 20. (a) Appeals: Any person aggrieved by a final determination of tax as provided in section 18 or denial of an application for refund of any tax under section 19 may, within 90 days from the date of the final determination of the tax or from the date of the denial of an application for refund, as the case may be, appeal to the Board of Tax Appeals for the District of Columbia in the same manner and to the same extent as set forth in sections 3, 4, 7, 8, 9, 10, 11, and 12 of title IX of the act entitled "An act to amend the District of Columbia Revenue Act of 1937, and for other purposes," approved August 17, 1937, as amended, and as the same may hereafter be amended. The remedy provided in this section shall not be deemed to take away from the taxpayer any remedy which he might have under any other provision of law, but no suit by the taxpayer for the recovery of any part of any tax shall be instituted in any court if the taxpayer has elected to file an appeal with respect to such tax with the Board of Tax Appeals for the District of Columbia.

(b) If it shall be determined by the Assessor, the Board of Tax Appeals for the District of Columbia, or any court having jurisdiction

over the subject matter, that any part of any tax which was assessed as a deficiency, and any interest thereon paid by the taxpayer, under the provisions of section 18 of this title, was an overpayment, interest shall be allowed and paid upon such overpayment of tax at the rate of 4 percent per annum from the date such overpayment was paid until the date of refund.

SALES IN BULK

SEC. 21. Whenever there is made a sale, transfer, or assignment in bulk of any part or the whole of a stock of merchandise or of fixtures, or of merchandise and of fixtures, pertaining to the conducting of the business of the seller, transferor, or assignor, otherwise than in the ordinary course of trade and in the regular prosecution of said business, the purchaser, transferee, or assignee shall at least 5 days before taking possession of such merchandise, fixtures, or merchandise and fixtures, or paying therefor, notify the Assessor by registered mail of the proposed sale and of the price, terms, and conditions thereof, whether or not the seller, transferor, or assignor has represented to or informed the purchaser, transferee, or assignee that he owes any tax pursuant to this title or whether he has complied with section 1 of the act entitled "An act to prevent the fraudulent sale of merchandise in the District of Columbia," approved April 28, 1904, or whether or not he has knowledge that such taxes are owing, or whether any such taxes are in fact owing.

(b) Whenever the purchaser, transferee, or assignee shall fail to give the notice to the Assessor as required by the preceding section, or whenever the Assessor shall inform the purchaser, transferee, or assignee that a possible claim for such tax or taxes exists, any sums of money, property, or choses in action, or other consideration, which the purchaser, transferee, or assignee is required to transfer over to the seller, transferor, or assignor shall be subject to a first priority right and lien for any such taxes therefore or thereafter determined to be due from the seller, transferor, or assignor to the District, and the purchaser, transferee, or assignee is forbidden to transfer to the seller, transferor, or assignor any such sums of money, property, or choses in action to the extent of the amount of the District's claim. For failure to comply with the provisions of this subdivision, the purchaser, transferee, or assignee shall be personally liable for the payment to the District of any such taxes theretofore or thereafter determined to be due to the District from the seller, transferor, or assignor, and such liability may be assessed and enforced in the same manner as the liability for tax under this title.

REGULATIONS

SEC. 22. In addition to the powers granted to the Commissioners in this title, they are hereby authorized and empowered to make, adopt, and amend rules and regulations appropriate to the carrying out of this title and the purposes thereof.

SEC. 23. In addition to the powers granted to the Assessor in this title, he is hereby authorized and empowered—

(a) to extend for cause shown the time of filing any return for a period not exceeding 30 days; and for cause shown, to remit penalties and interest in whole or in part except as provided in section 26 of this title; and to compromise disputed claims in connection with the taxes hereby imposed;

(b) to request information from the Bureau of Internal Revenue of the Treasury Department of the United States relative to any person for the purpose of assessing taxes imposed by this title; and said Bureau of Internal Revenue is authorized and required to supply such information as may be requested by the Assessor relative to any person for the purpose herein provided;

(c) to prescribe methods for determining the gross proceeds from sales made or services rendered and for the allocation of such sales into taxable and nontaxable sales;

(d) to require any vendor selling to persons within the District to keep detailed records of the nature and value of personal property sold for use within the District, and to furnish such information upon request to the Assessor;

(e) to assess, determine, revise, and readjust the taxes imposed under this title.

SEC. 24. The Assessor, for the purpose of ascertaining the correctness of any return filed as required by this title, or for the purpose of making a return where none has been made, is authorized to examine any books, papers, records, or memoranda, or any person bearing upon the matters required to be included in the return and may summon any person to appear before him and produce books, records, papers, or memoranda bearing upon the matters required to be included in the return and to give testimony or answer interrogatories under oath respecting the same, and the Assessor, or his duly authorized representative, shall have power to administer oaths to such person or persons. Such summons may be served by any member of the Metropolitan Police Department. If any person, having been personally summoned, shall neglect or refuse to obey the summons issued as herein provided, then in that event the Assessor, or the Deputy Assessor, may report that fact to the United States District Court for the District of Columbia, or one of the justices thereof, and said court or any justice thereof hereby is empowered to compel obedience to said summons to the same extent as witnesses may be compelled to obey the subpenas of that court. Any person in custody or control of any books, papers, records, or memoranda bearing upon the matters required to be included in such returns, who shall refuse to permit the examination by the Assessor or any person designated by him of any such books, papers, records, or memoranda, or who shall obstruct or hinder the Assessor or any person designated by him in the examination of any books, papers, records, or memoranda, shall upon conviction thereof be fined not more than $500 or imprisoned for not more than 6 months, or both, for each offense.

REGISTRATION

SEC. 25. (a) No person shall engage in the business of making of any retail sales subject to tax under the provisions of this title without having obtained a certificate of registration thereof. If two or more persons constitute a single vendor as defined in this title, such persons may operate a single retail establishment under one certificate of registration and in such case neither the death or retirement of one or more of such persons from business in such establishment nor the entrance of one or more persons thereinto shall affect the certificate of registration for a period of 60 days or require the issuance of a new certificate until the expiration of such period.

(b) Each applicant for a certificate required by this section shall, on or before the first day of the first month succeeding the approval of this act, make out and deliver to the Assessor, upon a blank to be furnished by him for that purpose, a statement showing the name of the applicant, each retail establishment where the applicant's business is to be conducted, the kind or nature of such business and such other information as the Assessor may precribe. Upon receipt of such application the Assessor shall issue the applicant, without charge, a certificate of registration for each retail establishment designated in the application, authorizing the applicant to engage in business at such retail establishment. The certificate of registration shall be nontransferable except as otherwise provided in this title, and shall be displayed in the applicant's place of business. Except as otherwise provided in this title, the certificate of registration issued as herein provided shall continue valid until surrendered by the vendor or canceled for cause, by the Assessor. The form of such certificate of registration shall be prescribed by the Assessor.

(c) In the case of a vendor who has no fixed place of business and sells from one or more vehicles, each such vehicle shall constitute a retail establishment for the purpose of this title. In the case of a vendor who has no fixed placed of business and does not sell from a vehicle, the application for a certificate of registration shall set forth the address to which any notice or other communication authorized by this title may be sent to the applicant, and the place so designated shall constitute a retail establishment for the purposes of this title.

(d) Whoever engages in the business of selling tangible personal property at retail, or makes any sale which is subject to tax under the provisions of this title without having a certificate of registration therefor, as required by this section, shall, upon conviction thereof, be fined not less than $25 and not more than $100.

PENALTIES AND INTEREST

SEC. 26. (a) Any person failing to file a return or who files a false or incorrect return or who fails to pay or pay over any tax to the Collector within the time required by this title shall be subject to a penalty of 5 percent of the amount of tax due, plus interest at the rate of 1 percent of such tax for each month of delay excepting the first month after such return was required to be filed or such tax became due; but the Assessor, if satisfied that the delay was excusable, may waive all or any part of such penalty in excess of interest at the rate of 6 percent per year. Such penalties and interest shall be paid and disposed of in the same manner as other revenues from this title. Unpaid penalties and interest may be collected in the same manner as the tax imposed by this title. The interest provided for in this section shall be applicable to any tax determined by the Assessor as a deficiency.

(b) The certificate of the Collector or Assessor, as the case may be, to the effect that a tax has not been paid, that a return or registration certificate has not been filed, or that information has not been supplied pursuant to the provisions of this title, shall be presumptive evidence thereof: *Provided*, That the presumptions created by this subsection shall not be applicable in criminal prosecutions.

PENALTY FOR FAILURE TO FILE RETURNS, ETC.

SEC. 27. (a) Any person required to file a return or report or perform any act under the provisions of this title who shall fail or neglect to file such return or report or perform such act within the time required shall, upon conviction thereof, be fined not more than $300 for each and every failure or neglect. The penalty provided herein shall be in addition to the other penalties provided in this title.

(b) Any person required to file a return or report or perform any act under the provisions of this title who willfully fails or refuses to file such return or report or perform such act within the time required shall, upon conviction thereof, be fined not more than $5,000 or imprisoned for not more than 1 year, or both. The penalty provided herein shall be in addition to the other penalties provided in this title.

ASSESSMENT, REASSESSMENT, FALSE AND INCORRECT RETURNS

SEC. 28. The Assessor shall determine, redetermine, assess, or reassess, any tax imposed by this title, except in cases where

the tax is correct as computed in any return filed with the Assessor, within 3 years after the filing of any return, except as follows:

(a) In the case of a false return, or a failure to file a return, whether in good faith or otherwise, the tax may be assessed at any time.

(b) In the case of an incorrect return which has not been prepared as required by this title and by the return and instructions, rules, or regulations applicable thereto, the tax shall be assessed or reassessed within 5 years after the filing of such return.

PROSECUTIONS

SEC. 29. All prosecutions under this title shall be brought in the municipal court for the District of Columbia on information by the Corporation Counsel of the District in the name of the District of Columbia.

NOTICES

SEC. 30. Any notice authorized or required under the provisions of this title may be given by mailing the same to the person for whom it is intended in an envelope, postage prepaid, addressed to such person at the address given in the last return filed by him pursuant to the provisions of this title or, if no return has been filed, then to the last address of such person. If the address of any person is unknown, such notice may be published in one or more of the daily newspapers in the District of Columbia for three successive days. The cost of any such advertisement in newspapers shall be added to the tax. The proof of mailing of any notice required or authorized in this title shall be presumptive evidence of the receipt of such notice by the person to whom addressed. The proof of publishing any notice required in this title in one or more of the daily newspapers in the District shall be conclusive notice to the person for whom such notice is intended.

EXTENSIONS OF TIME

SEC. 31. Where, before the expiration of the period prescribed herein for the assessment or redetermination of an additional tax, a taxpayer has consented in writing that such period be extended, the amount of such tax due may be determined at any time within such extended period. The period so extended may be further extended by subsequent consents in writing made before the expiration of the extended period.

SEC. 32. If any provision of this title, or the application thereof to any person or circumstances, is held invalid, the remainder of this title, and the application of such provisions to other persons or circumstances, shall not be affected thereby.

TITLE II—COMPENSATING-USE TAX

DEFINITIONS

SECTION 1. (a) For the purposes of this title and as used herein, unless otherwise required by the context, the following terms shall mean or include:

(1) "Retail sale," "sale at retail," and "sold at retail": Mean all sales in any quantity or quantities of tangible personal property, whether made within or without the District, and services, to any person for the purpose of use, storage, or consumption, within the District, taxable under the terms of this title. Said term shall mean all sales of tangible personal property to any person for any purpose other than those in which the purpose of the purchaser is to resell the property so transferred in the form in which the same is, or is to be, received by him, or to use or incorporate the property so transferred as a material or part of other tangible personal property to be produced for sale by manufacturing, assembling, processing, or refining. For the purpose of the tax imposed by this title, the term "sale at retail" shall include, but shall not be limited to, the following:

a. Any production, fabrication, or printing of tangible personal property on special order for a consideration.

b. The sale of natural or artificial gas, oil, electricity, coal, or steam, when made to any purchaser for purposes other than resale or for use in manufacturing, assembling, processing or refining.

c. The sale of material used in the construction and of materials used in the repair or alteration of real property, which materials, upon completion of such construction, alterations, or repairs, become real property, regardless of whether or not such real property is to be sold or resold.

d. The grant of the right to continuous possession or use of any article of tangible personal property granted under a lease or contract if such grant of possession would be taxable if outright sale were made; in such event such lease or contract shall be considered the sale of such article and the tax shall be computed and paid by the vendor upon the rentals paid.

(2) "Use": The exercise by any person within the District of any right or power over tangible personal property and services sold at retail as the term "sold at retail" is herein defined, whether purchased within or without the District by a purchaser from a vendor.

(3) "Vendor": Every person engaging in business in the District and making sales at retail as defined herein, whether for immediate or future delivery of the tangible personal property or performance of the services. When in the opinion of the Assessor it is necessary for the efficient administration of this title to regard any salesman, representative, peddler, or canvasser, as the agent of the dealer, distributor, supervisor, or employer, under whom he operates or from whom he obtains the tangible personal property sold or furnishes services, the Assessor may, in his discretion, treat and regard such agent as the vendor jointly responsible with his principal, employer, or supervisor, for the assessment and payment or collection of the tax imposed by this title.

(4) "Purchase": The acquisition for a price by any person of tangible personal property or services sold at retail as defined herein. A transaction shall be deemed to be a purchase if the acquisition of tangible personal property was effected by:

a. The transfer, either conditionally or absolutely, of title or possession or both of the tangible personal property.

b. The transfer or grant of a license to use, store, or consume the tangible personal property.

(5) "Purchaser": Any person who shall have purchased tangible personal property or services sold at retail as defined herein.

(6) "Engaging in business in the District": The selling, delivering, or furnishing in the District, of any activity in the District in connection with the selling, delivering, or furnishing in the District, of tangible personal property or services sold at retail as defined herein. This term shall include but shall not be limited to the following acts or methods of transacting business:

a. The maintaining, occupying or using, permanently or temporarily, directly or indirectly, or through a subsidiary or agent, by whatever name called, of any office, place of distribution, sales or sample room or place, warehouse or storage place, or other place of business.

b. The having of any representative, agent, salesman, canvasser, or solicitor operating in the District for the purpose of making sales at retail as defined herein, or the taking of orders for such sales.

(7) "In the District" means within the exterior limits of the District of Columbia and includes all territory within such limits owned by the United States of America.

(8) "Storage": Any keeping or the retention of possession in the District for any purpose of tangible personal property purchased at retail sale (as the words "retail sale" are defined herein).

(b) The definitions of "business," "person," "price," "purchaser's certificate," "sale," "selling," "tangible personal property," "retail establishment," "food," "successor," "taxpayer," "tax year," "return," "District," "Commissioners," "Assessor," and "Collector," as defined in section 1 of title I of this act, are hereby incorporated in and made applicable to this title.

IMPOSITION OF TAX

SEC. 2. Beginning on and after the first day of the first month succeeding the sixtieth day after the approval of this act, there is hereby imposed and there shall be paid by every person a tax on the use within the District of any tangible personal property or services purchased at retail sale. The tax imposed by this section shall be paid by the purchaser and shall be computed as follows:

(a) On each sale where the price is from 14 cents to 50 cents, both inclusive, 1 cent;

(b) On each sale where the price is from 51 cents to $1, both inclusive, 2 cents;

(c) On each 50 cents of price or fraction thereof in excess of $1, 1 cent.

EXEMPTIONS

SEC. 3. The tax imposed by this title shall not apply to the following:

(a) Sales upon which taxes are imposed under title I of this act.

(b) Sales upon which the purchaser would be exempt from the taxes imposed under title I of this act.

(c) Sales upon which the purchaser has paid a retail sales tax under the laws of any State or Territory of the United States.

(d) Sales of tangible personal property which property was purchased or acquired by a nonresident prior to coming into the District and establishing or maintaining a temporary or permanent residence in the District. As used in this subsection, the word "residence" means a place in which to reside and does not mean "domicile."

(e) Sales of tangible personal property which property was purchased or acquired by a nonresident person prior to coming into the District and establishing or maintaining a business in the District.

(f) The use or storage within the District of tangible personal property owned and held by a common carrier or sleeping-car company for use principally without the District in the course of interstate commerce, or commerce between the District and a State, in or upon, or as part of, any train, aircraft, or boat.

COLLECTION OF TAX

SEC. 4. The provisions of sections 4, 5, 6, 7, 8, 9, 10, 11, 12, and 13 of title I of this act are hereby incorporated in and made applicable to this title.

SEC. 5. Every vendor not engaging in business in the District who makes sales at retail as defined in section 1 of this title, and who upon application to the collector has been expressly authorized to collect the tax, shall, at the time of making such sales, collect the tax imposed by this title from the purchaser. A permit shall be issued to such vendor, without charge, to collect such tax in such manner and subject to such regulations as the Commissioners may prescribe.

RETURNS AND PAYMENT OF TAX

SEC. 6. The provisions of sections 14, 15, 16, and 17 of title I of this act are hereby incorporated in and made applicable to this title. Every vendor, including every vendor not engaging in business in the District who is expressly authorized to collect the tax, shall file returns and pay the tax in accordance with the provisions of such sections applicable to the filing of returns and the payment of the tax and as shall be prescribed by regulation. Every purchaser who has not paid the tax imposed by this title to a vendor required or authorized to collect the tax shall file a return and pay the tax in

accordance with the provisions of the aforesaid sections applicable to the filing of returns and the payment of the tax and as shall be prescribed by regulation.

REGISTRATION

SEC. 7. The provisions of section 25 of title I of this act are hereby incorporated in and made applicable to this title: *Provided*, That vendors and persons who have been issued certificates of registration under title I of this act shall not be required to have such certificates under this title.

REFUNDS, APPEALS, PROSECUTIONS, REGULATIONS, NOTICES, ETC.

SEC. 8. The provisions of sections 18, 19, 20, 21, 22, 23, 24, 26, 27, 28, 29, 30, 31, and 32 of title I of this act are hereby incorporated in and made applicable to this title.

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment: Page 12, line 1, insert:

"(t) Sales of medicines, pharmaceuticals and drugs made on prescriptions of duly licensed physicians and surgeons and general and special practitioners of the healing art: *Provided however.*"

The committee amendment was agreed to.

Mr. SMITH of Virginia. Mr. Chairman, there are some corrective amendments from the committee. I offer the first amendment.

Mr. O'HARA of Minnesota. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. O'HARA of Minnesota. I have an amendment on page 3 of the bill which is a corrective amendment on which the members of the subcommittee generally have agreed. I wonder if we could consider that amendment before the other amendments.

The CHAIRMAN. The Chair has recognized the gentleman from Virginia [Mr. SMITH] to offer corrective amendments.

The Clerk will report the amendment offered by the gentleman from Virginia [Mr. SMITH].

The Clerk read as follows:

Amendment offered by Mr. SMITH of Virginia: On page 46, line 4, following the word "officer", insert the following: "Of the Government of the United States."

The amendment was agreed to.

Mr. SMITH of Virginia. Mr. Chairman, I offer a further amendment which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. SMITH of Virginia: On page 4, line 17, after the dash insert the word "Means" after the dash, change the letter "C" in the word "cereals" to a small letter "c."

The amendment was agreed to.

Mr. SMITH of Virginia. Mr. Chairman, I offer a further amendment which I send to the desk.

The Clerk read, as follows:

Amendment offered by Mr. SMITH of Virginia: Delete subsection (q) beginning on page 7, line 17, and ending on page 8, line 3, and insert in lieu thereof the following:

"(q) 'Semipublic institution': Means any corporation, and any community chest, fund, or foundation, organized exclusively on a nonprofit basis for religious, charitable, or educational purposes, including hospitals, and operated on a nonprofit basis for such purposes. For the purpose of this title an organization or institution which does not embrace the generally recognized relationship of teacher and student shall be deemed not to be operated for educational purposes."

Mr. SMITH of Virginia. Mr. Chairman, I may state that this amendment is in respect to the charitable and public institutions, and the only change from the bill is to insert the word "hospital" which means to apply to these voluntary hospitals. We were not sure that the bill was clear in that respect. It is just a clarifying amendment to make sure that voluntary charitable hospitals are included in the exemptions.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia.

The amendment was agreed to.

Mr. O'HARA of Minnesota. Mr. Chairman, I offer an amendment.

The Clerk read, as follows:

Amendment offered by Mr. O'HARA of Minnesota: Page 3, line 20, after the word "furnished", insert "to transients."

Mr. O'HARA of Minnesota. Mr. Chairman, I may say that this is a clarifying amendment to get away from any question that taxation of transient rooms includes also those people who are permanent residents of an apartment hotel.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota.

The amendment was agreed to.

Mr. KLEIN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. KLEIN: Strike out all after the enacting clause and insert in lieu thereof the following: "That section 3 (s) of title I, article I, is amended to read as follows:

"'(s) The word "resident" means every individual domiciled within the District on the last day of the taxable year, and every other individual who maintains a place of abode within the District for more than 7 months of the taxable year, whether domiciled in the District or not. The word "resident" shall not include any elective officer of the Government of the United States or any officer of the executive branch of such Government whose appointment to the office held by him was by the President of the United States and subject to confirmation by the Senate of the United States, unless such officers are domiciled within the District on the last day of the taxable year.'

"SEC. 2. Section 2 of title III is amended by striking out all of the paragraph numbered (b) (10) and renumbering the succeeding paragraphs as (10) and (11), respectively.

"SEC. 3. Section 3 of title III is amended by striking out all of the paragraph numbered 3 (b) (5) and renumbering the succeeding paragraph as (5).

"SEC. 4. Section 3 of title VI is amended to read as follows:

"'SEC. 3. Imposition and rates of tax: There is hereby annually levied and imposed for each taxable year upon the taxable income of every resident a tax at the following rates:

"'Two percent on the first $2,000 of taxable income.

"'Three percent on the next $3,000 of taxable income.

"'Four percent on the next $5,000 of taxable income.

"'Five percent on the taxable income in excess of $10,000.'"

"SEC. 5. Article I is further amended by striking out all of title VIII and renumbering the succeeding titles as VIII, IX, X, XI, XII, XIII, XIV, and XV, respectively."

Mr. SMITH of Virginia. Mr. Chairman, I make a point of order against the amendment.

Mr. KLEIN. Mr. Chairman, will the gentleman reserve his point of order?

Mr. SMITH of Virginia. Mr. Chairman I shall be pleased to reserve the point of order but I intend to make it.

The CHAIRMAN. The gentleman from New York [Mr. KLEIN] is recognized for 5 minutes in support of his amendment.

Mr. KLEIN. Mr. Chairman, this is the bill that has been referred to in general debate as the Klein bill, or the income-tax bill.

Mr. Chairman, it is my opinion that if this bill were enacted into law there would be no necessity for a sales tax in the District of Columbia. While it is true that this bill may not raise enough money to cover all the needs of the District, yet in addition to an increase in the real-estate tax, if that were found advisable, it might raise the funds necessary. Nobody denies that the real-estate tax rate, in spite of the increase in the last 2 years and in spite of the increase in the assessed valuation, is still far lower than it is in any city of comparable size in the country, and I daresay many smaller communities, where the need is not as great. There is no excuse for it. It is true that the real-estate owner might feel it more keenly because the rates have only recently been raised, but these people have benefited, and it seems to me they should now make up for all the money they have saved in past years.

We also have the situation where the Federal Government makes a contribution to the District in lieu of taxation, and in lieu of other services performed by the District, for which they are not sufficiently compensated. It is not only the $16,000,000 in taxation that the District could get from the owners of this property if the Federal Government paid taxes, but there are other services, including utilities and things of that kind.

Mr. KENNEDY. Mr. Chairman, will the gentleman yield?

Mr. KLEIN. I yield to the gentleman from Massachusetts.

Mr. KENNEDY. It might be added that the passage of this bill with the so-called Klein amendment is the one recommended by those who signed the minority report on the committee.

Mr. KLEIN. I thank the gentleman. If we pass this amendment, which is in effect an income-tax bill, it would delete the sales-tax features, and if we would get an increase in the Federal contribution, also increase the real-estate taxation, we would have much more than could be raised by the sales tax alone and there would be no need for this inequitable, unfair tax that taxes all people alike, in violation of all principles of fair and equitable taxation. The theory of taxation is that people should be taxed according to their income and their ability to pay. This tax hits everybody equally. We do not need it and it is not necessary.

The gentleman from Massachusetts [Mr. BATES] said he would like to have a sales tax. He has always said that.

Mr. BATES of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. KLEIN. I cannot at this time.

Mr. BATES of Massachusetts. The gentleman made a misstatement.

Mr. KLEIN. I will continue to make it, then the gentleman can correct it later. The gentleman continues to state that he is for an income-tax bill, but the reason he is for the sales-tax bill is that an income-tax bill cannot pass this House. That is the only reason he is for a sales tax.

Mr. BATES of Massachusetts. The gentleman said I was in favor of a sales tax.

Mr. KLEIN. I am sorry. I meant an income tax. The gentleman says he is for a sales tax because this House will not pass an income-tax bill. We have new Members here, over 100 new Democratic Members, and I am sure they are not going to be swayed by what previous Congresses have done. If you will look at this situation you will see that what this bill would do is tax people who work in the District, who derive their income in the District, and who escape taxes at the present time because they claim that they pay it in their home communities, which actually many of them do not. It would increase the rates fairly and according to their income. It is a good deal less than we pay in the State of New York as a State income tax. There is nothing unfair about having the people taxed here and also by the Federal Government. Most of the States in the United States have a State income-tax law, yet the people have to pay the Federal income tax as well. That is all we want the people of the District to do. They earn their livelihood here, they owe some duty to the District government, and if they would do that we would not have to use this kind of a sales tax which most people are against and which we only turn to in desperation.

Mr. NICHOLSON. Mr. Chairman, will the gentleman yield?

Mr. KLEIN. I yield to the gentleman from Massachusetts.

Mr. NICHOLSON. Where does your income tax start?

Mr. KLEIN. We are using the same exemptions that are in the present bill. I think it is $1,000.

Mr. NICHOLSON. From $1,000 up?

Mr. KLEIN. Yes.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. SMITH of Virginia. Mr. Chairman, I make the point of order against the amendment because it is premature. This amendment relates to title IV of the bill, and under the unanimous-consent agreement, we have only read titles I and II. I think his amendment should be offered when we reach the proper title.

The CHAIRMAN. Does the gentleman from New York desire to be heard on the point of order?

Mr. KLEIN. Mr. Chairman, my amendment would strike all after the enacting clause, which is on page 1 of the bill, and insert in lieu thereof the amendment which was read, and therefore it is timely at this particuluar place.

The CHAIRMAN. The amendment offered by the gentleman from New York is subject at this time to a technical point of order. However, if the gentleman from New York desires to revise his amendment and offer it in a different form, it would be in order at this time as a substitute for the bill.

Mr. KLEIN. Then I offer it in that form, Mr. Chairman, as a substitute for the pending measure.

The CHAIRMAN. The Chair would like to inform the gentleman from New York that he must prepare his amendment. He cannot offer it orally from the floor.

Mr. KLEIN. Then, Mr. Chairman, I ask unanimous consent to withdraw the amendment at this time.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. JONES of Missouri. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. JONES of Missouri: Page 9, strike out all of lines 1 to 6, inclusive, and insert in lieu thereof the following:

"(a) On each sale where the price is from 4 cents to 64 cents, both inclusive, 1 cent;

"(b) On each sale where the price is from 65 cents to $1.14, both inclusive, 2 cents;

"(c) On each 50 cents of price or fraction thereof in excess of $1.14, 1 cent."

Mr. JONES of Missouri. Mr. Chairman, as one who favors the enactment of a sales-tax law, I am offering this amendment to H. R. 3347, which seeks to enact a sales tax in the District of Columbia for the purpose of raising additional revenue, which I believe is recognized as an urgent need if the District is to provide the educational facilities which are demanded by the people residing within the District.

As we consider this legislation, I find myself in the rather unique position of having joined with 6 other members of the committee in voting not to report this bill from the committee, yet at the same time being enthusiastically in favor of the passage of a sales-tax act for the District of Columbia.

Briefly, I would like to state my position on this bill. I believe that only through a sales tax are many of the residents of the District of Columbia given an opportunity to contribute to the cost of the services, particularly the educational facilities which are enjoyed by the residents of the District. Unless they have an opportunity to pay the small tax which would be imposed by this bill, thousands of residents of the District would be denied any participation in the cost of providing the many services and privileges they enjoy.

Coming from the State of Missouri, which has enjoyed the benefits of a sales tax since 1933, and having been a member of the legislature which increased that tax first from one-half cent to 1 cent in 1935 and later to 2 cents in 1937, I have had the experience of participating in the passage of legislation which has perfected the sales tax act in Missouri, and I have also had the opportunity to observe the operation of this law and to note the public's reaction.

I doubt if any State has enjoyed a happier experience in the operation of a sales-tax law and I doubt if any State has experienced less opposition to the law than the State of Missouri. I attribute this fact not only to the efficient administration of the act by the Honorable Forrest Smith who last November was elected Governor of the State of Missouri, after having served for 16 years as State auditor, directly charged with the administration of the sales tax law, but also to the fact that Missouri has very few exemptions included in that act, after which many States have patterned their sales-tax legislation.

While the Missouri act does provide for the use of tokens in 1- and 5-mill denominations, these tokens are not in general use except in the larger cities. Throughout most of the rural districts and smaller towns, merchants have generally adopted a bracket such as is suggested in the amendment I have proposed, and which was recommended by the State auditor's office. It has been found by experience over a long period of years that this bracket provides a most equitable basis for collecting the tax and comes as near collecting an average 2-cent tax as is possible without the use of tokens or coupons which are both expensive and annoying.

If this bill is passed with the bracket as provided in H. R. 3347, and if the proposed amendment is not adopted, I feel certain that this section will be vulnerable and subject to attacks by opponents of the bill who will use this as an argument that the merchant is collecting an excessive tax which does not conform to the original intention of those who have expressed themselves as being in favor of a sales tax as a means of raising revenue.

As a member of the committee, I am familiar with the reasons advanced for the adoption of the bracket included in this act. However, I am not in sympathey with—in fact, I am unalterably opposed to the avenue of approach selected by the authors of this bill.

In Report No. 257 accompanying this bill, the committee sets out that the tax imposed is predicated upon the same theory as the existing retail-sales-tax law in the State of Maryland.

Unfortunately, I cannot agree with the reasoning of a majority of the committee when they say that a District sales tax should be similar to the law of Maryland because of the proximity of that State to the District. To me this is a good example of the tail wagging the dog. If we follow this line of reasoning, and if Congress elects to turn over to the Maryland State Legislature the responsibility of enacting laws for the District of Columbia, I fear that we will find the Maryland Legislature charged with the obligation of passing laws for many other States.

Since so many States already have sales-tax legislation, I feel that Congress should profit by the experience in the other States before adopting for the District of Columbia what will be and should be considered as a model law. I think it is reasonable to assume that it will not be too long before the State of Virginia will be considering the adoption of a

sales-tax law, and surely if Congress elects to adopt the Maryland law, it will naturally follow, and the same arguments will be used in the Virginia State Legislature, that are being used here today by the District Committee.

As a new member of the committee, and as a new Member of Congress, and as the only member of the majority party serving on this committee who is also serving for the first time on any committee in Congress, I am somewhat reluctant to criticize the action of the committee, especially since I have such a high regard for all of the individual members of the committee, and appreciate the years of experience which they have.

As is generally known, the District Committee is often subject to criticism, and even before I was appointed to membership on this committee, I heard the charge that more often than not the members of the District Committee were not interested in the affairs of the District, and more often than not, members were placed on this committee because there was no other place for them.

I did not ask for membership on the District Committee, and frankly, had no desire to serve in that capacity. However, since my appointment, I have accepted the responsibility and expect to work as diligently as I know how, and to make whatever contribution and to perform any service to the best of my ability.

Throughout the hearings and during the debate on this bill within the committee, I have received the impression that the committee has approached this proposition with a defeatist attitude. Throughout the consideration of this bill, I have heard the argument that the committee must be careful to provide certain exemptions if the bill is to pass. Possibly those members who have served on this committee before and who have had the experience of having tried unsuccessfully to secure the passage of a sales-tax bill for the District of Columbia, are justified in their position. However, as stated above, as a new member, I have attempted to approach this legislation on the basis of what is fair and just, and as a member of the committee, I shall attempt throughout the consideration of this bill to offer amendments which I honestly and sincerely believe will make this bill a better bill, and I hope that I may have the cooperation of the other Members of this House who are interested in passing the best bill possible, irrespective of what the experience has been in the past or what has been done by the Maryland Legislature.

As long as this Congress has the obligation to legislate for the District of Columbia, I feel that each of us should accept this responsibility and endeavor to pass a bill which will accomplish the purposes of the act, namely, that of providing adequate revenue to finance the District of Columbia.

Mr. EDWIN ARTHUR HALL. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, no matter how thin you slice this question, it is still a sales tax. If I am the only Member of this House to vote against it, I expect to record my opposition to it when the vote is taken today.

The New York State Legislature has never approved a general State sales tax in New York State, and there are many other States that have not yet come around to it. It seems to me that the only fair method of imposing a sales tax in the District of Columbia would be first to bring in a bill to give the people of the District suffrage, to give them an opportunity to elect their representatives, and then to accord their council the privilege of voting the sales tax up or down.

For my part, I cannot be a party to voting for a sales tax for the District of Columbia, because the people have no way of expressing their opinions and their wishes and desires either way.

Then, the sales tax, federally or in any other way, represents a poor man's tax. You can vote to saddle a tax upon the shoulders of the poor man if you want to. As for me, I cannot bring myself to vote for it, even though the question has been brought up again and again, and I have been on record every time that we have had a chance to vote on this question as unalterably opposed to it.

There is no reason in the world why we have to saddle the people of the District of Columbia or of any other subdivision of this country or of the National Government with an unfair, autocratic tax of this kind. As I have said, it is a poor man's tax. It is the way to sock the poor man and to let the rich man get out of paying a tax. It is entirely unfair to the rank and file of the people of this country. It is entirely unfair to the rank and file of the people of the District of Columbia and should be resisted by whatever opposition we can muster here today at least until we give the people of the District of Columbia a chance to vote on the question. We have had this question up here again and again. We have had the subject of suffrage in the District again and again. We passed it and each time it has been waylaid. It has been thrown out by the other body. I say give the people a chance at the ballot box. They have the right to vote in the District of Columbia just as much as in any other part of the country.

Mr. BATES of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. EDWIN ARTHUR HALL. I yield.

Mr. BATES of Massachusetts. Do I understand correctly that the gentleman has been advocating over a long period of time a general old-age pension bill?

Mr. EDWIN ARTHUR HALL. The gentleman is correct, but that is beside the point here. We are not talking about anything but the District of Columbia sales tax. If the gentleman will look up all the utterances that I have made on the subject he will find that I have fought this sales tax ever since I first took a position on it.

Mr. BATES of Massachusetts. The gentleman advocated a 2-percent sales tax and a general pension plan?

Mr. EDWIN ARTHUR HALL. The gentleman has not advocated anything of the kind. I have advocated a gross income tax for the aged, widows, and crippled persons with a $250 monthly exemption from personal income.

Mr. JONES of Alabama. Mr. Chairman, will the gentleman yield?

Mr. EDWIN ARTHUR HALL. I yield.

Mr. JONES of Alabama. Is the gentleman in favor of increasing the pay for firemen?

Mr. EDWIN ARTHUR HALL. The gentleman is beclouding the issue. The issue here is the sales tax. We can get the money all right. But the sales tax is the issue here.

Mr. JONES of Alabama. Where are you going to get the money?

Mr. EDWIN ARTHUR HALL. The sales tax is the issue at this time. You have a chance to vote it either up or down.

Mr. JONES of Alabama. I hope the gentleman understands that the purpose of the bill is to take care of those needs.

Mr. EDWIN ARTHUR HALL. There again the gentleman is beclouding the issue because the question simply is the sales tax, and if you are for it, you have the privilege of voting for it. I sincerely hope that we who are against it will have a chance to vote against the sales tax.

Mr. MONRONEY. Mr. Chairman, will the gentleman yield?

Mr. EDWIN ARTHUR HALL. I yield.

Mr. MONRONEY. Will the gentleman explain to me what is the difference between a 2 percent sales tax and 2 percent transaction tax, except that a transaction tax applies to everything including sales?

Mr. EDWIN ARTHUR HALL. I do not know how these questions of transaction and gross income taxes got into this discussion, but I shall repeat they are irrelevant here. The sales tax reaches every man and woman who buy the necessities of life. Can you justify voting to put a sales tax on the necessities of life? I cannot.

Mr. BATES of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. EDWIN ARTHUR HALL. I yield.

Mr. BATES of Massachusetts. Do I understand correctly that the gentleman appeared before the Committee on Ways and Means this morning in favor of the Townsend plan?

Mr. EDWIN ARTHUR HALL. The gentleman is correct but will he tell me what that has to do with the subject we are now discussing? We are talking about a tax on the necessities of life, which is wrong.

Mr. SMITH of Virginia. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I have no desire to becloud the issue. In response to the fears of the gentleman from New York who is apprehensive about the poor, unrepresented taxpayer of the District of Columbia, upon whom he does not want to impose any unwanted burdens, I think he may dry his tears when I tell him which organizations in the District of Columbia approved this bill. It has been approved by the Washington Board of Trade. It has been approved by the Washington Taxpayers' Association. It has been approved by the Federation of Citizens' Associations. Those are all your unrepresented taxpayers. It has been approved by the Junior Board of Commerce. It has been approved by the Federation of Businessmen's Association. It has been

approved by the Northwest Council of Citizens' Associations. It has been approved by the Federation of Women's Clubs. So I do not think the gentleman need weep about the poor, unrepresented taxpayers of the District of Columbia.

Mr. Chairman, this amendment proposes to raise the exemption. Under the present bill, 51 cents is taxed with the 2-percent tax. The gentleman proposes to raise it to 60 cents. As the gentleman very fairly stated, we have tried, because of the proximity of Maryland, where they have a sales tax, to parallel it as far as we fairly could. That is the ratio in Maryland.

The committee considered this proposal in the joint committee with the Senate, and, after due discussion, it was our conclusion that, in fairness to everybody, particularly to the merchants who have to collect this tax, this was the best way to do it.

For instance, the great store of the Hecht Co., which operates in Washington, has a branch store in Maryland. If we vary the rate of tax from the Maryland rate of tax, that store would have to keep two sets of books, one on the amount of tax collected on the Maryland sales and the other on the amount of tax collected on the Washington sales. There are a great many companies which operate both in Maryland and in the District of Columbia.

Mr. KENNEDY. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I yield.

Mr. KENNEDY. A great many of the labor groups and veterans groups have opposed this bill, have they not?

Mr. SMITH of Virginia. Yes. I failed to state who opposed the bill. It was opposed by the Wholesale Liquor Dealers' Association. It was opposed by the American Federation of Labor. It was opposed by the Henry Wallace Progressive Party. It was opposed by the Americans for Democratic Action. It is opposed by the CIO and it is opposed by the United Public Workers of America.

Mr. HUBER. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I yield.

Mr. HUBER. Are not some of those very worth-while organizations?

Mr. SMITH of Virginia. I have no doubt they are, from the gentleman's standpoint.

Mr. HAYS of Ohio. Did the fourth major political party, the Dixiecrats, take any stand on this?

Mr. SMITH of Virginia. I do not know that. I might add something that I had not said. This sales tax was approved by the President and approved by the Budget.

Mr. BIEMILLER. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I yield.

Mr. BIEMILLER. As I understand it, if a resident of Maryland makes a purchase in the District, let us say of a radio, the company selling that radio in the District charges the Maryland sales tax to the resident of Maryland. Would this bill add on the additional sales tax in the District?

Mr. SMITH of Virginia. No. There is a specific provision that exempts that. Every sales tax has that compensating-use tax to protect the sales tax.

Mr. HUBER. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I yield.

Mr. HUBER. Did I understand the gentleman to say the President was for this?

Mr. SMITH of Virginia. Yes.

Mr. HUBER. Will the gentleman also support all of the other proposals of the President?

Mr. SMITH of Virginia. If I think they are right, yes. I always do.

Mr. BATES of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I yield.

Mr. BATES of Massachusetts. Also, the chairman of the Democratic National Committee, who is chairman of the Senate District Committee in the District of Columbia, is in favor of this sales-tax bill. According to the reports in the paper yesterday the Democratic leader from my own State, JOHN MCCORMACK, is in favor of this bill. They realize this is the only opportunity we have, inasmuch as Congress has turned down all the other alternatives.

The CHAIRMAN. The time of the gentleman from Virginia [Mr. SMITH] has expired.

The question is on the amendment offered by the gentleman from Missouri [Mr. JONES].

The question was taken, and the amendment was rejected.

Mr. KLEIN. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. KLEIN: Strike out section 1 of the bill and insert the following as a substitute:

"Be it enacted, etc., That section 3 (s) of title I, article I, is amended to read as follows:

"'(s) The word "resident" means every individual domiciled within the District on the last day of the taxable year, and every other individual who maintains a place of abode within the District for more than 7 months of the taxable year, whether domiciled in the District or not. The word "resident" shall not include any elective officer of the Government of the United States or any officer of the executive branch of such Government whose appointment to the office held by him was by the President of the United States and subject to confirmation by the Senate of the United States, unless such officers are domiciled within the District on the last day of the taxable year.'

"SEC. 2. Section 2 of title III is amended by striking out all of the paragraph numbered (b) (10) and renumbering the succeeding paragraphs as (10) and (11), respectively.

"SEC. 3. Section 3 of title III is amended by striking out all of the paragraph numbered 3 (b) (5) and renumbering the succeeding paragraph as (5).

"SEC. 4. Section 3 of title VI is amended to read as follows:

"'SEC. 3. IMPOSITION AND RATES OF TAX.—There is hereby annually levied and imposed for each taxable year upon the taxable income of every resident a tax at the following rates:

"'Two percent on the first $2,000 of taxable income.

"'Three percent on the next $3,000 of taxable income.

"'Four percent on the next $5,000 of taxable income.

"'Five percent on the taxable income in excess of $10,000.'

"SEC. 5. Article I is further amended by striking out all of title VIII and renumbering the succeeding titles as VIII, IX, X, XI, XII, XIII, XIV, and XV, respectively."

Mr. KLEIN. Mr. Chairman, I ask unanimous consent that the amendment be considered as read. It is the same amendment that I offered in a different form a few minutes ago.

Mr. SMITH of Virginia. It is H. R. 1385?

Mr. KLEIN. That is right.

The CHAIRMAN. Is there objection to the request of the gentleman from New York [Mr. KLEIN]?

There was no objection.

Mr. SMITH of Virginia. Mr. Chairman, I reserve a point of order against the amendment.

Mr. KLEIN. I am not going to speak on the amendment. I have already explained it. It was offered in the previous form. I am now offering it as a substitute for the sales-tax bill. I do not propose to take the time of the membership by going into it any further.

The CHAIRMAN. The gentleman from Virginia has reserved a point of order against the amendment. The gentleman will state it.

Mr. SMITH of Virginia. Mr. Chairman, we are considering titles I and II of this bill; that is a sales tax. It is an entirely different proposition from the income tax; in fact, it is usually put in a separate title or in a separate bill.

Mr. Chairman, I make the point of order that a substitute for a sales tax of an income tax is not germane to the pending bill at this point.

The CHAIRMAN. The gentleman from New York has offered an amendment as a substitute to the pending bill. The Chair is constrained to rule that it is germane, because in the gentleman's substitute he proposes a method of taxation which though somewhat different from the method proposed in the bill, nevertheless, is a method of taxation, and it is germane at this point.

The Chair overrules the point of order.

Mr. O'HARA of Minnesota. Mr. Chairman, I rise in opposition to the amendment, because I think I am as familiar with this increase phase of the tax bill as perhaps anyone here, and that is with reference to the problem of taxation of the employees of the Government and our own employees who work in our offices.

Mr. Chairman, this amendment would raise just about everything that could be done to fair taxation to our Government employees and our employees on our own staffs. It completely disregards the conditions which we have in the District of Columbia which applies to the very fact that our own employees are here because we are here, and the fact that many of our district employees or many of the employees, residents of our districts, are here for the reason that we are here, that they are employed by the Congress.

Mr. KLEIN. Mr. Chairman, will the gentleman yield?

Mr. O'HARA of Minnesota. If the gentleman will let me proceed a little further, I shall then be pleased to yield to him.

In 1947 it happened that I led the fight on an income-tax bill here which dealt with that problem and as a result overwhelmingly, by about a 3 to 1 majority, the House adopted the so-called O'Hara amendment which exempted those bona fide domiciliary residents of other States from taxation within the District. It was partly precipitated, let me say, by the over-zealousness of the tax collectors here in the District in even failing to recognize the decision of the circuit court of appeals in several cases.

In this tax bill we are giving consideration to our Government employees and our own staffs; we are giving them consideration because we are setting the exemption so that they do not pay taxes until a net income of $5,000 is earned. This is a compromise, Mr. Chairman, to the situation which has heretofore existed following the adoption of the O'Hara amendment, and I hope the House will not adopt the amendment offered, as I know, in good faith, by the gentleman from New York, because it has never been considered by the Fiscal Affairs Subcommittee; so far as I know, the gentleman from New York has not pressed for hearings upon it before the Fiscal Affairs Subcommittee.

Mr. KLEIN. I have not. I asked for a hearing, but I could not get one; and I never pressed the committee, thinking I could not get one.

Mr. O'HARA of Minnesota. The gentleman desired me to yield to him; I yield to him now.

Mr. KLEIN. I wish to make this one point: Would the gentleman be willing to go along with the amendment excluding or exempting from the payment of this tax, using the wording of this particular bill, the members of the staffs of the Members of Congress? Would the gentleman vote for my amendment or my substitute if that language were used?

Mr. O'HARA of Minnesota. No; I would not vote for the failure of consideration that is given, such, for example, as the imposition of a 2-percent tax on the first $2,000 of taxable income. That would be a tax of $40 upon the little clerk who earns $2,000.

Mr. KLEIN. No. There is an exemption. I am only amending that particular portion of the revenue act. The other portions of the revenue act remain in effect, so do the exemptions.

Mr. O'HARA of Minnesota. I do not know, but I think it would be a very complicated adjunct to this bill. The gentleman is for these retroactive pay increases and pay increases to the District employees.

Mr. KLEIN. That is right.

Mr. O'HARA of Minnesota. The gentleman knows we cannot meet that burden with this bill, is that not a fact?

Mr. KLEIN. That is true. The gentleman knows I want to be fair.

Mr. O'HARA of Minnesota. I appreciate that.

Mr. KLEIN. Would the gentleman be willing and would the members of the committee be willing to vote for a motion to recommit the bill and have the committee go into my bill?

Mr. O'HARA of Minnesota. I may say in answer to the gentleman that after all of the time this committee has spent on this whole problem we could not agree to that. Of course, I am not in position to speak for the rest of the committee. I would not agree to send this bill back to the subcommittee. We have spent weeks on it and I think something has to be done. We are holding up the pay increases for the District employees which I think is unfair to them.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. HAYS of Ohio. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, there have been a lot of arguments here for a sales tax which on careful analysis will not stand up. A question was asked a little bit ago as to what protection the District would receive from adjacent territories not having a sales tax. The answer was given that there is a provision in the bill which would provide for a use tax. If anyone thinks that a use tax will collect a tax on items purchased in Virginia, he is very naive or else entirely unfamiliar with attempts of other States to enforce a use tax. It will take more money than the sales tax would bring in to try adequately to enforce the use tax provision. You just simply cannot do it.

A question has been asked about where you are going to raise this money. I have no particular interest in the liquor industry, but I was more than a little amazed to learn that the price of liquor in the District of Columbia is about 40 percent less than it is in my State due to the fact that there is very little tax on liquor sold in the District and without being facetious I might say, with the amount apparently consumed, if you would believe what you read in the papers and magazines in the District, you can raise the entire amount by simply increasing the liquor tax so that it might conform with the liquor tax in other States.

A point that has not been adequately made is the fact that on small items which the little-income man purchases one at a time, this bill goes far beyond the 2-percent tax. Many times it would amount to 10 percent.

Mr. KENNEDY. Mr. Chairman, will the gentleman yield?

Mr. HAYS of Ohio. I yield to the gentleman from Massachusetts.

Mr. KENNEDY. We could by increasing the ad valorem tax only 25 cents raise $4,000,000 additional, we could increase the Federal contribution the way it should be increased, we could put in an income tax that would raise $16,000,000 more, we could repeal the act of 1878 and raise funds for capital improvements through bonded indebtedness. There are any number of ways that the money could be raised. This is not the only way.

Mr. HAYS of Ohio. I thank the gentleman.

There is another point I would like to make to the new Members of Congress. I am not very familiar with the District administration. As a matter of fact, the only contact I have had with any of the officials who administer the government of the District was at the Washington Board of Trade dinner when the President of the Board of Commissioners made a speech which I would say would insult the intellect of any Member of Congress. I think it was very unfortunate. I do not know what his motives were and I do not know why he did it, but if that is the kind of administration they have in the District I am just a little suspicious of any increase in taxation of any kind and as a new Member I would like to hear more about it, how the District is administered and where the money goes.

I would like to go back for a moment because I have had experience in Ohio with the problem of collecting this use tax. There is going to be a migration of certain groups of people to Virginia to buy certain articles especially if the tax saving is in any appreciable amount, say $2, $4, or $6. I would like to have somebody tell me just how you propose to collect hat tax from the people who can go over there and who can afford to go over there and buy those expensive articles. Personally I do not think it can be collected and I would be glad to yield to anybody who can tell me how it can be collected. What you are doing, gentlemen, is putting taxes on the people who are least able to pay and providing a loophole for those who care to dodge a tax on articles where the tax will amount to any appreciable sum on a given article. I submit to you that we should think twice before we pass that kind of legislation.

Mr. JONES of Alabama. Mr. Chairman, will the gentleman yield?

Mr. HAYS of Ohio. I yield to the gentleman from Alabama.

Mr. JONES of Alabama. It seems to me that the committee was very circumspect in trying to get out a bill that would cause the least amount of oppression to those low-income groups. As I said earlier, we came to the sales tax as a last resort, and if the gentleman had been here in the Eightieth Congress and the Congresses before that, he would have realized the difficulty of passing a revenue measure for the District of Columbia. So, we have presented the most liberal sales tax that has ever been presented to this Congress.

Mr. HAYS of Ohio. I think it is a very debatable question as to whether any form of sales tax is a liberal tax.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. SMITH of Virginia. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I think the discussion that is going on here now will illustrate the difficulty of trying to write a revenue bill on the floor of the House. It is utterly impossible. For instance, take the proposed substitute here offered by the gentleman from New York [Mr. KLEIN]. Not even the gentleman himself has any conception of how much that would raise; whether it would balance the budget or whether it would not balance the budget. We all know that a similar proposal was offered here in the House which would have resulted in the taxation of District and Federal employees who are domiciled in their home States,

and the overwhelming sentiment of this House voted the income tax down.

Now we are getting a little bit tired in the Committee on the District of Columbia doing futile things. We have proposed all of these things to you, and you vote them down one after another. Well, how are you going to make a balanced budget for the District of Columbia? I know it is not a popular thing to vote for appropriations and tax measures, but we are still presented with the practical problem of where are you going to get the money to balance the budget for the District of Columbia and pay the expenses of the National Capital in which I know you gentlemen all take great pride?

Now, the gentleman who preceded me said that it was utterly impractical to enforce the use tax. I note that the gentleman is from Ohio. I note that Ohio has a sales tax, and I have no doubt that it is working to meet their financial situation. And I have not heard of any great effort in Ohio to repeal the sales tax. But as to this use tax which the gentleman says cannot be enforced, I want to say to him that this committee, which has given weeks of time to this thing, had before it all the doubts that have been expressed here today about various and sundry things. We undertook to resolve those doubts, and on the question of the use tax we sent over to Maryland and asked the Administrator of that tax and his two assistants to come over and tell us how the thing operated in practice, and they did so. We spent an afternoon with the administrator of the sales tax in Maryland. He told us that the use tax had worked in Washington when Washington had no sales tax. Now, why should it not work in Washington when Washington has no sales tax? You know many purchases are made in Washington by people who live in Maryland. They have a system worked out. They have a series of licenses to operate, and they have a method by which, they say, they have successfully operated it. I do not know just how they do it, and neither do you, but I think I know a little bit more about it than the gentleman who just preceded me, who has not had the benefit of the very extensive hearings we have had on this matter.

The gentleman says that liquor taxes are low in the District of Columbia, and all we have to do is raise them commensurate with other jurisdictions, and we will balance the whole budget. Perhaps the gentleman was not here when this discussion started. It will take $18,000,000 to balance the budget of the District of Columbia. The fact is that this same fiscal affairs committee has held hearings and now has before it a bill to increase the liquor taxes in the District; in fact, to double the liquor taxes. It is expected that that bill will come out in due course. We are trying to balance the budget. If the sales tax does not do it, we figure that the increase in the liquor tax will make up this deficit to the extent of a million or a million and a half dollars. Add that to the sales tax and the other measures which we hope to bring to you from time to time during the session, and we hope to balance the budget and put at least the Nation's Capital on a fair, sound fiscal basis.

I do hope the House will have some little confidence in the members of this subcommittee, who have really gone into the subject very thoroughly and spent a great deal of time on it.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I yield to the gentleman from Pennsylvania.

Mr. RICH. I was sitting here correcting some remarks I made earlier this morning when I heard the gentleman say, "Where are we going to get the money?" My ears cocked up. I was surprised to hear the gentleman say that.

Mr. SMITH of Virginia. I was merely plagiarizing the gentleman from Pennsylvania.

Mr. RICH. Then when I heard the gentleman say we would balance the budget, I almost did not know how to contain myself. I hope you on that side of the House do that.

Mr. GRANGER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, later I am going to offer an amendment. If we cannot have any tears shed here for the poor, maybe we can get some shed for those who are not so poor. The amendment I shall offer would exclude any article that now bears a so-called Federal excise luxury tax. It seems to me that attention should be directed to a tax that is unbearable, a tax that is a burden on the rich as well as the poor, and is such a burden that another 2 percent would be unbearable for all.

In general, I am opposed to the sales tax. I appreciate the work the gentleman from Virginia [Mr. SMITH] and the gentleman from Massachusetts [Mr. BATES] have done, but I have not been convinced that all the avenues have been explored whereby sufficient revenue could be had from other sources.

It has been said here time and time again that the ad valorem tax is low, the liquor tax is low, and the income tax is ineffective. Why should not a study be made of those things? You say we have already had such studies. Of course, we have, but we should not weary of well-doing, because some day we shall pass some of these bills.

The thing that can cure all this business for the District of Columbia, and I hope the members of the committee will take into consideration the basic ailment we have here is once and for all to get rid of the District Committee and place its work in the hands of the people, so they can take care of their own tax laws and anything else they want to do. It seems to me that is the problem that should be met.

I know the gentleman from Massachusetts has been saying, "We have already raised the ad valorem tax 25 percent," but in the same breath he would tell you that they have raised the teachers' salaries 85 percent. Yet he is coming back with another increase for them of $330, which does not argue for consistency in this matter of taxation.

Mr. HAND. Mr. Chairman, will the gentleman yield?

Mr. GRANGER. I yield.

Mr. HAND. The ad valorem tax is at an extremely low point here in the District and is approximately one-third of the ad valorem tax on real estate which prevails in my State, and I dare say in the gentleman's State.

I would also suggest to the gentleman that there is no other place I know of in the country in which the operation and ownership of real estate is so profitable as it is here.

Mr. GRANGER. That is well said.

Mr. HAND. The gentlemen are talking about exploring new fields for taxation and we are entirely overlooking the question of a reasonable tax on real estate in Washington.

Mr. GRANGER. I thank the gentleman for his observation. The property owners of the District of Columbia are exceedingly blessed because every day of the year there is funneled into the District the pay rolls of the Federal Government, which is something that no other city in the United States enjoys. The people here ought to be willing to pay for that. As has been indicated here their assessed valuation on property has gone up. The thing that counts on a percentage basis is where you start. If you start at the bottom as was done in this instance, why you could raise it 100 percent and it would not mean a thing. I am opposed to this bill.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. GRANGER. I yield.

Mr. CRAWFORD. In addition to the advantages which the gentleman has pointed out, property owners and tradesmen enoy the unique situation here where in times of depression definite financing holds up the volume of business and even increases it.

Mr. GRANGER. That is right.

Mr. CRAWFORD. So the people in the District of Columbia have a guarantee against depression which other sections of the country must suffer.

Mr. GRANGER. That is true. I thank the gentleman for his observation.

Mr. BATES of Massachusetts. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I want to reemphasize once more the seriousness of this situation. The question before the Committee at the moment is the adoption of the Klein amendment to the income provisions of this bill. The Klein amendment, in the form of H. R. 1385, which has been offered to the House for its consideration, is in substance about the same kind of measure that we have been offering on the floor of the House for 10 years past, except in upping or doubling the present income-tax rate.

In 1939, when the sales tax was originally recommended after a survey made by one of the most outstanding tax ex-

perts in the country on fiscal matters, he recommended the sales tax along with an income tax. I opposed the sales tax that year. We adopted the income tax on a motion which I made on the floor of the House and seconded by our former colleague from Illinois [Mr. DIRKSEN]. That income-tax bill became law and is now the basic income-tax law of the District. The only difference between that law which is now on the books and which we had hoped during the past 10 years would be approved and would develop sources of revenue that would be adequate and equitable, and the Klein amendment, is with reference to the meaning of the word "resident," and whether one is domiciled in the District of Columbia regardless of where he claims his residence.

If a person is here in the District 7 months of the year as or on December 31, the last day of the taxable year, he or she would be subject to tax. That bill was defeated year after year. Again, 2 years ago, when I became chairman of the Fiscal Committee of the House District Committee, we recommended the inclusion in the definition of "resident," anyone who is here domiciled for 7 months of the year as of the last day of the taxable year. But the House, as the gentleman from Minnesota [Mr. O'HARA] said, defeated the substance of the bill by adopting the O'Hara amendment by a vote of 3 to 1. That was somewhat along the line of the amendment offered by the gentleman from New York [Mr. KLEIN] at this moment. Of course, if that was the attitude of the House, we could do nothing about it. But it was an important source of revenue. We had just increased the real-estate tax 30 percent in order to meet the obligations under the budgetary requirements of that year.

In order to meet the requirements of the District, we will have to increase the property bill to nearly double what it was 2 years ago. I illustrated the point where a man paid $175 in 1947. Under this bill, if we have to raise the property tax, he will have to pay $336. That is nearly double the amount of tax in a period of 2 years. Of course, there is an end to the road in what a property owner can pay. If we cannot broaden the income-tax base, if we cannot find some other substantial source of revenue, we have to go to a source which I have opposed for 10 years, but for which there is no alternative—namely the sales tax.

Mr. MILLER of California. Mr. Chairman, will the gentleman yield?

Mr. BATES of Massachusetts. I yield.

Mr. MILLER of California. I would like the gentleman to go into some detail as to how you will double the taxes in 2 years. You are getting $40,000,000 in property taxes now. You need only $12,000,000 more. According to my simple method of calculating, that would be an increase of 25 percent.

Mr. BATES of Massachusetts. It is easy to explain. We have a deficit of $18,000,000. It will take 80 cents more on the tax rate to meet that. That will bring the tax bill on a piece of property, assessed at $12,000, previously assessed at $10,000, up to $336. That is nearly double the tax bill in the period 2 years ago or 92 percent. That is clear mathematics. You cannot get away from it. Now, if you want to adopt the Klein amendment, it is all right with me, but the Members of this House, only a year ago, voted 3 to 1 that these poor folks, who live in Washington, several hundred thousand of them who claim their residence in Illinois or Texas or California or somewhere else, shall not pay any tax. That is what you said and that is why we have this bill before us today for this is the only reasonable alternative to develop large sources of revenue. A compilation of the revenue and expenditure situation from 1937 to 1950, inclusive, shows many interesting facts pertaining to the financial picture in the District prepared by the District auditor.

The tables follow:

Actual revenues of the District of Columbia for the fiscal years 1937 to 1948, inclusive, and estimated revenues for the fiscal years 1949 to 1950, inclusive, based on current tax laws

Year	Realty tax rate	Assessed value	Taxes										Interest penalties	Rents and permits	ABC licenses	All other licenses
			Realty	Income	Personal tangible	Utilities, etc.	Alcoholic beverage	Insurance	Vehicle personal	Inheritance and estate	Beer	Intangible and business				
1937	$1.50	$1,144,457,153	$17,489,320	----------	$1,066,686	$2,024,825	$1,213,854	$514,239	$622,437	----------	----------	$2,666,117	$344,860	$515,910	$761,498	$540,498
1938	1.75	1,171,330,921	20,216,601	----------	1,437,381	2,299,577	1,157,405	610,925	769,891	$43,621	$6,748	4,821,979	325,738	306,499	728,872	983,884
1939	1.75	1,193,499,086	20,940,032	----------	1,529,437	2,138,163	1,212,820	803,747	626,429	430,642	164,170	4,695,396	319,832	280,379	715,161	758,836
1940	1.75	1,211,208,484	21,437,526	$2,275,745	1,485,466	2,210,635	1,421,084	828,596	985,937	842,537	174,668	426,783	308,525	261,838	714,947	711,802
1941	1.75	1,237,937,085	21,901,820	3,872,232	1,660,603	2,230,045	1,585,547	869,107	1,247,896	817,777	194,198	54,303	280,492	350,471	702,956	669,664
1942	1.75	1,267,288,429	22,483,025	5,584,932	1,950,951	2,548,638	1,930,940	922,571	1,228,514	1,008,329	227,819	93,919	321,352	400,912	700,680	776,893
1943	1.75	1,326,992,815	23,305,510	7,210,613	2,669,214	2,851,637	2,095,413	970,814	1,042,684	1,551,205	265,896	33,169	255,296	315,296	680,253	893,549
1944	1.75	1,354,348,720	23,846,726	8,675,602	3,095,008	3,234,141	1,819,369	1,001,348	963,912	1,772,293	294,340	26,073	328,309	480,549	699,941	799,879
1945	1.75	1,370,162,599	24,225,718	8,909,710	3,264,747	3,276,693	2,138,519	1,078,195	939,217	1,496,479	287,270	23,377	290,416	527,302	730,851	896,720
1946	1.75	1,381,881,052	24,630,752	9,221,728	3,472,047	3,225,498	2,397,646	1,142,463	1,040,209	1,133,221	299,537	1,820	284,217	542,998	775,384	1,100,611
1947	1.75	1,396,017,481	24,775,659	9,952,909	3,705,933	3,526,959	2,143,678	1,302,978	1,676,486	1,587,903	265,010	985	241,916	529,656	785,869	1,187,070
1948	2.00	1,572,527,504	31,514,554	[1] 10,740,803	5,274,614	3,805,617	2,066,453	1,444,750	2,527,255	2,101,685	301,465	832	255,588	449,850	790,919	1,409,646
1949	2.00	1,594,243,750	32,225,000	[1] 10,600,000	5,800,000	4,170,000	2,000,000	1,450,000	2,500,000	1,200,000	300,000	----------	225,000	400,000	795,000	1,659,000
1950 estimate	2.00	1,628,000,000	32,500,000	[1] 10,600,000	5,800,000	4,200,000	2,000,000	1,450,000	2,500,000	1,500,000	300,000	----------	225,000	400,000	795,000	1,705,000

Year	Court fines	Fees and forfeitures	Police and fire relief	Assessments	Care of insane	All other reimbursements	Sales products services assets	Direct deposits	Federal payment	Total general fund	Gasoline tax	Vehicle registration	All other	Total highway fund	Total water fund	Grand total
1937	$470,126	$801,445	$213,720	$331,666	$124,711	$19,893	$154,670	$29,982	$5,000,000	$34,906,457	$2,575,164	----------	$182,313	$2,757,477	$1,708,859	$39,372,793
1938	532,408	487,189	202,674	237,277	132,287	35,427	90,298	35,478	5,000,000	40,462,159	2,651,591	$1,265,383	492,003	4,408,977	2,353,894	47,225,030
1939	500,745	507,259	213,773	161,711	143,465	29,611	126,189	52,210	5,000,000	41,350,007	2,725,499	1,304,182	907,955	4,937,636	2,337,741	48,625,384
1940	524,368	551,915	220,107	122,966	162,949	77,197	137,231	60,308	6,000,000	41,943,130	2,943,796	1,325,073	778,120	5,046,989	2,115,048	49,105,167
1941	693,247	608,046	225,854	121,099	186,965	47,986	229,001	178,297	6,000,000	44,727,606	3,198,455	1,442,040	741,689	5,382,184	2,570,807	52,680,597
1942	918,628	562,481	216,653	132,554	203,396	114,742	268,384	235,443	6,000,000	48,881,756	4,245,639	1,399,504	889,255	6,534,398	2,586,505	58,002,659
1943	939,518	434,737	235,756	100,829	304,243	170,855	230,938	178,517	6,000,000	52,735,942	3,247,413	1,198,713	772,769	5,218,895	3,031,242	60,986,079
1944	891,309	424,749	232,328	93,617	314,597	198,969	271,540	215,505	6,000,000	55,680,104	2,896,153	1,098,273	656,322	4,650,748	2,911,699	63,242,551
1945	857,276	467,238	244,293	108,738	449,843	200,604	295,249	154,300	6,000,000	56,862,755	2,860,064	1,064,111	617,521	4,541,696	3,433,611	64,838,062
1946	1,119,593	527,883	270,080	123,151	544,410	99,469	317,375	110,982	6,000,000	58,481,074	3,680,768	1,158,532	641,858	5,481,158	3,442,929	67,405,161
1947	1,399,969	656,954	358,356	126,220	584,696	114,999	382,061	344,432	8,000,000	63,650,698	4,335,858	1,405,073	712,758	6,453,689	3,599,640	73,704,027
1948	1,203,227	667,692	350,200	110,150	652,836	230,015	469,753	827,301	11,000,000	78,195,205	6,032,597	1,551,100	905,848	8,489,545	[2] 5,304,940	91,989,690
1949	1,200,000	700,000	350,000	125,000	675,000	225,000	450,000	570,000	11,000,000	78,619,000	6,600,000	1,600,000	974,800	9,174,800	[2] 5,966,000	93,759,800
1950 estimate	1,200,000	700,000	350,000	125,000	675,000	225,000	450,000	250,000	11,000,000	[3] 78,950,000	6,800,000	1,625,000	970,000	9,395,000	[2] 5,976,000	94,321,000

[1] Includes corporation and unincorporated business taxes.
[2] Includes $1,000,000 Federal contribution, excludes $219,011 sale of securities.
[3] Excludes $10,000,000 estimated revenues from proposed sales tax.

Actual cash expenditures of the District of Columbia for the fiscal years 1937 to 1948 and estimated appropriations for 1949 to 1950 by functions

Year	General government			Protection of life and property, including street lighting		Health and sanitation		Public welfare and hospitals		Education		Recreation		Miscellaneous maintenance
	Maintenance	Capital	United States loan repayments [1]	Maintenance	Capital	Maintenance	Capital	Maintenance	Capital	Maintenance	Capital	Maintenance	Capital	
1937	$2,306,155	[2] $620,127	$1,000,000	$8,499,843	$168,960	$2,301,173	$467,345	$8,652,082	$183,765	$10,953,941	$1,054,158	$1,484,550	$350,000	$201,230
1938	3,013,833	1,180,368	1,000,000	7,868,200	138,830	2,466,393	639,780	8,453,817	255,792	11,247,846	1,821,999	1,393,769	350,000	228,278
1939	2,812,377	152,686	1,000,000	7,983,911	115,994	2,604,248	585,865	8,757,074	182,513	11,261,725	2,696,046	1,407,531	403,248	336,847
1940	3,366,190	100,678	477,610	7,851,294	157,794	2,547,362	720,595	9,100,481	161,646	11,584,182	2,016,889	1,238,818	572,173	278,522
1941	3,378,629	114,574	800,000	8,423,861	1,404,087	2,752,353	813,141	9,902,786	414,774	11,991,074	1,635,918	1,209,186	366,000	391,509
1942	3,504,145	172,319	690,000	8,344,674	1,354,301	2,901,888	987,581	10,659,372	211,584	11,801,288	1,640,181	1,497,732	329,902	382,765
1943	3,941,604	85,453	2,500,000	8,932,691	202,032	3,669,069	780,121	10,683,367	122,560	11,698,402	1,526,789	1,625,330	304,534	219,638
1944	4,333,395	12,269	5,849,998	9,908,025	123,994	4,124,418	618,820	11,583,910	64,328	14,423,055	297,671	1,880,060	1,001,083	357,371
1945	5,404,271	[7] 5,043,911	5,035,849	9,346,751	106,037	4,101,440	715,898	10,982,112	65,440	13,352,578	651,893	1,991,127	87,300	17,279
1946	5,048,470	[7] 5,238,353	122,000	11,153,892	71,588	4,743,259	925,720	13,043,905	228,595	14,547,377	301,646	2,047,855	77,300	2,531
1947	6,511,023	438,885	649,997	13,588,287	85,062	5,675,140	2,070,587	17,954,382	201,402	17,872,330	637,198	2,401,422	375,700	55,056
1948	7,699,376	228,509	150,000	13,865,182	99,501	6,073,511	1,957,052	20,606,034	472,078	20,135,599	1,893,699	3,050,445	200,951	49,427
1949	8,054,100	80,000		14,709,000	365,700	6,459,000	2,561,000	23,360,500	411,600	21,416,000	4,965,683	3,140,100	281,000	52,238
1950 estimate	7,978,700			15,611,500	231,400	6,708,000	2,905,000	24,200,177	1,877,000	22,057,200	2,480,250	3,498,400	180,000	

Year	General fund				Highway fund			Water fund				Surplus [4]	Grand total
	Maintenance	Capital	Total	Surplus or deficit [3]	Maintenance	Capital	Total	Surplus or deficit (—)	Maintenance	Capital	Total		
1937	$34,398,974	$3,844,355	$38,243,329		[5]	[5]	$2,373,344		[5]	[5]	$2,142,459		$42,759,132
1938	34,672,136	5,386,769	40,058,905		[5]	[5]	4,520,295		[5]	[5]	[6] 2,554,938		47,134,138
1939	35,163,713	5,136,352	40,300,065		[5]	[5]	4,732,177		[5]	[5]	[6] 2,389,846		47,422,088
1940	35,966,849	4,207,385	40,174,234		[5]	[5]	5,607,122		[5]	[5]	[6] 2,535,214		48,316,570
1941	38,049,398	5,548,494	43,597,892		[5]	[5]	4,881,612		[5]	[5]	[6] 2,246,587		50,726,091
1942	39,091,864	5,385,868	44,477,732		[5]	[5]	5,716,500		[5]	[5]	2,885,199		53,079,431
1943	40,770,101	5,521,489	46,291,590		[5]	[5]	5,323,799		[5]	[5]	2,412,843		54,028,232
1944	46,610,234	7,968,163	54,578,397		[5]	[5]	3,495,126		[5]	[5]	2,861,883		60,935,406
1945	45,195,558	[7] 11,706,328	56,901,886		$2,379,679	$1,043,973	3,423,652		$1,811,253	$664,478	2,475,731		62,801,269
1946	50,587,289	[7] 6,965,202	57,552,491		2,780,429	[8] 1,708,515	4,488,944		2,128,482	[8] 1,199,873	3,328,355		65,369,790
1947	64,057,640	4,458,831	68,516,471		2,884,403	[9] 5,153,014	8,037,417		2,427,215	1,457,072	3,884,287		80,438,175
1948	71,479,574	5,001,790	76,481,364	$6,158,248	3,578,085	[10] 4,886,102	8,464,187	—$9,328	2,692,858	1,785,805	4,478,663	$1,357,184	89,424,214
1949	77,190,938	8,664,983	85,855,921	[11] 71,327	4,032,200	5,250,000	9,282,200	—[12] 23,804	3,320,700	3,197,000	6,517,700	[13] 912,668	101,655,821
1950 estimate	80,053,977	7,673,650	[14] 87,727,627	[11] 7,006,300	4,198,800	5,125,000	9,323,800	[12] 219,115	3,527,000	2,743,000	6,270,000	[13] 648,668	103,321,427

[1] The column represents repayments under PWA program for municipal improvements, act of June 25, 1934, providing for participation of $10,750,000, act of June 24, 1938, $18,150,000, act of July 11, 1940, $450,000, and Lanham Act repayments.

[2] Includes $161,902 for street improvements assessment and permit work, in subsequent years' expenditures for this purpose are included in the highway fund.

[3] Balances include $10,000,000 invested in Government securities on account of the public works investment fund.

[4] Balances include $1,773,000 invested in Government securities.

[5] No break-down of highway and water fund expenditures by maintenance and capital outlay is available for the years 1937 to 1944.

[6] Expenditures from the water fund for the years 1938 to 1941 include a total of $1,836,631 for investments in Government securities, par value $1,773,000.

[7] General fund capital outlay expenditures include $5,000,000 in 1945 and $5,000,000 in 1946 for investment in Government securities on account of the public works investment fund; for the purposes of this statement investments of $5,000,000 from the general fund and $2,000,000 from the highway fund authorized by sec. 8 of the act of June 30, 1945, are treated as part of available cash balances.

[8] Expenditures in 1946 for capital outlay from the highway fund and water fund include $44,000 and $242,594, respectively, for repayments of PWA loans.

[9] Includes $124,998 for repayment of PWA loan.

[10] Includes $52,951 for repayment of PWA loan.

[11] Includes $1,150,000 in 1949 and $1,700,000 in 1950 representing estimated appropriation balances to be returned to surplus.

[12] Includes $92,924 in 1949 and $171,719 in 1950 representing estimated appropriation balances to be returned to surplus.

[13] Includes $107,184 in 1949 and $30,000 in 1950 representing estimated appropriation balances to be returned to surplus.

[14] Excludes, $1,000,000 shown in the budget as "Other supplemental items."

The CHAIRMAN. The time of the gentleman from Massachusetts [Mr. BATES] has expired.

Mr. CRAWFORD. Mr. Chairman, I move to strike out the last word.

It would give me great pleasure to go along with the author of this bill——

Mr. SMITH of Virginia. Mr. Chairman, will the gentleman yield?

Mr. CRAWFORD. I yield.

Mr. SMITH of Virginia. Mr. Chairman, I ask unanimous consent that all debate on this amendment close in 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

Mr. HAYS of Ohio. Yes, Mr. Chairman, I object.

Mr. SMITH of Virginia. Mr. Chairman, I ask unanimous consent that all debate on this amendment close in 9 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. CRAWFORD. Mr. Chairman, it would give me great pleasure to go along with the author of this bill because I admire him so very much, but here is a proposition on which I cannot agree with the author. I hold in my hand H. R. 1386, introduced by the gentleman from New York [Mr. KLEIN], who is the author of the amendment now before us. This bill has to do with revenue, as I see it. It proposes to give the District of Columbia Alcohol Control Board the right to govern the sales contracts on all liquor sold in this District. Based on statistics which I have obtained and conversations I have had with people in this industry, such as Mr. Milton Kronheim——

Mr. KEEFE. The gentleman has the wrong bill.

Mr. CRAWFORD. It is not the wrong bill. I am going to tell the committee where you can get $20,000,000 much easier than you can by taking it out of the people on whom you propose to charge this sales tax, if instead of passing H. R. 1386 so that Milt Kronheim and his liquor stores can raise the price of liquor to the people in the District $1 per fifth which will give them about $20,000,000 additional revenue. If the District will take over the sale of liquor, such as in my State, for instance, and such as Virginia has done, and a number of other States, then the District of Columbia could pick up about $20,000,000 without raising the liquor price, through the profit it makes on the sale of liquor, and then the District could meet the budget and that would make unnecessary the income tax which the gentleman from New York proposes and would make unnecessary this sales tax here proposed.

This bill, H. R. 1386, while not before the House for consideration today, is to be put on the calendar; and when it comes up on the Consent Calendar I serve notice that if I get the chance I will kill it on the Consent Calendar as I did last year, because I am in favor of people getting along with what they have instead of continually raising taxes to pay the bills.

We can pay this deficit; we can make ends meet by changing the distribution methods of liquor in this District. Let the District handle the sale of liquor; let that revenue come to the District. Then you will not have to raise taxes. The poor man is entitled to his drink of liquor if he wants to spend money that way, the same as is the rich man, but do not let a liquor monopoly operated by men such as Mr. Kronheim come in here and pull the wool over your eyes on a bill such as H. R. 1386 when you can let the District take the revenue, pay the

deficit and make unnecessary these sales taxes.

These are the reasons why I cannot go along with the author of the bill on this proposition.

Mr. SMITH of Virginia. Mr. Chairman, will the gentleman yield?

Mr. CRAWFORD. I yield.

Mr. SMITH of Virginia. That is one of the very things that was tried on the floor of this House, the very thing the gentleman suggests. When the last District tax bill was pending on the floor of this House I offered a substitute to have all liquor sold in District-owned stores and raise the revenue for the District of Columbia instead of for the liquor dealers; and this House voted me down.

Mr. CRAWFORD. We should have done it then, and we can do it now instead of putting on this sales tax.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. CRAWFORD. I yield.

Mr. RICH. Why not put the tax on the liquor and retain the sales tax? Why should the people back home have to spend money all the time to meet District needs?

Mr. CRAWFORD. My friend from Pennsylvania is a good businessman. It is unnecessary to put the tax on the liquor. Let the District make the distribution and take the profits being made from the sales, without raising the price.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

The gentleman from Iowa [Mr. LECOMPTE] is recognized.

Mr. LECOMPTE. Mr. Chairman, I appreciate that the committee has made an honest and sincere effort to write a tax bill that will take care of the District budget. The amendment that is before the House, as I understand it—and I wish to be corrected if I am wrong—is offered as a substitute for the section that provides for a sales tax and establishes a new definition for residents of the District who will pay an income tax. Of course I am in favor of a sales tax in the District even though I am not satisfied with the large exemption provided in the income-tax section.

It seems to me this amendment strikes out the new sales-tax provision from this bill entirely and I cannot subscribe to this. I do not believe the bill raises enough money in the present form. On the whole I think the members of this committee will be disappointed in the results of their bill, for in a later title of the bill, the income-tax exemption has been raised to $5,000, with $500 for each dependent. I believe the returns from this bill will not equal what the committee anticipates; I believe there will be a great many persons who will escape entirely the income tax and the final returns would be disappointing. The exemption is far above that of most of the States. While I am going to support the bill I believe it is going to be a disappointment to the members of the District Committee.

Mr. BATES of Massachusetts. The only reason we increased the exemption from $1,000 as provided in the present law to $5,000 in the pending bill is because we are also recommending a sales tax.

Mr. LECOMPTE. We have a sales tax also in Iowa, Missouri, Illinois, Ohio, Indiana, and many other States; but I do not believe there is any such exemption as $5,000 in any of those States.

Mr. BATES of Massachusetts. May I say that the increased exemption was an attempt to offset the effect of double taxation.

Mr. LECOMPTE. We need the income tax, the sales tax, increased liquor taxes, and higher ad valorem taxes on real estate so that the budget of the District will be provided without so large a contribution from the Federal Government. We should not ask the taxpayers of the country to make an additional contribution to the support of the local District government.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

The gentleman from Connecticut [Mr. MCGUIRE] is recognized.

Mr. MCGUIRE. Mr. Chairman, I have been elected to office for the last 16 years in my State. I know every town in Connecticut. I have been Democratic State chairman and I am on record in Connecticut against the sales tax 2 years ago. Our party platform stated that we are against it this last time and I am still against it. I would not want to embarrass any of you people here who are getting $15,000 a year to raise your hand and tell me how much money you are putting in the bank at the end of each month. Consequently I do not know how anybody lives down here on two, three, four or five thousand dollars a year. For one, I would not want to have it said that I voted to burden anybody else.

Here is what Chester Bowles said in his message to the legislature in Connecticut:

> The sales tax is a particularly bad tax because it weighs most heavily upon the poorest families and the families with the largest number of children. It is a bad tax because it loads a heavy burden of compliance upon the merchants who must collect it. It is a bad tax because it imposes a comparative disadvantage upon businessmen who are forced to compete with merchants in neighboring cities or States.

Another thing, I think that these visitors who come down here should be protected. I really like to look up in the gallery and see high-school students here. It must be expensive enough for them to be here for two, three or four days and I do not think we ought to discourage these students from coming down here. We ought to encourage them because it is a beautiful city and if there is anything we can do to make them feel proud that they are Americans, I am for it.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from New York [Mr. KLEIN].

The question was taken; and on a division (demanded by Mr. KLEIN) there were—ayes 50, noes 100.

So the amendment was rejected.

Mr. HUBER. Mr. Chairman, I offer an amendment.

The clerk read as follows:

> Amendment offered by Mr. HUBER: On page 10, line 1, strike out "off the premises where such food is sold."

Mr. HUBER. Mr. Chairman, my amendment simply exempts food sold on the premises. If you intend to cram this bill down the throats of the defenseless residents of the District of Columbia, you might at least provide some safeguard to these Government employees who are having a difficult time making both ends meet due to the high cost of living.

Mr. CHRISTOPHER. Mr. Chairman, will the gentleman yield?

Mr. HUBER. I yield to the gentleman from Missouri.

Mr. CHRISTOPHER. When it comes to cramming it down the throats of the residents of the District of Columbia, owing to the fact they do not have the right of suffrage are we not cramming down their throats any bill we pass here regardless?

Mr. HUBER. Well, it so happens the citizens of the District are displaced persons. There are a lot of things that should be done in their behalf, and if we will get together as members of the Democratic Party and rise to our responsibilities we will be able to correct a great many of the existing inequities.

I hold in my hand a menu of the House of Representatives restaurant. The press throughout the country say that we eat T-bone steaks down here for 75 cents and that everything else is very cheap, but you and I know that is not true. Before OPA was scuttled milk sold for 7 cents, now 10 cents. On this menu a plate of soup is 20 cents. A cup of soup is 15 cents; pie is 20 cents and a hamburger sandwich 40. If these prices are low you can imagine how much it costs Washington citizens to obtain meals in the other sections of this District where they are not able to patronize Government restaurants. If a Government employee has an apartment somewhere they can take the food home tax free, but the other person who is unable to prepare his or her food at home is entitled to the same exemption as that afforded those fortunate enough not to take their meals in restaurants at any rate. Many little Government employees live in cheap quarters, if they are fortunate enough to find some that have not been decontrolled, and they wear shabbier clothes and make a lot of other sacrifices. But, at least, they are entitled to have sales-tax exemption on the food which is necessary to keep body and soul together.

Mr. WHITE of Idaho. Mr. Chairman, will the gentleman yield?

Mr. HUBER. I yield to the gentleman from Idaho.

Mr. WHITE of Idaho. Did the gentleman ever go out here to Olney Inn or Normandie Farms and see four or five of these ladies under civil service walk in and order cocktails around about 70 cents a drink and then order $2.50 dinners and then come down here and hit the Congress for more money?

Mr. HUBER. I have never been in the places the gentleman mentioned and

would not know; however, I have heard that Members of Congress go to dinners put on by lobbyists and eat $10 filet mignon steaks and drink quantities of expensive liquor and still refuse to give the Government employees a break.

Mr. JONES of Missouri. Mr. Chairman, I offer a substitute amendment.

The Clerk read as follows:

Substitute amendment offered by Mr. JONES of Missouri: Page 10, lines 1 and 2, strike out all of subsection (e) in lines 1 and 2.

Mr. JONES of Missouri. Mr. Chairman, the gentleman from Ohio and myself are just alike, except we are just different. He wants to give further exemptions and I want to cut out the exemptions. As I said before, I am in favor of a sales-tax bill which will raise some revenue. I want to tell you that the more exemptions you put into this bill the more difficult the enforcement is going to be. As I said earlier in the day, I feel that all the people of the District should contribute to the operation of the schools of this District, particularly, as well as the other expenses of our Government. I feel that if you exclude food you are going to bring about great confusion due to the fact that in the grocery stores especially, you are going to exempt food for human consumption and yet you are going to tax many of the other items in that store. In other words, when the customer goes to the butcher department, the meat department, he will be asked whether he is buying that food for human consumption. A soupbone for a dog will be taxable; if for the table—not taxable. Think of the soap, the cleaning articles, and all the other small items that are handled by the grocery store that are not food. They are still subject to tax. I say, if you are going to have a sales-tax bill, let us have a sales-tax bill which will make it easy of enforcement. I would like also to make this observation in urging the adoption of this amendment. I offered an amendment here earlier in the day, and that was voted down. That amendment was not discussed; it was not debated. Instead, we debated on the merits and the demerits of this bill. I would like to see the debate on this amendment confined to the amendment, whether or not we want to broaden the aspects of this bill or whether we want to make further exemptions. I think that is the question before this body at this time and not whether you favor a sales-tax bill or whether you oppose a sales-tax bill. But, on the vote on this amendment we should decide one question: Do we want a broader sales-tax base or do we want to further exempt items from the bill?

Mr. HAYS of Ohio. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I am in favor of the amendment. However, I should like to correct a few impressions about the Ohio sales tax which were left by the gentleman from Virginia. I happen to know something about the Ohio sales tax and how it operates, having been a member of various subdivisions of the government and of the State legislature in Ohio.

In the first place, we have a very peculiar provision in Ohio that many sections of the country would not understand. If the people are not satisfied with an action of the legislature they can initiate a movement to put the measure on the ballot and vote on it. This is true democracy and I like it. The people were not satisfied with the sales tax in Ohio and they exempted food, all food. They exempted all items bought by farmers for use on the farm, they exempted medicines, and they exempted this, that, and the other thing.

Then last year the legislature exempted all items below 45 cents. That is, on anything up to 45 cents you pay no sales tax at all.

I predict to the gentleman from Virginia that there will be an initiative amendment in Ohio proposed next year which will do away with the sales tax in its entirety. We have almost done away with it now. Why? Because the people of the State realize it is an unfair tax, and they do not want it.

I want to say in all fairness that Ohio does not have an income tax. The people of Ohio realize that the sales tax puts a burden on the low-income groups. We can raise plenty of revenue without it, and I think we will start in 1950.

Further, as to this business about a real-estate tax, I have not heard it explained exactly what valuation is put on property here. How do you arrive at it? Is it 100 percent of the true valuation in money? Is it 50 percent, is it 40 percent, is it 60 percent, or what is it? In Ohio we have a provision in the constitution providing for assessment of real estate at 100 percent of the true value in money. That is the law. Many of our cities have a much higher real-estate tax than the District.

Mr. BREHM. Mr. Chairman, will the gentleman yield?

Mr. HAYS of Ohio. I yield to the gentleman from Ohio.

Mr. BREHM. The gentleman did not quite mean what he said, I think, regarding the tax being taken off food in Ohio. The tax on food consumed off the home premises was not removed. If you go to a restaurant, you pay a tax on your food.

Mr. HAYS of Ohio. I thank the gentleman. I am sorry I did not make that distinction. All food consumed off the home premises is taxed; that is correct.

Mr. BATES of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. HAYS of Ohio. I yield.

Mr. BATES of Massachusetts. The gentleman inquired about the relation of assessed value to true value. Two years ago at my suggestion the chairman of the board of assessors made a spot check on several hundred sales in the District which probably would clear through his office, and the relation of assessment to the actual value received for the properties when sold. In the case of business properties, they were assessed at 76 percent of their actual value; apartment houses, 79 percent; and residential properties, 62 percent—an average of about 70 percent.

Mr. HAYS of Ohio. I thank the gentleman for his information. That clears up one point, but still leaves the statement unanswered that was made here that Washington is one of the most profitable places in the United States to own and operate real estate. I believe it is, from some of the prices you have to pay for rentals in Washington.

The CHAIRMAN. The question is on the substitute amendment offered by the gentleman from Missouri [Mr. JONES] to the amendment offered by the gentleman from Ohio [Mr. HUBER].

The substitute amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio.

The question was taken; and on a division (demanded by Mr. SMITH of Virginia) there were—ayes 56, noes 102.

So the amendment was rejected.

Mr. HOBBS. Mr. Chairman, I offer an amendment, which is on the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. HOBBS: On page 3, lines 24 and 25, strike out "(4) sales of advertising space and sales of radio and television advertising."

Mr. HOBBS. Mr. Chairman, the gentleman from Pennsylvania [Mr. CAVALCANTE] gave notice that he had the Grosjean case which deals with the constitutionality vel non of this section of the bill. Therefore, I am going to let him argue that point.

On the other phase of the question as to section 4 I simply wish to ask the committee if they do not believe that the imposition of the tax on sales of advertising space in newspapers and sales of radio and television advertising which are designed and sold solely to boost the sale of other goods will not mean more money if that section is cut out?

In other words, I believe it is a fair question to be considered by the House as to whether or not the cancellation of the tax in this section would not produce more revenue if the advertisements were run, thus boosting the sale of goods and services, than if it were taken off? I am now going to yield to my friend, the gentleman from Pennsylvania [Mr. CAVALCANTE].

A great many people in the radio, television, and newspaper games contend that this section violates the first amendment of the Constitution, guaranteeing freedom of speech and press.

Mr. CAVALCANTE. Mr. Chairman, the Supreme Court, in the case of *Grosjean* v. *American Press Co.* (297 U. S. 233), definitely made it known that a tax on the business of selling advertising space by newspapers is a bad tax and offends against the Federal Constitution in that it abridges the freedom of the press in contravention of the due-process clause contained in section 1 of the fourteenth amendment; and it denies the press the equal protection of the laws in contravention of the same amendment. The Supreme Court struck down a statute of Louisiana which imposed a tax on the owners of newspapers for the privilege of selling or charging for the advertising therein.

I, therefore, submit, Mr. Chairman, that this amendment to the bill should

be allowed in compliance with our oaths to obey the Constitution.

Mr. SMITH of Virginia. Mr. Chairman, will the gentleman yield?

Mr. HOBBS. I am always glad to yield to the distinguished gentleman from Virginia.

Mr. SMITH of Virginia. We were not familiar with that case when we adopted this. It was adopted in the joint committee of the Senate and House. I am sure we did not want to do anything which was unconstitutional, and so far as I am concerned, the committee will interpose no objection to the amendment which the gentleman has offered.

Mr. HOBBS. I thank you, sir.

Mr. SMITH of Virginia. Let the Committee vote, Mr. Chairman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Alabama [Mr. HOBBS].

The amendment was agreed to.

Mr. DAVIS of Georgia. Mr. Chairman, I offer two amendments which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. DAVIS of Georgia:

On page 4, subparagraph (g), strike out the words "other than candy and confectionery" in lines 22, 23, and 24.

Further amendment offered by Mr. DAVIS of Georgia:

On page 4, subparagraph (g), line 21, add the words "bottled soft drinks" immediately following the words "fruit juices"; and on page 5, line 2, strike out the word "sodas."

Mr. BATES of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Georgia. I yield.

Mr. BATES of Massachusetts. That is the matter that was discussed by the committee, and the light of the committee's recommendation a year ago, contained in the bill that passed the House, which contained the same language, it means only a small amount of revenue, and I understand the committee is in agreement with the gentleman's amendment.

Mr. DAVIS of Georgia. I so understand the situation to be as the gentleman from Massachusetts has stated.

Mr. HUBER. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Georgia. I yield.

Mr. HUBER. To those of us who have not had the benefit of information that the committee has had, will the gentleman explain what this will do?

Mr. DAVIS of Georgia. I will be glad to.

As far as the first amendment is concerned, that places candy and confectionery in the category of food. The bill which passed the House last year contained that provision and also contained the provision provided in the other amendment and places in the same category of food, bottled soft drinks, both of which are recognized as belonging in that category. As far as the revenue is concerned, this entire bill is calculated to raise approximately $16,000,000. The candy item, if it stays in the bill, will raise approximately $40,000. The bottled soft drinks would raise only $17,500, which are insignificant items insofar as the total amount is concerned.

Mr. KENNEDY. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Georgia. I yield.

Mr. KENNEDY. My impression was that we voted this down in the committee.

Mr. DAVIS of Georgia. I think the members of the committee have seen their error since the vote was taken on it, and I understand they are agreeable to the amendment.

Mr. KENNEDY. I would like to find out what members of the committee have changed their minds.

Mr. DAVIS of Georgia. For the benefit of the gentleman, I will say that the chairman of the committee is one of them. There are various others who voted against it in the committee who have so informed me.

Mr. KENNEDY. I would like to protest the procedure, because the committee voted against this amendment. It was never brought up again, so I do not think we can say the committee has changed its mind about it.

Mr. DAVIS of Georgia. Of course I am not undertaking to speak for 100 percent of the committee, but you know that the committee members themselves stated their position on it this afternoon.

Mr. BUCHANAN. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Georgia. I yield.

Mr. BUCHANAN. What is the estimated yield on these particular items?

Mr. DAVIS of Georgia. Seventeen thousand five hundred dollars on the soft-drinks item and $40,000 on the candy. They are both food items, and they were both exempted in the bill which passed the House last year.

Mr. CHURCH. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Georgia. I yield.

Mr. CHURCH. I want to commend the gentleman for treating candy the same as food in this amendment. That ought to be passed.

The CHAIRMAN. The time of the gentleman from Georgia [Mr. DAVIS] has expired.

The question is on the amendments offered by the gentleman from Georgia.

The amendments were agreed to.

Mr. RIVERS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RIVERS: On page 11, line 21, after the word "made" insert "It is understood that this exemption is intended to include all professional services rendered by or on the order of a dentist in his professional capacity, including the construction, processing, and insertion of all types of dental restorations, whether fixed or removable."

Mr. RIVERS. Mr. Chairman, I believe the intent of this bill includes what I seek to do by this amendment, but I want to make certain that these services rendered by or on order of dentists are exempt, including the construction, processing, and insertion of all types of dental restorations, whether fixed or removable, the same as are the services rendered by doctors of medicine, that there shall be exempt all of these restorations, plates, and the like. I talked to the chairman of the committee about the amendment and he said he had no objection. I talked also to the gentleman from Nebraska [Mr. MILLER] to whom I will yield right now, as I understand he has also discussed it.

Mr. MILLER of Nebraska. It was my understanding that the bill did include exemption of those services. If it does not, I think it should be made clear that such services and devices are exempt.

Mr. SMITH of Virginia. Mr. Chairman, will the gentleman yield?

Mr. RIVERS. I yield.

Mr. SMITH of Virginia. I hope the gentleman will not press his amendment. I hope that we can by a statement on the floor give to the District Commissioners what is understood to be the facts under this section of the bill.

The gentleman's amendment takes care of false teeth. There are a lot of other things that ought to be taken care of that are not mentioned.

Mr. RIVERS. Yes; it does take care of false teeth. I have some of them.

Mr. SMITH of Virginia. Under the general rules of construction, if we take care of false teeth and fail to mention, for instance, the artificial leg; artificial legs are included. I hope the gentleman will take a statement from the committee that the language of the bill as presently drafted is intended to exclude from taxation both false teeth, artificial limbs, hearing aids, and various and sundry things of that character. As I said before, if we start to enumerate things that are exempted and fail to enumerate all, then such things as are not enumerated, not specifically mentioned, will be subject to taxation.

Mr. RIVERS. With the gentleman's assurance that these things are intended to be covered by the exemptions of the bill and that the bill will be so construed, I will, of course, be delighted to withdraw my amendment.

Mr. SMITH of Virginia. That is our understanding.

Mr. RIVERS. Mr. Chairman, I ask unanimous consent to withdraw the amendment, with that explanation.

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. SMITH of Virginia. Mr. Chairman, I ask unanimous consent that all debate on titles I and II and all amendments thereto conclude in 15 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

Mr. CAVALCANTE. Mr. Chairman, I object; I have three amendments at the desk.

Mr. BATES of Massachusetts. Mr. Chairman, I move that all debate on these titles and all amendments thereto close in 15 minutes.

The CHAIRMAN. Will the gentleman from Massachusetts state whether his motion applies to the first two titles?

Mr. BATES of Massachusetts. The first two titles.

The CHAIRMAN. The gentleman from Massachusetts moves that all debate on titles I and II of the bill, and all amendments thereto, close in 15 minutes.

The question is on the motion.

The motion was agreed to.

Mr. SASSCER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SASSCER: On page 12, line 1, after the word "drugs" strike out the words "made on prescriptions of duly licensed physicians and surgeons and general and special practitioners of the healing art."

Mr. SASSCER. Mr. Chairman, an amendment which was offered by the committee and adopted, exempts medicines, drugs, and pharmaceutical supplies from the provisions of this act if prescribed by a physician. I am in accord with the thought of the amendment but feel that it should go a step further because under the committee amendment these medical supplies are exempted only if purchased with a doctor's prescription. If you do not have the doctor's prescription they are not exempt. The intent of this bill, as the sponsors have repeatedly claimed upon this floor, is to remove and exempt the necessities of life and to ease as far as possible places where the sales-tax provisions might work an undue hardship on those less able to pay. Is it consistent then, to say that if you can go to the drug store and get a bottle of syrup of figs or possibly a bandage for your wrist, cascara or some home remedy and that is taxed, then in the same breath say that if you have a prescription for those items they are not taxed, it is not only a great discrimination but veers far away from the declarations that the bill is exempting the necessities of life. My amendment attempts to correct this by removing the necessity for a prescription in order to get the exemption on home remedies.

What can be more necessary than these little home remedies that the mother sends up to the drug store for from time to time? It is inconsistent and unfair to exempt them if they have been prescribed by a doctor and not exempt them if they have not been prescribed. Medicine and home remedies are a necessity whether obtained with or without a prescription.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Maryland [Mr. SASSCER].

Mr. MILLER of Nebraska. Mr. Chairman, is the time limited?

The CHAIRMAN. If the gentleman insists on recognition he is entitled to it. Time has been limited to 15 minutes on all amendments to these two titles.

Mr. MILLER of Nebraska. May I be recognized for 3 minutes?

The CHAIRMAN. The gentleman is recognized for 3 minutes.

Mr. MILLER of Nebraska. Mr. Chairman, I recognize what the gentleman is attempting to do, but I would point out that when you open the door to these exemptions you are going to have a difficult time administering the act. The amendment the committee adopted was an amendment suggested in the committee and I think that it agreed to adopt an amendment to exempt those prescriptions. An individual goes to a doctor's office and pays a fee for a prescription. These medicines he gets from a doctor are just as necessary or perhaps more so than food.

You open the door when you say "of a pharmaceutical nature." What is a pharmaceutical? The hair tonic that you might get to grow a little hair is a pharmaceutical, the face cream you might want to put on your face to shave with is a pharmaceutical. People sometimes buy Peruna, and I have no objection to it, but it is a pharmaceutical. Yes, canned heat and lemon extract would be exempt. I could name a hundred things that are ridiculous and they would be exempted under this bill. I think you are going entirely too far when you open the door to the exemption of anything that is offered in the drug store today. A drug store today will offer hardware items and because it is a drug store somebody might think it is a pharmaceutical.

Mr. SASSCER. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Nebraska. I yield to the gentleman from Maryland.

Mr. SASSCER. If the doctor should issue a prescription for this hair tonic or some of these items that might be termed pharmaceutical items, they would still be exempted from the tax, would they not?

Mr. MILLER of Nebraska. Yes; I think if he gets a prescription for something that is of a pharmaceutical nature. But, I maintain that a great many things are sold in drug stores, including a lot of vitamin pills which do people more harm than good, should not be exempt from the tax. There are many luxuries which should not be exempted. If you open the door on one thing you are just going to open it wide open, and the sales tax is gone. It is my contention that you must limit these things. As I say, the language that the gentleman now proposes to strike from the bill is language that was adopted by the committee after due and careful consideration, and I hope this committee now does not proceed to strike it out, because you will make it almost impossible for administration by the Commissioners.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Maryland [Mr. SASSCER].

The question was taken; and on a division (demanded by Mr. SASSCER) there were—ayes 47, noes 89.

So the amendment was rejected.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. CAVALCANTE].

Mr. CAVALCANTE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CAVALCANTE:

Page 11, line 7, strike out the words "buyer and seller" at the beginning of said line 7, and insert "purchaser and vendor."

Page 11, line 8, strike out the words "buyer to purchase" and insert "purchaser to buy."

Page 11, lines 8 and 9, strike out the words "at a fixed price subject to no escalator clause goods covered thereby" and insert "the goods covered thereby at a price fixed and without escalator clause."

Page 11, line 10, strike out the word "seller" and insert "vendor."

Mr. SMITH of Virginia. Mr. Chairman, I have examined the amendment, and it is merely clarifying. I see no objection to it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. CAVALCANTE].

The amendment was agreed to.

Mr. CAVALCANTE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CAVALCANTE:

Page 5, at the end of line 10 insert the following: "the tax hereby imposed."

Page 5, line 11, after the period, strike out the remainder of lines 11, 12, 13, and 14.

Mr. CAVALCANTE. Mr. Chairman, this amendment is offered to eliminate what I believe to be a very objectionable feature. This section attempts to define the term "price" and this is the way it defines it:

"Price": M means the aggregate value in money of anything or things paid or delivered, or promised to be paid or delivered, by a purchaser to a vendor in the consummation and complete performance of a retail sale without any deduction therefrom on account of the cost of the property sold, cost of materials used, labor or service cost, or any other expense whatsoever.

Then it continues in another clause to give another definition:

"Price" shall de deemed to be the amount received exclusive of the tax hereby imposed provided the vendor shall establish to the satisfaction of the Assessor that the tax was added to the price.

I am not ready to give the Assessor this latter power. When is the Assessor satisfied? What will it take to satisfy him? A friend may be more satisfactory to the Assessor than a stranger or a person not friendly to the Assessor. My amendment will clarify this situation and make it impossible for the Assessor to favor one taxpayer and not another.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania.

The amendment was rejected.

The CHAIRMAN. The Chair recognizes the gentleman from Missouri [Mr. CHRISTOPHER].

Mr. CHRISTOPHER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CHRISTOPHER: On page 10, line 8, strike out all of lines 8 and 9.

Mr. CHRISTOPHER. Mr. Chairman, I am not particularly objecting to a sales tax. I have lived under and paid a sales tax for the last 15 years. I intended to vote for this bill and I probably will vote for this bill, but before I do so, I should like to have taken out of it lines 8 and 9 on page 10, that sales of tickets for admission to places of amusement and sports be exempted from taxation. I do not like to tax the items of clothing that a woman buys for her children and exempt admissions to movies, theaters, and other such places of entertainment.

Mr. MILLER of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. CHRISTOPHER. I yield.

Mr. MILLER of Nebraska. Is there not a 20-percent Federal tax now on those items?

Mr. CHRISTOPHER. I do not care how much tax there is on them. If a man can afford to go to a show he can

afford to pay a 2-percent sales tax on his ticket, if the women of the District of Columbia can afford to be taxed for their babies' diapers. Take it or leave it.

Mr. BATES of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. CHRISTOPHER. I yield.

Mr. BATES of Massachusetts. The reason the gentleman from Nebraska gave was that there already is a 20-percent tax on amusement tickets. It seems to be unfair that we should add 2 percent.

Mr. CHRISTOPHER. There is a Federal excise tax on liquor, too, and you argue that they should not pay this sales tax in addition to that.

Mr. BATES of Massachusetts. The liquor comes under the provisions of this bill and is taxed 2 percent. It is in the bill, which applies to liquor the same as it does to everything else.

Mr. CHRISTOPHER. I hope everybody here who thinks these amusements ought to pay a tax will vote for this amendment. I invite Members on both sides of the aisle to vote for it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri.

The amendment was rejected.

Mr. SMITH of Virginia. Mr. Chairman, I ask unanimous consent that the remainder of the bill be considered as read and be subject to amendment at any point in the bill.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The remainder of the bill is as follows:

TITLE III—EXCISE TAX UPON ISSUANCE OF TITLES TO MOTOR VEHICLES

An act known as the "District of Columbia Traffic Act, 1925," approved March 3, 1925, as amended, is hereby further amended by adding to section 6 thereof the following subsection:

"(j) In addition to the fees and charges levied under other provisions of this act, there is hereby levied and imposed an excise tax for the issuance of every original certificate of title for a motor vehicle or trailer in the District, and for the issuance of every subsequent certificate of title for a motor vehicle or trailer in the District in the case of sale or resale thereof, at the rate of 2 percent of the fair market value of such motor vehicle or trailer at the time such certificate is issued, as determined by the Assessor of the District of Columbia or his duly authorized representatives. As used in this section, the term 'original certificate of title' shall mean the first certificate of title issued by the District of Columbia for any particular motor vehicle or trailer. No certificate of title so issued shall be delivered or furnished to the person entitled thereto until the tax has been paid in full. The Assessor of the District of Columbia may require every applicant for a certificate of title to supply such information as he deems necessary as to the time of purchase, the purchase price, and other information relative to the determination of the fair market value of any motor vehicle or trailer for which a certificate of title is required and issued. The issuance of certificates of title for the following motor vehicles and trailers shall be exempt from the tax imposed by this subsection:

"(1) Motor vehicles and trailers owned by the United States or the District of Columbia.

"(2) Motor vehicles and trailers purchased or acquired by nonresidents prior to coming into the District of Columbia and establishing or maintaining residence in the District.

"(3) Motor vehicles and trailers purchased or acquired by nonresidents prior to coming into the District of Columbia and establishing or maintaining a business or businesses in the District. Except as hereinafter provided, it is not intended to exempt from the tax the issuance of certificates of title for motor vehicles and trailers owned by nonresidents who are engaged in business in the District at the time of their purchase or acquisition of such vehicles and trailers and who use such vehicles and trailers in the conduct of their District business or businesses.

"(4) Motor vehicles and trailers owned by a utility or public service company for use in furnishing a commodity or service: *Provided,* That the receipts from furnishing such commodity or service are subject to a gross-receipts or mileage tax in force in the District of Columbia at the time of a certificate of title for any such vehicle or trailer is issued."

SEC. 2. The provisions of this title shall be applicable with respect to all certificates of title issued on and after the first day of the first month succeeding the sixtieth day after the approval of this act.

SEC. 3. Any person aggrieved by the assessment of any tax imposed by this title may, within 90 days from the date the person entitled to a certificate of title was notified of the amount of such tax, appeal to the Board of Tax Appeals for the District of Columbia in the same manner and to the same extent as set forth in sections 3, 4, 7, 8, 9, 10, and 11 of title IX of the act entitled "An act to amend the District of Columbia Revenue Act of 1937, and for other purposes," approved August 17, 1937, as amended, and as the same may hereafter be amended. The remedy provided in this section shall not be deemed to take away from the person entitled to such certificate of title any remedy which he might have under any other provision of law, but no suit by such person for the recovery of a tax, or any part thereof, imposed by this title shall be instituted in any court if such person has elected to file an appeal with respect to such tax with the Board of Tax Appeals for the District of Columbia.

TITLE IV—AMENDMENTS TO ARTICLE I OF THE DISTRICT OF COLUMBIA REVENUE ACT OF 1947

Article I of the District of Columbia Revenue Act of 1947, approved July 16, 1947, as amended, is further amended as follows:

Paragraph lettered (s) of section 4 of title I of article I of said act is amended to read as follows:

"(s) The word 'resident' means every individual domiciled within the District on the last day of the taxable year, and every other individual who maintains a place of abode within the District for more than 7 months of the taxable year, whether domiciled in the District or not. The word 'resident' shall not include any elective officer or any employee on the staff of an elected officer in the legislative branch of the Government of the United States if such employee is a bona fide resident of the State of residence of such elected officer, or any officer of the executive branch of such Government whose appointment to the office held by him was by the President of the United States and subject to confirmation by the Senate of the United States and whose tenure of office is at the pleasure of the President of the United States, unless such officers are domiciled within the District on the last day of the taxable year."

SEC. 2. Paragraph lettered (u) of section 4 of title I of article I of said act is amended by adding thereto the following new subparagraph:

"(9) The spouse of the taxpayer, if living with the taxpayer on the last day of the taxable year."

SEC. 3. Section 2 of title III of article I of said act is amended by adding thereto the following new subsection:

"(c) Adjusted gross income: The words 'adjusted gross income' as used in this article mean gross income less deductions allowed under section 3 (a) of this title: *Provided, however,* That such deductions were directly incurred in carrying on a trade or business: *And provided further,* That in determining adjusted gross income, no deductions shall be allowed for charitable contributions, alimony payments, medical and dental expenses, an optional standard deduction, losses of property not connected with trade or business, or for an allowance for salaries or compensation for personal service of the person or persons liable for the tax."

SEC. 4. Section 3 (a) (1) of title III of article I of said act is amended to read as follows:

"(1) Expenses: All the ordinary and necessary expenses paid or incurred during the taxable year in carrying on any trade or business (except as otherwise provided herein), traveling expenses (including the entire amount expended for meals and lodging) while away from home in the pursuit of a trade or business; and rentals or other payments required to be made as a condition to the continued use or possession, for purposes of the trade or business, of property to which the taxpayer has not taken or is not taking title or in which he has no equity."

SEC. 5. Section 3 (a) (4) (C) of title III of article I of said act is amended to read as follows:

"(C) of property not connected with a trade or business, if such losses arise from fires, storms, shipwrecks, thefts, or other casualty: *Provided, however,* That no such loss shall be allowed as a deduction under this subsection if such loss is claimed as a deduction for inheritance—or estate—tax purposes: *And provided further,* That this subsection shall not be construed to permit the deduction of a loss of any capital asset as defined in this article."

SEC. 6. Section 3 (a) (8) of title III of article I of said act is amended to read as follows:

"(8) Charitable contributions: Contributions or gifts, actually paid within the taxable year to or for the use of any religious, charitable, scientific, literary, military, or educational institution, the activities of which are carried on to a substantial extent in the District, and no part of the net income of which inures to the benefit of any private shareholder or individual: *Provided,* That such deduction shall be allowed only in an amount which in the aggregate of all such deductions does not exceed 15 percent of the adjusted gross income."

SEC. 7. Section 3 (a) (9) of title III of article I of said act is amended to read as follows:

"(9) Medical, dental, and so forth, expenses of individuals: Expenses in the case of residents, paid by the taxpayer during the taxable year, not compensated for by insurance or otherwise, for the medical care of the taxpayer, his spouse, or dependents as defined in this article. The term 'medical care,' as used in this subsection, shall include amounts paid for the diagnosis, cure, mitigation, treatment, or prevention of diseases, or for the purpose of effecting healthier function of the body (including amounts paid for accident or health insurance): *Provided, however,* That a taxpayer may deduct only such expenses as exceed 5 percent of his adjusted gross income: *And provided further,* That the maximum deduction for the taxable year shall not exceed $1,250."

SEC. 8. Section 3 (a) (13) of title III of article I of said act is amended to read as follows:

"(13) In lieu of the foregoing deductions, any resident may irrevocably elect to deduct for the taxable year an optional standard deduction of $500: *Provided, however,* That the option provided in this subsection shall not be permitted on any return filed for any

period less than a full calendar or fiscal year."

SEC. 9. Section 3 (a) of title III of article I of said act is amended by adding thereto a new subsection to read as follows:

"(15) Reasonable allowance for salaries: A reasonable allowance for salaries or other compensation for personal services actually rendered: *Provided, however,* That in the case of an unincorporated business the aggregate deduction for services rendered by the individual owners or members actively engaged in the conduct of the unincorporated business shall in no event exceed 20 percent of the net income of such business computed without benefit of this deduction: *Provided further,* That nothing herein contained shall be construed to exempt any salary or other compensation for personal services from taxation as a part of the taxable income of the person receiving the same."

SEC. 10. Section 4 of title IV of article I of said act is amended to read as follows:

"SEC. 4. Installment sales: If a person reports any portion of his income from installment sales for Federal income-tax purposes under section 44 of the Federal Internal Revenue Code and as the same may hereafter be amended, and if such income is subject to tax under this article, he may report such income under this article in the same manner and upon the same basis as the same was reported by him for Federal income-tax purposes, if such method of reporting is accepted and approved by the Commissioner of Internal Revenue."

SEC. 11. Subsections (a) and (b) of section 2 of title V of article I of said act are amended to read as follows:

"(a) Residents and nonresidents: Every nonresident of the District receiving income subject to tax under this article and every resident of the District, except fiduciaries, when—

"(1) his gross income for the taxable year exceeds $5,000; or

"(2) his gross sales or gross receipts from any trade or business, other than an unincorporated business subject to tax under title VIII of this article, exceeds $5,000, regardless of the amount of his gross income; or

"(3) the combined gross income for the taxable year of husband and wife living together exceeds $5,000 and each spouse has a gross income in excess of $500, or the gross sales or gross receipts received or accrued by such husband and wife from any trade or business, other than an unincorporated business subject to tax under title VIII of this article, in the aggregate exceeds $5,000. In such cases a separate return shall be filed by each spouse showing his respective portion of such gross income, gross sales, or gross receipts as the case may be, and no joint return of income or computation thereof by them shall be required or permitted under this article except such returns as are required under section 2 (c), 2 (f), and 2 (g) of this title.

"(b) Fiduciaries: Every fiduciary (except a receiver appointed by authority of law in possession of part only of the property of an individual) for—

"(1) every individual for whom he acts having a gross income for the taxable year of $5,000 or over, regardless of the amount of the individual's net income;

"(2) every estate for which he acts, the gross income of which for the taxable year is $5,000 or over, regardless of the amount of the net income of the estate; and

"(3) every trust for which he acts, the net income of which for the taxable year is $100 or over."

SEC. 12. Section 2 of title VI of article I of said act is hereby amended to read as follows:

"SEC. 2. Personal exemptions and credit for dependents: There shall be allowed to residents the following credits against net income:

"(a) An exemption of $5,000 for the taxpayer.

"(b) An exemption of $500 for each dependent, as defined in this article, whose gross income for the calendar year in which the taxable year of the taxpayer begins is less than $500.

"(c) Beginning with the first taxable year to which this article is applicable and in succeeding taxable years, the amount allowed under subsection (a) of this section shall be prorated to the day of death in the final return of a decedent dying before the end of the taxable year, and as of the date of death the personal exemption is terminated and not extended over the remainder of the taxable year.

"(d) In the case of a return made for a fractional part of a year, the personal exemption and credits for dependents shall be reduced, respectively, to amounts which bear the same ratio to the full credits provided as the number of months in the period for which the return is made bears to 12 months."

SEC. 13. Section 3 of title VI of article I of said act is amended to read as follows:

"SEC. 3. Imposition and rate of tax: There is hereby annually levied and imposed for each taxable year upon the taxable income of every resident a tax at the following rates:

"One and one-half percent on the first $5,000 of taxable income.

"Two percent on the next $5,000 of taxable income.

"Two and one-half per cent of the next $5,000 of taxable income.

"Three percent on the taxable income in excess of $15,000."

SEC. 14. Section 4 of title VI of article I of said act is repealed.

SEC. 15. Section 5 of title IX of article I of said act is amended by adding thereto the following new subsections:

"(d) There shall be allowed to an estate the same exemption as is allowed residents under the provisions of section 2 (a) of title VI of this article.

"(e) There shall be allowed to a trust a credit against net income of $100."

SEC. 16. (a) Section 1 of title VIII of article I of said act is amended by adding thereto the following new sentence: "The rental of real and personal property shall be deemed a trade or business within the meaning of this article."

(b) Section 4 of title VIII of article I of said act is amended by striking out the figure "$10,000" and inserting in lieu thereof the figure "$5,000."

SEC. 17. Section 10 (a) (4) of title XII of article I of said act is amended to read as follows:

"(4) For the purposes of subsections (a) (1), (a) (2), and (a) (3), a return filed before the last day prescribed by law for the filing thereof shall be considered as filed on such last day."

SEC. 18. The proviso to section 11 of title XII of article I of said act is amended to read as follows: "*Provided,* That if it shall be determined by the Assessor, the Board of Tax Appeals for the District of Columbia, or any court that any part of any tax which was assessed as a deficiency under the provisions of section 5 of this title was an overpayment, interest shall be allowed and paid upon such overpayment of tax at the rate of 4 percent per annum from the date such overpayment was paid until the date of refund, and in addition thereto any interest upon such overpayment which was paid by the taxpayer shall be refunded."

SEC. 19. Section 1 of title XIV of article I of said act is amended by striking out the period at the end of the paragraph, inserting a colon, and the following: "*Provided, however,* That any unincorporated business having a gross income for the taxable year of $5,000 or less shall not be required to obtain the license provided for in this title."

SEC. 20. Section 2 (b) of title III of article I of said act is amended by adding thereto the following new paragraph:

"(14) Dues and initiation fees in the case of any club organized and operated exclusively for pleasure and recreation, no part of the net earnings of which inures to the benefit of any private individual or shareholder. As used in this subsection, the word 'dues' means only sums paid or incurred by members on a monthly, quarterly, annual, or other periodic basis for the privilege of being members of such club and any pro rata assessment made against the members as such; the word 'dues' does not include any sums paid or incurred by members or their guests for food, beverages, or other tangible personal property purchased or for the use of the club's social, athletic, sporting, and other facilities; and the term 'initiation fees' includes any payment, contribution, or loan required as a condition precedent to membership, whether or not any such payment, contribution, or loan is evidenced by a certificate of interest or indebtedness."

SEC. 21. The provisions of sections 1, 2, 11, 12, 13, and 14 of this title shall be applicable to taxable years beginning after the 31st day of December 1949, and the provisions of all other sections shall be applicable to taxable years or portions thereof beginning after the 31st day of December 1948.

TITLE V—SEPARABILITY CLAUSE

If any provision of this act or the application thereof to any person or circumstances is held invalid, the remainder of the act, and the application of such provision to the other persons or circumstances, shall not be affected thereby.

Mr. KEEFE. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I take this time to clarify one or two questions which have arisen in my mind each year when this proposed legislation has come before the Congress from the Committee on the District of Columbia.

I have been here on the floor during the entire debate on this bill. I am one of those who heretofore has always opposed the imposition of a sales tax for what I conceive to be very good and sufficient reasons.

There are many present on the floor today who still continue to oppose a sales tax. The sponsors of this bill say they are not particularly for a sales tax, but that it is the only method by which they can see to raise money to lift the District out of its financial dilemma.

Other people have taken the floor and said, "You have not canvassed the other possibilities of taxation. You ought to raise the liquor taxes. You ought to raise the tax on gasoline. You ought to raise the tax on cigarettes. There are various and sundry avenues, including raising the ad valorem tax on real estate." And you say, or the members of this committee, "If you do impose a tax on liquor as suggested, or upon gasoline and on cigarettes, and so forth, it would in no way raise the amount of revenue necessary to take care of the prospective deficit."

Then somebody else stands up and says, "You are only assessing real estate in this city on the basis of fair value at 70 percent and your tax rate is only $2 per $100. You ought to increase the ad valorem tax rate on real estate." There are many people who agree with that. The gentleman from Massachusetts stands in the well of the House and says, "We tried

to raise the income tax and we were defeated. We tried to provide other methods of getting revenue and the House has always voted them down."

So here we are making laws as a legislature for the District of Columbia and the minds of many people are not clear on some of the things that are involved in this situation. One thing is not clear to me, and I ask the chairman of this committee to answer this question: What do we have, as Members of the Congress, to do with the matter of determining either the assessment rate on the tax rate in the District of Columbia? As presently handled, is that not an administrative function of the Commissioners of the District of Columbia?

Mr. BATES of Massachusetts. The authority to increase the rates or to reassess values is in the hands of the District Commissioners. If the budget, as passed by the Congress, is not backed up by a revenue bill sufficient to meet all the obligations, then there is no alternative for the District Commissioners other than to increase the tax rate and through proper legislation increasing the revenues to meet those requirements.

Mr. KEEFE. The gentleman then has answered the question to the effect that after all this argument about ad valorem tax rates in the District of Columbia, that the Congress sitting here discussing this thing this afternoon has no power to tell these people legislatively "Your ad valorem tax rate shall be $4 per $100 and your assessment shall be 100 percent of real value."

That is an administrative function of the Commissioners, did I understand you to say?

Mr. BATES of Massachusetts. Under the present authority of law if there is any increase to be made to meet the requirements of the District budget, the Commissioners have authority within the law to increase it. We still have the authority, however, to make them increase it.

Mr. KEEFE. We do not have the authority to direct them to increase it under the present law.

Mr. BATES of Massachusetts. We have supreme authority.

Mr. KEEFE. I say under existing law there is no provision that takes care of that situation. Then the situation seems to me that if I vote for a sales tax I am by so doing saying to the Commissioners "You continue to base your assessment upon a $2 rate and keep your low ad valorem tax here in the District of Columbia and we will impose the tax on the people who buy in the District of Columbia." I agree that the Congress can by legislative action compel the Commissioners to raise the ad valorem tax. However, we are not doing it in this bill. We are, therefore, leaving the determination to the District Commissioners. It is fair to assume, therefore, that if a sales tax is enacted that will provide the money we may not expect action of the Commissioners in raising the ad valorem tax.

Mr. REES. Mr. Chairman, I move to strike out the last two words.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. REES. I yield to the gentleman from South Dakota who has given the problem considerable study.

Mr. CASE of South Dakota. Certainly the record ought not to be left with a possible interpretation that the Congress of the United States does not have authority to fix the tax rate for the District of Columbia. Under the Constitution, the final authority on District legislation rests exclusively with the Congress as the gentlemen who have spoken well know. This House and the Congress can act.

Mr. REES. Certainly. In answer to the gentleman from Wisconsin [Mr. KEEFE], I believe it is understood that Congress does have authority and has used that authority to increase the tax rates in the District of Columbia. The Congress has used that authority and has increased tax rates from time to time.

Mr. BATES of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. REES. I yield to the distinguished gentleman from Massachusetts, a member of the committee.

Mr. BATES of Massachusetts. Under authority of law the District Commissioners must raise sufficient revenue to meet any deficit existing in the District. Of course, we have authority, and we did 2 years ago make it compulsory upon the District Commissioners to increase the real estate tax rate 25 cents.

Mr. REES. Mr. Chairman, I am in accord with those who spoke earlier in the day in support of legislation that would permit the people in the District to have a voice in the management of its affairs.

Now with respect to the question of taxes, I am not in favor of requiring people in the District of Columbia to pay any more than their fair share of taxes, but I do think they ought to pay taxes in line with the people who live in your district or mine.

For example, the entire tax against real estate and personal property in the District of Columbia is $2 per $100 value. The average in cities of similar size is about $3 per hundred, and in many cities it is much more. It has been said that taxes have been increased on real estate recently. That may be true, but they are still not in line with taxes in other cities of similar size.

The income taxes for the District of Columbia are much lighter than they are in many States where income taxes are imposed. Do you know of any State in the Union where an exemption of $5,000 is allowed before any income tax is charged at all?

Here is another thing that is quite significant. The tax on liquor in the District of Columbia is lower than anywhere else in the United States in a city of comparative size. As matter of fact they tell me only a few of the people in the District really control the sale of liquor. Anyway, you could raise $5,000,000 more in revenue if you would put liquor taxes in line with other States. If you would put liquor under control of the District government as they do in many States of the Union, you would have revenue that would run into the millions of dollars.

The tax on gasoline is lower here than almost any State in the Union, so why not increase the income taxes, liquor taxes, gasoline taxes, and taxes on real estate.

There is complaint today about a sales tax. I agree with those of you who say that it is another tax. Nevertheless, the legislation before us has a number of exemptions and is not nearly as severe as sales taxes in various States of the Union.

Let me repeat that if you would increase the taxes in line with the suggestions I have made, you would have enough revenue to take care of all of the needed expenses for running the Government without dipping into the Federal Treasury.

Please let us not be misunderstood. I am not in favor of charging more taxes against anyone in the District of Columbia than is charged in other areas, but I do think we ought to bring these tax charges in line with those of various States before we ask your people and mine to help contribute to the expenses of the District of Columbia.

Something has been said about the United States Government owning property in the District. It must also be said that it is by reason of the Government itself that the people who live here own property and make their profits. It is the spending of people employed in Government and who are here on account of the Government that the city of Washington enjoys the highest average income of cities of similar size.

Before closing I, too, want to pay tribute to the members of this committee for the great effort they have made and are making to solve a most difficult problem.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. SMITH of Virginia. Mr. Chairman, I ask unanimous consent that all debate on this measure do now close.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia, [Mr. SMITH]?

There was no objection.

Mr. McMILLAN of South Carolina. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. BOGGS of Louisiana, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 3347) to provide additional revenue for the District of Columbia, had directed him to report the same back to the House with sundry amendments adopted in the Committee of the Whole House.

Mr. SMITH of Virginia. Mr. Speaker, I move the previous question on the bill and all amendments to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them en grosse.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

Mr. HAND, Mr. HUBER, and Mr. KENNEDY rose.

The SPEAKER. The Chair will recognize Members at the proper time to offer a motion to recommit.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. HAND. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. HAND. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. HAND. I am, Mr. Speaker.

The SPEAKER. The gentleman qualifies. The Clerk will report the motion.

The Clerk read as follows:

Mr. HAND moves to recommit the bill back to the Committee on the District of Columbia.

Mr. SMITH of Virginia. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

Mr. HUBER. Mr. Speaker, may I at this time ask for a reading of the engrossed copy?

The SPEAKER. The Chair thinks the gentleman will find that we have already passed that point.

Mr. HUBER. The Chair said the Chair would recognize Members at the proper time. I thought I would be recognized.

The SPEAKER. The motion to recommit has been offered; the question of engrossing the bill has already been passed.

The question is on the motion to recommit.

The question was taken; and on a division (demanded by Mr. KENNEDY) there were—ayes 81, noes 105.

Mr. BIEMILLER. Mr. Speaker, I object to the vote on the ground that a quorum is not present.

The SPEAKER. The Chair will count. [After counting.] Two hundred and twenty-seven Members are present, a quorum.

Mr. KENNEDY. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and; there were—yeas 163, nays 181, not voting 89, as follows:

[Roll No. 27]

YEAS—163

Addonizio	Brooks	Davis, Wis.
Allen, La.	Buchanan	Delaney
Andersen, H. Carl	Burnside	Denton
Angell	Cannon	D'Ewart
Auchincloss	Carroll	Dollinger
Bailey	Case, N. J.	Dolliver
Baring	Cavalcante	Donohue
Beckworth	Chesney	Douglas
Bennett, Fla.	Coffey	Doyle
Biemiller	Cooper	Eberharter
Boggs, Del.	Crawford	Ellsworth
Bolling	Crook	Engel, Mich.
Breen	Crosser	Engle, Calif.
Brehm	Cunningham	Fenton
	Davenport	Flood
Fogarty	Kirwan	Patten
Forand	Klein	Perkins
Ford	Kruse	Phillips, Tenn.
Furcolo	Kunkel	Poage
Gore	Lane	Price
Gorski, N. Y.	Lanham	Rabaut
Granger	Lemke	Ramsay
Grant	Lesinski	Reed, Ill.
Green	Lichtenwalter	Rhodes
Gregory	Lynch	Ribicoff
Gross	McCarthy	Rodino
Hagen	McConnell	Rooney
Hall, Edwin Arthur	McDonough	Sabath
	McGuire	Sadowski
Hand	McKinnon	Sanborn
Harden	Mack, Ill.	Secrest
Hart	Mack, Wash.	Simpson, Pa.
Harvey	Madden	Sims
Havenner	Magee	Steed
Hays, Ohio	Mahon	Stefan
Hedrick	Mansfield	Sullivan
Heselton	Marcantonio	Tauriello
Hill	Marshall	Thomas, Tex.
Hoeven	Martin, Iowa	Thornberry
Holifield	Mason	Tollefson
Howell	Miller, Calif.	Towe
Huber	Mitchell	Van Zandt
Hull	Morgan	Wagner
Irving	Morris	Walsh
Jackson, Wash.	Morrison	Welch, Calif.
Jacobs	Moulder	Welch, Mo.
Jensen	Multer	White, Calif.
Judd	Murray, Wis.	White, Idaho
Karst	Noland	Wier
Karsten	O'Brien, Ill.	Withrow
Kearney	O'Brien, Mich.	Wolverton
Kee	O'Hara, Ill.	Worley
Keefe	O'Neill	Yates
Kennedy	O'Sullivan	Young
King	Pace	Zablocki

NAYS—181

Abbitt	Frazier	Nicholson
Abernethy	Fugate	Nixon
Albert	Gamble	Norblad
Allen, Calif.	Garmatz	Norton
Allen, Ill.	Gary	O'Hara, Minn.
Anderson, Calif.	Gavin	Passman
Andrews	Gillette	Patman
Arends	Goodwin	Peterson
Aspinall	Graham	Pfeiffer, William L.
Barrett, Wyo.	Gwinn	
Bates, Ky.	Halleck	Phillips, Calif.
Bates, Mass.	Hardy	Pickett
Battle	Hare	Polk
Beall	Harrison	Potter
Bennett, Mich.	Herlong	Preston
Bentsen	Hinshaw	Priest
Bishop	Hobbs	Rains
Blackney	Hoffman, Mich.	Rankin
Bland	Holmes	Redden
Boggs, La.	Hope	Rees
Bolton, Md.	Jackson, Calif.	Regan
Bolton, Ohio	James	Rich
Bonner	Jenkins	Rivers
Bosone	Jennings	Rogers, Fla.
Boykin	Johnson	Rogers, Mass.
Bramblett	Jonas	Sasscer
Brown, Ga.	Jones, Ala.	Scrivner
Brown, Ohio	Jones, Mo.	Scudder
Bryson	Jones, N. C.	Shafer
Burleson	Kean	Short
Burton	Kearns	Sikes
Byrne, N. Y.	Kerr	Simpson, Ill.
Byrnes, Wis.	Kilburn	Smith, Kans.
Camp	Kilday	Smith, Va.
Carnahan	Larcade	Spence
Case, S. Dak.	LeCompte	Stanley
Chiperfield	LeFevre	Stigler
Christopher	Lind	Stockman
Church	Lodge	Sutton
Clevenger	Lovre	Taber
Cole, Kans.	Lucas	Talle
Cole, N. Y.	Lyle	Teague
Colmer	McCormack	Underwood
Combs	McCulloch	Velde
Cooley	McGregor	Vorys
Cotton	McMillan, S. C.	Vursell
Cox	McMillen, Ill.	Wadsworth
Dague	McSweeney	Werdel
Davis, Ga.	Macy	Wheeler
Davis, Tenn.	Marsalis	Whitten
Deane	Martin, Mass.	Whittington
DeGraffenried	Merrow	Wickersham
Dondero	Meyer	Wigglesworth
Doughton	Michener	Williams
Durham	Miles	Wilson, Ind.
Elliott	Miller, Md.	Wilson, Okla.
Elston	Miller, Nebr.	Wilson, Tex.
Fallon	Mills	Winstead
Fellows	Monroney	Wolcott
Fernandez	Murdock	Woodruff
Fisher	Murray, Tenn.	

NOT VOTING—89

Andresen, August H.	Gorski, Ill.	Philbin
Barden	Gossett	Plumley
Barrett, Pa.	Granahan	Poulson
Blatnik	Hale	Powell
Buckley, Ill.	Hall, Leonard W.	Quinn
Buckley, N. Y.	Harris	Reed, N. Y.
Bulwinkle	Hays, Ark.	Richards
Burdick	Hébert	Riehlman
Burke	Heffernan	Sadlak
Canfield	Heller	St. George
Carlyle	Herter	Scott, Hardie
Celler	Hoffman, Ill.	Scott, Hugh D., Jr.
Chatham	Horan	Sheppard
Chelf	Javits	Smathers
Chudoff	Jenison	Smith, Ohio
Clemente	Keating	Smith, Wis.
Corbett	Kelley	Somers
Coudert	Keogh	Staggers
Curtis	Latham	Tackett
Davies, N. Y.	Linehan	Taylor
Dawson	McGrath	Thomas, N. J.
Dingell	Morton	Thompson
Eaton	Murphy	Trimble
Evins	Nelson	Vinson
Feighan	Norrell	Walter
Fulton	O'Konski	Weichel
Gathings	O'Toole	Whitaker
Gilmer	Patterson	Willis
Golden	Pfeifer, Joseph L.	Wood
Gordon		Woodhouse

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mrs. Woodhouse for, with Mr. Harris against.

Mr. Feighan for, with Mr. Hébert against.

Mr. Powell for, with Mr. Horan against.

Mr. Kelley for, with Mr. Herter against.

Mr. Dawson for, with Mr. Tackett against.

Mr. Keating for, with Mr. Plumley against.

Mr. Heller for, with Mr. Wood against.

Mr. Blatnik for, with Mr. Vinson against.

Mr. Buckley of New York for, with Mr. Whitaker against.

General pairs until further notice:

Mr. Gorski of Illinois with Mr. Canfield.

Mr. Gordon with Mr. Leonard W. Hall.

Mr. Buckley of Illinois with Mr. Hugh D. Scott, Jr.

Mr. Linehan with Mr. Coudert.

Mr. Clemente with Mr. Taylor.

Mr. Quinn with Mr. Smith of Ohio.

Mr. Barrett of Pennsylvania with Mr. Hardie Scott.

Mr. Chudoff with Mrs. St. George.

Mr. Gossett with Mr. Reed of New York.

Mr. Evins with Mr. Eaton.

Mr. Murphy with Mr. Jenison.

Mr. Dingell with Mr. Smith of Wisconsin.

Mr. Davies of New York with Mr. Corbett.

Mr. Chelf with Mr. Latham.

Mr. Richards with Mr. Morton.

Mr. Smathers with Mr. Nelson.

Mr. Trimble with Mr. Patterson.

Mr. Hays of Arkansas with Mr. O'Konski.

Mr. Gathings with Mr. Poulson.

Mr. Barden with Mr. Riehlman.

Mr. Carlyle with Mr. Weichel.

Mr. Chatham with Mr. Hale.

Mr. Philbin with Mr. August H. Andresen.

Mr. McGrath with Mr. Curtis.

Mr. Walter with Mr. Sadlak.

Mr. FENTON, Mr. BREHM, and Mr. KEE changed their vote from "nay" to "yea."

Mr. CASE of South Dakota, Mr. WERDEL, and Mr. HALLECK changed their vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the passage of the bill.

Mr. KENNEDY. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and; there were—yeas 166, nays 178, not voting 89, as follows:

[Roll No. 28]

YEAS—166

Abbitt	Fugate	Monroney
Abernethy	Gamble	Morris
Albert	Garmatz	Murray, Tenn.
Allen, Calif.	Gary	Nicholson
Allen, Ill.	Gavin	Nixon
Anderson, Calif.	Goodwin	Norblad
Andrews	Graham	Norton
Arends	Grant	O'Hara, Minn.
Aspinall	Gwinn	Passman
Barrett, Wyo.	Halleck	Peterson
Bates, Mass.	Hardy	Pfeiffer,
Battle	Hare	William L.
Beall	Harrison	Phillips, Calif.
Bentsen	Herlong	Polk
Bishop	Hinshaw	Potter
Blackney	Hobbs	Preston
Bland	Hoffman, Mich.	Priest
Bolton, Md.	Holmes	Rains
Bolton, Ohio	Hope	Rankin
Bonner	Jackson, Calif.	Redden
Bosone	James	Reed, Ill.
Boykin	Jenkins	Rees
Bramblett	Jennings	Rich
Brown, Ga.	Jensen	Rivers
Brown, Ohio	Johnson	Rogers, Mass.
Bryson	Jonas	Sasscer
Burleson	Jones, Ala.	Scrivner
Burton	Jones, Mo.	Scudder
Byrnes, Wis.	Jones, N. C.	Short
Camp	Kean	Sikes
Case, S. Dak.	Kearns	Simpson, Ill.
Chatham	Kerr	Smith, Kans.
Chiperfield	Kilburn	Smith, Va.
Christopher	Larcade	Stanley
Church	LeCompte	Stigler
Clevenger	LeFevre	Stockman
Cole, Kans.	Lind	Sutton
Cole, N. Y.	Lodge	Taber
Colmer	Lovre	Talle
Combs	Lyle	Teague
Cooley	McCormack	Velde
Cotton	McCulloch	Vorys
Cox	McGregor	Vursell
Dague	McMillan, S. C.	Wadsworth
Davis, Ga.	McMillen, Ill.	Werdel
Deane	McSweeney	Wheeler
DeGraffenried	Macy	Whitten
Dondero	Marsalis	Whittington
Doughton	Martin, Mass.	Wickersham
Durham	Merrow	Wigglesworth
Elliott	Meyer	Williams
Elston	Michener	Wilson, Okla.
Engel, Mich.	Miles	Winstead
Fallon	Miller, Md.	Wolcott
Fernandez	Miller, Nebr.	Woodruff
Fisher	Mills	

NAYS—178

Addonizio	Davis, Wis.	Holifield
Allen, La.	Delaney	Howell
Andersen,	Denton	Huber
H. Carl	D'Ewart	Hull
Angell	Dollinger	Irving
Auchincloss	Dolliver	Jackson, Wash.
Bailey	Donohue	Jacobs
Baring	Douglas	Judd
Bates, Ky.	Doyle	Karst
Beckworth	Ellsworth	Karsten
Bennett, Fla.	Engle, Calif.	Kearney
Bennett, Mich.	Fenton	Kee
Biemiller	Flood	Keefe
Boggs, Del.	Fogarty	Kennedy
Boggs, La.	Forand	Kilday
Bolling	Ford	King
Breen	Frazier	Kirwan
Brehm	Furcolo	Klein
Brooks	Gillette	Kruse
Buchanan	Gore	Kunkel
Burdick	Gorski, N. Y.	Lane
Burke	Granger	Lanham
Burnside	Green	Lemke
Byrne, N. Y.	Gregory	Lesinski
Cannon	Gross	Lichtenwalter
Carnahan	Hagen	Lucas
Carroll	Hall,	Lynch
Case, N. J.	Edwin Arthur	McCarthy
Cavalcante	Hand	McConnell
Chesney	Harden	McDonough
Coffey	Hart	McGuire
Cooper	Harvey	McKinnon
Crawford	Havenner	Mack, Ill.
Crook	Hays, Ohio	Mack, Wash.
Crosser	Hedrick	Madden
Cunningham	Heselton	Magee
Davenport	Hill	Mahon
Davis, Tenn.	Hoeven	Mansfield
Marcantonio	Poage	Tauriello
Marshall	Price	Thomas, Tex.
Martin, Iowa	Rabaut	Thornberry
Mason	Regan	Tollefson
Miller, Calif.	Rhodes	Towe
Mitchell	Ribicoff	Underwood
Morgan	Rodino	Van Zandt
Morrison	Rogers, Fla.	Wagner
Moulder	Rooney	Walsh
Multer	Sabath	Welch, Calif.
Murray, Wis.	Sadowski	Welch, Mo.
Noland	Sanborn	White, Calif.
O'Brien, Ill.	Secrest	White, Idaho
O'Brien, Mich.	Shafer	Wier
O'Hara, Ill.	Sheppard	Wilson, Ind.
O'Neill	Simpson, Pa.	Wilson, Tex.
O'Sullivan	Sims	Withrow
Pace	Spence	Wolverton
Patten	Staggers	Worley
Perkins	Steed	Yates
Phillips, Tenn.	Stefan	Young
Pickett	Sullivan	Zablocki

NOT VOTING—89

Andresen,	Granahan	Plumley
August H.	Hale	Poulson
Barden	Hall,	Powell
Barrett, Pa.	Leonard W.	Quinn
Blatnik	Harris	Ramsay
Buckley, Ill.	Hays, Ark.	Reed, N. Y.
Buckley, N. Y.	Hébert	Richards
Bulwinkle	Heffernan	Riehlman
Canfield	Heller	Sadlak
Carlyle	Herter	St. George
Celler	Hoffman, Ill.	Scott, Hardie
Chelf	Horan	Scott,
Chudoff	Javits	Hugh D., Jr.
Clemente	Jenison	Smathers
Corbett	Keating	Smith, Ohio
Coudert	Kelley	Smith, Wis.
Curtis	Keogh	Somers
Davies, N. Y.	Latham	Tackett
Dawson	Linehan	Taylor
Dingell	McGrath	Thomas, N. J
Eaton	Morton	Thompson
Eberharter	Murdock	Trimble
Evins	Murphy	Vinson
Feighan	Nelson	Walter
Fellows	Norrell	Weichel
Fulton	O'Konski	Whitaker
Gathings	O'Toole	Willis
Gilmer	Patman	Wood
Golden	Patterson	Woodhouse
Gordon	Pfeifer,	
Gorski, Ill.	Joseph L.	
Gossett	Philbin	

So the bill was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Harris for, with Mrs. Woodhouse against.

Mr. Hébert for, with Mr. Feighan against.

Mr. Horan for, with Mr. Dawson against.

Mr. Herter for, with Mr. Kelley against.

Mr. Wood for, with Mr. Keating against.

Mr. Plumley for, with Mr. Dingell against.

Mr. Tackett for, with Mr. Whitaker against.

Additional general pairs:

Mr. Clemente with Mr. Canfield.

Mr. Quinn with Mr. Leonard W. Hall.

Mr. Chelf with Mr. Eaton.

Mr. Carlyle with Mr. Hugh D. Scott, Jr.

Mr. Linehan with Mr. Latham.

Mr. Gordon with Mr. Morton.

Mr. Gorski of Illinois with Mr. Patterson.

Mr. Buckley of Illinois with Mr. Poulson.

Mr. Gossett with Mr. Coudert.

Mr. McGrath with Mr. Jenison.

Mr. Heller with Mr. Weichel.

Mr. Murphy with Mr. Sadlak.

Mr. Walter with Mrs. St. George.

Mr. Vinson with Mr. Curtis.

Mr. Richards with Mr. August H. Andresen.

Mr. Philbin with Mr. Hoffman of Illinois.

Mr. Trimble with Mr. Smith of Ohio.

Mr. Gathings with Mr. Riehlman.

Mr. Barrett of Pennsylvania with Mr. Taylor.

Mr. Chudoff with Mr. Smith of Wisconsin.

Mr. Powell with Mr. Corbett.

Mr. Eberharter with Mr. Hardie Scott.

Mr. Evins with Mr. Reed of New York.

Mr. Hays of Arkansas with Mr. Hale.

Mr. JUDD changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

THE HONORABLE RICHARD B. RUSSELL

Mr. BRYSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. BRYSON. Mr. Speaker, while I know it is a flagrant violation of the rules to speak in derogatory terms about the other body in the legislative branch of the Government, surely compliments are permissible.

The valiant fighters from the South, with other courageous Senators of like mind, have again stayed the hands of those who would destroy free government by the enactment of force legislation.

Dr. Nicholas P. Mitchell, a radio news commentator of my home town, has paid a well-earned tribute to Senator RUSSELL, of Georgia, and to others of his kind, in the following words:

Signals in the fight against the President's civil-rights program are now being called by a gentleman from Georgia, Senator RICHARD B. RUSSELL, who is a master at the game. The 51-year-old lawmaker has led filibuster fights against antilynching and anti-poll-tax legislation four times before, and he has always come out a winner. That was a good reason for the southern Senators to draft him for the job again.

RUSSELL is something of a political wonder boy. He was the youngest man ever to be speaker of the Georgia House of Representatives, the youngest man ever to be Governor of Georgia, and in 1932 he became, at that time, the youngest United States Senator.

The quiet bachelor has been in the Senate ever since, without serious threat in any of his races for reelection. He won another term last year without any opposition at all.

When President Truman advanced his civil-rights program the junior Senator from Georgia chose his path with care. He ignored the bolters who formed their own party to run against the Democratic ticket in the 1948 Presidential election. But within the party he has been perhaps the single most effective opponent of the proposed program. It was RUSSELL who headed the caucus of southerners that defeated the program in the last Congress; it was he who drew the votes of most of the southern States at the Democratic National Convention last July. And he has continued in the present Congress as the captain of the southern bloc, heading the strategy conferences of Dixie Senators. Recently he needled northern members of his own party with a bill to relocate southern Negroes in the North at Government expense.

RUSSELL lives in the little town of Winder, Ga., and he likes his privacy when he's away from the Capitol battlegrounds. He doesn't even have a telephone at home. He was born in Winder in November 1897. As a youngster his deepest interest was in military tactics, and his father—for many years chief justice of the Georgia Supreme Court—enjoyed telling the story of the day 8-year-old DICK laid out a battlefield on the family farm. He used flags and markings to work out a problem posed by the Russo-Japanese

War. A passing farmer looked on for a few minutes. Then he stopped to sympathize with Judge Russell, saying, "I've got a weak-minded boy, too."

Well, the boy who looked weak grew up attend the Powder Springs Agricultural and Mechanical School, and in 1918 he obtained a law degree from the University of Georgia. He spent a short time in the Army in World War I and then began the practice of law in his home town. Soon he was into politics and in 1921 he began 10 years of service in the State legislature. In 1930, after serving as speaker of the Georgia House, he ran for Governor. He says it was the hardest race of his life. He traveled 47,000 miles and made 162 speeches. But he won that election, and he became so popular in Georgia that he has been unbeatable in that State's politics ever since.

Those who labor with RUSSELL say he has a talent for quiet, persistent work. While he is an effective orator, he specializes not in loud speeches but in committee-room plugging and after-hour persistence that gets things done.

On many issues Senator RUSSELL has gone right along with the administrations of Mr. Roosevelt and Mr. Truman, more so, perhaps, than most other Democratic Senators from the South. But he has been a bulldog enemy of the civil-rights program. Time and again he has shown his conviction that it means an invasion of individual rights—that it would wreck the social make-up of the South and leave chaos behind.

A born leader, RUSSELL has been forceful but never violent. He is one of the new-model southern Senators who have given up the flowing tie and the spread-eagle oratory. In a sense, he has subordinated his personality to his convictions.

Short on so-called color, DICK RUSSELL is long on legislative talent.

The South could use more like him.

EXTENSION OF REMARKS

Mr. DAVENPORT asked and was given permission to extend his remarks in the Appendix of the RECORD.

Mr. BECKWORTH asked and was given permission to extend his remarks in the Appendix of the RECORD and include a letter.

Mr. FORAND and Mr. DOYLE asked and were given permission to extend their remarks in the Appendix.

Mr. JACKSON of Washington (at the request of Mr. MILLER of California) was given permission to extend his remarks in the Appendix of the RECORD.

Mr. RABAUT asked and was given permission to extend his remarks in the Appendix of the RECORD and include a statement by the Right Reverend Monsignor John O'Grady, secretary of the National Conference of Catholic Charities, before the Committee on Ways and Means, on the bill H. R. 2892, the Public Welfare Act of 1949.

Mr. BOYKIN asked and was given permission to extend his remarks in the Appendix of the RECORD and include an article by Hon. J. Stuart Symington, Secretary of the Air Force.

Mr. SCUDDER asked and was given permission to extend his remarks in the Appendix of the RECORD and include a statement on a bill he introduced.

COMMITTEE ON AGRICULTURE

Mr. McSWEENEY, from the Committee on Rules, reported the following privileged resolution (H. Res. 112) to authorize the Committee on Agriculture to make investigations into any matter within its jurisdiction, and for other purposes (Rept. No. 263) which was referred to the House Calendar and ordered to be printed:

Resolved, That the Committee on Agriculture, acting as a whole or by subcommittee, is authorized to conduct studies, investigations, and to inquire into any matter within its jurisdiction. For the purposes of this resolution, the committee, or any subcommittee thereof, is authorized to sit and act during the present Congress at such times and places within or outside the United States, whether the House is in session, has recessed, or has adjourned, to hold such hearings, to make such inspections or investigations, to use such governmental facilities without reimbursement therefor, and to require, by subpena or otherwise, the attendance and testimony of such witnesses, and the production of such books, records, correspondence, memoranda, papers, and documents, as it deems necessary. Subpenas may be issued over the signature of the chairman of the committee, or any member of the committee designated by him, and may be served by any person designated by such chairman or member. The chairman of the committee or any member thereof may administer oaths or affirmations to witnesses.

That the said committee shall issue such reports, including reports to the House of Representatives, with such recommendations for legislation or otherwise, as the committee deems desirable.

SPECIAL ORDER GRANTED

Mr. PRIEST. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. PATMAN] may address the House for 30 minutes on Thursday next, following the legislative program for the day and any special orders heretofore entered.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

EXTENSION OF REMARKS

Mr. WOODRUFF (at the request of Mr. MARTIN of Massachusetts) was given permission to extend his remarks in the RECORD and include a newspaper article.

Mr. KEATING (at the request of Mr. MARTIN of Massachusetts) was given permission to extend his remarks in the RECORD.

Mr. BATES of Massachusetts asked and was given permission to revise and extend the remarks he made in Committee and to include certain statistics in connection therewith.

Mr. MERROW asked and was given permission to extend his remarks in the Appendix of the RECORD and include an editorial from the New Hampshire Morning Union on the subject Town of Chichester Decries Communism.

THE LATE ALBERT F. DAWSON

Mr. MARTIN of Iowa. Mr. Speaker, I ask unanimous consent to address the House.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. MARTIN of Iowa. Mr. Speaker, I announce the death of Hon. Albert F. Dawson, who represented the Second Iowa District in the House of Representatives from 1905 to 1911. The Second Iowa District at that time comprised Clinton, Iowa, Jackson, Johnson, Muscatine, and Scott Counties and Mr. Dawson's home during the time he served in the House of Representatives was Preston, Iowa, in Jackson County. He passed away March 9 in his drawing room aboard a Southern Railway train as it neared Cincinnati while he was being transferred from a hospital in St. Petersburg, Fla., to one in Akron, Ohio.

Mr. Dawson was born in Sprague ville, Iowa, January 26, 1872. He attended the University of Wisconsin and Columbia University in New York. He married Phoebe R. DeGroat in 1893. He was editor of the Preston Advance in 1891 and 1892 and city editor of the Clinton Herald in 1894 and 1895. He then came to Washington, D. C., as secretary to Congressman G. M. Curtis from 1895 to 1899 and was secretary to United States Senator William B. Allison from 1899 until the beginning of his own service in Congress in 1905. During his tenure in Congress Mr. Dawson served on the following committees: Reform in the Civil Service, Pacific Railroads, and Naval Affairs.

After three terms in the House of Representatives his leadership was recognized by President William Howard Taft who tendered him appointment as his private secretary, but Mr. Dawson declined the appointment and also declined to seek reelection to Congress and he returned to Davenport, Iowa, as president of the First National Bank. He held that position until 1928 when he became president of the investment securities house of Dawson, Howe & Dawes. In 1929 he returned to Washington, D. C., where he served for several years as secretary of the Republican National Committee.

From 1932 until he retired in 1945 he was special representative of Cincinnati Gas & Electric Co. and lived in Cincinnati, Ohio. It was during this period that he last visited the House of Representatives and I enjoyed tremendously introducing him to my colleagues here on the floor of the House. At the time of his death he was living in Highland Park, Ill., with his son-in-law and daughter, Mr. and Mrs. L. L. Howe.

Mr. Dawson was very active in Iowa in a wide variety of civic work. During World War I he was chairman of the five Liberty Loan drives and was prominent in Red Cross work and was in great demand as a public speaker. He served on the public library board in Davenport and was an active member of the Rotary Club, the chamber of commerce, and the Masonic order. He will long be remembered for his great service to his home communities and to the State of Iowa and to our Nation during his long and active lifetime.

EXTENSION OF REMARKS

Mr. McCORMACK asked and was given permission to extend his remarks in the Appendix of the RECORD and include an editorial appearing in the Boston Post of Thursday last in relation to the late Sol Bloom.

HOUR OF MEETING TOMORROW

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the

House adjourns today it adjourn to meet at 11 o'clock tomorrow morning.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

NATIONAL ADVISORY COUNCIL ON INTERNATIONAL MONETARY AND FINANCIAL PROBLEMS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 120)

The SPEAKER laid before the House the following message from the President of the United States, which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed, with illustrations:

To the Congress of the United States:

Attached hereto is a report of the National Advisory Council on International Monetary and Financial Problems covering its operations from April 1 to September 30, 1948, and describing in accordance with section 4 (b) (5) of the Bretton Woods Agreements Act, the participation of the United States in the International Monetary Fund and the International Bank for Reconstruction and Development for the above period.

Previous reports of the National Advisory Council were transmitted to the Congress on March 1, 1946, March 8, 1946, January 13, 1947, June 26, 1947, January 19, 1948, May 17, 1948, and August 3, 1948, respectively. In addition to the First Special Report on the Operations and Policies of the International Monetary Fund and the International Bank for Reconstruction and Development, submitted on May 17, 1948, previous reports on the participation of the United States in the International Monetary Fund and the International Bank were included in the reports of January 13, 1947, June 26, 1947, January 19, 1948, and August 3, 1948, respectively.

HARRY S. TRUMAN.

THE WHITE HOUSE, *March 14, 1949.*

REPORT BY THE SECRETARY OF STATE ON THE OPERATIONS OF THE DEPARTMENT OF STATE—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States, which was read, and together with accompanying papers, referred to the Committee on Expenditures in the Executive Departments and ordered to be printed:

To the Congress of the United States:

I transmit herewith a report by the Secretary of State on the operations of the Department of State under section 32 (b) (2) of Public Law 584, Seventy-ninth Congress, as required by that law.

HARRY S. TRUMAN.

THE WHITE HOUSE, *March 14, 1949.*

(Enclosure: Report from the Secretary of State concerning Public Law 584.)

COMMUNICATION FROM THE CHAIRMAN OF THE COMMITTEE ON FOREIGN AFFAIRS

The SPEAKER laid before the House the following communication from the chairman of the Committee on Foreign Affairs:

MARCH 14, 1949.

Hon. SAM RAYBURN,
The Speaker, House of Representatives, Washington, D. C.

DEAR MR. SPEAKER: In conformity with section 124 of Public Law 472, Eightieth Congress, I have this date appointed the Honorable JAMES P. RICHARDS to represent the Committee on Foreign Affairs on the Joint Committee on Foreign Economic Cooperation for the Eighty-first Congress.

This appointment fills the existing vacancy.

Very sincerely yours,

JOHN KEE.

NATIONAL CAPITAL SESQUICENTENNIAL COMMISSION

The SPEAKER laid before the House the following communication which was read:

Hon. SAM RAYBURN,
Speaker, House of Representatives, United States Congress, Washington, D. C.

DEAR MR. SPEAKER: I herewith submit my resignation as a member of the National Capital Sesquicentennial Commission.

Respectfully yours,

HOMER THORNBERRY.

The SPEAKER. Without objection the resignation will be accepted.

There was no objection.

COLUMBIA INSTITUTE FOR THE DEAF

The SPEAKER. Pursuant to the provisions of section 4863, Revised Statutes of the United States, the Chair appoints as a director of the Columbia Institute for the Deaf the gentleman from Texas [Mr. THORNBERRY] to fill the existing vacancy thereon.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. HARRIS (at the request of Mr. MILLS), for today, on account of official business.

To Mr. NORRELL (at the request of Mr. MILLS) for Monday, March 14, 1949, on account of official business.

To Mr. GATHINGS (at the request of Mr. MILLS), for today, on account of official business.

To Mr. TRIMBLE (at the request of Mr. MILLS), for today, on account of official business.

To Mr. HAYS of Arkansas (at the request of Mr. MILLS), for today, on account of official business.

To Mr. TACKETT (at the request of Mr. MILLS), for today, on account of official business.

To Mr. CARLYLE (at the request of Mr. KERR), for March 14, 1949, on account of official business.

To Mr. PLUMLEY (at the request of Mr. ARENDS) for 2 days, on account of official business.

ADJOURNMENT

Mr. DAVENPORT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 16 minutes p. m.) the House, under its previous order, adjourned until tomorrow, Tuesday, March 15, 1949, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

362. A letter from the Chairman, Commission on Organization of the Executive Branch of the Government, transmitting its report on the independent regulatory commissions and, separately, as appendix N, the task-force report on this subject (pursuant to Public Law 906, 80th Cong.) (H. Doc. No. 116); to the Committee on Expenditures in the Executive Departments and ordered to be printed.

363. A letter from the Chairman, Commission on Organization of the Executive Branch of the Government, transmitting to the Congress a study prepared for the Commission's consideration on the independent regulatory commissions of the Government. This task-force report is submitted as a supplement to the Commission's report on regulatory agencies as well as the Commission's report on commerce (pursuant to Public Law 906, 80th Cong.); to the Committee on Expenditures in the Executive Departments.

364. A communication from the President of the United States, transmitting supplemental estimates of appropriation in the amount of $1,380,000 and a proposed provision for the fiscal year 1950 for the Department of Justice in the form of amendments to the budget for said fiscal year (H. Doc. No. 117); to the Committee on Appropriations and ordered to be printed.

365. A communication from the President of the United States transmitting a supplemental estimate of appropriation for the fiscal year 1949 in the amount of $1,500 for the Treasury Department (H. Doc. No. 118); to the Committee on Appropriations and ordered to be printed.

366. A letter from the Secretary of Defense, transmitting a draft of proposed legislation to repeal that part of section 3 of the act of June 24, 1926 (44 Stat. 767), as amended, and that part of section 13a of the act of June 3, 1916 (39 Stat. 166), as amended, relating to the percentage, in time of peace, of enlisted personnel employed in aviation tactical units of the Navy, Marine Corps, and Air Corps, and for other purposes; to the Committee on Armed Services.

367. A letter from the Secretary of the Interior, transmitting a draft of a proposed bill to promote the rehabilitation of the Navajo and Hopi Tribes of Indians and the better utilization of the resources of the Navajo and Hopi Indian Reservations, and for other purposes; to the Committee on Public Lands.

368. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, United States Army, dated July 2, 1948, submitting a report, together with accompanying papers, on a review of reports on the coasts of the Great Lakes harbors of refuge for light-draft vessels with a view to providing harbor facilities for light-draft vessels at mouth of Tahquamenon River, Mich., requested by a resolution of the Committee on Rivers and Harbors, House of Representatives, adopted on July 18, 1945; to the Committee on Public Works.

369. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, United States Army, dated September 24, 1948, submitting a report, together with accompanying papers, on a review of reports on Barnegat Inlet, N. J., requested by a resolution of the Committee on Rivers and Harbors, House of Representatives, adopted on August 10, 1944; to the Committee on Public Works.

370. A letter from the Secretary of the Army, transmitting a letter from the Chief of

Engineers, United States Army, dated September 27, 1948, submitting a report, together with accompanying papers, on a preliminary examination of Dyer Creek, Mathews County, Va., and Harpers Creek, Mathews County, Va., authorized by the River and Harbor Acts approved on March 2, 1945, and July 24, 1946; to the Committee on Public Works.

371. A letter from the Secretary of the Army transmitting a letter from the Chief of Engineers, United States Army, dated September 27, 1948, submitting a report, together with accompanying papers, on a preliminary examination of Lake Placid, Shore Acres, Anne Arundel County, Md., authorized by the River and Harbor Act approved on July 24, 1946; to the Committee on Public Works.

372. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, United States Army, dated September 7, 1948, submitting a report, together with accompanying papers, on a review of reports on Valley Creek, Ala., requested by resolutions of the Committee on Rivers and Harbors, House of Representatives, adopted on February 28 and September 18, 1945; to the Committee on Public Works.

373. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, United States Army, dated August 24, 1948, submitting a report, together with accompanying papers, on a preliminary examination of Murrells Inlet, S. C., authorized by the River and Harbor Act approved on March 2, 1945; to the Committee on Public Works.

374. A letter from the Chairman, Commission on Organization of the Executive Branch of the Government, transmitting its report on the Department of Labor and separately, in typescript, a memorandum on the Department by George W. Taylor, professor of labor relations, University of Pennsylvania, and former Chairman, National War Labor Board (H. Doc. No. 119); to the Committee on Education and Labor and ordered to be printed, with illustrations.

375. A letter from the Chairman, Commission on Organization of the Executive Branch of the Government, transmitting to the Congress, in typescript, the report on information services which was prepared for the Commission's consideration. This material is a further addition to the supporting data which accompanied the Commission's report on general management of the executive branch, filed with the Congress on February 7, 1949; to the Committee on Expenditures in the Executive Departments.

376. A letter from the Commissioner, Federal Housing Administration, transmitting the semiannual report of the Federal National Mortgage Association on its activities during the period July 1 through December 31, 1948; to the Committee on Banking and Currency.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mrs. NORTON: Committee on House Administration. House Resolution 144. Resolution for the relief of Jean Ness; without amendment (Rept. No. 258). Referred to the House Calendar.

Mrs. NORTON: Committee on House Administration. H. R. 1579. A bill to amend the Printing Act of January 12, 1895, as amended, with respect to the printing of extra copies of congressional hearings and other documents; with an amendment (Rept. No. 259). Referred to the Committee of the Whole House on the State of the Union.

Mr. SABATH: Committee on Rules. House Resolution 148. Resolution for consideration of H. R. 1437, a bill to authorize the composition of the Army of the United States and the Air Force of the United States, and for other purposes; without amendment (Rept. No. 260). Referred to the House Calendar.

Mr. SABATH: Committee on Rules. House Resolution 137. Resolution authorizing the Committee on the Judiciary to conduct studies and investigations relating to matters within its jurisdiction; without amendment (Rept. No. 261). Referred to the House Calendar.

Mr. PETERSON: Committee on Public Lands. H. R. 1357. A bill to authorize the establishment of the St. Croix Island National Monument, in the State of Maine; with an amendment (Rept. No. 262). Referred to the Committee of the Whole House on the State of the Union.

Mr. McSWEENEY: Committee on Rules. House Resolution 112. Resolution to authorize the Committee on Agriculture to make investigations into any matter within its jurisdiction, and for other purposes; without amendment (Rept. No. 263). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. EDWIN ARTHUR HALL:

H. R. 3509. A bill to further amend the act approved August 27, 1940 (54 Stat. 864); to the Committee on Armed Services.

By Mr. McCORMACK:

H. R. 3510. A bill to establish a Federal Commission on Services for the Physically Handicapped, to define its duties, and for other purposes; to the Committee on Education and Labor.

By Mr. McGUIRE (by request):

H. R. 3511. A bill to declare the waterway (in which is located the Brewery Street Channel) from Brewery Street southeastward to a line running south 33°53'36" west from the south side of Chestnut Street at New Haven, Conn., a nonnavigable stream; to the Committee on Interstate and Foreign Commerce.

By Mr. MURRAY of Tennessee:

H. R. 3512. A bill to amend the Civil Service Retirement Act of May 29, 1930, as amended, to authorize the exemption of certain employees of the Library of Congress whose employment is temporary or of uncertain duration; to the Committee on Post Office and Civil Service.

H. R. 3513. A bill to provide for the extension and application of the provisions of the Classification Act of 1923, as amended, to certain officers and employees of the Immigration and Naturalization Service in the Department of Justice; to the Committee on Post Office and Civil Service.

By Mr. RAINS:

H. R. 3514. A bill to authorize the Federal Works Administration, as an adjunct to the Federal public-works program, to make loans and grants for the construction, remodeling, improvement, and extension of school facilities; to the Committee on Public Works.

H. R. 3515. A bill to amend the Hospital Survey and Construction Act (title VI of the Public Health Service Act), to extend its duration and provide greater financial assistance in the construction of hospitals, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. O'NEILL:

H. R. 3516. A bill granting an exemption from income tax in the case of retirement pensions and annuities of policemen; to the Committee on Ways and Means.

By Mr. VAN ZANDT:

H. R. 3517. A bill to provide for the construction, rehabilitation, expansion, conversion, and joint utilization of buildings, structures, utilities, and other facilities, including the acquisition of land, for the Reserve components of the National Military Establishment of the United States, and for other purposes; to the Committee on Armed Services.

By Mr. KARST:

H. R. 3518. A bill to amend the Civil Service Retirement Act of May 29, 1930, as amended; to the Committee on Post Office and Civil Service.

H. R. 3519. A bill to provide for the rate of payment of compensatory time by amending the act entitled "An act to reclassify the salaries of postmasters, officers, and employers of the postal service," approved July 6, 1945, as amended; to the Committee on Post Office and Civil Service.

By Mr. MULTER:

H. R. 3520. A bill to amend the Nationality Act of 1940 to preserve the citizenship status of citizens of the United States serving as members of certain armed forces, groups, or organizations established to maintain peace in Palestine; to the Committee on the Judiciary.

H. R. 3521. A bill to exempt from certain penal provisions persons serving in armed forces of the United Nations or of certain other groups for the purpose of preserving peace in Palestine; to the Committee on the Judiciary.

By Mr. RANKIN:

H. R. 3522. A bill to establish a Missouri Valley Authority to provide for unified water control and resource development on the Missouri River, its tributaries, and watershed; to prevent floods, reclaim and irrigate lands, encourage agriculture, stimulate industrial expansion, develop low-cost hydroelectric power, promote navigation, increase recreational possibilities, protect wildlife, strengthen the national defense, and for other purposes; to the Committee on Public Works.

By Mr. FOGARTY:

H. R. 3523. A bill to establish a Federal Commission on Services for the Physically Handicapped, to define its duties, and for other purposes; to the Committee on Education and Labor.

By Mr. THOMPSON:

H. R. 3524. A bill to strengthen national security and the common defense by providing for the maintenance of an adequate domestic tin-smelting industry, and for other purposes; to the Committee on Ways and Means.

By Mr. COUDERT:

H. J. Res. 192. Joint resolution proposing an amendment to the Constitution with respect to the selection of electors of the President and the Vice President; to the Committee on the Judiciary.

By Mr. CRAWFORD:

H. Res. 149. Resolution to authorize the Committee on Public Lands to investigate certain matters relative to Guam, American Samoa, and other Pacific islands; to the Committee on Rules.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Colorado, memorializing the President and the Congress of the United States to protest the order of the Administrator of Veterans' Affairs providing for the discontinuance of the Veterans' Administration hospital at Fort Logan, Colo.; to the Committee on Veterans' Affairs.

Also, memorial of the Legislature of the State of Massachusetts, memorializing the President and the Congress of the United States relative to the National Guard of the United States and of the several States; to the Committee on Armed Services.

Also, memorial of the Legislature of the State of North Dakota, memorializing the

President and the Congress of the United States relative to the ratification of an amendment to the Constitution of the United States of America limiting the number of terms of the President of the United States; to the Committee on the Judiciary.

Also, memorial of the Legislature of the State of North Dakota, memorializing the President and the Congress of the United States to appropriate and make available funds in the form of grants-in-aid to the counties of the State of North Dakota situated in the Red River Valley for constructing works for the prevention of floods and for drains adequate for the drainage of farm lands periodically flooded by waters of melting snows in the spring and by heavy rains in the summer of each year; to the Committee on Public Works.

Also, memorial of the Legislature of the Territory of Hawaii, expressing appreciation and gratitude to the Committee on Public Lands of the House of Representatives of the Congress of the United States for its action in recommending passage of legislation for statehood for Hawaii; to the Committee on Public Lands.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. EDWIN ARTHUR HALL:

H. R. 3525. A bill for the relief of the widow of Frank Winfield Burman, lieutenant, United States Naval Reserve; to the Committee on the Judiciary.

By Mr. HARDY:

H. R. 3526. A bill for the relief of Zbegniew Jankowski; to the Committee on the Judiciary.

By Mr. KEARNEY:

H. R. 3527. A bill for the relief of Gifford E. Moak; to the Committee on the Judiciary.

By Mr. McCARTHY:

H. R. 3528. A bill for the relief of Frank R. Anderson; to the Committee on Armed Services.

H. R. 3529. A bill for the relief of James P. Dudley; to the Committee on Armed Services.

By Mr. MILLER of Nebraska:

H. R. 3530. A bill for the relief of Rita Berliner; to the Committee on the Judiciary.

By Mr. WHITE of California:

H. R. 3531. A bill to record the lawful admission to the United States for permanent residence of Liu Pao Hsuing; to the Committee on the Judiciary.

H. R. 3532. A bill for the relief of Mrs. Sirvart Arsenian; to the Committee on the Judiciary.

By Mr. WIER:

H. R. 3533. A bill to provide for the extension for 7 years of patent No. 1,854,324, issued April 19, 1932, relating to tile; to the Committee on the Judiciary.

By Mr. WIGGLESWORTH:

H. R. 3534. A bill for the relief of Eleanor P. Simmonds; to the Committee on the Judiciary.

H. R. 3535. A bill for the relief of William A. Cross; to the Committee on the Judiciary.

By Mr. WITHROW:

H. R. 3536. A bill for the relief of Mrs. Nora Johnson; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

209. By Mr. ASPINALL: Memorial of the Colorado State Legislature, memorializing the Congress of the United States to take such action as may be necessary to maintain the agricultural experiment station at Akron, Colo., and to designate said station as a Federal regional station; to the Committee on Agriculture.

210. Also, memorial of the Colorado State Legislature, memorializing the Congress of the United States to protest the order of the Administrator of Veterans' Affairs providing for the discontinuance of the Veterans' Administration hospital at Fort Logan, Colo.; to the Committee on Veterans' Affairs.

211. By Mr. CARROLL: Memorial of the Colorado State Legislature, memorializing the Congress of the United States to enact legislation to make Indians citizens of the United States in order that they may be able to vote; to the Committee on Public Lands.

212. Also, memorial of the Colorado State Legislature, memorializing the Congress of the United States to protest the order of the Administrator of Veterans' Affairs providing for the discontinuance of the Veterans' Administration hospital at Fort Logan, Colo.; to the Committee on Veterans' Affairs.

213. By Mr. CASE of South Dakota: Petition of Fred E. Shearer, Mitchell, S. Dak., and 11 others, all veterans of World War II, asking enactment of legislation to correct injustices of Public Law 134, enacted in July 1945; to the Committee on Post Offices and Civil Service.

214. By Mr. HILL: Memorial of the Colorado State Legislature, memorializing the Congress of the United States to take such action as may be necessary to maintain the agricultural experiment station at Akron, Colo., and to designate said station as a Federal regional station; to the Committee on Agriculture.

215. Also, petition protesting the order of the Administrator of Veterans' Affairs providing for the discontinuance of the Veterans' Administration Hospital at Fort Logan, Colo.; to the Committee on Veterans' Affairs.

216. By Mr. GOODWIN: Memorial of the Massachusetts Legislature, relative to the National Guard of the United States; to the Committee on Armed Services.

217. Also, resolutions of the Massachusetts Legislature, relative to the development of the waterways of the Commonwealth; to the Committee on Public Works.

218. Also, memorial of the Massachusetts Legislature, relative to the Federal Unemployment Tax Act; to the Committee on Ways and Means.

219. By Mr. MARTIN of Massachusetts: Memorial of the General Court of Massachusetts, relative to the National Guard of the United States and of the several States; to the Committee on Armed Services.

220. Also, memorial of the General Court of Massachusetts, relative to development of waterways of the Commonwealth; to the Committee on Public Works.

221. By Mr. NORBLAD: Memorial of the Forty-fifth Legislative Assembly of the State of Oregon, petitioning the Congress to make available funds for the purpose of maintaining, on a defense standard, the airports and facilities which have been either constructed or taken over by the Armed Forces and which are of primary strategic value to said forces; to the Committee on Appropriations.

222. Also memorial of the Forty-fifth Legislative Assembly of the State of Oregon, memorializing the Congress of the United States to enact, by proper legislation, an act designating November 11 as Veteran's Day; to the Committee on the Judiciary.

223. By Mr. TOWE: Petition of Bergen County Chapter, Knights of Columbus, Bergen County, N. J., protesting against the outrageous procedure employed in the alleged trial of His Eminence Josef Cardinal Mindszenty; to the Committee on Foreign Affairs.

224. By the SPEAKER: Petition of Harold Williams, M. D., State Medical Association of Texas, Austin, Tex., stating their opposition to compulsory health insurance and commending the Texas delegation for their stand against legislation of this type; to the Committee on Interstate and Foreign Commerce.

225. Also, petition of E. I. Thompson, vice president, Texas Independent Producers and Royalty Owners Association, Austin, Tex., petitioning consideration of their resolution with reference to limiting petroleum imports to any quantity that may be needed to supplement domestic production, and in no case permitting it to supplant domestic production; to the Committee on Ways and Means.

226. Also, petition of J. B. Harris and others, Miami, Fla., asking for the passage of H. R. 2135 and 2136, known as the Townsend plan; to the Committee on Ways and Means.

227. Also, petition of Edwin M. Coe, Miami, Fla., asking for the passage of H. R. 2135 and 2136, known as the Townsend plan; to the Committee on Ways and Means.

228. Also, petition of Mrs. G. B. McGowin, secretary, Associated Hillsboro Company Townsend Clubs, Tampa, Fla., asking for the passage of H. R. 2135 and 2136, known as the Townsend plan; to the Committee on Ways and Means.

229. Also, petition of Mrs. Jennie M. Hoyt and others, Miami, Fla., asking for the passage of H. R. 2135 and 2136, known as the Townsend plan; to the Committee on Ways and Means.

230. Also, petition of Mrs. L. R. Pfeiffer, Miami, Fla., asking for the passage of H. R. 2135 and 2136, known as the Townsend plan; to the Committee on Ways and Means.

231. Also, petition of Edris A. Meisenheimer and others, Miami, Fla., asking for the passage of H. R. 2135 and 2136, known as the Townsend plan; to the Committee on Ways and Means.

232. Also, petition of J. H. Richmond and others, West Palm Beach, Fla., asking for the passage of H. R. 2135 and 2136, known as the Townsend plan; to the Committee on Ways and Means.

233. Also, petition of E. M. Coe and others, Miami, Fla., asking for the passage of H. R. 2135 and 2136, known as the Townsend plan; to the Committee on Ways and Means.

234. Also, petition of Mrs. Edna Russell and others, Miami, Fla., asking for the passage of H. R. 2135 and 2136, known as the Townsend plan; to the Committee on Ways and Means.

235. Also, petition of Polish National Alliance of North America, Inc., Central Council, No. 19, Buffalo, N. Y., stating that they favor S. 311, a bill affecting displaced persons; to the Committee on the Judiciary.

SENATE

TUESDAY, MARCH 15, 1949

(Legislative day of Monday, February 21, 1949)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

Rev. Bernard Braskamp, D. D., pastor, Gunton Temple Memorial Presbyterian Church, Washington, D. C., offered the following prayer:

Almighty God, who art the supreme and guiding intelligence, may every thought of our minds be brought into a glad and willing obedience unto Him who proclaimed himself to be the way, the truth, and the life.

Grant that daily we may be sensitive and responsive to thy voice when Thou dost say, "This is the way; walk ye therein," for Thy ways are ways of pleasantness and Thy paths are paths of peace.

Help us to hasten the dawning of that glorious day when men everywhere shall build the bridges of faith and friendship across the chasms of fear and hatred and all shall be walking "the road of the loving heart."

Hear us in Christ's name. Amen.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Swanson, one of its reading clerks, announced that the House had passed a bill (H. R. 1579) to amend the Printing Act of January 12, 1895, as amended, with respect to the printing of extra copies of congressional hearings and other documents, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED

The bill (H. R. 1579) to amend the Printing Act of January 12, 1895, as amended, with respect to the printing of extra copies of congressional hearings and other documents, was read twice by its title, and referred to the Committee on Rules and Administration.

CALL OF THE ROLL

Mr. LUCAS. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Hoey	Mundt
Anderson	Holland	Murray
Baldwin	Humphrey	Myers
Brewster	Hunt	Neely
Bricker	Ives	O'Conor
Butler	Jenner	Pepper
Byrd	Johnson, Colo.	Reed
Cain	Johnson, Tex.	Robertson
Capehart	Johnston, S. C.	Russell
Chapman	Kem	Saltonstall
Chavez	Kerr	Schoeppel
Connally	Kilgore	Smith, Maine
Cordon	Knowland	Smith, N. J.
Douglas	Langer	Sparkman
Downey	Lodge	Stennis
Eastland	Long	Taft
Ecton	Lucas	Taylor
Ellender	McCarran	Thomas, Okla.
Ferguson	McCarthy	Thomas, Utah
Flanders	McFarland	Thye
Frear	McGrath	Tydings
Fulbright	McKellar	Vandenberg
George	McMahon	Watkins
Gillette	Magnuson	Wherry
Green	Malone	Wiley
Gurney	Martin	Williams
Hayden	Maybank	Withers
Hendrickson	Miller	Young
Hickenlooper	Millikin	
Hill	Morse	

Mr. MYERS. I announce that the Senator from Arkansas [Mr. McCLELLAN] is absent because of a death in his family.

The Senator from Tennessee [Mr. KEFAUVER] and the Senator from Wyoming [Mr. O'MAHONEY] are absent on public business.

The Senator from New York [Mr. WAGNER] is necessarily absent.

Mr. SALTONSTALL. I announce that the Senator from Missouri [Mr. DONNELL] is absent by leave of the Senate.

The Senator from New Hampshire [Mr. TOBEY] is absent on official business.

The Senator from New Hampshire [Mr. BRIDGES] is necessarily absent.

The VICE PRESIDENT. Eighty-eight Senators having answered to their names, a quorum is present.

AMENDMENT TO CLOTURE RULE

The Senate resumed the consideration of the motion of Mr. LUCAS to proceed to the consideration of Senate Resolution 15, amending the so-called cloture rule of the Senate.

Mr. ROBERTSON. Mr. President, since the debate has extended over a considerable period of time it perhaps would be helpful to restate the issue. The issue presented to us has been clearly stated twice on this floor, by our distinguished majority leader [Mr. LUCAS], and by his distinguished majority whip [Mr. MYERS], as being an effort to amend the rules of the Senate in order that the Senate might consider and vote on the President's civil-rights program. There are many of us in this body, and the number is by no means confined to those of us from the South, who feel that we have been plunged into a fight not of our choosing, and if that fight should result adversely to substantive legislation it will not be our responsibility.

The distinguished junior Senator from Georgia [Mr. RUSSELL] stated to the press yesterday afternoon that those of us who see no inherent necessity for any amendment of the Senate rules, in a spirit of compromise and cooperation have made all the concessions that honorable men should make, and perhaps more than prudent men should make.

The distinguished junior Senator from California [Mr. KNOWLAND] pointed out in a cogent but brief speech last night the minor, in our opinion, differences that divide us and prevent us from reaching a friendly and proper settlement of our existing differences concerning a change in the rules.

I shall take the liberty of reminding Senators now on the floor, because some of them were not here when the words were spoken last night, what the Senator from California said in that connection:

> How different, as a matter of fact, is the present two-thirds rule from the constitutional two-thirds rule which was the basis of the compromise proposal? If there are 96 Senators in the Senate Chamber present, under the present two-thirds rule it requires 64 Senators to obtain cloture. Under the constitutional two-thirds proposal it requires the same 64 Senators.
>
> If there is one absentee in the Senate of the United States, and there are only 95 Senators present, it requires 64 Senators, under the present two-thirds rule, and it requires 64 under the requirement of two-thirds of the entire membership of the Senate.
>
> If there are 94 Senators present in the Senate, it will require 63 on the basis of two-thirds of those present, and 64 under a constitutional two-thirds, a difference of one Senator.
>
> If there are 93 Senators present it will require 62 under the two-thirds of those present, and 64 under the two-thirds of the whole Senate.
>
> Now as a practical matter—

He continued—

> whenever there is a cloture vote history has shown that there has been an average of more than 90 Senators either present and voting or paired. Therefore the difference is a very small difference indeed between a two-thirds vote and a constitutional two-thirds vote.

Bear in mind, Mr. President, that the proposal put forward by the junior Senator from Georgia [Mr. RUSSELL] on behalf of the group for whom he spoke, agreed to yield the time-honored privilege of unlimited debate on all motions to take up either a bill or a resolution, except a motion to take up a further change in the rules should the Senate at this session change the present provisions of rule XXII.

I have just pointed out in the words of the Senator from California that on any issue in which Senators are really interested—mark the words, "really interested"—and are not looking for an opportunity to stand aside on a question concerning which they may be politically committed, but which does not touch their hearts as a burning issue, there is a difference of only one or two, or possibly three, in the number required to impose cloture under our proposal and the number that would be required under the position now taken by the majority leader to impose cloture by two-thirds of those present and voting. But, Mr. President, we insisted upon the reservation with respect to future changes for very good and sufficient reasons. When the hearings started in the Committee on Rules and Administration, one of the original resolutions provided for majority cloture.

When this debate started our distinguished majority whip [Mr. MYERS], who speaks with no small authority on this floor, stated that when the resolution reached the amendment stage he proposed to offer an amendment to change the committee two-thirds provision to a majority provision. Shortly thereafter the distinguished head of our party stated that he favored cloture by a vote of the bare majority of those present, which vote may be as small a number as 25.

What happened last night when we were struggling to get together and reach a fair and just settlement so that the business of this great legislative body might go forward? First the distinguished Senator from Oregon [Mr. MORSE] rose, denounced the pending compromise, and said that he would never yield to anything that went beyond a majority cloture rule, because in his opinion nothing else would be effective. He was shortly followed by the brilliant new Senator from Minnesota [Mr. HUMPHREY], who, without unduly boasting, said that he had some felicity of expression and some physical endurance, and that the Senator from Louisiana [Mr. ELLENDER] was not the only Senator who could stand on this floor and express his views for 12 hours or more consecutively. The Senator from Minnesota stated that he was unalterably opposed to anything other than a majority cloture rule.

So it was, Mr. President, that we realized only too well that when we made the concession of applying cloture to a motion to take up a bill or resolution, we were inviting the next move concerning which the proponents had put us on notice that they would never rest content until a majority of Senators pres-

ent and voting could control the minority and shut them off.

I was literally astounded, Mr. President, to hear the junior Senator from Minnesota say that he had always been trained to believe that we could not have a democracy unless the majority, in all matters except a few which he enumerated, could control what was being done. I asked him a question. I did not frame the question well, but what I meant to ask was this: "Is it not true that the only bills permanently postponed by a filibuster have been the civil-rights bills? He said he was not advised about that. It is true, Mr. President. Shortly after the unfortunate conflict of 1861–65, the force bill was permanently laid aside. Then, since 1917, we have had anti-poll-tax bills, antilynching bills, and FEPC bills. They have been permanently blocked by the right of free speech in this body.

The very Senators who have deliberately and emphatically put us on notice that they will never be content with anything short of cloture by majority vote are the same Senators who breathe by day and dream by night of a crusade for the Holy Grail, which is civil rights. They picture themselves standing before a great audience of so-called downtrodden people and saying, "We first maneuvered to get the Senate to agree to cloture by majority vote. We imposed cloture. Now we hand you this inestimable boon of antipoll tax, antilynch, and FEPC."

There are those of us in this body who are opposed to such measures, which we deem to be thoroughly unconstitutional as well as highly undesirable. There are those of us who see such a fundamental change in our form of government that no man could tell where the end would be.

Later in my remarks I shall pay my warmest tribute of affection and appreciation to the present senior Senator from Georgia [Mr. GEORGE]. Senators know that I think he has a very worthy colleague in the junior Senator from Georgia [Mr. RUSSELL], who has been doing so much to bring about a fair and reasonable settlement of the differences which now divide us.

In a remarkable speech on the floor of the Senate on the pending issue the senior Senator from Georgia, without knowing he was doing so, voiced the sentiments of another great Senator from Georgia at a time when we were in the throes of postwar conditions, when passions still ran high, when prejudice blocked the hearts of many of our citizens. I refer, Mr. President, to the speech made in the Senate on March 4, 1878, by Senator Benjamin Harvey Hill, who was born in Hillsboro, Jasper County, Ga., and served in the Senate from March 1877 until his death in Atlanta, Ga., on August 16, 1882.

In an 8-hour speech, which was not called a filibuster, Daniel Webster replied to the fears expressed by Hayne, of South Carolina, that if his northern colleagues did not quit pressing the South for higher and higher tariffs, forcing them to sell their cotton on world markets and buy their finished goods from the northern industries on a protected market, the time might come when Southern States would be forced to exercise their privilege, as they regarded it, of withdrawing from the Union which they had helped to create. Senators all remember the stirring words which Mr. Webster used:

> When my eyes shall be turned to behold for the last time the sun in heaven, may I not see it shining on the broken and dishonored fragments of a once glorious Union, on a land torn by civil strife and drenched, perhaps, in fraternal blood.

The War Between the States could have been prevented. It should have been prevented. But passion ruled the hearts of those who should have been able to find a peaceful compromise and settlement, and then came the struggle that split asunder the States. Senator Hill was speaking during what we know in the South as the tragic era, the era of reconstruction when we feared that the very Government which we had been so instrumental in creating would become an overpowering and destroying instrument in the hands of ruthless Federal operators. Facing that situation, Senator Hill said:

> But, sir, I have said I do not dread these corporations as instruments of power to destroy this country, because there are a thousand agencies which can regulate, restrain, and control them; but there is a corporation we may all dread. That corporation is the Federal Government. From the aggression of this corporation there can be no safety, if it is allowed to go beyond the bounds; the well-defined limits of its power. I dread nothing so much as the exercise of ungranted and doubtful powers by this Government. It is, in my opinion, the danger of dangers to the future of this country. Let us be sure we keep it always within its limits. If this great, ambitious, ever-growing corporation becomes oppressive, who shall check it? If it becomes wayward, who shall control it? If it becomes unjust, who shall trust it? As sentinels on the country's watchtower, Senators, I beseech you watch and guard with sleepless dread that corporation which can make all property and rights, all states and people, and all liberty and hope, its playthings in an hour and its victims forever.

Mr. President, Saturday before last, accompanied by the junior Senator from Mississippi [Mr. STENNIS], by the Chief Justice of the Court of Claims, Judge Jones, by a member of the Municipal Court of the District of Columbia, Judge Hood, and by a friend from Philadelphia, Mr. Fred Kissinger, I visited the historic battlefield of Gettysburg. There, brothers from the North and the South locked in deadly combat. The incident of that conflict was slavery, but it was not its true cause. The South claimed—and I shall always believe with a historically true conception of the Constitution—that as sovereign States they had voted to form a Union, and as sovereign States they had a right to withdraw from it, if they felt that the Union had become inimical to their future. Of course, Mr. President, I am glad that the Union was preserved. I repeat that the war over that issue was unnecessary and most unfortunate; but men on the battlefield of Gettysburg fought and died for a principle of government in which they believed. We stood on Cemetery Ridge and looked across at less than half a mile's stretch to the woods in the direction of Seminary Ridge from which the charge of Pickett's division was launched. We were near the little clump of trees on Cemetery Ridge which was Pickett's objective. We stood there and thought of the 15,000 men who started on that charge, and in less than half a day—in fact, it may have been within less than several hours—10,000 of those 15,000 had fallen. Yet modern soldiers tell us that in military conflict 10 percent of casualties is the breaking point. Those who opposed those men were just as brave as were the men from the South who engaged in that charge. It is true that the advantage was with Lee's Army the first day; it was about equal the second day; the third day Lee had lost. That was the turning point of the war.

Loving hands have erected many monuments, not only to the generals and the colonels and the other officers, but also to the privates—even to the privates in the rear ranks, who on that historic occasion laid down their lives in defense of a principle of government, namely, States' rights, human rights, and personal liberty, which they thought were being challenged and threatened by the wrougful action of the Central Government.

As I stood there, viewing that expanse of battlefield and the many monuments of stone and bronze which have been erected to heroism, I thought of the comment of that great Athenian statesman, Pericles, on the young men of Athens at the battle of Thermopylae, where he said:

> There no hearts grow faint because they loved riches more than honor; none shirked the issue in the poor man's dreams of wealth. All these they put aside to strike a blow for the city. Counting the quest to avenge her honor as the most glorious of all ventures, and leaving Hope, the uncertain goddess, to send them what she would, they faced the foe as they drew near him in the strength of their own manhood; and when the shock of battle came, they chose rather to suffer the uttermost than to win life by weakness. * * *
>
> So they gave their bodies to the Commonwealth and received, each for his own memory, praise that will never die, and with it the grandest of all sepulchers, not that in which their mortal bones are laid, but a home in the minds of men, where their glory remains fresh to stir to speech or action as the occasion comes by. For the whole earth is the sepulcher of famous men; and their story is not graven only on stone over their native earth, but lives on far away, without visible symbol, woven into the stuff of other men's lives.

Mr. President, I have said that we from the South feel that the pending proposal to change, first, one of the rules of the Senate which permits free and unlimited debate on a motion to take up, so as to provide cloture by a two-thirds vote, later to be reduced to a constitutional majority, and still later to be reduced to a majority of those present and voting, is the most serious threat to our conception of government as founded by our ancestors to the reserved sovereignty of the States and to the individual liberty and

freedom of the people that has confronted us since Manassas and Bull Run and Cold Harbor, where my grandfather fell, and Chancellorsville and Gettysburg and the Peninsula Campaign and that final battle at Sailors' Creek, where one-third of Lee's poor, ragged, hungry troops, unsupported by artillery, were wiped out in one day, and he was forced, as we know, to fall back to Appomattox. He fell back, realizing the struggle then was hopeless. Facing the conflict in his great heart as to what to do with those men who had followed him so loyally for 4 years, he said, just before he surrendered, "How easily I could be rid of this and be at rest. I have only to ride along the line, and all will be over. But it is our duty to live. What will become of the women and children of the South, if we are not here to protect them?" And so I say, Mr. President, those who are seeking to change our form of government for the express purpose of passing three so-called civil-rights bills underestimate the courage, the determination, the irrefragable spirit, if you will, of the descendants of those who followed Lee and Jackson, if they think we are going to surrender these precious rights without the very best fight of which we are capable.

So, as I said in the beginning of my remarks, this fight was forced on us. We believed it involved a serious issue, one of the most grave of our public lives. And if it blocks legislation in which other Senators are interested, let us put the blame where it properly belongs, on those who started the fight. They started it, for what? They started it for antipoll tax, antilynch, FEPC, and perhaps they will later add antisegregation. When we offer them such a reasonable settlement and proposal, yielding, as the Senator from Georgia [Mr. RUSSELL] said, all that honorable men could yield, and possibly more than prudent men should yield, a right that has existed throughout the history of our Government, to stand up and argue whether there should be brought before the Senate bills which we think are unconstitutional, and highly undesirable, they come back to us, as they did last night, with the statement, "Our terms are unconditional surrender."

I was very much pleased to hear, and I assume I was correctly informed, that when our distinguished majority leader was given a general outline of the basis on which the issue could be settled, he is said to have replied that he did not believe he could get more than 15 of his supporters to agree to it. He did get more than 15. So far as I could tell here last night, there were but two who stood up and said, "under no circumstances" would they agree to it. But, for reasons best known to him, our majority leader says, "Our terms are unconditional surrender."

I have many fine friends on the other side of the aisle. They are deeply concerned in fundamental principles of government. They also have a proper and due concern for the orderly dispatch of business. Some of them started out thinking that a constitutional majority cloture rule would be a good change. Others thought a two-thirds majority cloture rule would be a better change. Some even would have been willing to accept the three-fourths majority.

I understand that in a spirit of brotherhood, of cooperation, and of compromise, which is the essence of all legislative action in any legislative body, they finally got together on a proposal to impose cloture on any motion, as well as any measure, except a motion to change the rules by two-thirds constitutional majority. Then up rose my distinguished friend from Oregon and said, "No; I will have no part of it. My terms are unconditional surrender." I want to know who is to take the blame, now, if we do not get anywhere? We of the South have made a fair proposition, to which all the Republicans, except one so far as I know, agreed to, which our distinguished majority leader was agreeable to, and which nearly every Senator on his side was agreeable to, except two, who have stood up and said "No." So here we are. Who is holding up the Senate? Who is responsible now, if we do not get rent control, ECA, and a deficiency bill?

Do Senators know that some agencies are going to run out of money? In less than 2 weeks they will not have a nickel left, if we do not pass the deficiency bill. It is ready to be brought to the floor. It can be placed before the Senate in half an hour, if opportunity is afforded to bring it up on the floor. I might also mention the Reciprocal Trade Agreements Act which expires in June. Who is responsible if we cannot act on that? Who is going to tie up the Senate?

Mr. HUMPHREY. Mr. President, will the Senator yield for a question?

The VICE PRESIDENT. Does the Senator from Virginia yield?

Mr. ROBERTSON. I yield for a question only.

Mr. HUMPHREY. I understand the Senator made some comment as to the fact that the junior Senator from Minnesota was only for the majority-rule principle. Is my understanding correct?

Mr. ROBERTSON. That is what I understood the Senator to say last night.

Mr. HUMPHREY. If the Senator will read the RECORD I am sure he will find that the junior Senator from Minnesota stated he would accept the Hayden-Wherry resolution, which he considered to be a compromise resolution.

Mr. ROBERTSON. Did not the distinguished Senator from Minnesota say there would never be any proper settlement of the issue without majority rule, and that from his infancy up he had been taught that was the right thing to do?

Mr. HUMPHREY. Has the Senator from Virginia read the RECORD of the proceedings as of yesterday evening?

Mr. ROBERTSON. I do not have to read the RECORD, I may say to the Senator, when I hear a Senator speak on the floor.

Mr. HUMPHREY. Did the Senator hear the junior Senator from Minnesota say he would not accept the Hayden-Wherry resolution?

Mr. ROBERTSON. Oh, no; I heard him say he would accept it. But, in the 160 years of our Government, there has never been any cloture on a motion to take up. The Senator went before the Rules Committee, and it finally came out with cloture on that. The Senator said this was a compromise, and that it is as far as he would go; but he hoped to live to see the day when cloture could be invoked by a majority vote. Did not the Senator say that in effect?

Mr. HUMPHREY. The junior Senator from Minnesota did say that he hoped to see the day when majority rule would be adopted.

Mr. ROBERTSON. Oh, well; that is the same thing, and more of it. I am glad I did the Senator the injustice of not making his "as strong as horseradish" on getting antipoll tax, antilynch, and FEPC through this body, by the device of majority rule. I assume the Senator is for antisegregation, and that he wants all four of the bills. Is not that correct?

Mr. HUMPHREY. We are talking about the rule in the Senate, are we not?

Mr. ROBERTSON. Yes.

Mr. HUMPHREY. The Senate——

The VICE PRESIDENT. The Senator from Virginia can yield only for a question.

Mr. ROBERTSON. I can yield only for a question.

Mr. President, the distinguished Senator from Minnesota—I could not have quoted his exact words, as I did not read the RECORD, but I heard him—has confirmed in substance what I have just said.

The purpose of this fight is to change the rules. The Senator is willing to accept, as a temporary expedient, a provision for a two-thirds majority. He not only hopes to see the day when he can bring about majority cloture, but he hopes to put through the so-called civil-rights bills which he thinks are the burning issues of the day and are more important to the people than is anything else we have pending before us.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield for a question only; but please be brief, because I want to get into the technical portion of my argument.

Mr. HUMPHREY. Does the Senator from Virginia feel that the proposal of the Committee on Rules and Administration is an unfair proposal?

Mr. ROBERTSON. I certainly do. It would leave us at the mercy of those who want to do what the Senator hopes they will be able to do. As soon as the Senator can get us hog-tied to that extent, he will put the hammerlock around our necks, and then ram these unconstitutional measures down our throats, no matter how much we protest.

Mr. HUMPHREY. The Senator is familiar, is he not, with the statistical fact that since 1917, of the 19 applications for cloture only 4 prevailed on a two-thirds basis?

Mr. ROBERTSON. I tried last night to bring out for the Senator from Minnesota the fact that the only bills which have been permanently blocked since 1917 by unlimited debate have been the three so-called civil-rights bills, the antipoll-tax bill, the antilynch bill, and the

FEPC bill. All the other business of the Senate has been transacted. For 160 years all the other business of the Senate has been transacted. The bills which I have mentioned are the only three measures which have not been passed. That is what all the shooting is about at this time. They are the bills which the Senator wants to put through. That is the reason for the proposal to change the rule. A two-thirds majority is not satisfactory to the Senator; it is not satisfactory to the Senator from Oregon [Mr. MORSE] or to the Senator from Pennsylvania [Mr. MYERS]. Those Senators want a majority rule, because they are afraid that if they do not get a majority rule they cannot persuade two-thirds of the Senators to go along with measures which, if we have an opportunity, we can explain are wholly unconstitutional, and no Member of this distinguished body will violate the oath which he took to support and uphold the Constitution.

Mr. HUMPHREY. Mr. President, will the Senator further yield?

Mr. ROBERTSON. I will yield for one more question, and then I must proceed, because my time is limited.

Mr. HUMPHREY. I should like to ask the Senator from Virginia, since he has again stated that the junior Senator from Minnesota would not accept anything but a majority rule, despite the fact that he has stated repeatedly that he would accept the Hayden-Wherry proposal, whether the Senator from Virginia feels that the majority principle in our Government is a principle which should be looked upon as something which is understandable.

Mr. ROBERTSON. If my distinguished colleague will sit still in the boat during the next 2 hours, I shall answer his question and spend the whole time in answering it. If the Senator will just sit here, I shall answer the question very fully. That is what I propose to discuss, and I wish now to enter into that technical discusion.

Mr. RUSSELL. Mr. President, will the Senator yield for a brief question?

Mr. ROBERTSON. I yield for a question.

Mr. RUSSELL. I should like to ask the distinguished Senator from Virginia if the frequent references to majority rule do not mean majority rule on the subject of applying a gag to the Senate, rather than with reference to a vote?

Mr. ROBERTSON. Of course, absolutely.

Mr. RUSSELL. I should like to ask the Senator, further, if there has not been a misunderstanding of statements which have been made here repeatedly in debate when Senators referred to majority rule, in that they were referring to a majority rule to impose cloture, and not in connection with the final determinations of the Senate.

Mr. ROBERTSON. Of course. In the final vote on a bill the majority controls.

Mr. HUMPHREY. Mr. President, will the Senator yield for a further question?

Mr. ROBERTSON. In a moment. This is the most radical proposal which has ever been made to the United States Senate. If it should be adopted it would fundamentally change our form of government. As I proceed with my prepared remarks I hope to be able fully to demonstrate that fact.

Mr. HUMPHREY. Mr. President, will the Senator yield for a question?

Mr. LUCAS rose.

Mr. ROBERTSON. I yield to the majority leader, if he wants to ask a question.

Mr. LUCAS. I thank the Senator. I was just listening to his speech.

Mr. HUMPHREY. Mr. President, will the Senator yield for a question?

Mr. ROBERTSON. For a very brief question.

Mr. HUMPHREY. I should like to ask the distinguished Senator from Virginia, since he feels that this is a very serious and almost catastrophic proposal, whether he thinks the terms and the principles outlined in rule XXII, which apply to the business of the Senate, are equally obnoxious.

Mr. ROBERTSON. Absolutely not, because we have therein protection against unconstitutional and unwise bills. I am satisfied that those who framed the rule in 1917 deliberately left it that way, because the man who was in charge of that program was the distinguished Senator from Virginia, Thomas F. Martin, who was one of the greatest lawyers we ever had. He knew the English language, and he could put on paper what he had in mind. Do not tell me that he did not know the difference, after being a Member of the Senate for 20 years, and much of that time floor leader. If he had intended it to cover a motion, do not tell me that he would not have put the word "motion" in the rule. He framed it as he wanted it.

Mr. HUMPHREY. Does the Senator not know that the purpose of rule XXII, according to the authors of the rule, was to stop filibustering?

Mr. ROBERTSON. I do not know any such thing. The purpose of the rule was primarily to follow out the belief of President Woodrow Wilson that a national emergency was involved in connection with the arming of merchant ships. It did not turn out to be that way, because he actually armed them. I do not think that arming them had anything to do with preventing war; we got into the war just the same. But the purpose of proposing that rule in 1917 was to take care of a situation involving a real national emergency. With that I am in full accord. I have no fear, Mr. President, that the time will ever come in our national history when a small majority will stand on this floor and try to block the Senate from taking action necessary for our national security. The record proves it. I have stated repeatedly, but it does not seem to have registered, that from the days of the force bill, right after the War Between the States, down to the present moment, the only bills which have been permanently blocked have been the so-called civil-rights bills. Senators cannot tell me that this whole Nation is all steamed up over whether we have a poll tax in Virginia or do not have one. Senators cannot tell me, when, as was pointed out by the distinguished senior Senator from North Carolina [Mr. HOEY], there was only one lynching in the whole United States, while there were thousands of murders, rapes, and other crimes, that one lynching has become a burning national issue because of which we must postpone all the business of this important session until we pass an anti-lynch bill. We have a good law in Virginia in connection with that matter. If the other States have any fear, all they have to do is to copy it. Most of them do not pay any attention to it. Who is there to say there is a burning demand for an FEPC law?

I say, Mr. President, that those three measures, and antisegregation measures, are nothing but political shibboleths to whip up a little furor, and if there were behind them the public sentiment that is claimed by their advocates, if they were so founded in right and justice, if they were so clearly within the province of the Federal Government, their proponents would not have all these fears about bringing them up and getting them to a vote. They know that the Members of the Senate are aware what the people at home are thinking about these measures. They are not the principal issues at home, and every Member of this body knows that to be true.

Mr. President, periodically throughout the 160-year history of our Nation under its present Constitution, efforts have been made to limit the full freedom of debate with which the founders of our Republic so wisely endowed the United States Senate.

The sum total of those efforts is almost zero. On those rare occasions when the self-discipline of some Members of this great forum has not seemed sufficient to prevent injury to our Nation in time of emergency, ways have been found to restrain them. But the Senate has steadfastly refused to place itself in the bondage of rules such as those which limit discussion in other parliamentary bodies and, despite the calamity howling of those who have predicted dire results unless some hastily conceived and irrationally supported measure were passed promptly, our Government has survived and our country has prospered.

The British Parliament and the Continental Congress permitted resort to the device of moving the previous question to cut off debate, and this was carried over into the rules which the Senate adopted at its first session in 1789. The previous question was moved only four times and used only three times in the first 17 years of the Senate's existence, however, and reference to it was omitted when the rules were revised in 1806. But even in those instances—and mark this comment—even in those instances in the Senate there was no limitation upon debate on a motion to close debate.

Our founding fathers, who were right in so many things they did in starting a new experiment in government in the Western Hemisphere, found that while limitation of debate was necessary in a House composed of several hundred Members, it was not wise in the smaller Senate, which was deliberately designed as a balance wheel and a check upon hasty and ill-advised legislation. They accepted the theory of the function of

the Senate, which is said to have been illustrated by George Washington when, in conversation with Thomas Jefferson, he poured hot tea into a saucer to cool and said that the saucer represented the Senate.

In 1841, 35 years after the change in rules to which I have referred, Henry Clay sought to revive the use of the previous question, but his proposal was abandoned after debate in which John C. Calhoun, of South Carolina, asserted that there never has been a body in this or any other country in which, for such a length of time, so much dignity and decorum of debate has been maintained.

Time after time in later years the Senate rejected proposals to limit debate, except temporarily to deal with an emergency situation, until 1917, when rule XXII was amended to its present form.

This rule, which it is now proposed to change, was amended only because of an emergency, and that fact should be kept clearly in mind, both in assessing its value to the Senate in the past, and in considering the merits of arguments favoring a further change. If the Nation had not been facing what President Woodrow Wilson called a crisis of extraordinary peril, even as much limitation as the amended rule XXII provides probably would not have been accepted in 1917. And if means have been found since then to carry on extended discussion of a subject in spite of that rule, it is merely indicative of the fact that the Senate still recognizes its obligation to preserve those rights which it traditionally has accorded to minorities.

As I shall point out later when I discuss rule XXII in more detail, attempts to obtain cloture under its provisions have been comparatively rare, and only four of those attempts have been successful over a period of more than 30 years.

I recognize, of course, that there is a rather widespread belief that debate in the Senate is a needlessly time-consuming and money-costing privilege, and that it should be drastically curbed. It is not unnatural that this view should be shared by a certain number of Members of the Senate itself.

Those of us who served in the House before coming to the Senate have found the unlimited privilege of debate, regardless of relevancy, a bit irksome at times. It is quite a contrast from the House, where we were accustomed to a rule limiting general debate, with time divided equally between the principal proponent and opponent of a bill, who cannot allot more than an hour to any one Member, and with all other debate limited to 5 minutes for each Member as the bill is being read for amendment.

It is notable, however, that longer experience in the Senate has convinced one Member after another that the privilege of unlimited use of the floor was originally granted for sound reasons, and that those reasons still are valid. This enlightenment, based on experience, supplemented by debate on the floor of the Senate and testimony at committee hearings, has led Members of the Senate to reject every radical proposal to change their rules, from Clay's proposal to restore the previous question, in 1841, to the several resolutions on cloture submitted to but left unacted on by the Eightieth Congress when it adjourned last year.

The reasons behind the Senate's refusal to change its rules is clear to any one who takes the trouble to read the transcript of the hearings conducted before a Subcommittee of the Committee on Rules and Administration from January 28 to February 18, 1947. The arguments so cogently presented at that time were repeated and reinforced at the hearings which the corresponding committee of this Congress held from January 24 to February 1 of this year. I commend that transcript to the attention of every Member of the Senate, and I wish it were possible to have it read by those persons throughout the country who remain critical of our methods of procedure.

But because those arguments have not been read and considered as widely as they deserve, I must ask the indulgence of my colleagues to review some of them here. I do this because I feel that vital principles are involved. If a privilege which I regard as precious is to be lost now through the insistence of those who are bent upon the passage of a so-called civil-rights program, I shall not surrender it until I have at least utilized it to make one final plea for a bulwark of our constitutional liberty.

Those familiar with the debates of the Philadelphia Constitutional Convention of 1778 will know that the toughest problem to be solved then was that of representation in the Senate and the method of selection of that representation. After agreeing upon a House of Representatives to be elected by the people every 2 years, and based upon a population ratio divided into congressional districts, the smaller of the participating 13 States frankly wondered how their minorities could be adequately protected from the capricious whims of a majority in the House.

Mr. President, I now intend to go into the answer to the question propounded to me by the distinguished junior Senator from Minnesota [Mr. HUMPHREY], but I regret to say that apparently he is now in the position of Pontius Pilate, about whom Lord Bacon made this comment in his Essay on Truth:

> What is truth? said jesting Pilate; and would not stay for an answer.

I regret the absence of my distinguished friend from Minnesota as I proceed to answer the question he asked me. I told him I could not answer it in one sentence, but that I had an answer of 2 hours if he would just stay here to hear me.

After long debate, which was at times so acrimonious that it threatened to disrupt the convention, the solution was offered by the wise and venerable Benjamin Franklin, namely, equal representation in the Senate for every State. This compromise was regarded as so important that the British historian, Lord Bryce, and others have said it alone made federation possible in the United States. Franklin's own feeling as to the difficulties which had to be overcome is indicated by a speech made before the Convention in which he said:

> In this situation of this assembly groping as it were in the dark to find political truth, and scarce able to distinguish it when presented to us, how has it happened, sir, that we have not hitherto once thought of humbly applying to the Father of Light to illuminate our understanding? In the beginning of the contest with Great Britain, when we were sensible of danger, we had daily prayer in this room for divine protection. Our prayers, sir, were heard, and they were graciously answered. All of us who were engaged in the struggle must have observed frequent instances of a superintending providence in our favor. To that kind providence we owe this happy opportunity of consulting in peace on the means of establishing our future national felicity. And have we now forgotten that powerful friend? Or do we imagine we no longer need His assistance? I have lived, sir, a long time, and the longer I live, the more convincing proofs I see of this truth—that God governs in the affairs of men. And if a sparrow cannot fall to the ground without His notice, is it probable that an empire can rise without His aid?

Later, when he emerged from the conference, at the end of hearings on the Constitution, and was asked what had been done, Franklin replied:

> We have given you a Republic—if you can keep it.

To make sure that representation in the Senate would be of a character that would calmly consider and patriotically and unselfishly act on laws under which all the people would have to live, the Constitution originally provided that Members of the Senate should be selected by State legislatures rather than by popular vote and that they should be given terms of 6 years.

The constitutional amendment providing for the direct election of Senators was in theory right and in keeping with the progressive interpretation of democratic principles. But it must be observed that in practice it has made Members of the Senate more subject to group pressure than Members of the House because a given group with State-wide affiliations can be united against a candidate for the Senate and make his reelection both difficult and expensive. In other words, that change reduced the protection of minorities contemplated by the founding fathers and left as their last resort the weapon of debate by which the fallacies of a given proposal could be duly and adequately exposed and an appeal made to reason.

From the start our forefathers recognized that the minority was entitled to that protection which only established rules of procedure could provide.

Thomas Jefferson had this to say as to the necessity of protecting minority interests:

> Bear in mind this sacred principle, that though the will of the majority is in all cases to prevail, that will, to be rightful, must be reasonable; that the minority possess their equal right, which equal laws must protect, and to violate would be oppression.

I wish I had some way to underline those words as they appear in the CONGRESSIONAL RECORD, with the hope that my distinguished friend from Minnesota

would at least glance over this and catch some of the high lights of the discussion of minority rights starting with the framers of the Constitution and, as I shall point out, coming down to us to this very day.

Jefferson also had something to say as to the means by which oppression of the minority might be prevented. In the preface to the Manual of Parliamentary Procedure, which he compiled for his own use and then deposited with the Senate and which has become the recognized guide for all our legislative bodies, Jefferson stated:

Mr. Onslow, the ablest among the Speakers of the House of Commons, used to say it was a maxim he had often heard when he was a young man, from old and experienced members, that nothing tended more to throw power into the hands of administration, and those who acted with the majority of the House of Commons, than a neglect of, or departure from, the rules of proceeding; that these forms, as instituted by our ancestors, operated as a check and control on the actions of the majority, and that they were, in many instances, a shelter and protection to the minority against the attempts of power. So far the maxim—

Said Jefferson—

is certainly true, and is founded in good sense; that as it is always in the power of the majority—

Mark this, Mr. President—

that as it is always in the power of the majority, by their numbers, to stop any improper measures proposed on the part of their opponents, the only weapons by which the minority can defend themselves against similar attempts from those in power are the forms and rules of proceeding which have been adopted as they were found necessary, from time to time, and are become the law of the House, by a strict adherence to which the weaker party can only be protected from those irregularities and abuses which these forms were intended to check and which the wantonness of power is but too often apt to suggest to large and successful majorities.

And whether these forms be in all cases the most rational or not, is really not of so great importance. It is much more material that there should be a rule to go by, than what that rule is; that there may be uniformity of proceeding in business not subject to the caprice of the Speaker or captiousness of the Members. It is very material that order, decency, and regularity be preserved in a dignified public body.

Note well that Jefferson said the only weapons by which the minority can defend themselves from the abuses which the wantonness of power is but too often apt to suggest to large and successful majorities, are the forms and rules of proceedings which have been adopted.

So, my first premise is that the rules of the Senate which allow full freedom of debate are designed for protection of the majority and this design is part of the warp and woof of our Constitution. You cannot remove it without damaging the whole fabric.

Therefore, before tampering with this right we should assure ourselves that what is lost will not be greater than what is gained.

We are told by the present proponents of a change in the rules that rule XXII was amended to prevent filibusters; that the amended rule still permits filibusters to occur and, therefore, rule XXII should be further amended.

In considering the reasonableness of that proposition we first must ask, What is a filibuster? We also should know what causes filibusters, and then weigh the evidence offered to prove that the damage they cause to our Nation as a whole is greater than the damage which might be done by the measures intended to abolish them.

The question of what constitutes a filibuster could be argued indefinitely. It is a point on which the Representatives of the Southern States are, justifiably, I believe, somewhat sensitive. We have seen some controversial issues debated on the floor of the Senate for weeks at a time with no reference made to anything except extended debate. On the other hand, we have had cases such as the one last year, when the anti-poll-tax bill was under discussion, when Senators making their very first speech on a matter vitally affecting their States were publicly branded as filibusterers.

At any rate, for the purpose of this discussion, suppose we assume that a filibuster is an extended discussion which has the effect of delaying action on a measure on which a majority of the Members might otherwise have been prepared to vote. Under that definition we need not concern ourselves as to whether those doing the talking had delay as their motive or whether the delay was merely incidental to their efforts to enlighten their colleagues and the Nation at large.

Let us, then, see when and why time-consuming debate usually has occurred in the Senate.

Public Affairs Bulletin No. 64 of the Legislative Reference Service of the Library of Congress, on page 17, under the heading "Outstanding Senate filibusters from 1841 to 1948," lists 43 examples of the practice.

The first item mentioned—a bill to remove the Senate printers—seems at this distance somewhat trivial, and if all the others were of that character we might have to agree with those who contend that permitting unlimited debate is unjustifiable. But, in the same year, 1841, we find that the Senate was tied up for several weeks in debate over a bill introduced by Henry Clay relating to the Bank of the United States.

Senators will recall that from the time of the creation of the Bank of the United States in 1791 there was controversy over its constitutionality, leading to the celebrated case of McCulloch against Maryland, in which Chief Justice John Marshall in 1819 wrote the opinion upholding the constitutionality of the act establishing the bank.

So, it was over a subject which always had been regarded as involving constitutional questions that this filibuster occurred; and when the Senate rejected not only Clay's proposal to allow use of the previous question to stop debate but also his effort to establish an hour rule, we may assume that the Members felt then, as many of us do today, that on matters of policy we may compromise or even surrender as a matter of expediency; but we cannot forget that we have taken an oath to support and defend the Constitution of the United States, and when we honestly feel that the Constitution is under attack, we must oppose that effort to the limit of our ability and endurance.

This is the language of that oath:

I, A. WILLIS ROBERTSON, do solemnly swear that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.

If that oath means anything it means that the responsibility for upholding the Constitution is a personal one which we have no right to sidestep by delegating it to the Federal courts, the members of which have taken the same oath.

Thus in 1863, Members of the Senate rightfully took their time in considering the implications of a bill to suspend the precious writ of habeas corpus. In 1876 there was a filibuster against an appropriation bill which lasted until the abandonment of a rider which would have suspended existing election laws. In 1890 there was the famous 29-day filibuster on the Force bill, providing for Federal supervision of elections, which was in plain violation of the Constitution. From 1922 on there have been recurring extended debates, usually characterized as filibusters, on the so-called civil rights bills, including antilynching, anti-poll-tax, and antidiscrimination legislation. All of these, in the opinion of those of us who oppose them, involve intolerable assaults on the Constitution.

So, it seems plain that the cause of a majority of filibusters is the firm determination of some Senators to fight to the last ditch in defense of some fundamental right or to prevent impairment of our basic written law. That is the cause of this debate—namely, a change in the Senate rules for the purpose of ramming down the throats of southern Senators an anti-poll-tax bill, an antilynching bill, an antisegregation bill, and a fair employment practices bill, all of which are clearly unconstitutional.

What, then, has been the net result of these filibusters, from the long-time point of view?

The Library bulletin to which I have referred contains much valuable factual information but it conveyed a misleading impression which, fortunately, was corrected by the diligence of the distinguished chairman of the Senate Committee on Rules and Administration, the Senator from Arizona [Mr. HAYDEN].

The bulletin presented, on page 20, a list of 37 bills described as an incomplete list of legislation defeated by filibusters. A correction was made by the author of the pamphlet reducing the list to 35, but the full story was not told until, at the request of the Senator from Arizona, a supplemental study was made showing subsequent action by Congress on the same or similar measures. It then appeared that only nine of the bills listed as defeated by filibuster since 1890

were permanently prevented from becoming law. These were the infamous force bill, three antilynch bills, four poll-tax bills, and the FEPC bill. We of the South desire the privilege of full debate of such measures to the end that no distinguished colleague shall be permitted to close his eyes to constitutional law and thus rise above principle.

The bills I have mentioned as being the only ones permanently defeated by filibuster cover the period both before and after rule XXII was amended. As I previously mentioned, that amendment, sponsored in 1917 by my distinguished predecessor, Senator Martin, of Virginia, at the request of President Wilson, was proposed and adopted because of the emergency created by World War I. Wilson requested amendment of the rules because of the delay in passing his armed-ship bill, but he later disproved the necessity for the change by finding he had authority to arm the ships without passage of the bill.

In the 32 years since that amendment was adopted the Senate has voted 19 times on proposals to invoke cloture, but cloture was invoked in only four instances. In addition to indicating the reluctance of Members of the Senate to use such a device even when it is available, I think it is important to notice the type of issues involved when cloture was granted and when cloture was refused.

Cloture was invoked to curb debate on the Treaty of Versailles, the World Court, a branch banking bill, and creation of a Bureau of Customs and Bureau of Prohibition. Successful resort to rule XXII in the first two instances illustrates the ability of the Senate to act where international issues and natural security are involved. There may also be significance in the decision to come to grips with the issue involved in creating the Bureau of Prohibition because of the constitutional aspects. Defenders of the inviolability of the Constitution frequently have shown their willingness to fight to the last ditch for their principles; and from the time the eighteenth amendment was adopted until it was repealed there were those who insisted it involved an improper expansion of Federal power. But where enforcement was involved, those most opposed to the prohibition amendment united with those who favored it in arguing that so long as it was the law of the land it should be treated with respect. As defenders of the Constitution they could not justify a refusal to permit the Congress to vote on proposals to provide the means of upholding our written laws. That, I think, may be why the margin which permitted cloture in that instance was provided by Senators from Alabama, Arkansas, Tennessee, Texas, and Virginia, who never would have approved cutting off debate on a question involving a weakening of our Constitution.

It should also be noted that in 6 of the 15 cases in which a Senate roll call failed to approve cloture as provided under rule XXII, the issue involved was one of the so-called civil-rights bills. In these instances the minority which insisted a violation of the Constitution was involved, found support from colleagues who, whether they agreed with them or not on the merit of a particular bill, were unwilling to have debate on such an issue restricted.

Before concluding this discussion of the causes and effects of filibusters, I desire to quote an apt statement made by the distinguished senior Senator from Georgia [Mr. GEORGE] in the course of the 1947 hearings on this subject:

> The general assumption that prolonged debate operates against the final passage of a particular measure is not in point of fact necessarily true. On the contrary, two recent notable exceptions may now be pointed out—the Lend-Lease Act and the British loan. These legislative measures grew in point of strength as the debate developed.

Considering the reverse angle—a bill which did not pass—Senator GEORGE recalled the proposal of the President of the United States made in 1937 for the reorganization of the judicial branch of the Federal Government. He pointed out that no effort actually was made to invoke cloture or to limit debate on this issue but, he added—

> if debate had been limited to 1 hour by each Senator on this bill as introduced by the chairman of the Judiciary in the early days of 1937, or if the present proposals to give to a scant majority of those voting or the constitutional majority of the whole membership of the Senate the power to limit debate had been the rule, the bill would probably have passed the Senate.

Emphasizing what such action might have meant to our Nation, Senator GEORGE said this measure, which often has been referred to as a court-packing bill, was—

> the most far-reaching and important legislative proposal considered by the Congress within the last quarter of a century, if not one of the most important proposals ever submitted to the Congress of the United States.
>
> Certainly it requires no arguments now to show that the very genius of our American system of government is the judicial protection of the rights of the one man against the ninety and nine; certainly it needs no argument to demonstrate that the whole bill of rights is but a clear and unmistakable declaration that certain immemorial rights of freemen in America are above and beyond all government, general as well as local. How may those rights be maintained unless we retain a strong, independent, and coordinate branch of the Government—the judicial branch—to give them validity and life? As a Member of the Senate in 1937, I can assure you that those of us who opposed the reorganization of the judicial branch of Government were most anxiously concerned respecting our ability in the beginning to marshal even a scant one-third of the Senate against a powerful and popular President of the United States—a great leader not only of his party but of American thought.

It is such instances as Senator GEORGE was discussing, Mr. President, which force us to the conclusion that even a limited power to curtail Senate debate is dangerous.

That danger has been recognized and emphasized time and again by leaders of our national thought. For example, Woodrow Wilson asked for the limitation which we now have in the amended rule XXII, but he did it in the face of a wartime emergency.

His plea, couched in language which indicated the stress under which he was laboring, referred directly to—

> a crisis of extraordinary peril when only definite and decided action can make the Nation safe or shield it from war itself by aggression of others.

Mr. President, in 1912, I was elected as a Woodrow Wilson delegate to our State Democratic Convention. I admired and supported his type of liberalism, and I think it is best represented, not by the statement I have just quoted, but by the calm assertion made in his book on constitutional government when he wrote:

> An attempt was once made to bring the previous question into the practices of the Senate, but it failed of success, and so that imperative form of cutting off all further discussion has fortunately never found a place there. Still, though not much heeded, the debates of the Senate are of great value on scrutinizing and sifting matters which come up from the House.
>
> The Senate's opportunity for open and unrestricted discussion and its simple, comparatively, and unencumbered forms of proceeding unquestionably enable it to fulfill with very considerable success its high functions as a chamber of revision.

In another discussion of the importance of free debate in the same book, Wilson said:

> It is the proper duty of a representative body to look diligently into every affair of government and to talk much about what it does. It is meant to be the eyes and the voice, and to embody the wisdom and will of its constituents. Unless Congress has and uses every means of acquainting itself with the acts and the disposition of the administrative agents of the Government, the country must be helpless to learn how it is being served; and unless Congress both scrutinize these things and sift them by every form of discussion the country must remain in embarrassing, crippling ignorance of the very affairs which it is most important that it should understand and direct.
>
> The informing function of Congress should be preferred even to its legislative function. The argument is not only that discussed and interrogated administration is the only pure and efficient administration, but more than that, that the only really self-governing people is that people which discusses and interrogates its administration. The talk on the part of Congress, which we sometimes justly condemn, is the profitless squabble of words over frivolous bills or selfish party issues. It would be hard to conceive of there being too much talk about the practical concerns and processes of government. Such talk it is which, when earnestly and purposefully conducted, clears the public mind and shapes the demands of public opinion.

Woodrow Wilson, as governor and President, fought for the recognition and protection of the rights of minorities, and so did Robert M. La Follette, Sr., of Wisconsin.

During the debate which preceded adoption of the amendment to rule XXII in 1917, however, Senator La Follette found himself on the opposite side from Wilson. La Follette urged the Senate not to let the needs of the moment cause it to take action which would unduly bind it in the future.

He said:

> I realize how the hysteria of the moment may be driving Senators to acquiesce here in this procedure which at another time they would resist with all their force. But so far

as I am concerned I will never by my voice or vote consent to a rule which will put an end to freedom of debate in the Senate. The adoption of this rule marks a decline in the influence of the Senate in the Government. I know that the majority are determined. I believe that a majority of that majority are in this matter yielding their judgments, and that the time will come when the men who are now clamoring for this change and who by their votes are imposing cloture upon the Senate will see that rule invoked to deprive them and their States of what they deem their rights. I cannot prevent the adoption of this rule, so I am content at this time to protest and vote against it.

Mr. LONG. Mr. President, will the Senator yield at that point for a question?

The PRESIDING OFFICER (Mr. PEPPER in the chair). Does the Senator from Virginia yield to the Senator from Louisiana?

Mr. ROBERTSON. I yield for a question only.

Mr. LONG. Is not the very point made by Senator La Follette very well illustrated in the Senate today, where representatives of the very States whose predecessors had voted to impose cloture regret that that was done, and regret that they do not have the right to free and unlimited debate in many respects?

Mr. ROBERTSON. Oh, undoubtedly; and as the junior Senator from Louisiana pointed out in a splendid speech he made 10 days ago, it is the Southern States that are under the guns now. Who knows what State will be under the guns at some future day, if we break down the plan of the founding fathers to throw a proper protection around the rights of minorities?

At another point in the debate, Senator La Follette said:

Mr. President, believing that I stand for democracy, for the liberties of the people of this country, for the perpetuation of our institutions, I shall stand while I am a Member of this body against any cloture that denies free and unlimited debate.

Mark you, Mr. President, we have been taken to task here in the last 2 or 3 days as being bull-headed reactionaries because we would not agree to anything more than a constitutional two-thirds majority to curb what has never been curbed in the history of the Nation. What was Robert M. La Follette, Sr.? Was he a liberal, or a reactionary? What was he? I remember very distinctly when he sat in the Senate. I knew him. I admired his ability. I did not always agree with what he advocated here, but he was known as the outstanding liberal of this body, of his day and time. Nobody on this floor can deny that fact. He was in the forefront. Yet he did not want a change in the fundamental rules. He fought against that, as far as rule XXII now goes.

Mr. HILL. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Virginia yield?

Mr. ROBERTSON. I yield for a question.

Mr. HILL. Is it not true that there never has been a greater liberal on this floor, one who was a greater champion of the rights and welfare of the masses of the people, than Senator Robert M. La Follette?

Mr. ROBERTSON. I always thought so. In those days, Mr. President, I thought I was a liberal, too. I was elected to the State Senate of Virginia in 1915. I was burning up to do something for the people. I went down there and demanded a bill for workmen's compensation, to relieve workingmen of the harshness of the fellow-servant doctrine, to relieve them of the harshness of the rules of our courts making contributory negligence a bar to recovery. When they were injured and lost their arms or their legs or became blind they would be thrown into the discard. I worked to protect them. I worked to protect women and children in industry. I worked to have roads constructed for the benefit of the farmers, and to have better schools provided. I thought I was a liberal. Who knows today what a liberal is, if one cannot be a liberal unless he sponsors an unconstitutional act, upon the pretext of giving somebody some right which he thinks he ought to have and does not now possess?

Mr. HILL. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Virginia yield?

Mr. ROBERTSON. I yield for a question only.

Mr. HILL. Is it not true that when the first attempt was made to invoke cloture under rule XXII, that other great liberal, Senator George W. Norris, of Nebraska, rose on this floor and made a point of order against the petition attempting to invoke cloture?

Mr. ROBERTSON. That is my recollection. Certainly Senator Norris served here in such recent years that every Member of the Senate would still, I think, even under the changed definition of a liberal, call him a liberal.

Mr. HILL. Mr. President, will the Senator yield for another question?

The PRESIDING OFFICER. Does the Senator from Virginia yield?

Mr. ROBERTSON. I yield for a brief question.

Mr. HILL. Is it not true that in the great battle against the so-called anti-lynching bill in 1938, southern Senators, in their fight against the bill, were joined not only by the great liberal from Idaho, Senator Borah, but also by the great liberal from Nebraska, Senator Norris?

Mr. ROBERTSON. I recall the splendid speech Senator Borah made, and I hope to have opportunity before I complete my discussion on this phase of the matter to quote from it. I had frankly forgotten that Senator Norris likewise participated in that fight on the side of those who insisted the bill was unconstitutional. I am happy to have that reminder come from my distinguished colleague from Alabama.

Mr. SPARKMAN. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from Virginia yield to the Senator from Alabama?

Mr. ROBERTSON. I yield for a question only.

Mr. SPARKMAN. While the Senator is talking about liberals and their attitude regarding certain matters, is the Senator familiar with the statement made by one of the greatest of liberals ever to serve in the Senate, Senator La Follette, of Wisconsin, regarding the question of cloture on debate?

Mr. ROBERTSON. I am quite familiar with it. As a matter of fact I have just been referring to it. I thank my colleague. Senator La Follette said:

Sir, the moment that the majority imposes the restriction contained in the pending rule upon this body, that moment you will have dealt a blow to liberty, you will have broken down one of the greatest weapons against wrong and oppression that the Members of this body possess.

This Senate is the only place in our system where no matter what may be the organized power behind any measure to rush its consideration and to compel its adoption, there is a chance to be heard, where there is opportunity to speak at length, and where, if need be, under the Constitution of our country and the rules as they stand today, the constitutional right is reposed in a Member of this body to halt a Congress or a session on a piece of legislation which may undermine the liberties of the people and be in violation of the Constitution which Senators have sworn to support. When you take that power away from Members of this body, you let loose in a democracy forces that in the end will be heard elsewhere, if not here.

It was my pleasure to know the late Senator Overton, of Louisiana, during my service in the House. I shall always cherish the brief period I was permitted to serve with him in the Senate.

It is no disparagement of the other able lawyers in the Senate when I express the belief that Senator Overton was as able a lawyer as we have had in the Senate in recent years. Testifying before the Rules Committee in February of 1947, Senator Overton said:

Speaking for southern Senators, our only recourse against legislation directed against our people for the purpose of attracting the support of the Negro voters and the CIO and other coagitators and collaborators above the Mason and Dixon's line is a resort to the filibuster. That is a frank statement but it is just as well to meet the issues.

Today it is the South that is suffering. In a short while it may be New England or the West. The history of the filibuster shows that the Senators from various States and sections have resorted to it in order to protect their constituents from what they considered to be legislation adversely affecting their interests.

A two-thirds vote is not an uncommon procedure in the Congress of the United States. The Constitution, as well as amendments thereto, impose the rule of a two-thirds majority in quite a number of instances. I shall refer to those instances briefly:

No person shall be convicted on impeachment without the concurrence of two-thirds of the Senators present (art. 1, sec. 3).

Each House, with the concurrence of two-thirds, may expel a Member (art. 1, sec. 5).

A bill returned by the President with his objections may be repassed by each House by a vote of two-thirds (art. 1, sec. 7).

The President shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur (art. 2, sec. 2).

Congress shall call a convention for proposing amendments to the Constitution on the application of two-thirds of the legislatures of the several States (art. 5).

Congress shall propose amendments to the Constitution whenever two-thirds of both Houses shall deem it necessary (art. 5).

When the choice of a President shall devolve upon the House of Representatives, a

quorum shall consist of a Member or Members from two-thirds of the various States of the Union (amendment 12).

A quorum of the Senate, when choosing a Vice President, shall consist of two-thirds of the whole number of Senators (amendment 12).

The Constitution, therefore does not give recognition, in all cases, to the right of the majority to control.

By analogy it requires a two-thirds vote of the Senate to expel one single Member.

And yet here is an attempt made to prevent debate on matters vitally concerning various States, or a minority party, on some vital issue, to close the mouths of Senators, maybe 20 or 25 or 30 of them, by a majority vote. Now I think it would be infinitely bett.r if we could dispense with the services of any Senator at any time in the history of the United States by expulsion than that we should so readily prevent freedom of debate on the part of Senators when it comes to a very vital issue. I think that is very worthy of consideration. * * *

We may also do well to recall the remarks made by the beloved Senator from Arkansas, the late Joseph T. Robinson.

Before I quote the late Senator Robinson, Mr. President, I should like to refer to something which I heard in debate on the floor, but I do not remember who said it or just when it occurred, but it was to this effect:

Go back over the entire history of the Senate and you will find that the very ablest, the most conscientious, and most patriotic men who have served here from its inception down to the present time have stood on the floor and championed the right of free debate in this body.

Mr. STENNIS. Mr. President, will the Senator yield for a question?

Mr. ROBERTSON. I yield for a question.

Mr. STENNIS. In reference to those who have stood on the floor of the Senate and championed the cause of free debate, is it not also true, according to the Senator's findings and observations, that many of those who came here in favor of cutting off debate, even by a majority vote, on further maturity and experience in the Senate entirely changed their minds, a number of them even to the extent of opposing cloture?

Mr. ROBERTSON. They certainly have. I shall quote, before I finish, if I have sufficient time, from some of those who did that. One of them was the distinguished Senator Lodge, Sr., who sponsored the force bill in the House. It was defeated in the Senate. He condemned the Senate for filibustering against it, but when he came to the Senate he fought to preserve the principle of unlimited debate.

A few moments ago we were talking about liberals. I was serving in the House during all of the Roosevelt administrations. The late Senator Joe Robinson was the majority leader of the Senate and handled all the President's bills. I assume that Franklin D. Roosevelt is still rated as a liberal. Some persons have gone a little further than he, since he died, but I do not think the statement that he was a liberal can be challenged. Senator Joe Robinson handled every bill passed by the Senate. I mean by that, he really handled them. I never saw a man with as much grasp of a wide variety of legislation. I used to come here, when I could get away from the House, to see him operate. He did not serve on a single committee, so far as I know, but when a bill reached the floor of the Senate, not a Member of the Senate knew more about it than he did. He participated in every debate on every important question, and guided the legislation through. He was a wonderful man. He was a lovely friend. I shall never forget the time I took him fishing, over the Fourth of July, in Virginia, on the Jackson River, in Bath County. Since he was interested in conservation, the State commissioner of game and inland fisheries had sent him a complimentary license. I joined him at the Methodist Building, where he was residing, and we went down Constitution Avenue nearly to the marble palace of the Federal Reserve Board, when Senator Robinson said, "Oh, I have forgotten my license." I said, "Do not let that bother you. I can testify, if the game warden comes around, that you have a license." "No, sir," he said, "I am not going to be accused of violating any law." He said to the chauffeur, "Turn around; we are going back to get that license." So we went back, he got the license, and then we drove down into Virginia.

Oh, how he loved the out of doors. He loved to fish. I have also hunted with him. What a great statesman he was. He was a wonderful man, a well-rounded man in every respect. I have never seen anyone who knew him either as a friend or as a legislator who did not have the greatest admiration for him. He stood foursquare, and one could say, "There is a man."

I make those preliminary remarks, Mr. President, because of the character of the witness I am calling. He said:

The filibuster has been invoked comparatively few times in the history of the country, and every time it has been invoked and proved successful it has been justified in the judgment and in the conviction of the public. * * * The force bill would have become law but for the organized and persistent opposition of Senators who saw in its provisions the dangers to the fundamental institutions of this Republic. They defeated it by fighting and falling back and fighting again until the hosts which were assaulting them realized that the attack had failed. Never since has a Congressman or a Senator said that armed forces of the United States shall be planted about ballot boxes and men and women who exercise the power to vote shall be under the coercion and intimidation of men with bayonets in their hands. The force bill and all that was associated with it went by for all time and a filibuster in the United States Senate accomplished it.

We have, too, the testimony of the distinguished former Senator from Idaho, William E. Borah, to whom reference was recently made by the Senator from Alabama [Mr. HILL]:

I have never known a good measure killed by a filibuster or a debate. I have known a vast number of bad measures, unrighteous measures, which could not have been killed in any other way except through long discussion and debate. There is nothing in which sinister and crooked interests, seeking favorable legislation, are more interested right now than in cutting off discussion in Washington.

Again, in 1938 the Republican leader, Senator McNary, stated his disagreement with the position of those who were conducting a filibuster on the antilynching bill, but refused to vote for cloture because, he said, "I am not willing to give up the right of free speech and full untrammelled opportunity for argument. That right is the last palladium, it is the last impregnable trench for those who may be oppressed or who are about to be oppressed. It might be the last barrier to tyranny."

That forthright statement was duplicated in 1946 by another leader of the opposition party, our colleague, the distinguished senior Senator from Colorado [Mr. MILLIKIN], who said in a speech on this floor:

The Senate of the United States is one of the few legislative forums in the world which operates on, and guards the right of, free speech. If my country were confronted with the horrible choice of surrendering all of the individual rights of its citizens under our Constitution save one to be selected by it, I should unhesitatingly counsel the preservation of the right of free speech, for so long as this right remains unimpaired all other rights, if lost, may be regained.

History confirms this. Every dictator knows it well and selects free speech as the first victim of his aggression. * * *

It is manifest that if a majority of one could end free speech in the Senate it would not be long until there would not be any free speech.

The majority of any party in power would find the suppression of free speech a convenient method of expediting what it conceived to be useful and urgent legislation.

Mind you, Mr. President, I am now quoting from a distinguished Republican leader who is still a Member of the Senate. The past 2 years he was chairman of the great and powerful Committee on Finance of the Senate. He is now the ranking minority member of the committee. He comes from the western area of the United States, and we are told the West is for this change, but this Senator had the courage to stand on this floor and express his deep and unalterable opposition to a change in the rules which would permit a majority vote of the Senate to cut off debate. I continue to quote from him:

It is always annoying to have errors exposed, and it would not be long until a majority of one decided that for political purposes it should retain the illusion of infallibility by preventing exposure here of its errors. And then it would not be long until corrupt and even more ominous legislation might be shepherded through this Chamber in enforced silence.

It should never be forgotten, I respectfully suggest, that the rules of a legislative body in a country which understands, appreciates, and desires to conserve the principles of human freedom are adopted not to enhance or render unshakable the power of the majority of its members, but rather to protect those in the minority.

The rights of the minority have not been imposed by a minority; they have been freely granted my majorities which realize that under natural or moral law the individual and minority groups have certain rights which should not be subjected to the caprice of others, no matter how numerous, that these minority rights by their nature and by the formal mandates and consents and relinquishments of power, by thoughtful, just, and civilized majorities, when they are engaged in laying out the long-term rules for the Government of all, are truly and deservedly unalienable.

In the 1918 debate on the Underwood resolution to limit debate during the war period, Senator Lawrence Y. Sherman, of Illinois, made this pertinent comment:

Majority rule is something that is always very popular; but there is nothing that gives rise to more delusions in the common understanding than talking about majority rule in the United States Senate. Majority rule is a paradox in the Senate. What appears to be a majority rule in this body is in reality a popular minority rule. A majority of Senators does not mean a majority in the popular sense; it does not even mean a majority of votes, much less a majority of population.

When the 13 States assembled, by delegates, to form the present Government under which we are operating, they had to ratify—at least 9 of them had to do so—the Constitution before it became applicable even to the 9. After the nine had ratified the Constitution others came in in due time, but even the nine who ratified the Constitution in the first instance were induced to adopt it in their local debates in the States because it was argued—and this portion of it was referred to very frequently—that the small States had an equal suffrage with the large States.

The larger States, both in population and in material resources, and sometimes in territory, are entirely overwhelmed by the small States.

This is a great Republican leader speaking about the rights of minorities:

This is an incident to the conditions under which our form of government was created; but because it was an incident, and an indispensable one, it is no reason why any further advantage should be given to the small States by changing the rules of the Senate.

That thought—about the Senate being deliberately planned in a way which would not promote majority rule—was emphasized again in the hearings this year when the junior Senator from Florida [Mr. HOLLAND] pointed out that on the basis of 1940 census figures the smallest two-thirds of the States had a population of 43,623,036 and the largest one-third had 88,046,239. That means, of course, that two-thirds of the Members of the Senate might conceivably vote for a proposition and yet represent the views of only one-third of the Nation's population. Going a step further in his discussion, the Senator from Florida pointed out that a third of our entire population is represented by Senators from the five most populous States, so that a denial of full minority rights of discussion to a group of as few as 10 Senators might, in effect, be a denial to the representatives of a third of the people.

Going back to the 1918 debate on the Underwood resolution, I find cogency in this statement made by Senator Smith, of Michigan:

The longer I stay here the less I speak. Some of the best men who ever served in this body have grown to dislike verbal controversy. Men get over the fascination of their own speech; but if the occasion should require, or if some injustice was sought to be done, unlimited debate would be a very desirable and potential weapon to reside in the senatorship.

It is not that a Senator wishes to be heard at great length; it is the power to defend his State, which you are attempting to curtail. Take away the right of unlimited debate and you take away the one great distinguishing characteristic of senatorial procedure.

Senator Watson, of Indiana, also said in that debate:

If this had been the rule of the United State Senate for the first 50 years of its existence John C. Calhoun would not have been able to thunder forth the doctrines in which he believed; Hayne could not have announced on the floor the ideas which he so eloquently espoused; Henry Clay would have been unable to deliver in full any one of the score of speeches that accomplished so much for his country; and Daniel Webster, imperious orator of American history, could not have blazed the pathway of the future in that historic utterance in which he announced the essential policies of the Republic if its institutions are to endure, for on the floor of the United States Senate and in the open forum of debate he in a sense shaped the destiny of the Republic and molded the future of the Nation.

Incidentally, it took Daniel Webster 8 hours to deliver the speech to which Senator Watson referred, while if I consume today as much as 4 hours many will refer to it as a filibuster.

An excellent example of how experience has taught Members of the Senate to respect its rules guarding freedom of debate is afforded by the late Senator Henry Cabot Lodge, Sr., of Massachusetts.

As a Member of the House of Representatives the senior Senator Lodge introduced and fought for the force bill. It was defeated by filibuster in the Senate after an effort to invoke cloture had failed. Senator Lodge came to the Senate in 1893 with, according to his own statement, "a very strong prejudice in favor of vigorous and prompt methods of closing debate."

After 10 years of experience in this body Senator Lodge made a speech in which he recalled the defeat of his force bill by obstructionist tactics and then said:

But, Mr. President, I had much rather take the chances of occasional obstruction than to put the Senate in the position where bills could be driven through under rules which may be absolutely necessary in a large body like the House of Representatives or the House of Commons in England, but which are not necessary here. I think here we should have, minority and majority alike, the fullest possible opportunity of debate.

That statement was made by Senator Lodge in 1903 when his own party had a large majority and was in firm control. Twelve years later, in 1915 he reaffirmed his faith in the right of free debate in the Senate when he asserted in another speech on the floor that—

every Senator ought to think well before he makes a change of this sort in the very constitution of the Senate for the sake of passing, in a moment of heat and passion over a single bill, a measure which strikes at that quality which has been more distinctive of the Senate than any other body in parliamentary history and which today is the only refuge the people of this country have who desire to know something about the measures before their Representatives. The people of this country have the right to know the reasons for and against every important measure, for in no other way can they rightly judge.

Still later, after our present rule XXII had been adopted in 1917 Senator Lodge wrote an article for a magazine in which he discussed the operations of the Government and of the Senate.

In this article he recalled that before the adoption of the Constitution the States were all sovereign States and that while they agreed, through the Constitution, to surrender certain of their powers, they sought in the Senate to secure protection of their rights and insisted on the specific provision in article V of the Constitution that no State, without its consent should be deprived of its equal suffrage in the Senate.

Then Senator Lodge wrote:

Except on some rare occasions the Senate has been the conservative part of the legislative branch of the Government. The cloture and other drastic rules for preventing delay and compelling action which it has been found necessary to adopt and apply in the House of Representatives have never, except in a most restricted form, been admitted in the Senate. Debate in the Senate has remained practically unlimited, and despite the impatience which unrestricted debate often creates, there can be no doubt that in the long run it has been most important and indeed very essential to free and democratic government to have one body where every great question could be fully and deliberately discussed.

Undoubtedly there are evils in unlimited debate—

Senator Lodge wrote—

but experience shows that these evils are far outweighed by the benefit of having one body of the Government where debate cannot be shut off arbitrarily at the will of a partisan majority. The Senate, I believe, has never failed to act in any case of importance where a majority of the body really and genuinely desired to have action, and the full opportunity for deliberation and discussion, characteristic of the Senate, has prevented much rash legislation born of the passion of an election struggle and has perfected still more which ultimately found its way to the statute books.

Again in 1926 in discussing a proposal to limit debate on appropriation and revenue bills, former Senator James A. Reed, of Missouri, had this to say:

Cloture means the granting of a power. Whenever you grant a power you must assume that the power will be exercised. So, when we discuss this proposed rule, we must do so in the light, not of how it may be exercised so as to do no harm, but we must consider how it may be exercised to do harm.

Mr. BREWSTER. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Virginia yield to the Senator from Maine?

Mr. ROBERTSON. I yield for a question only.

Mr. BREWSTER. Is the Senator from Virginia familiar with the statement by Senator Walsh, of Montana, a very distinguished Democrat, that if a power is to be denied because it may be abused, government must cease?

Mr. ROBERTSON. I cannot say that I am familiar with that statement; and if I were familiar with it I would not endorse it in toto. I would have to throw some restrictions around it, especially if the power the Senator refers to would be a majority vote of the Senate and of the Congress to undermine a clear provision of the Constitution to accomplish an end that might be thought at the time to be desirable. I certainly would

not say that unless that could be done, government must cease.

Mr. BREWSTER. Will the Senator further yield?

The PRESIDING OFFICER. Does the Senator from Virginia yield to the Senator from Maine?

Mr. ROBERTSON. For a question only.

Mr. BREWSTER. I ask the Senator whether or not the rather profound philosophical truth expressed in that statement is not peculiarly applicable to what the Senator from Virginia was just suggesting, that in determining whether a power should be granted, examination should be made as to whether or not it may be abused in order to accomplish an evil end. I should like to have the Senator from Virginia explain to us how it would be possible for the Congress to give any administrative agencies powers without incurring the human danger of their abuse.

Mr. ROBERTSON. I concede that when we enact a law and implement it with an appropriation and turn it over to the administrative branch of the Government to be executed, we incur the inherent possibility of inefficiency. But it is one thing to be inefficient in carrying out a worthy purpose, and it is another thing to confer power upon an agency which claims that it wants it for a good purpose, but which can use it for a very bad and harmful purpose. That is what I am talking about now. That is what Senator Reed, of Missouri, was talking about. I hope the Senator from Maine will listen to the rest of what Mr. Reed had to say before he asks me another question on the subject.

I submit that that statement is particularly applicable to the present situation. We are assured by those advocating the rule change now under consideration that it would not do any harm; that the right to cut off debate would be exercised only when discussion had reached the point of tedium. We cannot afford to forget, however, that there would be nothing to prevent an impatient majority from calling for cloture at the very outset of the consideration of a bill and thus strictly limiting each Member's opportunity to discuss it. That is the real issue which confronts us, and it is irrelevant to discuss how repugnant the sight of blood would be to a majority with throat-cutting power.

I now continue to quote from Senator Reed's speech in 1926:

> There is justification for unlimited debate in this body. I am getting a little tired hearing about the sacred rights of the majority, that this country is ruled by the majority, and that the majority has the right to have its way. This is not a country ruled by the majority. This is not a country of majority rule. The Constitution of the United States was written, in large part, to prevent majority rule. The Declaration of Independence was an announcement that there are limitations upon majority rule.
>
> The rights of life, liberty, and the pursuit of happiness were declared in the Declaration to be inalienable rights. They could not be given away by the citizen himself. Much less could they be taken away by temporary agents, sitting in legislative bodies, holding a limited authority of brief duration.

I am sorry that the distinguished Senator from Maine has been obliged to retire from the Chamber before I could finish my discussion of the question which he asked me, because I wanted him to hear all of what Senator Reed, of Missouri, had to say on the subject of conferring a right and considering how it could be abused as well as how it could be properly used.

I continue to quote from Senator Reed:

> Majority rule: Where is the logic or the reason to be found back of majority rule except in the mere necessity to dispatch business? The fact that a majority of 1 or 10 vote for a bill in the Senate is not a certification that the action is right. The majority has been wrong oftener than it has been right in all the course of time. The majority crucified Jesus Christ. The majority burned the Christians at the stake. The majority drove the Jews into exile and the ghetto. The majority established slavery. The majority set up innumerable gibbets. The majority chained to stakes and surrounded with circles of flame martyrs throughout all the ages of the world's history.

I could continue to quote at length from that great speech in which the distinguished Senator from Missouri told of the things which have made this Nation great and argued that before any law to bind more than 100,000,000 people is passed it should be subjected, somewhere, to free debate, but I shall cite only the conclusion, in which he said:

> As long as we can keep this forum free, as long as a vigorous and determined minority can prevent the passage of a statute, so long this country will be safe, at least, for no great act of treachery can ever be consummated where there are not some brave souls to stand in its resistance and to stand to the end.
>
> But strike down this safeguard of public discussion, apply the gag, and imagine, if you please, that it is to be applied only to pass good measures, only to accomplish the virtuous and the wise and the holy, only to bring the thing of rectitude; imagine that, if you please. He is a fool, he is every kind of a fool, that has ever cursed this earth or cursed himself, who thinks that any power will always be used wisely and justly. Power is almost invariably abused.
>
> Has there ever been one of those important measures discussed on the floor of the Senate when it was not found that many changes were necessary, when the proponents of the measure have not been willing to accept amendment after amendment? Why should there not be some place in this country where the virtues or the iniquities of proposed legislation could be exposed without gag, without rule, without limit; some place where every public act must come under the surveillance of men who have complete freedom of speech, so that the good that is in it may be properly exemplified and the evil that exists may be properly exposed?

Never has there been a time, Mr. President, when there was greater need than at present for us to examine the virtues and iniquities of proposed legislation without danger of a gag rule being imposed.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield for a question only.

Mr. MAYBANK. I should like to ask the distinguished Senator from Virginia if he has seen the magazine Business Week for March 12, 1949.

Mr. ROBERTSON. I am sorry, Mr. President, but I have not. I suppose I have it in my office, but I have been so concerned with the effort to change these rules and ram unconstitutional measures down my throat that I have not had an opportunity to do much collateral reading.

Mr. MAYBANK. Mr. President, will the Senator further yield?

Mr. ROBERTSON. I yield for a question only.

Mr. MAYBANK. I should like to ask the Senator if, when he gets an opportunity, he will read the article entitled "The Trend—The Tyranny of the Majority," in Business Week for March 12, 1949.

Mr. ROBERTSON. Mr. President, I have no doubt about the trend. I feel it. I live with it. It disturbs me so that I cannot sleep at night. However, I shall comply with the suggestion of my distinguished colleague from South Carolina and read the article on the trend of an overpowering Federal Government to tyranny.

Mr. President, in my opinion there have been three major crises in the history of the world since the birth of Christ. The first occurred when the barbarians overthrew the civilization which through painful years had been developed by Greece and Rome and the world was plunged into what we now call the Dark Ages. The spark of Christianity, fortunately, survived and it burst into flame in the next critical period when the rebirth of the arts and sciences which we call the Renaissance was followed by a revolt against corrupt government and a new consciousness of religious and personal freedom culminating in the Reformation movement led by Martin Luther.

The third critical period began when the German Kaiser by force of arms attempted to impose his will and his form of autocracy first upon his European neighbors and ultimately upon the world. We are still in the struggle he commenced. After his defeat, it was renewed 25 years later by Adolf Hitler. Hitler's effort to destroy religious freedom, the rights of minorities, and democratic principles in general now is being carried on by some 24,000,000 Communists throughout the world.

Of all the forms of government man has ever instituted, our American system of representative democracy, under which 48 States have been united in one central government, with their rights and privileges duly protected by the provisions of a written Constitution, is the best equipped to resist the onslaught of communism, provided we preserve that Constitution.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield for a question only.

Mr. MAYBANK. I should like to ask the Senator from Virginia whether he believes that the extreme left-wing groups and those communistically inclined in this country are very anxious to have a change made in the Senate rules.

Mr. ROBERTSON. I have not heard any direct expression from them; but I think it would be very pleasing to them to have a change made in the Senate rules, because that would be directly in line with what they have done in other countries, and naturally they would like to see it done here. The more free speech is curbed, the more the activities of the legislative branch of the Government are curtailed, and the more the power of the central authority in the Government is increased, the more pleased such groups are, because they would like to see that done. Of course, they cannot take charge of 48 independent, sovereign States, each with its own rights; so, first, they must subordinate the States to one Central Government. They would also like to socialize industries, so the industries would be subordinate to the same Central Government; and then they would like to stamp out freedom of religion, so that the people could not have views of their own about the dignity of man. They would also like to take charge of education, and wind up by taking complete charge, body and soul, of the individual, and he would be their slave.

Mr. MAYBANK. Mr. President, will the Senator further yield?

Mr. ROBERTSON. I yield for a question, Mr. President.

Mr. MAYBANK. I should like to ask the distinguished Senator from Virginia if it is his judgment that they would also attempt to subject the representatives of the States in this body—that is, the Senators, who in reality are the ambassadors of the 48 States?

Mr. ROBERTSON. My colleague is absolutely correct. This Government came into being, first, because the people delegated certain powers to the governments of the sovereign States. Their chosen representatives met in Philadelphia and formed a plan of union; and that plan came back to the people for ratification. As I shall develop in another phase of my discussion this afternoon—that dealing with one of the measures the proposed rule change is intended to bring up—the States were very jealous as to the amount of power the Federal Government would have and as to what would be reserved to them and what would be reserved to the people. They were so uneasy about it, that some of them said, "We will not ratify this Constitution unless we have your definite assurance that as soon as you meet, you will include amendments to give us what we call our Bill of Rights, and then conclude—regardless of the amount of assurance you give us—by saying that you will not encroach upon our sovereignty. We want it spelled out that all powers not conferred upon you, the Central Government, are retained by the State or by the people."

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield for a question.

Mr. MAYBANK. Mr. President, does not the Senator from Virginia believe that the provision of the Constitution prescribing the qualifications of electors, including the poll tax in such States as wanted it, was motivated by a desire on the part of the States to keep their Senators independent and enable them to act on the rules of the Senate in the best interests of the States?

Mr. ROBERTSON. Undoubtedly, Mr. President, for that is one of the most jealous rights the States insisted upon in framing the Constitution, namely, that they should have the right at all times to pass upon the qualifications of their electors, so that they would know who would choose the men to be sent to Washington to represent them in the Federal Government.

Mr. President, we were the first nation in the world to adopt a system of private enterprise, after the first settlers at both Jamestown and Plymouth Rock had tried communism and had found it to be a failure. They then turned to a system of private enterprise, and the Thirteen Original Colonies successfully operated under that system for many years before our Constitution was framed in 1787. In the drafting of that immortal instrument, as much thought and care were devoted to the preservation of property rights and a system of individual enterprise in a capitalistic system as to the protection of personal rights.

Mr. President, I am sorry my distinguished friend, the junior Senator from Minnesota [Mr. HUMPHREY], is not now in the Chamber because he could tell me whether what I am about to say is a correct quotation of a remark he made in the Senate Chamber, either today or last night; the two have rather blended together, Mr. President, for when we have remained here until 3 o'clock in the morning we rather forget which part of the session was night and which part was day and just which part we are operating in. However, at some time during the last 24 hours, I remember very distinctly that the junior Senator from Minnesota said that, in his opinion, personal rights were away beyond property rights or anything else. That is my recollection of what he said.

I am taking the position, which I think is buttressed by a sound interpretation of the Declaration of Independence and of the Constitution, that as much care was devoted to the protection of property rights as was devoted to the protection of personal rights, for the simple and fundamental reason that they complement each other, and, in my opinion, neither can be preserved in perpetuity without the other.

In their great wisdom the founding fathers provided that the Constitution which they submitted to the States for ratification could not be amended without a two-thirds vote of both branches of the Congress, subsequently to be ratified by a three-fourths vote of the States. In my opinion, nothing could be more dangerous to our future than a Senate rule by which a majority of the Senate could enact into law provisions clearly repugnant to the Constitution, and in effect amend it by a simple majority vote of the two branches of the Congress.

Mr. President, that is no fanciful fear because in this debate we have repeatedly been given warning that the real, the major, the sine qua non objective of those who are proposing the change in the rules is to have the rules in such shape that a majority may impose its will upon us. That is the real fight. They also say the fight is to pass certain clearly unconstitutional bills, including the anti-poll-tax bill, the antilynching bill, the FEPC bill, and the antisegregation bill. That, in a nutshell, is why the whole business of the Senate is being held up.

We have offered them a fair compromise. We have gone as far as honorable men dare go—and, as the Senator from Georgia [Mr. RUSSELL] has said, perhaps we have offered to go beyond the point of prudence—in our efforts to reach a settlement which will afford some measure of the protection we have enjoyed in this Nation for 160 years. But they wish to sweep all of it away, so that we would take the chance of having our precious States' rights, our individual liberties, and our democratic institutions merged into a strong central form of government, the action of which we cannot now contemplate.

Mr. MAYBANK. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Virginia yield?

Mr. ROBERTSON. I yield for a question.

Mr. MAYBANK. I may ask the Senator, in the event a simple majority cloture rule is adopted, and if under a simple majority rule civil-rights legislation, mentioned by the Senator, involving measures that violate the Constitution, is enacted, does not the Senator believe the simple majority provision will be used to go further in the future than merely the enactment of the civil-rights program?

Mr. ROBERTSON. Oh, I think nobody could rest with any assurance that what is a matter of political expediency today will be the only political expediency of some future day. I have already pointed out that the direct election of Senators by the States has made us subject to pressure groups. Who can tell what the pressure-group demand will be in the future or what will then become the political expediency connected with legislation, to be rushed through over the protests of the minority by the simple device of a majority cloture rule?

In their great wisdom, the founding fathers, as I have already said, provided that the Constitution which they submitted to the States for ratification could not be amended without a two-thirds vote of both branches of Congress. Once we depart from that method of amendment, and undertake to amend the Constitution by merely a majority vote of the two branches of the Congress, we are in for no end of difficulty. Mr. President, only last year, when an antilynching bill was pending before the Judiciary Committee, a distinguished lawyer member of the committee invited me to submit to him the brief I had prepared on the subject of the unconstitutionality of the antilynching bill.

Mr. MAYBANK. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Virginia yield?

Mr. ROBERTSON. I yield for a question only.

Mr. MAYBANK. I desire to ask the distinguished Senator from Virginia this question: If and when we adopt a majority rule, if we ever do, on these matters, does not the Senator from Virginia believe there will also be a movement toward a majority rule in the ratification of peace treaties and for legislation generally?

Mr. ROBERTSON. It is conceivable, but that would be much more difficult, because certain restrictions are spelled out in the Constitution. It is a little difficult for a man to get on this floor and, when the Constitution says "This is black," to say, "No, it is white." But, when one gets into the twilight zone, if he wants to violate the very clear intention of the Constitution, it is a little easier to say, "Well, under the general welfare clause, or the interstate-commerce clause, to effectuate the good of the public for which I am headed, the Constitution must not stand in the way"—and out goes the Constitution. But if the Constitution expressly provides that a two-thirds vote shall be necessary in order to ratify a treaty, it would be most difficult for anybody to stand on the floor of the Senate and say, "That merely means a majority vote."

Mr. MAYBANK. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Virginia yield?

Mr. ROBERTSON. I yield for a question only.

Mr. MAYBANK. I should like to ask the Senator from Virginia whether he thinks poll-tax laws are in the twilight zone.

Mr. ROBERTSON. Mr. President, with all due deference to the distinguished Senator who is now presiding, who does not agree with me, I think the language of the Constitution about the qualifications of voters is so clear that I do not see how anybody can get away from it. But, for fear they would try to get away from it, last June I spoke for four hours and a half to give the history of the provision, its background, its interpretation by those who wrote it, its interpretation by those who advocated that the States adopt the Constitution, and the decisions of the courts, from the first to the last, that had ever considered the problem. It took me four hours and a half to deliver that exposition of what I thought was a perfectly clear provision of the Constitution. Time after time there have been efforts to pass a bill abolishing poll taxes. Every time it has come up in the House it has passed in that body. Nothing except full debate has stopped it in the Senate.

Mr. MAYBANK. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Virginia yield?

Mr. ROBERTSON. I yield for a question.

Mr. MAYBANK. I should like to ask the Senator from Virginia, a former distinguished Member of the House, whether he does not believe that the rules of the House, providing majority vote, made it possible for the poll tax to be passed in the House?

Mr. ROBERTSON. I may answer in this way: The last time I recall a vote in the House on an anti-poll-tax bill, there were, as I remember, 4 hours of general debate. I was very much concerned and very much interested. I was given, as I recall, 20 minutes. There were others from the South, just as much concerned as I, just as much disturbed, who did not get any time in general debate. When the bill was being read for amendment, they would hop up and say, "Mr. Speaker, I move to strike out the last word." How long could they speak? Five minutes. They then had to sit down. That was all they could say.

As I say, Mr. President, I spent four hours and a half here last June on that very question. I did not even then fully cover it by any means. The distinguished Senator from Louisiana last night spent about 5 or 6 hours on that phase of the question. He admitted he had not fully covered it. But I was about to call attention to what happened to one of these unconstitutional bills last year, because I think it is very pertinent. I had prepared a brief on it, a brief which would take me at least 5 hours to present, because it analyzed all the Supreme Court decisions dealing with the right of Congress to legislate on the prosecution of individuals for crimes against other individuals within a State. The antilynching bill was pending before the Judiciary Committee. I was told that the subcommittee before which it was pending was about ready to report it. I went to a member of the subcommittee, an able lawyer, a fine lawyer, a man whom I knew to be very conscientious, and said to him, "If I give you my brief on the unconstitutionality of the antilynching bill, will you read it?" He replied, "I certainly will. I should like to see it." I gave him the brief. He held up the bill for 3 weeks. It took him that long. He did not accept my statements. I did not blame him for that. He was a careful lawyer. I opened his eyes. He was not prepared merely to accept the page references of my brief. He had to get down the law books in the library and check the citations, page after page, himself. I had checked it and double checked it. I knew I had it right. He checked it and I was glad to have him do so. It took him 3 weeks to do it. What happened? When he had finished reading my brief, he went to the subcommittee and emasculated the antilynching bill. The full committee sustained him. The bill they finally reported to the floor was a mere shadow of the bill which had been introduced.

What happened in the special session, at which the Republicans had planned to bring up antilynching legislation? They said, "It will not do to bring this bill up; there is nothing left in it." They would not touch it. Those able constitutional lawyers were willing to reject the measure after they had had time to see what it was and what the facts were. So the Republicans decided they would call up the anti-poll-tax bill. I had had no time to prepare a brief on it before the committee reported. The committee had been reporting bills right along, and apparently a good, sound political issue was involved. Under the rule which we are now considering, I had an opportunity to discuss the bill when it reached the floor, and I did discuss it for approximately 4 hours. After I discussed it and the Senator from Oregon [Mr. MORSE] had made what he called an answer to my argument, they quit, and that was the end of the anti-poll-tax bill and the antilynching bill in the Eightieth Congress.

It is now proposed to bring those bills up again. I have been told, and I assume it to be true, that they will not even consider the amended, watered-down, and dehydrated bill which was reported last year. They want an antilynching bill as it was originally introduced. That is why they are holding us here and making us debate and fight for our rights. They want to amend the rules and ram these things down our throats.

Mr. President, as I have stated, under the existing rules of the Senate, when the motion was made to bring up the bill, each Member of the Senate enjoyed the privilege of unrestricted debate. I availed myself of that privilege, and, delivering a prepared manuscript as rapidly as I could, it took me approximately 4 hours to present a history of the suffrage clause of our Constitution and an analysis of Supreme Court decisions bearing upon the right of Congress to legislate on the subject of the qualifications of voters.

The same term was applied to the much shorter speeches made by the Senator from Mississippi [Mr. STENNIS], the Senator from Florida [Mr. HOLLAND], the Senator from Arkansas [Mr. MCCLELLAN], the Senator from Georgia [Mr. RUSSELL], and other Senators from the South who shared my viewpoint concerning the unconstitutionality of the then pending bill.

During the 2 years it has been my coveted privilege to be a Member of the greatest legislative body in the world, I feel justified in saying that few, if any, Members of the Senate have spoken less frequently than I on any subject. In fact, the only extended speech that I made was my discussion of the unconstitutionality of the anti-poll-tax bill. Incidentally, I united with the junior Senator from Florida [Mr. HOLLAND] and other colleagues in presenting at this session a resolution to authorize the States to vote on a change in our Constitution to permit the Congress to legislate on the subject of poll taxes as a prerequisite to voting. Since a limited number of States now have such a provision in their laws, I am personally willing to present to the States of the Union the privilege of amending the Constitution in that respect if it be their will and desire so to do. But as long as I am a Member of the Senate, I shall do all in my power to prevent passage of any bill which I sincerely feel to be in violation of our written Constitution, and I would deplore any change in rule XXII which would deny to me or any other Member of the Senate that privilege.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield for a question.

Mr. MAYBANK. Mr. President, I want to ask the distinguished Senator from Virginia if I correctly understood him to say that he believed in a constitutional amendment for the repeal of the poll tax, to be passed by the Congress of the United States?

Mr. ROBERTSON. I said this: I am a joint sponsor of a joint resolution of which the Senator from Florida [Mr. HOLLAND] is the chief sponsor, to submit such an amendment to the people, to see if they want a constitutional amendment which would outlaw in a legal manner the poll-tax regulations of the seven States which now have poll-tax laws. I cannot believe it is a burning issue in the other 41 States. I think it is a matter of relative unimportance to the people of California, Michigan, New York, or any of the other States, as to whether we have a poll tax or do not have one in Virginia, in South Carolina, or in Texas.

Mr. MAYBANK. Mr. President, will the Senator yield for a further question?

Mr. ROBERTSON. I yield for a question.

Mr. MAYBANK. Mr. President, I should like to ask the Senator a further question. Has the Senator seen in the newspapers, or has he heard that South Carolina, only last week, passed through its legislature a law permitting the people to vote on repeal of the poll tax?

Mr. ROBERTSON. Yes. I am sure my colleague is also aware that in the November election the people in Virginia will vote on the same issue. They will have the right to say whether they want the poll tax any longer as a means of contributing $1.50 a year to the schools. Many do not contribute any more than that amount. They can wipe out the poll tax by State action. The machinery is in order for the vote to be taken in Virginia next fall.

Mr. MAYBANK. Mr. President, I should like to ask the Senator some further questions. The first question is this: Is the Virginia poll-tax law similar to that in South Carolina where there is no poll tax levied on women?

Mr. ROBERTSON. No. The Virginia law is not similar in that respect. There is a poll tax on women.

I will ask the Senator to please make his questions brief.

Mr. MAYBANK. I shall defer asking any further questions at this time.

Mr. ROBERTSON. The majority report on Senate Resolution 15 states, on page 2, that the fact that over 5 years elapsed before a first flaw was found in rule XXII and a much longer time elapsed before a second serious flaw was discovered, indicates that Senators who voted to amend the rule in 1917 did so thinking they were voting for an enforceable rule.

Another interpretation might be, however, that those who accepted the change in our rules in good faith, as a means of dealing with a war emergency, did not visualize its being used in behalf of unconstitutional legislation.

It is notable that when rule XXII was circumvented for the first time, in 1922, by the offering of motions to amend the Journal, it was done by those opposed to an antilynching bill. A much longer period than 5 years might have passed before the rule was found defective if an effort had not been made then to corrupt it to an unworthy use.

Thus we might say that in first amending and then finding a way to circumvent rule XXII as amended, Members of the Senate showed, on the one hand, their willingness to do what might be necessary to protect the Nation by fast action in an emergency, and, on the other hand, a resourceful determination to defend our sacred institutions against hasty and improvident action which would jeopardize them.

I emphasize the charge, previously made, that there can be no question about the fact that this latest effort to change the Senate rules is simply a prelude to a drive for enactment of the so-called civil-rights program. That was brought out clearly in the hearings before the Rules Committee in January, when the junior Senator from Louisiana [Mr. LONG] asked the junior Senator from Massachusetts [Mr. LODGE], "Is it your opinion that this is an indirect way to get at the civil-rights issue?" and the Senator from Massachusetts replied, "I think one of the reasons why there is a desire to get the Senate so it can function is so that we can start dealing with the question of civil rights, which I think needs attention in all parts of the country."

Any possible doubt as to the purpose of this effort to change the rules was removed March 10, when the majority whip told the Senate:

> The debate now proceeding in the Senate of the United States is round 1 of the showdown on the issue of civil rights. Let us recognize it as being that, and let us not pretend otherwise.

This statement was reinforced on March 11, when the distinguished majority leader said:

> Regardless of whether anyone likes it or does not like it, I am going to be plain and honest about this situation. Some can hide it if they wish to do so, but everyone knows why this rule was brought up. Everyone knows why this filibuster is on. If the civil-rights program were not involved, there would not be any filibuster here at the present time. So, why hide it?

Mark you, Mr. President, that is the majority leader talking, and I am quoting:

> If the civil-rights program were not involved, there would not be any filibuster here at the present time. So, why hide it?

That was the distinguished Senator from Illinois [Mr. LUCAS] speaking. If rent-control legislation is not passed, or any other subsequent legislation is not enacted, it will be the Senator from Illinois who is responsible. So why hide it? Do not let him come back to us and say, "You willful southern Senators have held up the essential program of this Congress." That is not true. This issue was forced on us, to change a rule which has been in existence for 160 years, by those who wanted to put cloture on a motion to take up. They are the ones who turned down a fair compromise we offered them. They are the ones who force us to speak around the clock, until we are physically exhausted, with the hope that they can beat us to our knees, as my old friend Lindsay Warren used to say, by tactics they adopt of keeping us here speaking hour after hour, without food, while they are getting food and rest, and thinking they can come back on us at 12 o'clock or 3 or 4 o'clock in the morning and force their will on us.

I am saying, Mr. President, as I stated in my opening remarks, this is a serious issue for us in the South, and we are expendable. So far as I am concerned, I am going to see this fight to the finish, and see that we are treated fairly.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield for a question.

Mr. MAYBANK. I should like to ask the Senator if he intends to mention some of the other important legislation which is also being held up. He mentioned rent control. The distinguished Senator is a member of the subcommittee of the Committee on Appropriations considering the deficiency bill. I should like to ask him if he is going to mention some of the other measures.

Mr. ROBERTSON. In answer to that question, I will say that I am a member of the subcommittee on deficiency appropriations. I know it has been testified to us that some of the agencies are practically out of money. I know the Navajo schools are going to be closed down this month if they do not get more money. I know more money is needed for flood control and disaster relief in the great West, where there were unprecedented snows. I know all those things are pressing, and I know that I and the other Senators from the South who think as I do about the proposed changes in the rules want to act on these measures of relief, and I wish to make crystal clear who is holding up the program, and why they are holding it up. They turned down a fair offer of settlement, when we had the advantage on our side. Some did not say no to the suggestion of ending the fight. Others said, "No, hold out for three-quarters majority." Finally, Mr. President, we authorized our spokesmen to go into conference and bind us on a gentlemen's agreement, after we had given up, given up, given up, with the hope we could have a proposition which would be acceptable to those who had different views.

What happened? As I have already outlined, we thought once they would have a chance to accept it. Probably every Senator on the other side of the aisle agreed to the proposal. Yet those on this side, those who were negotiating, came back at midnight last night and said, "Our terms are unconstitutional surrender." That is why we have to continue fighting. It is because we are not yet ready to surrender, and that is why I am trying to make it clear that if no legislation at all is passed at this session, it will be the fault of those who are trying by these strong-arm tactics to ram unconstitutional measures down our throats, and are preventing the legislation from coming up. We do not have to apologize for that, because we

are forced into a fight not of our choosing.

Mr. President, I wish to continue:

We must not overlook, either, the significance of a statement made in the hearings by the junior Senator from New York [Mr. IVES], who, in discussing the question of cloture by a majority vote or by a two-thirds vote, said:

> Let me get myself straight as to yesterday, so there will be no misunderstanding. I said I definitely believe that every legislative body should be permitted and allowed to control its own actions, its procedures, its techniques, by a majority of its total membership. I said, however, I try to be fairly practical as an operator. Now and then I don't always succeed but I try. I realize the situation with which we are confronted. That is why I joined in this particular resolution, and if you gentlemen won't filibuster this, I will waive my demand at the moment for this majority vote until we get this disposed of.

Please notice those words "at the moment." It is only for the moment that the proponents of this change in the rules are content to continue the requirement of a two-thirds vote. Once that point has been gained and the main rampart of the opposition has been surrendered, they will be quick to press through the breach, if that be necessary, to achieve their purpose of ramming down our throats these unconstitutional civil-rights bills.

I repeat now what I said in closing my testimony before the Rules Committee. Unrestricted debate is at times irksome to me. But the danger to our fundamental institutions in making legislation subject to the passing whims of a temporary majority is so fundamentally dangerous that I can well afford to curb my impatience on those rare occasions when I feel that some colleague is abusing the privilege of freedom of debate.

Mr. President, if the rules of the Senate be changed as contemplated in the pending resolution, one of the measures to be crammed down the throats of southern Senators is a Fair Employment Practice Act. What a fine and noble sounding name. But, as the English poet Coleridge once said: "You pity the plumage but forget the dying bird," namely, American constitutional liberty. In a splendid speech delivered in the Senate on the second, the distinguished senior Senator from North Carolina [Mr. HOEY] cogently discussed the FEPC bill from every angle, including its undesirability and unworkability as well as its unconstitutionality. I shall limit myself to an elaboration of what that distinguished colleague has said concerning the unconstitutionality of the measure.

A Federal statute seeking to prohibit discrimination in employment because of race, religion, color, national origin, or ancestry is unconstitutional in the broadest sense of that word.

It is unconstitutional, from a negative point of view, because no adequate authority for its enactment can be found in the Constitution. It is unconstitutional from a positive point of view because it is violative not only of the whole spirit of that document but also is specifically in violation of the first, fifth, ninth, tenth, and thirteenth amendments.

The treacherous legal ground on which its sponsors find themselves is indicated by their effort in the proposed bill to create a constitutional right by declaration. The majority report made by the Senate committee on S. 984 in the Eightieth Congress contained this statement:

> Section 2 (b) of the bill properly creates a Federal right to be free of discrimination in employment.

Eightieth Congress, second session, Report 951, page 18.

Here is a direct admission that such a right has not existed in the past and an effort is made to justify the act of creation by reference to the Railway Labor Act and the National Labor Relations Act, but no reference is offered to a place in the Constitution where the creation of such rights by act of Congress is authorized.

The supremacy of the Constitution and the limited powers of the legislative branch were stressed by our great Chief Justice John Marshall when he said:

> The question whether an act repugnant to the Constitution can become the law of the land is a question deeply interesting to the United States; but, happily, not of an intricacy proportioned to its interest. It seems only necessary to recognize certain principles, supposed to have been long and well established, to decide it.
>
> That the people have an original right to establish for their future government such principles as, in their opinion, shall most conduce to their own happiness is the basis on which the whole American fabric has been erected. * * *
>
> This original and supreme will organizes the Government, and assigns to different departments their respective powers. It may either stop here, or establish certain limits not to be transcended by those departments.
>
> The Government of the United States is of the latter description.

Mind you, Mr. President, I am still quoting from Chief Justice Marshall. He was close to the founders of our Republic and is known as the great interpreter of the Constitution. He is telling us now what in his opinion was the kind of government we had created.

> The powers of the legislature are defined and limited; and that those limits may not be mistaken, or forgotten, the Constitution is written. To what purpose are powers limited, and to what purpose is that limitation committed to writing, if these limits may, at any time, be passed by those intended to be restrained? * * *
>
> If an act of the legislature, repugnant to the Constitution, is void, does it, notwithstanding its validity, bind the courts, and oblige them to give it effect? Or, in other words, though it be not law, does it constitute a rule as operative as if it was a law? This would be to overthrow in fact what was established in theory; and would seem, at first view, an absurdity too gross to be insisted on.

That, Mr. President, was quoted by Thomas J. Norton in his preface to The Constitution of the United States.

The doctrine that the States alone can deal with civil rights except where power has been specifically delegated to the Federal Government was laid down clearly by the Supreme Court in the *Slaughter-House cases* (16 Wallace 36), in 1872, when it discussed article IV, section 2 of the Constitution and said it "did not create those rights which it calls privilege and immunities of citizens of the States. It threw around them in that clause no security for the citizens of the State in which they were claimed or exercised. Nor did it profess to control the power of the State governments over the rights of its own citizens" (p. 77).

I now come, Mr. President, to a case about which I asked my distinguished friend, the Senator from Louisiana [Mr. ELLENDER] last night. I am sure he will be interested at this point in my discussion of some quotations from the Civil Rights cases, because they are right in line with the splendid remarks he made last night on the powers of the Federal Government to go into a State and control the actions of individuals within it.

The decision I have just quoted from the Slaughter House cases—they happen to be Louisiana cases, by the way—has been reinforced by other decisions such as the Civil Rights cases (109 U. S. 3), decided in 1883 in which the Court illustrated the limitation of congressional powers by saying that although the Constitution prohibited the States from passing any law impairing the obligation of contracts "this did not give to Congress power to provide laws for the general enforcement of contracts, nor power to invest the courts of the United States with jurisdiction over contracts so as to enable parties to sue upon them in those courts"—page 12.

The Court went on to say that the implication of a power of Congress to legislate for the protection of fundamental rights "is based upon the assumption that if the States are forbidden to legislate or act in a particular way on a particular subject, the power is conferred upon Congress to enforce the prohibition"—page 15.

The Court said this assumption "is certainly unsound. It is repugnant to the tenth amendment to the Constitution which declares that powers not delegated to the United States by the Constitution, nor prohibited by it to the States are reserved to the States respectively or to the people"—page 18.

Referring then to the authority conferred by the fourteenth amendment—incidentally, my distinguished colleague from Louisiana in the discussion last night, stated quite fully what could and what could not be hooked onto the fourteenth amendment to take a free ride in this body.

The Court in the Civil Rights cases decision said:

> It is absurd to affirm that because the rights of life, liberty, and property (which includes all the civil rights that men have) are by the amendment sought to be protected against invasion on the part of the States without due process of law, Congress may therefore provide due process of law for their vindication in every case (p. 13).

Later in this discussion I shall have occasion to quote at greater length from these famous cases as I trace the acceptance by the Supreme Court of the doctrine of States' rights, which is involved here, but I mention these particular decisions at this point to illustrate the weakness of the claim to constitutional support for this bill.

It is apparent that the effort is made to support Federal antidiscrimination in

employment legislation by its own constitutional boot straps, because no firmer foundation can be found.

The 1948 Senate committee report did not claim support for it under the thirteenth, fourteenth, or fifteenth amendments but sought to justify it under the interstate commerce clause in article I, section 8 of the Constitution and by broad reference to the treaty-making power and obligations assumed in connection with the Charter of the United Nations.

I hope my friend from Louisiana will get clearly in his mind the first point I make, that in reporting the fair employment-practices bill last year the committee realized that it could not hook it onto the fourteenth amendment, and did not try to do so. That is clearly shown in the report.

Most of this argument misses the mark because it cites cases, with which opponents of the bill need not quarrel, which have involved discrimination on the part of some official agency of the Government or some organization acting under governmental authority.

There can be no denial of the right and obligation of the Federal Government to avoid the practice of discrimination on racial or religious grounds in connection with its own employment policies or of its right to demand similar practices from those with whom it makes contracts. This, however, is quite different from authority to compel private individuals to pursue similar policies in their own business. In doing this the Government would be compelling citizens to enter into employment contracts without their consent and in contravention of the position taken by the Supreme Court in the case of *Baker* v. *Norton* (79 U. S. C. at p. 157) when it said "consent is the very essence of a contract."

The committee report states that—

> Within the acknowledged field of Federal jurisdiction the courts have plainly indicated that action by the Federal Government to prevent discrimination on grounds of race or religion is as valid as action to prevent discrimination on grounds of union affiliation.

But the words to be noted in that assertion are "within the acknowledged field of jurisdiction."

Thus, when a union is protected by Federal law in its right to maintain a closed shop and when it relies on the power of the Federal Government exerted through the National Labor Relations Board to sustain its position, it naturally assumes certain obligations including that of submitting to Federal authority to prohibit discriminatory practices.

Taking this into consideration, we can oppose FEPC legislation as unconstitutional and still accept without quarrel the statement of the court in the case of *Steele* v. *Louisville and N. R. R. Co.* (323 U. S. 192) that—

> Congress, in enacting the Railway Labor Act and authorizing a labor union, chosen by a majority of the craft, to represent the craft, did not intend to confer plenary power upon the union to sacrifice for the benefit of its members, rights of the minority of the craft, without imposing on it any duty to protect the minority (p. 199).

The part of the decision I have quoted was cited in the 1948 committee report. It might have gone further and quoted from the same decision the statement of Chief Justice Stone that—

> The representative (the union) is clothed with a power not unlike that of a legislature which is subject to constitutional limitations on its power to deny, restrict, destroy, or discriminate against the rights of those for whom it legislates and which is also under an affirmative constitutional duty equally to protect those rights (p. 198).

The Court then added:

> We think the Railway Labor Act imposes upon the statutory representative of a craft at least as exacting a duty to protect equally the interest of the members of the craft as the Constitution imposes upon a legislature to give equal protection to the interests of those for whom it legislates (p. 202).

Of course, recognition of the fact that the Court regarded the union as a quasi-public body would have weakened the usefulness of this case to sponsors of an effort to impose legislation on purely private employers.

The FEPC case is weakened still more if we go a little further into this decision and find that, although the Court held that the union was required to perform certain functions as a public duty, the Court did not hold that arbitrary exclusion from membership based solely on racial considerations was in itself an act of discrimination which violated the duty imposed on the union.

On this point the Court stated:

> While the statute does not deny such a bargaining labor organization the right to determine eligibility of its membership, it does require the union * * * to represent nonunion or minority union members of the craft without hostile discrimination * * * and in good faith (p. 204).

In other words, in this case, relied on by advocates of FEPC, the Court affirmed the right of free association on the part of labor-union members—a right which this bill would deny to employers. It compared the union to a legislative body and said that any rules it set up, under protection of Federal law, must be fair to all employees involved. This, of course, is merely in line with the doctrine of the fifteenth amendment, which prohibits discriminatory action by the United States or by States but which makes no pretense of reaching individual action.

Again, we find in the 1948 committee report a quotation from the case styled as *Railway Mail Association* v. *Corsi* (326 U. S. 88) in which the Supreme Court upheld constitutionality of a civil-rights statute of the State of New York and said:

> We see no constitutional basis for the contention that a State cannot protect workers from exclusion solely on the basis of race, color, or creed by an organization functioning under the protection of the State, which holds itself out to represent the general business needs of employees (p. 94).

The inapplicability of this citation to the issue now before us should be doubly plain. In the first place, the Court was talking about State action, not Federal action. The opponents of a Federal FEPC not only admit but insist that if any such plan is to be adopted, it must be on the State level. In the second place, the Court in this case, as in the case of Steele versus Louisville and Nashville Railroad to which I already have referred, stressed the point that it was dealing with an organization which was, in the language of the decision, "functioning under the protection of the State," and "which holds itself out to represent the general business needs of employees." The organization accepted State protection and, just as is the case with public utilities, acceptance of protection or a franchise necessarily involves being subjected to State control.

It is only too evident that if we accept the doctrine of FEPC and allow the Federal Government to intervene in hiring, firing, and promotion arrangements between individual employers and employees, we have yielded one of the basic principles of private enterprise, without which the others might be rendered useless.

But, we can go further than to say that a Federal FEPC cannot be justified by reference to the Constitution. Not only does it lack a positive foundation; it is in direct conflict with the letter and spirit of a large portion of those amendments which are known as the Bill of Rights.

The first amendment states that—

> Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

I yield to no man in my advocacy of the right to religious freedom which Thomas Jefferson did so much to establish in this Nation. If FEPC legislation were necessary to permit a man the freedom to profess and practice his religion without interference, I would support it; but just the opposite is true.

It is noble of the proponents of this political expediency legislation not to seek to destroy all of the Bill of Rights. In Senate bill 984 of the Eightieth Congress they included an exemption for religion, saying that the act shall not apply to any religious or sectarian corporation or association not organized for profit. That at least would prevent a Baptist from bringing suit if he should be denied employment as a teacher in a Catholic school, or a Jew from appealing to the law because he was not hired as a writer of International Sunday school lesson material now used by Protestant churches. But, presumably, no protection would be extended to the operator of a commercial enterprise which found it advisable for business reasons to limit its employees to those of a certain faith or to exclude employees of a particular faith. A merchant, for example, might want to keep his establishment open on Saturday, which is the Sabbath of the Seventh-Day Adventists, and he might object to hiring anyone who would be absent on his busiest week day. Or he might hire someone, but then pass him over for a promotion because of his unwillingness to be on duty on those occasions. That would

constitute a refusal to hire or a discrimination in terms of employment because of religion. The person refused employment or denied promotion could bring a charge, and could compel that employer to go before a commission or ultimately into court to defend himself.

Or suppose the same merchant made no discrimination in hiring, but as a favor to a few of his employees who belonged to a particular faith allowed them to take time off for religious holidays. All the other employees who were not given the time off might claim they were being denied a privilege of employment because of their religion, and they, too, could charge their employer with an unfair labor practice.

It seems evident that a law which could produce such results does constitute legislation by Congress "respecting an establishment of religion," and as such violates the first amendment.

The first amendment also forbids Congress to abridge the right of the people "peaceably to assemble." What is the right of assembly if it is not the right to gather for some purpose, or in other words the right to associate? Association is something which certainly happens between employer and employee. Therefore, to deny an employer the right to choose freely those with whom he will associate in his business is to infringe one of the rights guaranteed him under the first amendment. Later on, when I cite Supreme Court decisions, I shall recur to this point, and shall show that the right of association in business has consistently been recognized as a fundamental right.

This type of legislation—the FEPC bill, I say to the senior Senator from Georgia—also violates the fifth amendment.

When a man engaged in business is required to order his hiring and his promotion of employees in a way that may be unprofitable—and that can easily happen under the provisions of FEPC—he is being deprived of property without due process of law. The amendment says private property shall not be taken for public use without just compensation; but this bill would go even beyond that, and would take property for private use without compensation. The employer also would be deprived of the liberty to pick his associates and to conduct his own business. Again, this arbitrary restraint on the freedom of association would violate another provision of the fifth amendment which says a person shall not be deprived of liberty without due process of law.

The protection against criminal prosecution without a trial by jury, which is guaranteed by the sixth amendment, would also be denied by the section of the proposed FEPC law which would authorize an administrative commission to fine an employer for refusing to hire a particular applicant for employment.

The clearest evidence of the unconstitutionality of this type of legislation is found, however, when we consider the ninth amendment which states:

> The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people,

And the tenth amendment which asserts:

> The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

One of the witnesses at the hearings last year summed up the matter by saying:

> The right to choose employees, friends, associates, spouses, falls under the law of natural selection, a natural right, an unalienable right, a fundamental reserved to man by the tenth amendment and by the ninth retained to him.

As I have suggested previously, and as I shall emphasize again when I come to the citation of cases, the courts have repeatedly held that any power to create a civil right, unless specifically delegated to the United States by the Constitution, has been reserved to the States.

The proponents of public electric power have frankly conceded that the Congress has no power to build and operate a steam plant to serve the general public, if that steam plant has no physical connection with a hydroelectric plant, for the simple reason that the Constitution does not confer such a power upon the Congress. But here we have proposed congressional action of far more serious consequences to private enterprise than a steam plant, for the action here proposed not only has no constitutional authority, but plainly is in violation of that bulwark of our freedom.

Also, in denying the employer the right to choose his employees, and thus compelling him, against his will, to work with those he would not have picked otherwise, the employer is forced into involuntary servitude, in violation of the thirteenth amendment, which forbids involuntary servitude, except as punishment for a crime.

Proof that such an involuntary association in business as would be required under this proposed law might be interpreted as involuntary servitude under terms of the thirteenth amendment may be found in decisions of the Supreme Court. The Court, for example, has held unconstitutional a State law under which a person who was fined for a misdemeanor, and agreeing to do so, was allowed to work out the fine for the surety who paid it for him. This was in the case of *United States* v. *Reynolds* ((1914) 235 U. S. 133). The Court also knocked down, in the case of *Bailey* v. *Alabama* ((1911) 219 U. S. 219), a State law making it a misdemeanor punishable by imprisonment for a person to agree to perform a service and then refuse to do so after receiving a part of the consideration in advance.

Thus the right of an employee not to work unless he chooses to do so, even when he has obligated himself and accepted payment for work to be done, has been clearly established, and it is clear that he cannot be forced into an involuntary association with an employer.

If equal rights under the law is a term that means anything, it should mean that the employer has an equal right not to be coerced into association with an employee against his will. Yet we find that under terms of the proposed FEPC legislation an employer not only can be penalized financially for refusing to employ, but if he opposes, impedes, or interferes with the bureaucrats enforcing the act, he may subject himself to imprisonment.

The fact of the matter is that the type of legislation we are discussing is completely out of harmony with the spirit of the Bill of Rights, despite the effort of its sponsors to label it as "civil-rights legislation."

One of the supporters of Senate bill 984 at the hearings in 1947 referred to the purpose of the first 10 amendments to the Constitution as being to protect the rights of the individual and the States, and then added that the FEPC bill represents "a logical extension and implementation of the rights of the individual citizen safeguarded in the Bill of Rights." A review of the circumstances under which the Bill of Rights became a part of our Constitution will show how erroneous is that conclusion.

In the Virginia ratifying convention Patrick Henry was largely responsible for the assurance given by Madison that at the first session of the National Congress he would offer the first 10 amendments now called our Bill of Rights. He knows not his history who does not know that Patrick Henry was fighting to protect the States and the people from the encroachments of the Federal Government. To say that an FEPC bill will implement the rights for which Patrick Henry was fighting is pure tommy-rot.

The sketchy reports of the debates when the Constitution was being drawn clearly indicate that the arguments over whether a Bill of Rights should be included did not involve the question of the existence of such rights, but centered around whether it was necessary or advisable to set them out specifically in the Constitution. The division, in short, was between those who felt that the Federal Government in the future could be trusted to recognize and respect these individual rights and those who felt, as Jefferson did, that there is a germ of despotism in every government which may multiply if fed on unrestrained power until it corrupts the body politic.

If we go back to the Articles of Confederation, under which the States originally were united, we find article II, reading:

> Each State retains its sovereignty, freedom and independence and every power, jurisdiction and right, which is not by this confederation expressly delegated to the United States, in Congress assembled.

No comparable section is found in any of the plans or drafts for a Constitution submitted to the convention nor in the document which the convention submitted to the Congress on September 17, 1787, but in the convention's letter of transmittal this statement was made:

> It is obviously impracticable in the Federal Government of these States, to secure all rights of independent sovereignty to each, and yet provide for the interest and safety of all. Individuals entering into society must give up a share of liberty to preserve the rest. The magnitude of the sacrifice must depend as well on situation and circumstances as on the object to be obtained. It is at all times difficult to draw with precision the line between those rights which must be surrendered, and those which must be reserved; and

on the present occasion this difficulty was increased by a difference among the several States as to their situation, extent, habits and particular interests.

The Congress, which received the Convention report on September 20, set September 20 as the day on which the new plan would be considered; and when the debate started on that day, objections immediately were raised.

Richard Henry Lee, of Virginia, quoted from a letter from George Mason and agreed with Mason that the Constitution ought to include a Bill of Rights. Lee then proposed a series of amendments.

The Constitution went out to the States without these amendments and ran into a new barrage of criticism. Mason and John Randolph, of Virginia, who submitted the most comprehensive plan on which the Constitution was based, but who had refused to sign the final draft, and Elbridge Gerry of Massachusetts, who also refused to sign, all said they were convinced that unless it could be amended at once it would be a threat to the liberties of America.

The debate in Congress continued into December 1787, with the anti-Federalists arguing that, lacking a Bill of Rights, the Constitution destroyed the sovereignty of the States, while the Federalists said—and this is the point I would emphasize—a Federal Bill of Rights was superfluous, since the States had their own and the States gave up their sovereignty only in matters which no one of them had a right to decide upon.

James Wilson, of Pennsylvania, arguing for the Federalists, said:

> My position is that the sovereignty resides in the people. They have not parted with it; they have only dispensed such portions of it as were conceived primarily for the public welfare. The Constitution stands upon this broad principle.

Wilson extended his argument to the point of saying that the power of the States was inferior to that of the people, who could delegate the supreme power as they saw fit; but he did not pretend that the Federal Government had or could have any authority except that which was specifically delegated to it.

Also, in the State ratifying conventions we find the argument recurring that a Bill of Rights was not necessary because the limited power of the Federal Government was obvious.

Thus, in Connecticut, Richard Law, chief judge of the State's superior court and mayor of New London, said:

> This General Government rests upon the State governments for its support. It is like a vast and magnificent bridge, built upon 13 strong and stately pillars; now the rulers who occupy the bridge cannot be so beside themselves as to knock away the pillars which support the whole fabric.

Ratification was obtained in Massachusetts and New Hampshire only after agreement that amendments to the Constitution would be submitted along with the notice of acceptance.

In South Carolina, Gen. Charles Cotesworth Pinckney met objections by assuring the legislature that the Convention had omitted a Bill of Rights only because these rights already belonged to the people and the power over them had not been granted to the Federal Government either to affirm or withhold.

In Virginia, the leading objectors to the Constitution urged that amendments be submitted and acted on by another Federal convention before ratification. Patrick Henry and George Mason warned of the danger of loss of State and individual rights unless changes were made to protect them. Thomas Jefferson indicated that he would like to see 9 of the 13 States ratify in order to assure the new Government, but that the remaining 4 should hold out for what he considered indispensable amendments, including a Bill of Rights. There was general agreement on the need for amendments, the chief difference being that Federalists in the convention argued that Virginia should ratify and then seek amendments in the manner provided by the Constitution, while the anti-Federalists insisted that amendments should be made before ratification.

When the Virginia convention finally voted for ratification it included in its action a provision that "in order to relieve the apprehensions of those who may be solicitous for amendments," they should be recommended to Congress to be acted upon according to the mode prescribed.

Similar debates occurred in the New York State convention and to aid their cause in that crucial struggle, Alexander Hamilton and John Jay, with the help of James Madison of Virginia, produced the famous Federalist papers to support the cause of ratification. When the final vote was taken it was stated in the motion that New York was ratifying in full confidence that until a second Federal convention should be called for proposing amendments, certain specified State rights claimed by New York should not be interfered with. A circular letter then was sent by the Governor to the Governors of all other States, recommending the calling of this convention. It was agreed by observers that without these concessions favorable action by New York could not have been obtained.

Mr. HILL. Mr. President, will the Senator yield for a question?

Mr. ROBERTSON. I yield for a question.

Mr. HILL. Is it not true that without those concessions the Constitution would never have been ratified and there never would have been an American Republic?

Mr. ROBERTSON. Indubitably. The people would not give up their rights and the States would not give up their sovereignty, and for fear that some future Congress might reach out and grab the personal rights which they clearly intended to reserve to themselves, they insisted that the 10 amendments be adopted. If they had not been adopted there never would have been any American Government.

Mr. HILL. Mr. President, will the Senator further yield?

Mr. ROBERTSON. I yield for another question.

Mr. HILL. Is it not true that George Mason, who was the father of the Virginia bill of rights, which, of course, was the great document from which the Bill of Rights now in the Constitution was drafted, very vigorously opposed ratification, by Virginia, of the Federal Constitution because he was fearful that Congress, under the Federal Constitution, might in some way invade or do violence to those rights?

Mr. ROBERTSON. The Senator is absolutely correct. Patrick Henry, as I have said, opposed it. As a matter of fact, Mr. President, the debate in Richmond lasted for days, and when the final vote came the proponents of the Constitution won by a majority of only eight votes. Two ancestors of mine were present, and I am glad to say that they voted to ratify. But there was a majority of only eight votes.

Mr. HILL. Mr. President, will the Senator yield for a further question?

Mr. ROBERTSON. I yield for a question.

Mr. HILL. The Senator speaks of ratification winning by only eight votes in the Virginia convention. Is it not true that in most of the State conventions the vote was very close?

Mr. ROBERTSON. I so understand. It would not have been ratified at all but for the repeated assurances of Madison, Hamilton, and others that they would have a Bill of Rights spelled out. They did not want to call a new convention. They wanted to do it in the manner provided in the Constitution itself—for Congress to adopt the amendments and submit them to the States for ratification.

Mr. HILL. Mr. President, will the Senator yield for another question?

Mr. ROBERTSON. I yield.

Mr. HILL. The truth is, is it not, that the Bill of Rights embodied in the first 10 amendments was, for all practical purposes, a part of the original Constitution?

Mr. ROBERTSON. At the first session of the Congress it was promptly ratified, and it is really part and parcel of the whole. It was not put in originally, according to the opinions of some persons in Philadelphia, because they did not think anyone would ever claim that the Federal Government would have a right to interfere with the rights of the States or of the citizens of the States.

Some of the arguments used in the Federalist papers to obtain favorable action on the Constitution in New York are especially significant when we examine the constitutionality of the type of legislation now under consideration.

In the Federalist No. 17, for example, Hamilton referred to fears that allowing the Federal Government to deal directly with individual citizens might render the Government of the Union too powerful and, as he said, "enable it to absorb those residuary authorities, which it might be judged proper to leave with the States for local purposes."

Hamilton then went on to say it was improbable that there would exist a disposition of the Federal councils to usurp such powers as regulation of the "mere domestic police of a state," or of—and note these words, "Private justice between the citizens of the same State," because, Hamilton said, "the attempt to exercise those powers would be as troublesome as it would be nugatory; and the possession of them, for that reason, would

contribute nothing to the dignity, to the importance, or to the splendor of the National Government."

Again, in the 39th Federalist Madison pointed out that the proposed government would be partially national and partially federal in its functioning. He said that although it would be national in the operation of its powers it would be federal in the extent of its authority.

He said:

The idea of a national government involves in it not only an authority over the individual citizens, but an indefinite supremacy over all persons and things, so far as they are objects of lawful government. Among a people consolidated into one nation, this supremacy is completely vested in the national legislature. Among communities united for particular purposes, it is vested partly in the general and partly in the municipal legislatures.

In the former case, all local authorities are subordinate to the supreme; and may be controlled, directed or abolished by it at its pleasure. In the latter, the local or municipal authorities form distinct and independent portions of the supremacy, no more subject, within their respective spheres, to the general authority, than the general authority is subject to them within its own sphere.

In this relation, then, the proposed government cannot be deemed a national one; since its jurisdiction extends to certain enumerated objects only, and leaves to the several States a residuary and inviolable sovereignty over all other objects.

An even more specific assurance that the powers of the Central Government would be strictly limited was given in the 45th Federalist, written by Madison, who said:

The powers delegated by the proposed Constitution to the Federal Government are few and defined. Those which are to remain in the State governments are numerous and indefinite. The former will be exercised principally on external objects, as war, peace, negotiation and foreign commerce; with which last the power of taxation will, for the most part be connected. The powers reserved to the several States will extend to all the objects which, in the ordinary course of affairs, concern the lives, liberties, and properties of the people, and the internal order, improvement and prosperity of the State.

It was in response to such arguments as these that the people of the various States, in their conventions, ratified the Constitution, but with a general understanding that it would be promptly amended.

The attitude of the time was well expressed in the North Carolina convention, which refused to ratify until acceptance by nine States already had made the Constitution effective. In that convention William Goudy is reported to have said:

I care not whether it (the Constitution) be called a compact, agreement, covenant, bargain or what. Its intent is a concession of power on the part of the people to their rulers. We know that private interest governs mankind generally. Power belongs originally to the people, but if rulers are not well guarded, that power may be usurped from them. People ought to be cautious about giving away power. * * * If we give away more power than we ought, we put ourselves in the situation of a man who puts on an iron glove, which he can never take off till he breaks his arm. Let us beware of the iron glove of tyranny.

And so I say to the Senate today, we should beware of the concealing aspect of the title of "Civil Rights" on this legislation, and recognize that it covers the mailed glove of tyranny.

Returning to the background of the Bill of Rights, we find that the amendments demanded by the various State conventions were proposed by the first session of the Congress which met in 1789, and some of the things said in the debate while they were under consideration may be illuminating to this discussion.

James Madison, urging immediate consideration of the amendments on June 8, 1789, was reported as saying that unless this were done the people "may think we are not sincere in our desire to incorporate such amendments in the Constitution as will secure those rights, which they consider as not sufficiently guarded."

Madison also referred to the "anxiety which prevails in the public mind," and said:

It appears to me that this House is bound by every motive of prudence, not to let the first session pass over without proposing to the State legislatures some things to be incorporated into the Constitution, that will render it as acceptable to the whole people of the United States, as it has been found acceptable to a majority of them.

He added:

I wish that those who have been friendly to the adoption of this Constitution may have the opportunity of proving to those who were opposed to it that they were as sincerely devoted to liberty and a republican government as those who charged them with wishing the adoption of this Constitution in order to lay the foundation of an aristocracy or despotism. It will be a desirable thing to extinguish from the bosom of every member of the community, any apprehensions that there are those among his countrymen who wish to deprive them of the liberty for which they valiantly fought and honorably bled.

Madison said there still were a great many who were dissatisfied with the Constitution, but who might join in supporting federalism if they were satisfied on one point, and "we ought not to disregard their inclination, but, on principles of amity and moderation, conform to their wishes, and expressly declare the great rights of mankind secured under this Constitution."

Enlarging on this point, he said:

I believe that the great mass of the people who opposed it (the Constitution), disliked it because it did not contain effectual provisions against encroachments on particular rights, and those safeguards which they have been long accustomed to have interposed between them and the magistrate who exercises the sovereign power.

Madison then outlined the proposed amendments, which at first were intended for insertion in the body of the Constitution itself. The original form of the proposals which eventually became the ninth and tenth amendments is particularly interesting, as indicating the thinking of Madison and others who helped to design the form of our Government.

Instead of the ninth amendment, as we know it, reading: "The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people," the proposal offered by Madison read:

The exceptions here or elsewhere in the Constitution, made in favor of particular rights, shall not be construed as to diminish the just importance of other rights retained by the people, or as to enlarge the powers delegated by the Constitution; but either as actual limitations of such powers, or as inserted merely for greater caution.

That language was not adopted, but I suspect that if Madison and his colleagues had realized the length to which the loose-constructionists would go in attempting to construe the rights of the Federal Government, under such parts of the Constitution as the interstate-commerce clause, as permitting control under a wage-and-hour law over every phase of business activity, they would have been more insistent on the original language, which spelled out the fact that the enumeration of certain rights must not be construed as enlarging powers delegated by the Constitution, but were intended to limit such powers.

In the case of the tenth amendment, changes in language were made to make more plain the fact that it was directed against the Federal Government. Thus, as proposed by Madison, this amendment read:

The powers not delegated by this Constitution, nor prohibited by it to the States, are reserved to the States respectively.

As adopted this was altered to read:

The powers not delegated to the United States by this Constitution—

Inserting the words "to the United States"—

nor prohibited by it to the States, are reserved to the States respectively, or to the people.

Adding the phrase "or to the people."

In his argument Madison said he had never considered a bill of rights so essential to the Constitution as to make it improper for the States to ratify the instrument without such an addition, but that he did think it would serve a useful purpose. He pointed out that the Magna Carta was designed to protect the British people against the power of the Crown, rather than the legislative branch of the Government and said:

Although I know that whenever the great rights, the trial by jury, freedom of the press, or liberty of conscience, come in question in that body (the British Parliament) the invasion of them is resisted by able advocates, yet their Magna Carta does not contain any one provision for the security of those rights, respecting which the people of America are most alarmed. The freedom of the press and rights of conscience, those choicest privileges of the people, are unguarded in the British Constitution.

But—

Madison continued—

although the case may be widely different, and it may not be thought necessary to provide limits for the legislative power in that country, yet a different opinion prevails in the United States. The people of many States have thought it necessary to raise

barriers against power in all forms and departments of government, and I am inclined to believe, if once bills of rights are established in all the States as well as the Federal Constitution, we shall find that although some of them are rather unimportant, yet, upon the whole, they will have a salutary tendency.

Mr. President, we should not forget that those who formed our Government were not too far removed from ordinary power to fear it. I have just been reading from James Madison, who probably knew more about what went into the Constitution and what it meant than anyone else connected with its formation. Certainly his contributions to the Federalist papers were the most valuable anyone made. Practically all we know about what went on in the Constitutional Convention was through his notes, which were merely memoranda he happened to keep. The official minutes were destroyed because the officials were afraid some reporter, some newspaper commentator, or someone else would find out what was going on and would put an account of it in all the newspapers, and the Colonies would never agree on it; that such a row would be stirred up in the Colonies they never could get together on anything. So all the notes of what was going on were destroyed. They would not let any of them go out. They would swear everyone to secrecy. But the point I want to emphasize is that those who framed the Constitution, and said that the Bill of Rights was not to be put into it because they did not believe anyone would challenge those rights, finally said, "Well, all the States have such provisions in their constitutions, and we will put the Bill of Rights in the Federal Constitution. It may never be necessary, but it certainly will do no harm and may do some good."

Mr. President, consider what that now means. Suppose they had not put the Bill of Rights into the Constitution. If they had not done so, we could not stop the FEPC with any power in the world. Brute pressure behind it would run right over us. Those sponsoring the FEPC would not ask for any specific grant of power. If we did not have the negative provisions of the Bill of Rights in the Constitution, those who favor FEPC would claim some fantastic rights and have Congress enact legislation to implement them. Thank goodness we have the Bill of Rights in the Constitution, which gives us freedom of religion, freedom of association, freedom to contract—all spelled out in the Constitution.

Mr. President, if the Members of this distinguished body will only examine the debates and take the trouble to read the cases I am now going to cite, I believe they will be impressed. Many Senators are not taking the trouble to remain on the floor, and I perhaps cannot blame them for that, but I hope they will read the RECORD. I am placing this discussion in the RECORD for a definite purpose. I do not want any Member of this body to say, "I did not know that was the law." I am placing cases in the RECORD which are the law, which have been checked and double checked, and I will vouch for the accuracy of the quotations and the accuracy of the style of the cases and the page numbers.

If Senators want to draw definite conclusions, let them try to do so, or if they want to find some other case which they claim hold differently from the case I shall cite, let them try to find them. But in all seriousness I ask the Members of this distinguished body at least to make a sincere effort to study the question of the unconstitutionality of FEPC before they try to rush us into a vote on that subject. If they make such an effort I am convinced they will agree with me that not only is there no authority in the Federal Government for Congress to take this action—and I have tried to make it plain that we should not undertake to take any action for which we do not have authority—but in a number of different respects our right to take it is absolutely denied, because we would be encroaching upon specific rights which the founding fathers definitely tried to leave to the people.

Discussing the nature of a Bill of Rights, Madison said:

> In some instances they assert those rights which are exercised by the people in forging and establishing a plan of government. In other instances they specify those rights which are retained when particular powers are given up to be exercised by the legislature. In other instances they lay down dogmatic maxims with respect to the construction of government; declaring that the legislative, executive, and judicial branches shall be kept separate and distinct. Perhaps the best way of securing this in practice is to provide such checks as will prevent the enrichment of the one upon the other.

I pause to say that I think that is a rather apt phrase, because during my 16 years of service in the Congress I have observed more than one instance of the executive branch of the Government trying to enrich itself in power, influence, and prestige at the expense of the other two coordinate branches of the Government.

James Madison continued thus:

> But, whatever may be the form which the several States have adopted in making declarations in favor of particular rights, the great object in view is to limit and qualify the powers of government.

Note, now, the contrast between the statement of proponents of FEPC that it is "a logical extension and implementation of the rights of the individual citizens safeguarded in the Bill of Rights," and the statement of Madison, sponsor of the Bill of Rights as proposed in the First Congress, who said "the great object in view is to limit and qualify the powers of government."

Continuing the quotation from the debate in Congress on the Bill of Rights amendments, Madison said:

> The great object in view is to limit and qualify the powers of government, by excepting out of the grant of powers those cases in which the Government ought not to act, or to act only in a particular mode.

Continuing his discussion, Madison said:

> In our Government it is perhaps, less necessary to guard against the abuse of the executive department than any other; because it is not the strongest branch of the system, but the weaker: It therefore must be leveled against the legislative, for it is the most powerful, the most likely to be abused, because it is under the least control.

That is what we are up against right now in this rules fight. It is to keep the legislative branch, which Madison said was the most powerful branch of the Government, from abusing power because, as he said, it is under the least control.

Mr. STENNIS. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER (Mr. WITHERS in the chair). Does the Senator from Virginia yield to the Senator from Mississippi?

Mr. ROBERTSON. I yield.

Mr. STENNIS. With reference to Mr. Madison's warning against encroachment of one department upon the other would the Senator mind giving us the benefit of his comparison of conditions then, when the Government was small, when the budget was small, when the Nation was small, with those of the present time, when the Government is operating under a $40,000,000,000 budget, when our country contains 145,000,000 people, and the distance between the west coast and the east coast is 3,000 miles. Does the Senator think Madison's warnings are more important now, in view of changed conditions, or does he think they are less important?

Mr. ROBERTSON. I will state to my friend from Mississippi that if Thomas Jefferson, James Madison, and the other founding fathers could come back to this mundane existence they would be simply shocked at the size of our Government and they would marvel at the wisdom they had shown in starting that small experiment in representative democracy, in trying to balance the power of the judiciary, the legislative, and the executive branches, and in establishing the method of circumscribing through the medium of Congress, the overweening power of the Federal Government, to encroach upon the States, to limit and regulate the activities of the individual, to take about 25 or 30 percent out of all he earns, and say, "We know better what to do with it than you do. We are going to take it from you and we are going to spend it." Oh, if the spending were for defense, for the Post Office Department, and other activities which the Federal Government alone can undertake, it would be one thing.

Mr. President, I make the prediction that the 25 or 30 percent of nondefense spending which is now a small part of our present budget, can alone involve us if present trends are not stopped in an annual expenditure of from forty to fifty billion dollars a year, and break our backs financially, for the simple reason that there is a demand from pressure groups for the Federal Government to do this, that, and the other immediately affecting the individual—something which was never contemplated by Madison, Jefferson, or any of the other founding fathers. But it seems to be popular to do for the individual things which cost money. The tendency seems to be for liberals to

be liberal in the spending of other people's money. It seems to help win elections if promises are made to do this, that, and the other, which when it was organized it was never contemplated the Government would do, and then the heat is turned on Congress to come through with a performance of such promises.

We are facing here a political promise. The promise was, "We are going to give you antilynching legislation, anti-poll-tax legislation, and FEPC legislation," which is the one which I am now discussing, and which is the worst of all. Every one of these measures is unconstitutional. They are political promises born of political expediency, and involve a change in our rules for their passage, and ultimately the undermining of the primary functions, duties, and safeguards of a representative government.

Let me go back to what Madison said:

In our government it is, perhaps, less necessary to guard against the abuse of the executive department than any other; because it is not the strongest branch of the system, but the weaker: It therefore must be leveled against the legislative, for it is the most powerful, the most likely to be abused, because it is under the least control.

Thus, according to Madison, we should look to our Bill of Rights as a fortress against the abuse of legislative power and not as a source of authority to invade the field of personal liberties with regulative authority.

Discussing, as he had done in some of the Federalist papers, the theory of our Constitution, Madison said that some had argued that a Bill of Rights was not necessary in the Federal Constitution—

Because the powers are enumerated, and it follows that all that are not granted by the Constitution are retained; that the Constitution is a bill of powers, the great residuum being the rights of the people; and, therefore, a Bill of Rights cannot be so neecssary as if the residuum was thrown into the hands of the Government.

Madison then said:

It is true the powers of the General Government are circumscribed, they are directed to particular objects; but even if Government keeps within those limits, it has certain discretionary powers with respect to the means, which may admit of abuse to a certain extent, in the same manner as the powers of the State governments under their constitutions may to an indefinite extent; because in the Constitution of the United States there is a clause granting to Congress the power to make all laws which shall be necessary and proper for carrying into execution all the powers vested in the Government of the United States, or in any department or officer thereof; this enables them to fulfill every purpose for which the Government was established. Now, may not laws be considered necessary and proper by Congress, for it is for them to judge of the necessity and propriety to accomplish those special purposes which they may have in contemplation, which laws in themselves are neither necessary nor proper?

That statement is so appropriate to the subject under discussion that Madison might almost have been imagining the situation in which we find ourselves today. Members of Congress are interested in a laudable purpose, which is guaranteeing to every resident of the United States the civil rights to which he is entitled. Since this is an objective which is in itself justified by our Constitution, we find them resorting to the reserved powers of government which permit the making of all laws necessary to carry into execution the powers vested in the Government and its officers. But, as Madison foretold, we find them turning to laws, "which laws in themselves are neither necessary nor proper." On the contrary, these laws would in themselves violate the right of the States to control their internal affairs and the rights of individual citizens to associate and do business with one another.

Madison hoped that the limitations of the Constitution would be so clearly recognized that a Bill of Rights would not be necessary to deal with such a situation, but he also saw the danger, and so he advised that the Bill of Rights be adopted as an extra safeguard.

In the course of the debate from which I have been quoting, on June 8, 1789, Mr. Vining, of Delaware, said that a Bill of Rights was unnecessary in a government deriving all its powers from the people and said the matter was sufficiently covered by the statement in the preamble that "we the people do ordain and establish."

In contrast with this was the viewpoint of Mr. Gerry, of Massachusetts, who pointed out in the debate on July 21 that 7 of the 13 States had thought the Constitution very defective, yet, he said, "five of them had adopted it with a perfect reliance on Congress for its improvement."

The concern of the people of the United States at the time the first Congress was considering the Bill of Rights amendments also was indicated on August 13 when Mr. Lee, of Virginia, asked the House to consider the report of the committee to which they had been referred and Mr. Page said he hoped the House would agree to the motion of his colleague without hesitation, "because he conceived it essentially necessary to proceed and finish the business as speedily as possible; for whatever might be the fact with respect to the security which the citizens of America had for their rights and liberties under the new Constitution, yet unless they saw it in that light, they would be uneasy, not to say dissatisfied."

Madison agreed with his colleagues, asking, "Is it desirable to keep up a division among the people of the United States on a point in which they consider their most essential rights are concerned?"

Mr. Page then went further and said he "was positive the people would never support the Government unless their anxiety was removed." He begged the House to "consider the importance of the number of citizens who were anxious for amendments. If these had been added to those who openly opposed the Constitution," he said, "it possibly might have met a different fate."

Mark the meaning of those words. If those who were uneasy about the failure of the Constitution to spell out a Bill of Rights, and fearful that the promises that such a provision if inserted would not be carried out had been added to those who were openly and positively opposed to the Constitution for those and other reasons, he said he did not think the Constitution would have been adopted. So he begged his colleagues in the House, in the first session, when he was complying with the promise he had made to Patrick Henry, Madison, and others in the Virginia ratifying convention, "Let us adopt the Bill of Rights. Let us remove this anxiety, this uneasiness, for fear that we may stir up a sentiment throughout the Nation of hostility to the Government."

Mind you, the Federal Government was then weak. It was the States that were strong then, not the Congress, not the President, not the judiciary. It was the States that were strong. At the time those words were spoken Virginia was the largest State in the Union. Forty years after the Nation was formed Virginia had more Members in the House of Representatives on the basis of population than any other State in the Union. Madison knew the intense feeling in Virginia and that his State was essential not only to forming the new Government but making it successfully function for the preservation of personal rights, privileges, and freedoms. He left no stone unturned to carry out his promise to put the first 10 amendments into the Constitution, and he got them in. But here we are trying to change the rules of the Senate so as to lay a foundation for removing from the Constitution those pledges of rights to the people, as though we were going to make the people more loyal to their Government and make democracy function better. To please the fancies and whims of a relatively small minority, are we going to say to approximately 140,000,000 citizens, "You thought you had certain rights under the Bill of Rights and under the various provisions of the Constitution, but we have decided that we are not going to let you enjoy them, but we are going to give you a real taste of bureaucracy at the higher levels, and will tell whom you can employ and with whom you can associate and how you can transact your business."

Mr. President, how tragic it is to make any such proposals to the people of this country at a time when democracy all over the world is being challenged, and when our greatest hope for being able to meet that challenge successfully depends on two things: First, to remain solvent; and second, to make our democracy at home function successfully. I say those are the two things we need in order to meet this challenge. But the present proposal would make that impossible.

The quotation from Madison, to which I have just referred, is an assertion that, in effect, our Government owes its very creation and existence to the assurances given in the Bill of Rights. Those assurances were to protect the people against too much government and against the type of meddling which the FEPC represents.

Lee's motion to take up the amendments carried, and the first one coming from the committee proposed that—

In the introductory paragraph of the Constitution before the words, "We the people,"

add: "government being intended for the benefit of the people, and the rightful establishment thereof being derived from their authority alone."

Here again we see the working of minds fearful of too much government, insisting that the very first words used in setting up our National Government specify unequivocably not only that it was intended for the benefit of the people, but that the right to establish it was derived from their authority alone.

As the debate continued the next day, August 14, Mr. Gerry objected to the wording "government being intended for the benefit of the people," because he said it held up an idea that all governments of the earth were intended to benefit the people. Gerry said:

I am so far from being of this opinion, that I do not believe that one out of fifty is intended for any such purpose. I believe the establishment of most governments is to gratify the ambition of an individual who, by fraud, force, or accident, has made himself master of the people.

Mr. Page said he saw no need of changing the preamble because—

The words "We the people" had the neatness and simplicity, while its expression was the most forcible of any he had ever seen prefixed to any Constitution.

He said he did not doubt the truth of the proposition brought forward by the committee, but he doubted the necessity for it in this place.

Mr. Sherman, of Connecticut, agreed with this viewpoint. He said:

The people of the United States have given their reasons for doing a certain act. Here we propose to come in and give them a right to do what they did on motives which appeared to them sufficient to warrant their determination; to let them know that they had a right to exercise a natural and inherent privilege, which they have asserted in a solemn ordination and establishment of the Constitution. Now, if this right is indefeasible and the people have recognized it in practice, the truth is better asserted than it can be by any words whatever. The words "We the people" in the original Constitution are as copious and expressive as possible; any addition will only drag out the sentence without illuminating it.

There is a point which I think may also be applied quite directly to the proposed FEPC bill. As I previously pointed out, section 2 (b) of Senate bill 984 seeks to create by assertion a Federal right to be free of discrimination in employment. If such a right exists under our Constitution, it can, as Mr. Sherman said of the preamble phrases, be exercised without being spelled out in the bill. But, on the other hand, if such a right does not exist, no amount of wordage in a bill passed by the Congress can create it.

On August 15, 1789, the House took up another proposed amendment which, as it came from the committee, read:

The freedom of speech and of the press and the right of the people peaceably to assemble and consult for their common good and to apply to the Government for redress of grievances shall not be infringed.

Mr. Tucker, of South Carolina, moved to insert the phrase "to instruct their Representatives," and touched off an extended debate on the proper role of legislators in our Government.

Mr. Jackson, of Georgia, opposed the Tucker proposal, saying he favored the right of the people to assemble and consult for the common good but not the power to instruct their Representatives. He said:

If we establish this as a right, we shall be bound by those instructions; now, I am willing to leave both the people and the Representatives to their own discretion on this subject. Let the people consult and give their opinion; let the Representative judge of it; and if it is just, let him govern himself by it as a good Member ought to do; but if it is otherwise, let him have it in his power to reject their advice.

Now we are getting back to the question of mandate, Mr. President. In the last few months we have heard a great deal about who got what kind of a mandate. We see that that subject was being discussed in those early days; they were discussing the question of whether they would have a mandate from the people or whether as chosen Representatives they were to listen to them and then use their own best judgment in regard to what should be done.

Then the Representative from Georgia continued with an observation that is worthy of our particular attention today. He asked:

What may be the consequence of binding a man to vote in all cases according to the will of others? He is to decide upon a constitutional point, and on this question his conscience is bound by the obligation of a solemn oath; you now involve him in a serious dilemma. If he votes according to his conscience, he decides against his instructions; but in deciding against his instructions, he commits a breach of the Constitution, by infringing the prerogative of the people, secured to them by this declaration. In short, it will give rise to such a variety of absurdities and inconsistencies, as no prudent legislature would wish to involve themselves in.

Mr. President, was not that rather good advice, away back in the First Congress? Here we are asked to change the rule so as to permit the passage of a civil-rights bill, so that someone can carry out a mandate, as he construed it, of his constituents—a mandate, in his opinion, for the passage of an FEPC bill, which thus would violate his oath to maintain the Constitution, because the bill would be unconstitutional.

Our leaders are attempting to force that on us in the name of democracy, and are charging us with delaying this matter and with keeping the rent-control bill and the other necessary bills from being acted upon. The absurdity of their position should be too apparent to require comment; but they will not stay here and listen.

O Mr. President, I see that the majority leader has just entered the Chamber. I thank him for coming in, and I hasten to add that I was just talking about him.

Madison reemphasized the point to which I just referred, asking: "Suppose they instruct a Representative, by his vote, to violate the Constitution, is he at liberty to obey such instructions?"

It is important for us to remember that this proposal to allow the people to instruct their Representatives in the Congress was not inserted in our Constitution.

We hear talk from time to time of a "mandate from the people," as a result of an election, for their Representatives to vote a certain way, and some of those who have supported FEPC and other so-called civil-rights legislation have claimed to be acting on such a mandate.

As Madison and others brought out so forcibly in their discussion more than a century and a half ago, when a man has taken a solemn oath to support and defend the Constitution of the United States, there can be no such thing as a mandate to violate that oath. And the duty of supporting the Constitution cannot be brushed lightly aside on the ground that we can pass any law we choose and let the Supreme Court pass on its validity.

Abraham Lincoln put it bluntly when he said:

No man who has sworn to support the Constitution can conscientiously vote for what he understands to be an unconstitutional measure, however expedient he may think it.

Going back to Madison and the debate from which I have been quoting, we find he said:

My idea of the sovereignty of the people is that the people can change the Constitution if they please; but while the Constitution exists, they must conform themselves to its dictates. But I do not believe the inhabitants of any district can speak the voice of the people; so far from it, their ideas may contradict the sense of the whole people; hence the consequence that instructions are binding on the Representative is of a doubtful, if not a dangerous, nature.

Somewhat later in the debate, on August 21, when an amendment was under discussion that would have taken away the power of Congress to alter the time, manner, or place of holding elections, Mr. Gerry emphasized another point that has current application. He pointed to the possibility that the National Government, if in arbitrary hands, might abolish the secrecy of the ballot and order elections at remote places, and then said:

Gentlemen will tell me that these things are not to be apprehended; but if they say that the Government has the power of doing them, they have no right to say the Government will never exercise such powers, because it is presumable that they will administer the Constitution at one time or another with all its powers; and whenever that time arrives, farewell to the rights of the people, even to elect their own Representatives.

That is the attitude we must take toward this proposal to allow a Government agency to pass on the propriety of every act of hiring, firing, or promotion, or demotion by an employer. It is said that a Federal fair employment commission would rely on persuasion and negotiation and education and conciliation. But, the fact remains, as Mr. Gerry said, that when we give any authority to the Government we must assume that at one time or another all its powers will be used and, when that

time arrives, "farewell to the rights of the people."

Thus, when we examine the thinking of the men who determined the phrasing of our Bill of Rights amendments, the wording of the amendments themselves that the Federal Government is prohibited from assuming powers where interference with personal liberty is involved becomes unmistakably clear.

The same attitude may be found in the words of the great justices of our Supreme Court who have interpreted the Constitution from the time of its adoption down to the present.

Some of the decisions bearing on the points at issue here have been briefly mentioned; I shall now show in some historical sequence the development and reiteration of the idea that ours is a government of strictly limited powers and that the limitations apply most forcibly where relations between individuals are concerned.

In doing this, I want to acknowledge my appreciation to Dean F. D. G. Ribble, of the University of Virginia Law School, and four student members of the Board of the Virginia Law Review, John Izard, Jr., of Biltmore, N. C.; Eugene B. Thomas, Jr., of Moodus, Conn.; Edward M. Selfe, Jr., of Huntington, W. Va.; and Robert F. Morton, of Teaneck, N. J., for their assistance in finding and checking some of the citations I shall use.

Mr. President, I have previously said, when my distinguished and beloved friend, the Senator from Oregon [Mr. MORSE] was not present to hear it—I am so happy that he is here now—that the court decisions which I shall now quote, to show, as I believe, beyond the peradventure of a doubt, the unconstitutionality of the FEPC bill so ably sponsored by the Senator from Oregon, have been checked and double checked, and they are accurate. I hope the Senator will read them and that he will go over to the Library of Congress and check them for himself.

From the time our Government was established there have been, of course, two schools of thought as to the way the Constitution should be applied. At the beginning we had the Federalists, headed by Alexander Hamilton, who believed in a strong Central Government, and the anti-Federalists, headed by Thomas Jefferson, who saw the need for keeping the States as an effective buffer against encroachment on individual liberty.

On the Supreme Court, our great Chief Justice John Marshall took a broad view of the authority of the Federal Government as shown by his statement in summing up the case of *Gibbons* v. *Ogden* (9 Wheat. 1, 211) in 1824 when, in speaking of State powers which "interfere with, or are contrary to the laws of Congress," he said:

> In every such case, the act of Congress, or the treaty is supreme; and the law of the State, though enacted in the exercise of its powers not controverted, must yield to it.

But it also was Chief Justice Marshall who made the statement I previously quoted, and stressed the supremacy of the Constitution as guardian of the rights of the people, when he said:

> The powers of the legislature are defined and limited; and that those limits may not be mistaken, or forgotten, the Constitution is written.

Thus he asserted that regardless of the comparative authority of Federal and State governments in a particular situation, the limits of governmental authority are fixed by the Constitution itself.

A more restrictive view of the powers of the Federal Government than that taken by Marshall, especially in the field of regulating commerce, was taken by Chief Justice Taney, who in 1847 said:

> A State regulates its domestic commerce, contracts, the transmission of estates, real and personal, and acts upon all internal matters which relate to moral or political welfare. Over these subjects the Federal Government has no power.

That is good Maryland law, as well as Federal law.

> They appertain to State sovereignty as exclusively as powers exclusively delegated appertain to the General Government. (The *License cases*, 5 How. 504, 588.)

Now certainly if the theory of Taney—that a State acts upon all internal matters which relate to moral or political welfare—is accepted, there can be no question but what FEPC legislation would be invalid. It may be argued that Taney's doctrine has been vitiated by later decisions, but it was firmly grounded on the Constitution and, as I shall show by later citations, has been approved by many distinguished later occupants of the bench.

As a matter of fact, we find Chief Justice Marshall saying, in the case of *Ogden* v. *Sanders* (12 Wheat. 331, 356):

> Individuals do not derive from government their right to contract, but bring that right with them into society; that obligation is not conferred on contracts by positive law, but is intrinsic. This results from the right which every man retains to acquire property, to dispose of that property according to his own judgment, and to pledge himself for a future act. These rights are not given by society but are brought into it (p. 345).

Again, in 1852, in the case of *Philadelphia & Reading R. Co.* v. *Derby* (14 Howard 486, 487) we find the Court saying:

> The rule of "respondeat superior," or that the master shall be civilly liable for the tortious acts of his servants, is of universal application (p. 486). * * * Nothing but the most stringent enforcement of discipline, and the most exact and perfect obedience to every rule and order emanating from a superior, can insure safety to life and property (p. 487).

It is evident that if you take away from an employer, through some such device as FEPC legislation, the right to determine whom he shall employ, you deprive him of the freedom of selection which is necessary if he is to be held responsible for the acts of his employees.

In so doing, we would fly in the face of the Supreme Court, which stated in the case of *Baker* v. *Norton* (79 U. S. 157) that "consent is the very essence of a contract."

In 1872 the Supreme Court decided a group of cases which have been reported under the title of the *Slaughterhouse cases* (16 Wallace 36). I mentioned them earlier this afternoon. The rule laid down in these cases as to the limitations of the fourteenth amendment has been accepted by the Court ever since that time.

The State of Louisiana had passed a law to regulate slaughterhouses near New Orleans and suit was brought on the ground that this law discriminated against certain citizens who had previously engaged in business and that it, therefore, violated the fourteenth amendment.

In its analysis of the amendment, which occupies more than a hundred pages of the report, the Court discussed the meaning of the term "privileges and immunities," as used in article IV, section 2, of the Constitution, which says:

> The citizens of each State shall be entitled to all the privilegs and immunities of citizens of the several States.

It then said that the term "embraces nearly every civil right for the establishment and protection of which organized government is instituted," but added that these rights, "which are fundamental," have always been held to be "the class of rights which the State governments were created to establish and secure."

Please bear that in mind. Some persons get all steamed up over the question of civil rights. They want Congress to do something about the subject. But if they want to act in a constitutional way, if they will simply read the clear and unmistakable decisions of our Supreme Court, they will find that, straight down through the years, the Court has held that the Bill of Rights was a restraint upon the Congress and did not enlarge the rights of Congress; that the purpose of the Bill of Rights was to preserve our liberties and not to give them away. If there is to be any action of any kind by the Government to enforce rights between individuals, it must be at the State or local level. The Federal Government cannot legally do it.

The Court continued:

> The constitutional provision there alluded to did not create those rights, which it calls privileges and immunities of citizens of the States. It threw around them in that clause no security for the citizen of the State in which they were claimed or exercised. Nor did it profess to control the power of the State governments over the rights of its own citizens.
>
> Its sole purpose was to declare to the several States that whatever those rights, as you grant or establish them to your own citizens, as you limit or qualify, or impose restrictions on their exercise, the same, neither more nor less, shall be the measure of the rights of citizens of other States within your jurisdiction (p. 77).

Turning then to the fourteenth amendment, the Court asked:

> Was it the purpose of the fourteenth amendment, by the simple declaration that no State shall make or enforce any law which shall abridge the privileges or immunities of the citizens of the United States to transfer the security and protection of rights which we have mentioned to the Federal Government? And where it declared that Congress shall have the power to enforce that article, was it intended to bring within the power of

Congress the entire domain of civil rights heretofore belonging exclusively to the States? (p. 77).

Rejecting such an interpretation of the amendment, the Court said:

The argument, we admit, is not always the most conclusive which is drawn from the consequences urged against the adoption of a particular construction of an instrument. But when, as in the case before us, those consequences are so serious, so far-reaching and pervading, so great a departure from the structure and spirit of our institutions, when the effect is to fetter and degrade the State governments by subjecting them to the control of Congress in the exercise of powers heretofore universally conceded to them of the most ordinary and fundamental character, when in fact it radically changes the whole theory of the relations of the State and Federal Governments to each other and of both these Governments to the people, the argument has a force that is irresistible in the absence of language which expresses such a purpose too clearly to admit of doubt (p. 78).

The Court said it did not see in the thirteenth, fourteenth, and fifteenth amendments "any purpose to destroy the main features of the general system" of our Government.

The opinion concluded:

Under the pressure of all the excited feeling growing out of the war, our statesmen have still believed that the existence of the States with powers for domestic and local government including the regulation of civil rights, the rights of person and of property was essential to the perfect working of our complex form of government, though they have thought proper to impose additional limitations on the States and to confer additional power on that of the Nation.

But whatever fluctuations may be seen in the history of public opinion on this subject during the period of our national existence we think it will be found that this Court, so far as its functions required, has always held with a steady and an even hand the balance between State and Federal power, and we trust that such may continue to be the history of its relation to that subject so long as it shall have duties to perform which demand of it a construction of the Constitution or of any of its parts (p. 82).

Mr. President, I sat on this floor last year and heard a distinguished Senator argue for the passage of an anti-poll-tax bill in defiance of the clear language of the Constitution and contrary to all the decisions of the Supreme Court on that subject, and say, "If we put the weight of our decision behind the passage of that bill, the Supreme Court will not dare to turn us down," or words to that effect. I have just read from a decision of the Supreme Court which said it had a responsibility to do what? I am reading from the Court when they did turn them down, when they said they had a responsibility "to hold with a steady and even hand the balance between State and Federal power."

In 1875, 3 years after the Slaughter-House cases had been decided, the Court faced the question of State or Federal responsibility for action of one individual against another individual, and clearly indicated the unconstitutional nature of such legislation as that we are now considering.

In the case of *United States* v. *Cruickshank* (92 U. S. 542) the defendant was indicted for conspiracy under the Enforcement Act of 1870, which made it a crime for two or more persons to band or conspire together to injure, oppress, threaten, or intimidate any citizen, preventing him from exercising rights secured to him by the Constitution. The particular right involved in this case was the right to vote in a Louisiana election, but the analogy to the claimed right to demand employment is clear. In the case of the statute involved in the Cruickshank case, as in the proposed FEPC bill, the purpose is to punish an individual for acts committed against another individual presumably when both are within the jurisdiction of the same State.

In rendering the decision of the Court in the Cruickshank case, Chief Justice Waite said:

The fourteenth amendment prohibits a State from depriving any person of life, liberty, or property without due process of law, or from denying to any person equal protection of the law, but this provision does not add anything to the rights of one citizen as against another. It simply furnishes an additional guaranty against any encroachment by the State upon the fundamental rights which belong to every citizen as a member of society (p. 554).

The duty of protecting all its citizens in the enjoyment of an equality of rights was originally assumed by the States, and it remains there. The only obligation resting upon the United States is to see that the States do not deny the right. This, the amendment guarantees but no more. The power of the National Government is limited to the enforcement of this guaranty (p. 555).

It might also be noted that when the Cruickshank case was tried in the circuit court—Federal Cases No. 14897—Mr. Justice Bradley said:

It (the fourteenth amendment) is a guaranty against the acts of the State government itself. It is a guaranty against the execution of arbitrary and tyrannical power on the part of the government and legislation of the State, not a guaranty against the commission of individual offenses; and the power of Congress, whether express or implied, to legislate for the enforcement of such a guaranty does not extend to the passage of laws for the suppression of crimes within the States.

Nothing could be clearer than that, unless a man does not want to see.

The enforcement of the guaranty does not require or authorize Congress to perform the duty that the guaranty itself supposes to be the duty of the State to perform (p. 710).

This statement was quoted with approval by Mr. Justice Woods, of the Supreme Court, 7 years later, when he delivered the decision in the case of *United States* v. *Harris* (106 U. S. 629). In this case the Court reaffirmed the doctrine that action by one citizen against another individual was not properly within the purview of the Constitution. Dealing with a case in which citizens of Tennessee were indicted under a Federal statute for the crime of lynching, the Court declared the statute was unconstitutional, and made this assertion:

A private person cannot make constitutions or laws, nor can he with authority construe them, nor can he administer or execute them. The only way, therefore, in which one private person can deprive another of the equal protection of the laws is by the commission of some offense against the laws which protect the rights of persons, as by theft, burglary, arson, libel, assault, or murder. If, therefore, we hold that section 5519 is warranted by the thirteenth amendment, we should, by virtue of that amendment, accord to Congress the power to punish every crime by which the right of any person to life, property, or reputation is invaded.

Look where they are going to hit us. The Court has just said, "If you give them power to punish a man because he does not employ somebody according to the whims of a Federal bureaucrat, you have conferred on the Federal Government, by implication, the power to take charge of criminal action in any State between any persons." Certainly that would be an astounding change in our form of government. But this is the step which leads up to it, just as if it should be said that "hereafter every offense committed in every State and Territory of the United States is a crime against the Federal Government, to be punished only in a Federal court, prosecuted only by Federal prosecutors, heard by Federal judges, and handled by the Federal marshals and the FBI, and that hereafter no State court or local court or justice of the peace shall have any jurisdiction to step in and take over." It is just as logical as the FEPC, because that is what the Court has said. Are we going to give them the FEPC? God forbid. I do not think we are.

The Court proceeded to say:

Thus, under a provision of the Constitution which simply abolished slavery and involuntary servitude, we should, with few exceptions, invest Congress with power over the whole catalogue of crimes. A construction of the amendment which leads to such a result is clearly unsound (p. 643).

If the Court was right in that statement, how much more unsound would be a construction of the Constitution or its amendments which would permit the Congress, as it proposed in the FEPC bill, to create a right by fiat, and then undertake to go into the sovereign States to protect that newly created right.

I think we can say of this proposal, as the Court said in the Harris case:

The section of the law under consideration is directed exclusively against action of private persons, without reference to the laws of the State or their administration by her officers; we are clear in the opinion that it is not warranted by any clause of the fourteenth amendment to the Constitution (p. 640).

The following year, 1883, another important decision which has a bearing on this discussion was given by the Court in the so-called *Civil Rights cases* (109 U. S. 3, 25). The statements made in this decision are particularly significant, because the Court was then composed almost entirely of men who were friendly to the fourteenth amendment, who had been appointed from States which did not secede. It could hardly be charged, therefore, that they had a bias in favor of States' rights or against the Federal Government.

In the Civil Rights cases the Court held unconstitutional a Federal statute passed in 1875 providing that anyone who

denied equal privileges in hotels, boarding houses, theaters, public conveyances, and public amusements to another citizen because of his race or color was guilty of a penal offense. That comes pretty close to the FEPC, or antidiscrimination, or something of that kind.

After raising the question of whether Congress had the constitutional power to make such a law, Mr. Justice Bradley stated:

Of course no one will contend that the power to pass it was contained in the Constitution before the adoption of the last three amendments. The power is sought, first, in the fourteenth amendment, and the views and arguments of distinguished Senators, advanced whilst the law was under consideration, claiming authority to pass it by virtue of that amendment, are the principal arguments adduced in favor of the power.

That, too, sounds a little familiar. If we pass an FEPC act, and it goes to the Court, as of course it will, the chief reliance of those who would sustain the act will be the arguments advanced by those who made a campaign issue of it and said, "You elect us and we will support FEPC." Those arguments will be advanced in that case, just as such arguments were advanced in the height of the reconstruction period, 10 years after the War Between the States was over, when the civil-rights statute was enacted, under which no one could deny a former slave service or accommodations in a hotel or a restaurant or anything of that kind.

Now listen to more of what the Court said:

We have carefully considered those arguments, as was due to the eminent ability of those who put them forward, and have felt, in all its force, the weight of authority which always invests a law that Congress deems itself competent to pass (p. 10).

I would like to emphasize those words of the Court, because they suggest the grave responsibility that rests upon us in this debate. We cannot simply say that we will pass the law because we approve of its objectives and let the Supreme Court determine whether or not it is constitutional. We must recognize that other Justices, as Mr. Justice Bradley said he did in the Civil Rights cases, will feel the "weight of authority which always invests a law that Congress deems itself competent to pass."

I continue to quote from Justice Bradley's decision in the Civil Right cases:

But, the responsibility of an independent judgement is now thrown upon this Court; and we are bound to exercise it according to the best lights we have. The first section of the fourteenth amendment (which is the one relied on), after first declaring who shall be citizens of the United States and of the several States, is prohibitory in its character and prohibitory upon the States. It declares that, "No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws."

It is State action of a particular character that is prohibited. Individual invasion of individual rights is not the subject matter of the amendment (pp. 10 and 11).

Note that, please:

Individual invasion of individual rights is not the subject matter of the amendment.

What amendment is being talked about? None other than the fourteenth amendment, which is relied upon when the claim is made that something should be done to break up discrimination.

Then the Court continued.

It has a deeper and broader scope. It nullifies and makes void all State legislation and State action of every kind which impairs the privileges and immunities of citizens of the United States or which injures them in life, liberty, or property without due process of law, or which denies to any of them the equal protection of the law. To adopt appropriate legislation for correcting the effects of such prohibited State laws and State acts and thus to render them ineffectual, null, void, and innocuous. This is the legislative power conferred upon the Congress and this is the whole of it.

It does not invest Congress with power to legislate upon subjects which are within the domain of State legislation, but to provide modes of relief against State legislation, or State action, of the kind referred to. It does not authorize Congress to create a code of municipal law for the regulation of private rights, but to provide modes of redress against the operation of State laws and the action of State officers, executive or judicial, when these are subversive to the fundamental rights specified in the amendment.

Positive rights and privileges are undoubtedly secured by the fourteenth amendment, but they are secured by way of prohibition against State laws and State proceedings affecting those rights and privileges, and by power given to the Congress to legislate for the purpose of carrying such prohibition into effect; and such legislation must necessarily be predicated upon such supposed State laws or State proceedings and be directed to the correction of their operation and effect (pp. 11–12).

The Court cited several previous cases in support of this viewpoint and then continued:

An apt illustration of this distinction may be found in some of the provisions of the original Constitution. Take the subject of contracts for example. The Constitution prohibited the States from passing any law impairing the obligation of contracts. This did not give the Congress power to provide laws for the general enforcement of contracts, nor power to invest the courts of the United States with jurisdiction over contracts so as to enable parties to sue upon them in those courts. It did, however, give the power to provide remedies by which the impairment of contracts by State legislation might be counteracted and corrected; and this power was exercised (p. 12).

Remember that in this case the Court was considering legislation which was claimed, just as FEPC is, to be for the preservation of civil rights and to prevent discrimination against minorities.

The decision stated:

If this legislation is appropriate for enforcing the prohibitions of the amendment, it is difficult to see where it is to stop.

I cannot underscore that in the RECORD, but I can repeat it.

It is difficult to see where it is to stop.

Perhaps some do not want it to stop. I am satisfied that our safety and our defense is the absence of any such law as this. We do not want to let such a thing get started. If it does not get started we will not have to worry about where it is going to stop.

I read further from the decision:

Why may not Congress, with equal show of authority, enact a code of laws for the enforcement and vindication of all rights of life, liberty, and property? If it is supposable that the State may deprive persons of life, liberty, or property without due process of law (and the amendment itself does suppose this) why should not Congress proceed at once to prescribe due process of law for the protection of every one of these fundamental rights in every possible case, as well as to prescribe privileges of inns, public conveyances, and theaters? The truth is that the implication of a power to legislate in this manner is based upon the assumption that if the States are forbidden to legislate or act in a particular way on a particular subject, the power is conferred upon Congress to enforce the prohibition. This gives Congress power to legislate generally upon that subject, not merely power to provide modes of redress against such State legislation or action.

The assumption is certainly unsound. It is repugnant to the tenth amendment to the Constitution which declares that powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively or to the people (pp. 14–15).

Still further emphasizing its viewpoint of the restriction of Federal powers, the Court said in this decision:

Civil rights, such as are guaranteed by the Constitution against State aggression, cannot be impaired by the wrongful acts of individuals unsupported by State authority in the shape of laws, customs, or judicial or executive proceedings. The wrongful act of an individual, unsupported by any such authority, is simply a private wrong, or a crime of that individual; an invasion of the rights of the injured party it is true, whether they affect his person, his property, or his reputation; but if it is not sanctioned in some way by the State and not done under State authority, his rights remain in full force and may presumably be vindicated by resort to the laws of the State for redress (p. 17).

It is absurd—

Mr. Justice Bradley said—

to affirm that because the rights of life, liberty, and property (which includes all the civil rights that men have) are by the amendment sought to be protected against invasion on the part of the States without due process of law, Congress may therefore provide due process of law for their vindication in every case (p. 13).

This decision, from which I have quoted at such length, was delivered 66 years ago, but it is still sound doctrine, as is indicated by the fact that it was cited by the Supreme Court with approval in a 1948 case from which I shall quote before I have finished.

In the case of *Plessy* v. *Ferguson* (163 U. S. 537) holding that separate railroad accommodations for white and colored passengers were permissible, the Supreme Court said:

Legislation is powerless to eradicate racial instincts * * * and the attempt to do so can only result in accentuating the difficulties of the present situation (p. 551).

I cannot underscore that in the RECORD, but it is so fundamentally sound and true

that I can at least read it over again. I do not do so merely for the purpose of taking extra time, but simply to emphasize it:

> Legislation is powerless to eradicate racial instincts * * * and the attempt to do so can only result in accentuating the difficulties of the present situation (p. 551).

The Court in this case cited the statement of Justice Bradley in the Civil Rights case that—

> It would be running the slavery argument into the ground to make it apply to every act of discrimination which a person might see fit to make as to the guests he will entertain or as to the people he will * * * deal with in other matters of intercourse or business (p. 543).

That certainly seems to apply to what is proposed in the FEPC bill.

The Court also said:

> In determining the question of reasonableness it is at liberty to act with reference to the established usages, customs, and traditions of the people (p. 550).

It said, too, in the Plessy against Ferguson case:

> The argument also assumes that social prejudices may be overcome by legislation and that equal rights cannot be secured to the Negro except by an enforced commingling of the races. We cannot accept this proposition (p. 551.).

If any Member of this distinguished body can accept that proposition, let him go back to the RECORD of last week and read the fine speech by the senior Senator from North Carolina [Mr. HOEY]. He told how the State of North Carolina is taking care of the interests of the colored people of that State without intermarriage and without commingling of the races. He described the feeling of brotherhood and the aim of general welfare. He told how a certain colored man had gone into business and had become the foremost insurance man in North Carolina. He was president of a bank and in all sorts of businesses. The same man wrote an article, which will be found in the February or March issue of the Reader's Digest, telling how fairly he had been treated. To all other colored peoored people anywhere in the United States, he said:

> There are greater opportunities in the South now than there were when I was a boy. Come down South if you want to be fairly treated and get ahead.

I return to what the Court said:

> In determining the question of reasonableness it is at liberty to act with reference to the established usages, customs, and traditions of the people.

In deciding the case of *United States* v. *Joint Traffic Association* (171 U. S. 505) the Court emphasized the limitation placed by the Constitution as a whole on the rights growing out of the commerce clause. The Court said:

> The power to regulate commerce has no limitation other than those prescribed in the Constitution. The power, however, does not carry with it the right to destroy or impair those limitations and guaranties which are also placed in the Constitution or in any of the amendments to that instrument (p. 571).

Another statement which seems most applicable in our present discussion was that made by Mr. Justice Holmes in the case of *Davis* v. *Mills* (194 U. S. 451) when he said:

> Constitutions are intended to preserve practical and substantial rights, not to maintain theories (p. 457).

The idea that the considerations which cause a businessman to choose his associates can be limited or eliminated by a Federal statute without doing serious damage to our whole economic and social structure is a theory, and clearly it is damaging to those practical and substantial rights which our Constitution was intended to preserve.

Then, in 1908, we come to the case of *Adair* v. *United States* (208 U. S. 161) in which the Supreme Court upheld the right of an employer to contract with his employees or their representatives without governmental interference.

In this decision Mr. Justice Harlan made this quotation from Cooley on Torts:

> A part of every man's civil rights is that he be left at liberty to refuse business relations with any person whatsoever, whether the refusal rests upon reason, or is the result of whim, caprice, prejudice, or malice; with his reasons neither the public nor the persons have any legal concern. It is also the right of the individual to have business relations with anyone with whom he can make contracts, and if he is wrongfully deprived of his right by others, he is entitled to redress (p. 173.)

Making his own comment on this point, Justice Harlan said:

> The employer and employee have equality of right, and any legislation that disturbs that equality is an arbitrary interference with the liberty of contract which no government can justify in a free land (p. 175).

Certainly it cannot be successfully argued that there is equality of right under a law which may compel an employer to hire an individual whom he does not choose to hire, but which does not require the employee to accept employment from an employer who is not to his liking for reasons of race, religion, or anything else.

The Court in the Adair case also said:

> It is not within the function of Government * * * to compel any person in the course of his business and against his will to accept or retain the personal services of another or to compel any person, against his will, to perform personal services for another (p. 174).

In discussing the applicability of the commerce clause in this case, Justice Harlan said:

> We need scarcely repeat what this court has more than once said, that the power to regulate interstate commerce, great and paramount as that power is, cannot be exerted in violation of any fundamental right secured by other provisions of the Constitution (p. 180).

It must be admitted, of course, that the attitude of the court in its interpretation of the commerce power has changed during the last 30 years, and that the doctrine of the Adair case, as doctrine, has been largely destroyed.

But the statements made by Justice Harlan still stand as logical argument; and it must be remembered that in his dissenting opinion in the Adair case, Mr. Justice Holmes pointed out that the law prohibiting discrimination against union members involved a very limited interference with the freedom of contract.

In justification for this law, Holmes argued:

> The section is in substance, a very limited interference with freedom of contract, no more. It does not require the carriers to employ anyone. It does not forbid them to refuse to employ anyone, for any reason they deem good, even where the notion of a choice of persons is a fiction and wholesale employment is necessary upon general principles that it might be proper to control (p. 191).

Thus, Mr. President, it cannot be assumed on the basis of this statement that the great liberal Justice Holmes would have approved a law such as FEPC which would result in requiring that an individual be hired, because this obviously is more than a very limited interference with freedom of contract.

To determine whether the commerce power is limited by the fifth amendment, we must balance the loss of individual liberty against the benefit resulting to interstate commerce. If the benefit to commerce is great and the loss of liberty quite small, it might logically be argued that the action is constitutionally justifiable, although we must remember, as the Chinese philosopher said, "One step begins a journey of a thousand miles." But if the benefit to commerce is small, and the loss of personal liberty to the employer great, the fifth amendment should be invoked to prevent the denial of due process of law.

I think it is notable that in the arguments for FEPC bills, although authority has been claimed at times under the commerce clause of the Constitution, no accompanying effort has been made to prove its value to interstate commerce.

Mr. President, I threw out that suggestion to the proponents of the FEPC measures. If they wish to defend it under the interstate commerce clause of the Constitution, they had better be prepared to show how much more prosperous and how much better off everyone would be because of the enactment of an FEPC law. It would not be sufficient to show that the minority in whom the proponents are interested would be better off, but the burden would be upon them to show that everyone—the employer and the general public—would be better off. If an FEPC law would help interstate commerce, let them show it if they can. But, Mr. President, they cannot do so, to save their lives.

Mr. President, there have been some generalized statements that discrimination in employment depresses wages for minority groups and, therefore, cuts mass-purchasing power and constricts the market for goods and services in general. It would be difficult to prove, however, that FEPC would not have an exactly identical result. When an employer denies employment, taking into consideration racial or religious grounds, he is not likely to do it simply for his own pleasure or through malice, but rather

because it seems to his economic advantage. If an employer is forced to hire persons who would lower the profit capacity of his business because of their disrupting effect on employee morale, or because of some other reason, it stands to reason that his ability to offer high wages will be decreased, along with his profits, and the total contribution to commerce will be less than if he were permitted to build his organization in the most efficient manner.

In connection with our discussion of the limited extent to which the Federal government might be justified in interfering with freedom of contract, as defended by Justice Holmes, it may be interesting to examine some statements made by an attorney who made a study of the court decisions from the standpoint of one who favored further extension of Federal powers.

Mr. President, now I shall quote from an attorney who tried to work up a case for the FEPC law; he is in favor of it 100 percent. Writing in the National Bar Journal, in the issue for June 1945, under the title "Individual Invasion of Individual Rights," Mr. Loren Miller, a member of the Kansas and California bars, and one of the board of editors of that journal said:

> One of the anomalies of our constitutional system is the professed inability of the courts to find legal safeguards to protect individuals against invasion or deprivation of their rights by so-called private persons or groups.

Writing as one who obviously deplored this state of affairs, the author of the article recalled some of the statements which I have cited from the Civil Rights cases, and reviewed later decisions he had found supporting the same viewpoint.

Then he said:

> It may be safely asserted that political subdivisions cannot bar Negroes from employment by law or ordinance but private employers, even when engaged on public works, may do so at will in the absence of legislation. Similarly, labor unions have long exercised the right of barring Negroes from membership on the basis of race even when by the device of closed-shop contracts this discrimination deprived Negroes of all opportunity to work or where their right to represent employees was regulated by legislation.

Mr. President, I think one of the familiar instances of what he was discussing was the attitude of the railroad brotherhoods. We in the South know that in the days when railroad engines were fired by the manpower method, and the firemen would have to stoop over and shovel coal into the hot fire every few minutes, there was no objection to having a colored man serve as fireman on a railroad engine. But he never was able to go any higher in employment; he did not get to be engineer or to be conductor on the train. That situation still prevails. But the proponents of FEPC would change all that, if we let them change the rules of the Senate so that they can then have these bills brought and considered.

Mr. EASTLAND. Mr. President, will the Senator yield for a question at this point?

Mr. ROBERTSON. I yield for a brief question.

Mr. EASTLAND. The situation the Senator mentioned in regard to Negro firemen prevails in the North as well as in the South; does it not?

Mr. ROBERTSON. Absolutely; it is the case all over the United States. There can be no question about that. There are a number of unions that will not even let Negroes become members.

I am trying to argue, not that it is right for them to do that, but that if there is to be law on the subject, it must be a law enacted by the States; such a law is clearly beyond the jurisdiction of the Federal Government. I understand that New York has such a law, but that no serious effort is made to enforce it. I may be misinformed as to that, but that is what I have generally understood. I have been told that in New York they do not dare to enforce it vigorously; but even there it has caused some trouble and some dislocation. But I am not challenging the right of New York to have such a law; on the contrary, I am saying that if there are to be any regulations, that is where they must be. In other words, this writer went on to say:

> The list of permissible discriminations under the individual-invasion-of-individual-rights doctrine could be extended, but enough has been said to indicate that, so long as the State remains silent and does not require a discrimination by reason of race, color, or other unwarranted classification, the citizen is without judicial protection and, even in the event the State does overstep bounds, all the courts can do, or will do, is to strike down the offending rule, regulation, or law.

In support of this statement he cited the 1914 decision of the Supreme Court in the case of *McCabe* v. *Atchison Ry. Co. et al.* (235 U. S. 151).

This writer found some comfort in recent court decisions forbidding discrimination by unions which had exclusive bargaining rights and concluded his article by advocating just such a dangerous doctrine as has been advanced in support of FEPC—that the broad and underlying social effects of contemplated discrimination be stressed and the courts be urged to look at the end sought to be achieved rather than ground their decisions on the means used.

In other words, our courts should admit that the end justifies the means, constitutional or not.

But, returning to our review of Supreme Court decisions, we find that in 1915 the doctrine of the Adair case, was affirmed in the case of *Coppage* v. *Kansas* (236 U. S. 1) and that in this case Mr. Justice Holmes expressed his approval of establishing "equality of position between the parties in which liberty of contract begins."

In the case of *Buchanan* v. *Worley* (245 U. S. 60), the Court said:

> Property is more than the mere thing which a person owns. It is elementary that it includes the right to acquire, use and dispose of it. The Constitution protects these essential attributes of property (p. 74).

I wish my distinguished friend from Minnesota were present. I feel he needs a little education along this line. The question of civil rights and personal rights, has been dinned into his ears so long, that he needs to hear what the Court is saying. I hope the Senator will read it some of these days. I am afraid he will not; but I shall keep on reading what the Court says.

But, a man forced to hire an employee against his will is deprived of his right to use the property represented by his business.

In the Buchanan case, which dealt with property restrictions, Mr. Justice Day also said:

> That there exists a serious and difficult problem arising from a feeling of race hostility which the law is powerless to control, and for which it must give a measure of consideration, may be freely admitted. But its solution cannot be promoted by depriving citizens of their constitutional rights and privileges (pp. 80–81).

The decision in this case was modified in part in the case of *Shelley* v. *Kraemer*, (334 U. S. 1) which was decided last year, but as I shall show when I come to that case the court still maintained the principle of preserving individual property rights.

Again, in the case of *Wolff Packing Co.* v. *Court of Industrial Relations* (262 U. S. 522) Chief Justice Taft said of the Kansas Industrial Court Act: I am happy the distinguished Senator from Ohio is on the floor. I hope he will do me the honor of listening to what his illustrious father said in this case:

> It curtails the right of the employer on the one hand and of the employee on the other to contract about his affairs. This is part of the liberty of the individual protected by the guaranty of the due-process clause of the Fourteenth Amendment. While there is no such thing as absolute freedom of contract, and it is subject to a variety of restraints, they must not be arbitrary or unreasonable. Freedom is the general rule and restraint the exception (p. 534).

And, in rendering the decision in the case of *Truax* v. *Corrigan* (257 U. S. 312), Chief Justice Taft also said:

> The broad distinction between one's right to protection against a direct injury to one's fundamental property right by another who has no special relation to him and one's liability to another with whom he establishes a voluntary relation under a statute, is manifest upon its statement (p. 329).

Mr. President, I want to read that again to make sure the full import of what the great Chief Justice said is fully grasped:

> The broad distinction between one's right to protection—

How is he to be protected? By an FEPC?

> The broad distinction between one's right to protection against a direct injury to one's fundamental property right by another who has no special relation to him and one's liability to another with whom he establishes a voluntary relation under a statute is manifest upon its statement.

Continuing, Chief Justice Taft said:

> The legislative power of a State can only be exerted in subordination to the fundamental principles of right and justice (p. 329). * * * Our whole system of law is predicated on the general fundamental principles of equality of application of the

law (p. 332). * * * The Constitution was intended—its very purpose was—to prevent experimentation with the fundamental rights of the individual (p. 338).

I am going to read that again for emphasis, because it was the pronouncement of a former President of the United States, made by him as the Chief Justice of the Supreme Court of the United States. He said:

The Constitution was intended—its very purpose was—to prevent experimentation with the fundamental rights of the individual.

Oh, no, FEPC would not experiment any—oh, no. The sponsors say, "Just give us a chance to try it"; and then they use persuasive, smooth talk. They say, "We have never put anybody in jail; we never proceed against him criminally; we would never levy a fine. Oh, no; we merely want to put that in the law in case we had to deal with some really tough man. But in most of the cases we are merely going to talk to him nicely. Everything will be worked out. Just pass the law. We are not going to experiment with the fundamental rights of the individual."

In the case of *United States* v. *Wheeler* (254 U. S. 281), in which the successful argument was presented by Mr. Charles E. Hughes, who subsequently became Chief Justice, the decision of the Supreme Court cited once more, with approval, that part of the decision in the Slaughter House cases which asserted—

Mark you, Mr. President—

it would be the vainest show of learning to attempt to prove by citations of authority that up to the adoption of the recent amendments no claim or pretense was set up that those rights depended on the Federal Government for their existence or protection beyond the very few express limitations which the Federal Constitution imposed upon the States—such, for instance, as the prohibition against ex post facto laws, bills of attainder, and laws impairing obligation of contracts. But, with the exception of these and a few other restrictions, the entire domain of the privileges and immunities of citizens of the States, as above defined, lay within the constitutional and legislative power of the States and without that of the Federal Government (p. 298).

I wish to repeat that, because I am sure some of my distinguished colleagues do not follow that point in the recent decision, which says, "the entire domain of the privileges and immunities of citizens of the States, as above defined lay"—where?—"within the constitutional and legislative power of the States." And what authority does not have jurisdiction? I shall answer that merely by continuing the quotation of the exact language of the Court—"and without that of the Federal Government."

Again, in 1923, in the case of *Federal Trade Commission* v. *Raymond Bros.* (263 U. S. 573) the Supreme Court, citing a number of its previous decisions, said:

It is the right "long recognized," of a trader engaged entirely in private business, freely to exercise his own independent deal (p. 573).

That sounds very plain. The theory now is that we may pass legislation in conflict with that opinion, and put the weight of our influence behind it, send it to the Court, and the Court will wipe out that ruling. It is said the Constitution does not mean that any more, that it is entirely different from what we thought it was; it means something else entirely. That is the theory of some persons.

Three years later, in the case of *Corrigan* v. *Buckley* (271 U. S. 323) the Court, speaking through Mr. Justice Sanford, upheld once more the rule that the fifth and fourteenth amendments were inapplicable to individual action.

The Court said:

Under the pleadings in the present case, the only constitutional question involved was that arising under assertions in the motion to dismiss that the indenture or covenant which is the basis of the bill is void and that it is contrary to and forbidden by the fifth, thirteenth, and fourteenth amendments. This contention is entirely lacking in substance or color of merit (pp. 329–330).

The fifth amendment is a limitation only upon the powers of the General Government and is not directed against the action of individuals. The thirteenth amendment denouncing slavery and involuntary servitude—that is, a condition of enforced compulsory service of one to another—does not in other matters protect the individual rights of persons of the Negro race. And the prohibitions of the fourteenth amendment have reference to State action exclusively, and not to any action of private individuals (p. 330).

Mr. President, I have been quoting decisions from the earliest days of the Supreme Court, and I shall wind up with one of last year, which says, in effect, that if the Constitution means anything at all, it means that the Federal Government has not and cannot acquire the right to control actions between individuals. There is an unbroken line of decisions to that effect. I challenge any lawyer in this body or anywhere else to disprove that statement. Yet, Mr. President, some Senators urge Senators, who have so recently stood at the desk and taken an oath to support the Constitution, to vote for a bill which is clearly unconstitutional, as well as so disruptive of the mores of the South that I do not see how they can reconcile the two positions.

The Court, in the case which I have just cited, repeated and accepted the statement from the Civil Rights cases that "individual invasion of individual rights is not the subject matter of the—fourteenth—amendment"—page 330.

In 1930 the Court once more indicated the limited nature of interference with individual rights which it would approve when, in the case of *Texas, N. & O. Ry.* v. *Brotherhood* (281 U. S. 548) it said:

The Railway Labor Act of 1926 does not interfere with the normal exercise of the right of the carrier to select its employees or to discharge them. The statute is not aimed at this right of the employers, but at the interference with the right of employees to have representatives of their own choosing (p. 571).

Then, in 1937, in the case of *N. L. R. B.* v. *Jones & Laughlin Steel Corp.* (301 U. S. 1), the Court asserted:

The (labor relations) act does not interfere with the normal exercise of the right of the employer to select its employees or to discharge them. The employer may not, under cover of that right, intimidate or coerce its employees with respect to their self-organization and representation, and on the other hand, the Board is not entitled to make its authority a pretext for interference with the right of discharge when that right is exercised for other reasons than such intimidation and coercion (pp. 45–46).

In other words, the limited restrictions permitted are aimed at abuse of the employers' rights and not at negation of those rights.

As Mr. Justice Brandeis said in the case of *Senn* v. *Tile Layers Protective Union* (301 U. S. 468): "A hoped-for job is not property guaranteed by the Constitution" (p. 482).

And, Chief Justice Hughes, in the case of *N. L. R. B.* v. *Fan Steel Metal Corp.* (306 U. S. 240), spoke of a company's "normal right to select its employees" (p. 259).

Renewed emphasis was given to the Civil Rights cases, from which I have quoted, in 1940 when the Circuit Court of Appeals, Fifth Circuit, cited them in the case of *Powe* v. *United States* (109 F. 2d 147) and stated:

Neither the fourteenth amendment nor any other part of the Constitution put the matters of conspiracies of individuals touching such matters within the power of Congress, but only gave power to correct wrong action by the State or its officers.

This was in 1940. We are getting down very close to what was said just 1 year ago.

The reasoning of these cases so opposed by some dissents is full and convincing, and the conclusion reached as to the effect upon Federal power of the fourteenth amendment has stood for more than 2 generations (p. 150).

Mind you, Mr. President, that was in 1940. I shall bring it up to date before I conclude.

The stamp of approval was placed on the circuit court's holding in this case when the Supreme Court denied certiorari by a memorandum decision (309 U. S. 679).

That became the law immediately.

In 1940, in the case of *Perkins* v. *Lukens Steel Co.* (310 U. S. 113), the Supreme Court, in upholding the Walsh-Healey Act, said:

Like private individuals and businesses—

Note well those opening words—

Like private individuals and businesses, the Government enjoys unrestricted power to produce its own supplies, to determine those with whom it will deal, and to fix the terms and conditions upon which it will make needed purchases (p. 127).

Thus the court recognized that private individuals and businesses do have the right of unrestricted power to decide with whom they shall deal.

Mr. President, I digress there to say that I think the court went pretty far when it sustained, as an incident of the right of the Government to do business, putting into effect a special labor law for the few who had Government contracts before the war, and then carried it further to all who received contracts during the war, when a man either did business for the Government or he went out of business. I now understand that the Walsh-Healey Act is to be further

amended so as to provide that no one shall have a contract with the Government unless he will guarantee an annual wage to every employee in his plant. That will be carrying the power of the Government very far. Fortunately, we shall have an opportunity to look that over and maybe talk about it a little bit, if the rules of the Senate are not changed too drastically before that becomes a part of the Walsh-Healey Act.

Now I shall return to the decisions of the court bearing directly on the point at issue.

The court then pointed out that the act's purpose was "to impose obligations upon those favored with Government business," but said:

The act does not represent an exercise by Congress of regulatory power over private business.

That is what the Court says, but I do not agree with it.

In this legislation the Congress did no more than instruct its agents who were selected and granted final authority to fix the terms and conditions under which the Government will permit goods to be sold to it (pp. 128–129).

Mr. President, I wonder what the Court will say if we pass a law requiring all employees, whether working on Government contracts or not, to be placed on an annual-wage basis, and whether we exercise any regulatory power over the business or not. I shall await the outcome with interest.

The conflict between the Bill of Rights and attempts to interfere with individual liberty was pointedly referred to by Mr. Justice Jackson in the case of *West Virginia Board of Education* v. *Barnette* (319 U. S. 624), in which he said:

The very purpose of a Bill of Rights was to withdraw certain subjects from the vicissitudes of public controversy—

I am quoting one of the real liberals, and I hope every Senator will pay strict attention to what he says, because no one can challenge the statement that Mr. Justice Jackson is a liberal—

to place them beyond the reach of majorities, and officially to establish them as legal principles to be applied by the courts. One's right to life, liberty, and property, to free speech, a free press, freedom of worship and assembly, and other fundamental rights, may not be submitted to vote; they depend on the outcome of no elections (p. 638). * * * If there is any fixed star in our national constellation, it is that no official, high or petty, can prescribe what shall be orthodox in politics, nationalism, religion, or other matters of opinion, or force citizens to confess by word or act their faith therein (p. 642).

Now, how shall we square that statement with a law which would permit petty officials to prescribe the way in which an employer should select those who will work for him?

In the Barnette case the Court also quoted Abraham Lincoln's query:

Must a government of necessity be too strong for the liberties of its people, or too weak to maintain its own existence? (p. 636).

It then went on to say:

Assurance that rights are secure tends to diminish fear and jealousy of strong government, and by making us feel safe to live under it, makes for its better support. Without promise of a limiting Bill of Rights it is doubtful if our Constitution could have mustered enough strength to enable its ratification. To enforce those rights today is not to choose weak government over strong government. It is only to adhere as a means of strength to individual freedom of mind in preference to officially disciplined uniformity for which history indicates a disappointing and disastrous end (pp. 636–637).

Finally, I would direct attention to the case of *Shelley* v. *Kraemer et al.* (334 U. S. 1), decided by the Supreme Court on May 3, 1948. In that decision, involving restrictive covenants designed to exclude minority groups from the ownership or occupancy of real property, Chief Justice Vinson referred to the case of Corrigan against Buckley, and said that case could present no issues under the fourteenth amendment, for—

That amendment by its terms applies only to the States (p. 8).

The Chief Justice went on to say:

It cannot be doubted that among the civil rights intended to be protected from discriminatory State action by the fourteenth amendment are the rights to acquire, enjoy, own, and dispose of property. Equality in the enjoyment of property rights was regarded by the framers of that amendment as an essential precondition to the realization of other basic civil rights and liberties which the amendment was intended to guarantee (p. 10).

He referred to the Slaughterhouse cases and continued:

Since the decision of this court in the *Civil Rights cases* (109 U. S. 3 (1883)), the principle has become firmly embedded in our constitutional law that the action inhibited by the first section of the fourteenth amendment is only such action as may fairly be said to be that of the States (p. 13).

Then Justice Vinson significantly added:

That amendment erects no shield against merely private conduct, however discriminatory or wrongful (p. 13).

After discussing in some detail the right and obligation of the Federal Government to prevent discriminatory action by States or by their agents, the Court's decision indicated that property owners could not come into court to demand enforcement of restrictive covenants and said:

The Constitution confers upon no individual the right to demand action by the State which results in the denial of equal protection of the laws to other individuals (p. 22).

If this statement of the court, made only last year, be accepted, how, then, could we justify a law that would permit an individual to go to a fair employment commission, or to a court to demand acagainst another individual who refused to employ him? The would-be employee has the right to work or not to work for the prospective employer. If the employer is to have equal protection of the laws he must have a similar right to hire or not to hire.

The point involved here was well expressed by Mr. Donald R. Richberg in a discussion of the constitutionality of civil-rights proposals when he said:

The great declared purpose of the Constitution was not to achieve an impossible equality among unequal human beings but to secure the blessings of liberty so that men could be free to be different and to realize their differing ambitions with their differing abilities. Every law which seeks to give a man a right to something which as a freeman he cannot gain for himself, must impose burdens and restraints on the freedom of other men. * * *

Let us be watchful against every effort to create by law a right in one man to compel others to associate with him or to accept obligations to him in the domain of private enterprise or private life.

Let us remember the words of the late Mr. Justice Brandeis, who said:

The makers of our Constitution undertook to secure conditions favorable to the pursuit of happiness. They recognized the significance of man's spiritual nature, of his feelings, and of his intellect. They knew that only a part of the pain, pleasure, and satisfactions of life are to be found in material things. They sought to protect Americans in their beliefs, their thoughts, their emotions, and their sensations. They conferred, as against the Government, the right to be let alone—the most comprehensive of rights and the right most valued by civilized man.

Next to Winston Churchill my favorite British statesman was Edmund Burke, who said in his speech on Mr. Fox's East India bill in 1783:

The rights of men—that is to say, the natural rights of mankind—are indeed sacred things; and if any public measure is proved mischievously to affect them, the objection ought to be fatal to that measure, even if no charter at all could be set up against it. If these natural rights are further affirmed and declared by express covenants, if they are clearly defined and secured against chicane, against power and authority, by written instruments and positive engagements, they are in a still better condition: they partake not only of the sanctity of the object so secured, but of that solemn public faith itself which secures an object of such importance. Indeed, this formal recognition, by the sovereign power, of an original right in the subject, can never be subverted, but by rooting up the holding radical principles of government, and even of society itself. The charters which we call by distinction great are public instruments of this nature: I mean the charters of King John and King Henry the Third. The things secured by these instruments may, without any deceitful ambiguity, be very fitly called the chartered rights of men.

It is for the chartered rights of men that I am arguing today, and I urge that the Senate shall not give consent to any measure, no matter how enticingly labeled which would mischievously affect them.

Mr. JOHNSTON of South Carolina and Mr. MAYBANK addressed the Chair.

The PRESIDING OFFICER (Mr. WITHERS in the chair). The Senator from South Carolina.

Mr. JOHNSTON of South Carolina. Mr. President, I have carefully observed the proceedings in the Chamber for the past two weeks with much interest. I have had very little to say; the reason for which I am sure most Senators know. Unfortunately, a few weeks ago I was involved in an automobile accident, but I am thankful to say I was not seriously injured. However, I suffered painful injuries which have to some extent slowed me down. For that reason I shall not speak at as great length as otherwise I would. Still I may speak for several

hours. I want to emphasize the importance of what is taking place in this, the greatest legislative assembly in the world.

At the very outset I pay tribute to the masterful leadership of the group of which I am honored to be a member, the leadership of the junior Senator from Georgia [Mr. RUSSELL]. He has always shown real statesmanship, generalship, and leadership in matters of this kind. It is an honor to follow the pattern he has set by discussing these issues with vigor, but without bitterness.

Every member of this body is entitled to express his views and at such length as he sees fit. I think it was Voltaire who said, "I disapprove of what you say, but I will defend to the death your right to say it."

At the present time we have before us Senate Resolution 15. Let me read the resolution to the Senate so we will have clearly before us exactly what we are doing:

Resolved, That subsection 2 of rule XXII of the Standing Rules of the Senate, relating to cloture, be, and the same is hereby, amended to read as follows:

"If at any time, notwithstanding the provisions of rule III or rule VI or any other rule of the Senate, a motion, signed by 16 Senators, to bring to a close the debate upon any measure, motion, or other matter pending before the Senate, or the unfinished business, is presented to the Senate, the Presiding Officer shall at once state the motion to the Senate, and 1 hour after the Senate meets on the following calendar day but 1, he shall lay the motion before the Senate and direct that the Secretary call the roll, and, upon the ascertainment that a quorum is present, the Presiding Officer shall, without debate, submit to the Senate by a yea-and-nay vote the question:

" 'Is it the sense of the Senate that the debate shall be brought to a close?'

"And if that question shall be decided in the affirmative by a two-thirds vote of those voting, then said measure, motion, or other matter pending before the Senate, or the unfinished business, shall be the unfinished business to the exclusion of all other business until disposed of.

"Thereafter no Senator shall be entitled to speak in all more than 1 hour on the measure, motion, or other matter pending before the Senate, or the unfinished business, the amendments thereto, and motions affecting the same, and it shall be the duty of the Presiding Officer to keep the time of each Senator who speaks. Except by unanimous consent, no amendment shall be in order after the vote to bring the debate to a close, unless the same has been presented and read prior to that time. No dilatory motion, or dilatory amendment, or amendment not germane shall be in order. Points of order, including questions of relevancy, and appeals from the decision of the Presiding Officer, shall be decided without debate."

It will be noticed that this provides for a two-thirds majority. But if this resolution is taken up, there will be other amendments. I notice an amendment by the Senator from Connecticut [Mr. MCMAHON], which reads a little differently. The McMahon amendment proposes to strike out all after the word "Resolved" and insert in lieu thereof the following:

That (a) subsection 2 of rule XXII of the Standing Rules of the Senate, relating to cloture, be, and the same is hereby, amended to read as follows:

"2. If at any time, notwithstanding the provisions of rule III or rule VI or any other rule of the Senate, a motion, signed by 16 Senators, to bring to a close the debate upon any measure, motion, or other matter pending before the Senate, or the unfinished business, is presented to the Senate pursuant to this subsection, the Presiding Officer shall at once state the motion to the Senate, and 1 hour after the Senate meets on the following calendar day but one, he shall lay the motion before the Senate and direct that the Secretary call the roll, and, upon the ascertainment that a quorum is present, the Presiding Officer shall, without debate, submit to the Senate by a yea-and-nay vote the question:

" 'Is it the sense of the Senate that the debate shall be brought to a close?'

"And if that question shall be decided in the affirmative by a two-thirds vote of those voting, then said measure, motion, or other matter pending before the Senate, or the unfinished business, shall be the unfinished business to the exclusion of all other business until disposed of.

"Thereafter no Senator shall be entitled to speak in all more than 1 hour on the measure, motion, or other matter pending before the Senate, or the unfinished business, the amendments thereto, and motions affecting the same, and it shall be the duty of the Presiding Officer to keep the time of each Senator who speaks. Except by unanimous consent, no amendment shall be in order after the vote to bring the debate to a close, unless the same has been presented and read prior to that time. No dilatory motion, or dilatory amendment, or amendment not germane shall be in order. Points of order, including questions of relevancy, and appeals from the decision of the Presiding Officer, shall be decided without debate."

(b) Rule XXII of the Standing Rules of the Senate, relating to cloture, be, and the same is hereby, amended by adding at the end thereof the following new subsection:

"3. If at any time, notwithstanding the provisions of rule III or rule VI or any other rule of the Senate, a motion, signed by 16 Senators, to bring to a close the debate upon any measure, motion, or other matter pending before the Senate, or the unfinished business, is presented to the Senate pursuant to this subsection, the Presiding Officer shall at once state the motion to the Senate, and 1 hour after the Senate meets on the eighth calendar day thereafter (exclusive of Sundays and legal holidays) he shall lay the motion before the Senate and direct that the Secretary call the roll, and, upon the ascertainment that a quorum is present, the Presiding Officer shall, without further debate, submit to the Senate by a yea-and-nay vote the question:

" 'Is it the sense of the Senate that the debate shall be brought to a close?'

"During the period intervening between the statement of the motion to bring debate to a close and the taking of the vote thereon, the time for general debate on such motion shall be equally divided between the proponents and the opponents thereof, and shall be controlled by one Senator designated by the Presiding Officer to control such time for the proponents and one Senator designated by the Presiding Officer to control such time for the opponents. Time available to, but not used by, either such side shall be yielded to the other side.

"If the question so submitted on the motion to bring debate to a close shall be decided in the affirmative by a majority of all Members of the Senate, including Members who are not present or who do not vote, then said measure, motion, or other matter pending before the Senate, or the unfinished business, shall be the unfinished business to the exclusion of all other business until disposed of.

"Thereafter no Senator shall be entitled to speak in all more than 1 hour on the measure, motion, or other matter pending before the Senate, or the unfinished business, the amendment thereto, and motions affecting the same, and it shall be the duty of the Presiding Officer to keep the time of each Senator who speaks. Except by unanimous consent, no amendment shall be in order after the vote to bring the debate to a close, unless the same has been presented and read prior to that time. No dilatory motion, or dilatory amendment, or amendment not germane shall be in order. Points of order, including questions of relevancy, and appeals from the decision of the Presiding Officer, shall be decided without debate."

That is another version of what is wanted.

I notice that the Senator from Kansas [Mr. REED] has an amendment, on page 2, line 7, to strike out "two-thirds" and insert in lieu thereof "three-fifths."

The Senator from Pennsylvania [Mr. MYERS] has an amendment, on page 2, lines 6 and 7, to strike out "and if that question shall be decided in the affirmative by a two-thirds vote of those voting" and insert in lieu thereof "and if that question shall be decided in the affirmative by a majority vote of the Members of the Senate, including Members who are not present or do not vote."

It will be noticed that we have several different slants on this question. So if the amendment to the rule ever comes up, I do not know what may happen.

The Senator from South Dakota [Mr. MUNDT] also has an amendment, on page 2, to strike out lines 6 through 10, and insert in lieu thereof the following:

And if that question shall be decided in the affirmative by a two-thirds vote of all Members of the Senate who are affiliated with the majority party (including Members affiliated with the majority party who are not present or do not vote) and by a two-thirds vote of all other Members of the Senate (including Members not affiliated with the majority party who are not present or do not vote), then said measure, motion, or other matter pending before the Senate, or the unfinished business, shall be the unfinished business to the exclusion of all other business until disposed of.

It will be seen by these amendments that no one knows exactly what will happen if this question ever comes before us. That is why Senators from the South want their views well expressed. I believe that the minority views from the Committee on Rules and Administration bring out very clearly the reasons why we oppose the proposed amendment to the cloture rule coming to a vote. So, Mr. President, I should like to read the minority views of the Committee on Rules and Administration on Senate Resolution 15:

MINORITY VIEWS

The United States Senate established a system of free and unlimited debate in 1806, when its Members agreed to discard the last of earlier rules which had been somewhat similar to the procedure of the House of Representatives.

These full and free debate privileges, differing from any other legislative body in the world have been changed only under the stress of the gravest of national emergencies—war. During the War Between the States a temporary rule was adopted restricting debate on war measures considered during secret session of the Senate.

In 1917, a filibuster (a term used here to mean extended debate and discussion designed to prevent action upon a measure) delayed the arming of merchant ships in the

period just prior to American entry into World War I. A determined Senate, intent upon preventing any similar action during the period of national emergency, adopted an amendment to rule XXII, which allowed two-thirds of the Members to vote to cut off debate upon a measure under discussion. This is the so-called cloture rule which Senate Resolution 15 seeks to amend.

Under the cloture procedure, a signed motion of 16 Senators to set a limit on debate must be brought to a vote without debate 2 days after being filed. If the motion is adopted by a two-thirds vote, cloture is invoked, limiting further debate on the measure to 1 hour for each Senator.

The cloture amendment to rule XXII was never used during World War I, and the Senate has actually reached a vote on invoking cloture only 19 times in the 32 subsequent years. Cloture has been invoked only 4 out of these 19 times that it came to a vote.

In 1922 it was ruled that a motion for cloture under rule XXII was not applicable to debate upon amendments to the Senate Journal. At a later date it was ruled that cloture was not applicable to debate upon a motion to take up a measure for consideration by the Senate.

The Senate Rules Committee has had under study five resolutions involving cloture. Three of them were designed to make ironclad the two-thirds cloture rule, and two proposed to amend the rule through the adoption of majority cloture.

COMMITTEE ACTION

The Committee on Rules has properly seen fit to reject the proposals which would have made it possible for a bare majority to shut off debate in the Senate. Despit this action, however, it is still clear that the forces which seek to broaden the cloture rule have as a goal the establishment of majority cloture. There is every reason to believe that the passage of Senate Resolution 15 would be regarded as just a step toward a system of control by a bare majority. This very evident attitude on the part of most of the sponsors of cloture proposals makes it more vital to oppose the adoption by the Senate of Senate Resolution 15.

Three of the sponsors of Senate Resolution 13, a measure identical with Senate Resolution 15, stated in their testimony before the committee that they regarded it primarily "as a step" along the path to majority cloture. Senator KNOWLAND, the fourth sponsor of the resolution, associated himself with the testimony of Senators SALTONSTALL, FERGUSON, and IVES, the three sponsors who made clear their belief in majority cloture.

With these factors in mind, opposition to Senate Resolution 15 becomes an obvious necessity, not only from the standpoint that passage of the resolution would impinge too greatly upon the historic freedom of debate of the Senate, but because it would also let the bars down for an early change to cloture by majority.

There is every reason to fear that the establishment of majority cloture would be only a transitory period in the rapid change in the fundamental nature of the United States Senate that might be inaugurated through tampering with the rules today.

TRANSITION TO PARTISANSHIP

The existence of a majority cloture rule would provide a source of great temptation to the party which happened to be in power. Without contending that such a course would be deliberately adopted, it is virtually certain that the rule would soon become a weapon in the hands of the partisan majority, used to shut off debate whenever the party program appeared to be bogging down in the face of determined opposition.

The leaders of the political party constituting the majority would first persuade themselves that they would be justified in using it for their own partisan purposes in some controversy where the opposition appeared to be using delaying tactics, but it would not be a far step from that point to become convinced that they were derelict in their duty if they did not use it on every occasion of partisan policy matter. They would be continually prodded and pushed into using this weapon by political pressure groups that do not belong to any party, have no responsibility to the people, and no obligation to uphold the organic law of the land.

It would not be a difficult step forward from the continuous application of majority cloture to restriction of the right of amendment, the second basic tenet of legislative freedom in the Senate. If the right of amendment were restricted or curtailed, the Senate would have lost its last major point of difference from the procedure of the House of Representatives. The differences between the two bodies would be no more pronounced than they are in the average State legislature.

In calm reflection or study it may be difficult for a Member of the Senate to conceive of such changes being effected, for it is unlikely that any Member of the body, as constituted today, would approve of such a sweeping plan were it presented in toto. It must be remembered, however, that few of the changes in the Senate rules or precedents have come in the process of calm deliberation. Virtually all of them have come at the height of partisan feeling engendered by bitter debate on highly controversial issues. Members of the Senate, of all parties and all shades of political opinion and background, have reached these highly partisan stages in the past, and there is no reason to believe that they would not be reached at some stage in the future.

An example of a type of partisanship that obscures calm thinking about this most serious change in our legislative procedure can be found in the recent efforts of Members of the minority party in the Senate to force hasty and pell-mell action upon the rules change. This effort could not have been planned without the knowledge that it would disrupt all activity of the Senate, and perhaps permanently block action on a general legislative program recently endorsed by the electorate of the country. Such a fundamental change in the very nature of our Government deserves consideration in an atmosphere much clearer of partisanship.

WASHINGTON'S WARNING

It was partisanship of this nature that was warned against by George Washington in his Farewell Address:

"I have already intimated to you the danger of parties in the State with particular reference to the founding of them on geographical discrimination. Let me now take a more comprehensive view and warn you in the most solemn manner against the baneful effects of the spirit of party generally.

"This spirit, unfortunately, is inseparable from our nature, having its root in the strongest passions of the human mind. It exists under different shapes in all governments, more or less stifled, controlled, or repressed, but in those of the popular forum it is seen in its greatest rankness and is truly their worst enemy. Without looking forward to any extremity of this kind, which nevertheless ought not be entirely out of sight, the common and continual mischiefs of the spirit of party are sufficient to make it the interest and duty of a wise people to discourage and restrain it."

With this very pointed reminder of the dangers of partisanship and party government, it is worth reflecting upon the reasons which have enabled this country to avoid the pitfalls described. There is general agreement that the stability of our two-party system, with neither party drawn along class or geographical lines, has been a major cause of the stability of our Government. There has been bitter partisanship at times, and various periods when one party has overwhelmingly dominated one or both branches of the Congress, the most recent having been only 12 years ago, when 76 of the 96 Members of the Senate were Democrats.

What, in periods such as these, has prevented the partisan purposes of the majority party from completely crushing the opposition, running roughshod over efforts that might have been called attempts to delay or obstruct the will of the majority? The answer can be found in the rules of the Senate, with their provisions for free and unlimited debate, for the opportunity of full presentation to the people of the country of every point of view on legislative issues. Free debate in the Senate has become the bulwark of the two-party system during those periods when overwhelming sentiment in the country appeared to be threatening the institution. Debate in the Senate has made clear division over issues at times when it might appear that the minority point of view would be without a champion.

CHALLENGE

In the testimony favoring limitation on debate in the Senate presented to the committee, a great deal of theoretical handicaps and weaknesses of the present rules were presented, but the proponents of change failed to present one single example of any real injury to the American people caused by the delay on legislation due to extended debate. The opponents to change in the rules extend a challenge to the proponents to show such injury at any time since the free debate rule was instituted in the Senate in 1806. This challenge was made early during the hearings on this subject, and was unanswered throughout that period. It is now specifically renewed.

Very lengthy and detailed studies have been made in regard to so-called filibuster efforts down through the history of the Senate. These studies show that on a number of occasions legislation has been delayed by lengthy argument, but that in very few cases has a bill been to all purposes defeated without a vote after having been debated on the floor of the Senate. Legislation has been erroneously reported as having been defeated by filibuster when it has actually only been delayed, with passage usually coming in an amended form. There is general agreement that these amended versions have been better laws in each case.

The printed hearings of the Rules Committee on the debate limitation question provide on pages 25 and 26 a documentary listing of later action on bills which were the subject of extended debate or filibusters. Of the important measures which can be described as definitely defeated by filibusters, the list dwindles down to five:

1. The force bill of 1890.
2. The armed-ship bill of 1917.
3. Antilynch bills.
4. Anti-poll-tax bills.
5. The Fair Employment Practices Commission bill of 1946.

There is now general agreement among all schools of thought, no matter what the views about Federal supervision of election processes, that the famous force bill of 1890, with its provision for Federal control of elections in the South with the use of Federal troops, was unwise legislation. We now realize that it developed from the partisan feeling that remained following the War Between the States, and that its eventual defeat through the process of a filibuster has served the best interest of our Nation.

ARMED-SHIP CONTROVERSY

The armed-ship bill of 1917 was important to the defense program of President Woodrow Wilson in the period immediately preceding World War I. Opponents were able to block its passage during the lame-duck

session of the outgoing Congress, but immediately after this the President found authority to take this action without a new law, and our merchant ships were armed without any action being necessary by the special session of the war Congress that shortly convened. There is little doubt but that the bill would have been passed had the President desired it.

The three remaining bills that have been blocked by extended debate are part of the so-called civil-rights legislative program. There is ample reason to believe that their failure of passage is the motivating cause behind the present very extreme effort to change the time-tested rules of the Senate. Will the Senate be wise in taking such action to satisfy the temporary demands of a highly emotional pressure group? In the long legislative cycle, we know that this group will be succeeded in time by another group. Should the precedent be established for the amendment of Senate procedure whenever that procedure is considered a stumbling block in the face of demands of any powerful pressure bloc?

Each one of the so-called civil-rights bills that has reached the floor of the Senate has been of gravely doubtful constitutionality. Even some of the present most ardent sponsors of an antilynching law agree that the early Dyer Act and the later versions of this bill contained unconstitutional provisions. The extent to which the constitutionality of an anti-poll-tax bill is doubted can be best demonstrated by the fact that 10 Democratic Senators have submitted a constitutional amendment dealing with that subject, believing that to be the manner in which Congress should take action on a suffrage question. The FEPC proposal of 1946 contained provisions which have been universally decried as violating the constitutional requirements of a fair and impartial trial.

It would be superfluous to add that this type of legislation is conceded to be aimed at one section of the country, a type of action contradictory to the long-established American governmental principles first enunciated by President Washington. Have the American people suffered any injury through the defeat of these measures by use of prolonged debate?

BENEFITS OF DEBATE

Our recent legislative history offers very impressive testimony to show direct benefits that have been achieved through the system of extended and prolonged debate in the Senate. Two measures which were highly popular in the excited tempo of the times were defeated in the Senate because both the Members of the body and the citizens of the country as a whole had an opportunity to take a second and more detached thought on the matter.

In 1937, after the Supreme Court had ruled as unconstitutional several popular measures that were considered vital to the economic-recovery program, a plan was submitted to enlarge the Court and make other changes in its personnel—the so-called court-packing plan. It is generally conceded that this plan would have passed the Senate by a fair majority if it had come to an early vote. Instead, opposition leaders adopted the strategy of delay. After a few months a majority of the Senate came to the conclusion that most of them hold today—that such action would have changed the fundamental nature of our Government, to the disadvantage of all of us.

A more recent case was that of the railroad strike of 1946, when it was recommended that striking employees be conscripted into the military service. Legislation to this effect passed the House of Representatives within a few minutes after the recommendation had been made. In the Senate, however, traditional procedure prevented hasty action or the invoking of any type of cloture, and the conscription plan was soon discarded as unwise.

There have been recent cases where prolonged debate has been the major factor in the passage of bills that were at a doubtful stage when first brought to the floor of the Senate. Two cornerstones of our recent foreign policy, the Lend-Lease Act of 1941 and the loan to Britain of 1946, both gained important support during the process of a lengthy debate.

NATIONAL EMERGENCY

The question has been raised that recent international history, with its record of totalitarianism disrupting the world, introduces the possibility of some misguided or disloyal handful of Senators obstructing emergency action designed to protect the physical security of the Nation. The possibility seems remote, but it is well to be prepared for any remote possibility in planning for the security of our country. To take adequate steps for such a situation, two of the authors of this minority report submitted to the Committee on Rules the following proposed amendment to rule XXII:

"If at any time a motion, signed by 86 Senators, is presented to bring to a close the debate upon any measure on the Senate Calendar (and a Senator having the floor may be interrupted for this purpose), the Presiding Officer shall at once state the motion to the Senate, and declare the measure the unfinished business of the Senate. Two hours after the motion has been stated (unless the motion itself as filed shall specify a longer time for debate, which specification, if any, shall control), the Senate shall proceed to vote on the passage of the measure by a yea-and-nay vote. At least one-half of the full time allowed for debate shall be allotted to Members who do not sign the motion. Except by unanimous consent, no amendment shall be in order after the motion has been filed. No dilatory motion shall be in order. Points of order, including questions of relevancy, and appeals from the decision of the Presiding Officer, shall be decided without debate."

The committee saw fit to reject this suggestion, but it is still available for the consideration of all Members of the Senate who would like to make preparation for action on national emergency matters and at the same time not break down the traditional safeguards for free debate.

Every evidence available indicates that the present cloture amendment to rule XXII was adopted only because the Senate considered it as a formula which would allow action on national emergency matters. The President, the Senate, and the country were angry following the action against the armed-ship resolution. President Wilson asked for a cloture rule because there existed "a crisis of extraordinary peril." A bipartisan group of Senators wrote and adopted the resolution with this thought in mind, and there were only three votes in opposition. Many of the Senators voting in favor of the resolution, including several who had filibustered against the armed-ship measure, had participated in filibusters previously and were to participate in them later. They considered themselves dealing with a national emergency involving the physical security of the country, as evidenced by the debate and newspaper accounts of the time.

MAJORITY RULE

This momentous change in the rules has been supported on the theory that it will implement majority rule in the Nation. This is a plausible theory that has its attractions, until a check is made of the actual representation in the Senate. Senators represent States, and not proportions of our population. It is possible for various combinations of 49 Senators to represent anywhere from 20 to 80 percent of the population of the country. Would it be rule by popular majority to say that 49 Senators representing only one-fifth of the citizens should have the power to run roughshod over the wishes of 47 representing four-fifths of the population?

To carry the illustration even further, it would be possible under a two-thirds rule for 64 Senators, representing less than one-third of our population, to run a steam roller over the opposition of 32 Senators, representing more than two-thirds of our population.

The effort to preserve this vital representation to each State is one of the primary causes of the tradition of free and unlimited debate in the Senate. The very geographic boundaries of our States sometimes cause conflicts with neighboring States that can be resolved only by action through the Congress. It is vital that the representatives of these States in the Senate have full and free opportunity to present their case.

Our founding fathers recognized the vital issues that might develop with the representation of the States in the Senate, and it was because of this that they made this representation the only provision in the Constitution that could not be amended or deleted.

The number of Senators who have been recorded as changing their views on the subject of cloture after a period of service in the Senate is impressive. Many have been recorded against any type of cloture after having initially favored it, while others have changed from favoring majority cloture to a less restrictive pattern.

It is well enough to talk about streamlining the rules of the Senate and avoiding an alleged waste of time, but when it comes to materially altering one of the fundamental principles which has controlled the operation of the body for many decades, and around which the Senate's most cherished and valued tradition has been built, we can realize the gravity of the subject matter with which we deal.

Unlimited debate on the floor of the United States Senate has become one of the major safeguards of American liberty. Those who seek to change this rule in the name of liberty may well pause to consider the dangerous precedent they are considering. A procedure which is today used to protect the rights of the States may be used tomorrow to protect the right of the individuals of a minority race or religion. The gag rule which some labor and minority groups now seek could be used in the future to deprive them of fundamental rights for which they have fought so hard.

BULWARKS OF LIBERTY

The major bulwarks of our liberty are the Constitution, our common law, and the free debate of the Senate. All safeguards of liberty are designed to prevent undue and unjust actions against a minority, and Senate debate is certainly so designed.

Debate is man's greatest political invention. It is the mother of parliamentary law. Because the United States Senate is the only parliamentary body in the world that has retained unlimited debate, the prestige of the Senate has grown to overshadow all similar bodies throughout the world. It is important that this symbol of free exchange of ideas should not be disturbed.

There are naturally abuses of free speech in the Senate, just as there are abuses of free speech on the part of private citizens. We should retain this freedom by something other than rigid rules that can be bent to the will of partisanship.

We know all too well the waves of emotionalism that actually do sweep across an entire nation at times, threatening to impair or destroy man's heritage of political, economic, and even religious freedom that is the product of centuries of effort.

We can find all too recent evidences in American history of political prejudice run rampant. Only 100 years ago prejudice against one particular religious group became so strong that the Know-Nothings, the political party built around this prejudice, attained for a brief period the status of the second major party in the Nation. No more than a quarter century ago a secret group, feeding primarily on religious prejudice, succeeded in grabbing political control of several States of our Nation—and these efforts were most successful outside the South.

But, as can be found in no other nation in the world, if any of our political, social, or religious groups find themselves under serious, sustained attack, they know that they have, as a last and effective place of refuge, the floor of the United States Senate. This condition did not just happen—it is the result of the tradition of freedom that finds expression on this same floor.

If the Senate has a majority cloture rule, or it begins to whittle away, bit by bit, the freedom of expression that has flowered there for so long, we will have taken a long step away from our heritage of freedom.

JOHN C. STENNIS.
RUSSELL B. LONG.
LESTER C. HUNT.

Mr. President, it is not only in the Senate that we find this sentiment, but we find it prevailing among others throughout the Nation. I hold in my hand the magazine, Business Week, of March 12, 1949. In it there is an editorial on the subject we are now discussing. Listen to what the editorial writer has to say:

THE TYRANNY OF THE MAJORITY

Filibustering has become a horrid word in the American language. It has been described in the mildest terms of its critics as a technical evil connected with the machinery of law making.

Mr. EASTLAND. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER (Mr. ANDERSON in the chair). Does the Senator from South Carolina yield to the Senator from Mississippi for a question?

Mr. JOHNSTON of South Carolina. I yield for a question only.

Mr. EASTLAND. The distinguished junior Senator from South Carolina would certainly not engage in a filibuster, would he?

Mr. JOHNSTON of South Carolina. I may answer the Senator's question by saying that I do not know what he considers to be a filibuster. But I should like to explain in detail what I think of the proposed change of rule XXII. For that reason some may classify my discussion, because of is length, as being a filibuster. It is up to the newspapers or any individuals to classify it as they see fit. If I can do something for my people in an effort to try to keep legislation from being passed in the United States Senate which will be, as I think, detrimental to the people of the Nation, then I am willing for people to call what I do a filibuster, if they so desire.

I continue to read from the editorial:

It has been cursed and condemned as a device against democratic decision.

The sharpest criticism has been leveled at filibusters in recent times by those who carry the "liberal" label. They are good and mad at the southern Democrats. They lambast the southerners in the Senate for filibustering against all attempts to put civil-rights legislation on the Federal statute books.

Unconsciously, the zeal of the so-called liberals has befogged their minds. Unwittingly, they are sniping at democracy and liberty. They assert that what they are seeking is a further expression of democracy, and that they are going after it in the democratic way. But they obviously are not remembering their American history.

LESSONS OF HISTORY

A refresher course would remind them right at the beginning that this Nation's Government was framed to avoid tyranny in any form. The drafters of the Constitution put in safeguards against despotic power in any hands.

The founding fathers went to great pains to set up a system of checks and balances. They apportioned power among the legislative, executive, and judicial branches of the Government. They determined to place checks on the powers of all—even the powers of the people who had the right to vote. Thomas Jefferson, for example, was convinced that government by a simple majority could be as despotic as the one-man tyranny of the British King.

This aversion to simple majority rule explains the make-up of the Senate. The upper House of Congress was designed deliberately as an offset to the popularly elected House of Representatives. Each State has an equal number of Senators, regardless of population. The Senators are elected for a term three times as long as the Representatives, and only one-third of the Senate comes up for election every 2 years. Obviously, the Senate was never intended to perform its functions and reach its decisions by snap judgments of temporary majorities. It is supposed to function only after the careful deliberation permitted by unlimited debate.

Through the years when slavery was the big national issue, there were great debates. The North sought to impose its will on the minority of States. The South clamored for States' rights. After a war was fought to preserve the Union, President Lincoln was moved to say:

"There is too much desire on the part of some of our very good friends to be masters, to interfere with and dictate to those (southern) States, to treat the people not as fellow citizens; there is too little respect for their rights."

The fundamental belief in the democratic rights of a substantial minority has never been successfully submerged. It has been the salvation, in turn, of both conservatives and liberals. The latter certainly can recall the power of the individual expressions of such liberals as the two La Follettes—expressions which took the form of filibusters more than once. In a speech against cloture, the elder Senator La Follette said:

"Believing that I stand for democracy, for the liberties of the people of this country, for the perpetuation of our free institutions, I shall stand while I am a Member of this body against any cloture that denies free and unlimited debate. Sir, the moment that the majority imposes the restriction contained in the pending rule, that moment you will have dealt a blow to liberty. * * *"

Full and free debate in the Senate is more than a precious heritage. It is more than an effort to protect the right of free discussion. It is an expression of the doctrine that no one group should be in a position where it could beat down all opponents mercilessly. The doctrine states that important minorities should be persuaded and must not be coerced. No one group should be able to impose its own opinions, its interests, its views on others if, by so doing, the vital interests of other groups are not at all respected. This is the practical core of American Government in operation.

LONG-STANDING TRADITION

The principle, of course, is not written down in black and white as a Government law. It is simply a tradition. There is serious doubt whether it could ever be made official. But it is workable nevertheless.

Any infringement of the right of unlimited debate in the Senate would lead to coercion of important minorities. Stifled debate would give to the majority free and careless sway over legislation. This would defeat the basic American idea that all absolute power must be limited—including the power of the majority of the moment.

As long as there are conflicts between the majorities and the minorities, there will be dilatory debate of some sort. And delay is not easy to accept. But an intelligent majority will be wise to accept some measure of delay if it is really convinced that its objective is basically sound.

Filibustering admittedly is a negative device. But so is a brake on an automobile. The brake can check the speed of the car if it gets out of control. Filibustering is useful when it checks the impulses of an unscrupulous or an inconsiderate majority. In the present situation, filibustering is not directed solely against the passage of civil-rights legislation. The filibuster is being employed to curb the headlong enactment of an ill-advised administration program fraught with great peril to a free society.

I could not express my way of thinking any better than that editorial from Business Week.

There have been attempts to bring into this debate many issues and isms which do not rightly belong there. The real and only question now before the Senate is the adoption or rejection of the resolution (S. Res. 15) which, if adopted, would limit the remarks of any Senator to not exceeding 1 hour during the entire course of the given measure. And, do not forget, Mr. President, that this drastic change in the time-honored rules of this Senate would apply not just to the much-talked-of civil-rights bill, but to any measure. Once we adopt Senate Resolution 15 we burn our bridges, we cross the Rubicon, and there is little chance of our getting back. I make the solemn prediction at this time that if this resolution is adopted there are many who are crying loudest for it who will deeply regret the difficulties in which they will find themselves in years to come and will rue the day when this rule of the Senate was changed. Let us, Mr. President, think carefully before taking such an important and possibly—yea I say, probably—dangerous step calculated to throttle free speech and freedom of thought in orderly legislation.

I can quote no better authority for what I am saying than a man for whom every Senator, whether on this or the other side of the aisle, has great respect. I refer to the senior Senator from Texas [Mr. CONNALLY]. Debating this very resolution a few days ago the Senator from Texas said:

I am so strongly opposed to the invasion of the freedom of debate in the Senate of the United States that I lose no opportunity to express my opposition to changes in the rules of the character now being pressed upon us.

According to my conception, the Senate of the United States is the last great forum for debate in the world. It is the last great retreat for freedom of discussion of all public questions. It is free from the dictatorship of totalitarianism. It is free from the tyranny of partisan and group pressures upon the public opinion of the world.

The Senate of the United States ought to remain one place where public servants may stand and assert their views and their opinions for the benefit of their constituents, without impairment and without invasion.

Mr. President, it is much easier to lose a right than to gain it. I thought so then, and I have since felt, that one of the greatest mistakes of my party was in 1936, when at the Democratic National Convention at Philadelphia we abolished the two-thirds rule.

Mr. MAYBANK. Mr. President, will the Senator yield for a question?

Mr. JOHNSTON of South Carolina. I yield for a question.

Mr. MAYBANK. I should like to ask my collegaue how South Carolina voted on the question of abolishing the two-thirds rule?

Mr. JOHNSTON of South Carolina. I am glad to answer that question, for I was present at that time, and the distinguished senior Senator from South Carolina [Mr. MAYBANK] also was present as a delegate. South Carolina cast its vote against the change of the two-thirds rule.

Mr. MAYBANK. Mr. President, I should like to ask the Senator from South Carolina another question.

The PRESIDING OFFICER. Does the Senator from South Carolina yield further to his colleague?

Mr. JOHNSTON of South Carolina. I shall be glad to yield for a question.

Mr. MAYBANK. I wish to ask this question: In the magazine Business Week there appears an article entitled "Tyranny of the Majority"; and I wish to ask my colleague whether he has had an opportunity to read that article, despite the time he has had to take in preparing his speech.

Mr. JOHNSTON of South Carolina. Mr. President, I should like to answer that question by saying that I have read the article; and at the very beginning of my speech I read it into the RECORD as a part of my remarks, and it will be incorporated in the RECORD in that way.

Mr. MAYBANK. Mr. President, will the Senator yield for a further question?

Mr. JOHNSTON of South Carolina. I yield for a question.

Mr. MAYBANK. I wish to ask my colleague whether he agrees with everything that is said in that article?

Mr. JOHNSTON of South Carolina. Mr. President, I agree with everything that is said in that article or editorial. It is very much to the point. It does not elaborate too much, and it is written in such a style that anyone can understand what the writer is discussing. As I see it, it is good political philosophy.

Mr. MAYBANK. Mr. President, will the Senator from South Carolina yield further?

Mr. JOHNSTON of South Carolina. I yield for a further question.

Mr. MAYBANK. I should like to ask the Senator this question: Does he believe entirely in the theory expounded in the Senate by the late Senator Bob La Follette, as referred to in the article to which I have just referred?

Mr. JOHNSTON of South Carolina. Yes, Mr. President. In my opinion, Bob La Follette was one of the great Members of the United States Senate. So far as this particular point is concerned and involved at the present time, he really knew what he was talking about; and if his advice were followed, it would be for the best interests of the people of the Nation.

Mr. President, returning to a discussion of the Democratic National Convention, let me say that at that convention I fought hard as a delegate—having gone there as Governor of my State—to hold the Democratic Party to the precepts of the Jackson way of thinking and the way of Woodrow Wilson.

Mr. President, let me go even further back in our history and say that from the very beginning of the Republic, safeguards have been placed around the protection of the smaller States. The founding fathers recognized this when Delaware, the first State to ratify the Constitution, was given the same representation in this body as was New York.

Too fast, Mr. President, have we permitted to slip away from us, sometimes with only feeble protest, sometimes without any protest whatever, a God-given right to protect the smaller from the greater. Yes; I believe in the right of a majority when properly exercised, but I protest most vigorously against having a majority run roughshod over the rights of the minority. We, of the South, have lived through these more than 150 years of our national existence as a minority part of our great Nation. We have suffered, at times very much; we have fought a bloody war with our brothers of the North on this very principle.

Mr. President, directly along that line, let me read from a statement which I made in Chicago on the 28th of January of this year, before the Executives' Club:

UNDERSTANDING THE SOUTH

Probably the South has more devoted friends and more enemies than any other region of the country.

Many people among both groups have given a distorted picture of the true South to people in other sections. The southerner who makes a profession of being a southerner would have you believe the South is a land of moonlight, magnolias, and roses, ladies of tender beauty and gallant, vigorous men, a wonderful climate and gracious, abundant living for all—without exerting any effort. [Laughter.]

On the other hand, visitors, outside novelists, and newspaper writers, have often pictured the South as a region of total ignorance, poverty, prejudice, and oppressed people. Somewhere between these two extremes we find the real South.

The South is a favored land, and today this country's greatest opportunities lie within her boundaries.

In order to understand the South and southern people we must have some knowledge of her economic and social history. Pioneer settlers found there fertile lands, long growing seasons, abundant rainfall—ideal conditions for the development of an agrarian economy. Thus the South rapidly became the plantation region supplying the indigo, rice, and fiber crops for the commercial markets of the world.

Northern slave traders—not everyone from that region which now calls all southerners cruel and brutal has always been humane and kindly toward the Negro citizen—found that the southern climate and cotton culture were adaptable to the use of Negro slave labor.

By 1860 the South was agriculture and agriculture was the South.

We know the history of the Civil War and how the South lost not only the war, but its finest manhood; its farms were devastated, factories leveled, transportation destroyed.

The South which but a few short years before was fabulously prosperous now lay prostrate. The women, the very young, the very old, and the few surviving veterans faced the task of reconstruction—without tools and without capital—and without the benefit of any UNRRA or Economic Cooperation Administration.

Our people did not even receive sympathetic treatment at the hands of the victorious North. They were humiliated, harassed, and pillaged.

Cotton was the only crop which we could exchange for money. Cotton was the only crop around which we could develop a new economy. Cotton was enthroned as King and he has been a benevolent but at times ineffective monarch.

It took 50 years to soften the shock caused by the terrible impact of that defeat—a half-century before our people could begin to recover. With no industry and a one-crop system and that crop heavily taxed to provide money to pay pensions to the victorious Union soldiers, is there any wonder that the people of the South—proud and noble in their heritage—have remained stubbornly independent?

OPPORTUNITIES IN THE SOUTH

At the turn of the twentieth century men of ability and vision began to accumulate some wealth and to become aware of our opportunities.

This awakening was early demonstrated in diversification of our farming. Today, cotton accounts for less than one-sixth of the South's agricultural income. The remainder we get from livestock, tobacco, vegetables, grain, and fruits—my own county of Spartanburg in the Piedmont section has more peach trees and ships more peaches than any other county in the United States. And for your further information, during the last 2 years that one county shipped more peaches than the whole State of Georgia, although Georgia is called "The Peach State." [Laughter and applause.]

From South Carolina's farms today we ship everything from shrimp and oysters to blue-mold cheese—and they come from opposite boundaries of the State.

An interesting sidelight which I might interject at this point is that blue-mold cheese—we formerly imported all of this product from France and called it Roquefort—is produced in an abandoned tunnel, which was started through the Blue Ridge Mountains for a railroad line during the Civil War.

Today, Chester County, S. C., is an unquestioned leader among Guernsey cattle producers.

Cotton is no longer King. Cotton is rapidly taking its rightful place in a balanced agricultural economy and an economy that is achieving its rightful balance of industry.

South Carolina leads the Nation in active textile-spindle hours. Last year we operated 26.8 percent of the Nation's spindle activity. Since January 1945—4 short years—South Carolina has built, or announced, new textile plants amounting to $163,200,000. This represents 169 new plants. Many of them are in the allied garment and clothing field, but the principal expenditure has been in the erection and equipment of plants directly involved in the main textile process of spinning, weaving, and finishing. And, by the way, I'm an expert, I think, when it comes to the textiles, for I have done everything in a cotton mill, from sweeping right on up. I started off as a sweeper, at 25 cents

a day, so you can see what has developed in South Carolina. Twenty-five cents a day! I checked up, and the average hourly wage in South Carolina in the textiles today is right around 95 cents per hour, showing a great increase in what they pay to the workers in the mills. So we have expanded greatly down there.

Mr. President, there is another thing I cannot refrain from calling to the attention of my colleagues at the present time. The impression is abroad among certain people that the colored population will continue to be a problem of the South alone. That is not true. In 1920 the population of South Carolina was 58 percent colored, 42 percent white. Today it is exactly the reverse—42 percent colored, 58 percent white. Where are the colored? Some of them will be found in Chicago, some in Philadelphia, some in Washington, D. C. The so-called problem, which I think we have handled very efficiently in the South, is therefore becoming a problem of other States, and it will become increasingly their problem in the future.

Mr. MAYBANK. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the junior Senator from South Carolina yield to his colleague for a question?

Mr. JOHNSTON of South Carolina. I am glad to yield for a question only.

Mr. MAYBANK. I ask my colleague, does he believe the textile workers of South Carolina, with whom he is well acquainted, believe in a change of the rules of the United States Senate?

Mr. JOHNSTON of South Carolina. I think I can speak for the majority of them, for I believe I am close to them. I would say that practically 100 percent of them do not think the rule should be changed.

Mr. MAYBANK. Mr. President, will the Senator yield for a further question?

The PRESIDING OFFICER. Does the junior Senator from South Carolina yield further to his colleague?

Mr. JOHNSTON of South Carolina. I yield for a question only.

Mr. MAYBANK. The question I would ask the Senator is, If they do not believe in a change of the rule, then they are in thorough accord with the democratic principles of the United States Senate, under which they grew up, are they not?

Mr. JOHNSTON of South Carolina. I agree with everything the Senator has said. I also want to state that I have not received one letter, one telegram, one communication from any worker in South Carolina protesting that we should not go ahead and fight the change of the rule.

I noticed another thing. In reading, a few moments ago, I stated that somebody criticized the South for being uneducated.

Mr. MAYBANK. Mr. President, will the Senator yield for a further question?

The PRESIDING OFFICER. Does the junior Senator from South Carolina yield to his colleague for a further question?

Mr. JOHNSTON of South Carolina. I yield for a question.

Mr. MAYBANK. I want to ask the Senator a question about education. As Governor of South Carolina, did he not aid in every way possible, and, as Governor of South Carolina, did I not aid in every way possible, in the education of the underprivileged and of those who, it is thought, will be benefited by the rule change, but who really would be harmed by it, both black and white?

Mr. JOHNSTON of South Carolina. I commend the Senator from South Carolina for what he did for the South Carolina school system while he was Governor. Every year the appropriations were increased for both white and colored. I am also glad to state it will be found that during my term as Governor the educational appropriation was increased every year. The record will show that the appropriation during my administration was doubled for the colored people of my State.

Mr. President, I think that shows that we are trying to do the best we can. A great many Senators realize that South Carolina is not one of the wealthiest States in the Union, and that we are limited as to what we can do for our people, but we mean to continue to progress as more industries, more capital, and more taxes come in. We intend to move forward.

Mr. MAYBANK. Mr. President, will the Senator yield for a question?

Mr. JOHNSTON of South Carolina. I yield for a question only.

Mr. MAYBANK. I should like to ask the Senator if he is familiar with the great housing progress we have made for colored people, and if he has read page 1767 of the CONGRESSIONAL RECORD, which shows telegrams sent to me as chairman of the Banking and Currency Committee in regard to the large number of houses which colored people have been afforded throughout the State? I ask the Senator if he remembers that it is shown in the RECORD that colored people have received more housing units than have the white people in Charleston and Columbia?

Mr. JOHNSTON of South Carolina. That is correct. The two cities named by the Senator are the largest cities in our State.

Speaking of education, Mr. President, South Carolina is not the illiterate State which many people consider it to be. If one will read the census of 1940, he will find that South Carolina and Arizona led the Nation in the percentage of white persons 25 years of age or over who had completed 4 years of college training. Those two States were tied for first place, with 7 percent each. I think this is a wholesome index which I believe will aid in improving educational conditions of future generations of my State. We ask for nothing except to be permitted to run our State affairs, and we want other States to run their affairs.

Many years ago, a great jurist and a great American, while serving in this very body, expressed in more eloquent language than I can the very idea that I wish to get across. I refer to an address by the late Chief Justice Edward Douglass White, a great son of the South, a Confederate soldier, who when a Senator from the great State of Louisiana, in the debate on the option bill, House bill 7845, in 1890, and speaking in protest against the attempt to place unfair discriminatory measures against the cotton-growing States, made such a speech in this Chamber as to cause some to compare him to Gladstone. I shall quote only one brief statement therefrom:

Mr. President—

Said the then Senator White—

I think we ought to be entitled to discuss this measure without sneer, without gibe, without reaching out the hand to stir up—I was going to say smouldering ashes of past conflicts; but, thank God, even the ashes of that conflict have passed away; I know the American people have forgotten it, except for the lessons which it has taught us all, that within the walls of the Constitution and by adherence and respect for it, united in a common brotherhood, lie alone our future hope of happiness and protection.

The surest way, Mr. President, to destroy the very heart of constitutional government is to take short cuts and bypass those fundamental guaranties which were vouchsafed to us by the framers of the great Constitution which has been second only to the Bible in its sacredness to the American people. From time to time there are efforts made in this very assemblage to accomplish changes in our Government which can be done only if we are to respect and follow the Constitution by the methods set forth in the Constitution. I realize and recognize that there are some measures which my friends from other sections of this country want and which have merit but, Mr. President, let those who advocate the abolition of the poll tax do it within the framework, or, as Justice White so well said, the walls of the Constitution. There is pending in my State at this time a resolution to abolish the poll tax, and I can say, I think, without danger of contradiction, that the majority of the Southern States feel that whatever purpose this measure served in the past, with changing conditions there is no great need for it now, but we resent and we shall not submit to legislation designed by this Congress which singles out the South and seeks to punish it. Today, Mr. President, we of the South are in the minority even though a part of a majority political party. Would not any minority do what we are doing? We insist that the rules designed to protect the interest of a minority group remain unchanged. Again I wish to quote from the eloquent speech of Senator CONNALLY:

Mr. President, the rules of the Senate have endured for a great many years. They were adopted for the orderly procedure of this body. What is this body after all? It is more than a city council. It is the Senate of the United States, and in the formation of the Union, it is my belief that the Senate was devised as a check and balance against the House of Representatives, and the House of Representatives in a measure was designed as a check and balance against the Senate of the United States. The basis of the selection of Senators and of Members of the House of Representatives is different. One is based upon population, the other upon State sovereignty, regardless of population, regardless of riches, regardless of any other consideration except the sovereignty of the individual State. Senators say, "We are satisfied with the law in our own States, but we are not satisfied with the law in some other States. We have a bill which we want to pass, and we cannot pass it comfortably, easily, and expeditiously unless we get rid

of this obstacle. We want to regulate suffrage in other States.

Under the Constitution, of course, each State is empowered to regulate its own suffrage, and enact its own domestic laws. Senators should bear in mind that the Constitutional Convention which acted upon the Constitution was not a mass meeting; it was not a city-hall caucus. It was a meeting of representatives of the States, who assembled at Philadelphia to write the Constitution of the United States. That fact must always be borne in mind. It was not an act of individuals as such, but the act of representatives of the States of the Union.

Mr. President, we are reminded that in that Convention the States were jealous of their rights. They were anxious not to surrender their sovereignty and their rights, and they carefully guarded against merging all the States into one conglomerate mass.

Having talked a little while about the rights and safeguards of minorities and the constitutional guaranties for the smaller States, I want to come more directly to this proposed change in the rule, which would permit cloture to be applied to a motion or other proceedings before the Senate, the same as it can now be applied to pending measures.

Mr. SPARKMAN. Mr. President.

The PRESIDING OFFICER (Mr. GILLETTE in the chair). Does the Senator from South Carolina yield to the Senator from Alabama?

Mr. JOHNSTON of South Carolina. I yield for a question only.

Mr. SPARKMAN. Before the Senator gets away from the question of representation in the Constitutional Convention, may I ask this question: Is it not true that the men who were in that Convention representing the 13 sovereign States, by reason of their experience in carrying on the War of Independence against the strongly concentrated power demonstrated by the King of England in the repressive measures he took against the Colonies, were doubly insistent that any government they set up should avoid that centralization, and that the sovereignty which vested in the 13 States should remain intact, and that the Union which they formed should be a union of sovereign States bound together for the common good of all, but with sovereignty remaining in each individual State?

Mr. JOHNSTON of South Carolina. It is true that the founding fathers, when they met in that Convention, took into consideration what they thought to be the best interests of the States and of the Nation, and they set up such form of government as they believed would protect the States against encroachment on the rights they had. To illustrate that point, it will be found that in setting up our form of government they divided the Government into the executive, the judicial, and the legislative, and the executive was not to infringe upon the rights of the judicial or the legislative. Then it will be found that in the legislative branch there were certain fields in which Congress could operate, and Congress was not supposed to encroach upon the rights of the other two departments. The same thing is true with respect to the courts of the land. It will be found also that it is specifically stated in the Constitution that all rights not delegated to the Federal Government are reserved to the States.

Mr. SPARKMAN. With reference to the point the Senator just made about the powers being specifically reserved to the States, is it not true that that is particularly set forth in one of the first 10 amendments, in fact, in the tenth amendment itself, and that before the States would agree to ratify the Constitution they had to have reasonable assurance that such amendments would be proposed in the very first session of the Congress? Is it not also true that in the very first session of the Congress which met those 10 amendments guaranteeing the various freedoms, the so-called Bill of Rights, and guaranteeing that the powers would remain lodged in the States, where they had always been vested, were offered, and were ratified by the several States soon thereafter?

Mr. JOHNSTON of South Carolina. It is true that the first 10 amendments to the Constitution were adopted immediately after its ratification, and it is my understanding of history that if the States had not been assured of their adoption, it never would have been possible to get the States to ratify the Constitution which had been submitted to them. There was more or less an agreement that that would happen.

To hear some of the remarks in this Chamber about cloture, one would think that a great deliberative body such as the Senate cannot possibly operate without cloture, yet I would call your attention, Mr. President, to the fact that for 111 years, until as recently as our entrance into the First World War, in 1917, there was no cloture rule applicable to debate in the Senate. It was in 1917 that the present rule XXII was made a part of the Standing Rules of the Senate, subsection 2 of which it is proposed to change by the Hayden-Wherry resolution, Senate Resolution 15. Let us take a glance at the history of this drastic departure from a tried practice for more than a century.

The demand for the rule arose because toward the end of that session of Congress, a measure to authorize the President to arm merchant ships was defeated by use of the filibuster method. It was necessary for the Senate to adjourn without enacting this legislation. After the adjournment of the Senate there was found a method by which the effect could be realized and the ships armed without legislative authority. Nevertheless, as the result of the agitation, discussion, and delay brought about by that filibuster, the Senate, when it next met, adopted rule XXII and it has been our guiding rule on this subject for the past third of a century.

During these 32 years there have been 20 attempts to apply cloture to measures pending in the Senate, only 4 of which were successful. It is important to note that in the past 22 years no measure has had cloture applied while pending in the Senate. It seems to me if the Nation was able to conclude all the matters relating to World War I and, thus far, the intricate and delicate aftermath problems of even a greater war, without the necessity of a change in the rule adopted in 1917, we should go slowly and think carefully before changing it to accomplish the unworthy purpose of singling out one section of this great Nation for special attention and chastisement.

There is one thing this country needs to recognize and that is that we are not at war. Yes, I know the situation is serious, perhaps grave is a better word, but there is too much disposition to take away from our citizens rights sacred to them from the very beginning of our history, yea guaranteed to our forefathers at Runnymede in the Magna Carta, and it is sought to take away these God-given rights, bought with precious blood, under the pretext that the state of emergency calls for procedures never before attempted. Do not misunderstand me, Mr. President. I fought in the First World War, and if we were drawn into a third great world conflict, which God forbid, my great regret would be that my age would be such as to make me of little use as a doughboy, and I am afraid my size would make me too good a target for the enemy's bullet, but I want to say to the Senate that if our Nation were in peril, I would go just as far as our great majority leader, or any Senator on either side of the aisle, in taking measures necessary to safeguard the Republic.

But, Mr. President, we are not at war. No emergency in that sense exists. No crisis is actually at hand, the commentators to the contrary notwithstanding, which reminds me of a little story coming from my State of South Carolina where the finest potatoes in the world grow—I mean sweetpotatoes.

Mr. President, sometimes I feel it is almost disrespectful to the South Carolina yams to refer to them as plain potatoes. And that brings me to my story, with apologies to the Senators from Maine [Mr. BREWSTER and Mrs. SMITH] and my colleague from Idaho. It is said that on one occasion there was a romance between a Maine potato and an Idaho potato and in due time there was a little sweetpotato, but then the problem became acute for neither the spud from Maine nor the spud from Idaho would consent to its offspring marrying a common-tator.

So, Mr. President, I say let us stop listening so much to the commentators and those who are constantly crying wolf, and think soundly as to what is best not just for my beloved South, but for the entire Nation, for I say without hesitation that if Members of this body attempt to ram this thing down the throats of the South, the day will come when the chickens will come home to roost and Senators will in their own States, far removed from Dixie, suffer along with us.

Yes, Mr. President, no crisis is at hand to justify this thing. There is no great development in government requiring application of the rule or the changing of the rule in its application to measures before the Senate. Then, why all this fuss and furor about changing the rule? No Senator in this Chamber is fooled. It has been very clearly set forth that

the sole purpose is to enable those who are pressing for passage of the so-called civil-rights program to undertake to get those measures enacted by the Congress. I submit neither one of those matters involve an emergency even if we have an emergency. In times even more peaceful than today such measures have been proposed, only to be promptly and properly defeated. The right of freedom of speech and freedom to legislate in the orderly and constitutional manner is important, Mr. President. We have a real duty to defend and uphold it.

At this time I would like to quote parts of the very able address made before this body by my distinguished friend, the senior Senator from North Carolina [Mr. HOEY]:

There are many questions that come before the Senate with respect to which a two-thirds majority is required. I should like briefly to call the attention of the Senate to just a few of those questions.

First, a Senator cannot be expelled unless two-thirds of the Senators vote for his expulsion.

Second, no official can be impeached except by two-thirds of those voting.

Third, the President's veto can be overriden only by a two-thirds vote.

Fourth, all treaties must receive a two-thirds vote before they can be ratified.

Fifth, no amendment to the Constitution can be submitted to the several States for ratification until two-thirds of the Senators voting have approved, and then it is required that favorable action shall be taken by three-fourths of the States before a proposed constitutional amendment can become effective.

Sixth, no person shall be convicted on impeachment without the concurrence of two-thirds of the Senators present.

Finally, when the choice of President shall devolve upon the House of Representatives, a quorum shall consist of the Member or Members from two-thirds of the various States of the Union. Furthermore, a quorum of the Senate, in choosing a Vice President, shall consist of two-thirds of the whole number of Senators.

It is manifest from this that the founders of our Government and the framers of our Constitution thought it essential and necessary that two-thirds at least of the Senate should give their approval of any matter of vital importance before action could be concluded. Certainly there could be nothing of greater importance to either the Senate or to the country than the right of free and unlimited debate in the Senate. I am wondering what the Senate would be like if we should take away the right fully and freely to discuss measures pending before this body.

Mr. President, I need not repeat that the United States Senate is the only open forum in the world, the only place in which there is free and unlimited debate, the only place in which the rights of people may be adequately presented and endlessly proclaimed. I do not believe we should sacrifice that power of the Senate. I do not believe we should liquidate its prestige.

In the discussion of this matter it seems to me that we should very earnestly inquire as to why the necessity for this change of the rule. Can anyone point to any important public measure which has been denied adoption by virtue of the existence of this Senate rule? Can anyone point to any measure which would be in the interest of the American people which has been defeated because of the existence of this rule? Is the purpose of the proposed change in the rule to make the Senate more efficient in the transaction of its business? Is it the purpose to expedite the business in the Senate? If so, it will fail miserably in the accomplishment of that result.

The reason why I say that, Mr. President, is that very little time of the Senate has ever been consumed by filibusters. The time of the Senate is wasted by reason of numerous discussions over trivial matters, extended from day to day, to which the proposed rule would have no application.

What is behind the proposed change in the rule? It is a desire to pass what is known as the President's civil-rights bills. What are they? Let us scrutinize them and see just what they are all about. Most of the civil-rights proposals are embraced in three bills, the anti-poll-tax bill, the antilynching bill, and the FEPC bill. I should like to see the FEPC bill taken up first, or an effort made to take it up first, because I believe that Senators have become convinced that FEPC would not work in the United States.

Let us look at the various subheads—antilynch, antipoll tax, and FEPC. The proponents of the anti-poll-tax bill are throwing out a bait which will not catch many fish. Why do I make that statement? In my State—and I believe many other States are similarly situated—the proponents of the anti-poll-tax bill think they have fooled a great many people and made them believe that the poll tax is keeping people from voting. How many people do Senators think the poll-tax law keeps from voting in South Carolina? It might be news to some Senators to know that South Carolina does not require a poll tax in any of the primaries. Our Supreme Court recently decided, in a South Carolina case, that the primary in my State is everything. Why did it so hold? Because it will be found that in my State, in the primary there is a heavy vote; in the general election the vote is very light. There is a reason for that. If 100,000 persons vote in South Carolina in a general election, one party will receive 95,000 votes, and all other parties may receive 5,000 votes.

So it happens in my State that very few persons vote in the general election. Even those who are running for office sometimes forget to vote in the general election, because it is not important.

Mr. President, I should like to read a statement which I read before the committee on this very subject:

Mr. Chairman and gentlemen, I appreciate deeply the generosity of this committee and your chairman in permitting me an opportunity to be heard on the pending measure—proposed changes in rule XXII of the United States Senate Rules. I think it highly important to the people of my State and the people of the South that I here and now state with bluntness, honesty, and complete candor that we with certainty recognize the reasons for this intense agitation for the procedural changes advocated at the present time.

The sole and primary purpose of the pending resolution is to "grease the legislative skids" in order that the President's so-called "civil rights" legislative program might glide to swift passage without providing ample time to deliberate and examine and scrutinize its probable drastic effects upon the social and economic system of this country.

If for no other reason than to continue my unswerving opposition to such a program—a program fostered upon the basis of misunderstanding or lack of understanding or else not put forward in good faith—I shall oppose this change. Any student of human relations, sociology, or psychology knows that you cannot legislate tolerance and understanding and you cannot force brotherly love, just as he knows that you cannot legislate decency and morals.

We cannot force or intimidate human beings—even by threat of prosecution and penalty of imprisonment under law—to have an affection or admiration or even a respect for persons with whom they have no desire to associate.

As I have said before, this problem is not one to be solved by legislative enactment, executive flat, or decree. It is purely and simply a problem of education in understanding and tolerance. Education is a slow process, as we all agree. For any person or group of persons to realize its benefits, great patience is required.

I believe that we people in the South have made tremendous progress in the improvement of the race and color situation. And we have done it through patient, kindly, helpful treatment of the Negro within our midst. I submit, Mr. Chairman, that no people anywhere have made greater strides in a shorter period toward full enjoyment of the benefits of civilization than has the Negro in the 100-odd years since he was captured in the jungles of Africa by brutal, merciless, selfish slave traders of the East and sold in bondage to the cotton planters of the South.

Stories of violence in the South today—pathetically regrettable though they are—have been grossly exaggerated and distorted beyond their real significance. A few horrible isolated or infrequent instances of brutality are flashed in distorted version before the Nation in sensational headlines by the hate mongers who would commercialize on human misery in order to promote their own selfish and often sinister interests. I am certain that the tactics and techniques discernible in a great amount of this scare propaganda have been designed in the past, as they are being dictated today, by the insidious and vicious Fascist and Communist forces at work in the world.

When the United States Senate, recognized as the greatest forum, the most resounding sounding board in all the world, is allowed to become a siren of reeking hatred to stir up race against race, it is a blasphemy before God and man.

Mr. Chairman, I urge the path of education for tolerance and cooperative understanding, not the way of force and fear. I urge the Senate to review with honest minds and clean, clear lack of passion the progress that has been made, and not to mine the road ahead with dynamite that is certain to explode with great destruction when these opposite viewpoints collide.

Now, with the kind forbearance of your committee, Mr. Chairman, I should like to refer briefly to the historical aspects of this question from a standpoint of legislative mechanics. Other speakers before me have pointed to the fact that the framers of our magnificent and highly practicable Constitution—men of almost divine wisdom and remarkable vision—sought to establish for the first time a truly democratic legislative process.

A consideration of primary concern to that group of Founding Fathers was protection for minorities and adequate safeguards against hasty and ill-conceived legislation. We know that under the rules of the House of Representatives, legislation reported by a highly partisan committee, can zoom to passage under special rules and rapid-fire, decisive action by the Speaker. Our right to unlimited debate in the Senate, protected by

rule XXII is our only assurance that any and every measure before the Congress shall have a full and fair hearing.

Mr. Chairman, I reiterate the contention made before this committee by my distinguished colleagues, Senators STENNIS, of Mississippi, and ROBERTSON, of Virginia, which contention was ably supported by them and others—that no single piece of highly important and beneficial legislation has yet been prevented from passage by invoking a filibuster or threat of filibuster.

I do not consider it necessary to reiterate arguments so ably presented on previous occasions. If I were the only Senator in this body who believes as I do, thinks as I do, and talks as I do, on this question of limiting debate, then I might be inclined to alter my views. However, there is a sizable minority of extremely able and honorable gentlemen in whose company I find myself. I shall continue to fight this—or any similar proposal—to the bitter end, no matter how endless or bitter that end.

That was my statement before the committee.

I notice that the Senator from Mississippi [Mr. STENNIS], appearing before the committee, had this to say:

I am now convinced that there is far more involved here than the mere technical changes as proposed in Senate Resolution 18, the Saltonstall resolution, which merely extends the present cloture rule and leaves the requirement of a two-thirds majority in order to invoke cloture. In these hearings on yesterday, the Senator from Massachusetts, Mr. SALTONSTALL, the Senator from Michigan, Mr. FERGUSON, the Senator from New York, Mr. IVES, expressly stated that they favored the two-thirds majority rule solely because it was a step in the right direction; that their real position was that they favored a rule that would permit cloture to be invoked by a majority of the Senate. These statements and other considerations convinced me beyond all doubt that this movement to amend the Senate rules now, literally, is just a step, as these gentlemen say.

Mr. HILL. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from South Carolina yield?

Mr. JOHNSTON of South Carolina. I yield to the Senator from Alabama for a question.

Mr. HILL. Is it not true that the action taken here on Friday was an effort to amend the rules by majority vote? The Senate had five precedents. Our rules are to be found in the precedents as well as in the letter of the rules themselves. The effort was made to overrule all the precedents and to change the rules by majority vote, was it not?

Mr. JOHNSTON of South Carolina. I thank the senior Senator from Alabama for calling that to my attention. In my opinion it went even further than the Senator suggests. When the Vice President overruled all the precedents, it was then up to the Senate to overrule the decision of the Vice President. As the senior Senator from Alabama knows, the ruling, if sustained by the Senate, would have brought about a change in the rules of the Senate by a majority vote, and would have been contrary to the decisions of previous presiding officers. It was an attempt by majority vote to overrule the precedents and to change the rules of the Senate.

Mr. HILL. Mr. President, will the Senator yield for a further question?

The PRESIDING OFFICER. Does the Senator from South Carolina yield for a further question?

Mr. JOHNSTON of South Carolina. I yield for a question.

Mr. HILL. Is it not true that the majority leader himself has declared in favor of invoking cloture by a constitutional majority?

Mr. JOHNSTON of South Carolina. It is true that the majority leader of the Senate has stated he favors the imposition of cloture by a constitutional majority.

Mr. HILL. Mr. President, will the Senator yield for a further question?

The PRESIDING OFFICER. Does the Senator from South Carolina yield?

Mr. JOHNSTON of South Carolina. I yield for a question.

Mr. HILL. Is it not true that the President of the United States has declared for cloture by a simple majority, or what might be termed a bare majority?

Mr. JOHNSTON of South Carolina. It is true that the President has stated he favors a change in the rules whereby cloture could be forced upon us by a bare majority of the Senate.

Mr. HILL. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from South Carolina yield?

Mr. JOHNSTON of South Carolina. I yield for a question only.

Mr. HILL. Does that not mean, in its barest and most naked form, that cloture might then be invoked by a vote of only 25 Senators?

Mr. JOHNSTON of South Carolina. That is true. That could happen. I certainly thank the senior Senator from Alabama for calling these vital matters to my attention. I am further fully convinced that with a rule in force permitting cloture to be invoked by a majority, it would soon become a weapon in the hands of the party in power.

Mr. HILL. Mr. President, will the Senator yield for another question?

The PRESIDING OFFICER. Does the Senator from South Carolina yield?

Mr. JOHNSTON of South Carolina. I yield for a further question.

Mr. HILL. Is it not true that it is most important to consider the fact that a number of Senators, some of whom are members of the Rules Committee, have frankly stated they look upon the resolution to provide for cloture by two-thirds vote as merely a step, so to speak, in what they feel is the right direction, leading to the invocation of cloture by majority vote?

Mr. JOHNSTON of South Carolina. That is true. I fear that not merely a few Senators have thus expressed themselves, but that the number of Senators who have made a similar expression constitutes probably a majority of the Senators. I think it would be dangerous for the Senate in the future to have a majority cloture rule.

Continuing with the reading of the statement by the Senator from Mississippi [Mr. STENNIS] before the committee:

I am convinced that the next step will be the enactment of a rule whereby cloture can be invoked by the vote of a mere majority of the Senate. I am further fully convinced that with this rule in hand, that is, the invoking of cloture by a majority, it will soon become a weapon in the partisan hands of the party in power, and all too soon will be used to habitually cut off debate.

Now, there is no sectionalism in that. That is partisan politics, as I see it. That is the main threat with the majority rule in effect.

It will follow as certain as the night follows the day that once this power is placed in the hands of a mere majority, the political party that then constitutes that majority will first persuade themselves that they are justified in using it for their own partisan purposes, and soon will be convinced that they are derelict if they do not use it. I think that is what will be constantly shoved before them.

Mr. HILL. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from South Carolina yield?

Mr. JOHNSTON of South Carolina. I yield for a question.

Mr. HILL. Is it not true that in the event it were possible to invoke cloture by a mere majority, there would be tremendous pressure by certain groups to invoke cloture by such majority?

Mr. JOHNSTON of South Carolina. It is true, I understand, at the present time, that certain groups are pressing very hard to get Members of the Senate to push a little harder in order to get majority cloture at the present time. If what I hear is true, they certainly have been trying to use pressure to obtain that. If they did not think they could make use of majority cloture in the future, I do not believe they would be pressing so hard for it at the present time.

And more than that, I am convinced that they will be pushed and prodded into using it by political pressure groups that do not belong to any party, have no responsibility to the people, and no obligation to uphold the organic law of the land.

I have just a few illustrations of what I mean by that partisan use of the rule. The historic debate in 1908 over the adoption of the Aldrich-Vreeland currency bill was an ominous example of how a disciplined majority, with frayed temper and short patience, could ride roughshod over previously established precedents and customs of the Senate.

At this time the great Senator Robert M. La Follette, of Wisconsin, was leading the opposition to what he believed to be a scheme of the privileged few to tighten their grip upon the money power of the Nation.

As the debate developed, the Presiding Officer of the Senate, Vice President Charles W. Fairbanks, acknowledged as partial to the majority who favored the Aldrich-Vreeland bill, made two precedent-shattering rulings and was immediately sustained. In the first he counted a quorum to declare that action on a vote had been taken even though the total vote was less than a quorum.

Mr. HILL. Mr. President, will the Senator yield for a question?

Mr. JOHNSTON of South Carolina. I yield for a question only.

Mr. HILL. Is it not a fact that at that time there was no quorum present?

Mr. JOHNSTON of South Carolina. That is absolutely correct.

Mr. HILL. Is not that an illustration of how a majority, actuated by great pressure from without, moved by some overwhelming passion or desire to work its will, can run roughshod over the minority when the minority is not properly and adequately protected?

Mr. JOHNSTON of South Carolina. The senior Senator from Alabama speaks accurately when he implies that we need the present rule of the Senate in order to protect the minority against the majority.

In the second ruling Mr. Fairbanks declared that debate in the Senate was not business, and that no quorum could be called when only debate had intervened since a previous call.

Regardless of the merits of these two precedents, the fact remains that they were both established without debate, and at the instigation of a disciplined majority led by the distinguished Senator from Rhode Island, Mr. Aldrich.

Mr. HILL. Mr. President, will the Senator yield for a question?

Mr. JOHNSTON of South Carolina. For a question only.

Mr. HILL. In other words, what that language means, does it not, is that the majority simply steam-rollered and ran over the minority?

Mr. JOHNSTON of South Carolina. That is correct.

The Aldrich-Vreeland bill debate not only provoked these two sudden, unpremeditated changes in the Senate rules—it also brought about one of the most patently unfair decisions of a presiding officer in the history of the Senate.

With Senator George Sutherland, of Utah, in the chair, Thomas P. Gore, of Oklahoma, moved the absence of a quorum. Sutherland held a call not in order, and then brazenly ruled that even an appeal was not in order. As one commentator has reported, "The majority was in no mood for the niceties of parliamentary procedure."

To my mind, this action of the majority on a highly partisan matter where discussion had reached an emotional state is illustrative of action that will very readily develop if we yield to pressure for the limitation of debate in the Senate. Despite all our protestations in regard to fairness and friendliness, we all realize that there are times when partisan interests supplant calm thinking.

The callousness with which Senator La Follette and his supporters were overwhelmed in 1908 points a clear warning to those forces arrayed against privilege today. It would be well for labor and minority groups who now support cloture legislation to remember that the day may come when only a small minority is available in the Senate to protect their interests, and that this gag rule being sought now may be used to deprive them of the rights for which they have fought so hard. I hope that the day will never come when any loyal element in our population has no powerful defenders in the Senate, but it has happened in the past, and it could happen in the future.

Mr. HILL. Mr. President, will the Senator yield for a question?

Mr. JOHNSTON of South Carolina. I yield for a question only.

Mr. HILL. Does the Senator recall that when the then Vice President, Mr. Charles G. Dawes, urged a change in the rules of the Senate, a most ringing resolution was adopted by the American Federation of Labor condemning the proposed change in the rules?

Mr. JOHNSTON of South Carolina. That is correct.

Mr. HILL. Mr. President, will the Senator yield for a further question?

Mr. JOHNSTON of South Carolina. I yield for a further question.

Mr. HILL. Then, it is a fact, is it not, that it was indeed a scathing resolution of condemnation which the American Federation of Labor adopted at that time, condemning the proposal of the Vice President, Mr. Dawes, for proposing changes in the rules?

Mr. JOHNSTON of South Carolina. That is correct. I thank the Senator from Alabama for bringing out these interesting Senate occurrences of the past.

Mr. HILL. Mr. President, will the Senator yield for another question?

Mr. JOHNSTON of South Carolina. I yield for a question.

Mr. HILL. Is it not a fact that the reason why the American Federation of Labor passed that ringing resolution was that they were sufficiently wise and experienced to know how truly the Senator was speaking when he said that they might be the ones who would need the protection and the bulwark of the Senate rules in the future?

Mr. JOHNSTON of South Carolina. That is correct. I am warning labor that if the rules be changed it will not be many years before they, too, may suffer from the amendment of present rule XXII.

Mr. President, I read further:

I have not been impressed one bit with the assertion that present rules of the United States Senate are such that the Senate can hardly function unless they are changed.

Mr. HILL. Mr. President, will the Senator yield for a question at that point?

Mr. JOHNSTON of South Carolina. I yield for a question only.

Mr. HILL. Can the Senator cite one single piece of really beneficial, worthwhile legislation which has been defeated because of the rules of the Senate giving to the Senate free and unlimited debate?

Mr. JOHNSTON of South Carolina. I am not able at this time to cite one piece of worth-while legislation which has been prevented from passing, unless we could so class the proposal to arm merchant ships, which arose at the close of the lame duck session to which reference has been made. I do not think that did any harm, because at that time the President had the power, under his own authority to do exactly what he was asking Congress to do.

Mr. HILL. Is it not true that that was not a prevention of legislation, but was only a delay?

Mr. JOHNSTON of South Carolina. It was only a delay.

Mr. HILL. Is it not true that President Wilson under his authority as the Chief Executive and Commander in Chief, armed the ships anyway?

Mr. JOHNSTON of South Carolina. That is correct.

I certainly thank the Senator from Alabama again for bringing so forcefully to my attention what occurred in the Senate before I happened to be a Member of it.

Mr. HILL. Mr. President, will the Senator yield for another question?

Mr. JOHNSTON of South Carolina. I yield for a question only.

Mr. HILL. I hope the Senator does not mean to imply that I was a Member of the Senate in those olden times. Does he wish to so imply?

Mr. JOHNSTON of South Carolina. I look upon the Senator from Alabama as being one of the older Senators, but I realize that he was not a Member of the Senate in 1917. I do not want anyone to think I am implying by my remarks that the Senator is that old.

Mr. President, I read further:

Now that impressed me when that charge was first made when I first came to this body. I heard the talk, "Why, it is just a crippled institution of government, sadly lacking in the power to function." It challenged me, and I was impressed with that charge, but on examination of the facts I have changed my mind about that.

I read with interest pages 20 and 21 of a pamphlet published by the Legislative Reference Service entitled "Limitation of Debate in the United States Senate." These pages are headed "Legislation defeated by filibusters" and list some 27 different bills. This is quite an impressive array of proposed legislation extending over a period of 81 years. It must not be accepted for all it implies, because on close examination it is found that of the 22 proposed bills listed as having been "filibustered to death" since the time of the Panama Canal debate in 1903, all of them became law soon thereafter, some within a few days thereafter, except the following:

1. The ship-subsidy bill, delayed from 1907 and 1923 until 1936.
2. The force bill of 1890.
3. The armed-ship bill of 1917. (In this instance the authorities went on and armed the ships on another law.)
4. Antilynch bills.
5. Anti-poll-tax bills.
6. FEPC bill.

Time has proved that the force bill was not necessary, and I submit that it was unsound; and the anti-poll-tax, antilynch, and the FEPC bills, with all deference to them, are most seriously questioned as to their constitutionality, and, in fact, are actually thought by a major part of the leading legal minds of America to be contrary to our organic law, which certainly is an explanation of at least a part of the vigorous opposition thereto.

Right along that line, I recall that last year the House of Representatives passed and sent to the Senate a bill providing a sales tax. I started to speak on it last year, but the bill was withdrawn, and so I did not have an opportunity to speak. But a great many of the newspapers in Washington said that by a threatened filibuster I killed the sales tax. But after thinking about the matter for a year, I noticed the House yesterday voted down the sales tax and killed it. So, after thinking about the matter for a year, they may have been led to believe that it was a bad measure. I hope that is the way they feel about it, and I hope the Senate feels that way about it, for I believe that a sales tax is not the best way to raise money. It is wrong in principle, and we should raise the money in another way to support the city government here in Washington.

Certainly, time has clearly demonstrated that only one of these bills could reasonably have been considered as dealing with an emergency of national importance, that is, the armed-ship bill; and its defeat in 1917 was most likely reflecting a lack of mental preparation on the part of the American people for the First World War, than it was a shortcoming of the Senate rules. This is overwhelmingly demonstrated by the splendid record of the United States Senate on these

subjects during the year prior to and during World War II, of which I have not heard serious complaint of delay in the passage of needful legislation by the Senate. I remember in that connection someone last year said to me, "Talk about the rules slowing things down. Why we appropriated here in one afternoon during the war $59,000,000,000 without even a roll call." That was a time of national emergency. That shows the trend.

I haven't heard any serious threat about any delay on any bill in the Senate affecting the preparation for war or preparedness prior to World War II or during the war or any since then that has to do with the aftermath of the war.

In this connection I gladly support proper provisions to always insure a vote on emergency matters affecting the physical security of the Nation.

I really think that ought to be done and worked out; it should be covered in some careful way.

I do not and shall not endeavor here to try to bring further factual information or historical references regarding this far-reaching subject, as the facts have been well presented by others appearing here.

Debate is man's greatest political invention. It is the mother of parliamentary law. While serving as a court official I appreciated the opportunity that each side had in presenting its cause. But here on the national scene, with all the contending forces seeking points of advantage, I appreciate it all the more. It is highly important that there should be some place left where, so far as possible, debate shall remain unlimited and unrestrained. If possible, let us allow it to be limited and restrained by something other than rigid rules.

One of the proponents of changing the rules who spoke here at this table with great eloquence this week, seemed to realize that he was taking something great out of the Senate when he proposed to invoke cloture by a bare majority vote. He, therefore, said that he was relying on the historic traditions of the Senate. He testified that through these traditions certain rights and principles would be protected and preserved. I agree that we have these great traditions in the Senate, and that is the very thing we seek to preserve. They did not come through generosity of parties or groups, nor do these traditions come from the hearts of the individual Senators. Certainly we Senators are no more elevated in our thoughts and impulses than are other men. These traditions, as I see them, have been built up, not in a day or in a year or in a decade, but over a period of 143 years, in which there has been a great freedom of debate, unparalled anywhere in the world, which has led to a great respect and tolerance and understanding of the other man and his problems. It has grown into a principle of government that is almost as much a part of our national thought as though it were a part of the Bill of Rights.

We know all too well the waves of emotionalism that actually do sweep across an entire nation at times, threatening to impair or destroy man's heritage of political, economic, and even religious freedom that is the product of centuries of effort. But, as can be found in no other nation in the world, if any of our political, social, or religious groups find themselves under serious, sustained attack, they know that they have as a last and effective place of refuge, the floor of the United States Senate. This condition did not just happen—it is the result of the tradition of freedom that finds expression on this same floor.

If the Senate has a majority cloture rule, or if it begins to whittle away, bit by bit, the freedom of expression that has flowered there for so long, then, except as to size and membership, in what way will the Senate differ from the House of Representatives?

Mr. STENNIS. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER (Mr. NEELY in the chair). Does the Senator from South Carolina yield to the Senator from Mississippi?

Mr. JOHNSTON of South Carolina. I yield to the Senator from Mississippi for a question.

Mr. STENNIS. Does not the Senator think that if the Senate were to make a change in the cloture rule which would further limit the right of debate by Senators on the floor, it would result in decreasing the influence of Senators? Would it not result in circumscribing their activities here? What is the Senator's idea on that subject?

Mr. JOHNSTON of South Carolina. I believe that if the Senate were to provide for cloture by a bare majority it would result in a great many instances that the majority of the Senate, and the majority party, would be able to ride roughshod over the minority, and therefore the minority might just as well stay at home.

Mr. STENNIS. Mr. President, will the Senator yield for a further question?

The PRESIDING OFFICER. Does the Senator yield to the Senator from Mississippi?

Mr. JOHNSTON of South Carolina. I yield for a question only.

Mr. STENNIS. The Senator from South Carolina used the expression "majority party." He has been very earnest——

The PRESIDING OFFICER. The Senator from South Carolina can yield only for a question.

Mr. JOHNSTON of South Carolina. I yield for a question only.

Mr. STENNIS. I was going to base my question——

Mr. JOHNSTON of South Carolina. Just a moment.

Mr. STENNIS. I wish to ask the Senator what he meant by the expression he used, "majority party." In that connection will the Senator discuss his idea as to whether cloture by majority would develop into mere rule by a partisan majority? Will the Senator give us the benefit of his ideas on that subject?

Mr. JOHNSTON of South Carolina. In the United States we have a two-party system. If there were a further restriction placed upon the right of debate, every Senator knows that if the majority party would put its foot down and say, "This is a party measure," the poor minority group or minority party would, in my opinion, be run over roughshod. The rule as it now is affords protection to the minority party in the Senate.

I wish to make a further observation. If there were further restriction placed upon the right of debate, when bills are reported from the various committees and come up for action on the floor of the Senate the party in the majority would be able to put things through as is done at the present time in the House of Representatives, and the first thing we know, instead of being limited to 1 hour of debate, after cloture had been invoked, we would find ourselves limited to 5 minutes, as Members of the House of Representatives are. I believe the present proposal is one step down the line toward a majority cloture rule, which is something new in the Senate.

Mr. STENNIS. Mr. President, will the Senator yield for one more question?

The PRESIDING OFFICER. Does the Senator yield further?

Mr. JOHNSTON of South Carolina. I am glad to yield for a question only.

Mr. STENNIS. Will the Senator explain whether or not he believes reliance for protection of the minorities could be placed on the plane of high ideals? Does the Senator believe we could rely upon what is called the traditions of the Senate? Will the Senator give his ideas along that line?

Mr. JOHNSTON of South Carolina. The Senator is asking a question concerning the traditions of the Senate. If decision were to be left to a majority, as has been ruled by the Chair, and a majority of the Senators present sustained the Chair, it would be a dangerous thing for us. It would be very dangerous if we were to permit majority control of the Senate on the matter of rules.

Mr. STENNIS. I thank the Senator.

Mr. JOHNSTON of South Carolina. I read further:

I warn some of the Members of the Senate who espouse the cause of this change in rules, that if they are successful, their stature in national affairs will be reduced. They will be the first victims of the rule that they now advocate.

Now, I feel that the present membership of the Senate is about to make one of the most far-reaching decisions that the body has ever made and one that can and will transform the entire character of the Senate as an institution. I urge the Members, both the veterans and the newcomers, to examine this great subject again as an original proposition. I cannot but feel that as an original proposition the great majority of the membership of the Senate will oppose any change in the rules because after viewing the entire picture, they will not feel any great need for a change and they will see that the chances for loss are greater than the chances for gain. I think that is what it comes down to, a measuring of the weight of the chances for loss with the chances for gain.

As Members of the Senate we are now the seated Members of the greatest deliberative body in the world—the last governmental forum left in the whole wide world where freemen can gather for free, unmolested, and unlimited debate. Let's keep that instrument of freedom, and then let's behave so that we shall not have to use it except in the most urgent, far-reaching and extreme cases. But let us keep it. It will be worth far more than it will cost.

I want to make this further observation, gentlemen. I have picked it up around the corridors and in the committee rooms that a great number of the men who come here as Members of the Senate have read articles about the slow and archaic rules of procedure, they have heard commentators discredit those rules, and they come here with considerable impatience.

However, after they stay here and get into the spirit of the thing and see the picture unfold itself, it is with a growing appreciation for the real spirit behind those rules after all.

I was attracted to what Senator WHERRY said in the hearings here 2 years ago as I read them. He said he came down here favoring a majority rule invoking cloture, but he

changed his mind and was in favor of a two-thirds rule.

I remember an experience, if you will let me give this, that I had as district attorney during five hard-working years. I fought those courtroom battles and was always being pressed and crowded because of defects in search warrants, and I actually convinced myself that that part of the Bill of Rights ought to be repealed.

Guilty men were going unpunished, and the law was not able to cope with the situation in individual cases, and I was fully convinced it was a mistake and should be stricken out of the law.

Now, after I have been away from that a while, I realize it is one of the most cherished possessions within the law, I think, that provision of the Bill of Rights providing against unreasonable search and seizure. I wouldn't have men prying around without that safeguard. It would be inviolable. Whereas, once before, while I was pressed with a problem and before I grew to realize the spirit behind it, I was in favor of a change in that provision.

I believe, if we reexamine this thing as an original proposition, although it is defective, I believe we will find that there is more to be lost than gained if we surrender this rule around which freedom of debate has been built.

Mr. President, I find that my colleague [Mr. MAYBANK] appeared before the committee and brought out some very good points, which I wish to read at this time:

Senator MAYBANK. Mr. Chairman, I thank you and the members of the committee for giving me the privilege to testify first this morning, although Senator BYRD was supposed to have been the first witness.

If I might ask the indulgence of the committee to do me a favor, I would appreciate it. Unfortunately for me, practically all of the legislation that is expiring is before the Banking and Currency Committee. That is, the various rent controls and export controls and voluntary agreements, and so I have a meeting at 10:30 and another at 11 o'clock; and, with your permission, I would like to file with this committee a statement that I filed with the Senate yesterday in connection with the Small Business Committee with our request for appropriation of funds and also a statement as to why we think it should be done. It is printed in the record, and unless you care for me to read it, I will just file it with the committee in support of Senate Resolution 33, a resolution authorizing the Committee on Banking and Currency to make certain expenditures and employ temporary assistants and providing for the transfer of certain records to the Committee on Banking and Currency.

The CHAIRMAN. Without objection, the statement relative to the Senate Small Business Committee and in support of Senate Resolution 33 which Senator MAYBANK has submitted may be filed with the committee.

Senator MAYBANK. This is the situation in which we find ourselves in the Banking and Currency Committee; so, if you would consider this at your earliest convenience and let us know, we would appreciate it, because we have got to go ahead with these hearings and authorize these resolutions so we can take up with the appropriations. I would be very grateful.

Now, Mr. Chairman, in connection with the change in the rules, I would like to read this prepared statement, and I might add if and when the rules change should come about, if it should come up to the Senate, I will have more to say on it. I had to prepare this hurriedly because of the situation in the Banking and Currency Committee.

Twice within a generation this Nation has been forced to the use of armed might in order to protect its democratic freedoms. It seems incongruous to me that in view of two such mortal struggles within our lifetime we should now be forced to come here to protect those same freedoms in this body. Doesn't it seem out of keeping, Mr. Chairman, that while we seek to assure the various freedoms to all the world, we should have to pause in our deliberations of pressing legislation to protect freedom of speech in the Senate?

The Chamber of the United States Senate is the only remaining legislative body in the entire world where unrestricted debate may be held freely and openly. I am deeply concerned over this move which is designed to restrict this freedom of speech.

It may appear at times that this freedom of speech is being abused. On such occasions the common name for this device is called filibustering. Call it what you will, sir, the name is unimportant. It remains the right of a representative of the people of this country to make their wishes and desires known in this center of government through his voice. It is true, Mr. Chairman, that under the rules of the Senate filibuster is possible. It is also true that filibustering will recur again and again in the future, just as it has throughout the long history of the United States Senate.

Filibusters are possible in this body because we enjoy the privilege of unlimited debate. This privilege is one which I consider one of the most sacred rights guaranteed to every Member of this body. Without this right, any minority would be helpless and defenseless. They would be always, and under all circumstances, subject to the will of the majority. They would be left with not even a single weapon with which to fight in the defense of the sovereign States represented here in the Senate.

It is often said, Mr. Chairman, that the majority should always have its way. I think there is ample reason for denying the steadfastness of such a rule. I think we would point out a number of instances in which the majority was not always right. As a matter of fact, I suspect some of our Republican friends might point out a very recent instance in which they would refute the old rule. The throttling of debate is something which must never be allowed to come about in the Senate of the United States. For all practicable purposes, it would be the bitter end to this, not only the greatest but the only remaining, open legislative forum in the world—the only sounding board for the voice of free people where free and unlimited speech is an inherent right. The Members of this body have the right to outvote and defeat a Senator in his contentions, but they cannot and must not be allowed to do it as long as the Senator can and will speak. That is the basic doctrine of the filibuster.

It is my contention that sudden and frequent changes in the policy of the Government are harmful to all the interests in this country. I believe that hasty and imperfectly considered legislation is dangerous to the rights of the States and the people. What we do here in this body is of intense personal interest, not only to more than 150,000,000 people in this country but to a large segment of the entire population of the world.

Our actions here should reflect mature, deliberate, and sober second thought. Our deliberations should reflect the well-considered will of the people.

Absolute freedom of debate may be and undoubtedly is sometimes abused. But, Mr. Chairman, are there any privileges enjoyed by human beings that are not subject to abuse at one time or another? It is like the workings of democracy. For all of our great democratic policies and practices, there are still certain privileges for which we pay dearly. Mr. Chairman, I say we can better afford to submit to some abuse of the right of free speech than we can afford to allow the passage of legislation without full, mature, and deliberate consideration. When we act here, we are creating laws which reach into the homes and business of the people who sent us here. Their welfare must never be taken lightly.

On of the greatest evils that can possibly result from the abuse of the right of unlimited debate is the postponement of legislation to another Congress. However, I am confident that when such legislation is demanded by popular interest the people of our States may be relied upon to send men to Congress who will enact it into law. It would be far better if we made haste slowly than it would be if we disposed of great questions quickly but without the fullest, most mature, and deliberate consideration.

Mr. HOEY. Mr. President, will the Senator yield for a question?

Mr. JOHNSTON of South Carolina. I yield to the Senator from North Carolina for a question.

Mr. HOEY. Does the Senator know of any really meritorious proposed legislation which has been defeated by virtue of the impossibility of bringing it to a vote in the Senate, in all the time the present cloture rule has been in effect?

Mr. JOHNSTON of South Carolina. Mr. President, in my opinion, no necessary good legislation has failed to pass at some later date because of the present cloture rule.

Mr. HOEY. Mr. President, will the Senator yield for a further question?

Mr. JOHNSTON of South Carolina. I yield.

Mr. HOEY. If we were able to finish the First World War, and then deal with conditions during the depression, and then pass through the whole period of the Second World War, and then meet all the responsibilities of the postwar period with the present rule in force, does the Senator see any reason why it cannot remain as it is, and still permit us to discharge the public business in an orderly manner and take care of the legislative needs of the country?

Mr. JOHNSTON of South Carolina. Mr. President, in my opinion, the rule does not need changing at this time, and we can take up the consideration of necessary legislation which would be for the best interests of the people of the Nation without making any changes in this rule.

Mr. HOEY. Mr. President, will the Senator yield further for a question?

Mr. JOHNSTON of South Carolina. I yield for a question.

Mr. HOEY. I should like to ask the Senator if it is true that the time when the change was made was following what was regarded as a period of emergency in 1917, and I wish to ask the Senator whether there is any such emergency now which would require a change of the rule in any respect?

Mr. JOHNSTON of South Carolina. There is no such emergency in existence at the present time to call for or make necesary a change of the rule. But, Mr. President, as I stated before, in my opinion the main reason for the change or the attempt to change the rule is in order to permit the Senate to take up some legislation which in my opinion and in the opinion of a great many others is not for the best interests of the people at this particular time.

Mr. LUCAS. Mr. President, will the Senator yield for a question?

Mr. JOHNSTON of South Carolina. I yield to the Senator from Illinois for a question.

Mr. LUCAS. Can the distinguished Senator from South Carolina advise the Senate how long he expects to speak?

Mr. JOHNSTON of South Carolina. I should like to answer that question by saying that I should like to know just how long the Senate is going to stay in session tonight. That would probably answer the question.

Mr. LUCAS. Mr. President, will the Senator yield for a further question?

Mr. JOHNSTON of South Carolina. I yield for a question only.

Mr. LUCAS. Do I correctly understand that the Senator from South Carolina is ready to yield the floor at any time in the event the Senator from Illinois desires to make a motion that the Senate adjourn or take a recess?

Mr. JOHNSTON of South Carolina. My answer to that question is that I cannot agree to yield the floor for a motion to adjourn. I will yield the floor if the Senator agrees to make a motion that the Senate take a recess. Otherwise, I shall retain the floor.

Mr. LUCAS. In other words, the Senator does not wish the Senate to adjourn?

Mr. JOHNSTON of South Carolina. That is true.

Mr. LUCAS. Very well.

Mr. JOHNSTON of South Carolina. Mr. President, let me resume where I left off the reading.

Mr. RUSSELL. Mr. President, may we have order in the Chamber and in the galleries?

The PRESIDING OFFICER. The Chair did not hear the point made by the Senator from Georgia.

Mr. RUSSELL. I ask for order in the Chamber and also in the galleries.

The PRESIDING OFFICER. Yes; there will be order in the Chamber and also in the galleries. The occupants of the galleries are admonished that they must be in order or else the galleries will have to be cleared.

Mr. LUCAS. Mr. President, will the Senator yield for a parliamentary inquiry?

Mr. JOHNSTON of South Carolina. I yield for a parliamentary inquiry only.

Mr. LUCAS. Mr. President, does the Senator from Georgia have any right to make the suggestion he did make without first obtaining consent from the Senator from South Carolina?

The PRESIDING OFFICER. It is the duty of the Chair to preserve order, without requiring an appeal from any Senator for that purpose. The Chair will endeavor to preserve order.

Mr. LUCAS. Mr. President, will the Senator from South Carolina further yield for a parliamentary inquiry?

Mr. JOHNSTON of South Carolina. I yield for a question only.

Mr. LUCAS. And not for a parliamentary inquiry?

Mr. JOHNSTON of South Carolina. Mr. President, I object to yielding for anything but a question. If the Senator from Illinois intends to go into some other matter—for instance, a parliamentary inquiry—and thus take me off the floor, I object. If the Senator from Illinois wishes to obtain unanimous consent of the Senate so as to permit him to ask some other question, that is up to the Chair. But so far as I am concerned, I yield only for a question.

Mr. LUCAS. Mr. President, will the Senator yield for a question?

Mr. JOHNSTON of South Carolina. I yield for a question.

Mr. LUCAS. Is the Senator taking advice and counsel from the junior Senator from Georgia [Mr. RUSSELL] as to what he should do in this situation?

Mr. JOHNSTON of South Carolina. Mr. President, I should like to answer the Senator from Illinois: The Senator from South Carolina does not take any directions from anyone, but he is cooperating with the group on this side that is working, as I consider it, for the good of the people.

Mr. LUCAS. Mr. President, will the Senator yield for a further question?

Mr. JOHNSTON of South Carolina. I yield for a question only.

Mr. LUCAS. Does the Senator from South Carolina recognize that the junior Senator from Georgia is sitting close to him and has been talking to him from time to time as to what he should do, and is now talking again, telling the Senator what to do?

Mr. JOHNSTON of South Carolina. Mr. President, I should like to answer the Senator from Illinois by saying that, as he well knows, in matters of this kind I have sometimes seen some persons prompting the Senator from Illinois, and I have thanked God several times that they were there to help the Senator from Illinois out a little bit. [Laughter.]

Mr. LUCAS. Mr. President, will the Senator yield for a further question?

Mr. JOHNSTON of South Carolina. I yield for a question only.

Mr. LUCAS. Does the Senator from South Carolina agree with me, then, that what I said was correct, namely, that, notwithstanding the fact that I had it in the past, he is now having help in the present?

Mr. JOHNSTON of South Carolina. Mr. President, I should like to answer the question the Senator from Illinois propounds by saying that I am delighted to have the junior Senator from Georgia over here, close by me, and I am glad there are so many Senators on the floor at the present time. Perhaps they will be enlightened by something I may say or something the junior Senator from Georgia may indirectly prompt me to say. [Laughter.]

Mr. LUCAS. I am delighted finally to get that answer from my good friend from South Carolina.

Mr. JOHNSTON of South Carolina. I yield only for a question. I am not yielding for anything else.

Mr. LUCAS. It took a long time to get that confession.

Mr. JOHNSTON of South Carolina. It is hard to remember where I was reading, there have been so many interruptions. [Laughter.] But I shall begin where I left off reading the statement made by the Senator from South Carolina [Mr. MAYBANK], my colleague, at the committee hearings:

I cannot speak for other Senators, Mr. Chairman; I can only speak for myself and reflect to you the wishes of the people of my State. It would be a betrayal of their confidence in me if I were ever to lend my approval or support to any rule that would limit the right of free speech in the Senate of the United States. I would not jeopardize, in their eyes, the dignity of the Senate and civil liberty. In this body the right to free speech must necessarily be the rule. Every measure must be open to full discussion without restraint.

It is entirely unnecessary that I intrude on your graciousness by reviewing the long history of filibustering in the Senate. I do feel, however, that a brief reminder of the success and failure of this record is pertinent at this point.

Rule XXII was amended in 1917. An analysis of the 19 cloture votes since that amendment indicates that only 4 petitions have received the required two-thirds majority. In only seven instances did a majority of the entire membership of the Senate vote in the affirmative for cloture. On 12 occasions a majority was obtained on the part of those present and voting. Six cloture petitions obtained a minority of those present and voting, and one resulted in a tie.

The conference committee (composed of five Democrats and five Republicans) which drafted the cloture rule of 1917 stated that its purpose was to formulate a rule that would "terminate successful filibuster." As to the degree of success with which this cloture rule has terminated successful filibuster, I again invite your attention to the RECORD. It has failed to achieve its purpose in 15 out of 19 times. The RECORD also shows that a majority cloture rule would have failed 12 out of the 19 times. The RECORD further shows that even a simple majority cloture would have failed to stop successful filibuster in almost one-third of the cases in which cloture has been invoked since 1917.

At various times in the past, many remedies have been proposed for so-called obstruction to legislation in the Senate. I cannot help but note the repetition of the same basic suggestions for more than a century. They boil down to four proposals:

1. Majority cloture;
2. The previous question;
3. A rule of relevancy; and
4. More effective enforcement of existing rules.

If changes would be made in the present rules, Mr. Chairman, let me suggest that we first review some rules of the Senate already in effect. We have a rule requiring a speaker to remain standing and not sit or walk about.

We have a rule which would take a Senator "off his feet" for using unparliamentary language.

We have another rule which states that "No Senator shall speak more than twice upon any one question in debate on the same date without leave of the Senate, which shall be determined without debate."

We have a provision in Jefferson's Manual that "No one is to speak impertinently or beside the question, superfluously, or tediously."

Those are some of the rules which are already in effect, Mr. Chairman. Undoubtedly there are others.

It does seem out of order that the Senate could limit duration of debate on bills by special orders as the House does. It is done frequently by unanimous consent even now. There have been many instances where debate has been limited by setting a specific time for a vote on a given measure. But I would remind you, Mr. Chairman, that this device is always achieved by unanimous consent.

It has been rightly stated that filibusters have killed more bad bills than good ones.

I do not know of any important measure which has been defeated by filibuster and then enacted at a later date. Practically every proposal defeated by filibuster has been unregretted by the country and only rarely readvocated by its supporters. The only recurring bills which come to my mind are the antilynch bill and the anti-poll-tax bill. Antilynch bills were filibustered in 1922, 1935, and the Congress of 1937–38. Anti-poll-tax bills were filibustered in 1942, 1944, 1946, and in the special session of 1948. It is still my hope that the anti-poll-tax bill will be left to the several States in the form of a constitutional amendment. That is the way it should be handled.

I might digress, Mr. Chairman, and say that I took part in the filibusters against the anti-poll-tax bill in 1942, 1944, and 1946, and while I was Governor of South Carolina I recommended repeal of the poll tax, and I might say that the bill which was introduced successfully passed one branch of the legislature 1 year and also passed another year, and I still believe it will pass before very long.

I do not believe in the poll tax. I never have, but I do believe that it should be handled by the States or by constitutional amendment.

In speaking of the freedom of speech and unlimited debate, we cannot afford to overlook our governmental system of separate powers. It is the unique function of the Senate to act as a check upon the Executive. This responsibility alone could not be performed without full freedom of debate. Unrestricted debate in the Senate is the only check against bitter autocracy.

It would seem to me that many of our rules in the Senate are intentionally designed to guarantee this freedom. The Constitution's requirement for recording the yeas and nays is a protection of dilatory tactics. The provision of the Constitution which requires the yeas and nays to be recorded in the Journal at the desire of only one-fifth of the Members present is an intentional safeguard. Here is an example of constitutional protection of a minority in allowing a delay in proceedings. The House of Representatives allows 5 minutes for a Congressman to address himself to a particular measure. Majority cloture in the Senate would simply destroy its deliberative function and make it an annex of the House.

The term "filibuster" may be considered somewhat modern, Mr. Chairman. But the use of filibustering tactics is by no means a new legislative practice. The method was used in the Roman Senate and it was long known to the British Parliament. It was even practiced in some of the legislatures of the Thirteen Original Colonies. As a matter of fact the very ratification of the Federal Constitution resulted in a famous but unsuccessful filibuster in the Pennsylvania one-house legislature. Under our Constitution the filibuster found a place in the First Congress. Congress was meeting in New York when a wrangle occurred which would certainly be termed a filibuster.

To hear some people talk, Mr. Chairman, Senators have done nothing but waste time since the very beginning of our Government. It seems to me that what they consider to be a waste of time is more often a service and to the best interests of the country in the long run. It is not inconceivable that at some future time some southern Senator may introduce a bill which would be considered most obnoxious to the residents of some other section of our country. I am sure that the people of that section would be glad to know that their own Senators would have the legal right to fight with every conceivable parliamentary device in order to delay and ultimately kill such a bill. It may not seem so now but the time may come when Senators from other States may delight in using the various devices of unlimited debate which some of us are now accused of abusing.

During the early days of Congress the procedure known as previous question was a method by which debate could be limited in the Senate. That rule was abolished in 1807 and there were no other rules adopted by which debate could be limited until the so-called cloture rule was adopted in 1917. In other words, from 1789 until 1807 there was the "previous question" device which cut off all debate. That procedure was so disastrous and so ineffective in effecting legislation that in 1807 it was done away with. Until 1917, for 110 years, there was no rule, no method or regulation by which the discussion of a subject on the floor of the Senate could be stopped.

Mr. Chairman, I believe in free and unlimited debate. We do not know what is going to happen in this country in the future. The right of open debate has long been cherished in this body. The right of unlimited speech is a powerful weapon but it is a safeguard necessary to the preservation of the liberty upon which this Nation was founded.

Members of the Senate, to my mind, are ambassadors. We are ambassadors representing the sovereign States from which we are elected. We are sent here to uphold the sovereignty of our States. The privilege of unlimited debate gives us a method by which those rights may be protected from destruction. So long as this right remains, no majority may force its views upon a minority when the minority is on guard.

Mr. Chairman, there is no place where the absolute freedom of speech is more essential to the best interests of the people and to civil liberty itself than right here in the United States Senate. This is especially true when we remember that the Senate is the only legislative body where freedom of debate is permitted.

Look at the propositions, Mr. Chairman, and consider their implication. Suppose we allow the iron claw of the Federal Government to take control of the elections in the States—suppose we cut off the freedom of debate in the Senate. Mr. Chairman, as I think of the consequence of such moves, I shudder at the very thought of the monster we would have created. Why we would have created a despotism under which self-government would be but a name. The four freedoms would be nothing more than a faint memory of earlier days when we lived under the concept of government of, by, and for the people.

Let us not forget, Mr. Chairman, that the rules of this Senate are founded deep in human experience. They are the result of centuries of tireless effort to preserve the rights and liberties for which our forefathers, our fathers, our sons, and our brothers have bled and died. Is it not true that, by its own rules, the Senate fixes the limits of its own powers? By these very rules, throughout its history, the Senate has sought to preserve, without restraint, two essentials of wise legislation and of good government—the right of amendment and of debate. In my judgment, it would seem that far greater evils would result from hasty legislation than from a delay which follows full discussion and deliberation.

The freedom of debate is something which I have always thought to be a cherished possession of the Members of the Senate. The record on cloture votes which I mentioned earlier seems to bear this out. Senators, by the record, have always been reluctant to invoke the rule which has been on the books since 1917. Cloture is a gag rule. It shuts off debate. It forces all free and open discussion to come to an end.

The intent of the framers of the Constitution certainly seems clear on this point. There was a pointed and realistic attempt made to create an upper Chamber of the Congress which would represent a different point of view than that of the House. Senators were given a longer term. They are required to be of more advanced age. Their body is smaller in number and each State is given equal representation.

Mr. Chairman, I could go on at great length and point out objections to any rule which would limit or cut off debate in the United States Senate. However, I realize that you have heard a number of Senators already and will still hear more after I have finished. Some of them will call for the preservation of unlimited debate in far more eloquent terms than I am able to use. But, Mr. Chairman, none of them will be more sincere in their plea that we maintain this bulwark against any future despots who would impose an unjust will on any minority. When this happens in the United States Senate, a fatal blow will have been dealt to our liberties. You will have broken down the greatest weapon against wrong and oppression within the reach of the Members of this body. As long as I remain a Member of this body—an ambassador sent by the people of the State of South Carolina to the upper Chamber of the Federal Government—I shall stand against any rule which denies free and unlimited debate to each and every Member.

Mr. President, I should like for a few moments to give the Senate my point of view on one of the bills which it is intended to bring up in the Senate if the proponents are successful in adopting the proposed rule. I should like the Senators to listen to me in regard to the proposed anti-poll-tax legislation. I want to discuss that phase of the subject, for it is one of the measures which some Senators want to have passed; but I believe a great many Senators who are lawyers will agree that if an attempt is made to pass an anti-poll-tax bill without amending the Constitution of the United States, they will be acting counter to one of our basic laws.

Mr. LONG. Mr. President, will the Senator yield for a question?

Mr. JOHNSTON of South Carolina. I yield for a question only.

Mr. LONG. Will the Senator agree with me that most of the States which still have it, if they could consider only the tax which a poor man has to pay, would probably already have repealed the poll tax if it were not that the racial issue was involved?

Mr. JOHNSTON of South Carolina. I can speak only for my own State, but I think the same condition would be true in many other States. If people would stop the agitation, the poll-tax repeal could be adopted much more quickly, and probably would already have been adopted had there not been the agitation. My State already has under way a proposal to repeal the poll tax as a prerequisite for voting.

Mr. LONG. Would the Senator have any objection to the adoption of a constitutional amendment to repeal the poll tax?

Mr. JOHNSTON of South Carolina. Personally, I think that is the proper way to handle the question, not by Congress passing a law. I do not believe it would be constitutional if we passed a statute repealing the poll tax. I shall elucidate that to some extent in a few minutes. I have a brief on that particular subject.

Mr. LONG. Mr. President, will the Senator yield for a question?

Mr. JOHNSTON of South Carolina. For a question only.

Mr. LONG. Does the Senator feel that if there were an attempt to remove the poll tax by an unconstitutional statute the Supreme Court could be relied upon to declare the statute unconstitutional?

Mr. JOHNSTON of South Carolina. Mr. President, I am a lawyer, and I might have to go before the Supreme Court at some time, and I halfway hate to criticize them. I do not know what the Supreme Court would do if such a case were brought before it, whether it would act on this question as it has acted on some other questions of a similar nature.

Mr. LONG. Would the Senator be of the opinion that, in view of the fact that the Supreme Court has been reversing itself from time to time, we could not tell very well how the Court would decide this issue?

Mr. JOHNSTON of South Carolina. The Supreme Court reminds me of our Vice President. He reversed a Senate precedent, and the Supreme Court is very apt to act likewise regarding its precedents. It seems as if the Court can always find some way to get around precedents and I fear that our present Supreme Court might decide the question a little differently from what most constitutional lawyers would think was proper.

Mr. LONG. Does the Senator feel that, due to the fact that Senators are sworn to uphold the Constitution this body probably should not give the Supreme Court an opportunity of deciding whether a statute was unconstitutional, and should not pass an unconstitutional statute to begin with?

Mr. JOHNSTON of South Carolina. We are sworn to uphold the Constitution, and, so far as I am concerned, I am one who means to do a little interpreting myself. I mean to try to uphold the Constitution to the best of my ability while I am a Member of the Senate. I do not care to violate my oath, and I intend to fight bitterly the attempt to put into effect anti-poll-tax legislation.

Mr. EASTLAND. Mr. President, will the Senator yield for a question?

Mr. JOHNSTON of South Carolina. I yield.

Mr. EASTLAND. Is the Senator opposed to FEPC?

Mr. JOHNSTON of South Carolina. Mr. President, I have before me, for use if I need it, about an 8-hour speech I delivered against the FEPC, and I may have to turn to it tonight and read it again. I have here the speech I made in 1946, and I thought that the Senator from Mississippi would certainly understand that I was against the FEPC. I cannot see anything in it for the good of the Nation, or for the good of any individual, in the long run.

Mr. EASTLAND. Can the Senator tell me briefly how he could object to FEPC?

Mr. JOHNSTON of South Carolina. The Senator from Mississippi has asked me how I could oppose FEPC. In the first place, the title "Fair Employment Practices Act," is a misnomer. I think it was the Vice President, when he was Senator from Kentucky, who asked me whether I was passing upon titles when I was discussing that very issue before the Senate, and I told him that when I was representing a client I was always looking for a defect in the title, that I certainly had found a defect and misnomer in this particular piece of legislation and was going so to announce to my clients, who are all the people of the United States, that I should tell them that it was not fair to anyone. It would place a hardship not only upon the man employed, but also upon the man trying to get employment for him.

If someone comes into the office of a Senator to be employed, the Senator is going to find out a little something about the applicant, to ascertain whether or not he will further his business and be able to assist him if he employs him. If there is an attempt to force somebody upon a Senator, the Senator will probably cut down on some employment, and if employment is cut down throughout the United States, there will be a great deal of unemployment, and I think we would have to pass a further full-employment law in order to employ people who were added to the ranks of the unemployed because of the FEPC. That would weaken the laboring man and others we are trying to help. It will never be possible to force people to employ others against their will.

Mr. EASTLAND. Do the people in South Carolina believe in white supremacy?

Mr. JOHNSTON of South Carolina. The Senator knows they do. What makes the Senator from Mississippi ask me that question?

Mr. EASTLAND. Do any of the political leaders in South Carolina believe in white supremacy?

Mr. JOHNSTON of South Carolina. Certainly they do.

Mr. EASTLAND. Would that question enter into the Senator's position on FEPC?

Mr. JOHNSTON of South Carolina. It does not necessarily enter into the FEPC question, but the provisions of the bill caused me to be against it. I simply cannot at all see the fairness of the FEPC bill.

Mr. LANGER. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from North Dakota?

Mr. JOHNSTON of South Carolina. I yield for a question only.

Mr. LANGER. I should like to ask if the Senator is opposed to the antilynching bill.

Mr. JOHNSTON of South Carolina. I will answer the Senator from North Dakota by saying that I am opposed to the antilynching bill which its proponents are trying to have passed by Congress. I shall briefly state my reasons for opposing it. I have a brief prepared on the subject, which I shall go into later this evening. But in a few words I will answer the Senator's question by saying that, during my life as a public servant, I have felt it my duty to try to do what I thought would bring the best results. What would be the effect if Congress should pass an antilynching bill, and if the Federal Government should undertake to go into South Carolina and enforce a Federal—and I emphasize the word "Federal"—antilynching law? We have had only one actual lynching in South Carolina in about 20 years. That was last year. Some people wondered why those who took part in the lynching were not convicted. I can tell the Senate the reason why.

When the Department of Justice came into my State and kind of halfway took over matters, and the FBI came in and took over matters, the sheriff stepped aside and said, "If you are going to run the case, take it. It is your baby."

Those who conducted the prosecution were not satisfied with the situation as it was. They brought in a lawyer from outside the county to prosecute. Then in order to make a big showing they threw out a net and raked in some 30 persons. Some individuals who were indicted were not anywhere near the lynching. One of those who was arrested was a taxicab driver who had driven his taxicab in the direction where the lynching occurred, on his way home. It was alleged that he had participated in the lynching; so he was arrested. They arrested many persons against whom they could not secure any evidence. That in a way confused the picture. Then the fact that they brought in a prosecutor from outside the county, and brought in Federal Government detectives, in my opinion, kept them from securing the evidence they would have secured had they left the matter to the sheriff of the county, our county, to work up the case. But they made a big showing. They arrested a great number of persons. But when they really undertook the presentation of evidence they found they did not have the evidence properly worked up.

What I am driving at is that if a Federal antilynching law is enacted, the sheriff's office will take the position, "The law under which the action is being taken is a Federal law. You Federal people work up the case." Therefore not as much evidence will be secured as could otherwise be secured by the local county officials if it were left to them. The jurors in either case would be State jurors. The situation, with Federal prosecution, however, would be more complex. Many persons would resent Federal action.

Mr. EASTLAND. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from Mississippi?

Mr. JOHNSTON of South Carolina. I yield for a question.

Mr. EASTLAND. Does not the Senator think that if the Federal Government is going into the field of crime detection and prosecution within a State the Federal Government should first turn its attention to gangsters in northern cities, and does not the Senator think that is where the need lies?

Mr. JOHNSTON of South Carolina. I think the Government should go to

Chicago first, and do a little work around Chicago, and go to New York and some other cities where, as I have heard, gangsters do a little bit of machine-gun work occasionally. We might introduce a bill providing that the Government should have authority to do that. It might do some good. But I believe Senators would then hear a great deal of hollering about it.

I now want to say something about the anti-poll-tax proposal.

Mr. LANGER. Mr. President, will the Senator yield for a question?

Mr. JOHNSTON of South Carolina. I yield for a question only.

Mr. LANGER. The Senator was Governor of South Carolina for a long time, was he not?

Mr. JOHNSTON of South Carolina. I was governor for one full term and for part of another.

Mr. LANGER. For how many years?

Mr. JOHNSTON of South Carolina. For 6 years.

Mr. LANGER. Will the Senator yield further?

Mr. JOHNSTON of South Carolina. Yes; I yield for a question.

Mr. LANGER. I ask, Did the Senator do anything to permit the Negroes to vote during the time he was governor of the State?

Mr. JOHNSTON of South Carolina. I did not. In my State——

Mr. LANGER. Just a moment. Will the Senator yield for another question?

Mr. JOHNSTON of South Carolina. I yield for a question only.

Mr. LANGER. We have been told on the floor of the Senate time and time again that if we would leave the Southern States alone they would work out their own salvation; that they would get the poll tax out of the way, and all that sort of thing. Yet I understand the Senator to admit that during the 6 years he was governor he never lifted a finger to wipe out the poll tax. Is that correct?

Mr. JOHNSTON of South Carolina. So far as the poll tax in South Carolina is concerned, as I said a few moments ago, that does not keep anyone from voting in my State. I never heard of anyone who wanted to vote who was kept from voting by the poll tax.

Mr. EASTLAND. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from Mississippi?

Mr. JOHNSTON of South Carolina. I yield for a question only.

Mr. EASTLAND. Is the payment of a poll tax a qualification for voting in the Democratic primary in South Carolina, which means election in South Carolina?

Mr. JOHNSTON of South Carolina. No poll-tax payment is required in my State to vote in any primary election, State, city, or county.

Mr. EASTLAND. In reality does South Carolina have a poll tax in connection with its elections?

Mr. JOHNSTON of South Carolina. By the ruling of the Supreme Court we have no poll tax as a prerequisite for voting in elections in South Carolina, for the Supreme Court said that the primary was everything, so far as elections are concerned in South Carolina. That is the statement of the Supreme Court of the United States.

Mr. LANGER. Mr. President, will the Senator yield for a further question?

Mr. JOHNSTON of South Carolina. I yield for a question only.

Mr. LANGER. The Senator did not, during the 6 years he was governor, do anything to wipe out the poll tax. Yet the Senator is opposed to the Federal Government doing anything. Is not the conclusion inevitable that nothing is being done?

Mr. JOHNSTON of South Carolina. In answer to the Senator's question I want him to know that I am in favor of the State repealing the poll tax, and have so stated. I have always said that in my opinion, if the Federal Government or the Congress would leave the States alone they would pass anti-poll-tax legislation.

Mr. President, I submit that other substantial and logical grounds exist which may be presented against the passage of the anti-poll-tax legislation now under consideration. In fact, some of the grounds to which I refer have been heretofore presented. But being a lawyer by profession, and after careful study of the measure from a legal viewpoint, and thereby convinced that if enacted it would be unconstitutional and a clear invasion of States' rights, I shall confine my discussion and argument primarily to the legal and constitutional aspects involved.

May I state in the beginning, without any intention to reflect on the intelligence and ability of the Members of the Senate, that properly to discuss and vote on this measure I consider it necessary first carefully to study and know the historical background of the applicable provisions of the Constitution, in the light of the interpretation thereof by our courts, to determine the real intent and purpose of the framers of the Constitution in such provisions.

When this has been accomplished, then with an open mind, let us make a fair and impartial comparison with the intent and purpose of this proposed legislation.

This legislation, if enacted by the Congress, would prohibit and make it unlawful for any State to require the payment of a poll tax as a prerequisite to voting in an election for national offices.

There is only one legal question involved in the consideration of this proposed legislation, namely, Has the Congress constitutional power to abolish the requirement for payment of a poll tax as prerequisite to voting in an election for national offices when such requirement or qualification has been fixed by the several States?

In considering the proposed measure, the following provisions of the Constitution are of immediate application:

ARTICLE I, SECTION 2

The House of Representatives shall be composed of Members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for the electors of the most numerous branch of the State legislature.

ARTICLE I, SECTION 4

The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the legislature thereof; but the Congress may at any time by law make or alter such regulations except as to the places of choosing Senators.

In 1913 the seventeenth amendment became a part of the Federal Constitution, providing for the election of Senators in the same manner as Members of the House of Representatives. That is to say:

By the people of the several States, and the electors in each State shall have the qualifications requisite for the electors of the most numerous branch of the State legislature.

The proposed legislation is in direct conflict with sections 2 and 4, article I of the Constitution since it would deprive the several States of a right reserved and guaranteed to the States by the Constitution, and if enacted, would be in violation of the Constitution and beyond the authority of Congress.

Mr. LANGER. Mr. President, will the Senator yield for a question?

Mr. JOHNSTON of South Carolina. I yield for a question only.

Mr. LANGER. Is the Senator familiar with the Clawson case in the Supreme Court of the United States?

Mr. JOHNSTON of South Carolina. I know something about it.

Mr. LANGER. Then the Senator knows, does he not, that what he is now reading is entirely contrary to what the Supreme Court of the United States held in the Clawson case?

Mr. JOHNSTON of South Carolina. No. I will explain that. The Senator is mistaken with respect to the qualifications for voting.

These sections are clear, concise, and not in the least ambiguous. The framers of the Constitution after careful deliberation intended and wisely decided that the qualifications requisite for electors of the House of Representatives should be determined and established by the States. The fact that the qualifications of the electors may not be uniform in the States show conclusively that the framers of the Constitution did not anticipate or desire uniformity in this respect, but left such qualifications entirely to the discretion of the several States.

Sections 2 and 4, article I, adequately define the qualifications of an elector voting for the Members of the House of Representatives. They are mandatory in this respect and consequently Congress is without power to legislate on the subject of qualifications of electors.

Let us review the decisions of the Federal courts for their construction of the applicable sections of the Constitution heretofore stated. The Supreme Court of the United States has judicially determined that a State has the right under the Federal Constitution to provide for the collection of a poll tax as a prerequisite to voting without violation of the provisions of the Federal Constitution. In the case of *Nolen R. Breedlove* v. *T. Earl Suttles, Tax Collector* (302 U. S. 277–284; 82 L. ed. 252; decided December 1937) the Supreme Court of the United States upheld the right of the State of Georgia to collect a poll tax of $1 as a prerequisite to voting and specifically

held that such requirement did not violate the equal protection of the laws, nor did it abridge the privileges and immunities as guaranteed by the fourteenth amendment. In passing upon the question the Court said:

To make payment of poll taxes a prerequisite of voting is not to deny any privilege or immunity protected by the XIV Amendment. Privilege of voting is not derived from the United States, but is conferred by the State and, save as restrained by the XV and XIX Amendments and other provisions of the Federal Constitution, the State may condition suffrage as it deems appropriate. (*Minor* v. *Happersett* (21 Wall 162, 170 et seq.; 22 L. Ed. 627, 629); *Ex Parte Yarbrough* (110 U. S. 651, 664, 665; 28 L. Ed. 274, 275; 54 S. Ct. 152); *McPherson* v. *Blacker* (146 U. S. 1, 37, 38; 36 L. Ed. 869, 878; 13 S. Ct. 3); *Guinn* v. *United States* (238 U. S. 347; 362; 59 L. Ed. 1340, 1346; 35 S. Ct. 926; L. R. A. 1916 A. 1124).)

Mr. LANGER. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield for a question only.

Mr. LANGER. Does the Senator from South Carolina believe in white supremacy, and if so, why?

Mr. JOHNSTON of South Carolina. I should like to tell the Senator from North Dakota that I believe that those best qualified to govern should govern. I should also like to state to the Senator from North Dakota that, as I understand, there are some Indians in North Dakota and in other States who, I believe, are not allowed to vote. Some of them are not allowed to hold property. They cannot sell a cow unless they get permission from the Commissioner to do it. Many things are going on in certain sections which ought to be changed. I believe those Indians ought to have a right to sell a cow without having to go to a Commissioner to get permission. I think they ought to have the right to buy and sell property, and own it.

Also I noted that up until last year they could not even buy a little drink. I am a prohibitionist, but I believe that everyone ought to have the same rights. I understand that the Indians could not buy any whisky unless they got permission to do so. We had better clean up around our own doorstep before we start talking about other people.

Mr. LANGER. Mr. President, will the Senator further yield?

Mr. JOHNSTON of South Carolina. I yield for a question only.

Mr. LANGER. Does not the Senator know that most of the Indians of North Dakota are graduates of Yale, Harvard, Princeton, or Columbia, or of the University of North Dakota? Does he not know that, as a matter of fact, they own a great amount of property? Is the Senator aware of that fact?

Mr. JOHNSTON of South Carolina. They own property which the Federal Government gave them in many cases. I am glad to know that a great many of them have discovered that the land which was given to them, and which was not considered to be worth anything, turned out to be worth millions of dollars, because oil was found on it.

Mr. LANGER. Mr. President, will the Senator further yield?

Mr. JOHNSTON of South Carolina. I yield for a question only.

Mr. LANGER. Does not the Senator know that in the State of North Dakota all the Indians vote?

Mr. JOHNSTON of South Carolina. I have heard differently on the reservations.

Mr. LANGER. Mr. President, will the Senator yield for a further question?

Mr. JOHNSTON of South Carolina. I yield for a question only.

Mr. LANGER. Does the Senator know that under a Republican President, Calvin Coolidge, every Indian in the United States who wanted to vote was given the right to vote?

Mr. JOHNSTON of South Carolina. I presume the reason I did not find it out was that Calvin never talked very much. [Laughter.]

Mr. LONG. Mr. President, will the Senator yield for a question at this point?

Mr. JOHNSTON of South Carolina. I yield for a question only.

Mr. LONG. As a matter of practical politics, does it not work out that the payment of the poll tax has the effect of preventing a number of poor people from voting?

Mr. JOHNSTON of South Carolina. I shall answer that question by saying that in my State I have never heard of anyone who was kept from voting by it. We do not require the payment of a poll tax as a prerequisite for voting, except in the general election; and in the general election both white and colored vote.

Mr. LONG. Mr. President, will the Senator yield for a further question?

Mr. JOHNSTON of South Carolina. I yield for a question only.

Mr. LONG. Then if the poll tax is not required as a prerequisite for voting in the primary elections in the State of South Carolina, am I correct in understanding the situation to be that for all intents and purposes the State of South Carolina actually has no poll tax?

Mr. JOHNSTON of South Carolina. That is true. That is what I have brought out already on several occasions during this debate.

Mr. President, in the same case the Supreme Court of the United States said:

The payment of poll taxes as a prerequisite to voting is a familiar and reasonable regulation long enforced in many States and for more than a century in Georgia.

Mr. President, I should like to state that the poll tax has existed in my State for almost 100 years. In 1868, when we did not have white supremacy, a constitutional convention was held. Senators will find that we had written into our constitution then a provision for a one-dollar poll tax, and it has been there ever since. The money thus received is kept within the school districts where it is paid for school purposes

As to the constitutional requirement that evidence of the payment of the poll tax be offered as a prerequisite to voting, the Court said:

That measure reasonably may be deemed essential to that form of the levy. Imposition without enforcement would be futile. Power to levy and power to collect are equally necessary. And by the exaction of payment before registration the right to vote is neither denied nor abridged. * * * It is fanciful to suggest that the Georgia law is a mere disguise under which to deny or abridge the right of men to vote.

The Breedlove case, supra, is the final work from the Supreme Court of the United States with reference to the imposition of a poll tax as a prerequisite to voting, and we see by that case that such a requirement is in harmony with the United States Constitution. This case has been followed with approval since 1937 in the following cases: 68 Federal Supplement 748; 164 Pennsylvania (2d) 169; 207 South Carolina 489; 183 Tennessee 370.

Mr. LONG. Mr. President, will the Senator yield for a question only?

Mr. JOHNSTON of South Carolina. I yield for a question.

Mr. LONG. Does the Senator realize that, based on the Breedlove case, a distinction can be drawn as follows: Under the Breedlove case the Court says that a State can levy a poll tax, but not that the Federal Congress can outlaw a poll tax, even though the State could not constitutionally levy it?

Mr. JOHNSTON of South Carolina. Mr. President, if the Federal Congress were to pass a law regarding the qualifications for voting, after the Constitution has stated what the qualifications for electors shall be and has stated that that matter shall be left to the States, in my opinion such action by the Federal Congress would be unconstitutional.

Mr. President, again in 1941 the Supreme Court of the United States in an opinion by Mr. Chief Justice Stone, passing upon the meaning of section 2, article I of the United States Constitution, said in the case of *United States of America* v. *Patrick B. Classic* (313 U. S. 298; 85 L. ed. 1368):

Section 2 of article I commands that Congressmen shall be chosen by the people of the several States by electors, the qualifications of which it prescribes. The right of the people to choose, within its appropriate constitutional limitations, where in other respects it is defined, and the mode of its exercise is prescribed by State acts in conformity to the Constitution, is a right established and guaranteed by the Constitution and hence is one secured by it to those citizens and inhabitants of the State entitled to exercise the right.

It is argued by some that the Classic case, supra, to some extent overruled the principles enunciated in the Breedlove case, supra. This position cannot be maintained, however, when the language of the Court and the authorities cited therein are carefully analyzed. It is important to bear in mind that the statute involved in the Classic case regulated only the manner of holding elections.

The language used by the Court and relied upon by those who maintain that new and different legal principles were established by the Classic case is as follows:

While, in a loose sense, the right to vote for representatives in Congress is sometimes spoken of as a right derived from the States (citing cases), this statement is true only in the sense that the States are authorized by the Constitution to legislate on the subject as provided by section 2 of article I, to the extent that Congress has not restricted State

action by the exercise of its powers to regulate elections under section 4 and its more general power under article I, section 8, clause 18 of the Constitution "to make all laws which shall be necessary and proper for carrying into execution the foregoing powers."

To sustain this proposition the Court cited *Ex parte Siebold* (100 U. S. 271; L. ed. 717); *Ex parte Yarbrough* (110 U. S. 663, 664; 28 L. ed. 278; 4 S. Ct. 152); *Swafford* v. *Templeton* (185 U. S. 487; 46 L. ed. 1005; 22 S. Ct. 783); *Wiley* v. *Sinkler* (179 U. S. 58, 64; 45 L. ed. 84, 88; 21 S. Ct. 17).

All the authorities cited in the Classic case definitely hold that the several States have supreme power to prescribe the qualifications of the electors who are to vote for the most numerous branch of their legislatures, and consequently their Senators and Representatives in Congress. The first case cited, Ex parte Siebold, involves solely the question of the power of Congress to provide for the supervision of elections for representatives in Congress by Federal marshals and their deputies, and by supervisors appointed by the Federal judges. These Federal officers were required to be present at the voting places and it was made a crime by an act of Congress for anyone to interfere with them in the disposition of their duties. The opinion of the Court did not touch upon the question of qualifications for suffrage or even refer to section 2 of article I. It was restricted solely to the power to regulate the manner of holding the election, as appears from the language in the opinion. This language is as follows:

> The clause of the Constitution under which the power of Congress, as well as that of the State legislatures, to regulate the election of Senators and Representatives is as follows: "The times, places, and manner of holding an election for Senators and Representatives shall be prescribed in each State by the legislature thereof; but the Congress may at any time, by law, make or alter such regulations, except as to the place of choosing Senators."

This expressly excludes the possibility that the Court considered section 2 relating to qualifications of electors as included in the power to regulate the "manner of holding elections." If this were not correct, reference would have been made to section 2 as well as section 4 of article I.

The second case cited in the opinion in the Classic case is Ex parte Yarbrough. In this case the Court expressly recognized the power of the States to prescribe such qualifications, saying that the States "define who are to vote for the popular branch of their own legislature, and the Constitution of the United States says the same persons shall vote for Members of Congress in that State."

If the language relied upon by those who did propose such legislation quoted from the Classic case had been intended to mean that Congress is empowered to "define who are to vote" at such elections, the Court certainly would not have cited the Yarbrough case in support of that proposition. In fact, the Yarbrough case is authority for the principle that Congress has no such power.

The next case cited by the Chief Justice in the Classic case is Swafford against Templeton, which involved the question whether a person qualified to vote under State laws, who is wrongfully denied that right, has a cause of action for damages arising under the Constitution of the United States. In answering the question in the affirmative the Court referred to the Yarbrough case, supra, and interpreted that opinion:

> That is to say the opinion was that the case was equally one arising under the Constitution or laws of the United States whether the illegal act complained of arose from a charged violation of some specific provision of the Constitution or laws of the United States, or from the violation of a State law which affected the exercise of the right to vote for a Member of Congress, since the Constitution of the United States had adopted, as the qualifications of electors for Members of Congress, those prescribed by the State for electors of the most numerous branch of the legislature of the State (46 L. ed. 1007–1008).

It is significant to note that the Court says that the Constitution adopts the qualifications of electors prescribed by the State, not that Congress adopts same. Since the Constitution adopts them, it necessarily follows that Congress is without power to alter this adoption or in any manner change same.

The last case cited by the Chief Justice in the Classic case is Wiley against Sinkler which also held that the right of a person qualified under State laws to vote for the popular branch of the legislature is also qualified to vote for Members of Congress and such right is protected by the Constitution. The opinion quoted with the approval of the proposition laid down in the Yarbrough case that the States define who are to vote for the popular branch of their own legislature and the Constitution of the United States says that the same persons shall vote for Members of Congress in that State. The power of the several States to define these qualifications is supreme and paramount.

Certainly these cases cited in the Classic case should dispel any argument by the proponents of such legislation that the language in the Classic case was intended to overrule the principle long established in this country that the qualification of electors is to be prescribed by the several States.

Mr. LANGER. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from South Carolina yield?

Mr. JOHNSTON of South Carolina. I yield for a question only.

Mr. LANGER. May I say that I looked up the matter with respect to the Indians——

Mr. JOHNSTON of South Carolina. I yielded for a question only.

Mr. LANGER. I find that the Indians can vote in every State except two Democratic States.

The VICE PRESIDENT. The Senator from South Carolina yielded for a question.

Mr. LANGER. Is the Senator familiar with that fact?

Mr. JOHNSTON of South Carolina. I yielded for a question only.

Mr. LANGER. Does the Senator not know that Indians can vote everywhere except in the Democratic States of New Mexico and Arizona?

Mr. JOHNSTON of South Carolina. I do not know that.

Mr. President, the principles enunciated by the Supreme Court of the United States in the Breedlove case and in the Classic case were again affirmed on October 13, 1941, when the Supreme Court denied certiorari in the case of *Pirtle* v. *Brown* (118 Fed. (2d) 218; certiorari denied, 86 L. ed. 68; 62 S. Ct. Rep. 64). In Pirtle against Brown the United States Circuit Court of Appeals for the Sixth Circuit, in a unanimous decision based largely on the Breedlove case, held the poll-tax requirement constitutional. Thus, the Supreme Court again placed the stamp of its approval on the Breedlove case and approved it as the controlling authority to sustain the validity of the poll-tax qualification in elections solely for congressional members.

There are numerous State court decisions sustaining the validity of the poll-tax qualification. Time and space will not permit a review of all of these authorities. Suffice it to say that in the following States the courts are unanimous in holding that failure to pay a valid poll tax imposed as a condition of voting has the effect of disqualifying the voter and rendering his vote invalid. I notice it is not only Southern States, either. The States are: Alabama, Arkansas, Delaware, Florida, Georgia, Kentucky, Louisiana, Massachusetts, Mississippi, North Carolina, Oregon, Pennsylvania, Tennessee, Texas, Virginia, South Carolina.

Mr. President, although I am prepared to go on, and I am feeling fine, I think, for the good of the cause, it may be best for me to cut my speech a little short. In closing, let me say that I am fully convinced that the Members of the Senate should not make any changes in rule XXII or open it so that amendments can be made to it, for if we should ever permit majority cloture rule in the Senate, I predict that not only may we suffer in the United States, but the effect may be so far reaching that even other nations will be affected by a change of the cloture rule. I am also convinced, as a Senator, that we must keep the right of unlimited debate which we now have in order to protect minorities against the majority. I hope that Senators listening to me tonight will please remember that today there may be a civil-rights question involved, but tomorrow there may be involved an entirely different matter affecting a different section of the United States. We should consider this question thoroughly. That is one reason I have taken so much time in trying to present the case to the Senate this evening. I hope nothing will be done which will in the future jeopardize our Nation.

Mr. LUCAS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Hill	Maybank
Anderson	Hoey	Millikin
Baldwin	Holland	Morse
Brewster	Humphrey	Mundt
Bricker	Ives	Myers
Butler	Jenner	Neely
Byrd	Johnson, Colo.	Pepper
Cain	Johnson, Tex.	Reed
Capehart	Johnston, S. C.	Robertson
Chapman	Kem	Russell
Connally	Kerr	Saltonstall
Cordon	Kilgore	Schoeppel
Douglas	Knowland	Smith, Maine
Downey	Langer	Smith, N. J.
Eastland	Lodge	Sparkman
Ecton	Long	Stennis
Ellender	Lucas	Taft
Ferguson	McCarran	Thomas, Utah
Frear	McCarthy	Thye
Fulbright	McFarland	Vandenberg
George	McGrath	Watkins
Green	McKellar	Wherry
Gurney	McMahon	Wiley
Hayden	Magnuson	Williams
Hendrickson	Malone	Withers
Hickenlooper	Martin	Young

The VICE PRESIDENT. Seventy-eight Senators having answered to their names, a quorum is present.

The question is on agreeing to the motion of the Senator from Illinois [Mr. LUCAS] that the Senate proceed to the consideration of Senate Resolution 15. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. STENNIS (when his name was called). On this general subject matter I have a pair with the senior Senator from Wyoming [Mr. O'MAHONEY]. I am informed that if the Senator from Wyoming were present he would vote as I intend to vote on the pending question. I, therefore, feel at liberty to vote, and I vote "yea."

The roll call was concluded.

Mr. MYERS. I announce that the Senator from Arkansas [Mr. MCCLELLAN] is absent because of a death in his family.

The Senator from Tennessee [Mr. KEFAUVER] and the Senator from Wyoming [Mr. O'MAHONEY], who are absent on public business, would vote "yea," if present.

The Senator from New Mexico [Mr. CHAVEZ], the Senator from Iowa [Mr. GILLETTE], the Senator from Wyoming [Mr. HUNT], the Senator from Idaho [Mr. MILLER], the Senator from Montana [Mr. MURRAY], the Senator from Maryland [Mr. O'CONOR], the Senator from Idaho [Mr. TAYLOR], the Senator from Oklahoma [Mr. THOMAS], the Senator from Maryland [Mr. TYDINGS], and the Senator from New York [Mr. WAGNER], all of whom are necessarily absent, would vote "yea," if present.

Mr. SALTONSTALL. I announce that the Senator from New Hampshire [Mr. BRIDGES] is necessarily absent. If present and voting, the Senator from New Hampshire [Mr. BRIDGES] would vote "yea."

The Senator from Missouri [Mr. DONNELL] is absent by leave of the Senate. If present and voting, the Senator from Missouri [Mr. DONNELL] would vote "yea."

The Senator from Vermont [Mr. FLANDERS] and the Senator from New Hampshire [Mr. TOBEY] are absent on official business. If present and voting, the Senator from Vermont [Mr. FLANDERS] and the Senator from New Hampshire [Mr. TOBEY], would vote "yea."

The yeas and nays resulted—yeas 78, nays none, as follows:

YEAS—78

Aiken	Hill	Maybank
Anderson	Hoey	Millikin
Baldwin	Holland	Morse
Brewster	Humphrey	Mundt
Bricker	Ives	Myers
Butler	Jenner	Neely
Byrd	Johnson, Colo.	Pepper
Cain	Johnson, Tex.	Reed
Capehart	Johnston, S. C.	Robertson
Chapman	Kem	Russell
Connally	Kerr	Saltonstall
Cordon	Kilgore	Schoeppel
Douglas	Knowland	Smith, Maine
Downey	Langer	Smith, N. J.
Eastland	Lodge	Sparkman
Ecton	Long	Stennis
Ellender	Lucas	Taft
Ferguson	McCarran	Thomas, Utah
Frear	McCarthy	Thye
Fulbright	McFarland	Vandenberg
George	McGrath	Watkins
Green	McKellar	Wherry
Gurney	McMahon	Wiley
Hayden	Magnuson	Williams
Hendrickson	Malone	Withers
Hickenlooper	Martin	Young

NOT VOTING—17

Bridges	Kefauver	Taylor
Chavez	McClellan	Thomas, Okla.
Donnell	Miller	Tobey
Flanders	Murray	Tydings
Gillette	O'Conor	Wagner
Hunt	O'Mahoney	

The VICE PRESIDENT. On this question the yeas are 78, and no Senator having voted in the negative, the motion is unanimously agreed to.

So the Senate proceeded to consider the resolution (S. Res. 15) amending the so-called cloture rule of the Senate.

The VICE PRESIDENT. The resolution is now before the Senate and open to amendment.

Mr. WHERRY. Mr. President, I send to the desk an amendment to Senate Resolution 15, in the nature of a substitute, which I offer on behalf of the senior Senator from Arizona [Mr. HAYDEN], the senior Senator from Virginia [Mr. BYRD], the senior Senator from Alabama [Mr. HILL], the Senator from North Carolina [Mr. HOEY], the junior Senator from Florida [Mr. HOLLAND], the senior Senator from Texas [Mr. CONNALLY], the junior Senator from Mississippi [Mr. STENNIS], the junior Senator from Arkansas [Mr. FULBRIGHT], the senior Senator from Kentucky [Mr. CHAPMAN], the junior Senator from Louisiana [Mr. LONG], the junior Senator from Georgia [Mr. RUSSELL], the senior Senator from Tennessee [Mr. MCKELLAR], the senior Senator from South Carolina [Mr. MAYBANK], the junior Senator from Alabama [Mr. SPARKMAN], the senior Senator from Georgia [Mr. GEORGE], the senior Senator from Mississippi [Mr. EASTLAND], the junior Senator from South Carolina [Mr. JOHNSTON], the junior Senator from Texas [Mr. JOHNSON], the senior Senator from Louisiana [Mr. ELLENDER], the senior Senator from Maryland [Mr. TYDINGS], the junior Senator from Idaho [Mr. MILLER], the junior Senator from Oklahoma [Mr. KERR], the junior Senator from Kentucky [Mr. WITHERS], the senior Senator from Nevada [Mr. MCCARRAN], the junior Senator from Delaware [Mr. FREAR], the senior Senator from Colorado [Mr. JOHNSON], the junior Senator from Maryland [Mr. O'CONOR], the junior Senator from South Dakota [Mr. MUNDT], the senior Senator from Indiana [Mr. CAPEHART], the junior Senator from Colorado [Mr. MILLIKIN], the senior Senator from Kansas [Mr. REED], the senior Senator from Iowa [Mr. HICKENLOOPER], the junior Senator from Kansas [Mr. SCHOEPPEL], the junior Senator from Indiana [Mr. JENNER], the senior Senator from Oregon [Mr. CORDON], the junior Senator from Washington [Mr. CAIN], the senior Senator from Minnesota [Mr. THYE], the junior Senator from Utah [Mr. WATKINS], the junior Senator from California [Mr. KNOWLAND], the senior Senator from South Dakota [Mr. GURNEY], the junior Senator from New Jersey [Mr. HENDRICKSON], the senior Senator from New Jersey [Mr. SMITH], the senior Senator from Nebraska [Mr. BUTLER], the senior Senator from Wisconsin [Mr. WILEY], the junior Senator from North Dakota [Mr. YOUNG], the senior Senator from Maine [Mr. BREWSTER], the junior Senator from Virginia [Mr. ROBERTSON], the junior Senator from Wyoming [Mr. HUNT], the junior Senator from Arizona [Mr. MCFARLAND], the junior Senator from Pennsylvania [Mr. MARTIN], the junior Senator from Maine [Mrs. SMITH], and myself.

The VICE PRESIDENT. The clerk will state the amendment.

The CHIEF CLERK. It is proposed to strike out all after the resolving clause and in lieu thereof to insert the following:

Resolved, That subsection 2 of rule XXII of the Standing Rules of the Senate relating to cloture, be, and the same is hereby, amended to read as follows:

"2. Notwithstanding the provisions of rule III or rule VI or any other rule of the Senate, except subsection 3 of rule XXII, at any time a motion signed by 16 Senators, to bring to a close the debate upon any measure, motion, or other matter pending before the Senate, or the unfinished business, is presented to the Senate, the Presiding Officer shall at once state the motion to the Senate, and 1 hour after the Senate meets on the following calendar day, but one, he shall lay the motion before the Senate and direct that the Secretary call the roll, and, upon the ascertainment that a quorum is present, the Presiding Officer shall, without debate, submit to the Senate by a yea-and-nay vote question:

"'Is it the sense of the Senate that the debate shall be brought to a close?'

"And if that question shall be decided in the affirmative by two-thirds of the Senators duly chosen and sworn, then said measure, motion, or other matter pending before the Senate, or the unfinished business, shall be the unfinished business to the exclusion of all other business until disposed of.

"Thereafter no Senator shall be entitled to speak in all more than 1 hour on the measure, motion, or other matter pending before the Senate, or the unfinished business, the amendments thereto, and motions affecting the same, and it shall be the duty of the Presiding Officer to keep the time of each Senator who speaks. Except by unanimous consent, no amendment shall be in order after the vote to bring the debate to a close, unless the same has been presented and read prior to that time. No dilatory motion, or dilatory amendment, or amendment not germane shall be in order. Points of order, including questions of relevancy, and appeals

from the decision of the Presiding Officer, shall be decided without debate."

SEC. 2. Rule XXII of the Standing Rules of the Senate, relating to cloture, be, and the same is hereby, amended by adding at the end thereof the following new subsection:

"3. The provisions of the last paragraph of rule VIII (prohibiting debate on motions made before 2 o'clock) and of subsection 2 of this rule shall not apply to any motion to proceed to the consideration of any motion, resolution, or proposal to change any of the Standing Rules of the Senate."

Mr. LUCAS. Mr. President, I desire to submit a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. LUCAS. Am I correct in my understanding that this is a complete substitute for Senate Resolution 15?

The VICE PRESIDENT. It is so submitted; yes.

Mr. LUCAS. Mr. President, a further parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. LUCAS. When it comes to voting, would perfecting amendments to the original text take precedence over the amendment in the nature of a substitute?

The VICE PRESIDENT. An amendment to the original text of the resolution takes precedence in the matter of voting before the substitute or any amendment to the substitute is voted upon. In other words, the original text for which the substitute is offered is open to perfecting amendments.

Mr. MORSE. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. MORSE. Is the substitute subject to debate?

The VICE PRESIDENT. The substitute is subject to debate and amendment.

Mr. LANGER obtained the floor.

Mr. LUCAS. Mr. President, will the Senator yield so I may make a statement?

Mr. LANGER. I yield.

Mr. LUCAS. Mr. President, there is apparently now before us a complete new substitute, which has many ramifications and many new phases of law which make it entirely different from Senate Resolution 15. This is the first time that at least about 40 Senators in the Chamber have heard very much about the substitute. It seems to me that in order to give all Senators a fair opportunity to look over this new provision we should take a recess now and come in perhaps tomorrow at noon. That will give every Senator an opportunity seriously to consider the matter and come here with some idea and knowledge of what we should or should not do.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. LUCAS. The Senator from North Dakota has the floor.

Mr. LANGER. I wish to say that I rose to ask for that very privilege—of studying the substitute resolution—because I have not seen it. I think Senators are entitled to study it before they are called upon to vote on it.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. WHERRY. I have no intention not to give the Senate an opportunity to discuss the substitute and to become acquainted with all its provisions. I did not know whether it was the intention of the majority leader to recess now or to proceed with the discussion. Certainly it is the intention of all those who have joined in submitting the substitute that all Senators be given all information about it. I heartily agree with the suggestion of the majority leader that the Senate take a recess until tomorrow noon. I am in complete accord with the suggestion, and I hope he will make the motion.

RECESS

Mr. LUCAS. Mr. President, I move that the Senate stand in recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 11 o'clock and 14 minutes p. m.) the Senate took a recess until tomorrow, Wednesday, March 16, 1949, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

TUESDAY, MARCH 15, 1949

The House met at 11 o'clock a. m.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our blessed Father in Heaven, we thank Thee that back of this world house, back of our joys and afflictions, our perplexities and problems, back of the universe itself, is a good God of infinite mercy and power. Let us not doubt the divine will, which keeps this troubled world steadfast and sure.

We thank Thee for the infinite tenderness with which Thou hast blessed us, for home and church, for food and shelter, for religious liberty and the love of truth and honor.

May our daily pledge be to our conscience, our country, and our God, believing that the glorious earth is one great land with Thee as ruler, and eternal truth the only sword. Through Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

TAX REFUNDS

Mr. HALLECK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLECK. Mr. Speaker, this is income-tax day. It is the day in millions of homes when families are struggling with their final Federal tax returns for the calendar year 1948. For many it is a day of sweating and fretting as to where the money is to come from to pay the balance due the Government.

It is the one day in the year when the entire Nation should be keenly aware of the excessive cost of government in Washington, and of the burden of taxes, which today, in most families, takes almost as much out of the family income as the total rent bill every year.

And it is the day when tens of millions of families will compute for themselves the value of the tax-reduction bill passed by the Eightieth Congress, the Republican Congress which overcame and overrode three Presidential vetoes to give the American people a measure of tax relief.

Every day in recent months, the Federal Treasury has been mailing out an average of 100,000 tax-refund checks to people who have money coming back to them because of that tax cut passed over President Truman's vetoes in the Eightieth Congress. There are more than twenty-five million of these tax refunds going out between June 1948 and the end of the current fiscal year, June 30, 1949.

Mr. Speaker, those refund checks are substantial measures of relief today in millions of homes throughout America. They are in the mails only because the Republican Eightieth Congress enacted a tax cut. It may be the last tax cut given the American people in our times. If all the fabulous spending programs introduced in the present Congress were to be realized, Federal spending would be increased by $16,000,000,000 a year over the next 5 years.

Millions of families will be at least partially tided over 1949 by the tax refunds they are now getting because of the action of the Eightieth Congress. But next year there will be no such volume of refunds—for this Congress does not yet plan to give the American people a tax cut, as the last Republican Congress did. Next year the full burden of the Truman New Deal spending will fall upon the American people, for the Republicans have not the votes this year to overturn the administration's basic policy—to tax and tax, spend and spend, elect and elect.

Only the people can change this mania of Federal squandering.

THE REPUBLICAN PARTY FAVORS ECONOMY

Mr. JENKINS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Ohio [Mr. JENKINS]?

There was no objection.

Mr. JENKINS. Mr. Speaker, I approve what the gentleman from Indiana [Mr. HALLECK] has just said.

The Republican Party has traditionally been the party of economy and low taxes. If the Republicans had been returned to power by the last election our plan would have been to go much further with tax reduction and tax revision. We the Republican members of the Ways and Means Committee had planned to present legislation that would repeal the excise tax on a number of commodities, such as

the tax on low-priced cosmetics and low-priced handbags. And also reduce materially the tax on telephone calls, telegrams, and transportation tickets. And also to make a substantial reduction in all excise taxes. These reductions should be made.

The Republicans in the Eightieth Congress were able to secure the passage in the House of a tax bill which is of tremendous importance. The bill was passed too late for the Senate to act.

For a number of years the Ways and Means Committee has maintained a very capable staff of experts. These experts, in collaboration with the experts of the United States Treasury, have for some time been working to relieve many inequities and inconsistencies that have developed in the tax laws of the country. They have found where nearly a hundred amendments to the general tax laws are absolutely necessary. They agreed on about 50, which they incorporated into the bill which I have just referred to. I was chairman of the subcommittee of the Ways and Means Committee appointed to make a general revision of the tax laws, and this bill was the product of our efforts.

I have reintroduced this bill, and it should pass this session of Congress. Many people who have suffered by reason of these inequities need relief. This bill will not raise or lower taxes to any great extent, but it will correct many injustices.

T-DAY

Mr. BROWN of Ohio. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Ohio [Mr. BROWN]?

There was no objection.

Mr. BROWN of Ohio. Mr. Speaker, today, March 15, is an important day in the lives of millions of Americans. This is T-day—the last day during which 1948 income taxes can be paid.

So, Mr. Speaker, I wish to take this opportunity to point out that in paying their 1948 income taxes today our citizens are finding—for the first time in many years—that their income-tax burden has been reduced.

In fact some seven million Americans, who, in previous years were required to pay taxes on their low earnings, do not have to pay any tax on their 1948 incomes. Millions of married couples are finding their income-tax assessments have been greatly reduced, in many cases by as much as 30 percent. All other Americans are finding that their income-tax burdens on 1948 earnings have been reduced.

This happy result is no accident, nor is it because of anything the administration in power has done.

The lower income taxes effective today are the legislation enacted by the Republican Eightieth Congress over the veto of the President. The Republicans in the Eightieth Congress, just as do the Republicans in the Eighty-first Congress, were and are strong believers in governmental economy and in the lower taxes to be gained by economy. The Republican Eightieth Congress cut both Government spending and taxes. The Republicans in this Eighty-first Congress are demanding reduced Government spending and repeal of wartime excise taxes. They are opposed to the President's program of heavier Government expenditures and greatly increased taxes on the people.

Today—T-day—is a good time for the people of the United States to stop and ponder a while over the financial situation and policies of our Government. Today is a good time for them to decide whether they want the economy and efficiency in Government—and lower taxes, under a Republican program—or the continuation of the New Deal policy of tax and tax and tax, and spend and spend and spend, which threatens both the solvency and the future of this Nation.

Mr. SADLAK. Mr. Speaker, "The good that men do lives after them"—of course, this saying should be amended and when applied to the Eightieth Congress should then read "The good that the men and women did in the Eightieth Congress lives after them."

One of such "do goods" which affects the very foundation of our country is the preservation of marriage and home. The Eightieth Congress, in passing the tax-reduction law of 1948 wisely included the community-property tax provision.

To confirm the good in this instance, I wish to include in my remarks an item from the Hartford (Conn.) Times of March 14, 1949, which in all likelihood, is only one example of many unreported reconciliations or strengthening of marital ties. Surely the full effect of this tax proviso is incalculable in the light of all the possible ramifications on the marital ties of the husbands and wives of America, not mentioning the inevitable fact that the provision had been an added strong reason for new marriages.

Mr. Fitzpatrick is the collector of internal revenue for the State of Connecticut, with offices at 460 Capitol Avenue, Hartford.

The newspaper item is as follows:

COMMUNITY-PROPERTY TAX PROVISO BRINGS RECONCILIATION

The revised Federal income-tax law can play the role of Cupid as well as that of the traditional ogre. Take the word of Collector John J. Fitzpatrick for it.

As the filing of returns mounted in volume today on the next to the last day, Fitzpatrick said that in several cases the new opportunity to file joint returns had apparently brought about reconciliations between separated couples.

Proof of one reconciliation appeared at Capitol Avenue internal revenue headquarters this morning. Fitzpatrick told it this way:

"Last month a taxpayer in a high-income bracket came in alone for help. Asked if he was married, he said he was, but that subsequent to December 31 he and his wife separated."

Under the new community-property law, it was pointed out to the taxpayer, he and his wife could file jointly, thereby saving money, if they had been living together December 31, last day of the taxable year. If on or before the last day of the year they were divorced or legally separated, they are considered single for the entire year for tax purposes.

The taxpayer, warned that if he and his wife agreed to file jointly they must both sign the return, went away to think it over.

Today he returned with his wife, both smiling, and sought help in filing a joint document. They explained that while getting together to talk over their tax they also talked over other things and decided on a reconciliation.

Collector Fitzpatrick believes that several other reconciliations in the State had been similarly effected.

EXTENSION OF REMARKS

Mr. BIEMILLER asked and was given permission to extend his remarks in the RECORD and include an article from the Woman's Home Companion.

Mr. FEIGHAN asked and was given permission to extend his remarks in the RECORD in two instances: in one to include an editorial appearing in the March 19 issue of the magazine America, and in the other to include a speech to be made by him at Cleveland.

Mr. LANE asked and was given permission to extend his remarks in the RECORD in three instances, and to include editorials and newspaper articles, and in one instance to include a statement made by him which was submitted to the Committee on Ways and Means on old-age pensions.

Mr. PATTERSON asked and was given permission to extend his remarks in the RECORD in two instances and include newspaper articles.

Mr. MICHENER asked and was given permission to extend his remarks in the RECORD in two instances: in one to include an editorial; and in the other to revise and extend his remarks and include a magazine article in the remarks he intends to make today.

Mr. LEFEVRE asked and was given permission to extend his remarks in the RECORD and include an address made by a constituent, Mr. Kent Leavitt, president of the National Association of Soil Conservation Districts.

Mr. RICH asked and was given permission to extend his remarks in the RECORD and include an article, Liberal or Conservative.

Mr. CLEVENGER asked and was given permission to extend his remarks in the RECORD and include an editorial from the Cleveland Plain Dealer.

Mr. ANDERSON of California asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. JENNINGS asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. SANBORN asked and was given permission to extend his remarks in the RECORD and include an article.

Mr. BOGGS of Delaware asked and was given permission to extend his remarks in the RECORD and include a letter from a gentleman in Delaware.

Mr. VAN ZANDT asked and was given permission to extend his remarks in the RECORD and include a statement from the Selective Service System.

Mr. HOFFMAN of Michigan asked and was given permission to extend his remarks in the RECORD in two instances, to include newspaper articles and letters.

Mr. PHILBIN asked and was given permission to extend his remarks in the RECORD and include a certain magazine article.

Mr. MULTER asked and was given permission to extend his remarks in the RECORD.

Mr. MULTER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include extraneous matter. I am informed by the Public Printer that the cost will be $159.75 but I ask that it be printed notwithstanding that fact.

The SPEAKER. Is there objection to the requests of the gentleman from New York [Mr. MULTER]?

There was no objection.

Mr. CANNON asked and was given permission to extend his remarks in the RECORD and include some excerpts from certain letters relative to Federal expenditures.

PRIVATE CALENDAR

The SPEAKER. This is Private Calendar day. The Clerk will call the first bill on the calendar.

EZRA BUTLER EDDY, JR., AND WIFE, MARIE CLAIRE LORD EDDY

The Clerk called the first bill on the Private Calendar, H. R. 1700, for the relief of Ezra Butler Eddy, Jr., and wife, Marie Claire Lord Eddy.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the Immigration and Naturalization laws the Attorney General be, and he hereby is, authorized and directed to record the lawful admission for permanent residence of Ezra Butler Eddy, Jr., and his wife, Marie Claire Lord Eddy, as of February 3, 1945, the date upon which they were admitted temporarily to the United States.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SAMUEL FADEM

The Clerk called the bill (H. R. 1993) for the relief of Samuel Fadem.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Attorney General be, and he is hereby, authorized and directed to record the lawful admission for permanent residence of Samuel Fadem, who entered the United States lawfully at the port of New York on September 27, 1946. Upon the enactment of this act, the Secretary of State shall reduce by one the quota for Poland then current.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ALASKA JUNEAU GOLD MINING CO.

The Clerk called the bill (H. R. 583) for the relief of the Alaska Juneau Gold Mining Co., of Juneau, Alaska.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Alaska Juneau Gold Mining Co., a corporation, of Juneau, Alaska, the sum of $80,000, in full settlement of all claims against the United States for crushed rock, building materials, and services furnished the United States for use in urgently needed defense projects, including construction of the subport of embarkation, air landing fields, and so forth, at Juneau, Alaska, and in the vicinity during the period from June 1, 1942, to February 1, 1944: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MAMIE HURLEY

The Clerk called the bill (H. R. 594) for the relief of Mamie Hurley.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That notwithstanding the provisions and limitations of sections 15 to 20, both inclusive, of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended (U. S. C., 1940 edition, title 5, secs. 765–770), the Bureau of Employees' Compensation is hereby authorized and directed to receive and consider, when filed, the claim o Mamie L. Hurley for compensation under such act, within 6 months from the date of enactment of this act, on account of the death of her husband, Edwin L. Hurley, deceased, whose death on March 21, 1945, is alleged to have been the result of injuries, with consequent disability, received in August 1940, in the performance of his duty as a machinist in the Veterans' Administration at Kecoughtan, Va.; and the Bureau, after such consideration of such claim, shall determine and make findings of fact thereon and make an award for or against payment of compensation provided for in such act of September 7, 1916, as amended: *Provided*, That no benefits shall accrue prior to the enactment of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ESTATE OF MATHEW C. COWLEY AND LOUISA COWLEY

The Clerk called the bill (H. R. 609) for the relief of the estate of Mathew C. Cowley, deceased, and the estate of Louisa Cowley, deceased.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the estate of Mathew C. Cowley, deceased, former owner of a certain farm consisting of 155 acres of land, more or less, near Camp Knox, in Hardin County, Ky.; and the estate of Louisa Cowley, deceased, former owner of a certain farm consisting of 150 acres of land, more or less, near Camp Knox, in Hardin County, Ky., are each, as such former owner or owners, hereby authorized to bring such suit or suits as each may respectively desire to so do against the United States of America, to recover damages, if any, for loss or losses, which they may have sustained or suffered, as such respective former owners, by reason of establishment, construction, or maintenance of Camp Knox in the State of Kentucky. Jurisdiction is hereby conferred upon the District Court of the United States for the Western District of Kentucky to hear, consider, determine, and render judgments for the respective amounts of such damages, if any, as may be found to have been sustained or suffered by the said former owners of said farms, with the same right of appeal as in other cases, and notwithstanding any lapse of time or statute of limitation: *Provided*, That such action will be brought within 1 year from the date that this act shall become effective.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LORENZO H. FROMAN

The Clerk called the bill (H. R. 610) for the relief of Lorenzo H. Froman.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That Lorenzo H. Froman, former owner of a certain farm consisting of 165 acres of land, more or less, near Camp Knox, in Hardin County, Ky., is, as such former owner, hereby authorized to bring suit against the United States of America to recover damages, if any, for loss or losses which he may have sustained or suffered, as such owner, by reason of establishment, construction, or maintenance of Camp Knox in the State of Kentucky. Jurisdiction is hereby conferred upon the District Court of the United States for the Western District of Kentucky to hear, consider, determine, and render judgment for the amount of any such damages, if any, as may be found to have been sustained or suffered by the said former owner of said farm, with the same right of appeal as in other cases, and notwithstanding any lapse of time or statute of limitations: *Provided*, That such action will be brought within 1 year from the date that this act shall become effective.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CLAIMS OF PROPERTY OWNERS ADJACENT TO FORT KNOX, KY.

The Clerk called the bill (H. R. 611) to confer jurisdiction upon the District Court of the United States for the Western District of Kentucky to hear, determine, and render judgment upon the claims of certain property owners adjacent to Fort Knox, Ky.

There being no objection, the Clerk read the bill, as follows:

Be it enacted etc., That jurisdiction is hereby conferred upon the District Court of the United States for the Western District of Kentucky to hear, determine, and render judgment for the respective amounts of such damages as may be found to have been sustained or suffered by landowners who owned land in the vicinity of Fort Knox, Ky., prior to the time the Government acquired that site: *Provided*, That no claims shall be considered by the court of any landowner who acquired the property after the acquisition by the Government of this military reservation: *Provided further*, That such action or actions will be brought within 1 year from the date that this act shall become effective.

The bill was ordered to be engrossed and read a third time, was read the third

time, and passed, and a motion to reconsider was laid on the table.

MRS. HARRIETT PATTERSON ROGERS

The Clerk called the bill (H. R. 637) for the relief of Mrs. Harriett Patterson Rogers.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $2,800, to Mrs. Harriett Patterson Rogers, of Forrest City, Ark., in full settlement of all claims against the United States as reimbursement for a judgment rendered against her and in favor of Jess L. Bell and others in the Circuit Court of Pope County, Ark. Such claim arising out of an accident on June 14, 1941, while the said Mrs. Harriet Patterson Rogers was on official business for the United States Agriculture Extension Service in the State of Arkansas: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LOUISE PETERS LEWIS

The Clerk called the bill (H. R. 683) for the relief of Louise Peters Lewis.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any funds or property of the Government of Germany or of nationals of Germany in the possession or under the control of the Government of the United States or which may hereafter come into the possession or under the control of the United States, to Louise Peters Lewis of East Lynn, Mass., a native-born citizen of the United States, the sum of $10,000. Such sum represents the actual amount of the loss (without interest thereon) sustained by the said Louise Peters Lewis on account of the depreciation in value of certain First World War German securities owned by her and described in her claim (list No. 5242, Docket No. 7172) heretofore filed with, and dismissed by, the Mixed Claims Commission, United States and Germany.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

J. W. GREENWOOD, JR.

The Clerk called the bill (H. R. 1137) for the relief of J. W. Greenwood, Jr.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Comptroller General of the United States is hereby authorized and directed to credit the accounts of J. W. Greenwood, Jr., former regional fiscal officer for the Central Administrative Services Division, Office for Emergency Management, Philadelphia, Pa., and he is hereby relieved from any liability to refund or pay to the United States the sum of $718.23, such sum being vouchers issued to enlisted personnel for travel expenses at the same rate as commissioned officers, whereas they were entitled to a lower rate under the Army regulations, and for other purposes.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid no the table.

L. J. HOUZE CONVEX GLASS CO.

The Clerk called the bill (H. R. 1461) for the relief of the L. J. Houze Convex Glass Co.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. LICHTENWALTER. Mr. Speaker, I ask unanimous consent that the bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

COHEN, GOLDMAN & CO., INC.

The Clerk called the bill (H. R. 1794) for the relief of Cohen, Goldman & Co., Inc.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Cohen, Goldman & Co., Inc., out of any money in the Treasury not otherwise appropriated, the sum of $19,030.20, in full settlement of all claims against the Government growing out of contracts numbered 1325, 1645, 2299, 3220, and 4519N, and contracts supplementary thereto, for the manufacture during 1917 and 1918 of overcoats and uniforms for the United States Army.

With the following committee amendment:

Page 1, line 11, after the word "Army", insert the following: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

MRS. FLORENCE BYVANK

The Clerk called the bill (H. R. 2463) for the relief of Mrs. Florence Byvank.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Administrator of Veterans' Affairs be, and he is hereby, authorized and directed to pay the amount of the insurance under the Government life insurance policy (No. K 720604) of Clarence A. Byvank to Florence Byvank, his widow and designated beneficiary, in accordance with the terms of such policy, beginning with the first calendar month following the month during which this act is enacted, notwithstanding the lapse of such policy in December 1931. The insured, Clarence A. Byvank, applied for reinstatement of such policy in February 1932 and transmitted payment for back premiums thereon at the time of application but died suddenly from monoxide gas poisoning on March 30, 1932, before a report of his medical examination had been filed with the Veterans' Administration.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ACCEPTANCE OF CERTAIN GIFTS AND A FOREIGN DECORATION

The Clerk called the bill (S. 632) to authorize certain personnel and former personnel of the Naval Establishment to accept certain gifts and a foreign decoration tendered by foreign governments.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the following-named members and former members of the naval service are hereby authorized to accept such gifts as have been tendered them by foreign governments as of the date of approval of this act: Rear Adm. Harold M. Martin, United States Navy; Capt. William R. Brust, United States Naval Reserve; Capt. Bennett W. Wright, United States Navy; Capt. George C. Wright, United States Navy; Capt. Richard W. Ruble, United States Navy; Commander Robert F. Carmody, United States Navy; Commander James I. Cone, United States Navy; Commander Jack Dean, United States Navy; Commander Gordon Fowler, United States Navy; Commander Richard L. Fowler, United States Navy; Commander John E. Hausman, United States Navy; Commander Draper L. Kauffman, United States Navy; Commander James A. Knowlton, United States Naval Reserve; Commander John P. Lunger, United States Navy; Commander Robert M. Milner, United States Navy; Commander Frank G. Raysbrook, United States Navy; Commander Frederick M. Steisberg, United States Navy; Commander William A. Stuart, United States Navy; Commander Richard S. Rogers, United States Navy; Commander George R. Lee, United States Navy; Lt. Comdr. Raymond A. Boyd, United States Navy; Lt. Comdr. Laurenca B. Green, United States Navy; Lt. Comdr. Melvin C. Hoffman, United States Navy; Lt. Comdr. Victor A. Moitoret, United States Navy; Lt. Comdr. John C. O'Connor, United States Navy; Lt. Comdr. Henry Nelson, United States Naval Reserve; Lt. Comdr. Norman L. Paxton, United States Navy; Lt. Comdr. Byron G. Shepple, United States Navy; Capt. James J. Bott, United States Marine Corps; Lt. Irwin J. Vanderswag, United States Marine Corps; Lt. George H. Belk, United States Navy; Lt. Samuel Hopkins, Jr., United States Navy; Lt. Jack Scott, United States Navy; Lt. (jg) La Verne W. Brown, Jr., United States Navy; Lt. (jg) Leonard B. Di Napoli, United States Navy; Lt. (jg) Thomas L. Neilson, United States Navy; Lt. (jg) Horace A. Thomsen, United States Navy; Ensign Robert P. Armstrong, United States Navy; Chief Boatswain Anthony S. Ciccone, United States Navy; Boatswain Earl L. Hause, United States Navy; Joseph G. Pardovich, chief boatswain's mate, United States Navy; Robert D. Clendenon, chief musician, United States Navy; Carl F. Heine, chief machinist's mate, United States Navy; Gilbert H. Dobler, chief photographer's mate, United States Navy; Myrl A. Yeaman, chief photographer's mate, United States Navy; Crisanto Dolor, chief cook, United States Navy; Master Sergeant Lionel E. Simmons, United States Marine Corps; Willie F. Maquire, chief signalman, United States Navy; Donald K. Lobell, chief radioman, United States Navy; Gorman "T" Perry, motor machinist's mate, first class, United States Navy; Jack O. Montgomery, boatswain's mate, second class, United States Navy; Charles R. Dickinson, boatswain's mate, third class, United States Navy; Lawrence H.

Wasser, musician, third class, United States Navy; Gordon C. Wyman, fire controlman, third class, United States Navy; Robert Charles Vail, shipfitter, third class, United States Navy; Delmere B. Blackburn, private, first class, United States Marine Corps; Paul Hermann, seaman, first class, United States Navy; James E. McCall, seaman; first class, United States Navy; Charles H. Kilpatrick, seaman, first class, United States Navy; Clifford E. Kintner, seaman, first class, United States Navy; Bernard I. Landau, seaman, first class, United States Navy; Harold A. Master, seaman, first class, United States Navy; Kenneth Karl Hrabal, seaman, first class, United States Navy; Nicholas Vignovich, seaman, first class, United States Naval Reserve; Leonard Stanley Tur, fireman, first class, United States Naval Reserve; L. R. Weedle, fireman, first class, United States Navy; R. N. Young, fireman, first class, United States Navy; and Michael Strusinski, coxswain, United States Naval Reserve.

SEC. 2. The following-named members of the naval service are hereby authorized to accept such awards as have been tendered them by foreign governments as of the date of the approval of the act: Rear Adm. Edward W. Hansen, United States Navy; Capt. Albert E. Fitzwilliam, United States Navy; and Lt. (jg) John E. Nichols, United States Navy.

SEC. 3. Dr. Mina S. Rees, a civilian employee of the Navy Department, is hereby authorized to accept and wear the King's Medal for Service in the Cause of Freedom which has been tendered her by the Government of Great Britain.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ALEX BAIL

The Clerk called the bill (H. R. 668) for the relief of Alex Bail.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Attorney General is authorized and directed to cancel forthwith any outstanding warrant of arrest, order of deportation, warrant of deportation, and bond in the case of Alex Bail, and is directed not to issue any further warrants or orders in the case of the alien based upon such alien's membership in the Communist Party prior to the enactment of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FREDA WAHLER

The Clerk called the bill (H. R. 2704) for the relief of Freda Wahler.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Civil Service Commission is authorized and directed to pay, out of any money in the civil-service retirement and disability fund, to Freda Wahler, of Freeport, Ill., the widow of William F. Wahler, formerly a railway mail clerk, an annuity equal in amount to the annuity which she would have been entitled to receive had William F. Wahler been promptly and properly advised by the Civil Service Commission of his rights as to retirement and had he upon receipt of the proper information elected in writing to receive a reduced annuity equal to such reduced annuity payable after his death to the said Freda Wahler as surviving beneficiary.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JACOB A. JOHNSON

The Clerk called the bill (H. R. 585) for the relief of Jacob A. Johnson.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Jacob A. Johnson, of Kodiak, Alaska, the sum of $15,103.94, in full settlement of all claims against the United States for losses heretofore sustained, or which may hereafter be sustained, by the said Jacob A. Johnson, on account of damages heretofore caused, or which may hereafter be caused, to his fox farm, located on Crooked Island, Alaska, by military, naval, and air force activity in that area: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GEORGE A. KIRCHBERGER

The Clerk called the bill (H. R. 650) for the relief of George A. Kirchberger.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That George A. Kirchberger, of Chicago, Ill., is relieved of all liability to refund to the United States amounts paid to him for services as an employee of the Department of the Treasury, Bureau of Federal Supply, and as an employee of the Department of War during the period he was not eligible, because of citizenship requirements, to receive compensation from funds appropriated for such Departments. Any amounts heretofore (1) withheld from the said George A. Kirchberger (including any accrued salary for services performed and salary in lieu of accrued annual leave, but excluding the sum of $214.44, representing retirement deductions), and any sum withheld or required to be withheld pursuant to the provisions of subchapter D of chapter IX of the Internal Revenue Code, or (2) refunded to the United States by him, on account of such unauthorized payment to him, shall be paid to him out of any money available for the payment of salaries of employees of the Department of the Treasury. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, into the civil-service retirement and disability fund provided for in the Civil Service Retirement Act of May 29, 1930, as amended, such sum of $214.44 which shall be credited to the individual account of the said George A. Kirchberger who shall, for the purposes of such act, as amended, be held and considered to have been a citizen of the United States during the period of his employment by the United States.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARIO GENERAZZO

The Clerk called the bill (H. R. 681) for the relief of Mario Generazzo.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mario Generazzo, Revere, Mass., the sum of $5,000, in full settlement of all claims against the United States for personal injuries, medical and hospital expenses, pain, and suffering of his son, George Generazzo, aged 5, who was injured as a result of being struck by a United States Army Red Cross ambulance on a public highway in the city of Revere, Mass., on October 18, 1943: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 5, after the word "appropriated", strike out the bill down to the colon in line 1, page 2, and insert in lieu thereof "to the legal guardian of George Generazzo, Revere, Mass., the sum of $750, in full settlement of all claims against the United States for personal injuries and pain and suffering sustained by the said George Generazzo as a result of his having been struck by a United States Army ambulance on a public highway in Revere, Mass., on October 18, 1943."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill for the relief of the legal guardian of George Generazzo."

A motion to reconsider was laid on the table.

GENERAL ENGINEERING & DRY DOCK CORP.

The Clerk called the bill (H. R. 709) for the relief of the General Engineering & Dry Dock Corp.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Navy Department be, and is hereby, authorized and directed to receive, consider, and pay the claims of the General Engineering & Dry Dock Corp. arising under Navy Department, Bureau of Ships contract NObs-10790 by reason of claimant's failure to comply with the provisions of article 5 (b) of said contract: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, strike out lines 3 to 8, inclusive, and insert the following: "That the Navy Department be, and is hereby, authorized to waive compliance by the General Engineer-

ing & Dry Dock Corp. with the requirement of article 5 (b) of Navy Department, Bureau of Ships Contract NObs-10790, that estimates of the cost of performing change orders be submitted within 10 days of the receipt of such orders or within such further time as the naval inspector may allow in writing within said 10-day period."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ESTATE OF MRS. MINERVA C. DAVIS

The Clerk called the bill (H. R. 738) for the relief of the estate of Mrs. Minerva C. Davis.

Mr. BOGGS of Delaware. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Delaware?

There was no objection.

MEXICAN FIBRE & TWINE CO., INC.,

The Clerk called the bill (H. R. 1116) for the relief of Mexican Fibre & Twine Co., Inc.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mexican Fibre & Twine Co., Inc., San Antonio, Tex., the sum of $435.20, in full settlement of all claims against the United States representing overcharge of customs duties on sisal twine on entry No. 115 of July 25, 1946, made at New Orleans, La., resulting from certain mathematical errors in the liquidation of the entry.

With the following committee amendment:

Page 1, after line 11, insert the following: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ADOLPHUS M. HOLMAN

The Clerk called the bill (H. R. 1121) conferring jurisdiction upon the United States District Court for the District of New Mexico to hear, determine, and render judgment upon the claim of Adolphus M. Holman.

Mr. LICHTENWALTER. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

HEIRS OF IDA LONDINSKY

The Clerk called the bill (H. R. 1276) for the relief of the heirs of Ida Londinsky.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $5,000 to the heirs of Ida Londinsky, who was killed as a result of being struck by a Government-owned truck of the United States Army in New York City, N. Y., on November 18, 1942. The payment of this sum will be in full settlement of all claims against the Government of the United States.

With the following committee amendments:

Page 1, line 5, strike out "$5,000" and insert "$2,000."

Page 1, after line 11, insert the following: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AL W. HOSINSKI

The Clerk called the bill (H. R. 2249) for the relief of Al W. Hosinski.

Mr. DOLLIVER. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

JOEL W. ATKINSON

The Clerk called the bill (H. R. 2353) for the relief of Joel W. Atkinson.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

STATE COMPENSATION INSURANCE FUND OF CALIFORNIA

The Clerk called the bill (H. R. 2922) for the relief of the State Compensation Insurance Fund of California.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the State compensation insurance fund of California the sum of $478.13. Such sum represents the total amount paid by the said State Compensation Insurance Fund of California, as follows:

(1) To Allen D. Cameron, California, and Earle P. Schouten, California, for compensation and medical treatment on account of injuries sustained on February 3, 1939, when the automobile in which they were riding was in collision on the State highway near Vacaville, Calif., with a truck operated in the service of the Civilian Conservation Corps. At the time of such accident, the said Allen D. Cameron and Earle P. Schouten were employees of the San Rafael Military Academy, San Rafael, Calif., and the sum of $382.10 was paid to them by the said State Compensation Insurance Fund under its workmen's compensation insurance policy with the said San Rafael Military Academy;

(2) To Officer Everett Ingram of the California Highway Patrol, for compensation and medical treatment on account of injuries sustained on August 25, 1941, when the motorcycle on which he was riding was in collision on the San Francisco-Oakland Bay Bridge, with a truck operated in the service of the United States Army, and the sum of $81.78 was paid to him by the said State compensation insurance fund under its workmen's compensation insurance policy; and

(3) To the State department of motor vehicles for damage to the motorcycle on which Officer Ingram was riding, the sum of $14.25: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING SECRETARY OF INTERIOR TO ISSUE DUPLICATES OF WILLIAM GERARD'S SCRIPT CERTIFICATES

The Clerk called the bill (H. R. 2853) to authorize the Secretary of the Interior to issue duplicates of William Gerard's script certificates No. 2, subdivisions 11 and 12, to Blanche H. Weedon and Mattie Ward H. Harris, jointly.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is authorized to issue to Blanche H. Weedon and Mattie Ward H. Harris, jointly, duplicates of William Gerard's special certificate No. 2, subdivision No. 11 and subdivision No. 12, each originally issued for 40 acres of public land pursuant to the act of Congress approved February 10, 1855, upon satisfactory proof of ownership and loss of same and the execution of a bond with good and sufficient securities, in double the market value of the certificates so to be issued, to be approved by the Secretary of the Interior, conditioned to indemnify the United States against the presentation by an innocent holder of the alleged lost certificates. Such duplicates shall have all the legal force and effect of the original.

Amend the title so as to read: "A bill to authorize the Secretary of the Interior to issue duplicates of William Gerard's script certificates No. 2, subdivisions 11 and 12, to Blanche H. Weedon and Amos L. Harris, as trustees."

With the following committee amendment:

Page 1, line 4, strike out "Mattie Ward H. Harris, jointly" and insert in lieu thereof "Amos L. Harris, as trustees,"

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to authorize the Secretary of the Interior to issue duplicates of William Gerard's script certificates No. 2, subdivisions 11 and 12, to Blanche H. Weedon and Amos L. Harris, as trustees."

A motion to reconsider was laid on the table.

BANK OF KODIAK, KODIAK, ALASKA

The Clerk called the bill (H. R. 580) for the relief of the Bank of Kodiak, Kodiak, Alaska.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Bank of Kodiak, Kodiak, Alaska, the sum of $3,000, in full settlement of all claims against the United States for reimbursement in the loss of mutilated currency of the United States aboard the steamship Yukon on February 4, 1946: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PAYMENT OF CERTAIN CLAIMS AGAINST THE ARMY

The Clerk called the bill (S. 634) to authorize payment of certain claims for damage to or loss or destruction of property and personal injury arising from activities of the Army.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Henry W. Brooks, Warren, Vt., $360; to T. N. Carlton, Rural Free Delivery No. 1, Wauchula, Fla., $250; to Melvin B. Clark, Mankato, Minn., $32; to Paul A. Davis, Rural Free Delivery No. 3, Sylvan Hills, North Little Rock, Ark., $255; to Albert E. Drecoll, Libertyville, Ill., $63.25; to E. H. Ferguson, Rantoul, Ill., $64.68; to Harold L. Gavan, 229 Anderson Street, Hackensack, N. J., $24.79; to Francis E. Geagan, Hotel Vereen, Miami, Fla., $50; to John F. Gibbons, Jr., 1507 Robert Street, New Orleans, La., $155.30; to John J. Kutch, 7212 Harrow Street, Forest Hills, Long Island, N. Y., $34.57; to Mrs. Blanche Lebwith, Wyandanch, N. Y., $189.50; to Joaquin Quinones Lopez, Santurce, Puerto Rico, $600; to Mason D. Nesmith, Georgetown, S. C., $40.64; to Isadore Rosinsky, 1820 North Fifty-fourth Street, Omaha, Nebr., $706.50; to A. M. Smith, Rural Free Delivery No. 2, Columbia, S. C., $440; to Mrs. May V. Walsh, Montezuma, Ga., $35; to Herbert Grillmaier, care of Hermann Reitboeck, Clay Products Co., Panama, Republic of Panama, $190.31; and to Peter L. Feller, 125 West Sixteenth Street, New York, N. Y., $227. The payment of said sums shall be in full settlement of all claims of the above-named claimants against the United States for damage to or loss or destruction of property and personal injury caused by military personnel or civilian employees of the Army, or otherwise incident to noncombat activities of the Army, and determined by the Department of the Army to be meritorious, which are not payable either under the provisions of the Act of July 3, 1943 (57 Stat. 372; 31 U. S. C. 223b), entitled "An act to provide for the settlement of claims for damage to or loss or destruction of property or personal injury or death caused by military personnel or civilian employees, or otherwise incident to activities, of the War Department or of the Army", as amended, or under the "Federal Tort Claims Act," as codified by the act of June 25, 1948 (62 Stat. 983; 28 U. S. C. 2672): *Provided*, That no part of the amounts appropriated in this act in excess of 10 percent of any claim shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with such claim, any contract to the contrary notwithstanding. Any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RACHEL D. GATTEGNO

The Clerk called the bill (S. 633), for the relief of Rachel D. Gattegno.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Rachel D. Gattegno, of Salonika, Greece, the sum of $3,000, in full settlement of all claims against the United States on account of the death of her husband, David Gattegno, who died on or about July 5, 1944, as the result of a wound caused by a rifle bullet accidentally fired by a guard at a United States Army military camp at Fedhala, French Morocco, on or about July 4, 1944: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOHN I. MALARIN

The Clerk called the bill (S. 594) for the relief of John I. Malarin, former Army mail clerk at APO 932, a branch of the San Francisco, Calif., post office, relative to a shortage in his fixed-credit account.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John I. Malarin, former Army mail clerk at APO 932, a branch of the San Francisco, Calif, post office, the sum of $916.78, the amount refunded to the United States by the said John I. Malarin as a result of a deficiency that developed during February 1943 in his fixed-credit account while he was Army mail clerk at APO 932: *Provided*, That no part of the amount appropriated in the act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EDWIN B. ANDERSON

The Clerk called the bill (S. 592) for the relief of Edwin B. Anderson.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That Edwin B. Anderson, a city letter carrier in the post office at Newton, Iowa, is hereby relieved of all liability to make refund to the United States of any amount received by him as a result of overpayment of salary from May 1, 1945, the date he was promoted from substitute postal employee to the position of regular city letter carrier by the postmaster at Newton, Iowa, to October 16, 1946, the effective date of his promotion to regular city letter carrier as authorized by the Post Office Department.

Any amount heretofore refunded to the United States by Edwin B. Anderson, or by any other person or persons on account of such overpayment of salary to Edwin B. Anderson, shall be refunded to him, or to such other person or persons, out of any money available for the payment of salaries to city-delivery carriers. In the audit and settlement of the accounts of any postmaster or other designated disbursing officer of the Post Office Department or postal service, the salary payments to Edwin B. Anderson from May 1, 1945, to October 16, 1946, for service as regular city letter carrier shall be considered to have been authorized: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOSE BABACE

The Clerk called the bill (S. 26) for the relief of Jose Babace.

Mr. WALTER. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

CERTAIN BASQUE ALIENS

The Clerk called the bill (S. 27) for the relief of certain Basque aliens.

Mr. WALTER. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

RICHARD KIM

The Clerk called the bill (S. 90) to provide for the naturalization of Richard Kim.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the immigration and naturalization

laws Richard Kim, who served as a member of the armed forces of the United States, shall be considered to have been lawfully admitted for permanent residence as of the date of his last entry into the United States, upon the payment of the visa fee of $10 and the head tax of $8. The Secretary of State is directed to instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that said quota is available.

The bill was ordered to be read a third time, was read the third time, and passed.

The title was amended so as to read: "An act to provide for permanent residence status of Richard Kim."

A motion to reconsider was laid on the table.

CHUNG KWAI LUI

The Clerk called the bill (S. 315) for the relief of Doctor Chung Kwai Lui.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, in the administration of the immigration and naturalization laws, the Attorney General is authorized and directed to record Dr. Chung Kwai Lui as having entered the United States in 1936 for permanent residence, upon the payment by her of the visa fee and head tax.

SEC. 2. The Attorney General is authorized and directed to cancel any warrants of arrest or orders of deportation which may have been issued, and to discontinue any deportation proceedings which may have been commenced, in the case of Dr. Chung Kwai Lui. The Secretary of State shall instruct the proper quota-control officer to deduct one number from the Chinese quota for the first year that a quota number is available.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CLARIS U. YEADON

The Clerk called the bill (S. 335) for the relief of Claris U. Yeadon.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the immigration laws, relating to the issuance of immigration visas for admission to the Unted States for permanent residence and relating to admissions at ports of entry of aliens as immigrants for permanent residence in the United States, that provision of section 3 of the Immigration Act of 1917, as amended (U. S. C., title 8, sec. 136 (c)), which excludes from admission into the United States "persons who have been convicted of or admit having committed a felony or other crime or misdemeanor involving moral turpitude," shall not hereafter be held to apply to Claris U. Yeadon (nee Claris U. Davis), the wife of Cecil S. Yeadon, an American citizen. If she is found otherwise admissible under the immigration laws, an immigration visa may be issued and admission granted to the said Claris U. Yeadon under this act upon application hereafter filed.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARIE E. WRIGHT

The Clerk called the bill (H. R. 2231) for the relief of Marie E. Wright.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Marie E. Wright, of Gibson, N. C., the sum of $10,000. The payment of such sum shall be in full settlement of all claims against the United States on account of injuries to person and property and future medical expenses sustained by her when the United States Army vehicle in which she was a passenger was struck by another United States Army vehicle at Berlin, Germany, on March 19, 1946: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 6, strike out "$10,000" and insert "$4,528.83."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EWA PLANTATION CO.

The Clerk called the bill (H. R. 2233) for the relief of Ewa Plantation Co., a Hawaiian corporation.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $120,631.27 to Ewa Plantation Co., a corporation organized and existing under the laws of the Territory of Hawaii, in full settlement of all claims listed herein against the United States for property damages caused by aircraft, gunfire, flares, and other acts of the armed forces of the United States from December 8, 1941, through June 20, 1945, upon lands held under lease by said company, resulting in the damage to or the destruction of the crops of sugarcane belonging to said company upon its lands adjacent to Pearl Harbor on the Island of Oahu, Territory of Hawaii.

Claim No.	Date	Field No.	Amount
1	Dec. 8, 1941	61	$17,571.03
2	May 21, 1944	69, 72, and 64	7,965.12
3	June 12, 1945	47	21,403.06
4	June 20, 1945	81.2	3,326.35
5	Feb. 15, 1942	55	118.09
6	Mar. 8, 1942	75	5,599.19
7	Apr. 7, 1942	69	5,251.61
8	Jan. 30, 1943	67	1,792.23
9	Feb. 19, 1943	2.2	672.34
10	Mar. 6, 1943	74.1	78.57
11	Mar. 25, 1943	27	87.68
12	Apr. 6, 1943	1	7,746.48
13	May 26, 1943	20.1	607.68
14	June 10, 1943	71	3,392.79
15	June 19, 1943	45	625.25
16	Sept. 5, 1943	61	7,621.74
17	Nov. 29, 1943	12	655.57
18	Jan. 1, 1944	43.1	13,036.17
19	Apr. 15, 1944	1	52.09
20	July 29, 1944	76	32.24
20-A	Aug. 6, 1944	72	495.41
22	Sept. 2, 1944	67.1	542.01
23	Sept. 14, 1944	66.1	2,686.59
24	Nov. 21, 1944	67.1	8,425.50
25	Dec. 18, 1944	18	8,583.27
26	Jan. 15, 1945	27	109.74
27	Feb. 17, 1945	27	85.51
28	Mar. 6, 1945	63.1	Nil
29	Mar. 6, 1945	53	1,067.96
Total			120,631.27

Provided, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid to or received by any agent or attorney on account of services rendered in connection therewith, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. JULIA BALINT

The Clerk called the bill (H. R. 679) to authorize the admission of Mrs. Julia Balint to the United States.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. RICH. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

Mr. WALTER. I object, Mr. Speaker.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. RICH. I object to the consideration of the bill, Mr. Speaker; I should like to know something about it.

The SPEAKER. One objection is not sufficient.

There being no further objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding the quota limitations now provided by law, a quota immigration visa may be issued to Julia Balint, provided she is otherwise admissible to the United States under the immigration laws, upon payment of the visa fee and head tax.

SEC. 2. Upon the issuance of the visa, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the first available quota for Czechoslovakia.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. MAY K. Y. MOK, FREDERICK W. S. MOK, AND VINCENT W. C. MOK

The Clerk called the bill (H. R. 1010) for the relief of Mrs. May K. Y. Mok, Frederick W. S. Mok, and Vincent W. C. Mok.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Attorney General is directed to cancel forthwith any outstanding warrant of arrest, order of deportation, warrant of deportation, and bond, in the case of aliens Mrs. May K. Y. Mok and her two minor sons, Frederick W. S. Mok and Vincent W. C. Mok, all of Berkeley, Calif., and is directed not to issue hereafter any such warrants or orders in the case of such aliens. For the purposes of the immigration and naturalization laws, the said Mrs. May K. Y. Mok, the said Frederick W. S. Mok, and the said Vincent W. C. Mok, who entered the United States on September 21, 1945, for a temporary stay, shall be held and considered to have been lawfully admitted, as of such date, to the United States for permanent residence.

With the following committee amendment:

Strike out all after the enacting clause and insert the following: "That in the administration of the immigration and naturalization laws the aliens Mrs. May K. Y. Mok and

her two minor sons, Frederick W. S. Mok and Vincent W. C. Mok, shall be considered to have lawfully entered the United States for permanent residence on September 21, 1945, the date of their actual entry into the United States, upon payment by them of visa fees and head tax.

"SEC. 2. Upon the enactment of this act the Secretary of State shall instruct the proper quota-control officer to deduct three numbers from the Chinese racial quota for the first year that such quota is available."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BRAM B. TELLEKAMP

The Clerk called the bill (H. R. 1591) for the relief of Bram B. Tellekamp.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, in the administration of the immigration and naturalization laws, Bram B. Tellekamp, of Honolulu, T. H., shall be held and considered to have lawfully entered the United States for permanent residence on March 17, 1947, the date of his actual entry into the Territory of Hawaii, upon payment of the required visa fee and head tax.

SEC. 2. Upon enactment of this act the Secretary of State shall instruct the proper quota-control officer to deduct one number from the quota for the Netherlands for the first year that said quota is available.

With the following committee amendment:

Page 1, line 6, strike out "March 17, 1947" and insert "March 18, 1947."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RALPH MARTIN ELZINGRE

The Clerk called the bill (H. R. 1876) for the relief of Ralph Martin Elzingre, also known as Ralph Seawell.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the immigration and naturalization laws, the alien Ralph Martin Elzingre, also known as Ralph Seawell, of Mill Valley, Marin County, Calif., shall be held and considered to have been lawfully admitted at San Pedro, Calif., on May 2, 1945, to the United States for permanent residence.

With the following committee amendment:

In line 8, page 1, substitute a comma for the period and add the following: "upon payment of the visa fee and head tax.

"SEC. 2. Upon the enactment of this act, the Secretary of State shall authorize the proper quota-control officer to deduct one number from the nonpreference category of the first available quota for nationals of the Philippine Islands."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RALEIGH B. DIAMOND

The Clerk called the bill (H. R. 1791) for the relief of Raleigh B. Diamond.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Raleigh B. Diamond, of Jacksonville, Fla., the sum of $6,539.10, in full settlement of all claims against the United States for personal injuries and loss of earnings sustained on February 6, 1944, while riding in a jeep attached to the naval mine-warfare test station, Solomons, Md.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JAMES FLYNN

The Clerk called the bill (H. R. 731) for the relief of James Flynn.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to James Flynn, Clinton, Mass., the sum of $3,500. The payment of such sum shall be in full settlement of all claims of the said James Flynn against the United States on account of personal injuries received by him on December 9, 1945, as a result of an accident in which a motor vehicle of the United States post office, Pawtucket, R. I., was involved at Hamilton Square, Clinton, Mass.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 6, strike out "$3,500" and insert "$2,500."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. HARRY E. HEWITT

The Clerk called the bill (H. R. 682) for the relief of Mrs. Harry E. Hewitt.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Harry E. Hewitt, of Peabody, Mass., the sum of $5,000, in full settlement of all claims against the United States for personal injuries incurred by her minor son Elliott Hewitt, and for medical and hospital expenses resulting therefrom, as a result of being burned from a fire carelessly and negligently left unguarded by employees of the Works Progress Administration in February 1938, on sidewalk project on Lynn Street, Peabody, Mass.: *Provided*, That no part of the amount appropriated in this Act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 5, strike out "Mrs. Harry E. Hewitt" and insert "the legal guardian of Elliott Hewitt."

Line 7, strike out "$5,000" and insert "$1,500."

Line 9, strike out "her minor son" and insert "the said."

Page 2, line 2, strike out "1938" and insert "1940."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill for the relief of the legal guardian of Elliott Hewitt."

A motion to reconsider was laid on the table.

HARVEY M. LIFSET

The Clerk called the bill (H. R. 607) for the relief of Harvey M. Lifset, formerly a major in the Army of the United States.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That Harvey M. Lifset, formerly a major in the Army of the United States, is relieved of all liability to pay to the United States the sum of $1,497.89. Such sum represents Government funds stolen from him in France while he was acting as purchasing and contracting officer for the Eighty-second Airborne Division, United States Army. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, an amount equal to the aggregate of any amounts which have been paid by the said Harvey M. Lifset in partial satisfaction of the claim of the United States arising by reason of such theft.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FRITZ BUSCHE

The Clerk called the bill (H. R. 602) for the relief of Fritz Busche.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Attorney General is directed (1) to revoke vesting orders No. 7550, executed September 5, 1946 (11 F. R. 11092); 7561, executed September 5, 1946 (11 F. R. 11143); 7658, executed September 18, 1946 (11 F. R. 13444); and 8085, executed January 24, 1947 (12 F. R. 879); and (2) in the performance of his functions under Executive

Order 9788, issued October 14, 1946, to make no further claim against the property covered by such vesting orders. Such property is the property of Fritz Busche, a citizen of the United States and veteran of World War II, as a result of gifts made to him by certain relatives of German nationality prior to the declaration of war by the United States against Germany on December 11, 1941.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HAMPTON INSTITUTE

The Clerk called the bill (H. R. 593) for the relief of Hampton Institute.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That Hampton Institute, of Hampton, Va., a private, nonprofit, educational institution, is hereby relieved of all liability to pay to the United States the balance, due on and after April 1, 1948, of the purchase price of certain property purchased from the United States by Hampton Institute pursuant to Supplement No. 6, dated December 1, 1945, of contract No. NOd 3041, dated August 5, 1942, between the United States of America and Hampton Institute. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Hampton Institute an amount equal to the aggregate of any amounts due and payable on and after April 1, 1948, under such contract, as supplemented, which have been paid by Hampton Institute to the United States. The Secretary of the Navy is authorized and directed to transfer to Hampton Institute all the right, title, and interest of the United States in and to the property purchased under such contract, as supplemented.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

VICTOR R. BROWNING & CO., INC.

The Clerk called the bill (H. R. 599) for the relief of Victor R. Browning & Co., Inc.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $15,100, to Victor R. Browning & Co., Inc., of Willoughby, Ohio, in full satisfaction of its claim against the United States under contract No. NOY–13693, dated , entered into by Victor R. Browning & Co., Inc., with the United States Government through the Chief of the Bureau of Yards and Docks of the Navy Department, contracting for and providing for the construction of crane equipment for delivery to the Navy Yard at Charleston, S. C.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PHIL H. HUBBARD

The Clerk called the bill (H. R. 735) for the relief of Phil H. Hubbard.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Phil H. Hubbard, American consulate, Birmingham, England, the sum of $939.25. The payment of such sum shall be in full settlement of all claims of the said Phil H. Hubbard against the United States for reimbursement of the expenses incident to the transportation, during June 1945, of his wife and children from the United States to Zurich, Switzerland, where he was stationed as American consul. Although such expenses would normally have been paid by the Department of State, the said Phil H. Hubbard was required to pay such expenses because of lack of funds available to the Department of State for such purpose: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOHN F. GALVIN

The Clerk called the bill (H. R. 766) for the relief of John F. Galvin.

Mr. LICHTENWALTER. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. LICHTENWALTER]?

There was no objection.

MRS. REBECCA LEVY

The Clerk called the bill (H. R. 3077) for the relief of Mrs. Rebecca Levy.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Rebecca Levy, of Seattle, Wash., the sum of $6,500. The payment of such sum shall be in full settlement of all claims of the said Mrs. Rebecca Levy against the United States arising out of the death of her husband, Isaac Levy, which resulted from his being struck by a United States Army vehicle in Seattle, Wash., on September 26, 1944: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JESSE A. LOTT

The Clerk called the bill (H. R. 3234) for the relief of Jesse A. Lott.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That notwithstanding the provisions of sections 15 to 20, inclusive, of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended (U. S. C., 1940 ed., and Supp. V, title 5, secs. 765–770, inclusive), the Bureau of Employees' Compensation of the Federal Security Agency is hereby authorized and directed to consider any claim filed with the Bureau by Jesse A. Lott for compensation under such act, within 6 months from the date of enactment of this act, on account of alleged injuries incurred at the United States Maritime Shipyard, Brunswick, Ga., on or about May 16, 1918. No benefits shall accrue prior to the approval of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

IVA GAVIN

The Clerk called the bill (H. R. 3254) for the relief of Iva Gavin.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $5,000, to Iva Gavin, of Muncie, Ind., in full settlement of all claims against the United States for personal injuries, medical and hospital expenses, and loss of earnings suffered and incurred by her when the automobile in which she was riding was struck by an Army Air Corps bus at or near Dayton, Ohio, on August 18, 1943: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ANNA MALONE AND RITA ANDERSON

The Clerk called the bill (H. R. 1101) for the relief of Anna Malone.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That notwithstanding the provisions of section 19 (a) of the Immigration Act of February 5, 1917 (39 Stat. 889–890; 56 Stat. 1044; 8 U. S. C. 155), the Attorney General is authorized and directed to permit Anna Malone, of San Luis Obispo, Calif., to remain permanently in the United States if she is found to be otherwise admissible under the provisions of the immigration laws other than quotas.

With the following committee amendment:

Page 1, line 3, strike out all of page 1 and insert: "That the Attorney General is hereby directed to cancel the warrant of arrest, warrant of deportation, and any outstanding

bond or bonds in connection with existing deportation proceedings against Anna Malone and Rita Anderson, both of San Luis Obispo, Calif., because of violations of section 19 (a) of the Immigration Act of February 1917 (30 Stat. 889–890; 56 Stat. 1044; 8 U. S. C. 155). The Attorney General is likewise directed not to issue any further such warrants of arrest or warrants of deportation against the said Anna Malone and Rita Anderson because of the conduct upon which the present proceedings are founded."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Anna Malone and Rita Anderson."

A motion to reconsider was laid on the table.

RUSSIAN ORTHODOX GREEK CATHOLIC CHURCH OF NORTH AMERICA, SOUTH NAKNEK, ALASKA

The Clerk called the bill (H. R. 2812) to direct the Secretary of the Interior to sell certain land at South Naknek to the Russian Orthodox Greek Catholic Church of North America.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That upon the filing of an application and the payment of $10 within 1 year from the date of this act by the Russian Orthodox Greek Catholic Church of North America, a corporation organized under the laws of the State of Pennsylvania, the Secretary of the Interior shall issue a patent to said corporation for a tract of land at South Naknek near South Naknek village on the south side Naknek River, Bristol Bay area, Alaska, described as follows:

Beginning at corner No. 1 of United States survey 2875; thence east one hundred and one and four-tenths feet to corner No. 4 of United States survey 2875 on the west boundary of United States survey 1581; thence south one hundred and ninety feet along west boundary of United States survey 1581 to a point from which corner No. 1 of United States survey 1581 bears south one hundred and eighty and fifty-seven one-hundredths feet; then west one hundred and forty feet; thence north one hundred and ninety feet; thence east thirty-eight and six-tenths feet to the point of beginning, containing sixty-one one-hundredths acre.

SEC. 2. The patent issued under this act shall contain a reservation to the United States of all mineral deposits in said lands and the right to prospect for, mine, and remove the same under regulations prescribed by the Secretary of the Interior.

With the following committee amendment:

Page 2, line 15, after the word "under", insert the words "applicable laws and."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CALL OF THE HOUSE

Mr. HOFFMAN of Michigan. Mr. Speaker, I make a point of order that a quorum is not present.

Mr. SPENCE. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. KENNEDY. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 29]

Barden	Hoffman, Ill.	Simpson, Pa.
Blatnik	Howell	Smith, Ohio
Bulwinkle	Jenison	Smith, Wis.
Celler	Karst	Somers
Chiperfield	Latham	Tackett
Cox	Lesinski	Taylor
Crosser	Lucas	Teague
Dawson	Norrell	Thomas, N. J.
Dingell	O'Konski	Trimble
Ellsworth	Plumley	Wadsworth
Fulton	Poulson	Whitaker
Gathings	Reed, N. Y.	White, Idaho
Gilmer	Sadowski	Wood
Harris	Scott, Hugh D., Jr.	Woodhouse
Hays, Ark.		

The SPEAKER. On this roll call 387 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

HOUSING AND RENT CONTROL, 1949

Mr. SPENCE. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 1731) to extend certain provisions of the Housing and Rent Act of 1947, as amended, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from Kentucky.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H. R. 1731, with Mr. GORE in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on Friday the Clerk had read through section 203 of the committee substitute.

Mr. COLE of Kansas. Mr. Chairman, I offer an amendment, which is on the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. COLE of Kansas: On page 34 strike out lines 23 to 25, inclusive, and on page 35 strike out lines 1 to 18, inclusive.

Mr. COLE of Kansas. Mr. Chairman, I offer today new bait. This is more palatable bait than has heretofore been offered. As a matter of fact, it is the type of bait that members of both parties are more interested in than that which was offered before. This bait is such that it will permit you to understand what we are attempting to do in writing a new bill. The amendment which I offer today is one of a series of amendments. This amendment together with the other amendments will be offered clause by clause, phrase by phrase, section by section, to turn the bill as it has been introduced to present law.

Thus I hope to underscore what is happening to you in the so-called tightening of rent control.

The particular amendment which I have proposed today provides for striking out the right of the Expediter to recontrol those areas which have been heretofore or may hereafter be decontrolled in any defense rental area, notwithstanding any administrative decontrol action taken since June 30, 1947, except of course that he may not recontrol areas which have been decontrolled by the emergency court of appeal.

I see no reason to permit the Housing Expediter to recontrol areas which he has decontrolled. When the Housing Expediter appeared before the Committee on Banking and Currency in support of this provision, he said the reason for it was a possible need to establish control in a defense area, which might arise after it had been decontrolled. That was one reason.

Secondly, he said that conditions might change in any decontrolled area, that the supply of rental housing might become inadequate. He said under well-defined limitations he would recontrol those areas.

I have attempted to find the well-defined limitations or restrictions under which we have placed the Expediter in the event he would attempt to recontrol any area.

Going back to the original OPA law, I read from section 2 (b), that the Housing Expediter, or the Administrator at that time, may take such action as is necessary and proper in order to effectuate the purposes of this act. He may issue a declaration setting forth the necessity for and recommendation with reference to the stabilization or reduction of houses in any defense-rental area.

Mr. Chairman, that is the so-called well-defined limitation under which the Housing Expediter may desire to recontrol areas which have been decontrolled. In his judgment any necessity for recontrolling may be sufficient, and, in my opinion, that is it.

It has been said, and later was produced in the hearings before the committee, that this provision will give the Expediter a more lenient method of decontrolling. If he makes a mistake he may recontrol. But I point out again that the reasons that the Housing Expediter may desire to recontrol are economic conditions which may change, not emergency conditions, but economic conditions which may change, as the gentleman from Missouri said the other day. Conditions may change so that we find ourselves in a depression period so that the people of this country will not have adequate means to find satisfactory rental. If these conditions arise, then the Housing Expediter, in my judgment, under this provision, would be entitled to recontrol areas which heretofore have been decontrolled. Therefore, as we are facing a possible change in our economic situation, I suggest that we do not permit the Housing Expediter this additional authority to recontrol areas which have been heretofore decontrolled.

The CHAIRMAN. The time of the gentleman from Kansas [Mr. COLE] has expired.

Mr. PATMAN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this is a new provision in rent-control legislation; it has never been in a bill; it has never been in the law. The committee has always opposed it; we opposed it on the theory that we

did not want the Housing Expediter to have that much power, but this time I believe the committee while it is not unanimously for it, I believe a large majority of the Members are for this provision. The reasons are obvious: A lot of areas and portions of areas are on the fringe. The Housing Expediter is not willing to take the responsibility of removing an area or portion of an area entirely, although it looks like it is ripe to be taken off, for the reason that he had experience along that line that taught him that in some instances the people would take advantage of it and run the rents up not just 10 percent, but 50 percent, 100 percent, 500 percent.

This provision is to encourage the Expediter to run a risk, to go ahead and take it off; then if they do not act right he has the power under this law to recontrol. Therefore, you are encouraged and you have an incentive to remove just as many just as quickly and just as fast as possible. I think it is the finest thing in the bill in the direction of decontrol, and certainly we do not want to take it out.

Mr. BUCHANAN. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. I yield.

Mr. BUCHANAN. As I understand, originally about 660 areas were under control; at the present time 598 areas are under control.

Mr. PATMAN. That is right.

Mr. BUCHANAN. Would the gentleman care to state what the experience was according to the testimony before the committee, in those areas which were decontrolled?

Mr. PATMAN. The gentleman knows more about that than I, but I know that the experience of the Expediter was not always a happy one; after he decontrolled an area he could not put it back, and the people could just do nothing they wanted to in trying to establish a limit as to rent; it has been rather unfortunate. I wish the gentleman would get 5 minutes' time and go into this subject as soon as my time is up; I think it would be a fine thing.

So this provision should be in this bill, this recontrol provision; if you want to encourage the Expediter to decontrol you should give him power to recontrol in the event there are abuses. Furthermore, it is notice to the people who own houses in these areas or portions of areas that they must not get unreasonable if they do not want the Housing Expediter to come back in and take action. It will caution them and cause them to be more discreet in their handling of the tenants. And remember that the power here is not just to remove a defense area; the Housing Expediter may remove a portion of that area. Suppose there are 10 counties in the area; he may remove 1 county, 2 counties, or the whole area of 10 counties; so, in that event, he is encouraged to decontrol the whole area or any portion of it. And, too, there is a restriction: If the Emergency Court of Appeals has held that an area to be decontrolled—which they have held in cases including the gentleman's city in Florida—it would be impossible for the Housing Expediter to recontrol it.

Mr. SMATHERS. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. I yield.

Mr. SMATHERS. If the local rent control board recommends decontrol, does the language carried in the bill, the provision the gentleman wants retained in this bill, give the Expediter the power to recontrol it even though the local board has recommended decontrol?

Mr. PATMAN. Yes; the gentleman means if they had recommended decontrol, and if it had been decontrolled that the Housing Expediter under the present law has the power to put it back under control in the event it were necessary. But if the local board made a recommendation and it was not accepted by the Housing Expediter, but they appealed to the Emergency Court of Appeals and the Emergency Court of Appeals said it should be controlled; then, under this amendment the Housing Expediter cannot touch that area in any way in the world; it remains decontrolled.

Mr. DEANE. Mr. Chairman, I rise in opposition to the pending amendment.

Mr. Chairman, continuing the remarks of the gentleman from Texas [Mr. PATMAN] one step further, I hold in my hand here a weekly magazine issued out of the State of North Carolina. I am impressed with this very shocking statement on the enormous rise in the rent ceilings in the Greensboro, N. C., area. As the gentleman from Texas indicated, the Expediter has the right to decontrol a portion of an area. That is what took place in this particular area of Greensboro, N. C. A portion of the area was decontrolled and within a very brief period of time the rent in this decontrol area increased over 100 percent. I read from this news item:

> Rent ceilings were taken off 14 dwelling units in Greensboro in the 3 months ended January 31, 1949. The area rent director said Friday the rapidity with which these rents have shot up following decontrol has been a shock to us. Rents climbed to a total of $776 a month compared to the previous ceiling of $426. The average rise was 105 percent above the previous ceiling. It was a part of a Nation-wide study ordered by the Housing Expediter.

Mr. Chairman, it does appear to me that the recontrol provision in the bill is a very timely provision. Not only would it tend to stabilize rents in these rental defense areas but, as the gentleman from Texas indicated, it would enable the Expediter to decontrol many fringe areas with the reasonable belief that this Greensboro situation would not arise.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. DEANE. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. As I understand the law now, once an area is decontrolled the Expediter has no authority to recontrol it no matter how high they go with their rents, is that correct?

Mr. DEANE. That is correct.

Mr. McCORMACK. As a result of that, there is a natural hesitancy to decontrol some areas. This particular provision would be as important in connection with the desire to have as many areas decontrolled as possible, which the Expediter will do; then if there is an unreasonable, abnormal increase or an abuse under decontrol he could recontrol under those circumstances?

Mr. DEANE. Would the gentleman feel that this rise of 105 percent in this Greensboro area is reasonable or unreasonable?

Mr. McCORMACK. Oh, well, my impression of that would be that under the circumstances it is unreasonable. I say this provision here is a provision for more efficient operation of the law and for more satisfaction being meted out, is that correct?

Mr. DEANE. That is correct.

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. DEANE. I yield to the gentleman from Georgia.

Mr. COX. In other words, your committee by the use of this language means to arm the Expediter with a loaded gun with which to bully and browbeat property owners?

Mr. DEANE. No, I cannot agree with the distinguished gentleman from Georgia, because, in my opinion, the Expediter has been trying to carry on a job under legislation which has been practically impossible to administer.

Mr. BUCHANAN. Mr. Chairman, will the gentleman yield?

Mr. DEANE. I yield to the gentleman from Pennsylvania.

Mr. BUCHANAN. Is it not a fact that since April 1, 1948, under local area rent boards that have the power to make recommendations for decontrol they have only made 14 such recommendations, and is it not a fact further that those who are in touch with the situation locally are in a better position to make these recommendations?

Mr. DEANE. I do, and may I make this further observation: In my own Congressional district I asked for two surveys to be made by the Expediter. These surveys were made and the leading officials of these communities reported there was need for a continuation of controls. I contend these local boards are in the best position to know the needs of the local communities.

Mr. SPENCE. Mr. Chairman, will the gentleman yield?

Mr. DEANE. I yield to the gentleman from Kentucky.

Mr. SPENCE. Is it not a fact that if this is allowed to remain as it is, giving the Expediter the power to recontrol, it really means there will be an acceleration to decontrol?

Mr. DEANE. Yes.

Mr. SPENCE. And that was the reason the committee adopted it; because they thought of many instances, where he might decontrol them, he would be armed with power to recontrol if they did not violate the duty that the landlord owed the tenant or the tenant the landlord, and that was the very purpose of it, to accelerate decontrol.

Mr. DEANE. Indeed, it was.

Mr. SPENCE. That was the reason we adopted it.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. MULTER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, those of you who may have some feeling that giving this right to the Expediter is giving him a loaded gun should have their attention directed to the fact that the local boards may still make recommendations, and if the Expediter does not go along with the local board, the local board can still take the matter to the Emergency Court of Appeals and have any mistakes of the Expediter rectified. In other words, the law now provides that if your local board, your local people, think that your area should get an increase in rent or should be decontrolled entirely, they make that recommendation. If the Expediter does not go along with it, you take it to the Emergency Court of Appeals and the Emergency Court of Appeals will do the right thing for you. If the Expediter should now go back and recontrol an area which has been previously decontrolled and, bear in mind, if the court has decontrolled it, the Expediter can do nothing about it—it permits decontrol permanently. But, if those areas where a local board should make recommendation and the Expediter does not go along with it, or he should recontrol it and the local board differs with him, the board can go to court and get it decontrolled if the facts require it.

Mr. MILLER of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield to the gentleman from Nebraska.

Mr. MILLER of Nebraska. I understood the majority leader to say that where the decontrol had been recommended by the Expediter, that he could not then go back and recontrol. But I understand, in the bill, he can, unless the Emergency Court of Appeals has ruled upon the question. The Expediter may have decontrolled an area, but under this bill he can go back and recontrol that area; is that correct?

Mr. MULTER. There are two methods now for decontrol; one by the Expediter and the other by the Emergency Court of Appeals if the Expediter did not want to do it.

Mr. MILLER of Nebraska. If the Expediter has decontrolled an area and the Emergency Court of Appeals has not acted upon it, can he go back and recontrol that area?

Mr. MULTER. He may recontrol that area, subject, again, to court review, as I have already indicated.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. I am inclined to think my friend misunderstood what I did say. I said under existing law, once he decontrolled as I understand, no matter how high the rents were, he could not recontrol it.

Mr. MULTER. Under existing law he cannot do anything about it.

Mr. MILLER of Nebraska. Under the proposed law he can?

Mr. McCORMACK. Yes.

Mr. COLE of Kansas. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield to the gentleman from Kansas.

Mr. COLE of Kansas. Under the proposed law, though, there is no appeal to the Emergency Court of Appeals if the Housing Expediter recontrols an area which has been decontrolled.

Mr. MULTER. I do not agree with the gentleman because the local board, despite the recontrol by the Expediter, the local board can make the recommendation to decontrol thereafter and if he does not go along with it——

Mr. COLE of Kansas. Yes; thereafter.

Mr. MULTER. We are talking about changing circumstances. If an area is now decontrolled, we are not going to recontrol it unless the rents go sky high and the tenants have no place to go. If the local board recommends decontrol and the Expediter disagrees, you go to court and get it decontrolled.

I urge that the amendment be defeated.

Mr. JENKINS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, last week when we had this matter up for discussion our distinguished friend, the gentleman from Indiana [Mr. HALLECK], read a statement from the newspaper which indicated that about 100 sections or districts of the country have been agreed upon to be decontrolled. Later I saw several references to the same effect in the newspaper. I wonder if anyone has come forward with a list of those 100, or whatever number they were, because I would like to know what districts have been agreed upon.

Mr. BUCHANAN. Mr. Chairman, if the gentleman will yield, in answer to the gentleman's question I shall say this, that the list which he has referred to is a list of so-called fringe areas. It is not an official statement from the Housing Expediter's office to the effect that these areas would be decontrolled. It is merely a list of some number of areas that are considered fringe communities in some 26 States. It was not offered as bait. It was not offered in any manner to bring in votes to support this legislation. That has been known to the members of the committee for some time.

Mr. JENKINS. I do not yield further. The gentleman declines to furnish that information.

This statement said positively that a certain Member of this House had appeared before the newsmen and had put out that statement. This is what I want to know. I want to know what was said and what sections were thereby favored. I come from a district that has some fair sized city areas and some rural areas. I have appeared on the floor of this House repeatedly, when this rent matter was formerly up before us for consideration and tried to effect some decontrols. As I remember it I offered an amendment 2 or 3 years ago that I think was adopted. That amendment provided that the Expediter or the man in national authority at that time could decontrol the rural sections, if it was evident that rent control was not necessary. It never has been done in my section. I had one of the top men from the Washington office come to my office in my home city. I asked the Washington office to send with him a man with practical experience. This man with practical experience recommended decontrol, but the Washington man failed to follow his advice. If any secret agreements have been made as a bait or in any other way and done quietly, and done in favor of somebody, I want to know who did it and who profits by it. If somebody does not come forward with that information, then I say we ought to have an investigation. I want to know right now if the information can be given. If it cannot be given, someone surely can give us some information. I do not want any of this fringy business. Let us have "Yes" or "No."

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. JENKINS. I yield to the gentleman from Indiana.

Mr. HALLECK. I do not want to mention any names, and I am not going to, but I do know that that list has been circulated among numerous Members of the House. They know what is in it. I cannot for the life of me see why it is so confidential that every Member of the House should not be entitled to see it. We raised that question the other day. As far as I know it is yet a confidential list available only to a select few. The gentleman from Pennsylvania may say that that does not constitute bait. I say that it does constitute bait. There is no reason why I should not see that list or the gentleman from Ohio should not see it or any Member of the House should not see it.

Mr. BUCHANAN. Mr. Chairman, will the gentleman yield?

Mr. JENKINS. No.

Mr. BUCHANAN. Does not the gentleman want information on this? He is asking for information.

Mr. JENKINS. I do not want the kind of information the gentleman gave last week when he talked a lot about this but furnished no information.

Mr. BUCHANAN. In other words, the gentleman is not interested in the facts.

Mr. JENKINS. I have the floor and I decline to yield. I repeat, I do not want any of this fringy business. I do not want information such as the gentleman gave last week, which was evasive and was in no way responsive or satisfactory. The gentleman evidently has the information and evidence; then why does he not produce it? If some sections been promised relief in such a way as that those who know about it refuse to give out the information, then I repeat that we should call for an investigation.

Mr. Chairman, apparently there is no one who will offer to clarify this situation. I shall keep this questioning up until we get some information.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kansas [Mr. COLE].

The question was taken; and on a division (demanded by Mr. COLE of Kansas) there were—ayes 86, noes 121.

So the amendment was rejected.

Mr. WILLIAMS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WILLIAMS: On page 35, line 18, strike out the quotation marks, and after line 18, insert the following subsection:

"(j) If the legislature or comparable governing body of any State, municipality,

county, or other political subdivision declares by resolution that Federal rent control is no longer needed in such State, municipality, county, or political subdivision, and transmits a certified copy of such resolution to the Housing Expediter, the provisions of this title shall be inaplicable to such State, municipality, county, or political subdivision 15 days after such certified copy shall have been mailed by registered mail to the Housing Expediter."

Mr. WILLIAMS. Mr. Chairman, I am not one of those who say that there is no need to have Federal rent control in certain areas of our country, nor am I one of those who believe that this should be a local proposition, locally enforced and locally instigated. I am a firm believer, of course, in maintaining the right of the States to order and control their own affairs; but the critical housing crisis which faces the country today was brought on by a war and a national emergency. On the other hand, Mr. Chairman, I favor granting to local authorities the right to decontrol in sections where decontrol is necessary and advisable. Certainly no one knows better than the elected local officials of any town, county, or legislature of any State whether rent control is needed within the area under their jurisdiction.

The adoption of this amendment, of course, will give some semblance of local control over rents. In areas where it is not needed, this amendment makes it mandatory that the Housing Expediter decontrol those areas upon receipt of a resolution duly passed by the duly elected officials of those areas.

This is in keeping with the division of powers under our Constitution between the States and the Federal Government. It is in keeping with the needs of our people by recognizing that those who are confronted with the situation know best how to take care of that situation themselves.

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. WILLIAMS. I yield.

Mr. COX. I am very strongly in favor of the gentleman's amendment, and yet I think I realize that the adoption of his amendment is not going to make this rent-control law a good law.

Mr. WILLIAMS. I do not think so, either.

Mr. COX. Because you cannot make a silk purse out of a sow's ear. However, the amendment ought to be adopted. The adoption of it would make the measure less sweeping in its operation. I believe the House, when it finally comes to vote upon the measure as amended, should vote it down.

Mr. WILLIAMS. I thank the gentleman.

Mr. Chairman, this amendment will give the Federal Government the right to determine whether they are going to recognize the right and competence of local officials to govern their own affairs. By passing this amendment you will say that these people who are on the ground, these people who live in the cities, the States, and the counties know more about taking care of their own affairs than some appointed bureaucrat sitting behind a desk in Washington. You will recognize the dignity of the individual community. You will recognize the dignity of the county, the dignity of the State, the dignity of the municipality.

Mr. Chairman, I hope this amendment will be adopted.

The CHAIRMAN. The time of the gentleman from Mississippi [Mr. WILLIAMS] has expired.

Mr. SPENCE. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I think this amendment would be destructive of the very purposes of the bill. We have adopted rent control because of a national emergency, and that is the ground upon which the courts have upheld it, including the Supreme Court of the United States.

There must be a national pattern if we are going to subserve the purposes for which rent control was adopted. That pattern would be utterly destroyed by the adoption of this amendment.

There is a principle in law by which you may classify property for taxation and for regulation, but the classification must be reasonable, and all persons similarly situated must be treated substantially the same. That ought to apply to rent control. Where do you place the power to decontrol property in this amendment? You give it to the legislatures of the States. You give it to the county commissioners of the counties and to the board of councilmen or the commissioners of a city affected. Of course, they will be under pressure all the time to decontrol, and, of course, the powerful interests are the landed interests. It would result in confusion worse confounded. It would gut the bill and destroy the purposes for which it was originally enacted.

I have great respect for the distinguished gentleman from Mississippi [Mr. WILLIAMS], who offered this amendment. He was a distinguished soldier, and he deserves the consideration of this House, but I think his amendment would be destructive of everything we are trying to accomplish.

Suppose a city governing board refused to decontrol. Then they would apply to the county governing board. If the county governing board refused to decontrol, they would take it to the State legislature. It does not involve local self-government. We have to give up some of our rights when a national emergency exists. Primitive man was the only man who was absolutely free. When he entered organized society he gave up some of his rights for the general good.

Then I hear a lot of talk about the invasion of the Constitution, and crocodile tears are being shed over our lost liberties. The founders of our Government made but one constitutional court, the Supreme Court of the United States. The great Chief Justice, John Marshall, said that that Court would decide whether an act was constitutional or not. That Court ever since has held that jurisdiction. They used it in this case, and they said that rent control was constitutional, and that a national emergency existed. That is the reason it is on the statute books today.

If you do not want rent control, I hope you will vote against it and make the issue clear so the responsibility of its destruction, if that should happen, will be placed where it belongs.

I am tired of seeing perfecting amendments to destroy the bill. I know that this was introduced in all sincerity, but that is the effect it would have, and that is the effect most of these amendments would have: Utterly to destroy the bill and to destroy every purpose upon which it was enacted.

Mr. WILLIAMS. Mr. Chairman, will the gentleman yield?

Mr. SPENCE. I yield to the gentleman from Mississippi.

Mr. WILLIAMS. Is the gentleman from Kentucky saying that he does not have faith in the judgment of his local officials?

Mr. SPENCE. I have not faith that the local people will keep the pattern of national rent control; no, I have not faith that they will do that. I have faith, of course, in their discharging the duties for which they were elected; but this is something different, this is not ordinary legislation, and I do not think we ought to impose these administrative powers on the local legislative bodies generally and then say to certain sections, "You may decontrol." What will the result be? One county will be decontrolled and another county similarly situated will be controlled.

I am also wondering whether or not the Congress has the power to delegate to these legislative bodies the power to decide when a Federal law shall operate and when it shall cease to operate, bodies over which the Congress exercises no authority of selection and over whose action it has no control.

Mr. CASE of South Dakota. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I shall not attempt to engage in a constitutional battle with the gentleman from Kentucky [Mr. SPENCE], but it does occur to me that somewhere in the Constitution it is stated that all powers not given to the Congress are reserved to the States and to the people. Let us bring rent control into that pattern.

The argument which has been advanced by the gentleman from Kentucky brings to light the sorry thing that is involved in rent control; it is the suggestion that now, almost 4 years after the war is over, we should attempt to force into a national pattern, as he describes it, areas where the people best in position to know whether rent control is needed have no voice, to force them into that national pattern of rent control whether they believe it is needed there or not.

As the gentleman from Pennsylvania [Mr. BUCHANAN] said a while ago in connection with another amendment, the local people are the ones best in position to know. Why not let them have the decision?

I was impressed Friday by the argument of the gentleman from New York [Mr. CELLER] when he made the plea to the House that this was a problem of the big cities, and urged that the people in the rural areas or the people from the back parts of the country should give the city people a chance to have rent control,

that the rest of us should not impose our will upon them.

That was the argument of the gentleman from New York.

By the same token, the men from the cities who have this problem, who want rent control, should not attempt to say to the portions of the country which feel they do not need it, that they must have it or that they must place in the hands of some bureaucrat sitting in Washington the power to say whether or not it should be imposed upon the local areas.

I am perfectly willing for the gentleman from New York to have rent control in New York if he wants it; I am perfectly willing for some city in my district to have rent control if they want it, but by the same token, I say: Do not impose it upon the communities where the local governing authority says they do not need it.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. CASE of South Dakota. Sorry; I decline to yield.

Mr. Chairman, there are some unhappy aspects of this rent-control problem. I heard the gentlewoman from Utah the other day talk about some unit paying $7 a month in rent, which she said did not pay the taxes; and yet she was for rent control because she thought there was a need in some quarters. But I must say that in my honest opinion it is a rather sorry business we are dealing with when we say to certain segments of the people, to wit, those who happen to have their money invested in real estate, that they should be required to operate at a loss if someone in Washington says, "You must give your goods at a cost that will not even pay taxes upon it," and you do not impose that kind of rule upon the balance of the economy. The least we can do, it seems to me, is to give authority to these local communities such as is suggested in the amendment offered by the gentleman from Mississippi and let the wishes of the people who know most about it control the situation.

Mr. BUCHANAN. Mr. Chairman, I rise in opposition to the pending amendment.

Mr. Chairman, in reference to the amendment offered by the gentleman from Mississippi, I have some salient facts here regarding State laws so far as expiration dates are concerned.

The State of Connecticut has a State law which expires upon adjournment of the assembly. A new bill has been introduced to extend the time limit.

The State law of the State of New York expires on June 30, 1949.

The State of Virginia State law extends to July 1, 1950.

In the State of Wisconsin the State law expires on April 1, 1949.

In the State of Maryland they have enabling legislation for local governing body control which expires on June 1, 1949.

In the State of Illinois they have enabling legislation for local governing body control which expires on June 30, 1949.

In the State of New Jersey their State law has expired. A bill has been introduced to revive the authority.

In the States of Minnesota, Missouri, Louisiana, Michigan, and Rhode Island the State laws have expired.

Since April 1, 1948, when local boards were selected upon the recommendation of the governors of the respective States approved by the Housing Expediter, who are in immediate touch and have been over a period of years, who know the local rent situation, in less than 600 rent areas where there are 767 of these local boards, there have been but 14 recommendations by local boards for decontrol. In other words, the people who have been charged with the responsibility of reviewing these cases, who are familiar with the cases, who are familiar with the local rent situation in their areas, have recommended but 14 areas for decontrol.

Mr. BAILEY. Mr. Chairman, will the gentleman yield?

Mr. BUCHANAN. I yield to the gentleman from West Virginia.

Mr. BAILEY. I would like to remind the gentleman that in the State of West Virginia we have no rent-control law. Our constitution limits the session of our legislature to 60 days. It meets on the second Wednesday of January. Our legislature has adjourned. Under this proposal we would be without rent control unless the legislature would meet again.

Mr. BUCHANAN. I may say in answer to the gentleman from West Virginia that situation is similar in my own State. The members who were elected to the legislature were not elected on this particular issue. They are not in immediate touch with this particular problem, and I dare say that in almost one-half of the States of this Nation the assemblies are not in session at the present time. They have made no provision in any appropriations to take care of the local situation, and I am certain that it would lead to nothing but a chaotic rent condition if the pending amendment were adopted.

Mr. WILLIAMS. Mr. Chairman, will the gentleman yield?

Mr. BUCHANAN. I yield to the gentleman from Mississippi.

Mr. WILLIAMS. I thank the gentleman for yielding to me. May I say to the gentleman from West Virginia that he has missed entirely the meaning of this amendment. The amendment does not decontrol. It gives the State legislature the authority to decontrol. It gives them the authority to decontrol if it is not needed. The State of West Virginia, therefore, would not be without rent control until such time as the State legislature determined there was no further need for rent control or until such time as an individual, county, or city determined there was no need for rent control within the area under their jurisdiction.

Mr. BUCHANAN. I may say that what the gentleman's amendment does is that it recommends that the legislature or a comparable local government, a municipality, city, or political subdivision, if it declares by resolution that rent control is no longer needed, then the area is decontrolled.

Mr. MULTER. Mr. Chairman, will the gentleman yield?

Mr. BUCHANAN. I yield to the gentleman from New York.

Mr. MULTER. Does not the gentleman have a much more effective provision for local control of these situations in the present law which we are continuing in this bill, to wit, the local board recommendations, which are the people in each locality who know their own situation in each district and make the recommendation?

Mr. BUCHANAN. That is the entire purport of my remarks.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. MONRONEY. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, this amendment offered by the distinguished gentleman from Mississippi seeks to interject into rent control local determination for decontrol of areas. I think we owe the gentleman from Mississippi a good deal of credit for his fight made two years ago on this floor which resulted in the process which we now have which, I believe, puts local consideration of the problem directly where it belongs.

You men know that these local boards, now provided by present law, have to be nominated by the Governors of the States from that locality. They meet, and they can recommend, after due hearings, decontrol of their areas. It goes to the Housing Expediter, and if they are not satisfied with the action of the Housing Expediter then they have an automatic appeal to the Emergency Court of Appeals. This is a three-judge Federal court, assigned for the specific job of handling rent control.

Now, that delegates local control in an orderly and a constitutional way because these nominees by the Governor are automatically appointed by the Housing Expediter, and the review in case of dissatisfaction of his action is appealable to a Federal court.

Let us contrast the constitutionality of that process designed to give this local consideration power in decontrol—and incidentally in hardship adjustments by these local boards—to what the amendment today does.

This provides that no one group has the responsibility, authority, or right to decontrol, but any one of a number of governmental groups, your State legislature, your county commissioners, or other municipal subdivisions of that area all are possessed of this power.

This would allow very easily the county commissioners and the city commissioners to get into a fight over which should have their way on whether the area should be decontrolled or whether it should continue under control.

The State legislature might decide that they wanted to continue control for an entire State against the wishes of the city council. It would provide stretching of Federal authority a long, long way and to give to non-Federal officers great powers under Federal law. I believe it could even pass Federal power to a board of township governors under this amendment.

I believe it is unconstitutional. The authority of Congress to vote rent con-

trol is for the reason of a national emergency which Congress finds exists. This great power to determine a national emergency cannot be carelessly handed over clear down through 10 or 12 echelons of local governing bodies, and thus say that anyone of that group can decontrol any area by resolution.

Is there any standard? Is there any consideration of the rights that these groups have? Most of my city officials in my State, and I believe most of the county commissioners, have only well-defined powers under State law, and I do not know of any powers that they have to construe or determine Federal law. If you pass this on to them they have only informal powers to meet around the table some afternoon or evening and resolve that they are going to do away with rent control in that particular area. Yet you ask that the United States Congress would without procedures, standards, or hearings pass over to local government units this sole right to make the decision for us as to whether rent controls are necessary or not.

Mr. BROWN of Georgia. Mr. Chairman, will the gentleman yield?

Mr. MONRONEY. I yield to the gentleman from Georgia.

Mr. BROWN of Georgia. Would it not be much better to vote against the bill entirely, to have no national rent law? Let the State legislatures of the States, or the cities, decide if they want to be under rent control and not us select them. This cannot be enforced, because you have so many jurisdictional questions.

Mr. MONRONEY. I agree with the gentleman, and you would have this confusion of jurisdiction over who had the right to decontrol.

I think under present law we have put the local control into this thing in a legal and a constitutional way. I believe you gentlemen know that these local, self-governing bodies can appear at any time before these juries of local citizens who form these local boards, and recommend decontrol if they so desire.

One point more. There are dozens of areas under rent control that cover 5 or 10 counties, that cover 15 or 20 municipalities. When we pass this power on to the subdivisions of local government, we do not know who they will be, or who will exercise this vast grant of power, this right of determination over whether or not rent control will be continued.

I ask you to vote down the amendment.

Mr. MILLER of Nebraska. Mr. Chairman, I move to strike out the last word, and rise in support of the amendment.

Mr. Chairman, I have always been under the impression that the best government was that which was kept close to the people. I am wondering what we want to do here today. Do we want to put in the hands of somebody in Washington enough power that they can say to these small communities, and I have several in my district, "You cannot decontrol your area, whether you want to or not"? Are you afraid of the folks at home?

The type of argument the gentleman from Oklahoma and the gentleman from New York have made is the type of argument that leads to the totalitarian state, that the Government knows best and you must follow what the big Government in Washington tells you to do.

Mr. WILLIAMS. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Nebraska. I yield to the gentleman from Mississippi.

Mr. WILLIAMS. I thank the gentleman for his remarks. May I say that the purpose of this amendment is to take the final authority out of the hands of an appointed bureaucrat responsible only to the person who appoints him and place it in the hands of local, elected officials, responsible to the people who will be affected by rent control?

Mr. MILLER of Nebraska. I think the gentleman is absolutely right. We must remember that these boards in the different districts are appointed with the approval of the rent director. They have to have his approval. Sure, they are recommended by the Governor, but they are not appointed unless they have the approval of the rent expediter. The county officials and city officials are elected by the folks back home.

I like the gentleman's amendment. If you do not adopt his amendment, I have another one that will let the area be decontrolled by a vote of the people. I wonder what you would say about that? Do you think the people back home ought to have the right to vote, and let the majority of them say, "We do not want rent control"? What argument would you make against that? Why, bureaucracy is nothing but representative government gone berserk. I think there is a schizophrenia that has developed. A dual personality. Bureaucracy thinks nobody back home knows anything about running their own business. It must be done by all-powerful central government—I maintain that is not always good government.

Mr. KUNKEL. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Nebraska. I yield to the gentleman from Pennsylvania.

Mr. KUNKEL. The local rent boards at the present time are actually appointed by the Housing Expediter. The Governor submits a list from which the Housing Expediter has to choose, but the Housing Expediter is the man who actually makes the appointment in the last analysis.

Mr. GOSSETT. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Nebraska. I yield to the gentleman from Texas.

Mr. GOSSETT. May I observe that the rent-control director often does not pay any attention to the recommendations of the local boards. I know of one board that urgently recommended decontrol, and he wholly ignored their recommendation.

Mr. MILLER of Nebraska. That is true. It has occurred a number of times. I think the reason we have had very few appeals to the courts is that you wear the local people out. The local boards that are appointed are just worn down by the red tape and delay that you must go through before you can possibly get the decontrol. This amendment is simply a democratic procedure.

I say to you who are opposing the amendment offered by the gentleman from Mississippi that you are going to build up a big bureaucracy here in Washington that is going to grow bigger and bigger, and as it grows bigger and bigger it must grow and feed upon itself to survive, and you and your people back home will grow smaller and smaller. I should like to see this thing placed right back home in the laps of the people at home. If you do not like the gentleman's amendment, under which the elected officials will have the final control over rent control, then I am going to ask you to vote for my amendment, under which a majority of the people in the group can vote for decontrol. I do not know whether you will accept that or not. I expect not.

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Nebraska. I yield to the gentleman from Georgia.

Mr. COX. The difficulty in getting a concession from the advocates of this legislation that would amount to anything in the way of relief to the people is that back of the demand there is a purpose to completely federalize the whole subject of housing.

Mr. MILLER of Nebraska. The gentleman is right, and it disturbs me no end, because here it is some three and a half years after the war and we say a national emergency is still on. The advocates of all-powerful bureaucracy are afraid to let the people at home run their own local business—just where are we headed—a totalitarian state—an all-powerful bureaucracy denying the rights of free people to run their own affairs? That is the road you travel if you reject this amendment.

I admit that there may be some areas where there is some need for rent control, but I also feel there are a great many areas where they do not need it and where the local boards have even advised that controls be taken off, but the Expediter pays no attention to them. Therefore, I am in favor of the amendment offered by the gentleman from Mississippi to let the city officials and county officials and State officials say whether rent control should be ended in a certain area. I think that is democratic procedure and ought to be accepted with open arms.

Mr. COX. What possible sane argument can be advanced against the proposal to put this whole subject into the hands of local people? In other words, why be afraid of local control? Why be afraid of self-determination on the part of small or even large communities to determine what they want?

Mr. MILLER of Nebraska. The gentleman is absolutely correct.

Mr. PATMAN. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, when this amendment was first shown to me by the distinguished gentleman from Mississippi, it appealed to me very much. It appeared to me to be a reasonable amendment and possibly the most logical approach to the

solution of this problem. But on thinking the matter over in connection with the national emergency and other matters, I have changed my mind. I do not believe that it is the right thing to do. Witness these facts: One, we the Members of Congress were elected when the rent-control question was an issue. The city council was not elected on that issue, and neither was the city council or county commissioners, and neither were the members of the State legislatures, except possibly in very few States. The easiest thing for us to do would be to pass this amendment and just pass the buck and throw this troublesome problem into the laps of people who do not know anything about it. As to whether or not that is the right thing to do, that, of course, is a question for each individual person to determine.

The gentleman from Texas [Mr. GOSSETT] a while ago said that the local board had made a recommendation that a certain town be decontrolled, and the Housing Expediter refused to decontrol it. There is no reason in the world why that town cannot go into the Emergency Court of Appeals. The Emergency Court of Appeals can decontrol that town or city. It has been done in the past. It was done in the case of Miami, Fla. It does not cost anything. The Emergency Court of Appeals will go to your town and do it quickly. They will do it right now. It will cost you nothing. You have three United States district judges on that court and in a very short time they will pass on the question. If they say that the town should be decontrolled, it is decontrolled and the Housing Expediter, notwithstanding the provision that we have in this bill, cannot decontrol it at all.

So I suggest that since this is an issue which is national in scope and since the city council has never given consideration to this problem, would it be fair to them to turn the problem over to them? In addition to that, in the ordinary county in Texas, I do not know how it is in other counties in the United States, we have four commissioners who compose a commissioners' court. If you have one big city in that county, one of the commissioners comes from the city and the other three from the county, so those four commissioners could get together and decontrol the city, which was located in that county. Very few legislatures have had anything to do with this problem, so why should we try to pass the buck and throw it into the laps of people who have never dealt with the problem and who do not know anything about it, who have never studied it and who are not elected on that issue? I do not think we should do it as nice as the amendment appears to be and as logical as it seems to be at first blush. I think it would be a serious mistake for us to put it into the bill.

The CHAIRMAN. The time of the gentleman has expired.

Mr. O'BRIEN of Michigan. Mr. Chairman, I move to strike out the last 10 words.

Mr. Chairman, in the city of Detroit there are two cities entirely contained within that city—two cities of substantial size. Under the terms of this amendment, if it were adopted, the Common Council of the City of Detroit could decontrol or not. The common council of one of the cities within the boundaries of the city of Detroit could control or not, opposite to the decision of the Common Council of Detroit, and the common council of the other city within the city of Detroit could act independently still. The board of supervisors of the county could make still another decision. I dare say the constables of one particular ward conceivably could make their own decision.

It is difficult enough to administer the problems of rent control, but this is piling difficulty onto difficulty so that the bill with the Williams amendment in it reduces itself to an absurdity.

There is talk of handing this back to the people. If the people wanted this kind of an amendment, if the officers of some city or some county or some State legislature wanted this kind of amendment, if the people of our community wanted this kind of amendment, do you not think that some one of them during the lengthy hearings on this bill would have come before the Committee on Banking and Currency and said, "We want the power to go to the townships to decontrol rent control, we want the power to go to the common councils of the cities to decontrol rent control, or we want the power to go to the State legislature."

While there were serious differences of opinion on rent control generally, during the lengthy hearings on this bill no citizen—no local official—ever asked for the provisions of the Williams amendment, and no State official or private citizen asked for such a thing. I am sure nobody could make such a proposition and keep a straight face because it is ridiculous.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. O'BRIEN of Michigan. I yield.

Mr. CASE of South Dakota. In the instance which the gentleman has cited of Detroit, do those several councils have uniform ordinances or resolutions on other matters?

Mr. O'BRIEN of Michigan. Answering the gentleman, I want to point to the absurdity that would result if, one side of the same street, the same type of housing accommodations, had control, and the opposite side of the street, on the same block, had decontrol.

Mr. MULTER. Mr. Chairman, will the gentleman yield?

Mr. O'BRIEN of Michigan. I yield.

Mr. MULTER. Under this amendment the State legislature might decontrol an entire State, despite the fact that some cities need control, while under the law as it exists you could decontrol the area outside the city and the city could still be under control. You would not have the confusion under existing law as you would get under this amendment, whereby a large area could be decontrolled when it should not be. Is that not so?

Mr. O'BRIEN of Michigan. I agree with the gentleman. The possibilities of confusion that would be created by this amendment are almost infinite

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. MORRIS. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, this would seem to me to be a happy solution of this whole problem. It will leave Federal control subject of course to the rights, the autonomy of the local people. Why should it not be that way? Why should we have any fear in our hearts about what the local people are going to do?

Something has been said about the local governing bodies not being elected on this issue. Well, they soon would be elected on this issue or would fail of election on this issue if jurisdiction should be conferred upon them to act. They would be accountable to their own people on this matter if they had power to act. And if the people did not like their actions, as to this matter, they could vote them in or out as the case might be. I think we may safely leave it up to them to determine whether or not it is necessary in the particular locality. One of the Members here argued that such an amendment would bring about confusion. Unless I am misinformed about this whole thing and am in error, new units are decontrolled now, are they not?

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. MORRIS. Not at this time. I have the highest regard for the distinguished gentleman from Texas, but I do not yield at this time.

Mr. PATMAN. I merely wanted to answer the gentleman's question.

Mr. MORRIS. I am sorry, but I cannot yield just now; if I have time later I shall be pleased to yield.

Mr. Chairman, this gets back to the proposition of keeping a thing that is good for those who want it and permitting those people who do not want it to do away with it; and why should not they have that right? Yes, it seems to me that it is a happy solution of the whole thing. As I recall, this same amendment went over in the last Congress; there is a slight change in it, but substantially the same amendment, known at that time as the Redden amendment, passed the House. It was taken out in conference or lost in the shuffle somewhere along the line, but it went over. I have the highest regard for the chairman of this committee and for the distinguished gentleman from Texas who spoke against this proposed amendment, and it is no pleasure on my part to oppose them in the matter, but as I observed once before in this House, I observe again, Mr. Chairman: Certainly there is nothing sacrosanct about the report of a committee in presenting a bill to the House. I realize we ought to give great weight to their suggestions; they have studied the matter more carefully ordinarily than we have when we are not on that particular committee, and we should not lightly adopt an amendment; I realize that. We should be

cautious in adopting amendments on the floor because quite often they are not well considered, but that does not mean they never are. I realize what the impact of this amendment might be, but this, to my mind, is clear and convincing, and so far no one has offered any logic or reason to dispel my feeling, that this is a happy solution of the whole problem.

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. MORRIS. I yield.

Mr. COX. Is it not the gentleman's feeling that the people of the home town, whether small or large, are better able to determine what is good for them than is Washington?

Mr. MORRIS. Yes; it is.

Mr. COX. And that if they do not want rent control which the advocates of this bill admit to be a vicious and wicked thing, a bureaucrat in Washington should not be empowered to impose it upon them.

Mr. MORRIS. I appreciate the suggestion of the gentleman from Georgia; I think we can always rely upon our own local home folks.

I now yield to my good friend, the distinguished gentleman from Texas [Mr. PATMAN].

Mr. PATMAN. Is it not a fact there would be a lot of confusion in cities like my own and Bristol, Va., where half the city is in one State and half in another, where they have two city councils acting for two separate cities. The one half might be controlled and the other half decontrolled; would not that create confusion?

Mr. MORRIS. No; I do not think it would because the local council of each city or part of the city would know what their people wanted. The question answers itself.

Mr. MULTER. Mr. Chairman, will the gentleman yield?

Mr. MORRIS. I yield.

Mr. MULTER. I do not see how you would handle such a situation, say, as the Oklahoma State Legislature saying, "Let us decontrol," but the city of Oklahoma and its council saying, "We should not decontrol." What are you going to do about that? How would you handle that?

Mr. MORRIS. It would be handled very easily. The State legislature, of course, has power to make laws for the entire State, and that law would be supreme unless there were something to the contrary in the constitution.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. SPENCE. Mr. Chairman, I wish to see if we can agree to a limitation of debate on this amendment and all amendments thereto.

Mr. WOLCOTT. Would the gentleman suggest a time?

Mr. SPENCE. Mr. Chairman, I ask unanimous consent that all debate on the pending amendment and all amendments thereto close in 1 hour, the last 5 minutes to be reserved to the committee.

Mr. COLE of Kansas. Mr. Chairman, reserving the right to object, was the request on the pending amendment and all amendments thereto or on the section?

Mr. SPENCE. On the pending amendment and all amendments thereto.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. BROOKS. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. BROOKS. Mr. Chairman, I think the language of this amendment might be somewhat improved. This can be done in conference or by the Senate at a later date. The purpose of the amendment is something for which I have fought for many years, local control of local affairs.

Since I first studied law in the State university at Baton Rouge, La., I formed the definite conviction that real estate was something which should be controlled by local laws. For instance, the form of a deed, mortgage or other instrument must conform to the laws of the State wherein the land or realty is located. Certain matters of proof and other instruments must likewise conform to local laws in almost every State. Real estate has been through the years considered, perhaps more than any other type of property, to be localized property. It cannot be moved from place to place or taken from State to State. It cannot be placed in interstate commerce. It is immobilized and is or should be controlled by local laws and ordinances.

This amendment seeks to give more local control over real estate. It seeks to give the local people who are acquainted with local conditions and local needs the power to control or decontrol rental property. It may be argued that this will result in irregularity in enforcement and in ceilings on rent. This may occur, Mr. Chairman; I will not dispute this position. It may result in one section of the country paying higher rents than in another section. But, Mr. Chairman, who can complain if this irregularity occurs? It is the local people. If some want rents which are somewhat higher than other sections, and prefer this to a rent-controlled economy, they are the ones to be satisfied—not the bureaucrats in Washington. Give the people full voice to decide locally their own problems; and whether the decision be right or wrong, they will be much better satisfied.

I am confident the local people can handle their own problems—even rent control. I am confident that given the full voice in this vexing matter, a better administration and a better regulation and control will come from State or local levels. As for myself, I am perfectly willing that the doctrine of "home rule" be given a chance to operate.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. JAVITS].

Mr. JAVITS. Mr. Chairman, I think it ought to be clear what this amendment seeks to do as contrasted with the present law. Under present law you have local option but do not have local license. In other words, the local board can ask for decontrol. The Expediter then passes on it. If he does not agree, it goes to the court. At least that is what it should continue to be under this law, Mr. Chairman. Practically every argument that has been made in favor of the pending amendment is an argument against national rent control, rather than in favor of this amendment—it is an argument that the local communities shall have local option as to whether they want rent control or not, regardless of national policy, need, or emergency.

In the big cities there may well be population shifts should this amendment pass. Within the city of greater Detroit, for instance, as it has just been stated, one segment of the city may be decontrolled and other segments controlled. The same may occur in country counties contiguous to city counties.

There is a national housing shortage, there is a national housing emergency, and it is essential to have a regulating authority at the national level. There is local option in the law now but not to the point of local license; the power is in the Expediter who can look at the whole national picture, but if he acts improperly it is put up to the court. The court is the final authority.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. GWINN].

Mr. CHURCH. Mr. Chairman, I ask unanimous consent that the time allotted me be given to the gentleman from New York, [Mr. GWINN].

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. GWINN. Mr. Chairman, I rise to support the amendment of the gentleman from Mississippi [Mr. WILLIAMS]. The Bureau of the Census by joint resolution studied 34 metropolitan areas in reference to housing. This is a consolidated chart of those findings. I have 33 other charts of various metropolitan areas if anyone wants to ask questions about those areas.

This line reflects in proper scale the 1940 housing situation in those 34 big-city areas. Families renting are shown in green; families living in their own houses are shown in red; doubled-up families are shown in black. In 1940 there were 648,000 of them. That doubling-up was regarded as normal. It took in the servants, couples serving in a family or relatives living in the house. The census listed these as preferring to live doubled-up rather than in other space. Since there was in 1940 a 7-percent vacancy that would have housed all doubled-up families, we may treat 1940 doubling-up as entirely normal.

We had three classes of housing property unutilized then. The same is true now. First the wholly vacant houses built and suitable for occupancy in blue color. There is the red showing one-person-owner occupancy. And the green shows one-person-tenant occupancy. Both are abnormal and uneconomic because they were all built for family occupancy.

This long line is the 1947 picture. This includes the new housing built from 1940 to 1947. This black space represents all doubling-up, the normal doubling-up and the abnormal doubling-up, due to the shortage of rental space. Half of that black space is abnormal.

We then take that abnormal doubling up black space and compare it with the length of the line showing the space available in the Nation into which the doubled-up families could move. Here in blue is the vacant space, good housing, capable of being occupied, but taken off the rental market and listed for sale. The red shows property occupied by one person who owns his own house or apartment. He ought to have two or three persons in this house because they are all built for families and not for bachelors. The green shows the number of houses occupied and rented by one tenant. So, the abnormal number of families doubled up could move into this space if we could get rid of rent control. The space vacant or abnormally occupied would take care of two or three times the number of families needing space. In some areas it runs more than five times the requirements.

Mr. PERKINS. Mr. Chairman, will the gentleman yield?

Mr. GWINN. I yield to the gentleman from Kentucky.

Mr. PERKINS. Who prepared those charts?

Mr. GWINN. These charts were prepared by an engineer named Usher in Chicago. They are absolutely according to scale and according to the Bureau of the Census figures.

Mr. PERKINS. My point is: Who had those charts prepared?

Mr. GWINN. They were prepared in Chicago for representation of the housing situation today.

Mr. PERKINS. Did the gentleman request the preparation of those charts?

Mr. GWINN. No; I just learned of them yesterday when they were brought to the Senate, and pending the Senate hearings I asked that they be brought over here so that I might present them to the House today.

Mr. PERKINS. What organization sponsored the preparation of those charts?

Mr. GWINN. I said that Mr. Usher, an engineer, prepared them; a very responsible man in Chicago. I have checked them and I can say that they are correct.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. GAMBLE. Mr. Chairman, I ask unanimous consent that I may yield my time to the gentleman from New York [Mr. GWINN].

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GAMBLE. I believe the gentleman from New York has two or three other charts on individual cities which follow through on this matter. I wonder if the gentleman would take the time to explain those two charts. It is a most unusual situation.

Mr. GWINN. This is a very interesting chart of Seattle. Here is the abnormal or doubled-up population in Seattle. That is half of this black area here. At the same time Seattle has all of these vacant dwelling units all built for family occupation. It includes no old or unsuitable housing, no hotel rooms. They are complete family units, vacant, taken off the rental market and up for sale. Without rent control, this abnormal doubling up could move into that vacant space and still have plenty of space. In Seattle this area shows the number of houses now occupied by one person, either a surviving wife or husband or uncle or aunt that is still living in that space which they own. This great line of green here shows the one-person occupancy of rented property. So there is five or six times more space than is needed in Seattle that would be immediately available if we could get rid of rent control and operate a free economy. These are census figures.

Wilkes-Barre is even more interesting. Wilkes-Barre showed a falling off in population of 15 percent, but in spite of the reduction in population in Wilkes-Barre by 15 percent which left an abnormal increase in vacancies you still have this same old abnormal doubling up. The people who own rental property in Wilkes-Barre are doing exactly what they are doing everywhere else, taking their property off the rental market. They are vacant. People want to sell, to quit their business because Government forces a loss upon them. Here is the space, a tremendous space, occupied by single persons who own their places. Here is the space rented by single persons all because of rent control. The absurd consequences of rent control shutting people out of ample housing is demonstrated in every area examined.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. HAYS].

Mr. HAYS of Ohio. Mr. Chairman, I want to be fair in this thing, but if we stop to think at all, I do not see how this amendment could possibly work in my State or in any State where we have so many political subdivisions. As I understood the wording of the amendment, any political subdivision could decontrol. You would have simply a situation of hopeless confusion. Would the county commissioners, who are not essentially a legislative body in Ohio but are members of a political subdivision, have the power to decontrol? I think they would. The township trustees would have the power to decontrol, as would the village and city councils, and we have many villages and cities within two townships. Suppose the township trustees in one township decontrolled and the other township did not; who would have the jurisdiction, the city council, or the township trustees of the township that decontrolled, or the township trustees of the one that did not, or could the county commissioners step in and take jurisdiction?

I think this amendment if adopted would just tie this law into a mass of organized confusion and litigation, and in effect there would not be any rent control. I have confidence in local officials and local governments, but if you are going to give any kind of power to local governments you certainly are going to have to define and make some distinctions. You cannot just hand them out and let the chips fall where they may, with nobody knowing who has the power to do what. I submit to you that this amendment would simply confuse the issue in my State until we will not have any rent control and the whole matter will wind up in endless litigation in the courts.

Mr. WILLIAMS. Mr. Chairman, will the gentleman yield?

Mr. HAYS of Ohio. I yield.

Mr. WILLIAMS. I think the gentleman's argument is nothing but water coloring. He knows that a city is within a county and a county is within a State. If a city decontrols it applies to the city. If the county decontrols it applies to the county; and if the State decontrols, it likewise applies to the State.

Mr. HAYS of Ohio. Not necessarily under the wording of this amendment. The amendment is poorly drawn and defines nothing to show who has final authority. Neither does it show where control rests in subdivisions within two or more other subdivisions.

The CHAIRMAN. The Chair recognizes the gentleman from Georgia [Mr. COX].

Mr. COX. Mr. Chairman, out of this discussion arises the question which I desire to propound to my brethren: Are you afraid of the people who sent you here? Do you trust them to make a right determination of a matter that affects them in a local sort of way?

Mr. Chairman, a vote for this amendment is to answer "Yes." A vote against the amendment is to answer "No."

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. CRAWFORD].

Mr. FELLOWS. Mr. Chairman, will the gentleman yield?

Mr. CRAWFORD. I yield.

Mr. FELLOWS. Mr Chairman, I ask unanimous consent that my time may be allotted to the gentleman from Michigan [Mr. CRAWFORD].

The CHAIRMAN. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mr. CRAWFORD. Mr. Chairman, I wish to ask the gentleman from Pennsylvania [Mr. BUCHANAN], a member of the committee, a question, if he is on the floor. Or perhaps the gentleman from Texas [Mr. PATMAN], can answer the question which has to do with local control. The question is, Does the local expediter have the power to absolutely select the local control board and put the board into operation?

Mr. PATMAN. Under an amendment put in the law, the last law that was passed, the governor of each State submits his recommendation to the Housing Expediter. I think the Housing Expediter has the power to select from that list.

Mr. CRAWFORD. Does the Housing Expediter have the power to refuse to select board members from the list of names submitted by the governor?

Mr. PATMAN. I am not in a position to answer that.

Mr. CRAWFORD. May I ask the gentleman from Michigan [Mr. WOLCOTT], that question? Does the Expediter have the power to refuse to appoint from lists of names submitted by the governors?

Mr. WOLCOTT. The law says he shall appoint a board from the recommendations by the governor. If the governor fails to give him a list of nominees, then the Expediter on his own initiative can set up a board.

Mr. CRAWFORD. The Expediter can create a local board outside of the recommendations of the governor?

Mr. WOLCOTT. He can, if the governor refuses or fails to act.

Mr. CRAWFORD. What is the situation if, after the governor has submitted the list of names to the Expediter, he refuses to appoint anyone to that list?

Mr. PATMAN. Mr. Chairman, may I answer that question?

Mr. CRAWFORD. Just a moment. I gave the gentleman a chance to answer a question, but he did not seem to know the answer. May I ask the gentleman from Michigan [Mr. WOLCOTT] that question?

Mr. WOLCOTT. I assume that he would communicate with the governor and ask for the resubmission of names. But if the list was representative, then he would have to name the board from the list. Is that not right?

Mr. PATMAN. I believe that is right.

Mr. CRAWFORD. Suppose the governor has a request from the Expediter to submit a new list, and then the governor refuses to do so, then what can the Expediter do?

Mr. WOLCOTT. If the list is representative, he has to name the board from the list submitted by the governor.

Mr. CRAWFORD. That is, the Expediter does?

Mr. WOLCOTT. That is right.

Mr. CRAWFORD. But if the governor refuses to submit another list on the assumption by the governor that his previous list was representative, then what can the Expediter do?

Mr. WOLCOTT. It is getting pretty technical and involved.

Mr. CRAWFORD. I know it is getting technical, and that is the reason I want to develop the matter here at this time.

Mr. WOLCOTT. I do not think there is any provision for a determination by the Expediter as to whether or not the list is representative. If the governor complies with the law and submits a list, it is presumed to be a representative list, and the Expediter has no alternative but to name from that list. If he has objection to the list, as I said, he probably would communicate with the governor and ask him to submit new names, but if the governor refused to do so, then he would be bound by the original list, if it were representative, under the law.

Mr. CRAWFORD. Are there any cases before the committee where the Expediter has refused to select names from the list submitted by the governor?

Mr. WOLCOTT. There might have been some.

Mr. CRAWFORD. Will the gentleman from New York [Mr. GAMBLE] answer that, please?

Mr. GAMBLE. My understanding is that in certain cases he has refused.

Mr. CRAWFORD. I think you will find that under the present set-up there is no local control of material consequence and which is sufficiently effective to meet public necessity and convenience.

The CHAIRMAN. The time of the gentleman from Michigan [Mr. CRAWFORD] has expired.

The gentleman from Georgia [Mr. PACE] is recognized for 2 minutes.

Mr. RIVERS. Mr. Chairman, I ask unanimous consent that the gentleman from Georgia [Mr. PACE] may have the 2 minutes allotted to me.

The CHAIRMAN. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from Georgia [Mr. PACE] is recognized for 4 minutes.

Mr. PACE. Mr. Chairman, I ask for a little time here. This is my first request this session; and I take time now only because I believe it important to acknowledge and approve the remarks made here last Friday by the majority leader, Mr. MCCORMACK.

He said then that the continuance of rent control is essentially an urban or city problem and he appealed to members serving rural districts to view it from that angle. He then reminded us that in the days to come we must bring here for your consideration, legislation relating to the rural or agricultural sections of the country, and which will be important to the standard of living and economic welfare of those who till the soil.

He urged that those Members particularly concerned with problems relating to agriculture give to the problems of our great cities the same degree of sympathy and understanding that we want and expect of those who seek to serve here the urban or city areas.

Certainly, Mr. Chairman, if we sincerely seek to protect and preserve the welfare of all sections and all groups, if we would build and maintain one great Nation, prosperous and united, if we would do unto others as we would that they do unto us, we must give our most sympathetic consideration to this appeal by our majority leader.

It is only a little while before we must bring here legislation of the most urgent necessity to the farmers of the Nation. I would not want the Members from the city districts to view our farm problems without sympathy or to cast their votes on a purely selfish basis.

I am sure, then, that those of us who serve farm districts will not be wanting in sympathy and understanding of the problems faced today by those who serve our great city districts.

I am sure we will not be unmindful of the fact that it is these millions in our great cities who provide the market for our farm commodities, and that we serve best the interests of the farmers when we seek to protect the economic welfare and a good standard of living for those who consume the products of the farm. There is a dependence of one upon the other—there is a community of interest which calls upon our most sympathetic consideration of the problems of each.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

The gentleman from California [Mr. HOLIFIELD] is recognized.

Mr. HOLIFIELD. Mr. Chairman, I wish to compliment the gentleman from Georgia [Mr. PACE] on the 4-minute speech which he has just made. It is a timely reminder to some of the Members of this House whose problems are agricultural, that we in the cities have problems, too. I call the attention of my friends in the agricultural districts to the many times when Members from the cities, such as myself, have gone through the tellers and have gone down on the roll call in favor of agricultural policies when we could well have voted the other way. From a selfish standpoint, every penny that is taken out of the wage earners' pockets in the cities for increased rentals, is taken away from his purchasing power of the things that are produced in the factories and in the fields of this Nation.

Mr. WILLIAMS. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. No; I have only 2 minutes; I regret that I cannot yield.

Every decrease in the purchasing power of the individual wage earner, which is limited mostly in the cities of the Nation, removes from his abilty to purchase the food that goes on his table. That is why we are fighting so desperately against this last break in the dike of inflation; it is so that these wage earners who are the consuming buyers in the cities can go ahead and live decently, and in order to live decently they have to be able to buy food.

There is an old saying that "The parents have eaten sour grapes and the children's teeth are set on edge." We are faced today, in the consideration of the rent-control bill, with an attempt to correct an almost impossibly complicated situation. The sins of omission and commission of the Seventy-ninth and Eightieth Congresses have had their effect on today's impossible situation.

Rent control was just part of the attempt to prevent the tide of inflation from engulfing the common people of the United States. When the Seventy-ninth Congress and the Eightieth Congress wrecked price control almost in toto, they caused the inflation to occur, which has now risen to the point of danger to our economic structure. The Seventy-ninth Congress started the job of wrecking price control and laid the foundation for the present inflation when they destroyed the effectiveness of price control: First, by denying adequate appropriations for administrating and enforcing it; second, by the adoption of crippling amendments which made effective price control almost impossible. The Eightieth Congress was more direct in its action

and its purposes; it deliberately repealed many of the inflationary controls. It also reduced appropriations for administration of the remaining controls to the point where it was impossible to properly administer the weak laws which remained.

Many of us who have had business experience realized in the latter part of 1945, 1946, and 1947 that, while the war was over, the economic maladjustments which were caused by the war were still facing the American people. We realized the necessity of orderly transition to a normal peacetime economy. We fought to preserve controls over short supplies and we fought for adequate funds to properly administer and enforce such laws as remained pertaining to price control and the fight against inflation. We were unsuccessful. The slogan of the inflationists, "The war is over" and "Back to normalcy" was a popular one, and our voices crying against the destruction of wartime controls until peacetime normal conditions had been attained were voices crying in the wilderness.

Practically every control over short supplies in our economy has been removed. In practically every incidence we have seen inflationary rises in prices, which have now reached, in my opinion, their peak.

Prices on the necessities of life have risen to a point that a virtual buyer's or consumer's strike is beginning throughout the Nation. Inventories on the merchants' shelves are at an all-time high. Statistics on retail sales are beginning to show a decrease. Soft-goods manufacturers are beginning to curtail production. They are beginning to work short workweeks. They are beginning to discharge their employees. Unemployment is growing throughout the Nation. Once again the vicious circle of boom and bust seems to be approaching.

The average consumer has had a decrease in take-home wages. Although he has received a few cents in hourly wage increases in the last 2 or 3 years, the decreased purchasing power of the dollar has taken care of his monetary wage increases. Short workweeks and lack of overtime have decreased his take-home wages, and inflationary prices have decreased his consuming power. The last remaining defense against further decreases in the consuming power of the wage earner stands before us today in the form of the last remaining control law—the rent-control law. The millions of wage earners, already hard pressed by inflationary living costs and decreased take-home pay, are now facing a further blow if rent controls are removed. In my opinion, this last blow at the consuming power of America's working millions may be the straw which breaks the camel's back. It may be the last factor which will throw us into an economic tail spin.

Drastically increased rent can mean only one thing at this time. It means a larger slice out of the take-home pay of the workers who are the renters in America. If a larger slice is devoted to rent purposes, then there will be less remaining to expend for the goods which are produced in the factories and fields of America.

A lessened consuming power is inevitably reflected in curtailed production. Curtailed production means unemployment. Unemployment means depression.

Let me sound a note of warning before this last defense in consuming power is swept away. If we can at this time pass a reasonable rent-control bill, if we can, at the proper time, appropriate enough money for fair and equitable administration, for the correction of the maladjustment in the administration of rent control, of which we are all aware and which we all deplore, I say again: If we can pass a strengthened rent-control bill which will provide some protection for the consuming power of America, and at the same time provide for fair and reasonable adjustment to the landlord who is entitled to protection, we may halt the debacle. We may temporarily prevent what I believe will be an inevitable depression with all its fearful consequences.

A year ago today I stood on the floor of the House and condemned the rent-control bill of the Eightieth Congress. I predicted that the condition of chaos, which has occurred, would occur, because I knew that the bill was not an extension of rent control in the proper sense, but it was a weakening of the previous rent-control law by the amendments and provisions which had been provided for in the 1948 bill, and that it would create the present condition of chaos throughout the rental areas of America.

I voted against the 1948 rent-control extension bill because it was, in my opinion, a "political" bill; it was a dishonest bill. I hope that I will be able to vote for the bill which is to be presented to us today. I believe that it has been strengthened in some respects. I am apprehensive that there may not be enough funds appropriated to correct the maladjustments which now exist, or to review the inequities which I know exist at the present time.

The bill which we have before us, however, is a stronger bill than the 1948 bill. It does provide for some greater degree of protection to the renters, than was provided for by the Eightieth Congress bill, and it does provide for reasonable returns to the landlord, which in my opinion, they are entitled to.

In my opinion the Williams amendment to restore the determination for decontrol of rent areas to local political subdivisions is not only administratively unworkable but unconstitutional. Rent-control legislation rests upon the Supreme Court declaration of a national emergency. National legislation such as the rent-control bill is the only justifiable way to handle a national emergency.

It is my hope that the Senate will remove this amendment when their rent legislation is under consideration.

We are faced therefore with the practical problem of having to accept a bill which is far from ideal.

In the hope that the bill will be improved as it moves through the further legislative steps of Senate consideration and conference agreement, I must support the unsatisfactory measure now before us. I shall, therefore, reluctantly vote for the bill, in the hope that there will be adequate appropriations voted for effective administration, enforcement, and improvement by Senate and conference change.

I reserve the right to vote against the measure when it returns from conference, if such improvement does not occur.

The CHAIRMAN. The time of the gentleman from California has expired.

The gentleman from Kansas [Mr. COLE] is recognized.

Mr. COLE of Kansas. Mr. Chairman, I rise in support of this amendment. I introduced a similar amendment in the House committee, but I wish to take this time to reply to two statements which have been made here on the floor in connection with local control. The first statement is that there having been only 14 local-board recommendations for decontrol was evidence of the fact that the local areas did not want decontrol. I want to point out to you, however, some of the things that the local board must do in order to secure decontrol. I made this statement in my original speech the other day but I want to call it to your attention again. Just remember that these local boards are voluntary boards of citizens working without pay.

First. They must put down the estimated population of the principal cities in the rental area.

Second. They must put down the anticipated increases or decreases in population.

Third. They must find out what the general trend of employment was during the past 6 months.

Fourth. They must put down the anticipated changes in total employment in the next 90 days. Think of the size of this task for instance, in the city of Chicago.

Fifth. They must make a list of all the students in the entire rental area. There may be many colleges, but they have to find out who the students are living with, whether they are living with their parents, with a wife, or with other members of their family.

Sixth. They have to find out approximately the number of families and individuals seeking housing accommodations in the area.

Seventh. They have to find out the extent of rent decreases, if any, during the past 6 months, and they have to specify just what those decreases have been and the various types of property in which they have occurred.

Eighth. They would have to put down the prospective trends in rent if rent control should be removed.

Ninth. They have to list all habitable, nonseasonal dwellings, of the class or classes affected by the recommendation, which are now vacant and offered for sale.

A local board might have a little difficulty in doing that. I think now it is probably better understood why we have not had many local-board recommendations for decontrol.

Then I want to reply to the argument with reference to the fact that the Housing Expediter can make a better survey of the situation than the local boards.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

The gentleman from Michigan [Mr. MICHENER] is recognized.

Mr. MICHENER. Mr. Chairman, I shall support this amendment. I have, earlier in the debate, expressed my views on this bill as reported by the committee.

Mr. Chairman, the merits and demerits of rent control as administered since the enactment of the original law have been ably presented through long hours of debate here on the floor of the House.

Our own country has gone through these years of experience; however, rent control is not so new in Europe. In France, rent control was invoked years ago. In France this innovation has had an opportunity to demonstrate success or failure. I have been much interested in an article in the February issue of the Reader's Digest and, pursuant to the permission granted to me by the House, I am calling the attention of the membership to that article, written by Bertrand de Jouvenel, noted French economist, and which reads as follows:

NO VACANCIES

A dollar a month pays a wage earner's rent in Paris; quarters adequate for a family of six cost $2 (equivalent to 11 packages of the cheapest cigarettes). Middle-class apartments of three or four main rooms frequently cost from $1.50 to $2.50 per month. Important officials or executives pay from $3.50 a month to $8 or $10 a month.

This may seem a desirable state of affairs, but there are draw-backs. There are no vacant lodgings, nor is anyone going to vacate, nor can the owners expel anyone. Young couples must live with in-laws. Practically no housing has been built for the last 12 years.

The only opportunity to get quarters is to watch for deaths. Tottering old people sunning themselves in public gardens are shadowed back to their flat by an eager young wife who strikes a bargain with the concierge to be first in at the death. Other apartment chasers have an understanding with funeral parlors.

There are two ways of obtaining an apartment made available by death. Legally, if you fulfill certain conditions which give you priority, you may obtain an order of requisition, but usually you find that the same order for the same apartment has been given to two or three other applicants. The illegal method is the surest—an arrangement with the heir that some pieces of your furniture be carried in immediately upon death of the tenant. As soon as you are in you are the king of the castle.

Buying one's way into an apartment will cost anywhere from $500 to $1,500 per room. Wage earners might as well give up hope of setting up house; they have to stay with their families or live in miserable hotels.

Paris has 84,000 buildings for habitation, almost 90 percent of them built before World War I. Even a very lenient officialdom estimates that 16,000 are in such disrepair that they should be pulled down. Nor are the others altogether satisfacory; 82 perent of Parisians have no bath, more than half must go out of their lodgings to find a lavatory and a fifth do not even have running water. Little more than one in six of the existing buildings is pronounced in good condition by the public inspectors.

Owners are not financially able to keep up their buildings, let alone improve them. To take an example of a very common situation, there is a woman who owns three buildings containing 34 apartments, all inhabited by middle-class families. Her net loss from the 34 apartments, after taxes and repairs, is $80 per year. Not only must her son take care of her, but he must also pay out the $80. She cannot sell; there are no buyers.

When the owner tries to milk a little net income from his property by cutting down the repairs, he runs great risks. One landlord postponed repairs on his roofs and rain filtering into an apartment spoiled a couple of armchairs. He was sued for damages and condemned to pay a sum amounting to three years of the tenant's paltry rent. Since 1914, rents at the most have multiplied 6.8 times, while taxes have multiplied 13.2 times, and repairs cost from 120 to 150 times the 1914 price.

An outsider may be tempted to think that only an incredible amount of folly can have led us to this condition. But it is not so. We got there by easy, almost unnoticed stages, slipping down on the gentle slope of rent control. And this was not the work of the Reds but of succeeding governments, most of which were considered rather conservative.

The story starts with World War I. It then seemed humane and reasonable to stabilize housing costs while the boys were in the Army or working for victory. So existing rentals were frozen. It was also reasonable to avoid disturbances at the end of the war lest the veterans' homecoming be spoiled by evictions and rent increases. Thus prewar situations hardened into rights. The owner lost—temporarily, of course—the disposition of his property.

When the situation was reviewed in 1926, retail prices had trebled, and it was plain that lifting controls would bring huge rent increases. The legislators shrank from this crisis and decided to confirm the tenant's right to stay in possession but to raise rents slightly. A new owner-tenant relationship thus took shape. The owner was powerless either to evict the tenant or to discuss the rent with him. The State took care of the price which rose slowly, while regulation was extended to bring in flats not previously regulated. Only buildings put up since 1915 were left unregulated, this to stimulate construction.

No systematic view inspired this policy. It just grew from the fear of a sudden return to liberty which seemed ever more dangerous as prices stepped up. And, of course, if one must control the price of rent, one could not allow the owner to dismiss tenants, because in that case he might so easily have stipulated secretly with the new tenants.

As rent-control lawmaking continued—no single subject has taken up so much of the time and energy of Parliament—the real income from buildings crumbled from year to year. Then came World War II. The return to liberty which had been devised for 1943 was, of course, abandoned, and all rents were frozen, including those of recent buildings which had till then escaped.

Since the liberation, new laws have provided for increases in rents, but retail prices increased much more. To put it briefly, owners of new buildings (built since 1914) have been allowed, in terms of real income, less than a tenth of what they got before World War II. Owners of old buildings, that is, nine-tenths of all buildings, have been allowed in terms of real income either 12 percent of what they got in 1939 or a little less than 7 percent of what they got in 1914—whichever is less.

If today a builder were to put up apartments, they would have to rent for prices from 10 to 13 times present rent ceilings, in order to break even. Thus, according to a report of the Economic Council, a wage earner's apartment of three small rooms and a kitchen now renting for $13 to $16 a year would have to be rented for $166 to $200 a year. Obviously, construction will not be undertaken. * * *

Such is the spread between the legal and the economic price of lodgings that even the most fervent advocates of freedom shudder at the thought of its return; the thing, they say, has gone too far, and the right to dismiss tenants, if restored, could not be executed. The whole Nation of tenant would go on a sit-down strike.

Hence the strange plans now being considered by the French Parliament, which would continue the tenant's right to retain his lodgings but would set a fair rent, part to come from the tenant and the rest from a special subsidy—an inflationary measure, of course, as are all subsidies.

Not all this fair rent would go to the owner. A slice to correspond with the cost of the upkeep would be paid to his credit in a blocked account, to make sure it did go for repairs. A much bigger slice for the reconstitution of the capital would not go to the owner at all but to a national fund for building. Thus the dispossession of the owners would be finally sanctioned; they would be legally turned into the janitors of their own buildings, while on the basis of their dispossession a new state ownership of future buildings would rear its proud head.

The French example may prove of some interest and use to our friends across the sea. It goes to show that rent control is self-perpetuating and culminates in both the physical ruin of housing and the legal dispossession of the owners. The havoc wrought in France is not the work of the enemy but is the result of our own measures.

Mr. Chairman, does the United States want to follow in the footsteps of France so far as housing is concerned? The enactment of this bill without amendment is a direct step toward that which France is now experiencing. Rent control does not produce more homes for our people. It produces less. If autocratic, discriminatory rent control is continued long enough, there will be no privately owned housing for rent. It necessarily follows that the Government must then provide homes for everyone, if the people are to have housing. When this happens socialism will reign supreme in the housing field.

Mr. Chairman, do we want that? Certainly not.

The CHAIRMAN. The gentleman from Michigan [Mr. FORD] is recognized.

Mr. FORD. Mr. Chairman, if rent control is necessary, I think this is a desirable amendment.

A few moments ago the gentleman from Texas [Mr. PATMAN], made the observation that this amendment would produce absurdities in that we would have certain units within a county or State controlled and others, maybe just across the street, decontrolled. If that is true, I say there are under the present law comparable absurdities. I can best illustrate that by my own district. In the Fifth District of Michigan we have two counties. During the active part of the war, both counties were under rent control. Some time during 1945 or 1946, the Housing Expediter decontrolled one county. As a result we can walk across a county line and be in a decontrolled area. If we stay in the other county we have control. That condition may be absurd. In fact, I believe it is, but we will not amplify or enlarge such unfortunate situations under the present amendment. All such absurdities result from patchwork rent control, including all rent-control legislation since VJ-day.

I would like to say one thing about the previous comments of the gentleman from Kansas [Mr. COLE]. The local boards under the present law and this bill are not able to do a 100-percent job through no fault of their own. These

men and women are local civic-minded individuals who serve without pay. Because they have personal responsibilities and obligations they are not able to undertake the immense job required of them, as a board, to find out whether or not rent control should be continued in their local area. The locally elected officials, whether they be State legislators or city commissioners, have a responsibility because the people have put them in office; they are paid for the job. They are familiar with local conditions. They can undertake a determination whether or not there should be a continuation of rent control in their local area.

Mr. Chairman, I sincerely hope that the pending amendment is adopted.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. JACKSON].

Mr. JACKSON of California. Mr. Chairman, I rise in very strong support of the pending amendment, although in all frankness I must say, of course, that I am opposed to the principle of Federal rent control. However, an amendment of this sort which seeks to place again in the hands of the people of this country and at the grass-roots level the matter of determination of the necessity or the absence of the necessity for continuing rent control does seem to me to represent the kind of action that is essential if Federal rent control is to be continued.

Much has been said about the chaos that would result if this amendment were adopted, but, Mr. Chairman, I can think of nothing in this great country that matches the chaos presently obtaining in most of the local boards. It is one of those things where if you intend to go down to a board to seek a small increase, you had best put up the storm shutters in the middle of the summer, stop the milk and all of the newspapers, and put the children out with some relatives because you are not going to be back for a long time to come. So, as far as chaos is concerned, I do not think it is fair to speak of the two types of chaos in the same breath.

Where are the local governments deficient? They are not deficient in providing adequate police and fire protection. They are not inadequate in assessing and collecting taxes. They are not inadequate in their legislative structures nor in the judicial powers vested in them. To my mind, the subdivisions of government are much more adequate and they are much better equipped to determine whether or not in their particular locality a need exists for continued Federal rent control.

Mr. Chairman, I shall support the pending amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Washington [Mr. MITCHELL].

Mr. MITCHELL. Mr. Chairman, I ask unanimous consent that the time allotted me be given to the gentleman from Texas [Mr. PATMAN].

The CHAIRMAN. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. PATMAN. Mr. Chairman, two questions come up at this time that should cause us some concern. No. 1: Local officials are charged with certain duties and responsibilities by city charter. This will not be one of their duties. Local commissioners of the counties are charged with certain duties and responsibilities by State law. This cannot be one of their duties. They would not have to carry it out if they did not want to. State legislators have their duties defined by the constitution of their State or by the laws enacted by their legislature. This question of enforcing rent control or removing rent control is not a part of their duties, and they will certainly not be required to carry it out.

Furthermore, I doubt that the Congress will be doing a very good public-relations job if it puts upon the backs of these local officials the duty and responsibility which they cannot legally assume under the definition of their duties under State laws and city charters. We are just placing the duty on them which they do not want. It is possible they will resent it, not only the city officials but the county officials and the State legislature as well. It is possible they might even accuse the Congress, having this problem for a number of years, of lacking in courage, in failing to carry it on in peacetime as well as in time of war, and that criticism might become a rather potent criticism. For those reasons I think that we should be very careful about placing duties and burdens and responsibilities upon people who cannot be compelled to pay any attention to them or to observe them.

The CHAIRMAN. The Chair recognizes the gentleman from Mississippi [Mr. COLMER].

Mr. COLMER. Mr. Chairman, if there is one thing the patriotic, sound-thinking people of America are concerned about more than any one other thing, it is the ever-increasing tendency toward centralization of government here in Washington. We have an opportunity here under the amendment offered by the gentleman from Mississippi [Mr. WILLIAMS] to place this matter right back home upon a local self-government basis, home rule, if you please. I hope I will not hear so much about this bureaucracy from some of these people who claim that they believe in home rule and keeping the Government close to the people and at the same time vote against this amendment.

The proponents of this legislation contend that this amendment is unworkable. They argued the same thing about the Brown amendment when they were before the Committee on Rules seeking a rule to bring this bill to the floor of the House, but, when they found that they needed the Brown amendment in order to make this bill more palpable, they agreed to the Brown amendment upon the floor.

I think this pending amendment could be improved upon. I recognize the difficulty of administration, as pointed out here on the floor of the House in the question of a conflict between a municipality and a county; but this is a simple matter which can be worked out in conference between the two bodies, should the Senate see fit to pass a bill.

It is rather difficult to reconcile the views of some of those opposing this amendment with their asserted opinions on other matters of States' rights and local self-government. Certainly they should vote for this amendment or cease prating about States' rights.

On the general question of rent control, however, Mr. Chairman, it is my considered opinion that we should remove this wartime control. That it was justified during the war is unquestionable, but the war has been over for four years. I venture the assertion that if this legislation is continued this year this bureaucracy will find ample and plausible argument and justification for its continuing many more years.

These Government agencies are human beings, just like you and I. They can never find a good time to abolish an agency or their jobs. With the assertion that it will work a hardship in some cases I find no fault; but, on the other hand, the same argument could be made for controls in all other phases of our economy. To my mind, the argument for the continuing of this control is in line with the arguments advanced for all other forms of the regimentation of our people, the socialization of America. Somewhere along the line we must call a halt on this. So far as I am concerned, regardless of what course others may pursue, I shall vote against giving further life to this unnecessary agency; but, if it is to be continued, with the enormous expense to the already overburdened taxpayers of this country, I should prefer to have it upon an optional, self-governing basis, as provided in this amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. BUCHANAN].

Mr. BUCHANAN. Mr. Chairman, there is more involved in this bill and this amendment than meets the naked eye. This is the real test, the first test, as to whether we shall continue in an orderly manner to decontrol in an orderly fashion or whether we shall return to a fashion of chaos and imponderables.

Can you conceive of a situation in some 48 States, in thousands of local communities where a tight housing situation still exists, where more than 2,000,000 young people, young newly created families, who are living doubled up, where in the greater portion of these families are veterans and their wives? They are predominantly young people starting out in married life, rearing a family. He has since his discharge from the service faced the economic situation and the cold reality of having been squeezed in the inflation. If this situation were to prevail, I am sure there would be no uniformity, there would be confusion and chaos. I ask that you retain the committee amendment and vote this, the so-called Williams amendment, down.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. O'BRIEN].

Mr. O'BRIEN of Michigan. Mr. Chairman, the text of this amendment as I read it in the CONGRESSIONAL RECORD of yesterday stated that the power of de-

control shall be vested in a resolution by the State legislature or by any county, municipality or political subdivision. It does not use the words, "an act" of a State legislature, which would include action by the governor, who is the chief officer of the State, with State-wide responsibility, including both rural and urban populations. It does not say, "an act of the legislature." The text of this amendment says a resolution of the legislature, which has no constitutional effect to override a resolution of any of the other bodies named.

The gentleman who followed me in debate said that this confusion between governmental subdivisions would be cured because the act of the legislature would take precedence over every political subdivision. Under the text of this amendment decontrol does not lodge in an act of the legislature which would include the governor, but it lodges in a resolution of the State legislature or political subdivision, or county, or municipality which excludes the governor. Under the text of the bill which the committee has brought in, the governor is granted power of decontrol through appointments to rent-control boards which he initiates.

Mr. KEOGH. Mr. Chairman, from the point of view of any tenant residing in the city of New York it would be far better for the Congress to pass no Rent Control Act rather than to pass one that has been unduly weakened by crippling amendments. We should rely upon the information given by the local officials. The great mayor of the city of New York, Gen. William O'Dwyer, appeared before the Banking Committee of the other body and there presented his experienced views. He has drawn also from the experience of the able counsel of the New York City Rent Commission, the Honorable Nathan W. Math, with whom it has been and is my pleasure to work closely in the matter of solving such pressing problems as that which confronts our great city in the matter of the housing shortage. The present act should not be weakened but should rather be strengthened. Provisions should be made to afford the tenant an opportunity to be heard on any notice of application for increase. Present practice, apparently, gives to the tenant only notice of such application which is generally followed by what is locally known as the laundry ticket which is a notice of increase granted under the hardship provision. The inclusion in the law of such a hardship provision removes the need for any so-called reasonable return provision and rather than impede the administration of the act with the tremendous detail that will be involved in applying any such reasonable-return provision we might better consider strengthening such administration so as to afford the tenants an opportunity to be heard on any application for increase made by the landlord. This procedure not only will prevent hardship and insure reasonable return to the landlord but will strengthen the popular support of this measure which is now and will continue to be needed until the number of dwelling units begins to meet the great demand. The insuring of the foregoing is, in my opinion, necessary before any bill presented might properly be described as a Rent Control Act, and I hope that the committee and the House will act upon these suggestions.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. WERDEL].

Mr. WERDEL. Mr. Chairman, I believe we are all agreed that so far as we attempt to exercise rent control authority, we must depend upon a finding by us, supportable by the Supreme Court, that there is a national emergency. I believe we are also agreed that in saying that there is an emergency we mean it is temporary and that the time will come when we will have to decontrol. It seems to me that gentlemen in opposition to this amendment have entirely failed to establish that there is now presently existing a national emergency. Rather they have shown that from 1,700 rent-control areas, the requirement has decreased until now they admit there are only 500 such areas, one-fifth of which are border-line areas. It seems to me, as a new Member, that if we are going to go through a period of decontrol we can ask for no better proposition than that offered by this amendment because it guarantees to the people in the country, who want rent control, supervision by an experienced agency and still grants them the right to have local legislatures declare whether or not the people of that area believe rent control is presently necessary. I say again it is incumbent upon us when we vote on this amendment to determine whether there presently exists a national emergency. Rather, what has been doubtfully shown in my opinion is presently existing local emergencies. The function has become a local problem under our Constitution. I therefore recommend that we adopt the amendment offered by the gentleman from Mississippi [Mr. WILLIAMS].

Mr. JENNINGS. Mr. Chairman, will the gentleman yield?

Mr. WERDEL. I yield.

Mr. JENNINGS. What did these gentlemen who made the deal here to do away with decontrol in certain favored regions of the country do? What did they do with chaos and confusion when they made that deal?

Mr. WERDEL. The gentleman assumes that I admit there was a deal made. I do not know whether there has been or not. I do know that all of you gentlemen understand as well as I that men in public office, whether they be local or national, are inclined to want to perpetuate themselves in office.

Mr. MILLER of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. WERDEL. I yield.

Mr. MILLER of Nebraska. I hope the majority leader, when he speaks, will give us the list of communities to be decontrolled.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. MULTER].

Mr. MULTER. Mr. Chairman, I am going to take just a moment to again indicate to the Members of the House that there is no mysterious list of areas that are likely to be decontrolled in the near future. I said on the floor of the House last week that if any Member wanted the information as to what those areas were or any details as to any part of the approximately 100 areas, all he had to do was to lift up the telephone and ask the Expediter for the information and he would get it. As a matter of fact, on Friday the entire list was released to the newspapers. This morning I asked the Expediter's office for a copy of the list. It was made available to me as it will be made available to any man who sincerely and in good faith asks for the information.

Mr. JENKINS. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield.

Mr. JENKINS. The gentleman indicates he has so much good faith, will the gentleman be faithful enough to extend his remarks at this point in the RECORD and include the list so we can have it?

Mr. MULTER. May I have unanimous consent to extend the list at this point in the RECORD, Mr. Chairman?

The CHAIRMAN. The Chairman of the Committee of the Whole is not empowered to give that consent. It must be obtained in the House.

Mr. MULTER. If any Member of the House wants to see the list, I have it here, and he can have the use of it. If you want one of your own, you can ask the Expediter for it and he will give it to you.

Now, a word as to this amendment.

This amendment will confuse and confound the entire situation. As has been said before, if you do not want rent control, at the right moment stand up and vote against it, but do not emasculate the bill with an amendment like this. There are any number of areas in this country where the legislatures of the States have concurrent jurisdiction with the local municipalities. By this amendment a State may eliminate rent control even where one of its municipalities needs it.

If the State takes it away from that municipality, there is no way of putting it back if this amendment should prevail. Under the bill, as presented by the committee, there is ample provision for decontrolling areas, large or small, as well as parts of areas.

The amendment should be defeated.

The CHAIRMAN. The time of the gentleman from New York [Mr. MULTER] has expired.

There are two other names that the Chair has called. The gentleman from Texas [Mr. THOMPSON].

Mr. THOMPSON. Mr. Chairman, I made no request for time.

The CHAIRMAN. The gentleman from Massachusetts [Mr. MCCORMACK] is recognized for 2 minutes.

Mr. SPENCE. Mr. Chairman, I ask unanimous consent that the balance of the time allowed to the committee be given to the gentleman from Massachusetts.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The CHAIRMAN. The gentleman from Massachusetts [Mr. MCCORMACK] is

recognized for five additional minutes, or a total of 7 minutes.

Mr. McCORMACK. Mr. Chairman, the amendment offered by the gentleman from Mississippi [Mr. WILLIAMS] has many apparent weaknesses. I say this, recognizing that my friend is offering the amendment with the finest of motives. Anything I say is in no way to be remotely construed as questioning the motives of my good friend.

If this amendment is adopted we have an anomalous situation on the part of political subdivisions, from the State down, having an alternative position to one that is already in the bill. We now have local boards appointed by the governors. They can make recommendations. That is written into the law. These boards cover rental areas. A rental area may cover anywhere from 2 to 10 counties. It may cover several municipalities, as well as some adjoining rural area. However, they have authority and jurisdiction within their powers, over the entire rental area that they are appointed as a board to function in.

Under this bill they continue to exist and they continue their powers. If they make recommendations for recontrol in whole or in part and they can function effectively for decontrol in whole or in part, if it is disapproved by the Expediter, then they can go to the emergency court of appeal. That right exists under the law as it stands now, and it will exist under the law if this bill, with that provision therein, is finally enacted into law.

Certainly there should not be both propositions. To my mind, the one that already exists is the soundest way to meet the considerations of decontrol problems. Let us examine the amendment offered by the gentleman from Mississippi [Mr. WILLIAMS]. "If the legislature or comparable governing body of any State." What is a comparable governing body in any State comparable to the legislature? I know of none. What body exists in any State of the Union comparable to the legislative body of any one of the several States? What comparable body exists in the Federal Government to the Congress of the United States? That means legislative. The legislature or any comparable governing body of a State is one thing, but suppose it descends to any municipality, or county, or other political subdivision; in addition to the boards provided for by existing law in this bill they will have the right by resolution to bring about decontrol. Suppose, as in the case of Detroit, so ably described by the gentleman from Michigan [Mr. O'BRIEN], there are three cities, for all practical purposes, embraced in one rental area; if the governing body of one of those cities passes a resolution for decontrol what effect will it have upon the others? What effect will it have upon the rental area? Take the case of an area of two or more counties—some of them as high as 10 counties I understand for some rental areas; does this mean the entire 10 counties in the rental area? Does it mean that there must be a majority of them? Or does it mean that any one county within the rental area that includes several counties can act independently of the others or of the duly elected officials of the other counties?

What is a resolution? We have concurrent resolutions in the Congress; we have joint resolutions; one has to be signed by the President, the President can veto it, and to make it effective we have to pass it over his veto as provided by the Constitution; the other does not have to be signed by the President but has the force of law when passed by both branches of the Congress. We have therefore two types of resolutions here from a legislative angle in the legislative processes of the Congress itself. What is a resolution in a State? Does a resolution call for action on the part of the Governor? Some resolutions do not; some resolutions may. Does the gentleman from Mississippi want to exclude the governor of a commonwealth from considering this question? And yet under this resolution in some States the governor may be excluded, and in some States the governor may not be excluded. What about a municipality? Under the local charter of a municipality a resolution might be the action of a city council, if that is the name of the body, and might not require the signature or approval of the mayor. In the city of Boston, under the city charter, unless the mayor approves it, the action of the city council does not become effective. There is no necessity of the mayor because the city charter of Boston was drafted by a Republican legislature along the lines of a corporation and not a public agency of the people.

The net result of the effect of this amendment, if adopted, will be to create such confusion that the very purposes of this legislation will be defeated. For the reasons I have expressed, recognizing the honesty of my friend's motive, I hope the amendment will be defeated.

The CHAIRMAN. All time has expired. The question is on the amendment offered by the gentleman from Mississippi [Mr. WILLIAMS].

The question was taken; and the Chair being in doubt, the Committee divided and there were—ayes 191, noes 148.

Mr. SPENCE. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. WILLIAMS and Mr. PATMAN.

The Committee again divided; and the tellers reported that there were—ayes 198, noes 150.

So the amendment was agreed to.

Mr. COLE of Kansas. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COLE of Kansas: On page 31, strike out lines 11 to 25, inclusive; on page 32, lines 1 to 25, inclusive; and lines 1 to 9, inclusive, on page 33.

Mr. COLE of Kansas. Mr. Chairman, this is another perfecting amendment. This in effect returns the bill to the present law, as it is now, with respect to appeals from the orders of the Housing Expediter concerning local board decisions. The present law provides that if the Housing Expediter does not approve a recommendation of the local board within 30 days after the receipt of it he shall file with the Emergency Court of Appeals the papers, and the appeal is perfected immediately. Under the proposed bill if the Housing Expediter fails either to approve or disapprove, the local board may file a complaint with the Emergency Court of Appeals. This amendment is not too critical or too important, but it does point out definitely what was meant by those people who said that they were trying to strengthen rent control. In other words, instead of requiring an appeal or requiring the Housing Expediter to definitely file the appeal with the Emergency Court of Appeals, it now leaves it with the local board.

You know after all the greatest statistics are public opinion, and public opinion has been displayed here this afternoon in the attitude of the House toward rent control. I want to read to you what appeared in our committee in the hearings in the form of a news column by Mrs. Eleanor Roosevelt. This news column appeared in the Washington Daily News of Thursday, February 17, 1949. She said:

> Judging from the letters I have been getting from owners of real estate, there is a widespread feeling in this country that the present law under which rents are controlled is not fair to the owner. This would seem to indicate that from the point of view of the owner it is essential that we have a complete review of rent controls that are to be imposed. It is only fair that property owners get a reasonable return on the money invested.

Now, that is one person's idea.

I want to give you another group of statistics. In 1940 there were 16,000,000 rental units in the United States. In 1948 there were only 15,000,000 rental units, and during the time between 1946 and 1948 there were 2,500,000 housing units constructed. So instead of rent control providing new and additional units, rent control is restricting and contracting rental units. I want to leave one other figure with you. Twenty-two percent to 24 percent of the income of all families was used for rent prior to rent control. All families now pay about 12 percent of their budget for rent. The point I am making is that now is not the time to impose greater restrictions. Now is the time to loosen it. Now is the time to think about decontrol when conditions are such that we do not know where we are going in the economic picture. Now is the time to loosen rent control. So I have offered this amendment along with the others in order that we return this bill to the present law with reference to appeals. That the Housing Expediter shall file with the Emergency Court of Appeals any order or regulation he may make with respect to the local board's recommendation instead of permitting the local board, if they so desire, to file.

One reason why that should be done is in discussing recontrol of decontrolled areas you will recall that it was said the Housing Expediter might not recontrol an area which had been decontrolled by order of the court of appeals. He may recontrol any area which had been decontrolled by the local board. Under the law as proposed by this bill every local board must appeal whether they are satisfied or not in order to prevent the

Housing Expediter from recontrolling that area which had been decontrolled. So I urge the adoption of this amendment.

Mr. SPENCE. Mr. Chairman, I ask unanimous consent that debate on this section and all amendments thereto close in 5 minutes.

Mr. COLE of Kansas. Mr. Chairman, I object. I have other amendments to offer.

Mr. SPENCE. Mr. Chairman, I ask unanimous consent that debate on this section and all amendments thereto close in 15 minutes.

Mr. COLE of Kansas. Mr. Chairman, reserving the right to object, would the chairman amend his request to apply to this amendment and not to this section?

Mr. SPENCE. Mr. Chairman, how many amendments are at the Clerk's desk?

Mr. COLE of Kansas. Mr. Chairman, I have two amendments that are not at the Clerk's desk.

The CHAIRMAN. There are four amendments at the Clerk's desk.

Mr. SPENCE. Mr. Chairman, I ask unanimous consent that debate on this section and all amendments thereto close in 40 minutes which would give 10 minutes to each amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

Mr. COLE of Kansas. Reserving the right to object, how many amendments are there at the desk?

The CHAIRMAN. There are four amendments at the desk.

Mr. COLE of Kansas. I have two others, Mr. Chairman. I am constrained to object. I do object.

Mr. SPENCE. Mr. Chairman, I move that all debate on this section, and all amendments thereto, close in 50 minutes.

Mr. KEEFE. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. KEEFE. The gentleman's motion relates to this section. Is that section 203 or 204?

The CHAIRMAN. Section 203.

The question is on the motion offered by the gentleman from Kentucky [Mr. SPENCE].

The motion was agreed to.

Mr. MULTER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this is another one of those innocent, perfecting amendments that seeks to do no more than destroy the bill.

There was very little said by the gentleman from Kansas who offered the amendment to explain it. He did give you a lot of statistics that he says apply to the over-all situation of rent control. Let me in answer to that direct your attention to this very vital statistic: This is made much of by the real property owners of the country. The statement is attributed to the chairman of the Construction Industry Information Committee of the building industry of the country. He says that there are nearly 7,000,000 more nonfarm home owners in the United States than before the war, an increase of 60 percent.

Then he quotes from the Bureau of the Census to the effect that in April 1948 there were 17,025,000 nonfarm dwellings occupied by their owners, compared with only 11,000,000 in 1940. The number has increased by almost a million and a quarter in 1948.

Those who are opposed to rent control, because they contend it is stopping construction and not giving the tenant a chance to get a home of his own, are very wrong.

Now, with reference to this particular amendment: This amendment will strike out of the law a provision which requires the Housing Expediter to file his record with the Emergency Court of Appeals so that it may be reviewed in the event the Expediter has disagreed with a local board, either by disapproving or by failing to approve its recommendations for either a general increase in the area or decontrol in the area. This provision as it is in the bill, and as it will remain in the bill if you vote down this amendment, will permit the local board to file its complaint with the Emergency Court of Appeals and there get a complete and expeditious review of the local board's recommendation.

I urge you to vote down the amendment.

The CHAIRMAN. The time of the gentleman from New York has expired.

The question is on the amendment offered by the gentleman from Kansas [Mr. COLE].

The amendment was rejected.

Mr. JAVITS. Mr. Chairman, I offer an amendment, which is on the desk.

The Clerk read as follows:

Amendment offered by Mr. JAVITS: On page 28, line 22, strike out the period after the word "title" and insert a semicolon and the following: "*Provided, however,* That the landlord certifies that he is maintaining all services furnished on the maximum rent date, and that he will continue to maintain such services so long as the adjustment in such maximum rent which may be granted, continues in effect."

Mr. JAVITS. Mr. Chairman, the amendment which I have proposed follows that part of the bill which relates to adjustments for purposes of removing hardships and inequities.

Mr. SPENCE. Mr. Chairman, will the gentleman yield?

Mr. JAVITS. I yield to the gentleman from Kentucky.

Mr. SPENCE. I have no objection to the amendment.

Mr. JAVITS. Mr. Chairman, I am glad to hear that the chairman of the committee has no objection to the amendment. It is a very just one. I should like to explain it very briefly, if I may.

The purpose of the amendment, Mr. Chairman, is to provide that where a landlord gets relief from the Expediter due to a hardship or an inequity that at the same time he shall agree that he will perform for the tenants all the services, such as periodic painting and decoration, faithfully and honestly that he did perform for them on the date that maximum rents were established, and that it shall not then be necessary for the tenants to go to the Expediter's office to compel the landlord to perform those services. It seems just elemental fairness that when a landlord comes into court he should, as we lawyers say, come into court with clean hands and say he is fully prepared to do all that he is called upon to do by virtue of the laws and regulations as a condition for his getting the relief which he now seeks from the Expediter. That is the only thing this proviso does. I think it is eminently fair. It responds to a very factual need.

Many landlords in my area and other areas of the country have gotten relief under the hardship and inequity provision, but with some landlords the tenants, in order to get their apartments looked after in accordance with the regulations and the law, have had to start new proceedings before the Expediter. That has done two things: First, it has put on the tenants a very real burden which they should not necessarily have to carry; and, second it has given the Expediter's office a great deal of added work.

I should like to point out, too, the fairness of this amendment when considered in terms of the Expediter's regulations which provide that where money is spent for painting and decoration, plumbing, repairs, these expenses may be included in the application for the rent increase under the hardship and inequity provision, as amended. It seems only fair that the whole of the issues, both for the landlord and tenant should be cared for at one and the same time. It can be done by this amendment, to which the chairman of the legislative committee has stated he has no objection.

I hope the Committee will see fit to adopt the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The question was taken; and on a division (demanded by Mr. CASE of South Dakota) there were—ayes 105, noes 24.

So the amendment was agreed to.

Mr. KEEFE. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have heard all of the debate on this rent-control proposal. In previous sessions of the Congress I have supported rent control.

There are some questions that arise in my mind today that I would like to call your attention to and I would like to get one or two answers from those in charge of this bill.

First, is the District of Columbia included within the coverage of this bill?

Mr. BUCHANAN. The answer is "No."

Mr. KEEFE. Then we as a legislature have to legislate for the District of Columbia and adopt a separate rent-control law for the District of Columbia. That is true, is it not?

Mr. BUCHANAN. I may say in answer to the gentleman's question——

Mr. KEEFE. I do not want any long answer. The gentleman can answer "Yes" or "No." I want it for the record, that is all. I know what the answer is myself, I am not that dumb, but I want it for the record.

Mr. BUCHANAN. Does the gentleman want an answer?

Mr. KEEFE. What I stated is true, is it not? If the gentleman can say "No," say so.

Mr. BUCHANAN. The District Committee has recommended a rent-control bill and it was to be presented this week, but will be presented later.

Mr. KEEFE. We understand that. They have recommended a District rent-control bill, of course, and we have a District rent-control bill in the District of Columbia that has its own separate provisions recommended to this Congress by the Committee on the District of Columbia, not the Committee on Banking and Currency. Now, when they recommend that bill to the Congress and we as Members of Congress pass on that bill, we are acting exactly as a State legislature would act for any State.

The chairman of this committee has talked about a national pattern and that we must continue to have a national pattern, otherwise we would have chaos and confusion. That is what he said. The fact of the matter is we have a national pattern but it does not apply to the District of Columbia because we have seen fit to enact separate, specific legislation, for the District of Columbia.

Why is it, may I ask, that we thus legislate? I will answer that, because I have discussed it with the members of the Committee on the District of Columbia and with people connected with the Government of the District of Columbia. We have a model rent-control law in the District of Columbia. We have a magnificent administration of that law. The people here do not want to come under this general pattern. The people of the District of Columbia want their own rent-control law and we as the legislature for the District of Columbia give it to them in the shape of a special piece of legislation.

Now, then, I am asking you of faint heart what is wrong with permitting my State and the legislature of my State to do for the people of Wisconsin exactly what we are doing for the people of the District of Columbia?

We have a rent-control law in my State. The legislature is in session. They are waiting out there now to find out what you propose to do in this matter. We can handle the situation in my State and you can do it in yours, just as we as legislators for the District of Columbia are doing it for the people of the District of Columbia.

I am astounded that some people of intelligence cannot see that particular point. The fact of the matter is the District rent-control law is going to expire on March 31. The next day on which District of Columbia business may be considered is March 28.

What are you going to do about it? What are you going to do about rent control under this great national pattern for the District of Columbia, may I ask? Where are all these crocodile tears that are being shed for the people in Chicago and Pittsburgh and New York and Los Angeles? What are you going to do to protect the people in the District of Columbia, may I ask? You will not be able to do it in the 2 days and get that bill through the House and the Senate and make it law. There will not be any confusion if we turn this whole problem to the States; and if the legislature of any State enacts State rent control, then the Federal act will not apply.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. COLE of Kansas. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COLE of Kansas: Page 29, strike out lines 1 to 23, inclusive, and insert in lieu thereof the following:

"(2) In any case in which a landlord and tenant, on or before December 31, 1947, in accordance with the provisions of this subsection as then in effect, voluntarily entered into a valid written lease in good faith with respect to any housing accommodations, such housing accommodations shall not be subject to any maximum rent established or maintained under the provisions of this title.

"(3) In any case in which a landlord and tenant (including any new tenant) on or before December 31, 1948, voluntarily enter into a valid written lease in good faith (at any rental agreed upon in the lease, but not in excess of 15 percent over the maximum rent which in the absence of a lease would be in effect with respect thereto on the date of enactment of the Housing and Rent Act of 1948) with respect to any housing accommodations for which a maximum rent is in effect under this section, and such lease takes effect on or after the effective date of the Housing and Rent Act of 1948 and expires on or after December 31, 1949, and if a true and duly executed copy of such lease is filed, within 15 days after the date of execution of such lease, with the Housing Expediter, such housing accommodations shall not be subject to any maximum rent established or maintained under the provisions of this title."

Mr. COLE of Kansas. Mr. Chairman, you will recall that with the Housing Act of 1947, and the act of 1948, this Congress provided for voluntary-lease agreements which might be signed by the landlord and the tenant. Those lease agreements provided that they might run for 1 year with a maximum increase in rental of not to exceed 15 percent. The present proposed law repeals that section and does not permit the landlord and the tenant to enter into these voluntary agreements. It is my idea, again, to call this to the attention of the House in order that you might know in what fashion we are strengthening rent control instead of loosening it. It may seem to some of you that my efforts here are a little futile, but I want to remind you that two amendments which I proposed to the committee have been adopted in this bill, so I do not feel so bad about it. Nevertheless, I think this is an important amendment. It is an amendment by which this Congress may present to the people of this country a proposition that a landlord and a tenant, as friends, might sit down together and determine how they might get together and agree upon a proper rental. The proposed law eliminates these leases and recontrols those units which this Congress promised would be decontrolled under the law of 1947.

Mr. Woods, in testifying before our committee, said that the voluntary-lease agreement was not necessary. He said it was based upon an assumption that rent control would be terminated, and gave the tenants the right to bargain for security with their landlords. He said that under the proposed law we would have 2 years of rent control, and in parentheses I say that it is quite possible we will have a permanent rent control if we continue it for 15 months or 2 years; but he said that we are continuing rent control for 2 years and, therefore, we do not need the present voluntary provision.

I believe it would be a healthy and proper thing if we permit the landlord and tenant to once again assume the relationship of neighbors, that they can agree one with the other that they might have a proper rental, that the landlord can go to the tenant and say, "I have had increased costs. I want to redecorate the apartment. I want to do this for you." The tenant then would have the opportunity to sign a lease and secure advantage of these benefits.

So again I offer a perfecting amendment, and suggest that we return the bill to the present law insofar as practicable.

Mr. SPENCE. Mr. Chairman, this would decontrol about 2,500,000 units and would weaken the rent-control law very materially. I hope it will not be adopted.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kansas [Mr. COLE].

The question was taken; and on a division (demanded by Mr. COLE of Kansas) there were—ayes 55, noes 102.

So the amendment was rejected.

Mr. YATES. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. YATES: On page 29, line 11, after "any housing accommodations" insert "including housing accommodations in hotels."

Mr. YATES. Mr. Chairman, the purpose of this amendment is to clarify an ambiguity in the act which exists at the present time and to afford relief to a large class of tenants now unfairly discriminated against. In view of the attitude and sentiment of the House as expressed in this last vote, I think this amendment is particularly appropriate.

Under the so-called Rains amendment which was adopted last week the provisions of section 201 (a) (1) of this act are as they were in the old rent-control law, to the effect that any accommodations in hotels are not subject to control. My amendment would place controls upon and protect hotel tenants who in good faith signed leases with their landlords. Many of us conducted our fight last week to retain controls on permanent housing accommodations in residential hotels and permanent accommodations in other hotels. We believe they should be controlled. My amendment is not directed to transient hotels or transient accommodations of any type. It is not directed to resort hotels. It is not directed even to semitransient accommodations under any circumstances. This amendment is directed only to the return of controls to accommodations for which tenants entered into leases, leases which usually have extended from August of 1947 until December of 1948, under the terms of which in exchange for a 15-percent rent increase the tenant was given a lease. The Rains amendment re-

moves controls from the accommodations even of these permanent tenants and works a distinct hardship upon them. The people affected by the amendment, the tenants of apartment hotels, are not different from people living in other quarters. It is a misconception to assert that only the rich live in these hotels. Stenographers, school teachers, retired civil servants, pensioners, comprise the bulk of residential hotel tenants. They can afford rent increases no more than any other member of the middle class and they should be given the protection of the rent law.

Why should these people be singled out? Why should their accommodations be singled out? They pay for extra service now, even for services which they do not receive. Linen service is infrequent, bellboys have been discharged, their quarters are in disrepair—they must remain because they have no place to move.

The point I should like to make is that the accommodations in these hotels are no different than accommodations in other permanent accommodations for which leases were given. Permanent accommodations in hotels are the same as accommodations in apartment buildings. They should be controlled. My amendment will clarify the act and will place permanent hotel quarters on a par with all other types of accommodations for which leases were entered into.

Mr. BOGGS of Louisiana. Mr. Chairman, will the gentleman yield?

Mr. YATES. I yield.

Mr. BOGGS of Louisiana. Would the gentleman explain exactly what this proposed amendment does? Does it nullify what the House did a few days ago in removing the decontrol provision for residential hotels?

Mr. YATES. It does not nullify the action of the House of a few days ago, except for permanent accommodations in hotels. The action of the House of a few days ago, looked to the decontrol of all accommodations within hotels, without drawing any distinction between residential hotels, semitransient hotels, and transient hotels. I understood the intention of that amendment to be directed against living quarters of a purely transsient type and not dedicated to the type of accommodations which were permanent in their nature.

Mr. BOGGS of Louisiana. The so-called Rains amendment adopted by the committee on Friday left the law exactly as it is now written.

Mr. YATES. That is correct.

Mr. BOGGS of Louisiana. Does this proposal change that situation any?

Mr. YATES. This proposal changes that situation only in one respect. It changes it only with respect to permanent accommodations for which a lease was given.

Mr. WOLCOTT. Mr. Chairman, will the gentleman yield?

Mr. YATES. I yield.

Mr. WOLCOTT. There were no leases of the accommodations which had been controlled under the language of the Housing and Rent Act of 1947 and 1948. The action taken by the committee last week will restore the language in respect to hotels to what it is at the present time. If the gentleman will look under definitions he will find housing accommodations defined and it does not include those accommodations in hotels which are giving ordinary hotel services. It does not make any difference whether a lease was entered into in respect to accommodations in any kind of a hotel which gave those services because they are not under the bill anyway. I think if we adopted your amendment, we would merely add to the confusion as to what our intent was with respect to hotels.

Mr. YATES. That is not true. If the gentleman will read section 3, on page 29, he will find:

> In any case in which a valid written lease with respect to any housing accommodations was entered into and filed in accordance with the provisions of this subsection (b) as then in effect, and such lease has heretofore terminated or expired or hereafter terminates or expires, such housing accommodations shall be subject to the provisions of this title.

What my amendment does is to extend to permanent accommodations of hotels the same rights for comparable tenants as is accorded to tenants who are not living in apartment-hotels, who live in accommodations now recognized as requiring control, such as ordinary apartment buildings.

Mr. WOLCOTT. If the gentleman will look at section 202 of the existing law, he will find the definition of a housing accommodation and controlled housing accommodations. The housing accommodations referred to in this section do not include those accommodations in hotels where the hotel services are given so the Expediter or anyone else would not have any interest in leases on those accommodations except——

Mr. YATES. Except—if the gentleman will permit me, if he will read the proposed section 3 on page 29, he will see that this section applies to any housing accommodation where there has been a lease, and it makes no reference to controlled housing accommodations or any other kind of accommodations. That is why I say that the law in this respect is now ambiguous. I think it should include permanent housing accommodations in hotels as well.

Mr. WOLCOTT. The term "housing accommodation" is defined in the act. Any housing accommodation cannot refer to anything but the housing accommodation referred to in the act.

Mr. YATES. That is correct. That is why I think this section is ambiguous and that my amendment will do much to clear up the ambiguity and at the same time afford relief where relief is needed—to tenants of permanent accommodations in residential hotels.

The CHAIRMAN. The time of the gentleman from Illinois [Mr. YATES] has expired.

Mr. HOFFMAN of Michigan. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I ask unanimous consent to speak out of order and revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan [Mr. HOFFMAN]?

There was no objection.

THREE MINUTES ON THE MARSHALL PLAN

Mr. HOFFMAN of Michigan. Mr. Chairman, in the 3 minutes permitted, I will attempt to give my view on the continuation of the Marshall plan.

Under it, we gave billions upon billions of dollars in an effort to stop communism and get the western countries of Europe back on their feet.

The theory was that, by the building up of the industries of western Europe, furnishing seed and fertilizer, people in those countries who were in need of food, of clothing, of housing, and of all of the things that folks must have if they are to be happy, contented, and prosperous—those countries would eventually become a barrier against any aggression planned by Russia.

Unfortunately, as some of us predicted, much of the billions of dollars advanced by this Government was wasted.

Instead of the United States handling the money and insisting that the people be fed, clothed, and housed—seed, tools, and fertilizer furnished the farmers; instead of rebuilding the industries of those countries, we turned the money over in lump sums to foreign governments and they, in turn, let altogether too much of it get into the hands of racketeers, profiteers, black-market operators.

Again, instead of building up industries in western Germany, we let France and Great Britain dismantle those industries, take out the machinery, and move it to other places. We permitted Russia to do the same thing in eastern Germany.

However, with our aid, some of the peoples of western Europe are getting back on their feet and we should help them all we can.

But now, instead of continuing to use our dollars to restore their factories and to help them to help themselves, there is substantial evidence that the plan, and the money appropriated, are being used to furnish a market in Europe for American products.

There are many indications that, as prices here recede and evidence of unemployment develops, efforts will be made to appropriate billions more, ostensibly to continue to fight Communists, to provide a barrier against Russia, but, in reality, to supply the funds to purchase farm surplus and the products of our factories, and ship them abroad.

In short, to make Europe a dumping ground for all sorts of surplus as created by the payment of subsidies, for the benefit of certain American interests and in violation of the over-all purpose of the Marshall plan.

Putting it in a different way, there is evidence that Mr. Truman and his administration, faced with the results of excessive taxation, excessive spending, and fearing that there may be a depression and unemployment here, are now endeavoring to lift themselves out of the mess by their own bootstraps—that is, by taxing Americans, giving the money to other nations, with a promise from them that they will spend it for American goods.

Sounds fine, but there is no real merit in it.

That program should not be, for there is no more sense to that idea than there

would be for you, if you were a storekeeper or a farmer, to give me a hundred dollars on my promise to buy what you had to sell. You would get your money back, but you would be giving away your goods instead of selling me something.

With the right kind of help, the Germans and the peoples of other lands willl be back on their feet, but under no circumstances should we establish a worldwide WPA.

Mr. Chairman, I yield back the remainder of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. YATES].

The amendment was rejected.

Mr. FERNANDEZ. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I distinctly remember the dire predictions which were made as to what would happen when we voted to terminate OPA and price control. When price control ended, prices zoomed up. Last fall the voters, and I included, were wondering if we had made a mistake, but prices leveled off and we know now that it was no mistake. If we terminate control, rents will go up, and necessarily so, because there are people who are being forced to rent their properties for less than the cost of operation and upkeep. Of course, there will be some suffering, but I have faith in the ability and the industry of the American people to work themselves out of any difficulty if given half a chance.

I sincerely regret that I cannot go along with the leadership of my party on this bill. But this raises a fundamental issue and I would not be true to myself if I did not vote my convictions. I do not believe in the confiscation of the property of one class of citizens in peacetime to serve—or to protect, if you please—another class of citizens, no matter how desirable. If the Eightieth Congress deserves the title of being the worst in history, it is because the majority Members who were then in control did not have the courage to end rent control when they had the power.

If you extend this bill now for 15 months, you might just as well extend it for another 2 years, because at the end of the 15 months, just before the 1950 primaries, you will vote to extend it again or the voters who are benefiting by this arrangement will cut your throats at the election.

I would like to read excerpts from a little article I read some weeks ago entitled "Equality Before the Law?":

EQUALITY BEFORE THE LAW?

What we call Americanism is based on the precept that all citizens stand equal before the law, equal in rights and equal in responsibilities.

Are we drifting away—or being led away—from this important, fundamental concept?

We will look at two citizens—any two citizens, from anywhere. These two citizens have worked hard, achieved a competency and made investments which they hope will bring them security. One invests in a farm and becomes a farmer; the other invests in houses, or an apartment house, and becomes a landlord. Both are prepared to serve the public in an honorable way, one with food, the other with shelter. They stand equal before the law.

But right here an incredible thing happens. The Government, though in honor bound to afford these men equal privilege and opportunity, suddenly begins using its vast powers to help and reward the farmer and to hinder and punish the landlord. Here is the record:

To the farmer parity is guaranteed; to the landlord parity is denied.

To the farmer direct subsidies bring high prices; to the landlord rentals are frozen at low, prewar levels.

The farmer is applauded and his prices skyrocket—often with the direct aid of Government buying—far above parity rates; the landlord is fined and even imprisoned if he accepts any raise in rental, even by agreement with the tenant.

The farmer, grown prosperous out of subsidies paid by all the rest of us, is hailed by the Government as a patriot and a hero; the landlord is denounced by the Government as avaricious and greedy and the tool of special interests if he protests and asks for relief to meet higher taxes and increased operating costs.

These two men, who might be you and I, are not equal before the law. If the Government can do this to them it can do it to us.

* * * * *

As long as these conditions continue, something valuable is slipping away from us, day by day. It is our equality before the law.

I say with regret that I cannot go along with the leaders of my party, but this is a fundamental issue that faces us today, just as fundamental as it was when it faced us a year ago. As has been stated on this floor, if rent control ends many properties will come out from hiding and many more houses will be built by private capital. I may be wrong about it, but I think rent control is the one thing that is keeping capital from being invested in housing. True, new construction is not under rent control, but so long as the rent-control system exists they may sooner or later be put under rent control. It is not fair to have one class under rent control, and another class free from it in the same locality. My opinion is it should be ended now. As someone has said, "don't extend it, don't amend it, you can't defend it, end it."

The CHAIRMAN. The time of the gentleman from New Mexico has expired.

Mr. JENSEN. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, the bill before the House should be, if properly titled "A bill to guarantee more slums and reduce employment," for that is exactly what it will do. True, it will create 600 jobs at good pay for local rent-control expediters; and, of course, each one of these 600 little dictators will need at least one assistant expediter and an office force of several people in addition to the present staff, all at the taxpayers' expense. To do what? To ride herd on good Americans, the proprietors and the tenants.

Let us look at this thing squarely and see just who will be hurt most if this bill is made law: the laboring men of America—carpenters, bricklayers, plasterers, painters, paperhangers, plumbers, and material suppliers of every kind; because the property owners cannot and will not spend money for remodeling and repairing. Because of this, additional hundreds of thousands of building mechanics will suffer by being forced to lay idle; the businessman will lose the trade, and our whole national economy will greatly suffer right at a time when unemployment rolls are mounting and business is falling off all over the country.

I ask, Mr. Chairman: What will it profit a laboring man to have a little cheaper rent if he has no earnings with which to pay rent or living costs? That is what the folks who labor are worrying about today, and make no mistake about it.

So, those who would force the property owners of America to take the rent rate which one man in each area dictates he must accept—or else—had best be thinking of the thousands upon thousands of good Americans who will suffer if the rent-control law is extended.

Mr. Chairman, America must not and will not follow in the footsteps of France, which still has her World War I rent-control law in effect. Today France is known as a nation of slums and unemployment.

Mr. Chairman, it is crystal clear by now that the bigwigs who dictate the policy of the party in power are determined to drive investment capital out of existence regardless of whom it hurts or how it affects labor or business or the prosperity and the security of the Nation. That program in time will also destroy their party, not save it, and that is a certainty.

I cannot believe that any Member of Congress would wittingly lend his or her support to any bill that it would appear might save or destroy any political party at the expense and detriment of the general welfare and the preservation of our priceless liberties.

Mr. Chairman, in my studied opinion, we should let rent control die the natural death it deserves.

Mr. MOULDER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, my Republican colleague from Iowa has made a dire forecast of unemployment and an economic depression.

My Republican predecessor immediately prior to his departure from Washington made an announcement, which was published in the newspapers, forecasting that an economic depression would descend upon our country not later than March 1 of this year. He further stated that he would be a candidate for reelection in the year 1950 to save our country from the economic collapse which, he stated, would surely result from the last election of a Democratic Congress. I have diligently attended all meetings of this illustrious body of lawmakers and day after day devoted careful attention and consideration to the frequent speeches of complaining defense of the Eightieth Congress made by our Republican Members on the left of this House. I am convinced that the Shakespearean quotation, "Me thinketh the lady protesteth too much," is an applicable theory of the guilt of the indictment presented against the Eightieth Republican Congress by our President during the last election campaign. However, I am fascinated by the clever

strategy adopted by the Republican Members of this House in first maneuvering by amendments, and by unanimously joining a few of the unsuspecting Democratic Members into a proposed defeat of progressive legislation so essential to the general welfare of the people of our great country.

Yes; the Republican leadership, in premeditated cooperation with the big vested business interests of our country, are attempting to scare the people into a false and jittery sense of economic depression and insecurity of the future, and the powerful subsidized Republican newspapers and the hired columnists and commentators, who have no more respect for the truth and welfare of the people than a rooster has for a marriage license—all embittered by their failure to defeat Democratic candidates at the last election—are striving to create confusion and sell the economic and prosperous condition of our great country short, and to rule or ruin, if necessary, to protect their selfish pride and partisan interests, and to defeat the legislative program which the people of our country voted for at the last election. For example, I quote from an article by David Lawrence, published March 14, as follows:

> The Truman depression is here. Despite all the efforts of the administration to minimize it, camouflage it, and deny its existence, the fact remains that an economic readjustment of as yet undetermined proportions is in evidence and has been developing ever since the election last autumn.

Such poppycock articles are purely big-business Republican propaganda, published to discourage the Eighty-first Congress.

The real-estate lobby and vested real-estate interests are actively using the economic depression threat to defeat the proposed legislation now pending before the House. The time is ripe—rotten ripe—for the Democratic Members of this House to stand together and assume our responsibility of passing protective and progressive legislation for the benefit of all the people. If we fail to do so, we may be hereafter known, referred to, and condemned at the next election as the twin brother of the last Eightieth Republican Congress.

The Clerk read as follows:

SEC. 204. (a) Section 205 of the Housing and Rent Act of 1947, as amended, is amended by striking out from the heading of such section the words "by tenants"; by inserting after the words "receives such payment", in the first sentence, the following: "(or shall be liable to the United States as hereinafter provided)"; and by changing the period at the end of the second sentence to a colon and inserting: *"Provided,* That if the person from whom such payment is demanded, accepted, or received either fails to institute an action under this section within 30 days from the date of the occurrence of the violation or is not entitled for any reason to bring the action, the United States may institute such action within such 1-year period. If such action is instituted, the person from whom such payment is demanded, accepted, or received shall thereafter be barred from bringing an action for the same violation or violations."

(b) The last sentence of section 205 of such act, as amended, is amended by striking out "plaintiff" and inserting in lieu thereof "person."

SEC. 205. Section 206 of the Housing and Rent Act of 1947, as amended, is amended to read as follows:

"SEC. 206. (a) It shall be unlawful for any person to demand, accept, or receive any rent for the use or occupancy of any controlled housing accommodations in excess of the maximum rent prescribed under section 204, or otherwise to do or omit to do any act, in violation of this act, or of any regulation or order or requirement under this act, or to offer, solicit, attempt, or agree to do any of the foregoing.

"(b) Whenever in the judgment of the Housing Expediter any person has engaged or is about to engage in any acts or practices which constitute or will constitute a violation of any provision of this act, or any regulation or order issued thereunder, the United States may make application to any Federal, State, or Territorial court of competent jurisdiction for an order enjoining such acts or practices, or for an order enforcing compliance with such provision, and upon a showing that such person has engaged or is about to engage in any such acts or practices a permanent or temporary injunction, restraining order, or other order shall be granted without bond.

"(c) Any proceeding brought in a Federal court under section 205 or under subsection (b) of this section may be brought in any district in which any part of any act or transaction constituting the violation occurred, or may be brought in the district in which the defendant resides or transacts business, and process in such cases may be served in any district wherein the defendant resides or transacts business or wherever the defendant may be found. Any such court shall advance on the docket and expedite the disposition of any such proceeding brought before it. No costs shall be assessed against the Housing Expediter or the United States Government in any proceeding under this act.

"(d) No person shall be liable for damages or penalties in any Federal, State, or Territorial court, on any grounds for or in respect of anything done or omitted to be done in good faith pursuant to any provision of this act or any regulation, order, or requirement thereunder notwithstanding that subsequently such provision, regulation, order or requirement may be modified, rescinded, or determined to be invalid. The United States may intervene in any suit or action wherein a party relies for ground of relief or defense upon this act or any regulation, order, or requirement thereunder.

"(e) The principal office of the Housing Expediter shall be in the District of Columbia, but he or any duly authorized representative may exercise any or all of his powers in any place, and attorneys appointed by the Housing Expediter may, under such authority as may be granted by the Attorney General, appear for and represent the United States in any case arising under this act.

"(f) (1) The Housing Expediter is authorized to make such studies and investigations, to conduct such hearings, and to obtain such information, as he deems necessary or proper to assist him in prescribing any regulation or order under this act, or in the administration and enforcement of this act and regulations and orders prescribed thereunder.

"(2) For the purpose of obtaining information under this subsection, the Housing Expediter is further authorized, by regulation or order, to require any person who rents or offers for rent or acts as broker or agent for the rental of any controlled housing accommodations (A) to furnish information under oath or affirmation or otherwise, (B) to make and keep records and other documents and to make reports, and (C) to permit the inspection and copying of records and other documents and the inspection of controlled housing accommodations.

"(3) For the purpose of obtaining information under this subsection, the Housing Expediter may by subpena require any person to appear and testify or to appear and produce documents, or both, at any designated place. Any person subpenaed under this subsection shall have the right to make a record of his testimony and be represented by counsel, and shall be paid the same fees and mileage as are paid witnesses in the United States district courts. For the purposes of this subsection the Housing Expediter, or any officer or employee under his jurisdiction designated by him, may administer oaths and affirmations.

"(4) The production of a person's documents at any place other than his place of business shall not be required under this subsection in any case in which, prior to the return date specified in the subpena issued with respect thereto, such person either has furnished the Housing Expediter with a copy of such documents (certified by such person under oath to be a true and correct copy), or has entered into a stipulation with the Housing Expediter as to the information contained in such documents.

"(5) In case of contumacy by, or refusal to obey a subpena served upon, any person under this subsection, the United States district court for any district in which such person is found or resides or transacts business, upon application by the United States, and after notice to such person and hearing, shall have jurisdiction to issue an order requiring such person to appear and give testimony or to appear and produce documents, or both; and any failure to obey such order of the court may be punished by such court as a contempt thereof.

"(6) No person shall be excused from attending and testifying or producing documents or from complying with any other requirement under this subsection because of his privilege against self-incrimination, but the immunity provisions of the Compulsory Testimony Act of February 11, 1893 (49 U. S. C. 46), shall apply with respect to any individual who specifically claims such privilege.

"(g) The Housing Expediter shall not publish or disclose any information obtained under this act that such Housing Expediter deems confidential or with reference to which a request for confidential treatment is made by the person furnishing such information unless he determines that the withholding thereof is contrary to the public interest.

"(h) It shall be unlawful for any person to remove or attempt to remove from any controlled housing accommodations the tenant or occupant thereof or to refuse to renew the lease or agreement for the use of such accommodations, because such tenant or occupant has taken, or proposes to take, action authorized or required by this act or any regulation, order, or requirement thereunder."

Mr. DOLLINGER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DOLLINGER: Page 37, strike out, on line 10, all of "(C)", beginning with "any proceeding" and all that follows of the paragraph ending on line 21 with the period mark, and insert in lieu thereof a new paragraph "C", as follows:

"(C) Any person who willfully violates any provision of this act, or any regulation or order issued thereunder, and any person who makes any statement or entry false in any material respect in any document or report required to be kept or filed under this act, shall, upon conviction thereof, be subject to a fine of not more than $5,000 or to imprisonment for not more than 1 year, or to both such fines and imprisonment. Whenever the Housing Expediter has reason to believe that any person is liable for punishment under

this subsection, he may certify the facts to the Attorney General, who may, in his discretion, cause appropriate proceedings to be brought.

"The district courts shall have jurisdiction of criminal proceedings for violation of this act, or any regulation or order issued thereunder, and concurrently with State and Territorial courts, of all other proceedings under section 205 and subsection (b) of this section. Such criminal proceedings may be brought in any district in which any part of any act or transaction constituting the violation occurred. Such other proceedings may be brought in any district in which any part of any act or transaction constituting the violation occurred, or may be brought in the district in which the defendant resides or transacts business, and process in such cases may be served in any district wherein the defendant resides or transacts business or wherever the defendant may be found. Any such court shall advance on the docket and expedite the disposition of any criminal or other proceedings brought before it under this section. No costs shall be assessed against the Housing Expediter or the United States Government in any proceeding under this act."

Mr. DOLLINGER. Mr. Chairman, this amendment attempts to put a criminal penalty in this bill for a willful violation. The original bill introduced by the chairman of the Committee on Banking and Currency had this provision in it, and the language I use in my amendment is the identical language. That provision was deleted by a majority vote of the committee. I do not know the real reason for its deletion, but I know if we do not reinstate the language we will in effect be telling the people of the United States that we will permit any unscrupulous landlord who wants to steal money from his tenant, that he can do so; that he has our blessing to commit the crime.

I disagree with many of the Members on this bill, but I do believe that you think you did the right thing when you passed the Brown amendment which gives landlords the right to obtain a reasonable return. If you want to give them the right to a reasonable return and you believe that the people you are giving that right to are honest people who will not take more than they are entitled to, why should we not have this provision in the bill to make certain that some dishonest individuals, against whom civil judgments are worthless, are covered? Why should we not have the right to prosecute them criminally if they violate the law willfully?

In the State of New York, where rent gouging is a crime, cases against landlords have brought shocking practices to light. We have instances where they have given people an apartment on condition that they bought furniture from them, at a price which was exorbitant, or they took money under the table. Are we to say today that we will permit that practice to go on? Why should we be afraid to leave the criminal penalty provision in? I say the honest man is not afraid of that provision. This is our only weapon against the dishonest person who will stoop to any low. It is a hold-up when one resorts to that kind of practice and any hold-up should be prosecuted criminally.

Let us at least put some teeth into the law. The law as it stands before us now is a control without controls. We have given the landlord every kind of a right without regard to the rights of the tenant. Let us be fair to the tenant and give him some protection.

If you adopt this provision you are only hitting at the dishonest man. I think it is our job to make certain that no dishonesty is permitted.

Mr. GAMBLE. Mr. Chairman, will the gentleman yield?

Mr. DOLLINGER. I yield to the gentleman from New York.

Mr. GAMBLE. Does this criminal provision apply against a regulation or just against a law? The gentleman remembers we discussed that in committee.

Mr. DOLLINGER. It provides against the willful violation of the provisions in the act. If the regulation makes reference to that, and if it is willful, it will be covered by this amendment.

Mr. GAMBLE. It would cover a regulation, then?

Mr. DOLLINGER. Yes, if it violates any provision of this act or any regulation or order issued thereunder.

Mr. GAMBLE. By making it apply to regulations as well as to the law, you very much broaden the situation.

Mr. DOLLINGER. There is a 1-year statute of limitations. What would happen prior to 1 year is completely out of that.

Mr. GAMBLE. You do not go back to 1948?

Mr. DOLLINGER. We go back 1 year.

Mr. GAMBLE. Yes, from the date of its enactment.

Mr. DOLLINGER. From the date of its enactment; that is right.

Mr. BROWN of Georgia. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I am against placing any Gold Star Mother in jail because she violated some little regulation concerning her own property. That is all I have to say.

I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. DOLLINGER].

The amendment was rejected.

The Clerk read as follows:

SEC. 206. Section 209 of the Housing and Rent Act of 1947, as amended, is amended to read as follows:

"SEC. 209. Whenever in the judgment of the Housing Expediter such action is necessary or proper in order to effectuate the purposes of this act, he may, by regulation or order, regulate or prohibit speculative or manipulative practices or renting or leasing practices (including practices relating to recovery of the possession) in connection with any controlled housing accommodations, which in his judgment are equivalent to or are likely to result in rent increases inconsistent with the purposes of this act."

Mr. COLE of Kansas. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, I take this time, not to offer additional perfecting amendments which I have prepared, but rather to point out to the members of this committee what we are doing now in strengthening rent control, even after having adopted the amendments which have been adopted in this body. The rent-control bill as proposed by the majority members of this committee provide for eight additional strengthening and tightening provisions. I merely want to take this opportunity to point out to you what we are doing. First, we are permitting the Housing Expediter to recontrol areas which have been decontrolled. We are permitting him to do that under any circumstance that he may deem advisable. Secondly, we are tightening the appeals from the decisions of the local boards. Third, we are not permitting the landlords and tenants to enter into voluntary agreements. Fourth, under the present law only the tenant or that person involved in dealing with the landlord may now sue the landlord or his agent. Now we permit the United States Government to file suit for treble damages. Fifth, we have what I call the junior G-man clause, not junior Government man, but junior Gestapo man. The junior G-man who will snoop into the business of every individual that the Housing Expediter deems is essential. In this we have a new procedure which provides that the Housing Expediter may issue a subpena to any person—not to any person who offers for lease any property, but he may issue subpenas to any person in the United States and require that person to go any place in the United States to answer that subpena and to bring his books and papers before the Housing Expediter. It has nothing to do with the man who may or may not want to lease his property. Sixth, we have certain specific restrictions under which a man may evict a tenant under present law. Under the proposed law the Housing Expediter may make such rules and regulations as he may deem necessary to evict or restrict the eviction of tenants. Seventh, the proposed law recontrols converted units which have heretofore been decontrolled. People have spent thousands of dollars remodeling these units. Now we recontrol converted units. Last, but not least, we have done one other thing by recontrolling trailer and trailer space. I understand there is a situation in Connecticut about which somebody came down here to testify. No one else testified about it. But we have recontrolled trailers and trailer space. We have not recontrolled motor courts, but we have recontrolled trailers and trailer space. Absent, very interestingly, is the recontrol of new construction. That is very interesting that no one brought forth before the House an amendment asking for the recontrol of new construction. The obvious reason, of course, is that the majority has realized that controls do restrict production.

Mr. Chairman, because of these unnecessary added restrictions placed in the proposed bill, it is still unpalatable bait to those of us who believe in a return to peacetime economy.

I merely wanted to keep the record straight what we are doing here today. And if you vote for this bill you are voting for these tightened strengthening provisions.

The CHAIRMAN. The time of the gentleman from Kansas [Mr. COLE] has expired.

Mr. O'HARA of Illinois. Mr. Chairman, I move to strike out the last word.

I wish merely to say to my colleagues that in the House I shall ask for a separate vote on the Rains amendment.

This is the amendment that would operate to continue the decontrol of apartment and residential hotels.

The original Spence bill had a provision for the recontrol of permanent housing accommodations in all hotels. I think this is as it should be since there is no real difference between a permanent home whether it is in a cottage or in a room in a hotel—the test is whether the residence therein is on a permanent basis.

The committee, however, amended the original Spence bill to decontrol transient hotels as differentiated from residential or apartment hotels. That would return permanent housing accommodations in residential or apartment hotels to the protection of rent control.

If the Rains amendment—which leaves all hotels out of adequate control, exactly as at present—is defeated, the original Spence bill as amended by the committee will stand. That is, residential and apartment hotels will be back under rent control, where by all that is just and that is necessary they should be.

There is much real suffering—cruel and unnecessary suffering—being endured by the permanent tenants in apartment and residential hotels. They are people in modest circumstances. My mail is filled with letters from them asking that we in this Congress remember that in November we looked to them and that we do have an obligation not to desert them in their time of great trial.

I sincerely hope my colleagues on both sides of the Chamber will join in defeating the Rains amendment. There should be no partisan approach in the matter of giving relief where it is neded—no partisan division in applying a remedy to good citizens from intolerable conditions.

The sorry plight of tenants of so-called apartment and residential hotels—the victims in many cases of the extremes in gouging, all occasioned by the decontrolling features of the present law, which will be continued under the Rains amendment—is by no means confined to my district.

The district on the north side of Chicago represented by my distinguished colleague the gentleman from Illinois, Judge JONAS, a Republican Member of this House, is suffering in exactly the same way. In order that my colleagues may have an accurate picture of what the situation is in Chicago from representatives of both parties, I will be very happy to yield some of my time to the distinguished gentleman from Illinois, my colleague, Judge JONAS.

Mr. JONAS. Mr. Chairman, I come from a district where the greater portion of the territory is inhabited by people who live in many residential hotels and apartment hotels. As I understand the bill now, everybody has been exempted from control, including transient hotels, residential hotels, and apartment hotels, and the only person that is left to be controlled is the man who owns an apartment building consisting of two flats or four flats or whatever it may be. That is the final climax of all this legislation.

There are about 30 hotels in my district on the north side of the city of Chicago which were residential hotels until they were decontrolled. They had tenants who had lived there 8 or 9 years. They had leases beginning with 2 or 3 years, then down to 1 year, and then finally they were denied leases at all. They were put on a 30-day basis and now they have no leases at all. Those are the people who have been the victims of this rent gouging. There are about 40 hotels on the north side of the city of Chicago which receive no protection under this bill.

I endorse the effort of my distinguished colleague in this House.

Mr. O'HARA of Illinois. My distinguished colleague from Missouri [Mr. BOLLING] tells me that the situation in Kansas City is exactly as it is in Chicago, as I am informed it is in New York, and as the gentlewoman from California assures me it is in Los Angeles. It is really a serious problem in the large places of America, and is unjustly affecting a very fine segment of our population: school teachers, professional people, retired municipal and other public employees living on pensions, widows, men, and women on modest salaries. Corporation Counsel Adamowski, in his letter to me, which is in the printed record of our committee hearings, says that they pay—or did pay before the decontrol provision of the present law—an average of about $10 or $15 a week rent. I do hope that this presentment will reach the understanding of my colleagues and that those of us from the urban centers will have the support and understanding of our good neighbors of both parties in defeating the Rains amendment when the House reconvenes.

Mr. WAGNER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WAGNER: Page 41, line 8, insert "(a)" before "Whenever", and after line 16, insert the following:

"(b) Notwithstanding the fourth sentence of section 502 (b) of the Housing Act of 1948, the Public Housing Administration, or any State or local public agency administering a low-rent housing project assisted pursuant to the United States Housing Act of 1937 or title II of Public Law 671, Seventy-sixth Congress, approved June 28, 1940, shall not have the right to maintain an action or proceeding to recover possession of any housing accommodations operated by it if in the opinion of the administering authority such action or proceeding would result in undue hardship for the occupants of such housing accommodations, or unless in the opinion of such authority other housing facilities are available for such occupants."

Mr. WAGNER. Mr. Chairman, I shall not seek to address myself to either side, because I think this is a problem in which both sides of the House should be interested.

My amendment, in plain words, deals with so-called over-income families in the public-housing projects. As far as I am concerned, I think that in normal times housing projects such as these are intended for low-income families whose incomes are so low that private enterprise cannot properly house them in other existing or new housing. In normal times I am for requiring families whose income exceeds the established limits being forced to move, without exception. This has been the policy of the public-housing authorities and would, I am sure, continue to be, except for the extreme shortage of housing in which we have found ourselves for a long period of time. So, as long as this critical shortage exists I believe the local public-housing authorities should have discretion in order that they may not have to force families out in cases where it would cause great hardship to force them to move back into the slum areas. This is particularly harsh in the cases of the veterans whose families moved into these housing projects. The boys have come home and now because of some slight increase in income they would be forced to move out. Back in my home district we have approximately 1,007 of these so-called over-income families. Of this number over 70 percent earn incomes of less than $3,000. Fifty-four percent of the so-called over-income families are headed by veterans. It has been the policy in the past that when a person reached an over-income stage he was given a notice to move. I am in favor of that policy where they can find a place to go; but, Mr. Chairman, I have found in the projects back in my home district that these people are the backbone of the Nation. They are rearing large families. Since they have families and a large number of children, they have no place to go. Evictions will serve no purpose other than to put these families on the streets.

I have been urged to offer this amendment, not only by the Better Housing League of my district, which is a Red Feather, Community Chest organization supported by people of all creeds and of all political beliefs, but by my own city council, which is a bipartisan council. They have urged that the Congress give the Housing Authority some discretion to let these people remain in the project until they have some place to go to.

Mr. LODGE. Mr. Chairman, will the gentleman yield?

Mr. WAGNER. I yield to the gentleman from Connecticut.

Mr. LODGE. May I commend the gentleman on his statement. Although during normal times I believe that over-income tenants should make way for those whose incomes come within the limitation, I am very much in favor of this amendment. In my own district in Bridgeport, Norwalk, Stamford, and Stratford there are Federal public housing projects in which there are people living who have no place to go if they are evicted. Many of these people would suffer great hardship if evicted. Furthermore, the cost of living has risen so substantially since these maximum incomes were first fixed that the present maximum income rate is completely unrealistic. I shall vote for the gentleman's amendment, and I hope it will be adopted.

Mr. WAGNER. I thank the gentleman for his remarks.

In closing I may say there are housing units available in my district if you are able to pay $125, $150, or $175 a month rent. Men with an income of less than $3,000 and raising a large family, such as these people are doing, cannot pay these rentals.

The Housing Authority, in which I have a lot of confidence, should be given

some discretion in cases where it will cause undue hardship. I think my amendment is a good one, and I ask the support of my colleagues on both sides of the House for it.

Mr. CAVALCANTE. Mr. Chairman, I rise in support of the pending amendment.

Mr. Chairman, in my district we have 390 low-income rental units and up to this very moment over 200 of the families living in those units have received notice that they must vacate or that they must be out before April 1.

We have a very serious housing shortage. The housing shortage that has been so graphically presented to this House by the majority leader and other Members is very acute in my district. If the eviction of these families is carried out it is not going to help the housing situation, but, on the contrary, is going to make it more acute. Therefore, I favor the pending amendment, and I do implore the members of the committee who are advocating the passage of this bill not to be like the immortal 300 Spartans at Thermopylae or like the heroic French in the First World War at Verdun. They were defending the passes against their country's enemies. We who are here trying to pass along our opinions and amendments are the friends of the committee; we are not the enemies of our country at all, and we are sincere about this matter. I do implore the members of the committee to be lenient in this matter and consider the plight of Members who come from districts that have many of these low-rental units and who are faced with this problem. A man who earns $10,000 a year, as compared with a man who may earn $2,000, is not passed over by the housing shortage. When you talk about the housing shortage the family in the higher-income bracket is in need of a roof over its head just as much as the family in the lower-income bracket.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. CAVALCANTE. I yield to the gentleman from Illinois.

Mr. YATES. Is it not the purpose of this amendment to permit an orderly and temperate relocation of excess-income families within housing projects, a procedure which cannot be undertaken under Public Law 901, which is presently in existence, and which compels the eviction of a family whose income exceeds the limitation of the Housing Act? For instance, in the city of Chicago there are two housing projects within my own area. The income limitation is $2,600. Families whose gross income exceeds that figure are compelled to move. Will this not permit the Housing Authority discretion which it does not now have?

Mr. CAVALCANTE. The gentleman has precisely stated the purpose of this amendment.

Mr. CHUDOFF. Mr. Chairman, I move to strike out the last two words.

Mr. SPENCE. Mr. Chairman, will the gentleman yield?

Mr. CHUDOFF. I yield to the gentleman from Kentucky.

Mr. SPENCE. Mr. Chairman, I ask unanimous consent that all debate on this amendment close in 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. CHUDOFF. Mr. Chairman and members of the committee, I have been sitting patiently in this hall for the past 3 days listening to threats of chaos and confusion and to so-called perfecting amendments, and after much time and much voting in my opinion we have a perfectly confused rent-control bill.

I want to speak in favor of the amendment offered by the gentleman from Ohio. I think that his amendment is the most worth-while amendment offered in the past 3 days. The talk of confusion and chaos is already borne out by what is happening to public housing units in Philadelphia and throughout the country. Gentlemen, this is a writ of possession, and under the present law the housing authorities of the country have no other alternative than to issue these writs of possession to families in subsidized housing projects who are earning over the maximum income allowed under the law. Now, the housing authorities know that these people have no place to go. This morning, coming down from Philadelphia on the train, I ran into the executive director of the Philadelphia housing authority. I told him about the amendment offered by the gentleman from Ohio. He agreed that it was absolutely necessary. If we want to stop chaos and confusion, if we want to take care of a condition that presently exists, not something that we think might happen, the only way to do it is to pass the amendment offered by the gentleman from Ohio. Let us prevent these conditions that exist in Philadelphia and other jurisdictions throughout the country where people are being put out on the street daily. As a matter of fact, these two families are already evicted. Where they have gone, I do not know. I have tried to locate one of them which consisted of a husband, wife, and six children, and I am advised that they are living in two rooms because they could not find any other place to live.

This is a present need, and the amendment should be adopted.

Mr. WIER. Mr. Chairman, I move to strike out the last word, and rise in support of the amendment that has been offered by the gentleman from Ohio.

I represent a district in the city of Minneapolis that has an 8-blocks-square Federal Housing project called Sumner Field. At the present time I have on my desk a petition signed by 82 families who are threatened with eviction because they have an income that exceeds the Federal Housing limitation. So I want to join in, for the reason that in the city of Minneapolis we have a housing problem. There is no place for these people to move to when they get the final eviction notice.

These are not spinsters, bachelors, and so forth; these are people in the low-income group with families, and they will find absolutely no place to move to when they are evicted. I think the time has come with the increasing economy that has brought them beyond that limitation that a like increase in the present limitation ought to be granted, so I join in urging the adoption of this amendment to the rent-control bill.

Mr. SPENCE. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this amendment was never presented to the committee. It may be taken up in the housing bill when it is considered by the committee. It certainly seems to me there is no reason to freeze high-income people in subsidized low-rent housing. I do think the Housing Administration ought to try to secure some other accommodations for them, but certainly we do not want to pass any law that will freeze into these low-rent subsidized housing units people whose income has now gone far beyond the limit.

Mr. Chairman, I ask that the amendment be defeated. We will take this up in the housing bill when we come to it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. WAGNER].

The question was taken; and on a division (demanded by Mr. WAGNER) there were—ayes 47, noes 97.

So the amendment was rejected.

The Clerk read as follows:

TITLE III—MISCELLANEOUS

SEC. 301. Nothing in this act or in the Housing and Rent Act of 1947, as amended, shall be construed to require any person to offer any housing accommodations for rent.

SEC. 302. Section 303 of the Housing and Rent Act of 1948 is hereby repealed.

SEC. 303. If any provision of this act or the application of such provision to any person or circumstances shall be held invalid, the validity of the remainder of the act, and the applicability of such provision to other persons or circumstances, shall not be affected thereby.

SEC. 304. This act shall become effective on the first day of the first calendar month following the month in which it is enacted.

The CHAIRMAN. The question is on the committee substitute, as amended, for the bill.

The committee substitute was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. GORE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 1731) to extend certain provisions of the Housing and Rent Act of 1947, as amended, and for other purposes, pursuant to House Resolution 138, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Mr. MONRONEY. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MONRONEY. Under the rule, any amendments to the amendment may be voted on separately, may they not?

The SPEAKER. That is correct.

Mr. MONRONEY. Then, Mr. Speaker, if now is the proper time I ask for a separate vote on the so-called Williams amendment.

Mr. MARCANTONIO. Mr. Speaker, I ask for a separate vote on the Brown amendment.

Mr. O'HARA of Illinois. Mr. Speaker, I ask for a separate vote on the so-called Rains amendment.

The SPEAKER. The Clerk will report the first amendment on which a separate vote has been demanded.

The Clerk read as follows:

Page 35, line 18, strike out the quotation marks and, after line 18, insert the following subsection:

"(j) If the legislature or comparable governing body of any State, municipality, county, or other political subdivision declares by resolution that Federal rent control is no longer needed in such State, municipality, county, or political subdivision, and transmits a certified copy of such resolution to the Housing Expediter, the provisions of this title shall be inapplicable to such State, municipality, county, or political subdivision 15 days after such certified copy shall have been mailed by registered mail to the Housing Expediter."

The SPEAKER. The question is on the amendment.

Mr. MONRONEY. Mr. Speaker, on that I demand the yeas and nays.

Mr. MARCANTONIO. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MARCANTONIO. Mr. Speaker, is it not the rule to vote on these amendments in the order in which they were adopted?

The SPEAKER. It has been the custom to put the question on such amendments in the order in which a separate vote has been demanded. The gentleman from Oklahoma rose first and asked for a separate vote on the so-called Williams amendment.

The yeas and nays were ordered.

The question was taken; and there were—yeas 227, nays 188, not voting 18, as follows:

[Roll No. 30]

YEAS—227

Abbitt	Cole, N. Y.	Gross
Abernethy	Colmer	Gwinn
Allen, Calif.	Cooley	Hagen
Allen, Ill.	Corbett	Hale
Andersen, H. Carl	Cotton	Hall, Edwin Arthur
Anderson, Calif.	Coudert	Hall, Leonard W.
Andresen, August H.	Cox	Halleck
Angell	Crawford	Hand
Arends	Cunningham	Harden
Auchincloss	Curtis	Hare
Barrett, Wyo.	Dague	Harris
Bates, Mass.	Davis, Ga.	Harrison
Battle	Davis, Wis.	Harvey
Beall	D'Ewart	Hébert
Bennett, Fla.	Dolliver	Herlong
Bennett, Mich.	Dondero	Herter
Bentsen	Doughton	Heselton
Bishop	Durham	Hill
Blackney	Eaton	Hinshaw
Boggs, Del.	Ellsworth	Hoeven
Bolton, Ohio	Elston	Hoffman, Mich.
Bonner	Engel, Mich.	Holmes
Boykin	Engle, Calif.	Hope
Bramblett	Fellows	Horan
Brehm	Fenton	Jackson, Calif.
Brooks	Fernandez	James
Brown, Ohio	Fisher	Jenison
Bryson	Fugate	Jenkins
Burton	Fulton	Jennings
Byrnes, Wis.	Gamble	Jensen
Carlyle	Gary	Johnson
Case, N. J.	Gathings	Jonas
Case, S. Dak.	Gavin	Jones, N. C.
Chatham	Gillette	Judd
Church	Golden	Kean
Clevenger	Goodwin	Kearney
Cole, Kans.	Gossett	Kearns
Keating	Graham	Kearns
Keefe	Nixon	Simpson, Ill.
Kilburn	Norblad	Simpson, Pa.
Kilday	Norrell	Smith, Kans.
Kruse	O'Hara, Minn.	Smith, Va.
Kunkel	Passman	Stanley
Larcade	Patten	Stefan
Latham	Patterson	Stigler
LeCompte	Peterson	Stockman
LeFevre	Pfeiffer, William L.	Taber
Lemke	Phillips, Calif.	Tackett
Lichtenwalter	Phillips, Tenn.	Talle
Lodge	Pickett	Taylor
Lovre	Poage	Teague
Lucas	Potter	Thompson
McConnell	Preston	Thornberry
McCulloch	Rankin	Tollefson
McDonough	Redden	Towe
McGregor	Reed, Ill.	Van Zandt
McMillan, S. C.	Rees	Velde
McMillen, Ill.	Regan	Vorys
Mack, Wash.	Rich	Vursell
Macy	Richards	Wadsworth
Mahon	Riehlman	Weichel
Martin, Iowa	Rivers	Werdel
Martin, Mass.	Rogers, Fla.	Wheeler
Mason	Rogers, Mass.	Whitten
Merrow	Sadlak	Whittington
Meyer	St. George	Wickersham
Michener	Sanborn	Wigglesworth
Miles	Scott, Hardie	Williams
Miller, Md.	Scott, Hugh D., Jr.	Willis
Miller, Nebr.	Scrivner	Wilson, Ind.
Morris	Scudder	Wilson, Okla.
Morton	Secrest	Wilson, Tex.
Murray, Tenn.	Shafer	Winstead
Murray, Wis.	Short	Wolcott
Nelson	Sikes	Wolverton
Nicholson		Woodruff

NAYS—188

Addonizio	Frazier	Morgan
Albert	Furcolo	Morrison
Allen, La.	Garmatz	Moulder
Andrews	Gordon	Multer
Aspinall	Gore	Murdock
Bailey	Gorski Ill.	Murphy
Baring	Gorski, N. Y.	Noland
Barrett, Pa.	Granahan	Norton
Bates, Ky.	Granger	O'Brien, Ill.
Beckworth	Grant	O'Brien, Mich.
Biemiller	Green	O'Hara, Ill.
Bland	Gregory	O'Neill
Boggs, La.	Hardy	O'Sullivan
Bolling	Hart	O'Toole
Bolton, Md.	Havenner	Pace
Bosone	Hays, Ark.	Patman
Breen	Hays, Ohio	Perkins
Brown, Ga.	Hedrick	Pfeifer, Joseph L.
Buchanan	Heffernan	Philbin
Buckley, Ill.	Heller	Polk
Buckley, N. Y.	Hobbs	Powell
Burdick	Holifield	Price
Burke	Howell	Priest
Burleson	Huber	Quinn
Burnside	Hull	Rabaut
Byrne, N. Y.	Irving	Rains
Camp	Jackson, Wash.	Ramsay
Canfield	Jacobs	Rhodes
Cannon	Javits	Ribicoff
Carnahan	Jones, Ala.	Rodino
Carroll	Jones, Mo.	Rooney
Cavalcante	Karst	Sabath
Chelf	Karsten	Sadowski
Chesney	Kee	Sasscer
Christopher	Kelley	Sheppard
Chudoff	Kennedy	Sims
Clemente	Keogh	Smathers
Coffey	Kerr	Spence
Combs	King	Staggers
Cooper	Kirwan	Steed
Crook	Klein	Sullivan
Crosser	Lane	Sutton
Davenport	Lesinski	Tauriello
Davies, N. Y.	Lind	Thomas, Tex.
Davis, Tenn.	Linehan	Trimble
Dawson	Lyle	Underwood
Deane	Lynch	Vinson
DeGraffenried	McCarthy	Wagner
Delaney	McCormack	Walsh
Denton	McGrath	Walter
Dingell	McGuire	Welch, Calif.
Dollinger	McKinnon	Welch, Mo.
Donohue	Mack, Ill.	Whitaker
Douglas	Madden	White, Calif.
Doyle	Magee	White, Idaho
Eberharter	Mansfield	Wier
Elliott	Marcantonio	Withrow
Evins	Marsalis	Woodhouse
Fallon	Marshall	Worley
Feighan	Miller, Calif.	Yates
Flood	Mills	Young
Fogarty	Mitchell	Zablocki
Forand	Monroney	

NOT VOTING—18

Barden	Hoffman, Ill.	Reed, N. Y.
Blatnik	Lanham	Smith, Ohio
Bulwinkle	McSweeney	Smith, Wis.
Celler	O'Konski	Somers
Chiperfield	Plumley	Thomas, N. J.
Gilmer	Poulson	Wood

So the amendment was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Chiperfield for, with Mr. Blatnik against.

Mr. Reed of New York for, with Mr. Somers against.

Mr. O'Konski for, with Mr. Celler against.

Mr. Smith of Wisconsin for, with Mr. McSweeney against.

General pairs until further notice:

Mr. Wood with Mr. Plumley.

Mr. Barden with Mr. Poulson.

Mr. Lanham with Mr. Smith of Ohio.

Mr. Bulwinkle with Mr. Hoffman of Illinois.

Mr. PASSMAN changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The SPEAKER. The Clerk will report the next amendment on which a separate vote has been demanded.

The Clerk read as follows:

Page 28, line 22, strike out beginning with the word "In" down through the period in line 25, and insert the following sentences: "In making and recommending individual and general adjustments to remove hardships or to correct other inequities, the Housing Expediter and the local boards shall observe the principle of maintaining maximum rents for controlled-housing accommodations, so far as is practicable, at levels which will yield to landlords a reasonable return (but not in excess of a reasonable return) on the reasonable value of such housing accommodations. In determining whether the maximum rent for controlled-housing accommodations yields a reasonable return on the reasonable value of such housing accommodations, due consideration shall be given to the following, among other relevant factors: (A) Increases in property taxes, (B) unavoidable increases in operating and maintenance expenses, (C) major capital improvement of the housing accommodations as distinguished from ordinary repair, replacement, and maintenance, (D) increases or decreases in living space, services, furniture, furnishings, or equipment, and (E) substantial deterioration of the housing accommodations, other than ordinary wear and tear, or failure to perform ordinary repair, replacement, or maintenance."

The SPEAKER. The question is on the amendment.

Mr. MARCANTONIO. Mr. Speaker, I demand the yeas and nays.

The SPEAKER. Fifty-three Members have arisen, not a sufficient number.

The yeas and nays were refused.

The question was taken; and on a division (demanded by Mr. MARCANTONIO) there were—ayes 311, noes 47.

So the amendment was agreed to.

The SPEAKER. The Clerk will report the next amendment on which a separate vote has been demanded.

The Clerk read as follows:

On page 25, lines 18 to 24, inclusive, strike out lines 18 to 24, inclusive.

The SPEAKER. The question is on agreeing to the amendment.

The question was taken; and on a division (demanded by Mr. O'HARA of Illinois) there were—ayes 231, noes 145.

Mr. O'HARA of Illinois. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 237, nays 175, not voting 21, as follows:

[Roll No. 31]

YEAS—237

Abbitt	Gary	Morton
Abernethy	Gathings	Murray, Tenn.
Allen, Calif.	Gavin	Murray, Wis.
Allen, Ill.	Gillette	Nelson
Allen, La.	Golden	Nicholson
Andersen, H. Carl	Goodwin	Nixon
	Gossett	Norblad
Anderson, Calif.	Graham	Norrell
Andresen, August H.	Grant	O'Hara, Minn.
	Gross	Pace
Andrews	Gwinn	Passman
Angell	Hagen	Patterson
Arends	Hale	Peterson
Auchincloss	Hall, Edwin Arthur	Pfeiffer, William L.
Baring		
Barrett, Wyo.	Hall, Leonard W.	Phillips, Calif.
Bates, Mass.		Phillips, Tenn.
Battle	Halleck	Pickett
Beall	Hand	Poage
Bennett, Fla.	Harden	Potter
Bennett, Mich.	Hardy	Preston
Bentsen	Hare	Rains
Bishop	Harris	Rankin
Blackney	Harvey	Redden
Boggs, Del.	Hays, Ark.	Reed, Ill.
Boggs, La.	Hébert	Rees
Bolton, Md.	Herlong	Regan
Bolton, Ohio	Herter	Rich
Boykin	Heselton	Richards
Bramblett	Hill	Riehlman
Brehm	Hinshaw	Rivers
Brooks	Hobbs	Rogers, Fla.
Brown, Ga.	Hoeven	Rogers, Mass.
Brown, Ohio	Hoffman, Mich.	Sadlak
Bryson	Holmes	St. George
Burton	Hope	Sanborn
Byrnes, Wis.	Horan	Scott, Hardie
Camp	Jackson, Calif.	Scott, Hugh D., Jr.
Carlyle	James	
Case, N. J.	Jenison	Scrivner
Case, S. Dak.	Jenkins	Scudder
Chatham	Jennings	Shafer
Church	Jensen	Short
Clevenger	Johnson	Sikes
Cole, Kans.	Jones, Ala.	Simpson, Ill.
Cole, N. Y.	Jones, N. C.	Simpson, Pa.
Colmer	Kean	Smathers
Combs	Kearney	Smith, Kans.
Cooley	Kearns	Smith, Va.
Cooper	Keating	Stanley
Corbett	Keefe	Steed
Cotton	Keogh	Stefan
Coudert	Kilburn	Stockman
Cox	Kilday	Taber
Crawford	Kunkel	Tackett
Cunningham	Larcade	Talle
Curtis	Latham	Taylor
Dague	LeCompte	Teague
Davis, Ga.	LeFevre	Thompson
Davis, Tenn.	Lemke	Thornberry
Davis, Wis.	Lichtenwalter	Tollefson
DeGraffenried	Lodge	Towe
D'Ewart	Lovre	Van Zandt
Dolliver	Lucas	Vorys
Dondero	Lyle	Vursell
Doughton	McConnell	Wadsworth
Durham	McCulloch	Weichel
Eaton	McDonough	Werdel
Elliott	McGregor	Wheeler
Ellsworth	McMillen, Ill.	Whitten
Elston	Mack, Wash.	Whittington
Engel, Mich.	Macy	Wickersham
Engle, Calif.	Martin, Iowa	Wigglesworth
Evins	Martin, Mass.	Williams
Fellows	Mason	Willis
Fenton	Merrow	Wilson, Ind.
Fisher	Meyer	Wilson, Tex.
Ford	Michener	Winstead
Frazier	Miller, Md.	Wolcott
Fulton	Miller, Nebr.	Wolverton
Gamble	Morrison	Woodruff

NAYS—175

Addonizio	Bland	Burdick
Albert	Bolling	Burke
Aspinall	Bonner	Burleson
Bailey	Bosone	Burnside
Barrett, Pa.	Breen	Byrne, N. Y.
Bates, Ky.	Buchanan	Canfield
Beckworth	Buckley, Ill.	Cannon
Biemiller	Buckley, N. Y.	Carnahan
Carroll	Jackson, Wash.	O'Neill
Cavalcante	Jacobs	O'Sullivan
Chelf	Javits	O'Toole
Chesney	Jonas	Patman
Christopher	Jones, Mo.	Patten
Chudoff	Judd	Perkins
Clemente	Karst	Pfeifer, Joseph L.
Coffey	Karsten	
Crook	Kee	Philbin
Crosser	Kelley	Polk
Davenport	Kennedy	Powell
Davies, N. Y.	Kerr	Price
Dawson	King	Quinn
Deane	Kirwan	Rabaut
Delaney	Klein	Ramsay
Denton	Kruse	Rhodes
Dingell	Lane	Ribicoff
Dollinger	Lanham	Rodino
Donohue	Lesinski	Rooney
Douglas	Lind	Sabath
Doyle	Linehan	Sadowski
Eberharter	Lynch	Sasscer
Fallon	McCarthy	Secrest
Feighan	McCormack	Sims
Fernandez	McGrath	Spence
Flood	McGuire	Staggers
Fogarty	McKinnon	Stigler
Forand	Mack, Ill.	Sullivan
Fugate	Madden	Sutton
Furcolo	Magee	Tauriello
Garmatz	Mahon	Thomas, Tex.
Gordon	Mansfield	Trimble
Gore	Marcantonio	Underwood
Gorski, Ill.	Marsalis	Vinson
Gorski, N. Y.	Marshall	Wagner
Granahan	Miles	Walsh
Granger	Miller, Calif.	Walter
Green	Mills	Welch, Calif.
Gregory	Mitchell	Welch, Mo.
Harrison	Monroney	Whitaker
Hart	Morgan	White, Calif.
Havenner	Morris	White, Idaho
Hays, Ohio	Moulder	Wier
Hedrick	Multer	Wilson, Okla.
Heffernan	Murdock	Withrow
Heller	Murphy	Woodhouse
Holifield	Noland	Worley
Howell	Norton	Yates
Huber	O'Brien, Ill.	Young
Hull	O'Brien, Mich.	Zablocki
Irving	O'Hara, Ill.	

NOT VOTING—21

Barden	McMillan, S. C.	Sheppard
Blatnik	McSweeney	Smith, Ohio
Bulwinkle	O'Konski	Smith, Wis.
Celler	Plumley	Somers
Chiperfield	Poulson	Thomas, N. J.
Gilmer	Priest	Velde
Hoffman, Ill.	Reed, N. Y.	Wood

So the amendment was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Chiperfield for, with Mr. Blatnik against.

Mr. Reed of New York for, with Mr. Somers against.

Mr. O'Konski for, with Mr. Celler against.

Mr. Smith of Wisconsin for, with Mr. McSweeney against.

Additional general pairs:

Mr. Wood with Mr. Plumley.

Mr. Barden with Mr. Poulson.

Mr. Sheppard with Mr. Smith of Ohio.

Mr. McMillan of South Carolina with Mr. Velde.

Mr. Priest with Mr. Hoffman of Illinois.

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the amendment as amended.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. WOLCOTT. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. WOLCOTT. I am, Mr. Speaker.

The SPEAKER. The gentleman qualifies. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. WOLCOTT moves that the bill H. R. 1731 be recommitted to the Committee on Banking and Currency with instructions to report the same back forthwith with the following amendment: On page 25 beginning in line 17, strike out all of titles 2 and 3 of the bill and insert in lieu thereof the following:

"Title 2, maximum rents: Section 201, subsections (a) and (f) of section 204 of the Housing and Rent Act of 1947, as amended, are each amended by striking out 'March 31, 1949', and inserting in lieu thereof 'June 30, 1949'."

Mr. SPENCE. Mr. Speaker, on that I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

Mr. SPENCE. I demand the yeas and nays, Mr. Speaker.

The yeas and nays were ordered.

The question was taken; and there were—yeas 154, nays 260, not voting 19, as follows:

[Roll No. 32]

YEAS—154

Abernethy	Goodwin	Murray, Wis.
Allen, Calif.	Gossett	Nicholson
Allen, Ill.	Graham	Nixon
Andersen, H. Carl	Gwinn	Norblad
	Hagen	O'Hara, Minn.
Anderson, Calif.	Hale	Peterson
Andresen, August H.	Hall, Leonard W.	Pfeiffer, William L.
		Phillips, Calif.
Angell	Halleck	Phillips, Tenn.
Arends	Harden	Potter
Barrett, Wyo.	Hare	Rankin
Bates, Mass.	Harvey	Reed, Ill.
Beall	Herlong	Rees
Bennett, Mich.	Hill	Rich
Bishop	Hinshaw	Richards
Blackney	Hoeven	Riehlman
Boggs, Del.	Hoffman, Mich.	Rivers
Bolton, Md.	Hope	Rogers, Fla.
Bolton, Ohio	Horan	Rogers, Mass.
Boykin	Jackson, Calif.	Sadlak
Bramblett	James	St. George
Brehm	Jenison	Sanborn
Brown, Ohio	Jenkins	Scott, Hugh D., Jr.
Bryson	Jennings	
Byrnes, Wis.	Jensen	Scrivner
Case, S. Dak.	Johnson	Scudder
Church	Jonas	Shafer
Clevenger	Kearns	Short
Cole, Kans.	Keefe	Simpson, Ill.
Cole, N. Y.	Kilburn	Simpson, Pa.
Colmer	Kunkel	Smith, Kans.
Cotton	Latham	Smith, Va.
Cox	LeCompte	Stefan
Crawford	LeFevre	Stockman
Cunningham	Lemke	Taber
Curtis	Lichtenwalter	Talle
Dague	Lovre	Teague
Davis, Ga.	McConnell	Towe
Davis, Wis.	McCulloch	Van Zandt
D'Ewart	McDonough	Velde
Dolliver	McGregor	Vorys
Dondero	McMillan, S. C.	Vursell
Eaton	McMillen, Ill	Wadsworth
Ellsworth	Macy	Weichel
Elston	Martin, Iowa	Werdel
Fellows	Martin, Mass.	Whittington
Fenton	Mason	Wigglesworth
Ford	Merrow	Williams
Gamble	Meyer	Wilson, Ind.
Gathings	Michener	Winstead
Gavin	Miller, Md.	Wolcott
Gillette	Miller, Nebr.	Woodruff
Golden	Murray, Tenn.	

NAYS—260

Abbitt	Bailey	Bentsen
Addonizio	Baring	Biemiller
Albert	Barrett, Pa.	Bland
Allen, La.	Bates, Ky.	Boggs, La.
Andrews	Battle	Bolling
Aspinall	Beckworth	Bonner
Auchincloss	Bennett, Fla.	Bosone

Breen
Brooks
Brown, Ga.
Buchanan
Buckley, Ill.
Buckley, N. Y.
Burdick
Burke
Burleson
Burnside
Burton
Byrne, N. Y.
Camp
Canfield
Cannon
Carlyle
Carnahan
Carroll
Case, N. J.
Cavalcante
Chatham
Chelf
Chesney
Christopher
Chudoff
Clemente
Coffey
Combs
Cooley
Cooper
Corbett
Coudert
Crook
Crosser
Davenport
Davies, N. Y.
Davis, Tenn.
Dawson
Deane
DeGraffenried
Delaney
Denton
Dingell
Dollinger
Donohue
Doughton
Douglas
Doyle
Durham
Eberharter
Elliott
Engel, Mich.
Engle, Calif.
Evins
Fallon
Feighan
Fernandez
Fisher
Flood
Fogarty
Forand
Frazier
Fugate
Fulton
Furcolo
Garmatz
Gary
Gordon
Gore
Gorski, Ill.
Gorski, N. Y.
Granahan
Granger
Grant
Green
Gregory
Gross
Hall,
Edwin Arthur
Hand
Hardy
Harris
Harrison
Hart
Havenner
Hays, Ark.
Hays, Ohio
Hébert
Hedrick
Heffernan
Heller
Herter
Heselton
Hobbs
Holifield
Holmes
Howell
Huber
Hull
Irving
Jackson, Wash.
Jacobs
Javits
Jones, Ala.
Jones, Mo.
Jones, N. C.
Judd
Karst
Karsten
Kean
Kearney
Keating
Kee
Kelley
Kennedy
Keogh
Kerr
Kilburn
Kilday
King
Kirwan
Klein
Kruse
Lane
Lanham
Larcade
Lesinski
Lind
Lyle
Lynch
McCarthy
McConnell
McCormack
McGrath
McGuire
McKinnon
Mack, Ill.
Mack, Wash.
Madden
Magee
Mahon
Mansfield
Marcantonio
Marsalis
Marshall
Miles
Miller, Calif.
Mills
Mitchell
Monroney
Morgan
Morris
Morrison
Morton
Moulder
Multer
Murdock
Murphy
Nelson
Noland
Norrell
Norton
O'Brien, Ill.
O'Brien, Mich.
O'Hara, Ill.
O'Neill
O'Sullivan
O'Toole
Pace
Passman
Patman
Patten
Patterson
Perkins
Pfeifer,
Joseph L.
Philbin
Pickett
Poage
Polk
Powell
Preston
Price
Priest
Quinn
Rabaut
Rains
Ramsay
Redden
Regan
Rhodes
Ribicoff
Rodino
Rooney
Sabath
Sadowski
Sasscer
Scott, Hardie
Secrest
Sikes
Sims
Smathers
Spence
Staggers
Stanley
Steed
Stigler
Sullivan
Sutton
Tackett
Tauriello
Taylor
Thomas, Tex.
Thompson
Thornberry
Tollefson
Trimble
Underwood
Vinson
Wagner
Walsh
Walter
Welch, Calif.
Welch, Mo.
Wheeler
White, Calif.
White, Idaho
Whitten
Wickersham
Wier
Willis
Wilson, Okla.
Wilson, Tex.
Withrow
Wolverton
Woodhouse
Worley
Yates
Young
Zablocki

NOT VOTING—19

Barden
Blatnik
Bulwinkle
Celler
Chiperfield
Gilmer
Hoffman, Ill.
McSweeney
O'Konski
Plumley
Poulson
Reed, N. Y.
Sheppard
Smith, Ohio
Smith, Wis.
Somers
Thomas, N. J.
Whitaker
Wood

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Chiperfield for, with Mr. Blatnik against.

Mr. Reed of New York for, with Mr. Somers against.

Mr. O'Konski for, with Mr. Celler against.

Mr. Smith of Wisconsin for, with Mr. McSweeney against.

Mr. Plumley for, with Mr. Whitaker against.

Mr. Barden for, with Mr. Gilmer against.

Additional general pairs:

Mr. Wood with Mr. Smith of Ohio.

Mr. Sheppard with Mr. Poulson.

Mr. Bulwinkle with Mr. Hoffman of Illinois.

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the passage of the bill.

Mr. SPENCE. Mr. Speaker, on the final passage I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 261, nays 153, not voting 19, as follows:

[Roll No. 33]

YEAS—261

Abbitt
Addonizio
Allen, La.
Andrews
Aspinall
Auchincloss
Bailey
Baring
Barrett, Pa.
Bates, Ky.
Bates, Mass.
Battle
Beckworth
Bennett, Fla.
Bennett, Mich.
Bentsen
Biemiller
Bland
Boggs, La.
Bolling
Bonner
Bosone
Breen
Brooks
Brown, Ga.
Bryson
Buchanan
Buckley, Ill.
Buckley, N. Y.
Burdick
Burke
Burnside
Burton
Byrne, N. Y.
Camp
Canfield
Cannon
Carlyle
Carnahan
Carroll
Case, N. J.
Cavalcante
Chelf
Chesney
Christopher
Chudoff
Clemente
Coffey
Combs
Cooley
Cooper
Corbett
Coudert
Crook
Crosser
Davenport
Davies, N. Y.
Davis, Tenn.
Dawson
Deane
DeGraffenried
Delaney
Denton
Dingell
Dollinger
Donohue
Douglas
Doyle
Durham
Eberharter
Elliott
Engel, Mich.
Engle, Calif.
Evins
Fallon
Feighan
Fenton
Flood
Fogarty
Forand
Frazier
Fugate
Fulton
Furcolo
Garmatz
Gary
Gordon
Gore
Gorski, Ill.
Gorski, N. Y.
Granahan
Granger
Grant
Green
Gregory
Gross
Hall,
Edwin Arthur
Hall,
Leonard W.
Hand
Hardy
Hart
Havenner
Hays, Ark.
Hays, Ohio
Hébert
Hedrick
Heffernan
Heller
Herter
Heselton
Hinshaw
Hobbs
Holifield
Holmes
Horan
Howell
Huber
Hull
Irving
Jackson, Wash.
Jacobs
James
Javits
Johnson
Jonas
Jones, Ala.
Jones, Mo.
Jones, N. C.
Judd
Karst
Karsten
Kean
Kearney
Kearns
Keating
Kee
Kelley
Kennedy
Keogh
Kerr
Kilburn
King
Kirwan
Klein
Kruse
Kunkel
Lane
Larcade
Latham
LeFevre
Lesinski
Lichtenwalter
Lind
Linehan
Lodge
Lynch
McCarthy
McConnell
McCormack
McDonough
McGrath
McGuire
McKinnon
Mack, Ill.
Mack, Wash.
Madden
Magee
Mansfield
Marcantonio
Marsalis
Marshall
Martin, Mass.
Miles
Miller, Calif.
Mitchell
Monroney
Morgan
Morris
Morrison
Morton
Moulder
Multer
Murdock
Murphy
Nelson
Nixon
Noland
Norblad
Norton
O'Brien, Ill.
O'Brien, Mich.
O'Hara, Ill.
O'Neill
O'Sullivan
O'Toole
Pace
Patman
Patten
Patterson
Perkins
Pfeifer,
Joseph L.
Pfeiffer,
William L.
Philbin
Polk
Powell
Price
Priest
Quinn
Rabaut
Rains
Ramsay
Rhodes
Ribicoff
Riehlman
Rivers
Rodino
Rogers, Mass.
Rooney
Sabath
Sadlak
Sadowski
St. George
Sasscer
Scott, Hardie
Scott,
Hugh D., Jr.
Secrest
Sikes
Sims
Smathers
Spence
Staggers
Stigler
Sullivan
Sutton
Talle
Tauriello
Taylor
Thomas, Tex.
Thornberry
Tollefson
Trimble
Underwood
Van Zandt
Vinson
Wagner
Walsh
Walter
Welch, Calif.
Welch, Mo.
White, Calif.
Wier
Wigglesworth
Williams
Willis
Withrow
Wolverton
Woodhouse
Yates
Young
Zablocki

NAYS—153

Abernethy
Albert
Allen, Calif.
Allen, Ill.
Andersen,
H. Carl
Anderson, Calif.
Andresen,
August H.
Angell
Arends
Barrett, Wyo.
Beall
Bishop
Blackney
Boggs, Del.
Bolton, Md.
Bolton, Ohio
Boykin
Bramblett
Brehm
Brown, Ohio
Burleson
Byrnes, Wis.
Case, S. Dak.
Chatham
Church
Clevenger
Cole, Kans.
Cole, N. Y.
Colmer
Cotton
Cox
Crawford
Cunningham
Curtis
Dague
Davis, Ga.
Davis, Wis.
D'Ewart
Dolliver
Dondero
Doughton
Eaton
Ellsworth
Elston
Fellows
Fernandez
Fisher
Ford
Gathings
Gavin
Gillette
Golden
Goodwin
Gossett
Graham
Gwinn
Hagen
Hale
Halleck
Harden
Hare
Harris
Harrison
Harvey
Herlong
Hill
Hoeven
Hoffman, Mich.
Hope
Jackson, Calif.
Jenison
Jenkins
Jennings
Jensen
Keefe
Kilday
Lanham
LeCompte
Lemke
Lovre
Lucas
Lyle
McCulloch
McGregor
McMillan, S. C.
McMillen, Ill.
Macy
Mahon
Martin, Iowa
Mason
Merrow
Meyer
Michener
Miller, Md.
Miller, Nebr.
Mills
Murray, Tenn.
Murray, Wis.
Nicholson
Norrell
O'Hara, Minn.
Passman
Peterson
Phillips, Calif.
Phillips, Tenn.
Pickett
Poage
Potter
Preston
Rankin
Redden
Reed, Ill.
Rees
Regan
Rich
Richards
Rogers, Fla.
Sanborn
Scrivner
Scudder
Shafer
Short
Simpson, Ill.
Simpson, Pa.
Smith, Kans.
Smith, Va.
Stanley
Steed
Stefan
Stockman
Taber
Tackett
Teague
Thompson
Towe
Velde
Vorys
Vursell
Wadsworth
Weichel
Werdel
Wheeler
White, Idaho
Whitten
Whittington
Wickersham
Wilson, Ind.
Wilson, Okla.
Wilson, Tex.
Winstead
Wolcott
Woodruff
Worley

NOT VOTING—19

Barden
Blatnik
Bulwinkle
Celler
Chiperfield
Gilmer
Hoffman, Ill.
McSweeney
O'Konski
Plumley
Poulson
Reed, N. Y.
Sheppard
Smith, Ohio
Smith, Wis.
Somers
Thomas, N. J.
Whitaker
Wood

So the bill was passed.

The Clerk announced the following pairs.

On this vote:

Mr. Blatnik for, with Mr. Chiperfield against.

Mr. Somers for, with Mr. Reed of New York against.

Mr. Celler for, with Mr. O'Konski against.

Mr. McSweeney for, with Mr. Smith of Wisconsin against.

Mr. Whitaker for, with Mr. Plumley against.

Mr. Gilmer for, with Mr. Wood against.

Additional general pairs:

Mr. Barden with Mr. Poulson.

Mr. Bulwinkle with Mr. Smith of Ohio.

Mr. Sheppard with Mr. Hoffman of Illinois.

The result of the vote was announced as above recorded. A motion to reconsider was laid on the table.

Mr. SPENCE. Mr. Speaker, I ask unanimous consent that all Members may have five legislative days to extend their remarks in the RECORD on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

KEEP THE FARM INCOME AT PARITY! WHEN OUR FARMERS ARE PROSPEROUS AMERICA IS PROSPEROUS; THE NATIONAL INCOME OF THESE UNITED STATES IS ALWAYS SEVEN TIMES THE FARM INCOME

Mrs. BOLTON of Ohio. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and to include therein the names and addresses of the county and community agricultural program committeemen for each county of my district.

The SPEAKER. Is there objection to the request of the gentlewoman from Ohio [Mrs. BOLTON]?

There was no objection.

Mrs. BOLTON of Ohio. Mr. Speaker, agriculture is the basic industry of our country. The men who produce the fat, the food, and the fiber for this Nation are the producers of the indispensables of life.

Mr. Speaker, not alone do all the cities need the products of the farms to sustain life, but we in the cities also need the purchasing power of our farmers in order to keep the wheels of progress going in our city Industries.

Our farmers are entitled to receive for the things which they produce and sell a price commensurate with the cost of the products of industry which they buy. It was to effect such parity of price that the system of appointing farm committees was established.

These agricultural conservation committees, made up entirely of the farmers themselves, are appointed each year locally to administer the affairs of agriculture in their own districts with respect to the statutes and appropriations which we make in this House, both as to soil conservation benefits and such other subsidies as are voted.

Cuyahoga, Lake, and Geauga Counties in my district, the Twenty-second District of Ohio, are rich agricultural producing areas. Happy I am to say that they rank in the front ranks of all such producing areas in the United States.

I have just received a list of the agricultural conservation committees who are to serve this year. That list contains the names of some of the finest people in my district, and it is in order that I may make the complete list of these committees available to the farmers in my district that I ask to insert the same in the RECORD.

The list is as follows:

LIST OF CUYAHOGA COUNTY AND COMMUNITY COMMITTEEMEN, CUYAHOGA, OHIO

COUNTY COMMITTEE

Home address, Cuyahoga County Agricultural Conservation Association, room 203, 1276 West Third Street, Cleveland, Ohio.

Chairman, George W. Nichols, 89 Columbus Road, Bedford, Ohio.

Vice chairman, Joseph R. Shebanek, 1593 Sheffield Road, South Euclid, Ohio.

Member, Helen E. Gedeon, 9600 Ridge Road, Brecksville, Ohio.

Alternate, Lee C. Usher, Usher Road, Olmsted Falls, Ohio.

Alternate, Herman L. Christensen, 2867 Wooster Road, Rocky River, Ohio.

COMMUNITY COMMITTEES

Bedford district

Chairman, George M. Johnston, 1297 Alexander Road, Bedford.

Vice chairman, George L. Laing, Solon Road, Bedford.

Member, Joseph A. Benko, 669 Columbus Road, Bedford.

Alternate, Harold N. Athey, Walton Road, Bedford.

Brecksville district

Chairman, Ralph D. Mackey, 7 Dewey Road, Brecksville.

Vice chairman, Clair H. Bourne, Miller Road, Brecksville.

Member, Bert B. Hinckley, Wiese Road, Brecksville.

Alternate, John L. Schlund, 51 Fitzwater Road, Brecksville.

Alternate, Vera W. McCreery, 76 Mill Road, Brecksville.

Euclid district

Chairman, Albert P. Marous, Wilson Mills Road, South Euclid.

Vice chairman, Harry M. Lockemer, 640 S. O. M. Center Road, Gates Mills.

Member, James W. Vitek, 4839 Anderson Road, South Euclid.

Alternate, John P. Florian, 672 Trebisky Road, South Euclid.

Olmsted district

Chairman, Lee C. Usher, Usher Road, Olmsted Falls.

Vice chairman, David A. Barnard, Cook Road, North Olmsted.

Member, Franklin C. Bislich, Fitch Road, North Olmsted.

Alternate, George Rados, Ruple Road, Berea.

Alternate, Charles W. Stone, Sprague Road, Columbia Station.

Parma district

Chairman, Harold W. Selzer, Pearl Road, Route 1, Berea.

Vice chairman, Andrew H. Rosbough, Engle Road, Berea.

Member, Wilber C. Kaiser, 7261 York Road, Parma.

Alternate, Henry J. Wensink, Hummel Road, Route 3, Berea.

Alternate, Jacob C. Walters, Jr., Engle Road, Berea.

Solon district

Chairman, George J. Craemer, S. O. M. Center Road, Solon.

Vice Chairman, Albert E. Hennig, North Miles Road, Solon.

Member, Norman P. Herbell, Chagrin Falls.

Alternate, Robert L. Stern, Jackson Road, Chagrin Falls.

Alternate, Natt R. Davis, Holbrook Road, Chagrin Falls.

Strongsville district

Chairman, Harvey Uhinck, Howe Road, Brunswick.

Vice chairman, Noris A. Sperber, Drake Road, Strongsville.

Member, Fred W. Grosser, Route 3, Brecksville.

Alternate, Harold S. Jacque, Abbey Road, North Royalton.

Westlake district

Chairman, Herman L. Christensen, 2867 Wooster Road, Rocky River.

Vice chairman, Edward H. Lehman, 25057 Detroit Road, Westlake.

Member, Leonard H. Williams, 28207 Center Ridge Road, Westlake.

Alternate, Allen Deeks, 22591 Center Ridge Road, Westlake.

Alternate, Lawrence G. Borth, 1557 Canterbury Road, Westlake.

LIST OF GEAUGA COUNTY AND COMMUNITY COMMITTEEMEN, GEAUGA, OHIO

COUNTY COMMITTEE

Home address: Geauga County Agricultural Conservation Association, Old School Building, Burton.

Chairman, James D. Sidley, Thompson.

Vice chairman, Clifton Rossiter, Chardon, Route 2.

Member, Harry C. Evans, East Claridon.

Alternate, George C. Bliss, Novelty.

Alternate, Jack F. Kramer, Burton, Route 1.

COMMUNITY COMMITTEES

Auburn community

Chairman, Jack F. Kramer, Burton, Route 1.

Vice chairman, Robert G. Squire, Burton, Route 1.

Member, Lawrence J. May, Chagrin Falls, Route 2.

Alternate, Ernest L. Hall, Mantua.

Alternate, J. Lloyd Squire, Burton, Route 1.

Bainbridge community

Chairman, Cleon C. Taylor, Chagrin Falls, Route 1.

Vice chairman, Frank C. Marcus, Chagrin Falls, Route 2.

Member, Howard S. Taylor, Chagrin Falls, Route 1.

Alternate, Lester R. Haskins, Chagrin Falls, Route 2.

Alternate, Virgil A. Mitchell, Chagrin Falls, Route 1.

Burton community

Chairman, F. Ernest Kibler, Burton, Route 2.

Vice chairman, Burton Fish, Burton, Route 2.

Member, Robert A. Newcomb, Burton, Route 2.

Alternate, Lillian M. Walter, Burton.

Alternate, Frank J. Urbanowicz, Burton, Route 2.

Chardon community

Vice chairman, Ralph P. Dewalt, Chardon, Route 3.

Member, Harry L. Osborn, Chardon, Route 3.

Alternate, Jay M. Sage, Chardon, Route 3.

Alternate, Ernest A. Parker, Chardon, Route 3.

Chester community

Chairman, Raymond A. Craig, Chesterland.

Vice chairman, Charles A. Sweet, Chesterland.

Member, Clay B. Eddy, Chesterland.

Alternate, Lawrence Battles, Chesterland.

Alternate, Robert L. Barnes, Chardon, Route 2.

Claridon community

Chairman, Harlon E. Krum, Huntsburg.

Vice chairman, Bartlett Warner, Huntsburg.

Member, J. Ray Evans, Chardon, Route 1.

Alternate, John T. Rider, Chardon, Route 1.

Alternate, Paul W. McNish, Burton.

Hambden community

Chairman, Fredric C. Zikursh, Chardon, Route 4.

Vice chairman, Charles J. Koritansky, Chardon, Route 4.

Member, Jerry Blasek, Chardon, Route 4.

Alternate, Joe Veverka, Chardon, Route 1.

Alternate, Edward Vanac, Chardon, Route 4.

Huntsburg community

Chairman, Howard O. Barnes, Middlefield.

Vice chairman, Hilda A. Barnes, Middlefield.

Member, John S. White, Huntsburg.

Alternate, Frank H. Adams, Huntsburg.

Alternate, Vaughn Arnold, Huntsburg.

Middlefield community

Chairman, Harry W. Rosengreen, Middlefield.
Vice chairman, Merritt C. Lyman, Middlefield.
Member, Albert F. Faust, Middlefield.
Alternate, Glade R. Hoskins, Middlefield.
Alternate, George H. Stone, Middlefield.

Montville community

Chairman, James D. Sidley, Thompson.
Vice chairman, Marton A. Beardsley, Chardon, Route 4.
Member, Eldon L. Rhodes, Chardon, Route 4.
Alternate, Rudolph F. Meier, Montville.
Alternate, Hugh L. Leggett, Huntsburg.

Munson community

Chairman, Warren W. Arnold, Chardon, Route 2.
Vice chairman, Varon J. Warner, Chardon, Route 2.
Member, Harold L. Sanborn, Chardon, Route 2.
Alternate, Lloyd C. Herrington, Chardon, Route 2.
Alternate, Elmer A. Summers, Chardon, Route 2.

Newbury community

Chairman, Henry Povolny, Barton, Route 1.
Vice chairman, James J. Teichman, Novelty.
Member, Harold B. Thomas, Chardon, Route 2.
Alternate, Frank Sedivy, Novelty.
Alternate, Frederick W. Kleve, Novelty.

Parkman community

Chairman, Frank S. Cone, Middlefield, Route 3.
Vice chairman, Melbourn C. Owen, West Farmington.
Member, Roger M. Hoxter, Parkman.
Alternate, Pete Downs, West Farmington.
Alternate, Victor A. Hosmer, Garrettsville.

Russell community

Chairman, George C. Bliss, Novelty.
Vice chairman, Joe Klouda, Novelty.
Member, Francis H. Newyear, Novelty.
Alternate, Harry P. Modroo, Chagrin Falls.
Alternate, Mathew K. Goesting, Novelty.

Thompson community

Chairman, Paul M. Maier, Madison, Route 2.
Vice chairman, Lawrence Beckel, Thompson.
Member, John F. Strava, Thompson.
Alternate, Roy C. Andrews, Thompson.
Alternate, Paul W. Wilber, Thompson.

Troy community

Chairman, Arthur J. Kimpton, Garrettsville.
Vice chairman, Neil C. White, Burton, Route 2.
Member, Eldon H. Russell, Burton, Route 2.
Alternate, Melvin W. Wood, Burton, Route 2.
Alternate, Benjamin R. Bieger, Burton, Route 2.

LIST OF COUNTY AND COMMUNITY COMMITTEEMEN, LAKE COUNTY, OHIO, 1949

(Lake County Agricultural Conservation Association, 16 North Saint Clair Street, Painesville, Ohio.)

COUNTY COMMITTEE

Chairman, Hermon L. Mantle, Painesville, Ohio.
Vice chairman, Lynn Plaisted, Route 1, Willoughby, Ohio.
Member, H. Russell Adams, Perry, Ohio.
First alternate, Lloyd P. Christian, Perry, Ohio.
Second alternate, Edward H. Bucholtz, Route 3, Painesville, Ohio.

COMMUNITY COMMITTEES

Concord Township

Chairman, Edward H. Bucholtz, Route 3, Painesville, Ohio.
Vice chairman, Ralph D. Webster, Route 3, Painesville, Ohio.
Member, Fred A. Anderson, Route 3, Painesville, Ohio.
Alternate, Charles Hladik, Route 3, Painesville, Ohio.
Alternate, Clifford D. Webster, Route 3, Painesville, Ohio.

Kirtland Township

Chairman, John A. Maier, Route 2, Willoughby, Ohio.
Vice chairman, Samuel B. Schupp, Route 2, Willoughby, Ohio.
Member, James Horner, Route 2, Willoughby, Ohio.
Alternate, Albert H. Mueller, Route 2, Willoughby, Ohio.
Alternate, Harry Silvers, Route 3, Mentor, Ohio.

Leroy Township

Chairman, Carl E. Crellin, Route 2, Painesville, Ohio.
Vice chairman, Edward E. Lajnar, Route 2, Painesville, Ohio.
Member, Frank Berta, Route 2, Painesville, Ohio.
Alternate, Elias N. Harrison, Route 2, Painesville, Ohio.
Alternate, Henry Farnolz, Route 3, Painesville, Ohio.

Madison Township

Chairman, Charles L. Sohn, Route 3, Madison, Ohio.
Vice chairman, Horace C. Fuller, Route 1, Madison, Ohio.
Member, William T. Baster, Madison, Ohio.
Alternate, J. Taylor Baster, Madison, Ohio.
Alternate, Charles A. Greenman, Madison, Ohio.

Mentor Township

Chairman, Horace J. Wilson, Mentor, Ohio.
Vice chairman, Elea E. Shaw, Route 1, Mentor, Ohio.
Member, Charles Robertson, Route 3, Mentor, Ohio.
Alternate, Raymond E. Siegel, Route 2, Mentor, Ohio.
Alternate, E. Murray Kephart, Route 1, Mentor, Ohio.

Painesville Township

Chairman, William A. Youmans, Route 1, Painesville, Ohio.
Vice chairman, Ralph W. Taylor, Rural Delivery, Painesville, Ohio.
Member, Louis T. Curtis, Route 2, Painesville, Ohio.
Alternate, Joseph W. Patterson, Route 2, Painesville, Ohio.
Alternate, Rufus J. Cowle, Route 2, Painesville, Ohio.

Perry Township

Chairman, Lloyd P. Christian, Perry, Ohio.
Vice chairman, Herbert J. Langshaw, Perry, Ohio.
Member, Ralph E. Shepard, Perry, Ohio.
Alternate, Frank E. Brown, Perry, Ohio.
Alternate, Paul Brockway, Perry, Ohio.

Willoughby Township

Chairman, William R. Mahon, box 442, Willoughby, Ohio.
Vice chairman, Ronald S. Parsons, Erie Road, Willoughby, Ohio.
Member, Harvey Tanner, Lost Nation Road, Willoughby, Ohio.
Alternate, H. J. Stokes, Route 1, Willoughby, Ohio.
Alternate, John A. Kusar, Lakeland Boulevard, Willoughby, Ohio.

SPECIAL ORDER GRANTED

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent that today, following any special orders heretofore entered, I may be permitted to address the House for 2 minutes.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

EXTENSION OF REMARKS

Mr. DINGELL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by paying tribute to the late Hon. Sol. Bloom.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. EVINS (at the request of Mr. PRIEST) was given permission to extend his remarks in the RECORD and include a radio script.

Mr. PRIEST asked and was given permission to extend his remarks in the RECORD and include an address delivered by his colleague the gentleman from Tennessee [Mr. EVINS].

Mr. McKINNON asked and was given permission to extend his remarks in the RECORD and include a speech.

Mr. POAGE asked and was given permission to extend his remarks in the RECORD and include telegrams.

Mr. DONOHUE asked and was given permission to extend his remarks in the RECORD and include a magazine article.

Mr. LODGE asked and was given permission to extend his remarks in the RECORD and include an article.

Mr. MURRAY of Wisconsin asked and was given permission to extend his remarks in the RECORD in two instances and include in one a letter.

PAN-AMERICAN DAY

Mr. MANSFIELD. Mr. Speaker, I offer a resolution (H. Res. 151) and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That the House of Representatives hereby designates Thursday, April 14, 1949, for the celebration of Pan-American Day on which day remarks appropriate to such occasion may occur.

The resolution was agreed to.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. JENSEN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD, and to include a speech by Mr. Kent Leavitt.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

APPOINTMENT TO COMMITTEE

The SPEAKER. Pursuant to the provisions of Public Law 155, Seventy-ninth Congress, the Chair appoints as a member of the Committee on Plans for Reconstruction of the Ceiling, Redecorations, and Other Improvements to the House Chamber the gentleman from New York [Mr. HEFFERNAN] to fill the existing vacancy thereon.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. CHIPERFIELD (at the request of Mr. ARENDS), indefinitely, on account of illness.

HOUR OF MEETING TOMORROW AND PROGRAM FOR REMAINDER OF WEEK

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11 o'clock tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mr. MARTIN of Massachusetts. Reserving the right to object, Mr. Speaker, and of course, I am not going to object, can the gentleman tell us the program for Friday?

Mr. McCORMACK. It is not the intention that the House meet on Friday. That is the direct answer, without regard to the completion of the program tomorrow, except that if possible I should like to complete the program I had for this week up until tomorrow. That includes three resolutions giving the ordinary subpena powers to three committees, the Committee on Agriculture, the Committee on Judiciary, and one other. The consideration of those resolutions should not take long. They will come up first.

There is also a bill out of the Committee on Armed Services in connection with personnel of the Army and the Air Corps.

Further, there is the Arab-Palestine resolution, from the Committee on Foreign Affairs.

I am very hopeful that that program will be completed tomorrow, and that is why I am asking that the House meet at 11 o'clock tomorrow. Otherwise, there will be no further business for the rest of the week.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The SPEAKER. Under previous order of the House, the gentlewoman from Massachusetts [Mrs. ROGERS] is recognized for 2 minutes.

VETERANS' HOSPITALS

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include a very fine statement by the American Legion before Senator PEPPER's subcommittee on the cut-back in the veterans' hospitals. I was privileged to hear this able presentation of the case by Gen. John Thomas Taylor.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, Members of Congress, veterans' organizations, veterans, and the population generally were very much shocked when the news of the statement by General Gray came regarding the cut-back—I understand he was not responsible for it—of numerous veterans' hospitals. It was an administration cut-back. I am reliably informed that this morning before Senator PEPPER's committee the budget took the full responsibility for the cut-back. General Gray has stated that he was not responsible for it. Many persons are wondering if the budget had the right to cut those hospitals back. The Congress authorized the building of those hospitals, Veterans' Administration had approved, the appropriation was ready, and it is still in the appropriation bill that is coming up for action very shortly from the Committee on Appropriations, I ascertained today. I doubt if any further legislation is necessary to insure the building of these hospitals. It seems that the will and the authority of the Congress have been thwarted in this. The need is extremely great. We will have great suffering among the ill and injured veterans if they are not built. The veterans today cannot get beds in civilian hospitals. These buildings are all ready to be erected. They should be built without a day's delay.

STATEMENT BY T. O. KRAABEL, DIRECTOR, NATIONAL REHABILITATION COMMISSION, THE AMERICAN LEGION, BEFORE THE SENATE COMMITTEE ON LABOR AND PUBLIC WELFARE, MARCH 10, 1949

LEGION POLICY ON HOSPITALIZATION

The American Legion believes in the hospitalization of veterans by or under the auspices of the Veterans' Administration. This belief and this advocacy refer to veterans who require hospital care, who apply for it, and who are eligible. At its first national convention in November 1919 the fourth and fifth points of a program for wounded and disabled service persons read as follows:

"4. Recommend to Congress the enactment of legislation making sufficient appropriation to provide adequate hospital and sanitarium facilities for the care and treatment of all persons discharged from the military and naval service of the United States, and to provide medical and surgical treatment to any of the persons mentioned above, irrespective of the service origin or aggravation of their disability for 1 year subsequent to the passage of the act, this in addition to the medical and surgical treatment now provided by law.

"5. Request that all disabled ex-service men and women of the military and naval service of the United States be permitted to go to the best hospitals; that they be treated by their own physicians if they so desire."

Similar expressions were passed at succeeding conventions, as follows:

1921—Recommendation No. 3, committee on rehabilitation: That Congress be urged to complete its hospitalization program in accordance with the recommendations of the White committee and with the end in view that, subject to needed exceptions, all disabled men receive treatment in Government hospitals.

1923—Recommendation No. 49, convention rehabilitation committee: That all facilities of the Veterans' Bureau for the treatment and hospitalization of present beneficiaries, including transportation to and from place of treatment, be made available to all honorably discharged veterans of the military or naval forces of the United States, without regard to service connection.

1926—Resolution 16: Section 202 (10), World War Veterans Act, be amended to provide hospitalization for officers and enlisted men of Army, Navy, and Marine Corps in retirement status.

1928—Resolution 13: Hospitalization of World War veterans under section 202 (10), World War Veterans Act, be mandatory, and additional facilities, if needed, be provided.

Resolution 15: Section 202 (10), World War Veterans Act, be amended to provide that a veteran of any war, military occupation or military expedition who presents evidence of service under other than dishonorable conditions shall be entitled to hospitalization.

1930—Resolution 339: Hospitalization under section 202 (10), World War Veterans Act, be mandatory, and adequate hospital facilities for this purpose be furnished.

1931—Resolution 32: Hospitalization under section 202 (10), World War Veterans Act, be mandatory, and adequate hospital facilities be furnished for this purpose.

Resolution 43: Amend World War Veterans Act eliminating the "pauper" or "need" clauses in said act.

1932—Resolution 20: Condemns "needs clause" in veterans' legislation.

1933—Resolution 382, four-point program: Point No. 2: Federal hospitalization be afforded all veterans not dishonorably discharged who require same and are not able to reasonably pay for their own treatment.

Resolution 154: Care and treatment of war veterans is the responsibility of the Federal Government.

1934—Resolution 234: The Legion is proponent for hospitalization in Federal hospitals for disabilities not service incurred only when it is actually necessary and in cases where the veteran is unable to pay for care privately. This is a privilege granted to all citizens in similar circumstances in private or public hospitals. The responsibility for the medical care of the civilian group is in the community; the responsibility for the care of the veteran who fought for the whole people is vested in the Federal Government.

1936—Resolution 524 reaffirms the Legion's policy that hospitalization of veterans is a responsibility of the Federal Government.

The above forms a foundation upon which this organization approaches the question before this committee today.

FINDINGS AND RECOMMENDATIONS, PRESIDENTIAL COMMISSION, 1921

The American Legion appreciates the opportunity of being heard on the crucial question of the Veterans' Administration hospital construction cut-back. We feel there is much involved, and for that reason we submit a historical summary of what the Congress, the Veterans' Administration, and the American Legion have done since the close of World War I.

The confusing and perplexing situation which existed in the years immediately following that war with reference to service to and treatment of veterans challenged not only the American Legion but also the Government itself. Early in 1921 the then President of the United States appointed a committee of prominent citizens to make a "thorough investigation and report with recommendations to the President as to what should be done to correct the entire situation." The members of that committee were: Charles G. Dawes, chairman; Theodore Roosevelt; Milton J. Foreman; John L. Lewis; F. W. Galbraith, Jr.; Mabel T. Boardman; T. V. O'Connor; Henry S. Berry; Mrs. Henry R. Rea; Thomas W. Miller; Franklin D'Olier.

The report of that committee contains the following significant and definite findings:

"Lack of provision for hospital construction to provide facilities commensurate with the proved and declared needs of the immediate future and for some years to come has been of such a degree as to prevent even the most willing cooperation among Government departments from providing hospital and medical care so distributed as to place and quality of service to accommodate the invalid wards of the Nation. It is clear that although additional beds in hospitals maintained by the several departments of the Government are available complete use of them has not been possible by reason of certain fundamental limitations, chief of which is the lack of legal authority to secure adequate medical, nursing, and other hospital personnel.

"The resources of the United States which were made available for the care of the men in the service have not yet been fully availed of or thoroughly mobilized so that the ex-service beneficiaries could have had at their disposal the best that the medical and as-

sociated professions could provide throughout the United States."

Upon the basis of these findings the committee unanimously offered seven specific recommendations, of which the fourth, fifth, and seventh read as follows:

"4. That an immediate extension and utilization of all Government hospital facilities be put into effect, together with the mobilization of such civilian medical services as may prove practical.

"5. That a continuing hospital-building program to provide satisfactory care for the disabled veterans of the World War be entered upon at once. The committee of hospital consultants appointed by the Secretary of the Treasury, in cooperation with the Surgeon General of the United States Public Health Service, shall submit recommendations as to the type of buildings and the location of same, the necessary appropriations to provide for such permanent program to be passed at the next session of Congress.

"7. That the $18,600,000 appropriated by the Sixty-sixth Congress for the building of new hospitals and the enlargement of existing institutions be utilized for these purposes without any delay."

Congress acted with promptitude, and on August 9, 1921, passed the law which created and set up as an independent agency the Veterans' Bureau. In the matter of providing hospital facilities and treatment it had started, shortly after the armistice, and continued to appropriate funds in response to the need and analysis as supplied by the Director of the Veterans' Bureau and later the Administrator of Veterans' Affairs.

It might be noted here that by 1920 the United States Public Health Service was utilizing 52 hospitals with a capacity of slightly less than 12,000 beds. These institutions were classified as follows: 37 for general medical and surgical conditions, 8 for tuberculous patients, and 7 for the psychotic and mentally ill. In addition to these Government-controlled hospitals, contracts were made with many civilian institutions in both the United States itself and its island possessions. As of June 30, 1920, there were 9,590 veterans with service-connected disabilities being hospitalized in these contract hospitals.

In 1922 all of the dispensaries being utilized by the United States Public Health Service for the examination and out-patient treatment of veterans with service-connected disabilities were taken over by the Veterans' Bureau. On April 29, 1922, the President issued an Executive order transferring the hospitals administered by the Public Health Service also to the Veterans' Bureau. In 1923 the dispensary services of the Bureau were curtailed by transferring some of them to Bureau hospitals. About this same time it was decided to abandon some of the leased hospitals as well as the temporary hospitals of the cantonment type which had been taken over from other Government agencies shortly after World War I. The transition from the old to the new Veterans' Bureau hospital system moved ahead during 1923 so that by June 30 of that year there were 47 United States Veterans' Bureau hospitals in operation.

By June 30, 1924 the number of veterans hospitalized in contract institutions had been reduced to less than 4,000, and most of these were mentally ill and being hospitalized in State institutions.

WORLD WAR VETERANS ACT

The beginning of an expanding veterans' hospitalization program was signalized by the passage of Public Law 194, Sixty-seventh Congress, approved on April 20, 1922. Section 4 of that law provided that "all hospital facilities under the control and jurisdiction of the United States Veterans' Bureau shall be available for veterans of the Spanish-American War, Philippine Insurrection, and the Boxer Rebellion suffering from neuro-psychiatric and tubercular ailments and diseases." This was enlarged by section 4 of Public Law 542, Sixty-seventh Congress, approved on March 4, 1923, by the addition of the provision "* * * including transportation as granted to those receiving compensation and hospitalization under the War Risk Insurance Act."

Referring to this law, a Veterans' Administration official in 1933 said: "At the time of this legislative enactment it was found that existing facilities were sufficient to cope with the increased demand for hospital admission." However, this whole situation evidently changed with the passage of Public Law 242, Sixty-eighth Congress, approved on June 7, 1924. This is the famous World War Veterans Act. It repealed the provisions of the War Risk Insurance Act as amended and for the most part reenacted those provisions with certain liberalizations. The most famous of these probably is section 202 (10) relating to the privilege of hospitalization in a Veterans' Bureau hospital. It provided that the hospital facilities under the control and jurisdiction of the Veterans' Bureau should be available to every honorably discharged veteran of the Spanish-American War, the Philippine Insurrection, the Boxer Rebellion, or the World War suffering from psychiatric, tubercular, or certain other enumerated disabilities. It also provided "that the Director is further authorized, so far as he shall find that existing Government facilities permit, to furnish hospitalization and necessary traveling expense to veterans of any war, military occupation, or military expedition since 1897, not dishonorably discharged without regard to the nature or origin of their disability; *Provided*, That preference to admission to any Government hospital for hospitalization under the provisions of this subsection shall be given to those veterans who are financially unable to pay for hospitalization and their necessary traveling expenses."

An appraisal of the effect of this law, uttered 11 years after its passage by one of the high officials of the Veterans' Administration, was as follows: "This brought about a complete change of policy with regard to the construction of additional facilities. The Veterans' Bureau was forced to plan and launch a new program of hospital construction to take care of the enormously increased load, the result of the new legislation (section 202 (10) World War Veterans Act, second sentence). A large influx of veterans of all types into Government institutions taxed the capacity of existing facilities. It then became necessary to plan a program of hospital construction which would take care of a veteran population of approximately 5,000,000 men and women."

The development of this Government established program for the care of veterans during the decade from 1924 to 1933 is marked by additional liberalizing provisions in the law, and appropriations and authorizations for expansion of the hospital construction program.

As of June 30, 1932, Congress had appropriated the sum of $118,952,000 for the acquisition of hospital facilities for veterans; and there had been expended in addition thereto $15,000,000 for permanent improvements and extensions to veterans' hospitals. As of that date there were in operation 56 VA hospitals with a combined capacity of 29,833; and 10 VA homes with a combined capacity of 19,988 beds.

Before passing on it should be noted that Public Law 536, Seventy-first Congress, approved July 3, 1930, authorized the President by Executive order to consolidate and coordinate the Bureau of Pensions, the National Home for Disabled Volunteer Soldiers, and the United States Veterans' Bureau into an establishment to be known as the Veterans' Administration.

ECONOMY ACT, MARCH 20, 1933

Public Law 2, Seventy-third Congress, approved March 20, 1933 (the so-called Economy Act) repealed all public laws granting medical or hospitalization treatment or domiciliary care to veterans who served in or subsequent to the Spanish-American War.

However, section 6 of that same law, as amended by section 1, Public Law 78, Seventy-third Congress, approved June 16, 1933, "authorized the Administrator of Veterans' Affairs, under limitations prescribed by the President, to furnish to men discharged from the Army, Navy, Marine Corps, or Coast Guard for disabilities incurred in line of duty and to veterans of any war, hospitalization or domiciliary care (for permanent and certain other disabilities) pursuant to which Veterans' Regulations No. 6 series, pertaining to eligibility for domiciliary or hospital care were promulgated by the President and, as amended by Congress are still in effect. Section 29, Public Law 141, Seventy-third Congress, March 23, 1934, further amended section 6 to authorize, subject to available beds, hospitalization or domiciliary care for war veterans unable to pay the expense, regardless of service connection."

On August 23, 1935, Public Law 312, Seventy-fourth Congress, was approved. This law further liberalized eligibility for hospitalization or domiciliary care by providing "that any veteran of any war who was not dishonorably discharged, suffering from disability, disease, or defect, who is in need of hospitalization or domiciliary care and is unable to defray the necessary expenses therefor (including transportation to and from the Veterans' Administration facility), shall be furnished necessary hospitalization or domiciliary care (including transportation) in any Veterans' Administration facility, within the limitations existing in such facilities, irrespective of whether the disability, disease, or defect was due to service. The statement under oath of the applicant on such form as may be prescribed by the Administrator of Veterans' Affairs shall be accepted as sufficient evidence of inability to defray necessary expenses." This basic law is still in effect.

The effect of the Economy Act upon the hospital program which became effective following passage of the World War Veterans Act of 1924 may be gaged from the fact that as of June 30, 1933, the total hospital load of the Veterans' Administration was 33,795, a decrease of 10,046 from the load at the end of the previous fiscal year. The expiration of the next fiscal year—1934—saw 40,059 veterans receiving hospitalization from the Veterans' Administration. Thirteen percent of these were hospitalized for tuberculosis; 56 percent for nervous and mental disorder, and 31 percent for various medical and surgical disablements.

DEVELOPMENT SINCE WORLD WAR II

As of June 30, 1941, Congress had specifically authorized and appropriated $165,574,267 for new hospital, domiciliary and out-patient dispensary facilities. In addition there had been expended from regular fiscal funds the sum of $25,705,721 for permanent improvements and extensions—a grand total of slightly more than $191,000,000.

As of the same date the VA was operating hospital facilities at 91 different locations in 45 States and the District of Columbia. The capacity of these institutions was 61,849 beds. In addition thereto the Veterans' Administration was utilizing 2,570 beds in Army, Navy, and Public Health institutions. The beds for domiciliary care number 18,747. Thus, shortly before World War II we find the VA with 80,596 hospital and domiciliary beds.

At this point mention should be made of the VA 10-year-construction program. This was proposed by the Federal Board of Hospitalization and approved in principle by the

President on May 8, 1940, with the understanding that the program would be reviewed annually and coordinated with conditions existing at that time. This program had as its goal the increase in total accommodations for veterans to 100,000 beds. It was estimated that this number would enable the Government to meet peak requirements for all types of institutional care. Had not World War II broken out and had this program proceeded along estimated lines, the goal would probably have been reached by 1948–49.

It was not until fiscal year 1943 that the impact of new veterans from World War II was felt in the total hospitalization load. On June 30, 1943, the distribution of Va patient load was as follows:

World War I	45,653
World War II	5,132
Spanish-American War	2,871
Other wars, expeditions, and occupations	65
Regular Establishment	2,920
Total	56,641

Just 3 months prior to the close of this fiscal year the Seventy-eighth Congress had passed Public Law 10 (approved March 17, 1943), which amended veterans' regulations so as to grant hospitalization and domiciliary care to World War II veterans on the same basis as granted to veterans of World War I.

FEDERAL BOARD OF HOSPITALIZATION

On August 1, 1943, the Executive Office of the President directed a new Federal Board of Hospitalization to serve as an advisory agency to the Bureau of the Budget. This Board was charged with the duties of analyzing and reviewing hospital, convalescent, and domiciliary activities, and programs developed and operated by all departments and establishments of the Government for the purpose of

(a) Preventing the overlapping and duplication of services and overbuilding of facilities;

(b) Ensuring the most efficient and complete utilization of the total services and facilities of the Federal Government by each department and establishment;

(c) Determining the need for existing or additional facilities of each department and establishment;

(d) Determining the area or locality in which additional facilities should be provided;

(e) Determining the extent to which non-Federal facilities may be utilized in the administration of the hospital activities or programs of any department or establishment;

(f) Developing a complete over-all program for providing hospitalization for the veterans of World War II;

(g) Furnishing recommendations with respect to such matters as the Director of the Bureau of the Budget may refer to the Board.

The above will be recognized as very significant in view of recent announcements in the press and developments otherwise. No less important is another instruction given to the Board at the time it was reestablished, so to speak, which reads as follows:

"No project for acquisition of additional beds by new construction, major alteration, or leasing of or contracting for existing facilities shall be undertaken by any department or establishment until it has been submitted to and reviewed by the Board as to need, location, type of construction, and any other factor which the Board may consider pertinent to the performance of its responsibilities, nor until the resulting recommendation of the Board has been transmitted and considered * * * as approved by the President."

VA MEDICAL PERSONNEL DURING WORLD WAR II

The hospital construction program during the war years ran head-on into those factors with reference to difficulties in getting men and matériel which definitely slowed up the production of beds. Another matter of great concern during those years which had a direct bearing upon the fullness of the veterans' hospitalization program was the recruitment and training of qualified medical and dental personnel. The Administrator's report for the fiscal year 1942 sets forth that the obligations and responsibilities of the Veterans' Administration in the care and treatment of disabled veterans have required that most positive action be taken to avoid any serious impairment of service. Accordingly, arrangements were made with the Secretary of War and the Secretary of the Navy whereby qualified medical and dental officers of the Veterans' Administration might on application be commissioned in the services in an inactive status and remain with the VA. This step involved potentially about 1,800 men of medicine and dentistry, and was considered only temporarily helpful.

The report for fiscal year 1943 indicated that some of the VA physicians, despite this arrangement, had resigned and entered military service, and that appointment of physicians were made from time to time during the year but not to the extent of maintaining the required complement of personnel.

By the end of fiscal year 1944 arrangements with the Secretaries of War and Navy had developed so that qualified medical and dental officers of the VA were, on application, commissioned in those services in an active duty status and detailed to the Veterans' Administration. This arrangement also brought about the availability of services of commissioned personnel through detail from the War and Navy Departments of certain available officers qualified for duty with the VA in assignments on rating boards, etc.

SERVICEMEN'S READJUSTMENT ACT OF 1944

The slowing up and impairment of services to veterans, particularly in the field of medical and hospital care, prompted the special committee of the American Legion which initiated and developed the Servicemen's Readjustment Act of 1944 to set forth in the very first section of that legislation the designation of the Veterans' Administration as an essential war agency. This carried with it the entitlement, second only to the war and Navy Departments, to priorities in personnel, equipment, supplies, material, etc.

In the next paragrah of the law the Administrator and the Federal Board of Hospitalization were authorized and directed to expedite and complete the construction of additional hospital facilities for war veterans, and to enter into agreements and contracts for the use by or transfer to the VA of suitable Army and Navy hospitals after they were no longer needed by the armed services. Moreover, this act carried with it an authorization to have appropriated the sum of $500,000,000 for the construction of additional hospital facilities.

In the fall of 1944 the Administrator of Veterans' Affairs announced a greatly enlarged hospital construction program. Contained therein were 22 new hospitals and additional beds for 26 existing hospitals. The estimates were made for the fiscal year 1946.

Previously the Administrator had estimated that 300,000 beds would be required by 1975 on the basis of veterans coming from the two World Wars.

In May 1945 the National Rehabilitation Committee of the American Legion made certain observations in line with the famous Resolution 528 passed at the Milwaukee convention, 1941, which called for the reorganization of the medical division of the Veterans' Administration. Among these were the following:

1. The medical and hospital service of the Veterans' Administration is of such importance and proportions that it should be headed up by an outstanding man of medicine whose rank and status should be equal to that of Assistant Administrator.

2. There should be an inspired medical and hospital service, with more personal and bedside practice of medicine.

3. Chief medical officers and clinical directors should be given greater authority to run their hospitals.

4. There must be a revitalized program whereby the advancement and progress in medicine and surgery made by the armed services during this war shall be inherited and maintained by the Veterans' Administration to the end that war veterans shall have the best science has to offer for their care and treatment.

CHANGE IN ADMINISTRATORS

During 1945 Gen. Omar N. Bradley was appointed to the position of administrator of veterans' affairs to succeed Brig. Gen. Frank T. Hines, who was appointed Ambassador to Panama. General Bradley took over on August 15, 1945. Soon thereafter he made a new study of the 1946 construction program, made certain changes and revised it to become the 1947 hospital construction program.

In the spring of 1946 the American Legion through its national commander and the national rehabilitation committee advocated and supported the arrangement whereby military and naval hospitals no longer needed by the armed services, constructed and located so as to be of value to the VA, should be taken over by the VA. Such acquisition would be more readily accomplished than awaiting construction, and adjustments as to retaining some or all of these hospitals would be made later on as new construction was completed. Under that arrangement there are as of the present writing 36 former military hospitals taken over and being run by the Veterans' Administration. The number of authorized beds in these institutions approximates 27,000.

Under date of March 3, 1947, the American Legion medical advisory board recommended to the rehabilitation executive committee a proposed policy with reference to the location of Veterans' Administration hospitals. Our medical board pointed out the benefits that would accrue to the veteran as a result of Veterans' Administration hospitals being close to medical schools and medical centers. At the same time it was announced that this proposed policy should in no way adversely affect the arrangement of establishing smaller hospitals in well located communities so that less specialized hospital care where needed would be available.

The report on the combined 1947 and 1948 hospital-construction program as of December 31, 1948, showed only two new hospitals as having been completed during a period extending through World War II and up to the end of 1948. There were 88 new hospitals in various stages of progress, as follows:

Construction contracts awarded	31
Design completed but construction contracts not awarded	19
Design in progress	36
Design not started	2
Total	88

That was about the situation when the announcement was made that 24 projects are to be canceled and the bed capacity of 14 other new institutions is to be reduced. The reduction, as the committee well knows, amounts to 16,221 beds.

The records of the Veterans' Administration show that as of January 31, 1949, there were 126 hospitals with a standard bed capacity of 104,789 in operation. It is estimated that the projects now under construction—31 hospitals—and those in the plan-

ning stage not canceled by the Presidential order—35 projects—will produce an additional 35,246 beds. This number added to the number of beds in operation (104,789) and the approximately 2,500 to come in through additions to existing hospitals, would bring about a total of slightly more than 142,000 beds by 1952. This total, however, includes nearly 28,000 beds acquired when certain former Army and Navy hospitals were taken over. Among these are many in temporary construction which the Veterans' Administration says will have to be eliminated, so that the net total of beds of permanent or acceptable construction would be about 131,000 when the present revised program is completed. We have been told further that the elimination of these temporary beds may take anywhere from 6 to 8 years. If that takes place then there would be a period following completion of this program when we would actually witness the gradual reduction in the number of beds for veterans at a time when, according to the experience of American Legion service officers, the requests for hospitalization will be mounting.

BEDS FOR POTENTIAL LOAD

Reference was made above to the so-called 10-year construction program. This would have produced 100,000 beds at a time when the estimated population of potentially eligible veterans would have numbered 4,000,000. The bed ratio then would have been 1 bed per 40 veterans.

Another interesting item in calculating bed ratios is that supplied by the statistics available from the American Medical Association, to the effect that as of March 27, 1943, there were 1,383,827 beds of all classifications, descriptions, etc., available to the gross population of this country. This would mean both civilian and military, and would be approximately 1 bed per 100 people.

The present veteran population is given as 18,869,000, including peacetime veterans. Actuarial estimates so far available would indicate that as of January 1, 1952, there would be 18,800,000 potentially eligible veterans. If at that time the 131,000-bed program is functioning, we would have a ratio of 1 bed per 143 veterans, according to our own estimates.

If the full construction program originally approved and for which Congress had either appropriated or authorized funds were carried forth to conclusion, this country would have 145,000 beds in permanent construction for its veterans—the 1955 population of which has been projected to be approximately 18,200,000—a ratio of 125 veterans per bed. Surely this ratio is the minimum we could advocate and the minimum the Government should provide.

The American Legion wishes to point out that the Government's policy for constructing veterans' hospitals prior to World War II is evidenced by the approval of 100,000 beds by 1948–49 at a time when the number of potentially eligible veterans would have been 4,000,000—a ratio of 1 bed per 40 veterans. World War II intervened. Congress passed the law giving World War II veterans the same privilege of hospitalization as World War I veterans (Public Law 10, 78th Cong., March 17, 1943). Appropriations, authorizations, and approval for an expanded construction program were made. Now, if the present cutback is sustained and we come out with a completed program netting the country 131,000 permanent beds, the Government will have virtually added only 31,000 beds after World War II—a war in which the number of Americans participating is at least three times the number in World War I.

REASONS FOR CUT-BACK

Four principal reasons for cancellation of proposed construction were set forth in the press release of January 10, 1949. Two of these—viz, temporary hospitals taken over from the armed forces are remaining serviceable longer than estimated; and, the delay will give the Veterans' Administration better opportunity to develop a further program—are not considered basic to the essential and long-time program. The other two we wish to comment upon briefly:

1. *Inability of the Veterans' Administration to fully staff its present hospitals and a further definite shortage of professional personnel to staff new hospitals*

The American Legion is aware that there are a certain number of beds that are not being used because there are not doctors and nurses to run them. These reports have come to us from service officers and field representatives who periodically visit these hospitals. Statistical reports available to us from the Veterans' Administration show that as of January 31, 1949, 3,343 beds were not in use for this reason. Dr. H. D. Shapiro, our senior medical consultant, in exploring this question with medical men of the Veterans' Administration, was told that there is a shortage of approximately 400 physicians. This shortage is classified as follows:

Neuropsychiatric	200
Tuberculosis	40
Anesthesiology, pathology, roentgenology, neurosurgery, and other specialists	160

Although there is said to be no shortage in general surgeons, general medical specialists or ward surgeons, the Veterans' Administration holds that certain key specialists are necessary to run a hospital and to assure the best possible medical and hospital care.

The American Legion has long advocated the best there is is in medicine and hospitalization for veterans. To that end it has contributed and will continue to contribute its best efforts. It is our considered judgment that there is opportunity for this and other organizations to find out how best they might promote the means or facilities by which more doctors will become available. In fact, the executive board of the National Rehabilitation Commission last week assigned such a study to this staff.

It is interesting to note that as of January 31, 1949, there were 2,572 full-time physicians in VA hospitals and centers. At the same time there were 1,258 medical men and women in regional, district, and central offices. There were also part-time doctors serving in the hospital program. Among these are 1,123 consultants and 2,273 residents. According to information which Dr. Shapiro received, two consultants will equal one full-time specialist, and two residents would equal one, or perhaps a little more than one full-time doctor. Applying that formula to the total number of full-time and part-time physicians, we note that the Veterans' Administration had the equivalent of 4,122 doctors as of December 31, 1948, attending and serving 88,873 patients in VA hospitals.

Here are the estimates Dr. Shapiro received as to the number of doctors needed to staff beds at the end of the current and next fiscal year:

One hundred and twelve thousand six hundred hospital beds: Needed to staff full capacity June 1949, 4,640.

One hundred and twenty-four thousand five hundred hospital beds: Needed to staff full capacity June 1950, 5,220.

Dr. Shapiro pointed out that in a number of places where VA hospitals were reduced in size or cancelled in this announced cutback there undoubtedly would be part-time consultants available, and a residency training program could be introduced which would go a long way toward recruitment. It would appear that outside of neuropsychiatry the Veterans' Administration might adequately staff beds in the larger medical centers. With reference to the NP hospitals, our senior medical consultant submits that they might well be set up adjacent to centers where NP specialists are available.

In connection with the plea that the Veterans' Administration is unable to staff all its hospital beds it would be well to keep in mind that the locations of hospitals in the construction program were studied by Veterans' Administration medical men and engineers and were approved presumably after analysis of such factors as availability of doctors, nurses, and other personnel. In fact experts not only of the Veterans' Administration but also of the Federal Board of Hospitalization and the Bureau of the Budget went over and approved these sites. In the words of our senior medical consultant, "It is not only a question of building beds but placing the beds where they can be staffed."

With reference to the statement above that the Veterans' Administration considers certain key specialties as necessary to assure the best possible medical and hospital care, we would want to point out that if a fuller utilization is made of available specialists in communities where many hospitals are located this need could be met.

Another factor that cannot be overlooked is the apparent uncertainty as to what the Bureau of the Budget or Congress might do with reference to additional beds for veterans and the personnel to run them. We submit that if that uncertainty is removed and reassurance given as to what Congress has done, is doing, and will do in providing for the hospitalization of veterans, the task of recruitment of doctors and other personnel will be facilitated and expedited.

2. *Estimated possible maximum load of service-connected patients is 51,000, leaving more than twice as many other beds available to other veteran patients*

The question has been asked many times, not by the American Legion but by others who seem to have some misgivings about the program, how far does the Congress want the Veterans' Administration to go in building hospital beds for veterans? Invariably one notes in the development of answers to this question that there seems to be no doubt as to the right of the veteran with service-connected disabilities to be hospitalized for such disablements. Moreover, it seems to be conceded in most quarters by those who have considered the question that veterans suffering from tuberculosis and mental and nervous ailments should also be cared for by the Government. Private and State institutions for these afflictions are already filled, and there are no accommodations for these disabled veterans elsewhere. Out of the 65,829 so-called non-service-connected disabled veterans who were in VA hospitals on December 31, 1948, 53 percent were suffering from tuberculosis, psychotic, or neuropsychiatric ailments. Of the 28,000 general medical and surgical patients, 12,667 were World War II, 13,675 were World War I, and 1,491 Spanish-American War veterans. At this point it is suggested that there be obtained from the Veterans' Administration its most recent analysis of what percentage of patient-days is taken up by the non-service-connected general medical and surgical patients remaining 30 days or less. The last report made available to the Rehabilitation Commission was that only 8 percent was so utilized. As to the chronically ill, it is submitted that the screening of such cases would be of no particular value since most if not all of those patients are soon made medically indigent by their ailments. Can it be that all the agitation against the Veterans' Administration hospitalizing so-called non-service-connected cases is stimulated by the 8 percent, or thereabouts, of patient-days taken up by the non-service-connected general medical and surgical patients remaining 30 days or less?

Recently we asked our national field service to conduct a spot survey as to the percentage of general medical and surgical patients in VA hospitals who were there as the result of postwar accidents or injuries. The returns

indicated, depending upon the type of hospital, a percentage of less than 1 percent up to 22 percent.

Another point that American Legion service officers cannot overlook, and one which we would bring to the committee's attention, is that among the so-called non-service-connected disabled veterans requiring hospital care within 3, 4, or 5 years after the cessation of hostilities will be found many with damage to mind or body that can be traced to service. As of January 31, 1949, 48,892 new claims for disability compensation or pension were pending adjudication. Whether that represents 1, 2, or 3 months' work load in the Veterans' Administration, it does establish that at any given time there are many thousands of claims which have not been settled. As of the same date—January 31, 1949—there were 16,188 veterans awaiting hospital admission. This number represents those whose applications have been filed, acted upon, and approved. In addition to them there are many hundreds who have not filed because of the delays, or who have sought hospital care elsewhere.

Another spot survey conducted the first part of February among the 18 States affected by the proposed cut-back brought back estimates from that group alone of 17,108 in need of hospital care. Time and again have service officers had the experience of representing claimants and succeeding in establishing claims for service connection, thus changing their status from the category of the so-called non-service-connected to the service-connected. We submit that it is a precarious practice to pass upon the applications of World War II veterans especially on the basis of whether their ailments are service-connected or not when we consider the relatively short time most of them have been out of service, the varied and grueling circumstances of combat and training for combat in World War II, and the types of tropical and other insidious diseases to which they were subjected. It is our experience that currently and for some time to come the non-service-connected veterans at your doorstep today may be the service-connected ones tomorrow.

A SUMMARIZED STATEMENT OF THE POSITION OF THE NATIONAL REHABILITATION COMMISSION, THE AMERICAN LEGION, RELATIVE TO THE CUT-BACK IN THE VA HOSPITAL-CONSTRUCTION PROGRAM, MARCH 10, 1949

The national rehabilitation commission of the American Legion is opposed to the cancellation of VA hospital-construction projects and the reduction in the number of beds for the following reasons:

1. Shortly after World War I, Congress started and since supported a program of building hospitals for veterans.

2. Congress has passed laws setting forth eligibility provisions for hospitalization (e. g., Public Law 312, 74th Cong., August 23, 1935) and Executive orders have been issued establishing an order of preference (Veterans' Regulation 6 (c)). See also VA Regulations and Procedure 6047-48.

3. The Federal Board of Hospitalization proposed, and the President approved in principle, on May 8, 1940, a VA 10-year construction program which would have produced a total of 100,000 beds by 1948-49, when the estimated potentially eligible veteran population would have been 4,000,000—or a ratio of 40 veterans per bed.

4. World War II produced over 15,000,000 war veterans, and for them the Government is undertaking to construct only 31,000 additional beds, bringing about a net total of only 131,000 beds after the current program is completed and the temporary beds eliminated—a ratio of 142 veterans per bed.

5. The complete VA hospital-construction program, initiated after the passage of the Servicemen's Readjustment Act of 1944, in section 101 of which Congress authorized and directed the VA to expedite construction of additional hospital facilities, was studied and laid out by the Administrator of Veterans' Affairs, the Federal Board of Hospitalization, approved by the Bureau of the Budget and the President, and authorized with appropriations or contract authority by the Congress. This program should be completed without curtailment, thus bringing into being a minimum of about 145,000 beds for a potentially eligible veteran population of approximately 18,000,000—an estimated bed ratio of 124 veterans per bed.

6. The recruitment of doctors and other personnel to man these beds can be facilitated and expedited by the removal of any uncertainties as to what Congress has done, is doing and will do in authorizing hospitals for veterans; and through further utilization of specialists and other medical talent in communities where these hospitals are located.

ADJOURNMENT

Mr. McCORMACK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 55 minutes p. m.) the House, pursuant to its previous order, adjourned until tomorrow, Wednesday, March 16, 1949, at 11 o'clock a. m.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. PETERSON: Committee on Public Lands. H. R. 3150. A bill to revise and repeal certain acts relating to rules of survey to permit departures from the system of rectangular survey when necessary on all public lands, and for other purposes; without amendment (Rept. No. 264). Referred to the Committee of the Whole House on the State of the Union.

Mr. KILDAY: Committee on Armed Services. S. 278. An act to prevent retroactive checkage of payments erroneously made to certain retired officers of the Naval Reserve, and for other purposes; with amendments (Rept. No. 265). Referred to the Committee of the Whole House on the State of the Union.

Mr. DURHAM: Committee on Armed Services. S. 629. An act to authorize the disposition of certain lost, abandoned, or unclaimed personal property coming into the possession of the Treasury Department, the Department of the Army, the Department of the Navy, or the Department of the Air Force, and for other purposes; with amendments (Rept. No. 266). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. HAND:

H. R. 3537. A bill to amend section 3 of the Oil Pollution Act, 1924, and for other purposes; to the Committee on Public Works.

H. R. 3538. A bill to terminate the war-tax rates on certain miscellaneous excise taxes, and for other purposes; to the Committee on Ways and Means.

By Mr. KEE:

H. R. 3539. A bill to amend the China Aid Act of 1948; to the Committee on Foreign Affairs.

By Mr. McGRATH:

H. R. 3540. A bill to amend the National Service Life Insurance Act of 1940 so as to permit payments to aunts and uncles of the insured where the insurance matured prior to August 1, 1946, and where the remaining proceeds of the insurance would otherwise remain unpaid; to the Committee on Veterans' Affairs.

By Mr. MORTON:

H. R. 3541. A bill to amend provisions of the Internal Revenue Code and of the Tariff Act of 1930 to authorize the allowance of draw-back of tax paid on bottled distilled spirits and wines delivered in the United States to public international organizations, foreign embassies, etc., for consumption and use in the United States; to the Committee on Ways and Means.

By Mr. O'NEILL:

H. R. 3542. A bill providing for the construction of a Federal building at Scranton, Pa.; to the Committee on Public Works.

By Mr. RIBICOFF:

H. R. 3543. A bill to amend paragraph 368 (a), section 1, title I of the Tariff Act of 1930 so as to include counting or registering devices, mechanisms, and instruments; to the Committee on Ways and Means.

By Mr. RIVERS:

H. R. 3544. A bill to prohibit the Secretary of the Interior from making any contract or lease relating to golf courses in the District of Columbia; to the Committee on Public Lands.

By Mr. SABATH:

H. R. 3545. A bill to diminish the causes of labor disputes burdening or obstructing interstate and foreign commerce, and for other purposes; to the Committee on Education and Labor.

By Mrs. ST. GEORGE:

H. R. 3546. A bill to amend the Civil Service Retirement Act of May 29, 1930, as amended, to provide retirement benefits for certain former Members of Congress; to the Committee on Post Office and Civil Service.

By Mr. WITHROW:

H. R. 3547. A bill to direct the Secretary of Agriculture to announce the parity price of milk, and to direct the Secretary of Agriculture to immediately announce the support price of milk; to the Committee on Agriculture.

By Mr. CUNNINGHAM:

H. R. 3548. A bill making the first Tuesday after the first Monday in November, in every even-numbered year, a legal holiday; to the Committee on the Judiciary.

By Mr. DAWSON:

H. R. 3549. A bill to permit the Comptroller General to pay claims chargeable against lapsed appropriations and to provide for the return of unexpended balances of such appropriations to the surplus fund; to the Committee on Expenditures in the Executive Departments.

By Mr. DINGELL:

H. R. 3550. A bill to exempt carriers from statutory provisions requiring payments for compensation for customs overtime services, and for other purposes; to the Committee on Ways and Means.

By Mr. FERNÓS-ISERN:

H. R. 3551. A bill to amend section 1101 (a) (1) of the Social Security Act, as amended; to the Committee on Ways and Means.

By Mr. KLEIN:

H. R. 3552. A bill to promote the general welfare through the appropriation of funds to assist the States and Territories in providing more effective programs of public kindergarten or kindergarten and nursery-school education; to the Committee on Education and Labor.

By Mr. LEMKE:

H. R. 3553. A bill to permit the prosecution of lynching in Federal courts when the governor or attorney general of the State concerned lacks authority to direct the prosecution in State courts, or such prosecution is impaired by his refusal to do so; to the Committee on the Judiciary.

By Mrs. NORTON:

H. R. 3554. A bill to establish a Federal Commission on Services for the Physically Handicapped, to define its duties, and for other purposes; to the Committee on Education and Labor.

By Mr. BATES of Massachusetts:

H. R. 3555. A bill to authorize the coinage of 50-cent pieces in commemoration of the three hundredth anniversary of the town of Marblehead, Mass.; to the Committee on Banking and Currency.

By Mr. HAGEN:

H. R. 3556. A bill to amend the Federal Employees Pay Act of 1945 (Public Law 106, 79th Cong.; ch. 212, 1st sess.); to the Committee on Post Office and Civil Service.

H. R. 3557. A bill to amend the act entitled "An act to reclassify the salaries of postmasters, officers, and employees of the postal service; to establish uniform procedures for computing compensation; and for other purposes," approved July 6, 1945; to the Committee on Post Office and Civil Service.

By Mr. DINGELL:

H. R. 3558. A bill to increase to $600 the amount a dependent may earn without loss of exemption to the taxpayers; to the Committee on Ways and Means.

By Mr. KEE:

H. R. 3559. A bill to strengthen and improve the organization and administration of the Department of State, and for other purposes; to the Committee on Foreign Affairs.

By Mr. McKINNON:

H. R. 3560. A bill to confirm and establish the titles of the State to lands beneath navigable waters within State boundaries and natural resources within such lands and waters and to provide for the use and control of said lands and resources; to the Committee on the Judiciary.

By Mr. PRICE:

H. R. 3561. A bill to clarify the effective date of the repeal of the manufacturers' excise tax on musical instruments sold for the use of religious or nonprofit educational institutions; to the Committee on Ways and Means.

By Mr. RANKIN (by request):

H. R. 3562. A bill to provide reimbursement of emergency medical expenses incurred by certain veterans; to the Committee on Veterans' Affairs.

By Mr. WALTER:

H. R. 3563. A bill authorizing acquisition and interception of communications in interest of national security; to the Committee on the Judiciary.

By Mr. RIVERS:

H. Con. Res. 48. Concurrent resolution providing for the printing of 30,000 copies of the document entitled "Money Makes the Mare Go," and providing for distribution; to the Committee on House Administration.

By Mr. O'HARA of Minnesota:

H. Con. Res. 49. Concurrent resolution providing for the printing of 30,000 copies of the document entitled "Money Makes the Mare Go," and providing for distribution; to the Committee on House Administration.

By Mr. WHITE of Idaho:

H. Con. Res. 50. Concurrent resolution providing for the printing of 30,000 copies of the document entitled "Money Makes the Mare Go," and providing for distribution; to the Committee on House Administration.

By Mr. DOLLIVER:

H. Con. Res. 51. Concurrent resolution providing for the printing of 30,000 copies of the document entitled "Money Makes the Mare Go," and providing for distribution; to the Committee on House Administration.

By Mr. DONDERO:

H. Res. 150. Resolution authorizing the printing as a House document of the report made to the Appropriations Committee on the subject of Federal power policy; to the Committee on House Administration.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Oregon, requesting an appropriation of not less than $2,000,000 to be made available to the United States Corps of Engineers for the completion of the Coos Bay improvement project, Oregon; to the Committee on Appropriations.

Also, memorial of the Legislature of the State of Oregon, requesting the enactment of proper legislation designating November 11 as Veteran's Day; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. GREEN:

H. R. 3564. A bill for the relief of George Schecter; to the Committee on the Judiciary.

By Mr. JACKSON of Washington:

H. R. 3565. A bill for the relief of Earl B. Hochwalt; to the Committee on the Judiciary.

By Mr. KUNKEL:

H. R. 3566. A bill to authorize the Secretary of the Air Force to convey to Lester S. Kortright certain real estate at Olmsted Air Force Base, Middletown, Pa.; to the Committee on Armed Services.

By Mr. O'TOOLE:

H. R. 3567. A bill for the relief of Vassiliki D. Papadakou; to the Committee on the Judiciary.

By Mr. TAYLOR:

H. R. 3568. A bill for the relief of Elfrieda Seeger; to the Committee on the Judiciary.

By Mr. THOMAS of New Jersey:

H. R. 3569. A bill for the relief of Lew Hirshman and Mrs. Essie Hirshman; to the Committee on the Judiciary.

By Mr. WALTER:

H. R. 3570. A bill for the relief of Mrs. Clara Raffloer Droesse; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

236. By Mr. LECOMPTE: Petition of Mrs. Joseph Peek and Mrs. Domanic Biondi, chairmen, and other citizens of Colfax, Iowa, urging that any Federal aid to education bill which discriminates against non-public-school children by denying them health and welfare benefits be defeated; to the Committee on Education and Labor.

237. By Mrs. NORTON: Petition of Lt. Robert P. Grover Post, No. 377, Jewish War Veterans of the United States, Jersey City, N. J., urging that the Congress of the United States eliminate discriminatory provisions of present laws admitting aliens to the United States by passing corrective measures; to wit, the proposed legislation of Senators McGRATH and NEELY and the bill of Representative CELLER; to the Committee on the Judiciary.

238. By Mr. HOLMES: Memorial of the Senate and House of Representatives of the State of Washington, relating to the relocation of secondary State Highway No. 11A through restricted areas of the Hanford Engineering Works; to the Committee on Public Works.

239. By the SPEAKER: Petition of Miss Frances Jacobson, president, Kings County Council Ladies' Auxiliary, Jewish War Veterans of the United States, Brooklyn, N. Y., urging the extension and strengthening of rent controls; to the Committee on Banking and Currency.

240. Also, petition of E. S. Willoughby, chairman, Moiese Valley Grange Committee, Moiese, Mont., stating opposition to a Columbia Valley Authority or any other authority where the destiny of the people within the region is vested in a few men; to the Committee on Public Works.

241. Also, petition of H. C. Curtis and others, West Palm Beach, Fla., asking for the passage of H. R. 2135 and 2136, known as the Townsend plan; to the Committee on Ways and Means.

242. Also, petition of William C. Knopp and others, St. Petersburg, Fla., asking for the passage of H. R. 2135 and 2136, known as the Townsend plan; to the Committee on Ways and Means.

243. Also, petition of Mrs. Harry W. Putman, Malden, Mass., asking for the passage of H. R. 2135 and 2136, known as the Townsend plan; to the Committee on Ways and Means.

SENATE

WEDNESDAY, MARCH 16, 1949

(Legislative day of Monday, February 21, 1949)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

Rev. Bernard Braskamp, D. D., pastor, Gunton Temple Memorial Presbyterian Church, Washington, D. C., offered the following prayer:

O Thou who art man's unfailing friend and the God of all wisdom, we pray that we may find a just and righteous solution to the problems of human relationships. In our plans and purposes may we have the interpreting and guiding light of Thy divine spirit.

May we be true, for there are those who trust us; may we be humble, for we know our weakness; may we be brave and strong, for there is so much to do and many members of the human family are finding the struggle of life so difficult and their burdens so heavy.

Grant that at the close of each day we may have a peaceful conscience and a heart that is happy with the blessed assurance that we also are having a part in the final triumph of the Kingdom of God.

To Thy name we ascribe all the praise. Amen.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 315. An act for the relief of Dr. Chung Kwai Lui;

S. 335. An act for the relief of Claris U. Yeadon;

S. 592. An act for the relief of Edwin B. Anderson;

S. 594. An act for the relief of John I. Malarin, former Army mail clerk at APO 932, a branch of the San Francisco, Calif., post office, relative to a shortage in his fixed-credit account;

S. 632. An act to authorize certain personnel and former personnel of the Naval Establishment to accept certain gifts and a foreign decoration tendered by foreign governments;

S. 633. An act for the relief of Rachel D. Gattegno; and

S. 634. An act to authorize payment of certain claims for damage to or loss or destruction of property and personal injury arising from activities of the Army.

The message also announced that the House had passed the bill (S. 90) to provide for the naturalization of Richard Kim, with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 580. An act for the relief of the Bank of Kodiak, Kodiak, Alaska;

H. R. 593. An act for the relief of the Alaska Juneau Gold Mining Co., of Juneau, Alaska;

H. R. 585. An act for the relief of Jacob A. Johnson;

H. R. 593. An act for the relief of Hampton Institute;

H. R. 594. An act for the relief of Mamie L. Hurley;

H. R. 599. An act for the relief of Victor R. Browning & Co., Inc.:

H. R. 602. An act for the relief of Fritz Busche;

H. R. 607. An act for the relief of Harvey M. Lifset, formerly a major in the Army of the United States;

H. R. 609. An act for the relief of the estate of Mathew C. Cowley, deceased, and the estate of Louisa Cowley, deceased;

H. R. 610. An act for the relief of Lorenzo H. Froman;

H. R. 611. An act to confer jurisdiction upon the District Court of the United States for the Western District of Kentucky to hear, determine, and render judgment upon the claims of certain property owners adjacent to Fort Knox, Ky.;

H. R. 637. An act for the relief of Mrs. Harriett Patterson Rogers;

H. R. 650. An act for the relief of George A. Kirchberger;

H. R. 668. An act for the relief of Alex Bail;

H. R. 679. An act to authorize the admission of Mrs. Julia Balint to the United States;

H. R. 681. An act for the relief of the legal guardian of George Generazzo;

H. R. 682. An act for the relief of the legal guardian of Elliott Hewitt;

H. R. 683. An act for the relief of Louise Peters Lewis;

H. R. 709. An act for the relief of the General Engineering & Dry Dock Corp.;

H. R. 731. An act for the relief of James Flynn;

H. R. 735. An act for the relief of Phil H. Hubbard;

H. R. 1010. An act for the relief of Mrs. May K. Y. Mok, Frederick W. S. Mok, and Vincent W. C. Mok;

H. R. 1101. An act for the relief of Anna Malone and Rita Anderson;

H. R. 1116. An act for the relief of Mexican Fibre & Twine Co., Inc.;

H. R. 1137. An act for the relief of J. W. Greenwood, Jr.;

H. R. 1276. An act for the relief of the heirs of Ida Londinsky;

H. R. 1591. An act for the relief of Bram B. Tellekamp;

H. R. 1700. An act for the relief of Ezra Butler Eddy, Jr., and wife, Marie Claire Lord Eddy;

H. R. 1731. An act to extend certain provisions of the Housing and Rent Act of 1947, as amended, and for other purposes;

H. R. 1791. An act for the relief of Raleigh B. Diamond;

H. R. 1794. An act for the relief of Cohen, Goldman & Co., Inc.;

H. R. 1876. An act for the relief of Ralph Martin Elzingre, also known as Ralph Seawell;

H. R. 1993. An act for the relief of Samuel Fadem;

H. R. 2231. An act for the relief of Marie E. Wright;

H. R. 2233. An act for the relief of Ewa Plantation Co., a Hawaiian corporation;

H. R. 2463. An act for the relief of Mrs. Florence Byvank;

H. R. 2704. An act for the relief of Freda Wahler;

H. R. 2812. An act to direct the Secretary of the Interior to sell certain land at South Naknek to the Russian Orthodox Greek Catholic Church of North America;

H. R. 2853. An act to authorize the Secretary of the Interior to issue duplicates of William Gerard's script certificates No. 2, subdivisions 11 and 12, to Blanche H. Weedon and Amos L. Harris, as trustees;

H. R. 2922. An act for the relief of the State Compensation Insurance Fund of California;

H. R. 3077. An act for the relief of Mrs. Rebecca Levy;

H. R. 3234. An act for the relief of Jesse A. Lott; and

H. R. 3254. An act for the relief of Iva Gavin.

CALL OF THE ROLL

Mr. LUCAS. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Hill	Morse
Anderson	Hoey	Mundt
Baldwin	Holland	Murray
Brewster	Humphrey	Myers
Bricker	Hunt	Neely
Butler	Ives	O'Conor
Byrd	Jenner	Pepper
Cain	Johnson, Colo.	Reed
Capehart	Johnson, Tex.	Robertson
Chapman	Johnston, S. C.	Russell
Chavez	Kem	Saltonstall
Connally	Kerr	Schoeppel
Cordon	Kilgore	Smith, Maine
Donnell	Knowland	Smith, N. J.
Douglas	Langer	Sparkman
Downey	Lodge	Stennis
Eastland	Long	Taft
Ecton	Lucas	Taylor
Ellender	McCarran	Thomas, Okla.
Ferguson	McCarthy	Thomas, Utah
Flanders	McFarland	Thye
Frear	McGrath	Tydings
Fulbright	McKellar	Vandenberg
George	McMahon	Watkins
Gillette	Magnuson	Wherry
Green	Malone	Wiley
Gurney	Martin	Williams
Hayden	Maybank	Withers
Hendrickson	Miller	Young
Hickenlooper	Millikin	

Mr. MYERS. I announce that the Senator from Tennessee [Mr. KEFAUVER] and the Senator from Wyoming [Mr. O'MAHONEY] are absent on public business.

The Senator from Arkansas [Mr. MCCLELLAN] is absent because of a death in his family.

The Senator from New York [Mr. WAGNER] is necessarily absent.

Mr. SALTONSTALL. I announce that the senior Senator from New Hampshire [Mr. BRIDGES] is necessarily absent.

The junior Senator from New Hampshire [Mr. TOBEY] is absent on official business.

The VICE PRESIDENT. Eighty-nine Senators having answered to their names, a quorum is present.

ANNOUNCEMENT AS TO PROCEDURE

Mr. HAYDEN obtained the floor.

Mr. LUCAS. Mr. President, will the Senator yield so I may make a short announcement?

Mr. HAYDEN. I yield for that purpose.

Mr. LUCAS. Mr. President, in view of the fact that we are now in the third week upon the pending matter, and that no business of any kind has been transacted during that time, it seems to me that, under present conditions, as I understand them to be, in view of the amendment in the nature of a substitute, which was offered last night, which is apparently airtight and going to be adopted, the Senate should stay here today as long as possible in order that we may expedite this measure and get it out of the way if there is any possible chance of doing so. I do not mean to say that we on this side of the aisle are going to filibuster. So far as I am concerned, and from what I have learned in talking to my colleagues who are opposed to the substitute, I can say we are against filibustering and are not going to filibuster. We are going to try to argue the merits of the case and let the Senate make the decision accordingly. But if any Senator is planning on leaving town and should do so he may miss an important vote, because I hope to keep the Senate in session for some time, late tonight, in order to try to dispose of the pending resolution.

While I am on my feet I may mention another thing along the same line. We have been sitting here day and night. We have been holding night sessions, one of which lasted until nearly 3 o'clock in the morning. We have a tremendous amount of business upon the calendar. I hope I may have the cooperation of all Senators in staying as late as possible until we can clear that part of the log jam which now confronts the Senate. I do not want to take advantage of the situation, but the Senate is late in considering many measures which are ready for action. After we dispose of the pending resolution, if I can secure the cooperation of my colleagues on both sides of the aisle, I propose to request the Senate to work hard in order to try to pass legislation which is now on the calendar and other legislation which will be placed on the calendar from time to time.

The VICE PRESIDENT. In view of the situation, the Chair wishes to ask the Senator from Illinois whether he intends to ask that the Journal be approved?

Mr. LUCAS. I was going to make that request next, I will say to the Chair.

Mr. HAYDEN. Very well, proceed with that. I shall be glad to yield for that purpose.

Mr. WHERRY. Mr. President, will the Senator yield to me?

Mr. HAYDEN. I yield to the Senator from Nebraska.

Mr. WHERRY. I desire to join in the observations made by the majority leader. I appreciate the fact that the Senator from Illinois is intensely interested in pushing forward and getting the pending question out of the way. I assure him that I speak for every Senator on this side of the aisle when I say we will cooperate in every way. So far as having a quorum present, we will do our level best to have a full attendance of Senators on this side of the aisle, so

we can proceed with the work of the Senate. The Senator from Illinois can rest assured now that we will help to the very best of our ability to continue the debate on the pending question until it is finally concluded. I cannot say how long it will continue. Some Senators have asked me whether any votes will be taken today. I believe we are all well informed on the subject, and possibly, since we have an understanding of the situation, we have reached a stage when we may expect votes more rapidly than previously.

I want every Senator to remember that he has a perfect right, as all Senators know, to debate the issue as long as he wants to, on any phase of the question. But the thing to do is to be in attendance and help the majority leader by having a quorum present, so we may proceed to the orderly work of the Senate.

THE JOURNAL

Mr. LUCAS. Mr. President, will the Senator from Arizona again yield to me?

Mr. HAYDEN. I yield.

Mr. LUCAS. I ask unanimous consent that the reading of the Journal from February 21 to March 15, inclusive, be dispensed with, and that the Journal be approved.

The VICE PRESIDENT. Without objection, the Journal from February 21 to and including the 15th of March will be approved.

COMMITTEE MEETING DURING SENATE SESSIONS

Mr. LUCAS. Mr. President, will the Senator from Arizona yield to me to make one more unanimous-consent request?

Mr. HAYDEN. I yield.

Mr. LUCAS. Mr. President, the distinguished Senator from South Carolina [Mr. MAYBANK], chairman of the Committee on Banking and Currency, advises me that the rent-control bill will soon be reported. I ask unanimous consent that the Committee on Banking and Currency, and the subcommittee of that committee dealing with rent control, be permitted to sit during the sessions of the Senate this week.

The VICE PRESIDENT. Without objection, it is so ordered.

TRANSACTION OF ROUTINE BUSINESS

Several Senators addressed the Chair.

Mr. HAYDEN. Mr. President, I shall be glad to yield for the transaction of routine business.

The VICE PRESIDENT. The Senator cannot yield for that purpose.

Mr. LUCAS. Mr. President, I ask unanimous consent that requests by Senators for submission of routine matters for the RECORD may be made at this time.

The VICE PRESIDENT. Unless the Senate wishes to enter into the agreement which has heretofore prevailed respecting routine morning business, the Chair is compelled to hold that the Senator from Arizona cannot yield for that purpose.

Mr. WHERRY. Mr. President, I ask unanimous consent that the Senator from Arizona [Mr. HAYDEN] be permitted to retain the floor, but yield to Senators for introduction of bills and joint resolutions, submission of committee reports, and insertion in the RECORD of matters which are ordinarily placed in the RECORD at this time. I make that request with the provision that the Senator from Arizona not lose his rights to the floor.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred, as indicated:

REPORT OF SECRETARY OF THE AIR FORCE

A letter from the Secretary of Defense, transmitting, pursuant to law, a report of the Secretary of the Air Force for the fiscal year 1948 (with an accompanying report); to the Committee on Armed Services.

REPORT OF NATIONAL MORTGAGE ASSOCIATION

A letter from the Commissioner, Federal Housing Administration, transmitting, pursuant to law, a report of the Federal National Mortgage Association, for the period July 1, 1948, through December 31, 1948 (with an accompanying report); to the Committee on Banking and Currency.

REPORTS OF COMMISSION ON ORGANIZATION OF EXECUTIVE BRANCH OF GOVERNMENT

A letter from the Chairman of the Commission on Organization of the Executive Branch of the Government, transmitting, pursuant to law, a memorandum on the Department of Labor which was prepared by George W. Taylor (with an accompanying paper); to the Committee on Expenditures in the Executive Departments.

A letter from the Chairman of the Commission on Organization of the Executive Branch of the Government, transmitting, pursuant to law, a general index of the report of the Committee on the National Security Organization (vol. IV) (with an accompanying paper); to the Committee on Expenditures in the Executive Departments.

A letter from the Chairman of the Commission on Organization of the Executive Branch of the Government, transmitting, pursuant to law, a report on the Division of Statistical Standards of the Bureau of the Budget (with an accompanying report); to the Committee on Expenditures in the Executive Departments.

A letter from the Chairman of the Commission on Organization of the Executive Branch of the Government, transmitting, pursuant to law, a report on the Division of Estimates of the Bureau of the Budget (with an accompanying report); to the Committee on Expenditures in the Executive Departments.

A letter from the Chairman of the Commission on Organization of the Executive Branch of the Government, transmitting, pursuant to law, a report on the Division of Administrative Management of the Bureau of the Budget (with an accompanying report); to the Committee on Expenditures in the Executive Departments.

A letter from the Chairman of the Commission on Organization of the Executive Branch of the Government, transmitting, pursuant to law, a report on the statistical agencies of the Federal Government (pt. II) (with an accompanying report); to the Committee on Expenditures in the Executive Departments.

DISPOSITION OF EXECUTIVE PAPERS

A letter from the Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The VICE PRESIDENT appointed Mr. JOHNSTON of South Carolina and Mr. LANGER members of the committee on the part of the Senate.

REPORT ON OPERATIONS OF STATE DEPARTMENT

The VICE PRESIDENT laid before the Senate the following message from the President of the United States which, with the accompanying papers, was referred to the Committee on Expenditures in the Executive Departments:

To the Congress of the United States:

I transmit herewith a report by the Secretary of State on the operations of the Department of State under section 32 (b) (2) of Public Law 584, Seventy-ninth Congress, as required by that law.

HARRY S. TRUMAN.

THE WHITE HOUSE, *March 14, 1949.*

(Enclosure: Report from the Secretary of State concerning Public Law 584.)

REPORT OF NATIONAL ADVISORY COUNCIL ON INTERNATIONAL MONETARY AND FINANCIAL PROBLEMS (H. DOC. NO. 120)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Foreign Relations:

To the Congress of the United States:

Attached hereto is a report of the National Advisory Council on International Monetary and Financial Problems covering its operations from April 1, 1948, to September 30, 1948, and describing in accordance with section 4 (b) (5) of the Bretton Woods Agreements Act, the participation of the United States in the International Monetary Fund and the International Bank for Reconstruction and Development for the above period.

Previous reports of the National Advisory Council were transmitted to the Congress on March 1, 1946; March 8, 1946; January 13, 1947; June 26, 1947; January 19, 1948; May 17, 1948; and August 3, 1948, respectively. In addition to the First Special Report on the Operations and Policies of the International Monetary Fund and the International Bank for Reconstruction and Development, submitted on May 17, 1948, previous reports on the participation of the United States in the International Monetary Fund and the International Bank were included in the reports of January 13, 1947; June 26, 1947; January 19, 1948; and August 3, 1948, respectively.

HARRY S. TRUMAN.

THE WHITE HOUSE, *March 14, 1949.*

CONVENTION WITH BELGIUM RELATING TO DOUBLE TAXATION—REMOVAL OF INJUNCTION OF SECRECY

The VICE PRESIDENT. As in executive session, the Chair lays before the Senate Executive I, Eighty-first Congress, first session, a convention between the United States and Belgium for the voidance of double taxation and the prevention of fiscal evasion with respect to taxes on income, signed at Washington on October 28, 1948. Without objection, the injunction of secrecy will be removed, and the convention, together with the President's message, will be referred to the Committee on Foreign Relations, and the message from the

President will be printed in the RECORD. The Chair hears no objection.

The message from the President is as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the convention between the United States of America and Belgium for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income, signed at Washington on October 28, 1948.

I also transmit for the information of the Senate the report by the Secretary of State with respect to the convention.

The convention has the approval of the Department of State and the Treasury Department.

HARRY S. TRUMAN.

THE WHITE HOUSE, *March 12, 1949.*

(Enclosures: 1. Report of the Secretary of State; 2. Convention between the United States and Belgium relating to taxes on income, signed October 28, 1948.)

TEXTS OF NOTES BETWEEN UNITED STATES AND CANADA RELATING TO TEMPORARY EMERGENCY DIVERSIONS OF WATER FROM NIAGARA RIVER—REMOVAL OF INJUNCTION OF SECRECY

The VICE PRESIDENT. As in executive session, the Chair lays before the Senate Executive J, Eighty-first Congress, first session, relating to the texts of notes exchanged at Washington on December 23, 1948, between the Government of the United States of America and the Government of Canada providing temporary emergency diversions of water for power purposes from the Niagara River. Without objection, the injunction of secrecy will be removed, and the texts of notes, together with the President's message, will be referred to the Committee on Foreign Relations, and the message from the President will be printed in the RECORD. The Chair hears no objection.

The message from the President is as follows:

To the Senate of the United States:

With a view to receiving the approval of the Senate, I transmit herewith the texts of notes exchanged at Washington on December 23, 1948, between the Government of the United States of America and the Government of Canada providing for temporary emergency diversions of water for power purposes from the Niagara River. These notes amend in its application article V of the treaty signed at Washington, January 11, 1909, between the United States and Great Britain concerning boundary waters and questions arising along the boundary between the United States of America and Canada.

I also transmit for the information of the Senate a report by the Secretary of State regarding this exchange of notes.

HARRY S. TRUMAN.

THE WHITE HOUSE, *March 12, 1949.*

(Enclosures: 1. Report of the Secretary of State; 2. Texts of notes exchanged at Washington December 23, 1948.)

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A concurrent resolution of the Legislature of the State of Indiana; to the Committee on Finance:

"Senate Concurrent Resolution 7

"Concurrent resolution memorializing and requesting the Congress of the United States to enact a bill to aid the State in the enforcement of the cigarette tax now evaded by use of the United States mails

"Whereas the State of Indiana has seen fit to impose a tax on the sale and use of cigarettes within its boundaries, and the revenues so obtained constitute an important portion of the funds available for its functions of government; and

"Whereas it has been brought to the attention of the Senate and the House of Representatives of the State of Indiana that a large and growing system of evasion of such tax law has developed; that the United States mails are flooded with advertisements and inducements to the citizens of this State to violate the law of this State; that in numerous instances such advertisers entice prospective customers with statements to the effect that the use of the United States mails is sufficient proof of the legitimacy of such business and such a system; that the mails of the United States are constantly flooded with cigarettes in the process of delivery within this State, and on which cigarettes the tax required by the laws of this State have not and will not be paid; that this State is seriously disadvantaged by such use of the postal offices and mails of the United States for the purpose of evading the laws of Indiana; and that Indiana faces and is now suffering serious losses of revenue as a result of such system of evasion; and

"Whereas it has been brought to the attention of the senate and house of representatives of Indiana that there is now pending before the Congress of the United States a proposed bill which would aid the States by requiring shippers of cigarettes in interstate commerce to furnish to the taxing authority of the State to which shipped a copy of the invoice on each shipment and the name and address of each person to whom shipped: Now, therefore, be it

"Resolved by the Senate of the General Assembly of the State of Indiana (the house of representatives concurring):

"SECTION 1. The Congress of the United States be and the same is hereby memorialized and respectfully urged to enact a bill requiring shippers of cigarettes in interstate commerce to furnish to the taxing authority of the State to which shipped a copy of the invoice on each such shipment; or to enact such other bill to the aid of the several States affected as may be proper.

"SEC. 2. Duly authenticated copies of this resolution shall be forwarded immediately to the presiding officers of the respective Houses of Congress and to the United States Senators and Representatives in Congress from the State of Indiana."

A joint resolution of the Legislature of the State of Oregon; to the Committee on Appropriations:

"Senate Joint Memorial 11

"To the honorable Senate and House of Representatives of the United States of America in Congress assembled:

"We, your memorialists, the senate and house of representatives of the State of Oregon, in legislative session assembled, most respectfully represent and petition as follows:

"Whereas Coos Bay is located approximately 200 miles south of the mouth of the Columbia River, on the Oregon coast; and

"Whereas the Eightieth Congress, first session, authorized the improvement of Coos Bay by the deepening of the bar entrance thereof to a depth of 30 feet, mean lower low water, by the excavation of a ship channel, 30 feet in depth, mean lower low water, from the bar entrance to the upper harbor of Coos Bay, a distance of approximately 15 miles, all at an estimated cost of $5,689,000 for the project; and

"Whereas the United States Army reviewing officers have found and reported, in Document No. 235, to the Seventy-ninth Congress, second session, that the benefits to the public that will accrue from the completion of this deep-water harbor project at Coos Bay, Oreg., will amount to $1,224,200 per year; and

"Whereas the United States through its Corps of Engineers has commenced work on this project and to the present time has completed approximately 4½ miles thereof upstream from the bar entrance, at an expenditure of approximately $2,300,000 of Federal funds; and

"Whereas this project can be completed in 1950, provided that an appropriation of $2,000,000 be made available during the present session of Congress, for work during the 1949–50 biennium: Now, therefore, be it

"Resolved by the Senate of the State of Oregon (the house of representatives jointly concurring therein), That the Eighty-first Congress of the United States be and it hereby is memorialized to consider this matter further and to make an appropriation in the amount of not less than $2,000,000 available to the United States Corps of Engineers, for the completion of the Coos Bay improvement project, and in all respects to give wholehearted support to the completion of this project; be it further

"Resolved, That the secretary of state of the State of Oregon be and he hereby is directed to send copies of this memorial to the President of the United States, to the President and the Chief Clerk of the United States Senate, to the Speaker and the Chief Clerk of the House of Representatives of the United States, and to each of the Senators and Representatives in the Congress from the State of Oregon.

"Adopted by senate March 3, 1949.

"WM. E. WALSH,
"President of Senate.

"Concurred in by house March 4, 1949.

"FRANK J. VAN DYKE,
"Speaker of House."

A joint resolution of the Legislature of the State of Oregon; to the Committee on the Judiciary:

"House Joint Memorial 4

"To the honorable Senate and the House of Representatives of the United States of America, in Congress assembled:

"We, your memorialists, the Forty-fifth Legislative Assembly of the State of Oregon, convened in regular session, respectfully represent that:

"Whereas November 11 is now by statute designated as Armistice Day to commemorate the end of World War I; and

"Whereas there now exists no regularly designated day to commemorate the end of World War II; and

"Whereas proper observance and commemoration of the end of these wars can better be accomplished by designating November 11 as Veterans' Day: Now, therefore, be it

"Resolved by the House of Representatives of the State of Oregon (the senate jointly concurring therein), That the Congress of the United States be and it hereby is memorialized to enact, by proper legislation, an act designating November 11 as Veterans' Day; be it further

"Resolved, That the secretary of state of the State of Oregon be, and he hereby is, directed to transmit copies of this joint memorial to the President and Clerk of the

United States Senate, to the Speaker and Chief Clerk of the House of Representatives of the United States, and to each member of the Oregon delegation in the Congress of the United States.

"Adopted by house February 16, 1949.

"FRANK J. VAN DYKE,
"Speaker of House.

"Adopted by senate March 4, 1949.

"WILLIAM E. WALSH,
"President of Senate."

Two joint resolutions of the Legislature of the Territory of Alaska; to the Committee on Public Works:

"House Memorial 5

"To the President of the United States, Secretary of the Interior, the Department of National Defense, the Congress, and the Delegate from Alaska:

"Your memorialist, the Legislature of the Territory of Alaska, in nineteenth regular session assembled, respectfully submits:

"Whereas the necessity of immediate road construction in Alaska is obvious when the limited extent of the present Alaska highway system is noted. At the present time there are only 2,837 miles of road to serve the 586,400 square miles of the Territory. The development of Alaska depends upon the early linking of port cities with interior points; and

"Whereas the proposed Copper River Highway, extending from Cordova to Chitina, a distance of 131 miles, would serve as a connecting link between the United States and strategic military areas and major cities in Alaska while at the same time making available a wealth of valuable resources in a 53,000 square-mile area; and

"Whereas a segment of said route which is 15 miles of well-surfaced road from Cordova to the Federal Government airport has already been constructed, and the old road bed of the now abandoned Copper River Railway is available (with steel bridges) as a foundation upon which to build said road at a reduced cost; and

"Whereas in addition to its importance from a military standpoint, which importance is enhanced because it could easily be kept open the year around, said road would open up an area of scenic grandeur for enjoyment of tourists and others as well as industrial potentials in the fields of mining, lumbering, farming, trapping, etc.

"Now, therefore, your memorialist, the Legislature of the Territory of Alaska, urges that the proposed Copper River Highway be given first consideration on the list of new Federal road projects for Alaska.

"And your memorialist will ever pray.

"Passed by the house February 16, 1949.

"STANLEY MCCUTCHEON,
"Speaker of the House.

"Attest:

"JOHN L. HEDDE,
"Chief Clerk of the House.

"Approved by the Governor February 19, 1949.

"ERNEST GRUENING,
"Governor of Alaska."

"House Memorial 6

"To the President and Congress of the United States, the Secretary of Interior, the Chief of Engineers, Department of the Army, and the Delegate to Congress from Alaska:

"Your memorialist, the Legislature of the Territory of Alaska, in nineteenth regular session assembled, respectfully submits:

"Whereas the Tanana River, immediately above Nenana, flows through a horseshoe bend which impedes the flow of ice and water during break-up time and obstructs the free flow of the river during other times of high water, resulting in floods throughout the townsite of Nenana and vicinity; and

"Whereas the currents that flow through the town at such periods damage property, pollute drinking water sources, and otherwise cause untold hardship upon the people of the community; and

"Whereas Federal Government installations such as the Civil Aeronautics Administration's airfield located 1½ miles south of Nenana, and the Alaska Railroad at Nenana would be protected against future erosion, if timely steps are taken to save the town; and

"Whereas the desired flood control could be effectuated through building of a short canal which would cut off the bend above mentioned and enable the river to approach the town and flow past on a straight line; and

"Whereas such project would also restore the river at Nenana to continuous use for marine ways and dock installations necessary to the operation of boats in supplying upper and lower Yukon settlements with cargo brought to Nenana by the Alaska Railroad.

"Now, therefore, your memorialist respectfully urges that immediate plans be made to effectuate flood control for the protection of Nenana and vicinity by means of a canal cutting off the bend of the Tanana River directly upstream from the townsite of Nenana, with the construction stage of the project to follow as soon as possible.

"And your memorialist will ever pray.

"Passed by the house February 16, 1949.

"STANLEY MCCUTCHEON,
"Speaker of the House.

"Attest: JOHN L. HEDDE,
"Chief Clerk of the House.

"Approved by the Governor February 19, 1949.

"ERNEST GRUENING,
"Governor of Alaska."

A joint resolution of the Legislature of the Territory of Alaska; to the Committee on the Judiciary:

"House Joint Memorial 10

"To the President of the United States, Congress of the United States, the Attorney General of the United States, and the Delegate from Alaska:

"Your memorialist, the Legislature of the Territory of Alaska, in nineteenth regular session assembled, respectfully submits:

"Whereas there is only one United States district judge for the third judicial division, Territory of Alaska; and

"Whereas the population of said division has tremendously increased during the past 7 years to the point where it is now the most populous division in Alaska; and

"Whereas the judicial duties in said division have expanded beyond the capacity of any one judge, and now require and demand the establishment of a second judgeship in said division to meet the need:

"Now, therefore, your memorialist urges and recommends that legislation be enacted to provide for two United States district judges, instead of only one, for the third judicial division, Territory of Alaska, and that said additional district judge be located at Anchorage, Alaska.

"And your memorialist will ever pray.

"Passed by the house, February 15, 1949.

"STANLEY MCCUTCHEON,
"Speaker of the House.

"Attest:

"JOHN L. HEDDE,
"Chief Clerk of the House.

"Passed by the senate February 19, 1949.

"GUNNARD M. ENGEBRETH,
"President of the Senate.

"Attest:

"BONNIE JO GRONROOS,
"Secretary of the Senate.

"Approved by the Governor February 23, 1949.

"ERNEST GRUENING,
"Governor of Alaska."

A resolution adopted by the Southern Governors' Conference, assembled in Savannah, Ga., on December 14, 1948, relating to the National Guard; to the Committee on Armed Services.

A resolution adopted by the Dunbar Grange, No. 765, of Dunbar, Wis., favoring a Federal support price on butterfat; to the Committee on Agriculture and Forestry.

A resolution adopted by the Kings County Council, Ladies' Auxiliary, Jewish War Veterans of the United States, Brooklyn, N. Y., favoring the extension and strengthening of rent controls; to the Committee on Banking and Currency.

The memorial of John C. Burt, of New York, N. Y., remonstrating against the continuation of rent controls; to the Committee on Banking and Currency.

Petitions of the Friendship Townsend Club, No. 1, of Miami; the Boynton Beach Townsend Club, No. 1, of Boynton Beach; and the Associated Townsend Clubs of Pinellas County, all in the State of Florida, praying for the enactment of the so-called Townsend plan to provide old-age assistance; to the Committee on Finance.

A resolution adopted by the Retail Automotive Industry, of Ontario, Oreg., relating to United States membership in the International Labor Organization; to the Committee on Foreign Relations.

Resolutions adopted by the Common Council of the City of Cudahy, Wis.; the Commission of the City of Dayton, Ohio; the Common Council of the City of Portsmouth, N. H.; the City Commission of the City of West Palm Beach, Fla.; and the Commission of the City of Alhambra, Calif., favoring the enactment of legislation proclaiming October 11 of each year as General Pulaski's Memorial Day; to the Committee on the Judiciary.

A resolution adopted by the Pendleton (Oreg.) Rotary Club, protesting against the enactment of legislation to socialize medicine; to the Committee on Labor and Public Welfare.

A letter in the nature of a petition signed by Charles H. Villar, chairman, Federal Employees and Citizens of West Florida, Pensacola, Fla., relating to the positions of Government career employees; to the Committee on Post Office and Civil Service.

By Mr. SALTONSTALL (for himself and Mr. LODGE):

Resolutions of the General Court of the Commonwealth of Massachusetts; to the Committee on Public Works:

"Resolutions relative to the development of the waterways of the Commonwealth

"Whereas the General Court of Massachusetts favors and urges the development of the waterways of the Commonwealth, wherever feasible, for the production of hydroelectricity to free the Commonwealth from dependence on coal and other fuels which are scarce or nonexistent in the Commonwealth, to stimulate industrial enterprises in the Commonwealth, and to encourage the establishment of new enterprises in the Commonwealth: Therefore be it

"Resolved, That the General Court of Massachusetts urges the Congress of the United States to enact such legislation and to take such other action as may be necessary to effect said development of waterways for the production of hydroelectricity to be distributed through private enterprise and municipal power and light plants; and be it further

"Resolved, That the General Court of Massachusetts invites and urges the cooperation of the five other New England States and the State of New York in the development of waterways coming to the New England States and the State of New York; and be it further

"Resolved, That copies of these resolutions be sent forthwith by the State secretary to the Presiding Officer of each branch of Congress and to the Members thereof from this Commonwealth, to the governor of each of

the five other New England States and the State of New York, and to the presiding officer of each branch of the legislature of each of said States.

"In house of representatives, adopted, March 2, 1949.

"LAWRENCE R. GROVE,
"Clerk."

"In senate, adopted, in concurrence, March 10, 1949.

"IRVING N. HAYDEN,
"*Clerk.*"

(The VICE PRESIDENT laid before the Senate resolutions of the General Court of the Commonwealth of Massachusetts, identical with the foregoing, which were referred to the Committee on Public Works.)

By Mr. MILLIKIN:

A joint memorial of the Legislature of the State of Colorado, protesting the order of the Administrator of Veterans' Affairs providing for the discontinuance of the Veterans' Administration Hospital at Fort Logan, Colo.; to the Committee on Labor and Public Welfare.

(See text of joint memorial printed in full when presented by the Vice President on March 12, 1949, p. 2320, CONGRESSIONAL RECORD.)

A joint memorial of the Legislature of the State of Colorado; to the Committee on Agriculture and Forestry:

"House Joint Memorial 9

"Memorializing the Congress of the United States to take such action as may be necessary to maintain the agricultural experiment station at Akron, Colo., and to designate said station as a Federal regional station

"Whereas the Congress of the United States 4 years ago enacted legislation providing that all Federal agricultural experiment stations in the Great Plains region, with the exception of three, be taken over by State experiment stations, and by this action the experiment station at Akron, Colo., is to be made a State-sponsored and supervised agency; and

"Whereas because of the central location of the Akron station, the large area the station serves, the varied agricultural problems peculiar to the high altitude territory of the area, and the meager funds with which the station has been forced to operate since Federal sponsorship was contemplated to be discontinued, it would be highly desirable that the Akron station be continued as such and that it be designated a Federal regional station; and

"Whereas many organizations of the Great Plains region, including the Denver Chamber of Commerce, county planning committees, and farm bureaus, all are of the unanimous opinion that the Akron station should be designated a regional station under Federal supervision and financing: Now, therefore, be it

"*Resolved by the house of representatives of the thirty-seventh general assembly (the senate concurring herein)*, That this general assembly hereby respectfully requests the Congress of the United States to take such action as may be necessary to designate the agricultural experiment station at Akron, Colo., a regional station, to be supervised and financed by the Federal Government; and be it further

"*Resolved*, That a copy of this memorial be forwarded to each of the Senators and Congressmen representing the State of Colorado in the Congress of the United States, and to the Honorable Charles F. Brannan, Secretary of Agriculture of the United States.

"PAT MAGILL, JR.,
"*Speaker of the House of Representatives.*
"WALTER W. JOHNSON,
"*President of the Senate.*"

By Mr. MURRAY:

Two joint memorials of the Legislature of the State of Montana; to the Committee on Banking and Currency:

"House Joint Memorial 5

"Joint memorial to the President of the United States, and to the Honorable JAMES E. MURRAY and ZALES N. ECTON, Senators from the State of Montana, and MIKE MANSFIELD and WESLEY A. D'EWART, Congressmen from the State of Montana, for appropriate action to alleviate the shortage of tubular goods and steel necessary for the development of Montana's oil and gas resources, and for the end of discrimination against Montana by the shipment of steel and tubular goods to foreign countries for the development of oil and gas resources in such foreign countries, and the end of the 'gray market' in steel

"Whereas there are vast undeveloped oil and gas resources as well as vast proven oil and gas fields in Montana; and

"Whereas during the past 3 years explorations for oil and gas in Montana have been seriously curtailed and hampered due to the difficulty, and sometimes impossibility, of obtaining the casing and pipe necessary and required for such development work in proven and wildcat oil areas; and

"Whereas this situation has resulted in what has been termed the 'gray market' and exorbitant prices for steel tubular goods; and

"Whereas the ratio of oil discoveries and development of new production has been in almost exact proportion to the amount of pipe and casing obtainable and used; and

"Whereas the steel industry is unable to furnish tubular goods in sufficient quantity to meet the needs and demands of Montana producers in the ordinary channels of trade because of the desire of certain interests to exploit foreign oil resources at the expense of development within the borders of the United States, and has permitted and caused the exportation of thousands of tons of vital steel for the use and development of the oil fields of Saudi Arabia and in other parts of the world outside of the borders of the United States, and

"Whereas the situation is retarding the explorations and development of Montana oil and gas resources: Now, therefore, be it

"*Resolved by the House of Representatives of the Thirty-first Legislative Assembly of the State of Montana (the senate concurring)*, That we respectfully urge the President of the United States and Montana's representatives in the Congress of the United States to take appropriate action to remove any discrimination which may exist against the oil operators of Montana, to the end that an adequate supply of tubular goods be made available in the regular channels of trade, and that conditions be corrected which retard the exploration for oil and gas within the borders of the United States and the State of Montana, so that the "gray market" in steel will not be necessary or possible; be it further

"*Resolved*, That copies of this resolution be forwarded by the chief clerk of the house of representatives, to the President of the United States, and to the Honorable JAMES E. MURRAY and ZALES N. ECTON, Senators from Montana, and the Honorable MIKE MANSFIELD and WESLEY A. D'EWART, Representatives in Congress from Montana."

"House Joint Memorial 9

"Joint memorial of the House of Representatives and the Senate of the State of Montana, to the Congress of the United States, to the honorable United States Senators JAMES E. MURRAY and ZALES N. ECTON, and to the honorable Representatives in Congress, MIKE MANSFIELD and WESLEY A. D'EWART, relating to veterans' housing

"Whereas we have been informed that Raymond M. Foley, Federal Housing Administrator, has told you that the Nation needs some 18,000,000 new dwellings in the next 10 years; and

"Whereas a portion of that need for new housing exists among veterans in the State of Montana; and

"Whereas many of the citizens and the residents of the State of Montana believe that the need for furnishing assistance to these veterans in building homes for themselves and families is of paramount importance to the welfare of this State: Now, therefore, be it

"*Resolved by the house of representatives (the senate concurring)*, That this legislature respectfully petition the Congress of the United States to pass legislation at the earliest possible moment which will aid and assist veterans in building homes for themselves and their families; be it further

"*Resolved*, That immediately upon passage, a copy of this memorial be forwarded to the Honorable JAMES E. MURRAY, and the Honorable ZALES N. ECTON, Senators from the State of Montana, and the Honorable MIKE MANSFIELD and the Honorable WESLEY A. D'EWART, Representatives in Congress from Montana, by airmail."

A joint memorial of the Legislature of the State of Montana; to the Committee on Appropriations:

"House Joint Memorial 6

"Joint memorial to the President and Congress of the United States requesting the introduction and enactment of appropriate legislation for appropriation of funds by the first session of the Eighty-first Congress for the building of the Custer Battlefield Museum at Custer Battlefield National Monument, Mont.

"Whereas the Director of the Bureau of the Budget has recommended the sum of $96,000 be appropriated in the 1950 fiscal-year funds for a memorial museum to be erected on the site of Custer Battlefield National Monument; and

"Whereas Custer Battlefield is one of the most prominent patriotic shrines in American history, the site where General Custer and 262 men of his gallant regiment were slain at the Battle of the Little Bighorn River, June 25–26, 1876, also known as Custer's Last Battle; and

"Whereas the purpose of the Custer Battlefield National Monument is to preserve for all time the memorable ground of this great conflict and to present for public benefit the chapter it has to tell in the story of the westward advance of our settlements in the Northwest, it is necessary that a museum be erected on this battlefield site to properly care for, display, and maintain the many valuable historical artifacts, relics, and mementos pertaining to the battle that are now in storage awaiting the opportunity of proper care and display that only a museum can offer: Now, therefore, be it

"*Resolved by the House of Representatives of the Thirty-first Legislative Assembly of the State of Montana (the senate concurring)*, That we respectfully urge the Congress of the United States that the act of August 10, 1939, 'to provide for the erection of a public historical museum in the Custer Battlefield National Cemetery, Mont. (Public, No. 362, ch. 634, 76th Cong., 1st sess.), signed by the President of the United States, to pass legislation for funds as mentioned in the 1950 fiscal-year estimates for the erection of this museum; be it further

"*Resolved*, That copies of this resolution be forwarded by the chief clerk of the house of representatives, to the President of the United States, to the President pro tempore of the Senate of the United States, to the Speaker of the House of Representatives of the United States, and to the Honorable JAMES E. MURRAY and the Honorable ZALES N. ECTON, Senators from Montana, and the Honorable MIKE MANSFIELD and the Honorable WESLEY A.

D'EWART, Representatives in Congress from Montana."

A joint memorial of the Legislature of the State of Montana; to the Committee on Labor and Public Welfare:

"House Joint Memorial 4

"Joint memorial to the Congress of the United States of America, to the honorable United States Senators JAMES E. MURRAY and ZALES N. ECTON, and to the honorable Representatives in Congress MIKE MANSFIELD and WESLEY A. D'EWART, requesting the Eighty-first Congress introduce and pass the Veterans' Economic Development Act which was embodied in H. R. 521 and S. 1652 in the Eightieth Congress

"To the honorable Senate and House of Representatives of the United States in Congress assembled:

"Whereas the Eightieth Congress of the United States had in mind legislation which would help both the veteran and nonveteran and which if passed would have brought new business to the State of Montana but which said legislation unfortunately was not passed: Now, therefore, be it

"Resolved, That the House of Representatives of the Thirty-first Legislative Assembly of the State of Montana (the senate of said assembly concurring), does most respectfully urge the Eighty-first Congress of the United States that the said Congress cause necessary action to be initiated whereby the Veterans' Economic Development Act which was embodied in H. R. 521 and S. 1652 in the Eightieth Congress will be again introduced as an act and passed by the Eighty-first Congress of the United States; be it further

"Resolved, That duly attested copies of this memorial be transmitted to both Houses of Congress, to the Honorable JAMES E. MURRAY and the Honorable ZALES N. ECTON, United States Senators for the State of Montana and the Honorable MIKE MANSFIELD and the Honorable WESLEY A. D'EWART, United States Representatives in Congress for the State of Montana."

By Mr. KEM:

A resolution of the Senate of the State of Missouri; to the Committee on Armed Services:

"Senate Resolution 46

"Whereas there is now pending before Congress in both the Senate and House bills that propose the establishment of a United States Air Academy for the educational training of officers for the Air Corps, both Army and Navy, that would be comparable to the long-established Academies at West Point and Annapolis; and

"Whereas the United States Government now owns 2,500 acres of land known as Sedalia Air Field located 10 miles east of Warrensburg and 19 miles west of Sedalia, Mo.; and

"Whereas this site is already adequately equipped with a water supply, sewage disposal, surface drainage and storm sewers, four concrete runways, 7,200 feet long and 150 feet wide with 2,400,000 square feet of parkway aprons, railroad switch tracks from the main line of the Missouri Pacific Railroad, Federal Highway No. 50 and other connecting highways, 13 miles of black-top streets, electric-power facilities, and a pipeline system connecting a supply of natural gas; and

"Whereas this area is so located as not to be affected by intense heat or cold and thus is conducive to superior class-room work on a year-round basis and past flying operational records indicate at 97.8 percent flying weather; and

"Whereas this location has the strategic advantage in time of war of being situated equidistant from our east and west coasts and our north and south borders; and

"Whereas this location is midway between Kansas City and St. Louis making the metropolitan areas easily accessible; and

"Whereas the recreation facilities of the famous Ozark region, are easily accessible and Knobnoster State Park consisting of 3,441 acres with recreational facilities is adjacent to the Sedalia Airfield: Now, therefore, be it

"Resolved, That the Senate does recommend to the Members of the United States Congress that careful and complete consideration be given to the facilities offered by the Sedalia Air Field as a suitable site for the proposed United States Air Academy; and be it further

"Resolved, That members of Missouri's congressional delegation be furnished with a copy of this resolution and asked to exert their best efforts toward securing congressional action for the selection of the Sedalia Air Field as the location for a United States Air Academy."

By Mr. GREEN (for himself and Mr. MCGRATH):

A joint resolution of the Legislature of the State of Rhode Island and Providence Plantations; ordered to lie on the table:

"Resolution requesting the Senators and Representatives from Rhode Island in the Congress of the United States to give immediate consideration to the passage of legislation repealing chapter 120 of the public laws, passed June 23, 1947 (Public Law 101), the short title of which is cited as the 'Labor-Management Relations Act, 1947'

"Resolved, That the Senators and Representatives from Rhode Island in the Congress of the United States be and they are hereby requested to give immediate consideration to the enactement of legislation repealing chapter 120 of the public laws, passed June 23, 1947 (Public Law 101), the short title of which is cited as the 'Labor-Management Relations Act, 1947'; and be it further

"Resolved, That the secretary of state be and he is hereby authorized and directed to transmit duly certified copies of this resolution to the Senators and Representatives from Rhode Island in the Congress of the United States."

By Mr. WATKINS:

A resolution of the Senate of the State of Utah; to the Committee on Labor and Public Welfare:

"Senate Resolution 4

"Resolution by the Utah State Senate memorializing the Congress of the United States not to pass certain legislation now pending before the National Congress which in effect provides for State medicine but rather to encourage private cooperative health insurance.

"Be it resolved by the Utah State Senate:

"Whereas there is now pending before the National Congress certain legislation commonly referred to as the Wagner-Murray-Dingell compulsory health-insurance bill; and

"Whereas this program of compulsory health insurance is offered to the people as a solution to a supposed problem of inadequate medical attention for the citizens of this country; and

"Whereas it is acknowledged and unquestioned fact that the general health of the Nation is higher than that of any other nation of the world; and

"Whereas free enterprise, individual initiative, and freedom from Government interference are the foundation stones upon which the practice of medicine and all other great enterprises of this country have been developed; and

"Whereas such Government interference and regimentation in the field of medicine will destroy the spirit of research and individual initiative and will eventually result in a break-down of the present high standards of competency now prevalent in the private practice of medicine in this country; and

"Whereas a program of compulsory health insurance as proposed has been in operation in other countries and has proven extremely cumbersome and expensive and has not resulted in a general improvement of the public health; and

"Whereas the proponents of compulsory health insurance continually stress complete medical service without cost to the patient which statements do not take into account the increased taxation which will result from the inevitable Government bureaucracy that will be established in administering such a program; and

"Whereas the best interest of the people of the United States can be served by continuance of the free-enterprise system with encouragement given to private cooperative health insurance and without Government domination and control in the field of medicine: Now, therefore, be it

"Resolved by the Senate of the Utah State Legislature, That the Congress of the United States be memorialized to defeat any legislation introduced into the Congress which provides for socialized medicine or national compulsory health insurance and which will result in a destruction of private initiative and the free-enterprise system in this country and that the Congress be urged to restrict its legislation to measures which will encourage private health insurance in cooperation with the private practice of medicine; be it further

"Resolved, That the secretary of the State Utah, be, and he is hereby instructed to transmit forthwith a copy of this resolution to the congressional delegation from the State of Utah and to the Speaker of the House and President of the Senate of the United States."

A joint resolution of the Legislature of the State of Utah; to the Committee on Interior and Insular Affairs:

"House Resolution 2

"Resolution urging the Congress of the United States to undertake immediately a study of the need for legislation for revision of repayment contracts of Federal reclamation projects, and urging that committees of both Houses of the United States Congress request the Secretary of the Interior to submit a report with recommendations on the projects where revision is desirable, that a special committee be set up to consider the report and report thereon and that upon the report of the special committee the United States Congress enact legislation authorizing repayment contract revision where such revisions are deemed necessary

"Be it resolved by the House of Representatives of the State of Utah:

"Whereas because of changes in economic conditions, largely a result of the Second World War, repayment contracts on some existing Federal reclamation projects contain inequities which need immediate adjustment; and

"Whereas existing laws providing for renegotiations of repayment contracts are inadequate to meet the need for contract revision and default in the payment of annual repayment installments in some projects is imminent unless new legislation is enacted for that purpose: Be it

"Resolved by the house of representatives:

"SECTION 1. That the house of representatives urges the Congress of the United States to undertake immediately a study of the need for legislation for revision of repayment contracts on projects in financial difficulties and, for that purpose, recommends that the appropriate committees of both Houses of Congress

forthwith request the Secretary of the Interior to submit a full and complete report, with his recommendations on all existing projects where such revisions of repayment contracts are desirable; that upon the submission of such report a special committee composed of Members of both Houses of Congress be established to consider such report and the recommendations of interested water users; and that, upon the report of the special committee, the Congress enact legislation authorizing repayment contract revisions where such revisions are deemed necessary.

"SEC. 2. That the secretary of state be directed to send a certified copy of this resolution to the President of the United States, the President of the Senate, and the Speaker of the House of Representatives of the United States, and to each Senator and Representative of the United States Congress from the State of Utah."

A joint resolution of the Legislature of the State of Utah; to the Committee on Banking and Currency:

"Senate Resolution 3

"Memorial to the Congress of the United States urging that national rent control be abandoned and that the jurisdiction of the same be returned to the people at the earliest possible date, and that during the interim action be taken to restore some degree of economic justice to the owners of rental property

"Be it resolved by the Senate of the State of Utah:

"Whereas the National Rent Control Act as originally passed was intended as a war emergency measure, and save for the Emergency War Powers Act this legislation would not be valid under any peacetime functioning of constitutional government; and

"Whereas if there is an emergency now existing in the housing industry, there is likewise an emergency in food and clothing and other commodities which are even more vital to life than shelter; and

"Whereas the American way of life is founded on the proposition that there shall be free commerce among and between all our people and to freeze any one segment of our economy is a violation of the basic principles of the free-enterprise system; and

"Whereas, the Congress' attention is respectfully called to the fact that other industries are now being subsidized by the Government through general taxation, and to force one segment of the population to subsidize another individually and directly, as is now being required from landlord to tenant, is unfair and grossly discriminatory; and

"Whereas the right now exercised by the Federal Government to control the property and income of one group of our citizens, carries with it the implied right to extend the same controls to other groups; and

"Whereas rent control, dealing as it does with the rights to our homes and personal property, is by its very nature a local or community problem and should be dealt with by local government; and

"Whereas the continual extension of this law under the guise of emergency is cause for alarm by the people as to the good faith of the Federal Government; and

"Whereas the Congress' attention is respectfully called to the fact that rent control was one of the first stepping stones used by nations of the world now experiencing state socialism and that rent control is one of the salient planks of the Communist Party here in America; and

"Whereas aside from all matters of law and discrimination it is contrary to the spirit of good American sportsmanship to take advantage of one segment of our population because of a numerical advantage held by the others: Now, therefore, be it

"Resolved by the Senate of the State of Utah, That the Congress of the United States be urged in behalf of local government and in the interest of preserving the free-enterprise system that national rent control be abandoned at the earliest possible date, and that the rights of citizens of this country to control their own property be restored forthwith, and if the Congress is fearful that such a sudden and drastic action would result in undue hardship and inconvenience to the renting population, that legislation be enacted to gradually remove these Federal restrictions and that during the interim action be taken to restore some degree of economic justice to the owners of rental property; be it further

"Resolved, That the secretary of the State of Utah be, and he is hereby directed to send forthwith copies of this resolution to the Speaker of the House of Representatives and the President of the Senate of the United States Congress and to each of the congressional delegations from the State of Utah."

JOSEF CARDINAL MINDSZENTY—RESOLUTION OF LEGISLATURE OF MINNESOTA

Mr. THYE. Mr. President, I present for appropriate reference and ask unanimous consent to have printed in the RECORD a concurrent resolution adopted by the Minnesota State Legislature memorializing the Minnesota Members of the Congress to present to the executive department of the Government an official protest regarding the unjust prosecution of Josef Cardinal Mindszenty, and other clergymen.

There being no objection, the resolution was referred to the Committee on Foreign Relations, and, under the rule, ordered to be printed in the RECORD, as follows:

Concurrent resolution memorializing the Minnesota Members of the United States Congress to present to the executive department of the United States Government an official protest regarding the unjust prosecution of Josef Cardinal Mindszenty and other clergymen

Whereas the recent trial and sentence of Josef Cardinal Mindszenty by the Hungarian court constitutes a wanton violation of the fundamental rights of man; and

Whereas the entire proceedings surrounding the arrest, trial, and sentence constituted a mask for a premeditated action against an innocent man; and

Whereas the case of Josef Cardinal Mindszenty and Bishop Lajos Ordass has now become a dramatic example of the persecutions the Hungarian Government has imposed upon courageous and God-fearing people of many religious faiths; and

Whereas the United States Government has played a leading role among the United Nations in establishing universal standards of human rights, which include fair and impartial trials and all the other basic guaranties to the accused; and

Whereas the action of the Hungarian Government in the Josef Cardinal Mindszenty case presents a challenge and a test as to the utility, purpose, and survival of the United Nations as an international instrument for world peace and human rights: Now, therefore, be it

Resolved by the Senate of the State of Minnesota (the house of representatives concurring), That the Minnesota representatives in the Congress of the United States be hereby urged to formally present our official protest of the Josef Cardinal Mindszenty case to the President of the United States, to the Secretary of State, and to the American representatives on the United Nations Council, so that the United States Government may continue her traditional role as the champion of human rights and take a position of leadership toward effecting a liberation of Josef Cardinal Mindszenty and the other hundreds of human beings who are victims of the same injustices.

C. ELMER ANDERSON,
President of the Senate.
JOHN A. HARTH,
Speaker of the House of Representatives.
Approved March 8, 1949.
LUTHER W. YOUNGDAHL,
Governor of the State of Minnesota.

POSTMASTER AT HAMPTON, IOWA—LETTER AND RESOLUTION OF GEO. A. ALDINGER POST, NO. 183, THE AMERICAN LEGION, HAMPTON, IOWA

Mr. HICKENLOOPER. Mr. President, I present for appropriate reference a letter from Jerome C. Scheckel, post adjutant and service officer, Geo. A. Aldinger Post, No. 183, Inc., the American Legion, of Hampton, Iowa, and a resolution adopted by that post, relating to the nomination of postmaster at Hampton, Iowa, and I ask unanimous consent that they be printed in the RECORD.

There being no objection, the letter and resolution were referred to the Committee on Post Office and Civil Service, and ordered to be printed in the RECORD, as follows:

AMERICAN LEGION,
GEO. A. ALDINGER POST, NO. 183, INC.,
Hampton, Iowa, January 13, 1949.

Senator BOURKE B. HICKENLOOPER,
Senate Office Building,
Washington, D. C.

DEAR SIR: The inclosed resolution was adopted at a regular convened business meeting of the Geo. A. Aldinger Post, No. 183, at Hampton, Iowa, on the 6th day of January 1949. At this post meeting there were over 100 veterans present, 90 percent of whom were World War II veterans. They are very much disturbed, owing to the fact a veteran had, prior to the general election, been recommended for confirmation by the United States Senate, and now since the election, the professional politicians are attempting to block the ratification of his appointment.

It might be interesting, in view of this situation, to know that in my judgment, at least 75 percent of the members who were present at this meeting voted the Democratic ticket, and they are just as much disturbed over this situation as the Republican members.

We hope that your good offices will avail, so that the civil-service regulations will be enforced as they are suppose to be enforced, and that political pressure cannot be brought to bear to brush off a worthy and well-qualified veteran for this job.

It may be of interest to you, to know that the party who had the highest rating in the civil-service examination was a disabled veteran, the second a nonveteran, third a veteran of World War II, and the fourth a veteran of World War I.

Respectfully yours,
JAMES P. MANGO,
Post Commander.
By JEROME C. SCHECKEL,
Post Adjutant and Service Officer.

Whereas it has come to the attention of the members of the Geo. A. Aldinger Post, No. 183, of the American Legion, at Hampton, Iowa, that the nomination for postmaster at Hampton, Iowa, which was made by the President of the United States prior to the general November election, is now being recalled by political pressure of the local Democratic organization; and

Whereas members of this post have been informed that the four persons who took

the civil-service examination for this office, and who are eligible for said office, three of them are veterans; and

Whereas the first, third, and fourth highest ratings of this examination were obtained by veterans: Be it therefore

Resolved—

That we urge the appointment of a veteran to this job irrespective of politics, but in true compliance of the civil-service regulations in effect;

That we deeply deplore political inference with the civil-service regulations;

That the members of this post are resentful of the fact that professional political politicians are exerting their influence to prevent the appointment of a veteran to that office: Therefore be it further

Resolved, That we inform our United States Senators and the Congressman from this district concerning what is now occurring in this city, and that we respectfully ask our United States Senators and Congressman from the Third District of Iowa, to exert their influence toward seeing that the civil-service law is in fact, enforced, and that veterans are not kicked aside for purely political reasons.

GENERAL PULASKI'S MEMORIAL DAY—RESOLUTION OF CITY COUNCIL OF LYNN, MASS.

Mr. SALTONSTALL. Mr. President, on behalf of my colleague, the junior Senator from Massachusetts, and myself, I present for appropriate reference and ask unanimous consent to have printed in the RECORD a resolution adopted by the City Council of the City of Lynn, Mass., favoring the enactment of legislation proclaiming October 11 of each year General Pulaski's Memorial Day.

There being no objection, the resolution was referred to the Committee on the Judiciary and ordered to be printed in the RECORD, as follows:

Resolution memorializing the Congress of the United States to pass, and the President of the United States to approve, if passed, the General Pulaski's Memorial Day resolution now pending in Congress

Whereas a resolution providing for the President of the United States of America to proclaim October 11 of each year as General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski is now pending in the present session of the United States Congress; and

Whereas the 11th day of October, 1779, is the date in American history of the heroic death of Brig. Gen. Casimir Pulaski, who died from wounds received on October 9, 1779, at the siege of Savannah, Ga.; and

Whereas the States of Arkansas, California, Connecticut, Delaware, Illinois, Indiana, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, New York, Nevada, Ohio, Pennsylvania, South Carolina, Tennessee, Texas, West Virginia, Wisconsin, and other States of the Union, through legislative enactment designated October 11 of each year as General Pulaski's Memorial Day; and

Whereas it is fitting that the recurring anniversary of this day be commemorated with suitable patriotic and public exercises in observing and commemorating the heroic death of this great American hero of the Revolutionary War; and

Whereas the Congress of the United States of America has by legislative enactment designated from October 11, 1929, to October 11, 1946, to be General Pulaski's Memorial Day in the United States of America: Now, therefore, be it

Resolved by the City Council of the City of Lynn and the State of Massachusetts, That we hereby memorialize and petition the Congress of the United States to pass, and the President of the United States to approve, if passed, the General Pulaski's Memorial Day resolution now pending in the United States Congress.

FEDERAL AID TO EDUCATION—RESOLUTION FROM CHARTIERS TOWNSHIP SCHOOL DISTRICT, WASHINGTON, PA.

Mr. MYERS. Mr. President, I present for appropriate reference and ask unanimous consent to have printed in the RECORD a resolution adopted by the Chartiers Township School District, Washington, Pa., supporting Federal aid to education.

There being no objection, the resolution was referred to the Committee on Labor and Public Welfare and ordered to be printed in the RECORD, as follows:

At a regularly scheduled meeting of the Chartiers Township Education Association, the 44 members voted unanimously to adopt the following resolution regarding their opinions on the subject of Federal aid to schools:

"Whereas the inequality of educational opportunity has contributed to the virtual illiteracy of 10,000,000 adults in the United States; and

"Whereas since more than half of the 5,000,000 men who were rejected under selective service because of physical, mental, and educational deficiencies came from States with little ability to pay for education; and

"Whereas the shortage of qualified teachers is a matter of grave concern which can be alleviated by better working conditions and higher salaries; and

"Whereas the quality of our citizenship must be upheld and improved through persistent and uniform endeavor in educational needs; and

"Whereas the Chartiers Township Education Association believes that additional Federal funds will facilitate needed improvement in education: Therefore, be it

"Resolved, That the Chartiers Township Education Association respectfully petitions the Honorable FRANCIS J. MYERS to support legislation granting Federal aid to education."

IRENE GRABLE,
President.
BEATRICE E. SHAW,
Secretary.

MINE SAFETY—RESOLUTION OF UNITED MINE WORKERS OF AMERICA, UNIONTOWN, PA.

Mr. MYERS. Mr. President, I present for appropriate reference and ask unanimous consent to have printed in the RECORD a communication from President William Hynes and Secretary-Treasurer Michael Honus of the United Mine Workers of America, District 4, enclosing a resolution endorsing the principles of S. 1031, of which I am a cosponsor, which would empower Federal mine inspectors to act in shutting down unsafe mines.

There being no objection, the communication was referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

UNITED MINE WORKERS OF AMERICA,
Uniontown, Pa., February 24, 1949.

Hon. FRANCIS MYERS,
United States Senate,
Washington, D. C.

DEAR SENATOR: The following resolution was unanimously adopted at the convention of District No. 4, United Mine Workers of America, held Saturday, February 19, 1949, Marshall Hall, Uniontown, Pa.:

"Whereas, in the year of 1948 they claim that it was the safest year for some years in the casualty list of the bituminous coal industry; and

"Whereas, in this so-called safe year more than 1,000 members of the United Mine Workers of America were killed in the coal mines of this country and 50,000 men were injured in the bituminous industry: Therefore be it

"Resolved, That this convention of District No. 4 go on record demanding that Congress pass a law giving the Federal inspectors the right to enforce their recommendations on safety and giving them the power to shut the mines down when those safety regulations are not carried out; and be it further

"Resolved, That a copy of this resolution be sent to President Truman, to Vice President BARKLEY, and to our two United States Senators, and the Congressmen from the coal-mining districts."

DISTRICT NO. 4, UMWA,
W. J. HYNES,
President.
MICHAEL HONUS,
Secretary-Treasurer.

PROTEST AGAINST VETERANS' BONUS—OPEN LETTER FROM AMERICAN VETERANS COMMITTEE, SALT LAKE CITY, UTAH

Mr. WATKINS. Mr. President, I present for appropriate reference an open letter from the American Veterans Committee, Inc., of Salt Lake City, Utah, protesting against the enactment of the so-called Rankin bonus bill for veterans, and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the letter was referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

AMERICAN VETERANS COMMITTEE, INC.,
SALT LAKE CHAPTER,
Salt Lake City, Utah, February 28, 1949.

VERY CURRENT EVENTS

In Washington, D. C., AVC National Vice Chairman Joe Clorety, Jr., testified before the House Committee on Veterans' Affairs that, according to calculations, if the total pension proposed and backed by Representative RANKIN, of Mississippi, were in one-dollar bills and placed end on end and side by side, none of the bills overlapping, it would pave a highway 40 feet wide, extending four times around the earth at its center, at a rate of $2,000,000 per mile. That would be 100,000 miles—over two-fifths of the distance to the moon. The word "lunacy" is derived from the Latin luna meaning, in this case, moonstruck. Every member of AVC is urged to write to his Congressman to defeat this bill, H. R. 1693. The old-age benefits alone of H. R. 1693 represent a total cost of more than nine times the estimated total cost of the European recovery program. This veterans' pension plan, if adopted, would cost every living man, woman, and child in the United States $20 per year for the next 70 years. It would increase the taxes of a family of four by $80 per year for 70 years.

OPEN LETTER TO UTAH'S CONGRESSMEN

"To the Honorable Senators Elbert D. Thomas, Arthur V. Watkins, and the Honorable Representatives Walter K. Granger and Reva Beck Bosone:

"The American Veterans' Committee, Inc. (AVC), is a veterans' organization, but with a difference—we believe in the principle citizens first, veterans second. Furthermore, our primary aim, as stated in our organizational constitution, is to preserve

the Constitution of the United States * * * and to maintain full production and full employment in our country under a system of free enterprise in which labor, agriculture, and Government cooperate.

"We are opposed to bonuses and hand-outs by the Government to veterans as a special-interest group. We are in favor of legislation which will serve the specialized needs of the veterans.

"The veterans' pension legislation proposed by Representative RANKIN is special-interest legislation antithetical to President Truman's administrative policy, which received the mandate of the majority electorate of this Nation. Therefore, this veterans' pension legislation, objected to equally heartily by voters opposing the administration, is deemed dangerous legislation to the best interests of the United States.

"We, therefore, respectfully urge that you do everything in your collective power to influence Congress to defeat H. R. 1693.

"Respectfully yours,

"AMERICAN VETERANS COMMITTEE,
"Salt Lake City."

PROTEST AGAINST MISSOURI VALLEY AUTHORITY—RESOLUTION FROM COURT HOUSE ROCK IRRIGATION CO., BRIDGEPORT, NEBR.

Mr. BUTLER. Mr. President, I present for appropriate reference and ask unanimous consent to have printed in the RECORD a resolution adopted by the Court House Rock Irrigation Co., of Bridgeport, Nebr., protesting against the enactment of legislation relating to the Missouri Valley Authority.

There being no objection, the resolution was referred to the Committee on Public Works and ordered to be printed in the RECORD, as follows:

Whereas this meeting was duly called to order by the president, Ole Christensen, February 8, 1949; and

Whereas the matter of proposed national legislation similar to S. 555 introduced and defeated in 1945, came up for discussion; and

Whereas this body has previously gone on record as opposing S. 555 which would create and establish a Missouri Valley Authority and that a similar bill has been or will shortly be introduced in Congress; and

Whereas the proposed legislation was discussed at length by the stockholders and water users of this company, all of whom expressed their opposition to such legislation for the reasons that any such legislation would be undemocratic, unnecessary, and would work a severe hardship upon the farmers in the North Platte Valley and for the further reason that this body is satisfied with the present form of Government control in this section of the State; and

Whereas it was unanimously decided that this body is opposed to any Federal legislation that might conflict with the present status of the farmers and businessmen of this section and with the present States' rights: Therefore be it

Resolved unanimously, That the Court House Rock Irrigation Co., go on record as definitely opposed to the proposed Missouri Valley Authority bill or any other bill similar thereto by whatever name it may be known; be it further

Resolved, That a copy of this resolution be spread upon the minutes of this meeting and that copies be sent to Senators, Congressmen, and all other interested parties.

Signed at Bridgeport, Nebr., this 10th day of March 1949.

OLE B. CHRISTENSEN,
President.
ORRIS V. COXMAN,
Secretary.

DRAINAGE ON CHIPPEWA RIVER AND SHAKOPEE CREEK—RESOLUTION OF CITY COUNCIL OF BENSON, MINN.

Mr. HUMPHREY. Mr. President, I present for appropriate reference and ask unanimous consent to have printed in the RECORD a resolution adopted by the City Council of the City of Benson, Minn., relative to a drainage problem on the Chippewa River and Shakopee Creek.

There being no objection, the resolution was referred to the Committee on Public Works and ordered to be printed in the RECORD, as follows:

Resolution asking Federal aid for flood-control project

Whereas the rate of flow of the Chippewa River is much slower through the city of Benson and for a distance of 8 miles southerly than it is northeasterly of said city and southerly of the entrance of Shakopee Creek into said river south of city of Benson; and

Whereas this slow rate of flow causes annual flood conditions in part of city of Benson during several months of the year, stopping the operation of the city sewage treatment plant and causing an abnormally high water table in residential areas; and

Whereas the dredging of sand bars formed during the drought years in parts of the river southerly of the city of Benson and straightening of course of river would tend to alleviate said flood conditions; and

Whereas the clogged-up condition of Shakopee Creek not only causes yearly flood conditions in a large farming area and makes much of this farm land worthless for crops, but also the present outlet of Shakopee Creek into the Chippewa River is designed in such a way that it tends to slow up the rate of the river's flow above said outlet and is a factor in creating flood conditions in the city of Benson; and

Whereas the cleaning out of Shakopee Creek would alleviate flood conditions over a large farm area, while a change in the Shakopee Creek outlet into the Chippewa River would tend to alleviate flood conditions in the city of Benson: Now, therefore, be it

Resolved by the City Council of the City of Benson, Minn., That the city of Benson petitions the Congress of the United States to authorize and direct the Engineering Corps of the United States Army to make a preliminary study of the feasibility of dredging the Chippewa River in the Benson area and of cleaning out Shakopee Creek and changing its outlet into the Chippewa River; and be it further

Resolved, That the city of Benson petitions United States Senators HUBERT HUMPHREY and and EDWARD THYE and Seventh District Congressman H. CARL ANDERSEN to take appropriate action in Congress to obtain such authorization and that copies of this resolution be forwarded to said Members of Congress.

Approved February 3, 1949.

LLOYD A. HUGHES,
Mayor.

FEDERAL COMPULSORY HEALTH INSURANCE—RESOLUTION OF DANE COUNTY (WIS.) DENTAL SOCIETY

Mr. WILEY. Mr. President, I send to the desk a resolution which I have received from Dane County Dental Society, representing the dentists of the capital area of my State.

This resolution presents a strong case against Senate bill 5, which would establish a system of Federal compulsory health insurance. I fully endorse, of course, the sentiments expressed in this resolution, and I ask unanimous consent that it be printed in the RECORD at this point and thereafter appropriately referred.

There being no objection, the resolution was referred to the Committee on Labor and Public Welfare and ordered to be printed in the RECORD, as follows:

Whereas the Dane County Dental Society is assembled at a regular meeting of its members this 10th day of March 1949; and

Whereas the membership of this society has been informed of the purpose and intent of proposed legislation pending before the Congress of the United States which adversely affects the public health and is thus of direct interest to the profession of dentistry, namely, bill No. S. 5, of the Eighty-first Congress, first session; and

Whereas this society desires that its duly elected Representatives in the Congress be advised as to the conclusions reached by this society upon the merits of bill No. S. 5, so as to enable them to cast a more informed vote thereon: Now, therefore, be it

Resolved, That the Dane County Dental Society hereby memorializes United States Senators ALEXANDER WILEY and JOSEPH R. MCCARTHY, and Hon. GLENN DAVIS, Member of Congress, that it is unanimously and unalterably opposed to bill S. 5, and urges them to vote against said bill and to use their best efforts to persuade their fellow Senators and Representatives to do likewise, for the following reasons:

1. Neither this bill nor any other similar Federal legislation is necessary or helpful in providing better health care for the people of Wisconsin.

2. This bill is a wholly unjustified attempt to substitute the judgment of Federal bureaucrats for the judgment of the people of Wisconsin as to the nature and extent of health care needed and the conditions under which it shall be rendered.

3. The bill is obviously designed to appear to promise something it cannot deliver, and something the Federal Government cannot deliver, namely, the elevation of health standards.

4. The enormous expense required to administer the provisions of such a bill can be met only by increased taxes upon the citizens of this and other States at a time when the burden of State and Federal taxes is already oppressive.

5. The underlying philosophy of the bill is an abrogation of States' rights and an extreme form of socialism which strikes a death blow to the liberty and independence of the American citizen in the conduct of some of his most personal interests and judgments.

ADEQUATE HOSPITALIZATION FOR VETERANS

Mr. WILEY. Mr. President, I send to the desk communications which I have received from American Legion posts in my State on behalf of adequate hospitalization of our Nation's veterans and continued addition of new hospital facilities for them. The needs of our disabled veterans must, of course, and will, receive the continued attention of a Nation which was saved by the sacrifices of these men and this whole question of veterans' hospitals deserves, therefore, the earnest and careful attention of the Congress. For that reason, I ask unanimous consent for printing these communications in the body of the RECORD, and that they be appropriately referred.

There being no objection, the communications were referred to the Com-

mittee on Finance and ordered to be printed in the RECORD, as follows:

CECIL TORMEY POST, No. 118,
AMERICAN LEGION,
Thorp, Wis., February 10, 1949.

Hon. ALEXANDER WILEY,
United States Senator,
Washington, D. C.

HONORED SIR: Members of Cecil Tormey Post, No. 118. The American Legion—300 strong—urge you to use your influence and vote, if necessary to rescind Executive order canceling all new construction of veterans' hospitals in the United States. Our Post membership feels that the veterans who bore the brunt of World War II should be given every facility for their care and comfort.

Respectfully yours,
NEWELL E. QUALLE,
Adjutant.

DOWNTOWN POST, No. 412,
THE AMERICAN LEGION,
Milwaukee, Wis., February 25, 1949.

Hon. ALEXANDER M. WILEY.

DEAR SIR: At the February meeting of the Downtown Post, No. 412, of the American Legion it was resolved to protest against the closing of the many veteran hospitals as requested by the Hoover Commission.

That's why it was resolved to send letters to our representatives in the Senate urging them to give the veterans all the help they can to keep the hospitals open.

Hoping to hear from you soon, I remain,
Yours truly,
RUDOLPH STEINER,
Post Adjutant.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. McCARRAN, from the Committee on the Judiciary:

S. 40. A bill for the relief of William D. Norris; with an amendment (Rept. No. 121);

S. 41. A bill for the relief of the city of Reno, Nev.; without amendment (Rept. No. 113);

S. 165. A bill for the relief of William F. Thomas; without amendment (Rept. No. 114);

S. 191. A bill for the relief of Louis J. Waline; with an amendment (Rept. No. 122);

S. 749. A bill for the relief of Ferd H. Gibler; without amendment (Rept. No. 115);

S. 850. A bill conferring United States citizenship posthumously upon Vaso B. Benderach; without amendment (Rept. No. 116);

S. 937. A bill to authorize the Secretary of the Treasury to effect the payment of certain claims against the United States; without amendment (Rept. No. 117);

S. 981. A bill for the relief of John Clark Sharman; without amendment (Rept. No. 118);

H. R. 1870. A bill for the relief of Doris Marie Richard; without amendment (Rept. No. 120); and

S. J. Res. 12. Joint resolution authorizing the President to proclaim the week in which June 6, 1949, occurs as Patrick Henry Week in commemoration of the sesquicentennial anniversary of the death of Patrick Henry; without amendment (Rept. No. 119).

By Mr. THOMAS of Oklahoma, from the Committee on Agriculture and Forestry:

S. 900. A bill to amend the Commodity Credit Corporation Charter Act, the Strategic and Critical Materials Stock Piling Act, and for other purposes; with amendments (Rept. No. 125).

REGULATION OF TRADE PRACTICES IN INTERSTATE AND FOREIGN COMMERCE—REPORT OF A COMMITTEE (REPT. NO. 112)

Mr. JOHNSON of Colorado, from the Committee on Interstate and Foreign Commerce, submitted, pursuant to Senate Resolution 241, Eightieth Congress, second session, to investigate the impact upon consumers and business of recent Federal court decisions relative to the regulation of trade practices in interstate and foreign commerce, a report, which was ordered to be printed.

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

Mr. McCARRAN. Mr. President, from the Committee on the Judiciary, I ask unanimous consent to report an original concurrent resolution, relating to the suspension of deportation of certain aliens, and I submit a report (No. 123) thereon.

The VICE PRESIDENT. Without objection, the report will be received, and the concurrent resolution will be placed on the calendar.

The concurrent resolution (S. Con. Res. 21) was ordered to be placed on the calendar, as follows:

Resolved by the Senate (the House of Representatives concurring), That the Congress favors the suspension of deportation in the case of each person hereinafter named, in which case the Attorney General has suspended deportation for more than 6 months:

[redacted], Acquavella, Antonio.
[redacted], Aiello, Vincent.
[redacted], Aiello, Lucia.
[redacted], Aloia, Salvatore.
[redacted], d'Amonville, Emanuel Marie Joseph Jean Francois.
[redacted], d'Amonville, Christian.
[redacted], Amoruso, Grazia (nee Grazia Pasqua di Bisceglie).
[redacted], Anderson, Asta Emily Regine, or Asta Emilie Andresen (nee Ruud), or Asta Olafsen or Asta Andresson.
[redacted], Assuncao, Manuel Joao.
[redacted], Atha, Miles Milton.
[redacted], Baquera, Ernesto, or Ernesto Vacquera or Ernesto Baquera Lozano.
[redacted], Becerra-Gonzales, Jesus Ceriaco.
[redacted], Becerra-Luna, Maria de la Paz.
[redacted], Bileca, Fanica (nee Shunda).
[redacted], Castaneda, Maria Dolores.
[redacted], Castaneda, Maria del Socorro.
[redacted], Castellanos, Eduardo, or Eduardo Lara-Castellanos aka Eduardo Lopez.
[redacted], Cutaia, Antonio, or Tony Romano or Signor Cortez.
[redacted], Dahl, Albert Guy.
[redacted], De Oliveira, Manuel.
[redacted], Didyk, Eugeniusz, or Eugene Didyk.
[redacted], Dimitrakis, Georgias, or Georgias Dimitrios Dimitrakis or George D. Dimitrakis.
[redacted], Dix, Joan Nicolae (alias Ioan Nicolae Dix).
[redacted], Donakis, Angelo, or Evangelos Helidonakis.
[redacted], Effrof, Edla Johanna Karjuner, or Edith Kari (nee Edla Johanna Karjunen) or Edla Johanna Virtanen or Virta or Stream.
[redacted], Embiricos, Leonidas Nicholas.
[redacted], Engvik, Hans.
[redacted], Erdmann, Ernest August (alias Ernst Erdmann).
[redacted], Fraser, Walter Frederick (alias Walter Fraser, alias Walter Frazar).
[redacted], Fuchs, Fannie, or Fay (nee Kalichman).
[redacted], Garza, Santiago.
[redacted], Gerardes, James A., or Demetrios Antoniou Gerardes.
[redacted], Glick, Simon Isaac (alias Simon Gleek or Simon John Gleek).
[redacted], Goldman, Annie.
[redacted], Gonzalez, Juanita.
[redacted], Gonzalez, Tomas.
[redacted], Gonzalez, Rosaura.
[redacted], Guerrero, Gloria Maria (nee Jiminez y Jansen).
[redacted], Gurcke, Werner.
[redacted], Hall, Henry Ellis.
[redacted], Heffron, Pearl (nee Pearl Sheppard, alias Pearl Loftus, alias Pearl Venn).
[redacted], Hiltunen, Muisto Olavi (alias Muisto Olavi Vihko).
[redacted], Hoke, Abdul, or Abdul Hoque.
[redacted], Imperato, Annunziata (nee Brunelli).
[redacted], Isaac, Adolphus, or Sam Dolly.
[redacted], Johnk, William Hans, or Willi Johnk.
[redacted], Kelsey, Alison Mary, formerly Beaton.
[redacted], Kinnersley, Edward; Edward Kinley.
[redacted], Kitchens, Eileen Patricia Camacho, or Ryder or Rider.
[redacted], Kourkoumelis, Gerasimos Andreas.
[redacted], Kozigian, Shenorig (nee Hagopian Shenorig Baboian, alias Siran Kozigian).
[redacted], Kramer, Heinrich Emil, or Henry Kramer.
[redacted], Kwan, Shih Tsun (alias Kwan Shih Tsum or Steve Kwan).
[redacted], Levinoff, Libby, or Libby Lee (nee Libby Feinbrook).
[redacted], Levinoff, Elliott Ross (alias Elliott Ross Lee).
[redacted], Madianitti, Guiseppe (alias Joseph Madianitti).
[redacted], Mahler, Julius Arthur.
[redacted], Marek, Karel Antonio, or Charles Antonio Marek or Karel Marek or Karel Demarchi.
[redacted], Martinez, John Antonio, Juan Martinez; José Antonio Martinez.
[redacted], McKellar, Nettie Banks.
[redacted], Mendoza, Juan.
[redacted], Miah, Babu.
[redacted], Minatos, Magda, or Magda (Magdalena) Bodnar (alias Katzarzyna Hirman).
[redacted], Muehl, George Paul, or George Muhl.
[redacted], Muzumdar, Natverlal Thakordas.
[redacted], Myrovitch, Dina (nee Schwartz), or Dina Myers or Ciubotarin.
[redacted], Myrovitch, Sol, or Myrowitch or Myers.
[redacted], O'Connor, Margaret Blanch, or Margaret Miller (nee Thomas).
[redacted], O'Neill, Ruby Florence (nee Rollins).
[redacted], Papademetriou, Vasiliki (nee Lykomatis).
[redacted], Papageorge, Alexandra, or Alexandra Valasiou Evlogimenou.
[redacted], Pare, Lorenzo Joseph, or Lorenzo Joseph Perry.
[redacted], Pasternak, Sophie, or Sophie Gorzelany or Catherine Gorzelany.
[redacted], Patselas, Jacovos Pantelis, or Jacob Patselas or Jacob Loizos.
[redacted], Pavlinik, Milan, or John Pauer (alias Pavlinic).
[redacted], Pelcic, Nikola.
[redacted], Pereira, Jose Dias, or José or Joe Dias.
[redacted], Peroulas, Demetrious Ioannou (alias Demetrious John Peroulas).
[redacted], Petrolo, Francesco, or Frank.
[redacted], Pisani, Clemente Salvatore (alias Salvatore Pisani or Salvatore Clemente Pisani).
[redacted], Poulsen, Poul Borge (alias Paul Poulsen).

[redacted], Procopis, Vasiliki (nee Vasilike Dountas).
[redacted], Quintana, Benito, or Benito Quintana Seara.
[redacted], Quintana, Enrique.
[redacted], Quintana, Belia.
[redacted], Rahaman, Abdul.
[redacted], Rizzardi, Giovanni Lugi, or John Louis Rizzardi.
[redacted], Roberts, Patrick Francis William, or Mickey Roberts.
[redacted], Roco, Alvaro.
[redacted], Rosa, Jorge Antonio de la.
[redacted], Salina, Isabel Maud (nee Isabel Maud Greenough).
[redacted], Sanseverino, Guiseppe, or Joseph Sanseverino.
[redacted], Scheinbaum, Abraham Louis, or Abe English.
[redacted], Schjenken, Helen, or Nellie Rogers.
[redacted], Schwartz, Edith Mary, or Edith Mary Warry (nee Teams).
[redacted], Scognamiglio, Ciro.
[redacted], Scott, Walter Clarence.
[redacted], Semaria, Charles, or Simaria (alias Sabatai Semaria, alias Januarez Bennito or Juan Suarez).
[redacted], Shever, Hanna Weston, or Anna Weston.
[redacted], Shu, Enid Alicia.
[redacted], Siewierski, Michael, or Michael Sedeski.
[redacted], Siewierski, Vera, or Vera Sedeski.
[redacted], Siewierski, Anne Justine aka Sedeski.
[redacted], Siewierski, Angeline Mary Siewierski aka Sedeski.
[redacted], Simms, Arthur Primrose.
[redacted], Sugal, Penina Rita (nee Penina Rita Cohen).
[redacted], Sullivan, Wendy Kay.
[redacted], Tamm, Salme Alice.
[redacted], Tsangaris, Anthony or Antonios.
[redacted], Tschudi, Barbara, or Tschudy (nee Treumpy) or Babette Tschudi.
[redacted], Tursich, Erminio (alias Herman Yursich).
[redacted], Uluh, Tomiz (alias Wasil Ali).
[redacted], Vagianos, Angelos Michael.
[redacted], Valenzuela, Aurelio, or Aurelio Valensuella.
[redacted], Valenzuela, Tiburcio Benjamin, or Benjamin Valenzuela or Benjamin Valensuella or Benjamin Valesuella.
[redacted], Valenzuela, Jesus, or Jesus Valensuella.
[redacted], Vanderweerd, John.
[redacted], Wajntal, Mojzesz (alias Mark Wein).
[redacted], Wing, Laura Mei-Lan Yee.
[redacted], Wong, Lin You, or Lin Yao Huang.
[redacted], Wong, Helen (alias Quong Tung (Tong) Marr or Mah or Helen Marr or Mar).
[redacted], Zamudio-Lemos, Hilario.
[redacted], Zamudio-Soto, Ramon.
[redacted], Zeid, Fanny.
[redacted], Zeid, Max, formerly Zagdenwar.
[redacted], Zetting, Mary Theresa, or Robertson, Robinson, Smith.

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

Mr. McCARRAN. Mr. President, from the Committee on the Judiciary, I ask unanimous consent to report an original concurrent resolution, relating to the suspension of deportation of certain aliens, and I submit a report (No. 124) thereon.

The VICE PRESIDENT. Without objection, the report will be received, and the concurrent resolution will be placed on the calendar.

The concurrent resolution (S. Con. Res. 22) was ordered to be placed on the calendar, as follows:

Resolved by the Senate (the House of Representatives concurring), That the Congress favors the suspension of deportation in the case of each person hereinafter named, in which case the Attorney General has suspended deportation for more than 6 months:

[redacted], Aase, Aksel.
[redacted], Arlino, Mary Jean Hartley, or Jean Hartley.
[redacted], Athansiu, George John, or Georgios Athanasiu or Athanasiou.
[redacted], Attard, Emmanuele.
[redacted], Barreiros, Manuel Lopes, or Manuel Lopes.
[redacted], Blackstone, Harry Hyman.
[redacted], Blohme, Christian.
[redacted], Bruck, Charlotte (nee Grosz).
[redacted], Buras, Kyriaki, or Kyreaki or Kyreai Buras or Moskos or Prokopios (nee Panagaki).
[redacted], Canoura, José Davila.
[redacted], Carreon, Juan.
[redacted], Carrillo, Ramiro, or Ramiro Carrillo Ceniceros.
[redacted], Astorga, Maria Del Refugio.
[redacted], Cavanna, Santo.
[redacted], Cortis, Maria (nee Papapangiotou), or Maria Athansiou Papapangiotou.
[redacted], Donaghy, Patrick.
[redacted], Collins, Alice Mildred Eileen (nee Copping).
[redacted], Farkas, Stephen.
[redacted], Farkas, Edith (nee Edith Tamasay-Czepan).
[redacted], Franceschi, Sergio Constantino.
[redacted], Geerts, Arjen Johan.
[redacted], Granberg, Oscar Herbert.
[redacted], Gregorio, Giovanni.
[redacted], Guha-Thakurta, Leeabati, or Leela Rodman or Ranu Devi.
[redacted], Gunn, Maria Lok.
[redacted], Hall, Ida Ruth (nee Dorfman).
[redacted], Hansen, Bjarne.
[redacted], Jianakas, Marika (nee Papakostantinu aka Marika Giannakos) (nee Mary Johnson).
[redacted], Johnson, Albert Nathan.
[redacted], Jones, Edgar Robert.
[redacted], Kaminski Stanley George (alias Stanislaus Wladislaw Kaminski).
[redacted], Lausch, Eduard.
[redacted], Lekas, Alexandra or Alexandra Lekkas (nee Bargi).
[redacted], Lopez-Garcia, Alfredo.
[redacted], Majia, Evangelina.
[redacted], Maletis, Mary, or Mary Maletiou or Maria Pantelis or Maria S. Cholakedes.
[redacted], Marmorato, Pasquale or Patsy.
[redacted], Mary, Dorothy (nee Taylor Simpson).
[redacted], McClave, Mary Agnes (nee Spence).
[redacted], Miettinen, Kaarlo Vilho.
[redacted], Nazaretian, Felice.
[redacted], Newgord, Esther (nee Goldstein), alias Esther Haimovitch alias Esther Katz.
[redacted], Nimeth, Margaret (nee Margaret Barta), alias Margaret Semon.
[redacted], Olsen, Arnold Emmanuel (alias Arnold E. Olsen).
[redacted], Parsons, Robert Joseph, or Robert Parsons.
[redacted], Perivolaris Nicollaos, or Lignos or Nick Peris or Pares or Nick John Peres.
[redacted], Philpin, Bridget, or Bessie or Bridget Gallagher.
[redacted], Pina, Francisco, or Joao Andrade.
[redacted], Plevritis, Constantine Elias.
[redacted], Provo, Rose Marie, or Mary Margaret French or Margaret Franche.
[redacted], Reifenkugel, Helene, or Helene Bergstraesser.
[redacted], Roberts, Irene, or Irene Gluck.
[redacted], Rodrigues, Joaquim, or Joaquim Rodriguez.
[redacted], Rousku, Terho Otto.
[redacted], San, Wong Siu, or Mrs. Mary Wong, or Wong Shee or Mrs. Chong (Cheung) or Wah Chuen.
[redacted], Scialpi, Luigi, or Louis Scalpi.
[redacted], Sobkowiak, Jan.
[redacted], Spitzer, Blima (nee Hers).
[redacted], Tabah, Jacob (alias Charles Belmonte).
[redacted], Tabah, Esther or Belmonte (nee Mitrani).
[redacted], Hecht, Dora or Donna (nee Tabah), or Belmonte.
[redacted], Tellefsen, Harold Stefanus.
[redacted], Thomopoulos, Demetrios or James, or James Moskos or James Thomas.
[redacted], Tracy, Maria Pacita.
[redacted], Tranoris, Eleftheri Constantinos.
[redacted], Tushinis, Maria.
[redacted], Vafias, Apostolos.
[redacted], Vincencio-Abogado, Antonio, or Antonio Abogado Vicencio.
[redacted], Vlachos, Theodore, or Theodore J. Blahos or Theodoros Vlachos.
[redacted], Weiss, Hilda Edith (nee Billing).
[redacted], Wheeler, Estefania (nee Bondad).
[redacted], Whittle, Robert Albert (formerly Anderson).
[redacted], Wojciech, Thaddeus.
[redacted], Kowalski, Stanley Hubert.
[redacted], Woodman, Flora Eileen Kathrine (nee McDonald).
[redacted], Zarate, Jacoba Petronella (nee Fruin).

EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting several nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. O'MAHONEY, from the Committee on Interior and Insular Affairs:

James Boyd, of Colorado, to be Director of the Bureau of Mines, terminating recess appointment, vice Royd R. Sayers.

By Mr. JENNER, from the Committee on the Judiciary:

Alexander M. Campbell, of Indiana, to be an Assistant Attorney General.

By Mr. FERGUSON, from the Committee on the Judiciary:

Edward T. Kane, of Michigan, to the United States attorney for the eastern district of Michigan, vice Thomas P. Thornton, elevated.

By Mr. McCARRAN, from the Committee on the Judiciary:

J. Frank McLaughlin, of Hawaii, to be United States district judge for the District of Hawaii;

Edward A. Towse, of Hawaii, to be second judge of the first circuit, circuit courts, Territory of Hawaii, vice Albert M. Cristy, elevated;

William R. Hart, of Iowa, to be United States attorney for the southern district of Iowa, vice Maurice F. Donegan, term expired;

George F. Garrity, of Massachusetts, to be United States attorney for the district of Massachusetts, vice William T. McCarthy, elevated;

John F. X. McGohey, of New York, to be United States attorney for the southern district of New York;

John C. Pickett, of Wyoming, to be United States attorney for the district of Wyoming, vice Carl L. Sackett, retired; and

Virgil B. Stanley, of Oklahoma, to be United States marshal for the northern district of Oklahoma, vice John P. Logan, retired.

By Mr. CONNALLY, from the Committee on Foreign Relations:

Edward R. Dudley, of New York, now Envoy Extraordinary and Minister Plenipotentiary to Liberia, to be Ambassador Extraordinary and Plenipotentiary to Liberia;

James Grover McDonald, of New York, whose recess appointment as special representative to the Provisional Government of Israel is pending confirmation by the Senate, to be Ambassador Extraordinary and Plenipotentiary to Israel;

Philip D. Reed, of New York, and Erwin D. Canham, of Massachusetts, to be members of the United States Advisory Commission on Information for terms of 3 years expiring January 27, 1952, and until their successors have been appointed and qualified; and

Mark Foster Ethridge, of Kentucky, and several other persons to be members of the United States Advisory Commission on Information.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CONNALLY (by request):

S. 1250. A bill to amend the Institute of Inter-American Affairs Act, approved August 5, 1947; to the Committee on Foreign Relations.

By Mr. CAIN:

S. 1251. A bill authorizing flood-control works on the Uakima River and tributaries; to the Committee on Public Works.

By Mr. MYERS:

S. 1252. A bill conferring jurisdiction upon the Court of Claims of the United States to consider certain claims arising out of the Tariff Act of 1922; to the Committee on the Judiciary.

By Mr. CORDON:

S. 1253. A bill to provide benefits for the widows of certain persons who were retired or are eligible for retirement under section 6 of the act entitled "An act to authorize aids to navigation and for other works in the Lighthouse Service, and for other purposes," approved June 20, 1918, as amended; to the Committee on Interstate and Foreign Commerce.

By Mr. HILL (for himself, Mr. JOHNSTON of South Carolina, Mr. GILLETTE, Mr. KERR, Mr. PEPPER, Mr. SPARKMAN, Mr. JOHNSON of Texas, Mr. AIKEN, Mr. YOUNG, and Mr. LANGER):

S. 1254. A bill to amend the Rural Electrification Act to provide for rural telephones, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. HICKENLOOPER:

S. 1255. A bill for the relief of Kostas Kallinikos; to the Committee on the Judiciary.

By Mr. HICKENLOOPER (for himself, Mr. YOUNG, and Mr. THYE):

S. 1256. A bill providing tax incentive for the creation of additional farm storage facilities; to the Committee on Finance.

By Mr. SCHOEPPEL:

S. 1257. A bill granting the consent of Congress to an interstate compact entered into by the States of Kansas and Colorado relating to the waters of the Arkansas River; to the Committee on Interior and Insular Affairs.

By Mr. REED (for himself and Mr. SCHOEPPEL):

S. 1258. A bill authorizing the appointment of an additional judge for the district of Kansas; to the Committee on the Judiciary.

By Mr. McCARRAN:

S. 1259. A bill for the relief of Mr. and Mrs. Lucillo Grassi;

S. 1260. A bill for the relief of Stefanos Stefanou;

S. 1261. A bill for the relief of Marie Louise Ardans; and

S. 1262. A bill for the relief of Juliana Mendiola Alastra; to the Committee on the Judiciary.

By Mr. BUTLER:

S. 1263. A bill to authorize Federal aid for the construction of additional school facilities to school districts overburdened with school enrollments brought about by Government construction and defense programs; to the Committee on Labor and Public Welfare.

By Mr. KILGORE:

S. 1264. A bill to provide for the retirement of any holder of the Medal of Honor with the rank, pay, and allowances of a captain in the Army or Marine Corps, or of a lieutenant (senior grade) in the Navy or Coast Guard, and to provide for the award of adequate pensions to the widow and minor children of any such holder; to the Committee on Armed Services.

S. 1265. A bill granting an increase of pension to Robert Blake; to the Committee on Finance.

S. 1266. A bill for the relief of Hayward O. Brandon; to the Committee on the Judiciary.

By Mr. TYDINGS:

S. 1267. A bill to promote the national defense by authorizing a unitary plan for construction of transonic and supersonic wind-tunnel facilities and the establishment of an Air Engineering Development Center;

S. 1268. A bill to facilitate the acquisition of strategic and critical materials for stockpiling purposes;

S. 1269. A bill to convert the National Military Establishment into an executive department of the Government, to be known as the Department of Defense; to provide the Secretary of Defense with appropriate responsibility and authority, and with civilian and military assistance adequate to fulfill his enlarged responsibility; and for other purposes; and

S. 1270. A bill to repeal that part of section 3 of the act of June 24, 1926 (44 Stat. 767), as amended, and that part of section 13a of the act of June 3, 1916 (39 Stat. 166), as amended, relating to the percentage, in time of peace, of enlisted personnel employed in aviation tactical units of the Navy, Marine Corps, and Air Corps, and for other purposes; to the Committee on Armed Services.

By Mr. HOLLAND:

S. 1271. A bill for the relief of Dr. J. M. Dell, Jr.; to the Committee on the Judiciary.

By Mr. JOHNSTON of South Carolina:

S. 1272. A bill to amend the act entitled "An act to regulate the practice of optometry in the District of Columbia; and

S. 1273. A bill to amend the act of August 7, 1946, so as to authorize the making of grants for hospital facilities, and for other purposes; to the Committee on the District of Columbia.

S. 1274. A bill to amend section 3944 (b) of the Internal Revenue Code relating to salaries of collectors of internal revenue; to the Committee on Finance.

By Mr. JOHNSTON of South Carolina (for himself and Mr. ECTON):

S. 1275. A bill to amend the Civil Service Retirement Act of May 29, 1930, as amended; to the Committee on Post Office and Civil Service.

By Mr. McMAHON (by request):

S. 1276. A bill for the relief of Marta Faugno; and

S. 1277. A bill for the relief of Athanasios Elias Cheliotis; to the Committee on the Judiciary.

By Mr. McCARRAN:

S. 1278. A bill to fix the United States share of project costs, under the Federal Airport Act, involved in installation of high intensity lighting on CAA designated instrument landing runways;

S. 1279. A bill to amend the Federal Airport Act so as to provide that minimum rates of wages need be specified only in contracts in excess of $2,000;

S. 1280. A bill to amend the Federal Airport Act so as to lir it to 10 percent any increase of the amount stated as a maximum obligation under a grant agreement;

S. 1281. A bill to amend the Federal Airport Act so as to make the United States share of costs for land acquisition the same as for other project costs;

S. 1282. A bill to authorize grants under the Federal Airport Act for minor projects at major airports;

S. 1283. A bill to authorize the use of State allotted funds for Federal airport projects in national parks, monuments, etc.;

S. 1284. A bill to amend section 6 of the Federal Airport Act; and

S. 1285. A bill to authorize progressive partial payments to contractors under the Federal airport program; to the Committee on Interstate and Foreign Commerce.

By Mr. KILGORE:

S. 1286. A bill for the relief of Leung Yon Zee, Chin Bing Sing and Chin Bing Kwong; to the Committee on the Judiciary.

By Mr. FERGUSON:

S. J. Res. 61. Joint resolution requesting the President to issue a proclamation designating Memorial Day, 1949, as a day for a Nation-wide prayer for peace; to the Committee on the Judiciary.

(Mr. WILEY (for himself and Mr. McGRATH) introduced Senate Joint Resolution 62, authorizing the President of the United States of America to proclaim June 20 of each year as Emblem Day, which was referred to the Committee on the Judiciary, and appears under a separate heading.)

By Mr. ECTON:

S. J. Res. 63. Joint resolution providing for refunds in certain counties with respect to 1947 wheat crop insurance premiums; to the Committee on Agriculture and Forestry.

By Mr. CAPEHART (for himself and Mr. JENNER):

S. J. Res. 64. Joint resolution authorizing the issuance of a special series of stamps commemorative of the Grand Army of the Republic; to the Committee on Post Office and Civil Service.

EMBLEM DAY

Mr. WILEY. Mr. President, on behalf of myself and the Senator from Rhode Island [Mr. McGRATH] I reintroduce for appropriate reference a joint resolution authorizing the President of the United States to proclaim June 20 of each year as Emblem Day, and I ask unanimous consent that the joint resolution together with a statement prepared by me be printed in the RECORD.

The VICE PRESIDENT. Without objection, the joint resolution will be received and appropriately referred, and the joint resolution, together with the statement presented by the Senator from Wisconsin, will be printed in the RECORD.

There being no objection, the joint resolution (S. J. Res. 62) authorizing the President of the United States of America to proclaim June 20 of each year as Emblem Day, introduced by Mr. WILEY (for himself and Mr. McGRATH), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Whereas the bald eagle, commonly known as the American eagle, was on the 20th day of June 1782 selected by the Continental Congress as the official emblem of the United States of America; and

Whereas the bald eagle thus became the symbolic representation of a new nation

under a new government in a new world, imprinted on the great seal of the new republic, carried in brass effigy above the colors, and appearing on the President's flag; and

Whereas the American bald eagle, by the act of that Congress and by tradition and custom during the life of this Nation, has come to be recognized as a symbol of the American ideals of freedom: Therefore be it

Resolved, etc., That the President of the United States is authorized and requested to issue a proclamation designating the 20th day of June of each year as Emblem Day, calling upon officials of the Government to display the flag of the United States on all Government buildings on such day, and inviting the people of the United States to observe the day with appropriate ceremonies in commemoration of the American eagle, the official emblem of the United States, and of the great principles and ideals which it represents and symbolizes, and to renew and rededicate their faith in such principles and ideals.

The statement presented by Mr. WILEY was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR WILEY

INTRODUCTION OF EMBLEM DAY BILL

I am reintroducing today on behalf of myself and Senator MCGRATH a Senate joint resolution authorizing the President of the United States to proclaim June 20 of each year as Emblem Day. This date commemorates the memorable occasion on June 20, 1782, when the Continental Congress selected the American bald eagle as the official emblem of the United States of America.

Last year I introduced Senate Joint Resolution 195 for this same purpose. At that time, my good friend and able colleague, the Honorable FRANK KEEFE, of Wisconsin, also introduced an identical bill, and he has done so again this year. Already Congressman KEEFE has secured a hearing before a House Judiciary Subcommittee on this important resolution. At that time the subcommittee heard testimony from Judge Albert H. Schmidt, of Manitowoc, Wis. Judge Schmidt, who is in Washington today, has served as national chairman of the national emblem committee of the Grand Aerie of the Fraternal Order of Eagles, and he has ably pioneered toward the passage of the legislation which we are urging for consecration of Emblem Day. We, of Wisconsin, are proud of this legislation. We are proud of the Fraternal Order of Eagles which celebrated last year its fiftieth birthday, and which is the only organization in the world bearing the name "Eagles" and whose cardinal principles are symbolized by the eagle.

The eagle has always symbolized vision, strength, courage, and all of the other fundamental virtues of this great American people.

We feel that this resolution can help make an important contribution to patriotic understanding, particularly in our Nation's youth. It will help reconsecrate youngsters and adults to American ideals. It will help antidote all of the synthetic alien doctrines which are imported from abroad and which would destroy our American institutions.

The legislation calls for no appropriation. It does not call for a national holiday. All that it does is to authorize the President to proclaim Emblem Day each year.

The Fraternal Order of Eagles stands four-square behind this resolution. We stand in turn for recognition of the American bald eagle and for an appropriate tribute to this great fraternal organization whose contribution to American communities and to the American Nation are so well known as not to require any further elaboration.

It is my hope that action on Congressman KEEFE's resolution and upon my resolution will proceed promptly and favorably, and I know that it will serve to benefit all of the things which we hold so dear.

DISTRICT OF COLUMBIA BUSINESS CORPORATION ACT—AMENDMENT

Mr. MCCARRAN submitted an amendment in the nature of a substitute intended to be proposed by him to the bill (S. 54) to provide for the incorporation, regulation, merger, consolidation, and dissolution of certain business corporations in the District of Columbia, which was referred to the Committee on the District of Columbia and ordered to be printed.

AMENDMENT OF CLOTURE RULE—AMENDMENT

Mr. DONNELL submitted an amendment intended to be proposed by him to the substitute proposed by Mr. WHERRY (for himself and others) for Senate Resolution 15, amending the so-called cloture rule of the Senate, which was ordered to lie on the table and to be printed.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles, and referred, as indicated:

H. R. 580. An act for the relief of the Bank of Kodiak, Kodiak, Alaska;

H. R. 583. An act for the relief of the Alaska Juneau Gold Mining Co., of Juneau, Alaska;

H. R. 585. An act for the relief of Jacob A. Johnson;

H. R. 593. An act for the relief of Hampton Institute;

H. R. 594. An act for the relief of Mamie L. Hurley;

H. R. 599. An act for the relief of Victor R. Browning & Co., Inc.;

H. R. 602. An act for the relief of Fritz Busche;

H. R. 607. An act for the relief of Harvey M. Lifset, formerly a major in the Army of the United States;

H. R. 609. An act for the relief of the estate of Mathew C. Cowley, deceased, and the estate of Louisa Cowley, deceased;

H. R. 610. An act for the relief of Lorenzo H. Froman;

H. R. 611. An act to confer jurisdiction upon the District Court of the United States for the Western District of Kentucky to hear, determine, and render judgment upon the claims of certain property owners adjacent to Fort Knox, Ky.;

H. R. 637. An act for the relief of Mrs. Harriett Patterson Rogers;

H. R. 650. An act for the relief of George A. Kirchberger;

H. R. 668. An act for the relief of Alex Bail;

H. R. 679. An act to authorize the admission of Mrs. Julia Balint to the United States;

H. R. 681. An act for the relief of the legal guardian of George Generazzo;

H. R. 682. An act for the relief of the legal guardian of Elliott Hewitt;

H. R. 683. An act for the relief of Louise Peters Lewis;

H. R. 709. An act for the relief of the General Engineering & Dry Dock Corp.;

H. R. 731. An act for the relief of James Flynn;

H. R. 735. An act for the relief of Phil H. Hubbard;

H. R. 1010. An act for the relief of Mrs. May K. Y. Mok, Frederick W. S. Mok, and Vincent W. C. Mok;

H. R. 1101. An act for the relief of Anna Malone and Rita Anderson;

H. R. 1116. An act for the relief of Mexican Fibre & Twine Co., Inc.;

H. R. 1137. An act for the relief of J. W. Greenwood, Jr.;

H. R. 1276. An act for the relief of the heirs of Ida Londinsky;

H. R. 1591. An act for the relief of Bran B. Tellekamp;

H. R. 1700. An act for the relief of Ezra Butler Eddy, Jr., and wife, Marie Claire Lord Eddy;

H. R. 1791. An act for the relief of Raleigh B. Diamond;

H. R. 1794. An act for the relief of Cohen, Goldman & Co., Inc.;

H. R. 1876. An act for the relief of Ralph Martin Elzingre, also known as Ralph Seawell;

H. R. 1993. An act for the relief of Samuel Fadem;

H. R. 2231. An act for the relief of Marie E. Wright;

H. R. 2233. An act for the relief of Ewa Plantation Co., a Hawaiian corporation;

H. R. 2463. An act for the relief of Mrs. Florence Byvank;

H. R. 2704. An act for the relief of Freda Wahler;

H. R. 2922. An act for the relief of the State Compensation Insurance Fund of California;

H. R. 3077. An act for the relief of Mrs. Rebecca Levy;

H. R. 3234. An act for the relief of Jesse A. Lott; and

H. R. 3254. An act for the relief of Iva Gavin; to the Committee on the Judiciary.

H. R. 1731. An act to extend certain provisions of the Housing and Rent Act of 1947, as amended, and for other purposes; to the Committee on Banking and Currency.

H. R. 2812. An act to direct the Secretary of the Interior to sell certain land at South Naknek to the Russian Orthodox Greek Catholic Church of North America; and

H. R. 2853. An act to authorize the Secretary of the Interior to issue duplicates of William Gerard's script certificates No. 2, subdivisions 11 and 12, to Blanche H. Weedon and Amos L. Harris, as trustees; to the Committee on Interior and Insular Affairs.

CHARTER OF THE UNITED NATIONS—PROCLAMATION BY GOVERNOR BOWLES OF CONNECTICUT

Mr. BALDWIN. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a proclamation signed by the Governor of the State of Connecticut, the Hon. Chester Bowles, announcing the vote of the electorate of Connecticut on a resolution to strengthen the United Nations Charter.

There being no objection, the proclamation was ordered to be printed in the RECORD, as follows:

PROCLAMATION BY HIS EXCELLENCY, CHESTER BOWLES, GOVERNOR OF CONNECTICUT

Whereas the General Assembly of the State of Connecticut, duly convened in special session at Hartford in August 1948, did enact the following act which was duly approved by the Governor on August 26, 1948:

"An act concerning question concerning Charter of United Nations. Section 187i of the 1947 supplement to the general statutes is repealed and the following is substituted in lieu thereof: The following question shall be voted upon at the general election to be held on November 2, 1948, and the designation thereof hereinbelow provided may be placed on the same ballot or voting machine as the names of the candidates to be voted for at such general election: "Do you, as a sovereign citizen of Connecticut and the United States of America, direct our representatives in the National Congress to urge the President and the Congress to take the lead in calling for amendments to the United Nations Charter strengthening the United Nations into a limited world federal government capable of enacting, interpreting, and enforcing laws to prevent war?" The designation of said question which shall be used on ballots and voting machine ballot labels shall be 'Question re Recommendation providing for strengthening of United Nations to prevent war, Yes' and 'Question re

Recommendation providing for strengthening of United Nations to prevent war, No,' and in voting-machine towns, shall be provided for use in accordance with the provisions of section 722 of the general statutes; and in towns which do not use voting machines, the vote shall be taken in the manner provided by section 106f of the 1941 supplement to the general statutes. Said question shall be voted upon in accordance with the applicable provisions of law concerning voting upon the acceptance of amendments to the constitution of this State," and

Whereas a copy of said question was, in pursuance of said act, transmitted by the secretary of the State to the town clerk in each town in the State, and said question was presented to the inhabitants thereof for their consideration, at a town meeting in each town, legally warned and held for that purpose on the second day in November 1948; and

Whereas pursuant to said act, the secretary, the treasurer, and the comptroller, as the board of canvassers, did, as provided by law, duly canvass said votes and did then transmit to the Governor their certificate under their hand in the words and figures following, to wit:

"To His Excellency JAMES C. SHANNON, Governor:

"We, the undersigned, having been designated by law to canvass the votes cast in favor of, and against the proposed World government referendum by the electors of this State at town meetings warned and held for the purpose of submitting said referendum to said electors, as specified by law, do hereby certify that we have duly canvassed said votes which were received from all the towns in this State as by law provided.

"The whole number of votes received and counted relative to said proposed world government referendum was 155,757, of which number 141,625 were in favor of the adoption of said referendum and 14,132 were against the adoption of said referendum.

"FRANCES BURKE REDICK,
"Secretary.

"JOSEPH A. ADORNO,
"Treasurer.

"FRED R. ZELLER,
"Comptroller."

And whereas it appears from said certificate that a majority of said votes are in favor of directing our Representatives in the National Congress to urge the President and the Congress to take the lead in calling for amendments to the United Nations Charter strengthening the United Nations into a limited world federal government capable of enacting, interpreting, and enforcing laws to prevent war,

I do, therefore, herein so declare; and I do herein declare that a majority of the electors present at the town meetings aforesaid have indicated their intention that our Representatives in the National Congress urge the President and the Congress to take the lead in calling for amendments to the United Nations Charter strengthening the United Nations into a limited world federal government capable of enacting, interpreting, and enforcing laws to prevent war.

In testimony whereof, I have caused the seal of the State to be hereunto affixed and have hereunto set my hand at Hartford on this 24th day of February in the year of our Lord, one thousand nine hundred and forty-nine, and of the independence of the United States the one hundred and seventy-fourth.

CHESTER BOWLES,
Governor.

By his excellency's command:
[SEAL] WINIFRED MCDONALD,
Secretary of the State.

STATEMENT BY SENATOR MARTIN ON THE VICE PRESIDENT'S RULING

Mr. MARTIN. Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a statement of my reasons for voting against the ruling of the Vice President that Senate rule XXII is broad enough to provide for cloture on a motion to take up a resolution or measure.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Vice President BARKLEY's ruling that Senate rule XXII is broad enough to provide for cloture on a motion to take up a resolution or measure reverses the ruling made by Senator VANDENBERG as President pro tempore of the Senate during the Eightieth Congress.

This, then, presents a question which comes before the Senate for determination—shall the ruling of Vice President BARKLEY be sustained by the Members of the Senate or shall the ruling of Senator VANDENBERG be sustained?

I shall vote to sustain the ruling of Senator VANDENBERG.

For years I have supported the doctrine of government by laws and not by men. I have opposed the philosophy of government which would warp and twist the Constitution and the laws of our land in order to gain temporary or transient advantage.

The rule as it is now written applies only to pending measures and not to motions to take up a proposed measure for consideration by the Senate. The wording of the rule is clear on its face. Senator VANDENBERG'S ruling was in accordance with the present language of the rule.

If the Senate rule XXII is to be left to the interpretation of each succeeding presiding officer, we would then be contributing to a government by men and not a government by law. In coming to this conclusion, I want to make it entirely plain that I am not opposed to the right of the Senate to amend its rules so as to invoke cloture whenever it is necessary for the proper conduct of the Senate's business. I firmly believe that debate on any measure or motion or any other matter before the United States Senate should come to an end after a reasonable period.

I shall support and vote to amend the existing rule XXII so that it shall state clearly and specifically the matters to which it applies.

When confronted with this situation in the second session of the Eightieth Congress, Senator VANDENBERG felt so strongly about the ruling he was about to make that he said:

"The President pro tempore of the Senate does not have the authority, the power, or the means to do so except as he arbitrarily takes the law into his own hands. This he declines to do in violation of his oath. If he did so, he would feel that what might be deemed temporary advantage by some, could become a precedent which ultimately in subsequent practice would rightly be condemned by all."

I concur fully in that statement and in the argument presented on the floor of the Senate by Senator VANDENBERG today.

NOMINATION OF DR. JAMES BOYD TO BE DIRECTOR OF BUREAU OF MINES

Mr. MARTIN. Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a statement which I have prepared as to the reasons why I shall vote for confirmation of the nomination of Dr. James Boyd to be Director of the Federal Bureau of Mines.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

I have decided to vote to confirm Dr. James Boyd as head of the Federal Bureau of Mines.

Up to a few days ago there were some doubts in my mind. But these were resolved when John L. Lewis sought to intimidate the Senate of the United States and to coerce it into rejecting Dr. Boyd's nomination.

The doubts that I had in mind were due to questions that have been raised about Dr. Boyd's lack of practical experience in coal mines. Pennsylvania is the Nation's only producer of anthracite and its second largest producer of bituminous coal.

But I shall never be browbeaten or influenced by such methods as John L. Lewis has resorted to. He seeks to set a precedent which is an invitation to pure anarchy.

Under this vicious Lewis formula, if large corporations should dislike the amount of taxes imposed by Congress, they could simply shut their gates and turn thousands out of employment. Why not? Lewis has done it to express an opinion to Congress.

Under this vicious formula, if the boys flying the Berlin airlift were given a new commander and did not like him, they could simply go on strike and refuse to fly. Lewis has done something very similar.

Under this vicious formula, also, any union which did not like any kind of legislation passed by—or even considered by—the Congress, would simply walk out of its shops across the Nation and paralyze industry.

In this latest demonstration of his lust to rule or ruin, John L. Lewis has ordered 437,000 men away from their jobs. He is causing a production loss of 20,000,000 tons of coal. He is costing these miners $68,000,000 in lost wages, and another $4,000,000 lost to the welfare fund.

On top of that, he has severely cut the freight tonnage of eastern railroads, forcing them to lay off approximately 62,000 men. These railroad men, as well as the miners, are completely innocent victims of John L. Lewis' attempt to run the United States Senate. Yet they must lose millions in wages.

And all for what?

Because John L. Lewis does not want Dr. James Boyd to head the Federal Bureau of Mines.

The Federal Bureau of Mines has many tasks besides mine safety work. Indeed, all of its activities in connection with coal—safety and otherwise—involve only 15 percent of its effort and budget. It has no enforcement authority in connection with mine safety. Merely the power to disseminate information on violations of the safety code, which it finds. As a matter of fact, under its contracts, John L. Lewis' United Mine Workers has full authority to shut down any mine the union, itself, believes unsafe.

The remaining 85 percent of the budget and effort of the Bureau of Mines is devoted to other things—development of synthetic fuels, work in connection with petroleum, iron ore, copper, bauxite, all largely of an experimental nature; production of helium gas, and even some experimental work with uranium ores.

All of this, Lewis wants to control by dictating who shall head the Bureau.

He has done his miners and the entire American labor movement a great disservice. He has struck a foul blow against his country. But he will not win this fight.

THE REPUBLICAN DEFEAT—AN OPPORTUNITY—ADDRESS BY O. K. ARMSTRONG

Mr. KEM. Mr. President, I ask unanimous consent to have printed in the body of the RECORD an address delivered before the Missouri Republican Editorial Association in Springfield, Mo., on February 11, 1949, by O. K. Armstrong, a talented Missouri journalist, on the subject The Republican Defeat—An Opportunity.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

Mr. Chairman, Senator DONNELL, ladies and gentlemen, at this celebration of the birthday of the Great Emancipator, Abraham Lincoln, it is well that we Republicans in Missouri, as well as throughout the Nation, take stock and face squarely the reasons for our startling defeat of November 2, 1948.

Two reasons are immediately apparent: First, there was unprecedented prosperity, for which the party in power reaped the political benefit. Second, there was a lack of a constructive, fighting national campaign on our part.

This is no time for recrimination. Certainly the responsibility for our loss of Missouri in the recent election cannot be laid to lack of effort on the part of our national committeeman Howard V. Stephens, or our national committeewoman, Mrs. Estelle Tanner; nor to the State Republican chairman, William F. Phares, and his excellent campaign staff. And certainly you Republican editors, under leadership of your president, Frank H. Hollman, did your part, loyally and tirelessly, in carrying the banner of Republicanism before and during the campaign. So we are here tonight not to blame but to face the facts of our defeat. Thus we can more wisely plan for the future.

We Republicans believe in the two-party system. Under that system, our Nation has maintained political stability, with a proper voice for both the majority and the minority. We Republicans got licked in the recent election. We are now the minority. But we still have a duty to perform. We still have the huge responsibility of speaking for nearly 22,000,000 voters out of the 48,363,000 total who went to the polls to select a President of the United States for the next 4 years. Our party also must speak for some unnumbered millions who were not sufficiently aroused by anything said or done in the campaign to come out and vote at all, yet who traditionally are Republicans.

The election of 1948 was an upset. Had it been held early in September instead of November, it would have gone heavily against Mr. Truman and his party, over the Nation and in most of our States. But every day that went by during the active campaign lost votes for the Republican standard bearers.

Prosperity was the major factor. The President and his advisers, knowing very well that a business recession would spell their certain defeat, were able to insure that there would be no recession by having the Republican-controlled Eightieth Congress pass the aid-to-Europe measure virtually as he asked for it. Regardless of its undeniable value in helping to stem the tide of communism, the aid-to-Europe program was, and is a spending device, increasing the scarcity of already scarce articles and commodities of all kinds, and thus holding up their price.

The great irony of the situation is that after inducing the Republicans in a spirit of bipartisan cooperation to carry through his inflationary program, President Truman then took to the country and denounced the Congress as the worst in history. He blamed its Members for the high prices, and in the absence of sufficient refutation of this slander, he beat them over the head with the very weapon he had asked them to fashion.

Experiencing the best markets and business activity in many years, citizens generally were inclined to give the administration credit for them. This was particularly true of the farmers. It was the farmers who said, "We are prosperous now. We are getting our parity checks. We feel sure that Truman will continue them. We don't know what the Republican candidate will do. We'll vote for Truman."

All during September and October they were making up their minds. In fact, they were changing their minds, for most farmers would have put national interest before the overriding consideration early in the campaign. As the campaign progressed they silently decided differently.

Let me give you some illustrations. I spoke over most of rural Missouri during the campaign. I covered 45 of the 114 counties of Missouri, in all sections of the State. By mid-October large numbers of the farmers and their families began staying away from the Republican rallies. County chairmen and their leaders were perplexed at this, but not alarmed. They felt that the farmers were too busy to come to meetings. It is a fact that not many of them went to Democratic meetings, either. They simply stayed away from politics. Many have since admitted that they were ashamed to say they were going to vote for Truman, particularly those that had voted Republican in previous years. So they just kept silent—and by November 2 the tide had risen high for the man they considered responsible for their prosperity.

Let me give you another example. Down in southeast Missouri during the campaign the cotton growers were harvesting one of the biggest and richest crops in history. The cotton stalks were so high you could barely see the heads of the pickers. I stopped at a cotton gin with our candidate for Congress, and we watched the long line of trucks bringing in the cotton to be ginned. The Republican candidate said to me, "It will be hard for these fellows to vote against prosperity."

After the election a rural banker, once a Democrat but now an ardent opponent of New Deal socialism, said, "I should not have been surprised at the result of the election when I reflect how many Federal checks I cash every day."

So long as seeming prosperity is maintained by Government grants for whatever purposes this feeling will be hard to overcome. But true prosperity depends upon production and distribution of goods and not distribution of income. What will happen if events bring disillusionment to those who voted in such numbers for President Truman and his party? We shall wait and see.

Now for the second major reason for our defeat: Nationally we Republicans failed to make a constructive, fighting campaign. The most outstanding and tragic mistake our party ever made was to continue the "me, too" policies begun several campaigns ago.

It should be apparent by this time that unless our party presents some clear-cut, constructive alternatives to what the people now have, we will continue to get licked. And unless we do present them, and then fight for them with all our hearts and souls, we deserve to get licked.

Specifically our national candidates did not rise to any vigorous and spirited defense of the record of the Eightieth Congress, which was Republican controlled, and which had written its record. I do not say that all its record was good. I can offer one criticism here and now: Our party leaders in the Eightieth Congress, with a majority in both Houses, made a mistake in not opening up to public view the ghastly mistakes of the administrations since 1933. To cite a specific example, our Missouri Senator JAMES P. KEM offered a resolution which would have authorized a sweeping investigation of the attempted revival of the notorious Pendergast political machine of Kansas City and Jackson County. Attorney General Tom Clark, speaking, of course, for a dues-paying member of that political organization, President Truman, used his full influence to prevent that investigation. Senator KEM had Clark over a barrel—and squirming. But the Republican-controlled Congress did not pass his resolution.

Nevertheless the Eightieth Congress wrote a record of achievement. And it is a simple fact that this record was not given sufficient defense in the campaign. The Eightieth Congress passed adequate legislation for veterans. But not much was said about that. It had passed numerous measures for the increased welfare of farmers and their families. But no one told the world about it. The Eightieth Congress had made an attempt to bring about justice for employers, employees, and the public with a fair labor law. This achievement was given the barest mention, although the big majority of all American citizens, including laboring men, had gone on record as favoring its major provisions.

We Republicans fell into the mortal error of assuming that because sentiment seemed overwhelmingly against the inept and bungling administration of Harry Truman it would stay that way. We assumed the smug and complacent attitude that the election was in the bag. We should have been presenting our side of the case, and to do so we should have defended all that was good in the record of the Eightieth Congress with all the power we possessed.

The Republican Party has a tremendous opportunity for public service in the present and future. To take advantage of it we must do three things:

First, we must champion the cause of American cooperative enterprise, against the erosion of our freedoms by an ever-increasing, bloated Federal bureaucracy. We hear much talk of the free-enterprise system, but there is no such thing. No enterprise is free to follow the old methods of laissez faire. All enterprise is controlled for the public good, through taxes and regulations. The American system is one of cooperation, whereby capital, management, labor, and the public's interest are all taken into account, and where all work together to produce more and more goods.

The big job of the Republican Party is to maintain our fight for American cooperative enterprise, free of needless political restrictions but controlled for the public good. We should stand against further encroachments on the rights and liberties of the people by a centralized government that seeks more and more power. We should rise and fight the continued expansion of a bureaucracy that has more than doubled its jobholders and tripled the burden of cost since 1939.

We should begin anew and with determination the protection of that greatest single group of Americans, the taxpayers, against the steady drift toward bonuses, pensions, and hand-outs for special groups. We should insist that the money now thrown down the rat holes of waste and politics be saved for the schools, roads and highways, genuine public welfare, and the building of good citizenship.

Our party should work to bring order into the vast machinery of Government on all its levels in the United States. The Commission on Organization of the Executive Branches, headed by former President Herbert Hoover, has made an excellent start with such a program. Surely the party which Mr. Hoover once led will want to swing its enthusiastic support back of the sane, sensible suggestions for reorganizing the executive agencies of the Federal Government along lines of greater efficiency and economy. We should advocate a streamlining of all the administrative offices, the employment of only such personnel as are actually needed in the public service, and the spending of less money in the civilian activities at Washington.

Second, we should raise the banner of a consistent, strong, American foreign policy, in contrast to the improvised, makeshift, inadequate foreign policy of this administration.

The biggest single political mistake ever made by our Government, since the Republic

began, was the appeasement of Soviet communism, during the fighting of the recent war and since the end of hostilities. Agreements made by the President at Teheran, at Yalta, at Moscow, and at Potsdam, literally turned over one-fourth of the globe to Soviet domination. These agreements, made in secret, pulled our fighting men out of central Europe and eastern Germany and lost us the fruits of the victory our boys had won at such great cost.

Be it said to our eternal shame that those agreements allowed "good old Joe Stalin," Molotov and company, who were Adolf Hitler's partners in the crime of starting the great war, to take control of the little Baltic countries, have a free hand in the Balkans, in Poland, in Czechoslovakia; and more recently, to overrun China, to control Manchuria, dominate most of Korea, and threaten to take Japan right out of our hands. If ever an administration dismally failed, if ever it was vulnerable in foreign affairs, it was this administration.

Were these disastrous policies denounced during the recent campaign? No, we were admonished that we had to go along with a bipartisan foreign policy.

What we Republicans need to learn is that no policy is right just because it is bipartisan. We need to begin to map policies that are right, for us and for our peace-loving neighbors, and stand on them regardless of the blundering of the administration.

Specifically, for the immediate future, our party needs to announce that once again it is to be the champion of freedom. We once announced freedom in this country. Now we should announce it to the world. The keystone of our foreign policy should be the freedoms of the Atlantic Charter, which we permitted the administration to throw into the wastebasket because Soviet Russia did not like our freedoms.

We should call for reexamination of all the treaties that have been written, with Italy and the satellite countries of Russia, and demand that they be tightened to protect peoples from totalitarian tyranny. We denounce the Soviet-controlled government of Hungary for its infamous persecution of a cardinal of the church; we ought also to lay bare the fact that we invited the Communists to come and play a dominant role in the new government of Hungary, in the peace treaty we signed with that country.

If we took the kind of firm stand that Theodore Roosevelt would be taking against further Soviet aggression, if that great American were with us, we wouldn't have to spend so many billions of our taxpayers' money in the aid-to-Europe plan.

We should move boldly to demand reform of the United Nations Charter, so that free and peace-loving peoples will not be continually harassed and frightened by Soviet tyranny.

Third, to continue as a vital force in American life, and to be ready for national leadership again, the Republican Party must grow. Backed by policies that meet the demands of the modern age, our party should go out resolutely for new members to fill its ranks. Those ranks have been depleted by successive defections of large groups of citizens who formerly alined themselves with the party of Abraham Lincoln, William McKinley, and Theodore Roosevelt. No effort should be made to recruit voters whose only allegiance is to selfish and class interests. The new recruits of the Republican Party can be won by showing how the true interests of any citizens, any economic, social, or racial group, are the interests of all. If the Republican Party is to win back the confidence and support of a comfortable majority of the citizens of all groups, it must champion the cause of better living—not by a system of statism but working by and through our free economy.

Clearly, farmers and their families had not been assured that their interests would be sufficiently considered in event of Republican victory last November. Yet farmers and their dependents constitute the very backbone of our national structure. Our party should champion the policy that never again should agriculture be permitted to be shortchanged in our American economy. This is important, not only because it is fair to farmers, but it is also a safeguard against depressions in our economic system. Specifically, we should advocate that floors be maintained to safeguard the income of the family-sized farm, and to stimulate production. Coupled with this, there must be a continuous soil-conservation program and research in new uses for agricultural products, new varieties of seed, adequate reclamation and water conservation.

Veterans and their families constitute one of the major groups in our Nation. To date, most appeals made for their political support have smacked of bribery. "Vote for us and we'll give you something!" Self-respecting veterans do not like that. They are still as patriotic, as willing to sacrifice for the public good, as when they wore the uniform of their country. Let the Republican Party offer to veterans a chance to participate, by labor and planning, to break the housing log-jam, and to solve all the other major problems that harass the country. Let our Government offer to veterans an expanded program of self-help, rather than of cash hand-outs and doles. Let that program include greater opportunities for specialized education in trades, businesses, and professions.

Can organized labor be won to the Republican Party? I do not profess to know, but I am sure that our party should embrace a policy that is fair and just and maintains a balance between individually managed capital and free organized labor. We should build upon the concept that the overwhelming majority of the working men and women of America are loyal and faithful to their country as are any other citizens. Standing for a policy of protection of both management and organized labor, as well as the public, our next move should be to sponsor a sound, workable policy of greater participation by labor in the profits of industrial production.

Finally, the Republican Party must appeal to the youth of our Nation. From the new voters—the nearly 4,000,000 who become eligible to take part in public affairs every 2 years—must come its members of the future.

But young people are becoming less and less moved by ancient glory or outworn mottoes. They may respect the accomplishments of past statesmen but they will not vote for present leaders merely because they belong to the past statesmen's political party. American young people are increasingly independent of party labels and party control. This presents an opportunity for the Republican Party to win their support by proving to them that it is abreast of the times, that it is alive to the present and laying its plans for the future.

A whole new generation has come to maturity in the last 17 years, during which time the Republican Party has been out of power nationally. The impression has been carefully cultivated by our opponents that it is the party of youth. A glance at the vital statistics of its leaders in the executive and congressional branches of the Government should dispel that myth. A survey of the stagnation into which many of its major policies have fallen indicates how eagerly young people will welcome the fresh air of needed political change if that change means an opportunity to participate in forward-looking programs for a prosperous, vigorous, and peaceful America.

The Republican defeat of 1948 will prove a blessing—if it awakens us to our great opportunity.

COMMITTEE MEETING DURING SESSION OF THE SENATE

Mr. THOMAS of Utah. Mr. President, I ask unanimous consent that a subcommittee of the Committee on Labor and Public Welfare, which subcommittee consists of only three members, dealing with veterans' hospitals, be permitted to meet while the Senate is in session.

The VICE PRESIDENT. Without objection, permission is granted.

ADDRESSES ON THE OCCASION OF THE CONFERRAL OF THE DEGREE OF DOCTOR OF HUMANITIES ON THE PRESIDENT OF THE UNITED STATES BY ROLLINS COLLEGE

[Mr. PEPPER asked and obtained leave to have printed in the RECORD the addresses delivered by the President of the United States, Gov. Warren Fuller, of Florida, and Dr. Hamilton Holt, president of Rollins College, at the convocation at Rollins College, Winter Park, Fla., on March 8, 1949, which appear in the Appendix.]

MINNESOTA—THE SAGA OF THE NORTH STAR STATE—ADDRESS BY SENATOR HUMPHREY

[Mr. HUMPHREY asked and obtained leave to have printed in the RECORD an address entitled "Minnesota—The Saga of the North Star State," delivered by him on the occasion of the ceremonies at the Library of Congress opening the exhibition celebrating the establishment of the Territory of Minnesota, which appears in the Appendix.]

WHAT ATOMIC ENERGY MAY MEAN TO INDUSTRY—ADDRESS BY WALKER L. CISLER

[Mr. VANDENBERG asked and obtained leave to have printed in the RECORD an address entitled "What Atomic Energy May Mean to Industry," delivered by Walker L. Cisler, executive vice president of the Detroit Edison Co., at the Harvard Business School Club of New York, at New York City on February 21, 1949, which appears in the Appendix.]

PEACE THROUGH AIR POWER—ARTICLE BY MAJ. ALEXANDER P. DE SEVERSKY

[Mr. NEELY asked and obtained leave to have printed in the RECORD an article entitled "Peace Through Air Power," written by Maj. Alexander P. de Seversky and published in the Reader's Digest for February 1949, which appears in the Appendix.]

OUR GREATEST DANGER: FINANCIAL ROCKS AHEAD—EDITORIAL FROM DETROIT FREE PRESS

[Mr. FERGUSON asked and obtained leave to have printed in the RECORD an editorial entitled "Our Greatest Danger: Financial Rocks Ahead," published in the Detroit Free Press of February 23, 1949, which appears in the Appendix.]

TROUBLE AHEAD—EDITORIAL FROM THE WASHINGTON POST

[Mr. DONNELL asked and obtained leave to have printed in the RECORD an editorial entitled, "Trouble Ahead," dealing with the suspension of coal mining east of the Mississippi, from the Washington Post of March 14, 1949, which appears in the Appendix.]

RICE W. MEANS—EDITORIAL FROM VETERANS OF FOREIGN WARS MAGAZINE

[Mr. MARTIN asked and obtained leave to have printed in the RECORD an editorial entitled "Rice W. Means," published in a recent issue of the Veterans of Foreign Wars magazine, which appears in the Appendix.]

WHAT CONSTITUTES "SECURITY"?—EDITORIAL FROM THE EPHRAIM (UTAH) ENTERPRISE

[Mr. WATKINS asked and obtained leave to have printed in the RECORD an editorial entitled "What Constitutes 'Security'?" from the Ephraim (Utah) Enterprise of March 4, 1949, which appears in the Appendix.]

DEDICATION OF MISSISSIPPI RURAL CENTER

[Mr. STENNIS asked and obtained leave to have printed in the RECORD an article entitled "Mississippi Rural Center Formally Dedicated," published in the Columbia (Miss.) Sunday Mirror, which appears in the Appendix.]

FARM LEGISLATION—EDITORIAL FROM OMAHA DAILY JOURNAL-STOCKMAN

[Mr. BUTLER asked and obtained leave to have printed in the RECORD an editorial entitled "Difficult To Get Action," published in the Omaha Daily Journal-Stockman of March 10, 1949, which appears in the Appendix]

AMERICAN ADMINISTRATION IN GERMANY—EDITORIAL FROM ST. LOUIS POST-DISPATCH

[Mr. LANGER asked and obtained leave to have printed in the RECORD an editorial entitled "A Shame on America," published in the recent issue of the St. Louis Post-Dispatch, which appears in the Appendix.]

CONFIRMATION OF ROUTINE NOMINATIONS IN THE ARMED SERVICES

Mr. TYDINGS. Mr. President, I ask unanimous consent, as in executive session, that numerous routine promotions in the armed services, now on the calendar and unanimously reported from the committee, with no objections against any, be immediately confirmed, and that the President be notified forthwith.

The VICE PRESIDENT. Is there objection?

Mr. WHERRY. Mr. President, reserving the right to object, as I understand, these are routine promotions in the various branches of the Military Establishment, and the Senator from Maryland is making this request to save printing. I understand that there is no objection in the committee to any of the nominations, and that they were unanimously reported. I am sure that the minority member of the committee, if he were present, would agree to that statement.

Mr. TYDINGS. That is correct.

The VICE PRESIDENT. Is there objection to the request of the Senator from Maryland in regard to the routine nominations in the Military Establishment? The Chair hears none.

Without objection, the nominations are confirmed; and, without objection, the President will be notified forthwith.

DEATH OF FORMER SENATOR THOMAS P. GORE

Mr. THOMAS of Oklahoma. Mr. President, will the Senator from Arizona yield to me for about 2 minutes to announce the passing of a distinguished citizen of my State, and a former outstanding Member of this body?

Mr. HAYDEN. Mr. President, I yield for that purpose.

Mr. WHERRY. Mr. President, does the request require another unanimous-consent agreement?

The VICE PRESIDENT. It does.

Mr. WHERRY. I ask unanimous consent that the distinguished Senator from Oklahoma be permitted to make a statement without prejudicing the rights of the Senator from Arizona, who now has the floor.

The VICE PRESIDENT. Is there objection to the request of the Senator from Nebraska? The Chair hears none, and the Senator from Oklahoma may proceed.

Mr. THOMAS of Oklahoma. Mr. President, I regret to announce the passing of former Senator Thomas Pryor Gore.

His death occurred at about 10 o'clock this morning at his home here in Washington.

He was born in Mississippi. Had he lived to December 10th of this year, he would have been 79 years of age.

Senator Gore, as he has been designated and known for almost half a century, was one of the marvels of modern times.

At the early age of 8 years he lost his left eye by being accidentally struck with a stick by a playmate, and at the age of 11 he lost his right eye by an arrow from a cross bow.

With such a handicap—the complete loss of sight—he sought and secured an outstanding education.

He was graduated from the normal school at Walthall, Miss., with the degree of B. L. in 1890; and was graduated from Cumberland University in 1892, and was honored by that university with the degree of LL. D. in 1921.

He studied law, and was admitted to the bar in 1892.

Senator Gore taught school, practiced law, and became active in politics at an early age.

Thomas Pryor Gore secured his first title as Senator by being elected to the Oklahoma Territorial Senate in 1903.

Upon the admission of Oklahoma and Indian Territory to statehood in 1907, he, along with Robert I. Owen, became one of the new State's first United States Senators.

Senator Gore served in this body from 1907 to 1921, and from 1931 to 1937.

He was a delegate-at-large to the Democratic National Conventions in 1912, 1928, and 1936.

Senator Gore was an orator of unusual ability, and was in great demand as a political speaker, as well as a Chautauqua and lyceum lecturer.

Senator Gore devoted a large share of his vast talents to the assistance of those afflicted like himself with the loss of sight.

In this era of keen competition for places of preferment in the political, legal, and business world, Senator Gore was not content to take less than top rank among his peers.

He was a success as a lawyer; he attained his goal in public life; and he prospered in business.

Out of the remnants of some 50 tribes of Indians, together with cowboys, cattlemen, and pioneers from every State in the Union, Senator Gore helped plan, develop, and convert the Territory of Oklahoma and the Indian Territory into the now great and prosperous State of Oklahoma.

Today, two and a half million loyal Oklahomans, without regard to politics, race, or creed, are saddened at the passing of this remarkable man.

For over 40 years Senator Gore, as an able Senator and an outstanding citizen, was a familiar figure upon this Senate floor.

The United States Senate may not see his like again.

Mr. KERR. Mr. President, in 1904, Thomas Pryor Gore cast his lot with the people and the area which is now Oklahoma. His was the spirit of the pioneer and the builder. His was the broad vision that looked ahead to the time when the two territories would unite and become a living, moving part of a mighty nation.

He helped create the new State of Oklahoma. He helped steer it along the high road of progress and success. For nearly a half century he gave generously of his time and his means, and of himself, in making a glorious reality of his own dreams and of those of his people.

Today he has laid his burdens down. Throughout all the tomorrows he will sleep in the soil he loved, as his memory will live in the hearts of the people he served.

AMENDMENT TO CLOTURE RULE

The Senate resumed the consideration of Senate Resolution 15, amending the so-called cloture rule of the Senate.

Mr. HAYDEN. Mr. President, I desire to make a brief statement with respect to the amendment in the nature of a substitute for Senate Resolution 15, which now is pending before the Senate.

The substitute is a compromise; and it must be a good compromise, because I have yet to find any Senator who entirely agrees with it.

It has one supreme virtue which overcomes all its deficiencies, in that for the first time in over 140 years, it will be possible, by the adoption of this substitute, to bring debate to a close on any measure, motion, or other matter pending before the Senate.

The substitute does not satisfy me. I favored a two-thirds majority of the Senators present and voting. Senators with whom I talked who favored what is called a constitutional majority—that is, two-thirds of all the Senators—will testify that I argued with them that there was so little difference between the two that they should yield and should allow the normal two-thirds majority to apply.

I argued with those who were in favor of the so-called constitutional majority that the records of the votes taken on the 19 previous cloture petitions which have been acted upon by the Senate show between 84 and 85 Senators present, on an average; and at the same time the records show that there were between 6 and 7 Senators paired at the time, which together made approximately 90 Senators. Of course, two-thirds of 90 is 60. This proposal requires 64. In short, the maximum difference between the two would be four Senators. I tried to persuade the Senators with whom I talked that there was not enough actual difference to quarrel about, and that they should accept a two-thirds ma-

jority of those present and voting. But they would not do so.

Now, we come to the present situation, I doubt whether at any time in the future there will be less than 90 Senators present in the Chamber whenever a cloture petition comes before this body for decision. I say that because of the existence of instantaneous communication of intelligence and the ease with which Senators can reach the Senate Chamber. When I first came to Washington, I traveled 4 nights on a sleeping car to get here. If I had been a Senator at that time and had received telegraphic notice that a cloture petition had been filed, it would not have been possible for me to have reached here in time to vote on such a petition. But today, because of the airplane, it is just an overnight journey from here to Phoenix, Ariz. One can leave Seattle, Wash.; or Portland, Maine; or Miami, Fla.; and be in Washington in a day. One can come to Washington from Paris, France, or Honolulu, T. H., in 2 days. So it is certain that from now on there will be a greater attendance of Senators on such occasions than ever before. The greater the number of Senators present, the less will be the margin between the number of Senators constituting an ordinary two-thirds majority and the number of Senators required to constitute a two-thirds majority of the total membership of the Senate. That is the actual situation as I see it.

The text of the substitute was written 2 days ago. It was prepared by the Senator from Nebraska [Mr. WHERRY], the Senator from Georgia [Mr. RUSSELL], and myself. However, I wish to explain to the Senate why I would not press this substitute or have it given any consideration so long as there was any possibility of arriving at an agreement—with the result that this text was kept entirely in the background. Even on yesterday, when Senators began to secure signatures to this proposal, I insisted that I would have nothing to do with it so long as there was any possibility of arriving at an agreement; and no word of the circulation of this so-called round robin, or gentlemen's agreement, was given to anyone engaged in any kind of a conference until the conferences were entirely over.

When each and every meeting of groups of Senators was over and when there was no other possibility of coming to a conclusion, then the substitute proposal was proceeded with. We now have before us the text as prepared by the Senator from Nebraska [Mr. WHERRY], the Senator from Georgia [Mr. RUSSELL], and myself; and that is what we have agreed to support. There are one or two clerical errors in it, but of course they will be corrected.

Some Senators have worried about Senate Resolution 15, and probably will continue to worry about the substitute, because of the question of whether it will actually plug up all the loopholes in rule XXII.

Mr. WHERRY. Mr. President, will the Senator yield at this point?

Mr. HAYDEN. I yield.

Mr. WHERRY. I received the impression that it was only after the conferences finally adjourned and after we saw that there was no use of having any further conferences, and after the petitions were circulated and the signatures of Senators to them were obtained, that the Senator from Arizona joined in the presentation of this substitute.

Mr. HAYDEN. Certainly, because that was the only way out of an impasse.

Mr. WHERRY. And I understand that the Senator from Arizona did so on the theory that unless this course were taken, nothing would be done on the floor of the Senate.

Mr. HAYDEN. Yes, because the filibuster was on, and was damming up all other legislation; and this was the only practical thing to do.

As a matter of fact, Mr. President, it has already been shown by the Senator from Tennessee [Mr. KEFAUVER], by the newspaper accounts which he has placed in the RECORD, that a similar procedure was adopted in 1917 as the only possible course to follow at that time. There was a round robin, or covenant, at that time, signed by Senators pledging themselves to get some action, so a cloture rule might be adopted. Since it was found possible for a majority of the Members of the Senate to join in sponsoring the pending amendment, we have assurance now that action will be taken. As to the rule itself——

Mr. LUCAS. Mr. President, will the Senator yield for a question?

The VICE PRESIDENT. Does the Senator from Arizona yield?

Mr. HAYDEN. I yield for a question.

Mr. LUCAS. The Senator is talking about plugging loopholes. I think we are all interested in that. Let me ask the Senator, has he conferred with the Parliamentarian about plugging loopholes with respect to a filibuster on the Journal, on the motions to take up, and so forth? That situation is also involved.

Mr. HAYDEN. I have, and I propose now to discuss that matter. The original rule that gave us all the trouble provided that if at any time a motion, signed by 16 Senators, "to bring to a close debate upon any measure"—

Let us stop there. Two years ago, the Senator from Massachusetts [Mr. SALTONSTALL], having in mind the origin of these words, went to the Parliamentarian and asked him what language should be used in order to make it certain that cloture could be applied on any and all occasions. Two years ago the Senator from Massachusetts introduced a resolution containing the words I am now reading, that is to say, "close debate upon any measure, motion, or other matter pending before the Senate." I believe it was at the suggestion of the Senator from Ohio [Mr. TAFT] that the words were subsequently added, "or the unfinished business." That is the substance of the resolution which was referred to the Committee on Rules 2 years ago. That is the resolution which was reported to the Senate. A duplicate of that resolution was the one reported to the Senate at this session.

The question with respect to the Journal particularly disturbed Senators. What ordinarily happens is that following an adjournment the majority leader moves to approve the Journal. Apparently there is nothing in the rules that requires that to be done, but from time immemorial it has been done, so the Parliamentarian says. As far back as any of us know, it has always been done. So a motion by the majority leader to approve the Journal is the first motion made, and he is the first to be recognized by the Chair for that purpose. If a Senator should want to amend or correct the Journal, a motion to that effect would follow, and if on the motion to approve the Journal a cloture petition, which would carry with it all amendments, could be filed, that would be one way of meeting the situation with respect to the Journal.

The other way, and the most practical way, to get around any trouble with the Journal is that if it is the desire of the Senate or of the majority leader to take up a measure at any time, and that is done, the Senate does not adjourn, but merely recesses; for following a recess there is no morning business, and no requirement that the Journal be approved.

We stand today in the legislative day of Monday, February 21. Why? Because if the Senate had adjourned, we would have had trouble with approving the Journal. The Senate has not adjourned, and therefore we are still in the legislative day of February 21. Any able parliamentarian, any able majority leader, would not make the mistake of adjourning. The Senator from Illinois [Mr. LUCAS] has not made the mistake of adjourning. The former majority leader, the Senator from Maine, Mr. White, never made the mistake of adjourning. Neither would the minority leader, the Senator from Nebraska [Mr. WHERRY]. No majority leader worth his salt would get himself in a position, if he desired that the Senate proceed to the consideration of a measure, of allowing the Journal to be a factor in it.

Mr. PEPPER. Mr. President, will the Senator yield for a question?

The VICE PRESIDENT. Does the Senator from Arizona yield?

Mr. HAYDEN. I yield for a question.

Mr. PEPPER. Do I correctly understand the Senator to say that if a motion to correct the Journal should be made and should be subjected to such debate as to cause 16 Senators to feel that cloture might be applied, under the substitute rule, supposing it to be adopted, the cloture petition could apply to the whole matter of the correction of the Journal, and would not have to be applied to each separate motion to correct the Journal which might be successively made?

Mr. HAYDEN. The parliamentary situation would always be this: The majority leader would have previously moved to approve the Journal as a whole. Then if an amendment to correct or amend the Journal should follow, the amendment and the motion to approve the Journal as a whole would all be in one package and would be disposed of by one cloture petition. That is the mechanics of it.

Mr. PEPPER. So it is the clear intent of the substitute resolution to make one cloture petition applicable to the whole subject of the correction and approval of the Journal; is that correct?

Mr. HAYDEN. Certainly; it is not the intention of the substitute rule to require a multiplicity of cloture petitions.

The VICE PRESIDENT. Will the Senator from Arizona yield to permit the Chair to ask a question?

Mr. HAYDEN. I shall be glad to answer the Chair's question to the best of my ability, or, if I cannot do so, to call upon able Senators to answer it.

The VICE PRESIDENT. The Chair announced the other day, and the Senator from Arizona has stated now, there is nothing in the rule that requires approval of the Journal. The rule is that the Journal shall be read for corrections and amendments. It is unnecessary to make a motion to approve the Journal, in order that the motion to amend it or to correct it may be made.

Mr. HAYDEN. But the Chair will agree with me that such a motion has been made from time immemorial.

The VICE PRESIDENT. It has been. It is customary to do that. But suppose the majority leader, or any other Senator, moves to approve the Journal, instead of moving to correct it and amend it, and the point of order should be made that the rule does not require or authorize the motion to approve the Journal. The Chair should hold under the rule that that is true. Then a cloture petition to the motion would fail. It would lie, the Chair assumes, under the substitute to the motion to amend or to correct. But if the original motion the Senator is speaking of, to approve the Journal, would be held not to lie, then what would the situation be?

Mr. HAYDEN. A cloture petition could not be filed on a motion that is not authorized.

The VICE PRESIDENT. Could it be filed on a motion to amend or correct the Journal?

Mr. WHERRY. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Arizona yield?

Mr. HAYDEN. I shall ask the Senator from Nebraska, an able parliamentarian, to answer the question.

Mr. WHERRY. No. The cloture petition would lie, not only on the motion, but on any amendment thereto, or to all the amendments. Debate on them all could be closed by one cloture petition. The approval of the Journal comes up on a motion. If there were any question about the motion we could go on to the next word, "matter," if it is necessary to make the interpretation.

So, when it comes up as a motion—and the Parliamentarian has advised us it always has been done by motion, and that is the tradition, at least, under the rule we have—if the motion were not amended, of course, there would be no need for a cloture petition. But if a correction is proposed, or two corrections, or half a dozen corrections, and there are amendments to the original motion, one cloture petition as I understand the rule—and I should like to have it interpreted, that is the way I interpret it, and that is what I think we are doing—would apply, so the whole thing could be gotten out of the way by one cloture petition on the motion, or one amendment, or any succeeding amendments to correct the Journal.

Mr. HAYDEN. That is true, because of the phrase, "or other matter pending before the Senate." The matter pending before the Senate is the approval of the Journal and the amendments thereto, cleaning up that particular piece of business.

Mr. LUCAS, Mr. FLANDERS, and Mr. SALTONSTALL addressed the Chair.

The VICE PRESIDENT. Does the Senator from Arizona yield? If so, to whom?

Mr. HAYDEN. I yield first to the Senator from Illinois, for a question.

Mr. LUCAS. A moment ago, the Senator said he did not desire to see a multiplicity of cloture petitions filed. Does the Senator contemplate there will be a multiplicity?

Mr. HAYDEN. No. I am trying to say that the rule does not contemplate anything of the kind, that everything can be tied up in one package, in order to get rid of whatever the matter is that is pending before the Senate.

Mr. LUCAS. Mr. President, will the Senator yield for a further question?

The VICE PRESIDENT. Does the Senator from Arizona yield?

Mr. HAYDEN. I yield for a further question.

Mr. LUCAS. We come into the Senate each morning and unanimous consent is asked to have the Journal approved. The Chair holds that is unnecessary, but through custom and immemorial usage, it has become necessary, in my opinion, So if objection is made to the request, then as I understand, the Journal will be read. Is that correct?

Mr. HAYDEN. Any Senator can require that the entire Journal be read.

Mr. LUCAS. And the Journal is approved the following day, after the measure is passed. In reality, until the Journal is approved, the measure is still before the Senate. My query is, assuming that a Senator rises at that time and demands that the Journal be read, what can be done? Further assuming that a Senator moves to amend the Journal at that point, to strike out the word "and" and to insert in lieu thereof the word "but", that is debatable, is it not?

Mr. HAYDEN. It is.

Mr. LUCAS. And a cloture petition would have to be filed on that?

Mr. HAYDEN. The Senator just referred to a measure. It would apply to any measure, still pending from the day before, as to which cloture petitions could be filed.

Mr. LUCAS. Assuming that could be done, suppose that a Senator who wants to file a cloture petition for the sole sake of dilatory tactics moves an amendment to the Journal, as suggested a moment ago; that is a debatable question. So we start on the debate, and a cloture petition, as I understand, could not only be filed to the amendment offered to the Journal, but could also be filed to the bill itself. Is that correct?

Mr. HAYDEN. That is correct.

Mr. LUCAS. And that would close it up?

Mr. HAYDEN. It would be in one package.

Mr. LUCAS. Let me ask the Senator this question: Would that end debate on the approval of the Journal?

Mr. HAYDEN. The cloture petition would cut off debate, and the Senate would vote on approving the Journal.

Mr. LUCAS. Assuming another Senator said there was a very critical error in the Journal and he desired to offer a further amendment to it?

Mr. HAYDEN. The Journal having already been approved, a Senator could not offer any further amendment except by unanimous consent.

Mr. LUCAS. I hope the Senator is correct, and I hope that all the loopholes are plugged with respect to that situation. The only reason I asked the questions was because the argument has been made throughout the debate that Senators in 1917 did not know what they were doing when they adopted the cloture rule at that time.

Mr. HAYDEN. We do not want to make that mistake.

Mr. President, I should be pleased to have Senators who are able parliamentarians comment on the subject.

Mr. GEORGE. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield to the senior Senator from Georgia.

Mr. GEORGE. Mr. President, it seems to me that whether a motion is made to approve the Journal or whether the Journal is simply read for correction, the substantive matter is the correction of the Journal as a whole, and upon the most trivial amendment that might be conceived, if cloture is applied, then all amendments which any Senator wishes to offer to the Journal must be filed before the vote on cloture comes. When the vote does come, the same procedure is taken as would be taken with reference to cloture on any other matter, and would foreclose everything that could be construed or held to be in the nature of perfecting the Journal itself.

The VICE PRESIDENT. Let the Chair ask the Senator from Arizona a question, with the desire to be helpful in the matter. A motion to correct or amend the Journal is on the same basis as an amendment offered to a bill. Only one amendment to a bill is in order at any time before another amendment can be offered. The same would apply to the Journal. In other words, if the Senator from Georgia should move to correct the Journal in one respect, that amendment would have to be disposed of before the Senator from Florida could move to correct the Journal in another respect. Does the rule as it is now drawn mean that one cloture motion can encompass amendments which have not and cannot be made to the Journal so long as another amendment is pending?

Mr. GEORGE. Undoubtedly, Mr. President, if I may be permitted to say so, because the rule itself says that all amendments which have not been offered and have not been read, except by unanimous consent, before the vote is taken are cut off, and the substantive matter here, in the case of correcting the Journal, would be as in the case of a bill.

Mr. HAYDEN. Mr. President, I think it would be helpful to the Chair to have some comment from the former President pro tempore on this question.

Mr. VANDENBERG. Mr. President, I thank the Senator. It seems to me that the logic of the situation is quite clear. An amendment offered to correct the Journal follows a motion that the Journal be approved. If it does not follow it literally or in words, at least it follows it in sequence. The Senator from Michigan would say that the question before the Senate, if an amendment to the Journal were offered, would be the approval of the Journal, and that a cloture applied to the question respecting the approval of the Journal would carry all amendments to the Journal with it.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. LUCAS. Mr. President, I should like to develop a little further the point made by the Chair a moment ago. Assuming there were half a dozen critical errors in the Journal and a Senator wanted to have the Journal amended by offering one amendment after another, which could be done in the ordinary course, if there were no opposition, how could the Journal be amended if we could not vote on the amendments in some way? If cloture were filed on the Journal, apparently no vote by the Senate would ever be taken on any single one of the amendments.

Mr. VANDENBERG. That was not my concept.

Mr. LUCAS. I should like to know. There are half a dozen amendments to the Journal, which are debatable. How are we going to reach a decision on those amendments if they are all thrown in at one time? Here are six different propositions, six different views which six Senators hold upon various amendments to the Journal. Did I correctly understand the Senator to say that a cloture petition can shut off the debate on all those controversies with respect to the six highly technical amendments, all being valid, all having merit to them, and no debate could be had upon any of them at all?

Mr. HAYDEN. That would be my opinion.

I should like to hear from the junior Senator from Georgia as to that.

Mr. RUSSELL. Mr. President, I am rather amazed that this kind of a question should be raised, because the rule is very clear as to any matter to which cloture is applicable. It matters not that there may be 85 or 100 amendments, I may say to the Senator from Illinois, pending to a bill when cloture is filed. There is not a cloture petition to each and every one of those amendments. When cloture is filed to a bill, by the express terms of the rule, it applies to all amendments thereto.

I invite attention to the language on page 3 of the amendment, which is identical with the language in the present rule which is found in our parliamentary manual. It says that after cloture has been filed and after Senators have spoken for 1 hour—

Except by unanimous consent, no amendment shall be in order after the vote to bring the debate to a close, unless the same has been presented and read prior to that time.

If there is cloture applied to the Journal and there are six grievous errors, as suggested by the Senator from Illinois, and there are six amendments offered for the purpose of correcting those errors, and the Senate imposes cloture on the Journal, we take up the first amendment that has been read prior to cloture, and vote on it; we take up the second amendment and vote on it, without debate, and we take up the third amendment and vote on it, and then the fourth amendment, and vote on it. I say, without debate. Under my construction of the rule, if a Senator had not spoken for an hour he could debate it, but his total debate could not exceed 1 hour. It is exactly as it is now, and I do not see how there can be any question about it. Seventy-five or eighty amendments may be proposed to a bill, but it would not be necessary to file 75 or 80 cloture petitions on the amendments in addition to cloture on the bill. When the Senate votes cloture on a bill as a whole, or the Journal as a whole, it has to proceed to vote on all the amendments pending at the time the cloture vote is had, and by the express terms of the rule no amendment can be offered, save by unanimous consent, after cloture is voted.

The VICE PRESIDENT. Will the Senator from Arizona permit the Chair to ask the Senator from Georgia a question?

Mr. HAYDEN. Certainly.

The VICE PRESIDENT. The Chair may have to rule, and desires to have his view of the situation verified. In the matter of bills, when amendments are offered in advance, they are printed and are lying on the table. In the matter of the approval of the Journal, or amendments to the Journal, that is not customary. An amendment may be offered verbally from the floor. Therefore it has not been printed and read in advance by the clerk. Does the Senator feel that, notwithstanding the absence of any printing in advance of an amendment to the Journal, it would take the same status as that occupied by an amendment that had been printed in advance to a bill and was lying on the table?

Mr. RUSSELL. An amendment to a bill does not have to be printed. It can be written out with a pencil or a piece of paper.

The VICE PRESIDENT. But it must have been offered.

Mr. RUSSELL. It must have been offered. The rule specifically requires that no amendment shall be in order after the vote to bring the debate to a close—and that means that the amendment cannot even be considered "unless the same has been presented and read prior to that time." That means the time of the vote to bring the debate to a close.

When we read the proposed rule, with all its restrictions, including the reference to "other matter pending before the Senate," it seems to me to be obvious that all amendments are carried along under the cloture, just as in the case of any amendment to a bill. I do not see how there could be any other interpretation.

The Chair states he may have to rule. I wish to associate myself with what the Senator from Arizona has said; it is inconceivable to me that any majority leader would be so inept as ever to allow the Journal to be interposed between a motion to bring up a bill, which motion is made the subject of cloture for the first time under this rule, and the final determination of cloture on it. When the Senate is in recess, it is not necessary to have any action on the Journal; approval is required only after an adjournment. Therefore, so long as the majority leader wished to carry on the business of the Senate, and avoid the delay he would himself invite, I am sure the Vice President would never have an opportunity to rule on the question raised.

Mr. WHERRY. Mr. President, will the Senator from Arizona yield to me?

Mr. HAYDEN. I yield.

Mr. WHERRY. What we are attempting to do is to extend cloture beyond the pending measure to a motion to take up, or to any other matter. If amending the Journal is the subject of a motion, very well. After we get to that hurdle, then we proceed on whatever the question may be, either a motion or a matter, and the procedure would be exactly as is provided in the rule at present. There is no change in the rule as to that.

Mr. RUSSELL. Exactly.

Mr. WHERRY. It is treated in exactly the same way. The only difficulty is that we are becoming confused over the Journal and a motion. What we are attempting to do is to extend cloture to a motion for the first time. When once a question is raised and amendments are offered, they become subject to the same disposition that is made in regard to a pending measure. If there are one or two or three amendments, they receive identical treatment under the rule.

Mr. DONNELL. Mr. President, I should like to ask the Senator a question.

The VICE PRESIDENT. Does the Senator from Arizona yield to the Senator from Missouri?

Mr. HAYDEN. I yield.

Mr. DONNELL. I share the apprehension that is suggested by the Senator from Illinois, and also, I think, by the Senator from Florida. I should like to ask a few questions along this line.

Suppose no motion is made to approve the Journal, but a Senator secures the floor and moves to correct a given mistake in the Journal, the debate upon that proceeds, and then a cloture motion is presented and is disposed of. Then suppose an entirely different Senator rises and says, "I have another distinct point, and I move that there be a change made in the Journal, a correction in this respect, and my matter is entirely different and was not foreclosed by the action on the previous question." Does the Senator think that the language in the proposed amendment to the rules would preclude the second Senator from bringing up his entirely different point, as he contends it to be, of correction of the Journal?

Mr. HAYDEN. No; I do not. As many amendments or points of view in the form of amendments can be offered as may be necessary, but the matter pending before the Senate is the approval of the Journal. If there were extended

debate, there would be only one cloture petition.

Mr. DONNELL. I shall have to ask a series of questions, if the Senator will indulge me.

Suppose, however, that the second Senator to whom I have alluded says, "The motion before the Senate was not to approve the Journal. A motion was made to correct the Journal in item A, to change 'and' to 'but', and that was disposed of, and that was the only matter before the Senate, because there had been made no motion to approve the Journal." Assume the second Senator offers a second amendment and says, "This is a brand new matter"——

Mr. HAYDEN. Assuming the Senator to be correct, we would have also to assume that there was a majority leader present who did not have quick enough wit to move to approve the Journal.

Mr. TAFT. Mr. President——

Mr. DONNELL. Will the Senator yield? May I continue for a moment?

Mr. TAFT. May I suggest, however——

The VICE PRESIDENT. To whom does the Senator from Arizona yield?

Mr. HAYDEN. I should like to have the Senator from Ohio answer for me.

Mr. TAFT. The matter before the Senate is the approval of the Journal of January 15, or whatever the date may be. That is the matter before the Senate.

Mr. HAYDEN. That is the subject matter.

Mr. TAFT. It seems to me the cloture motion applies to that matter and takes with it all amendments. Not only the amendment already offered, but any other amendment that is offered, must be offered before the cloture petition is voted on.

Mr. DONNELL. Mr. President, will the Senator from Arizona yield for a further question?

Mr. HAYDEN. I yield.

Mr. DONNELL. The Senator from Georgia pointed out a few minutes ago that it is provided on page 3, in line 8, and following that—

> Except by unanimous consent, no amendment shall be in order after the vote to bring the debate to a close, unless the same has been presented and read prior to that time.

I submit to the Senator this observation. I presume that everyone recognizes that during the interim before the vote to bring the debate to a close, after the presentation of the original motion to amend or correct the Journal, the very rule we are proposing to adopt recognizes that not only one but a thousand amendments could be presented individually, and under the language in lines 8 to 11 of the very amendment before us, every one of them could be properly considered thereafter, because in this provision an exception is made when it says:

> Except by unanimous consent, no amendment shall be in order after the vote to bring the debate to a close, unless the same has been presented and read prior to that time.

Assume I am one of those who present 50 different amendments, we will say, during the interim between the filing of the cloture petition and the time of the vote thereon. As to each of those amendments that is presented, the proposed rule, as I see it, recognizes, by the very use of the word "unless," that each one of them can be considered, and I see nothing that would apply cloture to any one of the amendments, because the rule recognizes that all of them are properly offered if they have been presented between the time of the presentation of the cloture petition and the vote thereon. Does not the Senator agree that that is the result of this language?

Mr. HAYDEN. Not at all.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. RUSSELL. I ask the Senator from Missouri if he will read the language immediately preceding that which he read, commencing on line 3. In the paragraph preceding it is indicated that cloture has been voted. Then follows the language:

> Thereafter no Senator shall be entitled to speak in all more than 1 hour on the measure, motion, or other matter pending before the Senate, or the unfinished business, the amendments thereto, and motions affecting the same—

So that absolutely prohibits any Senator from speaking more than an hour on amendments if they are pending. I might say to my good friend, the distinguished Senator from Missouri respecting the matter of amendments, that getting them in and having them read is a very difficult thing to do. One objection I have always had to the present cloture rule—and I may say that this language was taken verbatim from the present cloture rule XXII—is that Senators who have amendments which are meritorious, not dilatory but meritorious, which will help the measure, ofttimes have difficulty in getting them in because they have to be read. Simply sending an amendment to the desk does not mean that it will be considered. It must have been read to the Senate by the clerk. The language on line 6 is "the amendments thereto." Cloture applies to everything that is on the clerk's desk. Of course, if the Senator wishes to use his 1 hour in debating an amendment he may do so. If he wishes to use his 1 hour in debating the bill itself he may do so. But he has only 1 hour. He has it under the present rule. The substitute does not diminish or add to or change in any wise the rule with respect to amendments. It means all the amendments that have been presented and read prior to the vote to bring the debate to a close. Otherwise the Senate would deny itself the right of amendment. But it does not enable any dilatory procedure whatever, because a Senator's right to debate has ended when he has spoken his hour. The amendment has to be voted on if there is no debate on it.

Mr. DONNELL. Mr. President, I thank the Senator from Georgia for his very illuminating and helpful suggestion. I see his point very clearly, and I am not all sure but that he is correct. I am very glad he has answered the inquiry I made.

I should like to ask the Senator a further question. The Senator from Ohio [Mr. TAFT] has indicated that the matter under discussion, and the matter that is referred to in the proposed amendment, is the approval of the Journal. The case I cited first was a case in which Senator Jones rises and presents simply a motion to correct the Journal before any Senator has presented a motion to approve the Journal. That motion presents obviously the question of the correction of the Journal, it would seem to me. The matter of the approval of the Journal has not yet been presented to the Senate. The only thing presented to it is the motion made by the Senator who seeks to correct it. I therefore fail to see in the contingency I have suggested that the matter that is pending before the Senate would be the matter of the approval of the Journal.

Mr. HAYDEN. The whole matter pending before the Senate is the approval of the Journal.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. TAFT. It seems to me that whether we say the approval of the Journal or whether we say the amendment and correction of the Journal of January 15, it is still one matter.

Mr. HAYDEN. That is correct.

Mr. TAFT. I do not think, therefore, it makes much difference whether the motion to approve the Journal is presented first or whether it is presented later. That would be my view of the situation.

Mr. DONNELL. Mr. President, will the Senator yield for one further question?

Mr. HAYDEN. I should like to have the Senator from Georgia make further reply to the Senator from Missouri. I yield to him for that purpose.

Mr. RUSSELL. Mr. President, I should like to point out to the Senator from Missouri that the question is all cleared up, if he will look at line 4, on page 2, where it is stated:

> 2. Notwithstanding the provisions of rule III.

Rule III is the rule dealing with the correction of the Journal. That very clearly ties it in with the word "matter," in line 4, on page 3, to show that it was contemplated and specifically intended "notwithstanding any provision of rule III," which is the rule requiring the reading of the Journal. It is perfectly clear, if we consider the fact that it specifically repeals anything in rule III when it says "notwithstanding the provisions of rule III," that it means it repeals anything in rule III that would exempt the Journal from cloture.

Mr. DONNELL. Mr. President, will the Senator yield for a further inquiry?

Mr. HAYDEN. I yield.

Mr. DONNELL. It appears to me that the question is, What does the word "matter" in line 8, of page 2 of the proposed substitute, mean. Let Senators put themselves in this situation. Five years from now a situation may arise similar to that we have here today, and Senator Jones makes a specific motion. A Senator on the other side of the aisle may not agree with the motion at all. He may not think that the Journal should be corrected in that respect at all. He may, however, desire to offer another motion to correct the Journal. If the conclusion of the Senator from

Georgia is correct, the Senator on the other side of the aisle, whom we may call Senator Brown, will be virtually precluded from any substantial debate whatever on his motion. Within the period between the presentation of the cloture petition and the final vote thereon he is, according to the construction Senators now are putting on this proposed change in the rules, virtually precluded from having any adequate consideration of his motion. Might he not very properly rise on the floor and proclaim the right to unlimited debate upon his proposition? He might say the matter that was pending before the Senate day before yesterday was Senator Jones' motion to make a correction changing "and" to "but" in the Journal. He might say, "My motion is much more important and much more difficult and involved, and is an entirely different consideration, and I should not be precluded by the fact that the cloture petition was presented respecting the other motion." May he not very properly say that the real matter which was involved in the preceding motion, in the first one, to correct the Journal, is not his matter at all, and was clearly not the entire subject matter of the approval of the Journal, because "I have here something which is an entirely different proposition, which I wish to present." Would not that be a very valid argument?

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. RUSSELL. I may say to the Senator that in the illustration he has just given Senator Brown would have an exactly equal opportunity with Senator Jones to present his correction of the Journal of the Senate. If Senator Brown debated his motion, and Senator Jones made his motion and discussed it and debated it, and the cloture petition was filed respecting the correction of the Journal, or if the cloture petition was filed at the very instant the motion was made to proceed, both Senator Brown and Senator Jones would have the right to debate. The Senator on the other side would have the same right as the Senator who has debated his amendment. He would have a perfect right to speak to his motion even after cloture is voted. After cloture is voted Senator Jones and Senator Brown have 1 hour to explain their matters, if perchance one of them has not previously had a chance to be recognized. Both have an hour each to discuss their motions to correct the Journal. Both would have exactly the same time, under the cloture rule as it stands now, and as proposed to be amended.

Mr. DONNELL. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. DONNELL. Is it not true, I will ask the Senator from Georgia, in the case I have suggested, that if Senator Jones makes his motion, and Senator Brown will not have a right to have his motion voted on until after Jones has had his acted on, may not Brown properly say that consideration of the Jones' motion has occupied substantially all the time? While he had a theoretical right to rise at the same time, yet physically it is impossible for two persons to be recognized at the same moment, and the Jones motion has precluded Brown from having his considered at all. Is not that a proper and valid argument which Brown can make in support of the position that the matter that was before the Senate was the Jones motion to correct, and not the entire subject matter of the correction of the Journal?

Mr. RUSSELL. If the Senator from Missouri will consider the hypothetical case he has raised—what is the motion to amend the Journal? It is an amendment of the Journal. Every amendment that is offered here is a motion. It makes no difference whether it applies to the Journal or to a bill or a resolution. It is a motion to amend.

Mr. DONNELL. The language of the rule is, "and any mistake made in the entries corrected." There is not anything about an amendment in the rule III.

Mr. RUSSELL. There is no way a bill or the Journal can be corrected without offering an amendment to correct it. It has exactly the same effect as an amendment to a bill. It is a motion to correct or perfect just as when an amendment is offered to a bill. Both Senators whom the Senator from Missouri used as illustration would have identically the same opportunity. Of course if Jones' amendment were offered first it would be voted on first. The amendment which applied to the first section of the Journal that was reached in the reading of the Journal, would be voted on first.

If no amendment to the Journal is pending there would be no occasion to file a cloture petition, because the Journal must be approved unless an amendment in the nature of a correction is offered. If amendments are pending a cloture petition may be filed to the whole Journal. Jones and his cohorts might occupy all of the time until the cloture petition is voted upon, but if cloture is approved there is no way under the rule to deny Brown the right to speak for 1 hour on his amendment. Brown and Jones would both have 1 hour after the vote on cloture to discuss their amendments.

Mr. DONNELL. If the Jones amendment were presented, and Jones and his adherents were to obtain the floor and consume the 48 hours, Brown would never have an opportunity to be heard. Moreover, it is possible that more than one Senator might wish to make a motion to correct the Journal. There might be as many as 25 or 50 Senators who might wish to make similar motions to correct the Journal.

I defer with great confidence to the opinion of both Senators who have spoken, the Senator from Georgia [Mr. RUSSELL] and the Senator from Arizona [Mr. HAYDEN]. But, if the judgment of the Senator from Georgia is correct, that would mean that Mr. Jones, on the other side of the Chamber, by a debate involving 48 hours in which he and his adherents would consume all the time, would prevent perhaps 26 other Senators from having their amendments adequately considered. Perhaps one Member might have a dozen amendments to offer. As a practical proposition, other Senators would be prevented from having their amendments considered at all.

That leads me to this further question: Does not the Senator think that under the circumstances I have supposed, namely, Mr. Jones offering a motion to correct the Journal, and 25 or 50 other Senators, each with 10 motions to correct the Journal, and desiring to present them, each of those 25 or 50 Senators could take a perfectly valid position in saying that the matter before the Senate was the Jones proposition, and that all the other 50 Senators were not barred; that the matter before the Senate had not been the approval of the Journal, but simply the one proposal presented by Mr. Jones?

Mr. RUSSELL. Mr. President, will the Senator from Arizona yield?

Mr. HAYDEN. I yield.

Mr. RUSSELL. I agree with all that the Senator from Missouri has said except the conclusion which he has reached. He has made more eloquently than I the arguments against cloture in any form on any bill.

Undoubtedly, under hypothetical cases which could be assumed, the Presiding Officer, if he were so disposed, and a handful of Senators could on any bill, under the present rule, deny Senators who might wish to amend the bill the right to speak at all, except in their 1 hour after cloture had been voted. That right cannot be taken away under the cloture rule; but I can assume a hypothetical case under the present cloture rule which would do more violence to my sense of justice than the one which the Senator has supposed.

It is entirely possible for a Senator to make a motion to take up a bill during the morning hour, when it is not debatable, and immediately offer a cloture petition. If there were a majority of Senators willing to take such a high-handed course, he could move, if the cloture petition were submitted on Monday, that the Senate stand in recess until 12:55 on Wednesday. If he should do that, he would absolutely preclude any amendment whatever. That is true under the present rule as relating to bills. I think the Senator will agree that bills affecting all the people of the United States are much more important than a mere amendment to the Journal of this body.

Under the hypothetical case, I assume, under the present cloture rule, a majority leader and a ruthless majority could deny any Senator the right to offer any amendment. He could not offer it and have it read, if the Chair were disposed to recognize the majority leader before recognizing anyone else.

That is one of the reasons why I am opposed to cloture in any form. That is one reason why we have been opposing any extension of it. But it is undoubtedly the sense of the majority that we are to have a cloture rule to apply to all collateral issues, except a motion to proceed to the consideration of a change in the Senate rules. Senators will therefore have to take their chances under the rule.

If we are to assume hypothetical cases, I can assume a case of a proposed amendment to the Constitution of the United States. If a majority favored it, and

two-thirds were willing to vote for it, it could be submitted without Senators having any opportunity to be heard on the floor, or any opportunity to amend it, except that they could be heard for 1 hour after cloture was voted. I do not know that that would amount to a great deal, in this day of standardization of transmission of news, and almost standardization of the views of commentators, at least on some subjects. After cloture is voted, no one is going to pay much attention to what a Senator says, in my opinion. The issue will be decided. The headlines will be "Issue decided; bill passed." A Senator could never get his case before the country.

If we are going to assume hypothetical cases, I can assume much more violent cases under the present cloture rule.

Mr. DONNELL. Mr. President, will the Senator from Arizona yield to me?

Mr. HAYDEN. I yield.

Mr. DONNELL. I do not wish to consume an undue amount of time, but I think this is highly important and we ought to know where we stand.

I ask the Senator from Georgia if he does not think this is a valid conclusion:

If we adopt the rule as now presented, namely, the one submitted yesterday in the nature of a substitute to Senate Resolution 15, it leaves an ambiguity—perhaps a necessary one. I am not sure how it could be cured. It leaves an ambiguity as to what the word "matter" means. It seems to me that, under the circumstances I suggested, it is entirely possible that Mr. Brown, or any one of 25 or 50 Senators, might rise and say, "The word 'matter' is not defined in the rule. I contend that the word 'matter' means the specific subject or proposal submitted by Mr. Jones." It seems to me that Mr. Brown could reasonably argue, "It could not apply to what I have in my pocket and have not yet presented, or to the 50, 100, or 500 amendments which no one has presented."

So he could argue—and I think with considerable force, and perhaps with ultimate merit—that the matter which was under discussion was the Jones amendment, rather than the complete question of approval of the Journal; and therefore Mr. Brown and all the other Senators would claim—and perhaps properly—that they were not precluded from presenting and arguing their amendments.

Mr. HAYDEN. Mr. President, I think the Senator best qualified to answer——

Mr. DONNELL. Mr. President, if the Senator will yield to me for a moment, does not the Senator from Georgia feel that even though the Senator from Ohio, the Senator from Arizona, or some other Senator may today confidently express the opinion that the word "matter" under the suppositious case I have suggested means approval of the Journal as an entirety, nevertheless there may be valid ground for a contrary opinion, that the word "matter" is confined to the specific subject, or the specific proposal submitted by Mr. Jones, and cannot bar other amendments from being considered?

Mr. HAYDEN. Mr. President, perhaps the Senator best qualified to answer is the author of this particular provision, the Senator from Massachusetts [Mr. SALTONSTALL]. I yield to him.

Mr. SALTONSTALL. Mr. President, let me say to the Senator from Missouri that it is my understanding that when this change in the rule was suggested, the word "matter" was put in specifically to cover any other question which could not be specifically defined by the word "motion," or "unfinished business," or anything else. The words "other matter" were inserted to cover any subject which might come up. It cannot be defined. It is not intended to be defined. Obviously it may be subject to different interpretations by different Presiding Officers. It is an attempt to be all-inclusive.

Mr. DONNELL. Mr. President, will the Senator from Arizona yield to me?

Mr. HAYDEN. I yield.

Mr. DONNELL. I take it the Senator from Massachusetts shares the view that there is a necessary ambiguity. But would it not be entirely possible for Senator Brown, or any one of the 50 Senators, as I suggested a few moments ago, to rise, under the suppositious case I have cited, and appeal from the ruling of the Chair if it had declared that "matter" was all-inclusive and meant approval of the Journal; and would not that appeal be subject to debate? Would there not, therefore, be at least a plausible probable ground for sustaining the view, on the broad basis of justice, which would be presented by Mr. Brown when he and 50 other Senators were being cut off from adequate consideration of their amendments because consideration of the Jones amendment took all the time?

Mr. SALTONSTALL. Mr. President, I associate myself with the Senator from Georgia [Mr. RUSSELL] in his answer to the Senator from Missouri on that question. I can speak from only one personal experience, in 1946, when the Chair gave various Members of the Senate the opportunity to present their amendments and have them read, even though there was no time for debate before cloture would apply.

It is a question of fairness in the Presiding Officer and in the majority leader. If that is so, then Mr. Jones will have at least an hour after cloture is applied to debate his amendment; and I hope that would be sufficient.

Mr. DONNELL. Mr. President, let me say that certainly an hour might or might not be sufficient. Furthermore, does not the distinguished Senator from Massachusetts concede, by conceding the ambiguity of the word "matter," that there would at least be a plausible ground for Mr. Brown to rise and say that the "matter" referred to in the rule was simply Mr. Jones' motion to correct one entry in the Journal, rather than the entire subject matter of the Journal? Does not the Senator agree that there is at least a plausible ground for making such a contention?

Mr. SALTONSTALL. I would answer by saying that there is a ground for such a contention, but I would not agree that it is a plausible ground.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. KNOWLAND. Along the line of the question raised by the Senator from Missouri, let me ask, in the first place—and I address the Senator from Arizona as the chairman of the Committee on Rules and Administration, and I ask the question as a member of that committee—it is not likely, is it, that a cloture petition would be filed, in the normal course of the Senate's business, on a question of amending the Journal; but it would be only in the event that amendment of the Journal were being used in a capricious way to conduct what we might term prolonged debate or a filibuster? That is my first question.

Mr. HAYDEN. Yes. There would be no advantage to anyone otherwise.

Mr. KNOWLAND. My second point or question is this: It is likely, is it not, that even if debate opened up on the question of approving the Journal, there would be a considerable period of discussion before 16 Senators would sign a cloture petition to bring the matter to a head; so there would be ample opportunity for any Senator who wished to make a legitimate correction of the Journal to get his amendment or correction to the desk? Furthermore, is it not also correct, I ask the Senator from Arizona, that if there were found to be a necessity for making a correction—for instance, where an entry "no" appeared in the Journal, whereas it should have been "yes"—by unanimous consent, in the case of any such bona fide typographical or other error, the Senate still would have in its own hands the power to make that type of correction?

Mr. HAYDEN. There can be no question about that.

Mr. KNOWLAND. Let me make this statement, because I think it may be a proper one to make, in view of the fact that question has been raised on the floor of the Senate and we have had a rather prolonged discussion of the meaning of the word "measure." As a member of the Committee on Rules and Administration in two sessions of the Congress—in both the Eightieth Congress and the Eighty-first Congress—when this situation has been considered, and as one of those who sat in the conferences and tried to bring about a harmonious settlement, and as one who has been interested in this subject matter for some time, I say that the desire of everyone was to frame all-inclusive language, and the word "matter" was used as being all-inclusive.

When the cloture petition is filed, if a filibuster is being conducted on the Journal itself, it is the intent—there is no question in my mind, and I do not believe there is any question in the mind of anyone who had anything to do with the drafting of this proposal—that this new rule shall be all-inclusive. It is meant to take in a motion to correct the Journal; it is meant to take in all amendments which might be offered in connection with the same, because unless that is done, the Senate would have no means whatsoever of protecting itself against an unlimited filibuster on the Journal. It is the intent of everyone who has been interested in this situation that the Senate of the United States shall have an effective and iron-clad means, one in

which there is no loophole of any type or character, of finally getting a vote in any situation.

Mr. DONNELL. Mr. President, will the Senator from Arizona permit me to ask a question of the Senator from California?

Mr. HAYDEN. Certainly.

Mr. DONNELL. In connection with the use of the word "matter," as set forth in the proposed rule, under a supposed case where Mr. Jones might make a motion to correct the Journal by changing the word "and" to the word "but," does not the Senator from California agree that Senator Brown and 50 other Senators might properly have a just ground for complaint, if their right to argue their motions, which we must assume would be presented in good faith, were cut off by the fact that Senator Jones used a large part of the 48 hours, or perhaps all of it was used by several of his adherents and associates? Does not the Senator agree that on a basis of justice, Senator Brown and the other 50 Senators might properly say that the matter being discussed was the Jones amendment, and not the entire correction of the Journal, because they would have 50 other amendments to present for corrections of the Journal?

Mr. KNOWLAND. Mr. President, in specific answer to the able Senator from Missouri, for whom, as he knows, I have the highest regard, let me say I do not believe that type of statement would be fair or could be made by any of the Senators, because I do not believe they would lose any of their reasonable rights under the rule, and I am sure there is no ambiguity as to what the committee meant. Unless the Senate does have available to it this proposed process, effective cloture in the Senate of the United States can never be obtained.

Mr. DONNELL. Mr. President, does not the Senator agree that there certainly is ground for argument on the question of whether the word "matter" would include approval of the entire Journal, or only the approval of the Jones amendment?

Mr. KNOWLAND. That might be one of the "Answer 'Yes' or 'No' " questions, along the line of the question, "Have you stopped beating your wife. Answer 'Yes' or 'No.' "

Mr. DONNELL. Mr. President, I ask the Senator to pardon me; I did not mean to present a question which the Senator would not desire to answer by either "Yes" or "No."

Mr. KNOWLAND. Of course I realize that.

Mr. President, obviously there is ground for argument, because the Senator from Missouri is quite properly arguing on one side of the question, and some of the rest of us are arguing on the other side. So it is obvious that at this point there is some ground for argument.

The only thing I think it is important to show in the RECORD of the Senate on this day when this matter is under consideration, is that the point in the minds of the members of the committee—and it was in the minds of the members of the Committee on Rules and Administration in both the Eightieth Congress and the Eighty-first Congress—is that they have endeavored to make this rule all-inclusive, so that there can be no doubt in the minds of anyone in the future, if this question should be raised, just as the Senator from Missouri is now quite properly raising it, and so that the legislative intent will be clearly shown before the Senate of the United States casts its vote on this matter. I do not deny that the Senator from Missouri has some reason for raising a query here on the floor of the Senate—and quite properly so, for 5 or 10 years from now, perhaps, his successor or the successor of some of the rest of us might raise that question. But since he has raised it, I think it also fair to say specifically to the Senate that there is no ambiguity in the minds of those responsible for it. Is that correct?

Mr. HAYDEN. Absolutely.

Mr. DONNELL. Mr. President, will the Senator yield for a further question?

Mr. HAYDEN. Mr. President, I should like to yield first to my friend the Senator from Vermont [Mr. FLANDERS], who has to leave the Chamber.

Mr. FLANDERS. Mr. President, I rise for information in regard to what is to me an ambiguity in this proposed substitute for the resolution. I refer first to line 3 on page 3, to see what it is to which the limitation of debate is to be applied:

> Thereafter no Senator shall be entitled to speak in all more than 1 hour—

On what?—

> on the measure, motion, or other matter pending before the Senate, or the unfinished business, the amendments thereto, and motions affecting the same, and it shall be the duty of the Presiding Officer to keep the time of each Senator who speaks.

I raise the question as to whether there may be limitless oratory on completely extraneous matters under that rule.

So I go to line 11, to see if there are other restrictions:

> No dilatory motion, or dilatory amendment, or amendment not germane shall be in order. Points of order, including questions of relevancy, and appeals from the decision of the Presiding Officer, shall be decided without debate.

I have difficulty, I may say to the Senator from Arizona, in finding that there is anything in it which limits oratory on purely extraneous matters not connected at all with the matter before the Senate.

Mr. RUSSELL. Mr. President, as the Senator from Vermont well knows, there is no rule of relevancy in discussion in the Senate. At the present time any Senator can rise at any time he wishes, and if there is a subject before the Senate relating to a sales tax in the District of Columbia, if he wants to deliver himself of a speech on the subject of the high price of cheese in Borneo, or any other matter that appeals to his imagination, he has a perfect right to do so. Not having any rule of relevancy in the Senate, the Chair never undertakes to rule on the germaneness of the remarks. Therefore if there is a statement that he shall not speak more than 1 hour on the subject, he is speaking on the subject regardless of whether he discusses wholly extraneous matters. That has always been the rule of the Senate, even under the unanimous-consent agreements. If there is a unanimous-consent agreement to arrive at a vote at a time certain on a particular bill, I have seen the time consumed with discussion of matters that had nothing whatever to do with it. But because extraneous matters were discussed and irrelevant matters brought in, it did not defer the time of voting on the bill under the unanimous-consent agreement. There is no rule of relevancy in the Senate. The pending rule allows each Senator 1 hour. Whatever the Senator may desire to devote his time to, is within his own power. But he cannot speak more than 1 hour on any and all subjects.

Mr. LUCAS. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Arizona yield?

Mr. HAYDEN. I yield for a question only.

Mr. FLANDERS. Just a moment. I should like to pursue this question a step further. The assurance given by the Senator from Georgia seems to me to lie somewhere else than in the wording of the resolution.

Mr. RUSSELL. I merely wish to state to the Senator from Vermont that the language he has read is, verbatim, word for word, that of the cloture rule which has been on the books of the Senate since 1917, and to my knowledge this is the first time in all those 30 years any Senator has ever raised the question that there is any procedure in the Senate that would permit a Senator discussing an irrelevant matter to have greater rights and privileges than one discussing a relevant matter.

Mr. FLANDERS. Nevertheless, I may say to the Senator from Arizona, who is in charge of the resolution, I should very much prefer to see the matter spelled out than to have it left vaguely hanging in the air as it seems to be doing at the present moment.

Mr. HAYDEN. That may be true, but it seems inconceivable to me that any Presiding Officer would ever rule, or that the Senate would ever sustain a ruling, that a limitation upon debate having been imposed, because the Senator talked about something entirely different and far afield, the debate could not be limited. The purpose of the rule is to limit debate. One hour is allowed, during which a Senator may talk about anything under the sun he wants to. He has but 1 hour, after which he is through.

Mr. RUSSELL. Mr. President, will the Senator yield for one question?

The VICE PRESIDENT. Does the Senator from Arizona yield?

Mr. HAYDEN. I yield for a question.

Mr. RUSSELL. I should like to ask the Senator from Vermont to read line 3 on page 3, where the last two words are "in all," which makes it absolutely conclusive that "thereafter no Senator shall be entitled to speak in all"—in all—"more than 1 hour."

Mr. FLANDERS. On what?

Mr. RUSSELL. On any "measure, motion, or other matter pending before the Senate, * * * the amendments thereto, and motions affecting the same." In my judgment, the words "in all" make it absolutely conclusive that a Senator cannot speak longer than 1 hour.

Mr. FLANDERS. No; that relates to time, not to matter.

Mr. TAFT. Mr. President, will the Senator yield for a question?

The VICE PRESIDENT. Does the Senator from Arizona yield?

Mr. HAYDEN. I yield for a question only.

Mr. TAFT. I do not think there can be the slightest doubt that if the cloture petition is adopted and a Senator speaks at all, he speaks on the measure, motion, or other matter pending before the Senate. He may talk wholly irrelevantly, but he is speaking on the motion, or on the measure.

Mr. HAYDEN. That is correct.

Mr. TAFT. There can be no question about that. The Senator from Vermont can be entirely reassured that it can mean nothing else. If a Senator speaks at all, he must be considered to be speaking on the motion. It might not sound like it, to those who sit in the Senate, but that is what he is speaking about, so far as the interpretation of this rule is concerned.

Mr. HAYDEN. I may point out to the Senator from Vermont that we have had pending a motion to proceed to the consideration of a resolution, and during the debate 13 speeches were made on totally different subjects; but they were all on the motion.

Mr. LANGER and Mr. LUCAS addressed the Chair.

The VICE PRESIDENT. Does the Senator from Arizona yield? If so, to whom?

Mr. HAYDEN. I yield first to the Senator from North Dakota.

Mr. LANGER. I am very much interested in seeing that the rights of minorities are protected. Therefore I want to ask the Senator from Georgia a concrete question, citing a definite example. The other day, the Senator from Ohio said that in all his experience he had never seen such a high-handed proceeding as that which occurred in the Committee on Labor and Public Welfare. He stated that a majority rode roughshod over the opposition. I want to ask the Senator from Georgia, assuming that—of course not in this Congress, but 5 years from now—a similar situation should exist, under the example he cited a while ago, after the morning business, could debate be stopped and the minority gagged by a gag rule?

Mr. RUSSELL. It could be done under a certain rule. If the Senator will refer to the second paragraph of rule VIII, which I think is on page 14 of the manual, he will find that at the present time "all motions made before 2 o'clock to proceed to the consideration of any matter shall be determined without debate." In the proposed new rule, we do relax that rule as to a motion to change the rule. But that is the rule now, and has been for a long time. I may say to the Senator from North Dakota, who is of course as much interested in protecting the rights of minorities as I am, or anyone else, that there is no question that under a hypothetical case, ruthless majorities here can ride roughshod over the rights of the minority under the rules, and under this cloture rule. I am not standing here as an advocate of cloture. I do not believe in any restriction of debate, except that imposed in Jefferson's Manual, of two speeches on the same day. That has been construed to be a legislative day. I think Jefferson meant it to be a calendar day, but it has now been established as a legislative day by the precedents of the Senate. But we are going to have some kind of a rule, and we have saved in this proposal the right to oppose further changes in the rules designed to impose a limitation on debate by a majority of those present and voting, which in some instances could be 25 Senators. But if there is to be a rule, I think this does protect us at least from other rule changes that would further impinge upon the rights of minorities in this body.

Mr. FLANDERS. Mr. President, I should like to pack up my troubles in my old kit bag, and so I ask whether the assurances that have been given by distinguished leaders on both sides of the aisle do not lead to the question as to whether lines 3 to 8 might not be amended to read thus:

> Thereafter, no Senator shall be entitled to speak in all more than 1 hour, and it shall be the duty of the Presiding Officer to keep the time of each Senator who speaks.

What is the matter with that?

Mr. HAYDEN. It would be equally effective. There is no question about that.

Mr. FLANDERS. It would seem to be not merely effective, but incapable of misunderstanding.

Mr. LUCAS, Mr. HOLLAND, and Mr. DONNELL addressed the Chair.

The VICE PRESIDENT. Does the Senator from Arizona yield, and if so, to whom?

Mr. HAYDEN. I yield to the Senator from Illinois.

Mr. LUCAS. I should like to inquire of the Senator with respect to an entirely different question. I wholly disagree with my friend, the Senator from Vermont, because I do not think it possible to write any language that would be any plainer than that which is to be found on page 3, and which we have been discussing. But I want to get back to paragraph 2 again, and make this suggestion: It may be slightly technical, but we have been dealing with technicalities in the Senate for quite a while. Some very weighty and responsible decisions have been made based on technicalities. I merely want to add something more in order to eliminate what might be termed a technicality. I hope the Senator will take into consideration adding, on page 2, line 7, after the word "motion", the word "question." The Senator will recall that in 1917 when the present cloture rule was adopted by the Senate, the word "question" was used a great number of times. While it does not appear in the present rule at all, which refers only to "pending measure," yet a great argument can be made that a pending measure includes everything, because many Senators used the word "question" in discussing the "pending measure."

Mr. HAYDEN. It has always been my assumption that the word "motion" and the word "question" mean one and the same thing.

Mr. LUCAS. I do not think there is any doubt about it, but I wanted to plug up any loophole which might arise.

Mr. HAYDEN. A motion is made, and the Chair announces that the question before the Senate is so and so. So the word "motion" and the word "question" mean one and the same thing.

Mr. LUCAS. If the Senator agrees that any question which might arise is included within the language, I have no objection, but I wanted it cleared up.

I have one other question. A question has been raised by the Senator from Missouri with respect to the Journal. I still contend that there will be flaws found by some Senator who has more ingenuity, after 25 years, than we have at the present time, perhaps. That is exactly what happened after the last cloture rule was enacted in 1917. There were all kinds of ingenuous methods found to get around the plain, unequivocal meaning of those who framed the resolution in 1917.

I suggest that following the word "matter" on page 2, line 8, this language be inserted "and for the purpose of this rule the term 'matter' shall include a motion to approve the Journal."

I should like to have the Senator from Arizona consider that suggestion.

Mr. HAYDEN. I shall be glad to give it consideration.

Mr. DONNELL. Mr. President, will the Senator yield for a further question?

Mr. HAYDEN. I yield.

Mr. DONNELL. I should like to ask the Senator from California a question which I was about to ask him when the Senator from Vermont, who had to leave the Chamber, desired to be heard. I was discussing with the Senator from California a few minutes ago, on the floor, a suppositious case in which Mr. Jones, on one side of the aisle, presents a motion to correct a mistake in the Journal, and Mr. Brown, on the other side of the aisle, and also each of 50 other Senators has amendments to correct the Journal which have not yet been offered. Suppose Mr. Jones presents his motion and it is argued in extenso; a cloture petition is filed, and the time has elapsed for it to be voted on, and it is then voted on. Then Mr. Brown rises and offers a motion to correct an entry in the Journal in another respect. The Chair would, of course, be called upon to rule, would he not, as to whether the previous motion had exhausted the whole matter, and whether Mr. Brown was in order? The Senator would agree that the Chair would be called on to make such a decision, would he not?

Mr. KNOWLAND. He might.

Mr. DONNELL. Would not an appeal lie from the decision of the Chair?

Mr. KNOWLAND. Yes.

Mr. DONNELL. I recognize the fact that in the resolution there is this language:

> Points of order, including questions of relevancy, and appeals from the decision of the presiding officer, shall be decided without debate.

But supposing Mr. Brown rises and says that applied to the Jones motion to correct the Journal and the Chair has ruled with respect to the Jones mat-

ter without debate. "But," says Mr. Brown, "I now present a separate and distinct matter. The Chair has ruled against me and has held that the matter has been exhausted, because the matter previously before the Senate was the entire approval of the Journal." Mr. Brown says, "I want to debate fully the appeal from his ruling." Suppose all the other 50 Senators join in and say, "We do not propose to be precluded because one motion has taken up all this time. We want to present our argument as to whether any such interpretation of the word 'matter' as would preclude us should be indulged in by the Senate."

Would not the appeal from the ruling of the Chair, in the case I have described, open up immediately unlimited debate on the part of the Senate?

Mr. KNOWLAND. I will say to the Senator from Missouri, in my opinion, no; because a motion would be in order to lay the appeal on the table.

Mr. DONNELL. Yes, certainly; a motion to lay any appeal on the table is in order at any time; but the appeal is itself fully debatable, unless the motion to lay on the table shall be agreed to. Is not that correct?

Mr. KNOWLAND. I believe that is correct.

Mr. DONNELL. I take it to be true that any matter presented here is at any time subject to a motion to lay on the table, is it not?

Mr. KNOWLAND. That is correct.

Mr. DONNELL. So the point the Senator makes does not at all answer my argument. It simply means that a motion to lay on the table could be considered and acted upon. Suppose the motion to lay on the table is not sustained. Suppose Mr. Brown proceeds with his debate. Is he not entitled to unlimited debate on the appeal?

Mr. RUSSELL. Mr. President will the Senator yield?

Mr. HAYDEN. I yield.

Mr. RUSSELL. I want to assure the distinguished Senator and able parliamentarian from Missouri that I am in accord with his criticism of the basic idea of cloture——

Mr. DONNELL. Mr. President, may I say to the Senator that I have not been discussing the merits of cloture. I am discussing whether this particular resolution is so free from ambiguity and uncertainty as to avoid the danger which is sought to be avoided by this particular resolution.

Mr. RUSSELL. I want to say that the hypothetical case which the Senator has just suggested could not possibly occur, because it requires a two-thirds vote to impose cloture, and unless there were a two-thirds vote there would be no limit to debate. Otherwise, it could work a hardship on the minority, just as the present cloture rule can. It takes two-thirds to impose cloture, and, therefore, if two-thirds of the Senators vote to impose cloture, those two-thirds would vote against any appeal entered after the cloture petition had been approved by the Senate.

Mr. DONNELL. Mr. President, may I ask the Senator from Georgia, with the permission of the Senator from Arizona, this question: Is it not true that a motion to lay on the table would have been applicable to the motion which has been pending here for some days, the motion to take up for consideration Senate Resolution 15?

Mr. RUSSELL. There is no question about that. It would lie to any question before the Senate.

Mr. DONNELL. We have been delayed for 2 or 3 weeks on the motion to take the matter up, even though a motion to lay on the table could at any time have been presented.

Mr. RUSSELL. There is no question that a motion of that kind could have been presented, and I assure the Senator from Missouri that it would have been presented if there had been any idea of how many votes there would be in favor of laying it on the table. I would have been delighted on Monday, 2 weeks ago, to have had the motion laid on the table, but I knew that there were not enough Senators who would vote in favor of the motion. The Senator is eminently correct, in my judgment, that a motion to table will lie to any proposition before the Senate except a motion to adjourn or a motion to take a recess.

Mr. DONNELL. Does the Senator not consider, in the case which I have supposed, the Jones and Brown case, that there is at least an ambiguity in the proposed resolution as to whether the word "matter" includes the entire question of the approval of the Journal, or simply the motion made by Mr. Jones to correct an entry by changing the word "and" to "but"?

Mr. RUSSELL. Mr. President, I have the greatest respect for the Senator's parliamentary opinion, as he knows. I have told him that I admired his keen parliamentary mind; but I regret to have to differ with the Senator and say that I do not think there is any ambiguity as to its application to the Journal. It applies in two places. We do not depend on the construction of the word "matter." The language in line 4, on page 2, says:

> Notwithstanding the provisions of rule III—

That relates directly to the Journal, because that is the Journal rule of the Senate.

Mr. DONNELL. Does the Senator think that the language "Notwithstanding the provisions of rule III" in any sense defines what the word "matter" means, four or five lines later?

Mr. RUSSELL. I certainly do, because otherwise what would be the purpose of bringing the Journal rule into the resolution? There is nothing covered in rule III except the matter of the Journal and the matter of approving the Journal. Certainly when we bring it in by saying that "notwithstanding" any provision of the Journal rule, and then use the word "matter" to define it, that concludes it, in my opinion.

Mr. DONNELL. Does not the Senator share my view that in the case I have described, where obviously Mr. Brown and his associates, 50 Senators, each one in good faith, presents a motion of the same kind to correct an entry in the Journal, there would be sound reason on his part and on the part of the 50 Senators were they to say, "Injustice would be perpetrated if it were to be held that the application of cloture to Mr. Jones' amendment on an entirely different matter than ours operates to cut us off from an adequate presentation of our matter."

Mr. RUSSELL. Cloture would not be voted if 50 Senators had an amendment to the Journal, and each of them thought that he was being treated unjustly. Fifty votes against cloture would defeat any gag rule. It is true that, as a hypothetical case, 32 Senators could have amendments to the Journal on which they would be absolutely denied any right, except of speaking 1 hour to protest, after cloture was voted. The same rule applies to a bill, and the Senator can apply the same hypothetical case he has so ably raised and discussed this morning to any bill, because if 32 Senators, it is true, under the hypothetical case, can be denied the right to offer an amendment, they can me denied the right to explain an amendment, they can be denied the right to oppose an amendment, except in the 1 hour they are allowed, under the rule, after cloture is voted. There can be no doubt about that, and that has been the case for 30 years, under the existing cloture rule whenever a measure was made the pending business. That is why some of us in times past, and in this case, were opposed to the pending rule, because 32 Senators could be absolutely cut off from discussion, from amendment, from any right as Senators, except to protest their treatment for 1 hour after cloture was voted.

Mr. DONNELL. Then I take it that the Senator would agree that in the case I have described, if Jones' motion referred to page 1 of the Journal, changing "and" to "but," and Mr. Brown's applied to something 25 pages further away in the Journal, relating to something entirely different, a matter of great concern, and he urged that there had been gross distortion of the record, Brown and all his associates would be practically cut off, in fact, from an adequate discussion, because the word "matter" would have been construed to mean the entire approval of the Journal, and because Mr. Jones' amendment as to one little simple word on page 1, 24 pages away from the Brown correction, would have occupied all the time.

Mr. RUSSELL. Under the hypothetical case the Senator from Missouri assumes, if Brown and his associates numbered 32 or less than 32, the Senator is absolutely correct, and the same would be true as applied to a bill, under the existing cloture rule.

Mr. DONNELL. Does the Senator think any such rule as could lead to a result such as I have described, and as he has conceded could occur, is a proper and just rule for our adoption?

Mr. RUSSELL. Of course, the Senator from Missouri knows that the original cloture rule was adopted in 1917.

Mr. DONNELL. Yes.

Mr. RUSSELL. And it would apply to any bill exactly the same condition he has described. I regard bills as being much more important than the Journal. I dare say that I am the only Senator on

this floor who has ever read the Journal through from end to end. I know there are many Senators who have never heard the Journal read, except on two occasions in years past, when I demanded that it be read. Under the rule, any argument about the Journal, in my judgment, would be almost a moot question, because the Journal has not been read on the floor of the Senate in 3 years, to my knowledge, and the amendments which were offered were, of course, for the purpose of giving Senators an opportunity to state their case before they suffered the dire consequences of treatment such as the Senator from Missouri has pointed out.

It has been true during all these years that under rule XXII, a hypothetical case such as that the Senator from Missouri stated regarding the Journal, could be cited which is not as important in my opinion, as a bill, insofar as rule XXII is concerned. The Senator is right, in the hypothetical case, that an unfair Presiding Officer and a ruthless majority leader, with a majority of one in the Senate as to procedural matters, and two-thirds as to the imposition of cloture, could deny Senators their right to speak except for 1 hour.

Mr. DONNELL. Mr. President——

The PRESIDING OFFICER (Mr. GILLETTE in the chair). The Senator from Arizona has the floor.

Mr. DONNELL. Mr. President, will the Senator from Arizona yield that I may ask a further question of the Senator from Georgia?

Mr. HAYDEN. I yield to the Senator from Missouri.

Mr. DONNELL. Does not the Senator from Georgia agree that under the language of the proposed rule, where the word "matter" is used, Mr. Brown, in the suppositious case I have presented, has at least good ground, which can be legitimately urged, to the effect that the word "matter" includes only the Jones motion, and does not include the entire approval of the whole Journal?

Mr. RUSSELL. The Senator from Missouri knows that a point of order can be made against any proposition that is submitted.

Mr. DONNELL. But he might have a legitimate ground, might he not?

Mr. RUSSELL. That is the only point of disagreement between the Senator and me. In my judgment, the word "matter," tied in with the provisions of line 4, page 2, where it refers specifically to the Journal rule, makes it conclusive that it does refer to the Journal. I can conceive of cases where a Senator might be very badly treated under this rule. He can be badly treated today under the present cloture rule. That is why I have been opposed to cloture, and that is why we have been fighting for 2 weeks, and that is why, believing this is the very best that could be salvaged to keep free debate in the Senate, I and the Senators associated with me in favor of free and unlimited debate have reluctantly come to the conclusion that the proposition we are considering is the best that could be had, and comes nearer to reaching a meeting of minds of Senators who have labored on this problem for a number of weeks. It does not preserve the rights of all Senators, neither does the existing rule, but it does give us a weapon which enables us to oppose a further change in the rule which would impose a gag rule in the Senate in the suppositious case of a combination by 25 Senators to absolutely stifle any right of expression on the part of minorities.

Mr. DONNELL. Mr. President, with the consent of the Senator from Arizona, may I conclude by simply making one observation? It appears to me it is entirely proper for the Senate at this time to adopt any rule it desires to adopt. If it desires to adopt a rule under which the Jones resolution would be considered to have raised the entire matter of the correction of the whole Journal, it can do so at this time, and I might be in favor of that. I am not arguing against cloture. What I am arguing about at this time is whether the resolution we are considering, by the term "matter," helps, or whether it simply leaves the matter in the same ambiguous situation which many of the Members of the Senate thought resulted from the use of the word "measure." I do not consider that there was an ambiguity caused by the use of the word "measure," because to my mind clearly the word "measure" does not include a motion to take up; but it seems to me the word "matter" might leave the matter in ambiguity, so that it would be possible for appeals to be taken from the ruling of the Chair, and indefinite debate result.

Mr. RUSSELL. The Senator from Missouri and I are in agreement except as to there being any ambiguity.

Mr. HOLLAND. Mr. President, will the Senator from Arizona yield?

Mr. HAYDEN. I yield to the Senator from Florida.

Mr. HOLLAND. I should like to propound to the Senator from Arizona, if I may, four questions based upon certain portions of the printed substitute which is now being debated. I call the attention of the distinguished Senator from Arizona first to lines 4 and 5 on page 2 of the printed substitute. As to the words "notwithstanding the provisions of rule III or rule VI"—rule III being the rule dealing with the commencement of the daily sessions, and rule VI being the rule dealing with the presentation of credentials—is it the understanding of the distinguished Senator that the words "notwithstanding the provisions of rule III or rule VI" will effectively bring within the proposed new cloture rule all parliamentary procedure to be taken under rules III and VI?

Mr. HAYDEN. Yes; because the way the rule now reads the question of approving the Journal is a matter of the highest privilege. And this wipes out that high privilege and makes it possible to apply cloture.

Mr. HOLLAND. Mr. President, will the Senator yield for another question?

Mr. HAYDEN. I yield.

Mr. HOLLAND. The observations which have just been made by the distinguished Senator with reference to rule III are also equally applicable to rule VI, are they not?

Mr. HAYDEN. There can be no question about that.

Mr. HOLLAND. Mr. President, will the Senator yield for a further question?

Mr. HAYDEN. Certainly.

Mr. HOLLAND. As to the next words that come immediately after "VI" "or any other rule of the Senate, except subsection 3 of rule XXII," said subsection 3 being the new proposed subsection which the Senator has mentioned heretofore—my understanding of the words "any other rule of the Senate," as included in this proposed substitute rule, would mean that any other rule of the Senate now adopted or hereafter to be adopted, unless such new rule should specifically exclude itself from application of the cloture rule, would be made, by this wording, subject to the provisions of the proposed cloture rule? Is that understanding correct?

Mr. HAYDEN. That is my understanding; yes.

Mr. HOLLAND. The next question I should like to propound to the distinguished Senator, if I may, is one which grows out of the words on lines 3, 4, 5, and 6 of page 3. Those words are:

> Thereafter no Senator shall be entitled to speak in all more than 1 hour on the measure, motion, or other matter pending before the Senate, or the unfinished business, the amendments thereto, and motions affecting the same.

It is my understanding that the words "the amendments thereto, and motions affecting the same," do not solely relate to the words "the unfinished business," but that they also relate to the words "the measure, motion, or other matter pending before the Senate." Is that understanding correct?

Mr. HAYDEN. That would be a perfectly reasonable conclusion and that is the way I understand that provision.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. WHERRY. I want to join in corroborating the answers which the Senator from Arizona has given to the Senator from Florida. I am in complete accord with the answers the Senator from Arizona has made, because he has stated the intention of those who drafted the language. We want to extend cloture to a motion, to a measure, to a matter, or anything, and bring them within the provisions of the substitute rule from which the Senator from Florida has been reading, so there will be no doubt that, so far as limitation of debate is concerned, as the present cloture rule applies to the pending measure, the substitute rule will apply to the pending measure, question, motion, or other matter.

Mr. HOLLAND. Mr. President, will the Senator yield further?

Mr. HAYDEN. I yield.

Mr. HOLLAND. Before asking this question, I will say that I think the distinguished Senator from Nebraska has been a little more general in his last statement than he intended to be. The Senator is not intending to eliminate subsection 3 from his discussion, is he?

Mr. WHERRY. No. That is the provision relating to the morning hour. With that qualification, my statement stands. I thank the Senator for correcting me. But in a general way the point is simply this, that we want cloture ex-

tended to the measure, motion, question, or other matter, except as provided by subsection 3.

Mr. HOLLAND. Mr. President, I have only one additional question if the Senator will permit me to make it.

Mr. HAYDEN. Certainly.

Mr. HOLLAND. This question relates to the words "amendment not germane," as they appear in line 12, on page 3. It is the understanding of the junior Senator from Florida that the correct interpretation of those words would require the application of the question of germaneness to not only an amendment that might be offered after cloture, but to all amendments, whether offered before or after cloture. Is that understanding correct?

Mr. HAYDEN. Yes, it would apply all the way through, from the time the motion was filed until the last amendment was disposed of and the Chair finally put the question.

Mr. HOLLAND. Mr. President, will the Senator yield further?

Mr. HAYDEN. I yield.

Mr. HOLLAND. In order to make this point entirely clear in the RECORD, Mr. President, do I correctly understand now from the answer just made by the distinguished Senator from Arizona that all amendments, regardless of when filed, to the measure to which cloture has been applied, shall have applied to them, under these words, the requirement that they must be germane in order to be in order for discussion after the application of cloture?

Mr. HAYDEN. There is the question of germaneness generally. I should like to know the Senator's opinion on that.

Mr. HOLLAND. Mr. President, the opinion of the Senator from Florida is that it has been his understanding in the interpretation of the present cloture rule, and, as I understand, the identical words on this point are included in the proposed substitute cloture rule, that the requirement of germaneness shall be made and extended to all amendments which may be considered after cloture, regardless of the time at which they were offered.

Mr. HAYDEN. That would be true, of course.

Mr. HOLLAND. And it was my intention, and my hope that the distinguished Senator, in answering these questions, would make it crystal clear for the RECORD that it is his intention and the intention of those who sponsored the proposed substitute rule, that the requirement of germaneness shall be applied in the event of the adoption of the substitute rule, to all amendments pending after cloture, regardless of what time in the proceedings they may have been offered.

Mr. HAYDEN. There is no change in this text over the rule that has been in effect for the past 30 years, and the adoption of this proposal would in no manner affect the decisions of the Chair that have been made, particularly on that point, which are, as I understand, completely in accord with what the Senator from Florida now contends.

Mr. HOLLAND. I thank the Senator.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. FERGUSON. On the question of germaneness, do I understand from the last answers, that it will apply to amendments made prior to the filing of cloture? It does not purport to cover that. There is no rule of germaneness in the Senate.

Mr. HAYDEN. The Senate has no rule of germaneness, as I have stated.

Mr. FERGUSON. The only point where germaneness would apply would be after cloture was obtained?

Mr. HAYDEN. That was obviously the intention of those who wrote the rule some 30 years ago, because they were not dealing with any other question than how the time between the filing of the petition and the vote would be disposed of.

Mr. FERGUSON. Yes. That is where germaneness applies.

Mr. HAYDEN. That is correct.

Mr. FERGUSON. But not to amendments offered prior to the filing of cloture?

Mr. HAYDEN. Oh, no; it could not apply in that way.

Mr. FERGUSON. Yes. Will the Senator yield for another question?

Mr. HAYDEN. Yes.

Mr. FERGUSON. I do not understand that the Chair would have any right to rule on the question of germaneness if during the debate, but before the filing of the petition, a Senator submitted an amendment and had it read. Germaneness would not apply to that. Germaneness would only apply, as I read the language of the substitute, after the cloture petition has been filed and the Chair has ruled.

Mr. HAYDEN. Let me ask the coauthor of the substitute measure, the Senator from Georgia [Mr. RUSSELL], what is his opinion with respect to the question of the germaneness of an amendment offered before cloture petition is filed. Does it have to be germane?

Mr. RUSSELL. There can be no doubt about it. The line before that refers to an amendment offered at any time, because it says specifically, in line 8:

> Except by unanimous consent, no amendment shall be in order after the vote to bring the debate to a close, unless the same has been presented and read prior to that time.

The language in line 12 relates to amendments which are presented and read prior to that time, because after that time no such amendments can be offered. It must relate to amendments offered prior to that time.

Mr. FERGUSON. In other words, if a bill is pending and amendments are offered, with no thought of cloture, some of them may not be germane. Then after cloture is asked, all those amendments, which in the opinion of the Chair, are not germane can be stricken out on a point of order without debate. Is that what we are doing?

Mr. RUSSELL. There is no doubt about it. That is the present rule. That language is taken verbatim from the present rule XXII. There is a very obvious reason for it. Members of the Senate who were opposed to cloture might offer a great many amendments which were not germane, to which other Senators were opposed; and Senators would hesitate to vote for cloture for fear that same other bill, to which they were opposed, might be offered as an amendment. It is only after the cloture is invoked that the rule of germaneness applies. In the absence of cloture, the Senate has no rule of germaneness as to amendments. However, the authors of this rule evidently were of the opinion that a great many amendments might be offered which were not germane, to frighten Senators from voting for cloture for fear that they might not be able, after the cloture vote, to discuss amendments to which they were opposed.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. FERGUSON. Let me put it this way: In case cloture is obtained in the Senate, then the rule of germaneness applies, and the Chair can rule on a point of order, without debate, on the question of germaneness, and strike out the amendment.

Mr. RUSSELL. Unless he is overruled by the Senate.

Mr. FERGUSON. It would not be allowed to come to a vote.

Mr. RUSSELL. The Chair can rule on a point of order, but he cannot strike out anything that is germane.

Mr. FERGUSON. Will the Senator please explain for the RECORD what would happen if the Chair were of the opinion that a certain amendment was not germane? What would he do on a point of order?

Mr. RUSSELL. The amendment would be subject to a point of order; and the Chair's ruling is subject to an appeal.

Mr. FERGUSON. For all practical purposes, it would be stricken out, because we would not be able to vote on it.

Mr. RUSSELL. No. The Senate is still master of its own destiny in that situation. Suppose we had before us a very involved bill relating to interstate commerce, and an effort were made——

Mr. FERGUSON. To offer the poll-tax bill as an amendment, let us say.

Mr. RUSSELL. Very well, if the Senator wants to use that illustration. I thought perhaps he was interested in some other legislation, but if that is all he is interested in, we will use that.

Mr. FERGUSON. That question might arise.

Mr. RUSSELL. I shall try to find some other illustration in which the Senator might be interested.

Let us suppose that the so-called poll tax bill is pending in the Senate and a cloture petition to the bill is presented. Let us further suppose than an amendment had been offered to the poll tax to repeal the authorization for establishing harbor facilities or other public works in Michigan, and that a number of other amendments of this nature had been offered to the bill in order to deter Senators from voting for cloture. Unless the rule barring amendments which are not germane were in effect, it would be exceedingly difficult to ever obtain cloture if Senators thought that they would be gagged, and thereby prevented from explaining amendments not relevent to the bill sought to be subjected to cloture. In my opinion all amendments which are not germane to the original bill are subject to a point of order after a vote imposing cloture on the main bill.

Mr. FERGUSON. The Chair would then rule, subject of course, to the point of order being reviewed on appeal to the Senate itself, that the amendment which would interfere with appropriations for Michigan could not be voted upon.

Mr. RUSSELL. That is correct; but, of course the Senator from Michigan would not be entirely out of danger, because an appeal might be taken, and a majority of the Senate might hold that the amendment was germane. Then the Senate could proceed with its business. The majority of the Senate is still the master of its own destiny. However, the Chair can rule that an amendment is not germane, and submit the question to the Senate.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. WHERRY. I should like to address a question to the Senator from Arizona. Does all the colloquy engaged in since the last question asked by the Senator from Florida [Mr. HOLLAND] relate to the present rule under which we operate, and which in this respect we are not attempting to amend in any way, shape, or form?

Mr. HAYDEN. I so stated——

Mr. WHERRY. If we are not satisfied with the present cloture rule, that is something else. However, this language is identical with the language of the present rule. It is not new language. So whatever the present rule is, it is not being touched at all in that respect. I know that the Senator from Michigan understands that, but I want the record to show that if there is any question about the present rule, that is another question. We are not attempting in this substitute to change the present rule at all with respect to the rights of any Senator under the present cloture rule, which has been in operation for many years.

Mr. HAYDEN. I so stated to the Senator from Florida. This proposal involves no change in the rules in that regard; and whatever the precedents of the Senate have been during the past 30 years, there is no attempt here to change them.

Mr. FERGUSON. I appreciate that. However, notwithstanding the fact that no attempt is being made to change the present rule in that respect, I think it is well at this time to understand what the present rule means, because we have had trouble with the interpretation of the present rule. Even though we are reenacting the present rule in large part, I think it is well for those in charge of the resolution to place in the record their interpretation. It may be of some aid to the Senate in the future in determining what we are attempting to do.

Is it fair to state that all debate on a motion to take up something, whether it be a bill or resolution, is subject to cloture, except as regards a proposal to change the rules of the Senate?

Mr. HAYDEN. Everything except a proposal to change the rules.

Mr. FERGUSON. That refers to any amendment to the Senate rules, and not merely this particular rule. The language in paragraph 3 of section 2 reads as follows:

> 3. The provisions of the last paragraph of rule VIII (prohibiting debate on motions made before 2 o'clock) and of subsection 2 of this rule shall not apply to any motion to proceed to the consideration of any motion, resolution, or proposal to change any of the standing rules of the Senate.

Mr. HAYDEN. That is intended to give complete exemption, and I believe it does.

Mr. FERGUSON. But it covers every other debate in the future.

Mr. HAYDEN. The exception is a change in the rules of the Senate.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. WHERRY. What the Senator from Michigan means is that, with the exception of a change in the rules of the Senate, it cover everything else.

Mr. HAYDEN. There is no doubt whatever about that. It is so designed. It is the intention of the authors of the proposed rule to cover everything except a change in the rules of the Senate.

Mr. FERGUSON. Mr. President, will the Senator further yield?

Mr. HAYDEN. I yield.

Mr. FERGUSON. The language used in line 6 on page 2 is—

> at any time a motion signed by 16 Senators, to bring to a close the debate upon any measure, motion, or other matter pending before the Senate, or the unfinished business, is presented to the Senate—

I should like to have an interpretation of the words "at any time." We have discussed this question before, but I do not think we have ever had a ruling on it. Does that mean that a motion can be prepared before the matter is called up for debate? Sixteen Senators might sign the petition in advance, and the moment the debate starts the motion could be made, and then and there it would have to be considered.

Mr. HAYDEN. The language "at any time" relates to the presentation of the petition. The language is:

> at any time a motion signed by 16 Senators * * * is presented to the Senate—

In other words, we cannot go into the question of when and where the 16 signatures were obtained. All we can say is that at any time Senators desire to present such a petition they may do so.

Mr. FERGUSON. That is what I am getting at. The procedure to obtain cloture could be started at the moment the debate started on the pending matter, pending motion, or whatever it might be called.

Mr. HAYDEN. The signatures might have been obtained weeks before. No one has a right to inquire as to that.

Mr. FERGUSON. Let us take a hypothetical case. Suppose that such a motion has been filed, and that the Senate has voted on it, or that on an appeal from the decision of the Chair the Senate does not stop debate. Could a new motion be immediately filed and taken up, and a new vote ordered, under this wording?

Mr. HAYDEN. It is apparent that "at any time" means at any time, afterward as well as before.

Mr. FERGUSON. So any number of motions to terminate debate could be brought up in connection with the same debate.

Mr. HAYDEN. I think there is no question about that. I think there have been instances in which a cloture petition was filed at one time, defeated, and then the debate continued, and later another cloture petition filed and debated, if the Senate so desired. The language "at any time" means at any time.

Mr. FERGUSON. As I undrstand, there is nothing in the language of this proposal to alter or change the rights under rule V, on an appeal from the decision of the Chair. It is my understanding that this does not purport in any way to interfere with such rights on the question of cloture.

Mr. HAYDEN. The situation is to remain exactly as it has been in the past. I can see nothing in the proposed rule which would change anything, or which would require any different interpretation from the way the rules have been interpreted for the past 30 years.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. LUCAS. I was absent from the Chamber for a few moments. My question has probably been answered. I invite the attention of my colleague to paragraph 3 of section 2, on page 3 of the printed amendment. Am I correct in my understanding of the interpretation of that provision, that under no circumstances hereafter could cloture be obtained in connection with any proposal to change any rule of the Senate? If it were desired to change a rule, it would not be possible to get cloture on it.

Mr. HAYDEN. The language is as follows:

> 3. The provisions of the last paragraph of rule VIII (prohibiting debate on motions made before 2 o'clock) and of subsection 2 of this rule shall not apply to any motion to proceed to the consideration of any motion, resolution, or proposal to change any of the Standing Rules of the Senate.

It would not be possible to obtain cloture on such a proposal.

Mr. LUCAS. At the present time cloture can be applied in such a case. We tried to obtain cloture in connection with the proposal now before the Senate to change the rule. If we adopt paragraph 3 of section 2, from now on, until this rule is changed, the Senate will be forever denied the right to consider a petition for cloture in connection with an amendment to any rule of the Senate.

Mr. HAYDEN. That was undoubtedly the intention of those who wrote this paragraph.

If I may have the attention of the Senator from Nebraska [Mr. WHERRY], the Senator from Illinois is directing his inquiry only to section 2 of the proposed rule.

Mr. LUCAS. I am propounding this question: Is it not the interpretation of the meaning of that language that under no circumstances hereafter can the Sen-

ate ever consider a petition for cloture in connection with the amendment of any of its rules?

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. KNOWLAND. I do not so interpret the language. I think the Senator from Arizona must have misunderstood the question, from the way it was put. As I read paragraph 3, it says:

The provisions of the last paragraph of rule VIII—

Which is the one relating to bringing up something during the morning hour, before 2 o'clock—

(prohibiting debate on motions made before 2 o'clock) and of subsection 2 of this rule, shall not apply to any motion to proceed to the consideration of any motion, resolution, or proposal to change any of the standing rules of the Senate.

Mr. LUCAS. Is not that the only——

Mr. KNOWLAND. Let me finish.

In other words, the rights under rule XXII are preserved, unless the difficulty in connection with the parliamentary situation which we faced has been surmounted. We could not get agreement to a motion to proceed to the consideration of a change in the rule. Once the filibuster has been broken, and the first hurdle is passed, it is my interpretation that cloture may be applied to the resolution itself amending the rules. The language which I have read applies only to the motion to take up the proposal to change the rules.

Mr. LUCAS. I hope the Senator is correct in that interpretation, because that question becomes very important.

Already some Senators are interpreting that language to mean that under a strict interpretation a petition for cloture could never be filed at any stage in connection with a proposal to change the rules, and that the rules could not be amended until everyone had been finally worn down by a physical struggle.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. KNOWLAND. I think it is very important to clear up this point.

Mr. LUCAS. It certainly is important. We have been struggling with it for 3 weeks.

Mr. KNOWLAND. That is not only my interpretation. As I pointed out earlier, I was present at these meetings. I have just consulted with the Senator from Nebraska [Mr. WHERRY] about it, and I have also just consulted with the Parliamentarian of the Senate, who was consulted as to this language. The only thing it applies to is a motion to proceed to consider the proposal to change the rule. But once that hurdle is crossed, cloture will lie against an amendment to the rules.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield to the Senator from Illinois.

Mr. LUCAS. Mr. President, then I should like to ask the Senator from California if I understand him correctly, that as to any rule of the Senate of the United States, a Senator can use any parliamentary device we have at the present time by way of obstruction?

Mr. KNOWLAND. On a motion to proceed to the consideration of it; yes.

Mr. HAYDEN. That is correct.

Mr. LUCAS. Not only on a motion, but I would say on any other procedure any existing parliamentary device to obstruct debate could be used. In other words, Senators could filibuster as long as they want to, until they finally were worn down; and when finally they were worn down, a petition of cloture could be obtained. Is that the point?

Mr. KNOWLAND. No; the situation is precisely as it is in the Senate of the United States today, under the circumstance in which we find ourselves. That is, Senators can conduct unlimited discussion on a motion to take up a resolution to amend the rule. That position is no better and no worse for those who wish to conduct a filibuster than it is for those of us who wish to prevent a filibuster; but once we have crossed that bridge, then the same constitutional two-thirds, or two-thirds of the membership of the Senate, chosen and sworn, may invoke the rule which applies to all other legislative procedures.

Mr. LUCAS. That is something new, so far as two-thirds is concerned; is it not?

Mr. KNOWLAND. Pardon me?

Mr. LUCAS. The constitutional two-thirds is something new; is it not?

Mr. KNOWLAND. Oh, yes. It is thoroughly understood that a constitutional two-thirds is different from a simple two-thirds of the Senate. It is not different if all Members of the Senate are present.

Mr. LUCAS. I understand that.

Mr. KNOWLAND. It is not different if 95 of the 96 Senators are present; but it does differ in other circumstances.

Mr. LUCAS. I shall go into that matter, for I think there is much difference. That is one point where the Senator from California and I have disagreed, and where we had to part company in connection with the conferences.

I wish the Members of the Senate to understand clearly what we are doing with respect to these rules: We are tightening the rules to the point where no rule, in my opinion, will ever be changed again, as a result of what we are proposing to do.

Mr. President, under the Senator's theory, it is first necessary to wear out the opposing Senators on the motion to take up; they can filibuster as long as they wish on the motion to take up.

Mr. KNOWLAND. Only on a change of the rules; nothing else.

Mr. LUCAS. Yes, on a change of the rules. But if after 3 or 4 weeks, Senators are worn down on that, then they can take up a motion of some other kind and can filibuster on it.

So it would be necessary to wear them out on several motions, before an opportunity to have a vote by the two-thirds could be reached.

Mr. KNOWLAND. There cannot be two motions, of course, as the distinguished Senator from Illinois, who is an able parliamentarian, well knows; a second motion cannot be presented until the Senate has had a chance to act on the first motion.

Mr. LUCAS. I know that; but cloture does not apply to the first motion—a motion to take up—or to an amendment to the motion or to the resolution or to anything of that sort that is not actually pending. I maintain that those who were seeking to keep the rules from being amended could talk endlessly upon any of those propositions, before cloture could ever be invoked. Then, when it comes to cloture, it is being made more difficult than ever before, by inserting in the rule the two-thirds constitutional majority provision.

Mr. KNOWLAND. I merely want to say to the able Senator from Illinois, with the great respect I have for him, I thoroughly disagree with him that it is being made more difficult. To the contrary, in the situation in which the Senate today finds itself there is no cloture of any kind, not only on a motion to proceed to the consideration of a change in the rules, but there is no cloture on a motion to proceed to the consideration of any legislation. Consequently the Senate might never have a chance to reach the point of action, even though an overwhelming majority, not only a two-thirds majority, but a three-fourths majority, might want a particular bill. I shall not discuss the kind of bill, but any kind of bill in the public interest. At the present time, the Senate is helpless to proceed to the consideration of any kind of legislation so long as a filibuster is being conducted on the motion to take it up.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. KNOWLAND. The proposed new rule gives the Senate of the United States, I think, a material improvement. It puts back into the hands of the Senate control over its own proceedings. It not only does that. Many times, the people back home have no way of knowing how a Senator may stand on an issue, and so long as the debate is being conducted on the motion to take up, they may never get a chance to know how he stands on an issue. Under this rule, if we adopt it, a cloture petition can be filed which will give some indication. A vote on the cloture can be had, which will certainly be somewhat of a test, though not necessarily a conclusive test on the situation. If the cloture petition is carried, we then have the matter before the Senate for another test vote. So I think we have made a tremendous advance, the greatest advance in this field that has been made in the Senate during its whole history.

Mr. LUCAS. Of course, I completely disagree. I shall discuss the matter further when I get the floor in my own right.

Mr. WHERRY. Mr. President, I should like to state that beginning in line 21, page 3, after the parenthesis, appear these words: "and of subsection 2 of this rule shall not apply to any motion to proceed to the consideration of any

motion, resolution, or proposal to change any of the Standing Rules of the Senate."

That leaves a proposal to amend the rules exactly as it is today. There can be no question about it. That preserves for the future every right any Senator now has. We are not making any change in it.

Mr. LUCAS. Why then is the language written into the resolution?

Mr. WHERRY. I will tell the Senator why we placed it there.

Mr. HAYDEN. Mr. President, I should like to yield the floor.

Mr. WHERRY. Mr. President, I ask the floor in my own right.

The PRESIDING OFFICER. The Senator from Nebraska is recognized.

Mr. WHERRY. The answer to the Senator is, because cloture is extended to everything except a change in the rules, to every motion, every matter, and every piece of unfinished business. Having done that, we have inserted subsection 3, having to do with the rule VIII, under which the Senate operates in the morning hour. But it only applies to the morning hour. The last sentence of rule VIII reads:

> All motions made before 2 o'clock to proceed to the consideration of any matter shall be determined without debate.

What is done by the new rule with reference to the provisions of the last paragraph of rule VIII, prohibiting debate on motions made before 2 o'clock, I may say to the majority leader, is simply this: We have applied cloture to almost everything, including amendments to the Journal. If a motion to change a rule is made before 2 o'clock, the new rule permits debate on it until 2 o'clock. That is what it means. It does not take away a rule we have today, but if, for example, the Journal were approved, and a Senator should move to take up an amendment of the rules, then there is the right, under the provision we have written into paragraph 3, to debate that issue until 2 o'clock. After 2 o'clock, Senators would have any other right they now have. I hope I have made that clear.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. WHERRY. I am glad to yield.

Mr. LUCAS. The Senator from Nebraska has been trying to close up loopholes.

Mr. WHERRY. That will close them.

Mr. LUCAS. But it closes the loopholes just the other way.

Mr. WHERRY. No, Mr. President——

Mr. LUCAS. Let me conclude. The Senator knows that since 1888 we have had on the Senate books the rule the Senator is now trying to eliminate.

Mr. WHERRY. Oh, no.

Mr. LUCAS. The Senator certainly is trying to do so, or the provision would not be written into the resolution.

Mr. WHERRY. Mr. President, I am not trying to eliminate rule VIII at all. All I am saying is that notwithstanding rule VIII, Senators will have a right to debate in the morning hour—what? Only an amendment to the rules. The remainder of subsection 2 preserves every right that Senators now have relative to amending the rules. The talk about tightening up the amendment to the rules is all beside the question, with one single exception. That is, once the motion is taken up, after it has passed that hurdle and the question is on the pending measure, such as it is today, under the provision of the substitute, a two-thirds constitutional majority is required. That is exactly what the Senator from Illinois has already approved in his discussions with us, as to how far he would go. In fact he has said, if I understood him correctly, that Senators could write their own ticket so far as he was concerned in order to protect what they have in the rules. All we are doing is protecting what they already have in the rules today. It is not proposed to take anything away from them, and nothing is being added. I should like to ask the Senator from Georgia——

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. WHERRY. Just a moment. I should like to ask the Senator from Georgia, who was conferring——

Mr. LUCAS. Mr. President, the Senator has made an incorrect statement.

Mr. WHERRY. All the statements I have made were correct.

Mr. LUCAS. No.

Mr. WHERRY. I should like to ask the Senator from Georgia if he does not concur in the observation I made. Then I will yield to the Senator from Illinois.

Mr. RUSSELL. Mr. President, I just came on the floor. I did not hear the observations made in full. I understand the Senators were discussing the provisions of subsection 3.

Mr. WHERRY. That is correct.

Mr. RUSSELL. I think the language is capable of but one construction. It provides that under any of the rules of the Senate the right of limiting debate now applicable shall be retained, excepting only as to motions to change the rules of the Senate.

Mr. WHERRY. That is correct.

Mr. LUCAS. That is correct. I agree with that.

Mr. RUSSELL. That is, on any motion to proceed. In other words, it is not applicable now. We have an illustration of it at the moment. We have been debating for several days a motion to proceed to the consideration of a resolution to bring about a change in the rules of the Senate. The same right adheres at this moment to any piece of legislation that might be suggested. This rule closes that right on the motion to proceed in all cases save and except a motion or an amendment to the Standing Rules of the Senate.

Mr. WHERRY. When the Senator says "closes that right," does he mean by that that cloture is applicable in all other cases except amending the rules? If so, then instead of closing the right, the whole field is being broadened.

Mr. RUSSELL. I think it is being narrowed, because the right of unlimited debate is being taken away.

Mr. WHERRY. I agree with the Senator, if that is the way he wants to write the language. But what the Senator is doing is extending cloture to every other motion that can be made except a motion to change the rules.

Mr. RUSSELL. That is correct.

Mr. WHERRY. The Senator may use his own language, but it extends cloture throughout the whole field, I think. That is what we intend to do, with the exception of the rules.

Mr. KNOWLAND. Mr. President, at that point, when the Senator says "with the exception of the rules," he means except to a motion to proceed to the consideration of the rule, does he not?

Mr. WHERRY. I thank the Senator.

Mr. KNOWLAND. Except to a motion to proceed to the consideration of a rules change. Once the bridge of the motion to proceed has been crossed, the application of cloture by a constitutional two-thirds vote applies in the same manner that it does as to any other bill, resolution, or constitutional amendment, or whatever it may be, that is presented.

Mr. RUSSELL. Once a motion for a change in the rules becomes the unfinished business, it becomes subject to the cloture provision of section 2, just as would any other piece of legislation.

Mr. WHERRY. That is correct.

Mr. RUSSELL. I think all the Senators on the floor are familiar with that.

The PRESIDING OFFICER. The Senator from Georgia is recognized.

Mr. RUSSELL. Mr. President, I do not desire to speak at this time. I understand that the debate will be lengthy, though we are told it will not be a filibuster. I shall listen to the debate.

Mr. PEPPER. Mr. President, does the Senator from Illinois have the floor?

The PRESIDING OFFICER. The Senator from Nebraska had the floor.

Mr. PEPPER. Mr. President, I should like to ask a question at this point.

The PRESIDING OFFICER. Does the Senator from Illinois desire the floor?

Mr. LUCAS. I should like to have the floor. I will yield for a question.

Mr. PEPPER. Mr. President, I should like, if I may, to ask a question. It seems to me it has been indicated that the language which has just been discussed, in section 2, to the effect that the provisions of the last paragraph of rule VIII prohibiting debate on motions made before 2 o'clock, and of subsection 2 of this rule shall not apply to any motion to proceed to the consideration of any motion, resolution, or proposal to change any of the standing rules of the Senate, does not in any way worsen the situation which now exists.

I wish to call attention to this fact: This is the first time, is it not, if this rule is adopted, that the Senate has, in many years, in a specific rule, excluded the applicability of cloture to a motion to proceed to the consideration of a change in the rules? Is it not true that rule XXII, as it now exists, did not, by its own words, exclude its applicability to a motion to proceed to the consideration of a change in the rule? In fact, we have been debating for days, if not weeks, as to whether a pending measure might not include a motion to take up a proposed rule change. The Vice President of the United States held that it did apply, and the former President pro tempore of the Senate, on August 2

of last year, stated there was no specific precedent to the contrary, when he made his first ruling that it did not apply. An appeal was taken last Saturday from the ruling of the Vice President, and the Senate, by a close vote of 46 to 41, by only a majority of 5, held that rule XXII, as it now exists, did not apply to a motion to take up a resolution proposing to amend the Senate rules. Some subsequent Senate, if it is not precluded to the contrary by specific rule adopted by the Senate, with full knowledge of the effect, may, by the decision of a Presiding Officer of the Senate, hold to the contrary. It might be held, if this specific language is not in it, that the other portion of the rule would apply.

Mr. President, this is the question I wished to ask, and I am sorry to have taken so long in arriving at it: Is it not a fact that this is the first time, if this rule is adopted, that a rule of the Senate has specifically provided that the rule of cloture shall not apply to a motion to proceed to the consideration of a proposed rule change?

Mr. RUSSELL. Mr. President, will the Senator from Illinois permit me to undertake to answer that question?

Mr. LUCAS. I yield for that purpose.

Mr. RUSSELL. I think a categorical answer would be "Yes"; but there are a number of reasons back of it. I have always heard, when I was a country lawyer in Georgia, that any lawyer who lost a case was entitled to 2 weeks' time within which to cuss the court. I suppose that any Senator who disagrees with the majority ought to be allowed 2 weeks in which to criticize his colleagues in the Senate for differing with him. But there is a more substantial reason than that for putting this language into the rule. It is the first time it has been written into the rules that the Journal is subject to cloture. An attack upon the perfection of the Journal in the morning hour has been the means ordinarily used to permit a Senator the right of unlimited debate against a motion to proceed. Therefore, the door having been specifically closed to that right by express language, it was necessary to use express language to preserve the right which exists under the present rules of the Senate. We struck down a precedent of the Senate when we provided that the Journal should be subject to cloture. That was just a precedent. We wrote it down in express language. When we did that, it became necessary, to carry out our understanding, to write in the express language of preservation of the right which existed under that precedent.

Mr. SALTONSTALL. Mr. President, will the Senator from Illinois permit me to give my answer to the question the Senator from Florida asked?

Mr. PEPPER. I shall be glad to hear the Senator's answer. I do not want to impose on the Senator from Illinois.

Mr. LUCAS. I yield to the Senator from Massachusetts.

Mr. SALTONSTALL. Mr. President, I think there is another answer to the Senator from Florida, that up to this time cloture has applied only to a pending measure. I assume the Senator has in mind the question of interpreting the words brought in to include a motion to take up. If we adopt this rule, in whatever form we adopt it, trying to include the words "motion," "measure," or other matter, the Chair will not have an opportunity to rule on the same question as in the past.

Mr. RUSSELL. That is correct.

Mr. PEPPER. Mr. President, will the Senator from Illinois yield further?

Mr. LUCAS. I yield.

Mr. PEPPER. I should like to address this question, also, to the attention of the Senate: The Constitution of the United States does not say anything specifically regarding the legislative power which it confers upon each House, but it does specifically say each House may determine the rules of its proceedings. I raise the question whether the Senate can proscribe the power of future Senates to do what the Constitution says may be done, namely, to determine the rules of procedure, and does this rule, if it be adopted, preclude the Senate, whenever it may wish to do so, from determining its rules as the Constitution allows it to do? In other words, by adopting this rule, will we preclude the Senate, tomorrow, or another Senate, 5 or 10 years from now, from saying it is fundamental that the Senate must have the power to determine its rules, and what was done in a certain year cannot deny it the exercise of its authority under the Constitution of the United States?

Mr. SALTONSTALL. Mr. President, if the Senator from Illinois will yield, I should be glad to give my answer to that question, because I have heard it discussed at length.

Mr. LUCAS. I yield.

Mr. SALTONSTALL. As I understand, the Senate itself can change its rules, by majority vote, at any time. The only question is whether a rule can actually come before the Senate for a change. As I understand, the purpose of this section is to give all the freedom of debate on a motion to bring up which now exists by interpretation, under the present rule, and the Senate can amend its rules. A resolution to amend the rules can be subject to cloture if and when the resolution is actually before the Senate, and then the rule itself can be changed by majority vote.

Mr. LUCAS. Mr. President, I rise to present at this time my objections to the proposed substitute for the Hayden-Wherry resolution, which provides for cloture by a so-called constitutional two-thirds majority. A motion to proceed to the consideration of the original Hayden-Wherry resolution, which was reported by the Committee on Rules and Administration and which came to the calendar for action, has been the subject of debate for some 16 or 17 days. During that time there was a determined effort on the part of those who opposed the change of the rules to keep the Senate from taking any action whatsoever upon that important question.

During that time those who were as much responsible as anyone else for bringing that measure to the floor of the Senate indicated to the Senate and to the country that they were willing to have round-the-clock sessions in order to break the filibuster that was going on at that time. I heard from the other side of the aisle a number of expressions to the effect that Senators on that side stood ready to remain here from now on, night and day, for the purpose of engaging in physical combat, so to speak, with those who were delaying action to determine which could wear the other out. It was the able minority leader, the Senator from Nebraska, who charged on the floor of the Senate one day that the majority leader was carrying on a pink tea filibuster, and that he stood ready, with all his power and all his might, to carry on until he put through his resolution, which was reported out by the Senator from Nebraska and the Senator from Arizona. He charged the Senator from Illinois with failure. The Senator from Nebraska said he wanted to stay here day and night until final action was had. But at the first opportunity that comes along he abjectly surrenders and capitulates, and comes in with something that is much worse, from the standpoint of ever getting action upon civil rights, than what his original measure would have provided to those who are interested in civil rights.

The Senator from Nebraska is leading the coalition; he is leading the fight here for a change, not a liberal change in the resolution; he does not seek to liberalize the rule; he seeks to tighten the rule so far as ever being able to use cloture as a means for getting action on contested legislation.

Mr. KNOWLAND. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Illinois yield to the Senator from California?

Mr. LUCAS. Just a moment.

The VICE PRESIDENT. The Senator declines to yield now.

Mr. LUCAS. Mr. President, I make the statement I have just made because of what has been said on the floor of the Senate in these debates. I have been charged, directly and indirectly, with bad faith throughout the 3 weeks of debate. I have been charged by the opposition with not conducting an honest attempt on this side of the aisle to break the filibuster. But when we see what has happened, when we see this coalition in action closing the door to the liberalizing of the rules, I am forced to make these statements.

Mr. KNOWLAND. Mr. President, will the Senator yield for a question?

Mr. LUCAS. I yield.

Mr. KNOWLAND. I should like to ask the able and distinguished majority leader, the Senator from Illinois, if it is not a fact that on the pending proposal, on which people have different points of view, but which we felt was the most effective cloture procedure that could be passed through the Senate, if it is not a fact that on this substitute amendment there appear the names of 12 northern and western Democrats and 18 southern Democrats, or a total of 30 of the Members of the majority party, of which the able Senator from Illinois is the leader, which constitutes a majority of the Senator's own party in the Senate, not from

the South alone but from the South, from the East, from the North, and from the West, and if there is a coalition—as there is not—it is with the Members of the Senator's own party, and if the amendment is not an amendment of the Members of the Senator's own party representative of every geographical section of the country?

Mr. LUCAS. What is the question?

Mr. KNOWLAND. I am asking the Senator if that is not correct, since he is making these charges about the minority leader, who does not happen to be present in the Chamber.

Mr. LUCAS. I cannot control the minority leader it is all I can do to control myself. I am very glad the Senator from California asked the question. I anticipated it would be propounded.

One thing is certain, I may say to the Senator, that whatever has been done upon this side of the aisle with respect to the position taken now by the Senators he has mentioned, and with respect to the position they took on the ruling of the Vice President, in my judgment they were absolutely sincere, and they took the action with all the conviction they possess. I respect my friends from the South, although I violently disagree with their position on the question, and have consistently disagreed with their stand on this proposition. But the Senator will not find the name of any individual he has cited, from the North, the South, or the West, on one of the cloture petitions to bring civil rights to an issue, as he will find the names of various of his Republican colleagues. One Republican group after another, along with certain Democrats, who today are just as firm on this question as they were then, signed these cloture petitions for the sole purpose of trying to get some action on civil rights.

Mr. CORDON. Mr. President, will the Senator yield?

Mr. LUCAS. I yield for a question, but I am not going to yield for a long-winded speech.

Mr. CORDON. The Senator well knows the Senator from Oregon does not make that kind of speeches.

Mr. LUCAS. I am not so sure about that.

Mr. CORDON. The question I address to the majority leader is this. The Senator from Oregon would like to know whether the Senator intended to say what he just stated, that a majority of the Democratic Party is opposed to a civil-rights program.

Mr. LUCAS. I can hardly keep track of the majority over here, and certainly I cannot keep track of the minority, especially the Senator from Oregon, as he flits around from one side to another on these cloture petitions, in contrast with the votes he has cast. I cannot answer that question. I do not know what our majority will do.

Mr. CORDON rose.

Mr. LUCAS. I yield for another question.

Mr. CORDON. I thank the Senator. Was it the Senator's intention to say that a majority of the members of the Democratic party in the Senate were opposed to cloture?

Mr. LUCAS. I did not say anything of that kind at all. I do not know about the majority. I do know that sitting on the other side of the aisle is the junior Senator from Massachusetts [Mr. LODGE]. The Senator was the chairman of the resolutions committee at the Republican Convention in Philadelphia last year, and he was responsible for writing a magnificent platform upon civil rights. It was a noble document. It rang with true statesmanship, Mr. President. It came out of that convention unanimously as the Senator from Oregon well knows. Probably the Senator was there and helped write it. But the first opportunity that the Republicans who were responsible for writing that platform got to uphold that position, 23 Republican Senators on the floor of the United States Senate by voting against the ruling of the Vice President failed to uphold the position they took at Philadelphia.

Can you convincingly say, "We stood on a technicality." Can Senators say, "We stood behind the rules of the great Senator from Michigan [Mr. VANDENBERG]." Senators can take that position if they wish. Senators have been talking in the Senate about technicalities ever since I have been a Member of this august body, but I never have seen a Senator who, if he wanted to, did not throw technicalities to the four winds—either through conscientious convictions or political expediency.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. LUCAS. I yield for a question.

Mr. KNOWLAND. I should like to ask the Senator from Illinois, the majority leader, if it is not a fact that on the cloture petition filed prior to the ruling of the Chair there were contained 17 names from the majority side of the aisle and 16 names from the minority side of the aisle?

Mr. LUCAS. The Senator from California is absolutely correct. I have congratulated those 16 Senators, and I do it again here openly, before the Senator from California and the Senate and the world. I was happy that it was a nonpartisan proposition to put into effect what I have always believed to be the true intent and meaning of the rule 22 as adopted by the Senate in 1917.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. LUCAS. I yield to the Senator from Michigan for a question.

Mr. FERGUSON. Is it not also a fact that when the ruling by the Vice President was made and the appeal taken from that ruling, 16 Members on this side of the aisle voted to sustain the ruling of the Chair?

Mr. LUCAS. The Senator is correct. I am glad the Senator mentioned that fact. I again commend those 16 Senators. I commend them to the country, regardless of politics. But I am talking about other Senators, not about the 16 who upheld that ruling.

Mr. TAFT. Mr. President, will the Senator yield for a question?

Mr. LUCAS. I yield for a question.

Mr. TAFT. Does the Senator from Illinois maintain that a Senator should vote against his convictions as to what a rule means, simply because of his views on civil rights, a matter which has no connection with this particular question, or does he not?

Mr. LUCAS. Oh, tut, tut, Mr. President. The Senator from Ohio says the amendment of this rule does not have any connection with the question of the civil rights. I am surprised at the Senator from Ohio.

Mr. TAFT. I ask the question: Does the Senator from Illinois say that although a Senator thinks a rule means one thing he ought to vote that it means something else, because of his views on civil rights, or some other legislative question?

Mr. LUCAS. The Senator from Ohio makes the suggestion that the question of civil rights is not involved in the proposed change in the rule. The Senator from Ohio knows that if it were not for the civil-rights program Senators on his side of the aisle would not have been urging the change in the rule from the first day of the present session of Congress. Senators on the other side of the aisle could hardly wait until they got the resolution out of committee in order to bring the civil-rights program before the Senate of the United States. From the way some have voted I am certain that with them their sole purpose was to embarrass the Democratic Party, hoping to put us in a hole. The Senator from Ohio voted with us, but he did not live up to the reputation for work and energy in our cause—that he had exhibited in the early part of the session in pushing this legislation for action.

Mr. TAFT. Mr. President, will the Senator yield for a question?

Mr. LUCAS. I yield for a question.

Mr. TAFT. Does the Senator from Illinois maintain that a Senator should vote that a rule means something he does not think it means because of his views on civil rights or any other legislative question?

Mr. LUCAS. I do not. But I maintain, and the Senator from Ohio knows it, that any time a man wants to avoid taking a position, by availing himself of a technicality here in the United States Senate he can do it very well, and it will not bother his conscience very much when he does it.

This question of conscience in the United States Senate always amazes me and amuses me. I am amazed and amused to find someone getting up on the floor and talking about conscience in connection with a technicality. I have got a conscience on fundamental questions. But when Senators take the distinguished Vice President's ruling one way and the distinguished former President pro tempore's ruling another way, as they have done on this matter, it is difficult for me to understand how they can talk about having a deep and abiding conscience respecting that matter. I say that Senators could go either way and be right. But the Senators I am talking about are those who went the other way first and then changed their minds afterward for political reasons, as I have charged.

Mr. LONG. Mr. President, will the Senator yield?

Mr. LUCAS. I yield to my friend from Louisiana.

Mr. LONG. Would the Senator be of the opinion that there would be anything insincere in the position taken by the six nonconfederate Democratic Senators who voted not to uphold the ruling of the Vice President, namely, the Senators from Arizona [Mr. HAYDEN and Mr. MCFARLAND], the Senator from Kentucky [Mr. CHAPMAN], the Senator from Oklahome [Mr. KERR], the Senator from Nevada [Mr. MCCARRAN], and the Senator from Iowa [Mr. GILLETTE]? Would the Senator be of the opinion that they voted anything but their sincere convictions?

Mr. LUCAS. The Senator from Louisiana may not have been present when I made the statement, but I said none of those Senators signed a cloture petition involving civil rights. That is the point I am making.

Mr. LONG. Mr. President, will the Senator yield for a further question?

Mr. LUCAS. I yield.

Mr. LONG. If any one of those six Senators had believed the ruling of the Vice President was right, is there any doubt in the Senator's mind that those six Senators would have voted with the Democratic majority?

Mr. LUCAS. I cannot tell what is in their minds, sir, any more than I can tell what is in the mind of the Senator from Louisiana.

If the Senate approves the amendment submitted by this coalition for a constitutional two-thirds majority, it will be more difficult than ever to obtain action upon any civil-rights program we may desire to launch in the future. Mr. President, the adoption of this amendment will be immediately interpreted by the people of America as a sign that civil rights legislation is practically dead in the Eighty-first Congress. I hope that such is not the fact, and I can assure them now that as majority leader I shall never overlook an opportunity to get action on that very important, fundamental question, in this session of Congress.

Mr. President, as I said before, I never believed I would see the time when the distinguished minority leader would be leading the fight against his own resolution, against the liberalizing of the Senate rules.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. WHERRY. Is it not a fact that the Senator from Illinois, in the conference we had just before the final conference, agreed that we should leave the rules the way they are, and the Senator from Illinois would let us write our own ticket relative to the protection of those rules, and that the Senator from Illinois said he would go along with the two-thirds constitutional majority provision? Did not the Senator say that?

Mr. LUCAS. Oh, no; the Senator is so wrong. That is the trouble with respect to these conferences we have been in. I have been misquoted. I have always been against the two-thirds constitutional majority.

Mr. WHERRY. On the rules?

Mr. LUCAS. Not on the rules. I said the Senator from Nebraska could write——

Mr. WHERRY. That is correct; on the rules.

Mr. LUCAS. No; wait a minute.

Mr. WHERRY. Did not the Senator say that?

Mr. LUCAS. Just one minute.

Mr. WHERRY. Did the Senator say that——

Mr. LUCAS. Does the Senator from Nebraska have the floor or do I have the floor?

Mr. WHERRY. I thank the Senator, but he made some statements about me in my absence.

Mr. LUCAS. Now, Mr. President——

Mr. WHERRY. Very well. If the Senator does not wish to yield.

Mr. LUCAS. What I said was that if the Senator left the two-thirds with respect to cloture just as it is in the Wherry-Hayden resolution he could tighten up the rules. Of course I said that. That was a give-and-take proposition. But since the Senator did not tighten them up from both ends, then I am against any compromise. I was willing to compromise. Of course I was.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. LUCAS. I yield for a question, not for a statement.

Mr. WHERRY. In all sincerity there is no use for the majority leader and the minority leader to have any dispute about the words we used, nor about the truthfulness of our statements. I respect the majority leader. But I am being charged here with bringing in a measure on which there is not agreement. I was not present in the Chamber when the Senator said some things that have been reported to me. I simply want to get the RECORD clear. Let us let the public know what our differences are.

I ask the majority leader if he does not agree that so far as rule changes were concerned he and his conferees would agree to the two-thirds constitutional majority in a vote on cloture if and when a vote was finally had?

Mr. LUCAS. We agreed definitely in our Democratic conference of northern and western democrats that we would accept the two-thirds constitutional majority in connection with a change in the rules, but not the two-thirds proposal generally. That is the big difference, and that is the real difference.

Mr. WHERRY. I thank the majority leader. I should like to have the RECORD show that we are in total agreement as to what he said. What he said was this——

Mr. LUCAS. Mr. President——

Mr. WHERRY. I should like to clarify the RECORD.

Mr. LUCAS. I have just told the Senator what I said. The Senator can clarify the RECORD in his own time.

Mr. WHERRY. I am asking for a clarification now.

Mr. LUCAS. I am making a speech now. Does the Senator wish to ask a question?

Mr. WHERRY. I will frame it as a question.

Mr. LUCAS. I ask the Senator not to make it too long. I respect my friend. I do not want him to start filibustering. A little while ago he wanted to filibuster all day and all night. Now that is over.

Mr. WHERRY. Mr. President, I can only ask a question in response to that observation.

I ask the majority leader if he did not report to the conference, to those who tried to solve this difference, and who worked so faithfully with him, and even reported to the press, that the conference which he represented, which was the administration Democrats, would accept a compromise in which, with respect to a change in the rules, he would support the two-thirds constitutional majority vote on the rules, and on everything else a straight two-thirds?

Mr. LUCAS. I certainly said that, and I stand by it. I would be willing to go to that today. But, Mr. President, when something is tied on the other end of it, that takes me out from everything.

We were making a compromise. We were going beyond what the Senator had in his own resolution with respect to the so-called constitutional two-thirds on taking up a proposal to amend the rules. We went beyond the Senator's own resolution in the latter part of it, too. So instead of liberalizing it, the Senator has tightened it up.

Mr. WHERRY. Mr. President, will the Senator yield for another question?

Mr. LUCAS. I yield for a question.

Mr. WHERRY. Would the Senator say that if this proposal were adopted, the field open for the filing of a cloture petition would be tightened?

Mr. LUCAS. I certainly do.

Mr. WHERRY. Mr. President, will the Senator yield for a further question?

Mr. LUCAS. I will convince the Senator before I am through, and he will probably vote with us. I am sure that he will vote for the original Hayden-Wherry resolution before we are through with this debate.

Mr. WHERRY. Mr. President, will the Senator yield for a question?

Mr. LUCAS. I yield.

Mr. WHERRY. The Senator would not have had an opportunity to vote on anything if it had not been for the men who agreed that because of the small difference between a two-thirds vote and a constitutional two-thirds, which amounted to an average of only a vote and a half, they would accept that proposal. We would not be here voting on anything today if we had not tried to save the country and extend cloture to every motion, matter, or business coming before the United States Senate.

Mr. LUCAS. I am surprised that my friend should make that sort of statement after standing here and declaiming about holding all-night sessions. He said, "We must go into this thing with vim and vigor and power. We cannot carry on a pink tea. We must do it right. We must bring in cots. We will break this filibuster. I want my rule to pass." Yet he is the first to capitulate, after making the fine-sounding statement which rang throughout the country from Maine to California, and from the Lakes to the Gulf, as to what he was going to do.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. LUCAS. I yield for a question.

Mr. WHERRY. After that futile effort, what the Senator did was to give up the ghost and state that he was about to make a motion to adjourn.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. LUCAS. I yield for a question.

Mr. MORSE. Does the Senator from Illinois agree with the junior Senator from Oregon that it would be much better for the Senate and for the country if we did not vote on any proposal at all, if our only choice is to be the Hayden-Wherry resolution?

Mr. LUCAS. I am certainly going to vote against it. The Senator will have to use his own judgment. I am not going to filibuster against the resolution, because I do not believe in it. But apparently many Senators did not do much to help us break up the filibuster.

Mr. MYERS. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. MYERS. Is the Senator satisfied that the only real difference between the proposed substitute and the original proposal for a two-thirds majority is only 1½ votes?

Mr. LUCAS. No; I am certainly not satisfied with that statement.

Mr. MYERS. I wish the Senator would address himself to that question. We have heard much about the difference being 1½ votes. I am convinced that the difference is much greater than 1½ votes.

Mr. LUCAS. The Senator is absolutely correct. I shall tell him why.

Under the present cloture rule, cloture petitions succeeded in only 4 out of 19 attempts to end debate. An analyses of these four cases reveal how hopelessly inadequate and futile this cloture rule has been. These four successful petitions show conclusively that the only time the Senate will adopt cloture by a simple two-thirds is when the Senate is almost unanimously in favor of the measure with respect to which cloture would be imposed.

Mr. LONG. Mr. President, will the Senator yield for a question?

Mr. LUCAS. I ask the Senator to let me finish this point first, please.

In other words, a detached view of cloture, distinct from the views held on the measure to which the cloture petition is to be applied, has not been taken. In three of the four cases where cloture has been applied, the final vote in favor of the measure itself was overwhelming. In no case were there less than 71 votes in favor of the measure. In practical terms, this has meant that under the simple two-thirds requirement we never have had successful cloture unless both parties overwhelmingly approved and supported the measure.

Almost invariably under the two-party system we do not get anywhere near unanimous approval of proposed legislation. Practically, then, the simple two-thirds rule was not successful in avoiding obstructionist tactics. In fact it has been harmful, for it gave the appearance of some form of cloture; and we did have cloture, as I have said before, in four different cases.

Mr. LONG. Mr. President, will the Senator yield at this point?

Mr. LUCAS. I yield.

Mr. LONG. Is it not true that three times out of the only four times when cloture has been successful, there was a constitutional two-thirds voting in favor of cloture?

Mr. LUCAS. Yes.

Mr. LONG. Judging by the history of this matter, then, there has been only one time out of the four when the constitutional two-thirds rule would have prevented cloture from succeeding.

Mr. LUCAS. Whatever the Senator says, I shall agree with it.

Mr. President, I wish to discuss briefly the cloture votes from 1919 to 1948. During that time there have been 19 cloture votes. On the yea-and-nay votes in that connection there were 1,606 Senators who answered to their names. The "yeas" were 869; the "nays" were 715; not voting were 234; the pairs were 123; and not paired were 111.

So, Mr. President, the fact that 234 Senators did not vote when cloture was the question before the Senate is the important fact involved in this instance; and when we take the average of the votes on the 19 roll-call votes on cloture, we find that the difference between a constitutional two-thirds and a simple two-thirds is eight votes. Eight is the difference, on the general average—not a difference, of one, two, three, four, or five votes, as some Senators have been saying.

Let me further illustrate this point. I dislike to be talking about civil-rights measures constantly; but I am an honest man, and I know what is back of all this matter. I know why the situation arose here. I know why the Republicans had this matter on the calendar 2 years ago, but did nothing with it for 17 months. We cannot get away from the civil-rights issue in this matter, Mr. President. That is why we had the filibuster. It was not because of the rule. The Senators from the South knew what was in the wind.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. LUCAS. I yield for a question.

Mr. WHERRY. The Republicans did as much as the Senator from Illinois would have done if he had adjourned the Senate the other night; is not that true?

Mr. LUCAS. Mr. President, the Senator from Nebraska comes back to that point again. He has mentioned it twice. He came to me, and did not want me to move to have the Senate adjourn—why? He said he had a plan which he thought could be worked out—a plan, so I was told by a very distinguished Senator, along the line of the two-thirds majority, not a plan along the line of a constitutional two-thirds.

Mr. WHERRY. Except on rules.

Mr. LUCAS. Except on rules; yes.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. LUCAS. In just a moment.

Under those circumstances, Mr. President, I was willing to move that the Senate take a recess, and take another chance on trying to work out the problem, upon that basis.

But when I got into the conference, there was no one there who ever had heard of that kind of proposition. One of the most able Members of the Senate and one of the most able Senators who was present in all of the discussions of this matter from the beginning was presumed to have been the one who said it could be worked out on that basis. Otherwise, I would have asked for a vote to adjourn, because the business of the Senate of the United States had to get along, and I knew that the Republicans and the Democrats together had sufficient votes either to keep me from adjourning the Senate or to keep me from recessing the Senate. I was in a parliamentary vise between my friends on both sides of the aisle, and I simply did the best I could.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. WHERRY. I agree as to that.

Mr. LUCAS. I thank the Senator.

Mr. WHERRY. Because 12 or more of the signers of this petition are Senators who come from the Democratic conference.

So the matter is not a partisan one. Two years ago it was the Hayden-Wherry resolution, and now it is the Hayden-Wherry resolution; and the Senator from Illinois himself said he would support the original Hayden-Wherry resolution, and he complimented us on bringing it out. And we tried our best to get it. The Senator from Illinois knows that in every conference I have attended, I have said time and time again that I wanted to get a vote on the two-thirds rule if I could get it; but if we could not get anything else but a two-thirds constitutional rule, it was my opinion that the time had come when we should get a rule which would permit cloture to be applied on a motion.

So I humbly ask the distinguished Senator from Illinois: If we do not get this rule through now, certainly we will not, will we, have an opportunity to file a cloture petition or motion on a motion to bring up a measure? If we cannot do that, it will be simply futile to try to bring up proposed legislation which a group of the Members of the Senate do not wish to have brought up—whether it be civil-rights legislation or any other kind of legislation; is that correct?

Mr. LUCAS. No; I would not say that.

Mr. WHERRY. Well, the Senator from Illinois says that a cloture motion cannot be filed on a motion to bring up; does he not? The present rules do not permit the filing of a cloture motion on a motion to proceed with the consideration of a measure.

By means of the substitute now under consideration, the rule will be extended so as to apply to everything; so at least we shall have an opportunity to file a cloture motion on a motion to bring up a measure.

The only difference between the majority leader and the minority leader is that even though I could not get the original two-thirds, I am willing to compromise on a constitutional two-thirds, in an effort to arrive at a situation in which we may be able to bring up the very legislation the Senator from Illi-

nois is talking about, and help this administration put forth its program.

Mr. LUCAS. That is marvelous; I am certainly interested in knowing that the Senator from Nebraska is interested in the Truman program. That is a proposition in which I am very much interested, and I hope the Senator from Nebraska will go along with us.

Mr. WHERRY. Yes.

Mr. LUCAS. I wanted to go along with him on the resolution he reported, but I did not get a chance to do so.

Mr. WHERRY. Neither did I.

Mr. LUCAS. And so I wanted to do the next best thing.

Mr. President, I wish to refer to the chart I have in this connection. I also wish to refer again to the civil-rights questions.

On vote No. 12, 88 Senators answered the roll call; and there were 37 yeas and 51 nays. There were eight Senators not voting.

On roll call No. 13, another antilynching bill, there were 88 Senators voting, with 42 yeas and 46 nays.

On roll call No. 14, on the anti-poll-tax bill, there were 78 Senators voting, with 37 yeas and 41 nays.

On roll call No. 15, on the antilynching bill, there were 80 Senators voting, with 36 yeas and 44 nays.

On roll call No. 16, on the FEPC bill, there were 84 Senators voting, with 48 yeas and 36 nays.

On the last one, No. 19, on the anti-poll-tax measure, there were 72 Senators voting, with 39 yeas and 33 nays.

So, Mr. President, on the average, if the rule now proposed is adopted, we shall lose a little better than a fraction of eight votes, if that average continues, under a constitutional two-thirds rule, rather than under a plain two-thirds rule which the original resolution calls for.

Here is an example: It takes 64 votes, under a constitutional two-thirds, to carry the question. If there were 75 Senators voting, two-thirds of that number would be only 50 votes. Under the present rule, cloture would carry in that case. But under the constitutional two-thirds rule, it would be necessary to obtain 14 more votes, so as to have a total of 64 voting "yea."

So, Mr. President, that is the real difference; and it is significant, regardless of whether anyone believes it or not. I say it is most significant. As between a constitutional two-thirds rule and a simple two-thirds rule, of course there is no difference if every Senator is present and voting. But that is not the case, and never will be. When it is necessary to get the votes of 64 Senators in favor of invoking cloture on any measure, those who are opposed to it can simply go fishing. They do not have to do anything here in the Senate in those circumstances; they do not even have to vote.

Mr. BALDWIN. Mr. President, will the Senator yield for a question?

Mr. LUCAS. I am glad to yield for a question.

Mr. BALDWIN. I am very much interested in the point the Senator from Illinois is making. My question is this: Will the Senator tell me what authority the Senate has to compel the attendance of a Member? Is it not true that a Senator cannot be absent from the Senate without the permission of the Senate?

Mr. LUCAS. Strictly speaking, the Senator is correct.

Mr. BALDWIN. Is it not true that when the absence of a quorum is suggested, if a quorum is not present or if there are any other circumstances which require the attendance of an absent Senator, the Sergeant at Arms can be directed by the Chair to require the attendance of absent Senators?

Mr. LUCAS. That is true; and if it is not possible to obtain a quorum, the absent Senators may be arrested.

Mr. BALDWIN. Is it not also true, under the rules, that if a Senator fails to attend the meetings of the Senate, or is absent without leave, the rules provide that his pay can be docked for that reason?

Mr. LUCAS. I think that is true; but I should like to have the Senator from Connecticut point out one instance when that rule has ever been invoked.

Mr. BALDWIN. Is not that one of the virtues of this situation?

Mr. LUCAS. Yes.

Mr. BALDWIN. Because I am quite sure that if a Senator were absent and failed to attend or refused to attend, and if under pressure, his pay were docked, he really would be the laughing-stock of the country. It would be an unusual case. So would not tremendous pressure be placed upon him to attend?

Mr. LUCAS. I should say that probably there would be 96 Senators who would be guilty.

Mr. BALDWIN. Be that as it may, if the Senator will yield for a further question——

Mr. LUCAS. We would have to employ another force around here to watch Senators when they go and come.

Mr. BALDWIN. That is not beyond the range of possibility; is it?

Mr. LUCAS. No; I suppose not, if some persons had their way.

Mr. BALDWIN. If the Senator will further yield, Mr. President, I wish to say that I was one of the Senators on this side of the aisle who supported the position the majority leader has taken.

Mr. LUCAS. Yes; I appreciate it, and I commend the Senator.

Mr. BALDWIN. And I have used the same argument which I am using now, in trying to get some of those who wanted a two-thirds constitutional rule to see that there was not a great deal of difference between the two.

Under all the circumstances, it seems to me that we may have arrived at the best we can get, for is it not true that the present cloture rule is completely and utterly ineffective?

Mr. LUCAS. I would say positively that the proposal now before us, in the nature of a substitute, is certainly no improvement, in my opinion. That is my own opinion of it.

If we adopted constitutional two-thirds rule, we would not get two-thirds of the entire membership of the Senate to vote in favor of invoking cloture, except when the two political parties were practically in agreement on the proposition in question. It would be an almost impossible undertaking to attempt to get 64 votes in favor of invoking cloture under such circumstances.

As I have previously stated, if the rule provided for a simple two-thirds, and if there were only 60 Senators in attendance, cloture might be invoked, for two-thirds of the 60 would be 40 votes. Senators on both sides of the aisle who are interested in such a matter would be present and voting, if there were a simple two-thirds rule. But if there were a constitutional two-thirds rule, Senators who knew they were opposed to what was being attempted in the way of invoking cloture would simply go fishing. They would absent themselves from the floor; they would not have to do anything until the favorable votes of 64 Senators were obtained. Those who were opposed would not even have to vote. Such procedure encourages absenteeism.

Mr. BALDWIN. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. BALDWIN. Would we have to let them go fishing? Or would we have to let them continue to fish if they had gone fishing? Has not the Senate sufficient power—all the power it needs—to compel the attendance of its Members?

Mr. LUCAS. Very well. Then let me ask the Senator from Connecticut a question: If the distinguished Senator from Mississippi [Mr. EASTLAND] were to ask to be excused from the Senate for 1 week, would the Senator from Connecticut object?

Mr. BALDWIN. No; I think not. But I think——

Mr. LUCAS. All right, that is the answer.

Mr. BALDWIN. But if a cloture petition were pending, would we not have the power, under those circumstances, to say, "I do object; a Senator should be here to attend to this business"?

Mr. LUCAS. I want to be around when that happens, when some Senator asks to be excused for 2 days or a week, and when the Senator rises at his desk and says, "Mr. President, I object."

Mr. BALDWIN. Mr. President, will the Senator yield for just one further question?

The VICE PRESIDENT. Does the Senator from Illinois yield?

Mr. LUCAS. I yield.

Mr. BALDWIN. I should like to say at this point, I would have much preferred the Hayden-Wherry resolution, and would like even now the possibility of voting upon it. I know it is not going to carry, because 52 Senators have proposed the substitute, and it will become the rule.

Mr. LUCAS. Some of the Senators might change. That might happen rather rapidly.

Mr. FERGUSON. Mr. President, will the Senator yield for a question?

The VICE PRESIDENT. Does the Senator yield?

Mr. LUCAS. I yield for a question.

Mr. FERGUSON. I have noted that the Senator and others have used the expression "constitutional two-thirds."

Mr. LUCAS. There is no such thing.

Mr. FERGUSON. I think we ought to be explicit in the RECORD.

Mr. LUCAS. The Senator is absolutely correct. The phrase is "two-thirds of the Senators chosen and sworn." That is really the proper term. The expression "constitutional two-thirds" is really an improper term, I thank the Senator.

Mr. FERGUSON. The time might come, when new Senators were to be sworn in, when there might be but 60 Senators.

Mr. LUCAS. The Senator is absolutely correct. There might be a time when there would be three Senators absent, and it would be necessary to have a majority of those chosen and sworn to do business, which would be two-thirds of 93.

Mr. FERGUSON. So that, while the Constitution at the present time provides for 96 Senators, it is a misnomer to speak of a "constitutional two-thirds."

Mr. LUCAS. The Senator is correct. I thank him for interrupting and making these timely observations.

Mr. WHERRY. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Illinois yield?

Mr. LUCAS. I yield.

Mr. WHERRY. The language of the amendment provides for the definition just given by the Senator from Michigan, does it not?

Mr. LUCAS. Yes. I have misused the term.

Mr. WHERRY. So, when the Senator is using the number 64, if and when a vacancy once occurs, and a Senator is not duly sworn, the number would be reduced to the then membership of the Senate. So the emergency is taken care of.

Mr. LUCAS. I pointed out——

Mr. WHERRY. Just a moment. These are important points. The Senator well knows I worked as hard as any one else to have the Hayden-Wherry resolution reported, requiring two-thirds. But what would the Senator do in a case like this? Of course, I realize it is not always the case, but if we had the attendance of every Member of the Senate, the Senator would agree with me there would be no difference between two-thirds of those in the Senate ready to vote, and two-thirds of the membership of the entire Senate, would he not?

Mr. LUCAS. The Senator is absolutely correct. But let me answer him by saying that, in the 19 cloture petitions heretofore filed, it has never happened.

Mr. WHERRY. Mr. President, will the Senator yield for a further question?

Mr. LUCAS. I yield.

Mr. WHERRY. I have a table here with respect to previous cloture petitions. I submit to the Senator that questions such as those referred to are of major importance. Let us take the four times that a cloture petition was applied. On ratification of the Treaty of Versailles with 94 Senators present, the vote was 78 yeas, 16 nays. On the World Court Treaty in 1940, a great issue, the vote following the submission of a cloture petition was 68 yeas, and 26 nays. The question on the Branch Bank was one of the big questions, a tremendous one. On cloture, the vote was 65 yeas and only 18 nays. The next was the bill to create a Bureau of Customs and Bureau of Prohibition, on which the yeas were 55, the nays 27. The last one is the only one on which there was a full attendance in the Senate. I mean, there were 96 Senators; there were no vacancies. That is the only case in which a two-thirds majority of the Senate failed. So that out of the four times cloture has been applied to great issues, it has carried. It would not make any difference whether it was a majority of two-thirds or a majority of two-thirds of the Senators of the Senate sworn and serving. So I respectfully ask—I know there are other questions, but my question is this—does the Senator not, as majority leader, agree with me on this? While I agree there is absenteeism in the Senate, that absenteeism it seems to me would not make any difference whether we had this rule or whether we had a rule providing for a two-thirds majority. If a Senator is not going to vote, because he refuses to vote, what difference would it make whether the rule called for two-thirds or for a "constitutional two-thirds"?

Mr. LUCAS. I answered that a moment ago. For instance, if 60 Senators were present, and two-thirds of them voted for a measure, it would pass by 40 votes. That is the answer.

Mr. WHERRY. But does it not work just the other way? On an important issue, there is not a Senator of the United States today who could go home to his constituents, if he did not attend the Senate and vote on that great vital issue. Let us take for example the United Nations——

Mr. LUCAS. Mr. President, I do not want the Senator to take too much of my time.

Mr. WHERRY. I am sorry. I appreciate the fact that the Senator has yielded. I was trying to clarify the matter. I realize there are two sides to the question. I agree we may take the 19 cases cited. I think there are times when there is not such great interest in pending measures. On the question of ratifying the agreement for the United Nations Organization, as I recall, there were but two negative votes. I do not have the total vote before me. I cannot give it now. I believe there were more than 90 yeas. It was a tremendous issue. Had cloture been invoked and had a Senator gone fishing or refused to vote, he could not have returned to his home to face his constituents on such an issue as that. After a study of the rules, I humbly appeal to the majority leader to say whether there is not a difference between cloture as applied to a great issue, and cloture as applied to a minor subject? And should we not——

Mr. LUCAS. Mr. President——

Mr. WHERRY. If the Senator will pardon me one more moment. Should there not be a difference as between great issues and small ones, in the matter of cloture? Knowing the Senator from Illinois as I do, who is present and voting on these measures, I feel sure he would not be absent from the Senate. He would be here to vote. Believe me, I think the entire membership of the Senate would be here, if they could get here. Only illness would keep them away. I submit that is a very important point in the discussion of what the vote might be on cloture.

Mr. DONNELL. Mr. President, will the Senator yield for a question?

Mr. LUCAS. Just a moment. My answer to the Senator is that the last cloture petition that was submitted was in connection with an anti-poll-tax bill. I think there was about as much interest in that as on any other bill that I know of. There were only 74 votes cast at that time.

Mr. WHERRY. Was not that the case of a rider on the bill?

Mr. LUCAS. I do not know what it was, but it was an important bill. It had to do with the poll tax. It makes no difference whether it came up on a rider or not.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. LUCAS. Just a moment. If there was such interest as the Senator describes, on one of these vital questions, Senators certainly could be here. On another anti-poll-tax bill there were only 80 votes. At another time there were 78 votes; 84 votes another time. It ran from 72 to 84 votes.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. WHERRY. I do not have the record. I wonder if the majority leader does have the record, and whether he can state whether those were on riders to other bills.

Mr. LUCAS. I do not know. I know they were not all riders.

Mr. WHERRY. At this time, as the Senator from Illinois knows, it is impossible to get up a civil-rights bill, because cloture cannot be effectively applied to a motion.

Mr. LUCAS. That has nothing to do with what I am talking about.

Mr. DONNELL. Mr. President, will the Senator yield for a question?

The VICE PRESIDENT. Does the Senator from Illinois yield?

Mr. LUCAS. I yield to the Senator from Missouri.

Mr. DONNELL. Bearing in mind the discussion which occurred earlier in the day as to the possible ambiguity in the use of the term "matter" as it would pertain to a situation of which the Senator spoke, a motion to correct the Journal, and therefore, to preclude other motions, would the Senator permit me to send to the desk at this time, not for present discussion, but so it may be before the Senate, a proposed amendment, which is designed to clarify that?

The VICE PRESIDENT. The Senator cannot yield for that purpose. The Senator can yield only for a question.

Mr. LUCAS. Mr. President, I ask unanimous consent that I may yield to the Senator from Missouri for the purpose of his offering the amendment, without losing the floor.

Mr. DONNELL. I thank the Senator. The amendment reads as follows:

On page 2, line 8, of the substitute proposed by Mr. WHERRY (for himself and others) for Senate Resolution 15, amending the so-called cloture rule of the Senate, after the word "matter", insert the following:

"(and, for the purpose of this rule, the term 'matter' shall include a motion to approve the Journal, which shall be in order at any time as a privileged motion)."

I may say, if the Senator will permit me, that today, or after the discussion this morning, I chanced to be at the side of the Senator from Iowa [Mr. GILLETTE] who told me the Parliamentarian, Mr. Watkins, had prepared a brief amendment. I have since talked with Mr. Watkins, who thinks this amendment would cure the ambiguity to which reference was made. I send the amendment to the desk. I appreciate the Senator's courtesy in permitting me to do so.

Mr. LUCAS. I thank the Senator, because I am in favor of correcting every ambiguity, every bit of uncertainty which may be in the resolution at this time, because I hope we shall never again be compelled to be divided on a question as serious as was the ruling of the Vice President, on a technicality, as to which one presiding officer held in one way and another presiding officer held in another way.

Mr. DONNELL. Mr. President, will the Senator permit me to ask a question?

Mr. LUCAS. Certainly.

Mr. DONNELL. I take it the Senator agrees there may be a difference of opinion as to whether it was a technicality. In my mind the word "measure" is clear. I shall not enter into a discussion of it, but I think it was not a technicality.

Mr. LUCAS. I thank the Senator. It is clear in my mind. I think it was the most narrow interpretation that could have been made as to the meaning of a word.

Mr. DONNELL. There was a difference of opinion as to the meaning.

Mr. LUCAS. But I shall not go into that, because, if I did, I might take up a long time, and I am about ready to close now.

Mr. DONNELL. I thank the Senator for his courtesy.

Mr. LUCAS. Mr. President, this debate has been fought in full view of the public. The words and the deeds of those fighting for civil rights and those fighting to prevent any progress have been spread upon the pages of the press throughout the Nation, and broadcast hour after hour by the radio stations to every corner of the United States. When the roll is called upon the amendment and the substitute, the people will note the names of those who have embraced a cloture rule which makes it nearly impossible to make any progress in civil rights.

Mr. President, those near funeral services for civil rights are not being held in some dark and secret place. They are being held beneath the pitiless light of public observance in a public place, within the knowledge of all the people.

Because I know that the people will demand the rebirth of civil rights, I am ready to carry on this fight in the months and years to come. The call for civil rights comes from the heart of the people and cannot be forever denied. You never settle anything unless you settle it correctly. It may take time, Mr. President, but the day will come when the people of America will interpret the Constitution as was intended by the founding fathers. There will be the right of equal opportunity of employment, the right of security of person, the right of full and equal political participation, and the right of equal treatment in service and defense of our Nation, regardless of race, creed, or color.

Mr. MORSE. Mr. President, at the outset of this speech I wish to say that I am addressing my remarks principally to those Members of the Senate who have not signed the Wherry substitute for Senate Resolution 15. I say I am addressing my remarks to those Members of the Senate who have not signed that resolution, because it is my understanding, and I wish I could believe it is a mistaken understanding, that those who signed the Wherry substitute have, in fact, committed themselves in advance of this debate to vote in accordance with the terms of the substitute, and, therefore, nothing that any of us can say in this debate in regard to what we consider to be the serious limitations of the substitute measure could possibly open their minds. That is the understanding which has been given to me, Mr. President. Unfortunately, one of the conditions which were exacted for the ending of the filibuster last night was that definite commitments be made not to accept amendments. Over half, at least, of the Members of the Senate were in favor of the resolution, and over half of the Senators in favor therefore of the Wherry substitute amendment pledged themselves to vote for the subject matter of that amendment, in advance of debate. If I am not correct in regard to that, with respect to any Senator who signed it, that any Senator who did sign it is open to conviction upon this matter, I should be glad to be so advised. But in the absence of such advice, let me say, as the second point in my introduction, that I shall not yield even for a question from any Senator who signed the Wherry substitute, because if those Senators have closed their minds, as I believe they have by way of a commitment to vote for the Wherry substitute, I do not care to discuss any of the questions I intend to raise in regard to this resolution with any of them, because it would be a waste of my time. I like to carry on discussions only with men who are not committed and who have their minds open at least to what I consider to be serious facts.

I shall not talk at any great length, Mr. President, because I think from this point on those of us who are opposed to the position which has been taken by those who have committed themselves to the Wherry substitute must, from now on, take it to the people of America and not to the Senate of the United States. I am satisfied that the people of America will not share the point of view and the philosophy of those who have signed the amendment in regard to cloture in the Senate of the United States.

I repeat today what I said a few days ago, that I am satisfied that an overwhelming majority of the people of the United States believe that the principle of majority rule ought to govern not only the passage of legislation in the Senate, Mr. President, but also the rules which make possible our getting into a position in which it is difficult to pass legislation.

The next point I want to make by way of introductory remarks to my speech is that I think, in fact, a new de facto political party in America was formed on the floor of the Senate last night. I think the new policital party, in fact, is a coalition of Democrats and Republicans who stand not only for the principles of the Wherry substitute, but we shall see whether the future voting record in the Senate does not also indicate that in a large measure, Mr. President, this coalition predicts what will happen to great pieces of social legislation in the Eighty-first Congress.

Mr. President, I am going to stick with the Republican Party, because I am firm in my conviction that there is hope for a liberalization of the Republican Party without any coalition with the southern Democrats. I am going to continue firm in the conviction that the overwhelming majority of the registered Republicans want the Republican Party to pursue an independent legislative course of action, without coalition with the southern Democrats.

Mr. President, the time may come when political developments in America in the years ahead may require the formation of a new political party. If that time ever comes, I hope it will be labeled the "American Party," and I hope that if that time comes, in the formation of the "American Party," if we have to come to a new one, we will see to it that it is so organized as to keep out the leftists—those who do not believe in majority rule, and the leftists do not, because they believe in a totalitarian government—and to keep out also the reactionaries because I am satisfied the evidence is overwhelming that they do not believe in majority rule, either. They, like the leftists, believe in those obstacles which prevent a majority from ruling in the Congress of the United States.

Mr. President, I shall continue to hope that the leaders of my party will give heed to what I am satisfied are the clear wishes of not only the overwhelming majority of registered voters, but I think the great majority of the independent voters of this country. I say to my party from this desk today that 1950 and 1952 are not so far ahead, that we have the greatest opportunity that has been presented to the Republican Party in the last 20 years to satisfy the majority of Republicans, and a majority of independent voters, that they can look to the Republican Party for a program which will protect the interests of the people as a whole. But I say today out of deep conviction, and deep sadness, that the action taken in offering the Wherry substitute resolution to the Senate of the United States will be no encouragement to the great mass of Republican voters and independent voters in the country. When they come to understand what I think are the clear implications of that resolution, they will realize it represents

a step backward for the Republican Party, and not a step forward.

It has been interesting to note the propaganda which has been set afoot in America in regard to the evils of majority rule and in regard to the desirability of filibustering on the floor of the Senate. There is a force in America which I shall characterize as a spirit of financial fascism, which has the audacity these days to tell the American people that the practice of filibustering on the floor of the Senate should be protected. It is clever, but not too subtle, propaganda.

I hold in my hand a copy of Business Week for March 12, 1949, containing an editorial entitled "The Trend." Note the title of the editorial, The Tyranny of the Majority. I ask unanimous consent to have published as a part of my remarks this editorial in full at this point.

The PRESIDING OFFICER (Mr. GEORGE in the chair). Is there objection?

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE TYRANNY OF THE MAJORITY

Filibustering has become a horrid word in the American language. It has been described in the mildest terms of its critics as a technical evil connected with the machinery of lawmaking.

It has been cursed and condemned as a device against democratic decision.

The sharpest criticism has been leveled at filibusters in recent times by those who carry the liberal label. They are good and mad at the southern Democrats. They lambast the southerners in the Senate for filibustering against all attempts to put civil-rights legislation on the Federal statute books.

Unconsciously, the zeal of the so-called liberals has befogged their minds. Unwittingly, they are sniping at democracy and liberty. They assert that what they are seeking is a further expression of democracy, and that they are going after it in the democratic way. But they obviously are not remembering their American history.

LESSONS OF HISTORY

A refresher course would remind them right at the beginning that this Nation's Government was framed to avoid tyranny in any form. The drafters of the Constitution put in safeguards against despotic power in any hands.

The founding fathers went to great pains to set up a system of checks and balances. They apportioned power among the legislative, executive, and judicial branches of the Government. They determined to place checks on the powers of all—even the powers of the people who had the right to vote. Thomas Jefferson, for example, was convinced that government by a simple majority could be as despotic as the one-man tyranny of the British King.

This aversion to simple majority rule explains the make-up of the Senate. The upper House of Congress was designed deliberately as an offset to the popularly elected House of Representatives. Each State has an equal number of Senators, regardless of population. The Senators are elected three times as long as the Representatives, and only one-third of the Senate comes up for election every 2 years. Obviously, the Senate was never intended to perform its functions and reach its decisions by snap judgments of temporary majorities. It is supposed to function only after the careful deliberation permitted by unlimited debate.

Through the years when slavery was the big national issue, there were great debates. The North sought to impose its will on the minority of States. The South clamored for States' rights. After a war was fought to preserve the Union, President Lincoln was moved to say:

"There is too much desire on the part of some of our very good friends to be masters, to interfere with and dictate to those (southern) States, to treat the people not as fellow citizens; there is too little respect for their rights."

The fundamental belief in the democratic rights of a substantial minority has never been successfully submerged. It has been the salvation, in turn, of both conservatives and liberals. The latter certainly can recall the power of the individual expressions of such liberals as the two La Follettes—expressions which took the form of filibusters more than once. In a speech against cloture, the elder Senator La Follette said:

"Believing that I stand for democracy, for the liberties of the people of this country, for the perpetuation of our free institutions, I shall stand while I am a Member of this body against any cloture that denies free and unlimited debate. Sir, the moment that the majority imposes the restriction contained in the pending rule, that moment you will have dealt a blow to liberty. * * *"

Full and free debate in the Senate is more than a precious heritage. It is more than an effort to protect the right of free discussion. It is an expression of the doctrine that no one group should be in a position where it could beat down all opponents mercilessly. The doctrine states that important minorities should be persuaded and must not be coerced. No one group should be able to impose its own opinions, its interests, its views on others if, by so doing, the vital interests of other groups are not at all respected. This is the practical core of American Government in operation.

LONG-STANDING TRADITION

The principle, of course, is not written down in black and white as a Government law. It is simply a tradition. There is serious doubt whether it could ever be made official. But it is workable nevertheless.

Any infringement of the right of unlimited debate in the Senate would lead to coercion of important minorities. Stifled debate would give to the majority free and careless sway over legislation. This would defeat the basic American idea that all absolute power must be limited—including the power of the majority of the moment.

As long as there are conflicts between the majorities and the minorities, there will be dilatory debate of some sort. And delay is not easy to accept. But an intelligent majority will be wise to accept some measure of delay if it is really convinced that its objective is basically sound.

Filibustering admittedly is a negative device. But so is a brake on an automobile. The brake can check the speed of the car if it gets out of control. Filibustering is useful when it checks the impulses of an unscrupulous or an inconsiderate majority. In the present situation, filibustering is not directed solely against the passage of civil-rights legislation. The filibuster is being employed to curb the headlong enactment of an ill-advised administration program fraught with great peril to a free society.

Mr. MORSE. Mr. President, I wish to comment on certain paragraphs from the editorial from Business Week. I hasten to add that I just do not believe that the views of the writer of this editorial represent the views of 95 percent of the businessmen of America. The businessmen with whom I talk, at least at a percentage rate of 95, are just as devoted to the principle of majority rule in a democracy as is the junior Senator from Oregon. But there are at work in the business fraternity of this country, just as there are at work among other pressure groups, certain propagandists who are seeking in their subtle way to undermine the basic tenets of democracy. I consider this editorial in Business Week a serious undermining of what I think are very elemental principles of our constitutional form of government with its guaranties.

The editorial says:

Filibustering has become a horrid word in the American language. It has been described in the mildest terms of its critics as a technical evil connected with the machinery of lawmaking.

It has been cursed and condemned as a device against democratic decision.

The sharpest criticism has been leveled at filibusters in recent times by those who carry the liberal label. They are good and mad at the southern Democrats. They lambast the southerners in the Senate for filibustering against all attempts to put civil-rights legislation on the Federal statute books.

Unconsciously, the zeal of the so-called liberals has befogged their minds. Unwittingly, they are sniping at democracy and liberty.

Mr. President, as one of those liberals, according to the editor of Business Week, I am sniping at democracy and liberty because I stand on the floor of the United States Senate and defend what I am satisfied the founding fathers had clearly in mind, namely, that our constitutional form of government should operate on the basis of a majority-rule principle, save and except in those specific instances in the Constitution where a two-thirds vote requirement was specifically set forth.

Let me say, Mr. President, as has already been pointed out in this debate, that the two-thirds requirement, where it is set out in the Constitution of the United States, was not a so-called "constitutional two-thirds" requirement, as the defenders of the Wherry amendment contend in this debate, but a requirement of a two-thirds vote of those present and voting.

At the time the Constitution was adopted, when the two-thirds vote was used in a parliamentary body it was used on the basis of a two-thirds vote of the Members present and voting, and in the Continental Congress a majority vote meant a majority vote of those present and voting. When a vote was taken on a motion for the previous question, the issue was determined by a majority of those present and voting. Now in the year 1949, more than a century and a half after the founding fathers wrote into the organic laws of this country these precious tenets of democracy, the Senate of the United States proposes to adopt a two-thirds-vote requirement more stringent than our founding fathers themselves used in connection with their own parliamentary bodies.

Someone, if my ears serve me right, said that the amendment is a step forward. Well, if going back more than 150 years is a step forward, then it is a forward-looking resolution, but only on the basis of such a premise.

I say to the editor of Business Week that when he says that those of us who are liberals in the Senate of the United

States unwittingly are sniping at democracy and liberty when we defend the principles of majority rule, he confesses either his ignorance of democratic principles or he deliberately seeks to propagandize the American people by way of falsehood.

He continues in his editorial:

They assert—

Referring to the liberals—

They assert that what they are seeking is a further expression of democracy, and that they are going after it in the democratic way. But they obviously are not remembering their American history.

Now let us see what aspect of American history the editor of Business Week wants us to remember.

A refresher course would remind them right at the beginning that this Nation's Government was framed to avoid tyranny in any form. The drafters of the Constitution put in safeguards against despotic power in any hands.

Ergo—standing for majority rule in the Senate of the United States is then playing into the hands of despotic power, according to the editor of Business Week. Nonsense. Why does not the editor at that point in his editorial start talking about specific checks and balances set out in the Constitution to protect us from the tyrannical will of a majority when a majority seeks to follow a tyrannical course of action?

No, his conclusion, which he would have us adopt, is that the very practice of majority rule, putting it into application, would constitute tyranny. Is it tyranny when we pass legislation by majority rule? Why, no, Mr. President, because we have those precious safeguards in our Constitution that check the Senate of the United States. Whenever a majority passes legislation that in fact violates constitutional guaranties, there is the veto power, and when that power is exercised by the President, then the Constitution provides that two-thirds of those present and voting shall be required to override the veto.

The second check which apparently the editor of Business Week has never heard about, though we know better—we know he knows about it, but in this slanted writing of his he did not tell his readers about it—is the Supreme Court. And if this body, practicing the majority-rule principle, passes a piece of legislation which is unconstitutional, the check is in the Supreme Court, not in a right under the Constitution of the United States for a minority to filibuster and prevent a majority from passing legislation that it, the majority, believes is constitutional but which the minority believes to be unconstitutional.

The editor says:

The founding fathers went to great pains to set up a system of checks and balances. They apportioned power among the legislative, executive, and judicial branches of the Government.

But he failed, as I have just pointed out, Mr. President, to tell how it operates, and how it operates consonant with the application of a majority-rule principle.

They determined to place checks on the powers of all—even the powers of the people who had the right to vote. Thomas Jefferson, for example, was convinced that government by a simple majority could be as despotic as the one-man tyranny of the British king.

Oh, what a blot on the memory of Thomas Jefferson, to take out of context one observation and seek to give the impression that that great defender of human and social rights, were he in the Senate of the United States today, would be voting to protect the filibuster technique.

This aversion to simple majority rule—

Says the editor of this Business Week—

explains the make-up of the Senate. The upper House of Congress was designed deliberately as an offset to the popularly elected House of Representatives.

In respect, Mr. President, I ask, to the operation of a majority rule? Clearly not. Because article 1, clause 5, section 2, of the Constitution gives to each House the right and privilege of devising its own rules for carrying on its proceedings. The founding fathers did not put on any check, which by implication and innuendo the writer of this editorial seeks to give the impression they intended, that the Senate of the United States should operate on a voting principle other than majority rule.

Each State has an equal number of Senators, regardless of population.

Correct. But what has that got to do with the application of a majority rule? Nothing.

The Senators are elected for a term three times as long as the Representatives, and only one-third of the Senate comes up for election every 2 years.

Correct. But what has that to do with the question as to whether or not we ought to have a rule in the Senate whereby majority-vote principles can prevail? Nothing.

Obviously, the Senate was never intended to perform its functions and reach its decisions by snap judgments of temporary majorities.

Why, the editor apparently is not aware of how legislation passes in the Senate of the United States, how it has to go through committees, how it is subjected to committee hearings, and to debate on the floor of the Senate. He, apparently, is not aware of the safeguards of minority rights that have been set out in every proposal offered to the Senate which I have read, that provides for any form of majority rule for limiting debate in the Senate of the United States.

The editor of Business Week ought to know, if he does not, that every resolution we have offered seeking to outlaw the filibuster through the application of the principles of majority rule provides, first, that 16 Senators must sign the cloture petition; provides, second, that it must lie on the table, as under the present rule, for a day; provides that thereafter 96 hours of debate is possible, which amounts, as we usually operate in the Senate, to more than a week of debate if we follow our ordinary meeting schedule of the Senate.

What more protection has the minority the right to ask for? What the minority seeks in the Senate of the United States is a continuation of its protection to block the majority by minority tactics through the filibuster.

I contend, Mr. President, that the Wherry substitute is not to any appreciable extent, going to injure in any way the effectiveness of a southern filibuster, or a northern filibuster, or the filibuster of any other minority group in the Senate that wants to organize under the Wherry substitute for a filibuster.

To say that I am at a complete loss to understand how the editor of a magazine such as Business Week could write such a slanted and propaganda editorial against the democratic system of majority rule in America is to put it mildly, Mr. President.

The editorial goes on to say:

Through the years when slavery was the big national issue, there were great debates. The North sought to impose its will on the minority of States. The South clamored for States' rights.

Mr. President, I think great debates in the Senate of the United States still are carried on in regard to social slavery. I think the great debates in the Senate on issues of civil rights are basically debates on whether or not large groups of minorities in this country are to be held shackled to the will of a minority in the United States Senate, or whether my party, the party of Lincoln, the Great Emancipator, whom the editor of Business Week quotes in the next paragraph, is going to put into effect and practice the true meanings of the liberties and freedoms of the Constitution, which the War Between the States was fought to settle. I sometimes wonder who won that war. Certainly the Negroes of America, who are denied their civil rights, must say that the North did not win it so long as filibustering tactics in the Senate are allowed to prevail and deny the passage of civil-rights legislation.

Let us see what the editor of Business Week took out of context from Lincoln's statement:

After a war was fought to preserve the Union, President Lincoln was moved to say: "There is too much desire on the part of some of our very good friends to be masters, to interfere with and dictate to those States, to treat the people not as fellow citizens; there is too little respect for their rights."

What has that to do with the debate in the United States Senate over the question whether or not majority rule shall govern our proceedings here? Absolutely nothing. We can all agree that the carpetbag days carried along with them human abuses and injustice and tryannical conduct; but that chapter in our history has nothing to do with the issue as to whether or not the Senate of the United States ought to adopt a rule of procedure which will make certain, as the Wherry resolution does not, of driving out of this body control by a minority.

The editor continues:

The fundamental belief in the democratic rights of a substantial majority has never been successfully submerged. It has been the salvation, in turn, of both conservatives and liberals. The latter certainly can recall the power of the individual expressions of such liberals as the two La Follettes—expressions which took the form of filibusters more than once.

He then proceeds to quote the elder La Follette. Let us quote him; and let us recognize that that quotation was based upon the clear understanding of the Senator from Wisconsin that in 1917 it was the intention of this body to prevent filibustering by way of cloture, with respect to any and all business of the Senate.

The distinguished Senator from Michigan [Mr. VANDENBERG] said in effect the other day, in his notable speech, that he did not know what was in the minds of Senators in 1917 when they adopted rule XXII, but he did know what they said 2 years later. Mr. President, I think it is very clear, as was so ably pointed out by the distinguished junior Senator from Tennessee [Mr. KEFAUVER] in his exceedingly able speech, that if we search the record of 1917 even in a cursory manner, it is prefectly obvious that Senators thought they were debating a cloture rule to apply to all matters of business.

One cannot read the speeches of the elder La Follette, as I have, without being completely satisfied that Bob La Follette, who believed in filibustering—in respect to which belief I am in complete disagreement—believed, as this quotation, I think, clearly implies, that the attempt was being made to adopt a cloture rule which would apply to all matters of business before the Senate. Thus he voted against it. He did say, as the editor of Business Week states:

> Believing that I stand for democracy, for the liberties of the people of this country, for the perpetuation of our free institutions, I shall stand while I am a Member of this body against any cloture that denies free and unlimited debate. Sir, the moment that the majority imposes the restriction contained in the pending rule, that moment you will have dealt a blow to liberty.

That was the view of the then senior Senator from Wisconsin, based, I submit, if we check his record, upon his conviction that in 1917 an attempt was being made to apply cloture to all items of business before the Senate.

On the merits of his opposition to giving effect to majority rule in the Senate of the United States subject to those safeguards and checks which will protect minority rights to adequate debate on the merits of the issue, I am in complete disagreement with the record of the senior Senator from Wisconsin, just as, as a citizen of Wisconsin in those days, I was in complete disagreement with the record of the senior Senator from Wisconsin with regard to the war issue.

Mr. President, in my judgment any argument on the part of the editor of Business Week, or of any Member of this body, past or present, that we destroy any liberties to which we are entitled under a democracy by adopting a rule which would permit of majority limitation of debate in the Senate of the United States so long as the minority has adequate time to discuss the merits of the issue, flies in the face of the whole theory of our system of checks and balances under our Constitution. I cannot read that document, or the constitutional debates, or any chapter of American history and reach the conclusion that the people of America ever intended, at any period of our history, to set up a Government under which minorities could rule.

I repeat what I said on this floor about 2 o'clock the other morning. When those in this body argue that fighting for a principle of majority rule in the Senate follows communistic tactics, I say that the contrary is true. Basic to the whole theory of communism is the adoption of a governmental system under which small groups of men can dictate to the majority. Those of us in the liberal camp, fighting the leftists on the one hand and the reactionaries on the other, bottom our case for democracy upon putting into practice in all branches of our Government the principle of majority rule.

We follow it in our courts and our court decisions determining the very interpretation of the Constitution itself. That is done on the basis of the majority-rule principle. The House of Representatives functions on that basis. The Senate passes legislation on that basis. We are limited by the Constitution to majority rule, save and except in respect to the specific requirements for a two-thirds vote as definitely set out in the Constitution.

I think it is rather sad in the year 1949 to have contained in the CONGRESSIONAL RECORD a charge that those of us who are fighting for majority rule in the Senate of the United States are standing for the tactics of communism. I am sorry if I seem to express some resentment about it; but there is no Member of the Senate who makes such a charge to whom I will yield, so far as my patriotism and my devotion to a political democracy and to a capitalistic economy are concerned. I assert today that the members of my party are coming to living up to the principles of majority rule in the Senate, some day. Believe me, Mr. President, they are coming to it, because the American people are going to drive them to it, and are going to drive them to it by first driving some of them out of the Senate. Just wait and see, Mr. President. The American people will never take this lying down. They will not and should not tolerate a coalition which seeks to prevent majority rule in the Senate. Some of us may be defeated in the meantime, while fighting for majority rule; but we shall take our chances on that; and if defeat comes, we shall go down in it with a smile on our face, knowing that at least we stood firm in our devotion to what I think is one of the principles which is of the very essence to a society of freemen operating in a democratic system—namely, majority rule.

Thus, before I close my remarks, I shall offer as a substitute for the Wherry amendment, my resolution, Senate Resolution 12, which calls for majority rule; and I shall ask for the courtesy of a yea-and-nay vote on it, because I want the Members of the Senate to stand up and be counted on the question of whether they are willing to vote for, or whether they will oppose, majority rule in the Senate. I am perfectly willing to let future events take care of themselves, so far as my political future and theirs may be concerned.

The editor of Business Week says:

> Full and free debate in the Senate is more than a precious heritage. It is more than an effort to protect the right of free discussion. It is an expression of the doctrine that no one group should be in a position where it could beat down all opponents mercilessly. The doctrine states that important minorities should be persuaded and must not be coerced.

Mr. President, just see the clever, subtle innuendoes which the editor of the magazine works into his writing, and the idea which he seeks to implant, that if we wish to have the principle of majority rule observed in the Senate, with adequate time for debate on the merits of the issue, and with a check by the President and a check by the Supreme Court of the United States, in some way we favor coercing minorities. Mr. President, that is vicious propaganda, and it is such proganda that is undermining the faith of our people who are attempting to follow the basic tenets of democratic government.

The editor of Business Week further says:

> Any infringement of the right of unlimited debate in the Senate would lead to coercion of important minorities.

In what way? It would lead to putting into effect and into law what the elected representatives of the people of the United States believe to be the desire of the country, and that law, in turn, as I have said, would be subject to the checks and safeguards of the reviewing bodies, as provided by the Constitution.

The editor further says:

> But an intelligent majority will be wise to accept some measure of delay if it is really convinced that its objective is basically sound.

Mr. President, is it delay that he wants us to accept? The operation of our normal procedure is pregnant with delay, so that full opportunity can be given to the minority to make its case on the merits. We provide for hearings, the printing of reports, debate on the floor of the Senate. How many times do we hold up action until we can obtain the full report and have it before us for study? Then there is the delay which occurs in the case of a veto, if a veto comes; and then there is the delay which finally goes along with the eventual application of the law, through judicial processes, ending in the decision of the highest court of the land.

Mr. President, I repeat that so much of this editorial is nonsense—to seek to give the American people the impression that if the majority-vote principle is adopted in the Senate, minority rights will be destroyed.

The editor almost made one confession, when he said in the editorial that—

> Filibustering admittedly is a negative device. But so—

He says—

> is a brake on an automobile. The brake can check the speed of the car if it gets out of control.

Of course, Mr. President, if the brake freezes, it simply stops the car from moving at all. In my judgment that exactly will be one of the results of the Wherry amendment. It will function as a frozen brake, upon what ought to be a forward movement on the part of the Senate.

I read further from the editorial:

> In the present situation, filibustering is not directed solely against the passage of civil-rights legislation. The filibuster is being employed to curb the headlong enactment of an ill-advised administration program fraught with great peril to a free society.

Mr. President, it is with that sentence that the editor of Business Week lets the cat out of the bag. In my judgment, in those words he represents the type and spirit of financial fascism in America which wishes to stymie legislation that is needed in order to make the capitalistic system work for the benefit of all our people. He represents the spirit of financial fascism which believes we can best preserve capitalism by denying to great groups of people in our country the full fruits of a capitalistic system. He represents the type of selfish interest in America that is selling the capitalistic system short. I will have none of his philosophy. I happen to be so devoted to the capitalistic system as the only economic system that can possibly preserve for us political democracy that I say we, the representatives of the people, must keep ourselves in position at all times so we can pass whatever legislation is necessary to make democracy work. That is our job. That is the job of the Eighty-first Congress. I am of the opinion that too many Republicans in the Eighty-first Congress have completely forgotten that our job is to pass legislation which will promote the social, economic, and political welfare of the American people. It is our job to pass those reforms necessary to make the capitalistic system work. Instead of carrying out that great responsibility, too many Republicans are forming coalitions with southern Democrats who appear to be determined to defeat such legislation in the Senate. I am willing to suggest here and now, Mr. President, most of those Southern Democrats will be just as opposed to most of the major provisions of the President's legislative program as they are opposed to civil rights.

Mr. President, I do not swallow the President's legislative program hook, line, and sinker. If I have not made that clear already in the Eighty-first Congress, if I did not make it clear in 70 major speeches across the country in the last campaign then nothing I would say now could make it any clearer. However let me put this in the throats of a few of my Republican colleagues to swallow, right now. I do not know how many of them can stand up and be counted as having made 70 major speeches in behalf of the Republican Party in the last campaign. But the junior Senator from Oregon did. He would do it again, and he intends to do it again in 1952, for his party. But at the same time he is not going to endorse the mistakes of the Republican Party, either. Where he considers the Republican Party wrong on an issue, he is going to tell his audiences in what respects he thinks the Republicans are wrong, and let the voters decide then who is right. That is democracy put to work.

But I want to say that, whether we Republicans like it or not, the fact is that, as between the program we offered in the last campaign—and I speak here not of our platform, because we heard so little about our platform during the campaign, from so many of our speakers—but as between what our Republican political speakers in the last campaign, for the most part, offered the American people, and what the Democratic speakers in support of the President's program offered, we can find part of the explanation of the Republican defeat. I am satisfied the people made a choice favorable to the general over-all proposals of the President of the United States in contrast to the evasion, the noncommittal program which characterized the Republican campaign. I tried in my way to convince the voters that our program was based upon our excellent platform. I talked about that Republican platform which, by and large, was one of the most progressive platforms we have adopted in the last quarter of a century. What did I find by way of voter reaction? I found that audience after audience and group after group expressed to me by questions from the floor and discussions from the floor a clear indication that if the voters could be sure we would carry out the pledges of our platform the people would support the Republican Party. Some way, somehow, I believe they developed a fear, that they could not count on us to carry out the pledges of the Republican platform. I have seen little evidence in the Eighty-first Congress showing that their lack of confidence was a mistake. So I am going to watch, Mr. President, I am going to watch for the voting records of Republicans on great pieces of social legislation, to see whether or not we as a party are ready to implement the major planks of the Republican platform.

I say, Mr. President, it is such leaders of business as the editor of Business Week who are selling capitalism short when in the last sentence of his editorial he said:

> Filibuster is being employed to curb the headlong enactment of an ill-advised administration program fraught with great peril to a free society—

With these words he confesses as to why certain reactionary forces in America are supporting the retention of a filibuster in the Senate. Representatives of financial fascism certainly want to keep the minority strong and the majority weak in all our governmental processes.

Mr. President, I think it is most unfortunate that the decision of the distinguished Vice President applying the cloture rule to motions was not sustained by the Senate. I think it is most unfortunate that a majority of the Republicans did not sustain that decision.

I say that, Mr. President, with these observations. I think that when the distinguished Senator from Michigan [Mr. VANDENBERG] a year ago or thereabouts handed down a decision holding that under the facts and circumstances existing before him at the time cloture did not apply to the motion then before the Senate he was right on the precedents. If he wanted to follow those precedents, he was right. I said so at the time, and I say so now. But I want to make two points about his decision.

In the first place, there was a clear distinction between the facts and circumstances, or, as we lawyers say, between the operative facts presented to the distinguished Senator from Michigan, and the facts presented to the distinguished Vice President. On the basis of that distinction alone, one could vote to sustain the Vice President, and one could have voted, if it had come to a vote, to sustain the distinguished Senator from Michigan at the time of his ruling.

The second point I want to make, Mr. President, is that the first precedent and all the other precedents upon which the Senator from Michigan [Mr. VANDENBERG] based his ruling were wrong. The first precedent, as I think has been brought out so clearly in this debate and as I have satisfied myself since the Vandenberg ruling, was wrong because the first precedent went contrary to the clear intent of those who passed the cloture rule in 1917. There has been a great deal of talk about the value of precedents, but no mention yet have I heard of the clear duty of a court, once it decides that a precedent is wrong, to reverse the precedent by handing down a decision that the court feels is right and sound as a matter of law. Thus I say, Mr. President, that although the Senator from Michigan could justify following precedents based on facts, similar to the facts which were before him when he ruled he likewise could have justified a refusal to follow those precedents. He would have been just as right, in fact more so, had he taken the position that the first precedent did not conform to the spirit and the intent of the framers of the cloture rule because they thought they were providing for limitation of debate on all matters of debate or business which might come before the Senate. Finding that the precedents violated the spirit and intent of the Senate when it passed rule XXII, he could have refused to follow the bad precedents which always make bad law. He did not follow the course of action which many courts follow, of not accepting as binding upon him a precedent in this case which violated the intent of rule XXII. In comparable situations before a court which adopts a liberal construction of a statute in order to carry out the intent of Congress we find many decisions reversing unsound precedents.

So, on the basis of my analysis of the distinction between the cases, Mr. President, I had no hesitancy a few days ago in refusing to follow the precedent established by the ruling of the Senator from Michigan. I satisfied myself on the basis of study, in my preparation for speeches on this subject in this term of Congress, that the first precedent handed down in the Senate after the passage of the cloture rule and upon which the Senator from Michigan relied was an erroneous one. I decided that we should

overrule it at the first opportunity. So I say, if the operative facts before the Vice President had been identical with the operative facts before the Senator from Michigan, I would still have voted tc sustain the Vice President, because my study had convinced me that the first precedent which the Senator from Michigan had followed was unsound in that it violated the intent of the cloture rule. Therefore, it should have been reversed by the Senator from Michigan. Most certainly the Republicans should have sustained the Vice President because of the different facts presented by the situation which arose on this matter this year.

Mr. President, I wish to register my deep opposition to the compromise resolution which has been proposed by the minority leader for himself and 51 other Senators. This substitute has been called a compromise, but, in my judgment, in actual fact and truth, it represents a surrender. If it is adopted there will be less likelihood of curbing the filibuster, I believe, than there is under the existing rule of the Senate. I say the people of America should know that what is labeled a reasonable compromise and a step in the direction of more effective controls on obstructionist tactics in the Senate, is, in reality, a long stride backward from which it will be extremely difficult to recover.

The first part of that substitute resolution would permit cloture to be invoked on any measure, motion, or other matter save and except any motion to consider a proposal to change any standing rule of the Senate. It is argued that this will close the loophole in the present rule which permits filibustering on the Journal or on a motion to take up a bill. That is correct, Mr. President, but on paper only. I repeat, that is correct, Mr. President, but on paper only. If there are no vacancies, it means 64 Senators must vote affirmatively to bring debate to a close, as contrasted with the present rule which requires only two-thirds of those present and voting.

As I said earlier in my remarks, the present rule, in regard to the two-thirds requirement, carries out the general practice in respect to the application of two-thirds rules in any phase of the business of most parliamentary bodies. It is the rule which prevails where a two-thirds vote is required in most of the legislative halls of this country. It is the rule which is set forth in the Constitution in respect to any two-thirds vote requirement designated in the Constitution. Yet here, in 1949, in order to stop a filibuster we Republicans are asked to make a compromise, or a deal, or a trade, or whatever one may wish to call it, with a group of men who have made clear that they will not enter into a compromise unless they are assured that they are adequately protected in what they consider is basic in this fight, namely, the right to filibuster on their terms. They agree to this deal because they are satisfied it will enable them to prevent the passage of legislation which they do not want passed. In order to carry out such a trade we have this proposal which seeks to establish as a rule of the Senate a so-called, but miscalled, "constitutional two-thirds" majority requirement to stop a filibuster. This deal is a poor horse trade. It is a surrender of even the simple two-thirds majority vote requirement we have under the present rule XXII.

Let us consider, Mr. President, whether this difference in size of the vote is, as the Senator from California [Mr. KNOWLAND] told us, a very small difference indeed. On the 19 occasions on which cloture has been invoked since 1917 the average total vote has been 83. Two-thirds of that number is 56. It is obvious, therefore, that the difference between the average vote in the past and the required vote under this substitute is eight. That is scarcely a very small difference, to use the language of the Senator from California, Mr. President. That difference of eight votes is an increase of 14 percent. Do not tell me, Mr. President that this substitute proposal involves only a small difference between its operation and the operation of the existing cloture rule.

Mr. LONG. Mr. President, will the Senator yield for a question at this point?

Mr. MORSE. I am sorry, but, in view of the fact that the Senator from Louisiana was one of the signers of the round-robin resolution about which I am speaking, and for the reasons I have already given, I decline to yield.

Mr. LONG. Mr. President, does the Senator refuse to yield for a question as to the accuracy of his own figures?

Mr. MORSE. I refuse to yield to the Senator on any point, because I do not know of a single argument that I could make to the Senator from Louisiana which would in any way change his viewpoint on this subject. He signed a round-robin resolution pledging his vote on this matter in advance of floor debate on it. Under those circumstances I do not care to exchange viewpoints with him.

The PRESIDING OFFICER. The Senator declines to yield.

Mr. MORSE. The argument is made by the Senator from California that cloture-vote history shows an average of more than 90 Senators present and voting, or paired. I say, Mr. President, that reference to pairs means nothing in this discussion. What counts under the procedure of the Wherry substitute is votes actually cast for and against, assuming a quorum. However, under the substitute proposal a Senator who is paired or absent, is, in effect, voting against cloture. Hence, a premium is placed upon absenteeism in the Senate of the United States. We are making the same sort of a mistake in this respect as that which we made on a provision of the Taft-Hartley law under the so-called union-shop election system, whereby we put in a provision which resulted in counting absentees as votes against the union shop.

Mr. IVES. Mr. President, will the Senator yield for a question?

Mr. MORSE. I yield to the Senator from New York.

Mr. IVES. I should like to ask the able Senator from Oregon if he was not one of those Senators who supported that provision in the committee bill in 1947?

Mr. MORSE. I have told the Senator from New York before, not only on the floor of the Senate, but in public speeches in this country, that the union shop election was one of the compromises I made in committee in order to get the seven votes we needed to report to the floor of the Senate a reasonably acceptable bill. The Senator from New York is well aware of the fact that if the Ives group and the Morse group had not joined forces so as to get the best compromise we could get out of committee, we would have had a bill reported to the floor of the Senate much worse than the committee bill. The committee bill was generally referred to as the Ives-Morse bill. But I am sure the Senator from New York agrees with me—in fact, the record is clear, from at least one of his speeches on the floor of the Senate—that he thought the time had come to change the requirement in the Taft-Hartley bill which counts an absentee as a vote against a union shop. The Senator is correct about the need for correcting that mistake. I am also sure that the Senator from New York knows me well enough to know that I shall not knowingly make the same mistake a second time.

I think the principle we adopted in that compromise on the Taft-Hartley bill in regard to counting absentees as votes against the union shop was a mistake, and I admit it. But I am not going to adopt with my vote in the Senate a cloture proposal which will put a premium on absenteeism in the Senate.

As I said the other morning on the floor of the Senate, some of the great dangers of the Wherry substitute are the parliamentary devices which are permitted under the Wherry substitute. It will encourage the development of some clever strategy, on the floor of the Senate in order to keep a filibuster going. It will encourage men to take what I call a walk-out powder, absenting themselves from the Senate, and letting the Sergeant at Arms engage in a hide-and-seek contest with them. We know that if men want to hide themselves away, and if that is going to help along in a filibuster fight—and that is what it will get down to—they are going to hide themselves away, and we will be frozen here by a requirement that we have to garner 64 of them in order to get a single roll-call vote. It is unfair for the signers of the round-robin Wherry resolution to impose such an unreasonable rule upon the Senate.

Mr. President, that is not my conception of a new cloture rule which will be more effective in harnessing filibustering in the Senate of the United States. That is not my conception of a cloture rule which will prevent domination of the Senate by a minority group of willful men, as Woodrow Wilson referred to filibusterers. It places a premium on absenteeism. It will make filibustering more effective, not less effective, in the Senate of the United States.

I repeat, Mr. President, that what counts, under present procedure, are the votes actually cast for and against cloture assuming a quorum. However, under the substitute proposal a Senator who is paired or absent is in fact voting against cloture.

Mr. President, I have had prepared a table on all cloture votes since 1917, showing the yeas and nays and pairs, the number of voting present and the number absent, starting with November 15, 1919. These are in connection with those votes in which cloture was attempted since 1917.

November 15, 1919. Treaty of Versailles. Yeas, 78; nays, 16; absent, 1. It will be noted that the opposition in the present debate makes great point of the fact that because in this particular case only one person was absent, therefore we need not fear the danger of having a larger number absent under a rule which freezes a requirement of 64 Senators being present in order to get the action which I thought we were after, namely, the elimination of the filibuster on the floor of the Senate. However, their argument is fallacious. Their rule requires 64 Senators to ban cloture and it stands to reason that when there are only 65 or 70 or 75 or 80 Senators present it is more difficult to get 64 Senators to vote for cloture, mathematically speaking, than when a larger number of Senators are present. Senators who want to duck a vote and still help their friends who may be filibustering will be encouraged to take that "out" under the Wherry amendment. The proponents of the Wherry amendment are kidding themselves and the public if they think that 90 or more Senators will always be here on the Senate floor when a cloture vote is up.

Let us look at some of the other votes that have occurred on cloture petitions in years gone by. February 2, 1921. Emergency tariff. Yeas, 36; nays, 35; paired, 14 for, 8 against; absent, 3. Do not forget that as to most of those pairs, they were either a dead pair, which meant that both Senators were absent, or a live pair, with one Senator absent.

July 7, 1922. Fordney-McCumber tariff. Yeas, 45; nays, 35; paired, 10 for, 6 against; none absent.

January 25, 1926. World Court. Yeas, 68; nays, 26; absent, 2.

June 1, 1926. Migratory bird refuges. Yeas, 46; nays, 33; paired, 5 for, 4 against; absent, 8.

February 15, 1927. Branch banking. Yeas, 65; nays, 18; paired, 6 for, 3 against; absent, 3.

February 26, 1927. Retirement of disabled emergency officers of the World War. Yeas, 51; nays, 36; pairs, 2 for; 2 against; absent, 4.

February 26, 1927. Colorado River development. Yeas, 32. Nays, 59. Four absent.

February 28, 1927. Public buildings in the District of Columbia. Yeas, 52; nays, 31; paired for, 3; against, 2; absent, 7.

February 28, 1927. Creation of the Bureau of Customs and Bureau of Prohibition. Yeas, 55; nays, 27; paired for, 5; against, 3; absent, 5.

January 19, 1933. Bank Act. Yeas, 58; nays, 30; paired for, 4; against, 2. One present and not voting. One absent.

January 27, 1938. Antilynching. Yeas, 37; nays, 51; paired for, 2; against, 1; absent, 5.

February 16, 1938. Antilynching. Yeas, 42; nays, 46; paired for, 2; against, 1; absent, 5.

Thus, Mr. President, I could continue to read what the actual statistics show in regard to those voting "yea" and "nay" and paired for and against and absent, in all the instances in which cloture has been attempted since 1917. But rather than take the time to do that, I ask unanimous consent to have the entire table printed at this point in my remarks.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Senate cloture votes since 1917, including pairs, absentees, and nonvoters

Date	Subject	Yeas	Nays	General pairs		Special pairs		Voting present	Absent	Present but not voting[1]
				For	Against	For	Against			
Nov. 15, 1919	Treaty of Versailles	78	16	0	0	0	0	0	1	0
Feb. 2, 1921	Emergency tariff	36	35	2	2	12	6	0	3	7
July 7, 1922	Fordney-McCumber tariff	45	35	2	2	8	4	0	0	4
Jan. 16, 1926	World Court	68	26	0	0	0	0	0	2	0
June 1, 1926	Migratory bird refuges	46	33	3	3	2	1	0	8	1
Feb. 15, 1927	Branch banking	65	18	0	0	6	3	0	3	1
Feb. 26, 1927	Retirement of disabled emergency officers of the World War	51	36	2	2	0	0	0	4	0
Feb. 26, 1927	Colorado River development	32	59	0	0	0	0	0	4	0
Feb. 28, 1927	Public buildings in the District of Columbia	52	31	1	1	2	1	0	7	0
Feb. 28, 1927	Creation of Bureau of Customs and Bureau of Prohibition	55	27	1	1	4	2	0	5	1
Jan. 19, 1933	Banking Act	58	30	0	0	4	2	1	1	0
Jan. 27, 1938	Antilynching	37	51	0	0	2	1	0	5	1
Feb. 16, 1938	Antilynching	42	46	0	0	2	1	0	5	1
Nov. 23, 1942	Antipoll tax	37	41	0	0	6	3	0	9	0
May 15, 1944	Antipoll tax	36	44	1	1	4	2	0	8	0
Feb. 9, 1946	FEPC	48	36	0	0	6	3	0	3	0
May 7, 1946	British loan	41	41	0	0	0	0	1	13	0
May 25, 1946	Labor disputes	3	77	0	0	0	0	0	16	0
July 31, 1946	Antipoll tax	39	33	0	0	8	4	0	12	2

[1] Because paired.

Mr. MORSE. Mr. President, on the basis of those statistics, let us consider some of the possibilities under the substitute proposal. It does not convince me that there is any merit in the argument of the opposition when they say that these suppositions may not happen. I submit that these suppositions are very probable, and their probability is greatly increased by the fact that the Wherry substitute will encourage, as a matter of strategy, absenteeism from the floor of the Senate. Thus I say that if 65 Senators are present and voting, and this number is a substantial quorum, just two Senators could defeat cloture by voting "nay." Ninety-seven percent, in that case, would be in favor of cloture, and 3 percent would be opposed, but the 3 percent would control.

If this rule had been in effect when cloture was carried in 1927 on the creation of the Bureau of Customs and the Bureau of Prohibition, cloture would have failed by nine votes, since the vote then was 55 to 27.

Only three times in history has a favorable two-thirds vote of the entire Senate been obtained, not four times, as has been said, but three times—in 1919, on the Versailles Treaty, in 1923, on the World Court, and in 1927, on the branch banking bill. In other words a "constitutional two-thirds" vote of the entire Senate membership has been obtained on a cloture petition only three times. On one additional occasion a two-thirds vote of those present and voting was secured to pass a cloture petition thus making the four times that a cloture petition has ever passed the Senate.

That is why I have been heard to say so frequently that even the existing rule, with its mere two-thirds requirement, is not an effective check against filibustering, because as it has worked out seldom have we been able to obtain a two-thirds vote to support a cloture petition. That is why I say that if we want an effective check against filibustering in the Senate we must come to a majority vote rule.

Instead of that we move in the opposite direction under the Wherry amendment with a proposal to freeze a 64 vote requirement, whereas in 1927, in the case of the branch banking bill, a so-called constitutional two-thirds vote requirement could not have been obtained, and the measure would have fallen. Thus on one of the occasions when cloture succeeded in the Senate, it would have fallen 9 votes short, had there then been in effect such language requiring a so-called constitutional two-thirds vote as is provided by the Wherry substitute. Thus instead of having the situation that in the 19 times cloture has been attempted it has been successful only 4 times, the situation would have been worse under the Wherry substitute because under it cloture could have been obtained only 3 times instead of 4.

Mr. President, I dislike to reiterate unnecessarily, but this point must be emphasized for the RECORD. Looking at the record of cloture since 1917, if the Wherry substitute had been in existence and applied to the cases where the Senate attempted to apply cloture, success would have been less rather than more, because in the same number of cases the vote of 64 Senators, as required under the Wherry substitute, could not have been obtained, because in the case involving the Bureau of Customs and Prohibition, in which the Senate was successful in bringing about cloture under the existing rule, the vote was 55 to 27.

Mr. President, if we propose to strengthen the antifilibuster rule it should be obvious that progress lies in reducing rather than in increasing the

percentage of the Senate required to close debate. Assurance that a cloture petition will lie against a filibuster to take up a bill is an empty assurance and of no comfort if it is a foregone conclusion that when put to a vote the petition will fail to receive 64 affirmative votes, even though the actual votes in favor may be a two-thirds vote or more of those voting.

I am exceedingly disturbed, Mr. President, over that effect of the Wherry amendment. I am at a loss to understand why the Senate of the United States here today, having the power to change its rules by majority vote, would now use that majority vote—and 52 Senators have committed themselves by way of a round-robin petition on the Wherry substitute—to fasten upon themselves and the rest of us a frozen two-thirds, so-called constitutional majority of 64 votes.

Well, Mr. President, I am going to stick by the majority-rule principle even when it licks me. Therefore I shall be sportsman enough to say that if that is what the will of the majority is today I am going to have to take it. I will cast my vote against. I shall proceed to do all I can to see to it that in the not too distant future we have enough Members of the Senate of the United States who will reverse that action and bring us back, not to a principle of increasing the votes required for cloture by a so-called "constitutional two-thirds" vote, but by reducing the votes required in the direction of what I consider to be the ideal—a majority vote. That is why I say, whether we like it or not, this matter is now a great political issue. We are not going to get the politics out of this matter, if I understand some of my friends on the Democratic side correctly, as far as the Democratic Party is concerned. We are not going to get the politics out of it, I can assure the Senate, so long as it is my privilege to represent my people in the Senate in the Republican Party, because it is being made a political issue by the action which is being taken here.

I take the position that we must carry the fight of civil and human rights to the American people in the form of making clear to them that if they want protection in the legislative form that those rights ought to be protected, then they must send to the Senate of the United States men who will adopt an effective check against filibusters. I am of the opinion that the Wherry amendment is not an effective check against the filibuster.

So I say, the proposal, insofar as it relates to the size of the vote required to invoke cloture, is definitely a backward step.

I have said before, Mr. President, that the American people want majority rule in the Senate and are in favor of abolishing the filibuster technique. New evidence in support of this position is found in the recent public-opinion polls, published in the Washington Post for March 11, 1949. That poll shows that, among voters who know what a filibuster is, 54 percent were in favor of changing the rules to permit cloture by a simple majority rather than the present two-thirds majority. Only 35 percent disapproved, and 11 percent had no opinion.

Oh, I know, Mr. President, there will be those who will say, "After the experiences of the last election, does the Senator from Oregon believe in polls?" I hasten to answer by saying, "Yes, I do." And I hasten to add further, Mr. President, that I think by his conduct throughout the campaign, the President of the United States showed that he believed in polls. I say that because I think the campaign technique of the President of the United States throughout that campaign indicated he was giving great weight to the polls. I think the changes in his technique from the time when those first adverse polls started coming in, to the final day of the campaign, shows that the polls were right in the first instance, but the polls never caught up with the President until the campaign was over. They lagged behind his campaign. He was ahead of the polls. Once he recognized early in the campaign that the polls made clear that as of then he was doomed for defeat—and he was—he went to work on specific issues and convinced the people that his record on those issues was better than the record of the Republicans.

I cannot speak for the President, but I would be the most surprised man in the world, if, should he get off in a corner and have an off-the-record discussion with us, he himself would not say that at the beginning of that campaign he also recognized that the trend as shown by the polls was against him.

I want to say something else about polls, Mr. President. Politicians throughout the country may make critical remarks about polls, but I think it is no secret that the American people know that these politicians watch the polls very carefully. The voters know that politicians frequently change their campaign techniques because of what the polls show concerning changes in public sentiment and opinion.

I am not taking the position that polls do not make mistakes; but by and large, I think they are an index of public opinion which we politicians not only do heed in determining for ourselves the question of what is public opinion on an issue, but should heed. I wish to make perfectly clear that I do not mean by that statement to say that we should vote in accordance with polls. I do say that if we think public opinion is wrong on a question due to the fact that we believe the public does not have all the facts, then our obligation of political leadership is to take the facts to the people and try to change their opinion in accordance with the facts.

If my colleagues do not think that existing public opinion in respect to majority rule in the Senate is right, they ought to try to take some facts to the American people to convince them that majority rule should not prevail in the Senate. I shall await with interest and some amusement, Mr. President, those great public discussions in which Senators go before a constituency and tell their voters that they think we ought to retain a filibuster rule in the United States Senate which will permit a minority successfully to block the action of the majority on needed legislation. I should like to be present in those minority-group audiences when my colleagues tell them that, and at the same time tell them that they want the votes of the members of those minority groups. If Senators are going to recognize that minority groups are composed of American citizens they should recognize right now in the Senate before this vote is taken the legislative rights of minority groups.

Unfortunately in some sections of the country they do not have the right to vote unless they pay a tax to vote. That is one reason for part of the civil-rights fight. They ought to have the right to vote. There ought to be a free franchise in America, so that when men come to the Senate of the United States their election will be by all the adults of their State who exercise a free right to vote. The fact is that many of them come to the Senate of the United States from States where many people are not even eligible to vote because of a poll-tax requirement. Such Senators are among those who are now taking the position that we ought to retain a rule in the Senate which would permit them to further their minority-rule principles by being protected in their claim to filibuster as the Wherry plan protects them. Count me out on that one.

I leave it to my colleagues speaking before those minority groups to justify that sort of minority domination in the United States Senate. But they had better be sure, before those audiences, that they are talking to adults who do not have the right to vote, because if they make that argument before audiences composed of members of minority groups entitled to vote, they will not get a vote out of the audience, and by all means should not, whether they are Democrats or Republicans.

We are in this unfortunate position in America today politically, as I see it: Some of us will have to exercise exceeding discretion when we go out to campaign for our party. May I say to the Senator from Minnesota [Mr. HUMPHREY] that my observation is true whether we are a Democrat or a Republican, because it is pretty difficult for a liberal to support a candidate, be he a Republican candidate or a Democratic candidate, who is willing to aid and abet what I consider to be a very effective program to prevent the passage in the Senate of needed civil-rights legislation.

With those comments on polls, and with the frank statement that I believe in scientific polls as one way of measuring public wishes in a democracy, I repeat that the recent poll published in the Washington Post for March 11 shows that among voters who knows what a filibuster is, 54 percent were in favor of changing the rule to permit cloture by a simple majority rather than the present two-thirds majority. Only 35 percent disapproved, and 11 percent had no opinion. It would be very interesting to see what the results would be with a similar poll conducted on the proposition of a requirement of a frozen "constitutional two-thirds" majority of 64 Senators as proposed by the Senator from Nebraska.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point, as a part of my remarks, an article from the Washington Post of March 11, 1949, in regard to the poll which was taken on the subject of filibusters.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MOST VOTERS LIKE TRUMAN'S PROPOSAL TO CURB FILIBUSTERS

(By George Gallup, director, American Institute of Public Opinion)

PRINCETON, N. J., March 10.—Although President Truman's proposed method to curb filibusters proved too drastic for many of the Senators to accept, the principle suggested by the President has considerable support from the public.

The President's idea given at his press conference last week was that the Senate amend its rules to cut off debate on any subject by a simple majority vote. This plan has support from voters in all sections of the country except the South.

Among voters who know what a filibuster is, the vote by sections on the proposal is as follows in the latest institute survey.

"It has been suggested that the Senate change its rules so that a simple majority can call for an end to discussion instead of a two-thirds majority as is now the case. Do you approve or disapprove of this?"

Vote of those who know what a filibuster is

	Approve	Disapprove	No opinion
	Percent	*Percent*	*Percent*
New England and Middle Atlantic	56	32	12
East Central	51	38	11
West Central	62	29	9
South	43	50	7
Mountain and far West	51	37	12
Total United States	54	35	11

It should be borne in mind that the above division of sentiment is based on the total number of people in each section who know what a filibuster is. The proportion of informed voters varies from 51 percent to 58 percent in the individual sections. As reported last month 54 percent throughout the Nation as a whole correctly answered the poll question, "Will you tell me what the term 'filibuster' in Congress means to you?"

The dictionary definition of filibuster is any attempt by a deliberative body to obstruct action by the use of delaying tactics such as speaking to consume time.

Many southern voters questioned in the survey expressed fears that a change in Senate rules would clear the way for passage of the civil-rights bill.

Two years ago, after southern Senators had used the filibuster in the fight to seat Senator Theodore Bilbo of Mississippi at the opening of the Eightieth Congress, a group of Senators led by WAYNE MORSE, of Oregon, and WILLIAM F. KNOWLAND, of California, both Republicans, introduced bills to curb the practice.

Public reaction at the time was tested by the institute, which found that 78 percent of those familiar with the issue thought Congress ought to do something about filibusters, with the weight of sentiment in favor of ending debate by majority vote.

Mr. MORSE. Mr. President, I also ask unanimous consent to have printed in the RECORD as a part of my remarks at this point an editorial appearing in the New York Times for March 13, entitled "A Fight That Must Go On." I ask the Presiding Officer to withhold ruling on the request until I check to make certain that the editorial falls within the rules of the Senate. I have read many editorials on this subject which I should like to place in the RECORD, but I have thrown them aside because to have placed them in the RECORD would have violated the rule of senatorial courtesy of the Senate which I think is a good rule, and which I shall always respect. I shall never knowingly or intentionally violate it. I wish to make certain that my recollection that this editorial is perfectly proper is correct.

Mr. President, I am satisfied after examining the editorial that it is proper, and I ask unanimous consent to have it printed in the RECORD at this point as a part of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

A FIGHT THAT MUST GO ON

When the Senate upset Vice President BARKLEY'S cloture ruling on Friday, it was, as it seems to us, making use of a technicality to prolong the obstructive powers of a small minority. Mr. BARKLEY had argued convincingly that rule XXII, adopted in 1917, was intended to make it possible to limit debate by a two-thirds vote at any stage of actual legislation. Senator VANDENBERG, whose opinions we ordinarily respect and whose motives everyone respects, thought otherwise. His influence was enough to produce a majority of five for overruling. A result of this action is that the privilege of filibustering can only be abolished by a long struggle in which physical exhaustion will be the means of pressure. Such a struggle at this time will hold up urgently necessary legislation. This is the southern Senators' ace in the hole.

We may now lay aside parliamentary technicalities. What we have is a situation. As this situation now exists, the southerners, themselves a minority, will be able to defeat any attempt, by Federal law, to give fuller protection to the Negro minority in the South and elsewhere. The southerners will be able to say no to important planks in the platforms of both major parties. Nor is this all. So long as the practice of filibustering exists, any small group of Senators from any section will be able to block legislation. The filibuster can be used in the special interests of any special group. It can be used by spokesmen for farmers, by spokesmen for labor, by spokesmen for industry, and by spokesmen for isolationism. By narrowly construing the existing power the Senate has paralyzed its own power.

The pride of unlimited debate in the Senate is a long-held tradition. Nobody proposed to limit this right unduly or to ride roughshod over the opinion of a minority. All that was seriously suggested on the floor of the Senate was to make it certain that a 30-year-old tradition for closing debate might be applied at any time within the discretion of the Senate. We think that minority rights were adequately protected by the fact that this discretion could be exercised only with the approval of two-thirds of the Senate.

It seemed yesterday that the administration, though still fighting, might have to reconsider its immediate strategy. But this is not a fight in which final defeat can be accepted. The end is not yet. Whatever may be the opinions of the present Senators, the Nation cannot tolerate indefinitely a situation in which a small minority may defy not only a majority in the Senate, but a majority in the country at large.

Mr. MORSE. Mr. President, I also ask unanimous consent to have printed in the RECORD at this point as a part of my remarks an editorial appearing in the New York Times for March 14, 1949, entitled "Compromise Is No Solution."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

COMPROMISE IS NO SOLUTION

While some provisional progress has been made the administration has not as yet been able to work out a filibuster compromise which the southern Senators, inflated by their victory last Friday, would accept. The Republicans, whose votes helped the southerners to overrule Vice President Barkley's decision that a motion to take up a measure was subject to cloture, attended yesterday's 2-hour session which failed to produce any decisive result.

The compromise may come today. The southerners are in a strategic position because they are willing to hold up all business until their special desires are met. The legislative program includes action on foreign aid, rent control, reciprocal trade, and other measures to which the administration Democrats are committed. It also includes—or did include—Federal guaranties of certain civil rights, which both major parties have promised. On their record the southern Democrats are willing to expose their country to whatever risks are involved in delaying the main program rather than permit the Senate even to vote on a civil-rights program. Whatever the outcome of this controversy, that is how history will judge them.

Yesterday's conference, scheduled to be resumed today, is as good an example as could be found of the present power of a Senate minority. President Truman, with all the prestige of his remarkable victory last fall, is at the moment helpless to get his legislative proposals even considered in the Senate. He and his Senate spokesmen are therefore driven to negotiate on less than even terms with a southern minority, including Senators from four States which in November repudiated the Truman ticket. These Senators are saying to the majority of their senatorial colleagues, to the majority of the House of Representatives, and to the Nation at large: "You shall not have the legislation you desire until you have obeyed our orders."

If there is a compromise the southern Senators will condescend to let the legislative wheels turn again. But compromise merely postpones decision. It is intolerable that this Nation should long permit a few arrogant men, in these times of peril and crisis, to retain the power to tie up the public business. Those men, and all Senators, should realize that they are not a society of demigods but servants of the people of the United States.

Mr. MORSE. Mr. President, I also ask to have printed in the RECORD at this point as a part of my remarks an editorial appearing in the Washington Post of March 14, entitled "Too High a Price."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

TOO HIGH A PRICE

Compromise is in the air on Capitol Hill. Apparently the leaders of the Senate have concluded that they must pay a price for the right of pressing their program, including several emergency measures, to a vote. The necessity of action this month for extension of rent-control authority is generally recognized. The real question is what the price of ending the filibuster will be. If we are correctly informed as to the compromise that came to the front in yesterday's closed conferences, the price would be excessively high.

Senate leaders are said to be contemplating acceptance of an amendment to the

Hayden resolution. As reported out of the Rules and Administration Committee, that resolution would permit the closing of debate on any kind of motion, measure, or other items of business before the Senate by a two-thirds vote. The amendment now brought forward, however, would attempt to preclude any future change in the cloture rule itself, except by an affirmative vote of a three-fourths majority. Obviously, the purpose is to assure the southerners that President Truman's proposal for closing debate by a simple majority vote will not be pressed.

It is clear that there is no chance of inducing the Senate to accept majority cloture at present. But this suggested compromise seeks to close the door to the adoption of a more liberal rule on the limitation of debate. That would unreasonably mortgage the future. The time may come when it will be imperative for the Senate to limit debate by majority vote to transact its ever increasing load of business. The only thing to be said for the proposed amendment is that it probably could not be made effective. For any future Senate may change its rules regardless of what the present Senate decides. Even so, this proposal seems to us shortsighted, and by no means the best way of ending the filibuster.

Mr. MORSE. Mr. President, I am completely at a loss to understand the reasoning of my good friend, the distinguished Senator from Nebraska [Mr. WHERRY] in regard to his substitute. In reporting to the Senate on his compromise efforts on March 14, 1949, at page 2416 of the RECORD for that date, the Senator from Nebraska stated that the Senator from Georgia [Mr. RUSSELL] and the Senator from Virginia [Mr. BYRD] "are giving up an endless amount of rights when they agree to have a cloture petition applied to a motion to bring up proposed legislation."

I humbly inquire, what rights? Only the right to engage in endless debate, the right to defeat the will of an overwhelming majority, the right to block legislation which, if I read the Democratic platform correctly, the Democratic Party is pledged to pass in the Eighty-first Congress.

In my judgment these so-called rights, as referred to by the Senator from Nebraska, are not rights at all. I think they represent an abuse of the legitimate right of full debate on the merits of legislative proposals.

The minority leader also stated that the only difference between a two-thirds vote and a constitutional two-thirds vote was about a vote and a half.

Actually, the average affirmative vote on the 4 occasions when cloture carried was 66½: Versailles Treaty, 78; World Court, 68; branch banking, 65; Customs and Prohibition Bureaus, 55. Following what appears to be his line of reasoning, it could be argued that a so-called "constitutional two-thirds" is more liberal than the simple two-thirds vote by an average of two and one-half votes. Of course the Senator from Nebraska would not attempt to sustain such a fallacious argument; but his argument fails to point out that the absolute figure of 64 would not have been obtained on one of these occasions, the vote on the Customs and Prohibiton Bureaus. Moreover, on those four occasions the average total vote, including the "yea" votes and the "nay" votes, was 88. Consequently, the average two-thirds vote was 58—or 6 votes less than the proposed requirement of 64, which the Senator from Nebraska establishes in his substitute, and which he would have us freeze as a requirement for cloture in the Senate. Can the Senator from Nebraska tell me that on the basis of those statistics he is making a proposal which on the average means a difference of only about one and one-half votes? I simply say that the figures I have submitted cannot be argued with. The addition and subtraction are either right or wrong. I submit them as correct addition and subtraction.

The result is that had this substitute been in existence over the years, we would not have been able to get any such result as the Senator from Nebraska contends for in this debate.

What is especially alarming about the proposed substitute is that it would guarantee, by specific language, that no cloture petition could be filed against debate on a rules-change proposal. The Senate would, in effect, be saying to the country: "In the future, any motion to change any rule may be the subject of endless discussion; obstructions can be overcome only by a test of physical endurance."

Furthermore, even assuming that the obstructionists were worn down and the motion to take up the proposal to change the rules were carried by a majority vote, which is all that would be required, a further filibuster on the proposal itself would be in order, and 64 affirmative votes would be required to close debate. As an added protection to the obstructionists, any motion for a rule change taken up before 2 o'clock—which under rule VIII should be determined without debate—is debatable without limitation.

Last Friday, 41 Senators voted to sustain the ruling of the Vice President that a cloture petition was in order on the motion to take up Resolution 15. It is a fair inference, I think, to conclude that they were then of the view that the present rule XXII, though arguably ambiguous, nevertheless permits of the interpretation placed upon it by the Vice President, namely, that cloture can be invoked on a motion to take up.

What do we find when we compare the list of sponsors of the proposed substitute resolution with the list of those voting to sustain the Vice President's able ruling? We find that 13 Senators who on Friday were of the view that cloture could be invoked on a motion to take up a resolution to amend the rules, on Tuesday were sponsoring a substitute resolution which would in clear terms guarantee that cloture shall not apply to such a motion. Of course, that is their right, Mr. President; they can change their minds if they want to. But, so far as the junior Senator from Oregon is concerned, he will continue to follow a consistent course of action in this body in respect to controlling and eliminating from the Senate the filibuster tactic which permits of minority rule. He will continue his fight for the adoption of a resolution which will permit cloture by a majority vote, in respect to any and all business coming before the Senate. I know I shall not win on this issue this time. I hope I can get a vote, let me say somewhat facetiously, so as to discover whether there are now five or six of us who favor such a rule. Some of my colleagues have been trying to engage me in a wager as to whether five or six Senators favor my proposal, and I am suspicious that probably there are only five of us.

So I am going to offer my resolution as a substitute for the Wherry amendment, in order to get that little informal matter settled, and also in order to make a formal record, if my colleagues will permit me to have a yea-and-nay vote on the issue. Also, through the vote on my resolution I wish to serve notice to the American people that, so far as I am concerned, I consider this issue so basic to the preservation of democratic principles in the Senate that I am perfectly willing to make it one of the issues in my campaign in 1950. Further, I shall always be willing to make it one of the issues in any campaign in which I may ever engage, so long as the people and God Almighty give me the privilege of serving in public office.

Therefore, Mr. President, in closing these remarks, I here and now offer as a substitute for the Wherry amendment, my resolution, Senate Resolution No. 12. I request that it be read by the clerk, and I move its adoption.

The PRESIDING OFFICER. The resolution offered by the Senator from Oregon for the Wherry amendment in the nature of a substitute will be read.

The LEGISLATIVE CLERK. In lieu of the language proposed to be inserted by the so-called Wherry substitute, it is proposed to insert the following:

Resolved, That subsection 2 of rule XXII of the Standing Rules of the Senate, relating to cloture, is hereby amended to read as follows:

"If at any time, notwithstanding the provisions of rule III or rule VI or any other rule of the Senate, a motion, signed by 16 Senators, to bring to a close the debate upon any measure, motion, or other matter pending before the Senate, or the unfinished business, is presented to the Senate, the Presiding Officer shall at once state the motion to the Senate, and 1 hour after the Senate meets on the following calendar day but 1, he shall lay the motion before the Senate and direct that the Secretary call the roll, and, upon the ascertainment that a quorum is present, the Presiding Officer shall, without debate, submit to the Senate by a yea-and-nay vote the question:

"'Is it the sense of the Senate that the debate shall be brought to a close?'

"And if that question shall be decided in the affirmative by a majority vote of those voting, then said measure, motion, or other matter pending before the Senate, or the unfinished business, shall be the unfinished business to the exclusion of all other business until disposed of.

"Thereafter no Senator shall be entitled to speak in all more than 2 hours on the measure, motion, or other matter pending before the Senate, or the unfinished business, the amendments thereto, and motions affecting the same; except that any Senator may yield to any other Senator all or any part of the aggregate period of time which he is entitled to speak; and the Senator to whom he so yields may speak for the time so yielded in addition to any period of time which he is entitled to speak in his own right. It shall be the duty of the Presiding

Officer to keep the time of each Senator who speaks. Except by unanimous consent, no amendment shall be in order after the vote to bring the debate to a close, unless the same has been presented and read prior to that time. No dilatory motion, or dilatory amendment, or amendment not germane shall be in order. Points of order, including questions of relevancy, and appeals from the decision of the Presiding Officer, shall be decided without debate."

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KNOWLAND. What is the pending question before the Senate?

The PRESIDING OFFICER. The pending question is on the amendment just offered by the Senator from Oregon [Mr. MORSE] to the amendment in the nature of a substitute offered by the Senator from Nebraska [Mr. WHERRY], and other Senators.

Mr. IVES. Mr. President, I desire to speak on the substitute.

The PRESIDING OFFICER. The Senator from New York is recognized.

Mr. IVES. At this time I do not wish to go into a discussion of the position which I am very likely to take on the so-called Wherry proposal, which is now before the Senate for consideration. I do want to speak regarding the substitute proposal to the Hayden-Wherry resolution, as offered by the able Senator from Oregon. It so happens that I personally favor cloture by what is termed a "constitutional majority"; that is, 49. That is another proposal now before the Senate, which I understand has already been submitted by at least one Member of the Senate.

We seem to have all kinds of proposals before us. We seem to have all kinds of attitudes regarding them. There are those who are opposed to any kind of cloture whatever, I assume, and who will be inclined to vote against any kind of cloture proposal which may be presented. There are others who will be opposed to the resolution that seems certain to come before us—I am not talking about the amendment; I am talking about the Wherry resolution—for reasons which I think have been well presented by the able Senator from Oregon. They think it ties the matter up too tightly. They think the question of cloture can more easily be resolved at a later date during the Eighty-first Congress, instead of yielding at this time to a condition which in all likelihood will mean that very little, if any, of the civil-rights program which has been proposed can be passed in the Senate.

I may discuss the Wherry resolution more fully later on. But at the present time it is not my plan to favor that kind of resolution. I do not think it is in every sense of the word a step forward. I admit it may be an improvement to the extent that under it cloture may be possible, or would be possible, in the matter of motions; but at the same time I would point out that cloture by a "constitutional two-thirds," or 64, would thereby be applicable also to measures themselves—bills—and that definitely is not a step forward; that is a step in the opposite direction.

It seems to me that rather than yield on this question at this particular time and take any position which in any way can be construed as a step backward, we might far better wait until later on when a more favorable opportunity may be presented for the consideration of something which more nearly will meet the desires of what I assume to be a substantial majority of the Senate, as expressed in the Hayden-Wherry resolution. I still think that resolution probably more nearly reflects the attitude and the opinion of more Members of the Senate than does any other proposal which may be before us.

While I am on that subject, I want to point out that this attempt to resolve the problem has been brought about by a combination of circumstances. I do not join with those who would criticize what has been termed a coalition in the Senate in order to propose the Wherry resolution, although I do not favor it. They have every right to their ideas, and I do not join in criticizing them. But I think the condition which has forced us into this impasse in which we find ourselves, and by which the Wherry resolution is now before us sponsored as it is, has been produced primarily by the dilatory tactics which have been carried on in this body in handling the matter. I do not say that those dilatory tactics should be any real excuse for the Wherry resolution, but I think they are the ones that have produced it. Instead of getting busy here at the start, as we should have been doing, and as was pointed out at one time or another in the Senate, by reporting a resolution out of the Committee on Rules and Administration without delay, or at least with as brief a delay as possible, we dilly-dallied. During the early part of January those who presumably are as anxious as anyone to resolve the question of civil rights were far more interested in celebrating an election than they were in resolving this question by taking care of the rules as they should have been taken care of at that time. We all know what has happened here since the Hayden-Wherry resolution was favorably reported, one delay after another, until finally we are faced as we are at the present time with the expiration of rent control and other pressing matters; so something has to be done or we must abandon the whole thing temporarily.

Again I say, Mr. President, rather than to accept something as a compromise in which I personally do not believe, I should rather abandon this effort at this time.

The fact remains, however, that we have got to take some action here, because the matter is before us. The fact remains that we have already a substitute in the form of a resolution just offered by the able Senator from Oregon. As I said, when I rose to speak, that is what I primarily want to speak about, because as I have said, I favor operation of a legislative body by a majority of its total membership; except where constitutional and statutory provisions may otherwise determine. But I do not join those who are talking about the majority of 64 and objecting to it, claiming that it would afford a great opportunity for Senators to run away and hide. I have had a little experience in operating a legislative body where there is a requirement that in order to pass any bill, not alone amend a rule, there must be a majority of the total membership in favor of it. And, Mr. President, I want to say this is a good idea. Legislation is not passed haphazardly very often by that kind of process; though I am not advocating it here. But let me say this: My observation in connection with that matter and with the assertion which has been made, that where there is a so-called constitutional requirement of that nature, either of 64 or 49—as I desire—it gives those who do not want to be recorded a great opportunity to run away, is not supported by the facts. Of course it gives Members an opportunity to run away. They can go just as far as they want to go. But they are recorded just the same—in opposition to whatever measure may be before the body. No; I realize the vote is not recorded anywhere, there is nothing in the RECORD about it. They are just absent. However, I tell you that a great many of them, who have tried to follow that course in legislative bodies with which I am acquainted, have done so to their own great embarrassment. It has been a tremendous job for them later to try to explain why they were absent, why technically speaking they were in the negative; and that is exactly the status of an absentee under conditions of that nature.

With respect to the proposal propounded by the Senator from Oregon, I want to say that I am opposed to his plan for the exact opposite reason that I am opposed to the idea of the 64-vote requirement. That requirement goes too far in one direction; the proposal of the Senator from Oregon goes too far in the other direction, however, just as, technically, it is necessary to obtain 64 votes under the Wherry proposal by which to impose cloture in the Senate, so, under the proposal of the Senator from Oregon, by the same kind of technicality, we could impose cloture in the Senate by 25 votes. I grant, Mr. President, that would not happen; it probably never would happen. Generally speaking, if it came to cloture by 64 votes, there might be more than 64 Senators who would vote for cloture in some instances in which cloture would be obtainable. The fact remains that those technicalities and possibilities do exist; and I object to continuous control by any minority in any circumstance. I can see, under the able Senator's proposal, there is a possibility of a minority controlling, at some time, perhaps by accident only, but there is the possibility of a minority in the Senate obtaining cloture. I would be opposed to that.

So, Mr. President, in view of that situation, I shall vote against the proposal offered by the able Senator from Oregon.

Mr. MORSE. Mr. President, will the Senator yield for a question?

Mr. IVES. In just a moment.

I favor the other proposal, as I have indicated, which I believe will be offered by the senior Senator from Pennsylvania [Mr. MYERS], which is in line with what I have indicated in my remarks. It provides cloture by a majority vote of the

total membership, which is sometimes called a constitutional majority.

I now yield for a question.

Mr. MORSE. Mr. President, the Senator knows I have a very high respect for his opinion, but it is true, is it not, that very frequently in the Senate of the United States we pass legislation by 25 or 30 or 35 votes?

Mr. IVES. Mr. President, in answer to that question, I would say it depends on what the Senator means by passing legislation by that number of votes. On a roll call, I do not recall an instance in which a vote for a bill or a resolution in the Senate, since I have been a Member, has been as small as 25. We might pass a bill here with only one Senator present. It could be done if no Senator were around to object, or to say anything about it, or to suggest the absence of a quorum. Certainly it could be done—but not by roll-call vote. Moreover, I do not know of any instance during my period of service here in which a bill has been passed by the Senate by 25 votes on a roll call.

Mr. MORSE. Mr. President, will the Senator yield for a further question?

Mr. IVES. Yes.

Mr. MORSE. Does the Senator recall any instance in the Senate in which a bill has been passed by a majority vote of 30, 31, or 35?

Mr. IVES. Yes. I can remember instances in which the majority vote was in the thirties, so far as that is concerned.

Mr. MORSE. Does the Senater agree that it is possible, statistically possible, to pass a major piece of legislation by a vote of a majority of 25?

Mr. IVES. Yes. I want to point out, in that connection, in making my position as clear as I can make it in regard to the question of cloture, my ideas concerning cloture by a majority of the total membership. I pointed out that it might be a good thing if legislation had to be passed by a majority of the total membership of both Houses. I do not quarrel with the Senator from Oregon on the point he is making, and I do not think the idea which I suggest will ever be adopted in the Congress of the United States. But that does not alter the fact that we should accept the idea of simple majority when it comes to cloture on any motion or bill which may be before us, or on amendment to a rule which may be before us.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. IVES. I will yield for a question.

Mr. SALTONSTALL. Mr. President, the Senator has stated that he is against the simple majority and against the two-thirds majority. He has stated he is in favor of a constitutional majority. He voted in the committee in favor of the two-thirds majority. My question is, How does he feel with regard to a change in the rules, if he is willing to stretch his vote in the committee to include a so-called constitutional majority on a question involving a change in the rule?

Mr. IVES. Mr. President, I am very glad the Senator has raised that question, because that happens to be the next point I was about to make before sitting down. I want to indicate what I did in the Committee on Rules and Administration in regard to the matter. It so happened that there was before the committee a proposal requiring cloture by a so-called constitutional majority, a majority of the total membership of the Senate. It so happened that a vote was had on it, and it so happened that the junior Senator from Pennsylvania and I voted in favor of it.

I realize the difficulties in operating a legislative body. I realize the necessity for give and take. I shall never be found taking any arbitrary position to the detriment of the operation of the Senate.

In making that statement, I have realized, that the sentiment in the Senate is overwhelmingly against any such proposal as I favor. That is why I have not been able fully to understand why our friends from the South have been objecting to the Hayden-Wherry resolution. I had understood their opposition was largely because they were fearful that an amendment would be offered on the floor to provide for cloture by a majority. We all know that such an amendment would not come anywhere near prevailing in the Senate.

I have stated my position clearly, but I would not hold out simply because I might be defeated on it. I am not against the kind of reasonable change in the cloture rule which will provide the necessary machinery by which to close debate under certain circumstances. Naturally, therefore, I turn as a compromise to the Hayden-Wherry resolution, to which an amendment has been offered by the junior Senator from Pennsylvania. I have agreed to that, and I have been perfectly willing to do so. I might even stretch a little bit further, but not much further, may I say to the able senior Senator from Massachusetts, in the matter of compromise, because the moment we go as far as does the proposal in the Wherry resolution, that same moment we may find ourselves in a situation in which it may be impossible to obtain action on vital legislation.

Mr. MORSE. Mr. President, will the Senator yield for a question?

Mr. IVES. I yield for a question.

Mr. MORSE. Does the Senator from New York understand that if majority cloture is defeated, as it most certainly will be, the junior Senator from Oregon intends to vote, if he is given the opportunity, for a constitutional majority, and, thereafter, for the original Wherry-Hayden resolution? Does the Senator from New York understand that?

Mr. IVES. I did not understand that. I am glad to have it brought to my attention.

Mr. MORSE. I thought the Senator had been informed of that, but I am glad to inform him at this time.

Mr. IVES. I trust the able Senator from Oregon will not construe anything I said about action in a legislative body as reflecting against himself.

Mr. MORSE. Not at all.

Mr. IVES. I in no way intended to make those remarks as any reflection against any Senator. I did not even have the Senator from Oregon in mind when I made them.

Mr. MORSE. My questions do not imply that I thought the Senator did. I have another question, if the Senator will yield further.

Mr. IVES. I yield.

Mr. MORSE. Does the Senator from New York understand that after the junior Senator from Oregon has compromised by agreeing to go along with a constitutional majority, after the simple majority resolution is defeated, and then after he has compromised by agreeing to go along at the present time with the Hayden-Wherry resolution, he will not, under any circumstances, compromise further by going along with the Wherry substitute?

Mr. IVES. I have gathered that idea as the course of questioning has proceeded, but I would surmise that even the Senator from Oregon, with the broad-mindedness which he inevitably is bound to exercise finally in matters of this kind might be willing to go along just a little bit further than the Hayden-Wherry resolution.

Mr. MORSE. The Hayden-Wherry resolution will be the last compromise on this issue with which I would go along, because I think one of our trend of thought would call it an unconscionable compromise of principle.

Mr. IVES. Of course, whether it is an unconscionable compromise of principle is something for individual determination. I hope that was not a reflection against me.

Mr. MORSE. Will the Senator yield for an assurance that I mean no reflection upon anyone? I agree with him that the time comes when one has to satisfy himself as to when further compromise would violate what he thinks is a basic principle.

Mr. IVES. I quite agree in that, and I am glad that the two of us have that idea. It is very interesting to know that we can thus proceed together. Apparently, however, I can go along a little bit further than can the Senator from Oregon. But I wish to point out that we have not had before us any such proposition as has been suggested by the able Senator from Massachusetts. There may be no such alternative before us, as I understand, and it would do us little good if one were before us, because there are 52 Members of the Senate who are committed to the Wherry resolution. So why talk about an alternative proposition?

The fact remains that we must face the situation as we find it. The fact remains that certain of us have certain convictions, and certain of us are going to stand by our convictions as we view this matter.

Mr. BALDWIN. Mr. President, someone has said that variety is the spice of life, and we have before us a great variety of proposals to meet the situation with which we are faced, a situation which has bothered the Senate for a great many years.

I wish to offer an amendment in behalf of myself and the senior Senator from Massachusetts [Mr. SALTONSTALL]. In section 2 on page 2 of the so-called Wherry substitute, in line 20, after the words "duly chosen and sworn," it would add the words "in the case of any motion, resolution, or proposal to change any of

the standing rules of the Senate, and in all others by a two-thirds vote of those voting."

The effect is simply to provide for a simple two-thirds as distinguished from a so-called "constitutional two-thirds" majority for cloture in every matter that would come before the Senate, excepting a matter pertaining to a change of the rules. In that case it would substitute, in place of a simple two-thirds, a constitutional two-thirds majority.

Mr. President, I think we are all aware of the fact that talk is a very common and a very fine thing in American life. Our history is replete with discussions in constitutional and legislative bodies. In the Continental Congress of the United States there was a great deal of talk while the Revolution went on, and I find from a recent reading of a new biography of George Washington, written by a man named Freeman, which I commend as an excellent work, that even in the House of Burgesses in the ancient Colony of Virginia there was much talk, in fact, so much that it delayed the activities and the effectiveness of the Colonial forces in their efforts to drive the French out of the Ohio Valley, just as the talk in the days of the Revolution greatly hampered the armies of Washington and the other generals of that day. I take it that it was for that reason that the Senate in 1917 adopted the cloture rule which proved, through experience, to be practically ineffective.

It seems to me, Mr. President, that with a possibility of vacancies in the Senate, and with the probability of difficulty at times in requiring a full attendance of the membership, although the Senate does have broad powers in that direction, it would be wise, in the light of the experience we have had of legislation being adopted by a small majority, to relax the Wherry proposal just a little in matters pertaining to all measures except changes in the rules. The records show that it would not do great violence to the two-thirds constitutional principle. At the same time, I think it would more nearly meet the views of many of us.

I recognize that that proposal is not going to secure a majority vote, because I understand that those who have offered the Wherry substitute have decided to go through with it, and I think there is nothing wrong in that. However, Mr. President, it was my hope, while the negotiations were going forward, that the simple two-thirds principle would be applied as to all measures and questions and subjects excepting changes in the rules.

I think that so far as changes in the rules are concerned, it would be highly wise to make the requirement somewhat stricter, because I believe, as has been indicated already by a majority vote of the Senate—and I agree with that, although I am frank to say that I did not vote that way at the time—that in matters affecting the rules we should not change them for light and transient reasons or causes, to adopt the phrase of a great patriot. I believe they should be stable. I believe it should be difficult to change them. I think it is a matter of some regret that after a series of precedents, or claimed precedents, developed over a period of years, we found the necessity the other day of voting either to sustain or overrule a decision of the Chair which did, in fact, as claimed by many, upset those precedents.

So, Mr. President, I believe that in the case of proposals to change the rules we should be more strict in our requirements. However, I believe that in all other matters a two-thirds majority is all that should be required, and I think that that would be in keeping with our traditions, and would be in keeping with reasonable requirements of protecting minorities, which I concede on many occasions must be protected.

Mr. President, this has been an interesting debate, and I think the subject has been thoroughly discussed from all sides. I felt a little bad that at the very beginning, when the distinguished senior Senator from Georgia [Mr. GEORGE] opened the debate, the press immediately took occasion to label the discussion a filibuster. I wish at this time to congratulate the Senators who have differed with me in this matter for the able debate they have made, and I think it can fairly be said that only within the past 48 hours has the discussion really taken on the nature of a filibuster. Even that discussion, as I listened to it, could be labeled as fairly germane to the question before us, although it was carried on to great length.

Mr. President, I think it is unfortunate that, while this discussion was in progress, the President should have taken occasion to say that he agreed with the proposal for a simple majority. That was bound to have a poor reaction in quarters where no doubt he hoped it would have a good reaction. As a law student I was always given to understand that a man was presumed to know the reasonable and probable consequences of his acts. I do not want to attribute to the President any improper motive in saying what he said, but it was not calculated to help the situation.

Furthermore, I think it was unfortunate that while we were in the stage of negotiations the majority leader let it be known that he intended to move to adjourn, or to move to take a recess, a motion which we on this side of the aisle were inclined strongly to resist. I think the effect of that on those who were trying to hold out for all they could get, and rightly so, and sincerely so, as they believed, was to raise the query in their minds, "After all, this fight may be over; why should we give in on anything?" I think it is a tribute to their willingness to find some common ground to compromise that, under those circumstances, they continued the negotiations and finally arrived at a settlement.

Mr. President, I am not in complete agreement with the settlement. From the beginning of the negotiations, or as they developed, I thought the proposal, as contained in the amendment offered by the senior Senator from Massachusetts [Mr. LODGE] and myself, more nearly met the situation, and much of the time I had great hope that it would be accepted.

I want to have an opportunity to vote upon it, and I have a hope, perhaps a rather vain one, that in this conflict of minds it may have some possibility of success. I believe it would give to those who want to uphold the rights of minorities, and I am one of them, every fair opportunity they should have. On the other hand, I believe it would give to the majority a fair opportunity to present its side and not to be obstructed by the willful activity of one or two or even a very small group of men.

So I move the adoption of the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER (Mr. GEORGE in the chair). Is the amendment offered to the Wherry substitute?

Mr. BALDWIN. Yes; the amendment is offered to the Wherry substitute.

The PRESIDING OFFICER. The clerk will state the amendment.

The CHIEF CLERK. On page 2, line 20, of the Wherry amendment, after the word "sworn," it is proposed to add the following: "in the case of any motion, resolution, or proposal to change any of the standing rules of the Senate and in all other cases by a two-thirds vote of those voting."

Mr. LANGER. Mr. President, I prefer not to be interrupted while I speak to my colleagues on this side of the aisle.

First of all I want to compliment the Democrats, on the other side of the aisle, on the very magnificent job they have done in getting my colleagues on this side of the aisle to support a portion of their party, so that the Republicans apparently are hopelessly divided. This division, I am satisfied from what the distinguished Senator from Oregon [Mr. MORSE] has said, will be continued into the next campaign.

I call attention, Mr. President, to the Republican platform of 1932. It was adopted when the Republican Party was looking for votes. In 1932 the Republican Party said in its platform:

> For 70 years the Republican Party has been the friend of the American Negro. Vindication of the right of the Negro citizen to enjoy the full benefits of life, liberty, and the pursuit of happiness is traditional in the Republican Party, and our party stands pledged to maintain equal opportunity and rights for our Negro citizens. We do not propose to depart from that tradition nor to alter the spirit or letter of that pledge.

Again the Republican Party in 1940 said:

> We pledge that our American citizens of Negro descent shall be given a square deal in the economic and political life of this Nation. Discrimination in the civil service, the Army, Navy, and all other branches of the Government must cease. To enjoy the full benefits of life, liberty, and pursuit of happiness universal suffrage must be made effective for the Negro citizen. Mob violence shocks the conscience of the Nation and legislation to curb this evil should be enacted.

Again, in 1944, when my Republican colleagues on this side of the aisle were looking for votes, this is what they said in their platform:

> We pledge an immediate congressional inquiry to ascertain the extent to which mistreatment, segregation, and discrimination against Negroes who are in our armed forces are impairing morale and efficiency, and the adoption of corrective legislation.

We pledge the establishment by Federal legislation of a permanent Fair Employment Practice Commission.

The Republican platform continued:

ANTIPOLL TAX

The payment of any poll tax should not be a condition of voting in Federal elections and we favor immediate submission of a constitutional amendment for its abolition.

ANTILYNCHING

We favor legislation against lynching and pledge our sincere efforts in behalf of its early enactment.

The 1948 Republican platform, which I have before me, substantially reiterates what was said in 1932, 1940, and 1944.

Mr. President, seven Senators who sat on this side of the aisle a few brief months ago are gone. Seven more Democrats sit on the other side. Mind you, Mr. President, those seven Republican Senators were warned by the distinguished junior Senator from Oregon, not once, not twice, but time and time again, when he told them that the people of this country were going to hold the Republican Party responsible for either the lack of legislation or for legislation which was discriminatory.

But, Mr. President, the great Republican Party had a few leaders who had been here for a long time, who knew much more about politics than did the junior Senator from Oregon, or others of us who have come in more recently. Of course Republicans were not listening to the voices of the newer Senators. On the contrary, they were listening to the voices of their leaders. That is what they are doing this very day.

At that time there was a Republican policy committee, which consisted of nine members. Was the Senator from Oregon [Mr. MORSE] a member of that committee? He was not. Was the great GEORGE AIKEN, perhaps the leading liberal progressive friend of the farmer, on that committee? He was not. Was the Senator from New Hampshire [Mr. TOBEY] on that committee? He was not. Was my distinguished colleague [Mr. YOUNG] on that policy committee? He was not.

The Republicans said they had all the votes they needed for their election. So today, when they are making the same kind of mistake, I tell my colleagues on this side of the aisle that if they adopt the Wherry-Hayden resolution, at least three Republican Members who will be up for election the next time will not be elected.

I see some of the same smirks of satisfaction that I saw on the faces of some of my Republican colleagues when we warned them on a previous occasion. So I wish to read a portion of a speech which I delivered on a former occasion. I hope that my Republican friends will listen. I said on that occasion:

Mr. President, I have sent to the desk and now offer as a substitute for the anti-poll-tax bill an amendment that will give every Member of the Senate an opportunity to vote for or against all three major items of civil-rights legislation—antilynch, antipoll tax, and FEPC—and to do so now, before the political conventions and campaign.

It seems to me that every Member should welcome this opportunity to make the record clear before we go to the citizens of the Nation to ask for votes for the next two, four, and six years for Congressmen, Senators, and President.

The voters are entitled to know where both parties stand on this issue of civil rights, and where each member of each party stands.

These three bills—FEPC, antipoll tax, and antilynch—comprise a bare minimum program for justice in the field of civil rights. They are the three bills selected by a conference of representatives of national Negro organizations at a conference last March 27, called by the National Association for the Advancement of Colored People.

My own party, the Republican Party, has endorsed every one of these three reforms. We have endorsed them in our party platforms; our candidates have endorsed them again and again during political campaigns and between campaigns.

* * * * *

Mr. President, the enactment of these three essential parts of a civil-rights program is an absolute must for my party and for any Member of the Congress who intends to face members of minority groups and ask for their votes in the coming elections.

It has been freely said that the Republican Party, with the cooperation of members of the Democratic Party, has planned to pass one bill alone and call it a day, leaving the others to die on the calendar.

Why?

Well, in hard-boiled political terms it is said that this year the Republican Party does not need the votes of Negroes and other minority groups, even in the doubtful Northern States and congressional districts.

Why?

We are given two reasons. First, because President Truman, by advocating enactment of a complete civil-rights program, has split his party. Second, because he is a weak candidate anyway. Third, and most important, because Wallace is going to take large sections of the minority vote and split off large chunks of the Democratic vote in the northern industrial States, thereby making a Republican victory an absolutely sure thing in 1948.

Mr. President, I have been in politics a long time and it is my observation that in politics there is no such animal as an absolutely sure thing.

It can easily happen that Mr. Truman will be a strong candidate by November 1948 and that he will have the solid support of the normal Democratic vote, plus the so-called labor vote, plus the solid support of Negroes and other minority groups who will respect him for his stand on civil rights.

In that statement I only confirmed what my distinguished colleague the junior Senator from Oregon had said time and time again when he warned the Republicans.

I stated further:

Republicans who are counting on Henry Wallace and his Communist Party collaborators to do our work for us by taking enough votes away from the Democrats to insure the election of a complete Republican ticket on any platform and with any sort of record of performance and nonperformance in this Congress are making a big mistake.

Mr. President, the words of my colleague, the distinguished Senator from Oregon [Mr. MORSE], and my own words fell on deaf ears. The fact that we had made a fine record—in his case in Oregon, and in my case in North Dakota—did not make any difference at all to our colleagues on the Republican side of the aisle. In the last election, the junior Senator from North Dakota [Mr. YOUNG] and I were exceedingly active. Incidentally he, too, voted for civil rights; and at that time only seven other Senator on this side of the aisle supported us. The Senator from New York [Mr. IVES] was one; the Senator from Delaware [Mr. WILLIAMS] was another.

What happened in the last election? To the east of our State of North Dakota is Minnesota, when a United States Senator running for reelection was defeated. He himself said he would not follow the platform of our party, and seven times he voted "no."

To the west of our State, in Montana, a Democratic Senator was seeking reelection. Six years before he had been elected by a majority of only 1,400 votes; but in the last election the Senator from Montana [Mr. MURRAY] swept the State of Montana.

Mr. President, the junior Senator from North Dakota and I helped elect every Republican who was elected to our State legislature in the last election. Of 49 State senators, the Democrats elected only one. Of 113 members of the North Dakota House, the Democrats elected only two; and in our State, Mr. Dewey received a larger vote for President than he received 4 years before, because the junior Senator from North Dakota and the senior Senator from North Dakota lived up to the Republican platforms which had been adopted in 1948 and 1944 and away back in 1932.

I say to the Republicans who have joined with the Dixiecrats that, in my opinion, after making all these promises in their platforms, they now are sabotaging the Constitution of the United States and the Bill of Rights, and they are telling the wide world that in the opinion of a majority of this great deliberative body of democracy, a Negro has no rights that a white man is bound to respect.

Mr. President, if this resolution as proposed to be amended by the so-called Wherry substitute is adopted, this Senate Republican group will, in my opinion, kill forever—at least, for years and years to come—all chances for the enactment of civil-rights legislation by the Congress. Their action may be likened to what Gen. Ulysses S. Grant would have done if he had passed the sword of victory at the Battle of Appomattox back to Robert E. Lee, and had joined the Americans who were Confederate rebels.

So, Mr. President, when my distinguished colleague the Senator from Oregon says he is not going to form a new party, but is going along as a Republican, and is going to make 70 speeches in the next campaign, just as he made 70 in the last one, I can only say that in the last campaign I went into every State of the Union but three; and, in fact, for 3 weeks in Jesse Jones' own newspaper in Houston, Tex., I prophesied that Harry Truman would be elected President of the United States, because as one went among the common people it was unmistakable that the Republican Party had lost the confidence of the people who cast the votes.

Mr. President, a few days ago I was in Chicago, and there I met a great group of the common people. A few days be-

fore I was in New York City, and there I met an even larger group. I know the thinking of those people.

I repeat what I said a while ago: Let Senators who wish to adopt this resolution go right ahead; but I shall write on a slip of paper, which I shall put in an envelope, the names of three United States Senators who will be running for reelection 3 years from now; and I prophesy that following the next election, they will not be returned here. Last year there were seven Members of the Senate who sat here with sneers on their faces when the junior Senator from Oregan was trying to tell them what was going to happen, and they have not returned to this body.

So far as the senior Senator from North Dakota is concerned, I shall vote against the Wherry-Hayden resolution. I shall vote against it because I am satisfied that the Republicans of the United States will feel that we are betraying their trust if we do vote for it.

Mr. SALTONSTALL. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Hill	Morse
Anderson	Hoey	Mundt
Baldwin	Holland	Murray
Brewster	Humphrey	Myers
Bricker	Hunt	Neely
Butler	Ives	O'Conor
Byrd	Jenner	Pepper
Cain	Johnson, Colo.	Reed
Capehart	Johnson, Tex.	Robertson
Chapman	Johnston, S. C.	Russell
Chavez	Kem	Saltonstall
Connally	Kerr	Schoeppel
Cordon	Kilgore	Smith, Maine
Donnell	Knowland	Smith, N. J.
Douglas	Langer	Sparkman
Downey	Lodge	Stennis
Eastland	Long	Taft
Ecton	Lucas	Taylor
Ellender	McCarran	Thomas, Okla.
Ferguson	McCarthy	Thomas, Utah
Flanders	McFarland	Thye
Frear	McGrath	Tydings
Fulbright	McKellar	Vandenberg
George	McMahon	Watkins
Gillette	Magnuson	Wherry
Green	Malone	Wiley
Gurney	Martin	Williams
Hayden	Maybank	Withers
Hendrickson	Miller	Young
Hickenlooper	Millikin	

The VICE PRESIDENT. Eighty-nine Senators having answered to their names, a quorum is present.

Mr. HUMPHREY. Mr. President, I should like to make a few comments on the proceedings which have been taking place in this body during the past few days; or possibly I could extend the time and say for the past few weeks. This afternoon I have listened very attentively to the remarks of the distinguished Senator from Oregon [Mr. MORSE]; I have listened very attentively to the remarks of the distinguished Senator from Connecticut [Mr. BALDWIN]; I have listened very attentively to the remarks of the distinguished Senator from North Dakota [Mr. LANGER], and to the remarks of the equally distinguished Senator from New York [Mr. IVES]. Each of those Senators has brought to our attention the reasons why he is in opposition to the so-called compromise proposal which came into worldly existence as of last evening.

I heard the junior Senator from Oregon point out that in the recent campaign he had made approximately 70 speeches in behalf of the Republican candidate for President. I do not think anyone can doubt the fact that he has worked overtime in behalf of the Republican Party. He has tried to give guidance to that party. He has spoken his mind. He has expressed his honest convictions. Of course it would be somewhat inappropriate for a Senator on this side of the aisle to suggest that the advice and counsel which he has extended should be readily accepted by his colleagues. I suppose if I should express sentiments similar to those uttered by him, someone would say, "Well, that proves all the more that we should not accept advice given by the Senator from Oregon."

But after hearing the Senator from North Dakota [Mr. LANGER] speak and having him recount some of the prophecies he made on the floor of the Senate, it appears to me it would be wise and prudent on the part of all of us to listen to advice that is being given by men who are close to the public and who seem to have that sensitivity to it which enables them to ascertain what is public sentiment.

I should like to say a word to my good friend and distinguished colleague, the Senator from Oregon. The 70 speeches which he made in behalf of the Republican candidate were undoubtedly well received; but they did not produce much fruit. I suggest that he would find much more agreeable and social environment if he would deliver the next 70 speeches he may feel moved to make in behalf of some of the liberal causes of the Democratic Party. At least I may say I know I can depend upon him to give the next 70 speeches in behalf of the liberal program.

I should like to make one distinction, however, between my position and that of the Senator from Oregon. The Senator said in his early remarks that he declined to yield to those who signed the Wherry substitute, or the so-called compromise resolution which was offered last evening. I want to make the distinction quite clear that I do not decline to yield, because, after looking over the names of the Senators who signed the petition last night, and after seeing people and hearing the general buzzing going on in the corridors, the lobbies, and on the floor of the Senate, I should like to feel that possibly some of the remarks this evening might change the minds of some of the individual Senators who have placed their names upon the resolution. I think we are still of open mind, or we would not be debating. I feel that some of the Senators who have signed and have indicated their preference for the Wherry substitute are at this very moment wondering why they did it and wondering whether or not it would be a good idea to withdraw as conveniently and adroitly as may be possible. I may say we shall not make it difficult for them to do so. There is more rejoicing in heaven for the repentance of a single sinner than there is, may I say, for all the acclaim of the righteous. So there is plenty of room for repentance and plenty of opportunity for Senators to come back to the original proposition before the Senate of the United States, which I said only a night ago was the real compromise, the Hayden-Wherry resolution, Senate Resolution 15—the original proposition of which some Senators have said they were in favor, even though some of them voted against the ruling of the Vice President. To me it is amazing to see how many Senators are in favor of something, and then when something else comes along are in favor of that. They were for what they considered to be a reasonable compromise. It was a compromise; there is not a shadow of a doubt about that.

But now, all at once, a Senator comes along with a brand-new compromise which compromises things with much more difficulty. There are those who say, "I am not for that. We have not had a vote on the first one yet, and before we change our minds as to its validity it would seem to me we should find out how we stand on it."

Mr. President, I should like to review for a few moments the position of the two major political parties on this basic issue which faces the country. It has been said by Senators on both sides and in the argument of our friends from the South that they are now undoubtedly getting colleagues from some areas of the North to fight those of us who call ourselves the Truman Democrats, the New Deal Democrats, the Regular Democrats, and the Liberal Republicans. It has been said that the issue behind the whole fight is civil rights. I do not think that is the only issue, but apparently that is the one which some Senators want to use as the issue, and I accept it for the purpose of the argument.

Mr. President, both major parties in the campaign—and there were more, I may say, than two political parties in the campaign—made complete, frank, candid, pointed statements as to their position on civil rights. Both major political parties indicated in the Eightieth Congress and in the Eighty-first Congress their position as to amending the rules of the Senate. It did not just happen after November 2. In the Eightieth Congress the Committee on Rules and Administration felt that rule XXII needed to be tightened so that cloture could be applied to motions and the amending of the Journal. In the Eighty-first Congress the Committee on Rules and Administration again reported a proposal, and this time sought action upon it. The Republican Party and the Democratic Party have stood, apparently, theoretically, in the public mind, united in favor of changing the rule.

Mr. President, let no one tell me that 22 Senators out of 96 can drive the entire Senate to cover. I hope none of us will admit that 22 Senators are so wise, so good, so clever, so omnipotent that the other 74 of us will run for the bushes, capitulate and collapse simply because 22 Senators do not want the rule to be changed. There is always someone against something. One of the privileges of being an American is to be against something as well as in favor of something. In this great Nation we have

known of decisions much closer than 74 to 22.

Why do I use those figures? Because some of my friends on this side of the aisle did not go along with the Democratic platform, and have said so. I cannot accuse them of a single thing except to say that I think they are wrong. To say that a man is wrong in honest debate is only expressing a difference of opinion. But I say to my friends on this side of the aisle, who stood with the President in the campaign, and to my friends on the other side of the aisle, who stood with the Governor of New York as the candidate of the Republican Party, we told the people of America that we were for civil rights and that we would fight and die for the cause.

My friends from Mississippi did not say that. They did not fight with Harry Truman. My friends from Alabama did not say that. I cannot accuse them of being anything but wrong, and that may not be too bad an indictment. I shall simply say that, to my mind, they are wrong. But I can say to those who accepted the majority will of the Democratic platform and those on the other side who accepted the unanimous vote of the Republican Party, that we had a chance to get out of the so-called box we were in, and that chance was on the ruling of the Vice President of the United States.

I respect the words I heard from the distinguished Senator from Ohio. Of course a man ought not to vote against his deep conviction. Every Senator in this body has the right to express his point of view. That is one thing that I have been told repeatedly. I have been told, "You do not have to sacrifice your point of view here, Senator. Even though we may disagree with you, we will accept your right to stand up and say what you believe." I can say that no Member of this body has ever tried to coerce or intimidate me. We use the art of persuasion here, and I hope that we shall always continue to do so.

But there was reasonable doubt as to the application of rule XXII. The distinguished junior Senator from Tennessee [Mr. KEFAUVER] standing on this side of the aisle with papers from the Congressional Library containing all kinds of history and information, pointed out that the purpose of the rule was to stop and put an end to filibustering. Senator after Senator testified that that was the purpose of the rule. Then some one discovered a loophole and conceived the idea of gnawing at the rule and finding out the weak spots in its armor, and so it was found that it did not apply to motions to take up a measure, in spite of the fact that a measure has been defined in every dictionary as a means to an end, an expedient, a method, a step.

Mr. BREWSTER. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield for a question.

Mr. BREWSTER. Does the Senator recall the very eloquent address he delivered an evening or two ago on the omniscience of the majority?

Mr. HUMPHREY. What is that, sir?

Mr. BREWSTER. Does the Senator recall the eloquent address he delivered on the omniscience of the majority, that this is a Government by majority, and we should be bound by the majority? I understand the Senator now seems seriously to question that.

Mr. HUMPHREY. I may say to the distinguished Senator from Maine that I never talked about the omniscience of the majority. I simply said I believed in majority rule, and I still believe in it. I may also say that one of the basic privileges we have in his country is to rise up as a part of the minority and try to make a majority out of a minority.

Mr. BREWSTER. Mr. President, will the Senator yield for a further question?

Mr. HUMPHREY. I yield.

Mr. BREWSTER. Does the Senator agree that perhaps we have had a great deal of discussion on the question of the Senate rules during the past 2 weeks?

Mr. HUMPHREY. I would say that not only have we had a great deal of discussion, but we have had almost too much.

Mr. BREWSTER. Would the Senator agree that if it has not exhausted him, certainly the subject of the debate has been exhausted.

Mr. HUMPHREY. No, I would not.

Mr. BREWSTER. Would the Senator challenge the idea that if a Senator has arrived at some other conclusion as a result of these discussions, he perhaps has given the subject mature consideration?

Mr. HUMPHREY. I am sure of it.

Mr. BREWSTER. So that if 52 Members of this body, a real majority, have determined on a course, it would be entitled to somewhat respectable consideration under the Senator's theory of a majority?

Mr. HUMPHREY. I would say that it certainly would be deserving of respectful consideration. But I may add that I am one of those who believe, along with the President of the United States, that until the vote is taken the election is never lost, and I am quite convinced that the vote has not been taken on this question, and I want to fight for every single vote we can get in this body.

Mr. BREWSTER. I may say that I voted with the Senator on the Barkley ruling, so I may put myself in the category of the minority, and would not the Senator agree that it was unfortunate that this matter was delayed for 2 months while the Senate was comparatively inactive?

Mr. HUMPHREY. I certainly do. I am not partisan about this matter. I am sure it would have been much better had we started this debate the very first week, if we were going to start it, at the very beginning of this session of Congress. But we did not, and since we did not, we now have a battle upon our hands, and I believe in fighting.

Mr. BREWSTER. How did the Senator vote some 4 weeks ago when there was a question about taking the matter up?

Mr. HUMPHREY. I voted to sustain the committee, because I have respect for the chairman of the committee, because I had a sincere belief that the chairman of the committee was going to bring it up.

Mr. BREWSTER. The Senator's respect for the chairman of the committee goes to the extent of leading him to support the proposal which the chairman of the committee now sponsors, does it?

Mr. HUMPHREY. I said, a few evenings ago, that while I stood for the principle of majority rule, I was not going to be accused of being one of those who would stand here as obstructionists, that I would go along with the Hayden-Wherry resolution as it was originally presented, even though I felt it did not go far enough, that I realized that on any resolution and any legislation we must compromise. I was willing to accept an honorable compromise; I would support an honorable compromise of an honorable committee that held honorable hearings, presented its evidence, and, on the basis of those hearings, voted to report a resolution.

Mr. BREWSTER. When it comes to the question of honorable action, the Senator would accord to others the same privilege of determining what might or might not seem to them honorable, would he not?

Mr. HUMPHREY. Indeed I would. I do not want to say I would be magnanimous, but I accord to every person in this fine assembly, to every Member of the United States Senate, the right to make any kind of determination he wishes to make. I also accord to myself the right to try to convince and persuade any Senator who apparently has already been on many sides of the question, in the hope that he might light on the right side of the question before the vote is taken.

Mr. BREWSTER. Am I correct in the impression that the majority leader, who finally led us into this fight, and whose position on the Barkley ruling I supported, gave us the very definite understanding that 3 weeks additional would be required to obtain a vote, and he did not think it possible to proceed with the matter at this time? Is that correct?

Mr. HUMPHREY. If the majority leader had had the unqualified type of support he should have had in this fight, which is a bipartisan fight, according to the program of our platforms, we would not be in the situation in which we now are. We would have resolved the question as of Friday night last week. I thank the Senator for his vote, but he did not get a sufficient number of his colleagues on his side of the aisle to go along with him.

Mr. BREWSTER. Perhaps there was a little shortage on the Senator's side, as well.

Mr. HUMPHREY. Ours were predetermined. There was not any doubt in the mind of anyone what votes we were going to lose on this side. The great question mark, the uncertainty, the realm of the speculative, unfortunately, was on the Republican side of the aisle, and we were outspeculated when the chips were down.

Mr. BREWSTER. Were Senators on this side of the aisle consulted by anyone the Senator knows of, at any time during the 2 months which preceded the present, as to whether they could cooperate with the program of the majority leader?

Mr. HUMPHREY. It would be a bit presumptuous on my part to say that

I was in the business of consultation, but I might observe that one thing that has not been lacking in the Senate since I have been a Member is the matter of consultation, the matter of dealing, the matter of caucuses, and the matter of going around and whispering in the ears of Senators as to what was going to be done and what deals were going to be made. What the majority leader did, I do not know. I hope he did talk with some. I heard the other night that apparently the majority leader had been meeting with the minority leader, and that the minority leader had been meeting with the majority leader. In fact, it seemed to me that they were doing a good deal of meeting. The point was that the majority leader could not get the kind of commitments from the minority leader and from the minority in the Senate necessary in order to have the Hayden-Wherry resolution adopted.

Mr. BREWSTER. Is there any question that for eight long weeks before this matter was finally presented, many Senators on this side of the aisle were constantly publicly and privately urging that the matter should be brought up, in anticipation of the very debacle we were finally compelled to witness?

Mr. HUMPHREY. I greatly appreciate the remarks of the Senator from Maine. I realize the real sense of sincerity he has in this fight on the civil-rights question, and before I get through, I am going to give him an opportunity to prove his sincerity again and again and again, because I have a proposal on my desk which once and for all will separate those really on the civil-rights side and those merely on the talking side of it, and I am anxious to see how gentlemen are going to vote on that proposal.

Mr. President, I shall not yield for more questions. I wish to go along and continue with the material which I have here.

Mr. BREWSTER. Mr. President, will the Senator answer the question I asked him?

Mr. HUMPHREY. I said I would yield for no more questions at this particular time, but I am not going to duck a good question. I will ask the Senator please to ask his question.

Mr. BREWSTER. The question I asked the Senator was whether or not the majority leader finally made it clear that 3 weeks additional would be required to clear this matter up, but he did not feel he could do it, and therefore proposed to move adjournment, after the time when those of us on this side of the aisle decided that we would not join in that. Is that correct?

Mr. HUMPHREY. I do not know what the majority leader has said to each and every Member on the minority side. I have an idea what he said to Senators on this side. But there was no doubt about what he was doing last night or the night before, and if on the night of Friday, when the Vice President's ruling was the subject before the Senate, those who were so certain as to how they were going to vote had stood up and voted, the Hayden-Wherry resolution would have been adopted, this debate would have been terminated, and we would have been on our way into the important legislation which awaits us. For 2 years, not 3 weeks, the Eightieth Congress considered a similar resolution, and since there seems to be some great pressure for getting things done, why was the resolution not acted on in that period of time? It seems to me the only issue we need to consider is whether or not we really want to get this thing done.

Mr. President, I know many people say they believe in the institution of marriage. Some believe in it just as some believe in the closing of debate. But some of those who believe in the institution of marriage would never accept a proposal. They would not even take a good Leap Year offer, and would not permit themselves to be involved in marriage itself. But they loved marriage and a family. It is hardly honorable to have a family without marriage, and I would likewise submit that it is hardly honorable to talk about trying to close debate when it is known that there are Senators who can carry on a filibuster, and it was known that they could carry it on, and I knew they could carry it on indefinitely, with 22 ready to go on. They did not even exhaust half their time. They had more speeches yet to be delivered, and somehow or other we were chinning ourselves on the technicalities of some kind of a cloture trapeze or ruling, when we could have cleaned the question up all at once.

Mr. DONNELL. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. DONNELL. I understood the Senator a few minutes ago to give a definition of the term "measure." I do not have it jotted down in black and white, but I understood it to be substantially this, "A step or definite part of a course or policy; a means to an end."

Mr. HUMPHREY. I should like to correct the Senator, so that he will not think I could have been so ingenious as to concoct this definition myself. I quoted from page 1534 of Funk and Wagnalls New Standard Dictionary, and this is the definition:

> Measure: A specific act or course of procedure designed as a means to an end; an expedient; method; step.

That is why, I may say, I have felt that rule XXII did apply to a motion to take up what might be called a measure.

Mr. DONNELL. Which leads me to the question which I desire to ask the Senator: Is there not something further in the definition which the Senator has not read, namely this language: "Specif.," which is, I take it, an abbreviation meaning "specifically"—"A legislative bill; as foolish measures; a party measure." And did not the Senator from Minnesota hear the full definition given on the floor of the Senate on the 11th day of March 1949?

Mr. HUMPHREY. I did. I may say that I would not want the synonyms which the Senator has used for "measure," that is, "foolish measures" and "a party measure," used all in the same breath. It seems to me that what we are talking about here is an honest difference of opinion as to what we mean by "measure." All I want to say is that we had our chance, and we lost it, and we lost it because we did not get the votes. The vote was 41 to 46, and, if I recall, the distinguished Senator from Missouri—and I respect his judgment a hundred percent—did not vote to uphold the ruling of the Chair.

Mr. DONNELL. Mr. President, will the Senator from Minnesota yield again for a very brief question, and then I shall not ask him to yield further at this time?

Mr. HUMPHREY. I yield.

Mr. DONNELL. Do I correctly understand the Senator therefore, to say that at the place he has mentioned in the Funk & Wagnalls New Standard Dictionary of the English Language, the word is defined as follows:

> A specific act of Congress or procedure designed as a means to an end; specif., a legislative bill; as foolish measures; a party measure.

Is that correct?

Mr. HUMPHREY. And if the Senator will continue he will find the definition to include "an expedient; a method; a step."

Mr. DONNELL. Yes, I remember that. That comes in between the words "a means to an end" and the word "specif.," as abbreviated. Is that correct?

Mr. HUMPHREY. Yes. I thank the Senator.

Now the situation which exists is that we have before us a substitute which, for all practical purposes, throws out the window the motion which has been made for a simple majority, the motion which has been made for a constitutional majority, and, at least as the resolution was reported, the proposal for a simple two-thirds majority. I want to list those aagin.

The Senator from Oregon has asked for a simple majority. I know we will vote upon that, and I shall first vote for it.

Secondly, the distinguished Senator from Pennsylvania [Mr. MYERS] has proposed to this honorable body a constitutional majority, 49 of the Senators.

The Hayden-Wherry resolution asks for the simple two-thirds majority.

Now these apparently are out the window. Fifty-two Senators have apparently signed up on the dotted line to put into effect the new Wherry substitute. I say this despite the positive words of the Constitution. I have heard a good deal said about the Constitution on the floor of the Senate, and a good deal said about it over the radio, and have heard much said about it all over the country.

Let us take a look at the Constitution. I know we have eminent constitutional lawyers here. There is not one single requirement in the Constitution of the United States that calls for two-thirds of all Senators chosen to vote on a single issue. Not one. There is not a single requirement in the Constitution of the United States that necessitates a vote of two-thirds of all the Senators chosen at an election, or sitting in the Senate of the United States, in order to conduct the business of the Senate.

Every one of us as we came into this honorable body took an oath that we

would uphold the Constitution, and when we took that oath I imagine it was presupposed that we had read the Constitution, and I imagine it was presupposed that we knew its purpose, its objectives, and its intent.

I am not going to base my arguments upon the realm of fantasy. I base my arguments on the Senate of the United States getting back to the Constitution and talking about what is constitutional. I have heard a good deal about what is constitutional and what is not, in terms of civil-rights legislation. Now, let us take a look at what is constitutional in terms of the procedure to consider civil-rights legislation. How about the Constitution? The Constitution of this country says that a majority shall be sufficient to conduct business. And it applies to all business, the making or changing of rules, as well as the passing of bills and the adoption of motions.

The constitutional history of our country proves it. Back in the days of the Articles of Confederation we had a system whereby approximately two-thirds—the so-called constitutional two-thirds—was required to get something done. Nine out of thirteen States were required to pass a measure, and if there was any one single factor which brought down and destroyed the Government under the Articles of Confederation, which made it helpless, which tied it up into a knot of hopelessness and helplessness, it was the fact that 9 of the 13 States were required to pass any kind of a measure. If there is any one bit of testimony that should prove clearly to us how we can tie ourselves up into some kind of a legislative no man's land, it is what happened in the days of the Articles of Confederation, when two-thirds were required to pass a measure.

We have heard that the Wherry substitute is a fine program. We have heard, of course, that it is a fine program for many reasons. It is said that it will get us out of some sort of impasse, enable us to proceed with the business of the day, and afford us an opportunity to pass legislation.

We have also heard, as I have said in my previous remarks, that it really provides for action by a constitutional two-thirds majority. I brand it as I branded it the other night. It is an unconstitutional two-thirds majority, and I am not going to dignify it by calling it a constitutional majority.

Let me call to the attention of Senators what happened at the Constitutional Convention. I ask the distinguished Senator from Nebraska if he would have liked to have had his rule apply at the time the Constitution was written? Seventy-seven men were invited on that occasion. Fifty-five came. Thirty-nine stayed. That was only one more than a simple majority. Thirty-nine stayed. If it had taken a "constitutional two-thirds"—I put the words in quotation marks—we never would have had the Constitution of the United States. Did the founding fathers go around and say, "Well, we cannot adopt anything here in Constitution Hall. We do not have a constitutional two-thirds." I submit, Mr. President, that the Constitution of the United States in its very inception was born in the cradle of majority rule. At no time did anyone talk about such things as blocking the will of the majority through such a procedure as two-thirds of the total membership.

Mr. SMITH of New Jersey. Mr. President, will the Senator yield for a question?

Mr. HUMPHREY. I yield.

Mr. SMITH of New Jersey. I am sure from the Senator's argument and his recent statement about the Constitution that he implies that the Constitution was adopted by the group that drafted it and submitted it to the States. That group was merely assembled, if I read my history correctly, to determine what should be the draft of Constitution which had to be submitted to the States in order to have it go into effect. So in my opinion the question the Senator is discussing is irrelevant. They submitted a draft, but the States had to pass on the Constitution before it became effective.

Mr. STENNIS. Mr. President, will the Senator yield to me for a question?

Mr. HUMPHREY. I shall first reply to the Senator from New Jersey, and then I shall be glad to yield to the Senator from Mississippi.

Mr. President, it is perfectly true that the Constitution had to be submitted to the States, but it is likewise unalterably true that out of the 77 men who were invited, 55 came, 39 stayed, and 38 signed. And without their signatures, and without the Constitution being what it was, they could not have had a vote on the part of the States. Is the Senator going to stand on the floor of the Senate and say that the Constitution is unconstitutional?

Mr. SMITH of New Jersey. I rose to take issue with the implication the Senator had left with the Senate.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. STENNIS. Does the Senator remember what number of States were required to adopt and make operative the Constitution?

Mr. HUMPHREY. Nine.

Mr. STENNIS. That is almost three-quarters.

Mr. HUMPHREY. That is correct. And does the Senator from Mississippi recall that if we had had a two-thirds requirement at that particular time of all eligible voters we never would have had the Constitution? Let us not forget that only 6 percent of the eligible voters in many States, according to the constitutional history of the country, voted upon the Constitution of the United States. American constitutional history has been written in many volumes. Let me say that if it had been necessary to rely upon a two-thirds constitutional majority to adopt the Constitution we still would be under the Articles of Confederation, if we had survived at all.

May I ask the honorable Members of this honorable body how they would like to be elected under a rule which provided that they could not serve in this body unless they received two-thirds, not only of the votes that were cast, but two-thirds of the votes of all the adult eligible voters in their States? It does not make much sense to me. I say that the Virginia plan was based upon the principle of majority rule. The small-States plan was not based upon the principle of majority rule. The so-called New Jersey plan was based upon the idea of equal votes for each State. In the Constitutional Convention the Connecticut compromise, which gave us the great bicameral system of the House of Representatives and the Senate, was a compromise predicated basically upon the principle of majority rule. Majority rule was accepted as the only basis for popular government. Each State was given its two Senators, but the people themselves were to be represented in the House of Representatives on the basis of population.

The other night I stated that whenever "two-thirds" was written into the Constitution, it was written expressly, as the distinguished Senator from Oregon pointed out this afternoon. I repeat that any time the expression "two-thirds" appears in the Constitution, or any time a two-thirds vote was required by either House, the House of Representatives or the Senate, it was written out. It was not left to parliamentarians or presiding officers. It was not left to the caprice of any elected group. It was written into the great document known as the Constitution.

First of all, in each House two-thirds is necessary to propose a constitutional amendment. Is there anything more basic to the future of the country than a proposal to amend the Constitution? Does the Constitution say that it shall require 64 Senators to propose a constitutional amendment? It does not. It requires a simple two-thirds to propose an alteration of the basic law of the country.

The Constitution of the United States provides that each House, in order to expel a Member elected by the people, can do so only by a two-thirds vote. A simple two-thirds is enough. I submit that there could hardly be any act on the part of any governmental body that could be more serious than for a group of Representatives to make a decision to expel one of the Members of the body.

The Constitution says that it shall require a simple two-thirds vote in each House to pass a measure over the President's veto. That was considered to be another block in the system of checks and balances. Two-thirds was considered to be a very effective block.

The Constitution provides that a two-thirds vote is all that is necessary in the Senate to approve a treaty. I ask, is there anything today that Senators can think of that is any more serious for the days to come than a treaty, such as the North Atlantic Pact? Treaties which are brought to the attention of this honorable body may prejudice our lives for years to come. They may determine whether or not we shall live as a free people. I can think of nothing more important today than a treaty for the security of the free peoples of the world. Did the Constitution require a vote of 64 Senators to approve a treaty? Not at all. It provided that two-thirds of the Senators present and voting, if there is a quorum present, could approve a

treaty. Two-thirds of a quorum of 49 is enough to do the job.

When the Senate sits as a court of impeachment, is it necessary to have 64 votes to convict? It is not. Sitting as an impeachment court, the Senate could try the President of the United States. Did the Constitution provide that there must be a vote of two-thirds of the whole number of Senators? It did not. It provided for a vote by a simple two-thirds.

Will any Senator try to tell me that James Madison, George Washington, and Benjamin Franklin did not consider the difficulties which might beset a parliamentary body such as this? Can anyone say that they did not have the wisdom, the intelligence, and the insight to know how to protect the public welfare?

Mr. President, to my mind the Constitution of the United States is the greatest single document which was ever presented to a people, possibly exceeded in importance only by the Ten Commandments themselves. Even in the Ten Commandments, I do not recall that a constitutional two-thirds is required.

Mr. LONG. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER (Mr. MORSE in the Chair). Does the Senator from Minnesota yield to the Senator from Louisiana?

Mr. HUMPHREY. I yield for a question.

Mr. LONG. Is the Senator through with citing precedents from the Constitution, or has he some more?

Mr. HUMPHREY. I have a few more. I see that I am going to have some difficulty with my neighbor and friend.

Mr. WHERRY. Mr. President, will the Senator yield for a question?

Mr. HUMPHREY. I yield for a question.

Mr. WHERRY. I ask this question in all sincerity, in order that we may be able to have a program. How long does the Senator think he will speak?

Mr. HUMPHREY. I should say for another 30 minutes. I shall try to bring my address to a conclusion in 30 minutes. In that connection, I may say that I prefer not to yield further, until I have concluded what I consider to be my prepared remarks.

Mr. President, I point out these things because they are exceptions to the rule. We have often heard it said axiomatically that the exception proves the rule. The exception has proved that it was the intent and purpose of the framers of our Government to provide in the Constitution for a majority rule.

Let me make my position perfectly clear. I do not want a majority to be able to control the Senate to the extent of eliminating debate. I want the rules of the Senate to provide time for debate. I want the people of the country to know what is going on in this body. I want days of debate. I am perfectly willing to see written into the rules of the Senate any period of time that is reasonable for debate—a week, 2 weeks, a month, or 6 weeks, or whatever is required to present the case to the people.

There is one further precedent which I should like to call to the attention of my colleagues. There was no filibuster in the Senate for 45 years after the adoption of the Constitution. Only now, for the first time in the history of the Senate, is it proposed to tie the Senate down by a rule which would give the minority an even stronger whip-hand over the majority than it has held up to date.

What is involved in this new proposal? There can be no cessation of debate. There is no way to provide for the transaction of business unless two-thirds of all the Senators—64 of the 96—approve. I submit, Mr. President, that that is unconstitutional. The Constitution, in article I, section 5, provides that a majority shall constitute a quorum for the purpose of doing business. I submit that a rule which would prevent the closing of debate without the approval of 64 Senators is a violation of article I, section 5, of the Constitution.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield to the distinguished Senator from Texas.

Mr. CONNALLY. What about the constitutional provision that each House, the Senate and the House of Representatives, has authority to make its own rules? Is not that constitutional?

Mr. HUMPHREY. I fully recognize that; and I realize that the House and Senate have the right to make their own rules. But those rules must be within the terms of the Constitution of the United States.

Mr. CONNALLY. Does not the Constitution provide that the Senate and the House shall have the power to make their own rules? Is not that constitutional?

Mr. HUMPHREY. Indeed it is; but when there is an express provision in the Constitution that a majority shall constitute a quorum for the purpose of doing business, I submit that there is no rule that this body or any other body can make that can deny the validity of that provision, or the authority or prerogatives of that majority.

Mr. CONNALLY. I do not care what the majority is; it still runs into that constitutional provision.

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield for a question.

Mr. PEPPER. Am I correct, first, in assuming that the Constitution of the United States does not prescribe the exact vote by which a measure may be passed in this body?

Mr. HUMPHREY. That is correct.

Mr. PEPPER. Will the Senator yield for another question?

Mr. HUMPHREY. I yield for a question.

Mr. PEPPER. Suppose the Senate were to make a rule that a measure falling in a certain category could not be passed in this body except by a vote of 64 Senators voting affirmatively. Would the Senator say that that would be a constitutional rule?

Mr. HUMPHREY. I should say that it would be unconstitutional. I do not think there is a shadow of a doubt that if the Congress of the United States, or the Senate, should say, for example, that on matters of social security, which affect persons 60 years of age or over, no law pertaining to such persons shall be enacted unless 60 Senators vote for it, the courts would say that it was a violation of article I, section 5, of the Constitution of the United States.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. HUMPHREY. Indeed, I do.

Mr. HOLLAND. If I correctly understand the thesis of the distinguished Senator from Minnesota, is not he maintaining that the cloture rule of 1917, which has been observed and invoked frequently since that time—the rule requiring that the votes of two-thirds of the Senators present shall be required in order to close debate—is unconstitutional?

Mr. HUMPHREY. No, I am not; because two-thirds of those may be two-thirds of the majority which is required under article I, section 5.

Mr. HOLLAND. Mr. President, will the Senator yield for a further question?

Mr. HUMPHREY. I will, indeed.

Mr. HOLLAND. Then is the Senator, under his thesis, holding that the cloture rule of 1917 is unconstitutional if so applied in any given situation as to require a two-thirds vote, which would be more than a simple majority of the Senate?

Mr. HUMPHREY. No; I would not say that at all, for the simple reason that so long as we do not prescribe a certain definite number, the assumption is that it will be a majority under the terms of article 1, section 5, and that is all that is necessary. At least, that is my honest, considered judgment.

Mr. President, I shall now proceed as quickly as possible, because of the request of the minority leader and, I know, of other Senators, that we expedite this matter. There are many other things which I should like to bring to the attention of the Senate, but I must cut my remarks short, in order to expedite the business of the Senate.

Mr. President, deep concern has been manifested by Senators over the Constitution. I say without fear of successful contradiction that the Constitution is on the side of a simple majority, a constitutional majority, or a simple two-thirds majority. We have heard much said here about the precedents and traditions of the Senate. I submit that from the beginning of the traditions of the Constitution itself, from the time of the adoption of the Constitution, in the first 45 years of our Government, when members of the Constitutional Convention served in the Senate and in the House of Representatives of the Congress of the United States, a proposal for a simple majority, a proposal for a constitutional majority, or a proposal for a simple two-thirds majority has been, and still is, within the traditions and precedents of the Senate.

Mr. LONG. Mr. President, will the Senator yield for a question?

Mr. HUMPHREY. I yield for a question.

Mr. LONG. In line with the point about a constitutional majority, I wish to ask the Senator whether it is true that in connection with the ratification of an amendment to the Constitution, an amendment to the Constitution is valid if three-fourths of the States ratify it,

and that is a constitutional three-fourths, because until all of them have acted, they are considered as having voted against it?

Mr. HUMPHREY. That is correct, according to the system of federalism upon which the Government of this country is predicated, and that is expressly written into the Constitution.

But I am trying to say that every time Senators violate the majority rule principle under our constitutional system, they violate a principle which is expressly outlined and written into the Constitution of the United States; and I say that the theory and premise on which the American constitutional system is built is that of majority rule. Whenever that theory is in any way violated, it is violated contrary to the express language of the Constitution of the United States.

Mr. President, I have heard deep concern expressed here for the rights of the minority. I say that the rights of the minority in the Senate—and believe me, I wish to respect the rights of the minority—are not in danger. I think all of us are men of good faith. I have not heard any Member of the Senate try to choke off another Senator. Even in these debates we have been gracious to each other, and have recognized that there are honest differences of opinion. I do not think the history of the Senate indicates that there have been in the Senate men of ill will who would use every conceivable device in order to trip up their colleagues.

I have deep concern for the rights of the minority, but I have an equally deep concern for the responsibilities and obligations of the elected majority. This country will not make progress simply by being concerned over the rights of the minority in the House and the minority in the Senate. Concern over the rights of the minority in the House and the rights of the minority in the Senate will not result in the passage of legislation. Legislation is passed as a result of the responsibilities and obligations of the majority.

So long as we are of a mind to recognize that under our great constitutional system we do have respect and obligation for minority rights, then I think it is important to realize that we have the same respect and obligation for majority rights.

Mr. President, great concern is manifested by some of our colleagues over minority rights; but I say the same minority rights, which we wish to have, of unlimited political participation—that is what it amounts to—and of unlimited debate, the right not to be gagged or choked off, also should extend to the people of the United States, those outside the Halls of Congress, and not simply to the Members of the Senate. They should extend to every citizen. Every citizen should have the right of unlimited debate and the right of full political participation and the right of full economic participation. The rights of a minority in the Senate are secure only when every American citizen is secure in the framework of our democracy. The rights of the minority in the Senate will never be secure until every minority member in this country feels himself a part and parcel of the great American system. That is what we are talking about here.

Mr. LONG. Mr. President, will the Senator yield for a question?

Mr. HUMPHREY. I yield.

Mr. LONG. Does the Senator from Minnesota feel that any minority in the entire United States would be safe in its rights so long as minorities on the floor of the Senate were being run over roughshod?

Mr. HUMPHREY. I would not make the assumption that that would occur. There is no intent on the part of anyone to run roughshod over any minority. I have said that I am perfectly willing to have written into the rules of the Senate, or provided by Congressional enactment or by constitutional amendment, a provision that debate in the Senate cannot be stopped for 2 weeks or 3 weeks or 6 weeks or 2 months. All I wish to know is that debate can be stopped in the Senate—not with mathematical precision, but on the basis of a simple majority, a constitutional majority, or a simple two-thirds majority.

Mr. President, I am not going to be stubborn about this matter; but I am not going to be in favor of either unlimited debate, on the one hand, or a proposal which requires the votes of 64 of the Members of the United States Senate in order to apply cloture. I do not believe that such a provision or rule would be an advance. It seems to me that here we propose to operate in reverse, to go backward, to go downhill. By this proposal we shall not be making progress.

We have shown a great deal of concern over the Senate rules. I wish to appeal to my colleagues to have a little concern over the Golden Rule, for a change—the rule of doing unto others as you would have them do unto you—or to make it apply to this situation, the rule of considering a measure on its merits. I know my colleagues are convinced of the merit of their position, and some of them have advanced rather convincing arguments. Some of them have said, "Senator, you simply cannot believe in an FEPC bill; and as for anti-poll-tax legislation, it is not needed, for we are eliminating it." I wish to congratulate them for that, for many States are eliminating it; and I say, more power to them.

I have heard other Senators say, "Senator, you do not believe we should have antilynching legislation, do you?" Of course, Mr. President, I believe we should have all these things; but I point out that Senators who take the position I have just indicated do present a case and do present their arguments. So all I ask is that we meet these issues on the merits of the case. If the case is sound and if Senators have the facts and figures and evidence and testimony to support their case, I submit that no reasonable group of men will ride roughshod over them.

In other words, I do not wish to be denied the opportunity of fighting for a principle or for a piece of legislation in which I deeply believe, by some kind of technicality which denies me the right to talk about it or to fight for it.

Mr. President, it is a singular thing that in this debate we have to talk about civil right when we do not even have civil-rights legislation before us. But I say that if the rule now proposed is adopted, if the Wherry compromise sell-out is agreed to, this will be the only time when I shall have a chance to talk about civil rights, for, in that case, civil-rights bills will not come before us. Of course, I do not know whether we could pass the civil-rights bills even if the Senate adopted the proposal advanced by the Senator from Oregon [Mr. MORSE], namely, a rule that a simple majority could close debate; but at least such an arrangement would let me know that we could argue the proposed civil-rights legislation and could have hearings and evidence and testimony on those measures. We could have hearings about civil rights. We could have evidence and testimony. I ask, is there any honest, decent man who can say we ought not to argue about it? Is there anyone who will say to me we ought not to have a chance to discuss it, and to discuss it, not for academic purposes, but for purposes of trying to enact legislation? I am willing to be defeated; I have been defeated before. But I also want all to know that when I get into a struggle, it is not merely for exercise, but it is for the opportunity of solid accomplishment and solid achievement.

No; I must say to the distinguished Senator from Nebraska, who with his colleagues came forward with the proposal; no, no, no; I shall never vote for it; and I shall do everything within my legitimate power to convince other Senators they should not vote for it. I should rather lose this fight, and I say it again—lose it 100 percent now and come back another day under the free processes of American elections. I know that some Senators do not want to lose this fight, but want to be able to go forth and tell the people, "We got cloture." I say to them, "No, you did not. You had some kind of manufactured concoction that perhaps will deceive somebody into thinking it is cloture; but it is not cloture." That is not what we are talking about, when we seek the right to bring debate to an end under the established laws of the country and under the precedents of the Senate.

There are, I repeat, three constitutional precedents—majority, constitutional majority, and simple two-thirds. That gives certain alternatives. I do not care to take the time to go all through the debates which have taken place since 1917. They have been gone through. But do not let anybody say there is only a difference of one and a half votes, or one vote, between the Wherry substitute and the Hayden-Wherry resolution. Let nobody try to tell me that. I took simple courses in mathematics, and, let me say, extended ones, sufficiently so to be able to make some type of division, some use of fractions. I am here to say, on the basis of the Wherry compromise, there is a difference of 8 votes. On the 19 roll calls under cloture petitions from 1917 to 1948, the average attendance was 84; the average not voting, 12. All anyone would have to do, to find out what would happen, is to take a "constitutional

two-thirds" majority and apply it to the 84 votes; and he will find that 8 votes will be lost.

Mr. LONG. Mr. President, will the Senator yield at that point for a question?

The PRESIDING OFFICER. Does the Senator from Minnesota yield?

Mr. HUMPHREY. I yield.

Mr. LONG. I thank the Senator. I wanted to ask the same question before. Is it not true that on occasions when cloture has been applied, three times out of four, there were present 94, 94, and 93; that the first three times, it was not successful at all, but on the three occasions when it was successful there were more than 64 votes in favor of cloture; that the third time it was applied, there were about 80 votes, with a vote of 55 to 27; but that even in that case, if the majority leader had not obtained his two-thirds vote, he could have renewed his efforts the next day and gotten nine Senators back in their seats, and probably could have applied cloture?

Mr. HUMPHREY. I will answer the distinguished Senator from Louisiana by facts, not by my opinion. Since 1917 there has been a simple majority 12 times out of 19. It can be seen, therefore, that the proposition of the Senator from Oregon [Mr. MORSE] is not too extravagant. Only 12 times out of 19 were Senators stampeded into some sort of foolish action. There was a constitutional majority, as proposed by the distinguished Senator from Pennsylvania, only 7 times out of 19. There was a simple two-thirds majority 4 times out of 19; a "constitutional two-thirds" majority 3 times out of 19. What were the occasions upon which there were three-fourths majorities, simple and constitutional? First, the Treaty of Versailles; in other words, a treaty to conclude the peace. On that one occasion the vote was 78 to 16 to close debate. After a war, it would be perfectly obvious that that would be quite an issue. Second, the World Court, in 1926. The vote was 68 to 26 to close debate. That, of itself, was a big issue, as Senators will recall. The last one was the branch-bank bill in 1927. When we got down to the branch-bank bill, there was involved the whole banking structure of the country, the whole banking system. The vote was close, 65 to 18. With a change of one or two votes, we might have had a different banking structure in the United States of America.

Mr. LONG. Mr. President, will the Senator yield?

Mr. HUMPHREY. I want to conclude, if the Senator will permit me. I mentioned the Democratic and Republican platforms. I say that what has happened in this coalition which has taken place, what has happened under the terms of the Wherry resolution, is as clear as anybody could possibly make it.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. LUCAS. There is some slight misunderstanding of the analogy drawn with respect to the vote of 65 to 18. I think what the Senator means is that it was so close to the required 64 votes.

Mr. HUMPHREY. That is correct.

Mr. LUCAS. Some of the Senators did not understand the Senator's statement.

Mr. HUMPHREY. It was so close to the 64 that if the Wherry substitute had been applied, and one vote changed, or two votes changed, we would not have had the branch-bank law.

Mr. LUCAS. Mr. President, will the Senator yield for a further question?

Mr. HUMPHREY. I yield to the Senator.

Mr. LUCAS. Had the so-called substitute been in existence, requiring 64 votes, in view of the fact there was a difference of only one or two votes, does the Senator not believe there would have been plenty of persuasion and coercion and conversation around the Capitol on that margin of one or two votes necessary to change the situation?

Mr. HUMPHREY. There is no doubt in my mind that the Wherry compromise puts a premium upon coercive action of all kinds upon Senators either to absent themselves or to be out of the way at the time of a critical vote. I do not think that is the major issue. I am not arguing on the basis of that issue. I argue on the basis that it simply is not an appropriate type of cloture rule, that it violates every precedent, every tradition, and the very purpose of our constitutional system.

Mr. SPARKMAN. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from Minnesota yield?

Mr. HUMPHREY. I yield to the distinguished Senator from Alabama.

Mr. SPARKMAN. If I have followed the Senator correctly, he apparently would have approved the constitutional-majority provision.

Mr. HUMPHREY. That is correct.

Mr. SPARKMAN. Why is there any more pressure applied, if the definite number 64 is set, than there would be if the definite number 49 were set?

Mr. HUMPHREY. I repeat to the distinguished Senator from Alabama, the Constitution of the United States requires a constitutional majority of Senators in order to transact business. On the basis of the precedents, article I, section 5, requires 49 Senators in order to transact business. That is entirely in line with the concept of our Constitution, in fact, 100 percent, in line with it. Obviously we can see that an effort would be made to try to keep Senators away from the Senate, so the Senate could not do business. But the Constitution prescribes that it takes 49 of the Senators in order to transact business. I say to you, Mr. President, if it takes 49 Senators to transact business, then 49 of the Senators can make sure that we do business here by stopping a filibuster, because a filibuster is a device to see to it that the Senate does not transact business.

Mr. SPARKMAN. Mr. President, will the Senator yield further?

The PRESIDING OFFICER. Does the Senator from Minnesota yield?

Mr. HUMPHREY. I yield.

Mr. SPARKMAN. Of course, the requirement in the Constitution is that 49 Senators must be present in order to transact business. It does not mean that 49 must vote on any particular measure. But if I understood the Senator correctly, I want to ask him this question: He stated that if a definite number were set, such as 64, there would be tremendous pressure in order to get Senators to absent themselves, so the 64 votes would not be available; is that correct?

Mr. HUMPHREY. That is correct.

Mr. SPARKMAN. I ask the Senator, what is the difference, if the number required to vote a certain way is set at 49? Would there not likewise be pressure in order to get Senators to absent themselves, assuming the Senator's premise to be correct in the first place?

Mr. HUMPHREY. There would be pressure today to see that Senators did not attend. I said I did not think it would accomplish its purpose. I want to make it crystal clear that I am not one of those who believe Senators can be shanghaied and taken off somewhere. I believe every Senator wants to be here to do his duty, and that he is going to be here, unless there is tragically important business or circumstances to keep him from being here. I believe in the integrity of every Senator of the United States, and of everyone who serves here. All I am saying is simply that the basis of my support of a constitutional majority is that it is within the terms as I understand of our system, which requires at least a constitutional majority of both Houses of Congress to meet for the purpose of transacting business.

Let me point out a few other factors. I want to say a word to my colleagues on the Democratic side, to my colleagues who are not going to vote with me on any of these proposals. I want to speak to my colleagues from the South and say to them that the Wherry compromise involves a frontal attack upon the Fair Deal. They know that to be so. I say they are going to win this fight; at least, that is the way it now looks. But I want to call the attention of my colleagues to the fact that we have TVA, we have the kind of flood-control programs and the kind of social legislation that developed from the inspiration and the philosophy and the political program of the Democratic Party. Let no one make any kind of unholy alliance or coalition here that will cause in any way, shape, or form a diminution of the President's program.

Mr. LONG. Mr. President, will the Senator yield?

Mr. HUMPHREY. I do not want to yield at this time.

President Harry Truman's program, as set forth in the Democratic platform which was adopted at Philadelphia, is a minimum program for America. I submit to my friends on this side of the aisle that if that program is not enacted into legislation within the 4-year period, they can well rest assured that there will be a type of political movement in this country that will proselyte upon every prejudice, upon every weakness, upon every little bump and boil on the entire face of our economy. I can think of nothing that has been done by the Senate of the United States that plays more definitely into the hands of persons who appeal to minority groups in order to get them into some subversive organization. I do not take a back seat for anyone in fighting

subversives and battling against those who would destroy our way of life. I know that the greatest appeal which communism and fascism have is to the ignorance, the bigotry, the prejudice, of people who have been denied opportunity. I know that if the resolution is adopted, it will mean, for all practical purposes, no civil rights for at least 2 years. I submit, Mr. President, that the same persons who only a while ago said that if this country were involved in war they would not even fight for us will be going up and down the line appealing to every minority group in America and saying, "Look at the Republicans, look at the Democrats. They sold you down the river."

Mr. President, we are arming them with the truth this time. They will have the truth on their side when they say that, because we have sold them down the river. It is the biggest sell-out that this country has ever known, and I deeply resent it.

I can hear now the criticisms we shall receive from millions of persons in this Nation who feel there ought to be fair-employment-practice legislation, that there should be an antilynch law, that there should be an eradication of the poll tax, or any other kind of a mechanism which denies people the right to vote. Mr. President, the strength of America's democracy is the cleanness of her hands. Can we go to those people with clean hands?

If we did not intend to pass such legislation, why did we pledge it in the platform? There is one thing I can say about my party, and that is that we had a knock-down-and-drag-out battle about putting it into the platform. I know something about that fight. My friends on the other side adopted such a platform plank unanimously. We put it in our platform after a bitter fight which almost cost us the victory in the election. I shall not stand up, after working my heart out in a campaign, and seeing things denied that I believe to be right, and see such legislation not even given a chance to be debated and voted on in the Senate of the United States.

Mr. President, I want to send a resounding call to the labor leaders of the country, and ask them, "Do you think this kind of a coalition and the Wherry resolution are the things you want? Do you think it is just something with regard to civil rights?"

I have in my pocket the telephone numbers of two prominent labor leaders, and I shall call them as soon as I am through and tell them that I think they had better get down to Washington and find out what is happening to them. They should not have everything they want, but it seems to me they will not get anything they want. Look at what has happened in connection with rent control. What is happening to some of the President's appointments? This is merely the beginning. We are beginning to kick them around again. I submit, Mr. President, that this is only the first blow to the Truman program and to the Fair Deal. I believe in that program. I remind some of the Senators that it is not going to be easy going, from here on, because if this alliance can be formed and can be made to stick, we shall have a great deal of trouble.

I appeal to my colleagues from the South. Let us not make such an alliance. I hope I have convinced some Senators and changed their minds, but I doubt it. Do not think that some of the Senators who signed this petition, and who fought along with the Senators from the South, are in favor of a minimum-wage increase. Do not think they will vote for Federal aid to education. We know that it is needed. We know that we need legislation on public health. That is a part of the civil-rights program. We know we need better pensions for our old people. We know that we shall have to develop the regional river valleys as was done in the case of the Tennessee River Valley. We know we must take the shackles off labor and give it a chance to develop and grow as an honorable, responsible organization. Our farm folks will have to have more help.

In looking over the names on the resolution I find many who will not vote for some of the things which I have mentioned. I hope to see the Senators on this side of the aisle voting for a better housing program. I say to the Senator from Louisana that some of the Senators who signed the resolution are not going to vote for the housing program. But I am, I will work for it. I know that such a program is needed in Minnesota and Louisiana. I know, too, that a public-health program is needed, as is also help for the children of America.

Let us not lose the faith we should have.

If Senators want to talk about civil rights, they will have an opportunity to do so. I have heard on the floor of the Senate that there are Senators who feel that the junior Senator from Minnesota is a little extreme on these matters. I have heard the same thing about some of my colleagues. I have heard it said that there are other Senators who are a way off on the other side. Let us get together. I think there are some things we can work out. I shall not sell out my principles. I believe in the elimination of the poll tax. How it may be eliminated is a subject of debate. Some Senators think it should not be eliminated by the passage of a Federal law, but by a constitutional amendment. Very well; let us argue that, but let us get a bill before the Senate so that it can be argued. We cannot pass any legislation in the lobbies. Let us get a bill up.

My southern friends say they do not believe in mob violence. I do not believe in mob violence, either. I do not believe in lynching; they do not believe in lynching. The question is, How far should the Federal Government go? Is not that the issue? Let us get together and talk it out. I am open-minded; I am willing to see to it that the Federal Government does not use gestapo tactics and methods. But I want to say that we shall not work these things out if some play "footsie" with the rules, if we never have a chance to debate these things. Some Senators have got to believe that we came here in good faith and that we are just as interested in the future of America as are other Senators.

Mr. SALTONSTALL. Mr. President, will the Senator yield for a question?

Mr. HUMPHREY. I yield.

Mr. SALTONSTALL. The Senator from Minnesota did not sign the Wherry amendment, and neither did I. Is that correct?

Mr. HUMPHREY. That is correct.

Mr. SALTONSTALL. When it comes to the rules of the Senate, will the Senator from Minnesota join with me and others who are just as much interested in civil-rights matters, to see that the new rule is effective?

Mr. HUMPHREY. I assure the very distinguished Senator from Massachusetts, a gentleman whom I hold in the highest regard, that I shall be one of the first to join with him to see if we can pass legislation under the terms of that rule. We still have not voted on it. I am working to see if I cannot pick up another vote.

Mr. President, I asked some persons this afternoon the name of the old bird which flies backward when it thinks it is going forward. Various names were given me, such as the "tillyloo" bird, the "filliloo" bird, and I have even heard it called the "paprika" bird and the "whiffenpoof" bird. I think the Wherry substitute is sort of a "paprika" proposition. It flies backward and cannot be sure where it has been. It is not going ahead. It is the kind of a resolution which had its future yesterday and its promise for tomorrow in its failure in keeping the promises of the past.

A number of sheets of paper have been passed around the Senate. I want to find out how many of my colleagues really believe in their platform. I am not going to my friends who did not subscribe to the platform. I am not going over to someone who said, on the very first day the campaign opened up, that he did not like President Truman's civil-rights program and told the people and his constituents he did not like it. That man told what was in his heart. But I know that in the Senate there are those who supported Harry Truman according to the party platforms. I am not talking of those who supported Thurmond or Wallace, but those who supported Harry Truman and supported Thomas Dewey. They accepted those candidates and their plaforms. Are they willing, then, to give some assurance concerning those platform pledges, as they have given assurance of settling this debate? They have seen a little slip of paper. They said they were going to unite and bring this debate to a conclusion. Very well. I want to bring something to a conclusion. I want to assure 16,000,000 American Negroes that we are going to do something. I want to assure Catholics, Protestants, and Jews who suffer from discrimination in community after community that we are not going to forget the evils of our society, that we are going to do something about it.

I have before me a resolution literally in the form of a petition, and I wish to read it, and I want Senators to line up on the right, and I will furnish the pencils for them to sign it. This is the test:

We, the undersigned Senators, hereby pledge ourselves to vote against adjournment

of the present session of the Senate until the civil-rights program as set forth in the platforms of our parties shall be voted upon by the Senate.

I do not say "passed," I say "voted upon." I hope it will be passed, but I wanted it voted on.

2. We will support a Senate resolution to place the Senate officially on record as favoring the extension of the present session so as to dispose of civil-rights legislation.

In other words, if we arrive at that date when we are supposed to adjourn and we have not been able to get the civil-rights legislation through, I want the Senate to remember that we were hired for 12 months, we are on a full-year pay roll, full employment, full check, full expenses. We made solemn pledges in our platforms, and those pledges are going to become mere scraps of paper unless we start to live up to them, and here is the chance.

Senators all believe in civil rights. I started my address, and I conclude it, by saying that we owe it to America, we owe it to the world, we owe it to ourselves here on the floor of the Senate, to assure ourselves, our friends, and our fellow citizens that we are not playing footsie, that we are playing for keeps, and that every one of us who took an oath to supoprt our party, that every one of us who went out to support the platforms, will live up to what we promised. I am not asking those who did not support my platform—those who left their party; I am talking to those of us who voted for the Democratic candidate for President and supported the Democratic platform, and those who voted for the Republican candidate for President and supported the Republican platform. Line up now and be counted, and let us find out how sincere we are.

EXECUTIVE SESSION

Mr. MYERS. Mr. President, I am about to move that the Senate take a recess until 11 o'clock tomorrow, but before doing that, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business.

The PRESIDING OFFICER (Mr. MORSE in the chair). Reports of committees are in order. If there be no reports to be submitted, the clerk will proceed to state the nominations on the Executive Calendar.

RECONSTRUCTION FINANCE CORPORATION

The Chief Clerk read the nomination of Walter Lee Dunham to be a member of the Board of Directors of the Reconstruction Finance Corporation.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

UNITED STATES MARITIME COMMISSION

The Chief Clerk read the nomination of David J. Coddaire to be a member of the United States Maritime Commission.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

UNITED STATES COAST GUARD

The Chief Clerk proceeded to read sundry nominations in the Coast Guard.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc.

COAST AND GEODETIC SURVEY

The Chief Clerk read the nomination of Lorin F. Woodcock to be lieutenant in the Coast and Geodetic Survey.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

RAILROAD RETIREMENT BOARD

The Chief Clerk read the nomination of Frank C. Squire to be a member of the Railroad Retirement Board.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

POSTMASTERS

The Chief Clerk proceeded to read sundry nominations of postmasters.

The PRESIDING OFFICER. Without objection, the postmaster nominations are confirmed en bloc, and, without objection, the President will be notified forthwith of all confirmations of today.

RECESS

Mr. MYERS. Mr. President, as in legislative session, I move that the Senate take a recess until 11 o'clock a. m., tomorrow morning.

The motion was agreed to; and (at 8 o'clock and 5 minutes p. m.) the Senate took a recess until tomorrow, Thursday, March 17, 1949, at 11 o'clock a. m.

NOMINATIONS

Executive nominations received by the Senate March 16 (legislative day of February 21), 1949:

DIPLOMATIC AND FOREIGN SERVICE

Edward R. Dudley, of New York, now Envoy Extraordinary and Minister Plenipotentiary to Liberia, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Liberia.

UNITED STATES MARSHAL

Jordan B. Royall, of Florida, to be United States marshal for the northern district of Florida. Mr. Royall is now serving in this office under an appointment which expired December 7, 1948.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 16 (legislative day of February 21), 1949:

RECONSTRUCTION FINANCE CORPORATION

Walter Lee Dunham to be a member of the Board of Directors of the Reconstruction Finance Corporation for a portion of the term expiring June 30, 1950.

UNITED STATES MARITIME COMMISSION

David J. Coddaire to be a member of the United States Maritime Commission for the term expiring April 15, 1954.

RAILROAD RETIREMENT BOARD

Frank C. Squire to be a member of the Railroad Retirement Board for a term of 5 years from August 29, 1948.

UNITED STATES COAST GUARD

REAR ADMIRALS, TO RANK FROM JUNE 1, 1948

Joseph F. Farley
Merlin O'Neill
Ellis Reed-Hill

REAR ADMIRAL, TO RANK FROM FEBRUARY 1, 1949

Louis B. Olson

REAR ADMIRAL, TO RANK FROM APRIL 1, 1949

Joseph Greenspun

LIEUTENANTS (JUNIOR GRADE), TO RANK FROM NOVEMBER 15, 1946

Raymond J. Evans — Allen E. Armstrong
Willis G. Partridge — James McMenamin

ENSIGN, TO RANK FROM JANUARY 15, 1947

Hardy M. Willis

LIEUTENANT, TO RANK FROM OCTOBER 1, 1942

William R. Sayer

LIEUTENANT (JUNIOR GRADE), TO RANK FROM AUGUST 1, 1944

Lloyd M. Logan

LIEUTENANT (JUNIOR GRADE), TO RANK FROM JANUARY 1, 1947

Charles R. Leisy

LIEUTENANTS (JUNIOR GRADE), DATE OF RANK TO BE COMPUTED IN ACCORDANCE WITH THE REGULATIONS

Dono W. Moore — Gordon L. Bates
Bruce N. Jensen — Ray J. Campbell
Robert E. Foley — George C. Steinemann
John E. Riddell, Jr. — Jack S. Thuma

ENSIGN, DATE OF RANK TO BE COMPUTED IN ACCORDANCE WITH THE REGULATIONS

Samuel R. Early

COAST AND GEODETIC SURVEY

Lorin F. Woodcock to be a lieutenant in the Coast and Geodetic Survey, effective February 3, 1949.

UNITED STATES ARMY

COMMANDING GENERAL, PACIFIC

Lt. Gen. Henry Spiese Aurand, O3784, commanding general, United States Army, Pacific, with the rank of lieutenant general.

DIRECTOR OF LOGISTICS

Maj. Gen. Thomas Bernard Larkin, O3785, Director of Logistics, United States Army, with the rank of lieutenant general.

DIRECTOR, PERSONNEL AND ADMINISTRATION

Maj. Gen. Edward Hale Brooks, O6657, Director, Personnel and Administration, United States Army, with the rank of lieutenant general.

POSTMASTERS

CALIFORNIA

Floyd M. Harvey, Adin.
C. B. Childers, Arvin.
Harry Bergseid, Bell.
Edna Stratton Hamilton, Bolinas.
Anita V. Reid, Burrel.
Florence E. Kahmar, Camino.
Cecilia A. George, Castroville.
Clive B. Hubbell, Challenge.
Frank J. Norton, Chula Vista.
Frederick G. Zittleman, Cloverdale.
Catherine C. Schultz, Colfax.
Keith L. Tobin, Cutler.
Ruth Pugh, Cypress.
June R. Dolcini, Davis.
Lloyette Osborne, Earlimart.
Edythe Burgett, El Segundo.
Evelyn K. Hodge, Florin.
Viola S. Pambianco, French Camp.
Cleo A. Mollring, Galt.
Paul R. Todd, Garberville.
Beatrice K. Geiger, Herlong.
William Howard O'Brien, Hollister.
Grace R. Aldridge, Joshua Tree.
John L. McKindley, Lockeford.
Oscar Ditmanson, Lodi.
Blanche I. Dunn, Los Alamitos.
Lois M. Hartwell, Loyalton.
Horace C. Coe, Lynwood.
Margaret S. Cooper, McKittrick.
Joseph J. Joaquin, Madrone.
Pearl C. Kehlet, Meeks Bay.
Raymond R. Dingle, Middletown.
John E. Mixer, Midway City.
Fenton E. Watson, Mira Loma.
Jared W. Moore, Modesto.
William J. Wasley, Nevada City.
Louise H. Blanchard, Occidental.
Ella A. Dominguez, Olive.
Puella E. Forbes, Orcutt.

Mary E. Bailey, Piru.
Lillie E. Connor, Richvale.
Harry H. Lauritzen, Rio Vista.
Kenneth W. Dyal, San Bernardino.
James W. Kern, Santa Susana.
Velma E. Mackey, Santa Ynez.
Raymond E. Ledford, Talmage.
Henry S. Fager, Waterford.
LaVerna N. Strawbridge, Westminster.
Ernest D. Robinson, Willow Creek.
Adelaide C. Byrn, Windsor.

COLORADO

Dorothy F. Mullen, Bayfield.
Eldora F. Giberson, Dillon.
R. Terrell Ellington, Grand Junction.
Betty R. Ingram, Nederland.
Raymond H. Talbot, Pueblo.
Dean S. Hainey, Ridgway.
Elmer Glen VanScoy, Westminster.

FLORIDA

Myrtle Clare Booth, Cantonment.
Earl L. Williams, Lady Lake.
Evan D. Mixon, Ruskin.

ILLINOIS

Kenneth V. Mason, Albion.
Fred D. Knaus, Arcola.
William A. Goetz, Bethany.
Lloyd O. Huff, Blandinsville.
Daniel J. Boyd, Blue Island.
Clifford A. Walsh, Bourbonnais.
Gilbert R. Gish, Buda.
Margaret Carlson, Bureau.
Pearl H. Collins, Catlin.
William K. Armstrong, Chandlerville.
Ray B. Brockhouse, Chapin.
Eula McCawley, Chesterfield.
Albert J. Buehler, Chestnut.
Donald L. Doan, Claremont.
Monroe A. Lawson, Clay City.
Andrew J. Rogers, Jr., Cordova.
Louis Sloter, Crescent City.
G. Stewart Allen, Crete.
Harry A. Osman, Cypress.
Leland Adams, Dieterich.
Fred H. Popp, Jr., Dundee.
Joseph J. Holloway, Elmhurst.
Ruth Sartain, Fithian,
John C. McKinstra, Freeport.
Glen W. Seaton, Glen Carbon.
John J. McCaughey, Gurnee.
George A. Frazer, Hamilton.
Lester A. Binder, Hinckley.
Russell M. Shoaf, Homer.
Russell E. Snyder, Hull.
Mary E. McCarl, Kinderhook.
Richard R. Atkins, Kinmundy.
Ralph D. Waddell, Latham.
James O. Brown, Long Point.
Albert O. Ledbetter, Marion.
George M. Farrell, Marseilles.
C. Lincoln Guernsey, Mechanicsburg.
Helen F. Gleich, Menard.
Arthur E. Maloney, Mooseheart.
Evans R. Pratt, Morrison.
James T. Malley, Mounds.
Adam A. Munsterman, Nameoki.
John W. Bosaw, New Haven.
Ellwyn Barnett, Oakland.
Charles J. Murphy, Oak Park.
S. Jay Thomas, Oregon.
Emmett P. Hayes, Rochelle.
Charles H. McGough, Secor.
Frank C. Spengler, Shannon.
Hazel M. Wolf, Sidney.
Francis L. Weghorst, South Pekin.
Michael A. Bernasek, Sparta.
Bessie M. Hewitt, Steward.
Frank C. Niemeyer, Stockton.
Herbert M. Bowman, Thompsonville,
Wilbur K. Reader, Thomson.
Orville L. Glasford, Trivoli.
Beatrice E. Reck, Winslow.

INDIANA

Bernice Sigman, Castleton.
Lloyd B. Helms, Centerville.
Dale M. Sands, Claypool.
Adrian M. Morrison, Cloverdale.
George W. Horan, Collegeville.
Walter H. Fried, Corydon.
Harry G. Thomson, Danville.
Marion E. Maxwell, Darlington.
Elizabeth May Reiff, Deputy.
Margaret A. Horseman, Dublin.
Henry O. Kipfer, Grabill.
Omer D. Hendricks, Hartford City.
Everett J. Laun, Kingsford Heights.
Arthur C. Welch, Lapaz.
Geneva K. Gant, Laurel.
Lowell Odom, Medaryville.
Robert D. Long, Millersburg.
Henry Claude Steininger, Monticello.
Marion L. Garstka, New Haven.
Pearl L. Smith, New Market.
Roy L. Strange, Plainville.
Dow Haimbaugh, Rochester.
John V Pinegar, Rockville.
Sherman L. Wright, Rushville.
Joseph C. Renie, Sharpsville.
Frank C. Kettring, South Bend.
Arnold B. Rhodes, Tippecanoe.
Sylvia Swanson, Twelve Mile.

KANSAS

Albert H. Sauvain, Agenda.
Earle F. Hill, Altamont.
Charles G. Persinger, Canton.
Francis K. Darr, Centralia.
Howard C. Cain, Delphos.
Frank L. Robinson, Eskridge.
Harry C. Brooks, Fort Scott.
Harold D. Vernon, Goff.
Charles W. Parker, Highland.
Harry Lang, Jetmore.
Alvin A. Pfeiffer, Linn.
Marline L. Ames, Long Island.
Leslie A. Leochner, Ludell.
John F. Buche, Mulberry.
Una V. Shoemaker, Perry.
Patrick J. Jolly, Scammon.
Richard D. Wiley, Sedgwick.
Ruth H. Berrigan, Solomon.

MAINE

Howard Mills Martin, Kennebunk Port.
Delmar C. Ellinwood, North Windham.

MASSACHUSETTS

Francis A. Crowley, Boston.
Maurice R. Savage, Buzzards Bay.
Thomas P. Hallinan, Chicopee Falls.
Donald P. Steele, Gloucester.
Malcolm W. Chase, Princeton.
Hazel F. Tenney, West Townsend.
Thomas J. Gilgun, Winchester.
John A. Marshall, Worcester.

MICHIGAN

Perry F. Frownfelder, Adrian.
Elias W. Lyons, Armada.
Samuel Somora, Sr., Baroda.
Gerald D. Swanson, Bear Lake.
Frank A. Prais, Belleville.
James L. Milliron, Benzonia.
John J. Redmond, Bloomfield Hills.
Roland F. Duff, Buckley.
Alexander S. Lynch, Carney.
Archie W. Visnaw, Cedarville.
Franklin L. Erickson, Central Lake.
Arthur F. Newman, De Witt.
Horace J. Lickly, Dexter.
Richard L. Price, East Tawas.
Woodrow L. LaLonde, Felch.
Keith Adams, Fountain.
Clarence F. Allen, Fowlerville.
Mary M. Blower, Grand Blanc.
Clarence F. Goerner, Howard City.
Robert J. Buller, Interlochen.
Joseph Thomas Kaderabek, Irons.
Reuben S. Eddy, Lake Linden.
John E. Dooley, Linden.
Emerson E. Dufina, Mackinac Island.
Lovatus A. Butler, Milan.
Court R. Houghmaster, Millersburg.
Bruce A. Lee, Millington.
Otto F. Wormsbacher, Mount Clemens.
Charles L. Kaltenbach, New Haven.
Collins H. Luth, Niles.
Charles J. Bal, Norway.
Russell C. Scott, Pittsbord.
Charles K. Guy, Rapid City.
Darwin H. Van Houten, Sixlakes.
Vester E. Mock, Springport.
William H. Mullens, Trout Lake.

MINNESOTA

Walter L. Franti, Coleraine.
Bertha H. Avenson, Dorset.
Anna C. Hite, Emily.
Edna K. Gerding, Greenwald.
Raymond B. Sullivan, International Falls.
George A. Schultz, Ottertail.
Evelyn McGivern, Staples.
James Monroe Cunningham, Sturgeon Lake.

NEVADA

Renee C. Gibson, Beatty.
Teresa A. Mahoney, Beowawe.
Thelma R. Studer, Gabbs.
Edward L. Gregory, Goldfield.
Josephine Roberts, McGill.
Beatrice E. Hinds, Smith.
Carolyn W. Parshall, Stewart.
Alice I. Strieby, Wellington.
Ray E. Hepworth, Wells.

NEW MEXICO

Carl J. Dagostino, Socorro.

NORTH DAKOTA

John J. Murray, Mandan.

OREGON

Ardis E. Bradley, Aumsville.
Farley J. Elliott, Bend.
Victor Carl Black, Dallas.
Joseph Omlin, Jr., Gold Beach.
Loyal E. Smith, Sherwood.

PUERTO RICO

Domingo Lopez, Maricao.
Georgina M. Lamas, Roosevelt.
Roberto Ortiz Colon, Vega Baja.
Josefa G. Lorenzi, Yauco.

TENNESSEE

D. Naomi Anderson, Madison College.
Lewis E. Moore, Sr., Nashville.
Edgar W. Marshall, Surgoinsville.

UTAH

Riley W. Goodfellow, Bountiful.
C. Henry Nielsen, Brigham.
Ted R. Mower, Fairview
Claud M. Glazier, Kanab.
Edward W. Vendell, Ogden.
John T. Adams, Tooele.

WEST VIRGINIA

Frederick C. Page, Beechbottom.
William G. Meredith, Dailey.
Maude L. Copeland, Elk Garden.
Clara Marie Hess, Farmington.
Elizabeth L. Williams, Glen Rogers.
Alice L. Maschal, Glen White.
Charles H. Callison, Hillsboro.
Hazel O. Harbert, Lumberport.
Athaline H. King, Mabscott.
Vincent A. Johnson, Man.
Henry E. Chapman, New Martinsville.
Andrew J. Nemeth, Osage.
Marietta Walker, Peach Creek.
Marie N. Fox, Prenter.
Josephine G. Bryant, Raysal.
May H. White, Roderfield.
Jane B. Graham, Thurmond.
Troy R. Swecker, Valley Head.
Walter S. Bambrick, Weirton.
Mary L. Vance, Whitmans.

HOUSE OF REPRESENTATIVES

WEDNESDAY, MARCH 16, 1949

The House met at 11 o'clock a. m.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Thou who dwellest in eternal light, give us power of will to forsake the dark things of mind, evil appetites, the spirit of envy and hate. In Thy sight no life is common or worthless; create within

us that type of manhood that is well balanced, spiritualized, and strong.

Enable us to bear the yoke of service without complaint and to perform our duty in the spirit of a high privilege. O sustain and encourage every plan and act which means greater stability to our free institutions, and richer blessings to all our people.

Thou Prince of Peace, we pray not only for our own country but for the lands of the whole earth. So extend our vision that we shall take into our sympathy the welfare and safety of every nation, contending against whatever worketh wrong between man and man, nation and nation. In Christ's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

ELECTION TO COMMITTEE ON EXPENDITURES IN THE EXECUTIVE DEPARTMENTS

Mr. DOUGHTON. Mr. Speaker, I offer a privileged resolution (H. Res. 152) and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That LOUIS B. HELLER, of New York, be, and he is hereby, elected a member of the standing Committee of the House of Representatives on Expenditures in the Executive Departments.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ELECTION TO STANDING COMMITTEE

Mr. DOUGHTON. Mr. Speaker, I offer a resolution (H. Res. 153) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That OMAR BURLESON, of Texas, be, and he is hereby, elected a member of the standing Committee of the House of Representatives on Foreign Affairs.

The resolution was agreed to.

A motion to reconsider was laid on the table.

COMMITTEE ON FOREIGN AFFAIRS

Mr. KEE. Mr. Speaker, by direction of the Committee on Foreign Affairs, I ask unanimous consent that the Committee on Foreign Affairs be permitted to sit this afternoon during general debate.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia [Mr. KEE]?

There was no objection.

INTERNATIONAL OLYMPIC COMMITTEE

Mr. KEE. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Joint Resolution 178.

The Clerk read the joint resolution, as follows:

Resolved, etc., That the Government of the United States joins in the invitation of the United States Olympic Association to the International Olympic Committee to hold the 1956 Olympic games in the United States at Detroit, Mich.; and expresses the hospitable hope that the United States may be selected as the site for this great enterprise in international good will.

SEC. 2. The Secretary of State is directed to transmit a copy of this joint resolution to the International Olympic Committee.

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. CASE of South Dakota. Reserving the right to object, Mr. Speaker, will the gentleman state whether or not this has the unanimous support of the committee?

Mr. KEE. It is a unanimous report from the committee. I have consulted with the minority leader and also the majority leader.

The SPEAKER. Is there objection?

There was no objection.

The resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. KEE. Mr. Speaker, I ask unanimous consent that the action of the House in passing House Joint Resolution 178 just acted upon be vacated and that an identical Senate resolution (S. J. Res. 56) be substituted.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

Resolved, etc., That the Government of the United States joins in the invitation of the United States Olympic Association to the International Olympic Committee to hold the 1956 Olympic Games in the United States at Detroit, Mich., and expresses the hospitable hope that the United States may be selected as the site for this great enterprise in international good will.

SEC. 2. The Secretary of State is directed to transmit a copy of this joint resolution to the International Olympic Committee.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. Is there objection to the present consideration of the resolution?

There was no objection.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

By unanimous consent, the proceedings by which House Joint Resolution 178 was passed were vacated and that resolution laid on the table.

THIRTIETH ANNIVERSARY OF AMERICAN LEGION

Mr. SCRIVNER. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Kansas [Mr. SCRIVNER]?

There was no objection.

Mr. SCRIVNER. Mr. Speaker, 30 years ago yesterday, in the city of Paris, France, the American Legion was born.

The 30 years of its unselfish service to not only veterans but also to the community, State, and Nation, has earned the American Legion the confidence of this Nation.

"For God and country," as its preamble states, veterans of World War I and World War II have joined together in the greatest service organization, except the churches, in our history.

Its blue and gold emblem signifies honorable service under the flag of the United States in war and peace.

The American Legion has always led the way with its program of preparedness, but its advice and warnings were not always heeded.

So, to the American Legion on its thirtieth anniversary, many happy returns of the day.

EXTENSION OF REMARKS

Mr. CASE of South Dakota asked and was granted permission to extend his remarks in the RECORD and include an address by Hon. JOSEPH W. MARTIN, minority leader, broadcast over Mutual network on Tuesday, March 15, 1949.

Mr. SMITH of Wisconsin. Mr. Speaker, on last Friday I secured permission to extend my remarks in the RECORD and include extraneous matter. I am informed by the Public Printer that it is in excess of the amount allowed under the rules, in the amount of $159.75. I ask unanimous consent that notwithstanding the additional cost it may be printed.

The SPEAKER. Notwithstanding and without objection, the extension may be made.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. McDONOUGH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include a statement and a letter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

[Mr. McDONOUGH addressed the House. His remarks appear in the Appendix.]

INJUDICIOUS PRESS RELEASES

Mr. MAHON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MAHON. Mr. Speaker, I arise to protest the action of military officials in permitting release to the press and our potential enemies of important military information. Secret discussions before the Joint Chiefs of Staff, alleged information as to how we expect to hit 70 vital Russian targets, information as to the content of top-secret maps in the Pentagon is recklessly bandied about in the press. The fact that some of the information is garbled is no defense.

In my capacity as chairman of the Subcommittee on Appropriations for the Army, Navy, and Air Force, I have registered emphatic protest with officials. They advise that no authorized statements have been made, and they express concern over unauthorized press reports.

I wish the people who are apprehensive about war would quit giving away important military information to our potential enemies. It is not an exaggeration to say that America is giving away a billion dollars' worth of information each year to potential enemies. The fact is that with the information which is being made public about the details of our Military Establishment and as to our

future plans, potential enemies can conserve their expenditures and make the best possible application of their funds. Smart football quarterbacks do not give the opposing team all the signals and strategic plans before the game is played.

Military people are not the only offenders. In some instances Congress has not been blameless. The Atomic Energy Commission has recently made available to the people and our potential enemies what could appropriately be called a bombardier's map showing the exact location of all our atomic installations. Time does not permit references to ill-advised statements as to biological warfare developments and the recitation of other indiscretions within and without the Government.

Mr. Speaker, all of this reckless disregard of our national security must stop. I hope my colleagues will join me in calling a halt.

EXTENSION OF REMARKS

Mr. HELLER asked and was given permission to extend his remarks in the Appendix of the RECORD.

THE LATE HONORABLE THOMAS PRYOR GORE

Mr. MONRONEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MONRONEY. Mr. Speaker, it is with deep sorrow and regret that I rise to announce the death this morning of a great Oklahoma statesman, the Honorable Thomas Pryor Gore, one of the first United States Senators from Oklahoma. He passed away this morning after having a cerebral hemorrhage.

Senator Gore served the State of Oklahoma as its first Senator. He came to the United States Senate in 1907 and served with great distinction until 1920. He returned to the United States Senate in 1926 and served until 1932. He was accidentally blinded as a child. Despite this almost insuperable handicap he managed to write a record of great and distinguished service in the political life of his country and in his State.

Oklahoma deeply mourns and regrets the death of this truly great and courageous statesman. His sense of humor, his sense of fairness, his courage to face defeat for a principle in which he believed without compromise, sets him apart and sets him forward with the great statesmen who have served the United States of America.

Senator Gore was 78 years of age when he passed away at 9:50 a. m. today.

I would like to incorporate here excerpts from the Washington Evening Star announcing Senator Gore's passing:

Thomas Pryor Gore was of the breed that turns handicaps into assets.

When he was 8 years old, a stick thrown at a cow by a playmate blinded his left eye. Three years later, accidental discharge of a toy gun destroyed the other eye.

For the next 5 years, until he was 16, young Tom Gore was without formal schooling. But during those years he was developing the qualities that served him well through three Senate terms—a retentive memory, an independence seldom found in the handicapped and a bright philosophy that penetrated the walls of darkness.

Before the darkness closed in Mr. Gore had been a page boy in the State senate of his native Mississippi. It was then the germ of politics was planted. It was nurtured along the way, such as the day when he was 16 and found a CONGRESSIONAL RECORD. He memorized the name of every Senator, and from that time on he knew by heart every congressional roster.

WON DEGREE IN 1892

After winning a law degree from Cumberland University in 1892, Mr. Gore moved to Texas. Here he began moving into the political arena, exercising an oratorical skill that later stood out even in the Senate, and winning over a young woman who was later to be his eyes and his inspiration.

He married her, Miss Nina Kay of Palestine, Tex., in 1900, and the next year they moved to Lawton, Okla.

Up to then he had been a Populist, but William Jennings Byran's ascendancy turned him into what he called a regular Democrat. He practiced law and helped write the budding State's constitution, and when statehood came in 1907, his friends urged him to run for the House.

Mrs. Gore would have none of it. She insisted on the harder road, and Mr. Gore declared for the Senate. He won the honor along with Oklahoma's other first Senator, Robert L. Owen, on his thirty-seventh birthday.

Mr. Gore served until 1921, then after a lapse of 10 years, returned for the term ending January 1, 1937.

KNOWN FOR HUMOR, WIT

Husky, erect, white-haired, Mr. Gore was impressive in the Legislature. He became known for his infectious humor, sharp barbs of wit, and for a forthright single-mindedness that often carried him off the administration track.

He was one of the few who opposed President Wilson's recommendation for a declaration of war in 1917. After the war, he fought veterans' bonuses, but finally yielded to them. He opposed United States entry in the League of Nations.

Most of his lawmaking interest centered around the farmer and Indian. Once he was credited with saving $30,000,000 in oil royalties for the Osages by filibustering against a resolution giving private individuals lease rights.

Running fourth in an effort for reelection in 1936, he blamed his defeat on New Deal antipathy. But he had a "feeling of satisfaction that I did not sacrifice my principles."

With the help of his wife, secretary, and friends, Mr. Gore kept abreast with the times by having newspapers, magazines, and books read to him. He had a 50,000-book library of his own, and often would spend hours in the Library of Congress perfecting an erudite speech crammed with historical tid-bits.

PREDICTED COMEBACK

After he was satisfied all pertinent facts had been read to him, the Senator would retire. Several hours later he might emerge, completely prepared for a full-length, factual speech for the Senate.

When he was retired in 1921, Senator Gore predicted he would make a comeback. He not only forecast his return orally, but was so confident he wrote it on a slip of paper and dropped it into a crack of his Senate desk. One of his first acts on returning 10 years later was to retrieve the penciled prediction.

His constant companion and behind-the-scenes adviser, Mrs. Gore, accompanied the Senator on an inspection trip of the Panama Canal. On his return he made a thorough report to the Senate, suggesting legislation to equalize tolls.

Mrs. Gore also was largely responsible for his decision to try a comeback. But she always defended and supported his independence of thought, even when it was apparent that antiadministration tenets would defeat him in 1921.

PRACTICED LAW HERE

After his defeat in 1936, Mr. Gore entered private-law practice here. He had been active up to the time of his fatal illness, working at home when sickness forced him to remain away from his office in the Union Trust Building.

Surviving are Mrs. Gore; their daughter, Mrs. Robert Olds, of 3110 Dumbarton Avenue NW.; and son, Robert N. Gore, with Civil Aeronautics Administration at El Paso, Tex.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. MONRONEY. I yield to the distinguished gentleman from Mississippi.

Mr. RANKIN. Mr. Speaker, no news the gentleman from Oklahoma could have brought to us would have caused me more regret than that of the passing of my distinguished, lifelong friend, Thomas P. Gore, who was born and reared in Mississippi in an adjoining county to the district I have the honor to represent. I have known him ever since I grew up. He was one of the ablest men I have ever known.

He was accidentally blinded when he was about 10 years of age, but regardless of that handicap he became one of the ablest lawyers of the Nation and one of the greatest statesmen who ever graced the United States Senate.

The gentleman from Oklahoma [Mr. MONRONEY] spoke of Senator Gore's sense of humor. I am sure that Senator Gore, if he were with us today, would not object to my telling of this amusing incident, which bears out what the gentleman just said about his sense of humor.

He was debating with a very distinguished Senator many years ago, before he ever left Mississippi, when he was only about 21 years of age. The Senator became infuriated and said, "I cannot afford to take advantage of the gentleman's handicap. I realize he is blind. But if he was on an equality with me in that respect, I would beat the face off of him."

Mr. Gore quietly rose and said, "Mr. Chairman, just blindfold the Senator and lead him around here."

The laughter that followed almost broke up the meeting.

He was not only quick, he was not only witty, he was not only brilliant, but he was one of the most patriotic men who ever graced the Senate of the United States.

I join the distinguished gentleman from Oklahoma in mourning the loss of this great and glorious American.

Mr. MONRONEY. I thank the gentleman from Mississippi.

Mr. SHORT. Mr. Speaker, will the gentleman yield?

Mr. MONRONEY. I yield to the gentleman from Missouri.

Mr. SHORT. Mr. Speaker, it is only because of my personal friendship with Senator Gore that I rise at this moment and having known him, though he was

blind, he could see so much farther than many of us with vision clear.

O world, thou closest not the better part!
It is not wisdom to be only wise,
And on the inward vision close the eyes,
But it is wisdom to believe the heart.

Columbus found a world, and had no chart,
Save one that faith deciphered in the skies;
To trust the soul's invincible surmise
Was all his science and his only art.

Our knowledge is a torch of smoky pine
That lights the pathway but one step ahead
Across a void of mystery and dread.
Bid, then, the tender light of faith to shine
By which alone the mortal heart is led
Unto the thinking of the thought divine.

Tom Gore had the faith, he had the courage to live out his long span of life and render a great service to the State of Oklahoma as well as the Nation. He was my neighbor, he died an honorable man.

God bless him.

Mr. MONRONEY. I thank the gentleman from Missouri for his remarks.

Mr. SABATH. Mr. Speaker, will the gentleman yield?

Mr. MONRONEY. I yield to the gentleman from Illinois.

Mr. SABATH. Mr. Speaker, it was my privilege when I first came to this House to meet a man whom I considered to be one of the greatest Americans with whom I have ever had the pleasure to be associated. Senator Thomas P. Gore and I lived at the old Congress Hotel for a long time. I was well acquainted with his charming wife and daughter, but above all I knew him and his praiseworthy, noble sentiments and manly conduct for which he stood and for which he fought.

He was, indeed, a real progressive, a true liberal while a Member of the Senate. I followed his endeavors very closely. I admired his accomplishments. I do not know of any man who has served his country more faithfully and well than Senator Thomas P. Gore. He served the Nation to the best of his ability, ably and well, for many, many years. I regret exceedingly his passing. The State of Oklahoma has lost a great and useful citizen, and the country a great statesman. At this time I express my very deep and profound sorrow to those dear ones whom he has left behind.

Mr. MONRONEY. I thank the dean of the House for his remarks.

Mr. Speaker, I yield to the gentleman from Oklahoma [Mr. WICKERSHAM].

Mr. WICKERSHAM. Mr. Speaker, Oklahoma and the Nation have lost a man of sterling character, a man of courage and wisdom, an honest, capable, courteous and cooperative public servant, one who gave the major portion of his life to the service of a new State and to the country. He exemplified that true, patriotic and pioneer spirit of the State of Oklahoma. I regret the great loss to the State and to the country due to the passing of former Senator Thomas Pryor Gore.

Mr. MONRONEY. Mr. Speaker, I yield to the distinguished gentleman from Oklahoma [Mr. WILSON].

Mr. WILSON of Oklahoma. Mr. Speaker, the late Senator Thomas P. Gore from Oklahoma had a great handicap as had our late President Roosevelt. The life he lived and the service that he performed is truly a challenge as well as an inspiration to the youth of this land. They should and will understand from the fine records of these great men that in our land, the land of the free, there is an opportunity to rise to great heights. In so rising Senator Gore had beside him his family, his wife and his daughter. To them we extend our deepest sympathies and sorrow. They led him through his affliction. They were with him constantly. They read to him, they counseled him, and they shared in his triumph and rewards in the august body of the Senate of the United States. It is truly fitting that this challenge at this time goes out to America from this great statesman from Oklahoma. All this shall be a monument to his memory. I join these remarks with those of my distinguished colleague from Oklahoma.

Mr. MONRONEY. I thank the gentleman from Oklahoma.

Mr. Speaker, I yield to the gentleman from Texas [Mr. LUCAS].

Mr. LUCAS. Mr. Speaker, I want to join in the remarks of the gentlemen from Oklahoma about the great, revered, late Senator Tom Gore. I had the pleasure of knowing and admiring him very highly. I think he was one of the greatest minds of our generation. His affliction caused him to have a phenomenal memory. I had occasion to note how he could remember in the minutest details some of the smallest things which we are called upon to remember in our daily lives. I, too, truly regret his passing and extend my sincere sympathies to his family.

Mr. MONRONEY. I thank the gentleman from Texas.

Mr. Speaker, I ask unanimous consent that Members who desire to do so may be permitted to extend their remarks in the RECORD at this point.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. RAYBURN. Mr. Speaker, I had known Senator Gore for many years. His wife was born in the district which I represent. Her courage, her loving care helped Senator Gore bear his great infirmity. She deserves much credit. Senator Gore was a good American, a man of splendid ability and served his day and generation well.

Mr. ABERNETHY. Mr. Speaker, on December 10, 1870, Thomas Pryor Gore was born in Webster County, Miss., which county is a part of my congressional district and is also my native county. Like the family from which he came, he was a man of great ability and high intellect.

No man had more grit and determination than did Senator Gore. At 8 years of age he had the misfortune to lose the sight in one eye due to a flying splinter and only 3 years later he lost the other in the accidental discharge of a toy gun. Ordinarily this would have been sufficient to destroy the morale of any man, but not of Tom Gore. Even though he had lost the greatest of all senses—that of vision—he had the determination and will power to advance himself to a position in public and political life that to this day has been unequaled by anyone similarly handicapped. He developed the qualities that served him well through four terms in the United States Senate—a retentive memory, independence of thought and action, and a cheerful philosophy that cast off the darkness in which he lived for more than 67 years.

He was a great debater which is characteristic of the family from which he came. Long before he heeded the call to "go West," he developed into an orator of note and frequently was found on the stump in his native State of Mississippi debating the issues of the times with those whom others would dare not meet. With eloquence seldom equaled by men of his day he drove home his points and needled his opposition with sharp barbs of wit.

Tom Gore came from the common people. He devoted his time, energy, and great intellect to their cause. He builded his life upon a rock. He left a mark which will weather the ages. He served his people with loyalty and his God with a deep and abiding faith.

The people of Webster County, Miss., were proud of Tom Gore as their son; and he was proud of the county of his nativity. Although he moved away more than a half a century ago he never lost interest in his native State and the friends of his boyhood days. In the many conversations he and I have had since my coming to Washington he never failed to inquire, "How are things down in Webster County?" He was always inquiring of many of the older settlers down there and expressed deep interest in their welfare.

I deeply mourn the passing of this great man and am sure that I bespeak the sentiment of the people of my State.

Mr. ALBERT. Mr. Speaker, I was deeply shocked to learn only a few moments ago of the death of a great Oklahoman, a great American, a statesman and leader of men, my friend, the Honorable Thomas P. Gore.

In 1908, Senator Gore was the youngest Member of the United States Senate, representing the youngest State in the Republic. The Oklahoma story since that time is well known. In a single generation a frontier Territory has blossomed into a land of industry and culture. Tom Gore was part and parcel of that illustrious history. Every chapter is stamped with his fingerprints. Every page reflects the luster of his name.

Senator Gore possessed qualities rare even among great men. It has sometimes been said that he was too often the victim of his own courage and of his loyalty to his convictions. It has also been said that a great legislator is one who votes with an eye on the next generation rather than on the next election. Measured by this test, Senator Gore is certainly entitled to take his place among the great legislators of all time.

He was one of the great orators of our time. His speeches are classics of wit and eloquence. They are what wit and eloquence ought to be. Yet there is never in them a suggestion of eloquence for its own sake. He used his rhetoric only as a tool, to tell the story better or to make the picture more complete. He was a

great story teller, but he never trimmed his speeches to fit his tales. The Honorable Josh Lee, who succeeded Senator Gore in the United States Senate, described what I am trying to say so well in his book How To Hold an Audience Without a Rope, when, speaking of Senator Gore, he said:

He illustrated his points with wit and humor, not just cut and dried jokes, but humor woven into the warp and woof of his address.

Senator Gore was a great orator, a great statesman, a great man. He served his day and generation well. More than all that to me, though, he was my friend. Since boyhood I have had the honor of knowing him. For many years I have had the benefit of his wise counsel. I shall miss him sorely. The loss is a personal one to me, which I feel I share with his beloved and devoted wife and loving children. I can conclude only by saying: Oklahoma has lost one of its greatest citizens; I have lost one of my finest friends.

Mr. MORRIS. Mr. Speaker, I was indeed shocked and grieved to learn a few minutes ago of the death this morning of Hon. T. P. Gore, former United States Senator from Oklahoma.

In recent years I have become well acquainted with Senator Gore, but, of course, have known of him since I was a small boy. Almost everyone knew of him because of his great prominence.

He was truly a great man. He possessed so many qualities in such a superlative degree that make for greatness. He was possessed of indomitable will and great courage. A will to live the life abundant, and he lived it. A will to serve his countrymen, and he certainly served them well. In my home city of Lawton, Okla., is a most prominent street known as Gore Boulevard. It was named in his honor, for him. He served that city well. It was also his permanent home. In addition thereto he served the great State of Oklahoma and the whole Nation with great distinction. Yes; his courage was indeed outstanding. I believe I never knew a man in public office in whom I had greater confidence in his being able to withstand so-called political pressure than he. He was a political Rock of Gibraltar against which the winds of expediency wasted themselves. He stood, almost divine like, on a number of occasions, in his political career and fought for what he believed to be the best interest of this country, definitely, in my judgment, with no thought nor concern for his own political welfare. My admiration for him in this regard is unbounded. I truly believe that he will live in the history of this great country—and he helped to make a considerable portion of that history—as one of the immortals of the United States Senate. His ability, his great will and courage, his fidelity to trust, place him among the giants of that great body, in my judgment.

Senator Gore was an eloquent man. When it comes to forensic oratory I doubt seriously if he has been surpassed in this country. In a world he could not see, with physical sight, he moved his audiences to great heights of thinking and emotional reaction by sight of his heart, his mind, and his soul, and pictured to them what he there saw more plainly and beautifully than meets the physical eye. Over a period of many years I heard him speak from time to time. Never have I listened to him without feeling that I was listening to a voice that spoke from a great mind and a great heart. In one respect at least, concerning his ability as an orator, I feel certain he had no equal. He would take a popular song or a popular expression that currently was on the lips of the whole people and use it, or part of it, in connection with a thought of his own, in such a way that all could understand and that all would remember. He was also a past master in the use of humor. He truly belongs, I believe, to the list of the world's great orators.

Many other things could be said sincerely and truly in eulogy of this great man who had so recently stepped off the stage of action, but I must close, and in closing, I wish to add that he was not only a great man with an indomitable will and great courage and possessed of renowned eloquence and ability, but he was a good man as well. Yes, he was truly good. He loved and fought for his fellow man. Handicaps could not embitter him, unjust criticism could not dismay him, fear could not sway him, but he ever moved forward seeking an opportunity to serve. This day we have lost a great American statesman. May God comfort and bless his good wife and other loved ones who mourn his passing.

EXTENSION OF REMARKS

Mr. TEAGUE asked and was given permission to extend his remarks in the RECORD and include extraneous matter.

THE WORLD METROPOLIS, NEW YORK CITY

Mr. KLEIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KLEIN. Mr. Speaker, I should like to call the attention of the House to the fact that the entire April issue of Holiday magazine is devoted to what it calls the world metropolis, New York City.

In presenting this graphic cross-section photograph of New York City, the editors of Holiday have done a great service, not only to New York but to people everywhere, for they have documented how the foreign-born and native, the black and the white, the Jew and the gentile, and many other diverse groups of people have not only learned how to live together amicably but also how to build a great city. It is a lesson that I wish could be shown throughout the entire world.

In analyzing New York City, this magnificent magazine offers 188 photographs of New York scenes and contains separate articles describing the city's government, its restaurants, hotels, and night clubs, its world-famous garment center, Wall Street, Greenwich Village, China Town, Harlem, Yorkville, Little Italy, and the Bowery. The ballet, opera, music, and art which are exhibited in New York are dramatically described in text and photograph, with the prediction that New York is becoming the artistic center of the world.

I am glad that Holiday magazine realizes that the story of New York is a complicated one, that its people and interests are interwoven like a giant fabric, and that it could not be done adequately in a single article or story. In dedicating the entire April issue to New York City, Holiday has been able to cover thoroughly a subject which until now has been dealt with only partially. The writers, illustrators, and editors of Holiday have done a great job, and I congratulate them.

NEW YORK CITY

Mr. JAVITS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. JAVITS. Mr. Speaker, my colleague the gentleman from New York [Mr. KLEIN], has just called the attention of the House to the April issue of Holiday telling the story of New York.

Some people would have us think of New York as a "foreign" city. But this magazine issue shows that New York is truly America, not only of today but of tomorrow. New York is a city of neighborhoods, Greenwich Village, Harlem, Yorkville, the lower East Side, Park Avenue, and my own Washington Heights, each with its own broadly distinctive character and quality. We are really a collection of small towns, not an amorphous mass of people and masonry. There is as much good will, kindness, hospitality, and consideration per square foot in New York as in any other part of America, town or country.

New York's millions of friendly citizens, its rapid transit, its restaurants of many nationalities, its magnificent shops, its unmatched theater and music, the sheer tempo of its movement, are the joy of invention, the passion for freedom, and the drive for progress which is America.

Mr. Speaker, I hope the Members will be inspired by this magazine issue and will visit us in New York and share its wonders with us.

EXTENSION OF REMARKS

Mr. LEFEVRE asked and was given permission to extend his remarks in the RECORD and include an article by Mark Sullivan.

Mr. STEFAN asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. SIMS asked and was given permission to extend his remarks in the RECORD and include extraneous matter.

Mr. WALTER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a report. I am informed by the Public Printer that this will take four pages of the RECORD and cost $284, but I ask that it be printed notwithstanding that fact.

The SPEAKER. Without objection, notwithstanding the cost, the extension may be made.

There was no objection.

INJUDICIOUS PRESS RELEASES

Mr. CASE of South Dakota. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. CASE of South Dakota. Mr. Speaker, I want to second the concern which was expressed by the gentleman from Texas [Mr. MAHON] over the unusual publication of classified military and Air Force information which we have been witnessing in the last few days. If the Army and the Air Force are disclaiming responsibility for it, then certainly somebody should determine who is responsible for its being released. Associated with the gentleman from Texas on the Appropriations Subcommittee for the Army and the Air Force for a great number of years, I have been shocked as he has been by the amount of information that has been released within the past few days, which previously has been discussed only in executive sessions with requests for supersecrecy to avoid saber-rattling on the one hand and toss off vital secrets on the other.

With respect to the pictures published by the Atomic Energy Commission, which he mentioned, may I say that I recently asked the Atomic Energy Commission for a statement about those pictures, and they have supplied me with a complete set of the prints that were used in their annual report. In each instance they have pointed to the fact that they were previously released by the Army or had been published in the Smythe report or elsewhere.

Mr. Speaker, this whole situation calls for a definite investigation and very careful consideration. I do believe in making information public whenever security is not involved, and in particular that information which is helpful in determining the soundness of national policies. I cannot believe, however, that it either aids our security or contributes to peace to make public information that would be helpful to any foreign power in the event of war between us or which might give schemers and mongerers fuel for the flames of fear and war.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, I listened with great interest to the remarks of the gentleman from Texas [Mr. MAHON] and the gentleman from South Dakota [Mr. CASE], both responsible Members of the House, both men of years of service, and both serving on the Committee on Appropriations, one a chairman of the Subcommittee on War Department Appropriations. I cannot sit idly by and listen to the remarks of two such gentlemen without realizing that there is a situation that calls for serious attention. These two gentlemen are serious Members. They would not take the floor to make the observations they have unless they both feel very seriously concerned about the disclosures that are being made and which are against the national interest of our country. In view of the statements coming from such responsible sources, I hope the appropriate committees will make inquiry to find out if any publicity is being given out which is against the national interest of our country. Further, the press of the country ought to be very careful in using matters they may ascertain which are against the national interest. Fortune magazine had an article in last month's issue carrying pictures of our atomic plant. I do not know what they mean, but I understand they gave them an exact photograph, giving information to the Soviet Union.

OUR NATIONAL SECURITY

Mr. SHORT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Missouri [Mr. SHORT]?

There was no objection.

Mr. SHORT. Mr. Speaker, I am happy and gratified that the distinguished and able majority leader has made the statement that he has. I do not know how this information leaks out, but certainly it is something that should concern us all. As the ranking minority member of the Committee on Armed Services, charged with the responsibility of the security of this Nation, I feel certainly those things should not happen. If we tighten our belts and be very careful about our statements to anybody anywhere, I think we will all be better off.

The SPEAKER. The time of the gentleman has expired.

Mr. HINSHAW. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California [Mr. HINSHAW]?

There was no objection.

Mr. HINSHAW. Mr. Speaker, I believe I am the only member of the Joint Committee on Atomic Energy on the floor. I beg your pardon, I see the gentleman from North Carolina, vice chairman of the committee. Perhaps I should not have taken the floor, but permitted him to do so, instead. In all events, I might say to the majority leader, the gentleman from Texas, the gentleman from South Dakota, and the gentleman from Missouri, that the subject under discussion concerning the actions of the Atomic Energy Commission in publishing a book containing a great many photographs of installations of the Atomic Energy Commission has been a subject of inquiry by our committee. I think that is the proper committee to conduct such an inquiry. That inquiry is being conducted and whatever action may be taken at this late date, I am sure will be taken by our committee.

I believe the gentleman from North Carolina will agree with me on that.

Mr. SHAFER. Mr. Speaker, will the gentleman yield?

Mr. HINSHAW. I yield.

Mr. SHAFER. May I observe that that investigation was started almost a year ago by the gentleman from New York [Mr. TABER], concerning the same matter before this book was even issued.

Mr. HINSHAW. That may be, but I think the proper agency to investigate this subject is the Joint Committee on Atomic Energy.

The SPEAKER. The time of the gentleman has expired.

Mr. DURHAM. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina [Mr. DURHAM]?

There was no objection.

Mr. DURHAM. Mr. Speaker, the matter that has been brought up on the floor of the House by two members of the Committee on Appropriations, and also by the majority leader as well as the gentleman from California [Mr. HINSHAW], a member of the joint committee of which I am vice chairman, concerns a report by the Atomic Energy Commission to the Congress.

The joint committee has held hearings recently on this very problem and the Military Liaison Committee informed the committee as stated by the gentleman from California [Mr. HINSHAW] that they interposed no objection to this report. Reports are submitted to the Congress by the departments. I think it is an over-all picture which is the responsibility, not alone of the departments of Government, but also of Members of the House. It concerns me deeply because I feel that some of this information should not be given publicity. I am not one of those who believes in suppressing the scientific developments to the point where the public is not informed on matters of importance to them in the development of science, but I do believe that many things at the present time, which are being released in the scientific field, not only by the Atomic Energy Commission, but in the other departments of the Government, should be scrutinized very carefully.

The SPEAKER. The time of the gentleman has expired.

EXTENSION OF REMARKS

Mr. ADDONIZIO asked and was given permission to revise and extend his remarks in the RECORD and include a resolution.

THE FEPC IN OHIO

Mr. HAYS of Ohio. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio [Mr. HAYS]?

There was no objection.

Mr. HAYS of Ohio. Mr. Speaker, I was very much surprised the day before yesterday to hear the gentleman from Mississippi [Mr. RANKIN] giving some unsolicited advice to the Ohio State Legislature on the handling of the FEPC bill pending before that legislature. I find that Mr. RANKIN'S district has 263,000 population, 16,300 of whom are privileged to vote for him for Congress. I hardly think that is any mandate for him to

advise the Ohio Legislature on any pending legislation. I would predict, that, if they are having any trouble passing the FEPC bill in Ohio, that a little more unsolicited advice from members of the political party of the gentleman from Mississippi, which is apparently not the Democratic Party, will insure its passage without any trouble.

The SPEAKER. The time of the gentleman from Ohio [Mr. HAYS] has expired.

PERMISSION TO ADDRESS THE HOUSE

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi [Mr. RANKIN]?

There was no objection.

[Mr. RANKIN addressed the House. His remarks appear in the Appendix.]

INCREASED PER DIEM FOR FEDERAL EMPLOYEES

Mr. HOFFMAN of Michigan. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. HOFFMAN]?

There was no objection.

Mr. HOFFMAN of Michigan. Mr. Speaker, the gentleman asked for a democratic speech of 1 minute. That is all right with me. But let us have a little economy. I want your help. I am just worried half to death. I am always worried. Ever since the first Roosevelt day.

There will be before the Committee on Expenditures shortly a bill to increase the per diem of Federal employees from $6 to $10 a day. Those folks are just suffering as Congressmen suffer. None of us is getting enough money. So we say. But I wonder if you will be kind enough to explain to me why it is that that per diem must be increased by $4 a day because the Federal employees when they travel on official business cannot get along with the money, $6 per day, they are getting, and still there are so many that with all they have are striving body and soul, to get on a Federal job. That is what I want you to tell me about when the issue of increasing the subsistence allowance by $4 per day comes up.

The SPEAKER. The time of the gentleman from Michigan has expired.

CUT-BACK ON VETERANS' HOSPITALS

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, the Budget took an amazing position a few months ago regarding the cut-back on veterans' hospitals. Those are hospitals that were authorized by the Board of Hospitalization; authorized by the Administrator of Veterans' Affairs; authorized by the Congress. Millions of dollars had been spent in the plans for those hospitals. In some instances ground had already been broken, the land had been purchased and appropriations made. Yet the Budget took it unto itself to cut back those hospitals. Veterans in the districts of every Member of Congress will not be hospitalized unless those hospitals are built. They should be built at once.

I believe the Budget Director far overstepped his authority, and I understand that there is in the Veterans' Administration appropriation bill the money for the building of those hospitals. All the service organizations are making a vigorous effort to have the buildings constructed. I have seldom seen them more upset over what they consider a lack of adequate care of their sick and disabled.

There seems to be plenty of money of the United States to be sent to other countries for hospitals and yet here our veterans' hospitals are cut out. Such discrimination against our veterans is outrageous. Every Member of Congress has the interest of the disabled at heart and will refuse to see him suffer.

The SPEAKER. The time of the gentlewoman from Massachusetts has expired.

INVESTIGATION BY COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

Mr. DELANEY. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 107 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the Committee on Interstate and Foreign Commerce may make investigations into any matter within its jurisdiction. For the purpose of making such investigations the committee, or any subcommittee thereof, is authorized to sit and act during the present Congress at such times and places within or outside the United States, whether the House is in session, has recessed, or has adjourned, to hold such hearings, and to require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, and documents, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member.

The SPEAKER. There is one suggestion the Chair has to make with reference to resolutions submitted by committees.

The pending resolution provides that this committee or any subcommittee thereof may sit anywhere within the United States or outside of the United States whether Congress is in session or not.

Somebody in some committeee ought to look into the matter to see whether or not that is a wise provision.

Mr. SABATH. Mr. Speaker, will the gentleman yield?

Mr. DELANEY. I yield such time as he may need to the gentleman from Illinois.

Mr. SABATH. Mr. Speaker, I fully appreciate the vast powers given under this resolution; however, I have genuine confidence in the chairman of the Committee on Interstate and Foreign Commerce, the gentleman from Ohio [Mr. CROSSER], and I have faith that he will proceed carefully and expeditiously. This committee has made many worthwhile investigations on many important matters, and I feel, in view of the broader jurisdictional powers, the committee may find it necessary to investigate matters outside the territorial limits of the United States.

Mr. WOLVERTON. Mr. Speaker, will the gentlemen yield?

Mr. SABATH. I yield.

Mr. WOLVERTON. I think the observation which has just been made by the chairman of the Committee on Rules is well-founded. It should be borne in mind that the Committee on Interstate and Foreign Commerce has such jurisdiction over such subjects that they are necessarily international in character. The jurisdiction, as the title of the committee indicates, "Interstate and Foreign Commerce," is broad; and when we consider the several subjects under its jurisdiction, aviation, for instance, Federal communications, and all the rest of them, it has that aspect that we cannot overlook.

Mr. SABATH. That is the point I made. I regret that the gentleman did not understand what I stated for the information of the House, namely that this committee has extremely broad jurisdiction, and it may become necessary for it to investigate matters of international importance; consequently, I believe that the Committee on Rules in granting this rule had reason to believe that the power would not be abused and that, at the same time, investigations which might be ordered and conducted would be carried on in the interest of our commerce and in the interest of our Nation.

That is all that I wish to say. I feel that the gentleman from New York should yield to the gentleman from Massachusetts.

Mr. DELANEY. Mr. Speaker, I yield 30 minutes to the gentleman from Massachusetts [Mr. HERTER].

Mr. SHORT. Mr. Speaker, will the gentleman yield me 2 minutes?

Mr. HERTER. Mr. Speaker, I yield 2 minutes to the gentleman from Missouri [Mr. SHORT].

Mr. SHORT. Mr. Speaker, I wish to direct my remarks to the distinguished dean of the House the gentleman from Illinois [Mr. SABATH], who is always eminently fair on the Rules Committee. It seems to me that the Speaker has raised a very reasonable question whether or not the committee is to sit here or outside of the United States. I do not know how far you are going to extend your authority or what you bring back here and report to us. I wonder if the findings are going to be obligatory on us.

Mr. SABATH. The Rules Committee believes this is necessary in view of conditions that exist and that is the reason, although I agree with the Speaker that we should not grant greater power to some of the committees. In this instance I believe this committee should have that power because of its vast jurisdiction and the power which it has.

Mr. SHORT. You are making this permanent law. Committees change.

Chairmen change. You will not always have these eminent gentlemen present.

Mr. SABATH. That is only for the present Congress.

Mr. SHORT. Oh. There is a time limitation. That is satisfactory.

Mr. WOLVERTON. Mr. Speaker, will the gentleman yield?

Mr. HERTER. I yield to the gentleman from New Jersey.

Mr. WOLVERTON. I think we might bring into discussion the fact that under the Reorganization Act the Senate committees have this authority without the necessity of presenting a special resolution. We are merely asking that authority which every Senate committee has in these matters.

Mr. SABATH. That is right.

Mr. DELANEY. Mr. Speaker, I yield to the gentleman from Texas [Mr. RAYBURN].

The SPEAKER pro tempore (Mr. WORLEY). The gentleman from Texas is recognized.

Mr. RAYBURN. Mr. Speaker, to make my position clear, I am not speaking about the jurisdiction of this committee. I know more about the jurisdiction of this committee than most people in the House since Clarence Lea left because I was a member of it for 24 years.

There was one investigation conducted in this Congress, namely the railroad holding companies and the utilities all over the United States, and nothing was said about it in the papers until the report of that very able Dr. Splawn was laid upon the desk of the chairman of the committee. That was a demonstration of how to conduct investigations, not in the newspapers but to get information.

I am not saying this committee does not have jurisdiction to investigate commerce, foreign and domestic. I am talking about committees having the right during the sessions of the Congress to pick up and go over the United States when they ought to be here attending to the job they are elected to do.

Mr. DELANEY. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING THE COMMITTEE ON AGRICULTURE TO CONDUCT INVESTIGATIONS

Mr. LYLE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 112.

The Clerk read the resolution, as follows:

Resolved, That the Committee on Agriculture, acting as a whole or by subcommittee, is authorized to conduct studies, investigations, and to inquire into any matter within its jurisdiction. For the purposes of this resolution, the committee, or any subcommittee thereof, is authorized to sit and act during the present Congress at such times and places within or outside the United States, whether the House is in session, has recessed, or has adjourned, to hold such hearings, to make such inspections or investigations, to use such governmental facilities without reimbursement therefor, and to require, by subpena or otherwise, the attendance and testimony of such witnesses, and the production of such books, records, correspondence, memoranda, papers, and documents as it deems necessary. Subpenas may be issued over the signature of the chairman of the committee, or any member of the committee designated by him, and may be served by any person designated by such chairman or member. The chairman of the committee or any member thereof may administer oaths or affirmations to witnesses.

That the said committee shall issue such reports, including reports to the House of Representatives, with such recommendations for legislation or otherwise, as the committee deems desirable.

The resolution was agreed to.

A motion to reconsider was laid on the table.

COMMITTEE ON THE JUDICIARY

Mr. SABATH. Mr. Speaker, I call up House Resolution 137, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the Committee on the Judiciary, acting as a whole or by subcommittee, is authorized and directed to conduct thorough studies and investigations relating to matters coming within the jurisdiction of such committee under rule XI (1) (*l*) of the Rules of the House of Representatives, and for such purposes the said committee or any subcommittee thereof is hereby authorized to sit and act during the present Congress at such times and places within the United States, its Territories and possessions, whether the House is in session, has recessed, or has adjourned, to hold such hearings, and to require by subpena or otherwise the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, and documents as it deems necessary. Subpenas may be issued over the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member. The chairman of the committee or any member thereof may administer oaths to witnesses.

That the said committee shall report to the House of Representatives during the present Congress the results of their studies and investigations with such recommendations for legislation or otherwise as the committee deems desirable.

The SPEAKER. Without objection, the resolution is agreed to and a motion to reconsider is laid on the table.

There was no objection.

Mr. PATMAN. Mr. Speaker, I desire to be heard on the resolution. The chairman said he would grant me some time.

The SPEAKER. But the resolution has been passed.

Mr. PATMAN. I know, but I ask the chairman of the committee now. I am not against it, but I just want to say a word about it. I was on my feet.

The SPEAKER. Without objection, the proceedings by which the resolution was passed and the motion to reconsider was laid on the table will be vacated.

Mr. MARTIN of Massachusetts. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MARTIN of Massachusetts. What is going on here?

The SPEAKER. The resolution was passed and a motion to reconsider was laid on the table, but the gentleman from Texas said that the chairman of the committee had agreed to yield him time, and he was on his feet, and the proceedings were vacated.

Mr. MARTIN of Massachusetts. A further parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. MARTIN of Massachusetts. Whose fault is it that he was not allowed time?

The SPEAKER. Perhaps the Chair was a little fast. If we are going to do these things, we should pass them as expeditiously as possible.

Mr. MILLER of Nebraska. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MILLER of Nebraska. I would like to have at least 3 or 4 minutes on this resolution, if it is permissible.

The SPEAKER. If those in charge of the resolution will yield time to the gentleman, that can be done.

Mr. HERTER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HERTER. I asked the chairman of the committee for time in this resolution and that time was not granted, so there will be no opportunity whatever to speak on this side.

The SPEAKER. Well, the gentleman will have as much time as the chairman will yield to him. Now the gentleman from Illinois has an hour.

Mr. SABATH. Mr. Speaker, I shall later on, yield to the gentleman from Massachusetts [Mr. HERTER] 30 minutes. I did not wish to deprive him of that time. Of course, I realize that the Speaker is trying to expedite the business of the House by not having the resolution explained, since it is one of the usual resolutions giving power to the Committee on the Judiciary to sit and make investigations and granting to it the power of subpena. But, in view of the situation the gentleman from Texas, having asked for time, and realizing that under the rules the gentleman from Massachusetts is entitled to one-half of the time, I, of course, do not wish to deny him that privilege and that right. It was due as I stated, to the fact that the Speaker wanted to save the House some time.

The power of the Committee on the Judiciary has been broadened due to the reorganizations. The Committee on Rules felt that that committee is entitled to have the power of subpena and also the power to make some investigations, because in addition to other jurisdictions they have jurisdiction over immigration, revision of laws, claims and patent matters.

Mr. Speaker, I yield 30 minutes to the gentleman from Massachusetts [Mr. HERTER].

Mr. HERTER. Mr. Speaker, I yield myself 1 minute, for the purpose of asking the ranking member of the Committee on the Judiciary whether or not the purpose of this resolution is to give the chairman of that committee the right to institute investigations into insurance companies. There has been a great deal of discussion that that is the purpose of this resolution, and I think the House ought to be clear as to whether or not it is true.

Mr. WALTER. No, that is not the purpose. The principal reason for the

resolution is to give the Committee on the Judiciary the power that was formerly in the Committee on Immigration and Naturalization before the functions of that committee were absorbed by the Committee on the Judiciary under the reorganization law.

Mr. HERTER. Can the gentleman give us any assurance that this power is not going to be used for the conduct of an insurance investigation, which I understand one member of the committee is very eager to pursue?

Mr. WALTER. Speaking for myself and, I believe, for a majority of the members of the committee, nobody has any idea that the power given by this resolution will be used for that purpose. It is my understanding that another resolution has been introduced for that purpose and that, if an investigation is to be made, it will be made after the adoption of that other resolution.

Mr. HERTER. I thank the gentleman.

Mr. Speaker, I yield 4 minutes to the gentleman from Nebraska [Mr. MILLER].

Mr. MILLER of Nebraska. Mr. Speaker, I feel it is the function of Congress to make these investigations. I agree with the Speaker that there is some question about permitting these investigations to proceed when the House is in session. I question also the scope of the resolutions that permit investigations outside of the United States while the Congress is in session.

My purpose in speaking at this time is to make several suggestions to the Committee on Interstate and Foreign Commerce and the Committee on Agriculture as to some avenues they might investigate. It would be interesting to know why the Government has bought so much coconut oil from all over the world and found it necessary to store that oil so close to the soap factories. Is it true that this oil is turned over to the soap factories after 3 years and at a very low cost? How much does the Government lose on these transactions? Does Secretary Sawyer or any one in the Department of Commerce have any connection with a soap factory?

Why not raise the question on the importation of meat. Has 419,000 head of cattle come from Canada this last year? I understand that the importing of meat is 3 times more than the 10-year average. What caused the price of hogs to break? Was it export controls on lard? How much meat did our Government buy from Argentina? Was lard sold to other countries who in turn raised the price 11 cents and sold the same lard to Marshall-plan countries? I would like the Agriculture Committee to investigate the huge amount of poultry and eggs now being imported. The Government recently bought 144,000,000 eggs, took them off the market to support the price of eggs and at the same time we are importing more eggs and poultry than at any time in our history. Does this mean that the farm wife must compete with eggs from all over the world? Why does the administration fail to support the price of milk as the law provides?

It would be important to inquire why the Government has permitted Canadian seed potatoes to come in and they are being sold at less than the support price. The potatoes coming on the market today from our own growers must be bought at the support price. There is a fertile field for these investigating committees. Find out, if you can, why the big spread between what the producer gets and the consumer pays. I feel some of the practices carried on by this Government have reacted against the interests of the people of this country. There is a fertile field for action. Get the truth and be not afraid to tell the people.

Mr. SABATH. Mr. Speaker, I yield 2 minutes to the gentleman from Texas [Mr. PATMAN.]

Mr. PATMAN. Mr. Speaker, I am not opposed to this resolution. I am strongly in favor of it. We have a good committee on the Judiciary. I have confidence in the members of that committee. I am anxious for them to have the vehicles and the weapons to do their job. This committee has an enormous job before them. They are entitled to the support of the House in their important undertakings.

The responsibility for carrying out some of the major parts of our Democratic platform of 1948 is on this committee. When the Committee on the Judiciary presents bills to correct the evils in our economic system that are complained of or discovered the House and Senate should support these bills.

Our pledges to the people are:

The Democratic platform, 1948, contains the following excerpts:

We recognize the importance of small business in a sound American economy. It must be protected against unfair discrimination and monopoly, and be given equal opportunities with competing enterprises to expand its capital structure.

We pledge an intensive enforcement of the antitrust laws, with adequate appropriations.

We advocate the strengthening of existing antitrust laws by closing the gaps which experience has shown have been used to promote the concentration of economic power.

We pledge a positive program to promote competitive business and to foster the development of independent trade and commerce.

The Republican platform of 1948 contains the following language:

Small business, the bulwark of American enterprise, must be encouraged through aggressive antimonopoly action, elimination of unnecessary controls, protection against discrimination, correction of tax abuses, and limitations of competition by governmental organizations.

PRESIDENT TRUMAN PROMISES ACTION

At Louisville, Ky., September 30, 1948, in a radio broadcast, President Truman stated:

Profits, after taxes, of all corporations were running at the rate of twelve billions a year in the spring of 1946, before price control was ended. Two years later, in the spring of 1948, they were running at the rate of $21,500,000,000—an increase of 70 percent in corporation profits.

There are some people whose incomes have gone up faster than prices, even if yours hasn't. One of America's largest corporations reports that it paid its top 10 executives $865,000 in 1946.

Now, let's just take another example. Look at the record on monopoly. The plain facts on monopoly are these:

Two hundred giant industrial corporations own nearly half of all our industrial assets.

One hundred commercial banks control one-half of all the bank deposits in the United States.

Three steel companies own 59 percent of all the ingot capacity of the United States.

Two corporations produce 83 percent of all the tin cans.

These facts shout a warning to all of us. They mean that big business can manipulate prices and production at its own discretion, regardless of the public good. That's not healthy for this country—it's the biggest threat there is to our free-enterprise system.

President Truman also stated in the same speech the following:

My administration has been doing what it could to break up monopolies through the antitrust laws. And we asked the Republican Eightieth Congress to strengthen those antitrust laws to plug up some of the loopholes.

Studies by the Federal Trade Commission have shown that big corporations have been gobbling up small businesses faster than ever during the past few years. And this process cannot be stopped until the Congress passes legislation to stop up these loopholes.

Did the Republicans give us unity in our fight against monopoly? Well, of course not. That's not the kind of unity they believe in.

Instead of strengthening the antitrust laws, the Republican Congress passed—over my veto—an act which exempts one whole segment of industry from those laws. Under this act the railroads no longer have to worry about antitrust laws when they set rates. The Republican Congress fixed that for them.

That's what I mean when I say the Republican Party is willing and eager to listen to the voice of big business and special privilege.

Give us a Democratic Congress and we will take action against monopoly. That will be a change.

CHALLENGE

This is a great challenge to the great Committee on the Judiciary.

President Truman, for the Democratic Party, has his promises out to the people that substantial changes will be made and the people protected from monopoly and greedy economic power.

It is my sincere hope that the Committee on the Judiciary will give early attention to the promises made by our Democratic Party and by our great President concerning these important questions.

TOO MANY LOOPHOLES AND TOO FEW NOOSES IN ANTITRUST LAWS

There are many loopholes in our antitrust laws. Every loophole should be taken out and a noose inserted instead so that any time any person, firm, or corporation attempts to frame up on the public and create a monopoly or to fix prices against the public interest, there should be effective ways of preventing it.

President Harry S. Truman, in his speech to the Congress, January 5, 1949, stated:

Small business is losing ground to growing monopoly.

President Truman also stated in a Jefferson-Jackson Day speech February 24, 1949:

The special interests are on the job year in and year out—7 days a week, and 24 hours

a day. They work through their lobbies and pressure groups, through the editorial pages and the columnists and commentators they control. They twist and misrepresent the measures the people voted for. They are again trying to frighten the people with the old, worn-out bugaboo that socialism is taking over in Washington.

February 17, 1949, the Honorable Herbert A. Bergson, Assistant Attorney General in charge of the Antitrust Division of the Department of Justice, delivered an address entitled "Current Problems in the Enforcement of the Antitrust Law," before the Association of the Bar in the city of New York on Trade Regulation. In this speech, Mr. Bergson stated:

Another important monopoly problem is the elimination of competition through mergers and asset acquisitions. Section 7 of the Clayton Act was designed to forbid the acquisition by one corporation of the stock of competing corporations where the result would be substantially to lessen competition. In 1914 when the Clayton Act was passed stock acquisition was the usual device for effectuating mergers. Today the prevalent merger device is asset acquisition. The Supreme Court has held that section 7 of the Clayton Act does not prevent the acquisition of assets, nor does it provide authority for the Federal Trade Commission to order divestiture of assets acquired as a result of an illegal acquisition of stock. Thus, two loopholes exist by means of which the basic purpose of section 7, to arrest the creation of monopolies, is defeated.

Since 1929 the Federal Trade Commission has unsuccessfully urged the Congress to amend the Clayton Act to prohibit certain acquisitions of assets as well as stock. This year the President mentioned this problem in his state of the Union message and urged the Congress to cure the anomalous situation.

EFFORTS MADE SINCE 1929

It will be noticed that Mr. Bergson says that the Federal Trade Commission has been trying to get the Clayton Act amended so as to plug up this enormous loophole in our antitrust laws since 1929. During that time we have had 20 regular sessions of Congress and many special sessions.

It is true that the present Committee on the Judiciary of the House of Representatives has reported this bill out more than once. The last time it was reported out unanimously, but for some unknown reason it was stopped before it got to the floor of the House for consideration. It is my hope that the Committee on the Judiciary will again report this bill out and insist on its early passage.

SECTION 7 AMENDMENT NOT COMPLETE ANSWER

In addition, something should be done to break up these big combines that have a monopoly. If the bill to amend section 7 becomes a part of the law of the land, it will merely freeze the situation as it is. In other words, the concerns the past 20 years that have bought out their competitors and run their competitors out of business and acquired huge additional facilities through unfair practices will be allowed to keep everything they have and will not be punished at all. The amendment will merely prevent future mergers and combines.

DIVESTITURE AND DIVORCEMENT

Further remarks of Mr. Bergson in his New York speech were as follows:

With regard to the future, it is our purpose to intensify our activities against monopolies and attempts to monopolize. In this connection, we have encouraged the application of the remedies of divestiture and divorcement. We believe that where appropriate these remedies are the most expeditious means of eradicating the economic consequences of monopoly.

In addition, we shall continue our efforts to prosecute illegal conspiracies in food, clothing, and housing. We shall also bring selected cases involving restraints wherever the facts justify.

We must not allow our system to be imperiled through ignorance or disregard of the antitrust laws.

The American people and the enlightened leaders of American business are determined that we shall preserve the fundamental principles of free enterprise.

ECONOMIST OF FEDERAL TRADE COMMISSION TESTIFIES

During the last session of Congress, Dr. John M. Blair, Assistant Chief Economist, Federal Trade Commission, Washington, D. C., testified before the Select Committee on Small Business concerning the concentration of wealth and economic power in the United States. His testimony presented some amazing facts about concentration in different industries. He points out that 113 large corporations at the end of 1947 held 43 percent of the total assets of all manufacturing corporations in the United States. He also discusses the earliest movements toward consolidations, combinations, and concentration, as well as the necessity for the amendment of section 7 of the Clayton Act. In addition, he discusses the disappearance of 2,500 companies between 1940 and 1947 caused by mergers.

Only a part of Dr. Blair's testimony is included.

STATEMENT OF DR. JOHN M. BLAIR, ASSISTANT CHIEF ECONOMIST, FEDERAL TRADE COMMISSION, WASHINGTON, D. C.

Mr. BLAIR. John M. Blair.

Mr. BALLINGER. You are the Assistant Chief Economist of the Federal Trade Commission?

Mr. BLAIR. That is right, sir.

Mr. BALLINGER. Mr. Chairman, I have known Mr. Blair for many years. He is quite an authority on the concentration of wealth and economic power in America. I asked him to appear before the committee and give his conclusions as to the extent of this concentration.

Mr. BLAIR. Mr. Chairman, I would like to begin my testimony with the submission of some new facts on the extent of concentration in manufacturing industry. These new facts consist of figures which have been developed by the Federal Trade Commission. They are presented in the form of balance sheets in which the proportion of various items on the balance sheet held by large corporations, as a percent of the total, is clearly set forth. With your permission, I would like to offer for the record these new figures on the extent of concentration.

Mr. STEVENSON. I would suggest that you just offer them.

Mr. BALLINGER. Do you wish to comment on them?

Mr. BLAIR. I would like briefly to comment on them, if it meets with the pleasure of the committee.

Mr. BALLINGER. It is accepted for the record, Mr. Chairman?

Mr. STEVENSON. All right.

Mr. BLAIR. Thank you.

(The document referred to follows:)

Concentration in manufacturing as measured by the holdings of 113 corporations with assets of $100,000,000 and over

CONDENSED BALANCE SHEET

	113 corporations with assets of $100,000,000 and over		Total, manufacturing corporations (millions of dollars)
	Millions of dollars	Percent of total	
ASSETS			
Cash	4,340.3	39	11,178.5
U. S. Government securities	3,433.0	50	6,840.1
Other marketable securities	127.3	18	703.4
Accounts and notes receivable—net	4,155.2	34	12,110.1
Inventories	10,175.1	38	26,472.7
Other current assets	140.9	20	703.8
Total current assets	22,371.8	39	58,008.7
Property, plant, and equipment—net	16,093.4	50	32,321.3
Other assets including deferred charges	3,732.1	52	7,234.0
Total assets	42,197.3	43	97,564.1
LIABILITIES			
Bank loans payable within 1 year	545.2	20	2,785.8
Other notes and accounts payable	3,088.6	40	7,716.3
Federal income taxes accrued	2,610.2	37	7,101.0
Other current liabilities	1,549.8	38	4,107.9
Total current liabilities	7,793.6	36	21,711.4
Long-term debt and other liabilities	5,070.0	58	8,750.7
Stockholder's equity	29,333.9	44	67,102.6
Total liabilities	42,197.3	43	97,564.1

Concentration indexes for petroleum industry, 1947

CONDENSED BALANCE SHEET

	6 largest corporations [1]		4 largest corporations [2]		Industry total (millions of dollars)
	Millions of dollars	Percent	Millions of dollars	Percent	
ASSETS					
Cash	557	53	427	41	1,052
U. S. Government securities	479	69	475	68	695
Accounts and notes receivable—net	668	57	523	45	1,166
Inventories	1,022	59	843	48	1,742
Other current assets	85	74	85	74	115
Total current assets	2,811	59	2,353	49	4,771
Property, plant and equipment—net	4,629	62	3,449	46	7,517
Other assets, including deferred charges	1,037	76	870	64	1,361
Total assets	8,477	62	6,671	49	13,649
LIABILITIES					
Bank loans payable within 1 year	2	5	2	5	38
Other notes and accounts payable	608	56	511	47	1,077
Federal income taxes accrued	229	51	180	40	446
Other current liabilities	222	62	144	40	360
Total current liabilities	1,062	55	837	44	1,920
Long-term debt and other liabilities	942	59	710	44	1,595
Stockholders' equity	6,472	64	5,123	50	10,135
Total liabilities	8,477	62	6,671	49	13,649

[1] Texas Co., Socony-Vacuum Oil, Standard Oil of Indiana, Standard Oil of New Jersey, Standard Oil of California, Gulf Oil Co.

[2] Texas Co., Socony-Vacuum Oil, Standard Oil of Indiana, Standard Oil of New Jersey.

Concentration indexes for linoleum industry, 1947

CONDENSED BALANCE SHEET

	4 largest corporations [1]		3 largest corporations [2]		Industry total (millions of dollars)
	Millions of dollars	Percent	Millions of dollars	Percent	
ASSETS					
Cash	11	70	10	68	15
U. S. Government securities	7	85	7	85	8
Accounts and notes receivable—net	18	90	17	89	19
Inventories	40	95	39	92	42
Other current assets	1	97	1	97	1
Total, current assets	77	88	75	87	87
Property, plant and equipment—net	67	95	65	92	71
Other assets, including preferred charges	22	98	22	97	23
Total assets	166	92	163	90	180
LIABILITIES					
Bank loans payable within 1 year	0	55	----	----	0
Other notes and accounts payable	9	88	9	86	10
Federal income taxes accrued	12	87	12	85	14
Other current liabilities	3	92	3	91	3
Total current liabilities	24	87	24	85	28
Long-term debt and other liabilities	1	50	----	----	2
Stockholders' equity	141	94	139	93	150
Total liabilities	166	92	163	90	180

[1] Armstrong Cork, Congoleum Nairn, Paraffine Cos., Delaware Floor Products.
[2] Armstrong Cork, Congoleum Nairn, Paraffine Cos.

Concentration indexes for tire and tube industry, 1947

CONDENSED BALANCE SHEETS

	Four largest corporations [1]		Industry total (millions of dollars)
	Millions of dollars	Percent	
ASSETS			
Cash	164	85	194
U. S. Government securities	61	89	68
Accounts and notes receivable—net	257	85	303
Inventories	477	87	548
Other current assets	1	81	1
Tota. current assets	960	86	1,114
Property, plant and equipment—net	362	85	424
Other assets	37	80	46
Total assets	1,359	86	1,584
LIABILITIES			
Bank loans payable within 1 year	----------	----------	8
Other notes and accounts payable	113	83	137
Federal income taxes accrued	70	83	84
Other current liabilities	96	88	109
Total current liabilities	279	83	338
Long-term debt and other liabilities	304	96	317
Stockholders' equity	775	83	929
Total liabilities	1,359	86	1,584

[1] Firestone Tire & Rubber Co., Goodrich Tire & Rubber Co., Goodyear Tire & Rubber Co., United States Rubber Co.

Concentration indexes for wool carpet and rug industry, 1947

CONDENSED BALANCE SHEET

	4 largest corporations [1]		2 largest corporations [2]		Industry total (millions of dollars)
	Millions of dollars	Percent	Millions of dollars	Percent	
ASSETS					
Cash	20	64	12	39	31
U. S. Government securities	13	59	11	49	22
Accounts and notes receivable—net	18	55	12	37	32
Inventories	56	60	34	36	95
Other current assets	0	13	0	6	1
Total current assets	108	59	69	38	182
Property, plant, and equipment—net	35	58	22	36	61
Other assets, including deferred charges	7	65	5	50	10
Tota. assets	150	59	96	38	254
LIABILITIES					
Bank loans payable within 1 year	----	----	----	----	3
Other notes and accounts payable	11	54	7	37	20
Federal income taxes accrued	11	51	6	28	22
Other current liabilities	5	63	3	37	8
Total current liabilities	27	50	17	31	53
Long-term debt and other liabilities	1	20	1	20	5
Stockholders' equity	121	62	79	41	194
Total liabilities	150	59	96	38	254

[1] Bigelow-Sanford, Alexander Smith & Sons, Lees & Sons, Mohawk.
[2] Bigelow-Sanford, Alexander Smith & Sons.

HALF OWNED BY 113

Mr. BLAIR. The first of these sheets refers to concentration in manufacturing as a whole by very large corporations, those with assets of $100,000,000 and over. At the end of 1947, there were 113 manufacturing corporations which could be classified in this giant category. As you will notice from the first sheet, these 113 corporations with assets of $100,000,000 held 50 percent, an exact half, of the Nation's manufacturing property, plant and equipment; that is, its net capital assets—in other words, half of the manufacturing productive power of the United States at the end of 1947.

Mr. BALLINGER. Where does that show on your sheet?

Mr. BLAIR. That is shown in the eighth item down, just below "Total current assets." Then "Property, plant and equipment, net," the 113 largest corporations holding $16,930,000,000 out of a total of $32,321,000,000.

Mr. BALLINGER. These are manufacturing corporations?

Mr. BLAIR. These are manufacturing corporations.

Mr. BALLINGER. Then what is the total number of manufacturing corporations in the United States?

Mr. BLAIR. The total number of manufacturing corporations depends somewhat upon the definition of what constitutes a manufacturing corporation. Some agencies include certain printing establishments, for example, that are not included by others; but, as a rough estimate, there are approximately 70,000 manufacturing corporations in the United States. That does not include partnerships.

Mr. BALLINGER. How many partnerships and individual proprietorships would you add to that?

Mr. BLAIR. That, of course, again has to be a matter of very rough estimate. The latest figures that I have available are presented in the study by the Senate Small Business Committee, "Economic Concentration in World War II," which was printed as a Senate document. If you will pardon me, I will look that up.

Mr. STEVENSON. What is the purpose of your questions?

Mr. BALLINGER. I would like to know just what the extent is. There are so many corporations, there are so many individual proprietorships and there are so many partnerships. I want to get the total number of firms. I will ask him another question to determine the concentration in manufacturing.

Mr. BLAIR. In 1939 there were 184,230 establishments, and 95,187 corporations. Some of those establishments were parts of multiplant corporations, but taking corporations as compared to the individuals, partnerships and other forms of business enterprise other than corporations, one has a comparison of 95,187 in 1939, representing number of corporations, as compared to 89,043 individuals, partnerships, and so forth, in manufacturing.

Mr. BALLINGER. What percentage of manufacturing is accounted for by the corporations compared to the others? Are there any figures on that?

Mr. BLAIR. In 1939—and I might interpolate there and state that we hope to have more recent figures——

Mr. STEVENSON. I was going to say that 1939 has no bearing on 1948.

Mr. BALLINGER. I wonder if he could bring them up to date.

Mr. STEVENSON. Instead of taking our time, let us try to answer the question and bring that in later.

Mr. BLAIR. In 1939, the most recent date for which we have the figures, 92 percent of the business in the manufacturing field was done by corporations. Now, we hope to have more recent data for the year 1947, but that will not be available until the census of manufactures for 1947 is tabulated. At best, all I can say is that probably there are in the vicinity at the present time of 150,000 business enterprises in the field of manufacturing, of which probably somewhat more than half are corporations, and those corporations probably account for more than 90 percent of the business done in manufacturing.

Mr. BALLINGER. That sums it up perfectly.

Mr. STEVENSON. That is very satisfactory.

Mr. BLAIR. I would like to call your attention also to another item on this balance sheet, that is the proportion of total assets held by these 113 giant corporations, as distinct from the property, plant, and equipment. At the end of 1947, to which all of these figures refer, forty-two billion out of a total of ninety-seven and six-tenths billion of assets were held by the 113 large corporations. In other words, they held no less than 43 percent of the total assets of all manufacturing corporations in the United States.

Economic power, however, is not merely a matter of productive plant and equipment. In times of stress the extent to which a corporation maintains a liquid position may be of critical significance. Therefore, I would suggest that two indexes of liquid position might be examined. Clearly, the two leading indexes of liquid position are cash and holdings of United States Government securities, and both of these reflect economic power—power to go out and buy up other firms, power to expand plant and equipment, power to engage in any of a vast number of different activities.

At the end of 1947 the 113 largest corporations held approximately 40 percent of the total cash held by all manufacturing corporations, and their position was even more outstanding with reference to holdings of United States securities. The 113 corporations possess no less than half of all the United States Government securities held by

all manufacturing corporations in the country.

I think that is a rather interesting point. The 113 largest corporations hold half of the productive power as measured by plant and equipment, and they also hold more than half the Government securities, which represent an enormous concentration of what might be termed "available economic striking power."

Mr. BALLINGER. You made the statement that they hold 40 percent of the liquid financial power, is that it, these 113 corporations?

Mr. BLAIR. They held 40 percent of the cash and 50 percent of the United States Government securities. Those are the two most liquid forms of current assets, obviously.

Referring to the liability side of the tables, we find that the stockholders' equity reveals almost the same degree of concentration as does total assets. In other words, the 113 largest corporations at the end of 1947 held 44 percent of all the stockholders' equity in all manufacturing corporations in the country.

Attached to this first table there are four other tables which refer to different industries, specifically, petroleum (that is, refining), linoleum, tires and tubes, and wool carpets and rugs. These industries have been selected for the purpose of showing concentration in industries of quite dissimilar character. For example, the petroleum industry is one of the largest and most fundamental industries in the country. It has a long record of mergers, acquisitions, expansions, and cartel activities, to which I will refer later.

In contrast, the linoleum industry is a relatively small segment of the American economy, and yet it is one of the most highly concentrated fields in America.

The rubber tire and tube industry has long been characterized by a high degree of economic concentration and by mergers, acquisitions, price discrimination on the part of the large companies, and a general disappearance of smaller tire and tube manufacturers from the field.

Finally, the wool carpet and rug industry has been included as an example of an area where a high degree of concentration exists notwithstanding the widespread impression to the effect that the textile field is one in which small business generally predominates.

Summarizing briefly the data shown on those tables, we find that the largest four petroleum manufacturers control 49 percent of the assets of their industry; the largest four producers of wool carpets and rug control 59 percent of the assets in their industry; the four largest tire and tube companies control 86 percent; and the four largest linoleum producers control 92 percent of the assets in their respective industries.

Generally a similar high degree of concentration is shown by the other measures presented on the table.

So much for the existing high degree of economic concentration which prevails in manufacturing industry as a whole and in certain specified industries.

I might say in that connection, Mr. Chairman, that a year or so ago a staff committee report of the House Small Business Committee was issued, and that staff report indicated or stated that one of the most fundamental functions which the Federal Trade Commission could perform would be that of preparing and maintaining a continuing index of concentration for the various industries of the country. The purpose of such indexes of concentration would obviously be that of providing the committe, the Congress as a whole, and the Commission with a current idea or picture of where changes in economic concentration are taking place, where concentration is rising, remaining stable, or falling.

It would more or less perform the function of serving as a red light, of danger signal, calling the attention of Congress and the Commission to those particular fields in which changes in concentration appear to be significant.

We do our best to perform that function with the resources that we have. Frankly, our resources are not sufficient to prepare current indexes of concentration for all of the basic manufacturing industries. We hope that sometime in the future the Commission will be in a position to be able to provide on a current and regular basis information of this type for practically all of the basic manufacturing industries.

The question of course then arises, after one dwells a moment upon these figures, which reveal such a high degree of concentration in American industry, as to how we reached this condition. How did it come about? What is the history of this movement toward a greater and greater control of the American economy by a smaller and smaller number of larger and larger corporations? I am sure that the committee does not wish me at this time to present an extensive history of the whole trend toward economic concentration, but if it pleases you, I would like just briefly to set forth a few highlights in the historical development.

Mr. STEVENSON. Go ahead.

Mr. BLAIR. The earliest precursors of the movement toward consolidation, combination, and concentration were the so-called gentlemen's agreements and pools which developed shortly after the Civil War. They were followed in turn by the trusts, of which of course the Standard Oil trust was the most outstanding example. Then the State of New Jersey enacted a law which permitted intercorporate stockholding and thus legalized something which had theretofore been illegal, namely, the holding company. With the legality of the holding company thus established, there developed a tremendous consolidation movement running from 1896 to 1903 which saw one giant combine after another created, the most outstanding example of which was the United States Steel Corp.

In that connection, Mr. Andrew Carnegie, who, of course, was very active in the steel industry prior to that time, referred to this great consolidation movement by stating that "They throw cats and dogs together and call them elephants." The period was marked by the flotation of enormous amounts of watered stock. A common saying had it that the watered stock of the United States Steel Corp. was sufficient to float the combined navies of Great Britain and the United States. Actually, the Commissioner of Corporations was somewhat more explicit, finding that the real value of the corporation's stock was about half of that which had been issued.

That early movement had another characteristic which later became of uncommon and unusual significance. Most of those consolidations during that great period consisted of the purchase of stock rather than assets. Why? For one thing it was much easier to buy up the stock. For another, by buying up the stock one had a base to issue great quantities of securities. Also, the former owners of the companies that were brought together could be paid off with the stock, the newly issued stock, of the newly formed combine. From every point of view it was the easiest, the most profitable way to promote combines and consolidations.

It was with that historical background in mind that Congress in 1914 enacted the Clayton antitrust law. Section 7 of that law gives the Commission the power to prohibit the merger of competing corporations when that merger is accomplished through the purchase of stock. But the law said nothing about assets, thereby creating a devastating loophole in the law, particularly since certain Supreme Court decisions were handed down during the 1920's and the early thirties.

The net effect of leaving out assets in that bill, an omission which can be readily understood and visualized when viewed against the past history of that great consolidation movement at the turn of the century, was to make the law virtually a dead letter. The Commission at the present time whenever it tries—and it has tried on many occasions—to enforce section 7 of the Clayton Act, to prevent the consummation of mergers through the acquisition of stock, usually finds that before it can get through its case the companies have bought up the assets and thus the matter is in effect removed from the jurisdiction of the Commission.

After the great consolidation movement of the turn of the century, the next great impetus to the growth of economic concentration came during World War I. We have very little information on that subject. What we do have indicates that there was a very high degree of concentration of contracts within a small number of corporations. Inasmuch as that evidence, such as it is, is fully set forth in this document of the Senate, I will not bother you here with it at this time.

The next great movement toward concentration of control took place during the merger movement of the twenties, which saw the disappearance of a great number of firms.

Then came the depression. During the depression of the thirties the only marked developments and a serious one was the growth of economic concentration through attrition, that is, through the disappearance of small firms which did not have the financial staying power to last out the depression.

Then we come to World War II, which gave a tremendous impetus in the long run toward the rise and growth of economic concentrations.

The facts are that from June 1940 to September 1944 prime contracts awards amounting to $175,000,000,000 were made to 18,539 corporations. No less than two-thirds of this vast amount, $117,000,000,000, went to the top 100 corporations. Nearly half of the total, 49 percent, went to the top 30 corporations.

The list of the 100 corporations receiving prime contracts is presented on page 30 of Senate document to which anyone may refer.

Then after World War II we have the development of this current merger movement, which is presently taking place throughout the country. The characteristics of that merger movement are set forth in some detail in the recent report of the Commission, which has just come off the press, entitled "The Merger Movement, a Summary Report," a copy of which I would like to submit to you, sir.

Mr. STEVENSON. Do you want to make it a part of the record?

Mr. BLAIR. It is a rather extensive report. I doubt whether you would wish to do that. I doubt whether that would be feasible. I can, if it pleases you, try to high light some of its major findings and conclusions.

Mr. STEVENSON. Don't high light it too much, because we want to get through this afternoon.

Mr. BLAIR. There are 134 pages of it. If I high lighted it extensively, we wouldn't finish until quite some time tomorrow.

Mr. STEVENSON. Why don't you just refer to it and let it go?

(The document referred to is on file with the committee.)

Mr. BLAIR. The major result of this movement, I might say in passing, has been the disappearance of roughly 2,500 companies between 1940 and 1947. The major characteristics of it are revealed in charts which are to be found on pages 26 and 27 of the merger report. On page 26, chart 3 shows the size of the acquiring concerns. It will be noted from that chart that the greater part of the acquisitions have been made by larger companies. Of the more than 2,000 acquisitions made during that period: 604 have been made by 125 very large corporations, with

assets of over 50 millions of dollars; 590 have been made by 259 corporations with assets ranging betwen 10 and 50 million dollars. At the other end of the scale the small corporations with assets of under $1,000,000 have made only 239 or approximately one-tenth of the total number of acquisitions.

In chart 4, which presents the picture of the size of the company acquired, the exact opposite picture is revealed. Thus, as chart 4 of the merger report indicates, nearly 1,500 of the over 2,000 acquisitions have consisted of smaller companies with assets of less than $1,000,000.

By and large, the outstanding characteristic of this current merger movement, therefore, is the purchase of small firms by large corporations. It is definitely not a movement of small companies combining in order to more effectively compete against large firms.

So much, Mr. Chairman, for the broad trend of the movement toward greater economic concentration. I have mentioned the consolidation movement at the turn of the century, the effect of World War I, the merger movement in the twenties, the effect of World War II, and now this current merger movement which presently exists.

The net result of these developments is this extremely high level of concentration with which we are confronted today.

In discussing the subject of the prevailing high level of concentration, Mr. Ballinger asked me to do something which has required a certain degree of research, and that is to get away from broad generalities concerning concentration in industry as a whole, and, rather, to present information in terms of specific industries. It was Mr. Ballinger's feeling—and I agree wholeheartedly with him—that one can best grasp the problem posed by the existence of concentration when one examines the situation which exists in individual industries. In such an analysis the probabilities of error resulting from dealing with broad-scale aggregates are largely washed out. Therefore, I have prepared very brief digests, or synopses, showing the level of concentration in a number of the Nation's major industries.

I would like to mention briefly the iron and steel industry. The basic iron and steel industry is dominated by a small number of huge, integrated companies performing all the operations from mining raw materials to manufacturing finished steel products. In 1945 the 15 fully integrated steel companies held 91 percent of the pig iron, 88 percent of the steel, and 86 percent of the finished hot-rolled production capacity.

The top three alone—that is United States Steel, Bethlehem, and Republic—accounted for nearly 60 percent of the Nation's total steel-ingot capacity.

(Mr. PATMAN asked and was given permission to revise and extend his remarks and include certain statements and extracts.)

Mr. SABATH. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania [Mr. WALTER].

Mr. WALTER. Mr. Speaker, perhaps I created an erroneous impression by my statement with respect to the immigration functions of the Committee on the Judiciary. One of the other very vital questions that the committee will inquire into is the advisability of reviewing all the antitrust laws. Significantly enough there are approximately 120 different sections of the law relating to illegal combinations in restraint of trade. It is the purpose of the committee to make a complete study of that subject and if our investigation indicate it is necessary, to write the appropriate legislation to meet the situation.

Mr. PATMAN. Mr. Speaker, will the gentleman yield for a question?

Mr. WALTER. I yield.

Mr. PATMAN. I assume that it is the object of the committee to try to strengthen out antitrust laws and not permit the weakening of them in any way, shape, form, or fashion.

Mr. WALTER. It is the purpose to strengthen the antitrust laws and to make certain what the laws and the decisions of the courts and the rulings of the administrative bodies really mean, because today under the various decisions of the courts and of the Federal Trade Commission, it is very difficult to know just exactly what the law is.

Mr. PATMAN. If the gentleman will yield further, the gentleman, of course, will keep in mind that it takes about 25 years to get words and phrases defined by the different courts, including the Supreme Court. Certainly the gentleman does not contemplate, nor does this committee contemplate any changing of those words and phrases, so as to have those big concerns start back on a court ride again for another 20 or 25 years. I know he does not intend that.

Mr. WALTER. Of course not.

Mr. RANKIN. It may have taken 25 years for the old courts to get such words straight, but it only takes about 25 minutes for the present courts to wipe them out.

Mr. HERTER. Mr. Speaker, I yield 3 minutes to the gentleman from Nebraska [Mr. STEFAN].

Mr. STEFAN. Mr. Speaker, I would like to address myself to the gentleman from Texas [Mr. PATMAN] and the gentleman from Pennsylvania [Mr. WALTER]. When the bill comes to the floor of the House providing appropriations for the Department of Justice, I recommend that these gentlemen read the hearings of the Subcommittee on Appropriations for that Department. In those hearings you may find some suggestions from the Department of Justice for changes in our antitrust laws. I call your attention to the fact that last year your committee increased the funds for the Anti-Trust Division in the Department of Justice substantially over what was allowed by the budget.

You will also find if you read the President's budget this year, that the Budget Bureau again has reduced the amount requested by the Department of Justice.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. STEFAN. I yield.

Mr. RICH. Why did you increase it a million the year before, over and above the budget?

Mr. STEFAN. Because the Antitrust Division indicated that the funds approved by the budget were not sufficient.

Mr. RICH. Did they use all the money they had?

Mr. STEFAN. I am sure it was used to good advantage.

Mr. RICH. Well, did they use it wisely?

The SPEAKER. The time of the gentleman from Nebraska [Mr. STEFAN] has expired.

Mr. SABATH. Mr. Speaker, I yield to the gentleman from Massachusetts [Mr. LANE] 1 minute.

Mr. LANE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an article. I understand that it will cost $159.75 additional. Notwithstanding the cost, I ask unanimous consent that the extension may be made.

The SPEAKER. Notwithstanding and without objection, it is so ordered.

There was no objection.

Mr. HERTER. Mr. Speaker, I yield 1 minute to the gentleman from Michigan [Mr. MICHENER].

Mr. MICHENER. Mr. Speaker, this resolution simply gives the Judiciary Committee inquisitorial powers, the right to investigate generally, but it does not provide for any specific investigation. The power still remains in the Judiciary Committee to determine if, when, where, and how any investigations will be conducted.

I was chairman of that committee for a short time, and I investigated the prerogatives of the chairman. The chairman has no power or right to institute an investigation. It must be done by a resolution of the committee, so that any investigations carried on by the Judiciary Committee, by virtue of this resolution, will be determined by a majority vote of the committee as a whole.

Mr. HERTER. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania [Mr. RICH].

Mr. RICH. Mr. Speaker, I am very much interested in the statement made by the gentleman from Nebraska [Mr. STEFAN] about increasing the appropriation for the Antitrust Division $1,000,000 during the Eighty-first Congress. The thing that bothers me is this, that the President of the United States went all over the country last year saying that the antitrust laws should be enforced, and when the committee increased the amount allowed them by $1,000,000 over what it was the year before, and they did not do anything, then it was the fault of the administration and not the fault of the Eightieth Congress about which he was doing so much talking. Now he has eliminated $100,000 over and above what they asked the year before, or an increase of $900,000. Now he has got the money in his hands. Let him do something. Instead of going down to Florida and sitting in the sunshine, he ought to be up here doing some work, stopping these great trusts, great business from absorbing little business. It is about time for him to either fish or cut bait. It looks as if he will fish and try to catch more suckers.

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

Mr. SABATH. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

ARMY AND AIR FORCE ACT OF 1949

Mr. SABATH. Mr. Speaker, I call up House Resolution 148 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That immediately upon the adoption of this resolution it shall be in or-

der to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 1437) to authorize the composition of the Army of the United States and the Air Force of the United States, and for other purposes. That after general debate, which shall be confined to the bill and continue not to exceed 4 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and the amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. SABATH. Mr. Speaker, this resolution makes in order the consideration of an extremely important bill, H. R. 1437, to authorize the composition of the Army of the United States, the Air Force of the United States, and other, many other, purposes. I feel that the Members should familiarize themselves during these 4 hours of debate, with the far-reaching provisions of the bill. After the general debate, the bill will be read for amendment under the 5-minute rule.

The gentleman from Georgia, the chairman of the important Committee on Armed Services [Mr. VINSON], on reporting this bill, stated that it was unanimously reported. Naturally, having confidence in him I knew he did not misstate the fact that the bill was unanimously reported. In his winning way, and with superficial explanation, he appeared before the Committee on Rules, and without further ado, the Committee on Rules granted this rule. But I venture to say that very few members of our committee realized the full importance of this bill. I voted to grant this rule because I have always believed that the House should have the right and privilege of passing upon any and all important matters; but of all the important matters it has been my duty to debate and vote on, I think this is the most important, because it gives the Army an unusual amount of power and jurisdiction to do nearly everything and anything without limitation. The Chairman stated that it was merely an authorization bill, to authorize an Army, I think of 837,000, and an additional Air Force of 530,000; but in addition to that it authorizes the Army to acquire and purchase materials and supplies. If that authorization included just their needs, naturally, I would not say anything about it, but I have followed the practices of our brass hats—I mean Army officers—and I am well aware of their methods of purchasing and doing business. Cost to them means nothing, quantity means nothing; they spend money recklessly, although this bill does not provide for the Navy. And in that connection, I wanted to know why there should not be unification in appropriations and why the Navy should not also be included in this bill. I cannot understand why we do not adhere to the position of unification of all the services. Here we provide for appropriations only for two branches of the service, namely, the Army and the Air Force and their respective reserves.

We are told that the Navy has been taken care of heretofore; that we do not need any provision for the Navy since the Navy has all the tonnage and personnel it needs as far as authorization is concerned.

It appears to me that we are legislating piecemeal—one day for the Navy and at another later date for the Army and Air Force. Is this procedure in keeping with the unification idea which requires joint action at one and the same time upon the needs of the armed forces? Evidently we did not mean what we said when we declared by law that we insisted on doing away with duplication of effort and waste of public monies. While it is stated that in this bill the functions and obligations of the Secretary of Defense are not impaired, yet it cannot be denied that when we establish the framework and the character of the Army and Air Force we should at the same time do the same for the Navy and its land forces, the marines. We cannot accept the argument that the Navy has not been included herein due to the reason that for the last 15 or 16 years at various times the Congress has secured the necessary authorization for its personnel and material.

Mr. Speaker, I am not going to delay the House with a speech, because I know that after the gentleman from Georgia takes the floor and explains the bill, all will be said that can be said, for there is no man in this House who can explain an important bill better, more cleverly, and shrewdly than the distinguished gentleman from Georgia. I have the utmost confidence in his ability to answer the perplexing questions herein involved, and those that will henceforth be asked. Consequently I shall not take a great deal of the time to go over the bill, although I have prepared a statement that I thought I would read. Rather than read, however, I would rather speak from my heart and from my knowledge and experience that I have gained during my years in Congress.

The Army has unnecessarily spent many millions of dollars, and according to my understanding, the broad powers given the Army under this bill will cost the Government millions upon millions of dollars. That is the reason I am going to ask the membership of the House, all of whom are interested in our Nation, in the Treasury, and in the taxpayers of the Nation, to examine closely, obtain information, and see whether we can somehow and in some way hold down the vast expenditures that are herein contemplated and requested for our defense by the spenders in the War Department, as has been their custom heretofore.

Mr. Speaker, during the years I have noticed that they come to this House and will get an authorization and an appropriation far greater than they possibly can use or need. The result is that during the last 3 or 4 months of the fiscal year they will devote themselves to the important task of seeing how they can spend the unexpended balances that the Congress has voted them.

Mr. GRANGER. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield to the gentleman from Utah.

Mr. GRANGER. Does the bill that this resolution makes in order contain the 70 air group?

Mr. SABATH. Yes, it contains that and a number of other provisions.

Mr. GRANGER. In connection with what the gentleman says about the Army spending money, we had a disaster in the West, as the gentleman well knows, and I praise the Army for doing a good job out there; but they tell me now that the hay which they dropped to the livestock out there cost $100 a bale and that they spent $30,000,000 or thereabouts.

Mr. SABATH. I am mighty glad that the gentleman has called my attention to that, because it really bears out my point on what I have contended for many years. The Army is a reckless spender of the taxpayers' money, and that is true not only with reference to the hay to which the gentleman refers, but it is also true of everything they acquire and purchase. They buy in huge quantities. Money means the same as hay to these brass hats. If you have noted the vast surpluses of the last few years which were placed on the market for sale by War Assets Administration and other agencies, you would appreciate this more fully. It involves goods that the Army has purchased which the Army never had any use for and could not have any use for. I fear that this bill gives them vast powers that will result in tremendous expense and burden upon the Treasury and the taxpayers.

Mr. RICH. Mr. Speaker, will the gentleman yield for a question?

Mr. SABATH. I myself would like to know how the money will be provided. That is what I am worring about, where will it come from, except from the pockets of the taxpayers?

Mr. RICH. I was wondering about this $100 a bale for hay, which is pretty bad, but they fed the cattle that were out in the West. I want to ask the gentleman about this $5,000,000,000 you want to spend and give to foreign countries. Are we going to take care of the American people or are we going to give it all to foreign countries and have nothing left for ourselves? You have some very great decisions to make pretty soon, one of which involves whether you gentlemen on that side of the House are going to give away everything we have to these foreign countries and not look after America. If we give it all away, God help us. I do not know who is going to look after us then.

Mr. SABATH. When it comes to giving away on this side, let me say that I am satisfied that your side exceeds the liberality of this side, because your party has been for all those great big appropriations, donations, contributions, and gifts far exceeding the desire on this side. I have observed that all this spending has been upon the recommendation mostly of your leaders on that side, under the leadership of Mr. Hoover.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. SABATH. Wait a second, I refuse to yield.

Mr. Speaker, I am not asking the kind of protection that the gentleman from

Pennsylvania favors because I do not desire to delay the House. It is difficult for any man to answer some of the questions that the gentleman propounds, although I feel that some of them should be answered. I say this to the gentleman, I myself am in favor of contributing the money that is necessary and to give the money to help feed the people in Europe now, so that we do not have to continue to do so for the next 5 or 10 years. But, I do not approve furnishing millions of dollars to them for war material. For food and things that they need, yes, but for war materials I do not believe that we should spend such vast sums of money that we have been asked for.

Mr. RICH. I agree with the gentleman on that, and I think that is a good statement. Let us get the fellows on both sides of the House to vote that way when it comes to spending our money.

Mr. SABATH. All right. Now I yield to the gentleman from Massachusetts.

Mr. HERTER. Mr. Speaker, I yield such time as he may desire to the gentleman from California [Mr. JOHNSON].

Mr. JOHNSON. Mr. Speaker, the Civil Air Patrol is an auxiliary of the Air Force and has about 130,000 active people in it.

The postwar organization of the Civil Air Patrol is set up along lines as provided in section 2, paragraphs (a) and (b), Public Law 476, Seventy-ninth Congress:

(a) To provide an organization to encourage and aid American citizens in the contribution of their efforts, services, and resources in the development of aviation and in the maintenance of air supremacy, and to encourage and develop by example the voluntary contribution of private citizens to the public welfare;

(b) To provide aviation education and training especially to its senior and cadet members; to encourage and foster civil aviation in local communities and to provide an organization of private citizens with adequate facilities to assist in meeting local and national emergencies.

In line with the authority as provided in the public law, the Civil Air Patrol, operating as a recognized auxiliary of the United States Air Force, has established emergency programs throughout the various wings in the United States, Hawaii, and Alaska, which are most suited to the needs of the respective communities.

In addition to the emergency activities, and even more important in the long-range effect, is the cadet training program. The Civil Air Patrol cadets, just as the senior members of the Civil Air Patrol, are all volunteers. The cadet training program embraces virtually every phase of air-age education except for actual flying training. The cadet program, just as all emergency activities, is administered by the volunteer members of the Civil Air Patrol itself. There is no expectation of any pay or compensation by the individuals. Under certain conditions when specific activity is requested by the United States Air Force Air Rescue Service, there is provision for fuel and oil for aircraft.

The total expenditures in time and personal funds by volunteer members of the Civil Air Patrol cannot be fully calculated. There are thousands of hours utilized in preparing training programs, instructing classes, maintaining equipment, and accomplishing all of the other necessary activities for which an accounting will never be made. Not all Civil Air Patrol members are financially able to contribute appreciable financial support; however in certain notable instances members of Civil Air Patrol, some of whom are wing commanders and others who are lesser members, do contribute substantial sums of money when the occasion so requires. For instance, the action of units of the various Civil Air Patrol wings on the itinerary of the recent European student forum tour of the United States is typical. There were 36 high-school students in the group representing the 17 Marshall-plan countries and the United States. When the students arrived in Texas, the Civil Air Patrol wing commander had organized a full day's activity including a game dinner which consisted of bear, moose, elk, venison, and domestic beef and pork, and all the students were presented with 10-gallon Texas hats. The expenses for this were personally borne by the Texas CAP wing commander. Then, due to a heavy sleet storm, the entire group was held over for an extra day and the party was further entertained and housed by the individual members of the Dallas CAP unit. In Arizona the group was entertained and all expenses assumed by members of the Arizona CAP wing staff. In California the personal expenditures by Civil Air Patrol personnel was not required since there are excellent relations with the movie industry and other civic groups. However, there was a great deal of time spent by Civil Air Patrol members arranging the very elaborate program. On the return trip at Albuquerque, N. Mex., the student forum group again encountered an unscheduled extra day's delay and the expenses of the entire group were again assumed by the CAP wing staff. In Denver, Colo., and at Detroit, Mich., Civil Air Patrol members again provided expenses for fine entertainment and housing from their own personal funds.

There are many instances when Civil Air Patrol personnel do provide generously from their personal funds for such worth-while youth or community activities. In many other instances the voluntary expenditure of time is an even more important element for the benefit of the community. The recent snow season in the Rocky Mountain States is another typical example of Civil Air Patrol activities during times of emergency. As soon as the snow had quit falling the Civil Air Patrol units throughout the blizzard area were organized and concentrated in the areas of greatest hardship. Many hundreds of flights have been flown by CAP members who volunteered their time. Thousands of pounds of food, many emergency deliveries of medicine, and thousands of miles of patrol and search flying have been accomplished by CAP members who were ready and willing when the emergency arose.

In light of the widespread activities and the forward-looking aspects of the complete Civil Air Patrol program, the contribution by the United States Air Force in the nature of surplus matériel is well spent. The utilization made by Civil Air Patrol units throughout the country of surplus property, maintaining it in working condition, and utilizing it in many peacetime endeavors certainly qualifies the Civil Air Patrol for continued United States Air Force support and continually increasing recognition by the United States public.

Mr. HERTER. Mr. Speaker, as far as I know there is no objection whatever to this resolution, and I hope it will pass.

The SPEAKER. The question is on the resolution.

The question was taken; and on a division (demanded by Mr. GRANGER) there were—yeas 114, noes 1.

Mr. GRANGER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 368, nay 1, not voting 64, as follows:

[Roll No. 34]

YEAS—368

Abbitt	Coffey	Green
Abernethy	Cole, Kans.	Gregory
Addonizio	Combs	Gwinn
Albert	Cooley	Hale
Allen, Calif.	Cooper	Hall,
Allen, La.	Corbett	Edwin Arthur
Andersen,	Cotton	Hand
H. Carl	Coudert	Harden
Andrews	Cox	Hardy
Angell	Crawford	Hare
Aspinall	Crook	Harris
Bailey	Crosser	Harrison
Baring	Dague	Hart
Barrett, Pa.	Davenport	Harvey
Bates, Ky.	Davis, Ga.	Havenner
Bates, Mass.	Davis, Wis.	Hays, Ark.
Battle	Deane	Hays, Ohio
Beall	DeGraffenried	Hébert
Beckworth	Delaney	Hedrick
Bennett, Fla.	Denton	Heffernan
Bennett, Mich.	D'Ewart	Heller
Bentsen	Dollinger	Herlong
Biemiller	Donohue	Herter
Bishop	Douglas	Heselton
Blackney	Doyle	Hill
Bland	Durham	Hinshaw
Boggs, Del.	Eaton	Hobbs
Boggs, La.	Eberharter	Hoffman, Mich.
Bolling	Elliott	Holifield
Bolton, Md.	Elston	Holmes
Bolton, Ohio	Engel, Mich.	Horan
Bonner	Engle, Calif.	Howell
Bosone	Evins	Huber
Bramblett	Fallon	Hull
Breen	Feighan	Irving
Brehm	Fellows	Jackson, Calif.
Brooks	Fenton	Jackson, Wash.
Brown, Ga.	Fernandez	Jacobs
Bryson	Fisher	James
Buchanan	Flood	Javits
Buckley, Ill.	Fogarty	Jenison
Buckley, N. Y.	Forand	Jensen
Burdick	Ford	Johnson
Burke	Frazier	Jonas
Burleson	Fugate	Jones, Ala.
Burnside	Fulton	Jones, Mo.
Burton	Furcolo	Jones, N. C.
Camp	Garmatz	Judd
Canfield	Gary	Karst
Cannon	Gathings	Karsten
Carlyle	Gavin	Kean
Carnahan	Gillette	Kearney
Carroll	Golden	Kearns
Case, N. J.	Goodwin	Keating
Case, S. Dak.	Gordon	Kee
Cavalcante	Gore	Keefe
Chelf	Gorski, Ill.	Kelley
Chesney	Gorski, N. Y.	Kennedy
Christopher	Gossett	Keogh
Chudoff	Graham	Kerr
Church	Granahan	Kilburn
Clemente	Granger	Kilday
Clevenger	Grant	King

Kirwan	Noland	Sikes
Klein	Norblad	Simpson, Ill.
Kruse	Norrell	Sims
Kunkel	Norton	Smathers
Lane	O'Brien, Ill.	Smith, Kans.
Lanham	O'Brien, Mich.	Smith, Va.
Larcade	O'Hara, Ill.	Smith, Wis.
Latham	O'Hara, Minn.	Spence
LeFevre	O'Neill	Staggers
Lemke	O'Sullivan	Stanley
Lesinski	O'Toole	Steed
Lichtenwalter	Pace	Stefan
Lind	Passman	Stigler
Linehan	Patman	Stockman
Lodge	Patten	Sullivan
Lovre	Patterson	Sutton
Lucas	Perkins	Taber
Lyle	Peterson	Tackett
Lynch	Pfeiffer,	Tauriello
McCarthy	William L.	Taylor
McConnell	Philbin	Teague
McCormack	Phillips, Calif.	Thomas, Tex.
McCulloch	Phillips, Tenn.	Thompson
McDonough	Pickett	Thornberry
McGrath	Poage	Tollefson
McGregor	Polk	Towe
McGuire	Potter	Trimble
McKinnon	Poulson	Underwood
McMillan, S. C.	Preston	Van Zandt
McMillen, Ill.	Price	Velde
Mack, Ill.	Priest	Vinson
Mack, Wash.	Quinn	Vorys
Magee	Rabaut	Wagner
Mahon	Rains	Walsh
Mansfield	Ramsay	Walter
Marsalis	Rankin	Weichel
Marshall	Redden	Welch, Calif.
Martin, Iowa	Reed, Ill.	Welch, Mo.
Martin, Mass.	Regan	Werdel
Mason	Rhodes	Wheeler
Merrow	Ribicoff	White, Idaho
Meyer	Rich	Whitten
Michener	Richards	Whittington
Miles	Riehlman	Wickersham
Miller, Calif.	Rivers	Wier
Miller, Md.	Rodino	Wigglesworth
Miller, Nebr.	Rogers, Fla.	Williams
Mills	Rogers, Mass.	Willis
Mitchell	Rooney	Wilson, Ind.
Monroney	Sabath	Wilson, Okla.
Morgan	Sadlak	Wilson, Tex.
Morris	Sadowski	Winstead
Morton	St. George	Withrow
Moulder	Sanborn	Wood
Multer	Sasscer	Woodhouse
Murphy	Scrivner	Woodruff
Murray, Tenn.	Scudder	Worley
Murray, Wis.	Secrest	Yates
Nelson	Shafer	Young
Nicholson	Sheppard	Zablocki
Nixon	Short	

NAY—1

Marcantonio

NOT VOTING—64

Allen, Ill.	Dawson	Murdock
Anderson, Calif.	Dingell	O'Konski
Andresen, August H.	Dolliver	Pfeifer, Joseph L.
Arends	Dondero	Plumley
Auchincloss	Doughton	Powell
Barden	Ellsworth	Reed, N. Y.
Barrett, Wyo.	Gamble	Rees
Blatnik	Gilmer	Scott, Hardie
Boykin	Gross	Scott,
Brown, Ohio	Hagen	Hugh D., Jr.
Bulwinkle	Hall,	Simpson, Pa.
Byrne, N. Y.	Leonard W.	Smith, Ohio
Byrnes, Wis.	Halleck	Somers
Celler	Hoeven	Talle
Chatham	Hoffman, Ill.	Thomas, N. J.
Chiperfield	Hope	Vursell
Cole, N. Y.	Jenkins	Wadsworth
Colmer	Jennings	Whitaker
Cunningham	LeCompte	White, Calif.
Curtis	McSweeney	Wolcott
Davies, N. Y.	Macy	Wolverton
Davis, Tenn.	Madden	
	Morrison	

So the resolution was agreed to.

The Clerk announced the following pairs:

General pairs until further notice:

Mr. Barden with Mr. Brown of Ohio.
Mr. Whitaker with Mr. Arends.
Mr. Madden with Mr. Allen of Illinois.
Mr. Dawson with Mr. Cole of New York.
Mr. White of California with Mr. Ellsworth.
Mr. Celler with Mr. Wadsworth.
Mr. Joseph L. Pfeifer with Mr. Jenkins.
Mr. Gilmer with Mr. Chiperfield.
Mr. Blatnik with Mr. Auchincloss.
Mr. Somers with Mr. Macy.
Mr. Morrison with Mr. Plumley.
Mr. Dingell with Mr. Reed of New York.
Mr. Powell with Mr. Hugh D. Scott, Jr.
Mr. Byrne of New York with Mr. Halleck.
Mr. Chatham with Mr. Gamble.
Mr. Murdock with Mr. Hoeven.
Mr. Colmer with Mr. Anderson of California.
Mr. Davies of New York with Mr. Hardie Scott.
Mr. Boykin with Mr. Dondero.
Mr. Davis of Tennessee with Mr. Leonard W. Hall.
Mr. Bulwinkle with Mr. Jennings.
Mr. Doughton with Mr. Simpson of Pennsylvania.

Mrs. BOSONE and Mr. GRANGER changed their votes from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

DISTRICT OF COLUMBIA EMERGENCY RENT ACT

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that it may be in order on Monday next to consider under the general rules of the House the bill (H. R. 1757) to extend the provisions of the District of Columbia Emergency Rent Act, and that there be not to exceed 1 hour of debate to be equally divided and controlled by the chairman and ranking minority member of the Committee on the District of Columbia.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

ARMY AND AIR FORCE ACT OF 1949

Mr. VINSON. Mr. Speaker, I ask unanimous consent that the committee substitute for H. R. 1437, a bill to authorize the composition of the Army of the United States and the Air Force of the United States, and for other purposes, be considered as the original bill in the Committee of the Whole House on the State of the Union for the purpose of amendment.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. VINSON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 1437) to authorize the composition of the Army of the United States and the Air Force of the United States, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 1437, with Mr. LYLE in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. VINSON. Mr. Chairman, I yield myself 35 minutes.

Mr. Chairman, whether we like it or not, we are today a world power.

Insofar as democracy is concerned, we are the world power.

In attaining this position in world affairs we have fallen heir to a tremendous responsibility. It is the responsibility of preserving democracy throughout the world and preventing the spread of political concepts antagonistic to our national interests. In order to meet this obligation we must have the military equipment and manpower required for us to fulfill our destiny and our world responsibility.

Weakness in our armed forces is an open invitation to disaster. This, therefore, means that for the foreseeable future we must maintain a strong modernized Army, a Navy equal to any upon the seas, and an Air Force second to none. We are not an aggressive nation. We do not aspire to world domination. Nor do we seek to impose our will upon others. But we must stand ready at all times to preserve our free form of government in this Nation and to deal effectively with threats to our national interests in all parts of the world.

This bill now before you deals with the composition of the Army and the Air Force. Its sole purpose is to give a charter specifically stating their authorized personnel strengths and their organization. It goes to the very core of our national defense planning. It will become the statutory anchor of the Army and the Air Force for many years to come.

What it amounts to is, that by this bill we are creating a legal framework which will be the long-time foundation for these two branches of our armed forces.

Now, this measure does not apply to the Navy in any way. That service has for some time had specific statutory authority for its personnel and matériel. But I feel about this bill now before the committee as I did about the various Navy laws previously passed to establish the composition of the Navy. That is, I deem it only fitting and proper that the Congress express clearly in law just what it considers must be the peacetime structure of those agencies of our Government which hold the grave responsibility of protecting the American people in this troubled and uncertain world.

Every year or two during the past 15 years, the House has passed legislation that has fixed the size of the fleet, or the strength of the Navy's various personnel groups, or the Navy's research authority, and so on, until Navy law is now adequate to the job the Navy is expected to perform.

But not so with the Army and the Air Force.

The Congress has not gone thoroughly into the fundamentals of the Army since the National Defense Act was enacted in 1916 and amended in 1920, and we today appropriate for the Army which does not have in law its own authorized Regular personnel strength. It lacks a clearly defined composition. It lacks specific research authority. In short, the Army has a foundation that shifts back and forth, up and down and round according to appropriations. We have no long-range mandate for peacetime operations anywhere in Army law that meets the present national defense needs.

And now, what about our Air Force?

We divorced it from the Army only a year and a half ago. We have not yet taken time to create an adequate body of law that sets out clearly what the Air Force should consist of, how large it

should be in time of peace, what kind of authority it should exercise, and so on.

It will be a default of congressional responsibility, and it is assuredly unsound from the national defense standpoint, to leave these matters unresolved.

No longer should we leave the Army without a clear-cut expression from the Congress as to how many Regular officers it may have, how many Regular warrant officers, and how up to date it should keep itself.

No longer should we leave on the statute books a prewar ceiling of 6,000 aircraft for the old Army Air Corps and consider that we have acted adequately for the new Air Force.

The composition, both in matériel and personnel, of these two services must be firmly and separately established—it is incumbent upon the Congress to do so in the interest of constructive planning for national defense over the years ahead.

Therefore, Mr. Chairman, I have every reason to believe that the committee will react to this legislation in the same favorable manner as it has to the same type of basic Navy legislation that I had the honor to sponsor before the House time and time again in the past. Certainly legislation of this nature is not unusual.

The bill establishes by law the basic authorization of the Army. It authorizes an over-all active duty Army of 837,000 officers and enlisted men, plus several special categories, of whom 33,500 may be Regular officers. To arrive at this Regular strength we took the present proposed budgetary strength of 677,000, then provided that one-half of the 67,000 officers normally required by an Army of that size should be Regulars. Thus, we keep at least half of the officer corps of the Army open for Reserves and and guardsmen. This keeps the Regular Establishment at a low enough level to permit reduction in Army strength in the future without excessive difficulty, should international conditions make such reductions advisable.

Further the bill authorizes 750,000 officers and enlisted men for the National Guard, and 980,000 for the Army Reserves. These strengths have the endorsement of the Army, the guard and the Reserve. Actual strength and the degree of training these civilian components will attain hinge, of course, upon appropriations. But, for present plans, these figures are required and were, therefore, written into the proposed law by the committee.

In addition to the personnel strengths proposed, the bill sets forth for the Army procurement authority, research and development authority, and certain appropriation authorizations.

Thus, the bill gives the Army a continuity of development and planning both for the Regular forces and for the civilian components. Once the bill is enacted, the Army and the Air Force can proceed logically and steadily with their national defense planning.

Now, let me summarize some of the Air Force provisions of the proposed bill. This bill does for the Air Force about the same things I have outlined for the Army.

An authorized Air Force active duty strength is set at 502,000, plus several special groups, the same basic figure as we approved last year in the draft bill. This strength is necessary to man the 70-group program. Of the 502,000, we authorize 27,500 to be Regulars, arriving at the figure as one-half of the number of officers the Air Force will have on active duty under the present-proposed appropriated strength. Therefore, we plan that the Air Force, like the Army, will keep at least one-half of its officer strength open for the training of Reserves and guardsmen.

Then the bill proposed 70 air groups. This number of groups will require at least 7,000 first-line aircraft. There will be about 5,500 more for the Air Reserve, a little over 8,100 in war reserve, and about 3,400 second-line aircraft. This gives us the total of 24,000 provided in the bill.

The bill goes on to say that the Air Force may procure up to 5,200 aircraft a year, within the 24,000 authorized. The purpose of this is to keep the Air Force modern, up-to-date, and equipped to defend the United States with the latest aerial weapons. This air strength will keep the United States reasonably prepared for any emergency requiring the use of air power.

Now, there has been much talk about the 70-group air force. Just what does it consist of? Let me give it to you in detail. The groups now contemplated, each such group consisting of three squadrons, will be as follows:

Four groups of heavy bombers.
Sixteen groups of medium bombers.
Six groups of strategic reconnaissance.
Five groups of light bombers.
Twenty-five groups of fighters.
Four groups of tactical reconnaissance.
Four groups of heavy troop carriers.
Six groups of medium troop carriers.

In addition, there will be 22 separate squadrons rounding out the 70 groups. These squadrons will be air-sea rescue squadrons, MATS squadrons, and so forth.

In each of these groups the number of airplanes varies according to the type of group. Now, let us take a heavy-bomber group. It has three squadrons of six B–36's each. That gives us a total of 18 B–36's in one heavy-bomber group. Since the 70-group program contemplates four heavy-bomber groups, the committee will see that the 70-group program will have 72 B–36's in the first-line element.

Medium bomber groups will have 30 aircraft per group; light bomber, 48; day fighters, 75; all-weather fighters, 36; strategic reconnaissance, 36; heavy troop carrier, 36; medium troop carrier, 48; and tactical reconnaissance, 54. From these figures we can tell exactly how many first-line airplanes are in 70 regular Air Force groups under present conditions of aerial warfare, and I include this information in these remarks to bring down to earth a great deal of vague discussion which has occurred on this subject in the past.

I invite the attention of the committee to the fact that the proposed bill authorizes the Air National Guard to have a strength of 100,000 officers and enlisted personnel. This is considerably above the present level in the Air National Guard. But this was intentionally provided so as to permit upward revision of the present Air Guard strength as circumstances require without requiring successive amendments of the proposed law in the future. The proposed authorization has the complete indorsement of the National Guard interests and of the Air Force, as well as the indorsement of the Reserve Officers' Association.

Also, the bill proposes a strength of 500,000 officers and enlisted persons for the Air Force Reserve. This does not mean that all of these 500,000 will receive full or part-time training; the figure includes the inactive Reserves as well as those who are to be active in the Air Force Reserve. However, it was necessary to authorize 500,000 to take care of the present Air Reserve strength and still leave enough leeway for the additions to this strength which will come along in the future.

Now let me suggest that the committee read section 207 of the proposed bill. It provides that the present status of the Air National Guard is not to be impaired in any way by this legislation. This was included in the law because of great concern on the part of guard interests lest this legislation be used as a means by which to federalize the Air National Guard. The Committee on Armed Services received detailed testimony on the magnificent performance of the Air Guard to date. It was our unanimous conclusion that this particular piece of legislation must not be used in any way to upset the present operations of the Air Guard; and to insure that, we wrote it into the bill.

I mention this point intentionally. Because I want to allay any similar concern any member of this committee may have in respect to the effect of the proposed law on the Air National Guard.

Now, Mr. Chairman, I know that many members of the committee are asking the question, "How much will it cost the Nation to get this 70-group program under way?" Before answering this, let me explain what has already been done for the Air Force in the way of appropriations.

Last year the Congress appropriated $1,957,000,000 for the procurement of aircraft for the Air Force; $392,000,000 of this was for plan improvement and production changes. So, the Air Force actually had for aircraft procurement about $1,545,000,000 in the 1949 budget. This was enough to contract for about 2,437 aircraft.

Now, the President's budget this year provides $1,480,000,000 for aircraft procurement. This would let the Air Force contract for about 1,668 aircraft. So what has happened? Well, the budget sets aside less money—$65,000,000—this year for the procurement of aircraft than was appropriated last year, and because of the emphasis on larger airplanes a much smaller number of aircraft will be purchased this year if no addition is made to the President's national defense budget.

As of December 31, 1948, the Air Force had 59 air groups, although not all of these groups were fully operational. Under the President's budget these groups

will be cut to 48. In other words, unless more money is appropriated for the Air Force, the 70-group program is stopped dead, at least for this year.

And so, it is my hope thtat the Appropriations Committee and the Congress will add at least $800,000,000 to the President's budget for the Department of the Air Force. And, I might add, this can be done without increasing the over-all budget by one cent, by using the funds now earmarked in the budget for universal military training. It can be done, in fact, with less outlay in direct expenditure than is now proposed in the national defense budget for this fiscal year. For, most of the $800,000,000, if allocated to the Air Force, will be used for contract authorization which cannot be expended until 1951 or 1952 when the completed aircraft are delivered.

Now, what can the Air Force get done with this $800,000,000? It could build 57 effective groups instead of the 48 proposed in the national defense budget. This would be a substantial step—once again, like we took last year—in the direction of the 66 groups planned originally in the 1949 fiscal year.

But what does the $800,000,000 mean in numbers of aircraft? Well, suppose all of it were spent for airplanes. It would buy 1,116 more than the 1,668 planned for in the new budget. But there is no point in having the airplanes without the pilots to fly them or the men to keep them in flying order. So, instead of the 412,000 men required to man the proposed 48 groups, 450,000 would be needed by the end of the fiscal year to man the 57 groups. This would be an increase of 38,000 men over the budgeted strength. So, of the $800,000,000, $365,000,000 would have to be used to balance out the additional groups with men, materials, and equipment.

The balance of the $800,000,000, or $435,000,000, could be used for aircraft procurement. Adding this to the $1,480,000,000 proposed in the 1950 budget, we would have the total sum for aircraft procurement of $1,915,000,000. This would give us 702 more aircraft. That would raise the total of 1,668 planes now provided for in the budget to 2,370. This compares adequately to the 2,437 aircraft we authorized to be procured in 1949.

I may add that if we provide this additional $800,000,000 this year to the present budget and annually thereafter grant the Air Force the present budget plus an additional $800,000,000, the 70-group program will not be in operation—on an aircraft basis alone—until 1954, at least.

Of course, now all members of the committee understand that this is an authorization bill only. The question of appropriations is an entirely separate subject. But I feel that in discussing this authorization the committee should know something of the costs involved.

Now, Mr. Chairman, just what is the factor that underlies this legislation? It is preparedness—the need for keeping our armed forces in a state of readiness at all times for the protection of this Nation. But we must never lose sight of the relation of our military preparedness to the preservation of peace, to American foreign policy, to the morale of freedom-loving people throughout the world.

Certainly, no fair-minded person can characterize the United States as an aggressive Nation. As I mentioned previously in these remarks, it is not our practice or desire to impose our will upon others. Nor do we fifth-column our way into power in foreign countries. But despite all this, we have an extremely powerful deterrent effect upon other nations which might do any one or all of these things.

Now, why is this so?

We deter such nations only because of the existing and potential force our great Nation can apply in the event we are embroiled in war.

And how strong is that influence?

Well, it ebbs and flows as our actual and potential military strength advances and recedes over the years. But the foreign reaction is not confined to the amount of force we can exert. It is also related to what this Congress does—now and in the future—in respect to other matters involving our armed forces, because that is gaged throughout the world as a measure of our determination to adhere to or renounce our principles under hostile pressure.

Mr. Chairman, surely there can be no question in the mind of any member of this committee that so long as international relations remain in a state of anarchy the measuring of force against force between nations in time of peace as well as in time of war will continue. Under such conditions—and so long as those conditions continue—certainly it is evident that military weakness in our armed forces invites abuses and contempt on the part of those with aggressive designs. So that, conversely, reasonable military preparedness is today the most effective deterrent to war.

I am not unmindful of the disillusionment that normally follows war. And certainly I share with all other Americans their great hope and desire for peace. And I, too, look forward to the day, if it ever comes, when our people can safely reduce our armed forces or dissolve them and turn to an international regulatory body for the maintenance of peace among nations.

Yes, and I am 100 percent behind the United Nations, as are all thinking Americans.

But it is not enough that our whole aim and effort is to preserve peace. Neither is it enough to place all of our confidence in the presumed success of the United Nations. Providing adequate protection to this Nation takes precedence, in my view, over all our hopes, all speculation, all theory, all eagerness for peace.

So, as I have said many times before this Congress, and as the history of our country has so consistently borne out over the years, we cannot safely scuttle our armed forces or reduce them materially until the state of the world becomes far more stable than it is now, or than it can possibly become during the next few years.

Neither can we today default the world leadership we have inherited as a result of the recent war. If we do default, by failing to provide adequately for the national defense, ours shall be the responsibility for the catastrophe which will be heaped upon our children and their children for generations to come.

I shall continue to maintain in this House that our Nation's deep longing for peace must be accompanied—for the foreseeable future—by the strength to insure it.

I shall continue to maintain that fairness in international relations and a spirit of cooperation cannot, of themselves, deter a nation bent on aggression.

Now, I have dwelled to this extent on this phase of the problem before us today, Mr. Chairman, for a very specific reason. This possibility of the Nation relying upon meekness of spirit and upon good works in international and military matters is not idle speculation.

Our Nation has followed this path before.

Our Nation has followed that path after every war in its history.

After the Revolutionary War—the War of 1812—the War with Mexico—the War Between the States—the Spanish-American War—and up to the very brink of World War II—it has been our national characteristic to starve and severely limit our armed forces, to ignore their counsel and advice, and to place our faith instead in the presumed protection afforded by the great oceans on either side of us.

Perhaps this scuttling of preparedness was more readily defensible in the days of sailing vessels. Perhaps it could be maintained without excessive danger before the time of blitz, aerial, submarine, atomic, and bacteriological warfare, before Nation-wide fifth-column activities, before the time of guided missiles and rocket weapons.

But it is certainly not true today.

We know now that the world can no longer isolate a war that involves one of the great powers. We know now that our world leadership thrusts us in one way or another into any fracas that may bob up anywhere. We have found that these great oceans on either side of us have become avenues of war, not protection against it. And we know now, that when a modern war starts, this Nation can no longer indulge itself in 2 or 3 years of getting ready to fight.

I shall always believe that had the United States sufficiently increased its military strength to deter those madmen of the thirties bent on aggression, war could have been averted. I believe that had Italy known action would be forthcoming, with military power adequate to the job, the League of Nations would not have been defied—that Japan would not have waged war on China—and that Hitler would eventually have been consumed by his own ghastly war machine.

It is because of all these considerations, Mr. Chairman, that I have no question in my mind that the House will approve this bill by an overwhelming vote. For I am sure that the entire Congress will recognize that the bill proposes but the minimum Army, Navy, and Air Force necessary for our own national defense and for a war deterrent throughout the world.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. VINSON. I yield.

Mr. CASE of South Dakota. The distinguished chairman of the Committee on the Armed Services will recall that a year ago when he and some of the rest of us thought something should be done to work toward the 70-group air force, that in a supplemental bill we provided funds over and above the budget. Congress could do the same thing again. Is that the gentleman's idea?

Mr. VINSON. Exactly; and the facts justify it today just as much as they did last year. I hope the distinguished gentleman from South Dakota who played such a conspicuous role last year will continue to perform in that faithful manner in this instance.

Mr. CASE of South Dakota. The gentleman from Georgia need have no fear of the gentleman's desire.

Mr. COLMER. Mr. Chairman, will the gentleman yield?

Mr. VINSON. I yield.

Mr. COLMER. I note on page 15, section 205, the caption "Research and development, authorization for the Secretary of the Air Force to conduct and engage in this particular phase of the development of air craft, and so forth." I just want to ask the very learned, distinguished, and capable chairman of the committee, whom we all know is most effective in getting legislation through, does he not think that in this ever-changing development of the Air Force, the modern trend toward ever-increasing speed in new planes, and so on, that a great deal of the funds appropriated by this Congress, certainly a reasonable amount, should go to research? I know the gentleman has a very good answer, but I want to lay the premise before he replies. Does he not agree that we should emphasize and stress the laboratory and experimentation in order to get the most modern planes rather than expend all of our resources in a large fleet of planes, the B–36 or whatever they may be, that would be obsolete next year?

Mr. VINSON. May I ask the gentleman from Mississippi, what benefit would it be to the defense of the country if we had an emergency on hand and if all of our defense was in research stage? You have got to have a certain amount of development and production going on.

Mr. COLMER. I am glad the gentleman asked me that question because he gives me an opportunity to at least give him the benefit of my views. Being a practical-minded man, I would not say for a moment that we should not have an adequate Air Force in view of existing circumstances to defend this country from any emergency attack. On the other hand, the learned chairman of this committee, who always studies these things through to the end, realizes I am sure, as some of the rest of us realize, that so far as the foreign situation is concerned now we are not in danger of an imminent war, that Russia does not want war any more than we do, that Russia is hoping that our economy will break down in this country and they can take us over through infiltration, espionage, and the other things they rely on rather than actual warfare.

What I am trying to say to the very distinguished gentleman, and I want him to respond to it, and I am saying it, of course, in no obstreperous mood but rather to be helpful, is that the planes of today, the B–36, the most modern thing we have, and possibly the most modern thing the world has, a year from now may be as obsolete as the 17 is now. Therefore, research and laboratory experimentation with the ability to produce when and if the time comes is one of the things that ought to be stressed. I am not opposing this legislation, and I do not want to leave that impression. I am merely trying to stress the need for emphasis on modernization of our air power all along the line.

Mr. VINSON. I think everyone understands the gentleman's question and his observations. Of course, there must be a balance between research and production. We must not depend altogether on the boards and the drawings and the blueprints. We must have hatched out and ready for national emergency some of the results of the blueprints and the experimentations.

Let me call the attention of the gentleman to the fact that it took 7 years to design, construct, and develop the B–36.

Mr. Chairman, I was here in 1916 and 1917, I was here when World War II started, and in my judgment nothing contributed more to bringing on those two wars as far as this Government is concerned than our failure to be well prepared and to have a strong Army, Navy, and Air Force. In my opinion, nothing will do more to bring about world peace and stabilize the unsettled conditions prevalent throughout the nations of the earth than for us to have a 70-group air force, a Navy equal to meet any emergency upon the seas, and a strong, modern, up-to-date, well-rounded Army.

If you want to bring about peace and let the apprehension of war die out, let the world know that America is going to be prepared at all times to meet any emergency.

Mr. ELSTON. Mr. Chairman, will the gentleman yield?

Mr. VINSON. I yield to the gentleman from Ohio.

Mr. ELSTON. Is it not a fact that if Congress appropriated every dollar necessary for a 70-group program, it could not be completed before the year 1952?

Mr. VINSON. The gentleman is absolutely correct. If today we would increase this appropriation sufficiently to bring it from 57 groups up to 70 groups you could not build them for at least 2 years, and it might run to 1953.

Mr. BONNER. Mr. Chairman, will the gentleman yield?

Mr. VINSON. I yield to the gentleman from North Carolina.

Mr. BONNER. I have enjoyed the gentleman's remarks. I was called from the Chamber when the gentleman evidently got to that part of his address dealing with air sea rescue. I would like to have the gentleman answer this question: What is the purpose and intent of the Air Corps or the Navy in peacetime in carrying out sea rescue which is delegated under law to another agency of the Government?

Mr. VINSON. I will have to state to the gentleman from North Carolina that I am uninformed on that subject. I have never investigated it. I do not know a thing in the world about it.

Mr. BONNER. That is something that has given me concern recently.

Mr. VINSON. I do not know a thing about that.

Mr. BONNER. I want to know if the Air Corps or the Navy is going into this function during peacetime.

Mr. VINSON. There may be some members of the committee who can answer the gentleman's question. I cannot answer it.

Mr. VAN ZANDT. Mr. Chairman, will the gentleman yield?

Mr. VINSON. I yield to the gentleman from Pennsylvania.

Mr. VAN ZANDT. I can tell the gentleman that the air sea rescue activities of the Air Force and the Navy are part of the responsibility that goes along with military flying. The majority of the flying today is done by the military, and for that reason they maintain their own air sea rescue. Many times they are called upon to aid the civilian branch of the Government—the Coast Guard in its air sea rescue work.

Mr. BONNER. That is the point I wanted to develop, whether or not it was thought that the Coast Guard had not sufficiently developed in this branch of our service and that it was evidently becoming the function of the Navy or the Army to take over.

Mr. VAN ZANDT. That is right. That is simply a part of the military operation.

Mr. VINSON. I want the committee to understand that there are 33 members of the Armed Services Committee, and we work as a team. If one member cannot catch the ball, the other member can, so I am thankful to the gentleman from Pennsylvania [Mr. VAN ZANDT] for answering the question.

Mr. COLMER. Mr. Chairman, will the gentleman yield?

Mr. VINSON. I yield to the gentleman from Mississippi.

Mr. COLMER. I just want to leave this thought in connection with the gentleman's very splendid statement about preparedness. I want to call the gentleman's attention to the fact that I have voted for every dollar of preparedness that this Congress was ever asked for, and have sometimes taken a lead in it. But the point I am making is that I have tried to be helpful in the defense of this country, that I wanted the gentleman himself to emphasize the necessity for research and advancement in our Air Force.

Mr. VINSON. I thoroughly agree with the gentleman.

Mr. COLMER. With this I am going to finish. I dare say that neither the gentleman himself nor any member of his committee nor any member of the Air Force would care to travel in one of these B–36's in an attack on Moscow, for instance, on a bombing mission, if they

knew that they were going to be intercepted by jet fighters. That is what I am trying to emphasize.

Mr. VINSON. Of course, I am not traveling in any of them. I am trying to keep my feet on the floor of the House for the time being.

Mr. COLMER. The gentleman always does that.

Mr. VINSON. I am trying to say it would be an unwise policy to depend altogether on research and never to carry out some of the fine inventions and conclusions of research. We have large sums of money appropriated for research. A great deal of that is being carried on by the various agencies conducting research, but at the same time let us build something that we can use in case of national emergency. Of course, the B–36 2 years from today might be obsolete, but it has a military mission today, and the military mission it is performing is quite effective. It helps to maintain stable conditions throughout the world.

Mr. DURHAM. Mr. Chairman, will the gentleman yield?

Mr. VINSON. I yield to the gentleman from North Carolina.

Mr. DURHAM. So is the B–17 obsolete.

Mr. VINSON. Certainly, but that is no reason why we should not have built them. A man goes out today and buys a new automobile, but the automobile he had last year can carry his wife to the hospital or serve his purposes in other ways.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. VINSON. I yield.

Mrs. ROGERS of Massachusetts. Is it not true that the Air Corps has performed a wonderfully fine service with its air lift in Germany?

Mr. VINSON. Of course it has.

Mrs. ROGERS of Massachusetts. It has saved thousands of dollars and thousands of lives.

As I understand, this appropriation will not be for the Navy at all. That will be a separate proposition.

Mr. VINSON. The Navy is not involved in this bill.

Mrs. ROGERS of Massachusetts. Or the Naval Air Corps.

Mr. VINSON. The brilliant gentlewoman from Massachusetts long years ago helped write the composition of the Navy.

Let us see what is going to happen. I said that we can take $800,000,000 for universal military training out of the President's over-all budget for the National Military Establishment, and we can use that for the Air Force and by doing so not increase the over-all cost of the budget one penny. So when the Air Force appropriation bill comes here, I hope the Committee on Appropriations will have augmented the procurement and the authorization of aircraft by the amount of $800,000,000. If they do, then what happens? This is what happens: If we get this $800,000,000, and if all of it is spent for airplanes, we could then have 1,116 more airplanes than the present budget authorizes, which is 1,668, but it would be folly to use all the money for aircraft procurement if you did not have the pilots and the men to operate the planes. So at least $365,000,000 of the $800,000,000 increase in the appropriation would have to go to servicing and taking care of the additional number of planes that would be made available by the $800,000,000. Therefore, only $435,000,000 of the $800,000,000 could be used for procurement of new aircraft. That would provide 702. Add that 702 to the 1,668 that are now provided for in the budget and you have 2,370 airplanes, which would compare favorably with what Congress did last year, 2,437.

Therefore, Mr. Chairman, I trust that this authorization bill will be unanimously approved, and that unless the Committee on Appropriations takes care of this 70-group air force, when that appropriation bill is submitted an amendment will be adopted to increase the Air Force by $800,000,000.

Mr. SHORT. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, and honorable Members, after the comprehensive, exhaustive, clear, and analytical exposition of this bill that has been delivered by our distinguished and able chairman, there is little that I, or any other Member, of our committee or of this House, could add.

Modern science, new methods of rapid transportation and communication have rendered our modern world to a miniature province. Three years ago, coming back from Australia, I was cordially invited by our very genial Delegate from Hawaii [Mr. FARRINGTON] to address the chamber of commerce at Honolulu. I spoke to them at noon and the next evening I was having dinner with Mrs. Short here in Washington. We stopped at San Francisco to refuel. Recently I had breakfast in Bermuda; I had lunch here in Washington, then spent 5 hours in my office, and on the same evening I had dinner with my family down in the Ozarks in southwest Missouri, near the Kansas-Oklahoma line. We were traveling in an oxcart. It was a lumber wagon—a C–54, the old reliable. But that is nothing.

Only a few days ago the Boeing X–B–47 strato-jet bomber flew from Moses Lake in Washington State to Andrews Field, just outside the District of Columbia—2,289 miles in 3 hours and 46 minutes at an average speed of 607.2 miles per hour. I take time to recite these facts merely to show you that we are living today in a very small world. Today it is actually closer from Washington, D. C., to London, Berlin, Paris, Rome, or even Moscow, than it was from Washington to New York or Richmond during the Civil War. So, whether we like it or not, we are going to have to live and get along together.

This bill for the 70-group air force came out of our committee with a unanimous report. It was carefully considered, delved into, criticized, and if I might repeat what I said only a few days ago, it is only because of the wisdom, the tact, and the knowledge not only of issues but of human beings, of our able chairman from Georgia [Mr. VINSON], that it comes to you today by unanimous report.

Mr. DURHAM. Mr. Chairman, will the gentleman yield?

Mr. SHORT. I yield.

Mr. DURHAM. The gentleman also might add that it was endorsed not only by the committee but by the Department.

Mr. SHORT. That is right. It has received the approval of everybody who has considered it. I thank the very distinguished and able gentleman from North Carolina who has contributed so much to our committee for that observation.

It is true that airplanes quickly become obsolete. It will shock some of you today to know that not one single plane that we had on the drawing boards before December 7, 1941—prior to Pearl Harbor—was ever used in this last conflict; not one of them.

It takes time, and that is the reason that we members of this committee, charged with the security of this Nation, have to look ahead. We cannot say everything in public which we know. We are agreed, not only in the Committee on Armed Services, but in the Committee on Rules, that this is one of the most fundamental and necessary things confronting the Nation at this hour. We have no secrets to hide and any Member can talk to us and find out anything he pleases.

We are going to continue to keep strong on land and sea and in the air. We are going to make ourselves invincible to attack from any quarter. We shall still continue to trust God, but we will keep our powder dry. We shall speak softly, but we will carry a pretty big shillalah. If we are wise, we will, because the only language that some marauders, robbers, and bandits in this world understand—and we have them in practically every country; I am not singling out any individual country—the only language they know is force. They respect strength but they have contempt for weakness.

You would not want to live in Washington, D. C., without a police force or a fire department. Certainly you would not in Kansas City. The hoodlums would take it overnight, and in Chicago they would take it in 3 hours.

It costs money, but it is pretty good protection. It is necessary insurance.

After traveling all over the world and seeing all kinds of people with different cultures, languages, different states of civilization, even in the higher ones, I am convinced that, after all, man can be a pretty mean animal. It is disheartening, it is disillusioning, it is sad, but it is true.

Now, I am not fearing outside attack on this country by Russia, or any other imaginable enemy, so much as I fear weaknesses within. In the few minutes that I have, I am going to conclude by saying this:

Lincoln once said, in substance, if this Nation is ever destroyed, it will be not from without but from within. I want a strong Army, Navy, and Air Force, but the first line of defense of any country is its financial solvency, a strong economy, and a thriving industry. We must also possess moral and spiritual strength.

It was America's industrial might, after all, that won the last war. Nimitz and Eisenhower, Marshall, Arnold, and Vandergrift, all of them will tell you so.

A quarter of a century ago I visited Cairo. I rode camels around the great Pyramid of Giza. I looked at the Sphinx and I dreamed of Napoleon addressing his men: "My soldiers, 40 centuries are looking down upon you." I wondered, if you could speak, what secrets you could tell, even of Mark Antony and Cleopatra. I walked through the remains of the temple at Thebes. I went up the Nile to Luxor and Assouan, to the tombs of Tutankhamen and Egypt's other great, and when I returned to Cairo I walked through the national museum, cluttered with a bewildering collection of archeological discoveries, telling of the ancient Ptolemys and Pharaohs, the great builders whose works astonish men in the twentieth century, and I asked myself the question: "Oh, Egypt, as you grew rich and powerful, why has your great civilization crumbled and lies buried today beneath centuries of sand?" And I had to answer: "As Egypt grew rich and powerful, she grew corrupt and tyrannical." She was not defeated by a foreign foe but she crumbled because of moral decay and spiritual disintegration within herself. She once had a vision, but she lost it; and, as the Old Testament puts it, "Where there is no vision, the people perish."

Then I went down the Tigris and Euphrates Valley, down to Baghdad, and I dreamed of that ancient rival civilization of Babylon, and I cried out, dreaming of Hammurabi, who was second only to Moses as a lawgiver, Hammurabi, Babylon, why hast thou perished? And I had to answer: Because as Babylon grew rich and powerful, she, too, grew corrupt and tyrannical; and she, like Egypt, perished.

Then I came to the classic land of Hellas, glorious Greece, the land that I have visited a half-dozen times in the past quarter of a century; and I climbed the Acropolis and walked through the ruins of the Parthenon and looked out where St. Paul addressed the Athenians on Mars Hill, where he said, "Oh, men of Athens, I observe in all things you are most religious"; and I thought of the golden age of Pericles from Anaximander down to Homer and Phidias to this present hour; of Socrates, Plato, and Aristotle, the great triumvirate of ancient philosophers; and I asked, "Oh, Greece, Greece, that has given the world beauty, and music, and philosophy, and art, and poetry, why have you, Greece, with your stately columns"—after which the Lincoln Memorial is copied—"why have you with all your learning and ancient grandeur and glory perished and now come with hat in hand asking for help from America; Greece, now one of the saddest lands in all the world, weak and impotent?" And I had to answer, "Oh, Greece, you had an Alexander who at the age of 33 wept because there were not more worlds to conquer; yes, you, too, were rich and glorious." I could hear the Muses and I could see the works of Phidias—you have perished, and, like Egypt and Babylon, you lie buried today in ruins beneath the earth; and why? Because as you grew rich and powerful, you became weak and corrupt.

You know prosperity and power are more difficult to endure than poverty and hardship. That is the history of civilization. Greece perished because she turned her back on the teachings of Socrates, of Plato, and of Aristotle, abandoned the teachings of her fathers to give herself up to hedonistic ethics, an epicurean philosophy of "Eat, drink and be merry, for tomorrow we will die." And Greece did die.

And then came Rome. "Rome, Rome, mother of dead empires," I cried out with Byron as I walked along the Appian Way toward the Catacombs of St. Calixtus over the bridge across the Tiber, up to the castle of Hadrian and St. Angelo, toward the ruins of Romanum Forum, and I stood under the arch of Septimius Severus, under the arch of Constantine and stood in the center of the Colosseum, big as the Yale Bowl—almost as big as the Rose Bowl at Pasadena, I suppose—but there they were: Beautiful women, gorgeously gowned, bedecked in jewels, welcoming the death of the gladiators who were vanquished.

Rome gave us law, order, and government and through England we have inherited that. Rome with the legions of Caesar conquered north Africa. "Carthago delenda est," Carthage must be destroyed. It was. Rome extended her far-off dominions into Britain and this mighty Roman empire, with its wealth, its glory, its luxury, that gave to the world law and order in government, crashed and went to pieces. Why? She was not sacked by barbarians. Rome broke and went to pieces on the rocks of materialism, selfishness, and greed. Caracalla and Caligula followed Augustus and Marcus Aurelius.

Then Nero came along and he fiddled while Rome burned. He gave them free bread, free circuses, free entertainment. He was a Santa Claus who took care of everybody. Oh, the state was everything. He gave them security and full employment while he lighted up the city with blazing martyrs. That is why Rome fell, through her own internal political disintegration and moral decay, which proved that Lincoln spoke words of truth when he said, "If this Nation is ever destroyed it will be not from without; it will be from within."

I think Edward Markham had the same idea in mind when he wrote certain words a quarter of a century ago. He was the greatest poet of our age, of this century. I knew him, I visited with him when I was a professor of philosophy at Southwestern College out on the plains of Kansas. He died on Long Island a few years ago. He wrote these words a quarter of a century ago, Mr. Chairman, before this last war; this is what he said:

I fear the vermin that shall undermine
senate and school and citadel and
shrine;
I fear the worm of fraud, the fatted worm
of ease, and all the crawling progeny
of these;
I fear the vermin that shall honeycomb the
walls and towers of state in unsuspecting hours.

We do have vermin, we have rats in this country who are undermining the senate, the school, the citadel, the shrine.

We have the worms of fraud, the fatted worms of ease, who want something for nothing. Gimmie, gimmie, gimmie, and we have all the crawling progeny of these, Markham feared, and God knows I fear it, and I hope you do. Let there be no criticism of the Committee on Un-American Activities. They have made mistakes and will make more but they have done an unwelcomed but an invaluable and necessary job.

Then we come to modern Germany. Egypt, Babylon—Greece—Rome—Germany. We live long, but we learn so little. I thought I knew Germany. As a student at Oxford, Heidelberg, and Berlin, following the First World War, I lived, talked, and broke bread with my German friends. Any one who has flown over Germany will tell you it is the most beautiful country perhaps he has ever seen. They were a great and mighty people. I admired their knowledge of science, philosophy, music, and art. I knew the Germany of Kant, of Luther, of Goethe, of Schiller, of Hegel; I knew the Germany of Bach and Beethoven and Wagner. I have returned several times to see it a heap of rats, rubble, and ruin, just what Hitler promised, and just exactly what they deserved.

You can go from Mannheim and Ludwigshaven down the Rhine to Darmstadt, to Cologne, Dusseldorf, Bremen, Hamburg, on to Berlin, Leipzig, and Dresden, back to Halle, or down to far-off Stuttgart, Karlsruhe, and even Munich. And what is it? A shambles. Why the Germans in the past scorned peace. It was not altogether their fault, but I will not enter into that. It would open up a vast subject which we could debate all night. But, during the past two decades the German people, whipped and browbeaten down to the earth, listened to a paperhanger, an ex-corporal, Adolf Schickelgruber, who turned his back on the teachings of their fathers, who accepted the philosophy of one Friedrich Nietzsche, "the will to power," the superman, "might makes right," and adopted the tactics of Bernhardi, Von Bethman-Hollweg, and Treitschke, "necessity knows no law." So, modern Germany, with all of her science and power and might, is no more. God knows, anyone who faced those Krauts knows what they had on the ball. In spite of it, all she is today is a shambles of ruin.

I am sorry to have trespassed upon the patience, the endurance and indulgence of the Members of this House for the past 10 or 15 minutes. I am for this 70 air group bill. It has got to be. It was unanimously reported. It is necessary. But God help us to think just a little of America as we contemplate any foreign or imaginary enemy which I do not think can possibly attack us in the near future, and would not dare. They do not have the steel, the oil, the rubber or the resources to do it. How well they know it. While we are thinking of these foreign enemies, let us think just a little about America. All your railroad wrecks, your fires and explosions that are going on today—you read it every day in your paper—are not accidental.

I fear the vermin that shall undermine senate and school and citadel and shrine. I fear the worm of fraud, the fatted worm of ease, and all the crawling progeny of these. I fear the vermin that shall honeycomb the walls and towers of state in unsuspected hours.

God help us to hang together or we will hang separately.

Mr. VINSON. Mr. Chairman, I yield 10 minutes to the gentleman from Texas [Mr. KILDAY].

Mr. KILDAY. Mr. Chairman, it is always a privilege to listen to the gentleman from Missouri when he discusses the history of the world and the various philosophies which have affected it. This is not the first time that I have found myself in the uncomfortable position of following the gentleman from Missouri. I fully appreciate my limitations and that my remarks must be entirely practical and as to the bill itself.

Still, I do want to say sincerely how much I did appreciate and enjoy the remarks of the gentleman from Missouri.

I believe that our chairman has covered the points of this bill most thoroughly. I do want to say, however, that a few days ago a remark was made on the floor in connection with another bill pending here that this bill was coming in and was in the nature of an emergency, or that it indicated the continuance of an emergency of the United States. That does not conform to the facts. This bill does not have any of the elements of an emergency in it. It refers entirely to peacetime conditions and to a continuing program. I was here when we first began preparation for the recent war. At that time our National Defense Act provided that the total overall strength of the Army and the Air Force would be 280,000. The permanent law today does not increase that 280,000.

I recall that when we passed the first Selective Training and Service Act we did not repeal the 280,000 limit but only suspended it for the time being. I have always felt that we made a very serious mistake when we finally removed all ceilings on the number who could be taken into the armed forces or be in the armed forces at any one time. We originally approached it cautiously and provided that no more than 900,000 could be in training at any one time under the Selective Training and Service Act. We increased it from time to time, but finally removed the ceiling. So the Congress lost entire control over the number of people who could be taken into the armed services, and lost entire control of the number who would hold the status of veterans after the war. I doubt sincerely if we would now have the Veterans' Administration reporting that 18,000,000 and more Americans now have the status of veterans and the rights to veterans' benefits had the Congress of the United States had the control which we previously had and the control which we should always hold.

At the present time there is some question, it is true, as to whether there is permanent legislation authorizing the strength of the Army and the Air Force. There can be no doubt, however, that that authorization is in a negative manner and that it appears, of all places, in the last extension of the Selective Service and Training Act. So actually, rather than being an authorization, it constitutes a ceiling.

We come now to the first occasion upon which we have attempted to do anything as to the permanent organization of our Army and Air Force since the revision of the National Defense Act of 1920. This bill will provide the over-all strength of the Army at 837,000 and the over-all strength of the Air Force at 502,000. As our chairman has said, the over-all strength of the Navy was fixed some time ago, at the time that our present chairman of the Committee on Armed Services was chairman of the Committee on Naval Affairs, and always saw to it that the naval legislation was promptly provided, and probably well in advance of the need. We are very glad indeed that our chairman is now also handling the Army and the Air Force, and that we can maintain what he referred to as balance.

I agree thoroughly with the gentleman from Mississippi and all those others who advocate research, but when you speak of research you are mentioning only half the problem. The other half is development. After your original research has taken place, then you must have the development.

Those of you who served in the Air Force know what a far different plane the B–17 was at the end of the war compared to what it was at the outbreak of the war, the improvements which were made in it as time went on and service conditions showed the justification for those changes and the nature of the changes needed or desirable.

Recently we were all thrilled at the flight of the B–50 around the world. After having followed those matters carefully in the press during the war, I am sure that the B–50 seemed to be something new to those who had followed such matters only in the press.

Of course, the B–50 which flew around the world was nothing other than the B–29 which bombed Japan, but a far different plane from the B–29 which bombed Japan because of the development which had taken place in intervening years. So research, laboratories, drawing boards, and blueprints are fine. But we must have the actual plane in existence so that the development based upon experience may be brought into that plane so that it may be of a type which will really serve our purpose. In addition, you do not take men fresh out of college and put them into a new plane and have them constitute an efficient crew. Our men must become acquainted with these planes and learn their efficient operation and their maneuverability and all things having to do with tactical or strategic operation of the planes. Therefore it is time for us to authorize on a permanent basis and over a long period of time what we regard as being the minimum necessary for an Air Force as well as an Army in peacetime.

There has been some reference made especially in the consideration of the rule as to the vast authorities granted here. There is no novel authority of any great degree granted by this bill. It is true, in connection with procurement, that we have lengthened the time, provided the appropriation bill on the particular subject is not limited. In other words, we have now come to the realization that you cannot have research, development, and procurement on a long-range basis by having funds available for 1 year only. So that we do grant here the right for funds to be available for disbursement for a period of 2 years, in the case of research and development, until expended. That will give us the ability to plan for these planes which the gentleman from Missouri [Mr. SHORT] so properly stated we need, and which point he brought out so clearly when he said that no plane—the design of which began after Pearl Harbor—ever took part in the recent war.

Mr. Chairman, there is a question as to constitutionality that may arise in the minds of some with reference to the provision that appropriations for the Army shall not exceed a period of 2 years. A good many years ago it was held that that provision applied to raising and supporting an Army and applied only to equipage, food, and what not, and did not apply to its munitions or posts and stations. It has never been construed to apply to the Navy. The Constitution, of course, makes no reference to the Air Force, and our legal department of the Government, the Attorney General, has held that in equal measure it does not apply to the Air Force. I believe that the best thinking of the legal minds today is that it does not apply to the Air Force and that there is no question as to the constitutionality of this provision.

I mention it to the end that it might not be thought that it has been passed over here without calling to the attention of the Congress the fact that we do have here something which is a little new on the question of procurement and appropriation.

Mr. Chairman, I doubt if there will be much opposition to the passage of this bill. While it appears that it will not be unanimous, I hope the vote will be comparable to that on the rule.

The CHAIRMAN. The time of the gentleman has expired.

Mr. VINSON. Mr. Chairman, I yield 10 minutes to the gentleman from North Carolina [Mr. DURHAM].

Mr. DURHAM. Mr. Chairman, this bill has been covered in its entirety, in my opinion, by the chairman, who made one of the finest explanations that I have ever listened to, and also by the gentleman from Missouri [Mr. SHORT] and the gentleman from Texas [Mr. KILDAY]. There is very little that I can add to what they have already said. Probably some of the Members might be interested in what this bill does in regard to the National Guard. That was not explained in detail. Although the National Guard has had statutory authority in the National Defense Act, my experience on the committee has always been that we have had difficulty in working out proper recognition for the National Guard in the armed services. The National Guard officers appeared before us; also the Reserve officers, and there was full agreement before this measure was finally adopted by the committee. That is something that has not happened since

I have been a member of the Armed Services Committee for the past 10 years.

It does raise the actual strength of the National Guard at the present time. It also raises the strength of the Reserve officers. The over-all allotment to the National Guard would give each congressional district about 800 members.

Something has been said about the research activities authorized in this act. I think all of us who have served in this body for the past few years and those of you who served in the Army during the last war, have seen the most phenomenal developments take place in regard to the development of weapons for national defense. A few days ago we witnessed at Andrews Field the modern developed plane, with jet engines and all the other things. It is amazing how fast this has developed in the way of items going into our national defense picture. That not only applies to the planes but it applies to the delivery of weapons, which are today the most powerful in the history of the world.

There are many other developments which, of course, cannot be talked about on the floor of this House. We are faced with them every day, especially those who are serving on the Armed Services Committee and the Atomic Energy Joint Committee. We have become amazed at the developments that have taken place since the end of the last war.

So this whole bill is designed as a striking force. We hope and pray there will not be any conflict; because we know that, if there is a conflict, the next war is going to be more destructive than any previous conflict.

Within the last few days we have flown a plane around the world, and we know that it can deliver missiles, of whatever type we decide to use, at most any spot in the world.

When we began the last war we thought only of the protection of our own country. Then we entered the war and we immediately began to develop planes and other things of a military nature that placed us in a position to finally win the war.

This bill at the present time authorizes a total of 837,000. Our present force is about 690,000. So we are not up to the authorization in this bill. It will be necessary, of course, if we move up to 837,000, that we have additional appropriations over the budget allowance this year. The Air Corps has 400,312. The authorization is 510,000, which is quite an increase.

I am hopeful that the Committee will act favorably on this bill, because I feel it is much safer for the Congress to control the over-all top ceiling in our Air Force and Army. I served on the old Military Affairs Committee when we took the lid off; and many, many times we regretted that.

So, in my opinion, this is a safe measure for the country. The bill H. R. 1437 authorizes a 70-group Air Corps and I have spoken in support of the 70 group on former occasions and advocated that we proceed to establish this striking force as early as possible. It provides us with a minimum striking force with which at least we could operate, and from which we could expand our forces into a much more effective one, that we could not do without this authorization.

The SPEAKER. The time of the gentleman from North Carolina has expired.

Mr. VINSON. Mr. Chairman, I yield 5 minutes to the gentleman from Utah [Mr. GRANGER].

Mr. GRANGER. Mr. Chairman, I do not want to be misunderstood as a result of what appeared in debate on the rule to be opposition to the consideration of this legislation. Like all of you, I, too, was thrilled by the remarks of the gentleman from Missouri [Mr. SHORT]. He can even get applause when he is wrong. I had sort of commissioned him as my watchdog on the Committee on Military Affairs, as I thought his views on military matters were pretty much the same as mine. But evidently he has succumbed to the suave, effective leadership of his distinguished chairman. He also told the House the cause of the rise and fall of these great empires that have gone before. Let me say here that history records that every one of those empires depended in the last analysis on armed force, and it brought them to destruction. I wish only to call to the attention of the House the fact that no matter how much we build up our military forces it is not going to be any assurance of peace in the world; it may even aggravate war. I wish most sincerely and humbly that some time we could generate as much enthusiasm in behalf of peace and pursuing the things that will lead to peace as we do for conflict. What we need in this country more than anything else is a Christian and moral rearmament. Maybe that is too much to expect, inasmuch as we have few people who will not agree with that; but, certainly, we have, as a result of our own efforts in our own country, attempted to establish a tribunal which would finally at least point the way to where we might cooperate with the nations of the world in establishing a peaceful world. It seems to me that we have rather soon forgotten that great objective and instead of following through, in my humble judgment, we have done much to destroy the effort that has already been made.

I know that the voice of anyone who speaks against this bill is but a small voice in the wilderness. The other day we had a controversy here over a measly little item of $18,000,000 for the District of Columbia. Today we are dealing with billions of dollars. I wish someone would tell me how this Nation can survive over a long period of time, such as this bill contemplates, when we are going to have to spend 75 cents of every taxable dollar either on military installations, praying for past wars, or rehabilitating the maimed and disabled of other wars. Those are the things I am concerned about and that is what I wanted to say at this time.

Mr. HAYS of Arkansas. Mr. Chairman, will the gentleman yield?

Mr. GRANGER. I yield to the gentleman from Arkansas.

Mr. HAYS of Arkansas. I think the gentleman has rendered a valuable service in making this observation. However, there is not anything incompatible in the viewpoint that he represents; that is, that our greatest need is a spiritual rearmament and support of this bill if we do not place our reliance exclusively upon physical and material defenses. I am glad the gentleman has made the observation, because in the debate upon a measure of this kind it is well for the world to be reminded that our goals are identified with world peace and not domination through any military power.

The CHAIRMAN. The time of the gentleman from Utah has expired.

Mr. VINSON. Mr. Chairman, I yield the gentleman two additional minutes.

Mrs. BOSONE. Mr. Chairman, will the gentleman yield?

Mr. GRANGER. I yield to the gentlewoman from Utah.

Mrs. BOSONE. I am very proud of the comments that my worthy colleague has made and I want him to know that I am 100 percent in accord with what he has just said. It is alarming when 76 percent of our tax dollar goes to the military part of our Government without some forethought. Do we want a military government? We should ponder long and well. I want my country protected, so I am going to vote for this bill. I am very pleased to think my worthy colleague, who has always been such a worthy legislator since I served with him in Utah, has expressed himself so ably and so nobly on this particular bill.

Mr. GRANGER. I thank the gentlewoman.

Mr. VINSON. Mr. Chairman, I yield such time as he may desire to the gentleman from South Carolina [Mr. BRYSON].

Mr BRYSON. Mr. Chairman, during the past several weeks we have had the privilege of listening to testimony presented before the Committee on Armed Services by the Secretaries of the Army and the Air Force, and the Chiefs of Staff of their respective services or at least have read their testimony. We also know former Secretary of Defense, Mr. Forrestal, testified on H. R. 1437, a bill to authorize the composition of the Army of the United States, and for other purposes. I am sure that every Member of this House appreciates the intent of this bill, which has now been approved unanimously by the Armed Services Committee. In addition to the Regular Establishments of the Army and the Air Force, certain Reserve components are necessary to guarantee the security of the United States. In these days of continuing tension in Europe, of increasing discord in China, and of uncertainty in many other parts of the world, we cannot jeopardize our future security by neglecting any aspects of our defenses. We must have a strong Military Establishment, prepared for any emergency.

I am sure also that every Member of this Congress who had the opportunity to read the statements and the testimony of the Secretary of the Air Force, Mr. W. Stuart Symington, and of the Chief of Staff, United States Air Force, Gen. Hoyt S. Vandenberg, must have been impressed, as I was, by the sincerity, the earnestness, and the capabilities of these men to whom have been entrusted in a very large measure the air phases of our defense. Mr. Symington and General Vandenberg are dynamic

leaders, with most distinguished records in the service of the United States and in particular with the Air Force. Each saw service—the one in civilian capacity, the other as commanding general of a tactical Air Force—in World War II. Each has seen a good deal of Europe since the war. Each is thoroughly familiar with the strength, the readiness, and the needs of our present Military Establishment. I feel that we cannot afford not to listen with attentiveness, with respect, and with deep seriousness to the testimony of these air leaders.

In his statement read before the Armed Services Committee, Secretary Symington stated succinctly the purpose of the proposed legislation when he said it is "to authorize an Air Force capable, in conjunction with the other armed services, of meeting whatever international crisis might be forced upon this country."

I should like to point out that in these days when we hear so much about bickering among the services, and of the failure of unification, it is reassuring to find the Secretary of the Air Force voicing in unequivocal language his endorsement of an Air Force that will serve not alone but "in conjunction with the other armed services." Mr. Symington believes in unification. Mr. Symington has worked earnestly and untiringly to make unification in the armed services a fact. And Mr. Symington has seen unification at work, has—moreover—seen unification applied to the meeting of an international crisis forced upon this country. I refer to the Berlin airlift, which Mr. Symington and General Vandenberg have inspected personally, and which I too have had the privilege of observing.

I am quite sure that when Mr. Symington spoke of meeting whatever international crisis might be forced upon this country, he had in mind the very acute crisis that was forced upon this country last June, and the success with which air power was used to meet it. In his statement before the Armed Services Committee Mr. Symington went on to say:

> In the atomic age of lightning attack, air power instantly capable of defense and sustained effective retaliatory attack is a basic need of the Nation. Without such capacity, when within a few years one group of countries capable of attacking the United States will possess in quantity the absolute weapon, the lives of our people will be in daily jeopardy. That would not seem to be the proper heritage to leave our children.

To give us the Air Force necessary, Mr. Symington urges passage of the bill which would authorize statutory military personnel strength for the Army and the Air Force and which would authorize research planning for and procurement of aircraft on a long-range basis. Of the three armed services, the Navy alone at the present time has a statutory personnel ceiling; and by stipulation in the Constitution of the United States, only the Navy is permitted to expend its funds over a period of more than 2 years.

Mr. Chairman, Mr. Symington concluded his testimony by stating with the forthrightness which has always characterized his utterances:

> I consider the passage of this authorization act essential to the security of the United States.

There is no mincing of words in that statement. There is no prophecy of doom, no hysterical cry for larger appropriations. It is the well-considered judgment, the balanced opinion, the unqualified conclusion of a man who has weighed all aspects of the question, who is familiar with the international situation, who understands the implications of aviation progress in this atomic age.

> I consider the passage of this authorization act essential to the security of the United States—

Mr. Symington said, and rested his case with that straightforward statement.

It was my privilege to read a statement from General Vandenberg, as well as by Mr. Symington, before the Armed Forces Committee. The Secretary spoke of the over-all need for air power to guarantee national security. The general spoke in detail of the authorization act, and how it answers the requirements of the Air Force program.

> Legislation embodying the intent of Congress, with respect to composition of a military service—

The general said—

> is necessary as guidance for those who administer that service, and is a means of insuring continuity in the development of the service. Such legislation also provides a broad long-term authorization upon which the service may base its periodic estimates of requirements.

General Vandenberg made it very plain that H. R. 1437 is a long-term authorization plan for maximum efficiency in operating an Air Force capable of carrying out the tasks assigned to it in these times of unsettled peace. The plan is as modern as jets, as forward-thinking as our combination of civilian genius and military proficiency can formulate for the years immediately before us.

The plan for an Air Force in being calls for an Air Force with three major tasks:

First, in event of attack, of delivering an immediate and powerful strategic air offensive against the basic sources of our enemy's war-making capacity.

Second, of defending the United States and our essential bases against air attack.

Third, of furnishing tactical support to both Army and Navy in exploitation of the opportunities presented through prosecution of the first two tasks.

To provide for an Air Force capable of performing these tasks of delivering, defending, and supporting is the basic purpose of H. R. 1439. The enactment of this bill into law will enable the Air Force to plan not for one year or two, but for several years ahead of each fiscal year. It is the first authorization for the nature, scope, and composition of the Army as well as the Air Force. The Navy already has an authorized strength under a 1946 statute.

I need not remind the Members of this House that authorizations and appropriations are two separate and distinct items and must not be confused with each other. Authorization implies the acceptance of a broad plan for the strength of the Air Force upon which year to year funds must be made available toward the achievement of the ultimate objective. The authorization plan of H. R. 1437 may be conveniently referred to as the 70-group air force, which is the core of our long-range plan. It is the plan presented and endorsed by the President's Air Policy Commission and by the Congressional Aviation Policy Board, of which Senator OWEN BREWSTER was the chairman, and our able and distinguished colleague from California, Representative CARL HINSHAW, was the vice chairman.

Appropriations, on the other hand, are the amounts made available in a fiscal year for the operations of the Air Force during that year. The appropriations proposed for the fiscal year 1949–50 have been set up by the President and sent to the Congress and are under consideration now. The funds tentatively planned for the Air Force for 1949–50 as presented in the national defense budget would permit the operation of a 48-group air force. I am not at the moment concerned with appropriations but with authorizations.

Specifically, the enactment into law of H. R. 1437 would, among other matters, set up authorization for the following:

First. Seventy Regular Air Force groups.

Second. Twenty-two separate Regular Air Force squadrons.

Third. Sixty-one National Guard and Reserve groups, together with supporting elements.

Fourth. A personnel strength for the Regular Air Force of 502,000.

Fifth. An aircraft strength of 24,000 serviceable aircraft to meet the requirements of the Regular National Guard and Reserve components as well as provide a war reserve to replace early combat losses.

Sixth. An annual replacement of 5,200 aircraft.

Seventh. A more intensive program of research and development.

Eighth. Authority to use money beyond the period for which originally appropriated.

The outline I have just given is for the entire 70-group air program in its final stage, the program which we want Congress to authorize this year so that the Air Force can plan not only for 1949–50 but for the next year and other years ahead.

We do not have such an air force today, but what we have comes up to the finest traditions of our military service. Our United States Air Force is performing missions in peace with that same fortitude and skill that it exhibited in combat. Our National Defense Establishment is a team, and a strong team on which the Air Force plays forward.

Mr. Chairman, we have already had the privilege of hearing the Honorable FRANK W. BOYKIN, of Alabama, speak on the first annual report of the Secretary of the Air Force, on the progress made by the Air Force in one year of autonomous existence. The gentleman from Alabama [Mr. BOYKIN] paid high tribute to this report, which he characterized as "just such a statement as one would expect a modern business executive in private industry to make to the stockholders at the annual meeting of

his concern." The gentleman from Alabama [Mr. BOYKIN] read from the report some extremely interesting paragraphs on what the Air Force has done to improve efficiency and economy in the organization. The gentleman from Alabama [Mr. BOYKIN] also called attention to the frank and candid report of "Unsatisfactory Progress" referring to the things that we in this Congress might do to further increase the national security and do so with a minimum of expenditure of the taxpayer's dollar. I do not care to read into the CONGRESSIONAL RECORD lengthy quotations from this section of the Secretary's report, because every member of this Congress has received a copy of the report, and has undoubtedly read the report himself.

I do wish, however, to point out that the Air Force has needs other than those indicated by the legislation now under consideration, H. R. 1437. Foremost among these is an aircraft control and warning system to detect the approach of hostile aircraft at long range and to control our own intercepting aircraft in flight, so that interception is possible. Such a system would require extensive radar and radio installations, complex control centers, and a high state of training of technical personnel. Because of its critical importance to our national security, such a system is provided for in other bills.

A second requirement is additional quarters for Air Force personnel, both family quarters and barracks. The shortage has a bad effect on Air Force morale. Airmen who think enough of their families to consider the suitability of family quarters are by and large airmen of a quality the Air Force cannot afford to lose. The general lack of suitable or even available family quarters is causing the Air Force to lose an alarming number of highly trained and experienced mechanics, technicians, and combat crewmen. The problem of housing is not peculiar to the armed forces, but the vital nature of its mission entitles the Air Force to urge priority consideration of this critical need.

What is true of quarters, is likewise true of other Air Force installations. At the end of fiscal year 1949 the Air Force had only two-thirds of those base facilities necessary for its existing units, and more than half of existing available bases have temporary World War II type construction, built 6 or 7 years ago for a 5-year life. Such installations are worn out, and need to be improved to meet the changing needs of improved aircraft, when they do not need to be replaced altogether. Runways, taxiways, aprons, and other structures must be kept suitable for larger, heavier, more advanced types of aircraft as they appear from the proving grounds and the aircraft factories.

These are only some of the requirements of the Air Force that will in due course become matters of discussion and consideration by Congress. I am not one of those who believe that the future security of the United States depends solely upon the air power we maintain. But I do believe that the air power we maintain is our most potent deterrent to war today. That enemy nation or group of nations that knows we are prepared to meet air attack with instant retaliatory air attck may well decide not to risk humiliation and defeat at the hands of our strong democracy. Japan and Germany learned slowly but effectively that with American production know-how, American resources, and American planning we could gain air superiority over them in spite of the fact that initially they enjoyed air superiority over all their enemies.

The hopeful democracies of Europe today have seen in our airlift to Berlin proof of our instant readiness to meet any international situation that may arise and to maintain an isolated, blockaded city of two and one-half million people by means of air power. When Operations Vittles began last June even the most hopeful advocates of air power thought of it as an expedient designed to postpone war. Today the whole world knows that Operation Vittles has proved to be an instrument as strong as an armed garrison, more potent than diplomacy for maintaining peace. It has kept Berlin alive. It has not only maintained the American position in western Europe, it has contributed beyond evaluation to the success of the Marshall plan. It has given prestige to our position of world leadership that not even the victories of war could give us. The Berlin airlift has proved to the world the intention and the capacity of the United States, not merely to mobilize for the successful conclusion of a war when attacked but to mobilize for the maintenance of peace.

A few days ago Gen. Omar N. Bradley, Chief of Staff of the United States Army, in a speech in Boston before the industrial leaders of the country, called air power essentially a first priority weapon.

Responsible leaders of the country agree with General Bradley, that capable, efficient, and honest Administrator of our Veterans' Administration, that distinguished soldier of World War II, the respected and admired Chief of Staff of today's Army, in assigning first priority to the Air Force, in considering the needs of the military services.

We dare not overlook the needs of any of the services. We dare not neglect to provide a balanced defense. But we dare not give to our first priority weapon less of its requirement than air leaders, than the President's Air Policy Board, than the Congressional Aviation Policy Board have indicated.

Mr. VINSON. Mr. Chairman, I yield 12 minutes to the gentleman from California [Mr. JOHNSON].

Mr. JOHNSON. Mr. Chairman, I hope the gentleman from Utah remains because I would like to discuss this bill in a way that I think will please him.

When we look at this bill and consider all it provides, it looks like a rather fantastic situation. Several years ago we authorized a Navy of 666,000 men. In this bill we authorize an Army of 837,000 men and an Air Force of 502,000 men, making a total of 2,005,000 men in our armed services. This includes officers and enlisted personnel.

Almost 4 years have elapsed since the close of the war. Many of us, measuring the situation by what happened after the First World War, thought that by this time we would be somewhere near normalcy. We thought that our armed forces would decline rapidly. We thought the military forces would rapidly be demobilized and that we would have but a small standing Army, Navy, and Air Force 3½ years after the shooting stopped. We thought the treaties of peace would be signed promptly and rapidly and that they would bring stability to the war-torn countries of Europe and Asia. But that has not happened and that is the reason why, in my opinion, we now must have a rather strong military force. The sweet and hopeful words of some of our allies about peace and world harmony that would follow victory over our enemies have turned out to be illusions and disappointments.

This is due to the chaotic and fearful situation in which the world finds itself. Also, it is convincing evidence of how all-pervading and all-consuming the wars of today are. The recovery and return to a normal situation is much slower than it was after the First World War. It indicates what a future one might be. All wars are now total war and no part of our economic or social or political life remains untouched. Another war might destroy civilization itself and plunge us into another Dark Ages from which recovery might take centuries. That points up the basic essential of trying to avoid another war. If we cannot do that, nothing much matters. We argue and get into almost a state of hysteria over rent control, reciprocal trade agreements, changes or regulations in our management-labor relations. But all these are of minor importance when we consider the overpowering problem of establishing stability and peace in the world.

The matter becomes more awesome to us when we realize that we are the key nation that must lead the troubled and chaotic world of today out of the wilderness of sorrow, uncertainty, and chaos into the world of peace.

This bill has great significance to that situation. I think it can be the key that may open the door to the world of cooperation, hope and peace that our soldiers fought and died for and that we are all hoping for.

I am convinced that we must travel the road to peace through our strength. A strong powerful nation able to meet any aggressor and defeat him will bring respect. Strength will act as a stabilizer in an uncertain world and maintain at least the status quo while the machinery to make peace can be perfected and while the will to have peace may be strengthened among the nations.

It is curious—and I believe everyone who has traveled to the troubled spots of the world, as many members of our committee have, will agree with me—but the world is living in fear. The people in Italy, France, Persia, Turkey, Egypt, and other countries in other continents live in constant fear of what might happen—basing their fears on what has happened to neutral and peace-loving countries in the recent war. They are building up their defenses, they are joining pacts, they are feverishly trying to prepare for the assault that might be visited upon them. Yet they are now

exhausted in manpower, wealth, and military organization.

Mr. NICHOLSON. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON. I yield to the gentleman from Massachusetts.

Mr. NICHOLSON. Does the gentleman advocate that this country furnish airplanes and guns and ammunition of war to foreign countries?

Mr. JOHNSON. I do not; at least for the present. It may be that we should help some nations in the event that the proposed Atlantic Pact is entered into. That should merely be done if our judgment tells us that such help will bring more security to us.

The only way that situation can be handled is through organization. The organization must build on its strength and solidarity. It must be one that can insure the peace through the combined strength and unity of the group. That is where the symbol of strength of our armed forces, and our productive capacity can be a big help. It will be the spearhead of this effort—in fact it must be the driving force to accomplish it.

But I want to add a note of warning here. We must realize that our ultimate salvation and a peaceful world cannot be built alone on armaments. It must have a base of moral and legal authority. We must be sure that the very strength that I am talking about will be the vehicle which will awaken and stimulate the moral and legal conscience of the world, so we may build a world of law and order. That very world of law and order must be based, to an extent, upon force. It must have as an integral part of the organization the force to make its determinations binding and conclusive. It must have the force to stop any outlaw who may wish to override and trespass upon the rights of others in the family of nations. That kind of a world is slow in building. That kind of a job will need the continued support—in symbol form only—that our present and proposed military organization furnishes. But we must never lose sight of the fact that this strong symbol of military power is only for the one purpose of building and protecting a peaceful and a free world.

Consequently, you can see why we of the Armed Services Committee are anxious to have you approve of our recommendations as found in the bill before us. We gave serious and thoughtful consideration to it. We realized, for instance, that in addition to the regular professional Military Establishment, we needed a reserve group, part of which, could be mobilized instantly. This world is so small and an aggressor can strike so quickly that we must be ready at any time to defend ourselves. But if we have the power to strike back quickly and with a knock-out punch, then the attack which we hope will never come, probably will not come.

Mr. WHITE of Idaho. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON. I yield to the gentleman from Idaho.

Mr. WHITE of Idaho. I was going to ask the gentleman if he does not believe that our thinking and policy should be slanted toward peace rather than our thinking and policy being slanted toward war.

Mr. JOHNSON. I agree with the gentleman. That is what I want to develop by this discussion.

We must be careful to see that our strength in the military does not result in an armament race, in which finally some incident or provocation may occur which will light the spark that can flare into war. We hope and pray that mistakes that have been made in negotiating and dealing with our allies and which now act as roadblocks to peace can be overcome. It is little use now to dwell on them except as unfortunate incidents in history. It is for the historian to objectively appraise their damage. What we want now is a way to get peace, despite the handicaps. We cannot go on forever in the state of uncertainty in which we now find ourselves. We cannot forever have a Berlin airlift, a nervous Trieste, a shaky Korea and an Austria that must be guarded and protected by us. The fronts and the trouble spots of this struggle are all over the world. China may be the key spot where we must do something to stop the relentless "peaceful" penetration which is now going on and which has resulted in 12 countries coming under almost complete slavery, as far as the individual is concerned.

The military strength which we provide by this bill should give our representatives at the conference tables much help. We hope they have the skill to use it to harness the moral and legal conscience of the world and thus bring lasting peace and the mechanisms to maintain it. That is the kind of security we must ultimately have if the world is not to be destroyed. Military strength during this transition period will help bring security based on morals and law. Remember that without security—military or legal—there can be no real personal freedom.

Mr. VAN ZANDT. Mr. Chairman, I yield 10 minutes to the gentleman from California [Mr. HINSHAW].

Mr. HINSHAW. Mr. Chairman, I am happy to note in the committee report on this bill references to the work done by the President's Air Policy Commission, sometimes known as the Finletter Commission, and also the work done last year by the Congressional Aviation Policy Board of the Eightieth Congress.

I am glad to note also that the committee referred to the fact that the results of our studies in these two separate groups, one created by the President and the other by the Congress, came out to approximately the same score. Those of you who have read the report of the Congressional Aviation Policy Board of the Eightieth Congress will remember that we set up two plans for the Air Force, one known as plan A and the other known as plan B.

Plan A, as established by our committee, would provide that initial strength necessary to mount promptly an effective, continuing, and successful air offensive against a major enemy. That program would require, among other things, an annual procurement of aircraft for the Air Force at the rate of 86,000,000 pounds of air frame. Plan B, which was based on other concepts, but from the same sources of information, was designed to plan the strength necessary to prevent the loss of a war at the outset of hostilities.

I would like to call the attention of the House to the fact that the plan set forth in this bill, and the strength of the air forces as established in this bill, in relation to the number of air-frame pounds which were to be produced as a maximum annually, namely, 85,000,000 pounds, is approximately the requirement under plan A. In other words, this is the production strength that would be required to mount an offensive which could be continued and successful. That, to my judgment, is the very minimum which we should authorize in this Congress. I trust that the committee itself, having studied the question, likewise is on notice that it will be necessary to increase the present actual procurement program by not less than 30,000,000 pounds of air frames annually and to do it at once in order to bring production up to plan B as we are now lagging in the production of enough aircraft even needed to prevent the loss of a war should we be attacked. There is a reason for this. The reason for it is that it takes a considerable length of time for the aircraft industry of the United States to build up its production rate to the point where it can meet attrition losses and from there on to build an air force that can keep going. We remember, before World War II, when the British ordered aircraft in the United States in the year 1938, I believe. They also, at the same time, provided funds for the increase of the plant capacity in the United States. They did this through private contracts and private manufacturers. I venture to say, and I do not think any one will disagree with what I say, that if it had not been for those initial orders by the British several years before we became involved in World War II, that the plant capacity of the aircraft industry of the United States would have been wholly unable to meet the needs of our own Air Force and Navy during the war and the war itself would have been prolonged by perhaps a year and a half to 2 years, if not altogether lost. From that fact, and from the figures of casualties, you can see how many lives it saved the United States for our industry to have had a head start on the requirements which ultimately came for our air forces.

As the gentleman from Mississippi [Mr. COLMER] was talking a few moments ago, on the subject of research and development, I would like to remark briefly that, of course, it is vitally necessary that we carry on an active program in research and development. Major funds should be expended in that direction in order that we may be on top when it comes to the best possible design of aircraft. But, if we did nothing else but research and development, of course we would have no aircraft—no defense. It would be a potential defense, but not a real defense. Hence, it is necessary to cut off in the research and development program about every so often and to start ordering aircraft from the status of research and development in which we find ourselves at that time.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. HINSHAW. I yield.

Mr. CASE of South Dakota. I am very glad to have the gentleman from California bring out the two points which he is making—one as to the necessity of keeping productive capacity in being in the country, and also to give some application to such research as we have accomplished, by the actual creation of some planes. The gentleman may recall that a year ago, when the House took the initiative in providing funds for the 70-group air force, we were confronted with that precise question as to whether or not we should go ahead and place some procurement orders, or whether we should wait and get the benefits of some later research. But the question was resolved in this way: We felt that we have to start some time, and that it was possible to proceed with a formula of calculated risk. So, in the supplemental appropriation bill, where we provided the money for the 70-group air force, we wrote in some language and required that there should be certain—that the planes which were contracted for should incorporate the latest design and the latest improvements consistent with the needs of the Air Force and the risks of the situation at the time. That is a question that always must be answered, to try to get the most we can, and to maintain productive capacity for turning out planes, and also to have an air force in being, in case you need it.

Mr. HINSHAW. I appreciate the remarks of the gentleman from South Dakota. I remember the language which was written into the bill. Of course, the gentleman understands it is difficult for the executive office of the Government, either the President or Secretary of National Defense, to state whether or not anything is the most modern, because right behind that comes something else which is a little more modern, and it depends entirely in what state of development the most modern thing is, as to whether or not it may go into a given aircraft at a given time.

Mr. CASE of South Dakota. That is true, but what we were trying to do to meet the practicalities of the air-force situation is also to meet the practical difficulties of getting some funds made available, and we had to try to find a formula upon which we could get an agreement to appropriate funds. That is what we did. That started the money for the 70-group air force.

Mr. HINSHAW. I think the committee is to be highly complimented for having taken the desired action. Now I want to speak on one more subject rather lightly for the time being. That is the subject of the Reserves and the National Guard. I presume that in my necessary absence from the floor someone may have discussed that subject, but I would like to add a word.

In the first place, the Continental Defense Command of the United States is implemented very largely by 20 or 21 National Guard groups, as an air-defense organization for our own country. It is a matter of vital necessity that we do have this continental defense. It is not necessary that the entire continental defense be on duty 24 hours every day, but it is necessary that they be made available for duty on relatively short notice. The National Guard set-up is appropriate to that purpose. Whether or not it should be federalized is a subject to be discussed at some other time. There are arguments both pro and con on that subject. But when it comes down to the matter of reserves, I desire to call the attention of the committee, and any members of the Appropriations Committee present, to the fact that the Air Force Reserves have received very scant attention, either from the Congress or the National Defense Establishment, over the past several years. They have practically no quarters at all from which to operate. They have a very limited budget. Training time is exceedingly limited, and facilities available to them, including aircraft, are exceedingly limited. Now, it is expected that the reserve force attached to the Air Force will become the immediate replacement, in the event of hostilities, for those who are in the regular, active service.

The CHAIRMAN. The time of the gentleman from California [Mr. HINSHAW] has expired.

Mr. VAN ZANDT. Mr. Chairman, I yield three additional minutes to the gentleman from California.

Mr. HINSHAW. It is, however, of vital importance that the Reserves be given proper training just as is the National Guard and just as, I say with some compliments, is the Naval Reserve Establishment. I think a better job has been done in the Navy in respect to its Air Reserve than has been done by any means, by any stretch of the imagination, by the Air Force. Whether that is a lack of attention, whether it is a lack of appropriations, whether it is due to the fact that the Air Force is a relatively new organization and has not yet been able fully to orient itself and organize all of the various devices necessary to provide training, I am unable to state; but I do state emphatically that it is highly important that these Reserve forces as well as the National Guard be given the best possible training that we may give a civilian group which works with the armed forces, such as our Reserve.

Mr. VAN ZANDT. Mr. Chairman, will the gentleman yield?

Mr. HINSHAW. I yield.

Mr. VAN ZANDT. I may say that the committee looked into the Reserve problem, studied it from all angles. We recognized that the Air Force was still in its infancy. While they have a program, yet they did not expend all the money appropriated for their Reserve activities.

Mr. HINSHAW. I should like to point out also that the Navy, even before hostilities had ended, used some of the funds that had not been recaptured by the Congress for the purpose of providing Naval Reserve armories all over the United States. The National Guard had its own organization and saw to it that it was properly cared for in the various stations around the country that were available to the National Guard; but the Air Force Reserve had no particular organization, and no one was especially interested. They have practically no quarters today from which to operate and have but very few aircraft on which to train, and the enlisted Reserve of the Air Force is almost nonexistent.

Mr. VAN ZANDT. Mr. Chairman, will the gentleman yield further?

Mr. HINSHAW. I yield.

Mr. VAN ZANDT. The House Committee on Armed Services now is considering legislation that will provide armories for not only the National Guard but all other Reserve components of our armed services.

Mr. HINSHAW. I am glad to hear that. I would, however, like to see them trained together.

Mr. RIVERS. Mr. Chairman, will the gentleman yield?

Mr. HINSHAW. I yield.

Mr. RIVERS. I should like to state in addition that our committe proposes to start hearings at the end of next week for the purpose of providing adequate support to all these segments of our armed reserves.

Mr. HINSHAW. I am glad to hear the gentleman say that. I know he is interested and will lend every possible effort to it. Because of his interest I suggest that the gentleman visit the nearby air fields at the present time and inspect the Reserve installations which are supposed to be available for them. Then he and his associates will come back to the Congress with a factual report, having seen at first hand the scanty quarters, the scanty office space even, that is allocated to the Reserve force of the Air Force.

Mr. RIVERS. I thoroughly agree with the gentleman. That is one reason why we are going into this thing so immediately and so thoroughly.

Mr. HINSHAW. The gentleman can start right over here at Bolling Field, then go out to Andrews Field, and so on down the line.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. VINSON. Mr. Chairman, has the gentleman any further requests for time?

Mr. VAN ZANDT. I have no further requests for time.

Mr. VINSON. I have one request. I yield to the distinguished gentleman from Louisiana [Mr. BROOKS], 5 minutes, or such time as he may need.

Mr. PRICE. Mr. Chairman, will the gentleman from Georgia yield for a consent request?

Mr. VINSON. I yield.

Mr. PRICE. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PRICE. Mr. Chairman, VJ-day in Japan found scores of divisions and millions of the finest seasoned troops in the Mikado's army entrenched, fully trained, battle tested and equipped—ready to fight to their death in the defense of the Japanese homeland.

At the same time, and at that very hour, the great Navy of these United States, the most powerful naval force that ever sailed the seas—stood ready, willing, and able to make a successful

but without doubt—a costly and bloody landing in Japan.

Likewise, the Army of the United States, as well as the Marines—men who had fought their way across blood-stained fields and from island to island—was ready with scores of highly battle trained and equipped divisions of American soldiers also readied and willing to make the costly and bloody invasion which then seemed requisite to bring the Japanese to their knees but—in the words of Jimmie Doolittle of Tokyo fame:

> Then came the United States Air Force, a force which, when it went into action—made both that bloody and costly landing and invasion of Japan—wholly unnecessary.

Mr. Chairman, could any words more forcefully, more eloquently or more bluntly bespeak the reason why this House should today take favorable action with respect to H. R. 1437 which is a bill to authorize the composition of the Army and the Air Forces of these United States. I want to speak this afternoon of the Air Force.

Mr. Chairman, truly, we have traveled far and traveled fast since VJ-day in Japan. Some 18 months ago this Congress in its wisdom saw fit to establish the Air Force of our Nation as an armed service coequal with the Army and Navy of these United States. The history of the progress made by the United States Air Force in military aviation from the time of its inception has completely changed the picture of the national security since that memorable date.

Out of the developments which have been wrought, the United States Air Force guardedly reports that we now have planes that fly faster than the speed of sound—"hundreds of miles faster."

Just a few short months ago 50 United States Air Force bombers took off from bases on the other side of the globe carrying payloads of bombs that landed within minutes of the planned schedule time—at cities in these United States scattered all the way from Alabama to Minnesota and from New York to California.

Only last week a United States Air Force B–50, refueled by aerial tankers, also carried a payload of bombs at an average speed of more than 4 miles a minute all the way—encircling the earth and returned to her home base within 2 minutes of its return schedule landing.

Mr. Chairman, no longer are battleships and tanks the prime weapons of either military offense or of defense.

No longer will enemy forts or escarpments be prime military objectives. Instead, it is now the destruction of the little factory next door which makes some delicate instrument necessitous to the operation of a jet plane or a guided missile traveling at 10,000 miles an hour.

It is the mill down at the end of the street where ponderous presses are rolling out sheets to be fabricated in the airships which our men are now flying 8 miles above the earth and where high in the heavens they are now secure against antiaircraft artillery. Armed with veritable cannons pointing in all directions, they now travel at speeds which render them reasonably safe from both fighter and pursuit attack.

An air force, Mr. Chairman, consists of all the equipment, light, medium, heavy bombers, reconnaissance fighters, pursuit ships, transports and all other accouterments of aviation coupled with the men who fly them in the air.

Air power is an air force supplemented by the men, jobs, and the national resources that supply the military might of the air force. Cripple these and army divisions and battle fleets would stand helpless in the face of an enemy.

The national security of this Nation depends on congressional establishment of an air power in such strength as will enable us to immediately stand any attack from abroad and immediately strike back and destroy the ability of any potential enemy to wage war against us.

Mr. Chairman, the Joint Congressional Aviation Policy Board, after exhaustive fact finding, reported back to this House that—"Air power is the one thing most likely to discourage an aggressor attack upon this Nation."

We are here today legislating with respect to the most important bill that will come before us this session. It has to do with the strength necessary to insure the security of this Nation and our American way of life.

Two of the most deliberative bodies specifically concerned with our national survival in this air age of power, speed, destruction, and even possible annihilation of our great cities, have recommended to this Congress that for peacetime security we must have an air power based on a minimum of 70 air-force combat groups.

These two bodies were President Truman's Air Policy Commission and our own Joint Congressional Aviation Policy Board.

The same intensive studies that led to the recommendation for a regular United States Air Force of 70 groups determined that the Reserve components themselves should comprehend a minimum of 27 Air National Guard groups and 34 units of air Reserve, fully manned, trained, and equipped.

Mr. Chairman, the 70-group air force, however, is more than a slogan or a descriptive phrase. It is what the Air University and the staff of the United States Air Force has recommended to the Congress as the minimum number of aircraft and groups of divers aircraft that should be supported by annual appropriations made by this Congress. Moreover, it is the initial number of aircraft the replacement and replacement parts of which are necessary to insure an economically and factually sound operating aviation industry—capable—at once—of being expanded to meet any war emergency that might come.

Can we then, in this, the Nation's Congress, do less than take the advice of those charged with the defense of our national security when they come to tell us in their official capacities just what is the minimum force that is necessary to insure that defense?

There is no Member of this House that does not respect and revere the beloved Robert P. Patterson who served his country with enviable distinction as the Secretary of War during World War II.

In his testimony before the President's Air Policy Commission that eminent jurist and statesman, Secretary Patterson, said in part:

> We don't need the strongest standing Army in the world or the strongest standing Navy in the world, but we do need the strongest Air Force, because a powerful Air Force will cause any present or future aggressor to stop, look, and listen, and what's more, he will stay stopped.

Now, Mr. Chairman, with further respect to the 70-group long-range program, the Honorable Robert A. Lovett, the Acting Secretary of State, and who from 1940 to 1945 served as Assistant Secretary of War for Air, spoke in part as follows:

> This country has got to make up its mind whether it will be the leading air power. There is nothing more pathetic than a second-rate air power, because while you have a sense of security there is no security—as far as I know it is the cheapest way of buying security that there is.

Mr. Chairman, let me remind you, sir, and my colleagues what Gen. Carl A. Spaatz said in his testimony given to the President's Air Policy Commission, when he summarized his statement by saying:

> We need 6,869 aircraft for the 70 groups, including training; 3,212 for the Air National Guard; and 2,360 for the Air Reserve. The total amounts to 12,441 airplanes. To keep this force modern and up to date, we require an annual procurement of about 5,200 planes, amounting to approximately 46,414,000 pounds of air-frame weight.

And, then, again let me read from the report of Carl A. Spaatz, Chief of Staff, United States Air Force, to the Secretary of the Air Force in which he states:

> The requirements for a 70-group air force have been carefully examined and verified both by the President's Air Policy Commission and by the Congressional Aviation Policy Board. It cannot be overemphasized that this is the minimum force that can be kept in being without jeopardizing the security of the United States.

Now, let us hear what the Honorable Stuart Symington said in his testimony to President Truman's Air Policy Commission:

> The 70-group program was conceived as an expression of a minimum. * * * The continuing appraisal which this subject has received has tended more and more as time goes on to confirm the validity of the original concept of 70 groups as the minimum below which we cannot go without unacceptable risk. * * * It is a program which encompasses military air in all its phases, civil air, and the air industry of this country—all interrelated and interdependent.

And still further, Mr. Chairman, let me read from a statement made on May 26, 1948, by Gen. Hoyt S. Vandenberg, Chief of Staff of the Air Force, in which he declared:

> The Air Force has maintained since 1945 that the minimum air force we could afford to have was 70 groups. I want to emphasize two things: First, our program is not a new program, generated by present world uncertainties and apprehensions.
>
> Second. It is a peacetime program.

The recommendations for the initiation and establishment of the 70-group long-range program has been carefully examined, verified, and concurred in by the President's Air Policy Commission as

well as by our own Congressional Aviation Policy Board.

Mr. Chairman, I would have you know and emphasize to my colleagues that the 70-group-air-force program is in the conscience of those charged with the defense of this Nation as being the minimum force that should be kept constantly in being—regardless of cost—so as not to find in jeopardy the security of these United States.

Now, Mr. Chairman, the Congress of the United States and the Joint Chiefs of Staff of the Army, the Navy, and the United States Air Force have assigned to the United States Air Force its roles and missions.

The 70-group-air-force program, with its complement of personnel and equipment, is designed to carry out those delegated roles and missions on a basis of air strength and with an air force in being that will be feared by any potential enemy. Such a force will give us not alone the best chance of averting war but failing to avoid war, it will best and most economically provide the nucleus and basis for a potential air strength that will surely win the war.

Let me here quote, Mr. Chairman, from the recommendations made by President Truman's Air Policy Commission, wherein they reported:

> What we need * * * is an integrated Military Establishment—
>
> I. Capable of atomic attack.
>
> II. Stronger in air power than that of any other country.
>
> III. Capable of a self-sustained and powerful air counteroffensive, either directly or by the way of intermediate bases.

In the unsettled state of the world today we must constantly keep in mind the necessity for strengthening our Military Establishment if we are to continue our interest in world affairs. That situation has been candidly discussed both by the President's Air Policy Commission and the Congressional Aviation Policy Board.

In the defense of the Nation, each of the armed services have been given its mission.

Those assigned the Air Force include the following primary functions:

First. To be responsible for the defense of the United States against air attack, in accordance with the policies and procedures of the Joint Chiefs of Staff.

Second. To gain and maintain general air supremacy.

Third. To defeat enemy air forces.

Fourth. To control vital air areas.

Fifth. To establish local air superiority.

Sixth. To formulate joint doctrines and procedures, in coordination with the other services, for the defense of the United States against air attack, and to provide the Air Force units, facilities, and equipment required therefor.

Seventh. Most important of all—to be responsible for strategic air warfare.

The 70-group air force with its complement of personnel are the tools which we in this Congress must provide.

Mr. Chairman, I would like you to picture a 70-group air force, not as so many aircraft of various models, sizes, or uses, but rather as a tremendous force that flies the air. Nor is it an air force made up solely of men wearing insignia of different ranks some of whom work on the ground while others fly the ships.

All planning for the implementation of the 70-group air force is predicated on a stabilized and specially tooled aviation industry. By a stabilized industry, I mean one that is operating—and each day furnishing a complement of aircraft and replacement parts from a production line manned by skilled workers who are trained in the production of the more than 60,000 component parts, which when assembled within the skin of an airplane, go to make up such a plane as a B–36.

Mr. Chairman, I would have you know that these 60,000 components are the products of more than 10,000 separate factories, of other plants which make up American aviation and allied industries.

I feel it unnecessary to say that all Air Force planning, as should be, is predicated on the assumption that our aircraft and equipment will be technically superior to that which any country is now—or will in the foreseeable future—be able to produce in quantity.

On the other hand, I would not be candid if I did not inform you that the bulk of the aircraft presently in our military service has been in use for some years and is now either obsolete or will be obsolescent before the procurements which we have asked for are delivered.

Mr. Chairman, military airplanes are not stock items.

The long-time lag of 5 years necessary to the planning, development, and perfection of modern aircraft therefore precludes the use of any but long-range procurement programs.

Therefore, the aircraft and equipment with which our units are supplied must be renewed and replaced by the latest up-to-date material at a rate which will not alone constantly insure a modern Air Force—but an Air Force capable of carrying out sustained wartime air operations—on short notice.

First and foremost of all the platform issues advanced by President Truman in the last campaign was his pledge to go all out for world peace. There is no man sitting on either side of this House that would not also give of his all to reestablish peace to this troubled world.

We in this body have legislated with respect to the Greco-Turkish program—we have voted billions for the Marshall plan and other programs—to insure world peace.

Only yesterday our State Department concluded conversations and negotiations with eight other nations with respect to concluding the historic North Atlantic defense pact.

Mr. Chairman, the bill before this House today will not alone complement but will implement every precedent action looking to peace.

It will insure not alone peace to our own United States but it will insure peace to the world.

Moreover, it will—at long last—insure to our Nation a stabilized aircraft industry. An aviation industry especially tooled, manned by a small complement of highly skilled workers on a production line producing the most modern and latest developed aircraft of every type.

The workers will find continuous employment in producing the minimum number of airplanes that will at the one time support a stabilized aviation industry and an Air Force in being, both of which can be expanded immediately to meet any and all foreseeable emergencies—and do so with the minimum expenditure of the taxpayers' dollar.

Mr. BROOKS. Mr. Chairman——

Mr. RIVERS. Mr. Chairman, will the gentleman yield?

Mr. BROOKS. I yield.

Mr. RIVERS. I wish the ranking and majority members would assure the committee—the chairman has already done it—that in this bill in no way whatever have we tried to federalize either the National Guard or the Air National Guard.

Mr. BROOKS. Mr. Chairman, I take this time now to largely summarize what has already been said. This is an extremely important bill, extremely important to the future of this Congress and extremely important to the future of the United States.

This really marks the first time when we have gone to work legislatively and made a definite decision as to the size of our defense establishment. Someone has mentioned the fact that our distinguished chairman, when he was chairman of the old Naval Affairs Committee, made the point of having a legislative definite objective to which the Navy would work were it necessary for the defense of the country. But it is a matter of common knowledge that we have not done the same thing in reference to the Army and the Air Force.

I was a member of the old Committee on Military Affairs, and I can recall over the years, as far as the Army was concerned, we did at one time set an objective. I can recall when the war was coming on our legislative objective was set at the ridiculous figure of 280,000 men for the United States Army. A great world war was in the offing. When the war actually broke over Europe we had enlisted in our Army 265,000 men as the bulwark of protection for this great Nation in a tense time such as that.

So this bill does assume the responsibility legislatively of saying this is what the country needs. We have known what it needs from a Navy viewpoint. Now we know, under the terms of this bill, what it will need from the viewpoint of the United States Army and from the viewpoint of the Air Force.

A 70-group air force is nothing new. Four or five years ago the Committee on Military Affairs of the House was advised that if we were going to protect this country properly, we must have a 70-group air force, nothing less than that would guarantee the reasonable air protection that the country had a right to expect from its legislators. We delayed taking action on that matter, we delayed working out a definite formula and placing it in a bill to present to this Congress to be declared the legislative will of the Congress as to the size of the Air Force. In the meantime, we saw the new Air Force branch out, assuming new objectives and taking on new responsi-

bilities. We saw it reaching out and expanding to greater size and greater accomplishment.

I like to think this year of the accomplishments of our Air Force in Europe. I do not refer to the new planes of supersonic speed and to the remarkable exploits so spectacular in their nature which we have recently seen in the papers; but I rather think of the exploits of our airlift in Berlin. I wonder what the history of the world would be today if our Air Force had not been ready to step into the breach and keep open the avenues and the lanes and the highways from our occupied territory into Berlin? I wonder what our situation would be in Europe? I know it would be precarious. I wonder what it would be today if our Air Force had not been able to take in by airlift needed supplies to Berlin, to keep our forces in Berlin going and to keep the population supplied with food during the critical winter weather?

The CHAIRMAN. The time of the gentleman from Louisiana has expired.

Mr. VINSON. Mr. Chairman, I yield the gentleman three additional minutes.

Mr. CARROLL. Mr. Chairman, will the gentleman yield?

Mr. BROOKS. I yield to the gentleman from Colorado.

Mr. CARROLL. The gentleman will remember in the last Congress we passed the 70-group bill. I note in the report here it says, "In addition there will be a program of 22 separate squadrons." Is that in addition to the 70-group air force?

Mr. BROOKS. That is a part of the 70-group air-force program. That is the program.

Mr. CARROLL. There will be no increase in appropriation because of the 22 separate squadrons?

Mr. BROOKS. The whole thing will result in an increase in appropriations, of course, because a 70-group air force contemplates that by the year 1953 the cost will run something like six and one-half to seven billion dollars. That will be a considerable increase.

Mr. CARROLL. Just one further question along that line because it was not clear to me. In the 70-group air force, as I remember, we debated the cost of it and the expansion of it, and I wonder now if this bill adds something new of 22 separate squadrons. That is the real purport of my question.

Mr. KILDAY. Mr. Chairman, if the gentleman will yield, of course, at the time we were considering the additional appropriation to inaugurate the 70-group program in the last Congress we did not have all this spelled out, but we did speak of the 70-group program and that contemplated the additional squadrons that are now carried out in this language. It is the same program that we talked about when we increased the appropriation last year.

Mr. CARROLL. Based upon our action last year and the appropriation of money, how much of an increase is this program over our legislation of last year?

Mr. KILDAY. There is not any addition to that. This was then a part of it.

Mr. CARROLL. It is the same cost?

Mr. KILDAY. It is the same cost; the same program. This is supplemental to the 70 group as it was then and as it is now.

Mr. CARROLL. I thank the gentleman.

Mr. KILDAY. It is sea-air rescue and things of that kind.

Mr. BROOKS. I thank the gentleman very much. May I add this to what has been said. This is the same identical 70-air-group program. Since we first brought that before the House the Air Force assumed additional responsibilities over what they had last year, and the importance of the Air Force is beginning to rest more heavily upon the mind and the conscience of the people of the United States who want to see us develop a full grown-man's-size air force of 70 groups.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. BROOKS. I yield to the gentleman from Illinois.

Mr. YATES. As I read these hearings—and I wish the gentleman would correct me if I am wrong—the estimate of the number of men necessary for our armed services is predicated upon the 70-group air force, is that correct?

Mr. BROOKS. Well, for the air force, yes. Of course, we reach our legislative objective also for the United States Army.

Mr. YATES. Is it correct to state then that the 70-group air force was the groundwork, the basis, upon which the entire military estimates were made both with respect to the Air Force itself and for the Ground Forces?

Mr. BROOKS. I think it would be more nearly correct to say that what the committee had tried to do is to get a balance between the different branches of the service rather than to say we will arbitrarily set a 70-group air-force program as our objective in the air and then balance the other with that. I think the whole bill presents an over-all balance for the three branches of the armed services of the United States.

The CHAIRMAN. The time of the gentleman from Louisiana has expired.

Mr. VINSON. Mr. Chairman, I yield such time as he may desire to the gentleman from California [Mr. DOYLE].

Mr. DOYLE. Mr. Chairman, I thought it appropriate that I make a few remarks about this bill and the functioning of the Committee on Armed Services, of which I am a Member. I frankly say to the House that I have been very, very much pleased with the attitude of the witnesses who have appeared before us. I say that because I want it to appear on record, both in your minds and in our record of the proceedings of this House, that I find no attitude of mind—by any of the witnesses appearing before our committee to build up a strong military force of any sort having in mind either aggression or military power or aggrandizement of territorial rights, or anything of the sort. I find the attitude and the testimony to be that of a necessity of keeping strong enough, if needs be, to see that the peace of the world is not jeopardized or destroyed by warmongers or territorial aggressors.

The other statement I wish to make and emphasize to the attention of you, my colleagues, is this, that I likewise am pleased to see the increase of statements, made and the frequency of evident cooperation, and expression of purpose of the armed forces that there can be and should be a closer unit of coordination. This, I think, is imperative in the interest of the taxpayers of the country. I think also it is imperative that the armed forces of our great Nation more and more think in terms of operating as economically as possible, yet without jeopardizing the efficiency of our military forces or responsibilities. Their responsibility is tremendous.

Also, may I say that it is imperative that the armed forces of our Nation be kept strong enough until the world settles down to settle up so as to have sense enough, if you please, to live in terms of world peace and understanding. To me, it is radically inconsistent with our American philosophy of life or the heritages we have that any other objective shall be ours. We shall never be an aggressor nation. The only justification for our military strength is world leadership in peace.

I wish to emphasize that as I see the Armed Services Committee function; as I hear the witnesses come before us, my conclusion to date is that their sincere objective is to the end military, that the defense of our Nation and the military defense of the world is not for the purpose of agrandizement: It is not for the purpose of territorial expansion. It is not for the mere purpose of having force or military power, except insofar as we shall and must remain strong enough, if needs be, to protect democracy and the democratic way of life for our own Nation and for freedom-loving people to not be trampled under the feet of military aggression.

Mr. JOHNSON. Mr. Chairman, will the gentleman yield?

Mr. DOYLE. I yield to the gentleman from California, my colleague.

Mr. JOHNSON. I wish to compliment the gentleman on his speech. I also want the record to show that the gentleman lost a distinguished son in this war, and paid a terrific price for our victory. His son was a first lieutenant in the Army Air Force and served with distinction throughout the Aleutian campaign.

Mr. DOYLE. In view of the fact that my distinguished colleague from California has made that remark about my own son, may I just say that we Members of the House and of the Senate who have given of our blood in times of war possibly sense, I think, more than anyone else, that the price of civilization is sacrifice, and likewise that the price of progress is unselfish devotion to the absolute necessity of the world's coming to its knees in terms of peace. Peace is indivisible; prosperity is indivisible; security is indivisible, and, therefore, our Nation must remain militarily strong enough that the peace of the world shall not be shattered by the aggression of any Nation.

While I was a Member of this House during the Seventy-ninth Congress, I voted for and strongly supported the United Nations organization, and I am glad that I did. I feel very strongly that the United Nations is our first hope

of an enduring world peace and understanding. It may be that the possession of our Nation and other nations in the world, now or in the future, of the knowledge of atomic energy or other processes will force the world to its knees as a result of fear of destruction. I pray God that that fear of destruction will not be the determining factor for world peace. Instead, I humbly pray that a common design for mutual progress and prosperity shall draw all men unto a high and common purpose for world-wide good will, and, Mr. Chairman and colleagues, there is no other way provided whereby the peace of the world can be made permanently secure. In the interim, and until there is clear and convincing proof to the world that no nation intends to aggrandize unto itself either territory or human beings, for the purpose of military or economic control thereof, we shall, Mr. Chairman, be obligated to ourselves, to our children and grand children, and to the rest of the world also, to remain sincerely and in good faith strong enough, but only strong enough, for the high purpose of remaining humble and at the same time militarily strong enough to do our full portion of preserving the peace of the world against any aggressors who might appear.

Therefore, let us pray and work unitedly to the cause of strengthening and supporting the processes of the United Nations. Therefore, let us do our utmost to the end that the world shall come to its knees and stay there in terms of world agreement. There is no other way whereby man can be saved.

My last comment is that I consider it a high honor, as well as a terrific responsibility, to be a member of the Armed Services Committee of this great Congress. I find myself stiting under a most distinguished and able chairman, together with a committee membership which appears dedicated to the proposition that the committee will do its utmost along the lines of the propositions and objectives which I have hereto stated.

Mr. VINSON. Mr. Chairman, there being no more requests for time, I ask that the bill be read for amendment.

The CHAIRMAN. Under the previous order of the House, the Clerk will read the committee substitute as an original bill for the purposes of amendment.

The Clerk read as follows:

SHORT TITLE

SECTION 1. That this act may be cited as the "Army and Air Force Act of 1949."

Mr. VINSON. Mr. Chairman, I ask unanimous consent that further reading of the committee substitute, which is now being considered as the original bill, be dispensed with, and that the bill be open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The remainder of the bill is as follows:

DECLARATION OF POLICY

SEC. 2. In enacting this legislation, it is the intent of Congress to provide an Army of the United States and an Air Force of the United States capable, in conjunction with the other armed services, of preserving the peace, security, and providing for the defense of the United States, its Territories, possessions, and occupied areas wherever located, of supporting the national policies, of implementing the national objectives, and of overcoming any nations responsible for aggressive acts imperiling the peace and security of the United States.

TITLE I—ARMY

AUTHORIZED COMPOSITION

SEC. 101. The organized peace establishment of the Army of the United States, including the Regular Army, the National Guard of the United States, the National Guard while in the service of the United States, and the Organized Reserve Corps, shall include all of those divisions and other military organizations, with their installations, and supporting and auxiliary elements, including combat, training, administrative, and logistic, and all personnel, including those not assigned to units, necessary to form the basis for a complete and immediate mobilization for the national defense in the event of a national emergency.

AUTHORIZED PERSONNEL STRENGTH

SEC. 102. (a) There is hereby authorized for the Army of the United States an active duty personnel strength of 837,000 officers, warrant officers, and enlisted persons, exclusive of such 1-year enlistees as are or may be authorized by law, officer candidates, personnel of the reserve components on active duty for training purposes only, persons paid under the appropriations for the National Guard and Organized Reserve Corps, and personnel and units of the reserve components ordered to active duty in an emergency hereafter declared.

(b) Of the active duty personnel strength authorized in subsection (a) of this section, not to exceed 33,500 may be active list commissioned officers of the Regular Army, exclusive of the numbers authorized by law for the Army Nurse Corps and the Women's Medical Specialist Corps, and 9,000 may be active list warrant officers of the Regular Army. Section 501 of the Officer Personnel Act of 1947 (61 Stat. 883) is hereby amended by striking out the words "fifty-one thousand" and inserting in lieu thereof the words "thirty-three thousand five hundred"; and hereafter the active list commissioned officer strength authorized in said section shall apply to the Regular Army, exclusive of the United States Air Force.

(c) There is hereby authorized for the National Guard and the National Guard of the United States a personnel strength, to be distributed among the several States, Territories, and the District of Columbia, of 750,000 officers, warrant officers, and enlisted persons, excluding those serving on active duty in the Army of the United States who are counted within the personnel strength of 837,000 authorized in subsection (a) of this section.

(d) There is hereby authorized for the Organized Reserve Corps a personnel strength of 980,000 officers, warrant officers, and enlisted persons, excluding those serving on active duty in the Army of the United States who are counted within the personnel strength of 837,000 authorized in subsection (a) of this section. Persons may be appointed as warrant officers in the Officers Reserve Corps under such regulations and in such numbers as the Secretary of the Army may prescribe.

MATERIALS AND PROCUREMENT AUTHORIZATION

SEC. 103. The Secretary of the Army is hereby authorized to procure the materials and facilities, including guided missiles, necessary for the maintenance and support of the Army of the United States and its divisions and other military organizations, and their installations and supporting and auxiliary elements, including but not limited to (1) the supply of modern standard items of equipment; (2) the replacement of equipment as it becomes obsolete or unserviceable; (3) the provision of necessary spares and spare parts; and (4) the maintenance of such reserves of supplies and equipment as are necessary for the Army to perform its mission.

RESEARCH AND DEVELOPMENT AUTHORIZATION

SEC. 104. The Secretary of the Army is hereby authorized to conduct, engage, and participate in research and development programs related to activities of the Army of the United States and to procure, or contract for the use of, such facilities, equipment, services, and supplies as may be required to effectuate such programs.

APPROPRIATION AUTHORIZATION

SEC. 105. There are hereby authorized to be appropriated, out of any moneys in the Treasury of the United States not otherwise appropriated, such sums of moneys as may be necessary to carry out the purposes of this title. Except as may otherwise be provided in the appropriation act concerned, (1) any moneys appropriated to carry out the purposes of section 103 of this act shall remain available for obligation during the fiscal year for which appropriated and for the succeeding fiscal year, and shall remain available for expenditure for a total of 5 years; and (2) any moneys appropriated to carry out the purposes of section 104 of this act shall remain available until expended.

TITLE II—AIR FORCE

THE AIR FORCE OF THE UNITED STATES

SEC. 201. (a) The Air Force of the United States shall consist of the United States Air Force (the Regular Air Force), the Air National Guard of the United States, the Air National Guard while in the service of the United States, and the United States Air Force Reserve; and shall include persons inducted, enlisted, or appointed without specification of component into the Air Force of the United States; and shall further include all of those Air units and other Air organizations, with their installations and supporting and auxiliary combat, training, administrative, and logistic elements, and all personnel, including those not assigned to units, necessary to form the basis for a complete and immediate mobilization for the national defense in the event of a national emergency.

AUTHORIZED COMPOSITION

(b) The Air Force of the United States shall have an authorized strength of 70 United States Air Force groups, 22 separate United States Air Force squadrons, and 61 Air Force Reserve groups, together with necessary supporting and auxiliary United States Air Force and Reserve units.

AUTHORIZED PERSONNEL STRENGTH

SEC. 202. (a) There is hereby authorized for the Air Force of the United States an active-duty personnel strength of 502,000 officers, warrant officers, and enlisted persons, exclusive of such 1-year enlistees as are or may be authorized by law, officer candidates, aviation cadets, and personnel of the Reserve components on active duty for training purposes only, persons paid under the appropriations for the Air National Guard and United States Air Force Reserve, and personnel and units of the Reserve components ordered to active duty in an emergency hereafter declared.

(b) Of the active duty personnel strength authorized in subsection (a) of this section, not to exceed 27,500 may be active list commissioned officers of the United States Air Force and 4,800 may be active list warrant officers of the United States Air Force.

(c) There is hereby authorized for the Air National Guard and the Air National Guard of the United States a personnel strength, to be distributed among the several States,

Territories, Puerto Rico, and the District of Columbia, of 100,000 officers, warrant officers, and enlisted persons, including those members of the Air National Guard of the United States serving on active duty in the Air Force of the United States who are not counted within the personnel strength of 502,000 authorized in subsection (a) of this section.

(d) There is hereby authorized for the United States Air Force Reserve a personnel strength of 500,000 officers, warrant officers, and enlisted persons, including those members of the United States Air Force Reserve on active duty in the Air Force of the United States who are not counted within the personnel strength of the 502,000 authorized in subsection (a) of this section. Persons may be appointed as warrant officers in the United States Air Force Reserve under such regulations and in such numbers as the Secretary of the Air Force may prescribe.

AIRCRAFT AUTHORIZATION

SEC. 203. The Air Force of the United States is hereby authorized 24,000 serviceable aircraft or 225,000 airframe tons aggregate of serviceable aircraft, whichever amount the Secretary of the Air Force may determine is more appropriate to fulfill the requirements of the Air Force of the United States for aircraft necessary to carry out the purposes of this act: *Provided*, That guided missiles shall not be included within the number of aircraft or airframe tons herein authorized.

PROCUREMENT AUTHORIZATION

SEC. 204. The Secretary of the Air Force is authorized to procure (1) 5,200 aircraft or 42,500 airframe tons annually, whichever amount the Secretary of the Air Force may determine is more appropriate, to provide the number of aircraft or airframe tons authorized by section 203 and to replace such aircraft as he may determine to be unserviceable or obsolete, (2) guided missiles, and (3) spares, spare parts, equipment, and facilities necessary for the maintenance and operation of aircraft and guided missiles herein authorized.

RESEARCH AND DEVELOPMENT AUTHORIZATION

SEC. 205. The Secretary of the Air Force is hereby authorized to conduct, engage, and participate in research and development programs related to activities of the Air Force of the United States and to procure, or contract for the use of, such facilities, equipment, services, and supplies as may be required to effectuate such programs.

APPROPRIATION AUTHORIZATION

SEC. 206. There are hereby authorized to be appropriated, out of any moneys in the Treasury of the United States not otherwise appropriated, such sums of money as may be necessary to carry out the purposes of this title. Moneys appropriated to carry out the purposes of sections 204 and 205 of this title shall remain available until expended.

SAVING PROVISION

SEC. 207. No provision of this title shall be construed as modifying the existing status of the Air National Guard of the United States as a reserve component of the Air Force of the United States, or as amending or modifying in any way section 60 of the National Defense Act of 1916, as amended.

REPEAL OF EXISTING LAW

SEC. 208. Section 8 of the act of July 2, 1926 (44 Stat. 780), as amended by section 1 of the act of April 3, 1939 (53 Stat. 555), is hereby repealed.

TITLE III—GENERAL PROVISIONS

SAVING PROVISION

SEC. 301. The provisions of this act shall be subject to the duties and authority of the Secretary of Defense and the departments and agencies of the National Military Establishment as provided in the National Security Act of 1947 (Public Law 253, Eightieth Congress).

SEPARABILITY PROVISION

SEC. 302. If any provision of this act or the application thereof to any person or circumstances is held invalid, the validity of the remainder of the act and of the application of such provision to other persons and circumstances shall not be affected thereby.

Mr. McCORMACK. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. McCORMACK: Page 11, line 10, after the period insert the following sentence: "If the Secretary deems such action necessary to effectuate such programs he may procure or contract for the use or construction of a research laboratory, and for such purpose he may acquire necessary land by purchase or otherwise."

Mr. VINSON. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. VINSON. The purpose of the amendment offered by the gentleman from Massachusetts applies to section 104 regarding research and development authorization. Section 104 reads as follows:

The Secretary of the Army is hereby authorized to conduct, engage, and participate in research and development programs related to activities of the Army of the United States and to procure, or contract for the use of, such facilities, equipment, services, and supplies as may be required to effectuate such programs.

Now the gentleman from Massachusetts would add to that the following language:

If the Secretary deems such action necessary to effectuate such programs he may procure or contract for the use or construction of a research laboratory, and for such purpose he may acquire necessary land by purchase or otherwise.

In other words, the gentleman's amendment merely gives to the Secretary, if he determines that it becomes necessary to have a research laboratory, the authority to acquire one. But, of course, he will have to get the money from the Committee on Appropriations.

Mr. McCORMACK. Exactly.

Mr. VINSON. Mr. Chairman, so far as I am concerned individually, I have no objection to it.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. CASE of South Dakota. Would it be the gentleman's understanding that, under the language he has proposed, it would be possible for the Secretary to contract for the acquisition of land in advance of a specific appropriation?

Mr. McCORMACK. No, that would not be so.

Mr. VAN ZANDT. Mr. Chairman, may I address a question to the gentleman from Massachusetts?

Mr. McCORMACK. I yield.

Mr. VAN ZANDT. Does your amendment provide for a Quartermaster laboratory?

Mr. VINSON. I think it would. It merely permits, according to the language of the gentleman's amendment, that the Secretary may decide that a research laboratory is necessary if the facts justify it. In other words, we are leaving it to him to locate one.

Of course, the Committee on Appropriations will control the whole matter. I am perfectly willing to leave it to the Committee on Appropriations.

Mr. VAN ZANDT. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. VAN ZANDT. The gentleman knows, of course, there is pending at the moment before the Committee on Armed Services of the House several bills concerning a research laboratory. Extensive hearings were held by the House Committee on Armed Services during the Eightieth Congress and undoubtedly the good chairman will hold hearings during the Eighty-first Congress. To bring this matter up at this time is not fair to those Members who advocate the location of this research laboratory in their sections of the United States. Frankly, if this amendment is insisted upon, it is my intention to make a point of order that a quorum is not present so we may have a good representation on hand to discuss the matter from all angles.

Mr. McCORMACK. Of course, the gentleman realizes that this amendment bears no relation to the matter which is pending before the committee. That is about the Quartermaster's. The amendment relates only to this provision which refers to the authority given to the Secretary of the Army. It seems to me that, with the tremendous interest and importance of research work and development work, the Secretary of the Army should be given authority, if necessary, to construct the building for that purpose. There is nothing here which says that he shall make this selection. There is nothing as to that at all. That is not included in the amendment. It has absolutely nothing to do with the matter which the gentleman from Pennsylvania refers to. It seems to me that we would certainly be failing in an important respect in the passage of this bill if we did not include this amendment in it.

Certainly it seems to me that the Secretary of the Army should be given authority, and wisely so. There is nothing in the amendment which directs any particular place. The gentleman from California [Mr. JOHNSON] was chairman of a subcommittee last year which heard evidence. This amendment should be agreed to by both sides, to get it out of the way, and then leave the question with the Army as to just what recommendation it would make to the Congress of the United States.

Mr. JOHNSON. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. JOHNSON. Just to make plain exactly what the amendment provides, is this a correct statement: That if your amendment is adopted, then the Secretary of the Army can place the laboratory where he thinks it will best serve the Army?

Mr. McCORMACK. Where it will best serve the Army, in his judgment. Yes. Provided, of course, the Congress appropriates the money.

Mr. JOHNSON. Of course, I assume that. In other words, he is going to have the discretion to make studies and determine where it is best suited to carry on the work?

Mr. McCORMACK. Exactly.

Mr. GAVIN. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. GAVIN. The gentleman knows this matter has been before our committee all last year and there was considerable controversy about it. May I ask the gentleman why he did not come before the committee and present the proposal he is presenting today, to give the committee an opportunity to pass on it and give it some consideration, without bringing it in here and expecting us to accept it immediately.

Mr. McCORMACK. I might ask the gentleman from California [Mr. JOHNSON], how many weeks' hearings were held during the last Congress.

Mr. GAVIN. There is legislation now that is being considered. Why inject it into this bill?

Mr. McCORMACK. Here is a bill that covers the entire subject, to authorize the composition of the Army and the Air Force of the United States. This is the proper place to put it.

Mr. GAVIN. Why did you not bring it before the committee, then?

Mr. McCORMACK. It has been before the committee for months. Hearings were held for weeks before a subcommittee, and the subcommittee unanimously reported it out. This simply gives to the Secretary of the Army discretion, without stating what particular place. This is a fair amendment and both sides and everybody should agree to the amendment.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. VINSON. Mr. Chairman, in view of the indication that there may be some debate on this, I ask unanimous consent that debate on the amendment offered by the gentleman from Massachusetts [Mr. McCORMACK] and all amendments thereto close in 10 minutes.

The CHAIRMAN. Is there objection?

Mr. VAN ZANDT. Mr. Chairman, I object.

Mr. VINSON. Mr. Chairman, I then move that all debate on this amendment, and all amendments thereto, close in 10 minutes.

Mr. SHAFER. Mr. Chairman, I make the point of order there is not a quorum present.

Mr. VINSON. Mr. Chairman, in view of the fact that this is a matter of some difference between members of the committee, I am going to ask the gentleman from Massachusetts [Mr. McCORMACK] if he will withdraw his amendment.

The CHAIRMAN. Does the gentleman from Michigan [Mr. SHAFER] withdraw the point of no quorum?

Mr. SHAFER. I will withdraw it, yes.

Mr. McCORMACK. Mr. Chairman, in view of the attitude taken by some Members—and I thoroughly respect their right to do so—and with the understanding that the chairman will give an early hearing to this matter——

Mr. VINSON. Oh, yes. We will start on it just as soon as we finish three bills which we are considering now. We will then take this matter up and dispose of it.

Mr. McCORMACK. With that understanding, Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts [Mr. McCORMACK]?

Mr. GREEN. Reserving the right to object, Mr. Chairman, I would like to make a statement. I am in perfect agreement with the other Members of the Pennsylvania delegation on this matter. I withdraw my reservation of objection.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts to withdraw the amendment?

There was no objection.

Mr. VINSON. Mr. Chairman, I believe there are no further amendments.

The CHAIRMAN. The question is on agreeing to the committee substitute.

The committee substitute was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the Chair, Mr. LYLE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 1437) to authorize the composition of the Army of the United States and the Air Force of the United States, and for other purposes, pursuant to House Resolution 148, he reported the same back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

CALL OF THE HOUSE

Mr. VINSON. Mr. Speaker, I make a point of order that a quorum is not present.

The SPEAKER. Evidently no quorum is present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll and the following Members failed to answer to their names:

[Roll No. 35]

Allen, Ill.	Dawson	Morrison
Anderson, Calif.	Dingell	O'Konski
Andresen, August H.	Dolliver	Pfeifer, Joseph L.
Arends	Dondero	Plumley
Auchincloss	Ellsworth	Poulson
Barden	Fogarty	Powell
Barrett, Pa.	Gathings	Ramsay
Barrett, Wyo.	Gilmer	Reed, N. Y.
Bland	Gore	Rees
Blatnik	Hagen	Rich
Bonner	Hall, Leonard W.	Scott, Hardie
Boykin	Halleck	Simpson, Pa.
Brown, Ohio	Heffernan	Smith, Ohio
Buckley, N. Y.	Heller	Somers
Bulwinkle	Hinshaw	Stanley
Byrne, N. Y.	Hoeven	Talle
Byrnes, Wis.	Hoffman, Ill.	Taylor
Carroll	Holifield	Thomas, N. J.
Celler	Hope	Wadsworth
Chiperfield	Klein	Whitaker
Cole, N. Y.	LeCompte	White, Calif.
Cox	Lynch	Wickersham
Cunningham	McSweeney	Wilson, Ind.
Curtis	Macy	Withrow
Davenport	Madden	Wolcott
Davis, Tenn.	Miller, Md.	Wolverton

The SPEAKER. Three hundred and fifty-five Members have answered to their names; a quorum is present.

By unanimous consent, further proceedings under the call were dispensed with.

ARMY AND AIR FORCE BILL OF 1949

The SPEAKER. The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time.

Mr. MARCANTONIO. Mr. Speaker, I ask for a reading of the engrossed copy of the bill.

The SPEAKER. The bill must be laid aside until it is engrossed.

Mr. VINSON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. VINSON. After the engrossed copy is on the desk when will it be in order to call it before the House?

The SPEAKER. When it is engrossed.

Mr. VINSON. When will that be, Monday?

The SPEAKER. The Chair cannot answer that.

Mr. VINSON. The reason of my parliamentary inquiry, Mr. Speaker, is that I propose to ask for a roll call vote on the passage of the bill when the engrossed copy is presented to the House; and for that purpose I desire to announce it now.

EXTENSION OF REMARKS

Mr. HINSHAW (at the request of Mr. CASE of South Dakota) was given permission to extend his remarks in the Appendix of the RECORD and include an editorial from today's Star.

Mr. MURRAY of Wisconsin asked and was given permission to extend his remarks in the Appendix of the RECORD in two instances, in one to include a letter.

Mr. PATTERSON asked and was given permission to extend his remarks in the Appendix of the RECORD and include a letter from the American Legion and a resolution by that organization.

Mr. SCUDDER asked and was given permission to extend his remarks in the Appendix of the RECORD and include a resolution of the Utilities Commission of the State of California.

Mr. McCULLOCH asked and was given permission to extend his remarks in the Appendix of the RECORD and include an editorial from the Cleveland Plain Dealer.

Mr. CRAWFORD asked and was given permission to revise and extend his remarks on the rent-control bill and include therein extraneous matter.

Mr. BURDICK, Mr. MITCHELL, and Mr. MANSFIELD asked and were given permission to extend their own remarks in the Appendix of the RECORD.

Mr. SADOWSKI asked and was given permission to extend his remarks in the Appendix of the RECORD in four separate instances and in each to include extraneous matter.

Mr. WHITE of Idaho asked and was given permission to extend his remarks

in the Appendix of the RECORD and include extraneous matter.

Mr. BUCHANAN asked and was given permission to extend his remarks in the Appendix of the RECORD and include an article from the Railroad Trainman.

SPECIAL ORDER GRANTED

Mr. HOFFMAN of Michigan. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes tomorrow following the legislative business of the day and any special orders heretofore entered.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

BRADLEY UNIVERSITY, PEORIA, ILL.

Mr. VELDE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. VELDE. Mr. Speaker, I should like to say just a few words about one of the smoothest-working machines of the day and what it has done to focus attention on Bradley University, Peoria, and the Eighteenth Congressional District of Illinois. I refer to the Bradley Braves basketball team, which yesterday was seated in the balcony.

Their sportsmanlike play, and unparalleled performance of precision, accuracy, and speed displayed thus far in the National Invitational Tournament now being held in Madison Square Garden is, indeed, a tribute to the excellent guidance of their young coach, Forrest Anderson, and to one of our country's youngest, most progressive and energetic university presidents, David B. Owen.

Bradley University has grown from a technological college enrolling 900 students in 1940 to a full accredited university of some 3,500 students from all over the world. It is regarded as one of the country's finest medium-sized universities.

We are proud of Bradley and proud to say that all the members of the present basketball squad are from the great State of Illinois. These boys truly represent the cream of American youth and in them we see exemplified the very best in clean sportsmanship and fair play.

My best wishes go with the team in their further venture toward their championship drive in the National Invitational Tournament.

SPECIAL CONTRIBUTION FOR RELIEF OF PALESTINE REFUGEES

Mr. SABATH. Mr. Speaker, I call up House Resolution 139 and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the joint resolution (S. J. Res. 36) for the authorization of a special contribution by the United States for the relief of Palestine refugees. That after general debate, which shall be confined to the joint resolution and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs, the joint resolution shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the joint resolution for amendment, the committee shall rise and report the joint resolution to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the joint resolution and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. SABATH. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, this rule makes in order consideration of Senate Joint Resolution 36, which authorizes an appropriation of $16,000,000 to aid the Arabian people. The total sum of $32,000,000 is required to adequately and fully aid them, $16,000,000 of which is the share of the United States. The other half of the $16,000,000 in pursuance to the United Nations agreement is being contributed or will be contributed by the other nations. Several other nations have already contributed their share.

I appreciate that the share of the United States is as much as the other nations that are called upon to contribute. That is because fortunately or unfortunately we are the richest Nation in the world and have as much as all the rest of them combined. I hope we will even increase that advantage in years to come.

Mr. Speaker, I realize also there are a great many gentlemen who will say that at least part of the $16,000,000 that the other nations contribute will come from the United States anyway. This includes France, Great Britain, and other nations. But that is our lot. We are not directly responsible for the conditions that confront us and we are trying to aid the nations of the world to safeguard democracy against the danger of communism.

Mr. Speaker, this resolution has been unanimously reported by the Committee on Foreign Affairs, which has given a great deal of time and study to this matter. It was because of the fact that the resolution was unanimously reported by the Committee on Foreign Affairs, and there being no opposition, that this rule was granted. The rule provides for 1 hour of general debate, after which the bill will be read under the 5-minute rule.

I think it is in the interest of our country that we comply with the United Nations action because it will also place us in a favorable position with over 500,000 Arabs that need this help, and it will create a friendly feeling toward us not only with the Arabs but with other peoples of the nations in the Near East. It is a humane act and will not only inure to our benefit but will come back to us manyfold. At least that is what has been stated to the Committee on Rules by the gentlemen who urged action on this resolution. I know that the new chairman of the Committee on Foreign Affairs, the gentleman from West Virginia [Mr. KEE], and the members of the committee will clearly explain the provisions of the bill, the last bill reported by the late distinguished chairman of the Committee on Foreign Affairs, Sol Bloom, so I shall not take up any more time.

Mr. Speaker, I now yield 30 minutes to the gentleman from Massachusetts [Mr. HERTER].

Mr. HERTER. Mr. Speaker, I yield myself 10 minutes.

Mr. Speaker, this resolution came before the Committee on Rules, as has been stated by the chairman, with the unanimous approval of the Committee on Foreign Affairs. I also would like to call attention to the fact that the matter before us is a joint resolution, Senate Joint Resolution 36, which was favorably enacted by the other branch on the 21st of February and has been pending here since that time. It has come to us as the result of a very unfortunate situation which developed in the Middle East as the result of the dislocations accompanying the establishment of the new state of Israel. Some 500,000 Arabs were driven from their homes and their usual places of employment.

The initial recommendation to have the nations of the world assist in taking care of these Arabs who have lost their possessions and lost their homes came from Mr. Bunche, who was then the mediator trying to establish a state of peace in the Middle East; and taking care of this very large group of refugees is an extremely important element in trying to secure peace in an area of the world which is of the utmost strategic importance to the United States. It is for that reason, sir, that I favor both the resolution before us and the passage of the joint resolution.

There is, however, one comment that I would like to make in regard to this type of legislation. It raises a point that I think is likely to become a more difficult one to handle in the future. The United States, for better or worse, has become a member of a great many different international organizations, many of them directly connected with the United Nations; others collaterally connected with the United Nations. Those organizations hold meetings in various sections of the world, sometimes to deal with emergencies, but more often to deal with matters that they believe to be of world-wide interest. At those meetings the United States is represented, as was the case in the particular matter that is now before us, and a proposal was made for joint international action requiring the expenditure of a considerable amount of money.

The American representative takes the position, as he did in that particular case, of approving the resolution for requests for voluntary contributions from the different nations of the world totaling some $32,000,000. Then the American representative agreed that a proper share, in his opinion, of that total was one half, a different percentage from that usually used in United Nations distribution of funds, and agreed to recommend to his Government that the sum of $16,000,000 be paid by this Government.

Now, what actually happens? That particular individual in the field cannot commit the Congress of the United States, but again we run into that problem that we have run into over and over again, that other nations believe that we are committed because of the statements made by our representatives abroad. Some $5,000,000 has already been paid

into this particular fund by different nations, all assuming that the United States was committed to its share of the total.

You can read in the press that the United Health Organization, that has just been meeting in Geneva, has been discussing a very much enlarged program for the future. Again, we shall probably be called upon to pay for a considerable proportion of that program.

It seems to me the fundamental question that is raised here is the relationship between the Executive and the Congress. The Congress quite naturally, not being able to follow in detail many of these things that are happening, resents the apparent commitment that is made by representatives of the Executive at these meetings. Other nations do not understand our situation. As far as I know, we have no mechanism by which the Executive discusses in advance with responsible members of the legislative branch whether or not it would be wise for the Executive to make these implied commitments at the time they are made. I feel very strongly that some mechanism stronger, perhaps, than the watchdog mechanism, but something worked out by the leaders, must be instituted unless we are going to find ourselves in serious embarrassment in our international relations.

In this case there is a large sum of money involved. It is a sum of money that I do not believe 10 percent of the Members of Congress have the vaguest idea we were committed to.

Mr. STEFAN. Mr. Speaker, will the gentleman yield?

Mr. HERTER. I yield to the gentleman from Nebraska.

Mr. STEFAN. The gentleman has put his finger on something that has been worrying committees of this House for a long time. As long as you authorize legislation setting up international organizations, the Committee on Appropriations is duty bound to appropriate money for the functions of those organizations.

We have held hearings year after year, with the State Department coming before our committee complaining that it is impossible for them to reduce appropriations for international organizations because Congress has authorized the formation of these organizations in which we participate, and today there are a score or more of international organizations in which we have representation, in which we pay the major cost.

It is a problem that is disturbing to us and it is a problem that is disturbing the State Department. Of course many of these organizations are necessary. The gentleman's contribution to this subject is very valuable. The Congress should be placed on notice that something should be done immediately to go over this entire vast number of international organizations in order to get them down to a real basis of necessity. There are just too many of them.

Mr. HERTER. I thank the gentleman for his contribution. I repeat, however, that insofar as this particular legislation before us today is concerned, someone might feel that this is a good time to make an issue, for the Congress to take a stand and oppose this particular commitment, but I feel that it would be highly unfortunate if we took this particular case on which to make a stand, because at best the good will we possess in the Arab world and the Moslem world today is pretty small. Those areas are of the utmost strategic importance to us in the global warfare, cold, if you want to call it that, that is going on in the world. I can think of nothing that would be more unfortunate than for us to refuse to help these refugee Arabs in their particular plight.

Mr. FULTON. Mr. Speaker, will the gentleman yield?

Mr. HERTER. I yield.

Mr. FULTON. Is it not particularly important at this time—when there is a meeting coming up on Monday on the refugee problems of the Arab nations in Beirut?

Mr. HERTER. That is only one of the considerations. There are others that are taking place, including negotiations with Saudi Arabia at the present time, which are equal in importance.

Mr. MORGAN. Mr. Speaker, will the gentleman yield?

Mr. HERTER. I yield.

Mr. MORGAN. This is only a temporary organization which will expire in August 1949, and is not like the World Health Organization.

Mr. HERTER. The gentleman is quite right. It was created because of an emergency.

Mr. SABATH. Mr. Speaker, if there are no further requests for time, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

Mr. KEE. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the joint resolution (S. J. Res. 36) for the authorization by the United States for the relief of Palestine refugees.

The SPEAKER. The question is on the motion offered by the gentleman from West Virginia [Mr. KEE].

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of Senate Joint Resolution 36, with Mr. ROONEY in the chair.

The Clerk read the title of the joint resolution.

By unanimous consent, the first reading of the joint resolution was dispensed with.

Mr. KEE. Mr. Chairman, I yield myself 10 minutes.

Mr. VORYS. Mr. Chairman, will the gentleman yield?

Mr. KEE. I yield to the gentleman from Ohio.

Mr. VORYS. I call the attention of the House to the fact that this is the first time a bill has come from the Committee on Foreign Affairs under the able and distinguished leadership of the gentleman from West Virginia as chairman. He is a good chairman, and I know that all Members of the House wish him well, as do the members of his committee.

Mr. KEE. I thank the gentleman from Ohio for his flattering contribution.

Mr. Chairman, the measure we have before us today has already passed the other body. This measure authorizes an appropriation of $16,000,000 as the contribution of the United States Government, as stated in the resolution, to the United Nations for the relief of Palestine refugees.

Incidentally, I might remark that the title is somewhat of a misnomer, since it indicates that it is a Jewish relief measure. As a matter of fact, there are only 7,000 Jewish people included in the provisions of the measure, while there are 500,000 Arab refugees who are to be assisted. As a further matter of fact, our latest information is to the effect that instead of 500,000 Arabs, there are at the moment 700,000 Arab refugees to be relieved. This fund of $32,000,000 has been set up by the United Nations. I believe I am safe in saying that this constitutes a precedent in the work of the United Nations, for it is the first time, so far as I am advised, that the United Nations has attempted to set up a general fund for relief of peoples throughout any quarter of the world. The fund is set up because of the fact that in September 1948 the then mediator for Palestine, Count Bernadotte, reported to the United Nations that a tremendous number of refugees scattered throughout the Arab countries, were in need of immediate assistance. No cognizance was taken of that report at once, but in September or October of the same year Mr. Ralph Bunche, who had succeeded Count Bernadotte as mediator, also made a report with reference to these refugees, filing that report with the United Nations. In the report he stressed the condition of those refugees, who were scattered all over the area adjoining the new State of Israel, and opened the way for a request by the United Nations of all membership countries throughout the world to make contributions.

In speaking of the share of the fund to be contributed by the United States, the gentleman from Massachusetts [Mr. HERTER] mentioned that such share was allocated by reason of a statement made by our representative before the United Nations. I believe I can supplement that by saying that President Truman, in December I believe, made a public statement that we would be willing to contribute to the fund for the relief of these refugees, provided that fund did not exceed $16,000,000. Therefore, the resolution does not directly authorize a total of $16,000,000, but authorized the appropriation of funds which shall not exceed a total of $16,000,000.

This situation in respect to the Palestine refugees arose as you all probably know without my telling you, through the hostilities that took place in Israel's efforts for the establishment of a separate state. During the fight there were countless thousands of Arabs who were residents of that portion of Palestine that now comprises the State of Israel. There was an exodus of thousands from that State into adjoining Arab territories. They left behind them their homes, their possessions, everything they had, and fled for sanctuary to the adjoining countries. They are there now. They are in Iraq. They are in Lebanon.

They are in all the countries of the Near East contiguous to Israel. As I stated, they are without homes, without food, without clothing, without shelter, and without occupation.

The effort to relieve these refugees has been going on ever since this fund was established by the United Nations in November 1948. For the first time in the history of the United Nations, it dipped down into its own treasury, on account of the critical condition of affairs and the necessity of those people, and contributed to this fund $5,000,000 from its working capital.

The Arab countries have so far contributed out of their meager resources over $4,000,000 to the fund. Twelve other countries in the world have, since the establishment of the fund, contributed a total of $5,256,000. That is where they have been getting the money to carry on the relief that is now in progress.

Mr. GAVIN. Mr. Chairman, will the gentleman yield?

Mr. KEE. I yield.

Mr. GAVIN. Will the gentleman name the countries that have contributed the $5,000,000?

Mr. KEE. Australia, $100,000; Belgium, $432,000; Canada, $726,000; Denmark, $130,000; Egypt, $166,000; France, $253,100; and I might remark in passing that France has announced her intention of contributing 600 million francs, or $1,600,000 to the fund; India, $60,770; New Zealand, $95,000; Norway, $60,000; Pakistan, $30,000; Sweden, $270,000; Turkey $44,000; Union of South Africa, $31,000; and the United Kingdom, $3,629,000. That constitutes the list of countries so far contributing.

The CHAIRMAN. The time of the gentleman from West Virginia has expired.

Mr. KEE. Mr. Chairman, I yield myself two additional minutes.

Mr. Chairman, on the evidence before us there is no question about the need for this relief. It has been made doubly evident to us. Not only is there a need for the relief from a humanitarian standpoint, but also there is need for us to go to the relief of these people from an economic and a political standpoint. There are from five to seven hundred thousand Arabs without employment, without food, without clothing, homeless and shelterless.

Mrs. ST. GEORGE. Mr. Chairman, will the gentleman yield?

Mr. KEE. I yield to the gentlewoman from New York.

Mrs. ST. GEORGE. Does this apply to all refugees in Palestine? I know the gentleman is aware of the fact there are many Christian refugees in Palestine who also have suffered. Will they be taken care of under this resolution?

Mr. KEE. It is our presumption that it will apply to all refugees with the possible exception of the 7,000 Jews mentioned, for whom the United Nations may not be required to furnish aid. They can participate, however, and if they need it, it will be given them; but we understand that Israel itself has been taking care of about 20,000 Jewish refugees a month, and resettling them in proper safe locations.

Mrs. ST. GEORGE. And all of the refugees would have equal rights under this resolution?

Mr. KEE. I would so interpret it. It is under the administration of the United Nations.

Mr. Chairman, I hope there will be no question about passing this meritorious measure.

The CHAIRMAN. The time of the gentleman from West Virginia has again expired.

Mr. VORYS. Mr. Chairman, I yield such time as he may desire to the gentleman from New York [Mr. JAVITS].

Mr. JAVITS. Mr. Chairman, I favor the pending resolution and I hope the House will pass it. It is an elementary, humanitarian measure in the great American tradition to help the innocent victims of war in a turbulent area of the world—an area critically important to our national security.

These Arab refugees left their homes because of the war situation and the urging of misguided Arab leaders. They are now encamped in the Arab areas of Palestine and in the surrounding countries notably in Syria, Lebanon and Transjordan, which just cannot support them. Their distress is very grave. The United Nations has undertaken their relief as a part of its general effort to bring about stability and peace in the Middle East between Israel and the Arab states. The Palestine Conciliation Commission created by the United Nations of which the United States, France and Turkey are the members, will deal with this problem of the Palestine refugees as one of the problems in the peace. In order to forward the work of the Commission and give it conditions under which it has a fair chance of success, these Arab refugees must be succored. The whole Middle East will appreciate the cooperation and generosity of the United States in relieving the distress of these refugees. It will also enable a resettlement program to be proceeded with in an orderly way. The Congress by enacting this resolution will be making a real contribution to the final settlement, with justice, which we all so fervently desire for the Middle East.

Mr. VORYS. Mr. Chairman, I yield such time as he may desire to the gentleman from Pennsylvania [Mr. FULTON].

Mr. FULTON. Mr. Chairman, the United States is a member of the International Refugee Organization under the United Nations. We have assumed the legitimate obligation to take care of refugees under the United Nations. This problem of the Arab and Jewish refugees has come up in a strategic area that affects our safety and calls for our humanitarian judgment.

I believe it is necessary to pass this bill today because on Monday there will be a meeting of the Arab nations with our representative to work out the refugee problems. We will greatly strengthen the hands of our representative if we pass this bill at the present time.

In addition, we have negotiations going on with various of these countries that, if we act as we should and take the responsibility for that area as we have taken it for others, will be very much to the advantage of the United States. I believe, too, that because this is an area where both Jews and Arabs are involved and we have taken care of the Jewish displaced persons under the International Refugee Organization, in all equity, we should extend the same assistance to the Arabs who are likewise displaced. Let us be just and friendly to the distressed of these two great peoples.

May I finish by complimenting the chairman of the Committee on Foreign Affairs, the gentleman from West Virginia, Judge KEE, for a very fine, full, and complete statement on this matter. It is a pleasure to serve with him for the best interests of our good country on the distinguished Foreign Affairs Committee.

Mr. KEE. Mr. Chairman, I yield such time as he may desire to the gentleman from New York [Mr. MULTER].

Mr. MULTER. Mr. Chairman, I heartily concur in all that has been said in support of this resolution. It is another step forward along the path of peace. We are putting into effect the Biblical teaching that we are our brother's keeper.

No powerful lobby pressures us to pass this bill. None of the poor people to be helped by it can vote for or against us. In the spirit of friendship and good will we hold out a helping hand to those who cannot help themselves.

May I, at this time, point out to this body a most regrettable incident that was reported yesterday by radio from Bagdad. Seven Iraqi Jews have just been condemned to death by the Iraqi Government for no other reason than their espousal of the cause of zionism.

The incident is the more regrettable because it comes on the eve of the meeting of the Conciliation Commission of the United Nations.

I am proud of the fact that I was among the first to raise my voice in this House against the inhuman and unconscionable treatment of Cardinal Mindszenty. I trust that the Members of this House will be aroused to the same extent to voice their disapproval of the inhuman conduct of the Iraqi Government. Membership in the United Nations carries with it the obligation to support in practice all human rights and any state that violates any provision of the Charter of the United Nations should be instantly and severely condemned.

Mr. VORYS. Mr. Chairman, I yield such time as he may desire to the gentleman from Kentucky [Mr. MORTON].

Mr. MORTON. Mr. Chairman, may I ask the question, where are they going to put these 500,000 or 750,000 Arabs? Are they going to be in Africa next year; then we will have a million Africans to take care of?

Mr. VORYS. The United Nations Assembly has passed a resolution providing they should be repatriated or compensated and as a result of the settlement as shown in the report most of them will probably settle down in the Arab part of the world.

Mr. MORTON. They are not going to become displaced Arabs in Arabia to give us an Arab problem?

Mr. VORYS. No. This whole thing runs only to the next crop in September. It is contemplated that the settlement

which we all fervently hope and pray will take place will dispose of this problem for good.

Mr. MORTON. The next crop of what? Displaced persons or what?

Mrs. BOLTON of Ohio. The next harvest.

Mr. VORYS. Mr. Chairman, I yield such time as he may desire to the gentleman from Michigan, [Mr. FORD].

Mr. FORD. Mr. Chairman, it was brought out previously that eleven nations had contributed but I did not hear of any contribution or proposed contribution by Russia. Can any explanation be made why this condition prevails?

Mr. KEE. I cannot answer for Russia. I may say that the contribution is made by the United Nations.

Mr. FORD. In the past has Russia made contributions comparable to ours in other similar situations?

Mr. KEE. None that I know of.

Mr. FORD. Is there any explanation as to why that is so?

Mr. FULTON. Russia is not a member of the particular organization of the United Nations dealing with refugees and has never joined. She has recently gone out of the Health Organization and she has not come into these other organizations. So on this particular level she is not cooperating or joining.

The CHAIRMAN. If there are not other requests for time, the Clerk will read the bill for amendment.

The Clerk read as follows:

Resolved, etc., That there is hereby authorized to be appropriated to the President, out of any money in the Treasury not otherwise appropriated, not to exceed $16,000,000 as a special contribution by the United States to the United Nations for the purposes set forth in the resolution of the General Assembly of the United Nations of November 19, 1948, providing for the relief of Palestine refugees.

Mr. HAND. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Page 1, line 5, strike out the sum "$16,000,000" and insert in lieu thereof "$12,764,800."

Mr. HAND. Mr. Chairman, regardless of the merits of the pending measure I am very much disturbed at hearing the remarks made by the gentleman from Massachusetts, when he was discussing the rule, in which he said that this is one of perhaps other items which have happened in the past and will happen in the future unless we put a stop to it; that there are commitments made, without any congressional authority and without any limitation or any standard, proposing to spend money, which it is the constitutional duty of the Congress to spend and appropriate as they see fit, and not as some agent who is not authorized sees fit.

The gentleman from Massachusetts mentioned that this commitment was made by Mr. Bunche or some other agent of ours in connection with a conference held on this problem. I was not too much impressed with the reply that was made to that by the gentleman from West Virginia, who indicated that there was some sort of a newspaper statement by the President indicating that we ought to contribute not to exceed $16,000,000. The President has no authority to commit us; no more authority than anyone else.

In order to protect the principle involved here, and to protect the congressional right to limit these appropriations and not to respond to these commitments which are made without authority, my amendment proposes merely that the appropriation of $16,000,000 as proposed in this bill be reduced to $12,764,800, which, if my rather hurried arithmetic is correct, represents 39.8 percent of a total of $32,000,000, which is the standard heretofore set up for this country as our share of general UN expenses.

I call your attention further to the fact that in reading the list of nations which are contributing that the Soviet Union is not contributing. I call your attention further to the fact that in these contributions made before, many of the contributions indicated to be made by other nations have been welched on, so that we are usually left holding the bag anyway. I call your further attention to the fact that the contribution, as I remember it being read, from India, that fabulously rich country, although a new nation, was, I think, about $60,000, as I understood the gentleman from West Virginia.

Regardless of the fact that our share is probably in excess of what should be borne by us, regardless of our great wealth, we are still only 1 of 40 or 50 Members in this situation, and I still think that we ought to preserve some standard for our contributions. I therefore urge the committee to at least reduce the $16,000,000 proposed to be appropriated without our authority to the standard heretofore set of 39.8 percent, which would make it, as I figure, $12,764,800.

I see no reason for taking more of your time. It seems to me that the purpose of the amendment is perfectly plain, and I ask the support of the committee. Incidently, it will effect a saving of $4,000,000. I would like to hope that we treat our millions with more respect.

Mr. Chairman, I have supported all measures providing for our equitable participation with other countries in our joint effort for peace and order, which we call the United Nations. But I object to our country assuming the whole burden, or more than our share of the burden. That is the essential purpose of the amendment.

Mr. RICHARDS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I think the gentleman's amendment is based on a misunderstanding of what the contribution of the United States has been in other foreign relief measures. He based his figure on the assumption that the contribution of the United States to the United Nations has been about 39.89 percent. As a matter of fact, the 39.89 percent figure has been our contribution to the administrative expenses of the United Nations—I said administrative expenses. The proportion of operative expenses of the United Nations paid by the United States has been something over 45 percent. The United States has contributed, in organizations such as UNRRA as much as 72 percent. The 72 percent figure was arrived at on the basis of relative national income. Since that time we have been attempting to get other contributing nations to increase their contributions to world relief programs. On this occasion, which was considered an extraordinary occasion, it was felt by all concerned that 50 percent would be a fair contribution on the part of the United States.

Mr. KEE. Mr. Chairman, will the gentleman yield?

Mr. RICHARDS. I yield to the distinguished chairman of our committee.

Mr. KEE. I also wish to call the attention of the gentleman to the fact that our contribution to the IRO, that is, the refugee organization, is 45.5 percent, and our contribution to the International Children's Fund is 50 percent.

Mr. RICHARDS. The gentleman is correct. In the Children's Fund it is 50 percent, and in the IRO it is 45 percent plus. In the case of UNRRA it was 72 percent plus. So this figure of $16,000,000 is fair.

Mr. HAND. Mr. Chairman, will the gentleman yield?

Mr. RICHARDS. I yield to the gentleman from New Jersey.

Mr. HAND. The gentleman stated that this figure was agreeable to all concerned. Who does he mean by all concerned?

Mr. RICHARDS. Maybe the gentleman misunderstood me. I do not know that I said this figure was agreeable to all concerned, although I assume it was.

However, the 39.89 percent figure the gentleman mentioned came from the calculations of our proportionate share of the administrative expenses of UN.

Mr. HAND. Does not the gentleman feel that that is a fair and reasonable, and even a generous, standard?

Mr. RICHARDS. No, I do not think so.

Mr. HAND. Does the gentleman feel we ought to contribute five times as much as the United Kingdom?

Mr. FULTON. Mr. Chairman, will the gentleman yield?

Mr. RICHARDS. I yield to the gentleman from Pennsylvania.

Mr. FULTON. I want to make the distinction, if I may, that this is an operative budget, as distinguished from an administrative budget, and that it will be the Red Cross and private agencies that will administer this, so that this is operative and not administrative. The previous budget that has been spoken of, with a smaller percentage, was an administrative, over-all budget, while this is operative.

May I add, too, that on the children's fund, when other nations put in money to the children's fund under the United Nations, it goes up as high as 72 percent for the United States' contribution, and 28 percent for the other participating countries. So this is actually a very small participation in an operative budget.

Mr. RICHARDS. The gentleman is correct, and I thank him for his contribution.

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. RICHARDS. Mr. Chairman, I ask unanimous consent to proceed for two additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. GAVIN. Mr. Chairman, will the gentleman yield?

Mr. RICHARDS. I yield.

Mr. GAVIN. What right does the representative of the American Government have to commit us to any appropriation without first securing congressional approval?

Mr. RICHARDS. The representative of the American Government did not commit us to anything. The representative of the American Government, Dr. Bunche, requested the United Nations to call for voluntary contributions from contributing nations. That is what happened. Nobody committed the United States to anything.

Mrs. DOUGLAS. Mr. Chairman, will the gentleman yield?

Mr. RICHARDS. I yield.

Mrs. DOUGLAS. I think it is important to get into the RECORD that the 72 percent that the United States contributed to UNRRA was based upon the national income of the United States as compared to the national income of other countries. That contribution was made on the basis of each contributing nation giving 1 percent of their national income.

This 1 percent from the United States equaled 72 percent of all contributions made.

Mr. RICHARDS. That is correct. I thank the gentlewoman. I tried to say that just now, but she stated it much better than I could.

Mr. JAVITS. Mr. Speaker, will the gentleman yield?

Mr. RICHARDS. I yield.

Mr. JAVITS. Is it not a fact that the Committee on Foreign Affairs, which recommends this amount and brings this bill to the floor, have unanimously reported it out of committee?

Mr. RICHARDS. That is correct. I hope very much that this figure of $16,000,000 will not be cut down. If we contribute anything, I think we should con- $16,000,000.

Mr. FELLOWS. Mr. Chairman, will the gentleman yield?

Mr. RICHARDS. I yield.

Mr. FELLOWS. Does the nation of Israel make any contribution?

Mr. RICHARDS. I understand that Israel is already contributing 100 percent of relief to 250,000 displaced Jews who have already gone there. But this is primarily an Arab relief bill. I assume that Israel will also contribute to this fund.

The CHAIRMAN. The time of the gentleman has expired.

Mr. RANKIN. Mr. Chairman, I rise to strike out the last word.

Mr. Chairman, I cannot sit idly by and see these internationalists continue to drag America down toward bankruptcy, and build up ungrateful enemies for us throughout the world. Ten years ago they were hammering at me because I was trying to induce the administration to take a course which would have kept us out of this last World War. I was convinced then, and I am convinced now, that by pursuing the proper course, the administration could have kept England, France, and the United States out of this war and let Germany and Russia fight it out between themselves. But our wild-eyed internationalists were determined to get us into the war on the side of Soviet Russia. I am like the old fellow who said that his friend would not go to purgatory for a dollar, but that he would fish around the edge until he fell in. We finally fell into the war backwards, through some kind of stupidity that the American people do not understand, because no intelligent American can understand how our leaders went to sleep and let the Japanese come 5,000 miles and destroy our fleet at Pearl Harbor.

We have gone through that war. It has cost us more than $300,000,000,000. In it we sacrificed a million of the finest men the world has ever seen, to say nothing of the maimed and otherwise disabled. It has burdened us with a national debt that is so great that our great-great-grandchildren will not live to pay it.

We hear men howling to high heaven because we want to take care of our own veterans of the First World War, yet they are voting $5,400,000,000 to pour into the sinkholes of Europe, Asia, Africa, and Israel. The other day they had a broadcast coming from over there and here is what the Communist leader in Israel, Meir Willner, had to contribute. He said:

> Nobody in Israel will raise his hand against the Red army if and when the world plunges into war.

Now, Mr. Chairman, I cannot sit idly by and see the people I represent, and the American people as a whole, further dragged into the quagmire of international bankruptcy without a protest.

They tell us that our national debt exceeds the combined national debts of all the other nations of the earth.

Here we have displaced a group of people and set up a government which, in my opinion, is nothing but a satellite of Soviet Russia.

After our boys had fought and won the war, somebody seems to have sold us down the river, by turning both Europe and Asia over to Communist Russia.

Now we are called on to feed and clothe not only the people that we are supposed to have displaced to make way for communism, but we are spending untold billions of dollars to feed and clothe our former enemies. We are said to be spending $400,000,000 a year to feed and clothe the Japs, whose brutality to American prisoners surpassed in brutality anything humanity has ever seen from the standpoint of inhuman beastiality.

Four hundred million dollars a year, in addition to the expense of our military occupation of Japan.

But when you propose to pension our old World War veterans who are now past their earning capacity, they threw up their hands in holy horror.

Keep this movement up, and you will drag America down to international bankruptcy. That is what our enemies, both at home and abroad, are working for.

I shall vote against this measure, and against every other one to further burden the American people with foreign obligations and drag us down into the international quagmire of bankruptcy and destruction.

I hope this bill is defeated.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. McCORMACK. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, I have been sitting here for years listening to that same speech before Pearl Harbor, and I am hearing it now. I have just about reached the end of my endurance. Before Pearl Harbor the gentleman was opposed to every bill necessary for the defense of our country.

Mr. RANKIN. Mr. Chairman, there is not a word of truth in that statement.

Mr. McCORMACK. I am not yielding to the gentleman.

Mr. RANKIN. You will not get away with that kind of stuff.

Mr. McCORMACK. Oh, sit down. I refuse to yield, Mr. Chairman.

Mr. RANKIN. Mr. Chairman, I demand that those words be taken down. He is not going to get by with that stuff here.

The CHAIRMAN. The gentlemen will take their seats.

The Clerk will report the words objected to.

The Clerk read as follows:

> Mr. McCORMACK. Mr. Chairman, I have been sitting here for years listening to that same speech before Pearl Harbor and I am hearing it now. I have just about reached the end of my endurance. Before Pearl Harbor the gentleman was opposed to every bill necessary for the defense of our country.

The CHAIRMAN. The Committee will rise.

Accordingly, the Committee rose; and the Speaker having resumed the Chair, Mr. ROONEY, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration Senate Joint Resolution 36, for the authorization of a special contribution by the United States for the relief of Palestine refugees, certain words used in debate were objected to, and on request were taken down and read at the Clerk's desk, and he herewith reported the same to the House.

The SPEAKER. The Clerk will report the words objected to.

The Clerk read as follows:

> Mr. McCORMACK. Mr. Chairman, I have been sitting here for years listening to that same speech before Pearl Harbor, and I am hearing it now. I have just about reached the end of my endurance. Before Pearl Harbor the gentleman was opposed to every bill necessary for the defense of our country.

The SPEAKER. The present occupant of the chair has had questions of this kind arise on many, many occasions. They are always to be regretted; but this occupant of the chair has always been in favor of a wide range of discussion and debate and expression of opinion.

The Chair would think that objection was made to this language:

> Before Pearl Harbor the gentleman was opposed to every bill necessary for the defense of our country.

The Chair interprets that not as a statement of fact, but as the opinion of

the gentleman from Massachusetts as expressed in debate. The Chair would therefore hold that the language, expressing an opinion in debate and not stating a fact, was not a violation of the Rules of the House.

The Committee will resume its sitting.

The Committee resumed its sitting.

The CHAIRMAN. The gentleman from Massachusetts will proceed.

Mr. McCORMACK. Mr. Chairman, the gentleman had said on various occasions that appropriating $5,600,000,000 was like throwing it down the ratholes of Europe, Asia, and Africa. I do not take off my hat to the gentleman from Mississippi, or anyone else, in my loyalty to my country; and no one else in this Chamber need do so either.

I do not question his sincerity, his motives, or his patriotism, but I have a right to disagree with his judgment. On the one hand we hear him talk about communism, and yet those of us who vote on this legislation do so because we recognize that if Italy, France, Sweden, Norway, Finland, the Netherlands, all the countries of Europe get under the domination of Communist regimes it would not in our opinion be for the best interest of our country; certainly, it would not be for the national interest of our country.

There are some of us who believe we have got to take forward action, affirmative action, in order to prevent Europe's becoming dominated by Communist regimes; and we believe that such action on our part is for our national interest. I think we cannot have a world dominated by communism, and feel free as a nation ourselves. For several hours today we had under consideration a bill, one of whose purposes was the development of our own power as a means of conveying to any potential enemy, the fact that America has power and that others must respect that power. The words of the gentleman from Missouri [Mr. SHORT] in his eloquent speech aptly described my state of mind. Now, we have been hearing these innuendoes. I do not like them, I resent them. I have no feeling against anyone because of accident of birth. I was not consulted when I was brought into this world, neither was anyone else and I do not think accident of birth should operate against ony one. In my consideration of them a person's view is his own right and I respect his religious view. All I ask is that my conscience be respected. I have no difficulty getting along with my fellow men, any of my fellow beings, because I have no feeling against anyone because of accident of birth. A man's racial origin means nothing to me, a man's color means nothing to me, a person's name means nothing to me. A person's religion I respect. But what does mean everything to me is a person's mind. When I find nice persons, I do not care what their name is or what their racial origin is or their religion, which I respect. If I meet a person with a poor mind, a bad mind, a low mind, and a bigoted mind I am meeting a person I do not like, a person that I do not consider nice; a person I have nothing but contempt for.

Mr. RANKIN. Mr. Chairman, I rise to a question of personal privilege.

The CHAIRMAN. Such a point may not be raised in the Committee of the Whole.

Mr. RANKIN. Oh, yes; where the offense is committed in the Committee of the Whole, it is in order.

The CHAIRMAN. The proper remedy is to have the words taken down.

Mr. RANKIN. The words have been taken down and were read by the Clerk.

The CHAIRMAN. I may say to the gentleman from Mississippi that the Speaker of the House has already ruled on that.

Mr. RANKIN. I mean they were read by the Chairman, in which the gentleman from Massachusetts [Mr. McCORMACK] deliberately and falsely accused me of opposing every measure for the defense of my country prior to Pearl Harbor. I rise to a question of personal privilege to brand that statement as an infamous falsehood.

Mr. SABATH. Mr. Chairman, I rise to demand the taking down of the words of the gentleman from Mississippi.

Mr. RANKIN. Take them down.

Mr. McCORMACK. Do not do that because they do not bother me at all.

Mr. SABATH. I know they do not bother the gentleman.

Mr. HOFFMAN of Michigan. Mr. Chairman, I move to strike out the last word and I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN of Michigan. Mr. Chairman, if the gentleman from Massachusetts [Mr. McCORMACK], and I have no quarrel with him, without revision leaves in the RECORD the remarks he just made, especially the last few sentences, I hope he will reread them tomorrow morning, and if he does I am sure his usual sense of fairness will cause him to withdraw them. In view of the Speaker's ruling, I hope every Member of the House will read those remarks, particularly the last five or six sentences, especially that statement of the gentleman that "I think my words are clearly understood." Much as I dislike to differ, I think the preceding description of the kind of person the gentleman from Massachusetts [Mr. McCORMACK] dislikes, viewed in the light of what had previously been said by the gentleman from Mississippi [Mr. RANKIN], coupled with the last sentence uttered by the gentleman from Massachusetts was a violation of the rule, and under precedents, raised a question of personal privilege, for the remedy of having a Member's words taken down is not exclusive.

I have only been here a short time, having come down in 1935. I have heard the gentleman from Mississippi [Mr. RANKIN] many, many times speak on the floor of this House.

The gentleman from Massachusetts [Mr. McCORMACK], referring to the gentleman from Mississippi [Mr. RANKIN], said, "It has been hard for me to endure. I cannot endure it any longer," or that in substance.

Well, it has been hard for me sometimes to listen to the gentleman from Mississippi when he talked about the TVA, because I have no use for it, but I did not resign because I did not like it or because I could hardly sit on the floor and listen to him. That, however, was my remedy if I wished to use it. I stayed here, and I am going to stay if I can, and I will not ask anyone to cease talking just because what he says is distasteful to me. I hope the day will never come when in this House a Member cannot state his honest, sincere opinion without having his loyalty, his intelligence, his fairness, his judgment challenged by his colleagues.

I may be entirely wrong, but I know of no man in this House who has been on the floor of the House since I have been here who has fought communism more vigorously, more effectively, or more persistently than has the gentleman from Mississippi [Mr. RANKIN]. He has, week after week, year in and year out, here in Congress in spite of the smearers—defying them, fought the good fight of his constituents, for the people of this country, and for his Nation. He has fought so hard and so successfully against the Communists that it has become and is politically embarrassing to some who are not Communists but who are willing to accept communistic support.

I say, I know of no man, who, in the opinion of many Members of the House—and I have heard them express their opinions—made a greater effort to keep us out of war, and who after we were in more vigorously supported the war effort, than did the gentleman from Mississippi [Mr. RANKIN]. I know that whatever may be the feelings or the words of the gentleman from Massachusetts [Mr. McCORMACK], deep down in his heart he is not for one moment questioning the patriotism or the sincerity of the gentleman from Mississippi [Mr. RANKIN]. I know that. The gentleman from Massachusetts has been talking, but he knows as I know and as we all know that our colleague from Mississippi [Mr. RANKIN] has had to take a beating time and again, from certain groups, minority groups in this country, not once, but day after day, and I, for one, feel honored to be permitted to sit in the House with him. I may not like some of his words—some of his philosophy—but I do know that he is a true loyal American, ready to fight, anyone, anything, anytime, or place when he thinks his country calls.

On this matter which is before us now today, if I understood the gentleman from Illinois [Mr. SABATH] correctly, he said that a certain faction in Palestine had driven some of another faction out into the desert and therefore we must take care of those who are now in need. I assume that is true. Then the gentleman from Massachusetts [Mr. HERTER] said—and this was his point; he did not say it but he made the point that down through the years we in Congress have permitted—because we created agencies—our agents to go out all over the world and without authority make promises which later we have been called upon to fulfill. We know very well that in the debates over the last few years while the war was on and after the war was over we were told from the well of the House by men who were sincere and honest

that we had made commitments that we must go through with. The gentleman from Massachusetts [Mr. HERTER] suggested that there must sometime be a halt to that procedure. I do not know whether this is the time to call a halt to that practice. I do not know whether this is the time to do it or not, but I am thoroughly convinced that soon, unless this Nation is to be bankrupt, not only financially, we will have to put an end to creating agencies—permitting those in the executive departments to go all over the world and make promises which later we must fulfill. I hope the day will come, and that right soon, when the Congress will have the courage to lay down a policy on matters of that kind, and to cut the assumption of power of those who year after year commit us to a policy which is absolutely ruinous, not only to our financial condition, but morally and intellectually, and to our standing in the world.

We are promising other peoples, other nations, altogether too much. I am thinking, as I am sure the gentleman from Massachusetts [Mr. HERTER] is thinking, of some of our folks at home, hundreds of thousands of the older people, millions of those who served us in foreign wars. We have not done enough for them. We have not buildings for the tenants; and so yesterday we passed a rent-control law. We have not housing for the veterans and others and soon will be called to adopt and finance a housing bill. But we have billions for those abroad. In this case, some sixteen millions.

When, oh, when will we begin to think of the folks at home?

Mr. FULTON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the question is, What is the amount in which we should contribute to this emergency-relief fund for the Arab refugees? It has been recommended, and recommended only, by the representative of the United States, that we subscribe $16,000,000 out of the total necessary fund of $32,000,000.

I have said earlier that we in this Congress should not overlook the strategic necessity and the strategic importance of this area in the Near East. We, of course, are looking at it from a humanitarian view but we should not also overlook what there is of vital strategic significance in this area. If we pass the European recovery program with billions without cutting a nickel out of it, if we pass the International Refugee Organization appropriation for Europe by millions without cutting it a nickel, and then with the Arab world, start cutting pennies in our dealings, we are not being fair or sensible. It would be strange when, as the gentleman from Massachusetts [Mr. HERTER] said, we have little enough credit laid up in the Arab world as it is today. We need these people. They are our allies in war and our friends in peace.

After the development of the State of Israel and our assistance to the development of the Israeli Government, the least we can do, is to contribute our legitimate share to the assistance of these refugees until the next harvest comes in. The meeting next Monday in Beirut of all the Arab nations with our own representative, is for the purpose of working out a just solution of the problems of these refugees, and of redistributing among the Arab nations these unfortunates. Unless we back that representative of the United States and show him that we are trying to solve the problem, it may be necessary in the future to spend millions and billions in protecting this strategic area. Justice and humanitarian principles, as well as our own national interest, require the passage of this bill.

If we do not give adequate consideration and friendly cooperation to these Arab friends, the next legislation may be done not through the Foreign Affairs Committee.

May I explain to you that on page 2 of the report it is stated that $5,500,000 of this amount is simply for transportation to get these people to some appropriate place in the Arab States where they can be resettled and taken care of by their own people.

Mr. MANSFIELD. Mr. Chairman, will the gentleman yield?

Mr. FULTON. I yield to my friend on the Foreign Affairs Committee, the gentleman from Montana.

Mr. MANSFIELD. May I call the attention of the gentleman from Pennsylvania to the fact that the original request for this assistance was made by Count Folke Bernadotte; that later that request was again made by Dr. Ralph Bunche, and the sum of $32,000,000 was requested. Something like $11,000,000 has already been put into this particular problem by the Arab States themselves. Something like $4,000,000 has been voluntarily allocated by European nations. The supervision of this program is purely in the hands and under the supervision of the United Nations or independent relief agencies, the League of Red Cross Societies, the International Red Cross, and the Society of Friends. They are the ones who are actually doing the job at the present time in behalf of approximately 700,000 Arabs who are destitute and on relief.

Mr. FULTON. May I comment there, too, that Mr. Stanton Griffis, our Ambassador to Egypt, has been the one chosen by the United Nations to administer this relief. If this Congress wants any guaranty that it will be taken care of well, it is budgeted closely on evident need, and there is only $2,500,000 in administrative expenses to be spent.

Mr. HAND. Mr. Chairman, will the gentleman yield?

Mr. FULTON. I yield to the distinguished gentleman from New Jersey.

Mr. HAND. Will the gentleman tell me how any of this is relevant to the purpose of my amendment? I am simply seeking to establish a standard on which we can make a fair and not ultragenerous contribution.

Mr. FULTON. I would be very glad to answer that.

Mr. HAND. Where would the gentleman stop, 70 percent, 80 percent, or 90 percent? Are we to bear the entire burden of the world by ourselves?

Mr. FULTON. As the gentleman knows, in the adaption of the ECA program, the budgets of European countries are not made up on a percentage of contribution by us, but we are meeting a need. That same principle was used here. As the gentleman knows, too, under the United Nations children's emergency fund, the United States gave 50 percent as our contribution to any participating country that was a recipient of funds. On contributions by countries other than the United States, to countries beyond their borders, we gave as assistance, 72 percent as our share. As to the international refugee organization, we have given 45 and 75 one-hundredths percent. As the gentlewoman from California [Mrs. DOUGLAS] has brought out, on the UNRRA we gave 72 percent as our contribution, based on our national income. So this authorization is really a nominal, fair contribution, concerning our vital interest in this area.

Mr. CRAWFORD. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, before the gentleman offered his amendment I had written out a similar amendment. I am not opposed to some relief being given by the people of this country. I am opposed to the Congress of the United States being continually compromised by the State Department and agencies of this Government who go out and make so-called moral commitments and then have the fact brought in here, and I am told that I must support that commitment made, when I am supposed to help take care of the obligations of the taxpayers of my district. I am in favor of the Congress starting now. I say now because of the argument that was made that if you do not pay the $16,000,000 you may upset the whole Arabic and Moslem world. I do not give any credit to that kind of argument because 2½ or 3 or 4 million dollars is not going to upset that world. It is not going to buy much credit for us or create much good will. A good strong sensible policy with the control of the monetary and fiscal affairs of this Government in the hands of the Congress of the United States and not in the hands of the State Department or other agencies of this Government, or even agencies of the State Department, will create good will among our people and among the peoples of the earth, because they will then know that we have some sense as to the direction in which we are traveling.

So I would certainly support this amendment, not so much because I think the amendment is going to carry, but because I think the hour has arrived when we should get rid of the idea that we are going to pay 72 percent or 59 percent or 45 percent of the operating expenses or administrative expenses of these great international organizations. Why are we afraid to tell our people who vote for us and send us here, what the specific formula on these things is going to be? Why do we so distrust those people who vote for us? The people in my district send me here, not the people in other parts of the world. For those basic reasons I am for this amendment to set a pattern.

Mr. HAND. Mr. Chairman, will the gentleman yield?

Mr. CRAWFORD. I yield.

Mr. HAND. I should like to say to the gentleman that he has precisely ap-

prehended the point I have in mind. It is not so very important to save $4,000,000, although to me that is still a considerable sum, despite the way that we throw it around.

Mr. CRAWFORD. No, it is the principle of laying down the pattern.

Mr. HAND. The point is that they cannot make a commitment to the extent of 50 percent or 70 percent or 80 percent, without the Congress scrutinizing what is being done.

Mr. CRAWFORD. The way this argument has gone on here this afternoon, it would appear that some of the members of our Committee on Foreign Affairs propose to commit us up to 72 percent contribution in these various things.

Mr. JENNINGS. Mr. Chairman, will the gentleman yield?

Mr. CRAWFORD. I yield.

Mr. JENNINGS. I wish to call to the attention of the gentleman the fact, as has just been stated, that the administrative expenses of this sum runs over $2,000,000.

Mr. CRAWFORD. Two million five hundred thousand dollars. It is set forth in the committee report.

Mr. JENNINGS. Two million five hundred thousand dollars. That is an outrage. Fifty thousand boys and girls from my section of the country went into this last war. It cost us millions of dollars. I am not afraid to tell my people that I am not going to be rushed into commitments in the way of money by somebody that I never heard of or that they never heard of. I think it is an insult to the Congress.

Mr. CRAWFORD. That is the way I feel about it.

Mrs. DOUGLAS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I think there is a misapprehension as to our relationship with the United Nations. The United States is a member of the United Nations today because the Congress of the United States felt that it was in the best interest of this Nation to join it. The United States joined the United Nations with the full support of the American people. The Congress of the United States passed legislation to join the United Nations in the hope that by sitting around the council table we could gradually ease the tensions in the world which lead to war.

Most of the legislation that has come before the Foreign Affairs Committee has dealt with the tragedies and devastation resulting from the last war. In this transition period it has also been necessary to appropriate large sums of money for arms. To the degree that we can succeed in the negotiations around the council table in easing the tensions around the world, appropriations for arms can be cut.

Our representatives who have been sent to the United Nations by the Congress of the United States do not finally commit us to any program. We have authorized our representatives to negotiate for us, which they have done in their best judgment. The programs to which they agree must be submitted to the Congress for approval. They are sent to the proper committee where they are studied in detail, and then they are presented to the House as a whole.

We do not have to give any money to anyone. However, the final responsibility is ours and it is a grave one. We are morally committed to the American people to follow through on any program that is reasonable and will lead toward peace. We do not now have to contribute $16,000,000 toward the relief of Arab refugees but we must view this contribution in the proper light.

The reason for our giving 50 percent is, as I said before, based on the national income of the contributing nations.

To date other nations have already contributed what we are now asked to give.

Although 50 percent seems very large in relation to the total amount of money that will be contributed, namely $32,000,000, yet when viewed in the light of our economic condition and the economic condition of other countries in the world, then it is not so great. That is the point I tried to make with reference to UNRRA. In that program each contributing country gave 1 percent of its national income. And may I point out that each country made good its pledge. The United States contribution, because of our wealth, amounted to 72 percent of the total contribution. Yet each country was making, according to what they had, as great a contribution as we made.

Because of the disturbance in the Near East, the members of the United Nations have unanimously agreed that relief is needed. Our Government believes that the United States should contribute its share. The Foreign Affairs Committee and the other body believe that we ought to go along with the other members of the United Nations in this relief program. All the other nations have not made their contributions in money. They have made them in kind, and it amounts in some instances to more than we have estimated in dollars.

The Foreign Affairs Committee after study believes that bringing relief to the Arab refugees at this time will hasten a peace settlement in the Near East. We hope that this contribution will be repaid many times over, which it will be if peace comes to this area. It is hoped that by the end of this year the Arab refugees will be resettled. The people in my district are a cross section of the American people. They have their problems but they want peace above everything else. The American people look to us for the statesmanship that supports those programs which will make huge arms appropriations in the future unnecessary.

Mr. HAND. Mr. Chairman, will the gentlewoman yield?

Mrs. DOUGLAS. I yield.

Mr. HAND. To some extent the gentlewoman has missed the point. The point is only with respect to the proper share of the contribution. Can the gentlewoman inform me the share of India, in this pending measure? How much is India putting up, that rich, fabulous, huge subcontinent?

Mrs. DOUGLAS. To date, India has put up $69,770.

Mr. HAND. I thank the gentlewoman.

Mr. JUDD. Mr. Chairman, will the gentlewoman yield?

Mrs. DOUGLAS. I yield.

Mr. JUDD. Is it not also true that when this emergency arose, relief action was taken immediately by the countries in the area involved?

Mrs. DOUGLAS. Immediately.

Mr. JUDD. And they have already spent a great many millions of dollars before we even get started. If we put in the full 50 percent of this projected program for the future, we still put in less than 50 percent of the total amount to be spent on the program, past as well as future.

Mrs. DOUGLAS. The gentleman is quite correct.

Mr. JUDD. This UN effort is an attempt to get enough together at one time to end the problem in the next few months. Actually, in view of the share that the United States had in developing the situation which has produced the tragedy, I do not know just what percentage would be fair. Probably we are responsible for more than 50 percent. But whoever else is responsible, these homeless, hungry, half-naked refugees are not responsible. Their plight developed from an action initiated by the United Nations, partly at our urging. We all ought to share in helping them as we have similar unfortunate people elsewhere. Even those who opposed American support of the UN partitioning of Palestine must recognize our Government did take such action and we have a moral obligation as well as humanitarian urge, to do all we can for these people no matter on which side they are.

Besides, when one considers the kind of world conflict in which we are engaged, and that there is a continuous band of Moslem peoples from Casablanca to Java, occupying an exceedingly important strategic area, it seems short-sighted indeed to refuse to extend a few million dollars of aid to these Arabs after all the hundreds of millions we have given and are still giving for the relief of similar victims elsewhere. We ought to defeat this amendment and pass the bill.

The CHAIRMAN. The time of the gentlewoman from California has expired.

The question is on the amendment offered by the gentleman from New Jersey [Mr. HAND].

The amendment was rejected.

Mr. HINSHAW. Mr. Chairman, I move to strike out the last word, and I ask unanimous consent to proceed out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HINSHAW. Mr. Chairman, I have asked for this time and for permission to speak out of order because the Joint Commitee on Atomic Energy has just now adjourned its meeting with the military liaison committee, which works with the Atomic Energy Commission. Among other things discussed was the matter discussed earlier today on the floor of this Chamber, concerning the release of certain photographs of atomic energy installations, as contained in the fifth semiannual report of the Atomic Energy Commission. I am authorized to say that the military liaison committee has no objection to the publishing of

such photographs, from the security angle of the United States.

Mr. VAN ZANDT. Mr. Chairman, will the gentleman yield?

Mr. HINSHAW. I yield.

Mr. VAN ZANDT. Did the committee discuss information contained in the paper yesterday concerning atomic weapons and submarines?

Mr. HINSHAW. The committee did not discuss that with the military liaison committee. We were discussing the subject of the photographs that were contained in the fifth semiannual report of the Commission. The gentleman from North Carolina, the vice chairman of the committee, was present and is here on the floor; and the gentleman from California [Mr. HOLIFIELD], and several others among us were present at that meeting.

Mr. Chairman, I yield back the balance of my time.

The Clerk read as follows:

SEC. 2. Notwithstanding the provision of any other law, the Reconstruction Finance Corporation is authorized and directed, until such time as an appropriation shall be made pursuant to section 1, to make advances to the President, not to exceed in the aggregate $8,000,000, to carry out the provisions of this joint resolution. From appropriations authorized under section 1, there shall be repaid to the Reconstruction Finance Corporation, without interest, the advances made by it under authority contained herein. No interest shall be charged on advances made by the Treasury to the Reconstruction Finance Corporation in implementation of this section.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. ROONEY, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the joint resolution (S. J. Res. 36) for the authorization of a special contribution by the United States for the relief of Palestine refugees, pursuant to House Resolution 139, he reported the same back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the third reading of the Senate resolution.

The resolution was read the third time.

Mr. RANKIN. Mr. Speaker, I demand the reading of the engrossed copy.

The SPEAKER. This is a Senate joint resolution, the Chair will say to the gentleman from Mississippi, and is already engrossed.

The question is on the passage of the bill.

The question was taken; and on a division (demanded by Mr. RANKIN) there were—ayes 160, noes 18.

Mr. RANKIN. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. The Chair will count.

Mr. SHORT. Mr. Speaker, I move that the House do now adjourn.

The motion was rejected.

The SPEAKER. The Chair will have to count all over again. [After counting.] Exactly 218 Members are present, a quorum.

The bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. KEE. Mr. Speaker, I ask unanimous consent that all Members may have five legislative days in which to extend their remarks in the RECORD on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

THE NEED FOR A SINGLE SUPPLY CATALOG SYSTEM FOR THE ARMED FORCES

Mr. ANDERSON of California. Mr. Speaker, I would like to make a few remarks on my bill, H. R. 321, the National Defense Catalog Act that will have a great effect on the ultimate composition of the armed forces.

The Hoover Commission report states as follows:

The numbering, identification, classification, and describing of items of supply and their inclusion in a catalog appear at first glance to be matters only of academic interest. They are, on the contrary the "key" to an efficient supply system for the Government, and the adoption and use of a standard nomenclature is the very essence of an efficient supply system.

Without such common language, an effective program of personal property management borders on the impossible in an operation so vast as that of the Federal Government. With it, order can replace the current disorder in computation of requirements in relation to inventories and operating programs; in procurement; in storage and issue; in disposal; and in other phases of the supply function.

Development of standard nomenclature and classification is also important for our national defense and for the successful administration of our aid to foreign countries. Preparedness and order demand that appropriate tools should be ready for use in a national emergency.

I doubt if there has ever been so much agreement on the need for anything, as exists today on the need for a single supply catalog for the armed forces.

Everyone has heard of the work of the new Secretary of Defense, Mr. Louis Johnson, who more than any one man may be given the credit for seeing that the resources of this Nation were mobilized when Pearl Harbor precipitated us into World War II. While serving as Assistant Secretary of War he recognized and attempted to correct the condition that the Hoover Commission described as—

Extravagance in military budgets and waste in military expenditure show a serious lack of understanding of the effect of military costs and spending upon the total economy. True national security depends more upon economic stability and political strength than upon military power.

Mr. Kenney, Under Secretary of the Navy, in a recent speech made these statements:

A wartime Navy cataloging project with the accompanying inventory control for the engine parts of one airplane company saved in 1 year over $275,000,000. That is enough to pay the operating costs of the Aviation Supply Depot at Philadelphia for over 30 years.

Due to estimated inventory reductions through cataloging, 500 fewer employees will be needed at 2 naval supply depots. Resulting annual pay-roll savings will be about $1,000,000.

Various committees of the Hoover Commission have made careful studies of the operations of all phases of Government. It has been discovered that cataloging is the key to the efficient operation of almost all functions in the Government. Their recommendation is that a single catalog system be adopted and its use made mandatory for all Departments of the Federal Government. The armed forces use practically every item that is used by the Federal agencies; those few that are not used by the armed forces, but are used by the civilian agencies exclusively could be included in the National Defense Catalog. Every type of supply function performed by the civilian agencies is performed by the armed forces. Furthermore, the armed forces perform many more supply functions in greater magnitude and complexity than that performed by the civilian agencies. The estimated obligations for supplies, materials, and equipment for the National Military Establishment for fiscal year 1948 are over six times as great as the total estimated obligations of all the civilian agencies for the same items and the value of stocks carried in military warehouses is hundreds of times the value of all the stocks carried in the warehouses of all the civilian agencies.

Thus it is apparent that if a single supply catalog system could be developed and operated by the armed forces, the catalog produced and published for their use could be used as well by the civilian agencies of the Federal Government. In this way the recommendations of the Hoover Commission relating to a single supply catalog system would be achieved.

The economies that will result from the use of a single catalog system as described in H. R. 321 will increase economic stability, lessen the load on every taxpayer, provide more national security at less cost and will enable our military leaders to act with speed and decision in an era when speed and decision may be the determining factors whether this country is to continue a Nation of free peoples.

Again, the Hoover Commission states:

World War I pointed out the need for a common language in supply and a uniform system of identifying, numbering, describing, and classifying the myriad items used in preparedness and combat. World War II demonstrated their indispensability. A third world war, should it come, will not be a war of plenty; it will be a war of scarcity. We cannot afford once again to waste our resources and our productive capacity by purchasing duplicate stocks of the same item under varying names and descriptions; and later destroying or disposing of them as surplus and scrap.

A uniform system of cataloging commodities is also important to the civilian agencies. Unless a given article is known throughout the Government by the same number and name, transfers of excess supplies and equipment between agencies, or their disposal as surplus, become difficult and costly processes.

The results of now having 17 different catalogs and cataloging systems, each sufficiently different from all others as to make their

common use impossible, are elaborated upon in the Storage and Issue section of this report on preceding pages, and have been the subject of so many official reports and pronouncements that they need not be discussed at length at this point.

If the necessary authority is properly vested and is exercised, a Federal Commodity Catalog (such as that proposed for the armed forces in H. R. 321) can be completed and put into use for much less than has been spent in past years on scattered effort. The 5-year program and budget estimate presented to Congress, under the aegis of the United States Standard Commodity Catalog Board in July 1947, was predicated upon a total cost for preparing and publishing the catalog of a little more than $56,000,000.

I might say right here that figures have been given to me by the National Military Establishment that indicate expenditures over the 4-year period 1947–50 of over $100,000,000 for the uncoordinated catalog activities now being carried on in the armed forces.

The need for congressional legislation was recognized for many years and in July 1945, a recommendation was made by the United States Standard Commodity Catalog Board as follows:

That enactment of the required legislation authorizing the development and maintenance of a Federal catalog system be requested by the Congress.

We may question why the experiences gained in two world wars has not resulted in the armed forces having in operation today a single supply catalog system. The Hoover Commission lists some of these reasons:

(a) A uniform catalog system, when applied to supply operations, means that all existing catalogs with their numbers, names, and descriptions will be replaced. This naturally engenders great and stubborn resistance from supply officials to the taking of action that will lead to changes in purchasing, storing and other supply processes—which would follow the development and use of the Federal commodity catalog.

(b) The absence of glamour and front-page-news qualities in such highly technical matters as item identification, classification, description patterns, alphabetic indexes, numbers and symbols. It is, as a consequence, difficult to convince the policy-determining officials of the extreme importance of a standard commodity catalog to efficiency in supply operations.

(c) Inability or unwillingness of the several interested agencies and their technical staffs to reach decisions and to agree on the basic elements of a catalog system.

(d) The lack of badly needed congressional action.

Then the Hoover Commission report states:

The present program of the Munitions Board Cataloging Agency would, however, move ahead more rapidly with the removal of a number of serious defects in organization and methods, which can be accomplished as follows:

1. The Agency should have an adequate permanent staff and be financed from the budget of the Munitions Board; as long as it has to rely upon allocation of funds from the three constituent departments of the National Military Establishment, it will not be able to operate as an impartial and uninhibited group;

2. The Secretary of Defense should, in terms which are unmistakable, serve notice on the bureaus and technical services that a standard catalog shall be speedily prepared and adopted; after its preparation, that it must be used in all supply operations of all bureaus and technical services without modification and that each bureau and technical service must assist in the preparation of the catalog by accepting and promptly completing cataloging assignments by the Agency in whatever commodity classes it is made the cognizant body; and

3. The organization should be radically simplified. The Secretary of Defense is now separated by seven strata of authority from the civilian staff to whom are assigned the technical details. If the staff seek top-level approval of a phase of cataloging operations, or of a budgetary request, it must have clearance by the executive group, by the technical group, by the Agency group, by the procurement section, by the procurement policy council, by the Executive Committee of the Munitions Board, and by the Board itself, before it reaches the Secretary of Defense and his immediate staff. Although an extreme example of the channels of authority in Munitions Board operations, it illustrates a general situation. Simplification can undoubtedly be achieved; and it must be, if this undertaking, universally recognized by military authorities as of crucial importance to national defense, is to be completed and made effective within the work schedule of 4 years.

The recommendations of the Hoover Commission are carried out insofar as they relate to the armed forces in the provisions of H. R. 321. And in solving the problem for the National Military Establishment we are solving the problem for the entire Federal Government.

EXTENSION OF REMARKS

Mr. WILLIAMS asked and was given permssion to extend his remarks in the Appendix of the RECORD and include an editorial.

Mr. DONOHUE asked and was given permission to extend his remarks in the RECORD and include a newspaper article.

Mr. KEOGH (at the request of Mr. MULTER) was given permission to extend his remarks in the Appendix of the RECORD and include an editorial appearing in the New York Times of Tuesday, March 15.

Mr. IRVING asked and was given permission to extend his remarks in the Appendix of the RECORD and include a statement from the Jackson County Press on the Reorganization Act.

Mr. DINGELL asked and was given permission to extend his remarks in the RECORD and include an editorial from the Detroit Free Press.

Mr. WILSON of Indiana asked and was given permission to extend his remarks in the RECORD and include an editorial from the Cincinnati Inquirer entitled "The Truth About Free Medicine."

ADJOURNMENT

Mr. BUCHANAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 20 minutes p. m.) the House adjourned until tomorrow, Thursday, March 17, 1949, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

377. A letter from the Secretary of Commerce, transmitting the sixth quarterly report required under the Second Decontrol Act of 1947, dealing with export control and allocation powers; to the Committee on Banking and Currency.

378. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, United States Army, dated September 27, 1948, submitting a report, together with accompanying papers, on a preliminary examination of channel from bridge at Bradenton, Fla., to deep water in Gulf of Mexico (Tampa Bay), authorized by the River and Harbor Act approved on March 2, 1945; to the Committee on Public Works.

379. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, United States Army, dated August 4, 1948, submitting a report, together with accompanying papers, on a preliminary examination of Little Pee Dee River, S. C., from junction of the Lumber River to the Great Pee Dee River, with a view to removing logs, debris, and other obstructions, authorized by the River and Harbor Act approved on March 2, 1945; to the Committee on Public Works.

380. A letter from the Attorney General, transmitting a request that the case of Gladys Dawson, file No. [redacted], CR 21985, involving suspension of deportation, be withdrawn from the cases now pending before the Congress and returned to the jurisdiction of the Department; to the Committee on the Judiciary.

381. A letter from the Attorney General, transmitting a request that the case of Abrus Ullah, file No. [redacted], CR 22208, involving suspension of deportation, be withdrawn from the cases now pending before the Congress and returned to the jurisdiction of the Department; to the Committee on the Judiciary.

382. A letter from the Comptroller General of the United States, transmitting a report relative to the payment of furlough travel allowance to certain enlisted men of the Navy; to the Committee on Armed Services.

383. A letter from the Acting Secretary of the Treasury, transmitting the Annual Report of the Exchange Stabilization Fund, for the fiscal year ending June 30, 1948; to the Committee on Banking and Currency.

384. A letter from the Comptroller General of the United States, transmitting a report on the audit of the Panama Railroad Company for the fiscal year ended June 30, 1947 (H. Doc. No. 121); to the Committee on Expenditures in the Executive Departments.

385. A letter from the Chairman, Commission on Organization of the Executive Branch of the Government, transmitting to the Congress, in typescript, a general index of the report of the Committee on the National Security Organization; to the Committee on Armed Services.

386. A letter from the Chairman, Commission on Organization of the Executive Branch of the Government, transmitting to the Congress, in typescript, a memorandum on the Department of Labor which was prepared for the Commission's consideration by George W. Taylor; to the Committee on Education and Labor.

387. A letter from the Chairman, Commission on Organization of the Executive Branch of the Government, transmitting to the Congress, in typescript, a study on the Division of Statistical Standards, Bureau of the Budget, which was prepared for the Commission's consideration by the task force as a supplement to their summary report on budgeting and accounting; to the Committee on Expenditures in the Executive Departments.

388. A letter from the Chairman, Commission on Organization of the Executive Branch of the Government, transmitting to the Congress, in typescript, a study on the Division of Estimates of the Bureau of the Budget which was prepared for the Commission's consideration by the task force as a supplement to their summary report on budg-

eting and accounting; to the Committee on Expenditures in the Executive Departments.

389. A letter from the Chairman, Commission on Organization of the Executive Branch of the Government, transmitting to the Congress, in typescript, a study on the Division of Administrative Management in the Federal Bureau of the Budget which was prepared for the Commission's consideration by the task force as a supplement to their summary report on budgeting and accounting; to the Committee on Expenditures in the Executive Departments.

390. A letter from the Chairman, Commission on Organization of the Executive Branch of the Government, transmitting to the Congress, in typescript, a study on the statistical agencies of the Federal Government, part II, which was prepared for the Commission's consideration by the task force as a supplement to the Commission's report on budgeting and accounting; to the Committee on Expenditures in the Executive Departments.

391. A letter from the Secretary of the Interior, transmitting a list of ordinances enacted by the Public Service Commission of Puerto Rico; to the Committee on Public Lands.

392. A letter from the Archivist of the United States, transmitting lists or schedules, or parts of lists or schedules, covering records proposed for disposal by the Government agencies; to the Committee on House Administration.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. LESINSKI: Committee on Education and Labor. H. R. 3190. A bill to provide for the amendment of the Fair Labor Standards Act of 1938, and for other purposes; with amendments (Rept. No. 267). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BEALL:

H. R. 3571. A bill concerning common trust funds and to make uniform the law with reference thereto; to the Committee on the District of Columbia.

By Mr. DURHAM:

H. R. 3572. A bill to amend the Atomic Energy Act of 1946; to the Joint Committee on Atomic Energy.

By Mr. HILL:

H. R. 3573. A bill to provide for the more efficient use of personnel employed in national parks, national monuments, and other areas administered by the National Park Service during periods of greatest seasonal public use of such areas; to the Committee on Public Lands.

H. R. 3574. A bill to provide for the purchase of private lands enclosed by Rocky Mountain National Park; to the Committee on Public Lands.

By Mr. KEARNEY:

H. R. 3575. A bill to provide pensions for disabled unemployable veterans who served in a war, campaign, expedition, or insurrection beyond the continental limits of the United States; to the Committee on Veterans' Affairs.

By Mr. PETERSON:

H. R. 3576. A bill to repeal certain obsolete laws and parts of laws relating to the sale of public lands; to the Committee on Public Lands.

By Mr. PLUMLEY:

H. R. 3577. A bill to provide for the acquisition of site and preparation of plans and specifications for a new Federal building and post office in Vergennes, Vt.; to the Committee on Public Works.

H. R. 3578. A bill to provide for the acquisition of site and preparation of plans and specifications for a new Federal building and post office in Bradford, Vt.; to the Committee on Public Works.

H. R. 3579. A bill to provide for the acquisition of site and preparation of plans and specifications for a new Federal building and post office in Burlington, Vt.; to the Committee on Public Works.

By Mr. WICKERSHAM:

H. R. 3580. A bill to repeal certain restrictions on cotton acreage reports; to the Committee on Agriculture.

H. R. 3581. A bill to amend section 207 of the Legislative Reorganization Act of 1946, as amended, to provide reimbursement for fines paid and for lost pay and other benefits upon correction of military and naval records, and for other purposes; to the Committee on Armed Services.

By Mr. CASE of South Dakota:

H. R. 3582. A bill to authorize the negotiation, approval, and ratification of separate settlement contracts with the Sioux Indians of Cheyenne River Reservation in South Dakota and of Standing Rock Reservation in South Dakota and North Dakota for Indian lands and rights required by the United States for the Oahe Dam and Reservoir, Missouri River development; to the Committee on Public Lands.

By Mr. IRVING:

H. R. 3583. A bill to repeal the excise taxes on toilet preparations sold to any person operating a barber shop, beauty shop, or similar establishment; to the Committee on Ways and Means.

H. R. 3584. A bill to provide free mailing privileges for patients in or at veterans' hospitals; to the Committee on Post Office and Civil Service.

H. R. 3585. A bill to increase travel allowances for civilians employed by the Government; to the Committee on Expenditures in the Executive Departments.

H. R. 3586. A bill to provide that farmers may deduct from gross income for income-tax purposes expenses incurred for the purpose of soil and water conservation; to the Committee on Ways and Means.

By Mr. BENTSEN:

H. R. 3587. A bill authorizing a modification of the project for improvement of Brazos Island Harbor, Tex.; to the Committee on Public Works.

By Mr. LEMKE:

H. R. 3588. A bill to establish a Federal Commission on Services for the Physically Handicapped, to define its duties, and for other purposes; to the Committee on Education and Labor.

By Mr. D'EWART:

H. R. 3589. A bill to convey to the city of Miles City, State of Montana, certain lands in Custer County, Mont., for use as an industrial site; to the Committee on Public Lands.

By Mr. GATHINGS:

H. R. 3590. A bill to amend the Veterans' Preference Act of 1944 to provide absolute preference in retention, reemployment, and reinstatement for veterans having a disability of 10 percent or more; to the Committee on Post Office and Civil Service.

By Mr. WERDEL:

H. R. 3591. A bill to confirm and establish the titles of the State to lands beneath navigable waters within State boundaries and natural resources within such lands and waters and to provide for the use and control of said lands and resources; to the Committee on the Judiciary.

By Mr. KING:

H. R. 3592. A bill to authorize the Federal Works Administration, as an adjunct to the Federal public-works program, to make loans and grants for the construction, remodeling, improvement, and extension of school facilities; to the Committee on Public Works.

By Mr. WHITE of Idaho (by request):

H. R. 3593. A bill to create the Unemployed Service Association, to operate farms and industries cooperatively, to provide work for the unemployed, to provide necessary shelter and general relief to needy adult persons, and to promote the general social and economic harmony and security; to the Committee on Ways and Means.

By Mr. ANDERSON of California:

H. Res. 154. Resolution for a survey of the San Francisco Bay; to the Committee on Armed Services.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Oregon, requesting an appropriation of not less than $2,000,000 to be made available to the United States Corps of Engineers for the completion of the Coos Bay improvement project, Oregon; to the Committee on Appropriations.

Also, memorial of the Legislature of the State of New Mexico, memorializing the President and the Congress of the United States relative to House Joint Memorials 3 and 14, respectively, to appropriate moneys for use in emergency flood-prevention work in New Mexico and to establish a synthetic liquid fuels plant in New Mexico; to the Committee on Appropriations.

Also, memorial of the Legislature of the State of Michigan, calling attention to an editorial by the Detroit Free Press entitled "Our Greatest Danger: Financial Rocks Ahead"; to the Committee on Expenditures in the Executive Departments.

Also, memorial of the Legislature of the State of Oregon, requesting the enactment of legislation designating November 11 as Veteran's Day; to the Committee on the Judiciary.

Also, memorial of the Legislature of the Territory of Alaska, urging the appointment of two United States district judges instead of one for the third judicial division, Territory of Alaska; to the Committee on the Judiciary.

Also, memorial of the Legislature of the Territory of Alaska, urging that plans be made for flood control for the protection of Nenana, Alaska, and vicinity; to the Committee on Public Works.

Also, memorial of the Legislature of the State of Massachusetts, memorializing the President and the Congress of the United States relative to the development of the waterways of the Commonwealth; to the Committee on Public Works.

Also, memorial of the Legislature of the State of Indiana, requesting the enactment of legislation to aid the State in the enforcement of the cigarette tax now evaded by use of the United States mails; to the Committee on Ways and Means.

Also, memorial of the Legislature of the Territory of Alaska, urging that the proposed Copper River Highway be given first consideration on the list of new Federal road projects for Alaska; to the Committee on Public Works.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BARTLETT:

H. R. 3594. A bill for the relief of Cleo C. Reeves, Floyd L. Murphy, and Fabian P. Durand; to the Committee on the Judiciary.

By Mr. DAVIES of New York:

H. R. 3595. A bill for the relief of Mr. Svetozar Mandukitch, Mrs. Kosara Mandukitch, and Mr. Ivan Mandukitch; to the Committee on the Judiciary.

By Mr. DOUGHTON:

H. R. 3596. A bill for the relief of Davis Hospital; to the Committee on the Judiciary.

By Mr. EVINS:

H. R. 3597. A bill for the relief of Mrs. Lucy T. Harris; to the Committee on the Judiciary.

By Mr. HAND:

H. R. 3598. A bill for the relief of Mrs. Katherine Gehringer; to the Committee on the Judiciary.

By Mr. KEARNS:

H. R. 3599. A bill for the relief of the heirs of William G. Raymond; to the Committee on the Judiciary.

By Mr. KEATING:

H. R. 3600. A bill for the relief of Miss Teresa Vancheri; to the Committee on the Judiciary.

By Mr. McCORMACK:

H. R. 3601. A bill for the relief of Patrick J. Logan; to the Committee on the Judiciary.

By Mr. McGRATH:

H. R. 3602. A bill for the relief of Antonio Garcia Jiminez; to the Committee on the Judiciary.

By Mr. MACY:

H. R. 3603. A bill for the relief of Michael Palazotta; to the Committee on the Judiciary.

By Mr. ROGERS of Florida:

H. R. 3604. A bill for the relief of the Fort Pierce port district; to the Committee on the Judiciary.

H. R. 3605. A bill to provide for the documentation of the Canadian-built vessel *North Wind*, owned by a citizen of the United States; to the Committee on Merchant Marine and Fisheries.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

244. By Mr. BREEN: Memorial of the City Commission of Dayton, Ohio, memorializing the Congress to pass the General Pulaski's Memorial Day Resolution; to the Committee on the Judiciary.

245. By Mr. CANFIELD: Petition of the Paterson (N. J.) Kiwanis Club, protesting against the sentencing of 15 Protestant ministers by tribunals of Communist-dominated countries; to the Committee on Foreign Affairs.

246. Also, petition of 135 residents of 21 northern New Jersey communities, protesting against the trial and conviction of Josef Cardinal Mindszenty; to the Committee on Foreign Affairs.

247. By Mr. GATHINGS: Resolution on amendments to the Fair Labor Standards Act; to the Committee on Education and Labor.

SENATE

THURSDAY, MARCH 17, 1949

(Legislative day of Monday, February 21, 1949)

The Senate met at 11 o'clock antemeridian, on the expiration of the recess.

Rev. Bernard Braskamp, D. D., pastor, Gunton Temple Memorial Presbyterian Church, Washington, D. C., offered the following prayer:

O Thou who hast made us for Thyself, grant that we may be numbered among the seekers and finders of God, for we need Thee so greatly in all our deliberations and decisions.

We pray that we may open wide the door of our heart unto our blessed Lord. May we give Him the place of preeminence in order that our lives may be transformed by His spirit and touched to finer issues.

Inspire us with those same lofty aspirations which filled Thy servant whose memory many are honoring today.

"Christ be with me, Christ within me,
Christ behind me, Christ before me,
Christ beside me, Christ to win me,
Christ to comfort and restore me,
Christ beneath me, Christ above me,
Christ in quiet, Christ in danger,
Christ in hearts of all that love me,
Christ in mouth of friend and stranger."

Thine shall be the praise and the glory. Amen.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS AND JOINT RESOLUTION

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that the President had approved and signed the following acts and joint resolution:

On March 12, 1949:

S. 630. An act to amend section 19 of the act of August 13, 1946 (60 Stat. 1057), so as to remove the upper age limit for appointment to commissioned grade in the Supply Corps of the Navy.

On March 15, 1949:

S. 29. An act to authorize payment of claims based on loss of or damage to property deposited by alien enemies;

S. 593. An act for the relief of certain postal employees; and

S. J. Res. 22. Joint resolution to authorize the issuance of a special series of stamps commemorative of the three hundredth anniversary of Annapolis, Md.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed, without amendment, the following joint resolutions of the Senate:

S. J. Res. 36. Joint resolution for the authorization of a special contribution by the United States for the relief of Palestine refugees; and

S. J. Res. 56. Joint resolution extending an invitation to the International Olympic Committee to hold the 1956 Olympic games at Detroit, Mich.

CALL OF THE ROLL

Mr. LUCAS. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Downey	Holland
Anderson	Eastland	Humphrey
Baldwin	Ecton	Hunt
Brewster	Ellender	Ives
Bricker	Ferguson	Jenner
Bridges	Flanders	Johnson, Colo.
Butler	Frear	Johnson, Tex.
Byrd	George	Johnston, S. C.
Cain	Gillette	Kefauver
Capehart	Green	Kem
Chapman	Gurney	Kerr
Chavez	Hayden	Kilgore
Connally	Hendrickson	Knowland
Cordon	Hickenlooper	Langer
Donnell	Hill	Lodge
Douglas	Hoey	Long
Lucas	Murray	Taft
McCarran	Myers	Taylor
McCarthy	Neely	Thomas, Okla.
McFarland	O'Conor	Thomas, Utah
McGrath	O'Mahoney	Thye
McKellar	Pepper	Tobey
McMahon	Reed	Tydings
Magnuson	Robertson	Vandenberg
Malone	Russell	Watkins
Martin	Saltonstall	Wherry
Maybank	Schoeppel	Wiley
Miller	Smith, Maine	Williams
Millikin	Smith, N. J.	Withers
Morse	Sparkman	Young
Mundt	Stennis	

Mr. MYERS. I announce that the Senator from Arkansas [Mr. FULBRIGHT] is absent on public business.

The Senator from Arkansas [Mr. McCLELLAN] is absent because of a death in his family.

The Senator from New York [Mr. WAGNER] is necessarily absent.

The VICE PRESIDENT. Ninety-two Senators having answered to their names, a quorum is present.

TRANSACTION OF ROUTINE BUSINESS

Mr. LUCAS. Mr. President, before the debate proceeds I remind the Senate that, of course, today's session follows a recess. I ask unanimous consent that Members of the Senate be permitted to introduce bills and joint resolutions, submit petitions and memorials, and place in the RECORD other matters of a routine nature which are usually presented during the morning hour.

The VICE PRESIDENT. Without debate?

Mr. LUCAS. Without debate.

The VICE PRESIDENT. Is there objection?

The Chair hears none, and it is so ordered.

REPORT ON MILITARY ASSISTANCE TO GREECE AND TURKEY (H. DOC. NO. 123)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying report, referred to the Committee on Foreign Relations:

To the Congress of the United States:

Transmitted herewith is the sixth quarterly report on United States military assistance to Greece and Turkey. This report covers the period from October 1 to December 31, 1948. Military assistance to Greece and Turkey was inaugurated under the authority of Public Law 75, Eightieth Congress, and was continued under the authority of title III of Public Law 472, Eightieth Congress, known as the Greek-Turkish Assistance Act of 1948. Responsibility for United States assistance in the economic rehabilitation of Greece begun under Public Law 75 was transferred to the Economic Cooperation Administration on July 1, 1948, pursuant to Public Law 472, title I.

HARRY S. TRUMAN.

THE WHITE HOUSE, *March 17, 1949.*

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following communication and letters, which were referred as indicated:

PROPOSED PROVISION PERTAINING TO CONTRACT AUTHORIZATION, FEDERAL WORKS AGENCY (S. DOC. NO. 29)

A communication from the President of the United States, transmitting a proposed

provision for a contract authorization, amounting to $1,200,000, for the Federal Works Agency, fiscal year 1949 (with an accompanying paper); to the Committee on Appropriations and ordered to be printed.

REPORT ON EXCHANGE STABILIZATION FUND

A letter from the Acting Secretary of the Treasury, transmitting, pursuant to law, a report on the Exchange Stabilization Fund, together with a summary of operations of the fund from its establishment to June 30, 1948 (with an accompanying report); to the Committee on Banking and Currency.

SUSPENSION OF DEPORTATION OF ALIENS—WITHDRAWAL OF NAMES

Two letters from the Attorney General, withdrawing the names of Gladys Dawson and Abrus Ullah from reports relating to aliens whose deportation he suspended more than 6 months ago, transmitted by him to the Senate on February 1, 1948, and March 1, 1948, respectively; to the Committee on the Judiciary.

REPORT ON EXPORT CONTROL AND ALLOCATION POWERS

A letter from the Secretary of Commerce, transmitting, pursuant to law, his sixth quarterly report on Export Control and Allocation Powers (with an accompanying report); to the Committee on Banking and Currency.

ORDINANCES OF PUBLIC SERVICE COMMISSION OF PUERTO RICO

A letter from the Secretary of the Interior, transmitting, pursuant to law, copies of ordinances enacted by the Public Service Commission of Puerto Rico (with accompanying papers); to the Committee on Interior and Insular Affairs.

INCLUSION OF PUERTO RICO IN MINIMUM WAGE AND OTHER SOCIAL LEGISLATION

A letter from the Director, Division of Territories and Island Possessions, Department of the Interior, transmitting a resolution adopted by Union Factoria, No. 1, Central Plata, San Sebastian, P. R., urging the Congress to extend to Puerto Rico any minimum-wage law which may be enacted, and to include Puerto Rico in other social legislation (with an accompanying paper); to the Committee on Labor and Public Welfare.

REPORT ON PAYMENTS OF FURLOUGH TRAVEL ALLOWANCE TO CERTAIN ENLISTED MEN OF THE NAVY

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report concerning payments of furlough travel allowance to certain enlisted men of the Navy (with an accompanying report); to the Committee on Armed Services.

AMENDMENT OF FEDERAL FOOD, DRUG, AND COSMETIC ACT

A letter from the Acting Administrator, Federal Security Agency, transmitting a draft of proposed legislation to amend section 801 of the Federal Food, Drug, and Cosmetic Act, as amended (with an accompanying paper); to the Committee on Interstate and Foreign Commerce.

REPORT OF SECURITIES AND EXCHANGE COMMISSION

A letter from the Chairman of the Securities and Exchange Commission, transmitting, pursuant to law, the fourteenth annual report of that Commission for the fiscal year ended June 30, 1948 (with an accompanying report); to the Committee on Banking and Currency.

REPORTS OF COMMISSION ON ORGANIZATION OF EXECUTIVE BRANCH OF GOVERNMENT

A letter from the Chairman of the Commission on Organization of the Executive Branch of the Government, transmitting, pursuant to law, a report on the Department of the Interior (with an accompanying report); to the Committee on Expenditures in the Executive Departments.

A letter from the Chairman of the Commission on Organization of the Executive Branch of the Government, transmitting, pursuant to law, a report on Natural Resources (appendix L) (with an accompanying report); to the Committee on Expenditures in the Executive Departments.

A letter from the Chairman of the Commission on Organization of the Executive Branch of the Government, transmitting, pursuant to law, a report on Agriculture Activities (appendix M) (with an accompanying report); to the Committee on Expenditures in the Executive Departments.

A letter from the Chairman of the Commission on Organization of the Executive Branch of the Government, transmitting, pursuant to law, a report on Public Works (appendix Q) (with an accompanying report); to the Committee on Expenditures in the Executive Departments.

A letter from the Chairman of the Commission on Organization of the Executive Branch of the Government, transmitting, pursuant to law, a report on Natural Resources Activity of the Federal Government (with an accompanying report); to the Committee on Expenditures in the Executive Departments.

APPOINTMENTS TO VACANCIES ON COMMISSIONS AND JOINT COMMITTEES

The VICE PRESIDENT. Under the law and under certain resolutions it becomes the duty of the Chair to fill vacancies on commissions and joint committees. The Chair announces certain appointments which he asks the clerk to read.

The Chief Clerk read as follows:

On the Special Committee on Reconstruction of the Senate Roof and Skylights: The Senator from New Mexico [Mr. CHAVEZ] and the Senator from Oklahoma [Mr. KERR].

On the Senate Office Building Commission: The Senator from New Mexico [Mr. CHAVEZ] and the Senator from Nevada [Mr. MALONE].

On the Board of Visitors to the Military Academy: The Senator from Alabama [Mr. HILL], the Senator from Virginia [Mr. ROBERTSON], and the Senator from South Dakota [Mr. GURNEY].

On the Board of Visitors to the Naval Academy: The Senator from South Carolina [Mr. MAYBANK], the Senator from West Virginia [Mr. KILGORE], and the Senator from Massachusetts [Mr. SALTONSTALL].

On the Board of Visitors to the Coast Guard Academy: The Senator from Pennsylvania [Mr. MYERS].

On the Board of Visitors to the Merchant Marine Academy: The Senator from Arizona [Mr. MCFARLAND].

To be Director for the Columbia Institution for the Deaf: The Senator from Delaware [Mr. FREAR].

To be Director for the Columbia Hospital: The Senator from Illinois [Mr. DOUGLAS].

On the Washington and Lee University Bicentennial Commission: The Senator from New Jersey [Mr. SMITH].

On the National Capital Sesquicentennial Commission: The Senator from Rhode Island [Mr. MCGRATH] and the Senator from Maine [Mrs. SMITH].

On the Migratory Bird Conservation Commission: The Senator from Connecticut [Mr. BALDWIN].

On the United States Territorial Expansion Memorial Commission: The Senator from New Mexico [Mr. ANDERSON].

Mr. WHERRY. Mr. President, in connection with the announcement by the Vice President of appointments to fill certain vacancies on commissions and joint committees I should like to make an observation or suggestion.

Mr. President, I suggest that the appointments to the Special Committee on Reconstruction of the Senate Roof and Skylights be again read.

The VICE PRESIDENT. Without objection, the clerk will read the appointments.

The CHIEF CLERK. Special Committee on Reconstruction of the Senate Roof and Skylights: The Senator from New Mexico [Mr. CHAVEZ] and the Senator from Oklahoma [Mr. KERR].

Mr. WHERRY. Mr. President, I ask the distinguished majority leader whether there was any intention to omit the ranking Republican member of the Committee on Public Works?

The VICE PRESIDENT. These appointments are to fill vacancies.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. TAFT. I happen to be the only Republican member on that committee. The action of the Chair would place four Democrats and one Republican on the committee, which I think was probably not the intention of the Chair.

Mr. BRIDGES. Mr. President, will the Senator yield?

Mr. LUCAS. Just a moment. Let me say that the majority leader has no responsibility for these appointments.

The VICE PRESIDENT. The Chair did not consult any Senator about these appointments. The majority leader has no responsibility. The Chair did not intend to make the proportion four Democrats to one Republican. The Chair acted on the advice of the Secretary and the Parliamentarian as to the vacancies and the present members of the committee.

Mr. WHERRY. Would it be possible to increase the membership by including the ranking minority member of the Committee on Public Works, the Senator from Washington [Mr. CAIN]?

The VICE PRESIDENT. The Chair will withdraw the appointments to that committee.

Mr. WHERRY. I thank the Presiding Officer.

Mr. BRIDGES. Mr. President, in connection with the appointments to the Senate Office Building Commission, may I suggest that perhaps the Chair made the same error as in connection with the Special Committee on Reconstruction of the Senate Roof and Skylights? I am the only Republican on that commission. The proportion would be four Democrats to one Republican. Prior to this time it has always been three to two.

The VICE PRESIDENT. The Chair might extend a compliment to the Senator from New Hampshire by according him greater influence than four other Senators. The Chair did not intend to

bring about that proportion. These appointments were made after consultation with the Secretary and the Parliamentarian, as to the number of vacancies.

Mr. WHERRY. I merely wished to bring the matter to the attention of the Chair. In view of the observations of the Chair, I suggest that he might review the appointments to both these committees.

The VICE PRESIDENT. The Chair has no objection to reviewing the appointments. The Chair will withhold appointments on this commission also.

The VICE PRESIDENT subsequently said: The Chair appoints the Senator from New Mexico [Mr. CHAVEZ] and the Senator from Missouri [Mr. KEM] on the Special Committee on Reconstruction of the Senate Roof and Skylights.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A concurrent resolution of the Legislature of the State of Michigan; to the Committee on Labor and Public Welfare:

"Senate Concurrent Resolution 8

"Concurrent resolution requesting immediate review of recent cuts in the veterans' hospital program

"Whereas the Veterans' Administration has recently announced the cancellation of plans for the construction of a 200-bed general hospital at Grand Rapids, a 500-bed tuberculosis hospital at Detroit, and a 1,000-bed neuropsychiatric hospital at Toledo, Ohio, from which beds were to be allotted to Michigan mental and nervous cases; and

"Whereas it appears that needs of veterans will not be adequately cared for as a result of such action; and

"Whereas the citizens of Grand Rapids are now engaged in the conduct of a drive for approximately $4,000,000 to add to the hospital facilities of Kent County and neighboring counties and that such facilities have been shown by survey to be badly needed, regardless of what facilities are provided by the proposed veterans' hospital; and

"Whereas the action of the Veterans' Administration has caused great confusion and uncertainty and has endangered the welfare of veterans and of all other citizens of the community interested in the development of hospital facilities in the area; and

"Whereas the interests of veterans and other citizens generally throughout the State of Michigan are adversely affected by the action of the Veterans' Administration with respect to hospitals at Grand Rapids, Detroit, and Toledo; and

"Whereas budget cuts should not be made at the expense of sick and disabled veterans while we are spending much larger sums abroad: Now, therefore, be it

"Resolved by the senate (the house of representatives concurring), That the President, Congress, and the Veterans' Administration be memorialized and requested to reopen and reexamine the decisions previously made with respect to these hospitals, and to determine without delay the need for veterans' hospitals at Grand Rapids, Detroit, and Toledo, Ohio; and be it further

"Resolved, That if such need be established as now appears to exist, the Veterans' Administration be requested to reverse its earlier decisions and to continue with its program as originally determined upon; and be it further

"Resolved, That a copy of this resolution be transmitted to President Truman, to the President of the Senate, to the Speaker of the House of Representatives, and to the Michigan Members in the Senate and House of Representatives of Congress.

"Unanimously adopted by the senate February 4, 1949.

"Unanimously adopted by the house of representatives, March 4, 1949."

A joint resolution of the Legislature of the State of New Mexico; to the Committee on Appropriations:

"House Joint Memorial 3

"Joint memorial by the Nineteenth Legislature of the State of New Mexico memorializing the Congress of the United States, and the New Mexico representatives therein, to appropriate moneys for use in emergency flood-prevention work in New Mexico

"Be it resolved by the Legislature of the State of New Mexico:

"That whereas an unprecedented amount of snow has fallen in Colorado and in the mountains that feed the various streams flowing through New Mexico; and

"Whereas in the past difficulties have been experienced in New Mexico when the run-off from winter snows takes place in the spring; and

"Whereas no adequate means are available for preparing against the reasonably foreseeable floods which, in all likelihood, will result from the large amount of precipitation in the watershed of these streams; and

"Whereas the State of New Mexico and the various areas directly affected are not in financial position to effectively combat the danger; and

"Whereas the only means of preventing great loss of property and possible loss of life in New Mexico in the spring of 1949 lies through any assistance which might be received from the Government of the United States.

"Now, therefore, the Congress of the United States, and the Members thereof from New Mexico, are hereby respectfully memorialized and urged to take immediate action to provide funds to the State of New Mexico, and the proper authorities thereof, to be used along the streams in New Mexico for flood-prevention work prior to and during the spring run-off in 1949, in order that flood danger in New Mexico may be minimized and losses to life and property prevented; and be it further

"Resolved, That copies of this memorial be sent to the President of the United States, to the Vice President of the United States, to the Speaker of the House of Representatives of the United States, to each Senator and Member of the House of Representatives from New Mexico, to the Secretary of the Interior, and to the Chief of Army Engineers.

"Approved by me this 11th day of March 1949.

"THOMAS J. MABRY,
"Governor, State of New Mexico."

A joint resolution of the Legislature of the State of New Mexico; to the Committee on Interior and Insular Affairs:

"House Joint Memorial 14

"Joint memorial by the Nineteenth Legislature of the State of New Mexico memorializing the President of the United States and the Congress of the United States to establish a synthetic liquid-fuels plant in New Mexico

"Be it resolved by the Legislature of the State of New Mexico:

"Whereas water in adequate amounts for the proper and efficient continued operation of a synthetic liquid-fuels plant is available in San Juan County, N. Mex., as shown by the fact that seven-thirteenths of all surface water in the State of New Mexico flows through said county; and

"Whereas the United States Geological Survey figures show that there is available in San Juan County, N. Mex., over 250,000,000,000 tons of coal of proper quality and so situated that it may be mined by the stripper or open-pit process, all of requisite grade for the purpose of a synthetic liquid-fuels plant; and

"Whereas much of said coal lies within the exterior boundary of the Navajo Reservation; and

"Whereas it is a matter that has received national recognition of the necessity of the Navajo people; and

"Whereas the establishment of such a plant will provide royalties that will be received for the benefit of the Navajo people and provide jobs for the benefit for both the Navajo and other people in this general area of the United States; and

"Whereas the creation of this project would provide trade facilities for the Navajo people in addition to the other benefits, such as the receipt of royalties for the alleviation of the Navajo problem; and

"Whereas the establishment of such a plant in this portion of the United States to open up the almost unlimited reserves of coal for this purpose will be of benefit to the entire United States: Now, therefore, be it

"Resolved by the Legislature of the State of New Mexico, That the President of the United States and the Congress of the United States be and they are hereby petitioned and memorialized to establish a synthetic liquid-fuels plant in San Juan County, N. Mex.; be it further

"Resolved, That copies of this memorial be sent to the President of the United States, the President of the United States Senate, the Speaker of the House of Representatives of the United States, and the Members of Congress from New Mexico, and to such other officials as the Governor of the State of New Mexico shall deem advisable.

"Approved by me this 11th day of March 1949.

"THOMAS J. MABRY,
"Governor, State of New Mexico."

A concurrent resolution of the Legislature of the State of Michigan, relating to an editorial from the Detroit (Mich.) Free Press, February 23, 1949, entitled "Our Greatest Danger: Financial Rocks Ahead" (with an accompanying paper); to the Committee on Expenditures in the Executive Departments.

(See text of concurrent resolution printed in full when presented by the Vice President on March 12, 1949, p. 2320, CONGRESSIONAL RECORD.)

A resolution adopted by the board of commissioners of the city of Newark, N. J., favoring the enactment of legislation proclaiming October 11 of each year as General Pulaski's Memorial Day; to the Committee on the Judiciary.

The petition of Dewie J. Gaul and Dale J. Schmitz, of Dubuque, Iowa, praying for the enactment of legislation providing for the issuance of a commemorative stamp in honor of the city of Earling, Iowa; to the Committee on Post Office and Civil Service.

A resolution adopted by the Common Council of the City of Buffalo, N. Y., favoring the repeal of the Taft-Hartley labor law; ordered to lie on the table.

By Mr. McGRATH (for himself and Mr. GREEN):

A resolution of the General Assembly of the State of Rhode Island; ordered to lie on the table:

"Resolution requesting the Senators and Representatives from Rhode Island in the Congress of the United States to give immediate consideration to the passage of legislation repealing chapter 120 of the Public Laws, passed June 23, 1947 (Public Law 101), the short title of which is cited as the Labor-Management Relations Act, 1947"

"Resolved, That the Senators and Representatives from Rhode Island in the Congress of the United States be and they are hereby

requested to give immediate consideration to the enactment of legislation repealing chapter 120 of the Public Laws, passed June 23, 1947 (Public Law 101), the short title of which is cited as the 'Labor-Management Relations Act, 1947,' and be it further

"Resolved, That the secretary of state be and he is hereby authorized and directed to transmit duly certified copies of this resolution to the Senators and Representatives from Rhode Island in the Congress of the United States."

TEXTILE INDUSTRY IN MASSACHUSETTS—RESOLUTION OF CITY COUNCIL OF NEW BEDFORD, MASS.

Mr. SALTONSTALL. Mr. President, on behalf of my colleague the junior Senator from Massachusetts and myself, I present for appropriate reference and ask unanimous consent to have printed in the RECORD a resolution adopted by the City Council of the City of New Bedford, Mass., favoring an investigation of the textile industry in Massachusetts.

There being no objection, the resolution was referred to the Committee on Interstate and Foreign Commerce and ordered to be printed in the RECORD, as follows:

Whereas approximately 5,000 textile workers have been laid off or are working short time in New Bedford; and

Whereas Governor Dever has suggested at a conference of management and labor that a State investigation be made of the textile industry in Massachusetts: Therefore be it

Resolved, That the City Council of New Bedford record itself as urging Governor Dever to undertake immediately this investigation; and be it further

Resolved, That the city council, through the clerk of the council, communicate with Senators SALTONSTALL and LODGE and Congressmen NICHOLSON and MARTIN to the end that the textile industry of Massachusetts be protected from the inroads of textile imports.

In city council, March 10, 1949.

CHARLES W. DEASY,
City Clerk.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. TYDINGS, from the Committee on Armed Services:

H. R. 2546. A bill to authorize the Secretary of the Air Force to establish land-based air-warning and control installations for the national security, and for other purposes; without amendment (Rept. No. 126).

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. THOMAS of Utah:

S. 1287. A bill to amend the act approved September 7, 1916 (ch. 458, 39 Stat. 742), entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," as amended; to the Committee on Labor and Public Welfare.

By Mr. SALTONSTALL (for himself and Mr. LODGE):

S. 1288. A bill to provide for the reimbursement of the town of Watertown, Mass., for the loss of taxes on certain property in such town acquired by the United States for use for military purposes; to the Committee on the Judiciary.

By Mr. McMAHON (by request):

S. 1289. A bill for the relief of Collins Sterling Smith; to the Committee on the Judiciary.

By Mr. KILGORE:

S. 1290. A bill to establish and effectuate a policy with respect to the creation or chartering of certain corporations by act of Congress, and for other purposes; to the Committee on the Judiciary.

By Mr. McGRATH:

S. 1291. A bill to authorize the appropriation of such sum as may be necessary to prevent a deficit in the District of Columbia in the fiscal year ending June 30, 1950; to the Committee on the District of Columbia.

By Mr. GREEN:

S. 1292. A bill to amend section 32 (a) (2) of the Trading With the Enemy Act; to the Committee on the Judiciary.

By Mr. MUNDT:

S. 1293. A bill to authorize the issuance of a special series of stamps to acquaint the people of the United States and of foreign countries with the beauty and grandeur of the carvings on Mount Rushmore in the State of South Dakota; to the Committee on Post Office and Civil Service.

By Mr. KEM:

S. 1294. A bill for the relief of John S. Kinsella;

S. 1295. A bill for the relief of Mrs. Emily Wilhelm; and

S. 1296. A bill for the relief of Murphy and Wischmeyer; to the Committee on the Judiciary.

By Mr. HICKENLOOPER (for himself and Mr. MARTIN):

S. J. Res. 65. Joint resolution to authorize the issuance of a special series of stamps commemorative of the Grand Army of the Republic; to the Committee on Post Office and Civil Service.

INVESTIGATION OF FISCAL AFFAIRS OF THE DISTRICT OF COLUMBIA

Mr. McGRATH submitted the following resolution (S. Res. 89), which was referred to the Committee on the District of Columbia:

Resolved, That the Committee on the District of Columbia, or any duly authorized subcommittee thereof, is authorized and directed to make a full and complete study and investigation with respect to the fiscal affairs of the District of Columbia, including its tax structure and deficits in operation. The committee shall report to the Senate at the earliest practicable date the results of its study and investigation, together with its recommendations.

SEC. 2. For the purposes of this resolution, the committee, or any duly authorized subcommittee thereof, is authorized to employ upon a temporary basis such technical, clerical, and other assistants as it deems advisable. The expenses of the committee under this resolution, which shall not exceed $50,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

AMENDMENT OF ECONOMIC COOPERATION ACT OF 1948—AMENDMENT

Mr. MORSE submitted an amendment intended to be proposed by him to the bill (S. 1209) to amend the Economic Cooperation Act of 1948, which was ordered to lie on the table and to be printed.

LEAVE OF ABSENCE

Mr. THOMAS of Oklahoma asked and obtained permission to be absent from the Senate for one week, beginning tomorrow.

COMMITTEE MEETING DURING SESSION OF THE SENATE

Mr. McKELLAR asked and obtained permission for the Committee on Appropriations to meet this afternoon from 3 o'clock on.

THE ST. LAWRENCE SEAWAY—RADIO BROADCAST BY SENATOR WILEY

[Mr. WILEY asked and obtained leave to have printed in the RECORD the text of a radio broadcast entitled "A Four-Point Program To Break the 'Filibuster' Against the St. Lawrence Seaway," delivered by him on March 13, 1949, which appears in the Appendix.]

SENATE DEBATE LIMIT NOT NEEDED FOR SECURITY—ARTICLE BY GOULD LINCOLN

[Mr. LANGER asked and obtained leave to have printed in the RECORD an article entitled "Senate Debate Limit Held Not Needed for Security," written by Gould Lincoln and published in the Washington Evening Star of March 15, 1949, which appears in the Appendix.]

KEEP THE RED CROSS FLAG FLYING—ARTICLE BY HARRY H. SCHLACHT

[Mr. IVES asked and obtained leave to have printed in the RECORD an article entitled "Keep the Red Cross Flag Flying," written by Harry H. Schlacht and published in the New York Journal-American of March 1949, which appears in the Appendix.]

APPOINTMENT OF LOUIS JOHNSON AS SECRETARY OF NATIONAL DEFENSE—ARTICLE BY DORIS FLEESON

[Mr. HILL asked and obtained leave to have printed in the RECORD an article entitled "Johnson's Fight for Preparedness Is Found 'Startling' in Retrospect," written by Doris Fleeson, and published in the Washington Evening Star of March 10, 1949, which appears in the Appendix.]

ADDRESSES MADE AT THE CHRISTENING CEREMONY OF THE "CLIPPER AMERICA"

[Mr. JOHNSON of Colorado asked and obtained leave to have printed in the RECORD addresses delivered during the christening ceremony of the *Clipper America* on March 5, 1949, which appear in the Appendix.]

COTTON ACREAGE ALLOTMENTS—CONFERENCE REPORT

Mr. THOMAS of Oklahoma. Mr. President, I ask the Chair to lay before the Senate the conference report on House bill 128.

The VICE PRESIDENT laid before the Senate the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 128) to provide that acreage planted to cotton in 1949 shall not be used in computing cotton acreage allotments for any subsequent year.

(For text of the conference report, see p. 2227 of the CONGRESSIONAL RECORD of March 11, 1949.)

The VICE PRESIDENT. Is there objection to the present consideration of the conference report?

Mr. TAFT. Mr. President, reserving the right to object, I should like to be certain that the distinguished Senator from Vermont [Mr. AIKEN] is advised of the fact that this matter is coming up for consideration before I agree to its consideration.

Mr. THOMAS of Oklahoma. Mr. President, there is no division of sentiment in the committee. The point is this: The Secretary of Agriculture requested the cotton planters to decrease their cotton acreage to be planted in 1949. In order to stimulate that request, he recommended a bill which, if passed, would disregard the acreage planted in 1949 in future allocations and quotas. All the members of the committee agreed to the bill.

Mr. ELLENDER. Mr. President, I may say to the distinguished Senator from Ohio that the Senator from Vermont [Mr. AIKEN] is entirely in accord with what has been done.

Mr. TAFT. That is all that concerns me. I have no objection.

The VICE PRESIDENT. Is there objection to the present consideration to the conference report?

There being no objection, the report was considered and agreed to.

AMENDMENT TO CLOTURE RULE

The Senate resumed the consideration of Senate Resolution 15, amending the so-called cloture rule of the Senate.

Mr. GILLETTE. Mr. President, I expect to speak very briefly on the subject matter before the Senate. As my colleagues will observe, I have no books of reference and no prepared address. That will insure that my remarks will be brief.

It had not been my intention to participate in the discussion of this question, measure, matter, motion, proposition, or proposal which is before the Senate. I expected merely to answer when my name was called, either "yea" or "nay." I was impelled to that decision principally because I am not a lawyer, but a farmer, and I could contribute very little to the discussion, and also because, as a neophyte Senator, I realized the customary injunction of self-effacement. But when self-effacement becomes protective coloration, then it is time for me to announce my position.

When my name is called on the pending proposal, whatever it may be called—the so-called compromise substitute—I expect to vote "nay"; and I think I owe it to those whom I represent in part here, as well as myself, to give some of the reasons therefor.

Mr. President, at the outset of these discussions about 2 weeks ago we found two forces alined: One of them was the so-called southern bloc, not large in numbers as compared to the rest of the Senate, but a cohesive bloc, cemented together by a depth of conviction honestly reached, sincerely held, and cogently presented. The rest of us formed another group, not so cohesive by any means, but the majority of them, including the present speaker, convinced that anything that obstructed the legislative processes of the Senate should be removed.

Let me say to some of my friends on this side of the aisle and some on the other side of the aisle that an obstruction to the legislative processes of democracy in action can be an obstruction to the reaching of a vote to implement a conclusion, but also, as has been very clearly presented in the debate, it can be an obstruction against the free interchange of opinions and adverse holdings of conclusions, from which would crystallize the finding which makes up democracy.

I am opposed to obstruction of debate, for we should enable that first step to be taken. I am opposed to obstruction to implementing the conclusion of debate. Let me say to my friends—my southern colleagues—that to a large extent they have fulfilled the prophecy which was made by the senior Senator from Georgia [Mr. GEORGE] that this would be a historic debate. In the Committee on Rules and Administration, of which I have the honor to be a member, I have heard marvelous presentations by members of his group. I have heard presentations of their viewpoint on the floor of the Senate. I am constrained to say that I thought they were unnecessarily long; I thought the conclusions could be presented very forcefully with an elimination of many of the words which were used, and with no diminution of the force. But, be that as it may, this debate has been carried on in good spirit and with dignity. However, we have reached a point where it seems to me there has been lack of cohesion on the part of those who felt that the present rule of the Senate ought to be amended so as to close up certain loopholes which it was agreed existed and for the purpose of tightening the rule.

In my opinion, the present compromise is not such a conclusion. In a moment I shall state what, in my opinion, it does. As soon as the group who were in favor of a correction of the rule started to fall apart, losing sight of the goal, then the difficulty commenced; then and there we began hurrying to and fro. Recently we have learned that the fission of certain materials generates energy, but the fission in that group did not generate energy, or, if it did, it was uncontrollable.

Almost immediately, Mr. President, there started a series of conferences, caucuses, confabs, in the corridors, in the cloakrooms, in the conference rooms. They were bulging with Senators running to and fro, but the second battle of the bulge is now over and we are about to vote on the result. I shall vote "no." I am ready for any compromise on procedure, but I am not now or at any time in favor of a compromise of principle. That has never been successfully done in this body or in any other body.

So we found ourselves in a position, unfortunately, where confusion was thrice confounded. Perhaps we were in the attitude of the classic example of confusion—the squid that, by his own emanations which he emits in his struggles, beclouds his attempts to escape.

Mr. President, yesterday when I sat in the chair which you now grace—I did not fill that chair or adorn it, but I sat there. I observed that for one-half hour by the clock the Senator from Florida [Mr. HOLLAND], the Senator from Georgia [Mr. RUSSELL], the Senator from Arizona [Mr. HAYDEN], the Senator from Nebraska [Mr. WHERRY], the Senator from California [Mr. KNOWLAND], and the Senator from Missouri [Mr. DONNELL] stood in a group in the center aisle, all talking at once. It was not a credit to me as a presiding officer that I did not stop them. They were discussing the definition of "matter," trying to clear it up so that future Senators could determine what was meant by "matter." I could not break it up; but I was forced to state to the Parliamentarian that I hoped as a result there would finally be a triumph of mind over "matter." [Laughter.] But it was not reached.

I am not criticizing the procedure, the methods by which any of my colleagues reached their conclusions, even though their conclusions may be different from the one that I hold. The only thing I can do is to criticize the end product in the legislative process; and the end product bids fair to be the substitute which was filed here with sufficient names to adopt it.

Please understand, Mr. President, that I am not criticizing the rectitude, the purpose, the sincerity, the honesty, or the desire to reach a conclusion. I am simply saying that I cannot support the conclusion. Why? When all is said and done, it must be admitted that if the compromise becomes the rule of the Senate, whereas under present rules cloture can be imposed by any number of the Members of the Senate from 32 to 64, depending on the number who are in attendance at any particular time, when the rule now proposed is adopted, cloture cannot be imposed except by 64 Senators. Of course, 49 Senators can do business in the Senate. Through the processes of the Senate, 49 Senators can involve our Nation in war.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. GILLETTE. Of course.

Mr. TAFT. Is it not a fact that under the present rule cloture cannot be imposed at all on any motion to take up a measure?

Mr. GILLETTE. Oh, no. I wish I could agree with the Senator from Ohio on that point, but I cannot. If other Senators are ready to take the position that the Senate has manacled itself and has entangled itself in its own rules, at least I am not ready to concede that. I think the Senate can be in a position to carry on its legislative processes.

Incidentially, Mr. President, I say to the distinguished Senator from Ohio that we brought to the Senate from the Committee on Rules and Administration, by a vote of 10 to 3, a proposal which would make it more possible to impose cloture. But the compromise makes cloture impossible, if less than 64 Senators are in attendance. As I say, it is possible to ratify a treaty involving a subject of most intricate international affairs, theoretically, by the vote of 32 Senators; it is possible to declare war; it is possible to appropriate billions of dollars of the people's property. But it will be impossible to impose cloture, if the compromise is adopted, with less than 64. No sophistry, no casuistry, no specious argument will change that situation.

I may compliment my brothers of the South for one of the most notable victories, when the compromise is adopted, that has ever been attained in the United States Senate. I said I would not talk long, but merely try to present my views. I want to say in somewhat of a facetious way that I was reminded of another matter. Back in my younger days, "in

the dear dead days beyond recall," we had, as older Members will recall, a very notable author by the name of Peter Finley Dunne, who created a great fictional character known as Mr. Dooley, a barroom philosopher. At that time there was a popular song composed, which ascribed to Mr. Dooley credit for everything that was accomplished in the public welfare. One of the verses ran:

Napoleon had an army of a hundred thousand men;
He marched them up the Alps,
And they marched them down again.

The chorus ended:

Though Napoleon marched them up,
Who was it marched them down?
'Twas Mr. Dooley.

Paraphrasing that a little bit, when I think of the effort that was exerted by some of my friends on the other side of the aisle, on the Committee on Rules and Administration, and the attempt that was made to take the question away from the Senate after it came to the floor—and I say this in all kindness; I say it, though I shall mention some of the Senators by name; I say it in love, not in laughter; in laudation, not in lyric—

KNOWLAND had an army of a hundred thousand men;
He marched them up the Alps,
But they marched them down again.
And though Mr. KNOWLAND marched them up,
Who was it marched them down?
'Twas Mr. WHERRY, 'twas Mr. RUSSELL—and the others.

I want to apologize to the Senator from Georgia. He was not connected with the "army" that I am using figuratively, but was a party to the compromise.

Mr. RUSSELL. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Iowa yield?

Mr. GILLETTE. I yield, of course.

Mr. RUSSELL. The Senator need not apologize. I have no apologies to make for anyone with whom I have been associated in this contest.

Mr. GILLETTE. May I associate myself, Mr. President, with that declaration on the part of "General" RUSSELL? [Laughter.] And may I express the honest hope that other legislative cohorts will be as tenacious and successful and adroitly led as the cohesive army the Senator is about to lead to victory. The battlefield we are about to leave. There will perhaps be nothing but the fluttering light from the wolf-scaring fagots that guard the slain. I do not care to be one of the slain. I am ready to vote now or at any time to remove obstruction from legislative processes. In my humble opinion, as a farmer, I do not believe that the proposed compromise does other than—what? To make it all but impossible ever to impose cloture on a measure, motion, proposition, question, proposal, or a matter before the United States Senate.

Mr. TAFT. Mr. President, the Senate now has before it a substitute for the Hayden-Wherry resolution presented by the minority floor leader the Senator from Nebraska [Mr. WHERRY], providing for cloture on motions to take up legislation and closing loopholes which have heretofore existed to permit unlimited filibuster against such motions and the blocking thereby of any legislation intended to be taken up. I shall vote for the substitute, because it seems to me the only practicable method available in this Congress for ending the power of unlimited debate on legislation which may be vital to the welfare, or even the safety, of the Nation.

I feel that the able Senators who have represented the Republicans in these recent difficult negotiations have done the best possible job they could, and I desire to compliment the minority floor leader the Senator from Nebraska [Mr. WHERRY], the Senator from Massachusetts [Mr. SALTONSTALL], and the Senator from California [Mr. KNOWLAND] on their exceptional work.

Mr. President, I have had some experience I think in meeting the problems which are involved in cloture and in the conduct of the business of the Senate. I should like to review briefly what happened in the Eightieth Congress.

In 1917 the Senate adopted a cloture rule, but between that time and 1947, when the Republican Party took control of the Senate, loopholes were found and methods developed by which the cloture rule was nullified. After we had organized the Senate in 1947 and outlined a program which included various civil-rights bills, we found ourselves confronted every time we desired to take up such a bill with the threat of unlimited filibuster. We always had pending on the calendar measures of great international or national importance, and we could never see our way clear to take the 6 to 8 weeks which apparently would be necessary to end a determined filibuster by many Senators. In the summer of 1948, after the conventions, we made one more effort and suggested that possibly cloture could be applied to a motion under the rules as they stood, contrary to the opinion of the Parliamentarian and some previous precedents.

The Senator from Michigan [Mr. VANDENBERG] at that time decided that he could not do otherwise than follow the prevailing parliamentary opinion and the former precedents. An appeal from the decision of the Chair was taken, but that appeal was open to unlimited debate. After 3 days of such debate and the prospect of unlimited filibuster, we were compelled to take up the housing and anti-inflation measures which had been then recommended by our committees.

Mr. MORSE. Mr. President, will the Senator yield for a question at that point?

The VICE PRESIDENT. Does the Senator from Ohio yield?

Mr. TAFT. I yield.

Mr. MORSE. Do I correctly understand the Senator is making clear that the reason we did not have a vote on the Senator's appeal from the Vandenberg ruling in 1948 was because the appeal itself was being filibustered, and we never possibly could have gotten to a vote on the appeal until we first broke the filibuster?

Mr. TAFT. The Senator is entirely correct. We would have had to spend 6 weeks in August and September, and perhaps right down to the 2d of November, engaged in that effort. Possibly we Republicans might have been better off if we had done so.

Mr. MORSE. I agree.

Mr. LANGER. I agree with that, too.

Mr. TAFT. The conference of Republican Senators then, in August 1948, decided that the only time at which a filibuster could be broken was at the beginning of a new Congress when there were no other matters prepared for action. We therefore announced that immediately upon convening of the Eighty-first Congress, we would, if in control of the Senate, take up a proposal to change the rules to apply cloture to all incidental matters.

The people in their judgment gave control of the Senate to the Democratic Party, and we were not in a position to direct procedure in this Congress. We urged upon the majority leader that this rule be taken up immediately. On his insistence it could have been taken up by January fifteenth instead of March first, since the whole subject had been thoroughly canvassed 6 months before. During the 6 weeks between these dates, when the Senate had nothing to do the filibuster, in my opinion, could have been broken. When the motion was finally made by the majority leader on February 28 to take up the rule, we urged that every possible method be employed to bring the motion to a vote, and we were, of course, always prepared to furnish plenty of Republican votes to maintain a quorum at all times of day and night.

The Republicans have been blamed because a majority of them did not support the ruling by Vice President BARKLEY which undertook to reverse the very scholarly and logical ruling the Senator from Michigan [Mr. VANDENBERG] made last August. A rather trivial attempt was made to distinguish the case from that of last August, but the question was really exactly the same. I happen to agree with the Vice President's interpretation of the rule, but most of the Republicans agreed with the President protempore [Mr. VANDENBERG]. This is no question of a technicality. If we ever admit that Senators, in voting on rules, should permit their opinion on proposed legislation to determine their vote instead of the meaning of the rules, there would be no rules in the Senate, and we would be subject to the arbitrary wishes of a presiding officer and a majority of those present.

Mr. MYERS. Mr. President, will the Senator yield?

Mr. TAFT. I yield for a question.

Mr. MYERS. Is it not a fact that when the time came the Senator's conscience did not bother him sufficiently to lead him to vote to sustain the Vice President's ruling on the question?

Mr. TAFT. It is not, at all. I voted to sustain the Vice President. When the cloture petition was prepared last August no Senator had thought about the matter. It was a matter which had in no way been investigated or studied by anyone. It was a suggestion of a possible way to break a filibuster. When it was examined, and examined particularly by the distinguished President pro

tempore of the Senate in August, a ruling was made, which was convincing, I think, in many ways. I can easily see how those who signed the cloture petition might change their minds and come to a different conclusion.

Mr. MYERS. Mr. President, will the Senator yield further?

Mr. TAFT. I yield for a question.

Mr. MYERS. Does the Senator think that the Senators who signed the petition for the Wherry substitute might change their opinion on the subject also?

Mr. TAFT. I did not quite understand the Senator's question. I think a Senator may always change his opinion.

Mr. MYERS. Does the Senator believe that any number of the 52 Senators who signed the petition to bring the Wherry substitute to the floor might change their opinion, or would their consciences prohibit changing their opinion?

Mr. TAFT. Of course, if a Senator promised to vote a certain way and had obtained thereby certain other things, it might not be easily done.

Mr. MYERS. After hearing the discussion, as the Senator says, those who heard the discussion on the original cloture petition determined to change their minds and change their position.

Mr. TAFT. If I made a promise to vote a certain way, I shall keep that promise.

Mr. MYERS. Does not the Senator believe that the signing of the cloture petition was, in effect, a promise that the signers of the petition would sustain the Chair, and not only would sustain the Chair, but that they actually believed a point of order should not lie against such a cloture petition?

Mr. TAFT. I do not think that constitutes a promise. I think it is merely a statement of intention, and it is not necessarily to be relied upon.

The effort to take up the Hayden-Wherry resolution, however, was greatly handicapped by the President's declaration in favor of cloture by a majority of a quorum. This made the position of the southern Senators still more unyielding, because the adoption of the Hayden-Wherry resolution would have provided cloture to support a later effort to change further the rules to meet the President's demands for 50 percent cloture.

The result of the delay in taking up the motion soon brought the majority leader into the same dilemma in which the leaders of the last Senate found themselves. Both the ECA and the rent-control measures must be enacted before April 1. Other important measures, including the public housing bill, the bill for a National Science Foundation, the bill amending the labor law, and the bill extending the reciprocal trade agreements, are now pending on the calendar. Apparently, the majority leader came to the conclusion that he must set aside the matter of changing the rules, and he announced to the press that he would make a motion to adjourn, which would have killed his own motion and would have been a complete surrender to the filibuster. I read from the New York Times of March 15:

> Senator SCOTT W. LUCAS, of Illinois, Democratic floor leader and the administration spokesman, announced surrender under compulsion to the southern filibuster, which has been going on since February 28. * * * After the collapse of all negotiations for a compromise, Senator LUCAS declared that he would move, possibly not before tomorrow, to put aside the center of all the controversy. * * * "We are going to move to lay this matter temporarily aside," Senator LUCAS told reporters after the last of 2 days of conferences by various leaders seeking some solution of the issue created by the filibuster. "We realize that the filibuster can go on for weeks. They have the manpower to do it. Meantime, rent control would go out the window." Senator LUCAS noted also that other major bills, such as those to continue the European recovery program, to restore the reciprocal trade program, and to repeal the Taft-Hartley Labor Act, were lagging in the legislative process. There was thus, he declared, a logjam that could not be allowed to continue. His decision was to put the filibuster struggle aside by a parliamentary action, simply to move to adjourn. An adjournment, as distinguished from a recess, would take the pending issue off the Senate Calendar.

Of course, the southern wing of the Democratic Party would also have supported that motion to adjourn unless some compromise had been reached with them. If the motion to adjourn had carried, it meant that there would be no further successful effort to change the rules in this Congress and no possibility of enacting any civil-rights measure opposed by the southern Senators. The Republicans, or practically all of them, would have voted against adjournment, but in vain. Politically, it might have been better for the Republican Party to accept that defeat, but a majority of the Republican Senators felt so strongly that the Senate should have an effective weapon against unlimited debate that they preferred to take the more dangerous political course of sponsoring progressive legislative action. I sympathize with their motives and their desire to bring this question to a settlement now, whether it can be done, and make civil-rights legislation possible in this Congress.

It has been suggested that we might abandon a change in the rule now and then come back in the summer or autumn for the special purpose of amending the rule. May I suggest, with the tremendous program proposed by President Truman, some of which I intend to support and a large part of which I intend to oppose, there will never be a time during 1949 or 1950 when we do not have important, pressing matters in the international field and in the national field calling for prompt consideration by Congress. Therefore the majority floor leader will find himself in the same position in which we Republicans found ourselves in the Eightieth Congress—and with the same result.

Sincere efforts have been made by all parties to reach a unanimous compromise on the rule. It was thought that a general agreement had been reached, but the majority leader finally determined that he could not agree to the proposed compromise. Last night an amendment was filed signed by 30 Democrats, a majority of the Democrats in the Senate, including 12 northern, western, and border-State Senators, and by 22 Republicans, a majority of the Republicans in the Senate, proposing a compromise change in the rules. I am told that all the Senators signing the amendment did so with the understanding that they would vote for that amendment and would vote against amendments thereto. With that understanding many Senators voted to adopt the motion to take up Senate Resolution 15 which they would otherwise have opposed. Therefore we have today only a choice between the compromise amendment and no changes in the rules at all.

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. TAFT. In a moment.

The new amendment provides that cloture shall apply to motions to take up legislation, that it shall not apply to motions to take up a change in rules, and that, when applied, cloture in all cases shall be by the vote of two-thirds of the Senators duly chosen and sworn, instead of by two-thirds of those voting.

I should have preferred cloture by two-thirds of those voting, and so stated to the Republican conferees. They found it impossible to secure a compromise on that basis. But I realize there is no difference between two-thirds of those chosen and sworn and two-thirds of those voting if the majority can get all their Senators to be present. Since this is usually possible, except in cases of extreme illness, the difference will seldom be more than one vote. There has been much discussion of the votes on past efforts to obtain cloture.

With due respect to the distinguished Senators who have done research on this matter, the statistics prove nothing unless we know all the circumstances in each case. If a majority of the Senate really desires to have in their seats all of the Senators who will vote on their side, they can assure the presence of every Senator who is not detained by serious illness. We find the best parallel in the last Congress when we had to get every vote possible to override the President's veto of the Labor-Management Relations Act, and the President's veto of the bill reducing taxes. In the case of the Labor Relations Act, we had in his seat every Senator who would vote to pass the bill over the veto, namely, 68 Senators. In the case of the tax-reduction bill, we had in his seat every Senator who would have voted to pass that bill except one who was detained by the serious illness of his wife. At the present moment, in my opinion, we could have in his seat for a vote on cloture every Senator who would vote in favor of cloture, except one.

I recognize, therefore, that the difference between the existing rule and that now proposed is not important in any serious crisis, in any matter involving a substantial and vital issue.

I did not sign the amendment because of my hesitation to approve this last change in the cloture requirement, but today we are confronted with the alternative of accepting this amendment or no amendment at all. The amendment will bring to an end the possibility of unlimited filibuster against measures which two-thirds of the Senators desire to bring to a vote. That is the vital point at issue, and this result is attained by the Wherry substitute, just as it would be at-

tained by the original Hayden-Wherry resolution.

Motions to take up further changes in the rule will be no more difficult after the adoption of this amendment than they are today. The slight difference in the cloture requirement on legislation and on changes in the rules themselves will, in my opinion, be of minor importance compared to the great gain in applying cloture to motions to take up legislation.

Senators might consider for a moment the number of matters which are affected. In the Eightieth Congress there were introduced some 3,531 bills and resolutions. There were submitted resolutions providing for only 17 changes in the rules. Three thousand five hundred and thirty-one measures, therefore, would be subjected to the possibility of cloture on motion to take up, whereas under the rule as it now reads they could be blocked by filibustering the motion to take up.

Under the proposed new rule 66,000 nominations would be subject to cloture. Nominations have never been subject to cloture, and could be indefinitely debated by those opposed to particular nominations.

Mr. President, I think the misunderstanding on the subject of the proposed rule must be apparent when a great newspaper like the New York Times, which opposes the substitute amendment, advances the kind of argument contained in an editorial today.

It says at the end of this long editorial:

> Let us suppose that some day soon the new Atlantic Pact comes before the Senate for its approval. And let us suppose—what is not at all unthinkable—that a handful of determined isolationists (they still exist) decide to filibuster against a motion to bring this question up for debate. No matter how great the need of prompt action, no matter how alarming the spectacle of a hamstrung Senate would appear to our European allies and no matter how much capital Moscow would make of this situation, there is nothing the Senate could do—so long as present rules prevail—to put an end to such a filibuster except to wait for the physical exhaustion of the minority that staged it.

The Times states correctly the exact condition under the present rule, but it does not point out, that contrary to its own conclusion, if the substitute amendment is agreed to, that condition can no longer exist and there can be no filibuster against an effort to take up the Atlantic Pact, or any other security measure, or any civil-rights measure, so far as that is concerned if cloture can be obtained.

Let me repeat, therefore, Mr. President, in answer to the argument of the distinguished majority floor leader, that if this compromise is not adopted and the majority floor leader succeeds in adjourning the Senate, there will be very little chance of the enactment by this Congress of any civil-rights legislation. If the compromise shall be adopted conditions for civil-rights legislation will be to all intents and purposes as favorable as they would be under the Hayden-Wherry resolution, under which a cloture petition may be filed on a motion to take up. I believe that important features of that legislation can be adopted if the majority leader presses it for consideration. I repeat, the adoption of the substitute, far from killing civil-rights legislation, is the only practical way in which such legislation can be brought to a vote in the Eighty-first Congress.

I quite agree that the possibility of obtaining cloture by a majority vote is somewhat reduced by this action, and it is significant that those who are protesting most vigorously against the substitute, such as the forces of President Truman, the distinguished junior Senator from Oregon [Mr. MORSE], and the able Senator from Minnesota [Mr. HUMPHREY], are really for majority cloture. Since an overwhelming majority of all Senators, including myself, are opposed to majority cloture, this argument does not affect my conclusion.

Because the only alternative to the substitute as now presented is the continuation of the right of unlimited filibuster, and because I think the right of unlimited filibuster should be brought to an end now, I shall vote against all amendments proposed to the substitute, and I shall vote for the substitute itself.

The compromise rule was adopted on March 17 by a vote of 63 to 23, the Democrats voting 29 to 15, the Republicans, 34 to 8. Cloture by a majority of the Senators chosen and sworn was rejected by a vote of 69 to 17. Cloture by a majority of a quorum, the Truman proposal, was rejected by a vote of 80 to 7.

Mr. DOUGLAS. Mr. President, as a freshman Senator, with, I hope, some sense of modesty, I had not planned on speaking before this body for some time, and then to speak only on substantive questions, and not on procedural matters. The Wherry amendment, however, will be used to kill so much legislation in which I believe, and for which the country voted last November, that I feel compelled to speak. Since, however, each page of the CONGRESSIONAL RECORD costs the taxpayers $71, and each day which the Senate is in session costs approximately $30,000—and I may say, parenthetically, that this filibuster to date has cost the taxpayers of the country approximately half a million dollars—I shall try to be very brief and not touch on points which have been so well developed by other Senators, and I shall try to conclude within 15 minutes. I ask only one favor from my colleagues, namely, that since I am endeavoring to be brief, I should appreciate their withholding any questions which they may have to propound until I conclude.

The proposal on cloture advanced by the Republican leader, the Senator from Nebraska, is a surrender to filibustering. It gives to a comparatively small minority the power to prevent the great majority of the American people from carrying their will into law.

If one analyzes the nature of the so-called Wherry resolution and examines the list of its 52 sponsors and the personnel of the 46 Senators who last Friday voted to overrule Vice President BARKLEY, it is obvious that this coalition represents, with certain exceptions, a marriage of the most conservative sections of the Republican Party with the most conservative sections of the Democratic Party. By giving to any 33 Senators the power to make it possible to talk any bill to death, it enables the northern Republicans to let the southern Democrats kill civil rights. The southern Democrats on their end can then permit the northern Republicans to filibuster rent control to death, since the rent-control law will expire on the 31st of this month, and we must do much work in the remaining 2 weeks if we are to get it extended. A filibuster of 33 Senators from the North, aided possibly by some from the South, can kill rent control.

The isolationists are not in the majority of the Senate, but they still form a small minority, and, if they can muster 33 votes, they can filibuster ECA to death because it will expire on April 3. Housing and Federal aid to education, which have determined minorities in opposition, can also possibly be filibustered to death. In fact, a small—a determined—minority of this body can, under the Wherry substitute, kill almost any bill it wants to kill.

In general, this is a marriage, as has been pointed out, of the conservatives of both parties to defeat the progressive program which was victorious at the polls last November, and this marriage is supported by the vast majority of the conservatives in all sections, and not merely in the Middle West, although it was primarily middle western Republicans who have joined with the southern Democrats, as well as the conservative Republicans in the East.

Since this point has perhaps been sufficiently covered, I should now like to address myself to a point which has been little discussed, namely, the way which the Wherry resolution will strengthen the sectionalism which has always cursed American political life by the fact that it greatly increases the already great power of the small States.

As we all know, one of the fundamental compromises which was made by the framers of the Constitution was to give the States with small populations the same number of votes in the Senate as were given to those which had large populations. I want to make it clear that we of the large States do not want to alter this provision. We are willing to abide under it. It was the price we had to pay in the beginning for the formation of the Union, and the Union is sufficiently precious to us that we are willing to pay the price of not having much voice in the United States Senate. But I think we should recognize the power already given to the small States and to certain sections of the country by this original compromise in the Constitutional Convention.

The original constitutional compromise already enables a minority of the voters, and a small minority of the voters at that, to elect a majority of the United States Senate. Thus the 25 smaller States in the country with 50 seats in the Senate—a majority of the Senate—had in 1940 a total population of 25,000,000, while the 23 larger States, with only 46 Members of the Senate, had a total population in that year of 106,500,000. In other words, a majority of the Senate is now elected by 19 percent of the population, while the remaining 81 percent of

the population are represented by a minority in the Senate.

Let me emphasize that point again. One-fifth of the population already controls the Senate, even on those matters which are decided by a simple majority vote of the Senate, while the remaining four-fifths of the population are represented by a minority, even in cases where a simple majority of votes is required.

Thus far I have been analyzing the control which the small States already have over the Senate. Since some of the smaller States are in New England and in the Great Plains region, it may be well to show these results on a sectional basis. Let us take the 24 States of the South Atlantic, East South Central, West South Central and Mountain regions. The Senators from these regions form exactly half the total membership of this body. But the population of these regions in 1940 was only 45,100,000 or 35 percent of the population of the country.

In other words, sections of the country with 35 percent of the population now elect as many Senators as the Northern, Midwestern, and Pacific States that have 65 percent of the population. The people who live in these regions, therefore, now have approximately twice as much per capita representation in the Senate as those who live in the more populous States.

I digress here for a moment to say that the eight Mountain States, with a total population of only a little more than four million have 16 seats in the United States Senate. Eight States, with a population of only 4,000,000 have 16 seats, whereas my own State of Illinois, with a total population twice as great as all of these eight States together has only two seats. The eight larger States have a total population of 60,000,000, and yet they have only the same representation as the eight Mountain States with a population of only 4,000,000. I hope my friends from the Mountain States will excuse me if I bring this out. There is no group of Senators who are more companionable or more lovable than the Senators from the Mountain States, but we should recognize the population facts as they exist.

Now let me repeat that we of the larger States do not complain about this fact. We recognize that it was the price which the larger States had to pay to get the smaller ones to join the new Nation in the beginning, and the blessings of that union are so great that we are glad the price was paid.

Nor is this all. We of the 24 States of the North, the Midwest, and the Pacific coast pay 80 percent or four-fifths of the personal-income taxes of the Government while the remaining 24 States pay only 20 percent or one-fifth of the total. The two States of New York and Illinois alone pay approximately a quarter of the entire income taxes of the country or more than all 24 of the States of the South Atlantic, West, and East South Central, and the mountain regions combined. We do not complain about this. Our per capita incomes are larger than those of the South and it is only proper that we should pay more taxes. Moreover, we of the large industrial States of the North and Midwest are open-handed in the appropriations which we make for the people of the South and the Mountain States. We alone are giving in excess of a billion and a half dollars in the form of Federal aid to the States. The South and the Mountain States are getting more than their proportionate per capita share in this. Although a small segment of my own people in Illinois may resent this, I will say that I favor a continuation of the assistance we give to the South and the Mountain States, because the people there are economically poorer than we are and need more aid. Inside the Committee on Labor and Public Welfare, we are considering Federal aid for education and for school health services, and I have insisted in that committee that we use a formula which will give to the poorer States a much larger per capita share in the Federal grants than we are going to get in the North and in the industrial States. We are also working to reduce the share which the poorer States have to put up—as against the larger share which we of the northern and North Central States have to put up—in order to get each dollar of Federal money.

We are doing this in the case of hospitals, and we intend to do it in the case of education and health measures. In the interest of national unity, we of the more prosperous States are pouring our money into the Southern and Mountain States in order to help the people of those sections and I repeat, for the third time, we are glad to do it for we recognize that our fellow-Americans are our brothers even though some southern spokesmen in the heat of passion sometimes refuse to think similarly of us.

It is much the same with public works. We of the North and the Middle West somehow never get much of these appropriations. When the pie is passed around we get only a thin slice. But we gladly pour billions into protecting the Southern and Western States from floods, into harnessing the waters of the Tennessee and the Columbia Rivers for the benefit of the people of those regions, into power projects in Texas, Arkansas, and the Mountain States, into the arid deserts of New Mexico, Colorado, Arizona, and into the valleys of California. I am pushing for the development of the Missouri Valley, although my own State does not stand to benefit directly by a single penny because of it. I mention all this to show that those of us from the North and Midwest who regard ourselves as liberals and progressives are trying to put the national interest first and that we are trying to help the people of other regions who need our help. We are taxing ourselves to help these regions because we believe it will help the United States of America. I regret to say that though I have listened for years, I have failed to hear any appreciable recognition of this fact from the spokesmen of those regions who are at the receiving end of this help.

Similarly, we progressive Democrats of the North and West have been generous in the organization of the Senate. Of the 15 committees of this body, all but 1, and that the least important nationally, namely, the Committee on the District of Columbia, are headed by southerners or Senators from the Mountain States, namely 8 from the South and 6 from the Mountain States. We of the North, the Midwest, and the Pacific coast regions who win the national elections for the Democratic Party come to the Senate to find ourselves treated as poor relations, and almost as interlopers, and prevented from defending either the legitimate interests of our sections or advancing the interests of the country as a whole.

I have said enough to indicate that even under our present system of majority voting we of the North and the Midwest are the suppressed classes and second-class citizens in the Senate and in the Nation. We pay the taxes and what we do decides whether we win or lose the elections. But after winning an election, we find it almost impossible to get anything for ourselves or for the Nation. We do not ask for position as individuals, but we do want to further the welfare of the people of the United States, most of whom live in our regions.

But as though all this were not enough, the regions which profit so much from us insist on using the filibuster. Not content with having a minority of the people control a majority of the Senate, they would go further, and have a minority of a minority control the Senate, despite the fact that the very composition of the Senate is at present more than adequate protection for the minority about whom so much has been said in the last 3 weeks. But these gentlemen go on to take the further step of filibustering, an act designed to prevent the Senate from even considering matters of vital interest.

What does the filibuster do? As I have said, it permits a minority of the Senate, and in reality a minority of a minority, to defeat the will of the majority of its Members by never-ending talk. The filibuster is a veto which a few men with strong lungs and sturdy constitutions can impose upon the overwhelming majority of the people of the United States. If we continue along this line, the great qualification which a Senator will need will be his ability to speak for 24 hours without stopping; that will be said to be the type of person whom the States should send to the Senate. Everyone in his heart knows that this is a disgrace. The events of the past 3 weeks have discredited representative government at a time when above all times it needs to be strengthened. So long as the filibuster can continue, the people's will is thwarted.

The Wherry resolution gives to 33 Senators, now and almost forevermore, the power to kill any measure. This means that 17 States can now act to preserve a filibuster. This means that a combination of the 17 smaller States, with less than 8 percent, or one-thirteenth of the population, and paying less than 7 percent, or one-fifteenth, of the income taxes, can tie up the Senate and the country and defeat the will of over 90 percent of the people.

If we consider the situation on a sectional basis, the 17 smaller States in the South and the mountain regions will now have the power to impose a filibuster, although they have only 15 percent of the population. They cast only

10 percent of the votes, and they pay only 10 percent of the total personal income tax. They can now exercise control, if they stick together, over the rest of the country.

There were virtually as many votes cast in Illinois last November, namely, 3,900,000, as in all the 17 States combined. I do not wish to make any personal reference or indulge in personal boasting, but even the majority which I received in Illinois last November, namely, 408,000, is greater than the total sum of the votes cast in at least three or four of these States. I say that because the majority which I received was not a majority for me personally. It was, instead, a majority vote for the measures for which I stood, and for which the American people voted.

Who then is behind the Wherry resolution? Of its 52 sponsors—and I suppose they will pick up more votes—20 are southern Democrats, 4 are border Democrats, and 6 are from the Mountain States. I regret that the Senator from Ohio [Mr. TAFT] is not present. He used a classification of 10 being from border States, Northern States, Western States, and so forth.

I wish to point out that no northern or midwestern Democrats signed the Wherry resolution. They were border and southern Democrats, and mountain Democrats; but there were no midwestern, eastern, or northern Democrats.

On the other hand, of the 22 Republicans, only 5 are from the Atlantic seaboard, and 17 are from west of the Alleghenies. Two of them, I believe, are from mountain regions. Judging from the vote last Friday, it is probable that there will be more Republicans from the mountain regions who will vote for the Wherry resolution, even though they did not sign it. Sectionally, this is a union of southern Democrats, midwestern Republicans and—and I am going to say something which many Senators may not like, something which has not been observed thus far—most Senators, though not all, of both parties from the Mountain States.

Let me say a word about the Mountain States, although this may be a somewhat injudicious remark to make. They have great political power in the Senate, because they have 16 votes. Personally they are as fine a group of men as could possibly be assembled. They are lovable. They are open-hearted. They are personally generous. They are generally progressive in their views. But they work pretty hard for their States. They want to see large Federal appropriations for public works, for irrigation, and for other purposes. They are interested in a tariff on wool, in a tariff on sugar, and in high prices for silver. I think on occasion they have carried on flirtations with those who are interested in the prices of cotton and tobacco.

This may be hard to accept, but it is the literal truth. If we of the large industrial States did not pay the cost of the tariffs on sugar and on wool; if we did not pay high prices for silver; and if we did not pour our money into public works, a large proportion of the population of the Mountain States would either have to leave that region or go on relief. The Mountain States are greatly indebted to the rest of the country.

But we find them here—not all of them, thank the Lord, but a great many of them—in this alliance of midwestern conservative Republicans and southern Democrats. The Wherry resolution would increase the great power which they already hold over the Senate. Now, with 16 Senators out of a total of 33 who can talk a measure to death, they will have much greater strategic importance than they now have. This may possibly account for some of the names which appear on the Wherry resolution.

Mr. ANDERSON. Mr. President, will the Senator from Illinois yield?

Mr. DOUGLAS. I am glad to yield for a question.

Mr. ANDERSON. Does the Senator not recognize that there is at least one Mountain State both of whose Senators signed the original cloture petition?

Mr. DOUGLAS. All honor to the Senators from New Mexico, neither of whom joined in sponsoring the Wherry resolution, and who are standing shoulder to shoulder with those of us from the large industrial States. All honor to other Senators from mountain regions who are standing with us.

Mr. KERR. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield for a question.

Mr. KERR. Is the criterion of honor for a Senator dependent on whether his name is or is not on a petition before this body?

Mr. DOUGLAS. Of course I did not mean that. I am not attacking any Senator whose name is on the petition, but I am giving extra praise to Senators from the regions which would benefit from the Wherry resolution, and who, in spite of that fact, did not sign it.

Mr. HUNT, Mr. KNOWLAND, and Mr. TAYLOR addressed the Chair.

The VICE PRESIDENT. Does the Senator from Illinois yield; and, if so, to whom?

Mr. HUNT. Mr. President, if the junior Senator from Illinois will yield to the junior Senator from Wyoming, I should like to ask the Senator from Illinois if he is aware of the fact that if the suggestion of one of the western Senators—and a junior western Senator—had been followed and accepted, the Senate would never have gotten into this filibuster?

Mr. DOUGLAS. I was not aware of that.

Mr. HUNT. Mr. President, will the Senator yield further?

Mr. DOUGLAS. Certainly.

Mr. HUNT. I should like to say that at the very first meeting of the Committee on Rules and Administration, the situation into which the Senate would be thrown was very evident, very clear.

Mr. DOUGLAS. Mr. President, I am very glad to yield for a question, but I do not wish to yield for a statement.

The VICE PRESIDENT. The Senator can yield only for a question, not for a statement.

Mr. HUNT. Then I should like to restate the question, if I may: Does the Senator from Illinois know, since he has commented on the votes of the western Senators, that if the suggestion of the junior Senator from Wyoming had been followed, the Senate would not have gotten into this filibuster at this time?

Mr. DOUGLAS. I was not aware of that fact.

Mr. KNOWLAND. Mr. President, will the Senator yield for a question?

Mr. DOUGLAS. Certainly.

Mr. KNOWLAND. Apropos of the question just raised by the Senator from Wyoming, does the Senator from Illinois know that had the suggestion of the junior Senator from Wyoming been followed, the question of trying to amend the rules would never have been before the Senate, and therefore the Senate would have been subject, for the entire session, to an unlimited filibuster?

Mr. DOUGLAS. I am not aware of what went on in the secret places of the Committee on Rules or in the various caucuses which were springing up like mushrooms all over the Senate building. At some time I should like to have the Senator from Wyoming make a very full statement on this point. I shall read it with interest and with great affection.

Mr. KNOWLAND. Mr. President, will the Senator yield for a further question?

Mr. DOUGLAS. Certainly.

Mr. KNOWLAND. I understood the able junior Senator from Illinois to say that the Wherry substitute to the original Hayden-Wherry resolution was an abject surrender to the filibuster. My question is this: Is it not a fact that due to the procedures in which he found himself the majority leader himself was about to move to adjourn the Senate, which would have been an abject surrender to the filibuster, if an alternative had not been presented? Is not that also a fact?

Mr. DOUGLAS. My very good friend and colleague, the senior Senator from Illinois, is well able to speak for himself, but I should like to suggest, inexperienced as I am in parliamentary matters, that if we had adjourned then we would not have had fastened into the rules of the Senate a provision under which cloture could only be obtained by the votes of two-thirds of all Members of the Senate. A precedent would have been established because of the vote to overrule the Vice President, but that precedent could itself have been overruled by later votes of the Senate. We were not abandoning the fight; we merely wanted to adjourn the battle.

But the Senator from California and the Senator from Nebraska would put the handcuffs on our hands and the ball and chain around our leg, so as virtually to prevent us from ever changing the rules of the Senate after this present change in the rules goes through.

Mr. HUMPHREY. Mr. President, will the Senator yield for a question?

Mr. DOUGLAS. I yield to the Senator from Minnesota.

Mr. HUMPHREY. I should like to ask the Senator from Illinois if, in his judgment, it would be better to wait until a later date.

Mr. DOUGLAS. I think it would.

Mr. HUMPHREY. Until the next election will be held, when one-third of the Members of this body and all Members of the House of Representatives will appear

before the voters. Is that the Senator's judgment?

Mr. DOUGLAS. I think the elections of 1950 and 1952 will, in part, be referenda on what has been going on.

Mr. TAYLOR. Mr. President, will the Senator yield?

Mr. DOUGLAS. I am very glad to yield to the Senator from Idaho.

Mr. TAYLOR. Does not the Senator from Illinois admit that one of the reasons for the sorry economic plight of some of the Western States is absentee ownership, the fact that the ownership of our resources is concentrated in the North and in the East?

Mr. DOUGLAS. I not only admit that, I assert it. It is quite true that—I hesitate to use a cliche—the big banks, insurance companies, and industrial interests of the North and Midwest control the major portion of the industries of the South and of the mines and many of the companies of the West. I wish to tell the Senator from Idaho that I am not speaking for those big industrial and financial interests. I do not represent them; I am not making a case for them. In fact, I think it will be found that we progressive Democrats of the North and of the Midwest are more willing to help the South and the West in the matter of freight rates than are a great many of the Senators and Representatives from those regions themselves. We will join the Senator in a fight on freight rates. We will join the Senator in a fight to get decent Federal aid for those regions. But we do not wish to be put in the position of always paying, paying, paying, and never being given a voice in the affairs of the United States.

Mr. TAYLOR. Mr. President, will the Senator yield further?

Mr. DOUGLAS. Certainly.

Mr. TAYLOR. I wish to say to the Senator from Illinois that I am not one of those who have become the sponsors of the measure which is before the Senate, but I wish to plead guilty to being one who tries to get things for my little Western State which is exploited by absentee ownership; and I shall keep that up until, some day, I hope, we can be the masters of our own destiny.

The VICE PRESIDENT. The Senator from Illinois can yield only for a question.

Mr. MORSE. Mr. President, will the Senator yield for a question?

Mr. DOUGLAS. Certainly.

Mr. MORSE. Did the junior Senator from Illinois hear the speech made in this Chamber this morning by the Senator from Ohio [Mr. TAFT]?

Mr. DOUGLAS. I did.

Mr. MORSE. Did the Senator from Illinois hear the Senator from Ohio say, in effect, that in his opinion the difference in votes between the original Wherry-Hayden resolution and the present Wherry substitute would be only about one vote?

Mr. DOUGLAS. I heard him say that, and I marveled at it.

Mr. MORSE. Has the Senator from Illinois listened to the statistics which have been placed in the RECORD during this debate by the Senator from Illinois [Mr. LUCAS], the Senator from Minnesota [Mr. HUMPHREY], and the junior Senator from Oregon [Mr. MORSE], from which it is found, upon analyzing the past cloture cases in the Senate, that the vote difference would be eight, not one, as the Senator from Ohio stated this morning?

Mr. DOUGLAS. The Senator from Oregon is completely correct. As has been said time and time again, the average vote on the 19 motions for cloture which have occurred in the past has been a little over 83. The two-thirds provision of the original Hayden-Wherry resolution would have permitted cloture, on the average, therefore, by the votes of 56 or 57 Senators. The requirement now to be imposed on us by the substitute would necessitate the votes of 64 Senators. That means that, whereas it would ordinarily require the votes of 56 or 57 Senators to free the Senate from a filibuster under the original proposal, it now will take the votes of 64 Senators. Those seven extra votes are of tremendous importance, particularly in view of the great possibility of absenteeism, which the junior Senator from Oregon has so well pointed out.

Mr. MORSE. Did the Senator from Illinois hear the Senator from Ohio this morning gloss over the statistics which have been placed in the RECORD—to which I have referred—by saying that unless we knew all the facts about the situations existing at those times no weight should be given to those statistics?

Mr. DOUGLAS. The Senator is familiar, no doubt, with the famous quotation about the three definitions of terminological inexactitude. Statistics are wonderful.

Mr. MORSE. Did the Senator from Illinois hear the Senator from Ohio attempt to explain away Republican inaction on filibusters during the Eightieth Congress by an assertion to the effect that some very important legislation was pending in the Eightieth Congress, and we know that we could not break the filibuster unless we took from 6 to 8 weeks to do so?

Mr. DOUGLAS. I heard him say that.

Mr. MORSE. In the opinion of the Senator from Illinois, does he consider that the explanation or alibi or rationalization by the Senator from Ohio on that point in any way changes the fact that the Republican Party did not defeat the filibuster in the Eightieth Congress when it had control for 2 years?

Mr. DOUGLAS. Of course not. If I am correctly informed, the motion to change the rules lay before the Senate for something like 16 months, during which time no action was taken. It was only in the special session that the matter was brought up, possibly to defeat the program which the President had called the special session to consider and enact.

Mr. MORSE. Did the Senator from Illinois hear the Senator from Ohio this morning in his speech state that it was his understanding or impression or belief—I do not quote him verbatim, but in effect, I think I quote his meaning accurately—that he felt that the 52 Senators who signed the round-robin resolution known as the Wherry substitute in effect committed themselves to vote in accordance with that resolution, irrespective of what facts or information might come out in the debate?

Mr. DOUGLAS. I listened to that statement by the Senator from Ohio with great interest, because apparently behind the round robin is an agreement to vote down all amendments. I should like to add this point, too: If the Republicans, and particularly the midwestern Republicans found it difficult to compromise with the southerners and felt they could only get an agreement by giving in to them, that this was the only thing they could do, and so they yielded reluctantly, but nevertheless yielded, why did they not come to the northern Democrats and agree with us on the Hayden-Wherry resolution, which we were always willing to support as a last resort to secure agreement? If they wanted to have it adopted, why did they have to rush into the arms of our good friends from the South? Why did they not come to us? But no: They refused to do that. They were more interested in trying to put us in a hole than in improving the rules of the Senate.

Mr. MORSE. Mr. President, will the Senator from Illinois yield for a further question?

The VICE PRESIDENT. Does the Senator from Illinois yield?

Mr. DOUGLAS. I yield.

Mr. MORSE. Has the Senator from Illinois heard the rumor that a part of the understanding that exists, at least among some Senators, Republicans and southern Democrats, is that to save the face of some Republicans, the southern Democrats must agree to yield on some form of anti-poll-tax legislation in the Eighty-first Congress, so the Republicans can say, "Why, we did get an anti-poll-tax law through under the Wherry substitute amendment"?

Mr. DOUGLAS. I certainly never came within a hundred yards, so far as I know, of the secret places where the caucuses were being held, and I of course do not know what went on there. But I read with interest the statement by the floor leader of the Republican Party, the Senator from Nebraska [Mr. WHERRY] this morning, in which he said that now he thought we could get anti-poll-tax legislation through. When I read that I thought he was either gifted with foolish and false optimism, or that possibly some such arrangement as the Senator from Oregon suggests had been made. What the future holds may perhaps reveal whether or not such an agreement was arrived at.

Mr. MORSE. Does the Senator from Illinois agree with me that the real test of Republican good faith in the field of civil rights, once they get the Wherry amendment—many of them having advanced that idea in debate and having already committed themselves—the real test of their good faith is whether or not in the Eighty-first Congress they will go down the line in an all-out fight for a complete civil-rights program?

Mr. DOUGLAS. I think that is correct. And I can say, if they line up in that fight, we shall be glad to fight with them. I want to say to my friends from the South that this does not mean in any sense that we of the North want to be cruel to the people of the South, or want

to impose measures upon them which would cripple them. We want to help the South. I may add that we of the North recognize that we, too, have sinned in this matter. We have sinned grievously. I am not looking down my nose at the people of the South. We have made terrific failures in the North. We want these civil-rights programs for ourselves as well as for the country as a whole, and we are not intent on merely forcibly driving them down the throats of one section of the country.

Mr. LONG. Mr. President, will the Senator yield for a question?

The VICE PRESIDENT. Does the Senator from Illinois yield?

Mr. DOUGLAS. I yield, certainly. I started out, Mr. President, to make a very short speech, and I should like to call the attention of the Senate to the fact that I am not remaining on my feet to complete my speech, but merely to answer questions other Senators have asked.

The VICE PRESIDENT. The Senator can decline to yield to any Senator if he desires to do so.

Mr. DOUGLAS. No; I should be very glad to yield, but I want to make it perfectly clear I am not prolonging the debate of my own will; that is all.

Mr. LONG. Mr. President, will the Senator yield for a question?

Mr. DOUGLAS. I am glad to yield to the junior Senator from Louisiana.

Mr. LONG. Does the Senator feel it is fair in analyzing the historical votes in order to ascertain how many votes were necessary to impose cloture, to analyze the 12 times when the cloture failed, and in many cases failed miserably, in which case there would have been no point in trying to have a full attendance of Senators present?

Mr. DOUGLAS. Senators did not know they were going to fail miserably.

Mr. LONG. Mr. President, will the Senator yield for a further question?

The VICE PRESIDENT. Does the Senator from Illinois yield?

Mr. DOUGLAS. I yield.

Mr. LONG. In the case of the labor-disputes proposal, for example, where there were only 3 votes in favor of cloture, and 77 votes against it, would it not seem reasonable that Senators would have known on that occasion that cloture would fail by a miserable vote?

Mr. DOUGLAS. Possibly.

Mr. LONG. Mr. President, will the Senator yield for another question?

The VICE PRESIDENT. Does the Senator from Illinois yield?

Mr. DOUGLAS. Certainly I yield.

Mr. LONG. Is it not true that in passing on cloture, even under the two-thirds rule, in the three times out of four, when cloture has actually been effectively imposed, there were 65 or more votes in favor of cloture, and on the fourth time, there were 55 votes, so that, if the majority leader had not had the two-thirds, he could have simply come back the next day with his cloture petition all over again, see that his men were in their seats, and obtained their votes?

Mr. DOUGLAS. One of those cases, I believe perhaps the original case, was that when debate was shut off in 1917 on a war measure; is that not true?

Mr. LONG. Yes.

Mr. DOUGLAS. That was a period of grave national emergency, and naturally there would be a large vote. What I am saying is merely that it is very easy to hide out when 64 votes are necessary, so that 33 Senators, whether they are on the floor, or whether they are away, can defeat cloture. What I am trying to point out is that the South and the mountain regions, with midwestern allies, if they seek again, can always, under the proposed new rule, tie up the United States Senate.

Mr. LONG. Mr. President, will the Senator yield for a further question?

The VICE PRESIDENT. Does the Senator from Illinois yield?

Mr. DOUGLAS. I yield.

Mr. LONG. Referring to the only case historically in which cloture has been successfully imposed, in the absence of 64 votes, namely, the creation of a bureau of customs in 1927, in which the vote was 55 to 27, if the majority leader in that case had failed for lack of 64 votes, would there have been anything at all to keep him from coming back the next day with another cloture petition, and if need be, even arresting the nine Senators who were not present, have them in their seats and make them vote?

Mr. DOUGLAS. The Senator refers to a new cloture petition. Could there not have been filibustering between the two cloture petitions?

Mr. LONG. Could not the majority leader have come in the very next day, or even earlier, and himself filed another cloture petition, and have had a vote on that second cloture petition, when he had his men in their seats? But in this case, was it not true that the majority leader had plenty of votes, he had his majority present, the motion carried, and so he did not have to get the other Senators in their seats?

Mr. DOUGLAS. I am not acquainted with the facts in that particular case, I may say to the Senator.

Mr. RUSSELL. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Illinois yield?

Mr. DOUGLAS. I yield with a great deal of trepidation, as I face one of the subtlest men, and one of the most able of the field generals I suppose who ever appeared on the floor of the United States Senate; and, though my knees are knocking, I am very glad indeed to yield.

Mr. RUSSELL. Mr. President, I suppose I am now completely disarmed.

Mr. DOUGLAS. No; the Senator does not have to be disarmed.

Mr. RUSSELL. Nevertheless, I have a question I should like to ask the distinguished Senator from Illinois. The Senator, having embarked on the civil-rights program, as many other Senators do, stated he wanted to help the South.

Mr. DOUGLAS. Yes.

Mr. RUSSELL. The Senator also admitted that those in other sections had sinned grievously?

Mr. DOUGLAS. That is correct.

Mr. RUSSELL. Of course the Senator knows that one of the most controversial of all the civil-rights measures is that which seeks to abolish segregation of the races. The Senator's criticism, it seems to me, would fall with great violence upon the head of the distinguished mayor of Chicago, if the newspaper accounts can be believed, which state that he went before his council and personally defeated a resolution which would have prohibited segregation of races in public-housing projects in the city of Chicago. Does the Senator propose to compel the Democratic mayor of Chicago to reverse his position and to support all measures which would destroy segregation of the races in housing projects and elsewhere?

Mr. DOUGLAS. The Senator from Georgia has asked a very penetrating question, but, unfortunately, the Senator, in this case, is not so thoroughly prepared on his facts as he customarily is. The ordinance which was recently voted on by the Chicago City Council did not deal primarily with public housing. So far as public housing in Chicago is concerned, we do not have segregation. But the proposed ordinance provided that on land which was cleared by the city and upon which private housing was to be constructed there should be a municipal provision forbidding segregation. That ordinance was opposed by the mayor of the city in the belief that it would deter private insurance companies from making large investments in private housing, and he did not wish to impose this regulation upon private concerns, although he is against segregation in public housing.

Mr. RUSSELL. Mr. President, it seems to me that the Senator's argument cannot possibly be consistent if he is willing to permit the city of Chicago, in order to promote the building of public housing, to impose a pattern of segregation which was denounced when we of the South sought to prevent in our cities race riots and bloodshed such as marked Chicago a few years ago.

Mr. DOUGLAS. I may say that I did not willingly stir up the hornet's nest on this question. I wanted to discuss the power of the small States and of sections, and I wanted to avoid the question of civil rights, if possible, because I know that would warm the emotions. But since the Senator has asked the question, I feel that I should reply to it.

We have already had before the Committee on Banking and Currency a resolution, presented by the junior Senator from Ohio [Mr. BRICKER] calling for the abolition of segregation in every public-housing project in every city of the Nation, including the South. I do not wish to impute motives to any Senator. I highly respect and like the junior Senator from Ohio. I can say, however, that he has not been a conspicuous advocate of public housing or of slum clearance. The thought at least crossed my mind that the resolution he sponsored might be intended so that if it were included in the housing bill southern Democrats would vote against it and the northern conservative Republicans, who are opposed to public housing, would also vote

against it, and that, therefore, it was a measure designed to prevent any housing program going through. I will say to the Senator from Georgia that I voted against the proposal of the Senator from Ohio and that I am taking some criticism from many of my friends in Chicago because of my vote.

I want to say to the Senator from Georgia that we are not proposing to abolish segregation in the South, and I am glad to make that point clear.

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. DOUGLAS. I should like to follow that up for a moment, if I may.

The VICE PRESIDENT. The Senator declines to yield.

Mr. DOUGLAS. We are not proposing to abolish segregation in the South. We are not proposing to abolish it in housing, or in the Federal aid for education bill. We are not proposing to abolish it in the schools. We are doing two things: We are saying we should give equal opportunity to all the people in the South, black and white; and we are for housing for that purpose, for Federal aid to education for that purpose, and for health care for that purpose. In the North, by local decisions in most cases, we have decided that this barrier between the races should be diminished.

But I want to make this point clear, because it has been unintentionally, I am sure, exaggerated in the South. The Senators from the South are seeing ghosts. We do not want to impose rules against segregation on the South. We want to help the people of the South, black as well as white. Speaking for myself, I believe that so far as providing jobs is concerned, so far as a chance to earn a living is concerned, it should not be denied to any man because of his race, his creed, or his color. He should have a chance to develop in industry according to his ability. I am not insisting, however, that in the social relations which men have with each other they must be forced to mingle. That is an individual matter, and, in many cases, a matter for local decision.

Mr. RUSSELL. Mr. President, will the Senator yield further?

Mr. DOUGLAS. I yield to the Senator from Georgia.

Mr. RUSSELL. I wish to thank the Senator from Illinois for his very frank and forthright statement. I do not think he and I are so far apart in this case. We might have some difference in the approach, but in our basic feelings we are the same.

Has the Senator read the report of the President's Commission on Civil Rights?

Mr. DOUGLAS. Yes.

Mr. RUSSELL. And does the Senator think that we in the South are seeing ghosts, when that Commission, appointed by the President, demands that all Federal aid to Southern States, old-age assistance, aid to schools, and all social-security benefits be denied to the Southern States unless they abolish segregation in their schools, unless the Southern States abolish laws which permit segregation in any place, including restaurants? We are to be denied any benefits that flow from the Federal Government unless we pass laws on that question. Does the Senator think that is a ghost? The Commission has solemnly reported that that is the kind of tactics which should be used on the South to force us to bend to the will of the Commission and accept its views in regard to the abolition of segregation of the races. Does not the Senator know that that is a part of the program? The people of the South are concerned by the fact that the report recommends going to such drastic, punitive measures as withholding from them any benefits unless they abolish segregation of the races in every relation of life.

Mr. DOUGLAS. I would say to the very able Senator from Georgia that that is not the program of the Democratic Party, as it was adopted in Philadelphia. I subscribed to the program of the party in Philadelphia. Our civil-rights program contains merely four planks. The first is the abolition of the poll tax. I think all States should abolish property qualifications so that poor people may have a chance to vote.

Second, a Federal antilynching law, so that mob violence can be controlled. I will say that there has been such violence in the North as well as in the South, and the law should apply to us as well as to the people in other regions. Mob violence should be made a Federal offense and tried in the Federal courts.

Third, equal treatment in the armed services, which merely means that colored troops should be given a chance to shed their blood as combat soldiers instead of being relegated to supply and enginering units.

Fourth, an FEPC law. I should like to see if we cannot sit down together and work out an arrangement which will protect people of all races, creeds, and colors and which, at the same time, will give the maximum of local self-government.

Mr. PEPPER and several other Senators rose.

The PRESIDING OFFICER (Mr. MCMAHON in the chair). The Chair wishes it to be understood that Senators must confine themselves to questions.

Mr. RUSSELL. Mr. President, I read in the newspapers this morning that the filibuster was all over and that Senators were merely talking, now. I did not think that rule applied.

The PRESIDING OFFICER. The rule was laid down and reiterated in the past 10 days or 2 weeks, and it will be enforced. The Senator from Illinois can yield only for a question.

Mr. LUCAS. Mr. President, will the Senator from Illinois yield?

Mr DOUGLAS. I am glad to yield to my colleague.

Mr. LUCAS. I ask unanimous consent that the Senator from Georgia be able to make the observation he desires to make, in the time of the Senator from Illinois.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the Senator from Georgia may proceed.

Mr. RUSSELL. I thank the distinguished senior Senator from Illinois. I assure him the observation will be very brief.

I merely wish to get back to the original statement I made, or question I propounded to the junior Senator from Illinois, and to take this occasion to say that I am greatly gratified at his apparent understanding of the question we are discussing, judging by the statements he has made. But does he not think that it is more than a ghost that is confronting the South on the question of segregation when we have seen how those who have promoted the first bills, if they secured the enactment of one of them, immediately came in with another, in their effort to destroy the segregation of the races in the South?

Mr. DOUGLAS. Life is a process of change, and great changes do not come suddenly. We should have slow and gradual change, but we can move much faster on the question of civil rights than we are now doing.

If the Senator will forgive me for saying this, if he can free himself from this obsession which is not held by any large section in the North, we can make progress on this question of fair employment practices, and the right of people to earn their living by the sweat of their brows on the basis of individual ability, not being discriminated against because of their religion, race, or color.

Mr. RUSSELL. The Senator disarms me again by moving to another illustration which was not encompassed within my question. It certainly is not an obsession when we are confronted with the very real fact that the Commission the President appointed, though it sat in star-chamber sessions and did not permit any southerner to be heard, regardless of his good will, unless his views were known in advance, has come out with the recommendations which I set forth a few moments ago, and which have been approved in principle by the President of the United States in his letter transmitting the report to the Congress. I think that is much more than a ghost. If it is only a ghost at present, it is a ghost which will be living and breathing and working in this body in a very short period of time, at the behest of the minority groups which have brought all the political implications into the debate which has been proceeding in the Senate on this subject.

Mr. DOUGLAS. We of the North are only urging the Democratic platform which was adopted in Philadelphia. We are not urging the program of the President's Commission on Civil Rights. What is wrong with the four planks in the Democratic platform to which I have referred, for which, I believe, the Senator from Georgia has something less than a burning enthusiasm?

Mr. RUSSELL. Mr. President, I have no great enthusiasm for them, but if the platform were all construed as the Senator from Illinois is construing it, I should feel much better about the future. However, I happen to know that the construction the Senator from Illinois has put upon the provision, for example, respecting discrimination in the armed services, is far different from the interpretation of those who really started the agitation, and who presented and had the plank written into the platform. Certainly no one would deny a man of any race or creed the privilege of fighting for his country.

Mr. DOUGLAS. But he is denied it, under the present organization of the Army, and of my own beloved Marine Corps, because in those services the Negroes are relegated to the supply and engineering units, and are practically not permitted in the combat outfits.

Mr. RUSSELL. The Senator well knows that the purpose back of the movement is to cause an intermingling of the races down to the squad level, and certainly that is not necessary to enable a man to fight and die for his country.

Mr. DOUGLAS. It is not necessary at all. The Democratic platform says "equality of treatment." There can be separate battalions and separate regiments.

Mr. PEPPER and Mr. KNOWLAND addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Illinois yield; and if so, to whom?

Mr. DOUGLAS. I yield first to the Senator from Florida.

Mr. PEPPER. Mr. President, will the Senator allow me to ask this question: Is it not a fact—and the Senator has already amplified the Democratic platform—that, except with respect to denying private transportation companies authority to enforce segregation in public carriers crossing State lines, there is not a recommendation in the President's civil-rights program to abolish segregation of races in any part of the country?

Mr. DOUGLAS. I should have read the report of the President's Commission this morning before I came to the Senate, but I did not have time to do so, and when the Senator from Georgia made the definite statement that it did advocate the abolition of segregation, since I know he is ordinarily very accurate, I felt I could not say that he was in the wrong. But I should be glad to have the Senator from Florida correct the Senator from Georgia if he is wrong.

Mr. PEPPER. In his message to the Congress, as distinguished from a message transmitting a report, which report I now have in my hand, the President said, on page 3 of the civil-rights program message to the Congress, Document No. 516:

I recommend, therefore, that the Congress enact legislation at this session directed toward the following specific objectives:

1. Establishing a permanent Commission on Civil Rights, a Joint Congressional Committee on Civil Rights, and a Civil Rights Division in the Department of Justice.

Mr. President, there is nothing there that breaks up any practices or ordinances or statutes of segregation in any part of the country, is there?

Mr. DOUGLAS. I am very glad for the aid which has been given me in time of trouble by my friend from Florida.

Mr. PEPPER. If the Senator will allow, I shall continue reading these recommendations:

2. Strengthening existing civil-rights statutes.

I will ask the Senator if the President had not in mind, and did he not amplify further in this message, covering the kind of a case which happened in my State. A constable, as the court decision reported it, had a personal difficulty with a Negro and finally got him on the Suwannee River bridge and made him jump off into the river, his body being later found, down the river, caught in the bushes. The grand jury indicted the constable, and he was later indicted in the Federal court under the Federal statute relating to depriving any citizen of his rights guaranteed by the Constitution, and the United States Circuit Court of Appeals for the Fifth Circuit upheld the conviction in that case. But what was the punishment? It was a sentence of 1 year, because the statute permitted a punishment of only 1 year's duration. I ask if the President, in speaking about strengthening the penalty in civil-rights statutes, did not refer to the guaranty of life, liberty, and property in the Federal Constitution, and if that does raise a question of segregation in the several States.

The third point is:

3. Providing Federal protection against lynching.

I ask, Mr. President, if the President was not aiming at the protection of life of citizens of the United States, as well as citizens of a State, in cases where an attempt was made to take life improperly, and if it is not a fact that the Committee on the Judiciary of the Senate reported a measure, after careful scrutiny of the subject, which provided that such Federal authority should not apply except to common carriers where a sheriff or his deputy or a marshal or his deputy had conspired with a lynch mob.

I read further:

4. Protecting more adequately the right to vote.

When the President was talking about the abolition of the poll tax there, I will ask the Senator if that has anything to do with breaking down requirements as to segregation in any part of the country.

5. Establishing a Fair Employment Practice Commission to prevent unfair discrimination in employment.

I ask if that is not what the able Senator said it was, a desire to give the right to work to an American citizen without regard to race, creed, or color. There is nothing about whether the white people work in one part of a factory, the brown in another, and the black in some other part.

6. Prohibiting discrimination in interstate transportation facilities.

It can be claimed that the question of segregation does arise under that, because it simply proposes that private carriers cannot do what the United States Supreme Court has said States cannot do, namely, impose segregation upon passengers, all paying the same price for their transportation, when they are crossing State lines. But that does not apply to passengers on carriers within the States.

7. Providing home rule and suffrage in Presidential elections for the residents of the District of Columbia.

8. Providing statehood for Hawaii and Alaska and a greater measure of self-government for our island possessions.

9. Equalizing the opportunities for residents of the United States to become nationalized citizens.

10. Settling the evacuation claims of Japanese-Americans.

Does the Senator find anything in that series of recommendations by the President to break down the practices or the requirements of segregation of the races in any part of the country?

Mr. DOUGLAS. No. I should think that probably the very able Senator from Georgia [Mr. RUSSELL] confuses the report of the Commission with the recommendations of the President. I may say to the Senator from Georgia that I did not launch the discussion of civil rights. I started to speak on the fact that the Wherry resolution gives greater power to the small States than to the large States. I did not start that discussion——

Mr. RUSSELL. Mr. President, will the Senator yield to me?

Mr. PEPPER. Mr. President, I ask my able friend from Georgia if he will not defer to me so I may ask the Senator from Illinois another question.

Mr. RUSSELL. Very well.

Mr. DOUGLAS. I yield briefly to the Senator from Florida.

Mr. PEPPER. I will ask if the Senator from Illinois knows of any decision of the Supreme Court of the United States which holds that the Congress of the United States, except in respect to the conditioning of the acceptance of public money has authority to break down segregation practices in things other than might affect interstate commerce—such as a swimming pool, a residence used as a school, as a church, or by a social organization, and that sort of thing?

Mr. DOUGLAS. Mr. President, I am not a lawyer, and certainly not an authority on the Constitution, but I try to read the decisions of the Supreme Court. My memory may not be worth a great deal, but I cannot remember any such decision.

Mr. PEPPER. I thank the Senator.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. RUSSELL. I shall not infringe on the Senator's time. I had intended to listen to the whole of the Senator's speech, and did hear the first 5 minutes of his speech, but I was called off the floor, and when I returned the Senator was engaged in a discussion purely of civil rights with the Senator from Oregon [Mr. MORSE.]

Mr. DOUGLAS. I think I was drawn into that by the discussion.

Mr. RUSSELL. I had no intention of making any suggestion about civil rights during the Senator's speech. As a matter of fact, I have tried to keep away from it, because it is my belief that, while the matter of change of the rule is brought up as a spearhead, it does not relate to the question of civil rights.

The Senator from Florida has read from the message of the President. I am sure that even the Senator from Florida will admit that the report of the Commission embraces recommendations and demands by the President, as I have described to the Senator from Illinois.

Mr. DOUGLAS. I may say to the Senator from Georgia that I think he is confusing the report of the Commission with the recommendations of the President. I want to say that we Democrats of the

North stand by the Philadelphia platform. There was a hymn I used to sing in church as a boy—I will say to the Senator from Georgia that, though I went to a Protestant church, I used to sing a hymn by a great Catholic churchman, Cardinal Newman, called "Lead, Kindly Light." Let me give two of its lines:

Lead, kindly light, * * * I do not ask to see
The distant scene—one step enough for me.

I think it is a mistake to refuse to take a step which is good because one thinks it may lead in the future to something one does not like. Let us legislate on the proximate issues which are before us and not trouble ourselves with the hobgoblins of what may happen 60 or 100 years in the future. There are some things, Mr. President, that our children and our grandchildren can settle for themselves.

Mr. RUSSELL. Mr. President, I shall not proceed further in this debate, out of deference to my distinguished friend, who is making a very able speech, other than to say that we do not consider this a matter which relates to 60 or 80 years in the future. The recommendation made by the Commission appointed by the President is upon us now. But even if it dealt with something 60 or 80 years in the future, so far as I am concerned, I would still oppose breaking down the segregation of the races in the South, where we have more than 200 counties which contain more Negroes than white people, where our States have more than two-thirds of all the Negro population in the United States. We have a problem. Gentlemen from other sections have a theory. The report seeks to apply the theory of the Commission to a problem of which the authors of the report had no knowledge.

Mr. DOUGLAS. Mr. President, I had intended to conclude long before now. If I had not been interrupted, I would have finished in 15 minutes. I have been on my feet for this long period of time simply because my southern and my western friends have given me a baptism of fire.

I should like to conclude with one very simple statement, if I may. It is interesting to recognize that our friends from the South are helping to impose upon the United States Senate an infinitely more severe cloture provision than they observe in their own State legislatures.

Mr. LONG. Mr. President, will the Senator yield for a question at that point?

Mr. DOUGLAS. I should like to develop the material upon which my statement is based, and then I shall yield for a question.

I have had looked up for me the facts respecting the rules concerning cloture in the legislative bodies of the seven southern States—Virginia, North Carolina, South Carolina, Georgia, Alabama, Mississippi, and Texas. I speak of both houses of the seven States, or 14 legislative bodies in all.

In 11 of these 14 legislative bodies, if my information is correct—and I believe it to be—a simple majority can shut off debate by voting to move the previous question. In no case is there a requirement of as many as two-thirds of the entire membership.

In the Senate of the South Carolina Legislature—from whence comes the distinguished Senator from South Carolina [Mr. MAYBANK], a former Governor of that State, and the other distinguished Senator from South Carolina [Mr. JOHNSTON], also a former Governor of that State, so two former Governors of the State of South Carolina are in the Senate, who will correct me if I am wrong—only two-thirds of a quorum is required, not two-thirds of the entire body.

In Virginia—and we have a distinguished former Governor of the State of Virginia present [Mr. BYRD], who will correct me if I am wrong—while the lower house of the legislature requires only a simple majority on some issues, it can require two-thirds of a quorum for a few other items of business. I have had some trouble in determining precisely what the rules of the Senate of Virginia are on this point, so I shall leave that matter out.

But I will say that in 11 of these 14 southern legislative bodies cloture can be secured by moving the previous question by majority vote, and in no case is two-thirds of the entire membership required.

Now I hope the junior Senator from Louisiana [Mr. LONG] will forgive me if I bring up Louisiana. The Constitution of Louisiana provides that the senate—I am not speaking of the lower house—may at any time by a majority vote limit debate.

I may point out that while filibustering may be an article of export in Louisiana, I do not believe it is permitted to be an internal practice. [Laughter.]

Mr. LONG. Mr. President, will the Senator yield for a question at that point?

Mr. DOUGLAS. I am very glad to yield for a question.

Mr. LONG. While assuring the Senator that in the Louisiana Legislature a majority can shut off debate at any time, does not the Senator know that it is a good practice in the Louisiana Legislature to move to shut off debate before the minority gets a chance to convert the majority? The same thing would be true in any legislature where the previous question can be moved when the majority is losing in the debate.

Does not the Senator know that in the Legislature of Louisiana there is a requirement for a "constitutional two-thirds" majority to propose a constitutional amendment, which means that if a constitutional amendment is proposed it is necessary to keep two-thirds of all members of both houses in their seats to vote for it. In the Louisiana Legislature we succeeded in getting that constitutional two-thirds majority 41 times in the last legislature.

Mr. DOUGLAS. Now, Mr. President, will the Senator from Louisiana yield to me for a question?

Mr. LONG. Yes.

Mr. DOUGLAS. Is it not also true that the Constitution of the United States requires a two-thirds vote for a constitutional amendment? We do not object to that. But we say, Do not impose a gag provision of two-thirds of the entire Senate on us for ordinary legislation when you yourselves in your own legislatures do not have it. Why do you tie our hands when you will not tie your own?

Mr. LONG. I may point out to the Senator, in answer to his question, that when I mentioned a two-thirds majority in the Louisiana State Legislature, I meant to say that is a constitutional two-thirds. Two-thirds of all members are required to vote for any measure in order that it may be passed. We succeeded in getting two-thirds 41 times in the last State legislature, which shows that it is not impossible.

Mr. DOUGLAS. Mr. President, like most debates, this is ending on a minor note. I think perhaps I should sit down. But before I do I want to make a final appeal.

I urge the Senators to think very carefully before they vote for the Wherry resolution. I urge my good friends from the Mountain States to realize that we love them and want to help them, but that they should not drive too hard a bargain with us.

I urge our friends from the border States to realize that we love them, and that they should realize that they are at least partly northern.

I urge my southern friends to realize that though we may differ, we of the North are not self-righteous. We in the North have many grievous sins and faults which we have not removed to the degree which we should. We love our southern friends as individuals. We have no bitterness in our hearts toward them. And I urge my Republican friends on the other side of the aisle not to tie up the United States of America for a little cheap partisan advantage.

MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 315. An act for the relief of Dr. Chung Kwai Lui;

S. 335. An act for the relief of Claris U. Yeadon;

S. 592. An act for the relief of Edwin B. Anderson;

S. 594. An act for the relief of John I. Malarin, former Army mail clerk at APO 932, a branch of the San Francisco, Calif., post office, relative to a shortage in his fixed credit account;

S. 632. An act to authorize certain personnel and former personnel of the Naval Establishment to accept certain gifts and a foreign decoration tendered by foreign governments;

S. 633. An act for the relief of Rachel D. Gattegno; and

S. 634. An act to authorize payment of certain claims for damage to or loss or destruction of property and personal injury arising from activities of the Army.

AMENDMENT TO CLOTURE RULE

The Senate resumed the consideration of Senate Resolution 15, amending the so-called cloture rule of the Senate.

Mr. KNOWLAND. Mr. President, in commenting on the very able address of the junior Senator from Illinois [Mr. DOUGLAS], which is his maiden address in this body, and a very good one, I merely wish to say that I rather gained the

impression that, so far as he was concerned, he was repudiating the report of the President's Civil Rights Commission. I noted that with some alacrity the junior Senator from Georgia [Mr. RUSSELL] rose, and I think somewhat to his own amazement, pressed the point as to whether the junior Senator from Illinois was in fact repudiating the President's Commission on Civil Rights. It rather seemed to me that at that moment the able junior Senator from Georgia and the able junior Senator from Illinois were approaching a coalition of the same general sort as that which some of us on this side of the aisle who happen to have agreed on a compromise are being chastised for having approached.

I wish to say again, because I think this point needs to be reiterated, that no compromise such as the Wherry substitute, signed by 52 Members of this body, was offered so long as there was any other possibility of getting an effective cloture at this session of the Congress, or indeed at the Eighty-first Congress during any period of its life.

I also wish to point out that I have no quarrel with my colleague the junior Senator from Oregon [Mr. MORSE], who sincerely believes in a simple majority, or the able Senator from Pennsylvania [Mr. MYERS], who believes in a constitutional majority, because I am frank to admit that there is a considerable difference in the number of votes required as between a simple majority and a constitutional majority, or a so-called constitutional two-thirds. But I should like to try to narrow this issue so that not only the Senate but the American people may clearly understand what is at issue at the present time.

So far as the rules changes themselves are concerned, on both sides of the aisle and on both sides of the question we have gained nothing and we have lost nothing in regard to the rule. I wish to underscore that point and to point out that certainly no Senator on the other side of the aisle, or no Senator who is opposed to the substitute which has been presented, can with very great force object to it when the very able majority leader himself, not once, not twice, but several times within the hearing of all of us who served on that committee, said, speaking primarily to those representing the southern point of view, "Gentlemen, insofar as this applies to a change in the rules, you can write your own ticket." He apparently did not object to a "constitutional two-thirds." Apparently he did not even object to the suggested three-fourths. He said, "Gentlemen, so far as a change in the rules is concerned, you can write your own ticket." So I submit that, insofar as the question pertains to an amendment to the rule, there is no issue in regard to the substitute which we are pressing.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. RUSSELL. I should like to state, inasmuch as the Senator has gone into the question, that the Republicans who met in these negotiations were much more restrictive in their views with respect to measures to effect changes in the rules than was the distinguished Democratic leader. He said we could write our own ticket. I took that to mean that he would agree to a provision that cloture would not even be applicable to a motion to change the rules, or a resolution to change the rules. However, the Senator from California [Mr. KNOWLAND] and the Senator from Nebraska [Mr. WHERRY] refused to accede to that point, and in that respect they were more restrictive than was the majority leader.

Mr. KNOWLAND. The Senator is absolutely correct.

We now come to the question of the basic difference, if any, between the present two-thirds cloture under rule XXII, and two-thirds of the Members chosen and sworn, as provided in the substitute. This is the fundamental issue, the difference between us. I think we have a right to examine that situation very fully, so that everyone may fully understand just what is presented.

If the substitute is not adopted, we shall have no effective cloture whatsoever. At any time civil-rights legislation is presented, or legislation relating to a national emergency, and the distinguished majority leader moves for consideration of a bill, a resolution, or a constitutional amendment, immediately a filibuster can start at that point, and the Senate can be tied in knots. Not two-thirds, not three-fourths, not nine-tenths of the membership of the Senate can proceed until, by sheer physical exhaustion, the filibuster is worn down.

So the choice we have here today is not as between two-thirds of the Members of the Senate voting and two-thirds of the entire membership of the Senate. The choice is as between two-thirds of the Members chosen and sworn, and nothing at all. I say that that is a very material advance in the ability of the United States Senate to function as a legislative body.

Let us examine the actual votes which have been taken. Nineteen times since 1917 the United States Senate has had presented to it cloture petitions on which a vote has been taken. Four times cloture has carried, under the existing rule XXII. I may say in passing that the development of the filibuster on a motion to take up is a more recent development in the history of the Senate, and probably the Senate would not have been able to vote on cloture 19 times had the loophole been found earlier. But based on the facts and on the record itself, 19 times the Senate has had a cloture petition presented to it. Four times cloture has carried. Of the four times cloture has carried, on one occasion the affirmative vote was 78, on another 68, and the third time it was 65. So on three of the four occasions when cloture carried in the Senate, it would have carried under the proposal we are urging upon the Senate at this time, and only once out of those four times would it not have carried.

Mr. LONG. Mr. President, will the Senator yield at this point for a question?

Mr. KNOWLAND. I yield for a question only.

Mr. LONG. Do not those figures prove that, although on three of those four occasions a "constitutional two-thirds" was in favor of invoking cloture, so that cloture would have been invoked even under the proposal now before us, and although on the fourth occasion when cloture was actually invoked, it would not have been invoked under the present proposal, actually cloture might have been invoked on that fourth occasion, under the rule now proposed, for if cloture had not been invoked when first attempted, because of the lack of the favorable votes of 64 Senators, the majority leader could have filed another cloture petition on the following day; and when it came up for vote, 2 days later, he could if necessary, have required the attendance of all Senators—by arrest, if necessary—and thus might have obtained the necessary number of votes?

Mr. KNOWLAND. That is entirely correct. Even if the floor leader had failed to obtain cloture that time, after the additional day's debate he could have presented another cloture petition, and under the 2 days' rule the matter would have had to come before the Senate for a yea-and-nay vote; and if necessary he could have sent out for the absent Senators and could have had them brought in.

Mr. President, I submit that the duty of a Senator of the United States is to be in his seat in the Senate, voting on controversial public questions. There are some instances—for instance, in case of sickness or death in the family or some extreme situation—when a Senator is justified in being absent; but basically there are only two of us representing each of the States in the Union; so when one Senator from a State is absent, his State is deprived of 50 percent of its representation in the Senate; and if both Senators from one State are absent from the Senate, that State is entirely deprived of its representation in the Senate. If the question before the Senate is an important public one, of such importance that the Senate is justified in invoking cloture, then I say there is a mandate upon the majority leader, who sits in the chair across the aisle from where I stand, and upon the minority leader, who sits in the chair which I temporarily occupy today, to send out, if need be, and have every Senator brought into this Chamber to vote on that basic question. If every Senator is in his seat, there is not one iota of difference between the spirit of the present rule XXII and the substitute proposal we are presenting here today.

Mr. President, in the other 15 cases in which a cloture petition has been presented in the Senate, the cold, hard facts from which no one can escape, are these: In all 15 of those cases, cloture would not have carried if the Senate had merely retained the simple two-thirds majority rule, and I believe that in all but three of those cases it would not have carried even with a constitutional majority rule.

Mr. President, outside of the gain I have mentioned—by which we have proceeded from having nothing to having something, so that the Senate has effective control over its own deliberations, and in case of a great national emergency cannot be hog-tied so that it cannot operate—we have made another gain, one of tremendous importance. For 16 years the New Deal administration had control of the Government of the United States.

At one time more than two-thirds of the Members of the Senate of the United States adhered to it. For 16 years that administration had an opportunity to enact civil-rights legislation or almost any other legislation it desired, and to present cloture petitions in regard to such proposed legislation, if it desired to have such measures enacted. In fairness I think it can be said that the reason why cloture petitions were not presented more often during that period when that administration had control, or the reason why these matters were not more often brought up in the Senate, is that there existed then the same situation which confronted the Republican leadership during the last 2 years, when the Republicans had control of this body, namely, the fact that rule XXII as it now stands is so full of loopholes that a measure cannot even be brought before the Senate for consideration, regardless of how many signatures one might obtain on a cloture petition. Regardless of that, the Senate is basically helpless so far as bringing a measure before it is concerned. However, under the constructive proposal which we have presented here, we have eliminated that helplessness.

Mr. President, the present proposal does not go as far as I would like to have gone. In the Committee on Rules and Administration I supported the so-called Hayden-Wherry resolution, which would merely close the loopholes and would retain the present two-thirds rule. But, Mr. President, after diligent work, night and day, day after day, sitting down with the majority leader, sitting down with able Senators representing the South, and sitting down with Senators on this side of the aisle who have different points of view, it was apparent to everyone who sat in those conferences that there was no chance whatsoever of obtaining any effective legislation or change in the rules at this session of Congress unless we could get a meeting of minds of at least a majority of the Members of the Senate. Now we have done that.

I have no apologies, either on behalf of myself or on behalf of any of the Senators on either side of the aisle, for trying to present to the Senate a constructive, moderate alternative to the chaotic situation with which the Senate was faced.

Mr. LONG. Mr. President, will the Senator yield at this point for a question?

Mr. KNOWLAND. I prefer not to yield just now, if the Senator does not mind.

I wish to point out that regardless of the political charges which may be made, this is no alliance between Republicans as such and southern Democrats as such. It is no alliance between one wing of the Republican Party—and I deny that the Republican Party is divided into wings—and one wing of the Democratic Party as such, because on this side of the aisle Senators have conflicting points of view, and Senators on the other side of the aisle have conflicting viewpoints. But this is a moderate attempt to arrive at a compromise.

I make no apology for the use of the word "compromise," for we would not have the Republic which we represent today in the Senate of the United States if men far abler than those of us who sit here now had not been willing to sit together and make compromises on the basic questions which confronted them during the Constitutional Convention. Mr. President, I am amazed at some of my friends on the other side of the aisle and at some of my friends on this side of the aisle who say that under no conditions must they accept the Wherry substitute, which is signed by 52 Senators, because it seems to make a change of the rules a little harder to achieve. Mr. President, it does not prevent the making of a change in the rules if there is a will and a need to change them. Since the general theory seems to have been criticized by the junior Senator from Illinois [Mr. DOUGLAS], I call their attention to the fact that the small States have equal representation in this body with the large States; that finally, in order to be able to get this Union formed, the delegates at the Constitutional Convention inserted in the Constitution of the United States one provision which cannot be amended under any conditions: the provision that no State shall be deprived of its equal representation in the Senate without its own consent. No matter whether two-thirds of the Members of the Senate favor making a change in that provision, no matter whether three-fourths of the States favor making a change in that provision, it simply cannot be changed or amended without the consent of the State or States concerned. It was a compromise in order to form the Republic and to guarantee to the small States that they would not be overridden by the large States. I personally think it is a good system. Although I represent one of the larger States, even if I could amend that section of the Constitution, I would not vote to amend it.

But the fact remains that by the Constitution the small States are given a guaranty which no one can take away from them without their own consent. In short, Mr. President, in the parlance of the Senate, what they did was to provide that, except by unanimous consent, that provision of the Constitution could not be changed.

Mr. President, is it an unreasonable provision that our colleagues who represent some of the Southern States have asked in the matter of changing the rule? On the rule question only, they gave up nothing and we gave them nothing. All they asked, if they gave up the very weapon they had, to discuss for an unlimited period of time any measure, bill, resolution, constitutional amendment, or what not, on the floor of the Senate before it actually becomes the pending business—if they gave up that very effective weapon which they had, they merely wanted to be sure that, insofar as the rules are concerned, an effort would not be made to slip in here a little later and try then to get simple majority cloture or constitutional majority cloture, and thus upset the situation. I do not think the request they made was unreasonable. I should have preferred personally if we could have gotten them to accept our point of view; but we could not. As I pointed out once before, the very nature of a legislative body—and I have served for 6 years in both houses of my own State legislature and for 3½ years in the Senate—the very nature of a legislative body is such that there must be reasonable compromise; true, not on principle, but where there is an opportunity to get a meeting of minds. I dare say no matter what public question of a controversial nature is raised, if the Chair could, under our rules, request each Member to write his solution to the problem, we would have 96 different ideas as to what form the legislation should take. In the parliamentary legislative process our job, by filtering proposed legislation through the committees, by bringing it out on the floor, by debating it, and by amending it, is finally not to have 96 bills but to have one bill upon which a majority of the Members of the Senate can agree; or, in the case of a constitutional amendment, on which two-thirds of those present and voting can agree.

So I want to say, Mr. President, I do not think that, in the final analysis, this is an unreasonable compromise which has been presented.

Mr. RUSSELL rose.

Mr. KNOWLAND. I do not intend to take much more time of the Senate, but because there has been some misunderstanding, I want to again state why I believe the compromise represents a very material improvement. After I have made my next point, I shall be glad to yield to the Senator from Georgia.

Let us take the civil rights, take national emergency legislation, take anything that may be desired, because I do not think this proposal is tied to any one type of legislation. At the present time, a number of Senators who are determined to prevent the Senate from acting can start a filibuster on the majority leader's motion to make a given bill the pending business. What about Senators as to whom the charge has been made that they may want to be absent and may not want to go on record? At the present time, under existing rule XXII, all a Senator has to do is to sit quietly in his seat, and not open his mouth, and let the filibuster be conducted until the majority leader, torn to distraction, finally has to give way and adjourn the Senate, in which event there is never a test of any type or character, so that the people back home may know where Senators stand.

But, Mr. President, what is the situation under the substitute signed by 52 Members of this body, representing both wings of the Democratic Party, 12 from the North and the East and the West, and 18 from the South, a majority of the majority leader's own party, and by 22 Members on the Republican side? What is the situation under the substitute? Very simply, it is this: A measure, regardless of what it is, is brought up. If a filibuster is initiated on the motion to make it the pending business, after a reasonable length of time a cloture petition can be filed. The circulation of the cloture petition itself is one indication of where Senators stand at the time. As soon as 16 signatures are secured, after the lapse of one inter-

vening day, by a yea-and-nay vote, open to the public record, the public press, and the CONGRESSIONAL RECORD, and the people of the United States, there is at least some sort of test vote to see if there is sufficient will to make the matter the pending business before the Senate. There is no means of any type or character whatever under existing rule XXII by which it is possible to obtain such a test. So I say again we have made a very material improvement.

The second thing is that after having made such a test, if a test is desired, and winning it, the legislation is then before the Senate, where amendments can be offered and the people back home can see how their Senators stand. There is a chance to vote on it, which Senators will never have under rule XXII as it exists today. So the people back home can again get a chance to see where Senators stand on public questions.

So I say, Mr. President, with all the sincerity I possess, that, while the substitute does not go as far as I personally should have liked to have it go, I believe it has unshackled the Senate and placed it in a position where it cannot be hogtied and prevented from acting. I believe we have made a major step forward; that we have lost nothing by doing so; and that if there is a will and a necessity for making a change in the rules, it can still be made. I call the attention of those who so complacently talk about the ease of breaking a filibuster to the fact that they were not able to break this one; that, as a matter of fact, the majority leader—and he has my deepest sympathy—had to surrender to it because of the pressure of parliamentary business. If we were to amend the rule as proposed in the substitute, he will not be faced with that question in the future.

With all the facts before us, Mr. President, I cannot but believe that in the history of the Senate of the United States, it is the first time that reasonable men, moderate men, willing to give and take, willing to make an honorable compromise, have presented to the Senate, with 52 signatures, a majority of this body, a proposition that will give to the Senate of the United States control over its own deliberations. I now yield to the Senator from Georgia.

Mr. RUSSELL. The Senator from California has referred briefly to the charges of venal politics that have been injected into the debate. The Senator from California should be peculiarly qualified to clear up a point that has been confused in my mind ever since I have been a Member of the Senate. I am confused as to the difference between a bipartisan group of statesmen engaged in a holy crusade and a group of venal politicians who have effected a political coalition.

The Senator was on the floor on February 28 when the motion was made to proceed to the consideration of Senate Resolution 15. He was most diligent in his attendance and efforts to get action on the motion. He stated to the Senate it was his view that the loopholes in rule XXII must in all events be plugged. After debate had been in progress for some time, the Senator from California circulated on his side of the aisle a cloture petition in order to end the debate. He secured the signature of some 16 Republicans. During that period the Senator from California was called an outstanding statesman. Tributes were paid to him from day to day on the floor for the diligence with which he pursued his efforts to get action on the proposal to close the loopholes in the rules. The effort at cloture failed. Unable to get the original resolution to a vote in the Senate, the Senator from California, still pursuing his announced intention of closing the loopholes in the rule, finally agreed to the compromise he as so ably described. He then circulated another paper for signatures. The second effort was not exactly in accord with the views of the majority leader as the first had been.

At that second of his deviation from those views the descent of the Senator from California from the lofty position of pure statesmanship to the low level of a member of a venal political coalition was faster than the fall of Lucifer from the heavens.

I wish the Senator from California would describe for me the difference between a bipartisan group and a coalition. He is peculiarly qualified, because, in pursuing the same aim, he has within a period of days been described as a lofty statesman and a member of a political coalition. I should be very gratified if the Senator would explain the difference to me. Having been praised and condemned within a period of hours for pursuing the same purposes, he should be able to explain the transition from statesman to politician.

Mr. KNOWLAND. Mr. President, I will say to the able Senator from Georgia that I very diligently, as the Senator knows, worked with the majority leader on the other side of the aisle because I felt that on this issue the aisle should not divide us. I helped to secure 16 signatures of the 33 which were on the petition when it was filed. The minority contributed 16 signatures and the majority contributed 17 signatures. So far as the signatures are concerned, I think the contribution from this side of the aisle was greater, proportionately, than it was from the other side of the aisle. I joined with the able majority leader in trying to get the so-called Hayden-Wherry proposal through the Senate, so long as I felt there was any hope to do so. I sat with him and met with him in the conferences, as the able Senator from Georgia knows, trying to aid in getting a meeting of minds, so that we could get something that would be of support to the able majority leader. Finally negotiations broke down, and it was not until the majority leader himself had given up the fight by publicly announcing that he would adjourn the Senate, that some of us who felt that the question was still an issue which needed to be met, an issue which was important enough to give one more last try, and we would not abandon hope while there was a spark of life, finally got enough signatures on this side of the aisle, plus 12 from the northern, eastern, and western Democrats, plus 18 from the southern Democrats, to present to the Senate a proposal, with the support of 52 Senators of the United States, to make a considerable forward step at least in this very controversial subject.

Mr. RUSSELL. Mr. President, I am afraid the Senator has not completely cleared up in my mind the question. He has not relieved me of my suspicion that those who denounce a coalition believe that all who agree with them are statesmen but any Senator who might disagree is a miserable coalitionist.

Mr. LONG. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. LONG. Mr. President, in view of the fact that it was stated here yesterday by the junior Senator from Minnesota that the Hayden-Wherry resolution was a compromise, is it not true that in the Committee on Rules and Administration there were Senators opposed unalterably to the Hayden-Wherry resolution and never offered to compromise on it?

Mr. KNOWLAND. The Senator is correct.

Mr. MAYBANK. Mr. President, for 16 days I have been here in the Senate day and night, along with other Senators, taking part in a determined effort to maintain freedom of speech in this body. I have given my every effort to this one cause. It has been necessary to hold up vital legislation in the committees and on the Senate calendar while this business was debated on the floor.

Many of us have been in almost constant meetings making a determined effort to effect an acceptable compromise. Finally, on Tuesday of this week, an agreement was reached and immediately indorsed by a majority of the Senate. That agreement, Mr. President, is the one for which I shall cast my vote.

It is unthinkable that after all this work we should be forced to delay the business of the Senate still further while we wrangle over proposals other than the one already accepted by the majority.

Mr. President, it is now 5 minutes of two. The Senate has given unanimous consent to the Banking and Currency Committee to meet at 2 o'clock to consider rent control. The Senate also gave unanimous consent to the Appropriations Committee to bring in, at 3 o'clock, the first supplemental appropriation bill.

I will say, Mr. President, that the vital legislation which the Senate has held up through these days consists not only of rent-control legislation, but the supplemental appropriations for all the departments of the Government. This appropriation includes $25,000,000 for the Army engineers to carry on relief work in the snow and sleet stricken Midwest; flood-control bills; money to pay employees of the Department of Commerce who are charged with import and export controls; money for the Indians; and money necessary for the operations of nearly every department of Government. This afternoon we are still debating what we agreed upon on Tuesday, while vital pieces of legislation such as these are still being held up.

I came in with a lengthy speech, Mr. President, but for the reasons I have mentioned I shall not deliver it at this time, because I wish to attend the meeting of the Banking and Currency Committee. I

shall go from there to the Appropriations Committee for another meeting with the hope that something can be accomplished by the Senate.

Now, before concluding these few remarks, Mr. President, I want to say for myself, and I am sure I speak for many of my colleagues, I shall continue to stay here as long as necessary to oppose any change other than the accepted "constitutional two-thirds." I have been in constant attendance at these sessions and have joined in the debate in many instances.

It was my understanding on Tuesday night that we had worked out an acceptable compromise amendment to the resolution. I believe that compromise to be fair and just to all parties. That was the amendment to which I agreed, and I want to make it known that I am prepared to remain here to oppose any rules change other than the one presented to the Senate on Tuesday night.

Let there be no mistake, Mr. President. So long as I have a voice in the Senate, I will never vote for majority cloture. I intend to oppose every amendment except the one requiring a "constitutional two-thirds."

Now, Mr. President, in order that I may attend the meeting of the Committee on Banking and Currency, I ask unanimous consent to have printed in the RECORD, following my remarks, two editorials.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Danville (Va.) Register]

A NORTHERN NEGRO PUBLISHER LOOKS AT CIVIL RIGHTS

It is unfortunate that most of the news discussing race relations comes from professional agitators who have, or think they have, something to gain from creating animosity while talking rabidly about discrimination and, in the same voice, good will.

As a publisher of a newspaper with large circulation and a corresponding influence, Davis Lee, Negro publisher of the Telegram, of Newark, N. J., which has some 500,000 Negro readers in the Southern States, grew less willing to accept the preachments of agitators concerning racial relations in the South. He decided to do a bit of investigating personally. Last Sunday he reported to his readers in a comprehensive article on the editorial page. Some excerpts which reflect his objective approach to the problem and provide sound counsel were called to our attention by the Bedford Democrat, which also was impressed by Publisher Lee. Keeping in mind that the comment is that of a distinguished champion of Negro advancement, and that it was printed in New Jersey, the Telegram editorial takes on added significance.

"I have just returned from an extensive tour of the South. In addition to meeting and talking with our agents and distributors who get our newspaper out to the more than 500,000 readers in the South, I met both Negroes and whites in the urban and rural centers.

"Because of the personal observations, studies and contacts, I feel that I can speak with some degree of authority. I am certainly in a better position to voice an opinion than the Negro leader who occupies a suite in downtown New York and bases his opinions on the South from the distorted stories he reads in the Negro press and in the Daily Worker.

"The racial lines in the South are so clearly drawn and defined there can be no confusion. When I am in Virginia or South Carolina I don't wonder if I will be served if I walk into a white restaurant. I know the score. However, I have walked into several right here in New Jersey where we have civil rights laws, and have been refused service.

"The whites in the South stay with their own and the Negroes do likewise. This one fact has been the economic salvation of the Negro in the South. Atlanta, Ga., compares favorably with Newark in size and population. Negroes there own and control millions of dollars worth of business. All of the Negro business in New Jersey will not amount to as much as our race has in one city in Georgia. This is also true in South Carolina and Virginia.

"New Jersey today boasts of more civil rights legislation than any other State in the Union, and State government itself practices more discrimination than Virginia, South Carolina, or Georgia. New Jersey employs one Negro in the motor vehicle department. All of the States above mentioned employ plenty.

"No matter what a Negro wants to do, he can do it in the South. In Spartanburg, S. C., Ernest Collins, a young Negro, operates a large funeral home, a taxicab business, a filling station, grocery store, has several houses, runs a large farm and a nightclub.

"Young Collins couldn't do all that in New Jersey or New York. The only bus lines operated by Negroes are in the South. The Safe Bus Co. in Winston-Salem, N. C., owns and operates over a hundred. If a Negro in New Jersey or New York had the money and attempted to obtain a franchise to operate a line he would not only be turned down, but he would be lucky if he didn't get a bullet in the back.

"The attitude of the southerners toward our race is a natural psychological reaction and aftermath of the Civil War. Negroes were the properties of these people.

"Certainly you couldn't expect the South to forget this in 75 or even 150 years. That feeling has passed from one generation to another, but it is not one of hatred for the Negro. The South just doesn't believe that the Negro has grown up. No section of the country has made more progress in finding a working solution to the Negro problem than the South. Naturally southerners are resentful when the North attempts to ram a civil-rights program down their throats.

"The entire race program in America is wrong. Our approach is wrong. We expend all our energies and spend millions of dollars trying to convince white people that we are as good as they are, that we are an equal. Joe Louis is not looked upon as a Negro but the greatest fighter of all time, loved and admired by whites in South Carolina as much as by those in Michigan. He convinced the world, not by propaganda and agitation, but by demonstration.

"Our fight for recognition, justice, civil rights, and equality should be carried on within the race. Let us demonstrate to the world by our living standards, our conduct, our ability and intelligence that we are the equal of any man, and when we shall have done this the entire world, including the South, will accept us on our terms. Our present program of threats and agitation makes enemies out of our friends."

The findings of Publisher Lee are just what any well-informed southerner, white or colored, has known all along. The only difference is that Publisher Lee has chosen to state plainly facts which agitation distorts, and which any Negro leader of lesser standing could not declare without subjecting himself to vituperation and charges of being "a white man's Negro."

Both white and colored people of the Nation must come to understand, and quickly, that much of the agitation attempting to break up their friendship and cordial relations is inspired by persons at home and abroad who have no interest whatever in seeing southern whites and Negroes march toward a firmer economic base and to higher standards of living for both races.

[From the Washington Sunday Star of February 29, 1948]

DANGEROUS LEGISLATION

Favorable committee action in the Senate on a bill to outlaw the poll tax and in the House on an antilynching bill marks the first step in the process of enacting the substance of the civil-rights program advocated by President Truman. It is a dangerous step and, if it should be followed up by final enactment of the program, the stage will be set for developments that can be extremely serious.

There is no valid excuse for the passage of these bills, and if they become law there will be ample justification for the inference that the motivation behind enactment was on a low political level.

The poll tax is on its way out in the South. It is effective today only in seven States—Virginia, South Carolina, Alabama, Tennessee, Arkansas, Mississippi, and Texas. Initial steps have been taken to give the people of Virginia opportunity to vote on repeal of the poll tax, and there is strong sentiment against it in Tennessee.

Much the same thing is true of lynching. There were 231 lynchings in 1892. But the total has been going down steadily, with the result that there was one lynching in 1945, six (including the mass murder of four Negroes in Georgia) in 1946, and again only one in 1947. Thus, while other crimes of violence, including murders not classed as lynchings, have been increasing in number, the crime of lynching is approaching the vanishing point.

One objection to these bills is that, in certain aspects at least, they probably are unconstitutional. There are those who are indifferent to this, who think the Constitution can and should be stretched to cover almost any situation. But even these people should hesitate a bit and reflect on the implications of the statement made by Senator MORSE in connection with his lynch bill: "I think we are entering a field of constitutional law that requires giving to the Constitution applications not previously given."

When the Constitution was adopted it was supposed that only limited powers were being conferred on the Federal Government, and that all other powers were reserved to the States. But over the years the Congress by legislation and the courts by a tortured process of interpretation have been steadily enlarging the Federal powers at the expense of the State powers. The so-called civil-rights program, if enacted and sustained, would be another big push in this direction.

Aside from the constitutional aspects, however, these bills are dangerous because they would project an unsettling Federal power into a situation which is being well handled, though not perfectly handled, by the States. Even a single lynching is one too many. There is no reason to believe, however, that enactment of a Federal lynch law would end all lynchings, while there is more than a little chance that it would aggravate rather than improve the situation. And this most certainly would be true of the Fair Employment Practice Act if that proposal should become law.

The Southern States are making real progress in the elimination of abuses of civil rights. They have a long way to go, but that does not justify Federal intervention which is of dubious constitutionality and even more dubious wisdom. It will be better if none of these measures is passed.

Mr. THYE. Mr. President, I rise to make a few comments, not only with regard to the question with which we are confronted in the Senate, but with regard to many of the problems with which we are confronted in this Nation. For that reason I want to make mention of the fact that I signed the first cloture petition for the purpose of bringing an end to the debate, in order that we might have the Chair's ruling on that very important question. The Chair ruled contrary to the ruling of the Chair in the Eightieth Congress. I listened to all the discussion and debate as to the merits of the Chair's ruling in the Eightieth Congress and as to the merits of the Chair's ruling in the Eighty-first Congress, realizing full well that I had signed the cloture petition, and realizing full well that there was before us a very important measure in the Hayden-Wherry resolution, yet my conviction was that the Presiding Officer in the Eightieth Congress had ruled correctly and that his ruling should stand, and that the ruling of the Chair in the Eighty-first Congress should not stand. Much as I desired the debate to be completed, I could not concur in the ruling of the Chair in the Eighty-first Congress, and, much as I regret that decision, I voted not to sustain the Chair. There has been a great deal of argument and a great deal of intelligent discussion on this floor in the course of the debate.

I realized full well, however, Mr. President, that a Presiding Officer in the Eightieth Congress made a ruling on a question, and that there had been no challenge other than debate as to whether it should stand or not, but it had, in a sense, been laid on the table, to lie there. It was for that reason that I wanted this question entirely cleared up for all time to come. I felt that with the recent ruling of the Chair in the Eighty-first Congress standing as the rule of the Senate, some future Presiding Officer might be confronted with the necessity to rule on a question, when this Nation might well be confronted with a very grave crisis, a very serious situation, because modern warfare is very mobile, missiles can pass through the air at a speed even far beyond the imagination of man, as planes can travel faster than sound. The mobility of the Army, tanks, and trucks, and all types of vehicles, is such that we could not afford to find ourselves engaged in a debate on the Senate floor that might involve several days. Even though men desired to bring debate to an end, in the event the Chair's ruling in the Eighty-first Congress stood and was accepted, it was contrary to the ruling of the Chair in the Eightieth Congress, and some future Presiding Officer would have a precedent to look to and to stand on when he might have to rule on another question which would be extremely grave and serious insofar as a prolonged debate was concerned. So I wanted to bring this question to an immediate discussion, and to have it clarified.

The majority leader talked about adjournment, and it was with exceedingly great regret that I saw the debate coming to an end, because I have strong convictions that we have to have a rule in the Senate which cannot be filibustered indefinitely, because the war clouds are not too far distant, and if they should spread across the United States of America we could not sit here as a body while a few men might exhaust themselves physically in order to delay action on the part of our forces to meet the enemy wherever they might be or how they might be coming toward us.

It is for these reasons that I put my signature on a cloture petition. It is not a question of doing what we like. While I was Governor of Minnesota, recognizing the differences of opinion between groups of people—the oppressed and the underprivileged people in my State—I brought some of the most able leaders into my office one day and said to them, "Ladies and gentlemen, we are at war. I do not want to see one group pitted against another group. I do not want to see ourselves in this State weakened by the fact that we might have racial problems, and for that reason I want to establish an interracial commission in the State. I want you men and women to serve, and if you find difficulties amongst groups in any of the war plants, or on any of the streets and avenues in our cities, I want you to find out what the difficulties are and correct them."

The interracial commission we set up functioned in a manner that was most commendable, and in a later legislative session they were recognized by statute. I recognize the need of civil-rights legislation, and I recognize the need of just laws to protect minorities, and to give rights and privileges to all mankind, to insure equality in every class, rank, and creed.

However, in spite of all this, I felt that I could not compromise my convictions when the Chair ruled in a manner that was contrary to the ruling of the Chair in the Eightieth Congress, which ruling had not been challenged and found to be incorrect. I, therefore, signed my name to an amendment yesterday to bring this question forward, and, as I have stated, it is not exactly what I would have desired, but it is a step in the right direction to rule that a group of men definitely can say when debate must come to an end.

Some will say they might not be present on the floor of the Senate. Every one of us has taken an oath of office to fulfill our duties in the Senate, and if when there is such an important measure as one imposing cloture upon a question and upon debate Senators would find their way into the Senate Chamber just as fast as they possibly could, and the speed of modern transportation will bring them from almost any quarter of the earth in less than the time it will take to bring about a vote under a cloture petition.

I say, Mr. President, that there are many here who have argued the question ably. The senior Senator from Georgia [Mr. GEORGE] delivered an address which I wish all men and women in the United States would read. The able senior Senator from Michigan [Mr. VANDENBERG] made an address which I ask every man, woman, and child in the United States to read in order that they may fully appreciate the great problem and responsibility of the Members of the Senate in making a decision of such great importance.

I do not want to see debate continue indefinitely in the Senate, and it was for that reason that I affixed my signature to the amendment. As Senators so well know, there are important legislative measures pending in committee and on our calendar. The junior Senator from Iowa [Mr. GILLETTE], now presiding in the Senate, serves on a committee of which I am a member, and we have before us, awaiting our final action, the question of storage of farmers' commodities. The months are passing speedily by. The harvest will soon be on in the Southwest, the crops will be piled on the streets and in the fields unless the Senator and I, as members of the Committee on Agriculture, are able to act soon. There are many other aspects of the agricultural legislation which need to be examined in view of the way commodity prices, farm prices, and livestock prices have fallen in the last few months. We should not be tied up indefinitely by filibuster tactics, neglecting such important legislation as that with which we are confronted on our calendar today, regarding rent control, continued appropriations for European recovery, and other matters I could name which are indeed important.

I was a Member of the Senate in the Eightieth Congress, and I know how we did try to reach a solution regarding legislation pertaining to civil rights; we were not able to find one. But, above all, we must not take short cuts in Senate rules. We must act in accordance with rules and regulations and laws, or future generations may not know the privileges which we have enjoyed in this great United States of America.

Our forefathers exhibited much wisdom in their preparation for the building of a great Nation. Our forefathers argued and debated, but they came to a final decision. During most of the last 18 long years this body has been under the control of the Democratic Party; yet these rules have not been changed. We endeavored to change the rules in the Eightieth Congress. We are now endeavoring to change them in the Eighty-first Congress.

Mr. PEPPER. Mr. President, at various times in history, we learn, great inventions have been almost simultaneously conceived in great minds. The fact that they were simultaneous may have been due to some strange sort of mental telepathy between men in different areas, or, indeed, in different parts of the world. Sometimes things happen that way. But sometimes when we find things happening in different places and the occurrences have a similar character there is usually some connection between them.

Some things have happened in the Senate and in the House of Representatives in the last few hours, and in the past 2 or 3 days, which may or may not have any relationship one with the other.

In the Washington Post of yesterday, March 16, the headline is:

GOP-Dixie coalition takes over control of Senate in 16-day rules filibuster.

In the first column of the same newspaper the headline is:

House passes local option rent-control bill 261 to 153.

The sub-headline is:

Southerners join GOP to turn over reins to States, counties, or cities.

Many individuals construe that action in our sister body as meaning for all practical purposes the death-knell of rent control.

Farther down in the article about action taken in the House concerning rent control appears the following paragraph:

Representative CHARLES E. HALLECK, Republican, Indiana—

Senators will recognize Representative HALLECK as the former Republican leader in the House of Representatives in the Eightieth Congress—

said, "This sets the pattern for what is going to happen from now on out. The administration will find its plans for minimum wage, Taft-Hartley-law revision, and similar measures will be greatly changed when they reach the floor of this House."

Mr. President, whether there is any connection between the group that found itself working together in the House of Representatives and the groups which have established a liaison in the Senate I do not know and I do not say. But the inference is possible that, as Representative HALLECK said, as quoted from yesterday's newspaper, coming events sometimes cast their shadows before them.

Mr. President, in three prominent newspapers of today we find reference to what has happened in the Senate.

Mr. NEELY. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. NEELY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator cannot yield for that purpose without yielding the floor.

Mr. NEELY. Very well, I withdraw my suggestion.

Mr. PEPPER. Mr. President, I thank the Senator from West Virginia.

In the Times-Herald of this day the headline is:

Coalition to kill off civil rights today.

I repeat that headline:

Coalition to kill off civil rights today.

I did not write the headline, Mr. President. I merely read it for the information of the Senate. The sub-headline is:

Truman may stump country to combat GOP-Southern bloc.

A further sub-headline is:

President to insist on filled pledges.

Mr. BREWSTER. Mr. President, will the Senator yield for a question?

Mr. PEPPER. I yield for a question.

Mr. BREWSTER. Is the Senator from Florida prepared to accept at face value everything the Times-Herald publishes?

Mr. PEPPER. No, I do not; and it would be a very dangerous admission for me to make if I were to say yes, but sometimes even the Times-Herald is right. I suspect that this is one of the instances that will help build up the record of the Times-Herald for accuracy.

Mr. BREWSTER. Mr. President, is it the case that when the Times-Herald agrees with the Senator from Florida those are the occasions when the Times-Herald is right?

Mr. PEPPER. I am always with the Times-Herald when it is right, and against it when it is wrong.

Mr. President, the Washington Post of this day has as its first headline:

LUCAS—

Of course, referring to our distinguished majority leader—

LUCAS gives up hope on civil rights.

The next headline in the last column on the right hand side of the page is:

Senate move on filibuster kills plan, leader says.

And the sub-headline is:

Coalition holds whip hand in day of angry debate over compromise.

It looks, therefore, Mr. President, as if the Washington Post also thought there was a coalition, and it seems to give recognition to the statement of the leader of the majority of this body that the effect of that coalition would be just what the Times-Herald headline says, namely, to kill civil rights today.

The New York Times of this day, in the last column on the right of the front page is:

Rights—

Referring of course to civil rights—

Rights bill's doom conceded by LUCAS in cloture debate.

He says he will try to bring them up at session but with virtually no hope.

Mr. President, it is indicated, therefore, first, that in our sister body—although I have no right to make other than observations about that body, which we all esteem and honor—there was a coalition which will have killed rent control, if their action should become the law of the land. Congress abdicates the power to protect the tenants of this country, surrenders it, as Pilate tried to wash his hands of guilt, into the hands of State or local authorities. And the appearance of the thing is, Mr. President, that a coalition in the Senate not dissimilar to what which cohered in the House, in the opinion of many, including the leader of the majority in this body, has sounded the death knell of even the right to vote upon the civil-rights program.

Mr. BREWSTER. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Maine for a question?

Mr. PEPPER. I yield for a question.

Mr. BREWSTER. Which would the Senator feel was more informed regarding the rent problem, regarding conditions in Jacksonville, Fla., the Congress of the United States or the City Council of Jacksonville, Fla.

Mr. PEPPER. Mr. President, I know of no constitutional way that the Congress of the United States can abdicate its duty. We have assumed jurisdiction over this subject. Let us either discharge our responsibility or abandon it entirely and say we will have nothing further to do with it, because there is no further need for the exercise of the Federal power. Then leave it up to the States and the municipalities to pass such regulations as they in their own good judgment may propose. But, Mr. President, we do not have to give authority to the States and the local communities of government to impose rent control so long as we retain jurisdiction over the subject matter, and no court can retain jurisdiction over a subject, a case, and then impose upon some other judge the authority to rule, to make the effective decision in the case.

Mr. BREWSTER. Mr. President, will the Senator yield?

Mr. PEPPER. I yield for a question.

Mr. BREWSTER. Am I to understand that the Senator is challenging the constitutional propriety of this action, or its expediency?

Mr. PEPPER. I think, as a practical matter, there should be serious question as to whether Congress can designate the State of Florida or any political subdivision thereof as its agent to legislate when the Constitution of the United States imposes that duty, once assumed by the Congress, upon the Congress until it has withdrawn from that field. But whether my impression as to constitutionality is correct or not, certainly from the standpoint of what we ought to do, it is an impropriety and a gross evasion of our duty to say that we will not be courageous enough to act, but will delegate to branches of the local government the authority and duty and opportunity to act.

Mr. BREWSTER. Mr. President, will the Senator yield for a further question?

Mr. PEPPER. I yield for a question.

Mr. BREWSTER. Did not the Senator from Florida support the rent control hitherto existing, which was determined to a material extent by the local advisory boards, as to whether it should be effective or not?

Mr. PEPPER. I reluctantly supported the best bill I could get on rent control, after endeavoring to vote for something stronger. But the Senator from Maine will recall that the boards of local character had only an advisory function to discharge, whereas the final administrative authority reposed in agents of the Federal Government, subject to final action by an emergency Federal court of appeals.

Mr. BREWSTER. Would the Senator contend that it would not be equally proper to determine our action by the action of the local municipal body rather than by the action of the advisory council which we set up?

Mr. PEPPER. If the local authorities merely make advisory recommendations to the Federal administration, well and good; but if we abdicate to them the authority to act, the final authority to remove controls, that is an abdication of the duty of the Congress to act through Federal instrumentalities.

Mr. President, I wish to get on to what is really involved in this question. We are discussing whether or not the so-called coalition rule change, signed by 30 Democrats and 22 Republicans, shall be adopted by the Senate. What we are

to determine, as the Senator from Illinois [Mr. DOUGLAS] has so well stated, is whether or not the Senate is agreeable to have shackles forged around its hands and weights fastened to its feet in the making of its own rules in the years ahead, and whether the Senate is willing to make even more severe the requirement for closing debate on a pending measure than the requirement which has prevailed in the past.

It is well known by Senators that this coalition proposal is a recommendation that there be cloture upon any pending matter, question, or motion, but only if 64 Senators shall be present and vote for the imposition of such cloture—a rule heretofore unknown to the Senate and to the Constitution of the United States, and, of course, to our sister body, the House of Representatives. This proposal would also remove from the Senate the power even to bring up for consideration a future rule change with respect to closing debate, or filibustering, unless it should so happen that no Member of the Senate had the effective power to filibuster upon such a proposed consideration of a possible rule change.

Briefly, to advert to what has been the history of the filibuster, let me read a few lines from page 208 of volume 1, 1947, of Editorial Research Reports. I read from an article entitled "Majority Cloture for the Senate," written by L. B. Wheildon, of the staff of Editorial Research Reports:

During the first 15 years of the present century, virtually every session of Congress ended with a filibuster in the Senate and a large number of the filibusters accomplished their purpose. During 1914 alone there were six major filibusters, and the Senate was kept in almost continuous session to overcome them and transact its business. Although many of them were directed against important and controversial measures, at least three of the successful filibusters were frankly aimed at forcing the Senate to approve additional appropriations personally desired by the obstructionists.

The talking to death of the administration's armed neutrality bill by a 12-man bloc in the closing days of the Sixty-fourth Congress in 1917 led President Wilson to issue his famous pronouncement that "a little group of willful men * * * have rendered the great Government of the United States helpless and contemptible." This demonstration of power to defeat the will of the majority by a group which numbered only one-eighth of the Senate resulted in adoption of the present cloture rule.

The Versailles Treaty was brought to a vote under the cloture rule in 1919, but only after long delays, engineered by enemies of the treaty, had permitted the mustering of enough votes to defeat ratification. President Harding's ship-subsidy bill was filibustered to death in the closing days of the Sixty-seventh Congress in 1923.

We are told in the same bulletin, on page 206, how in 1863 a different type of dilatory tactic was resorted to in an effort to break a filibuster. Senator Trumbull, then a Member of the Senate, said:

Motion after motion was made here last night to lay on the table, to postpone indefinitely, to adjourn, to adjourn, to adjourn, and to adjourn again, and the yeas and nays called on each occasion.

Similar tactics were employed by Senator Sumner in 1865 to postpone the readmission of Louisiana. He felt so strongly on the issue that he declared himself "justified in employing all the instruments that I find in the arsenal of parliamentary warfare."

One other case was the famous filibuster of 1881. I am now reading from page 207 of the pamphlet referred to:

The famous filibuster of 1881, whereby the Democratic minority prevented the Republicans from organizing the Senate until the resignations of two Senators—Conkling and Platt of New York—gave the Democrats numerical control, can hardly be said to have saved the country from peril, but it did prevent the upper Chamber from taking action on any legislation from March 24 to May 16 of that year. Nine years later a successful Senate filibuster against the Blair education bill consumed 26 legislative days.

It has been said, "Hold their feet to the fire; keep the Senate in session around the clock." That was what was done in 1891. I read from page 207 of the pamphlet mentioned, in respect to a filibuster on the so-called force bill:

After 7 weeks of debate, an attempt was made to put through a rule for majority cloture. When this failed, the Senate was held in continuous session for 4 days and nights in an effort to exhaust the filibusterers. Eventually the bill was dropped to permit enactment of necessary appropriation bills before the Fifty-first Congress expired on March 3, 1891.

Senators will recall that in my remarks the other day I mentioned the subject of filibusters in the past. Briefly to repeat the subjects upon which there evidently was such prolonged debate that it was felt that an effort should be made to obtain cloture, they were:

The Treaty of Versailles, in 1919; the emergency tariff, in 1921; the Fordney-McCumber tariff, in 1922; the World Court, in 1926; migratory bird refuges, in 1926; branch banking legislation, in 1927; retirement of disabled emergency officers of the World War, in 1927; Colorado River development, in 1927; public buildings in the District of Columbia, in 1927; creation of the Bureau of Customs and the Bureau of Prohibition, in 1927; the Banking Act of 1933; antilynching, in 1938, twice; antipoll tax, in 1942, and again in the same year; antipoll tax in 1944, and again in the same year; FEPC, in 1946; the British loan, in 1946; labor disputes, in 1946; antipoll tax, in 1946; and antipoll tax again in 1948. This information is taken from the bulletin Limitation of Debate in the United States Senate, issued in 1948 by the Legislative Reference Service of the Library of Congress. The information which I read appears on page 22 of that bulletin.

Mr. BREWSTER. Mr. President, will the Senator yield at this point?

Mr. PEPPER. I yield.

Mr. BREWSTER. I noted that the item which has appeared most frequently in the past few years in the list the Senator from Florida has been reading, is the anti-poll-tax item. Is such a measure now pending?

Mr. PEPPER. Such a measure is now pending in the Rules Committee, and it is my bill. Whether there are other bills on the subject, I do not know. My bill is not now on the calendar, but I have no doubt it will be on the calendar, at a reasonably early date.

Mr. BREWSTER. It has been reported from the committee hitherto, in other sessions; has it not?

Mr. PEPPER. Yes; it has been reported in other sessions.

Mr. BREWSTER. If we may assume that that bill will shortly be on the calendar, what is the idea of the Senator from Florida as to the number of the Members of the Senate on his side of the aisle who would be prepared to sign a petition for cloture, to terminate discussion on that measure at an appropriate time?

Mr. PEPPER. I am confident that a substantial majority of the membership of the Senate on this side of the aisle will support this effort to abolish the poll tax; and if a majority of the Members on the other side of the aisle will vote with us, instead of voting against us, as they did on the Barkley ruling, no doubt at this session of Congress we may be able to pass a bill outlawing the requirement of the payment of a poll tax as a condition precedent to voting in Federal elections.

Mr. BREWSTER. Mr. President, I do not think the Senator from Florida quite means to say that, because assuming that this rule is adopted, a mere majority in favor of the imposition of cloture would not be adequate. It would be necessary to have somewhat more than that, and I speak as one who has contributed what I could to that end.

Mr. PEPPER. I feel that if the Republicans will support this measure this time, as they have told the country they favor and believe in it, with their help, together with the support which we shall give them from the Democratic side, we shall be able to pass the bill, provided the Senate does not raise the requirement for cloture so high that it will be impossible to achieve cloture—which is what this coalition resolution attempts to do. It makes it even more difficult to secure cloture on a pending measure than the present rule.

Mr. BREWSTER. Mr. President, I was asking the rather specific question as to how many Members of the Senate on the side of the aisle on which the Senator from Florida has his seat, he expects would be prepared to sponsor cloture at a proper time on proposed anti-poll-tax legislation.

Mr. PEPPER. I can only say that it was a Republican President pro tempore, the senior Senator from Michigan [Mr. VANDENBERG], who ruled that the poll-tax bill could not be brought up for consideration in the Eightieth Congress, under rule XXII. It was the Republican policy committee chairman, the Senator from Ohio [Mr. TAFT], who in the Eightieth Congress, took the appeal—but never prosecuted it—from the ruling of the Chair. It was a majority of the Republican Members of the Senate who recently voted against the ruling of the Chair which would have given us the power to bring up any measure by a two-thirds vote of Senators present and voting, for 16 Republican Members of the Senate voted to support the ruling made by Vice President BARKLEY, and 23

Republican Senators voted to overturn that ruling, while 23 Democratic Members of the Senate voted against sustaining the Vice President's ruling and 25 Democratic Members of the Senate voted to sustain his ruling.

Mr. BREWSTER. Mr. President, as one of the Republican Senators who voted with the Senator from Florida——

Mr. PEPPER. Yes; and I commend the Senator from Maine. I wish his party had followed him.

Mr. BREWSTER. As one of the Republican Senators who voted with the Senator from Florida, I feel that there does not need to be too much heat, so far as he and I are concerned, in connection with my seeking very earnestly to get the Senator's estimate of the numbers of Members on his side of the aisle who would support an attempt to invoke cloture on the consideration of an anti-poll-tax measure. I have asked the question three times.

Mr. PEPPER. I will say to the Senator that, if more of them should not live up to my expectations in respect to that matter than Republican Senators who had previously signed petitions for cloture and voted in accordance with those cloture petitions on the Barkley ruling, we would not get very many.

Mr. BREWSTER. Mr. President, I evidently seek in vain for an answer.

Does the Senator from Florida have any doubt that many more Republican Senators than Democratic Senators will support a cloture petition at that point?

Mr. PEPPER. I do not know. It depends, of course——

Mr. BREWSTER. It would be very easy to find out.

Mr. PEPPER. Of course, it depends on how effective the coalition is—the new party that has been formed in the Senate by some—not all—of the rather conservative Members on this side of the aisle who are joining hands with Senators on the other side of the aisle and are saying that, for all practical purposes, they will determine what the Senate does, because if every time one of these controversial measures comes along, the same group which took the leadership on this matter out of the hands of the majority leader and the majority party, get together and form a 52-bloc vote in the Senate, of course, practically they will have the power to do whatever they please to do. I cannot speak for what they might accomplish.

Mr. BREWSTER. I am sure the Senator from Florida does not mean to challenge the proposition of majority rule, to which he has long been devoted.

Mr. PEPPER. It is not the Senator from Florida who has been challenging the principle of majority rule here for over 2 weeks; it is most of the Senators who have joined in the coalition movement, and who have taken over the leadership of the Senate, who have been challenging the question of majority rule—but not the Senator from Florida.

Mr. BREWSTER. If the Members of the Senate on this side of the aisle should furnish more signatures to a cloture petition for ending debate on an anti-poll-tax measure than would be furnished by Senators on the other side of the aisle, would the Senator from Florida think that would acquit us in some measure of the suggestion that there was some mysterious coalition?

Mr. PEPPER. No; I will say to my able and fine friend, the Senator from Maine, that nothing can acquit those who have proclaimed from the housetops their belief in the abolition of the poll tax, from not taking advantage of the opportunity afforded them last Friday by the Vice President of the United States to vote to adopt the only way that is now foreseeable by which they might have had an opportunity to have practiced what they have been preaching.

I say this to my able friend: Senators who have made it clear since they have been in the Senate that they are against a Federal law to abolish the poll tax, certainly will not have to explain their vote, because everyone expected that kind of a vote from them. They knew that if they voted to sustain the Vice President's ruling, it would be possible for the majority leader, the Senator from Illinois [Mr. LUCAS], later on to move to bring up the anti-poll-tax bill and to bring up the antilynching bill, and to bring up the FEPC bill and other legislation—of which the measures named are only a part—of vital interest to the country, and now ready on the calendar, or soon to be on it, for consideration by the Senate. So it was not to be expected that they would vote to sustain the ruling of the Vice President. But I can hardly bring myself to explain why it is that similar action was taken by Senators belonging to a party which unanimously in its national convention declared itself for all those things. They allowed themselves to vote as they did by virtue of a technicality for which there was only one precedent in the past, and that precedent had been overturned by a Presiding Officer no less in dignity; for although the able senior Senator from Michigan [Mr. VANDENBERG] was President pro tempore, elected by the Senate, in the Eightieth Congress, the Vice President of the United States was Vice President elected in his own right by the people of the United States. Yet, in spite of the fact that the Vice President had overturned the one precedent of the past, which was established by the President pro tempore in the Eightieth Congress, and although Senators who had professed allegiance to those principles knew that if they did not sustain the ruling of the Vice President, either we would have no way at all to bring debate to a close and to bring these matters before the Senate for consideration, or eventually we would get such a paradoxical proposal as the one we now have, nevertheless they allowed themselves to be blinded by a technicality to the substance of the issue which was involved and has been involved in this debate from its inception, and they voted against sustaining the ruling of the Vice President, and therefore they voted to make it impossible for them to keep the pledges and promises they had made.

Mr. BREWSTER. Mr. President, will the Senator yield to me once more for a question?

Mr. HUMPHREY. Mr. President, will the Senator yield to me for a question?

Mr. PEPPER. Mr. President, I yield once more to the Senator from Maine, and then I shall yield to the Senator from Minnesota.

Mr. BREWSTER. My very great respect for the intellect and the intelligence, and I might even say the legal training of the Senator from Florida——

Mr. PEPPER. I thank my able friend. I hope he is not going to condition his compliment.

Mr. BREWSTER. Those considerations make it very difficult for me to believe that the Senator from Florida would challenge—and I am asking him whether he does challenge—the sincerity of those on either side of the aisle who voted to overrule the decision of the Vice President. I speak as one who joined with the Senator in Florida in the vote. But to have the motive or the sincerity of Members of either side questioned, as would seem to be almost implicit in what the Senator from Florida is saying, seems to me to present at least a grievous challenge to the Members of this body.

Mr. PEPPER. Mr. President, I am very glad the able Senator from Maine asked that question. Of course, the Senator from Florida would not impeach or impugn the integrity or right of any Senator who voted not to sustain the Vice President. But I may say that when on one hand there is the shield of a technicality, and behind it a living, vital principle, I think there is a most persuasive argument that we should tear down the shield of the technicality and embrace the living vital form of a meaningful principle. I say that even a judge sitting on the bench who has not the courage to cut through the maze of ambiguous technicalities, to try to see to it that justice is done on his bench, in my humble opinion, fails to meet the full duty of a judge. But, Mr. President, I know it is said "hard cases make bad law." Why do hard cases make bad law, as we say? It is because when judges have sat on cases where the technical rules or even the precedents of the past, if literally observed, seemed to require them to give a decision which was wrong, or which did an injustice to people or to property, the courts have exerted themselves, they have used their ingenuity to get around such barriers, in order to dispense justice which they felt to be the supreme obligation of the bench.

Mr. HUMPHREY rose.

Mr. PEPPER. I am going to go into it just a little bit further. I should like to amplify the point if I may, but I now yield to the Senator from Minnesota.

Mr. HUMPHREY. I should like to ask the distinguished Senator from Florida whether the Wherry substitute, the resolution now before us, because of the fact that there must be 64 votes in order to apply cloture and stop debate does not automatically require 64 votes for any poll-tax measure?

Mr. PEPPER. Certainly it does. Though we have never been able in the past to get two-thirds of those voting, able advocates of the poll tax, as it were, to hear them speak, now tell us we are going to pass the anti-poll-tax bill because now it will be necessary to get only 64 votes.

Mr. HUMPHREY. Does the Senator recall anything in the Republican platform which said that in order to fulfill the campaign promises it would be necessary for them to be able to deliver in the Senate 64 votes?

Mr. PEPPER. I do not recall any 64-vote qualification in the platform of either the Republican or the Democratic Party, both of which committed themselves to the country on the issue of civil rights. I may say that the President of the United States and the Democratic leader of the Senate have faithfully tried to keep those campaign pledges.

Mr. HUMPHREY. Has the Senator ever heard of a provision in either the Republican or Democratic platform which went out to the American people in an election, which said that in order to accomplish business in the Senate 64 votes were necessary?

Mr. PEPPER. Mr. President, on the contrary, such a proposal as would require 64 Senators to vote affirmatively before debate could be closed, before filibuster could be stopped, would have been shouted down in the national conventions of both the major political parties.

Mr. HUMPHREY. I should like to ask the Senator from Florida in view of his remarks if he does not think it will now be well-nigh impossible to get civil-rights legislation out of the Eighty-first Congress?

Mr. PEPPER. It was obviously that conclusion, I may say to the able Senator from Minnesota, which led the Democratic leader to make the statement quoted in the headlines of the morning Post, "Lucas gives up hope on civil rights," and the Times-Herald to say, "Coalition to kill off civil rights today." It was the fear that it would not be possible to get 64 Senators difficult as it has been in the past to get a majority, or two-thirds of those voting, a number less than 64.

Mr. HUMPHREY. I may remind the Senator from Florida of the old saying, "By their fruits ye shall know them"—not by their words. With respect to the Wherry substitute resolution, which was spawned and created in the secret cabals or conference meetings of the coalition, does the Senator feel that it puts a death warrant upon civil-rights proposals or the possibility of considering civil-rights proposals?

Mr. PEPPER. For all practical purposes. As the majority leader indicated with the requirement that 64 affirmative votes must be obtained in order to stop a filibuster, I feel that that is true.

Mr. HUMPHREY. Would the Senator say, then, that the obligation to prove to the American people that there is no insincerity in the Wherry resolution rests squarely upon the leadership of the Republican Party and their newly found friends, if you please, on our side of the aisle?

Mr. PEPPER. I think it is unmistakably the obligation of those who have professed an advocacy of civil rights to explain to the people of the country how, when they could not get cloture by less than 64, they now can assure them that they will pass the civil-rights program by being able to get 64 votes for cloture.

Mr. HUMPHREY, Mr. BREWSTER, and Mr. JOHNSON of Colorado addressed the Chair.

The PRESIDING OFFICER (Mr. McFARLAND in the Chair). Does the Senator from Florida yield, and, if so, to whom?

Mr. PEPPER. I yield to the Senator from Minnesota again for a question, after which I shall yield to the Senator from Colorado [Mr. JOHNSON].

Mr. HUMPHREY. In view of what has been heard here about the great enthusiasm our colleagues on the other side have for civil rights—and I think no one can deny that we have equal enthusiasm—in view of the difficulty there is in respect to the Wherry resolution, if we could not get a civil-rights proposal, or a series of proposals called up in the normal routine of business in the Eighty-first Congress, in the first session, does the Senator think it would be unfair to ask those who now profess great love for civil rights to sign a petition pledging themselves to keep the Congress in session, or at least to keep the Senate in session, until civil-rights proposals can be voted upon?

Mr. PEPPER. Undoubtedly those who signed such a petition as the Senator from Minnesota has in mind, and in hand, on which I think he will find the name of the Senator from Florida——

Mr. HUMPHREY. Indeed, yes.

Mr. PEPPER. Undoubtedly those who signed such a petition would certainly be disposed in the future to dispel any query in the minds of those who favor such measures that those who were parties to the coalition had not done something the inevitable effect of which would be, as the majority leader said, to crush or to doom the civil-rights program in this session of the Congress.

Mr. BREWSTER. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Maine?

Mr. PEPPER. I promised to yield next to the Senator from Colorado.

Mr. JOHNSON of Colorado. I simply wanted to ask the Senator from Florida, in view of what the Senator from Minnesota has said, if it is not true that on Tuesday, before this wicked coalition petition or round robin appeared, it was announced over the teletype, and is it not true, that the majority leader was trying to get the floor, so that he could offer a motion to adjourn, before the round robin came before the Senate? Is that not true?

Mr. PEPPER. Yes; I think that is correct.

Mr. JOHNSON of Colorado. What about the abandonment, then? What about giving up hope at that time of getting civil-rights legislation?

Mr. LUCAS. Mr. President, will the Senator yield at that point?

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Illinois?

Mr. PEPPER. I should be very glad to attempt to answer the question, but the majority leader is on the floor, and I could not answer it nearly so well as the majority leader. So, if I may, I will yield to the Senator from Illinois to answer the question of the Senator from Colorado.

Mr. LUCAS. I shall be delighted to answer the question.

Mr. JOHNSON of Colorado. I want to say, before the Senator answers the question, that I was back of the majority leader in that proposal, because I realized, as did almost every other Senator—there were a few exceptions—that we were up against a stone wall. There was no relief in sight. We realized that the filibuster might continue for several months and destroy the whole program of legislation which the Congress had before it. So I was supporting the majority leader when he was endeavoring to adjourn the Senate, call off the filibuster, and proceed to work on the problems which are so extremely important to the Nation.

Mr. PEPPER. Mr. President, I yield to the Senator from Illinois.

Mr. LUCAS. Mr. President, I appreciate what the Senator from Colorado has said. He was associated with me in the motion which I was trying to make before the Senate, to adjourn the Senate late in the evening, although I doubted whether I had the votes necessary to bring about an adjournment, because the coalition was still working at that time, and I was practically served notice that I would not be able to have the Senate adjourn or to take a recess, if I made such a motion. But I was willing to adjourn the Senate at that time for the same purpose as that with respect to which the Senator from Colorado has been speaking. I realized that rent-control legislation would expire on March 31. To my mind, because of the date line, it is one of the most important pieces of legislation, awaiting action by Congress, but the Senate would not be prepared to legislate on it. I realized that the ECA program will expire on April 3. I think there is no more important piece of legislation, from the standpoint of the peace of America and of the world, than is the continuation of ECA. Therefore, being faced with that situation, I was willing to adjourn the Senate at that time, but I was never willing to give up the intention to fight, at a later time in the session of the Senate, for the purpose of carrying on the civil-rights program pledged by both Democratic and Republican Parties in their convention platforms.

So far as the Senator from Illinois was concerned, he would have been willing to ask the President of the United States to call a special session of Congress after we finish with the legislative program before us, which is so vital to the economy of the country and to the peace of the world, the special session to assemble after July 31, which under the Reorganization Act, is the date we must adjourn, and then fight it out all summer long and up until Christmas, and possibly beyond that time, if necessary, in order to secure the kind of civil-rights program which is necessary for the American people. But, as my able colleague said this morning in the debate, this resolution shackles and hog-ties us and prevents, in my opinion, any possibility of passing legislation along civil-rights lines.

Those who do not think civil rights are involved in this question, as the Senator from Ohio is attempting to tell the American people at the present time, simply do not know what they are talking about, because civil rights have been involved in this question from the 3d day of January, when Congress convened. The Senators on the opposite side of the aisle insisted, day after day, on the floor of the Senate and before committees, that some action be taken on a cloture resolution. Why? For the purpose of discussing civil rights, of course.

When my able friend from Ohio told the Senate that the majority leader could have gotten action on the program on January 15, I was surprised and amazed to think that the Senator from Ohio would make such a statement. He undoubtedly believes that the Senator from Illinois can dominate the committees. He undoubtedly believes that I should have gone to each and every one of the members of the committee and said, "Either do this, or else." Mr. President, coming from some Senators, I would not be amazed or shocked, but I was amazed and shocked at such a statement coming from the scholarly Senator from Ohio, who seems to think that I could dominate a committee and insist that a bill be reported within only 5 days after the committees of the Senate were organized.

Mr. President, it was the same Senator from Ohio who insisted on holding weeks and months of hearings on the Taft-Hartley law, and who, when the Democratic Senators closed him off, went to the country and said it was the most high-handed proceeding he had experienced since he had been a Member of the Senate. Yet he wants me, as the majority leader, to dictate, dominate, and insist that the committees report a proposal, or else. Oh, inconsistency, thou art a jewel.

Mr. PEPPER. Mr. President, it will also be remembered that when the majority leader made the announcement that he would seek the consent of the Senate to adjourn, we had already, at the end of the previous week, had a vote of the Senate upon the ruling of the Vice President, and the Senate, by a vote of 46 to 41, had overruled the decision of the Vice President, making it impossible for this motion ever to be brought to a vote of the Senate. So it was then a question, I can well see, for the majority leader to decide, whether he would tie the Senate into a legislative and physical knot, which would possibly jeopardize the lives of Senators on both sides of the aisle, and not only jeopardize the lives and health of Senators, but would strangle and paralyze the whole program which was awaiting consideration by the Senate, and, moreover, prevent the program from being brought out by committees, because it had already been announced that Senators would not allow, by unanimous consent, committees to meet in the mornings or at any other time, when the Senate was in session, so that the program could not even have been a-borning. Faced with those conditions, it is only reasonable to anticipate that the majority leader would have taken the action which he took. But sometimes discretion is the better part of valor. Sometimes he who temporarily disengages in the battle is better qualified to return to a victorious attack later.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. PEPPER. I yield further to the Senator from Illinois.

Mr. LUCAS. Mr. President, that is exactly the program which we had considered—withdrawing our troops for the moment, and getting along with important legislation and returning to the battle later on, and then attacking, even if it required a special session of the Congress to accomplish it. The Senator will agree with me that the majority leader did not take that responsibility alone. The majority leader called together the northern and western Democrats in a meeting, and it was unanimously agreed that I make the motion to adjourn. At least, there was only one Senator in the whole group who thought we should continue. It was understood that the resolution would be temporarily laid aside for the purpose of getting along with important legislation and returning later to fight it out.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. PEPPER. I yield to the Senator from Nebraska.

Mr. WHERRY. I want to ask the Senator if it is not a fact that not only had the majority leader indicated he had surrendered by announcing he would make a motion to adjourn, but now, for the first time, the administration conference also joins in surrender, so we not only lose a chance to perfect the rule, but we lose a chance of bringing up this important legislation. It is the responsibility of this administration, which has the control of everything in the Congress.

Mr. PEPPER. That is a strange epithet to apply to him who is defeated by an overwhelming combination of superior forces. Evidently the Senator from Nebraska uses a different dictionary from that which the Senator from Illinois uses. He will remember that when the Vice President was overruled 23 Republicans joined 23 Democrats, to make 46, against 41 supporting the Vice President, consisting of 25 Democratic Senators and only 16 Republican Senators.

What do we have? A majority by 7 of the Republican Senators joining a minority of the Democratic Senators to defeat the majority of the Democratic membership and the leadership of the Senate, to overturn the ruling of the Vice President of the United States, and to make withdrawing the motion for the time being imperative to the Democratic leader.

Mr. JOHNSON of Colorado. Mr. President, will the Senator from Florida yield?

Mr. PEPPER. I yield.

Mr. JOHNSON of Colorado. I wish to finish what I started a moment ago. I want to keep the record completely straight in this whole matter. It is perfectly all right with me for any Senator who cares to condemn or find fault with any position I have taken to do so—and the Senator from Florida has not done that.

Mr. PEPPER. I have not intended to.

Mr. JOHNSON of Colorado. I appreciate that. It does not make a particle of difference to me whether any other Senator likes what I have done or not; I have to live with myself, and have to do the best I can.

There were several questions we had to meet in this whole controversy. We had the vote of last Friday which the Senator has mentioned, of 46 to 41. That is when the defeat came, and that was a defeat for those who wanted to bring up the civil-rights program. Very well. Then, as has been said, the Senator from Illinois was willing to surrender—no, not surrender——

Mr. PEPPER. Withdraw.

Mr. JOHNSON of Colorado. Let us call it what it was; he was willing to adjourn and give up the filibuster, and go on to other pressing legislation, on last Tuesday. That was blocked. We were blocked on Friday, we were blocked, on the other hand, on Tuesday, and if we were going to get any kind of legislation, if the Senate was going to function, we had to find some way out. So I joined in the round robin which came along, and I joined for the practical purpose of proceeding with legislation.

Fault was found with that, and if the Senators who are opposing that sort of thing want to do so, they can continue to filibuster from now on, if they do not like that action. That is their privilege. That is their right under the Senate rules, and they can continue it. If they do, I do not know what will happen to us; I do not know how we will get out of it. The Senator from Colorado desired only to do his best in the situation which confronted the Senate. I think I was entirely justified, and so long as I think that way, that should be satisfactory to others.

Mr. PEPPER. No one respects the integrity and the conscientiously high purpose of the Senator from Colorado more than does the Senator from Florida. It has been a subject of great pleasure to me that we have been associated together so long.

Mr. President, I am not condemning anyone. I think it is only fair to know who signed the coalition agreement—of course, that is a matter of public information—and I think the Senator from Colorado might also have included a statement of who prevented the adjournment which the Senator from Illinois proposed to achieve. It seemed to me that it was essentially a great many, at least, if not all——

Mr. JOHNSON of Colorado. It was not the Senator from Colorado.

Mr. PEPPER. I am sure of that; but, at least, I think that the major part, the great part if not the major part, of the obstruction to the adjournment came from the other side of the aisle, from my honored friends. At least, there must have been a good many on the other side of the aisle, because when the leader on this side proposed it, with the number which ordinarily supports the

leader, certainly as to motions for recessing or adjourning, and when it became impossible to get an adjournment, the minority on this side of the aisle must have had strong support on the other to have defeated a motion to adjourn made by the majority leader of the Senate.

Mr. TAFT. Mr. President, will the Senator from Florida yield?

Mr. PEPPER. I yield to the Senator from Ohio.

Mr. TAFT. Does not the Senator realize that it was a majority on the other side of the aisle who wanted to go on and do something? Does not the Senator realize that 30 out of 54 Democrats have signed this agreement and prefer to go on and do something rather than adjourn?

Mr. PEPPER. Because it appeared to those gentlemen that with Republicans in such large numbers, as they have been, joining those who were participating in the filibuster, or sympathetic with it, there was nothing else that could be done.

Napoleon is said to have negotiated his peace treaties after his greatest victories. Why was it that Senators were not willing to adjourn? Why was it that Senators would not allow the majority leader to break off the contest which he had initiated? It was his motion, a motion made by the majority leader, instead of the Senator from Arizona, to proceed to consideration.

There was a rule adopted during the course of the debate, when suddenly one day from the other side of the aisle Senators began to demand "Roll call! Roll call, Mr. President!" which is not subject to debate. Senators on the other side thrust their hands into the air. The Vice President, looking out upon the Chamber, said "Obviously a sufficient number," and the Republicans had achieved a tactical victory. They had made it impossible for the Senator from Illinois to withdraw the motion he had made, which would have been possible had not the Senate ordered a roll call.

Why was it done on the other side of the aisle save to embarrass the Democratic leadership, save to take it out of the power of the majority leader to control the calendar of the Senate, to take it out of his power to handle this matter in the way he thought best, for all interests involved or affected?

Mr. President, why did they seize that tactical advantage? Why did they later oppose the motion of the majority leader to adjourn the Senate? I recall having seen such a thing happen but one other time in more than 12 years I have had the honor to sit in this body, and that was one afternoon, I believe, in 1938, when there was in progress an anti-lynching-bill filibuster. The Senate did refuse to the majority leader, the present Vice President, the right to adjourn the Senate. I shall never forget some of the striking ejaculations, if not words of stronger character, which were emitted in private by the then Vice President of the United States, the Honorable Jack Garner, who inquired if the time had come when the majority leader could not adjourn the Senate of the United States.

Yet, Mr. President, those who have participated in the coalition refused to the majority leader the right to adjourn the Senate. Why? They were evidently determined to press home to its finality the victory they had previously gained in overriding the Vice President's ruling. In other words, Mr. President, when the enemy is in retreat it is time to inflict the coup de grâce—thrust home—finish the struggle so it cannot be revived. I cannot escape feeling—and I say this with every intention, certainly, to refer only with the greatest respect and deference to my colleagues—that that is the behind-the-scenes strategy which was endeavored to be pursued.

Mr. President, of course, the objective sought appears to have been reached provided this coalition resolution, this unconditional surrender which has been forced upon the majority leadership, is consummated by a vote of the Senate. Fortunately for the gentlemen who are authors of the proposal they do not have to have it adopted, I believe, by 64 votes. I wonder if they would accept an amendment, a simple little amendment down at the bottom providing, "The proposed change in the rules shall take effect upon 64 Senators voting in the affirmative." I will support it then. Where would they be if we now had in effect the rule they propose?

Mr. LONG. Mr. President, will the Senator yield?

Mr. PEPPER. I yield to the able Senator from Louisiana.

Mr. LONG. Much as I wish the Senator from Florida were right, I am afraid that he is wrong about this proposition. Personally I hated to go into this compromise. I had grave doubt about it for exactly the opposite reason, fearing that it would be only too easy to acquire the 64 votes.

Let me ask the Senator from Florida this question: Is it not completely within the power of the majority to compel the attendance of Senators at the session of this body, and if such attendance were compelled would not the result under the proposed substitute be exactly the same as under the Hayden-Wherry resolution?

Mr. PEPPER. I know of no way of compelling the attendance of Senators except through the raising of the point of no quorum. The majority of the Senate has the power to adjourn the Senate, and the majority has the right to bring in Senators to constitute a quorum. But I do not know of any authority being possessed by the Senate to compel any more than a quorum of Senators to come here.

Mr. LONG. Does not the Senate have the right to compel the attendance of all Members of the Senate?

Mr. PEPPER. I do not know of any such authority. I have never heard of it. While it is customary to secure permission of the Senate for a Senator to absent himself, it is not obligatory. In 12 years I have never heard of anything being done about that. If a Senator wants to go away, that is his responsibility. He is not answerable to us at all, not answerable to his colleagues, except when they require a quorum to transact business. Then they adopt a motion directing the Sergeant at Arms to try to round up enough Senators to make a quorum. When a quorum is present, Senators are not concerned about the absence of other Senators.

If my able friend from Louisiana is frightened, if he has any fears about any of the things he dislikes being adopted, if this coalition rule goes into effect, he is timid to the extent that he would quake before the waving of a sparrow's feather in the mild agitation of a summer's day. I know the Senator from Louisiana is not built of that sort of stuff. I can assure the Senator that the cooing of a dove is more dangerous, is more to be feared by him, than the power of a majority of the Senate, if this coalition revolution—perhaps I should have said resolution—if this coalition revolutionary rule should be adopted by the Senate of the United States. The Senator can say requiescat in pace insofar as those measures are concerned, because there is no danger that they will ever be passed so long as this rule is in effect.

The Senator from Louisiana is candid about the matter. He does not want these measures passed. But the inconsistencies are pointed upon the part of our brethren on the other side of the aisle who unanimously came out for civil rights, who shout so loudly that they want civil-rights measures passed. I do not think anybody would say the Democratic Party unanimously came out for civil rights. I believe there was what might be called a difference of opinion on the Democratic side on that subject, which has been manifest here. I have never heard of any Senator who got up on the other side of the aisle and denounced civil rights. Senators on the other side are always for them until they get an opportunity to cast an effective vote for them, and then a great many of them are conscientiously and sincerely deterred from following that course, and somehow never get around to it at the right time. I am afraid that is just one of those universal coalitions that seem to go off centrifugally in a 360-degree circle.

Mr. MAGNUSON. Mr. President, will the Senator yield for a question?

Mr. PEPPER. I yield for a question.

Mr. MAGNUSON. Of course I do not think the Senator from Florida was very much surprised—I was not—at the action of Republican Senators, after serving with them for the 2 years through the Eightieth Congress when they were in control, and when nothing was done about civil rights. Yet 3 weeks after they left this body they went to Philadelphia, after having been in control of the Eightieth Congress, during which time they could have acted on this program, and in their platform said to the people of the country, "We are for civil rights." I think such tactics, together with similar tactics respecting other matters, is the reason why the Democrats now have a majority in the Congress.

Mr. PEPPER. I am afraid I must agree with my able friend in his conclusion.

Mr. President, I read an article in a Sunday newspaper the last week end about the abused ostrich. The ostrich, as Senators know, has the reputation of sticking his head in the sand when danger approaches and trying to hide his

eyes so he cannot see the danger, and therefore feel that he is safe. The article said the ostrich is a very unhappily and unfairly treated bird. The article says that as a matter of fact, he is a shrewd bird, and possesses a lot of tricks. When he hears danger he will stretch and spread his feathers and, apparently put his head under the sand, but he will always leave the eyes up enough so he can see, while he has so arranged his distorted feathers as to make his body take on the appearance of a bush or some foliage the nature of which the enemy will not be able to understand.

Now I was thinking of the ostrich a little bit more in the way that is generally thought of this unhappy bird. I was going to say that I am afraid that our friends on the other side of the aisle are behaving a little like the ostrich is supposed to act. They are going to say, "Why we felt Senator VANDENBERG was right when he ruled on that matter about a motion not being a measure."

I can just see a man out on the stump speaking to a large crowd on a fine day, just when the crowd is waiting to have a fish fry or barbecue. I can hear him say, "Now my friends and fellow citizens, I want to speak to you about a world-shaking subject. I want to tell you about a matter that is going to excite and thrill you. I am going to draw the distinction between a motion and a measure to this great audience of my fellow citizens." I can just imagine how the farmers who are there, how the good housewives, the returned veterans, the merchants, practically everybody but the lawyers sitting out there will say, "Is that all he came down here to talk about?" In a little while you would see a sort of spitting and moving away. [Laughter.] We know how a crowd will move off and scatter. Here will be a mother picking up her little baby and carrying it off. Another will be moving off leading a child. The first thing you know the speaker will have just a handful of people listening to him. Perhaps the other speakers will remain to hear the speaker discuss the question of motion and measure. If there was anyone in the crowd interested in civil rights he might remain and wait for the speaker to explain why, if he got a chance to vote on that subject, he did not take advantage of it. If the speaker thinks he is going to convince those folks that his conscience would not permit him to vote for the program under those circumstances, even though he were devoutly in favor of it, I am afraid he is more sanguine about his power of persuasiveness than I am.

I am merely making an idle reference to people listening to some good Republican explain why he did not vote to sustain the Vice President. Let me read from today's New York Times. Here is an editor who knows the difference between a motion and a measure. He could no doubt discuss the question learnedly. This is what the New York Times of today has to say, in an editorial entitled "The Filibuster:"

> No mistakes of judgment or attitude on the President's part, however, justify in our opinion the part played in this affair by a majority of the Republican Senators. At Philadelphia last June the Republican Party, in a bid for votes, pledged itself to abolish the poll tax, adopt an antilynching law and guarantee equal opportunity to employment, regardless of race. The men who gave these pledges were grown men. They knew that it would be utterly impossible to enact a Federal program of this kind without calling a halt to an inevitable southern filibuster. Yet when an opportunity to do precisely this presented itself on the occasion of Vice President BARKLEY'S ruling—a wholly reasonable and strongly persuasive ruling which did not even involve the necessity of overturning a prior decision on the part of Senator VANDENBERG, since the circumstances of the two parliamentary situations differed—the Senate Republicans backed away from this opportunity and voted, 23 to 16, to let the filibuster carry on. They will have a hard time squaring this action with the brave promises made last year at Philadelphia.

Mr. KNOWLAND. Mr. President, will the Senator yield for a question at that point?

Mr. PEPPER. I shall be glad to yield in a moment. I am reading what the New York Times editorial of this day says, not about southern filibusters. Everyone knew their position. The New York Times editorial is discussing Senators who professed to believe in civil rights, and who would not support the Vice President of the United States when he gave them an opportunity to vote for civil rights, and when as against the Vice President's ruling, there was in the language of the former President pro tempore himself, only one precedent in the past.

Mr. KNOWLAND. Mr. President, will the Senator yield for a question?

Mr. PEPPER. I yield for a question.

Mr. KNOWLAND. I should like to ask the distinguished Senator from Florida, one of the 16 Senators who signed the cloture petition, and who also voted to uphold the Vice President's ruling, since he has read a part of the New York Times editorial, whether he would mind reading to the Senate the last paragraph of the New York Times editorial at this point, because I have a question which I would like to address to him.

Mr. PEPPER. The last paragraph reads as follows:

> It is not difficult to imagine an even more critical situation arising. Especially in times like these it is hazardous for a democratic parliament to tie its own hands with such stubborn knots.

Mr. KNOWLAND. I should like to ask the able Senator from Florida, since he has quoted the New York Times as expert testimony on this question, the New York Times being one of the great newspapers of the world, if the point raised by the New York Times in the last paragraph of the editorial is not amply covered by the substitute resolution offered on behalf of 52 Senators.

Mr. PEPPER. I will answer "No" to the question of the able Senator. I recognize the brilliant fight which he individually has made in this matter, and I wish to come directly to the reasons why I answer "No."

As I stated a moment ago, of course I do not question the sincerity or integrity of any Senator who is a Member of this coalition. I think it is a mistake. Let me tell the Senate why I respectfully submit that it is a mistake to adopt this coalition resolution.

First, there are only five instances wherein the Constitution of the United States requires more than a majority vote.

First, when a proposed constitutional amendment is to be voted upon, two-thirds approval in the Senate and the House is required, although the House uniformly has majority rule for the passage of legislation and for closing debate.

Second, to expel a Member requires two-thirds.

Third, to override a Presidential veto requires two-thirds.

Fourth, to convict an impeached officer requires two-thirds.

Fifth, to ratify a treaty requires two-thirds.

But, Mr. President, two-thirds of what? of the whole Senate? Does it require 64 votes? No; two-thirds of those voting, a quorum being present. Yet we are about to adopt a two-thirds rule for the passage of bitterly controversial legislation, legislation upon which there would be a filibuster unless two-thirds of all sitting Senators should vote to close debate. That does not mean two-thirds of those voting, but two-thirds of all qualified Senators. Ordinarily that means 64 Senators, unless some Senator's credentials happen not to have been approved. The substitute resolution says two-thirds of all qualified Senators. The Constitution of the United States, in respect to the important matter of a constitutional amendment, expelling a Senator elected by the people, overriding a veto of the President of the United States elected by the people, convicting an impeached officer, disgracing him as well as taking away his perquisites, or the ratification of a treaty, which may for all practical purposes, commit us to war, requires a vote of two-thirds of those voting. When the constitutional fathers framed a two-thirds rule, they made it two-thirds of those voting, not two-thirds of the total membership of the Senate.

Mr. JENNER. Mr. President, will the Senator yield?

Mr. PEPPER. I shall be glad to yield in a moment.

Yet in providing for a rule to close debate, it is proposed to require 64 votes, when no such requirement is made in the case of any of the five supreme prerogatives which the Senate possesses.

I now yield to the Senator from Indiana.

Mr. JENNER. I have heard the Senator chide the Republicans for their position. I have also heard from that side of the aisle a great deal of kidding about the last election. I know that a platform is supposed to be a sacred thing; but the people of this Nation turned down my party in the last election, and, therefore, they more or less repudiated the platform. They did not want our platform. They did not want the Republicans in.

At the same time, I wonder what the people were thinking about when they were voting for President Truman, knowing what his attitude on civil rights was, when they knew that the platform upon which Harry Truman stood could not possibly give them civil

rights, because Harry Truman could not lead his own party on that single issue.

Mr. PEPPER. The Senator is overlooking the fact that he led a majority of it to support the Vice President of the United States; and the Democratic leader led a majority of it——

Mr. JENNER. I am not overlooking that point; but I am saying that the President knew, when he stood on that platform, that he could not deliver civil rights to the people. Now suddenly the Republican platform seems paramount to many Senators on the other side of the aisle. Earlier in the day the junior Senator from Illinois [Mr. DOUGLAS] went to great lengths in speaking about the Republican platform. Let me refresh the memory of the Senator from Florida with regard to platforms.

We had a man who was the beginning of what we now call the New Deal, which has developed into the Fair Deal. Personally, I am a little tired of having the cards shuffled around; but that man was named Franklin Delano Roosevelt. He had a platform. O Mr. President, it was a sacred platform; it was a beautiful platform. But after he became President of the United States he categorically repudiated every pledge of the platform on which he was elected. I am sick and tired of this talk about platforms.

I think a lot of politics is being played with the colored people of the Nation. So long as they want to support Harry Truman, knowing that he cannot lead his party to give them civil rights, we might as well let the matter stand right where it belongs.

Mr. PEPPER. Mr. President, I think the Senator from Indiana would have considerable difficulty in convincing the people of the United States who voted four times to elect Franklin D. Roosevelt their President, over bitter and sometimes acrimonious Republican opposition, that he violated every plank in the platform obligations he assumed.

Mr. JENNER. Mr. President, will the Senator yield?

Mr. PEPPER. Will the Senator permit me to finish my reply, before I yield?

Mr. JENNER. I shall be glad to do so.

Mr. PEPPER. The Senator might, however, ascribe to President Truman at least the hope that if he came out manfully for this program and if a majority of his party supported him in that policy, the Republicans who had professed to believe in the same thing would not line up with the minority of the Democratic Party and defeat it. I think perhaps the President would have been justified in assuming that if he could get the majority of his party to go with him the Republican Party would not line up with the Democratic minority, to whom, upon this matter at least, they have professed themselves to be so bitterly opposed, and thus defeat the policy of the President and of the majority party. But that is exactly what happened. We needed only three more votes. We had 41, and if we had obtained 3 more, we could have gotten sufficient votes to sustain the ruling of the Vice President, last Friday evening, and that would have made it possible to bring up in the Senate, through cloture, any measure that could command the support of a majority of the Senate.

Mr. JENNER. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. JENNER. My charge that a lot of politics is being played in this matter is further fortified by the fact that President Roosevelt had an overwhelming majority for 16 years—and what the Senator from Florida wants is majority rule—in both Houses of the Congress, and the same civil rights, about which the Senator from Florida yells so loudly today, were being denied the same 16,000,000 people during those same 16 years, but nothing was done about it.

Furthermore, the present President of the United States was a Member of this august body; and he is a late convert to civil rights, because I can find no determined effort that he made for 10 years as a Senator from Missouri to lead the fight for civil rights.

After all, the Senator from Florida is speaking about the appeal from the decision of the Chair. But that had nothing to do with civil rights, and any honest man knows it.

I do not care what is published in the New York Times. The last paragraph of the editorial in today's New York Times is utterly false. Furthermore, a great deal that is going out over the air waves and that is appearing in the newspaper columns is not telling the true story about this situation.

My vote and the vote of the other Senators who voted against the Barkley ruling was a vote far more basic than anything that has been talked about in this debate. It was a vote primarily, in my heart and mind, on whether we would have a government of men or a government of laws. I stand by the latter, Roosevelt and Truman to the contrary notwithstanding.

Mr. PEPPER. President Roosevelt was known to have been very much in favor of civil rights.

Mr. JENNER. Then why did he not do something about them?

Mr. PEPPER. I was going to mention that point. There were too many Republicans in the Senate.

Mr. JENNER. Mr. President, President Roosevelt had great majorities in both Houses of the Congress during all the time he was President. It is a falsehood to say that there were too many Republicans in the Senate at that time.

Mr. PEPPER. Mr. President, in 1938 President Roosevelt was President of the United States. The then Senator from West Virginia, Senator NEELY, who today is again an honored Member of this body, was the author of a motion for cloture. Thirty-seven Senators voted in favor of invoking cloture and 51 Senators voted against invoking cloture. Does not the Senator from Indiana suppose that a good many of the Senators who voted against cloture were Republicans?

Mr. JENNER. I do not know. In 1938 there were only 17 Republican Senators, out of the 96 Members of this body, so there could not have been many Republican Senators voting among that group of 51.

Mr. PEPPER. Mr. President, the Senator from Indiana is a little in error in regard to how long it has been since those unhappy days prevailed.

Mr. JENNER. Thank God they are over. [Laughter.]

Mr. PEPPER. Those days will be over, depending upon the conduct of both of the parties in the discharge of their duty to make democracy work in this country.

Mr. JENNER. Mr. President, I ask the Senator to stop playing politics.

Mr. PEPPER. Mr. President, I decline to yield until I finish presenting these figures.

The Senator from New York [Mr. WAGNER] was the author of a cloture motion, also in 1938. On the question of invoking cloture at that time, there were 42 "yeas" and 46 "nays." Is it not probable that a good many of the Senators voting "nay" were Republicans?

In 1942, the then majority leader, Senator BARKLEY, of Kentucky, made a motion to invoke cloture on the debate upon the anti-poll-tax measure. In the vote on that question, there were 37 "yeas" and 41 "nays." Would it not be supposed that a good many of the Senators voting "nay" at that time were Republicans?

In 1944, in middle May, the majority leader made another motion to invoke cloture upon the debate on an anti-poll-tax measure. In the ensuing vote, there were 36 "yeas" and 44 "nays." Would not one suspect that a good many of the Senators who voted "nay" at that time were Republicans?

Mr. JENNER. Mr. President, will the Senator yield?

Mr. PEPPER. In 1946 the then majority leader, Senator BARKLEY, of Kentucky, again filed a cloture petition. In the ensuing vote, there were 48 "yeas" and 36 "nays"; and I suspect that some of the Senators voting "nay" at that time were Republicans. In fact, I remember that they were.

Again in 1946, Senator BARKLEY, of Kentucky, the Democratic leader, filed a cloture petition. In the ensuing vote, there were 39 "yeas" and 33 "nays"; and I recall that a good many of the Senators then voting "nay" were Republicans.

In 1948, in the Eightieth Congress, when the Republican Party controlled the Congress, and controlled this body by a substantial majority, and when a Republican President pro tempore sat in the chair, and when, according to his own statement, he had no binding precedent before him, and when it was a matter that honest men can honestly differ about, the Republican President pro tempore felt it was his duty to rule that a motion to take up the anti-poll-tax bill would not be subject to cloture under rule XXII; and then it was that the Senator from Ohio, the chairman of the Republican conference committee, took the appeal from the ruling of the Chair, be it said to his credit. That appeal was never prosecuted before this body; however, I do not quarrel too much with that failure to act, because such an appeal would have been subject to debate, and the opposition could have debated it interminably, and therefore

there was no way by which a motion to lay the appeal on the table would result in bringing about the applicability of rule XXII, so as to bring debate to a close by means of cloture.

Mr. JENNER. Mr. President, will the Senator yield?

Mr. PEPPER. But I say now, as I said then, the precedents did not impel the ruling of the Chair, and that Senators in the exercise of their discretion could have differed with the Chair, should they have chosen to do so; there was no appeal. Later on, on the Barkley ruling, where a man equally honest, equally able, equally conscientious, equally believing in the rule of law over men; a man whose career will stand in history no less illustrious than that of the able Senator from Michigan——

Mr. BALDWIN and Mr. JENNER addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Florida yield? If so, to whom?

Mr. PEPPER. When I have finished my statement, I shall be glad to yield. When the Vice President made that ruling, and Senators could have supported it, and through their support of it have moved on to the effective exercise of the authority the Constitution gives the Senate to make its own rules, which was otherwise impossible except upon such surrender as the coalition proposal would have us assume, then, Mr. President, a majority of the Democratic Party sustained the Vice President. But a majority, by seven, of the Republican Party did not see fit to sustain the Vice President.

Mr. JENNER. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Florida yield?

Mr. PEPPER. I yield to the Senator from Indiana.

Mr. JENNER. Does not the Senator agree that under the substitute, the things about which the Senator has been talking can no longer be forestalled by a filibuster, and that when, for example, an anti-poll-tax bill—I assume the majority leader, the Senator from Illinois [Mr. LUCAS], is sincere and that his party is sincere—is brought before this body, under the substitute rule, a filibuster cannot be carried on, because we will have an effective measure whereby the cloture petition may be filed? Does the Senator agree that the substitute resolution actually does that?

Mr. PEPPER. No. The substitute resolution does make it theoretically possible to bring debate to an end by cloture, providing 64 Senators vote in the affirmative. But I want to point out certain other weaknesses in the rule. If we had been going to revise rule XXII, then it should have been done by the Committee on Rules and Administration, or by a bipartisan conference of Senators, who would have gone thoroughly into the whole subject of the Senate rules in that respect and would have clarified and simplified the rules so the Senate could effectively, by at least a reasonable preponderance, control the calendar and the business of the Senate.

Mr. BALDWIN. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Florida yield?

Mr. PEPPER. The Senator will excuse me just a moment. I decline to yield for the present. I want to answer the Senator from Indiana.

Why do I oppose the coalition? First, because I think it lessens the chance of getting controversial legislation through the Senate. Why does it do that? It raises the number of votes required above what has ever been required before. In the past only two-thirds of those voting have been required. A quorum being present—that is, 49—it would only be necessary to get two-thirds of the 49. It is now necessary to have 64. I say that in one of the instances where cloture was obtained in the past, would it not have prevailed if it had been necessary to get 64 votes? I want to show what difference that makes upon various measures.

In 1919, when the Treaty of Versailles was subjected to cloture, it would have made a difference of two votes. I realize that more than two-thirds voted for cloture, but in that case there were 94 Senators voting. The difference between two-thirds of the total vote and 64 is 2. When in 1921 a cloture petition was filed on the emergency tariff measure, against which there was a filibuster, the number present was 71. This rule would have required 64 in order to get cloture, whereas on that measure at that time 46 could have gotten cloture if it had been possible for two-thirds of those voting to get cloture. The difference is 16. On the Fordney-McCumber tariff of 1922, the difference is 10. On the World Court, the difference is two. On migratory-bird refuges, in 1926, the difference is 10. On the branch-banking issue of 1927, the difference is 8. On the retirement of disabled emergency officers of the World War, the difference is 6. On the Colorado River development, in 1927, the difference is 3. On the public buildings in the District of Columbia, in 1927, the difference is 8. In 1927, on the creation of the Bureau of Customs and the Bureau of Prohibition, the difference is 9. On the Banking Act of 1933, the difference is 5. On the antilynching bill of 1938, the difference is 5. On the second antilynching bill of 1938, the difference is 5. On the anti-poll-tax legislation of 1942, the difference is 12; in 1944, the difference is 10. On FEPC in 1946, the difference is 8. On the British loan in 1946, the difference is 9. On the Labor Diputes Act in 1946, the difference is 10. On the anti-poll-tax fight in 1946, the difference is 16.

So, Mr. President, I say we should not impose an arbitrary number required to vote affirmatively in order to get cloture in the Senate. That is the first thing. That makes it more difficult to bring debate to an end, to stop filibustering, to get controversial measures through the Senate.

Secondly, it puts utterly beyond the power of the Senate the changing of its own rules, so far as I can speculate. I do not see how, with this rule saying that cloture shall not apply to a motion to proceed to the consideration of a rule change, with that explicitly being excluded, with the Senate knowing that it was excluding that when it adopted the rule, if it adopts the coalition rule, I do not see how anybody could ever argue hereafter that we did not intend at this time to exclude from rule XXII, as it is proposed to amend it, the application of cloture in respect to a motion to proceed to the consideration of a rule change.

Mr. KNOWLAND. Mr. President, will the Senator yield for a question at that point?

The PRESIDING OFFICER. Does the Senator from Florida yield?

Mr. PEPPER. I yield.

Mr. KNOWLAND. I should like to ask the able Senator if he believes that under the present parliamentary situation the Senate, by sitting in day and night sessions, could break a filibuster?

Mr. PEPPER. No. I am not advocating that. I realize that Senators have sat here, stood on the floor, and called for sessions round the clock. I am not so sure that a filibuster can be broken when conducted by so many able and determined Senators as have been participating in this debate, in opposition to taking up the measure. I do not believe it is possible physically to break that filibuster.

Mr. KNOWLAND. I thank the Senator. I should like to ask one additional question.

Mr. PEPPER. I am proceeding to the next point. That does not mean that under the parliamentary situation and under the rule and the precedents as they now exist, before the adoption of the coalition resolution, it would not be possible to bring debate to a close. I want to address myself to that, after I yield further to the Senator from California.

Mr. KNOWLAND. I should like to ask one additional question. The able Senator from Florida has discussed the civil-rights question. I may say during the 3½ years I have been in the Senate I have noticed that the able Senator has taken quite a keen interest in that matter, and, as the result of doing a little research, I am of the opinion the Senator has been consistent in his attitude running back in the days before I came to the Senate. I wonder if the able Senator recalls that on the question of poll tax, which is one of the important civil-rights bills, in the Seventy-seventh Congress, second session, when a vote was had on the amendment proposed by the then Senator from Illinois, Mr. Brooks, to do away with the poll tax insofar as it related to men who were serving in the armed services of the United States, the vote on that motion, which was adopted by the Senate was, yeas 33, nays 20. The able Senator from Florida voted for that elimination of the poll tax. I think the Senator is to be congratulated on it. Does the able Senator recall that the two distinguished leaders of his party who were then Members of this body, the present President of the United States, then a Senator from Missouri, and the present Vice President of the United States, then a Senator from Kentucky, both voted against eliminating the poll tax in the case of men serving in the armed services of the United States.

Mr. PEPPER. The principal thing I recall about that particular instance is

the fact that the then Senator from Illinois, Mr. Brooks, took the amendment of the Senator from Florida that was already printed. I do not like to say this in the absence of the former Senator from Illinois, and I would not, if I had not said it in his presence on the Senate floor. But the Senator from Florida had prepared that amendment. It was lying on Senators' desks, printed, to be offered in the course of discussion of that measure. The Senator from Florida was somewhat shocked a little later to hear his amendment being read from the desk, and then to discover later that the then Senator from Illinois had taken a pencil or a pen and stricken out the name, "PEPPER" and inserted "Brooks" in the amendment and sent it to the desk. Naturally, I voted for it. [Laughter.]

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. PEPPER. I shall be glad to yield for a question.

Mr. KNOWLAND. I should like to ask the able Senator from Florida a question. Necessarily, I do not know the antecedents of this particular matter, because I was not in the Senate at that time, but in case the Senator should desire in the future to refer to the RECORD, if he will refer to page 6971 of the permanent RECORD of the Seventy-seventh Congress, second session, August 25, 1942, he will find the names of the Senators who voted yea and those who voted nay.

Mr. BALDWIN. Mr. President, will the Senator yield?

Mr. PEPPER. I thank the Senator from California. I do not recall whether that was the final vote upon that matter. Of course, the President and the Vice President will be better qualified to speak for themselves than I am qualified to speak for them. I think, however, that the RECORD shows, so far as I know, without a single exception, unless what the Senator from California has in mind is an exception, the Senator from Kentucky, who is now our able Vice President, uniformly supported anti-poll-tax bills. I have a RECORD here showing that at least twice, once on November 23, 1942, and again on May 15, 1944, Senator BARKLEY filed a cloture petition to bring debate to a close on an anti-poll-tax measure; on February 9, 1946, he filed a cloture petition on an FEPC measure, and again on July 31, 1946, he filed a cloture petition on an anti-poll-tax bill. I do not know that he was uniformly in favor of those measures. I have always understood that the President of the United States was in favor of them. I know he would have avoided a lot of heartache and pain if he had not been so favorable to them in his campaign. I think the country is fully persuaded that the President has spoken for himself on the subject.

Mr. BALDWIN and Mr. JENNER addressed the Chair.

Mr. PEPPER. Mr. President, I see two able Senators on the floor. I am supposed to preside over a hearing in one of the committee rooms at 4 o'clock, and I should appreciate it if Senators would permit me to conclude my remarks. But I shall yield to both Senators if they will ask questions and not make speeches.

Mr. BALDWIN. Mr. President, will the Senator yield to me?

Mr. PEPPER. I yield to the Senator from Connecticut.

Mr. BALDWIN. Mr. President, I should like to preface my question with a brief sentence. The sentence is that in his argument the distinguished Senator from Florida has found considerable fault with the Republicans in connection with this matter. Does the Senator know that there are three States in the Union which, under Republican administrations with Republican governors and Republican-controlled legislatures, have passed fair employment practices commission bills? One is the State of New York, under the governorship of the distinguished Gov. Thomas E. Dewey; another is the State of Connecticut, under the then distinguished Governor McConaughy, and the third is the State of New Jersey, under the distinguished Gov. Alfred E. Driscoll. Can the Senator name any other State in the Union, under any kind of administration, Democratic or Republican, which has enacted such legislation?

Mr. PEPPER. I do not profess to know the record of every State. It is my recollection, however, that Pennsylvania, in the administration of a Democratic Governor, Governor Earle, passed such a law. I think it still exists. I have heard, which of course is not technical proof, that while there is a civil-rights statute in New York, the Governor, or someone, has handled it in such a way that it does not amount to much. I do not know whether that is a just criticism. At least, in a great many visits to New York, I have never seen that the situation is very different from what it is in the South, for that matter. Whether this is one of those cases in which there was more noise than there was light about the matter, I do not know. I am not qualified to pass judgment on it. But I have heard that criticism made. I have heard that the laws are not enforced in certain States, but I do not know whether the language of the laws is clear.

Mr. IVES. Mr. President, will the Senator yield?

Mr. BALDWIN. Mr. President, will the Senator yield for one more question?

Mr. PEPPER. I yield to the Senator from Connecticut for a question.

Mr. BALDWIN. I should like to preface it with a brief statement, so as to make it connected. The Senator was questioning the reason why Republicans did not support the ruling of the distinguished Vice President that cloture applied to a motion. I think I am well qualified to answer that question of the Senator, because I was one of the Republicans who voted to sustain the ruling of the Chair. I should like to ask the Senator if he would question the integrity and the high purpose of the Senator from Oklahoma [Mr. KERR], the Senator from Arizona [Mr. MCFARLAND], the Senator from Kentucky [Mr. CHAPMAN], and the Senator from Nevada [Mr. MCCARRAN], who voted against the Vice President's ruling; and would he question the integrity and high purpose of the Senator from Iowa [Mr. GILLETTE] who now occupies the Chair and who was paired against the ruling. I am sure the Senator would not question their high purpose, would he?

Mr. PEPPER. Of course not.

Mr. BALDWIN. Would the Senator not attribute the same sound reasoning and good purpose to those Republicans who did not support the Chair's ruling, many of whom said that when they had an opportunity to vote on the Hayden-Wherry resolution they would support it?

Mr. PEPPER. Yes. But if the Senator will allow me to say so, he has named four or five Democratic Senators, whereas 16 Senators on his side of the aisle voted to sustain the Vice President, and 23 Senators on his side of the aisle, none of whom came from southern States, voted not to sustain the Vice President's ruling. I do not know whether any of them came from border States, but they came from parts of the country in which they always profess a militant advocacy of civil rights.

Mr. JENNER. Mr. President, will the Senator yield for a question on that point?

Mr. PEPPER. I yield for a question.

Mr. JENNER. Mr. President, I am sure the Senator knows that consistency is a jewel. I now hold in my hand a RECORD of the United States Senate of January 27, 1938, showing the vote on the cloture motion of the Senator from West Virginia [Mr. NEELY] to close debate on House Resolution 1567, the so-called antilynch bill, and I find that there were 51 votes on the floor against the cloture petition and there were only 12 Republicans among the 51 names. But the startling thing is that I find—I believe the Senator said there was more noise than anything else around here—I find that the Senator from Florida [Mr. PEPPER] voted against cloture in 1938 on the antilynching bill. Consistency, thou art a jewel.

Mr. PEPPER. I am glad the Senator has given me an opportunity to discuss that. The "Consistency, thou art a jewel" quotation must be put alongside the quotation of, I believe, Emerson, who said:

> A foolish consistency is the hobgoblin of little minds, adored by little statesmen and philosophers, and divines.

Mr. BREWSTER. Mr. President, will the Senator yield?

Mr. PEPPER. No; if the Senator will allow me, I do not yield.

In other words, a man who cannot change his mind, a man who perhaps does not learn if he has made a mistake, might be one of those who prizes consistency more than principle.

The Senator has been lacking in diligence in his research not to have discovered that I participated also in a filibuster, but in 1938, not in 1949, 1948, 1947, 1946, 1945, 1944, 1943, 1942, 1941, 1940, or 1939. I come from a State where it hurts, not where it helps, as it does in Indiana, to stand up for civil rights.

I made up my mind in 1938 that I would never again participate in a filibuster, and I have supported every cloture petition in recent years. All the Senator needs to do is to go back and examine the names on the petitions.

I do not know whether the Senator from Indiana has signed the petition

which was held up in the Senate last night by the Senator from Minnesota, to be signed by those who will agree to stay here until we get a vote. I do not say I will vote for every provision; I say I am for anti-poll-tax legislation, I am for antilynching legislation, but I have not made up my mind on an FEPC bill. And that hurts at my home, and, since the personal element has been injected, I say that if the Senator from Florida, from a State where it hurts, can stand up and say, "Yes, I signed the cloture petition," my devotion to civil-rights legislation should not be doubted. I have been written up sometimes as the only southerner who did not go to the southerners' conference; last night I signed as the third name the petition of the Senator from Minnesota to say sponsors of civil-rights measures are entitled to be heard—to present their matters. When I take that stand, coming from a State where it hurts, I think perhaps Senators on the other side of the aisle who make such claims for those principles at home might show a little greater fidelity than the 23 who voted against Vice President BARKLEY'S ruling displayed by their stand.

Mr. President, I would rather leave this matter as it is than to adopt this coalition substitute. I believe that if we leave the rule as it is, with the rulings of the Chair equally divided, it will be better. On August 2, 1948, the President pro tempore, the Senator from Michigan [Mr. VANDENBERG], ruled a motion to take up a measure not subject to cloture within rule XXII, so that filibuster might continue. We got another ruling subsequent to that, by the Vice President of the United States, one of the most respected men who ever sat in this body. He said, "I have examined this rule, I have examined the precedents, and I think the present case is distinguishable from the one the Senator from Michigan ruled upon in 1948 as President pro tempore."

Mr. President, what about the Senate? The Senate vote on the Vice President's ruling was 41 to sustain him and 46 to overrule him. A difference of three votes in the Senate would have reversed the verdict.

With that parliamentary situation before the Senate, I would rather wait and let the leader of the majority, as he stated here today he would do, at a time when he deemed it propitious, make a motion to bring up any of these measures, and then again put the question to the Chair, to be decided on another cloture petition under existing rule XXII, when there is an anti-poll-tax bill under discussion, for example, and then let the Senators in this Chamber, if an appeal is taken, decide again, if the Chair rules as he did formerly, the applicability of rule XXII to the cloture petition.

Mr. President, why do I say that? Because I believe that if we could have gotten another vote on the ruling of the Chair after the vote of last Friday night, the Chair would have been sustained. I have heard the able Senator from Iowa [Mr. GILLETTE], now presiding over the Senate, and whom there is no Senator in this Chamber I honor more, make a speech this afternoon against the pending coalition proposal. He indicated he would rather see the situation remain as it is. He was paired when the question arose before, but he might vote, if the matter came up again, differently from the way he would have voted before; that is, he might vote to sustain the Chair.

I could name Senators now sitting on this floor who have told me they believed that if the Barkley decision were again brought to a vote in the Senate, the result of the vote would be different; that if somehow or other we could get it up again, some Senators would change their votes, feeling that the Vice President's decision was, technically, probably the right one, and having discovered that other Senators were shielding themselves behind the technicality to accomplish a thing which some of those Senators did not aspire to achieve. Senators have told me there were Senators on this floor who told them they would change their votes if we could get the matter up again. The majority leader said he and his associates considered all sorts of ways to get the matter before the Senate again, but parliamentarily, the vote having been taken as it was, we could not get to that situation; but the majority leader possibly had in mind that later he might move to take up the anti-poll-tax bill.

Mr. LUCAS. Mr. President, will the Senator from Florida yield?

Mr. PEPPER. I yield to the Senator from Illinois.

Mr. LUCAS. In view of the fact that the Senator has made the statement that I had tried various ways to get another vote on the ruling of the Vice President, on which there was an adverse vote, I may say to the able Senator from Florida that I had circulated another cloture petition which the Parliamentarian said would be in order to give us another test vote upon this very question. But before presenting that cloture petition, and even before I would do anything with respect to attempting to adjourn the Senate again, I agreed with my Republican colleagues on the other side of the aisle to give them time to see what they could do in their conference. In other words, Senators went along filibustering all afternoon while the Republicans were in conference making a determination to do what they finally did, namely, to go along with the coalition.

When that came about, and it was understood that they were going to take up the measure, and that they had the votes, of course the filing of another petition for cloture was unnecessary, because they were going to accomplish through the coalition the same thing I was attempting to do, namely, get the resolution up by a cloture petition.

Mr. PEPPER. Mr. President, I ask the majority leader, responsible for legislative leadership in this Chamber, whether he deems the chances of getting, say, an anti-poll-tax bill through the Senate at some future time, better by leaving the rules as they now are, and leaving the bringing of cloture upon a two-thirds vote of those voting, and upon a possible majority vote of the Senate to sustain a future possible Vice Presidential ruling, than if this coalition rule were actually in effect.

Mr. LUCAS. In response to the inquiry of my able friend I will say that I am not a prophet or the son of a prophet, but I am willing to speculate as to what will happen after this rule is adopted, when an anti-poll-tax bill comes to the floor of the Senate, as it will before July 31. I am going to say now in my studied opinion there is not a chance to pass the anti-poll-tax measure when it comes to the floor of the Senate if this rule is adopted. We will test it, Mr. President; we will test the new rule after they fasten it on us, and then at that time we will see who was right. We will then see if the minority leader is correct in his assertion to the press that the adoption of this measure practically insures the passage of the anti-poll-tax bill. I hope he is right. But I want to see the 64 votes it will be necessary to obtain under this new rule before I will believe it. I know that it cannot be done, I will say to the Senator from Florida.

Mr. PEPPER. Mr. President, that is the reason why the Senator from Florida made the statement he did. I would rather rely for the passage of controversial legislation in the future upon a possible favorable ruling of the Chair and a majority of the Senate supporting such a ruling, than to tie ourselves down now for the first time to an arbitrary requirement of the affirmative vote of 64 Senators before we can bring debate to a close. I would rather rely on that than to tie the Senate down now to what I deem to be the impossibility of bringing debate to a close upon a proposal to reduce that 64 requirement down to a working two-thirds, or down to a constitutional majority, or down to a simple majority of the Senate.

Mr. President, we could argue, as some of us tried to do, before the Vice President, before the President pro tempore, with one another, that a motion to take up a measure is included within the authority of rule XXII. We previously cited a round robin signed by 33 Democrats in 1917, when the present rule XXII was adopted. We showed, I believe, how 7 other Senators were favorable—that made 40 Senators. The first 33 said they were going to work together to bring out a rule that would stop filibuster upon any bill or measure. Seven other Senators said that while they were not signing the round robin they subscribed to its objective. We cited that circumstance. We cited statements by other Senators in the debate of 1917. At least honest men can honestly differ about what the rule did intend. And a Senate majority has the right and the power to hold that "measure" includes "motion."

So, Mr. President, I say I would rather take my chances of getting the Senate eventually to clarify the matter upon the present state of the record, even with respect to a rule change, than go along here and adopt this coalition proposal which for the first time in language says that it will not hereafter be possible by majority to bring debate to a close if the subject happens to be a proposed amendment to the Senate rules.

Mr. President, to be perfectly frank, I do not know how it will be possible for any subsequent Senate, unless it simply throws over the rules, to amend the rules

of the Senate. Not only rule XXII, but section 3 of the coalition rule says "any rule of the Senate." It will hereafter be possible for a willful or determined minority to prevent the Senate from changing any rule by which the Senate is governed.

Mr. President, the Constitution of the United States gives the Senate the right to prescribe its rules, just as it gives the same right to the House of Representatives. Can we accept an unconstitutional ultimatum that will make us barter away the power of future Senates to be untrammeled in the exercise of the constitutional power and duty the Senate possesses to prescribe its rules? That is the reason, Mr. President, I say it is a mistake to take the action now proposed to be taken.

Oh, Mr. President, we have lost a battle, but, as the Senator from Illinois has said, we have not lost a war. But if we adopt the proposed rule we have lost a war as well.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. PEPPER. I yield to the Senator from California.

Mr. KNOWLAND. I should like to say, in regard to the point the able Senator from Florida has been making, that it has been 31 years since rule XXII was adopted with the loopholes it contains. So far as the junior Senator from California is concerned, he does not know whether 31 years from now he will even be alive, much less a Member of the Senate.

The able Senator from Florida may be willing to go through futile motions for the next 31 years before he secures an effective cloture, but the Senator from California is not willing to take that risk. All I want to say to the able Senator from Florida is that I find it very difficult to follow his reasoning. I understand he is for a majority rule so far as the rules are concerned, but I cannot follow his reasoning when, although he says there is great virtue in the majority of the Senate being able to reach a determination, yet, when a majority of the Senate, in fact, considerably more than a majority of the Senate, 52 Senators, have signed the substitute, with the likelihood that the vote in favor of it will be considerably greater, the Senator from Florida reverses his position, and apparently feels that a small minority of the Senate has all the virtue on its side, and that in this case the virtue of the majority is nonexistent.

Mr. PEPPER. The Senator overlooks the fact that the coalition has taken advantage of a parliamentary situation, and until they secured a 52 vote the coalition refused to allow the majority leader to adjourn the Senate, and refused to accept any amendment upon it.

Mr. President, they have tried to make it impossible for subsequent successors of theirs to determine this matter. Oh, if Senators would only bring forward the change in the rule the way it should come to us and let the Senate vote upon it the way it should vote, I certainly will interpose not the slightest suggestion. But 52 Senators got together and prescribed a 64-Senator minimum requirement, and included language which would make it impossible to conclude debate, hereafter, upon a rule change. What I am saying is that they are attempting by a small majority to deny to the Senate the right to prescribe its rules, hereafter by less than 64 and to change its rules, possibly, at all. They did not bring this matter up here and give us fair opportunity to debate it and consider it. The minority would not even allow the matter to be brought to the calendar until there could be a coerced coalition that would bring about, if possible, this result.

Mr. NEELY. Mr. President, will the Senator yield?

Mr. PEPPER. I yield for a question.

Mr. NEELY. I should like to ask the able Senator from Florida a question. In the event of the adoption of the so-called Wherry proposal, and 64 Members of the Senate were present and 63 of them desired to end debate, could they do it or could the sixty-fourth Senator who opposed it prevent the imposition of cloture?

Mr. PEPPER. He could not only prevent it by opposing it, he could prevent it by walking out of one of these doors.

Mr. NEELY. May I ask the Senator further if, in his opinion, when all 96 Members of the Senate were present, if 95 of them would agree to amend the rules of the Senate, could one Senator under the Wherry resolution prevent that action by the 95?

Mr. PEPPER. So long as he could by filibuster delay a vote, he could.

Mr. President, I wish to conclude my remarks.

Mr. BREWSTER. Mr. President, will the Senator yield?

Mr. PEPPER. I shall have to decline to yield to the Senator, because I wish to conclude my remarks.

Mr. BREWSTER. The point deals with the figures to which the Senator referred, and in which he indicated some interest, as to the Democratic and Republican vote. I have the figures, which would be very helpful if the Senator would permit them to be read into the RECORD at this point.

Mr. PEPPER. The Senator can place them in the RECORD at the conclusion of my remarks if he wishes to do so. I shall be glad to yield to him at that point. If the Senator wants to put them in the RECORD, I have no disposition to keep any facts out of the RECORD. I do not wish to yield to him to read all of them, because I wish to conclude my remarks.

Mr. BREWSTER. It will take only a moment. This is a tabulation which I have had made.

The first instance, to which reference has already been made, was on February 16, 1938, when 34 Democrats and 10 Republicans voted "nay."

On November 23, 1942, 31 Democrats and 10 Republicans voted "nay."

On May 15, 1944, 31 Democrats and 13 Republicans voted "nay."

On February 9, 1946, 28 Democrats and 8 Republicans voted "nay."

On May 7, 1946, 22 Democrats and 19 Republicans voted "nay."

On May 25, 1946, 41 Democrats and 35 Republicans voted "nay."

On July 31, 1946, 26 Democrats and 7 Republicans voted "nay." So the record seems to be clear.

Mr. PEPPER. I thank the Senator from Maine very much.

Mr. BREWSTER. May I ask the Senator from Florida if he did not at one time entertain the idea that rule XXII required amendment to accomplish this result?

Mr. PEPPER. The Senator from Florida talked with the Parliamentarian and listened to various expressions of opinion. Taking into consideration what appeared to be the superficial effect of some of the precedents—although the Senator from Florida never regarded them as binding—the Senator from Florida believed that the subject could best be clarified by introducing a resolution, which I did in 1942, I believe—if that is what the Senator has mind. I compliment the Senator's researchers for having dug up the information which he has given us if he considers it valuable.

Mr. BREWSTER. Did the Senator feel at that time that an amendment along the lines indicated would be helpful in clarifying the situation?

Mr. PEPPER. I certainly wanted to see the rule clarified, and I was afraid the only way to get it clarified was to make it clear by a vote of the Senate. I did not anticipate that we would obtain a favorable ruling such as we obtained last Friday night from the Vice President of the United States. If I had known that, I would have had confidence that a majority of the Democrats would have supported the Vice President, as they did, and that a majority of the Republicans would have supported him, as they did not. So probably it was well that I had in mind the amendment of the rule itself.

Mr. BREWSTER. Throughout all this period, with the exception of 2 years, there was a Democratic incumbent in the chair.

Mr. PEPPER. But many Republican Senators in the Senate.

Mr. President, it is no secret that there is a division of opinion in the Democratic Party. But the Republicans do not come from the South. I hope the South will be spared that experience for a long time. That is naturally not one of the calamities to which I look forward in the future. But they do not come from the South. If they do not have those influences and associations, why is it that after they go to their convention and unanimously adopt the platform saying that they favor these proposals, 10, or 19, or 30, or any number of them vote in the way which has been indicated?

Mr. SMITH of New Jersey rose.

Mr. PEPPER. Does the Senator from New Jersey feel that he would suffer if I did not yield to him?

Mr. SMITH of New Jersey. Mr. President, a moment ago the Senator from Florida expressed his desire to leave to attend some meeting. The Senator from New Jersey is hoping to obtain recognition in his own right.

Mr. PEPPER. Mr. President, I shall ask for a quorum call as soon as I have concluded. I understand that the Senator from West Virginia [Mr. NEELY] wishes to address the Senate, and I had said that I would suggest the absence of

a quorum at the conclusion of my address. I should like to conclude my remarks very briefly.

It has been said that so far we have not had a ruling, until we got one from the Vice President the other night, that a cloture petition applied to a motion to take up a measure. Mr. President, the Senate is beginning to realize the awful responsibility which rests upon it. Formerly questions relating to foreign policy came before us only infrequently. Today this Nation almost holds up the world. Our calendar is jammed, or will soon be jammed, with scores of measures of world importance.

The vote the other evening, when only three votes were lacking to sustain the ruling of the Chair, shows that the Senate of the United States is beginning to realize that we cannot discharge our duty in this troubled world unless this body has authority to legislate and to perform its constitutional duty.

Emerson said, "I cannot spend the day in explanation." Eventually we must act. May our actions be wise and pure; but eventually the Senate must have power to act upon these world-shaking, momentous problems. Ahead of us is ECA. Ahead of us is the North Atlantic Pact. Ahead of us is a peace treaty. Ahead of us is the question of arms to Europe to defend democracy in a part of the world where it is peculiarly under attack. Ahead of us is the unknown. Can this body very much longer allow a few men, over some domestic difference, to paralyze and strangle the power of this body to function. I do not think so, Mr. President. I do not believe that any Presiding Officer can long sit in that chair and not recognize that the rules of a body are designed not to obstruct, but to expedite the business of that body. I do not believe that Senators can long sit in this Chamber and see debate dragged out to such a ridiculous extent that it becomes obvious obstruction and willful paralysis, rather than debate in an effort to persuade the minds of men.

Mr. President, I am not afraid of the Senate. I am not afraid that it will not find a way to meet this challenge. I know that it will if it is left free, if it is not shackled, if we do not put it behind blinders, if we do not chain its hands, if we do not make it impotent, at this most serious point in our history, to meet the challenge of duty and of destiny.

Earlier in the day the Senator from Ohio [Mr. TAFT] stated that the majority in the coalition had made a promise. I believe I quote him with substantial accuracy when I say that he stated that if they had made a promise, it ought to be kept—a promise to go through, word for word, with the coalition resolution. I infer that it is intended that there shall be no amendments to the coalition resolution. I understand that debate is useless, discussion impotent.

Mr. DONNELL. Mr. President, will the Senator yield for an inquiry?

Mr. PEPPER. I yield.

Mr. DONNELL. Is the Senator under the impression that no amendments are to be offered to the pending resolution?

Mr. PEPPER. It is my understanding that amendments will be offered, but from what has been said, I should be very much surprised if a single member of the coalition of 52 should feel himself free to vote for any amendment.

Mr. DONNELL. I may say to the Senator that I have an amendment to offer, for which I shall earnestly argue, in the hope that it will be adopted. I desire the Senate to know that.

Mr. PEPPER. Is the Senator one of the signers of the coalition agreement?

Mr. DONNELL. No.

Mr. PEPPER. I am speaking only of Senators who have committed themselves to a rule which is like the law of the Medes and Persians, unchangeable by amendment on the floor of the Senate.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. LUCAS. The Senator from Ohio was talking about those who have a conscience with respect to technicalities or with respect to fundamental principles; and yet they agree blindly upon a proposal to vote down every amendment, without knowing what the amendments are before they see them, and irrespective of the merit of any amendment. It would not make any difference what it was. They do not want to know anything about it. They are going to vote it down. Yet they talk about having a conscience with respect to legislation.

Mr. TAFT. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. GILLETTE in the chair). Does the Senator from Florida yield to the Senator from Ohio?

Mr. PEPPER. I yield.

Mr. TAFT. Is the Senator from Florida aware of the fact that the only way a cloture rule was ever written in the Senate was by the action of caucuses of Republican and Democratic Senators, who agreed that they would support such a rule, that they would oppose every amendment, and that when that rule came up they would vote for it? Except for that agreement, there never would have been any cloture rule in the Senate. That was the method pursued in 1917, and under the circumstances it is the only way by which a compromise can be reached.

Mr. PEPPER. Mr. President, I deny the validity of the assumption that the only way the Senate may have the power to prescribe its rules and to transact its business is to adopt this coalition resolution. Last Friday night there was a chance for the Senate to take control over its affairs. If the ruling of the Vice President had been sustained, one of the only two loopholes would have been privileged motions with respect to the credentials of new Senators; and once new Senators were sworn in, that would have been out. The only other loophole would have been a motion to amend the Journal. As was pointed out, when the leadership was getting ready to bring up a matter of controversial import, it could have been done so during a session following the taking of a recess, and then, instead of having a morning hour, which would have allowed debate on the question of approving the Journal, such debate would have been avoided.

So, Mr. President, if the Senate had sustained the ruling last Friday night, we already would have an effective cloture rule in the Senate, and a majority of the Members of the Senate in following rule XXII would have had a right to prescribe what was the unfinished business of the Senate.

It can be done again upon a ruling of the Chair and a vote of a majority of the Senate. We do not have to have 64 votes under those circumstances and we do not have to have unlimited power of debate with respect to a change of the rule. That is why I say it is better to leave the rule as it is, rather than to attempt to change it.

Mr. BREWSTER. Mr. President——

Mr. PEPPER. Mr. President, I shall have to decline to yield further.

Mr. BREWSTER. Mr. President——

Mr. PEPPER. Mr. President, I am very sorry to decline to yield further. I have already explained that there is a meeting which I must attend, and I have yielded generously.

Mr. BREWSTER. The record is magnificent.

Mr. PEPPER. The Senator from Maine is very kind, and I appreciate it.

Mr. President, the Senator from Ohio said that a promise was made, and should not be broken, but should be kept. I wonder whether Senators remember the Biblical story of the time when the beautiful Salome persuaded Herod to give her the head of John the Baptist. She danced before Herod—no doubt alluringly—and in her appealing way she persuaded Herod to promise her the head of John the Baptist. As usually happens when a promise is made, there came a time to make a performance, and Salome demanded John's head. I imagine Herod was in a hot spot. He liked Salome; he felt that he was indebted to her; he wanted to keep his promise; but there was old John, there was his head, and in a little while he and his head would be separated, if Herod kept his promise.

Herod kept his promise; a little later the gory head of John was paraded on a platter to Salome. Herod kept his promise.

I do not know whether it was a good thing or not for Herod to keep his promise. Suppose one finds out he has made a bad promise, and suppose to keep it would be a mistake—because Herod's keeping his promise was at least fatal to John. I believe that for Senators who have entered this coalition, to keep their promise will be fatal to many of the measures to the enactment of which Senators profess ardently to aspire. That is why I suggest we had better pause and consider and examine the effect of this coalition proposal. When we do that, I humbly submit to my colleagues that, to rephrase the quotation a little, it were better to risk the ills we have, than to fly into the certain penalties of those that are proposed for us.

Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Hoey	Mundt
Anderson	Holland	Murray
Baldwin	Humphrey	Myers
Brewster	Hunt	Neely
Bricker	Ives	O'Conor
Bridges	Jenner	O'Mahoney
Butler	Johnson, Colo.	Pepper
Byrd	Johnson, Tex.	Reed
Cain	Johnston, S. C.	Robertson
Capehart	Kefauver	Russell
Chapman	Kem	Saltonstall
Chavez	Kerr	Schoeppel
Connally	Kilgore	Smith, Maine
Cordon	Knowland	Smith, N. J.
Donnell	Langer	Sparkman
Douglas	Lodge	Stennis
Downey	Long	Taft
Eastland	Lucas	Taylor
Ecton	McCarran	Thomas, Okla.
Ellender	McCarthy	Thomas, Utah
Ferguson	McFarland	Thye
Flanders	McGrath	Tobey
Frear	McKellar	Tydings
George	McMahon	Vandenberg
Gillette	Magnuson	Watkins
Green	Malone	Wherry
Gurney	Martin	Wiley
Hayden	Maybank	Williams
Hendrickson	Miller	Withers
Hickenlooper	Millikin	Young
Hill	Morse	

The VICE PRESIDENT. Ninety-two Senators having answered to their names, a quorum is present.

(By order of the Senate, the following remarks by Mr. BREWSTER were transposed to this point in the RECORD:)

Mr. BREWSTER. Mr. President, I ask unanimous consent that my statement, which will be comparatively brief, may be placed at the conclusion of the remarks of the Senator from Florida [Mr. PEPPER]. I spoke to him and asked him about putting in two paragraphs of his remarks on a former occasion. I wish to proceed to read those remarks, but I ask unanimous consent for that purpose.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

Mr. BREWSTER. Mr. President, I desire to do this, not because I wish to associate myself with the sentiments therein expressed nor to challenge the propriety of the Senator from Florida in changing his position on a very momentous question, but simply to illustrate the depth of emotion which has governed men at various times, and particularly the extremity of utterance which, as it seems to me, the Senator from Florida used upon the occasion of denouncing antilynching legislation.

It might well temper the extent of his denunciation of those who disagree with him upon this or any other question, since it may also occur to him that in his denunciation of those with whom he has more recently differed in the matter of upholding the ruling of the Chair in the recent appeal from the Chair, perhaps he should afford them the same charity which he must seek regarding the expressions to which he then gave voice.

I read from the CONGRESSIONAL RECORD of January 24, 1938, when the Senator from Florida [Mr. PEPPER] was conducting a 50-page filibuster against antilynching legislation. I read the introductory paragraph of his remarks:

Mr. President, it is my considered opinion that the bill now pending has the following objectionable characteristics—

This is on page 973 of part 1 of the CONGRESSIONAL RECORD, Seventy-fifth Congress, third session, on January 24, 1938.

It is designed as a piece of legislation intended to be and having the consequence of being offensive to the South. It is in violation of the express provisions of the Federal Constitution. It is contrary to the dual system of government established by our forefathers and specifically recognized and provided for in the Federal Constitution. It is contrary to all democratic principles. It is out of harmony with the spirit of that philosophy which has prevailed in the national life of this country since the 4th of March 1933, known under the terminology of the New Deal.

He is speaking with regard to an antilynch bill.

It is contrary to the principles of true liberalism. It is a tragic prostitution of the processes of government which ought at this time be employed for the alleviation of suffering and the betterment of the condition of the whole American people.

Believing that this proposal possesses the vices I have named, being a descendant of a family of the South of long before the Revolutionary War; being by my oath bound by the Federal Constitution; being both by inheritance and by inclination a Democrat; being not only an advocate of but a believer in the principles of the New Deal; being concerned about the preservation of the fundamentals of our system; being of a political faith which associates itself with the philosophy of progressive democracy, which may otherwise be called liberalism, and believing in my heart that the processes of government should not be prostituted to the regard of this measure when matters of national import involving human suffering and human despair are clamoring at the doors of the Government for attention—believing those things and entertaining those sentiments, I am one who has solemnly resolved and covenanted, not only with my own spirit but as well with my colleagues, that the pending bill shall not pass unless the proponents are prepared not only to abolish the right of self-government and to destroy American institutions, as this bill would do, but likewise rob this body of its inalienable characteristic as the last citadel of free speech in the territorial limits of the United States.

I do not suppose anyone could mistake the significance of these utterances. I think it is fair to our colleagues that these thoughts be at this stage of the controversy distinctly known and understood. Did I not feel that the most fundamental of possible questions is involved, I certainly would never utter such a sentiment upon the floor of this body. I would not be willing to jeopardize my personal fortune and the progress of legislation did I not entertain sentiments of that degree of seriousness. But all of us come to periods in our lives when we have to make decisions, and I believe that the principles embodied in the proposed legislation are so vital to the future of this country that those who have taken the position to which I have given expression have taken a patriotic, yes, an essential course.

No one regrets more than I that we find ourselves in this lamentable situation. No one has tried harder, in his humble and immature way, in counsel, in suggestion, in earnestness of endeavor, to avoid this crucial controversy and contest than have I, and no one regrets more than I the failure of that effort. Likewise no one is sterner in his determination to adhere to the resolve I have just expressed than I.

Mr. President, I could read, following that, 50 pages in the CONGRESSIONAL RECORD expressing similar sentiments, including voluminous quotations from all the founders and fathers of democracy throughout the history of the country from the days of Thomas Jefferson down to the time of Woodrow Wilson, all of which is calculated to show that the position which some of the Senators on the other side have taken is exactly comparable with that of the Senator from Florida. I would not wish to change his mind, but I would wish that he would accord similar latitude to all those who differ with him in his present position and who may still find themselves unable to follow the logic of his change or the logic of his present position, and to those who regard the rules of the Senate as something which have a certain solemnity and a certain consistency.

I speak as one of those Senators who, on a recent occasion, voted with him to sustain the ruling of the Presiding Officer. But I do not care to have the good faith or the devotion to their oath of office of Senators on either side of the aisle challenged because they found themselves unable to violate, as they conceived it, the rules in order to attain the end which the Senator from Florida now so earnestly urges upon us.

Mr. NEELY. Mr. President—

Once to every man and nation comes the moment to decide,
In the strife of truth with falsehood, for the good or evil side;
Some great cause, God's new Messiah, offering each the bloom or blight,
Parts the goats upon the left hand, and the sheep upon the right,
Then it is the brave man chooses, while the coward stands aside,
Doubting in his abject spirit, till his Lord is crucified.

The Senate is about to make a choice and a decision, the ultimate consequences of which may prove to be as momentous as those of the bloodiest of Sir Edward Creasy's famous Decisive Battles of the World, which began at Marathon 490 years before Christ and ended at Waterloo in the year of our Lord eighteen hundred fifteen.

The decision that necessity compels us to render will answer the burning question which has consumed 18 days of senatorial time and gained front-page headlines in every newspaper in the United States. In substance this is the question, Will the Senate so amend its antiquated rules as to make it impossible for a minority to prevent the majority from transacting Senate business?

The public should not be blamed for asking, "Why has there been prolonged day and night debate or unlimited sound and fury about such a simple matter as a rule of the United States Senate? Who cares whether the Senate has any rules; or, if it has, what they

provide?" But such an inquiry would be the equivalent of the question, "Who cares whether Federal laws are ever made or modified, whether Federal money is ever appropriated for public improvements, or whether the general welfare is ever promoted by the Senate?" Thus simplified, the matter before us sufficiently attests its importance and indicates the duty of those who shall determine its fate.

Our present situation is similar to that which existed in this body in 1830. In that year the Foote resolution concerning the public lands was generally considered unimportant. But it became the storm center of the historic Senate debate, known as the battle of the giants, in which Gen. Robert Y. Hayne, for the South, and Daniel Webster, for the North, made imperishable contributions to both the constitutional and dialectical history of the Nation.

Let us hope that notwithstanding the present dearth of Websters and Haynes the long debate that is now obviously nearing a close will, in some mysterious manner not yet revealed, contribute something of value to Senate procedure and human progression.

A proper rule of the Senate is a sword with which to protect and prosper the right. An improper rule of the Senate is an atomic bomb with which liberty may be harassed and the rights of the people may be impaired.

The dinosaur and the mammoth perished because of their failure to adjust themselves to the changing conditions of the world around them. Let us not emulate their folly by failing to amend the rules of the Senate in conformity with the demands of the perilous age in which we live. Prudence dictates that we should have enough courage and statesmanship to free the greatest legislative body in the world of its self-imposed shackles so that it can promptly and greatly increase its service to the people and its contribution to the welfare of the world.

If the substitute offered by the distinguished Senator from Nebraska [Mr. WHERRY] should be adopted, thereafter, if 64 Senators were present and 63 of them desired to end debate and vote on the question then pending, the lone sixty-fourth Senator could indefinitely delay the 63.

Similarly, if the 96 Members of this body were all present and 95 of them should unite in a demand that debate end and the Senate at once proceed to amend one of its rules, the ninety-sixth Senator, for as long as he was able to stand on his feet and talk or read about anything in the universe, could make the demand of his 95 colleagues as ineffectual as sounding brass or a tinkling cymbal, and for the same length of time render the Senate—

> As useless as a painted ship
> Upon a painted ocean.

The opponents of the liberalization of the rules have voiced their fear that an uncurbed majority might tyrannically exercise its power. To a lover of liberty—especially American liberty—tyranny is loathsome and intolerable, regardless of its origin, objective, or the number who inflict it or are afflicted by it.

But if we, unfortunately, must choose between the tyranny of the many and the tyranny of the few, let us, by all means, choose the lesser of the two evils and adhere to the democratic principle that the rights of the majority are superior to the rights of the minority. In the present contest between the supporters of majority rule, on the one hand, and minority rule, on the other, put me down on the majority side—first, last, and all the time.

Neither the Democratic nor the Republican platform adopted in 1948 contains a specific promise to amend the Senate rules. But no Senator on either side of the aisle is naive enough to deny or doubt that highly important pledges of both the Democratic and Republican platforms would be completely annihilated if the Wherry resolution should be adopted, or if, regardless of the fate of the resolution, the Senate should fail to liberalize its rules so as to free the majority from the minority's power of fatal obstruction and effectual control.

Let me remind Republican Senators of some of the observations and promises contained in their party's national platform:

> Lynching or any other form of mob violence anywhere is a disgrace to any civilized State, and we favor the prompt enactment of legislation to end this infamy.
>
> One of the basic principles of this Republic is the equality of all individuals in their right to life, liberty, and the pursuit of happiness. This principle is enunciated in the Declaration of Independence and embodied in the Constitution of the United States. It was vindicated on the field of battle and became the cornerstone of this Republic. This right of equal opportunity to work and to advance in life should never be limited in any individual because of race, religion, color, or country of origin. We favor the enactment and just enforcement of such Federal legislation as may be necessary to maintain this right at all times in every part of this Republic. We favor the abolition of the poll tax as a requisite to voting.

Mr. President, who that understands unambiguous English language is base enough to deny that the foregoing from the Republican platform solemnly obligates the Republican Party, through its representatives in the Senate, to support antilynching, anti-poll-tax, and fair-employment-practices legislation? Does any Senator on the other side of the aisle fail to realize that if the Wherry resolution becomes a rule of this body, the Republican and Democratic Senators, who favor human-rights legislation, will be rendered powerless to achieve it?

With high hope and much charity but no exuberance of faith, I now venture to remind conservative Democratic Senators of certain provisions of the platform adopted by their historic party in nineteen hundred forty-eight. In that memorable document the following clearly appears:

> We again state our belief that racial and religious minorities must have the right to live, the right to work, the right to vote, the full and equal protection of the laws on a basis of equality with all citizens, as guaranteed by the Constitution.

Is anyone base enough to deny that the language just read pledges the Democratic Party, at least, to enact a fair-employment-practices law and an anti-poll-tax law?

Mr. KNOWLAND. Mr. President, will the Senator yield for a question?

Mr. NEELY. I gladly yield to the able Senator from California.

Mr. KNOWLAND. I should like to ask the distinguished Senator from West Virginia whether he thinks his party and those on this side of the aisle who are in favor of the same program to which he refers are in any better shape to get any single piece of that legislation before this body under the loopholes in the existing rule XXII, than they are under the proposed substitute, which at least will give a number of test votes as to where Senators stand?

Mr. NEELY. Mr. President, the distinguished Senator from California asks, in effect, which I consider better, the existing rule, which enables a minority to defeat the majority, or that proposed by the Wherry resolution which, if adopted, would end neither minority obstruction nor minority control. Let me answer illustratively instead of categorically. Boswell, in his veracious biography of Samuel Johnson, relates that on a certain occasion a man named Morgann said to the learned doctor: "Do you reckon Derrick or Smart the better poet?" Johnson retorted: "Sir, there is no settling the point of precedency between a louse and a flea." In my opinion, it is just as impossible to determine the point of precedency between the present antiquated and unsatisfactory rule of the Senate in question and that proposed by the Wherry resolution as it would be to determine the superiority in the matter to which Dr. Johnson referred.

The Senator from California will never be able to effect adequate reform of senatorial procedure under either the present rule, or the rule specified in the Wherry resolution even if the Senator should continue to be a Member of this body to the end of his days.

Let me irrelevantly observe that I certainly do not wish the Senator from California or any other liberal any ill luck in the matter of a continuation of service. But I trust it will not be considered an unpardonable asperity for me to add that it would not break my heart if the voters should, at the earliest opportunity, elect enough liberal Senators, regardless of their politics, to redeem every existing platform pledge and implication in favor of human-rights legislation.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. NEELY. I yield to the eminent Senator from Minnesota, who has ably and eloquently contributed to the present debate.

Mr. HUMPHREY. I thank the Senator. I should like to ask my colleague and friend, the Senator from West Virginia, in view of what he has heard from the other side of the aisle, from the proponents of the Wherry substitute whether or not, in order to prove their good faith as to the intent and purpose of the substitute, they should not bring before the Senate anti-poll-tax, anti-

lynching, and fair-employment-practices legislation, ask for a cloture petition, and obtain the necessary number of votes to be able to close debate and to have a vote upon those particular issues?

Mr. NEELY. The answer is, a hundred times, yes, and they ought to do something else. They should follow the greatest apostle of the immortal George Norris now on the Republican side of the Chamber—the distinguished junior Senator from Oregon [Mr. MORSE]. The Republican membership is urged to join the Senator from Minnesota and me in supporting the Morse amendment to the pending resolution. The adoption of that amendment would make majority rule in the Senate a supreme sovereign instead of an impotent slave.

But I fear that few on the Republican side will improve the present opportunity to translate the human-rights provisions of the Republican platform into law. The great Senator from Oregon knows, as all others who yearn to end this filibuster in a decisive victory for the people know, that the Wherry resolution, if adopted, would render it practically impossible to redeem the most important human-rights promises of either the Republican or the Democratic platform.

Only by the cooperative, vigorous action of liberal Democrats and Republicans can the Senate be freed from its shackles. Only by the united action of Republican and Democratic conservatives can the progressives of the Senate be prevented from so liberalizing the rules that antilynching, anti-poll-tax, and fair-employment-practices legislation can be enacted during the present session of the Congress in conformity with the solemn platform promises and implications of both the great political parties.

Mr. HUMPHREY. Will the Senator yield for another question?

Mr. NEELY. I yield.

Mr. HUMPHREY. Is it not true that the only way the proponents of the resolution can get themselves off the hook they are on before the public, standing openly now as the enemies of civil-rights legislation, is to come clean and propose legislation, and back it wholeheartedly, with the loyal support of the other side of the aisle, and have the planks in the platforms unanimously translated into reality? Is not that the only way it can be done?

Mr. NEELY. Undoubtedly, and according to some of the newspapers the Senator from Minnesota and I are not the only ones who hold that opinion. For a week or more the press of the entire country has charged, as the Washington Post today—March 16—proclaims, that "G. O. P.-Dixie coalition takes over control." Control of what? Control of the Senate, control of the civil-rights program which Democrats and Republicans, through their national conventions and by means of their respective platforms, promised they would enact into law.

During the prevailing mood to "tell truth and shame the devil," it should be good for our political souls openly to confess that neither the Democratic Party nor the Republican Party has lived up to its opportunities or its obligations in the important matter of amending the archaic shackling rules which control procedure in the Senate.

A golden opportunity to atone for past neglect, render a great service in the present, and assure the unlimited benefits of liberal legislation in the future is at hand. Duty demands that we improve this opportunity by voting for every available meritorious proposal to modernize and liberalize the rules of the Senate, regardless of the political affiliation of the author of the proposed reform.

In the early days of the present session of the Congress liberal Democrats had high hopes that Republican Senators would almost unanimously vote to amend the rules in order that civil-rights legislation might be enacted. But unhappily those hopes have been put to flight by the matrimonial coalition that the conservative Republican Members have, with consummate skill, made with the Democratic Senators from the South who believe that racial conditions in their States are such that they and their constituents would be injured if the rules of this body should be modified so as to render possible the enactment of antilynching and other civil-rights legislation.

Never have I believed that Senators from the Deep South, except the great liberal from Florida [Mr. PEPPER] and possibly two others, would vote for any measure that would directly or indirectly make it possible to redeem the Democratic platform pledges relative to civil-rights matters. As a consequence of this fact, I found great comfort in hoping that at least a majority of the Republican Members would support whatever procedural reform might be necessary to enable them and other liberals to redeem the civil-rights pledges of the platforms of both the major parties.

But now I have little hope of the desired consummation which a moment ago was portrayed by the able Senator from Minnesota. Indeed, practically all my sanguine expectations of effectual Republican cooperation have been swallowed up by fear generated by the second most miraculous wedding in the annals of time. The first was in Cana of Galilee. There the miracle consisted of the turning of water into wine. The second of these matrimonial ceremonies was quite recently held in the Senate wing of the Capitol. There was no wine. Mental exhilaration and gratification, instead of intoxication and temporary impairment of the reasoning faculties, were the crowning achievements of this famous event. And famous it was. It beggars description.

The distinguished Republican floor leader from Nebraska [Mr. WHERRY] was the bridegroom. His numerous attendants were conservative Republican Senators. The many brides and bridesmaids, whom I refrain from naming, were obtained on the Democratic side of the Chamber in a manner resembling that in which the ancient Roman soldiers obtained their Sabine wives.

Among all those who participated in this connubial performance, joy has manifestly been unconfined. It has been seen in the faces of all the Republican, Democratic, and Dixiecratic Members who, for better or for worse, have entered into the most extraordinary bonds of political matrimony ever conceived by the mind of man. On Capitol Hill the air has been filled with nuptial music. Senators, attachés, and gallery habitués have been compelled to harken to the words of that famous American who put "poe" in poetry:

Hear the mellow wedding bells,
Golden bells—

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. NEELY. Not while I am quoting poetry. A little later I shall gladly yield.

Hear the mellow wedding bells,
Golden bells!
What a world of happiness their harmony foretells!
Through the balmy air of night
How they ring out their delight!

From the molten-golden notes,
And all in tune,
What a liquid ditty floats
To the turtledove that listens, while she gloats
On the moon!

Mr. President, this tintinnabulation went on and on, while the American people were probably thinking of what Senator Thomas of Colorado said many years ago concerning a filibuster such as we have had during the last 2 weeks. This was his vigorous deliverance:

If Senators were any place else than in the protection of this Chamber, they would be arrested for lunacy.

Mr. President, the Senate should not by action or inaction, provoke such criticism or comment.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. NEELY. I yield to the distinguished Senator from California.

Mr. KNOWLAND. I should like to ask the Senator from West Virginia if the idea he is trying to impress on the Senate and the country is that so long as 12 northern, eastern, and western Democrats, and 18 southern Democrats, are supporting the substitute before the Senate, they are more or less beyond the pale, and that it is an evil coalition which has been brought about. Yet, when the same Democrats from the same States, the same individuals, are joined with the majority leader in putting across the administration's program, it is no longer an evil coalition, but it is a very fine and noble gathering of compatriots of the same political party.

Mr. NEELY. Mr. President, the charge or implication of evil coalition is the Senator's and not mine. No matter what my opinion on that point may be, I shall temper my language so that it will violate no Senate rule. If I am ever impelled to voice my judgment on the pending subject matter in unparliamentary language, I shall make my observations in a forum in which Senate rules do not prevail and points of order do not lie.

Mr. WHERRY. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from West Virginia yield to the Senator from Nebraska?

Mr. NEELY. I yield.

Mr. WHERRY. Does the Senator mean he would use language he could not use on the Senate floor?

Mr. NEELY. It is barely possible that elsewhere the Senator from West Virginia might be provoked to use words more vigorous than senatorial rules permit or senatorial propriety approves. But notwithstanding what might be said in other places, or may be said by others here, the Senator from West Virginia will, in this forum, use no unparliamentary phraseology even in attempting to express his deep regret caused by the failure of certain Republican and Democratic Senators to help liberalize the rules so as to make possible the enactment of civil-rights legislation.

Mr. President, except the 16 Republican Senators who voted right on the acid test of sustaining the Vice President's important ruling earlier in the debate and except possibly two additional Members on the other side of the Chamber Republican Senators are running true to form and are now simply repeating their long and unbroken history of opposing effectual cloture in this body.

The attention of the Senate is invited to page 1166 of the CONGRESSIONAL RECORD for the 27th day of January 1938. It shows that the vote on a cloture petition which I had personally prepared and circulated and on which I had obtained the necessary number of names and had on the 25th day of January filed in accordance with the rules of the Senate.

Mr. WHERRY. Mr. President, will the Senator yield for a question?

Mr. NEELY. I yield.

Mr. WHERRY. Is that the cloture petition which was mentioned a while ago against which the Senator from Florida voted? Is that the petition which was inserted in the RECORD, the petition circulated by the Senator from West Virginia, but on which the Senator from Florida voted against cloture on civil-rights bills?

Mr. NEELY. The Senator from Nebraska has correctly identified the petition. But I do not recall whether the Senator from Florida voted for or against it.

Mr. WHERRY. Yes. The Senator from Florida [Mr. PEPPER] is on that cloture petition. He is one of the group of which the Senator from West Virginia is now a member, but who voted "nay" after that petition had been circulated and filed?

Mr. NEELY. Let us see whether the name of the Senator from Florida is on the petition. According to the RECORD, it was signed only by the following: Neely, La Follette, Wagner, Clark, Van Nuys, Minton, Brown of New Hampshire, McGill, Schwellenbach, Truman, Bone, Bulkley, Hitchcock, Copeland, Thomas of Utah, Guffey, and McAdoo.

Mr. WHERRY. That is the anti-lynching-bill petition which the Senator from West Virginia circulated?

Mr. NEELY. That is correct.

Mr. WHERRY. Will the Senator read how the Senator from Florida voted on that matter?

Mr. NEELY. At the moment I am discussing Republican Senators exclusively. Later the Senator from Nebraska may, if he wishes, have my ancient copy of the CONGRESSIONAL RECORD and from it read the names of the Democratic and also of the Republican Senators who defeated cloture on the antilynching bill on the occasion in question.

Let me continue my sermon to Republican Senators who should vote for cloture instead of aiding some Democratic Senators who are striving to defeat it.

Mr. WHERRY. Oh, very well.

Mr. NEELY. Manifestly, it would be utterly useless for me to appeal to certain Democratic Senators from the Deep South to support any measure designed to enable the Senate promptly to vote on antilynching and fair-employment-practices legislation and other kindred measures. But Republican Senators who are unembarrassed by the racial problems with which southern Senators believe they are confronted could vote for the entire civil-rights program without losing a jot of their personal popularity, or a tittle of their political power. There is no blinking the deplorable fact that if Senators from various Southern States should vote for civil-rights legislation, their constituents would retire them from office at the earliest opportunity.

This circumstance should be duly considered in judging southern Senators for opposing the extension of civil rights.

Republican and Democratic Senators from other sections of the country who are imperiled by no racial issue, but nevertheless habitually oppose civil-rights legislation promised by their respective party platforms deserve the reproof of all the progressives in the Senate and the opposition of all their liberal constituents at the polls.

Mr. WHERRY. Mr. President, if the Senator is lecturing the Republicans, I will ask him if he has examined my record as to how I voted on every civil-rights bill which has been introduced since I have been a Member of the Senate.

Mr. NEELY. No, Mr. President, I have not checked the Senator's record, but his intimation as to the manner in which he has voted is cheerfully accepted as entirely correct. Yet even if the Senator's previous voting record on civil-rights matters is faultless, he has marred it by sponsoring and supporting the measure before us, which, if adopted, would so shackle 95 Members of this body that they could not, over the ninety-sixth Member's objection, amend the rules. Under the Senator's proposal if 64 Senators were present 63 could not, over the objection of the sixty-fourth, proceed to transact Senate business.

The Senator, by sponsoring and supporting his resolution, has placed himself in a situation similar to that of little Matilda, who is immortalized in the fourth of the famous McGuffey Readers, in a poem which contains these lines:

> Oh, how one ugly trick has spoiled
> The sweetest and the best!
> Matilda, though a pleasant child,
> One grievous fault possessed,
> Which, like a cloud before the skies,
> Hid all her better qualities.

I do not charge the Senator from Nebraska with bad faith or evil motives. I only regret that by offering his resolution and battling for its adoption he has, after the manner of little Matilda, hidden his record of support of civil-rights legislation, or considerably dimmed its luster.

Mr. WHERRY. Is the Senator through with poems?

Mr. NEELY. The Senator from Nebraska is so much like a poem that he is entitled to preferential consideration. Therefore, regardless of whether I am through with poems, I yield to the distinguished minority leader.

Mr. WHERRY. Let us go back to a question which I think is very important. The Senator is lecturing the Republicans, and he complains of those of us who are now sponsoring a compromise which we feel is the best we can obtain without surrendering our chance to get up civil-rights legislation or other extremely important legislation which we think should come before the Senate. I ask the Senator if he is going to lecture me for what I have done, and whether he has examined my record as to how I voted each and every time a cloture petition respecting civil-rights measures was filed?

Mr. NEELY. Mr. President, let me again inform the Senator that I have not examined his record. But if the Senator says that he voted for the cloture petitions to which he referred, I accept his statement as true beyond the shadow of a doubt.

Mr. WHERRY. Yes; but the Senator is now lecturing me and saying I am trying to kill civil-rights legislation. I tell the Senator with all the sincerity in my heart that I believe that what we are doing will bring the civil-rights legislation before the Senate for consideration. I have a right to make such an interpretation of what we are proposing. The Senator from West Virginia says that what we are proposing would result in killing civil-rights legislation. I want the Senator from West Virginia to know that there is no one in the Senate who has tried harder in the past 6 years to bring up civil-rights legislation than I have. My record is that on all occasions I have voted "yea" on cloture petitions dealing with civil-rights legislation.

The VICE PRESIDENT. The Senator from West Virginia has yielded for a question only.

Mr. WHERRY. I asked the Senator if he knew that.

Mr. NEELY. Mr. President, I have answered the Senator's question. It is my hope that the Chair will not restrict the Senator from Nebraska to inquiries alone, because I shall be interested in any observation he cares to make.

Mr. WHERRY. I asked the Senator a question.

Mr. NEELY. To the best of my ability, I have answered the question. Let me assure the Senator that if, as he has indicated, he believes I have lectured him, he has either misunderstood my intentions, or misconstrued my language. I have only endeavored to indicate my belief that the Senator from Nebraska and all others who have agreed to support his resolution are pursuing the wrong

course. It appears to me that if the Senator and his followers succeed in adopting the Wherry resolution, they will thereby render impossible the fulfilment of vital pledges contained in the platforms of both the Democratic and Republican Parties, to the disappointment and prejudice of the American people.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. NEELY. I yield.

Mr. MORSE. Does the Senator from West Virginia agree with me that if it be true that on January 27, 1938, the distinguished Senator from Florida [Mr. PEPPER] voted against cloture on an antilynching bill, the fact that since 1938, and in the year 1949 he has taken the position he now takes in regard to the matter of cloture in the Senate is a change in the right direction as contrasted with a change in the wrong direction that some Republicans have taken in the Senate?

Mr. NEELY. Mr. President, the eminent Senator from Oregon is, as usual 100 percent right. Let me add that, in my opinion, the Senator from Florida [Mr. PEPPER] deserves more credit than any other Member of this body for his long-continued, unsurpassable liberal attitude toward civil-rights measures that have come before either the Senate or the country. The Senator from Florida is from the Deep South where it is likely to cost a public official toil, trouble, and even defeat, to be for antilynching, anti-poll-tax, and other similar humanitarian measures.

Mr. BREWSTER. Mr. President, will the Senator yield?

Mr. NEELY. I gladly yield to the distinguished Senator from Maine.

Mr. BREWSTER. Would not the Senator be wise not to exclude others of our southern brethren from possible redemption in view of the success he has achieved in the case of the Senator from Florida, who certainly took as extreme a position as anyone else did at that time?

Mr. NEELY. Let me assure the able Senator from Maine that I would not exclude anyone from the South or the North from redemption, or hope of redemption here or hereafter. In my hymn book,

> While the lamp holds out to burn
> The vilest sinner may return.

That blessed assurance applies to Republicans as well as to Democrats. It is my fervent hope that all sinners will eventually return and reform, and that in every legislative body on earth the members will unitedly advance to the tune of Onward, Christian Soldiers, until all wrongs shall have been righted, and justice, happiness, and peace shall have been achieved for all mankind, regardless of race or color or creed.

Mr. BREWSTER. I wonder if the Senator has recently read the language which the Senator from Florida used at that time. I have before me a paragraph stating his position, which demonstrates very conclusively that he was in the extreme position of so-called States' rights. Would the Senator permit me to inquire whether he had read this language?

Mr. NEELY. Whether I have read the language of the Senator from Florida?

Mr. BREWSTER. Language which I shall now read.

Mr. NEELY. I do not yield for that purpose. Let the Senator read the remarks of the Senator from Florida at the conclusion of my address.

Mr. President, I shall now read the names of the Republican Senators who voted against the petition for cloture on the antilynching bill on the occasion to which I referred before I was interrupted.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. NEELY. I shall yield until midnight although I had hoped to read, without further interruption, the names of the Republican Senators who made it impossible to obtain cloture on an antilynching bill in 1938. But I again yield to the distinguished Senator from Nebraska.

Mr. WHERRY. Suppose we could all join in the fine sentiments—in which I concur—relative to doing what we can for our fellow men. How would the Senator do it under the present cloture rule? How could he get such a measure up for consideration?

Mr. NEELY. Is that the Senator's entire question?

Mr. WHERRY. That is it.

Mr. NEELY. The desired result cannot be obtained either under the existing rule, or under that proposed in the Senator's resolution. Therefore, if I had been the leader of the Republican minority in the Senate and had desired to liberalize the rules, and redeem my party's platform pledges, I should have gone to the majority leader [Mr. LUCAS] and said to him, "History teaches me that no important battle was ever won without a fight."

Mr. WHERRY. That is right.

Mr. NEELY. And I should have added, "You and I yearn for the liberalization of the rules. Your forces, like my own, are divided on this question. Neither of us has enough on his own side of the aisle to win. Therefore, let us combine our followers and unitedly fight this filibuster day and night until we finally obtain a vote on the matter before the Senate." In my opinion, if the Senator from Nebraska had pursued that course, liberal Republican and liberal Democratic Senators would now be on the road to success.

Mr. WHERRY. If we reduce to simple language the Senator's answer to my question, as I understand, he feels that the only way it could be done would be to break the filibuster.

Mr. NEELY. That is correct. I believe that we should have adopted General Grant's slogan, "I propose to fight it out on this line if it takes all summer." Human liberty—the stake in this contest—is worth fighting for all summer and all winter. Indeed, it is worth fighting for here and everywhere every day in the year.

Our forefathers died for liberty, and with their latest breath bequeathed it to us with their benediction, and their admonition to defend it against all enemies—foreign or domestic.

An opportunity to express our gratitude for the heritage we have received stares us in the face. Unlimited courage, unselfish cooperation, and unstinted devotion to duty can yet win this battle for human rights, make democracy, with its majority rule, work in the Senate and transform apparent defeat into a victory so glorious that it would make liberals rejoice around the world. Senators should rise to the heights which the occasion requires and perform the service which the people who elected them earnestly desire, and for which they devoutly pray.

Mr. WHERRY. Mr. President, will the Senator yield for another question?

Mr. NEELY. I yield.

Mr. WHERRY. Having assured the majority leader, as the minority leader, that I was in complete sympathy with his procedure, and would stay here as long as he would stay to break the filibuster, what else would the Senator have done under the present rule if the majority leader had moved to adjourn?

Mr. NEELY. I would have voted against the motion.

Mr. WHERRY. He did not even make the motion to adjourn, but he said he was going to move to adjourn.

Mr. NEELY. I informed a number of my friends, of whom I believe the distinguished Senator from Oregon [Mr. MORSE] is one, that I intended to vote against adjournment.

Mr. WHERRY. I am in agreement with the statement the Senator has made.

Mr. NEELY. In a caucus of liberal Democratic Members who discussed the question of adjournment, I expressed my opposition to it in no uncertain language.

Mr. WHERRY. Mr. President, will the Senator yield for a further question?

Mr. NEELY. I yield.

Mr. WHERRY. Did not the administration conference adopt a resolution to adjourn?

Mr. NEELY. I left the caucus after I had stated my position. It did not vote on the question while I was present. But I have been unofficially informed that it agreed to the resolution or motion indicated by the Senator from Nebraska.

Mr. WHERRY. Let me ask the Senator this question: The majority leader, under the instructions of the administration Democrats, came to the floor instructed to move an adjournment. How could the Senator have accomplished anything under those circumstances, and under the present rules? How could he have done the thing with which I am in sympathy, unless some compromise could have been reached?

Mr. NEELY. If the Republicans who signed the agreement to vote for the Senator's substitute resolution had assured the Democratic leader that they would loyally support the Democratic liberals in this fight, neither the administration forces nor their leader would, in my opinion, have even considered the matter of moving to adjourn.

Mr. WHERRY. Was there any time during the past 2 weeks when the majority leader did not have absolute assurance from this side of the aisle that we would stay here all summer to break the filibuster?

Mr. NEELY. I do not know what assurance he had from the other side.

Mr. WHERRY. Was it not the minority leader who proposed to the majority

leader not to adjourn, that we might try once more to solve our difficulties? Is not that the record?

Mr. NEELY. I do not know what proposals were made by either the minority or majority leader.

Mr. WHERRY. That is the record.

Mr. NEELY. Again the Senator's statement is accepted as correct.

Mr. WHERRY. Mr. President, will the Senator yield for one further question? I shall not ask him to yield beyond that point.

Mr. NEELY. I hope that the Senator will not restrain himself. I gladly yield.

Mr. WHERRY. I should like to ask one further question. Inasmuch as the Senator and I are in complete accord with respect to bringing civil-rights legislation before the Senate for consideration, does he not feel that if the door is closed under a rule which has been in operation for 100 years, and a cloture petition cannot be filed in connection with a motion, we are making headway if we at least get that opportunity, regardless of what the prospects are to take it up for consideration?

Mr. NEELY. I regret that the decision of the Republican Presiding Officer created the dilemma to which the Senator refers. I voted to sustain Vice President Barkley's recent ruling which nullified that decision. If all other liberal and near-liberal Senators had followed suit, we would have escaped the difficulties that now beset us.

May I, for a moment, turn the tables and ask the Senator from Nebraska a question?

The VICE PRESIDENT. The Senator cannot yield to another Senator to answer a question which the speaker himself is asking.

Mr. NEELY. Mr. President, I request unanimous consent to ask the Senator from Nebraska a question.

Mr. WHERRY. Mr. President, I will yield for a question.

The VICE PRESIDENT. The Senator from Nebraska does not have the floor.

Mr. WHERRY. Mr. President, I ask unanimous consent that the Senator from West Virginia may ask me a question.

The VICE PRESIDENT. Is there objection? The Chair hears none.

Mr. NEELY. The Senator says that we are in agreement. It is my hope that we are. But by way of verification, let me ask the Senator from Nebraska whether he will join me in supporting the Morse amendment in behalf of majority rule?

Mr. WHERRY. No.

Mr. NEELY. Will the Senator urge his Republican colleagues to vote for the Morse amendment?

Mr. WHERRY. No. I will tell the Senator why I will not do it. He has asked me a question. Let me answer it. I will tell him why I will not do it. I am for cloture by a two-thirds vote.

Mr. NEELY. Then we certainly are not in agreement.

Mr. WHERRY. When the majority leader is smart enough to obtain consideration by a motion to proceed to the consideration of such a measure, if he can get it before the Senate under the rules, I shall be glad to support a proposal for a two-thirds vote. As minority leader now, and majority leader previously, under this procedure I know that it is impossible to bring up such a measure on motion unless we can break the filibuster. If there was anyone who surrendered, it was the Democratic administration conference and the majority leader in seeking to adjourn, which would have cut off that attempt and destroyed, during this Congress, the opportunity to get any civil-rights legislation at all.

Mr. NEELY. Mr. President, I refuse to debate what either the majority or minority leader has or has not done. But I most emphatically assert that I participated in no surrender.

Mr. WHERRY. Mr. President, the Senator asks me——

Mr. NEELY. The Senator is again informed that in the caucus to which he has referred I opposed every motion and suggestion that was made in behalf of an adjournment of the Senate.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. NEELY. Mr. President, I will not debate observations or conjectures. Let the Senator discuss the alleged surrender with someone who favored it.

Mr. WHERRY. Very well; I thank the Senator for his courtesy.

Mr. NEELY. Mr. President, I once more return to the weary task of reading the names of the Republican Senators who voted against cloture on an antilynching bill in 1938. At that time, there were 17 Republican Members of the Senate. Senator La Follette, listed as a Progressive, and Senators Lundeen and Shipstead, listed as members of the Farmer-Labor Party, occupied seats on the Republican side of the Chamber. These two Farmer-Labor Senators habitually voted with the Republicans. Of those listed as Republican, Senator Capper alone voted for cloture. But out of an extravagance of liberality, credit for Senator La Follette's vote in favor of cloture is entered on the Republican side of the ledger.

Republican Senators voted against the cloture petition as follows: Austin, Borah, Bridges—and Senator BRIDGES is still here——

The VICE PRESIDENT. The Senate will be in order

Mr. NEELY. Mr. President, I fear that those on the other side of the aisle do not wish to hear how they or their Republican predecessors voted on antilynching legislation. But notwithstanding either the past or present attitude of Republican or Democratic Senators toward cloture, they are now cordially invited to support the Morse amendment which, if adopted, would make it possible promptly to obtain a vote on all civil-rights matters and also provide numerous Senators an opportunity to improve their records by helping to outlaw lynching and other similar evils.

Mr. BREWSTER. Mr. President, will the Senator yield for a question?

Mr. NEELY. Mr. President, resuming at the point at which I was interrupted, I now read the names of the other Republican Senators who voted against cloture on the antilynching bill.

Mr. BREWSTER. Mr. President, will the Senator give the date?

Mr. NEELY. The date of the vote in question was January 27, 1938.

Mr. BREWSTER. Mr. President, will the Senator yield for a question?

Mr. NEELY. Mr. President, I decline further to yield to anyone until after I have completed the reading of the names of the Republican Senators who voted against cloture on the antilynching bill. In addition to Senators Austin, Borah, and Bridges previously named, the following Republican Members also voted against the antilynching cloture petition: Frazier, Gibson, Hale, Johnson of California, Lodge, McNary—who, at that time, was the Republican floor leader—Norris, Steiwer, Townsend, and Vandenberg—13 in all. In the matter of civil-rights legislation, both Maine and Oregon have, in my opinion greatly improved their representation in this body.

With deep regret, it is noted that Mr. Mellett, in a recent issue of a Washington newspaper, characterized the distinguished Senator from Michigan [Mr. VANDENBERG]—one of the Republicans who voted against cloture in 1938—as the "chief sinner" in the creation of our present deplorable parliamentary situation. Of course, I disclaim any joinder in such a characterization or in any other expression that would violate either the letter or spirit of the rules or the proprieties of the Senate.

Mr. FERGUSON and Mr. BREWSTER addressed the Chair.

The VICE PRESIDENT. Does the Senator from West Virginia yield, and, if so, to whom?

Mr. NEELY. I yield first to the able Senator from Michigan.

Mr. FERGUSON. Mr. President, can the Senator from West Virginia advise the Senate how long the debate had been going on when that particular cloture petition was filed?

Mr. NEELY. Mr. President, to my regret, I cannot tell the able Senator from Michigan how much time the debate had consumed. But, to the best of my recollection, it had dragged on more than 10 days before 17 Senators became so tired of it that they signed a cloture petition to end it.

Mr. BREWSTER. Mr. President, will the Senator yield?

Mr. NEELY. I yield.

Mr. BREWSTER. How many Republican Members of the Senate voted against the invoking of cloture on that occasion?

Mr. NEELY. Thirteen. One Republican and one Progressive voted for it. Three Republican Senators failed to vote.

Mr. BREWSTER. And how many Democratic Senators voted against invoking cloture?

Mr. NEELY. I have not counted them.

Mr. BREWSTER. Well, I have.

Mr. NEELY. They were quite numerous—entirely too numerous from my point of view. Those from the Deep South, except the Senator from Florida

[Mr. PEPPER], who probably was not here at that time——

Mr. BREWSTER. Oh, yes; he was. I have the list. Would the Senator from West Virginia permit me——

The VICE PRESIDENT. Does the Senator from West Virginia yield for a question?

Mr. BREWSTER. Would the Senator from West Virginia permit me to read the list?

Mr. NEELY. The Senator from Maine is correct. The record shows that the Senator from Florida was here and voted against the petition. That means, as the able Senator from Oregon has impressively pointed out, that the Senator from Florida has had a change of heart, and that the change has been for the better. How blest should we be if we could say as much for the other Senators who voted against cloture 11 years ago. For example, I wish we could similarly speak of the Senator from New Hampshire [Mr. BRIDGES] and of the Senator from Michigan [Mr. VANDENBERG], who has rendered great public service. It is doubtful whether any other Member of this body has, in recent years, gone before the able Senator from Michigan in contributing to the success of our foreign policy. To me it is a matter of deep regret that he did not follow the shining example set by the eminent Senator from Florida [Mr. PEPPER] a few days ago by voting to sustain the decision of the Vice President, and thereby speed us on our way to the reformation of senatorial procedure.

Mr. BREWSTER. Mr. President, will the Senator yield?

Mr. NEELY. I yield.

Mr. BREWSTER. Would the Senator be surprised to find that although there were 13 Republican Senators who voted against cloture at that time, there were 37 Democratic Senators who voted against the cloture motion?

Mr. NEELY. The fact that 37 Democrats voted against the cloture petition on the antilynching bill is not as surprising to me as the fact that more than six times as many Republicans voted against the same petition as voted for it. But for the generosity with which Senator La Follette has (contrary to the fact) been classified as a Republican, the record would show that the Republican Senators voted against cloture on the antilynching bill by the extraordinary majority of 13 to 1.

For well known reasons previously indicated, Senators from the Deep South will, subject to very rare exceptions, always vote against limiting debate on antilynching or other civil-rights legislation. Despite the unpopularity of repetition, the fact is once more stressed that Senators from the South are constantly confronted with a racial problem which does not exist in any State north of Mason and Dixon's line. Consequently, only Democratic Senators from the South have a reason, or an excuse for their opposition to the liberalization of the rules of the Senate in favor of civil-rights legislation.

Mr. BREWSTER. Let me inquire how many Senators the Senator from West Virginia would classify in that category?

Mr. NEELY. I have not counted those southern Senators. They are well known. They have never been cowardly, hypocritical, or reticent about their opposition to objectives, the attainment of which would be facilitated by the establishment of majority rule in the Senate.

Mr. BREWSTER. Let me ask how many Democratic Senators voted against it?

Mr. NEELY. Too many, as I have frankly admitted.

It is a self-evident fact that one might as well play a flute to a deaf adder as to appeal to certain Senators on either side of the aisle to change their attitude toward such questions as antilynching, antipoll tax, and fair-employment practices.

Mr. President, let me appeal to all Senators to keep the faith pledged by the platforms of their political party. Let me entreat Republican Senators to vote on the question of majority rule in the Senate as the immortal Lincoln would have voted and thus, at once, honor his memory, honor themselves, honor the Republican Party, and render an everlasting service to their country.

And now a word to the Democratic Senators who have become parties to the Wherry agreement.

Mr. President, the soothing music of the golden wedding bells which we have mentioned has long since degenerated into the blast of the bugle and the roll of the drum—into the wild, weird music of war. The band is playing not Dixie but Marching Through Georgia. This harsher music is highly appropriate to the present circumstances of the case because the distinguished bridegroom, numerous brides and attendants have, one and all, doffed their wedding garments, donned their military uniforms, and transformed themselves into a unified army of fighting parliamentarians.

The able and vigorous groom, the eminent Senator from Nebraska [Mr. WHERRY], has become the general of this army. He is commanding not only his reactionary Republican warriors, but also the descendants of the gray-clad veterans who immortalized themselves on countless fields of battle during the bloody war between the North and the South.

Mr. President, what would Gen. Robert E. Lee think if he could look down from the battlements of heaven and see this general from Yankeeland, General WHERRY, leading his commingled southern Democrats, Dixiecrats, and Republicans against the progressive Democratic forces headed by Democratic President Truman and Democratic Majority Leader LUCAS?

Mr. WHERRY. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from West Virginia yield to the Senator from Nebraska?

Mr. NEELY. What would Gen. Jubal Early think if he could see the Senator from Nebraska leading his united southern and northern commandos in an attack on the fortress now precariously held by Democratic and Republican liberals who are battling for human rights?

Mr. WHERRY. With General Lee.

Mr. NEELY. What would Stonewall Jackson have said just before he fell at Chancellorsville if he could have seen through a long-range telescope the descendants of Confederate generals marching under the leadership of the famous Yankee—General WHERRY—mounted on a cornstalk horse, galloping off in every direction, brandishing his wooden sword, and commanding the grandsons of those who stood like a stone wall at the Second Battle of Manassas and shouting at the top of his voice to reduce all Senate liberals—Democratic and Republican—to such parliamentary helplessness that they would never again be able to enact or attempt to enact an antilynching law?

Had the great General Stonewall Jackson beheld this desolating situation, he would probably have cried out, "Why hast thou forsaken me?"

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. NEELY. I should like to conclude without delay, but I nevertheless once more yield to the Senator from Nebraska.

Mr. WHERRY. No.

Mr. NEELY. Mr. President, I have yielded and I urge the Senator to ask his question.

Mr. WHERRY. I merely want to thank the Senator for elevating me to such a high position that I can be classed with such distinguished men as General Lee and Stonewall Jackson. [Laughter.]

The VICE PRESIDENT. That is not a question. [Laughter.]

Mr. NEELY. The Senator has just demonstrated how utterly impossible it is for a Republican who is not for the redemption of his party's platform pledges——

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. NEELY. Or who is not cooperating——

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. NEELY. Not until I have uttered one sentence without interruption.

The VICE PRESIDENT. The Senator from West Virginia declines to yield.

Mr. NEELY. The Senator has demostrated how utterly impossible it is for a Republican who is opposed to the redemption of his party's platform pledges to be right about anything under the sun.

Mr. WHERRY. Mr. President, I have just accepted nomination to a generalship. That is all I was endeavoring to say.

Mr. NEELY. I did not elevate the Senator to an exalted generalship such as that held by Lee or Early or Stonewall Jackson. I simply asked what those real generals [laughter] would think if they should see General WHERRY on his roughshod cornstalk horse leading an expeditionary force of Confederate soldiers against the liberal Democratic and Republican Members of the Senate, who are striving to establish democratic majority rule?

The VICE PRESIDENT. The Senate will be in order.

Mr. NEELY. Mr. President, on the 16th of February 1938, the Senate again voted on a petition for cloture on the

antilynching bill. On the roll call 3 Republican Members voted for it, while 11 voted against it.

In view of devastating Republican opposition to cloture in the past, we should rejoice in the fact that during the present filibuster 16 liberal Republicans joined liberal Democrats in an effort to amend the rules in behalf of human progress and senatorial reform. There is reason to hope that General WHERRY and the conservative Democratic, Dixiecratic, and Republican forces he commands will not forever be able to prevent the establishment of democratic majority rule in the United States Senate.

Mr. President, I trust that the less reactionary of those who joined in the Wherry agreement will be warned by the signs of the troubled times in which we live that democratic government is in peril throughout the world, and that our democratic way of life and its innumerable blessings can be preserved only by making democracy and its beneficent majority rule work to the satisfaction of the American people. As long as majority rule is denied in the Senate, it will be in danger in the Nation. If it should be lost here, it would be lost everywhere. Such a calamity would mean weeping in every nation, wailing in every country, and distress in every land.

Before it is too late, let those on the wrong side of the pending question repent, and unite with the Senate liberals who are striving to make the world brighter, the Government better, and the people happier than they were in the olden days when their grandmothers were babes in arms. Those who signed the Wherry agreement and purpose to seek reelection in 1950 should "beware the Ides of November" in that year. It is my prediction that if the Senators in this category persist in their opposition to the reformation of senatorial procedure, their seats will become vacant on the 3d of January 1951. On the night of the next election, the only music they will hear will be the melancholy strains of the old familiar hymn:

Hark, from the tombs a doleful sound!
My ears attend the cry,
'Ye living men, come view the ground
Where you will shortly lie.'

The Senate will presumably some time adopt the principle of majority rule. Recently the necessity for this reform was eloquently demonstrated by the distinguished Senator from Maryland [Mr. TYDINGS] in a remarkable address delivered in this Chamber. Our action on the measure before us should be in harmony with that demonstration.

Mr. President, the world is filled with apprehension and fear. Turmoil is sweeping over the Eastern Hemisphere like a tornado. There is no assurance that it will not, sooner or later, reach our shores. It is not impossible that without an hour's warning the Senate might be called upon to take drastic action to save the Nation from destruction by atomic bombs, disease germs, or other horrifying instrumentalities of annihilation. In view of such a possibility, patriotism, prudence, and common sense demand the immediate establishment of majority rule in this body.

A few days ago, the distinguished Senator from Oregon [Mr. MORSE] expressed fear that it might be necessary in 1950 and in 1952 for the voters to substitute progressives for those who have so far prevented this consummation. If present and future events justify the Senator's fear, it is my hope that, regardless of politics, senatorial candidates who unconditionally pledge themselves to keep the faith in this vital matter will soon replace, in the world's greatest legislative body, those members who habitually obstruct progress and constantly oppose reform. If I should be compelled to choose between a candidate of my own party who is opposed to this democratic principle and a candidate of the opposite party, upon whom I could confidently depend to support it, I should unhesitatingly, unapologetically and unregretfully vote for the latter, and thereby keep my conscience clear, and gain the comforting assurance that I had rendered a service to my State, my country, and the world.

If the present Members of the Senate prevent democracy from working in this body, let the voters, regardless of party politics, elect to the Senate thoroughly qualified, liberal-minded men and women who are more solicitous about present welfare and future progress than they are about the fetishes and fallacies of the past; men and women who, like the great apostle, will cast off the works of darkness and put on the armor of light; men and women who will leaven their official service with the lofty spirit of Lowell's stirring lines:

My soul is not a palace of the past,
Where outworn creeds, like Rome's gray Senate, quake,
Hearing afar the Vandal's trumpet hoarse,
That shakes old systems with a thunder-fit.
The time is ripe, and rotten-ripe, for change;
Then let it come: I have no dread of what
Is called for by the instinct of mankind;
Nor think I that God's world will fall apart
Because we tear a parchment more or less.

Liberal Democrats and liberal Republicans, we may lose this battle. But we will not lose this war. The democratic ideal around which the present controversy is raging is worth all that it may cost to establish it in this body upon a foundation as enduring as the everlasting hills. American progress, American liberty, and the hope of the world which America must do much to save are, to an extent of which the thoughtless are wholly unaware, dependent upon the outcome of the present struggle to amend the rules of the Senate. Therefore, with unlimited hope in our hearts and unsurpassable courage in our breasts, let us, with increased energy and augmented zeal, continue our efforts to set the Senate free. Humanity's command is, Forward, march! Its battle hymn should be:

O man bowed down with labor!
O woman young, yet old!
O heart oppressed in the toiler's breast
And crushed by the power of gold!
Keep on with your weary battle
Against triumphant might;
For no question is ever settled
Until it is settled right.

PERMISSION TO REPORT RENT-CONTROL BILL

Mr. MAYBANK. Mr. President, I ask unanimous consent to report the so-called rent bill tonight.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

Mr. MAYBANK. Mr. President, I also ask unanimous consent that a statement by the Senator from Indiana [Mr. CAPEHART] in that connection may also be filed.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

AMENDMENT TO CLOTURE RULE

The Senate resumed the consideration of Senate Resolution 15 amending the so-called cloture rule of the Senate.

Mr. HENDRICKSON. Mr. President, it is with great hesitancy that I rise at this time. I hesitate first because of my junior status as a Member of the Senate, and, secondly, because I dislike to add, by any repetitious matter, to this already too voluminous record. But, Mr. President, there has been so much said on this floor which by way of implication, if not directly, questions the motives of those who joined in the Wherry substitute, that I feel constrained to make my position clear.

To begin with, may I say that I am not one of those who considered that in the issue immediately before us, namely, rule XXII and the proposed amendments, there was any other issue. Much has been said about civil rights, from my point of view, much too much. On this subject my record back in the State of New Jersey speaks for itself. In New Jersey we have written into our constitution an antisegregation provision, and I take pride in the fact that I had some hand in the writing and establishment of that constitution, so I have no apologies to make on the subject of civil rights. I stand openly for the civil-rights program, and if the debates which have been raging here for the past 16 days had been addressed to civil rights rather than to cloture, then let me say that my signature on the cloture petition of March 10 should in itself prove where I stand on that issue. Not only did I sign the cloture petition, but I voted twice with the administration Democrats to sustain Vice President BARKLEY's ruling. I wanted to see repetitious and useless debate brought to a close.

I feel very much like the author of the letter which I hold in my hand, which I shall read. It is from a young mother in New Jersey about 22 years of age. The letter reads:

WOOD-RIDGE, N. J., *March 15, 1949.*

DEAR SENATOR HENDRICKSON: This is the first time I have availed myself of the privilege to write to a man who represents me in our Government. This is probably due to the fact that I am 22 and have voted only twice.

I am a wife and mother of a 1½-year old son. Being a high-school graduate who ranked ninth in a class of approximately 150 students, I pride myself on being a person with a better-than-average amount of intelligence.

Before I go any further please do not get the impression that I am scolding you. That is most definitely not the case. I merely have something to say and feel you are the most logical person to whom to say it.

Now to get to my point: I have been watching with disgust, annoyance, forthright anger, and most of all fear the sad exhibition taking place in this session of Congress the past few weeks. How men and women, who have been blessed with a brain and have been given the privilege to use it in aiding our country to become a better place, can act so childishly is rather horrifying to say the least. I'm referring, of course, to the wrangling over the bill concerning the power of the filibuster.

I am not going to decide whether or not the filibuster is a good practice. I'm sure it has both good and bad points, but it is rather a frightening sight when a man can get up on the floor and by talking for hours on end keep a whole body of men from passing vital and necessary legislation. In other words if someone doesn't back down you gentlemen may spend the whole duration of the session doing nothing but talking about nothing with the result being nothing.

If the issue itself were so important to the men who are creating such a revolting exhibition because it would harm our country to have the bill drawn up or forgotten, I would have no quarrel with the gentlemen concerned. But the main issue seems to be the southern Democrats are angry with the northern Democrats while the Republicans are in the middle and everyone's angry with the President and vice versa. Why they cannot forget who was or was not elected and remember who elected them is beyond me.

It is the sad misfortune of this country to be governed by politicians instead of statesmen. When a man is elected to represent the people he should remember just that, and not let the fact that they may or may not be affiliated with his particular party have anything to do with his decisions. The question of whether a bill is good for New Orleans or bad for New York should never enter the mind of a Senator or Representative, whichever the case may be, the question should always be, "Is it good or bad for the welfare of our country." I'm afraid not many of the men ever put that question first.

Now that I have vented my grievances on you let me say that I'm writing for my son more than for myself. I want his future to be happy and above all, secure. We the people of today have the grave responsibility of preparing the futures of today's children.

If you are one of those who have always thought of our country first, may I say, "Thank you and God bless you," for all those people who have put their trust in you.

I'm sure a position such as yours must be very trying. Important decisions are hard to make when they concern personal problems so decisions concerning national problems must really be a difficult task. But if you are always fair and just, you may rest assured that I and all the people like me will vote for you and most of all love you for the good you are doing.

But better than that the nicest way to say thank you will be to teach our children to say * * * and God bless Senator HENDRICKSON.

Sincerely,

MRS. DORIS MARINE.

Actually, Mr. President, the reason why my name appears on the Wherry substitute is because I desired, above all things, to see the shackles of the filibuster broken so that the Senate of the United States could proceed to the important business which is before it. It was obvious to me, as it must have been to every Senator in the Chamber, that there was manpower enough in the southern wing to carry on the filibuster indefinitely. Even the majority leader, the distinguished Senator from Illinois, was ready to move for an adjournment, which would have ended the filibuster and put us right back where we were on February 28. But he, as the leader of the administration forces, gave up and admitted defeat, which to me meant complete surrender.

It was shocking to me to sit here day after day realizing that grave and important issues were awaiting attention, but as the days passed it became clearer and clearer to me that nothing constructive was being done to bring an end to the impasse.

Then, when the Wherry substitute was proposed, and it appeared that we would get a chance, through it, to meet some of the major issues "head on" rather than hide behind a legalistic fiction, my course of duty seemed clear. So, Mr. President, I shall support the Wherry substitute, and because of the nature of the honorable compromise—and I say it is an honorable compromise—which is involved in that substitute, I shall vote against all amendments proposed thereto.

In conclusion, Mr. President, I want to say that I have resented, personally resented, many of the implications which have been so much a part of some of the addresses which have been made on the question before the Senate. My action has been prompted solely by a patriotic urge to see this great body meet its obligations—all of them—fully and squarely.

Mr. WHERRY. Mr. President, we are nearing a vote on the compromise substitute, which, for the first time in congressional history, will give us an effective means to limit debate and prevent filibustering in the United States Senate. Before we vote, I wish to clear up some of the misinformation that has been spread in the Senate and across the country through the press and over the radio.

In all my experience in the Senate, I have never seen such a campaign of misrepresentation. It is plainly an effort by those who have surrendered to the filibusterers to cover their tracks and attempt to justify their actions.

But the whole story will get out. When it is told, there will be no escape by the administration Democrats from their responsibility for, first, failing to make a determined effort to break the filibuster; and, second, for trying to block a fair, reasonable, workable compromise, giving the Senate a bullet-proof, solid cloture rule.

The record shows that it was the majority leader who hoisted the white flag of surrender to the filibusterers.

The record shows that it was the Republican leadership that fought to prevent scuttling of the cloture resolution.

At this point I want to compliment the chairman of the Committee on Rules and Administration for his untiring efforts during the past 2 years to bring to the Senate a cloture rule which could be adopted by the Senate and which would give us the very thing for which I am now pleading.

I also wish to compliment him for the courageous stand he has taken in the negotiations for compromise, and the fact that he, too, believes that, instead of adjourning and surrendering, the thing to do is to take the only course we now have left to take, that is to adopt the compromise which would finally, after 100 years, give us an opportunity to file a cloture petition on a motion or any other business of the Senate, stop the debate, bring up the legislation for consideration, and for passage, if the Senate so desires.

Mr. President, the record shows that it was the Republican leadership which finally succeeded in obtaining from the filibusterers agreement on a compromise that will work and do the job.

And, I want to point out with all the emphasis at my command that the Senate today has no effective cloture rule.

I should like to repeat that over and over again so the public will understand. I should like to have the woman, who wrote the letter to the Senator from New Jersey [Mr. HENDRICKSON], know that the reason we are attempting to put into effect a new rule is to correct the very wrong she writes about. We have no effective cloture rule. We cannot stop debate on a motion to bring up until we have an effective cloture which will permit us to stop debate on a motion. Thousands of people throughout the United States, yes hundreds of thousands, want this kind of an effective cloture rule that will limit debate, so the Senate can get on with its work. It is to them I am especially talking this afternoon.

Any comparisons that are made between the Wherry substitute and the present cloture rule are totally beside the point, because the present cloture rule is full of holes and everybody knows it. Everybody knows that filibusters can be waged because of these loopholes. We all agree upon that.

The Senator from West Virginia [Mr. NEELY] regaled the Senate with a most eloquent address, in which he quoted from the Bible and during which he quoted poems, and made his presentation upon a very high plane. The Senator from West Virginia pleaded for the adoption of civil-rights legislation. But, Mr. President, the Senate cannot do anything along the lines he suggested unless such a compromise as we now propose be adopted, for under present procedure, the civil-rights bills cannot be brought up.

Mr. NEELY. Mr. President, will the Senator yield?

Mr. WHERRY. I shall be glad to yield at the conclusion of my speech.

The truth is that the only way a filibuster could be broken, in view of these loopholes, would be through round-the-clock sessions and wearing down the filibusterers. The majority leader made such a statement, and I agree with him.

At this point I wish to say that I have great sympathy for any leader who attempts to break a filibuster. It is a difficult thing to do. But I am sure the able

majority leader will agree with me that stopping the filibuster would have been the only way in the world to adopt the Wherry-Hayden resolution. I am satisfied of that, and the Republicans gave the majority leader every assurance that we would go along with him in an attempt to do that very thing. So I believe every one in the Senate agrees that filibusters can be waged because of the loopholes which exist in the present rule.

Mr. President, I leave it to anyone who has witnessed the pink-tea efforts of the majority leadership to break the filibuster, to answer whether a determined effort was made to break the filibuster. That is a question of opinion, I know. But filibusters cannot be stopped unless we have continuous sessions. I think I can speak with authority on that point because we had some all-night sessions during the Eightieth Congress in an attempt to break filibusters, and we accomplished much in that line.

The power to break the filibuster was in the hands of the majority leader, and he failed. He failed abjectly.

The proof of this was the action of the majority leader, about midnight last Monday, when he took the Senate floor and said he was about to make a motion to adjourn, and thus surrender to the filibusterers, and thus to leave the Senate with no cloture rule. Senators on my side of the aisle then swung into action to prevent so calamitous an act, for it was a complete surrender.

The majority leader put this question to the senior Senator from Louisiana [Mr. ELLENDER], as appears on page 2408 of the CONGRESSIONAL RECORD:

> Mr. LUCAS. Will the Senator yield the floor in order that I may make a motion to adjourn?

The Senator from Louisiana at that time refused to yield the floor, though later he did yield the floor to the majority leader, and he then made his statement that the prospects for a satisfactory compromise were not good, and that the Senate must get on to other business.

I pleaded for a recess so that we could try again; try some more, to get an agreement.

It was obvious that the majority leader had indicated that he was determined to scuttle and run out on any determined effort to break the filibuster.

If the Senate had adjourned, we would have been left without any effective cloture rule, and the Senate would be prevented from bringing up any controversial legislation, passage of which would be threatened by a determined minority.

Therefore, the only course left for us who wanted an effective cloture rule was to ask the majority leader if he would not yield once again so we could continue our efforts to work out a compromise. The majority leader consented to a recess. I publicly acknowledge his great service in yielding to our request for a recess, because we were thereby enabled to keep this thing alive. We would not have been here today in the position we now are if we had not gone along with that procedure. He consented with the understanding that we were to make one more effort to effect a compromise. And a compromise, as Senators know, is not made on an all-or-nothing basis. It must be a give-and-take proposition.

Certainly, when the majority leader yielded to the wishes of the Senator from Nebraska, it was my intention that all of us who were to meet again to seek a compromise, would go into the matter on that basis.

Time will prove the wisdom of our action in causing the recess to be taken. Time will disclose this when Members, desiring to bring up legislation, can do so without fear of running into a filibuster.

Time will prove that the abject surrender of the administration's leadership was a blunder—a tragic mistake.

Either this cloture rule will work or it will not work. The way to find out is to test it. We know, or at least it should be known by this time by the press and radio, and the country, that today, as I have previously said, the Senate does not have an effective cloture rule.

We can test the Wherry substitute if the majority leader will join in that effort. I think he will. I think this will become a great means in his hands to help in obtaining consideration for legislation which the administration is very desirous of bringing before the Senate. I am sure that when it is adopted we shall have his cooperation. So I go back to my point that we can test the Wherry substitute if the majority leader will join in that effort. He has been making statements to the press that civil-rights legislation will be dead when the Senate adopts the Wherry substitute.

I challenge the majority leader to bring to the floor of the Senate anti-poll-tax legislation after this rule has been adopted. Let us stop talking about the substitute cloture rule being no good and give it a test. That is the only way finally to get the answer.

I can assure the majority leader that we on the Republican side will do our part in making such a test. We will gladly do it if we have the opportunity.

If all of us who believe in anti-poll-tax legislation do our part and muster our votes, we will pass an anti-poll-tax bill.

The time has come for action and not double talk. The time has come to prove our sincerity and let the people see by our votes who it is that is always talking about civil rights and then runs up the white flag when there is an opportunity to do something. These people have promised much, but they are short on delivery.

I serve notice now that it shall be my purpose from time to time to remind the majority leadership of my willingness—yes; my eagerness—to have a vote on civil-rights legislation.

The majority leader, for whom he knows I have the highest respect, personally, referred to me as the leader of what he termed "the pack" that drafted the Wherry substitute.

The majority leader and the minority leader both came from the wide-open Midwest. We know what is meant by a pack. It is a strange thing. I am the leader of a pack, according to the majority leader, and yet this afternoon the Senator from West Virginia [Mr. NEELY] had me riding on a white horse with General Lee. What a contrast.

But let me assure the majority leader now that this pack, as he refers to us, has rescued the Senate from destructive leadership on this cloture issue, and everyone who knows the facts as to what has been happening in the past few years, if he is fair and reasonable, knows that statement to be true.

Let us just briefly review what has happened relative to this matter. Action toward reaching a compromise was suggested by the senior Senator from Michigan [Mr. VANDENBERG], by the senior Senator from Maryland [Mr. TYDINGS], by the senior Senator from Massachusetts [Mr. SALTONSTALL], and by many other Senators, both on the floor and in the cloakrooms. All seemed to be desirous of one thing, and that was to bring in something which would forever give us a cloture rule which would apply against a motion.

Every thinking person who knew the situation knew that an honorable compromise that would give us some kind of a cloture rule was the only sensible course. On the floor of the Senate pleas were made from both sides of the aisle to take the course of reasonable men and compose our differences along honorable lines.

From the start of our negotiations to the final meeting, progress was made. To the credit of every member of the committee, I have no doubt that progress was made.

Mr. President, I should like to have an opportunity to vote for the Hayden-Wherry resolution. It was a solution. After 2 years of hard work, we would like to vote for the Hayden-Wherry resolution. But remember that when we who favor the Hayden-Wherry resolution for a two-thirds cloture by Members present began these compromise negotiations we were confronted by opposition from the leaders of the filibusterers to a "constitutional two-thirds" majority.

Senators who know the junior Senator from Georgia [Mr. RUSSELL] and the senior Senator from Virginia [Mr. BYRD] will agree when I say that they are not easily pushed around. They have their convictions. They expressed their convictions, and voted them in all the meetings which we held. If Senators could have heard some of the talks made not only by them but by other Senators, they would know how those men felt in attempting to reach a compromise so that we could bring back to the Senate something on which they could all agree as honorable men. We know that they held deep convictions in this matter, and that they had much at stake. Likewise, the majority leader knew at all times the position of southern Senators.

In my discussions with the leaders of the filibuster, I found them willing to go as far as they possibly could to effect a compromise. I say that unhesitatingly. After many conversations, day and night, they yielded to a constitutional two-thirds vote to invoke cloture on legislation, provided protection was given in the rules against majority cloture.

Some of us spoke for Republican Senators. We only spoke for them. We could not bind any Republican Senator. We could only carry back the recommendations; but those of us who spoke for Republican Senators consented, only as a last resort, to yield from a single two-thirds to a "constitutional two-thirds" on clotures for legislation. I feel that the difference was too small to permit it to cause a complete break-down and collapse, which would have left the Senate with its present ineffective cloture rule.

Again I wish to point out that the present cloture rule, standing rule XXII, is totally ineffective and full of loopholes. So when comparisons are made between the Wherry substitute and the present rule, they are comparisons between the Wherry substitute and the provisions in standing rule XXII, which are excellent, provided they can be put into effect. That is the only basis on which an honest and fair comparison can be made by reasonable men.

This is the catch in the argument which administration Democrats are making in order to escape from their present dilemma. They say that they cannot vote for the Wherry substitute because it is not as effective as the present cloture rule, and that to adopt the Wherry substitute would be a step backward. By a step backward I assume they mean stepping down from two-thirds of the Senators voting to a "constitutional two-thirds," or two-thirds of the Members duly chosen and sworn.

I agree that there is a very slight step backward in that respect. But, Mr. President, it is a step which provides holeproof, bulletproof cloture under cloture motions in the future. It stops up the holes and permits an opportunity to file a cloture petition on a motion or any other pending business, or any matter, so as to get legislation before the Senate.

The other day there was a great deal of discussion about what would have happened during the past 32 years in connection with four votes in which cloture carried and 19 votes when it did not carry. Comparisons were made. I agree with the Senator from Ohio [Mr. TAFT] in his statement that we may cite all the statistics we wish, and argue that there is a difference of a vote and a half, an inch and a half, or a mile and a half; but when we get through, whether or not we are to have an effective cloture rule depends upon the attendance of Senators. That is the final test. That is all there is to it.

I wish to say a word or two about what would have happened in the cloture test. I use the civil-rights legislation as an illustration, although I am speaking of all legislation.

For their consideration I wish to address these remarks to those who believe in either a simple two-thirds cloture or a "constitutional two-thirds" cloture. I do not say it proves anything, but I do say that when some Senators are objecting to a two-thirds straight-across-the-line cloture, or a simple two-thirds cloture on proposed legislation, as compared to a "two-thirds constitutional" vote on cloture, it seems to me it would not make any difference in the case of most of the votes which have been had on cloture in the Senate.

Let me read the record of the five cloture votes which have been had in the 6 years since I have been in the Senate, not including the one we had the other day:

Senator BARKLEY, of Kentucky, filed a cloture petition on the anti-poll-tax bill on May 15, 1944. Let me give the record on that occasion: Yeas, 36; nays, 44; not voting, 16.

Mr. President, please note that the "nays" were 44; so it would not have made any difference whether there was a two-thirds rule or a "two-thirds constitutional" rule, for there were more than sufficient Senators to defeat the cloture petition in any event. One-third of 96 is 32, so Senators can see what I mean when I say the petition was defeated in any event. It would not have made any difference whether there was a two-thirds rule or a "two-thirds constitutional" rule, because there were too many Senators who were opposed to invoking cloture.

Let us consider the next case. By the way, it occurred as recently as February 9, 1946. At that time the question was on the permanent Fair Employment Practices Act, as proposed. Once again, Senator BARKLEY, of Kentucky, circulated the cloture petition. The result of the vote was: yeas, 48—not even a simple majority; nays, 36; not voting, 12. So it would have made no difference at all whether there had been a two-thirds rule or a "two-thirds constitutionl" rule.

Later on in that year there was another vote on the question of invoking cloture. It developed on the question of ending debate on an anti-poll-tax bill, and the vote occurred on July 31, 1946. By the way, Mr. President, Senator BARKLEY, of Kentucky, circulated that petition, or at least he filed it. The result of that vote was as follows: Yeas, 39; nays, 33; not voting, 24. So it would have made no difference whether there had been a simple two-thirds rule or a "constitutional two-thirds" rule.

I simply call that situation to the attention of Senators who now state that they cannot support the proposed "two-thirds constitutional" rule which would require the favorable votes of two-thirds of the Members of the Senate present, sworn, and serving, as compared to a rule requiring the favorable votes of two-thirds of the Members of the Senate present and voting.

Of course, Mr. President, now the situation has changed; but if a time comes when we again have a situation similar to that which existed when the Senator from Michigan [Mr. VANDENBERG] made his ruling as President pro tempore—and I have the highest regard for his philosophy and belief—if Senators at that time wish to deny the correctness of his position, and wish to affirm the correctness of the position taken recently by the Vice President, they may do so. The time may come when the Senate will desire to do that; but if the Senate becomes overwhelmingly in favor of that, 2 years or more hence, there will be no difficulty in getting a cloture petition filed, because the trouble is not, as some have said, because of the votes opposed to cloture; that is not the trouble; the trouble is in bringing out those who wish to have cloture invoked, and in getting them to vote for the record. That is the trouble.

Referring again to the record of the past votes, we realize that in one case, 33 would not have been a majority, but there were only 33 "yeas" on that vote; again, 48 would not have been a majority, but those were all the "yeas" on that vote; and, again, 36 would not have been a majority, but those were all the "yeas" on that vote.

In other words, as the parliamentary situation now stands, a vote against the Wherry substitute will be a vote against cloture, and will be a vote against a chance for civil-rights and other controversial legislation to be considered without running into a filibuster.

Mr. President, I wish to state my record on all civil-rights measures:

On the cloture petition filed on May 15 to limit debate on the anti-poll-tax bill, I voted "yea."

I want the RECORD to show that on the vote on cloture to limit debate on the permanent Fair Employment Practices Act, on February 9, 1946, I voted "yea."

I wish the RECORD to show that on the vote on invoking cloture to limit debate on the anti-poll-tax bill, on July 31, 1946, I voted "yea."

Mr. President, I wish the RECORD to show that I favor the enactment of these bills. I wish the RECORD to show that I believe in my heart today that the only chance we shall ever have to get the civil-rights bills before the Senate is by adopting the Wherry substitute, so that we may somehow get the Senators whose votes are needed in order to obtain a "two-thirds constitutional" majority, to vote to bring that legislation before the Senate. The Wherry substitute will give us an opportunity which we do not have today, and all Senators know it.

Mr. President, there has been considerable talk about what happened in the conference meetings. I agreed not to say anything about what occurred at those meetings, and I did not say anything about them until to my mind they were made public by the Democratic National Committee chairman, as I stated the other evening.

I wish to clear up some misunderstandings about those meetings. I wish to state what I am sure is the truth about them; but if what I state is not in accordance with the facts, as others may view them, I shall be glad to have anyone correct me.

At the meetings, after our negotiators representing the Republican side had obtained from leaders of the filibuster the concession to support a "two-thirds constitutional" majority, all of us met with the majority leader. The majority leader at first refused to budge from his stand for a cloture rule of two-thirds of the Members of the Senate present and voting on cloture. Bear in mind, Mr. President, that involved in that decision was a question of a mere two or three votes, I think—and, by the way, no votes at all, if all Senators were present on the

floor of the Senate, where they should be when a cloture motion is up.

At that meeting the Senator from Illinois [Mr. LUCAS] finally was asked whether he would go back to the conference of administration Democrats and recommend a "two-thirds constitutional" majority cloture rule for legislative matters, treaties, and on questions of the confirmation of nominations by the President.

He replied, "No."

Then he was asked the question: "Will you take this proposition back to the administration Democrats' conference; and if they approve it, will you approve it and support it?"

He said, as I recall, "If a majority of the administration Democrats are for it, I will vote for it."

That was the last meeting held by the group over which the majority leader had been presiding.

The next important development was a statement to the press and radio by the Senator from Illinois [Mr. LUCAS] that he was going to move for an adjournment of the Senate. That was when the administration surrendered to the filibusterers. That was when the scuttle-and-run strategy was adopted. That was when the compromise efforts were near the rocks. And that was when the country was flooded by a lot of statements by administration Democrats that were misleading, and that sought to escape responsibility for their weak-kneed surrender; for, after all, they are in power, they have the majority, and this is their responsibility.

Those of us who believed that a failure to adopt an effective cloture rule would be a tragedy, had no other course than to fight on. We had reached a compromise with the southerners, and we moved on for its adoption by the Senate. That is what is before us now.

The surrender of the majority leader and his followers was formalized when the majority leader asked the senior Senator from Louisiana [Mr. ELLENDER], as I have already stated, to yield the floor of the Senate so that the majority leader could make a motion to adjourn the Senate.

We do not need to refer to newspaper files for the record. It is all written in the CONGRESSIONAL RECORD—enough so that posterity will know the details of this remarkable episodc in American history.

Just think of it, Mr. President, by the majority leader's own statement, there are 28 administration Democrats. Their ranks have been reduced by a steady drift away from the administration's scuttle-and-run program, and to the worthwhile business of getting a cloture rule that will work, even though it is not all that we who favor cloture in some form had hoped for.

Is it any wonder that those who have supported the administration in its pink-tea efforts to break the filibuster, and in its amazing stand against the compromise, are now rushing to the press and the radio with a mass of misinformation in order to confuse the people? It reminds me of that old saw—"Stop thief."

Another smoke screen that has been raised by the majority leader is worthy of answer, because it has been widely publicized. That is, that there is a wide difference between a two-thirds vote of Senators present, and two-thirds of Senators duly chosen and sworn—the "constitutional two-thirds" that I mentioned a moment ago.

Let me answer that, once for all: On any motion to take up a piece of legislation so controversial as civil rights, under the Wherry substitute, a cloture petition can be filed. It is in order, and the only question is whether or not there are sufficient Senators present to apply cloture.

As to specific legislation—civil rights—there certainly would be no doubt that those against cloture would be sure to have their votes on hand; and, certainly, those who believe in civil-rights legislation would make a determined effort to have their votes on hand, when the cloture petition came up.

Someone has said we do not live in the horse-and-buggy age any more. The senior Senator from Arizona [Mr. HAYDEN] told us the other day that when he first came to Congress, he rode 4 nights on the train to get here. Now, he can make it in a few hours by airplane. Senators absent from the country, halfway around the world, can get back here in 24 hours or so. So there is no excuse other than illness for failure to be in attendance on the Senate. Let me also remind Senators that the Senate rules compel the attendance of Members who are physically able to be here, or, who are not excused by the Senate for good reasons. The Sergeant at Arms can be directed to go out and bring us in. Of course, honorable Senators never require that kind of attention. Nevertheless, the power to bring us in is vested in the Senate.

So, it should be apparent by now that in this contest there have been a lot of fantastic claims—a lot of beating around the bush.

Another erroneous argument has been broadcast by the administration Democrats in their scuttle-and-run strategy: They have asserted that the compromise plan would freeze the rules, whereas under the present cloture rule no such freeze exists. That is the claim.

The fact is that on motions to change the rule, under the Wherry substitute, there would be no change in the present rule. Filibusters could be waged against motions to consider changes, under the present rules, but if the Senate under strong leadership wants to break such a filibuster it can do it, and once the motion is adopted, the Wherry substitute provides for cloture upon the pending resolution to amend the rules or to provide a new rule. I am against majority cloture. I said so when I presented this particular rule in the opening speech explaining what its provisions were. But there may come a time when the Senate desires majority cloture. There is no freeze in the Wherry substitute to prevent a future Senate so minded from effecting its will.

So it is, one by one, we can destroy and expose the untruths that have been spread across the country through the press and over the radio.

A serious, fair-minded consideration of the Wherry substitute will, I think, satisfy anyone that it provides the most important reform in Senate procedure in the entire history of our country.

Through its adoption, Senate procedure will be revolutionized. We will be able to do our work more efficiently. We will be able to debate and deliberate—and we will be able to legislate.

We have been talking a great deal about civil rights. Let me remind Senators that for the first time in a hundred years the Senate will have an effective, workable cloture rule to limit debate on treaties, legislation, and Presidential nominations for public office. We know not what emergency may develop in the future, in which an overwhelming majority of the Senate, in response to the will of the people, may seek to enact legislation deemed necessary for the security of the Nation, as so well put forth by the Senator from Maryland [Mr. TYDINGS] a few days ago. It is reasonable to feel that the very life of our Republic may rest in the balance in such a situation. The risk is too great in these troubled times not to be prepared for any contingency. We who support the compromise substitute, I believe, fulfill our constitutional obligations in that respect when we vote for the substitute and afford an avenue whereby we can get up for consideration legislation of a national emergency nature and character.

I make one more plea to the administration Democrats, all of them, to give this matter one more thorough exploration and to join with us in putting over this rule. How wonderful it would be if we could do it on a bipartisan basis, as we attempted to do with the Hayden-Wherry resolution. I urge Senators to join us. The new rule is a great step forward, long overdue, and plainly demanded by the people, as so clearly demonstrated by the letter read by the Senator from New Jersey [Mr. HENDRICKSON] this afternoon.

Mr. MYERS. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from Nebraska yield?

Mr. WHERRY. I desire to complete my statement.

The PRESIDING OFFICER. The Senator from Nebraska declines to yield.

Mr. WHERRY. Let us adopt the resolution, so the Senate may function and fulfill its responsibility.

The American people are not especially interested in the technicalities of our rules of procedure. What the people want is action—affirmative, constructive action. They want the Senate to function and not remain at the mercy of any obstructing, small minority.

A two-thirds cloture is safe, and constitutes a bulwark against pressure groups.

A two-thirds cloture is imperative if we are to meet our responsibilities in domestic affairs and in carrying forward our responsibilities in a troubled world.

Messrs. LUCAS, MYERS, and DONNELL addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Nebraska yield; and if so, to whom?

Mr. LUCAS. I ask the floor.

Mr. WHERRY. I yield the floor.

Mr. LUCAS. Mr. President, I feel genuinely flattered that the Senator from

Nebraska, the able minority leader, should devote himself so vigorously to an attack on me and to a defense of the Nebraska compromise. I agree with him that the time for double talk has passed, and all I am going to say is this: Everything the Senator from Nebraska has said has been repeated in the course of the debate heretofore in one way or another. The American people know what has been going on in the Senate. Through the radio and the press they have obtained the information, and they are not interested in what the majority leader says at this moment, nor are they interested in what the minority leader says. They are interested in action, once more, and the American people in the future are going to be interested only in the votes which have been cast upon the question since the Republicans came into power in the Eightieth Congress, and what has been done since the Democrats took over in the Eighty-first Congress.

In other words, Mr. President, it is not what some Senator has said on the floor of the Senate, but it is the record that will count vitally. The votes that are cast upon the pending question and all other votes heretofore will be the ones that will be scrutinized and analyzed by Americans everywhere who are vitally interested in the question of civil rights.

Mr. President, I am anxious to get along with the voting on the various amendments before the Senate and also on the resolution. I sincerely hope we may finish in the next 2 hours, if possible. I now yield the floor.

Mr. DONNELL. Mr. President——

The PRESIDING OFFICER (Mr. FREAR in the chair). The Senator from Missouri is recognized.

Mr. DONNELL. Mr. President, I offer the amendment which I send to the desk and ask to have stated, after which I desire to address the Senate with respect thereto.

The PRESIDING OFFICER. The clerk will read the amendment for the information of the Senate.

The LEGISLATIVE CLERK. On page 2, line 8, of the substitute proposed by Mr. WHERRY (for himself and other Senators) for Senate Resolution 15, amending the so-called cloture rule of the Senate, it is proposed to insert, after the word "matter", the following: "(and, for the purpose of this rule, the term 'matter' shall include a motion to approve the Journal, which shall be in order at any time as a privileged motion and to it every motion, whenever it shall be or have been presented, relative to the Journal shall be deemed an amendment)."

Mr. DONNELL. Mr. President, I move the adoption of the amendment to the amendment; and, as indicated, I desire to be heard with respect thereto.

The PRESIDING OFFICER. There is a pending amendment which takes precedence.

Mr. DONNELL. Mr. President, may I ask unanimous consent that my amendment may take precedence, unless the Senator who offered the previous amendment desires to proceed. I have no objection to his proceeding.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. DONNELL. I yield to the Senator from Nebraska.

Mr. WHERRY. Mr. President, the Senator who offered the other amendment is not now on the floor.

Mr. LUCAS. Mr. President, reserving the right to object, may I inquire what is going on at this time?

Mr. WHERRY. The Senator from Nebraska, seeing that there are very few Senators now on the floor, would like to suggest the absence of a quorum so that the Members of the Senate may know what is in the amendment offered by the Senator from Missouri.

Mr. LUCAS. I have no objection.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Hill	Millikin
Anderson	Hoey	Morse
Baldwin	Holland	Mundt
Brewster	Humphrey	Murray
Bricker	Hunt	Myers
Bridges	Ives	Neely
Butler	Jenner	Pepper
Byrd	Johnson, Colo.	Reed
Cain	Johnson, Tex.	Robertson
Capehart	Johnston, S. C.	Russell
Chapman	Kefauver	Saltonstall
Chavez	Kem	Schoeppel
Connally	Kerr	Smith, Maine
Cordon	Kilgore	Smith, N. J.
Donnell	Knowland	Sparkman
Douglas	Langer	Stennis
Downey	Lodge	Taft
Eastland	Long	Taylor
Ecton	Lucas	Thomas, Okla.
Ellender	McCarran	Thomas, Utah
Ferguson	McCarthy	Thye
Flanders	McFarland	Tobey
Frear	McGrath	Tydings
George	McKellar	Vandenberg
Gillette	McMahon	Watkins
Green	Magnuson	Wherry
Gurney	Malone	Wiley
Hayden	Martin	Williams
Hendrickson	Maybank	Withers
Hickenlooper	Miller	Young

The PRESIDING OFFICER. Ninety Senators having answered to their names, a quorum is present.

Mr. DONNELL. Mr. President, there was read a few minutes ago by the clerk an amendment which I have offered to the amendment proposed by the Senator from Nebraska [Mr. WHERRY] for himself and other Senators, which is in the nature of a substitue for Senate Resolution 15. The parliamentary situation, as I understand it, is that the amendment offered by the Senator from Connecticut [Mr. BALDWIN] to the so-called Wherry substitute is the pending question. At the conclusion of my remarks, unless my intention shall change, I shall request unanimous consent that a vote may then be taken upon the amendment which I have proposed. Should I fail to obtain such unanimous consent, I shall at the appropriate time thereafter renew my request or make a motion for the adoption of the amendment.

Mr. President, I rise, as indicated, to speak in favor of the amendment which I have offered to the so-called Wherry substitute. Before proceeding to a discussion of the amendment, I shall very briefly mention one other proposition, namely, that in my vote against the ruling made by the Vice President, first, the question whether it is desirable that cloture be made applicable to a motion to take up a resolution for consideration was not involved. Second, the question whether the exercise of civil rights should be guaranteed by Federal legislation was not involved.

The Barkley ruling held that cloture applies, under rule XXII, to a motion to take up a resolution for consideration. I voted against that ruling because, first, a motion to proceed to the consideration of a resolution is in my opinion not a measure. Second, therefore, since the cloture rule, rule XXII, applies only to measures, the rule does not apply to the motion to proceed to the consideration of Senate Resolution 15.

I proceed now, Mr. President, directly to the consideration of the amendment which I have offered. In order that there may be no confusion as to which amendment it is to which I refer, I call attention to the fact that on yesterday, as appears at pages 2590 and 2591 of the CONGRESSIONAL RECORD, I then offered an amendment which is set forth in full at pages 2590 and 2591. I have, however, somewhat altered the amendment which I presented yesterday, and the amendment in favor of which I now rise to speak is not that which is set forth in the CONGRESSIONAL RECORD of yesterday, but is that amendment of which a mimeographed copy has been today distributed to the desks of Senators. If any Senator desires a copy and does not now possess it, I trust he will make it known to a page so that he will have it on his desk.

The amendment in favor of which I rise to speak reads as follows—and I shall call the punctuation:

> On page 2, line 8, of the substitute proposed by Mr. WHERRY (for himself and other Senators) for Senate Resolution 15, amending the so-called cloture rule of the Senate, after the word "matter", insert the following: "(and, for the purpose of this rule, the term 'matter' shall include a motion to approve the Journal, which shall be in order at any time as a privileged motion and to it every motion, whenever it shall be or have been presented, relative to the Journal shall be deemed an amendment)."

It will be observed, Mr. President, that if the amendment in favor of which I am arguing shall be adopted, the earlier portion of that part of the Wherry substitute which begins at line 4 of page 2 will read as follows:

> 2. Notwithstanding the provisions of rule III or rule VI or any other rule of the Senate, except subsection 3 of rule XXII, at any time a motion signed by 16 Senators, to bring to a close the debate upon any measure, motion, or other matter (and, for the purpose of this rule, the term "matter" shall include a motion to approve the Journal, which shall be in order at any time as a privileged motion and to it every motion, whenever it shall be or have been presented, relative to the Journal shall be deemed an amendment) pending before the Senate, or the unfinished business, is presented to the Senate, the Presiding Officer shall at once state the motion to the Senate—

And so forth.

Mr. President, the reasons this amendment is offered are that in my opinion the provisions set forth in section (2) of the Wherry substitute for Senate resolution 15 inadvertently contain a loophole through which Senators desiring to escape the operation of cloture can by a skillful parliamentary maneuver successfully bypass and avoid cloture, and,

in my judgment, that loophole would be closed by this amendment.

Because the term "measure" in the presently existing rule XXII does not include either a motion to proceed to the consideration of a resolution or a motion to correct entries in the Journal, rule XXII has proved ineffective.

The purpose of the Wherry substitute measure is, of course, to include within the cloture procedure not only all motions to take up for consideration any bill or resolution, but also all proceedings for the correction of alleged mistakes made in the entries of the Journal, and any motion for the approval of the Journal, and also to prevent an interminable delay through the device of a successive series of amendments to the Journal being offered, which might be offered ad infinitum. It appears that the Wherry substitute measure successfully accomplishes the inclusion within the subjects to which cloture applies all motions, including those applicable to correction of entries in the Journal and the motions to approve the Journal.

It is exceedingly doubtful, however, whether the Wherry substitute measure would accomplish the further desired and essential result of eliminating the possibility of a lengthy series of motions to correct alleged mistakes in the Journal being offered one after the other, day after day, with an ensuing debate on each such separate motion.

If the Wherry substitute measure leaves open the possibility of the introduction of an infinitely great number of motions to correct alleged mistakes in the Journal, the Wherry substitute measure would, of course, totally fail in its purpose. It is, therefore, of greatest importance to be as certain as is humanly possible that the Wherry substitute measure is so worded that the possibility of prolonged debate on such an indefinite and extensive series of amendments, seriatim, should be destroyed.

In yesterday's discussion on the floor the point in my mind was one to which the majority leader [Mr. LUCAS] alluded in certain remarks of his which preceded my own. Before mentioning this evening a hypothetical occasion which might arise a year or 5 years from now, let me first recall to the attention of the Senate the fact that, although a motion to approve the Journal of the Senate is customarily made, there does not exist at any place in the standing rules of the Senate any mention of a motion to approve the Journal.

Suppose that at some future time an occasion making it desirable in the minds of some Senators that a filibuster shall ensue, shall arise. Suppose that Senator Jones, alertly quick to take every possible advantage of all parliamentary maneuvers, succeeds in offering to the Senate a motion to correct a mistake on page 1 of the Journal—for example, a motion to change the word "and" to "but"—and that through his alertness and diligence Senator Jones shall succeed in presenting that motion before any motion to approve the Journal shall have been made.

Suppose that the motion of Senator Jones with respect to the substitution of the word "and" for "but" shall be argued extensively; that 16 Senators, under the provisions of the Wherry substitute measure, endeavor to bring to a close the debate upon Senator Jones' motion; and that by action pursuant to the Wherry substitute measure, or two-thirds of the Senators duly chosen and sworn, it shall be decided that the debate shall be brought to a close. Suppose that the debate on Senator Jones' motion does come to a close and his motion is defeated. I take it that the authors of the Wherry substitute measure have endeavored through their measure to insure that upon the defeat of Senator Jones' motion and such, if any, amendments to his motion as have been presented, no further motions relative to a correction of any parts of the Journal, or approval of the Journal, could be debated.

Suppose, however, that following the defeat of Senator Jones' motion, Senator Brown rises and offers a motion to correct a mistake which he asserts exists on page 2 of the Journal, namely, that the word "wherefore" should be the word "therefore." The point is thereupon made by a Senator who seeks to prevent further debate that by the action on Senator Jones' motion Senator Brown is precluded from proceeding with his own motion on the "wherefore-therefore" issue. The argument in opposition to a continuation of debate on Senator Brown's motion would doubtless be that the matter which had been before the Senate on Senator Jones' motion was the whole subject of the approval of the Journal, and that therefore, inasmuch as disposition has been made of Senator Jones' motion, no further proceedings relative to the Journal may be had.

Senator Brown answers, however, that the "matter"—to use the word which appears in the Wherry substitute measure—which had been disposed of by the defeat of Senator Jones' motion was only Senator Jones' motion; that the Jones motion was not one which involved the approval of the Journal in its entirety; and that the matter embraced in Senator Jones' motion therefore does not include the matter in Senator Brown's motion.

Perhaps 20 other Senators might at this point indicate that they, respectively, each desire to introduce a motion or motions to correct subsequent entries in the Journal, which prospective motions those 20 Senators contend are to be on an entirely different matter than that to which Senator Jones' motion had been addressed.

Obviously Senator Brown would possess much of equity in his contention, and could argue with much force that it is unjust that through the consumption by argument on Senator Jones' motion of nearly all the time allotted for the debate on the subjects relating to the Journal, he, Senator Brown, is to be precluded from adequately presenting the argument in support of his motion. Similar arguments could be advanced by each of the other 20 Senators who desire to present motions to correct mistakes in Journal entries.

The Presiding Officer will be called upon to rule where the matter involved in Senator Jones' motion was the approval of the Journal in its entirety or was only the subject of changing the word "and" to "but."

If the Presiding Officer should rule that Senator Jones' motion is limited to the "and-but" question, and does not apply to the approval of the Journal as an entirety, Senator Brown and all other Senators would, of course, be permitted, in the absence of action by the Senate itself overruling the Presiding Officer, to debate his motion on the "wherefore-therefore" question. This debate by Senator Brown and those interested for or against his motion could not be stopped without invoking another cloture proceeding.

If the Presiding Officer should rule that Senator Jones' motion on the "and-but" question did apply to the approval of the Journal in its entirety, an appeal would lie from that ruling, upon which appeal debate would ensue.

Obviously, Mr. President, under the hypothetical case which I have supposed, the cloture which had been invoked on Senator Jones' motion would not have prevented debate relative to Senator Brown's motion, and consequently the purpose of the Wherry substitute measure would have been thwarted by the existence of a loophole which that measure has inadvertently and unintentionally left within it.

Should the Presiding Officer, after the disposal of Senator Brown's motion, elect to recognize, not a Senator who moves to approve the Journal in its entirety, but another Senator who offers, or a number of Senators who offer, substitute motions to correct successive alleged mistakes in the Journal entries, it is obvious that debate of a length which could be bounded only by infinity could be carried on notwithstanding the Wherry substitute measure.

Mr. President, in order to remove the possibility that such a successive series of amendments relative to the Journal may be used in the future for the purpose of a filibuster, I have offered the amendment in advocacy of which I am now speaking.

It will be noted that on yesterday, as shown at page 2591 of the RECORD, I stated that after the discussion early in the session yesterday I chanced to be at the side of the Senator from Iowa [Mr. GILLETTE], who told me that the Parliamentarian, Mr. Watkins, had prepared a brief amendment. Mr. Watkins merely prepared it in memorandum form. I further said, as shown in the RECORD for yesterday at page 2591, that I had since talked with Mr. Watkins, who thinks the amendment I presented yesterday would cure the ambiguity to which reference was made.

I have subsequently participated in the preparation of the amendment now being argued, which includes not only the language of the amendment I offered yesterday but certain additional language designed to close as tightly as we are able to do the loophole to which reference has been made.

My present amendment provides for the insertion in line 8, on page 2 of the Wherry substitute measure, following the word "matter", the following: "(and, for the purpose of this rule, the term 'matter' shall include a motion to approve the

Journal, which shall be in order at any time as a privileged motion and to it every motion, whenever it shall be or have been presented, relative to the Journal shall be deemed an amendment)."

Mr. President, although the word "matter" now appearing in the Wherry substitute undoubtedly in my opinion includes a motion to approve the Journal, it is not at all certain, in the hypothetical case I have presented relative to Senator Jones' motion to change "and" to "but," that the matter included in that motion either would or should be ruled by the Presiding Officer to be the approval of the Journal. If the matter embraced in Senator Jones' motion should not be considered to be the approval of the Journal in its entirety, it is clear that subsequent motions by Senator Brown and other Senators on distinct and separate matters in the Journal could not properly be considered to be amendments to the matter which was disposed of by the cloture petition filed to Senator Jones' motion. Consequently, neither the respective motions of Senator Brown and the other 20 Senators nor the length of debate allowable thereon could properly be considered as having been respectively affected or determined by the action on the cloture petition which had been filed to Senator Jones' motion.

Mr. President, the amendment I propose, after distinctly stating that the term "matter" shall include a motion to approve the Journal, specifies two things: First, it specifies that said motion to approve the Journal shall be in order at any time as a privileged motion. Second, it provides that to said motion to approve the Journal, every motion, whenever it shall be or shall have been presented relative to the Journal, shall be deemed an amendment.

If the amendment I proposed be adopted, it will operate in the following manner in the hypothetical case I mentioned: First, even though Senator Jones were to present his motion on the "and-but" matter before a motion to approve the Journal were made, such motion to approve the Journal could be made at any instant thereafter, the language of my amendment providing that a motion to approve the Journal "shall be in order at any time as a privileged motion"; second, after the motion to approve the Journal had been offered, every undisposed-of motion, including any motion previously presented, as well as any motion thereafter presented relative to the Journal, would be deemed an amendment to the motion to approve the Journal; third, when, therefore, presentation of a motion to bring to a close the debate on the motion to approve the Journal resulted in a decision, under the terms of the Wherry substitute measure, that the debate be brought to a close, the motion of Senator Brown and those of each of the other 20 Senators would be deemed to be amendments to the motion to approve the Journal; and all such amendments and the motion to approve the Journal would be subject to the limitation provided by the Wherry substitute measure, namely, that after said cloture decision no Senator shall be entitled to speak in all more than 1 hour on the matter, the amendments thereto, and so forth.

Mr. President, it is respectfully submitted that the proposed amendment is exceedingly important and should be adopted in the interest of closing the loophole which otherwise will exist in the Wherry substitute measure.

Mr. President, I have been informed generally—inasmuch as I was not in attendance at the conference at which the action to which I now refer was had, I cannot state this from personal knowledge, but only from what I have heard—that some, at any rate, of the 52 Senators who have joined in sponsoring the Wherry substitute feel themselves morally obligated to vote for it without any change whatsoever in it. Of course, I shall not ask any Senator to violate what he considers in his own good conscience his obligation, whether legal, moral, or otherwise. Indeed, I am not asking any Member of the Senate to vote for the amendment which I present. I have presented it and the reasons for it in the sincere belief that it is important that it be adopted, and that without its adoption there will exist in the Wherry substitute a loophole which may utterly thwart the purpose of that measure if shrewd and quick and alert parliamentarians upon the floor of the Senate indulge in the parliamentary procedure to which I have referred.

Mr. President, let no one be lulled into a false feeling of security by the thought that from now on, in all the future history of the United States, no Member of the Senate will ever think of starting a filibuster. I take it that human nature probably will remain as it is fifteen, twenty, a hundred years from now, just as it remains much as it was back in the Bible times to which the distinguished Senator from Florida [Mr. PEPPER] referred this afternoon.

Mr. President, we may confidently expect that some clear-headed, energetic, alert, active Member of the Senate will in the future, as in the past, undertake to see whether there is some loophole still left in the rule. As has been pointed out, it was only a comparatively short time ago, only last year I believe it was, that it was ascertained in the Senate by many of us that by the use of the word "measure" there had not been included in rule XXII a motion to take up for consideration, or motions affecting the Journal. It may well be, Mr. President, that despite all the care that has been bestowed upon the preparation of the Wherry substitute measure and with all the precautions which may be taken, there may at some time develop a defect. The proposed new rule may fail to take into consideration some series of facts or some parliamentary procedure that we would have covered had we thought of it at the moment.

We now have before us, as I see it, that which I have no doubt is a difficult matter to explain in language clearly at the moment, because of its technical nature. We have here to my mind a clear, unmistakable loophole, which the Wherry substitute measure possesses within it. I feel that the Senate—and again I am not asking any Senator to vote for my amendment—would make a bad mistake in failing to adopt a provision such as I have here presented, or some other one that may cover the situation, which I have not seen from any other source, that would close the loophole while we have the opportunity to close it.

Addressing myself to the situation in which the 52 Senators find themselves, I do not know, and I do not propose to cross-examine any one of those 52 to find out, where was the understanding. My general impression and understanding is that there was no document signed, nothing which said in haec verba, "we hereby agree to vote for this resolution, this substitute, without a change, without the dotting of an 'i' or the crossing of a 't'." But I am conscious of the fact that some, at any rate, as I have indicated, of those who sponsored the Wherry substitute feel themselves morally obligated by the fact that they have joined in the resolution.

I trust I shall be pardoned and not be considered unduly critical of any Member of the Senate, for indeed among the signers of the amendment, the Wherry substitute, are many of my closest friends. Not all of my closest friends have signed it. My good brother here, the Senator from Oregon [Mr. MORSE], is one of the closest friends I have in the Senate. His name is not on it. But there are some of my very close friends, including the distinguished Senator from New Jersey, who is now advancing to his seat, who are on it. I do not want to offend any Member of the Senate, but to my mind it is highly opposed to sound public policy for any situation to be allowed to call on a Senator to permit himself to be placed in such a position that by either a legal, written, oral, moral, or any other obligation he shall preclude himself from considering amendments, changes, additions to, or deductions from a measure pending before the Senate.

Mr. President, suppose, for illustration, that someone were to find here tonight in this very amendment, the Wherry substitute measure, some grossly erroneous statement, something that obviously would not represent the desire of the Senate or of any Member who shall have joined in this particular enterprise, namely, the promulgation of the Wherry substitute measure. I ask you, Mr. President, what should be the attitude, with a matter here to be decided which has been declared by the distinguished Senator from West Virginia [Mr. NEELY] perhaps to be as important as any measure that can be conceived, or words to that effect, with an amendment here which has a bearing not merely upon our ordinary routine legislative process, but which may have a vital bearing upon the very functioning of our Nation as a result of an outbreak from some foreign enemy, because, if the business of the Senate could be tied up by a loophole in the new cloture rule, it might be we would be unable to protect ourselves in the quickness of time requisite for protection against the designs of foreign enemies? I ask, Mr. President, is it a sound public policy for Members of the Senate, in advance of seeing even the amendments that may be or shall be proposed to the measure, to tie themselves up in a knot, so to speak, so that they must, because of their obligation,

go forward and adopt a rule which may be iniquitous and harmful, and may lead to evil results beyond those that can be contemplated by the human mind?

Mr. BREWSTER. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from Missouri yield?

Mr. DONNELL. I yield for a question.

Mr. BREWSTER. I appreciate what the Senator says, but I take it he realizes that at some time or other we must all make up our minds and cast a vote. Lacking omniscience we are apt to make mistakes. We have for 10 days debated the essence of the problem here, as to whether we should determine a rule in this manner, have we not?

Mr. DONNELL. I do not think so. I think the motion that has been before the Senate for 10 days or more has been a motion to take up for consideration the Hayden-Wherry resolution. I may say to the Senator that I know of no one who has presented an amendment even remotely resembling that which I have presented here today. I know of no consideration that has been given to it. In answer to the Senator's further question, relating to the fact that we must eventually arrive at a time when we must decide, I may say that I do not think the correct time at which we should make up our decision should be at a time before that at which we have considered all the amendments and proposals which may be presented by Members of the Senate.

Mr. BREWSTER. Do I correctly understand that the Senator from Missouri would never favor cloture?

Mr. DONNELL. I have not expressed myself on that subject in what I have said here. I may say to the Senator I do favor cloture——

Mr. BREWSTER. And does the Senator——

Mr. DONNELL. If the Senator will permit me—and yet I will not, and I have not expressed myself to a living soul—in fact, I do not propose to do so—as to whether I shall vote for this measure, until I shall have heard the arguments and until the last moment before I cast my vote. I may say further, if the Senator will permit, that I have had the experience of changing my mind on the floor of the Senate within a very few seconds indeed before I cast my ballot. I trust the distinguished Senator from Georgia [Mr. GEORGE] will not object to my mentioning an incident which he has doubtless forgotten. One afternoon, a year or two ago, I was seated in the lounge in the exterior of the Senate Chamber. I was considering a vote which was to take place within a few moments thereafter. And I must confess, I may say to the Senator, that I had not at that moment, determined how I should vote. At that moment the distinguished Senator from Georgia came along and, while I do not think he said quite as definitely as I did that he had not decided, he expressed what to my mind was a very strong indication that he had certainly not long since that made up his mind. And I am not so sure whether he had made it up even at that moment.

I cite that to my friend merely as an illustration of the fact that, to my mind, certainly on a matter of such tremendous consequence as is the matter of cloture, involving all the considerations to which reference has been made, it is premature for any Member of the Senate to bind himself by an obligation, moral, legal, implied, or otherwise, as to voting for a measure without a change in the dotting of an "i" or the crossing of a "t", or without consideration of an amendment which may be presented by a fellow Senator who may be just as desirous of accomplishing the result which is sought to be accomplished as are those Senators who have entered into an agreement without having heard his amendment.

Mr. BREWSTER. Mr. President, does the Senator recall an occasion within the past year in which he stated to the Senator from Maine that within 1 hour after he had cast a vote he decided that he had made a mistake?

Mr. DONNELL. I do not recall it, but I do not doubt that there are plenty of mistakes which I have made.

Mr. BREWSTER. I would have to look at the RECORD to ascertain when it occurred, but I recall the episode, and I thought it was a great compliment that the Senator would indicate it.

The Senator speaks of the fact that we are tying ourselves up into a knot. Would it not be fairer to say that we are trying to untie the knot in which we have been involved for the past 10 days, or extricating ourselves from the utterly impossible parliamentary situation in which we were involved?

Mr. DONNELL. I may say to the Senator that I fully appreciate, or at least partially appreciate, the difficulties, though not so well as did those who participated in the conference. I happened to be out of the city on the day of the conference. I think I appreciate, at least in part, the tremendously difficult problem which confronted the 52 Senators who signed the substitute. I have confidence in the Members of the United States Senate; their judgment, many times, is better than my own, and their integrity is equal to mine. But I return to the thesis that, regardless of the difficulty, to my mind it would be a mistake for those 52 Senators, regardless of what may develop, regardless of the danger to the United States, regardless of the possibility that the result might be the destruction of the Nation, to bind themselves, before hearing everything, to support the measure intact, without the dotting of an "i" or the crossing of a "t."

Mr. BREWSTER. Will the Senator agree that if the rule which is now proposed is adopted, at any rate there will be an effective way by which it will be possible for this body to legislate, whereas heretofore it has been impossible, without the expenditure of more time and effort than the Senate has found it possible to afford?

Mr. DONNELL. I fear that the Senator was not in the room at the time I developed most of my argument upon this proposition, or else I failed to develop it with sufficient clarity to make it clear to the distinguished Senator. I know the clarity of his own mentality, and the fault probably lies with me.

The Wherry substitute leaves a loophole under which it may be possible, through a quick, effective parliamentary maneuver, to accomplish a purpose which it is intended to prevent. It is solely for the purpose of closing that loophole, of annihilating it and making the measure as nearly perfect as we can, that my amendment has been offered.

Mr. GEORGE. Mr. President, will the Senator yield to me for a few questions, and permit me to preface them with a statement?

Mr. DONNELL. I yield to the distinguished Senator from Georgia.

Mr. GEORGE. I have the profoundest confidence in the sincerity and ability of the Senator from Missouri. First of all, let me ask the Senator if the same infirmity, as he sees it, which he is pointing out in the Wherry substitute, is not also textually in the original Hayden-Wherry resolution?

Mr. DONNELL. I may say to the Senator that I have not read the Hayden-Wherry resolution.

Mr. GEORGE. I think the Senator will find that it is in the same language.

Mr. DONNELL. It may well be.

Mr. GEORGE. The distinguished Senator from Oregon [Mr. MORSE] has offered an amendment in the nature of a substitute. If the Senator will examine it, I think he will discover that the identical language which he now thinks should be made more specific is used. In other words, what I am trying to say is that the Senator's objection goes not merely to the Wherry substitute, but to the original Hayden-Wherry resolution, to the amendment offered by the Senator from Oregon, and also to the amendment offered by the Senator from Connecticut [Mr. BALDWIN], because he does not offer a complete substitute, but offers merely to amend the original Hayden-Wherry proposal. I do not think there can be any question about that.

Mr. DONNELL. May I answer the Senator at that point?

Mr. GEORGE. Yes.

Mr. DONNELL. As I have stated, I have not read the original Hayden-Wherry resolution, nor have I read the amendment offered by the distinguished Senator from Oregon [Mr. MORSE], but each of them may be subject, and possibly is, to the same infirmity. I may say that they are doubtless subject to the same infirmity as is the Wherry substitute.

Mr. GEORGE. I think I can assure the Senator that the same language is used in both substitutes.

Mr. DONNELL. I may say to the distinguished Senator, for whom, as he well knows, I have not only a great admiration, but as I told him on one occasion, I feel almost a sense of awe when I come into his presence, because of my great respect for his ability—and that is not flattery at all——

Mr. GEORGE. I did not rise to ask any embarrassing questions.

Mr. DONNELL. I know that.

Mr. GEORGE. I am trying to ask questions which I think may be helpful.

Mr. DONNELL. The Senator is so generous and kind, I know that is true. I wish to say to the Senator that although I highly respect his judgment on any

point which he presents, I respectfully submit that even though there be a like or identical infirmity in the Hayden-Wherry proposal, the Morse proposal, and the Baldwin proposal, that does not alter the fact that the infirmity exists in the Wherry substitute, and does not obviate the importance of the Senate's considering a measure which proposes to remove the defect from the Wherry substitute amendment.

Mr. GEORGE. I was simply pointing it out for the purpose of emphasizing that if the amendment is pertinent, proper, and necessary to the Wherry substitute, it is equally applicable to all the others, the original resolution, and subsequent substitutes which have been offered. I was merely inviting the Senator's attention to that point.

I now come to what I wished to submit to the Senator, in all candor, because I know him to be a lawyer of great ability. He has demonstrated that here, and his capacity to reason about matters of this kind is well understood by all his colleagues on both sides of the aisle. That is not flattery. I am appealing to the Senator on the basis of a well-recognized principle of construction.

The Senator is fearful that the language "matter" or "other matter" is not explicit enough, and he wishes to insert an amendment declaring that it covers amendments to the Journal.

I call the attention of the distinguished Senator to this almost fundamental and elementary principle of construction, that enumeration in any statute weakens it, whereas a general term, if it is comprehensive and embracing, gives strength to it. I invite the Senator's mind for the moment to the long, long effort made by distinguished jurists and lawyers in the Anglo-Saxon speaking world, at least, to define "fraud." Always there was a final decision that to define "fraud" would fix some limits to the word and to the concept, and therefore rascals would be able to get around it.

Mr. President, I am earnestly appealing to the Senator, because I know his purpose is trustworthy and altogether commendable, and even praiseworthy, but when he undertakes to define what is embraced in the word "matter" does he not run the risk—and this is the question—of weakening the general term "other matter," because he is confining his definition to things which may be done to the Journal of the Senate?

Mr. DONNELL. Has the Senator finished his question?

Mr. GEORGE. That one; I have two or three more. Would the Senator like to have me ask those?

Mr. DONNELL. No; I should like to take them up one at a time, if I may.

Mr. GEORGE. I am merely asking the Senator now if he does not feel that when he attempts to define the words "other matter" or "matters" he is running the risk of having a narrow technical construction given to that term in subsequent proceedings before the Senate, on the broad general principle that enumeration weakens, whereas general and embracing terms are all-inclusive.

Mr. DONNELL. Mr. President, I appreciate the Senator's stating so clearly the rule of construction to which he refers and as to which I have no dispute with him. I have not, however, made my point clear to the Senator. I am not disputing that the language of the Wherry substitute includes within it, by the very general term "matter," all subject matter of motions relative to the Journal. I think it does. Indeed, I said in my remarks that it appears that the Wherry substitute measure successfully accomplishes the inclusion, within the subject to which cloture applies, of all motions, including those applicable to correction of entries in the Journal and motions to approve the Journal.

What I have attempted to do in the amendment I have suggested is not to make it clear that the word "matter" includes motions to correct the Journal. I may say that it is true that my amendment does say "for the purpose of this rule, the term 'matter' shall include a motion to approve the Journal," but I shall point out to the Senator in a moment the purpose behind that. I think it is unnecessary, in order that the word "matter" shall include a motion to approve the Journal, that there should be any statement to that effect in the amendment or in the resolution. I think that is covered.

Let me elucidate the point I have in mind, and perhaps I can illustrate a little more simply than in what I have previously stated. Suppose when the Senate opens tomorrow at 12 o'clock noon, after an adjournment which would have taken place tonight, we will say, so that a new legislative day is to begin, and a desire to institute a filibuster exists in the minds of some of the Members of the Senate.

Mr. GEORGE. Mr. President, the Senator is anticipating my further questions.

Mr. DONNELL. It may not be necessary to ask them, then.

Mr. GEORGE. Very well.

Mr. DONNELL. The Senate convenes, and before the majority leader makes the customary motion—which, by the way, is not, as I pointed out, a motion that is even referred to in the Senate rules, namely, a motion to approve the Journal—some other Senator possessing alertness, like our good friend, the Senator from Louisiana [Mr. ELLENDER], rises instantly and moves, not that the whole Journal be approved, but moves that on page 1 of the Journal the word "and" be substituted for the word "but," and debate ensues for 2 or 3 days over that particular motion. Let us suppose then that cloture is invoked with respect to the motion made by this alert Senator, which has preceded the presentation of a motion to approve the Journal. After cloture has ensued, the motion made by the alert Senator to whom I have referred is defeated, let us suppose.

Then, again before the majority leader shall rise to move the approval of the Journal as an entirety, or perhaps even simultaneously with such a motion, suppose the Chair shall observe another Senator, the one to whom I have referred as Senator Brown, who rises and gets his attention and recognition, and who moves, before any motion had been made by the majority leader with respect to approving the entire Journal, that the word "heretofore" on page 2 of the Journal be changed to "wherefore."

Then the point is made by some Senator at that time that we have already passed on that question, on the entire approval of the Journal, and Senator Brown is out of order, and has no right to have his motion heard, because the approval of the whole Journal has occurred.

My point is—and I shall in a moment show the applicability to the amendment—that there should be some way so that even though the majority leader shall not have presented a motion to approve the Journal—and he is not obligated to do so—and even though the Presiding Officer shall recognize some other Senator before he recognizes the majority leader, the majority leader, or some other Senator, may have the right, as a privilege, to move the approval of the entire Journal. Then, Mr. President, there comes into effect this amendment of mine. I say, "and for the purpose of this rule, the term 'matter' shall include a motion to approve the Journal."

I have no objection, I may say, to inserting some language indicating that it does not exclude other motions, if the Senator feels that should be done. The amendment says, "and for the purpose of this rule, the term 'matter' shall include a motion to approve the Journal, which shall be in order at any time as a privileged motion."

In other words, after Senator Brown had risen, or after the Senator who first had proved himself so alert had risen and made his motion, the majority leader or any other Senator may have risen, and, as a matter of privilege, moved to approve the Journal.

Then my amendment says "to it," that is to say, the motion to approve the Journal, "every motion, whenever it shall be or have been presented"—in other words, the motion made by the Senator on the other side whom I have called Senator ELLENDER, and the motion which was made before the presentation of the motion made by the distinguished majority leader, and this motion by Senator Brown over on this side, which may not have been made until after the motion made by the majority leader—my amendment reads:

To it—

That is to say, the motion to approve the Journal—

every motion, whenever it shall be or shall have been presented, relative to the Journal, shall be deemed an amendment.

What is the effect of that? The effect is that when the motion has been made by the majority leader to approve the Journal as a whole, the other motions, whenever presented, fall in as subsidiary and subordinate to that main motion, and when cloture has been applied and the main motion put to approve the Journal as an entirety, then the other motions are likewise embraced within the cloture procedure and are subject to the 1-hour provision. That is the reason for the amendment.

Mr. GEORGE. Mr. President, I think I understand the distinguished Senator's

argument. I am not propounding these questions for the purpose of additional argument, but I am trying to illustrate what the situation here is.

I now call the distinguished Senator's attention to the fact that when you begin to enumerate in the statute then you begin to give yourself trouble. If the Senator's amendment should be adopted, which emphasizes the Journal under the head of "matter," there will be many eloquent and distinguished Senators on the Senate floor who will argue that only the Journal was in contemplation. I have called the Senator's attention to the well-known rule of construction. I respectfully suggest that you cannot escape the force of it when you undertake to enumerate under "matter" the various things which might be covered. The confirmation of a Presidential nomination to some office in Alaska might be a "matter." But when you enumerate the Journal, and put your emphasis there, many alert and very astute minds will say, "Here is what the Senator meant, because he elaborated upon this point."

Now I come to the other point.

Mr. DONNELL. May I answer that?

Mr. GEORGE. No; the Senator has already answered, and I understand his argument.

Mr. DONNELL. I respectfully submit that having the floor I should like to have the opportunity of answering the Senator.

Mr. GEORGE. Very well.

Mr. DONNELL. I will say that I shall have no objection, as indicated a few moments ago, to including within the amendment language after the word "shall," so it will read, "the term 'matter' shall, without exclusion of any other motion," or if the Senator wants to say, "any other motion, or any other matter, or subject," or whatever it might be, "including a motion to approve the Journal." I think that would completely answer the point the Senator has made.

Mr. GEORGE. I respectfully ask the Senator if I am not correct in saying that when the ablest lawyers of the English-speaking world have sought to define "fraud" they have finally abandoned the effort, because every definition would make it possible for something else, which was clearly a fraud, to come in. Therefore they have said, "We will denounce it as a fraud, and let the courts determine whether under all circumstances in a given case fraud exists or not."

Mr. DONNELL. May I say to the Senator——

Mr. GEORGE. May I suggest, Mr. President——

Mr. DONNELL. May I not answer the Senator's question? Mr. President, I respectfully submit that I have yielded for the purpose of a question, and I should like to answer the question.

The VICE PRESIDENT. The Senator from Missouri has control of his own time.

Mr. GEORGE. The Senator from Missouri has control. I asked the Senator if he would yield, with the explanation that I was seeking light.

Mr. DONNELL. I was going to suggest this: The Senator from Georgia is of the opinion that, by the language that "the term 'matter' shall include a motion to approve the Journal," I have descended to particularity which might be subject to the dangers he mentions. I think that could be well covered by eliminating that part of this particular amendment, because the definition is not the purpose of my amendment. I think the word "matter" certainly includes a motion to approve the Journal. The point I wanted to cover in this amendment was that "for the purpose of this rule," a motion to approve the Journal shall be in order at any time as a privileged motion. I would have no objection in the world to doing what the Senator suggests. I do not think it is necessary, but it might improve the language on the point the Senator from Georgia makes. It would read then in this way:

and, for the purpose of this rule, a motion to approve the Journal shall be in order at any time as a privileged motion and to it every motion, whenever it shall be or have been presented, relative to the Journal shall be deemed an amendment.

I am perfectly willing to make the amendment read that way, I will say in answer to the point the Senator makes as to particularity.

Mr. GEORGE. Mr. President, the Senator is very kind. I again assure him that I am asking for light upon the question. I know the Senator from Missouri is a very careful student of the question he is discussing. I respectfully suggest, before asking the next question, that the Senator's purpose in making a motion to approve the Journal a privileged matter, with the results following which he has enumerated, might be more appropriately placed in the general rules of the Senate rather than in this cloture rule, because in this cloture rule it would be confusing. I again ask the Senator if he does not think that the effort specifically to include the Journal weakens the whole broad purpose of those who have framed this amendment. The phraseology "all motions, measures, pending business, and other matter"—I am not using the words in the sequence in which they are stated—is sufficiently comprehensive.

But now I come to what I should like to ask the Senator.

Mr. DONNELL. May I answer that question? It is a separate question and I should like to answer it. I am perfectly agreeable at any time to having a further amendment to rule III which makes specifically for all the purposes a motion to approve the Journal a privileged motion. Indeed, I think it would seem proper from many standpoints, one of which is that I think there should be a finality to the transactions of the Senate, and the procedure of having the Journal of the Senate run along perhaps for weeks before there is a final determination of what the action of the Senate may be, might prove very injurious to the country.

Mr. GEORGE. I agree.

Mr. DONNELL. I have no objection to that. But my point is that I do not understand that we are now, in respect to the Wherry substitute, engaged in the attempt to amend rule III. We are working on rule XXII. It would appear to me, with all respect to the Senator from Georgia, that it can do no harm to put in the amendment that I have proposed to rule XXII, and I am very willing at any time to present and urge the adoption of an amendment in the general rule III. I should be glad to do so.

Mr. GEORGE. I will say that I would not be in disagreement with the distinguished Senator, but I am respectfully asking him, as a lawyer of great ability, the question, if his enumeration of what is comprehended under the term "matter" does not weaken rather than strengthen?

Mr. DONNELL. Mr. President, I say with all respect that I have not enumerated in my amendment what is comprehended under the term "matter," and to the extent that it might be considered that I have done so by saying that, "for the purpose of this rule, the term 'matter' shall include a motion to amend the Journal," I have offered to make the amendment read as follows:

And for the purpose of this rule, a motion to approve the Journal shall be in order at any time as a privileged motion and to it every motion, whenever it shall be or have been presented, relative to the Journal shall be deemed an amendment.

I respectfully submit that that removes every possible ground on which the Senator has presented his view as to the effect that by having mentioned the Journal I have undertaken to define the scope of the word "matter." I have not. I had no intention of doing so. I do not think I did so. But in order that there may be no possible objection to it, I have offered to remove that language, and I think my amendment is just as strong without it as with it.

Mr. GEORGE. Mr. President, I think the Senator has answered my question. I do not care to argue about the answers. But that question was preliminary to the other question I should like to ask the Senator.

I ask him to bear with me until I preface with a statement because otherwise the question would be unintelligible. Until 16 Senators contemplate filing a cloture petition, the questions we are discussing here in the Wherry substitute, or indeed in the Wherry-Hayden resolution, and indeed in the substitute offered by the distinguished Senator from Oregon [Mr. MORSE], do not become material because if there is no cloture and no intention to invoke cloture any Senator might rise on the floor and ask the President of the Senate to permit him to offer a motion to perfect the Journal.

Mr. DONNELL. Certainly.

Mr. GEORGE. The question I ask is this: Is not that essentially a request for unanimous consent to consider the Journal, if the Journal has not been placed before the Senate?

Mr. DONNELL. I do not think so. Had the Senator completed his question?

Mr. GEORGE. I have completed that one.

Mr. DONNELL. I do not think it is equal to or synonymous with a motion

to approve the Journal, and I base that in part upon the language of rule III. Rule III refers distinctly to—

Any motion—

I interpolate the word "which"—

shall be made to amend or correct the Journal.

As the Senator may recall, under rule III, any such motion is deemed a privileged question and shall be proceeded with until disposed of. I am told upon excellent authority—and I trust that Mr. Watkins, the Parliamentarian, will have no objection to my quoting him—that there is nothing in rule III, or anywhere else in the rules, which refers to a motion for approval of the Journal. Therefore, I should say that if a Senator rose and asked for the correction of an error in the Journal, that would not be equivalent to a motion to approve the Journal, and would not encompass the breadth of such a motion.

Mr. GEORGE. I should like to ask the Senator one further question. This is the point toward which I have been driving. I ask the Senator if he thinks a Senator could bring before the Senate a thing such as the Journal and separate it into segments, paragraphs, and phrases.

Mr. DONNELL. Not only do I think so, but I think it has been done in the Senate.

Mr. GEORGE. I prefaced my statement with the assumption that no cloture motion was contemplated. If any Senator contemplates the filing of a cloture petition, the Senator may be reassured by the statement that every Senator who wants to amend the Journal will be on his toes and ready to offer amendments. But I do not want to go into that question.

The point I am getting at is this: Whether a Senator rises and asks to correct the Journal, or moves that the Journal be approved, or asks that the Journal shall stand approved without objection, necessarily each and every one of those requests must bring before the Senate the Journal of the previous day. It cannot be brought before the Senate in segments, phrases, paragraphs, or words, because the moment such a request is made, every Senator has a perfect right to say, "I have a suggestion to make about a correction of the Journal."

Therefore I now submit to the Senator my final question——

Mr. DONNELL. I should like to answer the Senator's previous question, if it is a separate question.

Mr. GEORGE. It is; but I do not wish to delay the Senator.

Mr. DONNELL. It is a little difficult for me to retain several questions in mind. If I may be permitted to do so, I should like to answer briefly the suggestion of the Senator.

Mr. GEORGE. Very well. I have no doubt the Senator will answer the next question which I was about to ask.

Mr. DONNELL. I hope I may be able to do so. I shall try.

To my mind it is entirely possible to bring before the Senate one segment of the Journal by itself.

For illustration, suppose the Journal should show the enactment of a bill relating to an allowance of $14,000 to someone. A Senator might say, "The Journal is mistaken. It was an allowance of $140,000." He would say, "Mr. President, I move that the Journal be corrected by changing '$14,000' to '$140,000.'" I respectfully submit that that is not at all bringing before the Senate anything except that specific proposal.

Mr. GEORGE. And I submit to the Senator, in all candor, that that is exactly and completely equivalent to a unanimous-consent request to consider that one item in the Journal.

I do not wish to quibble with the Senator, but I do not see how it would be possible to amend the Journal, or to move its approval, without bringing the entire Journal before the Senate for whatever any Senator might wish to do with it. I do not say that unanimous consent cannot be given to consider a particular suggestion or a particular amendment. That can be done, and it often is done. But if there were any cloture proceeding in contemplation, the Senate, of course, faces the facts of life, and Members of the Senate would know it. If there were any cloture proceeding pending, or petition about to be filed, or imminent, undoubtedly every Senator who wanted to amend the Journal then must either offer his amendment before the cloture motion is voted upon, or he would be foreclosed.

Mr. President, I do not wish to delay the Senator longer, but I most respectfully suggest to him that when he enumerates approval of the Journal he is narrowing a broader definition which in my opinion is all-comprehensive. I am now speaking against the interests which we on this side of the aisle, in the narrow segment which is supposed to be the southern bloc, represent. I am speaking against my own interest, but I am suggesting to the Senator, in the form of an inquiry, that whenever he undertakes to emphasize, within the definition of the word "matter" or the words "other matter" the Journal or anything with respect to the Journal, he is narrowing a broader and more comprehensive definition.

I thank the Senator for permitting me to interrupt him.

Mr. DONNELL. I appreciate very greatly the interruption of the Senator from Georgia, and the very valuable contribution which he has made. I should like now to answer the concluding portion of what he has said, which I trust will answer all that I have not previously attempted to answer.

In the first place, in this amendment, I am not attempting to define anything. I am not attempting to define what "matter" is. I think the word "matter" is comprehensive enough to include a motion to approve the Journal, to approve a segment of it, to correct the Journal, or any other item of business in the Senate. For illustration, I believe that the matter of confirmation of nominations is included within the term "matter."

I can quite readily see the point which the Senator has made as to the danger of particularizing. With that in mind, I ask leave to perfect my amendment by changing it to read as follows——

The VICE PRESIDENT. The Senator has the right to modify his own amendment.

Mr. DONNELL. I modify it to read as follows——

The VICE PRESIDENT. The Chair will say to the Senator from Missouri that the Senator's amendment is not now pending.

Mr. DONNELL. Mr. President, may I have leave——

The VICE PRESIDENT. The Senator may indicate that he will offer it in the modified form.

Mr. DONNELL. I shall offer it in this language:

And, for the purposes of this rule, a motion to approve the Journal shall be in order at any time as a privileged motion, and to it every motion, whether it shall be or has been presented, relative to the Journal shall be deemed an amendment.

Mr. President, I believe that I have completely answered by this change the very suggestive point made by the Senator from Georgia, which may have more merit than I first thought it had. I think I have fully met the point.

A moment ago the Senator from Georgia said, in substance, "How can it be that a Senator could move the approval of the Journal without bringing all the Journal before the Senate?" I thoroughly agree with the Senator's suggestion. I should say that if a Senator made a motion to approve the Journal in its entirety, even though he did not use the words "in its entirety," if he moved to approve the Journal, he would bring the entire Journal before the Senate.

But I take it that is very different from the procedure which I have cited, one to which, to my mind, alert parliamentarians, men who are on their toes in a filibuster, could readily resort, and could be expected to resort, with a very high degree of success. Instead of moving to approve the entire Journal, which could, of course, lead to the result that if cloture should be invoked it would be interposed not only against that motion but to every other amendment, I should say that a man who was on his toes and able to handle the situation would move to amend by striking out "and" and substituting "but." If I am not mistaken, that was the procedure followed a year ago. Many instances could be cited in which that was done.

My point is that if a Senator made a motion simply to substitute "and" for "but," there is nothing in the Wherry substitute which either directly or indirectly or inferentially would say that the motion confined to the two words "and" and "but" would be even the equivalent of a motion to approve the Journal. Indeed, quite to the contrary, it is a motion pro tanto to disapprove the Journal, by making a correction in it, rather than approving it as it stands.

Mr. President, to my mind there is a clear loophole in the Wherry substitute. I think we should close that loophole, and that is the purpose of the amendment.

Mr. AIKEN. Mr. President, will the Senator yield for a question?

Mr. DONNELL. I yield.

Mr. AIKEN. My first question is this: If a loophole does exist in the amendment offered as a substitute by the Senator from Nebraska and 51 colleagues, and if the amendment offered by the Senator from Missouri is not adopted, will the net result of 3 weeks of debate in the Senate and the adoption of the Wherry substitute be to make it more difficult to apply cloture to any motion which happens to be before the Senate?

Mr. DONNELL. I am glad the Senator asks that question. I should say the effect would be that after all this work and all this thought, we would have adopted a rule which, when the critical occasion arose, would be very likely to prove totally ineffective. That is my answer.

Mr. AIKEN. I should like to ask one other question.

Mr. DONNELL. Yes.

Mr. AIKEN. If the loophole which has been pointed out by the Senator from Missouri does not exist, would any violence be done to the purposes of the 52 sponsors of the Wherry substitute by adopting the modified amendment presented by the Senator from Missouri?

Mr. DONNELL. I do not see that it would do any violence at all. It would merely be a precautionary measure which could do no harm; and if it has any effect at all, as I think it does, it would have a good effect.

However, I do not wish my answer to be regarded as a request on my part that any Senator violate any pledge he may have made to support the Wherry substitute without amendment. I repeat, since there now seem to be in the Chamber some Senators who were not here when this matter was mentioned initially, that I think it highly unfortunate and undesirable that any procedure should be indulged in by any Member of the Senate in respect to coming to an agreement with any other Senators which would create a moral obligation which would preclude any member of the group from considering and acting in his best judgment, based on the circumstances at the moment, on an amendment which might later be submitted.

Mr. AIKEN. But the Senator from Missouri is sure, is he, that no violence would be done to the purposes of the 52 sponsors of the Wherry substitute if his amendment as modified were approved?

Mr. DONNELL. Yes; that is my best judgment.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. DONNELL. I yield for a question.

Mr. FERGUSON. In connection with the question asked by the able Senator from Georgia, I should like to read rule III, and then ask a question, to see whether we can arrive at a conclusion.

Rule III contemplates the commencement of a session after an adjournment. It read as follows:

> The Presiding Officer having taken the chair, and a quorum being present, the Journal of the preceding day shall be read—

I take that to mean that it shall be entirely read; then the rule provides—

> and any mistake made in the entries corrected. The reading of the Journal shall not be suspended unless by unanimous consent; and when any motion shall be made to amend or correct the same, it shall be deemed a privileged question, and proceeded with until disposed of.

My question is this: When we begin a session here and when the Journal is read, the motion is to approve the Journal. That is one motion. Any proceedings to correct the Journal would be made after that and would be part of that motion. When cloture was obtained on that motion, on the day following, excluding one, the entire debate on that motion would be closed, and a vote would have to be taken on that motion, which would cover all corrections; and the corrections would have to be moved in between or during that period.

So is it not correct to say that the able Senator from Georgia has in mind that this does cover everything that can be done in regard to the Journal, in one motion and in one cloture petition, and it is privileged?

Mr. DONNELL. Mr. President, I am happy to have the Senator ask the question. The fallacy of the conclusion at which I gather he has arrived arises from the fact that there is nothing in rule III which even remotely refers to a motion to approve the Journal.

Mr. FERGUSON. Then where is it?

Mr. DONNELL. It cannot be found anywhere. If Senators will look through the rules—and the Parliamentarian, Mr. Watkins, will corroborate me on this, and I judge that the distinguished Vice President will also corroborate me on this—no mention will be found in the rules, from beginning to end, of a motion to approve the Journal.

I do not at all mean that it is improper to move to approve the Journal. Of course that is perfectly proper.

It was suggested to me this afternoon by one Senator, and I rather gather that the suggestion was approved by another Senator, that there should be in the rules a mandatory provision requiring approval of the Journal to be had. I think there is much of definite merit in that suggestion, although I do not wish to pass on it finally at this time.

But suppose we had a session lasting 3 days or 2 weeks or even 30 days, and suppose in the meantime business had been transacted on the calendar day March 1. If by March 10, only recesses had been taken, rather than adjournments, the legislative day would still be the legislative day of March 1. If on March 10 an importer in New York were to write to the Secretary of the Senate and request a certification as to what the Senate did with respect to a certain bill, all the clerk could do would be to send to the New York importer a copy of the language in the Journal; but on the 15th day of March, let us say, after that inquiry had been made, and after the importer had received that answer, and thought it represented the action of the Senate, any Senator might arise on the floor of the Senate, after the motion to approve the Journal had been made, or even before that, and might say, "Mr. President, there is an error in one of the entries in the Journal. The figure '4' should be changed to '8'; instead of reading '$40,000,' the Journal should read '$80,000.'" I say there is a wholesome reason to finalize the proceedings in the Journal as soon as possible, rather than to leave that matter to a later date.

Let me say that the Senator speaks about a motion to approve the Journal as embracing everything. I thoroughly agree with him. I thought I made clear in my initial presentation, or perhaps in response to questions asked by the Senator from Georgia, that of course if a motion is made to approve the Journal or, as the distinguished Senator from Georgia said, both in that language and in somewhat similar language, if, as he said, "a motion that the Journal stand approved" is made, of course that motion is all-comprehensive, and embraces everything.

Therefore, inasmuch as the motion to approve the Journal is all-comprehensive, if there shall be any subordinate motions and amendments, such as motions to change "and" to "but" or to change "wherefore" to "therefore," or anything else, all those are comprehended within the general subject matter of the original motion. If a cloture petition shall be filed to the comprehensive motion to approve the Journal, and the cloture petition is sustained by the constitutional two-thirds majority, under the Wherry substitute measure, or under the existing rule if the matter of the Journal had been included in it—as it is not, and so I had better confine myself to the Wherry substitute—if under the Wherry proposed substitute there shall be cloture applied to the comprehensive motion to approve the Journal, to my mind that attaches to every amendment, if there be a thousand amendments or 5,000 amendments with respect to "ands", "buts", "therefores", and "wherefores", and so forth. It applies to all of them, and they are all comprehended within the great comprehensive motion. Cloture, if granted as to the comprehensive motion, includes all the subordinates, and the 1-hour provision applies as set forth in the provision of the Wherry substitute.

I may state further, however, that if, on the other hand, instead of a motion being made to approve the Journal, or that it stand approved, or anything to that effect, the Senator should rise and move that on page 1 "and" shall be changed to "but," to my mind; that cannot, by any stretch of the imagination, be made synonymous with a motion to approve the entire Journal. And even though "and-to-but" changes shall be authorized and made by the Senate, or even though cloture be applied, and then there shall be a restriction to 1-hour future debate by each Senator on that subject, after the cloture is invoked, and the vote has been had and the motion has been carried, or defeated, the Senator from Wisconsin [Mr. WILEY] might arise and say, "On page 2, I move that the word 'windowpane' be substituted for the word 'drawing room'."

Mr. FERGUSON. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Missouri yield?

Mr. DONNELL. I yield.

Mr. FERGUSON. But has it not been the practice of the Senate that the Journal is always brought before this body for approval, for correction, by a motion to approve? As I read the rule, finding the provision for approval at no other place except in rule III, that when it is read——

Mr. DONNELL. It is not in rule III.

Mr. FERGUSON. But, if the Senator will wait, the rule says the Journal shall be read. It has been the practice of the Senate to waive the reading in the great majority of cases. Now and then it has been the practice not to waive it. But if it is read in its entirety, it is before the Senate upon the motion of a Senator to approve the Journal, is it not?

Mr. DONNELL. Certainly. That is precisely what I have said. But——

Mr. FERGUSON. Therefore, further proceedings to correct the Journal are within the inclusive motion, under the so-called Wherry amendment, and a cloture of debate on that will require a vote on the approval of the Journal; and, if approved, all other motions to correct are defeated.

Mr. DONNELL. Mr. President, certainly the Senator is correct in that. But that is not the situation I have presented, nor would it be the situation that would be presented in the case of a prospective filibuster. Can the Senator imagine, if a Senator wanted to filibuster—I point to the other side of the aisle, as if Senators on that side were the only ones who ever wanted to filibuster; perhaps those on our side do, too—but at any rate, can the Senator imagine that if he were in charge of a filibuster and wanted to conduct it along the line of amendments to the Journal, he would advise that the motion which should be made would be to approve the Journal? Of course, one cloture would wipe out the filibuster, and the Senate would pass on to the next order of business; the filibuster would be gone.

But the Senator from Michigan, with his keen legal mind, would say, "No; the thing to do is to start in with a multiplicity of amendments. First, move to change 'and' to 'but', then, after that has been argued 2 or 3 days, and cloture has been invoked, and it has been decided that the amendment should or should not be made, turn over then to the next paragraph, and move to change 'wherefore' to 'therefore', or 'four' to 'eight,' or whatever it may be." In that multiplicity of motions, each one of those motions, as I see it, is a separate matter, and by no possible stretch of the imagination can a motion to correct the Journal, which thereby negatives the idea of approving, for example, a motion to correct as to one word or one page, be deemed the equivalent of a motion to approve the entire Journal of 100 pages.

Mr. FERGUSON. Mr. President, will the Senator yield for a question?

The VICE PRESIDENT. Does the Senator from Missouri yield?

Mr. DONNELL. I yield for a question.

Mr. FERGUSON. Before any motions to correct or amend the Journal can be made, the Journal has to be read, and does not the rule anticipate, before it is read, that a motion to approve the Journal is to be made?

Mr. DONNELL. There is nothing in the rule that either directly or indirectly suggests the making of a motion to approve the Journal.

The VICE PRESIDENT. Will the Senator from Missouri yield, so that the Chair may refer to a decision?

Mr. DONNELL. Certainly.

The VICE PRESIDENT. The Chair refers to a decision made on the 16th day of December 1942, rendered by Senator La Follette, who was in the chair, in regard to the approval of the Journal. The controversy arose apparently over the question as to whether the Journal had to be approved by the Senate. It seemed that the Senator from Kentucky, then acting as majority leader, propounded a parliamentary inquiry to the Chair, the Senator from Wisconsin, Mr. La Follette, as to whether the Journal would have to be approved. Senator La Follette, as Presiding Officer of the Senate at the time, ruled that there was no requirement that the Journal be approved by the Senate; that if any Senator objected to the reading of the Journal being dispensed with, then the Journal must be read. If no amendments were offered, the Journal stood automatically approved. If amendments were offered or corrections suggested, and the reading dispensed with, then, without further action, the Journal automatically stood approved. So that the decision was—and it seems to have been in line with the absence of any requirement of the rule—that the positive, affirmative approval of the Journal is not required. That raises a question whether a motion to approve it might be required to be ruled to be not in order.

Mr. DONNELL. If I may address myself to that, Mr. President, I should say it certainly is in order. It has been the practice of the Senate. The Senate has, by a uniform recognition of the propriety of it, established very clearly the view of the Senate that such a motion is in order. But it is not mandatory, and it is not required.

The VICE PRESIDENT. The Chair, having consulted the Parliamentarian on that point, is advised that such a motion would not be in order if a point of order were made against it. The fact that the Senate has been in the habit of asking approval without reading does not mean there is any requirement that it be approved. But habits sometimes create practices. There is a question of whether the approval of the Journal may be made without reading, the proper request being that the reading of the Journal be dispensed with. The Chair is sure many Senators are surprised, and the Chair also himself was surprised, after himself having indulged the practice for years of asking that the Journal be approved without reading, to find that the appropriate request should have been that the reading of the Journal be dispensed with, instead of a request that the Journal be approved.

Mr. DONNELL. I may say that while I am very greatly surprised at that observation by the Vice President and by the opinion of the Parliamentarian, to my mind that makes my position far stronger than I ever anticipated it was. It shows that there not only is no requirement of a motion to approve the Journal, but that on objection it would be declared improper, as the Vice President has stated, to move that the Journal be approved. That leads me to the conclusion that certainly a motion to change "and" to "but" could not be considered as a motion to approve the Journal, when, according to the instruction we have just so interestingly received from the Vice President, there is no such thing as requiring the approval of the Journal.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. DONNELL. I yield for a question.

Mr. FERGUSON. Does not the ruling read by the Chair indicate that there is always an implied motion to approve the Journal, because if nothing is done the Journal stands approved. Therefore there is a motion, in effect, to approve the Journal.

Mr. DONNELL. I do not think that follows at all. I think the very fact, as indicated in the decision, that there may be motions made to amend or correct the Journal, plus the fact that the rule itself distinctly says that any mistake made in the entries shall be corrected, and so forth, indicates clearly that mistakes can be taken up one at a time, and the mere fact that the Senator from Michigan may move that mistake No. 1 be corrected does not mean there is a motion pending to approve the entire Journal as such.

Mr. TOBEY. Mr. President, will the Senator yield?

Mr. DONNELL. I yield to the Senator from New Hampshire for a question.

Mr. TOBEY. May I ask the Senator from Missouri—and I, as do other Senators, pay tribute to his ability and understanding in connection with these legal points—if the Senator implies that as to the amendment signed by 52 Members of the Senate, from both sides of the aisle, the Senator from Missouri, in his wisdom, believes he has discovered a loop-hole which leaves it in a weak position, and he is offering an amendment to change it? What the Senator is deprecating is that the 52 Senators may have foreclosed themselves in their minds to the wisdom which has become manifest through the Senator from Missouri or some other colleague, and they, by agreement, have foreclosed themselves from being free agents to vote on the subject-matter as brought out by the Senator from Missouri. Is that correct?

Mr. DONNELL. That is correct. I will answer the Senator in full.

Mr. TOBEY. If my premise is correct, and it squares with the principle expounded by the Senator from Missouri, is it not a fact that however well intentioned the Senator from Nebraska and his colleagues may be in connection with the amendment signed by 52 Senators, the fact remains that their minds are foreclosed against any points which may be made apparent by distinguished Senators in this body, and the result is that the mountain has labored and brought forth a mouse. Is that correct?

Mr. DONNELL. Approximately a third of a mouse, I should say.

Mr. President, I should be obliged if the Senator from Michigan would give me his ear for a moment. I want to say, in response to the question asked by the Senator from Michigan, that I should like to give it further thought. Perhaps my answer may have been too quickly given. I have never seen the decision to which reference has been made, and I should not want to undertake to answer the question without a most careful study of it, to see if it was a carefully thought out decision or whether it was a momentary answer without a careful, detailed study. But even if it be true, as the Senator from Michigan has suggested, that there be such an implied motion, I take it that the wiser course is to put in this amendment. It certainly can do no harm, and anything it does do is for the good of closing the loophole.

Mr. FERGUSON. Mr. President, will the Senator yield for a question?

Mr. DONNELL. I yield for a question.

Mr. FERGUSON. If that be true, would it not be better to put the amendment somewhere else than following the words "other matter"?

Mr. DONNELL. That is correct.

Mr. President, I should like to amend my amendment along the line which the Senator from Michigan has suggested, so it will read as follows:

That on page 2, line 7, of the substitute proposed by Mr. WHERRY (for himself and other Senators) for Senate Resolution 15, to amend the so-called cloture rule of the Senate, after the word "motion" insert the following: "(and, for the purpose of this rule, a motion to approve the Journal shall be in order at any time as a privileged motion, and to which every motion, whenever it shall be or has been presented, relative to the Journal, shall be deemed an amendment)."

Mr. President, before yielding to any Senator, may I inquire if the Senator from New Hampshire has left the floor?

Mr. BREWSTER. Yes; very promptly.

Mr. DONNELL. I take this opportunity, even in his absence, to say that I think he has put his finger on a point of tremendous importance, that by the action of the 52 Senators, no matter how well esteemed and highly regarded——

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. DONNELL. Not yet. By agreeing, morally, or in any other way, that they will not support an amendment without regard to its merits or demerits, without the dotting of an "i" or the crossing of a "t", that they will vote for the Wherry substitute, I say they are making a bad mistake, unsound from the standpoint of public policy, and one which the people of the United States are entitled not to have them make, now or at any future time.

Mr. CAPEHART. Mr. President, will the Senator yield for a question?

Mr. DONNELL. I yield.

Mr. CAPEHART. Mr. President, I should like to ask the able Senator from Missouri who informed him that the so-called 52 were under no obligation to vote for any perfecting amendment to the measure. As one of the signers, I wish tc inform the able Senator from Missouri that at least one-fifty-second of the 52 Senators will vote in accordance with his belief.

Mr. DONNELL. I am very happy to know that. One-fifty-second is approximately 1.9 percent.

I do not want to violate any confidence, but I am wondering whether I might ask the distinguished Senator from Nebraska if he would be willing to inform the Senate at this time as to what was done with respect to joining in this proposition to propose his amendment, and what, if any, moral obligation either he or any other of the 52 Senators, so far as he knows, he feels has been accepted.

The VICE PRESIDENT. The Chair has heretofore ruled that the Senator who has the floor cannot yield to another Senator to ask a question.

Mr. LANGER. Mr. President, I ask unanimous consent that the Senator from Missouri may, without relinquishing his rights to the floor, ask a question of the Senator from Nebraska.

The VICE PRESIDENT. Is there objection? The Chair hears none.

Mr. DONNELL. Mr. President, it was not an intentional breach on my part. I overlooked it.

Do I correctly understand that I have unanimous consent to ask the question of the Senator from Nebraska?

The VICE PRESIDENT. The Senator has consent.

Mr. WHERRY. I am speaking only for myself. I shall support the Wherry substitute as it is, because I think it entirely covers the point which the Senator has been attempting to make. I do not disagree with him. I suppose I could talk here until doomsday and the Senator from Missouri would still feel that it is necessary to spell out what he thinks should be spelled out in the amendment. If any other Senators feel it should be in the amendment, it is up to them to decide. That is their privilege. So far as I am personally concerned, as the one who has offered the substitute, and as coauthor of the resolution, I shall not vote for the Senator's amendment. I do not agree with the Senator as to its importance. I think it is a perfecting amendment. I do not believe any such case as he suggested in his suppositious case would occur. For example, the Senator says that an alert Senator would get on his feet immediately. When? It would have to be after the prayer. He might say that "141,000" in the Journal ought to be "140,000." The minute he says that he is not in order until the Journal is read, and he would not know what was in the Journal until it was read, therefore the Journal has to come before the Senate before it could even be corrected, and when a mistake is found in the Journal any amendment a Senator desires to offer takes the same procedure as an amendment to a bill or resolution on which cloture would be filed.

I am glad the Senator has taken out the definition of the word "matter" at the suggestion of the Senator from Georgia [Mr. GEORGE]. I think it would have been a mistake to have left that in, because it would have set up a definition in the amendment explaining the word "matter," and it would have been narrowed, and there would have been all kinds of controversy.

I wish to make it clear that I did not circulate this amendment. I cannot say what anyone said who did circulate it. But certainly I am going to vote for the Wherry substitute. It contains language which has been worked on for 2 years. I do not see why it is necessary to change it now on the argument made by the Senator from Missouri, but if any other Senator feels that it should be changed, that is for him to decide. But I am not going to vote for the amendment.

Mr. DONNELL. Mr. President, I will ask unanimous consent that I may ask the Senator a series of questions.

The VICE PRESIDENT. Is there objection? The Chair hears none.

Mr. DONNELL. I should like to say to the Senator, first, that I do not think he has answered the question which I asked or intended to ask. I wanted to know what was the understanding and what was said to those who signed this amendment, the Wherry substitute.

Mr. WHERRY. I have already answered the question.

Mr. KNOWLAND. Mr. President, will the Senator yield at that point?

Mr. DONNELL. I should prefer to have the Senator from Nebraska, whose name the substitute bears, answer.

Mr. WHERRY. I did not circulate the amendment on this side, and the only ones who can answer that——

Mr. DONNELL. Who were they?

Mr. WHERRY. I am going to tell the Senator. The Senator from California circulated the amendment, and I think the Senator from Kansas, if I am not mistaken, did also. How can I say what they said when they circulated it?

Mr. DONNELL. May I ask the Senator—I understand unanimous consent has been granted——

Mr. WHERRY. I ask unanimous consent that the Senator from Missouri may ask me a question without losing the floor.

Mr. DONNELL. A series of questions.

Mr. WHERRY. I do not want a series of questions.

Mr. DONNELL. I wish to ask the Senator from Nebraska what was said to him and what he said when the amendment in the nature of a substitute for the Wherry-Hayden resolution was presented to him for signature.

Mr. WHERRY. Mr. President, it was my amendment; I am the first signer on it, and that is all there is to it. I am the first signer. I am going to vote for my amendment, and I hope other Senators will vote for it, and I hope every Member of the Senate will vote for it. I am serious about that. If I felt for one moment there was any loophole, I would agree with the Senator, but I do not think so. I cannot think of any majority leader who would be denied the right, as the majority leader, to be recognized without someone jumping up ahead of him and saying, "I say '140,000' should be '141,000,'" or "I believe 'and' ought to be changed to 'but.'"

If such suggestion were made, there would not be anything before the chair until the Journal was laid down, and

when it was laid down, the only question would be what the Journal contained. When the Journal came up for approval, such an amendment might be only one of a number of amendments; but the Journal would have to be read, its reading could not be dispensed with, and from there on it would take the same status as that of any piece of legislation under cloture. Every amendment would have to be offered, and when the cloture petition was voted, on those amendments would be given their time right along in order. That is all there is to it. It is just as simple as that.

Mr. DONNELL. I wish to ask some further questions of the Senator from Nebraska.

Mr. WHERRY. I have to ask unanimous consent.

Mr. DONNELL. I have a series of questions.

Mr. WHERRY. I am not going to ask unanimous consent that the Senator may ask me a series of questions.

Mr. DONNELL. I shall ask one more.

Mr. WHERRY. I ask unanimous consent that the Senator from Missouri may ask me one more question.

Mr. DONNELL. The question is——

Mr. TAYLOR. Mr. President——

Mr. DONNELL. I decline to yield at the moment. Does the Senator from Nebraska find himself under what he considers a moral obligation to vote for the Wherry amendment in the nature of a substitute, and, if so, why?

Mr. WHERRY. Mr. President, I find myself under a moral obligation to agree with myself to vote for my own amendment. [Laughter.]

Mr. CAPEHART and Mr. KNOWLAND addressed the Chair.

Mr. DONNELL. Mr. President, may I have unanimous consent to ask the Senator from California, who has been on his feet for some time, a question, or does he desire to make a statement?

Mr. KNOWLAND. Before the Senator asks me a question—and I agree thoroughly with the able Senator from Georgia in regard to the situation—I should like to refer at this time to pages 2573 to 2577 of the CONGRESSIONAL RECORD of yesterday, March 16, at which time the able Senator from Missouri first raised the question, and a discussion took place, both on the part of the able chairman of the Senate Committee on Rules and Administration, the Senator from Arizona [Mr. HAYDEN], and other Senators who have participated in the adoption and the presentation of the rule by the Committee on Rules and Administration, and also by the able Senators who participated in the joint conferences which went on at the time this rule was under consideration, as well as a statement of the viewpoint of the junior Senator from California, as a member of the Senate Committee on Rules and Administration during the Eightieth Congress and the Eighty-first Congress, to the effect that it is the clear legislative intent of all those who presented the Wherry-Hayden resolution in the first place from the committee that the word "matter" was all-inclusive; that it was the intent at the time it was discussed with the Parliamentarian that all loopholes would be closed so that cloture would lie not only against all motions to take up a bill, but so that rules III and VI, which are covered in the Wherry-Hayden original resolution and the pending substitute, would give an all-inclusive method by which the Senate of the United States would have control over its proceedings; and that if a cloture petition were filed on the question of the Journal, it would take all amendments with it. I merely wished to make that statement for the sake of the RECORD. Now I yield.

Mr. DONNELL. May I have unanimous consent to ask a few questions of the Senator from California?

The VICE PRESIDENT. Is there objection? The Chair hears none.

Mr. DONNELL. Did the Senator take around the proposed amendment for signature?

Mr. KNOWLAND. I wish to say——

Mr. DONNELL. Will the Senator tell what happened?

Mr. KNOWLAND. I gathered 19 of the 22 signatures on this side of the aisle.

Mr. DONNELL. What was said, in substance, to the signers?

Mr. KNOWLAND. They signed no pledge; we merely took the substitute amendment around for their indication of support, but it was made perfectly clear that I certainly would not sign it unless I was prepared to support it, because of the very obvious situation, that the filibuster would not have ended had there been danger of a multitude of amendments coming in which would have changed the purport of what was necessary to be understood in order to get the resolution to a place where it could be acted upon by the Senate of the United States.

I wish to say to the able Senator that so far as those on this side of the aisle were concerned, they signed no pledge; but I would expect that all those who indicated their support of the substitute, knowing full well the legislative implications of what the situation was, would support the Wherry substitute in the form in which it now finds itself.

Mr. President, I want to say to the Senator that even if a pledge had been signed as such, which it was not, but even if a pledge had been signed, I would not have considered it improper by reason of the parliamentary situation in which this body found itself, because in 1917, when the Senate of the United States was faced with a similar situation in trying to adopt a cloture motion, which they thought at least was going to be effective, Members on the majority side of the aisle and Members on the minority side of the aisle, after a committee of conference had been appointed to work out the problem, themselves signed in effect what was a round robin indicating that they would support precisely the measure as agreed upon, without amendments, so that they could have, in the Senate of the United States, an opportunity to change the rules in the form of the present rule XXII.

Mr. DONNELL. I shall not and would not care to cross-examine the Senators upon the floor as in the case of a witness upon the witness stand, but I should like to get at the actual facts and views of Senators. I do not question the statement of the Senator. But I want to ask him a further question. As the Senator has surveyed the situation, does he consider that those who signed on the Republican side are under a moral or any other kind of obligation to vote in favor of the Wherry substitute without change?

Mr. KNOWLAND. It is my judgment that as coauthors of the substitute measure, and being mature men and a mature woman, and knowing the parliamentary situation with which the Senate is confronted, they would all support the substitute resolution as it is now before us. That is my statement on my own responsibility as a Senator of the United States.

Mr. DONNELL. May I respectfully say to the Senator that that was not the question I asked him? I now ask the question whether the Senator, from what he knows in circulating the substitute resolution, would consider that the gentlemen who signed and the lady who likewise signed the substitute resolution are under an obligation of a moral nature to vote in favor of the Wherry substitute without amendment? I should like to get the answer to that question.

Mr. KNOWLAND. I am not trying to evade the Senator's question on that subject.

Mr. DONNELL. Will the Senator please answer it?

Mr. KNOWLAND. But I have tried as nearly as I have been able to on this floor to say that no pledge was signed as a pledge.

Mr. DONNELL. I understood that.

Mr. KNOWLAND. The Senators who signed are coauthors of a substitute resolution. They all know the parliamentary situation facing the Senate. It was made clear to all of them—without any question of doubt in my own mind—that they should not become joint authors of the substitute unless they were willing to go through so that we could get an effective cloture rule, and I personally would be very much surprised if they did not support the substitute resolution in its present form.

Mr. DONNELL. I understand the Senator to mean by the term "go through" that he understood that the gentlemen and the lady who signed on the Republican side, after they had signed, were going to vote for the Wherry substitute, without amendment thereto. Is that correct?

Mr. KNOWLAND. Yes; that is my general understanding.

Mr. SMITH of New Jersey. Mr. President, will the Senator yield?

Mr. DONNELL. Yes; I yield to my good friend, the Senator from New Jersey.

Mr. SMITH of New Jersey. As one of those who was asked if he would sign the amendment, I want to state that I read the amendment carefully. I thought I understood what it meant. But it was clearly understood that the amendment would not be submitted unless there were at least enough signers to secure its adoption. Otherwise, the Senators from the South who were willing to sign it and to go through with it, would not have gone along. I ask the distinguished Senator from Missouri whether he would not have felt a moral obligation to fulfill that entire responsibility if he had signed it?

Mr. DONNELL. If the substance of the conversation was such that I should be under a moral obligation, I think I would feel that I was. But I may say that I thoroughly disagree with the advisability or soundness of public policy which places Senators under such a moral obligation.

Mr. SMITH of New Jersey. I may say that I was not asked to make any commitment of any kind, but my own implication was that unless we had at least a majority of the Senators who would sign, there was no purpose in circulating the petition or amendment. I said to the distinguished Senator from California, "If my signature will make the necessary majority of Senators so that this will go through, I am glad to be a party to it. If we do not get the necessary number of signatures I do not want the substitute resolution submitted in my name." Therefore I feel there is definitely a moral obligation.

If the Senator from Missouri will permit, I think——

The VICE PRESIDENT. The Senator from New Jersey cannot make a statement.

Mr. DONNELL. I may say to the Senator I am not asking him to say anything unless he wants to. I am perfectly willing however that he should. May I ask if I understood the Senator to say something to the effect that he understood, when the substitute amendment was presented to him, that it was not the purpose of submitting it unless there were enough Senators who would sign it so as to assure its adoption as it was written? Is that correct?

Mr. SMITH of New Jersey. I should like to say to the Senator from Missouri that my preference from the beginning was the Wherry-Hayden resolution. But I realized that the filibuster had brought about such a situation that it would not be possible to adopt it. We were left in the position either of having the filibuster continue and of holding up what I thought was vital legislation, including the ECA authorization, in which I was much interested, or, of accepting the decision of the majority leader and have an adjournment and give up the whole step toward amendment of the cloture rule. Therefore there was an option up to me. When it was suggested that as reasonable individuals we should sit down and stop this long night bickering, in which we were getting nowhere, and see if we could not find a way of agreement, which seemed to be the statesmanlike thing to do, I gave up my preference for the Hayden-Wherry resolution and said, "If this other adjustment can be brought about and we can secure enough signatures to assure the adoption of the measure, I will sign." I think it was the proper thing to do.

Mr. DONNELL. Mr. President, I ask unanimous consent to ask the Senator from New Jersey a question.

The VICE PRESIDENT. Is there objection?

Mr. LUCAS. I should like to get along with the debate.

Mr. DONNELL. I take it there is objection. I withdraw the request.

I have presented this matter. If there are any other questions I pause for them.

Mr. BREWSTER. Mr. President, will the Senator yield to me for a question?

Mr. DONNELL. I do.

Mr. BREWSTER. I am sure we understand the extremely conscientious approach of the Senator from Missouri; but does he not understand the dilemma with which the rest of us found ourselves faced the other day, after 10 days of debate, with the Senator from Missouri absent, when we called a conference to try to determine what to do? There was extended debate, not only during the 10 preceding days on the floor of the Senate but in the conference, where we were without the benefit of the views of the Senator from Missouri, and we tried as earnestly and honestly as we could to reach a solution. Will the Senator not at least bear with us in the thought that we, at any rate, were trying to do our best?

Mr. DONNELL. I have in substance already answered the same question that was presented by the same Senator. I can fully appreciate the dilemma. I fully appreciate what I regard as a very great mistake if there was any feeling on the part of the Senators as to the circulation of this petition.

Mr. IVES. Mr. President, will the Senator yield?

Mr. DONNELL. Not yet, Mr. President. If there was any feeling, justified by the presentation of this document, the substitute amendment, on the part of the signers that there was a moral or other obligation to fight for that measure without change, I say it was bad public policy and a mistake.

The Senator has referred to my not being present. I appreciate the compliment. I certainly would have added little, if anything, to the wisdom of the gathering.

I want to say, so the RECORD will show that it was not by reason of negligence on my part that I was absent—I hope it was not negligence on my part—that I was absent by leave of the Senate from 4 o'clock on last Monday afternoon until 12 o'clock noon on Wednesday. The purpose of my being absent—I say this with some fear that someone might think it might be tooting my own horn, so to speak—was that I had an engagement to speak on the Town Hall on the Air program in Boston, Mass., on the subject of the adoption of the administration's labor bill. I may say that the speakers were of a character that I think will show that the program was dignified. The Secretary of Labor, Mr. Tobin, and Mr. Gerhard P. Van Arkel, former counsel of the National Labor Relations Board, took the affirmative, and Mr. Fred Hartley, coauthor of the Taft-Hartley bill, and myself, were on the other side. I was there in attendance in Boston to fulfill that engagement. I do not think I have any apologies to offer to the Senate for my absence, because leave was asked and secured by me, and during part of the time my friend the Senator from Louisiana [Mr. ELLENDER] was involved in the making of a rather extensive address.

I now yield to the Senator from New York.

Mr. IVES. The able Senator from Missouri understands, does he not, that the action taken in the circulation of this petition was not action resulting from any determination by the conference itself?

Mr. DONNELL. My answer to that is that I have been so informed, and I have no doubt that it is correct.

I observe also that while I was absent for a moment the Senator from New Jersey [Mr. HENDRICKSON], who made the same statement earlier, stated that he would not support the amendment. I have been told by one of my good friends on this side that although in spirit he is with me, he does not intend to support this amendment.

Mr. President, I ask unanimous consent to be permitted to ask the Senator from California [Mr. KNOWLAND] a question as to who it was who circulated the petition on the Democratic side.

Mr. KNOWLAND. Mr. President——

The VICE PRESIDENT. Is there objection to the Senator from Missouri asking that question of the Senator from California?

Mr. LUCAS. Mr. President——

Mr. DONNELL. If objection is made, I withdraw the request.

Mr. President, I shall not take more of the time of the Senate. I greatly appreciate the courtesy of Senators. If any other Senator has a question to ask, I shall be glad to try to answer it.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. DONNELL. I yield for a question.

Mr. LANGER. I invite the Senator's attention to page 2627 of the daily CONGRESSIONAL RECORD of yesterday, the bottom paragraph in the second column, where the Senator from Georgia [Mr. RUSSELL] said:

> I join heartily in all the Senator from Missouri has said except the conclusion which he has reached. He has made more eloquently than I have the arguments which I have used against cloture in any form on any bill since I have been a Member of the Senate.

I take it that the Senator from Missouri is just as much interested in protecting the minority as he is in seeing that cloture exists.

Mr. DONNELL. Yes. I believe that the interest of every Member of the Senate should be protected; but may I say to the Senator that, as I pointed out in the discussion with the Senator from Georgia—and I can turn in a moment to the place in the colloquy—I was not arguing the question of cloture in my presentation, and I am not arguing it now. I am not stating my position on that question at this moment. That is not the subject now. My vote will indicate my position with respect to this amendment.

Mr. LANGER. Mr. President, will the Senator further yield?

Mr. DONNELL. I yield for a question.

Mr. LANGER. I ask the Senator this direct question: Is he or is he not in favor of gag rule?

Mr. DONNELL. Of course, the term "gag rule" has a somewhat obnoxious significance. I am not inclined to say that I am in favor of anyone being gagged; but I can see very well the advisability of cloture under some circumstances. While I am holding my

mind open as best I can until we vote upon amendments to the resolution itself, I may say that I have had a strong inclination to vote for cloture of some type. I have no hesitancy in stating that while I do not believe in undue restrictions, and while I should certainly not favor the granting of cloture upon a mere majority of 51 percent of Senators present, I think there is much merit in the argument that under some circumstances cloture should be employed.

I may add—perhaps I am going a little further than I should—that while I propose as best I can to hold my mind open until I cast my vote, nevertheless, if I were required at this moment to vote I should vote for cloture of a certain kind. I would have to go into the details of it. I am willing to do so if it is desired that I should. I shall vote upon the Wherry substitute, and my action will indicate my then view as to its contents.

Mr. LANGER. Mr. President, will the Senator further yield?

Mr. DONNELL. Let me say before yielding that I am not saying that if my amendment shall not be adopted it necessarily follows that I shall vote against the Wherry amendment, although I think the Wherry substitute is badly defective, and may prove to be fatally defective. However, it may be better to vote for it because it is what is before us, than not to do so.

I now yield to the Senator from North Dakota for a question.

Mr. LANGER. I invite the attention of the distinguished Senator to the debate at the place which I indicated. I call attention to the fact that at that time I brought to the attention of the Senate the statement of the Senator from Ohio [Mr. TAFT] that in all his experience he had never seen a minority treated as the minority had been treated by the majority in the Committee on Labor and Public Welfare.

Mr. DONNELL. I was present at the time and know what transpired.

The VICE PRESIDENT. The Chair will have to rule that that is not a question.

Mr. LANGER. I did not have an opportunity to finish it.

Mr. DONNELL. I yielded only for a question. I ask the Senator to ask me a question, and not do anything else.

Mr. LANGER. Carrying it a step further, I invite attention to the statement of the Senator from Georgia [Mr. RUSSELL] on page 2627 of the daily RECORD——

Mr. DONNELL. Mr. President, does the Chair consider this a question or not?

Mr. LANGER. I have not finished it.

I invite the attention of the Senator to the statement of the Senator from Georgia, in which he said that under certain conditions——

Mr. DONNELL. Mr. President, I do not want to lose the floor by impliedly consenting to something other than a question. I am perfectly willing to answer any question I can answer.

Mr. LANGER. Mr. President, I shall seek the floor in my own right at the conclusion of the address of the distinguished Senator from Missouri.

Mr. DONNELL. I thank the Senator.

Mr. President, I assume there are no further questions. I pause for a moment.

If there are no further questions, I earnestly submit that if the Wherry substitute is to be made the best measure possible and be relieved from the possibility of being fatally defective, the amendment which I offer should be adopted.

Mr. President, I wish to submit a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. DONNELL. Although the Baldwin amendment is the pending question, may I ask unanimous consent, either now or after further debate on my amendment, if that is desired, that my amendment be considered the pending question, and that a vote be had upon it?

The VICE PRESIDENT. That can be done only by unanimous consent. The Baldwin amendment is the pending amendment. Does the Senator make that request now?

Mr. DONNELL. Yes, Mr. President; I make the request.

The VICE PRESIDENT. Is there objection to the request of the Senator from Missouri?

Mr. WHERRY. Mr. President, reserving the right to object, as the Chair has already stated, the Baldwin amendment is the pending question.

The VICE PRESIDENT. The Baldwin amendment is the pending question.

Mr. WHERRY. If the request of the Senator from Missouri is granted, would the Baldwin amendment be temporarily displaced, and the amendment of the Senator from Missouri be voted upon?

The VICE PRESIDENT. Will the Senator restate the question?

Mr. WHERRY. As I understand, if the request of the Senator from Missouri is granted, the Baldwin amendment would be temporarily held in abeyance, and the amendment of the Senator from Missouri would be voted upon.

The VICE PRESIDENT. If unanimous consent is given to vote on the amendment of the Senator from Missouri, notwithstanding the priority of the other amendment, the position of the other amendment would not be affected.

Is there objection to the request of the Senator from Missouri?

Mr. WHERRY. Mr. President, I suggest the absence of a quorum.

Mr. DONNELL. Mr. President, I assume that I shall have the right to ask for the yeas and nays.

The VICE PRESIDENT. The Senator is correct.

The absence of a quorum being suggested, the clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Ellender	Johnson, Colo.
Anderson	Ferguson	Johnson, Tex.
Baldwin	Flanders	Johnston, S. C.
Brewster	Frear	Kefauver
Bricker	George	Kem
Bridges	Gillette	Kerr
Butler	Green	Kilgore
Byrd	Gurney	Knowland
Cain	Hayden	Langer
Capehart	Hendrickson	Lodge
Chapman	Hickenlooper	Long
Connally	Hill	Lucas
Cordon	Hoey	McCarran
Donnell	Holland	McCarthy
Douglas	Humphrey	McFarland
Downey	Hunt	McGrath
Eastland	Ives	McKellar
Ecton	Jenner	McMahon
Magnuson	Reed	Thomas, Utah
Malone	Robertson	Thye
Martin	Russell	Tobey
Maybank	Saltonstall	Tydings
Miller	Schoeppel	Vandenberg
Millikin	Smith, Maine	Watkins
Morse	Smith, N. J.	Wherry
Mundt	Sparkman	Wiley
Myers	Stennis	Williams
Neely	Taft	Withers
Pepper	Taylor	Young

The VICE PRESIDENT. Eighty-seven Senators having answered to their names, a quorum is present.

Let the Chair ascertain whether objection was made to the request of the Senator from Missouri that his amendment be voted on first.

Is there objection? The Chair hears none; and, without objection, it is so ordered.

Mr. SMITH of New Jersey. Mr. President——

The VICE PRESIDENT. The Senator from New Jersey is recognized.

Mr. DONNELL. Mr. President, I ask for the yeas and nays.

The VICE PRESIDENT. The yeas and nays can be ordered at any time before the vote is taken.

During the delivery of Mr. DONNELL'S speech,

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. DONNELL. I will yield if the Senator insists. I should like to present my argument entirely because I think it would be much more clearly understood if I could make it without interruption.

Mr. FERGUSON. If the Senator will yield to me, I shall ask unanimous consent that this interruption may be placed at the end of the Senator's speech.

The PRESIDING OFFICER (Mr. FREAR in the chair). Does the Senator from Missouri yield to the Senator from Michigan?

Mr. DONNELL. I yield for the purpose of the question.

Mr. FERGUSON. Does not the word "motion," the last word in line 7 on page 2 of the Wherry substitute, as the Senator has indicated, mean a motion to amend the Journal?

Mr. DONNELL. I think it does.

Mr. FERGUSON. Then would it not be well to modify that word "motion" rather than to qualify the words "matter pending," for by so doing the Senator might exclude other matters from the words "matter pending"?

Mr. DONNELL. I thank the Senator for his suggestion. I do not at the moment think it advisable to adopt the suggestion, but I shall certainly give it consideration as we proceed, and I have made a note so that my attention will be called to it. I thank the Senator from Michigan.

Mr. FERGUSON. Mr. President, I ask unanimous consent that the interruption in the Senator's speech may be placed at the end thereof, so as not to disturb its continuity.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DONNELL. I thank the Senator and appreciate his thought upon this matter.

After the conclusion of Mr. DONNELL'S speech,

Mr. SMITH of New Jersey. Mr. President, I propose to delay the Senate only a few minutes, but I cannot refrain from making a few comments, in light of the debate which has occurred since the amendment has been offered to the so-called Wherry substitute.

Any Senator who believes that the Senate should have a majority cloture rule will no doubt vote in opposition to the Wherry substitute. That is a perfectly reasonable position to take, although I do not join in that position. Of course, the issue is between those who favor a majority cloture rule and those who favor a two-thirds cloture rule.

I wish to review briefly the position of some of us who consider the adoption of a constructive rule on this matter to be of the first importance, and who wish to move along as rapidly as possible with the business of the Senate, because of the imminence of April 1. Of course I have in mind the Economic Cooperation Administration bill, because I am a member of the Foreign Relations Committee, and I realize that we must promptly provide that authorization, and then have the Appropriations Committee act on it, if we are to continue in that important field. I mention that bill to illustrate the urgency of prompt action in the matter now before us.

Mr. President, as I considered the situation we were facing, before the Wherry substitute was presented, it seemed to me that the filibuster could well continue for 3 or 4 weeks. When the recent ruling of the Vice President—a ruling which I supported, because I hoped we could approach a settlement of this matter by that route—was overridden by the Senate, with the result that it was definite that we had no effective cloture rule and no effective way to stop the filibuster, it seemed to me to be of vital importance that the Senate take some constructive step leading to effective cloture if we were to proceed with the Nation's business in the way I think the country wanted us to.

The only alternative then was one which I had been advised had been suggested by the majority leader, namely, that the Senate take an adjournment, and thus put aside this entire matter. Mr. President, in the 4 years I have served in the Senate, I have consistently tried not only to have cloture invoked when necessary, but also to do everything in my power to have the Senate amend the present cloture rule so as to eliminate the loopholes in it. So it seemed to me that adjournment at that time would have been a bad step, a step backwards.

Then I asked myself what would be the reasonable thing to do under the circumstances. I plead guilty to then talking to some of my friends on the Democratic side, who were engaged in the filibuster; and I asked them the question, "Is there not some reasonable way by which Senators who differ on this question can compose their differences and reach a conclusion in this situation, rather than to make the Senate a spectacle before the country by having Senators engage in a physical contest to see which Senators can talk the longest?" It seemed to me imperative that we reach some reasonable conclusion in this situation.

Let me say briefly that when I faced that problem and when it seemed possible for us to get together as reasonable persons and arrive at an effective amendment to the present cloture rule, it seemed to me that was the proper and reasonable thing to do.

I am shocked by the implication which has been made by some of my friends on this side of the aisle, including my good friend the Senator from Oregon [Mr. MORSE], to whom I am devoted, that there was some kind of a deal between the GOP and the Dixiecrats, and that a new party was being formed, and that the deal would go further than what he then mentioned. I wish to say that, so far as I am concerned, there was no deal, no discussion of a deal, and no purpose to have a deal, but only a purpose to have the Senate transact the Nation's business and a purpose to try to find some way to improve the present cloture rule, inasmuch as practically all of us know it is impossible to obtain cloture under the present rule or to get majority cloture in the Senate this year.

So I have tried to do what I could to have the Senate take action on the civil-rights legislation. I believe in it; I think it is a pressing issue before the country. I believe we must solve the problem we confront in that connection, and I think we can solve it.

Mr. President, I am not at all afraid of the requirement, under the Wherry substitute, for 64 votes in order to obtain cloture. I think there is no way at all to tell that cloture cannot be obtained under the Wherry substitute; in fact, I think cloture can be obtained under it, if sufficient action is taken far enough ahead of time.

As I had said, I favored the Hayden-Wherry resolution when it was first reported from the committee, and I felt that we should have adopted it in the first place.

But now that that is impossible, rather than to have no effective cloture rule at all, it seemed to me perfectly proper to sign the petition. Having signed the petition, I say to my friend the Senator from Missouri that I do feel morally bound to support the Wherry substitute without amendment, because of the position given up by other Senators in order to permit the substitute to go through.

Mr. CAPEHART. Mr. President, I had intended to make a 10-hour speech tonight; but a few hours ago I had some hot consomme in the Senate Restaurant, and it burned my tongue. Therefore I can speak for only about 5 minutes. I recommend the hot consomme to some of my colleagues. [Laughter.]

Mr. President, I rise tonight simply to state that I shall try to form in the Senate of the United States—and I believe that 90 percent or more of the Members of the Senate will join it—an organization of Senators who never do any talking because they never have an opportunity to talk. I am going to recommend that we who never do any talking and who never have an opportunity to talk form some sort of organization, because, frankly and honestly, we are being discriminated against. The people of Indiana are getting worried about at least one of their Senators, in that they have not heard a word from him on the floor of the Senate now for 2 or 3 weeks. The reason is that I simply cannot get the floor.

I was amused a moment ago when someone said the rules called for a reading of the Journal—or perhaps it was the RECORD—the first thing after the Senate meets following an adjournment on the previous day. Imagine the United States Senate having to sit here, let us say, all day tomorrow and listen again to that which they have listened to today. In that event, Senators would never get any work done. Evidently, when our forefathers adopted such a rule Senators were not so long-winded as they are now.

Mr. President, I am serious about this matter. I represent the quiet Senators, of whom I am one. Frankly I do not know how we are ever going to be reelected. I do not know how we are ever going to get our message back to the folks at home, because we never get a chance to talk.

For example, I observed in the CONGRESSIONAL RECORD of yesterday something which I think happens almost every day, but I shall speak about yesterday's RECORD, because it is before me.

I find, according to the CONGRESSIONAL RECORD of yesterday, when no filibuster was under way, that two Senators, the able Senator from Oregon [Mr. MORSE] and the able Senator from Minnesota [Mr. HUMPHREY] spoke at considerable length. The able Senator from Oregon used up about 10 pages of the approximately 59 pages of the RECORD of yesterday, the able Senator from Minnesota used up about 8½ pages, their total being about 18 pages, or about 30 percent of the RECORD. There are 96 Senators. Therefore each Senator would be entitled to less than 1 percent of the time or of the RECORD.

Mr. HUMPHREY. Mr. President, will the Senator yield for a question?

The VICE PRESIDENT. Does the Senator from Indiana yield?

Mr. CAPEHART. I decline to yield at the moment.

The VICE PRESIDENT. The Senator from Indiana declines to yield.

Mr. CAPEHART. I am very serious about protecting the quiet Senators—those who sit and think. [Laughter.] But I find that on yesterday two most able Senators consumed in the RECORD about 30 percent of the time, or about 30 percent of the RECORD. There are 96 Senators, so the proper allocation would be about 1 percent to each Senator. But here are two Senators that consume almost 30 percent of the time.

I have further observed—and I have my staff working on the RECORD—that those who are the most strongly opposed to filibuster and most ardently opposed to a long debate are the ones who talk the most. I find particularly one of my able colleagues who yesterday took great delight, of course, in berating the Republican Party. I find—and I am going to have the RECORD before long; it takes considerable effort to figure up how much time some Senators consume—that to a large extent the same Senators who are

against unlimited debate, the same Senators who always are against letting the other fellow talk, are the ones who repeatedly, constantly, and continuously talk on the floor of the Senate at almost every session.

I do not know what we who like to think and not to talk are going to do. It is unfair, Mr. President. We are being discriminated against. Unfortunately, we are not a minority, because there are many more of us than there are of those who do the talking. My observation in a little over 4 years in the Senate is that less than 2 or 3 percent of the Senators do 90 percent of the talking. How are we going to protect the Senator who likes to sit and work and think, who likes to get his job done? To me, he is like the millions and millions of other Americans who toil at their tasks every day, who mind their own business, who work and work and work, who think, and who contribute most to the progress of America.

Where I was born, in Indiana, we always had a lot of talkers. They were always talking on every subject; it did not make any difference what the subject was. We used to refer to them as fellows who were windy, fellows who wanted to talk and talk and talk. [Laughter.] How are we going to handle that problem, Mr. President? How are we, who do not want to talk, who want to get some action, to be protected?

Suppose each of the 96 Senators should decide that he would like to talk an hour each day. Or suppose each of the 96 Senators should decide he would like to talk an hour on each subject. That would take 96 hours. If we worked approximately 10 hours a day, that would take 10 days on each bill. Perhaps we quiet fellows who want to see legislation passed and do not consider ourselves as expert on every subject, who do not know everything there is to know—perhaps we quiet fellows are perfectly willing to have the fellow who knows everything about everything do the talking. It does not make any difference what the subject is; he knows it all; and he jumps to his feet and talks and talks and talks, and takes the time of the Senate.

I am serious about this matter. [Laughter.] Very serious about it. I believe the American people should be serious about it. I do not believe the American people have thought this thing through, because if they had, and if they were to read the RECORD and figure the space used by some of their own Senators, and would multiply that by 96, they would come to one conclusion, and that is that it is simply impossible to do anything in the United States Senate except to talk.

Now, if all of the nontalkers, those who like to think and work and get things done, would like to join me in forming an organization, I shall be very happy to meet with them when we adjourn or recess tonight, whichever we are going to do.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Missouri [Mr. DONNELL] to the so-called Wherry amendment.

Mr. MORSE. Mr. President, I thoroughly enjoyed the remarks of the Senator from Indiana. I have tried to discover many times, when I have been talking on the floor, what a certain kind of grinding noise was that I sometimes heard. I have concluded after listening to his speech tonight it must be the Senator from Indiana in his thought processes, interrupting me while I talked. I want to say that I think his speeches are usually as meritorious as the one I just listened to. The Senator expressed one thing, however, in his speech about which I also am very much concerned. The Senator said there was some little concern about how he was going to get reelected in Indiana. I have that concern, too. I am sure I cannot give him any assurance of his reelection on the basis of his voting record, at least to date, in the Senate.

Mr. WILEY. Mr. President, I am not one of those who have entered to any extent into the discussions of this issue.

A great American philosopher said, "Never explain. Your friends do not need it, your enemies will not believe you any way." So I am not going at this time to explain again the position I have taken on the question now pending before the Senate. Neither shall I make any extended remarks. I am reminded of two homely bits of American wisdom. It is current property in our thinking in America. One statement is, that no conversions are made after the first 15 minutes.

I do not think any Senator will be converted or affected by anything I have to say. I think we have had some remarkable enlightenment in the Senate. I am grateful to Senators on both sides of the aisle for what I think has been an illuminating debate. I am grateful that we have not violated the rules of the Senate more than we have.

Mr. President, I pause for a moment to call attention to a rule which I think is very important, if we are to carry on business in the Senate:

> No Senator in debate shall, directly or indirectly, by any form of words, impute to another Senator or to other Senators any conduct or motive unworthy or unbecoming a Senator.

I rest on that, Mr. President, because we are only at the beginning of a Congress whose consequences I think will be as far-reaching, perhaps, as any in our history.

I mentioned one bit of wisdom. I bring to the Senate's attention an incident, which contains some more wisdom. I think it was Mark Twain who said that on one occasion he went to hear a missionary make an address. After the missionary had talked most dynamically for 15 minutes or so, regarding the condition of the heathen, Mark Twain reached into his pocket and took out a $20 bill with the intention of putting it on the collection plate. But the missionary continued talking and talked for another half hour. Mark Twain then put his $20 back into his pocket and took out a $10 bill. The missionary talked for another half hour. Mark Twain put the $10 bill back into his pocket and took out a $1 bill. The missionary continued speaking. Then Mark Twain put the $1 bill back into his pocket, and when the plate was passed he took a dollar off the plate.

I am reminded also of a historical fact. As I stepped into the elevator last evening one of the newer Members of the Senate was commenting on the tremendous flow of the American language that he had heard in the Senate. He commented on how the words gushed forth without impediment and how the sentences and periods flowed out in great volume. Just then my mind went back to the historic fact that Thomas Jefferson was not able to make a speech without using a manuscript. On one occasion, when he attempted to speak before the University of Virginia, he broke down. But, Mr. President, Thomas Jefferson was a thinker. He so used the written word that what he wrote sang the spirit of freemen, free people, and great principles. What is more, Mr. President, he lived to a ripe old age. He could not make a speech, but he could think. Every time he spoke he read from a manuscript. His was not fluidity of expression; his was a mind with judgment, with cogent ideas, a mind that could reason, think, and look through the mist of the present into the problems of tomorrow. So, Mr. President, the thought I would leave in connection with this last incident is that it is not the long peroration, it is not the extended sentences, the multitude of paragraphs or pages printed in the CONGRESSIONAL RECORD, that really count. It is wisdom, sane judgment, and the vision of the people's representatives here, registered by their votes, arrived at after consideration and judgment.

Mr. President, camouflage is found not only in animals, in nature, or in the work of man by the use of the paint brush. It is found in the utilization of words, in the confusion of thought, in the statement of false conclusions. I personally feel that there is a great responsibility upon every man who stands as the representative of a great commonwealth to guard his words and to see, when he comes to a conclusion, that his conclusion is based on facts. All the oratory and all the words uttered here cannot camouflage the fact, Mr. President, that the Senators from the South have acted squarely, fairly, and have given up something that is vital to them. That is the right to filibuster on a motion to take up a bill, and the right to filibuster on a motion to approve the Journal.

If the Wherry substitute is agreed to, let the country know, let the people know, that we, as reasonable men, have arrived at a conclusion, after due consideration and have not been swayed by partisan political considerations but by the larger interest—the welfare of the Nation. Let the people know that we feel—the 52 of us—and at least 10 more who have said they would vote for the substitute—that we have reasoned our way through to this conclusion.

I shall not go into the history of this debate. It has been covered very clearly and factually by the Senator from Ohio [Mr. TAFT] and other Senators. Anyone

who wants to read the truth will find it, but if he attempts to read all that has been said he will have to wade through a mist of political camouflage and cloudy statements.

What are the actual facts? We start out, Mr. President, with no rule that will give us cloture. That is the situation. History has demonstrated that. The Wherry-Hayden resolution was offered. I stated on the floor of the Senate that I would vote for it, but, Mr. President, there are 96 Members of the Senate, men with different religious, economic, social, political, racial, and, what is more, geographic backgrounds. They look from different mental perspectives. Thank God they do. We are not all in one mental channel, where men think alike and feel alike. If we were, we would have a Cromwell or a Hitler or a Mussolini to take charge. Consequently, Mr. Chairman, when the original resolution could not be taken up, we had to find the way by using judgment and reason and give and take. It is a question of mind getting into action to see the way.

I heard it stated on the floor of the Senate that majority rule applies in the courts. Mr. President, under the common law of England a person must be judged by his peers, and all the peers must agree. It is only in modern times, since the law has been modified in some States, that there can be a verdict of 10 out of a jury of 12. I do not think that argument is very relevant. At least 62 Members of this august body have come to the conclusion that this is no time to place absolute power in the hands of a majority.

Mr. President, we have arrived at a conclusion—an honest conclusion—that the substitute is the way out of this impasse. We criticize no one who differs with us. Every newspaperman, however, knows that much of the talk has been political camouflage. The people know it is camouflage. They have been fooled time and time again. Lincoln said, "You can fool all the people a part of the time, but you cannot fool all the people all the time."

Mr. President, we are about to make a decision—arrived at by reasonable men thinking through a problem which involves the very safety of the Nation—and those who would criticize Senators from the South may thank God in our tomorrow that we have not gone all the way so that one section can impose upon another section its versions of life, economics, and politics.

Mr. President, in my State we have no poll-tax requirement; we have a fair employment statute. I suggest that some of us who have wanted to travel around the world might well take a vacation, charter a train, travel through all the sections of this country, meet the common people, hear what they say, and get their reaction—get their heartfelt views on vital issues. We will find considerable wisdom in the grass roots.

If the complexion of the Senate were changed so that it would be like the House, tomorrow there would be thrown into the lap of this country a proposal to take over the insurance companies, with 80,000,000 policyholders and $50,000,000,000 of assets. There would be those who think the Government should take them over, and take over other institutions, such as the banks. That is all in the wind in the nations of the earth. But, Mr. President, we do not want to do it quickly or suddenly or without contemplation and thought. I do not want to do it at all.

Mr. President, this is an ominous time, and we should not criticize our brethren who see things differently, who live under different conditions. Let us reason together, as the Good Book says. I have been told it was quoted today, so I do not think I am violating the rules of the Senate. Let us reason together about our problems and that is just what we have done in this matter. But I said I was not going into the history of this debate.

A great President once said—and the Democrats know whom I mean—that the only thing we have to fear is fear itself, and if our friends of the New Deal were not fearing that they would be plagued with not having fulfilled all their pledges, they would never have put on this campaign of camouflage. But they made those pledges. They actually seduced group after group with them, without argument or consideration of the facts.

What do we hear today? Do we hear the Taft-Hartley Act argued? No, when the Taft-Hartley Act is mentioned we hear "Slave labor." But when one sends out questionnaires and asks individuals as to the particular provisions of the act, they return approving replies. It is similar to the use of the term "liberal." The word "liberal" has been prostituted by men who said they were liberals, and would turn back the pages of history to put into effect old, obsolete customs and laws. Would we apply the term "liberal" to centralized government in the hands of a group, as in the case of England?

England has no checks and balances, she has no court that can say that a law is unconstitutional. She has no executive with executive power; he is a figurehead. But England is different from us. England has not had an infusion into her bloodstream since the days of the Norman conqueror. But we are a composite of all the bloodstreams of Europe. We need checks and balances lest we go too far to the left or too far to the right.

The situation is very plain. The majority leader, under the present rule, has been faced with the alternative of insisting that our southern friends should go on with the filibuster and he with his friends should seek to break it, or that he should concede victory to the South. The evidence is conclusive that the majority leader felt that for the time being he would have to concede victory to the South.

What then happened? When that situation became apparent, some of us in the Senate came to the conclusion that a stalemate is not what we want or what the country is entitled to—a stalemate, accomplishing nothing after 2 or 3 weeks. We felt that the rule of America was the rule of progress. So after a number of conferences—and I was not in on any of them—between the representatives of the Republicans, members of the filibuster group, and members of the New Deal or Fair Deal group, a substitute was arrived at. But the substitute would have had no chance for a hearing before this body—get this, now, it would have had no chance for a hearing, unless the signing of the petition by 52 Senators had been brought about. Mind you, 52 signers constituted a majority of the Senate. That is what gentlemen have been arguing for. A majority have said we want this rule, and there will be 64 before we are through. Fifty-two men on both sides of the aisle signed this petition, which is in accordance with what was done a number of years ago.

Mr. TOBEY. Mr. President, will the Senator yield?

Mr. WILEY. I yield for a question.

Mr. TOBEY. Fifty-one men and one lady.

Mr. WILEY. I accept the correction with an apology. And what a lady she is. I am very happy to have the correction. But I am sure the lady is the equal of any one of the 51 men.

Fifty-one men and one woman, 52 Senators, signed this petition, and I have heard others say, "I will vote for it."

Mr. PEPPER. Mr. President——

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Florida?

Mr. WILEY. Let me conclude, and then I shall be glad to yield.

Let us ask ourselves this simple question: Why was this petition signed? First, it would do away with the possibility of a filibuster on a motion to take up a bill. Second, it would do away with a filibuster on a motion to approve the Journal. Third, it would provide for all time a definition of "two-thirds."

Mr. President, let me say—without violating the rule of the American philosopher who said, "Don't explain; your friends don't need it, your enemies won't believe you anyway"—that in my humble opinion 60 and more Senators believe they are doing a constructive thing if they approve this substitute resolution.

Mr. President, as one of its sponsors, the original Wherry-Hayden resolution, I was willing to abide by, but we were unable to secure action upon it. What we did succeed in obtaining was a vast improvement over the rule as it now is.

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. WILEY. I am happy to yield to the Senator from Florida.

Mr. PEPPER. Did I understand the Senator to say that the 52-Senator coalition, being a majority of the Senate, was simply applying the majority rule principle which some of us advocate?

Mr. WILEY. No, Mr. President; I did not use the word "coalition."

Mr. PEPPER. Shall I say "combination," or would the Senator from Wisconsin suggest some other term? I simply referred to the number "52."

Mr. WILEY. That is better.

Mr. PEPPER. That is what I intended, although coalitions have often been good as well as bad.

Mr. WILEY. The Senator from Florida should know.

Mr. PEPPER. That will depend upon what history says about it.

Mr. WILEY. No, Mr. President; it will not depend upon what history says about it. It will depend upon what the fact is, and no camouflage that may be attempted to cover it will, I am sure, disguise the fact.

Mr. PEPPER. Mr. President, will the Senator yield further?

Mr. WILEY. I yield.

Mr. PEPPER. Is it not a question as to how what is done by this combination works out that will determine whether its action turns out to be good or bad? Do the 52 Senators who are changing the rule, amending the rule, leave it within the power of 52 Senators in the future to change the rule, should they be disposed to do so, or leave it within the power of two-thirds of the Senate to change the rule in the future if they should be disposed to do so?

Mr. WILEY. That, Mr. President, is a double-barreled question. The Senator from Florida knows very well what the intent of the substitute is. I say to him that the South has given up a tremendous thing when it gave up what it did. What the Senators from the South have done here and now is to my mind one of the finest omens of a better tomorrow. They have said to the Senate and to the people of the United States, "We will give up something we think is vital. By the action we have taken, it will not be possible for us hereafter to filibuster on a motion to take up a bill or on a motion to correct the Journal." I think that is a tremendous concession. At the same time, Mr. President, I can understand their position. They have faith in America; they have faith in the people; and faith that we will not be stampeded by mere words such as "civil rights" or by the word "liberalism." They have faith that before we pass any measure which is camouflaged by those terms, we will strip off the camouflage to see whether there is something hidden beneath it that is liberal or is not liberal. They believe we will look into the measure and see what its real purpose is.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Missouri [Mr. DONNELL] to the substitute offered by the Senator from Nebraska [Mr. WHERRY] for himself and other Senators. The clerk will state the amendment to the amendment.

The CHIEF CLERK. On page 2, line 7, of the substitute proposed by Mr. WHERRY (for himself and other Senators) for Senate Resolution 15, amending the so-called cloture rule of the Senate, after the word "motion," it is proposed to insert the following "(and, for the purpose of this rule, a motion to approve the Journal shall be in order at any time as a privileged motion and to it every motion, whenever it shall be or have been presented, relative to the Journal shall be deemed an amendment)."

Mr. DONNELL. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered, and the legislative clerk proceeded to call the roll.

Mr. TAYLOR (when his name was called). Mr. President, on this question I have a pair with the junior Senator from Arkansas [Mr. FULBRIGHT], who is absent on public business. If he were present he would vote "nay." If I were at liberty to vote I should vote "yea." I therefore withhold my vote.

The roll call was concluded.

Mr. MYERS. I announce that the Senator from New Mexico [Mr. CHAVEZ], the Senator from Montana [Mr. MURRAY], the Senator from Oklahoma [Mr. THOMAS], and the Senator from New York [Mr. WAGNER] are necessarily absent.

The Senator from Arkansas [Mr. MCCLELLAN] is absent because of a death in his family.

The Senator from Maryland [Mr. O'CONOR] and the Senator from Wyoming [Mr. O'MAHONEY], both of whom are absent on public business, would vote "nay," if present.

I announce further that the Senator from Arkansas [Mr. MCCLELLAN], and the Senator from Montana [Mr. MURRAY] would vote "nay," if present.

The result was announced—yeas 14, nays 72, as follows:

YEAS—14

Aiken	Kefauver	McGrath
Bridges	Kem	Morse
Donnell	Kilgore	Thomas, Utah
Green	Langer	Tobey
Ives	Lodge	

NAYS—72

Anderson	Hickenlooper	Millikin
Baldwin	Hill	Mundt
Brewster	Hoey	Myers
Bricker	Holland	Neely
Butler	Humphrey	Pepper
Byrd	Hunt	Reed
Cain	Jenner	Robertson
Capehart	Johnson, Colo.	Russell
Chapman	Johnson, Tex.	Saltonstall
Connally	Johnston, S. C.	Schoeppel
Cordon	Kerr	Smith, Maine
Douglas	Knowland	Smith, N. J.
Downey	Long	Sparkman
Eastland	Lucas	Stennis
Ecton	McCarran	Taft
Ellender	McCarthy	Thye
Ferguson	McFarland	Tydings
Flanders	McKellar	Vandenberg
Frear	McMahon	Watkins
George	Magnuson	Wherry
Gillette	Malone	Wiley
Gurney	Martin	Williams
Hayden	Maybank	Withers
Hendrickson	Miller	Young

NOT VOTING—9

Chavez	Murray	Taylor
Fulbright	O'Conor	Thomas, Okla.
McClellan	O'Mahoney	Wagner

So, Mr. DONNELL's amendment to the amendment in the nature of a substitute offered by Mr. WHERRY and other Senators was rejected.

The VICE PRESIDENT. The question now is on agreeing to the amendment offered by the Senator from Connecticut [Mr. BALDWIN] to the amendment in the nature of a substitute offered by the Senator from Nebraska [Mr. WHERRY] and other Senators. The amendment will be stated for the information of the Senate.

The CHIEF CLERK. On page 2, line 20, of the amendment proposed by Mr. WHERRY (for himself and other Senators) as a substitute, after the word "sworn", it is proposed to insert the following: "in the case of any motion, resolution, or proposal to change any of the Standing Rules of the Senate, and in all other cases by a two-thirds vote of those voting."

Mr. MYERS. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. MYERS. After the vote on this amendment, may I offer a perfecting amendment to the substitute for Senate Resolution 15?

The VICE PRESIDENT. Other amendments will be in order after this one is disposed of.

Mr. SALTONSTALL. Mr. President, just a very brief word of explanation on this amendment.

I join with the junior Senator from Connecticut [Mr. BALDWIN] in submitting the amendment. The effect of it is this: Under the so-called Wherry substitute a constitutional two-thirds is required on cloture with respect to a change in the rules as well as on cloture in connection with a bill or resolution which does not concern a change in the rules. This amendment would change the constitutional two-thirds requirement on matters not involving a change in the rules. In other words, on any matter in which a change in the rules is not concerned, only two-thirds of those voting would be required, instead of the requirement in the Wherry compromise of two-thirds of the Senators duly chosen and sworn.

Mr. President, as one who filed a cloture resolution in 1946, and again in 1947, and who joined with others in filing such a resolution in 1949, let me say that those resolutions ultimately led to the Hayden-Wherry resolution. I believe that we should make a change in the rule. I believe that we should make cloture more effective. It is the feeling of the junior Senator from Connecticut and myself that this simple amendment to the Wherry compromise would make cloture more effective, more workable, and more practicable on the many matters which come before the Senate with respect to which it may be desired to invoke cloture.

Changes in the rules come very seldom. It seems to us that the constitutional requirement is satisfactory in that respect, but in the case of bills which may come before the Senate from year to year, with respect to which we may want to invoke cloture, we believe that a two-thirds vote of Senators present and voting is preferable. I hope the amendment to the amendment will be adopted.

Mr. LUCAS. Mr. President, I wish to say just one word. I rise to support this amendment, because it is the identical amendment upon which a great number of Democrats from the North and West could have settled this controversy and were willing to do so. I shall support the amendment, and sincerely hope that other Senators who were with me in the various Democratic conferences will go along with it.

SEVERAL SENATORS. Vote! Vote!

Mr. WHERRY. Mr. President, I cannot support this amendment. If the Wherry substitute had not been offered, we would not have an opportunity to vote on this amendment tonight. I think that is clear, and I hope the Senate will react in the same way.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Connecticut

[Mr. BALDWIN] to the so-called Wherry substitute.

Mr. MORSE. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered, and the legislative clerk proceeded to call the roll.

Mr. TAYLOR (when his name was called). On this vote, I have a pair with the junior Senator from Arkansas [Mr. FULBRIGHT] who is absent on public business. If he were present and voting, he would note "nay." If I were permitted to vote, I would vote "yea." I withhold my vote.

The roll call was concluded.

Mr. RUSSELL. Mr. President, the senior Senator from Arkansas [Mr. MCCLELLAN] has requested me to announce his position on this vote. He is paired with the senior Senator from Montana [Mr. MURRAY] who is necessarily absent. I understand that if the Senator from Arkansas were present, he would vote "nay." I further understand that if the Senator from Montana were present, he would vote "yea."

Mr. MYERS. I announce that the Senator from New Mexico [Mr. CHAVEZ], the Senator from Oklahoma [Mr. THOMAS], and the Senator from New York [Mr. WAGNER] are necessarily absent.

The Senator from Arkansas [Mr. MCCLELLAN] is absent because of a death in his family.

On this vote the Senator from Maryland [Mr. O'CONOR], and the Senator from Wyoming [Mr. O'MAHONEY] who are absent on public business are paired. If present and voting the Senator from Maryland would vote "nay," and the Senator from Wyoming would vote "yea."

I announce further that if present and voting, the Senator from New Mexico [Mr. CHAVEZ], the Senator from Oklahoma [Mr. THOMAS], and the Senator from New York [Mr. WAGNER] would vote "yea."

The result was announced—yeas 29, nays 57, as follows:

YEAS—29

Aiken	Humphrey	McMahon
Anderson	Hunt	Magnuson
Baldwin	Ives	Morse
Connell	Kefauver	Myers
Douglas	Kilgore	Neely
Downey	Langer	Pepper
Ferguson	Lodge	Saltonstall
Flanders	Lucas	Thomas, Utah
Gillette	McCarthy	Tobey
Green	McGrath	

NAYS—57

Brewster	Hill	Mundt
Bricker	Hoey	Reed
Bridges	Holland	Robertson
Butler	Jenner	Russell
Byrd	Johnson, Colo.	Schoeppel
Cain	Johnson, Tex.	Smith, Maine
Capehart	Johnston, S. C.	Smith, N. J.
Chapman	Kem	Sparkman
Connally	Kerr	Stennis
Cordon	Knowland	Taft
Eastland	Long	Thye
Ecton	McCarran	Tydings
Ellender	McFarland	Vandenberg
Frear	McKellar	Watkins
George	Malone	Wherry
Gurney	Martin	Wiley
Hayden	Maybank	Williams
Hendrickson	Miller	Withers
Hickenlooper	Millikin	Young

NOT VOTING—9

Chavez	Murray	Taylor
Fulbright	O'Conor	Thomas, Okla.
McClellan	O'Mahoney	Wagner

So, Mr. BALDWIN's amendment to the amendment in the nature of a substitute, offered by Mr. WHERRY for himself and other Senators, was rejected.

Mr. MYERS. Mr. President, to the so-called Wherry substitute I offer and send to the desk an amendment which would provide for a constitutional majority.

Before a vote is had on the amendment to the amendment in the nature of a substitute, I wish to say that it occurs to me that many of us in this Chamber are wearing green today, and yet I do not believe I have heard the name of St. Patrick mentioned here today.

Probably the greatest affront the United States has made or ever will make to the memory of the great St. Patrick, in whose honor and memory so many of us are adorned here this evening, arises from the fact that this long fight is to be brought to an end on St. Patrick's Day of 1949. That we of Irish ancestry should be compelled to give up this battle today is rather paradoxical. I am sure that the spirit of St. Patrick must be somewhat disturbed, not because the fight has ended, but because the end result has been surrender and defeat for some of those who have championed the cause of human rights and also the cause of civil rights.

But, Mr. President, defeat in this instance is not to be condemned, for although the Irish were defeated many times in their fight for freedom over the centuries, they never surrendered, they never gave up. They may have retreated, but it was only a tactical retreat in order that they might fight again another day; and they did fight another day, Mr. President; and finally they won their freedom.

But what annoys me and what worries me is that it will take us some time to reach a vote on the issue of civil rights, although not so long as it took the sons of the Emerald Isle to win their freedom over the long centuries.

Mr. President, I regret that many of us were delayed this evening, so that we could not participate in the St. Patrick's celebrations which are being held in our own States and throughout the country. I had to cancel a long-standing engagement to speak before the Friendly Sons of St. Patrick, in my native city of Philadelphia—the oldest such society in the United States. In fact, Mr. President, I was to give the toast, and was to address myself to the subject The United States of America, at the Friendly Sons of St. Patrick dinner in Philadelphia.

So I ask unanimous consent that the remarks which I had intended to make this evening at that dinner may be printed at this point in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

I am happy to have this opportunity to meet with you tonight—not because I intend to make a political speech—but because, like many of you, I too am a Philadelphian and an Irish-American.

In all frankness, however, I do intend to talk about politics tonight. Not about the kind of two-party politics we here in America know so well, but about a one-party kind of politics we are learning painfully much about—and which none of us holds in very high regard.

I am sure all of you know what one-party system I have in mind.

Communism has thrived in an atmosphere of confusion, of bitterness, of poverty, and of hatred. Frequently, that atmosphere has been created deliberately by Communists who knew full well their greatest opportunities for success lay in the use of tactics designed to stir up strife.

It is not surprising that communism has spread in Europe since VE-day. Europe was spent and broken by 6 years of war. Hunger, poverty, and confusion lay heavy on the land. It was thus that communism had won its foothold in a Russia which had been beaten and impoverished in a war against Germany almost 30 years earlier. Once more the soil of Europe was ripe for effective Communist agitation, for the generation of class hatred, and for the destruction of men whose convictions opposed the spread of Communist oppression.

Americans of every creed and ancestry have been shocked by Communist tactics. Russia and the Communists have declared war on religion. I scarcely need recall to any of you the infamous conviction of Cardinal Mindszenty, the incessant attacks leveled at religion in every country behind the iron curtain. And I do not have to particularize to call to your mind the swallowing up by Russia of the governments of eastern Europe and the Communist-inspired uprisings which from time to time have tried to paralyze France and Italy.

It is my personal belief that the iron curtain of today reprrsents the high-water mark of communism's rise in Europe. I believe the tide of communism will recede from that shore line. And I believe we have discovered how to stop Russia and the Communists dead in their tracks.

Russia and communism can be stopped and are being stopped this day and this hour by a frontal attack on the very conditions upon which communism depends for its life blood. We have referred to this attack by a number of names. We knew it first as the Marshall plan, in the name of its great sponsor who first announced it to the world less than 2 years ago. We have also known this attack as the European recovery program, and as the European Cooperation Act. But these names all refer to the same attack and to the same fundamental philosophy.

Communism has absolutely nothing to offer anyone who is secure in his home, secure in his mind, and secure in his heart. And, simply stated, the philosophy of our attack is to achieve that kind of security.

Alone, the Marshall plan cannot achieve that security, nor, by the same token, can that security be attained without carrying through the Marshall plan. Our attack is being planned and must be directed along a broad front. Fighting on that front must be the North Atlantic Pact, the European recovery program, the continuing and heartening development of a United Nations Organization, and a secure economy here in the United States and in the areas of the world where we intend to stop communism.

The European recovery program occupies a central position on that front, and I should like to review briefly just a bit of quite recent history. Secretary George Marshall, speaking before the graduating class at Harvard University on June 5, 1947, announced the plan. That was less than 2 years ago. From that instant, speed and success have characterized the program. The nations of western Europe were quick to respond. The Soviet Union refused to play any part in the program, and was successful in blocking the efforts of eastern European countries when they sought to participate. Within 6 weeks after Secretary Marshall's announcement, the

western nations had formed a voluntary Committee for European Cooperation. This committee of cooperating nations performed yeomen's service in the months that followed. The committee drew up a master plan of what Europe would require in order to achieve economic recovery by 1952.

This was not a plan for relief or dole. It was much deeper. It was direct, and it was constructive. The planning developed along the lines of integrating the economy of Europe, of stabilizing currencies, of making best use of the total resources, of stimulating trade, and upping production.

While the nations of western Europe were working out their part of the plan, top figures in American industry, labor, and government were bringing together the plans which culminated in the passage by Congress of the Foreign Assistance Act on April 3, 1948. That act was the basis of American participation in the recovery program. The European Cooperation Administration was quickly formed thereafter, with the top position going into the capable hands of Paul G. Hoffman. At the same time, the cooperating European countries formalized their temporary committee—and it became known as the Organization for European Economic Cooperation.

Once the European Recovery Act had been passed, action really got started. The first boatload of goods actually left Galveston, Tex., for France just 12 days after the act had passed. That was less than 1 year ago.

Travelers long familiar with Europe who have recently returned to this country can scarcely believe what they have seen. Western Europe is making an amazing come-back. They tell us what has been accomplished by the $3,000,000,000 worth of goods which we have shipped during this first year. Production in Europe was substantially greater in 1948 than in 1947. Great strides have been made in stabilizing finances, and in stimulating trade. Most important of all, however, is the new spirit emerging in the people of western Europe. There is a new energy, a new self-confidence, and a new willingness to cooperate among themselves and with the world. These are the surest guaranty we have that the European countries will achieve economic security by 1952. And they are sure signs that we are moving toward a free world, and a world to which Communism can offer nothing.

I have no intention at this time to recite for you the endless statistics which prove that Europe is on the road to self-sufficiency. But one figure in particular has caught my attention as I have gone through the reports on European progress: Gross investments in European business proceeded at the rapid rate of $30,000,000,000 in this fiscal year. This is more than six times the amount provided in the same period by the American contribution under the recovery program. The meaning of this figure is significant. It does not mean that western Europe has already recovered economically. And it does not mean that the Marshall plan can be discontinued this year or before 1952. But it does signify that western Europe has a new confidence, and a proven ability to make a major contribution to its own recovery with the continued support of America during the period set out for the operation of the recovery program.

I realize there are still among us those who denounce the Marshall plan. Many of these are people who see clearly the menace of communism. Yet they say we are throwing good American dollars down a rat hole, that we are depriving America of goods and resources. There is a compelling answer to those who hold this belief. What these people fail to see is this: Mere military might, or mere isolation, is not a sufficient answer to communism. Communism has proven that it can breed underground where people are hungry, bitter, and frightened. Where want and fear exist, security cannot be maintained at gun point.

The European recovery program does not impose an excessive drain on the American economy. The amount we spend for this is only about 2 percent of our national income. This is a good investment in America's future prosperity. If Europe were to collapse, the largest foreign market for our goods would be lost. But if we help Europe get back on its feet, we will greatly increase our overseas market. By making a small sacrifice today, we assure ourselves of great benefits in the future.

I have recounted this history of the Marshall plan because of its importance in our concerted program to bring peace, freedom, and security to a troubled world.

Tomorrow the details of the North Atlantic Pact will be announced, and this will come before the Senate shortly. This pact is designed to bring about a companion security—security from fear of military aggression. It visualizes a strength and a unity which will stand as an immovable buttress against any Russian schemes for world domination. The pact does not contemplate the abrogation of the Constitution, as some of its critics have argued. It does not operate to declare war in the stead of Congress. What this pact will do is fortify us—and the nations of western Europe—in our unbending determination to assure the kind of world in which all men are free, and secure in their beliefs, their homes, and in their physical well-being. This pact tells Russia that we—and those who sign it with us—do not intend to have the kind of world which the Communists want.

The Marshall plan, the Atlantic Pact, a strong military, and a healthy economy are our front-line elements in the cold war. And we are going to win the cold war—as a cold war and not as a shooting war.

We are going to win because we are attacking communism at its heart. We are attacking affirmatively and constructively, all along the line. We are going to end the poverty, the uncertainty, the confusion, and the bitterness on which communism thrives. We are going to put an end to Communist efforts to create those conditions by force and violence, by intimidation and terror, by intrigue and brute strength. We are going to show the world by example that our way of life, our way of freedom, is the only way.

The Russian Government today does not dare tell the Russian people the truth about America. It does not dare tell its people of the great progress already made by the people west of the "iron curtain"—progress made without resort to a one-party political system—progress, without stamping out freedom—progress, without attacking religion.

Russia and the satellites she occupies today by force cannot continue to live in a vacuum. The truth can penetrate their shield of censorship. That is one of the many virtues of the truth. The Communists have accused us at times of distorting the truth. At least it is the truth we distort.

The ultimate truth which underlies our cause and our strategy in the cold war is also our ultimate weapon. It is not a secret weapon. It is the weapon which will bring freedom to all men. It is the weapon which avoids a shooting war, which assures our victory in the cold war, and which will create a world where all men may live in dignity and peace.

Mr. MYERS. Mr. President, I conclude the toast to the United States of America: May she ever prosper; may St. Patrick's Day of 1950 find all of us in America firmly united in the cause of freedom—political freedom and economic freedom—for all our people, regardless of race, color, or creed; may we have this day a year hence, Mr. President, a more united America, an America which may eventually bring to all our people and to other peoples all over the earth contentment and happiness and peace; and may some future St. Patrick's Day at long last enable us to say truly that we have achieved peace on earth and good will among men.

The VICE PRESIDENT. The amendment offered by the Senator from Pennsylvania to the so-called Wherry amendment in the nature of a substitute will be stated.

The CHIEF CLERK. In the so-called Wherry amendment in the nature of a substitute for Senate Resolution 15, it is proposed, on page 2, in line 20, to strike out the word "two-thirds" and to insert in lieu thereof the words "a majority"; and on page 3 it is proposed to strike out lines 16 to 24 inclusive, being section 2.

The VICE PRESIDENT. Does the Senator from Pennsylvania desire to have the two parts of his amendment to the amendment in the nature of a substitute considered en bloc?

Mr. MYERS. Yes; I do.

The VICE PRESIDENT. Without objection, that will be done.

Mr. RUSSELL. Mr. President, the Senate is tired and I am tired; but I feel in duty bound to make a brief statement here, before the record of this debate is closed.

In the welter of the political charges and recriminations which have been made here, many extravagant statements have been made—statements calculated to cause confusion in the minds of the American people as to the effect of the amendment we propose.

Mr. President, the majority leader had made a statement which was calculated to leave in the minds of the American people the impression that the program that is euphemistically called the "civil-rights program" was forever dead, by virtue of the adoption of this amendment to the rule. The same thing has been stated in numerous editorials.

Mr. President, I would that I could believe that statement. This would indeed be a day of complete and perfect rejoicing for me if I could. But I shall not delude myself, Mr. President; neither shall I attempt to deceive the people of the South, who are most affected by that program. In reaching the agreement that is found in the proposed substitute, Mr. President, those of us who believe in free, indeed, in unlimited debate in the Senate of the United States, have made some concessions of great consequence. We have conceded the right of unlimited debate on a motion to proceed to the consideration of a bill. We have yielded the right to use the Journal, when the Senate stands in adjournment, as a means of delaying a vote on a bill, in the meantime using the limited facilities at our command to convince the country of the righteousness of our cause. There can be no question that the proposed substitute tightens the rule of cloture in this body, and I do not desire to be placed in the position of trying to convince those whom I seek to represent here to the contrary, I refuse to claim the hollow victory

that was conceded in advance by those who are really seeking majority cloture. The majority cloture advocates sought to becloud the issue and delay or prevent the compromise, in the hope they could attain their end.

The adoption of this rule does mean complete defeat for those who would create a condition which could permit 25 Senators to gag and silence their colleagues.

Mr. FERGUSON. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Georgia yield?

Mr. RUSSELL. Mr. President, I am tired and prefer not to yield.

Mr. FERGUSON. Mr. President, will the Senator yield for one question only?

The VICE PRESIDENT. Does the Senator yield?

Mr. RUSSELL. I will yield for one question. I have never refused to yield to any Senator, but tonight I am tired, and I hope the Senator will be brief.

Mr. FERGUSON. The Senator omitted executive sessions, both closed and open, as being included within the rule. Is it the understanding of the Senator that all matters in executive session are included in the rule?

Mr. RUSSELL. Mr. President, there can be no question about that. When the executive calendar is called, when the name of a person nominated is called, it becomes the unfinished business of the Senate in executive session, and this rule applies to executive sessions on matters other than nominations as well.

Mr. President, as I was saying, we did make considerable concessions. Oh, it was not a complete, an abject surrender, such as the forces of the administration demanded of us. We did retain some rights and advantages. We obtained one great substantial advantage in that we wrote into the measure, if it be adopted by this body, that the rules of the Senate hereafter are not subject to cloture on a motion to proceed to the consideration of a change in the standing rules.

Mr. President, in this day of shift and change and pressure, it is well to know that in that one important respect we are protected from an arbitrary ruling of one who might be the Presiding Officer. We are safe from the danger that some Presiding Officer might be capricious in changing rules long settled by precedent or from being gagged by a mere majority in the Senate. It will be impossible for any Presiding Officer to impair the rules as could be done at present by overruling when the point of order raised against cloture on the motion to proceed to the consideration of the rules. Any motion to proceed to a change in the rules is now clearly subject to unlimited debate. That is something we have saved. But the Senate gains in that matter, as much as any section or as much as those opposed to any bill, because it permits Senators who have the courage to do so to protect the parliamentary integrity of this body from assaults that will come in the days that lie ahead.

I do not attach as much importance as some of those who wish to have majority cloture and were not able to secure it, to the increase from the straight two-thirds to the two-thirds of the Senators chosen and sworn. I hope it will be of benefit in the future, but I am not deluding myself with the hope that it will mean anything like eight votes on any future cloture votes. It may mean one or two votes, but no more than that.

Mr. President, we were faced here with a situation where the rules of the Senate established by precedent were under constant attack. We were faced with the condition in this country when many people, people of good will, were being deceived by the attacks that were being made upon this body, and the parliamentary practices which have obtained here since the foundation of the Republic. I cannot but believe that all those who seek sudden and violent changes in our form of government, indeed those who seek change for the sake of mere change, were feeding that sentiment and building up the idea in this country that it was necessary to do something immediately to reform the rules of the Senate.

Senators are not impervious to political pressure. That pressure would have made itself manifest here. The rule of the Senate was only sustained by five votes, on the vote that occurred last Friday night. On another such occasion if three men had bent their knee to that pressure when another cloture petition was presented, it would have meant that the rules of this body could have been changed at any time at the demand of a partisan majority relentlessly set on forcing its will upon the remaining Members of this body. That was a victory in a sense, but it was as much a victory for the Senate, indeed it was as much a victory for the country, for the future rights and liberties of all our people, as it was to those of us from the South.

Mr. President, this rule will not be as sure to impose cloture as some of its proponents say, but it lacks much of being as defective as is claimed by those who are seeking to impose majority cloture upon the Senate. I hope, Mr. President, in the years that lie ahead this rule will stand men of courage in good stead when the assaults that I can see in the future are made upon the rules of this body. There will be demands that the Senate yield immediately to a mere majority temporarily holding the advantage, without adequate consideration of the rights of the minority and without opportunity for them to present their case to the people of the country and get a fair decision based on facts. I hope that in the years that lie ahead it will serve as a weapon to defend the Senate of the United States, defend its distinctive characteristics, and permit it in turn to be that bulwark of rights and liberties that it has been down through all the years.

Mr. President, I do not claim the victory that has been attributed to us. I do say we have salvaged as much out of this situation as we possibly could, in view of the fact that there were only some 21 of us to oppose the entire remaining membership of the Senate who were bent on changing the rule in one form or another. As I stated when I came out of the last conference on this matter, we yielded as much as men of honor could, and perhaps more than men of prudence should. Only the future can determine the full effect of this rule in actual operation. But I do not think—I know it is not as weak as claimed, and I hope it may not be as readily used as an instrument of oppression, as has been indicated by some of those who have supported it here in this body.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Pennsylvania [Mr. MYERS] to the so-called Wherry amendment.

Mr. MORSE and other Senators demanded the yeas and nays, and they were ordered.

Mr. WHERRY. Mr. President, this is the constitutional majority amendment, and I shall oppose it.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. RUSSELL (when Mr. MCCLELLAN'S name was called). I desire to announce the pair of the Senator from Montana [Mr. MURRAY] with the Senator from Arkansas [Mr. MCCLELLAN]. If the Senator from Montana were present and voting he would vote "yea." If the Senator from Arkansas were present and voting he would vote "nay."

Mr. TAYLOR (when his name was called). On this vote I have a pair with the junior Senator from Arkansas [Mr. FULBRIGHT], who is absent on public business. If he were present and voting the Senator from Arkansas would vote "nay." If I were permitted to vote I would vote "yea." I withhold my vote.

The roll call was concluded.

Mr. MYERS. Mr. President, I wish to announce that the Senator from Maryland [Mr. O'CONOR] and the Senator from Wyoming [Mr. O'MAHONEY] are absent on public business. I understand that if present and voting they would both vote "nay" on the pending amendment.

Mr. MYERS. I announce that the Senator from New Mexico [Mr. CHAVEZ], the Senator from Montana [Mr. MURRAY], the Senator from Oklahoma [Mr. THOMAS], and the Senator from New York [Mr. WAGNER] are necessarily absent.

The Senator from Arkansas [Mr. MCCLELLAN] is absent because of a death in his family.

I announce further that the Senator from New York [Mr. WAGNER] would vote "yea," if present.

The result was announced—yeas 17, nays 69, as follows:

YEAS—17

Douglas	Langer	Morse
Downey	Lucas	Myers
Green	McCarthy	Neely
Humphrey	McGrath	Pepper
Ives	McMahon	Thomas, Utah
Kilgore	Magnuson	

NAYS—69

Aiken	Byrd	Eastland
Anderson	Cain	Ecton
Baldwin	Capehart	Ellender
Brewster	Chapman	Ferguson
Bricker	Connally	Flanders
Bridges	Cordon	Frear
Butler	Donnell	George

Gillette	Knowland	Schoeppel
Gurney	Lodge	Smith, Maine
Hayden	Long	Smith, N. J.
Hendrickson	McCarran	Sparkman
Hickenlooper	McFarland	Stennis
Hill	McKellar	Taft
Hoey	Malone	Thye
Holland	Martin	Tobey
Hunt	Maybank	Tydings
Jenner	Miller	Vandenberg
Johnson, Colo.	Millikin	Watkins
Johnson, Tex.	Mundt	Wherry
Johnston, S. C.	Reed	Wiley
Kefauver	Robertson	Williams
Kem	Russell	Withers
Kerr	Saltonstall	Young

NOT VOTING—9

Chavez	Murray	Taylor
Fulbright	O'Conor	Thomas, Okla.
McClellan	O'Mahoney	Wagner

So, Mr. MYERS' amendment to the amendment in the nature of a substitute offered by Mr. WHERRY for himself and other Senators was rejected.

Mr. LUCAS. Mr. President, I desire to make an announcement at this time with respect to the program for tomorrow. When the Senate adjourns or takes a recess tonight, we will return at noon tomorrow, when it is hoped that we may go through the morning hour, and then take up the calendar. After the calendar has been called for the consideration of noncontroversial measures, we will take up the rent-control bill, make it the unfinished business, and then adjourn until next Monday.

The VICE PRESIDENT. The question is on agreeing to the amendment in the nature of a substitute offered by the Senator from Oregon [Mr. MORSE] to the so-called Wherry amendment.

Mr. MORSE. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

The amendment was to strike out all after the resolving clause and to insert:

That subsection 2 of rule XXII of the Standing Rules of the Senate, relating to cloture, is hereby amended to read as follows:

"If at any time, notwithstanding the provisions of rule III or rule VI or any other rule of the Senate, a motion, signed by 16 Senators, to bring to a close the debate upon any measure, motion, or other matter pending before the Senate, or the unfinished business, is presented to the Senate, the Presiding Officer shall at once state the motion to the Senate, and 1 hour after the Senate meets on the following calendar day but one, he shall lay the motion before the Senate and direct that the Secretary call the roll, and, upon the ascertainment that a quorum is present, the Presiding Officer shall, without debate, submit to the Senate by a yea-and-nay vote the question:

"'Is it the sense of the Senate that the debate shall be brought to a close?'

"And if that question shall be decided in the affirmative by a majority vote of those voting, then said measure, motion, or other matter pending before the Senate, or the unfinished business, shall be the unfinished business to the exclusion of all other business until disposed of.

"Thereafter no Senator shall be entitled to speak in all more than 1 hour on the measure, motion, or other matter pending before the Senate, or the unfinished business, the amendments thereto, and motions affecting the same; except that any Senator may yield to any other Senator all or any part of the aggregate period of time which he is entitled to speak; and the Senator to whom he so yields may speak for the time so yielded in addition to any period of time which he is entitled to speak in his own right. It shall be the duty of the Presiding Officer to keep the time of each Senator who speaks. Except by unanimous consent, no amendment shall be in order after the vote to bring the debate to a close, unless the same has been presented and read prior to that time. No dilatory motion, or dilatory amendment, or amendment not germane shall be in order. Points of order, including questions of relevancy, and appeals from the decision of the Presiding Officer, shall be decided without debate."

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. DOUGLAS. On what amendment are we about to vote?

The VICE PRESIDENT. On the Morse substitute for the Wherry substitute.

Mr. WHERRY. Mr. President, it is a simple majority amendment, and I shall oppose it.

The VICE PRESIDENT. The yeas and nays having been ordered, the clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. TAYLOR (when his name was called). On this vote I have a pair with the junior Senator from Arkansas [Mr. FULBRIGHT] who is absent on public business. If he were present and voting he would vote "nay." Inasmuch as I intend to vote the same way, I am at liberty to vote. I vote "nay."

The roll call was concluded.

Mr. MYERS. Mr. President, I wish to announce that the Senator from Maryland [Mr. O'CONOR] and the Senator from Wyoming [Mr. O'MAHONEY] are both absent on public business. If present and voting they would both vote "nay".

I also announce that the Senator from New Mexico [Mr. CHAVEZ], the Senator from Montana [Mr. MURRAY], the Senator from Oklahoma [Mr. THOMAS], and the Senator from New York [Mr. WAGNER] are necessarily absent.

The Senator from Arkansas [Mr. MCCLELLAN] is absent because of a death in his family.

The result was announced—yeas 7, nays 80, as follows:

YEAS—7

Humphrey	Magnuson	Thomas, Utah
Kilgore	Morse	
Langer	Neely	

NAYS—80

Aiken	Hendrickson	Miller
Anderson	Hickenlooper	Millikin
Baldwin	Hill	Mundt
Brewster	Hoey	Myers
Bricker	Holland	Pepper
Bridges	Hunt	Reed
Butler	Ives	Robertson
Byrd	Jenner	Russell
Cain	Johnson, Colo.	Saltonstall
Capehart	Johnson, Tex.	Schoeppel
Chapman	Johnston, S. C.	Smith, Maine
Connally	Kefauver	Smith, N. J.
Cordon	Kem	Sparkman
Donnell	Kerr	Stennis
Douglas	Knowland	Taft
Downey	Lodge	Taylor
Eastland	Long	Thye
Ecton	Lucas	Tobey
Ellender	McCarran	Tydings
Ferguson	McCarthy	Vandenberg
Flanders	McFarland	Watkins
Frear	McGrath	Wherry
George	McKellar	Wiley
Gillette	McMahon	Williams
Green	Malone	Withers
Gurney	Martin	Young
Hayden	Maybank	

NOT VOTING—8

Chavez	Murray	Thomas, Okla.
Fulbright	O'Conor	Wagner
McClellan	O'Mahoney	

So, Mr. MORSE'S amendment in the nature of a substitute for the so-called Wherry amendment was rejected.

Mr. MCMAHON. Mr. President, some days ago I prepared an amendment in the nature of a substitute. In view of the votes which have already been taken I see no use at this hour in pressing the amendment, and I therefore shall not present it for a vote, but I commend it to our sons and our grandsons, for while I think the idea contained in the amendment is good, in my opinion, it will take that long, under the rule the Senate will finally adopt tonight, to consider an amendment like this on its merits.

I ask that the amendment be printed in the RECORD at this point.

The VICE PRESIDENT. Without objection, it is so ordered.

The amendment was, to strike out all after the resolving clause and to insert:

That (a) subsection 2 of rule XXII of the Standing Rules of the Senate, relating to cloture, be, and the same is hereby, amended to read as follows:

"2. If at any time, notwithstanding the provisions of rule III or rule VI or any other rule of the Senate, a motion, signed by 16 Senators, to bring to a close the debate upon any measure, motion, or other matter pending before the Senate, or the unfinished business, is presented to the Senate pursuant to this subsection, the Presiding Officer shall at once state the motion to the Senate, and 1 hour after the Senate meets on the following calendar day but one, he shall lay the motion before the Senate and direct that the Secretary call the roll, and, upon the ascertainment that a quorum is present, the Presiding Officer shall, without debate, submit to the Senate by a yea-and-nay vote the question:

"'Is it the sense of the Senate that the debate shall be brought to a close?'

"And if that question shall be decided in the affirmative by a two-thirds vote of those voting, then said measure, motion, or other matter pending before the Senate, or the unfinished business, shall be the unfinished business to the exclusion of all other business until disposed of.

"Thereafter no Senator shall be entitled to speak in all more than 1 hour on the measure, motion, or other matter pending before the Senate, or the unfinished business, the amendments thereto, and motions affecting the same, and it shall be the duty of the Presiding Officer to keep the time of each Senator who speaks. Except by unanimous consent, no amendment shall be in order after the vote to bring the debate to a close, unless the same has been presented and read prior to that time. No dilatory motion, or dilatory amendment, or amendment not germane shall be in order. Points of order, including questions of relevancy, and appeals from the decision of the Presiding Officer shall be decided without debate."

(b) Rule XXII of the Standing Rules of the Senate, relating to cloture, be, and the same is hereby, amended by adding at the end thereof the following new subsection:

"3. If at any time, notwithstanding the provisions of rule III or rule VI or any other rule of the Senate, a motion, signed by 16 Senators, to bring to a close the debate upon any measure, motion, or other matter pending before the Senate, or the unfinished business, is presented to the Senate pursuant to this subsection, the Presiding Officer shall at once state the motion to the Senate, and 1 hour after the Senate meets on the eighth

calendar day thereafter (exclusive of Sundays and legal holidays) he shall lay the motion before the Senate and direct that the Secretary call the roll, and, upon the ascertainment that a quorum is present, the Presiding Officer shall, without further debate, submit to the Senate by a yea-and-nay vote the question:

"'Is it the sense of the Senate that the debate shall be brought to a close?'

"During the period intervening between the statement of the motion to bring debate to a close and the taking of the vote thereon, the time for general debate on such motion shall be equally divided between the proponents and the opponents thereof, and shall be controlled by one Senator designated by the Presiding Officer to control such time for the proponents and one Senator designated by the Presiding Officer to control such time for the opponents. Time available to, but not used by, either side shall be yielded to the other side.

"If the question so submitted on the motion to bring debate to a close shall be decided in the affirmative by a majority of all Members of the Senate, including Members who are not present or who do not vote, then said measure, motion, or other matter pending before the Senate, or the unfinished business, shall be the unfinished business to the exclusion of all other business until disposed of.

"Thereafter no Senator shall be entitled to speak in all more than 1 hour on the measure, motion, or other matter pending before the Senate, or the unfinished business, the amendments thereto, and motions affecting the same, and it shall be the duty of the Presiding Officer to keep the time of each Senator who speaks. Except by unanimous consent, no amendment shall be in order after the vote to bring the debate to a close, unless the same has been presented and read prior to that time. No dilatory motion, or dilatory amendment, or amendment not germane shall be in order. Points of order, including questions of relevancy, and appeals from the decision of the Presiding Officer, shall be decided without debate."

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Nebraska [Mr. WHERRY] for himself and other Senators, in the nature of a substitute for Senate Resolution 15.

Mr. WHERRY and other Senators asked for the yeas and nays, and they were ordered.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. RUSSELL (when Mr. MCCLELLAN'S name was called). Repeating the announcement I have heretofore made respecting the pair of the Senator from Arkansas [Mr. MCCLELLAN] with the Senator from Montana [Mr. MURRAY], I wish to announce that if the Senator from Arkansas were present he would vote "yea" and if the Senator from Montana were present he would vote "nay."

Mr. TAYLOR (when his name was called). On this vote I have a pair with the junior Senator from Arkansas [Mr. FULBRIGHT], who is absent on public business. If he were present and voting, he would vote "yea." If I were permitted to vote, I would vote "nay." I withhold my vote.

The roll call was concluded.

Mr. MYERS. Mr. President, I again wish to announce that the Senator from Maryland [Mr. O'CONOR] and the Senator from Wyoming [Mr. O'MAHONEY], who are absent on public business, are paired on this vote. If present and voting, the Senator from Maryland would vote "yea," and the Senator from Wyoming would vote "nay."

I announce also that the Senator from New Mexico [Mr. CHAVEZ], the Senator from Montana [Mr. MURRAY], the Senator from Oklahoma [Mr. THOMAS], and the Senator from New York [Mr. WAGNER] are necessarily absent.

The Senator from Arkansas [Mr. MCCLELLAN] is absent because of a death in his family.

I announce further that, if present and voting, the Senator from New Mexico [Mr. CHAVEZ], the Senator from Oklahoma [Mr. THOMAS], and the Senator from New York [Mr. WAGNER] would vote "nay."

The result was announced—yeas 63, nays 23, as follows:

YEAS—63

Baldwin	Hickenlooper	Millikin
Brewster	Hill	Mundt
Bricker	Hoey	Reed
Bridges	Holland	Robertson
Butler	Hunt	Russell
Byrd	Jenner	Saltonstall
Cain	Johnson, Colo.	Schoeppel
Capehart	Johnson, Tex.	Smith, Maine
Chapman	Johnston, S. C.	Smith, N. J.
Connally	Kefauver	Sparkman
Cordon	Kem	Stennis
Donnell	Kerr	Taft
Eastland	Knowland	Thye
Ecton	Long	Tydings
Ellender	McCarran	Vandenberg
Flanders	McCarthy	Watkins
Frear	McFarland	Wherry
George	McKellar	Wiley
Gurney	Martin	Williams
Hayden	Maybank	Withers
Hendrickson	Miller	Young

NAYS—23

Aiken	Ives	Malone
Anderson	Kilgore	Morse
Douglas	Langer	Myers
Downey	Lodge	Neely
Ferguson	Lucas	Pepper
Gillette	McGrath	Thomas, Utah
Green	McMahon	Tobey
Humphrey	Magnuson	

NOT VOTING—9

Chavez	Murray	Taylor
Fulbright	O'Conor	Thomas, Okla.
McClellan	O'Mahoney	Wagner

So the amendment, in the nature of a substitute for Senate Resolution 15, proposed by Mr. WHERRY for himself and other Senators was agreed to.

The VICE PRESIDENT. The question is on agreeing to Senate Resolution 15, as amended by the substitute.

The resolution, as amended, was agreed to.

Mr. RUSSELL. Mr. President, I move that the Senate reconsider the vote by which the resolution, as amended, was agreed to.

Mr. KNOWLAND. Mr. President, I move to lay that motion on the table.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from California to lay on the table the motion of the Senator from Georgia.

The motion to lay on the table was agreed to.

RENT CONTROL

Mr. LUCAS obtained the floor.

Mr. MAYBANK. Mr. President, will the Senator yield for a question?

Mr. LUCAS. I yield.

Mr. MAYBANK. As I understood the majority leader, the rent-control bill, reported earlier tonight, will be on the calendar tomorrow and will be taken up on Monday?

Mr. LUCAS. It will be taken up tomorrow and made the unfinished business for the Monday following.

LEAVES OF ABSENCE

Mr. BALDWIN. Mr. President, I ask unanimous consent to be absent from the session of the Senate tomorrow.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent to be absent from the Senate the remainder of the week because of illness in my family.

The VICE PRESIDENT. Without objection, it is so ordered.

STUDY OF FEDERAL TRADE COMMISSION PRICING POLICIES

Mr. JOHNSON of Colorado. Mr. President, I desire to announce, for the information of the Senate, that pursuant to section 2 of Senate Resolution 76, which was agreed to on February 28, 1949, the Committee on Interstate and Foreign Commerce has transmitted to the Committee on the Judiciary an interim report (S. Doc. No. 27) on the bill (S. 236) to clarify and formulate a consistent and coordinated national policy with respect to transportation costs in interstate commerce; to strengthen the antitrust laws of the United States and to provide for their more effective enforcement; and to promote competition by permitting sellers to have access to distant markets; and on the bill (S. 1008) to provide a 2-year moratorium with respect to the application of certain antitrust laws to individual, good-faith delivered price systems and freight-absorption practices.

The report was printed as a Senate document, under the terms of Senate Resolution 76. I ask unanimous consent that Senate Resolution 76 may be printed at this point in my remarks.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Resolved, That the Committee on Interstate and Foreign Commerce be discharged from further consideration of the bill (S. 236) to clarify and formulate a consistent and coordinated national policy with respect to transportation costs in interstate commerce; to strengthen the antitrust laws of the United States and to provide for their more effective enforcement; and to promote competition by permitting sellers to have access to distant markets, and the bill (S. 1008) to provide a 2-year moratorium with respect to the application of certain antitrust laws to individual, good-faith delivered price systems and freight-absorption practices, and that said bills be referred to the Committee on the Judiciary.

SEC. 2. That there shall be transmitted to the Committee on the Judiciary an interim report of the Committee on Interstate and Foreign Commerce on said bills and the same shall be printed as a Senate document.

SEC. 3. It is understood the Committee on the Judiciary will give such prompt attention to the bills as will permit early consideration of the subject matter by the Senate.

EXECUTIVE SESSION

Mr. LUCAS. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to consider executive business.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting several nominations, which were referred to the Committee on Armed Services.

(For nominations this day received, see the end of Senate proceedings.)

The VICE PRESIDENT. If there be no reports of committees, the clerk will state the nominations on the calendar.

DIPLOMATIC AND FOREIGN SERVICE

The Chief Clerk read the nomination of James Grover McDonald, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Israel.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Edward R. Dudley, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Liberia.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

UNITED STATES ADVISORY COMMISSION ON INFORMATION

The Chief Clerk proceeded to read sundry nominations to the United States Advisory Commission on Information.

The VICE PRESIDENT. Without objection, the nominations are confirmed en bloc.

DEPARTMENT OF JUSTICE

The Chief Clerk read the nomination of Hon. Alexander M. Campbell, of Indiana, to be an Assistant Attorney General.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

INTERIOR DEPARTMENT

The Chief Clerk read the nomination of James Boyd, of Colorado, to be Director of the Bureau of Mines, terminating recess appointment.

Mr. WHERRY. Mr. President, I have been asked to request, on behalf of the junior Senator from Colorado [Mr. MILLIKIN], who is not present, that that nomination go over. He wants to make a statement concerning the nomination.

The VICE PRESIDENT. The nomination will be passed over.

UNITED STATES DISTRICT JUDGE

The Chief Clerk read the nomination of Hon. J. Frank McLaughlin, of Hawaii, to be United States district judge for the district of Hawaii.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

CIRCUIT COURTS, TERRITORY OF HAWAII

The Chief Clerk read the nomination of Edward A. Towse, of Hawaii, to be second judge of the first circuit, Territory of Hawaii.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

UNITED STATES ATTORNEYS

The Chief Clerk proceeded to read sundry nominations of United States attorneys.

The VICE PRESIDENT. Without objection, the nominations are confirmed en bloc.

UNITED STATES MARSHAL

The Chief Clerk read the nomination of Virgil B. Stanley, of Oklahoma, to be United States marshal for the northern district of Oklahoma.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

Without objection, the President will be notified in all cases.

ADJOURNMENT

Mr. LUCAS. As in legislative session, I move that the Senate adjourn until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 11 o'clock and 18 minutes p. m.) the Senate adjourned until tomorrow, Friday, March 18, 1949, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate March 17 (legislative day of February 21), 1949:

APPOINTMENTS IN THE REGULAR ARMY

The following-named officers for appointment, by transfer, in the Judge Advocate General's Corps, Regular Army of the United States:

Maj. William George Easton, O20656, United States Army.

Maj. Tom Bryson Hembree, O29789, United States Army.

PROMOTIONS IN THE REGULAR ARMY

The following-named officers for promotion in the Regular Army of the United States, under the provisions of sections 502 and 510 of the Officer Personnel Act of 1947. Those officers whose names are preceded by the symbol (×) are subject to examination required by law. All others have been examined and found qualified for promotion.

To be colonels

Stephen Wilson Ackerman, O15708.
Thomas Harrison Allen, O15865.
James Grafton Anding, O15677.
Charles Francis Baish, O9309.
×Russell Andrew Baker, O15745.
George Huston Bare, O12957.
Raymond Clay Barlow, O12379.
Oliver Malcolm Barton, O15724.
Clarence William Bennett, O15618.
Logan Carroll Berry, O15752.
William Harry Bertsch, Jr., O15759.
Raymond Thomas Beurket, O15543.
Bruce Woodward Bidwell, O15552.
Leonard Lawrence Bingham, O15534.
Wendell Blanchard, O15528.
George Louis Boyle, O14862.
Perry William Brown, O15649.
Harold Albert Buck, O39502.
Walter Allen Buck, O15665.
×Vonna Fernleigh Burger, O15667.
George Raymond Burgess, O12311.
Henry Coates Burgess, O15778.
×Joseph Rogers Burrill, O15680.
George William Busbey, O15639.
Frank Faron Carpenter, Jr., O15870.
Edward Amedee Chazal, O15791.
Clarence Clemens Clendenen, O12725.
James William Clyburn, O15762.
Samuel Glenn Conley, O15707.
Victor Allen Conrad, O15546.
Raymond Hendley Coombs, O15561.
Paul Cooper, O15748.
William Leo Coughlin, O15776.
Malin Craig, Jr., O15908.
George Dakin Crosby, O15512.
Daniel Bernard Cullinane, O8061.
Emerson Leroy Cummings, O15500.
Charles Dwelle Daniel, O15668.
Clarence Keith Darling, O15645.
Francis Marion Day, O15614.
Reginald Langworthy Dean, O15507.
Kenneth Negley Decker, O15789.
Oswaldo de la Rosa, O15774.
Lawrence Russell Dewey, O15575.
Wolcott Kent Dudley, O15799.
Augustine Davis Dugan, O15610.
George Emmert Elliott, O15858.
Eugene Barber Ely, O15565.
David Griffith Erskine, O15766.
William John Eyerly, O15628.
Edward Hern Farr, O39501.
Samuel Henry Fisher, O15835.
Ovid Thomason Forman, O15590.
Louis Chadwick Friedersdorff, O15732.
Andrew Allison Frierson, O15587.
Bjarne Furuholmen, O15725.
Harold Phineas Gard, O15585.
Philip Robison Garges, O15509.
×Gerald Goodwin Gibbs, O15637.
Francis Edwin Gillette, O15693.
Ralph Irvin Glasgow, O15576.
Victor Zalamea Gomez, O14876.
John Boyden Goodell, O28771.
Sanford Joseph Goodman, O15635.
Lynell Frank Gordon, O28769.
Francis John Graling, O15826.
Rupert Davidson Graves, O15794.
Peter Conover Hains 3d, O15657.
Sarratt Thaddeus Hames, O15845.
Adna Chaffee Hamilton, O12480.
Stephen Smith Hamilton, O15934.
Donald Quitman Harris, O15007.
Paul Americus Harris, O14624.
Edwin Henry Harrison, O15573.
Martin Frank Hass, O15889.
Wallace Howard Hastings, O15498.
Daniel Francis Healy, Jr., O15742.
Frederic Allison Henney, O15531.
Donald Charles Hill, O15504.
John Gillespie Hill, O15797.
John Ismert Hincke, O15539.
Walker Wesley Holler, O15905.
James Frederick Howell, Jr., O15625.
Daniel Harrison Hundley, O15862.
Cary Brown Hutchinson, O15644.
Wynot Rush Irish, O11227.
Emerson Charles Itschner, O15516.
×Washington Mackey Ives, Jr., O15696.
Thomas Allen Jennings, O15793.
Howard Jehu John, O15802.
Leonard Marion Johnson, O15921.
Harold Dean Jones, O28772.
William Henry Kendall, O15714.
Howard Ker, O15518.
Howard Everett Kessinger, O15692.
Francis Elmer Kidwell, O15563.
Cary Judson King, Jr., O15574.
Edward Arthur Kleinman, O15003.
Ralph Arthur Koch, O15830.
Stephen Stanley Koszewski, O15654.
James Barry Kraft, O15800.
Charles Raeburne Landon, O15592.
Philip Stueler Lauben, O39500.
Ernest Orrin Lee, O15517.
Amel Thomas Leonard, O15550.
Willard Koehler Liebel, O15723.
Russell Layton Mabie, O15626.
William Henry Maglin, O15812.
Howard Alexander Malin, O15821.
Darwin Denison Martin, O15678.
Murry John Martin, O28775.
Earl Mattice, O15602.
Robert Joseph McBride, O15756.
John Alfred McComsey, O15687.
Glenn Bruce McConnell, O15556.
Otis McCormick, O15527.
Thomas George McCulloch, O15727.
James Edward McGraw, O15672.
Donald McGrayne, O28762.
Harry Dillon McHugh, O15758.
Winfield Rose McKay, O8450.
Robert Douglas McLeod, Jr., O15901.
Charles George Meehan, O15545.
Claron Wager Meldrum, O41365.
Ernest August Merkle, O15597.
Benjamin Schultz Mesick, O15505.
George Alvin Millener, O15740.
Virgil Rasmuss Miller, O15847.
Richard Tonkin Mitchell, O15833.
Dennis Milton Moore, O15836.
Zachery Winfield Moores, O15647.

David Albert Morris, O14666.
Allen Milton Murphy, O28764.
Hobart Amory Murphy, O15811.
Humbert Orazio Nelli, O38586.
Daniel Peter Norman, O15467.
George Wesley Palmer, O15593.
Emil Pasolli, Jr., O28777.
Emil John Peterson, O15523.
Paul Albert Pickhardt, O15772.
Nunez Christian Pilet, O15931.
Richard Givens Prather, O15698.
Carl William Albert Raguse, O15598.
Arthur Cecil Ramsey, O15497.
John Wesley Ramsey, Jr., O15824.
Joris Bliss Rasbach, O15918.
William Joseph Reardon, O15631.
Augustus Jerome Regnier, O15720.
John Held Riepe, O15515.
Thomas Du Val Roberts, O15529.
Raymond Rodney Robins, O15866.
Gordon Byrom Rogers, O15620.
Clarence Everett Rothgeb, O15612.
Chester Archibald Rowland, O15924.
Charles Harold Royce, O15769.
Wellington Alexander Samouce, O15562.
Peter Sather, Jr., O15867.
William Herbert Schaefer, O15616.
Jean Dorbant Scott, O15885.
Charles Edward Shepherd, O15904.
Joseph Peter Shumate, O15537.
Peter Wesley Shunk, O15622.
Cleland Charles Sibley, O15671.
Leslie Earl Simon, O15567.
Douglas Byron Smith, O15699.
John Clair Smith, O15656.
Mark Edward Smith, Jr., O15796.
Samuel Waynne Smithers, O15829.
Lewis Stone Sorley, Jr., O12483.
Merrow Egerton Sorley, O15508.
Charles Rexford Stark, O28773.
Albert Kellogg Stebbins, Jr., O15695.
Richard Warburton Stephens, O15569.
Vernum Charles Stevens, O15526.
Marcus Butler Stokes, Jr., O15613.
Kenneth Crawford Strother, O15738.
Albert Newton Stubblebine, Jr., O15768.
Charles Pelot Summerall, Jr., O15726.
Henry Ignatius Szymanski, O28754.
Fremont Swift Tandy, O15521.
Harry Jordan Theis, O15549.
Frank Jay Thompson, O15609.
Jesse Thomas Traywick, Jr., O15818.
Frank Glover Trew, O15711.
William Samuel Triplet, O15815.
Frank Anthony Valente, O28768.
Charles Ward Van Way, Jr., O15757.
Harry Van Wyk, O15555.
George Walter Vaughn, O15747.
Herbert Davis Vogel, O15520.
Vern Walbridge, O15915.
Everett Chalmers Wallace, O15525.
Jesse Bernard Wells, O15580.
Lucien Francis Wells, Jr., O15832.
James Stewart Willis, O15607.
Ovid Oscar Wilson, O15887.
George Spence Wise, O38589.
Charles Edward Woodruff, Jr., O15283.
George Edmund Wrockloff, Jr., O15781.
George Edmund Young, O15659.

To be colonels, Judge Advocate General's Corps

George Wiltz Gardes, O28840.
John Amos Hall, O16173.
George William Hickman, Jr., O16420.
John Wilson Huyssoon, O16088.
Irvin Schindler, O16605.

To be colonels, Medical Corps

Arnold Archibald Albright, O18273.
Samuel Howard Alexander, O17830.
×Ellis McFerrin Altfather, O17816.
Kincheon Hubert Bailey, O15489.
Charles Lewis Baird, O18299.
Rollin LeRoy Bauchspies, O17819.
Daniel John Berry, O17806.
Herbert Theodore Berwald, O17831.
Robert Eugene Bitner, O17371.
John Frederick Bohlender, O17814.
Aubrey LeVerne Bradford, O17817.
×Clyde Lemuel Brothers, O17824.
Victor Allen Byrnes, O18303.
Walter Atwater Carlson, O18266.
Thomas William Ellsworth Christmas, O16965.
Harold Eastman Coder, O18302.
Samuel Leonard Cooke, O18301.
Henry William Daine, O17804.
Elbert DeCoursey, O17813.
Robert Reeve Estill, O17836.
James Hedges Forsee, O18265.
James Donley Gardner, O18280.
×Leon Lloyd Gardner, O16016.
Robert Cabaniss Gaskill, O18275.
William Smith George, O18304.
Howland Allan Gibson, O15496.
Paul Crump Gilliland, O17430.
Hugh Richmond Gilmore, Jr., O16555.
Carlton Duncan Goodiel, O16951.
Alexander Otis Haff, O18260.
Clarence Woodson Hardy, O17835.
Gilles Edward Horrocks, O17428.
George Horsfall, O17827.
John Alexander Isherwood, O18297.
Milford T. Kubin, O18278.
Dwight Moody Kuhns, O18294.
Robert Edward Lee, O17796.
Charles Laurn Leedham, O17838.
George Edward Leone, O18287.
Russell Samuel Leone, O18293.
David Ernest Liston, O17820.
Emmett Bryan Litteral, O18281.
Austin Lowrey, Jr., O18282.
Harold Bradley Luscombe, O18298.
Clinton Stone Lyter, O18291.
Lawrence Abraham Matternes, O18295.
Olin Foster McIlnay, O17829.
Charles Scott Mudgett, O17815.
Roary Adlai Murchison, O17808.
Hubert Maurice Nicholson, O15493.
Dan Clark Ogle, O18276.
Thomas Neilson Page, O18300.
Nuel Pazdral, O13285.
Walter Lee Peterson, O18292.
Robert Edwin Peyton, O18263.
(John Edward Pluenneke, O18279.
Roger Gaylord Prentiss, Jr., O17825.
Crawford Fountain Sams, O18261.
Harold Edward Schneider, O17828.
Jack William Schwartz, O17823.
Albert Henry Schwichtenberg, O18288
Warren Mimms Scott, O17360.
Clement Franklin St. John, O18258.
William Spencer Stone, O18277.
Arthur Lyman Streeter, O18296.
Duran H. Summers, O17794.
Carl Willard Tempel, O18284.
Ralph Matthew Thompson, O17429.
Edward Joseph Tracy, O18272.
James Harvey Turner, O17361.
Harold Hanson Twitchell, O18327.
Wendell Axline Weller, O18290.
John Ruxton Wood, O17821.
James Elmo Yarbrough, O17348.

To be colonel, Dental Corps

Leland Stanford Mabry, O17034.

To be colonels, Medical Service Corps

Seth Overbaugh Craft, O16036.
Edward Martin Wones, O16028.

PROMOTIONS IN THE AIR FORCE

The following-named officers for promotion in the United States Air Force, under the provisions of sections 502 and 508 of the Officer Personnel Act of 1947. Those officers whose names are preceded by the symbol (*) are subject to examination required by law. All others have been examined and found qualified for promotion.

To be first lieutenants

Luther Ewell Adair, Jr., AO56711.
Frank Joseph Augustyn, AO50537.
Thomas James Barr, AO41359.
Sam Bridgers, Jr., AO41357.
Donald William Bryan, AO56716.
*Lee Aubrey Burcham, AO56718.
Bill Carroll, Jr., AO56706.
Thomas Lee Carroll, AO56722.
Charles Earl Cathcart, AO56714.
Harold Newark Crisp, Jr., AO38530.
Arthur Sylvester Cunningham, Jr., AO50536.
Louis Jefferson Dean, AO56701.
Max Eugene Ellis, AO56700.
*Ralph Duane Gibson, AO50533.
William John Grossmiller, AO56720.
Charles Wayne Heringlake, AO50534.
Cedric Vernon Hunter, AO56705.
*James Lee Hurn, AO56708.
Richard Graham Immig, AO50538.
Harold Roger Jewell, AO56710.
Arthur Meriwether Jones, AO56703.
Adolph Davis Joseph, Jr., AO56713.
Milton Louis Kult, AO38529.
*Jack Ray Lindeman, AO56723.
John Victor Mackie, AO56712.
Robert Louis MacKinnon, AO39484.
Eugene John Messmer, AO56704.
*Alex Young Mutch, AO56709.
Earl William O'Neil, Jr., AO41358.
Dave Seale Shackelford, Jr., AO56721.
Rex O. Thomas, AO56707.
Ross Holmes Weatherford, Jr., AO50535.

NOTE.—The officers nominated for promotion to first lieutenant will complete the required 3 years' service for promotion during the months of April and May. Dates of rank for those officers will be determined by the Secretary of the Air Force.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 17 (legislative day of February 21), 1949:

DIPLOMATIC AND FOREIGN SERVICE

James Grover McDonald to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Israel.

Edward R. Dudley to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Liberia.

UNITED STATES ADVISORY COMMISSION ON INFORMATION

Mark Foster Ethridge to be a member for a term expiring January 27, 1951.

Mark A. May to be a member for a term expiring January 27, 1950.

Justin Miller, of California, to be a member for a term expiring January 27, 1950.

Philip D. Reed to be a member for a term expiring January 27, 1949.

Erwin D. Canham to be a member for a term expiring January 27, 1949.

Philip D. Reed to be a member for a term of 3 years expiring January 27, 1952, and until his successor has been appointed and qualified.

Erwin D. Canham to be a member for a term of 3 years expiring January 27, 1952, and until his successor has been appointed and qualified.

DEPARTMENT OF JUSTICE

Hon. Alexander M. Campbell to be an Assistant Attorney General.

UNITED STATES DISTRICT JUDGE

J. Frank McLaughlin to be United States district judge for the district of Hawaii.

CIRCUIT COURTS, TERRITORY OF HAWAII

Edward A. Towse to be second judge of the first circuit, circuit courts, Territory of Hawaii.

UNITED STATES ATTORNEYS

William R. Hart to be United States attorney for the southern district of Iowa.

George F. Garrity to be United States attorney for the district of Massachusetts.

Edward T. Kane to be United States attorney for the eastern district of Michigan.

John F. X. McGohey to be United States attorney for the southern district of New York. (Mr. McGohey is now serving in this office under an appointment which expired February 16, 1949.)

John C. Pickett to be United States attorney for the district of Wyoming.

UNITED STATES MARSHAL

Virgil B. Stanley to be United States marshal for the northern district of Oklahoma.

HOUSE OF REPRESENTATIVES

THURSDAY, MARCH 17, 1949

The House met at 12 o'clock noon.

The Reverend Dr. Joseph F. Thorning, associate editor of The Americas and World Affairs, Carrollton Manor, Md., offered the following prayer:

In the name of the Father, and of the Son, and of the Holy Spirit. Amen.

Heavenly Father, source of light, life, and all righteousness: Look down with favor upon the Speaker of this House and all the Members of the Congress of the United States.

Bless with Thy graces the President of our country and those who counsel him.

Grant, on this happy festival of St. Patrick, those gifts of imagination, good humor, poetry, and song which have made the sons and daughters of Ireland ambassadors of God to all the world.

In an age of confusion and strife, help us Thy children to remember that, in other dark hours, the devotees of St. Patrick brought holiness and learning to struggling peoples.

Keep us ever mindful, dear Saviour, that this mission of salvation was the fruit of brotherly love, under God.

Since our need is dire, vouchsafe, in Thy divine goodness, those gifts of understanding, affection, and virtue which can yet unite a divided world. This we ask in the name of Thy Divine Son, our Redeemer. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Miller, one of his secretaries.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Carrell, one of its clerks, announced that the Vice President had appointed Mr. JOHNSTON of South Carolina and Mr. LANGER members on the part of the Senate of a Joint Select Committee on the Disposition of Executive Papers to consider the matter of the disposal of certain records of the Government, lists or schedules of which, pursuant to law, were submitted to the Congress by the Archivist of the United States under date of March 16, 1949.

ADJOURNMENT OVER AND PROGRAM FOR NEXT WEEK

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mr. MARTIN of Massachusetts. Reserving the right to object, Mr. Speaker, and I am not going to object, will the gentleman tell us the program for next week?

Mr. McCORMACK. On Monday the Consent Calendar will be called, and then the District of Columbia rent control bill will be taken up.

Mr. MARTIN of Massachusetts. May I ask either the Speaker or the majority leader if there are to be any suspensions on that day?

The SPEAKER. The Chair has had no requests for suspensions, and expects there will be none.

Mr. McCORMACK. On Tuesday the final vote will be taken on the bill H. R. 1437, which relates to the personnel and composition of the Army and Air Force.

Mr. MARTIN of Massachusetts. For the benefit of the House, may I say that I understand there will be a roll call on that bill.

Mr. McCORMACK. Yes; that is my understanding.

Following that, on Tuesday, the gentleman from Mississippi [Mr. RANKIN] is going to call up his bill, H. R. 2681. He and I discussed it about 10 days ago, and we agreed on taking up the bill on next Tuesday. I am accordingly reserving that day for the action that will be taken on that bill.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. MARTIN of Massachusetts. I yield to the gentleman from Mississippi.

Mr. RANKIN. It was also understood, if I remember correctly, that we would meet at 11 o'clock on Tuesday in order to finish the bill on that day.

Mr. McCORMACK. Yes. I was going to make that statement.

Mr. MARTIN of Massachusetts. It is the purpose to try to finish the bill on that day?

Mr. RANKIN. Yes. That is the veterans' pension bill.

Mr. McCORMACK. I discussed that with the gentleman from Mississippi [Mr. RANKIN]. I am glad he mentioned it now, because I was leaving it to his judgment whether we should meet at 11 or 12 on Tuesday.

Mr. RANKIN. If the gentleman will yield further, the first business when the House meets will be the vote on the 70-group air force bill?

Mr. McCORMACK. That is correct.

Mr. RANKIN. Then the veterans' pension bill will be taken up?

Mr. McCORMACK. Exactly.

For the purpose of flexibility, I am bracketing for consideration on Tuesday, Wednesday, and Thursday, the final vote on the bill H. R. 1437, the bill H. R. 2681, and on the completion of that bill, the War Department civil functions appropriation bill. I am bracketing these bills for the 3 days rather than listing them for specific days so that we can take them up in order. If the Rankin bill is disposed of on Tuesday, or even if it takes a part of Wednesday, we will then take up the War Department civil functions appropriation bill, if it is available.

The program for the remainder of the week is undetermined now.

Mr. MARTIN of Massachusetts. I thank the gentleman.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

HOUR OF MEETING ON TUESDAY NEXT

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns on Monday next it adjourn to meet at 11 o'clock on Tuesday next.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

ASSISTANCE TO GREECE AND TURKEY—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 123)

The SPEAKER laid before the House the following message from the President of the United States, which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

Transmitted herewith is the sixth quarterly report on United States military assistance to Greece and Turkey. This report covers the period from October 1 to December 31, 1948. Military assistance to Greece and Turkey was inaugurated under the authority of Public Law 75, Eightieth Congress, and was continued under the authority of title III of Public Law 472, Eightieth Congress, known as the Greek-Turkish Assistance Act of 1948. Responsibility for United States assistance in the economic rehabilitation of Greece begun under Public Law 75 was transferred to the Economic Cooperation Administration on July 1, 1948, pursuant to Public Law 472, title I.

HARRY S. TRUMAN.

THE WHITE HOUSE, *March 17, 1949.*

ST. PATRICK'S DAY

Mr. KIRWAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio [Mr. KIRWAN]?

There was no objection.

Mr. KIRWAN. Mr. Speaker, it affords me great pleasure today to join with many of my colleagues in commemorating this great Irish holiday, St. Patrick's Day. In all of the large American cities, the Irish are today gathered at religious ceremonies in the morning, parades and games in the afternoon, luncheons and banquets, as well as at dances in the evening, all in celebration of the occasion.

As a part of this general recognition of this day, I am happy again to have the privilege of presenting to the Members of the House, green carnations in honor of the occasion. This touch of Irish green has been made possible through the courtesy of the American League for an Undivided Ireland, an organization of American citizens, representing most of the Irish societies of the country, which are banded together with a view to aiding in bringing about the reunification of all of Ireland, under one government.

The celebration of St. Patrick's Day this year carries with it particular significance because it has been announced that 1 month from today the final link of control of the British Government over Ireland will be terminated and the Irish Republic will, in fact, become a free and independent nation. After centuries of foreign control and domination,

this will be the last time that St. Patrick's Day will find the Irish people in any way subject to outside control and lacking their full freedom and independence.

However, it is to be regretted that the Irish Republic does not encompass all of Ireland. Only 26 of the 32 counties in Ireland will witness on April 18 the cutting of the last ties between Great Britain and Ireland which are not voluntarily created by the Irish Government itself. Unfortunately six counties in the north of Ireland were cut off from the rest of the country by an act of the British Parliament in 1922 against the expressed wishes of more than 80 percent of the Irish people, voting in a national election under British jurisdiction.

It is to be hoped that before long the British will withdraw their troops and their subsidies from these six counties, and that they may be permitted to rejoin the rest of Ireland in the full enjoyment of their natural freedom and their own independent government, which is one of the few nations in the world where no money has been appropriated to find out whether the people are Communists or loyal to their country. Being a natural part of the whole of Ireland, it is to be regretted that they were ever cut off from the adjoining counties of Ireland, like the stems of these carnations, and for the past 27 years have been pinned down by foreign control and foreign domination.

It is my prayer that next year, when we will again be wearing the green, that it may bear witness to the full freshness of freedom and the flower of liberty for all of Ireland, and that these six counties may once more be united with the other 26 so that the Republic of Ireland may encompass the full extent of the Emerald Isle.

Mr. O'HARA of Minnesota. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota [Mr. O'HARA]?

There was no objection.

Mr. O'HARA of Minnesota. Mr. Speaker, this is a special occasion and a special day—St. Patrick's Day. It is a great day for the Irish. It is with great joy that I announce to the assembled Irish this morning that after considerable research I have definitely come to the conclusion that St. Patrick was a Republican. So, from the Republican Irish, I bring greetings to all of you and particularly to the following Members of the House: The Barretts, the Bates, the Bennetts, the Breens, the Buckleys, the Burkes, the Byrnes, and the Byrneses; the Carnahans, the Corbetts, the Cunninghams, the Delaneys, the Dollivers, the Donohues, and the Doyles; the Fallons, the Feighans, the Fogartys, the Gavins, the Goldens, and the Granahans; the Harts, the Heffernans, the Horans, the Kearneys, the Kearnses, and the Keatings; the Keefes, the Kelleys, the Kennedys, the Keoghs, the Kilburns, and the Kildays; the Kirwans, the Lynches, the McCarthys, the McConnells, the McCormacks, the McCullochs, and the McDonoughs; the McGraths, the McGregors, the McGuires, the McKinnons, and the McMillans; the McSweeneys, the Maddens, the Mahons, the Martins, and the Millers; the Monroneys, the Murphys, the Murrays, the Nixons, the Nolans, and the Nortons; the O'Briens, the O'Haras, the O'Neills, the O'Sullivans, and the O'Tooles; the Pattersons, the Philbins, the Quinns, the Regans, the Rogerses, and the Rooneys; the St. Georges, the Sullivans, the Walshes, the Welches, and the Werdels; and also to Eugene Worley from Shamrock, Tex.

Mr. Speaker, from the O'Abbitts to the O'Zablockis, special greetings to each of you and to you all an "Erin go bragh."

"TOP O' THE MORNIN' "

Mr. O'TOOLE. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes, and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. O'TOOLE. Mr. Speaker, and my colleagues, the top of the morning from the bottom of my heart.

I am not aware whether all of you know the little story about the discovery of America. Things might have been different if the Irish had had their way.

On the day that the New World was sighted, there was an Irishman on watch on Columbus' ship. He told the captain he was heading for the wrong place, that he was heading for the islands in the West Indies. The Irishman suggested that the captain head for the mainland, which could be seen. He said that a relative of his, an uncle on his father's side, five generations back, St. Brendon, had visited what is now the United States. In fact, he thought he had a couple of relatives there, and if Columbus would only land at Savannah he would find those relatives on the police department. However, the captain was a foreigner and did not understand him, so they went down to the islands and it took quite a few years to get up to New York, where the Irish first settled.

We who are of Irish blood today join with all of the people of the earth in celebrating Ireland's great festive day. All around the globe—in New York, in Paris, in London, in Berlin, in Shanghai, Hong Kong, all through the Central American and South American countries and in every town and hamlet in the United States—the cups will be lifted to St. Patrick and the Irish.

Everywhere in the civilized world the Irish people have left their mark on the history of each country. In France there was McMahon who reached the Presidency. There was O'Boyle, the great revolutionist of Central America; and there was Barry, the founder of our own Navy. Ireland gave to England its literary scholars, its doctors, lawyers, and field marshals. It gave England the Irish Guard that saved the day at Waterloo.

In these United States they came as immigrants and were forced to live in the hovels, the tenements, and on the wrong side of the tracks. With their fierce determination they drove their way forward and upward, not seeking Government aid, not seeking help from their neighbors or from organized charity. They became pillars in the community life where they lived. They produced the policemen and firemen, the hotel owners, doctors, lawyers, priests, cardinals, diplomats, mayors, and governors. They loved this country and loved it well. They gave unstintingly of their blood and lives in all of its wars. In the War Between the States there was an Irish brigade on each side that faced one another in the battle of Shiloh and fought the most bloody engagement of that war despite the fact that they came from the same towns and the same parishes in the old country. They gave their all for the cause that they espoused and believed in.

When the railroads started to stretch out across the country, it was the Irish laborer and contractor who took upon themselves this great toil that made the development of our country possible. Mile after mile they drove across the plain and prairie, mountain and valley. After the completion of their labor they settled across the breadth of this great land. Wherever they settled they established their churches and schools, their colleges and hospitals, their homes for the aged and homes for the blind and the indigent ones, again without the assistance of any government. Wherever they settled they took an active part in the life of the town and showed a deep regard which they taught to the children for the fourth commandment which includes respect for constituted authority. They did not become faddists, or Communists, or Fascists. They were too proud of their Americanism and too grateful to the country that gave them freedom of thought, freedom of speech, and the right to worship God untrammeled and unrestrained.

So today, we of the Congress of the United States open that little section of our hearts that we have always reserved for the old land and we say to the world, "Erin go bragh!"

PERMISSION TO EXTEND REMARKS AT THIS POINT

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. FLOOD] may extend his remarks at this point in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. FLOOD. Mr. Speaker, it has been well said "everybody is Irish on St. Patrick's Day."

Mr. Speaker, the many expressions of understanding, the many expressions of compliment and congratulations that we who are Members of the House of Representatives, who have in our veins the blood of Irish ancestry, have received from our friends and colleagues in this House, well proves that statement. And we appreciate and are proud indeed that our friends, who are not of the Irish race, in the true spirit of Americans, extend to us today the hand of praise and fine words of great sentiment, joining with us in honoring the patron saint of Ireland, St. Patrick.

Mr. Speaker, we Americans of Irish ancestry, with foresight and with a true

sense of our democratic responsibilities to the great Nation that is America, and with whom Ireland has so many ties of love and friendship, use this saint's day to again declare our love forever of America, our country.

Well did our ancestors from Ireland know the enemies of hunger, poverty, and economic insecurity, that in the early days faced a struggling America and that in many nations of the world today are again the great signposts of trouble, uncertainty, and despair. Let us then be prepared that in America we shall forever be free with God's help from these evils and from this scourge.

In performing our work here in this great democratic forum, let us remember that upon our shoulders rests the responsibility of preventing another world cataclysm. In our country we believe that in addition to the material aspect of economic recovery, it is essential to build on Christian, social, and economic principles. We believe that this should be done not in any sectarian spirit, but by adherence to an ideal which recognizes that the function of society is to secure for man economic independence and security so that his personal liberty, his individuality, and his dignity may be assured with his God and his country.

Mr. Speaker, I can say with pride and complete certainty that every Member of this House, who today speaks from his heart in praise of St. Patrick and the Irish, does so in the spirit of these remarks that I have just made, and guided by these principles we will cooperate and assist to the extent of our ability in the work that lies ahead.

And throughout this world today, yes; even in our own beloved America, there is a struggle of ideas.

In Ireland four centuries ago there was perhaps we might say an invasion of Ireland that took place, but it was not an invasion by force. It was an invasion of ideas and of ideals. In A. D. 432 Patrick and his little band of Christian missionaries landed in Ireland. Then and there began a struggle of ideas and ideals from which emerged the modern Ireland of the spirit. It is important to see what that spirit was, and what it is, for Irishmen from that day have carried it to the uttermost corners of the earth. Every St. Patrick's Day celebration in the world is a tribute to that spirit. And it is this facet of Irish life and this character that we understand so well, and it is one of the things that the Irishmen who have come to America brought with them and one of the things they have contributed and are still contributing to the American way of life.

The earliest legends of the Irish people are stories of invasions and resistance to invasions of Ireland. May I say, Mr. Speaker, that here in America to the forefront in resisting what might be described as an attempt to invade the spirit of America, the attempt by those who are atheistic Communists to break down all that is beloved and dear to Irish hearts, will be resisted by the descendants of the Irish immigrants as valiantly and as bravely to the death as did Ireland resist invasions of similar and like kind for thousands of years. There are many fine things said of the Irish, and any Irish speech and any Irish celebrations on St. Patrick's Day touches upon Ireland's contribution to the culture of America. And so we sing great praises of Irish paintings, of Irish music, and of the Irish art, but always do we tell of Irish stories and we never fail to recite an Irish poem, and so I recite this one, and I quote:

The story of St. Patrick is a story told before
Of how he banished all the snakes from Ireland's sunny shores.
But whether we believe the tale or think it very odd
His name is one that represents the men who honor God.
For he spread Christianity wherever he appeared
And his divine Creator was the only one he feared.
He spread the Gospel freely that everyone might live
In all the love and charity the world would ever give.
And so no matter what his creed or how he chose to pray
He honored God and that is why we honor him today.

Other peoples in the world will admit that they are descended from a cave man, but you have yet to find an Irishman who denied that he was descended from a king. And now that I bring that up, it reminds me that my dear mother's name, God rest her soul, was McCarthy and the McCarthys were the descendants of the McCarthy-Moors who were the kings of Munster, and the greatest jumpers in Ireland.

It is fine and comforting, indeed, to know that in this year of our Lord 1949 Ireland has declared herself a free and independent and sovereign power. This is heartening to people who for so long were not a nation.

And as was said by that great American statesman and that great Irishman, Jim Farley, "for this reason here and everywhere they have always devoted their talents to the establishment and protection of every nation to which they have given their loyalty."

The Irish from the dawn of history have been concerned with the problem of making a living from the earth, or with their hands, and with the problem of learning how to live in the light of their spiritual insight and faith. That is the burden of the Irishmen's message to the world and that is the task of every Irishman worthy of the name, be he an Irishman at home or an Irishman exiled in a foreign land. It is his to make the labor and pain the living, and making a living on the earth worthy and respectable. And it is his to try to discover how to live so that the human spirit may be at reasonable peace with itself and with the eternal spirit of the universe. The Irishman is of the earth, earthy, and of the heavens, heavenly.

Mr. Speaker, from the very bottom of my heart I know that looking down from his high place in Heaven today, St. Patrick smiles upon the United States of America and says to us in Gaelic "Beir, buadh, agus beannacht"—success, victory, and best wishes.

EXTENSION OF REMARKS

Mr. HALE asked and was granted permission to extend his remarks in the RECORD and include an article entitled "The Menace of Red China," by Louis Bedenz.

Mr. PLUMLEY (at the request of Mr. MARTIN of Massachusetts) was granted permission to extend his remarks in the RECORD and include a speech made before the Legislature of the State of Vermont.

OUR SUBSTITUTE FOR ST. PATRICK

Mr. HOFFMAN of Michigan. Mr. Speaker, I ask unanimous consent to proceed for 1 minute, and to revise and extend my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HOFFMAN of Michigan. Mr. Speaker, in the books—or one book—which I read as a child, there was a picture of St. Patrick leading the snakes out of Ireland by playing sweet music on a fife or a flute.

I know you all honor St. Patrick, and the Irish, and so do I, not only for their industry and their thrift, but for their willingness to carry, and their ability in carrying, on a fight.

While Ireland has its St. Patrick, who reputedly led the snakes out of Ireland, the Congress of the United States and the United States has the gentleman from Mississippi [Mr. RANKIN] who, by substituting music for harsh words, accurate descriptions, and persistency, has for the past 10 years been driving the Communists out of the Federal Government and the administration here in Washington.

The individual who is supposed to have cleaned the Aegean stables had no more smelly or difficult task than has had the gentleman from Mississippi [Mr. RANKIN]. Without cessation, he has fought against overwhelming odds against influence in high places—frequently in his own party.

It is doubtful if there is any man in Congress who has ever waged a more persistent or a more successful fight against the Communists, and that with as great success as has the gentleman from Mississippi.

So once more I say that, even though I cannot subscribe to all of the gentleman's political philosophy, I feel honored to serve in the House with him.

But what I wish to talk about this morning is the political situation and the coming election in Michigan.

MICHIGAN CIO AS POLITICAL BOSS

On Monday, April 4, next, the people of Michigan will elect a highway commissioner, a superintendent of public instruction, two regents of the State university and two supreme court justices.

The CIO intends to capture and then hold as political captives these six public officers.

The purpose of labor organizations is to get higher wages, better working conditions—in short, those things which can be obtained—and mark this—from the employer, which will give more of everything desirable to the worker and his family.

Labor organizations are not political organizations, for there are men and women of all political faiths in every labor organization. Unfortunately, the CIO is not only in politics nationally, but

has now taken over the Michigan—home of the sit-down strikes—Democratic Party.

Last fall, Michigan's CIO politicians backed G. Mennen Williams, scion of a wealthy family, who will ultimately inherit the millions made by so-called "industrial royalists," for Governor and he was elected, though Dewey carried the State.

The CIO has been dictating Governor Williams' policies and appointments and recently Mr. August Scholle, State CIO president, announced that never again will the CIO support a Republican, regardless of his liberalism, ability, or honesty.

That means that, if successful, not only Republicans but Democrats who know that employers, not union officials, create jobs and furnish the money for pay checks, will be blacklisted. That means we will have a Government by CIO officials, who will run it with the taxpayers' dollars not for the benefit of all the people or of members of independent labor organizations or for the good of the A. F. of L., but for the benefit of CIO politicians and officers.

If they follow the usual course, they will increase taxes, take over industry, and try to operate it by and for the benefit of their own little clique, to the detriment of the individual union member.

Now, there are thousands upon thousands of loyal, honest working people in the State of Michigan who are entitled to consideration, who are not members of the CIO, who belong to the A. F. of L., the brotherhoods, the independent unions, or no union at all. But they, in Scholle's vocabulary are all scabs.

In Scholle's book, they are not eligible to be elected in Michigan nor to hold a State or county job.

I have not heard where Scholle publicly condemned the recent CIO goon-squad raid and rioting, malicious destruction of property, and beating of defenseless workers at Kalamazoo, Mich. With his crowd in power—and many CIO officials will not sign anti-Communist affidavits—what can we of Michigan expect?

DO NOT BE DECEIVED

What Scholle wants to do is, by the election of a highway commissioner, through the use of highway funds, establish a tight, all-powerful political machine through the highway department.

By electing a superintendent of public public instruction and regents of the university, the trend would be to open the University of Michigan and Michigan State Agricultural College not only to the so-called liberals, but to the Pink and the Red teachers.

Do not forget that it recently became necessary to set on Pink teachers in one of Michigan's colleges, at the university and to condemn a Red cell at the agriculture college.

If the CIO could finally elect supreme court justices who were favorable to the CIO, the interpretation of the law in Michigan might be influenced, just as New Deal Justices have changed the political philosophy of the United States Supreme Court.

If Michigan citizens do not go to the polls and turn back Mr. Scholle and his cohorts on April 4, they will learn, but too late, that their State government is being operated in the interests of the officials of one group—the CIO—not for the benefit of the people as a whole.

We do not need a political boss or machine in Michigan.

THE CIO AND ELECTIONS IN MICHIGAN

Mr. LESINSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. LESINSKI. Mr. Speaker, I join with my Irish friends in this, their holiday. We of Polish descent who migrated to this country were in the same position as the Irish, and we have taken the same stand. I will say that anyone of Polish blood, the same as those of Irish blood, will always fight for free America.

Now, to answer the gentleman from Michigan. To say that the CIO has taken over the Democratic Party sounds to me on a par with a statement that the Communists had taken over the Republican Party.

THE "Y" AT THE END OF "CASE"

Mr. CASE of South Dakota. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. CASE of South Dakota. Mr. Speaker, I rather hesitate to inject myself into all these remarks about the Irish today, but as the gentleman from Minnesota was reading the list which mentioned so many of Irish names in the House, I wondered just how I could associate myself with such a distinguished list. Then I recalled that some years ago, when I was a small boy in Iowa, one frosty morning there came a man to the back door who apparently had fallen on a little bit of hard luck. He seemed to be hungry and my father invited him in. Mother filled him up with a pretty good breakfast of pancakes, bacon, and coffee. When he got through he said to my father, "You say your name is Case?"

My father said, "Yes."

He said, "Faith, sir, and was there niver a 'y' on the ind of your name?"

EXTENSION OF REMARKS

Mr. CASE of South Dakota asked and was given permission to extend his remarks in the RECORD in two instances, in one to include an address by Gen. Dwight D. Eisenhower before the First Columbia Forum of Democracy; and in the other to include a record of appropriations of the Eightieth Congress on the subject of transmission power lines.

ST. PATRICK

Mr. GORSKI of New York. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GORSKI of New York. Mr. Speaker, today, March 17, the Irish race at home and throughout the world celebrates the feast of its apostle and patron saint, St. Patrick. It is not only a day when green becomes the most popular color but a day when we recall with pride the splendid contribution made by successive generations of Irishmen and Irishwomen to our great Nation. In these times also it is especially fitting that we remember with pride the part played by Irish missionaries in the spread of learning and civilization among the barbarians who in the Dark Ages overran western Europe, knowing as we do that Ireland by her wholehearted participation in the Marshall plan and the Council of Europe is demonstrating that today again she is fully conscious of the part she must play in the economic and spiritual rehabilitation of the Continent. Let us recollect, too, that as Ireland has long been the bulwark of the Christian way of life in the west, her role is paralleled by that of Poland in the east. Both nations have suffered and endured much, both have had great defeats, both have been apparently crushed and conquered. But as Ireland has emerged vigorous and independent from the dark night of slavery, may we not hope that, sooner perhaps than we can dare expect, Poland, too, will regain her freedom and take again her honored place among the nations of the Christian world.

NO-CAN-DO EIGHTY-FIRST CONGRESS

Mr. TOLLEFSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. TOLLEFSON. Mr. Speaker, nearly 3 months of the Eighty-first Congress have passed and we have yet to enact to completion one piece of major legislation. Is this session to be recorded as the "No-can-do Eighty-first Congress"?

Last November 2 the people elected us to do a job for them. It is the people who, through their taxes, pay our salary. It is to them we are responsible.

There are major legislative jobs to be done and done now. Aid to education, fair labor legislation, adequate social-security revisions, proper coordination and development of our resources, basic civil rights, and others. These are matters far too important to be subjected to petty political bickering between factions within a party and between the two parties themselves. These measures should be considered solely on the basis of their respective merits.

We have seen a majority in Congress prevented from passing legislation which the people want. We have witnessed as outrageous a violation of the democratic principle of majority rule as one could imagine. Again, I repeat, our first responsibility is to the people who elected us. It is time for us to discontinue this

political bartering of human rights and human needs.

Let us, without delay, tackle the problems we face with honesty and with courage.

EXTENSION OF REMARKS

Mr. KILBURN asked and was given permission to extend his remarks in the RECORD and include an article by Prof. Andrew S. Ormsby.

JOHN C. CALHOUN

Mr. BRYSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. BRYSON. Mr. Speaker, by proclamation the Governor of South Carolina has designated March 18 as John C. Calhoun Day. Since the House will not be in session tomorrow, I take this opportunity to call attention to the fact that on March 18, 1782, one of South Carolina's great statesmen was born in Abbeville district, S. C., and died in Washington, D. C., March 31, 1850.

It is fitting that we pause to observe the birth dates of those who made everlasting contributions to the stability and form of this, the greatest Nation known to history.

A century ago the South listened to Calhoun's ideas with a confidence which bordered upon idolatry, and the North, while not always agreeing with his views, listened with respect. Today the tendency is to emphasize Calhoun's views upon nullification and to ignore the fact that in his day he was one of the most influential men along many other lines. Few men in our history have held so many positions as capably as Calhoun. For 40 years he was a public servant, and in an age of great men his actions stamped him as one of the greatest. Only Clay and Webster were considered his equal in ability and influence, and today we look back upon those three as one of the greatest triumvirates of American history.

John Caldwell Calhoun had little formal education until the age of 13, then he was instructed for a year by the great Presbyterian minister and educator, Moses Waddel. On November 28, 1947, in the Appendix of the CONGRESSIONAL RECORD, page A4426, I paid tribute to this great pioneer teacher, Moses Waddel. From the ages of 18 to 20 Calhoun was again instructed by Waddel, and it is both a tribute to Waddel's teaching ability and to Calhoun's intelligence that he went directly into the junior class at Yale University and in 2 years was graduated with distinction. He studied law for one more year in Connecticut under two eminent jurists then returned to South Carolina, where he was soon admitted to the bar. All of the evidence points to the fact that he could have become a great lawyer, but his main interest lay in politics, and he soon turned to that field. At the age of 25 he was elected to the State legislature, where he served capably. Three years later he was elected to the National House of Representatives. From that time until his death in 1850 he was prominent in national affairs.

His first important post was as a member of the Foreign Relations Committee. At that time in our history the United States was not recognized as a great power and was constantly being subjected to insults and humiliations by other great powers, especially Great Britain. Our greatest complaint against that country was her practice of stopping our ships and impressing any seaman who was suspected of being a British deserter. Through the efforts of Calhoun and Cheves, another South Carolinian, a state of war was proclaimed against Great Britain. In the resulting war, known as the War of 1812, we suffered more defeats than we gained victories, but we demonstrated forever that our country would tolerate no aggression from any source and lifted our country to its rightful place as an independent power.

After the war Calhoun was made head of the Committee of the Currency. In that position he framed and carried through the bill which provided for the establishment of a Federal bank and regulated the currency, which was in a high state of disorder. He also was prominent in the efforts to construct a system of roads and canals by the Federal Government and to expand the Navy as an adequate means of national defense.

President Monroe appointed Calhoun to his Cabinet as Secretary of War, and he held that position from 1817 until 1825. During his administration he made an entire reorganization of the War Department. He formulated and set up the system of bureaus by which the Department was to be governed; he reduced the unliquidated debts of the Department from $40,000,000 to $3,000,000; he reduced the annual expenditures of the Department from four millions to two and a half millions without reducing either the pay of the men or the supplies which sustained them; and in general he ran the Department by means of a series of enlightened, yet practical policies which proved he had acute business sense as well as a keen sense of general analysis.

Calhoun was elected Vice President in 1824 and reelected in 1828. It was during this period that he conceived many of the ideas and the doctrine for which he was to become most famous—the doctrine of nullification. It was a series of tariffs and proposed tariffs which forced him to bring forth these ideas. In 1816 Calhoun had favored a tariff to protect the newly formed manufacturing industries. In 1824 the tariff was raised a considerable extent, and the South commenced to suffer from the effects. When a still higher tariff was proposed the South protested vigorously. Calhoun expressed the belief that the Constitution is merely a compact between the States in their sovereign capacity as States and that when the Federal Government infringes upon the rights reserved to the States, they have the right of interposition or nullification. He did not propose to annul the Constitution nor to resist laws made in pursuance thereof, but insisted that laws made without the authority of the Constitution were null and void. These ideas are the essence of the nullification doctrine. These ideas and views are not entirely Calhoun's own. They had been expressed before in the Kentucky and Virginia resolutions and at the Hartford convention. During the period when the debate over this subject waxed hottest Calhoun resigned as Vice President and was appointed to the Senate. A compromise tariff bill was introduced by Clay which was acceptable to Calhoun, and the matter of nullification was temporarily dropped. Nevertheless, from that time on Calhoun was considered the leader of those who advocated State's rights or the doctrine of State sovereignty.

In 1843 he resigned from the Senate to recover his health and to take care of his private affairs which had suffered during his career as a public servant. Less than a year later, however, he was offered the post of Secretary of State, which he accepted. He was instrumental in securing the annexation of the Republic of Texas as a State in the Union during his administration. Upon the election of President Polk he resigned as Secretary of State but was soon appointed to fill a vacancy in the Senate. Some historians are of the opinion that Calhoun could have been elected President had he actively supported the Mexican War. He refused to lay aside his principles even to gain that end, and so he remained a Senator until his death. There was one more important affair for him to handle. Our country was engaged in a dispute with Great Britain over the extent of the Oregon boundary and likewise was on the verge of war with Mexico. We could ill afford a war with both, and Calhoun was pushed to the fore to settle the difficulty with Great Britain. He offered resolutions that the conflict as to the boundary of the Oregon Territory be settled by treaty rather than by force, and when the British Minister offered the forty-ninth parallel as the northern boundary, Calhoun's influence led to the acceptance of those terms. Less than a week later our country was at war with Mexico, and we can only speculate upon the disastrous consequences which a war with two separate countries might have brought about.

Calhoun lived only a few more years, and his death found him opposing with all of his vigor those policies which he felt would ruin his beloved South. For more than 40 years he had stood firm in his convictions and had fought courageously and resolutely for those principles which he thought right. Few men in the entire history of our country have rendered greater service than Calhoun.

But a mere recitation of his deeds and even of his ideas does not give a sufficiently true picture of the man. His methods and his philosophy must be examined to gain a true insight. In his speeches, which were clear, concise, and brilliantly analytic, he addressed the intellect rather than the emotions. He sought to reduce any complicated problem to its simplest elements rather than

to lose his listeners in a blaze of dazzling oratory. He did not lower himself by indulging in personalities or in disrespectful language. He attacked the views opposed to his own with a clear and icy logic which was almost impossible to refute. He was universally respected even by his opponents, and Daniel Webster, his greatest opponent, paid him tribute in the following words: "He was a man of undoubted genius and commanding intellect, of unspotted integrity, of unimpeached honor. He has lived long enough, he has done enough, and he has done it so well, so successfully, so honorably, as to connect himself for all time with the records of his country." Henry Clay made reference to his "transcendent talents; clear, concise, compact logic; his felicity in generalization surpassed by none."

Both in his own time and today there are many who fail to understand what Calhoun was attempting to do in his support of the doctrine of nullification. Some are of the opinion that he wished to destroy the Union, but that was the last thing he desired. He understood the danger of attempting to sustain certain abstract principles and attempted to point out those dangers. He felt that it was his duty to point out policies which could lead to disunion, and he always did his duty as he understood it. In an address in the Senate he stated: "For many a year, Mr. President, I have aspired to an object higher than the Presidency, and that is to do my duty under all circumstances." This statement closely parallels Clay's famous remarks that he would rather be right than be President, and it is interesting to note that Calhoun made his remark before Clay did.

Calhoun has occasionally been criticized for changing his policy in regard to the tariff. There was nothing inconsistent in that change, however. He favored the tariff of 1816 as a means not only to protect the newly formed industries, but also as a means of reducing the public debt. When the tariff was continually increased until the South was becoming impoverished, while the manufacturing sections were becoming enriched, it was natural that he should favor a change. Changing conditions bring changed viewpoints, and Calhoun was not one to allow his section of the country to suffer when he saw a means of deliverance.

His great moral courage and his reliance on truth have seldom been equaled. However unpopular his opinions were at any given moment, he carried out his convictions and generally saw his own ideas adopted by the majority at a later date. He was a leader, not a follower, and he constantly sought to mold opinion rather than follow opinion after it had formed.

If Calhoun were alive today, he would resist with all of his brilliant logic that form of government which neglects the rights of the individual and has power over his very life. In reviewing Calhoun's life, nothing seems clearer than the fact that he was an advocate of States' rights in order to protect the people from too great a centralization of power which could deprive them of their rights. His broad view, his loyalty to his convictions, his integrity, and his personal honor have won him a place in the democratic tradition. The name of John C. Calhoun is indelibly inscribed in history, and to all of history's students that name will live on as one to be revered and honored.

South Carolina does herself honor by observing this, the one hundred and sixty-seventh birth date of one of her most illustrious sons, John Caldwell Calhoun.

PERMISSION TO ADDRESS THE HOUSE

Mr. HARE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

[Mr. HARE addressed the House. His remarks appear in the Appendix.]

THE COLORADO RIVER

Mr. KING. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. KING. Mr. Speaker, there is before this Congress proposed legislation to settle an interstate controversy that has been continuing for more than a quarter of a century.

I refer to the Colorado River controversy between the States of California and Arizona.

The State of Arizona for nearly 30 years has consistently refused to permit peace on the Colorado River, refused to negotiate, refused to arbitrate, refused to litigate, but the State of Arizona has steadfastly held to its demands that only on its own terms will the problems of the river be resolved.

Today the State of Arizona is continuing to use each and every means it can to prevent a settlement of problems which have kept peace from the Colorado River Basin for more than a quarter of a century.

Today, at the same time, while pursuing a course of obstruction, the State of Arizona is attempting to take water from the Colorado River to which Arizona has no legal right—water which Arizona desires for a questionable billion-dollar project.

These are not idle charges. They are founded upon historical facts, they are substantiated in the records of this Congress and the courts of the land, and they are supported by events transpiring at this very time.

Let us look at the record.

There are seven States in the entire basin of the Colorado River. They are Wyoming, Colorado, Utah, New Mexico, Nevada, Arizona, and California. The first four named form the upper division, the last three the lower division.

In 1921 delegates from the seven States began a series of meetings in an effort to formulate an agreement which would permit the development of the Colorado River on a sound and secure basis. For months these delegates diligently worked, and at last they found themselves in accord on a fundamental compact. This historic document, the Colorado River Compact, was signed on November 24, 1922, by the authors and was then submitted to their respective States for approval.

The compact was unconditionally approved in 1923 by all the States of the basin, except Arizona.

In Arizona, political factions got into a fight among themselves, while the other States waited. At last the Arizona House passed a resolution agreeing to ratify the compact, but only if Arizona received a royalty of $5 per year forever for each horsepower produced on the Colorado River, no matter who produced the power or who paid for it. As the installed horsepower will ultimately be over 1,800,000, this would have meant over $9,000,000 of tribute annually, about twice as much as the Government's gross revenues from the project now. Another reservation in the Arizona House resolution excluded the Gila River and its tributaries from the provisions of the compact. The Gila is the river that provides water for the great irrigation area around Phoenix. It is an important tributary of the lower Colorado River, and the compact was written to include without exception all tributaries of the Colorado. But Arizona did not want her uses on the Gila River taken into consideration; she did not want to count the Gila's water in Arizona's share of the Colorado River.

No other State made such requests to exclude its uses from the compact. No other State demanded unearned and undeserved royalties. No other State wanted to share in the compact without being required to account for the water from its own streams.

Although the Arizona House approved this resolution, which was so grossly unfair to the other States, it died in the Arizona Senate. Thus, Arizona remained out of the compact.

By this unreasonable action, Arizona blocked development and peace on the Colorado River, just as these long-sought goals were in sight.

The compact could not become operative without ratification by all seven basin States and approved by the Congress.

But the six States which had ratified the compact were not to be thwarted by the dog-in-the-manger attitude of one State. Therefore, machinery was set in motion to have the compact given life as a 6-State agreement; that is, without Arizona.

It took 6 years to accomplish this, with Arizona a disrupting force throughout the long negotiations. At last Congress, after Arizona filibusters had blocked action in two sessions, passed the Boulder Canyon Project Act, which authorized construction of the largest dam in the world, provided, however, that six of the basin States ratified the compact and California enacted a limitation act.

The States of Colorado, Utah, Wyoming, Nevada, New Mexico, and California quickly ratified the compact, and California swiftly enacted the required limitation act, which pertains to the amount of Colorado River water California may use.

On June 25, 1929, President Herbert Hoover proclaimed the Boulder Canyon Project Act effective, and so the Colorado River Compact also became operative.

Arizona's efforts to block the compact had failed. The compact was now the basic law of the river.

But Arizona had not given up the fight.

The Secretary of the Interior at that time, Ray Lyman Wilbur, was faced with the problem of allocating the electric power to be produced by Boulder—now Hoover—Dam. Contracts for the power had to be secured from users, and under the law these contracts had to be signed before Congress appropriated the first money to build Hoover Dam.

The Secretary called hearings. All major parties interested in Hoover Dam power were present except Arizona.

Arizona refused to attend, saying she did not admit the validity of the Project Act. She seized upon this situation as another opportunity to prevent progress on the Colorado River.

Secretary Wilbur delayed his decisions in the hope that recalcitrant Arizona could be brought into line.

Said the Secretary:

I propose not to complete these (power) contracts (now) in the hope that we can bring Arizona into the picture.

The Secretary pleaded for a united front, declaring the real interest was "in this country and its development."

But Arizona remained adamant, ignoring all pleas of the Secretary and the other basin States. Arizona maintained its hostile attitude despite the fact that 18 percent of Hoover Dam power would be reserved for Arizona's use at any time within 50 years.

At last the Secretary proceeded to sign the power contracts with the communities and companies that would use it.

The way now was cleared for Congress to make the first appropriation for building Hoover Dam. This amounted to $10,660,000.

Again Arizona rushed out to do battle, opposing the appropriation. Arizona fought in Congress and filed its objections with United States Comptroller General. But progress was not to be halted. The appropriation was passed by Congress.

Still determined to prevent the building of the dam, which was so vital to the growth of the lower basin, Arizona now turned to the courts.

On October 13, 1930, Arizona filed suit in the United States Supreme Court against the Secretary of the Interior and the six States of the Colorado River Basin to stop construction of Hoover Dam. Arizona also asked the Court to declare the Colorado River Compact and the Boulder Canyon Project Act unconstitutional.

What did the Supreme Court tell Arizona? The Court said this:

(a) Authority to construct Hoover Dam was a valid exercise of congressional power.

(b) The Boulder Canyon Project Act did not abridge the water rights of Arizona.

(c) There was no threat to Arizona by Secretary Wilbur or the six basin States.

(d) The Arizona suit was dismissed.

Twice more did Arizona appeal to the highest tribunal of justice on other phases of the controversy, and twice more Arizona's suits were denied.

Still determined to stop progress on the Colorado River, Arizona adopted desperate means. Arizona threatened the use of military force.

At this time—1934–35—Parker Dam was being built, 155 miles downstream from Boulder Dam. Parker Dam creates the reservoir—Lake Havasu—from which water begins its long trans-desert journey through the great Colorado River aqueduct to Los Angeles and 27 other cities some 400 miles away on the coastal plain of southern California. This dam was built with money contributed to the United States by the Metropolitan Water District of Southern California.

Arizona did not want these thirsty cities to have this river water, and so Arizona physically prevented continuance of Parker Dam construction. She sent her militia, with machine guns, to stop construction, and they did so. Work ground to a stop.

In January 1935, the United States Government brought action in the Supreme Court to halt Arizona in these acts of violence, asking an injunction.

The Court did not grant the injunction because the complaint of the Government failed to show that construction of Parker Dam was authorized by statute. However, Congress subsequently reauthorized the construction of the dam, work was resumed, and the dam was completed.

The foregoing is only a partial recitation of Arizona's unpleasant record in the years when the people of six great Western States were struggling to progress, to develop their God-given natural resources, to make secure their homes and shops and farms, and to build on a solid foundation for the security of their children.

Now, what is Arizona doing today?

Let us look at events of the moment.

The Colorado River controversy still rages in the lower basin. On one side stands the State of Arizona, still defiant, still demanding settlement on its own terms, or none at all. On the other side the other two States of the lower division, California and Nevada, stand together, still struggling for the peace that will let development proceed in an orderly and legal way. They have offered to negotiate or to arbitrate. Arizona has refused.

There are three main issues in this quarter-century-old fight.

Here they are in brief form:

ISSUE NO. 1

Under article 3, paragraph A, of the Colorado River compact, the lower basin States of the Colorado River watershed are apportioned in perpetuity "the exclusive beneficial consumptive use" of 7,500,000 acre-feet of river water a year. An acre-foot is the amount of water necessary to cover an acre of land with water 1 foot deep.

The States of the upper basin receive a similar amount of water under the compact.

This is known as 3 A water.

Article 3, paragraph B, of the compact states:

In addition to the apportionment of paragraph A, the lower basin is hereby given the right to increase its beneficial consumptive use of the Colorado River waters by 1,000,000 acre-feet per annum.

This is known, as "3 B water," and this million acre-feet is in controversy.

As I have stated, Arizona refused to ratify the compact when it was created, but the six other States did ratify. With these six ratifications and enactment of the California Limitation Act, the compact became operative.

This is what the California Limitation Act says:

California agrees to limit its use of Colorado River water to 4,400,000 acre-feet of the waters apportioned to the lower basin by paragraph A, plus not more than one-half of any excess or surplus waters.

Thus California agreed to take 4,400,000 acre-feet of 3 A water, and not more than one-half of the excess or surplus waters unapportioned by the compact. California maintains that the term "excess or surplus" includes all 3 B water.

Does California share equally in this million acre-feet of 3 B water? California says "Yes." Arizona says "No."

ISSUE NO. 2

In a state of nature, the Gila River in Arizona was a wasting tributary of the Colorado River. Especially in the last 100 miles before it joins the Colorado its bed is wide, sandy, and subject to the intense heat of the desert.

The Bureau of Reclamation estimates that in a state of nature the Gila emptied approximately 1,300,000 acre-feet of water into the Colorado a year. The Gila River is an important tributary of the Colorado, a part of the Colorado system, and drains into the main stream near the Mexican border.

Water from the Gila is used chiefly now in the Phoenix area of Arizona, and there about 2,400,000 acre-feet of water are taken each year from the Gila, and beneficially consumed.

The difference between these figures, about 1,100,000 acre-feet, was lost before development of the Phoenix area. It was lost by evaporation, deep seepage, and other causes, as the Gila flowed in its course from the Phoenix area to the main Colorado River.

The words "beneficial consumptive use," as used in the compact, are important here, for the compact apportions water for beneficial consumptive use. Arizona contends that Arizona should be charged only for 1,300,000 acre-feet of Gila River water—the amount that emptied into the Colorado from the Gila in a state of nature, before development of irrigation in the Phoenix area and other places.

California contends that Arizona actually takes, uses, and beneficially consumes 2,400,000 acre-feet of Gila River water and, therefore, should be charged with that amount. All of this 2,400,000 acre-feet of Gila River water that Arizona takes is being beneficially consumed in Arizona.

Where and how must Arizona measure the amount of water it uses from the Gila River?

California says this water must be measured where it is actually beneficially consumed. Arizona says the water she actually uses is not to be measured at all. She wants to measure only the outflow of the Gila.

But the Gila does not even flow into the main Colorado as it did in prehistoric days. Today the Gila is all used up—beneficially consumed—in the Phoenix area.

ISSUE NO. 3

Lake Mead is the immense reservoir behind Hoover Dam.

California limited itself to taking 4,400,000 acre-feet of 3 A water, plus not more than one-half of the excess or surplus, of which California claims the 3 B water is a part.

There are large evaporation losses in Lake Mead, as there are in other reservoirs of the basin.

Arizona says that California must deduct these losses from its apportioned water. California says that the water to which it is entitled is a net amount, and therefore the quantity of 3 A water to which California limited itself is a net quantity.

Is the amount of 3 A water to which California is entitled a net quantity, or is it subject to reduction by reason of evaporation and other losses in Lake Mead and elsewhere?

In all the years California and Arizona have failed to agree on these three important problems. California has repeatedly offered to negotiate or arbitrate, and Arizona has repeatedly refused.

In the face of this stalemate, California and Nevada have now proposed that the issues of the controversy be placed before the United States Supreme Court for final settlement.

Will Arizona agree to this? Arizona will not. Arizona still says these issues will be settled her way or not at all.

So California and Nevada have introduced resolutions in the Congress asking permission to carry the controversy before the high Court. The permission of Congress for this litigation is necessary, because the United States Government must be a party to the action, and the United States can be made a party only with the consent of Congress.

These resolutions are affected not at all by political considerations. Each of California's 23 Congressmen, Democrats and Republicans, and Nevada's Congressman, have introduced identical measures. In the Senate, the four Senators from California and Nevada have introduced a joint resolution of the same kind.

With every force at its command Arizona is fighting to prevent passage of these resolutions.

Now, what else is Arizona doing today?

As it fights passage of the Supreme Court resolutions, Arizona is asking Congress to authorize construction of a $1,000,000,000 reclamation and power project to rescue a few thousand acres of land in central Arizona.

Now, Arizona, the State that fought to prevent the authorization and construction of Hoover and Parker Dams and development and progress on the Colorado River, wants to take an additional 1,200,000 acre-feet of water from the Colorado for the proposed Central Arizona project. She wants water stored by Hoover Dam and diverted from Parker Dam's Reservoir.

There already is a deficit of water in the lower Colorado. There is not enough water to meet the obligations of existing and authorized projects. This is due primarily to the Mexican Water Treaty, which guaranteed to Mexico nearly a million acre-feet per year more than Mexico was using before Hoover Dam was built. Without Hoover Dam's control of the wild river, Mexico could never have increased her uses. Arizona supported that treaty on the selfish assumption that she was giving away California's water. Now she finds that perhaps she gave away her own. The Mexican treaty chickens have come home to roost on the central Arizona project.

How can Arizona get this additional 1,200,000 acre-feet?

Only one way: By taking it away from California. She cannot get it back from Mexico.

But California has contracts with the Federal Government for 5,362,000 acre-feet of Colorado River water. That does not stop Arizona. Break these contracts, says Arizona; the Government had no right to sign them. California is not entitled to this water.

That has a familiar ring. It sounds like the Arizona of 28 years ago. And it is.

Now President Truman, and a number of Federal bureaus, including the Bureau of the Budget, have spoken out against the proposed central Arizona project. It would be, they say, not feasible. It would not be practical. It would not pay for itself, as the reclamation laws require.

Nor does that stop Arizona. If the project cannot be built under present reclamation laws, then Arizona would have the laws changed so that the project can be built.

Under the plans for the proposed billion-dollar central Arizona project, it would cost Arizona virtually nothing. It would be an obligation of the taxpayers of the Nation, and the power users of southern California. Arizona would get a billion-dollar project, paid for by people of other States.

I wish to tell the Members of this House of this most serious situation, a situation that is a menace to progress and development in the States of the Colorado River Basin.

This is not simply an interstate squabble. This is more than a fight over some water. It is a fight for life by the people of California for the security of their homes, for their own future and that of their children.

I most earnestly ask that the gentlemen of this Congress give this matter their unqualified attention, and that they support the resolutions of California that will bring peace to the Colorado River, the lifeline of the great Pacific Southwest, a river that has never known peace.

ST. PATRICK

Mr. LODGE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and include copy of a recent radio broadcast.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. LODGE. Mr. Speaker, I join my colleagues in paying tribute to Americans of Irish descent who through the years, acting in the spirit of St. Patrick, have contributed so much to the social fabric of our country.

The Americans of Irish descent have traditionally understood that vigilance is the price of liberty. So I want to call the attention of the Members of this body to the fact that on March 25 at the Waldorf Astoria Hotel in New York a 3-day meeting of the Cultural and Scientific Conference for World Peace will begin. The local press and radio have for several days called the attention of the American public to the fact that the State Department has approved 23 visas for Communist delegates from Russia and 4 of her iron-curtain satellites. The Assistant Secretary of State is reported to have said:

> The American Government entertains no illusions as to the manner in which the Communists will attempt to use and manipulate the conference.

Yesterday afternoon in this Chamber I listened with great interest to the remarks of several of my colleagues with respect to injudicious comments in connection with our national security. I agree with the general tenor of these statements. Under our system of government, the people have a right to be informed. I believe in free speech. But secrets vital to our national security, and hence to our freedom of speech, should not be disclosed and no person or group of persons enjoying our precious freedoms should use these freedoms to destroy freedom. I cannot understand why, when the State Department was fully aware of the close relationship between the conference opening in New York on March 25 and the World Congress of Intellectuals held in Poland last summer—which was used as a stage for Communist attacks on the United States—the Russian delegates were granted the visas necessary to attend.

It is reported that at the conference in Wroclaw eastern Europe's cultural leaders were not free to express anything but the Moscow line. We can expect that the Moscow line will again be presented at the New York conference.

Mr. Speaker, I submit that if the American Government entertains no illusions as to the manner in which the Communists will attempt to use and manipulate the conference, then the visas of these Russian delegates should have been denied.

GENERAL PROPERTY OFFICE

Mr. RIEHLMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RIEHLMAN. Mr. Speaker, on March 10 I introduced a bill, H. R. 3447, which would establish a General Property Office to exercise management control over the procurement, utilization, and disposal of Government property. In scope, this bill is far more comprehensive than H. R. 6965, which I introduced at the last Congress, but it is identical in approach.

The bill conforms closely to the recommendations of the Hoover Commission with reference to administrative organization and goes on to establish comprehensive and uniform policies and procedures with respect to property utilization, procurement, contract termination, surplus-property disposal, contractual claims and disputes, and civil and criminal liabilities relating to these matters.

Overemphasis of organizational improvement may, in my opinion, obscure an equally important feature of the Commission's report. To permit efficient management control, a single law, uniform in application, must be substituted for the maze of unrelated laws under which the various executive agencies presently operate. This aspect of the problem is of utmost importance and it is fundamental.

The entire reorganization would center in the Property Officer who would preside over the General Property Office. In tying the reorganization in with uniform policies and procedures, the bill would establish a broad framework within which the Property Officer and the executive agencies must operate. The Property Officer, within these limitations, could issue regulations to effectuate the organizational changes and the policies and procedures which the bill would authorize. The bill consists of seven titles, as follows:

First. Administrative organization: The Property Officer would be authorized to coordinate the supply functions of the various executive agencies, impose uniform policies and procedures, and take over, assign or reassign responsibilities. The General Property Office would be his operation medium. This new agency would absorb the Public Buildings Administration, War Assets Administration, Bureau of Federal Supply, and the Office of Contract Settlement.

Second. Property utilization: The Property Officer could operate or assign the responsibility for operating any and all public office buildings, warehouses, plants—producing primarily for governmental use or consumption, supply centers, repair shops, fuel yards, and other similar facilities. Furthermore, he could assign space in public office buildings and warehouses, redistribute excess supplies and equipment, forbid the purchase of particular supplies and equipment until the excess has been utilized, and impose regulations concerning inventory control and accountability systems.

Third. Procurement: The Property Officer would be authorized to take over or reassign any procurement responsibilities now being exercised by the executive agencies, issue regulations to govern executive agencies in their procurement operations, establish uniform policies and procedures, and prescribe a Federal stock catalog system, standard forms and specifications.

Fourth. Contract termination: Here again the Property Officer is authorized to prescribe policies and methods together with standardized forms and procedures.

Fifth. Domestic surplus property: The Property Officer is responsible for any and all surplus property and the executive agencies operate by delegation of authority from him.

Sixth. Foreign excess property: Because of the peculiar problems involved, the executive agency in possession would have the primary responsibility for care, handling, and disposal, but the Property Officer, if he desired, could exercise active supervision even to the extent of assigning the job to the General Property Office.

Seventh. Contractual claims and disputes: The ultimate authority over claims would remain in the Comptroller General and the General Accounting Office. Factual findings by contracting agencies would no longer be binding upon the General Accounting Office or the courts. In addition to bringing suit, the contractor would have a right to appeal to the General Accounting Office in the event a contracting agency held against him in a dispute. To assure fair treatment, the Comptroller General wold be directed to establish an appeal board in the General Accounting Office which would review claims prior to disallowance and offer the contractor an opportunity to state his case at an informal hearing.

Eighth. Civil and criminal liabilities: To protect the public purse, extensive civil and criminal liabilities are imposed upon those who would enrich themselves by dishonest practices.

In conclusion I feel that the bill would be inapplicable to the armed services. Presently they are trying to handle simultaneously a far-reaching unification program and a record-breaking peacetime preparedness program. This has presented enough problems of interagency coordination and consolidation. To impose additional controls from another source might slow down unification and inhibit the defense program. The armed services can cooperate to the extent practicable considering defense needs but they should not be burdened with any superimposed restrictions at this time. When unification has been completed, the Congress can dispose of such coordination problems as may then remain.

ST. PATRICK'S DAY

Mr. JAVITS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. JAVITS. In tribute to the thousands of citizens in my district whose ancestors were Irish, I append hereto the fine editorial of the New York Times commemorating St. Patrick's Day. Our celebration of this day should inspire us to help in the unification of Ireland and in the admission of Erie to the United Nations. These are tangible ways of showing our interest in and support of the Irish people and our recognition of the vast contributions to our nation's cultural, social, and economic development and to our governmental system made by Americans of Irish descent.

[Editorial, New York Times, March 17, 1949]

ST. PATRICK'S DAY

It may be significant that St. Patrick, though he loved the Irish, was not, according to the available authorities, born in Ireland. In this he resembles most of the rest of us. But the Irish took St. Patrick to their hearts and he took them to his heart. There was warmth in him and warmth in them, and the combination has made St. Patrick's Day something more than was originally contemplated. The Irish haven't lost their saint, but a lot of other people have taken him on, people of many races and people of more than one religion. When the bands come along playing "Killarney" or "The Kerry Dances," when the green badges flower in Fifth Avenue's early spring, who is there who doesn't want to cheer for the good and great man?

We may ask ourselves why St. Patrick has attained this position, and there may be any number of answers. He was serious, but the Irish made him gay, too. He was a crusader who wouldn't put up with paganism or any sort of wrong doing, but he was human and understanding, too. The personality of him comes down the centuries, cheerful and lovable, and one believes he would have enjoyed the parade and the music and the sight of people having a good time. We like to think that the Irish are generously willing to share their day and their saint.

Mr. HAVENNER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HAVENNER. Mr. Speaker, with the parade in New York and the banquet in San Francisco, today is acclaimed throughout the land as the great feast day of the Irish. The celebrations held here are but a part of the universal commemorations of St. Patrick that are to be found today in every section of the world, wherever so many as a handful of the Irish can be found.

Throughout Irish history this day has always begun with the religious festivities in the morning and has closed with the dinners and dances in the evening. However, there is just one spot where today no celebration of the occasion will be permitted; where parades and assemblies have been banned; and that spot is, strangely enough, in Ireland itself.

This year, as was also done last year, the city of Londonderry is denied the right to hold any public celebration of this occasion. The Stormont government of the six counties in Northern Ireland has issued an edict which bans assemblies and processions in this city alone in all the world. The excuse for this strange edict is that there would be apprehension of grave disorder if assemblies were allowed, according to Edmond Warnock, Minister of Home Affairs in the Belfast Government.

The issuance of this edict is but a confession of the inability of the six-county government to maintain law and order within its jurisdiction, and is but one of many samples of the repressive legislation imposed upon the people in northern Ireland. The mere holding of a public gathering or a public parade would not of itself be a threat of grave disorder. The threat of disorder comes from those who would break up the parade or disrupt the meeting, and these people are the very people, who are the supporters of the six-county government and who should be subservient to the orders of the government's police forces or the commands of the British troops within the area. Yet rather than restrain these people in their efforts to disturb the public peace, the holding of parades and meetings is instead prohibited. In place of restraining the lawbreakers, the peaceable citizens are denied the exercise of their rights.

That such a system should be employed is not surprising in view of the manner in which the government of these six counties is selected through undemocratic processes and gerrymandered election districts. The result is that the government is not truly representative of the people and consequently the rights of a democratic people are denied the residents who must live in the area subject to such a government.

Unlike the six-county area, the rest of Ireland is today celebrating this occasion in the full enjoyment of their liberties and free from any traces of rioting or bigotry. They have particular reason to celebrate this day, for it will undoubtedly be the last to witness an Ireland which is not completely free from all outside domination and influence. On the 18th of April this year, the old External Relations Act will be terminated, and the Republic of Ireland will be freed from all remaining restrictions and ties with Great Britain that are not of Ireland's free choosing. For the first time, the Republic of Ireland will be able to stand amongst the other nations of the world and act in its own behalf without being controlled or directed by any outside or foreign power.

While a new era is about to dawn upon Ireland, it is to be regretted that it will not encompass all of Ireland. Unfortunately six counties will remain cut off from the rest of Ireland and will continue to be subject to the domination, dictation, and control of Great Britain. The partition of Ireland is the last remaining hold to which England clings in its centuries-long conquest of the Irish people. In this day of the recognition of the rights of small nations and small peoples everywhere, this condition cannot long continue. England must soon recognize that the subjugation of a neighboring people or the coercion of an adjoining nation cannot be suffered at a time when all the peoples of the world are engaged in the great fight for freedom and the preservation of individual liberty. The suppression of democratic principles in the six counties of northern Ireland is just as wrong as the same conditions in distant Indonesia.

The world protested the attempt to subjugate once more the natives of Indonesia, yet for 27 years the people of the six counties of northern Ireland have been subjected to British domination in opposition to the will of the vast majority of the Irish people. While one protests the maintenance of this alien control through subsidies and force of arms, it is to be hoped that when the next St. Patrick's Day is celebrated there will have been an end to the partition of Ireland and all 32 counties of this small island will have been united into one nation and one people as they were intended to be in the design of nature when the Irish race was placed on the Emerald Isle.

EXTENSION OF REMARKS

Mr. FARRINGTON asked and was given permission to extend his remarks in the RECORD and include a letter.

Mr. FURCOLO asked and was given permission to extend his remarks in the RECORD in two instances.

WASHINGTON POLICE

Mr. PRESTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. PRESTON. Mr. Speaker, as a Scotchman, I may be a little out of place even appearing here on St. Patrick's Day. But, I want to say a few words about an organization in the District of Columbia, largely composed of good Irishmen and headed by a good two-fisted Irishman, one of the finest cops in America, Bob Barrett. Yesterday I read comments made by one of our Members to the effect that Washington policemen are tough on Congressmen. I do not entertain any such opinion. I do not think the people generally form the impression that there are any differences between the Washington, D. C., police force, the Park Police, and the Members of Congress. In every instance that has come to my attention since I have been here, the policemen have leaned over backward to be accommodating and kind and courteous and helpful in assisting with many problems that arise, not only through the conduct of affairs of our office but other problems presented to us by our constituents. Washington is the Capital of the world. It is the show window of our Nation. I think here we have established a police force second to none in America, and I, for one, do not feel that they are tough on Congressmen. I praise them rather than criticize them.

ENTRY OF 27 U. S. S. R. PUPPETS

Mr. JACKSON of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. JACKSON of California. Mr. Speaker and all of the Irish. I should like to associate myself with the greetings which have been extended today to the sons and daughters of the auld sod. I should also like to comment on the remarks made by the gentleman from Connecticut relative to the State Department's action in approving entry into this country of 27 puppets of the arts and sciences from behind the iron curtain. Mr. Shostakovitch is undoubtedly a great composer and a great artist, yet one who is sacrificing his rights to honor and distinction by walking uncomplainingly with the other prostitutes of Soviet art completely demeaning himself and art alike. Mr. Shostakovitch and his kind have the same right in this land of freedom as has rattlesnakes in a Baptist Church. To come here and to cloak himself with the rights and dignities of a freeman only to use the cloak of our liberties to destroy the very things that we hold sacred should bring a storm of protest from this Congress and from the people of this great country.

EXTENSION OF REMARKS

Mr. POULSON asked and was given permission to extend his remarks in the RECORD in two instances and to include an article in each.

Mr. JUDD asked and was given permission to extend his remarks in the RECORD and include an article.

IRELAND

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RANKIN. Mr. Speaker, this is the day on which someone should write the epitaph of the great Irish patriot and martyr, Robert Emmet, who just before he was executed, asked that it never be written until his country attained her independence.

I was very much impressed with what the gentleman from Michigan [Mr. LESINSKI] said a while ago about Poland under communism. I remember that it was a great Irish poet, Thomas Campbell, who said:

> Hope, for a season, bade the world farewell,
> And Freedom shriek'd as Kosciusko fell.

Never on earth has human freedom been in a worse predicament than it is in Poland today. God speed her delivery.

I received my first information about St. Patrick's day in a most disastrous manner, the day that Bob Fitzsimmons knocked out Corbett, the great Irish boxer, out in Carson City. I will not tell you how long it has been, but we boys were all in Corbett's corner.

I am reminded that more than 100 years ago, during the famine in Ireland, one of the greatest orators who ever occupied a seat in this House was from my State, Sergeant S. Prentiss, in a speech in behalf of the people of that unfortunate country said:

> There lies on the other side of the broad Atlantic a beautiful island, famous in story and in song. It has given to the world more than its share of genius and of greatness. It has been prolific in warriors, statesmen, and poets. Its brave and generous sons have fought successfully all battles but their own, while its harp, like its history, moves to tears with its sweet but melancholy pathos.

One of the sweetest songs that came out of Ireland runs something like this:

There came to the beach a poor exile from Erin,
The dew on his thin robe was heavy and chill;
For his country he sighed, when at twilight repairing
To wander alone by the wind-beaten hill.
But the day-star attracted his eye's sad devotion,
For it rose o'er his own native isle of the ocean,
His heart beat anew with its youthful emotion,
As he sang the bold anthem of Erin go bragh.

He had come to America to help make this country great.

ST. PATRICK'S DAY

Mr. SABATH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. SABATH. Mr. Speaker, I fully realize my inability to pay proper tribute on this great day to the great man whose feast day the world should continue to celebrate because of what he did to bring the teachings of Christ not only to Ireland, but to the entire world as well. I am obligated to my Irish friends in this country because they were responsible for my entering politics.

It has been my pleasure to serve them in many ways and to work with many of them. I know of their contributions to our country, and I know what they have achieved on behalf of the freedom of others, because I recollect their fights for freedom in supporting the aspirations of many other nations.

Consequently, in 1917 I introduced a resolution in the House of Representatives expressing the desire and hope of Congress for Irish freedom, which I helped to pass.

I rejoice on this St. Patrick's Day that I have been able to continue to advocate freedom for all other nations and I hope in the near future, that Ireland will be united into one country under a single administration, and that it will continue to set an example for all others who are striving for religious freedom and liberty. America is grateful to the distinguished Americans of Irish stock and descent for their huge contributions to this country. I hope they will continue in the future as they have in the past to work for the betterment of humanity, for liberty and freedom to which every individual should aspire.

And in conclusion let me state that we are taking time from our momentous labors today to honor the memory of St. Patrick, a patron saint of the Irish. It is unnecessary to narrate the story of his life and the fine endeavors which are so prominently associated with his fine spirit and character, and yet his humility of nature, and his keen understanding and advocacy of love of fellow man, stamp him as an exalted leader of his time.

His watchword was service to humanity and he went wherever duty called him. The poor, the suffering, the persecuted and oppressed besieged him on all sides, but he never failed to minister to their wants, and supply them with the spiritual and material food which they so acutely needed.

It was certain, therefore, that as he lived so would his accomplishments after his death entitle him to a high place among the souls of the faithful departed.

I treasure highly today the personal tribute which I have received from the Irish Government, in the nature of some real Irish shamrocks, extending to me the best wishes of the Irish Government on this St. Patrick's Day. I shall prize it highly along with the loyal and close friendship of my numerous American friends of Irish descent.

Mr. BUCKLEY of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. BUCKLEY]?

There was no objection.

Mr. BUCKLEY of Illinois. Mr. Speaker, and my Irish colleagues: Being an Irishman myself I certainly have to rise to the occasion and think back to the country our forefathers came from. The Irish have been a people easy to get along with, and much easier to start a fight with. But they are among the greatest citizens in the whole world. Certainly they have proved themselves to be the finest diplomats on earth. When we stop to think on this great day, the 17th of March, we cannot help but realize that they have suffered a lot in past years.

It is my wish, and hope, and prayer, that in the near future Ireland, by her own efforts and make-up, will enjoy as much freedom as the Irish who live in this country. There is not much more that I can say except that "Ireland must be Heaven, because my mother came from there."

Mr. CHESNEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. CHESNEY]?

There was no objection.

Mr. CHESNEY. Mr. Speaker, today, here and everywhere throughout the world Irish hearts are happier and Irish eyes are smiling more appealingly in the fellowship inspired by our love for the little island from whence our fathers came—where, long, long ago lived and dwelt and preached and taught the saint whose feast day we celebrate on this occasion.

I wonder if ever in the history of the world any one man had such a dominant and such a lasting effect on the lives and habits of a whole nation as did St. Patrick on the lives of the Irish. On this day, fourteen and one-half centuries from the date of his death, the Irish and their friends everywhere are celebrating the memory of a man through whose life work the culture and civilization of the Roman world was saved; for, not only was Patrick an apostle of religion, but it was through his instrumentality that there sprang up all over Ireland those convents and monasteries which were the seats of learning and of culture that enabled the Irish to send back to Europe monks and nuns from Sweden through to Italy to light again the torch of learning, the light of culture that had been extinguished by the barbarian invasions of that ancient day. Other races may have their sagas of heroes who led their armies to conquest, fame, and booty; but the most famous heroes and heroines of the Irish are the Columbanuses, the Columbkilles, the Brides, who journeyed to other lands to bring them the culture and the enlightenment, along with the faith, that the Irish had received and had cherished in the centuries immediately after Patrick's reign, thereby establishing the example that has caused Irish men and women, down the ages, to journey to far countries, where always they have contributed to the enrichment of their adopted lands.

Sometimes I wonder if the Irish in St. Patrick's day were very much different from the Irish of our day, and I can only conclude that every man was a leader, and each was a king in his own domain. The kings who gathered at Tarra's Hall would have more than taxed the capacity of this spacious room—even when the roads were bad and the rains made travel difficult. And if in Napoleon's army, according to legend, every soldier carried in his knapsack a general's signs of rank just in case they ever would be needed, there is, I think, in every Irishman the feeling, that if the occasion required he could prove, not only his direct descent from one of those kings, but that he could also prove that he is just as good or a better man than his ancestor, the first of his line, the particular King of Ireland from whom he descended. In Italy one marvels at the fact that there are bishoprics so close together at times that with an ordinary pair of opera glasses one bishop could watch what the other had for dinner. In ancient Ireland it must have been very much the same situation with the kings. And, if at times, the Irish find themselves glowing with feelings of elation, of happiness and well-being, and wonder at the cause, know that it is inspired by the stimulation of the rich, royal blood of their ancestors coursing through their veins and not, as their wives might infer, to other liquids at all.

For me to list the achievements of the Irish race today would be to list the accomplishments of outstanding men in every field—in religion, in science, in literature, in warfare, in government, and in industry. It would be to cover the list of the occupations of the great throughout the world. One thing, though, that I feel that they have accomplished, and one thing in which I feel the Irish are predominant, is in salesmanship. Just between ourselves, there are other races, like the Poles, who are just as stanch as the Irish in their adherence to the faith of their fathers. There are other races, like the French and the Italians, that have brought great men in literature, in science, and in diplomacy; in fact, you can take any one of the achievements of which the Irish are so proud, and you can duplicate it in some other race, in some other place.

But—show me any race, or any place, that has been able to convince the rest

of the world of its greatness, as have the Irish. Show me another national saint as well known as St. Patrick. For every man who knows his name, even among his own people, I will show you a hundred more of every nationality wearing today the green of old Ireland and celebrating with the Irish, St. Patrick, and with him the greatness of the Irish.

CADOC THE WISE

Mr. McCARTHY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. McCARTHY. Mr. Speaker, I wish to inform the House today of another great member of the Gaelic people. Of course, this great man was not as great as St. Patrick, but sometimes the greatness of a man is shown in the actions and sayings of his followers. It is thus that I hope to give greater honor to St. Patrick.

I want to tell the House today about Cadoc the Wise. He was a noble Celtic abbot who lived in the sixth century after Christ. Like all the Gaels, Cadoc had a great love for freedom and for poetry and song, and often, among his disciples, to the accompaniment of his harp, he sang verses in which he gave full utterance to the things that were in his mind and in his heart. One of his greatest poems was known as The Hate of Cadoc. I commend it especially to all men as a guide in private life, and particularly in political life.

This was The Song of Hate which Cadoc sang:

I hate the judge who loves money, and the scribe who loves war, and the chiefs who do not guard their subjects, and the nations without vigour; I hate houses without dwellers, lands untilled, fields that bear no harvest, landless clans, the agents of error, the oppressors of truth; I hate him who respects not father and mother, those who make strife among friends, a country in anarchy, lost learning, and uncertain boundaries; I hate journeys without safety, families without virtue, lawsuits without reason, ambushes and treasons, falsehood in council, justice unhonoured; I hate a man without a trade, a labourer without freedom, a society without teachers, a false witness before a judge, the undeserving exalted to high position, fables in place of teaching, knowledge without inspiration, sermons without eloquence, and a man without conscience.

SPECIAL ORDER GRANTED

Mr. DONDERO. Mr. Speaker, I ask unanimous consent that the special order granted to me for next Monday may be continued until next Friday.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. McCORMACK. Mr. Speaker, with the permission of the gentleman from Texas, I ask unanimous consent to proceed for 5 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. McCORMACK]?

There was no objection.

Mr. McCORMACK. Mr. Speaker, in honoring St. Patrick today as the patron saint of Ireland, we honor him in a broader way than merely as the patron saint of Ireland; he is really the patron saint of the Celt, and that includes not only the Irish but also the Scotch and the Welsh, because the people of Ireland, Scotland, and Wales are all people of the same racial strain.

Mr. Speaker, nearly fifteen hundred years ago today, the mortal remains of St. Patrick, the glorious apostle of Ireland, were wrapped in a shroud woven by St. Brigid and laid to rest in the soil of the land that he had won to the love and heart of God.

Over the intervening years, perhaps no individual in the calendar of the saints has grown larger in stature, or won greater popular affection and devotion.

Patron of the land where he labored, revered by Christians everywhere, an illustrious example of religious zeal and patriotic fervor to all men in all ages, the slave boy who became a saint is universally acknowledged as one of the ideal characters in all recorded history.

The centuries that have passed since his death have served only to add luster to his name and fame to his achievements.

Because of the outstanding part in it played by St. Patrick, the history of the conversion of Ireland to Christianity should be required reading for all who aspire to the role of statesmen. For of all his accomplishments, none distinguished this missionary bishop more than his political acumen and his astute diplomacy.

As a roman provincial from Britain undertaking a mission in a pagan land, he could easily have courted failure and disaster. But his passionate love for the Irish people and his sympathy with, and respect for, native Irish culture and tradition assured his success. Apart from the working of the grace of God, his deeply sympathctic attitude to native institutions greatly facilitated his task of conversion.

While his primary motive was the winning of souls to God, his way was that of the mild, sincere, and persuasive diplomat. He made friends anc converts among Irish lawyers, poets, and chiefs of clans, and with their help, he strove to conform native legislation with Christian ethics so that all that was lawful in the former might be retained.

He respected Irish social conventions, and Irish manners and customs, insofar as they did not conflict with the principles of the philosophy which he preached.

As a result, while he did meet with difficulties, he enjoys the rather unique distinction of converting a whole people without persecution, strife, or bloodshed.

"O Patrick mild, of the sweet voice" was the salutation he received from Oisin, the Bard of Finn, and this greeting is the best tribute to his diplomacy.

He came to the people of Ireland not as a disdainful representative of a foreign culture, not as a dictator to enforce his ideology by coercion, but as a friend bringing the gifts of his friendship, the hope of his doctrine, and the faith of a religion hitherto unknown in that pagan land.

The tribal nation to which he had come as a missionary was a land of warlike people. The Ireland to whose embracing soil he was committed at his death was known to the world as the "island of saints and scholars." This tremendous and significant change had been brought about by the heroic life and labors of one man—St. Patrick, the ambassador of God to Ireland.

How well he succeeded in his task is attested to by the fact that, from his day to this, the great religious and political traditions of his establishment have been so perpetuated that Ireland is recognized among all nations as a land of faith, liberty, and democracy.

The lesson from the life and work of St. Patrick is one of singular application to the world of today. It deserves emulation by men and nations regardless of creed, race, or color. It is the lesson of brotherhood under the fatherhood of God.

It means respect for the dignity of man.

It means understanding the views, customs, and attitudes of others out of a sense of genuine charity for our fellow men.

It means compassion and sympathy for the poor and suffering after the manner of Patrick, whose disinterestedness in his own regard was completed by a great generosity toward others.

It means devotion to the virtue of freedom, inspired with the same fervor as that which fired St. Patrick to fight so fiercely against the horrible slave system of pagan Ireland.

It means patience to achieve what we are convinced to be the right ordering of society—not by force, not by stooping to the terror of those who know no other way—but by the firm and tactful diplomacy of a Patrick whose gentle persuasion turned a lust for war to a burning desire for righteousness and peace.

It means good neighborliness—a shining virtue which is the crying need in the international world today.

On this St. Patrick's Day anniversary, therefore, it would not be amiss for each and every one of us to learn from the study of his character the reasons which have ennobled him in the eyes of God and man. While it is true that the historical picture of St. Patrick confounding the druids on Tara Hill presents a man of awesome and terrible dignity, it is also true that his own writings reveal a simple man—a friendly Patrick—direct, patient, tolerant, and so utterly conscious of his own failings.

Accompanying the self-realization of his shortcomings, however, was a reliance upon a faith in man and God that convinced him that great deeds could be wrought with the spirit. With such a faith, he brought a whole pagan nation into the fold of Christendom without coercion or tyranny.

With the same faith and in the same spirit we should emulate that nobleman of God, St. Patrick, and bend every effort toward the establishment of concord among nations.

EXTENSION OF REMARKS

Mr. MARTIN of Iowa asked and was given permission to extend his remarks in the Appendix of the RECORD and include two newspaper articles regarding manganese.

ST. PATRICK'S DAY

Mr. YATES. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Ilinois?

There was no objection.

Mr. YATES. Mr. Speaker, I always look forward with great eagerness to St. Patrick's Day. The day for the wearing of the green is always such a happy day. Today the name of Ireland's patron saint has been venerated and good wishes have been exchanged upon an occasion symbolized by the greenery which adds its glowing color to the scene.

This holiday is a tribute to a great man. At 16 years of age, St. Patrick became fired with a Christian zeal, and as he later said "I felt no evil, nor was there any laziness in me, because as I now see, the spirit was burning within me." Beckoned by the call of the Irish mission, St. Patrick entered into the service of the Lord, was made a deacon, and finally consecrated a bishop for the Irish.

The mission founded by St. Patrick was eminently successful. He founded churches, schools, and monasteries. He converted the kings of Munster, Dublin, and Connaught to the faith.

The work carried on by St. Patrick has been ineradicable. The movements he started were picked up and carried on virtually without interruption.

One of the things which has always made such a great impression upon me in connection with the life of St. Patrick has been the undying love which St. Patrick had for his people and for the land which has come to be known as his own.

At the same time St. Patrick's Day gives us cause to remember the contributions which Irish men and women have made to the progress of the world and more particularly to our own United States.

What are those contributions? I think first there is the Irish faith. They are fighters for the right. The strong Irish faith in righteous causes has made it possible for them to throw themselves into battles for freedom of the individual and his essential dignity and value, the equality of all individuals and nations.

The Irish have brought love of family, devotion to home, obedience to law and constituted authority, love of God, and love of liberty to the United States. They have brought loyalty to America, loyalty to freedom and democracy, loyalty to American institutions, tolerance and justice toward their fellow man. The Irishman knows on the basis of his 700 years of tragic struggle for liberty that when man surrenders personal freedom he thereby turns himself over to the whim and caprice of dictators and soon he will lose his freedom. He knows that if men expect to receive tolerance, they must be tolerant themselves and that bigotry, racial and religious persecution are but the means to ultimate self-destruction, as well as the betrayal of democracy's basic rights.

Truly all Irishmen and all other loyal Americans rejoice together today in honor of St. Patrick. The magnificent poetic prayer of St. Patrick's binds all of us together:

I arise today
Through God's strength to pilot me.
God's might to uphold me,
God's wisdom to guide me,
God's eye to look before me,
God's ear to hear me,
God's word to speak for me,
God's hand to guard me,
God's way to be before me.

The SPEAKER. Under previous order of the House, the gentleman from Texas [Mr. PATMAN] is recognized for 30 minutes.

ASTOUNDING REPORT ON STEEL BY CONGRESSIONAL COMMITTEE SHOWING HOW UNFAIRLY SCARCE STEEL IS DISTRIBUTED BY FAVORING 8 STATES AND DISCRIMINATING AGAINST 40—TEXAS SUFFERED MOST EXTREME FORM OF DISCRIMINATION CAUSED BY BASING-POINT SYSTEM RECENTLY OUTLAWED BY SUPREME COURT BUT EFFORTS MADE TO RELEGALIZE IT

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks and include certain statements and extracts.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, American citizens of Irish descent have made a great contribution to the building of our wonderful country in time of peace and to the saving of our country in time of war.

NO MORE HYPHENATED NAMES FOR AMERICANS

When I first came to Congress 20 years ago it was not unusual for one to refer to individuals as Irish-Americans, German-Americans, and Polish-Americans, but now you never hear those hyphenated phrases. That is principally by reason of the fact that the gentleman from Massachusetts, the Honorable JOHN MCCORMACK, our distinguished, able, and fair majority leader, has always admonished us against using such phrases because we are all American citizens and should be referred to as Americans.

Although I happen not to be on the honor roll of the gentleman from Minnesota [Mr. O'HARA], I am glad to be known as a descendant of an Irish-English immigrant who came to this country a long time ago. But because he came here more than 300 years ago does not mean that I will be a better American citizen because of that, or any better than one who came here much later. In fact, one of the best and most patriotic American citizens I have ever known is the dean of this House, the gentleman from Illinois, the Honorable ADOLPH SABATH, who was not born in this country. No one appreciates and tries to do more for the United States than the gentleman from Illinois, Judge SABATH. And I know a lot of other good Members of this House just as patriotic and loyal as an American citizen could possibly be and just as helpful to our country both in time of war and in time of peace whose fathers came here as immigrants. So, it does not make any difference how long we have been here or how long it has been since our ancestors came. That is not the test of loyalty of an American citizen. Although I doubt that all the American citizens of Irish descent ever agree on any major economic question, I am going to discuss today an economic question, I believe, that most of the Irish are interested in, and that is the question of monopoly and the trend of monopoly and unfair practices and discriminations and similar matters. I know that the Irish people are against monopolies; they are against unfairness of all kinds; they are against undue privileges. They are in favor of the Golden Rule. They believe in justice; they believe in equality and for that reason I believe they will be interested in what I have to say about monopoly.

Contrary to the general rule of one Democrat commending the actions of another Democrat, I am going to commend the actions of two of our Republican colleagues, Members of the other body.

I should like to call the attention of this body to a most important report, released on February 10 by the Special Committee of the Senate to Study the Problems of American Small Business. This report has a very pointed bearing upon the economic well-being of the Nation and more particularly, upon the economic life of most of our individual States and regions. And it has a very crucial bearing upon an issue with which this body will soon have to cope.

REPUBLICAN COLLEAGUES IN SENATE PRAISED

The report to which I refer is entitled "Changes in Distribution of Steel, 1940-47." It was prepared by two of our distinguished Republican colleagues in the Senate, Senator KENNETH S. WHERRY, chairman of the special committee, and Senator EDWARD MARTIN, chairman of the Steel Subcommittee of the special committee. These gentlemen are to be congratulated, first, for their success in prying loose from the giant steel corporations some actual facts and figures bearing upon questions which have been of wide concern, and second, for the frank and objective manner in which they have treated and presented the material.

This report analyzes in detail the so-called tight steel products, and particularly, the tightest product, hot-rolled sheets, which represents the most important single class of steel, and the product most widely used by manufacturing firms, small and large alike. According to this report, the total output of hot-rolled sheets for domestic use increased by 19 percent between 1940 and 1947.

As the hearings before the Small Business Committee have abundantly revealed, this rise in output fell far short of meeting the increased demand. Now the question arises as to how these short supplies were distributed among the various

States and industrial centers in 1947. Did each State get a pro rata share of the increased supply? Did the steel companies allocate to each State 19 percent more than it had used in 1940? Did they base their allocation on the relative degree of industrial expansion which has taken place in the various States since the outbreak of the war? Or did they use some other basis in deciding this crucial question—a question which has proved to be a matter of life and death to thousands of small businesses.

HOW UNFAIRLY SCARCE STEEL DISTRIBUTED

This report provides the answer to that question. It shows that almost all of the increased supplies between 1940 and 1947 were shipped to customers located in the immediate vicinity of the few major steel-production centers. Shipments of this steel product to the 12 traditionally surplus producing centers increased by 44 percent, while shipments to the rest of the country rose less than 3 percent.

The subcommittee regarded this situation as alarming, stating:

The power to govern the distribution of steel is the power of life and death in the economic world. The way in which it is exercised determines which businesses grow and which do not, which industries expand and which do not, which States and regions prosper and which do not. Yet, despite its overwhelming importance, the power appears to have been exercised, for example, so that the 12 areas which happened to be the major centers of steel production received nearly half as much again as their prewar shipments of hot-rolled-steel sheets, while the amount flowing into the entire remainder of the country stood practically unchanged, rising only 2.7 percent.

This means that in these other parts of the country which comprise by far the vast majority of our States and cities, their expanded steel-consuming facilities either had to be closed down or operated at considerably less than their full capacity. It means that in these areas both small and large firms were unable to secure their fair share of postwar market expansion. It means a further centralization of productive activities in a few greatly congested industrial centers.

EIGHT STATES FAVORED—FORTY STATES DISCRIMINATED AGAINST

Actually the figures can be stated in somewhat simpler terms. Considering States as a whole, a mere 8 States received all of the increased supplies while the other 40 States, plus the District of Columbia, received in total no more than they obtained in the prewar year of 1940. This should be a matter of great concern to all of us since in most States there has taken place a great expansion of businesses dependent upon steel as a raw material. During the war, plants to produce munitions and other essential wartime items were constructed on an enormous scale. Then with the end of the war, many new small manufacturing businesses were established, particularly by returning veterans. Thus, great strides in industrialization have been made, particularly in those regions which have sometimes been referred to as industrially undeveloped.

Yet, despite this widespread expansion in industrial capacity in most parts of the country, the increased supply of steel sheets has been so distributed that many States not only have failed to receive a pro rata share of the 19-percent over-all increase in supplies but actually have received less in aggregate quantities than they obtained before the war. These States which have thus been grossly discriminated against are Maine, Vermont, Rhode Island, New Jersey, New York, Michigan, Wisconsin, Idaho, Georgia, Louisiana, Texas, Nevada, and Arizona.

This is an absolute minimum list of States which have been discriminated against. To it would also be added those States that received an increase in supply which, however, was less than the national average of 19 percent. Or alternatively, it could include those States which received an increase which was more than the national average but was still less than the amount needed to meet the needs of their expanded steel-consuming facilities.

TEXAS SUFFERED MOST EXTREME FORM OF DISCRIMINATION

It happens that my own State of Texas is among those States which were subjected to the most extreme form of discrimination—that is, those States which received less in actual amount in 1947 than in 1940. To be specific, shipments of hot-rolled sheets to Texas were cut back by no less than 11 percent in 1947 as contrasted to 1940—a curtailment which took place despite the tremendous gains which Texas has made in industrial expansion and despite the obvious need of our Texas plants for greater, not less, steel supplies.

This discrimination against Texas has not been confined to just one product—hot-rolled sheets. Although between 1940 and 1947 the total output of the three basic hot-rolled products combined—hot-rolled sheets, strip and bars—rose 30 percent in the Nation as a whole, the amount of these products flowing to Texas declined by 1 percent.

It is true that we received a somewhat greater supply of the cold-rolled products—sheets, strip, and bars. But this resulted from the simple fact that this type of steel commands a premium from the mills of $20 to $25 a ton, and, as the report shows, the steel companies have greatly increased the production of cold-rolled steel, making many customers who would prefer the hot-rolled types purchase this premium-priced steel or do without.

But even including the higher-priced substitutes, Texas customers still did not receive a fair share of the steel supply. The total output of hot-rolled and cold-rolled sheets, strip and bars, combined, increased between 1940 and 1947 by 47 percent in the country as a whole, but the amount going to Texas rose only 15 percent. Thus the percentage rise in supplies made available to Texas buyers was less than one-third of the increase for the country as a whole.

Only in the case of pipe and tubing was there an increase in supplies for Texas—as would certainly be expected from the fact that Texas accounts for about half of the country's production of petroleum. Yet even here, the record of the Senate Small Business Committee indicates that, unlike the major oil companies, the independent oil producers and small refiners in Texas and elsewhere have experienced tremendous difficulties in trying to secure the pipe and tubing which is essential to their operations.

CAUSE OF DISCRIMINATION AGAINST TEXAS

Now what is the cause of this gross discrimination against Texas and, indeed, against practically all States which are not among the great centers of steel production? The answer is to be found in the operation of the basing-point system, which of course was in effect during the period, 1940–47, covered by the report. The report, in citing the complaints of small business, summarizes the workings of the basing-point system which have resulted in this discrimination as follows:

Of all the complaints made before this committee, none was voiced so insistently by so many small-business men as the contention that steel producers have withheld steel from distantly located customers and diverted disproportionately large supplies to their nearby customers.

Practically all of these complaints advanced as the reason for the withdrawals the reluctance of producers to absorb freight under the basing-point system * * *

Under the basing-point system, as it was followed in the years covered by the survey, each customer has one official delivered price, which is the sum of the base price at the basing point nearest the customer, plus rail freight from that basing point. Thus when one mill ships into the territory of another mill located at a basing point, the shipping mill must absorb sufficient freight to make the delivered price the same as if the steel had been purchased from the nearer mill.

It was argued that since the mills can during a period of shortage sell most of their output to nearby customers without absorbing freight, they would naturally tend to do so rather than ship to distant customers from whom they would receive a lower mill net price. In short, it was held that one of the inherent features of the basing-point system was a centripetal movement of shipments in toward the steel mills during a period of shortage, a movement which would only be reversed when the shortage had disappeared.

Some of the small-business men who voice this complaint contended that they had offered to buy steel f. o. b. mill and pay the cost of transportation themselves, thereby obviating any necessity on the part of the mill to absorb freight. In each case the witnesses stated that the mills had refused to sell steel on this basis, apparently for the reason that they did not wish to deviate in any way from the basing-point method of pricing.

After quoting a number of representative complaints of this type made by individual, small-business men, the report then presents the findings of the committee's survey, which I have briefly summarized above and which, in general, corroborate this complaint of small business.

BASING-POINT SYSTEM HARMS CONSUMERS

Perhaps I can best describe the way in which the basing-point system has discriminated against so many States, if I take the State with which I am most familiar as an example.

Under the basing-point system, which prevailed in steel until shortly after Cement decision of the Supreme Court handed down in April 1948, delivered prices for steel in Texas were computed as the sum of the base price at the United

States Steel Corporation's plant in Birmingham, and the all-rail freight charges from Birmingham to the point of delivery. This was true even though the steel was, in many cases, shipped by the cheaper water rates. Because of this basing-point system, the delivered price was so high in Texas before the war that the steel corporations could sell their surpluses by shipping to Texas from such distant places as Pittsburgh and Chicago, absorbing some of the freight in the bargain.

OUTLAWING OF BASING-POINT SYSTEM HELPS DISTANT CUSTOMERS

As a matter of fact, since under this system the steel mills both near and far all agreed to sell at the same delivered price in Texas, the Texas customers did buy a large part of their supplies from these distant centers. This practice of buying from distant sellers is a characteristic of the basing-point system in normal times. Since each location has one fixed delivered price from all sellers, or to put it another way, since the delivered price to any buyer is the same, regardless of whether he purchases from nearby or distant mills, there is normally no incentive for buyers to purchase from nearby producers. Hence, under the basing-point system, there develop such ridiculous situations as customers in Pittsburgh buying from mills in Detroit, with customers in Detroit buying from mills in Pittsburgh.

Not only has the steel industry used this system which fosters dependence upon the established centers of production, but in addition, whenever local business interests, such as those in Texas, have endeavored to establish their own mills to serve their own territories, the steel industry has threatened and coerced them into abandoning the projects, a matter which I shall discuss later.

PERIOD OF SHORTAGE THE TEST

Then, after having made practically all customers everywhere beholden to them, when a period of shortage develops and buyers in the outlying areas such as Texas try to obtain steel from the established mills upon which they have come to depend, they find that the mills have drawn in their shipments around their own areas, selling only to nearby customers. The mills have done this because under the basing-point system they are unwilling to absorb freight charges, since they can sell all or most of their output in their home areas. This means that frequently the historic base-period quotas held by distantly located buyers are meaningless. Yet, while on the one hand, the customer has been informed that he cannot be supplied because the mill would have to absorb freight, on the other hand he has been told, when he has asked the mill to let him pay the freight, "No; this would be against the rules of the basing-point system."

STEEL TRUST FEARS REAL AMERICAN COMPETITION

Texas customers, like those of other States, would have been glad to pay the full freight charges and, as the record shows, have repeatedly urged the steel corporations to let them do so. They have, of course, felt that it is better to pay a somewhat higher delivery charge for essential supplies than to be denied these supplies altogether. Accordingly, they have urged the steel corporations to set prices at the steel mills which would be equally available to all buyers and let the buyers pay the freight. But until the Supreme Court ruled against the system, the steel corporations have refused to do this. They insisted upon safeguarding their monopolistic basing-point system against the day when the shortages disappear and they might—in the absence of this system—have to cope with that terrible danger which they have been avoiding for over half a century—the danger of honest, American competition.

They have been particularly fearful of the emergencies of competition in areas which are undergoing a great industrial expansion. The State of Texas provides a striking illustration of the lengths to which they have gone in order to prevent the development of competitors in such areas.

INDUSTRIAL PROGRESS IN 40 STATES RETARDED

We Texans are well aware of our recent industrial progress and of our determination to make greater strides in the future. We are also aware that our progress has been made in spite of every use of monopoly power by the steel corporations to prevent our progress. The only things done for Texas by the steel industry have been, first, to retard our progress with high prices for steel; second, to kill off every attempt that local capital has made to develop our own steel-making resources, and finally, after keeping us dependent upon them for steel, they now divert scarce steel items to their local markets and starve out our own industry in these crucial times of shortages.

IMAGINARY FREIGHT CHARGED

Let me be specific. For almost two generations, the steel corporations have charged the Southwest and the West prices for steel which included some imaginary freight charge from distant eastern mills. For a full quarter century after the United States Steel trust was organized, under the so-called Pittsburgh plan basing-point system, Texas was charged prices which included imaginary freight from Pittsburgh. In the second quarter of the present century—up until the Supreme Court's decision last year—the steel corporations, under the multiple basing-point system, charged delivered prices to Texas which included rail freight rates from United States Steel's plant at Birmingham, although they frequently shipped the steel at the cheaper water rates. Not only have these corporations charged to Texas prices which included rail rates, but they have connived and pressured to make and keep these rail rates artificially high and discriminatory against all western industry.

THREATS STOP PROGRESS

Yet, whenever Texas businessmen have endeavored to set up a mill which might produce low-priced steel in Texas, they have been threatened and coerced, with the result that Texas, and the Southwest in general, still does not have anything like adequate steel-making facilities to process its own resources and supply its own local markets. Several years ago, when a group of Texas businessmen formed a company expecting to produce steel rails, they were told by eastern steel interests that if they did not cancel their plans for constructing a mill they would find rails made in the East being sold in Texas for less than the cost of production.

Even during the war when steel shortages threatened the Nation's military efforts, Texas businessmen were blocked in their attempts to produce steel in Texas. Early in the war a group of Texas businessmen raised capital and drew up plans for building a steel mill at the present iron-producing facilities near Daingerfield and Hughes Springs, but this plan never materialized because the eastern steel interests running the WPB steel program would not authorize this plant construction, although the blast furnace was completed by the end of the war and is now producing premium pig iron at the rate of a thousand tons a day. A steel plant is badly needed, and efforts are now being made to get one.

TRUMAN COMMITTEE TESTIMONY

These problems which have invariably confronted western businessmen generally, who have had long histories in trying to establish steel plants, were succinctly summarized by Mr. Henry J. Landahl, secretary-treasurer of the Pacific-American Steel Iron Corp., Bellingham, Wash., who testified before the Truman committee on August 6, 1942, as follows:

> Historically the effort to create an iron and steel industry on the Pacific coast has been undertaken on many occasions in the last 30 years, efforts in which the officers and directors of our corporation have participated and in which they have invested substantial sums of money and a great deal of time and effort. There has never been a question of the feasibility of an iron and steel industry in this area, but on each occasion when the efforts have been made to establish an industry the planning and work of those engaged in the project has been frustrated through connivance and intervention on the part of existing steel corporations and existing financial combinations. (Hearings before the Special Committee Investigating the National Defense Program (Truman committee), pt. 14, p. 5839.)

MONOPOLISTIC BASING-POINT SYSTEM

But throughout the years the most pernicious obstacle to the development of a steel industry in Texas has been the basing-point system itself. The keystone of this system is the old monopolistic practice of local price cutting which now has the bright new name of systematic freight absorption. Under this practice local businessmen would be perpetually forced, as long as this monopolistic practice was permitted to continue, to share a major part of their local market with the big eastern producers.

No matter how low such a local mill may have reduced its price, the giant eastern mills could have, and by the rules of the system, would have, absorbed freight to meet this low price until, finally, the local mill would be forced to raise its price again. And the result would

have been a local mill doomed to a high-priced, low-volume business, with no hope of attaining volume production except by absorbing costly freight charges in order to ship to Birmingham, Chicago, Cleveland, and other places which already produce more than enough steel to meet their local demand.

GIANT CORPORATION WINS

In the battle of absorbing freight charges, as in any other form of local price cutting, the giant corporation can always win over the small company, since it can outlast the smaller firm, and absorb whatever losses it may incur in the struggle with profits made elsewhere. And when the battle involves several giants ganged up against one or two small companies, the latter have no chance at all.

ANTITRUST LAWS CONTAIN ANSWER

Thanks to the antitrust laws, including the Robinson-Patman Antidiscrimination Act which I introduced in the House of Representatives, the basing-point method of price fixing has been stopped in both the steel and cement industries. And thanks to their effectiveness in finally stopping this oppressive practice of the really powerful monopolies, the antitrust laws are now under attack by one of the most vicious, skillful, and determined lobbies the country has ever seen.

POWERFUL LOBBY ON SCENE

For almost a year now this lobby has bombarded the country with propaganda from the grass roots up. It has flooded the country with press releases, speeches, statements, and other propaganda, in newspapers, magazines, and over the air. It has traveling representatives touring the country, drumming up witnesses to come and testify before a committee in the United States Senate. It has threatened steel buyers with a curtailment of supply unless they testify before the committee. It boasts the highest paid lobbyist registered under the Lobbying Act in the land. Its technique has been that of the "big lie" as developed by Adolf Hitler. The lobby, in all seriousness, is trying to put over on the American people the fantastic big lie that something which has been found by the Supreme Court to be a conspiracy to fix prices is actually true and genuine competition.

LOBBY BROADCAST FROM DALLAS

The lobby has gone so far as to endeavor to convince citizens of great and expanding regions that what is good for the steel corporations is good for them. Thus, a few weeks ago the Nation-wide network program of the United States Steel Corp. was broadcast from Dallas, Tex. There was at the time no apparent reason why this regular weekly radio show should have visited Texas, except to lend some flimsy excuse for a high-powered radio propagandist to cite statistics on the Southwest's recent industrial progress, to say many flattering things about Texas, and last but not least, to make some very bold claims for the corporation's assistance and part in the Southwest's industrial growth.

PURE BRASS AND GALL

To the people of a great State which for two generations have been victimized by the monopolistic practices of the steel corporations, this new particularized propaganda attempt to win friends and influence people just about takes the prize for pure brass and gall. There can be little doubt but that it is part of the lobby's propaganda drive designed to lull Texas to sleep while it pursues its campaign to have Congress change the antitrust laws so that the giant monopolies can again shackle us with their basing-point system.

PHONY ARGUMENT PRESENTED

The clarion call of the lobby has been confusion and the need for clarification of the law. But the fact of the matter is that despite all the efforts to create confusion, the law is clear—and that is the trouble, it is all too clear for the comfort of the monopolies. The plain fact of the matter is that the basing-point system as used in the cement industry, has been declared to be illegal.

BILL PRESENTED NOT NECESSARY

Nevertheless, the strength of the lobby is so great that I have no doubt but that we shall soon be asked to pass a bill to unclarify the law under the guise, of course, that we are really clarifying it. The truth is that for many, many years we have had laws which are effective against small crimes. Small crimes have never been a great problem to law makers in any history. But now we have a law which is in part at least, effective against a great crime. Our problem is to see if we can keep it.

MANY PEOPLE MISLED

That, however, is going to be a formidable task. The propaganda campaign has been so widespread and so effective that many small businesses have been sincerely convinced that their interests would best be served if the law were changed. And several Members of Congress have in turn been sincerely convinced that the interests of their constituents would best be served if it were changed, and a number of them have already introduced bills for this purpose.

ANTITRUST LAWS SHOULD NOT BE TAMPERED WITH

But before the members of this body start voting to tamper with the antitrust laws, they ought to give the matter serious consideration and carefully weigh the consequences of their actions. This basing-point matter is not a simple problem. It is, rather, the most sophisticated and effective means of monopoly control ever devised by the mind of man. Members of Congress who are importuned by persons seeking a change in the law should bear in mind the facts as revealed in the Senate Small Business Committee report to which I have referred—facts which show that under the basing-point system, shipments of steel have been sharply drawn in around the centers of steel production, thereby penalizing the rest of the country. Members of Congress who come from the many States which have not received their fair share of steel should think twice before they vote for the reestablishment of that very pricing system which was responsible for the failure of their own State to obtain a fair and equitable share of the increased supplies available.

Mr. BUCHANAN. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from Pennsylvania.

Mr. BUCHANAN. I want to commend the gentleman on his very excellent presentation and on his long work in this particular field. I hope that in succeeding months the committee he heads will be able to bring in legislation that will correct many of these abuses.

Mr. PATMAN. I thank the gentleman for his contribution.

ST. PATRICK

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. DONOHUE] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. DONOHUE. Mr. Speaker, throughout the whole world, wherever men and women of Irish blood may be on this great day, they pause in their day's occupation to render their heartfelt tribute of affection and reverence to the great saint, scholar, and patriot, St. Patrick, and to thoughts of the virtues of Old Erin, the matchless courage of her sons and daughters who have served every noble cause, to its beautiful poetry and music, to its glorious history, its proud heritage, and its magnificent contributions to civilization.

That no race has ever excelled the courage of the Irish few men would care to deny. No people have every exceeded the Irish in their love of God, their loyalty to Christianity, their fierce and burning love of liberty. No race has paid a higher price for freedom than the Irish.

We could not possibly measure the contributions of the Irish race and people of Irish blood to our beloved America. The blood of their sons has saturated the battleground of every American war. Irish-American war heroes are legion. Their devotion and loyalty to our Nation have known no bounds. They have been in the vanguard by the hundreds of thousands, yes; by the millions whenever our country and its institutions were in danger. It is not possible for anyone to measure the great gifts of life, treasure, energy, and ability which people of Irish blood have unselfishly bestowed in order to promote the building of America and to enhance our national welfare.

Broad, tolerant, and just, devoted to democratic ideals, the Irish have ever defended the faith of Christ and the political truths of our American forefathers. They have striven and fought for toleration and justice and equal opportunity for all and have been willing always to lay down their lives and spill their precious blood to realize these great aims. They will continue to do so as the years go on and we build a greater and more glorious America.

Even now as the forces of godless communism and destruction stalk through the world and infiltrate into our own country, the Irish-American and the faith he embraces constitute an impassable barrier against the penetration of the evil ideology which would corrupt and poison the lifestream of the American Republic. The Irish-American will never surrender to atheism or communism, or any other un-American concept. Like his ancestors of old, he will fight and die, if necessary, in defense of the precious principles of freedom to which he is so passionately attached, and which he has lived by throughout the centuries. His Americanism is unexcelled.

It is appropriate, therefore, that on this day hallowed in the minds and hearts of every true Irishman, we pause to pay brief tribute to the great patron saint who has inspired Irish devotion and heroism throughout the ages, and who will, in the time to come, God willing, continue to strengthen the determination of those who revere him, to labor and fight for God and country and the sacred principles of American freedom.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. SHEPPARD, for 10 days, on account of official business.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 315. An act for the relief of Dr. Chung Kwai Lui;

S. 335. An act for the relief of Claris U. Yeadon;

S. 592. An act for the relief of Edwin B. Anderson;

S. 594. An act for the relief of John I. Malarin, former Army mail clerk at APO 932, a branch of the San Francisco, Calif., post office, relative to a shortage in his fixed credit account;

S. 632. An act to authorize certain personnel and former personnel of the Naval Establishment to accept certain gifts and a foreign decoration tendered by foreign governments;

S. 633. An act for the relief of Rachel D. Gattegno; and

S. 634. An act to authorize payment of certain claims for damage to or loss or destruction of property and personal injury arising from activities of the Army.

ADJOURNMENT

Mr. HAVENNER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 7 minutes p. m.), under its previous order, the House adjourned until Monday, March 21, 1949, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

393. A letter from the Chairman, Commission on Organization of the Executive Branch of the Government, transmitting to the Congress a study prepared for the Commission's consideration on aspects of agricultural functions and organization in the United States. This task-force report is submitted as a supplement to the Commission's report on interior as well as the Commission's report on agriculture; to the Committee on Agriculture.

394. A letter from the Chairman, Commission on Organization of the Executive Branch of the Government, transmitting its report on the Department of the Interior and separately, as appendixes L, M, and Q, the related task-force reports on natural resources, agriculture, and public works (H. Doc. No. 122); to the Committee on Public Lands and ordered to be printed, with illustrations.

395. A letter from the Chairman, Commission on Organization of the Executive Branch of the Government, transmitting to the Congress a study prepared for the Commission's consideration of organization and policy in the field of natural resources in the United States; to the Committee on Public Lands.

396. A letter from the Chairman, Commission on Organization of the Executive Branch of the Government, transmitting to the Congress a study prepared for the Commission's consideration on various aspects of public works in the United States; to the Committee on Public Lands.

397. A letter from the Chairman, Commission on Organization of the Executive Branch of the Government, transmitting to the Congress, in typescript, a study on the natural resources activity of the Federal Government which was prepared for the Commission's consideration by a member of the task force, J. R. Mahoney, of the Legislative Reference Service, Library of Congress, as a supplement to the Commission's report on the Department of the Interior; to the Committee on Public Lands.

398. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, United States Army, dated November 3, 1948, submitting a report, together with accompanying papers, on a preliminary examination of Gulf Intracoastal waterway to determine if existing project should be modified by constructing the waterway from Carrabelle, Fla., to Lanark, thence to Turkey Point, Alligator Harbor, Tide Creek, and Panacea, authorized by the River and Harbor Act approved on March 2, 1945; to the Committee on Public Works.

399. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, United States Army, dated August 10, 1948, submitting a report, together with accompanying papers, on a review of reports on the Intracoastal Waterway from Cape Fear River, N. C., to Winyah Bay, S. C., at and near Singleton Swash, S. C., requested by a resolution of the Committee on Rivers and Harbors, House of Representatives, adopted on June 20, 1940; to the Committee on Public Works.

400. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, United States Army, dated August 11, 1948, submitting a report, together with accompanying papers, on a review of reports on the Intracoastal Waterway from the Cape Fear River, N. C., to the St. Johns River, Fla., with a view to determining the cause of silting and remedial measures therefor between the Savannah River and the confluence of the Skidaway River and Wilmington River, requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted on June 7, 1945; to the Committee on Public Works.

401. A letter from the assistant secretary, National Institute of Arts and Letters, transmitting the official report of the National Institute of Arts and Letters for the year ending December 31, 1948; to the Committee on House Administration.

402. A letter from the Secretary of the Treasury, transmitting a report showing claims paid under the Federal Tort Claims Act for the fiscal year ending June 30, 1948; to the Committee on the Judiciary.

403. A letter from the Acting Administrator, Federal Security Agency, transmitting a draft of a proposed bill to authorize construction of buildings for the Bureau of Old-Age and Survivors Insurance, and for other purposes; to the Committee on Public Works.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FRAZIER: Committee on the Judiciary. S. 271. An act to provide for the appointment of an additional district judge for the middle district of Georgia; without amendment (Rept. No. 268). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. ALBERT:

H. R. 3606. A bill to amend the Agricultural Adjustment Act of 1938 with respect to the apportionment of the acreage allotment for peanuts; to the Committee on Agriculture.

By Mr. ANDERSON of California:

H. R. 3607. A bill to change the name of Mosquito Creek Dam on Mosquito Creek in the State of Ohio to "Kirwan Dam"; to the Committee on Public Works.

By Mr. CAVALCANTE:

H. R. 3608. A bill authorizing an appropriation of $1,219,600 for the Redstone Creek flood-control project near Uniontown, Pa.; to the Committee on Public Works.

By Mr. CURTIS:

H. R. 3609. A bill to clarify the application of certain excise taxes; to the Committee on Ways and Means.

By Mr. HOPE:

H. R. 3610. A bill to grant the consent of the Congress to the Arkansas River compact; to the Committee on Public Lands.

By Mr. PRESTON:

H. R. 3611. A bill to provide for the preparation, printing, and distribution of a list of all persons who died at any time after May 26, 1941, and before September 3, 1945, while serving on active duty with the armed forces of the United States; to the Committee on Armed Services.

By Mr. RABAUT:

H. R. 3612. A bill to change the name of Mosquito Creek Dam on Mosquito Creek in the State of Ohio to Kirwan Dam; to the Committee on Public Works.

By Mr. TRIMBLE:

H. R. 3613. A bill to increase to $60 per month all pensions payable to former members of the armed forces or their dependents under private laws, where the existing rate thereof is less than $60 per month; to the Committee on Veterans' Affairs.

By Mr. KLEIN:

H. R. 3614. A bill to declare the public policy of the District of Columbia to be opposed to the segregation of persons of different race, color, creed, national origin, or ancestry; to provide for the operation of the public schools of the District of Columbia on a nonsegregated basis; and to provide for the denial of business licenses to persons who fail to conform to the aforesaid policy; to the Committee on the District of Columbia.

By Mr. SPENCE:

H. R. 3615. A bill to promote the settlement and development of the Territory of Alaska by facilitating the construction of necessary housing therein, and for other purposes; to the Committee on Banking and Currency.

By Mr. BATES of Massachusetts:
H. Res. 155. Resolution to investigate costs of production on domestic and foreign fresh and frozen groundfish fillets; to the Committee on Ways and Means.

By Mr. CELLER:
H. Res. 156. Resolution to provide funds for the Committee on the Judiciary; to the Committee on House Administration.

By Mr. CROSSER:
H. Res. 157. Resolution to provide funds for the expenses of the investigation and study authorized by House Resolution 107; to the Committee on House Administration.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Michigan, requesting immediate review of recent cuts in the veterans' hospital program; to the Committee on Veterans' Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CASE of South Dakota:
H. R. 3616. A bill authorizing the issuance of a patent in fee to Lulu Two Spears Iron Bird; to the Committee on Public Lands.

By Mr. FURCOLO:
H. R. 3617. A bill for the relief of Silvana Serra; to the Committee on the Judiciary.

By Mr. JENKINS:
H. R. 3618. A bill for the relief of the estate of Mrs. Frances M. Carroll (deceased) and Charles P. Carroll; to the Committee on the Judiciary.

By Mr. JUDD:
H. R. 3619. A bill for the relief of Miriam Martin Dahlstrom; to the Committee on Veterans' Affairs.

By Mr. KEATING:
H. R. 3620. A bill for the relief of Leslie A. Harber; to the Committee on the Judiciary.

By Mr. JOSEPH L. PFEIFER:
H. R. 3621. A bill for the relief of Antonio DeAngelis; to the Committee on the Judiciary.

By Mr. PHILBIN:
H. R. 3622. A bill for the relief of Mario Figlioli; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

248. By the SPEAKER: Petition of Porfirio Herrera, president of the Chamber of Deputies of the Dominican Republic, expressing condolences and sympathy at the death of the Honorable Sol Bloom; to the Committee on Foreign Affairs.

249. Also, petition of the Director, Division of Territories and Island Possessions, Department of the Interior, urging the Congress to extend to Puerto Rico any minimum-wage law which may be enacted and to include Puerto Rico in other social legislation; to the Committee on Education and Labor.

250. Also, petition of Dr. Joseph J. Tronolone, city clerk, Buffalo, N. Y., relative to the immediate repeal of the Taft-Hartley law; to the Committee on Education and Labor.

251. Also, petition of Central-Northwest Citizens' Association, Washington, D. C., petitioning consideration of their resolution with reference to enacting into law an all-inclusive income tax for the District of Columbia and disapproval of proposed sales tax for the District of Columbia; to the Committee on the District of Columbia.

252. Also, petition of the Pendleton (Oreg.) Rotary Club, petitioning consideration of their resolution with reference to opposing legislation as proposed in the bills S. 5 and H. R. 783; to the Committee on Interstate and Foreign Commerce.

SENATE

FRIDAY, MARCH 18, 1949

Rev. Bernard Braskamp, D. D., pastor, Gunton Temple Memorial Presbyterian Church, Washington, D. C., offered the following prayer:

Most merciful and gracious God, in this moment of prayer wilt Thou grant unto us a clearer vision of those ideals and principles of brotherhood and good will which Thou hast ordained for the welfare and happiness of all mankind.

May we never feel that they are merely illusions and that they lie beyond the sphere of practical realization, but may our vision be so constraining and commanding that every noble capacity within us shall respond with a fervent desire to bring them to fulfillment and fruition.

We pray that the chosen representatives of our beloved country, whom we trust and respect, may be inspired with faith and fortitude, with clear judgment and wise decision, as they lead us in the glorious task of building a better world.

Hear us in the name of the Saviour. Amen.

CALL OF THE ROLL

Mr. LUCAS. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Hill	Morse
Anderson	Hoey	Mundt
Brewster	Holland	Murray
Bricker	Hunt	O'Conor
Bridges	Ives	O'Mahoney
Butler	Jenner	Pepper
Byrd	Johnson, Colo.	Reed
Cain	Johnston, S. C.	Robertson
Capehart	Kefauver	Russell
Chapman	Kem	Saltonstall
Chavez	Kerr	Schoeppel
Connally	Kilgore	Smith, N. J.
Cordon	Knowland	Sparkman
Donnell	Langer	Stennis
Douglas	Lodge	Taft
Downey	Long	Taylor
Eastland	Lucas	Thomas, Utah
Ecton	McCarran	Thye
Ellender	McCarthy	Tobey
Ferguson	McFarland	Tydings
Flanders	McGrath	Vandenberg
Frear	McKellar	Watkins
George	McMahon	Wherry
Gillette	Magnuson	Wiley
Green	Malone	Williams
Gurney	Martin	Withers
Hayden	Maybank	Young
Hendrickson	Miller	
Hickenlooper	Millikin	

Mr. LUCAS. I announce that the Senator from Texas [Mr. JOHNSON] and the Senator from Oklahoma [Mr. THOMAS] are absent by leave of the Senate.

The Senator from Arkansas [Mr. MCCLELLAN] is absent because of a death in his family.

The Senator from Arkansas [Mr. FULBRIGHT], the Senator from Minnesota [Mr. HUMPHREY], and the Senator from Pennsylvania [Mr. MYERS] are absent on public business.

The Senator from West Virginia [Mr. NEELY] and the Senator from New York [Mr. WAGNER] are necessarily absent.

Mr. SALTONSTALL. I announce that the Senator from Connecticut [Mr. BALDWIN] is absent by leave of the Senate.

The Senator from Maine [Mrs. SMITH] is necessarily absent.

The VICE PRESIDENT. Eighty-five Senators having answered to their names, a quorum is present.

THE JOURNAL

The VICE PRESIDENT. The first order of business is the reading of the Journal.

Mr. LUCAS. Mr. President, I ask unanimous consent that the reading of the Journal be dispensed with.

The VICE PRESIDENT. Without objection, it is so ordered.

LEAVES OF ABSENCE

Mr. MUNDT asked and obtained leave to be absent from the Senate Monday and Tuesday next.

Mr. FLANDERS asked and obtained leave to be absent from the Senate Monday next.

AUTHORIZATION TO FILE REPORT OF THE COMMITTEE ON APPROPRIATIONS

Mr. MCKELLAR. Mr. President, on behalf of the Committee on Appropriations I ask unanimous consent to be permitted to file a report from that committee on the deficiency appropriation bill during the recess of the Senate this week.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

COMMITTEE MEETING DURING SENATE SESSION

Mr. CONNALLY asked and obtained consent for the Committee on Foreign Relations to sit during the session of the Senate this afternoon.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

REPORT ON TORT CLAIMS PAID BY TREASURY DEPARTMENT

A letter from the Secretary of the Treasury, transmitting, pursuant to law, a report on tort claims paid by the Treasury Department under authority of the Federal Tort Claims Act, for the fiscal year ended June 30, 1948 (with an accompanying report); to the Committee on the Judiciary.

CONSTRUCTION OF BUILDINGS FOR BUREAU OF OLD-AGE AND SURVIVORS INSURANCE

A letter from the Acting Administrator, Federal Security Agency, transmitting a draft of proposed legislation to authorize construction of buildings for the Bureau of Old-Age and Survivors Insurance, and for other purposes (with an accompanying paper); to the Committee on Public Works.

AUDIT REPORT OF PANAMA RAILROAD COMPANY

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on the Panama Railroad

Company, for the fiscal year ended June 30, 1947 (with an accompanying report); to the Committee on Expenditures in the Executive Departments.

REPORT OF COMMISSION ON ORGANIZATION OF EXECUTIVE BRANCH OF GOVERNMENT

A letter from the Chairman of the Commission on Organization of the Executive Branch of the Government, stating "The Commission has completed certain reports, which will be submitted to the Senate from time to time"; to the Committee on Expenditures in the Executive Departments.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A joint resolution of the Legislature of the State of California; to the Committee on Armed Services:

"Assembly Joint Resolution 20

"Joint resolution relative to the establishment of an Air Force Academy

"Whereas recognition of the necessity of training competent officers for the defense forces of the United States has been manifested through the establishment and maintenance of West Point and Annapolis; and

"Whereas it is clear that competent officers should be trained for the United States Air Force, one of the three major components of the defense forces of the United States; and

"Whereas the geographic and climatic conditions in California are such as to permit study of every conceivable condition of aerial warfare: Now, therefore, be it

"Resolved by the Assembly and the Senate of the State of California, jointly, That the Legislature of the State of California respectfully memorializes Congress to enact legislation to provide for an academy in California for the training of officers for the United States Air Force; and be it further

"Resolved, That the chief clerk of the assembly is directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative of Congress from California."

A joint resolution of the Legislature of the State of California, relating to the Upper Colorado River Basin Compact; to the Committee on Interior and Insular Affairs.

(See joint resolution printed in full when presented today by Mr. KNOWLAND.)

The petition of Richard F. Ware, Jr., president, and Lula B. Patterson, secretary, of the Central-Northwest Citizens' Association, of Washington, D. C., praying for the enactment of an all-inclusive income-tax law for the District of Columbia; to the Committee on the District of Columbia.

A resolution adopted by the board of directors of Cushing Memorial Hospital, Leavenworth, Kans., protesting against the enactment of legislation providing compulsory insurance; to the Committee on Labor and Public Welfare.

A resolution adopted by Local Union No. 28, Pressmen and Assistants' Union, of Louisville, Ky., protesting against an increase in postal charges for publications; to the Committee on Post Office and Civil Service.

A letter in the nature of a petition signed by V. A. Cartwright, business manager, Pipe Fitters Local Union No. 522, of Louisville, Ky., relating to age limits of retirement; to the Committee on Post Office and Civil Service.

By Mr. MAGNUSON:

Two joint resolutions of the Legislature of the State of Washington; to the Committee on Finance:

"House Joint Memorial 4

"To the Honorable Harry S. Truman, President of the United States, and to the Senate and House of Representatives of the United States, in Congress Assembled:

"We, your memorialists, the Senate and House of Representatives of the State of Washington, in legislative session assembled, most respectfully represent and petition as follows:

"Whereas there are certain inequalities in the old-age and survivors' insurance law as now enacted especially with relation to married women, and those not fully qualified under the law to receive the benefits though contributions have been made therefor; and

"Whereas at present prices the amount of all social-security benefits are inadequate.

"Now, therefore, your memorialists respectfully pray that the Congress of the United States speedily pass legislation:

"1. To include among the classes within the purview of social-security legislation public employees, employees of religious and charitable organizations and all self-employed persons including those in the professions, in commerce, in agriculture, and other groups; and to grant to the several States the full option of placing their employees and the employees of their political subdivision under Federal old-age and survivors' insurance;

"2. To provide that persons over 60 who are severed from their employment before reaching age 65 and would have been eligible at the time of the severance of their employment had they been aged 65, shall upon reaching the age of 65 be eligible to their pension as though the severance had then occurred;

"3. To provide that the pensioners shall be entitled to additional pension for a dependent wife upon her reaching the age of 60, and that widows of persons, who at the time of their death, had they been 65, would have been pensioners, shall be entitled to a widow's pension upon reaching the age of 60;

"4. To provide that no deduction in pensions shall be made for income from other sources including salaries and wages;

"5. To provide for increase in the amount paid in all categories by at least 50 percent; and

"6. To provide for the refunding to those not eligible to pension all contributions made by them therefore; and be it further

"Resolved, That copies of this memorial be immediately transmitted to the Honorable Harry S. Truman, President of the United States, the Secretary of the United States Senate, the Clerk of the United States House of Representatives, and to Members of the United States Senate and United States House of Representatives from this State.

"Passed the house February 1, 1949.

"CHARLES W. HODDE,
"Speaker of the House.

"Passed the senate February 23, 1949.

"VICTOR A. MEYERS,
"President of the Senate."

"House Joint Memorial 31

"To the Honorable Harry S. Truman, President of the United States, and to the Senate and House of Representatives of the United States of America in Congress Assembled:

"We, your memorialists, the Senate and House of Representatives of the State of Washington, in legislative session assembled, respectfully represent and petition as follows:

"Whereas the State of Washington imposes a tax upon the sale and use of cigarettes within its boundaries, and the revenues so obtained constitute an important portion of the funds available for its functions of government; and

"Whereas it has been brought to the attention of your memorialists that a large and growing system of evasion of cigarette taxes has developed through the use of the United States mails; that advertisements and inducements are being sent through the United States mails to the citizens of this State and other States, which advertisements and inducements encourage violations of the cigarette taxes imposed by the various States; that in numerous instances such advertisers entice prospective customers with statements to the effect that the use of the United States mails is proof of the legitimacy of such business and such a system; that the mails of the United States are actually being used for the purpose of making deliveries into this State and other States of cigarettes on which the tax required by the laws of such States have not and will not be paid; that this State is seriously affected by such use of the mails of the United States for the purpose of evading the laws of this State, and faces substantial losses of revenue as a result of such system of evasion; and

"Whereas it has been brought to the attention of your memorialists that there is now pending before the Congress of the United States certain proposed bills which would aid the individual States in the enforcement of their cigarette-tax laws by requiring shippers of cigarettes in interstate commerce to furnish to the taxing authorities of the State to which the merchandise is shipped a copy of the invoice on each shipment and the name and address of each purchaser: Now, therefore, be it

"Resolved, That your memorialists hereby respectfully petition and memorialize the President and the Congress of the United States to enact and approve a bill requiring shippers of cigarettes in interstate commerce to furnish to the taxing authorities of the States to which the merchandise is shipped a copy of the invoice on each such shipment and the name and address of each purchaser, or to enact such other legislation in aid of the States affected as may be proper; and be it further

"Resolved, That the secretary of state of the State of Washington is hereby directed to forward certified copies of this joint memorial to the President of the United States and to the presiding officers of the Senate and House of Representatives of the United States and to each Senator and Representative in Congress from the State of Washington.

"Passed the house February 22, 1949.

"CHAS. W. HODDE,
"Speaker of the house.

"Passed the senate March 4, 1949.

"VICTOR A. MEYERS,
"President of the senate."

By Mr. MILLER:

A joint resolution of the Legislature of the State of Idaho; to the Committee on Public Works:

"Senate Joint Memorial 9

"To the honorable Senate and House of Representatives of the United States of America in Congress assembled:

"We, your memorialists, the Legislature of the State of Idaho, respectfully represent that—

"Whereas the Corps of Engineers of the United States Army, pursuant to an authorization of the Committee on Commerce of the United States Senate, adopted September 24, 1943, have completed a review report of the Columbia River and its tributaries; and

"Whereas the Department of the Interior has completed a report on the comprehensive development of the water resources of the Columbia River Basin as authorized by the United States Congress in the act of June 17, 1902 (32 Stat. 388), and acts amendatory thereof or supplementary thereto; and

"Whereas the plans of the Corps of Engineers and of the Department of the Interior both contemplate the construction of multipurpose dams and other improvements on the Columbia River and its tributaries in the interest of irrigation, flood control, navigation, power, and other beneficial uses, and, as reported in a joint announcement, the technical differences in the two plans have now been or are to be reconciled and the two plans complement each other; and

"Whereas there is an immediate and urgent need for certain of the projects recommended for immediate authorization in both reports: Now, therefore, be it

"Resolved by the Senate of the State of Idaho (the house of representatives concurring), That we most respectfully urge that all steps possible be taken immediately to the end that a unified, integrated, and well-coordinated plan for the development of the natural resources of the Columbia Basin endorsed and recommended by both the Bureau of Reclamation and the Corps of Army Engineers be presented to Congress for early adoption and authorization for construction by said agencies and that insofar as practical funds be appropriated therefor; be it further

"Resolved, That the secretary of state of the State of Idaho be, and he hereby is, directed to forward copies of this memorial to the President of the United States Senate, the Speaker of the House of Representatives, and to all of the Senators and Representatives of the States of Idaho, Wyoming, Oregon, and Washington.

"This senate joint memorial passed the senate on the 24th day of February.

"DONALD S. WHITEHEAD,
"President of the Senate.

"This senate joint memorial passed the house of representatives on the 3d day of March 1949.

"JOHN HOHNHORST,
"Speaker of the House of Representatives."

By Mr. HUNT (for himself and Mr. O'MAHONEY):

A joint resolution of the Legislature of the State of Wyoming; to the Committee on Finance:

"Enrolled Joint Memorial 5

"Joint memorial memorializing the Congress of the United States of America to consider and pass legislation to amend and broaden the coverage of the Social Security Act

"Whereas there still remain inequalities in our social-security system which require readjustment to assure a fuller life for all our citizens; and

"Whereas there are over 20,000,000 Americans still excluded from the benefits provided by the National Social Security Act; and

"Whereas, in view of the increased cost of living, present provisions are inadequate to provide our elderly citizens with a decent standard of living: Now, therefore, be it

"Resolved by the House of Representatives of the Thirtieth Legislature of the State of Wyoming (the senate concurring), That the Congress of the United States of America be memorialized to enact legislation for the extension of the Social Security Act to all deserving Americans not otherwise so protected, and broadening social security to provide an increase in aid for elderly citizens; be it further

"Resolved, That copies of this memorial be sent to the President of the United States Senate and the Speaker of the House of Representatives, and to United States Senators JOSEPH C. O'MAHONEY and LESTER C. HUNT and Congressman FRANK A. BARRETT.

"HERMAN D. MAYLAND,
"Speaker of the House.
"GEORGE BURKE,
President of the Senate.

"Approved February 25, 1949.

"A. G. CRANE,
"Governor."

Three joint resolutions of the Legislature of the State of Wyoming; to the Committee on Interior and Insular Affairs:

"House Joint Memorial 4

"Joint memorial memorializing the Congress of the United States of America to abolish the Jackson Hole National Monument

"Whereas the creation and existence of the Jackson Hole National Monument is contrary and inimical to the inherent rights and interests of the citizens of the State of Wyoming: Now, therefore, be it

"Resolved by the House of the Thirtieth Legislature of the State of Wyoming (the senate concurring), That the Congress of the United States be memorialized to adopt legislation abolishing the said Jackson Hole National Monument and that copies of this memorial be sent to the President of the United States Senate, the Speaker of the House of Representatives, United States Senators JOSEPH C. O'MAHONEY and LESTER C. HUNT and Congressman FRANK A. BARRETT.

"HERMAN D. MAYLAND,
"Speaker of the House.
"GEORGE BURKE,
"President of the Senate.

"Approved February 19, 1949.

"A. G. CRANE,
"Governor."

"Senate Joint Memorial 4

"Joint memorial memorializing the President and Congress of the United States that all presently proposed Federal irrigation projects and all such which are proposed in the future, for construction in the State of Wyoming, be continued in all stages under the direct supervision of the United States Bureau of Reclamation

"Whereas the United States Bureau of Reclamation has had many years of, and the only, experience in initiation, construction, maintenance, and development of all Federal irrigation projects in the West and in such matters has been and is required by laws of the Nation to comply with all affecting State laws: Now, therefore, be it

"Resolved by the Senate of the Thirtieth Wyoming Legislature (its house of representatives concurring), That the President and Congress of the United States be and they are hereby memorialized, to promptly and effectively enact such legislation as may be appropriate to vest in said Bureau beyond any possibility of judicial doubt or Executive direction concerning congressional intent, continued and direct supervision of the initiation, construction, maintenance, and development of all Federal irrigation projects wholly or partially within the State of Wyoming, now or in the future proposed, consistent with objectives of the so-called Pick-Sloan plan, and opposed to objectives of such plans as the Columbia Valley Authority and Missouri Valley Authority; be it further

"Resolved, That certified copies of this joint memorial be sent to the President of the United States, the President of the Senate, and the Speaker of the House of the United States Congress, and to the Honorable JOSEPH C. O'MAHONEY, the Honorable LESTER C. HUNT, and the Honorable FRANK A. BARRETT, Senators and Representatives, respectively, in said Congress, from Wyoming.

"GEORGE BURKE,
"President of the Senate.
"HERMAN D. MAYLAND,
"Speaker of the House.

"Approved February 25, 1949.

"A. G. CRANE,
"Governor."

"Enrolled Joint Memorial 3

"Joint memorial memorializing the President of the United States and the Congress of the United States of America to retain jurisdiction of the land management of the public domain in the Department of the Interior

"Whereas the Department of the Interior of the United States has been the custodial agent of the public domain lands of this Nation since the foundation of the Republic; and

"Whereas the Department of the Interior, as the managerial agent of the public domain, has performed its functions in a creditable manner; and

"Whereas the functions of the Department of the Interior in the continental United States are confined almost entirely to the public-land States, and said Department has generally shown a sympathetic interest in the problems of the Western States, as was evidenced by the prompt, efficient, and diligent manner in which the Department of the Interior assisted the people of this State and of the West in opening roads and trails during the current storm disaster; and

"Whereas it is reliably reported that the Hoover Commission on the Reorganization of the Executive Department of the Government has recommended that the functions of the Bureau of Land Management of the Department of the Interior, except as to minerals, be transferred to the Department of Agriculture; and

"Whereas such recommendation, if adopted by the House of Representatives and the Senate of the United States, and approved by the President of the United States, will strike a mortal blow to the welfare of the people of the West: Now, therefore, be it

"Resolved by the Senate of the Thirtieth Legislature of the State of Wyoming (its house of representatives concurring), That the President of the United States and both Houses of the Congress of the United States, be memorialized to oppose said recommendation of the Hoover Commission; be it further

"Resolved, That copies of this memorial be sent to the President of the United States and to the President of the United States Senate and the Speaker of the House of Representatives, and to United States Senators JOSEPH C. O'MAHONEY and LESTER C. HUNT and Congressman FRANK A. BARRETT.

"GEORGE BURKE,
"President of the Senate.
"HERMAN D. MAYLAND,
"Speaker of the House.

"Approved February 25, 1949.

"A. G. CRANE,
"Governor."

By Mr. LUCAS:

Two resolutions adopted by the city council of the city of Chicago, Ill., relating to rent-control legislation; ordered to lie on the table.

AGRICULTURAL CONSERVATION PROGRAM—JOINT RESOLUTION OF VERMONT LEGISLATURE

Mr. FLANDERS. On behalf of the senior Senator from Vermont [Mr. AIKEN] and myself, I present a joint resolution adopted by the Vermont Legisla-

ture requesting Members of Congress to support the agricultural conservation program, and I ask that it be appropriately referred and printed in the body of the RECORD.

The joint resolution was referred to the Committee on Agriculture and Forestry, and, under the rule, ordered to be printed in the RECORD, as follows:

Joint resolution requesting Members of Congress to support the agricultural conservation program

Whereas we believe the preservation of the soils of this Nation is the responsibility of us all; and

Whereas we believe that the agricultural conservation program carried out for the past 13 years by the United States Department of Agriculture has gone a long way toward making farmers and others conscious of the need for preserving soils; and

Whereas for the past 13 years this agricultural conservation program has given assistance to some 12,000 Vermont farmers in restoring fertility to the soil; and

Whereas Vermont farmers have matched Government funds dollar for dollar in carrying out soil-building practices; and

Whereas the program has developed farm leadership through its administration by farmer-elected county and community committeemen; and

Whereas we believe that farmers will again be forced to exploit their soils if the agricultural conservation program is curtailed: Therefore be it

Resolved by the senate and house of representatives:

1. That the Congress of the United States be respectfully urged to support an adequate agricultural conservation program;

2. That our United States Senators, GEORGE D. AIKEN and RALPH E. FLANDERS, and our Representative in Congress, CHARLES A. PLUMLEY, be asked to support the agricultural conservation program and to vote to continue the annual appropriation of $300,000,000; and

3. That an adequate amount be set aside from the above appropriation to make it possible to administer the program through duly elected farmer county and community committeemen; and

4. That the secretary of state be directed to transmit duly attested copies of this memorial to be transmitted to the President of the United States, to the President of the United States Senate, to the Speaker of the House of Representatives, to the chairmen of the Senate and House Committees on Agriculture, to the chairmen of the Senate and House Committees on Appropriations, to the Secretary of Agriculture, and to our congressional delegation.

J. HAROLD STACEY,
Speaker of the House of Representatives.
HAROLD J. ARTHUR,
President of the Senate.

Approved March 11, 1949.

ERNEST W. GIBSON,
Governor.

The VICE PRESIDENT laid before the Senate a joint resolution of the Legislature of the State of Vermont, identical with the foregoing, which was referred to the Committee on Agriculture and Forestry.

SLUM CLEARANCE AND LOW-COST HOUSING PROJECTS—RESOLUTIONS OF MASSACHUSETTS LEGISLATURE

Mr. LODGE. Mr. President, on behalf of my colleague [Mr. SALTONSTALL] and myself, I present resolutions adopted by the Massachusetts Legislature memorializing Congress to provide for slum clearance and low-cost housing projects.

I give notice that at the conclusion of the consideration of the bills on the calendar I shall seek recognition for a 10-minute statement.

The resolutions were referred to the Committee on Banking and Currency, and, under the rule, ordered to be printed in the RECORD, as follows:

Resolutions memorializing Congress to provide for slum clearance and low-cost housing projects

Resolved, That the General Court of Massachusetts hereby memorializes the Congress of the United States to pass legislation providing for greater allocation of funds for slum clearance and low-cost housing projects; and be it further

Resolved, That copies of these resolutions be sent forthwith by the secretary of the Commonwealth to the President of the United States, to the presiding officer of each branch of Congress, and to the Members thereof from this Commonwealth.

In house of representatives, adopted March 8, 1949.

LAWRENCE R. GROVE,
Clerk.

In senate, adopted, in concurrence, March 14, 1949.

IRVING N. HAYDEN,
Clerk.

GENERAL PULASKI'S MEMORIAL DAY—RESOLUTION OF CITY COUNCIL OF WORCESTER, MASS.

Mr. LODGE. Mr. President, I present for appropriate reference a resolution adopted by the city council of the city of Worcester, Mass., relating to General Pulaski's Memorial Day, and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the resolution was referred to the Committee on the Judiciary and ordered to be printed in the RECORD, as follows:

Resolution memorializing the Congress of the United States to pass, and the President of the United States to approve, if passed, the General Pulaski's Memorial Day resolution now pending in Congress

Whereas a resolution providing for the President of the United States of America to proclaim October 11 of each year as General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski is now pending in the present session of the United States Congress; and

Whereas the 11th day of October 1779 is the date in American history of the heroic death of Brig. Gen. Casimir Pulaski, who died from wounds received on October 9, 1779, at the siege of Savannah, Ga.; and

Whereas the States of Arkansas, California, Connecticut, Delaware, Illinois, Indiana, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, New York, Nevada, Ohio, Pennsylvania, South Carolina, Tennessee, Texas, West Virginia, Wisconsin, and other States of the Union, through legislative enactment designated October 11 of each year as General Pulaski's Memorial Day; and

Whereas it is fitting that the recurring anniversary of this day be commemorated with suitable patriotic and public exercises in observing and commemorating the heroic death of this great American hero of the Revolutionary War; and

Whereas the Congress of the United States of America has by legislative enactment designated from October 11, 1929, to October 11, 1946, to be General Pulaski's Memorial Day in United States of America: Now, therefore, be it

Resolved by the City Council of the City of Worcester and State of Massachusetts:

SECTION 1. That we hereby memorialize and petition the Congress of the United States to pass, and the President of the United States to approve, if passed, the General Pulaski's Memorial Day resolution now pending in the United States Congress.

SEC. 2. That certified copies of this resolution, properly authenticated, be sent forthwith to the President of the United States, the Vice President of the United States, and each of the United States Senators and Representatives from Massachusetts; be it

Resolved, That the Congress of the United States be, and is hereby, requested to designate October 11 as General Pulaski's Memorial Day to honor the memory of Gen. Casimir Pulaski, a Polish nobleman, who was commissioned by Congress to organize the Cavalry Corps for the American Army in the Revolutionary War, and who gave his life for the cause of freedom; and be it further

Resolved, That the city clerk be, and he is hereby, requested to cause this resolution to be sent to the proper officials in Washington, D. C.

OLEOMARGARINE—RESOLUTION OF LOCAL UNIONS OF INTERNATIONAL TEAMSTERS' UNION

Mr. BUTLER. Mr. President, I present for appropriate reference and ask unanimous consent to have printed in the body of the RECORD a resolution adopted by members of many local unions of the International Teamsters' Union, whose members are employed by dairy companies east of the Missouri River, have an organization, the Mid-States and East Coast Dairy Conference, which meets twice yearly. At the most recent meeting of this group, comprising officers of the local unions, in Chicago, Hotel Morrison, on February 28, 1949, a resolution was adopted in support of legislation to prevent yellow coloring being added to oleomargarine in imitation of butter, and the removal of Federal excise taxes on the production and sale of oleomargarine.

There being no objection, the resolution was referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

Whereas in response to a widespread demand of the people, the Congress of the United States is considering measures to repeal the so-called oleomargarine tax; and

Whereas such repeal will meet with the favor of American citizens in the low-income brackets since it will bring this commodity down in price, thereby reducing the cost of living to persons who need it; and

Whereas there is danger that oleomargarine, if there be no regulatory legislation, could easily be sold as a butter substitute of the same color as butter; and

Whereas the dairy industry furnishes steady employment at good wages for many thousands of union employees throughout the Nation, engaged in the procuring, processing, and distribution of butter, as well as the building of motortrucks, equipment, and supplies used in the dairy industry; and

Whereas there are more than 3,500 local creameries and 40,000 dairy plants located

in thousands of small communities in every State, both in the North and South, whose employees' welfare is involved in protecting butter against unfair competition; and

Whereas yellow oleomargarine resembles butter so closely that it cannot be distinguished from butter by consumers and therefore invites substitution and fraud, making it necessary that the consumers be protected by prohibiting oleomargarine to be colored yellow; and

Whereas any such substitution or fraud would benefit approximately 28 large corporations in the United States who manufacture oleomargarine and would so benefit at the expense of consumers; the millions of dairy farmers who produce butter; and thousands of families of union employees in the dairy industry: Now, therefore, be it

Resolved, That the Mid-States and East Coast Dairy Conference, comprising officers of local unions of International Brotherhood of Teamsters, whose members are directly engaged in procuring, manufacturing, and distributing butter and other dairy products, in regular session assembled in Chicago on February 28, 1949, respectfully urges upon the Congress, in its consideration of the repeal of existing oleomargarine taxes, that it enact at the same time regulatory measures to prevent the sale of oleomargarine colored as butter, so that the public may distinguish between these two products; and be it further

Resolved, That copies of this resolution be submitted to the President of the United States, the Secretary of Agriculture, the Representatives and Senators in Congress; and be it further

Resolved, That this Congress send representatives to appear before the House and Senate Agriculture Committees to emphasize the importance of protecting the dairy industry, and its employees, by proper legislation.

CHIEF JOSEPH DAM ON COLUMBIA RIVER, WASH.

Mr. CAIN. Mr. President, I present for appropriate reference, and ask unanimous consent to have printed in the RECORD, a resolution adopted by the Washington State Grange concerning Chief Joseph Dam on the Columbia River in my State. I call the attention of all my colleagues to this resolution. Personally, I heartily endorse the Grange's stand on this matter.

There being no objection, the resolution was referred to the Committee on Public Works, and ordered to be printed in the RECORD, as follows:

Whereas Pacific Northwest needs for power and water from the Columbia River have reached a crucial point with no relief in sight for several years, particularly with regard to electric power; and

Whereas the proposed Chief Joseph Dam should be constructed with the greatest possible haste to help meet the emergency; and

Whereas as it is presently set up by Congress as a single-purpose dam with only a small appropriation for commencing preliminary work, which means that there will be unnecessary delays in completing it, and that little or no benefit will be derived from the dam by farmers and others living adjacent to it; and

Whereas it has been the established policy of Congress in authorizing other hydroelectric projects to allow a portion of the surplus power revenues to help pay the high cost of irrigation of farm land, thereby making it possible for GI's and other settlers to make a living where it would probably be otherwise impossible to do so: Therefore be it

Resolved, That the executive committee of the Washington State Grange hereby earnestly petitions the Honorable Harry S. Truman, President of the United States, to recommend that the authorization for Chief Joseph Dam be immediately amended to make it a multipurpose dam, and to increase the current appropriation for it to at least $15,000,000.

HENRY P. CARSTENSEN, *Master*.
K. T. KNUTSON, *Secretary*.

Adopted February 1, 1949, at Grange headquarters, Seattle, Wash.

Mr. CAIN. Mr. President, I also present for appropriate reference and ask unanimous consent to have printed in the RECORD a resolution adopted by the Malott (Wash.) Grange No. 948, regarding Chief Joseph Dam on the Columbia River. The resolution asks that the dam be established as a multiple-purpose project. This undertaking is a vital one to the State of Washington and the proposals set forth in this resolution are necessary for the people of my State.

There being no objection, the resolution was referred to the Committee on Public Works and ordered to be printed in the RECORD, as follows:

PROPOSAL TO CONSTRUCT CHIEF JOSEPH DAM FOR MULTIPLE PURPOSES

Whereas the Army engineers' estimate show that Foster Creek Dam, now known as Chief Joseph Dam, will produce the cheapest electric power of any dam on the Columbia River; and

Whereas the present shortage of power in the Northwest makes it imperative to begin the vigorous construction of said dam at once; and

Whereas no official recognition has been given of the irrigation and reclamation possibilities of said dam; and

Whereas some 45,000 acres of irrigable land in the immediate Columbia and Okanogan Valleys will be below the crest of said dam; and

Whereas much of the irrigation of said land will come at floodtide of the Columbia River: Therefore be it

Resolved by Malott Grange No. 948 in regular session assembled this 25th day of January 1949, That we ask Congress to establish Chief Joseph Dam as a multiple-purpose dam and authorize the Reclamation Bureau to begin at once surveys of all lands adjacent to said dam for the purpose of determining their possibilities and value for irrigation; be it further

Resolved, That copies of this resolution be sent to the Columbia Basin Commission, to the congressional delegation and to Bureau of Reclamation, to the Okanogan County Ponoma Grange, and the Washington State Grange; and be it further

Resolved, That we ask all local granges in Okanogan, Chelan, and Douglas Counties to endorse similar resolutions.

SINCLAIR MACKIE, *Master*.
VIOLET CRANDALL, *Secretary*.

REPORT AND RECOMMENDATIONS OF NEW YORK STATE BAR ASSOCIATION COMMITTEE ON LABOR LAW AND SOCIAL-SECURITY LEGISLATION

Mr. IVES. Mr. President, I present for appropriate reference and ask unanimous consent to have printed in the RECORD the report and recommendations of the New York State Bar Association Committee on Labor Law and Social Security Legislation dated February 26, 1949, which deals with the association's legislative recommendations with respect to the Labor-Management Relations Act of 1947.

While I may not agree with all the conclusions contained in this report, I believe it to be of sufficient merit to take this means to call it to the attention of the Senate and have it referred for the consideration of the appropriate committee.

There being no objection, the report and recommendations were referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

REPORT AND RECOMMENDATIONS OF THE NEW YORK STATE BAR ASSOCIATION COMMITTEE ON LABOR LAW AND SOCIAL SECURITY LEGISLATION, FEBRUARY 26, 1949

This committee, during the past year, has continued its study of the problem of the statutory regulation of labor unions in the public interest, especially the Taft-Hartley law, and, as a result of such study, has agreed upon and submits certain recommendations for the amendment of the Taft-Hartley law and of other statutes affecting the regulation of labor unions.

No perfect or permanent solution can be found for a problem as complex and dynamic as the regulation of labor unions. The best that can be hoped for is fair and workable regulation, based at all times on the paramount public interest. We hope that our recommendations will help the members of the bar and the public to achieve such regulation.

For the purposes of study, the committee divided the Taft-Hartley law into three parts, to each of which a subcommittee was assigned as follows:

1. The subcommittee dealing with the substantive provisions of the law was composed of Eugene C. Gerhart, chairman; George G. Coughlin, John E. Lynch, William H. Mandeville, Whitney North Seymour, Arthur L. Stern, Howard A. Swartwood, John Van Sickle.

2. The subcommittee dealing with the procedural and administrative provisions of the law was composed of Morrell S. Lockhart, chairman; George W. Alger, J. Gordon Baxter, I. Lawrence Broadwin, Frederick H. Rohlfs, Burton A. Zorn.

3. The subcommittee dealing with the mediation and arbitration provisions of the law was composed of Herbert W. Haldenstein, chairman; Laurence R. Goodyear, Albert F. Strasburger, Eugene Untermyer.

The recommendations of the committee represent the final conclusions of its members, who first approached the problem with divergent views. It was hardly possible for us to achieve unanimity on all of our recommendations. As a matter of procedure, it was agreed that the minority viewpoint on two important issues should be stated herein. It was also agreed that the committee would suggest, by way of illustration and for clarity in detail, the statutory form for most of its major recommendations. The chief exception, made in the recommendations relating to arbitration, seemed advisable because the detailed statement of what should be embodied in statutory form is complete.

ISSUES DEALT WITH IN THIS REPORT

1. Union-shop elections.
2. The "Communist affidavit."
3. Certain forms of picketing as unfair labor practices.
4. Recognition strikes.
5. Featherbedding practices.
6. Merit increases as a subject for collective bargaining.
7. Protection for employees in their jobs under union-membership requirements.
8. Welfare funds.
9. Use of injunction against unfair labor practices.
10. Labor unions and the antitrust laws.

11. Compulsory arbitration of labor disputes endangering the health and safety of a community.

12. Compulsory arbitration of labor disputes arising under an existing contract.

13. "Freedom of speech."

14. Proper notice of termination of contract.

15. Redefinition of "collective-bargaining unit."

16. Clarifying amendments to the Taft-Hartley law relating to procedure.

17. Federal and State jurisdiction of labor disputes.

18. New York State labor laws.

RECOMMENDATIONS

1. Union-shop elections

The present requirements of the Taft-Hartley law for the conduct of an election by the National Labor Relations Board and for the vote of the majority of the bargaining unit before a union is empowered to bargain for a union shop have proved to be impractical and unnecessary. Both management and labor are generally agreed that the union-shop election serves no useful purpose. The result is a foregone conclusion in 99 percent of the cases and the holding of such elections has proved a heavy burden on the calendar of the National Labor Relations Board. Moreover, we believe that the requirement of a majority vote in the bargaining unit rather than that of those actually voting is an undemocratic procedure.

We therefore recommend that the present requirement for union-shop elections be repealed and that labor unions be permitted to bargain for a union shop if the filing requirements of the act have been complied with and if, during the preceding year, the majority of the employees in the bargaining unit have not voted to rescind authorization of a union shop.

2. The Communist affidavit

One of the most provocative provisions of the Taft-Hartley law has been the so-called Communist affidavit requirement, which is now applicable only to the officers of labor unions. This requirement has undoubtedly proved effective in removing Communists from high office in labor organizations. However, the restriction of this requirement only to labor-union officials lends support to the criticism that a stigma or at least a shadow has been unjustifiably cast upon the unquestionable patriotism of the great majority of American labor-union officials. The effectiveness of the present provision should be preserved, but the reasonable ground for criticism should be removed.

We therefore recommend that the Communist affidavit provision should be extended to include not only each officer of a labor organization but also the bargaining representatives of both the employer and the union.

3. Certain forms of picketing as unfair labor practices

Peaceful picketing as a form of free speech and as a method of advertising a union's position should not be prohibited, but mass picketing causes labor unrest, is unfair intimidation of the employer and of workers who want to work, and is frequently an incitement to lawlessness and violence.

We therefore recommend that an additional unfair labor practice be listed in section 8 (b) of the Taft-Hartley law and that the National Labor Relations Board be directed to seek a temporary restraining order under section 10 (1) of the law for violations thereof, and we suggest that the provision be as follows:

"8 (b) It shall be an unfair labor practice for a labor organization or its agents * * * (7) to engage in, or to induce or encourage the employees of any employer to engage in, picketing where (A) the object or result of such picketing is to prevent by force or intimidation any person from entering or leaving the premises of any employer; or (B) such picketing interferes with the right of any employee to work free from any harm to himself or his family."

4. Recognition strikes

One of the outstanding abuses of labor unions which contributes to labor unrest and is harmful to the public interest is the strike to force recognition when the union represents only a minority of the employees.

We therefore recommend that it should be an unfair labor practice for a union to strike to force recognition by an employer unless the union has been previously certified as a bargaining agent. We suggest that section 8 (b) (4) (B) of the Taft-Hartley law be amended to read as follows:

"8 (b) It shall be an unfair labor practice for a labor organization or its agents * * * (4) to engage in, or induce or encourage the employees of any employer to engage in a strike or concerted refusal in the course of their employment to use, manufacture, process, transport, or otherwise handle or work on any goods, articles, materials, or commodities, or to perform any services where the object thereof is: * * * (B) forcing or requiring any employer to recognize or bargain with any labor organization as the representative of his employees unless such labor organization has been certified as the representative of such employees under the provisions of section 9."

5. "Featherbedding" practices

Section 8 (b) (6) of the Taft-Hartley law was intended to make unlawful the "featherbedding" practices of labor unions. However, it has not been entirely successful in accomplishing its purpose. Labor unions should be prohibited from dictating the number of employees to be hired as well as from seeking payment for services not performed or not to be performed.

We therefore recommend that the law be amended, and suggest that section 8 (b) (6) of the law shall read as follows:

"8 (b). It shall be an unfair labor practice for a labor organization or its agents * * * (6) to cause or attempt to cause an employer to pay or deliver or agree to pay or deliver any money or other thing of value in the nature of an exaction (i) for services which are not performed or not to be performed, or (ii) for services which the employer does not desire, or (iii) for more employees than the employer considers necessary for any work or at any time."

6. Merit increases as a subject for collective bargaining

As a result of recent court decisions, employers have been directed to cease and desist from refusing to bargain concerning merit increases. We believe this to be a grave encroachment on the proper functions and rights of management. The future and prosperity of the United States still depend primarily upon the character and ability of the individual worker whose worth has been and can be best determined by management, which has the experience, the intimate knowledge, and the qualifications necessary to judge and to reward unusual merit.

We therefore recommend a statutory provision specifically relieving the employer from the present requirement to bargain about merit increases.

7. Protection for employees in their jobs under union-membership requirements

The protection of the individual employee in his job, if denied membership in, or if unreasonably expelled from, a labor organization, is one of the most constructive as well as one of the less well-known provisions of the Taft-Hartley law. We believe, however, that this congressional purpose can be achieved more successfully by enlarging the scope of the present provision in the law so as to give protection against inordinately large dues.

We therefore recommend that the law be amended for this purpose. We suggest that section 8 (b) (5) of the Taft-Hartley law be amended to read as follows:

"8 (b) It shall be an unfair labor practice for a labor organization or its agents * * * (5) in respect to employees covered by an agreement authorized under subsection (a) (3), (i) to require the payment, as a condition precedent to becoming a member of such organization, of a fee in an amount which the Board finds excessive or discriminatory under all the circumstances, or (ii) to require, as a condition of membership in such organization, periodic dues and initiation fees in excess of those uniformly required as a condition of acquiring or retaining such membership. In making any such determination as to whether an initiation fee or dues are excessive or discriminatory hereunder, the Board shall consider, among other relevant factors, the practices and customs of labor organizations in the particular industry, the wages currently paid to the employees affected, and whether the rules are reasonably designed to protect labor organizations in the exercise of their just and proper functions; and"

8. Welfare funds

There is an immense variety in the welfare plans now in successful operation throughout the country. The present provision of the Taft-Hartley law does not seem to be sufficiently flexible to bring within its permission many successful welfare plans, the legality of which should not be ambiguous. The narrow statutory pattern should be abandoned and more general and flexible terms adopted for the present and future needs of management and labor alike.

We therefore recommend that section 302 (c) (5) be amended for this purpose, and we suggest that it read as follows:

"(5) With respect to money or other thing of value paid to a trust fund for the sole and exclusive benefit of all of the employees of such employer for whom the employee representative is acting as such, and for families and dependents (or of such employees' families and dependents jointly with the employees of other employers making similar payments, and their families and dependents), pursuant to the terms of a written agreement made by such representative and the employer: *Provided, however,* That such agreement shall contain provisions for an annual audit of the trust fund and for the inspection of the report of such audit by the employees and the employer. No payments shall be made out of such a fund to any person to compensate for or in recognition of services performed for the union."

9. Use of injunction against unfair labor practices

We have carefully considered the explosive problem of the use of injunction for the prevention of unfair labor practices, and in whom the power to seek injunction should be vested. Sanctions, if any, should be imposed by the public, against which the wrong is done, and in no event should injunctive relief become a weapon, as in the past, in the sole determination of the employer. Nor should it become a device for increasing the power of the union.

We recommend that the Taft-Hartley law should be amended to permit the filing of a petition in any district court of the United States by the National Labor Relations Board or by any person who claims to be injured by the illegal conduct of an employer or of a union, upon proper notice to the General Counsel's Office, and the court shall have power, but only with the concurrence of the General Counsel of the National Labor Relations Board, to grant temporary relief or a restraining order. We suggest that section

10 (j) of the Taft-Hartley law be amended to read as follows:

"(j) The Board shall have the power, upon the issuance of a complaint as provided in subsection (b) charging that any person has engaged in or is engaging in an unfair labor practice, and any person who claims to be injured by illegal conduct of an employer or of a union shall have the right upon reasonable notice to the General Counsel's Office of the National Labor Relations Board, to petition any district court of the United States (including the District Court of the United States for the District of Columbia), within any district wherein the unfair labor practice in question is alleged to have occurred or wherein such person resides or transacts business, for appropriate temporary relief or restraining order. Upon the filing of any such petition by the Board or by any aggrieved person as aforesaid upon proper notice to the General Counsel's Office, the court shall cause notice thereof to be served upon such person allegedly engaging in such unfair labor practice or practices, and thereupon shall have jurisdiction to grant, with the concurrence of the General Counsel's Office of the National Labor Relations Board, such temporary relief or restraining order as it deems just and proper."

10. Labor unions and the antitrust laws

The majority of the committee believes that the injury to the public interest resulting from the exercise of the monopoly power of some labor unions should be corrected and prevented by removing, to a large extent, the present exemption of labor unions from the operation of the antitrust laws. Labor unions, which in the past were gravely handicapped in dealing with employers, in recent years have grown in power as a result of legislation, administrative action, court decisions, and through their own organizational efforts, to a point well beyond a fair balance in the bargaining power of labor and management, and the paramount public interest has been unfortunately affected. In a period of rising costs many employers have been forced to make terms at the expense of the public. They may either make concessions which require the passing on of their increased costs to the consumer or refuse to make such concessions and thereby precipitate a Nation-wide shut-down. An obvious escape—and an escape which is injurious to the public—is the collusive agreement between labor and management. Recent examples of Nation-wide strikes in essential industries have shown the need for statutory action.

We believe that the antitrust laws, on balance, have had a healthy and beneficial influence in controlling business monopoly, and although brought into operation in relatively few instances, the mere existence of these laws on the statute books has had a salutary effect. It is reasonable to assume that if such laws were made applicable to labor they would have a similar beneficial effect, even though such laws would not be brought into operation except in extreme situations.

We do not believe, however, that it would be in the public interest to deprive labor unions of their hard-won achievements in preventing the abuse of injunctions in labor disputes. Barring the remedy of injunctions, the antitrust laws made applicable to labor organizations could be made effective by criminal prosecutions and suits for treble damages.

Nor do we think that national labor organizations should be ruled illegal because of the inherent monopoly power due solely to their size, as is the rule in the case of business organizations. Several of the largest labor unions are not organized on an industry-wide basis and their members work in a great variety of industries. It is the exercise of monopoly power through restraint of trade, at the expense of the public, that is sought to be controlled.

The minority viewpoint, vigorously expressed by Mr. Broadwin, is in substance that the removal of the present exemption of labor unions, to the extent favored by the majority of the committee, from the operation of the antitrust laws, runs contrary to the long-established doctrine embodied in the Clayton Act that "the labor of a human being is not a commodity or article of commerce." In Mr. Broadwin's words, "Repeal of the Clayton Act and its declaration that the labor of a human being is not a commodity will not effect a change of labor into a commodity or article of commerce to which the Sherman Act is applicable. Subjecting labor unions to the operation of the Sherman Act will not restore the balance in the bargaining power of labor and management. The attainment of even an approach to such balance may be hoped for only if the problem is faced realistically and not by resort to subterfuge, which is what the attempt to convert labor into an article of commerce subject to the Sherman Act amounts to."

The majority recommends that the antitrust laws be made applicable to labor unions, but also recommends that the present restraints against injunctions contained in the Clayton and Norris-LaGuardia Acts be not disturbed and that any statute removing the exemption of labor unions from the present antitrust laws shall specifically provide that size alone be not considered a violation of such laws. To accomplish the foregoing objectives, we suggest the following statutory changes:

"The act entitled 'An act to supplement existing laws against unlawful restraint and monopolies, and for other purposes,' approved October 15, 1944, as amended (Clayton Act), be amended as follows:

"1. At the end of section 6 thereof (15 U. S. C. A., sec. 17), add the following: *'Provided,* That nothing in this paragraph shall be construed in any proceeding, civil or criminal, under the antitrust laws, to make lawful any contract, combination, or conspiracy among labor organizations, or affiliates thereof, or any individual members or representatives thereof, or any combination of the foregoing, in restraint of trade or commerce, but no labor organization shall be held to be an illegal combination or conspiracy in restraint of trade merely because of its size.'

"2. At the end of section 20 thereof (29 U. S. C. A., sec. 52), add the following: *'Provided,* That nothing in this paragraph shall be construed in any proceeding, civil or criminal, under the antitrust laws, to make lawful any contract, combination, or conspiracy involving labor organizations or their affiliates or any members or representatives thereof, or any combination of the foregoing, in restraint of trade or commerce'."

"The act entitled 'An act to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes,' approved March 23, 1932 (Norris-LaGuardia Act), to be amended by adding at the end of section 5 (29 U. S. C. A., sec. 105) the following: *'Provided,* That nothing in this paragraph shall be construed to otherwise limit the application of the antitrust laws in any proceeding, civil or criminal, to persons participating or interested in a labor combination or conspiracy'."

"The 'Labor-Management Relations Act of 1947' to be amended by adding at the end of section 7 (29 U. S. C. A., sec. 157) thereof the following: *'Provided,* That nothing in this section shall be construed in any proceeding, civil or criminal, to limit the application of the antitrust laws.' "

11. Compulsory arbitration of labor disputes endangering the health and safety of a community

Certain strikes endanger not only the prosperity but also the health and safety of the community. The majority of the committee has come slowly but firmly to the conclusion that in these extraordinarily unstable times, when we are confronted with problems of national survival such as we have never known in our history, these strikes should no longer be permitted. Such strikes in the past have been avoided not by consideration of the merits of the dispute involved but by desperate, last minute, helter-skelter methods involving, in practically every case, Government intervention. The settlements reached have been determined very largely by the fear of political reprisal. The cost of such major crises is great; the danger of them to our national security is increasingly obvious; and the necessity for an orderly and mandatory settlement, based primarily on the merits, has become imperative.

Much as we regret the necessity for any form of Government intervention, such intervention is inevitable in any case, and we believe that it should be in accordance with methods specifically defined by law. It should not be left to the kind of Government intervention from which we have suffered in the past. Nor should it be left to the exercise of any "implied powers" in the President of the United States. Under some future President, the doctrine of "implied powers" could have sinister implications and disastrous consequences.

The minority viewpoint is, in substance, that compulsory arbitration is another step in the direction of Government intervention in private industry, and that, in the words of our fellow member, Mr. Strasburger, "arbitration is too often merely another name for dividing by two." Mr. Strasburger suggests that "if a work cessation in the industries of transportation, communications, food processing, fuel production, etc., so threatens the public well-being I think the only honest course is a direct prohibition of the use of the strike weapon. When strike threatens in such industries it seem to me the status quo should be maintained for 60 to 90 days while the public becomes educated to the issues, either through some commission of inquiry or otherwise, and that after that the employees should be free to act, but if they struck they would lose their status."

The majority of the committee recommends that—

1. The Taft-Hartley law should be amended requiring the arbitration of labor disputes, by competent arbitrators, so selected and of such caliber as to command public confidence in the impartiality of their decisions, in those cases where the President has, by proclamation, found that the health or safety of the community or a substantial part thereof will be endangered if a work stoppage is permitted to occur or to continue.

2. The arbitration should be conducted by such members of the national labor-management panel (constituted as we recommend) as the President may designate for such purpose.

3. The national labor-management panel should be reconstituted and the Board of Inquiry provided for by section 207 of the Taft-Hartley law should be eliminated since a permanent and qualified body should be available for the performance of the highly important arbitration functions.

4. The national labor-management panel should consist of persons conversant with labor-management problems but unbiased in viewpoint. The panel should have all the duties presently delegated to it and in addition should be subject to the call of the President to arbitrate the special emergency cases above described.

5. Concurrently with the President's proclamation invoking arbitration, the Attorney General should be obligated upon the direction of the President to petition any Federal district court for an injunction against a strike or lock-out pending the award in arbitration, which injunction shall

be granted if the facts necessary for the issuance of the proclamation are found by the court to exist.

6. The arbitration award should be enforceable by court order and its injunctive decree, and any violation thereof shall constitute a contempt of court and be punishable accordingly. The award should be retroactive to the date of the injunction.

7. The injunction should not prohibit the resignation of a worker from his job as an individual act.

8. Pending an arbitration, the Federal Mediation and Conciliation Service should continue its efforts to effect a settlement since it is desirable that a negotiated settlement be effected whenever possible.

12. Compulsory arbitration of labor disputes arising under an existing contract

The Taft-Hartley law does not provide for compulsory arbitration even in the grievance or interpretation cases arising under an existing contract. Section 3 of the Railway Labor Act, which established the National Railroad Adjustment Board, conferred jurisdiction upon the Board to determine disputes between employees and carriers "growing out of grievances or out of the interpretation or application of agreements * * *." In many, if not most, contracts between employers and labor unions there is a clause for the arbitration of grievances or interpretation. Both parties are entitled to the protection of such a clause.

We therefore recommend that even in the absence of an arbitration clause any dispute as to the interpretation or the application of an existing contract shall be arbitrated, and that the law should be amended accordingly.

13. "Freedom of speech"

In some recent decisions the National Labor Relations Board has set aside elections to determine the collective bargaining agent because of expressions of opinion which the Board itself recognizes could not give rise to unfair labor practice charges. Such decisions substantially limit the freedom of speech of the employer.

We therefore recommend that the Taft-Hartley law be amended to prevent the National Labor Relations Board from invalidating or setting aside an election because of expressions of opinion by an employer which would not be deemed an unfair labor practice under the law, and we suggest that section 8 (c) of the law shall be amended to read as follows:

"The expressing of any views, arguments, or opinion or the dissemination thereof, whether in written, printed, graphic, or visual form, shall not constitute or be evidence of an unfair labor practice under any of the provisions of this act, nor be the basis of invalidating or setting aside any election held under the provisions of this act, if such expression contains no threat of reprisal or force or promise of benefit."

14. Proper notice of termination of contract

Under the present law, if no notice of termination of a contract has been given by either party 60 days prior to the expiration date, such contract apparently continues thereafter on a 60-day basis. This places both parties in a position where advantage can be taken of the other party by timing the cancellation demand; for example, in the retail trades, a union could wait until August or September before giving such notice of cancellation, which would bring on the negotiations for a new contract in the middle of the Christmas peak season.

We therefore recommend that if neither party has served notice of termination of any contract 60 days prior to its termination date, the contract should be deemed automatically renewed for a period of 1 year, and we suggest that section 8 (d) (1) be amended by adding at the end thereof the following words:

"In the absence of such notification, if the contract has a termination date, such contract shall be deemed to be automatically renewed for a period of 1 year, irrespective of any inconsistent provision contained in such contract."

15. Redefinition of "collective bargaining unit"

We believe that the extent of organization should not be a controlling factor in the determination of a collective-bargaining unit. Nor do we believe that it should be given any consideration. The bargaining unit should include all employees whose conditions of work are governed by the same consideration, and no unit should be set up, except on a craft basis, which does not include all of such employees.

We therefore recommend that the Taft-Hartley law be amended for this purpose, and suggest that section 9 (c) (5) be amended by striking out the last word, "controlling," and substituting therefor the words "given any weight."

16. Clarifying amendments to the Taft-Hartley law relative to procedure

We recommend that the law be amended so as to make clear that the National Labor Relations Board, in determining whether a craft unit is appropriate, can take into account the fact that a different unit has previously been established, and we suggest that section 9 (b) (2) shall read as follows:

"Decide that any craft unit is inappropriate for such purposes on the sole ground that a different unit has been established by a prior Board determination, unless a majority of the employees in the proposed craft unit vote against separate representation."

The law should also be amended so as to make it clear that no objections can be urged on appeal which have not been set forth in a statement of exceptions.

We therefore recommend an amendment for this purpose, and suggest that the third sentence of section 10 (e) of the law shall be amended to read as follows:

"No objection that has not been urged before the Board, its member, agent, or agency, and which has not been set forth in a statement of exceptions filed with the Board as provided in section 9 (c), shall be considered by the court unless the failure or neglect to urge such objection or to set forth such exception shall be excused because of extraordinary circumstances."

17. Federal and State jurisdiction of labor disputes

Under the present provisions of the Taft-Hartley law, not only is a State statute required to be consistent with the Federal statute in order that the State labor relations board may acquire jurisdiction, but it is also required that the interpretation of the State statute by the State board be consistent with the interpretation by the National Labor Relations Board. This provision for consistency in interpretation would seem to reduce the State board to a branch of a Federal agency, and does not permit the desirable or necessary flexibility of interpretation and application required by different local conditions. We believe that there is room for a difference in interpretation by State boards which can adapt themselves to the needs of their communities.

We therefore recommend that the provisions of the Taft-Hartley law for consistency between Federal and State laws shall be limited to statutory consistency, and that consistency of interpretation should not be required. We suggest that the Taft-Hartley law be amended by inserting a new section 6 (a) to read as follows:

"The jurisdiction given to the Board by this act shall not be affected by any other means of adjustment or prevention that has been or may be established by agreement, law, or otherwise: *Provided*, That the Board is empowered by agreement with any agency or any State or Territory to cede to such agency jurisdiction over any cases in any industry (other than mining, manufacturing, communications, and transportation except where predominantly local in character) even though such cases may involve labor disputes affecting commerce, unless the provisions of the State or territorial statutes applicable to the determination of such cases by such agency are inconsistent with the corresponding provisions of this act. Consistency of interpretation shall not be required."

We further suggest that section 10 (a) of the law be amended by striking out everything after the first sentence.

18. New York State labor laws

We recommend that the provisions of the Taft-Hartley law (amended in accordance with these recommendations), as far as applicable, should be enacted into law by the New York State legislature so as to render the provisions of the New York State labor laws consistent with the provisions of the Federal laws.

LAWRENCE HUNT,
Chairman.

UPPER COLORADO RIVER BASIN COMPACT

Mr. KNOWLAND. Mr. President, I present for appropriate reference and ask unanimous consent to have printed in the body of the RECORD a joint resolution adopted by the California Legislature in its 1949 session, together with a copy of a letter written to the Honorable Harry W. Bashore, representative of the United States, Upper Colorado River Basin Compact negotiations, by Representative CLAIR ENGLE, and a copy of Mr. Bashore's reply, all dealing with the Upper Colorado River Basin Compact.

There being no objection, the matters were referred to the Committee on Interior and Insular Affairs and ordered to be printed in the RECORD, as follows:

Assembly Joint Resolution 24

Joint resolution relative to the Upper Colorado River Basin Compact

Whereas by the Colorado River Compact of November 24, 1922, the seven States of the Colorado River Basin agreed to an apportionment of water of the Colorado River system as between the upper basin and the lower basin of the river, as therein defined; and

Whereas the five States of the upper basin of said river, on October 11, 1948, signed an Upper Colorado River Basin Compact apportioning among themselves the water apportioned to the upper basin by the Colorado River Compact, and said Upper Colorado River Basin Compact has been ratified by the legislatures of the said five States; and

Whereas there has been introduced in the Congress of the United States S. 790, by which said Upper Colorado River Basin Compact would be approved; and

Whereas said Colorado River Compact makes provision for the apportionment of water as between the upper basin and the lower basin on the basis of beneficial consumptive use; and

Whereas said upper basin compact contains certain provisions for the determination of quantities of water apportioned among the upper basin States by the inflow-outflow method in terms of man-made depletions of the virgin flow at Lee Ferry: Now, therefore, be it

Resolved by the Assembly and Senate of the State of California jointly, That the State of California—

1. Approves the action of the upper basin States in reaching and ratifying a compact for apportionment of Colorado River system

water among them, and heartily congratulates said States for so doing;

2. Considers that the formula for determination of consumptive use of water set out in said upper basin compact, as above quoted, is indeterminate and is not in consonance with the relevant terms of the Colorado River Compact;

3. Declares that it has no objection to the adoption by the upper basin States, as among themselves, of any formula they may choose for distribution of water among them;

4. Declares further that the adoption by the upper basin States of said upper basin compact, or its approval by the Congress, does not and cannot amend nor affect the meaning of the Colorado River Compact, nor affect, nor impair the interests of States of the Colorado River Basin which are not a party to said Upper Colorado River Basin Compact, and for that reason,

5. Urges the Congress of the United States to provide in any act whereby the Congress consents to said upper basin compact that nothing in said act, nor said compact, shall be deemed to amend or affect the meaning of the Colorado River Compact, nor to affect, nor impair the interests of any State which is not a party to said Upper Colorado River Basin Compact; and be it further

Resolved, That the chief clerk of the assembly is hereby directed to transmit copies of this resolution to the President and Vice President of the United States, the Speaker of the House of Representatives, and to the Senators and Representatives from the State of California in the Congress of the United States.

Approved March 14, 1949.

Hon. HARRY W. BASHORE,
Representative of the United States,
Upper Colorado River Basin
Compact Negotiations,
Roger Smith Hotel,
Washington, D. C.

DEAR MR. BASHORE: There is pending before the Eighty-first Congress H. R. 2325, which, if adopted, will give congressional approval to the Upper Colorado River Basin Compact signed at Santa Fe, N. Mex., on the 11th day of October 1948 by commissioners of the five States of the Upper Colorado River Basin.

In studying the proposal certain questions have arisen which I assume you can answer. It is my duty and purpose to protect the interests of the lower basin of the Colorado River, particularly in the matter of determination of quantities of surplus water available for service of the Mexican treaty, and possibly available for additional apportionment in 1963, and to protect the deliveries of water guaranteed by article III (d) of the Colorado River Compact. It is not my thought that there has been any deliberate attempt to affect the rights of the lower basin under the Colorado River Compact. I feel it necessary, however, to receive assurances on certain points. For that reason, I submit to you the following questions:

Question No. 1: Article I of the proposed compact refers to the apportionment of the "use" of the water of the Colorado River system, the use of which was apportioned in perpetuity to the upper basin by the Colorado River Compact.

(a) Is the word "use" to be taken as synonymous with the phrase "beneficial consumptive use" as it occurs in the Colorado River Compact?

(b) In this connection, note that the phrase "consumptive use" occurs frequently in the pending compact. Is there any difference in meaning between the phrase "consumptive use" as used in the pending compact and "beneficial consumptive use" as the phrase is used in the Colorado River Compact?

Question No. 2: In article II the term "virgin flow" is defined to mean "the flow of any stream undepleted by the activities of man."

(a) Is it proposed to determine "virgin flow" with respect to each year or to use averages?

(b) If on an annual basis, how will "virgin flow" for any particular future water year be determined?

Question No. 3:

(a) Will consumptive uses in each of the States, under article III, be determined with reference to each water year?

(b) Or, are these quantities to be determined on long- or short-term averages?

Question No. 4: Article IV speaks of curtailment of use of water in order that flow at Lee Ferry shall not be depleted below that required by article III of the Colorado River Compact.

Does the word "use" mean the same thing as the phrase "consumptive use" as determined pursuant to article VI of the compact?

Question No. 5: Article V, subsection (c), provides that: "In the event the Commission finds that a reservoir site is available both to assure deliveries at Lee Ferry and to store water for consumptive use in a State of the upper division, the storage of water for consumptive use shall be given preference."

Does this mean that the Commission may exonerate any reservoir or reservoir capacity from the obligation of article III (d) of the Colorado River Compact? If not, what is meant by the "preference" for consumptive use?

Question No. 6. Article VI provides that the Commission shall determine the quantity of the consumptive use of water for the upper basin and for each State of the upper basin, by the inflow-outflow method in terms of man-made depletions of the virgin flow at Lee Ferry, unless the Commission, by unanimous action, shall adopt a different method of determination.

(a) Outflow from the upper basin apparently would be measured at Lee Ferry. Where and how would inflow to the upper basin be measured?

(b) It is my understanding that a large part of the use of water in the upper basin will be made possible by over-year and cyclic storage. The impounding of water in storage reservoirs would be reflected by depletion at Lee Ferry during the water-year in which water is impounded. Does article VI mean that consumptive use will be measured by water stored, as distinguished from the withdrawals from storage and application to use on land?

(c) How is it proposed to account for water stored in 1 year and applied to use in another and later year? Specifically, would consumptive use be considered as occurring in the year in which water is impounded, or in some later year when it is withdrawn from storage and applied to use?

Question No. 7. Article VIII provides for an "Upper Colorado River Commission." Among other things, the Commission is authorized to (article VIII (d)):

"(6) Make findings as to the quantity of water of the upper Colorado River system used each year in the upper Colorado River Basin and each State thereof;

"(7) Make findings as to the quantity of water deliveries at Lee Ferry during each water year;

"(8) Make findings as to the necessity for and the extent of the curtailment of use, required, if any, pursuant to article IV hereof."

Subdivision (g) of the same article provides that:

"Findings of fact made by the Commission shall not be conclusive in any court, or before any agency or tribunal, but shall constitute prima facie evidence of the facts found."

It has been held that, in addition to its contractual character, under such circumstances a compact approved by the Congress is a public law (*Missouri* v. *Illinois*, 200 U. S. 496–519; *Pennsylvania* v. *Wheeling, etc.*, 54 U. S. 518–566). Is it intended that subdivision (g) above shall be binding on any State not a party to the Upper Colorado River Basin Compact, or on the United States?

Question No. 8. Will the ratification by the several States and the approval by the Congress, of the Upper Colorado River Basin Compact in any way amend or affect the meaning of the Colorado River Compact, whatever that document may mean?

Question No. 9. I note that in article XVIII the States of Arizona, New Mexico, and Utah have reserved their respective rights and interests under the Colorado River Compact, as States of the lower basin. Will the ratification and approval by the Congress of the Upper Colorado River Basin Compact impair or in any way affect the rights of States of the lower basin not signatory thereto?

Your early response to the questions submitted herein will be deeply appreciated.

Very truly yours,

CLAIR ENGLE,
Member of Congress.

MARCH 16, 1949.

Hon. CLAIR ENGLE,
House of Representatives.

MY DEAR MR. ENGLE: Your letter of March 12, 1949, addressed to Hon. Harry W. Bashore, representative of the United States, upper Colorado River Basin Compact negotiations, has been given consideration by Mr. Bashore and by the representatives of the upper basin States now assembled in Washington. The answers herein given to your specific questions are the answers of the representatives of the compacting States and of Mr. Bashore.

In this letter the statements made by you in connection with each question and the questions themselves will be underlined. The answers will follow each question.

QUESTION NO. 1

Article I of the proposed compact refers to the apportionment of the use of the water of the Colorado River system, the use of which was apportioned in perpetuity to the upper basin by the Colorado River Compact.

(a) Is the word "use" to be taken as synonymous with the phrase "beneficial consumptive use" as it occurs in the Colorado River Compact?

Answer. The word "use" as it occurs in article I of the upper river basin compact is synonymous with the phrase "beneficial consumptive use" as it appears in article III (a) and article III (b) of the Colorado River Compact.

(b) In this connection, note that the phrase "consumptive use" occurs frequently in the pending compact. Is there any difference in meaning between the phrase "consumptive use" as used in the pending compact, and "beneficial consumptive use" as the phrase is used in the Colorado River Compact?

Answer. In all instances where the phrase "consumptive use" occurs with reference to the apportionment made to the upper basin by the Colorado River Compact, such phrase is synonymous with the phrase "beneficial consumptive use" as it occurs in article III (a) and article III (b) of the Colorado River Compact. This is because of the paramountcy of the Colorado River Compact. When such phrase is employed in connection with internal matters relating to the rights of the upper basin States as among themselves to the water available to them under the Colo-

rado River Compact, the phrase "consumptive use" is not necessarily synonymous with the phrase "beneficial consumptive use" as used in the Colorado River Compact. In this connection it should be pointed out that in each of the compacting States a beneficial use is essential to the acquisition of a firm water right. Also attention is directed to article III (b) (2) of the upper basin compact which provides that "beneficial use is the basis, the measure and the limit of the right to use."

QUESTION NO. 2

In article II, the term "virgin flow" is defined to mean "the flow of any stream undepleted by the activities of man."

(a) Is it proposed to determine "virgin flow" with respect to each year, or to use averages?

Answer: "Virgin flow" will be determined with respect to each water year. In the actual administration of the upper Colorado River Basin Compact, the Upper Colorado River Commission may make use of averages and necessarily will do so when hold-over reservoirs are constructed and placed in operation.

(b) If on an annual basis, how will virgin flow for any particular future water year be determined?

Answer: An index of the virgin inflow will be determined by the summation of the discharge measured at a series of key gaging stations located around the rim of the basin above the major development, the recorded discharge past each station to be corrected for man-made depletions, if any, above that station. The virgin outflow at Lee Ferry will be determined by a correlation curve developed by the historic relationship between recorded inflow at such key gaging stations, corrected for upstream man-made depletions, if any, and recorded Lee Ferry flows, together with the historic man-made depletions above Lee Ferry.

QUESTION NO. 3

(a) Will consumptive uses in each of the States, under article III, be determined with reference to each water year?

Answer: Consumptive uses in each of the upper basin States will be determined with reference to each water year. In making an administrative determination of such consumptive uses the Upper Colorado River Commission will necessarily make use of averages when holdover reservoirs are constructed and placed in operation. While the compact leaves such determination to the Commission, it is considered that the Commission may make use of 10-year progressive averages.

(b) Or, are these quantities to be determined on long or short term averages?

Answer: See answer to question No. 3 (a) above.

QUESTION NO. 4

Article IV speaks of curtailment of use of water in order that flow at Lee Ferry shall not be depleted below that required by article III of the Colorado River Compact.

Does the word "use" mean the same thing as the phrase "consumptive use" as determined pursuant to article VI of the compact?

Answer: The word "use" as it so occurs includes "consumptive use" as such use is determined pursuant to article VI. "Use" is a broader term than "consumptive use." It is employed in article IV in order that there may be no argument as to the power and obligation of an upper division State to curtail any "use" which it determines should be curtailed in order to assure full compliance with article III (d) of the Colorado River Compact.

QUESTION NO. 5

Article V, subsection (c), provides that: "In the event the Commission finds that a reservoir site is available both to assure deliveries at Lee Ferry and to store water for consumptive use in a State of the upper division, the storage of water for consumptive use shall be given preference."

Does this mean that the Commission may exonerate any reservoir or reservoir capacity from the obligation of article III (d) of the Colorado River Compact: If not, what is meant by the "preference" for consumptive use?

Answer: The answer to the first part of this double question is: No. The States, and not the Commission, determine what uses must be curtailed in order to comply with the obligation of article III (d) of the Colorado River Compact. By "preference" is meant that each upper division State has a superior right to use a storage site for consumptive uses within that State and it may not be deprived of that right by the desire of other upper division States to utilize the same site for the impoundment of water which will be released to meet the Lee Ferry delivery obligations of the upper division States. The exercise of such a preference right must not violate or have the effect of violating the delivery obligation imposed by article III (d) of the Colorado River Compact.

QUESTION NO. 6

Article VI provides that the Commission shall determine the quantity of the consumptive use of water for the upper basin and for each State of the upper basin, by the inflow-outflow method in terms of man-made depletions of the virgin flow at Lee Ferry, unless the Commission, by unanimous action, shall adopt a different method of determination.

(a) Outflow from the upper basin apparently would be measured at Lee Ferry. Where and how would inflow to the upper basin be measured?

Answer: Inflow to the upper basin will be determined by a series of key-gaging stations located at strategic points and designed to be an index of the inflow to the upper basin. The recorded discharge past these key-gaging stations will be corrected for all man-made depletions, if any, occurring above each station.

(b) It is my understanding that a large part of the use of water in the upper basin will be made possible by overyear and cyclic storage. The impounding of water in storage reservoirs would be reflected by depletion at Lee Ferry during the water-year in which water is impounded. Does article VI mean that consumptive use will be measured by water stored, as distinguished from the withdrawals from storage and application to use on land?

Answer: The measurement of use by the inflow-outflow method prescribed by article VI automatically takes into account the storage and release of water from reservoirs. Hence the measurement, in terms of stream depletion at Lee Ferry, is by water stored as distinguished from withdrawals from storage and applications to use on land.

(c) How is it proposed to account for water stored in one year and applied to use in another and later year? Specifically, would consumptive use be considered as occurring in the year in which water is impounded, or in some later year when it is withdrawn from storage and applied to use?

Answer. The necessity for hold-over storage to enable the upper basin to utilize the apportionment made to it by the Colorado River Compact and at the same time to comply with the obligation for Lee Ferry deliveries imposed by article III (d) of the Colorado River Compact requires that consumptive use resulting from the storage of water in reservoirs be determined on the basis of progressive averages. While the compact leaves such determination to the Commission, it is considered that the Commission may make use of progressive averages

QUESTION NO. 7

Article VIII provides for an Upper Colorado River Commission. Among other things, the Commission is authorized to (article VIII (d)):

"(6) Make findings as to the quantity of water of the upper Colorado River system used each year in the upper Colorado River Basin and each State thereof;

"(7) Make findings as to the quantity of water deliveries at Lee Ferry during each water year;

"(8) Make findings as to the necessity for and the extent of the curtailment of use, required, if any, pursuant to article IV hereof."

Subdivision (g) of the same article provides that:

"Findings of fact made by the Commission shall not be conclusive in any court, or before any agency or tribunal but shall constitute prima facie evidence of the facts found."

It has been held that, in addition to its contractual character, under some circumstances a compact approved by the Congress is a public law (*Missouri* v. *Illinois* (200 U. S. 496–519); *Pennsylvania* v. *Wheeling, etc.*, (54 U. S. 518–566)). Is it intended that subdivision (g) above shall be binding on any State not a party to the Upper Colorado River Basin Compact, or on the United States?

Answer. Article VIII (g) of the Upper Colorado River Basin Compact does not bind any State which is not signatory to that compact and does not bind the United States.

QUESTION NO. 8

Will the ratification by the several States and the approval by the Congress of the Upper Colorado River Basin Compact in any way amend or affect the meaning of the Colorado River Compact, whatever that document may mean?

Answer. The Upper Colorado River Basin Compact is an interstate compact between the States of Arizona, Colorado, New Mexico, Utah, and Wyoming. Article I, section 10, of the Constitution of the United States requires that before a compact or agreement between States is effective the Congress of the United States must consent thereto. The purpose of H. R. 2325 is to give such congressional consent to the Upper Colorado River Basin Compact. H. R. 2325 does not, nor does the Upper Colorado River Basin Compact, alter, amend, modify, or repeal the Boulder Canyon Project Act (45 Stat. 1057) or the Colorado River Compact signed at Santa Fe, N. Mex., on November 24, 1922. It is recognized that the Upper Colorado River Basin Compact is binding only upon the States which are signatory thereto and does not impair any rights of any State not signatory thereto, and that the Upper Colorado River Basin Compact is subject, in all respects, to the provisions and limitations contained in the Colorado River Compact.

QUESTION NO. 9

I note that in article XVIII the States of Arizona, New Mexico, and Utah have reserved their respective rights and interests under the Colorado River Compact, as States of the lower basin. Will the ratification and approval by the Congress of the Upper Colorado River Basin Compact impair or in any way affect the rights of States of the lower basin not signatory thereto?

Answer: All that is sought by H. R. 2325 is the consent of the Congress to the Upper Colorado River Basin Compact so that the limitation imposed by article I, section 10, of the United States Constitution upon the power of any State to enter into any agreement or compact with another State may be removed. The lower basin rights of Arizona, New Mexico, and Utah were reserved in order

to avoid any questions that might arise if they were not specifically reserved. No implication can be drawn from this reservation with respect to the rights of States not parties to the compact. They are not bound and their legal rights are not and cannot be impaired by a document to which they are not parties.

Sincerely yours,

CHARLES A. CARSON,
Commissioner for the State of Arizona.
CLIFFORD H. STONE,
Commissioner for the State of Colorado.
FRED E. WILSON,
Commissioner for the State of New Mexico.
L. C. BISHOP,
Commissioner for the State of Wyoming.
CLINTON D. VERNON,
Attorney General of Utah.
J. A. HOWELL,
Special Assistant Attorney General of Utah.
HARRY W. BASHORE,
Representative of the United States, Upper Colorado River Basin Compact Negotiations.

RENT CONTROL—REPORT OF COMMITTEE FILED DURING ADJOURNMENT

Under the order of the Senate of the 17th instant,

Mr. MAYBANK, from the Committee on Banking and Currency, to which was referred the bill (H. R. 1731) to extend certain provisions of the Housing and Rent Act of 1947, as amended, and for other purposes, reported it on March 17, 1949, with an amendment, and submitted a report (No. 127) thereon.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. SPARKMAN, from the Committee on Banking and Currency:

S. 851. A bill to promote the settlement and development of the public domain in the Territory of Alaska by facilitating the construction of necessary housing therein, and for other purposes; with amendments (Rept. No. 129).

By Mr. O'CONOR, from the Committee on Post Office and Civil Service:

S. 498. A bill to increase rates of compensation of the heads and assistant heads of executive departments and independent agencies; with amendments (Rept. No. 130).

SPECIAL COMMITTEE TO STUDY PROBLEMS OF AMERICAN SMALL-BUSINESS ENTERPRISES—ADVERSE REPORT OF COMMITTEE

Mr. MAYBANK. Mr. President, from the Committee on Banking and Currency, I report adversely Senate Resolution 29, authorizing the appointment of a Special Committee To Study the Problems of American Small-Business Enterprises, and I submit an adverse report (No. 128) thereon.

Mr. WHERRY. Mr. President, will the Senator yield for a question?

Mr. MAYBANK. I yield.

Mr. WHERRY. Will the Senator identify the resolution?

Mr. MAYBANK. It is the so-called Murray resolution or small-business resolution.

Mr. WHERRY. It is the resolution relating to small business; is it?

Mr. MAYBANK. Yes. I may say to the Senator that it is the resolution which we assured him we would make some report upon as soon as possible after the hearings which he and the Senator from Montana [Mr. MURRAY] attended.

The VICE PRESIDENT. The report will be received and printed, and the resolution will be referred to the Committee on Rules and Administration.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, March 18, 1949, he presented to the President of the United States the following enrolled bills:

S. 315. An act for the relief of Dr. Chung Kwai Lui;

S. 335. An act for the relief of Claris U. Yeadon;

S. 592. An act for the relief of Edwin B. Anderson;

S. 594. An act for the relief of John I. Malarin, former Army mail clerk at APO 932, a branch of the San Francisco, Calif., post office, relative to a shortage in his fixed credit account;

S. 632. An act to authorize certain personnel and former personnel of the Naval Establishment to accept certain gifts and a foreign decoration tendered by foreign governments;

S. 633. An act for the relief of Rachel D. Gattegno; and

S. 634. An act to authorize payment of certain claims for damage to or loss or destruction of property and personal injury arising from activities of the Army.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. LUCAS:

S. 1297. A bill for the relief of Harry H. Winternitz and his wife, Jenta Winternitz; to the Committee on the Judiciary.

By Mr. KILGORE:

S. 1298. A bill for the relief of Harry J. Martin; to the Committee on Finance.

S. 1299. A bill to provide a system of transcontinental superhighways; to the Committee on Public Works.

(Mr. O'MAHONEY introduced Senate bill 1300, to conserve and increase the Nation's water resources, for promotion of irrigation in arid areas, by research and demonstration of practical means of producing, from sea or other saline waters, water suitable for beneficial consumptive use, and for other purposes, which was referred to the Committee on Interior and Insular Affairs, and appears under a separate heading.)

By Mr. MUNDT:

S. 1301. A bill to authorize and direct the Secretary of the Interior to issue to William Bow a patent in fee to certain land; to the Committee on Interior and Insular Affairs.

By Mr. TAFT:

S. 1302. A bill for the relief of Dino Constantin Alimanistianu and his family;

S. 1303. A bill for the relief of Vintila Bratianu and his family;

S. 1304. A bill for the relief of Nicolae G. Caranfil and his family;

S. 1305. A bill for the relief of Theodore Constantin Trancu and his wife; and

S. 1306. A bill for the relief of Mihail Farcasanu and his wife; to the Committee on the Judiciary.

By Mr. BUTLER:

S. 1307. A bill to provide for the establishment of the Fort Atkinson National Monument, in the State of Nebraska, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 1308. A bill for the relief of Gardi Sourell; to the Committee on the Judiciary.

(Mr. CONNALLY (for himself, Mr. JOHNSON of Texas, Mr. CHAVEZ, and Mr. ANDERSON) introduced Senate bill 1309, granting the consent and approval of Congress to a compact entered into by the States of New Mexico and Texas relating to the waters of the Pecos River, which was referred to the Committee on Interior and Insular Affairs, and appears under a separate heading.)

By Mr. BRIDGES:

S. 1310. A bill for the relief of Pierre E. Lefevre; to the Committee on the Judiciary.

By Mr. CAIN:

S. 1311. A bill authorizing the construction of a dam and reservoir on the Green River in Washington for flood control, and other purposes; to the Committee on Public Works.

By Mr. MAGNUSON:

S. 1312. A bill to provide for the payment of traveling and hotel expenses of the parents and/or wife to attend funeral of servicemen whose remains must be buried in a mass grave because of inability to identify same; to the Committee on Armed Services.

S. 1313. A bill conferring jurisdiction upon the United States District Court for the Eastern District of Washington to hear, determine, and render judgment upon the claim of Cox Bros.; to the Committee on the Judiciary.

S. 1314. A bill to authorize the issuance of a commemorative stamp in honor of the one hundredth anniversary of the landing of the first white settlers in the city of Seattle, Wash.; to the Committee on Post Office and Civil Service.

(Mr. WILEY introduced the following bills, which were referred to the Committee on the Judiciary, and appear under a separate heading:

S. 1315. A bill to amend the Displaced Persons Act of 1948;

S. 1316. A bill to amend the Displaced Persons Act of 1948; and

S. 1317. A bill to amend the Displaced Persons Act of 1948.)

By Mr. LANGER:

S. 1318. A bill to increase annuities under the Railroad Retirement Act of 1937 by 20 percent, and for other purposes; to the Committee on Labor and Public Welfare.

(Mr. BRIDGES introduced Senate Joint Resolution 66, favoring centralization by the respective States of their records pertaining to marriages and divorces, which was referred to the Committee on the Judiciary, and appears under a separate heading.)

CONVERSION OF SEA WATER FOR INDUSTRIAL AND IRRIGATION USES

Mr. O'MAHONEY. Mr. President, I introduce for appropriate reference a bill to authorize the Department of the Interior to develop methods for conversion of sea water on a large scale for public, industrial, and irrigation uses, and I ask unanimous consent that an explanatory statement by me be printed in the RECORD.

The bill (S. 1300) to conserve and increase the Nation's water resources, for promotion of irrigation in arid areas, by research and demonstration of practical means of producing, from sea or other saline waters, water suitable for beneficial consumptive use, and for other purposes, introduced by Mr. O'MAHONEY, was read twice by its title, and referred to the Committee on Interior and Insular Affairs.

The statement was ordered to be printed in the RECORD, as follows:

CONVERSION OF SEA WATER FOR INDUSTRIAL AND IRRIGATION USES

The arid West, where reclamation is essential to the cultivation of agricultural land, is not the only area of the country in need of new sources of water supply. Water shortages already exist or are threatened in a large

number of industrial and urban areas throughout the Nation, Senator O'MAHONEY explained in commenting on his bill which calls for construction and operation of demonstration plants to discover the most feasible means to convert sea water for industrial, domestic, and agricultural use.

The situation is acute not only for arid regions of the West, such as those through which the Colorado River flows, but also for large metropolitan areas throughout the country. So great has been the drain on underground water supplies in the East that industrial use of ground water in Brooklyn and in Queens County has been limited by law ever since 1934. The consumption of water in that area has been so great that the water table has been rapidly falling, and sea water has been flowing into the source of supply for domestic use.

The long struggle which has been waged over the distribution and use of the water of the Colorado River system is an illustration of the need for legislation of this character. There is not enough water in the river for all present and contemplated uses by the people of the States in the Colorado River Basin. Not only is this true with respect to irrigation and power, but it's true with respect to industrial and municipal use.

More than that, the Los Angeles-San Diego-San Francisco-Oakland areas, which are among the fastest-growing industrial and metropolitan regions of the Nation, are experiencing serious water shortages. This is a condition which will seriously limit the expansion of industrial development unless a solution is found.

Similar conditions exist in the Virgin Islands and in other insular possessions of the United States. If a feasible method for converting sea water is developed, it will be an untold blessing to all parts of the country.

Our oceans, with their limitless quantities of water at our doorsteps, are a national resource. The legislation I am introducing would permit American scientific and industrial genius to develop this great resource to meet existing and expanding needs for national security, public health, and economic development.

INTERSTATE COMPACT REGARDING WATERS OF THE PECOS RIVER

Mr. CONNALLY. Mr. President, I introduce a bill on behalf of myself, the junior Senator from Texas [Mr. JOHNSON], the senior Senator from New Mexico [Mr. CHAVEZ], and the junior Senator from New Mexico [Mr. ANDERSON], relating to a compact entered into between the States of New Mexico and Texas with regard to the utilization and proper division of the waters of the Pecos River. Senators will recall that at the last session there was a great deal of controversy in the Senate between the representatives of Texas and New Mexico over legislation of this character. Fortunately, the representatives of the two States have been able to adjust their differences, and have signed a compact, which has been ratified by the respective States, but now must be ratified by the Federal Government. So I am introducing the bill.

The bill (S. 1309) granting the consent and approval of Congress to a compact entered into by the States of New Mexico and Texas relating to the waters of the Pecos River, introduced by Mr. CONNALLY (for himself, Mr. JOHNSON of Texas, Mr. CHAVEZ, and Mr. ANDERSON) was read twice by its title, and referred to the Committee on Interior and Insular Affairs.

AMENDMENTS TO DISPLACED PERSONS ACT OF 1948

Mr. WILEY. Mr. President, I introduce for appropriate reference three bills to amend the Displaced Persons Act of 1948, and I ask unanimous consent that the bills, together with an explanatory statement by me, be printed in the RECORD.

The VICE PRESIDENT. The bills will be received and appropriately referred, and, without objection, the bills and statement presented by the Senator from Wisconsin will be printed in the RECORD.

There being no objection, the bills introduced by Mr. WILEY were severally read twice by their titles, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S. 1315

A bill to amend the Displaced Persons Act of 1948

Be it enacted, etc., That section 3 of the Displaced Persons Act of 1948 (Public Law 774, 80th Cong.) is amended to read as follows:

"(a) During the four fiscal years following the passage of this act a number of nonquota immigration visas not to exceed 400,000 may be issued to eligible displaced persons and eligible displaced orphans as defined herein: *Provided*, That a number not exceeding 10 percent of the visas issued under this act may be made available for displaced persons and displaced orphans as defined in section 2, subsection (b) of this act (with the exception of those persons defined in annex I, part I, section A, paragraph 1 of the constitution of the International Refugee Organization) who are outside of the geographical areas defined in subsection (c) of section 2 of the said act and have not been permanently resettled.

"(b) The Commission shall insure that, in the administration of this act, there shall be no discrimination in favor of or against any eligible displaced person or eligible displaced orphan because of race, religion, or national origin of such eligible displaced persons."

S. 1316

A bill to amend the Displaced Persons Act of 1948

Be it enacted, etc., That subsection (e) of section 2 of the Displaced Persons Act of 1948 (Public Law 774, 80th Cong.) is amended to read as follows:

"(e) 'Eligible displaced orphan' means a displaced person who (1) was under the age of 21 years on the effective date of this act; and (2) is qualified under the immigration laws of the United States for admission into the United States for permanent residence; and (3) who is an orphan because of the death or disappearance of both parents; or (4) a child whose parents are unable to accompany it to the United States (a) because of inability to meet standards of mental or physical health, or (b) because they are permanently separated from the child by abandonment, repatriation, or otherwise, or (c) who are incapable of providing care for such child and agree to release it for immigration and adoption; and (5) who on or before January 1, 1949, was in Italy or in the American sector, the British sector, or the French sector of either Berlin or Vienna or the American zone, the British zone, or the French zone of either Germany or Austria and for whom satisfactory assurances in accordance with the regulations of the Commission have been given that such person, if admitted into the United States, will be cared for properly."

S. 1317

A bill to amend the Displaced Persons Act of 1948

Be it enacted, etc., That subsection (c) of section 2 of the Displaced Persons Act of 1948 (Public Law 774, 80th Cong.) is amended to read as follows:

"(c) 'Eligible displaced person' means a displaced person as defined in subsection (b) above, (1) who, between September 1, 1939, and January 1, 1949, was in Italy or the American sector, the British sector, or the French sector of either Berlin or Vienna, or the American zone, the British zone, or the French zone of either Germany or Austria and has not been firmly resettled; or a person who, having resided in Germany or Austria, was a victim of persecution by the Nazi Government and was detained in or was obliged to flee from such persecution and was subsequently returned to one of these countries and has not been firmly resettled, and (2) who is qualified under the immigration laws of the United States for admission into the United States for permanent residence, and (3) for whom assurances in accordance with the regulations of the Commission have been given that such person and the members of such person's family who shall accompany such person and who propose to live with such person shall not become public charges.

"As used in this act, eligible displaced person includes the spouse, dependent parent or parents, and the unmarried dependent child or children, including stepchildren and adopted children, of such an eligible displaced person, if such person is otherwise qualified for admission into the United States for permanent residence. All contrary or conflicting provisions of the Displaced Persons Act of 1948 are hereby repealed."

The statement presented by Mr. WILEY was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR WILEY ON AMENDMENTS TO DISPLACED-PERSONS LAW OF 1948

On February 23, 1949, I issued a statement on 15 major changes which I felt were necessary in the displaced-persons law. On that day I introduced Senate bill 1055, revising the eligibility date under the law, so as to make eligible some 175,000 persons otherwise excluded from the provisions of the law. I indicated that at a later date I would introduce other amendments to apply each of the principles which I set forth.

At this time, therefore, I am introducing three amendments in fulfillment of that promise. The first of the amendments is phrased so as to make available a number of nonquota immigration visas (under the 400,000 over-all limitation) which number, not exceeding 10 percent, would be reserved for displaced persons residing outside our occupation zones in Germany and Austria.

I am only going to touch upon the high spot of that particular amendment and the other two amendments which follow.

The second amendment is to raise the limitation on the age of eligible orphans from the age of 16 years to 21 years. This amendment also liberalizes the definition of orphans in order to cope with some of the many circumstances which have arisen already under the displaced-persons law in connection with bringing orphans to our land.

The third amendment is to help preserve family unity in displaced persons coming to our country. Thus it clarifies eligible displaced person to include dependent parents of displaced persons and unmarried dependent children including stepchildren and adopted children of displaced persons.

I feel that all of these amendments are consistent with the high humanitarian ideals of Senate bill 311 which has been introduced

by my colleagues, the junior Senator from Rhode Island [Mr. McGRATH] and the junior senator from West Virginia [Mr. NEELY]. Taken together with S. 311, I believe that my amendments provide a workable basis for revision of the present statute—a statute which was only a temporary stopgap mechanism which must now be overhauled.

I want to express a brief word of congratulations to all of the many church and lay organizations which have been cooperating magnificently in coming to agreement on the general principles of my own amendments and of Senate bill 311. Their cooperation, which is a welcome factor on the American scene, has, I believe, facilitated the job of Congress immeasurably in its work toward revision of the present statute. The Citizens Committee on Displaced Persons (if I may name the over-all organization which has been working on this problem, without detracting in any way from the other splendid organizations which have been working on it) the Citizens Committee itself is to be congratulated for its yeoman work in securing interfaith cooperation.

I do want to express a word of congratulations, too, to the many State committees on displaced persons, like the Wisconsin Committee on Resettlement headed by Prof. George W. Hill, at Madison, which has been working with might and main toward the prompt resettlement of displaced persons.

It is essential, of course, that until the present statute is revised there be the finest possible administration of it in order that the present trickle of displaced persons entering our country can be increased.

Finally, there is attached to this statement an editorial published in the March 9, 1949, issue of the newspaper, the Eau Claire Leader. This splendid newspaper, which is published in the adjoining city to my own home town, has commented most graciously on my February 23 statement. I ask that it be included in the RECORD not because of its personal praise of myself but rather because I believe it helps clarify the issues at hand, irrespective of myself or any other factor. (See page A1562 of the Appendix of the CONGRESSIONAL RECORD.)

RECORDS PERTAINING TO MARRIAGES AND DIVORCES

Mr. BRIDGES. Mr. President, I have the pleasure to introduce for the American Association of Registration Executives a joint resolution by the terms of which the Congress would call upon the respective States to centralize their records pertaining to marriages and divorces. I was requested to introduce this joint resolution by Miss Marion Maloon, who is president of the association and registrar of the division of vital statistics of the New Hampshire Department of Health.

I ask that the text of the resolution be printed at this point in the RECORD and that there follow the attached explanatory statement along with a resolution adopted by the American Public Health Association with respect to the problem the joint resolution would treat.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred, and, without objection, the joint resolution, the explanatory statement, and the resolution will be printed in the RECORD.

The joint resolution (S. J. Res. 66) favoring centralization by the respective States of their records pertaining to marriages and divorces, introduced by Mr. BRIDGES, was read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Whereas adequate systems of registration of records of marriages and divorces are of great value to individuals who need and seek such records for a variety of personal and legal uses; and

Whereas such registration systems make possible the compiling of information that is essential to those charged with responsibility in the fields of health, education, child welfare, housing, and many other aspects of the general welfare; and

Whereas the principal countries of the civilized world recognize the necessity for such systems of records and information; and

Whereas the necessary information concerning occurrences of marriages and divorces is now readily available only for parts of the United States, in particular those States and larger cities which have provided for some system of central registration of the records of marriages and divorces like that established for records of births and deaths; and

Whereas it is most important that registration of marriage and divorce records should be conducted under laws and procedures that will insure a practical comparability and uniformity in the character and amount of information available from the several States; and

Whereas the American Association of Registration Executives and many other organizations and individuals have been striving to this end and have made known to the National Office of Vital Statistics, in the Public Health Service of the Federal Security Agency, their concern with the need for adequate records and information relating to marriages and divorces in the United States, and the desirability of extending the benefits of State registration of marriage and divorce records and of promoting its efficiency: Now, therefore, be it

Resolved, etc., That the Senate and House of Representatives of the United States hereby express approval of this movement for establishing integrated systems in the several States of records of marriages and divorces, and requests the favorable consideration and action of the State authorities, to the end that the United States may attain a complete and adequate system which will serve the needs of individuals and will yield necessary and comparable information concerning the vital statistics of marriages and divorces in the United States.

The explanatory statement and resolution were ordered to be printed in the RECORD, as follows:

EXPLANATORY STATEMENT BY SENATOR BRIDGES

The American Association of Registration Executives for several years has been concerned with the need for registration of records of marriages and divorces in State offices, both to provide greater accessibility to individuals who have valid need for the records and to provide useful statistical information about such occurrences which will be comparable among the several States. Vital statistics of marriages and divorces can most feasibly be handled in essentially the same manner which has proven successful for vital statistics of birth, deaths, stillbirths, etc. A few States have operated an integrated system of handling all vital statistics for many years; other States have done so more recently. But we are far from achieving a situation where every State has provided such integration. Individuals seeking copies of records of marriages or divorces for their legal and personal uses, and investigators seeking information about the numbers and trends of such occurrences, are confronted with a maze of different record systems and with the sometimes hopeless task of searching among hundreds of county and other local offices.

A similar situation once existed with respect to records and information concerning births and deaths. Recognizing the seriousness of the situation, the Fifty-seventh Congress of the United States wisely passed a joint resolution (Public Resolution 7, February 11, 1903) pointing out that efforts were being made to achieve complete and comparable registration and records in the several States, expressing approval of this movement, and requesting favorable consideration and action of the State authorities. Undoubtedly this 1903 joint resolution had significant influence, in the years following 1903, in the successful drive to obtain consideration and passage in the various State legislatures of the necessary laws for State centralization of birth and death records. Such centralized systems are now in operation in all the States and have made possible the compilation of useful and comparable national statistics of births and deaths in the National Office of Vital Statistics (formerly in the Census Bureau and now in the Public Health Service of the Federal Security Agency), through well-established Federal-State cooperative relationships.

The American Association of Registration Executives, at a meeting on March 18, 1948, voted to direct its officers to request the Congress of the United States to pass a joint resolution, along the lines of the 1903 resolution, recognizing the need for and expressing approval of the movement for State systems of registration of marriage and divorce records from which adequate comparable information for the Nation could be obtained, and requesting favorable consideration and action of State authorities. The association also directed its officers to implement this decision by preparing a draft of such a proposed joint resolution, with appropriate supporting documents; and by making known to the proper authorities the support of the American Association of Registration Executives for such action, and soliciting support of other interested organizations.

RESOLUTION APPROVED AT THE SEVENTY-SIXTH ANNUAL MEETING OF THE AMERICAN PUBLIC HEALTH ASSOCIATION, NOVEMBER 10, 1948

Resolution of marriage and divorce statistics

Whereas the American Public Health Association recognizes the need for more adequate marriage and divorce statistics, to provide much-needed information on many aspects of the health and well-being of the family, community, State, and Nation; and

Whereas these vital statistics of marriages and divorces can most feasibly be developed through the same channels as have proven effective for vital statistics of births and deaths, as part of the public-health programs of the several States, with development of national statistics through cooperative State-Federal relationships: Now, therefore, be it

Resolved, That the American Public Health Association expresses its support for State centralization of marriage and divorce records and statistics and their integration with other vital records and statistics, and urges all States not yet operating such an integrated system to effect this urgently needed change at the earliest possible time; and be it further

Resolved, That the American Public Health Association calls upon the National Office of Vital Statistics, in the Public Health Service of the Federal Security Agency, to take all steps possible for encouraging the development of systems of marriage and divorce records and statistics in every State that will make for maximum uniformity, comparability, and prompt availability of data, and for developing a program of detailed national statistics of marriage and

divorce, based on national registration areas for marriages and divorces, adequate to meet the pressing needs for such vital statistics.

RENT CONTROL—AMENDMENT

Mr. CAPEHART submitted an amendment intended to be proposed by him to the bill (H. R. 1731) to extend certain provisions of the Housing and Rent Act of 1947, as amended, and for other purposes, which was ordered to lie on the table and to be printed.

AMENDMENT OF ECONOMIC COOPERATION ACT OF 1948—AMENDMENTS

Mr. MAGNUSON. Mr. President, on behalf of the Senator from Vermont [Mr. AIKEN], the senior Senator from Oregon [Mr. CORDON], the junior Senator from Oregon [Mr. MORSE], the junior Senator from Idaho [Mr. MILLER], the senior Senator from Idaho [Mr. TAYLOR], my colleague the junior Senator from Washington [Mr. CAIN], the senior Senator from California [Mr. DOWNEY], the junior Senator from California [Mr. KNOWLAND], and the Senator from Florida [Mr. PEPPER], and myself, I submit two amendments intended to be proposed by us, jointly, to the bill (S. 1209) to amend the Economic Cooperation Act of 1948. I ask that the amendments be printed and lie on the table for the information of Senators.

The VICE PRESIDENT. The amendments will be received and printed, as requested by the Senator from Washington.

AMENDMENT OF COMMODITY CREDIT CORPORATION CHARTER AND STRATEGIC AND CRITICAL MATERIALS STOCK PILING ACTS—AMENDMENT

Mr. BUTLER submitted an amendment intended to be proposed by him to the bill (S. 900) to amend the Commodity Credit Corporation Charter Act, the Strategic and Critical Materials Stock Piling Act, and for other purposes, which was ordered to lie on the table and to be printed.

NOTICES OF MOTIONS TO SUSPEND THE RULE—AMENDMENTS TO DEFICIENCY APPROPRIATION BILL

Mr. GURNEY submitted the following notice in writing:

In accordance with rule XL, of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H. R. 2632) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1949, and for other purposes, the following amendment, namely: On page 10, after line 5, insert the following:

"MOTOR CARRIER CLAIMS COMMISSION

"SALARIES AND EXPENSES

"For expenses necessary for the Motor Carrier Claims Commission established by the act of July 2, 1948 (Public Law 880), including personal services in the District of Columbia, travel expenses, printing and binding, and services as authorized by section 15 of the act of August 2, 1946 (5 U. S. C. 55a), $50,000: *Provided*, That section 6 of the aforesaid act of July 2, 1948, as amended, is further amended by striking out the words '9 months' and inserting in lieu thereof the words '15 months,' and section 13 of said act, as amended, is further amended by striking out the words '9 months' period' and inserting in lieu thereof the words '15 months' period.'"

Mr. GURNEY also submitted an amendment intended to be proposed by him to House bill 2632, making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1949, and for other purposes, which was ordered to lie on the table and to be printed.

(For text of amendment referred to, see the foregoing notice.)

Mr. FERGUSON submitted the following notice in writing:

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H. R. 2632) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1949, and for other purposes, the following amendment, namely: After the paragraph under the caption "Tennessee Valley Authority" insert the following:

"Any Federal taxpayer or any consumer of electric energy, neither of whom is supplied with electric energy produced by the Tennessee Valley Authority, may, and is hereby authorized to, institute and maintain an action against the Tennessee Valley Authority in the United States District Court for the District of Columbia to enjoin the expenditure of any funds herein appropriated for the construction of any steam electric generating plant by the Tennessee Valley Authority and to enjoin the construction of said plant or plants as being contrary to law: *Provided*, That such an action shall not be maintained unless the complaint is filed within 3 months from the date when the act making the appropriation becomes effective. Service may be made upon the Tennessee Valley Authority by delivering a copy of the summons and of the complaint to any officer or agent of the Tennessee Valley Authority at the office of said Authority in the District of Columbia or by sending a copy of the summons and of the complaint by registered mail to the Tennessee Valley Authority at Knoxville, Tenn. The provisions of sections 1253, 2101, 2282, and 2284 of new title 28, Judiciary and Judicial Procedure, shall be applicable to such an action.

"2. It is the intention of this provision to vest in such Federal taxpayers and consumers of electric energy the private substantive right to be protected against unlawful expenditures of Federal funds and the unlawful construction of steam plants by the TVA, and to permit the action herein authorized for the protection of the public and for the protection of such private substantive right."

Mr. FERGUSON also submitted an amendment intended to be proposed by him to House bill 2632, making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1949, and for other purposes, which was ordered to lie on the table and to be printed.

(For text of amendment referred to, see the foregoing notice.)

DOMESTIC ECONOMIC ISSUES—ADDRESS BY SENATOR MARTIN

[Mr. MARTIN asked and obtained leave to have printed in the RECORD an address delivered by him on March 17, 1949, before the Manufacturers' Association of Delaware County, Pa., at Chester, Pa., which appears in the Appendix.]

EDITORIAL COMMENTS ON ADDRESS BY HON. JAMES A. FARLEY BEFORE NEW YORK STATE BANKERS ASSOCIATION

[Mr. GEORGE asked and obtained leave to have printed in the RECORD editorial comments on the address delivered by Hon. James A. Farley before the New York State Bankers Association in New York City on January 24, 1949, which appear in the Appendix.]

IN STALIN'S FOOTSTEPS—ARTICLE BY FELIX MORLEY

[Mr. JENNER asked and obtained leave to have printed in the RECORD an article entitled "In Stalin's Footsteps," written by Felix Morley, which appears in the Appendix.]

UNESCO AND THE DEVELOPMENT OF INTERNATIONAL UNDERSTANDING—ADDRESS BY WALTER H. C. LAVES

[Mr. MURRAY asked and obtained leave to have printed in the RECORD an address entitled "UNESCO and the Development of International Understanding," delivered by Walter H. C. Laves, Deputy Director General of the United Nations Educational, Scientific, and Cultural Organization, before the National Farm Institute at Des Moines, Iowa, February 18, 1949, which appears in the Appendix.]

SHALL AMERICA OR RUSSIA RULE THE AIR?—ADDRESS BY COL. ROSCOE TURNER

[Mr. BRIDGES asked and obtained leave to have printed in the RECORD an address entitled "Shall America or Russia Rule the Air?", delivered by Col. Roscoe Turner, November 4, 1948, at the national meeting of the Society of Automotive Engineers at Tulsa, Okla., which appears in the Appendix.]

NOMINATION OF COL. E. W. PALMER AS OUTSTANDING BUSINESS LEADER OF THE SOUTH

[Mr. BRIDGES asked and obtained leave to have printed in the RECORD a letter from Lawrence J. Linck, executive director of the National Society for Crippled Children and Adults, Inc., to Col. Hubert F. Lee, editor and founder of Dixie Business, relating to the nomination of Col. E. W. Palmer, of Meredith, N. H., as one of the outstanding leaders of the South which appears in the Appendix.]

OUR NATIONAL FLAG—ESSAY BY LT. COL. ARTHUR M. EDWARDS

[Mr. BRIDGES asked and obtained leave to have printed in the RECORD an essay entitled "Our National Flag," by Lt. Col. Arthur M. Edwards, United States Army, retired, which appears in the Appendix.]

DEMOCRACIES CAN SOLVE THE GERMAN PROBLEM BY ATLANTIC UNION—EDITORIAL FROM THE MEMPHIS PRESS-SCIMITAR

[Mr. FLANDERS asked and obtained leave to have printed in the RECORD an editorial entitled "Democracies Can Solve the German Problem by Atlantic Union," from the Memphis Press-Scimitar, which appears in the Appendix.]

DISPLACED PERSONS—EDITORIAL FROM THE EAU CLAIRE LEADER

[Mr. WILEY asked and obtained leave to have printed in the RECORD an editorial entitled "Displaced Persons," from the Eau Claire Leader of March 9, 1949, which appears in the Appendix.]

LETTERS COMMENDING FRANCIS LLOYD JONES AND JOHN N. KOSTELNIK FOR HEROISM

[Mr. CAIN asked and obtained leave to have printed in the RECORD two letters written by the Yale Association of Washington State commending Mr. Francis Lloyd Jones, of Seattle, and Mr. John N. Kostelnik, of Renton, Wash., for their courage in saving the lives of Yale students who were victims of an airplane disaster last January in Seattle, which appears in the Appendix.]

RICHARD KIM

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 90) to provide for the naturalization of Richard Kim, which was to amend the title so as to read: "An act to provide for permanent residence status of Richard Kim."

Mr. McCARRAN. Mr. President, I move that the Senate concur in the amendment of the House.

Mr. WHERRY. Would the Senator explain the purpose of the amendment?

Mr. McCARRAN. The House has merely amended the title of the bill.

The VICE PRESIDENT. The question is on the motion of the Senator from Nevada.

The motion was agreed to.

RELIEF OF CITY AND COUNTY OF SAN FRANCISCO—INDEFINITE POSTPONEMENT OF BILL

The VICE PRESIDENT laid before the Senate the bill (H. R. 1509) for the relief of the city and county of San Francisco.

Mr. McCARRAN. Mr. President, on February 21, 1949, the Senate passed Senate bill 198, for the relief of the city and county of San Francisco, and on the same day the House passed House bill 1509, identical with the Senate bill. Subsequently Senate bill 198 was passed by the House and has been approved by the President. Therefore I ask unanimous consent that House bill 1509 be indefinitely postponed.

The VICE PRESIDENT. Without objection, it is so ordered.

BOARD OF REGENTS OF SMITHSONIAN INSTITUTION

The VICE PRESIDENT laid before the Senate the joint resolution (H. J. Res. 89) providing for the filling of a vacancy in the Board of Regents of the Smithsonian Institution, of the class other than Members of Congress, which was read twice by its title.

Mr. HAYDEN. This joint resolution provides for filling a vacancy to which the House is entitled on the board. The House has filled the vacancy. I ask unanimous consent for the present consideration of the joint resolution.

The VICE PRESIDENT. Is there objection?

There being no objection, the joint resolution (H. J. Res. 89) providing for the filling of a vacancy on the Board of the Smithsonian Institution, was considered, ordered to a third reading, read the third time, and passed, as follows:

Resolved, etc., That the vacancy in the Board of Regents of the Smithsonian Institution, of the class other than Members of Congress, be filled by the appointment of Jerome C. Hunsaker, a citizen of Massachusetts, for the statutory term of 6 years, to succeed Frederic C. Walcott, retired.

THE CALENDAR

The VICE PRESIDENT. The next order of business is the call of the calendar under rule VIII. The clerk will proceed to state the business on the calendar.

BILL PASSED OVER

The bill (S. 130) to provide for the demonstration of public-library service in areas without such service or with inadequate library facilities was announced as first in order.

Mr. TAFT. Over.

The VICE PRESIDENT. The bill will be passed over.

UPPER COLORADO RIVER BASIN COMPACT

The bill (S. 790) to grant the consent of the United States to the Upper Colorado River Basin Compact, was announced as next in order.

Mr. KNOWLAND. Mr. President, reserving the right to object—and I do not intend to object—I should like to address an inquiry to the able Senator from Wyoming [Mr. O'MAHONEY], chairman of the Committee on Interior and Insular Affairs, relative to this bill.

The particular point upon which I desire reassurance by the chairman of the committee, so that the intent of Congress may be clearly expressed in the legislative history of this measure, is this: That—

Congress by giving its consent to the Upper Colorado River Basin Compact, does not commit the United States to any interpretation of the Colorado River Compact expressed in, or implied from, the Upper Colorado River Basin Compact and expresses neither agreement nor disagreement with any such interpretation.

The language I have just used is taken from the report of the Public Lands Committee of the House, which I understand was agreed upon March 17, by that committee and assented to by the compact commissioners representing the five States signatory to the Upper Colorado River Basin Compact. May I ask the chairman of the committee whether the language which I have quoted represents also the intent of the Senate committee?

Mr. O'MAHONEY. Mr. President, this bill was unanimously approved by the Committee on Interior and Insular Affairs. After that action was taken and the bill went on the calendar, the House Committee on Public Lands held a hearing at which all persons who were interested in the Colorado River system were present.

Yesterday, on the 17th day of March, that committee adopted a report which contains a statement with respect to the purpose and effect of the bill, with which we completely agree. Let me say that I think the 17th day of March was a very excellent day upon which to settle a controversy. I am very glad, therefore, to read into the RECORD this language from the House report, and say that it meets the concurrence of members of the Committee on Interior and Insular Affairs:

MARCH 17, 1949.

STATEMENT TO BE INCLUDED IN THE REPORT OF THE HOUSE COMMITTEE ON PUBLIC LANDS ON H. R. 2325 (S. 790), GRANTING THE CONSENT OF CONGRESS TO THE UPPER COLORADO RIVER BASIN COMPACT

The Upper Colorado River Basin Compact is an interstate compact between the States of Arizona, Colorado, New Mexico, Utah, and Wyoming. Article I, section 10, of the Constitution of the United States requires that before a compact or agreement between States is effective the Congress of the United States must consent thereto. The purpose of S. 790 (H. R. 2325) is to give such congressional consent to the Upper Colorado River Basin Compact. S. 790 (H. R. 2325) does not, nor does the Upper Colorado River Basin Compact, alter, amend, modify, or repeal the Boulder Canyon Project Act (45 Stat. 1057) or the Colorado River Compact signed at Santa Fe, N. Mex., on November 24, 1922. It is recognized that the Upper Colorado River Basin Compact is binding only upon the States which are signatory thereto and does not impair any rights of any State not signatory thereto, and that the Upper Colorado River Basin Compact is subject, in all respects, to the provisions and limitations contained in the Colorado River Compact. It is further recognized that Congress, by giving its consent to the Upper Colorado River Basin Compact, does not commit the United States to any interpretation of the Colorado River Compact, expressed in, or implied from the Upper Colorado River Basin Compact, and expresses neither agreement nor disagreement with any such interpretation.

Mr. KNOWLAND. I thank the Senator for his statement, and I have no objection.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the consent of the Congress is hereby given to the compact, signed (after negotiations in which a representative of the United States, duly appointed by the President, participated and upon which he has reported to the Congress) by the Commissioners for the States of Arizona, Colorado, New Mexico, Utah, and Wyoming, on October 11, 1948, at Santa Fe, N. Mex., and thereafter ratified by the legislatures of each of the States aforesaid, which said compact reads as follows:

"UPPER COLORADO RIVER BASIN COMPACT

"The State of Arizona, the State of Colorado, the State of New Mexico, the State of Utah, and the State of Wyoming, acting through their commissioners.

"Charles A. Carson for the State of Arizona,

"Clifford H. Stone for the State of Colorado,

"Fred E. Wilson for the State of New Mexico,

"Edward H. Watson for the State of Utah, and

"L. C. Bishop for the State of Wyoming, after negotiations participated in by Harry W. Bashore, appointed by the President as the representative of the United States of America, have agreed, subject to the provisions of the Colorado River Compact, to determine the rights and obligations of each signatory State respecting the uses and de-

liveries of the water of the upper basin of the Colorado River, as follows:

"ARTICLE I

"(a) The major purposes of this compact are to provide for the equitable division and apportionment of the use of the waters of the Colorado River system, the use of which was apportioned in perpetuity to the upper basin by the Colorado River Compact; to establish the obligations of each State of the upper division with respect to the deliveries of water required to be made at Lee Ferry by the Colorado River Compact; to promote interstate comity; to remove causes of present and future controversies; to secure the expeditious agricultural and industrial development of the upper basin, the storage of water and to protect life and property from floods.

"(b) It is recognized that the Colorado River Compact is in full force and effect and all of the provisions hereof are subject thereto.

"ARTICLE II

"As used in this compact:

"(a) The term 'Colorado River system' means that portion of the Colorado River and its tributaries within the United States of America.

"(b) The term 'Colorado River Basin' means all of the drainage area of the Colorado River system and all other territory within the United States of America to which the waters of the Colorado River system shall be beneficially applied.

"(c) The term 'States of the upper division' means the States of Colorado, New Mexico, Utah, and Wyoming.

"(d) The term 'States of the lower division' means the States of Arizona, California, and Nevada.

"(e) The term 'Lee Ferry' means a point in the main stream of the Colorado River 1 mile below the mouth of the Paria River.

"(f) The term 'upper basin' means those parts of the States of Arizona, Colorado, New Mexico, Utah, and Wyoming within and from which waters naturally drain into the Colorado River system above Lee Ferry, and also all parts of said States located without the drainage area of the Colorado River system which are now or shall hereafter be beneficially served by waters diverted from the Colorado River system above Lee Ferry.

"(g) The term 'lower basin' means those parts of the States of Arizona, California, Nevada, New Mexico, and Utah within and from which waters naturally drain into the Colorado River system below Lee Ferry, and also all parts of said States located without the drainage area of the Colorado River System which are now or shall hereafter be beneficially served by waters diverted from the Colorado River system below Lee Ferry.

"(h) The term 'Colorado River Compact' means the agreement concerning the apportionment of the use of the waters of the Colorado River system dated November 24, 1922, executed by Commissioners for the States of Arizona, California, Colorado, Nevada, New Mexico, Utah, and Wyoming, approved by Herbert Hoover, representative of the United States of America, and proclaimed effective by the President of the United States of America, June 25, 1929.

"(i) The term 'upper Colorado River system' means that portion of the Colorado River system above Lee Ferry.

"(j) The term 'Commission' means the administrative agency created by article VIII of this compact.

"(k) The term 'water year' means that period of 12 months ending September 30 of each year.

"(l) The term 'acre-foot' means the quantity of water required to cover an acre to the depth of 1 foot and is equivalent to 43,560 cubic feet.

"(m) The term 'domestic use' shall include the use of water for household, stock, municipal, mining, milling, industrial, and other like purposes, but shall exclude the generation of electrical power.

"(n) The term 'virgin flow' means the flow of any stream undepleted by the activities of man.

"ARTICLE III

"(a) Subject to the provisions and limitations contained in the Colorado River Compact and in this compact, there is hereby apportioned from the upper Colorado River system in perpetuity to the States of Arizona, Colorado, New Mexico, Utah, and Wyoming, respectively, the consumptive use of water, as follows:

"(1) To the State of Arizona the consumptive use of 50,000 acre-feet of water per annum.

"(2) To the States of Colorado, New Mexico, Utah, and Wyoming, respectively, the consumptive use per annum of the quantities resulting from the application of the following percentages to the total quantity of consumptive use per annum apportioned in perpetuity to and available for use each year by upper basin under the Colorado River Compact and remaining after the deduction of the use, not to exceed 50,000 acre-feet per annum, made in the State of Arizona.

"State of Colorado, 51.75 percent; State of New Mexico, 11.25 percent; State of Utah, 23 percent; State of Wyoming, 14 percent.

"(b) The apportionment made to the respective States by paragraph (a) of this article is based upon, and shall be applied in conformity with, the following principles and each of them:

"(1) The apportionment is of any and all man-made depletions;

"(2) Beneficial use is the basis, the measure, and the limit of the right to use;

"(3) No State shall exceed its apportioned use in any water-year when the effect of such excess use, as determined by the Commission, is to deprive another signatory State of its apportioned use during that water-year: *Provided*, That this subparagraph (b) (3) shall not be construed as:

"(i) Altering the apportionment of use or obligations to make deliveries as provided in articles XI, XII, XIII, or XIV of this compact;

"(ii) Purporting to apportion among the signatory States such uses of water as the upper basin may be entitled to under paragraphs (f) and (g) of article III of the Colorado River Compact; or

"(iii) Countenancing average uses by any signatory State in excess of its apportionment.

"(4) The apportionment to each State includes all water necessary for the supply of any rights which now exist.

"(c) No apportionment is hereby made, or intended to be made, of such uses of water as the upper basin may be entitled to under paragraphs (f) and (g) of article III of the Colorado River Compact.

"(d) The apportionment made by this article shall not be taken as any basis for the allocation among the signatory States of any benefits resulting from the generation of power.

"ARTICLE IV

"In the event curtailment of use of water by the States of the upper division at any time shall become necessary in order that the flow at Lee Ferry shall not be depleted below that required by article III of the Colorado River Compact, the extent of curtailment by each State of the consumptive use of water apportioned to it by article III of this compact shall be in such quantities and at such times as shall be determined by the Commission upon the application of the following principles:

"(a) The extent and times of curtailment shall be such as to assure full compliance with article III of the Colorado River Compact;

"(b) If any State or States of the upper division, in the 10 years immediately preceding the water-year in which curtailment is necessary, shall have consumptively used more water than it was or they were, as the case may be, entitled to use under the apportionment made by article III of this compact, such State or States shall be required to supply at Lee Ferry a quantity of water equal to its, or the aggregate of their, overdraft or the proportionate part of such overdraft, as may be necessary to assure compliance with article III of the Colorado River compact, before demand is made on any other State of the upper division;

"(c) Except as provided in subparagraph (b) of this article, the extent of curtailment by each State of the upper division of the consumptive use of water apportioned to it by article III of this compact shall be such as to result in the delivery at Lee Ferry of a quantity of water which bears the same relation to the total required curtailment of use by the States of the upper division as the consumptive use of upper Colorado River system water which was made by each such State during the water-year immediately preceding the year in which the curtailment becomes necessary bears to the total consumptive use of such water in the States of the upper division during the same water-year: *Provided*, That in determining such relation, the uses of water under rights perfected prior to November 24, 1922, shall be excluded.

"ARTICLE V

"(a) All losses of water occurring from or as the result of the storage of water in reservoirs constructed prior to the signing of this compact shall be charged to the State in which such reservoir or reservoirs are located. Water stored in reservoirs covered by this paragraph (a) shall be for the exclusive use of and shall be charged to the State in which the reservoir or reservoirs are located.

"(b) All losses of water occurring from or as the result of the storage of water in reservoirs constructed after the signing of this compact shall be charged as follows:

"(1) If the Commission finds that the reservoir is used, in whole or in part, to assist the States of the upper division in meeting their obligations to deliver water at Lee Ferry imposed by article III of the Colorado River compact, the Commission shall make findings, which in no event shall be contrary to the laws of the United States of America under which any reservoir is constructed, as to the reservoir capacity allocated for that purpose. The whole or that proportion, as the case may be, of reservoir losses as found by the Commission to be reasonably and properly chargeable to the reservoir or reservoir capacity utilized to assure deliveries at Lee Ferry shall be charged to the States of the upper division in the proportion which the consumptive use of water in each State of the upper division during the water year in which the charge is made bears to the total consumptive use of water in all States of the upper division during the same water year. Water stored in reservoirs or in reservoir capacity covered by this subparagraph (b) (1) shall be for the common benefit of all of the States of the upper division.

"(2) If the Commission finds that the reservoir is used, in whole or in part, to supply water for use in a State of the upper division, the Commission shall make findings, which in no event shall be contrary to the laws of the United States of America under which any reservoir is constructed, as to the reservoir or reservoir capacity utilized to supply water for use and the State in which such water will be used. The whole or that proportion, as the case may be, of reservoir

losses as found by the Commission to be reasonably and properly chargeable to the State in which such water will be used shall be borne by that State. As determined by the Commission, water stored in reservoirs covered by this subparagraph (b) (2) shall be earmarked for and charged to the State in which the water will be used.

"(c) In the event the Commission finds that a reservoir site is available both to assure deliveries at Lee Ferry and to store water for consumptive use in a State of the upper division, the storage of water for consumptive use shall be given preference. Any reservoir or reservoir capacity hereafter used to assure deliveries at Lee Ferry shall by order of the Commission be used to store water for consumptive use in a State, provided the Commission finds that such storage is reasonably necessary to permit such State to make the use of the water apportioned to it by this compact.

"ARTICLE VI

"The Commission shall determine the quantity of the consumptive use of water, which use is apportioned by article III hereof, for the upper basin and for each State of the upper basin by the inflow-outflow method in terms of man-made depletions of the virgin flow at Lee Ferry, unless the Commission, by unanimous action, shall adopt a different method of determination.

"ARTICLE VII

"The consumptive use of water by the United States of America or any of its agencies, instrumentalities or wards shall be charged as a use by the State in which the use is made; provided, that such consumptive use incident to the diversion, impounding, or conveyance of water in one State for use in another shall be charged to such latter State.

"ARTICLE VIII

"(a) There is hereby created an interstate administrative agency to be known as the Upper Colorado River Commission. The Commission shall be composed of one Commissioner, representing each of the States of the upper division, namely, the States of Colorado, New Mexico, Utah, and Wyoming, designated or appointed in accordance with the laws of each such State and, if designated by the President, one Commissioner representing the United States of America. The President is hereby requested to designate a Commissioner. If so designated the Commissioner representing the United States of America shall be the presiding officer of the Commission and shall be entitled to the same powers and rights as the Commissioner of any State. Any four members of the Commission shall constitute a quorum.

"(b) The salaries and personal expenses of each Commissioner shall be paid by the government which he represents. All other expenses which are incurred by the Commission incident to the administration of this compact, and which are not paid by the United States of America, shall be borne by the four States according to the percentage of consumptive use apportioned to each. On or before December 1 of each year, the Commission shall adopt and transmit to the Governors of the four States and to the President a budget covering an estimate of its expenses for the following year, and of the amount payable by each State. Each State shall pay the amount due by it to the Commission on or before April 1 of the year following. The payment of the expenses of the Commission and of its employees shall not be subject to the audit and accounting procedures of any of the four States; however, all receipts and disbursement of funds handled by the Commission shall be audited yearly by a qualified independent public accountant and the report of the audit shall be included in and become a part of the annual report of the Commission.

"(c) The Commission shall appoint a secretary, who shall not be a member of the Commission, or an employee of any signatory State or of the United States of America while so acting. He shall serve for such term and receive such salary and perform such duties as the Commission may direct. The Commission may employ such engineering, legal, clerical, and other personnel as, in its judgment, may be necessary for the performance of its functions under this compact. In the hiring of employees, the Commission shall not be bound by the civil-service laws of any State.

"(d) The Commission, so far as consistent with this compact, shall have the power to:

"(1) Adopt rules and regulations;

"(2) Locate, establish, construct, abandon, operate, and maintain water-gaging stations;

"(3) Make estimates to forecast water runoff on the Colorado River and any of its tributaries;

"(4) Engage in cooperative studies of water supplies of the Colorado River and its tributaries;

"(5) Collect, analyze, correlate, preserve, and report on data as to the stream flows, storage, diversions, and use of the waters of the Colorado River, and any of its tributaries;

"(6) Make findings as to the quantity of water of the upper Colorado River system used each year in the upper Colorado River Basin and in each State thereof;

"(7) Make findings as to the quantity of water deliveries at Lee Ferry during each water year;

"(8) Make findings as to the necessity for and the extent of the curtailment of use, required, if any, pursuant to article IV hereof;

"(9) Make findings as to the quantity of reservoir losses and as to the share thereof chargeable under article V hereof to each of the States;

"(10) Make findings of fact in the event of the occurrence of extraordinary drought or serious accident to the irrigation system in the upper basin, whereby deliveries by the upper basin of water which it may be required to deliver in order to aid in fulfilling obligations of the United States of America to the United Mexican States arising under the treaty between the United States of America and the United Mexican States, dated February 3, 1944 (treaty series 994) become difficult, and report such findings to the Governors of the upper basin States, the President of the United States of America, the United States Section of the International Boundary and Water Commission, and such other Federal officials and agencies as it may deem appropriate to the end that the water allotted to Mexico under division III of such treaty may be reduced in accordance with the terms of such treaty;

"(11) Acquire and hold such personal and real property as may be necessary for the performance of its duties hereunder and to dispose of the same when no longer required;

"(12) Perform all functions required of it by this compact and do all things necessary, proper, or convenient in the performance of its duties hereunder, either independently or in cooperation with any State or Federal agency;

"(13) Make and transmit annually to the Governors of the signatory States and the President of the United States of America, with the estimated budget, a report covering the activities of the Commission for the preceding water year.

"(e) Except as otherwise provided in this compact the concurrence of four members of the Commission shall be required in any action taken by it.

"(f) The Commission and its secretary shall make available to the Governor of each of the signatory States any information within its possession at any time, and shall always provide free access to its records by the Governors of each of the States, or their representatives, or authorized representatives of the United States of America.

"(g) Findings of fact made by the Commission shall not be conclusive in any court, or before any agency or tribunal, but shall constitute prima facie evidence of the facts found.

"(h) The organization meeting of the Commission shall be held within 4 months from the effective date of this compact.

"ARTICLE IX

"(a) No State shall deny the right of the United States of America and, subject to the conditions hereinafter contained, no State shall deny the right of another signatory State, any person, or entity of any signatory State to acquire rights to the use of water, or to construct or participate in the construction and use of diversion works and storage reservoirs with appurtenant works, canals, and conduits in one State for the purpose of diverting, conveying, storing, regulating, and releasing water to satisfy the provisions of the Colorado River Compact relating to the obligation of the States of the upper division to make deliveries of water at Lee Ferry, or for the purpose of diverting, conveying, storing, or regulating water in an upper signatory State for consumptive use in a lower signatory State, when such use is within the apportionment to such lower State made by this compact. Such rights shall be subject to the rights of water users, in a State in which such reservoir or works are located, to receive and use water, the use of which is within the apportionment to such State by this compact.

"(b) Any signatory State, any person or any entity of any signatory State shall have the right to acquire such property rights as are necessary to the use of water in conformity with this compact in any other signatory State by donation, purchase, or through the exercise of the power of eminent domain. Any signatory State, upon the written request of the Governor of any other signatory State, for the benefit of whose water users property is to be acquired in the State to which such written request is made, shall proceed expeditiously to acquire the desired property either by purchase at a price satisfactory to the requesting State, or, if such purchase cannot be made, then through the exercise of its power of eminent domain and shall convey such property to the requesting State or such entity as may be designated by the requesting State; provided, that all costs of acquisition and expenses of every kind and nature whatsoever incurred in obtaining the requested property shall be paid by the requesting State at the time and in the manner prescribed by the State requested to acquire the property.

"(c) Should any facility be constructed in a signatory State by and for the benefit of another signatory State or States or the water users thereof, as above provided, the construction, repair, replacement, maintenance, and operation of such facility shall be subject to the laws of the State in which the facility is located, except that, in the case of a reservoir constructed in one State for the benefit of another State or States, the water administration officials of the State in which the facility is located shall permit the storage and release of any water which, as determined by findings of the Commission, falls within the apportionment of the State or States for whose benefit the facility is constructed. In the case of a regulating reservoir for the joint benefit of all States in making Lee Ferry deliveries, the water administration officials of the State in which the facility is located, in permitting the storage and release of water, shall comply with the findings and orders of the Commission.

"(d) In the event property is acquired by a signatory State in another signatory State

for the use and benefit of the former, the users of water made available by such facilities, as a condition precedent to the use thereof, shall pay to the political subdivisions of the State in which such works are located, each and every year during which such rights are enjoyed for such purposes, a sum of money equivalent to the average annual amount of taxes levied and assessed against the land and improvements thereon during the 10 years preceding the acquisition of such land. Said payments shall be in full reimbursement for the loss of taxes in such political subdivisions of the State, and in lieu of any and all taxes on said property, improvements, and rights. The signatory States recommend to the President and the Congress that, in the event the United States of America shall acquire property in one of the signatory States for the benefit of another signatory State, or its water users, provision be made for like payment in reimbursement of loss of taxes.

"ARTICLE X

"(a) The signatory States recognize La Plata River Compact entered into between the States of Colorado and New Mexico, dated November 27, 1922, approved by the Congress on January 29, 1925 (43 Stat. 796), and this compact shall not affect the apportionment therein made.

"(b) All consumptive use of water of La Plata River and its tributaries shall be charged under the apportionment of Article III hereof to the State in which the use is made; provided, that consumptive use incident to the diversion, impounding or conveyance of water in one State for use in the other shall be charged to the latter State.

"ARTICLE XI

"Subject to the provisions of this compact, the consumptive use of the water of the Little Snake River and its tributaries is hereby apportioned between the States of Colorado and Wyoming in such quantities as shall result from the application of the following principles and procedures:

"(a) Water used under rights existing prior to the signing of this compact.

"(1) Water diverted from any tributary of the Little Snake River or from the main stem of the Little Snake River above a point 100 feet below the confluence of Savery Creek and the Little Snake River shall be administered without regard to rights covering the diversion of water from any down-stream points.

"(2) Water diverted from the main stem of the Little Snake River below a point 100 feet below the confluence of Savery Creek and the Little Snake River shall be administered on the basis of an interstate priority schedule prepared by the Commission in conformity with priority dates established by the laws of the respective States.

"(b) Water used under rights initiated subsequent to the signing of this compact.

"(1) Direct flow diversions shall be so administered that, in time of shortage, the curtailment of use on each acre of land irrigated thereunder shall be as nearly equal as may be possible in both of the States.

"(2) The storage of water by projects located in either State, whether of supplemental supply or of water used to irrigate land not irrigated at the date of the signing of this compact, shall be so administered that in times of water shortage the curtailment of storage of water available for each acre of land irrigated thereunder shall be as nearly equal as may be possible in both States.

"(c) Water uses under the apportionment made by this article shall be in accordance with the principle that beneficial use shall be the basis, measure, and limit of the right to use.

"(d) The States of Colorado and Wyoming each assent to diversions and storage of water in one State for use in the other States, subject to compliance with article IX of this compact.

"(e) In the event of the importation of water to the Little Snake River Basin from any other river basin, the State making the importation shall have the exclusive use of such imported water unless by written agreement, made by the representatives of the States of Colorado and Wyoming on the Commission, it is otherwise provided.

"(f) Water use projects initiated after the signing of this compact, to the greatest extent possible, shall permit the full use within the basin in the most feasible manner of the waters of the Little Snake River and its tributaries, without regard to the State line; and, so far as is practicable, shall result in an equal division between the States of the use of water not used under rights existing prior to the signing of this compact.

"(g) All consumptive use of the waters of the Little Snake River and its tributaries shall be charged under the apportionment of article III hereof to the State in which the use is made; provided, that consumptive use incident to the diversion, impounding or conveyance of water in one State for use in the other shall be charged to the latter State.

"ARTICLE XII

"Subject to the provisions of this compact, the consumptive use of the waters of Henry's Fork, a tributary of Green River originating in the State of Utah and flowing into the State of Wyoming and thence into the Green River in the State of Utah; Beaver Creek, originating in the State of Utah and flowing into Henry's Fork in the State of Wyoming; Burnt Fork, a tributary of Henry's Fork, originating in the State of Utah and flowing into Henry's Fork in the State of Wyoming; Birch Creek, a tributary of Henry's Fork, originating in the State of Utah and flowing into Henry's Fork in the State of Wyoming; and Sheep Creek, a tributary of Green River in the State of Utah, and their tributaries, are hereby apportioned between the States of Utah and Wyoming in such quantities as will result from the application of the following principles and procedures:

"(a) Waters used under rights existing prior to the signing of this compact.

"Waters diverted from Henry's Fork, Beaver Creek, Burnt Fork, Birch Creek, and their tributaries, shall be administered without regard to the State line on the basis of an interstate priority schedule to be prepared by the States affected and approved by the Commission in conformity with the actual priority of right of use, the water requirements of the land irrigated and the acreage irrigated in connection therewith.

"(b) Waters used under rights from Henry's Fork, Beaver Creek, Burnt Fork, Birch Creek, and their tributaries, initiated after the signing of this compact shall be divided 50 percent to the State of Wyoming and 50 percent to the State of Utah and each State may use said waters as and where it deems advisable.

"(c) The State of Wyoming assents to the exclusive use by the State of Utah of the water of Sheep Creek, except that the lands, if any, presently irrigated in the State of Wyoming from the water of Sheep Creek shall be supplied with water from Sheep Creek in order of priority and in such quantities as are in conformity with the laws of the State of Utah.

"(d) In the event of the importation of water to Henry's Fork, or any of its tributaries, from any other river basin, the State making the importation shall have the exclusive use of such imported water unless by written agreement made by the representatives of the States of Utah and Wyoming on the Commission, it is otherwise provided.

"(e) All consumptive use of waters of Henry's Fork, Beaver Creek, Burnt Fork, Birch Creek, Sheep Creek, and their tributaries shall be charged under the apportionment of article III hereof to the State in which the use is made; provided, that consumptive use incident to the diversion, impounding or conveyance of water in one State for use in the other shall be charged to the latter State.

"(f) The States of Utah and Wyoming each assent to the diversion and storage of water in one State for use in the other State, subject to compliance with article IX of this Compact. It shall be the duty of the water administrative officials of the State where the water is stored to release said stored water to the other State upon demand. If either the State of Utah or the State of Wyoming shall construct a reservoir in the other State for use in its own State, the water users of the State in which said facilities are constructed may purchase at cost a portion of the capacity of said reservoir sufficient for the irrigation of their lands thereunder.

"(g) In order to measure the flow of water diverted, each State shall cause suitable measuring devices to be constructed, maintained and operated at or near the point of diversion into each ditch.

"(h) The State engineers of the two States jointly shall appoint a special water commissioner who shall have authority to administer the water in both States in accordance with the terms of this article. The salary and expenses of such special water commissioner shall be paid, 30 percent by the State of Utah and 70 percent by the State of Wyoming.

"ARTICLE XIII

"Subject to the provisions of this compact, the rights to the consumptive use of the water of the Yampa River, a tributary entering the Green River in the State of Colorado, are hereby apportioned between the States of Colorado and Utah in accordance with the following principles:

"(a) The State of Colorado will not cause the flow of the Yampa River at the Maybell gaging station to be depleted below an aggregate of 5,000,000 acre-feet for any period of ten consecutive years reckoned in continuing progressive series beginning with the first day of October next succeeding the ratification and approval of this compact. In the event any diversion is made from the Yampa River or from tributaries entering the Yampa River above the Maybell gaging station for the benefit of any water use project in the State of Utah, then the gross amount of all such diversions for use in the State of Utah, less any returns from such diversions to the river above Maybell, shall be added to the actual flow at the Maybell gaging station to determine the total flow at the Maybell gaging station.

"(b) All consumptive use of the waters of the Yampa River and its tributaries shall be charged under the apportionment of article III hereof to the State in which the use is made: *Provided*, That consumptive use incident to the diversion, impounding, or conveyance of water in one State for use in the other shall be charged to the latter State.

"ARTICLE XIV

"Subject to the provisions of this compact, the consumptive use of the waters of the San Juan River and its tributaries is hereby apportioned between the States of Colorado and New Mexico as follows:

"The State of Colorado agrees to deliver to the State of New Mexico from the San Juan River and its tributaries which rise in the State of Colorado a quantity of water which shall be sufficient, together with water originating in the San Juan Basin in the State of New Mexico, to enable the State of New Mexico to make full use of the water apportioned to the State of New Mexico by

article III of this compact, subject, however, to the following:

"(a) A first and prior right shall be recognized as to:

"(1) All uses of water made in either State at the time of the signing of this compact; and

"(2) All uses of water contemplated by projects authorized, at the time of the signing of this compact, under the laws of the United States of America whether or not such projects are eventually constructed by the United States of America or by some other entity.

"(b) The State of Colorado assents to diversions and storage of water in the State of Colorado for use in the State of New Mexico, subject to compliance with article IX of this compact.

"(c) The uses of the waters of the San Juan River and any of its tributaries within either State which are dependent upon a common source of water and which are not covered by (a) hereof, shall in times of water shortages be reduced in such quantity that the resulting consumptive use in each State will bear the same proportionate relation to the consumptive use made in each State during times of average water supply as determined by the Commission; provided, that any preferential uses of water to which Indians are entitled under article XIX shall be excluded in determining the amount of curtailment to be made under this paragraph.

"(d) The curtailment of water use by either State in order to make deliveries at Lee Ferry as required by article IV of this compact shall be independent of any and all conditions imposed by this article and shall be made by each State, as and when required, without regard to any provision of this article.

"(e) All consumptive use of the waters of the San Juan River and its tributaries shall be charged under the apportionment of article III hereof to the State in which the use is made: *Provided*, That consumptive use incident to the diversion, impounding or conveyance of water in one State for use in the other shall be charged to the latter State.

"ARTICLE XV

"(a) Subject to the provisions of the Colorado River compact and of this compact, water of the Upper Colorado River System may be impounded and used for the generation of electrical power, but such impounding and use shall be subservient to the use and consumption of such water for agricultural and domestic purposes and shall not interfere with or prevent use for such dominant purposes.

"(b) The provisions of this compact shall not apply to or interfere with the right or power of any signatory State to regulate within its boundaries the appropriation, use and control of water, the consumptive use of which is apportioned and available to such State by this compact.

"ARTICLE XVI

"The failure of any State to use the water, or any part thereof, the use of which is apportioned to it under the terms of this compact, shall not constitute a relinquishment of the right to such use to the lower basin or to any other State, nor shall it constitute a forfeiture or abandonment of the right to such use.

"ARTICLE XVII

"The use of any water now or hereafter imported into the natural drainage basin of the upper Colorado River system shall not be charged to any State under the apportionment of consumptive use made by this compact.

"ARTICLE XVIII

"(a) The State of Arizona reserves its rights and interests under the Colorado River Compact as a State of the lower division and as a State of the lower basin.

"(b) The State of New Mexico and the State of Utah reserve their respective rights and interests under the Colorado River Compact as States of the lower basin.

"ARTICLE XIX

"Nothing in this compact shall be construed as:

"(a) Affecting the obligations of the United States of America to Indian tribes;

"(b) Affecting the obligations of the United States of America under the Treaty with the United Mexican States (treaty series 994);

"(c) Affecting any rights or powers of the United States of America, its agencies or instrumentalities, in or to the waters of the upper Colorado River system, or its capacity to acquire rights in and to the use of said waters;

"(d) Subjecting any property of the United States of America, its agencies or instrumentalities, to taxation by any State or subdivision thereof, or creating any obligation on the part of the United States of America, its agencies or instrumentalities, by reason of the acquisition, construction or operation of any property or works of whatever kind, to make any payment to any State or political subdivision thereof, State agency, municipality or entity whatsoever, in reimbursement for the loss of taxes;

"(e) Subjecting any property of the United States of America, its agencies or instrumentalities, to the laws of any State to an extent other than the extent to which such laws would apply without regard to this compact.

"ARTICLE XX

"This compact may be terminated at any time by the unanimous agreement of the signatory States. In the event of such termination, all rights established under it shall continue unimpaired.

"ARTICLE XXI

"This compact shall become binding and obligatory when it shall have been ratified by the legislatures of each of the signatory States and approved by the Congress of the United States of America. Notice of ratification by the legislatures of the signatory States shall be given by the Governor of each signatory State to the Governor of each of the other signatory States and to the President of the United States of America, and the President is hereby requested to give notice to the Governor of each of the signatory States of approval by the Congress of the United States of America.

"In witness whereof, the Commissioners have executed six counterparts hereof each of which shall be and constitute an original, one of which shall be deposited in the archives of the Department of State of the United States of America, and one of which shall be forwarded to the Governor of each of the signatory States.

"Done at the city of Santa Fe, State of New Mexico, this 11th day of October 1948.

"CHARLES A. CARSON,
"Commissioner for the State of Arizona.
"CLIFFORD H. STONE,
"Commissioner for the State of Colorado.
"FRED E. WILSON,
"Commissioner for the State of New Mexico.
EDWARD H. WATSON,
"Commissioner for the State of Utah.
L. C. BISHOP,
"Commissioner for the State of Wyoming.
GROVER A. GILES,
"Secretary.

"Approved:

"HARRY W. BASHORE,
"Representative of the United States of America."

BILL PASSED OVER

The bill (S. 206) relating to the immigration status of the lawful wives and children of Chinese-treaty merchants was announced as next in order.

Mr. LANGER. Over.

Mr. BYRD. Over.

Mr. GEORGE. Mr. President, I have been requested to have this bill passed over.

Mr. McCARRAN. Mr. President, will the Senator from Virginia withhold his objection so that an explanation may be made?

Mr. BYRD. The Senator from Georgia [Mr. RUSSELL] asked me to object in his name.

The VICE PRESIDENT. The bill will be passed over.

SETTLEMENT OF CLAIMS OF CERTAIN PERSONS EMPLOYED IN FEDERAL PENAL INSTITUTIONS

The bill (S. 30) to provide for the settlement of claims of persons employed in Federal penal and correctional institutions for damage to or loss or destruction of personal property occurring incident to their service was announced as next in order.

Mr. CORDON. Mr. President, may we have an explanation of the bill?

Mr. McCARRAN. Mr. President, on some occasions when there have been breaks or riots in penal institutions under the jurisdiction of the Federal Government, where Federal prisoners were detained, the guards and employees of the institutions have been deprived of their personal property. In other words, property has been taken from their persons by the rioting inmates of the institution. This bill would merely reimburse those who had lost their personal property. There is a limitation on the amount involved.

Mr. CORDON. Mr. President, may I inquire whether heretofore claims of this character have been paid through individual bills passed by the Congress, or otherwise?

Mr. McCARRAN. I think we have paid a few. The purpose of this bill is so that there may be a statute on the subject so that such claims may be taken care of without being brought to Congress, in cases in which the amount is less than $1,000.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary with amendments, on page 1, line 5, after the word "claims," to insert "not exceeding in any case the sum of $1,000"; and on page 2, after line 10, to insert "Acceptance by any claimant of an award hereunder shall release the United States, its agents or employees, from any further claim by such claimant arising out of the same incident", so as to make the bill read:

Be it enacted, etc., That the Attorney General, and such other officer or officers as he may designate for such purpose, are hereby authorized to consider, determine, adjust, and pay claims, not exceeding in any case the sum of $1,000, of persons employed in Federal penal and correctional institutions for damage to or loss or destruction of personal property occurring incident to such employment. No claim shall be allowed under this act unless (a) the property claimed to

be damaged, lost, or destroyed is determined to be reasonable, useful, necessary, or proper under the attendant circumstances; (b) such damage, loss, or destruction shall not have been caused in whole or in part by any negligence or wrongful act on the part of the claimant, his agent, or employee, and shall not have occurred at quarters occupied by the claimant which are not assigned to him or otherwise provided in kind by the Government; and (c) such claim shall have been presented in writing within 1 year after the occurrence of the accident or incident out of which such claim arises. Acceptance by any claimant of an award hereunder shall release the United States, its agents or employees, from any further claim by such claimant arising out of the same incident.

SEC. 2. There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this act.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (S. 88) to amend section 60 of an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, as amended, was announced as next in order.

Mr. DONNELL. Over.

The VICE PRESIDENT. The bill will be passed over.

JAMES G. SMYTH—BILL PASSED OVER

The bill (S. 196) for the relief of James G. Smyth was announced as next in order.

Mr. WHERRY. Mr. President, reserving the right to object, it seems to me that this claim is in an unusually large amount. It appears to be a personal claim. I wonder if we may have an explanation. I am not saying that I am opposed to the bill, but it seems to me that it should be explained. The allowance is rather large.

Mr. McCARRAN. Mr. President, there is a very complete report on this bill. The Committee on the Judiciary had the bill before it and made a very complete study.

This claim arose out of the loss of stamps, which appeared to have simply disappeared. No one received any benefit from them. The Government lost nothing, but the individual was charged with the stamps, and the purpose of the bill is to relieve him from that charge.

Mr. CORDON. Mr. President, I should like to inquire further, if I may. Does the Senator from Nevada believe that in a case of this kind, when an official of the Government has been negligent, he should be relieved of his obligation?

Mr. McCARRAN. We can only deal with these cases individually. There might be cases in which there was negligence, but in this instance no negligence whatever was shown.

Mr. CORDON. I invite attention to the report of the Acting Secretary of the Treasury, which indicates that the stamps were taken out of the vault and that substantially no attention was paid to them. They were dumped in with some other papers. As the Acting Secretary says:

All evidence points to the fact that through some quirk of fate, the envelope was associated with the shipment wrappings which were deposited in a wastebasket after verification of their contents.

I cannot quite understand how fate could come into that picture if there was not negligence in handling the Government's property.

Mr. McCARRAN. So far as the record shows, whatever negligence there may have been was on the part of subordinate employees, and is not at all traceable or chargeable to the individual with whom the bill is concerned.

Mr. CORDON. Mr. President, I shall ask that the bill go over, so that there may be a little more investigation on the part of the Senator from Oregon, and then I shall communicate with the Senator from Nevada.

The VICE PRESIDENT. Objection being heard, the bill will be passed over.

WILLIAM S. MEANY

The bill (S. 782) for the relief of William S. Meany was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Postmaster General is authorized and directed to credit the accounts of William S. Meany, postmaster at Greenwich, Conn., in the sum of $17,573.80, representing the amount due the United States on account of the embezzlement of post-office funds by Joseph W. Delaney, the former assistant postmaster at the Greenwich, Conn., post office.

WAR-DAMAGE COMPENSATION TO SWISS GOVERNMENT—BILL PASSED OVER

The bill (S. 612) to provide for the payment of a sum not to exceed $10,607,000 to the Swiss Government as partial compensation for damage inflicted on Swiss territory during World War II by United States armed forces in violation of neutral rights, and authorizing appropriations therefor, was announced as next in order.

Mr. WATKINS. Let the bill go over.

Mr. SMITH of New Jersey. Mr. President, I ask the Senator from Utah to permit me to make a brief explanation of the bill before the bill goes over, if he will withhold his objection.

Mr. WATKINS. Very well; I withhold it.

Mr. SMITH of New Jersey. I should like to say that a similar bill was passed by the Senate last year, but died in the House of Representatives when the session closed. The matter here involved is not in controversy. A claims commission has been working for 3 years on this problem, and the amount involved has been definitely cleared by the War Department and the Secretary of Defense and other officials who are anxious to settle this claim of the Swiss Government.

I have had it considered by the Attorney General and by other agencies to see whether we had any counterclaims or offsetting claims against the Swiss Government in this connection. The State Department is anxious to have this matter disposed of.

The Swiss Government has claimed compensation of $19,000,000, and we have agreed to compensation of $16,000,000 as our obligation. However, this measure provides for definitely liquidated claims of approximately $10,000,000.

I hope the bill can be passed by unanimous consent today.

Mr. LODGE. Mr. President, will the Senator yield to me?

Mr. SMITH of New Jersey. I yield.

Mr. LODGE. Is it not true that this measure represents compensation for damage which was done on Swiss soil by accidental bombings by American aircraft who dropped their bombs on Swiss soil by mistake, and is it not further true that all of these damage claims have been carefully analyzed and proved, and there is no question that the United States does owe the money?

Mr. SMITH of New Jersey. Mr. President, the Senator from Massachusetts is entirely correct. The bill as amended and now before us breaks down the various instances in which crash landings, and so forth, caused damage. I think this is an appropriate measure for us to deal with promptly.

Mr. CONNALLY. Mr. President, will the Senator yield to me?

Mr. SMITH of New Jersey. I yield.

Mr. CONNALLY. As chairman of the Foreign Relations Committee I wish to say that the Senator from New Jersey [Mr. SMITH] has done a very outstanding and careful job with regard to these particular claims. A bill covering them passed the Senate last year without any objection whatever. This is an international obligation which we admit we owe. It has been cleared by the departments affected, and it seems to me we have no legitimate reason for not going ahead and paying at least the amount carried in this bill. This matter has been under thorough consideration, both at this session and at the last session; and there is no suggestion of any offsetting claims or anything of the kind with regard to this particular sum. Is not that true?

Mr. SMITH of New Jersey. That is correct; this sum has been carefully screened.

Mr. LANGER. Mr. President, will the Senator yield for a question?

Mr. SMITH of New Jersey. I yield.

Mr. LANGER. Will the Senator from New Jersey tell us whether Switzerland will receive all this money?

The VICE PRESIDENT. The time of the Senator from New Jersey has expired, under the 5-minute rule.

Mr. LANGER. Mr. President, I ask that the bill go over.

Mr. MAGNUSON. Mr. President, is it in order for me to reserve the right to object, and then to speak for a moment on this matter?

The VICE PRESIDENT. The Senator may do so in his own time.

Mr. WHERRY. Mr. President, I should also like to reserve the right to object and make a brief statement.

The VICE PRESIDENT. The Senator from Washington has already reserved the right to object.

Mr. MAGNUSON. Yes; Mr. President.

Reserving the right to object—although I shall not object to this measure, because I believe the United States should pay its obligations—I wish to call the attention of the Senate to another matter, one involving the same type of

war claims. In the Pacific theater of war literally thousands of American boys who were prisoners of war suffered the tortures of hell in Bataan and in the Japanese prison camps. Moreover, as a result of war activities thousands of American civilians also suffered a great deal of damage. I refer to American citizens, including missionaries and officials of parochial churches.

Last year the distinguished Senator Cooper, then a Senator from Kentucky, and I went into this matter in detail. We decided that all three groups had some claims because of the ravages of war.

The Senate passed a bill to that effect. However, we could not even get an appropriation for the administration of the claims.

Mr. MAYBANK. Mr. President, is the Senator from Washington familiar with what the deficiency appropriation bill contains this year?

Mr. MAGNUSON. Yes. But last year we could not even get an appropriation for the administration of the claims of all those boys, most of whom are from the State of New Mexico, and served in the New Mexico National Guard, although civilians and priests, all of them American citizens, are also involved.

I understand from the Senator from South Carolina that this year we do not have a single appropriation for these administrative purposes.

I merely wish to say that, although I believe we should pay our bills to Switzerland, at the same time it seems to me that before we pay $10,000,000 to a foreign government, to pay our bills to that government, we should at least pay the claims of our own citizens who suffered war damage.

The VICE PRESIDENT. The Senator from North Dakota has objected; and the bill goes over.

RELIEF OF OWNERS OF CERTAIN GOLD MINES—BILL PASSED OVER

The VICE PRESIDENT. The clerk will state the next bill on the calendar.

The bill (S. 45) for the relief of the owners and operators of certain gold mines which were closed or the operations of which were curtailed by War Production Board Limitation Order L–208 was announced as next in order.

Mr. DONNELL. Let the bill go over.

Mr. McCARRAN. Mr. President, will the Senator from Missouri withhold his objection until I can make an explanation?

Mr. DONNELL. I do.

Mr. McCARRAN. Mr. President, the War Production Board issued an order known as L–208. It was the only order of its kind issued against any industry in this country during the war. Order L–208 closed all the precious-metal mines in the United States. The theory of that order was that the miners in the precious-metal mines would go to the strategic-metal mines—copper and zinc and lead mines, and the like.

The order was adhered to, and the precious-metal mines of the United States were closed. In many instances the order closed whole communities. In other instances it closed mines which had been working for years, and they became watered, so that some of them have been unable to be opened, even to the present time.

This bill provides that those who were injured by Order L–208 may present their claims to the Treasurer of the United States, who in turn may use any of the Government facilities to determine whether such persons have legitimate claims; and, if so, the amount of the legitimate claims which should be paid; and then the claim would come to the Congress.

The bill relates only to those who were put out of business by Order L–208, affecting the precious-metal mines, many of which were closed without any necessity whatsoever, because the men did not go from the precious-metal mines to the strategic-metal mines.

They went into the ship industry, or to some other activity, or they did nothing. For instance, let me illustrate by saying that the city of Lead, S. Dak., was closed down completely. The Old Home Stake Mine was closed completely, to its great detriment. That was one thing. Other mines in California were closed, to their great detriment. If they have a legitimate claim, they could, under the bill, present the claim with the proofs sustaining it, to the Treasurer of the United States, who in turn could call upon the Bureau of Mines or any other agency to determine whether or not the claim was legitimate, and if so, how much should be paid.

The VICE PRESIDENT. Is there objection?

Mr. DONNELL and Mr. TAFT. Over.

The VICE PRESIDENT. The bill will be passed over.

AMENDMENT TO THE INTERSTATE COMMERCE ACT—BILLS PASSED OVER

The bill (S. 255) to amend section 205 of the Interstate Commerce Act, relating to joint boards, was announced as next in order.

The VICE PRESIDENT. Is there objection?

Mr. CORDON. May I request an explanation of the bill, with particular reference to whether there are adequate safeguards in it to protect the hearings to be had under the Commission therein established from capricious one-man action since there are only two members of the Board?

Mr. REED. Mr. President, when the Motor Carrier Act was passed provision was made for a joint board composed of the representatives of three States to act with the Interstate Commerce Commission in the establishment of motor-carrier rates. Subsequently an amendment was made to provide two representatives on the Board. It so happens that occasionally one State has its representative present, so the bill would permit that State to make a report. Let me say to the Senator from Oregon that the so-called joint board does not make an order, nor does it make a final finding.

Mr. CORDON. It acts in the capacity of a referee, does it not?

Mr. REED. All it does is to make a report and recommendation to the Interstate Commerce Commission. Some of the State commissions and the Interstate Commerce Commission desire the passage of the bill as an administrative measure.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. HILL. Mr. President, my attention was diverted in another direction, and I did not hear the discussion. Would the Senator from Kansas allow the bill to go over temporarily in order to enable me to examine the bill?

Mr. REED. Which one?

Mr. HILL. I believe the Senator has two bills.

Mr. REED. Three.

Mr. HILL. Three? I desire to examine the reports in order that I may distinguish one from the other—not to hold them up. I think we can return to them later, but I desire first to look at them.

The VICE PRESIDENT. Is there objection?

Mr. REED. I am willing to let them go to the end of the calendar, to be called up later. These are as near noncontroversial bills as we will ever get.

Mr. HILL. I merely want to look at them.

The VICE PRESIDENT. The bill will go to the foot of the calendar.

BILLS PASSED OVER

The bill (S. 256) to amend the Interstate Commerce Act, as amended, was announced as next in order.

The VICE PRESIDENT. Is there objection?

Mr. WHERRY. I understood the Senator from Alabama wanted all three bills, Senate bills 255, 256, and 257, to go to the end of the calendar.

Mr. HILL. I ask that those bills go to the foot of the calendar.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

The bill (S. 257) to amend the Interstate Commerce Act, as amended, so as to provide limitations on the time within which actions may be brought for the recovery of undercharges and overcharges by or against common carriers by water, and freight forwarders, was announced as next in order.

The VICE PRESIDENT. That is the same subject matter. This bill, with the preceding two bills, will go to the foot of the calendar.

Mr. DOUGLAS subsequently said: Mr. President, a parliamentary inquiry. I inquire what was the action on Calendar 68, Senate bill 257.

The VICE PRESIDENT. It went to the foot of the calendar with two other bills.

AUTHORIZATION FOR ADDITIONAL EXPENDITURES FOR COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

The Senate proceeded to consider the resolution (S. Res. 32) authorizing additional expenditures by the Committee on Interior and Insular Affairs, which had been reported by the Committee on Rules and Administration with an amendment, to strike out all after the resolving clause and insert:

That the Committee on Interior and Insular Affairs, or any duly authorized subcommittee thereof, for the purpose of making a study and investigation of any matter referred to such subcommittee, is author-

ized to hold such hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Senate in the Eighty-first Congress, to employ such experts, and such clerical, stenographic, and other assistants, to require by subpena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the committee under this resolution, which shall not exceed $25,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman.

The amendment was agreed to.

The resolution as amended was agreed to.

BILL PASSED OVER

The bill (S. 1070) to establish a national housing objective and the policy to be followed in the attainment thereof, to provide Federal aid to assist slum-clearance projects and low-rent public-housing projects initiated by local agencies, to provide for financial assistance by the Secretary of Agriculture for farm housing, and for other purposes, was announced as next in order.

The VICE PRESIDENT. Is there objection?

SEVERAL SENATORS. Over.

The VICE PRESIDENT. The bill will be passed over.

ACQUISITION OF SITES FOR FEDERAL BUILDINGS—BILL PASSED OVER

The bill (S. 714) to provide for comprehensive planning, for site acquisition in and outside of the District of Columbia, and for the design of Federal building projects outside of the District of Columbia; to authorize the transfer of jurisdiction over certain lands between certain departments and agencies of the United States; and to provide certain additional authority needed in connection with the construction, management, and operation of Federal public buildings; and for other purposes, was announced as next in order.

The VICE PRESIDENT. Is there objection?

Mr. LODGE. Over.

Mr. HOLLAND. I did not hear which Senator it was who objected.

Mr. LODGE. I do not object, but I think the bill is so important that I should like to know a little more about it, so as to understand what the plan is going to be and to get some idea of what is contemplated. I think the whole lay-out of the National Capital is a matter of great interest to the entire country, and I should like to hear an explanation from the Senator in charge of the bill, and to see some pictures, in order that I may get some idea of what is contemplated.

Mr. HOLLAND. I wonder if it would be agreeable to the Senator to let this bill go to the foot of the calendar, in order that he may examine the report in the meantime, and if the Senator will then permit it to come up, I shall be glad to make a short explanation. The bill has unanimous approval of the Public Works Committee. It was approved in the last Congress. I do not believe the distinguished Senator will find anything objectionable whatever in the program. If he will let it go to the foot of the calendar, I shall be glad to bring it up at that time, after he has had a chance to look at the report.

Mr. LODGE. I do not know that that will give me time to prepare the questions I should like to ask. I should rather have it go over for a week, until we have the next call of the calendar.

The VICE PRESIDENT. The Senator from Massachusetts objects. The bill will go over.

Mr. LODGE. I do not know that I want to object, but I should like to have certain things elucidated about it.

The VICE PRESIDENT. The Senator must either object or not object.

Mr. LODGE. I object, then, without prejudice, and ask that the bill go over.

The VICE PRESIDENT. The bill will go over.

DISASTER AND EMERGENCY LOANS

The bill (H. R. 2101) to authorize the Regional Agricultural Credit Corporation of Washington, D. C., to make certain disaster or emergency loans, and for other purposes, was announced as next in order.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. BYRD. I should like to have an explanation.

Mr. ANDERSON. Mr. President, this is a bill for the relief of farmers, ranchers, and others who were caught in the extremely heavy snowstorms which recently covered most of the western and northwestern sections of the country. The proposal is to allow the Secretary of Agriculture to make quicker loans than otherwise would be available to individuals affected. The bill was very carefully considered by the Committee on Agriculture and Forestry. The committee substituted for certain loose provisions of the House bill, some rigid regulations proposed by the Senator from Wyoming.

Mr. BYRD. Is it limited to the recent disaster? Is it limited merely to the one case?

Mr. ANDERSON. No; it is not.

Mr. BYRD. Will the Senator discuss the part of it that gives continuing authority?

Mr. ANDERSON. Yes. There has been a desire on the part of the Agricultural Department to make available the type of quick emergency loans in the case of livestock disasters. The Department of Agriculture consolidated the Farm Seed Division into the Farmers Home Administration. It is a type of credit that is somewhat easy to obtain, or relatively easy, compared to the farm land banks, but instrumentalities are still needed. It was felt better, instead of dealing with each disaster as it came, to transfer the powers that had been in the RACC to the Department of Agriculture under the jurisdiction of the Secretary. It is a long-time recommendation, in order to keep from creating new agencies.

Mr. WHERRY. Mr. President, will the Senator yield for a question?

Mr. ANDERSON. I yield.

Mr. WHERRY. I am in sympathy with every effort made to provide disaster loans. What is the difference between a loan by what I call the "old barnyard agency"—which is what it is, the Regional Agricultural Credit Corporation, and the loans made under the provisions of the amendment proposed by the Senator from Wyoming [Mr. O'MAHONEY] and the Senator from Wyoming [Mr. HUNT], which were discussed before the Appropriations Committee the other day? What is the difference in the type of loan? Why could not the Regional Agricultural Credit Corporation make both types of loans?

Mr. ANDERSON. The Regional Agricultural Credit Corporation has but two employees. There has been a desire for more than 6 years to liquidate it, and the desire now is to use the regular loan agency.

Mr. WHERRY. But we have carried the Regional Agricultural Credit Corporation along all during the years, with the idea it could be expanded immediately to take care of loans that were necessary. All I am asking is, Why cannot both types of loan be made by one administration?

Mr. ANDERSON. They are.

Mr. WHERRY. I do not see why we have to have two governmental lending agencies to make loans for the same purpose. I take it that the loans made under the amendment offered by the Senators from Wyoming—and I agree with the purpose of it—possibly are loans which have to be established, or the borrower could not obtain credit. Is that correct?

Mr. ANDERSON. They are of that type. Let me say to the Senator from Nebraska that the very thing he desires is being accomplished. The Farm Credit Corporation made loans, and other agencies of the Government made loans, and they could not be consolidated in one place. Under this bill, all the activities will be brought under the Secretary of Agriculture.

Mr. WHERRY. Certainly; but there will still be two agencies, will there not?

Mr. ANDERSON. No. The RACC will disappear completely.

Mr. MAGNUSON. Mr. President, reserving the right to object, I should like to ask the Senator from New Mexico a question regarding RACC. Under this proposed legislation could the type of loan ordinarily made in the apple areas be made?

Mr. ANDERSON. Yes, it could.

Mr. MAGNUSON. So there will be a broader agency to which to go; is that correct?

Mr. ANDERSON. They will be able to use the regular agency.

Mr. MAGNUSON. It seems to me that is important.

Mr. CORDON. Mr. President, I should like to inquire of the Senator from New Mexico as to whether, in his opinion, under the terms of the bill—and I refer to

lines 24 and 25 on page 4, and line 1 on page 5, providing:

Such loans shall be made at such rates of interest and on such terms and conditions as the Secretary shall prescribe—

That would permit the Department of Agriculture, given exactly the same conditions in two applications for loans, to make one rule for one borrower and another rule for another borrower?

Mr. ANDERSON. No; I think not.

Mr. CORDON. I cannot see any language in the bill which would prevent that. If the Senator from New Mexico will call any such language to my attention, I shall appreciate it.

Mr. ANDERSON. The Secretary can prescribe the same conditions for all loans.

Mr. CORDON. I think it should be required in the bill.

Mr. ANDERSON. The bill will have to go to conference, and there will be an opportunity to include such a provision. I agree with the Senator's point.

Mr. CORDON. Mr. President, I ask that the bill go over.

Mr. O'MAHONEY. Mr. President, will the Senator withhold his objection for a moment?

Mr. CORDON. Yes, certainly.

Mr. O'MAHONEY. I ask the Senator from Oregon to direct his attention to the language to which he has just referred, on page 4, line 25. May I ask the Senator, if the word "general" should be inserted between the word "such" and the word "terms", would it not meet his objection? I know the purpose of the bill was to provide that the terms should be general, and on no occasion would there be one rate and conditions for one and a different rate and conditions for another.

Mr. CORDON. Mr. President, so far as I am concerned, the insertion which has been referred to by the Senator from Wyoming would cure the situation which I had in mind.

Mr. TAFT. Mr. President, will the Senator yield?

The VICE PRESIDENT. The amendment cannot be offered so long as there is any objection or reservation to the consideration of the bill.

Mr. TAFT. Mr. President, I suggest inserting this language after the word "prescribe" at the top of page 5:

For such area or region.

Or some such language as that, so that we can distinguish between them.

Mr. O'MAHONEY. I think the Senator's suggestion is a very good one.

Mr. TAFT. The language suggested by the Senator did not seem to me to reach the point.

Mr. CORDON. Mr. President, I have one more inquiry to address to the Senator from New Mexico. In section 2 (a) the Secretary is authorized to make loans to farmers and stockmen for any agricultural purpose in any area or region where he finds that a production disaster has caused a need for agricultural credit not readily available from commercial banks, and so forth. Does the Senator think that makes the absolute unavailability of local credit a condition precedent for the loan?

Mr. ANDERSON. I would suggest that would require an investigation of all sorts of lending agencies. I would not object to a change which leaves out the word "readily," but the present language is preferable.

Mr. CORDON. Mr. President, I withdraw my objection if that correction is made.

Mr. MAGNUSON. Mr. President, reserving the right to object, I want to ask the Senator from New Mexico one further question. If there should occur in the Wenatchee area a similar situation, could the same type of loan be made, under the terms of this bill, as was made under RACC?

Mr. ANDERSON. Exactly.

Mr. FREAR. Mr. President, reserving the right to object, I should like to ask a question. Did I correctly understand the Senator from New Mexico to say that RACC would go out of existence with the passage of this bill?

Mr. ANDERSON. The functions which that agency has been performing would be transferred to the Secretary of Agriculture, and the Corporation, as such, would go out of existence.

Mr. FREAR. Under what department would it come?

Mr. ANDERSON. Under the Farm Credit Administration.

Mr. FREAR. I thank the Senator.

The VICE PRESIDENT. Is there objection to consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (H. R. 2101) to authorize the Regional Agricultural Credit Corporation of Washington, D. C., to make certain disaster or emergency loans, and for other purposes, which had been reported from the Committee on Agriculture and Forestry, with an amendment, to strike out all after the enacting clause and to insert:

That (a) there are hereby transferred to the Secretary of Agriculture (hereinafter referred to as the Secretary) all the functions of the Regional Agricultural Credit Corporation of Washington, D. C., including but not limited to functions with respect to—

(1) loans to bona fide fur farmers as provided for in the last proviso in the paragraph headed "Regional Agricultural Credit Corporation of Washington, D. C.," in title II of the Government Corporations Appropriation Act, 1949 (Public Law 860, 80th Cong.);

(2) loans under authorization by the Secretary for the Regional Agricultural Credit Corporation of Washington, D. C., to reenter an area or region where a production disaster has occurred, as provided for in the proviso in section 2 of the Department of Agriculture Appropriation Act, 1949 (Public Law 712, 80th Cong.); and

(3) the liquidation of all other loans heretofore made by the Regional Agricultural Credit Corporation of Washington, D. C., and of all assets, contracts, property, claims, rights, and liabilities relating thereto.

(b) There are hereby transferred to the Secretary the functions of the Farm Credit Administration and the Governor thereof with respect to the Regional Agricultural Credit Corporation of Washington, D. C.

(c) The Regional Agricultural Credit Corporation of Washington, D. C., is hereby dissolved. The Secretary of the Treasury shall cancel the outstanding certificates of stock of the Corporation.

(d) All assets, funds, contracts, property, claims, and rights, all records, and all liabilities of the Corporation are hereby transferred to the Secretary. The revolving fund created by section 84 of the Farm Credit Act of 1933, as amended (12 U. S. C. 1148a), shall be available to the Secretary for the performance of the functions specified in paragraphs (a) (1), (2), and (3) of the section, including administrative expenses in connection therewith: *Provided*, That for the fiscal year 1949 the limitations on the administrative expenses of the Corporation with respect to the said functions shall be applicable to the Secretary.

(e) All personnel of the Corporation (excluding personnel of the Farm Credit Administration serving as directors or officers of the Corporation), and such of the personnel of the Farm Credit Administration as are engaged principally in the work of the Corporation, shall be transferred to the offices or agencies designated by the Secretary to carry out the functions herein transferred, to the extent that he determines that such personnel are qualified and necessary therefor.

(f) The Secretary may carry out the functions herein transferred and the authority conferred upon him by this act through such officers or agencies in or under the Department of Agriculture as he may designate.

SEC. 2. (a) The Secretary is hereby authorized to make loans to farmers and stockmen for any agricultural purpose in any area or region where he finds that a production disaster has caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources. Such loans shall be made at such rates of interest and on such terms and conditions as the Secretary shall prescribe. The Secretary may utilize the revolving fund created by section 84 of the Farm Credit Act of 1933, as amended (12 U. S. C. 1148a), for making such loans and for administrative expenses in connection with such loans.

(b) The funds transferred to the Secretary under section 1 of this act, and all sums received by the Secretary from the liquidation of the assets, contracts, property, claims, and rights transferred to him under section 1 of this act, from the liquidation of loans made under section 2 of this act, and from the liquidation of any other assets acquired with funds from the said revolving fund shall be added to and become a part of the said revolving fund; and the revolving fund as so constituted shall remain available to the Secretary only for the purposes specified in sections 1 (d) and 2 (a) of this act.

SEC. 3. (a) No suit or other judicial proceeding instituted by or against the Regional Agricultural Credit Corporation of Washington, D. C., shall abate by reason of this act, but the Secretary may be substituted as a party in place of the Corporation upon motion or petition filed within 6 months after the effective date of this act.

(b) This act shall become effective 10 days after its enactment.

Mr. O'MAHONEY. Mr. President, I offer the amendment which I suggested in the colloquy with the Senator from Oregon, as modified by the suggestion of the Senator from Ohio [Mr. TAFT], so that the sentence beginning on line 24, page 4, shall read as follows:

Such loans shall be made at such rates of interest and on such general terms and conditions as the Secretary shall prescribe for such area or region.

The amendment was agreed to.

The amendment as amended was agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended so to read: "An act to abolish the Regional Agricultural Credit Corporation of Washington, D. C., and transfer its functions to the Secretary of Agriculture to authorize the Secretary of Agriculture to make disaster loans, and for other purposes."

Mr. ANDERSON subsequently said: Mr. President, I move that the Senate insist on its amendments, request a conference with the House of Representatives thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. THOMAS of Oklahoma, Mr. ELLENDER, Mr. ANDERSON, Mr. AIKEN, and Mr. YOUNG conferees on the part of the Senate.

PROMOTION OF THE PROGRESS OF SCIENCE

The bill (S. 247) to promote the progress of science; to advance the national health, prosperity, and welfare; to secure the national defense; and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That this act may be cited as the "National Science Foundation Act of 1949."

ESTABLISHMENT OF NATIONAL SCIENCE FOUNDATION

SEC. 2. There is hereby established in the executive branch of the Government an independent agency to be known as the National Science Foundation (hereinafter referred to as the "Foundation").

MEMBERSHIP OF FOUNDATION

SEC. 3. (a) The Foundation shall have 24 members to be appointed by the President, by and with the advice and consent of the Senate. The persons nominated for appointment as members (1) shall be eminent in the fields of the basic sciences, medical science, engineering, education, or public affairs; (2) shall be selected solely on the basis of established records of distinguished service; and (3) shall be so selected as to provide representation of the views of scientific leaders in all areas of the Nation. The President is requested, in the making of nominations of persons for appointment as members, to give due consideration to any recommendations for nomination which may be submitted to him by the National Academy of Sciences, Association of Land-Grant Colleges and Universities, the National Association of State Universities, Association of American Colleges, or by other scientific or educational organizations.

(b) The term of office of each member of the Foundation shall be 6 years, except that (1) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term; and (2) the terms of office of the members first taking office after the date of enactment of this act shall expire, as designated by the President at the time of appointment, eight at the end of 2 years, eight at the end of 4 years, eight at the end of 6 years, after the date of enactment of this act. Any person who has been a member of the Foundation for 12 consecutive years shall thereafter be ineligible for appointment during the 2-year period following the expiration of such twelfth year.

(c) The President shall call the first meeting of the members of the Foundation, at which the first order of business shall be the election of a chairman and a vice chairman.

POWERS AND DUTIES OF THE FOUNDATION

SEC. 4. (a) The Foundation is authorized and directed—

(1) to develop and encourage the pursuit of a national policy for the promotion of basic research and education in the sciences;

(2) to initiate and support basic scientific research in the mathematical, physical, medical, biological, engineering, and other sciences, by making contracts or other arrangements (including grants, loans, and other forms of assistance) for the conduct of such basic scientific research and to appraise the impact of research upon industrial development and upon the general welfare;

(3) after consultation with the Secretary of Defense, to initiate and support scientific research in connection with matters relating to the national defense by making contracts or other arrangements (including grants, loans, and other forms of assistance) for the conduct of such scientific research;

(4) to grant scholarships and graduate fellowships in the mathematical, physical, medical, biological, engineering, and other sciences;

(5) to foster the interchange of scientific information among scientists in the United States and foreign countries;

(6) to correlate the Foundation's scientific research programs with those undertaken by individuals and by public and private research groups; and

(7) to establish such special commissions as the Foundation may from time to time deem necessary for the purposes of this act.

(b) In exercising the authority and discharging the functions referred to in subsection (a) of this section, it shall be the objective of the Foundation to achieve the results of scientific research in the most efficient manner possible and to strengthen basic research and education in the sciences, including independent research by individuals, throughout the United States, including its Territories and possessions, and to avoid undue concentration of such research and education.

(c) The members of the Foundation shall meet annually on the first Monday in December and at such other times as the Chairman may determine, but he shall also call a meeting whenever one-third of the members so request in writing. A majority of the members of the Foundation shall constitute a quorum. Each member shall be given notice, by registered mail mailed to his last-known address of record, not less than 15 days prior to any meeting, of the call of such meeting.

(d) The first Chairman and Vice Chairman of the Foundation shall be elected by the Foundation to serve until the first Monday in December next succeeding the date of election, at which time a Chairman and Vice Chairman shall be elected for a term of 2 years. Thereafter such election shall take place at the annual meeting occurring at the end of each such term. The Vice Chairman shall perform the duties of the Chairman in his absence. In case a vacancy occurs in the chairmanship or vice chairmanship, the Foundation shall elect a member to fill such vacancy.

(e) The Foundation is authorized to appoint from among its members an executive committee, and from time to time to appoint from among its members, or otherwise, such other committees as it deems necessary, and to assign to such executive committee or other committees such powers and functions as it deems appropriate for the purposes of this act.

(f) The Foundation shall render an annual report to the President for submission on or before the 15th day of January to the Congress, summarizing the activities of the Foundation and making such recommendations as it may deem appropriate.

DIRECTOR OF FOUNDATION

SEC. 5. There shall be a Director of the Foundation who shall be appointed by the President, by and with the advice and consent of the Senate, after the members of the Foundation have been appointed and qualified. He shall serve as an ex officio member of the Foundation. In addition thereto he shall be the chief executive officer of the Foundation. The Director shall receive compensation at the rate of $15,000 per annum and shall serve for a term of 6 years unless sooner removed by the President.

DIVISIONS WITHIN THE FOUNDATION

SEC. 6. (a) Until otherwise provided by the Foundation, there shall be within the Foundation the following divisions:

(1) A Division of Medical Research;

(2) A Division of Mathematical, Physical, and Engineering Sciences;

(3) A Division of Biological Sciences; and

(4) A Division of Scientific Personnel and Education, which shall be concerned with programs of the Foundation relating to the granting of scholarships and graduate fellowships in the mathematical, physical, medical, biological, engineering, and other sciences.

(b) There shall also be within the Foundation such other divisions as the Foundation may, from time to time, deem necessary.

DIVISIONAL COMMITTEES

SEC. 7. (a) There shall be a committee for each division of the Foundation.

(b) Each divisional committee shall be appointed by the Foundation and shall consist of not less than five persons who may be members or nonmembers of the Foundation.

(c) The terms of members of each divisional committee shall be 2 years. Each divisional committee shall annually elect its own chairman from among its own members, and shall prescribe its own rules of procedure, subject to such restrictions as may be prescribed by the Foundation.

(d) Each divisional committee shall make recommendations to, and advise and consult with, the Foundation and the Director with respect to matters relating to the program of its division.

SPECIAL COMMISSIONS

SEC. 8. (a) Each special commission established by the Foundation pursuant to section 4 (a) (7) shall consist of 11 members appointed by the Foundation, 6 of whom shall be eminent scientists and 5 of whom shall be persons other than scientists. Each special commission shall choose its own chairman and vice chairman.

(b) It shall be the duty of each such special commission to make a comprehensive survey of research, both public and private, being carried on in its field, and to formulate and recommend to the Foundation, at the earliest practicable date, an over-all research program in its field.

SCHOLARSHIPS AND GRADUATE FELLOWSHIPS; REGISTER OF SCIENTIFIC PERSONNEL

SEC. 9. (a) The Director, with the approval of the Foundation, is authorized to award, within the limits of funds made available pursuant to section 13, scholarships and graduate fellowships for scientific study or scientific work in the mathematical, physical, medical, biological, engineering, and other sciences at accredited nonprofit American or nonprofit foreign institutions of higher education, selected by the recipient of such aid, for stated periods of time. Persons shall be selected for such scholarships and fellowships from among citizens of the United States, and such selections shall be made solely on the basis of ability; but in any case in which two or more applicants for scholarships or fellowships, as the case may be, are deemed by the Director and the Foundation to be possessed of substantially equal ability, and there are not sufficient scholarships or fellowships, as the case may be, available to

grant one to each of such applicants, the available scholarship or scholarships or fellowship or fellowships shall be awarded to the applicants in such manner as will tend to result in a wide distribution of scholarships and fellowships among the States, Territories, possessions, and the District of Columbia.

(b) The Foundation shall maintain a register of scientific and technical personnel and in other ways provide a central clearinghouse for information covering all scientific and technical personnel in the United States and its possessions.

AUTHORITY OF FOUNDATION

SEC. 10. The Foundation is empowered to do all things necessary to carry out the provisions of this act, and without being limited thereby the Foundation is specifically authorized—

(a) to prescribe such rules and regulations as it deems necessary governing the manner of its operations and its organization and personnel;

(b) to make such expenditures as may be necessary for administering the provisions of this act;

(c) to enter into contracts or other arrangements, or modifications thereof, for the carrying on, by organizations or individuals in the United States and foreign countries, including other Government agencies of the United States and of foreign countries (without legal consideration, without performance or other bonds, and without regard to section 3709 of the Revised Statutes), of such basic scientific research activities as the Foundation deems necessary to carry out the purposes of this act;

(d) to make advance, progress, and other payments which relate to scientific research without regard to the provisions of section 3648 of the Revised Statutes (31 U. S. C., sec. 529);

(e) to acquire by purchase, lease, loan, or gift, and to hold and dispose of by sale, lease, or loan, real and personal property of all kinds necessary for, or resulting from, scientific research;

(f) to receive and use funds donated by others, if such funds are donated, without restriction, other than that they be used in furtherance of one or more of the general purposes of the Foundation;

(g) to publish or arrange for the publication of scientific and technical information so as to further the full dissemination of information of scientific value consistent with the national interest, without regard to the provisions of section 87 of the act of January 12, 1895 (28 Stat. 622), and section 11 of the act of March 1, 1919 (40 Stat. 1270; 44 U. S. C., sec. 111);

(h) to accept and utilize the services of voluntary and uncompensated personnel and to pay the actual and necessary traveling and subsistence expenses (including, in lieu of subsistence, per diem allowances at a rate not in excess of $10 for such personnel incurred in the course of such services); and

(i) to prescribe, with the approval of the Comptroller General of the United States, the extent to which vouchers for funds expended under contracts for scientific research shall be subject to itemization or substantiation prior to payment, without regard to the limitations of other laws relating to the expenditure of public funds and accounting therefor.

PATENT RIGHTS

SEC. 11. (a) Each contract or other arrangement executed pursuant to this act which relates to scientific research shall contain provisions governing the disposition of inventions produced thereunder in a manner calculated to protect the public interest and the equities of the individual or organization with which the contract or other arrangement is executed: *Provided, however,* That nothing in this act shall be construed to authorize the Foundation, by any contractual or other arrangement, to alter or modify any provision of law affecting the issuance or use of patents.

(b) No officer or employee of the Foundation shall acquire, retain, or transfer any rights, under the patent laws of the United States or otherwise, in any invention which he may make or produce in connection with performing his assigned activities and which is directly related to the subject matter thereof: *Provided, however,* That this subsection shall not be construed to prevent any officer or employee of the Foundation from executing any application for patent on any such invention for the purpose of assigning the same to the Government or its nominee in accordance with such rules and regulations as the Director may establish.

INTERNATIONAL COOPERATION

SEC. 12. (a) The Foundation is hereby authorized to cooperate in any international scientific research activities consistent with the purposes of this act and to expend for such international scientific research activities such sums within the limit of appropriated funds as the Foundation may deem desirable.

(b) The Director, with the approval of the Foundation, may defray the expenses of representatives of Government agencies and other organizations and of individual scientists to accredited international scientific congresses and meetings whenever he deems it necessary in the promotion of the objectives of this act.

APPROPRIATIONS

SEC. 13. (a) To enable the Foundation to carry out its powers and duties, there is hereby authorized to be appropriated annually to the Foundation, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the provisions of this act.

(b) The funds hereafter appropriated to the Foundation, as herein authorized, shall, if obligated during the fiscal year for which appropriated, remain available for expenditure for 4 years following the expiration of the fiscal year for which appropriated. After such 4-year period, the unexpended balances of appropriations shall be carried to the surplus fund and covered into the Treasury.

GENERAL PROVISIONS

SEC. 14. (a) The Director shall, in accordance with such policies as the Foundation shall from time to time prescribe, appoint and fix the compensation of such personnel as may be necessary to carry out the provisions of this act. Such appointments shall be made and such compensation shall be fixed in accordance with the provisions of the civil-service laws and regulations and the Classification Act of 1923, as amended: *Provided,* That the Director may in accordance with such policies as the Foundation shall from time to time prescribe, employ such technical and professional personnel and fix their compensation, without regard to such laws, as he may deem necessary for the discharge of the responsibilities of the Foundation under this act. The Deputy Director hereinafter provided for, and the members of the divisional committees, and special commissions, shall be appointed without regard to the civil-service laws or regulations. Neither the Director nor the Deputy Director shall engage in any other business, vocation, or employment than that of serving as such Director or Deputy Director, as the case may be; nor shall the Director or Deputy Director, except with the approval of the Foundation, hold any office in, or act in any capacity for, any organization, agency, or institution with which the Foundation makes any contract or other arrangement under this act.

(b) The Director may appoint, with the approval of the Foundation, a Deputy Director who shall perform such functions as the Director, with the approval of the Foundation, may prescribe and shall be Acting Director during the absence or disability of the Director or in the event of a vacancy in the Office of the Director, and who shall receive compensation at a rate not to exceed $12,000 per annum.

(c) The Foundation shall not, itself, operate any laboratories or pilot plants.

(d) The members of the Foundation, and the members of each divisional committee, or special commission, shall receive compensation at the rate of $25 for each day engaged in the business of the Foundation pursuant to authorization of the Foundation, and shall be allowed actual and necessary traveling and subsistence expenses (including, in lieu of subsistence, per diem allowances at a rate not in excess of $10) when engaged, away from home, in the duties of their offices.

(e) Persons holding other offices in the executive branch of the Federal Government may serve as members of the divisional committees, and special commissions, but they shall not receive remuneration for their services as such members during any period for which they receive compensation for their services in such other offices.

(f) Service of an individual as a member of the Foundation, of a divisional committee, or of a special commission shall not be considered as service bringing him within the provisions of section 109 or section 113 of the Criminal Code (U. S. C., 1940 ed., title 18, sec. 198 and 203) or section 19 (e) of the Contract Settlement Act of 1944, unless the act of such individual, which by such section is made unlawful when performed by an individual referred to in such section, is with respect to any particular matter which directly involves the Foundation or in which the Foundation is directly interested.

(g) In making contracts or other arrangements for scientific research, the Foundation shall utilize appropriations available therefor in such manner as will in its discretion best realize the objectives of (1) having the work performed by organizations, agencies, and institutions, or individuals in the United States or foreign countries, including Government agencies of the United States and of foreign countries, qualified by training and experience to achieve the results desired, (2) strengthening the research staff of organizations, particularly nonprofit organizations, in the States and Territories and the District of Columbia, and (3) aiding institutions, agencies or organizations which, if aided, will advance basic research, and (4) encouraging independent basic research by individuals.

(h) The activities of the Foundation shall be construed as supplementing and not superseding, curtailing, or limiting any of the functions or activities of other Government agencies authorized to engage in scientific research or development.

(i) Funds available to any department or agency of the Government for scientific or technical research, or the provision of facilities therefor, shall be available for transfer, with the approval of the head of the department or agency involved, in whole or in part, to the Foundation for such use as is consistent with the purposes for which such funds were provided, and funds so transferred shall be expendable by the Foundation for the purposes for which the transfer was made, and, until such time as an appropriation is made available directly to the Foundation, for general administrative expenses of the Foundation without regard to limitations otherwise applicable to such funds.

(j) The National Roster of Scientific and Specialized Personnel shall be transferred from the Department of Labor to the Foundation, together with such of the personnel, records, property, and balances of appropriations as have been utilized or are

available for use in the administration of such roster as may be determined by the President. The transfer provided for in this subsection shall take effect at such time or times as the President shall direct.

(k) The Foundation shall not support any research or development activity in the field of atomic energy, nor shall it exercise any authority pursuant to section 10 (e) in respect to that field, without first having obtained the concurrence of the Atomic Energy Commission that such activity will not adversely affect the common defense and security. Nothing in this act shall supersede or modify any provision of the Atomic Energy Act of 1946.

(l) The Foundation, after consultation with the Secretary of Defense, shall establish regulations and procedures for the security classification of information or property (having military significance) in connection with scientific research under this act, and for the proper safeguarding of any information or property so classified.

COORDINATION WITH FOREIGN POLICY

SEC. 15. (a) The authority to enter into contracts or other arrangements with organizations or individuals in foreign countries and with agencies of foreign countries, as provided in section 10 (c), and the authority to cooperate in international scientific research activities as provided in section 12 (a), shall be exercised in such manner as is consistent with the foreign policy objectives of the United States as determined by the Secretary of State after consultation with the Director.

(b) If, in the exercise of the authority referred to in subsection (a) to carry out the purposes of this act, negotiation with foreign countries or agencies thereof becomes necessary, such negotiation shall be carried on by the Secretary of State in consultation with the Director.

IMPORT TAXES ON COPPER

The bill (H. R. 2313) to suspend certain import taxes on copper was announced as next in order.

The VICE PRESIDENT. Is there objection to the consideration of the bill?

Mr. MAGNUSON. I should like to have an explanation of the bill.

Mr. MALONE. Over.

Mr. GEORGE. Mr. President, I hope the Senator will withhold his objection, because I should like to make a statement.

The VICE PRESIDENT. Will the Senator from Nevada withhold his objection?

Mr. MALONE. Certainly.

Mr. GEORGE. Mr. President, in the Eightieth Congress the ad valorem duty on copper and copper ores, and so forth, was suspended for a period of 2 years; that is to say, the suspension will run through March 31, 1949. The House has passed a bill further suspending the ad valorem duty for an additional 2-year period, and I call attention to the fact that since the present act will expire on the 31st day of March 1949, this is one of the bills which has a deadline. The bill is of no small consequence because of the fact that the copper supply in the United States is below the domestic requirements, and particularly is below the 15,000 pounds now being added monthly to the stock pile.

I hope that the Senator from Illinois will permit a motion to be made to take up the bill at the conclusion of the call of the calendar. I realize that it cannot be discussed under the 5-minute rule, and objection has been made. I should like to have the bill considered.

The VICE PRESIDENT. The Chair understands the Senator from Georgia to ask that the bill go to the foot of the calendar.

Mr. McMAHON. Mr. President, will the Senator from Illinois withhold his objection?

Mr. LUCAS. I am not objecting to the bill.

The VICE PRESIDENT. Objection was made by the Senator from Nevada [Mr. MALONE].

Mr. LUCAS. Mr. President, I may say that this is an emergency matter, and when the call of the calendar is concluded, I hope the Senator from Georgia will move to take up the bill and have the Senate act on it.

The VICE PRESIDENT. It is not necessary for the bill to go to the foot of the calendar in order that a motion may be made to take it up.

Mr. GEORGE. I did not ask that it go to the foot of the calendar. I merely asked for permission to bring the bill up, or make a motion to bring it up.

The VICE PRESIDENT. The clerk will state the next bill on the calendar.

BILL PASSED OVER

The bill (S. 110) to broaden the cooperative extension system as established in the act of May 8, 1914, and acts supplemental thereto, by providing for cooperative extension work between colleges receiving the benefits of this act and the acts of July 2, 1862, and August 30, 1890, and other qualified colleges, universities, and research agencies, and the United States Department of Labor, was announced as next in order.

SEVERAL SENATORS. Over.

The VICE PRESIDENT. The bill will be passed over.

PAY AND ALLOWANCES TO OFFICERS OF THE NAVAL ESTABLISHMENT

The bill (S. 779) relating to the pay and allowances of officers of the Naval Establishment appointed to permanent grades was announced as next in order.

Mr. McCARRAN. Over.

Mr. BYRD. Mr. President, will the Senator withhold his objection to permit an explanation?

Mr. McCARRAN. Certainly.

Mr. BYRD. Mr. President, the purpose of the bill is to prevent the creation of claims for back pay and allowances due to the readjustment in lineal precedence of officers of the Navy, Marine Corps, and their Reserves required by the Officer Personnel Act of 1947. There was an ambiguity in the act of 1947, and the purpose of the bill is to clear up the ambiguity so that claims will not be filed for back pay and allowances.

Mr. LODGE. Mr. President, will the Senator from Virginia yield?

Mr. BYRD. I yield.

Mr. LODGE. Does this bill see to it that these rates of pay are thoroughly harmonized with the rates of pay in the Army and the Air Force?

Mr. BYRD. Yes.

Mr. LODGE. It does not promote any inequalities or inequities?

Mr. BYRD. In fact, it would correct inequalities by clearing up an ambiguity which existed in the act of 1947.

Mr. McCARRAN. Mr. President, does the bill deal with an increase in pay all the way through the military forces?

Mr. BYRD. Not at all; it has just the opposite purpose. It would prevent claims for back pay and allowances.

Mr. McCARRAN. Is that all there is in the bill?

Mr. BYRD. That is all there is in the bill.

Mr. McCARRAN. I withdraw the objection.

The VICE PRESIDENT. Is there objection to the consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That permanent appointments issued after August 7, 1947, to officers of the Navy, Marine Corps, and Reserve components thereof, incident to the transition from temporary to permanent grades, shall in no case be effective for pay purposes prior to August 7, 1947, irrespective of the date of rank assigned for precedence purposes and notwithstanding the provisions of section 312 of the Naval Reserve Act of 1938, as amended, and the provisions of the act of March 4, 1913 (37 Stat. 892, 34 U. S. C. 870).

NATIONAL SURVEY OF FOREST RESOURCES

The Senate proceeded to consider the bill (S. 979) to amend section 9 of the act of May 22, 1928, as amended, authorizing and directing a national survey of forest resources.

Mr. SMITH of New Jersey. Mr. President, I should like to ask the Senator from Minnesota for an explanation of the bill.

Mr. THYE. Mr. President, this is a bill to amend an act which has been on the statute books since 1928, and the purpose is to continue a survey of our forests to ascertain the growth, the cutting, the diseases, and all information relating to our natural forest resources. The act carried an appropriation, on the first passage of the measure, of $3,000,000. Then it was increased to $6,500,000. Then, because of the war, there was a general delay in the work, and now we ask for an increased appropriation because of increased costs, and also because the work has been delayed so long, in order that we may have complete information about natural forest resources. There is a desire to speed up the investigation and study of our forest resources. The bill was reported unanimously by the Committee on Agriculture and Forestry and has behind it the recommendation of the Department of Agriculture.

Mr. LANGER. Mr. President, can the Senator give us an idea as to the approximate cost?

Mr. THYE. The amendment to the law calls for a total appropriation of $11,000,000, for the whole purpose, but only $1,000,000 is to be appropriated annually to continue the study.

The VICE PRESIDENT. Is there objection to the consideration of the bill?

Mr. SMITH of New Jersey. I have no objection.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That to enable the Secretary of Agriculture to complete and keep current the forest survey authorized by section 9 of the act of May 22, 1928, as amended (45 Stat. 699, 702; 58 Stat. 265; 16 U. S. C. 581h), so that a continuous and comprehensive timber inventory will be maintained as part of the forest-conservation program, said section is amended (1) by striking out "$750,000" and inserting "$1,000,000"; (2) by striking out "$6,500,000" and inserting "$11,000,000"; and (3) by striking out "$250,000" and inserting "$1,500,000."

BILL AND JOINT RESOLUTION PASSED OVER

The bill (S. 213) to provide benefits for members of the reserve components of the armed forces who suffer disability or death in active-duty training for periods of less than 30 days or while engaged in inactive-duty training was announced as next in order.

Mr. GILLETTE. Over.

The VICE PRESIDENT. The bill will be passed over.

The joint resolution (S. J. Res. 53) to provide for the reforestation and revegetation of the forest and range lands of the national forests, and for other purposes, was announced as next in order.

Mr. McCARRAN. Over.

The VICE PRESIDENT. The joint resolution will be passed over.

TRANSFER OF LAND TO CRAWFORD, NEBR.

The bill (S. 314) authorizing the transfer of a certain tract of land in the Robinson Remount Station to the city of Crawford, Nebr., and for other purposes, was announced as next in order.

Mr. MORSE. Over.

Mr. WHERRY. Mr. President, will the Senator withhold his objection?

Mr. MORSE. I will.

Mr. WHERRY. Mr. President, I should like to ask my colleague, the senior Senator from Nebraska [Mr. BUTLER], if this bill does not provide for the transfer of only a small tract of land to the city of Crawford, Nebr.

Mr. BUTLER. Mr. President, the bill provides for the transfer of approximately 43 acres of what was Fort Robinson, now the Robinson Remount Station. The 43 acres have been in the possession of the city of Crawford for a great many years. In anticipation of the remount station perhaps being taken out of the possession of the Government and falling into other hands, whereby the city of Crawford may lose title to the pipe line which brings water into the city, the bill provides that the city of Crawford may get title to the pipe line, and a small park area which adjoins the city.

Mr. WHERRY. Is it not true that this tract is a small portion of several thousand acres of land, that it is not very valuable, but would be of interest to the city of Crawford?

Mr. BUTLER. It covers 43 acres of a tract of approximately fifteen or twenty thousand acres.

Mr. WHERRY. Did not the Senate pass the bill last year, but because of the time element it failed to get through the other House and become a law?

Mr. BUTLER. Yes.

Mr. LODGE. Mr. President, there are many cases like this in all the States of the Union, where there is Federally owned property which the Federal Government no longer needs. So that this is of interest to all Senators.

Mr. BUTLER. The city already has this land. All they are asking is a quitclaim deed from the Government.

Mr. LODGE. For what use does the city want the land?

Mr. BUTLER. The acreage which adjoins the city of Crawford is used for park purposes, and this land is a part of the city.

Mr. LODGE. Is it being used now?

Mr. BUTLER. It is being used, and has been for years, and a pipe line brings water from a source many miles out of the city into the city.

Mr. LODGE. Does this bill affect the pipe line?

Mr. BUTLER. It gives the city of Crawford title to land occupied by the pipe line.

Mr. WHERRY. It is also a part of the water system, is it not? Part of the water which comes into the city comes from water on this 43 acres, and has for years, has it not? This is not merely an outgrowth of the Surplus Property Act. The negotiations for this land have been carried on for a considerable period of time.

Mr. LODGE. How did it happen that the bill went to the Committee on Agriculture and Forestry and not to the Committee on Armed Services?

Mr. WHERRY. Because the Remount Service has been transferred to the Committee on Agriculture and Forestry.

Mr. THYE. Mr. President, this is the old Army remount station transferred to the Department of Agriculture last year, and the land has some of the water mains and some of the pipes of the city lying across it.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. MORSE. Mr. President, reserving the right to object, I wish to say that I am reasonably confident that we can and will work out a satisfactory understanding in regard to this matter between now and the next call of the calendar. But the whole remount issue is pending with the Department of Agriculture, and I want to consider this measure along with the whole issue at the time. Therefore I object.

The VICE PRESIDENT. The Senator from Oregon objects and the bill will be passed over.

AMENDMENT OF INTERSTATE COMMERCE ACT RELATING TO JOINT BOARDS

Mr. REED. Mr. President——

The VICE PRESIDENT. For what purpose does the Senator from Kansas rise?

Mr. REED. When Senate bill 255, Calendar No. 66, was reached on the call of the calendar the Senator from Alabama [Mr. HILL] asked that it go over in order that he might have an opportunity to look into it. I have conferred with the Senator from Alabama. He has no objection to the passage of Senate bill 255, Calendar No. 66, or the passage of Senate bill 256, Calendar No. 67, but he does object to Senate bill 257, Calendar No. 68. I am willing to have Senate bill 257 go over, and have the other two bills passed at this time.

The VICE PRESIDENT. The order was that the three bills should go to the foot of the calendar. They are now at the foot of the calendar and will be called when the call of the calendar is completed.

Mr. HILL. Mr. President, I ask unanimous consent that the Senate may proceed to the consideration of Senate bill 255, Calendar No. 66.

The VICE PRESIDENT. Is there objection?

There being no objection, the bill (S. 255) to amend section 205 of the Interstate Commerce Act, relating to joint boards, was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That subsection (b) of section 205 of the Interstate Commerce Act is hereby amended to read as follows:

"(b) Whenever there arises in the administration of this part any matter that the Commission is required to refer to a joint board, or that the Commission determines, in its discretion, to refer to a joint board, the Commission shall, if no joint board eligible to consider said matter is in existence, create a joint board to consider the matter when referred, and to recommend appropriate order thereon. The Commission shall prescribe rules governing meetings and procedure of joint boards and may, in the event of legal proceedings preventing reference to a joint board, determine the matter as provided in section 17. Except as hereinafter provided, a joint board shall consist of a member from each State in which the motor carrier or brokerage operations involved are or are proposed to be conducted. The member from any such State shall be nominated by the board of such State from its own membership or otherwise; or if there is no board in such State or if the board of such State fails to make a nomination when requested by the Commission, then the governor of such State may nominate such member. The Commission is authorized to appoint as a member upon the joint board any such nominee approved by it. If both the board and the governor of any State shall fail to nominate a joint board member when requested, then the joint board shall be constituted without a member from such State, if members for two or more States shall have been nominated and approved by the Commission. All decisions and recommendations by joint boards shall be by majority vote: *Provided, however,* That in any matter where only one member shall participate in a hearing such member shall constitute a quorum and make recommendation of an order thereon. If the board of each State from which a member of a joint board is entitled to be appointed shall waive action on any matter referred to such joint board, or if any joint board fails or refuses to act, or is unable to agree upon any matter submitted to it within 45 days after the matter is referred to it or such other period as the Commission may authorize, or if a member shall not be nominated for more than one State (except only when the operations proposed shall be into or through territory foreign to the United States), then such matter shall be decided as in the case of any matter not required to be referred to a joint board. The failure of a duly appointed member of a joint board to participate in any hearing on a matter referred to such joint board, after notice thereof, shall be considered to constitute, as to the matter referred, a waiver of action on the part of the State from which such member was appointed, but shall not

affect the duty and power of the remaining members or member of said joint board, if any, to proceed with said hearing, to consider such matter, and to make recommendation of an order thereon. When any proceeding required to be referred to a joint board shall involve operations of a motor carrier conducted or proposed to be conducted into or through territory foreign to the United States, if a single State shall be involved, or if only one State shall make nomination of a joint board member through its governor or State board, then the Commission, in such case, may receive from that State the nomination of not more than three members and may appoint such nominees to constitute the joint board. Members of joint boards when administering the provisions of this part shall receive such allowances for travel and subsistence expenses as the Commission shall provide. A joint board shall continue in existence for the consideration of matters referred to it by the Commission until such time as its existence may be terminated by the Commission. A substitution of membership upon a joint board from any State may be made at any time by nomination and appointment in the same manner as an original nomination and appointment."

AMENDMENTS TO VARIOUS SECTIONS OF THE INTERSTATE COMMERCE ACT

Mr. HILL. Mr. President, I make the same unanimous-consent request with respect to Senate bill 256, Calendar No. 67, the next bill on the calendar.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the bill (S. 256) to amend the Interstate Commerce Act, as amended, was considered, ordered to be engrossed for a third reading, read the third time, and passed as follows:

Be it enacted, etc., That paragraph (5) of section 1 of the Interstate Commerce Act, as amended, is amended by striking out "(a)"; and is further amended by striking out "(b)" and inserting in lieu thereof "(5½)."

SEC. 2. (a) The first sentence of paragraph (2) of section 3 of the Interstate Commerce Act, as amended, is amended to read as follows:

"(2) No carrier by railroad and no express company subject to the provisions of this part shall deliver or relinquish possession at destination of any freight or express shipment transported by it until all tariff rates and charges thereon have been paid, except under such rules and regulations as the Commission may from time to time prescribe to govern the settlement of all such rates and charges and to prevent unjust discrimination: *Provided*, That the provisions of this paragraph shall not be construed to prohibit any carrier or express company from extending credit in connection with rates and charges on freight or express shipments transported for the United States, for any department, bureau, or agency thereof, or for any State or Territory or political subdivision thereof, or for the District of Columbia."

(b) The amendment made by subsection (a) of this section shall take effect 6 months after the date of the enactment of this act.

SEC. 3. The second sentence of subparagraph (b) of paragraph (2) of section 5 of the Interstate Commerce Act, as amended, is amended to read as follows: "If the Commission shall consider it necessary in order to determine whether the findings specified below may properly be made, it shall set said application for public hearing; and a public hearing shall be held in all cases where carriers by railroad are involved unless the Commission determines that a public hearing is not necessary in the public interest."

SEC. 4. (a) Paragraph (10) of section 5 of the Interstate Commerce Act, as amended, is amended by adding at the end thereof a new subparagraph as follows:

"Nothing in this section shall be construed to require the approval or authorization of the Commission in the case of a transaction within the scope of paragraph (2) where the only parties to the transaction are street, suburban, or interurban electric railways, none of which is controlled by or under common control with any carrier which is operated as part of a general steam railroad system of transportation."

(b) Paragraph (13) of section 5 of the Interstate Commerce Act, as amended, is amended to read as follows:

"(13) As used in paragraphs (2) to (12), inclusive, the term 'carrier' means a carrier by railroad and an express company and a sleeping-car company, subject to this part; and a motor carrier subject to part II; and a water carrier subject to part III."

SEC. 5. Paragraph (5) of section 6 of the Interstate Commerce Act, as amended, is amended to read as follows:

"(5) Every common carrier subject to this part shall also file with said Commission copies of all contracts, agreements, or arrangements, with other common carriers in relation to any traffic affected by the provisions of this part to which it may be a party: *Provided, however*, That the Commission, by regulations, may provide for exceptions from the requirements of this paragraph in the case of any class or classes of contracts, agreements, or arrangements, the filing of which, in its opinion, is not necessary in the public interest."

SEC. 6. Paragraph (5) of section 16 of the Interstate Commerce Act, as amended, is amended by changing the period at the end thereof to a colon and adding thereafter the following: *"Provided*, That in such proceedings service of notice of the suspension of a tariff or schedule upon an attorney in fact of a carrier who has filed said tariff or schedule in behalf of such carrier shall be deemed to be due and sufficient service upon the carrier, and service of notice of the suspension of a joint tariff or schedule upon a carrier which has filed said joint tariff or schedule to which another carrier is a party shall be deemed to be due and sufficient notice upon the several carriers parties thereto. Such service of notice may be made by mail to such attorney in fact or carrier at the address shown in the tariff or schedule."

SEC. 7. Paragraph (1) of section 20 of the Interstate Commerce Act, as amended, is amended to read as follows:

"(1) The Commission is hereby authorized to require annual, periodical, or special reports from carriers, lessors, and associations (as defined in this section), to prescribe the manner and form in which such reports shall be made, and to require from such carriers, lessors, and associations specific and full, true, and correct answers to all questions upon which the Commission may deem information to be necessary, classifying such carriers, lessors, and associations as it may deem proper for any of these purposes. Such annual reports shall give an account of the affairs of the carrier, lessor, or association in such form and detail as may be prescribed by the Commission."

SEC. 8. The second sentence of paragraph (5) of section 20 of the Interstate Commerce Act, as amended, is amended by striking out "carriers and lessors" and inserting in lieu thereof the following: "carriers, lessors, and associations."

SEC. 9. Paragraph (8) of section 20 of the Interstate Commerce Act, as amended, is amended to read as follows:

"(8) As used in this section, the words 'keep' and 'kept' shall be construed to mean made, prepared, or compiled, as well as retained; the term 'carrier' means a common carrier subject to this part, and includes a receiver or trustee of such carrier; the term 'lessor' means a person owning a railroad, a water line, or a pipe line, leased to and operated by a common carrier subject to this part, and includes a receiver or trustee of such lessor; and the term 'association' means an association or organization maintained by or in the interest of any group of carriers subject to this part which performs any service, or engages in any activities, in connection with any traffic, transportation, or facilities subject to this act."

SEC. 10. Paragraph (1) of section 20a of the Interstate Commerce Act, as amended, is amended to read as follows:

"(1) That as used in this section, the term 'carrier' means a common carrier by railroad (except a street, suburban, or interurban electric railway which is not operated as a part of a general steam railroad system of transportation) which is subject to this part, or any corporation organized for the purpose of engaging in transportation by railroad subject to this part, or a sleeping-car company which is subject to this part."

SEC. 11. The first two sentences of subsection (a) of section 220 of the Interstate Commerce Act, as amended, are amended to read as follows:

"(a) The Commission is hereby authorized to require annual, periodical, or special reports from all motor carriers, brokers, lessors, and associations (as defined in this section); to prescribe the manner and form in which such reports shall be made; and to require from such carriers, brokers, lessors, and associations specific and full, true, and correct answers to all questions upon which the Commission may deem information to be necessary. Such annual reports shall give an account of the affairs of the carrier, broker, lessor, or association in such form and detail as may be prescribed by the Commission."

SEC. 12. The third sentence of subsection (d) of section 220 of the Interstate Commerce Act, as amended, is amended to read as follows: "The Commission or its duly authorized special agents, accountants, or examiners shall at all times have access to and authority, under its order, to inspect and examine any and all lands, buildings, or equipment of motor carriers, brokers, and lessors; and shall have authority to inspect and copy any and all accounts, books, records, memoranda, correspondence, and other documents of such carriers, brokers, lessors, and associations (as defined in this section), and such accounts, books, records, memoranda, correspondence, and other documents of any person controlling, controlled by, or under common control with any such carrier, as the Commission deems relevant to such person's relation to or transactions with such carrier."

SEC. 13. Subsection (e) of section 220 of the Interstate Commerce Act, as amended, is amended to read as follows:

"(e) As used in this section, the words 'keep' and 'kept' shall be construed to mean made, prepared, or compiled, as well as retained; the term 'lessor' means a lessor of any right to operate as a motor carrier; the term 'motor carrier', 'broker', or 'lessor' includes a receiver or trustee of any such motor carrier, broker, or lessor; and the term 'association' means an association or organization maintained by or in the interest of any group of motor carriers or brokers subject to this part which performs any service, or engages in any activities in connection with any traffic, transportation, or facilities subject to this act."

SEC. 14. (a) The third sentence of subsection (a) of section 221 of the Interstate Commerce Act, as amended, is amended by striking out the word "registered".

(b) The last sentence of such subsection (a) is amended to read as follows: "In proceedings before the Commission involving the

lawfulness of rates, fares, charges, classifications, or practices, service of notice of the suspension of a tariff or schedule upon an attorney in fact of a carrier who has filed said tariff or schedule in behalf of such carrier naming the rates, fares, charges, classifications, or practices, involved in such proceedings shall be deemed to be due and sufficient service upon the carrier and service of notice of the suspension of a joint tariff or schedule upon a carrier which has filed said joint tariff to which another carrier is a party naming the rates, fares, charges, classifications, or practices involved in such proceedings shall be deemed to be due and sufficient service upon the several carriers parties thereto, but such manner of service shall not be considered as excluding service in any other manner authorized by law."

SEC. 15. Section 222 of the Interstate Commerce Act, as amended, is amended by adding at the end thereof the following new paragraph:

"(h) Any motor carrier, broker, or lessor, or other person, or any officer, agent, employee, or representative thereof, who shall fail or refuse to keep, preserve, or forward any account, record, or memorandum in the substance, form, or manner prescribed in this part or in any rule, order, or regulation prescribed under this part; or who shall fail or refuse to comply with any requirement of this part with respect to the filing with this Commission or with any agency, office, or representative of the Commission, as prescribed by the Commission, any annual, periodical, or special report, or other report, tariff, schedule, contract, document, or data or with any rule, order, or regulation prescribed with respect to such filing; or who shall fail or refuse to make full, true, or correct answer to any question required by the Commission to be made under the provisions of this part, shall forfeit to the United States the sum of $100 for each such offense, and, in case of a continuing violation, not to exceed $50 for each additional day during which such failure or refusal shall continue. All forfeitures provided for in this paragraph shall be payable into the Treasury of the United States and shall be recoverable in a civil suit in the name of the United States, brought in the district where the motor carrier or broker has its principal office, or in any district in which such motor carrier or broker was, at the time of the offense, authorized by this Commission, or by this part, to engage in operation as such motor carrier or broker; or in any district where such forfeiture may accrue; or in the district where the offender is found. All process in any such case may be served in the judicial district whereof such offender is an inhabitant or wherever he may be found. It shall be the duty of the various district attorneys under the direction of the Attorney General of the United States to prosecute for the recovery of such forfeitures. The costs and expenses of such prosecution shall be paid out of the appropriation for the expenses of the courts of the United States."

SEC. 16. The first two sentences of subsection (a) of section 313 of the Interstate Commerce Act, as amended, are amended to read as follows:

"(a) The Commission is hereby authorized to require annual, periodical, or special reports from water carriers, lessors, and associations (as defined in this section), and to prescribe the manner and form in which such reports shall be made, and to require from such carriers, lessors, and associations specific and full, true, and correct answers to all questions upon which the Commission may deem information to be necessary. Such annual reports shall give an account of the affairs of the carrier, lessor, or association in such form and detail as may be prescribed by the Commission."

SEC. 17. The first sentence of subsection (f) of section 313 of the Interstate Commerce Act, as amended, is amended by inserting after "lessors," the following: "and of associations (as defined in this section),".

SEC. 18. Subsection (h) of section 313 of the Interstate Commerce Act, as amended, is amended to read as follows:

"(h) As used in this section, the words 'keep' and 'kept' shall be construed to mean made, prepared, or compiled, as well as retained; the term 'lessor' means a lessor of any right to operate as a water carrier; the term 'water carrier' or 'lessor' includes a receiver or trustee of such water carrier or lessor; and the term 'association' means an association or organization maintained by or in the interest of any group of water carriers subject to this part which performs any service, or engages in any activities, in connection with any traffic, transportation, or facilities subject to this act."

SEC. 19. (a) That the third sentence of subsection (a) of section 315 of the Interstate Commerce Act, as amended, is amended by striking out the word "registered."

(b) The last sentence of such subsection (a) is amended to read as follows: "In proceedings before the Commission involving the lawfulness of rates, fares, charges, classifications, or practices, service of notice of the suspension of a tariff or schedule upon an attorney in fact of a carrier who has filed a said tariff or schedule in behalf of such carrier naming the rates, fares, charges, classifications, or practices involved in such proceedings shall be deemed to be due and sufficient service upon the carrier and service of notice of the suspension of a joint tariff or schedule upon a carrier which has filed said joint tariff to which another carrier is a party naming the rates, fares, charges, classifications, or practices involved in such proceedings shall be deemed to be due and sufficient service upon the several carriers parties thereto, but such manner of service shall not be considered as excluding service in any other manner authorized by law."

SEC. 20. The first two sentences of subsection (a) of section 412 of the Interstate Commerce Act, as amended, are amended to read as follows:

"(a) For purposes of administration of the provisions of this part, the Commission is hereby authorized to require annual, periodical, or special reports from freight forwarders and associations (as defined in this section), and to prescribe the manner and form in which such reports shall be made, and to require from such forwarders and associations specific, full, true, and correct answers to all questions upon which the Commission may deem information to be necessary. Such annual reports shall give an account of the affairs of the freight forwarder or association in such form and detail as may be prescribed by the Commission."

SEC. 21. The first sentence of subsection (d) of section 412 of the Interstate Commerce Act, as amended, is amended by inserting after the words "documents of freight forwarders" the following: "and of associations (as defined in this section)."

SEC. 22. Subsection (f) of section 412 of the Interstate Commerce Act, as amended, is amended to read as follows:

"(f) As used in this section, the words 'keep' and 'kept' shall be construed to mean made, prepared, or compiled, as well as retained; and the term 'association' means an association or organization maintained by or in the interest of any group of freight forwarders subject to this part which performs any service, or engages in any activities, in connection with any traffic, transportation, or facilities subject to this act."

Mr. REED. I thank the Senator from Alabama.

Mr. HILL. Mr. President, I now renew my objection to Senate bill 257, Calendar No. 68.

The VICE PRESIDENT. It is not necessary to renew the objection. The bill remains at the foot of the calendar.

The clerk will state the next bill on the calendar.

BILLS PASSED OVER

The bill (S. 249) to diminish the causes of labor disputes burdening or obstructing interstate and foreign commerce, and for other purposes, was announced as next in order.

Mr. TAFT. Over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 1209) to amend the Economic Cooperation Act of 1948 was announced as next in order.

SEVERAL SENATORS. Over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 969) to transfer the Pomona station of the Agriculture Remount Service, Department of Agriculture, at Pomona, Calif., was announced as next in order.

Mr. MORSE. Over.

The VICE PRESIDENT. The bill will be passed over.

REMOVAL OF RESTRICTIONS ON LANDS CONVEYED TO CHARLESTON, S. C.

The bill (S. 1219) removing certain restrictions and conditions imposed by section 2 of the act of May 27, 1936, on certain of the lands conveyed by such act to the city of Charleston, S. C., and for other purposes was announced as next in order.

Mr. CORDON. Mr. President, may we have an explanation of that bill?

Mr. GURNEY. Mr. President, this land is part of a large tract of land. It is 243 acres in extent, I believe. The purpose of the bill is to remove certain conditions and restrictions which were imposed by the act of 1936 on this specific tract of land. During World War II this piece of property was not recaptured by the Federal Government, and it is not foreseen by the Army that it will have any possible future use. In the meantime, the city of Charleston had leased the property on a long-term lease to a corporation, which corporation has effected extensive plant construction thereon. This corporation is desirous of expanding its facilities, but is reluctant to do so as long as the title to the property remains restricted under the terms of the 1936 act. It can very properly be argued, inasmuch as the Government did not reenter the property during World War II, and that the Army does not foresee future use, that these restrictions can safely be removed at this time. Therefore the committee unanimously recommended passage of the bill.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. GURNEY. I yield.

Mr. MAYBANK. I concur in the statement made by the Senator from South Dakota. The lands in question were conveyed to the city of Charleston, S. C., with certain restrictions and conditions imposed by the act of May 27, 1936. The Army foresees no future value to it of the land. If the bill shall be passed the Army will retain what is

necessary in the way of communications and roads and other things needful to it.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the bill (S. 1219) removing certain restrictions and conditions imposed by section 2 of the act of May 27, 1936, on certain of the lands conveyed by such act to the city of Charleston, S. C.; and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That (a) with respect to the restrictions and conditions required by section 2 of the act entitled "An act authorizing the Secretary of Commerce to convey the Charleston Army Base Terminal to the city of Charleston, S. C.," approved May 27, 1936 (prohibiting the city of Charleston from transferring title to the property conveyed under such act and reserving a right to the United States to retake such property in the event of a national emergency), to be included in the deed executed pursuant to the provisions of such act the Secretary of the Army is hereby authorized and directed to release to the city of Charleston, S. C., by an appropriate written instrument, such restrictions and conditions so far as they pertain to the area designated as "tract numbered 2—part 1," comprising approximately two hundred seventy-eight and ninety-two one-hundredths acres, on the map on file in the office, Chief of Engineers, Department of the Army, entitled "Tract No. 2, portion of Charleston Ordnance Depot, North Charleston, S. C., date: February 2, 1949, drawing No. RE-1/372 (Rev.), as further revised February 9, 1949."

(b) In executing the written instrument referred to in subsection (a) the Secretary of the Army is authorized and directed to make provision for reservation and/or conveyance to the United States of all easements and rights-of-way (including use of water and sewer mains) that are now enjoyed by the United States with respect to such tract and are deemed necessary for retention by the Secretary of the Army, subject to the provision that any such easements and rights-of-way (including use of water and sewer mains) as may at any time in the opinion of the Secretary of the Army, be no longer required for governmental use may be abandoned, and upon such abandonment will automatically terminate. Such instrument shall recite that with respect to that certain water main which intersects the northwesterly corner of the above-described premises, the city council of Charleston, S. C., its successors, or assigns, may with the written consent of the Secretary of the Army, relocate at its sole cost and expense such water main on other lands and that in such event all rights and privileges now enjoyed by the United States with respect to such water main shall cease and terminate.

SEC. 2. The Secretary of the Army is authorized to convey by quitclaim deed to the city council of Charleston, S. C., all or any part of the right, title, and interest of the United States in and to so much of that certain tract of land comprising one and two hundred and five one-thousandths acres, more or less, and designated as tract 5, exception "C," on the drawing described in the first section of this act, as the Secretary of the Army determines is no longer needed for military purposes. Any conveyance executed pursuant to the authority contained in this section shall be made upon payment by the city council of Charleston, S. C., of the fair market value of the property to be conveyed.

TRANSFER OF POMONA, CALIF., REMOUNT STATION

Mr. MORSE. Mr. President, I ask unanimous consent to return to Senate bill 969, Calendar 84, and reserve my objection to the bill while the Senator from Louisiana [Mr. ELLENDER] makes a statement in regard to it.

The VICE PRESIDENT. The Senator from Oregon asks unanimous consent to return to Senate bill 969, Calendar 84. Is there objection? The Chair hears none.

Mr. ELLENDER. Mr. President, the Committee on Agriculture held some hearings on this measure. In 1922 W. K. Kellogg established the Pomona Remount Station in California. The purpose of it was to breed Arabian horses. In 1932 the remount station was transferred to the University of California. It was managed by the university for some time, but it became so expensive to operate that some effort was made by the university to transfer it back to Mr. Kellogg. So an arrangement was made whereby Mr. Kellogg transferred the entire property, as a patriotic duty, to the Army, and the Army tried to handle it for some time, but was not very successful with it, and therefore transferred it to the Department of Agriculture.

During last year the Department of Agriculture spent $425,000 in order to try to operate this station, but could not do so with that amount of money. The purpose of this bill is to transfer the entire remount station back to the Kellogg Foundation, which will operate it as a remount station with its own resources. We gathered from the representative of the Kellogg Foundation that it may be transferred to some college there and a large endowment made to the college so that the entire area can be operated as a remount station.

The committee was unanimous in recommending the transfer.

Mr. MORSE. Mr. President, reserving the right to object, I wish to thank the Senator from Louisiana for his explanation.

For the RECORD I want to make this brief statement, which applies also to my objection to Senate bill 314, Calendar No. 81. I do not know of anyone in the Senate who is working any harder to try to solve the remount problem than is the junior Senator from Oregon. However, I feel that as of this day the Department of Agriculture has not kept faith in what I consider to be some very definite understandings we had with the Department last year when we reached an agreement with respect to the Remount Service. Therefore, until the Department of Agriculture proceeds along the lines that several of us have requested, namely, that it would at least give us the benefit of a conference in regard to our demands for an explanation from the Department for not handling these matters all together, I am going to continue to object to these individual bills.

I am sure that a week or 10 days' delay is not going to be disastrous in regard to this particular matter. As of this time, if in the last analysis we could not do anything else but simply get this bill, I would finally vote for it. But I think the Department of Agriculture has an obligation for carrying out the agreement which I believe the two Senators from Virginia [Mr. BYRD and Mr. ROBERTSON], the junior Senator from Oregon [Mr. MORSE], and a group of other Senators had with the Department of Agriculture last year, and the Department of Agriculture has not carried out its side of the agreement to date. Therefore, until it does so, or gives us cause for believing that there is good reason for not doing so, I must object.

The VICE PRESIDENT. The Senator from Oregon objects.

Mr. WHERRY. Mr. President, reserving the right to object——

The VICE PRESIDENT. The Senator from Oregon has already objected.

Mr. WHERRY. Will the Senator from Oregon withhold his objection long enough to enable me to propound a question to him in my time?

The VICE PRESIDENT. Does the Senator from Oregon withhold his objection?

Mr. MORSE. Yes.

Mr. WHERRY. I ask the Senator from Oregon if it is not also true that the junior Senator from Nebraska has also cooperated with him in the efforts to work out a solution in which the Senator from Nebraska also is interested, with respect to the agreements made with the Department of Agriculture?

Mr. MORSE. Not only the Senator from Nebraska, but many other Senators.

Mr. WHERRY. We are very hopeful of working out with the Department something that will be just, in order to continue the breeding of the class of horses which will be lost if the remount services are terminated.

Even though I have energetically cooperated 100 percent with the Senator from Oregon, yet I feel that the very nature of this particular bill will indicate that it should be passed.

Moreover, I am satisfied, after talking with the junior Senator from Oregon, that because of the nature of Senate bill 314, Calendar No. 81, it will not in any way interfere with the conclusions or the program which will be worked out to his satisfaction, as well as the satisfaction of the rest of us.

Mr. MORSE. I am satisfied that we will reach an agreement with respect to Senate bill 969, Calendar No. 84; but we need a conference so that we may know where we are going.

Mr. KNOWLAND. Mr. President, will the Senator withhold his objection?

Mr. MORSE. I will withhold it if I may do so under the rule.

The VICE PRESIDENT. The Senator may withhold his objection, but his 5 minutes have expired.

Mr. KNOWLAND. Mr. President, I merely wish to say that while I appreciate the fact that under the rules the able Senator from Oregon has every right and privilege to object, as I understand, he merely wishes an opportunity to look into the subject further. I hope that when the bill next comes up, he will have satisfied himself.

I believe that this bill is in a little different category from other bills of this nature.

As the able Senator from Louisiana [Mr. ELLENDER] has pointed out, the Kellogg Foundation first made this land available to the University of California. Then, at the specific request of the War Department during the war, it was transferred to the War Department, I believe for the sum of $1. It was a gift, not a sale.

When the War Department transferred the Remount Station at Pomona, Calif., to the Department of Agriculture, and the Department felt that it could not continue with the program, those in California who were interested in the horse-breeding program wanted it continued. Finally, after many negotiations, the Kellogg Foundation agreed to continue the program. The program meets with the approval of the University of California. I am very fearful, if there is too much delay, that we may lose the opportunity of having the Kellogg Foundation continue this program.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. ANDERSON. I wish to subscribe to and endorse everything the Senator from California has said. The Kellogg Foundation was more than generous in the first instance. It does not like to see this land subdivided and turned into a city section. It has generously offered to take it back, something which I never believed it would do. I think it would be too bad if it were blocked from that purpose. I hope that when the bill comes up again the Senator from Oregon will withdraw his objection.

The VICE PRESIDENT. The clerk will state the next business on the calendar.

UNDER SECRETARY OF DEFENSE

The bill (H. R. 2216) to amend the National Security Act of 1947 to provide for an Under Secretary of Defense was announced as next in order.

Mr. LODGE. Mr. President, I should like to have the attention of the Senator from Virginia [Mr. BYRD], or whoever is in charge of the bill. As one who believes that strengthening and unification of the Department of National Defense is our most urgent single problem, I ask the Senator whether he believes that this bill represents the total solution to that problem.

Mr. BYRD. No; it does not. It is not the entire solution. It is merely a temporary solution.

Mr. LODGE. It is only one step of a number considered to be necessary; is that correct?

Mr. BYRD. That is correct.

Mr. LODGE. I am certainly in favor of this as one rather minor step of a great many which need to be taken.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. CORDON. Mr. President, reserving the right to object, I shall not object, but I express the hope that we shall not attempt piecemeal action in implementing the recommendations of the Reorganization Commission, headed by former President Hoover. I should like to see those recommendations considered in one package, at least as to each major departmental recommendation. I think we shall go further and have better legislation if we follow that policy.

Mr. AIKEN. Mr. President, ordinarily I would agree with the Senator from Oregon, but I believe that in this case we have almost an emergency condition. I know of no one heading a department in the Government who is in a more unenviable position than is the Secretary of National Defense. It is true that he has a Secretary of Air, a Secretary of War, and a Secretary of the Navy under him, and they have assistant secretaries under them, but they are not wholly responsible to him. They can go over his head at any time. They have certain authority which they may exercise, for which he is responsible, but which, under the law which was passed 2 years ago, he has not sufficient authority to control.

I think it is almost a physical impossibility for the Secretary of National Defense to get along without an under secretary. He cannot take time out if he is sick. He cannot take time out to go anywhere, because there is no one to whom he can turn over his work while he is away. While I should like to see the entire reorganization plan for the National Defense Establishment taken up at one time and acted upon, I think we have almost an emergency condition in this instance. I have arrived at that conclusion after being engaged in studies of the Hoover Commission report during the past few months. I think the present Secretary, Mr. Forrestal, has done an almost superhuman job in being able to keep going as long as he has.

Mr. LUCAS. Mr. President, I think as the matter now stands the RECORD shows a little more as to the real intent and purpose of this bill.

Mr. BYRD. Mr. President, the purpose of the bill is to relieve the terrific congestion of work upon the shoulders of the Secretary of National Defense. He is simply unable to do the work, and he wants an under secretary appointed so that he may do the things which should not be assigned to anyone else but an under secretary.

This is what the Secretary of National Defense is required to do: He must attend Cabinet meetings. He is a member of the National Security Council. He is a member of the National Security Resources Board. He is a member of the War Council. He is a member of the committee of four secretaries. He is now a member of the Hoover Commission. He is a member of the Research and Development Board, which operates under the direction of the Secretary. He is a member of the Munitions Board.

The purpose is to give the Secretary temporary relief, because he is simply unable to cope with the vast duties which rest upon him at this time. The bill is not to be regarded as a solution of the reorganization of the Military Establishment. It is merely one part of the recommendations made by the Hoover Commission.

Mr. LUCAS. Mr. President, I understand all that. I merely wanted the Senator from Virginia to explain the bill for the RECORD, because I think it is important. I hope the Committee on Armed Services will further consider the unification program, so that the Secretary of National Defense will ultimately have the power in his hands to do what I believe is necessary for the purpose of carrying on efficiently the work of the military service.

Mr. BYRD. That will certainly be done. Legislation will shortly be ready and will receive very full consideration.

Mr. SALTONSTALL. Mr. President, as I understand, this bill would permit the Secretary of National Defense to become a secretary for policy matters, and the Under Secretary would take over much of the administrative load.

Mr. BYRD. That is correct.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

ATTENDANCE OF UNITED STATES MARINE BAND AT ENCAMPMENT OF GRAND ARMY OF THE REPUBLIC

The bill (H. R. 2485) to authorize the attendance of the United States Marine Band at the Eighty-third and Final National Encampment of the Grand Army of the Republic to be held in Indianapolis, Ind., August 28 to September 1, 1949, was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H. R. 2663) to provide for the administration of the Central Intelligence Agency, established pursuant to section 102, National Security Act of 1947, and for other purposes, was announced as next in order.

Mr. LANGER. Over.

The VICE PRESIDENT. The bill will be passed over.

PUNISHMENT FOR DISCLOSURE OF CERTAIN INTELLIGENCE ACTIVITIES—BILL PASSED OVER

The bill (S. 277) to enhance further the security of the United States by preventing disclosures of information concerning the cryptographic systems and the communications intelligence activities of the United States was announced as next in order.

Mr. TAFT. Mr. President, may we have an explanation of the bill?

Mr. HUNT. Mr. President, this bill is rather limited, and is quite narrow in its scope, but it will protect a very important link in our national security. The bill would make it a crime for an individual to reveal information concerning the intelligence activities of the United States or to divulge information concerning the methods, techniques, and equipment used by the United States in transmitting secret messages. We feel that the present laws are not adequate in this particular respect.

The bill would not control in any way the free dissemination of information which might be transmitted in code or cipher. I should like to say to the distinguished Senator from Ohio that the officials of the American Society of Newspaper Editors have indicated approval of the bill as it was amended in the committee. The amendment inserted in line 3, on page 1, simply adding the words

"knowingly and wittingly," thereby puts the burden of proof on the Government of convicting individuals under the law.

As the distinguished Senator realizes, there were during the war a great many persons who of necessity became familiar with our system of sending secret code messages. Many of them are no longer in the armed services, and it might be that, for purposes of personal gain, some of those persons might reveal the information, and that would be very costly to correct.

I should like to say that both the State Department and the National Defense Establishment recommend the enactment of the bill, and it was unanimously reported by the committee.

Mr. FERGUSON. Will the Senator give us an explanation of the language on page 3, in lines 20 to 23:

SEC. 3. Nothing in this act shall prohibit the furnishing, upon lawful demand, of information to any regularly constituted committee of the Senate or House of Representatives of the United States of America, or joint committee thereof.

Why are the words "upon lawful demand" inserted at that point? Is a subpena meant?

Mr. HUNT. Mr. President, I do not remember that that was discussed in the committee. I assume that those words might have been inserted as an assurance that any of those entitled to the information could secure it, regardless of this measure.

Mr. FERGUSON. If it were a regularly constituted committee, would there be any necessity for the language "upon lawful demand"? Would the committee be compelled to issue a subpena? Would there be any necessity for a committee to issue a subpena for evidence in such case?

Mr. HUNT. I would not think there should be.

Mr. CORDON. Mr. President, I should like to ask a question about this measure, but in the meantime I ask that the bill go over.

The VICE PRESIDENT. Objection being heard, the bill will be passed over.

TRANSPORTATION OF IRON ORE BETWEEN UNITED STATES PORTS BY VESSELS OF CANADIAN REGISTRY

The joint resolution (S. J. Res. 52) to authorize vessels of Canadian registry to transport iron ore between United States ports on the Great Lakes during the period from March 15 to December 15, 1949, inclusive, was announced as next in order.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution?

Mr. MAGNUSON. Mr. President, reserving the right to object, I ask unanimous consent to have placed in the RECORD, at this point, a very brief statement on the joint resolution and also a letter from the chairman of the Committee on Interstate and Foreign Commerce.

There being no objection, the statement and letter were ordered to be printed in the RECORD, as follows:

Mr. President, I am not going to object to this resolution. However, I do wish the record to show that the Senate Interstate and Foreign Commerce Committee reported the resolution favorably—with considerable reluctance.

This is emergency legislation, to permit vessels of Canadian registry to carry iron ore on the Great Lakes to and between United States ports. This represents a waiver of coastwise shipping laws. Similar waivers have been granted by the Congress, covering each season since 1941. In view of existing circumstances, I think the only logical action Congress can take is to grant the waiver again this year by approving Senate Joint Resolution 52.

I am firmly convinced, however, that we should put the Great Lakes' operators on notice that this is the last time an extension will be granted. The operators must come forth with a definite program to bring the supply of ore ships flying under the United States flag into balance with demand. To put the operators on notice officially, the chairman of the Interstate and Foreign Commerce Committee recently sent a letter to Mr. Gilbert Johnson, general counsel, Lake Carriers Association, Cleveland, Ohio, asking a number of pertinent questions. The first of these questions gives the general tenor of the chairman's inquiry. Let me read it:

"What plans have been formulated by the steamship and ore interests to bring the supply of United States' vessels into conformity with demand, to the end that emergency legislation such as House Joint Resolution 143 and S. 52 will not be needed in 1950?"

I would like at this point to place the chairman's letter in the record.

MARCH 17, 1949.

Mr. GILBERT JOHNSON,
General Counsel,
Lake Carriers Association,
Cleveland, Ohio.

DEAR MR. JOHNSON: On Wednesday, March 9, Senate Interstate and Foreign Commerce Committee reported favorably on Senate Joint Resolution 52, the Senate counterpart of House Joint Resolution 143. These resolutions, on an emergency basis, authorize vessels of Canadian registry to transport iron ore between United States ports on the Great Lakes during a period of March 15 to December 15, 1949.

The committee reported this legislation with great reluctance. That reluctance stems from the fact that Congress has been extending this emergency provision since 1941.

As you probably know, the Senate committee intends tc make an over-all study of merchant marine problems, as provided in Senate Resolution 45. To assist us in this study, the committee would like answers to the following questions:

1. What plans have been formulated by the steamship and ore interests to bring the supply of United States vessels into conformity with demand, to the end that emergency legislation such as House Joint Resolution 143 and S. 52 will not be needed in 1950?

2. What is the current status of such plans?

3. Are any United States flag ore carriers currently slated to be removed from service? If so, what plans are being made to replace them?

4. What United States flag vessels, if any, have been transferred to Canadian registry during the period 1945–49? Under what circumstances and authority?

5. Thirty-nine Canadian vessels participated in carrying ore under this waiver of the coasting laws last year. What companies own these 39 vessels? Do American steel companies have any financial interest in the companies which own these vessels?

The committee will appreciate answers to these questions at your earliest convenience.

Sincerely yours,

———,
Chairman.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution (S. J. Res. 52) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Resolved, etc., That, notwithstanding the provisions of section 27 of the act of Congress approved June 5, 1920 (41 Stat. 999), as amended by act of Congress approved April 11, 1935 (49 Stat. 154), and by act of Congress approved July 2, 1935 (49 Stat. 442), or the provisions of any other act of Congress or regulation, vessels of Canadian registry shall be permitted to transport iron ore between United States ports on the Great Lakes during the period from March 15 to December 15, 1949, inclusive.

UNITED STATES VETERANS HOSPITAL AT WILMINGTON, DEL.

The bill (S. 928) to provide for designation of the United States Veterans' Administration hospital now being constructed at Wilmington, Del., as the William L. Nelson Veterans Memorial Hospital, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the United States Veterans' Administration hospital now being constructed at Wilmington, Del., shall be known and designated on the public records as the William L. Nelson Veterans Memorial Hospital.

BILL PASSED OVER

The bill (H. R. 1211) to extend the authority of the President under section 350 of the Tariff Act of 1930, as amended, and for other purposes, was announced as next in order.

Mr. CORDON. Let the bill go over.

The VICE PRESIDENT. The bill will be passed over.

APPOINTMENT OF POSTMASTERS UNDER CIVIL SERVICE

The bill (S. 1174) to amend the Act of June 25, 1938, relating to the appointment of postmasters under civil service, was announced as next in order.

Mr. LUCAS. Mr. President, may we have an explanation of the bill?

Mr. LANGER. The bill provides that in the case of a person appointed a fourth-class postmaster, if the receipts of his post office increase to such an extent as to justify changing it to a third-class post office, he shall not be required to be reappointed—and vice versa.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the bill (S. 1174) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 1 of the act entitled "An act extending the classified civil service to include postmasters of the first, second, and third classes, and for other purposes," approved June 25, 1938 (52 Stat. 1076), as amended, is amended by striking out the following after the word "*Provided,*": "That postmasters now serving may continue to serve until the end of their terms, but they shall not acquire a classified civil-service status at the expiration of such terms of office except as provided in section 2 hereof," and inserting in lieu thereof the following: "That postmasters of the fourth class, appointed in the classified civil service, whose

offices advance to a higher class, and postmasters of other classes, appointed in the classified civil service, whose offices are relegated to the fourth class, shall continue to serve under their original appointment until a vacancy occurs by reason of death, resignation, retirement, or removal, in which event the appointment shall be made as provided in section 2 of the act."

RELIEF OF THE CITY OF RENO, NEV.

The bill (S. 41) for the relief of the city of Reno, Nev., was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the city of Reno, Nev., the sum of $1,620, representing the amount which would have been assessable for street improvements against property owned by the United States, and used by the Forest Service, in such city if such property had been privately owned; such property being more particularly described as follows: Commencing at the intersection on the north and south line on the east side of the northwest quarter of the southeast quarter of section 12, township 19 north, range 19 east, and the south side of Second Street as extended, through the east city limits of Reno, Nev.; thence southerly along the east line of the northwest quarter of the southeast quarter of section 12, for seven hundred and twenty-six feet; thence westerly paralleling said Second Street for three hundred feet; thence northerly paralleling the east line of the northwest quarter of the southeast quarter, section 12, for seven hundred and twenty-six feet; to the south side of said Second Street; thence easterly along the south side of said Second Street for three hundred feet; to the place of commencing, containing five acres, more or less, three hundred front feet.

WILLIAM F. THOMAS

The bill (S. 165) for the relief of William F. Thomas was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to William F. Thomas, of Orlando, Fla., the sum of $15,000, in full satisfaction of his claims against the United States (1) for compensation for the personal injuries he suffered when involved in an accident with an Army truck on August 2, 1943, and his disability resulting from said injuries; (2) for reimbursement of medical and hospital expenses incurred by him as a result of said injuries; and (3) for compensation for loss and damage to his personal property as a result of such accident: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

FERD H. GIBLER

The bill (S. 749) for the relief of Ferd H. Gibler was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Comptroller General is authorized and directed to credit the accounts of Ferd H. Gibler, postmaster at Freeport, Ill., in the sum of $9,812.28, representing the balance due the United States on account of the embezzlement of postoffice funds by Harry J. Seachrist, former assistant postmaster at the Freeport, Ill., post office.

VASO B. BENDERACH

The bill (S. 850) conferring United States citizenship posthumously upon Vaso B. Benderach was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That Vaso B. Benderach, a Yugoslav flier, who served honorably with the Fifteenth Air Force of the United States, and who died on May 7, 1948, while a patient at Fitzsimons General Hospital, Colorado, shall be held and considered to have been a citizen of the United States at the time of his death.

PAYMENT OF CERTAIN CLAIMS AGAINST THE UNITED STATES

The bill (S. 937) to authorize the Secretary of the Treasury to effect the payment of certain claims against the United States was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, such sum as may be necessary to effect full and final settlement of the following claims against the United States:

(a) Claim of the Government of Great Britain in the sum of £750 ($3,024.38) on behalf of John Bailey of H. M. S. *Orion* arising as a consequence of personal injuries inflicted upon him by John Ittner, United States Navy, at Seattle, Wash., on July 16, 1939;

(b) Claim of the Government of Great Britain in the sum of £3,000 ($12,097.50) on behalf of the parents of the late J. D. Wiggins of the British vessel *Sambre*, arising out of the death of the latter as a consequence of shots fired by John B. Coyne, United States Navy, an armed sentry aboard the U. S. S. *Carter Hall* at Shanghai, China, on November 23, 1945;

(c) Claim of the Government of Great Britain for reimbursement in the sum of £721.0.5 ($2,907.52), representing the pro rata share of the United States of the sum paid to the Government of Spain by the Government of Great Britain, as a consequence of damages caused in the bombing of the Spanish vessel steamship *Christina* at Sete, France, in an attack by joint air forces of the United States and Great Britain, respectively, on June 25, 1944; and

(d) Claim of the Government of Norway in the sum of 19,650 patacas ($5,354.63) on behalf of Trygve Jorgensen, arising out of personal injuries sustained when the ship *Masbate*, of which he was captain, was attacked in the harbor of Macao by United States military aircraft on February 25, 1945.

In all, $23,384.03; together with such additional sums due to increases in rates of exchange as may be necessary to pay claims in the foreign currencies as specified in the claims.

JOHN CLARK SHARMAN

The bill (S. 981) for the relief of John Clark Sharman was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That John Clark Sharman, the son of Hilda Hartwell Sharman, a native-born citizen of the United States who lost her United States citizenship by voting in a foreign election on July 5, 1945, but who reacquired it on May 1, 1947, shall be held and considered to have acquired United States citizenship at birth under the provisions of section 201 (g) of the Nationality Act of 1940 (54 Stat. 1138–1139; 8 U. S. C. 601).

PATRICK HENRY WEEK

The joint resolution (S. J. Res. 12) authorizing the President to proclaim the week in which June 6, 1949, occurs as Patrick Henry Week in commemoration of the sesquicentennial anniversary of the death of Patrick Henry was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Resolved, etc., That the President is authorized and requested to issue a proclamation designating the week in which June 6, 1949, occurs as Patrick Henry Week, inviting the people of the United States to observe such week, and particularly the day June 6, 1949, as the one hundred fiftieth anniversary of the death of Patrick Henry, in accordance with their religious faith, with appropriate ceremonies which will serve to recall his great contribution to the cause of our national independence and to the establishment of the liberties of the people of the United States.

DORIS MARIE RICHARD

The bill (H. R. 1870) for the relief of Doris Marie Richard was considered, ordered to a third reading, read the third time, and passed.

WILLIAM D. NORRIS

The Senate proceeded to consider the bill (S. 40) for the relief of William D. Norris, which had been reported from the Committee on the Judiciary with an amendment, on page 1, in line 5, before the words "Las Vegas", to insert "715 North E Street", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to William D. Norris, of 715 North E Street., Las Vegas, Nev., the sum of $6,760, in full satisfaction of his claim against the United States for compensation for loss of earnings and for pain and suffering as a result of personal injuries sustained on December 19, 1942, near Boulder Dam, when a United States Army vehicle collided with an automobile driven by the said William D. Norris: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LOUIS J. WALINE

The Senate proceeded to consider the bill (S. 191) for the relief of Louis J. Waline, which had been reported from the Committee on the Judiciary, with an amendment, to strike out all after the enacting clause, and insert.:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Louis J. Waline, of Lincoln, Nebr., the sum of $2,500, in full settlement of all claims against the United

States on account of personal injuries sustained by him on October 28, 1943, at the Lincoln Army Air Field, Lincoln, Nebr., when he was struck by an airplane operated by a member of the Civil Air Patrol on business for the Army Air Forces: *Provided*, That no part of the amount appropriated in this act shall be paid or delivered to or received by any subrogee: *And provided further*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

The concurrent resolution (S. Con. Res. 21) favoring the suspension of deportation of certain aliens was announced as next in order.

The VICE PRESIDENT. Is there objection to the present consideration of the concurrent resolution?

Mr. TAFT. May we have an explanation of this measure and the next measure on the calendar, and of the procedure as to deportation?

Mr. MAGNUSON. Mr. President, last year the Senate passed a bill providing that the Attorney General could suspend the deportation of certain aliens in cases when their deportation would place in jeopardy the financial or economic interests of the United States or of any one business, corporation, or person. However, we required that when the Attorney General does so, he shall submit to us, for affirmative action, the names of those as to whom he has suspended deportation.

Both concurrent resolutions contain the names—I think one has about 20 names and the other has about 15—of the persons as to whom deportation has been suspended on those grounds, in carrying out the provisions of the law passed at the last session of Congress.

The VICE PRESIDENT. Is there objection to the present consideration of the concurrent resolution?

There being no objection, the concurrent resolution (S. Con. Res. 21) was considered and agreed to, as follows:

Resolved, etc., That the Congress favors the suspension of deportation in the case of each person hereinafter named, in which case the Attorney General has suspended deportation for more than 6 months:

[redacted], Acquavella, Antonio.
[redacted], Aiello, Vincent.
[redacted], Aiello, Lucia.
[redacted], Aloia, Salvatore.
[redacted], d'Amonville, Emanuel Marie Joseph Jean Francois.
[redacted], d'Amonville, Christian.
[redacted], Amoruso, Grazia (nee Grazia Pasqua di Bisceglie).
[redacted], Anderson, Asta Emily Regine, or Asta Emilie Andresen (nee Ruud), or Asta Olafsen or Asta Andresson.
[redacted], Assuncao, Manuel Joao.
[redacted], Atha, Miles Milton.
[redacted], Baquera, Ernesto, or Ernesto Vacquera or Ernesto Baquera Lozano.
[redacted], Becerra-Gonzales, Jesus Ceriaco.
[redacted], Becerra-Luna, Maria de la Paz.
[redacted], Bileca, Fanica (nee Shunda).
[redacted], Castaneda, Maria Dolores.
[redacted], Castaneda, Maria del Socorro.
[redacted], Castellanos, Eduardo, or Eduardo Lara-Castellanos aka Eduardo Lopez.
[redacted], Cutaia, Antonio, or Tony Romano or Signor Cortez.
[redacted], Dahl, Albert Guy.
[redacted], De Oliveira, Manuel.
[redacted], Didyk, Eugeniusz, or Eugene Didyk.
[redacted], Dimitrakis, Georgias, or Georgias Dimitrios Dimitrakis or George D. Dimitrakis.
[redacted], Dix, Joan Nicolae (alias Ioan Nicolae Dix).
[redacted], Donakis, Angelo, or Evangelos Helidonakis.
[redacted], Effrof, Edla Johanna Karjuner, or Edith Kari (nee Edla Johanna Karjunen) or Edla Johanna Virtanen or Virta or Stream.
[redacted], Embiricos, Leonidas Nicholas.
[redacted], Engvik, Hans.
[redacted], Erdmann, Ernest August (alias Ernst Erdmann).
[redacted], Fraser, Walter Frederick (alias Walter Fraser, alias Walter Frazar).
[redacted], Fuchs Fannie, or Fay (nee Kalichman).
[redacted], Garza, Santiago.
[redacted], Gerardes, James A., or Demetrios Antoniou Gerardes.
[redacted], Glick, Simon Isaac (alias Simon Gleek or Simon John Gleek).
[redacted], Goldman, Annie.
[redacted], Gonzalez, Juanita.
[redacted], Gonzalez, Tomas.
[redacted], Gonzalez, Rosaura.
[redacted], Guerrero, Gloria Maria (nee Jiminez y Jansen).
[redacted], Gurcke, Werner.
[redacted], Hall, Henry Ellis.
[redacted], Heffron, Pearl (nee Pearl Sheppard, alias Pearl Loftus, alias Pearl Venn).
[redacted], Hiltunen, Muisto Olavi (alias Muisto Olavi Vihko).
[redacted], Hoke, Abdul, or Abdul Hoque.
[redacted], Imperato, Annunziata (nee Brunelli).
[redacted], Isaac, Adolphus, or Sam Dolly.
[redacted], Johnk, William Hans, or Willi Johnk.
[redacted], Kelsey, Alison Mary, formerly Beaton.
[redacted], Kinnersley, Edward; Edward Kinley.
[redacted], Kitchens, Eileen Patricia Camacho, or Ryder or Rider.
[redacted], Kourkoumelis, Gerasimos Andreas.
[redacted], Kozigian, Shenorig (nee Hagopian Shenorig Baboian, alias Siran Kozigian).
[redacted], Kramer, Heinrich Emil, or Henry Kramer.
[redacted], Kwan, Shih Tsun (alias Kwan Shih Tsum or Steve Kwan).
[redacted], Levinoff, Libby, or Libby Lee (nee Libby Feinbrook).
[redacted], Levinoff, Elliott Ross (alias Elliott Ross Lee).
[redacted], Madianitti, Guiseppe (alias Joseph Madianitti).
[redacted], Mahler, Julius Arthur.
[redacted], Marek, Karel Antonio, or Charles Antonio Marek or Karel Marek or Karel Demarchi.
[redacted], Martinez, John Antonio, Juan Martinez; José Antonio Martinez.
[redacted], McKellar, Nettie Banks.
[redacted], Mendoza, Juan.
[redacted], Miah, Babu.
[redacted], Minatos, Magda, or Magda (Magdalena) Bodnar (alias Katzarzyna Hirman).
[redacted], Muehl, George Paul, or George Muhl.
[redacted], Muzumdar, Natverlal Thakordas.
[redacted], Myrovitch, Dina (nee Schwartz), or Dina Myers or Ciubotarin.
[redacted], Myrovitch, Sol, or Myrowitch or Myers.
[redacted], O'Connor, Margaret Blanch, or Margaret Miller (nee Thomas).
[redacted], O'Neill, Ruby Florence (nee Rollins).
[redacted], Papademetriou, Vasiliki (nee Lykomatis).
[redacted], Papageorge, Alexandria, or Alexandria Valasiou Evlogimenou.
[redacted], Pare, Lorenzo Joseph, or Lorenzo Joseph Perry.
[redacted], Pasternak, Sophie, or Sophie Gorzelany or Catherine Gorzelany.
[redacted], Patselas, Jacovos Pantelis, or Jacob Patseias or Jacob Loizos.
[redacted], Pavlinik, Milan, or John Pauer (alias Pavlinic).
[redacted], Pelcic, Nikola.
[redacted], Pereira, Jose Dias, or José or Joe Dias.
[redacted], Peroulas, Demetrious Ioannou (alias Demetrious John Peroulas).
[redacted], Petrolo, Francesco, or Frank.
[redacted], Pisani, Clemente Salvatore (alias Salvatore Pisani or Salvatore Clemente Pisani).
[redacted], Poulsen, Poul Borge (alias Paul Poulsen).
[redacted], Procopis, Vasiliki (nee Vasilike Dountas).
[redacted], Quintana, Benito, or Benito Quintana Seara.
[redacted], Quintana, Enrique.
[redacted], Quintana, Belia.
[redacted], Rahaman, Abdul.
[redacted], Rizzardi, Giovanni Luigi, or John Louis Rizzardi.
[redacted], Roberts, Patrick Francis William, or Mickey Roberts.
[redacted], Roco, Alvaro.
[redacted], Rosa, Jorge Antonio de la.
[redacted], Salina, Isabel Maud (nee Isabel Maud Greenough).
[redacted], Sanseverino, Guiseppe, or Joseph Sanseverino.
[redacted], Scheinbaum, Abraham Louis, or Abe English.
[redacted], Schjenken, Helen, or Nellie Rogers.
[redacted], Schwartz, Edith Mary, or Edith Mary Warry (nee Teams).
[redacted], Scognamiglio, Ciro.
[redacted], Scott, Walter Clarence.
[redacted], Semaria, Charles, or Simaria (alias Sabatai Semaria, alias Januarez Bennito or Juan Suerez).
[redacted], Shever, Hanna Weston, or Anna Weston.
[redacted], Shu, Enid Alicia.
[redacted], Siewierski, Michael, or Michael Sedeski.
[redacted], Siewierski, Vera, or Vera Sedeski.
[redacted], Siewierski, Anne Justine aka Sedeski.
[redacted], Siewierski, Angeline Mary Siewierski aka Sedeski.
[redacted], Simms, Arthur Primrose.
[redacted], Sugal, Penina Rita (nee Penina Rita Cohen).
[redacted], Sullivan, Wendy Kay.
[redacted], Tamm, Salme Alice.
[redacted], Tsangaris, Anthony or Antonios.
[redacted], Tschudi, Barbara, or Tschudy (nee Treumpy) or Babette Tschudi.
[redacted], Tursich, Erminio (alias Herman Yursich).
[redacted], Ulluh, Tomiz (alias Wasil Ali).
[redacted], Vagianos, Angelos Michael.
[redacted], Valenzuela, Aurelio, or Aurelio Valensuella.

[redacted], Valenzuela, Tiburcio Benjamin, or Benjamin Valenzuela or Benjamin Valensuella or Benjamin Valesuella.
[redacted], Valenzuela, Jesus, or Jesus Valensuella.
[redacted], Vanderweerd, John.
[redacted], Wajntal, Mojzesz (alias Mark Wein).
[redacted], Wing, Laura Mei-Lan Yee.
[redacted], Wong, Lin You, or Lin Yao Huang.
[redacted], Wong, Helen (alias Quong Tung (Tong) Marr or Mah or Helen Marr or Mar).
[redacted], Zamudio-Lemos, Hilario.
[redacted], Zamudio-Soto, Ramon.
[redacted], Zeid, Fanny.
[redacted], Zeid, Max, formerly Zagdenwar.
[redacted], Zetting, Mary Theresa, or Robertson, Robinson, Smith.

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

The concurrent resolution (S. Con. Res. 22) favoring the suspension of deportation of certain aliens was considered and agreed to, as follows:

Resolved, etc., That the Congress favors the suspension of deportation in the case of each person hereinafter named, in which case the Attorney General has suspended deportation for more than 6 months:

[redacted], Aase, Aksel.
[redacted], Arline, Mary Jean Hartley, or Jean Hartley.
[redacted], Athansiu, George John, or Georgios Athanasiu or Athanasiou.
[redacted], Attard Emmanuele.
[redacted], Barreiros, Manuel Lopes, or Manuel Lopes.
[redacted], Blackstone, Harry Hyman.
[redacted], Blohme, Christian.
[redacted], Bruck, Charlotte (nee Grosz).
[redacted], Buras, Kyriaki, or Kyreaki or Kyreai Buras or Moskos or Prokopios (nee Panagaki).
[redacted], Canoura, José Davila.
[redacted], Carreon, Juan.
[redacted], Carrillo, Ramiro, or Ramiro Carrillo Ceniceros.
[redacted], Astorga, Maria Del Refugio.
[redacted], Cavanna, Santo.
[redacted], Cortis, Maria (nee Papapangiotou), or Maria Athansiou Papapangiotou.
[redacted], Donaghy, Patrick.
[redacted], Collins, Alice Mildred Eileen (nee Copping).
[redacted], Farkas, Stephen.
[redacted], Farkas, Edith (nee Edith Tamasay-Czepan).
[redacted], Franceschi, Sergio Constantino.
[redacted], Geerts, Arjen Johan.
[redacted], Granberg, Oscar Herbert.
[redacted], Gregorio, Giovanni.
[redacted], Guha-Thakurta, Leelabati, or Leela Rodman or Ranu Devi.
[redacted], Gunn, Maria Lok.
[redacted], Hall, Ida Ruth (nee Dorfman).
[redacted], Hansen, Bjarne.
[redacted], Jianakas, Marika (nee Papakostantinu aka Marika Giannakos) (nee Mary Johnson).
[redacted], Johnson, Albert Nathan.
[redacted], Jones, Edgar Robert.
[redacted], Kaminski, Stanley George (alias Stanislaus Wladislaw Kaminski).
[redacted], Lausch, Eduard.
[redacted], Lekas, Alexandria or Alexandra Lekkas (nee Bargi).
[redacted], Lopez-Garcia, Alfredo.
[redacted], Majia, Evangelina.
[redacted], Maletis, Mary, or Mary Maletiou or Maria Pantelis or Maria S. Cholakedes.
[redacted], Marmorato, Pasquale or Patsy.
[redacted], Mary, Dorothy (nee Taylor Simpson).
[redacted], McClave, Mary Agnes (nee Spence).
[redacted], Miettinen, Kaarlo Vilho.
[redacted], Nazaretian, Felice.
[redacted], Newgord, Esther (nee Goldstein), alias Esther Haimovitch alias Esther Katz.
[redacted], Nimeth, Margaret (nee Margaret Barta), alias Margaret Semon.
[redacted], Olsen, Arnold Emmanuel (alias Arnold E. Olsen).
[redacted], Parsons, Robert Joseph, or Robert Parsons.
[redacted], Perivolaris, Nicolaos or Lignos or Nick Peris or Pares or Nick John Peres.
[redacted], Philpin, Bridget, or Bessie or Bridget Gallagher.
[redacted], Pina, Francisco, or Joao Andrade.
[redacted], Plevritis, Constantine Elias.
[redacted], Provo, Rose Marie, or Mary Margaret French or Margaret Franche.
[redacted], Reifenkugel, Helene, or Helene Bergstraesser.
[redacted], Roberts, Irene, or Irene Gluck.
[redacted], Rodrigues, Joaquim, or Joaquim Rodriguez.
[redacted], Rousku, Terho Otto.
[redacted], San, Wong Siu, or Mrs. Mary Wong, or Wong Shee or Mrs. Chong (Cheung) or Wah Chuen.
[redacted], Scialpi, Luigi, or Louis Scalpi.
[redacted], Sobkowiak, Jan.
[redacted], Spitzer, Blima (nee Hers).
[redacted], Tabah, Jacob (alias Charles Belmonte).
[redacted], Tabah, Esther or Belmonte (nee Mitrani).
[redacted], Hecht, Dora or Donna (nee Tabah), or Belmonte.
[redacted], Tellefsen, Harold Stefanus.
[redacted], Thomopoulos, Demetrios or James, or James Moskos or James Thomas.
[redacted], Tracy, Maria Pacita.
[redacted], Tranoris, Eleftheri Constantinos.
[redacted], Tushinis, Maria.
[redacted], Vafias, Apostolos.
[redacted], Vincencio-Abogado, Antonio, or Antonio Abogado Vicencio.
[redacted], Vlachos, Theodore, or Theodore J. Blahos or Theodoros Vlachos.
[redacted], Weiss, Hilda Edith (nee Billing).
[redacted], Wheeler, Estefania (nee Bondad).
[redacted], Whittle, Robert Albert (formerly Anderson).
[redacted], Wojciech, Thaddeus.
[redacted], Kowalski, Stanley Hubert.
[redacted], Woodman, Flora Eileen Kathrine (nee McDonald).
[redacted], Zarate, Jacoba Petronella (nee Fruin).

GRAIN-STORAGE FACILITIES—BILL PASSED OVER

The bill (S. 900) to amend the Commodity Credit Corporation Charter Act, the Strategic and Critical Materials Stock Piling Act, and for other purposes, was announced as next in order.

Mr. WILLIAMS. Let the bill go over.

Mr. ANDERSON. Mr. President, will the Senator withhold his objection for just a moment, please?

Mr. WILLIAMS. Very well.

Mr. ANDERSON. Mr. President, I hope the Senate will not indefinitely postpone action upon this measure. This bill contains a provision for storage facilities for grain, a matter which was quite prominently featured in the recent political campaign. The bill has been thoroughly studied by the Committee on Agriculture. It follows to a large degree the suggestions made a year ago by the distinguished Senator from Vermont [Mr. AIKEN], although of course not all of the provisions of the bill are of his making.

The bill has been subjected to a great deal of compromise; but the time for the storage of grain is upon us, for the harvest will be beginning in a short time. This matter is of particular concern to the farmers of Minnesota and North Dakota; and the Senators from those States, I am sure, will agree that the farmers need these facilities for storing their grain.

So I am very sorry that there is any objection to the present consideration of the bill.

Mr. WILLIAMS. Mr. President, let me say that, in view of the recent political campaign, I am surprised that the bill has not been on the calendar before.

Mr. ANDERSON. There has been some disturbance in the Senate for about 3 weeks.

Mr. WILLIAMS. Mr. President, it will take the former Secretary of Agriculture, the present Senator from New Mexico, and some of his colleagues longer than 5 minutes to explain satisfactorily some of the loose statements mad by President Truman and Secretary of Agriculture Brannan during the recent campaign regarding the question of inadequate grain-storage facilities.

I do not think it will take me more than 20 minutes to prove that the charges upon this question against the Republican Eightieth Congress were without any foundation whatsoever.

The VICE PRESIDENT. Does the Senator object to the consideration of the bill?

Mr. LUCAS. Mr. President, I hope the Senator from New Mexico, who is the author of this bill——

Mr. ANDERSON. No, I am not its author. I am a sponsor, along with other Senators, but merely presented to them a draft of the bill in which all of us have joined.

Mr. LUCAS. I understand, but the Senator from New Mexico has been one of the chief members of the Agriculture Committee who has been insisting that a bill of this kind should reach the calendar. I hope the Senator from New Mexico, at the close of the call of the calendar, after the Senator from Georgia disposes of his bill, will then move to take up this bill. In that event, we shall remain here until we pass it.

Mr. ANDERSON. I certainly shall do that.

Mr. WHERRY. Mr. President——

The VICE PRESIDENT. The Senator from Delaware has objected.

Mr. HICKENLOOPER subsequently said:

Mr. President, I want to take this opportunity of clarifying the RECORD with respect to the Commodity Credit Corporation bill report, which I signed, but with reservations as to one provision of the bill as reported. That provision concerns unlimited authority for the Secretary of Agriculture to acquire real estate throughout the United States.

I have been assured that there is a good possibility that that situation can be reconciled, and I did not want the RECORD to stand that the bill had the unanimous and unqualified endorsement as reported.

Mr. WILLIAMS. Mr. President, may I ask the distinguished Senator from Illinois whether he intends to bring the bill up later today. If so, I have no objection.

Mr. LUCAS. I should like to have the bill considered this afternoon, when it can be explained.

Mr. WILLIAMS. Mr. President, I understood it was the intention to bring up the rent-control bill, and I was wondering whether it was the intention to replace it by this bill. I have no objection to bringing this up. I should like to have had notice a day or two ago.

The VICE PRESIDENT. The Senator has objected; therefore, further discussion is out of order.

Mr. LUCAS. Mr. President, I am claiming the floor in my own right for about 2 minutes.

The VICE PRESIDENT. The Senator cannot do that, under objection.

Mr. WILLIAMS. I withhold my objection.

Mr. LUCAS. I do not care, Mr. President, whether Senator withholds his objection or not.

The VICE PRESIDENT. After an objection is made to a bill——

Mr. LUCAS. Very well; let the next bill be called, then.

Mr. WILLIAMS. All right; I object.

The VICE PRESIDENT. The Senator from Illinois may take 5 minutes on the next bill.

The bill (H. R. 2546) to authorize the Secretary of the Air Force to establish land-based air warning control installations for the national security, and for other purposes, was announced as next in order.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. LUCAS. Mr. President, returning now——

The VICE PRESIDENT. The Senator is reserving the right to object to this bill, is he not?

Mr. LUCAS. Yes. I reserve my right to object to this bill.

Mr. President, I wish Senators would let me alone for a few minutes. I think I can get along, if I do not receive too much advice from Senators.

The VICE PRESIDENT. The Senate will be in order. Those in the rear of the Senate Chamber will cease conversing.

Mr. LUCAS. Mr. President, returning for a moment to Calendar 108, Senate bill 900, which is the bill which has just been discussed by the Senator from New Mexico [Mr. ANDERSON], I may say the bill has been reported favorably, unanimously, by the Committee on Agriculture and Forestry. To my way of thinking it is one of the most important measures from the standpoint of emergency that the Congress is called upon to consider.

In view of the unanimous report, it seems to me it should not take too long to pass the bill. I thought perhaps we might get the bill out of the way this afternoon before taking up rent control. In the event it appears that it is going to take a long time for debate or discussion, obviously I would move to lay it aside in order to make rent control the unfinished business for Monday. In view of the emergency nature of the bill, it seems to me we ought to get some action as quickly as possible.

Mr. WHERRY. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Illinois yield?

Mr. LUCAS. I yield.

Mr. WHERRY. I am wondering whether I may address an inquiry to the distinguished majority leader, in view of the announcement made by him last night. I am in total sympathy with having the Commodity Credit Corporation bill considered as quickly as possible, but in view of the announcement made that at the end of the call of the calendar, the majority leader would move to make the rent-control bill the unfinished business. Certain Senators who would like very much to participate in discussions of the calendar number on which the Senator is now speaking, might not be here.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Illinois yield?

Mr. LUCAS. I yield.

Mr. JOHNSTON of South Carolina. Mr. President, the bill, it is true, came before the committee and was reported unanimously. I fear that some people probably are thinking about the bill in its original form. There was certain opposition to the bill in its original form in the committee, but all the differences of opinion in the committee were ironed out and the amended bill was agreed upon. I believe if the Senator from Delaware will read the bill, with the amendments, he will withdraw the objection.

Mr. KEM. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Illinois yield?

Mr. LUCAS. I yield to the Senator from Missouri.

Mr. KEM. Reserving the right to object, I may say I happen to be a member of the committee that had under consideration this bill. I was unavoidably absent from the last meeting of the committee and did not participate in the final consideration of the bill or in the vote on the bill, so in that sense the report of the committee is not unanimous, although I did not vote against it. I did not vote at all. I am in sympathy with the position taken by the Senator from Delaware that the bill should have further more detailed consideration.

Mr. LUCAS. In view of the last suggestion made, of course, I shall not press it. I was under the impression the Senator from Missouri had also voted along with other Senators for the bill.

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Illinois yield?

Mr. LUCAS. May I finish my statement? I hope the able Senator from Missouri in the meantime will examine the bill and confer with the Senator from Delaware, to see whether we cannot get the bill out of the way the next time the calendar is called.

Mr. KEM. For the information of the Senator from Illinois, I should like to say, it is not the provisions of the bill to which he has referred, with reference to the storage of grain, about which I am in doubt, but it is the provisions of the bill that place in the hands of the Secretary of Agriculture the exclusive right to appoint directors of this tremendous business corporation. Heretofore there have been two outside directors, two outside members of the Board of Directors. The bill will do away with that and provide that all members of the Board of Directors shall be appointed by the Secretary of Agriculture. An Advisory Council is set up, composed of members from the outside, but under the provisions of the bill, I understand the Advisory Council will have no authority, but will merely have the privilege of meeting four times a year and expressing their views. I do not mean to say I am against the bill, but I mean to say I should like an opportunity to consider it further before we reach a decision.

The VICE PRESIDENT. Objection is heard.

Mr. HICKENLOOPER. Mr. President, I wonder whether the Senator would withhold his objection long enough for me to clarify the RECORD made thus far, in respect to certain statements.

Mr. WILLIAMS. Mr. President, if I understood correctly, we are now on the next bill. The other bill went over. The Senator may get the floor in his own right.

The VICE PRESIDENT. That bill has already gone over. The Senator from Illinois is speaking on the next bill, which will be stated again.

LAND-BASED AIR WARNING CONTROL INSTALLATIONS

The LEGISLATIVE CLERK. A bill (H. R. 2546) to authorize the Secretary of the Air Force to establish land-based air warning control installations for the national security and for other purposes.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the bill (H. R. 2546) was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H. R. 1731) to extend certain provisions of the Housing and Rent Act of 1947, as amended, and for other purposes, was announced as next in order.

The VICE PRESIDENT. Is there objection?

Mr. TAFT. Over.

Mr. VANDENBERG and Mr. HICKENLOOPER addressed the Chair.

Mr. HICKENLOOPER. Mr. President, reserving the right to object——

The VICE PRESIDENT. This is the rent-control bill. The Chair understands it will be made the unfinished business before the day is over.

ACQUISITION OF SITES FOR FEDERAL BUILDINGS

Mr. HOLLAND. Mr. President, I should like to ask consent to return to Calendar No. 72, Senate bill 714, the Senator who objected to its consideration

having withdrawn his objection, and I did not want Senators to leave the Chamber under the impression that I would not make the request.

The VICE PRESIDENT. The clerk will read the bill by title.

The LEGISLATIVE CLERK. A bill to provide for comprehensive planning, for site acquisition in and outside of the District of Columbia, and for the design of Federal building projects outside of the District of Columbia; to authorize the transfer of jurisdiction over certain lands between certain departments and agencies of the United States; and to provide certain additional authority needed in connection with the construction, management, and operation of Federal public buildings; and for other purposes.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. LODGE. Mr. President, reserving the right to object, I should like to get a few questions answered in the RECORD with regard to Senate bill 714. Am I correct in my understanding that the bill has received unanimous committee endorsement?

Mr. HOLLAND. That is correct.

Mr. LODGE. Am I correct in my understanding that the only part of the bill which applies to the District of Columbia is that which relates to certain lots on Virginia Avenue?

Mr. HOLLAND. The Senator is correct in his understanding as to any major feature of the bill. There is a minor feature of the bill which has to do with the names of buildings, with authority to change them with the consent of the Bureau of the Budget. They are buildings which are now being used by agencies other than the ones for which they were originally intended.

Mr. LODGE. Are those provisions of the bill which relate to the District endorsed by the Planning Board and the Fine Arts Commission?

Mr. HOLLAND. It was so stated during the hearings, I will say to the Senator, by the Public Buildings Administrator.

Mr. LODGE. I have no objection, in that case.

Mr. HOLLAND. Mr. President, if I may make a brief statement——

The VICE PRESIDENT. The question is, Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (S. 714), which had been reported from the Committee on Public Works, with amendments, on page 2, line 12, to insert:

Whenever the Federal Works Administrator shall determine such action to be necessary, such investigations, studies, preparation of plans, sketches, working drawings, and specifications, may be undertaken prior to the approval of title to the sites by the Attorney General.

On page 2, lines 18 and 19, to strike out "under regulations to be prescribed by him"; on page 3, line 7, to strike out "the revised" and to insert the word "such"; in line 8, at the end of the line, to strike out "the", and in line 9, to insert, at the beginning of the line, the word "such";

On page 10, line 25, to strike out "seventy-ninth" and insert "seventy-sixth".

On page 11, line 9, after the word "law", to insert:

(except the act of May 20, 1932, 47 Stat. 161).

On page 12, line 16, to strike out, "however", and insert, "further."

On page 14, in section 301, to strike out:

SEC. 301. The Commissioner of Public Buildings is authorized to formulate, undertake and prosecute a program for the renovation and improvement of federally owned buildings for which funds are not otherwise provided, including appurtenances, accessories, and approaches thereto, that are under the control of the Public Buildings Administration for repair and preservation.

And to insert:

The Commissioner of Public Buildings is authorized to formulate, undertake, and prosecute a program for the renovation and improvement of federally owned buildings outside the District of Columbia, for which funds are not otherwise available, including appurtenances, and approaches thereto, that are under the control of the Public Buildings Administration for repair and preservation: *Provided,*

On page 14, line 25, to insert, "Provided further"; on page 15, line 25, after the word, "agency", insert "Provided"; on page 16, line 4, after the word, "employed", insert:

Provided, further, That nothing contained in this section shall relieve the Commissioner of Public Buildings or any other duly authorized contracting officer of the Public Buildings Administration who shall execute a construction contract from the responsibility of interpreting such contract, of passing on the acceptability of materials and workmanship supplied pursuant to such contract, of approving changes in such contract during the construction period, of certifying vouchers for payments becoming due the contractor, or of effecting final settlement of the contract.

On page 16, strike out, in section 402:

SEC. 402. Section 5 of the Public Buildings Act of May 25, 1926 (44 Stat. 630), is hereby amended to delete the following words which appear at the end thereof: "and to charge against the total sum of $150,000,000 hereinbefore authorized only the respective net excess cost, if any, over and above the proceeds of such sales, or providing such new sites and buildings", and after the words "miscellaneous receipts" change the comma to a period.

On page 17, line 3, strike out "SEC. 403."

On page 17, line 21, after the word, "for", insert, "provided"; and strike out, "reserve or"; on page 18, line 1, after the word, "receipts", insert, "provided further"; and insert:

SEC. 403. Section 5 of the Public Buildings Act of May 25, 1926 (44 Stat. 630), is hereby amended to delete the following words which appear at the end of the last paragraph thereof: "and to charge against the total sum of $150,000,000 hereinbefore authorized only the respective net excess cost, if any, over and above the proceeds of such sales, or providing such new sites and buildings," and after the words "miscellaneous receipts" change the comma to a period.

On page 18, in line 20, strike out "projects" and insert "project"; and in line 25, after the word "on", strike out "a reasonable basis" and insert "the basis of full reimbursement"; on page 19, strike out:

SEC. 407. The Commissioner of Public Buildings is authorized to procure space in the District of Columbia by lease, except for the Post Office Department, for such periods not in excess of 5 years as he may deem in the public interest.

And insert:

SEC. 407. The Commissioner of Public Buildings is authorized to procure space in the District of Columbia by lease, upon such terms and for such period, not in excess of 1 year, as he may deem in the public interest, for the housing of any Federal agency or agencies, except the Post Office Department, and to assign and reassign such space. As used in this section, the term "Federal agency" means any executive department (except the Post Office Department), independent establishment, commission, board, bureau, in the executive branch, or other agency of the United States, including wholly owned Government corporations.

On page 21, strike out:

SEC. 410. The Federal Works Administrator is authorized to develop and institute a system for the designation and identification of buildings in the custody and jurisdiction of the Federal Works Agency for which purpose he is empowered, notwithstanding any other provision of law, to discard and abandon the name or designation of any building and to designate it by such name, number, symbol, or other device as he shall stipulate: *Provided,* That such name, number, symbol, or device may likewise be changed and rechanged from time to time by appropriate action of said Administrator.

And insert in lieu thereof:

SEC. 410. The Federal Works Administrator with the approval of the Director of the Bureau of the Budget is authorized, notwithstanding any other provision of law, to change or rechange the name or designation of any building in the custody and jurisdiction of the Federal Works Agency.

So as to make the bill read:

Be it enacted, etc., That this act may be cited as the "Public Buildings Act of 1949."

TITLE I—COMPREHENSIVE PLANNING OF FEDERAL PUBLIC BUILDINGS OUTSIDE OF THE DISTRICT OF COLUMBIA

SEC. 101. The Federal Works Administrator is authorized to acquire, by purchase, condemnation, donation, exchange, or otherwise, lands or interests in lands as sites or additions to sites for Federal public building projects previously authorized and for such new projects as may be selected in the manner designated in this section, to make investigations and studies and to prepare plans, sketches, working drawings, and specifications for such projects. Whenever the Federal Works Administrator shall determine such action to be necessary, such investigations, studies, preparation of plans, sketches, working drawings, and specifications, may be undertaken prior to the approval of title to the sites by the Attorney General. When buildings to be use in whole or in part for post-office purposes are involved, the Federal Works Administrator shall act jointly with the Postmaster General in the selection of towns or cities in which buildings are to be constructed, and in the choice of sites therein for such projects. The Federal Works Administrator and the Postmaster General shall submit to the Congress a comprehensive report of all eligible projects and their limits of cost when in excess of $200,000, without regard to the time in which they may be undertaken, which report shall be printed as a public document. When the estimated cost of a project does not exceed $200,000 the

limit of cost shall be determined by the Commissioner of Public Buildings. Selection of projects for the purposes of this title shall be made by the Federal Works Administrator and the Postmaster General from such report and they may also select such other projects not included in such report which in their judgment are economically sound and advantageous to the public service: *Provided,* That in making such selections they shall endeavor to distribute the selected projects equitably but not necessarily uniformly throughout the country with due regard to the comparative urgency of projects in various sections of the country.

SEC. 102. For carrying out the purposes of this title, including administrative, supervisory, traveling, and other expenses in connection therewith, there is hereby authorized to be appropriated the sum of $40,000,000 to remain available until expended.

TITLE II—ACQUISITION OF SITES AND TRANSFER OF JURISDICTION OVER SITES BY VARIOUS AGENCIES AND DEPARTMENTS OF THE GOVERNMENT

SEC. 201. The Federal Works Administrator is authorized to acquire, by purchase, condemnation, donation, exchange or otherwise, land situate in the northwest section of the District of Columbia designated as squares 11, 19, 20, and 32, said land to be used wholly or in part together with other Government-owned land adjacent or in close proximity thereto as the site or sites for a departmental building or builders project authorized to be constructed thereon.

SEC. 202. In order to provide a more suitable site for the new San Diego, Point Loma, Calif., quarantine station, the Secretary of the Navy is hereby authorized and directed to transfer to the control and jurisdiction of the Federal Works Agency, without reimbursement, a parcel of land in the city of San Diego, county of San Diego, State of California, described as follows:

Commencing at an old stone monument marked "U. S. M. R.," on the northerly boundary line of the naval fuel annex, said point being the true point of beginning; thence from said true point of beginning north eighty-nine degrees thirty-one minutes thirty-five seconds east one hundred and eleven and six one-hundredths feet, more or less, to a point on the mean high-tide line of San Diego Bay; thence south five degrees twenty-two minutes fifty seconds west along the mean high-tide line three hundred and ten and eleven one-hundredths feet; thence south one degree fifteen minutes forty-five seconds west along the mean high-tide line one hundred and three and fifty one-hundredths feet; thence leaving said mean high-tide line south eighty-nine degrees thirty-one minutes thirty-five seconds west five hundred and eighty-seven and nine one-hundredths feet; thence north one degree thirty-eight minutes twenty-five seconds west two hundred and one and forty-three one-hundredths feet; thence north twelve degrees twenty-four minutes forty-five seconds east two hundred and sixteen and nine one-hundredths feet to a point on the northerly boundary line of the naval fuel annex; thence along said northerly line of the naval fuel annex north eighty-nine degrees thirty-one minutes, thirty-five seconds east four hundred and sixty-six and seventy-four one-hundredths feet to the true point of beginning, containing five and six-tenths acres, more or less;

And the Federal Works Administrator is hereby authorized and directed to transfer to the control and jurisdiction of the Department of the Navy, without reimbursement, all the land comprising the present quarantine station site lying and being in the city of San Diego, county of San Diego, State of California, bounded on the south by First Street, on the west by San Antonio Avenue, on the north by Colorado Street, and on the east by San Diego Bay.

SEC. 203. The Federal Works Administrator is hereby authorized and directed to transfer to the jurisdiction and control of the Department of the Army, without reimbursement, for use for military purposes all the land comprising the present quarantine station situated on Quarantine and Sand Islands, Honolulu, Oahu, T. H., described as follows:

Beginning at the southwest corner of tract C transferred to the Commerce Department by the War Department by Executive Order Numbered 6584, dated February 6, 1934, the coordinates of said point of beginning referred to Government Survey Triangulation Station "South Base, Sand Island" being two thousand three hundred and fifty-nine and ninety-three one-hundredths feet north and one thousand three hundred and forty-six and five one-hundredths feet west, and running by azimuths measured clockwise from true south (1) one hundred and five degrees thirty minutes thirty seconds five hundred feet along Sand Island Military Reservation to a pipe in concrete; thence (2) along the arc of a curve to the right having a radius of four hundred and ninety feet a distance of one hundred and one and eighteen one-hundredths feet to a plate in concrete, the direct azimuth and distance being seventy degrees twenty minutes twenty seconds one hundred and one feet; thence (3) continuing along the arc of said curve a distance of seven hundred and eighty-four and forty-nine one-hundredths feet to a pipe in concrete the direct azimuth and distance being fifty-nine degrees six minutes no seconds seven hundred and three and thirty-five one-hundredths feet; thence (4) one hundred and five degrees no minutes no seconds one thousand five hundred and twenty feet to a pipe in concrete; thence (5) along the arc of a curve to the right having a radius of seven hundred and thirty feet a distance of two thousand five hundred and twenty-five and eighty-eight one-hundredths feet, the direct azimuths and distances being one hundred and ninety-five degrees no minutes no seconds seven hundred and thirty feet to a concrete monument and two hundred and thirteen degrees fifteen minutes no seconds seven hundred and thirty feet; thence (6) three hundred and three degrees fifteen minutes no seconds one thousand six hundred and seven and forty-seven one-hundredths feet to a pipe in concrete; thence (7) two hundred and thirty degrees thirty minutes no seconds five hundred and twenty-three and eighty-eight one-hundredths feet to a pipe in concrete; thence (8) three hundred and four degrees thirty-three minutes no seconds six hundred and fifty-two feet along Reserved Channel and Honolulu Harbor and passing over a pipe in concrete at fifty-two feet; thence (9) along tract C hereinbefore cited (transferred to Commerce Department by the War Department by the aforesaid Executive Order Numbered 6584, dated February 6, 1934), thirty-three degrees thirty-seven minutes thirty seconds five hundred and fifty-six and sixty-six one-hundredths feet to the point of beginning, containing an area of eighty-one and ninety-four one-hundredths acres, more or less, together with the improvements thereon;

And the Secretary of the Army is hereby authorized and directed to transfer to the jurisdiction and control of the Federal Works Agency, without reimbursement, for use as a quarantine station at Honolulu, Hawaii, the following described land:

That portion of the Fort Armstrong Military Reservation, Oahu, Territory of Hawaii, particularly described as beginning at the north corner of the land herein described on the southeast side of Channel Street, the coordinates of said point of beginning referred to Government Survey Triangulation Station "Punchbowl" being four thousand four hundred and twelve and twenty-three one-hundredths feet south and five thousand six hundred and seventy-eight and thirty-nine one-hundredths feet west and running by azimuths measured clockwise from true south (1) three hundred and nine degrees three minutes no seconds one hundred and sixty-seven and one one-hundredth feet along other lands of Fort Armstrong Military Reservation, and along the southwest side of Buford Avenue; (2) thirty-eight degrees fifty-seven minutes twenty seconds ninety-six and seventy one-hundredths feet along said other lands of Fort Armstrong Military Reservation; (3) three hundred and eight degrees forty-eight minutes thirty seconds twenty-five and ninety-eight one-hundredths feet along said other lands; (4) thirty-eight degrees forty-eight minutes thirty seconds two hundred and thirty-one and sixty-one one-hundredths feet along said other lands; (5) three hundred and eight degrees fifty-nine minutes thirty seconds one hundred and thirteen and ninety-three one-hundredths feet along said other lands; (6) thirty-seven degrees eight minutes no seconds seventy-seven and twenty-five one-hundredths feet along said other lands; (7) three hundred and nine degrees no minutes forty seconds one hundred and seven and ninety-four one-hundredths feet along said other lands; (8) thirty-eight degrees fifty-seven minutes no seconds five hundred and twenty-two and ninety-eight one-hundredths feet along said other lands and along the northwest side of Pleasanton Avenue; (9) thirty-nine degrees no minutes two thousand three hundred and eighty-two and ninety-one one-hundredths feet; (10) one hundred and forty-five degrees no minutes ninety-eight and thirty-one one-hundredths feet; (11) one hundred and eighty-nine degrees twenty-five minutes one thousand two hundred and six and eighty-seven one-hundredths feet; (12) two hundred and nineteen degrees no minutes one thousand seven hundred and five and fifty-five one-hundredths feet; (13) three hundred and nine degrees no minutes two hundred and seventy-one and sixty-four one-hundredths feet to a brass plate set in concrete, passing over a brass plate set in sea wall at two hundred and ten and ninety-four one-hundredths feet; (14) two hundred and nineteen degrees no minutes five hundred and twenty-nine and twenty-eight one-hundredths feet along the southeast side of Channel Street to the point of beginning, and containing an area of thirty-nine and sixty-five one-hundredths acres, together with all riparian, littoral, and shore rights thereunto belonging or in anywise appertaining, and all improvements thereon except the gun emplacement and foundations, the space enclosed in which is in use and is to be continued in use by the Department of the Army for telephone terminals and exchange until June 30, 1969, the foundations to be thereafter removed by the Department of the Army before possession of the land on which same are situate is finally made available to the Federal Works Agency for quarantine-station purposes: *Provided,* That said date of June 30, 1969, may be either anticipated or deferred by mutual agreement of the Department of the Army and the Federal Works Administrator.

SEC. 204. The Federal Works Administrator, with respect to buildings and the sites thereof acquired by him under titles II and IV of the act of October 14, 1940 (Public Law 849, 76th Cong.), as amended, together with the furnishings and equipment located therein and the appurtenances thereto, which in his determination are suitable for use by the Public Buildings Administration in performing its functions, is hereby authorized to transfer jurisdiction and control over such buildings, sites, furnishings, equipment, and appurtenances to the Public Buildings Administration, without reimbursement therefor.

SEC. 205. (a) Notwithstanding any other provision of law (except the act of May 20, 1932, 47 Stat. 161), upon the request of the Federal Works Administrator, any department, agency, or independent establishment in the executive branch of the Government, including any corporation, all of the capital stock of which is owned or controlled directly or indirectly by the Government and any real property disposal agency, may, in its discretion, transfer jurisdiction and control over any real property, in whole or in severable part, including improvements, if any, located thereon, which is under the jurisdiction and control of, or title to which property is in, any such department, agency, or independent establishment, to the Public Buildings Administration or to the United States for the use and benefit of the Public Buildings Administration, as the case may be, without reimbursement or payment therefor: *Provided*, That the Federal Works Administrator shall have made a determination that the property to be so transferred is suitable for use by the Public Buildings Administration in performing its functions. In the case of any real property transferred to the Public Buildings Administration, pursuant to this section, by a corporation, all of the capital stock of which is owned or controlled directly or indirectly by the Government, a conveyance to the United States of America, without representation or warranty, of all right, title, and interest of such corporation therein shall be made, and thereupon the Secretary of the Treasury is authorized and directed to cancel notes or otherwise discharge the indebtedness to the Treasury of such corporation in an amount equal to the fair market value of the property at the time of the transfer of jurisdiction and control to the Public Buildings Administration, which fair market value shall be determined by the Federal Works Administrator and the head of such corporation: *Provided further*, That in the event the Federal Works Administrator and the head of such corporation shall fail to agree, the fair market value of such property shall be determined by the Secretary of the Treasury.

(b) The Federal Works Administrator shall report to the Congress not later than April 1 in each year on transfers or conveyances made pursuant to this section during the preceding calendar year.

SEC. 206. The Federal Works Administrator is hereby authorized to assume permanent custody and control for the use of the Public Roads Administration, without reimbursement, the property located within the area known as Vancouver Barracks, in Vancouver, Wash., consisting of two buildings numbered 689 and 698, and five and three-tenths acres, more or less, of land described as follows:

Beginning at a point on the east line of West Reserve Street and the north line of East Fifth Street in the southeast quarter of section 27, township 2 north, range 1 west, Willamette meridian, in the city of Vancouver, county of Clark, State of Washington, which point is a bronze disk monument, said point being north twenty-two degrees thirty-seven minutes east, a distance of one thousand four hundred and seventy-four and seven-tenths feet; thence south eighty-three degrees ten minutes east, a distance of exactly forty-eight feet from the southeast corner of Amos Short donation land claim; thence north twenty-two degrees thirty-seven minutes east, a distance of two hundred and sixty-eight and three-tenths feet; thence south eighty-three degrees ten minutes east, a distance of eight hundred and sixty and six-tenths feet; thence south twenty degrees seventeen minutes west, a distance of two hundred and seventy-eight and eight-tenths feet; thence north eighty-five degrees twelve minutes west, a distance of exactly seventy-three feet; thence north eighty-three degrees ten minutes west, a distance of two hundred and eighty-four and five-tenths feet; thence north sixty-eight degrees twenty-three minutes west, a distance of sixty-one and five-tenths feet; thence north eighty-three degrees ten minutes west, a distance of four hundred and fifty-one and nine-tenths feet to the point of beginning.

TITLE III—IMPROVEMENT OF EXISTING BUILDINGS

SEC. 301. The Commissioner of Public Buildings is authorized to formulate, undertake, and prosecute a program for the renovation and improvement of federally owned buildings outside the District of Columbia, for which funds are not otherwise available, including appurtenances, and approaches thereto, that are under the control of the Public Buildings Administration for repair and preservation: *Provided*, That where necessary or desirable in carrying out the program herein authorized, additional land may be acquired to accommodate equipment or special appliances and devices proposed to be installed or to provide working areas to accomplish the objectives sought in this title: *Provided further*, That no project, the estimated cost of which is less than $25,000 shall be deemed to be eligible for the program authorized by this title.

SEC. 302. For carrying out the purposes of this title, including administrative, supervisory, traveling, and other expenses in connection therewith, there is hereby authorized to be appropriated the sum of $30,000,000 to remain available until expended.

TITLE IV—MISCELLANEOUS AND GENERAL PROVISIONS

SEC. 401. (a) In addition to the authority conferred upon him by any other law the Commissioner of Public Buildings, whenever he deems it desirable or advantageous, is authorized to employ, by contract or otherwise and without regard to the Classification Act of 1923, as amended, or to the civil-service laws, rules, and regulations or to section 3709 of the Revised Statutes, the services of established architectural or other professional or technical corporations, firms or individuals, to such extent as he may require for any public building project which the Public Buildings Administration is authorized by Congress to construct, or for any such project, funds for which are transferred by another agency to the Public Buildings Administration for construction of the project, regardless of specific legislation governing such other agency: *Provided*, That this authorization shall not apply to the employment of such corporations, firms or individuals on a permanent basis, but their services shall be limited to the individual project for which employed: *Provided further*, That nothing contained in this section shall relieve the Commissioner of Public Buildings or any other duly authorized contracting officer of the Public Buildings Administration who shall execute a construction contract from the responsibility of interpreting such contract, of passing on the acceptability of materials and workmanship supplied pursuant to such contract, of approving changes in such contract during the construction period, of certifying vouchers for payments becoming due the contractor, or of effecting final settlement of the contract.

(b) The Commissioner of Public Buildings is hereby authorized, whenever he deems it to be in the public interest, to hold a competition for the design of any project, to stipulate the terms, scope, and the conditions of each such competition and to make awards in pursuance thereof.

SEC. 402. The third paragraph of section 5 of the Public Buildings Act of May 25, 1926 (44 Stat. 630), as amended, is hereby deleted and the following is hereby substituted therefor:

"With respect to sites or additions to sites acquired under this act, the Commissioner of Public Buildings is hereby authorized, in his discretion to rent, until they are needed for construction purposes, such sites or additions to sites and any improvements located thereon not reserved by the vendors, at a fair rental value and upon such terms and conditions as he may deem to be in the public interest. Such rentals may be deposited into a common fund account or accounts in the Treasury, and notwithstanding the provisions of the act of June 30, 1932 (40 U. S. C. 303b), shall be available to pay the cost of such maintenance, repair and alterations of any improvements located on such sites or additions to sites as is necessary to keep them in rentable condition and for the establishment of necessary reserves therefor: *Provided*, That except for such necessary reserves, as determined by the Commissioner, the unobligated balances of rentals so deposited into the Treasury shall be covered at the end of each fiscal year into miscellaneous receipts: *Provided further*, That with respect to improvements on such sites or additions to sites which are suitable for residential purposes only and the estimated anual rentals of which will not exceed $1,200, the Commissioner may enter into leases without regard to the provisions of section 3709 of the Revised Statutes, as amended."

SEC. 403. Section 5 of the Public Buildings Act of May 25, 1926 (44 Stat. 630), is hereby amended to delete the following words which appear at the end of the last paragraph thereof: "and to charge against the total sum of $150,000,000 hereinbefore authorized only the respective net excess cost, if any, over and above the proceeds of such sales, or providing such new sites and buildings", and after the words "miscellaneous receipts" change the comma to a period.

SEC. 404. The Federal Works Administrator, together with the Postmaster General where his office is concerned, is authorized to accept on behalf of the United States unconditional gifts of real, personal, or other property in aid of any project or function within their respective jurisdictions.

SEC. 405. The provisions of section 601 of the Economy Act, approved June 30, 1932, as amended, are hereby extended to authorize the Public Buildings Administration to furnish services in the continental United States on the basis of full reimbursement, at the request of the State Department, to any international body with which the United States Government is affiliated.

SEC. 406. The Commissioner of Public Buildings is authorized to contract for seeding, planting, or landscaping the grounds of any public building constructed or acquired by the Public Buildings Administration in an amount not exceeding $1,800, without reference to section 3709 of the Revised Statutes.

SEC. 407. The Commissioner of Public Buildings is authorized to procure space in the District of Columbia by lease, upon such terms and for such period, not in excess of 1 year, as he may deem in the public interest, for the housing of any Federal agency or agencies, except the Post Office Department, and to assign and reassign such space. As used in this section, the term "Federal agency" means any executive department (except the Post Office Department), independent establishment, commission, board, bureau, in the executive branch, or other agency of the United States, including wholly owned Government corporations.

SEC. 408. The Federal Works Administrator is hereby authorized to enter into such agreements with the city of Chicago, Ill., as he shall deem necessary and in the public interest, in connection with the construction by the said city of a superhighway through the Congress Street Post Office located in said city. For the purposes of this section there is hereby authorized to be appropriated such sum as shall be necessary to defray such cost, if any, which said Administrator shall determine should be borne by the United States as an incident to the con-

struction by the said city of the superhighway through said post office.

SEC. 409. The Federal Works Administrator and the Postmaster General shall submit to the Congress promptly after the convening of each new Congress, reports showing the location and the approximate accommodations of such public-building projects throughout the United States, its Territories and possessions, as they shall find eligible to be constructed in accordance with applicable statutory provisions. Such reports shall indicate the limit of cost of each project when in excess of $200,000. When the estimated cost of a project does not exceed $200,000 the limit of cost shall be determined by the Commissioner of Public Buildings. The report herein provided for shall supersede the report required by the Public Buildings Act of 1926 (44 Stat. 630, as amended).

SEC. 410. The Federal Works Administrator with the approval of the Director of the Bureau of the Budget is authorized, notwithstanding any other provision of law, to change or rechange the name or designation of any building in the custody and jurisdiction of the Federal Works Agency.

SEC. 411. All acts and parts of acts inconsistent or in conflict with the foregoing provisions are hereby repealed to the extent of such inconsistency or conflict.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. LODGE. Mr. President, do I correctly understand that that concludes the calendar?

The VICE PRESIDENT. Yes.

Mr. LODGE. Mr. President, I gave notice before the calendar was called, that I would request recognition for 10 minutes.

The VICE PRESIDENT. That is correct, but inasmuch as the Senator from Missouri had the floor assuming that the calendar had been completed, he may proceed.

Mr. LODGE. I gave notice before that.

NOMINATION OF DR. JAMES BOYD TO BE DIRECTOR OF THE BUREAU OF MINES

Mr. KEM. Mr. President, after careful consideration I have decided to support the confirmation of Dr. James Boyd to be Director of the Bureau of Mines. I have approached the matter in the first instance from the standpoint of the welfare of the workers involved in the basic industries which are under the jurisdiction of the Bureau of Mines. I believe Dr. Boyd's demonstrated ability, training, and experience give assurance that under his administration the various functions of the Bureau of Mines will be conducted honestly, efficiently, and along sound and constructive lines.

The Senate may be interested to know what some citizens of my State, who are in a position to appraise the personal qualities and professional qualifications of Dr. Boyd, think of him. I have received many letters concerning him, and I should like to quote from three of them, one of which is from Edward L. Clark, Missouri State geologist. Mr. Clark says:

Many of us in the mineral industries are becoming quite concerned with the failure of the Senate to confirm Dr. James Boyd, of Colorado, as the Director of the United States Bureau of Mines. I am personally acquainted with Dr. Boyd and am confident that he will make us an excellent Director. It is my opinion that he will be far superior to the former Director, Dr. Sayers.

It is my understanding that Dr. Boyd's confirmation is being delayed because of efforts on the part of Mr. John L. Lewis, who insists that the Director come from the coal industry. As a matter of fact, the activities of the coal industry constitutes less than 10 percent of the program of the United States Bureau of Mines. It will be a mistake to permit Mr. Lewis to dictate who is to be the new Director. I am confident that Dr. Boyd will not neglect the coal industry should he be confirmed.

Here is another letter, from George M. Fowler, consulting geologist, of Joplin, Mo. Mr. Fowler states:

The appointment of Mr. James A. Boyd as Director of the United States Bureau of Mines is before the Senate for their decision, and I earnestly hope that the Senate will confirm Mr. Boyd's appointment, as he is very well fitted by education, experience, and ability to serve as Director.

I have no direct financial interest in any mining property. My work for more than 30 years has been as a mining consultant in seeking and developing new mining properties in all parts of the United States and in Mexico and Canada.

As you know, our developed ore reserves are being depleted very rapidly. We can again be self-sufficient in many important minerals if Government and industry give their best efforts. The Bureau of Mines is a very important unit in this work.

Here is a letter from Ewart L. Petley, vice president and general manager of the Fredericktown Lead Co., of Fredericktown, Mo.:

I recently read a dispatch from Washington under date of February 25, in which it was stated that the United Mine Workers have resumed their activity to block the appointment of Dr. James Boyd as Director of the Bureau of Mines.

John L. Lewis uses as an excuse for his opposition to the appointment of Dr. Boyd the fact that he has not had any personal experience in coal mining. Dr. Sayers, who was a previous Director, was a protégé of John L. Lewis, and from my friends who are employed in the Bureau of Mines, I know that Dr. Sayers did not do a good job for the mining industry of this country as a whole. His chief qualification had to do with health and safety. I realize that the coal-mining industry and the safety factor in mining is a very important one, but I do not think that an engineer should become Director of the Bureau of Mines whose only experience has been in coal mining, for, after all, that is only one segment of our mining industry, and it will be impossible to find a man who has had experience in all types of mining operations. I know Dr. Boyd personally, and also know him by reputation for what he has accomplished in his life in the mining industry. I am thoroughly convinced, as I know is the mining industry as a whole, that Dr. Boyd will make one of the best Directors, if not the best, that the Bureau of Mines ever had. He is mindful of the importance of the coal-mining industry and of the importance of the health and safety factors, but his outlook is one which covers the entire mining field in all of its departments. Frankly, I have very strong feelings in regard to this matter. * * * I think this country has had enough of its John L. Lewis and his dictatorial attitude.

My decision in this case was arrived at after consideration both of the arguments which have been advanced against Dr. Boyd's confirmation, as well as those advanced in his favor. Some, at least, of the arguments against Dr. Boyd appear to have had their origin in the mind of one man, Mr. John L. Lewis. Unfortunately Mr. Lewis has a propensity for flying into a rage over any governmental action with regard to the mining industry which he himself does not initiate. In this instance, as in others in the past which are too well known, Mr. Lewis has been acting in a fit of pique. He attempted to dictate this nomination. Failing in that, he launched into a campaign which can be interpreted as nothing less than an effort to coerce the Senate of the United States.

Mr. President, this is an appropriate time to inquire just how far this sort of thing may be carried. If Mr. Lewis were to be successful in the present instance, what might we expect of him next time? Suppose Mr. John L. Lewis did not like, for example, the new Secretary of State, or the Secretary of National Defense. Suppose Mr. Lewis did not approve of a President or a Congress chosen by the people. Following his course of conduct in the present instance, he would call out a vast number of mine workers and keep them out until he obtained a Secretary of State, a Secretary of National Defense, a President, or a Congress to his own liking.

The time to stop this sort of thing is right now before it goes any further. The time has come to let Mr. John L. Lewis know he is not the dictator of the United States, and incidentally to advise him in no uncertain terms that he cannot intimidate the Senate of the United States.

We have in the present instance the spectacle of some 425,000 mine workers and an additional 56,000 railroad employees directly affected by the whim of this one man. Of course, many additional thousands are affected indirectly.

Indications are that the present strike action will not result in any great calamity, except perhaps in the loss of wages of certain individuals. It just so happens that the stocks of coal are high. But suppose the stocks of coal were not adequate and the Nation were suffering from a shortage of coal. Let us be sure that we do not set a dangerous precedent that may arise later to plague us.

Mr. President, I do not always see eye to eye with the Truman administration. When I do it is a pleasure to say so. I hope the Senate will proceed promptly to confirm the nomination of Dr. James Boyd to be Director of the Bureau of Mines.

IMPORT TAXES ON COPPER

Mr. GEORGE. Mr. President, I now move that the Senate proceed to the consideration of Calendar No. 75, House bill 2313, to suspend certain import taxes on copper. I do not think the consideration of the bill will take any time, in view of some conversations I have had with the junior Senator from Nevada [Mr. MALONE], who raised objection to the bill when it was reached on the call of the calendar.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Georgia.

The motion was agreed to, and the Senate proceeded to consider the bill

(H. R. 2313) to suspend certain import taxes on copper, which had been reported from the Committee on Finance with an amendment; on page 1, line 5, after the word "sulfate," to insert "and other than composition metal provided for in paragraph 1657 of the Tariff Act of 1930, as amended, which is suitable both in its composition and shape, without further refining or alloying, for processing into castings", so as to make the bill read:

Be it enacted, etc., That the import tax imposed under section 3425 of the Internal Revenue Code shall not apply with respect to articles (other than copper sulfate and other than composition metal provided for in paragraph 1657 of the Tariff Act of 1930, as amended, which is suitable both in its composition and shape, without further refining or alloying, for processing into castings) entered for consumption or withdrawn from warehouse for consumption during the period beginning April 1, 1949, and ending with the close of March 31, 1951.

Mr. GEORGE. Mr. President, I may say, in connection with the amendment, that it was found that certain copper products were coming into the United States in avoidance of the tax imposed on them, and in a form in which they could be used as castings without further fabrication, and it was thought to be fair to American labor that this exception be made. That is the only committee amendment.

Mr. President, it is agreeable to me as chairman of the Committee on Finance to accept the amendment which the Senator from Nevada wishes to offer, that is, an amendment limiting the lifting of the copper ad valorem tax from 2 years to only 1 year. That would of course necessitate the return of the bill to the House, and if the House did not concur in the amendment, we would be compelled to go to conference on it.

Mr. KNOWLAND. Mr. President, will the Senator yield for a question?

Mr. GEORGE. I am glad to yield.

Mr. KNOWLAND. I should like to ask the able chairman of the Committee on Finance if the bill came from the committee with a unanimous report.

Mr. GEORGE. My recollection is it did. There was no objection to it in the committee, and none from the consumers or the producers in this country.

Mr. KEM. Mr. President, I should like to ask the Senator whether lead and zinc would be affected by the amendment he has just read.

Mr. GEORGE. No; lead and zinc would not be affected, nothing but copper. The one amendment was made in order to protect labor against a product that was coming in almost ready for use, where the labor had already been performed on it in other countries.

If the Senator from Nevada will offer the amendment limiting the operation of the act to 1 year rather than 2, I should be glad to accept it.

The PRESIDING OFFICER. The question first is on agreeing to the amendment of the committee.

The amendment was agreed to.

Mr. MALONE. Mr. President, my concern is for the small miner and prospector, and the investor backing them in their work, who finds the deposits in the first place, and that is my reason for asking the distinguished Senator from Georgia to permit the extension to be amended so as to make it 1 year instead of 2, my feeling being that the emergency in the world today will probably keep the price of copper above the cost of domestic production for that period of time.

I intend to debate this whole proposed three-part free-trade program at the proper time, which will affect all production and the workers of this country through the importation of the products of cheap foreign labor.

The real danger to the discovery and development of additional deposits is that when the Congress of the United States continually interferes with the import fee protection against the low-cost foreign labor, then a prospector or small investor feels that he may after 2 or 3 or 4 years' work and expenditure of hard-earned cash in the location and development of a new deposit lose out entirely through the whim of Congress doing away with the import fee or cushion making up the difference between a lowered world price and the domestic cost of production.

Continual meddling with the protection afforded by a tariff or import fee from the foreign low-cost labor, by Congress instills a fear or lack of confidence in the whole principle of protection and slackens interest and efforts of the prospectors and miners in the locating and developing of new minerals.

I thank the Senator from Georgia. I ask unanimous consent to have inserted in the RECORD at this point my testimony before the Committee on Finance, of which the distinguished Senator from Georgia is chairman, and, in addition, the record of the domestic production and imports of copper for the years 1940 to 1948, inclusive.

There being no objection, the matters were ordered to be printed in the RECORD, as follows:

STATEMENT OF THE HONORABLE GEORGE W. MALONE, A UNITED STATES SENATOR FROM THE STATE OF NEVADA

Senator MALONE. Thank you, Mr. Chairman.

I want to say first in a general statement that copper is in the same category of other products involved in the general reciprocal trade program. The three-part free-trade program applies equally to copper as to other American products.

Free trade in copper, while international copper is selling at as great or a greater price as in the United States, the tariff or the import fee has little or no effect.

But by having that cushion for it to drop back on, as it has many times before, and will again when world production makes it a plentiful metal, then the cushion is there to the extent of the tariff or import fee. It is 4 cents now, and under any flexible arrangement it could be increased or decreased as the differential of cost, due mostly to the standards of living, changed.

When the prospector, who finds these mines to start with, knows that there is no cushion and there is no protection from the low-cost labor in Chile or the Argentine or any other South American nation which produces large amounts of copper, then he does not prospect for copper, since when the world price decreases below the cost of production in this country there is no protection, and he could not sell a prospect or mine if he found it.

To understand the mining business—I have come from a mining country—you only hear of the copper mines; you do not hear of the prospectors who die broke, and the companies that go out of existence because their stockholders either refuse to put in more money or are broke, and about the promoters that are trying to promote and finance mining prospects and trying to develop a mine. I would say, roughly, to give you some idea of the job in developing a mine, that perhaps 150 or 200 prospects must be examined by an engineer to find one or two that warrant a spending of investors' money for development. Of those 150 or 200 prospects found by prospectors—and they are not found by engineers—only one or two and perhaps none will develop into a large mine. Engineers do not discover mines; they turn them down. But every prospector thinks he has, of course, a bonanza, so he sells the idea to an engineer who looks at it, and most of the time, as I have said, turns it down.

Out of perhaps 200 of them he will recommend that a few hundred or a few thousand dollars be expended on one or two of them, from step to step, he follows it as long as he thinks it is a good bet. Then out of the class of the 1 or 2, perhaps 1 out of 50 of them make a mine.

In other words, it is a long, laborious, expensive process to find a mine in this or any other country. So the people you put out of business through free trade are the people who comb the hills to find prospects and the engineers who comb the prospects to find something that they can spend a little money on, and then the ones who have put up the money to try to make a mine.

When there is no cushion to rest on, to stop the price going below the cost at which you can afford to operate a mine in this country, then the prospectors and developers will lose interest, and you have lost the interest of the men who find the mines in the first place in this country.

In that connection I am going to submit for the record a wire that I have just received from the Copper Canyon Mining Co., Robert H. Raring, general manager. He is just one out of several men of this type in my State who labored day and night and stayed with a prospect until it started to pay. There are other metals coming into his mine now enabling him to stay in business.

This is what he says:

"Strenuously oppose extension duty-free copper imports. Present arrangements permit dumping foreign metals on home markets at expense of small industries and stifles exploration and development of new mines. Instead of living off gratuity of foreign nations for metal we should redouble efforts for development of new mines at home. Only by such means will our Nation be free and strong for generations ahead."

The telegram is signed "Robert Raring, manager, Copper Canyon Mining Co."

There are other considerations. For example, take some of our metals like tungsten. They have lowered the tariff from 50 cents to 38 cents a ton, and shut down every tungsten mine in the United States except one. I will point out that in the beginning of the war we were producing about 45 percent of the tungsten that we used in the United States. Now we are producing a very small part of our domestic needs.

The important part is not altogether the taxable property and the employment which Senator MARTIN speaks of in Pennsylvania, and which is a very important part of building up the States of this Nation, but the national security is paramount.

It will be remembered that when they hit Pearl Harbor and cut us off from the tungsten of the world, it left us in a spot. China and Burma furnish most of the world's production and labor there is 40 to 50 cents per day. You can take our machinery there

and shut any mine in the country on a free-trade basis because you pay $10 or $12 a day in this country.

The strategic point was that when we were cut off from China and Burma sources of tungsten we immediately raised the price of tungsten a few points, and within 6 months we were nearly self-sufficient in the production of that important metal. We could have lost the war if we had not been in the business and able to do that.

Once you go out of the mining business and the miners scatter, you cannot gather them together again in time to save you from any war or other emergency; and you cannot develop a mine quickly no matter how many prospects you have.

The Department of the Interior has long advocated that we should save our prospects in oil and other minerals and import what we need. In addition to losing the taxable property and the employment which is very important in this country, and will become more important soon, we would lose that national safety, that national security which is so important, because you cannot possibly get back in the business, once the men have been lost from this specialized field, in time to do any good.

I want to call your attention to one other thing which will stand an analysis by this committee. There is a bill introduced to suspend the tariff on zinc, and I want to show you just one thing that also applies to copper.

You will understand that there are three or four companies that own practically all of the copper properties in the United States, all of the larger copper pits. My State has one of the largest copper pits in the world, there is one in Utah, one in Arizona, and one in Montana. Of course, Chile and Africa are great producers of copper, and these same companies own a large proportion of these foreign deposits.

Understand that I am not talking against these companies. I think they have done a wonderful job, and it was simply through the laboratory work that was done by them and their predecessors that they were able to operate large-scale mining properties and to produce a profit on one-half of 1-percent copper. That is the way the large copper pits were developed and it takes a large operating company to do it. I am all for them, but there are some additional points to be considered. For example, these same companies own or control about 80 percent of the fabricating industry in this country and sometimes when you take this tariff off you are not benefiting the people you believe you are benefiting. Let me read what they say about zinc in a resolution passed by the Colorado Mining Association:

"The elimination of duty on zinc as contemplated under H. R. 561."

And the reason I am mentioning this is because this parade for free trade has just begun. They will come in one or two at a time, and it is often benefiting some certain group, and may not be benefiting the group that you think you are helping. And reading from a resolution passed by the Colorado Mining Association, "would not increase the supply of zinc as the foreign price of zinc is currently $10 per ton higher than our domestic price. Further, the current price of zinc would not be decreased by making zinc imports duty-free as the present supply is less than the demand.

"At the present time, the supply of zinc concentrates exceeds the reduction capacity of the United States. The elimination of the duty on zinc would result in an estimated loss of $5,000,000 per year to the American taxpayer, and only reward wealthy, foreign mining companies and governments.

"We emphatically disapprove the elimination of the duty on zinc. To let down the bars for a possible increase in cost seems rather futile."

Now, just a paragraph from a letter from Mr. Edward H. Snyder, of the Combined Metals Reduction Co. in Salt Lake City:

"In addition, it should be noted that the suspension of the duty for any period would also create a windfall for all of the smelters who have purchased foreign zinc concentrates in bond, as the option under these bonds would immediately be exercised to eliminate any duty on the concentrates already received."

In other words, what you do then, whatever the duty is, it is a windfall to the companies that have imported them in bond, where the duty has not been paid.

That completes my statement, except to say further that copper and zinc and every other mineral is affected just the same by the three-phase free-trade program that I outlined, Mr. Chairman, and I hope that you will carefully consider this entire matter. I intend to debate it at further length on the floor of the Senate, because I feel that it is the heart of America and the only real subject before the American people and the Congress of the United States at this time. There is no other subject confronting this Senate so important today as this long-range free-trade plan to level the living standards of this Nation with the low living wage standard countries of the world, instead of holding our own wage-living standard, to the best of our ability, up where we can help such foreign nations and at the same time progress favorably in this country.

The CHAIRMAN. Thank you very much, Senator MALONE.

	World production	Domestic mine production	United States percent of world production	Imports	Exports	Consumption
1940	3,000,000	878,086	30	491,342	427,650	1,008,785
1941	3,000,000	958,149	32	735,545	158,893	1,641,550
1942	3,100,000	1,080,061	35	764,393	210,518	1,678,091
1943	3,038,000	1,090,818	36	716,596	294,459	1,502,000
1944	2,843,000	972,549	34	785,211	237,515	1,504,000
1945	2,425,000	772,894	32	853,196	132,555	1,415,000
1946	2,023,000	608,737	30	393,275	97,475	1,391,000
1947 (estimated)	2,450,000	846,400	35	413,890	196,999	1,290,000
1948	(1)	826,000	(1)	452,416	146,000	1,202,000

[1] Not available.

COPPER ORE AND FABRICATED GOODS TARIFFS

Copper acetate and subacetate (verdigris): Free plus 4 cents a pound on copper content (Internal Revenue Code).

Copper concentrates—for smelting or refining and export: Free.

Copper concentrates—product of Cuba: Free.

Copper concentrates (taxable): Free plus 4 cents a pound on copper content (Internal Revenue Code).

Copper: Cuprous oxide; 35 percent ad valorem 3 cents per pound (Internal Revenue Code).

Copper in rolls, sheets, or rods: 2½ cents per pound plus 4 cents per pound on copper content (Internal Revenue Code).

Copper ore and concentrates—product of Philippine Islands: Free.

Copper ore—for smelting, or refining and export: Free.

Copper ore (taxable): 4 cents per pound on copper content.

Copper ore—product of Cuba: Free.

Copper, other than ore and concentrates—product of Philippine Islands: Free.

Copper oxides, n. e. s.: 25 percent ad valorem plus 3 cents per pound (Internal Revenue Code).

Copper: Refined, in ingots, plates, or bars—for smelting or refining and exports: Free.

Copper—refined in ingots, plates, or bars (taxable): Free plus 4 cents per pound (Internal Revenue Code).

Copper sulfate (blue vitriol): Free plus 4 cents per pound on copper content (Internal Revenue Code).

Copper tubes, brazed: 11 cents per pound plus 4 cents per pound (Internal Revenue Code.)

Copper tubes and tubing, seamless: 7 cents per pound plus 4 cents per pound on copper content (Internal Revenue Code).

Copper: unrefined black, blister, and converter, in pigs, or converter bars—for smelting or refining and export: Free.

Copper: unrefined black, blister, and converter, in pigs, or converter bars, free for United States Government: Free.

Copper: unrefined black, blister, and converter, in pigs or converter bars (taxable), free plus 4 cents per pound on copper content (Internal Revenue Code).

Copper wire, not specially provided for: 25 percent plus 4 cents per pound on copper content (Internal Revenue Code).

Mr. MALONE. Mr. President, it will be noted that the workers in fabricated copper products are protected from the low-wage living standards of foreign labor—but by congressional action we are denying the prospectors, miners, and producers of the ore the same protection.

Mr. GEORGE. Mr. President, I suggest that on the last line of the bill the numerals "1951" be stricken and the numerals "1950" be inserted in lieu thereof.

The PRESIDING OFFICER (Mr. JOHNSON of Colorado in the chair). The Chair understands that is the Malone amendment.

Mr. GEORGE. It is.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 1, line 11, it is proposed to strike out "1951" and insert in lieu thereof "1950."

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. GEORGE. The effect of that is to extend the act for only 1 year.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H. R. 2313) was read the third time and passed.

LOBBY ACTIVITIES TO EXEMPT THE ARMY ENGINEERS FROM PROPOSED REORGANIZATION ACT

Mr. LODGE. Mr. President, I now ask to be recognized so I may make a statement which will occupy only 8 or 9 minutes. The matter concerning which I desire to speak is of great importance. I

want the floor in my own right. Have I the floor?

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. LODGE. Mr. President, on February 17, 1949, I called the attention of the Senate to well-authenticated reports that had reached me regarding lobbying activities aimed at preventing the terms of the proposed Reorganization Act from applying to the Army engineers. That is a matter of great concern to the Congress, because last year Congress passed unanimously, without a single dissenting vote, the bill of which I was the Senate sponsor, setting up the Commission on Organization of the Executive Branch of the Government, and the Congress has shown its great interest in that subject ever since.

When I heard of these lobbying attempts I cited the fact that if exemptions were granted to one Government agency it would be difficult, if not impossible, to prevent exemption being granted to others, and then the whole reorganization scheme, which, let me point out, is the first over-all reorganization ever attempted in the history of the United States Government, would fail.

About 10 days ago, my attention was called by the well-known newspaperman and war veteran, Col. Robert S. Allen, to an unsigned, undated, two-page release which, so I was advised, was distributed in large numbers to and by employees of the San Francisco District, Corps of Engineers, in the last week of January and the first week of February, 1949. I was advised that this release was typed on Government paper, on Government time, on a Government machine, and in a Government office. I was also told that as this release was being distributed the employees were told that if the Corps of Engineers' civil works activities were included in the proposed Government reorganization, these employees would lose their jobs.

Think of it, Mr. President. The release was as follows, and I read it:

The Congress is again being asked to delegate its authority to the executive branch of the Government. The Senate Committee on Expenditures will hold hearings on the bill (S. 526) to consolidate Government agencies. One part of the bill, as submitted by a committee headed by Robert Moses, New York City Planner, proposes the establishment of a mammoth Public Works Department. Mr. Moses is reported to head the new department if created. To be included under one head will be all work and authority of the following: The Bureau of Reclamation, the Geological Survey, the Public Roads Administration, the Public Buildings Administration, the Coast and Goedetic Survey, the National Park Service, the Panama Canal, rivers and harbors, flood control.

The last three strip the Corps of Engineers of all their civil works.

I am quoting, Mr. President, from this anonymous release. I continue to read:

A similar bill was introduced in 1945 but the Congress wrote in the following exemption:

And here comes the quote within the quote; this is what they want the Congress to do:

"No reorganization plan shall provide for any reorganization affecting any civil function of the Corps of Engineers of the United States Army, or its head, or affecting such Corps or its head with respect to any such civil function. No reorganization plan shall take effect if the reorganization plan is in violation of this subsection."

That is the end of the quotation within the quotation. Then the release goes on to say this:

It is believed that a similar exception will be written into the present bill if the chairman can be assured of public support.

We know what those words mean, Mr. President. They mean if pressure can be put on. I continue to read:

He will welcome telegrams about as follows—they should be paraphrased:

In other words, those who send in telegrams should word each one a little differently from the other, so it will not appear that they are form telegrams. And here they give the type of telegram they want to have sent:

Hon. JOHN L. MCCLELLAN,
Chairman, Committee on Expenditures in the Executive Departments,
United States Senate,
Washington, D. C.:

Strongly urge you specifically exempt civil-works activities of the Corps of Engineers, United States Army, from being affected by any plan to reorganize the executive branch of the Federal Government. Public interest fully justifies these activities remain responsibility Corps of Engineers in Department of the Army.

In other words, these anonymous individuals have gone ahead and disregarded all the studies of the Hoover Commission, all the studies of that great roster of human ability which made these recommendations. They are attempting to have them disregarded.

Mr. LONG. Mr. President, will the Senator yield?

Mr. LODGE. I will yield in a moment, but not just now.

Exemption should be equivalent to similar action taken by Seventy-ninth Congress in Public Law 263 known as Reorganization Act of 1945.

That concludes the release which was circulated on Government time in the San Francisco office in this very tendentious and unfair manner, which urges support for continuation of the control over civilian activities by the Corps of Army Engineers.

I now yield to the Senator from Louisiana.

Mr. LONG. The Senator from Massachusetts has spoken of all the work which has been done by the Hoover Commission. Does the Senator realize, with all the razzle-dazzle which has surrounded the work of the Commission, and the alleged savings which will be made if its recommendations are put into effect, that that Commission has not submitted any proof that there will be a saving of 5 cents by taking the civil functions away from the Army engineers? We are asked to prepare a bill which would put into effect the recommendations of the Commission, without our knowing what savings will really be effected in this connection. It would include the adoption of a great many other recommendations, 90 of which might be good and 4 or 5 bad. That is what we are asked to do.

Mr. LODGE. Mr. President, was the Senator asking me a question?

Mr. LONG. I am asking the Senator a question. I believe if he will read the record, he will find it to be a question.

Mr. LODGE. The Senator has asked me four questions at once. But I will say to the Senator from Louisiana that I cannot believe that he can possibly endorse the proposition that the Army engineers or any other group of public servants should seek to apply political pressure and anonymous pressure upon Members of the Senate.

Mr. LONG. Mr. President, will the Senator yield for a further question?

Mr. LODGE. I yield.

Mr. LONG. Perhaps the Senator from Massachusetts would be interested in knowing that the Senator from Louisiana has seen no such release as the Senator has referred to. But the Senator from Louisiana feels the engineers should be permitted to present their views on the subject.

Mr. LODGE. The people are entitled to have that information. But that is entirely different from those who are ostensibly public servants going ahead and conducting these lobbying activities.

Insofar as savings which would be accomplished by putting into effect the recommendation of the Hoover Commission are concerned, I am sorry the Senator from Louisiana has not read the reports. The Senator perhaps has not had time to read them, because the report of the Hoover Commission is very voluminous. I do not criticize any Senator for not having read all that material which has been released up to the present time. The Senator from Louisiana has been busy here helping out in the filibuster and in other matters, and he probably has not had the time to study the report. But there is no question at all that the report of the Hoover Commission, if put into effect, would save about $3,000,000,000, and $3,000,000,000 is "real sugar" even in these times.

Mr. LONG. Mr. President, will the Senator yield?

Mr. LODGE. I yield.

Mr. LONG. I can assure the Senator from Massachusetts that the Senator from Louisiana has been attending the hearings and listening to the testimony which has been given. We are given some arbitrary figure taken out of thin air to the effect that $3,000,000,000 may be saved. But is the Senator from Massachusetts familiar with the fact that when the representatives of the Bureau of the Budget came before the committee they would not assure us that adoption of the recommendations contained in the report would save two bits?

Mr. LODGE. Perhaps they do not want to give such assurance; perhaps they do not want to make a promise; but the fact of the matter is that this is the most extensive attempt at Government economy ever made. It is the only full-scale reorganization of the Government that has ever been attempted, and I am sure, whether or not the Senator from Louisiana agrees that it will save $3,000,000,000 he will agree with me that it is most improper for those who are on the Federal pay roll, as the Army engineers are, to seek to use their influence to

lobby the Congress. I am sure he would agree with me as to the obvious impropriety of that.

Mr. LONG. Mr. President, will the Senator yield for a further question?

Mr. LODGE. I yield.

Mr. LONG. Although I agree with the Senator with respect to the facts which he is citing, I may suggest to him that the Senator from Louisiana has heard a great deal of argument against such a proposal. I do not believe that anyone should be prevented from expressing his legitimate objections.

Mr. LODGE. I am glad the Senator from Louisiana does not disagree with me as to the basic impropriety of the Army engineers, the Air Force, the Navy, or any other similar group lobbying for its own selfish advantage. I am glad that we have made that much progress, because it may have a good moral effect throughout the country.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. LODGE. I yield.

Mr. AIKEN. Does the Senator regard the factual information in regard to the lobbying activities of the Army engineers which he has presented to the Congress as something plucked out of thin air?

Mr. LODGE. Oh, no; it is not plucked out of thin air at all.

Mr. AIKEN. Does not the Senator believe that, inasmuch as we have now arrived at a situation in which 250 men who comprise the Army engineers are controlling the operations of nearly 40,000 civilians, when there are rumors afloat concerning the Army engineers they ought not to be afloat unchallenged?

Mr. LODGE. The Senator is quite correct. There are some ugly rumors.

Mr. AIKEN. That is true of rumors against any Federal agency. Does not the Senator believe that a full scale, detailed investigation of the operations of the Army engineers is entirely in order?

Mr. LODGE. I believe that such an investigation would be in order; and I am quite confident that the heads of the Army engineers, for whom I have great regard, would welcome such an investigation.

Mr. LONG. Mr. President, will the Senator yield for a further question?

Mr. LODGE. I yield.

Mr. LONG. Does not the Senator realize that the effect of this proposal is to turn flood-control work over to the Bureau of Reclamation? The Bureau of Reclamation may be doing a little lobbying behind the scenes to get control of that function.

Mr. LODGE. If I run into any lobbying by the Bureau of Reclamation, I shall be just as relentless in exposing it as I am in trying to expose this situation. I do not think it is the business of the Bureau of Reclamation, the Army engineers, the Navy, the Air Force, or any other Government agency to seek to put pressure on the Congress for something which affects their own selfish personal interest.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. LODGE. I yield.

Mr. MORSE. Is the Senator from Massachusetts agreed that the allegations against the Army engineers which he has just set forth—and in so doing I think he has performed a public service—should be taken up and considered by the Armed Services Committee of the Senate?

Mr. LODGE. I think it would be a very appropriate thing to do.

Mr. MORSE. Let me say to the Senator from Massachusetts that as one member of the committee, at the next meeting of the Armed Services Committee I intend to raise the issue, based upon the Senator's presentation this afternoon.

Mr. LODGE. I thank the Senator from Oregon. That is typical of his forthright and courageous way of doing things.

Mr. BRIDGES. Mr. President, will the Senator yield?

Mr. LODGE. I yield to my good friend of many years from New Hampshire.

Mr. BRIDGES. I wholeheartedly agree with the Senators as to the impropriety involved in the activities which the Senator has disclosed. Does the Senator see any similarity between such activities and the activities which we have noticed over the period of years since the Senator and I first came to the Senate together in January 1937? Whenever there has been any major attempt to reduce expenditures, or to cut down on the great bureaucracy which has grown up in Washington, there has been an attempt on the part of the divisions, departments, or agencies concerned, or upon the part of individuals in those agencies, to lobby and bring pressure. Does the Senator see the similarity?

Mr. LODGE. I see it. I agree with the Senator from New Hampshire that it always happens. If we exempt one agency, we lose our argument with respect to the others. If we exempt one, we are called upon to exempt another, and another, and another; and in the end we have no reorganization at all.

Mr. LONG. Mr. President, will the Senator yield for one last question?

Mr. LODGE. I yield.

Mr. LONG. Will the junior Senator from Massachusetts agree with the junior Senator from Louisiana that the only way to save any substantial amount of money is to get someone off the pay roll?

Mr. LODGE. That is one of the best ways to save money. It is not the only way.

Mr. LONG. Mr. President, will the Senator further yield?

Mr. LODGE. I yield.

Mr. LONG. If we should find that the agency which is supposed to take over the functions of the Army engineers has an overhead three times as great, proportionately, as that of the Army engineers, does it seem to the Senator that we would save any money by turning the work of a very efficient organization over to a less efficient organization?

Mr. LODGE. I am not sufficiently well informed on all the details to answer that question. What I say is that we must not make exemptions. We must trust someone. I think the person we must trust is the President of the United States. He is the Senator's President, and my President, and the President of all the American people. If we give him a reorganization act with many exemptions in it, we shall never get off the ground at all. That is the basic point to which I am addressing myself, rather than the detailed merits of particular reorganization schemes.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. LODGE. I yield.

Mr. MAYBANK. Two or three years ago, in company with the late Senator Overton, I opposed on the floor of the Senate turning over to some other agency the civil functions of the Army engineers. I am not in favor of such action. Does the Senator realize that the Federal Reserve Board has been exempted?

Mr. LODGE. I did not know that any agency had yet been exempted.

Mr. MAYBANK. The House exempted the Federal Reserve Board.

Mr. LODGE. I am opposed to that.

Mr. MAYBANK. I merely wanted to call it to the Senator's attention. I believe the Senator will agree with me that if the Federal Reserve Board, in charge of the big banks is to be exempted there is no reason why we should place an agency such as the Federal Deposit Insurance Corporation, which is helping the smaller banks, into the reorganization.

Mr. LODGE. I am sure I do not know. I am not standing here defending the House bill. I say that we ought to make no exemptions at all. We ought to give the President a free hand, under his solemn responsibility, to carry out this program according to the dictates of his best judgment. That is all we can do. It is physically impossible for Congress to attempt to effect hundreds of detailed reorganization schemes. We cannot do it. The only way we can do it is to get a good plan and give the President power, and give him an opportunity to do it. Then, if he does not do it, we still have the opportunity to veto it later. We are not giving up our power for good.

Mr. GURNEY. Mr. President, will the Senator yield?

Mr. LODGE. I yield.

Mr. GURNEY. I should like to ask the Senator from Massachusetts a question. Before I ask the question, let me say that I am thoroughly in accord with the statement of the Senator from Oregon [Mr. MORSE], that a committee—either the Armed Services Committee or some other committee—should investigate the distribution in the San Francisco area of the circular referred to.

I should like to know if the Senator from Massachusetts now has information as to whether or not that statement was circulated by the Army engineers themselves, by the civilian employees of that district, or by someone else. What information does the Senator have on that subject?

Mr. LODGE. If the Senator will bear with me, I should like to read the letter which I sent to the Secretary of the Army, and the letter which I received in reply, because they bear on that point.

Mr. GURNEY. I shall listen with interest. I wondered if the Senator from

Massachusetts had brought the question to the attention of the Army authorities.

Mr. LODGE. I did.

Mr. GURNEY. And if they had attempted to make an investigation. Have we any facts in that connection?

Mr. LODGE. The information which I received relative to the situation at San Francisco is, of course, supplementary to the information which I received in the middle of February with respect to another large American city.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. LODGE. I yield to the Senator from Mississippi.

Mr. STENNIS. With reference to our responsibility for taking all the recommendations or none, or making no exceptions——

Mr. LODGE. I did not say that we ought to take all the recommendations or none. I said that we ought to give the President power to put the scheme into effect, retaining, of course, our veto on his scheme when it comes before us for consideration.

Mr. STENNIS. That is the point I wish to raise.

Mr. LODGE. That is not the same as taking all the recommendations or none.

Mr. STENNIS. In connection with an item so large and so vast in its scope as the civil functions of the Army engineers, does not the Senator feel that we ourselves have some responsibility to go into the merits of these proposals?

Mr. LODGE. Oh, yes.

Mr. STENNIS. If in our judgment certain agencies should be exempted, does not the Senator believe that it is our responsibility to say so?

Mr. LODGE. I think we have a responsibility. I believe that when we exercise our own free and unfettered judgment, we do not do so badly. I am addressing myself to the question of pressure being put on Senators and Representatives by selfishly interested individuals or agencies. I do not believe the Senator from Mississippi condones such action.

Mr. STENNIS. I am entirely in sympathy with the viewpoint of the Senator with respect to any alleged pressure. My point is that we have a responsibility to consider this question on its merits.

Mr. LODGE. We have a responsibility to consider the question on its merits; and I contend that if we enact a reorganization act which has no exemptions in it, we do not give up our power, because the plan will come back to us later for approval.

Mr. SCHOEPPEL. Mr. President, I should like to ask the distinguished Senator a question. Is he aware that practically all of the departments involved in the reorganization process or study are, in one way or another, attempting to make overtures to the committee to exempt them from the Reorganization Act?

Mr. LODGE. Is that true? The Senator from Kansas is on the committee, of course.

Mr. SCHOEPPEL. I am.

Mr. LODGE. And the Senator has great experience in government. I am very much interested in hearing that statement from him.

Mr. SCHOEPPEL. I wonder whether the Senator from Massachusetts is aware that considerable effort of that sort is being made.

Mr. LODGE. Is it being made by various agencies of the Government?

Mr. SCHOEPPEL. It is being made in favor of excluding certain governmental agencies from the reorganization. I do not know whether the effort is coming from the agencies themselves.

Mr. LODGE. But, Mr. President, if we were to exempt one agency from reorganization, the fact that it had been exempted would be used as an argument of almost irresistible effect for the exemption of other agencies; is not that correct?

Mr. SCHOEPPEL. I think that is entirely correct.

Mr. LODGE. Mr. President, let me read from a letter which I sent to the Secretary of the Army on March 10:

You will observe that this statement—

Referring to the statement circulated by the Corps of Engineers office in San Francisco—

is a bare-faced request that Members of the Senate be lobbied and that political pressure be placed upon them in order to give special privilege and consideration to the Army engineers.

I have already publicly brought out the fact that in another city a similar activity was engaged in. All my life I have had the greatest regard for the Army engineers, who number in their ranks such eminent men as Gen. Robert E. Lee and a host of other distinguished soldiers. I say to you candidly that these tactics will inevitably result in a great loss of prestige for the Army engineers and that in their own interests as well as in the interest of the country these ignoble pressure tactics should stop.

The Commission on the Organization of the Executive Branch has completed the first study of the reorganization of the Government in the history of the United States. The reason for the downfall of popular government in Europe is because those governments were not effective and were no longer able to translate into action the aims and aspirations of the people. To seek to oppose a measure to make government effective is, therefore, in effect, to seek to destroy our democratic government.

I urge you, as Secretary of the Army, to take every step you can to see to it that this lobbying be immediately discontinued.

Mr. President, I am glad to report that on March 15 I received a reply from the Secretary of the Army, which I shall now read:

By your letter of March 10, 1949, you bring to my attention a copy of an undated, unsigned release reported to have been distributed to and by employees of the San Francisco district, Corps of Engineers, for the purpose of encouraging recipients to exert political pressure to gain special privileges for the Corps of Engineers in the current consideration of the reorganization of the Government. It is further reported that this release was prepared on Government time and with Government materials.

I thoroughly agree with your reaction to the reported distribution of this release under the alleged circumstances, and know that you realize that any action of this kind is in direct contradiction to the policy of the Department of the Army. As an indication of my policy on this matter, I issued instructions on February 19, 1949, which emphasized the standing policy of the Department and directed that officers of the Corps of Engineers would not engage in such activities.

After receipt of your letter, I immediately issued instructions to include a similar prohibition on such activities by civilian employees of the Corps of Engineers. I have also initiated a thorough and expeditious investigation toward determining the person or persons responsible for this release, and will take appropriate disciplinary action if such is indicated.

Please consider this as an interim reply to your letter of March 10, as I will make a further report to you after the investigation of this matter is completed.

That is the end of the letter, which was signed by Kenneth Royall, Secretary of the Army. I think the attitude of the Secretary of the Army, as expressed in that letter, is beyond reproach. I hope he will be vigorous in promoting his investigation.

Mr. President, this is all I care to say about the matter. I simply reiterate my hope that these pressure tactics will cease, and that democracy in America may be strengthened by enacting a reorganization plan which will make democratic government really efficient. That is what is at stake in the present reorganization.

EXTENSION OF RENT CONTROL

Mr. LUCAS. Mr. President, I move that the Senate proceed to the consideration of House bill 1731, the bill to extend certain provisions of the Housing and Rent Act of 1947, as amended, and for other purposes.

The PRESIDING OFFICER (Mr. JOHNSON of Colorado in the chair). The question is on agreeing to the motion of the Senator from Illinois.

The motion was agreed to; and the Senate proceeded to consider the bill (H. R. 1731) to extend certain provisions of the Housing and Rent Act of 1947, as amended, and for other purposes, which had been reported from the Committee on Banking and Currency with an amendment.

Mr. LUCAS. Mr. President, I should like to make a brief statement at this time. The rent-control bill is now before the Senate, as I advised the Senate last evening, before the adjournment, I would move to do today. Of course, I also advised the Senate last evening that it was not anticipated that there would be debate upon the bill today, but that we would simply make the bill the unfinished business, so that when we return on Monday the bill will be before us. Of course, it is before us now.

PERSONAL STATEMENT

Mr. MORSE. Mr. President, in commencing these remarks, I wish to say most facetiously that I have not asked the permission of the Senator from Indiana [Mr. CAPEHART] to speak today. I judged from his remarks last night that he seemed to imply that there should be some procedure by which freedom of speech on the floor of the Senate, as contrasted to limitation of debate, should be curtailed. In order that there may be no doubt as to where I stand or will always stand upon any proposal to seek to

discipline a Republican Senator on the floor of the Senate, as the Republican conference of ours is so capable of doing in caucus, I wish to assure my good friend, the Senator from Indiana, that here is one place where he and his cohorts will never succeed in disciplining me in the sense of ever silencing me. At least that will be true so long as freedom of speech is retained on the floor of the Senate.

I also wish to say, most facetiously, to my good friend, the Senator from Wisconsin, that I want him to note that I am not reading from manuscript. It is my common practice not to read from manuscript, although I say good-naturedly that in spite of his comments last night as to what he thought was the relationship between a manuscript and sound thinking, such as Jefferson engaged in, I observed that the Senator from Wisconsin did not read from a manuscript last night. I shall let the RECORD speak for itself as to whether on that occasion there was any relationship between a lack of manuscript and the absence of sound thinking in the Senator's speech.

Mr. President, my good friend, the Senator from Wisconsin, in the course of his remarks last night read from rule XIX, paragraph 2, of the Rules of the Senate:

> No Senator in debate shall, directly or indirectly, by any form of words impute to another Senator or to other Senators any conduct or motive unworthy or unbecoming a Senator.

Mr. President, I shall never intentionally, knowingly, or wilfully violate either the letter or the spirit of that rule. Nevertheless, I wish to say to my good friend the Senator from Wisconsin that, judging from what I think would be general agreement as to the innuendoes and implications of personal criticism against me contained in his speech last night, I shall always be perfectly willing to enter into a contest with him or with any other Senator in going just as far as the rule will permit us to go in expressing our disrespect for each other's views, if we reach the point where there is a wish on the part of any Senator that such a challenge be issued. I shall never issue such a challenge, because I do not like that type of debating; but I shall never run away from one, Mr. President, because I not only can "take it," but I can "dish it out," too, and I am always willing to take it. I am perfectly aware of the fact that no one can follow a liberal course of action in the Senate without being subjected from time to time to the type of speeches which the Senator from Indiana and the Senator from Wisconsin delivered last night. I realize that the Senator from Wisconsin objects to the use of the word "liberal," and I think I know why. I am going to give him a definition of it, or, at least, of its needed application to Republican policy, before I get through this afternoon.

I want to say I am perfectly aware of the fact that a liberal in the Senate of the United States, particularly on the Republican side of the aisle, because they are such rare Members of the Senate, will always have to be willing to take it when it comes to the type of criticism and discipline which has always characterized for decades past the general attitude and policy of the Republican Party toward liberals within its ranks.

When I speak of discipline, Mr. President, I call attention to the fact that this is not the first time on the floor of the Senate I have made perfectly clear to my party in the Senate that I do not propose to be disciplined on the floor of the Senate. I am disciplined constantly in respect to the organization of the Republicans in the Senate. I have been ever since I came to the Senate, for the simple reason that so many of them in charge of the policies of the Republican conference do not like the type of Republican philosophy which I intend to pursue and fight for within the Republican Party so long as it is my privilege to serve in public office.

But I do notice, Mr. President, that, come campaign time or come some other Republican Party emergency on specific issues that may confront the Republican Party, the Republicans in charge of our party organization not only do not refuse my assistance, but they frequently ask for my assistance.

I would refresh the memories of some of my Republican brethren. They not only welcomed my assistance in 1946 in that congressional campaign, but asked for it. They not only welcomed my assistance in the 1948 campaign, but asked for it, as I think they should have, and they had a right to do. Within the last 30 minutes a representative of the National Republican Committee called me on the telephone and asked me to take a May 20 speaking engagement in Pennsylvania, because, surprising as it may seem to some Republicans in the Senate who are not of the liberal Republican group, there apparently is a Republican organization in Pennsylvania that specifically wants me to talk to it in regard to some of the views I hold as to what I think the future policies of the Republican Party should be. I accepted the invitation because, whether all people in Republican groups agree with me or do not agree with me, I think it important that within the Republican Party we at least discuss and study and debate some of the great issues which I want to mention here this afternoon.

Before I mention those issues, I want to repeat that we had better have a very definite understanding that any attempt to restrict the freedom of speech of any Member of the Senate, even through the type of psychological discipline which was implied in the speech that my good friend from Indiana gave last night, will be resisted by me. In that speech he attempted by way of ridicule, as I interpreted it, to give the impression that the rights of other Members of the Senate were in some way being impaired, because some of the others of us made a good many speeches on the floor of the Senate.

I say that the implication of that type of psychological discipline is dangerous, in my judgment, to the preservation of what I think is so important on the floor of the Senate, namely, the right of a Member of this body, even if the 95 others in the body do not agree with him on the subject matter he discusses, to come before the people of the country and from his desk in the Senate speak his mind on the issue. When we speak in the Senate, we address the country as well as the Senate. Each one of us must have the right preserved to himself to come before the people of the country, on the floor of the Senate, and make whatever statements each Senator thinks should be made, and then be willing to be judged by those statements. That is the course of action which the junior Senator from Oregon has followed, and that is the course of action which the junior Senator from Oregon intends to follow so long as he is in the Senate, whether the junior Senator from Indiana or any other Senator likes it or not.

Mr. DONNELL. Now, Mr. President, will the Senator yield for just a moment?

The PRESIDING OFFICER (Mr. HUNT in the chair). Does the Senator from Oregon yield?

Mr. MORSE. I am very happy to yield.

Mr. DONNELL. I should like to say it has been my privilege to know the Senator who is now speaking since very shortly after the two of us met in Washington in 1945. It has been my observation that while on many subjects he and I have differed, he has shown fine, outstanding courage and integrity; and not only that, a tremendously strong ability. I for one welcome the fact that he has given to the Senate so generously of his time and of his thought and of his expression upon the floor of this great body. I merely wanted to take the opportunity to say those few words with respect to my warm, intimate, personal friend, the Senator from Oregon [Mr. MORSE]. Although, as I say, I have many times differed with him and cannot claim to share all his views, any more than he does mine, I pay tribute to his sterling patriotism, his integrity, and his ability.

Mr. MORSE. Mr. President, the Senator from Missouri is very kind, but I am afraid he stands in the status of a biased friend. I appreciate his bias. After all, it is the biases of friendship that I think so frequently make friendships beautiful, and I think we do have a beautiful friendship between us. I assure him that our respect and friendship for each other is mutual.

Mr. McMAHON. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Oregon yield to the Senator from Connecticut?

Mr. MORSE. I yield.

Mr. McMAHON. Mr. President, I should like to comment as a Senator on this side of the aisle about the worth to this body of the junior Senator from Oregon.

Mr. MORSE. Mr. President, I am not going to yield for that purpose. It would be embarrassing to me to yield for that purpose. I yield only for a question.

The PRESIDING OFFICER. The Senator from Oregon declines to yield except for a question.

Mr. McMAHON. I had not expected, in view of our old friendship, dating from

some 15 years past, that the Senator would invoke the rules of the Senate to keep me from paying him a compliment that a friend of mine passed to me the other night. He said, "You know, MORSE, of Oregon, is contributing to making the Senate function as a deliberative and legislative assembly." I thought that was indeed a high compliment, and I want to compliment the Senator on it.

Mr. MORSE. I appreciate that, but I am sure he, on the other hand, will realize that I am not seeking a testimonial meeting here this afternoon. My friendship for the able Senator from Connecticut is a very deep and devoted one. However, I am afraid that if I yielded for the purpose of his expressing his feelings of friendship for me some people might think me rather immodest. I merely want to talk about some Republican policies, that is all, because I think this is the time to talk about them. I want to say, Mr. President, that last night I did not have any intention of making a speech today, but after I heard my good friend from Indiana, every one in this body ought to have known that for a certainty I would speak today, in order to make perfectly clear that I had the right to speak. It was the speech of my good friend from Indiana which has prompted these observations on Republican policy.

(At this point in his address, Mr. MORSE yielded to the Senator from Michigan [Mr. FERGUSON] for an insertion in the RECORD.)

Mr. MORSE. Mr. President, I think it is too bad that some Senators on the floor of the Senate do not speak oftener than they do, either with or without manuscript, because even if they read a manuscript which possibly somebody else wrote for them, we could at least attribute to them responsibility for the views therein expressed.

I think it would be very helpful to the voters to have more Senators record their views on more issues. It might have some more desirable effects on elections. The voters could better judge the political philosophy of the Members of the Senate. So I am one who does not hold to the view that silence is necessarily a virtue in political life. Certainly not in the Senate. I do not know how we shall ever succeed in American democracy in enlightening the people as to differences of political viewpoints which exist among Senators unless the Members of the Senate are perfectly willing to put themselves on record on various issues as to just where they stand.

It is true, Mr. President, that I talk on a considerable number of issues on the floor of the Senate, but I do not talk without study of them. I would not dare to because some of my colleagues would welcome a chance to challenge my facts. I am perfectly willing to let the contents of my speeches be the best proof of my preparation. Even though I speak without manuscript on many of the political, social, and economic issues involved in proposed legislation, I do not come to the floor of the Senate and speak on any issues without being thoroughly prepared for my speech. I have worked in the classroom for too many years, Mr. President, ever to walk onto the floor of the Senate and be guilty of what I thought was an implication, in the speech of the Senator from Wisconsin last night, of just talking. I would say to the Senator from Wisconsin that when he talks about camouflage, he needs to learn the lesson that calling either a proposition or its advocate names proves nothing against the proposition or the advocate.

Mr. President, why do liberals find it necessary, and why have they always found it necessary, on the floor of the Senate, to make a great many speeches on the various issues which come before the Senate? For the simple reason, Mr. President, that usually they can make, in caucus, little dent on the political organization of their party in the Senate. They always have found it necessary to take their case to the people. It is very interesting, Mr. President, over the years, to find how, by that process, they have been able sometimes to help their party lift itself by its own boot straps.

It has been very interesting to me to see that on various liberal issues, since I have been in the Senate, the Republican Party is much closer to some agreement on those very issues than it was even four short years ago. Take, for example, the general consensus of opinion developing in the Senate that we ought to do something about the Army Reorganization Act. It is very interesting to hear men on both sides of the aisle, who were obviously not in favor of a true reorganization and unification program in fact as well as in name, talking now in terms of the necessity for an Under Secretary of Defense, and for giving to the Secretary of Defense the authority he should have been given in the first place. Such a change in the law is necessary if we are to have a true unification of our armed services, in order to eliminate the petty jealousies, rivalries, jurisdictional disputes, and lobbying on the part of the separate agencies for greater appropriation of funds. It must be more than 2 years ago that some of us who consider ourselves liberals in the Congress of the United States introduced an armed forces unification and reorganization bill. It will be very interesting to take that proposed unification and reorganization bill which was introduced by liberals, and which I reintroduced this year, and lay it alongside of some of the proposals being made by those who have not shared our point of view on this as well as on other issues, and see how close they are now to the position we took on the issue 2 years ago.

I remember very clearly, Mr. President, the opposition on the floor of the Senate when I first introduced that bill and spoke about it at some length. I felt that coldness of silence and lack of acceptance of my proposal on the part of some of my colleagues. But now many of them are coming around to some of the features of it. As a member of the Armed Services Committee, I say, again, that if my party wants to make one of the greatest contributions it can make to the security and the defense of this Nation, it will proceed without further delay to adopt as a major policy a proposal for an effective unification and reorganization of the armed services along the lines of the bill which I introduced 2 years ago. I again assert, as I did 2 years ago, that confusion, inefficiency, departmental jurisdictional strife, and lack of effectiveness characterize the administration of the armed forces of America and will continue to characterize that administration so long as we have a unification law that is neither fish nor fowl. It is only a truce between and among the Army, Navy, and Air Forces, with a Secretary of Defense lacking in effective power to knock heads together at the Pentagon Building and the Navy Department in an attempt to give the American people a well coordinated, unified armed services organization operating under a single Secretary of Defense with an Under Secretary, a single Chief of Staff, and operating also under a single procurement office.

Mr. President, as I said 2 years ago—and the evidence has mounted and mounted ever since I said it—there is no question about the fact that any suggestion for a single procurement office covering the procurement for our armed forces stirs up tremendous fears not only in certain vested interests within the armed services, but also stirs up fears within the circles of certain vested economic groups in America.

Thus, once again, I say, convinced as I was 2 years ago, and more convinced than ever today because of additional evidence which I did not have 2 years ago, that section of my bill which calls for a single procurement office would save us at least $3,000,000,000 a year out of the armed services appropriation.

Mr. President, I have the advice of men well informed in regard to the operation of our armed forces administration that my figure of $3,000,000,000 is too low, possibly to the extent of another $2,000,000,000. I prefer to make the understatement as to the possible saving. But I desire to repeat that I think the duplication, I think the waste, I think that what amounts to very questionable practices in the procurement policies of the armed forces of this Government, ought to be stopped, in the interest of national security and defense. It ought to be stopped in the interest of making a contribution toward the establishment of a sounder American dollar, because everything we can do to save without sacrificing the welfare of our country, either from the standpoint of security through the armed forces, or its social and economic stability, such as would be effected by various pieces of social legislation on which I shall comment later, ought to be done. It ought to be done quickly, and the Republican Party ought to make it one of its major endeavors in the Eighty-first Congress.

Thus, Mr. President, I again invite my Republican colleagues in the Senate of the United States to consider a few of these liberal issues, because I would say to my good friend, the Senator from Wisconsin [Mr. WILEY], that the only definition of liberalism for which I stand is that definition which relates to a man's voting record on specific issues. Let me see that record, let me see it in its entirety, and I am not going to have any

difficulty, and the Senator from Wisconsin will not have any difficulty, nor will any other Senator in this body have any difficulty, in deciding in his own mind and heart as to whether or not the specific voting record of any Senator is a liberal voting record or a reactionary one.

But for the Senator's consideration I would call his attention again to another facet of my definition of liberalism, namely, that I consider it an obligation on the Republican Party to go forward with what I deem to be one of the fundamental tenets of the political philosophy of the great Lincoln. The tenet I refer to is that there does rest upon our party the solemn obligation to carry out a legislative program, under a representative form of government and a capitalistic economy, which always seeks to protect the politically and economically weak from the politically and economically strong, but does it within the framework of a private property economy, and in accordance with the legal guaranties and principles of the Constitution, including may I say to my southern friends in the Senate, the Bill of Rights.

Mr. President, that tenet frames, about as accurately as I can frame it, the liberalism on legislation of the junior Senator from Oregon. That framework of liberalism, I assert to my Republican colleagues, sets forth a legislative tenet which I am satisfied the overwhelming majority of the registered Republican voters of this country want my party to carry out.

For a long time I have been of the opinion that the registered Republican voters, plus the independent voters, have been more forward looking, more modern in their point of view, more desirous of legislation which will protect the weak from the exploitation of the strong, than has been the case with so many of the leaders of my party who have controlled the organization of the party nationally.

I observe the views of the American voters as I go across the country—and I do not confine my many speeches, I may say good-naturedly, to the floor of the Senate. I know of no one on the Republican side of the aisle who speaks to more audiences in America during a year than I do, and I intend to continue to do that, because it is the only way I have of carrying this cause of Republican liberalism to the people of this country in an endeavor to save the Republican Party from itself. That is what the party needs; it needs to be saved from itself. It needs to be saved from those tendencies within the party and those advisers within the party who would take us back to the 1920's. They want to go back to the 1920's because they are scared to death, apparently, politically speaking, that if they do not go back to the 1920's, someone may accuse them of being a "me too" party. If they go back to the 1920's they are going to be a "has been" party, there is no doubt about th .t.

They have not many years left, in my judgment, in which to make up their minds as to whether or not they are going forward or backward. The American people are not going to let them stand still. The American people have demonstrated that in one national election after another. The American people did demonstrate it in 1948, when by every possible conjecture and prophecy in which one had a right to engage, as early as March 1948, victory seemed assured in November, yet we suffered a defeat. If the lesson of that campaign has not taught my party anything, then certainly the movement of the party is doomed to be backward and not forward.

As to the duty of the Republican Party to move forward rather than backward, I wish to insert at this point in the RECORD, as part of my remarks, a short article I wrote for Parade magazine on February 13, 1949, entitled "GOP Liberals." In the course of that article it will be seen that I discussed the criticism that the Republican liberals propose a "me too" program, in these words:

Republicans need to remember that competition is the dynamic force of a free-enterprise system. Dynamic competitive principles must also be applied by the two major political parties in the contest for votes. The criticism directed at those of us who are fighting for a more modern, forward-looking Republican Party, to the effcet that we are proposing a "me too" political course of action, overlooks some basic principles of competition.

In the economic life of our free-enterprise system, a successful businessman is always alert to the public's interest in and approval of the merchandise of his competitor. He does not refuse to stock more up-to-date goods when he discovers such goods are filling his competitor's store with purchasers. Rather he tries to secure better-quality goods that will fill more economically the needs of the buying public.

The analogy has its limitations, but does help to focus attention on the fact that the supporters of reaction in the Republican Party need to learn much from business if they hope to satisfy the voters' wants. Their "me too" charge against liberal Republicans is but an alibi for their own lack of appreciation of the needs of our people.

Mr. President, I ask unanimous consent to have the entire article printed in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

GOP LIBERALS—IN THE SENATE THEY HAVE A PROGRAM FOR ACTION

(By WAYNE L. MORSE, United States Senator from Oregon)

The great American classic—the quadrennial race for the Presidency—has been concluded. President Truman, fighting against odds that all but he and a few others considered hopeless, won a victory last November which restored the Democratic party to the complete control of the Government. But now that the race has been run and the victory gained, the President and his party have the job of delivering on their platform promises and campaign pledges.

What role should liberal Republicans—and there are many of them—play in Congress, now settling down to the serious business of considering vital legislation on domestic and international affairs?

Some of the advice coming to me through the mail suggests that we join the Democrats because on some basic issues we have no significant differences with the Truman administration. Others blame us for losing the election because of this so-called "me too" attitude, and urge us to fall in line with the ultraconservative elements in the Republican Party.

Either course would spell ruin to the two-party system as we know it today, and would certainly relegate the Republican Party—whose first great standard-bearer was Abraham Lincoln—to oblivion.

The task of modern, liberal Republicans in the present Congress is twofold: to revitalize the party and to mobilize its forces behind a forward-looking program; secondly, to guard against unsound legislative proposals or existing devices endangering the rights of free Americans and our free enterprise system. Let me explain why I feel that this is so.

Republicans need to remember that competition is the dynamic force of a free-enterprise system. Dynamic competitive principles must also be applied by the two major political parties in the contest for votes. The criticism directed at those of us who are fighting for a more modern, forward-looking Republican Party, to the effect that we are proposing a "me too" political course of action, overlooks some basic principles of competition.

In the economic life of our free-enterprise system, a successful businessman is always alert to the public's interest in and approval of the merchandise of his competitor. He does not refuse to stock more up-to-date goods when he discovers such goods are filling his competitor's store with purchasers. Rather, he tries to secure better quality goods that will fill more economically the needs of the buying public.

The analogy has its limitations, but does help to focus attention on the fact that the supporters of reaction in the Republican Party need to learn much from business if they hope to satisfy the voters' wants. Their "me too" charge against liberal Republicans is but an alibi for their own lack of appreciation of the needs of our people.

Significant steps have already been taken by a group of forward-looking Republicans in the Senate to modernize the party.

One of their first moves was the attempt to revamp the party leadership in the Senate so that it would no longer stand as a symbol of reaction and defeatism. In that fight I was happy to join with Senators AIKEN, TOBEY, IVES, LODGE, SALTONSTALL, KNOWLAND, FLANDERS, SMITH of New Jersey, BALDWIN, YOUNG, GURNEY, and THYE in the effort to inject new blood into the party organization.

CANDIDATE LOSES, BUT LIBERALS GAIN

While Senator LODGE, our candidate for the position of chairman of the Republican Policy Committee in the Senate, was beaten 2 to 1, two encouraging facts should be noted: the composition of the policy committee was revised to give representation to the more modern point of view, and clear notice was served that the liberals would stand united as a general policy in the effort to shake off the cloak of reaction in which the Old Guard would garb the Republican Party.

We gained our point that contests for party office in the Senate should be decided by secret written ballot. We agreed that for the next 2 years the Republicans in the Senate should devote their major effort to making a record which will permit them to go to the people in 1950 without apology.

We recognize that the greatest organizational need of the party is to change the trend of registration among young people from the Democratic to the Republican Party. This means that the liberal forces shall insist that the national and State party organizations alike give increased opportunities for party positions and public office to young Republicans.

LIBERAL WING UPHOLDS BASIC FREEDOMS

On the broader front, the role of the Republican liberals is also beginning to take

definite shape. Let us list some of the measures already dropped into the legislative hopper by Senate members of this group, bearing in mind that the following catalogue is made well in advance of its publication.

A glance at the CONGRESSIONAL RECORD for the first few days of the present session of Congress makes it clear that the liberal wing of the Republican Party is actively sponsoring bills which make more secure the basic rights and freedoms of the American people.

Four members of this group joined with other Senators in proposing that the Congress prohibit discrimination because of race, color, faith, national origin, or ancestry—a measure that has had the overwhelming approval of Members of Congress but has failed of passage because of a Democratic minority.

Three of them sponsored a bill to raise the minimum wage to 75 cents an hour. Others again introduced the Federal aid to education bill. No less than four of them are active in backing the bipartisan effort to amend the Constitution so that the voters of this country may have a more direct voice in the election of President and Vice President.

Several of us, in keeping with our pledge to reform the rules of the Senate so that majority rule may prevail, introduced resolutions calling for amendments which would eliminate the filibuster; and we have continued to press for the earliest possible consideration of these proposals.

Among other measures that might be mentioned as part of the liberal program are bills to expand the coverage and benefits of the Social Security Act, to liberalize the admission of displaced persons, and to provide facilities for a labor-extension service.

Labor legislation that is fair to both employers and unions, and in the public interest, will be supported by the liberal Republicans. As this is written, it is encouraging to read that the administration appears to agree with those of us who urged the repeal of the Taft-Hartley Act and the simultaneous enactment of a revised Wagner Act.

In these early days of the Eighty-first Congress it is no visionary prediction to assert that Republican liberals will be found initiating and supporting additional legislation that will, in the best Lincoln tradition, place human rights above property rights. As constitutional liberals, they will fight against reactionaries on the one hand and leftists on the other.

They will support Government aid for improved health facilities and medical services, without adopting the socialistic principle of making the doctors employees of the State. Better housing legislation will be high on their list. Aid to scientific research is another objective liberal Republicans will sponsor.

Inflation controls, a tightening of the laws regulating monopolies, a more equitable Federal tax policy, a farsighted program of development and conservation of our natural resources, a long-range program of farm-price supports which will remove the causes of consumer criticism but at the same time protect farmers from violent price fluctuations—all are matters which Republican liberals will work for.

Many Republicans—but not enough to outvote the reactionaries in their own and the Democratic Party—have sponsored these reforms in the past. More of them will be found on the liberal, the human side of these issues in the days ahead.

In the field of international relations, every effort will be made to maintain a strong bipartisan foreign policy, so ably fostered by Senator VANDENBERG, for the past 2 years the Republican chairman of the Senate Foreign Relations Committee. The United Nations must be strengthened, for without a strong world organization the armament race will mushroom to such proportions that essential domestic legislation will have little chance of being realized.

The Senate Republican liberals are receiving increasing support. More and more registered Republicans and independent voters are appreciating that the way to make progress on domestic issues and on the international front is to make our capitalist economy and political democracy work through the safeguards of our constitutional form of government.

Mr. BREWSTER. Mr. President, will the Senator yield?

Mr. MORSE. I yield to the Senator from Maine.

Mr. BREWSTER. Apropos of what the Senator is saying, what is his thought as to the reason why 45,000,000 Americans eligible to vote, practically half of the electorate, stayed away from the polls? They did not swallow the New Deal, apparently, with Santa Claus, and they did not swallow the bait the Republican Party offered. What does the Senator think those people were thinking about?

Mr. MORSE. I shall come to the Senator's question in a moment. First, let me say that I think the number of people who turned out for that election was not particularly out of line with past elections.

Mr. BREWSTER. Oh, yes; it was the lowest percentage, I believe, in some 50 years.

Mr. MORSE. I think that whenever we can get in round numbers forty-five to fifty million people going to the polls in America, out of a population of 145,000,000 or 150,000,000, it is a pretty good turn-out.

Mr. BREWSTER. The people who are eligible, according to the census, are about 95,000,000.

Mr. MORSE. Yes.

Mr. BREWSTER. Is the Senator familiar with the figures in Canada? Seventy percent of the eligible voters turned out there, and in England it was 75, in France 80 percent, and in Italy in the last election it was 89 percent. Does the Senator mean to say that he, as a believer in democracy, is contented when one-half of the electorate stays away from the polls?

Mr. MORSE. Of course not, and for many years I have expressed publicly my sadness and my concern about the fact that more Americans do not make perfectly clear to the politicians at all times that they appreciate the great privilege they have in the use of the ballot by going to the polls and voting. I agree that it is most unfortunate that more of them do not vote, but I do not agree with the conclusion which the Senator from Maine apparently has reached, that in the 1948 campaign the percentage of voters who went to the polls, in contrast with the percentage of voters who have gone to the polls in the past, shows anything more alarming than that his party and mine and the party of the opposition apparently filled too many people with either disgust or a feeling of hopelessness. Apparently too many of them reached the conclusion that there was not anything they could do about it at the polls, or they took the attitude, as I think the Senator from Maine has implied, "Well, my vote does not count anyway." They showed that they do not appreciate the fact that each and every vote does count.

But I will say to the Senator from Maine that the job of the Republican Party, it seems to me, is to go forward with a campaign which, in my judgment, we did not go forward with in 1948, which will so enlist and elicit the interests of the people of this country that they will see the relationships between the ballot box and their future liberties and rights.

Mr. BREWSTER. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. BREWSTER. I hope the Senator will satisfy himself, as I have from the figures, that the steadily declining interest in our country in exercising the franchise, particularly in contrast with other countries, such as Italy, where there was such an amazing turn-out of the voters, indicates a lethargy which is disturbing, I think, to both political parties. I quite agree that it is a very serious reflection upon them.

Second, I do not know whether the Senator is familiar with the statement of Lord Bryce in the American Commonwealth that the great danger which the American Republic would face eventually—and he wrote this 75 years ago—a danger which would ultimately develop, is what he called a mob fatalism; that each individual would say that in a great country such as ours, with a population then of 75,000,000, and now nearly 150,000,000, "It does not matter what I do. I do not count."

Finally, I want to inquire of the Senator from Oregon whether he feels that the party which won the last election could justly claim a mandate when it produced, I think the exact percentage is, about 26 percent of the eligible vote? It was sufficient to win the election, but the suggestion that it was any overwhelming mandate for anything in particular would seem to me rather fantastic.

Mr. MORSE. I do not think the Senator from Maine was on the floor one day when I gave one of the many speeches to which the Senator from Indiana [Mr. CAPEHART] alluded last night, in which I discussed the very point the Senator from Maine now raises. In that speech I said that I think the last election could not be cited as a mandate on issues, and I discussed it in terms of labor legislation. I said on that occasion that it could not be cited as a mandate for any specific action on labor legislation in the form of bill A as contrasted with bill B. I think all we can say about it with respect to that issue is that in a good many States the Taft-Hartley law was an issue, made so in the campaign as far as State elections were concerned, and as far as the President was concerned, by his references to it. It undoubtedly had its effects on the election. But I certainly think one would be making a misstatement of fact and drawing a false conclusion if he stated and concluded that the election

was a mandate given to the Democratic Party for a repeal of the Taft-Hartley law. I say that as one who believes the Taft-Hartley law should be repealed. Good Republican policy dictates its repeal. But I do not believe the election was a mandate on the subject, nor do I believe it was a mandate given to the Democratic Party for specific action on any specific bill on any issue. But I hasten to add to my statement to my good friend from Maine that, taking the campaign of the Democrats as a whole, and the issues which they raised in their campaign, in contrast with what I think was a paucity of issues raised in the Republican campaign as far as specific stands on issues were concerned——

Mr. BREWSTER. Mr. President——

Mr. MORSE. Permit me to finish.

Mr. BREWSTER. May I suggest that is a masterpiece of understatement?

Mr. MORSE. I always try to understate. I always tried to teach my students in the law school that they had a better chance, I thought, to persuade either court or jury if they did two things: One, not overtry their case by overstatement, and, two, try to state the other fellow's case better than he stated it himself. I always try to make an understatement in advancing my arguments, I may say to my good friend from Maine.

I repeat, that taking the two campaigns in comparison, I think the conclusion must be reached that a majority of the people who did vote expressed a preference for the general program as offered by the Democratic Party in contrast with the program offered by the Republican Party. I say that was the view of a majority of those who voted, keeping in mind the fact that the Democratic Party, as far as the Presidential race is concerned, did not get a majority of the votes, but they got more than we got. So to the extent that they got more votes than we got I am inclined to attribute it to the fact that it represented a greater approval of those voters for the general program of the Democrats, and a tendency on the part of the voters to express a general disapproval of our program.

I may also say to my good friend from Maine—and I am sure he will not object to my citing a little election experience—that I sat in Eugene, Oreg., one night in the living room of a university faculty professor just before the election. There was a group of faculty members present. Most of those who were there were members of the university faculty and, interestingly enough, all Republicans. And interestingly enough, I think most of them would have considered themselves conservative Republicans or at least more conservative than I am.

It was illuminating to me to get their observations about the campaign that was to close the next Tuesday with an election. Here was their consensus of opinion after listening to one of the major speeches over the radio of the campaign: "Why, there was not anything in that speech that would cause me to vote for the Republican Party if it were not for the fact that I am already a Republican."

I would not overgeneralize from it, but there was a group of very intelligent people, and if that was the reaction of that group—and I have heard the same thing expressed by many others in other parts of the country—I wonder what the reaction of the independent voter in the country was of our campaign. I think we know now.

Mr. BREWSTER. I should not, of course, reflect on the Oregon electorate which exercised a substantial voice in the nomination of our candidate, but I think the election in the State of Oregon perfectly exemplified precisely what the Senator from Oregon said, because, if we remember correctly, our candidate in that instance conducted an affirmative and aggressive campaign, and carried it to every cross road, and apparently aroused considerable interest; and I think we agree that if he had carried through in that manner during the remainder of the campaign, at any rate the people would have known that we were having an election.

Mr. MORSE. Let me say that in the Oregon campaign he was fighting, in my judgment, for his political existence, and he went out and put on a personal campaign and did a magnificent job.

Let me say to the Senator from Maine that I am not one of those Republicans who blame the loss of the election upon Thomas E. Dewey. I am not one who blames the campaign strategy upon Thomas E. Dewey. I happen to be one who believes that what happened was that he followed what he considered to be a composite point of view, consensus of opinion of the wishes of the Republican leaders, which I think was a mistake. He apparently believed that he should follow that composite opinion for the sake of his party. He has been criticized—I think unfairly and unmercifully—because he did not campaign from coast to coast, issue by issue, in defense of the Eightieth Congress. I ask, Why should he? I think the main responsibility in defending the Eightieth Congress rested upon the Republican leaders in the Eightieth Congress; and I say most respectfully that I think most of them made too few speeches in the campaign in defense of the Eightieth Congress. I know the explanation of some of them is that they were not invited to do so.

I have the notion that at campaign time, when we are out fighting for our party, so long as we do not take a position which injures our party—and that frequently becomes a matter of judgment, I admit—there rests upon each of us the responsibility of getting in there and pitching with all the energy we have in an effort to convince the American people that if they place their confidence and trust in us, we will lead them to a sound representative government in the public interest.

Mr. BREWSTER. Mr. President, will the Senator further yield?

Mr. MORSE. I yield.

Mr. BREWSTER. The Senator heard the expression of the leadership principle from the other side, that a leader is one who is led by his people. I gather that the Senator does not subscribe to that philosophy.

Mr. MORSE. It is like most general rules and general tenets. There is great truth in it; but we cannot consider it separate and distinct from many other rules, obligations, and duties which rest upon one in a campaign. I know of no evidence that the great leader of our party during the last campaign did not welcome every bit of help that he could get. I know of no evidence that he would not have welcomed every Republican in the Senate going out and campaigning from the beginning to the end of the campaign in regard to the Eightieth Congress issue, because I think it was our job to make the Eightieth Congress issue clear. However, to make it clear it was necessary to admit some failures of the Eightieth Congress, and I fear there were too many Republicans in that Congress who did not want to admit its mistakes and failures.

Mr. BREWSTER. Mr. President, will the Senator further yield?

Mr. MORSE. I yield.

Mr. BREWSTER. The Senator from Maine did not intend to raise the question of whether our candidate was responsible, wise, or otherwise. I entirely associate myself with the comments of the Senator from Oregon that he did what nearly everyone thought at the time was perhaps a proper course. In retrospect, the Monday morning quarterbacks can see that it was a mistake. He, above all others, suffered most.

But I come back to the original point which I made, that perhaps we have all learned a lesson and that we must first have issues which seem calculated to serve the national welfare; second, we must see that those issues are eloquently and earnestly presented to the people through all the media of modern communication.

Mr. MORSE. On that point we are in agreement. It is with respect to some of those issues that I desire to address the Senate this afternoon. Before I enumerate some of the issues upon which our party in the Eighty-first Congress ought to make a very specific record, I wish to make a few comments to clear up what I think were some misunderstandings which were indicated in the remarks of the two Senators from New Jersey last night.

On page 2699 of the RECORD the junior Senator from New Jersey [Mr. HENDRICKSON] stated:

> In conclusion, Mr. President, I want to say that I have resented, personally resented, many of the implications which have been so much a part of some of the addresses which have been made on the question before the Senate. My action has been prompted solely by a patriotic urge to see this great body meet its obligations—all of them—fully and squarely.

I assure the junior Senator from New Jersey that it was not my intention in any of my speeches to implicate him in any way in any course of conduct which would cause him to make a statement which, in turn, would cause some of my colleagues—as has been the case—to infer that the Senator from New Jersey was referring to my speeches in opposition to the Wherry substitute amendment. The junior Senator from New Jersey in private conversation has

assured me that he did not have me in mind. I am glad to have that assurance, but I want to make this statement for the RECORD, so that he will definitely understand that any remarks I made were certainly not made with the intention in any way of creating any resentment on the part of the junior Senator from New Jersey. I do not resent his feeling of resentment, as set forth in that paragraph, because I do not think there is any basis for his resentment, at least so far as anything I said is concerned.

However, the senior Senator from New Jersey [Mr. SMITH] did specifically refer to me, so there is no doubt as to what he meant. He said:

I am shocked by the implication which has been made by some of my friends on this side of the aisle, including my good friend the Senator from Oregon [Mr. MORSE], to whom I am devoted, that there was some kind of a deal between the GOP and the Dixiecrats, and that a new party was being formed, and that the deal would go further than what he then mentioned. I wish to say that, so far as I am concerned, there was no deal, no discussion of a deal, and no purpose to have a deal, but only a purpose to have the Senate transact the Nation's business and a purpose to try to find some way to improve the present cloture rule, inasmuch as practically all of us know it is impossible to obtain cloture under the present rule or to get majority cloture in the Senate this year.

I am sorry that the Senator from New Jersey is shocked, but I wish to address myself for a moment to what I think is a very serious fact in regard to what transpired in the debate over the cloture vote. There may be certain differences between us over the definition of the word "deal." If he wishes to substitute the word "accommodation" or "arrangement," it is all right with me. I do not deny the right of Members of the Senate who participated in that agreement, accommodation, arrangement, coalition, round robin, or whatever one may choose to call it—I will accept any word which describes it—to enter into such a coalition so long as they understand the point I am trying to make. I do not deny their right to enter into such an arrangement; but I do not feel that they gave full consideration to the effect of their action upon the position of some of their Republican colleagues in the Senate who were opposed to it. I say that because whether they want to admit it or not, the fact is—and one has only to read the press to see the interpretation of their action which is being given to the public—that the arrangement which they entered into was publicly interpreted as being official Republican policy. I know that they deny that they intended to speak for the Republican Party in the Senate. I know that they had no intention of taking a step that would be subject to the public interpretation that official Republican policy had been established by way of the agreement or arrangement or coalition principally with the southern Democrats which they entered into. But what they did to the rest of us on the floor of the Senate as Republicans was to put us in the position where, no matter what we said, as the Senator from Missouri [Mr. DONNELL] pointed out so clearly last night, we could not possibly persuade them to change their votes. I say that because at least the signers of the so-called arrangement who have talked to me—and I think the statements of others on the floor of the Senate indicate that I am absolutely right about it—considered themselves committed to the Wherry substitute, no matter what the rest of us established by way of proof against it on the floor of the Senate. In fact, I am satisfied that if it had not been for the commitment on their part, the amendment of the Senator from Missouri would have been adopted last night, because at least one Republican in the group has told me that he thought the Senator from Missouri had a good case, and he was sorry he could not vote for it. I believe many others in the group would express similar views if asked.

I appreciate the fact that these Republicans who formed the coalition with the Democrats believed that a duty to perform what they thought was a great service rested upon them, and that they acted out of the highest of motives and the best of purpose and intent. Apparently they believed the only way they could possibly change the Senate's cloture rule was to take what amounted, in fact—I do not care what it is called—to a round-robin procedure on the floor of the Senate.

I would call their attention to the round robin in the Senate in 1917 and to the statement made in the Senate on that occasion by Senator Vardaman, of Mississippi. He said that some 40 Senators had favored cloture by majority vote, but that they felt bound by the two-thirds-vote provision of the round robin. In other words, Mr. President, after they had time to give further consideration to the matter, further argument apparently caused them to change their minds, so far as the personal beliefs of some 40 of those Senators were concerned. This led Senator Vardaman to say that some 40 of them would have preferred a majority-vote provision. I do not say that all of them changed their minds after they signed the round robin; perhaps some of them had that view in the beginning, when they signed the round robin. But I cite the round robin of 1917 to show that it has been used before, but that does not change the fact that it is a very bad practice.

I can only express the hope that in the future if any of my Republican colleagues feel they must work out, on any coalition basis with any group, whatever it may be, some understanding in regard to a compromise, they will do what the Senator from Illinois heard us do in the Committee on Labor and Public Welfare this morning in regard to some very important pieces of legislation which we voted to report to the Senate. We agreed that although we would vote to report the legislation to the Senate, we wished it understood that our minds would be open on the floor of the Senate to consider any amendments and any suggestions anyone might wish to make on the floor of the Senate for changes in the proposed legislation. I do not think that a rule against round robins should be a rule of the Senate, for I recognize that this is not the type of matter which should be subjected to a rule, because that would infringe upon what I think is the freedom of action of the Members of the Senate. But this afternoon I make a plea that we should never again find ourselves, as Republicans on the floor of the Senate, in a position where a group of our colleagues, without formal party conference action approving the specific proposal they bring forth, have committed themselves to such an extent that the rest of us cannot possibly change their opinions, no matter what we bring in by way of argument and fact to justify a change of opinion.

Mr. President, if what we are trying to work out is a maximum of teamwork on our side of the aisle, in order to present to the American people the type of forward-looking program which I think we need in the Republican Party, I think the practice of a round robin or a commitment by a group of Republicans, under any arrangement or agreement, with a group of Democrats, ought not be based upon any commitment or moral obligation to vote for that arrangement no matter what takes place on the floor of the Senate.

Mr. KNOWLAND. Mr. President, will the Senator yield for a question?

Mr. MORSE. I yield.

Mr. KNOWLAND. I was going to inquire of the able Senator from Oregon whether he was under any impression that the so-called round robin, or whatever it may be termed, had any effect upon the Members of the Senate on this side of the aisle or upon Members of the Senate on the other side of the aisle, for that matter, in respect to their casting their votes against the amendment offered by the Senator from Oregon, which provided for a simple-majority-of-a-quorum cloture rule.

Mr. MORSE. Oh, I am sure it did not.

Mr. KNOWLAND. Because I was going to say to the able Senator from Oregon that long before the so-called substitute had been presented, informal surveys which had been made on both sides of the aisle had indicated that there probably would not be more than two votes on this side of the aisle and five or six votes on the other side of the aisle in favor of a simple-majority-of-a-quorum cloture rule. So at the time when the President of the United States made his statement in regard to majority cloture, it was obvious that he had no chance whatever of obtaining it, and he did not even have the support of the majority party leadership in the Senate.

Mr. MORSE. Oh, I am sure that the round robin, or whatever label we may wish to give to the arrangement about which I am speaking, had no effect on the proposal of the junior Senator from Oregon for majority-vote cloture.

I am happy to say, however, and I wish to recall this to the Members of the Senate, that in 1917 some 40 Members of the Senate apparently would have agreed with the position now taken by the junior Senator from Oregon. The passage of time is not necessarily an indication of what has happened to the progress of a party; but in this particular instance I would say—speaking from the standpoint

of my own personal conviction on this matter—that I think my party has taken a long step backward since 1917, on this issue.

I wish to assure the Senator from California that I am very proud to stand on my record for majority rule in the Senate of the United States, because I am convinced that again, on this issue, I am standing for a progressive principle which a majority of the American people will support, once they come to understand the issue. I am never going to feel very bad whenever I find myself standing for what I believe a majority of the American people stand for, because I have the old-fashioned idea that under our elective system we should seek to stand for the crystallized, carefully thought out, permanent opinion of the people of the country. I hold to the view that whenever we think their opinion is wrong we should seek to take the facts to them, to change their minds if we can. Of course, if we think they are wrong on enough issues and if we fail to take the facts to them, so as to change their minds on enough issues, we know what will happen to us and what should happen to us: We shall be retired from public life.

So I am perfectly willing to have those Members of the Senate who are opposed to majority rule in the Senate, to take their case to the American people, just as I propose to take my case to the American people; and we shall let time determine whether they are right or I am right—or, should I say, whether the President of the United States and the junior Senator from Oregon and the six other Senators who last night voted in favor of majority rule are right.

The other day I said I had a little informal matter to settle in regard to the majority-rule fight here on the floor of the Senate—in short, a wager with another Senator as to whether the number of votes in support of my amendment would be five or six. I said there would be five; the other Senator said there would be six. However, both of us were wrong, for there were seven votes in favor of it. There were eight Republicans against the substitute Wherry amendment, and seven of the total membership of the Senate in favor of my proposal for majority rule. That is one more than the number that the Senator who challenged me to the wager thought my resolution would receive, and two more than I thought I would get for my own resolution. So I wish to say to the Senator from California that I had no doubt as to what the outcome would be.

I was perfectly confident I was going to take a whale of a licking on my proposed amendment, but I am used to it. If there is one thing I can take it is a licking; and I am going to get licked for a period of time on a lot of these other things I am talking about today. But until the Republican Party comes to some of them, I am satisfied it is going to continue to take some lickings, too.

But let me go back to this matter I want to raise in regard to the comment by the senior Senator from New Jersey. I merely want to say that the deal or the arrangement or the agreement or the understanding or the coalition that he entered into along with 51 others, I think is an unsound arrangement as a matter of parliamentary policy in the Senate of the United States. I fully recognize that those men who signed the round robin or the agreement will not agree with me. Had they agreed with me, they would not have signed it in the first place. But I can express the hope that the Republican Party will not be faced with another day as it is today, where the press of the country, with remarkable uniformity, has given the impression or has made the interpretation that the arrangement amounts to a deal, to a coalition. I know that denials that the arrangement had anything to do with anything else other than this particular cloture matter are made in good faith. I accept the word of those who say that the arrangement was limited to the cloture issue. But I want to say there are a great many doubts about that in the minds of many people. I think one of the dangers of the round-robin policy is that, having signed or agreed to a particular resolution, there is a strong pull to go along together on other issues. Feelings of gratitude are likely to be created. Thus if and when, if ever, most of the Republicans on such a round-robin resolution find themselves in agreement with the Senators on the other side of the Senate who joined with them in it, the charge will be made that the coalition is again standing together. At least such a charge will be made, and I do not see how there is any escape to it, untrue though it may be.

Mr. KNOWLAND rose.

Mr. MORSE. I yield to the Senator from California.

Mr. KNOWLAND. I am sure my able colleague from Oregon will recognize the fact that there was no deal of any type or character for any other type of legislation involved. I am sure the Senator will bear me out that when the roll is finally called on the dozens of issues that will be before the Senate, whether they be the North Atlantic Pact or the ECA or labor legislation, or housing, or a dozen other issues that will be before this body, there will be found Senators on both sides of the aisle voting in different proportions on all those issues, and on some of them some of the southern Democrats will be joined with the northern Democrats. I do not think the Senator will then charge that there has been some kind of an alliance or deal for that purpose.

But in the normal course of legislative activity the Senators are going to vote their own convictions, and I think the facts will be amply demonstrated as the session proceeds.

Mr. MORSE. I am sure that what the Senator from California says is the fact, and is certainly exactly what the Senator from California had in mind when the arrangement was made. If the Senator from California has the slightest doubt about my view, let me remove the doubt from his mind right now. The junior Senator from Oregon does not have the slightest feeling that the Senator from California would at any time bind himself to a legislative program involving many issues. He may bind himself on one issue, but I know the Senator from California would not enter into any legislative trade whereby he would bind himself to vote for one particular proposal such as the Wherry substitute amendment, in return for a pledge that he would also vote for certain other pieces of legislation that may arise in the future.

I want the Senator from California to understand my position on that. But I am simply saying to the Senator that whenever a group of Republicans enter into what amounts in fact to a round-robin coalition with a group of Democrats, they run the danger of the public believing that such an arrangement probably is behind the scene, and one has only to read the press to know that such a danger has materialized in this instance.

Let me say this in regard to what I have heard on the floor of the Senate and read in the press concerning a possible future civil-rights bill. I shall be very much interested in whether or not, in the Eighty-first Congress, the Republicans, including the Republicans who joined with the Senator from California on the Wherry substitute, as well as other Republicans, really press forward, for example, for the types of civil-rights legislation which will make it possible to put the Bill of Rights into practice, such as the fair-employment-practices bill. Of course, if the program should be an anti-poll-tax bill or an antilynch bill by way of constitutional amendment, I may say I think that will do great damage to the Republican side of the aisle. I think the Negro groups in America, the minority groups in America, are looking to the Republican Party to pass Federal legislation by way of establishing a Federal policy for the courts to pass on in respect to civil rights. They want the Republicans to pass specific bills and then let the courts say as to whether or not the legislation falls within the confines of the Constitution on the subjects of antilynching, antipoll tax, and antidiscrimination and not leave such matters to the several States by way of constitutional amendments. I fear that if constitutional amendments should be our strategy, we almost guarantee that there will be no antilynch or anti-poll-tax or antidiscrimination protection for the Negroes of the country for many, many, many years to come, if ever. I think the power of Southern States to block such constitutional amendments is sufficient to make it certain we are not going to protect civil rights through constitutional amendments.

I may put it this way. I have talked to a considerable number of my friends among the southern Democrats since I have been in the Senate. They have said to me, and they keep saying to me, "Wayne, now, do not worry about this poll-tax business. We are getting rid of it. We are getting rid of it just as fast as we can. We have got a little more persuading to do in the South. Just let us alone, and we will get rid of the poll-tax requirement." They say that in perfectly good faith, and I want to give due

credit to those southern leaders who have in many Southern States succeeded in getting rid of the poll tax. But I want to hasten to add that I think the rest of them have had plenty of time. I think the time has come now when the Federal Government must make perfectly clear that under Federal policy by way of legislation and not by constitutional amendment, there shall be no poll tax as a condition precedent to the exercise of what ought to be a free franchise in America. The courts may find us wrong; I do not think so; but honest men may differ on that. I am perfectly willing to let it go to the courts, but I am not going to vote in the Senate, I may say, for any proposal for a constitutional amendment either on an anti-poll-tax law or an antilynch law, or on a fair-employment-practice law. I am going to urge that we proceed as rapidly as we can, and I should like to make a test of cloture on it, Mr. President, in this session of Congress, for a fair-employment-practice law, along the lines of the very sound piece of legislation which the junior Senator from New York introduced in the last session of the Congress, and which he has reintroduced in behalf of several of us in this session of Congress. Incidentally I may say I think that the introduction, the mere introduction, of that piece of legislation in the Eightieth Congress, and the clear record that was made in the Eightieth Congress of the determination on the part of a substantial number of us over here to make that a matter of Republican policy, is one of the things which more speakers should have stressed in the late lamented campaign. I left no room for doubt in that campaign as to where I thought the Republican Party should and would stand in the field of civil rights if the voters of the country would place sufficient confidence in it to give it the privilege of serving them in both the Congress and the White House.

Mr. President, I hope I have made myself clear in my reply to the senior Senator from New Jersey concerning my position in regard to the alleged deal which is supposed to have been made with reference to the coalition which took place in connection with the Wherry substitute.

What are some of the issues on which I think the Republican Party should commit itself in the Eighty-first Congress? I think it should vote for legislation on these issues, and I think it should try to get a record vote of every Republican in the Eighty-first Congress on those issues, because, I repeat, we are no more liberal than our voting record. What we say is of value, Mr. President, only to the extent that we back up with our votes what we say in the Senate of the United States. That is the reason why I am always willing to submit my position on liberalism to the people of the country through my voting record.

Let us for a moment consider social security. I think with regard to that, the Republican Party has, to a great extent, failed to demonstrate to the people of the Nation that Republicans believe in an adequate self-supporting social-security program. When I say "self-supporting," I do not mean that there shall not be substantial public contribution to it. Certainly the public's duty to pay its share of the benefits which should be given to persons who reach an age at which they cannot support themselves in health and decency, rather than have those persons relying on charity for the rest of their years is open to little if any argument. All I can do is to give my interpretation of what has been the general attitude of the Republican Party on social security. There has been some lip service to the idea of social security. There has been no proposal, may I hasten to add, of repealing any social security we already have; at least, there has been no responsible Republican representation to that effect in the sense that our party, through its political platforms has ever proposed repeal. In fact, I am interested in the argument of those who charge some of us as following a me-too program.

We may ask them, "What is it you want us to repeal?" But when it comes to basic social and economic reforms, they have little to say when we ask them to cite specifically the great pieces of social legislation which have been passed in the past 20 years which they would like to see repealed. I go back 20 years, Mr. President. In fact, I could go back 25 years, because many people do not seem to realize that much of the foundation for some of this legislation was laid during Republican administrations. I have said before, and I repeat now, that if Herbert Hoover had been reelected in 1932—and I well understand why he was not reelected—some of the same principles of legislative reform which were adopted under a Democratic administration would have had to be adopted under a Republican administration. There was no possible way of stopping that trend; and of course it should not have been stopped. There is no way of stopping the present trend on the part of persons demanding that our Government recognize that it must pass that legislation which is necessary to protect the common good. My disagreement with the Democrats on social legislation has been in part a disagreement over administrative powers and policies rather than over objectives.

I ask the Republican Party today if it is willing to extend the coverage of social security. I find in the councils of the Republican Party, shall I say by way of understatement, a general hesitancy, if not open opposition, to extending the coverage of social security.

Mr. President, as a liberal Republican, I say to my party that it ought to extend the coverage of social security. I say to my party, I think there is a growing demand, and it will increase with intensity, that the Republican Party recognize that the strength of the capitalistic system is to be found in the fact that it can be made to work in the interest of protecting the welfare of all our people. A capitalistic system does not mean, according to my mind, that we have to have several millions of people living under a capitalistic economy, in conditions of underprivilege, of poverty, or disease. When there is any substantial number of people in the citizenry living under those conditions and circumstances, we have a hothouse bed of social unrest and we have fertile ground in that bed for the planting of seeds of ideologies which would seek to overthrow and destroy the capitalistic economy and the political democracy upon the joint operation of which I think is dependent the freedom and the liberty of every American.

I am not giving blanket endorsement this afternoon to any kind of social-security bill that may be thrown into the legislative hopper, but I say the objective of the Republican Party in regard to social security, Mr. President, ought to be in the direction of extending its coverage, so that persons living under a capitalistic system shall not have to live in fear when they reach old age and cannot get employment they will have to sell pencils, or pass their hat, or plead for charity. That does not build up a citizenry of people characterized by personal dignity and patriotic confidence in democratic government and a capitalistic economy.

Oh, I keep saying to the businessmen of the country as I talk to them, "It is up to you to help save the capitalistic system. It is up to you at least to help save the capitalistic system by helping the officials of Government make it work in order to remove this ever-gnawing fear which disturbs so many American people because of the apprehension that after they have given their all to the economic life of this country in their declining years, they may have to live on charity."

That is related to the problem of broader coverage, and when I say broader coverage, I mean adequate pensions for the aged. My confidence in the capitalistic system is such that I do not think that a pension system in this country should involve such a small amount that it is perfectly obvious that an old person who has to accept it cannot possibly live on that pension amount. Of course there is much work which needs to be done from an actuarial basis to see to it that over the producing years of the individual he does make a substantial contribution to a pension fund so that he can accept his pension check in his declining years in self-respect. I have never shared the notion that self-respecting old people believe that they have the right to a pension check without having during their producing years made the contributions which justify their accepting social security in their old age. I say we should make more rapid strides and progress toward this end than we are making. The first thing we should do is to work out the problem of coverage, and the second thing is to increase the amount of pension. One hundred dollars a month on existing values would not be an unreasonable amount to aim for.

Closely related to that is the question of the minimum wage. I wish to see my party take a specific stand on minimum-wage legislation in this session of Congress. I do not consider the increase in the amount the most important facet of the minimum-wage problem. We all know that there are few employers—

there are some but there are few employers in this country—who are paying a minimum wage of 40 cents an hour. We know that in most manufacturing industries today most employers are paying at least 75 cents an hour. So I say that the amount of the increase of the wage is not the most important factor in this controversy over the minimum wage, but I do say that the coverage of minimum wage is the most important factor.

I recognize that there is a need for a clarification of a great deal of ambiguity in regard to interstate and intrastate commerce in regard to the Wage and Hour Division's interpretation of whether or not a given industry is affected by or affects interstate commerce. We should face that problem of definition, and the Republican Party in the Eighty-first Congress should come forward, I think, with a piece of legislation which can clear up that ambiguity. The need for this clearance is certainly manifested by the testimony of the general counsel of the National Labor Relations Board, Mr. Denham, when he appeared in the hearings of the Labor and Public Welfare Committee on the so-called administration Thomas labor bill. I hope the Members of the Senate, when we get to the matter of eliminating the powers of the general counsel under the new labor bill, will turn to the reference I now make. At those hearings I read into the record the testimony of Mr. Denham which he gave back in July 1947, I believe it was, before a subcommittee of the House committee, as to how broad he thinks the so-called legal criterion of an industry affecting interstate commerce is. As I read his testimony I came to the conclusion that he might even go so far as to include a barber shop because in it the barber shaves and cuts the hair of traveling men. I speak of that facetiously. He did not say that, but he did by example after example of businesses in this country indicate that he finds it very difficult to name any business which might not possibly come within the jurisdiction of the general counsel of the National Labor Relations Board to issue complaints, on the ground that the business affects interstate commerce.

I am sure I betray no confidence, in fact, I only refer to statements the Senator from Ohio [Mr. TAFT] made in the record at the time the general counsel of the National Labor Relations Board expounded this remarkable theory of his as to the meaning of the phrase "business affecting interstate commerce." The distinguished senior Senator from Ohio [Mr. TAFT] commented on Mr. Denham's conclusions. I think his exact language was that he totally disagreed with the observation of the general counsel on that point. Irrespective of what the exact language might have been, there is no doubt about the fact that the senior Senator from Ohio expressed great concern over the fact that the general counsel of the National Labor Relations Board labors under the belief that practically all businesses in this country fall within the legal phrase "affecting interstate commerce." Of course, if that is true, as far as the operation of the National Labor Relations Board is concerned, it should be true as far as the operation of the Fair Labor Standards Act is concerned.

I therefore invite my Republican colleagues in the Eighty-first Congress to direct their attention to the problem of what the coverage should be under any minimum-wage act, and if they are going to do a statesmanlike job on it, they should clear up, for the benefit of American businessmen, this ambiguity and uncertainty which exists in respect to the meaning of "interstate commerce" and "intrastate commerce."

Mr. President, I think we also have to have the courage to tell the various pressure groups which are putting on so much heat these days to get an exemption of their employees from the Fair Labor Standards Act, even though those employees are engaged in a business which affects interstate commerce; that we of the Republican Party—and I hope the Democrats, too—will make clear that we think that, as a matter of public policy, it is unfair to discriminate between and among employees on the basis of the many exemptions we are asked to grant in connection with the minimum-wage law. It is either the public policy of this country or it is not to have a minimum-wage law. If we are to have one, we ought to have a minimum-wage standard protecting American workers generally. If that is the public policy—and I say it should be the public policy and it should be good Republican policy, too—then let us stand up and be counted against the many proposals for exemptions in a minimum-wage law.

I have never seen produced any satisfactory proof in any of our hearings which convinced me that a fellow who works in X shop, the employer of whom thinks the shop should be exempted from the Fair Labor Standards Act, even though he admits it affects interstate commerce, gets any less hungry, or has any less need, or is any more free from fear of insecurity for his loved ones, than the fellow who works in Y shop, for an employer who does not seek an exemption, and to which shop the Fair Labor Standards Act applies a minimum wage coverage.

Mr. President, to me it is a very simple matter, and it is a point I keep making to employers who want me to vote for this exemption and that exemption and the other exemption. The purpose, as far as this feature of the Fair Labor Standards Act is concerned, is to set out what we consider to be a floor on wages below which employers should not be allowed to go, because it would be bad public policy to subject free American workers to a lower wage scale.

Mr. SPARKMAN. Mr. President——

The VICE PRESIDENT. Does the Senator from Oregon yield to the Senator from Alabama?

Mr. MORSE. I yield.

Mr. SPARKMAN. Does the Senator subscribe to the view that the basis for this type of legislation is the interest the Federal Government has in interstate commerce?

Mr. MORSE. Well, we have to put it on that basis in order to get Federal jurisdiction.

Mr. SPARKMAN. That is what I mean.

Mr. MORSE. Yes.

Mr. SPARKMAN. The question that always bothers me about it is just where is that line to be drawn, dividing that work which is in interstate commerce or affects commerce to the extent that it may be considered within the jurisdiction of the Federal Government from that which is outside the jurisdiction of the Federal Government, that is outside of interstate commerce.

Mr. MORSE. I may say to my good friend from Alabama that although I am prepared to discuss that matter in great detail it would take a detailed discussion of not less than an hour for me to go into it this afternoon. Therefore, I am going to reserve that discussion for the Senate when the minimum-wage bill comes up. All I am seeking to do this afternoon is to make a record here which I hope will be an encouragement to the Republicans in the Senate to meet head-on this question as a matter of Republican policy calling for an extension of minimum-wage legislation for workers who, in fact, as a matter of legal definition, work in industries affecting interstate commerce.

I do not say here this afternoon that I close my mind to any evidence that may be offered which will show that some exemption can be justified, but I do say to the proponents of any exemption, "The burden of proof is clearly on you to show a set of facts which will justify an exemption, and to show that the public interest will not be jeopardized, and the interest of the workers involved will not be jeopardized if we grant you the exemption."

Mr. President, the next item I am going to mention, and I am going over it very quickly, is veterans' legislation. I think the Republican Party still owes much more to those veterans who were disabled, who suffered as the result of their participation in the armed services of this country, than it has yet granted to them. I am sitting these days on a subcommittee on veterans' hospital problems. I want to support what the Senator from Florida [Mr. PEPPER] said the other day in the committee, that the issue which ought to determine this hospital matter is the answer to the question: What is the need for hospitalization for the veterans? And whatever that need is, then I say to the Republican Party we ought to go forward with legislation in the Eighty-first Congress which will provide the hospital facilities and services to meet that need for our veterans.

Next, we have the question of Federal aid to education. The Committee on Labor and Public Welfare this morning voted out a Federal aid to education bill, Mr. President, and also a bill to provide Federal aid to health service for school children. I recommend those two bills to my Republican colleagues as sound, liberal Republican legislation, and I hope they will line up in support of the majority of the Committee on Labor and

Public Welfare which reported the bills this morning.

I have already commented, Mr. President, in regard to the whole national security program, insofar as the organization of our armed forces is concerned.

Now let me say a word in regard to the relationship of the support of our armed services to the maintenance of peace in the world. I have not had an opportunity as yet to study in detail the North Atlantic Pact, but I want to dissociate myself here and now with those Republicans who propose as Republican policy the point of view that if we enter into the North Atlantic Pact, we do not undertake what I think are very definite moral obligations to defend freedom when it is attacked or aggressed against by Russian communism.

I want to repeat that in other words, Mr. President, because I think we will be deluding and deceiving the American people if we think we are even going to have time to declare the next war. If it comes, it will be on us with no warning whatsoever. It certainly will come, Mr. President, if we do not make perfectly clear now to the Soviet Union that we have no intention of standing by and letting her diminish by territory after territory those parts of the world in which personal freedom and self-government prevail today.

Oh, I have no misunderstanding of the interpretations and the possible misinterpretations that will be made of that statement. But I am not one who ever kids the American people, and I do not believe they want to be kidded.

Mr. SCHOEPPEL. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. SCHOEPPEL. Upon what assumption does the Senator base what the Republican Party's view is going to be on this European pact the Senator has just referred to? I would like to be enlightened.

Mr. MORSE. I have made no assumption as to what it is going to be.

Mr. SCHOEPPEL. I rather gathered the Senator did when he said he wanted to disassociate himself with them, however.

Mr. MORSE. "Those Republicans," I said.

Mr. SCHOEPPEL. I thank the Senator.

Mr. MORSE. I will let the RECORD speak for itself. I am sure I said "those Republicans." And I want to repeat it. I here and now disassociate myself with those Republicans who seem to hold to the view that if we enter into the North Atlantic Pact we are not entering into any moral obligation to protect freedom and self-government from Soviet aggression. We cannot escape it. I do not believe in form over substance. I think we ought to come to the substance of this matter. The substance of this matter is the question of whether or not the American people are willing to recognize that our national self-interest, our own skins, if you will, depend upon our making clear now that we are going to stand out against aggression of totalitarian ideologies against freedom whenever that aggression takes the form of an act of war against a free people.

I do not share the opinion that the issue means that other people will declare war for us, and we shall be thrown into it through the back door. To the contrary, I am satisfied that because of the understandings and machinery which will be set up under any pact, and because of the machinery of the United Nations, the American people have no need to fear that they will not be protected from any possible coalition or devices or strategy that would throw us into war against our will. No Member of this body will vote more quickly than I will against any attempt on the part of any combination of people to take advantage of the United States in respect to any professed aggressions against their rights. But when I say that I am not going to kid the American people in regard to the world security problems which confront us I wish to make it clear that I believe that if we do not keep ourselves strong enough to defend ourselves against Russian aggression and make it perfectly clear to the Soviet Union that we are going to help other people defend themselves against Soviet aggression, we have not a chance of stopping a third world war. But I think we can win the peace, Mr. President, if as a people we make clear that we went into World War II in support of freedom—in support of freedom for keeps, and not just for the war.

Thus I happen to hold to the point of view that the best evidence we can give to the Soviet Union that she must be willing to live in peace with us and the other countries which join with us in the North Atlantic Pact is to make clear that we will not permit of any aggressions against the peoples who join in that pact.

Mr. President, there are many other international issues upon which I shall comment at a later date; but I wish to reiterate here this afternoon that I think it is good Republican policy to make very clear to the signatories to the United Nations Charter that we expect the principles of the United Nations Charter to be lived up to by the signatories thereto. That means, of course, that we expect the signatories to the United Nations Charter to live up to the decisions of the Security Council. In my opinion that means specifically that the Dutch cannot justify ignoring the decisions of the Security Council in Indonesia, and then, by a turnabout, say to us that they are entitled to funds under the ECA.

These things must work both ways. Good faith cannot be limited to Europe in this modern day. A nation either acts in good faith around the world in her relations with all the world, or she does not act in good faith at all.

Mr. BREWSTER. Mr. President, will the Senator yield?

Mr. MORSE. I yield to the Senator from Maine.

Mr. BREWSTER. What would the Senator say to the argument which has been presented to the Senator of Maine, that we must disregard the defiance of the Security Council's directives by the Netherlands because unless we give them the $300,000,000 or $400,000,000 they are asking this year under the ECA, they will not join the North Atlantic Pact?

Mr. MORSE. I think the argument is unsound. I think we must make clear that it is Republican policy that we intend to do our part, along with the Democratic Party, in making the United Nations work, but insisting that all signatories to it live up to their obligations under it.

I close by saying that in addition to the issues I have mentioned there are many others with respect to liberal legislation, some of which I have already introduced, and some of which my colleagues have introduced, to which I think my Republican brethren in the United States Senate need to give most serious attention in this session of Congress, if they have any hope of going before the voters in 1950 and asking for the election of a majority of Republican Senators in that election, or going to the voters in 1952 and asking them to elect a Republican administration not only in the Congress, but in the White House.

Mr. President, I hope I have succeeded in making clear one further point in these remarks. Any time any of my colleagues—be it my good friend from Indiana [Mr. CAPEHART] or my friend from Wisconsin [Mr. WILEY]—wish to make a suggestion by implication, even, that Senators be restricted in their right of free speech on the floor of the Senate on the merits of issues as they see them that I shall at the next and first opportunity make a speech in preservation of our right as Senators to speak on any issue we desire to. I shall also join in a cloture petition any time a Senator or group of Senators attempt to turn the right of free speech in the Senate into license to filibuster.

Mr. BREWSTER. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

The PRESIDING OFFICER (Mr. DOUGLAS in the chair). The Senator can yield only for a question, not a statement.

Mr. MORSE. I am yielding only for a question.

Mr. BREWSTER. Is it possible to conceive of anything more hypocritical than for our representatives in the Security Council to avow their devotion to its decrees, to demand their observance, and then to give $400,000,000 to the Nation which is defying those decrees?

Mr. MORSE. My good friend from Maine uses language stronger than I ever liked to use, when he uses the word "hypocritical." I should like to answer his question by saying that I think it is a mistake for them to reach the conclusion on this particular subject which they have reached.

Mr. BREWSTER. Do I gather from that that the Senator from Oregon would be inclined to support an amendment which would provide that money should not be granted under the ECA to countries which refused to observe the decisions of the Security Council?

Mr. MORSE. I think it is one of the obvious inhibitory measures which we

have the right to use against any organization which refuses to carry out what I consider to be the law of nations established by the United Nations Charter.

THE NORTH ATLANTIC SECURITY PACT

Mr. KEFAUVER. Mr. President, the people of the Nation, and particularly Members of the Senate, read with interest the text of the North Atlantic Security Pact. All of us are hopeful, of course, that if and when the pact is ratified it may fulfill the aims and ambitions of the participating nations and of the people of the world by giving us real security in the North Atlantic region, and bringing together for peaceful purposes the people of the democracies which have joined in the pact.

In connection with the pact, I feel that the most encouraging prospect for an eventual North Atlantic security arrangement that will really work for the maintenance of peace and world stability is found in the announcement of the formation of the Atlantic Union Committee for a Federal Convention of Democracies. The announcement of the formation of this committee was made on Tuesday, March 15. In my opinion, the formation of this committee represents great vision and force in the furtherance of a permanent plan which will strengthen the possibility of preventing a third world war and enable the people of the world to have peace for generations to come.

The Atlantic Union Committee, headed by former Supreme Court Justice Owen J. Roberts, includes many important and influential citizens—Robert P. Patterson, Will L. Clayton, Clare Luce, Herbert Agar, Edmund Orgill, Gardner Cowles, Elmo Roper, Harold Urey, and other influential men and women. The program of the committee is a bold step, and, in my opinion, it is the one that must be taken eventually if we are to realize the dreams and ambitions of the peace-loving peoples of the world.

I agree with the committee in its stated view that the alliance provided for in the Atlantic Pact will be an immediate step to prevent war, and will bring the democracies closer together; but I do not think it will be enough to insure permanent peace.

The Atlantic Union Committee was organized recently as a result of a meeting of citizens and community leaders from all over the country. At that meeting the following resolution was adopted:

Resolved, That an action committee be formed for the purpose of (a) enlisting public support for a resolution to be introduced in Congress inviting the other democracies, with whom the United States is forming an alliance, to meet American delegates in a federal convention to explore possibilities of uniting in a federal union of the free; and (b) continuing this support until such a federal union of democracies becomes an accomplished fact.

Mr. President, in order that Members of Congress and the people generally may consider this proposal, which I think is the one means that we have of really securing peace and stability during the years to come, I wish to quote from statements made by the three principal officers of the Atlantic Union Committee, which were released on Tuesday:

The purpose of the Atlantic Union Committee is to bring about a union of the democracies signing the Atlantic Pact.

He expressed belief that the alliance provided for in the Atlantic Pact would be an immediate step to prevent war, and would bring the democracies closer together; but he declared that it would not be enough to insure permanent peace.

He said:

After Congress has acted on the pact, this Committee will ask Congress to pass a resolution calling for an international convention to explore how far the United States and the other democracies could wisely go at this time in forming a true federation of the Atlantic democracies. Such a federation would be formed within the framework of the United Nations.

Such a federation would offer three immediate benefits. It would strengthen the United Nations. It would raise the standard of living and lower the cost of military security for all. When organized, the union would admit other nations which protect individual liberty by law, and practice representative government. In the meanwhile, it would make democracy so powerful that the Kremlin could not hope to start a war with any prospect of success.

The Honorable Robert Patterson stated:

A union of the democracies will convince the Kremlin that the democracies mean business. The Kremlin will immediately see that the creation of a federal defense force for a union of nations would be far stronger than any staff agreements between separate nations.

Yet nothing could be more in the spirit of peace symbolized by the United Nations, than for some of its members to reach the ultimate degree of understanding involved in formation within the United Nations of a federal union by mutual consent. The calling of a federal convention of Atlantic nations to discuss union would immeasurably strengthen the United Nations.

The Honorable Will Clayton declared:

The preservation of peace and freedom is the only thing that counts in the world today. Russia is on the march, determined to communize the world. Russian communism opposes the civil freedom and the religious freedom which democracy holds dear. There is only one way to stop Russia short of war. Democracy must be made to work in all those lands which are still free. In economic terms, democracy works when people have more to eat, more to wear, and better homes in which to live. This rising standard of living can only be realized in the modern world by releasing the world's productive capacities through striking off the shackles of economic nationalism, and by reducing armaments. This calls for an economic merger of the democracies. I favor union of the free, believing it to be the only road to world freedom, world prosperity, and world peace. I believe such a union is the next step forward in the spiritual, economic, and social development of the human race.

Mr. President, among officers of the committee, besides Justice Roberts, Robert Patterson, and Will Clayton, are: Herbert Agar, Gardner Cowles, Elmo Roper, Dr. Harold C. Urey, and William L. White. Earl E. Hart is executive director.

This movement, Mr. President, in my opinion, is another step toward the realization of the inspired plan for a union of the free peoples of the North Atlantic region. It is difficult for us to recognize that history is being made by this movement; for although we can appreciate to some degree the immediate effect of it, few of us are aware of the great potential that it holds.

I hope this proposal will be discussed fully in Congress and throughout the Nation. The high standing of the sponsors of the Atlantic Union Committee justifies its being given full consideration. Mr. Clarence Streit, who has devoted unselfishly of his wisdom and energy for so many years for a federation of democracies, is advocating adoption of the program of approving the Atlantic pact first and then securing consideration of a resolution for a constitutional convention.

This is a bold step, Mr. President; but in an age like this, vision and boldness are necessary if we are to maintain unity in the interest of peace. Alliances may be satisfactory over short periods of time, but we know that in the long run a federation of democracies presents the best opportunity for halting the spread of communism and preventing war. In order to have unity for the prevention of war there must be cooperation not only on a military basis but in economic matters and in the formulation of foreign policy. These are possible only through a federation of democracies.

Mr. President, I am very pleased on my part to note in the text of the North Atlantic security pact that, in addition to the provisions for military requirements, the signatory nations realize and appreciate that there must be economic cooperation and some cooperation in the making of foreign policy with the same objectives in view. I am also pleased to note that in article 9 of the proposed pact the parties agree to establish a council which shall consider matters concerning the implementation of the pact. I believe that is a step toward the ambition of a federation or a limited federation which over a period of years and generations would represent the best chance of having real security in the Atlantic region and of preventing wars in the generations to come.

WITHHOLDING OF SPEECHES FROM THE CONGRESSIONAL RECORD

Mr. WHERRY. Mr. President, if the majority leader will permit, I wish to ask unanimous consent to have the transcribed observations and statements made yesterday by the Senator from West Virginia [Mr. NEELY], together with his entire speech and colloquy with the other Senators, printed in the body of the RECORD.

Mr. LUCAS. Pardon me, but is it not in the RECORD now?

Mr. WHERRY. No; it is not in the RECORD now.

I call to the Senator's attention the following statement appearing on page 2747 of the daily CONGRESSIONAL RECORD:

[Mr. NEELY addressed the Senate. His speech will be published hereafter in the Appendix.]

What I should like to do is to obtain unanimous consent from the majority leader——

Mr. LUCAS. I have no objection.

Mr. WHERRY. If there is no objection, then the speech in its entirety, together with all the colloquy which was engaged in at that time, as taken down by the Official Reporters, will be printed in the body of the RECORD.

Mr. LONG. Mr. President, will the Senator yield for a question?

Mr. WHERRY. I yield.

Mr. LONG. What could possibly be the reason for placing the speech in the Appendix, rather than in the RECORD itself?

Mr. WHERRY. I wish to discuss that for a moment. I now have obtained the unanimous consent I requested, and I deeply appreciate it.

I am bringing this matter to the attention of the majority leader because I wish to cooperate in every way in helping to expedite the work of the Senate.

I have made a considerable check on this subject. This morning I was asked about some remarks I made in that colloquy; and I went to the RECORD to ascertain the exact words I used in answer to some of the questions the Senator from West Virginia propounded to me. But all I find in the RECORD is this statement:

[Mr. NEELY addressed the Senate. His speech will be published hereafter in the Appendix.]

Mr. LUCAS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. LUCAS. Of course, the present occupant of the Chair was not in the Chair at that time, but may I ask whether the Parliamentarian remembers what took place then?

The PRESIDING OFFICER. The Chair understands that the Senator from West Virginia is withholding his remarks for revision, which is privileged.

Mr. WHERRY. Mr. President, I will not yield further, if that point is going to be injected into this discussion. I did not propound a parliamentary inquiry as to what the Senator from West Virginia was doing with the speech. I simply requested unanimous consent, and now I have obtained it; my request was not objected to. Was not that the order of the Chair?

Mr. LUCAS. I do not have any objection, but I should like to know the reasons back of this. As suggested by the Senator from Louisiana, I do not quite understand why the Senator from West Virginia would place the speech in the Appendix of the RECORD. I do not understand it at all.

Mr. WHERRY. Mr. President, what is the ruling of the Chair?

The PRESIDING OFFICER. May we wait for an opinion in this matter from the Parliamentarian?

Mr. WHERRY. Yes.

Mr. President, as I understand the situation, the majority leader has said he has no objection. I am asking for the ruling of the Chair.

Mr. LUCAS. I have no objection to it.

Mr. WHERRY. Very well.

Mr. LUCAS. But it seems to me——

The PRESIDING OFFICER. Is there objection?

Mr. LUCAS. Reserving the right to object——

Mr. WHERRY. Oh.

Mr. LUCAS. Reserving for a moment the right to object, please, let me say I do not quite understand what all this is about. Perhaps the Senator from West Virginia [Mr. NEELY] should be here when the request is made. It would not be very difficult to delay it until the coming Monday. I still do not understand why it should be printed in the Appendix of the RECORD, when there was a colloquy on the floor of the Senate between the Senator from Nebraska and the Senator from West Virginia. That is what I cannot understand.

Mr. LONG. Mr. President——

The PRESIDING OFFICER. Does the Senator yield to the Senator from Louisiana?

Mr. LUCAS. I yield to the Senator.

Mr. WHERRY. Mr. President, I have the floor.

Mr. LONG. Mr. President, will the Senator permit me to make a statement at this time?

Mr. WHERRY. I will, but I want to get it straightened out as to who has the floor.

Mr. LUCAS. The Senator from Nebraska has the floor; there is no question about that.

Mr. WHERRY. That is correct. I am glad to yield to the Senator from Louisiana.

Mr. LONG. Having heard the debate yesterday, I would simply state that the Senator made a speech, and there was an exchange of repartee, none of which seemed to be particularly out of the way so far as I noticed. To me it is inconceivable that it should not have been reported and printed in the RECORD.

Mr. LUCAS. Mr. President, a parliamentary inquiry.

Mr. WHERRY. I yield.

The PRESIDING OFFICER. The Senator will state the inquiry.

Mr. LUCAS. Was there any unanimous consent given?

The PRESIDING OFFICER. The Chair was not aware of it.

Mr. LUCAS. Was unanimous consent given at the time?

The PRESIDING OFFICER. Does the Senator mean at the time the Senator from Nebraska made his request?

Mr. LUCAS. No. Was unanimous consent given at the time, yesterday, for the Senator from West Virginia to place his remarks in the Appendix of the RECORD instead of in the body of the RECORD?

The PRESIDING OFFICER. The present occupant of the chair was not in the Senate Chamber at the time the Senator from West Virginia made his speech. It is the understanding of the Chair that no consent was given, but that the Senator has a right to withhold his remarks for a stated period of time for revision.

Mr. LUCAS. Mr. President, a further parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state the inquiry.

Mr. LUCAS. How can the Senator from West Virginia withhold his remarks for further revision and yet the remarks be found in the Appendix of the RECORD?

Mr. WHERRY. Mr. President, I can answer a good many of those questions.

Mr. LUCAS. I should like to have the advice of the Parliamentarian.

Mr. WHERRY. I think I can explain the rules of the Senate. I have examined them rather closely. In order to get away from any altercations, or, if there is a desire to recess, if I could get unanimous consent—and I thought I had it from the majority leader—that all the remarks of the Senator from West Virginia, including the colloquies in his speech, be transcribed and placed in the body of the RECORD, that is all I am asking.

The PRESIDING OFFICER. After consulting the head of the Corps of Official Reporters of Debates and the Parliamentarian, it is the opinion of the Chair that, as stated, a Senator has the right to withhold his remarks for a stated period of time for revision, and that then they can be printed. When withheld, the only place they can subsequently be printed obviously is in the Appendix, for the RECORD of the day on which the speech was delivered has already been issued. In this case the CONGRESSIONAL RECORD for March 17 has already been printed and delivered. When the permanent RECORD is published, some 30 days from now, the remarks of the Senator from West Virginia will be transferred from the Appendix, in which they will appear within a few days, to the permanent RECORD, at the point at which they were made on March 17.

Mr. LUCAS. Under those circumstances, Mr. President, I think I shall have to object to the unanimous-consent request, until the Senator from West Virginia returns. If he has not corrected or revised his remarks and is merely withholding them until such time as he can revise them for the permanent RECORD, I think I should not take advantage of the Senator from West Virginia by agreeing to the request. I think the Senator from West Virginia should be here to argue that out with the Senator from Nebraska.

The PRESIDING OFFICER. The Chair would like to suggest to the Senator from Nebraska that, of course, he can look over the copy before it is sent to the printer as to the colloquies in which the Senator from Nebraska and the Senator from West Virginia participated, to make certain that the statements ascribed to the Senator from Nebraska are correct.

Mr. WHERRY. Now, Mr. President, you are in the chair, and you are not arguing as a Senator with me on the floor. I simply asked for unanimous consent. Since then you have brought in the Parliamentarian and the Official Reporters, and in the colloquy between you and the Senator from Illinois, you

are attempting to build a case as to why the Senator is not here, and what he should have done under the rules. At first, I had unanimous consent, and nobody objected. Now, when I ask for it, the majority leader comes in and says, "I want to withdraw consent." If you had put the unanimous-consent request, then I would have had it, and I was entitled to it. All in the world I am asking—and I had unanimous consent—is that the speech the Senator from West Virginia made and the colloquies he had, be printed in the body of the RECORD, and I would have had that unanimous consent if it had been put. But you withheld it, and now as a Senator in the chair you are arguing with me, after you got information from the Official Reporters and the Parliamentarian, what I should do. That is for me to decide.

The PRESIDING OFFICER. The Chair is not arguing with the Senator.

Mr. WHERRY. I yield for no purpose.

The PRESIDING OFFICER. But the Chair may say that, as the Chair understands it——

Mr. WHERRY. Mr. President, I do not yield the floor for any purpose.

Mr. LUCAS. The Chair has a right——

Mr. WHERRY. No; I have the floor, not the Chair. The Senator from West Virginia yesterday made a speech of about an hour's length, and in that speech, which was a very forceful speech, he made many statements about this man and about that man, and indeed three or four or five Senators engaged in a colloquy. I feel that inasmuch as colloquy was engaged in, those who entered into that colloquy should have everything they said in the RECORD.

I want to read the rules, because I believe that the Senator from West Virginia is within the rules in following the procedure he did. Certainly, I have no complaint at all with the Official Reporters who took the speech down; they did what they should have done. But I want to say for the first time in the 6 years I have been here a new course is being taken, even though it is within the rules, of holding out of the daily RECORD, the only RECORD I care particularly about, because by the time 30 days is up and the permanent RECORD is published, who cares then about what was said on a previous day when the subject was current? The speech is not available. It will not be available for 30 days, and then, unless I take the pains to go over and correct the copy, so far as my colloquy is concerned, it is printed in the RECORD as furnished by the Senator from West Virginia.

Now, Mr. President, we have a rule which is entitled "Return of Manuscript," reading as follows:

When manuscript is submitted to Members for revision it should be returned to the Government Printing Office not later than 9 o'clock p. m., in order to insure publication in the RECORD issued on the following morning—

That is the provision, in order to insure publication in the RECORD issued on the following morning—

and if all of the said manuscript is not furnished at the time specified, the Public Printer is authorized to withhold it from the RECORD 1 day. In no case will a speech be printed in the RECORD of the day of its delivery if the manuscript is furnished later than 12 o'clock midnight.

It is my contention that under that rule the Senator from West Virginia had the right to keep the manuscript out till 9 o'clock, and if he did not return it then, it is my interpretation of the rule that the Public Printer is authorized to withhold it from the RECORD for 1 day.

The reason for that is that all of us, when we engage in colloquy or debate, have a right to revise our own remarks. That precedent has been established in the Senate. The majority leader well knows that very often we engage in colloquies, and we feel that the questions we ask and the answers which are made are in the RECORD, and we depend upon it. In the colloquy we have made our position clear. If the procedure is followed of withholding remarks from the RECORD, it means practically that we delete them, for the colloquies in which occurred the remarks are not available in the RECORD at all, until the end perhaps of a 30-day period. I cannot find any record showing that a Senator has to return manuscript at the end of 30 days. There is no penalty involved. It is simply not printed in the RECORD if it is not returned within 30 days.

The second rule provides that if manuscript or proofs have not been returned in time for publication in the proceedings of a given day the Public Printer will insert the words:

Mr. —

In this case, the Senator from West Virginia—

addressed the Senate. His remarks will appear hereafter in the Appendix.

Will they, or will they not? Under the rule there is a 30-day limit on printing the remarks, and if they are not returned the speech will be completely deleted and no one can know what the RECORD is. I have been told that that occurred in the House many years ago. I wanted to bring the matter to the attention of the Senate for its own information.

I can conceive of the Senator from West Virginia becoming ill; I can conceive of his rushing away from the Capitol without correcting his remarks. He may have had the intention of coming back, but he failed to do so. I am not talking about that. But going to West Virginia, as I understand he did, from which he will not return until next week, means that his remarks will not be corrected within the 1 day allotted to him, and that they may not be printed in the Appendix of the RECORD within the next 30 days. If he does not want them printed, they will not be printed at all, and whatever the RECORD would have indicated as to my remarks and those of my colleagues on this side of the aisle will be completely deleted. Apparently that is a rule of the Senate.

Mr. President, I did not intend to make a speech at all. I only asked the majority leader to permit the remarks of the Senator from West Virginia and the colloquies in connection with them to be printed in the body of the RECORD. If that cannot be done, I have a right to get the transcript of the notes and read it into the RECORD.

I am not charging that the Senator from West Virginia acted in bad faith. He may be ill; I do not know; but can the Senator decide that he does not want his speech in the RECORD at all? Can he withhold his remarks until 9 o'clock or 1 o'clock, or not have them printed in the RECORD within 30 days? It has been said that they will appear in the permanent RECORD. That RECORD is one thing, and the daily RECORD is another thing. Even if they are printed in the permanent RECORD, there may be difficulty in getting it done. If such a course is to be pursued, and if 95 Senators indulge in it, we will not have any RECORD at all.

I am not charging anyone with bad faith. There was no objection when I requested unanimous consent. I think the Presiding Officer should have submitted the request. I say, in all sincerity, that all I want is a complete record of the Senator's remarks printed in the body of the RECORD. If a speech can be absolutely deleted from the RECORD, I think it is a bad policy.

Mr. President, in view of the fact that I am not charging any Senator with bad faith, I respectfully submit that the Senate should grant my unanimous-consent request, so that we may not start a new system which might be followed and which, I think, would cut out speeches, which certainly none of us intend to do.

Mr. TOBEY. Mr. President, reserving the right to object, I should like to address myself to the minority leader for a moment. I came in when the Senator was practically through with his remarks, and I have two observations to make. It seems to me, in reference to the remarks made by the Senator from West Virginia yesterday and which do not appear in the RECORD, there is a manifest unfairness in the procedure. For instance, if I make a speech and refer to another Senator in words of praise, or words of condemnation, or of cynicism, or of sarcasm, it might be that I would want to see those words the next day. If a Senator makes a speech in which he refers to me in a disparaging manner, a sense of righteous indignation might rise in my breast because of the Senator's disparagment of me. But in this case perhaps there is a kind and disposing providence that overrules things, and it may be that it is doing all of us a favor in not publishing the remarks to which the Senator has referred. It is manifestly unfair for me to make a speech and not allow it to be printed in the RECORD. I am told there is a custom of 30 days withholding from the RECORD, which I do not think is fair. I point out that if we are condemned or even praised we have a right to see what has been said about us.

Mr. WHERRY. I want to thank the Senator from New Hampshire for his observations. I completely agree with them.

Mr. TOBEY. Most Members of the Senate are very human, and we rush to the RECORD to see what we have said and

how it looks in print. Is not that correct?

Mr. WHERRY. The Senator is correct.

Mr. TOBEY. The Senator from West Virginia is a modest man; he shrinks from that sort of thing, and he does not want it to appear in the RECORD, mirabile dictu.

Mr. WHERRY. Mr. President, I am also a very modest man, and I shrink from these things. I take the same position as that taken by the Senator from New Hampshire. I made it plain when I started that I was not charging the Senator from West Virginia with bad faith, but I cannot understand why he took the action he did. After an examination of the rule I think it can be shown that I am not saying he took any unfair advantage of the rule. I went to the RECORD to find out what the Senator had said, because I was told that in a colloquy he had paid me a very high compliment, and I wanted very much to have it in the RECORD, right in the body of the RECORD, so far as that is concerned.

Mr. TOBEY. He called the minority leader a general.

Mr. WHERRY. I asked unanimous consent. Perhaps I was treated fairly. I do not want to charge any unfairness to my colleague from Illinois. I highly respect him. I hope that in less than 6 years we shall become fast friends.

Mr. LUCAS. We are friends now.

Mr. WHERRY. I want it said about me that I have tried to be fair and that I get along with my colleagues. I would rather have that said about me than anything else. The reason why I raised the question, Mr. President, is that I do not think we should start such a procedure in the Senate as would permit a Senator to make a speech and rely upon the rule that if he does not have the transcript of his remarks back to the Public Printer by 9 o'clock they will not be printed that day, and he can keep his speech for 30 days and, at the end of that time, if he does not want it printed at all, he can keep it out of the RECORD altogether.

Mr. HAYDEN. Mr. President, will the Senator yield to me?

Mr. WHERRY. So that there may be no misunderstanding or unjust criticism in all of this, inasmuch as I did at one time get unanimous consent from the majority leader, I am going to renew the request that the speech that was made be printed in the RECORD. I wanted the Senator from West Virginia on the floor when I made the request. He has good reasons for being absent, no doubt on official business, or for some good reason he is in West Virginia, and I understand he will not be back until next week. I did not want to let this go until next week. I would at least like to have that speech included in the official RECORD as it comes out tomorrow. I think that is not unreasonable. So I ask, Mr. President——

Mr. HAYDEN. Will the Senator yield to me?

Mr. WHERRY. I am glad to yield.

Mr. HAYDEN. I do not like to grant unanimous consent unless I have some word from the Senator from West Virginia. My understanding is—and all it is based on is a conversation with the Official Reporter—that the Senator from West Virginia was greatly fatigued yesterday evening, and did not feel that he had the strength, or the disposition, at least, to go over his remarks. I assume he considered that what he had said was a rather important matter, and he wanted to be careful about it. If there was some disposition on his part to withhold the speech completely, and he so declared, that would be a different matter. If it went over only for a day, or another day, I cannot understand how my good friend from Nebraska could complain.

Mr. WHERRY. Let me make one observation. The Senator was not in the Chamber when I asked unanimous consent.

Mr. HAYDEN. No.

Mr. WHERRY. I have a high regard for my colleague from Arizona, the chairman of the Committee on Rules and Administration. I think it is highly important that if this speech has any value, it be printed now. So far as that is concerned, it finally will be printed in the permanent RECORD, after the 30 days has passed. I would not be particular about it then. If it has any value, it has it now. It has been asked on the floor by the distinguished Senator from Louisiana whether there was any particular reason for the rule. I found the speech was informing. I cannot see any reason in the world why the Senator would want to withhold it.

Mr. HAYDEN. I cannot, either.

Mr. WHERRY. If it was because of fatigue, there is good reason; but why anyone should object to giving unanimous consent to my request I do not know. But if unanimous consent is not to be granted, then I am going to take whatever course I can to see that my rights are protected, as well as the rights of other Senators who engage in colloquies, because I think a Senator may feel that is one way he makes his own record, when he asks question and they are answered.

Mr. LUCAS and Mr. HAYDEN addressed the Chair.

The VICE PRESIDENT Does the Senator from Nebraska yield; and if so, to whom?

Mr. WHERRY. I yield first to the minority leader. I beg pardon; I should have said the majority leader.

Mr. LUCAS. The Senator is so used to feeling that he is the majority leader that he keeps referring to me as the minority leader, and I can understand how the Senator feels about it and how disappointed he is over the situation, but that is perfectly all right.

Does not the Senator think now that if he waits until Monday, when the Senator from West Virginia returns, he can accomplish what he desires? I know the RECORD will come out in the morning, and the Senator would like to see it and see about himself and the Senator from West Virginia, and would like to have the time to read it, but can he not do that on Monday or Tuesday?

Mr. WHERRY. Why should I wait? Why should I not have unanimous consent? The majority leader gave it to me once.

Mr. LUCAS. Yes; I gave it to the Senator. He just sort of slipped up on me and I gave it to him. [Laughter.] I did not realize what the Senator was trying to do. I am learning more about the position of majority leader as I go along. I have had many conferences recently, and the more I take part in them and the longer I act as majority leader, the more I am learning. From all I can learn, the Senator from West Virginia apparently left without editing his remarks, and I do not think there is a Senator here, unless it is the Senator from Nebraska, who does not edit his remarks, to see whether he has split any infinitives, or made grammatical errors, and has checked up on them. Last night the Senator from West Virginia was very vigorous and very enthusiastic about the whole situation, and it is very possible that at that time he may have made a couple of grammatical errors and wanted to look the remarks over, wanted to edit them, and was going to withhold the speech until he could get back here so that he could take a look at it. I do not think that is unfair. I still do not know why, if he does withhold, the speech has to be put into the Appendix of the RECORD. Perhaps that is the rule.

Mr. WHERRY. It is.

Mr. LUCAS. Why it should be put in the Appendix, I do not know. I do not see why it should not be in the body of the RECORD. If the Senator corrects his remarks for the permanent RECORD ultimately, he satisfies himself in that respect, but when the RECORD goes out to the people of West Virginia, the chances are they read more in the Appendix than in the body of the RECORD. That has been my experience.

Mr. WHERRY. I do not agree with the Senator. I have the floor——

Mr. LUCAS. I thought the Senator yielded.

Mr. WHERRY. I did. Just let me make one observation.

Mr. LUCAS. I was trying to make one myself.

Mr. WHERRY. The Senator has made a very good one. One thing the Senator said was that all the Senator from West Virginia wanted to do was to correct a couple of grammatical errors. It is my opinion that among the things he said were some he probably would rather not have in the RECORD, just to be frank about it.

Mr. LUCAS. He called the Senator a "general." He may want to take that back.

Mr. WHERRY. I do not want him to take it back. I want it in the body of the RECORD. I am not charging the Senator from West Virginia with bad faith, if a man is ill he might have the best of intentions, but the majority leader has raised the very question I have raised, namely, Why should these speeches be printed in the Appendix; why should they not go in the body of the RECORD?

Mr. LUCAS. I will refer——

Mr. WHERRY. Just a moment. The majority leader says they should not go in the Appendix of the RECORD. If a

Senator withholds his remarks, does not publish them for 30 days, there is no record at all. I want it in the body of the RECORD. That is why I asked unanimous consent today.

I am not criticizing the Official Reporters. I have never seen a better group of men in my life. They are just as fair as they can be. The Senator from West Virginia asked that he might look over his remarks, and when he did not return them by 9 o'clock, he had another day to return them. He did not return them then, and went to West Virginia. The only procedure that can be followed from here on is that some time within 30 days he might have them printed in the Appendix of the RECORD, and there is not any penalty if he does not have them printed at all.

It is true that sometime we can find the speech in the permanent RECORD. When some historian wants to find what was said, he will go to the Congressional Library and find it in the permanent RECORD. I am interested in the daily, the current RECORD. And let me tell the majority leader that if he wants to carry on the program of the Senate, and 95 Senators do what this Senator has done, he will not get very far with the program.

Mr. HAYDEN. Mr. President, will the Senator from Nebraska yield?

Mr. WHERRY. I yield.

Mr. HAYDEN. The Senator has asked unanimous consent that the speech be printed in the RECORD.

Mr. WHERRY. In the body of the RECORD.

Mr. HAYDEN. Tomorrow morning.

Mr. WHERRY. In the next issue.

Mr. HAYDEN. Let me assume that the Senator from West Virginia, being fatigued, took the transcript with him to West Virginia. How is it to be printed?

Mr. WHERRY. It is right out here in the Official Reporters' office.

Mr. HAYDEN. How could the Senator get it?

Mr. WHERRY. I could go to the reporters and have the notes transcribed. I want a copy of the RECORD, because if the speech the Senator places in the permanent RECORD finally is not that speech, I am going to direct it to the attention of the American people.

Mr. HAYDEN. The Senator would not think the Senator from West Virginia——

Mr. WHERRY. I would not charge the Senator from Arizona with anything or the Senator from West Virginia with anything. I have said time and again that I am not charging the Senator from West Virginia with bad faith. All I did was submit a very simple request. It was so simple and so reasonable that the majority leader granted my request, and if the Senator presiding at the time had put the request, I would have received permission. It was very fair and very reasonable. All I want is what the Senator from West Virginia said. Certainly he is not ashamed of what he said, which has already been said before the people of the country. All I want is that it be placed in the body of the RECORD. That is all I ask.

Mr. LONG. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. LONG. I wonder whether the Senator does not have in mind that the speech made by the Senator from West Virginia last night is probably the maiden speech he has made, and that he might be very careful to see to it that all the commas and periods and other punctuation appear in his speech.

Mr. WHERRY. That is all right. He has the punctuation in his speech now. I think he has had the RECORD long enough so probably it is correct, from his point of view.

Mr. President, I should like to see this session end in complete harmony. I am again going to ask the majority leader, the Senator from Illinois, if he will consent to my unanimous consent request that the speech of the Senator from West Virginia be printed in the body of the RECORD, together with the colloquies which occurred between him and other Senators at that time so we may have it all in the RECORD for tomorrow morning. That is all I ask, and it is a very simple request.

Mr. LUCAS. Under the circumstances, I do not think I can consent. I will say to my friend from Nebraska that I still cannot see the necessity for doing this on the spur of the moment.

Mr. WHERRY. On the spur of the moment?

Mr. LUCAS. Yes; without the Senator from West Virginia being present.

Mr. WHERRY. The Senator refuses to give his consent?

Mr. LUCAS. I think I would be compelled to refuse.

Mr. WHERRY. Very well. Then I will conclude my speech.

Mr. LUCAS. I must refuse, with all due deference to the Senator from Nebraska.

Mr. WHERRY. Later on I am going to make an exhaustive research of the rules. I have made a hasty search. I shall engage in exhaustive research. I thought I knew what the rules were. I think I understand them. I will say to the Senate now that we are establishing a precedent here which I do not like.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. MORSE. Is the Senator from Nebraska willing to associate himself with the junior Senator from Oregon in proposing a new rule so we can get civil-rights legislation adopted more quickly than under the rule we adopted last night?

Mr. LUCAS. The Senator had better be very careful about that.

Mr. WHERRY. I should like to have the Senator from Oregon associated with me as the proponent of a new effective rule, because we could then get the legislation through much faster than we secured action on the resolution which finally was adopted last night, which had been under discussion in the Senate during the past several weeks.

Mr. LUCAS. I should like to ask the Senator from Nebraska——

Mr. WHERRY. Mr. President, I have the floor.

Mr. LUCAS. Is the Senator proposing another coalition now?

Mr. WHERRY. I will go along with anyone to make possible the adoption of rules which will be best for the United States Senate, even with the Senator from Illinois, if he wants to join.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. DOUGLAS. Is the Senator from Nebraska aware that each page of the CONGRESSIONAL RECORD costs the taxpayers $71, and that the Senator from Nebraska has already cost the taxpayers $200 since he got up?

Mr. WHERRY. The Senator from Illinois, as I understand, is a man who has conducted exhaustive researches and the result of his researches has been to enlighten the American people. I will say to him that if during the next 6 years he will confine his remarks on the floor of the Senate to a time equal to that used by the Senator from Nebraska in speaking on the floor of the Senate, he will save the taxpayers of the United States a great deal of money.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. WHERRY. I wish to conclude my speech. Is the Senator going to agree to my unanimous-consent request?

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. WHERRY. I will yield if the Senator will agree to give me unanimous consent.

The VICE PRESIDENT. The Senator from Nebraska either yields or does not yield, and not on condition.

Mr. WHERRY. I yield.

Mr. LUCAS. Do I understand from the answer the Senator from Nebraska just made to my colleague from Illinois, that he has joined the Capehart Club?

Mr. WHERRY. No, I simply submit to the majority leader that if the admonition of the Senator from Indiana is taken honestly and truly by the junior Senator from Illinois who asked the question, money of the taxpayers will certainly be saved to the extent of many hundreds of dollars during the 6 years to come. In that respect I would suggest that he very seriously consider joining the Capehart organization. I think it would be a fine thing for the Senate. I think it would be a fine thing for the people of Illinois. I think it would be a fine thing for the people of America.

Now, Mr. President——

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. WHERRY. I ask the Senator from Illinois once more: Is he going to agree to my unanimous-consent request, which he agreed to at first?

Mr. LUCAS. I am constrained to say to my friend from Nebraska that I will have to decline, in view of the absence of the Senator from West Virginia.

Mr. WHERRY. I want to make a concluding statement. In all seriousness——

Mr. LUCAS. Mr. President——

Mr. WHERRY. I have the floor.

Mr. HAYDEN. Mr. President, will the Senator yield?

Mr. WHERRY. No, Mr. President. I am sure objection will be heard to my request, so there is no use of asking for unanimous consent again.

Mr. HAYDEN. Will the Senator yield to me a moment? I can tell the Senator a way to get the matter in the RECORD.

Mr. WHERRY. No, Mr. President, I have been refused unanimous consent by the majority leader on a very simple and a very humble request.

The VICE PRESIDENT. That ends that.

Mr. WHERRY. That ends that.

Mr. LUCAS. If the Senator will yield to me——

Mr. WHERRY. Mr. President, may I address the Chair?

The VICE PRESIDENT. Yes, but objection is made. That ends the matter.

Mr. WHERRY. May I address the Chair?

The VICE PRESIDENT. The Senator is, of course, free to address the Chair.

Mr. WHERRY. I did not address the Chair, did I?

The VICE PRESIDENT. The Chair does not remember.

Mr. WHERRY. No. I am on the Senate floor, and as minority leader I have the right to make a unanimous-consent request.

The VICE PRESIDENT. The Senator has made it, and objection has been made to it.

Mr. WHERRY. Just a minute. I have not addressed the Chair. I have the floor.

The VICE PRESIDENT. All right; go ahead and use it.

Mr. WHERRY. Mr. President, I appreciate the observations made by the Presiding Officer. Perhaps I am wrong about that. I feel that when I address the Chair and ask for something, I am entitled to make an observation in connection with it.

The VICE PRESIDENT. The Chair understands. The Senator made a unanimous-consent request and it was objected to.

Mr. WHERRY. But the observation the distinguished Vice President made that "that ends that" was not in response to any question I asked.

The VICE PRESIDENT. It does end it. When request is made and it is objected to, it does end that request.

Mr. WHERRY. That is correct. I think I realize that. I certainly do now.

Mr. HAYDEN. If the Senator from Nebraska will allow me——

Mr. WHERRY. Just a minute. I am going to finish my remarks.

The VICE PRESIDENT. The Senator from Nebraska has the floor.

Mr. WHERRY. Objection has been made, and I feel the objection is made for reasons other than objection to the simple request I made. So I am going into this thing quite fully. If the Senator from West Virginia withdraws from the RECORD the remarks which he made, we are going to find out about it. Objection is made on the serious ground that a Senator takes a speech out of the Official Reporter's office and keeps it and may not have it printed in any form. I say that we should have rules to protect against that kind of action, even though it might be within the rules at this time. I believe we had better start amending some more of our rules if that kind of procedure is to be followed in the Senate of the United States.

Mr. HAYDEN. Mr. President, will the Senator yield to me to make a suggestion?

Mr. WHERRY. Yes.

Mr. HAYDEN. Certainly the colloquy between the Senator from Nebraska and the Senator from West Virginia should appear in the RECORD. It is beyond my belief that the Senator from West Virginia would keep it out of the RECORD for any great length of time. But in case he should decide completely to eliminate his speech from the RECORD, I believe the Senator from Nebraska would be entirely within his rights to obtain from the reporter of the Senate a transcript of what he and the Senator of West Virginia had to say, and in his own time read it to the Senate. Now there is no way in the world that it can be kept out if the Senator wants to exercise that right.

Mr. WHERRY. I may say to the distinguished Senator from Arizona that I knew that, and I made such a statement. That is the reason I asked unanimous consent to have the matter printed in the RECORD anyway. I know my rights. I know I have a perfect right to read the matter into the RECORD, and I certainly will read it into the RECORD if unanimous consent is granted.

Mr. HAYDEN. The only possible objection I could have would be that the Senator from West Virginia is not here. If the two Senators will get together and allow me to be the mediator we will settle this very quickly.

Mr. PEPPER. Mr. President, I just came on the floor. I did not know what the controversy was about, but it seemed to pertain to the junior Senator from West Virginia [Mr. NEELY]. I only want to say that I know that the junior Senator from West Virginia, who has served in this body long and honorably, has not intentionally done anything in violation of the rules of the Senate. I know that he is an honorable gentleman, an able Senator, and that if his failure to correct his remarks is responsible for them not being included in the RECORD, it is an unintentional act, and that in due course his remarks will appear in the RECORD. As one of his colleagues I want to say that there is no Senator I esteem more highly than I do the junior Senator from West Virginia. There is no Senator I believe to be more disposed to honor all the obligations of a Member of this body.

Mr. LUCAS. Mr. President, I do not think the Senator from Nebraska need worry about the Senator from West Virginia taking his remarks out of the RECORD and never finally getting them into the RECORD somewhere. The Senator from West Virginia is just not that kind of a person. He is not trying to hide anything or evade anything.

The only point I made a moment ago—and I made it seriously, and repeat it now—is that the Senator from West Virginia is not present. He ought to be present when the Senator from Nebraska makes such a request. Let the Senator from West Virginia answer for himself as to why he took this course of action, rather than have the Senator from Nebraska attempt to remove the remarks from the Appendix of the RECORD and place them in the body of the RECORD at this time.

It is not a very serious matter, one way or the other. The Senator from Nebraska has made a mountain out of a molehill with respect to the Senator from West Virginia, in the absence from the Senate of the Senator from West Virginia. Let the Senator from Nebraska take on the Senator from West Virginia on this question when he returns next week. It is not very serious at all.

The VICE PRESIDENT. What is the pleasure of the Senate?

RECESS TO MONDAY

Mr. LUCAS. I move that the Senate take a recess until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 5 o'clock and 20 minutes p. m.) the Senate took a recess until Monday, March 21, 1949, at 12 o'clock meridian.